

Next scheduled Committee Meeting will be held in the Council Chambers, 201 Spring Street, Springdale, Arkansas

- The next Committee Meeting - Monday, April 6, 2020
- Committee agendas will be available on Friday, April 3, 2020.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
AMENDED AGENDA
TUESDAY, March 24th, 2020

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Mike Overton

6:00 p.m. **OFFICIAL AGENDA**

1. *Large Print* agendas are available.
2. Call to Order – Mayor Doug Sprouse
3. Roll Call – Denise Pearce, City Clerk
Recognition of a Quorum.
4. Comments from Citizens
The Council will hear brief comments from citizens during this period on issues not on the Agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Approval of Minutes – March 10th, 2020 **Pgs. 4 - 12**
6. Procedural Motions
 - A. Entertain Motion to read all Ordinances and Resolutions by title only.
 - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s)* **9.A-F, 12.** *Motion must be approved by two-thirds (2/3) of the council members).*
7. **A Resolution** to appoint a City Council member to the A & P Commission. Forwarded from Committee with recommendation for approval. **Pg. 13**
8. **A Resolution** by the City of Springdale supporting the House Joint Resolution 1018 of 2019 (HJR 1018 of 2019) proposing an amendment to the Arkansas constitution to continue a levy of a one-half percent sales and use tax for state highways and bridges; county roads, bridges, and other surface transportation; and city streets, bridges, and other surface transportation after the retirement of the bonds authorized in Arkansas Constitution, Amendment 91, as special revenue to be distributed under the Arkansas Highway Revenue Distribution Law. Tabled from March 10, 2020 City Council meeting. Presented by Mayor Doug Sprouse. **Pg. 14**
9. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development:
 - A. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (.94 acres at 6308 Har-Ber Avenue) from Agricultural District (A-1) to Neighborhood Office District (O-1) and declaring an emergency as petitioned by Leo Dale Montgomery, Trustee. **Pgs. 15 - 17**

- B. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (3 acres ± at 5014 Har-Ber Avenue) from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency as petitioned by Ricardo Ballesteros. Pgs. 18 - 20
- C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (0.96 acres at 756 Old Wire Road) from Light Industrial District (I-1) to Institutional District (P-1) and declaring an emergency as petitioned by Rocky Mountain Realty Holding Corp. Pgs. 21 - 23
- D. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (15 acres ± at 2608 East Emma Avenue) from Agricultural District (A-1) and Light Industrial District (I-1) to Institutional District (P-1) and declaring an emergency as petitioned by Revival Tabernacle Church. Pgs. 24 - 26
- E. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (19 acres at 3018 East Robinson Avenue) from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) and Medium Density Multi-Family Residential District (MF-12) and declaring an emergency as petitioned by Brenda Lazenby. Pgs. 27 - 29
- F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (14.57 acres at 3406 S. Thompson) from Medium Density Multi-Family Residential District (MF-12) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency as petitioned by Michael David Stone. Pgs. 30 - 32
- G. **A Resolution** approving a Conditional Use at 4897 Whittle Road as set forth in Ordinance No. 4030. The Planning Commission recommends a Conditional Use be granted to Justin and Bobbi Looney for a Tandem Lot Split in an Agricultural District (A-1). Pgs. 33 & 34
- H. **A Resolution** approving a Conditional Use at 760 Butterfield Coach Road as set forth in Ordinance No. 4030. The Planning Commission recommends a Conditional Use be granted to *Integrisite* for a Use Unit 33 (self-supporting tower or antenna structure or monopole) in an Agricultural District (A-1) with conditions. Pgs. 35 & 36
- I. **A Resolution** approving a Condition Use at 3430 West Sunset Avenue as set forth in Ordinance No. 4030. The Planning Commission recommends a Conditional Use be granted to the Arkansas JRD Church (Carter Anien) for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) with conditions. Pgs. 37 & 38
- J. **A Resolution** approving a Conditional Use at 1101 South Thompson Street as set forth in Ordinance No. 4030. The Planning Commission recommends that Conditional Use be granted to Rebecca Soto for Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) with conditions. Pgs. 39 - 41
- K. **A Resolution** approving a Conditional Use at 4303 Kendra Avenue as set forth in Ordinance No. 4030. The Planning Commission recommends a Conditional Use be granted to Kenzie Tucker for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) with conditions. Pgs. 42 - 44

10. Streets and Capital Improvements Committee by Chairman Rick Evans

A Resolution authorizing the grant of an access easement to Victory Church NWA, Inc. across property owned by the City of Springdale, Arkansas (Parcel No. 815-30867-002, Springdale, Washington County, Arkansas). Resolution forwarded from Committee with recommendation for approval. Pgs. 45 - 49

11. Ordinance Committee, Chairman Mike Overton

An Ordinance Amending Chapter 130, Article 12, Section 3.8(C)(4) of Code Of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes. Tabled from March 10, 2020 City Council meeting. Forwarded from Committee with recommendation for approval. Pgs. 50 - 51

12. Comments from Council Members.

13. Comments from City Attorney.

14. Adjournment.

SPRINGDALE CITY COUNCIL
MARCH 10, 2020

The City Council of the City of Springdale met in regular session on Tuesday, March 10, 2020, in the City Council Chambers, City Administration Building. City Attorney Ernest Cate called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor (Absent)
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Rick Evans	Ward 2
Brian Powell	Ward 1
Kathy Jaycox	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Mike Irwin	Fire Chief
Mike Peters	Police Chief
Mike Chamlee	Buildings Director
Patsy Christie	Planning Director
Brad Baldwin	Public Works & Eng. Director
Wyman Morgan	Director of Financial Services
Ron Findley	Community Engagement Director

PRESIDENT PRO-TEMPORE

Council Member Overton made the motion to nominate Council Member Jeff Watson as President Pro-Tempore for tonight's meeting. Council Member Jaycox made the second.

There was a voice vote of all ayes and no nays.

APPROVAL OF MINUTES

Council Member Evans moved the minutes of the February 25, 2020 City Council meeting be approved as presented. Council Member Lawson made the second.

There was a voice vote of all ayes and no nays.

AGENDA ITEM ADDED - RESOLUTION APPROVING PAYMENT FOR SPRINGDALE MUNICIPAL CAMPUS

Council Member Jaycox made the motion to add an item to tonight's agenda as item #14, a Resolution approving a payment for the Springdale Municipal Campus. Council Member Evans made the second.

The vote:

Yes: Watson, Overton, Lawson, Evans Powell, Jaycox, Williams

No: None

PROPOSED ORDINANCE AMENDING CHAPTER 130, ARTICLE 12, SECTION 3.8(C)(4) OF CODE OF ORDINANCES OF THE CITY OF SPRINGDALE

Council Member Overton made the motion to table this item and forward it to the City Council Ordinance Committee meeting on March 16th. Council Member Jaycox made the second.

The vote:

Yes: Overton, Lawson, Evans, Powell, Jaycox, Williams, Watson

No: None

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Jaycox made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Evans made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

RESOLUTION NO. 26-20 – AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL

Wyman Morgan presented a Resolution authorizing the temporary operation of a carnival put on by James Burlingame DBA Pride Amusements at the Parsons Stadium Rodeo Arena on Thursday, May 21st, 2020 thru Sunday, May 24th, 2020; and Thursday, October 1st, 2020 thru Saturday, October 10th, 2020.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE TEMPORARY
OPERATION OF A CARNIVAL**

WHEREAS, Rick Culver, Executive Director from the Rodeo of the Ozarks has requested permission to conduct two Carnival entertainment events at the Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, put on by James Burlingame DBA Pride Amusements; and

WHEREAS, Pride Amusements carnival dates will be *Thursday, May 21st, 2020 thru Sunday, May 24th, 2020; and Thursday, October 1st, 2020 thru Saturday, October 10th, 2020; and*

WHEREAS, the carnival's hours of operation will be Thursday, May 21st thru Saturday, May 23rd, 2020, from 4:00 p.m. – Midnight and Sunday, May 24th, 2020 from noon to 8:00 p.m.; and Thursday, October 1st thru Saturday, October 3rd, 2020, from 4:00 p.m. – Midnight and Sunday, October 4th, 2020 from noon to 8:00 p.m., Monday, October 5th thru Saturday October 10th, from 4:00 p.m. - Midnight; and

WHEREAS, Sec. 26-43 of the Springdale Code of Ordinances provides that the operation of a carnival, sideshow or other similar amusement facility within the city must be approved by resolution adopted by the city council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Rick Culver, Executive Director with the Rodeo of the Ozarks and James Burlingame DBA Pride Amusements is hereby authorized to conduct two carnival entertainment events in Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, *May 21st thru May 24th, 2020, and October 1st thru October 10th, 2020*, with the carnival opening and closing times listed above. In case of a rain out, the Mayor has the authority to reschedule this event.

