I. Pre-Meeting Activities  
   Pledge of Allegiance  
   Invocation

II. Call to Order

III. Roll Call

IV. Approval of Minutes March 2, 2021

V. Public Hearings

VI. Tabled Items

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

B. R21-13 CCO Investments, LLC  
   2259 East Highway 264  
   From A-1 to SF-1  
   Presented by Blew and Associates

C. RP21-05 Mark and Clelia Black  
   4409 Bogey Drive  
   Presented by Bates and Associates

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

E. B21-17 Victor Ortiz  
   1129 Jefferson Street  
   Variance for deviation of paving requirement  
   With two year Bill of Assurance  
   Presented by Victor Ortiz
VII. Public Hearing – Rezoning

A. R21-14 Gerald B. Jones
611 E Apple Blossom Avenue
From C-2 to I-1
Presented by Jorgensen & Associates

B. R21-15 Gerald B. Jones Trust
679 E Apple Blossom Avenue
From I-1 to I-2 (Tract 3B)
Presented by Jorgensen & Associates

C. R21-16 Forest Dale and Helen Irven Joint Revocable Trust and Betty Counts, Joanne Wade
1415, 1309, and 1307 Oak Grove Road
From A-1 to MF-16
Presented by Ramsay Ball with Savant Development

D. R21-17 Springdale Downtown, LLC
500 North Main Street
From PUD to Revised PUD
Presented by Brenda Anderson with Blue Crane

E. R21-18 The Trails at the Crossings Apartments, LP
NE of the intersection of Watkins Avenue & 64th Street
From PUD to Revised PUD
Presented by Crafton Tull

F. R21-19 Rogers Warehouse Development, LLC
3744 Wagon Wheel Road from C-2 to W-1
3652 Wagon Wheel Road from A-1 to W-1
Presented by Bill McClard

VIII. Public Hearing – Conditional Use

A. C21-05 Sonny and Kouhpone Chanhsavang
901 Dorman Street
Use Unit 42 (church / synagogue) in a C-2

B21-22 Variance for deviation of offsite parking
Presented by Ned Leer

B. C21-07 ISC Properties, LLC
2200 South Old Missouri Road
Use Unit 24 in a C-5
Presented by Greg Edwards and Andrew Flocks

C. C21-08 Iola Walton
4169 Bel Air Road
Tandem Lot in an SF-2
Presented by Engineering Services, Inc.
D. C21-09  
**Friendship Cemetery Association**  
1649 Vantress Farms Road  
Tandem Lot in an A-1  
Presented by Mike Overton and Dewey Johnson

E. C21-10  
**Jim and Betty Cash Trust**  
Tabled  
5392 AR 112 Hwy  
Tandem Lot in an A-1  
Presented by Satterfield and Jim Cash

F. C21-11  
**GPS Transportation, LLC**  
Tabled  
324 North 48th Street  
Use Unit 35 in a C-5  
Presented by Tatum Owenby and Haden Gilder

IX. Preliminary Plats, Replats, & Final Plats

A. PP21-04  
**Collin's Cove**  
West side of 56th Street, south of County Line Road  
Presented by Engineering Services, Inc.

B. PP21-05  
**Noah's Landing**  
East side of 56th Street, south of County Line Road  
Presented by Engineering Services, Inc.

X. Board of Adjustment

A. B21-23  
**Charles and Nancy Bostian**  
1901 Stout Drive  
Variance for deviation of paving requirement  
Presented by Charles and Nancy Bostian

B. B21-24  
**Larry and Martha Ashley**  
5145 Arkanshire Circle  
Variance for deviation of side setback from 25' to 20'  
Presented by Larry and Martha Ashley

C. B21-25  
**NETS Global Holdings, LLC**  
Tabled per Applicant  
4876 North Thompson Street  
Variance for deviation of  
Frontage & perimeter landscaping, & dumpster enclosure  
W21-03  
Waiver of street improvement requirements  
Presented by Morrison Shipley

D. B21-26  
**Kelly Hayes**  
1671 Greystone Place  
Variance for deviation of rear setback from 20' to 15'  
Presented by Corey Granderson and Kelly Hayes
E. B21-27  **William and Janell Rieske**  
1639 Greystone Place  
Variance for deviation of side setback from 8' to 5'  
Presented by William and Janell Rieske

F. B21-28  **Gibson Butcher Construction, LLC**  
603 Black Oak Ave (Existing House)  
Variance for deviation of  
(A) front setback from 30' to 15'  
(B) lot width from 70' to 62.5'  
Presented by Steve Butcher

G. B21-29  **Gibson Butcher Construction, LLC**  
East of 603 Black Oak Ave (New Tract)  
Variance for deviation of lot width from 70' to 62.5'  
Presented by Steve Butcher

H. B21-30  **Jim Moore**  
4052 Jessica Lane  
Variance for deviation of  
(A) side setback from 8' to 6'  
(B) rear setback from 20' to 12'  
Presented by Bryan Claypool

XI. Waivers

A. W21-04  **Joshua Perry**  
728 Jay Lane  
Waiver of sidewalk requirement  
Presented by Joshua Perry

XII. Other

A. L20-14  **One Year Extension Request for LSD – Go Punch List**  
Lots 1 & 2 of Hammitt-Eoff Business Center  
Approved May 5, 2020 Planning Commission meeting  
Presented by Engineering Services, Inc.

XIII. Planning Director's Report

XIV. Adjourn
The Springdale Planning Commission met in regular session on Tuesday, March 2, 2021 at 5:00 p.m. in Council Chambers. It should be noted that at this time 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 5:00 p.m.

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

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 approve the February 2021 minutes. Mr. Compton seconded the vote. By a voice vote of all ayes and no nays the February 2021 minutes were approved by a unanimous vote.

It should be noted at this time that Mr. James David arrived at approximately 5:15 p.m.

Mr. Jim Reed spoke first. He is representing Mark Bazyk who had asked for a variance for All American Steakhouse but withdrew it at tonight’s meeting. Mr. Bazyk said that he would like to answer any questions the Commission might have regarding his new endeavor.

Public Hearing

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.
   Presented by Patsy Christie

Ms. Christie said that they have worked the last several months on an optional Form Based Code to include areas to the north and south of the Downtown Form Based Code. She said that if the property owners want to engage it they will come forward to request and ask for it to be changed using those regulatory plans as a guideline to what district it will go into and all the development will have to meet the Form Based Code. She again stressed that it is optional and gives them a chance to expand to give opportunities to those for development in those areas.
She further stated that they are ready to move this forward to Council if it is recommended for approval tonight it will move forward to Council next Tuesday, March 9, 2021.

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

There were none.

Mr. Covert moved to forward to Council with a recommendation for approval. Mr. Compton seconded the motion.

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

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

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.
   Presented by Patsy Christie

Ms. Christie said that this piece of property was not originally included in the Form Based Code and the property owner has requested that it be added as a campus type I.
Also, the property that fronts out onto Emma is property that is owned by the City and the City wants to put that on as well.

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

There were none.

Ms. Mueller moved to forward to Council with a recommendation for approval. Mr. Covert seconded the motion.

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

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

Ms. Christie said that this too, would be on the Council agenda on Tuesday, March, 9 2021.
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.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said that they were proposing 26 single family units. He said they are requesting a variance for the PUD size.

Mr. Parsley asked for Staff comments.

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

Ms. Rita Villines wanted to know how many homes would be built and if the road would be widened; if there would be sidewalks and if there would be a sewer system.

Ms. Christie said that those would be addressed with the Preliminary Plat.

Mr. Covert called for the vote for the variance.

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

Ms. Christie read the Staff comments for the rezoning.

The adopted Comprehensive Land Use Plan indicates medium 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
- Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.
She further that the PUD comes with a Development Plan, a site plan and a set of covenants.

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:** David, Mueller, Parker, Parsley, Peters, Tyler, Austin, Compton, Covert
- **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 when ESI submits the corrected Development Plan.

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

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

**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. Will the shown mid-block access easement be paved?
3. Final approval of the preliminary plat will be subject to resolution of all drainage items as they relate to Benedetto Subdivision Phase II.
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.

   - **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 feet (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.

Ms. Hollingshead said that the street for on-site parking doesn't match what is shown on the site plan.

Ms. Christie said that they are going to revise that to show parking on both sides.

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. Mr. Compton seconded the motion.

**VOTE:**

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

**NO:** None

The Preliminary Plat was approved subject to Staff comments by a unanimous vote.

**Public Hearing – Rezoning**

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

This was tabled per the applicant.

B. **R21-11** Luke Hammond  
3444 Wagon Wheel Road  
From A-1 to C-5  
Presented by Luke Hammond

Mr. Hammond was present to answer any comments or questions. He said that he has a recreational gymnasium. He said that he has kids from 5 to 18 that participates.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates commercial.

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 comments.
There were none.

Ms. Mueller 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.

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

C. R21-12 Old Mo East, LLC
1609 Old Missouri Road
From I-1 to I-2
Presented by McClelland Consulting Engineers, Inc.

Mr. Nathan Streett with McClelland Consulting Engineers, Inc. was present via Zoom 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 Heavy Industrial.

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.

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

There were none.

Ms. Mueller called for the vote.

**VOTE:**

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

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

This rezone was tabled per Staff.

Public Hearing – Conditional Use

A. C21-06  Dandy Oil company, Inc.
   701 North Thompson
   Tandem Lot in C-2
   Presented by Engineering Services, Inc.

This item was tabled per Staff.

Preliminary Plats, Replats, and Final Plats

A. PP21-03  Benedetto Subdivision Phase 2
   SW of Gibbs Road and North of Har-Ber Ave.
   Presented by Engineering Services, Inc.

Mr. Jason Appel was present on behalf of his client to answer any questions or comments. He they are showing 38 buildable lots and two POA areas. He said there will be a pool and clubhouse.

Mr. Parsley asked for Staff comments.

Ms. Christie said that this revision is due to the fact that the detention pond went away as they have been able to secure drainage off site.

Engineering Comments

1. **Chapter 106 – Stormwater Drainage**
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
   - **106.7.** 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.
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. 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. Covert moved to approve the Preliminary Plat subject to Staff comments. Ms. Mueller seconded the motion.

**VOTE:**

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

**NO:** None

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

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

This item was tabled until the April meeting.

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

Wes Looper with Blew & Associates was present via Zoom on behalf of his client to answer any questions or comments. He said the purpose of the replat is to cut off the southern .3 acres from the house.
Mr. Parsley asked for Staff comments.

Ms. Christie asked if each of the lots would have sewer service or has a perk test been done to see if the lots can accommodate septic systems.

Mr. Looper said that the lot to the north has an existing septic system. The one to the south will have a septic system but have not had a perk test done yet.

Ms. Christie said that in the past, the Commission has delayed a vote until they know that the lot can sustain a septic system. She said that the replat can't move forward until the Commission has the perk test showing that the lot can accommodate a septic system.

She also said that there are some existing buildings on the lot line that will need to be removed.

Mr. Looper said that they will be removed.

Ms. Christie asked if there were any engineering comments.

Ms. Hollingshead said that she had no comments on this project.

Ms. Christie read the standard comments for the replat.

**Planning Comments**

1. Please provide completed plat application.
2. Submit the approved authorization of representation form, if property owner will not be present at Planning Commission meeting.
3. Submit the review fee.
4. Submit a copy of the warranty deed.
5. Please provide copies of both sides of certified mail receipt slips (currently only provided one side).
6. Please provide evidence of these lots passing perc test or that they are able to connect to sewer.
7. Please remove all instances of "(To be Removed)"
8. 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 ________________.
9. Need a resolution stating that ________ has authority to execute the Certificate of Transmittal, Ownership, and Ordinance.
10. 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>Acceptance of Dedications</td>
<td>City Clerk</td>
</tr>
<tr>
<td>Approval for Recording</td>
<td>Director, Planning and Community Development Division</td>
</tr>
<tr>
<td>Commission</td>
<td>Secretary, Planning Commission</td>
</tr>
<tr>
<td>Water and Sewer</td>
<td>Chairman, Planning Commission</td>
</tr>
<tr>
<td>Streets and Drainage</td>
<td>Engineer, Springdale Water Utilities</td>
</tr>
<tr>
<td></td>
<td>Director of Engineering &amp; Public Works</td>
</tr>
</tbody>
</table>

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

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

There were none.

Mr. Peters asked if there was a sewer system within three hundred feet of the property.

Mr. Looper said that there is a sewer line or at least a stub out on the north side of lot one on the adjacent subdivision to the west, there is a sewer line.

Mr. Peters said he thought the state had a rule that if there is a sewer line within three hundred feet a septic system would not be approved.

Ms. Christie asked Mr. Looper if he had had any discussion with the Springdale Water Utilities about connecting to the sewer system.

Mr. Looper said he thought his client has spoken to them, but didn't know what the conversation was. He further stated that he isn't sure that where that sewer system got built if it is actually within the three hundred foot distance.
Ms. Christie reiterated that the project cannot move forward until it is determined if the lot can support a septic system or must be hooked up to the sewer system. She said that if it is approved tonight, it will not go to Council until such time that there is some sort of sewer system in place; either a septic system or hooked up to the Springdale Water Utilities.

Ms. Christie said another option was to table until they have the needed information.

Mr. Looper just heard from his client and he was told by Springdale Water Utilities that it is further than three hundred feet to the nearest sewer system.

Mr. Covert said that based on the information that the Commission doesn't have, he would prefer that they table the project until a perk test has been done.

Mr. Covert made that a motion to table. Mr. Tyler seconded the motion.

**VOTE:**

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

**NO:** None

The motion to table the project was approved by a unanimous vote.

Ms. Christie reminded Mr. Looper that if he doesn't have the needed information to Staff for the April meeting, he will have to start over with notification to the adjacent property owners.

**Large Scale Developments**

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

This item was tabled until the April meeting.

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

Mr. Todd Rogers with Greyden Engineering was present via Zoom on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie said that she always gets asked the question is the traffic going to flow better than in other locations. She said Staff worked really hard to see that it does.

She then read the 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)
3. 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.
     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. Compton moved to approve the large scale subject to Staff comments. Mr. Covert seconded the motion.

