Next scheduled Committee Meeting will be held in the Council Chambers, 201 Spring Street, Springdale, Arkansas.

- **The date of the next Committee Meeting will be Monday, May 3, 2021.**
  - **Committee agendas will be available on the Friday before this meeting.**

SPRINGDALE CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
TUESDAY, April 27, 2021

5.55 p m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Randall Harriman

6·00 p.m · **OFFICIAL AGENDA**

1 · *Large Print* agendas are available.

2. Call to Order – Mayor Doug Sprouse

3. Roll Call – Denise Pearce, City Clerk

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. ***Quarterly Economic Development Report*** presented by Scott Edmonson, Vice President of Economic Development, Springdale Chamber of Commerce.

6· Approval of Minutes – April 13, 2021 Pgs. 3 - 14

7. 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)* **8.A-F & 9.** *Motion must be approved by two-thirds (2/3) of the council members).*

8 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 certain lands (1 acre at 2259 East Highway 264, south side) from Agricultural District (A-1) to Single Family Residential District (SF-1) and declaring an emergency. Pgs. 15 - 17

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 certain lands (2 41 acres at 611 E. Apple Blossom Ave , south side) from General Commercial District (C-2) to Light Industrial District (I-1) and declaring an emergency Pgs. 18 - 20

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 certain lands (1415, 1307, and 1309 Oak Grove Road, east side of Oak Grove Rd and west side of N. 48th St.) from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16) and declaring an emergency. Pgs. 21 - 25

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 certain lands (500 North Main, north side of W. Huntsville; west side of N. Main) Planned Unit

Development (PUD) to revised Planned Unit Development (PUD) and declaring an emergency. Pgs 26 - 28

E. ***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 certain lands (22 74 acres northeast of the intersection of Watkins Ave. and 64th Street) from Planned Unit Development (PUD) to revised Planned Unit Development (PUD) and declaring an emergency. Pgs 29 - 36

F. ***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 certain lands (10 acres at 3052 and 3744 Wagon Wheel Road, north of Wagon Wheel and west of Wildwood Ln.) from Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs 37 - 39

G. ***A Resolution*** approving a Conditional Use at 2200 South Old Missouri Road (ISC South, LLC - Greg Edwards, west side of Hwy. 265) as set forth in Ordinance No. 4030. Pgs. 40 & 41

H. ***A Resolution*** approving a Conditional Use at 4169 Bel Air Road (Iola Watson – Tandem Lot Split) as set forth in Ordinance No. 4030. Pgs 42 & 43

I. ***A Resolution*** approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Joshua Perry in connection with 728 Jay Lane (west side), a Single Family Dwelling. Pgs. 44 & 45

9. Ordinance Committee by Chairman Mike Overton

An Ordinance accepting two street dedications to the City of Springdale, Arkansas; to declare an emergency; and for other purposes. Ordinance forwarded from Committee with recommendation for approval. Pgs. 46 - 49

10. Finance Committee by Chairman Jeff Watson

A Resolution authorizing the execution of a Construction Contract for Spring Creek Trail (090622). Resolution forwarded from Committee with recommendation for approval. Pgs. 50 - 56

11. Personnel Committee by Chairman Mark Fougerousse

A Resolution authorizing the creation of a new position to replace an existing position. Resolution forwarded from Committee without a recommendation. Pg. 57

12. Parks and Recreation Committee by Chairman Mike Lawson

A Resolution authorizing the execution of a Change Order for the Construction Contract for Rabbit Foot Lodge, Project No. CP 2001. Resolution forwarded from Committee with recommendation for approval. Pgs. 58 - 62

13. Comments from Council Members.

14. Comments from Department Heads.

15. Comments from City Attorney.

16. Comments from the Mayor.

17. Adjournment.

SPRINGDALE CITY COUNCIL
APRIL 13, 2021

The City Council of the City of Springdale met in regular session on Tuesday, April 13, 2021, in the City 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 1
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Kevin Flores	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Jim Vaughan	Assistant Fire Chief
Mike Peters	Police Chief
Wyman Morgan	Director of Financial Services
Patsy Christie	Planning & Comm. Dev. Director
Brad Baldwin	Eng. & Public Works Director
Colby Fulfer	Chief of Staff

PUBLIC HEARING – ORDINANCE TO ABANDON A PORTION OF A UTILITY EASEMENT AT 4585 SEQUOIA AVENUE

City Attorney Ernest Cate opened up a public hearing on Item 12 on tonight's agenda, an ordinance to abandon a portion of a utility easement at 4585 Sequoia Avenue.

There were no public comments.

APPROVAL OF MINUTES

Council Member Overton moved the minutes of the March 23, 2021 City Council meeting be approved as presented. Council Member Williams 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 Powell made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse

No: None

SPRINGDALE CITY COUNCIL
APRIL 13, 2021

RESOLUTION NO. 38-21 – AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL AS REQUESTED BY RICK CULVER, EXECUTIVE DIRECTOR FROM THE RODEO OF THE OZARKS MAY 20-30, 2021 AND OCTOBER 1-9, 2021

Wyman Morgan presented a Resolution authorizing the temporary operation of a carnival as requested by Rick Culver, Executive Director from the Rodeo of the Ozarks.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL

WHEREAS, Rick Culver, Executive Director from the Rodeo of the Ozarks has requested permission to conduct two Carnival entertainment events at the Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, put on by James Burlingame DBA Pride Amusements; and

WHEREAS, Pride Amusements carnival dates will be *Thursday, May 20th, 2021 thru Sunday, May 30th, 2021*; and *Friday, October 1st, 2021 thru Sunday, October 10th, 2021*; and

WHEREAS, the carnival's hours of operation will be Thursday, May 20st thru Sunday, May 29th, 2021, from 4:00 p.m. – Midnight and Sunday, May 30th, 2021 from noon to 8:00 p.m.; and Friday, October 1st thru Saturday, October 9th, 2021, from 4:00 p.m. – Midnight and Sunday, October 10th, 2021 from noon to 8:00 p.m., Monday, October 4th thru Saturday, October 9th, from 4:00 p.m. - Midnight; and

WHEREAS, Sec. 26-43 of the Springdale Code of Ordinances provides that the operation of a carnival, sideshow or other similar amusement facility within the city must be approved by resolution adopted by the city council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Rick Culver, Executive Director with the Rodeo of the Ozarks and James Burlingame DBA Pride Amusements is hereby authorized to conduct two carnival entertainment events in Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, *May 20th thru May 30th, 2021,* and *October 1st thru October 10th, 2021,* with the carnival opening and closing times listed above. In case of a rain out, the Mayor has the authority to reschedule this event.

PASSED AND APPROVED this ____ day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell

No: None

The Resolution was numbered 38-21.

ORDINANCE NO. 5580 - REZONING 5 ACRES OWNED BY BRIAN AND MELONIE MOORE TRUST, LOCATED AT 7655 WEST GIBBS ROAD – PROJECT NAME: CADENCE CROSSING PLANNED UNIT DEVELOPMENT, FROM A-1 TO PUD

Planning Director Patsy Christie presented an ordinance rezoning five acres owned by Brian and Melonie Moore Trust, located at 7655 West Gibbs Road, Project Name: Cadence Crossing Planned Unit Development, from A-1 to PUD. Planning Commission granted a variance to allow the PUD to be on the five acres which is less than what is allowed for a PUD.

Mrs. Christie presented all the requirements for the proposed PUD (will be filed with the Ordinance).

Planning Commission recommended approval at their March 2, 2021 meeting.

This item was tabled from the March 23, 2021 City Council meeting because of some missing documents.

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

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Williams

No: Watson, Powell

Council Member Overton moved the Emergency Clause be adopted. Council Member Lawson made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5580.

RESOLUTION NO. 39-21 – APPROVING A CONDITIONAL USE APPEAL BY FRIENDSHIP CEMETERY ASSOCIATION FOR A TANDEM LOT SPLIT AT 1649 VANTRESS FARMS ROAD AS SET FORTH IN ORDINANCE NO. 4030, AMENDING CHAPTER 130 (ZONING ORDINANCE) OF THE SPRINGDALE CODE OF ORDINANCES

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Friendship Cemetery Association for a tandem lot split at 1649 Vantress Farms Road as set forth in Ordinance No. 4030.

Planning Commission recommended approval at their April 6, 2021 meeting.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE AT 1649 VANTRESS FARMS ROAD AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030, amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinances, 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 April 6, 2021 on a request by Friendship Cemetery Association for a conditional use for a Tandem Lot Split at 1649 Vantress Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Friendship Cemetery Association for a Tandem Lot Split at 1649 Vantress Farms Road with the following conditions: no conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Friendship Cemetery Association at 1649 Vantress Farms Road for a Tandem Lot Split.

PASSED AND APPROVED this ____day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

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

The vote:

Yes: Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson

No: None

Abstain: Overton

The Resolution was numbered 39-21.

RESOLUTION NO. 40-21 – AUTHORIZING THE TRANSFER OF PROPERTY LOCATED ADJACENT TO 3304 MARTIN DRIVE TO DAVID KEEN AND KATHY KEEN

Council Member Jeff Watson presented a Resolution authorizing the transfer of property located adjacent to 3304 Martin Drive to David Keen and Kathy Keen.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE TRANSFER OF PROPERTY LOCATED ADJACENT TO 3304 MARTIN DRIVE TO DAVID KEEN AND KATHY KEEN.

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows:

Lot Twenty-eight (28) in Block Nine (9), American Subdivision to the City of Springdale, Washington County, Arkansas, also known as Washington County Tax Parcel Number 815-20239-000 ("the Property").

WHEREAS, the City acquired the Property in 1973, and was originally purchased for the purpose of construction of a sewer lift station on the Property;

WHEREAS, the Property has been maintained by the City over the years, and the adjoining property owner requests to acquire the Property from the City;

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to transfer real property it owns, subject to approval by the City Council;

WHEREAS, the Springdale Water & Sewer Commission has no objection to the Property being transferred to the Keens, as the City granted and filed easements in favor of the Commission pertaining to their facilities on the Property, as was authorized and directed by Resolution No. 24-21, passed by the Springdale City Council on February 23, 2021;

WHEREAS, transferring this parcel to David Keen and Kathy Keen is reasonable in that it would relieve the City from having to expend funds to maintain the Property, and it would allow the Keens to combine the Property with adjacent property they already own at this particular location;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the transfer of the Property to David Keen and Kathy Keen, subject to the easements authorized and directed by Resolution No. 24-21, and that adequate consideration exists for the transfer of the Property as set forth herein.

PASSED AND APPROVED this ____ day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED:

_____
Ernest B. Cate, City Attorney

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

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 40-21.

RESOLUTION NO. 41-21 – ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT

Council Member Jeff Watson presented a Resolution accepting an Airport Coronavirus Response Grant in the amount of $57,162 from the Federal Aviation Administration and authorizing the Mayor to sign the grant agreement.

RESOLUTION NO. ____

A RESOLUTION ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT.

WHEREAS, the City of Springdale has been offered an Airport Coronavirus Response Grant that requires acceptance by May 1, 2021, and

WHEREAS, the grant requires that permission to accept the grant be obtained from the governing body, and

WHEREAS, the amount of the grant offered by the Federal Aviation Administration is $57,162.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to accept and sign the grant agreement for a grant of $57,162 from the Federal Aviation Administration.

PASSED AND APPROVED this ____day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

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

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 41-21.