PASSED AND APPROVED this ____ day of March, 2020.

Jeff Watson, President Pro Tempore

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Jaycox moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Evans, Powell, Jaycox, Williams, Watson, Overton, Lawson,

No: None

The Resolution was numbered 26-20.

ORDINANCE NO. 5458 – REZONING PROPERTY OWNED BY LOCATED ON THE WEST SIDE OF OLD MISSOURI ROAD APPROXIMATELY 1000 FEET NORTH OF DON TYSON PARKWAY, FROM A-1 TO C-5, MF-12 AND MF-16; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie said City Council passed Ordinance No. 5450 on January 28, 2020, which amended the zoning ordinance for the City of Springdale by rezoning certain lands from Agricultural District (A-1) to Thoroughfare Commercial District (C-5), Medium Density Multi-family Residential District (MF-12), and Medium/High Density Multi-family Residential District (MF-16).

Ordinance No. 5450 contained a scrivener's error by failing to specify which zoning district applied to one of the tracts of land described.

After reading the title of the Ordinance, Council Member Jaycox moved the Ordinance "Do Pass". Council Member Evans made the second.

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Lawson, Evans

No: None

Council Member Evans moved the Emergency Clause be adopted. Council Member Jaycox made the second.

The vote:

Yes: Jaycox, Williams, Watson, Overton, Lawson, Evans, Powell

No: None

The Ordinance was numbered 5458.

PROPOSED ORDINANCE ACCEPTING REPLAT OF LOT 14 AND SOUTH TWENTY-FIVE FEET OF LOT 13, BLOCK 2, WEST HEIGHTS ADDITION #2 OF THE CITY OF SPRINGDALE

This item has been tabled and will be addressed at a later date.

ORDINANCE NO. 5459 – ACCEPTING THE REPLAT OF LOT 24, OAK ADDITION, PHASE XI, TO THE CITY OF SPRINGDALE; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Lot 24, Oak Addition, Phase XI, to the City of Springdale, and declaring an emergency.

Planning Commission recommended approval at their March 3, 2020 meeting.

After reading the title of the Ordinance, Council Member Evans moved the Ordinance “Do Pass”. Council Member Jaycox made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Evans, Powell, Jaycox

No: None

Council Member Evans moved the Emergency Clause be adopted. Council Member Jaycox made the second.

The vote:

Yes: Watson, Overton, Lawson, Evans, Powell, Jaycox, Williams

No: None

The Ordinance was numbered 5459.

ORDINANCE NO. 5460 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE SPRINGDALE CHAMBER OF COMMERCE TO PROMOTE BUSINESS DEVELOPMENT AND ECONOMIC GROWTH; TO WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES

Council Member Jeff Watson presented an Ordinance authorizing the Mayor and City Clerk to enter into an agreement with the Springdale Chamber of Commerce to promote business development and economic growth; to waive competitive bidding and for other purposes.

The two year agreement includes the payment of the sum not to exceed \$200,000.00 per year to the Springdale Chamber of Commerce with the money to be paid from general fund.

After reading the title of the Ordinance, Council Member Jaycox moved the Ordinance “Do Pass”. Council Member Evans made the second.

The vote:

Yes: Overton, Lawson, Evans, Powell, Jaycox, Williams, Watson

No: None

Council Member Jaycox moved the Emergency Clause be adopted. Council Member Lawson made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

The Ordinance was numbered 5460.

PROPOSED RESOLUTION BY THE CITY OF SPRINGDALE SUPPORTING THE HOUSE JOINT RESOLUTION 1018 OF 2019 (HJR 1018 OF 2019) PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE A LEVY OF A ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES, AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES, AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSS HIGHWAY REVENUE DISTRIBUTION LAW

Council Member Jaycox made the motion to table this proposed Resolution and send it to City Council Committee for discussion. Council Member Overton made the second.

The vote:

Yes: Evans, Jaycox, Watson, Overton, Lawson

No: Powell, Williams

RESOLUTION NO. 27-20 – AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A DESIGN CONTRACT FOR DEAN'S TRAIL PROJECT NO. ST1801

Council Member Evans presented a Resolution authorizing the execution of Amendment No. 1 to a design contract for Dean's Trail Project No. ST1801.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A DESIGN CONTRACT FOR DEAN'S TRAIL, PROJECT NO. ST1801

WHEREAS, the City of Springdale entered into a contract with Garver Engineers, dated October 15, 2018, for partial design of Dean's Trail, and

WHEREAS, additional grant funding has been provided for this project

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that

Section 1. The Mayor and City Clerk are hereby authorized to execute amendment no. 1 to the Garver Engineering contract for Dean's Trail.

Section 2. The Mayor is hereby authorized, for the Dean's Trail project, to institute eminent domain proceedings in any instance that an agreement has not been reached with the property owner regarding the amount of just compensation to be paid for the acquisition of property and easements. All settlements proposed by the Mayor that exceed the appraised value will be presented to the City Council for approval.

PASSED AND APPROVED this ____ day of March, 2020.

Jeff Watson, President Pro Tempore

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Jaycox moved the Resolution be adopted. Council Member Evans made the second.

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Lawson, Evans

No: None

The Resolution was numbered 27-20.

RESOLUTION NO. 28-20- AUTHORIZING MEMBERSHIP AND PARTICIPATION
IN THE NORTHWEST ARKANSAS RAZORBACK GREENWAY ALLIANCE

Council Member Evans presented a Resolution authorizing membership and participation in the Northwest Arkansas Razorback Greenway Alliance.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING MEMBERSHIP AND
PARTICIPATION IN THE NORTHWEST ARKANSAS
RAZORBACK GREENWAY ALLIANCE.**

WHEREAS, during the planning phase of the Northwest Arkansas Razorback Greenway, it was acknowledged that because of its unique regional characteristics, stewardship of the facility would require a non-traditional and uniquely cooperative approach to management and operations with integral involvement of all cities through which the Greenway traversed; and

WHEREAS, uniform and consistent guiding principles of quality for maintenance, operational standards, management, signage, public information, promotion, and future improvements were outlined in the "Northwest Arkansas Razorback Greenway Operations and Management Plan;" and

WHEREAS, the Plan, which was adopted by all cities in the corridor, included a commitment from each city to participate through membership in a regional committee with the purpose of jointly and cooperatively facilitating uniformity and consistency in the standards, operations, and management of the Greenway; and

WHEREAS, such joint cooperation is best achieved through the Interlocal Cooperation Act, codified at Ark. Code Ann. §25-20-101 *et seq.*, through an agreement to create and participate in the Northwest Arkansas Razorback Greenway Alliance.

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

SECTION 1. That the Mayor be, and is hereby authorized to execute the "Northwest Arkansas Razorback Greenway Alliance Agreement," which is herewith approved and attached hereto.

SECTION 2. That said Agreement shall only become operative and in effect upon approval of all cities involved (Fayetteville, Johnson, Springdale, Lowell, Rogers, Bentonville, and Bella Vista), and upon approval by the Arkansas Attorney General's Office.

PASSED AND APPROVED this ____ day of March, 2020.

Jeff Watson, President Pro Tempore

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Jaycox moved the Resolution be adopted. Council Member Evans made the second.

The vote:

Yes: Jaycox, Williams, Watson, Overton, Lawson, Evans, Powell

No: None

The Resolution was numbered 28-20.

RESOLUTION NO. 29-20 – AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO CARROLL ELECTRIC COOPERATIVE CORPORATION ACROSS PROPERTY (SHAW PARK) OWNED BY THE CITY OF SPRINGDALE, ARKANSAS (PARCEL NO. 21-00167-545, PARCEL NO. 21-00147-470 AND PARCEL NO. 21-00167-471, SPRINGDALE, BENTON COUNTY, ARKANSAS)

Council Member Lawson presented a Resolution authorizing the grant of a utility easement to Carroll Electric Cooperative Corporation across property (Shaw Park) owned by the City of Springdale, Arkansas (Parcel No. 21-00167-545, Parcel No. 21-00167-470 and Parcel No. 21-00167-471), Springdale, Benton County, Arkansas.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO CARROLL ELECTRIC COOPERATIVE CORPORATION ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, ARKANSAS (PARCEL NO. 21-00167-545, PARCEL NO. 21-00167-470 AND PARCEL NO. 21-00167-471, SPRINGDALE, BENTON COUNTY, ARKANSAS).

