

- **The next City Council Committee Meeting will be discussed during tonight's meeting.**
- **Agenda Packet will be available on the Friday before the meeting.**

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
201 SPRING STREET (2ND FLOOR)
Tuesday, January 9th, 2024**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Mike Lawson

1. Call to Order – Mayor Doug Sprouse

2. Roll Call –Denise Pearce, City Clerk/Treasurer

3. Recognition of a Quorum.

4. Comments from Citizens

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

5. Approval of Minutes – **Tuesday, December 12th, 2023.**

Pgs. 102-125

6. **A Public Hearing on a petition to vacate a portion of a Utility Easement on property located at 2878 S. Powell Street. Presented by Ernest Cate, City Attorney.**

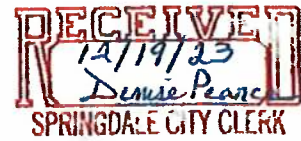
7. Procedural Motions

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)* **9A-9C, 11B, 11D, 12, and 13** (*Motion must be approved by two-thirds (2/3) of the council members*).

8. **An Appeal** of Planning Commission's denial of a Rezone Petition (R23-63) of certain lands from Agricultural District (A-1) to Medium Density Multi-Family Residential District (MF-12) at 2202 S. 40th Street. **Pgs. 1-43**
9. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development
 - A. **An Ordinance** accepting the Replat (RP24-01) of lots 2 and 3, Block 2 of Sam's Club Addition to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 44-49**
 - B. **An Ordinance** accepting the Final Plat (FP24-04) of Lucky's Subdivision, to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 50-53**
 - C. **An Ordinance** to replat Spring Creek Farms Subdivision Phase I to replace street names. *Tabled at 12/12/2023 City Council Meeting.* **Pgs. 54-61**
10. Finance Committee by Chairwoman Amelia Williams – **All Items forwarded from Committee with recommendation for approval.**
 - A. **A Resolution** authorizing the execution of a Construction Contract for West Emma Avenue Extension, Project No. 23BPS01. Presented by Ryan Carr, Engineering Department. **Pgs. 62-69**
 - B. **A Resolution** authorizing the execution of a Professional Services Agreement for Construction Phase Services on West Emma Avenue Extension. Presented by Ryan Carr, Engineering Department. **Pgs. 70-74**
 - C. **A Resolution** authorizing the execution of a relocation agreement with Carroll Electric Cooperative Corporation for Kendrick Avenue, Project No. 18BPS16. Presented by Ryan Carr, Engineering Department. **Pgs. 75-79**
11. Proposed Street Name Changes

- A. **A Public Hearing** on a proposed Ordinance to change the name of a private street from Animal Emergency Drive to Metroplex Drive. Presented by Ernest Cate, City Attorney.
 - B. **An Ordinance** amending Chapter 110, Article VI. Street Names and Address Numbers, to change the name of an existing street. Presented by Ernest Cate, City Attorney. Pgs. 80-81
 - C. **A Public Hearing** on a proposed Ordinance to change the name of a portion of Christian Avenue to Neals Café Avenue. Presented by Ernest Cate, City Attorney.
 - D. **An Ordinance** amending Chapter 110, Article VI. Street Names and Address Numbers, to change the name of an existing street. Presented by Ernest Cate, City Attorney. Pgs. 82-83
12. **An Ordinance** vacating a portion of a Utility Easement on Washington County Tax Parcel No. 815-29300-011, Pursuant to Ark. Code Ann. §14-301-301, et seq., declaring an emergency; and for other purposes. Presented by Ernest Cate, City Attorney. Pgs 84-86
13. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 87-101
14. **A Discussion** regarding the date of the 2nd City Council Committee meeting in January.
15. Comments from Council Members.
16. Comments from City Attorney.
17. Comments from Mayor
18. Adjournment.



December 19, 2023

Springdale City Council
201 Spring Street
Springdale AR 72764

Re: 2202 South 40th Rezoning Denial
Planning Commission meeting 12/5/2023

Dear Councilmen and Councilwomen,

Please consider this my notice to appeal the rezoning denial on 2202 South 40th from the Planning Commission meeting that was held on December 5, 2023.

I am requesting the appeal of the denial of the rezoning of MF12 as I feel this decision was made in error due to the misinformed public that spoke at the meeting. This rezoning would be a great asset to the area. We will design a project that will enhance the area and meet and exceed all design standards of the project. To promote a natural environment, we plan to preserve as many of the mature trees as possible to add to the privacy and beauty of the project.

I appeal to you to revisit this project and all that it has to offer to the City of Springdale.

Respectfully submitted,

A handwritten signature in black ink that reads "Philip Taldo". The signature is written in a cursive, flowing style.

Philip Taldo
Owner

**TALDO PROPERTIES
5100 South Thompson Street
Springdale AR 72764**

December 19, 2023

Dear Neighboring Residents,

Re: Appeal

Please consider this my official notice that I am appealing the Springdale Planning Commission's decision not to approve the rezoning of my property located at 2202 S 40th to the Springdale City Council. The meeting will take place on January 9, 2024.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip Taldo", written in a cursive style.

Philip Taldo

AFFIDAVIT

STATE OF ARKANSAS)
)ss.
COUNTY OF WASHINGTON)

The undersigned, after first being duly sworn, does state under oath as follows:

1. I am appealing a decision of the Springdale Planning Commission on a rezoning request. _____

2. I have notified all adjacent property owners of my appeal to the Springdale City Council.

I, Philip Taldo, upon my oath state that I have read the foregoing Affidavit, and the facts set forth therein are true and correct, to the best of my knowledge and belief.

Philip Taldo

SUBSCRIBED AND SWORN to before me, a Notary Public, this 19 day of December, 2024

My Commission Expires:

10-06-2031

Brenda S McCamey
Notary Public



parcel_id	ow_name	ow_add
815-24614-000	VASQUEZ, RICARDO & ROCHA-HILDROGO, MAYRA A	2201 S 40TH ST, SPRINGDALE, AR 72762
815-29106-000	FIRST CHURCH OF THE NAZARENE	2300 SOUTH 40TH ST, SPRINGDALE, AR 72764
815-29118-000	PEACEFUL VALLEY BIBLE CHURCH	2203 S 40TH ST, SPRINGDALE, AR 72764
815-30446-000	WHITE, GARY & LAQUITA REVOCABLE TRUST	4101 CLARK AVE, SPRINGDALE, AR 72762
815-30445-000	MORK, CLIFFORD J & CANDIACE RENEE	4007 CLARK AVE, SPRINGDALE, AR 72762
815-30442-000	HUNTINGTON, STEVEN F & JENNY L	4001 CLARK AVE, SPRINGDALE, AR 72762
815-30444-000	MILLER JOINT REVOCABLE TRUST	4005 CLARK AVE, SPRINGDALE, AR 72762-5863
815-30443-000	STEVENSON, PAULINE M	4003 CLARK AVE, SPRINGDALE, AR 72762-5863
815-30447-000	JOHNSON, LONNIE E & BETTY S	4103 CLARK AVE , SPRINGDALE, AR 72762
815-29105-030	TALDO PROPERTIES LLC	5100 S THOMPSON, SPRINGDALE, AR 72764
815-29105-030	TALDO PROPERTIES LLC	2202 S 40TH ST SPRINGDALE, AR 72764

The above list itemizes the property owners adjacent to the subject parcel, 815-29105-030, at 2202 S. 40th St. This list was compiled by Nathan Crouch, NWA Planning Manager at Blew & Associates, on November 10, 2023 using the Washington County GIS Parcel Map.

Blew & Associates project # 23-3768.01, Taldo Rezone request.



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**PLANNING & COMMUNITY
DEVELOPMENT DIVISION**

Memo

To: PLANNING COMMISSION MEMBERS

From: Patsy Christie, Planning Director

Date: December 5, 2023

Re: R23-63 Rezone

A request by Taldo Properties, LLC for Planning Commission approval of a zone change from Agricultural District (A-1) to Medium Density Multi-family Residential District (MF-12) for a tract of land containing 7.704 acres.

LOT LOCATION AND SIZE

The 7.704 acre tract is located at 2202 S. 40th Street, west side of 40th street, north of Chapman Avenue.

A vicinity map is attached.

EXISTING ZONING

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

Uses permitted: - 1, 6, 7, 8, 29

Conditional Uses Permitted on Appeal: - 2, 3, 4, 5, 9, 14, 17, 23, 28, 30, 33, 36, 37

Temporary Uses – 32, 34

ACCESSORY USES

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

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

SITE PLAN REVIEW

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

AREA REGULATIONS

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

	LOT MINIMUMS		SETBACKS				
	Widths	Area	Front	Back	Side		
					Corner		
						Interior	Exterior
One Family	200	2 acre	35	35	20/20	20	35

REQUESTED ZONING

The rezoning application requests a MF-12 Medium Density Multi-family Residential District. The district is established to provide areas for development allowing more units per structure and a higher density. Provides more compact residential development, and promotes more efficient use of land and utilities, and the development of less expensive housing on smaller lots.

Uses permitted: - 1, 8, 10, 11, 13, 29

Conditional Uses Permitted on Appeal: - 2, 3, 4, 9, 12, 28

Temporary Uses – 34

ACCESSORY USES

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

- (1) Accessory buildings, including private garages, storage facilities and children's playhouses as set for in Article 6, Section 2.7 of this chapter.
- (2) Private greenhouses and horticultural collections.

- (3) Flower and vegetable gardens.
- (4) Swimming pools, tennis courts and similar recreation facilities.

SITE PLAN REVIEW

When a conditional use is proposed in an MF-12 district, except for Use Unit 28 home occupation a site plan review shall be required. See Article 6, Section 13 of this chapter for the procedure and requirements of a site plan review.

HEIGHT REGULATIONS

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

AREA REGULATIONS

- (1) LOT AREA. There shall be a lot area of not less than six thousand (6,000) square feet for a single family dwelling; ten thousand five hundred (10,500) square feet for a duplex; fourteen thousand (14,000) for a triplex; twenty thousand (20,000) for a four-plex and twenty thousand (20,000) plus two thousand five hundred (2,500) for each unit over five. In addition, there shall be a minimum lot width of not less than sixty (60) feet for a one family; seventy (70) feet for a two family; eighty (80) feet for a three family or larger on a public street.
- (2) DENSITY - 12 units per acres
- (3) FRONT SETBACK. There shall be a front setback having a depth of not less than thirty (30) feet. In keeping with the definition of a corner lot, all sides adjacent to streets shall be required to have front setbacks of thirty (30) feet.
- (4) SIDE SETBACK. There shall be a side setback on each side of the lot having a width of not less than eight (8) feet.
- (5) REAR SETBACK. There shall be a rear setback having a depth of not less than twenty (20) feet.

	LOT MINIMUMS		SETBACKS					
	Widths		Area	Front	Back	Side		
						Interior	Corner	
							Interior	Exterior
One Family	60		6,000	30	20	8/8	8	30
Two Family	70		10,500	30	20	8/8	8	30
Three Family	80		14,000	30	20	8/8	8	30
Four Family	80		20,000	30	20	8/8	8	30
Four or more families	80		+20,000 2,500/unit					
Zero Lot Line	60		as above	30	20	16/0	16/0	30
Townhouse	Interior	Corner/end						
	20	50/28		30	20	8/0	8	30

BUILDING AREA

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

OFF-STREET PARKING

See Article 7 of this chapter.

LANDSCAPED OPEN SPACE

On any lot, there shall be a minimum of ten (10) percent of landscaped open space in accordance with Article 6 Section 2.16 of this chapter.

MULTIFAMILY PLAY AREAS

See Article 6 Section 2.17 of this chapter.

SURROUNDING ZONING AND LAND USE

The tract is undeveloped. The property to the north contains single family dwellings in SF-2 zoning. The area to the east, south and west contain churches in A-1 zoning.

LAND USE PLAN AND MASTER STREET PLAN

The adopted Comprehensive Land Use Plan indicates low density residential use.

The Master Street Plan indicates 40th Street as a minor collector.

STAFF COMMENTS AND RECOMMENDATIONS

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

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

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

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



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www.SpringdaleAR.gov

Petition for Rezoning

STAFF USE ONLY

Date Application Submitted: November 15, 2023 Payment Method: Receipt #9350
Date Accepted as Complete: November 21, 2023 Project Number: R23-63

APPLICATION CONTACTS:

Indicate one person of contact for this request: _____ Applicant _____ Representative

Applicant (person making request) Name: <u>Taldo Properties, LLC</u> E-mail: <u>bhathorn@weichertgriffin.com</u> Address: <u>5100 South Thompson Street Springdale AR 72764</u> Phone: <u>479-927-4405</u> Site/ Location: <u>2202 S 40th Street</u> <u>Springdale AR 72762</u> Assessor's Parcel Number(s): <u>815-29105-030</u>	Review Point of Contact for Question & Staff Reviews Name: <u>Nathan Crouch, Blew Inc.</u> E-mail: <u>nathan@blewinc.com</u> Address: <u>3825 N Shiloh Dr, Fayetteville AR 72703</u> Phone: <u>479-443-4506</u> Current Zoning District: <u>Agricultural</u> Desired New Zoning: <u>MF12</u> Total Acreage: <u>1.552</u>
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Rezoning Procedure & Checklist

Before completing an application to rezone property, petitioners are encouraged to meet with a member of the planning staff to discuss the application. Often, the staff can provide the petitioner with some useful information concerning the subject tract as to any rezoning or development history that may exist. The staff can also help the petitioner assess the reasonableness of the request and assist those who have not been involved with the rezoning process previously.

The deadline for submission of a petition for rezoning is 12:00 noon twenty days before the Planning Commission meeting. The Planning Commission meets the first Tuesday of each month at 5:00 p.m. in the Council Chambers of the City Administration Building, 201 North Spring Street, unless otherwise advertised.

☒ **OWNER'S RESPONSIBILITY**

It is the responsibility of the owner to insure that all necessary procedures are followed in a satisfactory and timely manner and to verify the accuracy and completeness of all necessary information. If significant omissions and/or errors are discovered during the review process, the application may be rejected or tabled until sufficient information is supplied.

Planning and Community Development Division

(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

File No. R23-63

PETITION FOR REZONING

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

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

Legal Description:

A PART OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE ALONG THE EAST LINE OF SAID FORTY ACRE, TRACT N02°16'46"E 220.72 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, N87°31'48"W 477.80 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE N02°24'00"E 140.03 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S87°53'47"E 477.51 FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE ALONG SAID EAST LINE, S02°16'46"W 143.08 FEET TO THE POINT OF BEGINNING. CONTAINING 1.552 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Layman's Description: 2202 S 40th Street Springdale AR 72762

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

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

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

FROM (current zoning) Agricultural

TO (proposed zoning) MF12

The **Petitioner's** immediate intentions are to: Build

Planning and Community Development Division

(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

1. **Sell** the property No (Yes or No), and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title No (Yes or No).
2. **Develop** the property Yes (Yes or No), and if so, the proposed use is MF12.
3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows: No adverse effect

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

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

Authorized Representative: Nathan Crouch, Blew Inc.

Address: 3825 N Shiloh Dr, Fayetteville AR 72703

PETITIONER/OWNER **SIGNATURE**

Philip T. Webb

MAILING ADDRESS: 5100 South Thompson Street Springdale AR 72764

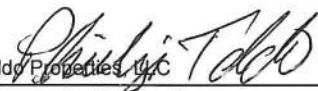
TELEPHONE: 479-927-4405 DATE: November 10, 2023

VERIFICATION

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

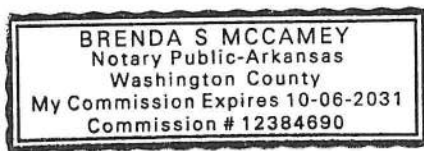
SIGNATURE

(Property Owner)

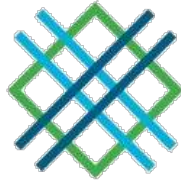

 Taldo Properties, LLC
 (Property Owner)

State of Arkansas)
) ss.
 County of Washington)

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 10th day of
November, 2023.




 Notary Public



SPRINGDALE
WE'RE MAKING IT HAPPEN

R23-63

Rezoning Application

Date: 11/15/2023 Permit No.: 230415

Applicant / Owner

Applicant Name: Brenda Hathorn, on behalf of
Taldo Rentals, LLC
Address: 5100 S. Thompson St
City, State, Zip: [Applicant City, State, ZIP]
Phone: [Applicant Phone Number]
Email: bhathorn@weichertgriffin.com
Application Contact: Representative

Owner Name: Philip Taldo
Address: 5100 S Thompson St
City, State, Zip: Springdale, Ar 72764
Phone: 479-927-4405
Email: bhathorn@weichertgriffin.com

Property

Job Address: 2202 S 40th St, Springdale,
Ar 72762
Parcel No(s): 815-29105-030
Current Zoning: A-1

Desired Zoning: MF-12
Total Acreage: 1.552

Legal Description: ADJUSTED PARCEL 815-29105-030: A PART OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE ALONG THE EAST LINE OF SAID FORTY ACRE, TRACT N02°16'46"E 220.72 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, N87°31'48"W 477.80 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE N02°24'00"E 140.03 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S87°53'47"E 477.51 FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE ALONG SAID EAST LINE, S02°16'46"W 143.08 FEET TO THE POINT OF BEGINNING. CONTAINING 1.552 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Layman's Description: 2202 S 40th St

Review Contact / Intentions

Review Contact: Nathan Crouch
E-mail: nathan@blewinc.com

Address: 3825 North Shiloh Drive
Phone: 479-443-4506

The Petitioner's immediate intentions are to:

1. **Sell** the property **No**, and if so, is the property subject to an offer and acceptance, escrow contract, option agreement, other contract for conveyance of title **No**
2. **Develop** the property **Yes**, and if so, the proposed use is build multi-family homes
3. **Effect** of the proposed zoning upon the adjacent property and neighborhood is anticipated to be as follows:
no adverse impact

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

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

Nathan Crouch, on behalf of Taldo Rentals, LLC
Name

11/15/2023
Date

From: Mary Miller <maryhawmiller@gmail.com>
Sent: Tuesday, November 28, 2023 10:46 AM
To: Patsy Christie
Subject: Hi Patsy, asking for your support.

Adjacent Property Owner Comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

November 28, 2023

Greetings! We hope you and yours are doing well and wish you a joyful Christmas Season.

As you probably know, there is a proposed new development between the homes on Clark Avenue and the parking lot for the Church of the Nazarene. The plan involves rezoning the property from agricultural to MF12. It looks like the back setback for MF12 is only 20 feet, and buildings could be up to 35 feet high. Due to the narrow configuration of the land behind our homes, two-story, multi-family townhouses would loom over our backyards, block our natural light, and contribute to light pollution at night. There would have to be an access road, the road or the buildings would be very close to our properties and our backyards are narrow. The neighbors on either side of us are retired and are scared and upset about the prospect of this new development. The property owners on Clark Avenue do not want large rental townhouses directly adjacent to our single-family homes. The neighborhood of Peaceful Valley consists of predominantly one-story single-family homes. The proposed addition would change the entire neighborhood vibe, not for the better. Now we face the prospect of life in a fishbowl. We never anticipated that the property behind us would be deserted, condemned, and sold. Also, now is not a good time to sell and buy new homes. Nobody wants to move or to live in the shadow of large multi-family housing. Some of our property tax rates are fixed and the interest rates are high.

With this in mind, we ask that you support the interests of those of us who will be directly affected by the proposed plan. We are also in contact with the Planning Committee and City Council members. The proposal is in direct violation of the City of Springdale Mission: The mission of the City of Springdale is to provide quality services for the betterment of the health, safety, welfare, prosperity, comfort, and convenience of all persons in the City of Springdale, Arkansas.

The project would negatively affect our prosperity and general welfare, comfort, and convenience, provide undue overcrowding and congestion, ruin the character of our neighborhood, and reduce our property values and economic stability.

Thank you for your consideration and we would love to hear from you as this project progresses.

Best regards:
Dennis and Mary Miller
4005 Clark Avenue
Springdale, AR 72762
479-871-6065, 479-236-5209

Mary Miller

December 5, 2023

Adjacent Property Owner
Opposition Letter

To: Springdale Planning Commission:

From: Pauline Stevenson

I live at 4003 Clark Ave, Springdale, Ar 72762. I have had my home for --34 years. I am now 83 yrs old and this home is my investment. I am very interested in this matter, of apartments being built at my back door.

I am asking you not to approve the building of apartments at my back door. If this request is approved and apartments go in, all I would see would be are tall buildings, litter, apartment trash containers, and not to mention all the noise level increases. These are major concerns of mine as a home owner. As any homeowner would be as an investment, I am against and opposed to these being built in my back yard.

I cannot be at the meeting, but keep in mind, that I am very much against this apartment complex at my back door. There will be automobile traffic, people traffic, all kinds of noise day and night.

Other concerns and questions I have thought of are the buildings being 35 feet tall: I will have no privacy in my beautiful backyard. My property value will decrease significantly. Would you as a homeowner want your lifelong investment to be devalued? My other concerns are I will have to spend more money for security cameras, a taller privacy fence (possibly 30 ft.), fence gate, water drainage, and the outside maintenance and lawn appearance of these apartments. I'm sure this is being built as an investment by Mr. Taldo. But I do not have the money to lose or spend as I am in my retirement years.

I enjoy my home and lawn. I have lived here since 1989. Please don't take my backyard, peace and quiet away, my privacy, the pleasant noises that I hear now such as birds, squirrels, wind, leaves rustling. This could all be void if you don't approve Mr. Taldo's request.

If you approve these buildings, Mr Taldo buildings will affect every home's value on Chapman Ave and Clark Ave, Springdale, and possibly other streets. Think about this!

Thank you,

Pauline Stevenson

4003 Clark Ave

Springdale, Ar 72762

INFORMAL PLAT

2300 & 2202 SOUTH 40TH STREET

LOCATED IN: SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST
WASHINGTON COUNTY, SPRINGDALE, ARKANSAS 72764

RECORD DESCRIPTION

EXISTING 815-29105-030 (BOOK 2023, PAGE 16038):
A PART OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE ALONG THE EAST LINE OF SAID FORTY ACRE TRACT N02°16'46"E 221.78 FEET TO THE TRUE POINT OF BEGINNING, THENCE LEAVING SAID EAST LINE N87°31'48"W 432.80 FEET TO A FOUND ½" REBAR, THENCE N02°23'59"E 140.31 FEET TO A FOUND ½" REBAR, THENCE S87°53'47"E 432.51 FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE ALONG SAID EAST LINE S02°16'46"W 143.08 FEET TO THE POINT OF BEGINNING. CONTAINING 1.407 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

EXISTING 815-29106-000 (BOOK 1031, PAGE 339):
PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION NINE (9), IN TOWNSHIP SEVENTEEN (17) NORTH OF RANGE THIRTY (30) WEST, BEING ELEVEN (11) ACRES TAKEN OF EQUAL WIDTH OFF OF THE SOUTH SIDE THEREOF, EXCEPT A STRIP OF LAND 141 FEET NORTH AND SOUTH BY 26 RODS EAST AND WEST OUT OF THE NORTHEAST CORNER OF SAID 11 ACRES, CONTAINING 1.4 ACRES, MORE OR LESS, AND LEAVING 9.6 ACRES, MORE OR LESS. ALSO A ROADWAY AND UTILITY EASEMENT 20 FEET IN WIDTH OFF THE SOUTH SIDE OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, LESS AND EXCEPT: PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION NINE (9), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT; THENCE NORTH 420 FEET; THENCE EAST 210 FEET; THENCE SOUTH 420 FEET; THENCE WEST 210 FEET TO THE POINT OF BEGINNING, CONTAINING TWO (2) ACRES, MORE OR LESS.

SURVEY DESCRIPTION

ADJUSTED PARCEL 815-29105-030:
A PART OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE ALONG THE EAST LINE OF SAID FORTY ACRE, TRACT N02°16'46"E 220.72 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE, N87°31'48"W 477.80 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE N02°24'00"E 140.03 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S87°53'47"E 477.51 FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT, THENCE ALONG SAID EAST LINE, S02°16'46"W 143.08 FEET TO THE POINT OF BEGINNING. CONTAINING 1.552 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

ADJUSTED PARCEL 815-29106-000:
A PART OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT THENCE ALONG THE SOUTH LINE OF SAID FORTY ACRE TRACT, N87°50'56"W 1,109.76 FEET TO A FOUND 1/2" REBAR; THENCE LEAVING SAID SOUTH LINE N02°16'46"E 362.87 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S87°53'47"E 632.25 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S02°24'00"W 140.03 FEET TO A SET 5/8" REBAR CAPPED "AR 1808"; THENCE S87°31'48"E 477.80 FEET TO THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE ALONG SAID EAST LINE, S02°16'46"W 220.72 FEET TO THE POINT OF BEGINNING. CONTAINING 7.704 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
500-17N-30W-0-09-110-72-1808

COMPLETED FIELD WORK:
NOVEMBER 3, 2023

- REFERENCE DOCUMENTS:
- WARRANTY DEED FILED IN DEED BOOK 2023 AT PAGE 16038.
 - WARRANTY DEED FILED IN DEED BOOK 1031 AT PAGE 339.
 - SUBDIVISION PLAT FILED AS SOUTH MEADOWS SUBDIVISION.
 - SURVEY PLAT FILED AS ARKANSAS DIVISION OF LAND SURVEYS DOCUMENT NO. 217862.
 - EASEMENT FILED IN DOCUMENT NO. 99033848.
 - EASEMENT FILED IN DOCUMENT NO. 99033846.
 - EASEMENT FILED IN DOCUMENT NO. 94017246.
 - EASEMENT FILED IN DOCUMENT NO. 99021759.
 - EASEMENT FILED IN LIBER 1278 AT PAGE 618.

BASIS OF BEARING:
THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH, BASED ON ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE NAD83.

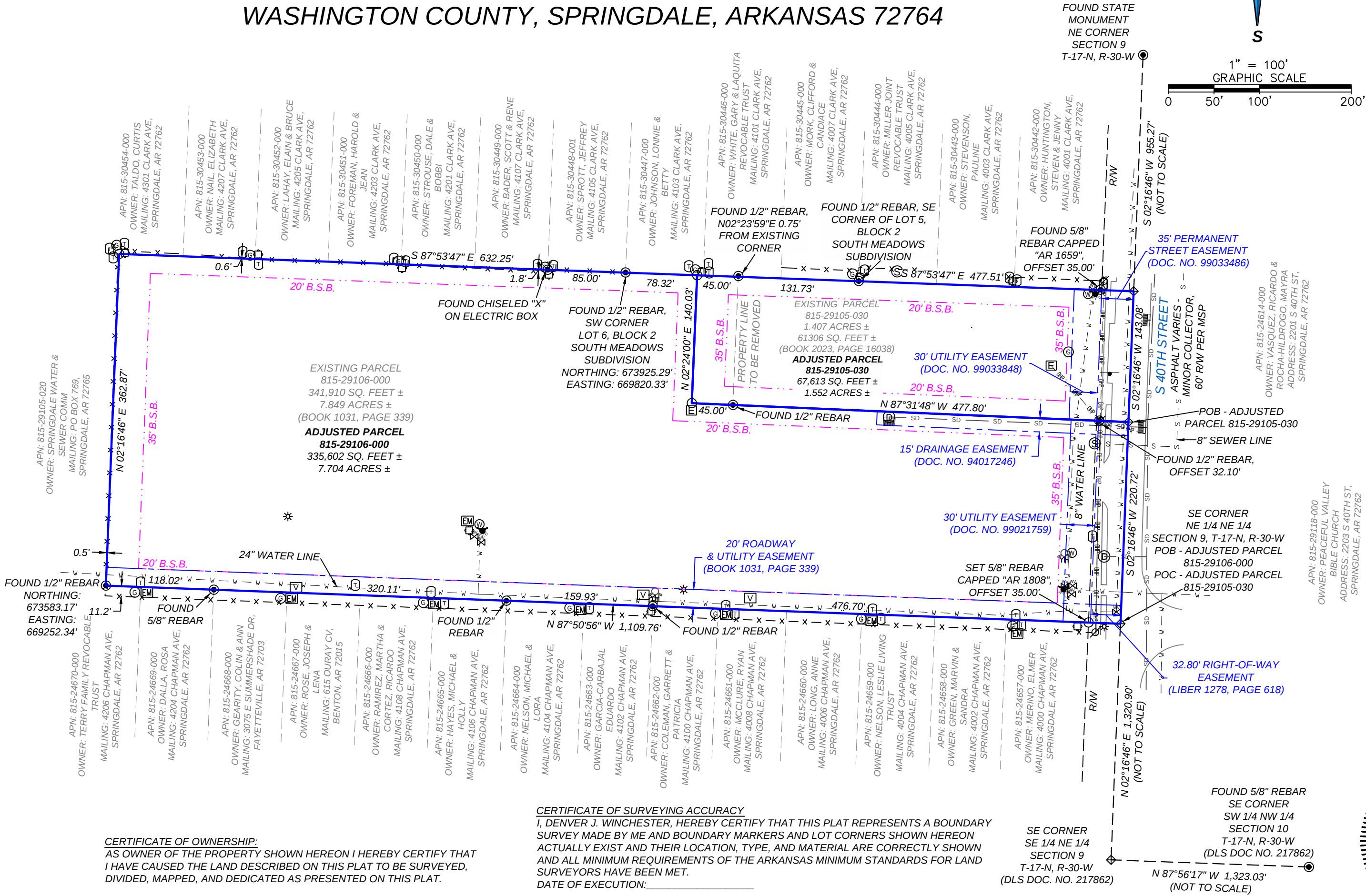
SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

THE TERM "CERTIFY" OR "CERTIFICATION" AND "CORRECT" AS NOTED HEREON AND AS IT PERTAINS TO LAND SURVEYING SERVICES AS SHOWN ON THIS DOCUMENT SHALL MEAN, "A STATEMENT SIGNED BY THE PROFESSIONAL LAND SURVEYOR BASED ON THE FACTS AND KNOWLEDGE KNOWN TO THE PROFESSIONAL LAND SURVEYOR AT THE TIME OF THE SURVEY AND IS NOT A GUARANTEE OR WARRANTY, EITHER IMPLIED OR EXPRESSED."

