- **The next City Council Committee Meeting date will be held on Monday, September 30th, 2024.**
- **Agenda Packet will be available on the Friday before the meeting.**

SPRINGDALE CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
201 SPRING STREET (2ND FLOOR)
Wednesday, September 25th, 2024

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Brian Powell

1. Call to Order – Mayor Doug Sprouse

2. Roll Call – Anna McKinney, Executive Assistant to the Mayor/Project Manager, in place of Denise Pearce, City Clerk/Treasurer.

3. Recognition of a Quorum

4. Comments from Citizens

   The Council will hear brief comments from citizens present at the meeting during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.

5. Approval of Minutes – **Tuesday, September 10th, 2024.** Pgs. 87-99

6. Procedural Motions

   A. Entertain Motion to read all Ordinances and Resolutions by title only.

   B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s)* ***9A-9D, 12A, and 13A-13B*** *(Motion must be approved by two-thirds (2/3) of the council members).*

7. ***EMPLOYEE RECOGNITION (Carolyn Reno) – Shiloh Museum of Ozark History.*** Presented by Mayor Doug Sprouse and Angie Albright, Director of Shiloh Museum.

8. ***EMPLOYEE RECOGNITION (Debbie Pounders) – Springdale Planning Department.*** Presented by Mayor Doug Sprouse and Patsy Christie, Director of Planning.

9. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development

A. ***An Ordinance*** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R24-36) certain lands located at 3702 N. Oak Street from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) & Low/Medium Density Multi-Family Residential District (MF-4) within Springdale, Arkansas, and declaring an emergency. Pgs. 1-5

B. ***An Ordinance*** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R24-39) certain lands located at 1500 Wagon Wheel Road from General Commercial District (C-2) to Institutional District (P-1) within Springdale, Arkansas, and declaring an emergency. Pgs. 6-10

C. ***An Ordinance*** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R24-40) certain lands located at 312 E. County Line Road from Medium Density Multi-Family Residential District (MF-12) to Medium/High Density Multi-Family Residential District (MF-16) within Springdale, Arkansas, and declaring an emergency. Pgs. 11-15

D. ***An Ordinance*** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R24-45) certain lands located at 1232 Stultz Road from Agricultural District (A-1) to Institutional District (P-1) within Springdale, Arkansas, and declaring an emergency. Pgs. 16-20

E. ***A Resolution*** approving a Conditional Use (C24-12) for Edgar Zelaya of Antojitos Catrachos at 107 N. Old Missouri Road as set forth in Ordinance No. 4030. Pgs. 21-26

F. ***A Resolution*** approving a Conditional Use (C24-13) for Diana Ricketts of Magic Hour Knits at 3250 Laurel Spring Cove as set forth in Ordinance No. 4030. Pgs. 27-32

G. ***A Resolution*** approving a Conditional Use (C24-14) for Loni Harris of Essentials Pelvic Therapy & Wellness, PLLC at 109 Spring Street as set forth in Ordinance No. 4030. Pgs. 33-37

H. ***A Resolution*** approving a waiver (W24-17) of street improvements, drainage, curbs, gutters, sidewalks, and streetlights as set forth in Ordinance No. 3725 to JSCT Holdings, LLC in connection with, N24-11, a Non-Large-Scale Development. Pgs. 38-39

I. ***A Resolution*** approving a waiver (W24-20) of street improvements, drainage, curbs, gutters, sidewalks, and streetlights as set forth in Ordinance No. 3725 to Mercy & Grace Cathedral in connection with L24-07, a Large-Scale Development. Pgs. 40-42

10. ***An Appeal*** of the Planning Commission's denial of a variance request (B24-63) from the paving requirement on Worth Lane. Presented by Ernest Cate, City Attorney. *Tabled from the 9/10/2024 City Council Meeting.* Pgs. 43-60

11. Finance Committee by Chairwoman Amelia Taldo – Item (s) forwarded from Committee with recommendation for approval

A. ***A Resolution*** authorizing the creation of a new position (Deputy City Clerk). Presented by Colby Fulfer, Chief of Staff. Pg. 61

B. ***A Resolution*** authorizing the creation of a new position (Deputy City Attorney). Presented by Colby Fulfer, Chief of Staff. Pg. 62

12. Health, Sanitation, & Property Maintenance Committee by Chairman Jeff Watson – Item (s) forwarded from Committee with recommendation for approval

A. ***An Ordinance*** ordering the razing (demolition) and removal of a certain structure within the City of Springdale, Arkansas, located at 215 W. Maple Avenue, and to declare an emergency. Presented by Ernest Cate, City Attorney. Pgs. 63-65

13. Ordinance Committee by Chairman Mike Overton – Item (s) forwarded from Committee with recommendation for approval

A. ***An Ordinance*** amending Chapter 6, Article III, of the Code of Ordinances of the City of Springdale, Arkansas, to amend the Downtown Springdale Dining District; and declaring an emergency. Presented by Jill Dabbs, Downtown Springdale Alliance. Pgs. 66-68

B. ***An Ordinance*** amending Chapter 78 of the Code of Ordinances of the City of Springdale, Arkansas, and declaring an emergency. Presented by Jill Dabbs, Downtown Springdale Alliance. Pg. 69

14. Parks and Recreation Committee by Chairman Mike Lawson – Item (s) forwarded from Committee with recommendation for approval

A. ***A Resolution*** entering into a contract with Milestone Construction Company for park improvements at Shaw Family Park (2023 Bond Project No. 23BPP3). Presented by Colby Fulfer, Chief of Staff. Pgs. 70-81

15. Police and Fire Committee by Chairman Brian Powell – Item (s) forwarded from Committee with recommendation for approval

A. ***A Resolution*** accepting a grant from the Justice Assistance Grant (JAG) program, authorizing the Mayor to sign the grant agreement, and appropriating funds. Presented by Frank Gamble, Springdale Police Chief. Pgs. 82-83

16. ***A Resolution*** to levy Benton County Ad Valorem Taxes of the City of Springdale, Arkansas. Presented by Ernest Cate, City Attorney. Pg. 84

17. ***A Resolution*** to levy Washington County Ad Valorem Taxes of the City of Springdale, Arkansas. Presented by Ernest Cate, City Attorney. Pgs. 85-86

18. Comments from Department Heads.

19. Comments from Council Members.

20. Comments from City Attorney.

21. Comments from Mayor.

22. Adjournment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R24-36) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO LOW/MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-4) TO WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of September 3, 2024, for hearing the matter of Perez Construction, LLC a petition requesting that the following described tract of real estate be rezoned from Agricultural District (A -1) to Low/Medium Density Single Family Residential District (SF-2) & Low/Medium Density Multi-Family Residential District (MF-4):

Layman's Description: 3702 N. Oak Street

Legal Description:

THE S1/2 OF THE SW1/4 OF THE NE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SW1/4 OF THE NE1/4; THENCE ALONG THE WEST LINE OF SAID SW1/4 OF THE NE1/4 N02°18'11"E 660.74 FEET TO AN IRON PIN FOUND; THENCE S87°44'39"E 1327.46 FEET TO A PK NAIL FOUND ON THE EAST LINE OF SAID SW1/4 OF THE NE1/4; THENCE ALONG SAID EAST LINE S02°28'31"W 657.10 FEET TO A RAILROAD SPIKE FOUND AT THE SOUTHEAST CORNER OF SAID SW1/4 OF THE NE1/4; THENCE ALONG THE SOUTH LINE OF SAID SW1/4 OF THE NE1/4 N87°54'06"W 1325.49 FEET TO THE POINT OF BEGINNING, CONTAINING 20.07 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF N. OAK STREET (60' R/W) AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-36) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) & Low/Medium Density Multi-Family Residential District (MF-4) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above described tract of real estate as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) & Low/Medium Density Multi-Family Residential District (MF-4) zone.

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

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

PASSED AND APPROVED this _____ day of _____, 2024.

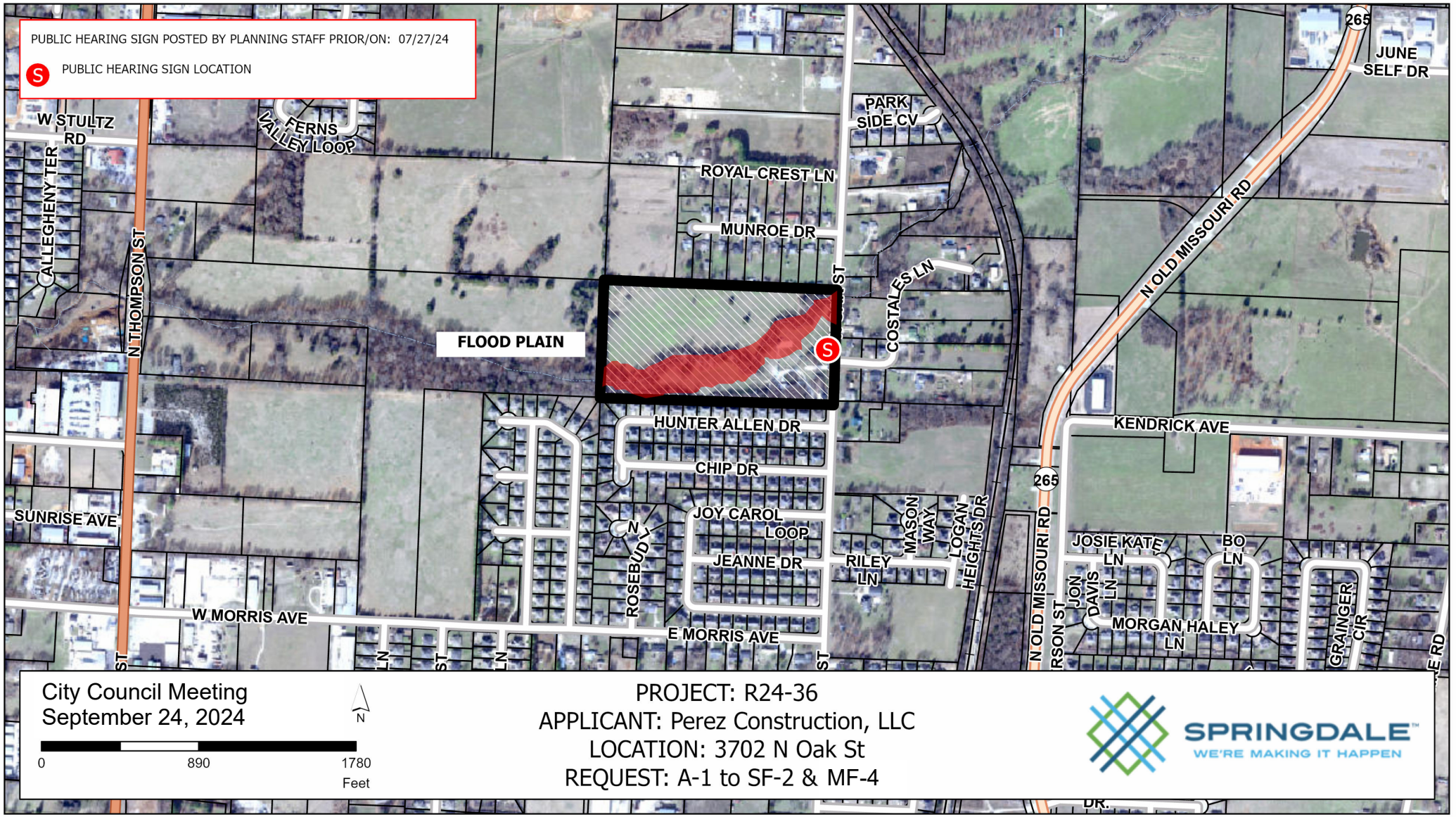
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney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MUNROE DR
PARK SIDE CV
COSTALES LN
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HUNTER ALLEN DR
CHIP DR
JOY CAROL LOOP
JEANNE DR
ROSEBUD
MASON WAY
LOGAN HEIGHTS DR
RILEY LN
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JUNE SELF DR
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MORGAN HALEY LN
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City Council Meeting
September 24, 2024
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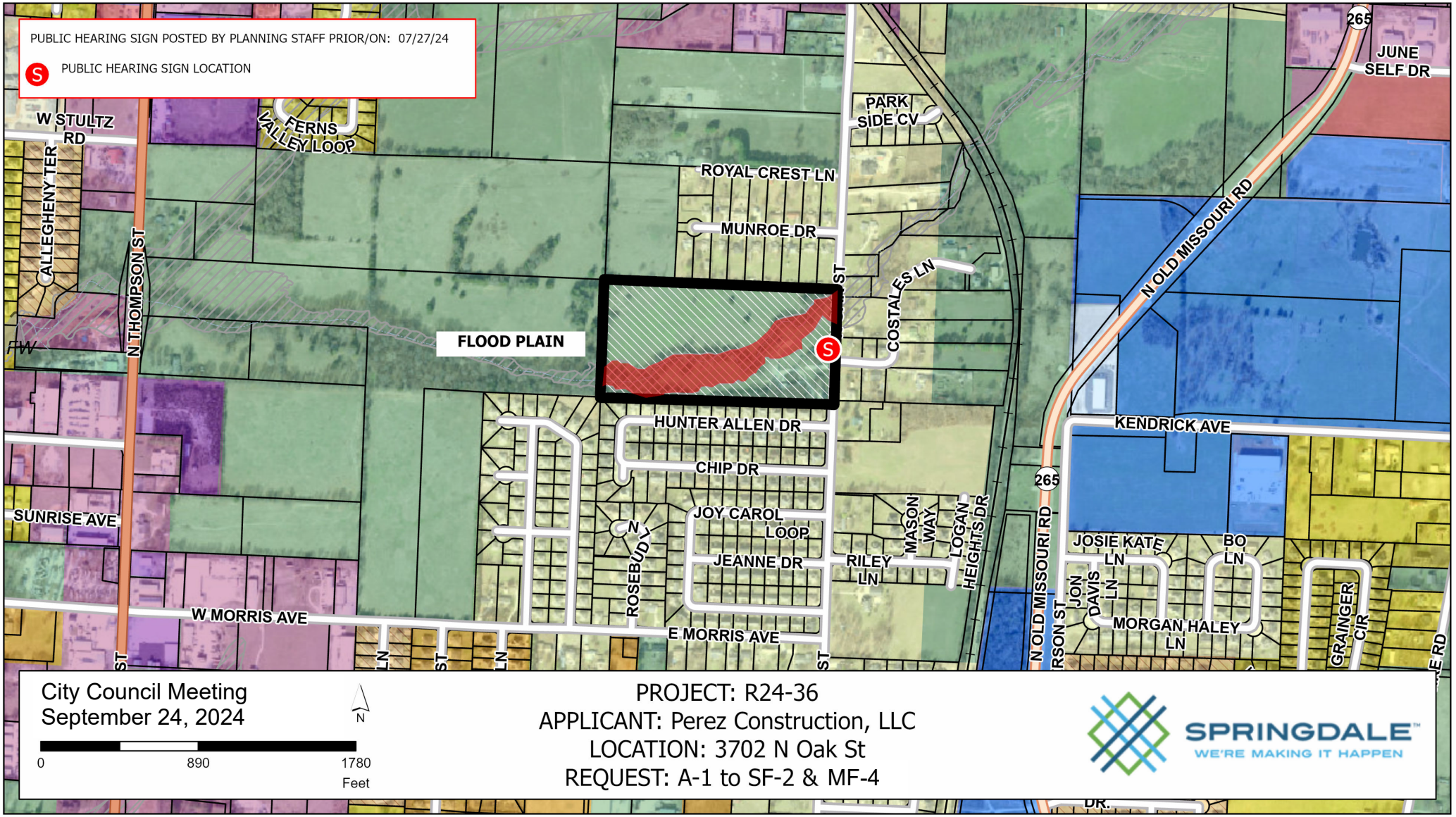
PROJECT: R24-36
APPLICANT: Perez Construction, LLC
LOCATION: 3702 N Oak St
REQUEST: A-1 to SF-2 & MF-4
SPRINGDALE
WE'RE MAKING IT HAPPEN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COSTALES LN
HUNTER ALLEN DR
CHIP DR
JOY CAROL LOOP
JEANNE DR
ROSEBUD
MASON WAY
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City Council Meeting
September 24, 2024
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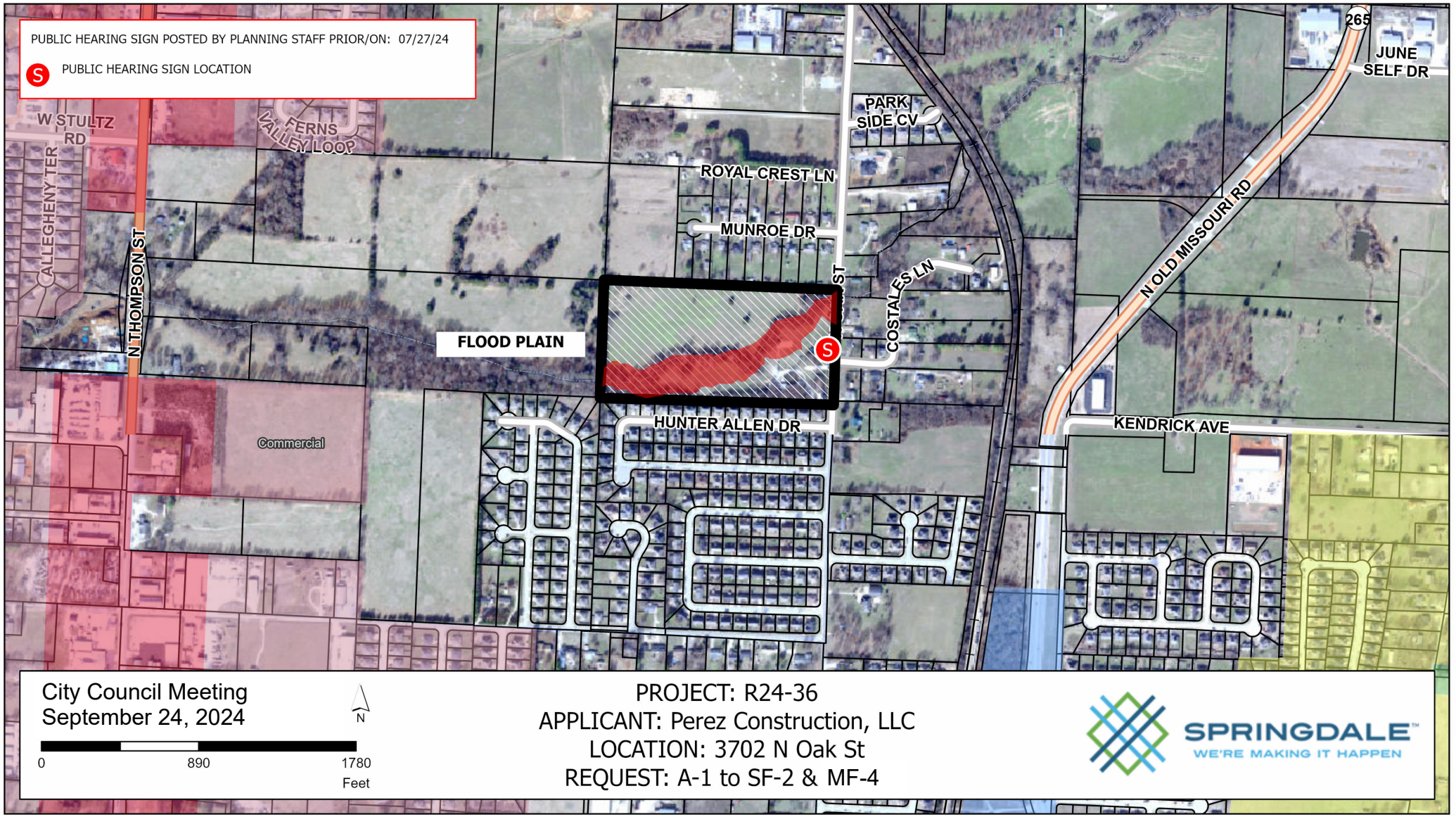
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COSTALES LN
FLOOD PLAIN
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JUNE SELF DR
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City Council Meeting
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SPRINGDALE
WE'RE MAKING IT HAPPEN

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R24-39) CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO INSTITUTIONAL DISTRICT (P-1) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of September 3, 2024, for hearing the matter of the City of Springdale a petition requesting that the following described tract of real estate be rezoned from General Commercial District (C-2) to Institutional District (P-1):

Layman's Description: 1500 Wagon Wheel Road

Legal Description:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, BENTON 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 14, SAID POINT BEING IN WAGON WHEEL ROAD; THENCE N03º04'02"E A DISTANCE OF 39.09 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WAGON WHEEL ROAD AND A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S86°43'44"E A DISTANCE OF 335.44 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" AND THE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, N03º24'04"E A DISTANCE OF 347.97 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S86°36'55"E A DISTANCE OF 335.18 FEET TO A FOUND 5/8 INCH REBAR WITH UNREADABLE CAP; THENCE S03°24'04"W A DISTANCE OF 335.31 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WAGON WHEEL ROAD AND A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N89°23'25"W A DISTANCE OF 221.27 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS

1559"; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,600.00 FEET, AN ARC LENGTH OF 74.31 FEET AND A CHORD BEARING AND DISTANCE OF N88°03'34"W – 74.31 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N86°43'44"W A DISTANCE OF 39.89 FEET TO THE POINT OF BEGINNING, CONTAINING 2.64 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, OR RESTRICTIVE COVENANTS OF RECORD AND FACT.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-39) from General Commercial District (C-2) to Institutional District (P-1) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above described tract of real estate as follows:

From General Commercial District (C-2) to Institutional District (P-1) zone.

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

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

PASSED AND APPROVED this _____ day of _____, 2024.

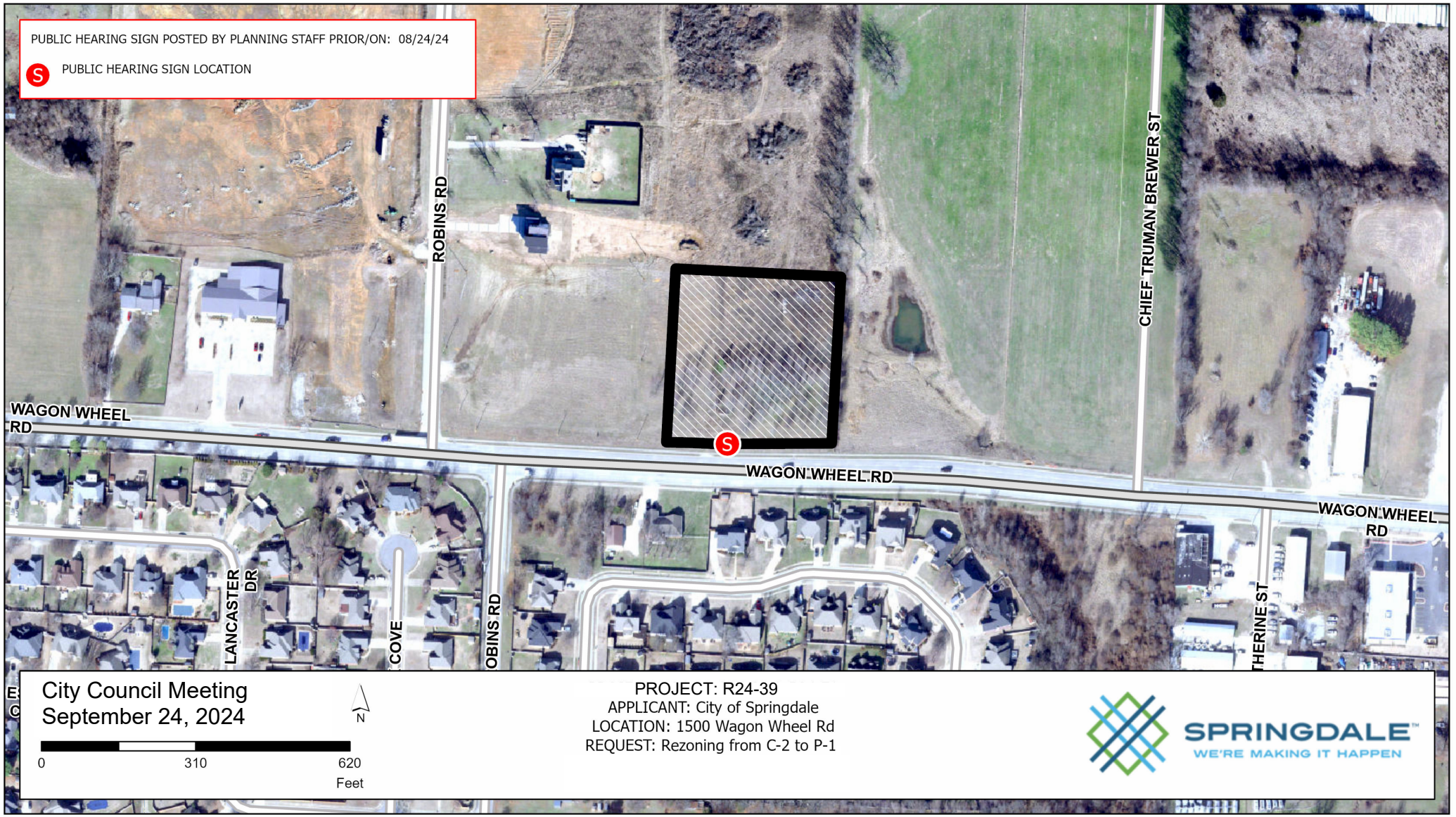
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney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City Council Meeting
September 24, 2024
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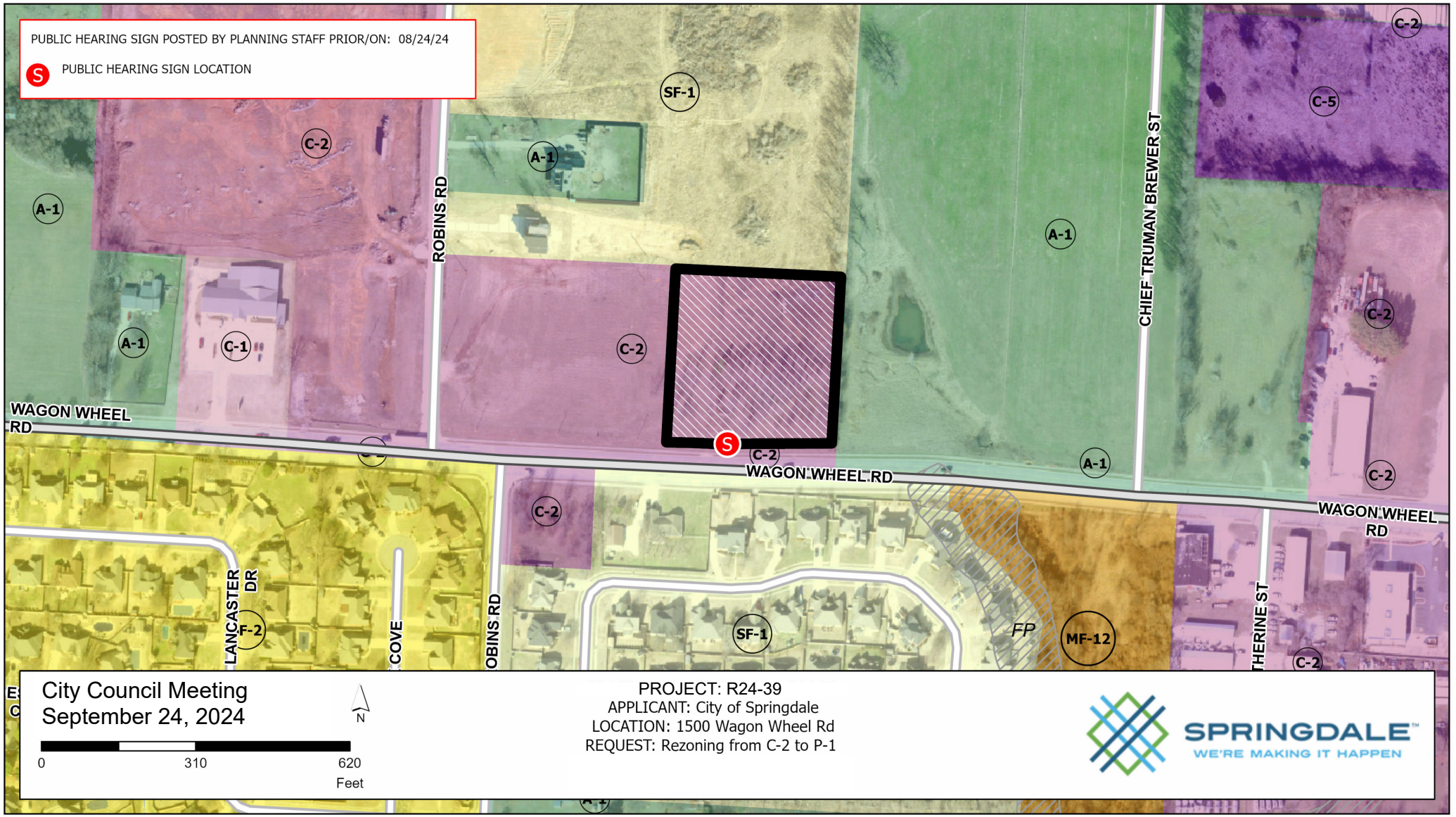
Feet
PROJECT: R24-39
APPLICANT: City of Springdale
LOCATION: 1500 Wagon Wheel Rd
REQUEST: Rezoning from C-2 to P-1
SPRINGDALE
WE'RE MAKING IT HAPPEN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SF-1
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WAGON WHEEL RD
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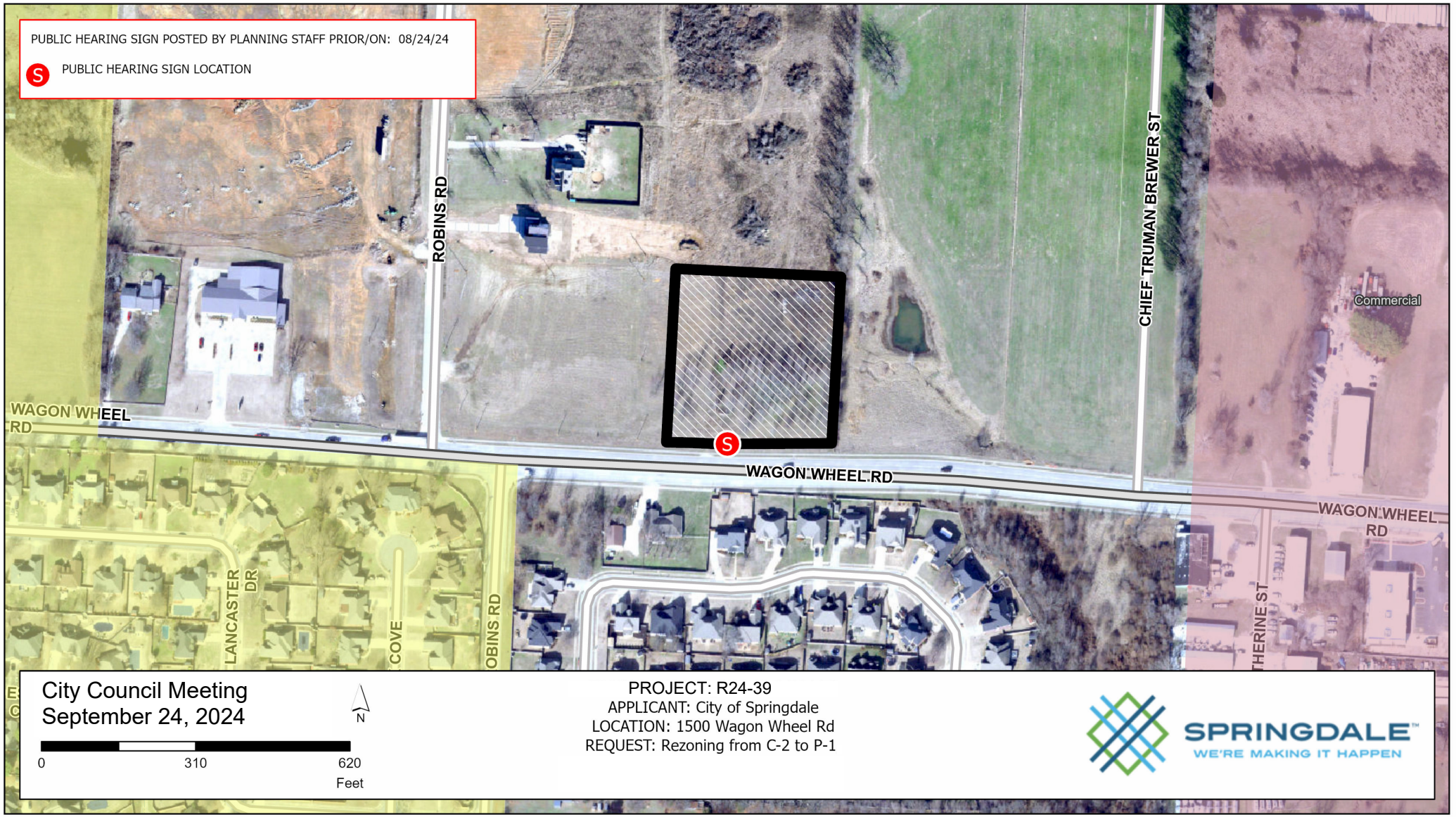
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City Council Meeting
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PROJECT: R24-39
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SPRINGDALE
WE'RE MAKING IT HAPPEN

