I. Pre-Meeting Activities
   Pledge of Allegiance
   Invocation

II. Call to Order

III. Roll Call

IV. Approval of Minutes - May 4, 2021

V. Tabled Items
   A. B21-41  Omar Cortes-Rios & Manuela Hernandez
               3934 Serene Street
               Variance for deviation of side setback from 8' to 5'
               Presented by Omar Cortes-Rios

VI. Public Hearing – Rezoning
   A. R21-25  Hylton Road Real Estate, LLC
               West side of Hylton Road, approx. 0.45 miles south of DTP
               From A-1 to SF-2
               Presented by Engineering Services, Inc.

   B. R21-27  G&C Family, LLC
               1710 Powell Street
               From C-2 to I-1
               Presented by Matt Ahart

   C. R21-28  Brenda Lazenby (Barberry Court)
               Approx. 15 acres behind 3018 East Robinson, east of Apple Butter
               and west of Butterfield Coach Road
               From MF-12 to PUD
               PP21-11  Barberry Court (Formerly Lazenby)
               Presented by Engineering Services, Inc.
D. R21-29  **Amber Mendez and Rodolfo Velazquez**
1297 Cooper Drive
From A-1 to MF-24
Presented by Kellye Hamblen, Hamblen Design Services

E. R21-30  **John A. Mathias**
1001 and 1235 Cooper Drive
From C-2 to MF-24
Presented by Kellye Hamblen, Hamblen Design Services

F. R21-31  **ISC Properties, LLC**
2200, 2300, and 2400 Old Missouri Road
From C-5 to I-1
Presented by Greg Edwards

G. R21-32  **Berean Properties, LLC**
707 South 48th Street
From C-5 to C-6
Presented by Derl Howerton

H. R21-33  **Terry Presley**
West of South 64th Street and north of Dearing Road
From A-1 to C-2
Presented by Terry Presley

I. R21-34  **Children's Safety Center, Inc.**
3284 and 3300 Gene George Boulevard, approx. 6.3 acres west of Gene George and south of Arvest Ballpark
From A-1 to C-2
Presented by Engineering Services, Inc.

VII. Public Hearing – Conditional Use

A. C21-13  **Iglesia de Dios Pentecostal M.I.**
1880 South Pleasant Street
Use unit 42 (church/synagogue) in a C-2
Presented by Maria Perez

B. C21-15  **Justin Chase and Jenny Sutherlan**
19212 Sonora Road
Tandem Lot in Planning Area
Presented by Blew & Associates
VIII. Preliminary Plats, Replats, & Final Plats

A. PP21-11 Barberry Court (Formerly Lazenby)
   North side of Robinson Avenue, across from Oak Moore Street
   Presented by Engineering Services, Inc.

IX. Large Scale Developments

A. L21-18 Carson Engineering & Manufacturing, Inc.
   1764 Turnbow Avenue
   W21-09 Waiver of street improvements to Bain Street
   Presented by Engineering Services, Inc.

B. L21-20 Chandler Equipment, Inc.
   4180 West Sunset Avenue
   Presented by Bates and Associates, Inc.

X. Board of Adjustment

A. B21-43 Donald Brady, Jr.
   807 West End Street
   Variance for deviation of sign requirements in an O-1
   Presented by Donald Brady, Jr.

B. B21-45 Jose Herrera and Rosa Puga
   701 Chantel Avenue
   Variance for deviation of rear setback from 20’ to 14’
   Presented by Jose Herrera

XI. Waivers

A. W21-08 Butcher Gibson Construction, LLC
   513 Main Street
   Waiver of sidewalk improvements
   Presented by Steve Butcher and Larry Gibson

B. W21-10 Todd and Laura Setser
   308 East Lakeview Drive
   Waiver of sidewalk requirements
   Presented by Todd Setser

XII. Other

A. N19-06 Rollerz Kustom Woodworks
   Request for 1 year extension for Non-Large Scale Development
   Approved May 29, 2020
   Presented by Shawn Roller

XIII. Planning Director’s Report

XIV. Adjourn
The Springdale Planning Commission met in regular session on Tuesday, May 4, 2021 at 5:00 p.m. in Council Chambers. It should be noted at this time that the meeting was also via Zoom.

Prior to the meeting being called to order, Chairman Parsley led the Pledge of Allegiance and Commissioner Dale Tyler 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
Payton Parker – Via Zoom
Kevin Parsley – Chairman
Ben Peters – Secretary- Via Zoom
Dale Tyler

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

Commissioners that were absent were James David and Shannon Mueller.

Mr. Compton moved to approve the minutes for April 2021. Mr. Covert seconded the motion. By a voice vote of all ayes and no nays the April minutes were approved by a unanimous vote.

Tabled Items

A. C21-05 Sonny and Koupone Chanhsavang
   901 Dorman
   Use Unit 42 (Church/Synagogue) in C-2
   B21-22 Variance for deviation of offsite parking
   Presented by Ned Leer

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

Ms. Christie said that the Building Inspection Department and the Fire Marshall have reviewed the application and has determined that the occupancy load is 1000 square feet, which allows for 143 occupants and requires them to have 36 parking spaces.

Mr. Leer has submitted shared parking agreements. The site itself has just 12 spaces. The shared parking agreements are with First Security Bank and Angus Jack's restaurant. It was also noted that the church will meet on Sunday only.

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

There were none.

Mr. Covert called for the vote on the Variance.
VOTE:

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

The variance was approved by a unanimous vote.

Mr. Covert called for the vote on the Conditional Use.

VOTE:

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

The Conditional Use 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, May 25, 2021 at 6:00 p.m. in Council Chambers.

B. C21-10 Jim and Betty Cash Trust
5392 AR 112 Highway
Tandem Lot in an A-1
Presented by Satterfield/Jim Cash

Mr. Jason Cross (?) spoke on behalf of the Cash Trust.

Ms. Christie stated that in order to get the tandem lot split, the access easement must be paved.

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: Covert, Parker, Parsley, Peters, Tyler, Compton
NO: None

The Conditional Use for a tandem lot split was approved subject to the access being paved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

C. C21-11 GPS Transportation, LLC
324 N. 48th Street
Use Unit 35 (Transportation Services) in C-5
Presented by Tatum Owenby

Mr. Tatum Owenby was present to answer any questions or comments. He said that they do non-medical emergency transport and might have four maybe five vans parked at one time at this
location. He said that most of their drivers take the vans home making this request just on the occasion that a van/vans are parked at the office.

Ms. Christie said that there had been some discussion that Mr. Owenby would be submitting a large scale development sometime in the near future. She asked if he was still on tract to get that done.

Mr. Owenby said that he was. He further stated at this time he doesn't know when it will be submitted as the Covid has put everything off schedule.

Ms. Christie said that she is going to put down that the site plan will be submitted within the two year time frame of the Bill of Assurance.

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

Ms. Christina Armstrong wanted to know if there was going to be a fence put up between her house and the business.

Mr. Thomas said that with a large scale they would be required to put up a fence and landscaping.

Ms. Christie reiterated what Mr. Thomas said to Ms. Armstrong; that when the large scale is submitted a fence and landscaping will have to be a part of the site plan.

Mr. Covert called for the vote.

**VOTE:**

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

**NO:** None

The Conditional Use 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, May 25, 2021 at 6:00 p.m. in Council Chambers.

Please note that the following discussion will be verbatim.

D. **B21-25**

NETS Global Holdings, LLC

4876 N. Thompson Street

Variance for deviation of

(A) Frontage landscaping

(B) Perimeter landscaping

(C) Dumpster enclosure

**W21-03**

Waiver of street improvement requirements

Presented by Morrison Shipley

Mr. Parsley: Next tabled item, B21-25 NETS Global Holdings, LLC, 4876 N. Thompson Street, variance for deviation of frontage landscaping, perimeter landscaping dumpster enclosure and waiver of street improvements; presented by Morrison Shipley.
Thank you very much Mr. Chairman and Commissioners. I am here on behalf of my client Northeast Trailers. They have a facility located at 4876 N. Thompson. It is bounded by Thompson on the east and west Graham Road on the north. They use the facility to

Mr. Parsley: Can you state your name for the record.

Mr. Melton: Oh, I'm sorry, Doug Melton, 2407 SE Cottonwood, Suite 1 Bentonville, AR.

Mr. Parsley: Sorry about that; go ahead.

Mr. Melton: They have approximately a 10 acre tract there which they are using half of it for trailers; basically temporary spotting. They engage in leasing for over the road trailers, flat beds and reefers. This was an existing building and a parking lot. They purchased it approximately three years ago. It has a long and difficult history, to say the least; and I appreciate the fact that Patsy and the Mayor have worked with us diligently trying to resolve some issues here. I have not been party to the document that supposedly there is a document that the client agreed to pave the parking lot as a condition to getting their occupancy permit. We came in and devised a paved parking plan and since then we have been dealing with some issues as to some of the things that the client feels is not quite equitable. Two of the constraints I would ask you to keep in mind as we go through these is that 612 is going to be coming through here as well as Dixieland. My client is a little bit hesitant to invest money and deal with something that there are so many unknowns as to how 612 is going to impact this site as well as Dixieland. We are asking for a, let me get back to my list here, relief from the requirement to do some perimeter landscaping. We are showing landscaping along West Graham Road. We are asking for relief from the back side of this lot which doesn't front on anything. We are providing paved parking and we are doing storm water drainage improvements and we are asking for relief for the sidewalk requirements and the, I believe the bicycle rack; is that right Patsy?

Ms. Christie: I thought we took those off. It is just the frontage landscaping, the perimeter landscaping and the dumpster enclosure.

Mr. Melton: Exactly.

Ms. Christie: And then waiver of street improvements along Graham and waiver of sidewalk along Thompson.

Mr. Melton: Exactly.

Mr. Parsley: Staff comments.

Ms. Christie: Well this is going to be a long drawn out process. There were some storm water issues and I think we have worked through and are able to provide adequate Stormwater detention on the site itself. Right now you have no access to Graham Road at all. There will be nothing going out that direction. The frontage landscaping, you didn't do any improvements on the property. All the paving was in the rear. The front portion around the office is already paved when we made this correction. You are asking for the perimeter landscaping to be on the very west end of this which would abutt the extension of Dixieland, correct?

Mr. Melton: I'm sorry.
Ms. Christie: On the west end of the property. Right now you are not using the entire site.

Mr. Melton: That’s correct.

Ms. Christie: The area that, can you go back to the aerial. Now that aerial shows that there is stuff parked further to the west than what is being used right now, correct?

Mr. Melton: That's correct; and we are not doing anything to the existing building or any of the other improvements. The understanding of the client when this first started was that it was going to be paved and they agreed to that and then I think their perception as we have kind of got into a little bit of mission creep and so given that and the unknown of the constraints of 612 and Dixieland, we are seeking that relief so that they can go ahead and get this paved and meet what they thought was the intent of the City when they first started this business.

Ms. Christie: What is the time line for paving?

Mr. Melton: As soon as we, I've not got any comments from Engineering so I assume that they are satisfied with the plans so I assume as soon as we get this resolved we will be able to start.

Ms. Christie: Katie, are you on line?

Ms. Hollingshead: Yes, I'm here.

Ms. Christie: O.K. can you address any concerns engineering has; will this be able to move forward?

Ms. Hollingshead: Yes, they should be able to move forward when these variances are heard.

Ms. Christie: O.K. What is the issue with the dumpster enclosure?

Mr. Melton: It hasn't been enclosed. I think that the way we looked at this, the intent was that we were supposed to pave this and we kinda have been engaged with Mission Creek. The business has been operating without it. There was no dumpster enclosure there to start with so that's how we have approached that.

Mr. Parsley: Where is the dumpster on the property?

Unknown: It is on the back side away from

Ms. Christie: You really need to come to the microphone because you don't get picked up on the recording.

Mr. Melton: This is Mr. Layton (?) who is the manager.

Mr. Layton(?): Today the dumpster sets behind the building. The customer returns the trailer, a lot of time we will use a fork lift and just carry it over the trailer, sweep it out in it so it moves around regularly.
Mr. Parsley: I don't have anything else; any questions or comments from the audience? To the commission.

Mr. Covert: What is the timing on the 612 and Dixieland?

Mr. Melton: The last conversation I had with the highway department on another project nearby was that they were looking at revising the plan and yet again. I think that a part of that is to accommodate the Dixieland construction. When I pressed them, this was about two months ago, for when we could get actual plans they were not; they wouldn't give me a date.

Mr. Covert: So at least a year; two years?

Mr. Melton: I would say that it has got to be at least that.

Mr. Covert: O.K. and the reason that I ask that question and I certainly understand not wanting to over extend the expense of putting in shrubbery that's going to be ripped up by a road that is coming through; but two years away? I don't know that I buy into that as much. You understand what I mean? If it is something that is happening within six to twelve months, o.k., I get it but if it is something that is not going to happen for some extended period of time I don't know that there isn't something that should be done on the property in anticipation that it's going to happen someday but not immediately.

Mr. Melton: I wish that I could give you a good answer but they wouldn't give one to me either so it's. This is a nebulous answer as usual from ARDOT.

Mr. Parsley: Any other questions; to the commission.

Mr. Parker: What would that have to do with the frontage landscaping? What's the hardship there?

Mr. Melton: Well I guess our stance on that is that this is an existing building that has been there for a long time and when we weren't touching the building we were trying to address what we thought was the intent of the City; we paved parking lot and as I said some of this seems to be missionfree but it is an attractive facility and I think there is some landscaping, there some landscaping there already so I think that the client is a bit concerned about this continues to grow over what they had originally had understood from the City when they bought the business and started it up.

Mr. Covert: I guess my only thought on that, and I certainly understand once again we don't want to price this thing out of the market where it doesn't make sense for the client. I would ask Patsy, if we were doing the property right next to it or close across the street and they were coming in doing it; would they have to meet the same requirements as we are asking this tenant to make?

Ms. Christie: Well the property just to the south was recently built and they had to meet all the standards, yes.

Mr. Covert: And I guess that is kind of the point, right? I mean, I understand that it has been that way a long time; we all understand that, but we still have to come up to what the City's expectations are today when we want to make enhancements to the property today. I think that's why they are asking for what they are asking.
Mr. Melton: Sure, I understand. The landscaping along Graham Road, we thought was appropriate because we are shielded from the front already; we're shielded from the south and this gives us some shielding to the north. Who knows what is going to happen back to the west with Dixieland but we are not using it and so we thought that was a fair compromise to do landscaping along something that was going to be obvious and give us the shielding from the public.

Mr. Covert: So I guess the last question I would have is that your firm is not wanting to do any of those?

Mr. Parsley: Any other questions from the Commission? Do you all want to take these variances together or separate?

Mr. Parker: I don't need to take them separate.

Mr. Parsley: O.K.

Ms. Pounders: So altogether?

Mr. Parsley: Altogether on that one. O.K. I agree with Mr. Covert's comments on there. I mean that the perimeter landscaping as far as in the back, I don't have as much of a challenge with that piece but I mean the improvements that especially you have as far as the auto trade place that is across the street. I mean they made a lot of improvements there and the new business that was just finished up I guess about a year and a half ago, just south of this property. I mean really continue to make great improvements to this area in Springdale. We have had a chance to even hear from the highway commissioners and I don't know that it is going to be very soon as far as 612 extension and that whole piece there and the Dixieland expansion. So, my take is the frontage landscaping is one that I think is very necessary, perimeter landscaping piece, probably, I mean where I stand on that is I mean I could have a give and take on that but I mean if the commission wants to be able to hear all these together I'm in favor all together or separate.

Ms. Christie: That's a call for the vote for all of them together. Who made the call for the vote for all of them together?

Mr. Covert: I don't think anyone has called for the vote. I think Payton was fine with them all being together. Call for the vote for all of them.

Mr. Parsley: Call for the vote by Mr. Covert for all of them together.

Ms. Pounders: Parker – No; Parsley – No; Peters – No; Tyler – No; Austin – No; Compton – No Covert – No.

Mr. Parsley: The variances did not pass seven (7) to zero (0).

Ms. Christie: Do you want to separate them out and see if you can get any of the three?

Mr. Melton: I guess, yes.
Ms. Christie: Do we have a call for the vote on them separately? Planning Commission has to be willing to vote on them separately before we can move them forward.

Mr. Covert: Call for the vote on number on number 1 (Frontage Landscaping)

Mr. Parsley: You want to do them individual?

Ms. Pounders: O.K. So this is going to be for A the frontage landscaping.

Ms. Pounders: Austin – No; Compton – No; Covert – No; Parker – No; Parsley – No; Peters – No; Tyler – No.

Mr. Parsley: The frontage landscaping variance does not pass; seven (7) to zero (0). Perimeter landscaping.

Ms. Pounders: Parker – No; Parsley – Yes; Peters – No; Tyler – Yes; Austin – No; Compton – No; Covert – Yes;

Mr. Parsley: Perimeter landscaping does not pass four (4) to three (3).

Ms. Pounders: This is for the dumpster. Parsley – No; Peters – No; Tyler – No; Austin – No; Compton – No; Covert – No; Parker – No.

Mr. Parsley: And that does not pass seven (7) to zero (0) the dumpster.

Ms. Christie: We have a waiver of street improvements on Graham. This would be a recommendation to Council.

Mr. Parsley: Do I have a recommendation?

Mr. Parker: Is there any street improvements on Thompson.

Ms. Christie: That is a sidewalk on Thompson, I'm sorry, you're right. I mean it's got curb, gutter and drainage; it just doesn't have a sidewalk.

Mr. Covert: This goes back to what we spoke a moment ago. The neighbor, the one side that just improved theirs; did they put a sidewalk in there?

Ms. Christie: I believe so.

Mr. Parker: Yes.

Mr. Parsley: So do I have a recommendation on this one?

Ms. Christie: It will be a motion as to how you want to recommend it to Council.

Mr. Covert: I would recommend to Council that it would be denied.

Mr. Parsley: I have a recommendation by Mr. Covert for denial of this waiver. Do I have a second?
Mr. Parker: Yes; second.

Mr. Parsley: Second by Mr. Parker.

Ms. Pounders: Peters – Yes; Tyler – Yes; Austin – Yes; Compton – Yes; Covert – Yes; Parker – No; Parsley – No.

Mr. Parsley: The recommendation to deny passes six (6) to one (1).

Ms. Christie: Staff will prepare the Resolution that will go to Council on The twenty-fifth (25th). You have the right to appeal these variances because they are not in the zoning Ordinance. You have to file with the City Clerk within fifteen (15) days why you think the Planning Commission's decision was in error.

Mr. Parker: I would like to go on the record and I had my yes and no backwards. I would like to vote yes to forward that to Council as a denial.

Mr. Parsley: The vote was seven (7) to zero (0).

E. B21-28 Gibson Butcher Construction, LLC
603 Black Oak Ave (Existing House)
Variance for deviation of
(A) front setback from 30’ to 26’
(B) lot width from 70’ to 62.5’
Presented by Steve Butcher

Mr. Steve Butcher was present to answer questions or comments. He said that his partner, Larry Gibson purchased this property at the corner of Black Oak and Dixon. He said that the lot is 125’ east to west and 140’ north to south. He said that the existing home is an old home that sits on the westerly side of the lot close to Dixon Street. He said they remodeled the house and cleaned up the yard. He said that it is a large piece of property, therefore, they would like to split the lot and build a new home on the east side of the property.

Ms. Christie said that she thought there was some confusion on the front setback on the Dixon Street side. She said they measured from the right of way but there is only a 3’ difference from the right of way to the house so it is more than a 30’ to 15’. She further stated that on the front of Black Oak is sits back 26’ from the right of way rather than the 30’. It really needs a variance on both of them. The second request is to reduce the lot width from 70’ to 62.5’.

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

Ms. Christie stated that Staff had received letters opposed to this. It was stipulated that instead of being read they would be incorporated into the minutes.

Ms. Leslie Jones said that she lives adjacent to the subject property. She said that their property is quite a bit wider than what Mr. Butcher wants to make of his two lots. She said that she is opposed to this.
Mr. Larry Gibson who is Mr. Butcher’s partner spoke. He said that are less than 10 houses in Springdale that are less than $200,000.00. He said that both of these houses will sell for less than $200,000.00. He feels that that is one of the biggest housing needs in NW Arkansas.