WHEREAS, the City of Springdale, Arkansas, owns three tracts of property known as Parcel No. 21-00167-545, Parcel No. 21-00167-470, and Parcel No. 21-00167-471, Springdale, Benton County, Arkansas ("the Property");

WHEREAS, Carroll Electric is in need of a utility easement across the Property, as shown on the attached Exhibit "A";

WHEREAS, the utility easement is necessary for the construction of a new electric transmission line to enhance capacity in the area of the Property, and will be beneficial to future growth and development of the area; and

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document when authorized to do so by Resolution approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting a utility easement across the Property to Carroll Electric.

PASSED AND APPROVED this ____ day of March, 2020.

Jeff Watson, President Pro Tempore

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Jaycox moved the Resolution be adopted. Council Member Evans made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Evans, Powell, Jaycox

No: None

The Resolution was numbered 29-20.

RESOLUTION NO. 30-20 – AUTHORIZING PAYMENT OF AN INVOICE, PROJECT NO. 18BPC1

Council Member Evans presented a Resolution authorizing payment of an invoice for \$1,017,662.79 for the municipal campus.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING PAYMENT OF AN INVOICE
PROJECT NO. 18BPC1**

WHEREAS, Springdale municipal code sec. 2-158 requires approval of the governing body before paying any bill that exceeds \$1,000,000 , and

WHEREAS, the City of Springdale has contracted with Milestone Construction Company, LLC to construct/renovate the Springdale Municipal Campus, and

WHEREAS, The City has received an invoice for \$1,017,662.79 for construction expenses for February 2020.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are

SPRINGDALE CITY COUNCIL
MARCH 10, 2020

hereby authorized to pay Milestone Construction Company, LLC \$1,017,662.79 with funds from the 2018 Bond Construction Fund.

PASSED AND APPROVED this ____ day of March, 2020.

Jeff Watson, President Pro Tempore

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Evans moved the Resolution be adopted. Council Member Jaycox made the second.

The vote:

Yes: Watson, Overton, Lawson, Evans, Powell, Jaycox, Williams

No: None

The Resolution was numbered 30-20.

ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 6:22 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

**A RESOLUTION MAKING AN APPOINTMENT
TO THE ADVERTISING AND PROMOTION
COMMISSION OF THE CITY OF SPRINGDALE**

WHEREAS, due to the resignation of Colby Fulfer on Seat #6, this position is open; and

WHEREAS, A.C.A. 26-75-605 and Ordinance No. 3293 provide that the two commission member positions of the city council shall be selected by the City Council; and

WHEREAS, it is the recommendation of the Mayor that Mike Overton be appointed to the unexpired term of Seat #6 on the Advertising and Promotion Commission; said term to expire December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Mike Overton is hereby appointed to Seat #6 as an Advertising and Promotion Commissioner with said term to expire on December 31, 2022.

PASSED AND APPROVED this _____ day of March 24th, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION BY THE CITY OF SPRINGDALE SUPPORTING THE HOUSE JOINT RESOLUTION 1018 OF 2019 (HJR 1018 OF 2019) PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CONTINUE A LEVY OF A ONE-HALF PERCENT SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES; COUNTY ROADS, BRIDGES, AND OTHER SURFACE TRANSPORTATION; AND CITY STREETS, BRIDGES, AND OTHER SURFACE TRANSPORTATION AFTER THE RETIREMENT OF THE BONDS AUTHORIZED IN ARKANSAS CONSTITUTION, AMENDMENT 91, AS SPECIAL REVENUE TO BE DISTRIBUTED UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW.

WHEREAS, Arkansas Constitution, Amendment 91, levies a one-half percent sale and use tax to provide additional funding for the site's four-lane highway system, county roads, and city streets; and,

WHEREAS, the one-half percent sales and use tax under Arkansas Constitution, Amendment 91, is due to expire on June 30, 2023 unless a new constitutional amendment is passed; and,

WHEREAS, HJR 1018 proposes that the sales and use tax levied under Arkansas Constitution, Amendment 91, be continued to provide special revenue for use of maintaining, repairing, and improving the state's system of highways, county roads, and city streets; and,

WHEREAS, without continuation of this sales and use tax the state will be unable to meet the severe and pressing needs to maintain and improve the state's system of state highways, county roads, and city streets; and,

WHEREAS, the continuation of the one-half percent sales and use tax will ensure future investment in the state highway system, county roads, and city streets; and,

WHEREAS, this investment will create jobs, aid in economic development, improve quality of life, and provide additional transportation infrastructure, including specifically, a four-lane highway construction plan designed to connect all regions of the state, and;

WHEREAS, it is beneficial for all municipalities to support HJR 1018 as a necessary funding mechanism for our travel-infrastructure and will serve as an economic boon for the State.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF SPRINGDALE, ARKANSAS:

SECTION 1: That we do hereby support the legal proposals found in HJR 1018 of 2019, as well as its adoption by the people of the State of Arkansas at the next general election.

PASSED AND APPROVED this ____ day of _____, 2020

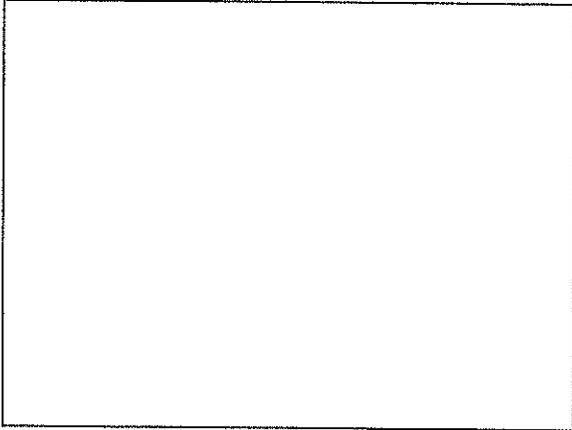
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO NEIGHBORHOOD OFFICE DISTRICT (O-1) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Leo Dale Montgomery, Trustee, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Neighborhood Office District (O-1).

Layman's Description: 6308 Har-Ber Avenue

Legal Description: A part of the NW 1/4 of the SE1/4 of Section 32, Township 18 North, Range 30, West Washington County, Arkansas, being more particularly described as follows: Beginning at an iron pin located on the South line of the NW 1/4 of the SE 1/4 of said Section 32, that is South 89 degrees 18 minutes 33 seconds East 198.7 feet from the Southwest corner of said 40 acre tract, running thence North 00 degrees 18 minutes West 230.5 feet to an iron pin, thence South 64 degrees 52 minutes East 255.5 feet to an iron pin, thence South 00 degrees 18 minutes East 124.8 feet to an iron pin located on the South line of said 40 acres tract thence North 89 degrees 18 minutes 33 seconds West 230.8 feet to the point of beginning, containing 0.94 acres, more or less, Elm Springs, Washington County, Arkansas. Subject to the Har-Ber Avenue right of way along the South side and any other easements and/or rights of way of record or fact.

LESS AND EXCEPT:

The West 35 feet of the above described tract, described as beginning at an iron pin located on the South line of the NW1/4 of the SE1/4 of said Section 32, Township 18, North, Range 30 West, Washington County, Arkansas, that is South 89 degrees 18minutes 33 seconds East 198.7

feet from the Southwest corner of said 40 acre tract, running thence North 00 degrees 18 minutes West 230.5 feet to an iron pin thence South 64 degrees 52 minutes East 35 feet, thence South 00 degrees 18 minutes East to a point on the South line of the NW 1/4 of the SE1/4, thence South 89 degrees 18 minutes 33 seconds West to the point of beginning. Subject to easements, rights of way, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases..