ALL ADJACENT PROPERTIES ARE ZONED SF-2.



CERTIFICATE OF OWNERSHIP:
AS OWNER OF THE PROPERTY SHOWN HEREON I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS PRESENTED ON THIS PLAT.

DATE OF EXECUTION SIGNED OWNER

LAND AREA

ADJUSTED PARCEL 815-29105-030
67,613 ± SQUARE FEET
1.552 ± ACRES

ADJUSTED PARCEL 815-29106-000
335,602 ± SQUARE FEET
7.704 ± ACRES

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05143C0070F, WHICH BEARS AN EFFECTIVE DATE OF 05/16/2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

UTILITY INFORMATION

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

CERTIFICATE OF SURVEYING ACCURACY
I, DENVER J. WINCHESTER, HEREBY CERTIFY THAT THIS PLAT REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE, AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
STATE OF ARKANSAS REGISTRATION NO. 1808

CERTIFICATE OF APPROVAL BY THE PLANNING DEPARTMENT
THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND THE OFFICES OF RESPONSIBILITY SHOWN BELOW:

ACCEPTANCE OF DEDICATIONS
DATE CITY CLERK
DATE MAYOR
WATER AND SEWER
DATE ENGINEER, SPRINGDALE WATER
CITY OF SPRINGDALE
APPROVAL FOR RECORDING

DIRECTOR, PLANNING AND COMMUNITY
DEVELOPMENT DIVISION

ZONING INFORMATION

CURRENT ZONING: A-1, AGRICULTURAL DISTRICT

SETBACK REQUIREMENTS:
FRONT - 35'
SIDE - 20' INTERIOR; 35' EXTERIOR
REAR - 35'

SHEET 1 OF 1

DATE	REVISION HISTORY	BY

Surveying
Engineering
Mapping

BLEW
& ASSOCIATES, P.A.

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
OFFICE: 479.443.4506 · FAX: 479.582.1883
SURVEY@BLEWINC.COM
WWW.BLEWINC.COM

SURVEYOR JOB NUMBER:
23-3768.01

SURVEY DRAWN BY:
ANC - 11/06/2023

SURVEY REVIEWED BY:
TPN

SCALE:
1" = 100'

FOR THE USE AND BENEFIT OF:
TALDO RENTALS, LLC

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

Page 17

parcel_id	ow_name	ow_add
815-24614-000	VASQUEZ, RICARDO & ROCHA-HILDROGO, MAYRA A	2201 S 40TH ST, SPRINGDALE, AR 72762
815-29106-000	FIRST CHURCH OF THE NAZARENE	2300 SOUTH 40TH ST, SPRINGDALE, AR 72764
815-29118-000	PEACEFUL VALLEY BIBLE CHURCH	2203 S 40TH ST, SPRINGDALE, AR 72764
815-30446-000	WHITE, GARY & LAQUITA REVOCABLE TRUST	4101 CLARK AVE, SPRINGDALE, AR 72762
815-30445-000	MORK, CLIFFORD J & CANDIACE RENEE	4007 CLARK AVE, SPRINGDALE, AR 72762
815-30442-000	HUNTINGTON, STEVEN F & JENNY L	4001 CLARK AVE, SPRINGDALE, AR 72762
815-30444-000	MILLER JOINT REVOCABLE TRUST	4005 CLARK AVE, SPRINGDALE, AR 72762-5863
815-30443-000	STEVENSON, PAULINE M	4003 CLARK AVE, SPRINGDALE, AR 72762-5863
815-30447-000	JOHNSON, LONNIE E & BETTY S	4103 CLARK AVE , SPRINGDALE, AR 72762
815-29105-030	TALDO PROPERTIES LLC	5100 S THOMPSON, SPRINGDALE, AR 72764
815-29105-030	TALDO PROPERTIES LLC	2202 S 40TH ST SPRINGDALE, AR 72764

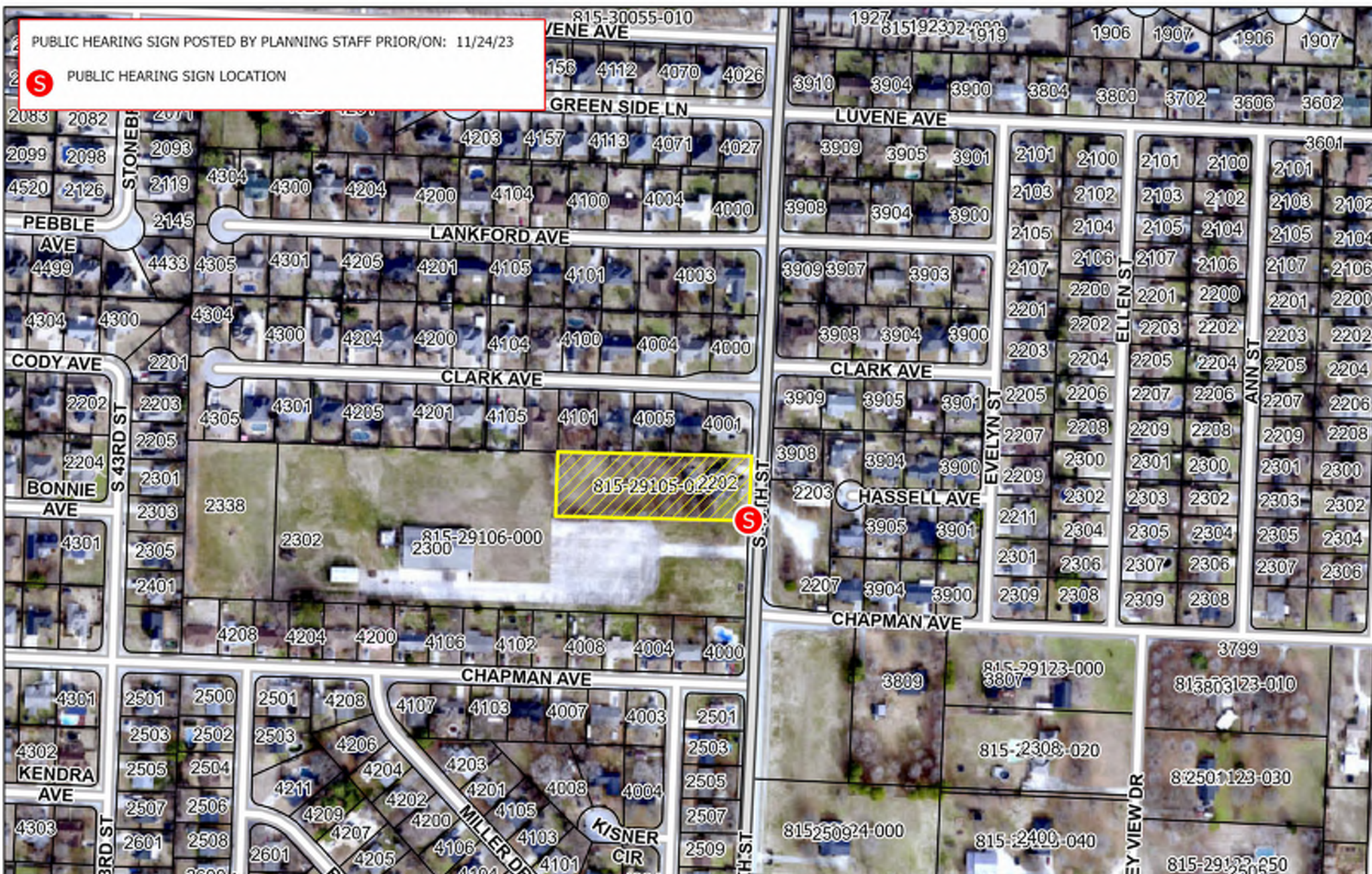
The above list itemizes the property owners adjacent to the subject parcel, 815-29105-030, at 2202 S. 40th St. This list was compiled by Nathan Crouch, NWA Planning Manager at Blew & Associates, on November 10, 2023 using the Washington County GIS Parcel Map.

Blew & Associates project # 23-3768.01, Taldo Rezone request.

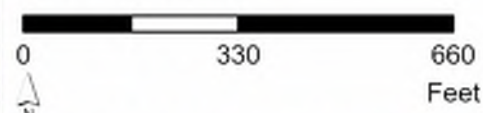


PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 11/24/23

 PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
December 5, 2023

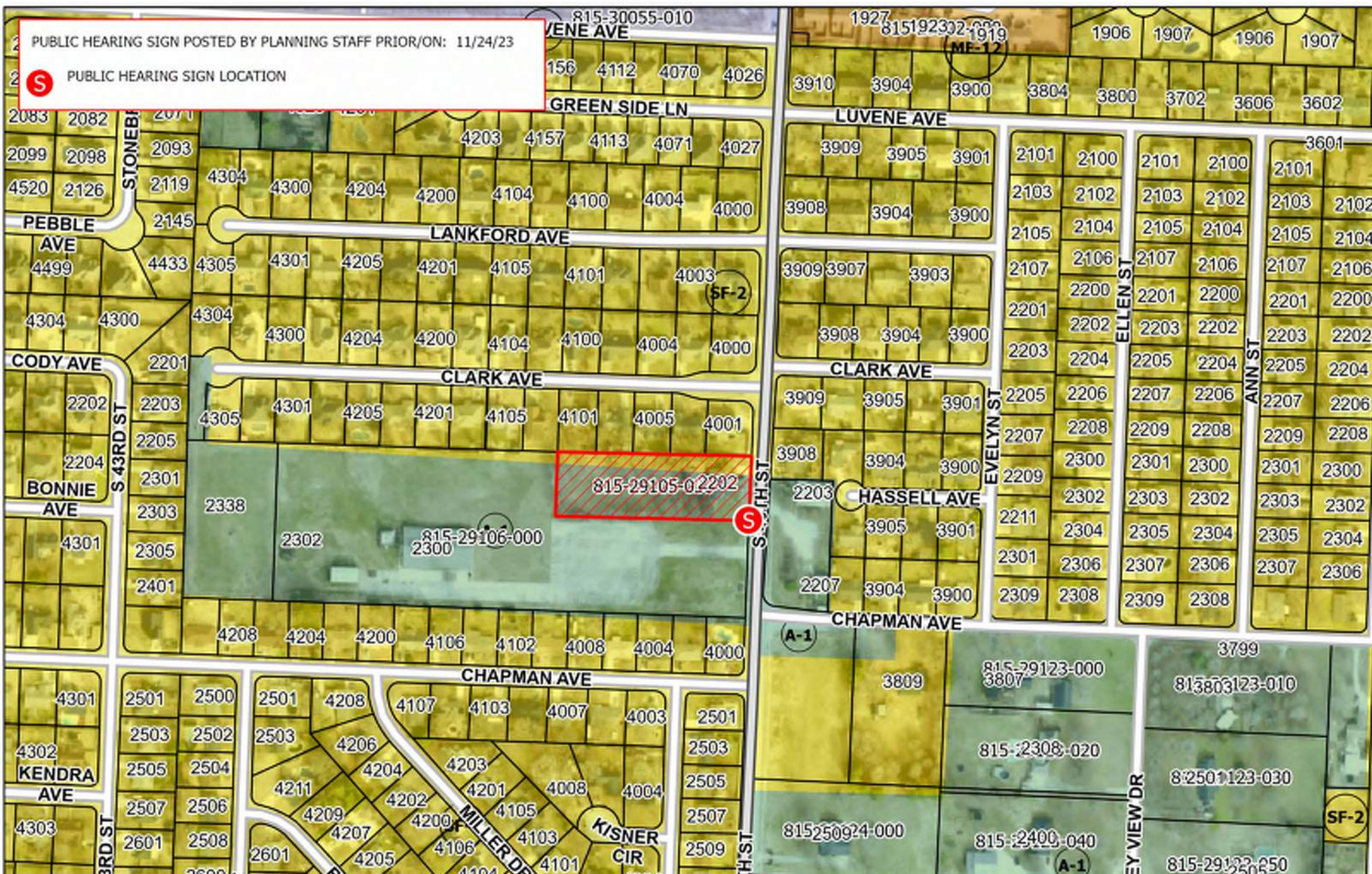


PROJECT: R23-63
APPLICANT: Taldo Rentals, LLC
LOCATION: 2202 S 40th St
REQUEST: Rezoning from A-1 to MF-12

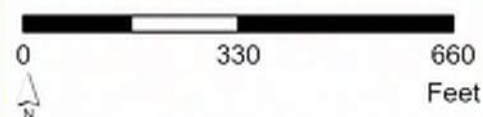


PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 11/24/23

S PUBLIC HEARING SIGN LOCATION



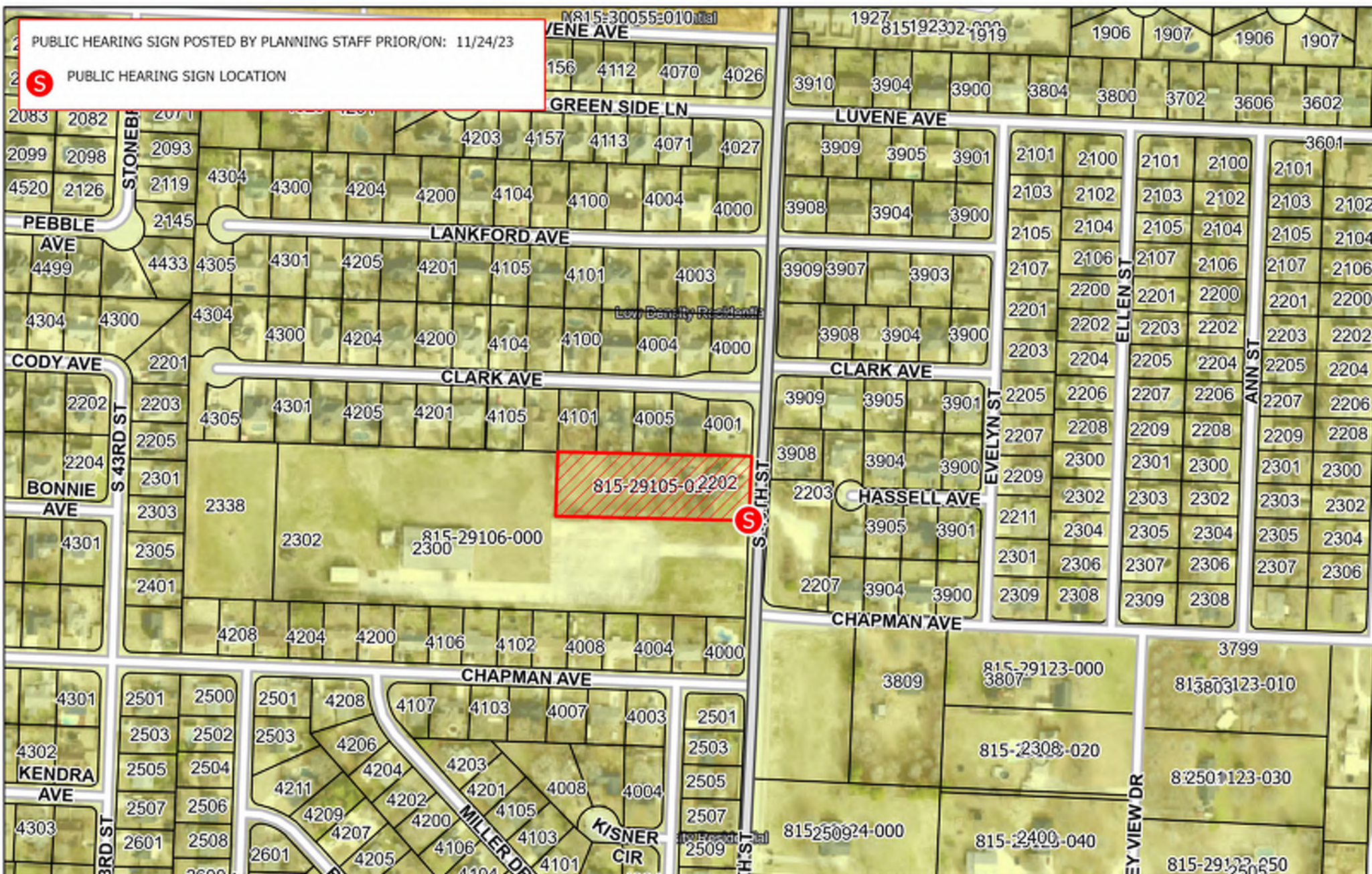
Planning Commission Meeting
December 5, 2023



PROJECT: R23-63
APPLICANT: Taldo Rentals, LLC
LOCATION: 2202 S 40th St
REQUEST: Rezoning from A-1 to MF-12

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 11/24/23

 PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
December 5, 2023



PROJECT: R23-63
APPLICANT: Taldo Rentals, LLC
LOCATION: 2202 S 40th St
REQUEST: Rezoning from A-1 to MF-12



Ms. Christie stated for the record that Staff would prepare the Ordinance that will go to Council on Tuesday, December 12, 2023 at 6:00 p.m.

The following will be a verbatim account of R23-63.

J. R23-63 Taldo Properties, LLC
 2202 S. 40th Street
 From A-1 to MF-12
 Presented by Blew & Associates (Nathan Crouch)

Ms. Mueller: The next item is R23-63, Taldo Properties, LLC, presented by Blew and Associates.

Mr. Nathan Crouch: Good evening, Nathan Crouch with Blew & Associates. This is a 1.55 acre property that Mr. Taldo is requesting to rezone that from A-1 to MF-12, with the intent to develop a multi-family development.

Ms. Christie: The land use plan indicates low density residential use. The rezoning request is in keeping with the following goals and policies and is recommended for approval. Appropriate locations for single family and multi-family residential development should be provided based on accessibility, site suitability, utility availability, neighborhood compatibility and environmental factors; encourage the development of a variety of housing types appropriate to the size and income of all households living and working in Springdale and allow an increase to medium and high density residential use when land values prevent economic development of low density residential. I do want to say that we have received 11 e mails in opposition to this which all of them have been made available to the Planning Commission members and will be put directly into the record of this meeting and I'm asking if the Planning Commission members want me to read those 11 e-mails or if you are willing to put them all in the record as they were received. And all of them are in opposition to the rezoning request. O.K.?

Ms. Mueller: Do we have any comments from the audience. O.K. if you could come to the mic and state your name and address.

Mr. Straus: My name is Dale Straus this is my wife, Bobbie. We live on 4201 Clark Avenue the street on the other side of that fence. I heard a lot of good conversation about what is important for the city and the economic base and all that stuff but we moved in there nearly eighteen years ago because we love the community, we love the houses, we loved that everything was different. We like looking down at the houses and seeing our neighbors and seeing them walk up and down the street without worry and sometimes walk their dog. I don't relish the idea of looking out my backyard over my fence and seeing a multi-family duplex. I don't approve and I probably have a somewhat nice house on the street and I do think that the value will go down. I don't think it will increase the sale value though I have no desire to sell. I don't think it is what is best for our community or for that street or for my neighbors.

Ms. Straus: If you see the property, it's beautiful. The church and the parking lot and yard are right behind Clark Avenue. There's a little bit of green space that will probably end up with dogs being walked around there and doing what they do and I expect trash eventually as well. I'm not sure that it's going to be, it seems to me that it will end up being like low income issue right behind our house. That's how we feel about it.

Mary Miller: My name is Mary Miller and I live at 4005 Clark. My house is directly, well we just got this map yesterday, I don't know if you all have seen it. My house is directly adjacent to the proposed buildings and there would be a parking lot between my house, 42 parking spaces and the proposed buildings and there would also be a small green space. I've been trying to find out how large that space is.

Ms. Christie: O.K. before we get too deep into that actual layout keep in mind that we are looking for the highest and best use of the property. We are not rezoning it for that exact layout. O.K. when he gets ready to develop it, the developer's ready to develop it, he will have to submit a large scale development plan that will be submitted to the Planning Commission, will go through the review process and all the adjacent property owners will be notified again and we will look at the open space, and the drainage and the parking and the building placement and all that. You will get notified again when that is submitted. All we are talking about tonight is the highest and best use of that property for an MF-12.

Ms. Miller: So I have printed off a map that borders Peaceful Valley and it appears that every single residence within Peaceful Valley is a single family residence; probably ninety-five percent of them are single story. It was established in the eighties. It is a community that has thrived in the center of Springdale ever since and I just don't believe it can be considered Peaceful Valley any longer if we have a parking lot plopped down with fourteen two-story townhouses right in the middle of our residential area. I would also like to hear from Mr. Les Nelson who has some great information and I thank you for listening to our objections. The light that would be coming into our house, we would have light pollution at night and we even have neighbors that are directly adjacent to the proposed project who just moved in about two weeks ago and had no idea that this was going in.

Ms. Christie: Can we get a show of hands of everyone that supports that position, so we kind of know. (Many hands were raised) O.K. Thank you.

Ms. Miller: Thank you.

Mr. Nelson: My name is Les Nelson and I live 4000 Chapman and my property backs up to the church that oversees this. We finally feel like that there are several different things that everybody wants to say. One of them is the property is not suited for this. We have many fine houses, large property all up and down 40th Street; all those people are happy and want their property to stay the way it is and don't want this kind of incursion. The property has a very short frontage. You can see that it is not wider than most homes and before the drainage was fixed those houses over on Park used to flood. You go in and put a parking lot and put in housing over this whole piece of property, we are going to

have flooding issues again. There were many large family trees that are on that parking lot, all of them, according to is gone; every one of them. The view from the adjacent homes will now be a parking lot or the backside of an apartment. He wanted to show that this has a lot to do with the same project by Hellstern. The one on Hellstern is sitting on a main artery; it backs up to A-1 which is actually being run as a business; it has an entrance and an exit it is not same thing anywhere at all. This one, like I said, the main front will sit toward the parking lot and if somebody else bought that parking lot, they could put in a fence against their property; that would be their legal deal and then all these apartments are inside a box. We just don't feel like that this piece of property but moving on from that, even if they were able to pull off some kind of engineering miracle and make this thing work the area doesn't need any more stress on our roads and our infrastructure. On 40th Street where there are two schools three churches and a park and the plan include forty-two extra cars that will be coming out of that one little bitty area. These roads are already full from 8 o'clock in the morning and at 3 o'clock in the afternoon they are busy. Now widening that highway is not good for the public because we don't want to spend money, tax dollars, widening this road to increase the traffic when realistically trying their very best to limit the traffic and they have done that in a lot of ways. They have put a throughway on Watkins. There is a police officer that sits in the parking lot every day to control these kinds of things. They are trying their very best. They have pull these, I don't know if it is on purpose or by design. They pull the soccer out of that park and put it over on the other side and that has reduced those kinds of things. For the children, we need to make sure we can reduce that drive. We don't want or need more cars on that road. Moving on further out, like I said it seems like the Planning Commission's goals, I won't read them all, is to promote public health, safety, order, convenience and the prosperity of the citizens of Springdale and I think that that is a good plan. The Springdale Planning guidelines from what I have seen even today is that they tend to discourage having radical changes between one piece of property to another and going from SF-2 to MF-2 is a radical, radical change. Like I said, this is not the only A-1, we have actually been counseled by one of the government people that, well, you know, A-1 is a problem and they could do anything on that A-1 if you don't get it rezoned. But somehow A-1 to MF-12 sounds like a rock and a hard place decision. We feel like there ought to be other decisions and I do believe in our area any good developer would love to have that piece of property to put single family homes there, make 15% on their money. I know that a lot of them would love to do that. So, adding it all up, lot doesn't fit in our neighborhood, creates a danger and starting a domino effect, people that I have talked to in Peaceful Valley and 40th Street with those large houses, they love what they have, they are happy, they want to keep it that way and that's why we are trying to say you go look at the zoning map and it is yellow for single families, just as far as the eye can see. I don't understand how we can put a stab right in the middle of our heart and put something that doesn't belong. The last thing, just to kind of sum it up, I've always tried to live my life by the golden rule, you know, do unto others as they would do unto you. I don't think that anybody could stand here and say that they want that in their back yard and you know, I'm a movie guy and one of the things that happens in movies all the time is somebody there knows it isn't right what they are doing but they say, well, you know, it's not personal, it's business. This is personal, these are our homes not our houses. We store our self and our places. We have memories don't get easily moved.

Steve Huntington: My name is Steve Huntington and I live at 4001 Clark Avenue. I just wanted to have an opportunity to voice my side of it in opposition to this and I'm in agreement with all the residence on Clark Avenue and surrounding. I know everything that has been said has been a wonderful job with what he had to say and I think he captured what we are all feeling about this. No one residence is happy with this proposed decision to change A-1 to 2202 S. 40th to MF-12. There was a single-family residence there and now there is going to be 14 townhomes that are proposed. That is a large increase of population from what was there. I moved into there a little over 12 years ago. Very happy with the house and the residence. I'm on the corner of Clark Avenue and S. 40th and now my south boundary will be essentially a road, because every car that goes back through there is going to go past my property. Again, I just wanted to add my voice to the opposition to this building. Thank you.

Deborah Wreck(?): My name is Deborah Wreck and I live at 4103 Chapman Avenue and I want to say that I agree with what has been said here against building the multi-family/rezoning to multi-family and I have some of the same concerns including traffic and one of my big concerns too is that if you build fourteen more homes there, I don't know if the school can support that. I don't know how well you know what is going on at Walker Elementary, but it is full. They have rezoned and there are over 600 students there and they are busing students out because there is no room for them at Walker. If you build multi-family homes, 14 units that's increase to students there that Walker Elementary does not have the ability to cope with at this time. I know that they are working hard and are doing a good job of teaching the students. My children go there and I think that would hurt the education that the students are being bussed out missing an hour each day of education time because they wanted to build those apartments. I don't think that building multi-family there in an established single family home area is a good idea. Thank you.

Mike Nelson: Mike Nelson, 4104 Chapman Avenue. The back of my house is at the front of the church. I wasn't going to speak tonight, but then I saw Dale here so I thought everything is great. And then Patsy, we got a little history there but my concern here folks is we've gone to the middle of a residential that we have held for years, years, and years. I remember when the church went in behind my house and it was said then we are going to leave it that way. People have come in and put an investment into homes with it being residential, not multi-family, o.k., you have got to understand how that impacts us. We put all of this into this and now we are going to come up and change this. I have a few connections and I found out that the church has already voted that they are going to sell more property to Mr. Taldo if this goes through. So, what we're starting here is a problem with multi-family and the whole area will probably be multi-family. Then we go up to the north corner southeast corner of Chapman and 40th and I've been told they have been looking at that and going to do it there too. So, your vote tonight is either going to help us or it is going to ruin the rest of the neighborhood. I personally ex-law enforcement in this City and security. There is a lot of shootings, a lot of things going on in these townhomes and these apartments in Springdale, Arkansas, and it continues to climb. Police Department is doing a great job, don't get me wrong but you bring in more folks in and putting them right in the middle of what we have had for years as residential not multi-family, I wouldn't have bought my home there had if they were going to put apartments

behind my house. But with the increase in price on this stuff, people can't just sell out and go get something else now. So, please, I just ask you and I'm not against the Taldo's at all, I know Phillip very well, so this isn't a personal attack on Phillip or anyone else. I'm just telling you; you are talking about the right use for that property, this is not; this is not the right use. I've been on City Council, I've been involved in some of this stuff and I can assure you this is not the right use, so please, please take that into consideration because this is just the tip of the ice burg if y'all push this through. Thank you.