RESOLUTION NO. 42-21 – AUTHORIZING EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM THE ELIZABETH MCNABB PHILLIPS TRUST FOR THE 40TH STREET PROJECT (FALCON ROAD TO SPRING CREEK BRIDGE), PROJECT NO. 18BPS4, TRACT 4

Council Member Jeff Watson presented a Resolution authorizing the expenditure of funds to acquire a portion of land from the Elizabeth McNabb Phillips Trust for the 40th Street Project No. 18BPS4, Falcon Road to Spring Creek Bridge, Tract 4.

City Attorney Ernest Cate explained the City of Springdale has determined by appraisal that the sum of $53,250.00 is the estimated just compensation for the property needed from Ms. Phillips. The property owner extended a counter-offer that the City pay the sum of $93,250.00 to acquire the lands needed for the project, the amount being payment of $24,000.00 for fencing, and $16,000.00 in additional compensation based on an increase in the market value of the property since the City's appraisal was conducted, and an increase in the per square foot value of the property taken.

City Attorney Cate recommended City Council approve the additional sum of $40,000.00 to acquire the property needed from Ms. Phillips, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of filing an eminent domain action and a trial.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM THE ELIZABETH MCNABB PHILLIPS TRUST FOR THE 40TH STREET PROJECT (FALCON ROAD TO SPRING CREEK BRIDGE), PROJECT NO. 18BPS4.

WHEREAS, the City of Springdale is in need of acquiring a portion of a tract of land for the 40th Street Project (Falcon Road to Spring Creek Bridge), Project No. 18BPS4, Tracts , said land being owned by the Elizabeth McNabb Phillips Trust;

WHEREAS, the City of Springdale has determined by appraisal that the sum of $53,250.00 is the estimated just compensation for the property needed from Ms. Phillips;

WHEREAS, the property owner has extended a counter-offer that the City pay the sum of $93,250.00 to acquire the lands needed for the project, said amount being payment of $24,000.00 for fencing, and $16,000.00 in additional compensation based on an increase in the market value of the property since the City's appraisal was conducted, and an increase in the per square foot value of the property taken;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of $40,000.00 to acquire the property needed from Ms. Phillips, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of filing an eminent domain action and a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of a tract of land for the 40th Street Project (Falcon Road to Spring Creek Bridge), Project No. 18BPS4, Tract 4, said land being owned by the Elizabeth McNabb Phillips Trust, for the total sum of $93,250.00 to be paid from the 2018 Street Bond Program.

PASSED AND APPROVED this ____ day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

_____
Ernest B. Cate, CITY ATTORNEY

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

The vote:

Yes: Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Resolution was numbered 42-21.

ORDINANCE NO. 5581 – AMENDING CHAPTER 114-88 (TRUCK ROUTES) OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS

Council Member Mike Overton presented an Ordinance amending Chapter 114-88 (Truck Routes) of the Code of Ordinances of the City of Springdale, Arkansas.

Chapter 114-88 of the Code of Ordinances of the City of Springdale, Arkansas, provides the elements constituting a violation of the City's "truck route" ordinance and needs to be revised to clarify that certain activities are not considered to be a bona fide pickup or delivery of property or merchandise under the "truck route" ordinance. The amendment is needed to protect City streets from damage caused by unnecessary truck traffic. There was also a requirement for a $500 bond for damage caused by large trucks.

Discussion was held on how to enforce the $500 bond and figuring out which contractor caused the damage.

After discussion it was decided to remove the $500 bond requirement from the ordinance. The amendment will read as follows:

Section 1: Section 114-88 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

> **Sec. 114-88. - Violations.**
>
> It is unlawful for any person to drive or park, or permit the driving or parking, of any truck on any city street not expressly marked as a truck route; provided, however, that this prohibition shall not apply to any truck making a bona fide pickup or delivery of property or merchandise when it is necessary to leave the marked truck route to do so. Provided, however, that trucks delivering or hauling construction materials in trucks with GVMR greater than 35,000 pounds shall not leave a marked truck route except along a designated route approved in the projects grading permit. Residential waste pickup service trucks are exempt from the truck weight limit provisions of this ordinance.

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

The vote:

Yes: Powell, Williams, Watson, Overton Lawson, Flores, Harriman, Fougerousse

No: None

The Ordinance was numbered 5581.

ORDINANCE NO. 5582 – AMENDING SECTION 110-86 (EXCAVATIONS) OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS

Council Member Mike Overton presented an Ordinance amending Section 110-86 of the Code of Ordinances of the City of Springdale, Arkansas.

Chapter 110, Article IV of the Code of Ordinances of the City of Springdale, Arkansas, contains the provisions and regulations pertaining to excavations in the City of Springdale. Section 110-86 of the Code of Ordinances of the City of Springdale, should be amended to ensure that the identity of any contractor working within City streets or rights-of-way is readily discernable.

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell

No: None

The Ordinance was numbered 5582.

ORDINANCE NO. 5583 – RELOCATING A PORTION OF MAPLE AVENUE AND VACATING A PORTION OF THE RIGHT-OF-WAY OF SUCCESS AVENUE AND VACATING A PORTION OF THE RIGHT-OF-WAY OF WATER STREET, PURSUANT TO ARK. CODE ANN. §14-54-104(2); DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Council Member Mike Overton presented an Ordinance relocating a portion of Maple Avenue and vacating a portion of the right-of-way of Water Street, pursuant to Ark. Code Ann. §14-54-104(2); declaring an emergency and for other purposes.

The City of Springdale has undertaken the construction of Maple Avenue from Holcomb Street to Park Street (Project No. 18BPS2), which resulted in the realignment of Maple Avenue, thereby making segments of both Success Avenue and Water Street no longer needed for right-of-way or city street purposes.

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

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

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams

No: None

Council Member Overton moved the Emergency Clause be adopted. Council Member Fougerousse made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5583.

ORDINANCE NO. 5584 – RELEASING, VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT LOCATED ON LOT 107, PINEWOOD SUBDIVISION, 4585 SEQUOIA AVENUE, IN WASHINGTON COUNTY, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

City Attorney Ernest Cate presented an Ordinance releasing, vacating and abandoning a portion of a utility easement located on Lot 107, Pinewood Subdivision, 4585 Sequoia Avenue, in Washington County, Arkansas; to declare an emergency and for other purposes.

Christopher Brown and Gina Brown are the petitioners.

There were no comments made at the public hearing held earlier tonight.

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

The vote:

Yes: Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton

No: None

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

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5584.

RESOLUTION NO. 43-21 – AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT ACROSS PROPERTY (PARCEL NO. 21-00167-470, SOUTH OF DOWNUM ROAD) OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

Council Member Mike Overton presented a Resolution authorizing the grant of a water/sewer easement across property, Parcel No. 21-00167-470, south of Downum Road, owned by the City of Springdale, Benton County, Arkansas. This water/sewer easement goes across Shaw Park.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE GRANT OF WATER/SEWER EASEMENTS ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS.

WHEREAS, the City of Springdale, Arkansas, owns property known as Parcel No. 21-00167-470, Benton County, Arkansas ("the Property");

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

WHEREAS, the water/sewer easements are necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, including Shaw Park, and will be beneficial to future growth and development of the area;

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "C") 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 water/sewer easements across the Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ____ day of April, 2021.

_____
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 Lawson made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 43-21.

RESOLUTION NO. 44-21 – AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT ACROSS PROPERTY (PARCEL NO. 21-00167-471, SOUTH OF DOWNUM ROAD) OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

Council Member Mike Overton presented a Resolution authorizing the grant of a water/sewer easement across property, Parcel No. 21-00167-471, south of Downum Road, owned by the City of Springdale, Benton County, Arkansas. This water/sewer easement goes across Shaw Park.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE GRANT OF WATER/SEWER EASEMENTS ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS.

WHEREAS, the City of Springdale, Arkansas, owns property known as Parcel No. 21-00167-471, Benton County, Arkansas ("the Property");

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

WHEREAS, the water/sewer easements are necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, including Shaw Park, and will be beneficial to future growth and development of the area;

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 water/sewer easements across the Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ____day of April, 2021.

_____
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 Lawson made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 44-21.

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 6:53 p.m.

_____
Doug Sprouse, Mayor

_____
Denise Pearce, City Clerk/Treasurer

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 CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO SINGLE FAMILY RESIDENTIAL DISTRICT (SF-1) 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 April 6, 2021 for hearing the matter of a petition of CCO Investments, LLC – Cruz Ortiz, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1).

Layman's Description: 2259 East Highway 264

Legal Description: A part of the NE1/4 of the NE/14 of Section 19, Township 18 North, Range 29 West, Benton County, Arkansas, more particularly described as follows: Beginning at a point on the North boundary line of the said 40 acre tract that is 658.51 feet West of the NE corner of the said 40 acre tract; thence leaving said North line South 01°07'48" West 248.91 feet; thence North 89°15'37" West 175.00 feet; thence North 01°07'48" East 248.91 feet; thence South 89°15'37" East 175.00 feet, to the point of beginning. Containing 1.00 acres more or less, subject to easements for roads, drains, and public utilities.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Agricultural District (A-1) to Low Density Single Family Residential District (SF-1).

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 _____, 2021

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

N

0 50 100 200 300 400 Feet

For Location Reference Only

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

PLANNING COMMISSION MEETING
April 6, 2021

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 CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO LIGHT INDUSTRIAL DISTRICT (I-1) 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 April 6, 2021 for hearing the matter of a petition of Gerald B. Jones Revocable Trust, requesting that the following described tract of real estate to be zoned from General Commercial District (C-2) to Light Industrial District (I-1).

Layman's Description: 611 E. Apple Blossom Ave.

Legal Description: A PART OF THE NW 1/4 OF THE NE 1/4 OF Section 13, T18N, R30W in Benton County, Arkansas and being described as follows: Commencing at the NW Corner of said NW1/4, NE/14, thence S02°06'47" W 35.01 feet, thence S86°32'48" E 446.14 feet the the POINT OF BEGINNING; thence S86°32'48" E 346.98 feet, thence S03°27'12" W 84.00 feet, thence N8°32'48" W 50.00 feet, thence S03°27'12" W 255.00 feet, thence N86°32'48" 296.98 feet, thence N03°27'12" E 339.00 feet to the POINT OF BEGINNING, Containing 2.41 acres, more or less, subject to easements and rights of way of record.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Light Industrial District (I-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From General Commercial District (C-2) to Light Industrial District (I-1)/

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 _____, 2021

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

FILE NO. R21-14
APPLICANT: Gerald B. Jones Revocable Trust
REQUEST: C-2 to I-1

N

0 70 140 280 420 560 Feet
For Location Reference Only

PLANNING COMMISSION MEETING
April 6, 2021

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 CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO MEDIUM / HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-16) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Forest Dale and Helen Irven Joint Revocable Trust, and Betty Counts, Joanne Wade, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16).

Layman's Description: 1415, 1307, and 1309 Oak Grove Road

Legal Description:

<u>1307 North Oak Grove Road</u>

The South 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 18 North, Range 30 West of the 5th Principal Meridian, containing ten acres, situated and being in the Count of Washington and State of Arkansas, except beginning at the Southeast corner; thence West 990 feet; thence North 330 feet; thence East 990 feet, thence South 330 feet to the beginning.

<u>1309 North Oak Grove Road</u>

A part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-eight (28), Township Eighteen (18) North, Range Thirty (30) West, of the 5th Principal Meridian, Washington County,

Arkansas, and being more particularly described as follows, to-wit: Beginning at the Southwest corner of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of said Section Twenty eight (28), thence North 72.5 feet, thence East 330 feet, thence South 72.5 feet, thence West 330 feet to the point of beginning and containing in all 1/2 of an acre, more or less.