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Neighborhood Office District (O-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Neighborhood Office District (O-1)

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

Doug Sprouse, Mayor

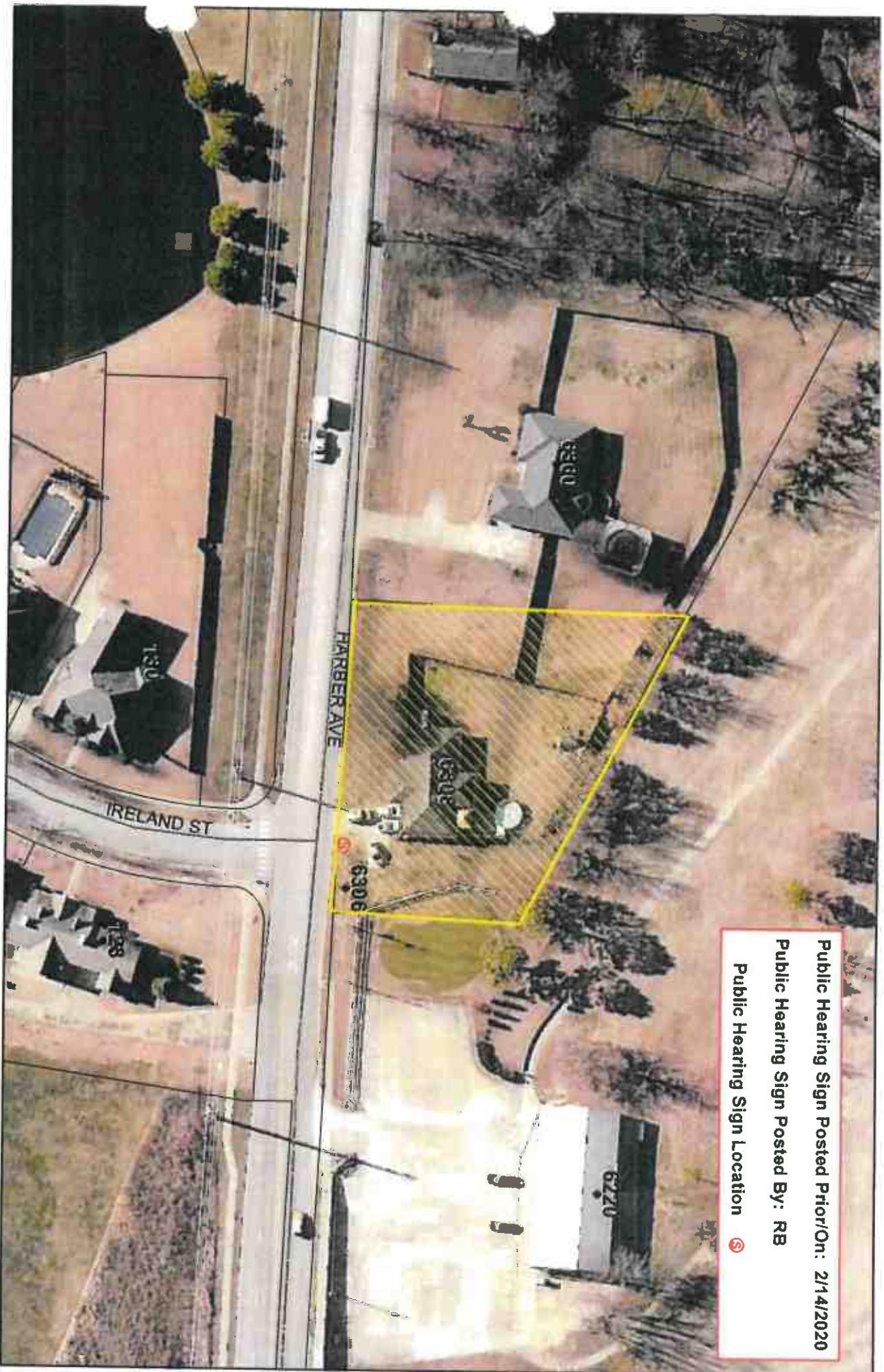
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted Prior/On: 2/14/2020
Public Hearing Sign Posted By: RB
Public Hearing Sign Location 

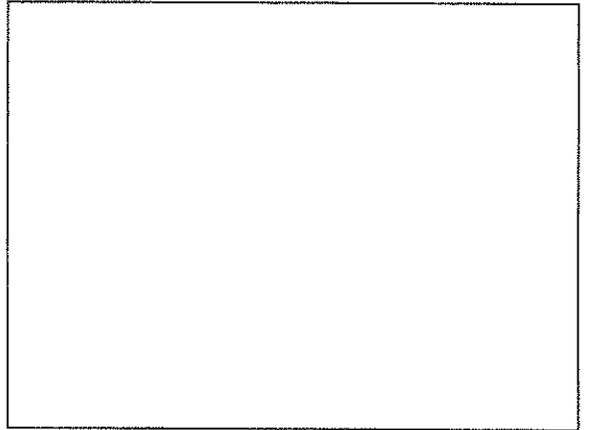


FILE NO. R20-11

APPLICANT: Leo Dale Montgomery, Trustee
REQUEST: Rezone from A-1 to O-1

PLANNING COMMISSION MEETING
March 3, 2020


0 15 30 60 90 120
Feet
For Location Reference Only



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Ricardo Ballesteros, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2)

Layman's Description: 5014 Har-Ber Avenue

Legal Description: Part of the Northeast Quarter of the Southwest Quarter of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, Washington County, Arkansas, described as follow, to-wit: Beginning at a point 565 feet East of the Southwest corner of said forty acre tract, thence East 200 feet, thence North 66 feet, thence West 200 feet, thence South 660 feet to the Point of Beginning, and containing 3 acres, more or less..

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to General Commercial District (C-2)

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



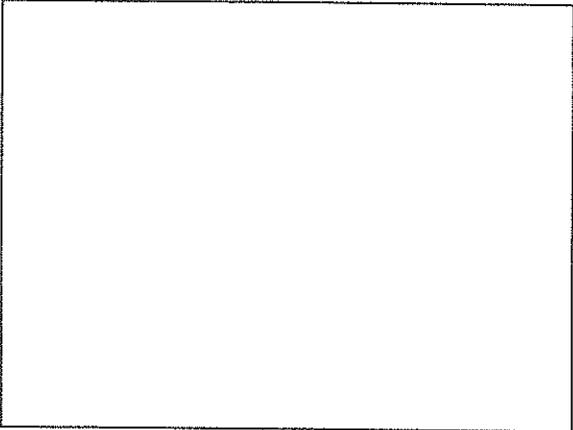
Public Hearing Sign Posted Prior/On: 2/14/2020
 Public Hearing Sign Posted By: RB
 Public Hearing Sign Location 9



0 25 50 100 150 200
 Feet
 For Location Reference Only

FILE NO. R20-09
APPLICANT: Ricardo & Amanda Ballesteros
REQUEST: Rezone from A-1 to C-2

PLANNING COMMISSION MEETING
 March 3, 2020



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM LIGHT INDUSTRIAL DISTRICT (I-1) TO INSTITUTIONAL DISTRICT (P-1) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Rocky Mountain Realty Holding Corp., requesting that the following described tract of real estate to be zoned from Light Industrial District (I-1) to Institutional District (P-1)

Layman's Description: 756 Old Wire Road

Legal Description: PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 THENCE SOUTH 02°13'07" WEST A DISTANCE OF 834.02 FEET TO A POINT; THENCE NORTH 87°55'01" WEST A DISTANCE OF 297.54 FEET TO A FOUND 1/2" REBAR BEING THE POINT OF BEGINNING; THENCE SOUTH 02°11'34" WEST A DISTANCE OF 173.88 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 42°38'03" WEST A DISTANCE OF 284.76 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 53°55'29" EAST A DISTANCE OF 265.94 FEET TO THE POINT OF BEGINNING CONTAINING 0.96 ACRES OR 41,624 SQUARE FEET MORE OR LESS. SUBJECT TO ANY RIGHT-OF-WAY OR EASEMENTS OF RECORD.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Light Industrial District (I-1) to Institutional District (P-1) for the purposes

of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Light Industrial District (I-1) to Institutional District (P-1)