Ray McCarty: My name is Ray McCarty and I live at 4005 Miller Drive and we moved there right at a year ago and we looked at a lot of places and we wrote them off the list because maybe it was too close to this housing and now that we own a home, and now there is talk that somebody wants to build it there. That wasn't our plan and I wanted to echo him the elephant in the room is we're going to have more police and emergency vehicles. You can't put fifty to sixty to seventy people on an acre and a half and expect that nothing to happen; it's going to and it is going to affect everybody in that neighborhood. So, I just wanted to say that we depend as best we can on our city government to protect everybody on this map. So, we just know that you will make the right decision that it is, this is the best use for the property not cramming fifty people on a small lot. Thank you.

Lonnie Johnson: Good evening, everyone, my name is Lonnie Johnson and I live at 4103 Clark Avenue which I am on the south side; the back of my house faces south and it will be directly looking at the back of these townhouses or whatever you call them. I think there have been a lot of things said are true; I can't add a whole lot to that. What I would ask you to do, let's pretend that these would be building behind your houses, behind Mr. Taldo's house. Would you end up voting for these if you had to look out the back of your house and look at these apartment buildings or whatever you call them. So do some soul searching, you got a bunch of people that have lived there for a long time, do this right, please. Thank you.

Bryan Girabaldi: My name is Bryan Girabaldi and I live at 3807 Valley View Drive. I have lived there since 1996 so when we moved here, we thought the zoning was confusing at the least there was commercial stuff mixed in with residential stuff all over the place which kind of confused me quite a bit. Over the last ten or fifteen years, the Planning Commission has done a real good job in getting things where they should be; you know, commercial where it is supposed to be and so forth. This doesn't directly impact me as I live about a block and a half away, but it just doesn't make any sense so you have already gotten multi-family, apartment complexes like Lindsey closer to 412 and then west of here there is quite a bit of multi-family as well. This has obviously been single family for decades and most of the people here would appreciate that it remained that way so I think it is just a question to the Planning Commission whether we are going to go back to confusing type stage of planning of the city or this is going to be holding consistent with what we got already. That's my only point this is more of a planning issue and I think that would be making more sense if we keep this single family. Thanks.

Johann Kam: Hi y'all, I'm Johann Kam at 2308 Valley View Drive

Sarah Kam: I'm Sarah Kam. The wonderful thing that we love about Valley View Drive which runs parallel to 40th Street is that every house has two acres and it is such a unique oasis in Springdale and this would completely be the opposite of what we are used to and what we chose to live in Springdale. When we left our home, we didn't care where we landed in Northwest Arkansas, but when we found our home in Valley View it was, we knew that it was the place that we had to live and I feel like that if this passes it would just destroy the magic of that for us.

Johann Kam: I will say we're here, one of our many concerns is that southeast corner there of 40th Street and Chapman; those two lots two big acres lots there back up our property. As we know and as we hear you discussing this that you make these decisions, one of the factors to consider is what is already there. So once there is already multi-family housing there, it will just be that much easier for the next one, and the next one and the next one until it creeps over right into our house. That's the fear that we have. I know, to me, this seems like a no brainer, seems like this is the kind of thing as to why we have a planning commission; why we're all here and why this exists and why it's not just a commercial free for all because we here to decide what's the right thing and I full faith in this commission and you guys will do the right thing.

Candace Nelson: I'm Candace Nelson, I'm Les Nelson's wife. I live 4004 Chapman. We bought our house in 1984 and have lived there ever since. I think that the goal of the Springdale government is to keep its residents safe, protect their property but mostly have people that are Springdale residents. I grew up in Fayetteville, I had no intention of ever being a Springdale resident and letting my children be red dogs; but I love the neighborhood, I love the schools, my kids got excellent education and we have been very happy in Springdale schools. The people in our neighborhood are here because they are happy. Statistics say that eight of ten people will prefer to live in a single-family resident, so a large number of people and that apartment complex will not be happy there. So even though we are happy to receive new members to our neighborhood they will only stay a short time and are not here for our fine schools. They will not be happy fighting traffic in and out the neighborhood and I'll tell you if you want to make a left turn out of Chapman Avenue at 8:00 a.m. or at 3:00 p.m. forget it, you can't already. What's it going to be like with all those extra cars. So why are we doing this if no one going to be happy unless it comes down to the fact that one developer's right to buy a piece of land/property and quickly get a large return on his investment does not and should not give him the right to damage the return on the investment of all the property owners in the neighborhood. Now I'm a CPA and I did some work and it looks like spent \$206,000.00 last June, I can't remember the day and I'm not finding my paper; thirteenth or fifteenth, so I pulled up, here's my paper, some houses have recently sold on Clark and all of the recent sales were at \$340,000.00. I only found one recent sale on Chapman and it was at \$310,000.00. I believe new builds, generally sell higher than existing homes. All the streets that I looked up on Clark Avenue, were at .29 acres, all the houses that I looked at on Chapman are on a quarter acre so when I looked at the deed, it said that it was 1.407 acres; that's not the number he said so I calculated it at .27 acres which is between the Chapman and Clark and he can build five single family houses on that. If you say split the difference between the \$340 and the \$310 you come up with \$325,000.00 if you come up with what

I read, the builder generally gets between 10 and 20% return when they build a single-family house. Five single family and sold them at \$325,000.00, which he could probably get more; at a 20% profit margin he could get \$325,000.00 which is a pretty good return on his money if he sold them for 10%, he would get \$162,500.00 so how much money does a person need? Does he really need to have apartments and take say \$50,000.00 off of the value of my home in order to make a million dollars instead of \$325,000.00. If this goes through, I'm putting up a for sale sign and Weichert will not get the sale and I will not accept anybody offering to it from Weichert, that's just the way it is. But, anyway, I think that he could make a good profit with five single family homes on that property and it would all be nice and yellow.

Olivia King: My name is Olivia King and I live at 502 N. West End Street in Springdale, Arkansas. I, once again would like to speak and support this position to rezone. I actually hate public speaking so I got my thoughts short and sweet on the other ones but this is something I am pretty passionate about so here are my thoughts. I think every concern these people have is valid and does need to be addressed. Cars and parking lots should not dominate our city, green space and density should be balanced. The schools, the parks, and inside lots all need to grow with us. The thing is though, northwest Arkansas is supposed to have 1,000,000 people in just twenty short years. I just moved to Springdale from Fayetteville a few years ago and I have no intention of leaving in the next twenty years. I will see what that growth will look like in that time. I think that it is more important to address the housing crisis that we are already facing. I think that another concern that was just brought up of landlords of being greedy and that also sucks and needs to be addressed. What is up for the table here is, is this the best of land use. It is important to address the housing crisis that we are already experiencing. It is only going to get worse in the next twenty years. Someone also mentioned that nobody would want this in their back yard. I've already gotten up here and spoken once about changing my neighborhood to support the growth that we are going to see. I really encourage this group to think about this logically, think about the growth that we will experience and think about what Springdale will look like in the next twenty years. Are we going to address traffic concerns; are we going to address making sure that people are housed; are we going to address a lot of things that comes with this growth, but to deny it, will only exacerbate those problems. I think that it is important to keep all of that in mind but mostly I want to speak in support of this one small project.

Mike Nelson: Mike Nelson 4104 Chapman again. I just have got to say it is well beyond that. Y'all have done a great job. Y'all are putting more multi-family in that area but we're putting it in the right area. We're putting it over where y'all have zoned it off of Gene George. We are going to have a lot of growth but again you are going right in the middle of residential with this and when you do that you've started something for the entire city. Please, please take that into consideration. Like I said, I know for a fact, there have been talks with the church and the church has voted they are going to sell more property if this goes through. I know that's not here for y'all to vote on tonight but it's going to be and that's what scares me. It's not just 1.5 acres we're talking about tonight. This is going to encompass all the way back on the church property and then they have to give them access for traffic. There's going to be a lot of issues and I know y'all would work that out

if this goes through. But, please, please look at what you're doing to that neighborhood that has been peaceful, Peaceful Valley for years. When I was a kid, I deer hunted and squirrel hunted down through there. It was woods, that's what I know about the area. I'm not just getting up here and spouting off. Please, please, please know what you will be doing to us when you vote tonight. Thank you.

Tracey McCartney: I wasn't going to speak. I'm Tracey McCartney from 4005 Miller Drive, but the plea hit my heart. I am not opposed to adding people to the town or northwest Arkansas. Taking a place where one house stood and I was told that it was eighteen apartment complex or townhomes. It is a very slender piece of land and my concern has been for the traffic. When she talks about if you turn left, it's back past the stop sign at Chapman and you can turn left at certain points of the day. I leave early in the morning for work and it's busy down by the middle school. I am not a wealthy person with two acres. I have a small back yard, a little house. We looked for a year and a half to find a house that we could afford and I'm thrill to be in a place where it is safe to walk our dogs and I visit with our neighbors, who are retired folks and elderly people still working. We are hardworking people. Apartments do change neighborhoods. My parents, I helped them to disband their home that they have lived in for thirty years in Fayetteville in a nice part of the town that is successful if Wilson Park neighborhood, an old neighborhood but the appraiser who came said that he lowered the price because two blocks away there was an apartment complex in a college town and that didn't seem right to me but that's what we're talking about. It does matter when you sell. We have had to move a lot and we have had to buy and sell homes; it's difficult and this is a real concern. I think that there are places that would be a good fit for people. I don't want anybody blocked from housing or neighborhoods and we're not, if you knew my street, we're very multi-national, and multi-age group so I want you to not think that we are opposed because we have been here forever or people aren't invited to our hood, that's not it. It is going to make the traffic unbearable and will be a safety factor. We have kids that run up and down the street and my little neighbors come over to visit. I am a teacher and I am aware of the safety of children and it will not be safe with apartments nearby. That's my thoughts.

Ms. Mueller: Would the applicant like a chance to speak? Go ahead.

Ora Hall: My name is Ora Hall and I live at 4302 Clark Avenue and I did send an e-mail that y'all have in your notes. I don't want to address those issues as I have already addressed that in my e-mail but just sitting here, I was thinking about what a precedent that this would set because this was a 1 acre 1.5-acre lot that had a house on it tore down and now the proposal is fourteen homes in there. What's to say that this passes and someone over on Valley View who owns a home on an acre lot doesn't tear down their house-two-acre lots and then build more townhomes, you know more homes on that lot. I mean if this passes, that sets a precedent that other people could possible do that as well. Something to think about.

Ms. Mueller: Would the applicant a chance to speak at all? If you like.

Phillip Taldo: Thank you commissioners and Staff. I would like to start kind of from square one on how this came about. I had a lady approach me; I don't know, it might have been a year ago, I don't remember exactly how long ago. And was interested in selling this property and I said I would take a look at it. And which I did, you know and I'm really not sure that anybody really realized what was going on there. I went over there. Nobody was living in it and there were cats running everywhere; somewhere between twenty and thirty cats living in the properties there. The house was in the process of being condemned by the city. They had numerous phone calls because of drug deals going on in that house right behind most of these good folks. I don't know if they realized that and I wasn't sure at first as to whether I would fix it up and rent it but whenever I got over there, to be honest with you I wouldn't even walk in it. I mean I've been in the business for a long time and it is the worst I have ever seen. It was nasty, you would rather have hogs living behind you and so I decided right off that whatever I did was taken that house out. I just wasn't going to deal with it. Anyway, so I bought the property and I think that if you have been by there, I've cleaned it up, got rid of all the mess and I would also like to address of what was brought up buying property from the church. There is a little corner of the property that I purchased from the church; it is a forty-five-foot little piece that they church didn't know that they owned it to start with. This squared it up with their drive-way and their parking lot. They were eager to go ahead and sell it. They could use the money and all it did was square up the property to be honest with you. So, this idea that I'm buying the church property, that's not in the cards. I never talk to them about buying any other property. I would like to say this, you know, I've developed 28 subdivisions in Springdale and I'm developing some right now. I developed Tuscany more recently; you might be familiar with Tuscany and with Benedito which is just north of Tuscany there. Those are five-six hundred-thousand-dollar houses and more. I've built twenty-five of these exact townhomes along Har-Ber Avenue. They are 160 feet from those half million-dollar houses. I haven't had any complaints about it. On the north side of it there is being developed, right now, there's another multi-family section there that is being developed. I don't know how many units are there, probably 40, but they are almost finish right now and they back right up to these houses. You know, these people haven't seemed to have a problem with it. And I have more to build. You all read the news and you all know what goes on in northwest Arkansas and you know what goes on in Springdale, and we have got a major problem with housing and I want to say, I hate to even use this word, but I'm going to say affordable housing. Because affordable housing to me, is something that maybe our school teachers could buy, our firefighters could buy, our policeman; people that work for a living. You can't buy a new house in Springdale for under \$300,000.00 There's not many kids out there getting out of high school or even out of college. I've got grandkids myself. They can't afford low end/lowest end houses in the city. The thing that they look is, for the most part, is rent. I just want to say, our townhomes these units and others that we have, we have a lot of them and they are close to schools. We've got those twenty-five that I mentioned right across from Hellstern and Har-Ber High School. Those units aren't crowded with kids. I've got a little playground there and I never see any children in it, to be honest with you. Most of those people don't even have kids. They are people that are out there getting started, professional, maybe they moved here, maybe they are waiting a house; all kinds of different thoughts on it. But it is not the vision that is being painted here tonight of what rentals are now compared to what they were thirty

years ago in Springdale; it's a different thing. For somebody to qualify for one of these units, they will rent for around \$1,500.00 per month. Our guidelines are that they have to be qualified. They have to make three times what the rent is to qualify. I've got the numbers here; that's something like \$54,000.00 a year take home to qualify to rent it. We do background checks, background checks. Felonies, we don't rent to felons. We do credit checks and you know, we don't rent to people that aren't worthy to make the payments to be honest with you. We've got others just like these going on Oreo Street here in Springdale, going right on down to J. O. Middle School and Knapp. We have no problems whatsoever in there. They're all leased up. Now I want to say, that it is hard living in a rural area thirty-forty years ago and then having to deal with the population that we have now. That's what has been brought on us. We have got to provide good, quality housing, I'm not going to say multi-family, I'm not going to say single family; I'm saying housing for people that want to live in town, they want to live close to the school and they are not available. I think I have even read; I know I have read, that Springdale and other towns and school districts in town were talking about trying to build some multi-family places for teachers because they say they could hire a lot more if they had a place for them to live. I think a teacher, what does a teacher make now? Fifty-Sixty somewhere in that range. I think that's what I've read in the paper, I think that's about right. It's not all people aren't going towards getting a \$350,000.00 to \$700,000.00 house to live in. That is not the way the culture is today. I'll say there's within a mile and half of this site there are five schools. There's a high school, a junior high school, there's a middle school, there's two elementary schools maybe those teachers make enough they don't have to rent; but there is a certain number of them when they get out of college, they are young teachers and they can't afford to do that. I think this is a service to our city. You know people laugh because it's not their kids that don't have a place to live; maybe it is, I don't know, it's not. If y'all let me talk then I'll let you talk all you want to. I don't think standing back there laughing at me does a bit of good for anyone. I didn't stand up and laugh at you whenever you were saying these things. I would just like to say that this a part of moving toward whether it's today or five years from now or ten years from now. We are going to build more utility lines, sewer lines, water lines. We are going to build highways because they are all going to be pushed out and they are all going to be coming back in to teach at these schools or whatever or work at Tyson, work as a nurse in one of these medical facilities out there. I look at it as a service to the community to provide this type of housing for the individuals. It is definitely up to you and I'm not going to get into all the dynamics of these buildings and how much green space there is but I've got all the figures. It is going to be fairly private; you could be standing in the back window of these units in one of the bedrooms has a window facing the north and you know a six-foot privacy fence; they won't even be able to see green space in those yards. I've got the architect.

Ms. Christie: We are not going to get into designing

Mr. Taldo: Everybody else got into it so I just wanted to address that. I will say also, that we have here in Springdale, thank goodness, and I helped work on them, we have got stringent guidelines for multi-family properties. A lot more stringent than we do for single family, a lot more. There's not going to be a grain silo back there; which I could put there if I wanted to.

Ms. Christie: Let's not go down that road.

Mr. Taldo: It's a road and that's what you get if it's single family and you don't have the guidelines to deal with that. I wouldn't do it; I'm not doing it I'm just saying that these single townhomes are quality type townhomes and they are built even better and higher standards than what the city's standards are. And that's all I got and I appreciate y'all; regardless.

Ms. Mueller: We did take a poll; everyone that is opposed, if you could raise your hand again and anyone that is for the rezoning please raise your hands.

Mr. Taldo: I didn't know that this was going to be a part of the deal. I could get a group to come in.

Ms. Mueller: I think we understand the comments. I think what we need to do now is to go ahead and move forward and this will be a call for the vote.

Someone who did not identify himself again said that Mr. Taldo said that the neighborhood didn't know what was going on in that house. There are certain rules on how you can do things and we were not able to do so whenever that house situation went the way, these are the victims and we don't feel like we should

Ms. Christie: O.K. We are not talking about what was previous there, we are going to move on. O.K. we're moving on.

Ms. Mueller: This will be a call for the vote.

Bill Pettigrew: My name is Bill Pettigrew and I am the pastor of the Peaceful Valley Bible Church, the little church across the street. He knew the condition of the house, I knew the people and ministered to some of them so need people to tell me what's going on in the sin of all of our lives. I came here to see what kind of answers I was getting to some of my prayers. I'm still uneasy about everything. I don't have any answers for forgiveness councilman. I appreciate your authority but I want to tell you I've been talking to a friend about all of this: He sings "There's not a friend like the lord Jesus. No not one. I am going to say I don't know an easy answer, but I've lived here thirty years or more and I raised my little baby girl who was thirteen months old when we moved here, and she is teaching fourth English to Kirksey Middle School. After graduating with two degrees from the University of Arkansas with a lot of other things going on too. We have adopted children. This is our community, Peaceful Valley, and I know about more about Peaceful Valley than what others think. Ms. Patsy knows, I'm just saying, listen to the people. Thank you for your time.

Ms. Mueller: Thank you; this is a call for the vote.

Mr. Hussein: Call for the vote.

Ms. Mueller: Call for the vote by Mr. Hussein:

Ms. Pounders: Cloud

Mr. Cloud: I want to give you my statement before we vote. I've lived in Springdale since '97. My wife teaches at Walker Elementary and has since '97. You know I think that just because there is a need for in field development which is what this is, doesn't mean what dream you pursued is necessarily affected in a negative way. Now there is a right way to build in a way that the people can afford and there are teachers all up and down northwest Arkansas that cannot afford to live anywhere near the school they teach at. That is a real thing. You know, I bought my house in Johnson in 1996 for \$98,000.00. That same house today is probably worth \$400,000.00. Could never afford it. So might statement is that I would support a lesser density, but I think by staying the same is not the answer; also, think going this far away from what's there is also not the answer so my vote is **no**.

Ms. Pounders: Compton-**no**, Couch-**no**, Hussein-**no**, Mueller-**yes**, Parker-**yes** and if I could make just one quick statement. Multi-family is residential. There is residential housing in this area, the applicant is asking to add more residential housing. That is not a radical change. Multi-family is residential and by the way as a planning commission, we try to put houses by parks, by schools and by churches so my vote is **Yes**. Tyer-I also agree with Payton, this is on our land use map this is considered low residential property. There is an MF-12 .2 of a mile up, duplexes but it is still MF-12. We are rezoning property tonight and I believe should be allowed to be rezoned to MF-12 so I vote **Yes**.

Ms. Mueller: We have a tie vote

Ms. Pounders: Cardiel-**no**.

Ms. Mueller: This does not pass.

Ms. Christie: The applicant has the right to appeal this decision to City Council. You are to file appeal withing fifteen days to the City Clerk's office. You state the reason why you think the Planning Commission decision is in error and all the adjacent will be notified. I can tell you that this will not go to the December 12, Council meeting because we don't have time to get everything together and you still have longer to appeal. So once that appeal is filed then you will have to notify the adjacent property owners.

The following are the letters received via e-mail and typed verbatim.

November 28, 2023

Greetings! We hope you and yours are doing well and wish you a joyful Christmas season.

As you probably know, there is a proposed new development between the homes on Clark Avenue and the parking lot for the Church of the Nazarene. The plan involves rezoning the property from agricultural to MF-12. It looks like the back setback for MF-12 is only 20 feet, and buildings could be up to 35 feet high. Due to the narrow configuration of the land behind our homes, two-story, multi-family townhouses would loom over our backyards, block our natural light, and contribute to light pollution at night. There would have to be an access road, the road or the buildings would be very close to our properties and our backyards are narrow. The neighbors on either side of us are retired and are scared and upset about the prospect of this new development. The property owners on Clark Avenue do not want large rental townhouses directly adjacent to our single-family homes. The neighborhood of Peaceful Valley consists of predominantly one-story single-family homes. The proposed addition would change the entire neighborhood vibe, not for the better. Now we face the prospect of life in a fishbowl. We never anticipated that the property behind us would be deserted, condemned, and sold. Also, now is not a good time to sell and buy new homes. Nobody wants to move or to live in the shadow of large multi-family housing. Some of property tax rates are fixed and the interest rates are high.

With this in mind, we ask that you support the interests of those of us who will be directly affected by the proposed plan. We are also in contact with the Planning Committee and City Council members. The proposal is in direct violation of the City of Springdale Mission: The mission of the City of Springdale is to provide quality services for the betterment of the health, safety, welfare, prosperity, comfort, and convenience of all persons in the City of Springdale, Arkansas.

The project would negatively affect our prosperity and general welfare, comfort and convenience, provide undue overcrowding and congestion, ruin the character of our neighborhood, and reduce our property values and economic stability.

Thank you for your consideration and we would love to hear from you as this project progresses.

Best regards:
Dennis and Mary Miller
4005 Clark Avenue
Springdale, AR 72762
479-871-6065, 479-236-5209

To: Springdale Planning Commission

From: Pauline Stevenson

I live at 4003 Clark Ave, Springdale, AR 72762. I have had my home for 34 years. I am not elderly and this home is my investment. I am very interested in this matter, of apartments being built at my back door.

I am asking you not to approve the building of apartments at my back door. If this request is approved and apartment go in, All I would see would be are tall buildings, litter, apartment trash containers, and not to mention all the noise level increases. These are major concerns of mine as a home owner. As any homeowner would be as an investment, I am against and opposed to these being built in my back yard.

I cannot be at the meeting, but keep in mind, that I am very much against this apartment complex at my back door. There will be automobile traffic, people traffic, all kinds of noise day and night.

Other concerns and questions I have thought of are the buildings being 35 feet tall: I will have no privacy in my beautiful backyard. My property value will decrease significantly. Would you as a homeowner want your lifelong investment to be devalued? My other concerns are I will have to spend more money for security cameras, a taller privacy fence (possibly 30 ft.), fence gate, water drainage, and the outside maintenance and lawn appearance of these apartments. I'm sure this is being built as an investment by Mr. Taldo. But I do not have the money to lose or spend as I am in my retirement years.

I enjoy my home and lawn. I have lived here since 1989. Please don't take my backyard, peace and quiet away, my privacy, the pleasant noises that I hear now such as birds, squirrels, wind, leaves rustling. This could all be void if you don't approve Mr. Taldo's request.

If you approve these buildings, Mr. Taldo buildings will affect every home's value on Chapman Ave and Clark Ave, Springdale, possibly other streets. Think about this!

Thank you,

Pauline Stevenson

4003 Clark Ave.

Springdale, AR 72762

Please distribute to planning commission

Thanks

A powerful developer has asked to change the zoning on the property at 2202 S. 40th Street. This is the property to the close to the Nazarene Church near the corner of S. 40th and Chapman. He is asking to change the Zoning from A – Agricultural to MF-12 multi-family. This would allow him to put 18 apartments on that small 1.5-acre lot.

We believe this should be disallowed due to the following reasons

- The Springdale planning guidelines encourage a smooth transition between properties type. Moving from an area which is single family housing in all directions

to a dense multifamily rental would cause a devaluation of all the homes in our neighborhoods. It would also open the door for other properties along 40th Street to become targets for developers' further degradation to our neighborhood. When the Links was approved it was done because it would be a good buffer between commercial and residential. This property does not fit as it is encircled by single family homes. Our neighborhood is a quality area, low crime because we watch out for each other. The church parking lot could be a problem except the neighbors on the side monitor it and alert authorities. If we all have to put up 10-foot privacy fences then that lot goes unsupervised.

- The area does not need more stress on our roads, sewers, electrical grid. It is located on 40th Street where there are two schools, 3 churches and a park. There could be as many as 36 extra cars parked on that property, all trying to get out of one drive. 40th street is not a major collection on the street map as 48th street, 56th street or Carly. There has been an intention to take traffic off this road. The light at Tyson only has a place for 2 cars in the left turn lane. We put a 3 way stop sign on Watkins to slow that traffic down and discourage it's use. In a area where many kids walk to and from school, we do not want to add traffic between the two schools.
- The property is not suited for this. We have many fine houses on large acreage down 40th Street and on Valley View. These properties are in great demand that bet t er fit this property. The property only enough 40th street frontage for one home. Before the drainage was fixed with the church, the homes on Clark regularly flooded. By building an extensive apartment complex on this land all the water will now threaten those home again. There are many large mature trees on the property that would have to go. The view from homes would now be of a parking lot or the backside of an apartment. From the second floor they would be able to see right into these back yards and windows.
- And lastly it comes down to the fact that one developer's right to buy a piece of property and quickly turn in a large return on his investment, does not and should not give him the right to damage the return on investment that all these property owners in the neighborhood. When they bought their home, they chose the house because of the surroundings that are protected by our zoning laws.

There are many places down 48th Street and 56th Street that are zoned for this type of project that are for sale today.

Thanks,
Les Nelson

Good afternoon.

I wanted to forward this previous email that was sent to P Christie on Fri., Dec 1, with some additional comments added. I would like to have this on Record in connection with the Hearing on R23-63.

In addition to the comments from the previous email below:

This developer is attempting to exploit a previous single-family residence and tract of land. This developer is in it for himself and not for what is good for this neighborhood. This neighborhood has been a lovely single family housing neighborhood for decades. Changing 2202 S. 40th St. zoning from A-1 to MF-12 does not improve the neighborhood. A fourteen-unit townhouse development, primarily used for rental, is basically a commercial business. This development does not fit with the current fit and feel of the neighborhood and detracts from the peacefulness of it.

For myself, if this development were to go through, I now would have a single-family residence, with essentially roads on three sides of my property. Clark Ave to the north. South 40th to the East. And this road for 14 families, with upwards of 28 vehicles or more, including parking spaces, to the south...each vehicle would pass by my property.

This developer is in it for the money alone and is willing to cause the neighboring property values to deteriorate so that he can make a buck.

Please do not allow this zoning to change from A-1 to MF-12. This would set a precedence for any other tract of land that came available, in this area.

Please also refer to the previous email shown below.

Thank you.

Regards

Steven & Jenny Huntington
4001 Clark Ave
Springdale, AR 72762

Good afternoon, Ms. Christie...

My wife and I live at 4001 Clark Ave in Springdale and are very concerned about the proposed Rezoning for the lot that lies directly to the south of our property (R23-63 Rezone).

I (Steven) plan to attend the Dec 5 Hearing regarding this, but thought I'd voice my concerns prior to that.

This has been a rather peaceful single family residence neighborhood. Introducing Multifamily type buildings, with heights above 30 ft, will directly affect our ability to enjoy

the home we have lived in for 12.5 years and had planned to retire in. Out of several houses we looked at before moving here, this was our #1 choice. Not just because we liked the house, but because the neighborhood was pleasant and peaceful. The majority of residents here care about their homes and it shows on the outside. The sun we are able to enjoy in this private yard. The privacy we can have, because of our 6ft privacy fence. All these things that make our home enjoyable, will be done away with if this lot on 2202 S. 40th St. is allowed to be rezoned allowing for Multifamily homes with heights far above that of allowed privacy fences.

Traffic will increase. Clark Ave, as well as other nearby streets, may become overflow parking for residents located here.

We have felt rather safe and secure in our home in this setting, which will be upset if this rezoning goes thru. Many of the current residents in this neighborhood are here long term. Will that be able to be said about the residents in the proposed multifamily buildings?

My wife and I have enjoyed living here in this Peaceful Valley neighborhood. We have enjoyed living in Springdale. Please don't help take away the things that allow us to enjoy living here. We do not want to look out from our backyard to see tall buildings blocking the sunshine into our yard or seeing other individuals potentially peering down at us.

Due to the current economic situation being experienced in this Country, trying to sell and purchase another home elsewhere is not feasible. The value of this property will not doubt impacted as well, making it even more difficult to relocate, should this rezoning be allowed to occur.

For these reasons, we respectfully request that the Springdale Planning Commission not approve this request (R23-63) to rezone from A-1 to MF-12.