Mr. Parker wanted to know if the request they are asking for is different from what’s in the PC packet.

Ms. Christie said that they are requesting a front setback variance from 30' to 26'. She pointed that they did not request a side setback so nothing can be done about that tonight. She said that the other request if the reduction of the lot width from 70' to 62.5' to allow the property to be split.

She pointed out that they did not ask for a sidewalk waiver so they will be responsible for putting in a sidewalk.

Mr. Covert called for the vote and also suggested that they be taken together.

Ms. Christie stated for the record that the setback on Black Oak would be from 30' to 26' and on Dixon from 30' to 3'.

**VOTE:**

**YES:** Tyler, Austin, Compton, Covert, Parker, Parsley, Peter  
**NO:** None

The variance was approved by a unanimous vote.

F. 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

Because this was a part of the previous variance and the result of such was the creation of a new lot, there was no discussion.

Mr. Covert called for the vote.

**VOTE:**

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

The variance for deviation of lot size from 70' to 62.5' was approved by a unanimous vote.

G. B21-30  
**Jim Moore**  
4052 Jessica Lane  
Variance for deviation of  
(A) side setback from 8' to 6'  
(B) rear setback from 20' to 15'  
Presented by Bryan Claypool

Mr. Claypool was present to answer any questions or comments regarding this request. He said they are building a swimming pool that will be 15' by 36' vinyl liner pool.
Mr. Parsley asked if there were those in the audience with questions or comments.

There were none.

Mr. Covert called for the question.

**VOTE:**

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

**NO:** None

The variance was approved by a unanimous vote.

**Public Hearing – Rezoning**

A. **R21-20**

Donald Brady
807 South West End Street
From SF-2 to O-1
Presented by Donald Brady

Mr. Brady was present via Zoom to answer any questions or comments. He stated that he is an attorney and would like to use it as a law office. Because of the type of law that he practices, he doesn’t have to meet with clients. His is Bankruptcy attorney.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

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.
- Allow the development of residential-office uses between residential and commercial/industrial areas to stabilize and buffer the limits of each type of development.

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:** Covert, Parker, Parsley, Peters, Tyler, Compton, Covert

**NO:** None

It should be noted that Mr. Austin was away from his Zoom meeting and did not answer.
The rezoning was approved by the remaining six (6) Commissioners.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

B. R21-21  Berean Baptist Church
315 Sanders Avenue
From C-1 to P-1
Presented by Derl Howerton

Mr. Howerton was present 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 Neighborhood Commercial.

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

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

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

There were none.

Mr. Compton called for the vote.

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

Again Mr. Austin was away from the meeting. The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

C. R21-22  Loy & Alma Boyd Revocable Trust
From A-1 to SF-2
Presented by Engineering Services, Inc.

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

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Low Density Residential.

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

- Protect the positive aspects of neighborhood character throughout the City.
- 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.

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

There were none.

Mr. Covert called for the question.

VOTE:

YES: Parsley, Peters, Tyler, Compton, Covert, Parker

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

D. R21-23  
City of Springdale  
Southern end of McCollough Drive  
From A-1 to MF16  
Presented by Patsy Christie

Ms. Christie, Director of Planning and Community Development, presented this request on behalf of the City. She said that the City owns the two parcels of land and what they are looking at is the possibility of developing with a partnership with other groups and organizations to develop a multi-family project.

She then 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:
Protect the positive aspects of neighborhood character throughout the City.

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

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

Allow an increase to medium or high density residential use when land value prevents economic development of low density residential.

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

Marlene Long wanted to know if the Community Garden would be taken out.

Ms. Christie said that in the future they will if the City can work out project that can be put on this piece of property. She asked the Mayor if the City would be looking for an alternate site for a Community Garden. The Mayor indicated that the City would.

Mr. Covert called for the vote.

**VOTE:**

**YES:** Peters, Tyler, Austin, Compton, Covert, Parker

**NO:** Parsley

The rezoning was approved by a vote of six (6) yes and one (1) no.

Ms. Christie stated for the record that Staff would prepare the Ordinance and that it will go to Council on Tuesday, May 11, 2021 at 6:00 p.m. in Council Chambers.

E. R21-24 Earl & Irene Dosset, Patricia & Ted Dosset
21-00167-438, W. of Grimsley Rd. & N. of Carrie Smith Road
From A-1 to SF-1

B21-40 Variance for deviation of minimum lot width in A-1
Presented by Mathew Dosset

Mr. Dosset was present to answer any questions or comments. He said that his grandfather has split off an acre so that he can build a house.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Low Density Residential.

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.

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

There were none.

Mr. Compton called for the vote for the variance.

**VOTE:**

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

**NO:** None

The variance was approved by a unanimous vote.

Mr. Covert called for the vote on the rezoning.

**VOTE:**

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

**NO:** None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff will prepare the Ordinance that will go to Council on May 25, 2021 at 6:00 p.m. in Council Chambers.

It should be noted that the following will verbatim.

**F. R21-26 Parson’s Family Trust (Nature Walk)**

From SF-2 & I-1 to SF-3 & MF-4

PP21-08 Nature Walk, off of Cheyenne Trail, N. of Backus & W. of 71B

Presented by Engineering Services, Inc.

Mr. Parsley: I have a feeling that this is one that a lot of people will want to speak at. Next item R21-26, Parson’s Family Trust (Nature Walk) From SF-2 & I-1 to SF-3 & MF-4. There is also a Preliminary Plat, PP21-08 Nature Walk, off of Cheyenne Trail, N. of Backus & W. of 71B presented by ESI.

Mr. Appel: Thank you Mr. Chairman, Jason Appel, with ESI. We are here to request a zoning for a portion of Parson’s property. The requested area is 48 acres. Currently it is zoned, partially SF-2 and then partially I-1. We are requesting that zone to go to SF-3 which will be the western side
and then MF-4 which will be the eastern side of that property. I think there is some question about the development. Basically, this will be a single family subdivision and duplex lots so single family and duplexes only; no apartments with this development. I'll answer any questions.

Mr. Parsley: Staff Comments.


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.

Ms. Christie: You all did receive several letters which if you guys are good with that we will stipulate that they will be entered into the record. One is from Bobby Carol McPherson, one is from James Gray and the other one is from Karen McPherson so if y'all want to stipulate those to go into the record.

Mr. Covert: I move that they be entered into the record.

Mr. Parsley: Any other comments.

Ms. Christie: No. This is just the rezoning.

Mr. Parsley: O.K. who wants to go first; or do you have a spokesman for all? When you come up to the mic if you can state your name and address please.

Ms. Charlene Bowen: My name is Charlene Bowen. I live at 1770 Graystone Place and I also have property at 1715 Larkspur. I want to know you propose the zoning to be on this property.
Ms. Christie: SF-1 is single family and MF-4 is duplexes. That is the only two uses that would be on this property. I'm sorry, SF-3; which is single family and MF-4 is duplexes.

Ms. Bowen: So, I am hearing that it is all going to be duplexes or apartments.

Ms. Christie: O.K. can you tell show us the drawing that shows the portion of what's going to be. The dark colored area on the east side will be the MF-4 duplexes the remainder of the yellow will be single family homes.

Mr. Austin: Yeah, we need to make a correction to that Patsy.

Ms. Christie: Let Jason make the correction. There should be one laying right up there. You will probably have to turn it on. The battery is probably dead. Austin can tell you; he has the arrow up there now.

Mr. Appel: So he is trying to identify that line right so that's the line, the portion to the east yes is the MF-4 request and then the portion to the west of that line is the SF-3 request.

Ms. Christie: That is the existing zoning that is not on what the proposed is.

Ms. Bowen: O.K. What street is that close to?

Ms. Christie: That property line is the back side of those houses that are on, what's the name of

Mr. Parsley: Could you explain SF-3.

Ms. Christie: SF-3 is a smaller lot size than an SF-2. Hold on, an SF-2 zone which is what it is zoned now requires a 70' frontage, 8,000 square feet for each lot. SF-3 which is single family homes only is a lot size with a 60' front and 7,000 square feet is the lot minimum.

Mr. Parsley: Thank you.

Kevin Riggins: Hi my name is Kevin Riggins. Patsy if can go back to where it is shaded the screen before that where it showed the brown. Right there, so that brown is the flood plain and that will not be duplexes.

Ms. Christie: O.K. so the portion that comes up where Thelma Street comes through now, all the way up to the and the lots that would back up to that will become the multi-family, can we bring up the preliminary plat? O.K., now show us where the line is there. The application was not clear on the description to those pieces of property.

Mr. Appel: O.K. so there is a kind of delineating line, there's a trail that runs through here so there is a 12' trail that kind of cuts the difference between the SF-3 side, which is the single family and duplex side which is this area so that is the delineating line for the zoning and so not all of that property is going to be MF-4 because a lot of it back in here is flood zone based on the previous map.
Mr. Chris Bartholomew: My name is Chris Bartholomew and I live at 1967 Cheyenne Trail and I have heard state just now MF-2 multi-family 2 but I see that it is MF-4. You keep saying duplexes that's not quadplexes. Why is it MF-4 if it is going to be duplexes?

Ms. Christie: An MF-4 zone allows single family homes, townhomes, 1 and 2 family residences and 3 and 4 family residential. What he is saying is that they are only putting in duplexes but three and four family residential is allowed in an MF-4.

Mr. Bartholomew: O.K. but if it's only duplexes why are we talking MF-4 up to quadplexes that would prevent we start out tonight saying it is duplexes and then somewhere in the middle they decide to change to quadplexes.

Ms. Christie: Well, if it is rezoned to MF-4 anything that is allowed in that zone can go in.

Mr. Bartholomew: But that's my point. You're saying duplexes, he's saying duplexes but they are basically asking for authorization to do quadplexes.

Ms. Christie: That is correct. The preliminary plat that we are looking at that goes with this shows duplexes, but you are correct, that preliminary plat does not move forward or is sold to someone else it could be up to four plexes, you are correct.

Mr. Bartholomew: Why are we not, I know that there, of course I have a huge vested interest because I actually live on the property. We live on the property that you are showing to rezone. We all have vested interest obviously. So if it is going to be one thing that we are talking here tonight, why are we talking about

Ms. Christie: There is a difference in lot sizes. A minimum lot size in an MF-2 is which is duplexes only allows for a duplex to be on a 90’ lot with 12,000 square feet. A duplex lot in an MF-4 is 70’ of frontage and 10,500 square feet. The applicant asked for the MF-4 which gives them a smaller lot size.

Mr. Bartholomew: But they have the potential to build a quadplex if they so choose.

Ms. Christie: If they can meet the minimum requirements, yes.

Mr. Bartholomew: In lot size.

Ms. Christie: Correct.

Mr. Bartholomew: So they basically can if that's their decision. I think that's one concern, I believe that I have that I'm hearing is going from not just single family but multi-family too, but potentially the quasi apartment four. I realize that it is not an apartment so that is a concern I think that a lot of people have. The other is traffic. Has there been, what's the road, have we had roads, I mean Cheyenne Trail most of that or a good portion of that has no shoulder. It is a narrow small road. I'm going to make an assumption that their intention, and based tonight it looks like I was right they want the main piece of this to come in off of Cheyenne Trail and the other two entrances on the south coming through very small residential neighborhoods as well as an apartment complex so most of that traffic that we are talking about how many total units are we talking about? How many houses, how many multi-plexes.
Ms. Christie: The MF-4 zone allows for eight units per acre. That is the maximum you can put in an MF-4.

Mr. Bartholomew: And how many units are there.

Ms. Christie: The SF-3 zone allows for six units per acre.

Mr. Bartholomew: So, I can't do the math in my head so what is that approximately.

Mr. Appel: So we have forty nine single family lots and eighty six duplex lots.

Mr. Bartholomew: So 120 plus times, if it's quad plexes that 2 to 4 people with cars as well as 2 plus cars in the other. How is Cheyenne Trail going to handle that?

Ms. Christie: They will be required to improve Cheyenne Trail the full width of their property to Master Street Plans standards and I believe it is a minor collector.

Mr. Bartholomew: The width of their property is only going to be approximately, I believe that's not a lot of improvement. There's no shoulders from that point north going to J B Hunt Park; that bridge still has not been completed. How is all this traffic going to get in to this subdivision not to mention all the traffic that will be coming in from the south. I mean, every morning I watch school buses and children walk up and down the streets going to different schools, going to the bus stop in my front yard and that's fine and all these other folks. I don't know how the road can deal with the construction traffic let alone our traffic when you start doing the math on this probably another 3 or 4 hundred cars as a minimum a day and it is already congested street. Now I certainly haven't done the demographics study but I'm just, I don't see it personally. That's my personal opinion.

Ms. Christie: We are taking comments. Everybody gets a chance to make their comment.

Mr. Bartholomew: So that is a concern. There is already a huge amount of water run off of the other neighborhoods. Again, I have to believe that this causes a larger problem not to mention you are losing 60 to 70 acres of green space. I realize that someone owns it and that it is their right to do what they want to do with that property but you have got a green space issue, logical, it's, anyway I'm going to start getting emotional about it; that is my concerns.

Mr. Parsley: Thank you.

Ms. Bowen: Did you say that the apartments are going to be behind Larkspur?

Ms. Christie: The portion that they are asking to rezone to MF-4 backs up to the houses on Lockspur, Jason?

Mr. Appel: Yes that is correct.

Ms. Christie: Yes that is true.
Ms. Bowen: O.K. I can tell you all about apartments. We have lived beside apartments, we were broke into four times, they stole our lawnmower, our four wheeler, they broke into our house, they stole guns, they stole jewelry. They went through our whole house. We felt violated. I'm against it 100 per cent. I don't like it, nothing about it and I want to know if it is government subsidized.

Mr. Appel: We are just trying to get it zoned to MF-4 with no apartments. I can understand that there is a different language between apartments and duplexes. However, we are proposing duplexes.

Ms. Bowen: You didn't answer my question. Is it government subsidized?

Mr. Appel: No.

Ms. Bowen: O.K. and is there going to be an entrance down Lockspur?

Mr. Appel: Yes, Lockspur, Thelma and Cheyenne Trail.

Ms. Bowen: O.K. that's a very small street, lots of kids down that street. So what are you going to do about that?

Ms. Christie: We are taking comments tonight. We are not addressing all of everyone's comments.

Ms. Bowen: I am just saying that I am against it 100 per cent. I don't like it.

Mr. Parsley: O.K., that's fine.

Mr. Kyle Springer: My name is Kyle Springer and I live 1911 Lockspur Street. The street physically ends in front of my house at this time. My concern is the through traffic as well as what drainage is going to be installed to continue this to Spring Creek.

Mr. Parsley: All of those are part of the plats and will be addressed at that time.

Mr. Appel: So we do have a large detention area right there at the connection which will take the storm water to the creek.

Mr. Kyle: Is it basically a pool/pond?

Mr. Appel: It is a detention pond. It will not hold water in full. It will not hold water there all the time, it will hold water when it rains. But there is a large pond there that will take that storm water runoff to the property.

Mr. Kyle: So we are going to have mosquito issues.

Mr. Appel: It is a dry pond.

Mr. Parsley: So if you are familiar as far as between Har-Ber High School and Hellstern Middle School that is a dry pond. It doesn't retain water all the time. It's just when we had the rain the other day as an example that filled up but within a couple of hours it was empty again. So that is
a dry pond that they are referencing there. Again, all that gets addressed if this does get approved as far as rezoning they would have to come back for the preliminary plat.

Mr. Kyle: O.K. so my understanding is they are planning to have duplexes behind basically my house and others on Lockspur. Is that correct?

Mr. Appel: The single family connects to Lockspur so there is a trail crossing so this trail is the delineator of zones so on the west side is the single family and on the east side is the MF-4.

Mr. Kyle: O.K. yeah my house is exactly there where that squiggly street is, that is Lockspur.

Mr. Appel: You asked me if there were duplexes on Lockspur.

Mr. Kyle: No that is not what I asked. I'm against 100 percent.

Ms. Jennifer Graham: Hello, my name is Jennifer Graham and I live at 1508 Thistlewood which is on the corner of Lockspur and Thistlewood which is right there by the squiggly by his house. I've been a resident of Springdale my entire life. I was born in Springdale Memorial Hospital and never lived outside of the Springdale City Limits and I take pride in our City and so being here today I really ask you to reconsider this MF-4. I understand you said that it is duplexes but being zoned 4 we have the option of having quadplexes.

According to the Data from the U.S. Census Bureau, Springdale has a 49.5% owner/occupant rate. This is lower than the state average of 65.6% and the National average of 64%. So Springdale has a 15% higher rental property rate than the state or the national averages. Adding multi-family houses to this area would only further increase those differences. We need single family owner/occupant homes. I understand that part of this project is for single family but if we are going to rezone this and add in housing, it needs to be single family all the way.

According to the Skyline report sponsored by Arvest Bank conducted by the University of Arkansas in the last half of 2019 the total number of existing homes sold in Northwest Arkansas in Benton and Washington Counties hit a record high of 4,910 homes and in the second half of 2020 that record was shattered by 5,729 homes being sold with only 1,465 being newly constructed homes. As of the result of such a strong sales period, inventory of homes for sale have decreased by 61% from the second half of 2019 to a record low of 707 and the number of complete and unoccupied homes is only 245. Obviously for sellers the strong demand for homes combined with shrinking inventory levels resulted in record low averages; number of days on the market of less than 90 days. This supply of available lots in Northwest Arkansas for building fell 60.9% since 2014 according to that Skyline report.

The 23.3 months' supply, which I believe is actually less now at the current rate of absorption, is at the lowest on record. In the second half of 2014 the supply was 60.9 months. Housing will become increasingly less affordable if Northwest Arkansas’ population continues at this price rate. Looking at the multi-family market the vacancy rates rose in the region from 4.8% in the second half of 2019 to 5% in the second half of 2020. According to that same study multi-family construction has remained just as strong in the coming months as there is currently already 481.5 million dollars in building permits that have been issued this year.
According to the U.S. Department of Housing and Urban Development neighborhoods with more concentrated disadvantages tend to experience higher levels of violent crime; examples of this would be low income or multi-family housing like duplexes or multiplexes. Numerous studies for instance have shown that neighborhoods with higher poverty rates have higher rates of violent crime; greater overall income inequality in a neighborhood is associated with higher rates of crime and especially violent crimes. Adding low income or multi-family property to established single family neighborhoods brings with it the downside of those types of properties.

In researching information about our City on public sites, like neighborhoodscout.com it listed Springdale with a score of 9 out of 100 in terms of crime. With a crime rate of 38 per 1000 residents Springdale has one of the highest crime rates in America to cities of comparable sizes and all sizes.

The chance of becoming a victim of a violent crime or property crime here is 1 in 26. Within Arkansas more than 82% of the communities have a lower crime rate than Springdale. Adding property with these type of statistics is an unnecessary risk to our community.

You can see that the demands for single family homes are only increasing as the supply is decreasing. However, with multi-family housing the supply is increasing but the need is decreasing. If we look at the road infrastructure as has been mentioned before all of the traffic that will be coming through West End, Cheyenne Trail, Pump Station Road and Larkspur. The streets already have rather rate of traffic especially through West End, Cheyenne Trail and up to Pump Station Road because of Hunt Park.

In my neighborhood we have more than a dozen children that ride their bikes and play basically outside knowing that the neighborhood is not a through street on the way to a high density multi-family housing. We don't have to worry about, right now, people speeding through our neighborhood and not even being a part of our neighborhood on their way to their apartment or duplex.

Coming from the north utilizes Silent Grove Road and Pump Station Road, the Pump Station Bridge, as you know, has been out over four years causing residents to have to go through Hunt Park. I understand this is under construction and is not complete and the rain just washed out all the gravel again. Why would we, as residents or you as the Council, think that the current road infrastructure would support multi-level housing? As an alternative, I propose that they rezone and I request that this council strongly consider the needs of our city and what is in the best interest of our citizens. We already have people moving outside City Limits in order to purchase homes. This property is already zone an SF-2; let's utilize this land and bring SF-2 homes into that area and bring homeowners back to our City. I ask that you please re-consider the current zoning of the MF-4 and allow only single family homes to this property.

Mr. Parsley: Any other questions or comments.

