I. Pre-Meeting Activities
   Pledge of Allegiance
   Invocation

II. Call to Order

III. Roll Call

IV. Approval of Minutes August 3, 2021

V. Tabled Items

A. R21-47  Adam’s Family Properties, LLC
           3357 Habberton Road
           From A-1 to SF-3
           Presented by Expedient Civil Engineering

B. 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

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

D. C21-14  Jose Martinez Sandoval
           3805 Kelly Avenue
           Use unit 44 (mobile vending) in a C-2

           B21-75 Variance for deviation from utility requirement
           Presented by Stephanie Guevara

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

G. L21-27  Cards Recycling
           1609 Old Missouri Road
           Presented by McClelland Consulting Engineers, Inc.
VI. Public Hearing – Rezoning

A. R21-50 Taqueria M. Guanajuato, LLC & Benigno Morales
1019 West Sunset
From C-2 to C-5
Presented by Expedient Civil Engineering

B. R21-51 Mae Etta Mathews Revocable Trust
515 E Hwy 264
From SF-1 to C-2
Presented by Mike Overton

C. R21-52 Springdale Public Facilities Board
Part of parcel 815-22505-172, 2284 E Emma Ave
From A-1 to I-3
Presented by Engineering Services, Inc.

D. R21-53 Mustafa Obeidat, Kimberly Donnell, Gina and Lynn Roberts
1.0 acre of the SE corner of 21-00126-000 at 4973 N Graham Rd
From A-1 to SF-2
Presented by Mustafa Obeidat, Kimberly Donnell

VII. Public Hearing – Conditional Use

A. C21-20 Brothers Rentals, LLC
1815 Bitter Lane
Use Unit 4 (cultural, recreation and health facilities) in a SF-2
Presented by Zachary Brothers

B. C21-21 Mao Lee
107 North Old Missouri Road
Use Unit 44 (mobile vending) in a C-2
Presented by Mao Lee and Teng Her

C. C21-22 Luis Alvarenga and Isabel Delgado
2975 East Robinson Avenue
Use Unit 44 (mobile vending) in C-6
Presented by Luis Alvarenga and Isabel Delgado

D. C21-23 QOF Investments, LLC
909 Backus Ave
Use Unit 44 (mobile vending) in a C-2
Presented by Gregory Brown

E. C21-24 Nanci and Mark Mabry
1580 North Monitor Road
Use unit 50 (agricultural occupation) in an A-1
Presented by Nanci Mabry
F. C21-25  **Springdale Public Facilities Board**  
815-28719-010, Angell Drive  
Tandem lot in an I-1  
Presented by Engineering Services, Inc.  

G. C21-26  **Wayne & Brenda Lockard Living Trust**  
APN 815-29349-000 Annie Laurie Ave  
Tandem lot in a SF-2  
Presented by Engineering Services, Inc.  

VIII. Large Scale Developments  

A. L21-29  **Mixed Use – Hwy 112 & Marchant Road**  
Northwest corner of Hwy 112 and Marchant Road  
Presented by Crafton Tull  

B. L21-30  **Wagon Wheel Storage**  
3652 Wagon Wheel Road  
Presented by Crafton Tull  

IX. Board of Adjustment  

A. B21-65  **Mark and Melody Sebastian**  
2210 Wagon Wheel Road  
Variance for deviation of driveway requirements - expanding to the west, toward the front door  
Presented by Mark and Melody Sebastian  

B. B21-66  **Melissa and Stephen Hotchkiss**  
3409 Falcon Road  
Variance for deviation of paving requirements - gravel on the west side  
Presented by Melissa and Stephen Hotchkiss.  

C. B21-67  **Dennis and Leslie Holland**  
919 East Apple Blossom Avenue  
Variance for deviation of side setback from 15' to 10'  
Presented by Dennis Holland  

D. B21-68  **Efrain and Maria Anaya**  
757 Golden Meadow Avenue  
Variance for deviation of front setback from 30' to 20'  
Presented by Efrain Anaya  

E. B21-69  **Alejandro Torres**  
715 Crutcher Street  
Variance for deviation of front setback from 40' to 30'  
Presented by Alejandro Torres and Eric Hernandez
F. B21-70  **Marco and Angela Valdez**  
3027 Shiraz Lane  
Variance for deviation of rear setback from 20' to 10'  
Presented by Marco Valdez and Jasmin Acosta

G. B21-71  **Gus Roofing**  
4211 Dixie Industrial Avenue  
Variance for deviation of driveway separation from 150' to 116'  
Presented by Expedient Civil Engineering

H. B21-73  **Springdale School District #50**  
1498 E Emma Ave  
Variance for deviation of minimum distance between drives on a single tract from 150' to 75'  
Presented by Engineering Services, Inc.

I. B21-74  **Anthony & Marco Vazquez**  
2617 Fruit Tree Ave  
Variance for deviation of driveway requirements - expanding towards front door  
Presented by Anthony & Marco Vazquez

J. B21-75  **Jose Jesus Martinez**  
3805 Kelly Avenue  
Variance for deviation from utility requirement.  
Presented by Stephanie Guevara

K. B21-76  **Michael Voudrie**  
**TABLED**  
1801 Colby Circle  
Variance for deviation of fence height requirement in the front yard from 3' to 5'  
Presented by Michael Voudrie

L. B21-77  **Andy Chen (PSC Indoor Soccer)**  
Hwy 412 and Crossover Rd  
Presented by Harrison, French, & Associates (HFA)

X.  **Waivers**

A. W21-13  **Wagon Wheel Storage**  
3652 Wagon Wheel Road  
Waiver of street improvements for Wildwood Lane  
Presented by Crafton Tull

XI.  **Planning Director’s Report**

XII.  **Adjourn**
The Springdale Planning Commission met in regular session on Tuesday, August 3, 2021 at 5:00 p.m. in the Wayne Hyden Training Room A205 in the Criminal Justice Building. It should be noted at this time that the meeting was also via Zoom.

Prior to the meeting being called to order, Chairman Kevin Parsley led the Pledge of Allegiance and Commissioner Dale Tyler gave the invocation.

The meeting was called to order by Chairman Parsley at 5:00 p.m.

Roll call was answered by:

- Howard Austin – via Zoom
- Gary Compton
- Roy Covert – Vice-Chairman
- Shannon Mueller
- Payton Parker
- Kevin Parsley
- Ben Peters – Secretary
- Dale Tyler

Commissioner James David was not in attendance.

Others attending the meeting were Ms. Patsy Christie, Director of Planning and Community Development, Rick Barry, Assistant Director or Planning and Community Development, Ms. Sharon Tromburg, Planning Technician and David Phillips, Assistant City Attorney.

Mr. Covert moved to approve the July 6, 2021 minutes. Mr. Peters seconded the motion. By a voice vote of all ayes and no nays, the July 2021 minutes were approved by a unanimous vote.

Other

A. Proposed amendment to the Springdale Code of Ordinance Chapter 130 Zoning Ordinance to amend Article 2.
Presented by Mike Overton, Springdale City Councilman

Mr. Overton was present to explain the proposed amendment. He stated that pursuant to Act 930 of the State Legislature passed in April, the Council is proposing an amendment to the Ordinance amending Article 2, Section 10 on the zoning ordinance. This will allow anyone to appeal the denial of a variance to City Council. This allows the applicant to petition an elected body before going to civil court.

Mr. Parsley asked for Staff comments.

Ms. Christie stated that this is a public hearing and we are here to take comments from the public to send to the council. There isn’t any action to be taken by the Planning Commission; it will be forwarded to Council.

Mr. Overton did state that it is incumbent upon the petitioner to appeal to the Council.
Ms. Christie said that it will be the same procedure as with rezonings and conditional uses. The applicant will have fifteen 15 days to appeal in writing to the City Clerk's office stating why they think that the Commission erred in its decision and they must also re-notify the adjacent property owners.

Mr. Peters asked if a non-applicant could appeal the Commission's approval, if said non-applicant did not want the applicant to have the variance.

Mr. Overton said that if they have standing he feels like they could petition to have the variance approval overturned. He further stated that it would be up to the City Attorney as to what the standing was.

Mr. David Phillips with the City Attorney's office said that generally speaking they can ask to be heard but once that body has authoritatively granted that then it is in place and to overcome that in a court of law the issue of standing will pretty much preclude them from doing that. Therefore, if a variance is granted it becomes the force of law until it is overcome by a party of good standing; the owner, someone who has a vested interest.

Tabled Items

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

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client to answer any questions or comments. He said that it is where Spot-Not car wash and there is a warehouse in the back that they are trying to split off.

Mr. Parsley asked for Staff comments.

Because the lot split couldn't be put on screen at this time, it was decided that they will come back to it.

Ms. Christie said that there were some concerns by the Fire Department. She asked Mr. Stith to comment.

Mr. Stith said that initially on the north side of the old car wash has only 90 feet and sits at a kind of angle. He said they were concerned that it doesn't meet the 20' fire access road. He said they tried to get an access off of Harris Street, but it is owned by someone else and they didn't want to sell it. He got the fire department to take a ladder truck to the location and drive around the building. It was determined at that time that the truck had room to go around. He said it was a pre-existing violation of the code, but since the truck could get in and out they dropped that objection.

Ms. Christie said that there is no sewer to the building therefore there can be no employees in the building.
Mr. Parsley asked if there were any questions or comments from the audience.

There were none.

Mr. Peters called for the vote.

VOTE:

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

The conditional use for a tandem lot split was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, August 24, 2021 at 6:00 p.m. in Council Chambers.

Public Hearing - Rezoning

A.  R21-45  West Huntsville, LLC
     316 and 324 North West End Street
     From C-2 to MF-4
     Presented by Brittney Barker and Clay Morton

Mr. Clay Morton was present to answer any questions or comments. He said that they want to rezone so that they can build a duplex on the corner and a tri-plex on the interior lot.

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments. The adopted Comprehensive Land Use Plan indicates Low Density Residential and Neighborhood Commercial.

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

✓  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.

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

There were none.

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

The rezoning was approved by a unanimous vote.

B. R21-46 John Hendrick's Properties, LLC (Graystone Storage)
   From A-1 to C-2
   Presented by Expedient Civil Engineering

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

Mr. Parsley asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates Commercial.

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

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

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

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

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

There were none.

Ms. Mueller called for the vote.

VOTE:
YES: Compton, Covert, Mueller, Parker, Parsley, Peters, Tyler, Austin
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, August 24, 2021 at 6:00 p.m. in Council Chambers.
Public Hearing – Conditional Use

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

Mr. Reed Hill with Crafton Tull was present on behalf of his client to answer any questions or comments. He said that these are the three remaining lots and are being split for the future phases.

Ms. Christie said Staff had no comments.

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

Mr. Covert called for the vote.

**VOTE:**

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

The conditional use was approved by a unanimous vote.

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, August 24, 2021 at 6:00 p.m. in Council Chambers.

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.

Mr. Jason Appel with Engineering Services, Inc. was present on behalf of his client (Joe Brooks) to answer any questions or comments. He said that this piece of property is located at the southern end of Hylton Road, approximately one quarter mile from Butterfield Coach Road. He said they are proposing 205 single family lots for about half the property and the waiver for Howard Anderson is his client is proposing a 27’ paved access road from the subdivision to Butterfield Coach Road in lieu of full street improvements for that section.

Ms. Christie said that they will design the street to City Standards.

Mr. Appel said that they would.

Mr. Parsley asked for Staff comments.
Mr. Barry read the Staff comments.

**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?  
   Mr. Appel stated that this is a phase project and the improvements will be done by phase III.

Ms. Christie asked if there is an arrangement with the developer that it will be finished by the time this subdivision is ready to go final plat. That will be the issue is whether Hylton Road and the Howard Anderson will meet fire code.

Mr. Parsley asked about the arrangement with the other developer. He further stated that his question that Ms. Christie had stated prior to final plat.

Ms. Christie said that there is a section of this street that is not in Springdale. Staff still has to work through that. It is her understanding that the developers of the property to the north are going to improve the same situation. Is that the arrangement that has been made with the engineering department, for that piece between that is improved now that is not in the city limits? Is that being developed the same way for the 27' of right of way.

Mr. Appel said that he wasn’t sure about that agreement. He said he thought there was some sort of arrangement/agreement but he didn't know if it was 27'.

Ms. Christie asked Ms. Hollingshead if they had that agreement.

Ms. Hollingshead said she had not seen a proposal on that part that is not in the City limits.

Ms. Christie said that her only question is do they still have that section of Hylton Road that this will be the access point for this subdivision and the PUD to the north and the other subdivision and how do we get that.

Mr. Appel said that he thought there was agreement with City Council when that rezoning happened that that developer was going to include that portion of the road. This is the only access to either of those subdivisions.

Ms. Christie said that her point is, she wanted to know if construction had been approved for any of those previous subdivisions.

Ms. Hollingshead said that as far as she knew it was just Hylton Phase III. That is the only one that has a grading permit.
Ms. Christie said that that was on the west side and has access to both places.

Ms. Hollingshead that was correct.
Ms. Christie said that all the other stuff has to be worked out before you can start construction on this subdivision.

**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.

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.

Mr. Parsley asked Ms. Christie to summarize what was just said.

Ms. Christie said that what they are saying is the connection on Hylton across that area that is not in the City limits will have to be improved to City standards and to provide access. She said how that happens has to be worked out between the Engineering department and the different developers.

Mr. Appel said that it hasn't been worked out, although he thinks that there has been an arrangement he will find the documentation.

Ms. Christie said that she has not seen any documentation to that effect.

Mr. Appel said that he thought that the agreement that they will pave what is there but it wasn't to City standards.
Ms. Christie said they need to get that worked out because that is the access. It has to go to Council for with the waiver for the 27’ pavement of Howard Anderson. She asked if that was acceptable to the Fire Department.

Ms. Christie further stated that all the agreements will have to be included in the Final Plat for sure.

Ms. Hollingshead said that she thought that Engineering had asked for a proposal from the developers; how they would like to split the cost share and they don’t want it done in sections and they would like for one contractor to do the entire stretch all at once and the cost could be split up proportionately between the developers and the City would do its end of it.

Mr. Joe Brooks, the developer, said that when he spoke with Mayor Sprouse, to give some background on the property, he said it used to be Washington County 559 so digging out all the easements in the White River Rural Water and went all the way back as Springdale would annex. He further stated that there was correspondence going back and forth between the County and the City. He said it was a little over 400’ feet in the middle. He said he thought that Ernest was about to annex the island that has been created into the City. He said that the Mayor told him that the developer was going to pay for the road and the City was going to help the cement, curb and gutter sidewalks out of a fund on the 400’ and then the rest of the developers would pay for the rest of this. He said he hasn't seen it in writing but that is what he has been told.

Mr. Appel said he wanted to make sure he understood what everyone needs: cost proposals associate with the Hylton development to provide cost shared analysis to the City and the City is going to build the road.

Ms. Christie said she didn't think that's what was said.

Ms. Hollingshead said that off-site improvements require for things like fire access should be paid proportionately by the developers. The city is looking at that portion that is currently in the county. That needs to be a proposal by the Council.

Ms. Christie said that if the City is going to undertake the construction it has to go to City Council to approve that unless there is an agreement between all those and one of the contractors pick up and do it. That's what still up in the air is how is all that going to happen.

Mr. Appel said that it was his understand that those plats north of this property the work was required with those plats and it will be required for Final Plat as it comes through for each one of those developments.

Ms. Christie said there is just that piece in the middle that has to be done. She said that's the only they are talking about because the developers on both sides will be responsible. She said her question is to make sure the timing is in place because Whispering Springs doesn't have that access for it to move forward.
Mr. Appel said that if it is just the 400’ portion, he will find the agreement with the other developer; he can provide that information. He further stated that if they need to provide some other cost analysis, ESI can do that.

Mayor Sprouse said that the way he remembers this particular part that is in the County is the developer, either before this body or before the City Council said they would take care of it. If they will only do their half the City will look at doing ways to do its half.

Mr. Appel said that their development, Whispering Springs, can commit to a portion, to get that road to 27’ wide. He further said that the development on the east side of Hylton had agreed to a 20' paved access along the 400’ or that is his understanding. He said they can agree to add that to the waiver to get 27’ wide, 27’ feet paved through that 400' and also 1/4 mile along Howard Anderson.

Mayor Sprouse said that area is an island and therefore can be annexed in by Ordinance and he sees no reason for it not to be annexed into the City.

Ms. Christie said that Engineering needs to get with the developers to make sure that all that has been said gets done.

Mr. Peters said that for the Planning Commissioners the requirement is there for the road to be there before the final plat can be done. He said that the 400’ must be paved before the final plat can be approved. He said that the risk is to the developer if he is comfortable going forward he doesn't know why the Commission would stop it.

Ms. Hollingshead said that the subdivision has proposed a couple of different street sections that don't quite align with the Master Street Plan. They are proposing high volume local streets which eleven and half foot lanes as opposed to the volume of ten and half foot. She said that high volume local are intended for more than 500 cars per day and Engineering doesn't necessarily see that need in the subdivision. She said they have traffic committee every month and there are speeding and safety issues associated with high volume streets in subdivisions because of the wider street. She said that if the developer wants high volume streets for this subdivision, they would like to see the justification for it.

She also they need a signage plan and ADA ramp for all street crossings.

Mr. Appel spoke to the high volume street. He said that they feel that 10' drive lane is too tight for any subdivision.

Ms. Christie asked Mr. Appel if they were asking for a high volume street with parking on one said. She said that needs to be designated on the plat.

Mr. Appel said that is shown on the right side. He further stated that some of the streets in the subdivision could be low volume as well as high volume.

Ms. Hollingshead agreed.

Mr. Parsley asked if there were those in the audience with questions or comments.
Mr. Parker wanted to go on record saying that he feels that a lot of time and effort go in to preparing the Master Street Plan and if there is not a really good reason it should be a part of the requirement for subdivisions.

Mr. Peters moved to forward the waiver to Council. Mr. Covert seconded the motion. Developer is proposing a 27' paved street on the existing Howard Anderson Road through there, no curb or gutter no sidewalks, just a paved 27’ access.

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

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

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

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

Ms. Christie stated for the record that Staff would prepare the Resolution that will go to Council on Tuesday, August 24, 2021 at 6:00 p.m. in Council Chambers.

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

Mr. Blake Murray and Jason Appel with Engineering Services, Inc. were present on behalf of their client to answer any questions or comments. He said that his client is proposing a subdivision along Cheyenne Trail consisting of 106 residential lots with two ponds and an industrial out lot, currently a combination of SF-2, SF-3 and I-1. He said than in general ESI is in agreement with all of Staff's comments. He said that there were a couple that he would like to discuss; the first one being engineering's request to show a partial layout with Pleasant Street connection. He said as currently shown this is their desired layout. There four current connections to public streets; Cheyenne Trail and three to the south. He said that that's his client's desired layout and allows pretty good connectivity with the adjacent property owners; that's what he wants to do instead of connecting to Pleasant. He also echoed what Jason Appel said about high volume streets. He said that there are 100 lots and he didn't think it unreasonable for each to make 5 trips a day. He said if needed he could provide the calculations.

Ms. Christie asked if they were proposing parking on the street and if so which side.

Mr. Murray it would be on the right hand side.

Ms. Christie asked if there would be islands.
Mr. Murray said that it will. Mr. also said that if you are going east/west it will be on the south side and when you are going north/south it will be on the left.

Mr. Parsley asked for Staff comments.

Mr. Barry read the Staff comments.

**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
  - 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.
     - Requires a 1"=200’ minimum scale 2-foot contour map.
     - 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**
     - 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 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.**

    - 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.

Ms. Hollingshead wanted to talk about a couple of the engineering comments; about the alternate layout. She said she thought they had talked about it previously. She said the first time they saw the layout, she thought they were going to try and get the Pleasant Street connection. She said that Thelma and LaDawn go to the same place. She also said that they are missing a drainage easement around the north side swale and will need to get a grading plans for that swale as well and final contours; ADA ramps in all directions at the intersections.

Ms. Christie wanted to talk about what happens to this section about the layout for Pleasant Street. Is that something that has to happen or taking it off the table.

Ms. Hollingshead said that that is their question. When they first saw the subdivision they had talked about putting an alternate that instead of using Thelma Street, they would use Pleasant. She said they called out half of the right of way and they were working to get the other half.

Mr. Murray said that it would be great to connect to that street, but they don't have the right of way to make that connection. He said they were already connecting in three other places.

Could not understand what Ms. Hollingshead said in reference to Mr. Murray's statement.

Mr. Murray said that his client prefers the layout that they have shown.

Mr. Parsley asked if there were those in the audience with questions or comments.
Ms. Jennifer Graham spoke. She said that her property is on the corner of Thistlewood and Larkspur which is one of the connections points. She said there were a couple of things; one was all the connections but according to City Ordinance, Section 112-7 design standards, under subsection 3.8 it talks about through traffic and according to the local street system shall be designed to minimize through traffic. She said that the way it is connected through Cheyenne Trail, there is Pump Station Road and then on to Cheyenne Trail and this goes on to Cheyenne Trail. She said that with the way it is designed a lot of traffic that goes to Hunt Park, and all the subdivisions back there, she can see clearly people cutting through there to go all the way to 71; whether it is through Larkspur, whether it is through Thelma or Pleasant. Her question is why we cannot separate it out into two sections because it is already divided into SF-3 and SF-2. If the developer would take the little section in the top, right there in the middle; it wouldn't reduce the number of houses. She said that she counted the lots and that there is 120 and they are saying there is 100; either way, if you divided it you would have forty something on one side and seventy something on the other side. Hundred properties or hundred and twenty properties; there will be a lot of cars going through this and through my street because she is right on Larkspur. She said that there are a lot of children in the neighborhood and right now there is no through traffic and the way this is developed, that is all that is going to be there is the through traffic. She further stated that Larkspur is not designed to be a through street. It was designed like a little cur-de-sac and so her question to the developer is can the two sections not be divided into smaller sections.