**VOTE:**

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

NO: None

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

C. L21-13 Plaza Tire Service

3029 E. Robinson Avenue

B21-19 Variance for deviation of Commercial Design Standards

(A) Facades

(B) Building Foundation Landscaping

Presented by CEI Engineering

Mr. Nate Bachelor with CEI was present on behalf of his client to answer any questions or comments. He said that it is on an approximately 1.5 acre lot. The building will be approximately 6800 square feet with eight bays for service with thirty two parking spaces on site.

He further stated that they have two variance requests. The building foundation landscaping which requires six feet is met along the north side but the east and west they are requesting a reduction of three feet for that. He said that the lot is deep and narrow and limits the six foot requirement on the east and west sides.

Regarding the façade he said the architectural elevations were included in the packet the east side will have the roll up bays and the request is for the painted CMU and the articulation for the façade being a little over one hundred feet in length. He said the reason for the request is basically for safety.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff 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

7. Chapter 106 – Stormwater Drainage
106.5.4.10** - Easements

- Easements shall be filed before acceptance and approval of plans.

8. 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
     - 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.

9. 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.

10. 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. Thomas said that Mr. Bachelor has done a good job of meeting the intent of the Ordinance regarding the Commercial Design Standards.

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

Mr. Peters wanted it noted that he felt sure that CEI has followed the directives of the Drainage Criteria Manual, however; there have been problems downstream from this project.

Mr. Covert called for the vote on both variances.
Both of the variances were approved by a unanimous vote.

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

VOTE:

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

NO: None

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

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

Francisco and Adriana Saenz were present to answer any questions or comments.

Ms. Christie said that the vacation of a utility easement has gone to Council and they have approved it which allows for their variance.

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

NO: None

The variance request was approved by a unanimous vote.

B. B21-17 Victor Ortiz
   1129 Jefferson Street
   Variance for deviation of paving requirement with a
   Two year Bill of Assurance
   Presented by Victor Ortiz
Mr. Ortiz was present to answer any questions or comments. He said that they put some gravel down because the soil was so soft and they were tracking out onto the street. He received a code violation as he was told that he needed a hard service drive way.

Ms. Christie asked about the structure in back. She asked if was built as an accessory building to a single family home and wanted to make sure that it was not used as a business.

Mr. Ortiz said that was correct. He said that the building is for storage for his personal stuff.

Ms. Christie asked Mr. Thomas if there was a previous Bill of Assurance on this property.

He said that they were unable to find anything.

Ms. Christie asked Mr. Stith if he had anything on this property as she thought it has gone before the Planning Commission before.

Mr. Ortiz said that he requested a permit to build the shop in the back.

Mr. Stith said that at the time the building was built they didn't think that Mr. Ortiz would need any parking. He said that it was an accessory structure to the house in an Industrial zone. He said he thought that the previous owner had an issue with paving as he was parking heavy equipment. He said they were not granted a variance so they moved.

Ms. Christie asked Mr. Stith if he had to pave it even though Mr. Ortiz is only driving back and forth on it.

Mr. Stith said that the violation was issued by the Buildings Department but from Neighborhood Services.

Ms. Christie asked Mr. Ortiz if Neighborhood Services thought he was operating a business.

Mr. Ortiz said that he parks his trailers there. He said his business is in a separate location in Springdale.

Ms. Christie said that is the problem, that if he is parking his trailers there then the drive needs to be paved. Ms. Christie said that it is difficult to grant a Bill of Assurance when the Commission doesn't know exactly where the paving needs to be done. She recommended that Mr. Ortiz table his request and bring in documentation to Staff so that they care review it and determine where the paving needs to be.

It was decided to table Mr. Ortiz's request until he could bring in a drawing showing exactly where the paving will be done. It will be heard in April.
C.  B21-18 Nelson Anaya  
3611 Bueno Avenue  
Deviation of rear setback from 20' to 20'  
Presented by Nelson Anaya

Mr. Anaya’s nephew was there along with Mr. Anaya to answer any questions or comments. His nephew said that his uncle wants to build a porch so that water will not come into his house.

Ms. Christie asked if he wants to build a canopy over the back door. She also asked if he had already built it.

His nephew said that he has not built it.

Ms. Christie asked Mr. Stith if he has seen any drawings regarding this request.

Mr. Stith said that someone talked to Mr. Anaya and he is getting his variance before he starts any construction.

Ms. Christie asked how big the porch would be.

Mr. Anaya said that the porch would be no wider than the length of house and it would extend 10’.

Mr. Anaya said that there would be no canopy just a porch.

Mr. Parsley reminded him that if he did put a canopy over the slab it could not extend beyond the edge of the slab.

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 variance was approved by a unanimous vote.

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

This variance was withdrawn per the applicant.
E. B21-21 DCSB Holdings, LLC (Blades Landscaping)  
1380 Butterfield Coach Road  
Variance for deviation of  
(A) 8’ fence height  
(B) Paving requirement with a two year Bill of Assurance  
Presented by Derek Deaton

Mr. Deaton was present to answer any questions or comments regarding his variance requests.

Ms. Christie asked if he had a drawing showing what area needed to be paved. Mr. Deaton presented that at the time he submitted his application.

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

There were none.

Mr. Compton called for the vote on both variances to be taken together.

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

The variances were approved by a unanimous vote.

Waivers

A. W21-02 Miguel and Dawn Jimenez  
913 South Spring Creek Road  
Waiver of sidewalk requirement  
Presented by Miguel Jimenez

Mr. Jimenez was present via Zoom so answer any questions or comments.

Mr. Parsley asked for Staff comments.

Ms. Christie said that ordinarily she doesn't support a sidewalk waiver; however, where this is located, there is no road improvement on the Master Street Plan and she said that it is out in the middle of nowhere.

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

Mr. Covert moved to forward to Council with a recommendation for approval. Mr. Compton seconded the motion.

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

The motion to forward to Council with a recommendation for approval 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, March 23, 2021 at 6:00 p.m. in Council Chambers.

**Other**

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

This item was tabled to the April meeting.

**Planning Director’s Report**

Ms. Christie said that the work session would be Tuesday, March 16, 2021 at 5:30 p.m. and wanted to know that since the February work session was cancelled due to inclement weather, would the Commission be willing to work on March 30, 2021.

**Adjourn**

There being no further business, the meeting was adjourned at 6:30 p.m.

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Kevin Parsley, Chairman

Ben Peters, Secretary

Patsy Christie, Director  
Planning and Community Development

Debbie Pounders, Recording Secretary
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021 (Tabled on 3/2/21)
Re: R21-10 Rezone

A request by Chad Reed for Planning Commission approval of a zone change from Medium Density Multi-Family Residential District (MF-12) to General Commercial District (C-2) for a tract of land containing 3.02 acres.

LOT LOCATION AND SIZE
The 3.02 acre tract is located at 570 W. County Line Road, north side of County Line Road, east of Thompson Street.

A vicinity map is attached.

EXISTING ZONING
The existing zoning of this tract is a MF-12 Medium Density Multi-family Residential District. The district is established to provide areas for development allowing more units per structure and a higher density. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots.

Uses permitted: 1, 8, 10, 11, 13, 29
Conditional Uses Permitted on Appeal: 2, 3, 4, 9, 12, 28
Temporary Uses – 34

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

1. Accessory buildings, including private garages, storage facilities and children’s playhouses as set for in Article 6, Section 2.7 of this chapter.
2. Private greenhouses and horticultural collections.
3. Flower and vegetable gardens.
4. Swimming pools, tennis courts and similar recreation facilities.
SITE PLAN REVIEW
When a conditional use is proposed in an MF-12 district, except for Use Unit 28 home occupation a site plan review shall be required. See Article 6, Section 13 of this chapter for the procedure and requirements of a site plan review.

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

AREA REGULATIONS
(1) LOT AREA. There shall be a lot area of not less than six thousand (6,000) square feet for a single family dwelling; ten thousand five hundred (10,500) square feet for a duplex; fourteen thousand (14,000) for a triplex; twenty thousand (20,000) for a four-plex and twenty thousand (20,000) plus two thousand five hundred (2,500) for each unit over five. In addition, there shall be a minimum lot width of not less than sixty (60) feet for a one family; seventy (70) feet for a two family; eighty (80) feet for a three family or larger on a public street.

(2) DENSITY - 12 units per acres
(3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.

(4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than eight (8) feet.

(5) REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

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<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<td>Four or more families</td>
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<td>Townhouse</td>
<td>Interior</td>
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BUILDING AREA
On any lot, the area occupied by all buildings shall not exceed forty (40) percent of the total area of the lot.

OFF-STREET PARKING
See Article 7 of this chapter.

LANDSCAPED OPEN SPACE
On any lot, there shall be a minimum of ten (10) percent of landscaped open space in accordance with Article 6 Section 2.16 of this chapter.
MULTIFAMILY PLAY AREAS
See Article 6 Section 2.17 of this chapter.

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

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

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

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

AREA REGULATIONS
SETBACKS:
Front setback 30'
Front setback if parking is allowed between R-O-W 50' and the building
Side setback 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 is undeveloped. The area to the north is undeveloped in C-2 zoning. The area to the east is undeveloped in A-1 zoning. The area to the south contains commercial uses in C-2 zoning, the area to the west contains a single family dwelling in an A-1 zoning.

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

The Master Street Plan indicates County Line Road as a major collector.

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

Note - the property has been split and final approval of the rezoning request will be subject to the submission and approval of an informal plat addressing the illegal lot split.

**GOALS AND POLICIES**

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.
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:

560 W. County Line Road, Springdale, AR, 72764
Part of parcel 21-00265-000 (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 **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 **N/A** (Yes or No).

2. **Develop** the property **Yes** (Yes or No), and if so, the proposed use is

   Fenced boat/IRV 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/A**

   

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/A**

Address: **N/A**

**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)

(Property Owner)

State of Arkansas          )
) ss.
County of Washington       )

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

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

Notary Public
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021 (Tabled on 3/2/21)
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 2259 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.
(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>
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<tr>
<td>Widths</td>
<td>Area</td>
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<tr>
<td>One Family</td>
<td>200</td>
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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>
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<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<tbody>
<tr>
<td>Widths (sq. ft.)</td>
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<tr>
<td>One Family</td>
<td>80</td>
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<tr>
<td>Zero-lot line</td>
<td>80</td>
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</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.
PETITION FOR REZONING

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

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

Legal Description:

CCO INVESTMENTS LLC
2259 E AR 264 HWY
SPRINGDALE, AR

PARCEL # 21-00015-010

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: [Signature]

Address: 3625 N. Shiloh Dr. Fayetteville, AR

PETITIONER/OWNER **SIGNATURE**

MAILING ADDRESS: 2207 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)

[Signature]
(Property Owner)

State of Arkansas )
) ss.
County of Washington )

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

[Stamp]
Amanda Nicole Hallmark
Notary Public

[Notary Seal]
FILE NO. R21-13
APPLICANT: CCO Investments, LLC
REQUEST: A-1 to SF-1

PLANNING COMMISSION MEETING
April 6, 2021
Memo

To: Planning Commission
From: Staff
Date: April 6, 2021 (Tabled 3/2/21)
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. Please rename this project "Replat of Lot 10A – Grandview Subdivision"
3. Need to identify the ownership, address and zoning of all the adjacent properties.
4. Need the lot areas of all properties impacted by this replat.
5. Will all involved lots have sufficient frontage upon completion of this plat?
6. 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 ________________.
7. Need a resolution stating that _________ has authority to execute the Certificate of Transmittal, Ownership, and Ordinance.
8. 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>
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<tr>
<th>Date</th>
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<tr>
<td></td>
<td>City Clerk</td>
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<td>Mayor</td>
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<td>Director, Planning and Community Development Division</td>
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<td>Secretary, Planning Commission</td>
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<td>Chairman, Planning Commission</td>
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<td>Engineer, Springdale Water Utilities</td>
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<td>Director of Engineering &amp; Public Works</td>
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</table>

9. All comments from the utility companies and other city departments must be addressed prior to approval.
FILE NO. RP21-05
APPLICANT: Mark Black
REQUEST: Replat of parcel 815-22100-000
(Grandview Subdivision)

PLANNING COMMISSION MEETING
March 2, 2021
Memo

To: Planning Commission
From: Staff
Date: April 6, 2021 (Tabled on 3/2/21)
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.

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<th>Date</th>
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<tbody>
<tr>
<td>Acceptance of Dedications</td>
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<td>Mayor</td>
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<td>Approval for Recording</td>
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<td>Director, Planning and Community Development Division</td>
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<td>Commission</td>
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<td>Secretary, Planning Commission</td>
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<td>Chairman, Planning Commission</td>
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<td>Water and Sewer</td>
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<td>Engineer, Springdale Water Utilities</td>
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<td>Streets and Drainage</td>
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<td>Director of Engineering &amp; Public Works</td>
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</table>

12. All comments from the utility companies and other city departments must be addressed prior to approval.
RE-PLAT
Lot 7, Block 4, Howard Acres Subdivision
Creating Lots 7A & 7B
A Part of SE 1/4 of the SW 1/4
Section 19, T-18-N., R-29-W

Survey Description
Lot 7, Block 4, Howard Acres Subdivision, a subdivision of part of SE 1/4 of Section 19, T-18-N., R-29-W, pursuant to plat filed October 6, 1994, at Plat Records, Vol. 73, pg. 13.

MISCELLANEOUS NOTES
STATE RECORDED NUMBER
DEED FILE DATE
October 6, 1994
HOURLY DOCUMENT
1. HOURLY DOCUMENT
IN DEED BOOK 153 AT PAGE 91
S. SUBDIVISION PLAT FILED ON PLAT BOOK 6, AT PAGE 78.
THESE FEATURES SHOWN ON THE PLAT MAY BE SHOWN OUT OF SCALE FOR CONVENIENCE.
THE MATERIALS SHOWN ON THE PLAT ARE EXACTLY DRAWN TO SCALE AND DECKS AND PARTS THEREOF ARE EITHER Omitted.
THESE FEATURES SHOWN ON THE PLAT MAY BE SHOWN OUT OF SCALE FOR CONVENIENCE.
THE MATERIALS SHOWN ON THE PLAT ARE EXACTLY DRAWN TO SCALE AND DECKS AND PARTS THEREOF ARE EITHER OMITTED OR DISTORTED.