Unknown person, did not state his name or address. She kind of hit all of it. My thing is that it is scattered throughout is SF-2 why would you want to change the surrounding area. You are going to change it completely from what it is with an SF-2 even to multi-family. You have a couple of scattered apartments off of Backus but now you want to change the whole environment in the area. Other than that I can't say anything that hasn't already been said especially following that;
but I think that would be a very poor choice to do for the area. Again it is a complete change to what is the surrounding area.

Mr. Parsley: Thank you.

Ms. Beatrice (?): I sorry, I just have a quick question. My name is Beatrice (?) and I live at 1885 Lockspur Street. I'm really confused as to that trail they were talking about. Is that going to be connecting to the greenway? Can anybody answer that.

Ms. Christie: Yes, that is the proposal.

Ms. Beatrice (?): And is that at the, there is a bridge on the greenway, do you guys know where exactly it will be connecting?

Ms. Christie: The trail was on this side of the property and there won't be another bridge. It will tie into before it gets to the bridge.

Ms. Beatrice: O.K. and then can you guys talk about how the George's plant will be affected by this. I know it was zoned for I-4 at one point. How close to the George's plant is this new development.

Ms. Christie: It is right adjacent to it but it won't affect any zoning or anything with the industrial that is already there.

Ms. Beatrice: So there will be duplexes right next to the factory.

Ms. Christie: That is what they are proposing.

Mr. Joel Swarez(?): My name is Joel Swarez I live at 1715 Lockspur. I would like to know how this is going to affect our property values. I mean the bottom line is apartments behind those low income housing how is that going to affect property values. Our homes are now appraised at $200,000.00 to $300,000.00 or more. Having apartments, low income, is going to bring our prices down. That is my comments.

Mr. Parsley: Thank you.

Mr. Jeff McCrary: I'm Jeff McCrary and I live at 1874 Greystone Place. I just echo everything that has been said. The only thing that concerns me is the traffic and then the drainage issues. Because I live right off of Cheyenne in the Greystone Subdivision. It is really that, especially with the rain that we just had and the flooding coming down the street especially at your property down your driveway. That is my biggest issue how are you going to handle the drainage issue and the traffic issues. Thank you.

Mr. Greg Collier: Hi, Greg Collier and I live 1744 Cheyenne Trail. Obviously we all have a vested interest in this because it is our neighborhood. We would all like to see single family dwellings there but a couple of concerns that I have one is what we call the "S" curve where the entrance will be and it is already been addressed. It is a very narrow turn to begin with; there's no sidewalk on either side of the street. If and when that road goes in, has there been any consideration on sidewalk going in, lighting going in, as well as the width of that street. There is not a whole I of
space there, it doesn't seem to me like to have housing going in as well as widening the road as well as the sidewalks to go in too; so I'm on board with everybody here, I think that we need to keep it single family dwellings, but I definitely needs that that needs to be considered as well.

Mr. Parsley: Thank you.

Ms. Donna Campbell: My name is Donna Campbell and I live at 1543 Wensworth Avenue and I probably have a lot more property than anybody here that face all of this. I own 9.9 acres and there is a huge drainage problem already and right now I'm going to have to take a garbage bag and go pick up all the beer cans that is on my property. A lot of it is a no zone floodplain where Spring Creek borders my property and I don't need any more water put down on my property as it is now. I have had a lot of erosion especially like last week and that is a very much concern. I know that you talked about the dry pond but I've walked a lot of that property and it is very hilly and a lot of ups and downs so I can't imagine there would have to be a lot of dirt work going in and when you do that and I think a lot over the years lived here at this address since 1998 so I've seen it seems like more drainage issues over the years and I think a lot of it has come from development.

My other comment, definitely I would want single family for fear of devaluing the property single family housing that exists as well as mine.

Also, another comment, is the access that I might even have from my property to those streets in back because like I said I have just an easement is the way my property works off of Wensworth and I wonder if I would even have availability to that street where you are going to cut it through. That's all the comments that I have.

Mr. Parsley: Thank you, I appreciate it.

Ms. Allie Springer: Hi, my name is Allie Springer and I live at 1911 Lockspur. What kind of structures going to be of the house. I know you said there will be duplexes architecture.

Ms. Christie: That is not something that we address for the zoning. The City has no standards for single family or duplex structures that go in.

Ms. Springer: And the other concern that I have, is that I have a small child. I know a lot of single mothers live on the street and if there is going to be construction going in and out of that street why should I need to protect my daughter from going on the street and what is going on. I'm not, I don't think that that is a great idea all that coming into that small road on Lockspur for her or any of the children in our neighborhood.

Mr. Parsley: Thank you. Sir, if you want to come back up with your question, go ahead.

Previous speaker: That was actually my daughter; she asked me the question and my concern and I understand zoning but my concern is are these going to be like what I call your typical "crackerjack" houses or are these going to be like Greystone, Lockspur and these other. What is the design of these homes.

Mr. Parsley: As far as exterior materials and properties and things like that, your State changed as far as the law on that that we don't have jurisdiction as far the actual exterior of the house.
This is for the rezoning as far as the actual property, as far as what is minimum frontage and then maximum as far as square footage on the property itself. A couple of years ago as far as State law change, we don't have anything to say as far as vinyl siding and things like that on residential properties. Does that answer your question?

Previous speaker: Yes, thank you.

Bryce Ritter(?): Hi there, Bryce Ritter, 1903 Cheyenne Trail. Now I know that you have covered the human parts of the traffic issues but the roads that get expanded we are going to see a lot more deaths of pets, wild animals. Is that going to be cleared up or checked on more often? How is that going to work out?

Mr. Parsley: I'm not sure how to address that. Are you talking about stray dogs or something in that regard?

Mr. Ritter: Any. I see dead cats that breaks my heart; random armadillos and their bodies just sit there and they rot. Are they going to try and clean more often because if we have more traffic we going to have a lot more dead animals. If they clear that area, it's going to ruin our deer population the hawks and our bee population. The bees are already having a hard enough time as it is. And then owls, if you clear that out they are going to break and damage our homes or the new property homes if this does go through. How is that going to be taken care of?

Ms. Christie: Well, the City has an animal control division that picks up dead animals. The police department calls it in, that wouldn't change from what it is today.

Mr. Ritter: O.K.

Mr. Parsley: Thank you; any other comments or questions?

Mr. Jim McClain: My name is Jim McClain and I live at 2400 Cheyenne Trail. Basically I am in the dead end of Cheyenne Trail but my 87 year old mother lives at 2127 Cheyenne Trail which is the boundary property of the northwest of this project. I've looked at the traffic pattern that you guys laying out here and I have a question; how do you think you are going to get this many people in and out of that area on Cheyenne Trail and Pump Station Road? Please explain to me how this is not going to be a stepping stone for the need to take Randal Wobbe straight through and will make this an absolute nightmare for traffic. I think that if everybody here would agree if this was going to be laid out as more of the single family dwellings type subdivision, I don't think that there would be as much concern at all about this. If you go multi-family multi dwelling, whatever, then you look at the traffic pattern you guys are proposing and it is unworkable. I just don't see how anybody can say this is a good plan for any of that neighborhood. Not just the boundary properties but all the properties that surround this. They are all single family dwellings and now you are going to through in apartments and quads and everything else, duplexes. I just think that that is a real unfair burden on the present property owners.

Mr. Parsley: Thank you; appreciate it. Jason is there anything that you wanted to comment on.

Mr. Appel: Mainly I just want to comment that was said that there is not any other multi-family zoned properties around this project. There is an MF-12 zoned property to the south that is
adjacent to the I-1 which is on pleasant and where we are connecting to Thelma. I just wanted to make you aware that there are other multi-family units in the area.

Mr. Parsley: Any other comments or questions?

Ms. Ashley Carver: I'm Ashley Carver at 1747 Wensworth. I think that it is safe to say that those properties that are multi-family have a much higher crime rate. They have much more traffic and it is a much more dangerous place to be.

Mr. Parsley: Thank you.

Previous speaker: I have just one other question. If this is going to be duplexes, why are we zoning it MF-4?

Ms. Christie: The applicant will have to answer that question. The only thing that I can tell you is that it is a smaller lot size for a duplex in an MF-4 than in an MF-2.

Mr. Appel: Patsy's answer is correct. I mean it is the lot width. The duplexes in an MF-4 have a 70 foot lot width as opposed to a 90’ lot width in an MF-2.

Ms. Christie: The minimum lot size itself, square footage is less.

Mr. Mike Pepp: My name is Mike Pepp on Ridgeview Drive. I could probably speak for everybody that is in here. We do not want 4 family buildings, 30 feet tall compacted in this area. This is a residential area; it has always been residential, there are no apartments or townhouses or anything and it is zoned for residential, single family and it needs to stay that way. On your diagram up there all the way to the left where you are coming in on Cheyenne Trail, that is right in the middle of our stinking driveway. We are going to have everything coming through there.

Previous speaker: I have lived there since 1992 on Ridgeview Drive and it worries me and scares me to death about all the extra traffic that we are going to have. Plus, I have no with problem this, I have a lot of children that wait on the end of my driveway for the bus and that's fine, they're kids and they are waiting for the bus to pick them up. But then you get all these apartments and duplexes and four plexes in there is going to be so many more kids standing right there on my property on the driveway waiting for the bus. We can't get out of the driveway as it is now we have to ask them to move. The traffic is a big concern of mine. My grandkids come over there and play out there in the yard and stuff. I worry about them getting hit. I worry about, well, you know, do I need to try to go ahead and sell my house now before this happens because it is going to bring my property down. I'm not going to get nearly what I would get for it otherwise.

Mr. Pepp: What you are going to have to ask yourselves is do you want this in your back yard and then you guys can decide on that. Would you want this in your yard? We are not against the people that own the property or developing it but develop it that fits with our neighborhood. We wouldn't do this to you, don't do this to us. It won't work.

Previous speaker: And I have no problem I mean if they like were to build a nice subdivision, with nice homes in there; that would be fine. Because, I mean, that would be you know, I mean it wouldn’t bring our property down. But if you put 4-plexes and duplexes or apartments in there it is
just going to be a bad situation all the way around. It is not going to be good and it really worries me.

Mr. Parsley: Thank you; any other final comments. I do appreciate all of you guys coming in this evening. This does matter to us especially hearing from the residents in Springdale and we do appreciate that. Yes ma’am.

Ms. Bowen: The houses that you are talking about. Are they just going to be stick homes?

Ms. Christie: We have no way to address the type of houses or the size because we have no standards.

Ms. Bowen: Will you later on?

Ms. Christie: When they bring in the subdivision plat, it will set the minimum lot sizes, the setbacks, the street widths, the drainage and the trails and that kind of stuff. It does not address what the houses will look like or a minimum size other than they have to be 24' by 24'.

Ms. Bowen: I feel like that should have houses that fit vicinity that is over there now because our homes are worth quite a bit of money in that area and what they are proposing, it doesn’t fit that area.

Mr. Parsley: Thank you. Alright I’m going to turn this over to the Commission. I think that we have definitely some consistence as far as what the concerns are. What I want to summarize for you guys was what I heard was that this area is, you feel that it is more of a single family area and not as far as the multi-family; you have concerns as far as the traffic that is coming through there and the three access point and the traffic that would come through your areas right now along with even just the access to the overall area; concerns about drainage is another concern. I think we also had concerns about the wildlife as well and the impact that it would have in that area. I think holistically we have heard your concerns and also realize as far as your questions around the building standards and the exterior. I do want to continue to stress that is not something have the ability to govern in that whole piece there. The other pieces as far as taking other things into consideration we do appreciate you guys coming in. At this point in time I am going to turn this over to the Commission and ask if there are any questions or comments from the Planning Commission.

Commissioner Parker: Mr. Chairman I would like to just make a couple of short comments. I also appreciate feedback from the neighbors and the input. I will say that my role on the Planning Commission is to make decisions that I feel benefit our City and all of our City’s residents and not just those residents that can afford $300,000.00 houses. I feel that someone brought up the Skyline report which is fantastic because one of the biggest findings from the Skyline Report is that we are in a critical situation with housing. We have a housing shortage and it is only getting worse every day. If we take the approach in the City that single family home is all that we are going to allow, we will never be able to catch up to the demand. I appreciate the comments but I wanted to put that in the record as to how I feel. Thank you.

Mr. Parsley: Thank you, Payton; any other questions or comments from the Commission?

Commissioner Peters: Patsy could you go over what uses in the current Industrial Zone?
Ms. Christie: An I-1 zone allows the following permitted uses:
Citywide Public Uses by Right
Trades and Services
Automotive Services
Dedicated Warehousing
Limited Manufacturing
Parking Lot
Temporary Buildings and/or Storage
Self-Supporting Tower or Antenna Structure or Monopole
Transportation Services
Commercial Assembly

And by Conditional is allowed:
Citywide uses by Conditional Use Permit
Utility Facilities
Offices, Studios and Related Services
Automotive, Machinery and Equipment Open Display Retail Sales
Airport Hanger with Flight Crew Quarters

Mr. Parsley: Anything else, Ben?

Mr. Peter: No, thank you. Those uses are all available to about half of what is being proposed to be changed to MF-4 today, so any of those uses can go in today and those uses would have to go on existing streets. I just want to point that out. An MF-4 zone would reduce that one of those uses dramatically.

Mr. Parsley: Any other comments or questions from the Commission. I summarized earlier as far as what I heard from the audience. But my fellow Commissioners, I am very familiar with this area, obviously. When you look at traffic patterns from Silent Grove even Wagon Wheel and even the further, there is a tremendous amount of growth on Wagon Wheel as well; truck traffic, cross-town traffic and things of that nature that continue to come through that area. The traffic pattern on Silent Grove alone especially, even coming through J.B. Hunt Park are very challenging as it is today in that whole piece. What I struggle with on here is that we are dealing with unprecedented times. I think we have seen lumber prices up over 300% and everything, I mean even pool chemicals are starting to see a shortage and are skyrocketing prices. When we hear these developers come in there is a tremendous of infrastructure that they have to put in place in these types of subdivisions like this. It cost a tremendous amount of money for them as far as the investment and what northwest Arkansas is having to actually experience now which used to not be the case as used to be you could just build it because there was a lot of land and land was cheap. Land is no longer cheap. Building materials are no longer cheap; this is causing developers to rethink as far as what type of building to be able to establish in there. We have been addressing these type of things across the City and especially in fill in locations and so forth as far as what are the types of developments that can come into play. MF-16’s and those types of things, even in the downtown areas; there are different ways as far as to be able to make that look very attractive and presentable and that whole piece on it. I just say all that as far as education and that these are unprecedented times and this is a difficult decision I know for me and for the Planning Commissioners to make. This is a beautiful area of Springdale and it is a signature area because of where the trail has come through. I think that I read recently where
this is actually an area that was highlighted as far a central focal point of why people come to Springdale; as far as the bikability so I want you to know that we don't take this lightly as far as this decision and as far as how this vote goes. It is a struggle because you do want to help and be able to make things that make sense for the developers. We also want to make things that make sense for the area as well. For me, I'm not sure about all this area as far if it is ready or not. Again we are dealing with unprecedented times; not sure if those are long term, sustainable as far as what we are seeing in pricing or if this is the new norm. It is too early to tell. I'm not going to make the decisions hastily because of current conditions in that regard. I just wanted to make some of those comments for education for the audience and also for the Planning Commission as far just as things are weighing on me regarding these decisions. If there are no other questions or comments I would ask for a call for the vote.

Mr. Covert: Call for the vote.

Commissioner Tyler: Jason is there a reason that you are connecting, you are planning connecting with Thelma instead of Pleasant.

Mr. Appel: So currently there’s not enough right of way on our side to connect to Pleasant. We did have that discussion with Staff and we are going to provide right of way for Pleasant on our side in case there could be some agreements made that could be a connection. But at this time there is just not avenue there for us to have access to Pleasant, and build that street.

Mr. Tyler: You just border one side where…o.k.

Mr. Parsley: Anything else?

Previous speaker: Sir we are not against creating residences and apartments in places for people to live in our City. What we are talking about is our particular neighborhood and this particular piece of property. You can build apartments if that is what you want to do anywhere you want including this property but this is surrounded by our friends and family and we don't need thirty foot-thirty-five tall quadruplexes in our backyards and our front yards. If the gentleman wants to build apartments; there are plenty of places we are just asking don't do it in our neighborhood. Thank you.

Mr. Parsley: Thank you. Did I have a call for the vote by Mr. Covert?

Mr. Covert: Yes sir.

Ms. Pounders: Compton – No; Covert – No; Parker – Yes: Parsley – No; Peters – Yes; Tyler – Yes; Austin – No.

Mr. Parsley: So I have four (4) no and three (3) yes. This does not pass.

Ms. Christie: The applicant has the right to appeal this decision to the City Council. That appeal has to be filed within fifteen (15) days with the City Clerk indicating why you think the Planning Commission erred in its decision and the adjacent property owners must be notified again.

Mr. Parsley: Again we thank you guys for coming in this evening.
Public Hearing – Conditional Use

A. C21-12 Tim & Teresa Oelke
   2556 N. 40th Street
   Tandem lot in an A-1

B21-42 Variance for deviation of minimum lot width in an A-1
   Presented by Swope Engineering

Nicholas Oelke was present to answer any questions or comments. There was also a representative via Zoom for Swope Engineering.

The Swope engineer said that the property is a long and narrow piece of land and they want to split making it a 2.6 acre tract and 3.07 acre tract.

Ms. Christie said that because it is zoned A-1 the minimum frontage is 200 feet on a public street and they don't have 200 feet on a public street.

It was determined that the actual frontage is 194’ and the access easement would be along the north side of the property where the driveway is now.

Ms. Christie said that the access easement would have to be paved all the way to the tandem lot.

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

There were none.

Mr. Parker called for the vote for the variance.

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

It should be noted at this time that Mr. Austin was no longer present via Zoom. The variance was approved by a unanimous vote.

Mr. Covert called for the vote for the Conditional Use.

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

The Conditional Use 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, May 25, 2021 at 6:00 p.m. in Council Chambers.

Preliminary Plats, Replats, & Final Plats

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

This item was tabled.

B. PP21-06  Deere Creek (Formerly Wildcat Creek)  
Between 56th Street and N. 48th Street, south of County Line Road  
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 this is an 85 acre and there is access off of 56th Street.

Mr. Parsley asked for Staff comments.

Mr. Thomas read the Staff comments.

**Planning Comments**

1. Will the developer be contributing their proportionate share of delayed improvements by way of either bill of assurance or bond to the future improvement of 48th St? This access is currently sub-standard.
2. Will the developer be contributing their proportionate share of delayed improvements by way of either bill of assurance or bond to N. 56th St.? This access is currently sub-standard.
3. Provide completion of sidewalk on 56th. To the Southern property line.
4. Provide turnaround for Northern extent of “Street H”.

**Engineering Summary**

- Need more detail about grading in and around the existing creek, especially in relation to the walking trail, pavilion, easements, and lot lines.
- Velocities in existing channel are greater than 3 fps, need to show concrete lining.
- Please continue drainage easements north around the creek; they are shown south of Street B but then stop at the culvert.
- Easements should contain the 100 year WSE, FFEs for lots adjacent to the creek need to be set 1' above 100 year WSE.
- Need culvert under Street F and under the walking trail where appropriate.
- Culverts under Street E are shown as 18" – is this correct?
- Can the walking trail follow lot lines instead of cutting through lots 57-61?
- Trickle channels needed.
- Show silt fence or wattle around disturbed area.
- Maximum 4% grades within 100 ft of an intersection.
- Provide justification for speed tables and mid-block sidewalk/crosswalks.
- 48th St needs to be improved to Master Street Plan standards.
- Sidewalk on 56th St should go to the southern property line.
• Provide justification for the gate at the 48th St access
• Street section does not match MSP
• Provide signage plan
• Dead end at far north needs a turnaround

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

2. **Chapter 106 – Stormwater Drainage**
   - 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.
     ▪ Add trickle channel.
     ▪ Set Minimum FFEs for lots adjacent to ponds and swales.
     ▪ Provide an Erosion Control plan for the grading phase of the project.
     ▪ Show silt fence or wattle around disturbed area.