Mr. Murray said that they can't because those two connections to the south doesn't create the fire separation. He said if they removed that connection there wouldn't be a second connectivity for fire.

Ms. Graham said that as it stands she can see where it is going to create a lot of through traffic from Pump Station Road all the way down.

Mr. Mike Gretta spoke next. He asked if they could show what is SF-2 and SF-3.

Mr. Murray showed Mr. Gretta the dividing line on the plat that he had.

Mr. Gretta said that he didn't understand the question that before it was denied and yet it is coming back again for like the third time. He wanted to know how they could do that if they were denied before.

Ms. Christie said that they discussed this at Council meeting. The section that asked to be SF-3 was originally requested to be MF-4. The decision was made that it isn't the same rezoning request as before. She said the rezoning was approved by the Commission and City Council and they will not be discussing the rezoning at this meeting as it has been approved. She said they are talking about how the subdivision is laid out, how to access it, the drainage and all that.

Mr. Gretta said that since they only have nine people compared to those that were there previously, he isn't sure that they were adequately notified. He said he didn't see any signs posted anywhere.
Ms. Christie said that preliminary plat requires that the adjacent property owners be notified by Certified mail but does not require a sign to be placed on the property.

Mr. Gretta said it is a rezoning issue.

Ms. Christie, again, pointed out that this meeting is for the preliminary plat that the rezoning has already happened and will not be discussed at this meeting. She said that there was a mistake in the letter that was sent out in that it said it was in regards to a rezoning and a preliminary plat. The rezoning has already been addressed and tonight's discussion is regarding the preliminary plat only. She reiterated that they will not be talking about the zoning issue any more.

Mr. Gretta said the City had approved land use as low density in its long turn planning. He said that SF-2 is considered Low Density and SF-3 is considered High Density. He said that the guide they are using is changing it from low to high density. Based on what Mr. Murray said there will be 500 traffic in and out of there and the roads are too small around there. He wanted to know how they were supposed to take care of the road and there was an article in the paper about how the City is handling the growth but yet now they want to add 100 houses and 500 cars in an area that needs probably a lot of improvement on the roads as well as utility usage. He said that it doesn’t look like it can be handled.

Ms. Christie said that the developer will be required to improve the Cheyenne Trail; their half of the street; it will be widened out. She said there are not any plans at the present to widen that street out. She further stated that traditionally cities can’t afford to do a lot of street improvements until the development occurs. She said that unfortunately, cities are having to play catch up because there had to be traffic coming in.

Mr. Gretta asked if that's what planning is for; he understands that it is just a guide but to put that many people in there in a short period of time and it took a couple of years to get the bridge fixed on Pump Station Road.

Ms. Christie said that the SF-2 has been there a long time; which is four units per acre. SF-3 is six units per acre.

Mr. Gretta said that they have the right to build but he is asking the City and they are the leaders saying they plan but we can’t do anything until it is put in and so now the City is putting them in a challenging situation. He said it could be challenging, but maybe it won’t be but if 100 houses are being built the streets are not going to be able to handle it. He asked about the utilities.

Ms. Christie said that the utilities will be able to handle it and that this is not any more unusual than any other area of the City.
Mayor Sprouse said that he wanted to address the Planning part. He said that we are all looking into a crystal ball and that we are no different than any other city in the State. He said we are always playing catch up because funding always follows the growth, it doesn't come before. He further said that there are certain arterial streets that we can predict that are going to have heavy traffic; Gene George Boulevard, 64th Street, 40th Street; but, if we were to go out to roads like Cheyenne Trail and improve those roads before a subdivision went in; how many roads would the city improve and the subdivision not come to fruition. He said that isn't a wise use of taxpayer money. He further stated that they will improve roads as the City can if the need is there but they can't too far ahead of the need or money will be spent on things that aren't going to happen.

Mr. Gretta spoke but wasn't at the mic.

Mayor Sprouse said they would not develop plans for roads until we're closer to getting them done.

Mr. Gretta said that the roads are there and you are planning to put this many people there. He said it just seems, to him, that it is poor planning. He said for them to say they don't have plans for the roads, or schools that need the growth. He said saying that there are no plans is no planning. He said you have to have the funds there and the City is living paycheck to paycheck like the rest of us I guess and now you are going to that but you have no plans. He said that it didn't sit well with him. He wanted to know how they would feel if he came onto their street and said he was going to put 100 houses behind you with 500 cars but he had no plans.

Ms. Christie said that, not to be argumentative but when Mr. Gretta's subdivision went in they didn't do the street improvements either; it provided an impact to that street and that developer didn't have to do it. It is not like this is brand new and the first time we have done it.

Mr. Gretta said that because it wasn't done before means the City doesn't have to do it now or in the future.

Ms. Charlene Bowen said they had property at 1715 Larkspur. She said that when it rains the back yard looks like a river. She said that she was worried about the water coming from Thelma and their building. She said that she didn't know exactly where all the water is coming from. She wished that someone could tell her where the water is coming from. She has had the City come to look at it. She is afraid with the additional houses that it will only get worse.

Mr. Appel said that the water comes from the south and not from Thelma. He said that where they are developing all the water will run to the north.

Mr. Parsley said that it isn't the responsibility of the developer concerning their current water situation. He said that the developer will be responsible for drainage in the area where he will be building. He pointed out to Ms. Bowen that hers is a preexisting condition and not the result of what the current developer will be doing.
Mr. Gretta spoke again and said that if it is going through the yard and it is draining that way, if they build something that impedes, the Commission is saying that has nothing to do with them because it isn't on the property that they are building on.

Mr. Parsley said that the developer has a responsibility to manage the water in the existing but would not put a burden as far as on your existing property.

Mr. Gretta said that if it stops the water and the burden and the water comes back to his property that would be a burden.

Ms. Christie asked Ms. Hollingshead to address the drainage on this site.

Ms. Hollingshead said that there are two detentions proposed. They are not allowed to increase the peak flow off of this development. The amount of water that leaves this site has to be the same after it is developed; this is what detention ponds do. Right now there is a storm sewer that runs north on Larkspur and it just kind of pops out where the street ends. It will actually be connected into their infrastructure. There is not a impedance of water. They have to take into account all the water that flows across that land currently plus anything that they would add and would have to mitigate it.

Mr. Gretta said that if they have water coming off the street and it goes into all their yards and it goes into the field and it goes through its normal draining that way. So if they are building along here, they have to account for the water that is going to come in from the property.

Ms. Hollingshead that was correct.

Ms. Christie said that there had been a drainage study on this area.

Mr. Murray stated that there has been a drainage study done and he just looked at the contours and in that area almost, actually, no portion of their site drains into that area except there near the southern detention pond that is a small portion that will drain into their pond. He said there really shouldn't be any impact of drainage into that area nor impedance of those waters.

Mr. Parsley said that the detention ponds are not intended to hold water all the time.

Ms. Hollingshead said that they are dry ponds and they are not supposed to hold any water.

Ms. Graham said she lives cattycorner to one of the detention ponds. She reiterated what the others have said about the water. She said that they have massive amounts of water going through. She asked if the elevation of the houses going to higher or at the same level as theirs; because water is already trying to flow through and if they have it go up is it going to flow back down into her yard which is already pooling that. She said that Mr. Murray said that it would run off some across the street and she wanted to know if that would increase the water that is already flowing.
Mr. Murray said that the houses will be set based on the street elevation. He said the very southern end, the contours drain back toward our proposed street. He as you continue north the contours will change and drain toward the pond. He said that they will add a ditch in with final construction plans.

Ms. Graham wanted to go back to the traffic flow. She said before that it is going to be a through street and he said they could not separate it out because of the fire code. She said if they put the street in that was already on Pleasant she felt that it should meet the fire code for the two accesses and then you would have two accesses for this half and it would still be split and she said there would still be the detention pond. She said that Hunt Park was nearby and the corner with Ridgeview and Cheyenne Trail is a bus stop. She said that there are no sidewalks and she knows that there will be a sidewalk on the other side. She wanted to know if there were going to be sidewalks going down on the other portion. She said that this is being called Nature’s walk but they are taking every single bit of nature out of this little area. She said that there is a lot of wildlife in this area and looks like there will be no areas with any kind of park areas. She said it looks like it will be completely wiped out.

Mr. Murray said that they will try to preserve the natural aspect of the area. It is adjacent to the flood plain and he feels that there are benefits of being near that. He further stated that in terms of preserving what they can the lots are 200 feet deep which can allow for a nice sized back yard for trees.

She said that right now when she walks out her back door she sees nothing but nature. She said that according to the plan all of that will be gone.

Mr. Murray said that even on the south side the lots are 120’ x 75’. He said you can still put in a good size residential house and still preserve nature.

Mr. Blake Holte with SFD said he wanted to make sure that everyone got their questions answered. He said the question of fire access; when a secondary access is required there is a certain distance that they have to be apart; and it has to be a distance equal to or greater than half of the diagonal of the area served. He said he wasn’t for sure what that would be but adding Pleasant would not achieve a secondary access.

Ms. Karen McPherson who lives at 1841 Cheyenne Trail spoke. Her question was in reference to half of the diagonal of the site and she said that if you cut that property split in half, if you go back to the image that would be half of the diagonal. She said that unless it is a very specific distance. She said that they have two roads in there up above. She used the laser pointer to show the area she was referencing. She said that if it was put in the location that she was pointing to; she said they would be splitting in this direction and half of that would be about that distance.

Mr. Murray pointed out the diagonal to Ms. McPherson.
She suggested that they were doing the development in the wrong order; said that everything that has been talked about, the developer is going to put too much traffic on Cheyenne Trail which leads to Pump Station. She said that there are tons of children that come and go. She said that if you can't put road improvement in before development. She said it's already done as they have put in Hunt Park, the walking trails and they are now adding a Veterans' Memorial and it is all within a mile and they get all that traffic plus whatever is being added to the development. She further stated that whatever they can do to ease that down and not put in another through street right there. She said she thinks that they have to do that; said she is talking about safety. She said that if they develop the other side first then you would have those roads. She said that she thought they were talking in a circle, but just to say that that is the concern; there are ways to get around developments. If they are going to go through something like this, why not what do is best for the entire community and not just the developer. She asked them to look at the other side. Let the developer put the streets on the far east side and get that road in and that would give the loop that is needed. She said that they could cul-de-sac this and separate out and get a lot of the traffic off of Cheyenne Trail, which she thinks is the majority of the complaints here. She said that whenever you are talking about these roads, he mentioned putting in a parking lane. Once that is done, she said he doesn't have the footage to do the size lots anymore. She said he will have to take something out anyway so why not look at this a whole and redesign it so that you have your parking, you have what you want and you still keep the minimum lot sizes that he is required to have. She said that it would eliminate a few lots but if it is better for the community, why not? She said that she does not understand. She further stated she would like to hear what they have to say.

Mr. Parsley said that any comments she is asking for is from the developer.

Ms. McPherson said she would like to hear what the deal is.

Mr. Jason Appel with Engineering Services said he wasn't sure what the parking concern. He further stated that it wouldn't change the design of the site. He said that currently they have it at 31' wide so that allows for one lane of parking on one side. He said that the only modification would be to shrink the street to a low volume street. He said that the right-of-way for the roads are set up for on street parking, currently.

Ms. McPherson asked about developing it so that there is a connective road but not run into the fire marshal requirement.

Mr. Appel said that there is no intent to develop the industrial side.

Ms. McPherson asked why the streets are there.

Mr. Parsley said that they need to focus as far as the property at hand on here.

Ms. McPherson said that it was on the plan.

Mr. Parsley said that what has been submitted based, they have already covered it as far as the connectivity in there.
Ms. McPherson disagreed. She said that they have the extra lots. Those extra lots were a part of the submission and there are two roads that tells her they are planning on additional road there. If they go ahead and do those first, go ahead get their SF-3 for that area, put the road then they don't have the fire marshal restriction and then they can put the cul-de-sac in there. She said that she thought everyone in the room would be a whole lot happier.

Ms. Appel said that the connection to the east is into the industrial area, that parcel needs access to what would be the end of lots so an access was provided to the industrial area. There are no plans to do anything at this time. It would have to be something industrial.

Ms. McPherson said that they would need to remove the roads because the access would need to come from Highway 71.

Ms. Christie stated there is no access to Highway 71.

Ms. McPherson said that the whole point is that they are trying to be here as a community, trying to work out something and all they are hearing is the plans are the plans. She said it wasn't a give or take. She asked that they be listened to and actually take into consideration their concerns; the traffic issues they are talking about and the developer is talking about removing some utilities that supplies everybody's house in that entire addition. She asked what was happening there.

Ms. Christie said that no utilities were being removed. She said what is there has to be maintained. There is nothing being taken away utility-wise.

Ms. McPherson said that the plan says that existing storm line to be removed.

Ms. Christie said that it will be replaced with a new one. She said that they are not removing any service but they are relocating the storm line. Nothing is being cut off.

Ms. McPherson said that the sizing of the pipe is 6" pipes unless there is something wrong with their attachment. She said a 6" pipe might do well for a subdivision but it won't do well for a much larger area. What size pipes are they going to put in?

Ms. Christie said that Springdale Water and Sewer and the developer will work out. Springdale Water Utilities will not allow the size of the pipe to be downsized.

Ms. McPherson asked in this process what can they expect as the rest of the community.

Mr. Parsley said he wasn't sure that he was following her question.
Ms. McPherson said that if they are saying there is a lot of concern. This process is supposed to be our process that we negotiate and they work with the developer. If they are not willing to meet them half way; what's the point of holding a public hearing? She further stated that she would like to hear what the Commission has to think should happen out of the meeting and what as citizens what they can expect if they have a problem. She wanted to know if it was so they could attend meeting and vent and basically not even have them listed in the minutes and everything move on.

Mr. Parsley said that all the comments are made in the meeting are a part of the minutes.

Ms. McPherson said that wasn’t true because at the last meeting she attending and she said they spoke for almost 20 minutes and my comments were summarized into three statements. She said that she could show the Commission.

Ms. Christie said what she said is correct. The minutes are summarized and there are some cases where they are done verbatim. The minutes are not verbatim. The City has a record of the meeting and also a video. The actual minutes that the Planning Commission approves are normally not verbatim unless there is an issue that requires it.

Ms. McPherson asked what they expect out of the process.

Ms. Christie said that the process is designed; the City has minimum subdivision regulations that state the developer want to subdivide a property in the City of Springdale here are the rules. The City’s review of a subdivision plat is to make sure that it meets minimum standards. She said that if the minimum standards are good enough then they need to be revisited. The developer has the right to bring in his proposal into the Planning office with how he wants to develop a piece of property; meeting those minimum standards. The Ordinance allows for the adjacent property owners to be notified so that they may address concerns that they may have at the Planning Commission meeting. The Planning Commission takes those concerns into account and makes recommendation as to what has to be changed. She said that the City Attorney may address this is she is incorrect but the minimum standards are all that the Planning Commission can hold the developer too. She further stated that they can’t tell what size house it has to be, what it has to look like, what the street has to look at, how the utilities are laid out and how it will drain.

Ms. McPherson said that basically they are being told that there is nothing in this process for their voice to be heard. She said it just wasn’t this project that she knows of other meetings and the citizens have no say in a development.

Ms. Christie said that Ms. McPherson’s comments about drainage and flooding issues are taken into account. Staff will go back and look to see if there are issues with drainage.
Ms. McPherson said that she is just asking the developer of that area to make it safe. She further stated that it is such a curvy road and it hasn't been updated in sixty years that she has lived there. She said she is talking about listening to people and actually trying to make a change. She further stated that they are not saying the developer can do this. She said they lost the battle of the density and she understands that, but they are where they are now and why not ask the developers to do something that makes more people o.k. with what's going on.

Ms. Christie said that she understood her concerns; however, the City can only address the minimum standards. Those are the perimeters that Planning Commission has to work with.

Mr. David Phillips, assistant City Attorney said that Ms. Christie is absolutely right; because the statute is clear; if the minimum standards are met this body is required to approve the preliminary plat. If they don't it is considered arbitrary and capricious and that is one thing that City government doesn't want to do.

Ms. Christie said that they are looking at the drainage and if it is designed to meet the criteria for today's drainage improvements; and the streets are designed to meet the minimum standards that the City has. She further stated that the only improvements the developer is required to make is his/her half of the street. Ms. Christie suggested that Ms. McPherson get with her City Council members to develop projects in the future.

Ms. McPherson said that her council members have let them down. She further stated that beyond letting them down. She said they went into a situation and stated the case and it wasn't based on emotion, it was based on fact and basically because the Commission said yes they just automatically said yes. She said she knows Mayor Sprouse said he doesn't do that, but she went back and looked at the last years' worth of Council meetings and they were rubber stamped. She said if it takes them to vote them out, she understands; that will be the next step. She said that today at this meeting is a worthless meeting if the citizens really can't make a change and if you are saying that then what the Planning Department does is not planning at all. She said if the Commission/Planning is telling her to trust them on these utilities; she hasn't seen anything to be trusted. They have been let down every step of the way.

Ms. Christie said that she isn't going to argue but she emphasized they are working within the parameters of the with which we have the ability to work; it's a state law and the Ordinances that have been adopted. That's what this body has to work with day in and day out. She said that Council is the only one that can change the standards. She further stated that they are the ones that establish the standards of the Ordinances as they are adopted in the State Legislature that gives what authority that the cities have and they are only operating within the parameters that have been set forth.

Ms. McPherson said that they were fudging the Ordinance.

Mr. Parsley said that they are getting way off topic.
Ms. McPherson said that her question is to the developer. She wanted to know if they were willing to work with the citizens of that area and are they willing to listen to some options. She said she thought that there were enough in attendance that they could draw up something and help the engineers with it as far as some other ways to do the site plan.

Mr. Appel said that they were there to present the plat and as far as changing the layout or a modification of the layout. He said that what they have is what the developer wanted and they will be improving their side of Cheyenne Trail. He said he didn't know of any other improvements that they could suggest or require them to do to make Cheyenne Trail any safer.

Ms. McPherson stated that she didn't think that they understood what their concerns and the split as she explained it would help.

Mr. Parsley said that as far as working with the developer is fine but he doesn't see the relevance as far as right here. They have presented to the Commission as far as what they want on the preliminary plat and he recommends that they move forward with it. If there is a change down the road then it can come back to us as far as a revision with the group working with the engineering group and the developer.

Mr. Appel said that he didn't think they could split the development in two because of the fire issues so they can't remove that.

Ms. McPherson said that she is saying that if they as a group got together and figured it out would that be an option.

Mr. Parsley said there has been a lot of triangulation as far as conversation is concerned. He said that they could sit at the meeting all night.

Ms. McPherson asked what else they had to do.

Mr. Parsley said that they could listen to others that have comments about this and their concerns. The commission has heard Ms. McPherson's concerns are and they haven't changed.

Ms. McPherson said that she is trying to negotiate with the developer.

Mr. Parsley said that is not to be done tonight. The developer and engineering firm have presented what they want the Planning Commission to vote on tonight. He said that if there is a change to that, which they have the right to do, the commission will address those; but what they want us to move forward with is what they have presented tonight.

Ms. McPherson said she had a question for Ms. Christie. She wanted to know what the process is to present new Ordinances. She wanted to know if that would be something that a citizen can do.

Ms. Christie said that Ms. McPherson would need to get with Council members and the City Attorney about changes to the Code of Ordinances.
Ms. Christie asked Mr. Appel if he wanted the Planning Commission to move forward with the preliminary plat as presented.

He nodded the affirmative.

Mr. Parsley asked if there were any final comments.

Someone, did not identify herself, said that she wanted to voice her concern about where Lewis curves around and meets Cheyenne Trail. She said that her husband and she live at 1581 Winds worth Avenue. She said that she works in Bentonville and come home to work from the north, through the park or Pump Station, now that the bridge is repaired. She said that it is an insane to make off the Lewis curve onto Cheyenne and now adding the additional vehicles poses a big concern for her and her husband. She said that her seventy year old parents live across from Pump Station Road and come to visit them and that raises a concern for her about their safety.

Mr. Peters about Ridgeview and the alignment with the main east/west road; he asked if that distance met the City's standards. He said that Ridgeview to the west and the new proposed road comes in from the east they appear to offset by just a little bit. He wanted to know if they were far enough apart to meet the City's offset or should they be lined up.

Ms. Hollingshead said that she didn't know that off the top of her head.

Mr. Peters said that it looks like it might not. He asked Engineering Services, and Mr. Murray said that they can shift it north so that it would align with Ridgeview. He said that there is plenty of room to make the adjustment.

Mr. Peters said that unless the offset is met, he feels that it should line up with Ridgeview.

Ms. Christie asked Mr. Peters if he was asking for that to be added to the comments.

Mr. Mike Phipps who lives at 1700 Ridgeview Drive spoke. He said he lives on the corner of the section that was just talked about. He said it is very difficult to get out of the driveway because people fly around Pump Station Road onto Cheyenne and he feels that it will be difficult either way even if they align the road from the east to Ridgeview Drive. He said that it will be like a four way stop. He asked if it was zoned SF-2. He said that if it remained they could have bigger homes on bigger lots and it would make Springdale nicer rather than the little bitty cracker boxes, 1,200 to 1,400 square foot houses. He said they could really get a nice subdivision out of it and it would increase the value. He said he knows that there is nothing that they can do about it because it is already in place.

