SPRINGDALE PLANNING COMMISSION
WAYNE HYDEN TRAINING ROOM
ROOM A205, CRIMINAL JUSTICE BUILDING
201 SPRING STREET
5:00 P.M.
AUGUST 3, 2021
TENTATIVE AGENDA

I. Pre-Meeting Activities
   Pledge of Allegiance
   Invocation

II. Call to Order

III. Roll Call

IV. Approval of Minutes July 6, 2021

V. Other
   A. Proposed amendment to the Springdale Code of Ordinance
      Chapter 130 Zoning Ordinance to amend Article 2

VI. Tabled Items
   A. C21-06  Dandy Oil Company, Inc.
              702 North Thompson Street
              Tandem Lot in C-2
              Presented by Engineering Services, Inc.
   B. C21-14  Jose Martinez Sandoval
              3805 Kelly Avenue
              Use unit 44 (mobile vending) in a C-2
              Presented by Stephanie Guevara

VII. Public Hearing – Rezoning
   A. R21-45  West Huntsville, LLC
              316 and 324 North West End Street
              From C-1 to MF-4
              Presented by Brittney Barker & Clay Morton
   B. R21-46  John Hendricks’s Properties, LLC (Graystone Storage)
              From A-1 to C-2
              Presented by Expedient Civil Engineering
C. R21-47  **Adam's Family Properties, LLC**  
3357 Habberton Road  
From A-1 to PUD  
Presented by Expedient Civil Engineering

D. R21-48  **Arnold and Lorene Hollingsworth**  
Northwest corner of Hwy 112 and Marchant Road  
From A-1 to C-4 and C-5  
Presented by Crafton Tull

E. R21-49  **John Hendricks’s Properties, LLC**  
1146 Cooper Drive  
From C-2 to MF-24  
Presented by Jorge Du Quesne / Luis Velez

VIII. Public Hearing – Conditional Use

A. C21-18  **Nebillie, Inc. (The Peaks)**  
1252 Cooper Drive  
Tandem lot in a MF-24 zoning  
Presented by Crafton Tull

B. C21-19  **Cook’s Berry Park, LLC**  
Hewitt Springs Road, north of Hwy 412 East  
Tandem Lot in Planning Area  
Presented by Randy Cook

IX. Preliminary Plats, Replats, & Final Plats

A. PP21-07  **Whispering Springs**  
Hylton Road, west of the intersection of Butterfield Coach Road & Howard Anderson Road  
**W21-12**  Waiver of Street Improvements to Howard Anderson Road from Butterfield Coach Road to County Road 92  
Presented by Engineering Services, Inc.

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

C. PP21-14  **Noah's Landing**  
East side of 56th Street, south of County Line Road  
Presented by Engineering Services, Inc.

X. Large Scale Developments

A. L21-22  **Hillcrest Village (formerly Har-ber Townhomes)**  
3 tracts west of 56th Street and south of Dearing Road  
Presented by Engineering Services, Inc.
B. L21-25  **Graysone Storage**  
1790 East Hwy 264  
Presented by Expedient Civil Engineering

C. L21-26  **Sagely Village**  
East side of Gene George, west of Oak Grove Road, north of Stockton Avenue  
Presented by Engineering Services, Inc.

D. L21-27  **Cards Recycling**  
1609 Old Missouri Road  
Presented by McClelland Consulting Engineers, Inc.

XI. **Board of Adjustment**

A. B21-62  **Leigh and Samuel Swift**  
4737 South 48th Street  
Variance for deviation of fence height requirement in front from 3' to 6'  
Presented by Leigh Swift

XII. **Waivers**

A. W21-12  **Whispering Springs**  
Hylton Road, west of the intersection of Butterfield Coach Road & Howard Anderson Road  
Waiver of Street Improvements to Howard Anderson Road from Butterfield Coach Road to County Road 92  
Presented by Engineering Services, Inc.

XIII. **Planning Director's Report**

XIV. **Adjourn**
The Springdale Planning Commission met in regular session on Tuesday, July 6, 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, Vice-Chairman Roy Covert led the Pledge of Allegiance and Commissioner Dale Tyler gave the invocation.

The meeting was called to order by Vice-chairman Covert at 5:00 p.m.

Roll call was answered by:

- Roy Covert – Vice-chairman
- Gary Compton
- Payton Parker
- Ben Peters – Secretary via Zoom
- Dale Tyler

It should be noted at this time that Mr. David was late arriving to the meeting. Ms. Mueller and Mr. Parsley were absent.

Others attending the meeting were Ms. Patsy Christie, Director of Planning and Community Development, Austin Thomas, Assistant Director of Planning and Community Development, Rick Barry, Senior Planner and Taylor Samples, Assistant City Attorney.

Mr. Compton moved to approve the June Planning Commission minutes. Mr. Tyler seconded the motion. By a voice vote of all ayes and no nays the June minutes were unanimously approved.

**Tabled items**

A. **W21-10**

   Todd and Laura Setser
   308 East Lakeview Drive
   Waiver of sidewalk requirement
   Presented by Todd Setser

Todd and Laura Setser were both present to answer any questions or comments. He said that they would be the only sidewalk on Lakeview Drive.

Ms. Christie said that Staff doesn't normally recommend approval of a sidewalk waiver. She asked if they would be willing to make payment in-lieu of so that when and if the City does street improvements to Lakeview Drive their portion would already be taken care of.

Mr. Setser said that would be fine.

Ms. Christie stated that it has to go to Council and it would go with a recommendation for approval subject to payment in-lieu of.

Mr. Parker made the motion to forward to Council with a recommendation for approval subject to a payment in-lieu of being made. Mr. Compton seconded the motion.
VOTE:

YES: Compton, Covert, Parker, Peters, Tyler

NO: None

The motion to forward to Council with a recommendation for approval subject to a payment in-lieu of was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution to go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

Public Hearing – Rezoning

A. R21-36 Living Savior Lutheran Church
   1600 Butterfield Coach Road
   From A-1 to P-1
   Presented by Debra Young

Ms. Young was present on behalf of the church to answer any questions or comments. She said they purchased the property about six months ago. She said that she applied for a business license and was denied because the property was zoned Agricultural.

Mr. Covert asked for Staff comments.

Ms. Christie asked if they were going to use the existing structure.

Ms. Young said that that is the plan.

Ms. Christie then read Staff comments.

The adopted Comprehensive Land Use Plan indicates Commercial use.

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

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

Ms. Laura Joseph asked if there would be a fence around the property.

Ms. Christie said that all that is being discussed tonight is the rezoning of the property so that they can hold church at this location.

Mr. Parker called for the vote.
VOTE:

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

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

B. R21-37  Motah, LLC (Medical Hospital)
5141 Watkins Avenue
From C-1 to C-5
Presented by Crafton Tull & Associates

Mr. Clay Schuler with Crafton Tull was present on behalf of his client to answer any questions or comments. He said that it is approximately 12.5 acres. The plan is to sell the property and build a medical hospital.

Mr. Covert asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial use.

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

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

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

Encourage the development of regional commercial areas that accommodate a variety of wholesale, retail, service and office uses where the highest traffic volumes and greatest utility demands can be served and more extensive outdoor display of materials will be expected and permitted that has frontage and or access to I-49.

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

There were none.

Mr. Compton called for the vote.

VOTE:

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

The rezoning request was approved by a unanimous vote.
Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

C. R21-38 Cadence Crossing, LLC  
From PUD to revised PUD  
PP21-01 4.95 acres near the intersection of W. Gibbs Rd. & Har-Ber Ave  
Presented by Engineering Services, Inc.

Mr. Blake Murry with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said that some of the lots have changed as far as which side the sides would face. He further stated that instead of one area of parking there will now be two areas of parking. He said that the detention pond was removed.

Mr. Covert asked for Staff comments.

Ms. Christie said that all the covenants and development plan will remain as stated previously approved. She asked Ms. Hollingshead with Engineering if they had any problems with the removal of the detention pond.

Ms. Hollingshead said that they did not.

Ms. Christie said that they still have the same standards as previously agreed to and that the lots will remain the same.

Mr. Brian Moore said that on the north side of the property two lots didn't have side yards and the one to the north and the setbacks will remain the same.

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

There were none.

Mr. Parker called for the vote for the rezoning.

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

The revised PUD was approved by a unanimous vote.

There were no Staff comments regarding the preliminary plat.

Mr. Parker moved to approve the preliminary plat subject to Staff comments. Mr. Compton seconded the motion.

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

The preliminary plat was approved by a unanimous vote.
D.  R21-39  48th & Elm Springs, LLC
North of Elm Springs Rd, west of Interstate 49 & east of 48th St.
From C-5 to C-2
Presented by John Lapointe

Mr. John Lapointe was present via Zoom on behalf of his client to answer any questions or comments.

Mr. Covert asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial.

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

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

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

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

There were none.

Mr. Parker called for the vote.

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

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

E.  R21-40  Hy-Crest Holdings, LLC
105 E. Robinson Ave.
From C-2 to C-5

C21-41  Use Unit 25 (Limited Manufacturing) in a C-5
Presented by Wildcat Shoals, LLC, Eric Tangness

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

Mr. Covert asked for Staff comments.
Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial use.

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

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

Encourage the development of regional commercial areas that accommodate a variety of wholesale, retail, service and office uses where the highest traffic volumes and greatest utility demands can be served and more extensive outdoor display of materials will be expected and permitted.

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

There were none.

Mr. Compton called for the vote on the rezoning.

VOTE:

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

NO: None

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

Mr. Covert said that they will also hear the conditional use as well and asked for Staff comments.

Mr. Covert asked for Staff comments.

Ms. Christie read the Staff comments.

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

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

Acceptable Refuse and service areas, with particular reference to the item in 1 and 2 above.
Acceptable  Utilities, with reference to locations, availability and compatibility.

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

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

Acceptable  Yard requirements and other open space requirements.

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

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

Acceptable  General compatibility with adjacent properties and other property in the general district. With ATF permit

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

There were none.

Mr. Parker called for the vote.

VOTE:

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

NO: None

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution to go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

F. R21-41  Riggins Construction, Inc. Retirement Trust
3.2 acres along the east side of Gene George, west of Oak Grove Rd, and South of Elm Springs Rd.
From SF-2 to MF-12
Presented by Engineering Services, Inc.

G. R21-42  Thang VanNyugen & Xuan Thi Huynh
4.3 acres on the west side of Oak Grove Rd., south of Elm Springs Rd. and North of Stockton Ave.
From C-2 to MF-12
Presented by Engineering Services, Inc.
Mr. Blake Murray with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said that they have two properties one at R21-41 and the other at R21-42.

Ms. Christie read the Staff comments.

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

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

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

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

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.

This is also the same comments for R21-42.

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

Mr. John Robinson said that he had a petition with 28 signatures on it to the opposition of the rezoning. He said that their concern is in regards to flooding. He also there were concerns about the proposed rezoning will be rental property which they feel will decrease their property value.

Ms. Christie said that the drainage issue will be addressed when the development plan is submitted.

Mr. Joe Hart wanted to know where the commercial property mentioned was located.

Ms. Christie said that the commercial is on the northwest and southeast corners of Elm Springs and Oak Grove Road.

Mr. Hart asked about the traffic flow.

Ms. Christie said that is something that will be addressed when the development plan is submitted.

It was decided to take both rezonings together.
Mr. David called for the vote.

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

Both rezonings were approved by a unanimous vote.

Ms. Christie stated for the record that two separate Ordinances would be prepared by Staff that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

H. R21-43  
Wobbe Lane, LLC  
4142 N. 45th Street; 9.8 acres between 45th & Interstate 49  
From C-6 to C-5  
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. Covert asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Regional Commercial use.

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

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

Encourage the development of a wide range of commercial development for the residents and tourist to include neighborhood, community and regional centers. Encourage the development of regional commercial areas that accommodate a variety of wholesale, retail, service and office uses where the highest traffic volumes and greatest utility demands can be served and more extensive outdoor display of materials will be expected and permitted that has frontage and or access to I-49

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

Mr. Parker called for the vote.

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

The rezoning was approved by a unanimous vote.
Ms. Christie stated for the record that two separate Ordinances would be prepared by Staff that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

I. R21-44 Parson's Family Trust  
18.9 acres east of Larkspur, generally aligned with N. Pleasant Street  
From SF-2 to SF-3  
Presented by Engineering Services, Inc.

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

Mr. Covert asked for Staff comments.

Ms. Christie said she wanted to point out that this request is a different request than was heard the last time.

She then read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Residential use.

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

Protect the positive aspects of neighborhood character throughout the City.

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

Ms. Karen McPherson said she understands that Ms. Christie said that this is a different request but it doesn't change the fact that it is going to be a different density. She presented a packet that she put together to each Commissioner that was present. She pointed out that the original request was for the entire parcel zoned SF-2 and now they are only asking for a portion of that to be rezoned to SF-3. She feels that it the exact same request that has been turned down. She also voiced her concern regarding the additional traffic.

Ms. Charlene Bowen spoke next. She echoed Ms. McPherson’s concerns. She didn't understand why they were asking to rezone the property when it was already zoned for single family dwellings.

Ms. Christie stated that an SF-3 has a smaller lot size and the applicant has the right to ask for an SF-3.
Ms. Bowen asked if it was because more houses could be built.

Ms. Christie said that in an SF-2 allows 4 units per acre and an SF-3 allows 6 units per acre. She also pointed out that the City does not have design standards for houses.

Mr. Murray said that there zonings to the south that are MF-12 and Industrial to both the north and the east.

Darren Riggins said that their intent is to sell the homes.

Mr. Parker said that his belief that if the Commission doesn’t give more housing options than just the standard quarter acre home on a lot the City will not be able to meet the demand for housing in Springdale.

Mr. Joe McKinney said that his property backs up to the property being rezoned. He wants to keep the zoning at SF-2.

Mr. David called for the vote.

VOTE:

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

The rezoning was approved by a unanimous vote.

Ms. Christie stated for the record that two separate Ordinances would be prepared by Staff that will go to Council on Tuesday, July 27, 2021 at 6:00 p.m. in Council Chambers.

Public Hearing – Conditional Use

A. C21-06  Dandy Oil Company, Inc.
               702 North Thompson Street
               Tandem lot in a C-2
               Presented by Engineering Services, Inc.

This item was tabled per Staff.

B. C21-14  Jose Martinez Sandoval
               3805 Kelly Avenue
               Use Unit 44 (Mobile Vending) in a C-2
               Presented by Stephanie Guevara

Ms. Guevara was present to answer any questions or comments.

Ms. Christie asked if Mr. Sandoval wanted to make this his permanent location.

He said that he did.
Ms. Christie then read the Staff comments.

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

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

**Unknown** Refuse and service areas, with particular reference to the item in 1 and 2 above. Not shown on site plan

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

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

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

**Unknown** Yard requirements and other open space requirements. Site plan not drawn to scale

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

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

**Unknown** General compatibility with adjacent properties and other property in the general district. Site plan not drawn to scale unable to determine if location meets minimum standards

Ms. Christie stated that the off street parking is confusing as the dimensions are not drawn to scale. She also wanted to know where the designated parking are spaces for the food truck and would it take up part of the parking for the entire structure.

Ms. Guavera said that they are.

Ms. Christie asked if the food truck would work off a generator or does he want to hook it to power.

Ms. Guavera said they would hook to electric on site.
Ms. Christie said it doesn't show how they are going to get power to the food truck and that they would have to ask for a variance in order to hook up.