3. **Chapter 107 – Stormwater Pollution**
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220 , § 1, 10-24-17)
   - 107.1 - Show & Label all temporary construction stockpiles, parking, entrances, egress, roads, or access as "Temporary" on the Grading or Erosion Control Plan.
     ▪ Add the word "Temporary" to all the items listed above, that are included in this project.
   - 107.3
     o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.
     o Phasing on larger construction sites 5 acres or more must be utilized to allow only disturbance on near term construction areas. Construction sites requiring cutting and filling must be seeded once the cutting and filling activity is finished.
   - 107.3 - The following note is required as a General Note on the Site Plan:
     "Stockpiling of construction spoil material at particular locations shall only be allowed for a limited time period, not to exceed (6) months. Prior to a final inspection of the Grading Permit, the following standards shall be achieved for Completion of Construction:
a) development and grading within the disturbed area is complete and matches plans as approved by the Planning Commission, and
b) the disturbed soil area is observed to have 80% grass coverage and 100% stability, and
c) No slopes steeper than a 3:1 pitch unless otherwise approved in writing by the Director of Engineering, and
d) Notice of Violations issued have all corrective actions approved with an inspection report signed by a representative of the Director of Engineering, and
e) all heavy equipment, stockpiles, and construction site materials have been removed from the Construction Site."

- 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.

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.
The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.

- Label all lights as Proposed or Existing
- Show the direction of the mast arm
- Show the size and type of lights based on the location and classification of the street
- Add note to determine if the light is designed for area parking lot lights or as a street illuminator
- Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing

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

6. **Chapter 130 – Zoning Ordinance**
(Ord. No. 3307, 3-25-03)

- **130.7.9 Entrance/Exit Drives**
  - Need to note that modified curb is required at the drives and a modified curb detail.

- **130.7.6.1 ADA requirements.**
  - Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
    - **This note is left in place throughout the design process to insure that access is maintained.**

7. **Other:**

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

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

Ms. Hollingshead said that they met with ESI today and not all of the comments are now applicable and those that are left can be discussed at the Construction meeting.

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

Mayor Sprouse said that the City has recently received a State Aid Grant to resurface or overlay 56th Street from Bob Mills all the way to Wagon Wheel and County Line Road from 56th to Elm Springs.

Mr. Covert moved to approve the Preliminary Plat subject to Staff comments. Mr. Compton seconded the motion.

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

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

C. **PP21-07 Whispering Springs**
   Hylton Road, west of the intersection of Butterfield Coach Road and Howard Anderson Road
   Presented by Engineering Services, Inc.

This item was tabled.

D. **PP21-08 Nature Walk**
   Located off Cheyenne Trail, North of Backus, and West of Highway 71B
   Presented by Engineering Services, Inc.

This was not heard as the rezoning for it was denied.

E. **PP21-09 Hylton Place Phase III**
   East side of Hylton Road, approx. 0.45 miles south of DTP
   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 this project is adjacent to Phases I and II.

Mr. Parsley asked for Staff comments.

Mr. Thomas read the Staff comments.

**Planning Comments:**
1. Will the developer be contributing their proportionate share of delayed improvements by way of either bill of assurance or bond to the future minor collector shown on the South?

**Engineering Summary:**
Further engineering comments pending construction plans

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

2. **Chapter 106 – Stormwater Drainage**
   
   - **106.4.6** - All piping in right of way and easements must be reinforced concrete.
     
     ▪ Show pipe materials and sizes.
   
   - **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.
     
     ▪ Add trickle channel to pond.
     
     ▪ Hylton Place Phase II may need to be revised to account for changes to Hamlet Street and lot lines.

3. **Chapter 107 – Stormwater Pollution**
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)
   
   - **107.1** - Show & Label all temporary construction stockpiles, parking, entrances, egress, roads, or access as "Temporary" on the Grading or Erosion Control Plan.
     
     ▪ Add the word "Temporary" to all the items listed above, that are included in this project. (Construction Entrance)

   - **107.3**
     
     o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.
     
     o 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.
Chapter 110 – Streets, Sidewalks and Other Public Places

(Ord. No. 3258, § 1, 11-12-02)

- **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.
  - Since the street on the southern property line is not being built with this project, is there a payment-in-lieu set up?
  - Hylton Road must be improved on both sides.

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.
  - All streets within the subdivision boundaries shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-way dedicated when such right-of-way is needed to conform to the master street plan.

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

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.

Mayor Sprouse said that in general they have asked for a collector street that needs to be built. He further stated that he planned to go to Council at some point and ask that they take it on as a City project. He said that he feels that the City should partner with the developer to get the collector built.

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

There were none.

Mr. Peters recommended that the preliminary plat approval be with the waiver of the improvements to the collector street on the south side subdivision with the dedication of right of way approval. Mr. Covert seconded the motion.

**VOTE:**

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

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

F. **FP21-01  Sam's Club**

1517 Gene George Boulevard

Presented by CEI

Justin Reynolds (?) with CEI was present via Zoom on behalf of his client to answer any questions or comments.
Mr. Parsley asked for Staff comments. Mr. Thomas can you provide as to whether or not these streets are remaining private or if you are going to dedicate them.

Mr. Reynolds said that right now they are proposed to remain private but I think Sam's is open to dedicating them if the City if open to it.

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

There were none.

Mr. Peters asked if we know if they are private streets; he said he didn't want the City to take these on and then become a maintenance problem.

Mr. Thomas asked Ms. Hollingshead.

Ms. Hollingshead said that from what Staff remembers they were under the impression that they were outlet streets at the time of construction so they were inspected as public streets.

Mr. Peters moved to approve the final plat subject to Staff comments. Mr. Compton seconded the motion.

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

The final plat was approved by a vote of five (5) yes and one (1) recusal.

Large Scale Developments

A. L21-15  PM Industries, Inc.
2399 Turnbow Avenue
Waiver of sidewalk requirements
Presented by Mathew Loos with Olsson

Mr. Mathew Loos with Olsson was present via Zoom on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Mr. Thomas read the Staff comments.

**Planning 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 L21-15. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (Standard comment)

5. Please make formal application for a waiver of street improvements if the client does not wish to meet these requirements. Although sidewalks may have been waived in the past there are several recent developments within the subdivision which have installed sidewalks.

**Engineering Summary:**

- Submit Grading Permit Application

**Engineering Comments:**

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

2. **Chapter 110 – Streets, Sidewalks and Other Public Places**
   (Ord. No. 3258, § 1, 11-12-02)
   - 110.31 - Sidewalks are required one-foot (1') inside the right-of-way line.
     - Sidewalks shall be constructed with a minimum transverse slope of one-fourth inch (1/4") per foot.
     - The sidewalk shall have a minimum width of five feet (5') and a minimum thickness of four inches (4").
     - The sidewalk shall have expansion joints at each structure, curb and at minimum intervals of 200 feet. Transverse joints between expansion joints shall be scored at five-foot (5') intervals.
     - Need to show details of sidewalks on the right-of-way.
   - 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.
     - If you believe that because the final plat for the Springdale Industrial Park II Phase III subdivision (Dated August, 1997) waived the sidewalk requirements, you will need to ask for a waiver for this project.

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

4. Other:
- 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 made a recommendation to Council to deny the waiver of sidewalk requirements. Mr. Compton seconded the motion.

VOTE:
- YES: Covert, Peters, Compton
- NO: Parker, Parsley, Tyler

Because the vote was a tie of three (3) yes and three (3) no the recommendation to forward to Council for denial was approved.

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

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

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

B. L21-16 Modern Storage, Hwy. 412 Development
4565 West Sunset Avenue
Presented by Joe White and Associates

Mr. Brian Dale with White and Associates was present on behalf of his client to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Mr. Thomas read the Staff comments.

Planning Comments:

Large-Scale Comments:

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

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

4. This development has been given the number L21-16. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)

5. The Northern façade of building 2 appears to be roughly 20' from the property line.

**Commercial Design Standards (Site)**

1. Each commercial establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating areas, pedestrian plaza with benches, transportation center, window shopping walkways, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Planning Commission, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

2. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs shall be installed to designate pedestrian walkways. **Internal pedestrian walkway is currently shown with striping.**

3. General Lighting Standards
   i. Pedestrian Walkway Lighting – pedestrian-level, bollard light, ground-mounted lighting, or other low, glare-controlled fixtures mounted on building or landscape walls shall be used to light pedestrian walkways. **Wall packs lighting pedestrian walkways are shown with a mounting height of 25'**.

**Commercial Design Standards (Architectural)**

1. Predominant exterior building materials shall be high quality materials. These include, without limitation: o Brick o Native/natural stone o Synthetic Stone o Concrete masonry units—standard smooth face units with integral color o Synthetic stucco/EIFS o Architectural precast concrete o Decorative face concrete masonry units, such as splitface, scored, fluted, ground face, burnished, etc. o Glass o Wood – natural or composite **Application for variance will be required for overall predominate materials as shown. (Pre-fabricated metal panels)**

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. **Perimeter Facades**
3. **Engineering Summary:**
- Submit Grading Permit Application
- Revise drainage easement around detention pond
- Include outlet structure detail
- Detention pond should be built with phase 1
- Submit offsite drainage easement

**Engineering Comments:**
1. **Chapter 106 – Stormwater Drainage**
   - 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.
     - Drainage Easement needs to be a full 20 feet around 100 year WSE on all sides.
     - Limits of maximum ponding elevation cannot be closer than 20’ horizontally from any building.
     - Include detail for detention pond outlet structure.
     - Detention pond needs to be included in Phase 1, add note to clarify.
     - Provide erosion control plan for grading phase.
     - Submit offsite drainage easement.

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.

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

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

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

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

There were none.

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

VOTE:

YES: Parker, Parsley, Peters, Tyler, Compton, Covert
NO: None

The large scale was approved subject to Staff comments.

C. L21-17 Burger King
NW Corner of Sam's Club Place Mathias Drive
Presented by Morrison Shipley

Mr. Alan Gaylord with Morrison Shipley was present via Zoom to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Mr. Thomas read the Staff comments.

**Planning 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 L21-17. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)
Engineering Summary:

- Submit Grading Permit Application
- Sidewalks should be 1’ inside ROW

Engineering Comments:

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

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

3. **Chapter 112 – Subdivisions**
   (Code 1973, § 30-1)
   - 112.4 - Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.
     - The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.
     - Label all lights as Proposed or Existing
     - Show the direction of the mast arm
     - Show the size and type of lights based on the location and classification of the street
     - Add note to determine if the light is designed for area parking lot lights or as a street illuminator
     - Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing
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.

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

There were none.

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

**VOTE:**

**YES:** Parsley, Peters, Tyler, Compton, Covert, Parker  
**NO:** None

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

**Board of Adjustment**

A. **B21-32** Gina and Chris Brown  
8545 Sequoia Avenue  
Variance for deviation of rear setback from 20' to 0'  
Presented by Blew & Associates

Ms. Amanda Hallmark with Blew and Associates was present via Zoom on behalf of her client to answer any questions or comments. She said that it will just be an in ground pool with no cabana, just a pool.
Mr. Parker asked if it needed to be zero. He said it looked like the pool would be eight and a half from the property line.

Ms. Hallmark said that they were just trying to make room for the pool but they are willing to change the request to 8' if need be.

It was decided to change the setback from 0' to 8'.

Mr. Covert called for the vote.

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

The variance was approved by a unanimous vote.

B. B21-33
Darrell Scott and Gretchen Silva
1802 Westwood Avenue
Variance for deviation of rear setback from 20' to 10'
Presented by Darrell Scott & Gretchen Silva

Mr. Scott and Ms. Silva were present to answer any questions or comments. They said they would like to install an in ground pool.

Mr. Parsley asked for Staff comments.

Mr. Thomas said Staff had no comments.

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

There were none.

Mr. Covert called for the vote.

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

The variance request was approved by a unanimous vote.

C. B21-34
Kevin Doffin
1903 Melissa Lane
Variance for deviation or rear setback from 20' to 10'
Presented by Kevin Doffin

Mr. Doffin was present to answer any questions or comments. He said that there is a driveway behind his property that is supposed to be used just for school traffic. He said he is a high traffic street.

Mr. Parsley asked for Staff comments.

Mr. Thomas asked for the pictures of the materials to be used. He asked Mr. Doffin if he was planning to use the subject materials for his shed.

Mr. Doffin said that he was. He said it will either be batten or flat board siding and a metal roof.

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

Mr. Charlie Smith who owns a house next door to Mr. Doffin spoke. He said that he is against the request. He said that the building that is being built is 26 x 60 and it looks like Mr. Doffin is going to use white sheet metal for the building. His main concern is that if he is allowed to build it will cause property values to go down. He further stated that the building was too big for the back yard.

Karen (no last name given) lives at 1905 Melissa Lane. She said that some of her concerns is that there is flooding and she is afraid that this building would create more flooding problems for the neighborhood. She also feels that the property values will decrease and she questioned the sturdiness of the structure. She said that from her back yard, they will not be able to see anything if Mr. Doffin is allowed to build that large of a building. She said that she talked to the neighbors and they said they were against this large of a building.

Mr. Aaron Brown with Cross Church spoke. He said they are opposed to the building, again pointing out flooding issues. They are also concerned about the private drive. He said that in the past they had closed the gate but in recent years have not been closing it; however, they are open to closing it again just for a safety perspective.

Mr. Doffin said that he thought he had a building permit. He had spoken with the building department before the items in his back yard were brought in. He further stated that he had concrete ordered that he cancelled for the footing. He said that building department said that he was good to go. When he went to get his permit, he was told that there is a 20' setback and that is why he is here. The metal is for the roof only. He said that with this project he would be changing the overhead power to underground power.

Mr. Smith said that the building is pretty good size and that it is bigger in square footage than most of the houses in the neighborhood.

Ms. Joy Allyton (?) lives at 1907 Melissa. She said her worry is that that big of a building not allow for water absorption and there would be more run off.
Mr. Covert called for the vote.

**VOTE:**

**YES:** Covert  
**NO:** Compton, Parker, Parsley, Peters Tyler

The variance was denied by a vote of one (1) yes and five (5) no.

Ms. Christie said that he can appeal the decision to the Circuit Court.

D. B21-35 **Wanda George**  
503 Crestwood Street  
Variance for deviation of paving requirements  
Presented by Robert George

Mr. George was present on behalf of his mother to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Mr. Thomas asked if it was graveled to the property line.

Mr. George said that it was.

It was determined that the 3’ side setback was not needed so they decided that a second variance wasn’t needed.

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:** Covert, Parker, Parsley, Peters, Tyler, Compton  
**NO:** None

The variance was approved by a unanimous vote.

E. B21-36 **Jimmie Cook**  
98 W. Bailey Avenue  
Variance for deviation of  
(A) front setback from 30' to 9'  
(B) side setback from 8' to 3'

52
Ms. Cook was present to answer and questions or comments. She said she wants to put a carport and she said that the houses are so close together; there is no room so it would have to go in the front of her house.

Mr. Parsley asked for Staff comments.

Mr. Thomas asked if she were parking a single vehicle.

Ms. Cook said that she was getting a double carport so that she can park in the middle of it so that when she gets out of her car she won't hit a post.

Mr. Thomas asked Mr. Stith if there any fire issues when asking for a 3' side setback.

Mr. Stith said that the fire separation is 5' they can't do anything more than 5'.

Mr. Thomas asked if Ms. Cook was willing to adjust the setback from 3' to 5'.

Ms. Cook agreed to change the side setback request from 3' to 5'.

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

There were none.

Mr. Compton called for the vote.

**VOTE:**

**YES:** Parker, Parsley, Peters, Tyler, Compton, Covert

**NO:** None

The variance was approved by a unanimous vote.

F. B21-37  
**Iola Walton**
4169 Bel Air Road
Variance for deviation of paving requirements with
A two (2) year Bill of Assurance
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 brought forward at last month's meeting a conditional use for a tandem lot and now they are asking for a variance for the required paved access with a two (2) year Bill of Assurance.
Mr. Parsley asked for Staff comments.

Mr. Thomas said there were none.

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:** Parsley, Peters, Tyler, Compton, Covert, Parker
- **NO:** None

The variance with a two (2) year Bill of Assurance was approved by a unanimous vote.

G. B21-38 Allen & Marjorie Hignite
3904 Mayes Avenue
Variance for deviation of fence height requirement from
3' to 5'
Presented by Allen & Marjorie Hignite

Mr. and Mrs. Hignite were present to answer any questions or comments. Mr. Hignite said that the fence is black rail.

Mr. Parsley asked for Staff comments.

Mr. Thomas said Staff had no comments.

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:** Peters, Tyler, Compton, Covert, Parker, Parsley
- **NO:** None

The variance was approved by a unanimous vote.

H. B21-39 Mathew & Jessica Boring
5286 North Graham Road
Variance for deviation of paving requirements
Presented by Mathew Boring

Mr. Boring was present to answer any questions or comments. He said that they would like a variance for deviation of paving with a two (2) year Bill of Assurance.

Mr. Parsley asked for Staff comments.

Mr. Thomas said that when the conditional use was heard prior to Mr. Boring purchasing the property, it was stated at that time that the easement was paved, but it wasn't. Mr. Thomas also asked Mr. Stith about the paving for fire apparatus.

Mr. Stith said that because the lot at the top has access off of Callahan Road, there was no need for paving at this time.

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

There were none.

Mr. Compton called for the vote.

VOTE:

YES: Tyler, Compton, Covert, Parker, Parsley, Peters
NO: None

The variance was approved by a unanimous vote.

I. B21-41 Omar Cortes-Rios & Manuela Hernandez
   3934 Serene Street
   Variance for deviation of side setback from 8’ to 3’
   Presented by Omar Cortes-Rios

This was tabled until the June 1, 2021 meeting.

Waivers

A. W21-05 Huey and Betty Couch
   2675 North 56th Street
   Waiver of sidewalk requirement
   Presented by Huey Couch

Huey Couch was present to answer any questions or comments. He said they are building off of 56th street on a eight acre tract of land. He further stated that the only sidewalks that exist is at the Vinciza Subdivision for 55 and older and the Saddleridge Subdivision.
Mr. Parsley asked for Staff comments.

Mr. Thomas said that Staff has no comments.

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. Tyler seconded the motion.

**VOTE:**

**YES:** Compton, Covert, Parker, Parsley, Tyler

**NO:** Peters

The waiver of sidewalk requirement was approved by a vote of five (5) yes and one (1) no.

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

B. W21-06 Scott and Cheryl Scruton  
8246 W. Wagon Wheel Road  
Waiver of sidewalk requirement  
Presented by Wendell Adams, Adams Investments of NWA

Mr. Adams was present on behalf of his clients to answer any questions or comments.

Mr. Parsley asked for Staff comments.

Mr. Thomas said that Staff had no comments.

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. Tyler seconded the motion.

**VOTE:**

**YES:** Covert, Parker, Parsley, Tyler, Compton

**NO:** Peters

The waiver of sidewalk requirement was approved by a vote of five (5) yes and one (1) no.
Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, May 25, 2021 at 6:00 p.m. in Council Chambers.

Planning Director’s Report

Ms. Christie said there is a work session scheduled for Tuesday, May 18, 2021 at 5:30 p.m. to continue discussion of the land use plan.

Adjourn

There being no further business to discuss the meeting was adjourned at 8:41 p.m.

____________________________________________________________
Kevin Parsley, Chairman

____________________________________________________________
Ben Peters, Secretary

____________________________________________________________
Patsy Christie, Director, Planning and Community Development Division

____________________________________________________________
Debbie Pounders, Recording Secretary
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: Omar Cortes-Bias

Applicant's Mailing Address:

3934 Serene St. 910-320-1674
Street Address or P.O. Box  
Springdale AR 72764
City, State & Zip Code

Property Owner's Name
(If different from Applicant): Omar Cortes-Bias

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

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

Address of Variance Request: 3934 Serene St, Springdale, AR 72764

Zoning District: SF-2

The following information should be attached to this application:

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

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

SETBACK VARIANCES: ☐ Not Applicable

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

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

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

Variance: Front: Side: 3 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 build a porch with a roof by the backyard sliding door to protect the door from the weather.

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):

   Not having any roof or cover by the sliding door is causing a lot of humidity indoors. The covered porch would protect from rain causing moisture.

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):

   

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 in a flood zone, we are working on draining installing proper drainage to help with the damage. This may help. The flood zone takes away from the value of the property, I believe adding this covered porch would add value.
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

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

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

VERIFICATION

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

Applicant Signature*

Property Owner Signature*

(If different from Applicant)

Applicant Signature*

Property Owner Signature*

(If different from Applicant)

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

State of Arkansas ) ss.
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14 day of

April, 2021.