1415 Oak Grove Road

THE NORTH 60 RODS OF THE SE 1/4 OF THE SQ 1/4 OF SECCTION 28, TOWNSHIP 18 NORTH, RANGE 30 WEST, CONTAINING IN ALL 30 ACRES, MORE OR LESS, ACCORDING TO THE OFFICE PLAT AND SURVEY THEREOF. LESS AND EXCEPT PARAT OF THE SE/14 OF THE SW1/4 OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 30 WEST, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE SOUTH 8.85 CHAINS, THENCE EAST WITH THE NORTH SIDE OF A COUNTY ROAD 7.09 CHAINS, THENDE NORTH WITH THE WEST SIDE OF SAID 40AD 1.94 CHAINS, THENCE EAST 12.89 CHAINS TO THE EAST LINE OF SAID 40 ACRE TRACT, THENCE NORTH 6.91 CHAINS TO THE NORTHEAST CORNER OF SAID 40 ACRE TRACT, THENCE WEST 20 CHAINS TO THE PLACE OF BEGINNING, CONTAINING 15 ACRES MORE OR LESS. ALSO, LESS AND EXCEPT, PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE SW1/4 OF SAID SECTION, THENCE SOUTH 8.85 CHAINS, THESCE WEAT WITH THE ROAD 7.09 CHAINS, THENCE NORTH ALONG SAID ROAD 16 FEET FOR THE BEGINNING POINT OF THE LANDS HEREIN COVEYED, THENCE NORTH WITH THE ROAD 112.04 FEET, THENCE EAST 388 FEET, THENCE SOUTH 112.04 FEET, THENCE WEST 388 FEET TO THE OINT OF BEGINNING. SAID PROPERTY ALSO BEING MORE MODERNLY DESCRIBED AS PART OF THE SE 1/4 OF THE SW 1/4 OF SECCTION 28, TOWNSHIP 18 NORTH, RANGE 30 WEST, DESCRIBED

AS FOLLOWS: BEGINNING AT A POINT 568.1 FEET SOUTH AND 467.94 FEET EAST OF THE NORTHWEST CORNER OF SAID SE 1/4 OF THE S1 1/4; THENCE NJ01°42;10" w 45.42 FEET; THENCE ALONG THE CENTERLINE OF BOB MILLS ROAD N06°02'54" E 67.02 FEET; THENCE LEAVING SAID CENTERLINE, EAST 382.29 FEET; THENCE SOUTH 112.04 FEET; THENCE WEST 388 FEET TO THE POINT OF BEGINNING, CONTAINING 1 ACRE, MORE OR LESS, AND SUBJECT TO THAT PORTION THAT LIES IN BOB MILLS ROAD ON THE WEST.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16).

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 _____, 2021

_____

Doug Sprouse, Mayor

ATTEST:

_____

Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____

Ernest Cate, City Attorney

N

0 50 100 200 300 400 Feet

For Location Reference Only

FILE NO. R21-16
APPLICANT: Savant Development LLC
REQUEST: A-1 to MF-16

PLANNING COMMISSION MEETING
April 6, 2021

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 CERTAIN LANDS PLANNED UNIT DEVELOPMENT (PUD) TO REVISED PLANNED UNIT DEVELOPMENT (PUD) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Springdale Downtown, LLC, requesting that the following described tract of real estate to be zoned from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

Layman's Description: 500 North Main

Legal Description: A part of the SE 1/4 of the NW 1/4 of Section 36, Township 18 North, Range 30 West in Washington County, Arkansas and being described as follows: Commencing at the SW corner of said SE 14/, NW 1/4, thence S89°36'24" E 15.00 feet; thence N00° 34'43" E 15.00 feet; thence S89°36;24" E 229.50 feet to the point of beginning; thence N00° 34'43" E 805.52 feet; thence S56°22'46: E 21.47 feet; thence S69°52'15" E 188.12 feet; thence S42° 14'16" E 219.36 feet; thence S89°31'49" W 95.14 feet; thence S30° 51'53" E 161.98 feet; thence S45°42'15" E 144.23 feet; thence S00°34'24" W 97.06 feet; thence S33°06'14" E 30.15 feet; thence N00°39'46" E 5.94 feet; thence S89°31'21" E 15.37 feet; thence N00°39'46" R 49.50 feet; thence S35°48'57" E 93.93 feet; thence S 26°42'11" E 50.00 feet; thence S16°19'27" E 103.99 feet; thence S00°39'46" W 43.82 feet; thence N89°36.24" W 579.00 feet to the point of beginning, containing 6.89 acres, more or less, subject to easements and right of way of record.

Subject to easements, rights of way and protective covenants or record, if any. Subject to all prior mineral reservations and oil and gas leases.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Planned Unit Development (PUD) to Revised Planned Unit Development

(PUD) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

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 _____, 2021

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

N

0 30 60 120 180 240 Feet

For Location Reference Only

FILE NO. R21-17
APPLICANT: Springdale Downtown, LLC
REQUEST: PUD to Revised PUD

PLANNING COMMISSION MEETING
April 6, 2021

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 CERTAIN LANDS FROM PLANNED UNIT DEVELOPMENT (PUD) TO REVISED PLANNED UNIT DEVELOPMENT (PUD) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of The Trails at the Crossings Apartment, LP, requesting that the following described tract of real estate to be zoned from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

Layman's Description: NE of the intersection of Watkins Ave. & 64th Street

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

COMMENCING AT THE SOUTHEAST CORNER OF SAID SDW/4 NE/4, A CHISELED "X" IN CONCRETE FOUNG; THENCE ALONG THE EAST LOINE OF SAID SW/4 NE/4 NORTH 02°27'006" EAST, A DISTANCE OF 56.34 FEET TO THE POING OF BEGINNING, A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE ALONG THE NORTH BOUNDARY OF AN EXISTING PUBLIC STREET AND UTILITY EASEMENT RECORDED AS FILE NO. 2007-00024122 THE FOLLOWING THREE (3) COURSES:

(1) NORTH 87°33'03" WEST, A DISTANCE OF 1264.81 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; (2) NORTHWESTERLY ALONG A TANGENT CURVE T OTHE RIGHT HAVING A REDIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CENTRAL ANGLE OF 89°59'19" AND LONG CHORD BEARING NORTH 42°33'23" WEST FOR 35.35 FEET TO A ST 5/8 INCH CAPPED REBAR EMBMOSSED 1304;

(3) NORTH 02°26'16" EAST, A DISTANCE OF 73.83 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE SOUTH 87°33'44" EAST, A DISTANCE OF 20.00 FEET TO A SET 5/L8 INCH CAPPAED REBAR EMBOSSED 1304; THENCE NORTH 02°27'35" EAST PARALLEL TO AND 50 FEET EAST OF THE WEST LINE OF SAID SW/4 NE/4, A DISTANCE OF 656.03 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE SOUTH 87°32'28" EAST CROSSING A FORMERLY SET 5/8

INCH CAPPED REBAR EMBOSSED 1304 AT A SISTANCAE OF 2.26 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1269.74 FEET TO A SET 5/L8 INCH CAPPED REBAR EMBOSSESD 130004; THENCE ALONG THE EAST LINE OF SAID SW/4 NE/4 SOUTH 02°27'06" WEST, A DISTANCE OF 754.64 FEET TO THE OINT OF BEGINNING. HEREIN DESCRIBED TARACT CONTAINING 22.0R ACRES MORE OR LESS.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

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 _____, 2021

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

N

0 50 100 200 300 400 Feet

For Location Reference Only

FILE NO. R21-18

APPLICANT: The Trails at the Crossings Apartments, LP

REQUEST: PUD to Revised PUD

PLANNING COMMISSION MEETING
April 6, 2021

TRAILS AT LEGACY
PLANNED UNIT DEVELOPMENT
DEVELOPMENTPLAN

NOTE: The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in Chapter 1 30 of the Springdale Code of Ordinances.

1 General Project Information

A. Project Name: Trails at Legacy

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

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

D. Developer: Trails at Legacy, LLC

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

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

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

2. Development Strategy:

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

3. Permitted Use (List all use units to be included in the project)

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

4. Site Development Requirements

A. Density, Bulk, Area and Yard Requirements

Density –21.6 units/ac

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

Total Developed Area	22.74 acres	
Total Common Area	7.25 acres	
Impervious Area	561,924 (sq. ft.)	12.9 acres
Open Space	396,211 (sq. ft.)	9.1 acres
Total Space	958,320 (sq. ft.)	22.0 acres

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

B. Building Types – Elevations as attached:

Setbacks – As shown on attached site plan

C. Parking

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

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

E. Exterior Building Materials: Painted fiber-cement products, brick, and stone.

5. Property Management:

   A. Property to remain in single ownership with all common areas to be maintained by the owner or through an agreement with a management company.
   B. Garages to be used for the parking of the vehicles and shall not be used as storage units or living space. Parking on the grass is prohibited.

   C. The development will be accessed from Watkins Ave or 64th Street. Drives shall be labeled as private drives. Sidewalks shall be constructed on all common areas as shown on the site plan.

   D. Privacy fences are not being proposed. No chain link type fence will be allowed.

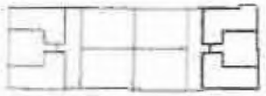
   E. Service lines for all public or quasi-public utilities shall be located underground.

   F. Common areas will be landscaped as constructed with 2" caliper shade trees, established grass areas and an automatic irrigation system.

   G. Amenities installation will follow the plan associated with this PUD on sheet L-100 and subsequent sheets.

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

24 UNIT BUILDINGS



24 UNIT BUILDINGS

CLUB HOUSE

BUILDING INFORMATION

BUILDINGS	12
1BR UNITS	192
TOTAL UNITS	192
1-BEDROOMS	96
2-BEDROOMS	96
TOTAL UNITS	192

PARKING REQUIREMENTS

REQUIRED PARKING

MULTI-FAMILY =

THERE ARE 192 UNITS FOR EACH DWELLING UNIT FOR THE FIRST TWENTY (20) DWELLING UNITS, THAT HAS ONE (1) ASSIGNED SPACE PER EACH DWELLING UNIT AND THE NEXT FIFTY (50) DWELLING UNITS, HAVE ONE AND THREE (1.5) SPACES PER EACH DWELLING UNIT FOR EACH DWELLING UNIT THAT EXCEEDS ONE HUNDRED (100) DWELLING UNITS.