Ms. Christie said once again that they are building lots that meet the minimum size. They are already meeting the requirements.

Mr. Phipps said that he understood.
Mr. Parsley said there is no rezoning at this time.

Ms. Christie said the property further on to the east is the ones that are SF-3. She said that the lots on Cheyenne Trail are SF-2.

Mr. Peters asked Mr. Phipps if he could speak to the traffic in his neighborhood.

Mr. Phipps said that when they back out of their driveway they have to do so in the other lane because traffic comes around the corner. He said that he thought it was a bad spot for the road to be.

Ms. Christie asked Ms. Hollingshead about a 4-way stop at that intersection.

Ms. Hollingshead said that they would need to go to traffic committee if they have concerns or to request a 4-way stop be put at the intersection in question.

Mr. & Mrs. Phipps said that their concern is regarding traffic on Cheyenne Trail.

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

**VOTE:**

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

**NO:** Covert

The preliminary plat was approved subject to Staff comments by a vote of seven (7) yes and one (1) no.

C. **PP21-14**  
Noah's Landing  
East side of 56th Street, south of County Line 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 that there fifty-three lots.

Mr. Parsley asked for Staff comments.

He said that everywhere they are showing street frontage, they will be taking care of the portion.

Ms. Hollingshead said that Engineering had a comment regarding the frontage on 56th Street. She said that the out parcel is being developed because there is a road being built on it. She wanted to know if they weren't required to do street improvements for that parcel.

Mr. Murray asked if this was in regards to the southern fire exit.

Ms. Hollingshead said that it was.
Mr. Murray said that they did a lot split.

Ms. Hollingshead agreed but pointed out that they are developing on that piece of property and usually when a piece of property is being developed, the developer makes all the streets to City standards. Her question is do they need a waiver.

Ms. Christie asked if she was talking about the entire lot with the existing house on it.

Ms. Hollingshead said they were talking about the whole thing. She said that she wanted to make sure that they had the signage on the private access road because of where the fire gate is; no one will be able to turn around if they accidentally drive down that street, they would have to back out which will create an issue.

The following are the Staff comments for the preliminary plat but were not read into the record.

**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 signed by a Certified Professional Engineer, post-development and submitted to the City of Springdale Engineering Department."
     - Add above note to plat.
- Provide Erosion Control for grading phase.

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

**VOTE:**

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

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

**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.

Mr. Blake Murray was present on behalf of his client to answer any questions or comments. He said they are proposing 158 total units; 89 of which are two bedroom and 69 which are three bedrooms. He said that there is a detention pond on the southwest corner; it will have a playground, a pavilion and there will be a couple of other greenspace/playground for the community to use.

Mr. Parsley asked for Staff comments.

Mr. Barry read the Staff comments.

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

**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 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.

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.
       - 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.

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

There were none.
Mr. Covert moved to approve the large scale development subject to Staff comments. Mr. Peters seconded the motion.

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

The large scale was approved by a unanimous vote.

**B. L2-25  Graystone Storage**
1790 East Hwy 264
Presented by Expedient Civil Engineering

This large scale was tabled per Staff.

**C. L2-26  Sagely Village**
East side of Gene George, west of Oak Grove Road,
North of Stockton Avenue
Presented by Engineering Services, Inc.

Mr. Blake Murray was present on behalf of his client to answer any questions or comments. He said that it will be located between Gene George Boulevard and Oak Grove Road, just south of Huntsville. It is a multi-family project that has a private drive connect to two streets. He said there will be a detention pond in the Northwest corner, a few playgrounds, picnic tables, Bar-b-q grills and sidewalks that will interconnect all of the units.

Mr. Parsley asked for Staff comments.

Mr. Barry read the Staff comments.

**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′.
   
   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.

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

Mr. Peter Rodnick(?) said that he and his wife own property at 5461 which is just north of the proposed large scale development. He said that their property is "L" shaped and it has an entrance onto Elm Springs and heads back over to Gene George. His question he had, he said that there has been an easement entrance on Gene George. He said that when the roundabout was developed, he said that they were denied access on to their property off of Gene George. He said that his question is why the development got access and they were denied. He said that they wanted to have an entrance off of Elm Springs and Gene George.

Ms. Hollingshead said that his property didn't come out right where the roundabout begins where they start to split off. She said that she thought that was the issue. She said from Engineering's perspective they thought it would be acceptable because it wasn't coming out into Gene George where people actually entering the roundabout.

He said that the drainage was another big topic with the City at the time of the roundabout. His question now is how is the new project going to affect his property.

Ms. Hollingshead said that Engineering requires mitigation for any increases in runoff. This project will have a detention pond.

Mr. Peters moved to approve the large scale development subject to Staff comments. Mr. Covert seconded the motion.
The large scale development was approved by a unanimous vote.

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

Mr. Chris Bakunas with McClelland Consulting Engineers was present on behalf of his client to answer any questions or comments. He said that there was approximately 11 acres on Old Missouri Road. He said that it would be a multi-phased project. He said the large scale tonight is for approximately a 30,000 square foot building which will be located on the far east side. He said about half of the building will be recycling/sorting center and the back half will do non-recyclable waste. All trucks will enter on the far east side of the building and be unloaded indoors and loaded on other trucks which will then be transported out. All the activities will be done indoors. He said there is additional parking for the trucks. They will also have a retention pond in the middle of the site. Permitting has already been completed through the Corp as well as ADEQ for the use as a transfer station. He said that the second part of this project although it isn't a part of this LSD is going to be an office building and a truck shop.

Ms. Christie asked what type of materials will be coming in to get re-cycled.

Mr. Bakunas it will be recycling of household waste.

Ms. Christie asked what type of sorting will be taking place.

Mr. Bakunas said that in the front half of the building, it will be hand sorting and in the back half they will be tipping inside the building into another truck and taken away. He said there will be separate tanks for any liquid that comes from the material. He said that nothing will be dumped into the Springdale Water system.

Mr. Covert asked what the hours of operation would be and Mr. Bakunas said that he didn't know. He thought it would be 8 to 5 but wasn't for sure.

Ms. Christie how many employees with they have and where will they park.

Mr. Bakunas said the employees that will be there for phase one will park where some of the truck spots are now and eventually when phase two is done, which they anticipate in six to eight months. He said he didn't know how many employees would be working.

Ms. Christie asked if it had an office inside.

Mr. Bakunas said not for the sorting center.

Ms. Christie asked if the employees working there would have facilities, i.e. restrooms.
Mr. Bakunas said that the owner knows that he will have to provide restrooms.

Ms. Christie said Staff will have to see the revised plans showing the restrooms.

Mr. Parsley said that he thought there were a lot of unanswered questions.

Mr. Bakunas said that it is a metal building.

Ms. Christie said that because it is in an industrial district there are no design standards.

She asked how they were planning to prevent pest infestation.

Mr. Bakunas said that they will be constantly moving the refuge so there won't be a buildup of trash. As far as the pest problem, he said there will probably be some but not to the extent of what a landfill has.

Ms. Christie asked if the floors have to be washed regularly and if so how is the water disposed of.

Mr. Bakunas said that it will go into the tank however; he didn't know the frequency of the floor washing.

Mr. Parsley stated again that there are a lot of unknowns regarding this project. He said that he feels like this project needs to be tabled until the Commission can get more answers.

Mr. Bakunas said that he is fine with tabling it if he could meet with Staff and find out what they really need to move forward.

It was decided to table the project.

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

Ms. Leigh Swift was present to answer any questions or comments. She said that the north bound traffic is coming directly to her house before they get to the slight curve in the road. Some of her illustrations showed where the fence would be which isn't directly in front of the house but would prevent car lights shining into her house allowing privacy.

She said that the actual front of the house would not be covered by the fence.

Mr. Parsley asked for Staff comments

Ms. Christie said Staff had no comments.
Mr. Parsley asked if there were those in the audience with questions or comments.

There were none.

Mr. Peters called for the vote.

**VOTE:**

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

**NO** None

The variance was approved by a unanimous vote.

**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.

This item was presented in conjunction with PP21-07.

**Planning Director's Report**
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 Adam's Family Properties, LLC

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

Legal Description:
See attached legal description.

A part of the SW 1/4 of the SE 1/4 of Section 9, Township 17 North, Range 29 West, of the Fifth Principal Meridian, Washington County, Arkansas, and being more particularly described as follows: Commencing at the Southwest Corner of the SW 1/4 of the SE 1/4 of said Section 9; said point being a found railroad spike; thence along the West line of said SW 1/4 of the SE 1/4, N 02°21'58"E a distance of 374.24 feet to a computed point and the point of beginning; thence continuing along said West line, N02°21'58"E a distance of 538.45 feet to a computed point; thence leaving said West line, S86°42'17"E a distance of 807.37 feet to a set iron pin with cap, "PLS 1156"; thence S02°21'58"W a distance of 538.45 feet to a set iron pin with cap, "PLS 1156"; thence N86°42'17"W a distance of 807.37 feet to the point of beginning, containing 9.98 acres, more or less, and subject to the right of way of N. Habberton Road along the West side thereof, and 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
TO (proposed zoning) SF-3
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: 7/13/21
VERIFICATION

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

SIGNATURE
(Property Owner)

(State of Arkansas )
County of Washington ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this ________ day of ________, 20____.

Notary Public

SHELBY PITTS
MY COMMISSION # 12697574
EXPIRES: May 8, 2022
Washington County
R21-47 Tabled on 8/3/21

Request was modified from PUD to SF-3
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: **7/14/20**
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
	)
County of Washington
	)

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

Notary Public

[Seal]

OFFICIAL SEAL
BEN BOWER
NOTARY PUBLIC ARKANSAS
BENTON COUNTY
COMMISSION# 12707674
COMMISSION EXP 06/19/2029
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>
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<td>One Family</td>
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<td>Four Family</td>
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<td>Over Four Family</td>
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<td>Zero Lot Line</td>
<td>60</td>
</tr>
<tr>
<td>Townhouse</td>
<td>20</td>
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</tbody>
</table>

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

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

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 S1/2 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 abstractor or licensed land surveyor within the past sixty (60) days are attached as evidenced by Exhibit C.

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2

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

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

2. Develop the property Yes (Yes or No), and if so, the proposed use is 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    )
County of Washington )  ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this _____ day of  
JULY ____________, 20__

[Notary Public]

Sherr 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

For Location Reference Only

PLANNING COMMISSION MEETING
September 7, 2021
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.
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

C21-14
Tabled on 7/6/21
Tabled on 8/3/21 as applicant was not present
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.
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 Applicant

Date: 05-10-21

VERIFICATION

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

State of Arkansas    )
County of 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

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 Washington

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

Notary Public

C21-14
Tabled on 7/6/21
Tabled on 8/3/21 as applicant was not present
C21-14
Tabled on 7/6/21
Tabled on 8/3/21 as applicant was not present
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8-18-21
Date Accepted as Complete: ___________________________ Project Number: B21-75

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

Applicant (person making request)
Name: Jose Jesus Martinez
E-mail: ___________________________
Address: 822 Rachel Ln, Rogers, AR 72756
Phone: 479-381-8702
Site/ Location: 3805 Kelly Ave
Assessor’s Parcel Number(s): 815-21078-000

Property Owner (if other than Applicant):
Name: Mike Venditti
E-mail: ___________________________
Address: 6034 Wells Cr, Springdale, AR 72762
Phone: 479-841-5770
Current Zoning District: C-2
Rezone required: No
Total Acreage: N/A

Variance requested: (attach visual representation of request)

Variance for deviation of utility requirement

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

Planning and Community Development Division
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

none

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

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

APPLICANT SIGNATURE(S)

DATE: 8/17/01

Planning and Community Development Division
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
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
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Randy Cook
   Address: 20975 Seneca Rd
   Phone: 479-871-2400
   Profit: X 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 4-5 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 of Applicant

Date: July 1, 2021

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

Notary Public

My commission expires: 4-19-2030

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

ENTRY PARCEL 6001-1443-001
Part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of Section 3, Township 17 North, Range 26 West of the Fifth Principal Meridian, Washington County, Arkansas, to and being more particularly described as BEGINNING on the northeast corner of said Northeast Quarter of the Southeast Quarter; thence N95°37'55"W a distance of 107.80 feet; thence S21°47'17"E a distance of 153.52 feet; thence S44°32'50"W a distance of 83.30 feet to the center of Heath Spring Road; thence along the center of said road N34°12'40"E a distance of 83.72 feet; thence N25°26'42"W a distance of 77.75 feet; thence N30°37'34"E a distance of 114.82 feet; thence bearing southerly and along a fence N03°30'10"E a distance of 95.00 feet; thence N03°27'10"W a distance of 290.00 feet to a intersection of said fence; thence bearing said fence S88°45'10"E a distance of 107.50 feet; thence S00°47'15"W a distance of 298.64 feet to the POINT OF BEGINNING, containing 0.64 acres, more or less. Subject to any easements recorded or unrecorded.

ADJOINTED PARCEL 6001-1443-002
Part of the Northeast Quarter of the Southeast Quarter of Section 3, Township 17 North, Range 26 West of the Fifth Principal Meridian, Washington County, Arkansas, to and being more particularly described as BEGINNING on the northeast corner of said Northeast Quarter of the Southeast Quarter; thence N95°37'55"W a distance of 107.80 feet; thence N08°32'53"E a distance of 146.34 feet; thence S09°30'52"W a distance of 327.02 feet to the POINT OF BEGINNING; thence S04°20'57"E a distance of 170.43 feet; thence S30°69'23"E a distance of 290.65 feet; thence S44°32'50"W a distance of 445.34 feet to the center of Heath Spring Road; thence along the center of said road N34°12'40"E a distance of 83.72 feet; thence N25°26'42"W a distance of 77.75 feet; thence N30°37'34"E a distance of 114.82 feet; thence N03°30'10"E a distance of 95.00 feet; thence N03°27'10"W a distance of 290.00 feet to the point of intersection of said fence; thence bearing said fence S88°45'10"E a distance of 107.50 feet; thence S00°47'15"W a distance of 298.64 feet to the POINT OF BEGINNING, containing 4.74 acres, more or less. Subject to any easements recorded or unrecorded.

ENTRY PARCEL 6001-1445-001
Part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of Section 3, Township 17 North, Range 22 West of the Fifth Principal Meridian, Washington County, Arkansas, to and being more particularly described as BEGINNING on the northeast corner of said Northeast Quarter of the Southeast Quarter; thence S02°43'07"W a distance of 120.04 feet; thence N65°01'04"W a distance of 91.00 feet; thence S20°41'04"W a distance of 36.41 feet; thence N31°39'35"E a distance of 54.37 feet; thence N18°46'06"W a distance of 122.75 feet; thence S13°11'07"E a distance of 321.83 feet; thence N09°36'34"W a distance of 118.00 feet; thence S06°57'05"E a distance of 107.50 feet to the POINT OF BEGINNING, containing 20.81 acres, more or less. Subject to any easements recorded or unrecorded.

ADJOINTED PARCEL 6001-1445-002
Part of the northeast corner of the Southeast Quarter and part of the Southeast Quarter of Section 3, Township 17 North, Range 22 West of the Fifth Principal Meridian, Washington County, Arkansas, to and being more particularly described as BEGINNING on the northeast corner of said Northwest Quarter of the South Half of Section 3, thence S01°15'07"E a distance of 120.04 feet; thence N65°01'04"W a distance of 91.00 feet; thence S20°41'04"W a distance of 36.41 feet; thence N31°39'35"E a distance of 54.37 feet; thence N18°46'06"W a distance of 122.75 feet; thence S13°11'07"E a distance of 321.83 feet; thence N09°36'34"W a distance of 118.00 feet; thence S06°57'05"E a distance of 107.50 feet to the POINT OF BEGINNING, containing 20.81 acres, more or less. Subject to any easements recorded or unrecorded.

PROPERTY LINE ADJUSTMENT

INFORMAL PLAT

PROPERTY LINE ADJUSTMENT

C21-19
Tabled on 8/3/21
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: 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.
CARDS TRANSFER STATION - EXTERIOR ELEVATION
CARDS TRANSFER STATION - EXTERIOR ELEVATION
CARDS TRANSFER STATION - EXTERIOR ELEVATION
CARDS TRANSFER STATION - EXTERIOR ELEVATION
SITE PLAN - WEST

SCALE: 8/19/2021

REV-2

DESIGNED BY:

JOB NUMBER:

DRAWN BY:

ADDRESSING PLANNING COMMENTS

C2.1
LANDSCAPE CONTRACTOR TO DESIGN AND INSTALL UNDERGROUND IRRIGATION SYSTEM.

PHASE ONE LANDSCAPE REQUIREMENTS

PHASE ONE TOTAL = 54 (2" CALIPER TREES)
PERIMETER PLANTING (814 L.F.) = 33 (2" CALIPER TREES)
STREET FRONTAGE (530 L.F.) = 21 (2" CALIPER TREES)

RECYCLING BUILDING

VERSIClad™ SYSTEM

PROPOSED RETENTION POND

STANDARD FILTERED SOIL SEQUENCE

PLANT LIST

Common Name | Scientific Name | Size | Comments
--- | --- | --- | ---
Little Bluestem | Carex grayi | 6'' SS | Tree Planting
Grey Sedge | Carex grayi | 6'' SS | Tree Planting
Retention Pond Bottom Seed Mix
Fox Sedge | Carex grayi | 6'' SS | Tree Planting

Seed Rate per Acre / Percentage of Mix

- 2 ozs. (5%)
- 3 lbs. (25%)
- 8 lbs. (100%)
- 0.5 lbs. (30%)
INTERIOR PARKING LOT AREA SCHEMATIC

GENERAL LANDSCAPE NOTES

1. This project is in accordance with all applicable landscaping codes and requirements.
2. All plant materials to be planted in accordance with the approved plan.
3. All plant materials to be planted in accordance with local and state codes.
4. All plant materials to be planted in accordance with the approved plan.
5. All plant materials to be planted in accordance with the approved plan.

GENERAL SOIL NOTES

1. All soil to be removed to a depth of 6" and replaced with topsoil.
2. All soil to be removed to a depth of 6" and replaced with topsoil.
3. All soil to be removed to a depth of 6" and replaced with topsoil.
4. All soil to be removed to a depth of 6" and replaced with topsoil.

GENERAL HEDGEROW NOTES

1. All hedgerows to be planted in accordance with the approved plan.
2. All hedgerows to be planted in accordance with the approved plan.
3. All hedgerows to be planted in accordance with the approved plan.
4. All hedgerows to be planted in accordance with the approved plan.

PLANT GUARANTEE, REPLACEMENT & MAINTENANCE

1. All plants to be guaranteed for one year from the date of installation.
2. All plants to be guaranteed for one year from the date of installation.
3. All plants to be guaranteed for one year from the date of installation.
4. All plants to be guaranteed for one year from the date of installation.

GENERAL ENGINEERING NOTES

1. All engineering notes to be in accordance with the approved plan.
2. All engineering notes to be in accordance with the approved plan.
3. All engineering notes to be in accordance with the approved plan.
4. All engineering notes to be in accordance with the approved plan.

SOFTWARE TOOLS

1. All software tools to be used in accordance with the approved plan.
2. All software tools to be used in accordance with the approved plan.
3. All software tools to be used in accordance with the approved plan.
4. All software tools to be used in accordance with the approved plan.

GENERAL LANDSCAPE NOTES

1. All landscape materials to be installed in accordance with the approved plan.
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3. All software tools to be used in accordance with the approved plan.
4. All software tools to be used in accordance with the approved plan.
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: September 7, 2021
Re: R21-50 Rezone

A request by Taqueria M. Guanajuato, LLC for Planning Commission approval of a zone change from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for a tract of land containing 0.3 acres.

LOT LOCATION AND SIZE
The 0.3 acre tract is located at 1019 W. Sunset Avenue, south side of Sunset Avenue 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
- Front setback if parking is allowed between R-O-W 50'
- and the building
- Side setback
- (subject to applicable fire and building codes)
- Side setback when contiguous to a residential district
- Rear setback

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

OFF-STREET PARKING
See Article 7 of this chapter.

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

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

DEVELOPMENT CRITERIA
i. All yards unoccupied by buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in an orderly condition.
ii. All of the lot used for the parking of vehicles, for the storage and display of merchandise shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.

iii. All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

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

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

ACCESSORY USES
See Article 6 Section 3.1 of this chapter.

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

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

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

SETBACKS:
Front setback 30’
Front setback if parking is allowed between R-O-W and the building 50’
Side setback 0 (subject to applicable fire and building codes)
Side setback when contiguous to a residential district 20’
Rear setback 20’
GREENSPACE
Each developed lot shall provide and maintain:
1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5’ landscaped area and a six (6) foot opaque screen shall be required.
2. Landscaping, including grass, shrubs and trees, and without structure or pavement, of a minimum of ten percent of the total surface area of the lot or development.

OFF-STREET PARKING
See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract contains a single family dwelling. The area to the north and east contain commercial uses in C-2 zoning. The area to the south is undeveloped in MF-4 zoning. The area to the west is approved for commercial development in C-5 zoning.

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

The Master Street Plan indicates Sunset Avenue as a principal arterial.