DEBBIE A. POUNDERS
OFFICIAL SEAL - NOTARY PUBLIC
WASHINGTON COUNTY ARKANSAS
COMMISSION # 12402005
MY COMMISSION EXPIRES 12-10-2024

Notary Public
FILE NO. B21-41

APPLICANT: Omar Cortes-Rios

REQUEST: Variance - Deviation of side setback from 8' to 5'

PLANNING COMMISSION MEETING
June 1, 2021
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-25 Rezone

A request by Hylton Road Estate, LLC (Kevin Riggins) for Planning Commission approval of a zone change from Agricultural District (A-1) to Low/ Medium Density Single Family Residential District (SF-2) for a tract of land containing 8.94 acres.

LOT LOCATION AND SIZE
The 8.94 acre tract is located west side of Hylton Road, approximately .45 miles south of Don Tyson Parkway.

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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<tr>
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REQUESTED ZONING
The rezoning application requests a SF-2 Low/Medium Density Single Family Residential District. The district is designed to permit and encourage the development of single-family detached dwellings on smaller lots to encourage flexibility in housing and lot sizes.

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

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

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

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

AREA REGULATIONS
(1) LOT AREA. There shall be a lot area of not less than eight thousand (8,000) square feet. In addition, there shall be a minimum lot width of not less than seventy (70) feet on a public street at the front setback line.
(2) DENSITY. Four (4) units per acre.
(3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.
(4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than eight (8) feet.
(5) REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

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<td>Zero-lot line</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.

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The acre to the north, east, and south are being developed as residential subdivisions in A-1 and PUD zoning. The acre to the west is undeveloped outside the city limits.

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

The Master Street Plan indicates Hylton 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:
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 Hylton Road Real Estate, LLC the record property owners, petitioning to rezone the following described area:

**Legal Description:**
PART OF THE SOUTH TEN ACRES OFF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 17 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 17 NORTH, RANGE 29 WEST, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1429"; THENCE ALONG THE EAST LINE OF SAID SECTION 17, N02°34'53"E A DISTANCE OF 1315.63 FEET TO THE SOUTHEAST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 17 A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING N02°34'53"E A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, N87°31'53"W A DISTANCE OF 1321.58 FEET TO THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE ALONG SAID WEST LINE, N02°31'04"E A DISTANCE OF 292.99 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID WEST LINE, S87°40'46"E A DISTANCE OF 1321.92 FEET TO THE EAST LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE ALONG SAID EAST LINE, S02°34'53"W A DISTANCE OF 296.41 FEET TO THE POINT OF BEGINNING. CONTAINING 8.94 ACRES – 389,516 SQ.FT., MORE OR LESS.

Layman’s Description: Approximately 9 acres at the south end of and along the west side of Hylton Road. Property is approximately 1,200 feet south of Butterfly Avenue in Springdale, Washington County, Arkansas.

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 addresses 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 classifications:

FROM (current zoning)   A-1 (Agricultural District)______________________________

TO (proposed zoning)   SF-2 (Low/Medium Density Single 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, or 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 Single Family Residential Subdivision.

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows:   None anticipated–requested zoning district is consistent with zoning of existing/planned neighborhoods in the surrounding area.

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

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

Authorized Representative:   Engineering Services, Inc.

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

PETITIONER/OWNER:   (Hylton Road Real Estate, LLC)

MAILING ADDRESS:   c/o ESI at P.O. Box 282, Springdale, AR  72765

TELEPHONE:   (479) 751-8733   DATE:   May 12, 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.

(Property Owner Signature)

(Property Owner Signature)

State of Arkansas  )
County of Washington  ) ss.

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

Notary Public
FILE NO. R21-25
APPLICANT: Hylton Road Real Estate, LLC
REQUEST: Rezoning from agricultural (A-1) to single family residential (SF-2)
Memo

To:           PLANNING COMMISSION MEMBERS
From:         Patsy Christie, Planning Director
Date:         May 24, 2021
Re:           R21-27 Rezone

A request by G&C Family, LLC (Jeffery J. Gearheart) 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 2.72 acres.

LOT LOCATION AND SIZE
The 2.72 acre tract is located at 1710 S. Powell Street, west side of Powell Street and south of Sisters Avenue.

A vicinity map is attached.

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

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

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

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

AREA REGULATIONS
SETBACKS:
- Front setback: 30’
- Front setback if parking is allowed between R-O-W 50’ and the building
- Side setback: 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 contains a commercial/industrial structure. The area to the north contains single family dwellings in MF-12 zoning. The area to the east and south contains commercial uses in C-2 zoning. The area to the west contains single family dwellings in MF-12 zoning and a detention pond in O-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates Light Industrial/Warehouse.

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

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

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

- Assure adequate land allocation for industrial growth protected from encroachment by non-industrial use.
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 GTC Family, LLC.

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

Legal Description:

Layman’s Description:

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

The Petitioner requests the following zoning classification:

FROM (current zoning)    C2

TO (proposed zoning)    Industrial
The **Petitioner's** immediate intentions are to:

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

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

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

   ____________________________________________

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: 214 S. First St. Rogers, AR 72756

**PETITIONER/OWNER SIGNATURE**

Mailing Address: 2821 Randle Place Suite 1 Springdale, AR 72764

Telephone: 479-427-0807 Date: 9-14-21

75
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)
GIC Family, LLC

(Property Owner)

State of Arkansas           )
) ss.
County of Washington         )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14th day of April, 2021.

"OFFICIAL SEAL"
SCOTT EDMONDSON
Notary Public, State of Arkansas
County of Washington
Commission #12400521
My Commission Expires 8/26/2024
FILE NO. R21-27
APPLICANT: G&C Family, LLC
REQUEST: Rezoning from C-2 (commercial) to I-1 (industrial)
Memo

To: PLANNING COMMISSION MEMBERS  
From: Patsy Christie, Planning Director  
Date: May 24, 2021  
Re: R21-28 Rezone

A request by Brenda Lazenby for Planning Commission approval of a zone change from Medium Density Multi-Family Residential District (MF-12) to Planned Unit Development District (PUD) for a tract of land containing 15 acres.

LOT LOCATION AND SIZE
The 15 acre tract is located north of 3018 E. Robinson Avenue, east of Apple Butter 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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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 rezoning application requests a PUD Planned Unit Development district. The District is established to permit the subdivision of land and zoning review into one process. The combination review permits a development proposal to be acted upon simultaneously by the developer and the city. This system is advantageous when the developer that plats the land and provides access and utilities also provides the amenities that make the overall project marketable. An additional advantage is that the approved PUD plan remains intact even if transfer in ownership occurs. The approved PUD plan represents a commitment by both the developer and the city.

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

The PUD should:

(1) Facilitate and encourage a maximum of social and community interactions and activity among those who live, shop, play and work there.
(2) Provide open space not only for traditional private use in setbacks and yards surrounding structures, but also conveniently located with respect to points of residential and commercial concentration for the general benefit of the community and public as places for relaxation, recreation and social activity.
(3) Provide a comprehensive, multi-modal circulation system separated from vehicular roadways which links residential, non-residential and open space areas
(4) Preserve the natural environment by minimizing the grading necessary for construction.
(5) Achieve a maximum of safety, convenience and amenity for both the residents of the PUD and the residents of neighboring areas and assure compatibility with existing and proposed surrounding land uses.

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

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

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

SITE PLAN REVIEW
When a proposal is made to develop a Planned Unit Development, a PUD Site Plan review shall be required. See Article 6, Section 5 of this chapter for the Planned Unit Development application review procedure.
DENSITY, BULK, AREA AND YARD REGULATIONS

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

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

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

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

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract is undeveloped. The area to the north and west contain single family dwelling and accessory structure in SF-2 and MF-4 zoning. The area to the east is vacant and zoned MF-12. The area to the south is undeveloped in C-5 zoning.

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

The Master Street Plan indicates Robinson Avenue as an 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.

- 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.
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 Brenda J. Lazenby, the record property owners, petitioning to rezone the following described area:

Legal Description:

See Attached Legal Description  Parcel 815-30506-000

Layman’s Description: Approximately 15 acres situated behind 3018 East Robinson Avenue (U.S. Highway 412). Property is located approximately 150 feet east of Apple Butter Street and approximately 700 feet west of Butterfield Coach Road in Springdale, Washington County, Arkansas.

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 addresses 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 classifications:

FROM (current zoning) MF-12 (Medium Density Multi-Family Residential District) __

TO (proposed zoning) PUD (Planned Unit Development)
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, or other contract for conveyance of title **YES** (Yes or No).

2. **Develop** the property **NO** (Yes or No), and if so, the proposed use is **N/A**. (Note: Development of residential PUD by others is anticipated, but not by Petitioner).

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **None anticipated**—proposed PUD is for a single family residential development and existing adjacent uses to north and west are residential. Adjacent property to the east is vacant, and proposed PUD will not impact existing commercial uses along this portion of Robinson Avenue in this area.

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

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

Authorized Representative: Engineering Services, Inc.

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

PETITIONER/OWNER: 

(Brenda Lazenby)

MAILING ADDRESS: 3018 East Robinson Avenue, Springdale, AR 72764

TELEPHONE: (479) 530-6224 DATE: April 29, 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.

______________________________
(Property Owner Signature)

______________________________
(Property Owner Signature)

State of Arkansas  )
  ) ss.
County of Washington  )

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

______________________________
Notary Public
PROPERTY TO BE REZONED
±15.12 ACRES
CURRENT ZONING: MF-12
PROPOSED ZONING: PUD
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-29 Rezone

A request by Amber Mendez and Rodolfo Valezquez for Planning Commission approval of a zone change from Agricultural District (A-1) to High Density Multi-Family Residential District (MF-24) for a tract of land containing 7 acres.

LOT LOCATION AND SIZE
The 7 acre tract is located at 1297 Cooper Drive, south side of Cooper Drive, west of N. Thompson Street.

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-24 High Density Multi-family Residential District. The district is established to provide areas for development of the maximum number of dwelling units per acre. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots. MF24 districts 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-24 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 five thousand (5,000) square feet for a single family dwelling; six thousand (6,000) square feet for a duplex; eight thousand five hundred (8,500) for a triplex; ten thousand five hundred (10,500) for a four-plex; and more than four-plex thirteen thousand (13,000) plus one thousand five hundred (1,500) square feet per unit. In addition, there shall be a minimum lot width of not less than sixty (60) feet for one family; seventy (70) feet for two family; eighty (80) feet for three family or larger on a public street at the front setback line for all dwelling unit types.

(2) DENSITY. Twenty four (24) 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 a single family dwelling and accessory structures in A-1 property. The area to the north contains multifamily residential structures in MF-12 and MF-24 zoning. The area to the east contains office/industrial uses in I-1 zoning. The area to the south and east is undeveloped in A-1 and SF-2 zoning and a floodway.

LAND USE PLAN AND MASTER STREET PLAN

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

The Master Street Plan indicates Cooper Drive as a local street.

STAFF COMMENTS AND RECOMMENDATIONS

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

✓ Protect the positive aspects of neighborhood character throughout the City.

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

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

✓ Encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale.
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 AMBAR MENDEZ & RODOLFO VELAZQUEZ

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

Legal Description: PARCEL: 815-29706-000

Part of the Southwest Quarter of the Northeast Quarter of Section 26 in Township 18 North of Range 30 West, Washington County, Arkansas, described as follows: Beginning at a point 198 feet North of the Southeast corner of said 40 acre tract on the North bank of the creek, and running thence North 1122 feet; thence West 283.80 feet; thence South 1017.06 feet to the North Bank of the creek; thence Southeasterly along the bank of the creek to the point of beginning.

Subject to easements, right-of-ways, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases, if any.

Layman's Description: 1297 COOPER DRIVE, SPRINGDALE, AR

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

The Petitioner requests the following zoning classification:

FROM (current zoning) A-1

TO (proposed zoning) MF-24
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 After selling, the new owner intends to develop for multi-family use .

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: NONE ANTICIPATED

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

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

Authorized Representative: Kellye E. Hamblen

Address: 11989 N. Hwy 170, Farmington, AR 72730

AMBAR MENDEZ, PETITIONER/OWNER [Signature]
MAILING ADDRESS: 1247 Cooper Dr, Springdale, AR 72764
TELEPHONE: 479-879-3398 DATE: 5/10/2021

RODOLFO S. VELAZQUEZ, PETITIONER/OWNER [Signature]
MAILING ADDRESS: 1297 Cooper Dr, Springdale, AR 72764
TELEPHONE: 870-784-4763 DATE: 5/10/2021
VERIFICATION

I, the undersigned, hereby 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
Ambar Mendez

State of Arkansas  )
) ss.
County of Washington )

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

WITNESS
JESSE WARREN
Notary Public - Arkansas
Washington County
Commission # 12712950
My Commission Expires Jan 25, 2031

SIGNATURE
Rodolfo S. Velazquez

State of Arkansas  )
) ss.
County of Washington )

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

WITNESS
JESSE WARREN
Notary Public - Arkansas
Washington County
Commission # 12712950
My Commission Expires Jan 25, 2031
FILE NO. R21-29
APPLICANT: Amber Mendez & Rodolfo Velazquez
REQUEST: Rezoning from agricultural (A-1) to multifamily (MF-24)
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-30 Rezone

A request by John A. Mathias for Planning Commission approval of a zone change from General Commercial District (C-2) to High Density Multi-Family Residential District (MF-24) for a tract of land containing 17.11 acres.

LOT LOCATION AND SIZE
The 17.11 acre tract is located at 1002 and 1235 Cooper Drive, south side of Cooper Drive, west of N. Thompson Street.

A vicinity map is attached.

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

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

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

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

AREA REGULATIONS
SETBACKS:
- Front setback: 30’
- Front setback if parking is allowed between R-O-W: 50’
- 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 MF-24 High Density Multi-family Residential District. The district is established to provide areas for development of the maximum number of dwelling units per acre. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots. MF24 districts 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.
Private greenhouses and horticultural collections.

Flower and vegetable gardens.

Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW
When a conditional use is proposed in an MF-24 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 five thousand (5,000) square feet for a single family dwelling; six thousand (6,000) square feet for a duplex; eight thousand five hundred (8,500) for a triplex; ten thousand five hundred (10,500) for a four-plex; and more than four-plex thirteen thousand (13,000) plus one thousand five hundred (1,500) square feet per unit. In addition, there shall be a minimum lot width of not less than sixty (60) feet for one family; seventy (70) feet for two family; eighty (80) feet for three family or larger on a public street at the front setback line for all dwelling unit types.

(2) DENSITY. Twenty four (24) 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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</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.

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 is undeveloped. The acre to the north contains multifamily, residential structures in MF-12 zoning.

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

The Master Street Plan indicates Cooper Drive as a local street.

STAFF COMMENTS AND RECOMMENDATIONS

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

✓ Protect the positive aspects of neighborhood character throughout the City.

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

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

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

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

Legal Description: PARCELS 815-29701-000 & 815-29702-000

TRACT A
THE EAST HALF (E 1/2) of the WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, CONTAINING 10 ACRES, MORE OR LESS, LESS AND EXCEPT: A PART OF THE EAST HALF (E 1/2) OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TEN ACRE TRACT FOR A BEGINNING CORNER TO THE LANDS HEREBY INTENDED TO BE CONVEYED; THENCE NORTH 250 FEET; THENCE EAST 330 FEET; THENCE SOUTH 250 FEET; THENCE WEST 330 FEET TO THE BEGINNING CORNER.

TRACT B
PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-SIX (26) TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID 40 ACRE TRACT; THENCE SOUTH 1,171.89 FEET TO THE NORTH BANK OF A CREEK; THENCE NORTH 74 DEGREES 41'57" EAST 342.06 FEET ALONG THE NORTH BANK OF SAID CREEK; THENCE NORTH 1,075.37 FEET TO THE NORTH LINE OF SAID 40 ACRE TRACT; THENCE NORTH 88 DEGREES 54'55" WEST 330.00 FEET TO THE POINT OF BEGINNING.

Layman's Description: 1001 & 1235 COOPER DRIVE, SPRINGDALE, AR

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2
TO (proposed zoning) MF-24
The Petitioner's immediate intentions are to:

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

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

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **NONE ANTICIPATED**

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

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

Authorized Representative: Kellye E. Hamblen

Address: 11989 N. Hwy 170, Farmington, AR 72730

PETITIONER/OWNER

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)

State of Arkansas   )
County of Benton   ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 7th day of May, 2021.

WITNESS

Notary Public
FILE NO. R21-30
APPLICANT: John Mathias
REQUEST: Rezoning from commercial (C-2) to multifamily (MF-24)
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-31 Rezone

A request by ISC Properties, LLC (Greg Edwards) for Planning Commission approval of a zone change from Thoroughfare Commercial District (C-5) to Light Industrial District (I-1) for a tract of land containing 11.57 acres.

LOT LOCATION AND SIZE
The 11.57 acre tract is located at 2200, 2300, and 2400 S. Old Missouri Road, west side of S. Old Missouri Road and south of Robinson Avenue.

A vicinity map is attached.

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

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

DEVELOPMENT CRITERIA
i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
ii. All of the lot used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

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

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

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

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

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

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:

<table>
<thead>
<tr>
<th>Type of Setback</th>
<th>Minimum Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front setback</td>
<td>30'</td>
</tr>
<tr>
<td>Front setback if parking is allowed between R-O-W and the building</td>
<td>50'</td>
</tr>
<tr>
<td>Side setback</td>
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</tr>
<tr>
<td>(subject to applicable fire and building codes)</td>
<td></td>
</tr>
<tr>
<td>Rear setback</td>
<td>25'</td>
</tr>
<tr>
<td>Setbacks adjacent to residential uses</td>
<td>50'</td>
</tr>
</tbody>
</table>

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 industrial/warehouse structures with office space that was rezoned from I-1 zoning to C-5 zoning in 2017. The area to the north contains an industrial use in I-1 zoning with the southwest corner of the intersection of Robinson Avenue and Old Missouri zoned C-2 containing parking and landscaping. The area to the east contains commercial uses in C-2 and C-4 zoning. The area to the south contains an industrial use in I-1 zoning. The area to the west contains a mobile home park in MHP zoning and an industrial zone in I-1 zone.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates Regional Commercial and Light Industrial/Warehouse.

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

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

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

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

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

Layman’s Description: 2200, 2300 and 2400 S. Old Missouri Road

Legal Description: A part of the fractional NW 1/4 of Section 7, township 17 North, Range 29 West of Washington County, Arkansas, more particularly described as follows: Beginning at a set iron pin, said pin being located South 00 degrees 02'07" East a distance of 692.57 feet from the found nail and bottle cap at the Northwest corner the fractional NW 1/4 of said Section 7, and run hence South 00 degrees 02'07" East 348.42 feet to a set iron pin, thence North 89 degrees 45'52" East 538.75 feet to a set iron pin located on the West right of way of Highway 265, thence Nor 04 degrees 27'37" West and with said right of way line 349.36 feet to a chiseled "X", thence South 89 degrees 45'52" West 511.79 feet to the point of beginning.

ALSO
A part of the Fractional Northwest Quarter (NW1/4) of Section seven (7), Township seventeen (17) North, Range twenty-nine (29) West, Washington County, Arkansas, more particularly described as follows: Beginning at a set iron pin, said pin being located South 00 degrees 02 minutes 07 seconds East a distance of 1048.99 feet from the nail and bottle cap at the Northwest corner of the Fractional Northwest Quarter (NW1/4) of said Section seven (7), and run hence South 00 degrees 02 minutes 07 seconds East 259.28 feet to a found iron pin, thence North 89 degrees 45 minutes 52 seconds East 558.81 feet to a found iron pin located on the West right of way line of Highway 265, thence North 04 degrees 27 minutes 37 seconds West with said right of way line 260.0 feet to a set iron pin, thence South 89 degrees 45 minutes 52 seconds West 538.75 feet to the beginning.