TOTAL REQUIRED = 288 PARKING STALLS

PROPOSED PARKING

STANDARD STALLS=	387
ADA STALLS=	20
GARAGE STALLS=	30 (1/5 PER GARAGE)
TOTAL PROVIDED=	387

LEGEND (EXISTING SYMBOLS)

SYMBOLS	LINEWORK
FOUND IRON PIN	CURB
LIGHT POLE	
	RIGHT OF WAY
	ROAD CENTERLINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
LIGHT POLE	
	CURB & GUTTER
	BUILDING SET BACK
COMMON AREA	RIGHT OF WAY
	PROPERTY LINE
PLAY AREA/ COMMON AREA	ROAD CENTERLINE

SITE INFORMATION

GROSS SITE AREA: [illegible] ACRES ([illegible]) SQ FT

NET SITE AREA: [illegible] ACRES ([illegible]) SQ FT

CAPACITY CALCULATIONS:
NET SITE AREA [illegible] ACRES ([illegible]) SQ FT
EASEMENTS [illegible] ACRES ([illegible]) SQ FT

[illegible]

COMMON AREA:
REQUIRED [illegible] SQ FT + [illegible] = [illegible] SQ FT
PROVIDED [illegible] SQ FT [illegible]

[illegible]

[illegible]

[illegible]

SITE AMENITY 1: CLUB HOUSE
SITE AMENITY 2: POOL

[illegible]

BUILDING FOOTPRINTS	[illegible] SQ FT
CLUB HOUSE	[illegible] SQ FT
STORAGE UNITS	[illegible] SQ FT
GARAGE FOOTPRINTS	[illegible] SQ FT
TOTAL FOOTPRINT AREA	[illegible] SQ FT
MAXIMUM IMPERVIOUS AREA	[illegible] SQ FT

[illegible]

Cratton Ti

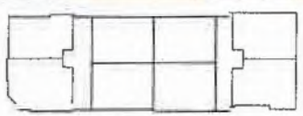
DRAWING SCALE IN FEET

TRAILS AT THE CROSSING
SPRINGDALE, AR

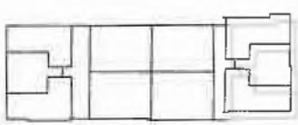
ISSUED FOR REVIEW

MULTI-FAMILY DESIGN STANDARDS

C-002



24 UNIT BUILDINGS



30 UNIT BUILDINGS

CLUB HOUSE

BUILDING INFORMATION:

BUILDINGS:	17
ADA UNITS:	153
TOTAL UNITS:	468
1-BEDROOMS	180
2-BEDROOMS	288
TOTAL UNITS	468

PARKING REQUIREMENTS:

REQUIRED PARKING:

MULTI-FAMILY =

THREE (3) SPACES FOR EACH DWELLING UNIT FOR THE FIRST TWENTY (20) DWELLING UNITS, TWO AND ONE QUARTER (2.25) SPACES FOR EACH DWELLING UNIT FOR THE NEXT FIFTY (50) DWELLING UNITS, AND ONE AND THREE QUARTERS (1.75) SPACES FOR EACH DWELLING UNIT FOR EACH DWELLING UNIT OVER SEVENTY (70) DWELLING UNITS

TOTAL REQUIRED: = 883 PARKING STALLS

PROVIDED PARKING:

STANDARD STALLS=	687
ADA STALLS=	20
GARAGE STALLS=	60 (10 PER GARAGE)
TOTAL PROVIDED=	767

LEGEND (EXISTING SYMBOLS)

SYMBOLS	LINEWORK
FOUND IRON PIN	CURB
LIGHT POLE	RIGHT OF WAY
	ROAD CENTERLINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
LIGHT POLE	CURB & GUTTER
COMMON AREA	BUILDING SET BACK
	RIGHT OF WAY
	PROPERTY LINE
PLAY AREA/ COMMON AREA	ROAD CENTERLINE

SITE INFORMATION:

GROSS SITE AREA: 30.16 ACRES (1,660,876 SQ FT)

NET SITE AREA: 22.06 ACRES (956,320 SQ FT)

DENSITY CALCULATIONS:
NET SITE AREA: 22.06 ACRES (960,320 SQ FT)
GREENSPACE: 9.16 ACRES (399,211 SQ FT)

INTERIOR PARKING GREENSPACE CALCULATIONS:
PERVIOUS AREA: [illegible] ACRES ([illegible] SQ FT)
IMPERVIOUS AREA: [illegible] ACRES ([illegible] SQ FT)
INTERIOR GREENSPACE REQUIRED: 15.0% GREENSPACE
INTERIOR GREENSPACE PROVIDED: 16.0% GREENSPACE

COMMON AREA:
REQUIRED: 20% OF NET SITE AREA
PROVIDED: 956,320 SQ FT X 0.20 = 191,664 SQ FT
315,995 SQ FT (33%)

ALLOWED DENSITY (BASE): MULTIFAMILY 24 (24 UNITS PER ACRE)
PROVIDED DENSITY 18 (468 UNITS/22.0 AC) 21.2 UNITS PER ACRE.

ADDITIONAL COMMON SPACE OF 134,391 SQ FT (30%), PROVIDED GARAGES FOR 12.8% OF UNITS ALLOWS (2% BONUS), 20% BONUS FOR BUILDING MATERIALS EXCEEDS A DENSITY INCREASE OF 35%.

WITH ADDITIONAL ALLOWANCES OVER INCREASED MAX DENSITY IS 21.50 UNITS PER ACRE.

PLAY AREA:
NEW BEDROOM COUNT:
125 SQ FT PER BEDROOM
576 BEDROOMS
576 BEDROOMS X 125 SQ FT=
72,000 SQ FT REQUIRED
131,004 SQ FT PROVIDED

SITE AMENITIES:
SITE AMENITY 1: CLUB HOUSE
SITE AMENITY 2: POOL

RECREATIONAL FACILITIES (COMMUNITY AMENITY):
COMMUNITY AMENITIES FOR COMMON AREA 1: WALKING TRAIL, DOG PARK, BENCHES, HAMMOCK POLES
COMMUNITY AMENITIES FOR COMMON AREA 2: PLANTING AREAS, BBQ PATIO, LARGE TREES
COMMUNITY AMENITIES FOR COMMON AREA 3: PLANTING AREAS, LARGE TREES, BENCHES
COMMUNITY AMENITIES FOR COMMON AREA 4: CLUBHOUSE, SWIMMING POOL, GRILLS
COMMUNITY AMENITIES FOR COMMON AREA 5: VOLLEYBALL COURT, HORSESHOE PITS, PLAYGROUND
COMMUNITY AMENITIES FOR COMMON AREA 6: LIGHTING, LARGE TREES, BENCHES
COMMUNITY AMENITIES FOR COMMON AREA 7: LIGHTING, LARGE TREES, BENCHES

MAXIMUM BUILDING AREA: 40% OF LAND AREA
BUILDING FOOTPRINTS: 9,750 SQ FT
CLUB HOUSE: 6,330 SQ FT
STORAGE UNIT: 1,800 SQ FT
GARAGE FOOTPRINT: 2,640 SQ FT
TOTAL FOOTPRINT AREA: 161,720 SQ FT
MAXIMUM BUILDING AREA: 382,377 SQ FT

CRIME PREVENTION DESIGN:

NATURAL ACCESS CONTROL:
1 HALLWAYS WELL LIT
2 STAIRWELLS CENTRALLY LOCATED
3 ACCESS TO THE BUILDING LIMITED TO NO MORE THAN TWO (2) POINTS
4 CYLINDER DEAD BOLTS INSTALLED ON ALL EXTERIOR DOORS

NATURAL SURVEILLANCE:
1 ALL DOORS THAT OPEN TO THE OUTSIDE WELL LIT
2 VISITOR PARKING DESIGNATED
3 PARKING AREAS VISIBLE FROM WINDOWS AND DOORS
4 PARKING AREAS AND PEDESTRIAN WALKWAY WELL LIT
5 STAIRWELLS WELL LIT AND OPEN TO VIEW, NOT BEHIND SOLID WALLS AND FOOTING

TERRITORIAL REINFORCEMENT:
1 DOOR NUMBERS (6 FORTY INCHES HIGH FROM WINDOW FRAME) ALL BUILDINGS AND RESIDENTIAL UNITS CLEARLY IDENTIFIED BY STREET ADDRESS NUMBERS THAT ARE A MINIMUM OF FIVE INCHES (5") HIGH AND WELL LIT AT NIGHT
2 COMMON ENTRANCE HAVE WINDOWS AND KEY CONTROLLED BY RESIDENTS

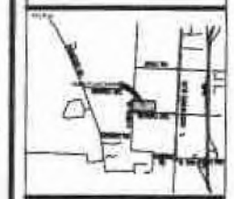
ACTIVITY SUPPORT:
ACTIVITY SUPPORT (PASSIVE ACTIVITY SUPPORT BY PLACING NEW OR EXISTING ACTIVITIES IN AN AREA SO THAT INDIVIDUALS ENGAGED IN A PARTICULAR ACTIVITY BECOME PART OF THE NATURAL SURVEILLANCE OF OTHER AREAS. FOR EXAMPLE, PICNIC AREAS MAY BE LOCATED NEXT TO TOT LOTS, NOT AWAY FROM BUSY AREAS, TO ASSIST IN OBSERVATION OF CHILDREN AT PLAY.

Crafton Tull

GRAPHIC SCALE IN FEET

TRAILS AT THE CROSSINGS

SPRINGDALE, AR.



No.	Revision	Date

ARKANSAS REGISTERED PROFESSIONAL ENGINEER No. 11825

ISSUED FOR REVIEW

MULTI-FAMILY DESIGN STANDARDS (C)

C-002

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 CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) AND GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) 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 April 6, 2021 for hearing the matter of a petition of Rogers Warehouse Development, LLC, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

Layman's Description: 3052 and 3744 Wagon Wheel Road

Legal Description: Part of the SW1/4 of the SW1/4 of Section 15, Township 18 North, Range 30 West, and more particularly described as beginning at a point S89°59'47" W, 368 feet from the SE corner of the SW1/4 of the SW1/4 of said Section 15; S89°59'47" W, 160 feet; thence N00°16'02" W, 544.50 feet; thence N89°59'47" E, 160 feet; thence S 00°16'02" E, 544.60 feet to the Point of Beginning. Subject to the right of way of County Road along the south side thereof.

Now more precisely described by a survey dated February 14, 2006 by Survey 1, Inc., as: Part of the SW/14 of the SW1/4 of Section 15, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the SE corner of said SW1/4 of the SW1/4, thence N86°55'59" W, 368.00 feet to the Point of Beginning, thence N86°55'59" W, 158.64 feet; thence N02°37'09" E, 544.50 feet; thence S86°55'59" E, 158.64 feet; thence S02°37'09" W, 544.50 feet to the Point of Beginning. Subject to the right of way of Wagon Wheel Road on the South side of the property. Also subject to any other easements of record or fact.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) and General Commercial District (C-2) to

Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

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 _____, 2021

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

N

0 50 100 200 300 400 Feet

For Location Reference Only

FILE NO. R21-19
APPLICANT: Rogers Warehouse Development III, LLC
REQUEST: A-1 and C-2 to C-5

PLANNING COMMISSION MEETING
April 6, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE AT 2200 SOUTH 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 April 6, 2021 on a request by ISC Properties, LLC (Greg Edwards) for a conditional use for a Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 2200 South Old Missouri Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to ISC Properties, LLC (Greg Edwards) for a Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (25) at 2200 South Old Missouri with the following conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to ISC South, LLC (Greg Edwards) for a Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 2200 South Old Missouri Road with the following conditions – No conditions set.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

FILE NO. C21-07
APPLICANT: ISC Properties, LLC
REQUEST: Conditional Use - Use Unit 25NAC-5

N

0 30 60 120 180 240

PLANNING COMMISSION MEETING
April 6, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE AT 4169 BEL AIR 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 April 6, 2021 on a request by Iola Watson for a conditional use for a Tandem Lot Split at 4169 Bel Air Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Iola Watson for a Tandem Lot Split at 4169 Bel Air Road with the following conditions must have a 25' access easement and utility easement from Bel Air Road through tract 1 to tract 2 to the south of tract 1.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Iola Watson for a Tandem Lot Split at 4169 Bel Air Road

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney

N

0 30 60 120 180 240 Feet

For Location Reference Only

FILE NO. C21-08
APPLICANT: Iola Walton Trust
REQUEST: Tandem Lot Split in an SF-2 zone

PLANNING COMMISSION MEETING
April 6, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO JOSHUA PERRY IN CONNECTION WITH 728 JAY LANE, A SINGLE FAMILY DWELLING.

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks 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 of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with 728 Jay Lane, a Single Family Dwelling for Joshua Perry 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 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry.

Option 2: Denies a waiver of street improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry.

Option 3: Approves payment in lieu of improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry 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 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with Single Family Dwelling for Joshua Perry.

PASSED AND APPROVED THIS _____DAY OF _____, 2021.