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

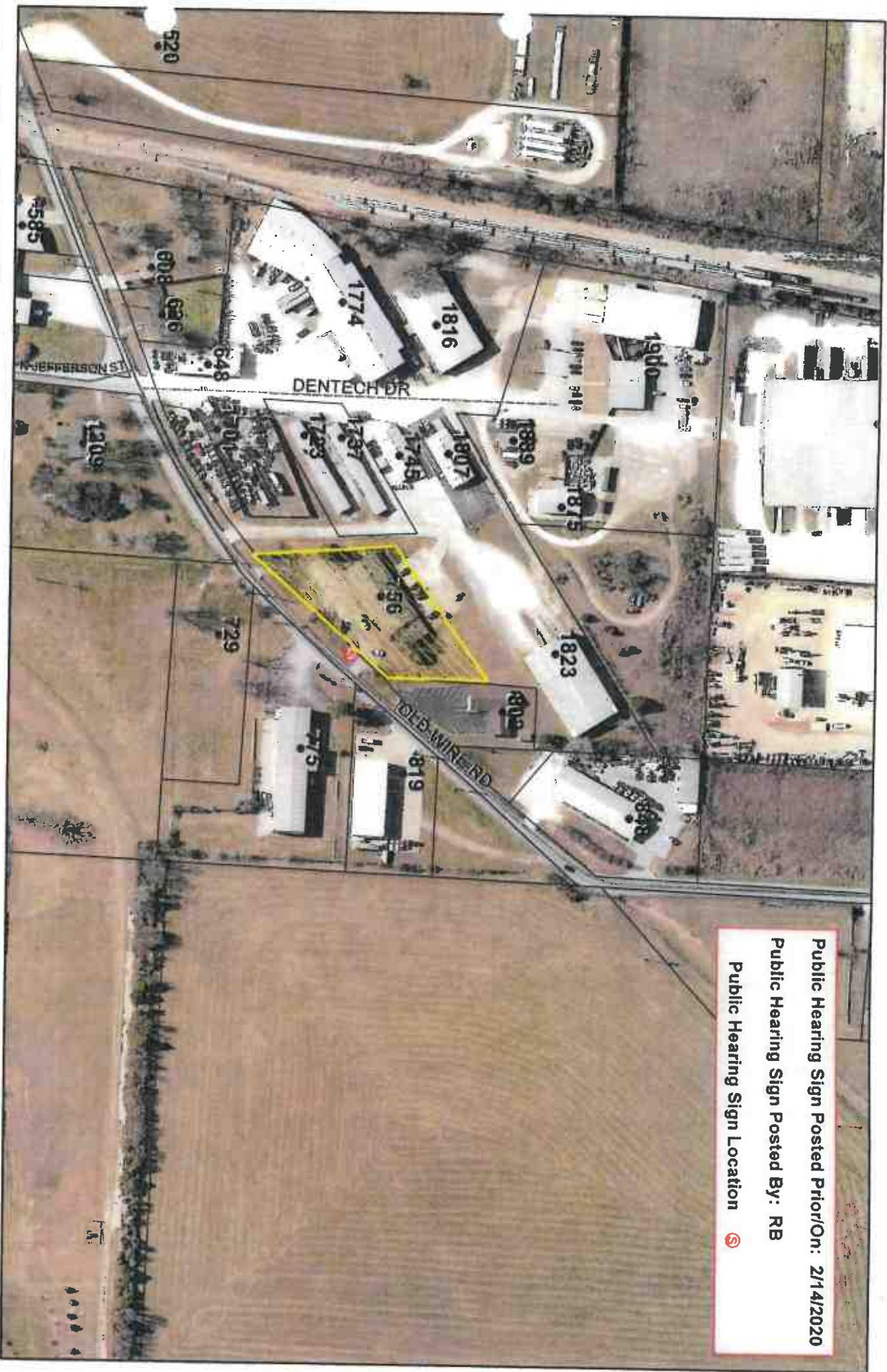
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

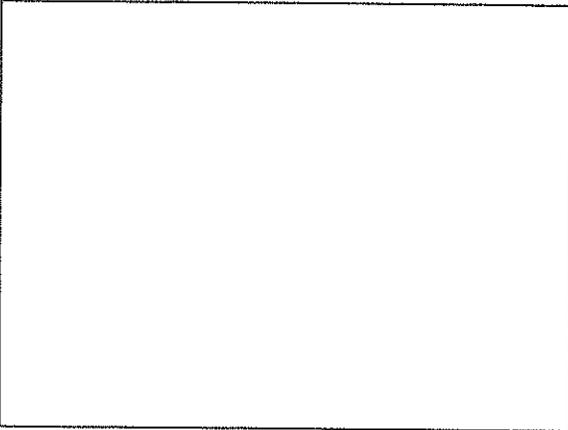


Public Hearing Sign Posted Prior/On: 2/14/2020
 Public Hearing Sign Posted By: RB
 Public Hearing Sign Location 



FILE NO. R20-08
APPLICANT: Rocky Mountain Realty Holding Corp
REQUEST: Rezone from I-1 to P-1

PLANNING COMMISSION MEETING
 March 3, 2020



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) AND LIGHT INDUSTRIAL DISTRICT (I-1) TO INSTITUTIONAL DISTRICT (P-1) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Rival Tabernacle Church, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) **and** Light Industrial District (I-1) to Institutional District (P-1).

Layman's Description: 2608 East Emma Avenue

Legal Description: A part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-two (32) Township Eighteen (18) North, Range Twenty-nine (29) West, and being more particularly described as follows, to wit:

The Southwest (SW Corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section Thirty-two (32) being the POINT OF BEGINNING run thence North e659.07 feet, along the Section Line thence North 89°50'44" East 990.93 feet, thence South 659.69 feet, thence South 89°52'51" West 990.93 feet to the POINT OF BEGINNING containing 15, acres, more or less and subject to the road right-of-way.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) **and** Light Industrial District (I-1) to Institutional District (P-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) **and** Light Industrial District (I-1) to Institutional District (P-1).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

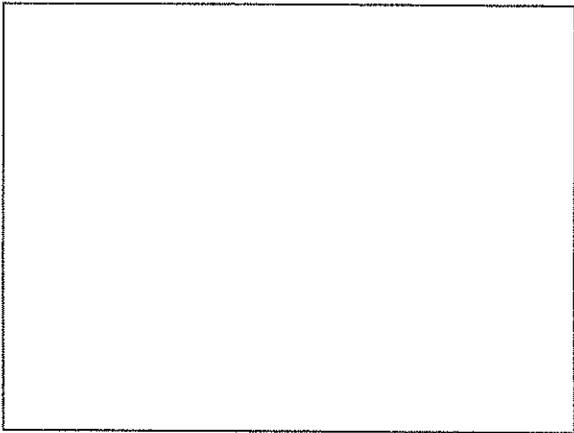
APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NO. R20-07
APPLICANT: Revival Tabernacle Church
REQUEST: Rezone from A-1 & I-1 to P-1

PLANNING COMMISSION MEETING
 March 3, 2020



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Brenda Lazenby requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) **and** Medium Density Multi-family Residential District (MF-12)

Layman's Description: 3018 East Robinson Avenue

Legal Description:

ENTIRE SUBJECT PROPERTY (PER WARRANTY DEED AT BOOK 932, PAGE 344):

Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Five (5) in Township Seventeen (17) North, Range Twenty-nine (29) West, described as; Beginning at the Southwest corner of said 40 acre tract, and running thence East 627 feet; thence North 1320 feet to the North line of said 40 acre tract; thence West 627 feet; thence South 1320 feet to the place of beginning except that part of said tract embraced in Public road.

PORTION OF PROPERTY TO BE REZONED TO C-5 DISTRICT:

Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Five (5) in Township Seventeen (17) North, Range Twenty-nine (29) West, described as; Beginning at the Southwest corner of said 40 acre tract, and running thence East 627 feet; thence North 282 feet; thence West 627 feet; thence South 282 feet to the place of beginning except that part of said tract embraced in Public road.

PORTION OF PROPERTY TO BE REZONED TO MF-12 DISTRICT:

Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Five (5) in Township Seventeen (17) North, Range Twenty-nine (29) West, described as; Commencing at the Southwest corner of said 40 acre tract, and running thence North 282 feet to the Place of Beginning; thence East 627 feet; thence North 1038 feet to the North line of said 40 acre tract; thence West 627 feet; thence South 1038 feet to the place of beginning.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) and Medium Density Multi-family Residential District (MF-12) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Thoroughfare Commercial District (C-5) **and** Medium Density Multi-family Residential District (MF-12).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

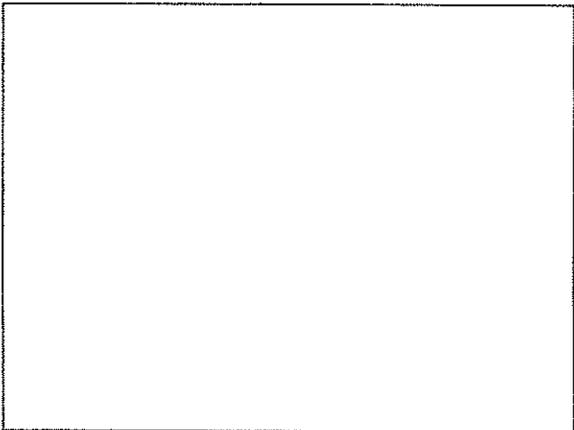


Public Hearing Sign Posted Prior On: 2/14/2020
 Public Hearing Sign Posted By: RB
 Public Hearing Sign Location 



0 50 100 200 300 400
 Feet
 For Location Reference Only

FILE NO. R20-12
 APPLICANT: Brenda Lazenby
 REQUEST: Rezone from A-1 to C-5 & MF-12
 PLANNING COMMISSION MEETING
 March 3, 2020



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) AND GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of March 3, 2020 for hearing the matter of a petition of Michael David Slone, requesting that the following described tract of real estate to be zoned from Medium Density Multi-family Residential District (MF-12) **and** General Commercial District (C-2) to Thoroughfare Commercial District (C-2)