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R24-40) CERTAIN LANDS FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) TO MEDIUM/HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-16) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of September 3, 2024, for hearing the matter of Ocean Front Property, LLC a petition requesting that the following described tract of real estate be rezoned from Medium Density Multi-Family Residential District (MF-12) to Medium/High Density Multi-Family Residential District (MF-16):

Layman's Description: 312 E. County Line Road

Legal Description:

PART OF THE SW1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST IN BENTON COUNTY ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SW1/4 OF THE SE 1/4; THENCE S89*38'40" W 504.00 FEET TO THE POINT OF BEGINNING; THENCE S89°38'40" W 261.50 FEET; THENCE NORTH 825.00 FEET; THENCE N89*39'40E 268.50 FEET; THENCE S00°29'10" W 825.00 FEET TO THE POINT OF BEGINNING CONTAINING 5.02 ACRES, MORE OR LESS

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-40) from Medium Density Multi-Family Residential District (MF-12) to Medium/High Density Multi-Family Residential District (MF-16) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above described tract of real estate as follows:

From Medium Density Multi-Family Residential District (MF-12) to Medium/High Density Multi-Family Residential District (MF-16) zone.

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

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

PASSED AND APPROVED this _____ day of _____, 2024.

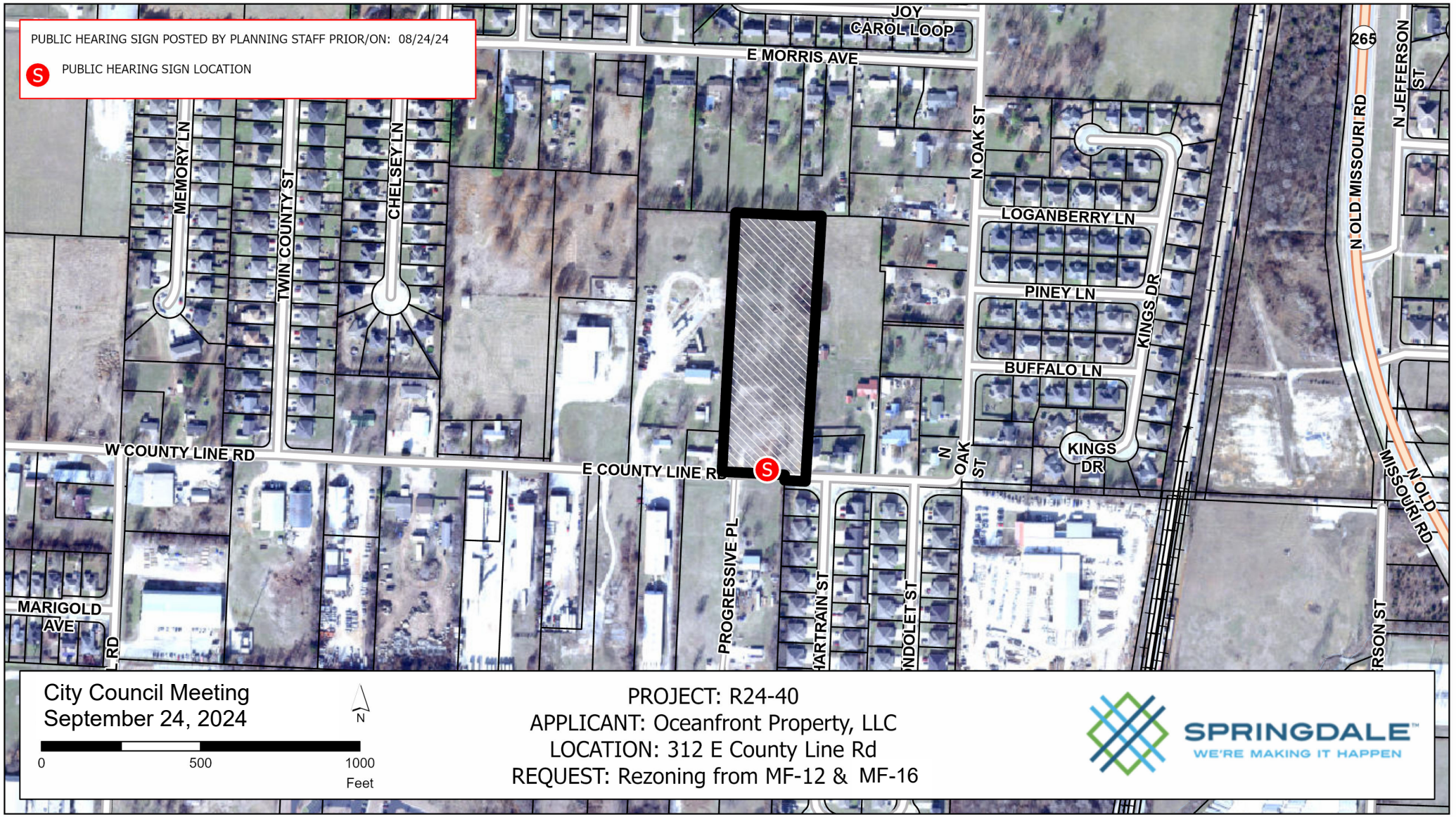
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney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CAROL LOOP
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N OAK ST
LOGANBERRY LN
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BUFFALO LN
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N OLD MISSOURI RD
RSON ST
City Council Meeting
September 24, 2024
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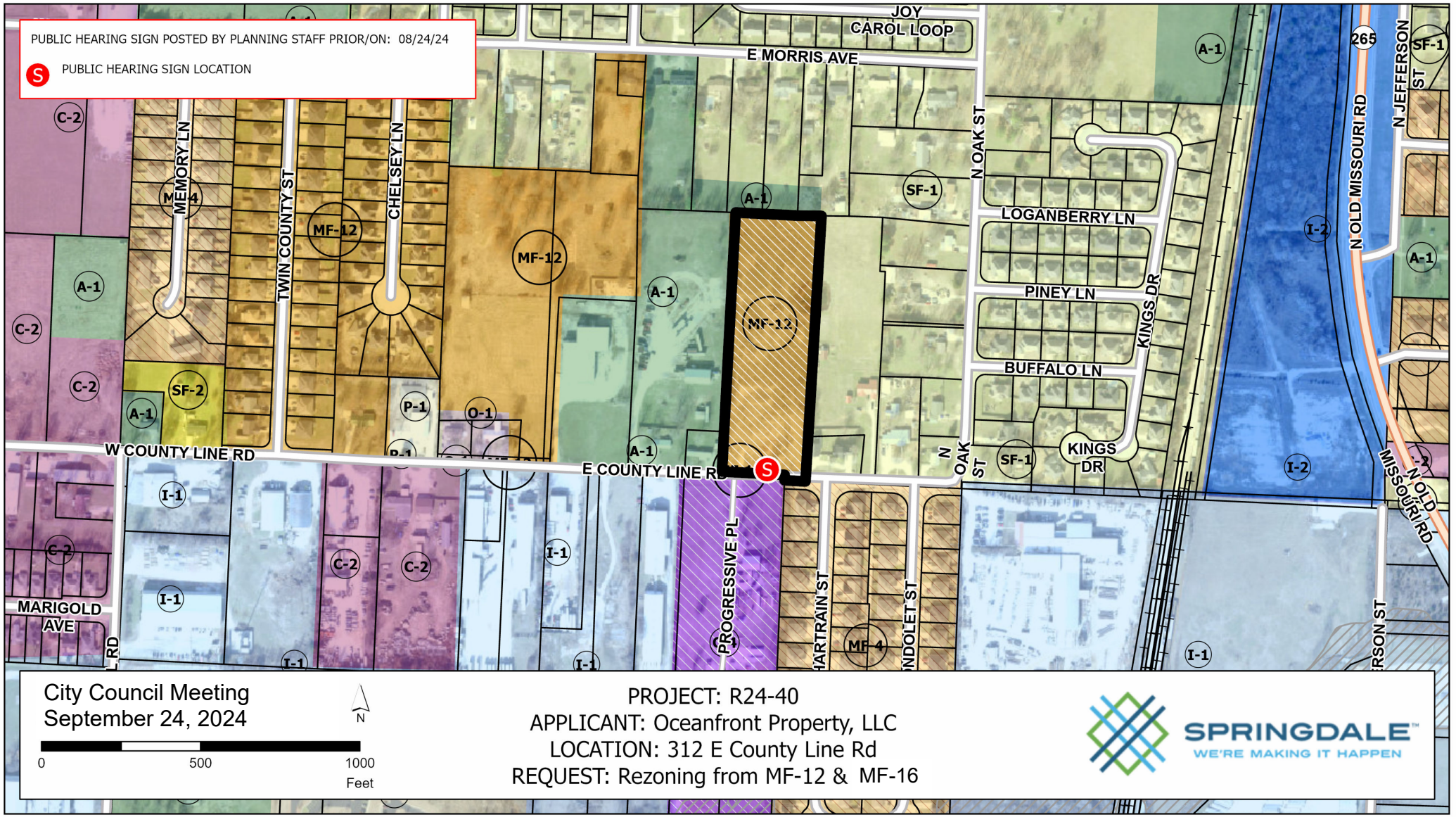
Feet
PROJECT: R24-40
APPLICANT: Oceanfront Property, LLC
LOCATION: 312 E County Line Rd
REQUEST: Rezoning from MF-12 & MF-16
SPRINGDALE
WE'RE MAKING IT HAPPEN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City Council Meeting
September 24, 2024
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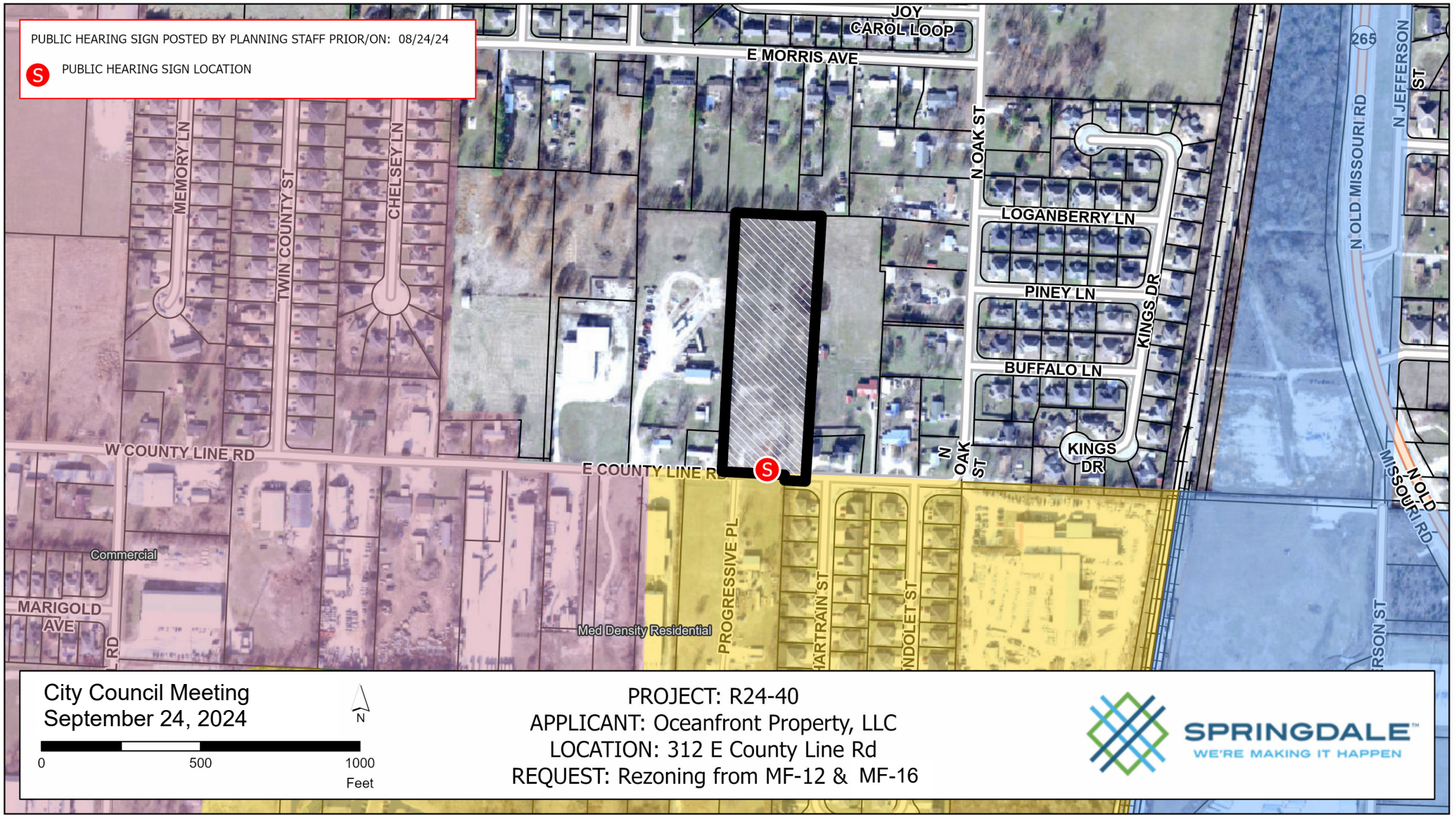
PROJECT: R24-40
APPLICANT: Oceanfront Property, LLC
LOCATION: 312 E County Line Rd
REQUEST: Rezoning from MF-12 & MF-16
SPRINGDALE
WE'RE MAKING IT HAPPEN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City Council Meeting
September 24, 2024
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SPRINGDALE
WE'RE MAKING IT HAPPEN

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R24-45) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO INSTITUTIONAL DISTRICT (P-1) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of September 3, 2024, for hearing the matter of Montage, LLC a petition requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to Institutional District (P-1):

Layman's Description: 1232 W. Stultz Road

Legal Description:

BEING A PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, THENCE S86°17'04"E 39.24'; THENCE N03°08'38"E 168.49'; THENCE N86°17'04"W 35.00'; THENCE N03°08'38"E 72.00'; THENCE S87°23'38"E - 230.46'; THENCE S02°36'22"W 244.99'; THENCE N86°17'04"W 197.76' TO THE POINT OF BEGINNING, CONTAINING 1.16 ACRES, MORE OR LESS.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-45) from Agricultural District (A-1) to Institutional District (P-1) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above described tract of real estate as follows:

From Agricultural District (A-1) to Institutional District (P-1) zone.

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

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

PASSED AND APPROVED this _____ day of _____, 2024.

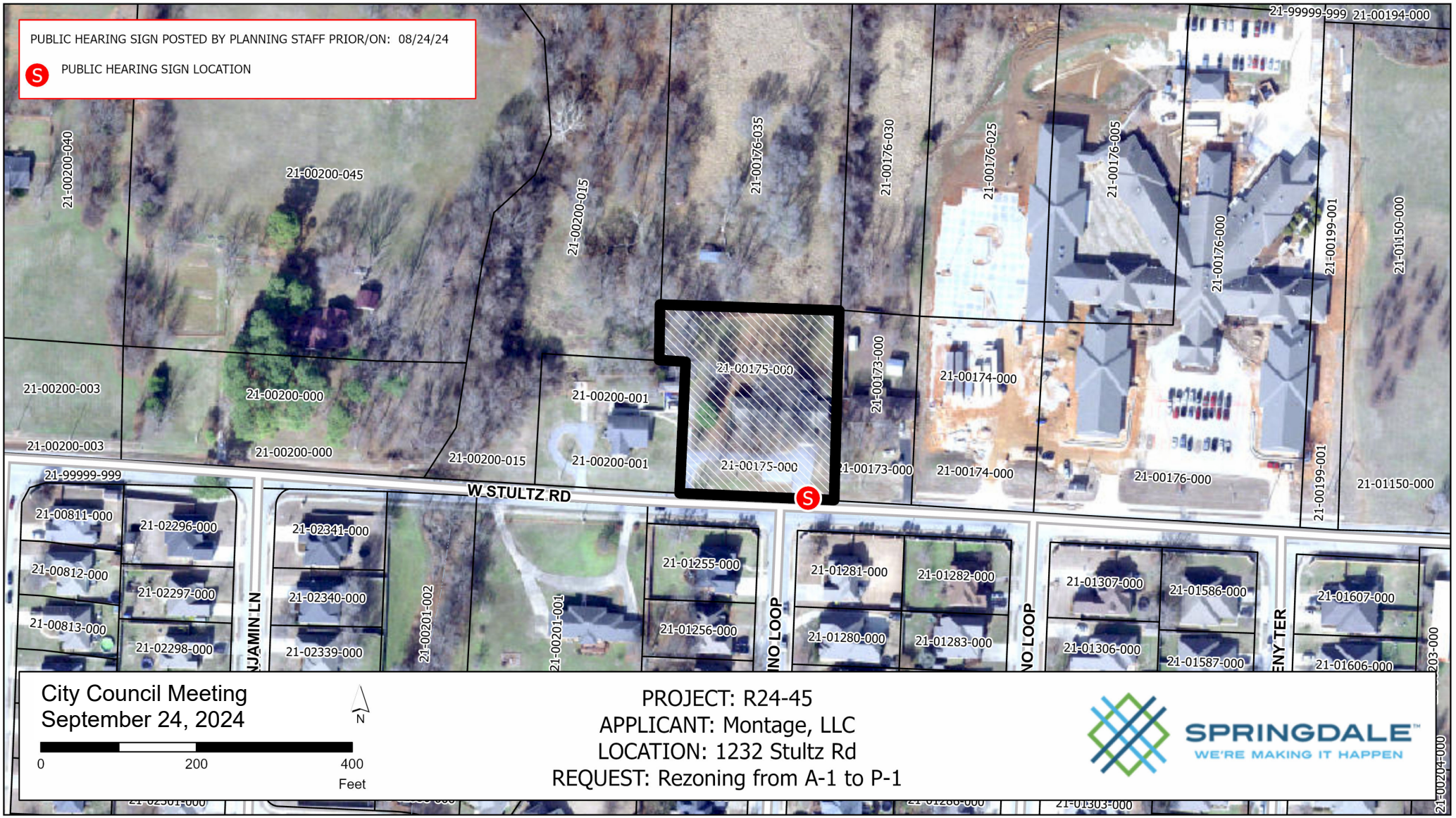
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney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City Council Meeting
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PROJECT: R24-45
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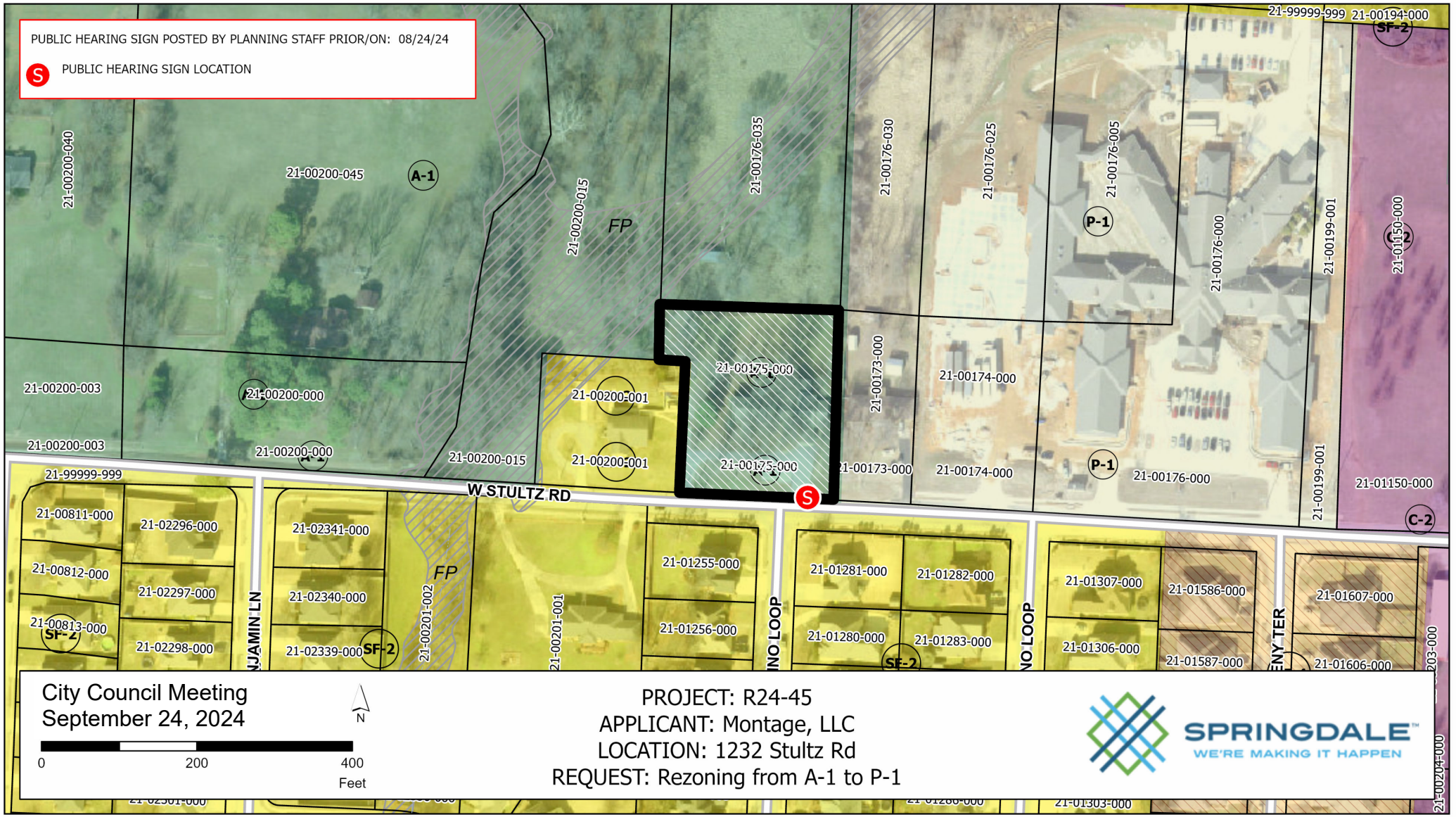
LOCATION: 1232 Stultz Rd
REQUEST: Rezoning from A-1 to P-1
SPRINGDALE
WE'RE MAKING IT HAPPEN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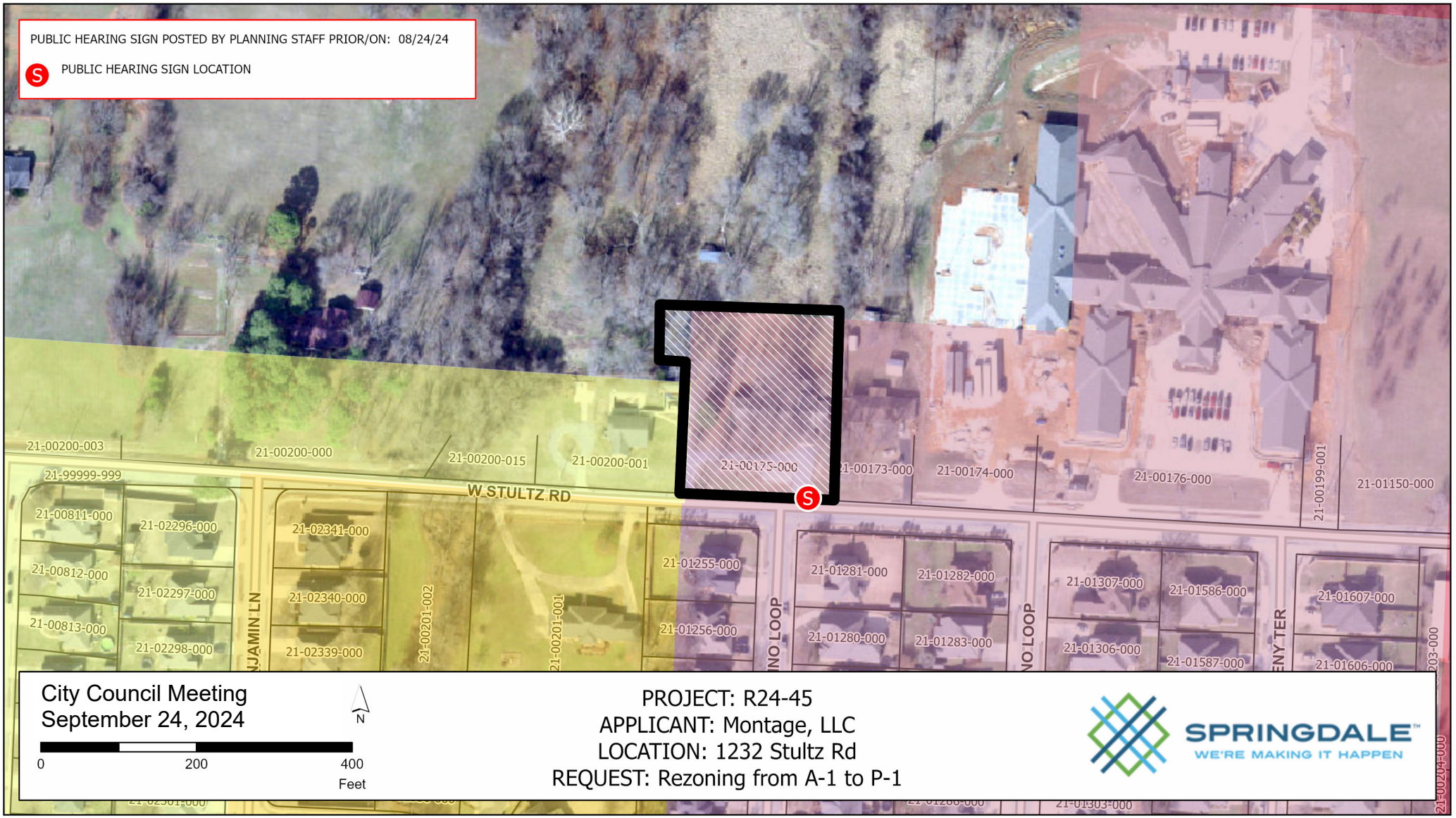
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PROJECT: R24-45
APPLICANT: Montage, LLC
LOCATION: 1232 Stultz Rd
REQUEST: Rezoning from A-1 to P-1
SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE (C24-12) FOR EDGAR ZELAYA OF ANTOJITOS CATRACHOS AT 107 N. OLD MISSOURI ROAD AS SET FORTH IN ORDINANCE NO. 4030