Thank you for your consideration.

Regards,

Steven & Jenny Huntington
4001 Clark Ave.
Springdale, AR 72762
479-367-0299

From Terri Garrison.

We have lived on Chapman Avenue for over 9 years. WE enjoy our neighborhood, and purchased our home in part, because of the residential zoning. We oppose a zoning change allowing apartments to be built within the present area. The rezone, and subsequent apartments will change the character of the local area, leading to more people, more traffic, possible safety issues, more noise, as well as a reduction in property

values. Presently traffic is difficult enough trying to access 40th street during the week because of drop-off and pick-up of the area schools located at each end of 40th in the discussed area. Residents purchase a home surrounded by other residential homes, hoping and believing that their home will increase in value over time. We oppose the developing of apartments buildings inside our neighborhood and respectfully ask for you to disallow this proposition. Thank you, Danny and Terri Garrison

As I understand, the Springdale Planning Commission will be considering a rezoning request from Phillip Taldo at their meeting tonight, December 5th. Item no. R23-63 rezoning 2202 S. 40th St. From A-1 to MF-12. I would like to request my comments be read and recorded into the minutes for this meeting.

My husband and I own property at 4302 Clark Avenue, which lies just north of the proposed rezoning and we are very concerned about Mr. Taldo's rezoning request. The proposed 14 multiple units seems to be a very dense project squeezed into such a small space. It also does not fit into the original design of the surrounding subdivisions for which we bought and invested in our home 30 years ago. Other than two churches, this section of S. 40th street is surrounded by single family homes, unlike the links on S. 40th St. that serves as a buffer from commercial property. This project is like fitting a square ped into a round hole. Mr. Taldo has had many developments in Springdale, so I am sure he has submitted the rezoning request in the proper manner for approval. However, we felt it necessary to voice our concerns in hopes you will take our concerns into consideration when you are reviewing this rezoning request.

Respectfully,

Nora & Jim Hall
4302 Clark Ave
Springdale

To whom it may concern,

I hate to bother, but I think what Taldo Properties, LLC, whose registered agent is Phillip Taldo, is outrageous. If he had requested to build 5 single family homes on that piece of property, I would not have complained, but 2 4 plexes and a 6 plex does not belong in the neighborhoods at all. What he is proposing is to make money off the backs of people who as "It's a Wonder Life: says "have done most of the working and paying and living and dying in these multifamily structures in the middle of our neighborhoods. Also, I would like to know if Mr. Taldo's daughter will recuse herself from this deliberation? I would like this read into the record.

Candace Nelson

We cannot attend the meeting on December 5, but we would like to voice my opposition to the Plan zoning meeting about building the apartment complex. As elderly residents that has lived in peaceful valley since 1972, we oppose this development because of the additional traffic that it will bring into our quiet neighborhood, and the stress in plumbing and flooding issues. We hope you will be able to read our comments at the meeting.

Thank you,

Darrell and Dorothy Hollaway

Please read our comments for the record concerning a zoning change aa 2202 S. 40th St in Springdale.

We request no zoning changes be made to this property in our neighborhood due to the following reasons:

1. There is only enough street frontage for one or two homes – not 18 apartments.
2. Traffic is already very congested at the nearby four-way intersection, especially during school hours. There are three churches, two schools, and a large park. We have to wait in long lines at stop signs for extended periods to navigate that area. These apartments would likely add well over thirty additional vehicles to the ongoing congestion.
3. Drainage in the area is already stressed and has been a problem in the past.
4. the zoning commission should follow its own guideline not to radically change zoning between properties. The proposed zoning change would likely reduce valuation for our neighborhood. Good city government should protect existing valuations here and all along the 40th Street neighborhood area.

Thank you for your consideration in advance!

Rod and Jeanie Nance
4501 Chapman Avenue, Springdale

Good afternoon,

My name is Sherry Jordan. I am the owner of and reside at the property at 2503 S. 43rd St., Springdale, AR 72762 with my family including my two children and my husband, Pastor Jon Jordan. I was made aware by a neighbor about a zone change or more likely variance request for property near the Nazarene Church near the corner of South 40th and Chapman, which is close to the middle of my home's zone and close to my home. The owner of the property is reportedly requesting permission to build a multi family apartment building with 18 apartments on the small lot currently zoned for multi family.

I request that the variance or zone change be rejected. Currently most neighboring properties in the area are zoned agricultural, with small higher quality city farm operations, and SF-2 with single family homes. The addition of this 18 unit apartment building would likely affect my family in a negative way as follows: 1) devaluation of my home, 2) increased traffic on an already stressed road and more congestion at the very close, already difficult three way stop, 3) safety concerns for the many children going to or returning from the two schools on the adjacent road caused by the increased traffic, three way stop, and presence of an apartment building just off this busy street, and 4) loss of the green space offered on the property. With the developer fitting 18 apartments and 41 parking spaces on the small lot, will any trees or green space be left? What will the quality of the property be to the community with such a property design? Clearly the request is meant to maximize the landowners' ROI at any means including at the expense of the community surrounding the land despite the land owner purchasing the property knowing the zone restrictions.

Such apartments will not fit in with the neighboring properties and are a slap in the face of the families that chose to purchase all of our homes here, the families who relied on zoning in the area to protect the safety of our children, our property values, and our community.

I ask that the Planning Commission reject this request. Thank you.

Sincerely,

Sherry Jordan
A resident for over 7 years

Good afternoon,

My name is Holland Hayden and I live at 2501 Lee Street. I am unable to attend the Planning Commission meeting Tuesday, December 5, but wish to have my email be read into the record, thus representing my opinion and voice.

I am writing in opposition of the rezoning of 2202 S. 40th Street from A1 to MF-12. In May of this year, I purchased a home at the corner of Lee Street and 40th. This was momentous for me as I am a single mother who works at a non-profit and have successfully moved on from a volatile situation. When looking for a home, I prioritized safety, location, and schools, as I have a special needs 9-year-old, 3rd grade son who attends Walker Elementary. I pulled from my retirement to complete the purchase, using my life savings, since I only have one non-profit income.

To say I am concerned about the possibility of a multi-unit dwelling structure going in within earshot is an understatement for a number of reasons.

Currently, in the approved and current city Master Street plan, 40th is labeled a “minor collector”. This is the same designation that Chapman, Luvene, and Watkins carry, but 40th street has an exponentially higher number of cars. With the addition of more units, and a driveway directly onto 40th, the number will be higher. As you are likely aware, this is a major thoroughfare for kids walking to school in the morning. This specific driveway will not be at an awkward intersection, and passing through a sidewalk used by kids as young as 5 to walk to school.

In the approved and current NWA Open Spaces plan from the Northwest Arkansas Regional Planning Commission (on page 76), the map shows the intention of resisting developmental pressures, and keeping as many planned open spaces in Northwest Arkansas. Our neighborhood and surrounding areas are labeled as most important to resist development since there is so much development to the north and west with Sunset and I-49. I believe adding more medium and high-density units will diminish the ability to keep open planned spaces, thus going against the Northwest Arkansas Regional Planning Commission’s desire to preserve green spaces.

Please carefully consider not approving the rezoning of 2202 S. 40th St. as it will decrease home values and damage our neighborhood.

Holland Hayden
479-799-4660
2501 Lee Street

Public Hearing – Conditional Use

- | | | |
|----|---------|--|
| A. | C23-20 | <u>Jean, Jaylena, & Wesley Price</u>
4711 Reed Avenue
Tandem lot split |
| | B23-137 | Variance of paving requirement
Presented by Engineering Services, Inc. |

Mr. Rodney Wood with Engineering Services was present on behalf of his client to answer any questions or comments. He said that were asking for the conditional use so that they might have a tandem lot split.

Ms. Christie asked if there were Staff comments. She asked if the existing driveway that goes up to the existing house going to be the access easement to it or is it the yellow on the top.

Mr. Wood said he thought that they wanted both of them to be access easements.

Ms. Christie said that they have to have an access that is paved and wanted to know if they were asking not pave any of the driveways. She asked about the easement that is adjacent to the existing structure. She asked if it was a utility easement.

December 7, 2023

Blew & Associates
Attn: Nathan Crouch
3825 N. Shiloh Dr.
Fayetteville, AR 72703

RE: R23-63 Rezone

2202 S. 40th Street

At the December 5, 2023 meeting of the Springdale Planning Commission, your rezoning request from Agricultural District (A-1) to Medium Density Multi-Family Residential District (MF-12) at the above location was denied.

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

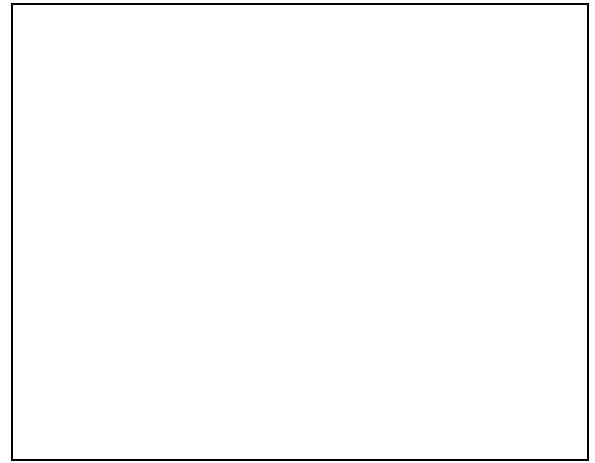
Respectfully,



Patsy Christie, Director
Planning and Community Development Division

/dp

Cc: File



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT (RP24-01)
OF LOTS 2 AND 3, BLOCK 2 OF SAM'S CLUB ADDITION
TO THE CITY OF SPRINGDALE, ARKANSAS, AND
DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

DESCRIPTION LOT 2A:

LOT 2, BLOCK 2 AND PART OF LOT 3, BLOCK 2 OF SAM'S CLUB ADDITION, AS PER PLAT RECORD 0024-00000338 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE WEST LINE THEREOF THE FOLLOWING FOUR COURSES:
THENCE N03°08'18"E 176.43 FEET;
THENCE N01°34'50"E 18.39 FEET;
THENCE N34°22'48"E 16.93 FEET;
THENCE 25.78 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET
AND A LONG CHORD OF N63°55'14"E 24.65 FEET TO THE NORTH LINE OF SAID LOT
2;
THENCE ALONG SAID NORTH LINE S86°32'21"E 25.86 FEET;
THENCE ALONG SAID NORTH LINE N84°59'02"E 153.59 FEET TO THE NORTHWEST
CORNER OF SAID LOT 3;
THENCE ALONG THE NORTH LINE THEREOF S88°52'40"E 49.16 FEET;
THENCE LEAVING SAID NORTH LINE S03°15'41"W 245.25 FEET TO THE SOUTH LINE
OF SAID LOT 3;
THENCE ALONG THE SOUTH LINE OF SAID LOT 3 AND SAID LOT 2 N86°44'21"W
256.29 FEET TO THE POINT OF BEGINNING, CONTAINING 1.36 ACRES, MORE OR
LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

DESCRIPTION LOT 3A:

PART OF LOT 3, BLOCK 2 OF SAM'S CLUB ADDITION, AS PER PLAT RECORD 0024-00000338 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3;
THENCE ALONG THE SOUTH LINE THEREOF N86°44'21"W 253.37 FEET;
THENCE LEAVING SAID SOUTH LINE N03°15'41"E 245.25 FEET TO THE NORTH LINE OF SAID LOT 3;
THENCE ALONG SAID NORTH LINE S88°52'40"E 66.96 FEET;
THENCE ALONG SAID NORTH LINE S77°43'20"E 141.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 3;
THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING THREE COURSES:
THENCE S03°45'36"W 79.39 FEET;
THENCE 126.45 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 225.00 FEET AND A LONG CHORD OF S12°20'23"E 124.79 FEET;
THENCE 29.30 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 204.50 FEET AND A LONG CHORD OF S24°20'04"E 29.28 FEET TO THE POINT OF BEGINNING, CONTAINING 1.19 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the re-plat (RP24-01) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said re-plat (RP24-01) and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF LOTS 2 AND 3, BLOCK 2 OF SAM'S CLUB ADDITION to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the RE-PLAT (RP24-01) OF LOTS 2 AND 3, BLOCK 2 OF SAM'S CLUB ADDITION as shown on the re-plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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 9th day of January, 2024.

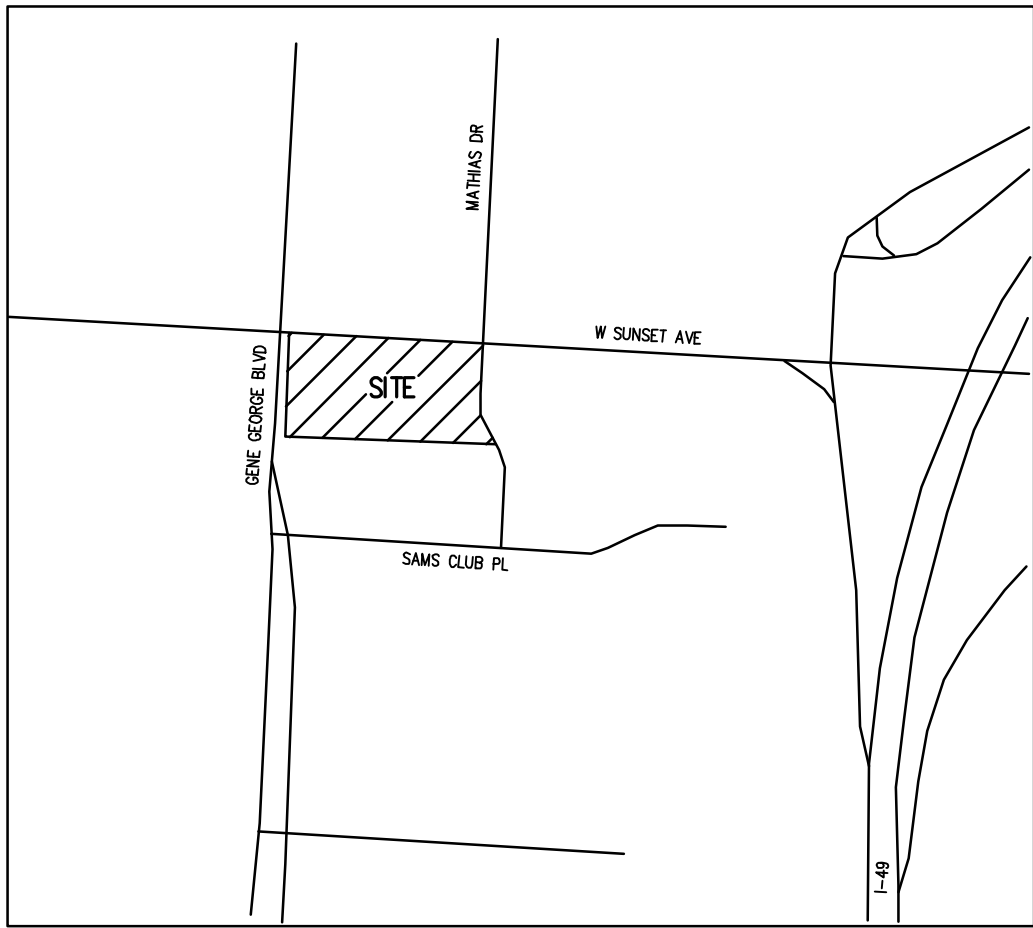
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest Cate, CITY ATTORNEY



VICINITY MAP NTS

C-2 AND C-5 SETBACK TABLE	
FRONT SETBACK	30'
FRONT SETBACK IF PARKING IS ALLOWED BETWEEN R-O-W AND THE BUILDING	50'
SIDE SETBACK (SUBJECT TO APPLICABLE FIRE AND BUILDING CODES)	0'
SIDE SETBACK WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT	20'
REAR SETBACK	20'

PARCEL 815-39747-000
PARENT DESCRIPTION:

LOT 2, BLOCK 2 OF SAM'S CLUB ADDITION, AS PER PLAT RECORD 0024-00000338 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

PARCEL 815-39748-000
PARENT DESCRIPTION:

LOT 3, BLOCK 2 OF SAM'S CLUB ADDITION, AS PER PLAT RECORD 0024-00000338 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

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BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2;
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THENCE N34°22'48"E 16.93 FEET;
THENCE 25.78 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A LONG CHORD OF N63°55'14"E 24.65 FEET TO THE NORTH LINE OF SAID LOT 2;
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THENCE ALONG SAID NORTH LINE N84°59'02"E 153.59 FEET TO THE NORTHWEST CORNER OF SAID LOT 3;
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THENCE LEAVING SAID NORTH LINE S03°15'41"W 245.25 FEET TO THE SOUTH LINE OF SAID LOT 3;
THENCE ALONG THE SOUTH LINE OF SAID LOT 3 AND SAID LOT 2 N86°44'21"W 256.29 FEET TO THE POINT OF BEGINNING, CONTAINING 1.36 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

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THENCE ALONG SAID NORTH LINE S88°52'40"E 66.96 FEET;
THENCE ALONG SAID NORTH LINE S77°43'20"E 141.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 3;
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THENCE S03°45'36"W 79.39 FEET;
THENCE 126.45 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 225.00 FEET AND A LONG CHORD OF S12°20'23"E 124.79 FEET;
THENCE 29.30 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 204.50 FEET AND A LONG CHORD OF S24°20'04"E 29.28 FEET TO THE POINT OF BEGINNING, CONTAINING 1.19 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

NOTES:

THE SURVEY SHOWN HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

THE PROPERTY SURVEYED IS WITHIN THE MUNICIPAL LIMITS OF SPRINGDALE, AR.

ACCORDING TO THE CITY OF SPRINGDALE GIS WEB SITE, THE PROPERTY SURVEYED IS ZONED THE FOLLOWING:

LOT 2 IS C-2
LOT 3 IS C-2 AND C-5.

THE BOUNDARY DETERMINATION SHOWN HEREON WAS BASED UPON THE FOLLOWING DOCUMENTS AND NO OTHERS: DEED RECORD 2015-00005318 AND PLAT RECORD PLAT 0024-00000338.

CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE FILE NO. 2302052-147, DATED FEBRUARY 21, 2023, WAS ENTIRELY RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.

THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS OR ANY OTHER FACTS WHICH MIGHT AFFECT THE PROPERTY. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR FROM EXAMINATION OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE FILE NO. 2302052-147, DATED FEBRUARY 21, 2023.

NO ATTEMPT WAS MADE TO SHOW BUILDING SETBACK LINES GRAPHICALLY ON THE SURVEY. THE DESIGNATION OR ORIENTATION OF SETBACKS THAT AFFECT THE USE OF THIS PROPERTY ARE DETERMINED BY THE LOCAL GOVERNING JURISDICTION. SETBACK DIMENSIONS WILL BE BASED ON THE ORIENTATION OF THE BUILDINGS TO BE CONSTRUCTED.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WAS MADE.

ANY UTILITY LINES, SERVICE LINES, STRUCTURES OR APPURTENANCES SHOWN HEREON ARE FROM A FIELD INVESTIGATION LIMITED TO THE VISIBLE ABOVE GROUND SURFACE OF THE PROPERTY SURVEYED. OTHER UTILITY LINES, STRUCTURES AND APPURTENANCES MAY BE PRESENT ON THE PROPERTY. FOR INFORMATION REGARDING SUCH ITEMS, CONTACT THE APPROPRIATE AGENCIES.

THIS PROPERTY IS NOT IN FLOOD ZONE "A" OR "AE", AND IS OUTSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBER 05143C0065F, EFFECTIVE DATE MAY 16, 2008.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY. THE FLOOD HAZARD ZONE BOUNDARIES SHOWN HEREON WERE SCALED FROM THE MAPS CITED AND ARE NOT THE RESULT OF INDEPENDENT COMPUTATION OR ANALYSIS.

NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENT.

OWNER:
SAM'S REAL ESTATE BUSINESS TRUST
WAL-MART PROPERTY TAX DEPT 8013
PO BOX 8050
BENTONVILLE, AR 72712

CLIENT:
TERRA EQUITIES, LLC
2530 WATKINS ROAD
BIRMINGHAM, AL 35223
205-862-4398

SITE SURVEYOR:
CRAFTON TULL
901 N. 47TH ST., SUITE 400
ROGERS, AR 72756
479-636-4838

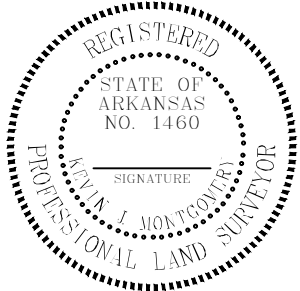
VARIANCES:
B23-90, PERIMETER LANDSCAPE BUFFER & FOUNDATION
LANDSCAPE, ENTRANCES, AND PEDESTRIAN FLOW
B23-91, CURB CUT SEPARATION DISTANCE

LAND SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT ON _____, THE HEREON
PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND
THE IRON PINS WERE FOUND OR SET, AS SHOWN, TO THE BEST OF MY
KNOWLEDGE AND BELIEF.

CRAFTON, TULL, & ASSOCIATES, INC.
BY KEVIN J. MONTGOMERY (AGENT)

KEVIN J. MONTGOMERY PLS 1460
PROFESSIONAL LAND SURVEYOR



ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL
AND SIGNATURE MAY HAVE BEEN ALTERED. THE
ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY
THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

DATE

SIGNATURE

ACCEPTANCE OF DEDICATIONS

CITY CLERK

MAYOR

APPROVAL FOR RECORDING

DIRECTOR, PLANNING AND COMMUNITY
DEVELOPMENT DIVISION

COMMISSION

SECRETARY, PLANNING COMMISSION

CHAIRMAN, PLANNING COMMISSION

WATER AND SEWER

ENGINEER, SPRINGDALE WATER UTILITIES

STREET AND DRAINAGE

CITY ENGINEER

CERTIFICATE OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEY, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USES NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

HAS AUTHORITY TO EXECUTE THE CERTIFICATE OF TRANSMITTAL,
OWNERSHIP, AND ORDINANCE.

OWNER:

DATE:

STATE OF ARKANSAS)
COUNTY OF WASHINGTON) SS

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____,
MY COMMISSION EXPIRES:

NOTARY PUBLIC

RECORD INFORMATION

STATE PLAT CODE:
500-17N-30W-0-04-340-72-1460

SEAL

REPLAT PLAT
TO ADJUST THE COMMON LOT LINE
BETWEEN LOT 2 AND LOT 3 OF BLOCK 2
SAM'S CLUB ADDITION

PREPARED FOR:
TERRA EQUITIES, LLC

ARKANSAS

SPRINGDALE

DATE: 12/15/2023
PROJECT NO: 23302000
CONTACT: K.MONTGOMERY



CERTIFICATE OF AUTHORIZATION:



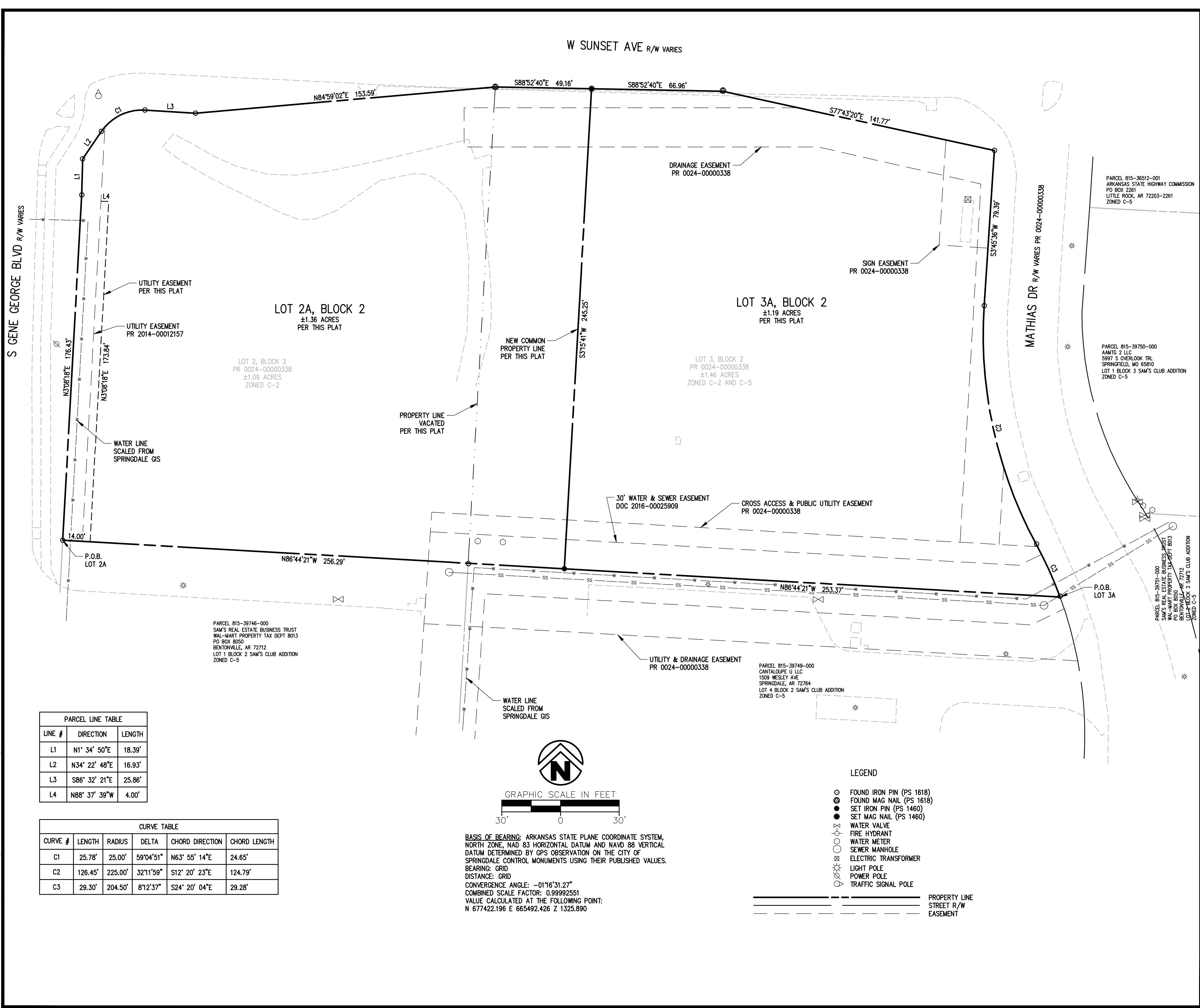
© 2023 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE
1	REVISED PER COMMENTS	10/19/2023
2	REVISED PER COMMENTS	11/30/2023
3	REVISED PER COMMENTS	12/15/2023

SHEET NO.:

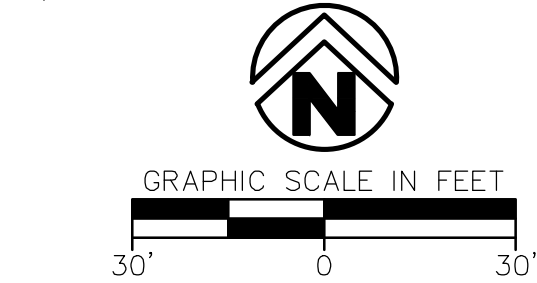
1 OF 2

DRAWING: G:\23302000 - PANERASPRINTERSTRUCTURES\SURVEY\DWG\23302000_REPLAT.DWG
LAYOUT: LAYOUT2, LAST SAVED: KM676, 12/15/2023 11:10:29 AM
LAST PLOTTED BY: KEVIN MONTGOMERY, 12/15/2023 11:11:22 AM (PLOTTED BY: "VALID ON HARD COPY ONLY")



PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N1° 34' 50"E	18.39'
L2	N34° 22' 48"E	16.93'
L3	S86° 32' 21"E	25.86'
L4	N88° 37' 39"W	4.00'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	25.78'	25.00'	59°04'51"	N63° 55' 14"E	24.65'
C2	126.45'	225.00'	32°11'59"	S12° 20' 23"E	124.79'
C3	29.30'	204.50'	8°12'37"	S24° 20' 04"E	29.28'



BASIS OF BEARING: ARKANSAS STATE PLANE COORDINATE SYSTEM,
NORTH ZONE, NAD 83 HORIZONTAL DATUM AND NAVD 88 VERTICAL
DATUM DETERMINED BY GPS OBSERVATION ON THE CITY OF
SPRINGDALE CONTROL MONUMENTS USING THEIR PUBLISHED VALUES.
BEARING: GRID
DISTANCE: GRID
CONVERGENCE ANGLE: -01°16'31.27"
COMBINED SCALE FACTOR: 0.99992551
VALUE CALCULATED AT THE FOLLOWING POINT:
N 677422.196 E 665492.426 Z 1325.890