Ms. Christy further stated that she couldn't tell if is compatible with the adjacent because it wasn't drawn to scale. She said it looks a lot larger than what is out there. She further stated that her recommendation would be to table it and they can bring back a scaled drawing.

Mr. Covert said that they will table this item.

Ms. Christie said that it would be on the August 3, 2021 agenda. She said they need to come by the office and sit down with Staff to determine exactly what is needed. She recommended that they go back out to the site and take good measurements.

C. C21-15  Beatrice Stone
18-02823-004, Ervin McGarrah Road
Tandem Lot Split in Planning Area
Presented by Larry Machan

This item was withdrawn per the applicant.

D. C21-17  Hy-Crest Holdings, LLC
105 E. Robinson Ave.
Use Unit 25 (Limited Manufacturing) in a C-5
Presented by Wildcat Shoals, LLC/Eric Tangness

This item was approved in conjunction with the rezoning request. (R21-40).

E. C21-18  Nebillie, Inc. (The Peaks)
1252 Cooper Drive
Tandem in a MF-24
Presented by Crafton Tull

This was tabled per the applicant.

Preliminary Plats, Replats and Final Plats

A. PP21-01  Cadence Crossing Subdivision (Revised)
7655 West Gibbs Road
Presented by Engineering Services, Inc.

This item was approved in conjunction with the revised rezoning of the PUD.
B. P21-12 Clayton Street Business Park
10.99 acres east of Clayton St., South of McRay Ave. and North of Sunset Avenue

B21-53 Variance for deviation of A) Master Street Plan for proposed dead end Street to be longer than 800 ft., being 1,228 ft. and B) developing a Private road with 30' access easement rather than dedicate the road as public.

Presented by Engineering Services, Inc.

Mr. Blake Murray with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said that this has been before the Commission before but construction wasn't started. It will be a two phases with a total of 12 lots with a detention pond.

Mr. Covert asked for Staff comments.

Mr. Austin Thomas said there are standard comments from the Planning department. He said that the Engineering summary states that the blue and green street signs are labeled incorrectly. The street section does not match the MSP local street section.

Mr. Murray said that in the past the MSP is a kind of minimum width with paved lanes that are required and they have requested a 30' back to curb back to curb street section within in a 50' right of way.

Mr. Thomas read that all street and sidewalks should be contained in the access easement of the private street; and engineering asked that they clarify notes on the lights. Also, they need to complete the section 1.2 property owner information including contact information and signature on flood plain development application; remove individual lot improvements from the plat.

Ms. Hollingshead said that she would like to clarify the variance pertaining to developing a private road with 30' access easement rather than dedicate the road as public. She said that the Engineering Department was not aware of the existing right-of-way on the public portion of the street prior to the variance being submitted so now they understand the reasoning behind the request. She said that she wasn't sure that the variance is applicable.

Mr. Moore said that he could explain the reasoning behind the request. He stated that when the property was purchased there was no access other than to the east. He said that he and his partner got a right-of-way from a Mr. Ferguson and dedicated it by a separate document. He said that it was done whenever they purchased the land 5 or 6 years ago. It is his understanding that Ms. Hollingshead doesn't think that the variance is needed.

Ms. Christie asked Ms. Hollingshead if she is asking for a document that shows how the street is to be maintained since it will be a private development.

Ms. Hollingshead said that wasn't one of Engineering's comments and said that they were just looking for clarification or justification as to why the street is half public half private. She said they have been given the document for the easement.
Ms. Christie asked Mr. Blake Holte with the SFD to address the length of the street.

Mr. Holte said that with the dead end street exceeding 800' the SFD would approve construction if all the buildings were sprinklered.

Ms. Christie asked that the developer understands that all the structures must be sprinklered if the variance is approved.

Mr. Moore said that it is shown on the plat.

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

There were none.

Mr. Parker called for the vote on the variance requesting the length of the dead end street to be longer than 800'.

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

The variance was approved by a unanimous vote.

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

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

The Preliminary Plat was approved by a unanimous vote.

C. PP21-13  Hylton Road Subdivision Phase II
Southwest of Willie George Park along Hylton Road, south of existing subdivision connecting to Butterfly Avenue
Presented by Engineering Services

Mr. Blake Murray with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. This is a slight modification to the original Preliminary Plat that was approved. He said before Hamlet Street had a knuckle turn and continued to the east to tie into Hylton Road. He further stated that they have a tie in on Hylton Phase III that has been previously approved by Planning and now they are proposing that Hamlet Street go south and connect to Phase III.

Mr. Covert asked for Staff comments.

Mr. Thomas said that there were no Planning comments. He read the Engineering summary which stated that street section does not match. Must be local streets section it looks like less than 6' of green space shown. Mr. Thomas asked Mr. Murray to address it.
Mr. Murray said that it is the same comment as on Clayton Street. His developer likes a 30’ street section back to curb back to curb which gives the drivers more room for maneuverability.

Ms. Hollingshead pointed out that the Master Street Plan is not a minimum width but the street sections that should be shown for those type of streets. She said that Engineering sees traffic issues when streets are too wide. She further stated that when something should be a low volume street and Engineering would classify it as a high volume local street. She said the speed limits are set to 30 miles per hour for high volume local and that is not what they prefer to have in a residential area.

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

Ms. Juanita Rohas(?) said that she thought the houses were being built too high. She is concerned about the drainage.

Ms. Hollingshead that since it is under construction, there is several swales stockpiles at this location. She said that looking at the minimum FFE are about the same.

Mr. Parker moved to approve the Preliminary Plat subject to Staff comments. Mr. David seconded the vote.

VOTE:

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

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

D. PP21-14 Noah’s Landing
   East side of 56th Street, just south of County Line Road
   B21-55 Variance for deviation of the Master Street Plan for purposed dead
   end street to be longer than 800’
   Presented by Engineering Services, Inc.

Mr. Blake Murray was present on behalf of his client to answer any questions or comments. He said that gone before the Planning Commission previously. He said they are asking for 29 lots one of which is a pond lot.

Mr. Covert asked for Staff comments.

Mr. Thomas said that there were several Engineering comments and asked Ms. Hollingshead to address them.

Ms. Hollingshead said that it is not same street section that is shown on the Master Street Plan, it is a wider street section that matches the high volume local street section which typically is set for traffic with counts between 500 and 5000 cars per day and with speed limits of 30 miles per hour which Engineering doesn't believe it is necessary or in fitting with a residential subdivision. They are also requesting that the modified curb be removed. She also wants to know if the street lights will be public or private. They are also looking for a full
signage plan for this subdivision, handicap and crosswalks shown on the plat and minimum finished floor elevations for the lots adjacent to swales.

Mr. Blake Holte with the SFD addressed the increase in length of the cul-de-sac. He stated that the two situations on the original proposed plat would trigger the sprinkler requirements and one is 30 lots or greater which they reduced. He said that the agreement is a connecting road/second entrance will be available at the time of final plat to allow them to get started on construction with an agreement that there will be a second access point so there won’t be a dead end greater than 800’ at the time of the final plat.

Ms. Christie said that Staff received an email from Chief Irwin that the developer indicated that they would not be building on any lots that exceed the 800’ length until there is a second entrance.

Mr. Moore said when they submitted this plat 90 days ago they have another access that they are going to be able to grant but they were looking toward one to the east or the south to the subdivision that was approved thirty or sixty days ago. He further stated that Ed Stith and fire were ok with calling it an ally; planning didn't want it to be called an ally because it didn’t meet the definition. He said that he met with Chief Irwin and that the chief said yes you can make it an emergency access; it's not a problem. In the meantime the current plat was submitted so Engineering Services has already turned in another plat for the whole area for next month’s meeting. He said what they are trying to do, if the weather will cooperate, they need to get dirt work started. He said they are asking Planning Commission to approve this plat so that they can get a grading permit and start grading and at the next month’s meeting the Planning Commission will have the revised preliminary plat showing the property to the south with another access.

Ms. Christy asked Ms. Hollingshead if she was ok to give them a grading permit based on what Mr. Moore said.

Ms. Hollingshead said that they should address all the comments; however, Engineering has in the past issued a provisional permit.

Mr. Moore further stated that they would build to the Master Street Plan standards.

By doing this, Ms. Christie said that the variance request goes away.

Mr. Murray said just to clarify it is a 27’ back to curb back to curb and 50’ right-of-way is as shown and it would be 29’ so parking on one side of the road would be 29’ and within a 46’ right-of-way per the Master Street Plan for a local street.

Ms. Christie said that they would dedicate which side of the street the parking will be on.

Mr. Murray said that was correct.

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

There were none.
Mr. Parker moved to approve the Preliminary Plat subject to Staff comments. Mr. David seconded the motion.

**VOTE:**

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

**NO:** None

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

E. FP21-02 Sundance Subdivision
6000 Block Julio road
Presented by Bates and Associates

Jake Chavis with Bates and Associates was present via Zoon on behalf of his client.

Mr. Covert asked for Staff comments.

Mr. Thomas said the planning comments were the standards. The Engineering summary:
- Final plat should show minimum floor elevations per lots, show drainage easement for pond on final plat, submit AS-Bilts, submit engineer's certification statement of cost for streets and storm drainage and detention certificate, submit one year maintenance bond and submit proof of payment to City for cost of installing street signs. Have corners of the subdivisions been monumented.

Ms. Hollingshead said that they were items from the engineering check list and they look for them before the final plat is signed. She said she did a site visit today and they have no problem with the final plat being approved.

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

There were none.

Mr. Parker moved to approve the final plat subject to Staff comments. Mr. Tyler seconded the motion.

**VOTE:**

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

**NO:** None

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

Ms. Christie stated for the record that if they want the Ordinance to go to Council on Tuesday, July 13, 2021, it needs to be in the Planning office no later than noon on Thursday, July 8, 2021.

F. FP21-03 Spring Meadows
South of Apple Blossom, west of Old Wire Road
Presented by Engineering Services, Inc.
Mr. Blake Murray with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said it was originally a part of Bethel Heights and was approved but Bethel Heights had Step Systems, they had tanks, pumps and everything with it but it had very limited of what you could do and what type of pumps and tanks. He said that after talking to his developer they wanted to use a different tank and pump for each individual lot. It was approved by Springdale Water with the caveat that a note be added to the final plat and go back through the process again. He said the note has been added and it talks about ownership and maintenance for what the lot owner’s responsibility and what SWU's responsibility will be.

Ms. Christie stated that what the Planning Commission is doing is agreeing putting on the final plat so that when someone buys a lot they are made aware from the beginning they are responsible for maintenance and everything and the equipment.

Tim Hawkins with SWU he said to use different equipment the buyer of the lot must get permission from SWU.

Ms. Christie asked if, per the note on the final plat, the buyer has to use that the developer is proposing to use for everyone of the lots or they want the ability to use it for certain lots. She said that she was under the impression that all the lots were going to use the same equipment.

Michael Crosno, the developer, said that have sourced a new system from Aquatech which is a local company. He further stated that they would be installing the systems when they build the houses. He also said that all the homes have been sold or under contract and the homeowners have been made aware.

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

There were none.

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

\textbf{VOTE:}  
\textbf{YES:}  Peters, Tyler, Compton, Covert, David, Parker  
\textbf{NO:}  None

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

Ms. Christie stated for the record that if they want the Ordinance to go to Council on Tuesday, July 13, 2021, it needs to be in the Planning office no later than noon on Thursday, July 8, 2021.
Large Scale Developments

A. L21-19  7Brew (Revision)  
1316 E. Robinson Avenue
B21-58  Variance for deviation of Commercial Design Standards
(A) Entrances, (B) Pedestrian Flow, (C) Central Features/Community Spaces, (D) Landscaping
B21-59  Variance for deviation of separation between two drives on a single tract from 150’ to 85’
Presented by Bates and Associates, Inc.

Mr. Jake Chavis with Bates and Associates was present via Zoom on behalf of his client to answer any questions or comments.

Mr. Covert asked for Staff comments.

Mr. Thomas read the Staff comments.

Large-Scale Comments:

1. MSP indicates an 8’ multi-use trail on the Northern side of E. Robinson.
2. The two drives do not meet the minimum 150’ of separation on a single tract.  
   (Variance Item)
3. As shown a shared access easement will be required to be dedicated as the drive encroaches on the property to the East. 
   Will this access be designed to accommodate a future connection for 815-28629-000? Given the placement of the drive any future access on the East of this property would not meet the minimum 150’ separation on a single tract.  
   (Variance Item)
4. The submitted informal plat will need to be approved and filed prior to final approval of construction plans.

Commercial Design (Site)

1. Sidewalks, no less than five (5) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalk shall be located at least six (6) feet from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade. 
   Provide a sidewalk or pathway for employee parking areas. (Variance Item)
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. 
   (Variance Item)
3. Continuous internal pedestrian walkways, no less than five (5) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall
connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty (50) percent of their length. (Variance Item)

4. Provide pedestrian oriented lighting in accordance with commercial design standards. Wallpacks are being utilized to illuminate the entire property.

**Commercial Design (Architectural)**

1. All sides of a principal building that directly faces an abutting public right-of-way shall feature at least one customer entrances. Where a principal building directly faces more than two abutting public rights-of-way, this requirement shall apply only to two sides of the building, including the side of the building facing the primary street, and another side of the building facing a secondary street. When additional stores will be located in the principal building, each store shall have at least one exterior customer entrances.

   Although a customer entrance is not a part of this format, other similar businesses have recently pursued a variance for this as it is tied more to the aesthetics and architectural elements than the need for customer entry itself. (Variance Item)

**Engineering Summary:**

- Adjust detention pond to allow for full 20' drainage easement and required separation from the building
- Provide accessible route for pedestrians (variance request)

**Engineering Comments:**

1. **Chapter 106 – Stormwater Drainage**

   - Maximum ponding limits of the pond need to be a minimum of 10 feet away from any building.
   - Pond appears to be too close to the building.
   - Must have 20' easement around detention pond.

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)
- **110.111** - 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.
  - The entrance encroaches on the adjacent property. Easement should cover all improvements that are built into the entrance.

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.
    - Provide pedestrians, (employees), an accessible route.
    - This note is left in place throughout the design process to insure that access is maintained.

5. Other:
- Remove or cross out any details that are not applicable to this project.

- **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. Christie asked if there is any way that there can be just one access point in and out instead of the double driveways as shown on the site plan which are less than 150’ apart.

Mr. Geoff Bates with Bates and Associates was present via Zoom and said that they can't really do that of stacking and circulation. He further stated that the detention pond is between those two drives.
Ms. Christie asked if they had any discussions with the highway department allowing them two access points.

Mr. Bates said that he has had preliminary discussions with them primarily about a drainage easement and to his knowledge they didn't have any problems regarding the two curb cuts.

Ms. Christie stated that she had a concern with drives being that close.

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

Mr. Parker had some questions/comments. He said that his personal experience going through 7-Brew is that because there is no sidewalk and no pedestrian flow is cause for concern. The servers with 7-Brew are walking around and in between the cars to get orders worries him. He feels that the two separate drive lanes are a concern to him. He said that he has an issue with no sidewalk. He also had an issue with no landscaping around the building and wanted to know if they could place it somewhere else.

Mr. Chavis stated that he didn't see a problem with that.

He further stated that he is not really comfortable with two driveways. He said that 412 is very difficult to get in and out of right now. He further stated that 7-Brew has not come up with a good model for traffic.

Mr. Bates stated that this model has been used on the last six or seven 7-Brews and it appears to work for them.