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

WHEREAS, the Planning Commission held a public hearing on September 3, 2024, on a request by Edgar Zelaya of Antojitos Catrachos for a Conditional Use (C24-12) for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2).

WHEREAS, following the public hearing, the Planning Commission by a vote of nine (9) yeses and zero (0) nays recommends that a Conditional Use (C24-12) be granted to Edgar Zelaya of Antojitos Catrachos for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) with the following conditions:

1. May not 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 sites 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.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a Conditional Use (C24-12) to Edgar Zelaya of Antojitos Catrachos for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) with the following conditions:

1. May not 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.
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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 sites 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.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

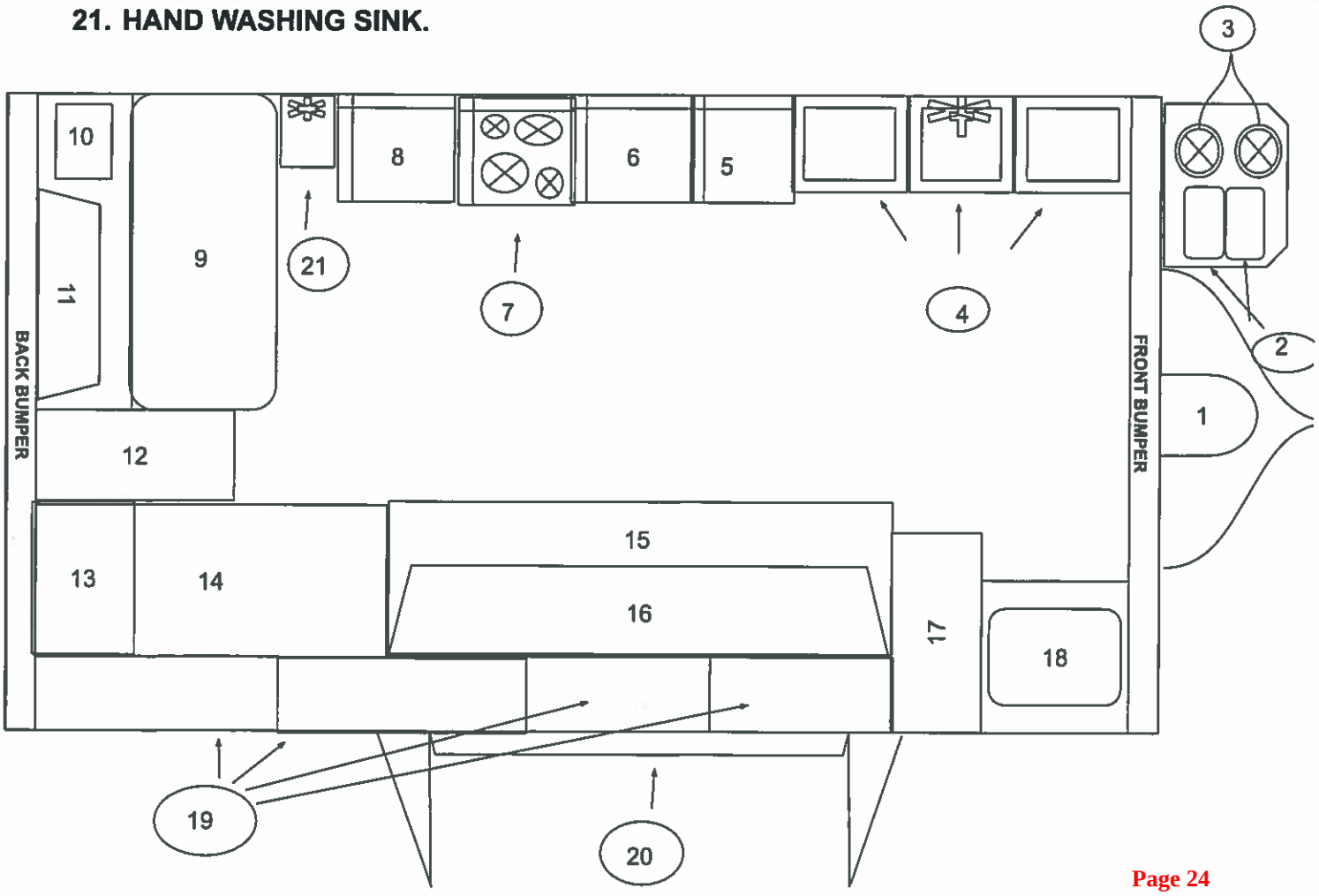
APPROVED AS TO FORM:

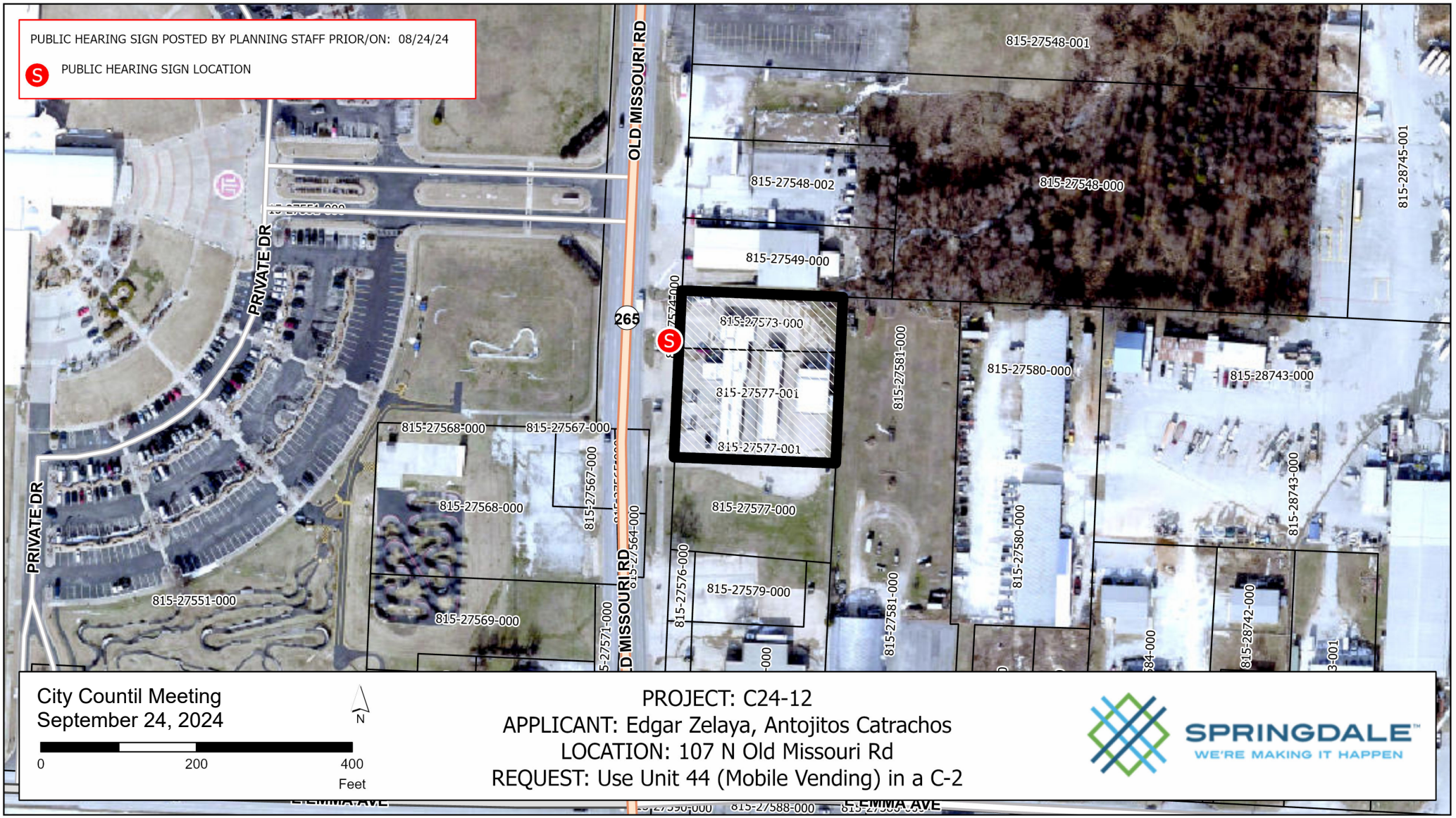
_____
Ernest Cate, City Attorney


265
66'
Sabor Salvadoreño
92' 21"
Proposed
Food Truck
Location
31' 99"
Concrete
60'
122'
Parking
Spots
80'
Concrete
Oasis Car Wash, Inc
Dick Trammel Hwy

FLOOR PLAN FOR A FOOD TRUCK

1. ENTRANCE DOOR.
2. POTABLE WATER TANK AND WASTE WATER TANK.
3. TWO GAS TANKS.
4. THREE-COMPARTMENT SINKS.
5. FRYER.
6. FRYER.
7. STOVE.
8. GRIDDLE.
9. FREEZER.
10. MICROWAVE.
11. TABLE OF CONTENTS.
12. REFRIGERATOR.
13. SHOWCASE.
14. SHOWCASE.
15. COUNTERTOP.
16. SHELVES (UNDERNEATH COUNTER).
17. REFRIGERATOR.
18. COUNTER.
19. SHELVES/DRAWERS.
20. WINDOWS.
21. HAND WASHING SINK.

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City Countil Meeting
September 24, 2024
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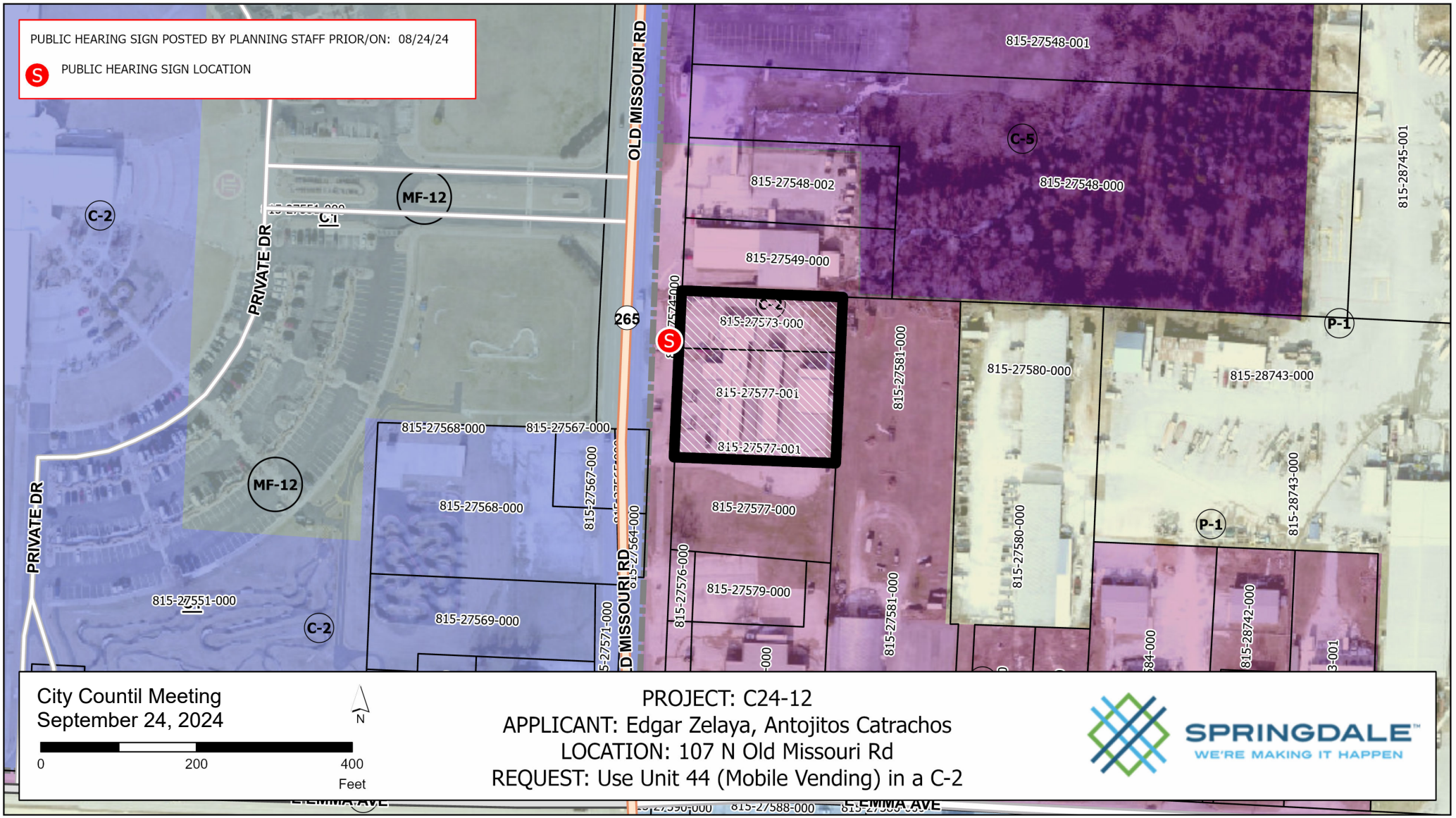
PROJECT: C24-12
APPLICANT: Edgar Zelaya, Antojitos Catrachos
LOCATION: 107 N Old Missouri Rd
REQUEST: Use Unit 44 (Mobile Vending) in a C-2
SPRINGDALE
WE'RE MAKING IT HAPPEN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LOCATION: 107 N Old Missouri Rd
REQUEST: Use Unit 44 (Mobile Vending) in a C-2
SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE (C24-13) FOR DIANA RICKETS OF MAGIC HOUR KNITS AT 3250 LAUREL SPRING CV, A SINGLE FAMILY DWELLING AS SET FORTH IN ORDINANCE NO. 4030

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

WHEREAS, the Planning Commission held a public hearing on September 3, 2024 on a request by Diana Ricketts of Magic Hour Knits for a Conditional Use (C24-13) for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) at 3250 Laurel Spring CV; and

WHEREAS, following the public hearing, the Planning Commission by a vote of nine (9) yeses and zero (0) nays recommends that a Conditional Use (C24-13) be granted to Diana Ricketts of Magic Hour Knits for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) at 3250 Laurel Spring CV with the following conditions:

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a Conditional Use (C24-13) to Diana Ricketts of Magic Hour Knits for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) at 3250 Laurel Spring CV with the following conditions:

1. No alteration of the outside appearance of the residential structure or provision of a separate outside entrance for the business areas of the residential structure.
2. No outside storage of materials required for the operation of the business.
3. Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or helper whether such business is conducted on the premises or off the premises.
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7. Will not involve accessory buildings.
8. Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use.
9. Will not provide medical treatment, therapeutic massage or similar activities.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney



Siteplan for Conditional Use Application

Applicant: Diana Ricketts
of Magic Hour Knits

Address: 3250 Laurel Spring Cove
Springdale, AR 72762

Location: SPRING HILL SUB PH II-SPRINGDALE, LOT 52

Acreage: 0.20 acre

Office / Studio space

11.25 feet x 11.67 feet
131.29 sqft

Tutoring - when a maximum of 2 students arrive for supplemental instruction, their lessons will take place in the office / studio space.

Exhibit

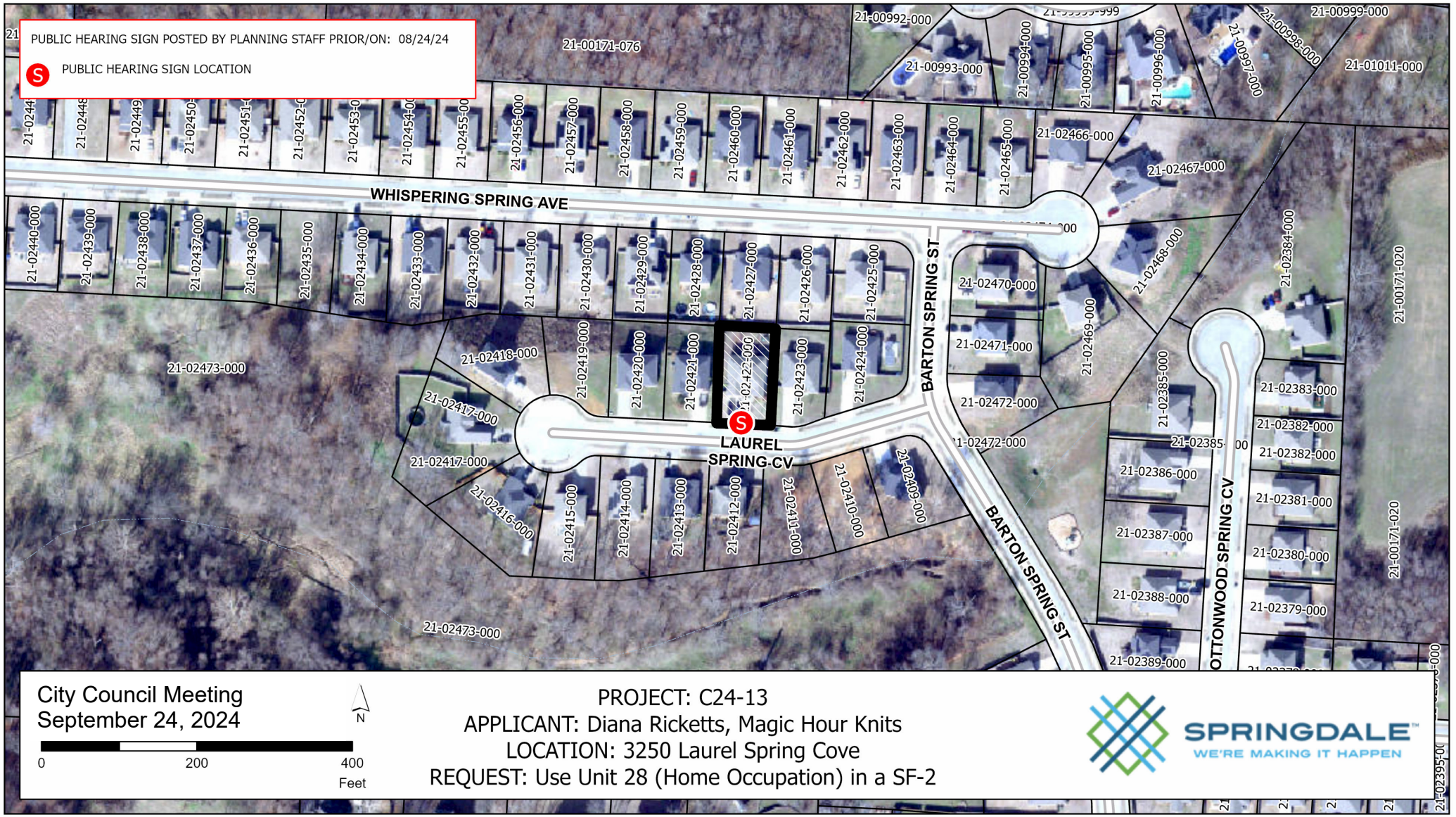
Extended Response for Conditional Use Application submitted by Diana Ricketts

Describe the conditional use sought and the reasons why it should be approved:
The property currently exists as a family home. Conditional use will allow the property to be used as a home office and studio for low-impact business operations of Magic Hour Knits. It will also serve as the main location for photography, videography and other media to be used for digital products, content creation and content marketing for the business.

Business operations may include but not limited to creating digital products in the form of knitting patterns and instructional materials to sell online, which will involve creating physical items as samples of the knitting designs and aids for online instruction. The business will also require preparing instructional materials for in-person classes and private lessons that will be conducted off-site at a venue.

On rare occasions, students taking in-person knitting classes from Magic Hour Knits may visit the property for additional instruction. There will be no more than two students on the property as dictated by article 6, section 2. These lessons will take place in the office/studio space as well.

Because of the domestic nature of knitting, using the applicant's residence as a site for capturing media is on brand. In addition, the business structure only involves the business owner conducting most operations on the computer and the internet. Current scale does not require leasing commercial property.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City Council Meeting
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PROJECT: C24-13
APPLICANT: Diana Ricketts, Magic Hour Knits
LOCATION: 3250 Laurel Spring Cove
REQUEST: Use Unit 28 (Home Occupation) in a SF-2
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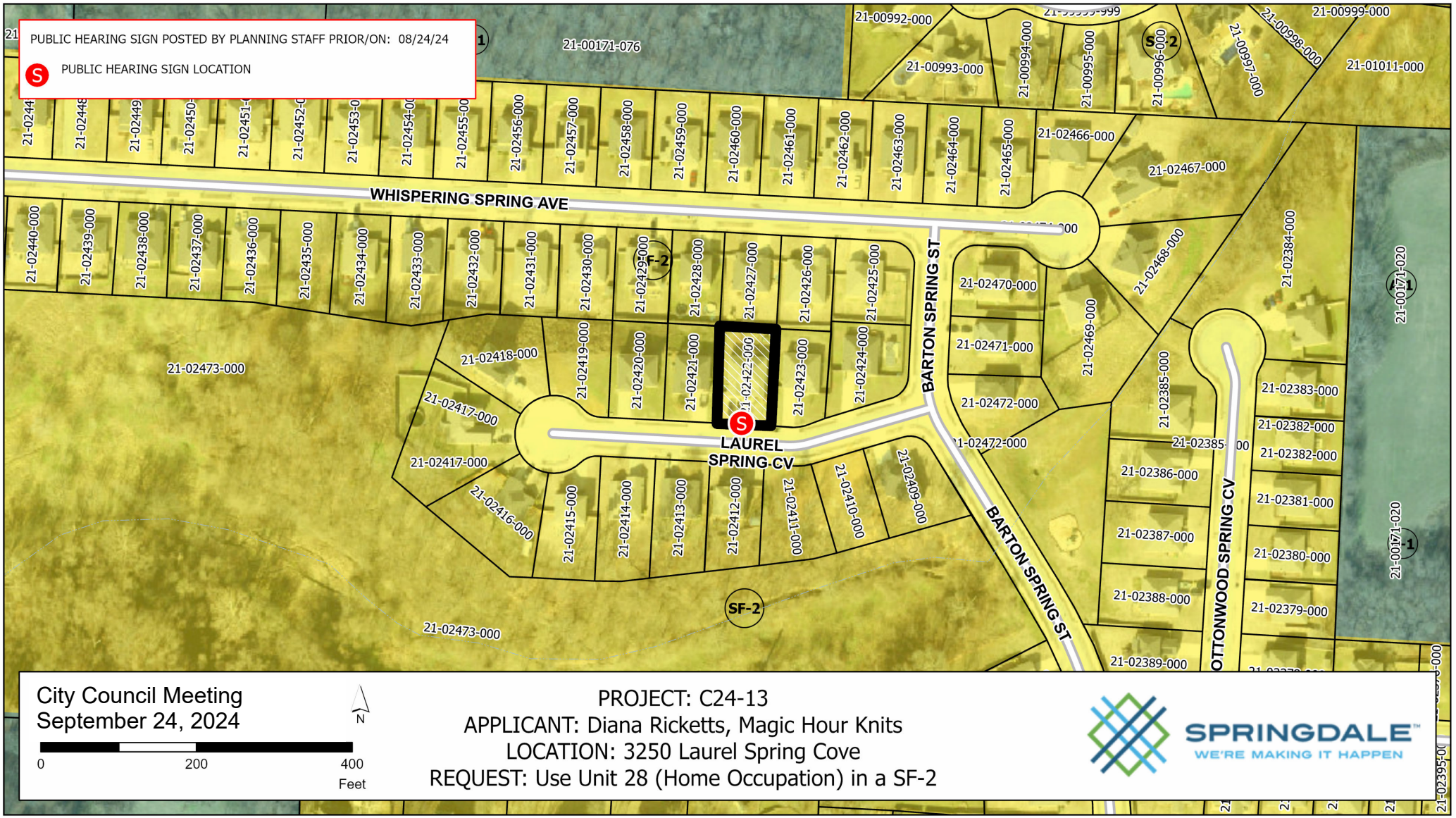

City Council Meeting
September 24, 2024

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PROJECT: C24-13
APPLICANT: Diana Ricketts, Magic Hour Knits
LOCATION: 3250 Laurel Spring Cove
REQUEST: Use Unit 28 (Home Occupation) in a SF-2

SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE (C24-14) FOR LONI HARRIS OF ESSENTIALS PELVIC THERAPY & WELLNESS, PLLC AT 109 SPRING STREET AS SET FORTH IN ORDINANCE NO. 4030

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

WHEREAS, the Planning Commission held a public hearing on September 3, 2024, on a request by Loni Harris of Essentials Pelvic Therapy & Wellness, PLLC for a Conditional Use (C24-14) for a Use Unit 45 (Health Care Clinic) in a Neighborhood Center Type 1 (NC1).