CERTIFICATION OF TRANSFERRABLE, OWNERSHIP, AND ORDIANCE:
THE UNDERSIGNED HEREBY TRANSFER THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNERS OF THE PROPERTY DESCRIBED AND HEREBY RESERVE ALL STREETS, ALLEYS, EASEMENTS, PATHS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AT NOTED. THE UNDERSIGNED HEREBY TRANSFER THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNERS OF THE PROPERTY DESCRIBED AND HEREBY RESERVE ALL STREETS, ALLEYS, EASEMENTS, PATHS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AT NOTED. THE UNDERSIGNED HEREBY TRANSFER THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNERS OF THE PROPERTY DESCRIBED AND HEREBY RESERVE ALL STREETS, ALLEYS, EASEMENTS, PATHS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AT NOTED. THE UNDERSIGNED HEREBY TRANSFER THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNERS OF THE PROPERTY DESCRIBED AND HEREBY RESERVE ALL STREETS, ALLEYS, EASEMENTS, PATHS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AT NOTED.

UTILITY NOTES

ZONING & SETBACK INFORMATION

REMARKS:
PREVIOUS DEVELOPMENT:
END OF LOT INTERIOR: 10' SS 62' SETBACK CORNER INTERIOR: 4' SS 62' SETBACK CORNER EXTERIOR: 10' ROAM SETBACK: 20' ROAM SETBACK: 10'...
FILE NO. RP21-06
APPLICANT: Vick Enterprises, LLC
REQUEST: Replat of parcel 21-00283-000
(Howard Acres Subdivision)
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
SPRINGDALE, AR 72764

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

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

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 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) ) ss.
County of Washington) )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 18th day of January, 2021.

[Notary Public's Signature]
FILE NO. B21-17
APPLICANT: Victor Ortiz
REQUEST: Variance - Deviation of paved parking requirements with two year bill of assurance
Memo

To:            PLANNING COMMISSION MEMBERS  
From:         Patsy Christie, Planning Director  
Date:        April 6, 2021  
Re:        R21-14        Rezone

A request by Gerald B. Jones Revocable Trust for Planning Commission approval of a zone change from General Commercial District (C-2) to Light Industrial District (I-1) for a tract of land containing 2.41 acres.

LOT LOCATION AND SIZE
The 2.41 acre tract is located at 611 E. Appleblossom Rd., south side of E. Appleblossom Road at the intersection with Topaz Street in Lowell.

A vicinity map is attached.

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

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.
SITE PLAN REVIEW
When a conditional use is proposed in a C-2 district, except for home occupation a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

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

AREA REGULATIONS
SETBACKS:
  Front setback 30'
  Front setback if parking is allowed between R-O-W 50'
  and the building
  Side setback 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.

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

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

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

SETBACKS:
- Front setback: 30'
- Front setback if parking is allowed between R-O-W and the building: 50'
- Side setback: 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 is outside city limits and contains single family dwellings. The area to the east contains commercial uses in C-2 zoning. The area to the south is undeveloped in I-1 zoning. The area to the west has an industrial use in I-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates – NOT SHOWN ON CURRENT PLAN.

The Master Street Plan indicates Appleblossom Road as a major collector.

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

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.
February 24, 2021

City of Springdale
201 Spring Street
Springdale, AR  72764

Attn: Planning Department
RE: On-Time Logistics (611 E. Apple Blossom Ave) Rezoning Submittal

Dear Staff,

This letter is in regards to a proposed Rezoning at 611 E. Apple Blossom Ave in Springdale, AR. This rezoning request is following up on conditions of approval for On-Time Logistics Ph 2 project. The condition stated that the small section of C-2, that currently exists on the eastern side, needs to be rezoned to I-1.

The owner intends to construct Phase 2 of On Time Logistics on this property. The majority of the property is zoned I-1. This rezoning will bring the remaining portion of the property into compliance. No adverse impacts are anticipated to surrounding properties with this request.

We thank you for your consideration of this proposed rezoning. Please call with any questions.

Sincerely,

Jared S. Inman, P.E.
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 ________________________________

Gerald B Jones Revocable Trust

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

Legal Description:

A part of the NW1/4 of the NE1/4 of Section 13, T18N, R30W in Benton County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NE1/4, thence S02° 06'47"W 35.01 feet, thence S86°32'48"E 446.14 feet to the POINT OF BEGINNING; thence S86° 32'48"E 346.98 feet, thence S03°27'12"W 84.00 feet, thence N86°32'48"W 50.00 feet, thence S03°27'12"W 255.00 feet, thence N86°32'48"W 296.98 feet, thence N03°27'12"E 339.00 feet to the POINT OF BEGINNING, Containing 2.41 acres, more or less, subject to easements and right of ways of record.

Layman's Description: 611 E. Appleblossom

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) General Commercial (C-2)

TO (proposed zoning) Light Industrial District (IL-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 (Yes or No), and if so, the proposed use is ON-TIME LOGISTICS WAREHOUSE/DOCK FACILITY PHASE II (PHASE I IS TO THE WEST).

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: NO EFFECT ANTICIPATED. MAJORITY OF PROPERTY IS ZONED I-1. THIS REZONING REQUEST BRINGS PROPERTY FULLY INTO I-1 ZONING PER PLANNING COMMISSION CONDITIONS OF APPROVAL.

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: [Signature]

Address: 4625 Bronco Way Fyffeville Tennessee

PETITIONER/OWNER: [Signature]

MAILING ADDRESS: 4625 Bronco Way Fyffeville Tennessee 37063

TELEPHONE: 479-482-4788 DATE: 2/28/21
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       )
County of Washington    ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 25 day of

[Signature]
Notary Public

[Certificate]

Susan Williams Gessler
Notary Public
Washington County, Arkansas
Commission #12703101
Commission Expires September 5, 2027
FILE NO. R21-14
APPLICANT: Gerald B. Jones Revocable Trust
REQUEST: C-2 to I-1

APPLICANT: Gerald B. Jones Revocable Trust
REQUEST: C-2 to I-1

For Location Reference Only
A request by Gerald B. Jones Revocable Trust 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 12.75 acres.

LOT LOCATION AND SIZE
The 12.75 acre tract of land is located at 679 E. Appleblossom Road, south side of Appleblossom Road with frontage on N. Oak Street.

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:
- 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)
- 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.

REQUESTED ZONING
The rezoning application requests an I-2 General Industrial district. The District is designed to accommodate 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 and the building: 50’
- 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 in an I-1 zoning. The area to the east is undeveloped in C-2 zoning. The area to the south is undeveloped in A-1 zoning. The property is bordered by the railroad on the west side with industrial use in I-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan – not shown on adopted plan.

The Master Street Plan indicates Appleblossom Road as a major collector.

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

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.

Insulate industrial sites from other activities by providing sufficient buffers to reduce nuisance and hazard exposure to surrounding non-industrial areas.

Assure the development of adequate services and utilities and take maximum advantage of railroad facilities.
February 24, 2021

City of Springdale  
201 Spring Street  
Springdale, AR  72764

Attn: Planning Department  
RE: Jones Property (679 E. Apple Blossom Ave) Tract 3B Rezoning Submittal

Dear Staff,

This letter is in regards to a proposed Rezoning at 679 E. Apple Blossom Ave in Springdale, AR. This rezoning request is planned concurrent to the proposed lot split, of the same property, that will result in two tracts labeled Tract 3A and Tract 3B. This rezoning request is for Tract 3B only. Tract 3B will fall within zones I-1 and C-2 when the lot split is processed. The request is to rezone the I-1 portion of Tract 3B to I-2. The C-2 portion of Tract 3B will remain in place at the N. Oak St. frontage, as a buffer.

The owner has a potential buyer for Tract 3B once the lot split is processed. The potential buyer would like to build a materials processing plant, along the railroad, similar to the businesses to the south of the property (APAC, Hutchens, Standard Materials Group). Once rezoned, a Large-Scale Development plan would need to be generated and submitted to planning for review. We feel the I-2 zoning would be compatible to surrounding uses and would not adversely affect adjoining property.

We thank you for your consideration of this proposed rezoning. Please call with any questions.

Sincerely,

Jared S. Inman, P.E.

Jared S. Inman, P.E.
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 Gerald B Jones Revocable Trust

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

Legal Description:

A part of the NW1/4 of the NE1/4 and part of the SW1/4 of the NE1/4 of Section 13, T18N, R30W in Benton County, Arkansas, and being described as follows: Commencing at the NW Corner of said NW1/4, NE1/4, thence S02°06'47"W 774.81 feet to the POINT OF BEGINNING, thence S67°38'44"E 532.91 feet, thence S55°47'16"E 173.48 feet, thence S27°32'08"E 202.07 feet, thence S40°33'50"E 240.05 feet, thence S85°36'58"E 327.07 feet, thence S02°34'17"W 165.08 feet, thence N85°36'58"W 1,236.11 feet, thence N02°06'47"E 757.72 feet to the POINT OF BEGINNING, Containing 12.75 acres, more or less, subject to easements and right of ways of record.

Layman's Description: **679 E. Appleblossom**

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) **Light Industrial District (I-1)**

TO (proposed zoning) **General Industrial District (I-2)**
The Petitioner’s immediate intentions are to:

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

2. **Develop** the property **NO** (Yes or No), and if so, the proposed use is ________________________________.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **NO EFFECT ANTICIPATED. MAJORITY OF PROPERTY IS ZONED I-1. THIS REZONING REQUEST WILL ALLOW THE PROPERTY TO OPERATE UNDER USE UNIT 26 IN ANTICIPATION OF A MATERIALS PROCESSING PLANT SIMILAR TO PROPERTIES IN THE I-2 ZONING TO THE SOUTH. THE OAK RD FRONTAGE WILL REMAIN C-2 AS A BUFFER STREET FRONTAGE USES.**

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

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

Authorized Representative: [Signature]
Address: 4628 Briarcliff, Denver, CO 73203

PETITIONER/OWNER **SIGNATURE**

MAILING ADDRESS: ____________________________

TELEPHONE: __________________ DATE: ____________
VERIFICATION

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

SIGNATURE
(Property Owner)

[Signature]
(Property Owner)

State of Arkansas  
County of Washington  

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 25 day of January, 2021.

[Signature]
Notary Public

[Stamp]
Susan Williams Gessler
Notary Public
Washington County, Arkansas
Commission #12703101
Commission Expires September 5, 2027
To whom it may concern,

I am Eric Schein of 824 Topaz street, Lowell (across the street from the land to be rezoned). The use of the area on the east side of the railroad tracks has been Residential ever since it has been removed from Agricultural. When Bethel Heights allowed a commercial property to go in, it was against SS14-56-306. The city of Lowell did not agree with the rezone & it has been ugly ever since. Now we have a horrible amount of truck traffic on a street that is still labeled a no truck traffic street. The operation of the business is throughout the night. They unload & reload trucks until the morning. The noise, light, & traffic is a nuisance.

This rezone is looking to give the Operator of a business on these other two properties even more leniency. I am also a City Councilman for Lowell Ward 4, and my phone has been blowing up over this. A petition has been created to show the opposition to the rezone. The other problem is the 96 newly constructed homes that have been preSold that will not receive the letter to announce the hearing. It is safe to say that they would also be in opposition to the rezone as well.

Sincerely
Alderman Eric D Schein
Ward 4 Seat 2
824 Topaz street
Lowell, AR 72745
(479)957-1215
Hello! This email is for the Springdale Planning Commission.

We are neighbors adjoining the proposed new re-zoning for 611 and 679 Apple Blossom. (Parcel number 21-00103-050 and 21-00103-065)

We are opposed to the re-zoning of that property. In this email, I will attempt to give you the information we know, past and present, along with our experience currently as neighbors of On Time Logistics.

FOR REFERENCE:
I am addressing a statute that was supposed to have been taken into consideration before the original building was allowed to be put up in Bethel Heights. Here is the statute I am referring to. Universal Citation: AR Code § 14-56-306 (2017). This statute is met to protect adjacent cities from incompatible re-zoning on properties that are in neighboring cities. I would like to note that this statute should be taken into consideration each time you re-zone this property.

PAST:
The citizens and the council addressed the issue back in early 2000s when the property owners (previous owners) had tried to change the zoning on that property initially. It was originally voted down by the city of Lowell but Bethel Heights re-zoned it anyway. I am not sure what protocol is for how to enact this statute when it becomes necessary but it is now necessary.

PRESENT:
Eric and I came up to the Springdale council the last time this property was up for re-zoning (2020) and it was re-zoned with no issue at all. We had addressed our concerns and they were not taken into consideration.

OUR EXPERIENCE:
I want to tell you what we are experiencing as a subdivision over here right now and why we cannot let another building (or two) be placed on that tract of land.

Since that building has gone up, we have experienced the following issues:

- large semi-trucks missing the building and pulling into our subdivision and trying to turn around on our city streets and getting stuck in the middle of Apple Blossom, blocking the street. I work from home and I experience this several times per week. I have started calling the Lowell police in order to document this.
- This business (On-Time Logistics) while trying to be good neighbors, works at night and they are loud. They load trucks all night and there is noise, headlights
in windows, loud voices, and truck traffic moving in and out of the premises all night and early in the morning.

- They also have lighting on their building that although it's downlighting, keeps the entire front of the subdivision (Southfork III) illuminated.
- Something noteworthy is that they had our entire side yard dug up for over a month. They hit our gas line and didn't inform us. While we were at work our dogs were inside our house breathing gas fumes. They poured concrete at 3 am one morning and had huge lights up. It was a circus. We had to get Lowell, Bethel Heights, and their contractor involved in the middle of the night. They worked late into the evening most nights to the point that we had to call the City of Lowell because Bethel Heights literally would not respond. Bethel Heights didn't have an ordinance for anything.
- The proposed building they are wanting to build is directly across from our house. The driveway will come directly across from our living room windows.
- We have a two-lane road on Appleblossom and this volume of trucks is not conducive to a residential lifestyle. The street was never made to account for semi traffic.