Mr. Parker called for the vote for B21-58 – Variance for deviation of Commercial Design Standards: A. Entrances B. Pedestrian Flow C. Central Features/Community Spaces and D. Landscaping.

VOTE:

YES:  Compton, Peters,
NO:  Covert, David, Parker, Tyler

The variance for deviation of Commercial Design Standards was denied by a vote of four (4) no and two (2) yes.

Mr. Parker called for the vote on B21-59 – Variance for deviation of separation between two drives on a single tract from 150" to 85'.

VOTE:

YES:  Peters, Compton
NO:  David, Parker, Tyler, Covert

The variance for deviation of driveway separation to be reduced from 150' to 85' was denied by a vote of four (4) no and two (2) yes.
Ms. Christie stated for the record that the variances have to be addressed on the large scale before it can be approved. She asked if they wanted the Commission to vote or table it and submit a revised large scale.

Mr. Bates said that they would have to come back.

B. L21-21 Flowerama of NWA (Revision)  
K-Mart parking lot at 3142 W. Sunset Ave.
B21-54 Variance for deviation of Commercial Design Standards  
A. Pedestrian Flow  
Presented by Bates and Associates

Mr. Jake Chavis with Bates and Associates was present on behalf of his client to answer any questions or comments.

Mr. Covert asked for Staff comments.

Mr. Thomas read the Staff comments.

Planning Comments:

Large-Scale Comments:
1. 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)
2.

Commercial Design (Site)
1. 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. (Variance Item)
2. Continuous internal pedestrian walkways, no less than five (5) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty (50) percent of their length. (Variance Item)
3. Provide a unified lighting plan for the subject property.
4. Provide fixture specs and pole heights to accompany unified lighting plan.

Engineering Summary:
- No comments
- Grading Permit is not required for this project
Engineering Comments:

1. 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.  
     ▪ Waiver of these requirements has been requested.

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

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

   - Construct-ability Review – At the request of the Director of Engineering, this project has been submitted to the Large Scale Inspector for a Construct-ability review. Comments from the Large Scale Inspector will be provided in a future round of comments.
Mr. Thomas asked if there was a particular reason that they can’t provide a connection to the public sidewalk.

Mr. Bates said that on this large scale they can do that.

Ms. Hollingshead said that there is no public sidewalk therefore the connection is not needed.

Mr. Bates said that there are already existing lights in this area and that is why a lighting plan was not submitted.

Mr. Thomas asked if they could provide a unified lighting plan that reflects that.

Mr. Bates said they can.

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

There were none.

Mr. Parker called for the vote on the variance.

**VOTE:**

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

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

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

**VOTE:**

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

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

C.  L21-24  PSC Soccer Indoor  
Highway 265 and Old Missouri  
Presented by Emma Hernon

This was tabled per Staff.

Board of Adjustment

A.  B21-46  Modern Storage  
4565 W. Sunset Ave.  
Variance for deviation of Commercial Design Standards  
Presented by Joe White and Associates
Mr. Joe White was present on behalf of his client. He said that they had been on the May Planning Commission and had a few items to clean up.

Mr. Covert asked for Staff comments.

Mr. Thomas said that for clarification it is for the front building setback closer than 20' to the northern property line, roof projection, and material requirements. He said that the material requirements are mostly in reference to internal facades within the complex itself.

Ms. Christie said that the building in the front meets the Commercial Design Standards. It is the buildings in the back that the variance is for.

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

There were none.

Mr. Parker called for the vote.

VOTE:

YES: Peters, Tyler, Covert, David, Parker
NO: No

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

B. B21-47 James Clinger, Jr.
1406 Christian Avenue
Variance for deviation of rear setback from 20' to 15'
Presented by James Clinger, Sr.

Mr. James Clinger, Sr. was present to answer any questions or comments. He said that he needed a variance for deviation of the rear setback from 15' to 8' because of a larger storage building.

Mr. Thomas asked if he was requesting a setback from 20' to 8.5'.

Mr. Covert asked for Staff comments.

Mr. Blake Holte with SFD stated that the SFD does not support the reduction of side or rear setbacks.

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

Mr. Compton asked if the structure was already in place.

Mr. Clinger said that it was.

Mr. Compton asked if there are other structures in the rear.

Mr. Clinger said that there is.
Mr. Compton asked how many storage units Mr. Clinger had in his back yard.

Mr. Clinger said that there were three.

Mr. Compton asked what the height is of the newest building.

Mr. Clinger said that it is 15' 10".

Mr. Parker called for the vote.

**VOTE:**

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

The variance was denied by a vote of four (4) no and two (2) yes.

Ms. Christie stated for the record that the variance request cannot be appealed to City Council that it must go through the Circuit Court. He has thirty (30) days to appeal the Commission's decision otherwise the portion of the structure that is encroaching on the setback will have to be removed.

C. **B21-49**  
Daniel Beyer  
1411 Camino Real Drive  
Variance for deviation of fence height requirement to  
Increase the height from 6' to 12'  
Presented by Daniel Beyer

Mr. Daniel Beyer was present to answer any questions or comments.

Mr. Covert asked for Staff comments.

Ms. Christie asked which side of the yard does he want to put the 12' fence.

Mr. Beyer said that it would be the south side which is closer to 1409 Camino Real.

Ms. Christie asked if he started adding additional height to the current fence.

Mr. Beyer said that there were some 8' pickets put there until the said security cameras were raised.

Mr. Beyer wanted to explain the chronological events. He started with a quote, "Privacy is not negotiable; it is the right of every American." He said that the variance to adjust the maximum height from 6' to 12' is absolutely essential. He said that it has become apparent that the resident at 1409 Camino Real has no intention to honor the order of the City nor the privacy of the 1411 Camino Real resident.

He further stated that the resident at 1409 has angled the security camera toward 1411 Camino Real Drive to voyeur, harass and antagonize its occupants. He said that the 4 K security are equipped with 3000 lumen flood light are being used irresponsibly.
He further stated that an ascetically pleasing fence would provide and protect the 1411 Camino Real residents and provided a barrier from other attacks, slander and threats and allow him the full use of his land.

In addition he said that as a counter measure temporary screens have been installed to prevent light pollution and to prevent view of minors where there is a reasonable expectation of privacy.

Mr. Covert asked if there were other Staff comments.

Ms. Christie said that she has letters from residents regarding this variance request.
Mr. Covert asked if there were those in the audience with questions or comments.

Ms. Christine (couldn't understand her last name) said that the light also signs into her home. She said that she can't leave her front blinds open because of that and that. She said that if a variance is permitted that it would be one that would not take away from the neighborhood. She further stated that if a 12’ fence is permitted that is sending out a message that there is something wrong with their neighborhood and there isn't and that the dispute, in her opinion should be settled in court.

Ms. Veronica Beyer said that she is a resident at 1411 Camino Real and have live there about ten years. She said that she didn't know how this could be addressed but it needed to be as she feels that her children are being watched by the neighbor's camera. She further stated that they need separation from 1409 although she understands is can't be done physically but with the fence she said she would feel safer as she was threatened by the neighbor at 1406 Camino Real.

Mr. David called for the vote.

VOTE:

YES: David, Peters
NO: Covert, Parker, Tyler, Compton

The variance request was denied by a vote of four (4) no and two (2) yes.

Ms. Christie stated for the record that the variance request cannot be appealed to City Council that it must go through the Circuit Court. He has thirty (30) days to appeal the Commission's decision.

D. B21-50 Rocio Aguayo
910 Dodson Street
Variance for deviation of fence height requirement from 3' to 4' in front
Presented by Juan Herrera

Mr. Juan Mendez was present on behalf of Rocio Aguayo to answer any questions or comments. He said that he lives 910 Dodson Unit A. He said that it is a duplex that just purchased and they are looking to add fencing to the front of the house so that they can keep their dogs in and there is also a lot of foot traffic through their yard.

Ms. Christie asked if they were requesting the fence for both the Dodson and Ewalt side.

Mr. Mendez said that that was correct.

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

Mr. Compton called for the vote.
VOTE:

YES: Parker, Peters, Tyler, Compton, Covert
NO: David

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

E. B21-51 Will Peters
Robbins Road
Variance for deviation of required 200’ of frontage in A-1

W21-11 Waiver of subdivision requirements
Presented by Will Peters and Jason McClure

Mr. Peters and Mr. McClure were both present to answer any questions or comments. He said that they would like to split the parcel in two along the southwest edge however: if granted it doesn't allow for the required 200’ of frontage needed in A-1.

Ms. Christie said that they are asking for a waiver because they do not want to do any improvements at all. Because it is a third split, they would be required to do the street improvements as technically a third split is considered a subdivision.

Mr. Peters said that it is agricultural and rural and that is why they are asking for the waiver.

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

There were none.

Mr. Parker asked if Mr. Peters really intended to keep it agricultural.

Mr. Peters said that just to clarify that they were intending to do this in the beginning when they purchased the property; as it was ten and a half acres. The parcel across the road the parcel was all one piece and the road passed through the middle of it and they had to include that as their third split.

Ms. Christie said that they are splitting it to build more than one structure.

Mr. Peters said that was correct. He said they would have a house on parcel one and parcel two.

Mr. Parker asked Ms. Christie what is included in subdivision requirements.

Ms. Christie stated that when you do a third split of a property; it is technically a subdivision and is required to do street improvements. She further stated that Council is the only one that can waive subdivision requirements.

It was decided to take the waiver first.

Mr. Parker moved to recommend to Council to require a payment in-lieu of for the waiver. Mr. Tyler seconded the motion.
VOTE:
YES: Parker, Peters, Tyler, Compton, Covert, David
NO: None

The motion to forward to Council with a recommendation for payment in-lieu of was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on July 27, 2021 at 6:00 p.m. in Council Chambers.

Mr. Parker called for the vote on the variance.

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

The variance was approved by a unanimous vote.

F. B21-52 Black Bear Holdings, LLC
811 Turner Street
Variance for deviation of required spaces
Presented by Michael Caraenzana

Michael Caraenzana was present on his behalf to answer any questions or comments. He said that he needed a parking variance to reduce the number of required spaces from 8 to 4.

Ms. Christie asked if he was a new renter.

He said that he was.

Ms. Christie said that the business before him didn't require the same number of parking spaces.

Mr. Chamlee said that there had never been a business license at this building.

Ms. Christie said that that is the reason the previous tenant didn't have to have the additional spaces.

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

There were none.

Mr. David called for the vote.

VOTE:
YES: Compton, Covert, Peters, Tyler
NO: David
ABSTAIN: Parker
The variance was approved by a vote of four (4) yes, one (1) no and one (1) recusal.

G. B21-53  Clayton Street, LLC
11.98 acres on the east side of Clay Street
A. Variance for deviation of Master Street Plan for proposed dead end Street to be longer than 800'
B. Developing a private road with 30' access easement rather than Dedicate the road as public
Presented by Engineering Services, Inc.

This was voted on and approved in conjunction with PP21-12.

H. B21-54  JK Properties of NWA (Flowerama)
2940 W. Sunset Avenue
Variance for deviation of Commercial Design Standards
A. Pedestrian Flow
Presented by Bates and Associates, Inc.

This was approved in conjunction with L21-21

I. B21-55  Loy and Alma Boyd Revocable Trust (Noah's Landing)
Located along east side of N. 56th Street, south of County Line Road
Variance for deviation of the Master Street Plan for proposed dead end street to be longer than 800'
Presented by Engineering Services, Inc.

This was approved in conjunction with PP21-14

J. B21-56  Chandler Holdings, LLC (Chandler Equipment)
4180 and 4078 West Sunset Avenue
Variance for deviation of Commercial Design Standards
A. Roofs
Presented by Bates and Associates

Mr. Jake Chavis with Bates and Associates was present on behalf of his client to answer any questions or comments as was Dave Burress with Burress Architect who spoke to the Commercial Design Standards request.

Mr. Burress said that the goal of the building is to expand the current functions on site. He said that the design intent was to get as much space on site. He said that on elevation 3 they took some of the same design elements that was on the front building.

Ms. Christie said that basically they are filling in a space that is not covered where the extra two doors are.

Mr. Burress said that was correct.
K. B21-57 Chandler Holdings, LLC (Chandler Equipment)
4180 and 4078 West Sunset Avenue
Variance for deviation of sidewalk width requirement from 8' to 5'
Presented by Bates and Associates

Mr. Jake Chavis with Bates and Associates spoke to this variance request. He stated that for the sidewalk along the frontage to be reduced from 8' to 5'. He said that the reason is there are multiple utilities within the eight foot section. He further stated that the sidewalk to the west is also five foot.

Mr. Covert asked for Staff comments.

Ms. Christie said that a five foot sidewalk is better than nothing.

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

There were none.

It was decided to take both variances together.

Mr. Parker called for the vote.

**VOTE:**

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

**NO:** None

Both variances were approved by a unanimous vote.

L. B21-58 Rosamond Properties (7 Brew)
Variance for deviation of Commercial Design Standards
A. Entrances B. Pedestrian Flow C. Central Features/Community spaces & D. Landscaping
Presented by Bates and Associates

This was denied with the presentation of the Large Scale, which was tabled.

M. B21-59 Rosamond Properties (7 Brew)
Variance for deviation of separation between two drives on a single tract from 150' to 85'
Presented by Bates and Associates

This was denied with the presentation of the Large Scale, which was tabled.
N. B21-61 Promenade Point III, LLC (Northwest Medical Center - Eastside)
2158 Butterfield Coach Road
Variance for deviation of sign requirements - freestanding sign(s) located less than 150 feet from the right-of-way of Butterfield Coach and East Robinson (412 East Highway)
Presented by Best Sign Group

Mr. Jones said that the sign is for an urgent care facility. He said the building faces Highway 412 but has more of a frontage side on Butterfield Coach Road. He said that NW Medical have received reports that the two monument signs currently installed are not visible and are asking that the signs be elevated to pylon signs.

Mr. Covert asked for Staff comments.

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

There were none.

Mr. Parker called for the vote.

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

The variance was approved by a unanimous vote.

Planning Director's Report

Planning Director Report 7-6-21

✓ Council actions in June

- Tabled appeal of the Planning Commission denial of a conditional use requests for a church at 1880 S Pleasant
- Approved Rezonings
  - acres – Hylton Road Real Estate, LLC – A-1 to SF-2
  - acres – G & C Family, LLC, 1710 Powell St – C-2 to I-1
  - 15 acres – Brenda Lazenby – behind 2018 E Robinson – NF-12 to PUD
  - acres – Amber Mendez & Rodolfo Velazquez – 1297 Cooper Dr – A-1 to MF-24
  - 1 acre – John A. Mathias – 1001 & 1235 Cooper Drive – C-2 to MF-24
  - Acres – ISC Properties, LLC – 2200,2300 & 2400 Old Wire Rd – C-5 to I-1
  - Acres – Terry Presley – S 64th – A-1 to C-2
  - Acres – Children’s Safety Center – 3284 & 3300 Gene George Blvd – A-1 to C-2
o Approved Waiver of street improvements with no Bill of Assurance – Carson Engineering – 1764 Bain Ave

o Approved an ordinance correcting a scrivener's error on the rezoning of 2652 and 3744 Wagon Wheel Road – A-1 and C-2 to C-5

o Approved reappointment of Steve Smith and Greg Collier to the Airport Commission

o Approved reappointment of Derek Gibson to the Housing Authority Board

o Authorized execution for construction of Dean's Trail, Phase II – tunnel under 412

o Approved vacating of an abandoned public street in Mount Callahan Acres Subdivision

o Vacated utility easement on property at 3250 Willow Bend Circle; Henson Heights 2nd Subdivision

o Granted a conservation Easement on Rabbit Foot Lodge property

o Authorized application for STBGP-A grant for Phase 1 of Gene George Blvd from Don Tyson Parkway to New Hope Road

✓ Work Session

Work Session – July 20th – Comprehensive Land Use Plan Update

Resignation of Austin Thomas – Rick Berry being moved to Austin’s position

There being no further business the meeting was adjourned at 8:07 p.m.