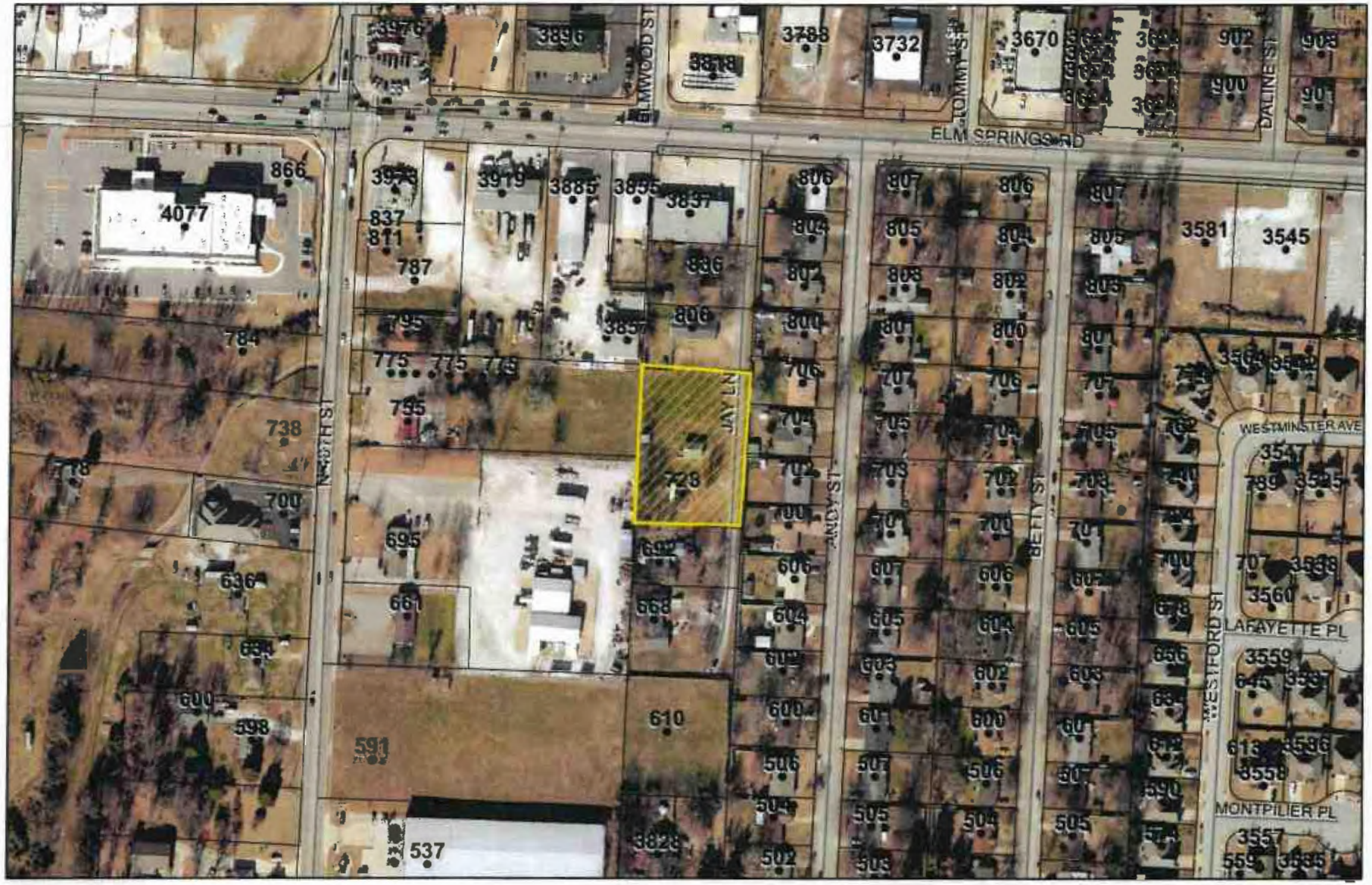
_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest Cate, City Attorney



N

0 40 80 160 240 320 Feet

For Location Reference Only

FILE NO. W21-04
APPLICANT: Joshua Perry
REQUEST: Waiver - sidewalk improvements

PLANNING COMMISSION MEETING
April 6, 2021

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING TWO STREET DEDICATIONS TO THE CITY OF SPRINGDALE, ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Springdale 2015, LLC, an Arkansas Limited Liability Company, and Rausch Coleman Homes NWA, LLC, an Arkansas Limited Liability Company, are the owners of the tracts of land described in Section 1 below;

WHEREAS, Springdale 2015, LLC, and Rausch Coleman Homes NWA, LLC, desire to dedicate a portion of the tracts of land described in Section 1 below and as shown on the attached Exhibit "A" and "B" to the City of Springdale, Arkansas, for use as a public street and turnaround;

WHEREAS, the Home Owner's Association of Legendary Subdivision has requested that Springdale 2015, LLC, and Rausch Coleman Homes NWA, LLC, make the street dedications described herein, and that the City of Springdale, Arkansas, accept the street dedications described in Section 1 below and in the attached Exhibits "A" and "B";

WHEREAS, the City of Springdale, Arkansas, wishes to accept these street dedications in order to better provide for the public welfare, safety, comfort, and convenience of the inhabitants of the City of Springdale, Arkansas;

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

Section 1: The City of Springdale, Arkansas, hereby accepts the street dedications, which are located entirely within the City of Springdale, Benton County, Arkansas, and which are more specifically described as follows:

Street Dedication #1 (across Parcel No. 21-02186-000):

PART OF LOT 95 OF THE FINAL PLAT OF CHARLESTON PARK AT LEGENDARY P.D.U., AS PER PLAT BOOK 2007 AT PAGE 795 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 95; THENCE ALONG THE NORTH LINE THEREOF S87°41'25"E 20.00 FEET; THENCE LEAVING SAID NORTH LINE S02°18'35"W 20.00 FEET; THENCE N87°41'25"W 20.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 95, SAID POINT BEING ON THE EAST RIGHT-OF-WAY OF GIBSON STREET AS PER PLAT

RECORD 2007-795; THENCE ALONG SAID RIGHT-OF-WAY N02°18'35"E 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 400.00 SQUARE FEET, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT. AND AS SHOWN ON THE ATTACHED EXHIBIT "A".

Street Dedication #2 (across Parcel No. 21-02169-000):

PART OF LOT 78 OF THE FINAL PLAT OF CHARLESTON PARK AT LEGENDARY P.D.U., AS PER PLAT BOOK 2007 AT PAGE 795 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 78; THENCE ALONG THE NORTH LINE THEREOF S87°41'25"E 20.10 FEET; THENCE LEAVING SAID NORTH LINE 20.26 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 200.00 FEET AND A LONG CHORD OF S06°39'22"E 20.25 FEET; THENCE N87°41'25"W 20.40 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 78, SAID POINT BEING ON THE EAST RIGHT-OF-WAY OF WEST MILLER ROAD AS PER PLAT RECORD 2007-795; THENCE ALONG SAID RIGHT-OF-WAY 20.21 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 220.00 FEET AND A LONG CHORD OF N05°50'00" W 20.20 FEET TO THE POINT OF BEGINNING, CONTAINING 404.65 SQUARE FEET, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT. AND AS SHOWN ON THE ATTACHED EXHIBIT "B".

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

Section 3: **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 _____, 2021.

_____
Doug Sprouse, Mayor

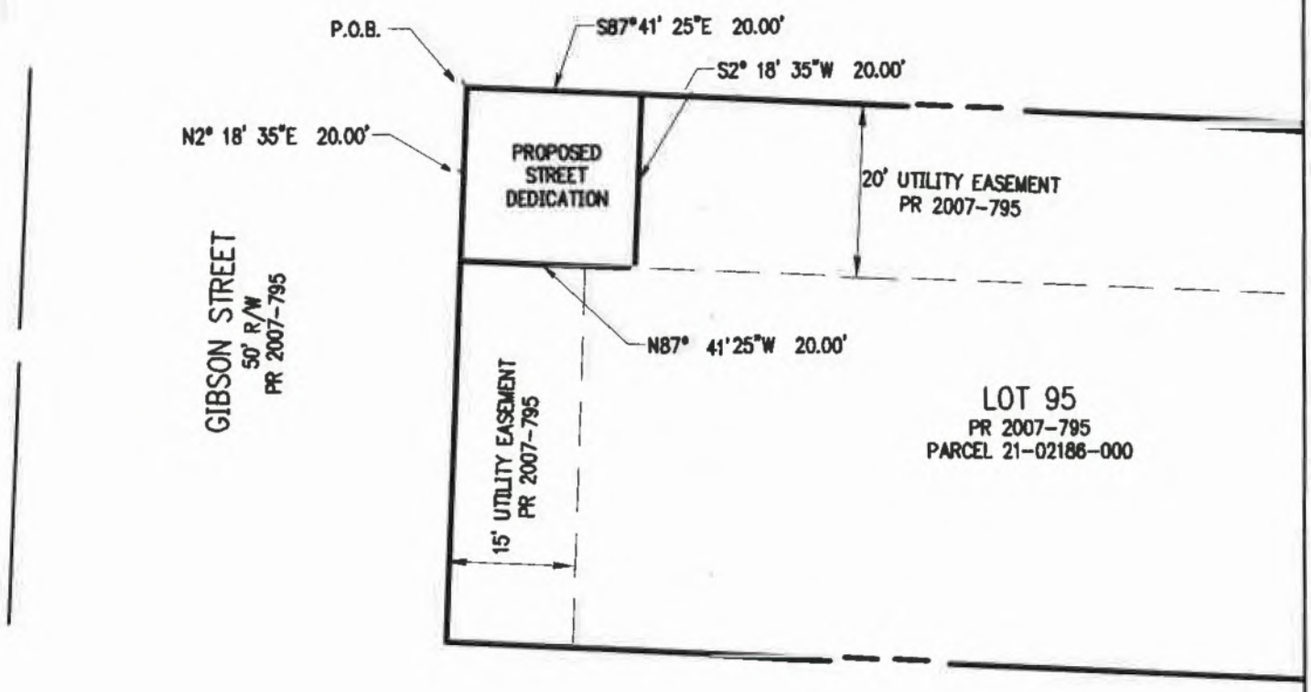
ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

EXHIBIT "A"