Layman's Description: 3406 S. Thompson

Legal Description: A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING ALONG THE EAST LINE OF SAID FORTY ACRE TRACT N02°23'00"E 462.00', THENCE LEAVING SAID EAST LINE N87°14'09"W 58.38' TO A FOUND 3/8" REBAR, LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 71 B, MARKING THE TRUE POINT OF BEGINNING AND RUNNING THENCE: N87°11'32"W 499.61' TO A 4" CONCRETE MONUMENT, THENCE S02°17'57"W 464.87' TO A FOUND 1/2" REBAR, THENCE N87°13'03"W 748.11' TO A FOUND ALUMINUM MONUMENT BEING THE SOUTHWEST CORNER OF SAID FORT ACRE TRACT, THENCE N02°12'54"E 693.42' TO A 4" CONCRETE MONUMENT, THENCE S87°19'26"E 1249.28' TO A 4" CONCRETE MONUMENT LOCATED ON THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 71 B, THENCE

ALONG SAID RIGHT-OF-WAY S02°26'21"W 231.08' TO THE POINT OF BEGINNING. CONTAINING 14.57 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Medium Density Multi-family Residential District (MF-12) **and** General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Medium Density Multi-family Residential District (MF-12) **and** General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



Public Hearing Sign Posted Prior/On: 2/21/2020
 Public Hearing Sign Posted By: AT
 (S) Public Hearing Sign Location



0 60 120 240 360 480 Feet
 For Location Reference Only

PLANNING COMMISSION MEETING
 March 3, 2020

FILE NO. R20-06
APPLICANT: David Stone
REQUEST: Rezoning from MF-12/ C-2 to C-5

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
4897 WHITTLE ROAD AS SET FORTH IN ORDINANCE
NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2020 on a request by Justin and Bobbi Looney for a Tandem Lot Split in an Agricultural District (A-1) at 4897 Whittle Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of six (6) yes and zero (0) recommends that a conditional use be granted to Justin and Bobbie Looney for a Tandem Lot Split an Agricultural District (A-1) at 4897 Whittle Road with the following conditions – **No conditions set.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Justin and Bobby Looney for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – **No conditions set.**

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

ATTEST:

Doug Sprouse, Mayor

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



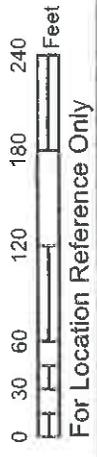
Public Hearing Sign Posted Prior/On: 2/14/2020
Public Hearing Sign Posted By: RB
Public Hearing Sign Location S

FILE NO. C20-10

APPLICANT: Justin & Bobbi Looney

REQUEST: Conditional Use for a Tandem Lot Split at
4897 Whittle Road

PLANNING COMMISSION MEETING
March 3, 2020



RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
760 BUTTERFIELD COACH ROAD AS SET FORTH IN
ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2020 on a request by Integrisite for a conditional use for a Use Unit 33 (Self-supporting tower or antenna structure or monopole) in an Agricultural District (A-1) at 760 Butterfield Coach Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of six (6) yes and zero (0) no recommends that a conditional use be granted to Integrisite for a Use Unit 33 (Self-supporting tower or antenna structure or monopole) in an Agricultural District (A-1) at 76- Butterfield Coach Road with the following conditions **Must meet standards outlined in Chapter 130 Article 6, section 3.14.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Integrisite for a Use Unit 33 (Self-supporting tower or antenna structure or monopole) in an Agricultural District (A-1) at 760 Butterfield Coach Road with the following conditions- **Must meet standards outlined in Chapter 130 Article 6, section 3.14**

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

ATTEST:

Doug Sprouse, Mayor

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NO. C20-09
APPLICANT: Integrisite
REQUEST: Conditional Use Unit 33
(Self-Supporting Tower or Antenna) in A-1

PLANNING COMMISSION MEETING
 March 3, 2020

0 30 60 120 180 240 Feet

For Location Reference Only

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
3430 WEST SUNSET AVENUE AS SET FORTH IN
ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2020 on a request by Arkansas JRD Church (Carter Anien) for a conditional use for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) at 3430 West Sunset Avenue; and

WHEREAS, following the public hearing the Planning Commission by a vote of six (6) yes and zero (0) no recommends that a conditional use be granted to the Arkansas JRD Church (Carter Anien) for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) at 3430 West Sunset Avenue with the following conditions – **Modification to the building as outlined by Building Department, signed parking agreements provided.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Arkansas JRD Church (Carter Anien) for a Use Unit 42 (Church/Synagogue) in a General Commercial District (C-2) at 3430 West Sunset Avenue with the following conditions –

Modification to the building as outlined by Building Department, signed parking agreements provided, must meet the requirements of the sound Ordinance

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
1101 SOUTH THOMPSON STREET AS SET FORTH IN
ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2020 a request by Rebecca Soto for a conditional use for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 1101 South Thompson Street; and

WHEREAS, following the public hearing the Planning Commission by a vote of six (6) yes and zero (0) no recommends that a conditional use be granted to Rebecca Soto for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 1101 South Thompson Street with the following conditions –

1. **May not operate between the hours of 10:00 p.m. & 7:00 a.m.**
2. **If a health certificate is required, display the heal certificate in a manner visible to customers**
3. **No obstruction of pedestrian or motor vehicle traffic flow**
4. **No obstruction of traffic signals or regulator signs**
5. **No vending upon a public way**
6. **No sound 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**
7. **Sites to remain clean and free of paper or refuse of any kind generated from the operation of the business with all trash or debris accumulating with twenty (20) feet of any vending stand to be collected and deposited into a trash container.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Rebecca Soto for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 1101 South Thompson Street with the following conditions –

1. **May not operate between the hours of 10:00 p.m. & 7:00 a.m.**
2. **If a health certificate is required, display the heal certificate in a manner visible to customers**
3. **No obstruction of pedestrian or motor vehicle traffic flow**
4. **No obstruction of traffic signals or regulator signs**
5. **No vending upon a public way**
6. **No sound 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**
7. **Sites to remain clean and free of paper or refuse of any kind generated from the operation of the business with all trash or debris accumulating with twenty (20) feet of any vending stand to be collected and deposited into a trash container.**

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

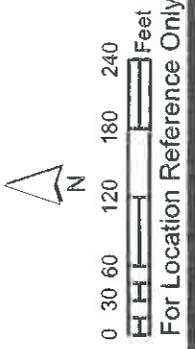
Ernest Cate, City Attorney



Public Hearing Sign Posted Prior/On: 2/14/2020
 Public Hearing Sign Posted By: RB
 Public Hearing Sign Location 5

PLANNING COMMISSION MEETING
 March 3, 2020

FILE NO. C20-07
 APPLICANT: Rebecca Soto
 REQUEST: Conditional Use Unit 44 (Mobile Vending)



RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
4303 KENDRA AVENUE AS SET FORTH IN ORDINANCE
NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2020 on a request by Kenzie Tucker for a conditional use for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) at 4303 Kendra Avenue; and

WHEREAS, following the public hearing the Planning Commission by a vote of six (6) yes and zero (0) no recommends that a conditional use be granted to Kenzie Tucker for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions

1. **No alteration of the outside appearance of the residential structure or provision of a separate outside entrance for the business areas of the residential structure.**
2. **No outside storage of materials required for the operation of the business.**
3. **Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or helper whether such business is conducted on the premises or off the premises.**
4. **Requires the use of an area no greater than thirty (30) percent of the total heated living space of the residential structure.**
5. **Generates no traffic, parking, and sewage or water use in excess of what is normal in the residential neighborhood.**
6. **Will not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity.**
7. **Will not involve accessory buildings.**
8. **Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Kenzie Tucker for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) at 4303 Kendra Avenue with the following conditions –

1. **No alteration of the outside appearance of the residential structure or provision of a separate outside entrance for the business areas of the residential structure.**
2. **No outside storage of materials required for the operation of the business.**
3. **Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or**

helper whether such business is conducted on the premises or off the premises.