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

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

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

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

Petition is hereby made to the City Council of the City of Springdale, through the
Springdale Planning Commission, pursuant to the provisions of Act 186 of 1957, as
amended, and Chapter 130 of the City of Springdale Code of Ordinances, as amended,
by ___________________________________________________________________
The record property owner(s), petitioning to rezone the following described area:

Legal Description:

Tract 1: Part of Lot 11 in the C.F. Noel Addition to the City of
Springdale, Washington County, Arkansas, located in the NE
¼ of the SE ¼ of Section 2, Township 17 North, Range 30
West, Washington County, Arkansas, described as: Beginning
at the Northwest corner of said Lot 11; thence S87°10’23”E
65.60 feet; thence S02°18’49”W 200.00 feet to a ½” rebar;
thence N87°10’09”W 65.16 feet to a ½” rebar; thence
N02°11’15”E 200.00 feet to the POINT OF BEGINNING,
containing 0.300 acres, more or less.

Layman’s Description:

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

The Petitioner requests the following zoning classification:

FROM (current zoning) C-2

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

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

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

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: No effects. Property south is zoned MF-12 and property east and west is commercial ________________________________.

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 E. Ingalls, PE _______________________
Address: __ P.O. Box 5484, Bella Vista, AR 72714 _______________________

**PETITIONER/OWNER SIGNATURE** ________________________________

**MAILING ADDRESS:** __ P.O. Box 5484, Bella Vista, AR 72714 _______________________
**TELEPHONE:** __ 479-364-0028 __________________**DATE:** __ 8-10-2021 ____________
FILE NO. R21-50
APPLICANT: Taqueria M. Guanajuato, LLC & Benigno Morales
REQUEST: Rezoning from C-2 to C-5
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: September 7, 2021
Re: R21-51 Rezone

A request by Mae Etta Matthews Revocable Trust for Planning Commission approval of a zone change from Low Density Single Family Residential District (SF-1) to General Commercial District (C-2) for a tract of land containing .25 acres.

LOT LOCATION AND SIZE
The .25 acre tract is located at 515 Highway 264 East, at the southeast corner of the intersection of N. Oak Street and Highway 264.

A vicinity map is attached.

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

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

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

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

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

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

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

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

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

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

OFF-STREET PARKING
See Article 7 of this chapter.

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

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

The Master Street Plan indicates Highway 264 as a principal arterial and North Oak 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:

- 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

Mae Etta Matthews Revocable Trust

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

Legal Description:

SURVEY DESCRIPTION:

PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AND PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" ALUMINUM MONUMENT BEING THE NORTHWEST (NW) CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 24; THENCE SOUTH 50°00'00" EAST A DISTANCE OF 48.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°33'38" EAST A DISTANCE OF 67.27 FEET TO A FOUND 2" ALUMINUM MONUMENT; THENCE SOUTH 02°54'37" WEST A DISTANCE OF 161.67 FEET TO A SET 5/8" REBAR PL 1845; THENCE NORTH 38°56'25" WEST A DISTANCE OF 211.12 FEET TO A FOUND 2" ALUMINUM MONUMENT; THENCE SOUTH 88°33'38" EAST A DISTANCE OF 67.03 FEET TO THE POINT OF BEGINNING CONTAINING 0.25 ACRES OR 10,655 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

Layman's Description: 515 HWY 264 E, SPRINGDALE, AR

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

The Petitioner requests the following zoning classification:

FROM (current zoning)  SF-1

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

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

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

3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **No effect. Property surrounded by C-2 & I-2 zoned properties & Amtrak Railroad.**

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: **Mike Overton**
Address: **3511 Normandy St., Springdale, AR**

**PETITIONER/OWNER:** **Mae Etti Matthews Revocable Trust**
**MAILING ADDRESS:** **404 Critcher St., Springdale, AR 72764**
**TELEPHONE:** **479-366-0358** DATE: **8/18/21**
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.

Mae Etta Matthews Revocable Trust
(Property Owner)

(Notary Public)

State of Arkansas  
County of Washington

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 19 day of August, 2021.

JENNIFER BARROSO
Notary Public - Arkansas
Washington County
Commission # 1270501
My Commission Expires Aug 24, 2028
**SURVEY DESCRIPTION:**

PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AND PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, REEL 203404, BANK COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, BANK COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, BANK COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, BANK COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, BANK COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**SCALE:** 1" = 40'

Legends:

- MONUMENT FOUND (AR NOTED)
- MONUMENT SET (AR NOTED)
- UTILITY POLE
- TELEPHONE RISER
- CABLE RISER
- WATER VALVE
- FIRE HYDRANT
- OVERHEAD ELECTRIC LINE
- PROPERTY LINES

**Description:**

- SURVEY DESCRIPTION:
  - PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) AND PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 35S, RANGE 89W, BANK COUNTY, ARKANSAS.

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FILE NO. R21-51
APPLICANT: Mae Etta Mathews Revocable Trust
REQUEST: Rezoning from SF-1 to C-2
Memo

To: PLANNING COMMISSION MEMBERS

From: Patsy Christie, Planning Director

Date: September 7, 2021

Re: R21-52 Rezone

A request by City of Springdale for Planning Commission approval of a zone change from Agricultural District (A-1) to Planned Industrial District (I-3) for a tract of land containing .04 acres.

LOT LOCATION AND SIZE
The .04 acre tract is located at the northeast corner of the intersection of E. Emma Avenue and Rinnert Drive.

A vicinity map is attached.

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

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

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

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

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

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

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<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<td></td>
<td>Widths</td>
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<tr>
<td>One Family</td>
<td>200</td>
<td>2 acre</td>
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REQUESTED ZONING
The rezoning application requests an I-3 Planned Industrial district. The District is established in order to provide for modern, efficient, and well-designed industrial facilities within a “park-like” setting. As the city’s most restrictive industrial district, the I-3 zone is designed to conform to high development standards while providing for a full array of industrial and related uses. The siting of buildings, parking, landscaping and the location of this district in relation to adjacent residential and commercial areas will be of particular importance in determining the appropriateness of allowing the I-3 district at a given location.

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

DEVELOPMENT CRITERIA:

1. All properties within this district shall be contiguous and shall be totally developed under a unified site plan submitted to and approved by the planning commission and city council. Criteria for submittal of the accompanying site plan shall follow the guidelines set forth in Article 2, Section 13.
2. Every use, or part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence of six (6) feet in height. Such wall or fence shall completely screen all operations conducted within such wall
or fence from observation. No exterior storage area shall encroach into any of the required yards.

3. All buildings shown on the required site plan shall cover an aggregate areas of not more than fifty (50) percent of such site.

4. No loading or storage of materials or products shall be permitted in the required front yard.

5. Notwithstanding the yard regulations for this district, no part of any building or accessory structure shall be located closed than one hundred (100) feet to any residential district boundary.

HEIGHT REGULATIONS
There shall be no maximum height limits in I-3 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
- Front setback if parking is allowed between R-O-W and the building
- Side setback (subject to applicable fire and building codes)
- Rear setback
- Setbacks adjacent to residential uses

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<tr>
<th>Description</th>
<th>Setback</th>
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<tr>
<td>Front setback</td>
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<td>Front setback if parking is allowed between R-O-W</td>
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<td>Side setback</td>
<td>0</td>
</tr>
<tr>
<td>Rear setback</td>
<td>25’</td>
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<tr>
<td>Setbacks adjacent to residential uses</td>
<td>50’</td>
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</tbody>
</table>

GREENSPACE
Each developed lot shall provide and maintain:

1. A landscaped buffer, not less than ten (10) feet wide, along the front property line. When adjacent to the property line of a residential use a 5’ landscaped area and a six (6) foot opaque screen shall be required.

2. Landscaping, including grass, shrubs and trees, and without structure or pavement, of a minimum of ten percent of the total surface area of the lot or development.

OFF-STREET PARKING
See Article 7 of this chapter.

SURROUNDING ZONING AND LAND USE
Zoning of the surrounded area is shown on the attached map. The tract is undeveloped. The area to the north, east and west is undeveloped in I-3 zoning. The area to the south contains a commercial use in C-2 zoning.

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

The Master Street Plan indicates Emma Avenue as a minor collector and Rinnert Drive as a local street.
The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval:

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

✓ Assure adequate land allocation for industrial growth protected from encroachment by non-industrial use.
PETITION FOR REZONING

Petition is hereby made to the City Council of the City of Springdale, through the Springdale Planning Commission, pursuant to the provisions of Act 186 of 1957, as amended, and Chapter 130 of the City of Springdale code of Ordinances, as amended, by City of Springdale, Arkansas, the record property owners, petitioning to rezone the following described area:

Legal Description:

(Attached as Separate Page)

Layman’s Description: Part of parcel 815-22505-172. Includes 0.4 acres located along the north side of Emma Avenue. Property is located approx. 50 feet east of Reinert Drive and approx. 100 feet south of Technology Way in Springdale, Washington County, Arkansas.

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

The Petitioner requests the following zoning classifications:

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

TO (proposed zoning)  I-3 (Planned Industrial District)
The Petitioner's immediate intentions are to:

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

2. Develop the property **NO** (Yes or No), and if so, the proposed use is **n/a**. (It is anticipated that buyer will develop the land for industrial use following purchase.)

3. Effect of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: **None anticipated.** Property is located within the Springdale Tech Park and surrounded on three sides by I-3 district. This area has been designated for industrial use for many years. Rezoning will bring property into conformance with surrounding uses/zoning, and desired future land use.

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

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

Authorized Representative: Engineering Services Inc.

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

PETITIONER/OWNER: Springdale Public Facilities Board
(City of Springdale, Arkansas)

MAILING ADDRESS: 201 N. Spring Street, Springdale, AR 72764

TELEPHONE: (479) 750-8114 DATE: 8/18/2021
VERIFICATION

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

(Property Owner Signature)

Rey Bailey, Sec.
Springdale Public Facilities Board

State of Arkansas )
) ss.
County of Washington )

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

"OFFICIAL SEAL"
SCOTT EDMONDS
Notary Public, State of Arkansas
County of Washington
Commission #12400521
My Commission Expires 8/26/2024

Notary Public
LEGAL DESCRIPTION OF PROPERTY BEING REZONED:

PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, BEING A FOUND MAG NAIL; THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N 87°32'59" W A DISTANCE OF 577.47 FEET; THENCE LEAVING SAID SOUTH LINE, N 2°53'08" E A DISTANCE OF 38.10 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST EMMA AVENUE, AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, N 87°06'52" W A DISTANCE OF 120.53 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, N 2°42'36" E A DISTANCE OF 150.22 FEET; THENCE S 86°52'33" E A DISTANCE OF 120.99 FEET; THENCE N 2°53'08" W A DISTANCE OF 38.10 FEET TO THE POINT OF BEGINNING, CONTAINING 0.42 ACRES (18,111 SQ. FT.), MORE OR LESS.
FILE NO. R21-52
APPLICANT: Springdale Public Facilities Board
REQUEST: Rezoning from A-1 to I-3
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: September 7, 2021
Re: R21-53 Rezone

A request by Mustafa and Kimberley Donnel Obeidat and Gina and Lynn Roberts for Planning Commission approval of a zone change from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) for a tract of land containing .99 acres.

LOT LOCATION AND SIZE
The .99 acre tract is located at 4973 N. Graham Road, north side of Graham Road, west of Robbins 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.

<table>
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<tr>
<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<tr>
<td>Widths</td>
<td>Area</td>
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<tr>
<td>One Family</td>
<td>200</td>
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REQUESTED ZONING
The rezoning application requests a SF-1 Low Density Single Family Residential District. The district is established in order to provide areas in the city for development of single-family residences on lots not less than ten thousand (10,000) square feet in area with a minimum frontage on a public street of eighty (80) feet.

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

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

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

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

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

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<th>LOT MINIMUMS</th>
<th>SETBACKS</th>
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<tr>
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<td>Width(s)</td>
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<td>Interior</td>
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<tr>
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<td>80</td>
<td>10,000</td>
</tr>
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</tr>
</tbody>
</table>

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

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

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

The Master Street Plan indicates North Graham Road as a local street.
STAFF COMMENTS AND RECOMMENDATIONS
The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval:

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

✓ 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 OBEIDAT, MUSTAFA 2 KIMBERLY DONNEL 2 ROBERTS GINA 3 LYNN
The record property owner(s); petitioning to rezone the following described area:

Legal Description:

A part of the SW1/4 of the NE1/4 of the SW1/4 of Section 14, Township 18 North, Range 30 West of the 5th Principal Meridian, Benton County, Arkansas, being more particularly described as; Beginning at a point which is South 89°53' East 386.18 feet from the Southwest Corner of the said NE1/4 of the SW1/4, thence North 10°16' West 168.18 feet, thence North 28°02' West 158.82 feet, thence North 83°27' East 43.93 feet, thence North 00°57' East 348.40 feet, thence North 89°14' East 328.30 feet, thence South 00°46' East 660.00 feet, thence Westerly 274.5 feet to the Point of Beginning. Subject to all public and private roads and easements of record.

Layman's Description: 4973 N. Graham Road

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

The Petitioner requests the following zoning classification:

FROM (current zoning) A-1
TO (proposed zoning) SF-1
The Petitioner's immediate intentions are to:

1. **Sell** the property **N/O** (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 ________________________________

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: **OBEIDAT & DONNELL**

Address: ________________________________

**PETITIONER/OWNER: MUSTAFA OBEIDAT & KIMBERLY DONNELL**

**MAILING ADDRESS: 4973 N. GRAHAM RD. SPRINGDALE**

**TELEPHONE: 479-200-6622** **DATE: 8-23-2021**
VERIFICATION

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

[Signature]
(Property Owner)

[Signature]
(Property Owner)

State of Arkansas          )
County of Washington       ) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 19th day of
August 20, 2021.

[Signature]
Notary Public

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

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

[Signatures]

(Property Owner)

(Property Owner)

State of Arkansas )
County of Washington ) ss.

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

Notary Public
FILE NO. R21-53
APPLICANT: Mustafa Obeidat, Kimberly Donnell,
Gina and Lynn Roberts
REQUEST: Rezoning from A-1 to SF-2

PLANNING COMMISSION MEETING
September 7, 2021
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: ZACH BROTHERS
   Address: 222 W. ALLEN AVE.
   SPRINGDALE 72764
   Phone: 479-200-9279
   Profit: X  Non-Profit

2. Property Location (street address or layman’s description):
   1815 BITTER LANE

3. Record Title Holder of Property: BROTHERS RENTALS, LLC & TALDO PROPERTIES, LLC
   (A copy of the warranty deed should be attached as Exhibit “A”)

4. Use Unit requested 4 (Camping) in SF-2 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   SEE TYPED ADDENDUM

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   SEE TYPED ADDENDUM

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: 7/23/21  
Date: 7/23/21

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 ) ss.

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

Notary Public

My commission expires: 12/10/24

TAMMY PERKINS  
Arkansas - Benton County  
Notary Public - Comm# 12401888  
My Commission Expires Dec 10, 2024

N:\Planning\Sue\Hand Outs-Forms to copy\APPLICATION FOR CONDITIONAL USE.doc  
Revised 3/24/05
Addendum to Application for Conditional Use for Zach Brothers / 1815 Bitter Ln

Description of conditional use sought:
A primitive campground (no water or electric service) to include:

- 2 Large parking spots (20' x 20') that will accommodate an RV up to 30' (Estimate up to 6 people per vehicle)
- 6 additional reserved parking spots (12' x 20')
- 8 tent camp sites approximately 10' x 12' (Estimate up to 6 people per site)
- 1 grassy "group camp" area for tents (120' x 145') All paid parking comes with complimentary access to this area, but the expectation is that guests paying for large spots will typically stay in their RV, and some of the guests paying for parking will reserve tent sites. If all guests paying for parking use the group camp, this will put 8 groups of up to 6 in this area (up to 48 people). This area will also be available for up to 6 more groups who hike in or ride in (up to 36 additional people). A full group camp scenario (unlikely) would mean 14 groups have tents pitched. The field is 17,400 SF, and this would give each group 1242 SF.

Summary: Primitive campground consisting of parking and camping with a Max of 84 people.

Reasons why it should be approved:

I believe a private parking area and campground is a natural fit for this property. The Fitzgerald Mountain trail system is part of the popular OZ trails system, and includes trails for all skill levels including popular trails such "Butterfield" and "the best trail ever." This property is on Fitzgerald Mountain, and 2 of the OZ trails cross the property. In addition, there are plans for a paved trail from downtown Springdale that will provide additional access to this area.

NWA is being called "the mountain bike capital of the world" and a "Disneyland for mountain bikers." I’ve interviewed many mountain bikers recently and they have voiced a need for van parking and camping near the trails. I’ve been told that the 2 "known campgrounds" that are near mountain bike trails are in the Bentonville area (Blowing Springs and Coler) and that they fill up quickly. Furthermore, the closest camping to Fitzgerald Mountain trails (according to OZ trails website) is over 6 miles away. Albeit a primitive one, this campground will provide a ride-in / ride-out trail-side experience similar to a ski-in / ski-out experience found at ski slopes.

Bitter lane is a paved lane that terminates on this property at a small gravel area. This area will work nicely as a parking area, and I’ve already designated 2 spots that are large enough for the camper vans that many mountain bikers use. There is a field adjacent to the parking area that will work well for tents, and there are multiple areas for trail-side campsites. I’ve already developed one reserved campsite using native stones sourced from the property, and plan to do the same for the others. I’ve developed a hiking/biking trail that leads from the parking area to the first Fitzgerald mountain trail that crosses the property (Butterfield trail) and I’ve discussed this trail connection with a contact at OZ trails (NWA trailblazers) and they have given their blessing. Conveniently, restroom facilities are available at Bayyari park approximately 1/4 mile away via the Butterfield trail.

In summary, this small campground will provide a new recreational option that seems to fit the vision for the area. In addition, it will provide a sales tax source and bring in recreation minded folks who will most likely spend their money at other Springdale businesses.
What effects would the proposed conditional use have on the character of the neighborhood and residents?

I believe developing a campground on this vacant parcel of land will improve the character of the area because it will be adding a park-like recreation area. I've spoken to the closest adjacent neighbor who told me he has seen people drive to the end of Bitter Lane who most likely didn’t have the best intentions in mind, and he has seen some dumping on the property. The existence of a private campground will deter people from driving to the end of bitter lane and causing problems.

Bitter lane appears to have 2 inhabited homes that will be affected by the slight increase in traffic. The first home is close to the mouth of Bitter Ln. and is out of site of the project. The other parcel is adjacent to the parking area and has housing that is nestled back behind large trees keeping it mostly shielded from the project. There is a potential for the adjacent neighbor to have difficulty backing out of their parking area if patrons of the campground impede their access. To avoid this issue, parking will be reserved and will have clearly marked spaces that are well clear of the neighbors access points.

Site plan description  (See hi-lighted areas on survey)

Parking Spots: (hi-lighted in blue)

Phase 1 plan: 2 large parking spots

Spots 1 & 2 are on a gravel area at the terminus of Bitter Lane, and have already been marked with signs. This area is 40' x 40', with each spot being 20 x 20. I plan to add 2-6 more spots on the South side of Bitter Lane (not impeding access to the driveway of the adjacent neighbor). Their dimensions will be 12 x 20'

Camping Areas:  (hi-lighted in orange)

Phase 1 plan: 2 private tent sites and 1 group camp area for tents

Site 1 has already been developed approx 40' East of Butterfield trail, and it's dimensions are 10' x 12'. I plan to add up to 6 additional sites. They will be developed along the trail with exact locations yet to be determined and will have dimensions similar to Site 1.

The group tent camp area is a 120' x 145' space in the Eastern-most field area, South of Bitter Lane. It's boundaries are as follows:

North boundary: Begins 30' South of Bitter Lane and runs from Western fence 120' to Eastern burm
East boundary: Runs from North boundary line 145' along burm to Southern fence
South boundary: Runs from Western fence 120' to Eastern Burm line
West boundary: Runs from North boundary line 145' to Southern fence

Bike/Hike trail: (hi-lighted in green)

This is a dirt and rock trail has already been developed and leads Eastward from the parking area to Butterfield trail.
Fitzgerald Mountain Camp

Days and hours of operation: 7 days a week, 24 hours a day*

*Reservations will be subject to the availability I designate on the booking site.
Opposition Letter to C21-20

Hello my name is Melissa Scalp at 1862 Dodd, Ave, Springdale AR, I am unable to be there on the 5th due to being a mother of 3 small kids.

I do have a concern of this project being approved. I own 3.04 acres off of Dodd Ave 1815 Bitter Ln is the small property I do not own on the back half of my property.

I am concerned that this project could be a Hazzard liability to my house and property as well as I will worry about people wondering and trespassing onto my property, people get drunk at campsites. Am I gonna have to worry about an intoxicated person wondering my property? Coming to my house? Putting myself and kids in danger?

In this household my husband and myself suffer with PTSD. The last thing for our health and wondering if we are safe, if our kids are safe on our property? We bought this house cause it was mostly secluded and in our price range, we can deal with people on the trail during the day. I worrying about if someone's on our property we can hear but can't see.

I dont want to prostitute anyone trespassing on my property or sue anyone if any damages are done to my property.

ie: if there were camp fires allowed? Someone thought they could have a fire on my property, camp fire getting out of hand and my property and or house being burnt down due to the camp site behind my house.

I do not want a campground behind my house I don't want to live in fear.

Please! take my concerns and our health I've addressed as consideration on your decision.

Thank you so much for your time.