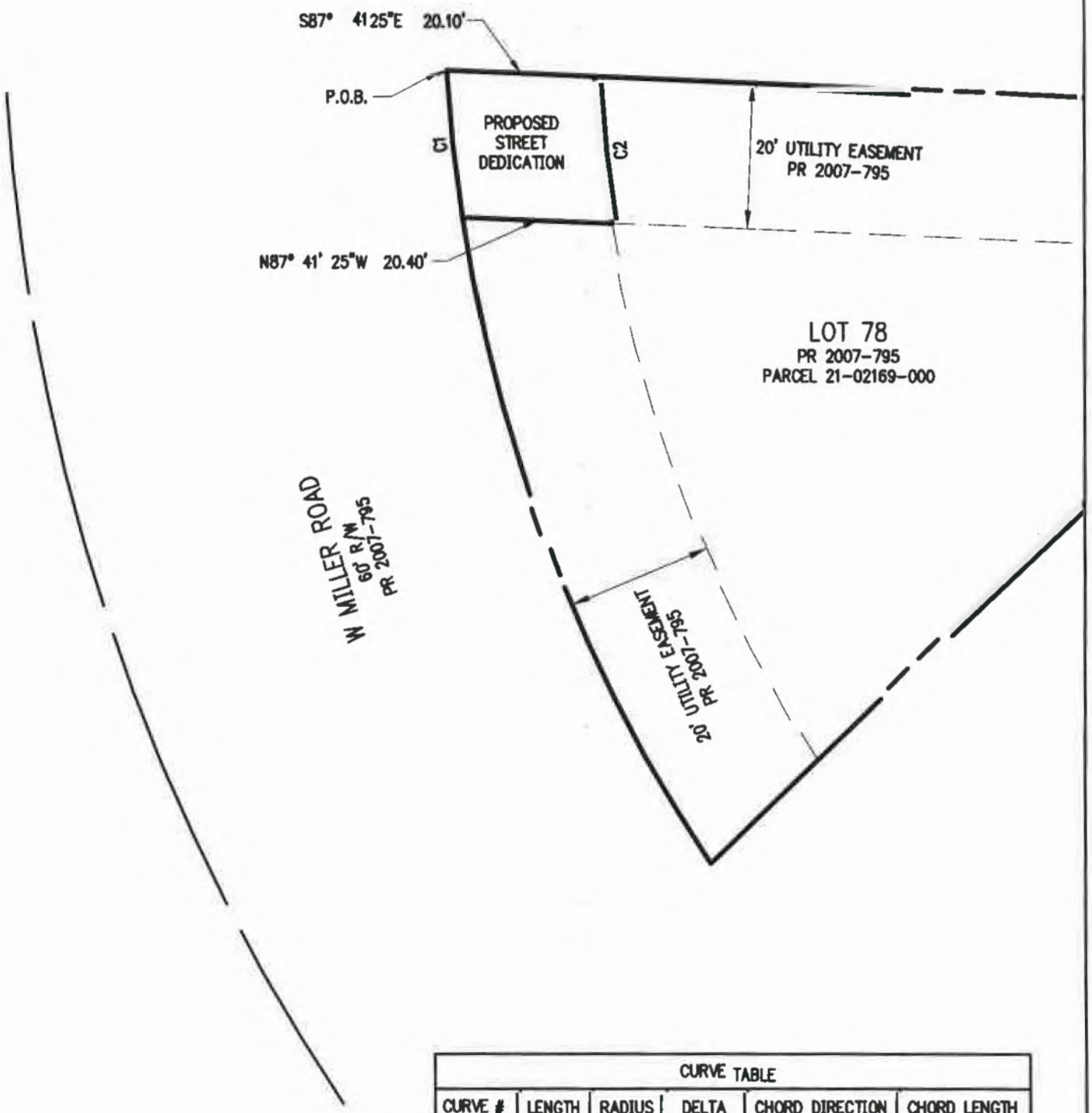
NOTE:
THIS EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
479.636.4838 t 479.631.6224 f
www.craftontull.com

PROJECT NO.:	DRAWN BY:	DATE:	SHEET:	CHECKED:
14 105400		04/19/2021	1 OF	

DRAWING: G:\14\105400 RCONICALL\SUE\CHARLESTON PARK A LEGENDARY\DWG\EXHIBITS.DWG
LAYOUT: LAST SAVED: KAN676, 4/19/2021 1:30:14 PM
LAST PLOTTED BY: REVISE: MONTGOMERY , 4/19/2021 1:49:04 PM PLOTTED BY: VALID ON HARD COPY ONLY)

EXHIBIT "B"



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	20.21'	220.00'	5°15'49"	N5° 50' 00"W	20.20'
C2	20.26'	200.00'	5°48'11"	S6° 39' 22"E	20.25'

NOTE:
THIS EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
479.636.4838 t 479.631.6224 f
www.craftontull.com

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PROJECT NO.:	DRAWN BY:	DATE:	SHEET:	CHECKED:
14 05400		04/19/2021	1 OF1	

DRAWING: PARK A LEGENDARY\DWG\EXHIBITS.DWG
LAST SAVED: KA876, 4/19/2021 1:30:14 PM
LAST PLOTTED BY: KEVIN MONTGOMERY, 4/19/2021 1:49:29 PM PLOTTED BY: VALID ON HARD COPY ONLY)

RESOLUTION NO._____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR SPRING CREEK TRAIL (090622)

WHEREAS, sealed bids were received on April 1st, 2021 at 2:00 p.m. Spring Creek Trail (090622); and

WHEREAS, Benchmark Construction Company of NWA, INC was the low bidder for this project at $1,878,421.73

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 Benchmark Construction Company of NWA, Inc for construction of Spring Creek Trail for $1,878,421.73.

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

PASSED AND APPROVED this 27th day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

McCLELLAND CONSULTING ENGINEERS, INC.
DESIGNED TO SERVE

1580 East Stearns Street
Fayetteville, AR 72703
(479) 443.2377 P | (479) 443.9241 F
mce.us.com

April 12, 2021

Brad Baldwin, P.E.
City Engineer
269 E. Randall Wobbe Ln
Springdale, AR 72764

RE: 090622. Spring Creek Trail

Recommendation for Award of Construction Contract

Dear Mr. Baldwin,

We received and opened bids for the above referenced project on April 1, 2021 at 2:00 pm. There were five (5) General Contractors who submitted full bids for the project.

Benchmark Construction of NWA, Inc. from Fayetteville, AR is the low bidder with a full bid in the amount of $1,878,421.73. The 2nd lowest bid was by Crossland Heavy Contractors of Columbus, KS, Inc. at $1,900,660.00. All five bids were within 20% of one another, suggesting that the overall project cost as bid is reasonable. The certified bid tabulation is attached for reference. The Engineer's construction cost estimate for the project was $2,240,537.99.

We have reviewed the bid and have knowledge of their experience with work on several successful projects; we believe them to be qualified for this project. Benchmark Construction of NWA has a valid Arkansas Contractor's License (License No. 0033500521, valid to 05.31.21). They are listed as providing General Construction of Commercial, Industrial and Institutional Projects on the Arkansas Contractors Licensing Board website. According to their bid documentation, they will be carrying out approximately 69% of the work with their own forces; they are required to do at least 40%.

In light of the above information, we recommend awarding the bid to Benchmark Construction of NWA, Inc., in the amount of $1,878,421.73.

Please do not hesitate to call should you have any questions and as always, thank you for allowing us to be of service.

Sincerely,

090622- Spring Creek Trail
Brad Baldwin

McCLELLAND CONSULTING ENGINEERS, INC.

Eric Anderson
Associate, MCE-Fayetteville
(479) 443.2377
eanderson@mce.us.com

Enclosure: Bid Tabulation, Benchmark Construction Contractor's License

McCLELLAND CONSULTING ENGINEERS, INC.

Signature: _____
Eric Anderson, P.E. #18410
Date: 4/5/2021

* DENOTES MATHEMATICAL ERROR

Bid Tabulation

City of Springdale

Job 090622, Springdale Spring Creek Trail (S) F.A.P. TAPU-9399(26), Benton County, Phase I
Springdale, AR
MCE Project #19-2109

				Benchmark Construction of NWA 0023500521		Crossland Heavy Contractors, Inc. 0067301121		Goodwin & Goodwin, Inc. 0019490422		Bronco Enterprises, Inc. 0028640021		Harris United, LLC 0964740321	
ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Roadway Construction Control	LS	1	$10,683.00	$10,683.00	$14,000.00	$14,000.00	$25,000.00	$25,000.00	$32,000.00	$32,000.00	$13,000.00	$13,000.00
2	Act 291, 1993 Trench and Excavation Safety Systems	LS	1	$600.00	$600.00	$2,500.00	$2,500.00	$1,000.00	$1,000.00	$5,000.00	$5,000.00	$10,000.00	$10,000.00
3	Erosion Control	LS	1	$16,850.00	$16,850.00	$35,000.00	$35,000.00	$80,000.00	$80,000.00	$28,000.00	$28,000.00	$26,650.00	$26,650.00
4	Traffic Control and Maintenance	LS	1	$1,020.00	$1,020.00	$4,500.00	$4,500.00	$10,000.00	$10,000.00	$11,000.00	$11,000.00	$15,000.00	$15,000.00
5	Mobilization (Max 5% of Bid Schedule)	LS	1	$28,650.00	$28,650.00	$75,000.00	$75,000.00	$85,000.00	$85,000.00	$100,000.00	$100,000.00	$75,000.00	$75,000.00
6	Clearing and Grubbing (Other than measured in Item 87 below)	LS	1	$28,450.00	$28,450.00	$12,000.00	$12,000.00	$20,000.00	$20,000.00	$60,000.00	$60,000.00	$50,000.00	$50,000.00
7	Clearing & Grubbing of Trees. 4" dia & larger measured @ 12" above ground, per Tree Preservation Plans (Sheet 8 thru 12). Shall also include Vegetative Clearing requirements per Sheet 14 detail. *	LS	1	$30,000.00	$30,000.00	$32,000.00	$32,000.00	$40,000.00	$40,000.00	$30,000.00	$30,000.00	$25,000.00	$25,000.00
8	Excavation (Plan Quantity)	CY	7,245	$12.22	$88,539.90	$11.00	$79,695.00	$14.00	$101,430.00	$17.00	$123,165.00	$20.00	$144,900.00
9	General Fill (Plan Quantity)	CY	2,320	$9.50	$22,040.00	$11.00	$25,520.00	$18.00	$41,760.00	$20.00	$46,400.00	$20.00	$46,400.00
10	Embankment (Plan Quantity)	CY	3,952	$19.56	$75,345.12	$17.00	$65,484.00	$12.00	$46,224.00	$20.00	$77,040.00	$25.00	$98,800.00
11	Rock Excavation (Allowance)	CY	400	$118.70	$47,480.00	$80.00	$36,000.00	$0.01	$4.00	$275.00	$110,000.00	$125.00	$50,000.00
12	Excavation - Environmentally Sensitive Area - STA. 1+00 to STA. 10+00 (Plan Quantity)	CY	520	$14.25	$7,410.00	$19.50	$10,140.00	$60.00	$31,200.00	$20.00	$10,400.00	$25.00	$13,000.00
13	Undercut & Backfill (Allowance)	CY	230	$41.57	$9,561.10	$30.00	$6,900.00	$28.00	$6,440.00	$20.00	$4,600.00	$50.00	$11,500.00
14	Subgrade Preparation (Plan Quantity)	SY	8,120	$6.11	$55,723.20	$2.00	$16,240.00	$4.00	$32,480.00	$3.00	$24,360.00	$7.00	$56,840.00
15	4" Topsoil Placement, All Disturbed Areas	SY	8,440	$14.66	$123,730.40	$4.85	$40,934.00	$4.00	$33,760.00	$3.00	$25,320.00	$5.00	$42,200.00
16	18" RCP, Class III	LF	78	$63.59	$4,960.02	$66.00	$5,148.00	$65.00	$5,070.00	$76.00	$5,928.00	$75.00	$5,850.00
17	18" RCP FES Class III	EA	6	$611.67	$3,670.02	$765.00	$4,590.00	$800.00	$4,800.00	$750.00	$4,500.00	$1,000.00	$6,000.00
18	18" High Density Polyethlene (HDPE)	LF	22	$52.73	$1,160.06	$80.00	$1,760.00	$50.00	$1,100.00	$74.00	$1,628.00	$60.00	$1,320.00
19	Channel Excavation (Plan Quantity)	CY*	28	$134.29	$3,760.12	$29.00	$812.00	$65.00	$1,820.00	$17.00	$476.00	$100.00	$2,800.00
20	Rip-Rap	SY*	27	$305.56	$8,250.12	$70.00	$1,890.00	$85.00	$2,295.00	$60.00	$1,620.00	$100.00	$2,700.00
21	4" Depth Class 7 Aggregate Base	SY	7,950	$7.14	$52,479.00	$9.50	$69,825.00	$8.00	$66,150.00	$4.25	$31,287.50	$7.35	$53,287.50
22	8" Depth Class 7 Aggregate Base	SY	1,426	$15.88	$22,644.88	$14.50	$20,677.00	$16.00	$22,816.00	$8.50	$12,121.00	$14.00	$19,964.00
23	2" ACHM Type II Surface Course	SY	172	$41.55	$7,146.60	$43.00	$7,396.00	$35.00	$6,020.00	$38.00	$6,536.00	$38.50	$6,622.00
24	12' Wide Concrete Trail (6" Thickness)	SY	4,850	$51.91	$251,763.50	$57.00	$276,450.00	$55.00	$266,750.00	$52.00	$252,200.00	$70.00	$339,500.00
25	12' Wide Concrete Trail (4" Thickness)	SY	1,280	$39.55	$50,624.00	$50.00	$64,000.00	$65.00	$83,200.00	$43.50	$55,680.00	$60.00	$76,800.00
26	Dry Shake Color Hardener Concrete Crossing At Mountain Bike Trail	SY	44	$70.74	$3,112.12	$140.00	$6,160.00	$150.00	$6,600.00	$216.00	$9,502.00	$100.00	$4,400.00
27	Concrete Bridge Deck	SY	300	$61.21	$18,363.00	$93.00	$27,900.00	$125.00	$37,500.00	$95.00	$28,500.00	$150.00	$45,000.00
28	Geogrid; Tensar TX7 (Or approved equal)	SY	1,530	$10.83	$16,569.90	$13.50	$20,655.00	$19.00	$29,070.00	$18.00	$27,540.00	$3.00	$4,590.00
29	Rebuild Mountain Bike Trail To Limits Of Disturbance. Match Existing Mountain Bike Trail Section	LS	1	$632.43	$632.43	$1,250.00	$1,250.00	$8,000.00	$8,000.00	$6,000.00	$6,000.00	$5,000.00	$5,000.00
30	Seeding	AC	1	$3,721.25	$3,721.25	$3,500.00	$3,500.00	$2,500.00	$2,500.00	$4,000.00	$4,000.00	$10,000.00	$10,000.00
31	Sodding	SY	3,100	$2.97	$9,207.00	$4.75	$14,725.00	$6.00	$18,600.00	$4.50	$13,950.00	$10.00	$31,000.00
32	4" Trail Centerline Striping	LF	4,100	$0.71	$2,911.00	$1.50	$6,150.00	$1.50	$6,150.00	$0.65	$2,665.00	$1.50	$6,150.00
33	24" Street Stop Bars At N 40TH ST Trail X-ING (Thermoplastic)	LF	68	$23.74	$1,614.32	$32.00	$2,176.00	$35.00	$2,380.00	$22.00	$1,496.00	$28.00	$1,904.00
34	24" X 8' Cross Walk Striping (Thermoplastic)	LF	32	$23.74	$758.68	$32.00	$1,024.00	$35.00	$1,120.00	$22.00	$704.00	$28.00	$896.00
35	Pavement Marking Removal; Remove Existing Lane Markings At Conflicts with New Cross Walk Striping	LF	58	$2.37	$137.46	$6.00	$348.00	$10.00	$580.00	$2.25	$130.50	$6.00	$348.00
36	Turn Sign, W1-1, 18" X 18"	EA	4	$356.10	$1,424.40	$250.00	$1,000.00	$250.00	$1,000.00	$325.00	$1,300.00	$220.00	$880.00
37	"STOP HERE FOR PEDESTRIANS" SIGN, R1-5C, 36" X 48"	EA	2	$593.50	$1,187.00	$250.00	$500.00	$300.00	$600.00	$550.00	$1,100.00	$220.00	$440.00

ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	Benchmark Construction of NWA 0038500521		Crossland Heavy Contractors, Inc. 0067801121		Goodwin & Goodwin, Inc. 0019650421		Brance Enterprises, Inc. 0028645621		Harris United, LLC 0864740821	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
38	Bike Pedestrian Crossing Sign With Flashing Lights & Associated Signage, Complete	LS	2	$3,145.55	$6,291.10	$4,490.00	$8,980.00	$5,500.00	$11,000.00	$2,900.00	$5,800.00	$750.00	$1,500.00
39	"STOP SIGN", R1-1, 18" X 18"	EA	2	$356.10	$712.20	$250.00	$500.00	$250.00	$500.00	$325.00	$650.00	$220.00	$440.00
40	"STEEP GRADE" SIGN, W7-5, 18" X 18"	EA	1	$356.10	$356.10	$250.00	$250.00	$250.00	$250.00	$325.00	$325.00	$220.00	$220.00
41	Bicycle Sign, W11-1, 18" X 18"	EA	2	$356.10	$712.20	$250.00	$500.00	$250.00	$500.00	$325.00	$650.00	$220.00	$440.00
42	"TRAIL X-ING" Sign, W11-15P, 18" X 12"	EA	4	$59.35	$237.40	$250.00	$1,000.00	$250.00	$1,000.00	$55.00	$220.00	$220.00	$880.00
43	"AHEAD" Sign, W16-9P, 24" X 12"	EA	4	$59.35	$237.40	$250.00	$1,000.00	$250.00	$1,000.00	$55.00	$220.00	$220.00	$880.00
44	Bike W/Pedestrian , W11-15, 18" X 18"	EA	2	$356.10	$712.20	$250.00	$500.00	$250.00	$500.00	$325.00	$650.00	$220.00	$440.00
45	Advisory Speed Sign, W13-1P, 18" X 18"	EA	2	$118.70	$237.40	$250.00	$500.00	$250.00	$500.00	$110.00	$220.00	$220.00	$440.00
46	Rough Sawn Cedar Fence With Stain, Complete	LF	2,969	$56.98	$169,971.54	$60.00	$178,980.00	$58.00	$173,014.00	$50.00	$149,150.00	$55.00	$164,065.00
47	2-Rail Wood Fence	LF	345	$73.59	$25,388.55	$77.00	$26,565.00	$72.00	$24,840.00	$48.00	$16,560.00	$70.00	$24,150.00
48	Barbed Wire Fence, Complete	LF	1,206	$17.81	$21,478.86	$6.00	$7,236.00	$12.00	$14,472.00	$6.50	$7,839.00	$25.00	$30,150.00
49	3.5 Passage Gate, Complete	EA	4	$593.50	$2,374.00	$625.00	$2,500.00	$700.00	$2,800.00	$1,300.00	$5,200.00	$550.00	$2,200.00
50	Cast In Place Tactile Panel (ADA)	SF	64	$20.71	$911.24	$18.50	$814.00	$35.00	$1,540.00	$44.00	$1,936.00	$33.00	$1,452.00
51	Project Signs	EA	2	$771.55	$1,543.10	$810.00	$1,620.00	$1,000.00	$2,000.00	$1,150.00	$2,300.00	$750.00	$1,500.00
52	Remove & Dispose Of Fence	LF	310	$11.47	$3,679.70	$12.50	$3,875.00	$5.00	$1,550.00	$5.50	$1,705.00	$11.00	$3,410.00
53	2" PVC Electrical Conduit (Future Lighting)	LF	4,779	$6.81	$32,537.79	$5.20	$24,830.00	$13.00	$62,075.00	$6.50	$31,037.50	$3.00	$14,325.00
54	Bike Rack, 14 Bike Capacity, Steel, Complete w/ Concrete Slab	LS	1	$1,905.14	$1,905.14	$6,900.00	$6,900.00	$9,000.00	$9,000.00	$2,500.00	$2,500.00	$10,000.00	$10,000.00
55	Temporary Construction Access Crossing	LS	1	$26,114.00	$26,114.00	$16,750.00	$16,750.00	$8,000.00	$8,000.00	$2,700.00	$2,700.00	$50,000.00	$50,000.00
56	Hydration Station, Complete	LS	1	$8,822.14	$8,822.14	$6,500.00	$6,500.00	$5,000.00	$5,000.00	$8,000.00	$8,000.00	$5,000.00	$5,000.00
57	Project Construction Allowance	LS	1	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00	$30,000.00
58	64' Premanufactured Corten Steel Bowstring Truss Bridge w/Abutments	LS	1	$123,657.00	$123,657.00	$161,190.00	$161,190.00	$220,000.00	$220,000.00	$215,000.00	$215,000.00	$150,000.00	$150,000.00
59	124' Premanufactured Corten Steel Bowstring Truss Bridge w/Abutments	LS	1	$238,146.00	$238,146.00	$274,875.00	$274,875.00	$340,000.00	$340,000.00	$413,000.00	$413,000.00	$300,000.00	$300,000.00
60	Tree Protection & Pruning	LS	1	$9,511.00	$9,511.00	$11,335.00	$11,335.00	$5,000.00	$5,000.00	$24,500.00	$24,500.00	$30,000.00	$30,000.00
61	Dry Shake Colored Hardener Concrete Pavement	LS	1	$5,215.27	$5,215.27	$11,562.00	$11,562.00	$8,000.00	$8,000.00	$12,000.00	$12,000.00	$5,000.00	$5,000.00
62	Mobilization [Max 5% of Bid Schedule 2]	LS	1	$2,056.00	$2,056.00	$2,500.00	$2,500.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$6,500.00	$6,500.00
63	Act 291, 1993 Trench and Excavation Safety Systems	LS	1	$548.00	$548.00	$1,500.00	$1,500.00	$3,000.00	$3,000.00	$4,500.00	$4,500.00	$20,000.00	$20,000.00
64	Erosion & Sediment Control	LS	1	$412.00	$412.00	$3,700.00	$3,700.00	$2,000.00	$2,000.00	$2,200.00	$1,700.00	$10,000.00	$10,000.00
65	Pre-Construction Video	LS	1	$686.00	$686.00	$1,200.00	$1,200.00	$3,000.00	$3,000.00	$2,200.00	$2,200.00	$5,000.00	$5,000.00
66	Traffic Control	LS	1	$686.00	$686.00	$800.00	$800.00	$3,000.00	$3,000.00	$8,000.00	$3,000.00	$10,000.00	$10,000.00
67	12" Class 50 DIP Water Main	LF	150	$192.58	$28,887.00	$119.00	$17,850.00	$165.00	$24,750.00	$70.00	$10,500.00	$110.00	$16,500.00
68	12" Class 50 DIP Restrained Joint Water Main	LF	32	$251.92	$8,061.44	$173.00	$5,536.00	$225.00	$7,200.00	$100.00	$3,200.00	$150.00	$4,800.00
69	8" Class 50 DIP Restrained Joint Water Main	LF	98	$136.11	$13,474.89	$105.00	$10,385.00	$150.00	$14,850.00	$60.00	$5,940.00	$80.00	$7,920.00
70	6" CLASS 50 DIP Restrained Joint Water Main	LF	7	$337.29	$2,361.03	$100.00	$700.00	$150.00	$1,050.00	$90.00	$630.00	$65.00	$455.00
71	Polyethylene Encasement	LF	288	$2.23	$642.24	$4.00	$1,152.00	$5.00	$1,440.00	$8.00	$2,304.00	$3.00	$864.00
72	AWWA C153 Ductile Iron Water Main Fittings	LBS	800	$13.46	$10,784.00	$17.00	$13,600.00	$8.00	$6,400.00	$22.00	$17,600.00	$8.00	$6,400.00
73	1" Service Line	LF	25	$10.97	$274.25	$35.00	$875.00	$25.00	$625.00	$33.00	$825.00	$25.00	$625.00
74	2" Service Line	LF	55	$13.71	$754.05	$35.00	$1,925.00	$25.00	$1,375.00	$14.00	$770.00	$25.00	$1,375.00
75	12" Butterfly Valve w/box	EA	3	$6,464.40	$19,393.20	$3,650.00	$10,950.00	$5,600.00	$16,800.00	$3,500.00	$10,500.00	$3,000.00	$9,000.00
76	8" Gate Valve w/box	EA	1	$4,528.92	$4,528.92	$1,700.00	$1,700.00	$3,000.00	$3,000.00	$1,800.00	$1,800.00	$2,000.00	$2,000.00
77	6" Gate Valve w/box	EA	1	$2,878.48	$2,878.48	$1,250.00	$1,250.00	$2,500.00	$2,500.00	$1,400.00	$1,400.00	$1,500.00	$1,500.00
78	3-Way FH Assembly	EA	1	$6,218.79	$6,218.79	$4,465.00	$4,465.00	$5,800.00	$5,800.00	$3,700.00	$3,700.00	$8,000.00	$8,000.00
79	6" X 6" Tapping Sleeve & Valve w/box	EA	1	$8,986.78	$8,986.78	$4,950.00	$4,950.00	$6,000.00	$6,000.00	$3,200.00	$3,200.00	$3,500.00	$3,500.00
80	8"X 8" Tapping Sleeve & Valve w/box	EA	1	$8,698.00	$8,698.00	$6,500.00	$6,500.00	$7,000.00	$7,000.00	$4,100.00	$4,100.00	$4,000.00	$4,000.00
81	12"X1" Service Tap	EA	1	$8,454.00	$8,454.00	$600.00	$600.00	$1,500.00	$1,500.00	$700.00	$700.00	$2,000.00	$2,000.00
82	16" Steel Encasement By Direct Bury	LF	68	$348.00	$16,884.80	$140.00	$9,520.00	$200.00	$13,600.00	$280.00	$19,040.00	$100.00	$6,800.00
83	Single Water Meter Setting, PRV, & Shut Off Valve w/box & Connect To Exist. Service	EA	1	$2,495.00	$2,495.00	$2,200.00	$2,200.00	$2,500.00	$2,500.00	$1,600.00	$1,600.00	$1,750.00	$1,750.00
84	12" Anchor Collar	EA	2	$2,878.50	$5,757.00	$2,465.00	$4,930.00	$1,500.00	$3,000.00	$625.00	$1,250.00	$1,500.00	$3,000.00
85	Cut & Cap Existing 8" Water Main	EA	1	$1,919.00	$1,919.00	$2,460.00	$2,460.00	$2,500.00	$2,500.00	$610.00	$610.00	$1,200.00	$1,200.00
86	Cut & Cap Existing 6" Water Main	EA	1	$2,720.00	$2,720.00	$2,300.00	$2,300.00	$2,000.00	$2,000.00	$500.00	$500.00	$1,000.00	$1,000.00
87	Temp. Asphalt Repair	LF	22	$99.71	$2,193.62	$180.00	$3,960.00	$60.00	$1,320.00	$10.00	$220.00	$60.00	$1,320.00