Roy Covert, Vice-Chairman

Ben Peters, Secretary

Patsy Christie, Director
Planning and Community Development Division

Debbie Pounders, Recording Secretary
NOTICE OF PUBLIC HEARING

The Springdale Planning Commission will conduct a public hearing on a proposed amendment to the Springdale Code of Ordinance Chapter 130 Zoning Ordinance to amend Article 2: Administration and Enforcement Section 10 to allow appeals of any decision of the board of adjustment to City Council on Tuesday, August 3, 2021, at 5:00 P.M. in the Wayne Hyden Training Room, A205, City of Springdale Criminal Justice Building, 201 N. Spring, Springdale, Arkansas. All interested persons are cordially invited to attend. A copy of the proposed addition can be obtained through the Planning and Community Development office.

Ben Peters
Secretary
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

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

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

3. Record Title Holder of Property: Dandy Oil Company Inc
   (A copy of the warranty deed should be attached as Exhibit “A”)

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

5. Description of the conditional use sought and the reasons why it should be approved:
   Applicant requests a conditional use allowing a tandem lot as shown in the Informal Plat. Tandem lot will
   have access to Harris St via an access easement.

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

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

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

9. All adjacent property owners are to be notified by certified mail, return receipt requested at
   least ten (10) days prior to the Planning Commission meeting. The applicant must provide
   evidence in the form of a signed affidavit, that notice has been given to all adjacent
   property owners subject to the conditional use.
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)  
Gary Dancy

Signature of Applicant  
Gary Dancy

Date: 4-14-21

Date: 4-14-21

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.

Gary Dancy

State of Arkansas  
) ss.
County of Washington

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

[Signature]
Notary Public

My commission expires: 3-16-2009
FILE NO. C21-06
APPLICANT: Dandy Oil Company, Inc
REQUEST: Conditional Use - Tandem Lot in C-2 zoning
IRON PIN WITH CAP "PLS 1156"; THENCE S87°34'31"E A DISTANCE OF 100.10 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S02°04'38"W A DISTANCE OF 216.83 FEET TO A FOUND 1/2 INCH REBAR ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (NORTH THOMPSON STREET); THENCE S87°35'22"E A DISTANCE OF 217.76 FEET TO THE POINT OF COMMENCEMENT, CONTAINING 1 ACRES (43,560 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

SURVEY DESCRIPTION PARENT TRACT - PARCEL NO. 815-28350-002:

POINT OF BEGINNING, CONTAINING 1.59 ACRES (69,194 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

1.59 AC. ± (69,194 SQ. FT.)

GAS PUMPS ZONED C-2

TRACT 1

CONTAINING 1.09 ACRES (47,415 SQUARE FEET),

CONCRETE PAVING 20.1'

POWER JCT. BOX

192.84 FEET; THENCE S02°03'07"W A DISTANCE OF 41.00 FEET; THENCE N87°56'53"W A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.50 ACRES (21,781 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

0.50 AC. ± (21,781 SQ. FT.)

GAS ATTENDANT

TRACT 2

CONTAINING 0.15 ACRES (6,473 SQUARE FEET), MORE OR LESS.

AT THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NW 1/4; THENCE N02°04'38"E A DISTANCE OF 894.94 FEET; THENCE S86°53'22"E A DISTANCE OF 317.95 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S02°04'38"W A DISTANCE OF 216.83 FEET TO A POINT OF BEGINNING, CONTAINING 0.09 ACRES (3927 SQUARE FEET), MORE OR LESS.

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Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 6, 2021
Re: C21-14

A request by Jose Jesus Martinez Sandoval for a Conditional Use Permitted on Appeal as a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2).

LOCATION
2805 Kelley Avenue

EXISTING CONDITIONS
6000 square foot commercial structure on a .5 acre tract

SITE PLAN REVIEW REQUIRED: __X__ Yes _____No

DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

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

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

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

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

Acceptable  Utilities, with reference to locations, availability and compatibility.
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Screening and buffering with reference to type, dimension and character.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.</td>
</tr>
<tr>
<td>Unknown</td>
<td>Yard requirements and other open space requirements.</td>
</tr>
<tr>
<td>Site plan not drawn to scale</td>
<td></td>
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<tr>
<td>Unknown</td>
<td>The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.</td>
</tr>
<tr>
<td>N/A</td>
<td>Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.</td>
</tr>
<tr>
<td>Unknown</td>
<td>General compatibility with adjacent properties and other property in the general district. Site plan not drawn to scale unable to determine if location meets minimum standards</td>
</tr>
</tbody>
</table>
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Jose Jesus Martinez Sandoval
   Address: 826 Rachel Ln. Rogers, AR 72758
   Phone: 479-381-9702
   Profit: Non-Profit ✓

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

3. Record Title Holder of Property: 3805 Kelley Ave. Springdale, AR 72762
   (A copy of the warranty deed should be attached as Exhibit “A”)

4. Use Unit requested 44 in C-2 Zoning District.

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

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   Should not effect

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.

Applicant: Jose Martinez

Signature of Record Property Owner(s)

Signature of Applicant

Date: 05-10-21

Date:

VERIFICATION

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

State of Arkansas      )
County of Benton   ) ss.

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

Notary Public

My commission expires: Dec 2, 2029

Jeremy Rand
Notary Public - Arkansas
Benton County
Commission # 12709236
My Commission Expires Dec 2, 2029
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.

Property owner: Michael Verucchi

Signature of Record Property Owner(s)

Signature of Applicant

Date: 5-7-21

VERIFICATION

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

State of Arkansas )
County of Washington ) ss.

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

Notary Public

FILE NO. C21-14
APPLICANT: Jose Martinez Sandoval
REQUEST: Conditional Use - for Use Unit 44
(mobile vending) in a C-2 at 3805 Kelley Ave
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 28, 2021
Re: R21-45 Rezone

A request by West Huntsville, LLC, registered agent for Planning Commission approval of a zone change from Neighborhood Commercial District (C-1) to Low/Medium Density Multi-Family Residential District (MF-4) for two tracts of land containing .66 acres.

LOT LOCATION AND SIZE
The .66 acre tracts are located at 316 and 324 N. West End Street, southwest corner of the intersection of N. West End Street and Huntsville Avenue.

A vicinity map is attached.

EXISTING ZONING
The existing zoning of this tract is a C-1 Neighborhood Commercial district. The District is designed to accommodate limited retail developments within or adjacent to neighborhood areas for the purpose of supplying daily household needs of the residents for food, drugs and personal services. Commercial uses within this district should not depend on market areas larger than the neighborhood served. The district may also be used in conjunction with existing commercial developments as an extension of such established commercial district. The C-1 district shall generally be located at arterial or collector street intersections and within walking distance of residential areas.

Uses permitted: - 1, 4, 16, 17, 19, 27
Conditional Uses Permitted on Appeal: - 2, 3, 8, 28, 29

DEVELOPMENT CRITERIA
1. Developments shall be designed to accommodate between one (1) to fifteen (15) stores on a site not more than five (5) acres in size.
2. Maximum gross leasable area of five thousand (5,000) square feet per establishment, except that one (1) establishment may have not more than ten thousand (10,000) square feet.
ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

SITE PLAN REVIEW
When a conditional use is proposed in a C-1 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-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)
- 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-4 Low/Medium Density Multi-family Residential District. The district is established to provide areas for development with a maximum of four dwelling units per residential structures. 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, 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-4 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 seven thousand (7,000) square feet for a single family dwelling; nine thousand (9,000) square feet for a duplex; thirteen thousand five hundred (13,500) for a triplex; and eighteen thousand (18,000) for a four-plex. In addition, there shall be a minimum lot width of not less than sixty (60) feet for a one family; seventy (70) feet for two family; eighty (80) for a three family and ninety (90) feet for a four family on a public street at the front setback line.

(2) DENSITY. Eight (8) units per acre.

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

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

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

<table>
<thead>
<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<tbody>
<tr>
<td>Widths</td>
<td>Area (sq.ft.)</td>
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BUILDING AREA
On any lot, the area occupied by all buildings shall not exceed forty (40) percent of the total area of the lot.

OFF-STREET PARKING
See Article 7 of this chapter.

LANDSCAPED OPEN SPACE
On any lot, there shall be a minimum of ten (10) percent of landscaped open space in accordance with Article 6 Section 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 area to the north contains a church in P-1 zoning. The area to the east and south contains single family dwellings in SF-2 zoning. The area to the west contains a duplex in SF-2 zoning and an undeveloped area in SF-2 zoning.

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

The Master Street Plan indicates Huntsville Avenue as a major collector and West End 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.

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

✔ 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 West Huntsville LLC

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

Legal Description:

EXHIBIT "A"

Tract 1:
A part of the East Half (E1/2) of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 35, Township 18 North, Range 30 West being more particularly described as beginning at a point that is South 88 feet from the Northeast corner of said 20 acre tract, thence West along the south line of Morton/Newell property as shown in Land Document 2006-000035685, thence South 2 feet to the southeast corner of the Holland Trust property as shown in Land Document 2000076567, thence west 75 feet west along said Holland Trust south line to a North/South fence, thence South along said fence 75 feet to an East/West fence, thence East along said fence to a point 75 feet South of the point of beginning, thence North 75 feet to the point of beginning.

and

Tract 2:
Part of the East Half of the Northeast Quarter of the Southwest Quarter of Section 35, Township 18 North, Range 30 West, described as: Beginning at the Northeast corner of said 20-acre tract and running thence West 144 feet; thence South 88 feet, thence East 144 feet; thence North 88 feet to the place of beginning.

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) C1
TO (proposed zoning) MF4
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 **To build a triplex & Duplex**

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **None they are residential**

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: Clay Mox

Address: 87 W Colt St 511 Fayetteville AR 72703

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS: PO Box 8818 Fayetteville AR 72703

TELEPHONE: 479-957-6566 DATE: 7-9-20
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 9th day of

Notary Public
FILE NO. R21-45
APPLICANT: Brittney Barker & Clay Morton
REQUEST: Rezoning from C-1 to MF-4

PLANNING COMMISSION MEETING
August 3, 2021
Memo

To: PLANNING COMMISSION MEMBERS

From: Patsy Christie, Planning Director

Date: July 29, 2021

Re: R21-46 Rezone

A request by John Hendricks Properties, LLC, registered agent 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 6.19 acres.

LOT LOCATION AND SIZE
The 6.19 acre tract is located at 1790 E. Hwy 264, south side of highway 265, east side of Old Wire Road.

A vicinity map is attached.

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

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

ACCESSORY USES
The following accessory structures and land uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:
(1) Accessory buildings, including private garages, storage facilities and children's playhouses.
(2) Private greenhouses.
(3) Swimming pools, tennis courts and similar recreation facilities.

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

AREA REGULATIONS

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

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

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

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

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

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<th>LOT MINIMUMS</th>
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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’
- 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 in A-1 zoning. The area to the south contains a commercial use in C-2 zoning; a mobile home park in MHD zoning; and a residential dwelling in SF-2 zoning. The area to the west contains a commercial use in C-2 zoning.

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

The Master Street Plan indicates Hwy 264 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:

- 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 ___________ John W. Hendricks Properties, LLC ________________

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

Legal Description:

AS SURVEYED DESCRIPTION OF TRACT 1A

A PART OF THE S 1/2, OF THE SW 1/4 OF THE SE 1/4, SECTION 18, TOWNSHIP 18 NORTH, RANGE 29 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE SW 1/4 OF THE SE 1/4, SAID SECTION 18, SAID POINT BEING A FOUND RAILROAD SPIKE; THENCE ALONG THE EAST LINE OF SAID SW 1/4, OF THE SE 1/4, S02°35'57"W 658.78 FEET TO A POINT; THENCE LEAVING SAID EAST LINE, AND ALONG THE NORTH LINE OF SAID S 1/2, OF THE SW 1/4, N87°54'30"W 520.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN WITH CAP, "PLS 1156"; THENCE LEAVING SAID NORTH LINE, S02°35'46"W 659.16 FEET TO SOUTH LINE OF SAID SW 1/4, OF THE SE 1/4, SAID POINT BEING IN THE CENTER OF ARKANSAS STATE HIGHWAY NO. 264; THENCE ALONG SAID SOUTH LINE AND ARKANSAS STATE HIGHWAY NO. 264, N88°10'21"W 373.01 FEET TO A SET PK NAIL; THENCE LEAVING SAID SOUTH LINE AND ARKANSAS STATE HIGHWAY NO. 264, N02°35'53"E 420.89 FEET TO A SET IRON PIN; THENCE N87°24'08"W 210.34 FEET TO A SET IRON PIN; THENCE FOLLOWING THE WEST LINE, N01°31'40"E 237.27 FEET TO THE NORTH LINE OF SAID S1/2, OF THE SW1/4, OF THE SE1/4, SAID POINT BEING A FOUND IRON PIN WITH UNREADABLE CAP; THENCE ALONG SAID NORTH LINE, S88°01'04"E 446.23 FEET TO A FOUND 5/8 INCH REBAR; THENCE CONTINUING ALONG SAID NORTH LINE, S87°54'30"E 141.53 FEET TO THE POINT OF BEGINNING, CONTAINING 6.19 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

Layman's Description:

The Petitioner hereby states by oath that:

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

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

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

The Petitioner requests the following zoning classification:

FROM (current zoning) ___________ A-1 Agricultural ________________

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, other contract for conveyance of title __________ (Yes or No).

2. **Develop** the property __Yes__ (Yes or No), and if so, the proposed use is to construct a self-storage and climate-controlled storage ________________.

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

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

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

Authorized Representative:  Jason Ingalls/Expedient Civil Engineering, PLLC

Address:  9200 Suits US Drive, Ste. B, Bella Vista, AR 72714

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS:  P.O. Box 5484, Bella Vista, AR 72714

TELEPHONE:  479-364-0028 DATE:  7/8/2021
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas    )
                   ) ss.
County of Washington )
SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13day of
                )
                   )
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                   )
FILE NO. R21-46
APPLICANT: Expedient Civil Engineering
REQUEST: Rezoning from A-1 to C-2
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: July 29, 2021
Re: R21-47 Rezone

A request by Adams Family Properties, LLC, registered agent for Planning Commission approval of a zone change from Agricultural District (A-1) to Planned Unit Development District (PUD) for a tract of land containing 10 acres.

LOT LOCATION AND SIZE
The 10 acre tract is located at 3357 Habberton Road, east side of Habberton Road across from Walter Turnbow Elementary school.

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

The PUD process permits more flexibility in the choice of building types, the arrangement of varied land uses, and the use of generalized rather than specific development regulation. By permitting and encouraging the use of such procedures the planning commission and the city council will be able to make more informed land use decisions and thereby guide development more effectively in the best interest of the city. The PUD should:
(1) Facilitate and encourage a maximum of social and community interactions and activity among those who live, shop, play and work there.
(2) Provide open space not only for traditional private use in setbacks and yards surrounding structures, but also conveniently located with respect to points of residential and commercial concentration for the general benefit of the community and public as places for relaxation, recreation and social activity.
(3) Provide a comprehensive, multi-modal circulation system separated from vehicular roadways which links residential, non-residential and open space areas.