Melissa Scalp
melissanie30@gmail.com
(254)392-8940
From: Calvin Scalph <calvin.m.scalph@gmail.com>
Sent: Monday, August 30, 2021 12:22 PM
To: dpounders@springdalear.gov
Subject: 1815 Bitter Lane Camp ground build.

Dear Sir or Maam,

I just wanted to weigh in my two cents for the primitive campground that is getting approval to be built behind my property at 1862 Dodd Ave, Springdale, AR 72764. As my Wife has already sent an email in response. Both me and my wife suffer from PTSD. Within the last 2 years of living at this address, the amount of incidents involving teenagers, and vandals on the property next too mine has grown because of the walking trail. The abandoned property to the east of us has been the hang out spot for not so savory individuals, to include homeless persons, drug users, and vandals. I urge the individuals that are planning to build a camp ground, highly consider they are going to be possibly bringing unwanted attention to our area. If the permission is given to build, then atleast the property owners will consider building a at minimum a 6 foot tall hurricane fence around the camp site to prevent unwanted vandalism.

With that being said, I also have the concern that the property taxes will also go up, making our monthly payment go up. At the current time I am not against property value increases, but am worried if we decide to sell the property. Will anyone want to buy our property with a camp ground and walking trail so close?

If the property owner of the camp ground will listen to the neighbors of the adjacent properties, they will find we enjoy separation and quiet of what our neighborhood has. In my opinion I do not believe the camp ground will be a good addition to the surrounding area.

However, if the property management team wishes to buy my property now, the offer of 375,000 will be entertained.

With all respect,

Calvin Scalph
FILE NO. C21-20
APPLICANT: Brothers Rentals, LLC
REQUEST: Use Unit 4 (cultural, recreation and health facilities) in a SF-2
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Teng Lin 479-800-4151 - Mao
   Address: 1102 Apple Meadows Bethel Heights, AR 72704
   Phone: 479-301-1095 Profit: ☒ Non-Profit

2. Property Location (street address or layman's description):
   107 Old Missouri Rd. Springdale, AR 72704

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

4. Use Unit requested: Springdale, AR in ☐ Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   The location of area will be use to operate a small food truck business. It should be approved as it will attract and grow more business for the Springdale residence.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   The effect of the conditional use will draw out the neighborhood and residence to enjoy the outdoor community.

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)  

d/Stephen Keast  DOA  

for L Elaine Jones  

Date: ____________________________

Signature of Applicant

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.

Mao Lee

State of Arkansas  

) ss.

County of Washington  

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

Notary Public

My commission expires: August 31, 2023

ALEXIS TAVARES  
BENTON COUNTY  
NOTARY PUBLIC – ARKANSAS  
My Commission Expires Aug. 31, 2028  
Commission No. 12705010
FILE NO. C21-21
APPLICANT: Mao Lee
REQUEST: Use Unit 44 (mobile vending) in a C-2

PLANNING COMMISSION MEETING
September 7, 2021
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Luis Alvarado
   Address: 201 Bluebird Dr.
   Phone: (479) 347-0740
   Profit: Non-Profit

2. Property Location (street address or layman's description):
   2915 E. Robinson Ave., Springdale, AR 72764

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

4. Use Unit requested 44 in C-6 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:
   We are interested in opening our food trailer in the busy location of East Springdale. We will offer delicious authentic Mexican food like tacos, burritos, and quesadillas. This location is blooming in business opportunities, and we would love to serve to our local community.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   ¡Abrosifoz would contribute an authentic variety of delicious food in our local community, offering great home cooking food to our families and friends.

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 abstracter 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: 08-07-2021  

Date: 08-07-2021  

VERIFICATION

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

State of Arkansas  

County of Washington  

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 07 day of August, 2021.

My commission expires: 05-07-2030  

[Stamp with Notary Public information]
GRASSY AREA

FOOD TRAILER (SABROSITOZ.)

24 Ft.

AUTO CAR DEALER

SABROSITOS. (SITE PLAN)

Additional Parking

Trash

9 Ft. Wide

18 Ft. Long

3 Parking Spaces

SABROSITOZ ENTRANCE

Additional Parking

ENTRANCE

Sidewalk

Robinson Ave.
FILE NO. C21-22
APPLICANT: Luis Alvarenga & Isabel Delgado
REQUEST: Use Unit 44 (mobile vending) in a C-6
A request by QCF Investments, LLC for a Conditional Use Permitted on Appeal as a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2)

LOCATION
909 Backus Avenue.

EXISTING CONDITIONS
Site contains a laundromat. Mobile vending unit exists on the north side of Backus Avenue approximately 330' from this location.

SITE PLAN REVIEW REQUIRED: X Yes ____No

DEVELOPMENT STANDARDS AND REVIEW GUIDELINES

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

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

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

Unknown Not Shown on map
- Refuse and service areas, with particular reference to the item in 1 and 2 above.
<table>
<thead>
<tr>
<th>Acceptable</th>
<th>Utilities, with reference to locations, availability and compatibility. <strong>Fully self-contained</strong></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>Acceptable</td>
<td>Yard requirements and other open space requirements.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.</td>
</tr>
<tr>
<td>N/A</td>
<td>Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>General compatibility with adjacent properties and other property in the general district.</td>
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</tbody>
</table>

**Mobile vending site subject to the following conditions:**

1. Cannot operate between the hours of 10:00 p.m. and 7:00 a.m.
2. No obstruction of parking spaces required for the operation of any other use on the site.
3. Maintain on the site a minimum of three parking spaces designated for their use.
4. If a health certificate is required, display the health certificate in a manner visible to customers.
5. No obstruction of pedestrian or motor vehicle traffic flow.
6. No obstruction of traffic signals or regulatory signs.
7. No vending upon a public way.
8. Sound any device that produces a loud and raucous noise in violation of city ordinance, or violate any other city ordinances in connection with the vending operation.
9. Keep vending site clean and free of paper or refuse of any kind generated from the operation of their business. All trash or debris accumulating within twenty (20) feet of any vending stand collect and deposit into a trash container.
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: QOF INVESTMENTS, LLC
   Address: PO BOX 2669
             FAYETTEVILLE, AR 72703
   Phone: (479) 263-4924  Profit: X Non-Profit

2. Property Location (street address or layman's description):
   NORTHSIDE LAUNDRY - 909 BACKUS AVE, SPRINGDALE AR 72762

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

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

5. Description of the conditional use sought and the reasons why it should be approved:
   LAUNDROMATS ARE OFTEN PATRONIZED BY ONE PARENT ALONE,
   OR WITH THEIR CHILDREN, SINCE LAUNDRY IS OFTEN SEEN AS A GROUN
   ITEM. OUR GOAL IS TO PROVIDE THE OPTION OF HAVING A MEAL
   TOGETHER AS A FAMILY WHILE WAITING FOR CLOTHES TO WASH
   AND DRY. WE FEEL THE TWO BUSINESSES ARE A LOGICAL
   COMPLIMENT TO ONE ANOTHER.

6. What effects would the proposed conditional use have on the character of the
   neighborhood and residents?
   WE ARE OPTIMISTIC THAT A FOOD TRUCK WILL BECOME A DESTINATION
   FOR THE NEIGHBORHOOD, SINCE IT IS WITHIN EASY WALKING DISTANCE
   FROM THE DENSLY POPULATED AREAS TO THE WEST, AS WELL AS
   EASY RIDING DISTANCE FROM THE BIKE TRAIL.

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]

Date: 8-6-21

Signature of Applicant


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    ) ss.
County of Washington

SUBSCRIBED AND SWORN TO before me, a Notary Public, this the 6th day of August, 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
909 Backus Ave, Springdale, AR. 72764

Existing, On-Site 4 Yard Trash Recepticle.
Existing, On-Site restroom available.

1. Applicant: QOF Investments, LLC (Greg Brown - 479-263-4924)

2. Status: For Profit

3, 4, 5: See Attached

6. Reason for approval: Laundromats are often patronized by one parent alone, or with their children. Since laundry is often seen as a chore items our belief is that providing a meal together will encourage more family time, while waiting for clothes to wash and dry.

In addition to providing an option for the existing customers, we are excited to also offer another food option to the local residents as well, something we have been told is lacking in this neighborhood.

7. The effect on the character of the neighborhood: We’re optimistic that a food truck will become a destination for the neighborhood since it is within easy walking distance from the densely populated areas to the west, as well as easy riding distance from the bike trail. Because the laundromat is well lighted inside and out, we feel the food truck is an obvious compliment to this edge of the property.

With QOF Investments, LLC being the applicant, as well as the laundromat owner, we are motivated to make this relationship a success. The food truck operator shown on the following page currently operates her food truck in Fort Smith. Her family owns and operates the Thai Taste, on S. Old Missouri, which is has created a large following and popular food items. Being of a similar menu, we expect a similar welcome for this food truck operator.

9, 10, 11: See Attached
Fully Self Contained. Currently operating in Fort Smith.
FILE NO. C21-23
APPLICANT: QOF Investments, LLC
REQUEST: Use Unit 44 (mobile vending) in a C-2
Memo

To: PLANNING COMMISSION MEMBERS
From: Patsy Christie, Planning Director
Date: September 7, 2021
Re: C21-24

A request by Nanci Mabry for a Conditional Use Permitted on Appeal as a Use Unit 50 (Agricultural occupation) in an Agricultural District (A-1).

LOCATION
1580 N. Monitor Road

EXISTING CONDITIONS
Existing single family dwelling

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.

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

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

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

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

Acceptable  Yard requirements and other open space requirements.

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

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

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

With the following conditions:

1. Proposed residential structure and/or accessory structure must be contained on a lot, parcel or tract that meets the lot requirements for an agricultural zone.
2. No outside storage of materials required for the operation of the business.
3. Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or helper whether such business is conducted on the premises or off the premises.
4. Require the use of an area no greater than thirty (30) percent of the total heated living space of the residential structures or in an accessory structure an area to greater than the size of the residential structure.
5. Generates no traffic, parking, and sewage or water use in excess of what is normal for agricultural uses.
6. Will not produce any fumes, odors, noise or any other offensive effects that are not normal to agricultural activity.
7. Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use.
8. Will not require or cause the consumption of the premises of any food product produced thereon.
9. Will not provide medical treatment, therapeutic massage or similar activities.
10. No alteration of the outside appearance of the residential and/or accessory structure or provision of a separate outside entrance for the business areas of the residential structure.
August 17, 2021

To Whom It May Concern:

Good afternoon,

I am applying for a business license in the City of Springdale because this is where I live.

I am starting a small food processing business, basically making small batches of candies in my kitchen. I started making candy about 25 years ago but in the last year or so I started making caramels because my mother was diagnosed with stage 4 bone, liver and lung cancer and the treatments she was on made her not tolerate much, but she could eat caramels. So after making dozens of batches for her and others and everyone telling me I should sell them, I decided to.

I began researching how to go about that in the state of AR, and looking for a commercial kitchen to use. Which was almost impossible. The nearest available kitchen was 2 1/2 hrs. away, which made it very difficult.

As of July 28th, 2021 the State of Arkansas changed its laws for small businesses and now I am allowed to cook in my own kitchen. Food Freedom Act is a lifesaver for small startup businesses. That is actually what the State told me. They wanted to help small businesses from the start rather than when it’s too late.

So to do that I assumed that I needed a business license and that is why I contacted the City of Springdale. Which I was right, to get that license I am needing a Conditional Use.

So I am asking the Planning Committee to grant that to me so I can make candy in my existing kitchen. I will not have customers coming to my property and I will not be stockpiling large quantities of product at my house. I will be cooking and delivering to places throughout NWA to sell my product.

If you or anyone on the committee has any questions, please feel free to contact me.
I look forward to speaking with you September 7th.

Thank you in advance,

Nanci Mabry
Ozark Valley Candy
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Nancy Mabry  
   Address: 1SBD N Monitor Rd  
   Springdale AR 72764  
   Phone: 918-264-2434  
   Profit: ✗ Non-Profit

2. Property Location (street address or layman's description):  
   1SBD N Monitor Rd  
   Springdale AR 72764

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

4. Use Unit requested 380 in A-1 Zoning District.

5. Description of the conditional use sought and the reasons why it should be approved:  
   Home Occupation -

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?  
   No effect. I will be cooking in my existing kitchen. No one will be coming to my house.

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: 8-9-21  
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  ) ss.
County of Washington

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

__________________________

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. C21-24
APPLICANT: Nanci & Mark Mabry
REQUEST: Use Unit 50 (agricultural occupation) in an A-1
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Springdale Public Facilities Board
   Address: P.O Box 166, Springdale, AR 72765

   Phone: ___________________________ Profit: ✓ Non-Profit ____________

2. Property Location (street address or layman’s description):
   Washington County Parcel 815-28719-000: Property is located southeast of the east end of Angell Drive, southwest of Dreamcatcher Subdivision, and north of E. Mountain Road. APN: 815-28719-010

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

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

5. Description of the conditional use sought and the reasons why it should be approved:
   Applicant requests a conditional use allowing creation of a tandem lot as shown in the submitted lot split.

6. What effects would the proposed conditional use have on the character of the neighborhood and residents?
   No proposed impact is anticipated. The property being split is already a tandem lot and has access to Angell Drive via an existing access easement.

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: 8/18/2021  Date: 8/18/2021

VERIFICATION

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

State of Arkansas  )
County of Washington } ss.

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

Notary Public

My commission expires: 8/26/2024

"OFFICIAL SEAL"
SCOTT EDMONDSON
Notary Public, State of Arkansas
County of Washington
Commission #12400521
My Commission Expires 8/26/2024
FEMA FLOOD PLAIN ZONE:
LINES AS SHOWN.

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN REFERENCES:
H.
F.
E.
B.

TRACT SPLIT:
ALT.
WARRANTY DEED:

PARCEL NO. 815-28719-010
11.94 AC. ±
ZONED I-1

ZONE X
25.00'
WITH GUARD RAIL

EXISTING RAILROAD TRACKS

MONUMENT; THENCE N87°39'13"W A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING
THENCE S02°14'19"W A DISTANCE OF 197.52 FEET TO A SET IRON PIN WITH CAP "PLS 1156";
THENCE ALONG SAID WEST LINE, S02°14'47"W A DISTANCE OF 643.03 FEET TO THE POWER JCT. BOX
P.O.B. SPRINGDALE, AR 72765

NOTE: THIS SURVEY WAS PERFORMED IN 2006, AND THE INFORMATION SHOWN HEREIN IS BASED ON THE DATA AVAILABLE AT THE TIME OF SURVEY.

SURVEY DESCRIPTION TRACT 3A:
WITH CAP "PLS 1156";
THENCE S87°36'56"E A DISTANCE OF 165.00 FEET TO THE WEST LINE OF DREAMCATCHER SUBDIVISION AND A FOUND IRON PIN
WITH CAP "LANDTECH 1078";
THENCE N02°21'41"E A DISTANCE OF 4.58 FEET TO A SET IRON PIN WITH CAP "LANDTECH 1078";
THENCE N02°27'34"E A DISTANCE OF 698.62 FEET TO A FOUND 5/8 INCH REBAR;
THENCE N87°46'36"W A DISTANCE OF 248.30 FEET TO A FOUND LIGHT POLE IN EAST MOUNTAIN ROAD;
THENCE LEAVING SAID SOUTH LINE AND EAST MOUNTAIN ROAD, FOLLOWING THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 31, S02°27'34"W A DISTANCE OF 1323.05 FEET TO THE FOUND MONUMENT;
THENCE ALONG THE EAST LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 31, S02°27'34"W A DISTANCE OF 647.55 FEET TO A FOUND 5/8 INCH REBAR;
THENCE N87°46'36"W A DISTANCE OF 815.28705-000 & 815-28704-000
TRACT "2"
N 02°21'41" E 4.58'

TRAJECTORY POINTS:
A POINT OR POINTS OF HAVING 25.00' WIDTH AS SHOWN HEREIN.

REFERENCES:

____________________________
SURVEYOR:

____________________________
OWNER/DEVELOPER:

MORE OR LESS, SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIVE COVENANTS OF RECORD OR FACT.
FILE NO. C21-25
APPLICANT: Springdale Public Facilities Board
REQUEST: Tandem lot split in an I-1 zone
APPLICATION FOR CONDITIONAL USE
CITY OF SPRINGDALE, ARKANSAS

1. APPLICANT: Wayne and Brenda Lockard Living Trust
   Address: 13463 Wright Road, Fayetteville, AR 72704

2. Property Location (street address or layman's description):
   Washington County Parcel 815-29349-000 – Approximately 1.7 acres located at the east end of Annie Laurie Avenue.

3. Record Title Holder of Property: Wayne and Brenda Lockard Living Trust
   (A copy of the warranty deed should be attached as Exhibit “A”) 

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

5. Description of the conditional use sought and the reasons why it should be approved:
   Applicant requests a conditional use allowing creation of a tandem lot. Tandem lots will have access to Annie Laurie public street right-of-way 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 residential uses and the proposed lots will be residential uses as well.

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: 7-16-21  

Date: 7-16-21

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

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

My commission expires: 7-3-2025

Brandon J. Rush

Notary Public

Arkansas

Washington County

1243770 Expires 3-31-2028
FILE NO. C21-26
APPLICANT: Wayne & Brenda Lockard Living Trust
REQUEST: Tandem lot split in an SF-2 zone
Memo

To: Planning Commission
From: Staff
Date: September 2, 2021
Re: L21-29 Large-Scale Mixed Use – Hwy 112 & Marchant Road

Planning Comments:
1. Submit Auto Cad and PDF files at time of resubmission. (standard comment)
2. A written response to all comments is required with resubmission. (standard comment)
3. Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall be submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting or may be submitted at the meeting.
4. *For variance app* - please sign and date the application, as there are currently no signatures.
5. Have there been any final decisions made on what the intended zonings will be for this property? The cover page is currently showing C-4 and C-5.
6. Please remove the term "Mixed Use" from the plan set, as this is not a mixed use project.
7. This Large Scale Development Plan has been given the number L21-29. This number should be placed on the plan set and all future correspondence and plats pertaining to this large-scale development. (standard comment)
8. There appear to be some gaps in perimeter landscaping along north side of the property.
9. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
10. Please include a lighting plan.
11. In all residential, commercial and industrial developments submitted after August 30, 2007, all utility wires, lines and/or cable in said developments utilized by electric and/or telecommunications companies shall be placed underground. Excluding 12Kv and above. (standard comment)

Commercial Design Standards Comments
1. Front, side, and rear elevations are required. Elevations shall include type and color of materials used, foundation landscaping, and any architectural features used to comply with the Commercial Design Standards.

2. No more than 60% of the off street parking area for the entire property can be located between the front façade within the front yard of the principal building and the primary abutting street unless the building and/or parking lots are screened from view by outlot development (i.e. restaurants) and additional tree plantings and/or berms.
   a. Variance requested

3. Where a façade faces adjacent residential uses or an area on the Comprehensive Land Use Plan designated for residential use an earthen berm shall be installed, no less than 6’ in height containing at a minimum a double row of evergreen or deciduous trees planted at a 15’ interval plus all landscaping requirements set forth in Chapter 56 of the Springdale Code of Ordinance.
   a. Variance requested

4. Internal pedestrian walkways shall connect focal points of pedestrian activity and shall feature landscaped areas along no less than 50% of their length.
   a. Variance requested

5. A 5’ wide sidewalk along the full length of the building along any side that features a customer entrance is required. This sidewalk shall be setback from the building foundation at least 6’ to provide areas for foundation landscaping.
   a. Variance requested

6. Foundation landscaping is required.
   a. Variance requested

7. Provide at least two of the items listed under Central Feature and Community Spaces in the Springdale Commercial Design Standard.
   a. Please see commercial design standards for allowable amenities and indicate how the items provided will contribute to the enhancement of community and public spaces.

8. Submit a unified lighting plan per Springdale Commercial Design Standards.

**Engineering Summary:**

**Pending waiver of street improvements**

- Buildings should be 50’ from the top of the pond
- Submit maintenance plan for the pond
- Submit filed drainage easement
- Show details for landscape wall
- Replace culvert under Marchant with appropriate sized RCP
- Add note that pond will be sodded from normal WSE to 100 year WSE
- Submit Grading Permit Application
- Show improvements to Marchant Road**
- Show existing and proposed streetlights for both streets**
- Public streetlights should be within ROW

**Engineering Comments:**

1. Chapter 106 – Stormwater Drainage
   --- Permanent Lake:
   - Maximum limits of ponding shall be no closer than 50’ horizontal from any building, please show 50’ building setback from top of pond.
• Submit maintenance plan – must include aeration, short and long term maintenance activities, and state who is responsible for those activities.
  ▪ Submit Drainage Easement for review before signing/filing.
  ▪ Show details for landscape wall.
  ▪ Replace undersized culvert under Marchant with appropriately sized RCP.
  ▪ Add note that pond shall be sodded to the 100 year WSE (from top of normal WSE).

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.
       ▪ Submit Grading Permit package
         - Grading Permit Application
         - $500 fee
         - Notice of Coverage
         - SWPPP
         - Proposed Truck Route

3. Chapter 110 – Streets, Sidewalks and Other Public Places
   (Ord. No. 3258, § 1, 11-12-02)
   - 110.31 - Sidewalks are required one-foot (1') inside the right-of-way line.
   - 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 improvements to Marchant Road (pending waiver).
     ▪ Provide pedestrian connections to Highway 112.