				Benchmark Construction of NWA 0089500921		Crossland Heavy Contractors, Inc. 0067301121		Goedwin & Goedwin, Inc. 0015690421		Branco Enterprises, Inc. 0038640621		Harris United, LLC 0864740321	
ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
80	Full Depth Class 7 ABC Backfill	LF	109	$25.15	$2,741.35	$59.00	$6,431.00	$35.00	$3,815.00	$12.00	$1,308.00	$35.00	$3,815.00
	Total Amount Schedule I				$1,717,445.69		$1,776,611.00		$1,993,940.00		$2,001,351.50		$2,138,733.50
	Total Amount Schedule II				$160,976.04		$124,048.00		$144,905.00		$198,597.00		$138,324.00
	Total Amount Bid				$1,878,421.73		$1,900,660.00		$2,138,845.00		$2,199,948.50		$2,276,057.50

License No. 0033500521 ID #4710

State of Arkansas

Commercial Contractors Licensing Board

BENCHMARK CONSTRUCTION OF NWA, INC.
333 W POPLAR #A
FAYETTEVILLE, AR 72703

This is to Certify That BENCHMARK CONSTRUCTION OF NWA, INC.

is duly licensed under the provisions of Ark. Code Ann. § 17-25-101 et. seq. as amended and is entitled to practice Contracting in the State of Arkansas within the following classifications/specialties:

BUILDING
- (COMMERCIAL & RESIDENTIAL)

This contractor has an unlimited suggested bid limit.

from May 8, 2020 **until** May 31, 2021 **when this Certificate expires.**

Witness our hands of the Board, dated at North Little Rock, Arkansas

GREAT SEAL OF THE STATE OF ARKANSAS

CHAIRMAN

SECRETARY

May 8, 2020 - dsa

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CREATION OF A NEW POSITION TO REPLACE AN EXISTING POSITION

WHEREAS, the current Administrative Assistant to the Mayor will be retiring in June of this year, and

WHEREAS, there is a need for greater requirements and expectations of knowledge, skill, abilities and supervision placed on the position of Administrative Assistant to the Mayor, and

WHEREAS, after careful consideration the Mayor is recommending the creation of the position of the Mayor's Executive Assistant replace the position of Mayor's Administrative Assistant;

WHEREAS, the position of the Mayor's Executive Assistant is rated as a grade 23 with a pay scale of $44,523 - $65,480 and the position of Mayor's Administrative Assistant was rated as a grade 18 with a pay scale of $34,888 - $51,310;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the position of Mayor's Executive Assistant is hereby created at a pay scale Grade 23, and replacing the Mayor's Administrative Assistant position.

PASSED AND APPROVED this 27th day of April, 2021.

_____

Doug Sprouse, Mayor

ATTEST:

_____

Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER FOR THE CONSTRUCTION CONTRACT FOR RABBIT FOOT LODGE PROJECT NO. CP 2001

WHEREAS,THE City of Springdale has entered into a contract with Pick-It Construction, Inc. to make repairs to Rabbit Foot Lodge, and

WHEREAS, the architect has recommended a change order to the contract in the amount of $2,809.02.

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

1. The Mayor is hereby authorized to execute Change Order No 1 for the contract with Pick-It Construction, Inc. for repairs to Rabbit Foot Lodge.

2. The Mayor is also authorized to sign future change orders for this contract as long as the cumulative amount of the change orders does not exceed 10% of the contract.

PASSED AND APPROVED this 27th day of April, 2021.

_____
Doug Sprouse, Mayor

ATTEST:

_____
Denise Pearce, City Clerk

APPROVED AS TO FORM:

_____
Ernest B. Cate, City Attorney

Wyman Morgan

From: Chad Wolf <cwolf@springdalear.gov>
Sent: Friday, April 16, 2021 11:37 AM
To: Wyman Morgan, Cody Loerts
Subject: Fwd: Rabbits Foot Lodge
Attachments: Change Order #1.pdf; IMG_1518.jpg; IMG_1521.jpg; IMG_1531.jpg

Sent from my iPhone

Begin forwarded message:

From: casey@clementsarchitects.com
Date: April 16, 2021 at 11:29:45 AM CDT
To: Chad Wolf <cwolf@springdalear.gov>
Cc: gary@clementsarchitects.com
Subject: FW: Rabbits Foot Lodge

Chad, Good morning, On our last site visit to the Rabbit Foot Lodge we looked at two items that the contractor had uncovered during the demolition process.

One being the stones that were patched in due to the base log parallel to the sidewalk rotting away some time ago. Our suggestion to address this is to remove the existing stones and install a new stone and mortar curb atop the original foundation to provide the new logs with a solid base for bearing.

The second item we observed was the sagging structural members over the center portion of the porch. The existing framing is composed of sistered 2x4s that were installed across a span that was to great of a distance for them to carry the load of the wood soffit. Our suggestion is to remove the existing 2x framing that is spanning north to south and install new 2x6 framing that will span the shorter distance east to west.

Attached you will find the proposal from the contractor for the work outlined above. I have also attached photos of each condition for your use. If you have any questions or comments please feel free to contact me.

Thanks Casey

Casey Henderson
Office: 501-375-3380
Cell: 501-412-8143
507 Main St.
North Little Rock, AR 72114

From: Jeremy Bernard <jeremy@pickitconstruction.com>
Sent: Wednesday, April 14, 2021 2:24 PM
To: casey@clementsarchitects.com
Cc: nixon@pickitconstruction.com; gary@clementsarchitects.com
Subject: RE: Rabbits Foot Lodge

Casey,

My apologies, it was my understanding you knew what was entailed.

This is our proposed solution, to remove the existing rocks that are in place at the bottom of the first log.
Then add flag stones that are 5" wide x 8" tall, mortar in place with a mortar cap bed on top. Install a 20 mil vapor barrier below and behind the new stones. There is approximately 25 LF of stones to be replaced.

I hope this helps. I will also add this to the proposal.

Let me know if you need anything else.

Thank you

Jeremy Bernard
PROJECT MANAGER
PICK-IT CONSTRUCTION, INC.
jeremy@pickitconstruction.com
O: (479) 973-5109
M: (479) 263-2385
F: (479) 571-3672

From: casey@clementsarchitects.com <casey@clementsarchitects.com>
Sent: Wednesday, April 14, 2021 1:43 PM
To: 'Jeremy Bernard'<jeremy@pickitconstruction.com>
Cc: nixon@pickitconstruction.com; gary@clementsarchitects.com
Subject: RE: Rabbits Foot Lodge

Jeremy, can you elaborate on the construction of the rebuilding of the foundations. Will this be constructed on stone? Need alittle more information outlined in the proposal.

Thanks Casey

From: Jeremy Bernard <jeremy@pickitconstruction.com>
Sent: Wednesday, April 14, 2021 1:37 PM
To: casey@clementsarchitects.com

Cc: nixon@pickitconstruction.co m
Subject: Rabbits Foot Lodge

Casey,

Attached is the CO for the additional work at the Rabbits Foot Lodge for your approval.

Let me know if you have any questions.

thank you

Jeremy Bernard
PROJECT MANAGER
PICK-IT CONSTRUCTION INC.
jeremy@pickitconstruction.com
O: (479) 973-5109
M. (479) 263-2385
F: (479) 571-3672

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CHANGE ORDER: # 1

DATE: 4/14/2021

TO: City of Springdale

CONTRACTOR: Pick It Construction
10024 N Campbell Rd
Fayetteville, AR 72701

PROJECT: Rabbits Foot Lodge

Architect: Clements and Associates

The contract will be changed as follows:

Labor to rebuild foundation at the south side of the building for new logs to sit on	$450.00
Materials :	$300.00
This is our proposed solution, to remove the existing rocks that are in place at the bottom of the first log.	
Then add flag stones that are 5" wide x 8" tall, mortar in place with a mortar cap bed on top.	
Install a 20 mil vapor barrier below and behind the new stones. There is approximately 25 LF of stones to be replaced	
Labor to reframe porch ceiling	$1,200.00
Materials: 12-2x6x12	$509.85
12-2x4x12	
8-6" simpson joist hangers	
Sub-Total	$2,459.85
Insurance	$24.60
Bond	$23.60
12% Contractor OH & Profit	$300.97
Total CO	$2,809.02

Breakdown:

The original contract sum was	$418,550.00
Net change by previously authorized change orders	
The contract sum prior to this change order was	$418,550 00
The contract sum will be increased by this change order in the amount of	$2,809.02
The new contract sum including this change order will be	$421,359 02

The contract time will be increased by .....(0) days

Accepted By:

Contractor: Pick-It Construction	Architect: Clements and Associates	Owner: City of Springdale
Print Name _____	Print Name _____	Print Name _____
Sign _____	Sign _____	Sign _____
Date _____	Date _____	Date _____