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

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

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

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

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

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

DENSITY, BULK, AREA AND YARD REGULATIONS

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

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

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

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

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The area to the north contains a single family dwelling and agricultural uses in A-1 zoning. The area to the east is undeveloped in A-1 zoning. The area to the south contains single family dwellings in A-1 zoning and an elementary school is to the west in P-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates medium density residential.

The Master Street Plan indicates Habberton 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 but additional elements as outlined need to be addressed before it can be 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 Adams Family Properties, LLC

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

Legal Description:

PT SW SE 10.00 AC FURTHER DESCRIBED FROM 2017-7489 AS: Part of the Southwest Quarter of the Southeast Quarter of Section Nine (9), Township Seventeen (17) North, Range Twenty-Nine (29) West of the Fifth Principal Meridian, in Washington County, Arkansas, more particularly described as follows, to-wit: Commencing at the Southeast Corner of the Southwest Quarter of the Southeast Quarter thence North 0°01’31” West 347.24 feet, thence North 89°04’56” West 502.11 feet to the point of beginning, thence North 0°01’31” West 538.45 feet, thence North 89°04’56” West 808.98 feet, thence South 0°01’31” East 538.45 feet, thence South 89°04’56” East 808.98 feet, to the point of beginning.

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) A1 (Agricultural District)

TO (proposed zoning) PUD (Planned Unit Development District)
The Petitioner’s immediate intentions are to:

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

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

   Construct approximately 33 single-family residential lots

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

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

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

Authorized Representative: Jason Ingalls/Expedient Civil Engineering, PLLC

Address: 9200 Suits US Drive, Ste. B, Bella Vista, AR 72714

**PETITIONER/OWNER**

**SIGNATURE**

**MAILING ADDRESS:** 3885 Julio Road, Springdale, AR 72764

**TELEPHONE:** 479-530-4418 **DATE:** 7/23/21
VERIFICATION

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

SIGNATURE
(Property Owner)

[Signature]
(Property Owner)

State of Arkansas      )
) ss.
County of Washington   )

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

[Signature]
Notary Public
DEVELOPMENT PLAN, RATIONALE & SUPPORTING DOCUMENTS

PURPOSE

The purpose of this report is to provide the Springdale Planning Commission with information and data supporting the proposed Hackberry Woods Planned Unit Development.

PROJECT LOCATION

Hackberry Woods Planned Unit Development is approximately a 10 acre subdivision to be developed in Southeast Springdale, Arkansas. More specifically, the project is located north of Don Tyson Parkway north of the northeast corner of Habberton Road and Don Tyson Parkway. The purpose of the development is to provide affordable housing with amenities. Hackberry Woods is being developed as a Planned Unit Development (PUD) for the following reasons:

- The subdivision of land and the rezoning are to be reviewed in one process.
- The approved PUD plan will remain intact even if transfer of ownership were to occur.
- The approved PUD will represent a commitment by both the Developer and the City.
- The approved PUD permits more flexibility in the choice of building types, the arrangement of varied land issues and the use of generalized rather than specific development regulation.
- To allow the Planning Commission and the City Council to make more informed decisions and thereby guide development more effectively in the best interest of the City.

Hackberry Woods Planned Unit Development will provide the following:

- Facilities that encourage affordable housing with associate amenities.
- Provide open space for not only traditional private use in setbacks and yards surrounding structures, but also conveniently located with respect to points of
residential concentration for the general benefit of the community and public as places for relaxation, recreation and social activity.

- A 4-foot wide trail system, located in otherwise unusable land, will house a dog park and walking trail. The trail will be accessible from all lots with rear yard access to lots 6 through 12.
- Preserve the natural environment by minimizing the grading necessary for construction.
- Achieve a maximum of safety, convenience and amenities for both the residents of the PUD and the residents of the neighboring areas and assure compatibility with existing and proposed surrounding land uses.

Hackberry Woods Planned Unit Development will permit the following uses:

- Unit 1 – city-wide public uses by right
- Unit 8 – single-family dwellings

ACCESSORY USES

Permanent structures.

- Located on the rear two-thirds (2/3) of the lot, but limitation shall not apply to carports, and garages provided that the required front yard is observed.
- Shall be located in accordance with adopted fire codes from any existing dwelling or dwelling under construction and all setback requirements.

SITE PLAN REVIEW

The development plan has been submitted in conjunction with the rezoning of the site.

- Location – The intent is to apply the PUD district to areas designated as residential or recreational on the land use plan. – The Comprehensive Land Use Plan indicates low density residential use for the development and the surrounding area.
- Ownership – Eligible applicants for preliminary plan review must be the landowners of record, holders of a lease for not less than fifty (50) years, or their authorized agent and beneficiaries of all properties in question. The approved final development plan shall be binding on all subsequent owners of the land until
revised or repealed in this article. – Adams Family Properties, LLC, an Arkansas limited liability company is the current owner and developer of the property. Charlie Adams is the owner of Adams Family Properties, LLC.

- The amenities shall be built with the project. The amenities shall be completed no later than 1 year after the final plat is approved by the Springdale City Council. Since the project lies directly adjacent to a floodplain, we are requesting a waiver from detention.

DENSITY

PUD densities may be determined on the basis of any and all of the following considerations;

a. Densities designated by the land use plan – low density (4 units/acre) –

b. Densities of surrounding development – area to east zone A-1

c. Densities allowed under the various zoning districts – SF-1 – less than 4 units/acre; SF-2 -4 units/acre; SF-3 – 6 units/acre;

d. Urban development goals and other policies of the city – Assume adequate land allocation for residential purpose by proving 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.

e. Topography and character of the natural environment and the impact of a given density on the specific site and adjacent properties.

f. The City also has the discretion to consider any other relevant factors.

This development has 33 single family dwelling units for a total density of 3.3 units per acre of total PUD. The subject property is on the land use plan as low density residential. This provides for a density of 4 units per acre. Hackberry Woods PUD is in keeping with the PUD concept of having higher density with more amenities. In this case, the density is being decreased to 3.33 units per acre. However, we are
requesting a smaller lot at 6,000 square feet whereas SF-3 calls for a 7,000 square foot lot minimum.

INTENTION TO SELL

The developer intends to sell all of the lots in the subdivision. – common areas to be sold to the Property Owner’s Association (POA).

LOT SIZE

The ordinance states that there shall be no minimum standards for lot size although existing standards of zoning and subdivision regulations may be used as a guide. Lot sizes in other Planned Unit Developments within the City of Springdale range in sizes from a minimum of 30 feet in width to over 120 feet in width.

City of Springdale Zoning Regulations

<table>
<thead>
<tr>
<th>Single Family Lots</th>
<th>Lot Minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>Area (sq. ft.)</td>
</tr>
<tr>
<td>SF-1</td>
<td>80</td>
</tr>
<tr>
<td>SF-2</td>
<td>70</td>
</tr>
<tr>
<td>SF-3</td>
<td>60</td>
</tr>
<tr>
<td>MF-2</td>
<td>80</td>
</tr>
</tbody>
</table>

The lot sizes for Hackberry Woods are as follows:

| Single Family Lots | 60 | 6,000 |

SETBACK

No minimum standards for setbacks are in the ordinance, although existing standards of the zoning and subdivision regulations will be used as a guide.

<table>
<thead>
<tr>
<th>Existing Standard Setbacks</th>
<th>Hackberry Woods Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front – 30’</td>
<td>Single Family – Front – 25’</td>
</tr>
<tr>
<td>Rear – 20’</td>
<td>Rear – 15’</td>
</tr>
<tr>
<td>Side – 8’</td>
<td>Side – 5’</td>
</tr>
</tbody>
</table>
The overhang of the residential structures may not encroach into the setback. The reduced setbacks allow for more green space for the overall project to create more of a community atmosphere.

OFF-STREET PARKING

Garages and driveways will be provided for off-street parking. Single family residences shall have 2 car garages. No garage shall be converted to living space or used for storage. On-street parking will be provided on one side of the street. Parking will be prohibited on the other side of the street with signs.

GREENSPACE

The total green space required for a PUD in Springdale is 15 percent. This development has 26.6 percent of green space. The gross Residential area for the development is – 10 acres and the green space provided is 2.66 acres.

WALLS, FENCES, AND HEDGES

- Plans will be submitted showing the materials to be used and the location of the entrance signs.
- No fence or wall shall be built which would detract from the appearance or obstruct visibility of the entry sign to the property.
- Privacy fences or walls shall be constructed so that framing shall be toward the inside of the owner’s lot and at a height of six (6) feet to maintain uniformity.
- Fences or walls shall be constructed of wood, wrought iron, or masonry only, no chain link or cyclone fences shall be allowed.

SINGLE FAMILY DWELLING

- Single family dwelling units shall have at least a two-car attached and enclosed garage.
- No garage shall be converted to livable, occupied space.
- Minimum square footage of 1,400 sq ft of heated area; minimum square footage requirements is exclusive of garages, porches, patios, and decks.
- No prefabricated, manufactured, mobile, or modular housing shall be allowed.
Exterior of dwelling shall be 75% masonry veneer construction, excluding windows and doors. All dwellings shall be single story. Man-made siding, such as masonite, metal, vinyl, etc. shall be used on the front or sides of the house. All roof pitches shall be a minimum of 6/12 pitch. Any composition roof on any dwelling in the subdivision shall be a compositional fiberglass shingle roof.
FILE NO. R21-47
APPLICANT: Expedient Civil Engineering
REQUEST: Rezoning from A-1 to PUD
PETITION FOR REZONING

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

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

Legal Description:

BEGINNING AT A POINT AT THE SE CORNER OF THE W1/2 OF THE NE 1/4 OF SECTION 24,
TOWNSHIP 18 NORTH, RANGE 31 WEST; THENCE N87°33'29"W 475.06 FEET;
THENCE N02°46'25"E 908.76 FEET; THENCE N87°33'26"W 37.39 FEET;
N02°46'25"E 46.24 FEET; THENCE S87°33'26"E 512.45 FEET; THENCE
S02°46'25"W 955.00 FEET; TO THE POINT OF BEGINNING, CONTAINING 10.45
ACRES, MORE OR LESS. SUBJECT TO A 12.0 FEET
WATER
EASEMENT NORTH AND PARALLEL TO AN EXISTING FENCE PER THIS
DOCUMENT AND ANY OTHER
EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

Layman’s Description:

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

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

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

FROM (current zoning) _A-1_  

TO (proposed zoning) _C-4 & C-5 (See attached Exhibit B)_
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 **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: **Increased traffic and noise following development, along with a possible increase in adjacent property values as interest in developing the area increases**.

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: **Crafton Tull**
Address: 901 N 47th St., Ste. 400, Rogers, AR 72756

**PETITIONER/OWNER SIGNATURE**

MAILING ADDRESS: 4022 Als Dr., Springdale, AR 72762

TELEPHONE: 479-366-8090 DATE: 7/14/2021
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas )
County of Washington ) ss.

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

OFFICIAL SEAL

BEN BOWER
NOTARY PUBLIC ARKANSAS
BENTON COUNTY
COMMISSION# 12707674
COMMISSION EXP 06/19/2029

Notary Public
FILE NO. R21-48
APPLICANT: Crafton Tull
REQUEST: Rezoning from A-1 to C-4 and C-5
Memo

To:          PLANNING COMMISSION MEMBERS
From:       Patsy Christie, Planning Director
Date:       July 29, 2021
Re:          R21-49       Rezone

A request by John Hendricks Properties, LLC, registered agent for Planning Commission approval of a zone change from General Commercial District (C-2) High Density Multi-Family Residential District (MF-24) for a tract of land containing 5.7 acres.

LOT LOCATION AND SIZE
The 5.7 acre tract is located at 1148 Cooper Drive, south side of Cooper Drive, west of 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.
(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.

<table>
<thead>
<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widths</td>
<td>Area</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>One Family</td>
<td>60</td>
</tr>
<tr>
<td>Two Family</td>
<td>70</td>
</tr>
<tr>
<td>Three Family</td>
<td>80</td>
</tr>
<tr>
<td>Four Family</td>
<td>80</td>
</tr>
<tr>
<td>Over Four Family</td>
<td>80</td>
</tr>
<tr>
<td>Zero Lot Line</td>
<td>60</td>
</tr>
<tr>
<td>Townhouse</td>
<td>Interior</td>
</tr>
<tr>
<td></td>
<td>20</td>
</tr>
</tbody>
</table>

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

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 area to the north is undeveloped in I-1 zoning. The area to the east contains storage units in I-1 zoning. The area to the south contains a commercial use in I-1 zoning and an undeveloped area in MF-24 zoning. The area to the west contains multifamily dwelling units in MF-12 zoning.

LAND USE PLAN AND MASTER STREET PLAN
The adopted Comprehensive Land Use Plan indicates 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 Hendricks's Properties, LLC _______
The record property owner(s), petitioning to rezone the following described area:

Legal Description:

A part of the S 1/2 of the NE 1/4 of the NE 1/4 of Section 26, Township 18 North, Range 30 West, City of Springdale, Washington County, Arkansas, and being more particularly described as follows: Commencing at the SW corner of said S 1/2 of the NE 1/4 of the NE 1/4, said point being a found 1/2" rebar; thence along the South line of said S 1/2 of the NE 1/4 of the NE 1/4, S86°24'47" E, 375.20 feet to the True Point of Beginning, said point being a set 1/2" rebar w/ cap, PLS No. 1156; thence leaving said South line, N 02°27'42" E, 662.82 feet to a set 1/2" rebar w/ cap, PLS No. 1156 on the North line of said S 1/2 of the NE 1/4 of the NE 1/4; thence along said North line, S 86°16'12" E, 375.33 feet to a found rebar w/ cap, PLS No. 1499; thence leaving said North line, S 02°25'31" W, 661.90 feet to a found PK nail on the South line of said S 1/2 of the NE 1/4 of the NE 1/4; thence along said South line, N 86°24'47" W, 375.73 feet to the True Point of Beginning, containing 248,680.06 square feet or 5.7089 acres, more or less.

Layman's Description: 1146 Cooper Drive

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-2
TO (proposed zoning) MF-24
The Petitioner’s immediate intentions are to:

1. **Sell** the property \( \text{Yes} \) (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 \( \text{Yes} \) (Yes or No).

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

   Multi Family Residential

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: Bring it into conformance with the surrounding zonings.

   The properties to the East and North are zoned I-1, the Properties to the South and West are MF-12 / MF-24.

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: Jorge Du Quesne / Luis Velez

Address: 5104 S. Pinnacle Hills Pkwy Ste 1C, Rogers, AR 72758

PETITIONER/OWNER SIGNATURE

MAILING ADDRESS: 2736 WILSON LANE FAY 72703

TELEPHONE: 479-409-5927 DATE: 7/14/21
VERIFICATION

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

SIGNATURE
(Property Owner)

(Property Owner)

State of Arkansas } ss.
County of Washington }

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 14th day of
JULY, 20_.