WHAT WE KNOW ABOUT THIS AREA:

- Apple Blossom is a no-truck route. It states this on signs up and down Apple Blossom.
- The East side of the railroad tracks was a residential area before it was zoned industrial.
- We have several nice subdivisions that are currently here around the facility and we now have a brand new subdivision with 96 houses that is going up next to ours. These new homeowners don't even get a voice because they haven't even received a letter on this re-zoning. I am sure they would be opposed as well.
- If you go down north Oak Street, you will also see brand new houses that have recently been built there as well.

REQUEST:
I am not sure why this is being taken into consideration but the I-1 rezoning was already a terrible idea for those of us in the adjoining city, but I-2 would be catastrophic. I have looked up the re-zoning for that and there is no worse re-zoning for a residential neighborhood not even 100 feet away from the proposed location.

Where can we go from here and what can be done to make sure that this statute is upheld before you make any re-zonings of your own? I have copied the mayor and both city council members in our ward on this email and I know the Mayor's staff is working to address these concerns as well.

Thank you for your time. I would like to have a response please.

Best,

Tonya Schein
To whom it may concern,

I would like to convey my opposition to the proposed rezoning of the Springdale side of Apple Blossom Ave.

As a resident of the Southfork neighborhood in Lowell on the north side of Apple Blossom, I was very upset when the shipping warehouse was constructed across the street from us in what was then Bethel Heights. I was concerned this would increase traffic, noise and congestion. This has all proven out to be true. Now, with the proposed zoning change, the problem WILL become much worse and I fear it will further tear up our road and lower property values in our area. Apple Blossom Ave is a smaller residential type road with no shoulder, no sidewalk, 30 mph speed limit and is, most importantly, mostly residential AND growing with new neighborhood development. This is a place for families, not industrial traffic, noise and congestion!

Please, help us stop from continuing down this road of poor planning and decision making of the past by opposing the proposed zoning change to Apple Blossom Ave.

Sincerely,

Robby Ferguson
513 Emerald Street
Lowell, AR 72745
(479) 439-2846
To whom it may concern,

I would like to convey my opposition to the proposed rezoning of the Springdale side of Apple Blossom Ave.

As a resident of the Southfork neighborhood in Lowell on the north side of Apple Blossom, I was very upset when the shipping warehouse was constructed across the street from us in what was then Bethel Heights. I was concerned this would increase traffic, noise and congestion. This has all proven out to be true. Now, with the proposed zoning change, the problem WILL become much worse and I fear it will further tear up our road and lower property values in our area. Apple Blossom Ave is a smaller residential type road with no shoulder, no sidewalk, 30 mph speed limit and is, most importantly, mostly residential AND growing with new neighborhood development. This is a place for families, not industrial traffic, noise and congestion!

Please, help us stop from continuing down this road of poor planning and decision making of the past by opposing the proposed zoning change to Apple Blossom Ave.

Sincerely,

Christy Ferguson
513 Emerald Street
Lowell, AR 72745
(479) 439-2846
To whom it may concern,

I am writing to express my concern with a bit of land that currently sits across from my neighborhood. There is a logistics business that is looking to expand on the land and I am against this. It isn't a good fit for re-zoning, I believe, because there are already a lot of semi-trucks on this road. The road isn't nearly wide enough to accommodate more trucks. The road was widened to allow the trucks to have a turning lane, and they do not use that as it is already. Please take this stance into consideration and do no allow this re-zoning to take place as it will further damage the road in front of where folks live, it will add unwanted noise to the area, and increase traffic to areas where kids often walk to access parks and that would also raise the risk of accidents that could be avoided.

Thank you for your time and consideration.

Scott Litzman
Hey Debbie,

Upon review of this information, I would like to formally state that I am 100% against this Re-zone. Please pass this message along to whom it concerns in the Springdale planning commission. I will also plan to attend the meeting on this in April.

Thank you,

Matthew H. White
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: R21-16 Rezone


A request by Betty Counts and Joanne Wade for Planning Commission approval of a zone change from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16) for a tract of land containing 8 acres. Parcels: 815-29790-100 and 815-29790-105.

LOT LOCATION AND SIZE
The 22 total acre tract is located at 1415, 1307, and 1309 Oak Grove Road, east side of Oak Grove Road and south of Bob Mills Road.

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.

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REQUESTED ZONING
The rezoning application requests a MF-16 Medium/High Density Multi-family Residential District. The district is established to provide areas for development allowing more units per structure. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots. MF16 Districts are restricted to sites abutting collector or arterial streets and may be developed either adjacent to or in conjunction with neighborhood commercial or shopping center developments.

Uses permitted: - 1, 8, 10, 11, 12, 13, 29
Conditional Uses Permitted on Appeal: - 2, 3, 4, 9, 28
Temporary Uses – 34

ACCESSORY USES
The following accessory structures and land uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:
(1) Accessory buildings, including private garages, storage facilities and children’s playhouses as set for in Article 6, Section 2.7 of this chapter.
(2) Private greenhouses and horticultural collections.
(3) Flower and vegetable gardens.
(4) Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW
When a conditional use is proposed in an MF-16 district, except for Use Unit 28 home occupation a site plan review shall be required. See Article 6, Section 13 of this chapter for the procedure and requirements of a site plan review.

AREA REGULATIONS
(1) LOT AREA. There shall be a lot area of not less than six thousand (6,000) square feet for a single family dwelling; ten thousand five hundred (10,500) square feet for a duplex; fourteen thousand four hundred (14,000) for a triplex; twenty thousand (20,000) for a four-plex; and more than four-plex twenty thousand (20,000) plus one thousand nine hundred (1,900) square feet per unit. In addition, there shall be a minimum lot width of not less than sixty (60) feet a one family; seventy (70) feet for a two family; eighty (80) feet for a three family or larger on a public street at the front setback line for all dwelling unit types.
(2) DENSITY. Sixteen (16) 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.

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

OFF-STREET PARKING
See Article 7 of this chapter.

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

MULTIFAMILY PLAY AREAS
See Article 6 Section 2.17 of this chapter

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

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

The Master Street Plan indicates Oak Grove Road as a minor collector and Bob Mills Road as a minor collector.

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

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

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

Larger multi-family developments should be located on sites with adequate space for off-street parking, accessory structures and recreational activity and toward the edge of single-family residential areas where higher traffic generation and taller building heights can be better accommodated.
March 16, 2021

To Whom it May Concern:

Please find the petition for rezoning three contiguous parcels at 1415 Oak Grove Road, Springdale, AR, 72762, 1307 North Oak Grove Road, Springdale, AR, 72762, 1309 North Oak Grove Road, Springdale, AR, 72762.

If you have any questions, please feel free to contact me at 817-307-1747 or at tanner@cignusre.com and ramsav@cignusre.com.

Sincerely,

Tanner Freeman

Tanner Freeman
Savant Development
224 SE 2nd Street, Suite 200
Bentonville, AR 72712
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 Savant Development LLC

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

Legal Description: See attached exhibit.

Irven Joint Revocable Trust and Betty Counts

Address: 1415 OAK GROVE RD
Parcel: 815-29790-095
Parcel: 815-29790-090
Parcel: 815-29790-080
Parcel: 815-29790-085

Address: 1307 OAK GROVE ROAD
Parcel: 815-29790-100

Address: 1309 OAK GROVE ROAD
Parcel: 815-29790-105

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) MF-16 MEDIUM/HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT
The Petitioner’s immediate intentions are to:

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

2. **Develop** the property **Yes** (Yes or No), and if so, the proposed use is **MF-16 MEDIUM/HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT**.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: The proposed zoning will have a positive impact on the adjacent properties and will reflect the City of Springdale Future Land Use Plans.

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: **Ramsay Ball**

Address: **224 SE 2nd Street, Suite 200, Bentonville, AR 72712**

**PETITIONER/OWNER SIGNATURE**

**MAILING ADDRESS:** 224 SE 2nd Street, Suite 200, Bentonville, AR 72712

**TELEPHONE:** Ramsay Ball (479) 640-6405 **DATE:** 3/10/2021
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)

Betty Jo Counts
(Property Owner)

State of Arkansas )
) ss.
County of Benton )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 12th day of March, 2021.

Notary Public

CARLA MARBUT
MY COMMISSION # 1239494
EXPIRES: September 4, 2022
Benton County
Property Owner's Signatures

SIGNATURE
(Property Owner)

Betty Jo Counts
(Property Owner)

SIGNATURE
(Property Owner)

Jeffery Barron
(Property Owner)

SIGNATURE
(Property Owner)

Janet Dills
(Property Owner)

SIGNATURE
(Property Owner)

Joanne Wade
(Property Owner)

SIGNATURE
(Property Owner)

John Barron
(Property Owner)

SIGNATURE
(Property Owner)

Stephanie Pierson/Irven Joint Revocable Trust
(Property Owner)
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: R21-17 Rezone

A request by Springdale Downtown, LLC for Planning Commission approval of a zone change from PUD to Revised PUD for a tract at 500 North Main.

EXISTING ZONING
The existing zoning of this tract is 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.

REQUESTED ZONING
Revised Planned Unit Development (PUD)

PROPOSED AMENDED USES/ACTIVITIES

1. Guest House – Owner Proposes allowing the tenants (Natural State Rock & Republic) to expand their current services as an operating Airbnb to include a permanent coffee shop and small restaurant, using the commercial kitchen and dining space within the guest house. They intend breakfast and lunch food service to be open to the public, accessible from the Greenway access gate. Indoor capacity seats around 30-35 ppl, and they intend to use the patio space and grounds for additional outdoor dining and coffee service. Tenant has updated the property’s retail food permit with the State and County, and has also met standards for business permitting from City of Springdale.

2. Greenway Access – Owner proposes repairs to the Greenway gate for public pedestrian and bicycle traffic to enter and exit the property easily. Tenant will decide gate operating hours, and will obtain a permit to place 19"X22" non-lit aluminum sign to read “Natural State Rock & Republic”, as well as the name of the restaurant partner (to be determined), by trail entrance at Greenway.

3. Right Wing of Red Barn – Owner proposes the current tenant use the right wing of the Red Barn as guest bike storage and a mechanic service bay to repair bikes. Tenant plans to run small bike rental business from this space as of Spring 2022. This service will also be accessible from Greenway Entrance.

4. Cycling Studio – The space formerly referred to as "Event Center" at 504 N Main is now home to a cycling studio, equipped with bike fitting services and a spin studio.

STAFF COMMENTS AND RECOMMENDATIONS
The proposed Amendments appear to be keeping with the intent of the Planned Unit Development as originally adopted and recommended for approval.
REQUEST FOR REVISION
PLANNING UNIT DEVELOPMENT - NATURAL STATE ROCK & REPUBLIC, LLC

Owner: Springdale Downtown LLC
Contact: Brenda Anderson
479-621-3757
brenda@bluecrane.us

Locations: 500 North Main - “Natural State Rock & Republic”

PROPOSED AMENDED USES/ACTIVITIES (see the attached exhibit)

1. Guest House - Owner proposes allowing the tenants (Natural State Rock & Republic) to expand their current services as an operating airbnb to include a permanent coffee shop and small restaurant, using the commercial kitchen and dining space within the guest house. They intend breakfast and lunch food service to be open to the public, accessible from the Greenway access gate. Indoor capacity seats around 30-35 ppl, and they intend to use the patio space and grounds for additional outdoor dining and coffee service. Tenant has updated the property’s retail food permit with the State and County, and has also met standards for business permitting from City of Springdale.

2. Greenway Access - Owner proposes repairs to the Greenway gate for public pedestrian and bicycle traffic to enter and exit the property easily. Tenant will decide gate operating hours, and will obtain a permit to place a 19x5”x22” non-lit aluminum sign to read “Natural State Rock & Republic”, as well as the name of the restaurant partner (to be determined), by trail entrance at Greenway.

3. Right Wing of Red Barn - Owner proposes the current tenant use the right wing of the Red Barn as guest bike storage and a mechanic service bay to repair bikes. Tenant plans to run a small bike rental business from this space as of Spring 2022. This service will also be accessible from the Greenway entrance.

5. Cycling Studio - The space formerly referred to as “Event Center” at 504 N Main is now home to a cycling studio, equipped with bike fitting services and a spin studio.
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 Springdale Downtown LLC. The record property owner(s), petitioning to
rezone the following described area:

Legal Description:

PT LOT 64 & PT LOT 66 & ALL
BLOCK A HOLCOMBS ADDITION
NO 1 & PT VACATED BLAIR ST AND
PT VACATED MAIN ST 5.04 AC

Layman's Description: 500 North Main

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) PUD
TO (proposed zoning) Revised PUD
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 N/A (Yes or No).

2. Develop the property NO (Yes or No), and if so, the proposed use is ____________________________.

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Little to no impact from previously approved PUD ____________________________.

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: Brenda S Anderson, VP

Address: 702 SE 5th, #34, Bentonville, AR. 72712

PETITIONER/OWNER SIGNATURE ______________________

MAILING ADDRESS: 702 SE 5th, #34, Bentonville, AR. 72712

TELEPHONE: 479-621-3757 DATE: 03.17.21
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)

Brenda S. Anderson, VP,
Springdale Downtown, LLC
(Property Owner)

State of Arkansas   )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 11 day of March, 2021.

Notary Public

TAMI J. MONTGOMERY
Notary Public - Arkansas
Benton County
Commission # 12386015
My Commission Expires Mar 4, 2022
FILE NO. R21-17
APPLICANT: Springdale Downtown, LLC
REQUEST: PUD to Revised PUD

PLANNING COMMISSION MEETING
April 6, 2021

For Location Reference Only

0 30 60 90 120 180 240 Feet
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: R21-18 Rezone

A request by The Trails at the Crossings Apartment, LP for Planning Commission approval of a zone change from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD) for a tract of land containing acres.

EXISTING ZONING
The existing zoning of this tract is 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.

REQUESTED ZONING
Revised PUD Planned Unit Development district

STAFF COMMENTS AND RECOMMENDATIONS
Proposed phasing plan is acceptable with no other revisions to the adopted PUD Development Plan.
Building Dept. Comments for The Trails at the Crossings Apartment, LP

From: Ed Stith, Building Department
Date: April 6, 2021 PC
Re: R21-18 Rezone

Building Comments:

I have reviewed the proposed phasing plan. Phases 1, 2 and 3 are acceptable as presented. The north street and approach to 56th St must be completed prior to the issuance of C of Os for phase 4 thru 8.