WHEREAS, following the public hearing, the Planning Commission by a vote of eight (8) yeses, one (1) abstention, and zero (0) nays recommends that a Conditional Use be granted to Loni Harris of Essentials Pelvic Therapy & Wellness, PLLC for a Use Unit 45 (Health Care Clinic) in a Neighborhood Center Type 1 (NC1) with the following conditions:

1. Treatment provided on an outpatient basis.
2. No overnight lodging.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a Conditional Use (C24-14) Loni Harris of Essentials Pelvic Therapy & Wellness, PLLC for a Use Unit 45 (Health Care Clinic) in a Neighborhood Center Type 1 (NC1) with the following conditions:

1. Treatment provided on an outpatient basis.
2. No overnight lodging.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

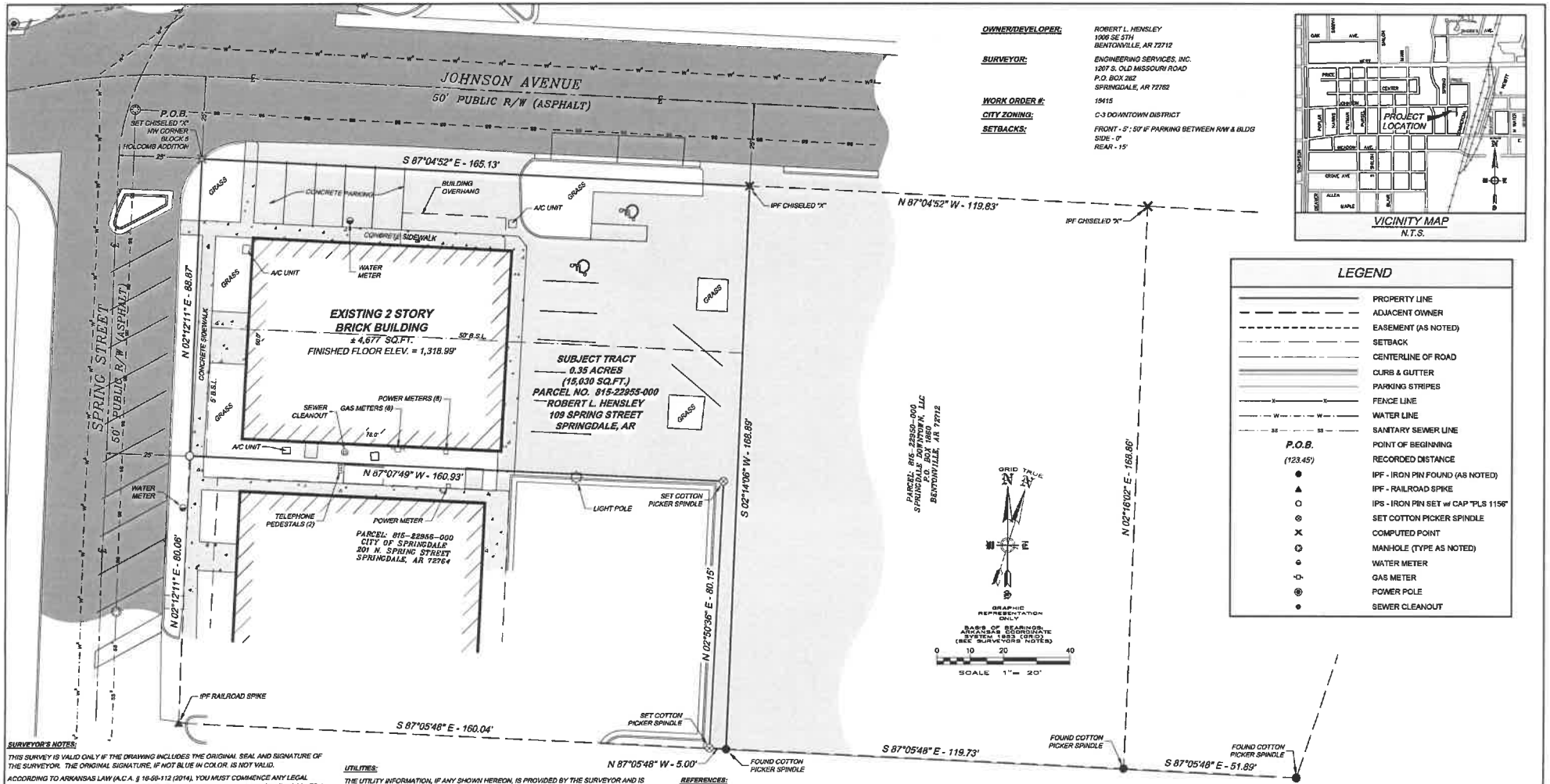
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney



OWNER/DEVELOPER: ROBERT L. HENSLEY
1006 SE 5TH
BENTONVILLE, AR 72712

SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72762

WORK ORDER #: 15415

CITY ZONING: C-3 DOWNTOWN DISTRICT

SETBACKS: FRONT - 5' ; 50' IF PARKING BETWEEN R/W & BLDG
SIDE - 0'
REAR - 15'

LEGEND

- PROPERTY LINE
- ADJACENT OWNER
- EASEMENT (AS NOTED)
- SETBACK
- CENTERLINE OF ROAD
- CURB & GUTTER
- PARKING STRIPES
- FENCE LINE
- WATER LINE
- SANITARY SEWER LINE
- P.O.B. — POINT OF BEGINNING
- (123.45') — RECORDED DISTANCE
- IPF - IRON PIN FOUND (AS NOTED)
- IPF - RAILROAD SPIKE
- IPS - IRON PIN SET w/ CAP "PLS 1156"
- SET COTTON PICKER SPINDLE
- COMPUTED POINT
- MANHOLE (TYPE AS NOTED)
- WATER METER
- GAS METER
- POWER POLE
- SEWER CLEANOUT

SURVEYOR'S NOTES:

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

ACCORDING TO ARKANSAS LAW (A.C.A. § 16-56-112 (2014), YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN FIVE YEARS AFTER FIRST DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN FIVE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

HORIZONTAL DATUM, BASIS OF BEARINGS & DISTANCES, STATE PLANE COORDINATES, AND CONVERSIONS:

THE MAP PROJECTION IS REFERENCED TO THE HORIZONTAL CONTROL DATUM OF NAD83 (1997) (NORTH AMERICAN DATUM OF 1983, 1997 ADJUSTMENT). STATE PLANE COORDINATE SYSTEM, ARKANSAS NORTH ZONE (0301), AND IS THE BASIS FOR THE BEARINGS SHOWN HEREON.

THE BOUNDARY INFORMATION SHOWN HEREON REFLECTS GRID BEARINGS AND GRID DISTANCES. THE POINT OF BEGINNING (POB) WAS USED FOR THE COMPUTED CONVERGENCE ANGLE AND COMBINED FACTOR.

POB LATITUDE: 36°11'10.83708"N LONGITUDE: 094°07'47.49367"W

POB STATE PLANE: NORTHING (US FT): 681,277.75 EASTING (US FT): 583,835.49

CONVERGENCE ANGLE (DMS) = - 01°14'22" (GRID NORTH IS WEST OF TRUE NORTH)

COMBINED FACTOR = 0.9999278

TO CONVERT GRID DISTANCES TO GROUND DISTANCES USE THE INVERSE COMBINED FACTOR: 1.0000722.

THE ACREAGE SHOWN HEREON WAS COMPUTED FROM GRID COORDINATES THEN SCALED TO GROUND ACREAGE BY THE INVERSE COMBINED FACTOR SQUARED 1.0001445.

PLAT CLOSURE CERTIFICATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 151,007 FEET.

FLOOD PLAIN ZONING:

THIS PROPERTY IS NOT WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0070 F, PANEL 70 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: MAY 16, 2008.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND FEATURES ONLY.

THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

THERE MAY BE OTHER BURIED UTILITIES OR STRUCTURES THAT COULD BE IN SERVICE OR ABANDONED.

THERE MAY BE UTILITY FEATURES OBSCURED BY GROUND COVER, DEBRIS AND/OR ASPHALT.

THE LOCATIONS OF UNDERGROUND STORM AND SANITARY SEWERS, IF ANY SHOWN HEREON, ARE BASED ON SURFACE FEATURES. PIPE SIZE, MATERIAL AND DEPTH INFORMATION WERE GATHERED FROM THE TOP OF THE STRUCTURES. THE SURVEYOR HAS TAKEN CARE TO IDENTIFY THESE FEATURES BUT PIPE SIZE AND MATERIAL TYPE VARIATIONS MAY EXIST.

NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO PHYSICALLY LOCATE BURIED UTILITIES OR STRUCTURES. PRIOR TO EXCAVATION THE ASSOCIATED UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE, LOCATION AND DEPTH.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

CERTIFICATE OF AUTHORIZATION — ENGINEERING SERVICES, INC. — 131 — ARKANSAS ENGINEER

REGISTERED — STATE OF ARKANSAS NO. 1156 — SIGNATURE — CRAIG D. A.L.S. — PROFESSIONAL LAND SURVEYOR

REFERENCES:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

A. **WARRANTY DEED:** ROBERT L. HENSLEY, RECORDED MARCH 3, 2015, DOCUMENT FILE NO. 2015-5905.

B. **PLAT OF SURVEY:** SPRINGDALE HOLCOMB ADDITION NO. 1 AND OLD TOWN, SURVEYED BY JOE HOLCOMB,, RECORDED JUNE 21, 1884, FILE NO. 4-00000021 OF THE WASHINGTON COUNTY, ARKANSAS RECORDS.

C. **PLAT OF SURVEY:** A REPLAT OF BLOCK 5, HOLCOMB ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, BY ROBERT E. SULLIVAN, P.L.S. NO. 196, SECRETARY OF ROY E. ROSW & ASSOCIATES, INC., DATED JANUARY 1968, RECORDED JUNE 24, 1968, FILE NO. 3-00000451 OF THE WASHINGTON COUNTY, ARKANSAS RECORDS.

D. **PLAT OF SURVEY:** AN ALTA/ACSM LAND TITLE SURVEY G.E. BUESCHER, P.L.S. NO. 1161, DATED APRIP 30, 2014, RECORDED IN DOCUMENT NO. 2014-24771 OF THE WASHINGTON COUNTY, ARKANSAS RECORDS.

THE FIELD WORK WAS COMPLETED ON: NOVEMBER 04, 2015

DATE OF PLAT OR MAP: NOVEMBER 12, 2015

SURVEY DESCRIPTION:

A PART OF BLOCK 5 OF THE HOLCOMB ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, PER THE RECORDED REPLAT OF SAID ADDITION, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 5, SAID POINT BEING A CHISELED "X" IN CONCRETE; THENCE S87°04'52"E A DISTANCE OF 165.13 FEET TO A FOUND CHISELED "X" IN CONCRETE; THENCE S02°14'06"W A DISTANCE OF 168.89 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE N87°05'48"W A DISTANCE OF 5.00 FEET TO A SET COTTON PICKER SPINDLE; THENCE N02°50'36"E A DISTANCE OF 80.15 FEET TO A SET COTTON PICKER SPINDLE; THENCE N87°07'49"W A DISTANCE OF 160.93 FEET TO A SET IRON PIN WITH CAP, PLS NO. 1156; THENCE N02°12'11"E A DISTANCE OF 88.87 FEET TO THE POINT OF BEGINNING, CONTAINING 15,030 SQUARE FEET OR 0.35 ACRES MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

PLAT CODE: 500-18N-30W-0-36-203-72-1156

BOUNDARY SURVEY FOR
GREG TAYLOR
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

SCALE: 1"=20' | DATE: November 12, 2015 | DRAWN BY: RKW

ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

W.O.# 15415 | SHEET 1

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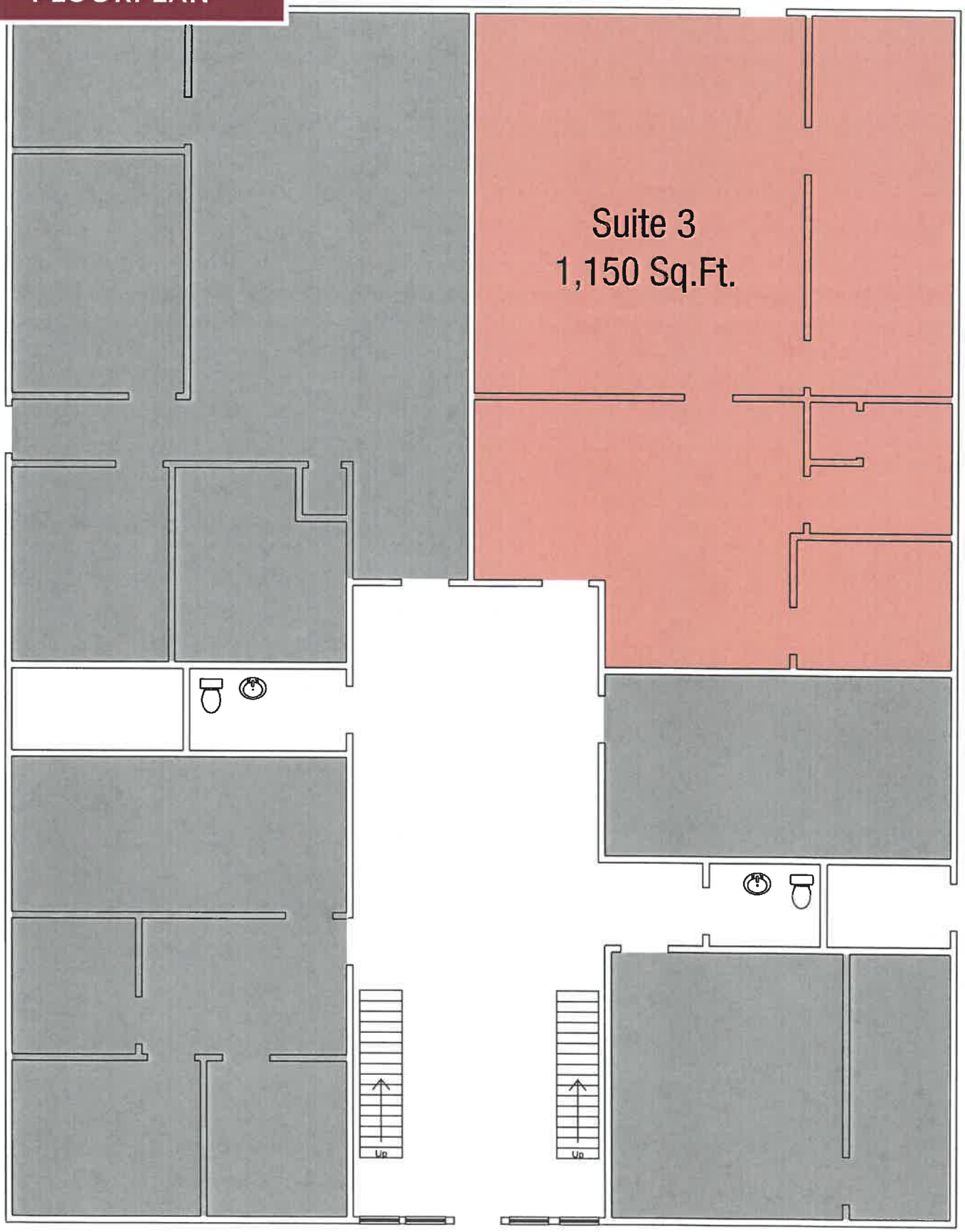
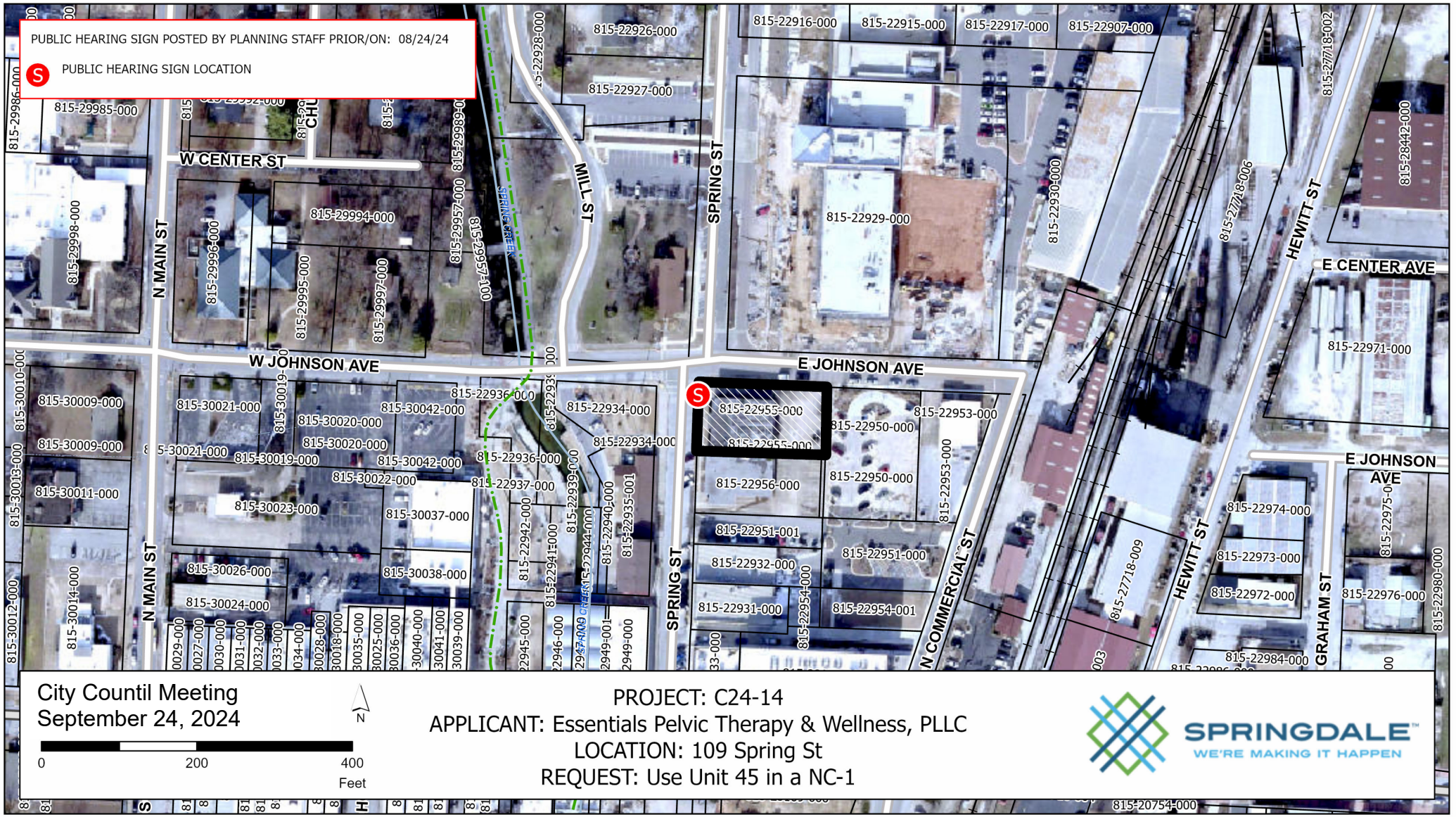
FLOORPLAN

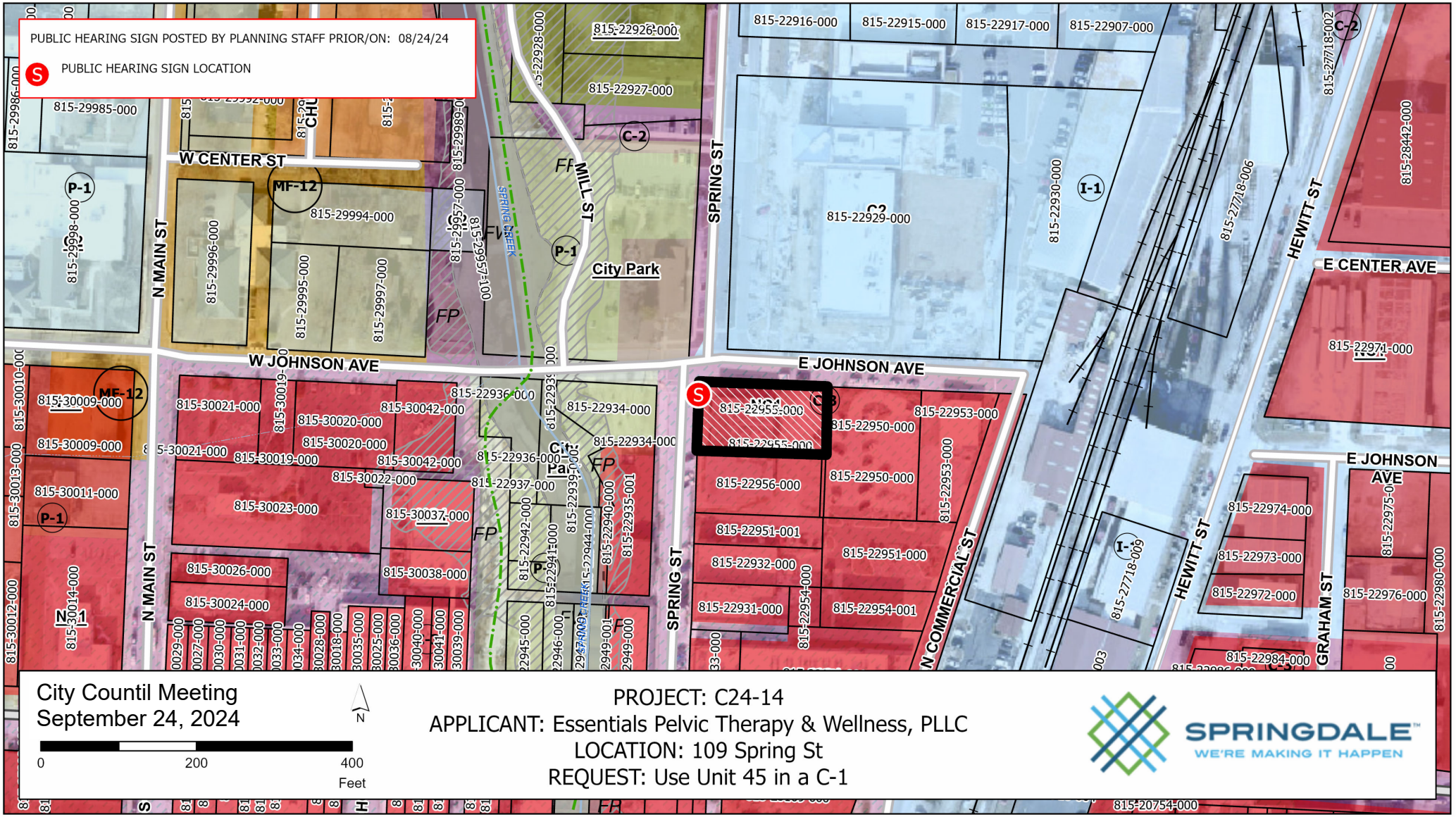




City Countil Meeting
September 24, 2024

PROJECT: C24-14
APPLICANT: Essentials Pelvic Therapy & Wellness, PLLC
LOCATION: 109 Spring St
REQUEST: Use Unit 45 in a NC-1

SPRINGDALE
WE'RE MAKING IT HAPPEN


PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 08/24/24
PUBLIC HEARING SIGN LOCATION
W CENTER ST
N MAIN ST
W JOHNSON AVE
E JOHNSON AVE
SPRING ST
MILL ST
HEWITT ST
E CENTER AVE
GRAHAM ST
N COMMERCIAL ST
City Park
SPRING CREEK
MF-12
P-1
C-2
I-1
815-22955-000
815-22956-000
815-22950-000
815-22953-000
815-22951-000
815-22951-001
815-22932-000
815-22931-000
815-22954-001
815-22974-000
815-22973-000
815-22972-000
815-22976-000
815-22971-000
815-22929-000
815-22916-000
815-22915-000
815-22917-000
815-22907-000
815-22926-000
815-22927-000
815-22934-000
815-22936-000
815-22937-000
815-30009-000
815-30011-000
815-30021-000
815-30020-000
815-30019-000
815-30022-000
815-30023-000
815-30037-000
815-30038-000
815-30026-000
815-30024-000
815-30042-000
815-30013-000
815-30012-000
815-30014-000
815-29985-000
815-29994-000
815-29995-000
815-29996-000
815-29997-000
815-29998-000
815-28442-000
815-27718-002
815-27718-006
815-27718-009
815-22980-000
815-22984-000
815-20754-000
City Countil Meeting
September 24, 2024
0
200
400
Feet
N
PROJECT: C24-14
APPLICANT: Essentials Pelvic Therapy & Wellness, PLLC
LOCATION: 109 Spring St
REQUEST: Use Unit 45 in a C-1
SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W24-17) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO JSCT HOLDINGS, LLC IN CONNECTION WITH, N24-11, A NON-LARGE SCALE DEVELOPMENT.

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for the waiver (W24-17) of street improvements to N. 56th Street, including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, N24-11, a Non-Large Scale Development for JSCT Holdings, LLC, and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: **Grants** a waiver (W24-17) of street improvements to N. 56th Street, including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, N24-11, a Non-Large Scale Development for JSCT Holdings, LLC.

Option 2: **Denies** a waiver (W24-17) of street improvements to N. 56th Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, N24-11, a Non-Large Scale Development for JSCT Holdings, LLC.

Option 3: **Approves** payment in lieu of improvements to N. 56th Street in connection with, N24-11, a Non-Large Scale Development for JSCT Holdings, LLC, with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: **Denies** a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to N. 56th Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights to be built in connection with, N24-11, a Non-Large Scale Development for JSCT Holdings, LLC.

PASSED AND APPROVED THIS _____DAY OF _____, 2024.