ALSO
A part of the Fractional Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 7, Township 17 North, Range 29 West in Washington County, Arkansas, more particularly described as follows: Beginning at a point 321.44 feet South of the NW corner of said Fraction NW 1/4, and running thence South 371.13 feet, thence North 89 degrees 47 minutes 59 seconds Easts 497.9 feet to the West right of way of State Highway 265; thence North 4 degrees 33 minutes 18 seconds West with said right of way 269.76 feet, thence Northerly along a curve to the right with said right of way, the radius of said curve being 5769.58 feet and the long chord bearing North 4 degree 25 minutes 42 seconds West 99.60 feet, a distance of 99.61 feet; thence North 89 degrees 51 minutes 18 seconds West 468.78 feet to the point of beginning, containing 4.10 acres, more or less.

The Petitioner hereby states by oath that:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-3
TO (proposed zoning) I-1
The Petitioner’s immediate intentions are to:

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

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

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: 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: Casey Edwards
Address: 2601 Cambridge Springs Avenue, Arkansas 72764

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS: __________________________________________

TELEPHONE: ______________________ DATE: ______________

111
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 10th day of May, 2021.

[Signature]
Notary Public
FILE NO. R21-31
APPLICANT: ISC Properties, LLC
REQUEST: Rezoning from commercial (C-5) to industrial (I-1)
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-32 Rezone

A request by Berean Properties, LLC (Derl Howerton) for Planning Commission approval of a zone change from Thoroughfare Commercial District (C-5) to Large Product Retail Sales (C-6) for a tract of land containing .92 acres.

LOT LOCATION AND SIZE
The .92 acre tract is located at 707 S. 48th Street, east side of S. 48th Street at the intersection of Central Drive.

A vicinity map is attached.

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

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

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

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

iv. No article or material stored or offered for sale in connection with the permitted or
conditional uses listed herein shall be stored or displayed outside the confines of the
building unless it is so screened by a permanent opaque screening fence or wall so
that is cannot be seen from an adjoining lot. The following screening and display
criteria shall apply to uses located in the C-5 open display district:

b. Automobile, truck, tractor, mobile home, boat or motorcycle sales areas are
not required to screen fully assembled merchandise that is ready for sale.

c. No permanent open display will be permitted on sidewalks, or public right-of-
way.

d. Automobile service stations shall be permitted open display of merchandise
commonly sold by such operations as long as the area of said display is not
taller than the building nor larger than an area equal to one-half of the façade
areas of the front of the building.

e. Automobile service stations may be used for the storage of rental trucks or
trailers, provided, however, the storage space shall be paved, shall not
exceed four thousand (4,000) square feet in area and the above screening
requirements are met.

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

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

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

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

REQUESTED ZONING
The requested zoning for this tract is a C-6 Large Product Retail Sales District. The district is established in order to provide adequate locations for retail uses which serve the needs of the motoring public and are characterized by a high level of vehicular ingress and egress. Among these uses, are automobile and other vehicular service establishments. The C-6 district is also intended to provide a location for the limited amount of merchandise, equipment and material being offered for retail sale that, because of the type of material or transportation requirements, is suitable for display and storage outside the confines of an enclosed building. Such uses are not generally compatible with pedestrian-oriented commercial districts and shopping centers since they tend to obstruct and interfere with pedestrian movement. Appropriate locations for this district are along heavily traveled major traffic arterials.

DEVELOPMENT CRITERIA
i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
ii. All of the lost used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.
iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
iv. No article or material stored or offered for sale in connection with the permitted or conditional uses listed herein shall be stored or displayed outside the confines of the building unless it is so screened by a permanent opaque screening fence or wall so that it cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the C-6 large product retail sales.
   a. Except as provided in Use Unit 43: Automobile Sales-Damaged Vehicles, automobile, truck, tractor, mobile home, boat or motorcycle sales areas are not required to screen fully assembled merchandise that is ready for sale.
   b. No permanent open display will be permitted on sidewalks, or public right-of-way.
   c. Automobile service stations shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not taller than the building nor larger than an area equal to one-half of the façade areas of the front of the building.
   d. Automobile service stations may be used for the storage of rental trucks or trailers, provided, however, the storage space shall be paved, shall not exceed four thousand (4,000) square feet in area and the above screening requirements are met.
v. There shall be no open display of any kind whatsoever in the first twenty (20) feet of the required front yard setback.
ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW
When a conditional use is proposed in a C-6 district a site plan review shall be required. See article 2, section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS
There shall be no maximum height limits in C-6 district; provided, however, that any building which exceeds the height of twenty (20) feet shall be set back from any boundary line of any residential district a distance of one (1) foot for each foot of height in excess of twenty (20) feet.

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

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

GREENSPACE
Each developed lot shall provide and maintain:
1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5’ landscaped area and a six (6) foot opaque screen shall be required.
2. Landscaping, including grass, shrubs and trees, and without structure or pavement, or 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 commercial structure. The area to the north and east contain commercial uses in C-5 zoning. The area to the south contains a commercial use in C-2 zoning. The area to the west contains residential uses in A-1 zoning.

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

The Master Street Plan indicates 48th Street as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS
The rezoning request is not in keeping with the Comprehensive Land Use Plan and is not recommended for approval: current zoning is in keeping with the land use plan.
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 [Name]

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

Legal Description:

A part of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 4, Township 17 North, Range 30 West, more particularly described as beginning at a point South 00°18'08" East 917.67 feet from the Northwest corner of said 40 acre tract; thence South 89°16'45" East 290.40 feet; thence South 00°18'08" East 138.00 feet; thence North 89°16'45" West 290.40 feet; thence North 00°18'08" West 138.00 feet to the point of beginning, containing 0.92 acres, more or less, subject however to rights-of-way and easement for county road along the West end and for street along the South side of said lands.

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

The Petitioner requests the following zoning classification:

FROM (current zoning)  C 5

TO (proposed zoning)  C 6
The Petitioner’s immediate intentions are to:

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

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

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Property is to be used to sell used vehicles and repair vehicles.

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

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

Authorized Representative: ___________________________

Address: 93- W. MIlwaukee Lake Ave, Apt 1, Englewood, FL 33603

PETITIONER/OWNER SIGNATURE ___________________________

MAILING ADDRESS: 218 Pinkley Rd, Springfield, AR 72762

TELEPHONE: 479-927-9943 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 ) ss.

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

MARCH, 2021

[Notary Public's Seal]

Darlene Marie Waskock
Notary Public
FILE NO. R21-32
APPLICANT: Berean Properties, LLC
REQUEST: Rezoning from commercial (C-5) to commercial (C-6)
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-33 Rezone

A request by Terry and Lavona Presley for Planning Commission approval of a zone change from Agricultural District (A-1) to General Commercial District (C-2) for a tract of land containing 4.88 acres.

LOT LOCATION AND SIZE
The 4.88 acre tract is located on the west side of S. 64th Street, south of Watkins Avenue.

A vicinity map is attached.

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

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

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

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

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

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

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 and east is undeveloped in C-5 zoning. The area to the south and west is undeveloped in A-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates southwest overlay district for the area.

The Master Street Plan indicates S. 64th Street as a local street.

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

- 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: Parcel 815-30838-800

A PART OF THE NE1/4 SW1/4 OF SECTION 8, T-17-N, R-30-W, IN THE CITY OF SPRINGDALE, IN WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND COTTON SPINDLE FOR THE SE CORNER OF SAID NE1/4 SW1/4, THENCE ALONG THE EAST LINE OF SAID NE1/4 SW1/4 N 02°27'17" E 518.66 FEET TO THE TRUE POINT OF BEGINNING (A SET IRON PIN BEARS N 87°32'02" W 12.81 FEET FROM THIS POINT), THENCE N 87°32'02" W 410.83 FEET TO A SET IRON PIN, THENCE N 03°02'31" E 204.88 FEET TO A FOUND IRON PIN, THENCE N 02°36'55" E 319.19 FEET TO A FOUND IRON PIN, THENCE S 86°24'32" E 407.91 FEET TO A POINT ON THE EAST LINE OF SAID NE1/4 SW1/4 (A FOUND IRON PIN BEARS N 86°24'32" W 25.33 FEET FROM THIS POINT), THENCE S 02°27'17" W 516.04 FEET TO THE POINT OF BEGINNING, CONTAINING 4.88 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

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

The Petitioner requests the following zoning classification:

FROM (current zoning) A-1

TO (proposed zoning) Commercial C-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 **_______** (Yes or No).

2. **Develop** the property **YES** (Yes or No), and if so, the proposed use is **office & storage/Trades & Storage**.

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

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

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

Authorized Representative: ____________________________________________

Address: ____________________________________________________________

PETITIONER/OWNER **SIGNATURE**

MAILING ADDRESS: 1612 madison 8735 huntsville

TELEPHONE: cell 479 790-6748 DATE: 5-11-21

+1p@ madison county.net
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 12th day of
May, 2021.

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

Commission Expires 4-18-2030
FILE NO. R21-33
APPLICANT: Terry Presley
REQUEST: Rezoning from agricultural (A-1) to commercial (C-2)

PLANNING COMMISSION MEETING
June 1, 2021
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: May 24, 2021
Re: R21-34 Rezone

A request by Children’s Safety Center, Inc. for Planning Commission approval of a zone change from Agricultural District (A-1) to General Commercial District (C-2) for a tract of land containing 6.3 acres.

LOT LOCATION AND SIZE
The 6.3 acre tract of land is located at 3824 Gene George Blvd., wide side of Gene George Blvd., and south of Arvest Ballpark.

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

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 contains accessory structures. Arvest Ballpark is to the north of the tract in P-1 zoning. The area to the east is undeveloped in A-1 zoning. The area to the south and west is being developed in PUD zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates southwest overlay district for the area.

The Master Street Plan indicates Gene George Blvd. as a major collector.

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

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

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

✓ Encourage the development of a wide range of commercial development for the residents and tourist to include neighborhood, community and regional centers.
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 Children’s Safety Center, Inc., the record property owners, petitioning to rezone the following described area:

Legal Description:

See Attached Legal Description

Layman’s Description: Approximately 6.3 acres at 3284 Gene George Boulevard / 3300 South 56th Street. Property is situated along the west side of Gene George Boulevard just south of Arvest Ballpark in Springdale, Washington County, Arkansas.

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 addresses 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 classifications:

FROM (current zoning)     A-1 (Agricultural District)     

TO (proposed zoning)     C-2 (General Commercial 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, or 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 __________ Commercial __________.

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **None anticipated**—Gene George Boulevard is undergoing rapid commercial development and the proposed zoning/project are compatible with existing and anticipated future uses along this street and the surrounding area.

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

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

Authorized Representative: Engineering Services, Inc.

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

PETITIONER/OWNER: [Signature]

(Children’s Safety Center, Inc.)

MAILING ADDRESS: 614 E. Emma Avenue, Suite 200, Springdale, AR 72764

TELEPHONE: (479) 872-6183  DATE: May 3, 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 Signature)

[Signature]
(Property Owner Signature)

State of Arkansas    )
                     ) ss.
County of Washington )

SUBSCRIBED AND SWORN TO before me, a Notary Public, this ______ day of
[Signature] 3rd
May, 2021.

[Signature]
Notary Public

[License Information]
FILE NO. R21-34
APPLICANT: Children's Safety Center, Inc
REQUEST: Rezoning from agricultural (A-1) to commercial (C-2)
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Iglesia de Dios Pentecostal De Monte Sinai
   Address: 1880 S. Pleasant #0 Springdale, Ar 72764
   Phone: 729-733-1403

2. Property Location: street address or layman's description
   1880 S. Pleasant #0

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

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

5. Description of the conditional use sought and the reasons why it should be approved.
   Organizational to Evangelize to the Community and help people that are in need.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   To bring a good positive influence, help, and services as needed.

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. Planning staff/hand out plans for application, copy, and attachments

File No. C21-13
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]

Date: 

Signature of Applicant: 

[Signature]

Date: 4-23-21

VERIFICATION

We, the undersigned, hereby state under 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 Washington

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

Notary Public

My commission expires 4-18-2030

SHARON CHRISTINE TROMBURG
Notary Public - Arkansas
Washington County
Commission # 12710492
Any Commission Expires April 18, 2030
Occupant Name: Vacant  
Address: 1880 South PLEASANT Street  
City: Springdale  
Suite: D

Inspection Date: 3/2/2021  
Inspection Type: Consult  
Inspected By: Steven Goss

No violations noted at this time.

Inspector Comments: Consult for Conditional Use Application for a Church, Iglesia de Dios Pentacostal M.I

The conditional use application will be signed so long as it is understood that the listed violations must be corrected prior to signing the Business License application and using the space for assembly.

The items found during inspection that are to be corrected prior to occupancy are:

* The back door requires panic hardware
* The exterior exit pathway out the back to the northeast must be cleared of obstructions and trip hazards
* Some of the exit sign/emergency light combo lights did not function when tested and must be repaired or replaced.
* Need a 2-A rated fire extinguisher with a current inspection tag placed so it can be accessed within 75' from anywhere in the occupancy.
* Post sign visible upon entry that states maximum occupancy load 167 or similar wording

Inspector:  

[Signature]

Steven Goss  
3/2/2021

Ref: 1429
To whom it may concern,

The property located at 1880 S. Pleasant St. Springdale is owned by A&A Property Management. There is no dedicated parking at this location and all spaces are available for each tenant’s use. I don’t foresee a problem with parking as there is a total of 52 parking spaces in the lot with only 7 tenants.

Please feel free to contact me if you have any questions.

Thank You,

Jeremy Avance
A&A Property Management
Shared Parking Agreement

As owner(s) of the property located at 1880 S. Pleasant St., I (we) hereby agree to share all parking spaces (as shown on attached site plan) during the following times and days:

Everyday after 7:00 p.m.
On Sundays 10:00 A.M. to 4:00 P.M.

The following restrictions apply:
On Sundays leave at least 3 free parking spaces from 10:00 A.M. to 4:00 P.M.

Required parking

My (our) property requires 4 parking spaces based upon the City's parking lot ordinance. The use of my (our) property is a salon and it contains 2,000 square feet.

The applicant's property requires 25 parking spaces based upon the City's parking lot ordinance. The use of the applicant's property is a church and it contains 2,000 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: Blanca Gunn Date: 04-23-21
Owner Signature: Date:

Applicant Signature: Michelle Lee Date: 04-23-21
Shared Parking Agreement

As owner(s) of the property located at Sir Speedy Painting, I (we) hereby agree to share open parking spaces (as shown on attached site plan) during the following times and days:

Anytime.

The following restrictions apply:

None

Required parking

My (our) property requires 25 parking spaces based upon the City's parking lot ordinance. The use of my (our) property is Sir Speedy Painting and it contains ______ square feet.

The applicant's property requires 25 parking spaces based upon the City's parking lot ordinance. The use of the applicant's property is a Church and it contains 2,000 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: Carroll Markley Date: 4-23-21

Owner Signature: ___________________________ Date: ___________________________

Applicant Signature: ___________________________ Date: 4-23-21
Shared Parking Agreement

As owner(s) of the property located at 1900 C________________, I (we) hereby agree to share 4 parking spaces (as shown on attached site plan) during the following times and days:

When tax season is not active

The following restrictions apply:

During tax season need 6 spaces available, at all times and outside tax season no less than 2 parking spaces.

Required parking

My (our) property requires 20 parking spaces based upon the City’s parking lot ordinance. The use of my (our) property is ________________ and it contains ____________ square feet.

The applicant’s property requires 25 parking spaces based upon the City’s parking lot ordinance. The use of the applicant’s property is a church and it contains 2,000 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: ___________________ Date: 4/23/2021

Owner Signature: ___________________ Date:

Applicant Signature: ________________ Date: 4/23/2021
Shared Parking Agreement

As owner(s) of the property located at 1880-B, I (we) hereby agree to share 25 parking spaces (as shown on attached site plan) during the following times and days:

Any time

The following restrictions apply:

none

Required parking

My (our) property requires 2 parking spaces based upon the City’s parking lot ordinance. The use of my (our) property is insurance and it contains 550 square feet.

The applicant’s property requires 25 parking spaces based upon the City’s parking lot ordinance. The use of the applicant’s property is a Church and it contains 2,000 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: 4/03/2021

Owner Signature: ___________________________ Date: ___________________________

Applicant Signature: [Signature] Date: 4-23-2021
Shared Parking Agreement

As owner(s) of the property located at 1880-A, I (we) hereby agree to share 10 parking spaces (as shown on attached site plan) during the following times and days:

The following restrictions apply:

- Saturday 8-10am
- Monday - Thursday 4-8 pm - the ten (10) spaces immediately adjacent to space occupied by PMA is reserved for PMA students and families.

Required parking

My (our) property requires ___ parking spaces based upon the City's parking lot ordinance. The use of my (our) property is Martial Arts and it contains 3,000 square feet.

The applicant's property requires 25 parking spaces based upon the City's parking lot ordinance. The use of the applicant's property is a Church and it contains 2,000 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: 5/5/21

Owner Signature: [Signature] Date: 

Applicant Signature: [Signature] Date: 5/5/21
Days and Hours of Operation

Iglesia de Dios Pentecostal M.I - Monte Sinai

These will be the times and days conducted for Congregational Services:

- Sunday School – 11 am
- Sunday Service - 12pm

- Tuesday Service – 7pm

- Friday Service – 7pm

- Saturday Service/ Community – 8am
FILE NO. C21-13
APPLICANT: Iglesia de Dios Pentecostal M.I.
REQUEST: Conditional Use - for Use Unit 42
(church/synagogue) in a C-2 at 1880 S Pleasant St
APPLICATION FOR CONDITIONAL USE
CITY OF SPINGDALE, ARKANSAS

1. APPLICANT
   Address: 809 Oakwood Ct, current address
   Phone: 479-492-9384
   Profit: Non-Profit

2. Property Location (street address or layman's description):
   Please see attached

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

4. Use Unit requested: Residential in R1 Zoning District

5. Description of the conditional use sought and the reasons why it should be approved:
   The conditional use will allow my client to start building his house.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   The conditional use won't affect the surrounding neighbors. It will blend in with the surrounding area.

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)  
J. Chukwuma  
Jenny Sutterman

Date: 5/1/21

Signature of Applicant  
J. L. Better  
Jenny Sutterman

Date: 5/1/21

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.

J. L. Better  
Jenny Sutterman

State of Arkansas )
County of Washington ) ss.

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

Notary Public

My commission expires: Sept. 29, 2024

AMANDA NICOLE HALLMARK  
MY COMMISSION # 12995920  
EXPIRES: September 29, 2026  
Washington County
FILE NO. C21-15
APPLICANT: Chase & Jenny Suntherlan
REQUEST: Conditional Use - tandem lot split at
19212 Sonora Rd in the Springdale Planning Area

PLANNING COMMISSION MEETING
June 1, 2021
Memo

To: Planning Commission
From: Staff
Date: May 27, 2021
RE: PP21-11 Preliminary Plat Barberry Court (Formerly Lazenby)

Planning Comments:
1. Provide completion of street improvements to E. Robinson.
2. If two playground areas are being provided it would be beneficial to have the two cater to separate age groups. Please provide details for these facilities.
3. Provide a completed sidewalk connection to the shown pavilions and playgrounds.
4. Show requested revisions to the internal sidewalks on the Northern greenspace area.
5. Relocate the amenities currently shown in the detention area to the East.

Engineering Summary:
- Submit updated drainage report
- Provide erosion control plan for grading phase
- Provide more detail about playground/pavilion in the pond to ensure pond can function properly with those structures
- Newly constructed public streets require full street improvements
- Submit Grading 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.
2. **Chapter 106 – Stormwater Drainage**
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
   - 106.1.2** - Submit a preliminary drainage report, as outlined in the City of Springdale Drainage Criteria Manual.
     - Submit updated drainage report for dry detention pond
     - Verify that the pond has sufficient freeboard to accommodate the addition of a playground and pavilion within the pond

   **Detention Pond**
   - Provide more detail about the structures located within the pond. Are they anchored to the ground or a concrete slab? What material is proposed for underneath the playground? There should not be any material that can float away, clog the outlet structure, etc.
   - Please provide trash rack on outlet structure to prevent litter from entering stormwater network

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.
       - Provide erosion control plan for grading phase
     - 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.

4. **Chapter 110 – Streets, Sidewalks and Other Public Places**
   (Ord. No. 3258, § 1, 11-12-02)
   - 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.
     - As part of the streets, extend the sidewalks all the way to East Robinson Ave and provide streetlights.
     - Provide pedestrian access to all the amenities. Extend the sidewalk to the tot-lot and the pavilion.
     - See minimum Curb radius on the chart below for intersection at East Robinson Ave. (see note 5)
5. **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.