LEGEND

- FOUND IRON PIN (PS 1618)
- FOUND MAG NAIL (PS 1618)
- SET IRON PIN (PS 1460)
- SET MAG NAIL (PS 1460)
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- SEWER MANHOLE
- ELECTRIC TRANSFORMER
- LIGHT POLE
- POWER POLE
- TRAFFIC SIGNAL POLE

===== PROPERTY LINE
----- STREET R/W
----- EASEMENT

RECORD INFORMATION

STATE PLAT CODE:
500-17N-30W-0-04-340-72-1460

SEAL

REPLAT PLAT
TO ADJUST THE COMMON LOT LINE
BETWEEN LOT 2 AND LOT 3 OF BLOCK 2
SAM'S CLUB ADDITION

PREPARED FOR:
TERRA EQUITIES, LLC

ARKANSAS

SPRINGDALE

DATE: 12/15/2023
PROJECT NO.: 23302000
CONTACT: K.MONTGOMERY

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

CERTIFICATE OF AUTHORIZATION
CRAFTON TULL & ASSOCIATES, INC.
No. 107
ARKANSAS ENGINEER

DELTA	DESCRIPTION	DATE

SHEET NO.:

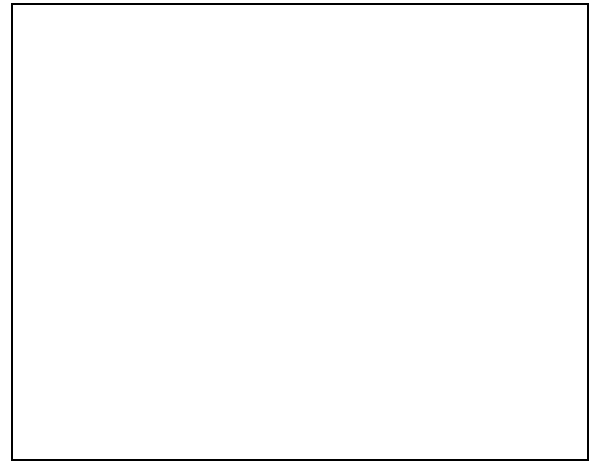


City Council Meeting
January 9, 2024



PROJECT: RP24-01
APPLICANT: Sam's Real Estate Business Trust
LOCATION: SE Corner of Gene George and W Sunset
REQUEST: Replat of Sam's Club Addition





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT (FP24-04) OF
LUCKY'S SUBDIVISION IN THE CITY OF SPRINGDALE ARKANSAS,
AND DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

LEGAL DESCRIPTION:

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER. THENCE ALONG THE EAST LINE OF SAID FORTY, SOUTH 02 DEGREES 26 MINUTES 31 SECONDS WEST, 687.60 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 02 DEGREES 26 MINUTES 31 SECONDS WEST, 152.58 FEET. THENCE LEAVING SAID EAST LINE, NORTH 87 DEGREES 50 MINUTES 23 SECONDS WEST, 295.64 FEET TO AN EXISTING REBAR. THENCE SOUTH 00 DEGREES 09 MINUTES 09 SECONDS WEST, 90.21 FEET TO AN EXISTING REBAR. THENCE NORTH 88 DEGREES 58 MINUTES 33 SECONDS WEST, 24.42 FEET TO AN EXISTING REBAR. THENCE SOUTH 02 DEGREES 06 MINUTES 48 SECONDS WEST, 139.30 FEET TO AN EXISTING REBAR. THENCE NORTH 86 DEGREES 49 MINUTES 33 SECONDS WEST, 37.13 FEET TO AN EXISTING REBAR. THENCE SOUTH 02 DEGREES 19 MINUTES 40 SECONDS WEST, 245.01 FEET TO AN EXISTING REBAR ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER. THENCE ALONG THE SOUTH LINE OF SAID FORTY, NORTH 86 DEGREES 57 MINUTES 33 SECONDS WEST, 304.72 FEET TO AN EXISTING REBAR. THENCE LEAVING SAID SOUTH LINE, NORTH 02 DEGREES 13 MINUTES 42 SECONDS EAST, 632.91 FEET TO AN EXISTING REBAR. THENCE SOUTH 86 DEGREES 54 MINUTES 29 SECONDS EAST, 659.39 FEET TO THE POINT OF BEGINNING, CONTAINING 5.94 ACRES AND SUBJECT TO ROAD RIGHTS OF WAY AND ANY EASEMENTS OF RECORD.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the final plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said final plat (FP24-04) and join with the said petitioner in petitioning the City Council to accept the said final plat Lucky's Subdivision to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the final plat (FP24-04) of Lucky's Subdivision, to the City of Springdale as shown on the final plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2024.

Doug Sprouse, Mayor

ATTEST:

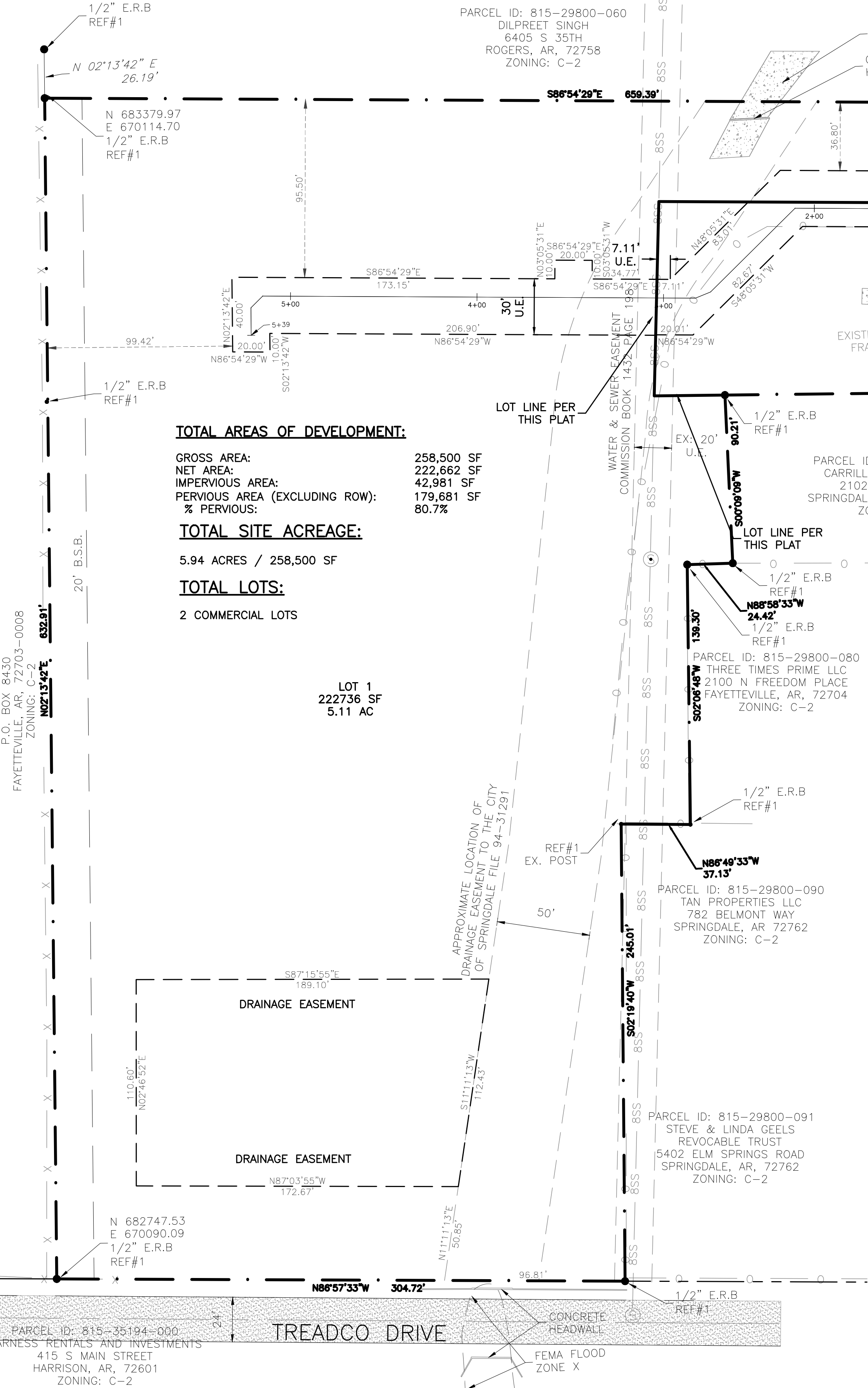
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

FLOOD STATEMENT:

THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE "X" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 05143C0060F WITH AN EFFECTIVE DATE OF APRIL 2, 2008. AREAS DETERMINED TO BE OUTSIDE THE 100 YEAR FLOOD PLAIN.



SURVEY DESCRIPTION OF PARCEL #815-29800-070:

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER. THENCE ALONG THE EAST LINE OF SAID FORTY, SOUTH 02 DEGREES 26 MINUTES 31 SECONDS WEST, 687.60 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 02 DEGREES 26 MINUTES 31 SECONDS WEST, 152.58 FEET. THENCE LEAVING SAID EAST LINE, NORTH 87 DEGREES 50 MINUTES 23 SECONDS WEST, 295.64 FEET TO AN EXISTING REBAR. THENCE SOUTH 00 DEGREES 09 MINUTES 09 SECONDS WEST, 90.21 FEET TO AN EXISTING REBAR. THENCE NORTH 88 DEGREES 58 MINUTES 33 SECONDS WEST, 24.42 FEET TO AN EXISTING REBAR. THENCE SOUTH 02 DEGREES 06 MINUTES 48 SECONDS WEST, 139.30 FEET TO AN EXISTING REBAR. THENCE NORTH 86 DEGREES 49 MINUTES 53 SECONDS WEST, 37.13 FEET TO AN EXISTING REBAR. THENCE SOUTH 02 DEGREES 19 MINUTES 40 SECONDS WEST, 245.01 FEET TO AN EXISTING REBAR ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER. THENCE ALONG THE SOUTH LINE OF SAID FORTY, NORTH 86 DEGREES 57 MINUTES 33 SECONDS WEST, 304.72 FEET TO AN EXISTING REBAR. THENCE LEAVING SAID SOUTH LINE, NORTH 02 DEGREES 13 MINUTES 42 SECONDS EAST, 632.91 FEET TO AN EXISTING REBAR. THENCE SOUTH 86 DEGREES 54 MINUTES 29 SECONDS EAST, 659.39 FEET TO THE POINT OF BEGINNING, CONTAINING 5.94 ACRES AND SUBJECT TO ROAD RIGHTS OF WAY AND ANY EASEMENTS OF RECORD.

CERTIFICATE OF TRANSMITTAL OWNERSHIP AND ORDINANCE

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

ALLOTTERS: _____

GENERAL NOTES:

THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE COST OF ANY REQUIRED ADJUSTMENTS TO THE EXISTING WATER AND SEWER FACILITIES DUE TO SITE GRADING, PAVING, LOT LINE ADJUSTMENTS, OR OTHER MATTERS.

A CITY OF SPRINGDALE DETENTION/RETENTION CERTIFICATION FORM MUST BE COMPLETED, STAMPED, AND SIGNED BY A CERTIFIED PROFESSIONAL ENGINEER, POST-DEVELOPMENT AND SUBMITTED TO THE CITY OF SPRINGDALE ENGINEERING DEPARTMENT.

- STOCKPILING OF CONSTRUCTION SPOIL MATERIAL AT PARTICULAR LOCATIONS SHALL ONLY BE ALLOWED FOR A LIMITED TIME PERIOD, NOT TO EXCEED (6) MONTHS. PRIOR TO A FINAL INSPECTION OF THE GRADING PERMIT, THE FOLLOWING STANDARDS SHALL BE ACHIEVED FOR COMPLETION OF CONSTRUCTION:
- A) DEVELOPMENT AND GRADING WITHIN THE DISTURBED AREA IS COMPLETE AND MATCHES PLANS AS APPROVED BY THE PLANNING COMMISSION, AND
 - B) THE DISTURBED SOIL AREA IS OBSERVED TO HAVE 80% GRASS COVERAGE AND 100% STABILITY, AND
 - C) NO SLOPES STEEPER THAN 3:1 PITCH UNLESS OTHERWISE APPROVED IN WRITING BY THE DIRECTOR OF ENGINEERING, AND
 - D) NOTICE OF VIOLATIONS ISSUED HAVE ALL CORRECTIVE ACTIONS APPROVED WITH AN INSPECTION REPORT SIGNED BY A REPRESENTATIVE OF THE DIRECTOR OF ENGINEERING, AND
 - E) ALL HEAVY EQUIPMENT, STOCKPILES, AND CONSTRUCTION SITE MATERIALS HAVE ALL BEEN REMOVED FROM THE CONSTRUCTION SITE.

RIGHT-OF-WAY AND EASEMENT DEDICATION STATEMENT

THE RIGHT-OF-WAY AS SHOWN ON THIS PLAT IS HERESY DEDICATED TO THE PUBLIC FOR PUBLIC USE. THE EASEMENTS AS SHOWN ON THIS PLAT ARE HEREBY PROVIDED BY THE PROPERTY OWNER FOR PUBLIC UTILITIES, FRANCHISED UTILITIES, CABLE TV, DRAINAGE, ACCESS AND OTHER PURPOSES. ANY DESIGNATED "UTILITY EASEMENT" SHALL INCLUDE PUBLIC UTILITIES, FRANCHISED UTILITIES AND CABLE TV. THE RESPECTIVE UTILITY COMPANIES AND CABLE TV SHALL HAVE ACCESS THROUGH AND ALONG THEIR DESIGNATED EASEMENTS FOR THEIR PERSONNEL AND EQUIPMENT AT ALL TIMES. THE AUTHORITY TO CUT DOWN AND KEEP TRIMMED TREES, HEDGES AND SHRUBS THAT MAY INTERFERE WITH OR ENDANGER SUCH UTILITIES AND CABLE TV IS HEREBY GRANTED BY THE PROPERTY OWNER. IN THE EVENT THAT FENCING OF INDIVIDUAL LOTS IS DESIRED. GATES THAT PROVIDE FREE INGRESS AND EGRESS TO. AND WITHIN THE DEDICATED EASEMENT SHALL BE PROVIDED.

PRINTED NAME / COMPANY OWNER SIGNATURE & TITLE DATE

PRINTED NAME / COMPANY OWNER SIGNATURE & TITLE DATE

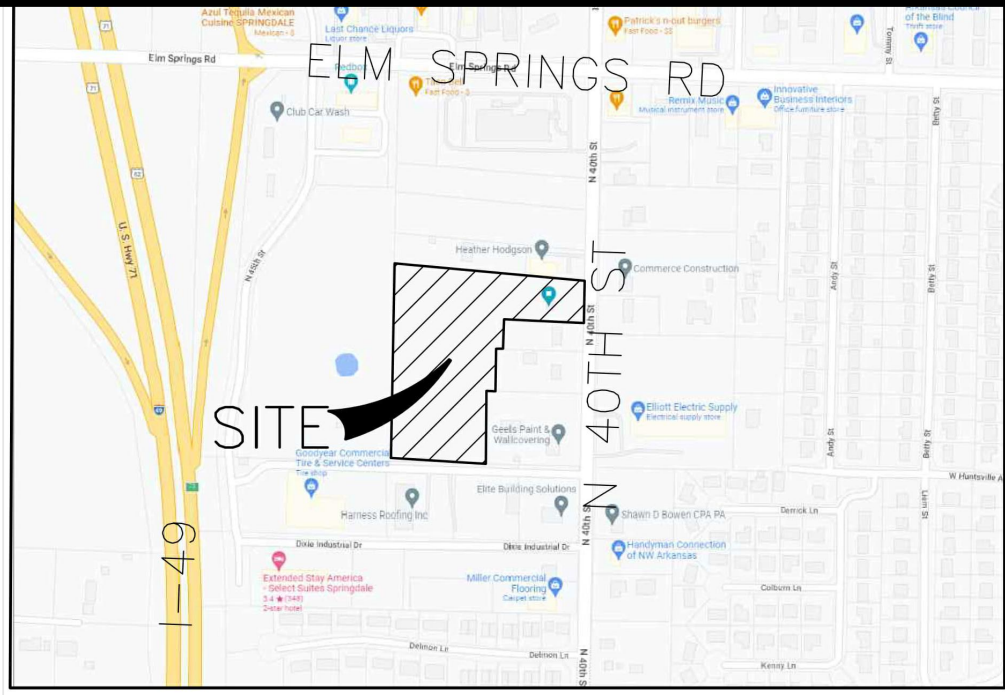
ARKANSAS NOTARY ACKNOWLEDGEMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON, SWORN AND SUBSCRIBED BEFORE ME

THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____



OWNER:

STEVEN D MATTERI REVOCABLE TRUST
PO BOX 7014
SPRINGDALE, ARKANSAS 72762

DEVELOPER:

LUCKY'S INDOOR BARK PARK, LLC
1519 LAKE ESTATES DRIVE
SPRINGDALE, ARKANSAS 72762
(501) 590-4210

ZONING:

C-5

PLANNED USE:

ENTERTAINMENT, OFFICE, AND TRADES & SERVICES

SETBACKS C-2, GENERAL COMMERCIAL DISTRICT:

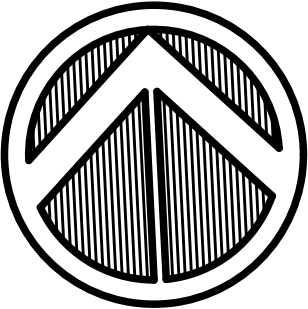
FRONT: 50' (PARKING BETWEEN BUILDING AND ROW)
FRONT: 30'
SIDE: 0'
REAR: 20'

SURVEYOR:

SATTERFIELD LAND
SURVEYORS P.A.
1928 HWY 71
ALMA, AR 72921
(479) 632-5002

ENGINEER:

EXPEDIENT CIVIL
ENGINEERING, PLLC
9200 SUITS US DR, STE. B
BELLA VISTA, AR 72714
(479) 364-0028



NORTH

40' 0 40'
SCALE 1"=40'

LEGEND

FOUND IRON PIN	
PROPERTY LINE	
EXISTING RIGHT-OF-WAY	
EXISTING FENCE	
EXISTING EASEMENT	
EXISTING ASPHALT	
EXISTING CENTERLINE OF ROAD	
EXISTING CONCRETE	
EXISTING WATER VALVE	
EXISTING WATER METER	
EXISTING 12" WATER LINE	
EXISTING POWER POLE	
EXISTING OVERHEAD ELECTRIC	
EXISTING GAS METER	
EXISTING MANHOLE	
EXISTING 8" SANITARY SEWER	
PROPOSED EASEMENT	
PROPOSED UTILITY EASEMENT	
NEW LOT LINE	
PROPOSED ACCESS EASEMENT	

CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICE OF RESPONSIBILITY SHOWN BELOW.

ACCEPTANCE OF DEDICATIONS	CITY CLERK	DATE
	MAYOR	DATE
APPROVAL FOR RECORDING	SECRETARY, PLANNING	DATE
COMMISSION	CHAIRMAN, PLANNING COMMISSION	DATE
WATER AND SEWER	ENGINEER, SPRINGDALE WATER UTILITIES	DATE
STREETS AND DRAINAGE	DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT DIVISION	DATE

SURVEYOR'S NOTE

THIS SURVEY WAS CONDUCTED UNDER THE SUPERVISION OF CLOVIS W. SATTERFIELD, NO. 0147, OR RICKY HILL, NO. 1443, SATTERFIELD LAND SURVEYORS, P.A., CERTIFICATE OF AUTHORIZATION NO. 718. SATTERFIELD LAND SURVEYORS, P.A., 1 --(479)--632-3565 HWY. 71 NORTH, P.O. BOX 640, ALMA, AR 72921

CERTIFICATE OF SURVEYING ACCURACY

I, MICHAEL D. MILLION, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME OR UNDER MY SUPERVISION, AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE SHOWN CORRECTLY.

DATE OF EXECUTION: 12/27/2023

SIGNED:
MICHAEL D. MILLION

FINAL PLAT

WORK PERFORMED: APPROX. DECEMBER 2023

MICHAEL D. MILLION

LAND SURVEYOR

12 NEFFWOOD LANE
BELLA VISTA, AR 72715
PHONE: (479) 571-0654

BELL CONSTRUCTION SOLUTIONS, LLC.

CHUCK BELL: (479) 366-0640
chuck.bell@bellconsultations.com

P.O. BOX 8
CAVE SPRINGS, AR 72718
PHONE: (479) 366-0640



Date	Comments	Rev

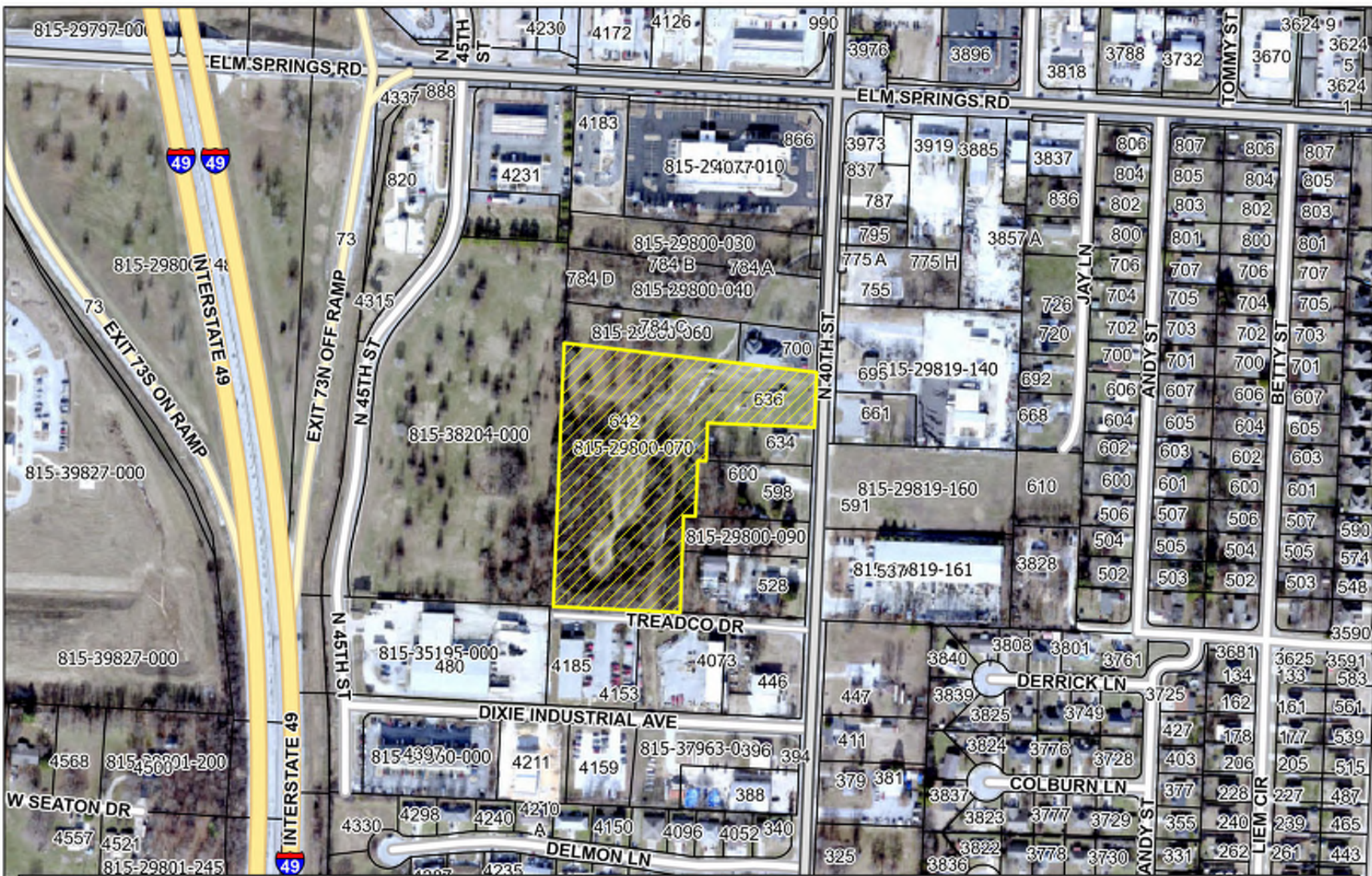
LUCKY'S SUBDIVISION
636 N 40TH ST
SPRINGDALE, ARKANSAS
LUCKY'S INDOOR BARK PARK, LLC
1519 LAKE ESTATES DRIVE, SPRINGDALE, AR 72762

DRAWN BY: DMF
CHECKED BY: MDM/CEB
DATE 12/27/2023
JOB NUMBER 2322.07 / 23-1004
SHEET NAME

File No. 2322.07 Lucky's Indoor Bark Park 23-1004 FINAL PLAT 23x34 S40.dwg
SHEET 1 OF 1

CITY PROJECT #PP24-04

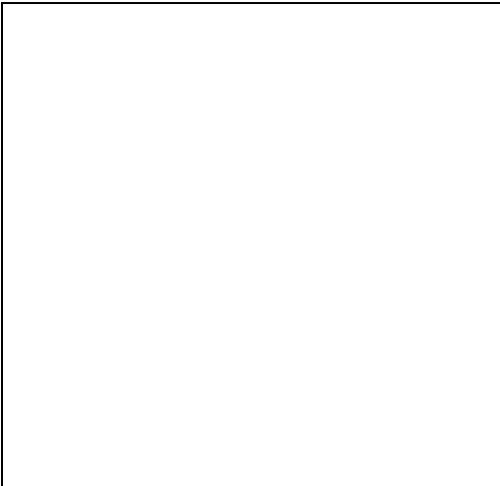
PLAT CODE: 500-18N-30W-0-33-210-72-1519



City Council Meeting
January 9, 2024

PROJECT: FP24-04
APPLICANT: Lucky's Bark Park
LOCATION: 636 N 40th St
REQUEST: LSD Revision,
Preliminary Plat for Lucky's Subdivision





ORDINANCE NO. _____

AN ORDINANCE TO REPLAT SPRING CREEK FARMS SUBDIVISION PHASE I TO REPLACE STREET NAMES.

WHEREAS, a Final Plat was filed under Instrument Number L202353785 in the Washington County Circuit Clerk Office. Said Plat stating Street Names “Teton Trail, Cowboy Cove, Farmhouse Way, Hillcrest Terrace, Hawk Lane and Range Road”.

NOW THEREFORE, the street names have been corrected on Replat Final Plat Spring Creek Farms, Phase I with updated names “Teton Trail Avenue, Cowboy Street, Farmhouse Street, Hillcrest Street, Hawk Street, and Range Avenue”.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Replat of Spring Creek Farms Subdivision Phase I, as shown on the plat approved by the City Planning Commission, a copy of which is attached to this ordinance and made a part hereof as through set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for the use and benefit of the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists in that the owner of property will be deprived of the full use and enjoyment of their property and will not be able to complete the sale of their property within thirty days and therefore an emergency exists.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Correction Final Plat Spring Creek Farms, Phase I

West Miller Road
Springdale, Benton County, Arkansas

GENERAL NOTES:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which were visible at the time of making of this survey; building setback lines, restrictive covenants, subdivision restrictions, zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- This plat represents a Final Plat of the parcel recorded in Deed Records, Deed Instrument #L201970338 in the public records of Benton County, Arkansas.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through OPUS.
- Site Benchmark: See Sheet 3 for benchmark information block.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- Underground utilities were located by visible above ground markings as marked by utility locators and shown hereon as located by CEI Engineering Associates, Inc. survey field crews. All utility locations shown hereon are approximate. All utilities may not have been marked/located by the appropriate locators. No excavation has taken place as of this date to determine the exact location of existing underground utilities shown on this survey.
- The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.
Map Number: 05007C0430J
Map Revised: September 28, 2007
- No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.

Single Family	
Front	30 Feet
Rear	20 Feet
Side (Interior)	8/8 Feet
Side (Corner/Interior)	8 Feet
Side (Exterior)	30 Feet
- At the time of Final Plat, the sanitary sewer lift station is incomplete. No dwelling shall receive a certificate of occupancy or water meter until all items of construction related to water and sewer improvements are 100% complete at the sole discretion and determination of Springdale Water Utilities.
- Final Plat Correction:
 - Revision to street names per city ordinances.

Certificate of Transmittal, Ownership, and Ordinance:

The undersigned hereby transmit this plat to the City of Springdale for approval and acceptance and certify to be the owner of the property described and hereby dedicate all streets, alleys, easements, parks, and other open spaces to public or private use as noted. The undersigned certify that the platting as filed on record cannot be changed unless vacated pursuant to applicable local or other law. The Undersigned further certify that the required ordinance of acceptance is in order having been approved by the City Attorney on _____.