Shem Fry
Notary Public
Commission #12350255
Expires July 13, 2026
Washington County, Arkansas
FILE NO. R21-49
APPLICANT: John Hendricks Properties, LLC
REQUEST: Rezoning from C-2 to MF-24
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Crafton Tull
   Address: 901 N. 47th St.
            Rogers, AR 72756
   Phone: 479-636-4838  Profit: X Non-Profit

2. Property Location (street address or layman’s description):
   North of Cooper Dr. located on the west of N. Thompson St.
   (North of the Peaks at Springdale multi-family development)

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

4. Use Unit requested access assurance in MF-24 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Conditional use is being sought due to the creation of a tandem lot split. These parcels are intended for
   future phases of the Peaks at Springdale multi-family development. For this project, the developer is
   receiving a state grant that requires all phases to be in separate lots. Phases II and III are currently
   being constructed and include stub-outs to these tandem lots which will provide physical access to them
   upon completion of construction.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   The requested conditional use will have no negative impact on the character of the neighborhood. The
   purpose of this request is to ensure there will be access to tandem lots being created because of the
   aforementioned circumstances.

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

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

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

Signature of Record Property Owner(s)  

Signature of Applicant

Date: 4/15/2021  

Date:

VERIFICATION

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

State of Arkansas  

County of Pulaski

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 15 day of June 2021,  

Notary Public

My commission expires 7-20-26
FILE NO. C21-18
APPLICANT: Nebillie, Inc (The Peaks)
REQUEST: Conditional Use - Tandem Lot Split
in Multi-Family (MF-24) zone
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Randy Cook - Cook Berry Park, LLC
   Address: 20475 Sonora Rd
   Phone: 479-871-2400
   Profit: ☑ Non-Profit

2. Property Location (street address or layman's description):
   Hewitt Springs Rd, 3/10 north of Hwy 412, east side of road.

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

4. Use Unit requested: Tandem lot in Planning Area Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   Simply splitting off 1.5 acres of 60 acre pasture to sell to friends to build a single family home.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   None. Single family both north and south

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

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

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

Signature of Record Property Owner(s)  

[Signature]

Signature of Applicant  

[Signature]

Date:  

July 1, 2021

Date:  

[Blank]

VERIFICATION

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

State of Arkansas  

) ss.

County of Washington

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 1st day of July, 2021

[Signature]

Notary Public

My commission expires: 4-18-2030

SHARON CHRISTINE TROMBURG  
Notary Public - Arkansas  
Washington County  
Commission # 12710492  
My Commission Expires Apr 18, 2030
FILE NO. C21-19
APPLICANT: Cook's Berry Park, LLC
REQUEST: Conditional Use - Tandem Lot Split in Planning Area
Memo

To: Planning Commission
From: Staff
Date: 7/29/2021
RE: PP21-07 Preliminary Plat Whispering Springs

Planning Comments
1. Above the legal description (page 2 of 12) please list the parcel numbers of the 5 parcels involved in this development.
2. Will improvements be made to the West side of Hylton road between Hylton subdivision phase II and this development?

Engineering Summary
- Show final contours as part of grading plan
- Revise street dimensions to match what is shown in the local street cross section
  - Streets are varying widths throughout subdivision
- Provide justification for High Volume Local Street – HVL is used for traffic counts of 500+ cars per day
- Show all required ADA ramps for street crossings
- Provide signage plan

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.
     - 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.
2. 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.
     - The Howard Anderson Road Street Cross Section does not meet the MSP standards. (Pending consideration.)

3. Chapter 112 – Subdivisions
   (Code 1973, § 30-1)
   - 112.3 - Show the final contours as a part of the Grading Plan.
   - 112.3 (3) Plans and specifications: After the approval of the preliminary plat but before improvements are started, the subdivider shall submit engineering plans, a final drainage report, and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with chapter 106, Stormwater Drainage and chapter 107, Physical Alteration of Land, of this Code, as adopted or amended hereafter, to the director of the planning and community development division for review and written approval prior to commencement of improvements. During the same period, the subdivider shall submit water and sewer plans and specifications to the water and sewer department. No work shall begin without prior approval of the director of the planning and community development division.
     - 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.
       - Local Street Cross Section dimensions for travel lanes need to be corrected to match the street width.
       - Rolled curb is minimum requirement for local streets. (Pending Approval).
       - Specify parking/no parking and how many.
       - Local Street Cross Section does not match what is in the MSP.

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.
       - Show all required ADA ramps for street crossings.

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

WHISPERING SPRINGS SUBDIVISION

IN THE CITY OF

SPRINGDALE, ARKANSAS

July 22, 2021

EI ENGINEERING SERVICES INC.

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

INDEX OF SHEETS

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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.
SURVEY DESCRIPTION:

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION SIXTEEN (16) AND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION SEVENTEEN (17), ALL IN TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 16, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1429";


THENCE LEAVING SAID WEST LINE AND ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SE 1/4, S87°50'49"E A DISTANCE OF 1319.63 FEET TO THE NORTHWEST CORNER OF SAID SW 1/4 OF THE SW 1/4 OF SAID SECTION 16 AND A SET IRON PIN WITH CAP "PLS 1156";

THENCE LEAVING SAID NORTH LINE AND ALONG THE NORTH LINES OF SAID SW 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 16, S87°00'20"E A DISTANCE OF 2621.94 FEET TO THE NORTHEAST CORNER OF SAID SE 1/4 OF THE SW 1/4 AND A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID NORTH LINES AND ALONG THE EAST LINE OF SAID SE 1/4 OF THE SW 1/4, S02°43'04"W A DISTANCE OF 1310.90 FEET TO THE SOUTHEAST CORNER OF SAID SE 1/4 OF THE SW 1/4 AND A SET IRON PIN WITH CAP "PLS 1156";

THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINES OF SAID SE 1/4 OF THE SW 1/4 AND SAID SW 1/4 OF THE SW 1/4, N87°02'53"W A DISTANCE OF 2618.81 FEET TO THE POINT OF BEGINNING,

CONTAINING 118.61 ACRES, MORE OR LESS,

AND SUBJECT TO THE RIGHT OF WAY OF HOWARD ANDERSON ROAD AT THE SOUTHWEST CORNER THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.
SILT FENCE NOTES

NOTES:

OWNER/DEVELOPER:

ENGINEER/SURVEYOR:

WORK ORDER #:

CITY ZONING:

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X', (NO SHADING), DESIGNATED AS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE F.I.R.M. MAP #05143C0090F, PANEL 90 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: MAY 16, 2008.
FILE NO. PP21-07

APPLICANT: ESI (for George & Darla Anderson)

REQUEST: Preliminary Plat at the Southern end of Hylton Rd (Whispering Springs)
July 22, 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: Street Waiver Request
PP21-07 Whispering Springs Subd.
Springdale, AR

Ms. Hollingshead:

On behalf of our client, we hereby request a waiver from the full street infrastructure improvements to Howard Anderson Road from Butterfield Coach Road to County Road 92. The improvements requested to be waived are as follows: Curb & Gutter, and Sidewalk installation. Howard Anderson Road will be improved to 27 ft wide and paved for access into the Whispering Springs Subdivision. The preliminary plat for this project shows the location of the improvements requested.

Thank you for your consideration of this waiver. Please let us know if you have any questions or need any additional materials.

Sincerely,

Jason Appel, P.E.
Secretary/Treasurer
Memo

To: Planning Commission
From: Staff
Date: July 29, 2021
RE: PP21-08 Preliminary Plat Nature Walk

Planning Comments:
1. Please provide a digital copy of the plan set upon resubmission. (standard comment)
2. Please remove the listing of "Proposed Zoning", leaving only those that are existing.
3. Please ensure that all comments from utilities are addressed. (standard comment)

Engineering Summary:
- Show Drainage Easement around storm sewer and swale on north side of development
- Show grading plan for swale on north side of development
- Show final contours as part of grading plan
- Provide ADA ramps at intersections in all directions
- Provide justification for High Volume Local Street – HVL is used for traffic counts of 500+ cars per day
- Provide signage plan
  o Specify which side permits parking and show no parking signs on opposite side
- Show alternate parcel layout for Pleasant St connection instead of Thelma and Ladawn connection

Engineering Comments:
1. Chapter 106 – Stormwater Drainage
   (Ord. No. 2999, § 1, 6-27-00; Ord. No. 5245 , § 1, 1-23-18)
   - 106.1 - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
     o Requires a 1”=200’ minimum scale 2-foot contour map.
     o Show existing and proposed contours.
2. Chapter 106 – Stormwater Drainage
   - Show DE around storm sewer on north side, I only see DE called out for the portion between lots 4 and 5.
3. **Chapter 107 – Stormwater Pollution**  
   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)  
   - 107.3  
     o The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.  
     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.  
     - Provide erosion control plan for grading phases. 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. (Will be provided with construction Plans.)  

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.  

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.  

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.  
     - Provide ADA ramps at intersections in all directions.
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.
PLANS FOR

PRELIMINARY PLAT

TO SERVE

NATURE WALK SUBDIVISION

IN THE CITY OF

SPRINGDALE, ARKANSAS

PP23-01

July 21, 2021

BY

ENGINEERING SERVICES INC.

CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM
REQUEST: Preliminary Plat East of Cheyenne Trail and North of Larkspur St & Thelma St (Nature Walk)
Memo

To: Planning Commission
From: Staff
Date: July 29, 2021
RE: PP21-14 Preliminary Plat Noah’s Landing

Planning Comments:
1. Please provide an explanation of how the private access road will be maintained.
2. Please ensure that all comments from utilities are addressed prior to Planning Commission.

Engineering Summary:
- Add note about required detention certification
- Provide erosion control plan for grading phase
- Provide signage plan
  - Please include clear signage for private fire access drive since gate is not visible from 56th St
- Specify which side permits parking and show no parking signs on opposite side
- Revise street dimensions to match what is shown in the local street cross section
- Provide justification for High Volume Local Street – HVL is used for traffic counts of 500+ cars per day
- Provide improvements for frontage on S 56th St or request waiver

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

2. Chapter 106 – Stormwater Drainage
   - 106.5.4.11.1** - A General Note is needed on the Site Plan stating that "A City of Springdale Detention/Retention Certification form must be completed, stamped, and
3. **Chapter 107 – Stormwater Pollution**

   (Ord. No. 3673, § 1, 5-10-05; Ord. No. 4796, § 1, 6-10-14; Ord. No. 5220, § 1, 10-24-17)

   - **107.3**
     - The site area of disturbance is greater than 0.5 acre. A Grading Permit Application, a SWPPP delineating all anticipated disturbed areas, a plan in those areas to achieve final stabilization (which at minimum must provide 80% grass coverage and 100% stabilization), a Dust Control Plan with appropriate BMPs designed to control dust, and an appropriate fee as shown on the application must be submitted to the City of Springdale Stormwater Manager for review prior to receiving final plan approval.
     - Phasing on larger construction sites 5 acres or more must be utilized to allow only disturbance on near term construction areas. Construction sites requiring cutting and filling must be seeded once the cutting and filling activity is finished.

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

4. **Chapter 110 – Streets, Sidewalks and Other Public Places**

   (Ord. No. 3258, § 1, 11-12-02)

   - Revise street layout on the plat to match the street section shown.
   - Provide Signage Plan.
     - Please provide signage that shows the private fire access drive is not for the public since the gate is not visible from the road.
   - Specify which side permits parking and show no parking signs on opposite side.
   - Section of street below should be improved to MSP standards since it is a part of the subdivision.
- Label ROW.
- Typical section does not add up (lanes and full width).
- Use typical section for Low Volume Local (10.5’ lanes).
  - Provide justification for this street being a High Volume Local street. The street section shown does not match either local street section on the MSP.
  - Traffic counts for high volume are between 500-5000 according to MSP
  - Speed limits for high volume local are set to 30 mph, this is not recommended for residential streets

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.

- **Provide a complete set of construction plans.

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

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

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

for

Noah's Landing Subdivision

in the City of

Springdale, Arkansas

PP21-14

July 1, 2021

by

Engineering Services Inc.

CONSULTING ENGINEERS
Springdale, Arkansas
Phone: 479-751-8733
Fax: 479-751-8746
WWW.ENGINEERINGSERVICES.COM
**Detail "A"**

- **Top of Panel**: Flange @ 3" C/C (INTERNAL EMBEDMENT)
- **Bottom of Panel**: 0.625" DIA. HOLE EMBEDMENT FLANGES

**Detail "B"**

- **PART O.A.**: 36.000
- **PART O.A.**: 24.000
- **36.000**: FLANGE @ 3" C/C (SEE PLAN FOR ORIENTATION)
- **TOP OF PANEL**: 27 - 27 EQUAL SPACES
- **1.670**: TYP.
- **1.434**: TYP.
- **13 - 13 EQUAL SPACES**
- **1.160**: TYP.
- **6.000**: TYP.

**Detail "C"**

- **PART O.A.**: 24.000
- **PART O.A.**: 21.710
- **1.145**: TYP.
- **1.145**: TYP.
- **1.145**: TYP.
- **DATE**: 6.000
- **DRAWING NO.**: 1.670
- **MATERIAL**: TACTILE WARNING SURFACE
- **PROJECT**: CAST-IN-PLACE TACTILE WARNING SURFACE UNIT
- **PART SIZE**: 24" x 36"
SILT FENCE NOTES

NOTES:
FILE NO. PP21-14
APPLICANT: ESI
REQUEST: Preliminary Plat for Noah’s Landing
Memo

To: Planning Commission
From: Staff
Date: July 29, 2021
Re: L21-22 Large-Scale Hillcrest Village

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. On the "Typical Details" sheets, please provide:
   a. Details for sidewalk crossings
   b. Show the typical dimensions for regular parking, (9' x 19').
   c. Show the typical dimensions for handicapped parking, (11' x 19').
   d. Show the width of the handicapped access area, (5' min.).
4. Please provide handicap ramps leading from the 5' handicap accessibility area directly to the sidewalk.
5. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
6. This development must comply with the City of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standards comments are required at the time of resubmission (3 copies). See attached design standard comments. (standard comment)
7. In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above. (standard comment)

Engineering Summary:
- Accessibility
  o What is maximum vertical slope for the access to public amenities?
  o Does the sidewalk go all the way to the playground and picnic tables?
  o Locate ADA stalls so they are adjacent to curb ramps

Engineering Comments:
1. Chapter 106 – Stormwater Drainage
106.1 - The Grading Plan & SWPPP and Specifications shall be prepared by the Engineer of Record, who is a licensed professional engineer of the State of Arkansas.
   o Requires a 1”=200’ minimum scale 2-foot contour map.
   o Show existing and proposed contours.

2. Chapter 107 – Stormwater Pollution

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.
   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.

3. Chapter 112 – Subdivisions

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.

4. Chapter 130 – Zoning Ordinance

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.
What is the maximum vertical slope for the access to the public amenities?

Does the sidewalk go all the way to the playground and the picnic tables?

Locate ADA parking stalls so that they are adjacent to the curb ramps.

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.
CONSTRUCTION PLANS FOR

LARGE SCALE DEVELOPMENT

HILLCREST VILLAGE

IN THE CITY OF

SPRINGDALE, ARKANSAS

121-22

July 20, 2021

BY

ENGINEERING SERVICES INC.

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

1. Any development or alteration of the floodplain area shall be consistent with the floodplain map and regulations established by the City.

2. All new construction or alteration of existing structures within the floodplain area shall be elevated sufficiently to comply with the Federal Emergency Management Agency (FEMA) regulations.

3. Floodproofing measures shall be installed to minimize potential flood damage and to ensure the safety and security of the property.

4. It is recommended to consult with a certified engineer to determine the specific floodplain regulations and requirements for the site.