- **112.4 - Streetlights:** 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

---

**STREET FUNCTIONAL CLASSIFICATION**

<table>
<thead>
<tr>
<th>STREET FUNCTIONAL CLASSIFICATION</th>
<th>Alley*</th>
<th>Low Volume Local</th>
<th>High Volume Local</th>
<th>Minor Collector</th>
<th>Major Collector</th>
<th>Arterial</th>
<th>Boulevard</th>
<th>Expressway</th>
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<tr>
<td>MIN. ROW WIDTH (See Note 6)</td>
<td>15'</td>
<td>45'</td>
<td>45'</td>
<td>60'</td>
<td>70'</td>
<td>80'</td>
<td>100'</td>
<td>120'</td>
</tr>
<tr>
<td>MAX. FILL &amp; CUT EROSION</td>
<td>NA</td>
<td>NA</td>
<td>41.31 with staff approval</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td>NA</td>
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<td>PAVEMENT SECTION</td>
<td>NA</td>
<td>Round gutters</td>
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<tr>
<td>MIN. PAVEMENT WIDTH (BACK-TO-BACK CURBS) (See Note 6)</td>
<td>15' One-Way</td>
<td>21' One-Way</td>
<td>27' One-Way</td>
<td>33' One-Way</td>
<td>39' One-Way</td>
<td>45' One-Way</td>
<td>60' One-Way</td>
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<td>MIN. MEDIAN WIDTH</td>
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<td>PAVEMENT THICKNESS</td>
<td>See Note 1</td>
<td>See Note 2</td>
<td>See Note 2</td>
<td>See Note 2</td>
<td>See Note 2</td>
<td>See Note 2</td>
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<td>PARKING</td>
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<td>Yes</td>
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<td>SLOPE/WALKS (See Note 1)</td>
<td>Yes</td>
<td>Yes</td>
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<td>LANDSCAPING STREES</td>
<td>N/A</td>
<td>200-250'</td>
<td>200-250'</td>
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<td>STREET SPACING</td>
<td>N/A</td>
<td>250'</td>
<td>250'</td>
<td>1/2 mile</td>
<td>1 mile</td>
<td>3 miles</td>
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<td>DESIGN SPEED</td>
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<td>MIN. CURB RADIUS (See Note 5)</td>
<td>n/a</td>
<td>20'</td>
<td>25'</td>
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<td>MIN. HORIZONTAL CURVE Radii</td>
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<td>2.8 Degrees</td>
<td>2.8 Degrees</td>
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<td>&lt;200</td>
<td>&lt;500</td>
<td>800-5000</td>
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<td>&gt;11000</td>
<td>&gt;25000</td>
<td>&gt;11000</td>
<td>&gt;25000</td>
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<tr>
<td>TRUCK ROUTE</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
</tbody>
</table>

**GENERAL NOTE – ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE CURRENT AASHTO POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS.**

**NOTE 1:** THE PAVEMENT STRUCTURE SHALL MEET OR EXCEED THE PAVEMENT STRUCTURE IN THE CITY OF SPRINGDALE STANDARD DETAILS FOR THE PARTICULAR TRAFFIC CLASSIFICATION AND SOIL TYPE.

**NOTE 2:** ON STREET PARKING SHALL NOT BE PERMITTED ON COLLECTOR, ARTERIAL, OR BOULEVARD STREET CLASSIFICATIONS UNLESS OTHERWISE POSTED. PARKING ON OTHER STREETS SHALL BE REGULATED BY THE CITY ON EACH INDIVIDUAL STREET.

**NOTE 3:** THE MAXIMUM LENGTH OF DEAD END STREETS SHALL NOT EXCEED 800' OR PROVIDE ACCESS TO MORE THAN 30 DWELLING UNITS.

**NOTE 4:** CUL-DE-SACS TURN AROUND RADIUS SHALL BE 40 FEET FOR RESIDENTIAL AND 50 FEET FOR COMMERCIAL AND LIGHT INDUSTRIAL CUL-DE-SACS.

**NOTE 5:** AT INTERSECTION OF DIFFERENT STREET CLASSIFICATIONS, USE THE HIGHER STREET CLASSIFICATION TO DETERMINE CURB RADIUS.
6. **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.

7. **Other:**  
  - **Provide signage/striping plan.**

- **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.
Drawing is an artistic rendering only. Actual home, options and floorplans may vary from rendering and by community. Optional elevation drawings on reverse side.
ELEVATIONS

RC Chelsey  Elevation A

RC Chelsey  Elevation B

RC Chelsey  Elevation C

RC Chelsey  Elevation D
RC Kingston

4 BED • 2.5 BATH
2 CAR GARAGE

Drawing is an artistic rendering only. Actual home, options and floorplans may vary from rendering and by community. Optional elevation drawings on reverse side.
ELEVATIONS

RC Kingston  Elevation A

RC Kingston  Elevation B

RC Kingston  Elevation C

RC Kingston  Elevation D
Drawing is an artistic rendering only. Actual home, options and floorplans may vary from rendering and by community. Optional elevation drawings on reverse side.
ELEVATIONS

RC Manchester Elevation A

RC Manchester Elevation B

RC Manchester Elevation C

RC Manchester Elevation D
RC Mitchell
3 BED • 2 BATH
2 CAR GARAGE

Drawing is an artistic rendering only. Actual home, options and floorplans may vary from rendering and by community. Optional elevation drawings on reverse side.

rauschcoleman.com
RC Ridgeland
4 BED • 2 BATH
2 CAR GARAGE

Drawing is an artistic rendering only. Actual home, options and floorplans may vary from rendering and by community. Optional elevation drawings on reverse side.
PLANS FOR A

PRELIMINARY PLAT

BARBERRY COURT

TO SERVE

NWA LD, LLC

IN THE CITY OF

SPRINGDALE, ARKANSAS

PP21-11

May 20, 2023

BY

ENGINEERING SERVICES INC.

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

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X', (NO SHADING) DESIGNED AS AN AREA DETERMINED TO BE OUTSIDE OF \(0.2\%) ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE F.I.R.M. MAP # 05143C0090 F, PANEL 90 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: MAY 16, 2008.
Development Plan for
BARBERY COURT
Planned Unit Development
April 29, 2021

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

General Eligibility and Staging Requirements

1. Location: The intent is to apply the PUD district to the approximately 15.12 acres included in the project, all of which are within the municipal limits of Springdale. The Land Use Plan Map shows the area designated for Commercial. In 2020 the property was rezoned to MF-12 and then the Planning Commission recently approved a preliminary plat for 96 duplex units.

2. Ownership: The property is owned by Brenda Lazenby, which is the Applicant for the PUD. A Commissioner’s Deed establishing ownership is included in the rezoning application materials.

3. Project size: The property includes approximately 15.12 acres, in excess of the ten-acre minimum required by city code.

4. Staging: The 15.12 acres is the entirety of the project. The developer does not anticipate bringing any additional/other properties into the PUD.

The project includes one phase that will start immediately after PUD approval. The walking trails and tot-lot will be built during Phase 1 construction.

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

APPLICATION REVIEW PROCEDURES

1. One Phase:

a. A preapplication conference with planning and community development staff. – An initial pre-application conference with planning department was held on April 12. A second pre-application conference was held on April 23.

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

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

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

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

6. Size: Approximately 15.12 acre tract – legal description as follows:

SURVEY DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, BEING TRACT 2 OF AN INFORMAL PLAT FILED AS PLAT FILE 24-313 OF THE WASHINGTON COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 5, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SW 1/4, S87°28'54"E A DISTANCE OF 635.15 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID NORTH LINE AND ALONG A WOVEN WIRE AND BARBED WIRE FENCE AS REFERENCED IN QUITCLAIM DEED 2018-24438, S02°51'25"W A DISTANCE OF 506.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING ALONG SAID FENCE, S03°02'44"W A DISTANCE OF 482.84 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID FENCE AND ALONG A PIPE FENCE AS REFERENCED IN QUITCLAIM DEED 2018-24438, S03°22'33"W A DISTANCE OF 48.40 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID FENCE, N87°28'59"W A DISTANCE OF 632.89 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE EAST LINE OF "THE APPLE ORCHARD" SUBDIVISION AS ShOWN ON THE FINAL PLAT (REVISED) OF "THE APPLE ORCHARD" FILED FEBRUARY 18, 1999 IN PLAT BOOK 15 AT PAGE 138 OF THE WASHINGTON COUNTY RECORDS, N02°50'39"E A DISTANCE OF 1038.00 FEET TO THE POINT OF BEGINNING, CONTAINING 15.12 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

7. Project Name: Barberry Court Planned Unit Development

8. Site Plan: Drawings are attached illustrating the subdivision layout, typical setbacks, connectivity, green space, monument sign concept, landscaping, and sample home elevations.

1. Development Strategy – Intent is to develop an approximately 15.12 acre site as a PUD with single-family homes on 85 residential lots. Developer intends to build and sell homes on the lots and/or sell lots.

   a) Lots will be similar to conventional subdivision lots with a front load garage accessing a
public street in front of the home and a private back yard behind the house. Typical lot size is 40’ wide by 110’-140’ deep.

2. Permitted Uses in Barberry Court PUD: The entire development will be single family residential homes. No multi-family residential or industrial uses are proposed or allowed for this development.

For all areas, specific Use Units allowed are:

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

3. Site Development Requirements

A) Density, Bulk, Area and Yard Regulations

Density – 85 single family lots on 15.12 acres = 5.6 lots/acre and 4,400 s.f./lot

Green Space – 2.40 Acres / 15.12 Acres = 15.9% (15.0% Minimum Required)

Lot size - 40’ Wide x 110’-140’ Deep Typical

B) Building Setbacks

Front Load Residential Building Setbacks:
Front – 25 Feet for Interior Lots
30 Feet for Exterior Lots
Interior Side – 5 Feet
Exterior Side (Along Street ROW-Corner Lots) – 10 Feet
Rear – 20 Feet
PLANNED UNIT DEVELOPMENT CONCEPT AND NARRATIVE

NWA LD, LLC, the Developer of the Barberry Court project, proposes a Planned Unit Development (PUD) with 85 residential homes located on approximately 15.12 acres in east Springdale. The subject property includes the north 15.12 acres of Washington County Parcel 815-30506-000. The project is situated north of East Robinson Avenue (U.S. Highway 412, between Apple Butter Street and Butterfield Coach Road. This property is designated for commercial use on the City’s Land Use Plan, but was recently rezoned to MF-12.

The intent of the development is to provide a unique single family residential development with creative green space areas that provides opportunities for outdoor recreation. The project will provide homes within one mile of Parsons Hills Elementary School and Harp Elementary School.

The project is being proposed as a Planned Unit Development to provide a mix of housing options not widely available in this area and not achievable within the City’s standard residential zoning districts due to the shape and size of the of the proposed lots. Proposed building setbacks within the PUD will vary between the interior lots and the exterior lots. The interior lots will have a standard 25-foot front setback. However, the exterior lots will all have 30-foot front setbacks, allowing additional stacking space for vehicles in the driveway. Net residential project density (5.6 lots/acre) is comparable to conventional residential developments in Springdale and is not the primary factor for proposing the PUD. Instead, the smaller lot width will allow the developer to achieve this same density while also preserving more than 15% of the natural green space and creating a development which stands out in many respects from typical offerings.

Proposed side setbacks are five feet wide for all residential lots. This will ensure eaves of adjacent homes are separated by at least ten feet to comply with fire code separation requirement.

Rear setbacks are proposed to be twenty feet. This will ensure all lots have a useable back yard area and provides room for any necessary utilities.

Each home is required to have an attached garage with capacity for at least two vehicles. The covenants provide requirements for any accessory structures to be placed on the lots.

Use of the development is single family residential. There are no duplex, triplex, or multi-family use units allowed in the development. The following specific use units will be allowed in the residential portion of the development:

Use Unit 1 – Citywide Public Uses by Right
Use Unit 4 – Cultural, Recreational, and Health Facilities
Use Unit 8 – Single Family Dwellings
Use Unit 34 – Model Home/Temporary Marketing Office
Covenants specify exterior building material requirements, all of which will be required to be high quality, upscale materials. The first floor (up to the second floor plate) of each home will be 100% brick, stone, or manufactured stone with no siding. Primary building materials will include brick, stone, manufactured stone, wood, and concrete siding (such as Hardy brand). Developer intends to build and sell the homes, as opposed to building and then renting homes or selling lots to individuals or home builders. Plans and elevations of several sample homes similar in appearance/materials to the types of homes developer will build in this subdivision are enclosed with this development plan. To facilitate marketing and selling homes, developer will operate a temporary sales office and up to four model homes at a time in the development. Covenants include various provisions to ensure the pleasing appearance of the neighborhood is maintained and which are typical of many developments. These include, but are not limited to, specifying the location, materials, and minimum/maximum heights for fences, requiring trash containers will be required to be stored out of sight, and that all yards are to be maintained in an orderly manner.

The residents of the PUD will have access to a wide array of amenities. The development will have sidewalks throughout the subdivision along streets and through the neighborhood green for connectivity within the PUD and connectivity to areas outside the subdivision. These sidewalks will allow pedestrians to access the neighborhood green space and the playground.

More than 15% of the development is reserved as neighborhood green space. Much of this green space is located across the middle of the subdivision where it is easily accessible to all residents.

Developer is planning a “tot-lot” in the smaller green space with play equipment and seating. The larger, center greenspace will be utilized for a soccer field and walking trail. An image of a play structure similar in size and type to the proposed equipment for Barberry Court is attached.

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

- Alle Elm (Ulmus americana)
- Northern Red Oak (Quercus rubra)
- Shumard Oak (Quercus shumardii)
- Littleleaf Linden (Tilia cordata)
- Chinese Pistache (Pistachia chinensis)

The primary streets along the front of the houses are proposed to be constructed within 46 foot-wide rights-of-way and will be 21 feet wide measured from back of curb to back of curb in the drive lane and 29 feet wide were parking is located on roadside of the street.
The entire project will be developed in one phase with two access points off Robinson Avenue (U.S. Highway 412). The current landowner will retain ownership of the front lots for future development.

The frontage streets will include sidewalks along both sides of the road, to be constructed by the home builder during construction of the home. Developer will construct the sidewalk along the portions of these roads though green space areas and through pedestrian courtyards.

Overnight parking is prohibited on all streets within the development, other than designated parking areas. All streets are proposed to be dedicated to the City as public streets within dedicated rights-of-way.

Monument signs are planned for the entrances into the subdivision. Signs will be constructed of stone or brick with cedar accents. An image of a sign of similar size and type to the proposed signs is attached.

The gross acreage is 15.12 acres. Gross residential density is 5.6 lots / acre (85 lots / 15.12 acres).

Project includes common 2.40 acres of neighborhood green space, which is 15.9% of the total property. With 85 proposed homes, 1,230 square feet of neighborhood green space is provided per residential unit.

Developer intends to begin construction as quickly as possible once the PUD and construction plans are approved. It is anticipated that construction will be complete within eighteen months of City Council approval of the PUD.

The proposed development is compatible with existing and future land uses in this area. Current land uses of adjacent properties are single-family homes north and west, undeveloped multi-family zoned land to the east, and undeveloped, commercial land to the south. Future development of frontage properties along Highway 412 is likely to be commercial or institutional, which are both compatible with the proposed PUD. Any future development of the property to the east will be residential in nature, and compatible with the proposed residential subdivision as well. We believe the proposed project is well-suited for this location and will be harmonious with existing and future land uses in the area.

It is not anticipated the development will strain public services or infrastructure in the area. The nearby C.L. “Charlie” and Willie George Park is nearby and provides a wide range of outdoor recreation opportunities. There are many schools located near the project, many of which have been constructed recently. Nearby schools include:
• Walter Turnbow Elementary – 1.3 Miles  
• Don Tyson School of Innovation – 0.8 Miles  
• Lakeside Junior High School – 0.8 Miles  
• Sonora Middle School – 2.5 miles  
• Sonora Elementary School – 2.7 Miles  
• Harp Elementary School – 0.5 Miles  

The project will have street access to East Robinson Avenue, which is major east/west artery through Springdale with multiple driving lanes in each direction.

Water and sewer infrastructure is already present in this area. Springdale Water Utilities has a twelve-inch water main and an eight-inch sewer line along the north side of Highway 412.
FILE NO. PP21-11
APPLICANT: ESI (for Brenda Lazenby)
REQUEST: Preliminary Plat on the AR Hwy 412 East
(Barbery Court)
Memo

To: Planning Commission
From: Staff
Date: June 1, 2021
Re: L21-18 Large-Scale Carson Engineering & Manufacturing, Inc.

Planning Comments:

Large-Scale Comments:
1. Provide pdf files at time of resubmission. (standard comment)
2. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
3. In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above. (standard comment)
4. This development has been given the number L21-18. This number should be placed on the plans and all future correspondence and plats pertaining to this development. (standard comment)
5. Improvements to Bain St. will be subject to outcome of waiver.

Chapter 56 Landscaping Comments
1. Provide 24 month guarantee for all landscaping.
2. All tree plantings should be installed at a minimum height of 8' and 2" trunk caliper, please revise landscaping note #7.

Engineering Summary:
- Submit Grading Application
- Sidewalks:
  o Provide smooth transition for any sidewalk jogs around streetlights, fire hydrants, etc.
Check SWU requirements for minimum distance between hydrant and sidewalk
Streetlight looks like it’s in the sidewalk
Provide sidewalk connection between the buildings

Engineering Comments:

1. Chapter 106 – Stormwater Drainage
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245, § 1, 1-23-18)
   - Grading Permit – please submit the following
     - Grading Permit application
     - SWPPP
     - NOC for small sites
     - Proposed truck routes
     - $250 fee (site under 1 acre)

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.

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.
     - (A waiver request will be submitted)
     - For any sudden changes in the direction of a sidewalk caused by avoiding a fire hydrants or streetlights, make the transitions longer, smoother and with a radius.
     - Provide a sidewalk connection between the buildings.

   - 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.
     - (A waiver request will be submitted) Original plat from 1997 shows R/W on Bain that would need to be improved to MSP.

4. Chapter 112 – Subdivisions
   (Code 1973, § 30-1)
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
    - The proposed streetlight should be within the R.O.W. and not encroach into the sidewalk.

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.
REVIEW PLANS FOR A

LARGE SCALE DEVELOPMENT

SERVING

CARSON ENGINEERING & MFG, INC.

IN THE CITY OF

SPRINGDALE, ARKANSAS

L21-18

May 19, 2021

BY

ENGINEERING SERVICES INC.

CONSULTING ENGINEERS

SPRINGDALE, ARKANSAS

PHONE: 479-751-8733

FAX: 479-751-8746

WWW.ENGINEERINGSERVICES.COM

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REVIEW OF THESE PLANS IS LIMITED TO COMPLIANCE WITH CITY CODES AND ORDINANCES. BY READING AND APPROVING THESE PLANS THE DESIGNER AND THE CITY OF SPRINGDALE ACCEPT NO RESPONSIBILITY FOR ANY紋ON OR USE OF THE PLANS. THE AMOUNT OF THE PLANS IS THE TOTAL RESPONSIBILITY OF THE DESIGN ENGINEER. THE CITY OF SPRINGDALE RECOMMENDS THE USER TO MAKE CORRECTIVE ACTIONS IF ANY INCISIONS ARE FOUND AFTER THE PLANS ARE COMPLETED.

NOTES:
1) All streets and drainage construction must comply with the requirements of the City of Springdale, Arkansas. All streets and drainage construction for the construction of water and sewer installation must comply with the requirements of the City of Springdale, Arkansas.
2) All streets and drainage construction must comply with the requirements of the City of Springdale, Arkansas. All streets and drainage construction for the construction of water and sewer installation must comply with the requirements of the City of Springdale, Arkansas. All streets and drainage construction for the construction of water and sewer installation must comply with the requirements of the City of Springdale, Arkansas.
NOTE:

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

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

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

- Top of Panel
- Flange @ 3" C/C
- Internal Embedment
- Bottom of Panel
- 0.625" Dia. Hole
- Embedded Flanges

DETAIL "B"

- 27 - 27 Equal Spaces
- 1.670
- 1.434
- 1.670
- 1.145

DETAIL "C"

- Flange @ 3" C/C (See Plan for Orientation)
- +2° A/S Draft
- 0.188
- 0.450
- 0.1875

TYP. 1.375

0.250

0.750

Equal Spaces of 0.750

0.060

0.625" Dia. Hole

0.045

0.045

0.900

0.200

0.0600

DATE

DRAWING NO.