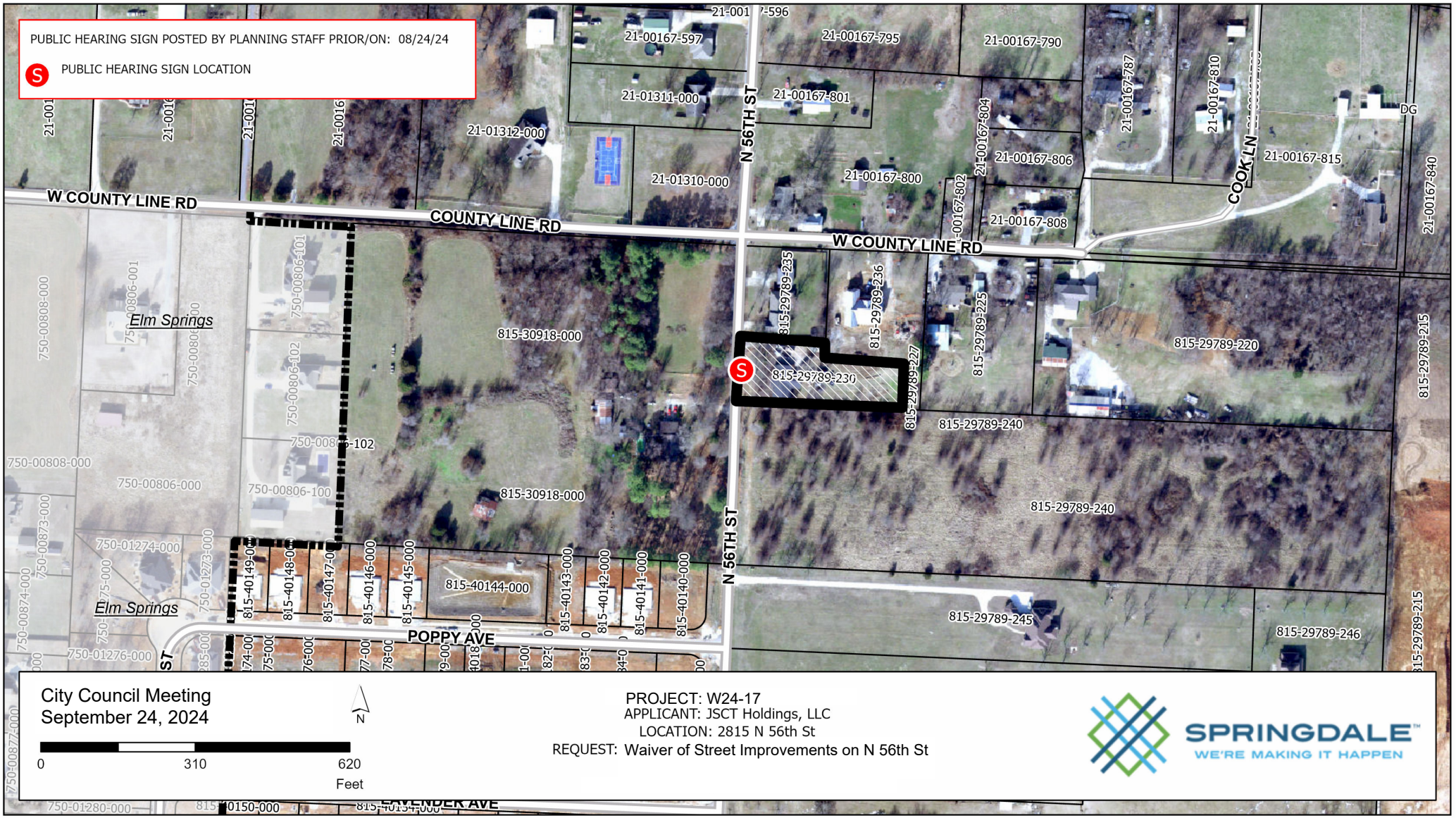
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney


PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 08/24/24
PUBLIC HEARING SIGN LOCATION
W COUNTY LINE RD
COUNTY LINE RD
W COUNTY LINE RD
N 56TH ST
N 56TH ST
POPPY AVE
COOK LN
Elm Springs
Elm Springs
21-00167-597
21-00167-795
21-00167-790
21-01311-000
21-00167-801
21-01312-000
21-01310-000
21-00167-800
21-00167-806
21-00167-808
21-00167-815
815-30918-000
815-30918-000
815-29789-230
815-29789-220
815-29789-240
815-29789-240
815-40144-000
815-29789-245
815-29789-246
City Council Meeting
September 24, 2024
0
310
620
Feet
N
PROJECT: W24-17
APPLICANT: JSCT Holdings, LLC
LOCATION: 2815 N 56th St
REQUEST: Waiver of Street Improvements on N 56th St
SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W24-20) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO MERCY & GRACE CATHEDRAL IN CONNECTION WITH, L24-07, A LARGE SCALE DEVELOPMENT.

WHEREAS, Ordinance #3047 provides for the waiver (W24-20) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver (W24-20) of street improvements to the future commercial street along the western property line as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, L24-07, a Large Scale Development for Mercy & Grace Cathedral, and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: **Grants** a waiver (W24-20) of street improvements to the future commercial street along the western property line as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, L24-07, a Large Scale Development for Mercy & Grace Cathedral.

Option 2: **Denies** a waiver (W24-20) of street improvements to the future commercial street along the western property line as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, L24-07, a Large Scale Development for Mercy & Grace Cathedral.

Option 3: **Approves** payment in lieu of improvements to the future commercial street along the western property line as indicated on the Master Street Plan in connection with, L24-07, a Large Scale Development for Mercy & Grace Cathedral, with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: **Denies** a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to the future commercial street along the western property line as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights to be built in connection with, L24-07, a Large Scale Development for Mercy & Grace Cathedral.

PASSED AND APPROVED THIS _____DAY OF _____, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

CALL BEFORE YOU DIG! ARKANSAS ONE CALL 1-800-482-8998

NORTH
0 30 60
GRAPHIC SCALE IN FEET



Waiver request for this portion of the street improvements.

LEGEND		
PROPOSED	EXISTING	DESCRIPTION
AE	AE	ACCESS EASEMENT
		ASPHALT (EDGE)
		ASPHALT (SURFACE)
		BOLLARD
		BUILDING
		BUILDING SETBACK LINE
		CABLE TV (UNDERGROUND)
		CENTERLINE
		CONCRETE (EDGE)
		CONCRETE (SURFACE)
		CONDUIT
		CONTOURS
		CURB & GUTTER
		DRAINAGE FLOW
(D)	(D)	DUMPSTER
UE	UE	UTILITY EASEMENT
		ELECTRICAL (UNDERGROUND)
		ELECTRICAL (OVERHEAD)
		ELECT. TRANSFORMER
		EROSION CONTROL FENCE
		EROSION CONTROL RIP-RAP
		FENCE (EX. WIRE/PR. SCREENING)
		FIBER OPTIC CABLE
		FIRE HYDRANT ASSEMBLY
		FLOWLINE
		FORCE MAIN
		GAS MAIN
		GAS METER/VALVE
		GRAVEL (EDGE)
		GRAVEL (SURFACE)
		IRON PIN – (RE-BAR)
		LIGHT
		POND
		POWER POLE
		PROPERTY LINE
		RETAINING WALL
R/W	R/W	RIGHT-OF-WAY
		SANITARY SEWER MANHOLE
		SANITARY SEWER PIPE
		SANITARY SEWER SERVICE
		SECTION/TIE LINE
		SIDEWALK
		SIGN
		SPOT ELEVATION
		STABILIZED CONSTRUCTION ENT.
		STORM SEWER INLET
		STORM SEWER PIPE
		STRIPE (PAINTED OR STICKY)
		TELEPHONE PED/MANHOLE
		TELEPHONE (UNDERGROUND)
		TREE LINE CANOPY
		TREE/TREE TO BE REMOVED
		WATER MAIN BLOWOFF VALVE
		WATER MAIN FIRE DEPT. CONN.
		WATER MAIN PIPE
		WATER MAIN REDUCER
		WATER MAIN THRUST BLOCK
		WATER METER
		WATER METER (IRRIGATION)
		WATER VALVE

ADJACENT LAND OWNERS
1. PARCELS R5-20021-100, R5-20057-000
FULLER ROW A 72365
P.O. BOX 0
SPRINGDALE AR 72765
ZONE: P-1
2. PARCELS R5-20076-170
MIDWEST REAL ESTATE COMPANY LLC.
1000 W. APPLE ROAD
SUITE 70 72764
ZONE: C-5
3. PARCEL R5-20076-000
MIDWEST CHURCH OF CHRIST
PO BOX 8000
SPRINGDALE AR 72765-8002
ZONE: P-1
4. PARCELS R5-20057-020, R5-20057-030, R5-20057-040
R5-20057-050
MIDWEST REAL ESTATE HOSPITALITY CORP.
PO BOX 8000
LITTLE ROCK AR 72203
ZONE: P-1



P-1 INSTITUTIONAL DISTRICT REGULATIONS

HEIGHT REGULATIONS:
THERE SHALL BE NO HEIGHT LIMITS IN P-1 DISTRICT, HOWEVER, THAT ANY BUILDING WHICH EXCEEDS THE HEIGHT OF 20 FEET SHALL BE SET BACK FROM ANY BOUNDARY LINE OF ANY RESIDENTIAL DISTRICT A DISTANCE OF ONE FOOT FOR EACH FOOT OF HEIGHT IN EXCESS OF 20 FEET

GREENSPACE:
EACH DEVELOPED LOT SHALL MAINTAIN:
1.) A LANDSCAPED BUFFER NOT LESS THAN 10 FEET WIDE ALONG THE FRONT OF THE PROPERTY LINE, WHEN ADJACENT TO THE PROPERTY LINE OF A RESIDENTIAL USE A FIVE FOOT LANDSCAPED ARE AND A SIX 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.

PARKING TABLE:

CH 130 ART. 7 SEC. 7-NUMBER OF OFF STREET PARKING REQUIRED

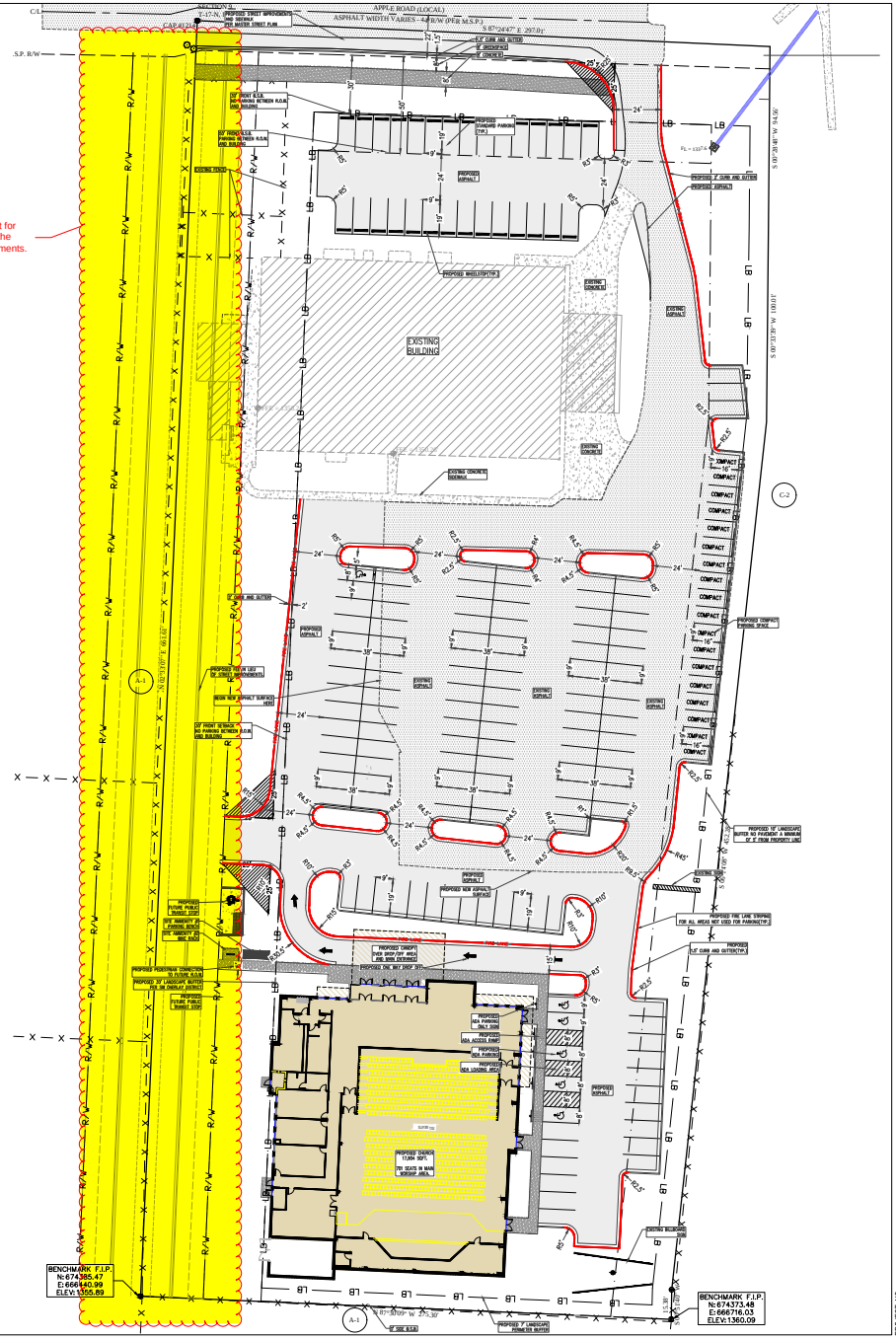
CHURCH SANCTUARY

ONE PARKING SPACE FOR EACH FOUR SEATS BASED ON MAXIMUM SEATING CAPACITY IN THE PRINCIPAL ASSEMBLY ROOM: PROVIDED, HOWEVER, THAT CHURCHES MAY ESTABLISH JOINT PARKING FACILITIES FOR THE REQUIRED SPACES NOT TO EXCEED 50% OF THE REQUIRED NUMBER OF SPACES, WITH BUSINESSES, INSTITUTIONS AND AGENCIES WITHIN 300 FEET OF THE FACILITY WITHOUT CROSSING OF A COLLECTOR OR ARTERIAL STREET. A WRITTEN AGREEMENT BY ALL PARTIES INVOLVED IS REQUIRED IDENTIFYING SPACES ASSIGNED AND VERIFYING NO CONFLICT BY CURRENT USERS AND RECOGNIZING THE IMPACT OF FUTURE USAGE ON THE SITE.

NUMBER OF SEATS IN PRINCIPAL ASSEMBLY ROOM:	701
STANDARD SPACES REQUIRED:	175
STANDARD SPACES PROVIDED:	147
COMPACT SPACES PROVIDED(20% PERMITTED):	18(10%)
ADA PARKING REQUIRED:	6
ADA PARKING PROVIDED:	6
TOTAL PARKING PROVIDED:	171

LOT COVERAGE:	
GROSS AREA OF SITE:	193,330.15 SQ.FT.(4.43 AC +/-)
NET AREA LESS R.O.W.	168,328.07 SQ.FT.(4.31 AC +/-)
IMPERVIOUS AREA:	116,060.15 SQ.FT.(69%)
GREENSPACE:	52,267.92 SQ.FT.(31%)

BUILDING SETBACKS:
FRONT 30FT
FRONT 50FT (IF PARKING IS ALLOWED BETWEEN R/W & BUILDING)
SIDE 00FT
SIDE 50FT (ADJACENT TO RESIDENTIAL DISTRICT)
REAR 25FT
REAR 50FT (ADJACENT TO RESIDENTIAL DISTRICT)



STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9810
GEOFFREY H. BATES
04-25-2024
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REVISIONS	DATE
1st. Submittal	04-25-24

MERCY AND GRACE CHURCH
LARGE SCALE DEVELOPMENT
SITE PLAN
SPRINGDALE, ARKANSAS

B A T E S
Engineers - Surveyors
7230 S Pleasant Ridge Dr / Fayetteville, AR 72704
PH: (479) 442-9350 / batesnwa.com

PROJECT NO. 23-319
DRAWING NO. 03


APPLE RD
APPLE RD
INTERSTATE 49
WEIGHT STATION OFF RAMP
STATION OFF RAMP
LUVENE AVE
MCKENZIE ST
KAYLEE AVE
815-30075-160
815-30075-170
815-30075-070
815-30075-080
815-30075-081
815-30075-050
815-30075-040
815-29107-190
815-29107-060
815-29107-014
815-29107-020
815-36761-000
815-36767-000
815-36766-000
815-36765-000
815-36762-000
815-36763-000
815-36764-000
815-29107-091
City Council Meeting
September 24, 2024
0
260
520
Feet
N
PROJECT: W24-20
APPLICANT: Mercy & Grace Cathedral
LOCATION: 2815 Apple Rd
REQUEST: Waiver of Street Improvements on Apple Road
SPRINGDALE
WE'RE MAKING IT HAPPEN

RECEIVED
8-22-24
D.P.
SPRINGDALE CITY CLERK

August 22, 2024

City of Springdale
City Clerk Denise Pearce
201 Spring Street
Springdale, AR 72764

Re: Appealing Planning Commission Denial of Variance Request (B24-63)
2185, 2247, & 2303 Worth Lane
Springdale, AR

Please accept this letter as a formal appeal to the City Council from the Planning Commission's denial the referenced variance to allow construction of gravel areas for heavy equipment storage for tracked construction equipment at the addresses listed above.

The discussion at the Planning Commission meeting centered almost exclusively on minor construction closeout-related items raised by city staff rather than a fair consideration of the suitability of the request. It is our contention that had the discussion been focused on facts germane to the request, it meets the scenario specifically envisioned under Chapter 130, Art. 7, §8.3(f)., allowing gravel for "heavy equipment storage in areas other than an industrial zoning district or a C-6 Large Product Retail Sales District area by variance granted by the planning commission".

Very truly yours,

MT NWA Ventures LLC

Matt Trulove, President

ENGINEERING SERVICES INC.
1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72764 • (479) 751-8733 • Established 1971

July 9, 2024

City of Springdale *Via iWorq portal*
Planning & Community Development Division
201 Spring Street
Springdale, Arkansas 72764

Re: Certified List of Adjacent Property Owners
2185, 2247, & 2303 Worth Lane
Springdale, AR

I hereby certify, based upon the records of the Circuit Clerk of Washington County, Arkansas, the names and addresses listed below represent all adjacent property owners to the subject property.

815-28649-010
WANG, YONGQUIANG & BU, YONGMEI
7964 ARJONS DR STE 3G
SAN DIEGO, CA 92126-4392

815-28648-000
TRULOVE PROPERTIES LLC
PO BOX 152
BERRYVILLE, AR 72616

815-28649-130
INDUSTRIAL DEVELOPERS LLC
ATTN: JOE EDWARDS, MANAGER
PO BOX 1549
SPRINGDALE, AR 72765-1549

815-28649-022
WORTH LANE PARTNERS LLC; MSIDE FAY LLC; RIBBLE INVESTMENT COMPANY LLC
100 W CENTER ST STE 200
FAYETTEVILLE, AR 72701-6081

815-28649-020
SOSA PROPERTIES LLC
1301 E ROBINSON AVE SUITE C16
SPRINGDALE, AR 72764-5721

815-28649-002
SPRINGDALE SCHOOL DISTRICT # 50
P O BOX 8
SPRINGDALE, AR 72762



Very truly yours,

S. Craig Davis

S. Craig Davis, PLS

Z:\Engineers\00 - Engineer Projects\21975 Worth Lane\2024-07-09 Gravel Variance\CLAPO.docx

Notice of Public Hearing before the Springdale City Council on a Variance Application

To All Owners of land lying adjacent to the property at:

Location: 2185, 2247, & 2303 Worth Lane

Owned by: MT NWA Ventures

NOTICE IS HEREBY GIVEN THAT an application has been filed to the Board of Adjustment for the above property. Variance was denied by Planning Commission on August 6 and is being appealed.

If approved, the variance will occur only upon the property described above.
It will not change anything pertaining to your property.

The purpose of this request is to:

variance to allow gravel storage/parking for construction equipment in rear of buildings

A public hearing on said appeal of denial request will be held by the Springdale City Council in the Council Chambers of the City Administration Building at 201 Spring Street, Springdale, AR 72764 on:

September 10, 2024 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place or may notify the Springdale City Council of their views on this matter by letter or email. All persons interested in this request are invited to call or visit the Planning Office, City Administration Building to review and discuss the application with the planning staff.

B24-63 Appeal

9589 0710 5270 1184 5592 13

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TRULOVE PROPERTIES LLC
PO BOX 152
BERRYVILLE, AR 72616

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- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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INDUSTRIAL DEVELOPERS LLC
ATTN: JOE EDWARDS, MANAGER
PO BOX 1549
SPRINGDALE, AR 72765-1549

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Total Postage and Fees
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Street
City, S

SPRINGDALE SCHOOL DISTRICT # 50
P O BOX 8
SPRINGDALE, AR 72762

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Street
City, S

WANG, YONGQUIANG & BU, YONGMEI
7964 ARJONS DR STE 3G
SAN DIEGO, CA 92126-4392

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- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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City, Sta

WORTH LANE PARTNERS LLC;
MSIDE FAY LLC; RIBBLE
INVESTMENT COMPANY LLC
100 W CENTER ST STE 200
FAYETTEVILLE, AR 72701-6081

PS Forr ... uctions

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- ☐ Adult Signature Restricted Delivery $

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Total Postage and Fees
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Street an
City, Stat

SOSA PROPERTIES LLC
1301 E ROBINSON AVE SUITE C16
SPRINGDALE, AR 72764-5721

PS Form ... ctions

SPRINGDALE ARKANSAS 72765
AUG 23 2024
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USPS

Variance Application

Date: 07/17/2024 Permit No.: 240234

Applicant / Owner

Applicant Name:	MT NWA VENTURES LLC	Owner Name:	MT NWA VENTURES LLC
Address:	1457 E ROBINSON AVE STE A	Address:	1457 E ROBINSON AVE STE A
City, State, Zip:	SPRINGDALE AR 72764	City, State, Zip:	1457 E ROBINSON AVE STE A
Phone:	(870) 423-4709	Phone:	(870) 423-4709
Email:	matt@Trulovedirtworks.com	Email:	matt@Trulovedirtworks.com
Contact:	Representative		

Project

Project Location:	2185 WORTH LN - 2247 WORTH LN - 2303 WORTH LN	Multiple Buildings:	☐
		Outdoor Storage:	☑
		Facades/Exterior:	☐
Parcel Numbers:	815-38256-000	Detail Features:	☐
Current Zone:	C2	Roofs:	☐
Rezone Required:	C2	Materials/Colors:	☐
Total Acreage:	3.24	Entryways:	☐
Entrances:	☐	Landscaping:	☐
Parking Lot:	☐	Screening:	☐
Structure Back:	☐	Lighting:	☐
Pedestrian Flow:	☐		
Central Features:	☐		

Variance Request: Variance to allow gravel parking for tracked construction equipment

Difficulty/Hardship: Ordinance allows for this by requesting a variance where tracked construction equipment will be stored/parked that would destroy asphalt pavement

Variance Effect: Would allow a construction oriented tenant to park their equipment

Harmony:

I do hereby certify that the information contained herein is true and correct.

Brandon Rush	07/17/2024
Name	Date

July 9, 2024

City of Springdale *via iWorQ portal*
Planning Department
201 Spring Street
Springdale, AR 72764

Re: Variance Request
2185, 2247, & 2303 Worth Lane
Springdale, AR

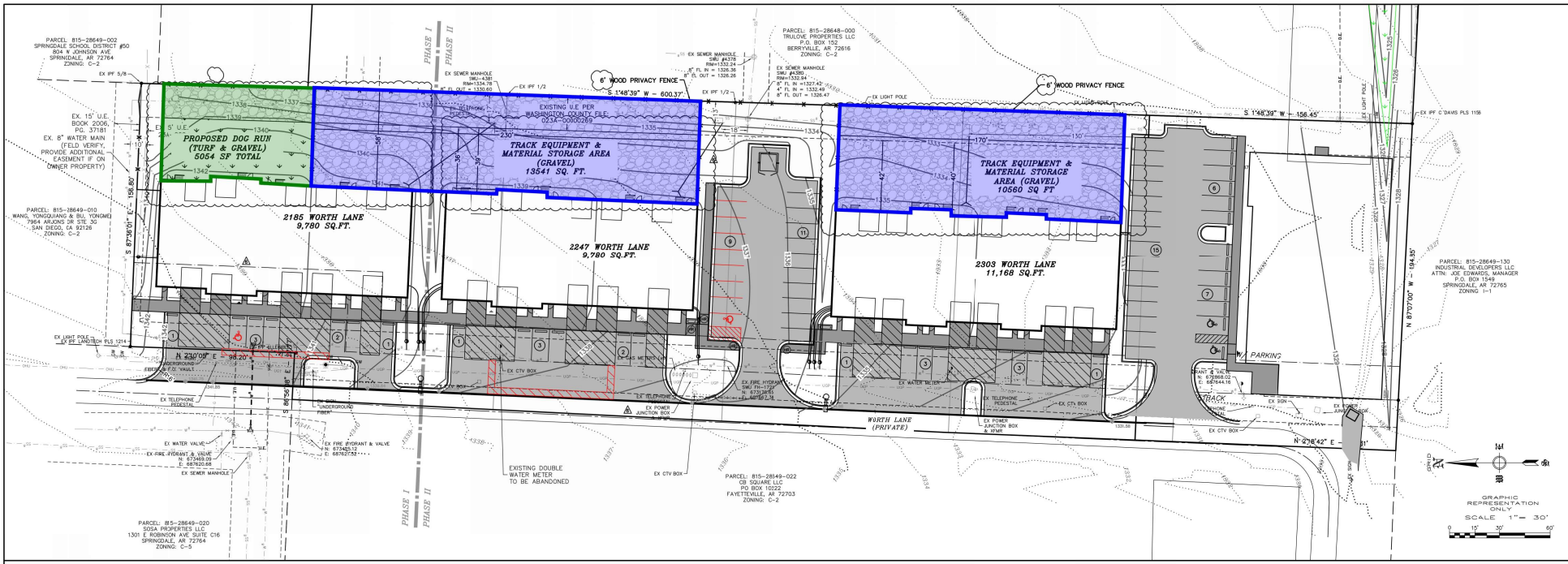
We hereby request a variance to allow construction of gravel heavy equipment storage for tracked construction equipment at the addresses listed above in accordance with the City of Springdale Code of Ordinance per Chapter 130, Art. 7, §8.3(f).

The Ordinance envisioned this scenario and allows for it specifically under "heavy equipment storage in areas other than an industrial zoning district or a C-6 Large Product Retail Sales District area by variance granted by the planning commission". This variance will allow use of this facility by a proposed tenant who has tracked construction equipment that would damage asphalt pavement.

Thank you for your consideration, please let me know if you have any questions.