4. Chapter 112 – Subdivisions
   (Code 1973, § 30-1)
   - All streets within the subdivision boundaries shall be dedicated and constructed in conformance with the master street plan and chapter 110 of this Code, with right-of-way dedicated when such right-of-way is needed to conform to the master street plan.
     ▪ Private drive and future drive must comply with the MSP.
- **Show all Street improvements all the way to highway 112**

- **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
      - Street Lights should be located within the street right of way.
      - Show street lights for all streets.

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.
OVERALL SITE PLAN

PRELIMINARY PLANS

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT.

MARCHANT & HIGHWAY 112
SPRINGDALE, ARKANSAS

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

PrePliminary Plans

Marchant & Highway 112
Springdale, Arkansas

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THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT
C-506

**Key Plan**

**No.**

**Description**

**Date**

**PROJECT NO:**

**ISSUE DATE:**

**CONTACT:**

**CHECKED BY:**

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

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## Key Plan

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<th>Description</th>
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### PROJECT NO:

### ISSUE DATE:

### CONTACT:

### CHECKED BY:

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 DRM. ELLIS  
 07/30/21  
 21106900  
 MARCHANT &  
 HIGHWAY 112  
 SPRINGDALE, ARKANSAS

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### DRAWING:

G:\21106900_MARCHANTMX\INFRASTRUCTURE\CIVIL\DWG\CTA DETAILS.DWG

### LAYOUT:

STANDARD DETAILS 3

### LAST SAVED:

ML514, 8/19/2021 10:52 AM

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### PLOTTED BY:

MICHAEL LANEY, 8/19/2021 3:35 PM

("PLOTTED BY:" ONLY VALID ON HARD COPY)
CONCRETE PIPE INSTALLATION

NON-TRAFFIC ONLY

TYPICAL 4X4" NON-TRAFFIC RECTANGULAR BARREL AREA INLET

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ARKANSAS ONE CALL
Know what's below. Call before you dig.

MARCHANT & HIGHWAY 112
SPRINGDALE, ARKANSAS
NOTES:
1. TRUNK shall be of species and size specified on plan.
2. The crown for the tree shall be located 3-15 feet from the side of the curb.
3. Space only the necessary and as directed by the project manager.
4. Remove any trash, foliage, vegetation, or debris from the site.
5. Provide only filters or wooden standards or double leaders at time of planting.

STEEL EDGING DETAIL

Arkansas One Call
Know where you are before you dig.

L-501 PLANTING DETAILS
IRRIGATION NOTES:

1. ALL PVC IRRIGATION SLEEVES TO BE SCHEDULE 40 PIPE. TO 24-INCHES MINIMUM ABOVE FINISH GRADE.
2. ALL JOINTS TO BE SOLVENT WELDED AND WATER TIGHT.
3. SLEEVE BELOW ALL HARDSCAPE ELEMENTS WITH CLASS 200 PVC TWICE THE DIAMETER OF THE PIPE OR WIRE BUNDLE WITHIN.
4. FOR PIPE AND WIRE BURIAL DEPTHS SEE SPECIFICATIONS. PROVIDE (2) 55-K-1 KEYS AND (1) SH-1 SWIVEL PER QUICK COUPLING VALVE. 
5. PROVIDE OVERHEAD HOSES AT 10-FOOT INTERVALS. TAPE AND BUNDLE AT AND BESIDE MAINLINE.
6. RUN WIRING BENEATH MAIN PVC LINE. TAPE AT 10'-0" O.C. WIRES TO BOTTOM SIDE OF MAIN LINE.
7. SLEEPING SYSTEM
   - WHERE THERE IS MORE THAN ONE SLEEVE, EXTEND THE SMALLER SLEEVE AFTER ALL CONNECTIONS OF DIRECTION OF 30° OR GREATER. UNTIE TRENCH AS SHOWN.
   - PVC PIPING TO ALL SOLVENT WELD BE SNAKED IN OR GREATER. UNTIE OF DIRECTION OF 30°
   - PIPE & WIRE TRENCHING
   - RUN WIRING BENEATH 10-FOOT INTERVALS. TAPE AND BUNDLE AT AND BESIDE MAINLINE.
   - FOR PIPE AND WIRE BURIAL DEPTHS SEE SPECIFICATIONS.
   - STAINLESS STEEL GEAR CLAMPS OR EQUIVALENT
6. WHERE THERE IS MORE THAN ONE SLEEVE, EXTEND THE SMALLER SLEEVE AFTER ALL CONNECTIONS OF DIRECTION OF 30° OR GREATER. UNTIE TRENCH AS SHOWN.
7. PVC PIPING TO ALL SOLVENT WELD BE SNAKED IN OR GREATER. UNTIE OF DIRECTION OF 30°
8. PIPE & WIRE TRENCHING
   - RUN WIRING BENEATH 10-FOOT INTERVALS. TAPE AND BUNDLE AT AND BESIDE MAINLINE.
   - FOR PIPE AND WIRE BURIAL DEPTHS SEE SPECIFICATIONS.
   - STAINLESS STEEL GEAR CLAMPS OR EQUIVALENT

NOTES:

1. FURNISH FITTINGS AND PIPING NOMINALLY SIZED IDENTICAL TO NOMINAL QUICK COUPLING VALVE INLET SIZE.

ARKANSAS ONE CALL

Call before you dig.
Memo

To: Planning Commission
From: Staff
Date: September 2, 2021
Re: L21-30 Large-Scale Wagon Wheel Storage

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. Submit a list of adjacent property owners certified by either a licensed abstractor or land surveyor within the past 60 days.
4. Notice to all adjacent property owners must be sent by certified mail, return receipt requested at the time of resubmission. Evidence in the form of a signed Affidavit, that notice has been given to all adjacent property owners by certified mail, return receipt requested, shall e submitted. Please return white mail receipts and affidavit to the Planning Office. Green return cards must be submitted to the Planning Office prior to the Planning Commission meeting or may be submitted at the meeting.
5. Please remove the phrase "Mixed Use" from the project, as it doesn’t appear to be a mixed use development.
6. *For variance app – there aren't any signatures*
7. Elevations show a building that doesn’t appear to meet commercial design standards (see attached).
   a. Variance requested
8. A screening fence is required in accordance with Chapter 56. Show trees associated with screen.
   a. Fencing plan will be provided by the developer
9. Show the size and location of all freestanding signs. Show distances from street right-of-way.
   a. Currently awaiting determination of sign location
10. All comments from the utility companies and other city departments must be addressed prior to approval of construction plans. (standard comment)
11. Please provide a lighting plan for the project.
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)

**Commercial Design Standards Comments**

1. All sides of a principal building that directly faces an abutting public right-of-way shall feature at least one customer entrance unless, the principal building directly faces more than 2 abutting rights-of-way then only 2 entrances are required, one along the primary street and one along a secondary street.  
   a. **Variance requested**

2. Where a façade faces adjacent residential uses or an area on the Comprehensive Land Use Plan designated for residential use an earthen berm shall be installed, no less than 6’ in height containing at a minimum a double row of evergreen or deciduous trees planted at a 15’ interval plus all landscaping requirements set forth in Chapter 56 of the Springdale Code of Ordinance.  
   a. **Variance requested**

3. Central features and community spaces shall have direct access to the public sidewalk.  
   a. **Variance requested**

4. When multiple buildings are constructed in a commercial center, similar building materials and architectural themes and styles must be used.  
   a. **Variance requested**

5. Façades over 100’ in linear length shall incorporate wall projections and/or recesses per Springdale Commercial Design Standard.  
   a. **Variance requested**

6. Building façades shall include a repeating pattern with no less than three of the following: color change; texture change; material module change; expressions of architectural or structural bay through a change in plane no less than 12 inches in with, such as an offset, reveal, or projecting rib. At least one element must repeat horizontally and no element shall repeat at intervals of greater than 30’ horizontally or vertically.  
   a. **Variance requested**

7. Roof lines shall be varied with a change in height every 100 linear feet in the building length.  
   a. **Variance requested**

8. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view.  
   a. **Variance requested**

9. Predominate exterior building materials shall be high quality materials including, without limitation, the following: brick, native/natural stone, synthetic stone, concrete masonry units (smooth face units with integral color), synthetic stucco/EFS, architectural precast concrete, decorative face concrete tilt-up panels, glass, wood (natural or composite).  
   a. **Variance requested**

10. Predominant exterior building materials shall not be: smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels.
11. Façade colors shall be low reflectance, subtle, neutral, or earth tone colors.  
   a. Variance requested
12. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring any three (3) of the following: canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms, arches, outdoor patios, display windows, integrated tile work and/or moldings, integral planters or wing walls that incorporate landscaped areas and/or places for sitting.  
   a. Variance requested
13. All rooftop equipment shall be screened from public view with an architectural treatment that is compatible with the building architecture.  
   a. Variance requested
14. Submit a unified lighting plan per Springdale Commercial Design Standards.  
   a. Variance requested

**Engineering Summary:**
- Submit drainage easement
- Add temporary erosion control within the pond
- Submit proposed truck route
- Show street improvements on Wildwood Lane
- Driveway on Wagon Wheel needs to match Springdale commercial driveway detail, and not encroach upon the neighbor.
- Show ROW on both streets
- Show existing and proposed streetlights

**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.
2. **Chapter 106 – Stormwater Drainage**
   - Submit Drainage Easement to be reviewed before filing.
   - Erosion Control Plan.
   - Add temporary erosion control within detention pond (check dams, inlet protection).
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.
     - Submit Grading Permit package
Grading Permit application
Notice of Coverage
SWPPP
$500 fee
Proposed Truck Route

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

4. Chapter 110 – Streets, Sidewalks and Other Public Places
(Ord. No. 3258, § 1, 11-12-02)
- **110.31** Sidewalks are required one-foot (1’) inside the right-of-way line.
- **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 street improvements on Wildwood Lane.
  - Driveway on Wagon Wheel encroaches on neighbor to the west; if it can’t be shifted then an access easement must be filed.
  - Call out ROW on both streets (existing and proposed where necessary).

5. 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
    - Show existing and proposed street lights.
    - Include all information requested above.

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.
THIS PROJECT IS A NEW BUILDING ON A PREVIOUSLY UNDEVELOPED SITE. SITE PLANS HAVE BEEN DESIGNED BY A CIVIL ENGINEER UNDER A SEPARATE COVER.

THIS IS A NON-SPRINKLERED BUILDING AREAS TO BE UNDER 2,500 SF. FIRE RATED WALL TO KEEP THE BUILDING AREAS UNDER 2,500 SF.

ALLOWABLE AREA = 17,500
ALLOWABLE HT/STORIES = 55' AND 2 STORY
BUILDING 6 = 5,007 SF

CONSTRUCTION TYPE: 2B

CONSTRUCTION TYPE: 2B

PREFINISHED METAL GUTTER AND DOWNSPOUTS SPACED PER MANUFACTURERS RECOMMENDATION, SCREW DOWN METAL ROOF SLOPED TO DRAIN

SLAB EDGE ‘SHEET NOTCH’ AT EXT WALLS WITH OHD

STEP EDGE DETAIL

ROLLING OVERHEAD DOOR HARDWARE BY DOOR HARDWARE BY DOOR HARDWARE BY DOOR

HARDWARE BY DOOR

MANUFACTURER MANUFACTURER MANUFACTURER

BAKERS TOWN, AR

FIRST FLOOR

METAL WALL PANEL

PREFINISHED METAL RAKE

PREFINISHED METAL RAKE

WAGON WHEEL ROAD

3 EAST ELEVATION

SEE DETAIL 9

- A6.0 FOR SLAB EDGE AT SIDE WALL

AT SIDE WALL

8 BOLLARD PLACEMENT

SEE DETAIL 5

- A6.0 FOR BOLLARD PLACEMENT

WAGON WHEEL STORAGE

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BUILDING AREAS ARE SEPARATED BY A 3 HR PRIVACY PASSAGE.

<table>
<thead>
<tr>
<th>UNIT SIZE</th>
<th>COUNT</th>
<th>HARDWARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 9'-0&quot;</td>
<td>7'-0&quot;</td>
<td>2 MTL OHM MANUF. 22 6 3'-0&quot; 6'-8&quot; 6 HM HM 2 226 5'-0&quot; 7'-0&quot; 26 ALUM ALUM 1 1</td>
</tr>
</tbody>
</table>

APPLICABLE CODES:
- 2012 International Building Code (IBC), Vol. 1 with Arkansas State amendments
- 2012 International Residential Code (IRC), Vol. 2 with Arkansas State amendments
- 2012 International Fire Code (IFC), Vol. 3 with Arkansas State amendments
- 2010 Edition Arkansas State Mechanical Code,
- 2014 Edition National Electric Code (NEC),
- 2006 Edition Arkansas State Plumbing Code
- 2006 Edition Arkansas State Fuel Gas Code,

NOTES:
1. ALL HARDWARE TO BE LEVER ACTION W/ A BRUSHED CHROME FINISH
2. ALL CLOSERS TO MEET ADA REQUIREMENTS

JOINT MATERIAL
1/16" = 1'-0"

METAL WALL PANEL
STANDING SEAM METAL ROOF ABOVE OFFICE

WALL PACK LIGHT
30' MAX.

FOOTING
109'
6" 100'-0"

CONC DOME
METAL WALL PANEL
PREFINISHED METAL RAKE
STANDING SEAM METAL ROOF ABOVE OFFICE

4 WEST ELEVATION
6" 100'-0" 109'

DATE
REVISIONS
JOB NO.

THIS PROJECT IS A NEW BUILDING ON A PREVIOUSLY UNDEVELOPED SITE. SITE PLANS HAVE BEEN PREPARED BY A LAND SURVEYOR UNDER A SURVEYOR'S LICENSE.

BUILDING AREAS TO BE UNDER 2,500 SF, CONSTRUCTION TYPE: 2B
ALLOWABLE AREA = 17,500 ALLOWABLE HT/STORIES = 55' AND 2 STORY
ACTUAL AREA : BUILDING 7 = 5,007 SF
SEE CODE DIAGRAM

CONCRETE EDGE DETAIL AT SIDE WALL WITH OHD

3 1/2" EXPANSION JOINT MATERIAL
3/4" = 1'-0"

BE DETAIL H" FOR METAL WALL PANEL
BE DETAIL H" FOR METAL WALL PANEL

A7.0

WAGON WHEEL STORAGE
SPRINGDALE, AR
21108

1" = 10'-0"

1 SOUTH ELEVATION COLOR

1 EAST ELEVATION COLOR

1 NORTH ELEVATION COLOR

1 SOUTH ELEVATION COLOR

100% BRICK

100% METAL PANEL

100% METAL PANEL

80% METAL PANEL
20% BRICK
SEPARATED BUILDING. BUILDING AREAS ARE SEPARATED BY A 3 HR FIRE RATED SEPARATION WALL, BUILDING AREAS TO BE UNDER 5,000 SF, REF. DETAIL ON SHEET A0.1

INCLUDED BUT NOT LIMITED TO, THE LATEST ADOPTED ADDITIONS OF THESE CODES AS AMENDED BY THE CITY OF FAYETTEVILLE AND THE STATE OF ARKANSAS

APPLICABLE CODES:
- 2012 International Building Code (IBC), Vol. 1 with Arkansas State amendments
- 2012 International Residential Code (IRC), Vol. 2 with Arkansas State amendments
- 2010 Edition Arkansas State Mechanical Code,
- 2014 Edition National Electric Code (NEC),
- 2006 Edition Arkansas State Plumbing Code
- 2004 Edition Arkansas Energy Code,
- 2006 Edition Arkansas State Fuel Gas Code,
- 2012 Arkansas State Mechanical Code,
- 2014 Arkansas State Plumbing Code,
- 2014 Arkansas State Fire Protection Code,
- 2014 Arkansas State Building Code,
- 2014 Arkansas State Electrical Code,
- 2006 Arkansas State Energy Code,
- 2006 Arkansas State Fuel Gas Code,
- 2006 Arkansas State Mechanical Code,
- 2006 Arkansas State Plumbing Code,
- 2006 Arkansas State Fire Protection Code,
- 2006 Arkansas State Building Code,
- 2006 Arkansas State Electrical Code,

THIS PROJECT IS A NEW BUILDING ON A PREVIOUSLY UNDEVELOPED SITE. SITE PLANS HAVE BEEN DESIGNED BY A CIVIL ENGINER UNDER A SEPARATE COVER.

CONSTRUCTION TYPE: 2B
- OCCUPANCY TYPE: S - 1 STORAGE
- CONSTRUCTION TYPE: 2B
- ALLOWABLE AREA = 17,500
- ALLOWABLE HT/STORIES = 55' AND 2 STORY
- ACTUAL AREA :
  - BUILDING 8  = 15,750 SF

PROPOSED USE: SELF STORAGE

THIS IS A NON-SPRINKLERED FIRE RATED WALL TO KEEP THE BUILDING AREAS UNDER 2,500 SF.

MANUFACTURER
- ROLLING OVERHEAD DOOR
- prefabricated METAL RAKE
- prefabricated METAL GUTTER AND DOWNSPOUTS SPACED PER 30' MAX.
- CONC DOME
- 6" DIA PIPE SCHED 60 BOLLARD, FILLED W. CONC. PAINTED
- METAL WALL PANEL
- 1/2" EXPANSION JOINT MATERIAL

SLAB EDGE 'SHEET NOTCH' AT EXT WALLS WITH OHD WALL

1'-2 1/2" TYPICAL BOLLARD INSTALLATION DETAIL
- 6 TYPICAL BOLLARD PLACEMENT

SLAB EDGE AT OHD WALL, SEE DETAIL 9 - A8.0 FOR SLAB EDGE AT OUTSIDE OF SLAB EDGE AT SIDE WALL

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WAGON WHEEL STORAGE
SPRINGDALE, AR
21108

100% METAL PANEL

100% METAL PANEL

100% METAL PANEL

100% METAL PANEL
**Code Summary**

This project is a new building on a previously undeveloped site. Site plans have been designed by a civil engineer under a separate cover.

**Applicable Codes:**
- Included but not limited to, the latest adopted additions of these codes as amended by the City of Fayetteville and the State of Arkansas.

**Code Data:**
- **Proposed Use:** Self Storage
- **Occupancy Type:** S-1 Storage
- **Construction Type:** 2B-Non Sprinklered

**Allowable Area:** 17,500 SF

**Allowable HT/STORIES:** 55' and 2 Story

**Actual Area:**
- Building 9 = 15,750 SF

**See Code Diagram**

- 2012 International Building Code (IBC), Vol. 1 with Arkansas State amendments
- 2012 International Residential Code (IRC), Vol. 2 with Arkansas State amendments
- 2012 International Fire Code (IFC), Vol. 3 with Arkansas State amendments
- 2010 Edition Arkansas State Mechanical Code
- 2006 Edition Arkansas State Plumbing Code

**THIS IS A NON-SPRINKLERED BUILDING. BUILDING AREAS ARE SEPARATED BY A 3 HR FIRE RATED WALL TO KEEP THE BUILDING AREAS UNDER 2,500 SF.**

---

**Unit Matrix**

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Count</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>14X50</td>
<td>14</td>
<td>14</td>
</tr>
</tbody>
</table>

**First Floor Plan**

- **Metal Wall Panel**
- **Standing Seam Metal Roof**
- **Prefinished Metal Rake**
- **Prefinished Metal Gutter and Downspouts** spaced per manufacturer's recommendation, 30' max.

---

**Typical Bollard Placement**

- **1st Floor Plan**
- **North Elevation**
- **South Elevation**
- **West Elevation**
- **East Elevation**

---

**Door Elevations**

- **Rolling Overhead Door Hardware by Door Manufacturer**
  - Door Type 4
  - Door Width: 12'-0" 14'-0"
  - Door Height: 14'-0"
  - Door Frame Type: MTL OHD
  - Door Count: 14

---

**Rolling Overhead Door**

- **Burris Architecture**
  - 820 Tiger Blvd, Suite 4, Bentonville, AR 72712
  - Phone: 479-319-6045

---

**Revisions**

- **Job No.:** 21108
- **Date:** 8-19-21

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**Key Plan**

- **Project Location:** Wagon Wheel Road, Springdale, AR
### Key Plan

#### Door Schedule

<table>
<thead>
<tr>
<th>Door Type</th>
<th>Door Type</th>
<th>Frame Type</th>
<th>Hardware</th>
<th>Set Count</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door Type 1</td>
<td>4'-0&quot;</td>
<td>MTL OHM</td>
<td>15 MANUF.</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Door Type 2</td>
<td>9'-0&quot;</td>
<td>MTL OHM</td>
<td>15 MANUF.</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Door Type 3</td>
<td>12'-0&quot;</td>
<td>MTL OHM MANUF.</td>
<td>15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Code Summary

- Included but not limited to, the latest adopted additions of these codes as amended by the City of Fayetteville and the State of Arkansas.

- 2010 Edition Arkansas State Mechanical Code.

- This project is a new building on a previously undeveloped site. Site plans have been designed by a civil engineer under a separate cover.

- Site plans have been released by a licensed engineer under a separate cover.

- This building is non-fire-rated, separated by a 3 hr. fire rated wall to keep the building areas under 2,500 SF.

- This is a non-sprinklered fire rated wall to keep the building areas under 2,500 SF.

- Proposed use: Self Storage.

- Project location: Wagon Wheel Storage, Springdale, AR.

- Job No.: 21108.

- Date: 8/21/2021.

- Revision: 2.

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- [Sheet A10.0]
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WAGON WHEEL
MIXED USE
SPRINGDALE, ARKANSAS

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www.craftontull.com
CRAFTON, TULL & ASSOCIATES, INC.