Water and sewer service within the phase area shall have been accepted by the water utility. Close out documents must be submitted and accepted.
TRAILS AT LEGACY
PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN

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.

1. General Project Information

A. Project Name: Trails at Legacy

B. Location: (The intent is to apply the PUD district to areas designated as agricultural, residential or commercial on the land use plan)
   At the intersection of Watkins Ave and 64th Street

C. Ownership: (Eligible applicants for preliminary plan review must be the landowners of record, holders of a lease for not less than fifty (50) years, or their authorized agent and beneficiaries of all properties in question. The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this article.)
   C.L. George and Sons Limited Partnership

D. Developer: Trails at Legacy, LLC

E. Civil Engineer & Land Surveyor: Site Engineer: Crafton Tull; Land Surveyor: McClelland Consulting Engineers

F. Size: 22.74 acres (Eligible properties must be ten (10) acres in size):

G. Staging: (Submissions of proposals of entire ownerships is encouraged, however, applicants may submit a phased development plan for incorporating incremental final development plans and plats for subareas of the entire ownership.)
   The development will be split into 8 phases to acquire Certificates of Occupancy in 8 groups.

2. Development Strategy:

This apartment complex will serve the community in enhancing social connectivity between the residents of the Trials at Legacy and the surrounding amenities. Being constructed near Arvest Ballpark, the apartment complex will integrate sidewalks from all outer buildings and a perimeter walking trail to maximize social and community interactions. The property has multiple central open space locations with amenities for all residents that promote relaxation, recreation, and social activity.
3. Permitted Use (List all use units to be included in the project)

This project will be a multi-family high density residential site.

4. Site Development Requirements
A. Density, Bulk, Area and Yard Requirements

Density – 21.6 units/ac

Type of Units by number of bedrooms –
476 units total: 204 1-bedroom units, 272 2-bedroom units

Total Developed Area  22.74 acres
Total Common Area  7.25 acres

Impervious Area  561,924 (sq. ft.)  12.9 acres
Open Space  396,211 (sq. ft.)  9.1 acres
Total Space  958,320 (sq. ft.)  22.0 acres

Setbacks – Front- 30’
  Interior Side
  Exterior Side- 8’
  Rear- 20’

B. Building Types – Elevations as attached:

Setbacks – As shown on attached site plan

C. Parking

Total Parking Spaces Required – 883 stalls
Total Parking Spaces Provided – 772 stalls

D. Amenities Provided (locations shown on site plan):
Walking trail, dog park, benches, hammock poles, planting areas, BBQ patios,
large trees, clubhouse, swimming pool, frills, volleyball court, horseshoe pits,
playground, lighting.

5. Property Management:

A. Property to remain in single ownership with all common areas to be maintained by the owner or through an agreement with a management company.
B. Garages to be used for the parking of the vehicles and shall not be used as storage units or living space. Parking on the grass is prohibited.
C. The development will be accessed from Watkins Ave or 64th Street. Drives shall be labeled as private drives. Sidewalks shall be constructed on all common areas as shown on the site plan.
D. Privacy fences are not being proposed. No chain link type fence will be allowed.
E. Service lines for all public or quasi-public utilities shall be located underground.
F. Common areas will be landscaped as constructed with 2" caliper shade trees, established grass areas and an automatic irrigation system.
G. Amenities installation will follow the plan associated with this PUD on sheet L-100 and subsequent sheets.

6. Miscellaneous Requirements

A. Parking stalls along the fire access road will be 9'X17' with adjacent 7' sidewalks. The 17' deep parking stall with the adjacent 7' sidewalk will allow the ability for oversized vehicles to hang over for a total length of 19' leaving a standard 5' sidewalk. This will allow maximum green space between the building and the parking lot for aesthetics and additional landscaping.
B. The number of parking stalls required are to supply the need of one parking stall per building. Lindsey Management is one of the largest multi-family real estate developers in the state of Arkansas. Using their historical data, for a development of more than 200 units, 1 parking space per bedroom is sufficient. With the lower parking count, the development can provide additional common space, greenspace, amenities, and increased safety by eliminating empty parking lot areas.
C. The 30' front setback helps to generate a street scape along Watkins Ave. Sidewalks leading from each perimeter building will promote connectivity between the residents and the nearby communities. The planned landscaping will add to the aesthetic pleasure of the street.
D. Absence of privacy fence promotes connectivity to surrounding communities. Apartment building entrances will be accessible through residential key fobs increasing the security. Lighting and landscaping will promote security and surveillance.
Grill
Putt
Grill

PAVILION
PAVILION
TWO HORSESHOE PITS

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

DRAWING: G:\18803400_GEORGESAPT\INFRASTRUCTURE\CIVIL\DWG\!OVERALL SITE PLAN.DWG
LAYOUT: LAYOUT1
LAST SAVED: CU5072, 7/3/2019 12:05 PM
PLOTTED BY: ALI KARR, 7/8/2019 4:36 PM ("PLOTTED BY:" ONLY VALID ON HARD COPY)

PROJECT LOCATION:
TRAILS AT THE CROSSINGS
SPRINGDALE, AR.

ENGINEER PROFESSIONAL REGISTERED ARKANSAS No. 11825

SITE INFORMATION:

BUILDING INFORMATION:

PARKING REQUIREMENTS:

2' X 22' MONUMENT SIGN

MULTI-FAMILY DESIGN STANDARDS (C)

LEGEND (EXISTING SYMBOLS)

LEGEND (CONSTRUCT)
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 Trails at the Crossings Apartments, LP.

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

Legal Description:

SURVEY DESCRIPTION – TRACT ONE

PART OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SW/4 NE/4, A CHISELED "X" IN CONCRETE FOUND;
THEN ALONG THE EAST LINE OF SAID SW/4 NE/4 NORTH 02°27'06" EAST, A DISTANCE OF 56.34 FEET TO THE POINT OF BEGINNING, A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
THEN ALONG THE NORTH BOUNDARY OF AN EXISTING PUBLIC STREET AND UTILITY EASEMENT RECORDED AS FILE NO. 2007-00024122 THE FOLLOWING THREE (3) COURSES:
(1)NORTH 87°33'03" WEST, A DISTANCE OF 1264.81 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
(2)NORTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CENTRAL ANGLE OF 89°59'19" AND LONG CHORD BEARING NORTH 42°33'23" WEST FOR 35.35 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
(3)NORTH 02°26'16" EAST, A DISTANCE OF 73.83 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
THEN SOUTH 87°33'44" EAST, A DISTANCE OF 20.00 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
THEN NORTH 02°27'35" EAST PARALLEL TO AND 50.00 FEET EAST OF THE WEST LINE OF SAID SW/4 NE/4, A DISTANCE OF 666.03 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
THEN SOUTH 87°32'28" EAST CROSSING A FORMERLY SET 5/8 INCH CAPPED REBAR EMBOSSED 1304 AT A DISTANCE OF 2.28 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1269.74 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;
THEN ALONG THE EAST LINE OF SAID SW/4 NE/4 SOUTH 02°27'06" WEST, A DISTANCE OF 754.64 FEET TO THE POINT OF BEGINNING. HEREIN DESCRIBED TRACT CONTAINING 22.04 ACRES MORE OR LESS.

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)  PUD

TO (proposed zoning)  PUD

108
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 ____________ Residential Multi-family ____________.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: The property is already zoned PUD. This is a revision to allow phasing.

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: Daniel Ellis

Address: 901 N 47th St., Suite 400, Rogers, AR 72756

The Trails at the Crossing Companies, Limited Partnership
By: The Trails at the Crossing Apartments Management Company, Inc.

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS:

TELEPHONE: ___________________________ DATE: ___________________________
VERIFICATION

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

SIGNATURE
(Property Owner)

The Trails at the Crossing, Apartments Limited Partnership
By: The Trails at the Crossing Apartments Management Company, Inc., its General Partner
By:
(Property Owner)

State of Arkansas )
) ss.
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of March, 2021.

[Notary Public Signature]

JOY L. HOOPS
Notary Public
Washington County - Arkansas
Commission # 12400437
Expires: September 1, 2024
FILE NO. R21-18
APPLICANT: The Trails at the Crossings Apartments, LP
REQUEST: PUD to Revised PUD

PLANNING COMMISSION MEETING
April 6, 2021
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: R21-19 Rezone

A request by Rogers Warehouse Development, LLC (Bill McClard and Roger Clark) for Planning Commission approval of a zone change from Agricultural District (A-1) and General Commercial District (C-2) to Warehouse District (W-1) for a tract of land containing 10 acres.

LOT LOCATION AND SIZE
The 10 acre tract is located at 3052 and 3744 Wagon Wheel Road, North side of Wagon Wheel Road, west of Wildwood Lane.

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></td>
<td></td>
</tr>
<tr>
<td>One Family</td>
<td>200</td>
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EXISTING ZONING
The existing zoning of this tract is a C-2 General Commercial District. The District is established in order to be a broader range of retail uses, which comprise the commercial function of the city including groupings of freestanding commercial structures. Permitted uses include most types of retail activity except those involving open displays of merchandise and those which generate large volumes of vehicular traffic or are otherwise incompatible with the purpose and intent of the C-2 general commercial district. Retail areas zoned C-2 shall be generally concentrated as to geographical configuration. It is anticipated, however, that in some situations, change to another commercial or office classification may be appropriate to permit the transition of strip retail areas to other productive forms of land use. It is the intent of these regulations that the C-2 district be concentrated at the intersections of arterial streets. Extension of the district along major arterial streets in linear fashion shall be discouraged.

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.
SITE PLAN REVIEW
When a conditional use is proposed in a C-2 district, except for home occupation a site plan review shall be required. See Article 2, Section 13 of this chapter for the procedure and requirements of a site plan review.

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

AREA REGULATIONS
SETBACKS:
- Front setback: 30’
- Front setback if parking is allowed between R-O-W 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.

REQUESTED ZONING
The rezoning application requests a W-1 Warehouse district. The District is designed to provide areas within the city for the storage and transfer of goods. This district is best suited for areas close to other industrial and commercial areas and is intended to be located along arterial and collector streets.

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

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

AREA REGULATIONS
SETBACKS:
- Front setback: 30’
- Front setback if parking is allowed between R-O-W and the building: 50’
Side setback 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 contains a single family dwelling. The area to the north is undeveloped in A-1 zoning. The area to the east contains a commercial use in C-2 zoning. The area to the south is undeveloped 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 commercial.

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

STAFF COMMENTS AND RECOMMENDATIONS
The rezoning request is not in keeping with the Comprehensive Land Use Plan.

A downgrade of the zoning request to a C-5 Thoroughfare Commercial District would be in keeping with the Comprehensive Land Use Plan and would allow for dedicated warehouse to be considered as a conditional use.
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: Owner Site 1: Rogers Warehouse Development III LLC (Bill McClard) and Owner Site 2: Roger Clark

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

Legal Description:

Site 1: Parcel #21-00166-064 – 3744 Wagon wheel Road, Springdale, AR 72762
2.00 +/- acres contained in SEC 15 – TWP 18 – RNG 30

Site 2: Parcel #21-00166-070 – 3652 Wagon wheel Road, Springdale, AR 72762
8.00 +/- acres contained in SEC 15 – TWP 19 – RNG 30

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) Site 1: C-2 Site 2: A-1

TO (proposed zoning) Site 1: W-1 Site 2: W-1
The Petitioner's immediate intentions are to:

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

2. **Develop** the property **YES** (Yes or No), and if so, the proposed use is

   Warehousing and wholesale business

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Similar uses to the west, to the east and south residential / wholesale businesses. To the north is agricultural

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: Bill McClard

Address: 149 N Pleasant Ridge Drive, Rogers, AR 72756

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS: 149 N Pleasant Ridge Drive, Rogers, AR 72756

TELEPHONE: 479-531-7869 DATE: 3-5-2021
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)

Rogers Warehouse Development LLC
Dene McCloud
(Property Owner)
MANAGING MEMBER

State of Arkansas )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this (4) day of 
MARCH, 2021.

Notary Public
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

SUBSCRIBED AND SWORN TO before me, a Notary Public, this [insert date] day of [insert month], 2021.

Notary Public
DESCRIPTION OF TRACT TO BE REQUIRED TO NO. 1 (WAREHOUSE DISTRICT):

A TRACT OF LAND BEING PART OF THE SW/4 OF THE NW/4 OF SECTION 15, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID SW/4 OF THE NW/4 OF THE SW/4 OF SECTION 15, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS; THENCE ALONG THE SOUTH LINE OF SAID SW/4 OF THE NW/4 OF THE SW/4, 329.47 FEET; THENCE NORTH 89° 15' WEST 333.52 FEET TO AN IRON POLE; THENCE 333.52 FEET TO AN IRON POLE FOUND; THENCE 923.29 FEET TO AN IRON POLE FOUND; THENCE 923.29 FEET TO THE POINT OF BEGINNING, CONTAINING 9.95 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF WIGON WHEEL ROAD, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

LEGEND:

P.N. 21-00166-070
CURRENT ZONING: A-1
PROPOSED ZONING: W-1
7.97 AC. ±

P.N. 21-00166-064
CURRENT ZONING: C-2
PROPOSED ZONING: W-1
5.56 AC. ±

EXHIBIT B

A PART OF THE SW/4 OF THE SW/4
SECTION 15, TOWNSHIP 18 NORTH, RANGE 30 WEST
CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

PREPARED FOR: CROSSLAND

REVISED: 2001-01-01
DRAWN: 2000-01-01
DATE: 2000-01-01
SHEET: 1 OF 1
FILE NO. R21-19
APPLICANT: Rogers Warehouse Development III, LLLC
REQUEST: A-1 and C-2 to W-1

PLANNING COMMISSION MEETING
April 6, 2021
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: C21-05

A request by Sonny and Kouhpone Chanhsavang for a Conditional Use Permitted on Appeal as a Use Unit 42 (Church / Synagogue) in a C-2.