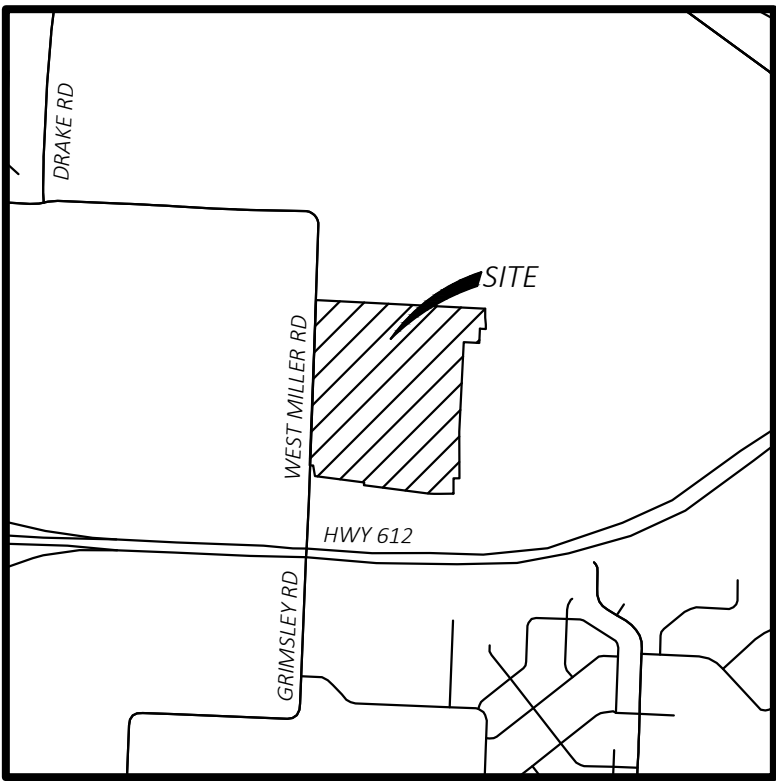
Certificate of Ownership & Dedication:

I hereon certify that I am the owner of the property described hereon and I do hereby dedicate all street, access, utility, & drainage easements to public or private use as indicated.

Date: _____ Owner: _____

Subscribed and sworn before me, this _____ day of _____, 20XX.

Notary Public _____ My Commission Expires _____



VICINITY MAP

NOT TO SCALE
Latitude: 36°13'48"N
Longitude: 94°12'58"W

Owner
Parcel Number #21-00167-340 Paul Pinkley Construction Inc. 7746 West Redbud Street Rogers, Arkansas 72758

Engineer/Surveyor:
CEI Engineering Associates, Inc. 3108 SW Regency Parkway Bentonville, AR 72712 Phone: (479) 273-9472 Fax: (479) 271-0536 Engineer: Nate Bachelor Surveyor: Dustin Riley, Arkansas PLS #1618



Certificates of Acceptance:

The undersigned hereby certify that this plat meets current regulations of the City of Springdale and regulations of the Arkansas State Board of Health as each pertains to this plat and to the offices of responsibility shown below.

	Date	Signature
Acceptance of Dedications	_____	City Clerk _____
	_____	Mayor _____
Commission	_____	Secretary, Planning Commission _____
	_____	Chairman, Planning Commission _____
Approval for Recording	_____	Director, Planning and Community Development Division _____
Water and Sewer	_____	Engineer, Springdale Water Utilities _____
Streets and Drainage	_____	Director of Engineering _____

Survey Description, Phase I

Parcel Number #21-00167-340

A part of the West half (W1/2) of Section 18, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described by metes and bounds as follows:

COMMENCING at a 3 and 1/4-inch aluminum monument found at the Southeast corner of said Section 18 according to Certified Land Corner Restoration Record No. 015121, dated July 19, 1976 and filed at State Land Surveyor's Office;
THENCE along the East line of said Section 18, North 02°15'53" East, 414.99 feet;
THENCE leaving said East line, North 87°59'02" West, 209.19 feet;
THENCE South 68°51'52" West, 249.08 feet;
THENCE North 86°55'55" West, 172.00 feet;
THENCE South 76°10'59" West, 458.66 feet;
THENCE South 81°00'29" West, 281.54 feet;
THENCE South 89°47'36" West, 176.52 feet;
THENCE North 00°00'38" West, 187.00 feet;
THENCE North 18°29'53" West, 48.45 feet;
THENCE North 00°12'24" West, 120.00 feet to the POINT OF BEGINNING;
THENCE South 89°47'36" West, 97.00 feet;
THENCE South 89°54'24" West, 46.00 feet to a curve to the right;
THENCE Easterly along the arc of said curve 56.08 feet, having a radius of 500.00 feet, through a central angle of 06°25'35", having a chord bearing and distance of North 85°54'05" West, 56.05 feet;
THENCE North 82°41'18" West, 495.61 feet;
THENCE North 07°18'42" East, 22.00 feet;
THENCE North 82°41'18" West, 388.61 feet;
THENCE North 08°54'48" West, 83.41 feet;
THENCE North 86°40'35" West, 27.86 feet to a point on the centerline of West Miller Road;
THENCE along the said centerline, North 02°13'54" East, 1,291.87 feet;
THENCE leaving said centerline, South 87°05'51" East, 1,322.65 feet to a point on the East line of said West half (W1/2) of Section 18;
THENCE leaving said West line, South 00°25'30" West, 69.43 feet;
THENCE South 05°53'16" East, 54.93 feet;
THENCE South 00°02'04" West, 34.35 feet;
THENCE North 87°06'28" West, 46.14 feet;
THENCE South 02°53'32" West, 112.00 feet;
THENCE North 87°06'28" West, 120.65 feet;
THENCE South 02°53'32" West, 697.98 feet to a curve to the left;
THENCE Northerly along the arc of said curve 27.04 feet, having a radius of 500.00 feet, through a central angle of 03°05'56", having a chord bearing and distance of South 01°20'34" West, 27.04 feet;
THENCE South 00°12'24" East, 293.69 feet;
THENCE South 00°03'50" West, 46.00 feet;
THENCE South 89°47'36" West, 45.84 feet;
THENCE South 00°12'24" East, 120.00 feet;
THENCE South 89°47'36" West, 10.00 feet to the POINT OF BEGINNING and containing 1,691,935 square feet or 38.84 acres, more or less.



Certificate of Surveying Accuracy

I, Dustin Riley, hereby declare that I have this day completed a survey of the herein described property. The property lines and corner monuments are, to the best of my knowledge and ability, correctly established, and there are no apparent encroachments except as shown on this plat, and this plat is a true representation of the topographic and physical features as found in the field.

Date of Execution: _____

Signed: _____
Dustin Riley, Registered Land Surveyor
No. 1618
State of Arkansas

City of Springdale Project # FP23-01

State Survey Code: 500-18N-30W-0-18-102-04-1618



CEI
Solutions for
Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Final Plat
Spring Creek Farms, Phase I
West Miller Road
Springdale, Benton County, Arkansas

Preliminary
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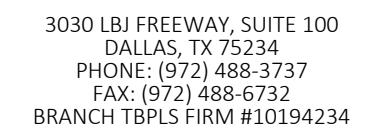
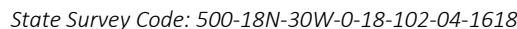
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DESIGNER	MEK
FIELD WORK	KDM
CEI PROJECT NUMBER	29710
DATE	10/27/2023
REVISION	REV-0

Cover Sheet

SHEET TITLE

SHEET NUMBER

1 OF 6
Page 55



Final Plat
Spring Creek Farms, Phase I
West Miller Road
Springdale, Benton County, Arkansas

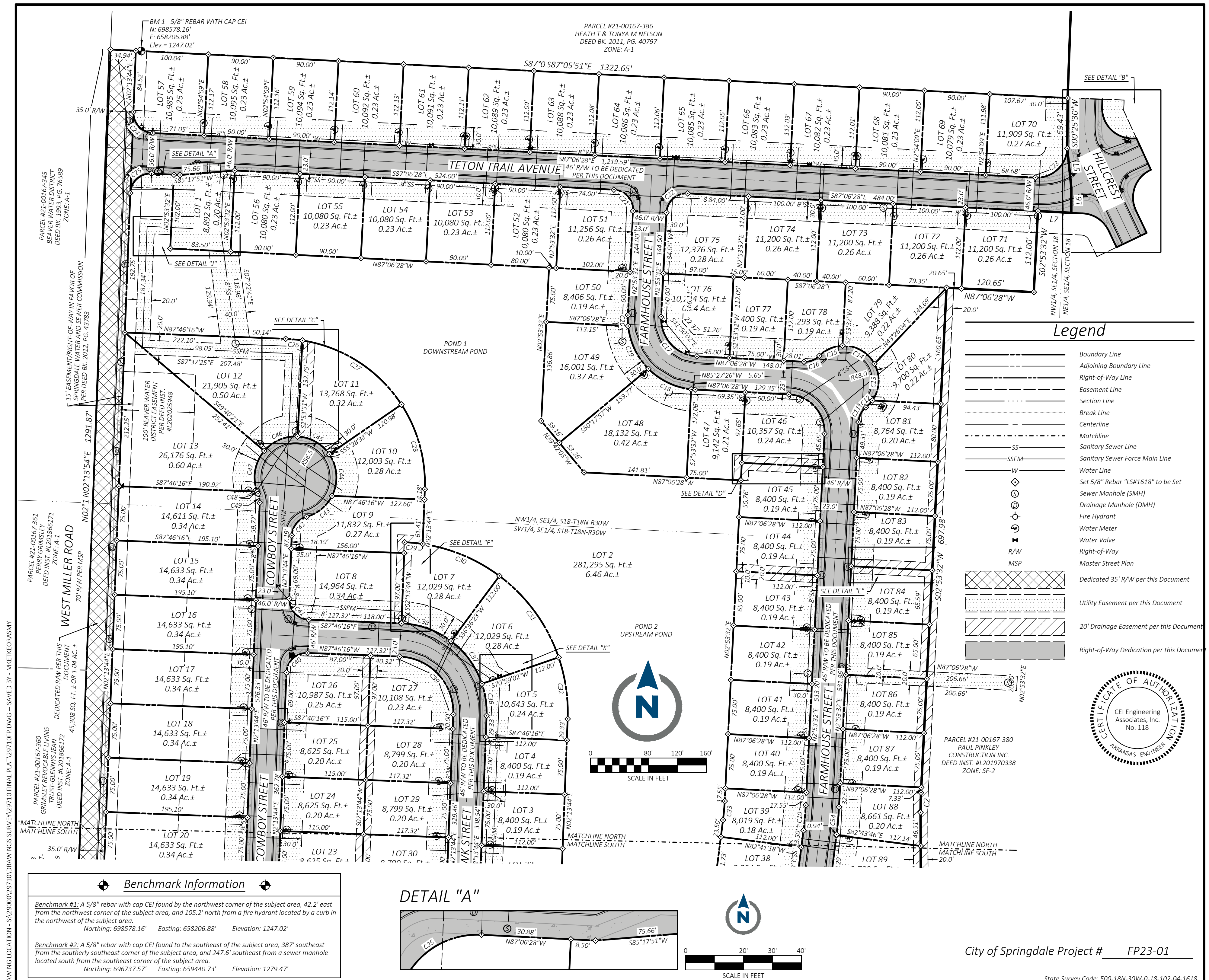
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DESIGNER	MEK
FIELD WORK	KDM
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Overview Sheet

SHEET TITLE

SHEET NUMBER



CEI ENGINEERING ASSOCIATES, INC.
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Final Plat
Spring Creek Farms, Phase I
West Miller Road
Springdale, Benton County, Arkansas

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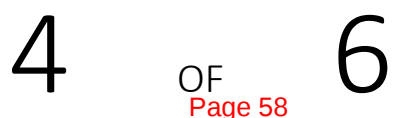
PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KDM
CEI PROJECT NUMBER	29710
DATE	10/27/2023
REVISION	REV-0

Final Plat - North

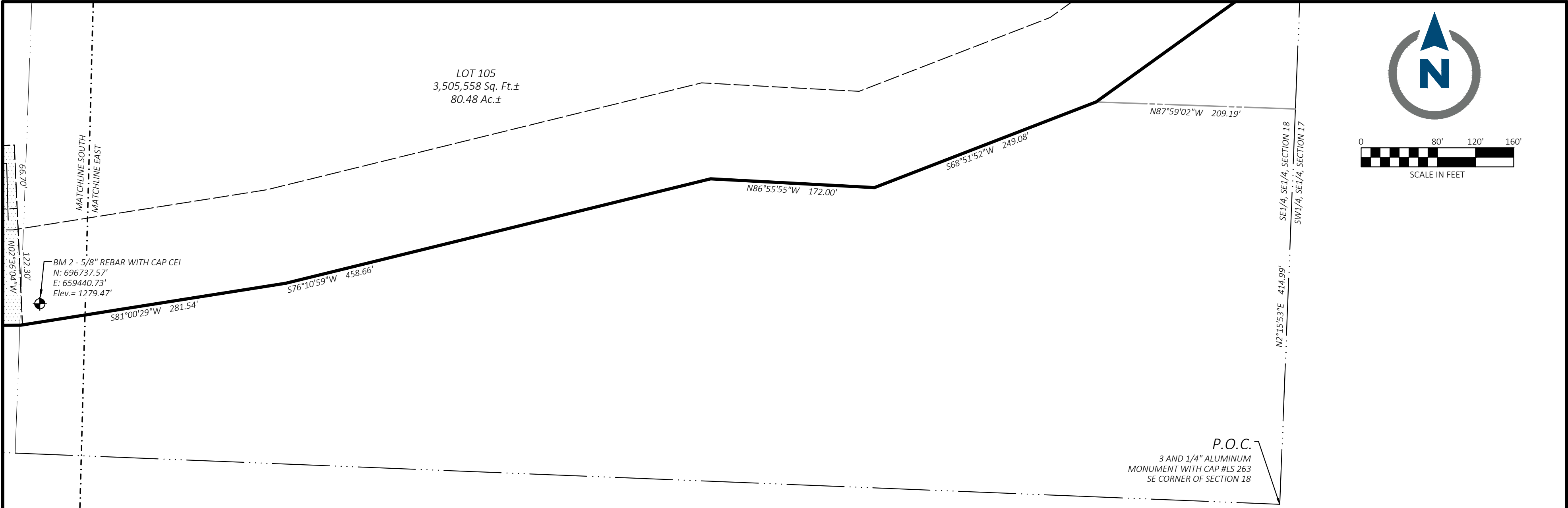
SHEET TITLE
SHEET NUMBER

City of Springdale Project # FP23-01

State Survey Code: 500-18N-30W-0-18-102-04-1618



DRAWING LOCATION - S:\29000\29710\DRAWINGS\SURVEY\29710 FINAL PLAT\29710FP.DWG -- SAVED BY - MKETKEORASMY



Property Line Table		
Line #	Direction	Length
L1	S89°54'24\"W	46.00'
L2	N07°18'42\"E	22.00'
L3	S08°54'48\"E	83.41'
L4	N86°40'35\"W	27.86'
L5	S05°53'16\"E	54.93'
L6	S00°02'04\"W	34.35'
L7	N87°06'28\"W	46.14'
L8	S00°03'50\"W	46.00'
L9	S89°47'36\"W	45.84'
L10	S89°47'36\"W	10.00'

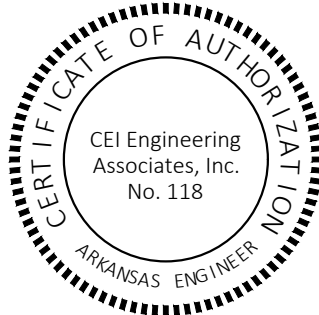
Property Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C1	500.00'	56.08'	6°25'35\"	N85°54'05\"W	56.05'
C2	500.00'	27.04'	3°05'56\"	N1°20'34\"E	27.04'

Lot Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C3	498.00'	33.16'	3°48'53\"	S88°17'57\"E	33.15'
C4	28.00'	45.85'	93°48'53\"	N46°42'03\"E	40.89'
C5	28.00'	40.31'	82°28'54\"	S41°26'51\"E	36.92'
C6	452.00'	30.56'	3°52'27\"	N88°16'10\"W	30.56'
C7	28.00'	45.76'	93°38'39\"	N39°30'37\"W	40.84'
C8	28.00'	43.98'	90°00'00\"	N52°18'42\"E	39.60'
C10	452.00'	34.86'	4°25'10\"	N5°06'07\"E	34.86'
C11	28.00'	23.38'	47°51'04\"	N26°49'06\"E	22.71'
C12	48.00'	13.02'	15°32'45\"	N42°58'16\"E	12.98'
C13	48.00'	53.41'	63°45'21\"	N3°19'13\"E	50.70'
C14	48.00'	53.41'	63°45'15\"	N60°26'05\"W	50.70'
C15	48.00'	35.73'	42°38'51\"	S66°21'52\"W	34.91'
C16	28.00'	23.38'	47°51'05\"	S68°57'58\"W	22.71'
C17	52.00'	81.68'	90°00'00\"	N42°06'28\"W	73.54'
C18	98.00'	66.60'	38°56'16\"	N64°20'16\"W	65.33'
C19	98.00'	66.63'	38°57'25\"	N25°23'26\"W	65.36'
C20	98.00'	15.06'	8°48'16\"	N1°30'36\"W	15.04'

Lot Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C21	28.00'	43.98'	90°00'00\"	N42°06'28\"W	39.60'
C22	28.00'	43.98'	90°00'00\"	N47°53'32\"E	39.60'
C23	42.00'	66.57'	90°49'00\"	N47°29'02\"E	59.82'
C24	28.00'	43.66'	89°20'09\"	N42°26'20\"W	39.37'
C25	28.00'	44.31'	90°39'48\"	N47°33'38\"E	39.83'
C26	200.00'	23.26'	6°39'49\"	N84°26'21\"W	23.25'
C27	200.00'	167.64'	48°01'28\"	N57°05'42\"W	162.77'
C28	200.00'	123.26'	35°18'42\"	N15°25'37\"W	121.32'
C29	235.00'	25.05'	6°06'28\"	N84°33'04\"W	25.04'
C30	235.00'	115.95'	28°16'11\"	N67°21'45\"W	114.78'
C31	235.00'	141.00'	34°22'39\"	N36°02'20\"W	138.89'
C32	235.00'	86.46'	21°04'45\"	N8°18'38\"W	85.97'
C33	340.00'	26.23'	4°25'10\"	N5°06'07\"E	26.22'
C34	28.00'	41.50'	84°55'02\"	S40°13'47\"E	37.80'
C35	28.00'	46.47'	95°04'58\"	S49°46'13\"W	41.31'
C36	123.00'	44.93'	20°55'40\"	S8°14'06\"E	44.68'
C37	123.00'	73.80'	34°22'39\"	S35°53'16\"E	72.70'

Lot Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C38	123.00'	73.80'	34°22'39\"	S70°15'55\"E	72.70'
C39	77.00'	120.95'	90°00'00\"	S42°46'16\"E	108.89'
C40	28.00'	43.98'	90°00'00\"	N47°13'44\"E	39.60'
C41	28.00'	43.98'	90°00'00\"	S42°46'16\"E	39.60'
C42	28.00'	35.22'	72°04'47\"	S38°16'08\"W	32.95'
C43	56.50'	46.74'	47°23'54\"	S50°36'34\"W	45.42'
C44	56.50'	60.58'	61°25'59\"	S3°48'23\"E	57.72'
C45	56.50'	51.85'	52°34'47\"	S60°48'46\"E	50.05'
C46	56.50'	51.85'	52°35'05\"	N66°36'18\"E	50.05'
C47	56.50'	59.78'	60°37'28\"	N10°00'02\"E	57.03'
C48	56.50'	3.33'	3°22'44\"	N22°00'05\"W	3.33'
C49	28.00'	12.67'	25°55'11\"	N10°43'51\"W	12.56'
C50	28.00'	41.50'	84°55'02\"	N40°13'47\"W	37.80'
C51	28.00'	46.47'	95°04'58\"	S49°46'13\"W	41.31'
C52	28.00'	41.50'	84°55'02\"	N40°13'47\"W	37.80'
C53	27.97'	46.42'	95°04'58\"	N49°50'11\"E	41.27'
C54	498.00'	38.41'	4°25'10\"	N5°06'07\"E	38.40'

Legend	
	Boundary Line
	Adjoining Boundary Line
	Right-of-Way Line
	Easement Line
	Section Line
	Break Line
	Centerline
	Matchline
	Sanitary Sewer Line
	Sanitary Sewer Force Main Line
	Water Line
	Set 5/8\" Rebar "LS#1618" to be Set
	Sewer Manhole (SMH)
	Drainage Manhole (DMH)
	Fire Hydrant
	Water Meter
	Water Valve
	Right-of-Way
	Master Street Plan
	Dedicated 35' R/W per this Document
	Utility Easement per this Document
	20' Drainage Easement per this Document
	Right-of-Way Dedication per this Document



City of Springdale Project # FP23-01

State Survey Code: 500-18N-30W-0-18-102-04-1618



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Final Plat
Spring Creek Farms, Phase I
West Miller Road
Springdale, Benton County, Arkansas

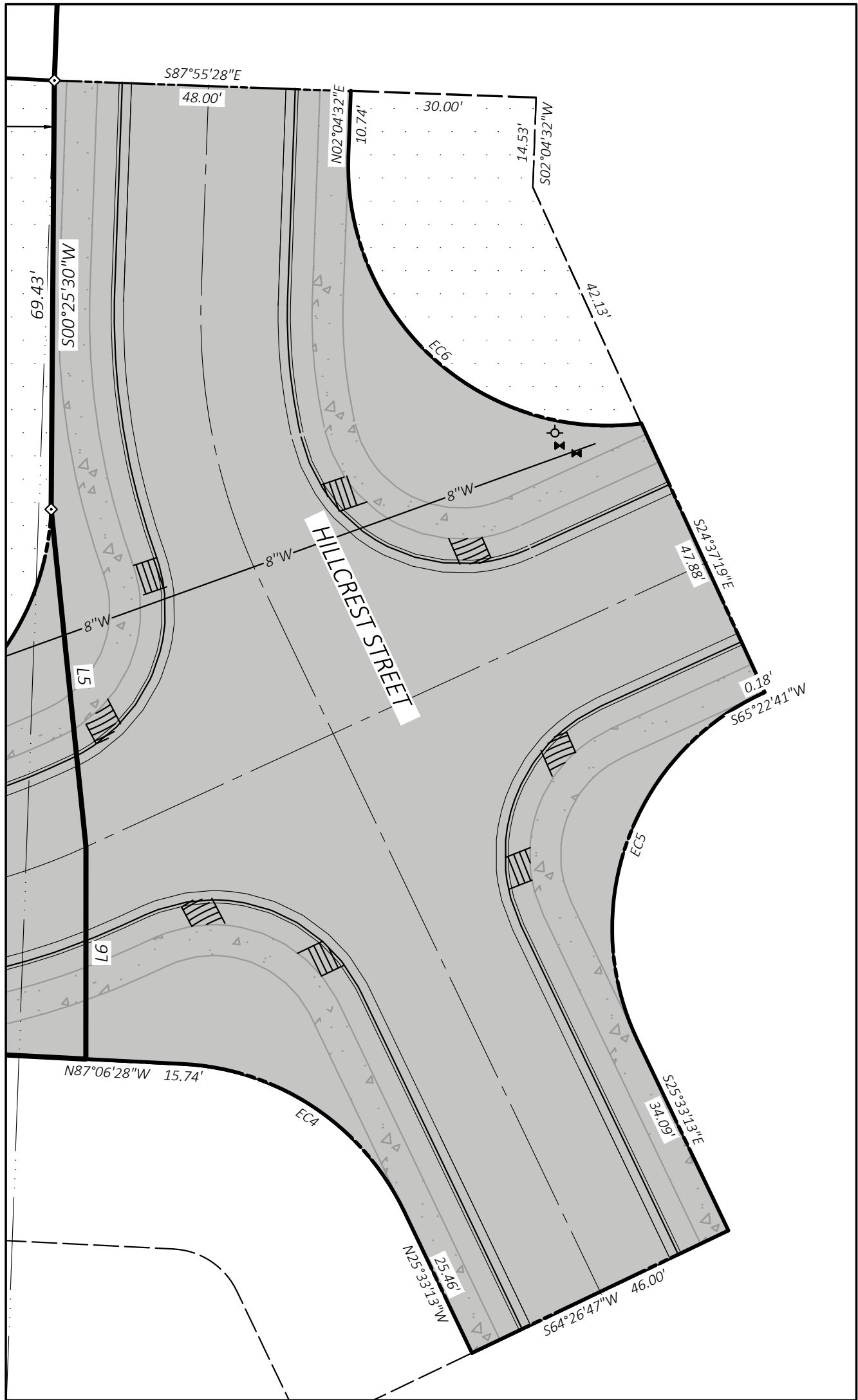
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PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KDM
CEI PROJECT NUMBER	29710
DATE	10/27/2023
REVISION	REV-0