Very truly yours,

Matt Trulove


PROPOSED DOG RUN (TURF & GRAVEL) 5054 SF TOTAL
TRACK EQUIPMENT & MATERIAL STORAGE AREA (GRAVEL) 13541 SQ. FT.
TRACK EQUIPMENT & MATERIAL STORAGE AREA (GRAVEL) 10560 SQ FT
2185 WORTH LANE 9,780 SQ.FT.
2247 WORTH LANE 9,780 SQ.FT.
2303 WORTH LANE 11,168 SQ.FT.
6' WOOD PRIVACY FENCE
S 1°48'39" W - 600.37'
S 1°48'39" W - 156.45'
N 23°09" E - 98.20'
N 2°58'42" E - 31'
N 87°07'00" W - 194.35'
S 87°36'01" E - 156.80'
WORTH LANE (PRIVATE)
EXISTING U.E PER WASHINGTON COUNTY FILE 023A-00002269
EXISTING DOUBLE WATER METER TO BE ABANDONED
PHASE I
PHASE II
PARCEL: 815-28649-002 SPRINGDALE SCHOOL DISTRICT #50 804 N JOHNSON AVE SPRINGDALE, AR 72764 ZONING: C-2
PARCEL: 815-28649-010 WANG, YONGQUIANG & BU, YONGMEI 7964 ARJONS DR STE 30 SAN DIEGO, CA 92126 ZONING: C-2
PARCEL: 815-28649-020 SOSA PROPERTIES LLC 1301 E ROBINSON AVE SUITE C16 SPRINGDALE, AR 72764 ZONING: C-5
PARCEL: 815-28648-000 TRULOVE PROPERTIES LLC P.O. BOX 752 BERRYVILLE, AR 72616 ZONING: C-2
PARCEL: 815-28649-022 CB SQUARE LLC PO BOX 10222 FAYETTEVILLE, AR 72703 ZONING: C-2
PARCEL: 815-28649-130 INDUSTRIAL DEVELOPERS LLC ATTN: JOE EDWARDS, MANAGER P.O. BOX 1548 SPRINGDALE, AR 72765 ZONING I-1
EX. 15' U.E. BOOK 2006, PG. 37181
EX. 8" WATER MAIN (FIELD VERIFY, PROVIDE ADDITIONAL EASEMENT IF ON OWNER PROPERTY)
5' U.E.
EX IPF 5/8
EX IPF 1/2
EX IPF C DAVIS PLS 1156
EX IPF LANDTECH PLS 1214
EX LIGHT POLE
EX SIGN
EX TELEPHONE PEDESTAL
EX CTV BOX
EX WATER VALVE
EX FIRE HYDRANT & VALVE
EX SEWER MANHOLE
EX WATER METER
EX POWER JUNCTION BOX & XFMR
EX TELEPHONE JUNCTION BOX
EX OHP/T
EX UGT
EX UGP
EX UGW
EX UGG
EX UGTV
EX UGF/O
EX UGE
EX OHW
EX OHE
EX OHT
EX OHG
EX OHTV
EX OHF/O
EX OHP

August 7, 2024

Engineering Services, Inc. (ESI)
1207 S. Old Missouri Road.
Springdale, AR 72765

Att: Brandon Rush

RE: B24-63 Variance 2185, 2247, & 2303 Worth Lane

At the August 6, 2024 meeting of the Springdale Planning Commission, your request for a variance from the paving requirement at the above location was denied.

You may appeal the decision of the Planning Commission to the City Council by giving notice in writing thereof to the City Clerk within 15 days of the decision explaining why the Planning Commission erred in its decision.

Respectfully,

Patsy Christie, Director
Planning and Community Development Division

/jn

Cc: File

Patsy Christie Director
Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

B24-63 **MT NWA Ventures, LLC**
2185, 2247, & 2303 Worth Lane
Variance for Paving Requirement
Presented by Engineering Services, Inc.

Mr. Cloud: Next on the agenda is B24-63 Mt NWA Ventures, LLC, presented by ESI.

Mr. Rush: Thank you. Brandon Rush with ESI. This is a variance request to have some gravel parking for heavy equipment behind some office warehouse flexible space on Worth Lane. Happy to answer any questions.

Mr. Cloud: Staff comments.

Mrs. Christie: I want to be first on this one. I distinctly remember when we approved this piece of property, that there was a statement made by the developer and by the engineering firm that there would be nothing in the back because the structures do not have doors that go to the back. You don't drive through; you don't have access to that from the parking lot or anything like that, correct?

Mr. Rush: There are garage doors where you can drive through to the rear.

Mrs. Christie: Okay. But there was not going to be anything stored back there, and now you want to put heavy equipment on all that area that's purple?

Mr. Rush: Yes, they have a tenant that's a construction business, and they're wanting to park heavy track equipment back there and their work…

Mrs. Christie: And they're going to drive through the buildings to get to it? How are they going to access it?

Mr. Rush: Yeah, from the garage doors.

Mrs. Christie: Also, there's been a change in the uses of several of these pieces of property from what we started with, with trades and services. What's in the building that has the green area behind it?

Mr. Rush: Dog boarding.

Mrs. Christie: Okay, and so that's got AstroTurf and stuff put behind it, correct?

Mr. Rush: Yes.

Mrs. Christie: And now we have a dance studio on the other end, and we had to adjust the parking for that, and we have two parking agreements for some additional parking in the property to the west because there wasn't enough parking on this side for the change in uses.

Mr. Rush: Yes.

Mrs. Christie: Okay.

Mr. Cloud: Further staff comments.

Mr. Hritz: I was out there just the other day. From the original large scale, there are probably still six or seven items on the original punch list that still haven't been done, and we've not released the COO on all the buildings due to that. The back area is still just red dirt with weeds growing up in there. There's some concern about some of the drainage; there's still a fence that needs to be built. We've been out there multiple times on some inspections trying to get this one closed out.

Mr. Cloud: Engineering.

Mrs. Hollingshead: If I remember correctly, they also bonded for sod in the detention pond, and I don't know that that's ever been placed.

Mrs. Christie: But the drainage calculations were not supposed to have anything or surface in the back, correct?

Mrs. Hollingshead: That is true, so that will need to be addressed with an updated drainage report.

Mr. Brush: So, I think the entire property was designed as commercial, so it would be equivalent as if it had been paved, so there shouldn't need to be any change in drainage.

Mrs. Christie: But what about the statement that there would be nothing in the back? So, I'm not sure that the calculations and the drainage took into account that that was going to be asphalt or pavement or gravel back there when it originally came in.

Mrs. Hollingshead: Right, we'll have to look at the drainage report and see if that was taken into account or not.

Mr. Cloud: Brandon, is your statement that that was… the blue shades, that was originally paved as parking or grass? I'm confused, I'm sorry.

Mr. Rush: So, when we did our drainage analysis on this whole project…

Mr. Cloud: Yes, sir.

Mr. Rush: We used the fully developed condition, the 90% impervious area.

Mrs. Hollingshead: A lot of times when we're looking at commercial areas like this, we kind of assume as a whole that, you know, that there's going to be a certain amount of impervious area. So, if we used that fully developed condition, it's probable that the detention pond was designed for that amount.

Mr. Cloud: Understood. Any public comment? Commissioners?

Mr. Couch: What's the timing been from what Ron was talking about, from closing this project out till today from the punch list and things?

Mr. Hritz: We started—we gave them the COO on the first building probably a year ago, and they weren't done with construction on the other two or three buildings. Now construction is done on all of them. I'm holding up the COO on the third building from the east until we get the stuff done. We still have power poles that need to be removed. It's been at least a year, probably, since the first building was released.

Mr. Couch: Is that stuff, I guess, actively being pursued, I guess?

Mr. Rush: It's being worked on; I wouldn't say it's being, you know, 8 to 5 Monday through Friday, but…

Mrs. Hollingshead: I received a bond for sod in January, and I think the reason was we thought it was too cold to plant the sod.

Mrs. Christie: Has it been sodded? Do you know?

Mr. Rush: I don't think it's been sodded.

Mrs. Christie: You don't think it's been sodded.

Mr. Cloud: I guess my biggest concern is with the existing tenant mix, which I would call light commercial, and this request looking to be at best heavy commercial, probably more realistically industrial. That just doesn't feel like a good mix of those buildings, especially with all the work and all the different things that we went through to accommodate parking and just the use of the building currently. That's the biggest issue I see. The mix of use seems to be not very productive in my mind. Any other comments? So, this will be a call for the vote.

Mr. Couch: Call for the vote.

Mr. Cloud: Mr. Couch.

Mr. Cloud: The variance request fails 7 to 1.

Mrs. Christie: You have the right to appeal the planning commission's denial to the city council. It has to be filed within 15 days in the city clerk's office, indicating why you think the Planning Commission's decision was in error. You have to notify the adjacent property owners again.

Mr. Rush: Thank you.

Mr. Cloud: Thank you.

WORTH LANE COMMERCIAL PARK

2022 PROJECTS

- **L22-06 Worth Lane Commercial Park**
  - February 1, 2022 – TABLED PER APPLICANT
  - March 1, 2022 – APPROVED
- **B22-13 Worth Lane Commercial Park**
  - **Deviation of the Paved Parking Requirement**
  - February 1, 2022 – DENIED
- **B22-14 Worth Lane Commercial Park**
  - **Commercial Design Standards**
    - **Parking Lot Orientation**
    - **Pedestrian Flow**
    - **Central Features & Community Spaces**
    - **Detail Features**
    - **Roofs**
  - February 1, 2022 – DENIED
- **B22-27 Worth Lane Commercial Park**
  - **Paving Requirement**
  - March 1, 2022 – WITHDRAWN
- **B22-28 Worth Lane Commercial Park**
  - **Commercial Design Standards**
    - **Materials & Colors**
  - March 1, 2022 – WITHDRAWN
- **L22-06 Worth Lane Commercial Park – Phasing Plan, Phase I & Phase II**
  - December 6, 2022 – APPROVED

2023 PROJECTS

- **L23-08 MT NWA Dance Studio (Worth Lane Commercial Park, Phase III)**
  - January 3, 2023 APPROVED
- **B23-14 MT NWA Dance Studio (Worth Lane Commercial Park, Phase III)**
  - **Commercial Design Standards**
    - **Materials & Colors**
  - January 3, 2023 APPROVED
- **RP23-10 Worth Lane Commercial Park**
  - June 6, 2023 APPROVED
- **L23-38 MT NWA Dance Studio (Worth Lane Commercial Park, Phase III)**
  - June 6, 2023 APPROVED
- **B23-60 MT NWA Dance Studio (Worth Lane Commercial Park, Phase III)**
  - **Reduction of Required Parking Spaces from 53 to 28 spaces**
  - June 6, 2023 APPROVED

2024 PROJECT

- **B24-63 MT NWA Ventures, LLC**
  - **Paving requirement to allow gravel parking for tracked construction equipment in rear of buildings**
    - August 6, 2024 DENIED

B22-13 - DENIED
B22-14 - DENIED

SPRINGDALE
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

February 2, 2022

Engineering Services, Inc.
Attn: Brandon Rush, P.E.
P. O. Box 282
Springdale, AR 72765

RE: B22-13 Variance Worth Lane Commercial Park
B22-14 1801 E. Robinson Ave

At the February 1, 2022 meeting of the Springdale Planning Commission, your variance requests for Commercial Design Standards (A) Parking lot orientation, (B) Pedestrian Flow, (C) Central Features & Community Spaces, (D) Detail Features, (E) Roofs and deviation of the paved parking requirement was denied for the above location.

You may appeal the Planning Commission's decision in writing to the City Clerk's office within fifteen (15) day. You must state why you think the Planning Commission erred in its decision and you must re-notify the adjacent property owners.

Respectfully,

Rick Barry, Assistant Director
Planning and Community Development Division

/dp

Cc: File
Building Inspection

Patsy Christie Director
Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

B22-27 - WITHDRAWN
B22-28 - WITHDRAWN

SPRINGDALE™
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

March 2, 2022

Brandon Rush
1207 S. Old Missouri Rd
Springdale, AR 72764

RE: B22-27, B22-28 Variance 1801 E. Robinson Ave

At the March 1, 2022 meeting of the Springdale Planning Commission, your variance request for the paving requirement and commercial design standards of materials and colors at the above location was withdrawn per your request.

Respectfully,

Rick Barry, Assistant Director
Planning and Community Development Division

/dp

Cc: File
Building Inspection

Patsy Christie Director
Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

B23-14 - APPROVED

SPRINGDALE™
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

January 4, 2023

Engineering Services, Inc.
Attn: J. Appel
P.O. Box 282
Springdale, AR 72765

RE: B23-14 Variance End of Worth Lane

At the January 3, 2023, meeting of the Springdale Planning Commission, your variance request for commercial design standards including materials and colors at the above location was approved.

Respectfully,

Patsy Christie, Director
Planning and Community Development Division

Cc: File
Building Inspection

B23-60 - APPROVED

SPRINGDALE™
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

June 8, 2023

Engineering Services, Inc.
Attn: Jason Appel, P.E.
P. O. Box 282
Springdale, AR 72765

RE: B23-60 Variance 2382 Worth Lane

At the June 6, 2023 meeting of the Springdale Planning Commission, the variance request to reduce the number of parking spaces from 53 to 28 at the above location was approved.

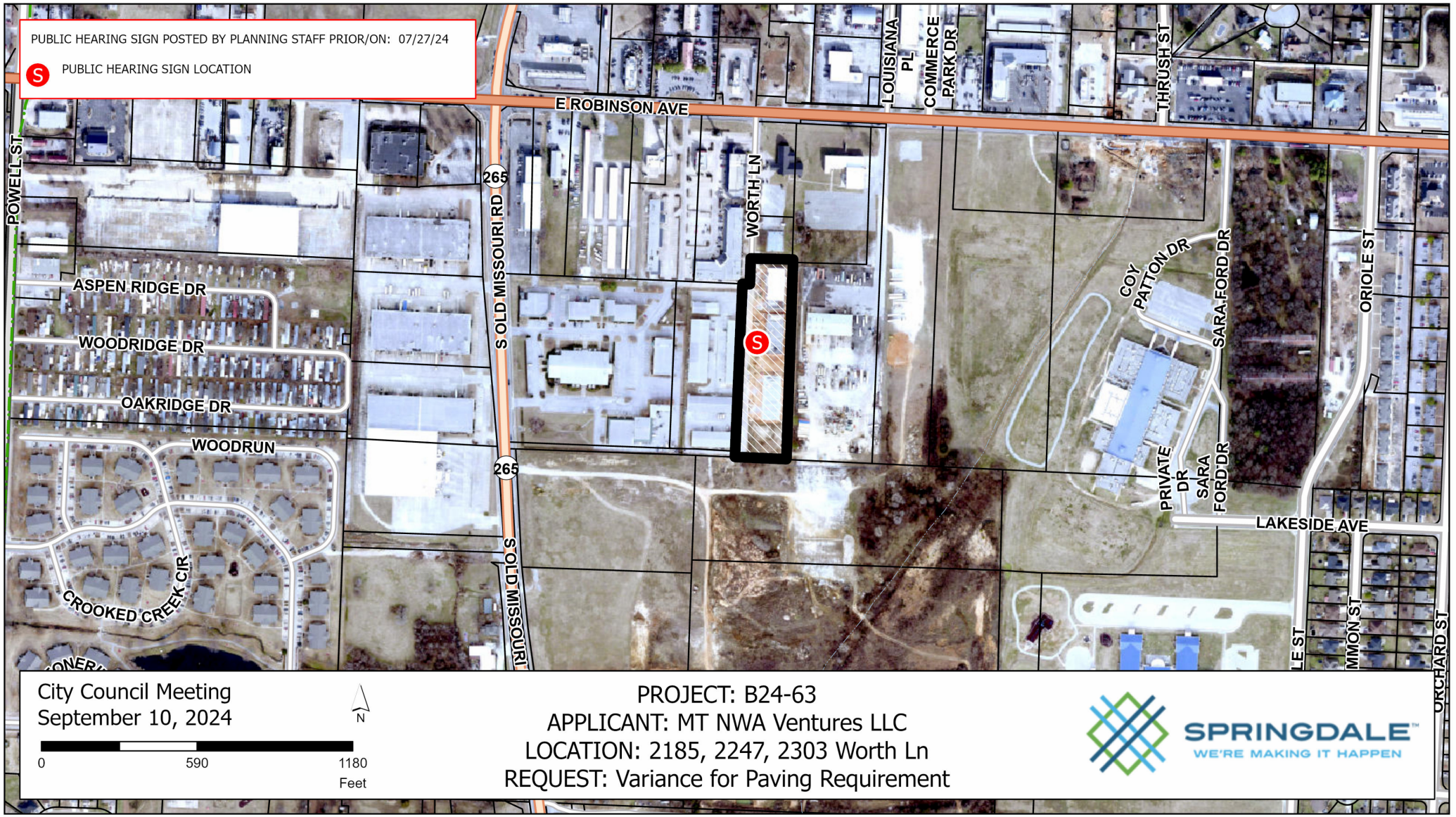
Respectfully,

Rick Barry, MPA, Assistant Director
Planning and Community Development Division

/dp

Cc: File
Building Inspection

Patsy Christie Director
Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764


PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 07/27/24
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LOUISIANA PL
COMMERCE PARK DR
THRUSH ST
ASPEN RIDGE DR
WOODRIDGE DR
OAKRIDGE DR
WOODRUN
CROOKED CREEK CIR
COY PATTON DR
SARA FORD DR
ORIOLE ST
PRIVATE DR
SARA FORD DR
LAKESIDE AVE
ORCHARD ST
City Council Meeting
September 10, 2024
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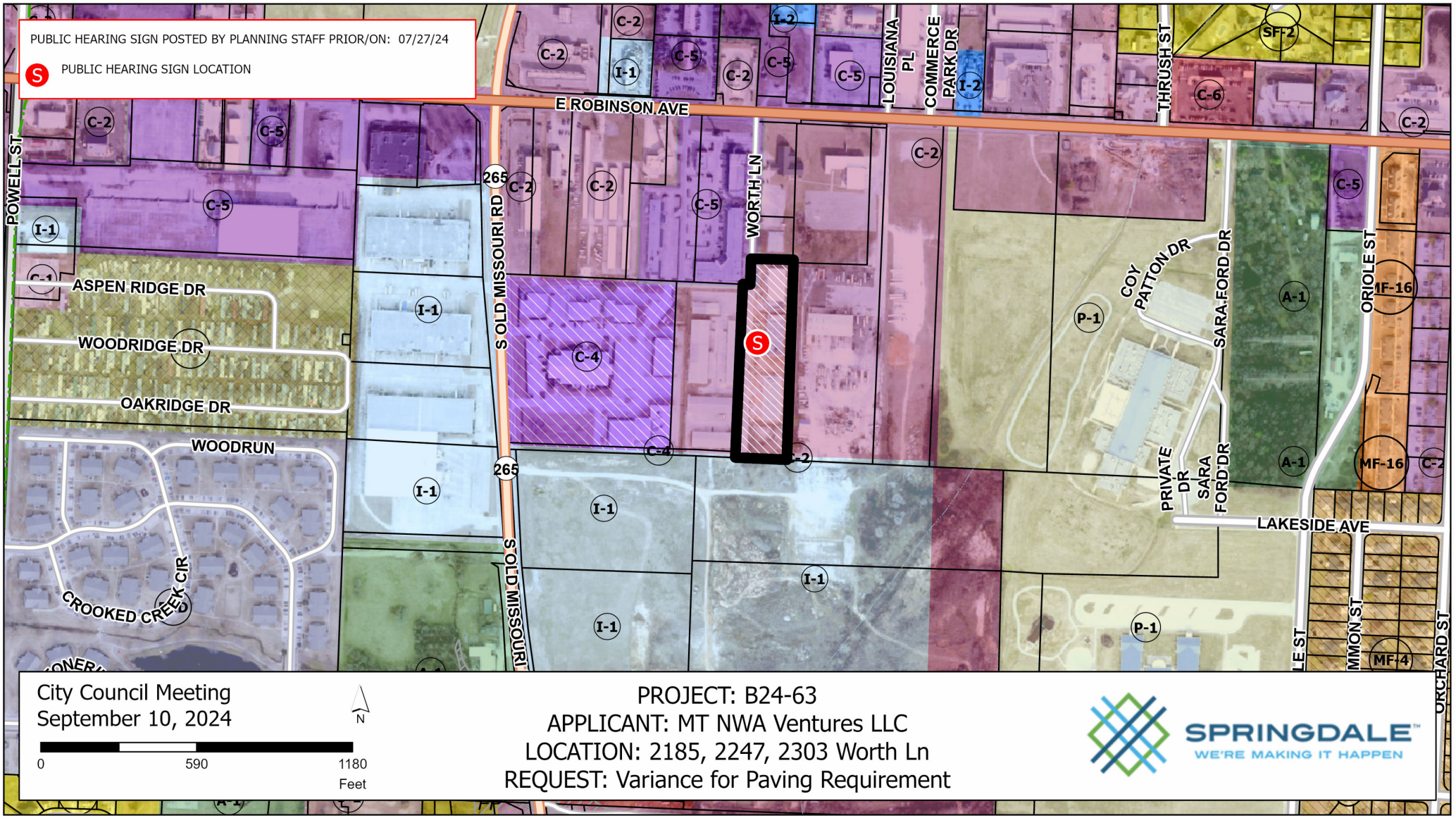
590
1180
Feet
PROJECT: B24-63
APPLICANT: MT NWA Ventures LLC
LOCATION: 2185, 2247, 2303 Worth Ln
REQUEST: Variance for Paving Requirement
SPRINGDALE
WE'RE MAKING IT HAPPEN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City Council Meeting
September 10, 2024
N
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Feet
PROJECT: B24-63
APPLICANT: MT NWA Ventures LLC
LOCATION: 2185, 2247, 2303 Worth Ln
REQUEST: Variance for Paving Requirement
SPRINGDALE
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CREATION OF A NEW POSITION

WHEREAS, the Springdale City Clerk will be retiring on December 31st of this year, and

WHEREAS, there is only one qualified candidate on the general election ballot in November, and

WHEREAS, the City of Springdale recognizes the importance of succession planning for continuity purposes, and

WHEREAS, it is important to our residents and the City of Springdale to have an efficient and effective transition between City Clerks, and

WHEREAS, the new Deputy City Clerk position will only be in effect from October 1, 2024 through December 31, 2024;

WHEREAS, The new position of Deputy City Clerk is rated as a grade 29 with a starting pay of $74,414.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the position of Deputy City Clerk is hereby created for the duration of October 1, 2024 through December 31, 2024 at a pay scale Grade 29, Step 1,

PASSED AND APPROVED this 25th day of September, 2024.

_____

Doug Sprouse, Mayor

ATTEST:

_____

Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CREATION OF A NEW POSITION

WHEREAS, the Springdale Chief Deputy City Attorney was elected as the District Judge and will take office on January 1, 2025, and

WHEREAS, the Springdale City Attorney will restructure his staff positions, removing the Chief Deputy position in the 2025 city budget, and

WHEREAS, the City of Springdale recognizes the importance of succession planning for continuity purposes, and

WHEREAS, it is in the city's best interest to create an additional Deputy City Attorney position on October 1, 2024 in order for training purposes, and

WHEREAS, The new position of Deputy City Attorney is rated as a grade 31 with a starting pay of $87,876.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that an additional position of Deputy City Attorney is hereby created at a pay scale Grade 31.

PASSED AND APPROVED this 25th day of September, 2024.

_____

Doug Sprouse, Mayor

ATTEST:

_____

Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____

Ernest B. Cate, City Attorney

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 215 W. MAPLE AVE., AND TO DECLARE AN EMERGENCY.

WHEREAS, Timothy Hollis is the owner of certain real property situated in Springdale, Washington County, Arkansas, more particularly described as follows:

LOT 25 & PT LOTS 26 THRU 31 (PT NE NW 1-17-30) FURTHER DESCRIBED IN WD 683-394: Beginning at a point which is 62 rods and 4 feet and 6 inches West of the Southeast Corner of the SE 1/4 of the SW 1/4 of Section 36 in Township 18 North, of Range 30 West, and from thence running South 24 rods; thence West 109 feet and 6 inches; thence running North 24 rods, and from thence running East 109 feet and 6 inches to the beginning point; being a part of the N 1/2 of the NW 1/4 of Section 1, Township 17 North of Range 30 West, and being in the City of Springdale, Arkansas. AND ALSO: Part of the N 1/2 of the NW 1/4 of Section 1 in Township 17 North of Range 30 West, described as beginning at a point which is 68 rods and 15 feet West of the Southeast corner of the SW 1/4 of Section 36 in Township 18 North of Range 30 West and running West 73 feet; thence South 200 feet; thence East 13 feet to the place of beginning to the lands to be conveyed; thence South 213 feet and 10 inches; thence East 60 feet; thence North 213 feet 10 inches; thence West 60 feet to the place of beginning. ALSO (from WD 708-123): Part of the NW 1/4 of Section 1, Township 17 North, Range 30 West, described as beginning at a point 73 rods and 5 1/2 feet West of the Southeast corner of the SW 1/4 of Section 36 Township 18 North, Range 30 West and running South 200 feet for a beginning point to the land herein intended to be conveyed, and running thence East 13 feet; thence South 220 feet; thence West 145 feet; thence North 220 feet; thence East 8 rods or to the place of beginning. ALSO (from WD 1051-338): Part of the N 1/2 of the NW 1/4 of Section 1, Township 17 North, Range 30 West. Being more particularly described as follows: From the Southeast corner of the SW 1/4 of Section 36, Township 18 North, Range 30 West, run West 1027.5 feet; thence South 396 feet; thence West 60.97 feet to the POINT OF BEGINNING. Thence run West 58.53 feet; thence South 8.04 feet; thence North 82 10'45" East 59.08 feet to the POINT OF BEGINNING. LESS & EXCEPT (WD 1051-339): Part of the N 1/2 of the NW 1/4 of Section 1, Township 17 North, Range 30 West. Being more particularly described as follows, to-wit: From the Southeast Corner of the SW 1/4 of Section 36, Township 18 North, Range 30 West run West 1027.5 feet, thence South 396.0 feet to the POINT OF BEGINNING: thence run West 59.97 feet; thence North 82°10'45" East 54.45 feet; thence South 7.0 feet to the POINT OF BEGINNING. ALSO LESS & EXCEPT: Part of the N 1/2 of the NW 1/4 of Section 1 Township 17 North, Range 30 West. Being more particularly described as follows, to-wit: From the Southeast corner of the SW 1/4 of Section 36, Township 18 North, Range 30 West run West 1027.50 feet thence South 396.0 feet; thence West 109.5 feet, thence South 8.04 feet to the POINT OF BEGINNING. Thence run South 9.79 feet; thence West 60.0 feet; thence South 6.17 feet; thence West 145.0 feet; thence North 8.6 feet; thence North 87°56'38" East 205.13 feet to the POINT OF BEGINNING.

Commonly known as 215 W. Maple Ave., Springdale, Washington County, Arkansas,
Tax Parcel No. 815-27684-000

WHEREAS, an accessory structure on the property ("the Structure", as indicated on the attached Exhibit which is incorporated herein by reference) is unfit for human habitation, constitutes a fire hazard, otherwise is dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of Springdale City Ordinances (§22-32 and §91-37, *et seq.*);

WHEREAS, the owner has been notified by the City of Springdale prior to the consideration of this ordinance, that the Structure is in violation of various ordinances of the City of Springdale, as well as the Property Maintenance Code of the City of Springdale;

WHEREAS, pursuant to Chapter 22-32 of the Ordinances of the City of Springdale, the owner was given thirty (30) days to purchase a building permit and to

commence repairs on the Structure, or to demolish and remove the Structure from the property;

WHEREAS, the owner has failed, neglected, or refused to comply with the notice to repair, rehabilitate or to demolish and remove the Structure, and as such, the matter of removing the Structure may be referred to the City Council pursuant to Chapter 22 and Chapter 91 of the Ordinances of the City of Springdale;

WHEREAS, under Ark. Code Ann. § 14-56-203 and pursuant to Chapter 22 and Chapter 91 of the Springdale Code of Ordinances, if repair or removal is not done within the required time, the Structure is to be razed (demolished) and/or removed;

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

Section 1. That the accessory structure located at 215 W. Maple Ave., Springdale, Arkansas, as indicated on the attached Exhibit, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe accessory structure.

Section 2. That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly and unsafe accessory structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be commenced within ten (10) days and shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said accessory structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of structures.

Section 3. If the aforesaid work is not commenced within ten (10) days or completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid accessory structure to be razed (demolished) and removed and the unsafe, unsanitary and unsightly conditions abated; and, the City of Springdale shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said accessory structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council.