LOCATION
901 Dorman Street, southwest corner of the intersection of Dorman Street and Pultz Avenue.

EXISTING CONDITIONS
Commercial Structure with limited parking.

SITE PLAN REVIEW REQUIRED: __X__ Yes _____No

DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

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

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

Unacceptable
Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.
- Majority of parking offsite with no pedestrian access by sidewalk

Acceptable
Refuse and service areas, with particular reference to the item in 1 and 2 above.
| Acceptable | Utilities, with reference to locations, availability and compatibility. |
| N/A | Screening and buffering with reference to type, dimension and character. |
| Unknown | Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district. |
| Unacceptable | Yard requirements and other open space requirements. |
| Unacceptable | The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter. |
| N/A | Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect. |
| Unacceptable | General compatibility with adjacent properties and other property in the general district. – Inadequate onsite parking and lack of sidewalks in the area to accommodate offsite parking needs. |
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Sonny and Kouhpone Chanhsavang
   Address:
   Phone: ___________________________ Profit:  Non-Profit

2. Property Location (street address or layman's description):
   901 Dorman Street  Springdale AR 72762

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

4. Use Unit requested __42___ in ___C-2___ Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   We were told we would need more parking spaces
   and we have already asked our neighboring
   businesses the use of their parking lot

6. What effects would the proposed conditional use have on the character of the
   neighborhood and residents?
   None, except for the parking lots been taken

7. If the conditional use is to only a portion of the land described on the warranty deed, then
   an accurate legal description provided by a copy of a recent survey certified by a
   registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent
   property owners. This must be a certified list by a licensed abstractor or licensed land
   surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at
   least ten (10) days prior to the Planning Commission meeting. The applicant must provide
   evidence in the form of a signed affidavit, that notice has been given to all adjacent
   property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  

Signature of Applicant  

Date: 2/8/21  

Date: 02/8/21  

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 ___ day of February, ___.

My commission expires: 03-19-2025

OFFICIAL SEAL - #12694218
RUMINA LAKMIS
NOTARY PUBLIC-ARKANSAS
WASHINGTON COUNTY
MY COMMISSION EXPIRES: 03-19-25
# PREAPPLICATION FOR CONDITIONAL USE

(For any conditional use request other than a tandem lot)

<table>
<thead>
<tr>
<th>PROPERTY LOCATION:</th>
<th>901 Donwin St</th>
</tr>
</thead>
<tbody>
<tr>
<td>(street address or layman's description)</td>
<td>Sonny Chanhsavang</td>
</tr>
</tbody>
</table>

(Record Title Holder of the Property as shown on a deed of record in the County):

Note: If property is in the ownership of someone other than individuals documentation must be included that indicates who is authorized to represent the property owner(s)

| Zoning District of Property: | Commercial |
| Description of the Conditional Use sought: | For Church |

| Use Unit Designation: | Church 02 |

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

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

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

<table>
<thead>
<tr>
<th>Current Occupancy Classification</th>
<th>Office Occupancy Group B narrative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Building Official</td>
<td>Ed Jones for a change</td>
</tr>
<tr>
<td>Fire Marshall</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td>11-6-20</td>
</tr>
<tr>
<td></td>
<td>12-17-20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Occupancy Classification required for intended use</th>
<th>Assembly A-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Building Official</td>
<td>Ed Jones for a change</td>
</tr>
<tr>
<td>Fire Marshall</td>
<td>Date: 11-6-20</td>
</tr>
<tr>
<td></td>
<td>Date: 12-17-20</td>
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</tbody>
</table>

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

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

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

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

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

As owner(s) of the property located at 2500 Sunset Ave, I (we) hereby agree to share 20 parking spaces (as shown on attached site plan) during the following times and days:

First Security Bank approves parking on the west side of 2500 Sunset Ave. on Sundays.

The following restrictions apply:

Sundays only

James Huskey 479-585-1133

Required parking

My (our) property requires 20 parking spaces based upon the City's parking lot ordinance. The use of my (our) property is 2500 Sunset Ave and it contains 40 square feet.

The applicant's property requires 20 parking spaces based upon the City's parking lot ordinance. The use of the applicant's property is _______ and it contains ______ square feet.

Site Plan

Attach a diagram of the entire parking lot. Enumerate spaces to be shared per this agreement. Also indicate any spaces within this lot which are shared with other entities.

Owner Signature: James Huskey Date: 1-29-2021

Owner Signature: __________________________ Date: __________________________

Applicant Signature: __________________________ Date: __________________________
Shared Parking Agreement

As owner(s) of the property located at 2626 W. Slauson Ave., I (we) hereby agree to share 10 parking spaces (as shown on attached site plan) during the following times and days:

Sundays: 8am - 7pm

Angus Jack (Springdale Ave.)

The following restrictions apply:

Required parking

My (our) property requires 32 parking spaces based upon the City’s parking lot ordinance. The use of my (our) property is for church and it contains 24,350 square feet.

The applicant’s property requires _____ parking spaces based upon the City’s parking lot ordinance. The use of the applicant’s property is ______ and it contains _____ square feet.

Site Plan
Attach a diagram of the entire parking lot. Enumerate spaces to be shared per this agreement. Also indicate any spaces within this lot which are shared with other entities.

Owner Signature: [Signature] Date: 6/18/2021

Owner Signature: __________________________ Date: __________________________

Applicant Signature: __________________________ Date: __________________________
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Nerd Beer

Applicant's Mailing Address:
901 Dorman St
SPRINGDALE AR 72762

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

Property Owner's Mailing Address:
(If different from Applicant):
1138 4 Lander Road
ROGERS AR 72756

Address of Variance Request: 901 Dorman Street Springdale AR 72762

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: ☑️ 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.

This building will now be used as a church

building instead.

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):

   There is not enough parking at this location; will only be needing at least 15 parking spaces, no more than 30.

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):

   We would like to use this place only as a place of worship.

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

   I am trying to find a place to meet (for my small congregation); a site that would accommodate us.
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 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 5th day of February, 2021.

[Seal and Notary Public]

[Notary Public]

OFFICIAL SEAL - #12694216
RUMINA LAKMIS
NOTARY PUBLIC-ARKANSAS
WASHINGTON COUNTY
MY COMMISSION EXPIRES: 03-18-25
FILE NO. B21-22
APPLICANT: Sonny and Koupone Chanhsavang
REQUEST: Variance - Deviation of Offsite Parking Requirements

PLANNING COMMISSION MEETING
March 2, 2021
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: April 6, 2021
Re: C21-07

A request by MonuTech, LLC DBA / Simple Loose Leaf Tea Company for a Conditional Use Permitted on Appeal as a Use Unit 25 (limited manufacturing) in a C-5.

LOCATION
2200 S. Old Missouri Road

EXISTING CONDITIONS
Existing Industrial Structures

SITE PLAN REVIEW REQUIRED: ___X___ Yes _____No

DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

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

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

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

Acceptable Refuse and service areas, with particular reference to the item in 1 and 2 above.
<table>
<thead>
<tr>
<th>Acceptable</th>
<th>Utilities, with reference to locations, availability and compatibility.</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Screening and buffering with reference to type, dimension and character.</td>
</tr>
<tr>
<td>Unknown, not shown on Site plan</td>
<td>Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>Yard requirements and other open space requirements.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.</td>
</tr>
<tr>
<td>N/A</td>
<td>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.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>General compatibility with adjacent properties and other property in the general district.</td>
</tr>
</tbody>
</table>
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: MonuTech LLC DBA Simple Loose Leaf Tea Company
   Address: 2200 S. Old Missouri Rd Suite L&N
   Springdale, AR 72764
   Phone: 479-650-3233
   Profit: X Non-Profit

2. Property Location (street address or layman’s description):
   2200 S. Old Missouri Rd Suite L&N
   Springdale, AR 72764

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

4. Use Unit requested Unit 25 in C-5 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Limited manufacturing – Industrial uses, which generate limited environmental impact
   and generally involve the assembly, fabrication, packaging and processing of previously
   prepared dry loose leaf tea.

   Dry loose leaf tea packaging has no offensive output of smells, sounds, or materials.
   And shipping and receiving traffic patterns are no more obstructive than a traditionally
   zone C-5 permitted use.

6. What effects would the proposed conditional use have on the character of the
   neighborhood and residents?
   The conditional use of this location for dry loose leaf tea packaging would have no
   impact on the area and tenets around the unit.

7. If the conditional use is to only a portion of the land described on the warranty deed, then
   an accurate legal description provided by a copy of a recent survey certified by a
   registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent
   property owners. This must be a certified list by a licensed abstractor or licensed land
   surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at
   least ten (10) days prior to the Planning Commission meeting. The applicant must provide
   evidence in the form of a signed affidavit, that notice has been given to all adjacent
   property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  
ISC PROPERTIES, LLC  

Signature of Applicant  

Date: 2/26/21  
Date: 2/26/21

VERIFICATION

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  
County of Washington

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 26th day of February 2021.

My commission expires: 11/19/29
FILE NO. C21-07
APPLICANT: ISC Properties, LLC
REQUEST: Conditional Use - Use Unit
25 in a C-5
APPLYING FOR SELECTIVE USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: IOLA WALTON
   Address: 4169 BEL AIR ROAD
   SPRINGDALE, ARKANSAS 72762
   Phone: (479) 365-7485 Profit: Non-Profit X
   Property: "X"

2. Property Location (street address or layman's description): 4169 BEL AIR ROAD, SPRINGDALE, ARKANSAS 72762
   PART OF THE NE1/4 OF THE NE1/4 OF SECTION 28, T-18-N, R-30-W

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

4. Use Unit requested TRACTS 1 & 2 in SF-2 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   SEEK CONDITIONAL USE FOR A 25' ACCESS AND UTILITY EASEMENT FROM BEL AIR ROAD THROUGH (TRACT 1) TO
   TRACT 2 TO THE SOUTH OF TRACT 1. THIS SHOULD BE APPROVED SO THAT THE RECORD OWNER (IOLA WALTON)
   CAN SELL THE SOUTH PORTION OF PROPERTY (TRACT 2).

6. What effects would the proposed conditional use have on the character of the
   neighborhood and residents?
   THE EFFECTS WOULD BE MINIMAL. IT WOULD ALLOW FOR A 25' ACCESS AND UTILITY EASEMENT TO BE UTILIZED
   FOR THE FUTURE OWNER OF TRACT 2.

7. If the conditional use is to only a portion of the land described on the warranty deed, then
   an accurate legal description provided by a copy of a recent survey certified by a
   registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent
   property owners. This must be a certified list by a licensed abstractor or licensed land
   surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at
    least ten (10) days prior to the Planning Commission meeting. The applicant must provide
    evidence in the form of a signed affidavit, that notice has been given to all adjacent
    property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  

[Signature]

State:  

Date: 02-25-2021

Signature of Applicant  

[Signature]

State:  

Date: 02-25-2021

VERIFICATION

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  

SUBSCRIBED AND SWORN TO before me a Notary Public, this the 23rd day of February 2021.

My commission expires: 2-3-2025

[Notary Public]

[Stamp]
Dear Planning Commission:

I am submitting this e-mail/letter in support of the Walton land division that will be reviewed on April 6th. We (Shannon and Pearl McElfish) plan to purchase the land. The land is adjacent to our land on the north west corner. We have no current plans to build on the land.

I am out of town for work, but I am happy to answer any questions about our plans and/or anything else. 479-264-8690.

Thank you,

Shannon and Pearl McElfish.
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: FRIENDSHIP CEMETERY ASSOCIATION OF SPRINGDALE
   Address: 
   Phone: 479-841-1926  Profit: Non-Profit

2. Property Location (street address or layman's description):
   1649 VANTRESS FARM ROAD
   SPRINGDALE, AR 72764

3. Record Title Holder of Property: FRIENDSHIP CEMETERY OF SPRINGDALE
   (A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested TANDEM LOT IN SPLITT Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   TANDEM LOT SPLITT
   PROPERTY HAS BEEN SOLD

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   NO EFFECT IN CHARACTER OF NEIGHBORHOOD AND RESIDENTS
   THE SUBJECT PROPERTY HAS BEEN USED AS A SINGLE FAMILY HOME AND AGRICULTURE USE FOR MORE THAN 30 YEARS

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. ON FILE

8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  

Signature of Applicant  

Date: 3-9-21  

Date: 3-9-21

VERIFICATION

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

[Signature]

State of Arkansas  

County of Benton  

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

Notary Public

My commission expires: 3-21-22
FILE NO. C21-09
APPLICANT: Friendship Cemetery Association
REQUEST: Tandem Lot Split in A-1 zone
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Jim Cash
   Address: 478 S. Main
   Phone: 479-627-0995
   Non-Profit

2. Property Location (street address or layman's description):
   5392 AR 112 Hwy
   Springdale AR

3. Record Title Holder of Property: Jim G Cash & Betty L Cash Joint Trust
   (A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested Tandem Lot in A-1 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Property to be split out for a single family residential structure. No adverse effects on the remainder of the property based on a single family home.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   No effects on neighborhood or residents.

7. If the conditional use is to only a portion of the land described on the warranty deed, then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  

Signature of Applicant  

Date: 3/12/2021  

Date:  

VERIFICATION

|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  

County of Washington  

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 12th day of March 2021, and subscribed to and sworn to me this 12th day of March 2021. My commission expires 10-26-26.

Notary Public  

PAMELA L. WILLIAMS  

NOTARY PUBLIC  

WASHINGTON CO., ARKANSAS

Notary Public
FILE NO. C21-10
APPLICANT: Jim & Betty Cash Trust
REQUEST: Tandem Lot Split in A-1 zone
**INFORMAL PLAT OF CASH ADDITION - LOT 1**

**BEING A TRACT SPLIT IN PART OF THE SE 1/4 NW 1/4 OF SECTION 13, T.18-N., R.30-W., BENTON COUNTY, ARKANSAS**

**PARENT TRACT DESCRIPTION**

PARCEL #1-00272-420

**TRACT 8 SURVEY BOUNDARY DESCRIPTION** (TO BE REDEEMED BY JIM CASH AND BETTY J. CASH) UNIT 4: A PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) ALL IN SECTION 13 TOWNSHIP 18 NORTH RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

1. From the Southwest corner of the said tract (SE1/4 of NW1/4), S.90°E 1150.90 feet to a point on the west line of the said tract (SE1/4 of NW1/4).
2. From the point described in item 1, N.15°W 1150.90 feet to a point on the north line of the said tract (SE1/4 of NW1/4).
3. From the point described in item 2, S.15°E 1150.90 feet to a point on the south line of the said tract (SE1/4 of NW1/4).
4. From the point described in item 3, N.15°W 1150.90 feet to the point of beginning.