MATERIAL

TACTILE WARNING SURFACE

TRADE

2436IDPAV1

PART NO.

PROJECT

CAST-IN-PLACE TACTILE WARNING SURFACE UNIT

1.670" In Line Truncated Dome Pattern

PART SIZE: 24" x 36"

PLANS AND DETAILS

ADA-CIP2436_1

06-11-12

SMC COMPOSITE

PHONE: (800)372-0519

EMAIL: INFO@ADATILE.COM

WWW.ADATILE.COM
LOT 1A

1207 SOUTH OLD MISSOURI RD.
SPRINGDALE, ARKANSAS 72764

ENGINEERING SERVICES INC.

@ COPYRIGHT
2021, ENGINEERING SERVICES, INC.

1/8" = 1'-0"

OWNER/DEVELOPER:

ENGINEER:

CITY ZONING:

BUILDING SETBACKS:

REQUIRED PARKING PER USE:

PARKING CALCULATION:

PROVIDED PARKING:

FEMA FLOODPLAIN ZONE:

LEGAL DESCRIPTION:

TOTAL DISTURBED AREA: 0.87 ACRES
May 19, 2021

City of Springdale
Katie E. Hollingshead, PE, CFM
Engineering Department
269 East Randall-Wobbe Lane
Springdale, Arkansas 72764

Via email:  khollingshead@springdalear.gov

Re: Waiver Request
Carson Engineering & Manufacturing, Inc.
1764 Turnbow Ave (L21-18)

Katie:

On behalf of our client, we hereby request a waiver from the infrastructure improvements to Bain Street noted during the review of the referenced large-scale development.

The project parcel was initially platted in an industrial subdivision known as the Springdale Industrial Park II Phase III. The project parcel was later re-platted (accepted by the City of Springdale by Mayor Charles McKinney on August 14, 1997). The plat does not indicate the status of Bain Street along the parcel’s west site, only that the dedication of a 60’ wide right-of-way was accepted by the City. However, the street was never constructed, and today remains unimproved. The Owner/Developer does not use Bain Street, nor plan to.

A sign marking Bain Street as a “private drive” exists on-site. The origin of this sign is unknown, but if installed by City forces, it would indicate the roadway is not accessible to the traveling public. The Owner/Developer is not responsible for the improvement of private roadways.

For these reasons, the Owner/Developer requests a waiver of responsibility for master street plan infrastructure improvements pursuant to the referenced large-scale development.

Very truly yours,

Brandon J. Rush, PE

Enclosure: Bain Street and “Private Drive” sign photo

Z:\Engineers\00 - Engineer Projects\21927 Carson Eng\Correspondence\Waiver Request.docx

FILE NO. W21-09
APPLICANT: Carson Engineering & Manufacturing, Inc
REQUEST: Waiver of street improvements
Memo

To: Planning Commission
From: Staff
Date: June 1, 2021
Re: L21-20 Large-Scale Chandler Equipment, Inc.

Planning Comments:
1. Submit Auto Cad and PDF files at time of resubmission. (standard comment)
2. A written response to all comments is required with resubmission. (standard comment)
3. Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall be submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting or may be submitted at the meeting. (standard comment)
4. Please provide for 8’ sidewalk/trail along south side of property as required by MSP. (Variance Item)
5. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
6. In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above. (standard comment)

Commercial Design Standards Comments
1. A 5’ wide sidewalk along the full length of the building along any side that features a customer entrance is required. This sidewalk shall be setback from the building foundation at least 6’ to provide areas for foundation landscaping. (Variance Item)
2. Provide fixture spec sheet and pole heights for unified lighting plan.
Commercial Design Standards (Architectural)

1. Roofline of East elevation (new addition) shows over 100’ in length with no break.

Engineering Summary:
- Revise discrepancies in drainage report
- Submit Grading Permit application
- Sidewalk on north side of Sunset should be 8’ wide
- Show all proposed and existing streetlights

Engineering Comments:

1. Chapter 106 – Stormwater Drainage
   - **106.1.2** - Submit a preliminary drainage report, as outlined in the City of Springdale Drainage Criteria Manual.
     - Pre-developed Basin 1 numbers in summary table on page 3 do not match hydrographs

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.
     - Grading Permit – please submit the following
       - Grading Permit application
       - SWPPP
       - NOC
       - Proposed truck routes
       - $500 fee

3. Chapter 110 – Streets, Sidewalks and Other Public Places
   (Ord. No. 3258, § 1, 11-12-02)
   - **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.
     - Sidewalk should be 8’ on north side of a principal arterial.

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.
SE CORNER
SOUTH HALF
EAST HALF
SE1/4, NE1/4
SECTION 4
T-17-N, R-30-W
COMPUTED PER A DEED
HWY R/W
C/L
C/L
C/L
C/L
WEST SUNSET AVENUE
80' R/W PER AHTD JOB #4756
PRINCIPAL ARTERIAL - 90' MIN. M.S.P. R/W
POB
#815-30046-120
POB
#815-30046-110
N:678188.95
E:669904.49
N:677519.76
E:670100.99
S 87°27'41" E  226.15'
S 87°30'19" E  224.91'
S 02°23'54" W  660.00'
N 87°27'42" W  226.72'
N 87°27'42" W  104.25'
N 81°50'00" W  50.20'
S 89°36'00" W  72.52'
L1
20' B.S.B.
U.E. 2006-7485
U.E. 2006-7485
U.E. PER 2006-1122
5' U.E. PER 2006-1123
S 87°27'42" E  
208.80' (N.T.S.)
50' B.S.B.
20' B.S.B.
50' B.S.B.
BENCHMARK
CHISELED "X"
ELEV=1354.94
N 02°26'52" E  660.00'
15' U.E. PER R/W GRANT 95-27242
20' U.E.
20' U.E.
PRIVATE DRIVE
PERPETUAL ACCESS EASEMENT PER 2013-11753
BOLT
STAKE ON LINE
COMPARED TO BOUNDARY LINE (EXISTING)
FOUND 1/2" REBAR
RIGHT-OF-WAY MARKER
FOUND COTTON SPINDLE
TELEPHONE PEDESTAL
WATER VALVE
AC CONDENSER UNIT
LIGHT
ELECTRICAL BOX
YARD HYDRANT
BOLT
STAKE ON LINE
RECORDED TITLE
SIGN
AC CONDENSER UNIT
LIGHT
ELECTRICAL BOX
YARD HYDRANT
GAS METER
FLOW LINE
SET / FOUND P/K NAIL
TREE
STATE MONUMENT
BOUNDARY LINE (MEASURED)
CENTERLINE OF ROAD
RIGHT-OF-WAY
UTILITY EASEMENT
INGRESS 	 EGRESS EASEMENT
FENCE
FOUND PIPE
POWER POLE
WATER LINE
OVERHEAD POWER LINE
SEWER LINE
MANHOLE
WATER METER
GAS METER
FLOW LINE
SET / FOUND P/K NAIL
TREE
FORTY LINE/ TIE LINE
EXITING SITE PLAN
INSTALLATION:
1. EXCAVATE KEY-WAY (IF REQUIRED)
2. A GEOTEXTILE FABRIC SHALL BE INSTALLED OVER THE SOIL SURFACE WHERE THE ROCK IS TO BE PLACED (IF REQUIRED)
3. ROCK DIAMETERS SHOULD BE 2" TO 15" IN DIAMETER
4. ROCK DITCH CHECKS SHOULD NOT EXCEED 3 FEET
5. STONES SHOULD BE PLACED UP THE CHANNEL BANKS TO PREVENT WATER FROM CUTTING AROUND THE DITCH CHECK
6. INSTALLATION SHALL BE PLACED EITHER BY HAND OR MECHANICALLY AND NOT JUST DUMPED TO ACHIEVE COMPLETE COVERAGE OF THE DITCH AND ENSURE THE CENTER OF THE DAMN IS LOWER THAN THE EDGES
7. MAXIMUM SPACING BETWEEN MULTIPLE DAMS SHOULD BE SUCH THAT THE TOE OF THE UPSTREAM CHECK IS THE SAME AS THE TOP OF THE DOWNSTREAM CHECK

INSPECTION:
· INSPECT ROCK DITCH CHECKS EVERY (7) CALENDAR DAYS AND WITH-IN 24 HOURS AFTER EACH RAINFALL EVENT THAT PRODUCES 1/2" PRECIPITATION.
· SEDIMENT SHOULD BE REMOVED WHEN IT REACHES 1/2 THE ORIGINAL CHECK HEIGHT
· IN THE CASE OF GRASS-LINED DITCHES OR SWALES, ROCK DITCH CHECKS SHOULD BE REMOVED WHEN THE GRASS HAS MATURED SUFFICIENTLY TO PROTECT THE DITCH OR SWALE, IF THE SLOPE IS 4% OR LESS.
· THE AREA BENEATH THE ROCK DITCH CHECKS SHOULD BE SEEDED AND MULCHED IMMEDIATELY AFTER THE CHECK DAM REMOVAL
1. **BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED** BY EXCAVATING A 2-3" (5-7.5 CM) DEEP X 9" (22.9 CM) WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHOULD BE PLACED UPSLOPE FROM THE ANCHOR TRENCH.

2. **PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE.** COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UPHILL SIDE. ADJACENT WATTLES SHOULD TIGHTLY ABUT.

3. **SECURE THE WATTLE WITH 18-24" (45.7-61 CM) STAKES EVERY 3-4' (0.9 -1.2 M) AND WITH A STAKE ON EACH END.** STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE WATTLE LEAVING AT LEAST 2-3" (5-7.5 CM) OF STAKE EXTENDING ABOVE THE WATTLE. STAKES SHOULD BE DRIVEN PERPENDICULAR TO THE SLOPE FACE.

---

North American Green Straw Wattles are a Best Management Practice (BMP) that offers an effective and economical alternative to silt fence and straw bales for sediment control and storm water runoff. Guidelines are provided to assist in design, installation, and structure spacing. The guidelines may require modification due to variation in soil type, rainfall intensity or duration, and amount of runoff affecting the application site.

To maximize sediment containment with the Straw Wattle, place the initial structure at the top/crest of the slope if significant runoff is expected from above. If no runoff from above is expected, the initial Straw Wattle can be installed at the appropriate distance downhill from the top/crest of the slope. The final structure should be installed at or just beyond the bottom/toe of the slope. Wattles should be installed perpendicular to the primary direction of overland flow.

Straw Wattles are a temporary sediment control device and are not intended to replace rolled erosion control products (RECPs) or hydraulic erosion control products (HECPs). If vegetation is desired for permanent erosion control, North American Green recommends that RECPs or HECPs be used to provide effective immediate erosion control until vegetation is established. Straw Wattles may be used in conjunction with blankets, mats, and mulches as supplemental sediment and runoff control for these applications. Like all sediment control devices, the effectiveness of the Straw Wattle is dependent on storage capacity.

---

**TYPICAL WATTLE SPACING BASED ON SLOPE GRADIENT**

- **< 6:1**
- **6:1 - 4:1**
- **2:1 - 1:1**
- **1:1 - 5:1**
- **> 5:1**

---

**STRAW WATTLE INSTALLATION GUIDE**

[Diagram showing installation and details]
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 5-7-2021
Date Accepted as Complete: 
Project Number: B21-43

APPLICATION CONTACTS:
Indicate one person of contact for this request: ✓ Property Owner Representative

Applicant (person making request)
Name: Donald A. Brady, Jr.
E-mail: aadrbk@gmail.com
Address: 807 S. West End, Springdale, AR 72764
Phone: 479-426-4796
Site/ Location: 807 S. West End, Springdale, AR 72764
Assessor's Parcel Number(s): 815-27825-000

Property Owner (if other than Applicant):
Name:
E-mail:
Address:
Phone:

Current Zoning District:
Rezone required:
Total Acreage:

Variance requested: (attach visual representation of request)
Permit a sign in the yard as opposed to a wall sign.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
A large tree blocks half of the property and windows line the other half leaving no space for a wall sign as allowed under 0-1. Having a wall sign eliminates any potential advertising and is not easily recognizable from the street to assist clients in locating our business.
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Provide an easily recognizable sign for clients to locate our business and provide a source of advertisement. The yard sign would be consistent with neighboring businesses to the south, west and north.

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

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

APPLICANT SIGNATURE(S)  

DATE: 5/17/2021
807 S. West End, Springdale 72764

Ryan Osborne <rosborne@signaramanwa.com>
To: Don Brady <don@fayettevillebankruptcy.com>

Tue, May 4, 2021 at 3:13 PM

Attached is a proof for your review. I picked a dark blue and bright gold for the colors, but anything can be changed here. Let me know your thoughts. The panel is 8’ x 4’.

Thank you,

Ryan Osborne, Owner
Signarama of Northwest Arkansas
Branding | Signs | Design | Graphics | Promotions | Trade Shows

479-442-3731 office
479-530-4057 cell
2803 Main Dr. Ste. 1 | Fayetteville, AR 72704

www.signaramanwa.com

Brady Art.jpg
899K
8’ X 4’ Size

Brady Proof.jpg
2312K
FILE NO. B21-43
APPLICANT: Donald Brady, Jr
REQUEST: Variance - Deviation of sign requirements in an O-1 zoning

PLANNING COMMISSION MEETING
June 1, 2021
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 5-12-21
Date Accepted as Complete: 5-12-21
Project Number: B21-45

APPLICATION CONTACTS:
Indicate one person of contact for this request: Rosa Puga Property Owner Jose Herrera Representative

Applicant (person making request)
Name: Jose Herrera
E-mail: Alex Herrer@Hotmail.com
Address: 701 Chantel Ave
Springdale AR 72764
Phone: 479-466-6112
Site/Location: 701 Chantel Ave
Springdale AR 72764
Assessor's Parcel Number(s): 21-02940-000

Property Owner (if other than Applicant):
Name: Rosa Puga
E-mail: pugarosa87@gmail.com
Address: 701 Chantel Ave
Springdale AR 72764
Phone: 479-966-5709

Current Zoning District:
Rezone required:
Total Acreage: 0.19

Variance requested: (attach visual representation of request)

-10-
Horse
-14-
Fence

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

My Whole backyard is 25 ft. 

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

During the covid era, a covered patio would provide a shaded space to enjoy our backyard with our newborn baby.

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

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

APPLICANT SIGNATURE(S)

Ron Pisa

Jose Yan

DATE: 5-11-21
Picture is example of what applicant wants to build
B21-45
Applicant's home at 701 Chantel
Applicant's home at 701 Chantel
From: Steve [mailto:sbutcher@reagan.com]
Sent: Friday, May 07, 2021 8:45 AM
To: Patsy Christie; Debbie Pounders
Cc: ljgibson1712@gmail.com
Subject: Fwd: 513 Main Ave Plat

Main Ave is a 13.5 feet wide easement which ends at the north property line of 513 Main. The west property line is 1’ west of the new driveway. There is no public record showing any ROW or easement for the 513 Main property.

We are requesting that you allow us to bond any sidewalk requirement and send us a sidewalk waiver application for submittal for the next possible planning meeting.

Please let me know as soon as possible the amount required for the required bond.

Thanks for your assistance,

Steve Butcher

479 366 4600

Sent from my iPad
Right of Way Performance and Completion Bond - Single Job Continuous

Bond No. 107438296

KNOW ALL MEN BY THESE PRESENTS:

THAT WE GIBSON BUTCHER CONSTRUCTION, LLC ____________________________ as Principal, and

Travelers Casualty and Surety Company of America ____________________________, a corporation duly incorporated under

the laws of the State of Connecticut and authorized to do business in the State of ARKANSAS, as Surety,

are held and firmly bound unto City of Springdale ____________________________, as Obligee, in the penal

sum of One Thousand Six Hundred and Thirty Eight ($1,638.00) Dollars, for the payment of which we

hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a permit for purposes of performing the following

work in the public right of way:

Sidewalk for 513 S Main Ave, Springdale, AR 72764

(the “Permitted Work”); and

WHEREAS, the Principal is required to maintain a performance and completion bond guaranteeing that either

the Permitted Work will be completed in its entirety or the public right of way will be restored to its condition prior

to the commencement of the Permitted Work if the Principal fails to complete the Permitted Work to the

satisfaction of the Obligee.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Principal shall

faithfully comply with all applicable laws, statutes, ordinances, rules or regulations pertaining to the Permitted

Work, and shall either complete the Permitted Work in its entirety or restore the public right of way to its

condition prior to the commencement of the Permitted Work, then this obligation shall be null and void;

otherwise to remain in full force and effect.

This bond shall become effective on May 12, 2021.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable

hereunder for a larger amount, in the aggregate, than the penal sum listed above.

PROVIDED FURTHER, that the Surety may terminate its liability hereunder as to future acts of the Principal

at any time by giving thirty (30) days written notice of such termination to the Obligee.

SIGNED, SEALED AND DATED this May 12, 2021

GIBSON BUTCHER CONSTRUCTION, LLC

Principal

Travelers Casualty and Surety Company of America

By: Jennifer Wright Attorney-in-fact

Producer Name

(Required in Arizona Only)
POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Surety Bond No. 107438296

Principal: GIBSON BUTCHER CONSTRUCTION, LLC
513 S MAIN ST, SPRINGDALE, AR 72764-5328
Obligee: City of Springdale
201 Spring St, SPRINGDALE, AR 72764

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Jennifer Wright, of the City of SPRINGDALE, State of AR, their true and lawful Attorney(ity) in Fact, to sign, execute, seal and acknowledge the surety bond referenced above.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 7th day of July, 2016.

Federal Reserve Bank Seal

State of Connecticut

City of Hartford ss.

By: Robert L. Raney, Senior Vice President

On this the 7th day of July, 2016, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing Instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021.

Notary Public
This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary, or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 12 day of May, 2021.

Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the above-named individuals and the details of the bond to which the power is attached.
FILE NO. W21-08
APPLICANT: Butcher Gibson Construction, LLC
REQUEST: Waiver of sidewalk requirement

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Sidewalk Waiver for Setser - 308 E Lakeview Dr.

Hello Sharon,

We are looking for a sidewalk waiver for 308 E. Lakeview Dr. Springdale, AR 72764. We would be the only people in that area with a sidewalk and if would cause other issues in regards, to access and possibly drainage. I don’t see any other new homes being built on our road that would join our property. Please use my pictures for this request to the planning commission.

Thanks for the consideration,

J. Todd Setser and Laura E. Setser
Currently at
4251 Essex Cv
Springdale, AR 72762
Cell phone
479-387-5048
Proposed Sidewalk looking East at 308 E Lakeview Dr. would cause Neighbor's tree to be removed. There are no other sidewalks traveling East on E Lakeview Dr.
Proposed Sidewalk looking West at 308 E Lakeview Dr.
Due to the drainage culverts coming into this location, there is some concern of the safety of the end of the proposed sidewalk. Note there are no other sidewalks traveling West, all the way to Turn St.
Storm drainage from underground culvert at 308 E Lakeview Dr.
FILE NO. W21-10
APPLICANT: Todd Setser
REQUEST: Waiver of sidewalk requirements
From: Shawn Roller [mailto:rollerzkustomwoodworks@gmail.com]
Sent: Monday, May 17, 2021 3:08 PM
To: Patsy Christie
Subject: Re: Non- large scale development extension request

I am asking for a one year extension. I still need to get the building design approved for commercial design standards (we were almost there). Core Architects were working on this project, but I decided to go with another architect/engineer. I was also told I need electrical and the building floor plan lay out approved. I will know more once I hire another engineering firm. I apologize for not really having all the answers, this is new to me and very confusing.

Thank You,
Rollerz Kustom Woodworks LLC
Shawn Roller
479-841-5914
FILE NO. N19-06
APPLICANT: Rollerz Custom Woodworks (Shawn Roller)
REQUEST: Request for 1 year extension for Non-Large Scale Development