4. Requires the use of an area no greater than thirty (30) percent of the total heated living space of the residential structure.
5. Generates no traffic, parking, and sewage or water use in excess of what is normal in the residential neighborhood.
6. Will not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity.
7. Will not involve accessory buildings.
8. Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

ATTEST:

Doug Sprouse, Mayor

Denise Pearce, City Clerk

APPROVED AS TO FORM:

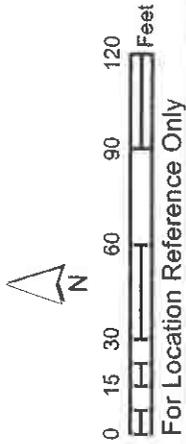
Ernest Cate, City Attorney



Public Hearing Sign Posted Prior/On: 2/14/2020
 Public Hearing Sign Posted By: RB
 Public Hearing Sign Location

PLANNING COMMISSION MEETING
 March 3, 2020

FILE NO. C20-06
APPLICANT: Kenzie Tucker
REQUEST: Conditional Use Unit 28



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE GRANT OF AN
ACCESS EASEMENT TO VICTORY CHURCH NWA, INC.
ACROSS PROPERTY OWNED BY THE CITY OF
SPRINGDALE, ARKANSAS (PARCEL NO. 815-30867-002,
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS).**

WHEREAS, the City of Springdale, Arkansas, owns a tract of property known as Parcel No. 815-30867-002, Springdale, Washington County, Arkansas ("the Property");

WHEREAS, Victory Church NWA, Inc., owns a parcel of property adjacent to the Property, and is in need of an access easement to access its property, as shown on the attached Exhibit "A";

WHEREAS, the access easement is necessary for Victory Church NWA, Inc., to access its property, and would ratify the access already in place for the property owned by Victory Church NWA, Inc., and will be beneficial to future growth and development of the area; and

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached access easement document when authorized to do so by Resolution approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor and City Clerk are hereby authorized to execute the attached access easement document granting an access easement across the Property to Victory Church NWA, Inc.

PASSED AND APPROVED this _____ day of _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ACCESS EASEMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, The City of Springdale, Arkansas, a municipal corporation, is the record owner of the following described tract of land situate in Washington County, Arkansas, and which is hereafter referred to as Tract A, to-wit:

TRACT A LEGAL DESCRIPTION

PT NW NW 1.22AC FURTHER DESCRIBED FROM CV-2013-220-4 AS: Part of the Northwest Quarter of the Northwest Quarter of Section 16, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: BEGINNING at a 4 inch Aluminum Monument found at the Section Corner of Section 8,9,16 & 17; thence along the North line of said Northwest Quarter of the Northwest Quarter, South 87°22'52" East a distance of 991.21 feet; thence South 2°31'40" West a distance of 18.24 feet to the Southern Right of Way of Don Tyson Parkway as established by AHTD job 040527; thence along said Southern Right of Way the following bearings and distances; South 88°01'11" West a distance of 712.79 feet; North 83°23'01" West a distance of 225.72 feet; South 47°44'23" West a distance of 45.22; North 87°56'21" West a distance of 23.33 feet to the West line of said Northwest Quarter of the Northwest Quarter; thence along said West line, North 2°29'31" East a distance of 91.79 feet to the POINT OF BEGINNING, and containing 1.22 acres (53,037 square feet) more or less as shown on AHTD plans referenced as Job 040527.

Also known as Washington County Tax Parcel No. 815-30867-002 in the records of the Circuit Clerk and Ex-Officio Recorder, Washington County, Arkansas.

AND WHEREAS, Victory Church NWA, INC., also owns the following tract of land situate in Washington County, Arkansas, and hereafter referred to as Tract B

TRACT B LEGAL DESCRIPTION

PT N/2 NW NW 13.78AC FURTHER DESCRIBED AS: The N1/2 of the NW1/4 the NW 1/4 of Section 16, Township 17 North, Range 30 West, containing 20.00 acres, more or less. Now more accurately described and shown as shown on a plat of survey dated May 9, 2003, by Alan Reid & Associates, Project #03234, as follows: The N1/2 of the NW1/4 of the NW1/4 of Section 16, Township 17 North, Range 30 West, Washington County, Arkansas, described as beginning at the NW corner of said NW1/4 of NW1/4, said point being an aluminum State monument in the intersection of 56'h Street and Dearing Lane; thence S 88° 38' 50" E, 1321.59 feet to a set cotton spindle at the NE corner of said NW1/4 of the NW1/4 said point being in Dearing Lane; thence S 01° 14' 44" W, 658.34 feet

to an existing iron at the SE corner of the N1/2 of the said NW1/4 of the NW1/4; thence N 88° 43' 02" W, 1321.26 feet to the SW corner of the N1/2 of said NW1/4 of the NW1/4 from which a set reference 1/2" iron rebar on the East right-of-way of 56th Street bears S 88° 43' 02" E, 22.87 feet; thence N 01° 13' 00" E, 659.95 feet to the Point of Beginning, containing 20.00 acres, more or less, LESS AND EXCEPT a part of the North 1/2 of the NW1/4 of the NW1/4 of Section 16, Township 17 North, Range 30 West, being more particularly described as follows: Commencing at the Northwest Corner of the NW1/4 of the NW1/4 of said Section 16, said point being an existing State of Arkansas aluminum survey monument in the intersection of 56" Street and Dearing Lane, thence S 88° 38' 50" E 991.15 feet along the North line of said 20 acre tract to the true point of beginning, said point being in Dearing Lane and from which a 1-1/2 inch reference iron set on the apparent South right of way line of said Lane bears S 01° 14' 44" W 25.29 feet; thence S 88° 38' 50" E 330.44 feet to an existing cotton spindle at the NE Corner of the NW1/4 of the NW1/4 of Section 16, said point being in Dearing Lane, thence S 01° 14' 44" W 658.34 feet to an existing iron at the Southeast Corner of the North 1/2, of the NW1/4 of the NW1/4 of said Section 16; thence N 88° 43' 02" W 330.44 feet along the South line of said 20 acre tract to a set 1/2 inch iron rebar; thence N 01° 14' 44" East 658.74 feet to the point of beginning, containing 5.00 acres, more or less, Washington County, Arkansas.

Also known as Washington County Tax Parcel No. 815-30867-000 in the records of the Circuit Clerk and Ex-Officio Recorder, Washington County, Arkansas.

AND, WHEREAS, the present access for Tract B is over and across Tract A. Being knowledgeable that at some time in the future said Tract A may be conveyed to a third party, **the City of Springdale, Arkansas, a municipal corporation**, does now intent and desire to convey an access easement for Tract B, to run-over and across a portion of Tract A.

NOW, THEREFORE, **The City of Springdale, Arkansas, a municipal corporation**, hereinafter called GRANTOR, for in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is herein acknowledged, does hereby grant, bargain and convey unto said **Victory Church NWA, INC**, hereinafter called GRANTEE, and unto its successors and assigns forever, an easement for ingress, egress, and passage over and across the following described lands located in Washington County, Arkansas, to-wit:

ACCESS EASEMENT LEGAL DESCRIPTION

A 20 foot wide Access Easement over and across Washington County Tax Parcel No. 815-30867-002 as shown on Attachment 1 in PT NW NW 1.22AC FURTHER DESCRIBED FROM CV-2013-220-4 AS: Part of the Northwest Quarter of the Northwest Quarter of Section 16, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: BEGINNING at a 4 inch Aluminum Monument found at the Section Corner of Section 8,9,16 & 17; thence along the North line of said Northwest Quarter of the Northwest Quarter, South 87°22'52" East a distance of 570.00 feet to the Point of Beginning; thence along said North line South 87°22'52" East a distance of 20.01 feet; thence leaving said line S01°14'44" West a distance of 50.43 feet to the common line between Tract A and Tract B; thence along said line South 88°01'11" West a distance of 20.03 feet; thence leaving said line North 01°14'44" East a distance of 52.04 feet to the Point of Beginning, containing 0.023 acres, more or less, Washington County, Arkansas.

This easement is declared to and does inure to the benefit of the GRANTEE and unto its successors and assigns forever.

Said easement shall be unobstructed and non-exclusive, with the GRANTOR herein reserving the right unto itself and unto its successors and assigns to concurrent use of said easement.

WITNESS the execution hereof this the _____ day of _____, 20_____.

By: _____
Denise Pearce, City Clerk

By: _____
Doug Sprouse, Mayor

ACKNOWLEDGMENT

STATE OF ARKANSAS)SS
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, Doug Sprouse, Mayor of the City of Springdale, Arkansas, personally known to me to be the person subscribing to the foregoing document, and who stated to me that he had executed the same for the purposes and considerations therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 20__.