**NOTE:** NOT APPROPRIATE FOR A MAIN SURVEY OF THE COUNTY UNDER SUBDIVISION LAWS.

**SURVEYOR’S NOTE:** This survey was conducted under the supervision of David K. Satterfield, No. 0014, or on No. 1443, Satterfield Land Surveyors, P.A., Certificates of Authorization No. 0014, Satterfield Land Surveyors, P.A., issued by the Surveyor of Benton County, Arkansas, dated June 24, 2001.

**SURVEYOR’S DISCLAIMER AND STATEMENT OF USE**

This survey was conducted by verbal or written authorization of the person named as the buyer and/or use by as shown on this plat. No one has the authority to use the data or legal description from this survey except those named or their agents and the survey is only certified to the date shown on this plat. This plat is protected by copyright and any person other than those named using or relying upon this plat will be held responsible. Satterfield Land Surveyors, P.A. will not be responsible or have any liability to any other person or company who uses this plat without written authorization of the surveyor.

**Satterfield Land Surveyors, P.A.**

**CONTACT:** JIM CASH

1479 SOUTH MAIN
CAVE SPRINGS, AR 72718
(479) 651-0995

**PHONE:**

1050 S.E. 42nd St., Ste. 200, Little Rock, AR 72202

(501) 372-9100

**FAX:** (501) 372-9102

www.sattsurvey.com
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: GPS Partners, LLC dba GPS Transportation
   Address: 324 N. 48th St. Springdale, AR 72762
   Phone: 479.721.3140 Profit: X Non-Profit

2. Property Location (street address or layman's description):
   324 N. 48th St. Springdale, AR 72762

3. Record Title Holder of Property: L308 Harber Ave., LLC
   (A copy of the warranty deed should be attached as Exhibit "A")

4. Use Unit requested _______ in _______ Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Transportation business

   The proposed conditional use have on the character of the residents?
   Potential increased traffic

7. If the conditional use is to only a portion of the land described on the warranty deed, then an accurate legal description provided by a copy of a recent survey certified by a registered land surveyor will be required.

8. The applicant shall be responsible for providing the name and address of all adjacent property owners. This must be a certified list by a licensed abstractor or licensed land surveyor within the past sixty (60) days.

9. All adjacent property owners are to be notified by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. The applicant must provide evidence in the form of a signed affidavit, that notice has been given to all adjacent property owners subject to the conditional use.
10. Attach a site plan for the proposed conditional use. A site plan shall apply to all conditional uses as specified in each of the zoning districts.

Signature of Record Property Owner(s)  

[Signature]

Haden Gilder

Date: 3/17/2021

Signature of Applicant  

[Signature]

LAUREN TAYLOR

Date: 3/17/21

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  Benton  ) ss.

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

My commission expires: 8-28-28

TANYA LUCAS
MY COMMISSION # 12705710
EXPIRES: August 28, 2028
Benton County
PREAPPLICATION FOR CONDITIONAL USE
(For any conditional use request other than a tandem lot)

PROPERTY LOCATION: 324 N 48TH ST, SPRINGDALE, AR 72762
(street address or layman's description)

PROPERTY OWNER: GOOD HAR-BER, LLC

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

Zoning District of Property: C5
Description of the Conditional Use sought:
SMALL NON-EMERGENCY TRANSPORTATION COMPANY

Use Unit Designation: 35 (TRANSPORTATION SERVICES)
Is the Use Unit allowed as a Conditional Use on Appeal to the Planning Commission in the Zoning Ordinance: yes, no.
(if the answer is no then the intended use can only be allowed if the property is rezoned)

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

Current Occupancy Classification
Chief Building Official
Fire Marshall

Date: 3-24-21

Occupancy Classification required for intended use
Chief Building Official
Fire Marshall

Date: 3-22-21

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

If yes, proceed with an Application for a Conditional Use on Appeal.
If no, an Application for a Conditional Use on Appeal cannot be filed until:

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

Note: If upgrades and/or improvements are required for the conditional use to be allowed in the structure, a registered design professional would need to submit plans per the 2012 Arkansas Fire Prevention Code, Volume II: Building – Section 107.1, "...A registered design professional, an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering shall be required and shall affix his or her official seal to said drawings, specifications, and accompanying data...."
FILE NO. C21-11
APPLICANT: Haden Gilder
REQUEST: Conditional Use - Use Unit 35
in a C-5 (Transportation Services)

PLANNING COMMISSION MEETING
April 6, 2021
Memo

To: Planning Commission
From: Staff
Date: April 6, 2021
Re: PP21-04 Collin's Cove

Planning Comments:
1. No further comments.

Engineering Summary:
1. Show Minimum Finished Floor Elevation for lots adjacent to swales (must be 1 ft above 100 year WSE of swale)
2. Add stockpiling note to site plan
3. Show existing and proposed streetlights, include note stating if lights are public or private and who is responsible for maintenance and billing
4. Provide erosion control plan for grading phase
5. Submit Grading Permit application

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.
   - 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)
  - Show Minimum Finished Floor Elevation [FFE] on proposed structures adjacent to swales
  - Show 100 year WSE of swales

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**
     - 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% stabilization, 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."
   - **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 112 – Subdivisions
   (Code 1973, § 30-1)
   - **112.3** - Show the final contours as a part of the Grading Plan.
   - **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.

- **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

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.
PRELIMINARY PLAT
COLLIN'S COVE

A RESIDENTIAL SUBDIVISION

IN THE CITY OF

SPRINGDALE AND ELM SPRINGS, ARKANSAS

March 18, 2023

BY
ENGINEERING SERVICES INC.

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

ENGINEER/SURVEYOR:

EXISTING ZONING:

SETBACKS (SF-1):

SETBACKS (RSF-4):

NET AREA:

GROSS AREA:

PROPOSED LOTS:

PARCEL No: 815-30919-000 & 750-00807-000

LEGAL DESCRIPTION:

THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY ARKANSAS, AND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


POINT OF BEGINNING, CONTAINING 19.97 ACRES (870,016 SQUARE FEET), MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF NORTH 56TH STREET ALONG THE EAST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

FLOOD PLAIN ZONING:

NOTES:

LOCATION MAP

VICINITY MAP

ENGINEERING SERVICES, INC.

STATE OF ARKANSAS

SIGNATURE NO. 1156

S. CRIGARD

SIGNATURE

CERTIFICATE OF ACCURACY:

FOR REVIEW ONLY
Memo

To: Planning Commission
From: Staff
Date: April 6, 2021
Re: PP21-05 Noah's Landing

Planning Comments:
1. Provide full street improvements for Street B.
2. For the purpose of this hearing the shown outparcel on the Southwest will be included in the consideration of this preliminary plat and any street improvements associated with the shown frontage along 56th will be expected accordingly.

Engineering Summary:
1. Show Minimum Finished Floor Elevation for lots adjacent to swales (must be 1 ft above 100 year WSE of swale)
2. Who is responsible for making the connection between Noah's Landing and Wildcat Creek ponds?
3. Provide erosion control plan for grading phase
4. Add stockpiling note to site plan
5. Street B requires master street plan improvements
6. Show existing and proposed streetlights, include note stating if lights are public or private and who is responsible for maintenance and billing
7. Submit Grading Permit application

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 106 – Stormwater Drainage
   - What is the plan for the detention pond outlet if this subdivision develops before Wildcat? Who is responsible for making the connection between the two ponds?
   - Erosion Control Plan – please show two plans, one for grading phase, and one for after the streets and storm drains are complete. This is helpful for our inspectors and has been requested by ADEQ for large sites and subdivisions.

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
     - 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.

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.
  o Sidewalks shall be constructed with a minimum transverse slope of one-fourth inch (1/4”) per foot.
  o The sidewalk shall have a minimum width of five feet (5’) and a minimum thickness of four inches (4”).
  o 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.
  o 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.
  • All Abutting Street frontages require the full extent of Street improvements equal to the City of Springdale Master Street Plan.

5. Chapter 112 – Subdivisions
   (Code 1973, § 30-1)
   - 112.3 - Show the final contours as a part of the Grading Plan.
   - 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.
    o 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.
  o 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

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:

"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."

- Add this disclaimer statement to the title page

- **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

PRELIMINARY PLAT

FOR

NOAH'S LANDING SUBDIVISION

IN THE CITY OF

SPRINGDALE, ARKANSAS

PP21-05

March 18, 2021

BY

ENGINEERING SERVICES INC.

CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name: Charles Bostian

Applicant’s Mailing Address:
1901 Stout Drive
Springdale, AR 72762

Property Owner’s Name
(If different from Applicant): Charles & Nancy Bostian

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

Same

Address of Variance Request: 1901 Stout Dr, Springdale, AR

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:  
☐ 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 would like to appeal for a variance of Article 7, Sec 8 - Surfacing.

We have owned this property for 29 yrs. This graveled landscaped pathway from Silent Grove to the top of the hill in our back yard has been there for years. The gravel helps the bottom of the hill next to Silent Grove from being a muddy mess.

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):**

   This gravelled from Silent Grove to the top of the hill in our back yard has been there for years. The gravel helps keep erosion from rains and snows from creating a muddy mess at the bottom near the street. We have received compliments on the way we have landscaped and maintained our whole yard from Stout to Silent Grove.

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):**

   Not being allowed to continue using this gravelled and landscaped pathway from Silent Grove to the top of the hill in our back yard will result in ruts and a very muddy mess that will only get worse if we have to dig up and completely remove the gravel.

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 gravel in question has been there for years without complaint from neighbors. In fact, many have actually praised how nice the back of our property touching Silent Grove looks. The only reason that Code Enforcement noticed our gravel this year, was that due to erosion from rains, we had just added a new layer of gravel on top of what was already there. By summer this gravel will once again be barely noticeable.
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

**VERIFICATION**

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

Applicant Signature

Property Owner Signature
(If different from Applicant)

Applicant Signature

Property Owner Signature
(If different from Applicant)

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

State of Arkansas )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 25th day of March, 2021.

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

Sharon Christine Tromburg
Notary Public
**WARNING NOTICE** - 1/26/2021 4:43 PM (LOGAN-CODE 2)

Form Started: 1/26/2021 4:49:05 PM  
Form Submitted: 1/26/2021 4:49:05 PM  
Status: **WARNING**/7 DAY REINSPECT  
Order #: CSTO1901-02

Form Fields:
City of Springdale Neighborhood Services Division  
Date of **WARNING**  
Address of Violation

City Requirements

NARRATIVE - VIOLATIONS IDENTIFIED ON YOUR PROPERTY INCLUDE, BUT ARE NOT LIMITED TO...

Code Violated  
Section / Title  
THIS IS ONLY A NOTICE! Please remove the violation(s) from the property before the reinspect date, and NO further action will be necessary. If the violation(s) are not removed by the reinspect date, a citation may be issued.  
Re-inspect Date  
Pictures of Violations

Officer L. West (479-283-1304)  
1/26/2021 3:43 PM  
1901 Stout

Requirements of city code include removing all tall grass, weeds, construction materials, junk, trash, brush and debris from the property. The property consists of the front, back and side yards (WHETHER FENCED OR UNFENCED), open porches, carports and patios along with any weeds in the flower beds and/or bordering the house and fence. City code also requires that all trash cans be kept in the side or back yard, behind the front corner of the structure. ITEMS ALLOWED OUTSIDE WOULD BE TOYS, LAWN EQUIPMENT (NO CHEMICALS), GRILLS, PET HOUSES/STRUCTURES AND OUTDOOR RECOGNIZED FURNITURE.

Gravel must be removed from the backyard. Gravel is not considered a proper surfacing material in the city of Springdale.

#130 Zoning  
Article 7 Section 8 Surfacing

2/3/2021  
April Planning  
1.479' - 750' 8.550

Attached Data
FILE NO. B21-23
APPLICANT: Charles & Nancy Bostian
REQUEST: Variance - Deviation of paved parking requirements
March 8, 2021

Zoning Board of Adjustment
Springdale Planning Commission
City of Springdale
201 Spring Street
Springdale, AR

Subject: Variance Request

To Whom It May Concern:

Attached is an application for a five foot setback variance on the west side of our home at 5145 Arkanshire Circle. This variance is needed to allow the construction of a proposed 17 foot wide one car garage including additional storage space. In the future, we plan to allocate a part of that space to a closet for our master bedroom. The garage will be indented from the existing house on front and back to allow matching of new bricks to existing ones. The length of the garage will be approximately 31 feet. A preliminary application has been delivered to Arkanshire Property Owners Associate, contingent upon the approval of the proposed variance.

The receipts from the certified mail notifications, associated letters to adjacent property owners, and a sketch are also attached.

We appreciate your consideration of this request.

Sincerely,

Larry Ashley

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

Applicant's Name: Larry Ashley

Applicant's Mailing Address:
5145 Arkanshire Circle 479-287-7037
Street Address or P.O. Box Telephone Number
SPRINGDALE, AR 72764
City, State & Zip Code

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

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

Street Address or P.O. Box Telephone Number

City, State & Zip Code

Address of Variance Request: 5145 Arkanshire Circle

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:**

☑️ 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: 25' west
Side: 25'  
Back: N/A

(This is the minimum required by the Springdale Code of Ordinance)

**Requested:**

Front: 25' west
Side: 20'  
Back: N/A

(if granted what the setback would be.)

**Variance:**

Front: 0' west
Side: 5'  
Back: N/A

(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.