R. ELLIS
08/19/2021

Access www.craftontull.com to access all current plans and information on this project.

This plan contains the following:
- Grading and drainage notes
- Site stabilization and certification
- Legend (existing)
- Legend (construct)
- Accessibility notes

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  - Site stabilization and certification
  - Legend (existing)
  - Legend (construct)
  - Accessibility notes
CONCRETE WASH-OUT BASIN

IN COURTSHIP/HERDESTON CONTROL OPERATION SITE SCHEMATIC

DEMONSTRATION DETAILS:

- Site investigation, layout, grading, and vegetation
- Drainage system placement and installation
- Erosion control measures implementation
- Construction site safety protocols

GEOPHYSICAL OBSERVATIONS:

- Soil test results and analysis
- Subsurface conditions documentation
- Geotechnical data collection and interpretation

SPECIFICATIONS AND CONDITIONS:

- Conformance with local building codes and standards
- Quality control and assurance
- Safety and health regulations

REVISIONS AND MODIFICATIONS:

- Updated plans and specifications
- Additional construction details
- Site variations and adjustments

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WAGON WHEEL
MIXED USE
SPRINGDALE, ARKANSAS

CONCRETE PAVEMENT JOINTING DETAIL

MINIMUM ACCESSIBLE PARKING SPACE REQUIREMENTS

IN-LINE ACCESSIBLE ROUTE / SIDEWALK RAMP - CHANGES IN LEVEL

Pavement Sections

Accessible Payment Detail

Accessible Sign / Placement Limits

DRAWING:

LAYOUT:

Last Saved:

Plotted By:

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WAGON WHEEL
MIXED USE
SPRINGDALE, ARKANSAS

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PRELIMINARY PLANS
CORRESPONDENCE #L21-30

ARKANSAS ONE CALL
Know what's below.
Call before you dig.
Arkansas One Call
Know what's below.
Call before you dig.

NTS WALK OR CURB TURF CHAMFER EDGING

STEEL EDGING DETAIL

NOTE:
AREAS WHERE GROUNDCOVER OR SHRUB MASS PLANTING BORDER CURB, WILL NOT HAVE EDGING.

CHAMFER EDGING TO BE FLUSH WITH FINISHED GRADE ADJACENT TO PAVING OR CURBS.

STEEL EDGING DETAIL

NOTES:
1. TREE PLANTING HEIGHT SPECIFIED ON PLAN.
2. TREE HEIGHT SHOULD BE CONSIDERED AS THE HEIGHT OF THE TREE TOP.
3. PLANTS SPECIFIED IN PLANT LIST AND PLANTED AS SPECIFIED.
4. PLANTS SHOULD BE PLANTED WITH A 1" SPACE BETWEEN EACH PLANT.
5. PLANTS SHOULD BE PLANTED WITH A 2" SPACE BETWEEN EACH PLANT.

STEEL EDGING DETAIL

NOTES:
1. TREE PLANTING HEIGHT SPECIFIED ON PLAN.
2. TREE HEIGHT SHOULD BE CONSIDERED AS THE HEIGHT OF THE TREE TOP.
3. PLANTS SPECIFIED IN PLANT LIST AND PLANTED AS SPECIFIED.
4. PLANTS SHOULD BE PLANTED WITH A 1" SPACE BETWEEN EACH PLANT.
5. PLANTS SHOULD BE PLANTED WITH A 2" SPACE BETWEEN EACH PLANT.
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8/18/21
Date Accepted as Complete: 8/18/21
Project Number: B21-65

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

Applicant (person making request)
Name: Mark and Melody Sebastian
E-mail: marksebastian42@gmail.com
Address: 2210 Wagon Wheel Rd, Springdale, AR 72762
Phone: 419-405-3181
Site/Location: 2210 Wagon Wheel Rd, Springdale, AR
Assessor's Parcel Number(s): 21-00343-004

Property Owner (if other than Applicant):
Name: 
E-mail: 
Address: 
Phone: 
Current Zoning District: SF-2
Rezone required: 
Total Acreage: 

Variance requested: (attach visual representation of request)
- see attached

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
- see attached

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

- see attached

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

The **Applicant** understands that he/she must be present at the meeting to present the variance request and to answer questions. If the **Applicant** is unable to attend, written authorization must be attached designating a representative and any decisions made by this individual shall be binding on the applicant.

APPLICANT SIGNATURE(S)

[Signature]

DATE: **8-1-21**
Please see attachments for driveway expansion and new detached garage. From my understanding everything is within 100% compliance of city code except for driveway expansion being “opposite the front door” the reasons I request a variance for this is due to a lack of space on the eastside of home and storm water runoff. Our biggest and one of only two trees on the property is on the east side of home. I paid a tree expert to take a look and was told that I absolutely could not cover up any more of the trees root system with concrete without producing harm and possible death to that particular tree. And as mentioned before, there is not enough room to take a driveway expansion thru this area.

Also, to consider (Highlighted in Blue on Diagram) is that the east side of my home is a major water runoff area that goes to the main storm drains for all of Mount Callahan Acres. The NE corner of our property and the east side of home is a lower lying area than the NW side of property and west side of home. During hard rain the east side of my home and property funnels and discharges way more water to the primary storm drain located in the southeast corner of our property than the storm drain located on the southwest corner of our property.

Despite the fact it will be more costly for the driveway expansion and garage to go to the westside of property, it solves the problems mentioned of tree and water flow issues.

[Signature]
8-1-21
PICTURES PROVIDED BY THE APPLICANT TO SHOW FLOODING EFFECTS.
CITATION / SUMMONS TO APPEAR - Tuesday, June 15, 2021 10:40:54 AM (LOGAN-CODE 2)

<table>
<thead>
<tr>
<th>Citation Number</th>
<th>10566</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and Time of Citation</td>
<td>Tuesday, June 15, 2021 10:40:00 AM</td>
</tr>
</tbody>
</table>

The undersigned, upon oath deposes and says:

1. Name of Violator Last, First and Middle: Sebastian, Richard M

   Photo ID: Attached Data

Date of Birth: Monday, January 31, 1972

Demographics

<table>
<thead>
<tr>
<th>Drivers License</th>
<th>908211817</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>White</td>
</tr>
<tr>
<td>Sex</td>
<td>Male</td>
</tr>
<tr>
<td>Hair</td>
<td>Gray</td>
</tr>
<tr>
<td>Eyes</td>
<td>Hazel</td>
</tr>
</tbody>
</table>

Address of Violation: 2210 Wagon Wheel Rd

Relationship to Property: Property Owner

Narrative: A citation is being issued per code #130/Surfacing, for pouring a gravel road to the back of his property.

Has committed violation(s) of the City of Springdale Code or Ordinance as follows: #130 Zoning

Total Number of Charges: 1
YOU ARE REQUIRED TO APPEAR IN COURT ON THIS DATE

Date & Time of Court	Tuesday, June 29, 2021 8:30:00 AM

I agree to appear in said Court at said time and place

1 Springdale District Court

Address of Court: 201 Spring Street Springdale, AR 72764, Failure to Appear will result in a Warrant for your arrest.

I PROMISE TO APPEAR IN COURT AT SAID TIME AND PLACE. I UNDERSTAND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.

1 Violators Signature

Attached Data

Signature of City of Springdale Code Enforcement Officer

1 The undersigned further states that he has probable cause to believe and does believe that the person and/or business named above is in violation of the ordinance(s) set forth above.

Attached Data

Lead Officer

Officer L. West (479-283-1304)

Witnessing Officer

Officer J. Oliver (479-283-4282)

Witness Signature

Picture of Violation

Attached Data
Pictures from City citation
See application submitted to Engineering and the relevant ordinance below

Sec. 114-56. - Parking restrictions in residential zoned districts.

(b) Parking any motor vehicle on unpaved area prohibited. Subject to section 114-58, no parking, displaying, or storing of any motor vehicle shall be permitted on any grass surface, gravel surface, or other unpaved area in any residential zone, or in any platted subdivision zoned agricultural on lots less than one acre in size, except that:

(1) One parking space may be located on the grass in a required front set back adjacent to and parallel to the current driveway located on the property. The size of such parking space shall not exceed 9’ x 19’. Access to such parking space shall be by way of the property's driveway, not by driving over the curb, and shall be located on the opposite side of the driveway from the primary entrance to the residential structure. If the parking space is not maintained with adequate grasses to keep the area from becoming rutted, muddy and/or soil from being blown or washed away, such parking area shall be paved by the property owner by obtaining an expanded parking permit.

(2) An expanded parking permit may be obtained to expand an existing driveway. The expansion must be in a required front set back adjacent to and parallel to the current driveway located on the property, where geographic conditions are favorable. The expansion shall be located on the opposite side of the driveway from the primary entrance to the residential structure, and shall be constructed in accordance with the City of Springdale "Residential Driveway Detail." Provided, however, that the maximum allowed paved surface area shall not exceed 40 percent of the total area of the front yard. The expanded parking permit shall be obtained from the Springdale Engineering Department by the owner of the property on which the expanded parking is sought, and shall include inspections of the driveway expansion area by the Springdale Engineering Department before and after installation of the expanded parking area. The expanded parking permit shall cost $50.00 upon application of the permit in conjunction with a curb cut permit which is also obtained at the Springdale Engineering Department. No curb cut will be required if the expanded parking area can be accessed by way of an existing driveway without driving over the curb. All expanded parking areas shall be concrete, unless the existing driveway is asphalt, in which case the expanded parking area shall consist of asphalt.
City of Springdale
Driveway Expansion and Curb Cut Permit Application

In accordance with Chapter 114-56(b) of the City of Springdale Code of Ordinances, an expanded parking permit may be obtained from the Engineering Department. The applicant must provide the following information.

If you have questions or need assistance filling out this form, please call the Engineering Department at 479-756-7716 to schedule an appointment with staff.

Property Owner Name: Mark Sebastian

Physical Address: 2210 Wagon Wheel Rd, 72762

Phone Number: 479-637-3181

Email Address: MarkSebastian436@gmail

This expansion request includes: [ ] Driveway Expansion [ ] Curb Cut

Please provide a sketch or plan and include written comments if necessary to show the proposed location of the driveway expansion and approach, drainage structures, traffic control devices, proposed grades and any other specifications.

An expanded driveway may consist of one 9' x 19' parking space plus approach and must conform to Chapter 114-56(b) including the following general requirements. These requirements will be checked by an inspector prior to approval.

- At least 3 feet from the property line
- Opposite the front door
- Total paving does not exceed 40% of the front yard
- Expansion must be of the same material as the existing driveway
- Curb cut required if expansion cannot be accessed without driving over the curb

Fees:
Driveway Permit: $50
Curb Cut Permit: $50
Curb Cut Deposit: $500

I acknowledge that I have received, read, and understand the specification of a Residential Driveway. I also understand that if the driveway is not built to the specifications that I received, the City Inspector can require the driveway be removed. The City reserves the right to deny applications of expansion per Ordinance 114-56.

Signature of Applicant: [Signature]
Date: 6-15-21

Approval (Office Use Only):

APPROVED
APPROVED W/ MODIFICATIONS
DENIED

Comments/Modifications: [Please enter comments or modifications here]
RESIDENTIAL BUILDING PERMIT APPLICATION
City of Springdale Building Department
Physical Address: 107 Spring Street
Mailing Address: 201 Spring Street
Springdale, AR 72764
Phone: 479.760.8164 Fax: 479.760.7701

Date of Application: 6-15-21

SITE ADDRESS: 2210 Wagon Wheel Rd. 72762
Lot: 2 Block: # of Units: # of stories: 1
Subdivision: Mount Calvary Acres

☐ Single Family ☐ Duplex ☐ Multi-Family ☐ Pool Permit ☐ Repair ☐ Alteration ☐ Addition

Was the property built prior to 1978? ☐ Yes ☐ No
If yes, you are required by the U.S. EPA's Renovation, Repair, & Painting rule to be a Lead Safe Certified Firm with the U.S. EPA if performing work that will disturb a painted surface in homes, child care facilities and pre-schools build before 1978.

Property Owner Information

Property Owner Name: Mark and Melody Sebastian
Address: 2210 Wagon Wheel Rd. 72762
Phone #: Email: MarkSebastian92@gmail.com

Contractor's Information

Contractors Name: 
Mailing Address: 
Office #: Cell #
Email Address: 
Contact Person: Contact Phone:

Structure Information

Heated SQ Feet: Garage: Total SQ Feet: 1200 Other: 
Approximate Construction Cost: $60,000 Detached Garage 30'x40'

Subcontractor's List

Plumber: Matt Smith 1 Pamp & Plumbing 479.325.9722
Electrician: Matt Johnson 1 All Electric 479.325.9154
Heating & Air-conditioning:

Project Description:

Applicant Signature: Mark Sebastian Date: 6-15-21

FOR OFFICE USE ONLY

INSPECTOR APPROVAL: APPROVAL DATE ZONING
SETBACKS:

ELECTRIC UTILITY CO: MAP #: F.F.E.
Please see attachments for driveway expansion and new detached garage. From my understanding everything is within 100% compliance of city code except for driveway expansion being "opposite the front door" the reasons I request a variance for this is due to a lack of space on the eastside of home and storm water runoff. Our biggest and one of only two trees on the property is on the east side of home. I paid a tree expert to take a look and was told that I absolutely could not cover up any more of the trees root system with concrete without producing harm and possible death to that particular tree. And as mentioned before, there is not enough room to take a driveway expansion thru this area.

Also, to consider (Highlighted in Blue on Diagram) is that the east side of my home is a major water runoff area that goes to the main storm drains for all of Mount Callahan Acres. The NE corner of our property and the east side of home is a lower lying area than the NW side of property and west side of home. During hard rain the east side of my home and property funnels and discharges way more water to the primary storm drain located in the southeast corner of our property than the storm drain located on the southwest corner of our property.

Despite the fact it will be more costly for the driveway expansion and garage to go to the westside of property, it solves the problems mentioned of tree and water flow issues.
ORDINANCE NO. 5607

AN ORDINANCE RELEASING, VACATING, AND ABANDONING A DEDICATED PUBLIC STREET, AND DEVOTING A PORTION OF THIS PROPERTY TO OTHER PUBLIC PURPOSES, PURSUANT TO ARK. CODE ANN. §14-54-104(2), IN MOUNT CALLAHAN ACRES SUBDIVISION TO THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, on April 24, 1964, the subdivision plat for Mount Callahan Acres was filed for record in the Benton County land records at Plat Record "F", Page 87;

WHEREAS, the aforementioned plat contained a thirty (30) foot wide street dedication located between Lots 1,2,3 and Lots 4,5 of said subdivision;

WHEREAS, the above-described street has never been constructed, has not been used as a public street, and it is not practicable for the City to build this street;

WHEREAS, Ark. Code Ann. §14-54-104(2) gives cities of the first class the authority to alter or change the width or extent of streets, and to vacate portions thereof;

WHEREAS, Ark. Code Ann. §14-54-104(2) also provides that where lands have been acquired or donated to the city for any object or purpose which has become impossible or impracticable to achieve, the lands may be used or devoted for other proper public purposes;

WHEREAS, the City of Springdale has previously taken action to vacate portions of dedicated city streets in Mount Callahan Acres; namely, Ordinance No. 1547 passed on December 10, 1985 (filed at Book 645, Page 222 in the Benton County Land Records), and Ordinance No. 4600 passed on June 26, 2012 (filed at Book 2012, Page 25459 in the Benton County Land Records);

WHEREAS, all interested parties have been afforded the opportunity to be heard on this Ordinance, and the City Council has discussed this matter at its Committee meeting on May 17, 2021, and on June 2, 2021, and a record of these discussions are a matter of public record;

WHEREAS, after taking into consideration all the facts and circumstances associated with this matter, it is in the best interests of the City to vacate that portion of a dedicated street located between Lots 1,2,3 and Lots 4,5 of Mount Callahan Acres Subdivision, except for a
portion to be devoted to use by the Springdale Water & Sewer Commission, and described as follows:

Commencing at the SE corner of Lot 1, Mount Callahan Acres, and running thence North 250.00 feet to the POINT OF BEGINNING; thence West 25.00 feet; thence North 30.00 feet; thence East 25.00 feet; thence South 30.00 feet to the POINT OF BEGINNING, containing 750 square feet or 0.02 acres, more or less. And as shown on the attached Exhibit "A".

WHEREAS, the portion of the dedicated public street vacated herein shall become the property of the adjoining property owners as is provided by Ark. Code Ann. §14-301-306, and that said property is intended to constitute just compensation which may be owed to any adjoining property owner due to the passage of this Ordinance;

WHEREAS, public interest and welfare will not be adversely affected by the releasing, vacating, and abandoning of the dedicated public street herein described, and by devoting a portion to other public purposes as described herein.

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

Section 1: For the reasons stated herein, the City of Springdale, Arkansas, hereby releases, vacates and abandons its interests, with the rights of the public generally, in and to a thirty (30) foot wide street dedication located between Lots 1,2,3 and Lots 4,5 of Mount Callahan Acres Subdivision, filed as Plat Record "F", Page 87, of the land records of Benton County, Arkansas, except for a portion to be devoted to use by the Springdale Water & Sewer Commission, as previously described herein;

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Benton County, Arkansas, and recorded in the Deed records of the County.

Section 3: Subject to that portion herein devoted to use by the Springdale Water & Sewer Commission, upon abandonment of the dedicated public street described herein, the ownership of the property shall vest in the owners of the real estate abutting thereon, with each such abutting owner taking title to the center line of the street so abandoned, and the ownership shall be free from the previously dedicated city street.

Section 4: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.
PASSED AND APPROVED this 8TH day of June, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY
FILE NO. B21-65
APPLICANT: Mark & Melody Sebastian
REQUEST: Variance for deviation of driveway requirements - expanding to the west, toward the front door.
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8/6/21
Date Accepted as Complete: 8/9/21 Project Number: B21-066

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

Applicant (person making request)
Name: Melissa & Stephen Hotchkiss
E-mail: hotchkiss_melissa@yahoo.com
Address: 3409 Falcon Road, Springdale, AR 72762
Phone: 479-409-9863
Site/Location: Falcon Rd.
Assessor’s Parcel Number(s): 815-21831-000

Property Owner (if other than Applicant):
Name: 
E-mail: 
Address: 
Phone: 
Current Zoning District: SF-2
Rezone required: NO
Total Acreage: N/A

Variance requested: (attach visual representation of request)
Variance to surfacing/paving requirements.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
We are trying to improve the condition of our front yard and access to our backyard via our west side gate. Due to years of excessive rain water run off, this area has had significant erosion damage, making it either extremely muddy or unable to grow or keep grass growing. Due to underground water lines, utilities, AT&T lines and tree roots, we felt that the course grit gravel surfacing material would allow us to raise and level the area with the least amount of damage and still allow access to utility lines as needed in the future.
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

we are not wanting to create a full concrete driveway to the back of the property to access our gate, just the ability to have a level and consistent area for our trailers. And still allow accessible utility line access without the fear or cost of having to tear up concrete if needed in the future.

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

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

APPLICANT SIGNATURE(S)  

DATE: 8/5/2021

DEBBIE A. POUNDERS
OFFICIAL SEAL - NOTARY PUBLIC
WASHINGTON COUNTY ARKANSAS
COMMISSION # 12402006
MY COMMISSION EXPIRES 12-10-2024

Planning and Community Development Division
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
Built up 4 inches to relieve years of rain water erosion out of back yard.

Drainage added to move rain water to front of structure to stop erosion.

Cement ramp to help back access structure and allow easy access to garage area.

Filling area in front of ramp - replaced.

Eroded area with dirt & turf.
FILE NO. B21-66
APPLICANT: Melissa & Stephen Hitchkiss
REQUEST: Variance for deviation of paving requirements - gravel on the west side
Application for Variance – Board of Adjustment

STAFF USE ONLY

Date Application Submitted: 8-1-21
Date Accepted as Complete: 8-11-21  Project Number: B21-67

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

Applicant (person making request)
Name: Dennis Holland
E-mail: denis.holland@live.com
Address: 919 E. Apple Blossom Ave.
Phone: 928-303-3435
Site/Location: 919 E. Apple Blossom Ave.
Assessor's Parcel Number(s): 21-02866-000

Property Owner (if other than Applicant):
Name:
E-mail:
Address:
Phone:
Current Zoning District: SF-1
Rezone required: NO
Total Acreage: N/A

Variance requested: (attach visual representation of request)
Reduction of side setback from 15' to 10' on east side of house.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
Building was located according to SF-1 regulations later revealed to be subject to 1993 plat.
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Bringing Property into Compliance with City Code

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

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

APPLICANT SIGNATURE(S)

DATE: 8/10/21

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Applicant’s side setbacks are 15’ as keeping with the area regulations set in place prior to the annexation of former Bethel Heights.
FILE NO. B21-67
APPLICANT: Dennis & Leslie Holland
REQUEST: Variance for deviation of side setback from 15' to 10'
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8-13-21
Date Accepted as Complete: 8-13-21
Project Number: B21-68

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

Applicant (person making request)
Name: Efrem Amaya
E-mail: amayar25@gmail.com
Address: 757 Golden Meadow Ave, Springdale, AR 72764
Phone: 479-957-2763
Site/Location: East Side of house facing Almond St
Assessor's Parcel Number(s):

Property Owner (if other than Applicant):
Name: 
E-mail: 
Address: 
Phone: 
Current Zoning District: SF-2
Rezone required: No
Total Acreage: N/A

Variance requested: (attach visual representation of request)
Reduction from 30' to 20' of front set back on the east side. (Almond St)

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Variance for deviation of front setback (Almond Street only)

For from 30' to 20'

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

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

APPLICANT SIGNATURE(S)

[Signature]

DATE: 8-3-21
757 Golden Meadow Avenue
SF-2 Zoning
Reduction of front setback from 20' to 10' on east side
Not Applicant's Home - Picture of what the applicant wants
Not Applicant's Home - Picture of what the applicant wants
FILE NO. B21-68
APPLICANT: Efrain & Maria Anaya
REQUEST: Variance for deviation of front setback from 30' to 20'
Application for Variance – Board of Adjustment

STAFF USE ONLY

Date Application Submitted: 8-17-21
Date Accepted as Complete: 8-18-21 Project Number: B21-69

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

Applicant (person making request)
Name: Alejandro Torres
E-mail: aITeetingllc@ymail.com
Address: 715 Grutcher St Springdale AR 72764
Phone: 479-318-6492

Property Owner (if other than Applicant):
Name:
E-mail:
Address:
Phone:

Site/ Location:
Assessor's Parcel Number(s): 815-22378-000

Variance requested: (attach visual representation of request)
I am requesting a deviation of variance
# From 40 feet to 31 Feet

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

Planning and Community Development Division
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Adding on to home - 1 bedroom, 1 bathroom, 1 laundry room on the east side of house.