My Commission Expires:

Notary Public

ACKNOWLEDGMENT

STATE OF ARKANSAS)SS
COUNTY OF WASHINGTON)

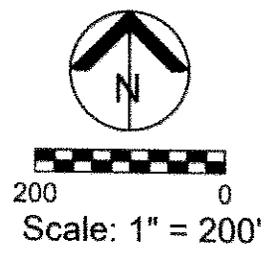
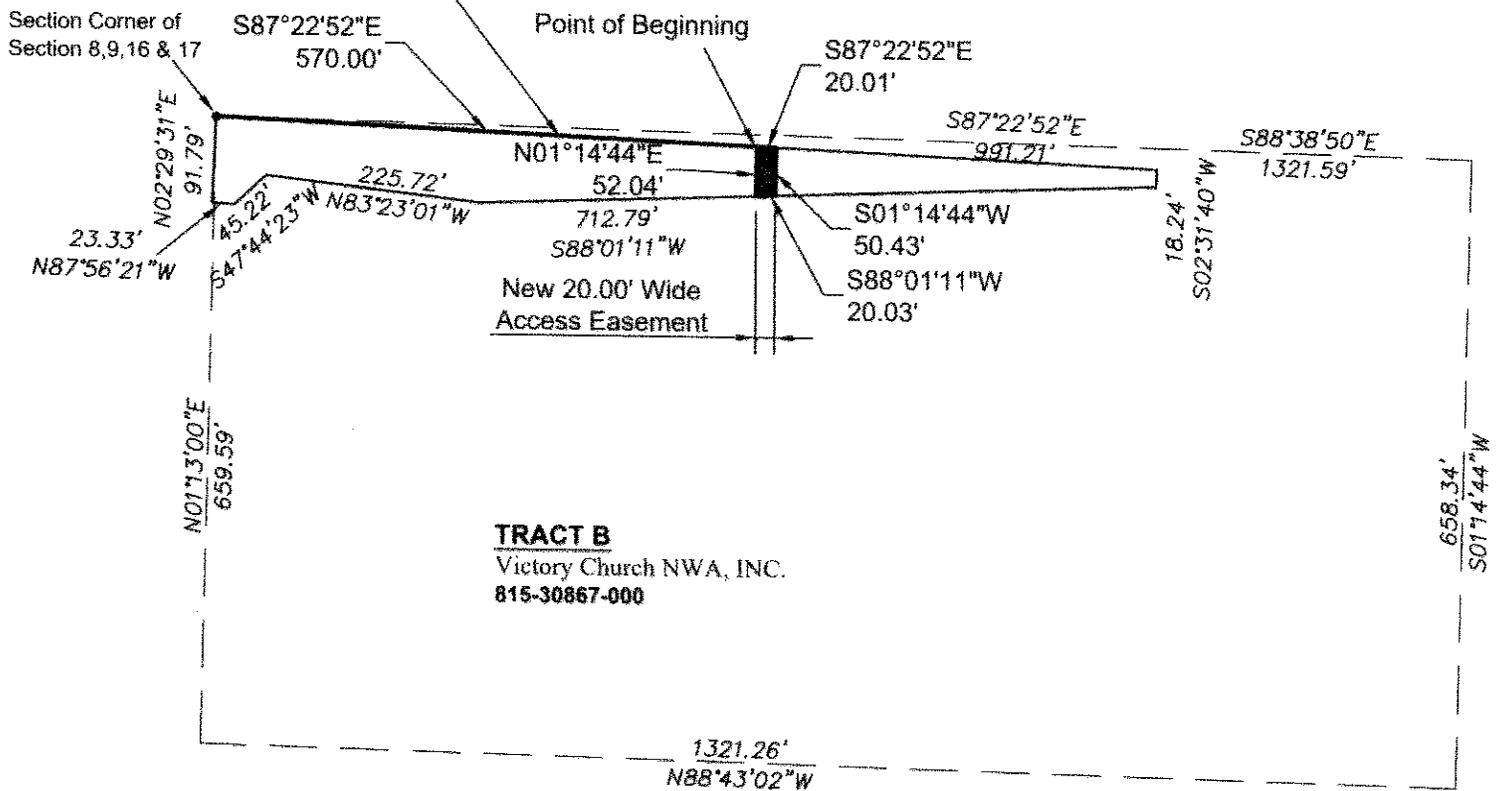
BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, Denise Pearce, City Clerk of the City of Springdale, Arkansas, personally known to me to be the person subscribing to the foregoing document, and who stated to me that she had executed the same for the purposes and considerations therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 20__.

My Commission Expires:

Notary Public

TRACT A
 The City of Springdale, Arkansas,
 a municipal corporation
 815-30867-002



CITY OF SPRINGDALE
 WASHINGTON CO., ARKANSAS

ATTACHMENT 1
 20' WIDE ACCESS EASEMENT

SHEET NO.:
 1

DATE: March, 1999
 P. 49

FILE NO.: 81530867002

That which is underlined is added and that which is stricken through is deleted.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 130, ARTICLE 12, SECTION 3.8(C)(4) OF CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, Chapter 130, Article 12, Section 3 of the Code of Ordinances for the City of Springdale, Arkansas, sets forth the sign requirements in the Ballpark Area/Southwest Springdale District Overlay, including the type, size and location of signs in the overlay district and only the types and locations provided are allowed with no variances from the provision of the section permitted with the overlay district;

WHEREAS, Chapter 130, Article 12, Section 3.8(c)(4) of the Code of Ordinances for the City of Springdale, Arkansas, establishes sign requirements for specific uses; churches, schools, libraries, community centers or other public/semi-public facilities, and there is desire to amended the requirements to allow these specific uses additional signage;

WHEREAS, a public hearing was held before the Springdale Planning Commission on March 3, 2020 after notice was given of said hearing as required by law;

WHEREAS, after said public hearing the Springdale Planning Commission recommends that Chapter 130, Article 12, Section 3.8(c)(4) of the Code of Ordinances for the City of Springdale, Arkansas, be amended to allow the use of monument signs for specific uses; and

WHEREAS, the City Council after review and study concurs with the recommendations of the Planning Commission.

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

Section 1: That Chapter 130, Article 12, Section 3.8(c)(4) of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

- (4) *Sign requirements for specific uses.* Churches, schools, libraries, community centers or other public/semi-public facilities shall be allowed signs as follows:
 - (a) Facilities with a land area of ten (10) acres or less shall be allowed two (2) wall signs, with not more than one (1) on a façade. ~~No such sign shall have an overall area exceeding thirty two (32) square feet. In lieu of one (1) of the wall signs, one (1) detached monument sign shall be permitted. Such monument sign shall be located on the premises and not less than ten (10) feet from the street right of way, and each sign face shall not exceed thirty two (32) square feet in area. The height of such sign shall not exceed five (5) feet above the average grade; provided, that for each two (2) foot setback from the street right of way in excess of ten (10) feet, an additional foot may be added to the height of the sign to a maximum of eight (8) feet. Total square footage of all attached signs located on a given side of a building shall not exceed twenty (20) percent of the total square footage of the wall area on that side of the building, up to a maximum eight hundred (800) square feet. Wall signs shall be composed of individual, freestanding letters unless this~~

conflicts with a part of the tenant's national identity or trade dress. The freestanding letters may be placed on a backing plate. Signs that propose non-freestanding letters may be allowed, with specific approval. All necessary sign supports and electrical connections shall be concealed. In lieu of one (1) of the wall signs, one (1) monument sign 3 as specified in section (f) above shall be permitted.

- (b) ~~Facilities with a land area of more than ten (10) acres shall be allowed three (3) wall signs, with not more than one (1) on a façade. No such sign shall have an overall area exceeding fifty (50) square feet. In lieu of one (1) or two (2) of the wall signs, one (1) or two (2) detached monument sign(s) shall be permitted, one (1) per street frontage, provided that the total number of signs for the facility shall not exceed three (3). Such monument sign(s) shall be located on the premises and not less than ten (10) feet from the street right of way, and each sign face shall not exceed fifty (50) square feet in area. The height of such sign shall not exceed five (5) feet above the average grade; provided, that for each two (2) foot setback from the street right of way in excess of ten (10) feet, an additional foot may be added to the height of the sign to a maximum of eight (8) feet. Total square footage of all attached signs located on a given side of a building shall not exceed twenty (20) percent of the total square footage of the wall area on that side of the building, up to a maximum eight hundred (800) square feet. Wall signs shall be composed of individual, freestanding letters unless this conflicts with a part of the tenant's national identity or trade dress. The freestanding letters may be placed on a backing plate. Signs that propose non-freestanding letters may be allowed, with specific approval. All necessary sign supports and electrical connections shall be concealed. In lieu of one (1) or two (2) of the wall signs, one (1) or two (2) monument signs 2 and/or 3 as specified in section (f) above.~~

Section 2: All other provisions of Chapter 130, Article 12, Section 3.8 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended herein shall remain in full force and effect.

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

PASSED AND APPROVED this _____ day of _____, 2020.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

Ernest B. Cate, City Attorney