Section 4. EMERGENCY CLAUSE: The City Council hereby determines that the aforesaid unsafe accessory structure constitutes a continuing detriment to the public safety and welfare and is therefore a nuisance, and determines that unless the provisions of this ordinance are put into effect immediately, the public health, safety and welfare of the citizens of Springdale will be adversely affected. Therefore, an emergency is hereby declared to exist and this ordinance begin necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2024.

_____
Doug Sprouse, MAYOR

ATTEST:

_____
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

_____
Ernest B. Cate, CITY ATTORNEY

ErnestCa/2024Misc/ORDraze215WMaple092524


W MAPLE AVE
S MAIN ST
S MAIN ST
305
215
211
815-27685-000
815-27683-001
815-27670-000
815-27684-000
815-27683-000

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III, OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, TO AMEND THE DOWNTOWN SPRINGDALE OUTDOOR DINING DISTRICT; AND DECLARING AN EMERGENCY.

WHEREAS, on August 11, 2020, the City of Springdale passed Ordinance No. 5498, which established the Downtown Springdale Outdoor Dining District ("the District"), pursuant to Ark. Code Ann. §14-54-1412, created a designated entertainment district, and set reasonable standards for the regulation of alcohol possession within the boundaries of the District;

WHEREAS, Ordinance No. 5498 granted the Public Events Committee the authority to review and recommend expansion of the boundaries of the District;

WHEREAS, on October 11, 2022, the City of Springdale passed Ordinance No. 5772, which amended certain provisions of Ordinance 5498 as it relates to the District, and codified the standards and regulations of the District in Chapter 6, Article III, of the Code of Ordinances of the City of Springdale;

WHEREAS, the City Council has determined that the District is in keeping with the vision of the Downtown Master Plan of creating an environment that a diversity of people and businesses are attracted to help ensure long term economic and social sustainability by promoting an atmosphere that highlights restaurant, entertainment, and hospitality options; and

WHEREAS, the City Council finds that it is in the best interests of the City and its residents to amend Ordinance No. 5498, as amended by Ordinance No. 5772, and Chapter 6, Article III, of the Code of Ordinances of the City of Springdale subject to the regulations set forth in this Ordinance.

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

Section 1: Section 6-61 of the Code of Ordinances of the City of Springdale is hereby amended so that the boundaries of the Downtown Springdale Outdoor Dining District are hereby amended and established within the boundaries as set forth and designated on the map that is attached as Exhibit A and incorporated by reference. The Public Events Committee shall continue to have the authority to review and recommend expansion of the boundaries of the District, subject to the provisions of Ark. Code Ann. §14-54-1412(a), and this Ordinance.

Section 2: Section 6-62 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 6-62. - Regulations.

(a) Restaurants, bars, and breweries, within the district boundaries, as well as vendors at special events within the district boundaries, may serve alcoholic beverages that may be carried out of the establishment and consumed within the designated boundaries of the district between the hours of 3:00 p.m. and 10:00 p.m. on Monday through Friday; 8:00 a.m. and 10:00 p.m. on Saturday; and 10:00 a.m. and 10:00 p.m. on Sunday, as long as the beverage is contained in a designated district cup provided by a participating business in the district.

(b) The Springdale Public Events Committee shall have the right, at its discretion, to exclude ~~Walter Turnbow Park and/or Shiloh Square~~ <u>any City park located within the district</u> during specified times.

(c) The boundaries of the district will be designated by signage placed on the sidewalk within the district.

(d) As needed trash and recycling receptacles will be placed at the boundaries of the district.

(e) A document will be prepared showing the boundaries of the district, participating bars and restaurants, information regarding the regulations of the district, and frequently asked questions. The document will be available on Explore Springdale and Downtown Springdale digital platforms.

(f) Participating restaurants and bars may not allow alcoholic beverages to be removed from the premises in glass containers and it shall be unlawful for any person to possess and consume alcoholic beverages ~~in~~ from a glass containers at Walter Turnbow Park and Shiloh Square, and on the streets, sidewalks, rights-of-way, and parking lots located within the district.

(g) No alcoholic beverages purchased outside the district shall be allowed in open containers in the district.

(h) Nothing in this ordinance shall be construed to allow any person to possess open containers of alcohol beverages or to consume alcoholic beverages in a motor vehicle.

(i) No person shall be permitted to remove an open alcoholic beverage container from the district. All unfinished quantities of alcoholic beverages must be properly disposed of prior to the individual leaving the district.

Section 3: All other provisions of Ordinance No. 5498, as amended by Ordinance No. 5772, and codified in Chapter 6, Article III, of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

Section 4: This Ordinance does not diminish the requirements of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district.

Section 5: Pursuant to Ark. Code Ann. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice to the Alcoholic Beverage Control Division of the Department of Finance and Administration of the amendment to this Entertainment District.

Section 6: Emergency Clause. It is hereby found and determined that the the Downtown Springdale Outdoor Dining District promotes hospitality and tourism by highlighting restaurant, entertainment, and hospitality options, and provides economic benefit to the City and its residents and business owners; thus the immediate passage of this Ordinance is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, it is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2024.

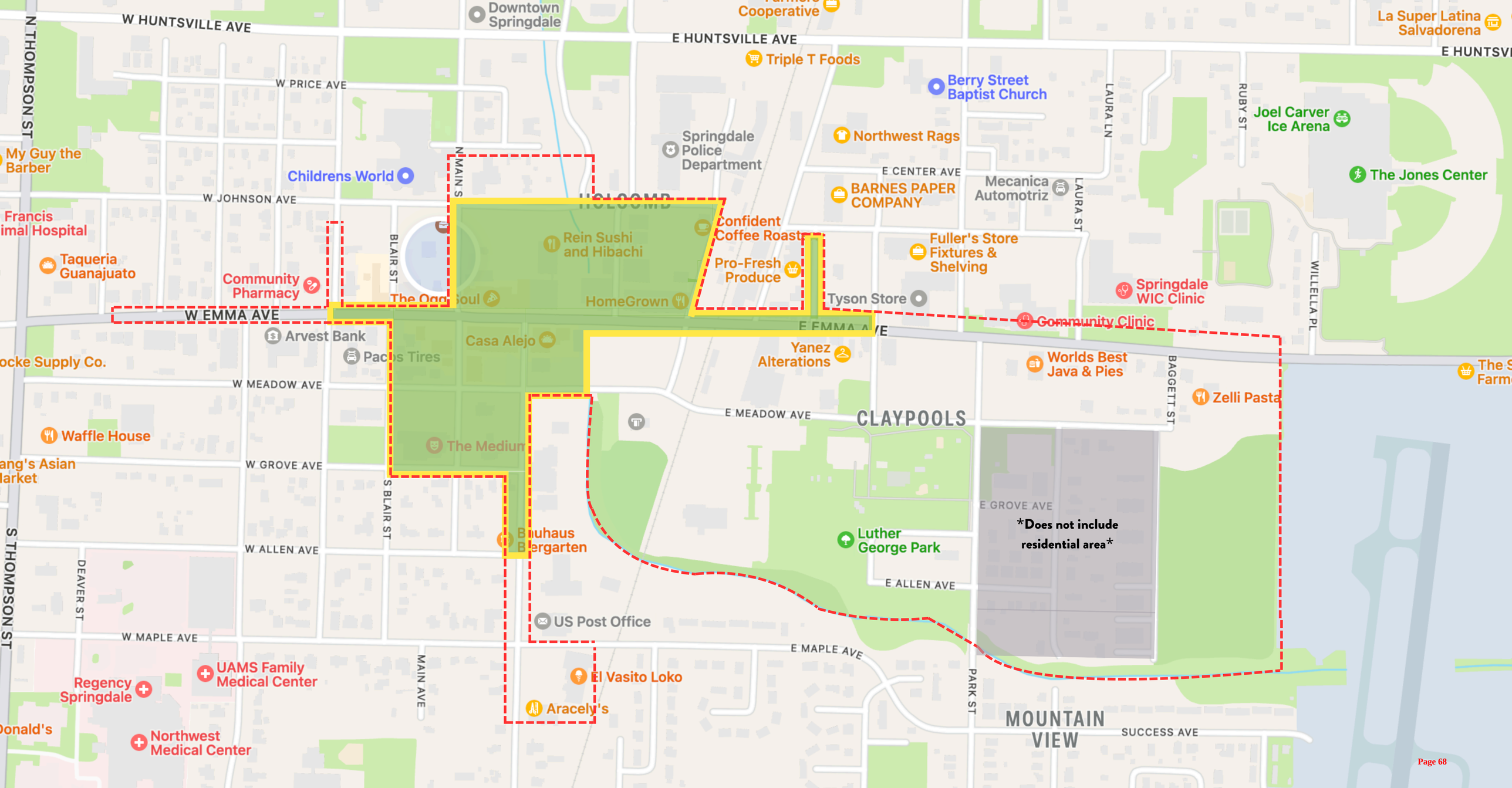
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

_____
Ernest B. Cate, CITY ATTORNEY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E HUNTSVILLE AVE
Downtown Springdale
Triple T Foods
Berry Street Baptist Church
La Super Latina Salvadorena
W PRICE AVE
N THOMPSON ST
Springdale Police Department
Northwest Rags
Joel Carver Ice Arena
LAURA LN
RUBY ST
My Guy the Barber
Childrens World
E CENTER AVE
BARNES PAPER COMPANY
Mecanica Automotriz
LAURA ST
The Jones Center
W JOHNSON AVE
Francis imal Hospital
Rein Sushi and Hibachi
Confident Coffee Roast
Fuller's Store Fixtures & Shelving
Taqueria Guanajuato
Community Pharmacy
BLAIR ST
Pro-Fresh Produce
Springdale WIC Clinic
WILLELLA PL
HomeGrown
Tyson Store
W EMMA AVE
Community Clinic
Arvest Bank
Casa Alejo
Yanez Alterations
Worlds Best Java & Pies
BAGGETT ST
W MEADOW AVE
E MEADOW AVE
CLAYPOOLS
Zelli Pasta
Waffle House
The Medium
W GROVE AVE
E GROVE AVE
Does not include residential area
S BLAIR ST
Bauhaus Biergarten
Luther George Park
W ALLEN AVE
E ALLEN AVE
S THOMPSON ST
DEAVER ST
US Post Office
W MAPLE AVE
E MAPLE AVE
UAMS Family Medical Center
Regency Springdale
El Vasito Loko
MAIN AVE
PARK ST
Aracely's
MOUNTAIN VIEW
SUCCESS AVE
Northwest Medical Center

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 78 of the Code of Ordinances of the City of Springdale, Arkansas, contains the regulations pertaining to City parks and park properties in the City of Springdale;

WHEREAS, Section 78-47 of the Code of Ordinances of the City of Springdale, Arkansas, contains the regulations pertaining to bringing or consuming alcoholic beverages into a City park or park properties in the City of Springdale;

WHEREAS, the City wishes to allow the possession or consumption of alcoholic beverages at certain designated events held in City parked located within the boundaries of the Springdale Outdoor Dining District and approved by the City public events advisory committee;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Section 78-47 of the Code of Ordinances of the City of Springdale, Arkansas.

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

Section 1: Section 78-47 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 78-47. Intoxicating beverages.

It shall be unlawful to ~~bring or~~ consume alcoholic beverages ~~with~~ in a city park, except at events approved by the City through the Public Events Advisory Committee and taking place ~~at Walter Turnbow Park~~ within the boundaries of the Springdale Outdoor Dining District. No person shall enter a park when under the influence of intoxicating beverages, as set forth in Ark. Code Ann. §5-71-212(a).

Section 2: All other provisions of Chapter 78 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this Ordinance shall remain in full force and effect.

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

PASSED AND APPROVED this _____ day of _____, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

RESOLUTION NO._____

A RESOLUTION ENTERING INTO A CONTRACT WITH MILESTONE CONSTRUCTION COMPANY FOR PARK IMPROVEMENTS AT SHAW FAMILY PARK (2023 BOND PROJECT NO. 23BPP3)

WHEREAS, the City of Springdale desires to build four new baseball fields at Shaw Family Park, and other park improvements, and

WHEREAS, Milestone Construction Company, LLC has proposed a construction contract with a Guaranteed Maximum price of $5,364,396.00 for the for the construction of four baseball fields and other park improvements, to be paid for out of the 2023 Parks and Recreation Bond Funds (Project No. 23BPP3).

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

1. The Mayor and City Clerk are authorized to enter into a construction contract with a Guaranteed Maximum Price not to exceed $5,364,396.00 with Milestone Construction Company, LLC for the construction of four baseball fields and other park improvements, to be paid for out of the 2023 Parks and Recreation Bond Funds (Project No. 23BPP3).

2. The Mayor is authorized to approve construction change orders up to a cumulative amount not exceed 10% of the contract amount.

PASSED AND APPROVED this 25th day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

AIA® Document A133® – 2019 Exhibit A

Guaranteed Maximum Price Amendment

This Amendment dated the nineth day of January in the year Two Thousand Twenty-Four , is incorporated into the accompanying AIA Document A133™–2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the twenty-ninth day of August in the year Two Thousand Twenty-Four (the "Agreement")
(In words, indicate day, month, and year.)

for the following **PROJECT:**
(Name and address or location)

Shaw Family Park Improvements
7341 W. Downum Rd. Springdale, AR 72762

THE OWNER:
(Name, legal status, and address)

City of Springdale
201 Spring Street
Springdale, AR 72762

THE CONSTRUCTION MANAGER:
(Name, legal status, and address)

Milestone Construction Company, LLC
2002 S. 48th Street, Suite A
Springdale, AR 72762

TABLE OF ARTICLES

A.1 GUARANTEED MAXIMUM PRICE

A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS

ADDITIONS AND DELETIONS:
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

ARTICLE A.1 GUARANTEED MAXIMUM PRICE

§ A.1.1 Guaranteed Maximum Price

Pursuant to Section 3.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of the Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Five Million Three Hundred Sixty-four Thousand Three Hundred Ninety-six and no/100's

AIA Document A133 – 2019 Exhibit A. Copyright © 1991, 2003, 2009, and 2019. All rights reserved. "The American Institute of Architects," "American Institute of Architects," "AIA," the AIA Logo, and "AIA Contract Documents" are trademarks of The American Institute of Architects. This document was produced at 08:56:46 ET on 08/30/2024 under Order No.4104241628 which expires on 10/13/2024, is not for resale, is licensed for one-time use only, and may only be used in accordance with the AIA Contract Documents® Terms of Service. To report copyright violations, e-mail docinfo@aiacontracts.com.
User Notes:

Dollars ($ 5,364,396), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 Itemized Statement of the Guaranteed Maximum Price. Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, including allowances; the Construction Manager's contingency; alternates; the Construction Manager's Fee; and other items that comprise the Guaranteed Maximum Price as defined in Section 3.2.1 of the Agreement.
(Provide itemized statement below or reference an attachment.)

See Attachment "A"

§ A.1.1.3 The Construction Manager's Fee is set forth in Section 6.1.2 of the Agreement.

§ A.1.1.4 The method of adjustment of the Construction Manager's Fee for changes in the Work is set forth in Section 6.1.3 of the Agreement.

§ A.1.1.5 Alternates
§ A.1.1.5.1 Alternates, if any, included in the Guaranteed Maximum Price:

Item	Price

§ A.1.1.5.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Exhibit A. Upon acceptance, the Owner shall issue a Modification to the Agreement.
(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item	Price	Conditions for Acceptance

§ A.1.1.6 Unit prices, if any:
(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit ($0.00)
1. Excavation, removal and offsite disposal of unsuitable soils.	CY	$16.25
2. Provide, place & compact engineered fill	CY	$19.20
3. Mass rock excavation and offsite disposal	CY	$375.00
4. Trench rock excavation and offsite disposal	CY	$475.00

ARTICLE A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ A.2.1 The date of commencement of the Work shall be:
(Check one of the following boxes.)

[ ] The date of execution of this Amendment.

[X] Established as follows:
(Insert a date or a means to determine the date of commencement of the Work.)

7 days after approval of this contract

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of execution of this Amendment.

§ A.2.2 Unless otherwise provided, the Contract Time is the period of time, including authorized adjustments, allotted in the Contract Documents for Substantial Completion of the Work. The Contract Time shall be measured from the date of commencement of the Work.

Init.
/
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§ A.2.3 Substantial Completion

§ A.2.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Construction Manager shall achieve Substantial Completion of the entire Work:
(Check one of the following boxes and complete the necessary information.)

[X] Not later than Two Hundred Ten (210) calendar days from the date of commencement of the Work.

[ ] By the following date:

§ A.2.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Construction Manager shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date

§ A.2.3.3 If the Construction Manager fails to achieve Substantial Completion as provided in this Section A.2.3, liquidated damages, if any, shall be assessed as set forth in Section 6.1.6 of the Agreement.

ARTICLE A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

§ A.3.1 The Guaranteed Maximum Price and Contract Time set forth in this Amendment are based on the Contract Documents and the following:

§ A.3.1.1 The following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages

§ A.3.1.2 The following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Amendment.)

See Attachment "B"

Section	Title	Date	Pages

§ A.3.1.3 The following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Amendment.)

See Attachment "C"

Number	Title	Date

§ A.3.1.4 The Sustainability Plan, if any:
(If the Owner identified a Sustainable Objective in the Owner's Criteria, identify the document or documents that comprise the Sustainability Plan by title, date and number of pages, and include other identifying information. The Sustainability Plan identifies and describes the Sustainable Objective; the targeted Sustainable Measures; implementation strategies selected to achieve the Sustainable Measures; the Owner's and Construction Manager's roles and responsibilities associated with achieving the Sustainable Measures; the specific details about design reviews, testing or metrics to verify achievement of each Sustainable Measure; and the Sustainability Documentation required for the Project, as those terms are defined in Exhibit C to the Agreement.)

Title	Date	Pages

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(829739894)

Other identifying information:

§ A.3.1.5 Allowances, if any, included in the Guaranteed Maximum Price:
(Identify each allowance.)

Item		Price
1.	Electrical Service and Design for Field Lighting	$200,000
2.	Electrical Utility fees for New Service	$25,000
3.	Foodservice Equipment	$35,000
4.	Canopies/Shade Structures	$200,000

§ A.3.1.6 Assumptions and clarifications, if any, upon which the Guaranteed Maximum Price is based:
(Identify each assumption and clarification.)

See Attachment "A"

§ A.3.1.7 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Amendment.)

Batting cages are to be constructed of powder coated 6" pipe.

ARTICLE A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS

§ A.4.1 The Construction Manager shall retain the consultants, contractors, design professionals, and suppliers, identified below:
(List name, discipline, address, and other information.)

This Amendment to the Agreement entered into as of the day and year first written above.

OWNER *(Signature)*	**CONSTRUCTION MANAGER** *(Signature)*
Doug Sprouse, Mayor	Mike Davis, Vice President
(Printed name and title)	*(Printed name and title)*

Init.
/
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(839729894)

Additions and Deletions Report for
AIA® Document A133® – 2019 Exhibit A

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 08:56:46 ET on 08/30/2024.

PAGE 1

This Amendment dated the nineth day of January in the year Two Thousand Twenty-Four , is incorporated into the accompanying AIA Document A133™–2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the twenty-ninth day of August in the year Two Thousand Twenty-Four (the "Agreement")

...

Shaw Family Park Improvements
7341 W. Downum Rd. Springdale, AR 72762

...

City of Springdale
201 Spring Street
Springdale, AR 72762

...

Milestone Construction Company, LLC
2002 S. 48th Street, Suite A
Springdale, AR 72762

...

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Five Million Three Hundred Sixty-four Thousand Three Hundred Ninety-six and no/100's Dollars ($ 5,364,396), subject to additions and deductions by Change Order as provided in the Contract Documents.

PAGE 2

See Attachment "A"

...

1.	Excavation, removal and offsite disposal of unsuitable soils.	CY	$16.25
2.	Provide, place & compact engineered fill	CY	$19.20
3.	Mass rock excavation and offsite disposal	CY	$375.00
4.	Trench rock excavation and offsite disposal	CY	$475.00

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...

[X] Established as follows:

...

7 days after approval of this contract

PAGE 3

[X] Not later than Two Hundred Ten (210) calendar days from the date of commencement of the Work.

...

See Attachment "B"

...

See Attachment "C"

PAGE 4

1.	Electrical Service and Design for Field Lighting	$200,000
2.	Electrical Utility fees for New Service	$25,000
3.	Foodservice Equipment	$35,000
4.	Canopies/Shade Structures	$200,000

...

See Attachment "A"

...

Batting cages are to be constructed of powder coated 6" pipe.

...

Doug Sprouse, Mayor

Mike Davis, Vice President

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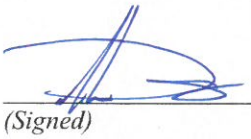
Certification of Document's Authenticity

AIA® Document D401™ – 2003

I, Sam Hollis, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 08:56:46 ET on 08/30/2024 under Order No. 4104241628 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A133™ – 2019 Exhibit A, Guaranteed Maximum Price Amendment, other than those additions and deletions shown in the associated Additions and Deletions Report.



(Signed)

VICE PRESIDENT

(Title)

8/30/2024

(Dated)

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MILESTONE
CONSTRUCTION COMPANY, LLC

Shaw Family Park Expansion
GMP Proposal

Scope of Work	Cost
Concrete	822,618
Masonry	155,449
Structural Steel Supply	69,195
Structural Steel Erection	24,900
Waterproofing	30,341
Roofing	35,396
Flush Wood Siding System	33,300
Doors, Frames, & Hardware Supply	22,796
Door & Hardware Installation	6,863
Overhead Doors	21,831
Metal Studs, Drywall, Insulation, & Acoustical Ceilings	14,943
Painting	13,056
Specialties Supply	11,047
Athletic Equipment	292,000
Scoreboards	40,485
Plumbing	90,685
HVAC	23,094
Electrical	558,633
Earthwork & Storm Drainage	822,203
Asphalt Paving	334,310
Pavement Specialties	8,466
Fencing	280,247
Landscaping	353,160
Site Utilities	88,808
General Conditions	413,630
Insurance	13,485
Bond	43,933
Contractor Contingency	22,685
Owner Contingency	27,726
Fee	229,111
Allowance #1 - Electrical Service for Field Lighting	200,000
Allowance #2 - Elctrical Utility Fees for New Service	25,000
Allowance #3 - Food Service Equipment	35,000
Allowance #4 - Canopies	200,000
TOTAL	5,364,396

2002 S. 48th Street, Ste. A / Springdale, Arkansas 72762
p 479.751.3560 / f 479.751.4841 / www.mstonecc.com

MILESTONE
CONSTRUCTION COMPANY, LLC

VOLUME 1
DIVISION 00 – PROCUREMENT AND CONTRACTING REQUIREMENTS
00 01 02 PROJECT INFORMATION
00 01 05 CERTIFICATION PAGE ARCHITECT
00 01 08 ELECTRONIC FILE RELEASE FORM
00 01 10 TABLE OF CONTENTS
00 11 16 ADVERTISEMENT FOR BIDDERS
00 31 00 AVAILABLE PROJECT INFORMATION
00 73 00 SUPPLEMENTARY CONDITIONS
DIVISION 01 -- GENERAL REQUIREMENTS
01 20 00 PRICE AND PAYMENT PROCEDURES
01 25 00 SUBSTITUTION PROCEDURES
01 26 00 CONTRACT MODIFICATION PROCEDURES
01 30 00 ADMINISTRATIVE REQUIREMENTS
01 31 00 PROJECT MANAGEMENT AND COORDINATION
01 40 00 QUALITY REQUIREMENTS
01 41 00 REGULATORY REQUIREMENTS
01 57 13 TEMPORARY EROSION AND SEDIMENT CONTROL
01 57 19 TEMPORARY ENVIRONMENTAL CONTROLS
01 58 13 TEMPORARY PROJECT SIGNAGE
01 60 00 PRODUCT REQUIREMENTS
01 70 00 EXECUTION AND CLOSEOUT REQUIREMENTS
01 78 00 CLOSEOUT SUBMITTALS
01 79 00 DEMONSTRATION AND TRAINING
DIVISION 02 -- GENERAL REQUIREMENTS
02 41 00 DEMOLITION
DIVISION 03 -- CONCRETE
03 20 00 CONCRETE REINFORCING
03 30 00 CAST-IN-PLACE CONCRETE
03 35 11 CONCRETE FLOOR FINISHES
DIVISION 04 -- MASONRY
04 20 00 UNIT MASONRY
04 73 00 MANUFACTURED MASONRY VENEER
DIVISION 05 – METALS
05 12 00 STRUCTURAL STEEL FRAMING
05 21 00 STEEL JOIST FRAMING
05 31 00 STEEL DECKING
05 40 00 COLD-FORMED METAL FRAMING
05 50 00 METAL FABRICATIONS
DIVISION 06 – WOODS AND PLASTICS
06 10 00 ROUGH CARPENTRY
DIVISION 07 – THERMAL AND MOISTURE PROTECTION
07 14 01 FLUID-APPLIED MEMBRANE AIR BARRIERS
07 21 00 THERMAL INSULATION
07 42 13 METAL ROOF PANELS & METAL SOFFITS
07 46 23 THERMALLY MODIFIED WOOD CLADDING
07 62 00 SHEET METAL FLASHING AND TRIM
07 91 00 PREFORMED JOINT SEALS

MILESTONE
CONSTRUCTION COMPANY, LLC

07 91 00.01 EXTERIOR WALL JOINT SEALS
07 92 00 JOINT SEALANTS
DIVISION 08 – OPENINGS
08 12 13 HOLLOW METAL DOORS & FRAMES
08 14 16 FLUSH WOOD DOORS
08 31 00 ACCESS DOORS AND PANELS
08 33 00 ROLLING SERVICE DOORS
08 33 20 ROLLING COUNTER DOORS
08 71 00 DOOR HARDWARE
08 83 00 MIRRORS
08 91 00 LOUVERS
DIVISION 09 -- FINISHES
09 21 16 GYPSUM BOARD ASSEMBLIES
09 65 13 RESILIENT WALL BASE
09 67 00 SEALED CONCRETE FINISH
09 90 00 PAINTING AND COATING
DIVISION 10 -- SPECIALTIES
10 14 00 SIGNAGE
10 28 00 TOILET, BATH, AND LAUNDRY ACCESSORIES
10 44 00 FIRE PROTECTION SPECIALTIES
DIVISION 11 -- EQUIPMENT
11 40 00 FOODSERVICE EQUIPMENT
DIVISION 31 -- EARTHWORK
31 05 00 TERMITE CONTROL

MILESTONE
CONSTRUCTION COMPANY, LLC

Shaw Family Park Expansion

Drawing	Name	Date	Drawing	Name	Date
A0.1	Cover Sheet	5/13/2024	LS0.1	Life Safety Plan	5/13/2024
A0.2	Building Details	5/13/2024	A0.4	Interior Partition Schedule	5/13/2024
A2.1	Architectural Site Plan	5/13/2024	A2.2	Architectural Floor Plan	5/13/2024
A2.3	Roof Plan	5/13/2024	A3.1	Exterior Building Elevations	5/13/2024
A3.2	Interior Elevations	5/13/2024	A4.1	Building Sections	5/13/2024
A4.2	Wall Sections	5/13/2024	A6.1	Reflected Ceiling Plan	5/13/2024
A7.1	Door-Frame Elevations, Details & Schedule	5/13/2024	S1.0	Required Special Inspections	5/10/2024
S1.1	Foundation General Notes & Details	5/10/2024	S1.2	Framing General Notes & Details	5/10/2024
S2.1	Foundation Plan & Details	5/10/2024	S3.0	Typ. Lintel & Masonry Details	5/10/2024
S3.1	Roof Framing Plan & Details	5/10/2024	P0.0	Plumbing Notes & Legends	5/13/2024
P1.0	Plumbing Schedules	5/13/2024	P2.0	Plumbing Details	5/13/2024
P3.0	Plumbing Plans	5/13/2024	P4.0	Plumbing Isometric Diagrams	5/13/2024
P5.0	Plumbing Specifications	5/13/2024	M0.0	Mechanical Notes & Legends	5/13/2024
M1.0	Mechanical Plan & Schedules	5/13/2024	M2.0	Mechanical Details	5/13/2024
M3.0	Mechanical Specifications	5/13/2024	E0.0	Electrical Specifications	5/13/2024
E0.1	Electrical Lighting Notes & Symbols	5/13/2024	E1.1	Electrical Plans	5/13/2024
E2.0	Electrical One-Line Diagram	5/13/2024		Civil Cover Sheet	5/17/2024
1	Existing Conditions	3/21/2024	2	Demolition Plan	3/21/2024
3	Overall Plan	5/17/2021	4	LSD Plan	5/17/2024
5	Grading Plan	3/21/2024	6	Grading Plan	3/21/2024
7	Grading Plan	3/21/2024	8	Storm Drainage Plan	3/21/2024
9	Storm Drainage Plan	3/21/2024	10	Storm Drainage Plan	3/21/2024
11	Paving & Signage Plan	3/21/2024	12	Paving & Signage Plan	3/21/2024
13	Paving & Signage Plan	3/21/2024	14	Typical Details	5/17/2024
15	Typical Details	5/17/2024	16	Dugout Details	5/17/2024
17	Seating Area Details	5/17/2024	18	Overall Utility Plan	5/17/2024
19	Utility Plan & Profile	5/17/2024	20	Utility Plan & Profile	5/17/2024
21	SWPP Plan	5/17/2024	22	SWPPP Details	5/17/2024
23	Landscaping Plan	5/17/2024	24	Perimeter Landscaping	5/17/2024
25	Lighting Plan	5/17/2024			

RESOLUTION NO._____

A RESOLUTION ACCEPTING A GRANT FROM THE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT, & APPROPRIATING FUNDS.