---

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

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

   See attached sheet

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

   See attached sheet

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

   See attached sheet
Answers to Setback Variance Questions

1. Our house at 5145 Arkanshire Circle is situated on the lot in such a manner that the addition of a proposed 17 foot wide garage would have the west wall infringe on the 25 foot setback by 3 feet on the north corner and 1 foot on the south corner. The garage would have 18 inch eaves to match the rest of the house. With eaves included, the garage would exceed the setback by 2.5 feet on the south corner and 4.5 feet on the north corner. The existing west wall of our house to which the garage would be added is over 50 feet from the back of the drain curb.

2. The fact that our home is on a corner lot with setbacks applicable to both the front and side of the house leaves insufficient available space to add the desired addition within the established setbacks.

3. I am unable to park both of our vehicles in the existing two car garage. Some cabinets were built on both sides of the garage by the previous owner or the original builder. These cabinets reduce the available space for parking in the garage and the garage will not accommodate the full size sedan and pickup we have.
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.

[Signature]
Applicant Signature*

[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

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

[Notary Public]

186
FILE NO. B21-24
APPLICANT: Larry & Martha Ashley
REQUEST: Variance - Deviation of side setback from 25' to 20'
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: NETS Global Holdings, LLC

Applicant's Mailing Address:
4876 North Thompson
479-275-0550

Street Address or P.O. Box
Springdale, AR 72764
Telephone Number

City, State & Zip Code

Property Owner's Name
(If different from Applicant): NETS Global Holdings, LLC

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

Street Address or P.O. Box

City, State & Zip Code

Address of Variance Request: 4876 North Thompson

Zoning District: C-2 General Commercial 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:**

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

<table>
<thead>
<tr>
<th>Required:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(This is the minimum required by the Springdale Code of Ordinance)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requested:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(If granted what the setback would be.)</td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Variance:</th>
<th>Front:</th>
<th>Side:</th>
<th>Back:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(The difference between the &quot;Required&quot; and the &quot;Requested&quot; setback)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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.*

Request Variance from: 1) Frontage Landscaping for part of West Graham Road and North Thompson Street, 2) Perimeter Landscaping for the west end of the parking lot, and 3) Dumpster Enclosure.

---

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):**
   As a condition of receiving a Certificate of Occupancy, when the Applicant first occupied the existing business, Applicant agreed to provide a hard surface pavement to the working parking lot area. No alterations or modifications to the building or any other improvements are planned.

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 Applicant bases this petition on the fact that the literal adherence to the City requirements is uneven as it is in excess of what is necessary to address the original agreement. Moreover, the anticipated construction of the proposed I-612 roadway could subject any improvements to future modification.

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 Applicant agreed to the paving of the parking lot, and understands the need to address the stormwater detention and perimeter landscaping. However, the Applicant believes the other items exceed the understanding of the original agreement.
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.

*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  
}

SS.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this _______day of  
________________________, 20______.

Notary Public
FILE NO. B21-25
APPLICANT: NETS Global Holdings
REQUEST: Variance - Deviation of frontage landscaping, perimeter landscaping, and dumpster enclosure

PLANNING COMMISSION MEETING
April 6, 2021
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Corey Granderson

Applicant's Mailing Address:

1671 Greystone Place
Street Address or P.O. Box
Springdale, AR 72762
City, State & Zip Code

479-301-4801
TelephoneNumber

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

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

1671 Greystone Place
Street Address or P.O. Box
Springdale, AR 72762
City, State & Zip Code

479-856-9210
TelephoneNumber

Address of Variance Request: 1671 Greystone Place 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
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: 8/8  
Back: 20  
(This is the minimum required by the Springdale Code of Ordinance)

Requested:  
Front: 30  
Side: 8/8  
Back: 15  
(if granted what the setback would be.)

Variance:  
Front: 0  
Side: 0  
Back: 5  
(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.

Requesting a 5FT encroachment into building setback for swimming pool, only for length of pool, not entire property length.

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):**

   This variance request is NOT for a building or above ground structure but for a swimming pool. The encroachment to the setback area is 5'F in width and 28'F in length, 140 square feet in total.

   The setback occupies most of the small back yard area, rendering alternative locations for a pool infeasible.

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):**

   As can be seen in the attached exhibit, the surrounding SF-2 zoning areas allow for several back-yard swimming pools, as is a common amenity to these size homes and lots.

   Without this small setback variance, a pool is infeasible in this backyard, primarily occupied by the setback.

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 applicant was not involved with the subdivision layout, zoning, or original home/lot design. This swimming pool would be an additional improvement to the property that was not planned from its inception.
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*  
Corey Granderson

Property Owner Signature*  
Kelly Hayes
(If different from Applicant)

Applicant Signature*  
Kelly Hayes

Property Owner Signature*  
Jo Ellen Hayes
(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 ___ day of March, 2021.

Susan M. Middleton  
Notary Public

WASHINGTON COUNTY  
NOTARY PUBLIC – ARKANSAS  
My Commission Expires Dec. 20, 2030  
Commission No. 12380679
5.0 ft x 5.0 ft
10FT UE
10FT UE
20FT Rear Setback
20FT Rear Setback
5FT Variance requested for Pool
5FT Variance
requested for Pool
14x28 Pool
Actual property line tracks with other fences in area
28.0 ft
1671 Greystone Pl.
FILE NO. B21-26
APPLICANT: Kelly Hayes
REQUEST: Variance - Deviation of rear setback
from 20' to 15'

For Location Reference Only
Narrative to Support the variance request for 1639 Greystone Place
Springdale AR.

Our property which is located at 1639 Greystone Place, is on the cul de sac of Greystone Place and as such the majority of our back yard is triangular in shape and runs from a base at the side of the house to an apex at the metal fence separating the Greystone neighborhood from Counts Ave.

Appx. 30 Feet from the rear apex of the property is a six foot wooden privacy fence which separates the usable portion of our property from a utility service easement which contains electrical, telephone. And television service equipment.

A 8X12 foot wooden storage building is currently located in the rear of the yard. This building is deteriorating, and becoming an eyesore. We are proposing replacing this building with a 16X20 metal building with 8 foot side walls and a 4/12 metal roof. This building would be built on a concrete slab, and rated for 135 MPH wind load. The walls and roof will be powder coated in earth tone colors. The building will house tools, yard maintenance equipment, and an antique automobile.

We propose locating the building as follows;

The rear of the building would be 8 feet from the wooden privacy fence, or 38 feet from the Counts Avenue fence at the rear apex of the property.

A 6.5 feet setback from the building to the fence on the left of the building separating our property from the property at 1729 Stonehaven.

A 5 foot setback from the building to the fence separating our property from the property at 1625 Greystone at the back corner of the building. Since this fence runs at a diagonal away from the building the setback at the front of the building would be appx 15 feet.

Our reason for requesting a setback variance is that locating the building as far back as possible in the property will minimize the sight lines from both the Greystone Cul de Sac, and Counts Avenue.
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: William Rieske

Applicant's Mailing Address:
1639 Greystone Pl
Springdale, AR 72762
(501) 851-4664

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

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

Address of Variance Request: 1639 Greystone Pl

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: □ 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: N/A Side: 8' Back: 20'
(This is the minimum required by the Springdale Code of Ordinance)

Requested: Front: N/A Side: 5' Back: N/A
(if granted what the setback would be.)

Variance: Front: N/A Side: 3' Back: N/A
(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.

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 back yard is roughly triangular. The 8' side setback would require moving the building forward into the yard creating a large unusable space behind the building.

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 10' of the land behind the building, approximately at the rear corner of the lot, is unusable due to utility equipment.

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 property is located on the Col de Sac of Greystone Place. The property as plotted leaves a unusable triangle at the rear of the property.
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

**VERIFICATION**

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

[Signature]
Applicant Signature*

[Signature]
Applicant Signature*

[Signature]
Property Owner Signature*
(If different from Applicant)

[Signature]
Property Owner Signature*
(If different from Applicant)

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

State of Arkansas )
County of [Washington ]

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of March, 2021.

[Signature]
Notary Public
FILE NO. B21-27
APPLICANT: William & Janell Rieske
REQUEST: Variance - Deviation of side setback from 8' to 5'

PLANNING COMMISSION MEETING
April 6, 2021
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name: Steve Butcher

Applicant’s Mailing Address:
224 Kayla Dr
Rogers, AR 72756

Property Owner’s Name (If different from Applicant): Gibson Butcher Construction LLC

Property Owner’s Mailing Address (If different from Applicant):
224 Kayla Dr
Rogers, AR 72756

Address of Variance Request: 603 Black Oak Ave. (west)

Zoning District: SF-2

The following information should be attached to this application:

1. $75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be
sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

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

SETBACK VARIANCES:

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:

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

Variance Request #1: The existing home is on a corner lot. The structure is 30' feet setback from Black Oak but only 15' from Dixie St. Request 15' Variance for the exist home setback

Variance Request #2: Property has 125' Frontage on Black Oak. Lot will be split which allows for 62.5' Frontage for each new lot. Request 7.5' Variance to 70' required Frontage

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 existing house at 603 Black Oak was in very poor condition and unoccupied. New owners have completely remodeled and upgraded the building. The large open area to the east is well suited for a new residence.

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):

   Existing home is set to the extreme western side of the property which leaves nearly 9,000 SF. of land to build another nice home.

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

   Existing condition of the original house built in the 1940's
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

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

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

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

State of Arkansas 
County of Washington 

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of 

CELESTE G MILLER
Notary Public-Arkansas
Washington County
My Commission Expires 01-27-2027
Commission # 127000070

Notary Public
FILE NO. B21-28
APPLICANT: Gibson Butcher Construction, LLC
REQUEST: Variance - Deviation of (A) front setback from 30' to 15'; (B) lot width from 70' to 62.5'

PLANNING COMMISSION MEETING
April 6, 2021
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name: Steve Butcher

Applicant’s Mailing Address:

224 Kayla Dr
Rogers, AR 72756

479 366-4600 Telephone Number

Property Owner’s Name
(If different from Applicant): Gibson Butcher Construction LLC

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

224 Kayla Dr
Rogers, AR 72756

479 366-4600 Telephone Number

Address of Variance Request:

New lot
603 Black Oak Ave. (East)

Zoning District:

SF-2

The following information should be attached to this application:

1. $75.00 Fee
2. Warranty Deed
3. Authorization of Representation (If the Property Owner will not be present at the meeting.)
4. Drawings, Photos, or Other Exhibit
5. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be
sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the Planning Department has accepted the application and the date of the public hearing has been confirmed.

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

SETBACK VARIANCES:

☑ Not Applicable

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

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

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

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

VARIANCES OTHER THAN SETBACK:

☐ Not Applicable

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

New lot is split off from an existing 125' wide lot. Proposing to create 2 lots that are 62.5' wide each. Requested variance is 7.5' from the required 70' for SF-2.

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):**

   125' wide lot is 140' deep containing 17,496 s.f. There is adequate area for two homes (approx. 8,748 s.f. each) but not as much frontage as required for SF-Z.

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 property is well suited for 2 homes that will meet all setback requirements.

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):**

   Existing conditions are the result of a home built in the 1940's.
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 organization provide staff with documentation stating that the person signing the application is authorized to do so.

State of Arkansas )
County of [c] ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17 day of

[Signature]

Notary Public

CELESTE G MILLER
Notary Public-Arkansas
Washington County
My Commission Expires 01-27-2027
Commission # 12700070
FILE NO. B21-29
APPLICANT: Gibson Butcher Construction, LLC
REQUEST: Variance - Deviation of lot width from 70' to 62.5'

PLANNING COMMISSION MEETING
April 6, 2021
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name: Bryan Claypool

Applicant’s Mailing Address:
299 Niagara St
Springdale, AR 72762

Telephone Number
479-200-3862

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

Property Owner’s Mailing Address:
(If different from Applicant):
4052 Jessica Ln
Springdale, AR 72764

Telephone Number
479-957-0117

Address of Variance Request: 4052 Jessica Ln 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:

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

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

Requested: Front: Side: 6 Back: 12
(If granted what the setback would be.)

Variance: Front: Side: 2 Back: 8
(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.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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):

   Due to slope of the property and need for excavation and
   a dry stack retaining wall there is not enough space
   with current setback for an outdoor patio/fireplace area
   and swimming pool.

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 homeowner is currently restricted to less than
   20 ft of space between the setback and their
   home preventing them from utilizing their property
   for certain amenities that adjacent neighbors already have:
   Pool & outdoor spaces.

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 current zoning/setback
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

5. That the variance granted is the minimum variance that will make possible that reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

VERIFICATION

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

Applicant Signature*

Property Owner Signature* (If different from Applicant)

Applicant Signature*

Property Owner Signature* (If different from Applicant)

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

State of Arkansas  )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 17th day of March, 2021.

Sharon Christine Tromberg
Notary Public
Pool placement for 4052 Jessica Lane
FILE NO. B21-30
APPLICANT: Jim Moore
REQUEST: Variance - Deviation of (A) side setback from 8' to 6'; (B) rear setback from 20' to 12'

PLANNING COMMISSION MEETING
April 6, 2021
Mrs. Tromburg,

We are in the beginning process of building a new home at 728 Jay Ln here in Springdale, next to our current residence of 692 Jay Ln. We would like to request a waiver to have the sidewalk construction requirement removed from this new construction. This road, which I've lived on my entire life, is a dead end with only 3 residential homes. We don't believe a sidewalk is necessary and would also be out of place as it would be the only one on the block.

Thank you for your time and consideration on this matter.

Joshua S. Perry
479-287-0895
FILE NO. W21-04
APPLICANT: Joshua Perry
REQUEST: Waiver - sidewalk improvements

For Location Reference Only

PLANNING COMMISSION MEETING
April 6, 2021
March 29, 2021

Mr. Austin Thomas
Springdale Planning Department
201 Spring Street
Springdale, Arkansas 72764

RE: Go Punch List
    Large Scale Development (L20-14) – One-Year Extension
    Springdale, AR

Mr. Thomas,

Please let this letter serve as a request to add a one-year extension to the Go Punch List Large Scale Development, City of Springdale project number L20-14. This project was previously approved at the May 5, 2020 Planning Commission Meeting. All concerns or comments from the May 5, 2020 Planning Commission Meeting will be incorporated into the final construction plans.

Please contact me if you have any questions or need additional information regarding this project.

Sincerely,

Dillon Bentley, P.E.
Project Engineer