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

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

APPLICANT SIGNATURE(S)  

DATE: 8-6-21

County of Washington  
State of Arkansas  
Acknowledged by me this 21 Day  
of August 2021  
Notary Public K. Zepeda  
My Commission Expires 10-06-2029

KATIE B. ZEPEDA  
Notary Public - Arkansas  
Benton County  
Commission # 12708764  
My Commission Expires Oct 6, 2029

Planning and Community Development Division  
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
Applicant is adding on to rear of house but submitted pictures of front. Rear pictures have been requested.
B21-69
Applicant is adding on to rear of house but submitted pictures of front. Rear pictures have been requested.
FILE NO. B21-69
APPLICANT: Alejandro Torres
REQUEST: Variance for deviation of front setback from 40' to 30'
PLANNING COMMISSION MEETING
September 7, 2021
Application for Variance – Board of Adjustment

STAFF USE ONLY

Date Application Submitted: 8-16-21
Date Accepted as Complete: 8-16-21 Project Number: B21-70

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

Applicant (person making request)
Name: Marco and Angela Valdez
E-mail:
Address: 3027 Shiraz Lane
Springdale, AR 72764
Phone: 479-365-0851 (Jasmine)
Site/ Location: 3027 Shiraz Ln.
Assessor’s Parcel Number(s): 815-3684-000

Property Owner (if other than Applicant):
Name:
E-mail:
Address:
Phone:
Current Zoning District: SF-2
Rezone required: NO
Total Acreage: N/A

Variance requested: (attach visual representation of request)
Reduction of rear setback from 20' to 10'

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
Not enough space to build the pool

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant) will have enough space to build pool.

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

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

APPLICANT SIGNATURE(S)

[Signature]

DATE: 01-12-21

Planning and Community Development Division
(479) 750.8550 phone  |  (479) 750.8539 fax  |  201 Spring Street  |  Springdale, Arkansas 72764
Applicant has 10' utility easement in rear
### POOL PERMIT

**Job Site Address:** 3027 Shivaz Ln Springdale

**Owner:** Marco Valdez  
**Cell:** 323-391-8124

**Full Address:** 3027 Shivaz Ln Springdale AR 72764

- In-ground
- Above-ground Pool

**Complete Work Description:**

**Total Cost:**

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### POOL CONTRACTOR INFORMATION

**Company Name:** By Owner  
**Cell:**

**Full Address:**

**Pool Contractor Supervisor Signature:**

**Email Address:**

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### ELECTRIC CONTRACTOR INFORMATION

**Company Name:**  
**Cell:**

**Full Address:**

**Email Address:**

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### PLUMBING CONTRACTOR INFORMATION

**Company Name:**  
**Cell:**

**Full Address:**
REQUEST: Variance for deviation of rear setback from 20' to 10'
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8-18-21
Date Accepted as Complete: 8-18-21
Project Number: B21-71

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

Applicant (person making request)
Name: Jason Ingalls/Expedient Civil Engineering, PLLC
E-mail: jason@ece-pllc.com
Address: P.O. Box 5484
Bella Vista, AR 72714
Phone: 479-367-2924
Site/Location: 4211 Dixie Industrial Dr
Springdale, AR 72764
Assessor's Parcel Number(s): 815-37961-000

Property Owner (if other than Applicant):
Name: Karina Garcia Chavez (Gus Roofing)
E-mail: 
Address: 3301 Gracie Circle
Lowell, AR 72745
Phone: 479-409-1165
Current Zoning District: C-2
Rezone required: No
Total Acreage: 0.82

Variance requested: (attach visual representation of request)
We are requesting a variance for the driveway separation. There is 150' minimum required between drives per code. Our site depicts the drives at 116' apart from center to center. We are requesting a variance to reduce the drive separation to the 116'. Both drives are needed to separate out customer traffic from the business and lease space traffic.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
Both drives are needed to separate out customer traffic from the business and lease space traffic. The west drive is located as far west as possible due to existing electrical vaults and structures. The east drive is located as far east as possible. Additionally, the east drive is required to obtain an access easement from the adjacent lot owner for the radius for the drive extends in front of the adjacent lot.

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Both drives are needed to separate out customer. Traffic from the business and lease space traffic. The west drive is located as far west as possible due to existing electrical vaults and structures. The east drive is located as far east as possible. Additionally, the east drive is required to obtain an access easement from the adjacent lot owner for the radius for the drive extends in front of the adjacent lot.

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

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

APPLICANT SIGNATURE(S)  

DATE: 8/18/2021
FILE NO. B21-71
APPLICANT: Gus Roofing
REQUEST: Variance for deviation of driveway separation
from 150' to 116'

PLANNING COMMISSION MEETING
September 7, 2021
APPLICATION FOR VARIANCE
ZONING BOARD OF ADJUSTMENT
SPRINGDALE PLANNING COMMISSION
CITY OF SPRINGDALE, ARKANSAS

Applicant’s Name: Springdale School District #50

Applicant’s Mailing Address:
804 West Johnson Avenue
Springdale, AR 72764
(479) 750-8842

City, State & Zip Code

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

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

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

Address of Variance Request: 1498 East Emma Avenue

Zoning District: C-2 – General Commercial District

The following information should be attached to this application:

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

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

SETBACK VARIANCES:  □ Not Applicable

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

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

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

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

VARIANCES OTHER THAN SETBACK:  □ Not Applicable

Use the space below to describe the variance request. If possible please reference the applicable section of the Springdale Code of Ordinance. Attach a separate sheet if needed. Any attachments must be labeled as "Exhibit A, B, C" etc.

Applicant requests a 75’ variance of the 150’ required distance between drives on a single tract to allow two drives 75’ apart to allow improvements to an existing non-conforming parking lot without losing one driveway access.

Proposed project would bring the lot more into conformance with city code by paving the area between the building and the street and by increasing the distance between the drives from 47 feet apart to approx. 75 feet apart.

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

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

The special condition is the presence of an existing non-conforming parking lot with two access drives off of Emma Avenue and the amount of frontage available on the property. Applicant would like to pave the parking lot between the street and the building and increase the distance between drives but does not want to lose one of the access drives in the process. There is insufficient frontage for two drives without the requested variance.

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

The right to develop the property.

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

The existing parking lot and access points have been used in their current condition/configuration for many years and applicant is not responsible for amount of frontage available on this parcel.
4. That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

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

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

VERIFICATION

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

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

Applicant Signature*

Property Owner Signature*
(If different from Applicant)

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

State of Arkansas  )
County of (Washington)  ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 20th day of August, 2021.

MELISSA CAMPBELL
NOTARY PUBLIC-ARKANSAS
WASHINGTON COUNTY
MY COMMISSION EXPIRES: 06-13-28

Notary Public
FILE NO. B21-73  
APPLICANT: ESI  
REQUEST: Variance for deviation of minimum distance  
between drives on a single tract from 150' to 75'
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8-17-21
Date Accepted as Complete: 8-17-21
Project Number: B21-74

APPLICATION CONTACTS:
Indicate one person of contact for this request:

Applicant (person making request)
Name: Anthony Vazquez
E-mail: anthonyvazquez@outlook.com
Address: 2617 Fruit Tree Ave, Springdale, AR 72764
Phone: 562)347-7939
Site/Location: SF-3
Assessor's Parcel Number(s): 815-34442-000

Property Owner
Name: Marco Vazquez
E-mail:
Address: 2617 Fruit Tree Ave.
Phone: 562)387-5981
Current Zoning District: SF-3
Rezone required: No
Total Acreage: N/A

Variance requested: (attach visual representation of request)
Expand the width of the driveway by a few feet

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)
Expansion will allow more than 4 vehicles to fit

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

Approval of variance will allow all vehicles to fit in the driveway and allow the street to be clear of our vehicles.

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

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

APPLICANT SIGNATURE(S)

DATE: 8/18/21
City of Springdale
Driveway Expansion and Curb Cut Permit Application

In accordance with Chapter 114-56(b) of the City of Springdale Code of Ordinances, an expanded parking permit may be obtained from the Engineering Department. The applicant must provide the following information.
If you have questions or need assistance filling out this form, please call the Engineering Department at 479-756-7716 to schedule an appointment with staff.

Property Owner Name: MARCO A. VAZQUEZ

Physical Address: 2617 FRUIT TREE AVE. SPRINGDALE AR 72764

Phone Number: (502) 387-5981

Email Address: marco.vazquez71@hotmail.com

This expansion request includes: ☐ Driveway Expansion ☐ Curb Cut

Please provide a sketch or plan and include written comments if necessary to show the proposed location of the driveway expansion and approach, drainage structures, traffic control devices, proposed grades and any other specifications.

An expanded driveway may consist of one 9' x 19' parking space plus approach and must conform to Chapter 114-56(b) including the following general requirements. These requirements will be checked by an inspector prior to approval.

- At least 3 feet from the property line
- Opposite the front door
- Total paving does not exceed 40% of the front yard
- Expansion must be of the same material as the existing driveway
- Curb cut required if expansion cannot be accessed without driving over the curb

Fees:
- Driveway Permit: $50
- Curb Cut Permit: $50
- Curb Cut Deposit: $500

I acknowledge that I have received, read, and understand the specification of a Residential Driveway. I also understand that if the driveway is not built to the specifications that I received, the City Inspector can require the driveway be removed. The City reserves the right to deny applications of expansion per Ordinance 114-56.

Signature of Applicant: ___________________________ Date: 7-30-2021

Approval (Office Use Only):

APPROVED
APPROVED W/ MODIFICATIONS
DENIED

Comments/Modifications: ____________________________________________
______________________________________________________________
______________________________________________________________
ENGINEERING COMMENTS

B21-74 Anthony and Marco Vasquez – 2617 Fruit Tree Ave

See application submitted to Engineering and the relevant ordinance that triggered the resident seek a variance.

Sec. 114-56. - Parking restrictions in residential zoned districts.

(b) Parking any motor vehicle on unpaved area prohibited. Subject to section 114-58, no parking, displaying, or storing of any motor vehicle shall be permitted on any grass surface, gravel surface, or other unpaved area in any residential zone, or in any platted subdivision zoned agricultural on lots less than one acre in size, except that:

(1) One parking space may be located on the grass in a required front set back adjacent to and parallel to the current driveway located on the property. The size of such parking space shall not exceed 9’ × 19’. Access to such parking space shall be by way of the property’s driveway, not by driving over the curb, and shall be located on the opposite side of the driveway from the primary entrance to the residential structure. If the parking space is not maintained with adequate grasses to keep the area from becoming rutted, muddy and/or soil from being blown or washed away, such parking area shall be paved by the property owner by obtaining an expanded parking permit.

(2) An expanded parking permit may be obtained to expand an existing driveway. The expansion must be in a required front set back adjacent to and parallel to the current driveway located on the property, where geographic conditions are favorable. The expansion shall be located on the opposite side of the driveway from the primary entrance to the residential structure, and shall be constructed in accordance with the City of Springdale "Residential Driveway Detail." Provided, however, that the maximum allowed paved surface area shall not exceed 40 percent of the total area of the front yard. The expanded parking permit shall be obtained from the Springdale Engineering Department by the owner of the property on which the expanded parking is sought, and shall include inspections of the driveway expansion area by the Springdale Engineering Department before and after installation of the expanded parking area. The expanded parking permit shall cost $50.00 upon application of the permit in conjunction with a curb cut permit which is also obtained at the Springdale Engineering Department. No curb cut will be required if the expanded parking area can be accessed by way of an existing driveway without driving over the curb. All expanded parking areas shall be concrete, unless the existing driveway is asphalt, in which case the expanded parking area shall consist of asphalt.
APPLICANT: Anthony & Marco Vazquez
REQUEST: Variance for deviation of driveway requirements - expanding towards front door
Application for Variance – Board of Adjustment

STAFF USE ONLY
Date Application Submitted: 8/18/2021
Date Accepted as Complete: __________________________ Project Number: __________________________

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

 Applicant (person making request) 
Name: Michael and Belinda Voudrie 
E-mail: michaelvoudrie@gmail.com 
Address: 1801 Colby Circle 
Phone: 479-301-6979 
Site/Location: 1801 Colby Circle 
Assessor's Parcel Number(s): 815-31764-000

Property Owner (if other than Applicant): 
Name: __________________________ 
E-mail: __________________________ 
Address: __________________________ 
Phone: __________________________ 
Current Zoning District: SF-2 
Rezone required: No 
Total Acreage: N/A

Variance requested: (attach visual representation of request) We would like to create a decorative front courtyard surrounded in the front by a fence and gate, according to code. We request the fence and gate be allowed to be between 4'-5'.

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

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.

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APPLICANT SIGNATURE(S)

DATE: Aug 19, 2021
Application for Variance – Commercial Design Standards

STAFF USE ONLY
Date Application Submitted:______________________________
Date Accepted as Complete:______________________________ Project Number: B21-76

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

Applicant (person making request)
Name: Lori Filbeck
E-mail: lori.filbeck@hfa-ae.com
Address: 1705 S. Walton Blvd. Ste. 3
Phone: 479-273-7780 ext. 279
Site/ Location: Hwy 412 and Crossover Rd.
Assessor’s Parcel Number(s): 815-28632-000

Property Owner (if other than Applicant):
Name: Andy Chen
E-mail: andychen2288@gmail.com
Address: 3847 Chatsworth Road, Fayetteville, AR 72703
Phone: 479-409-8995
Current Zoning District: C-2
Rezone required: No
Total Acreage: 3.12

The Planning Commission may approve variances to depart from the literal requirements of the Commercial Design Standards where strict enforcement of said requirements would cause undue hardship due to circumstances unique to the individual property under consideration, and the granting of such variance is demonstrated to be within the spirit and intent of the provisions of the design standards.

Check item(s) for which variance is requested:

☐ ENTRANCES – one customer entrance on all sides of principal building directly facing abutting public right-of-way

☐ PARKING LOT ORIENTATION – no more than 60% of off-street parking area located between the front façade within the front yard of the principal building
STRUCTURE BACK AND SIDES
- Minimum setback according to zoning district requirements
- Earthen berm installed with trees and landscaping for façade facing adjacent residential uses or area on Comprehensive Land Use Plan

PEDESTRIAN FLOW
- Sidewalk along all sides of lot abutting public right-of-way required per Master Street Plan
- 5’ continuous internal pedestrian walkways from public sidewalk to principal customer entrance of all principal building on site
- 5’ sidewalk along the full length of building on façade featuring customer entrance an façade abutting public parking areas 6’ from façade of building
- Weather protection features within 30’ of all customer entrances, constructed parallel to building façade
- Internal walkway distinguished from driving surface through use of durable, low maintenance surface materials to enhance safety and comfort

CENTRAL FEATURES AND COMMUNITY SPACES
- Provision of at least 2 central features
- Direct access to public sidewalk network

MULTIPLE BUILDINGS IN COMMERCIAL CENTERS
- Use of similar building materials
- Use of similar architectural styles or theme

OUTDOOR STORAGE, TRASH COLLECTION AND LOADING AREAS
- Not visible from public right-of-way, located within 20’ of any public street, sidewalk or internal pedestrian way
- Incorporated into the overall design of the building
- Screening material similar to principal materials of the building and landscape
- Landscaped so that visual and acoustic impacts fully contained and out of view of adjacent property and public streets
- Landscaped so not attention is attached to the function by the use of screening material an no attention is attached to the function by the use

FACADES AND EXTERIOR WALLS – face over 100’ in linear length incorporate wall projections or recesses
- Minimum 3’ depth
- Minimum of 20 contiguous feet within each 100’ of façade length
- Extends 20% of the façade

DETAIL FEATURES
- Facades include a repeating pattern with no less than 3 elements (color change, texture change, material change)
- At least one element repeating horizontally
- Elements repeat at intervals of more than 30’ horizontally or vertically
- Change in plane no less than 12” in width (offset, reveal or projecting rib)

ROOFS – change in height every 100 liner feet in building length

MATERIALS AND COLORS
- Predominate exterior materials high quality materials
- Façade color – low reflectance, subtle, neutral or earth tone

ENTRYWAYS – 3 defined, highly visible customer entrances
☐ LANDSCAPING
  ☐ Entryway landscaping
  ☐ Parking lot landscaping
  ☐ Perimeter parking area landscaping
  ☐ Building foundation landscaping

☐ SCREENING
  ☐ Trash containers, trash compactor, and recycling bins screened from public view 4 sides
  ☐ Exterior ground-mounted or building-mounted equipment
  ☐ Rooftop equipment
  ☐ Solid fence or wall not less than 6’ in height along all rear and side property lines common to property zoned for residential purposes
  ☐ Required screening fence or wall maximum height 8’, high quality materials
  ☐ Required screening fence or wall maximum continuous length of 50’
  ☐ Earthen berm installed with trees and landscaping for façades facing areas indicated for residential use by the Comprehensive Land Use Plan

☐ LIGHTING
  ☐ Pedestrian walkway lighting – 4’ maximum height for bollard-type lighting, pedestrian areas illuminated a minimum of 1 footcandle
  ☐ Parking lot lighting – 35’ maximum mounting fixture height with all parking areas maintaining 3 footcandles
  ☐ Parking lot lighting – maximum maintained vertical footcandle at any adjoining residential property line 0.5 footcandle measured at 5’ above grade
  ☐ Uniformity ratios throughout parking lot – not more than a 6:1 ratio of average to minimum illumination and not more than 20:1 maximum to minimum
  ☐ Canopy lighting – 35 footcandles maximum average maintained footcandles under canopy
  ☐ Canopy lighting fixtures lens cover recessed or flush with bottom surface (ceiling) of canopy
  ☐ Canopy indirect light beamed upward and then reflected down shielded focused exclusively on the underside of canopy

FOR EACH ITEM CHECKED

Variance requested: (attach visual representation of request)
  See included building elevations

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

The function of the building type (soccer complex) requires long span construction only achieved through Pre-engineered metal building construction. Complying 100% with all ordinances would require considerable amount additional exterior structure of metal stud wall outside of the inherent building structure to achieve depth of recesses, material attachment etc.
Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

The ability to use a more traditional PEMB compatible material would not require a otherwise unnecessary secondary structure.

Harmony with intended purpose of the standards: (how the proposed develop will remain in harmony with the intended purpose of the commercial design standards with the approval of the variance)

our design follows the spirit of the ordinance by providing:
* the change in plane, albeit, not the required depth
* color texture and material change, but does so with types of metal panel, in addition to the masonry and glass
* pleasant appearance with metal panels, even if they are not the pre-approved brick, stone, stucco, glass or wood materials.

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

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

APPLICANT SIGNATURE(S)  

__________________________________________  
__________________________________________  
__________________________________________

DATE: 7/14/2021
August 19, 2021

City of Springdale
Engineering Department
128 Spring Street
Springdale, AR 72764

RE: Wagon Wheel Storage
Waiver Request
CTA Project #21107200, Springdale Project #L21-30

I am writing this letter to request the following waivers:

1. To allow a waiver from improving Wildwood Lane to a High Volume Local Street

   The City of Springdale Master Street Plan calls for a local street to have 45 feet of right of way. This would consist of a 23 ft. B/B street width, 6 feet of greenspace on each side, and a 5 ft. sidewalk on each side of the street.

   We are requesting a waiver from providing improvements to Wildwood Lane. The proposed drive on Wildwood Lane will serve as an emergency exit only, so this development will not significantly increase trips generated on the roadway or have negative impacts on the roadway conditions. We are dedicating the appropriate amount of right-of-way per the City of Springdale Master Street Plan and are requesting a waiver from providing street improvements to Wildwood Ln.

2. To allow a waiver from providing a 28’ curb radius on Wildwood Lane

   The drive that is accessed off of Wildwood Lane is being proposed as an emergency exit and will not be used for daily site traffic. We are providing a 20’ and 25’ radius on Wildwood Lane. A larger radius will not fit with the current site layout. We do not feel this opposes any safety concerns and will still provide safe access from the proposed development to Wildwood Lane. We are requesting a waiver request from the required curb radius.

Thank you for your consideration in approving these waiver requests. Should you have any questions, please contact us at your earliest convenience.

Sincerely,
Crafton Tull & Associates, Inc.

[Signature]

Elizabeth Topping, E.I.