5. Please refer to the map for the exact floodplain boundaries and zones.

6. This information is subject to change and should be verified with the local government authority.

Note: The map and site plan depicted in this document are for planning purposes only and do not represent the current or future legal status of the property.
Memo

To: Planning Commission

From: Staff

Date: July 29, 2021

Re: L21-25 Large-Scale Graystone Storage

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)
5. Provide details for proposed fencing.

Commercial Design (Site)
1. Continuous internal pedestrian walkways, no less than five (5) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty (50) percent of their length.
2. 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.
   a. Please indicate on the drawings where the park bench and bike rack are to be located. Page 10 of 10 displays them on the "Keynotes" section as item 3, but there doesn’t appear to be an item 3 shown on the drawing.
3. Provide a unified lighting plan for this project.
Commercial Design (Architectural)

1. 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.

2. Building façades shall include a repeating pattern that shall include no less than three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically. o Color change o Texture change o Material module change o Expressions of architectural or structural bay through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib.

3. Roof lines shall be varied with a change in height every one hundred (100) linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the development plan

4. 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

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

Building and Fire Comments:
Buildings on the east side need to be broken up into three buildings or shortened to allow for no more than 150 feet around the outside of the building from the fire access road. Man gates in the east fence on both sides of the buildings shall be provided.

Engineering Summary:
No Comments

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
  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.
2. 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.  
  ▪ Show the required improvements to Hwy 264 including sidewalks 1' inside the R.O.W. line, Curb and gutter, drainage improvements and lighting. (If ArDOT will not allow improvements then a Payment in Lieu should be applied to this project to cover those improvements at some point in the future.)

3. 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.  
  ▪ Depending on the ArDOT determination, this improvement may not be completed with this project.

- **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.
First Floor 100'-0"

To Steel 110'-0"

Gray Stone Storage
Springdale, AR 21034

This drawing is provided as an instrument of service by the architect, and is intended for use on this project only. The copying or dissemination of the proprietary information contained herein without the prior consent of the architect is strictly prohibited.
GRAY STONE STORAGE

NOT FOR CONSTRUCTION
PRELIMINARY COLOR ELEVATIONS
FIRST FLOOR
100' - 0"
T.O. STEEL
114' - 0"

GRAY STONE STORAGE
SPRINGDALE, AR
21034

A11.1
NOT FOR CONSTRUCTION
PRELIMINARY
COLOR ELEVATIONS
6−21−21

1 EAST COLOR ELEVATION
3/16" = 1'-0"

2 WEST COLOR ELEVATION
3/16" = 1'-0"

3 NORTH COLOR ELEVATION
3/16" = 1'-0"

4 SOUTH COLOR ELEVATION
3/16" = 1'-0"

SOUTH COLOR ELEVATION
3/16" = 1'-0"

NORTH COLOR ELEVATION
3/16" = 1'-0"

EAST COLOR ELEVATION
3/16" = 1'-0"
GREYSTONE STORAGE
1790 EAST ARKANSAS 264 HIGHWAY
SPRINGDALE, ARKANSAS

VIKING CONTROLS

NOT TO SCALE

RESOURCES

1. All drawings on this drawing sheet are for the general indication of layout configuration and shall not be used for physical construction. All dimensions and tolerances are approximate and not for construction purposes.
2. All measurements shall be taken as per local standards and shall be included in the final drawings. All dimensions shall be taken as per local standards and shall be included in the final drawings.
3. All notes, specifications, and conditions shall be as per the contract documents and shall be included in the final drawings. All notes, specifications, and conditions shall be as per the contract documents and shall be included in the final drawings.

NOTES

1. All dimensions are approximate and shall be included in the final drawings. All dimensions shall be included in the final drawings.
2. All notes, specifications, and conditions shall be as per the contract documents and shall be included in the final drawings. All notes, specifications, and conditions shall be as per the contract documents and shall be included in the final drawings.
3. All measurements shall be taken as per local standards and shall be included in the final drawings. All measurements shall be taken as per local standards and shall be included in the final drawings.

DATE

9/20/2021

OVERSIGHT COMMENTS

7/22/2021
P.O.C.
FND RR SPIKE NE CORNER
SW 1/4, SE 1/4, SEC 18
T-18-N, R-29-W
CALC POINT
SE CORNER
S1/2 SW1/4, SE1/4,
SEC 18 T-18-N, R-29-W
P.O.B.
FND 5/8 PIN
AR. STATE HIGHWAY 264 E.
(CURRENT 80' R/W)

Know what's below.
Call before you dig.

21-1011.dwg
Rev

Comments
Date

9200 SUITS US DR, STE. B
BELLA VISTA, AR 72714
O: (479) 364-0028
D: (479) 367-2924
M: (509) 759-5300
EMAIL: jason@ece-pllc.com

2736 WILSON LANE FAYETTEVILLE, AR, 72704
1790 E AR 264 HWY
SPRINGDALE, AR
JOHN W. HENDRICKS PROPERTIES, LLC

KAB/ATS
JEI
21-1011

1

FILE NO.
SHEET NAME
JOB NUMBER
DATE
CHECKED BY:
DRAWN BY:
7/1/2021
7/22/2021

CONSTRUCTION NOT FOR CONSTRUCTION
GRAYSTONE STORAGE
2736 MILLION LAKE FAYETTEVILLE, AR, 72704

PER CITY COMMENTS
7/22/2021
C5.0

GRADING PLAN
GRAYSTONE STORAGE

HANNIBAL FLAT RIVER
AR. STATE HIGHWAY 264 E.
(CURRENT 80' R/W)

NOTICE: THE OWNER OF THE SITE SHOULD NOT IMPLEMENT ANY DEVELOPMENT UNLESS AND UNTIL THE CONSTRUCTION WORK IS COMPLETED AND THE WORK IS APPROVED IN WRITING BY THE ENGINEER.
Not for Construction

Know what's below. Call before you dig.

21-1011-Utility.dwg

9200 SUITS US DR, STE. B
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EMAIL: jason@ece-pllc.com

2736 WILSON LN, FAYETTEVILLE, AR, 72703
1790 E AR 264 HWY
SPRINGDALE, AR

JOHN W. HENDRICKS PROPERTIES, LLC

KAB/ATS
JEI

21-1011

1

PER CITY COMMENTS

7/22/2021

C6.1
WATER MAIN
PLAN & PROFILE
GREYSTONE STORAGE
Know what's below. Call before you dig.

21-1011-DETAILS 7 & 8.dwg

PER CITY COMMENTS

7/22/2021

C7.0

DETAIL 4 - ACCESSIBLE PARKING SIGN

DETAIL 5 - ACCESSIBLE PARKING STRIPING

DETAIL 6 - PRECAST CONCRETE WHEEL STOP

DETAIL 7 - STANDARD ASPHALT PAVEMENT SECTION

DETAIL 8 - 4' STANDARD CONCRETE SIDEWALK

DETAIL 9 - TYPICAL DRUILL DETAIL

DETAIL 10 - IN BUILDING FIRE LINE

DETAIL 11 - DRAINAGE DITCH

DETAIL 12 - CURB DETAIL

DETAIL 13 - CURB AND GUTTER

DETAIL 14 - GRADED INLET BOX

NOT FOR CONSTRUCTION

JASON W. HENDRICKS PROPERTIES, LLC

2736 WILSON LANE FAYETTEVILLE, AR, 72703

3620 SUITS US DR, STE. B
BELLA VISTA, AR 72714

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D: (479) 367-2924
M: (509) 759-5300
EMAIL: jason@ece-pllc.com

GREYSTONE STORAGE
Know what's below.
Call before you dig.

21-1011-DETAILS 7 & 8.dwg

9200 SUITS US DR, STE. B
BELLA VISTA, AR 72714
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EMAIL: jason@ece-pllc.com

2736 WILSON LANE FAYETTEVILLE, AR, 72703
1790 E AR 264 HWY
SPRINGDALE, AR

JOHN W. HENDRICKS PROPERTIES, LLC

Per City Comments
7/20/2021

C8.0

DETAIL 15 - PEDESTRIAN CROSSWALK SIGN

DETAIL 16 - SLIDING GATE

DETAIL 17 - CONCRETE TRICLE CHANNEL

DETAIL 18 - AREA RILTY

DATE: 7/21/2021
CHECKED BY: 
DRAWN BY: 

REV

Comments
Memo

To: Planning Commission
From: Staff
Date: July 29, 2021
Re: L21-26 Large-Scale Sagely Village

Planning Comments:
1. Submit Auto Cad and PDF files at time of resubmission.
2. A written response to all comments is required with resubmission.
3. It appears that the ownership/address displayed for adjacent parcel 815-39264-600 needs to be corrected.
4. Please display the ROW for Gene George Blvd and Black Oak Rd, as well as any ROW that will be dedicated per MSP.
   a. This needs to be displayed in the drawings.
5. Submit the approved authorization of representation form, if the property owner will not be present at Planning Commission meeting.
6. On one of the details pages, please provide typical drawings/dimensions for the following:
   a. Regular parking (9' x 19')
   b. Handicapped parking (11' x 19')
   c. Width of the handicapped access area (5' min.)
7. Frontage landscaping is required in accordance with Chapter 56.
8. Perimeter landscaping is required in accordance with Chapter 56.
9. Will there be signage for this property? If so, please refer to Multifamily design standards.
10. According to the lighting plan, there will need to be pedestrian walkway lighting.
11. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
12. 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)

Multi Family Design Standards Review
1. Minimum Requirements:
   MF-12 8 units/acre
a. Maximum building area coverage shall be 40% of the land area (without incentives).
b. 20% Common Open Space (are detention ponds currently being used toward the open space calculations?)
   a. The following areas are not allowed as part of common open space:
      i. Private lots, balconies and patios dedicated for use by a specific unit
      ii. Public right-of-way or private streets and drives
      iii. Open parking areas and driveways for dwellings
      iv. Land covered by structures except for ancillary structures associated with the use of open space.
      v. Designated outdoor storage areas
      vi. Land areas between buildings of less than 40'.
      vii. Strips along buildings, sidewalks, streets, parking lots and property lines less than 25' in any dimension.
      viii. Required perimeter setbacks
      ix. Detention/retention facilities, including drainage swales, except as permitted (on page 6).
   b. Common open space should be compact and contiguous.
   c. Common open space shall contain at least three of the following features:
      i. Seasonal planting areas
      ii. Adequate large trees
      iii. Adequate seating
      iv. Pedestrian-scaled lighting
      v. Gazebos or other decorative shelters
      vi. Adequate plat structures for children
      vii. On-site community recreation amenities.

c. Amenities Required
   a. Multi-family developments with 5-25 dwelling units – 1 amenity; 25-150 dwelling units – 2 amenities; 150+ - 3 amenities, and an additional one (1) amenity for each 150 units.
   b. Amenities cannot be duplicated until 3 different ones have been used.

d. Building Design
   a. At least every fifty linear feet (50’), wall and roof planes shall contain offsets or setbacks with a differential in horizontal plane of at least 4’.
   b. Building mass, height, and build and width-to-height ratio must be similar in scale and proportion to buildings within 500 feet unless they do not meet the design standards.
   c. All ground floor levels must be of recommended materials.
   d. All facades must be a minimum of 50% recommended materials with the balance being one or more acceptable materials.

e. Landscaping
   a. Parking lot landscaping (see Chapter 56).
   b. Perimeter Landscaping (See Chapter 56).
   c. Building foundations shall be planted with ornamental plan material for a minimum width of 3’ to a hard surface with the exception of access points.
   d. Solid screening fences must be setback a minimum of 15’ from and adjacent public right-of-way.
   e. Solid screening fences no greater than 3’ in height or see-through fences must be setback a minimum of four feet from an adjacent public right-of-way.
   f. Unless otherwise restricted, the maximum height of a fence or wall shall be 8’.

f. Signs (if applicable)
   a. Monument signs shall not exceed 5’ in height above the average grade, and may not exceed 50 sq. ft. in area per face.
b. If not sitting within the landscaped setback, the sign base shall be located within curbed landscaped areas, extending a minimum of 3’ on all sides of the sign base.

c. Pole-mounted signs shall not exceed 12’ in height and 10 square feet per face.

**Building and Fire Comments:**
Two buildings on the west side of the OHE easement in the center of the development are shown as built to the easement. This will not allow for any eave. The developer will need the utilities to release one foot or move the buildings.

**Engineering Summary:**
- Submit Floodplain Development Permit application
  - Continue Drainage Easement from Parker’s Place around existing swale up to the box culverts
  - Clarify Drainage Easements on downstream end of box culverts

**Engineering Comments:**

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

2. **Chapter 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 110 – Streets, Sidewalks and Other Public Places**  
   (Ord. No. 3258, § 1, 11-12-02)
 See approved lane widths above. (Understand that the correct street layout will be incorporated into the construction plans.)
 Show street R.O.W.

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. Chapter 50 – Floods
(Ord. No. 4110, § 1, 9-11-07)
- **4110.6.2** - Need to submit a floodplain development application at the time of resubmittal. See Applications & Forms / Floodplain at http://www.springdalear.gov/298/Forms-Documents
  - Submit Floodplain Development Permit Application.

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.
July 01, 2021

City of Springdale  
c/o Debbie Pounders and Sharon Tromburg  
Planning & Community Development Division  
City Administration Building  
201 Spring Street  
Springdale, Arkansas 72764  

Via email: dpounders@springdalear.gov and stromburg@springdalear.gov  

Re: Submittal Letter  
Multi-Family Housing  
Parcel: 815-39235-000  
Large Scale Development Application  

Debbie and Sharon:  

On behalf of our client, the Riggins Construction, Inc. Retirement Trust, we hereby submit a new large scale development application for Multi-Family Housing on Parcel: 815-39235-000 in Springdale.  

Summary  
This large scale development is proposing five 2 bedroom 5-Plex buildings and eight 3 bedroom 5-plex building. The buildings are proposed with driveways from the street. The proposed development has a street connection to Gene George Avenue on the west and a street connection to Oak Grove Road on the east. A detention pond is proposed on the northwest corner of the property and additional parking is proposed where the common areas/amenities are located for the development.  

Utilities  
Sanitary Sewer is proposed to be connected to the existing 8” and 10” sewer mains that run through the property. Water is proposed to be connected to an existing 24” water main that runs along the west side of Gene George Avenue and also to an existing 8” water main the runs along the east side of Oak Grove Road.  

Density/Incentives  
The proposed development has 65 units in a 7.27-acre Property. Therefore, the proposed development has a proposed density of 8.94 units per acre. This is 11.8% over the Base density of 8 units per acre for a RMF-12 zoning.
The additional density needed is allowed with the incentive of adding additional common open space over the required 20% common open space. The incentive allows a 1% increase in density for every 1% increase of common open space after the required 20%.

The proposed development has 15.7% of additional common open space over the required 20%. This would allow for a 15.7% increase in the density which is above the 11.8% increase that is needed for the proposed development. The calculations for the density and incentives are provided below.

Allowable Density for MF-12 (w/ Incentives) = 12 units/acre
Base Density for MF-12 = 8 units/ acre
Project Density Proposed = 8.94 units/acre
(65 units/7.27 acres = 8.94 units/ acres)
Total Density Increase = 8.94-8.00 = 0.94 unit/acre (11.8%)
Additional Common Open Space Bonus
1% increase per every 1% additional open space
(113,071 S.F. provided - 63,318 S.F. required = 49,753 S.F.)
Additional Open Space = 49,753 s.f.
(49,753 s.f./316,681 s.f. = 15.7%)
15.7% Additional Open Space
(15.7% incentive = 1.26 unit/acre increase)
Project Density Allowed (w/ incentives) = 9.26 units/ acre

With this letter, please find enclosed:
- LSD Application
- Plans (3 copies, includes lighting plan)
- Drainage Report (electronic copy)
- Copy of warranty deed
- Authorization of Representation

We look forward to working with you to make this project a success.