WHEREAS, the Springdale Police Department was awarded a JAG grant in the amount of $28,555.00, and

WHEREAS, the Springdale Police Department is in need of equipment that is eligible to be purchased with the grant funds, and

WHEREAS, it is beneficial for the general public and our law enforcement officers to have a tire changer, wheel balancer and portable fingerprint scanners.

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

Section 1: That the Mayor is hereby authorized to accept and sign the grant agreement for a Justice Assistance grant in the amount of $28,555.00.

Section 2: The City of Springdale appropriates $28,555.00 for equipment to be purchased from the Police Department equipment fund.

PASSED AND APPROVED this 24th day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

FROM: Chief Frank Gamble

TO: Colby Fulfer and Mayor Doug Sprouse

DATE: 09/11/24

RE: 2024 JAG Grant Allocation

In 2024 the Springdale Police Department, Fayetteville Police Department and the Washington County Sheriff's Office received a joint grant allocation from JAG. We received notice that our funding was approved on September 6, 2024. We request that the City Council approve the acceptance of our funding. The total JAG funding for Springdale this year is $28,555. We would like to seek the council's approval to purchase a tire changer and a wheel balancer for vehicle maintenance as well as two portable fingerprint scanners. The total for all of these items is $28,934.33. The $379.33 difference between the grant and the total will be paid for out of the budget. We are not seeking any additional funding from the council for these items.

Respectfully,



Chief of Police Frank Gamble
Springdale Police Department

RESOLUTION NO. _____

A RESOLUTION TO LEVY BENTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes no later than October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes will be collected by the County Clerk and Tax Collector of Benton County.

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

SECTION 1: That the following levies be approved for collection in the year 2025 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Benton County.

The 2024 property tax levy to be collected by the Benton County Tax Collector are as follows:

	REAL ESTATE	**PERSONAL PROPERTY**
GENERAL FUND	.0047	.0047
FIREMEN'S PENSION	.0005	.0005
POLICEMEN'S PENSION	.0005	.0005
TOTAL	.0057	.0057

PASSED AND APPROVED this _____ day of _____, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION TO LEVY WASHINGTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes no later than October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes and voluntary taxes will be collected by the Tax Collector of Washington County.

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

SECTION 1: That the following levies be approved for collection in the year 2025 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Washington County.

The 2024 property tax levy to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	**PERSONAL PROPERTY**
GENERAL FUND	.0046	.0046
FIREMEN'S PENSION	.0005	.0005
POLICEMEN'S PENSION	.0005	.0005
TOTAL	.0056	.0056

SECTION 2: The 2024 voluntary taxes to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	**PERSONAL PROPERTY**
CITY FIRE FUND	.0015	.0015
LIBRARY	.001	.001
TOTAL	.0025	.0025

SECTION 3: The voluntary taxes will be printed in the Washington County Tax Collector's office and shall be billed and collected by the Washington County Tax Collector's office.

PASSED AND APPROVED this _____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

The City Council of the City of Springdale met in regular session on Tuesday, September 10, 2024 in the Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 3
Amelia Taldo	Ward 4
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Frank Gamble	Police Chief
Blake Holte	Fire Chief
Patsy Christie	Planning Director
Ryan Carr	Engineering Department
Mike Chamlee	Buildings Director
Ron Findley	Neighborhood Services Director
James Smith	Public Works Director

APPROVAL OF MINUTES

Council Member Taldo moved the minutes of the August 27, 2024 City Council meeting be approved as presented. Council Member Harriman made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

After the vote was taken, motion carried unanimously by 8-0.

PROCLAMATION – CONSTITUTION WEEK

Mayor Sprouse presented a proclamation celebrating the 237th Anniversary of the 1787 Constitutional Convention and proclaiming the week of September 17 through September 23, 2024 as “Constitution Week” in the City of Springdale, Arkansas.

DOWNTOWN SPRINGDALE ALLIANCE QUARTERLY REPORT

Jill Dabbs, Downtown Springdale Alliance Director, presented a quarterly report on what is going on downtown. A presentation with renderings of the park and the progress being made on the revitalization of Luther George Park was given be Ms. Dabbs. The grand opening of the park will be held on Friday, October 11, 2024 with Jenee Fleener performing with her band Wood Box Heroes and the celebration will continue on Saturday, October 12th.

ORDINANCE NO. 5998 – ACCEPTING THE FINAL PLAT (FP24-11) OF MAGNOLIA ESTATES TO THE CITY OF SPRINGALE, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Final Plat (FP24-11) of Magnolia Estates (12.36 acres) to the City of Springdale, and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 8-0.

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 5998.

RESOLUTION NO. 116-24 – APPROVING A WAIVER (W24-19) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO MAGNOLIA ESTATES, IN CONNECTION WITH FP24-11, A FINAL PLAT

Planning Director Patsy Christie presented a Resolution approving a waiver (W24-19) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 to Magnolia Estates, in connection with FP24-11, a Final Plat.

Planning Commission recommended approval at their meeting.

Council Member Harriman moved the Resolution be adopted with Option 1. Council Member Powell made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W24-19) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO MAGNOLIA ESTATES, IN CONNECTION WITH FP24-11, A FINAL PLAT.

WHEREAS, Ordinance #3047 provides for the waiver (W24-19) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver (W24-19) of street improvements to AR Highway 112 including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with Magnolia Estates, FP24-11, a Final Plat, and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to AR Highway 112 including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with, FP24-11, a Final Plat for Magnolia Estates.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 116-24.

ORDINANCE NO. 5999 – (R24-43) REZONING 10.02 ACRES OWNED BY THE CITY OF SPRINGDALE (BENTON COUNTY) LOCATED AT 4322 N. OAK STREET, 675 SUNRISE DRIVE, 530 SUNRISE DRIVE AND THE TRACT TO THE NORTH, FROM, FROM A-1AND SF-1 TO P-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning (R24-43) 10.02 acres owned by the City of Springdale located at 4322 N. Oak Street, 675 Sunrise Drive, 530 Sunrise Drive and the tract to the North, from A-1 and SF-1 to P-1; and declaring an emergency. This included the old city hall, fire station and park land in the former Bethel Heights area.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 8-0.

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 5999.

APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A VARIANCE REQUEST (B24-63) FROM THE PAVING REQUIREMENT IN A C-2 ZONE LOCATED AT 2185, 2247, AND 2303 WORTH LANE

City Attorney Ernest Cate said the applicant for this appeal has asked that this be tabled until the next City Council meeting on September 25, 2024. He was advised he will need to renotify all the adjacent property owners.

Council Member Powell made the motion to table the appeal to the Wednesday, September 25, 2024 City Council meeting. Council Member Lawson made the second.

After the vote was taken, motion carried unanimously by 8-0.

RESOLUTION NO. 117-24 - AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH IMPACT MINISTRIES NWA ON PROPERTY OWNED BY THE CITY OF SPRINGDALE

City Attorney Ernest Cate presented a Resolution authorizing the Mayor and City Clerk to enter into a lease agreement with Impact Ministries NWA on property owned by the City of Springdale, former Bethel Heights City Hall. The $2,000 a month lease will be for three years beginning the 1st day of December, 2024, and ending the 30th day of November, 2027.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH IMPACT MINISTRIES NWA ON PROPERTY OWNED BY THE CITY OF SPRINGDALE

WHEREAS, the City owns property located in Benton County, Arkansas, more commonly known as 530 Sunrise Drive, Arkansas, Tax Parcel No. 21-00107-024 and Tax Parcel No. 21-03119-000 ("the Property");

WHEREAS, Impact Ministries NWA has requested to lease the Property for the operation of a church (Use Unit 42 of the City's Zoning Ordinance);

WHEREAS, the City of Springdale wishes to enter into a lease agreement with Impact Ministries NWA to memorialize the terms of their use of the Property;

WHEREAS, Impact Ministries NWA wishes to enter into the Lease Agreement attached hereto as Exhibit "A" and incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are authorized to execute the Lease Agreement, attached as Exhibit "A" hereto, with Impact Ministries NWA for the purposes contained therein.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into by and between the City of Springdale, Arkansas, hereinafter referred to as "Lessor," and Impact Ministries NWA, an Arkansas Nonprofit Corporation, hereinafter referred to as "Lessee."

WITNESSETH:

1. **Lease of Premises.** The Lessor, in consideration of the public advantages described herein, other good and valuable consideration, and the covenants and agreement to be performed by Lessee, does hereby let, lease and demise unto Lessee the following described premises, and improvements thereon, situate in Springdale, Benton County, Arkansas, to-wit:

> The property commonly known as 530 Sunrise Drive, Springdale, Arkansas, as well as all areas adjacent thereto and associated therewith, and as delineated on the attached Map which is attached hereto and incorporated herein by reference. Also known as Benton County Tax Parcel No. 21-00107-024 and Tax Parcel No. 21-03119-000 ("the Premises").

2. **Term/Use.** To have and to hold the Premises unto Lessee beginning the 1st day of December, 2024, and ending the 30th day of November, 2027. Thereafter, upon mutual agreement of the parties, this Lease may continue (under the same terms provided herein) as a month to month tenancy until terminated by either party. The Lessee shall use the Premises for a church, as set forth as Use Unit 42 in the Zoning Ordinance of the City of Springdale, Arkansas.

3. **Rental Amount**. The Parties agree that Lessee will pay to Lessor the sum of Two Thousand Dollars ($2,000.00) per month in rent during the Term of this Lease; and, Lessee also agrees to pay other expenses, including liability insurance, utilities, repairs, and maintenance, as more specifically set forth and provided herein. Each Rental Amount payment shall be due in advance of the first (1st) day of each calendar month during the Lease Term or any extensions thereof, to Lessor and delivered to Lessor as directed in the Notice provision herein. No Rental Amount shall be deemed late until the tenth (10th) day of each calendar month.

4. **Security Deposit**. Lessee shall not be required to pay a security deposit to Landlord.

5. **Lessee Improvements, Maintenance, and Utilities.** Lessee agrees to:

(a) maintain the grounds of the Premises (mowing, etc.), as well as the playground area, and any exterior restrooms;

(b) repair the interior or exterior of the building, electrical systems, plumbing, HVAC, roof structure, and any component, including outbuildings;

(c) be responsible for all costs associated with routine maintenance of the Premises, including but not limited to replacing air filters on a timely basis, replacing light bulbs and ballasts, replacing door knobs and closers, replacing toilet tank floats and handles, lubricating and cleaning;

(d) be responsible for payment of all utility costs on the Premises during the term of this Agreement;

(e) make alterations to the Premises, at Lessee's cost, to include all alterations needed in order to bring the Premises into compliance with all Building Codes and Fire Prevention Codes associated with Lessee's use of the Premises as a Church (Use Unit 42 of the City's Zoning Ordinance):

(f) Any and all improvements installed or made by Lessee during the term of this Agreement shall become Lessor's property upon the termination of this Agreement.

6. **Insurance.** Lessor shall provide the requisite insurance on the structure on the Premises, but Lessee shall be responsible for any insurance on any of Lessee's personal property kept at the Premises. Lessee shall at all times herein maintain a public liability insurance policy with coverage limits of $1,000,000.

7. **Damage or Destruction of Improvements.** It is mutually agreed that in the event that any of the improvements located on the Premises should be damaged by fire, windstorm, tornado, or other casualty to the extent that such Premises cannot be repaired, and put in condition for their intended use within 90 days from the happening of any of the casualties described above, then the Lessor or Lessee shall have the option to declare this Agreement terminated and at an end, and in that event neither of the parties hereto shall have any further liability under such Agreement.

8. **Covenant Against Liens.** Lessee shall not, by its acts, permit to exist any lien upon the Premises, unless such lien or claim of lien is contested by Lessee, and in such event such contest shall be prosecuted to a final conclusion as speedily as possible, and Lessee shall save and hold harmless Lessor against any and all losses and costs which may necessarily be incurred by Lessor by reason of such lien, and after final determination of such contest, Lessee shall fully pay and discharge any judgment resulting from such contest. Nothing in this Agreement shall be construed as constituting the consent or request of Lessor, expressed or implied, to any contractor, subcontractor, or other person or firm for the performance of any labor, services or materials for use on the Premises or any part thereof, and notice is hereby given that Lessor shall not be liable for any such labor, services or materials furnished to Lessee, nor shall any such liens affect the interest of Lessor in and to the Premises.

9. **Assignment and Subletting.** Lessee shall not assign this Agreement nor shall Lessee have the right to sublet the premises without the express written consent of Lessor.

10. **Termination of Lease.** Either party may terminate this lease by giving 30 days written notice to the other party. Notice shall be deemed sufficient if made by sending such notice by regular mail to the party at the address specified in paragraph 14, by personal delivery, or by electronic mail.

11. **Default.** The happening of any one or more of the following events shall constitute default by Lessee:

(a) Failure to comply with the terms and provisions herein as same relate to Lessee;

(b) Failure to use the Premises consistent with the purposes described in Paragraph 2 herein, or if Lessor determines that the use of the Premises is no longer in the public interest as described in Paragraph 2 herein.

In the event Lessor shall elect to take possession of the Premises as permitted under this paragraph, Lessor shall be entitled to such possession without being guilty in any manner of trespass, and Lessee agrees to deliver possession immediately upon demand to Lessor.

12. **Hold Harmless and Indemnity.** Lessee agrees to hold Lessor harmless for any damages caused by, or arising from, Lessee's use and possession of the Premises, and further agrees to indemnify Lessor in the event any claim for damages is brought against Lessor as a result of, or arising from, Lessee's use and possession of the Premises. This Agreement is in no way intended to waive the sovereign immunity of Lessor provided in Ark. Code Ann. §21-9-301.

13. **Waiver.** Failure of Lessor or Lessee to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder or a waiver by Lessor or Lessee at any time, expressed or implied, of any breach of any provisions of this lease or a consent to any subsequent breach of the same or any other provision.

14. **Notices.** All notices to be given by the parties hereunder shall be addressed to the party to receive such notice, with postage prepaid, mailed via U.S. Certified Mail, Return Receipt Requested, to the following:

LESSOR: City of Springdale
Attention: Mayor's Office
201 N. Spring Street
Springdale, AR 72764
dsprouse@springdalear.gov

LESSEE: Larry Marler
_____
_____
_____

The parties hereto may change the above address by notification to the other in writing, as above required.

15. **Binding Agreement.** This agreement shall inure to the benefit and be binding upon the respective parties, their heirs, successors and assigns.

16. **Number and Gender.** Whenever necessary in this agreement and where the context admits, the singular term and the related pronoun shall include the plural and the appropriate gender.

17. **Full Agreement.** The parties acknowledge this Agreement to be their complete and full agreement in regard to the Premises, and neither is relying upon any oral representations not made in this document.

IN WITNESS WHEREOF, the party identified as Lessee has set its hand and seal the day and year written opposite his respective signature, and Lessor has caused this Agreement to be signed by the person who represents that he has the authority to bind Lessor to this Agreement on the day and year written opposite their respective signatures.

LESSEE:

Impact Ministries NWA

_____ By: _____
Date Larry Marler, _____

LESSOR:

City of Springdale, Arkansas

_____ By: _____
Date Doug Sprouse, Mayor

_____ By: _____
Date Denise Pearce, City Clerk

Council Member Bailey moved the Resolution be adopted. Council Member Harriman made the second.

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 117-24.

RESOLUTION NO. 118-24 – AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE CITY OF SPRINGDALE 2024 STREET OVERLAY PROJECT

City Engineer Ryan Carr presented a Resolution authorizing the execution of a contract with APAC-Central, Inc. in the amount of $2,940,200.00 for the City of Springdale 2024 Street Overlay Project.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE CITY OF SPRINGDALE 2024 STREET OVERLAY PROJECT

WHEREAS, The Public Works Department has budgeted for the 2024 Street Overlay Project, and;

WHEREAS, the competitive bidding process provided by Arkansas law was utilized by the City of Springdale Public Works Department to obtain bids for the Overlay Project, and;

WHEREAS, the lowest responsible bidder was APAC-Central, Inc. in the amount of $2,940,200.00,

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a contract with APAC-Central, Inc. for the 2024 Street Overlay Project in amount not to exceed $2,000,000.00, to be paid from the 2024 Public Works Budget, and $940,200.00 to be paid for out of the 2018 Street Bond Fund.

Section 2. The Mayor is authorized to approve additional construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

Council Member Powell moved the Resolution be adopted. Council Member Bailey made the second.

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 118-24.

RESOLUTION NO. 119-24 – AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE RECONNECTING COMMUNITIES PILOT PLANNING PROGRAM – COMMUNITY PLANNING GRANT, AND FOR OTHER PURPOSES

Planning Director Patsy Christie presented a Resolution authorizing the submission of an application for funding through the Reconnecting Communities Pilot Planning Program – Community Planning Grant, and for other purposes. This will be used for the Thompson Street (71B) corridor with a total budget of $2,400,000 – $1,920,000 RCP Grant funds (80% of total activity budget) and $480,000 local non-federal match (20% of total activity budget) with local funding to be provided through the general fund upon grant award.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE RECONNECTING COMMUNITIES PILOT PLANNING PROGRAM – COMMUNITY PLANNING GRANT AND FOR OTHER PURPOSES.

WHEREAS, funding has continued through the Reconnecting Communities Pilot Program – Community Planning Grant that makes funding available through an 80/20 Federal/Local match, with the maximum award amount set at $2 million to support neighborhood equity, safety and affordable transportation access with emphasis on assisting economically disadvantaged or underserved communities, and

WHEREAS, the City of Springdale desires to submit an application through this pilot program to engage the community on both sides of Thompson Street and study certain aspects of the corridor to lay the groundwork for the determination of the type and location of improvements needed to reconnect the community within this area and mitigate the current connectivity challenges for all bicycle and pedestrian users within the heart of the city, and

WHEREAS, building on the public and private investments that have been undertaken on both sides of the corridor, the grant will allow the city to undertake technical studies to evaluate safety, transit, development opportunity, quality of life, and economic development opportunities along the corridor and within surrounding neighborhoods.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, **ARKANSAS, THAT**: the Council supports and authorizes the submission of an application under the Reconnecting Communities Pilot Program – Community Planning Grant for the Thompson Street (71B) corridor with a total budget of $2,400,000 – $1,920,000 RCP Grant funds (80% of total activity budget) and $480,000 local non-federal match (20% of total activity budget) with local funding to be provided through the general fund upon grant award.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Taldo made the second.

After the vote was taken, motion carried by 7-0-1 (Powell Abstained).

The Resolution was numbered 119-24.

RESOLUTION NO. 120-24 – AUTHORIZING THE GRANT OF A WATER AND SEWER EASEMENT ACROSS PROPERTY OWNED BY THE CITY OF SPRINGALE, WASHINGTON COUNTY, ARKANSAS

City Attorney Ernest Cate presented a Resolution authorizing the grant of a Water and Sewer Easement across property owned by the City of Springdale, Washington County, Arkansas. The City of Springdale has undertaken the construction of Fire Station #4 on the property and the water and sewer easement is necessary for the construction and improvement of water/sewer facilities at Fire Station #4.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE GRANT OF A WATER & SEWER EASEMENT ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

WHEREAS, the City of Springdale, Arkansas, owns property located at 3377 West Huntsville Avenue, known as Tax Parcel No. 815-29875-030, Washington County, Arkansas ("the Property");

WHEREAS, the City of Springdale has undertaken the construction of Fire Station #4 on the Property;

WHEREAS, the Springdale Water and Sewer Commission is in need of a water and sewer easement across the Property for water/sewer improvements, as shown on the attached Exhibit "A";

WHEREAS, the water and sewer easement is necessary for the construction and improvement of water/sewer facilities at Fire Station #4;

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting a water and sewer easement across the Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

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

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 120-24.

RESOLUTION NO. 121-24 – ENTERING INTO A LEASE AGREEMENT WITH STRYKER SALES LLC FOR SAFETY EQUIPMENT FOR THE SPRINGDALE FIRE DEPARTMENT

Fire Chief Blake Holte presented a Resolution entering into a lease agreement with Stryker Sales LLC for safety equipment for the Springdale Fire Department. The Springdale Fire Department would like to enter into a 5-year lease agreement with Stryker Sales, LLC, with an option to renew once at the same cost, to be budgeted and paid for out of the Fire Department's 2025 Budget of the City of Springdale, in an annual amount of $413,231.39, plus sales tax at the rate in effect on the date of payment, beginning in 2025.

RESOLUTION NO. ____

A RESOLUTION ENTERING INTO A LEASE AGREEMENT WITH STRYKER SALES, LLC, FOR SAFETY EQUIPMENT FOR THE SPRINGDALE FIRE DEPARTMENT, AND TO WAIVE COMPETITIVE BIDDING

WHEREAS, the Springdale Fire Department is needing to upgrade much of their safety equipment to the newest models, and

WHEREAS, most of the equipment they are currently using are high-use, high liability items, with many that have exceeded their service life, and

WHEREAS, this equipment includes all cardiac monitors, stretchers, power load systems, response apparatus AEDs, LUCAS CPR devices and stair chairs, and other safety equipment, all manufactured and sold by Stryker Sales, LLC, and

WHEREAS, the Springdale Fire Department would like to enter into a 5-year lease agreement with Stryker Sales, LLC, with an option to renew once at the same cost, to be budgeted and paid for out of the Fire Department's 2025 Budget of the City of Springdale, in an annual amount of $413,231.39, plus sales tax at the rate in effect on the date of payment, beginning in 2025.

WHEREAS, competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-104.

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

Section 1. Competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-104.

Section 2. The Mayor and City Clerk are hereby authorized to enter into a 5-year lease agreement with Stryker Sales, LLC, with an option to renew once at the same cost, for new safety equipment to be used by the Springdale Fire Department, to be budgeted and paid for out of the Springdale Fire Department's 2025 Budget of the City of Springdale, in an annual amount of $413,231.39, plus sales tax at the rate in effect on the date of payment, beginning in 2025.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

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

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 121-24.

RESOLUTION NO. 122-24 – AUTHORIZING THE PURCHASE OF 12 VEHICLES FOR THE SPRINGDALE POLICE DEPARTMENT AND TO WAIVE COMPETITIVE BIDDING

Police Chief Frank Gamble presented a Resolution authorizing the purchase of 12 vehicles for the Springdale Police Department from Superior Ford in Siloam Springs in the amount of $534,216.00 and waive competitive bidding. The funds will come out of the Unrestricted General Fund.

Chief Gamble explained they were recently made aware that a couple of dealerships in Arkansas had 2024 Ford Police Interceptors available for purchase. He felt like this would save the city some money over waiting to purchase them in 2025. Both quotes received were under the state bid price.

Discussion was held on purchasing them now verses purchasing them in the 2025 Budget.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES FOR THE SPRINGDALE POLICE DEPARTMENT AND TO WAIVE COMPETITIVE BIDDING

WHEREAS, the Springdale Police Department desire to purchase 12 new vehicles which are essential to their day-to-day operations, and

WHEREAS, the procurement of vehicles has proven to be an impediment to fulfilling our obligation to adequately return services to our residents, and

WHEREAS, the vehicles are available to be purchased at this time, and

WHEREAS, delaying the purchase until 2025 will prove to be more costly, and

WHEREAS, A.C.A § 14-58-104 (17) (A) states that the governing body of a city of the first class, city of the second class, or an incorporated town may purchase the following commodities without soliciting bids: New motor vehicles purchased from a licensed automobile dealership located in Arkansas for an amount not to exceed the fleet price awarded by the Office of State Procurement and in effect at the time the municipality submits the purchase order for the same make and model motor vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Council authorizes the Springdale Police Department to purchase 12 new vehicles in an amount not to exceed $534,216.00 out of the Unrestricted General Fund and the Mayor is hereby authorized to execute any contracts related to the purchase.

PASSED AND APPROVED this ____ day of September, 2024.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM

_____
Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Powell made the second.

After the vote was taken, motion was 4-4 (Watson, Lawson, Bailey, Fougerousse voting no).

Mayor Sprouse voted yes. Motion carried.

The Resolution was numbered 122-24.

ORDINANCE NO. 6000 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, ARKANSAS AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, Washington County, and declaring an emergency. The property is as follows:

Owner: Oak Landing Partners LLC
Davis Parcel (Parcel #815-27978-000)

Owner: Tiffany Schmidt
610 N. Kansas (Parcel #815-21001-000)

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

After the vote was taken, motion carried unanimously by 8-0.

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 6000.

AGENDA ITEM PULLED – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR PROPERTY OWNED BY STEVE AND TERESA FISHER – DREAM STRUCTURES INVESTMENT PROPERTIES LLC – LANKINSHIRE

City Attorney Ernest Cate stated this agenda item is being pulled from tonight's meeting. It will be coming back at a later date.

2ND SEPTEMBER CITY COUNCIL MEETING

The second City Council meeting will be held on Wednesday, September 25, 2024, at 6:00 p.m. instead of September 24, 2024 due to several being gone on the Chamber of Commerce Washington, DC trip.

ANNOUNCEMENTS

Chief Gamble announced they received a grant from the State Opioid Settlement. It is not money but is a device called TruNarc to help keep officers safe when they try to identify substances out in the field.

Chief of Staff Colby Fulfer announced the National Guard will be operating out of the Springdale Municipal Airport next week, Tuesday through Thursday.

CITY COUNCIL COMMITTEE MEETING

The next City Council Committee meeting will be held on Monday, September 30, 2024.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:50 p.m.

_____
Doug Sprouse, Mayor

_____
Denise Pearce, City Clerk/Treasurer