Sincerely,

Blake Murray, P.E., C.F.M.
PLANS FOR A

LARGE SCALE DEVELOPMENT

SAGELY VILLAGE

IN THE CITY OF

SPRINGDALE, ARKANSAS

July 22, 2021

BY

ENGINEERING SERVICES INC.

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

To: Planning Commission

From: Staff

Date: July 29, 2021

Re: L21-27 Large-Scale Cards Recycling

Planning Comments:
1. Submit Auto Cad and PDF files at time of resubmission.
2. A written response to all comments is required with resubmission.
3. Please provide color elevations for this project.
4. Submit the approved authorization of representation form, if the property owner will not be present at Planning Commission meeting.
5. Please include the entirety of the I-1 zoning setback requirements in the "Site Data" chart on page 5 of 25.
   a. Reviewer mistakenly stated "I-2" during the first review cycle, but the property is currently listed as I-1.
6. Need to identify the ownership, address, parcel number and zoning of the properties to the West of the subject property.
7. In the "Detail Sheets" please provide the following:
   a. Show the typical dimensions for regular parking, (9' x 19').
   b. Show the typical dimensions for handicapped parking, (11' x 19').
   c. Show the width of the handicapped access area, (5' min.).
   d. Show the details of the handicapped parking signs.
   e. Need to show details of handicapped ramps.
8. Please remove "Future Parking Lot" from the plan set.
9. All drives and parking areas are required to be paved. (standard comment)
10. All storage areas are to be paved or chip sealed. (standard comment)
11. Frontage and perimeter landscaping is required in accordance with Chapter 56.
   a. In the event that this is to be included with phase 2, applicant must provide bond until the time comes that phase 2 is applied for with full landscaping plan. Full landscaping plan for current phase will need to be provided in order to indicate the correct amount for which to bond.
12. Interior parking area landscaping is required in accordance with Chapter 56. Show the total area of the parking lot, the percentage of landscaping required and the percentage of landscaping provided include a drawing that identifies all areas included in the calculations.
13. An automatic or other irrigation system shall be required for all landscaped areas. Show irrigation system or location of hose bibs.
14. Landscaping must be guaranteed for two years.
15. Show the street centerline.
16. Need to show dumpster location.
   a. If no dumpster is proposed for this phase of development, please provide documentation as to how refuse will be removed from the property.
17. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
18. This development must comply with the City of Springdale Commercial Design Standards or a variance is required. Front, side, and rear elevations, lighting plan, and a written response to design standards comments are required at the time of resubmission (3 copies). See attached design standard comments. (standard comment)
19. 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)

Building and Fire Comments:
It is strongly recommended that the design team consult with a sprinkler contractor or fire protection engineer to determine solution to challenges to low head pressure and how it may affect sprinkler system.

Engineering Summary:
- Add note about required Retention Certification

Engineering Comments:
1. Chapter 106 – Stormwater Drainage
   - 106.5.4.11.1** - A General Note is needed on the Site Plan stating that "A City of Springdale Detention/Retention Certification form must be completed, stamped, and signed by a Certified Professional Engineer, post-development and submitted to the City of Springdale Engineering Department."
   ▪ Add note above to Drainage Plan.

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

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.
   ▪ Show all street improvements.
4. **Chapter 112 – Subdivisions**
   (Code 1973, § 30-1)
   - 112-4. Streetlights are required at each intersection and along the street at intervals of 300 to 350 feet as measured along the centerline of the street.
     - The minimum initial rating for the streetlight shall be 6,800 lumens for a local street, 11,000 lumens for a collector street, or 20,000 lumens for an arterial street.
       - Label all lights as Proposed or Existing
       - Show the direction of the mast arm
       - Show the size and type of lights based on the location and classification of the street
       - Add note to determine if the light is designed for area parking lot lights or as a street illuminator
       - Include a note stating if the lights are public or private lights and who will be responsible for maintenance and billing

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.
1. GENERAL DEMOLITION NOTES

2. REMOVED REMLOCATIONS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.

3. UTILITY COMPANIES.

4. CONTRACTOR IS REQUIRED TO NOTIFY THE SERVICE WITHIN 24 HOURS OF DEMOLITION IN QUESTION BEFORE PROCEEDING WITH WORK.

5. ALL EXISTING SERVICE LINES SHALL BE DISCONNECTED AND CAPPED OFF PRIOR TO PROCEEDING WITH WORK.

6. CONTRACTOR IS TO TAKE RESPONSIBILITY OF THE EXISTING UTILITIES AND ITEMS TO BE DISCONNECTED AND DISPOSED OF IN PERMITTED STORAGE ON THE SITE.

7. CONTRACTOR IS TO BE RESPONSIBLE FOR THE REMOVAL OF ALL PHILOSOPHICAL AND HISTORICAL ARTIFACTS TO BE CONSIDERED AND DISPOSED OF IN PERMITTED STORAGE ON THE SITE.

8. CONTRACTOR IS TO BE RESPONSIBLE FOR THE REMOVAL OF ALL MATERIALS RELATED TO CONSTRUCTION WORK AND DISPOSED OF IN PERMITTED STORAGE ON THE SITE.

9. CONTRACTOR IS REQUIRED TO PROVIDE APPROPRIATE SURVEY MARKERS TO BE RE-STATED ON THE FINAL PLAN AND TO BE USED FOR MEASUREMENTS.

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11. ALL SURVEYS AND PLANS ARE TO BE MAINTAINED ON FILE IN THE CONTRACTOR'S OFFICE AND TO BE MADE AVAILABLE TO ALL CONSTRUCTION PERSONNEL.

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SEQUENCE OF CONSTRUCTION

1. CARD RECYCLING: 14,760 SF± THROUGH THE FRAME OF STRUCTURES.
   - STRUCTURES TO CONTAIN MATERIALS NOT BEING RECYCLED.
   - PROVIDE FOR ALL MUD AND DUST DURING THE CONSTRUCTION
   - INSTALL Temporary Storage Areas.
   - INSTALL Temporary Storage Areas for Reclaimed Materials.
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   - INSTALL Temporary Storage Areas for Reclaimed Materials.
   - INSTALL Temporary Storage Areas for Reclaimed Materials.

2. CONTRACTOR SHALL MAINTAIN THE EXISTING LEGEND AS NOTED.
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General Utility Notes:

1. All water main shall be cast iron pipe with an exterior diameter of 48 inches. A minimum of 30 inches in diameter shall be installed in the central area of the project. The pipe shall be fabricated in the field, except where noted on the plans. All pipe shall be installed with a minimum cover of 12 inches of concrete bedding and 24 inches of backfill. The pipe shall be bedded on a 6-inch layer of compacted base material and 8 inches of gravel. The top of the pipe shall be installed at least 8 inches below the design elevation of the sidewalk or road.

2. All sewer main shall be cast iron pipe with an exterior diameter of 48 inches. A minimum of 30 inches in diameter shall be installed in the central area of the project. The pipe shall be fabricated in the field, except where noted on the plans. All pipe shall be installed with a minimum cover of 12 inches of concrete bedding and 24 inches of backfill. The pipe shall be bedded on a 6-inch layer of compacted base material and 8 inches of gravel. The top of the pipe shall be installed at least 8 inches below the design elevation of the sidewalk or road.

3. Construction shall not begin on any utility line until the utility line has been inspected, accepted, and signed off by the utility company or the city. The construction company shall be responsible for ensuring that all utility lines are properly inspected and signed off by the utility company or the city before any work begins.

4. All utility lines shall be signed off by the utility company or the city before any work begins. The construction company shall be responsible for ensuring that all utility lines are properly signed off by the utility company or the city before any work begins. The construction company shall be responsible for ensuring that all utility lines are properly signed off by the utility company or the city before any work begins.

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GENERAL LANDSCAPE NOTES

1. PRIOR TO THE BEGGINING OF THE INSTALLATION ALL IMPORTED MATERIALS MAY BE SUBMITTED TO THE ARCHITECT OR ENGINEER FOR APPROVAL OR REJECTION. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE STORAGE AND HANDLING OF ALL APPURTENANCIES.

2. CONTRACTOR TO SATISFY ALL LOCAL CODES, REQUIREMENTS, AND SPECIFICATIONS TO COMPLETE THIS INSTALLATION TO HIS SATISFACTION. THE CONTRACTOR IS TO ACHIEVE THE POSITIVE PREPARATION OF THE INSTALLATION AS DESCRIBED IN THE SHEET UNLESS SPECIFIED TO THE CONTRACTOR BY THE ENGINEER.

3. MATERIALS TO BE STORED IN THE AREA TO BE PLANTED.

4. MATERIALS TO BE DELIVERED TO SITE MUST BE STORED IN THE AREA TO BE PLANTED.

5. CONTRACTOR TO PROVIDE A PERMANENT FILE OF ALL MATERIALS USED.

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1. REPAIRED IMMEDIATELY.
2. EROSION AROUND AND / OR UNDER THE DAM(S) SHALL BE STABILIZED IMMEDIATELY.
3. DAMAGE AFTER ALL SIGNIFICANT STORM EVENTS (>1" IN 24 HRS) EXTEND THE ABUTMENTS 18" INTO THE CHANNEL BANKS.
4. SEDIMENT SHALL BE LOCATED TO AN AREA THAT WILL NOT位於 DOWNSTREAM DAM.
5. THE SPILLWAY SHALL BE 6" (MIN) LOWER THAN TOP OF THE DOWNSTREAM DAM.
6. STABILIZATION IS COMPLETE.
7. SILT FENCE SHALL NOT BE STAPLED OR TIED TO EXISTING SUPPORTPosted on existing support post.
8. SILT FENCE SHALL PARALLEL THE CONTOUR AS CLOSELY AS POSSIBLE.
9. MOUNTABLE BERM TO COMPLETE THE DAM.
10. MOUND ROCK TO BE PLACED ON SACE.
11. SANITARY SEWER CLEAN-OUT, SERVICE LATERAL)
12. WYE (PLUG IF AT END OF A)
13. SANITARY SEWER CLEAN-OUT, SERVICE LATERAL)
14. WYE (PLUG IF AT END OF A)
15. TEMPORARY CONSTRUCTION ENTRANCE
16. ENTRY TO ANY STORM DRAIN, DITCH OR ENTRANCE(S) AT STEEP GRADES AND / OR SLOPE SIDES OF TRENCH WHEN THE TRENCH CONSTRUCTION IN SUCH CONDITION AS TO PREVENT SEDIMENT FROM ENTERING THE WATERCOURSE THROUGH USE OF SAND MOUND ROCK TO BE PLACED ON SACE.
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22. CONSTRUCTION ENTRANCE(S) IN SUCH CONDITION AS TO PREVENT SEDIMENT FROM ENTERING THE WATERCOURSE THROUGH USE OF SAND MOUND ROCK TO BE PLACED ON SACE.
Application for Variance – Board of Adjustment

STAFF USE ONLY

Date Application Submitted: 7/14/21
Date Accepted as Complete: 7/14/21 Project Number: B21-62

APPLICATION CONTACTS:
Indicate one person of contact for this request: X Property Owner Representative

Applicant (person making request)
Name: Leigh Ann Swift
E-mail:leighann.swift@yahoo.com
Address: 4737 S. 48th Street
Springdale, AR 72762
Phone: 760-579-2971
Site/ Location: 4737 S. 48th Street
Springdale, AR 72762
Assessor's Parcel Number(s): 815-30881-000

Property Owner (if other than Applicant):
Name: ""
E-mail: ""
Address: ""
Phone: ""
Current Zoning District: A-1
Rezone required: No
Total Acreage: 1.0 acre

Variance requested: (attach visual representation of request)
Partial fencing requested in front of home.
Please see Page 1, 2, and 3 of attached images and information.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
Please see page 4-7 of attached images and information.
We desperately need the taller fence for protection from the northbound traffic.
From inside the house, the cars driving north on 48th Street look like they're going to drive straight into the house, and if they missed the curve in the road, they would drive straight into the house. The head lights and the light from the Cox sign also shine into the living room and bedroom windows at night (all are south facing or on south side of home).

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
The variance would allow the 6’ tall fence to block the view of the street from inside the house and would provide much needed privacy and protection from the cars traveling north on 48th Street. This used to be a small road but was paved many years ago. Since then, the street has become increasingly busy, and this traffic is only bound to increase as the population grows. The fence would give the living room and bedrooms privacy and would block the light pollution from the cars and the Cox sign at night. From inside the house, we’d have a view of a small courtyard area within the fence instead of the traffic and headlights. Please see page 8-11 of attached images and information. Thank you for your time and consideration in this matter.

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)  

Leigh Ann Swift  

DATE: 07/14/2021
**Variance requested:** Small section of front yard to be fenced with 6’ high privacy fence to protect living room window and bedroom windows from northbound traffic on 48th Street. Highlighted in yellow in the images below, the fence would cover a small portion of the yard and would not obstruct views of the street from the driveway. It would be painted a dark color (Sherwin Williams Black Fox) and would have landscaping outside of fence to dress it up.

If the fence could protrude towards the street, then it could clear the tree and allow the tree to be located inside the fence. It would also provide space for a gate which would be visible from the driveway.

***Fence will not obstruct views of the street from the driveway. Front door and garage are not hidden by the fence***
Proposed 6’ tall fenced area to protect living room and bedroom windows from northbound traffic and headlights.

***Fence will not obscure front door entry, view of street or cars entering and exiting the driveway.***
9’ from front corner of house (would provide space for a gate)

Roughly 20’ from south side of house
From the yard or inside the house, the cars driving north on 48th Street look like they’re going to drive straight into the house... and if they missed the curve in the road, they would drive straight into the house (we need a guardrail). The head lights and the light from the Cox sign shine into the living room and bedroom windows at night (all are south facing or on south side of home).
View from inside the living room at the northbound, oncoming vehicles.
View from inside the living room at the northbound, oncoming vehicles.
The curve is especially dangerous (northbound traffic) due to the house being so close to the road. Over half of the front yard was taken when the road was paved and widened from the original, small dirt road. Bud Rhine owned the vacant property across the street and offered his land to remove the curve and to keep our front yard from being taken, but Springdale stated an equal amount must come from each side.
The 6’ tall privacy fence would allow us to have a small, private courtyard off the living room which would be a much better view than the view of the cars driving straight towards the house.

The living room and bedrooms are on the south side of the house. If the fence could protrude towards the street, then it could clear the tree and allow the tree to be located inside the fence. It would also provide space for a gate which would be visible from the driveway and give the area a more welcoming feel. The fence would be painted a dark color and would have landscaping located outside to dress it up.
Overview of area.
4737 S. 48th St. is not in a neighborhood. It’s zoned agricultural. There are also no close Springdale neighbors to object.
View from driveway showing tape measure stretched to 12’ (we only want fence to go 9’ towards the street).

The fenced area would be relatively small in relation to the overall yard area and would not be obstructive from the street. It would be painted a dark color (Sherwin Williams Black Fox) and would have landscaping outside of fence to dress it up.
FILE NO. B21-62
APPLICANT: Leigh & Samuel Swift
REQUEST: Variance - Deviation of fence height
requirement in front from 3' to 6'

PLANNING COMMISSION MEETING
August 3, 2021