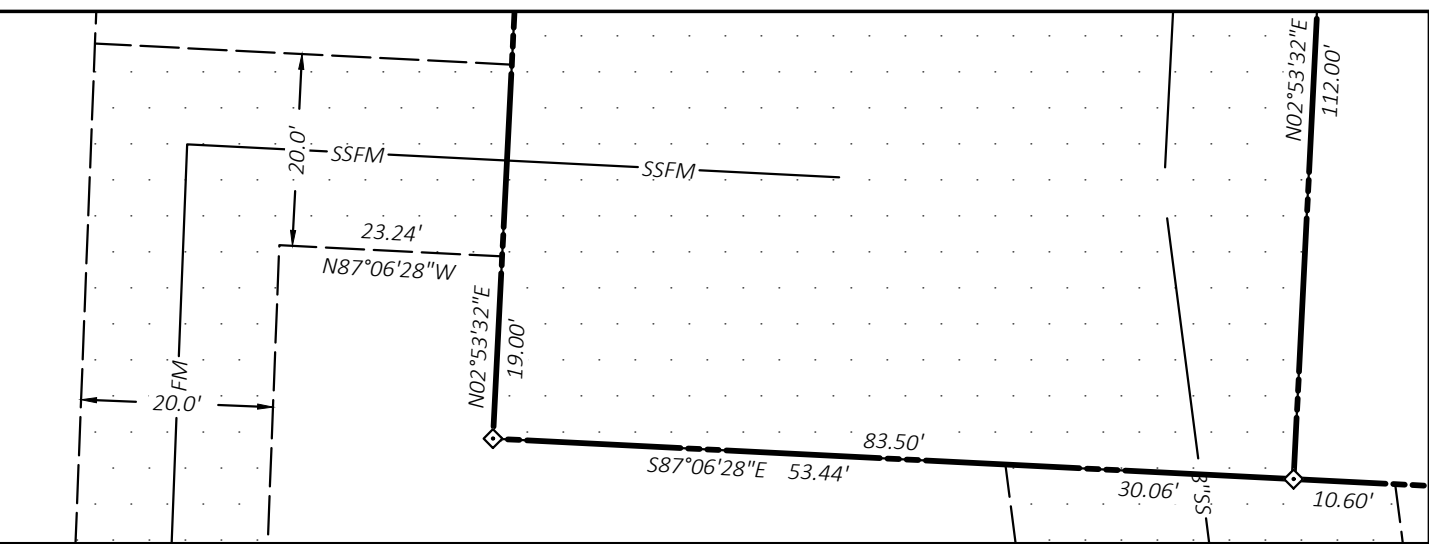
Final Plat - East

SHEET TITLE	
SHEET NUMBER	

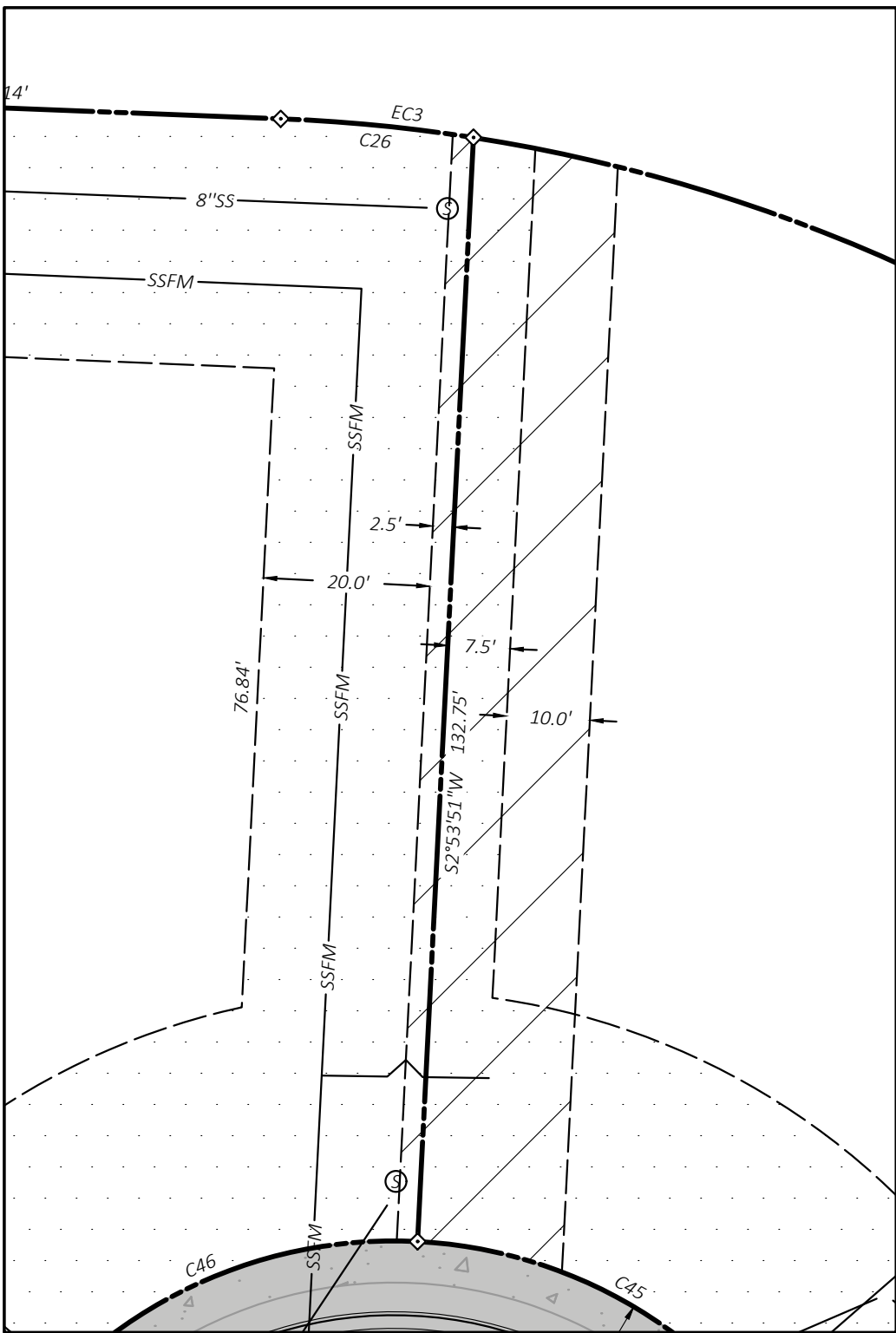
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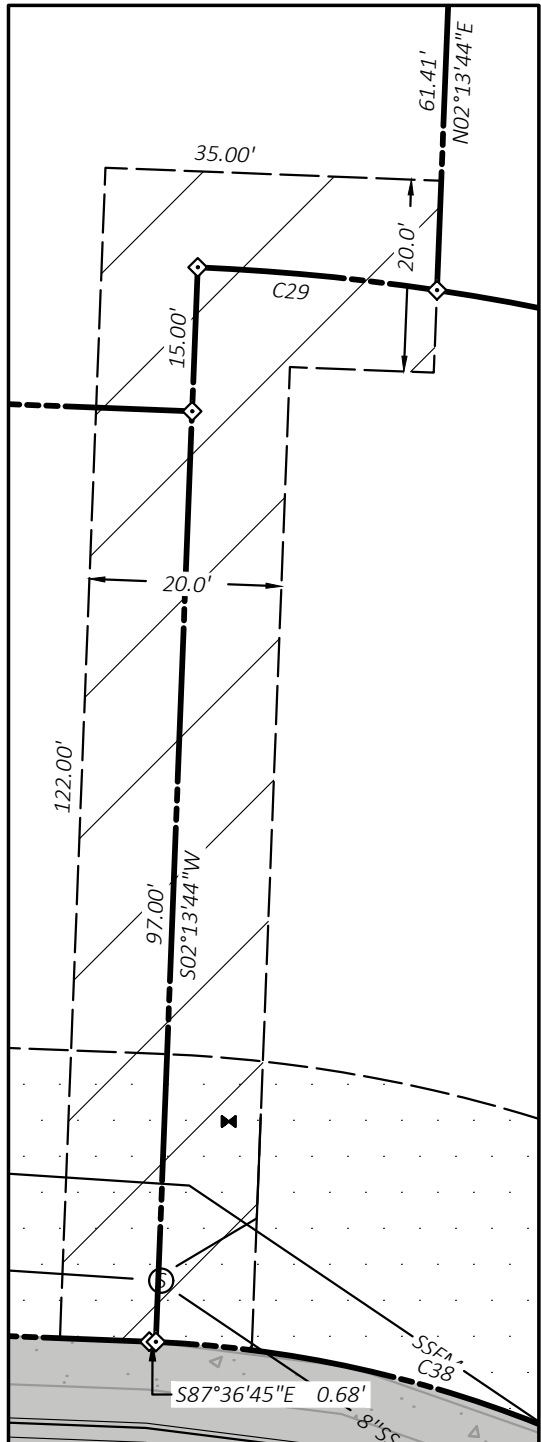
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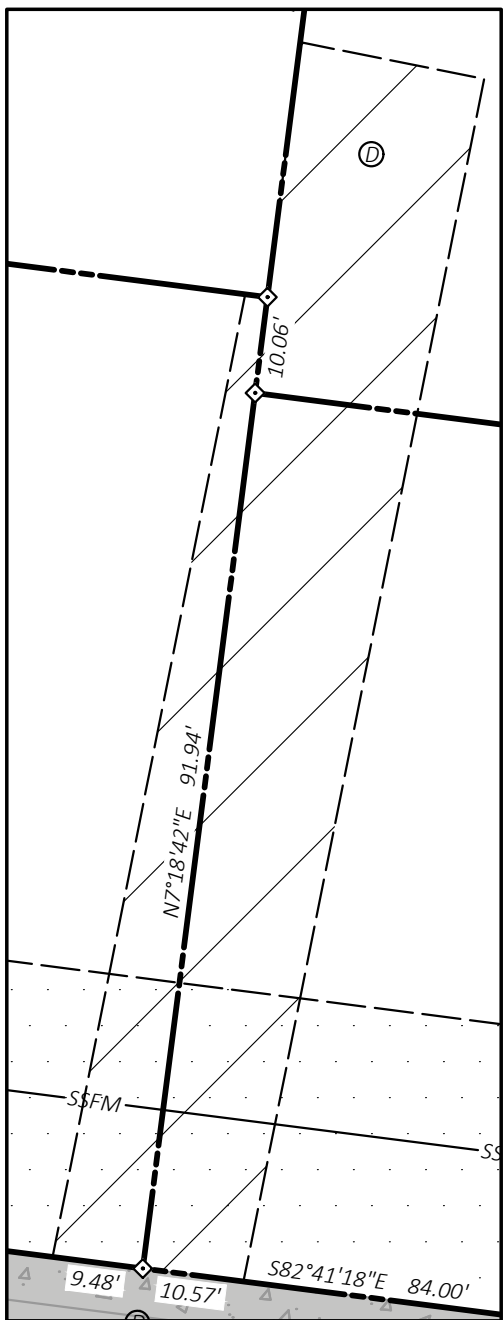
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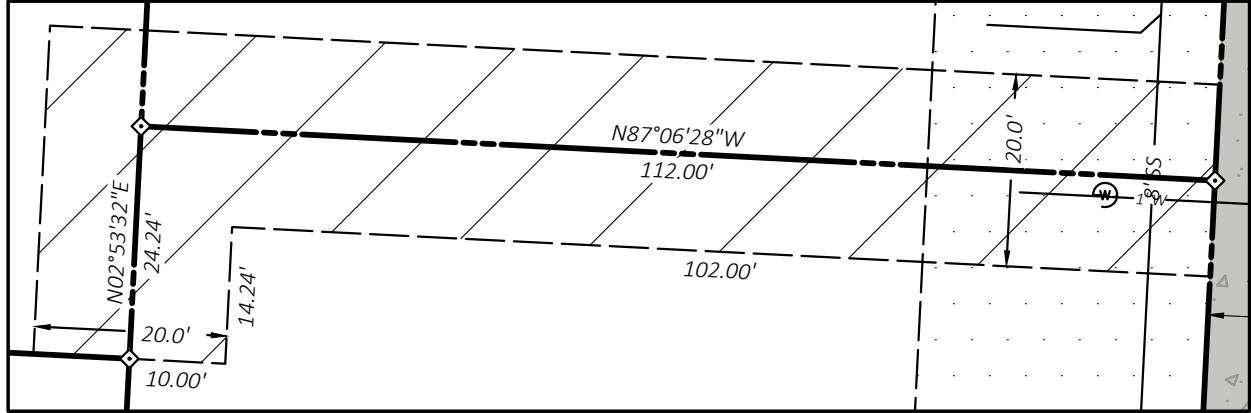
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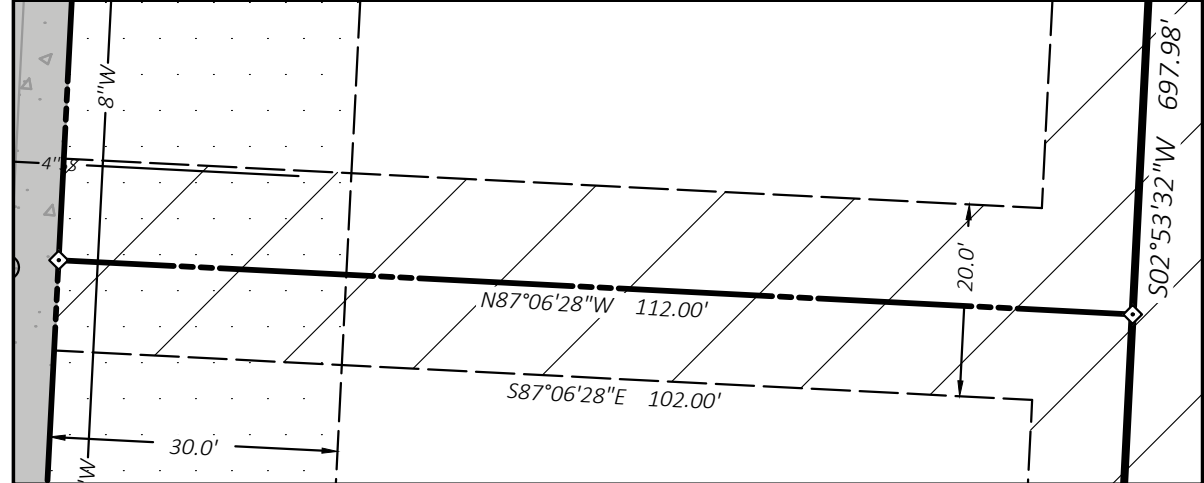
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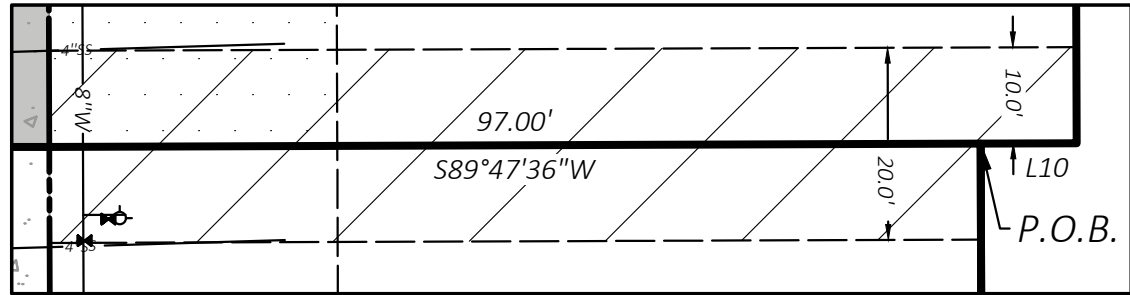
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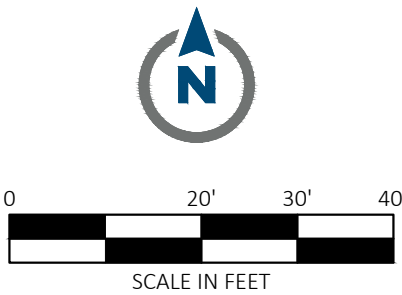
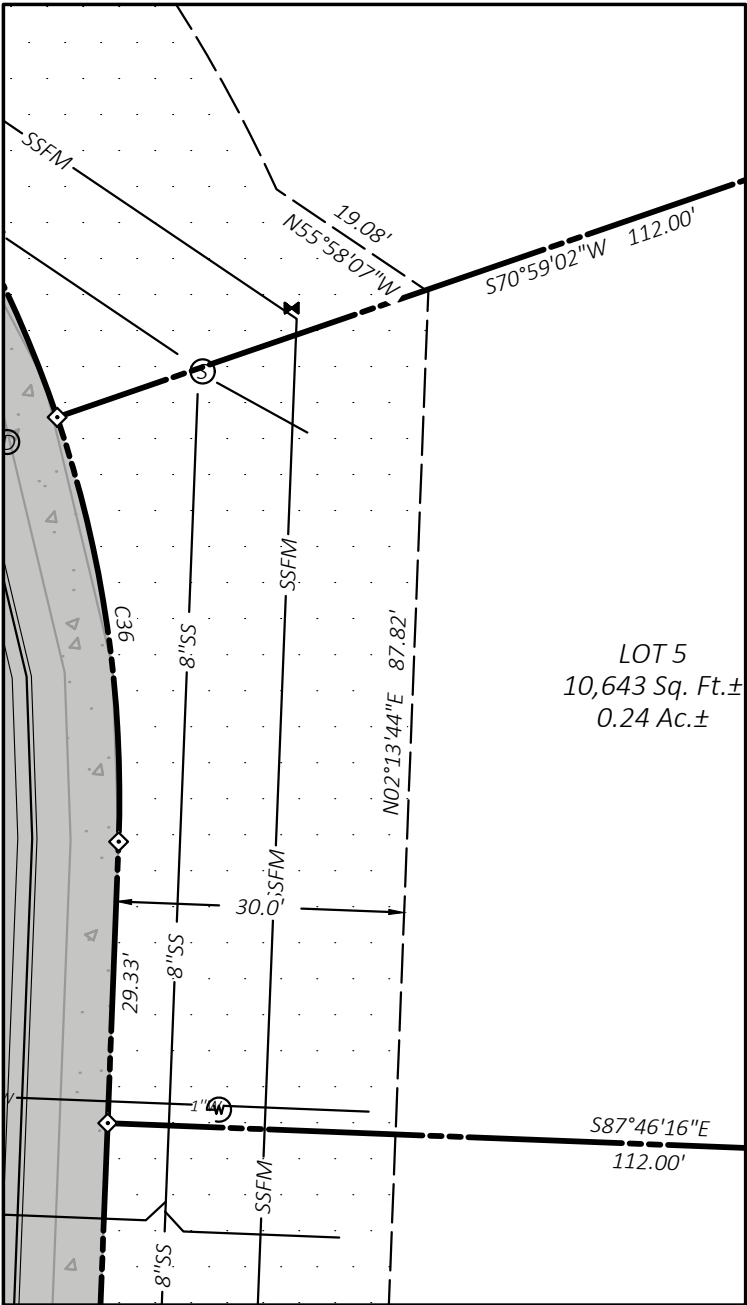
DETAIL "E"



DETAIL "I"



DETAIL "K"



All viewports on this page are
20' scale and aligned North.



City of Springdale Project # **FP23-01**

State Survey Code: 500-18N-30W-0-18-102-04-1618



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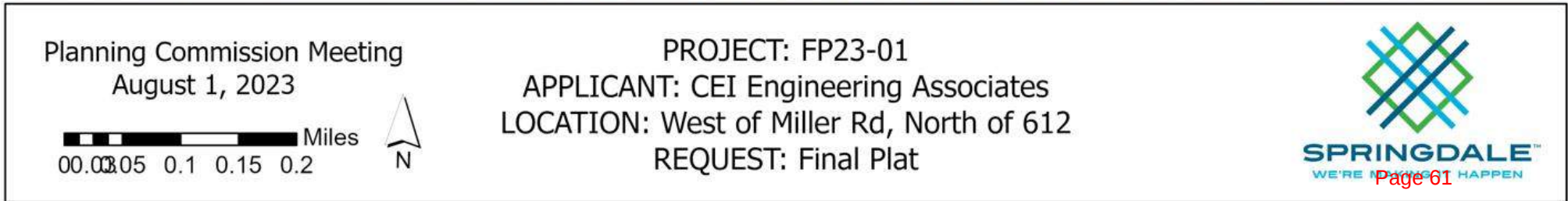
Final Plat
Spring Creek Farms, Phase I
West Miller Road
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FIELD WORK	KDM
CEI PROJECT NUMBER	29710
DATE	10/27/2023
REVISION	REV-0

Detail Sheet

SHEET TITLE
SHEET NUMBER



PROJECT: FP23-01
APPLICANT: CEI Engineering Associates
LOCATION: West of Miller Rd, North of 612
REQUEST: Final Plat



Page 61

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A CONSTRUCTION CONTRACT FOR WEST
EMMA AVENUE EXTENSION
PROJECT NO 23BPS01**

WHEREAS, sealed bids were received on December 5, 2023 at 2:00 p.m.
for the West Emma Avenue Extension from 48th Street to 40th Street, and

WHEREAS, Crossland Heavy Contractors was the low bidder for this
project at \$16,539,926.50, and

**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 Crossland Heavy Contractors for the construction of West Emma
Avenue from 48th Street to 40th Street for \$16,539,926.50 from the 2023 Street
Bond Fund.

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

PASSED AND APPROVED this 9th day of January, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



4300 South J.B. Hunt Drive
Suite 240
Rogers, AR 72758

TEL 479.257.9188

www.GarverUSA.com

December 6, 2023

Ryan Carr, PE, CFM
Deputy Director of Engineering Operations
City of Springdale
128 Spring St.
Springdale, AR 72764

Re: City of Springdale
Har-Ber Avenue Extension - 48th Street to 40th Street
City Job No. 18BPS12
Recommendation of Award

Dear Ryan:

Bids were received for the "Har-Ber Avenue Extension - 48th Street to 40th Street" project in the online bid interface at 2:00 p.m. on December 5, 2023. The bids have been checked for accuracy and for compliance with the contract documents. A tabulation of the bids received is enclosed with this letter.

A total of 2 bids were received on the project. Crossland Heavy Contractors, Inc. submitted the low bid for the project in the amount of \$16,539,926.50. The Engineer's Opinion of Probable Cost was \$18,576,532.85.

We believe that the bid submitted by Crossland Heavy Contractors, Inc. represents a good value for the City of Springdale. We recommend that the construction contract for "Har-Ber Avenue Extension - 48th Street to 40th Street" be awarded to Crossland Heavy Contractors, Inc.

Please call me if you have any questions.

Sincerely,

GARVER, LLC

Digitally Signed 12/06/2023

Luke Freedle, P.E.

Attachments: Bid Tabulation



CITY OF SPRINGDALE
HAR-BER AVENUE EXTENSION - 48th Street to 40th Street
BID TABULATION
December 5th, 2023 - 2:00 p.m.



ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Engineer's Estimate of Probable Cost		Crossland Heavy Contractors - Columbus		APAC Central	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	111	Roadway Construction Control	LS	1	\$100,000.00	\$100,000.00	\$225,000.00	\$225,000.00	\$185,000.00	\$185,000.00
2	112	Trench and Excavation Safety Systems	LS	1	\$25,000.00	\$25,000.00	\$10,000.00	\$10,000.00	\$45,000.00	\$45,000.00
3	201	Clearing and Grubbing	LS	1	\$250,000.00	\$250,000.00	\$180,000.00	\$180,000.00	\$137,000.00	\$137,000.00
4	202, SP-7	Undercut and Backfill	CY	9,700	\$40.00	\$388,000.00	\$41.00	\$397,700.00	\$35.00	\$339,500.00
5	202, SP-7	Rock Excavation	CY	500	\$180.00	\$90,000.00	\$250.00	\$125,000.00	\$196.00	\$98,000.00
6	202, SP-7	Unclassified Excavation (Plan Quantity)	CY	10,319	\$15.00	\$154,785.00	\$16.50	\$170,263.50	\$15.00	\$154,785.00
7	202, SP-7	Embankment (Plan Quantity)	CY	47,381	\$21.00	\$995,001.00	\$24.00	\$1,137,144.00	\$27.00	\$1,279,287.00
8	203	Subgrade Preparation (Plan Quantity)	SY	8,445	\$4.00	\$33,780.00	\$1.00	\$8,445.00	\$4.00	\$33,780.00
9	204	Curb Backfill and Grading	Sta.	30.5	\$3,900.00	\$118,950.00	\$1,800.00	\$54,900.00	\$2,900.00	\$88,450.00
10	204, SP-8	4" Topsoil Placement (Yard Areas)	SY	37,600	\$5.00	\$188,000.00	\$1.50	\$56,400.00	\$3.00	\$112,800.00
11	205	Undercut and Stone Backfill	TON	1,500	\$65.00	\$97,500.00	\$39.00	\$58,500.00	\$46.00	\$69,000.00
12	301	18" Class III R.C. Pipe	LF	711	\$180.00	\$127,980.00	\$111.00	\$78,921.00	\$106.00	\$75,366.00
13	301	30" Class III R.C. Pipe	LF	72	\$205.00	\$14,760.00	\$315.00	\$22,680.00	\$164.00	\$11,808.00
14	301	36" Class III R.C. Pipe	LF	122	\$250.00	\$30,500.00	\$232.00	\$28,304.00	\$227.00	\$27,694.00
15	301	38"x24" Class III Elliptical R.C. Pipe	LF	199	\$200.00	\$39,800.00	\$275.00	\$54,725.00	\$165.00	\$32,835.00
16	301, SP-49	12" HDPE	LF	158	\$60.00	\$9,480.00	\$89.00	\$14,062.00	\$75.00	\$11,850.00
17	301, SP-49	15" HDPE	LF	22	\$70.00	\$1,540.00	\$136.00	\$2,992.00	\$95.00	\$2,090.00
18	301	18" R.C. FES	EA	5	\$1,500.00	\$7,500.00	\$2,400.00	\$12,000.00	\$2,600.00	\$13,000.00
19	301	30" R.C. FES	EA	2	\$2,000.00	\$4,000.00	\$2,200.00	\$4,400.00	\$2,800.00	\$5,600.00
20	301	36" R.C. FES	EA	2	\$3,500.00	\$7,000.00	\$3,000.00	\$6,000.00	\$3,800.00	\$7,600.00
21	301	38"x24" Elliptical R.C. FES	EA	2	\$3,000.00	\$6,000.00	\$2,750.00	\$5,500.00	\$3,500.00	\$7,000.00
22	302	4' Drop Inlet (Type MO)	EA	15	\$8,335.00	\$125,025.00	\$8,100.00	\$121,500.00	\$7,900.00	\$118,500.00
23	302	5' Drop Inlet (Type MO)	EA	3	\$9,550.00	\$28,650.00	\$11,000.00	\$33,000.00	\$9,200.00	\$27,600.00
24	302	6' Drop Inlet (Type MO)	EA	2	\$10,400.00	\$20,800.00	\$15,000.00	\$30,000.00	\$9,600.00	\$19,200.00
25	302	4'x5' Drop Inlet (Type Special Reverse Throat)	EA	2	\$10,500.00	\$21,000.00	\$18,500.00	\$37,000.00	\$10,000.00	\$20,000.00
26	302	6'x6' Drop Inlet (Type Special Reverse Throat)	EA	1	\$11,000.00	\$11,000.00	\$25,600.00	\$25,600.00	\$11,000.00	\$11,000.00
27	302	4' Drop Inlet Extension	EA	12	\$2,200.00	\$26,400.00	\$2,250.00	\$27,000.00	\$3,600.00	\$43,200.00
28	302	8' Drop Inlet Extension	EA	3	\$3,500.00	\$10,500.00	\$3,100.00	\$9,300.00	\$4,700.00	\$14,100.00
29	302, SP-50	24" Nyloplast Heavy Duty Catch Basin with Cast Iron	EA	2	\$5,000.00	\$10,000.00	\$6,400.00	\$12,800.00	\$5,000.00	\$10,000.00
30	302, SP-51	Drop Inlets Adjusted to Grade	EA	1	\$3,000.00	\$3,000.00	\$4,800.00	\$4,800.00	\$5,200.00	\$5,200.00
31	305	Channel Excavation (Plan Quantity)	CY	2,225	\$31.00	\$68,975.00	\$10.00	\$22,250.00	\$24.00	\$53,400.00
32	305	Erosion Control Fabric	SY	1,717	\$75.00	\$128,775.00	\$35.00	\$60,095.00	\$60.00	\$103,020.00
33	305	Concrete Channel Paving	SY	855	\$100.00	\$85,500.00	\$100.00	\$85,500.00	\$112.00	\$95,760.00
34	306	Rip Rap (18" Thick) (D50=5")	SY	50	\$60.00	\$3,000.00	\$49.00	\$2,450.00	\$43.00	\$2,150.00
35	306	Rip Rap (24" Thick) (D50=10")	SY	55	\$80.00	\$4,400.00	\$75.00	\$4,125.00	\$67.00	\$3,685.00
36	306	Rip Rap (30" Thick) (D50=14")	SY	60	\$100.00	\$6,000.00	\$92.00	\$5,520.00	\$83.00	\$4,980.00
37	401, SP-9	6" Aggregate Base Course (Class 7)	SY	8,445	\$15.00	\$126,675.00	\$14.50	\$122,452.50	\$12.50	\$105,562.50
38	403, SP-10	Asphalt Concrete Hot Mix Surface Course	TON	1,235	\$165.00	\$203,775.00	\$161.00	\$198,835.00	\$139.00	\$171,665.00
39	403, SP-10	Asphalt Concrete Hot Mix Binder Course	TON	1,655	\$135.00	\$223,425.00	\$135.00	\$223,425.00	\$116.00	\$191,980.00
40	405	Asphalt Concrete Patching for Maintenance of Traffic	TON	25	\$500.00	\$12,500.00	\$430.00	\$10,750.00	\$350.00	\$8,750.00
41	SP-60	ACHM Pavement Permanent Repair	SY	129	\$300.00	\$38,700.00	\$475.00	\$61,275.00	\$135.00	\$17,415.00
42	501, SP-11	Concrete Curb and Gutter	LF	4,829	\$25.00	\$120,725.00	\$31.00	\$149,699.00	\$29.00	\$140,041.00
43	502	4" Thick Concrete Sidewalk	SY	1,329	\$80.00	\$106,320.00	\$79.00	\$104,991.00	\$87.00	\$115,623.00
44	502, SP-4	6" Thick Concrete Trail	SY	3,603	\$90.00	\$324,270.00	\$90.00	\$324,270.00	\$95.00	\$342,285.00
45	502, SP-59	Retaining Wall Integral with 6" Sidewalk	LF	42	\$500.00	\$21,000.00	\$239.00	\$10,038.00	\$1,000.00	\$42,000.00
46	505, SP-16	Seeding	AC	7	\$6,000.00	\$42,000.00	\$2,900.00	\$20,300.00	\$4,200.00	\$29,400.00
47	505, SP-16	Sodding	SY	5,326	\$6.50	\$34,619.00	\$6.25	\$33,287.50	\$5.00	\$26,630.00



CITY OF SPRINGDALE
HAR-BER AVENUE EXTENSION - 48th Street to 40th Street
BID TABULATION
December 5th, 2023 - 2:00 p.m.



ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Engineer's Estimate of Probable Cost		Crossland Heavy Contractors - Columbus		APAC Central	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
48	505, SP-16	Additional Watering	MG	68	\$95.00	\$6,460.00	\$6.00	\$408.00	\$225.00	\$15,300.00
49	SS&507	2" Striping (Thermoplastic)	LF	2,802	\$6.50	\$18,213.00	\$6.00	\$16,812.00	\$6.00	\$16,812.00
50	SS&507	6" Striping (Thermoplastic)	LF	14,260	\$1.50	\$21,390.00	\$2.75	\$39,215.00	\$2.50	\$35,650.00
51	SS&507	12" Striping (Thermoplastic)	LF	842	\$15.00	\$12,630.00	\$12.25	\$10,314.50	\$11.00	\$9,262.00
52	SS&507	Pavement Symbols (Thermoplastic)	EA	27	\$600.00	\$16,200.00	\$450.00	\$12,150.00	\$421.00	\$11,367.00
53	508, SP-12	Salvage & Relocate Interstate Logo Sign	EA	1	\$3,000.00	\$3,000.00	\$18,000.00	\$18,000.00	\$17,000.00	\$17,000.00
54	509	Erosion Control	LS	1	\$150,000.00	\$150,000.00	\$135,000.00	\$135,000.00	\$77,000.00	\$77,000.00
55	510, SP-14	Traffic Control	LS	1	\$250,000.00	\$250,000.00	\$290,000.00	\$290,000.00	\$485,000.00	\$485,000.00
56	511	Mobilization (not to exceed 5% of contract price)	LS	1	\$850,000.00	\$850,000.00	\$385,000.00	\$385,000.00	\$925,000.00	\$925,000.00
57	512	4' Chain Link Fence	LF	202	\$37.50	\$7,575.00	\$16.00	\$3,232.00	\$40.00	\$8,080.00
58	512	6' Chain Link Security Fence	LF	990	\$50.00	\$49,500.00	\$45.00	\$44,550.00	\$51.00	\$50,490.00
59	512	6' Wood Privacy Fence	LF	428	\$35.00	\$14,980.00	\$36.00	\$15,408.00	\$50.00	\$21,400.00
60	512	ARDOT Type C Fence With Wood Posts	LF	356	\$12.00	\$4,272.00	\$10.00	\$3,560.00	\$51.00	\$18,156.00
61	SP-54	4' Decorative Fence	LF	461	\$60.00	\$27,660.00	\$77.00	\$35,497.00	\$84.00	\$38,724.00
62	512, SP-53	15' Steel Gate	EA	2	\$2,000.00	\$4,000.00	\$500.00	\$1,000.00	\$955.00	\$1,910.00
63	513	Cast-in-Place Tactile Panel	SF	243	\$47.00	\$11,421.00	\$50.00	\$12,150.00	\$58.00	\$14,094.00
64	513	Handicap Ramp Concrete	SY	118	\$93.00	\$10,974.00	\$147.00	\$17,346.00	\$195.00	\$23,010.00
65	516	Cold Milling Asphalt Pavement	SY	3,353	\$10.00	\$33,530.00	\$7.00	\$23,471.00	\$6.00	\$20,118.00
66	SP-61	Decomposed Granite	LF	444	\$50.00	\$22,200.00	\$15.00	\$6,660.00	\$13.00	\$5,772.00
67	SP-13	Building Demolition and Disposal	LS	1	\$100,000.00	\$100,000.00	\$98,500.00	\$98,500.00	\$93,000.00	\$93,000.00
68	SP-43,48, 62 &701	System Local Controller TS 2-Type, E-Net (8 Phases)	EACH	3	\$50,000.00	\$150,000.00	\$52,000.00	\$156,000.00	\$48,000.00	\$144,000.00
69	SP-48	Ethernet Switch, T100 Hardened (8-Port)	EACH	3	\$3,500.00	\$10,500.00	\$1,500.00	\$4,500.00	\$1,400.00	\$4,200.00
70	SP-41,57&702	Traffic Signal Head, LED, (3 Section)	EACH	25	\$1,300.00	\$32,500.00	\$1,400.00	\$35,000.00	\$1,300.00	\$32,500.00
71	SP-41,57&702	Traffic Signal Head, LED, (4 Section)	EACH	12	\$1,550.00	\$18,600.00	\$2,200.00	\$26,400.00	\$2,000.00	\$24,000.00
72	SP-42,63&704	Countdown Pedestrian Signal Head, LED	EACH	24	\$1,700.00	\$40,800.00	\$2,950.00	\$70,800.00	\$2,700.00	\$64,800.00
73	705	Traffic Signal Cable (5c/14 A.W.G.)	LIN. FT.	5,635	\$2.00	\$11,270.00	\$4.00	\$22,540.00	\$4.00	\$22,540.00
74	705	Traffic Signal Cable (7c/14 A.W.G.)	LIN. FT.	764	\$2.25	\$1,719.00	\$7.25	\$5,539.00	\$7.00	\$5,348.00
75	705	Traffic Signal Cable (20c/14 A.W.G.)	LIN. FT.	1,453	\$5.75	\$8,354.75	\$10.25	\$14,893.25	\$10.00	\$14,530.00
76	707	Non-Metallic Conduit (2")	LIN. FT.	151	\$20.00	\$3,020.00	\$40.00	\$6,040.00	\$37.00	\$5,587.00
77	707	Non-Metallic Conduit (3")	LIN. FT.	365	\$30.00	\$10,950.00	\$52.00	\$18,980.00	\$48.00	\$17,520.00
78	708	Concrete Pull Box (Type 2)	EACH	4	\$1,100.00	\$4,400.00	\$2,000.00	\$8,000.00	\$1,900.00	\$7,600.00
79	708	Concrete Pull Box (Type 1 HD)	EACH	1	\$1,100.00	\$1,100.00	\$1,750.00	\$1,750.00	\$1,600.00	\$1,600.00
80	708	Concrete Pull Box (Type 2 HD)	EACH	9	\$1,500.00	\$13,500.00	\$2,000.00	\$18,000.00	\$1,900.00	\$17,100.00
81	709	24' Traffic Signal Mast Arm and Pole With Foundation	EACH	1	\$16,000.00	\$16,000.00	\$37,000.00	\$37,000.00	\$34,000.00	\$34,000.00
82	709	24' Traffic Signal Mast Arm and Pole	EACH	1	\$14,000.00	\$14,000.00	\$21,000.00	\$21,000.00	\$20,000.00	\$20,000.00
83	709	26' Traffic Signal Mast Arm and Pole	EACH	1	\$15,000.00	\$15,000.00	\$26,000.00	\$26,000.00	\$24,000.00	\$24,000.00
84	709	28' Traffic Signal Mast Arm and Pole	EACH	1	\$16,000.00	\$16,000.00	\$26,500.00	\$26,500.00	\$25,000.00	\$25,000.00
85	709	30' Traffic Signal Mast Arm and Pole With Foundation	EACH	1	\$20,000.00	\$20,000.00	\$41,000.00	\$41,000.00	\$37,000.00	\$37,000.00
86	709	30' Traffic Signal Mast Arm and Pole	EACH	1	\$18,000.00	\$18,000.00	\$29,500.00	\$29,500.00	\$27,000.00	\$27,000.00
87	709	32' Traffic Signal Mast Arm and Pole With Foundation	EACH	1	\$22,000.00	\$22,000.00	\$41,250.00	\$41,250.00	\$38,000.00	\$38,000.00
88	709	32' Traffic Signal Mast Arm and Pole	EACH	1	\$20,000.00	\$20,000.00	\$30,000.00	\$30,000.00	\$28,000.00	\$28,000.00
89	709	36' Traffic Signal Mast Arm and Pole With Foundation	EACH	1	\$25,000.00	\$25,000.00	\$45,000.00	\$45,000.00	\$41,000.00	\$41,000.00
90	709	40' Traffic Signal Mast Arm and Pole	EACH	1	\$25,000.00	\$25,000.00	\$26,500.00	\$26,500.00	\$24,000.00	\$24,000.00
91	709	42' Traffic Signal Mast Arm and Pole	EACH	1	\$30,000.00	\$30,000.00	\$34,500.00	\$34,500.00	\$32,000.00	\$32,000.00



CITY OF SPRINGDALE
HAR-BER AVENUE EXTENSION - 48th Street to 40th Street
BID TABULATION
December 5th, 2023 - 2:00 p.m.



ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Engineer's Estimate of Probable Cost		Crossland Heavy Contractors - Columbus		APAC Central	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
92	709	48' Traffic Signal Mast Arm and Pole	EACH	1	\$31,000.00	\$31,000.00	\$29,000.00	\$29,000.00	\$27,000.00	\$27,000.00
93	710	Traffic Signal Pedestal Pole with Foundation	EACH	4	\$5,000.00	\$20,000.00	\$6,000.00	\$24,000.00	\$5,500.00	\$22,000.00
94	710	Traffic Signal Pedestal Pole	EACH	8	\$4,000.00	\$32,000.00	\$1,200.00	\$9,600.00	\$1,100.00	\$8,800.00
95	SP-48 & 713	Local Radio (E-Net 5.8) with Antenna	EACH	3	\$5,000.00	\$15,000.00	\$1,125.00	\$3,375.00	\$1,100.00	\$3,300.00
96	SP-48 & 713	E-Net Cable (Exterior Cat 5e)	LIN. FT.	201	\$4.00	\$804.00	\$1.65	\$331.65	\$2.00	\$402.00
97	SP&714	Electrical Conductors-In-Conduit (1c/8 A.W.G., E.G.C.)	LIN. FT.	2,000	\$1.50	\$3,000.00	\$2.00	\$4,000.00	\$2.00	\$4,000.00
98	SP&714	Electrical Conductors-In-Conduit (1c/12 A.W.G., E.G.C.)	LIN. FT.	440	\$1.75	\$770.00	\$1.50	\$660.00	\$2.00	\$880.00
99	SP&714	Electrical Conductors-In-Conduit (2c/6 A.W.G.)	LIN. FT.	109	\$7.00	\$763.00	\$5.50	\$599.50	\$6.00	\$654.00
100	SP&714	Electrical Conductors For Luminaires	LIN. FT.	1,404	\$2.75	\$3,861.00	\$2.50	\$3,510.00	\$3.00	\$4,212.00
101	715	Led Luminaire Assembly	EACH	8	\$900.00	\$7,200.00	\$1,000.00	\$8,000.00	\$900.00	\$7,200.00
102	SP-44	Battery Backup System	EACH	3	\$10,000.00	\$30,000.00	\$21,500.00	\$64,500.00	\$20,000.00	\$60,000.00
103	SP-46	Service Point Assembly (2 Circuits)	EACH	1	\$5,000.00	\$5,000.00	\$5,500.00	\$5,500.00	\$5,300.00	\$5,300.00
104	SP-47	18" Street Name Sign	EACH	12	\$660.00	\$7,920.00	\$950.00	\$11,400.00	\$900.00	\$10,800.00
105	SP-45	Miovision Video Detector System	EACH	3	\$65,000.00	\$195,000.00	\$62,000.00	\$186,000.00	\$57,000.00	\$171,000.00
106	SP-20	Bridge Construction Control	LS	1	\$60,000.00	\$60,000.00	\$204,000.00	\$204,000.00	\$281,000.00	\$281,000.00
107	SP-20	Unclassified Excavation for Structures-Bridge	CY	751	\$165.00	\$123,915.00	\$245.00	\$183,995.00	\$56.00	\$42,056.00
108	SP-20, SS	Class S Concrete - Bridge	CY	527.50	\$1,350.00	\$712,125.00	\$1,590.00	\$838,725.00	\$1,600.00	\$844,000.00
109	SP-20, SS	Class S(AE) Concrete - Bridge	CY	840.60	\$1,470.00	\$1,235,682.00	\$1,265.00	\$1,063,359.00	\$1,240.00	\$1,042,344.00
110	SP-20	Class 2 Protective Surface Treatment	SY	2,692.3	\$9.00	\$24,230.70	\$8.50	\$22,884.55	\$7.00	\$18,846.10
111	SP-20	Class 3 Protective Surface Treatment	LF	62	\$11.00	\$682.00	\$18.00	\$1,116.00	\$16.00	\$992.00
112	SP-20, SS	Reinforcing Steel - Bridge (Grade 60)	LB	76,450	\$2.00	\$152,900.00	\$1.85	\$141,432.50	\$3.00	\$229,350.00
113	SP-20, SS	Epoxy Coated Reinforcing Steel (Grade 60)	LB	229,630	\$2.10	\$482,223.00	\$1.87	\$429,408.10	\$3.00	\$688,890.00
114	SP-20, SS	Steel Piling (HP14x73)	LF	1,253	\$200.00	\$250,600.00	\$155.00	\$194,215.00	\$186.00	\$233,058.00
115	SP-20, SS	Metal Bridge Railing (Type H)	LF	461	\$140.00	\$64,540.00	\$80.00	\$36,880.00	\$96.00	\$44,256.00
116	SP-20, SS	Metal Bridge Railing (Type H2)	LF	457	\$200.00	\$91,400.00	\$200.00	\$91,400.00	\$236.00	\$107,852.00
117	SP-20, SS	Metal Bridge Railing (Type H3)	LF	506	\$240.00	\$121,440.00	\$220.00	\$111,320.00	\$240.00	\$121,440.00
118	SP-20, SS	Transitional Approach Railing	EA	7	\$10,300.00	\$72,100.00	\$7,500.00	\$52,500.00	\$8,400.00	\$58,800.00
119	SP-20, SS	Structural Steel in Plate Girder Spans (A709, Gr. 50)	LB	1,061,940	\$4.55	\$4,831,827.00	\$2.95	\$3,132,723.00	\$3.65	\$3,876,081.00
120	SP-20, SS	Painting Structural Steel	TON	531.3	\$820.00	\$435,666.00	\$900.00	\$478,170.00	\$955.00	\$507,391.50
121	SP-20, SS	Elastomeric Bearings	Cu. In.	16,016.0	\$6.00	\$96,096.00	\$3.75	\$60,060.00	\$6.00	\$96,096.00
122	SP-20, SS	Armored Joint with Neoprene Strip Seal	LF	104	\$495.00	\$51,480.00	\$350.00	\$36,400.00	\$365.00	\$37,960.00
123	SP-20	Bridge Name Plate (Type C)	EA	1	\$925.00	\$925.00	\$1,000.00	\$1,000.00	\$731.00	\$731.00
124	SP-20, SS	Filter Blanket	SY	516	\$7.40	\$3,818.40	\$8.00	\$4,128.00	\$6.00	\$3,096.00
125	SP-20, SS	Dumped Riprap	CY	259	\$86.00	\$22,274.00	\$100.00	\$25,900.00	\$140.00	\$36,260.00
126	SP-20, SS	Concrete Riprap	CY	107	\$845.00	\$90,415.00	\$1,050.00	\$112,350.00	\$1,000.00	\$107,000.00
127	SP-20	Modification of Existing Bridge Structure (Bridge No. _)	LS	1	\$100,000.00	\$100,000.00	\$90,000.00	\$90,000.00	\$394,000.00	\$394,000.00
128	SP-21	Approach Slab (Type Special)	CY	20.6	\$1,000.00	\$20,600.00	\$805.00	\$16,583.00	\$2,300.00	\$47,380.00
129	SP-23	Textured Coating Finish	SY	2,742	\$25.00	\$68,550.00	\$9.25	\$25,363.50	\$19.00	\$52,098.00
130	SP-25	Architectural Finish	SF	5,206	\$17.50	\$91,105.00	\$10.50	\$54,663.00	\$11.00	\$57,266.00
131	SP-26	31' Precast Concrete Curb Units	EA	2	\$10,400.00	\$20,800.00	\$17,850.00	\$35,700.00	\$62,000.00	\$124,000.00
132	SP-26	31' Precast Concrete Interior Units	EA	8	\$11,700.00	\$93,600.00	\$17,850.00	\$142,800.00	\$62,000.00	\$496,000.00
133	SP-26	31' Precast Parapet Rail Units	EA	2	\$11,500.00	\$23,000.00	\$19,000.00	\$38,000.00	\$84,300.00	\$168,600.00
134	SP-56	Latex Modified Concrete Overlay (1-1/2" Thick)	SY	62	\$150.00	\$9,300.00	\$1,350.00	\$83,700.00	\$253.00	\$15,686.00
135	SP-27	Gravity Block Retaining Wall No. 3	SF	2,616	\$105.00	\$274,680.00	\$90.00	\$235,440.00	\$83.00	\$217,128.00
136	SP-28	MSE Retaining Wall	SF	9,655	\$64.00	\$617,920.00	\$60.00	\$579,300.00	\$97.00	\$936,535.00
137	SP-28	Select Granular Backfill	CY	5,340	\$70.00	\$373,800.00	\$78.00	\$416,520.00	\$105.00	\$560,700.00



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138	SP-3	1" Non-Metallic Conduit	LF	1,080	\$10.00	\$10,800.00	\$12.25	\$13,230.00	\$11.00	\$11,880.00
139	SP-3	1" Galvanized Steel Conduit	LF	50	\$50.00	\$2,500.00	\$50.00	\$2,500.00	\$46.00	\$2,300.00
140	SP-3	2" Non-Metallic Conduit (Lighting)	LF	2,480	\$17.50	\$43,400.00	\$20.00	\$49,600.00	\$18.00	\$44,640.00
141	SP-3	2" Non-Metallic Conduit (City Fiber)	LF	100	\$75.00	\$7,500.00	\$54.00	\$5,400.00	\$49.00	\$4,900.00
142	SP-3	2-2" Non-Metallic Conduit (City Fiber)	LF	2,950	\$50.00	\$147,500.00	\$21.00	\$61,950.00	\$19.00	\$56,050.00
143	SP-3	Type II HD Concrete Box, Installed (Lighting)	EA	2	\$3,000.00	\$6,000.00	\$2,000.00	\$4,000.00	\$1,800.00	\$3,600.00
144	SP-3	Type II HD Concrete Box, Installed (City Fiber)	EA	8	\$3,000.00	\$24,000.00	\$2,041.00	\$16,328.00	\$1,800.00	\$14,400.00
145	SP-3	Lighting Assembly Type A, Pole, Foundation, Junction Box, and Associated Hardware, Installed	EA	8	\$15,000.00	\$120,000.00	\$13,000.00	\$104,000.00	\$12,000.00	\$96,000.00
146	SP-3	Lighting Assembly Type B, Pole, Foundation, Junction Box, and Associated Hardware, Installed	EA	10	\$10,500.00	\$105,000.00	\$9,300.00	\$93,000.00	\$9,000.00	\$90,000.00
147	SP-3	No. 4/0 Bare Copper Conductor	LF	1,100	\$18.00	\$19,800.00	\$9.50	\$10,450.00	\$9.00	\$9,900.00
148	SP-3	No. 6 Copper Conductor, Installed in Conduit	LF	10,736	\$3.00	\$32,208.00	\$2.20	\$23,619.20	\$2.00	\$21,472.00
149	SP-3	No. 10 Copper Conductor, Installed	LF	1,705	\$1.80	\$3,069.00	\$2.20	\$3,751.00	\$2.00	\$3,410.00
150	SP-3	Utility Meter Rack	EA	1	\$3,000.00	\$3,000.00	\$6,800.00	\$6,800.00	\$6,300.00	\$6,300.00
151	SP-2	Utility Mobilization	LS	1	\$17,000.00	\$17,000.00	\$7,800.00	\$7,800.00	\$11,100.00	\$11,100.00
152	SP-2	Utility Trench Excavation Safety Systems	LS	1	\$20,000.00	\$20,000.00	\$3,400.00	\$3,400.00	\$8,000.00	\$8,000.00
153	SP-2	Spot Dig and Verify Existing Utility Locations, Hydro-Excavation, Per Location	EA	5	\$2,000.00	\$10,000.00	\$3,100.00	\$15,500.00	\$4,000.00	\$20,000.00
154	SP-2	Sewer Bypass Pumping	LS	1	\$10,000.00	\$10,000.00	\$26,000.00	\$26,000.00	\$17,000.00	\$17,000.00
155	SP-2	12" Class 50 DI Water Line	LF	318	\$150.00	\$47,700.00	\$200.00	\$63,600.00	\$300.00	\$95,400.00
156	SP-2	12" Class 50 Epoxy-Lined DI Sanitary Sewer Line	LF	131	\$180.00	\$23,580.00	\$245.00	\$32,095.00	\$277.00	\$36,287.00
157	SP-2	12" SDR-26 PVC Sanitary Sewer Line	LF	36	\$120.00	\$4,320.00	\$180.00	\$6,480.00	\$140.00	\$5,040.00
158	SP-2	4" Sch. 40 PVC Sanitary Sewer Service Line	LF	225	\$60.00	\$13,500.00	\$68.00	\$15,300.00	\$100.00	\$22,500.00
159	SP-2	Ductile Iron Fittings for Water Line	LBS	1,350	\$17.00	\$22,950.00	\$28.00	\$37,800.00	\$31.00	\$41,850.00
160	SP-2	12"x12" Tapping Sleeve and Valve	EA	3	\$10,500.00	\$31,500.00	\$15,250.00	\$45,750.00	\$26,000.00	\$78,000.00
161	SP-2	Cut and Cap Existing 12" D.I./PVC Water Line	EA	3	\$5,000.00	\$15,000.00	\$4,800.00	\$14,400.00	\$4,300.00	\$12,900.00
162	SP-2	Fire Hydrant Assembly	EA	1	\$7,500.00	\$7,500.00	\$10,700.00	\$10,700.00	\$12,000.00	\$12,000.00
163	SP-2	Salvage Fire Hydrant	EA	1	\$1,500.00	\$1,500.00	\$1,400.00	\$1,400.00	\$1,500.00	\$1,500.00
164	SP-2	Relocate and Reconnect Water Service and Meter Set	EA	1	\$4,300.00	\$4,300.00	\$5,700.00	\$5,700.00	\$4,700.00	\$4,700.00
165	SP-2	4' I.D. Sanitary Sewer Manhole, Cast-in-Place, 0' to 6' Depth	EA	2	\$6,500.00	\$13,000.00	\$10,000.00	\$20,000.00	\$10,300.00	\$20,600.00
166	SP-2	6' I.D. Sanitary Sewer Manhole, Cast-in-Place, 0' to 6' Depth	EA	1	\$9,000.00	\$9,000.00	\$12,500.00	\$12,500.00	\$11,500.00	\$11,500.00
167	SP-2	4' I.D. Sanitary Sewer Manhole Additional Depth, Over 6'	VF	23	\$350.00	\$8,050.00	\$360.00	\$8,280.00	\$500.00	\$11,500.00
168	SP-2	6' I.D. Sanitary Sewer Manhole Additional Depth, Over 6'	VF	12	\$500.00	\$6,000.00	\$550.00	\$6,600.00	\$500.00	\$6,000.00
169	SP-2	Adjust Existing Manhole to Grade	EA	1	\$4,000.00	\$4,000.00	\$3,700.00	\$3,700.00	\$9,000.00	\$9,000.00
170	SP-2	Collapse and Fill Existing Septic Tank	EA	1	\$7,500.00	\$7,500.00	\$5,700.00	\$5,700.00	\$1,200.00	\$1,200.00
171	SP-2	Sewer Service Connection	EA	1	\$1,500.00	\$1,500.00	\$1,100.00	\$1,100.00	\$1,000.00	\$1,000.00
172	SP-2	Core and Connect to Existing Manhole	EA	1	\$5,000.00	\$5,000.00	\$1,950.00	\$1,950.00	\$6,000.00	\$6,000.00
173	SP-2	Flowable Fill for Abandoned 12" Pipe	LF	225	\$55.00	\$12,375.00	\$8.25	\$1,856.25	\$30.00	\$6,750.00
174	SP-2	Flowable Fill for Abandoned 8" Pipe	LF	165	\$36.00	\$5,940.00	\$4.00	\$660.00	\$20.00	\$3,300.00
175	SP-2	24" Steel Encasement by Open Cut	LF	80	\$275.00	\$22,000.00	\$325.00	\$26,000.00	\$400.00	\$32,000.00
176	SP-2	20" Steel Encasement by Open Cut	LF	20	\$250.00	\$5,000.00	\$285.00	\$5,700.00	\$310.00	\$6,200.00
177	SP-2	Trench Undercut and Backfill	CY	200	\$60.00	\$12,000.00	\$75.00	\$15,000.00	\$40.00	\$8,000.00
178	SP-2	Rock Excavation for Utilities	CY	100	\$300.00	\$30,000.00	\$240.00	\$24,000.00	\$300.00	\$30,000.00



CITY OF SPRINGDALE
HAR-BER AVENUE EXTENSION - 48th Street to 40th Street
BID TABULATION
December 5th, 2023 - 2:00 p.m.



ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	Engineer's Estimate of Probable Cost		Crossland Heavy Contractors - Columbus		APAC Central	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
179	SP-64	Street Trees, Installed	EA	30	\$650.00	\$19,500.00	\$675.00	\$20,250.00	\$700.00	\$21,000.00
180	SP-65	Irrigation (Street Trees)	LS	1	\$48,700.00	\$48,700.00	\$105,000.00	\$105,000.00	\$96,000.00	\$96,000.00
181	SP-2	12" Butterfly Valve	EA	1	\$5,000.00	\$5,000.00	\$2,400.00	\$2,400.00	\$6,000.00	\$6,000.00
					Total		Total		Total	
					<u>\$18,576,532.85</u>		<u>\$16,539,926.50</u>		<u>\$19,818,681.10</u>	

Exhibit B

**City of Springdale
Harber Ext. Ph. 2 CEI**

CONSTRUCTION PHASE SERVICES

WORK TASK DESCRIPTION	E-4	E-3	C-2	C-1	AM-2	2-Man Crew (GPS Survey)	- Select Category -
	\$212.00	\$181.00	\$146.00	\$117.00	\$100.00	\$255.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	100				40		
Quality Control Review							
Response to Inquiries	336						
Subtotal - Project Management	436	0	0	0	40	0	0
2. Civil Engineering							
Preconstruction Meeting	2	2	2				
Progress Meetings with Contractor/City	14	14	14				
Monthly Pay Requests	14		28		40		
Shop Drawings/Material Submittals	20	16					
Record Drawings		24	20				
On-Site Meetings							
Resident Construction Observation (Bridge, 8hrs/day for 11 months)			1885				
Resident Construction Observation (Rdwy, 4 hrs/day for 3 months)			257				
Prepare Change Orders	14				40		
Final Project Inspection and Punchlist	14		24				
Subtotal - Civil Engineering	78	56	2230	0	80	0	0
3. Structural Engineering							
Response to Inquiries		80					
Shop Drawings		160					
Subtotal - Structural Engineering	0	240	0	0	0	0	0
4. Utility Coordination							
Utility Coordination Meeting	2	2		2			
Utility Plan Review	16	20	16	60			
Staking						40	
Subtotal - Utility Coordination	18	22	16	62	0	40	0

Hours	532	318	2246	62	120	40	0
Salary Costs	\$112,784.00	\$57,558.00	\$327,916.00	\$7,254.00	\$12,000.00	\$10,200.00	\$0.00

SUBTOTAL - SALARIES: \$527,712.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$0.00
Postage/Freight/Courier	\$0.00
Office Supplies/Equipment	\$0.00
Communications	\$0.00
Survey Supplies	\$0.00
Aerial Photography	\$0.00
GPS Equipment	\$0.00
Computer Modeling/Software Use	\$0.00
Traffic Counting Equipment	\$0.00
Locator/Tracer/Thermal Imager Equipment	\$0.00
Travel Costs	\$7,288.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$7,288.00

SUBTOTAL: \$535,000.00

SUBCONSULTANTS FEE: \$0.00

TOTAL FEE: \$535,000.00

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PROFESSIONAL SERVICES AGREEMENT
FOR CONSTRUCTION PHASE SERVICES ON WEST
EMMA AVENUE EXTENSION**

WHEREAS, the City of Springdale is in need of construction phase services for the West Emma Avenue Extension;

WHEREAS, Garver, LLC was selected as the most qualified engineering firm for these projects;

WHEREAS, the price not to exceed amount for professional construction services shall be \$535,000.00.

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

Section 1. the Mayor and City Clerk are hereby authorized to enter into a professional services agreement with Garver Engineering for construction phase services to be paid from the 2023 Street Bond Fund.

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

PASSED AND APPROVED this _____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY

**EXHIBIT D
(FORM OF AMENDMENT)**

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

**City of Springdale
Project No. 18044001**

AMENDMENT NO. 4

This Amendment No. 4, effective on the date last written below, shall amend the original contract between the City of Springdale (“**Owner**”) and Garver, LLC (“**Garver**”), dated January 12, 2021 (the “**Agreement**”).

This Amendment No. 4 adds Services for the:

Construction Phase Services for Ha-Ber Phase 2 Extension in Springdale, AR. Services provided will include approximately 3 months of part-time field coordination during utility relocations, approximately 11 months of full-time inspection during bridge construction and approximately 3 months of part-time inspection for remaining roadway construction.

The Agreement is hereby modified as follows:

**EXHIBIT A
(SCOPE OF SERVICES)**

1.1 Construction Phase Services

Per Section 12.8 Extension Consideration for Additional Work Requests, the Owner requests additional part-time resident construction observation services as shown in the following table.

The addition of 420 calendar days for construction phase services will be added for the Har-Ber Ave. Extension Phase 2 project from 48th Street to 40th Street, City of Springdale Job 18BPS12.

WORK DESCRIPTION	CONTRACT PERFORMANCE TIME (MOS.)	ORIGINAL CONTRACT PERFORMANCE TIME (DAYS)	AMENDMENT NO. 4 CONTRACT PERFORMANCE TIME (DAYS)	DAYS/WEEK
Construction Phase Services – Har-Ber Ph. 2 Extension	14	0	420	Bridge Construction: 8 hrs/day, 5 days/week Roadway Work: 4hrs/day, 5 days/week

**EXHIBIT B
(COMPENSATION SCHEDULE)**

The table below presents a summary of the fee amounts and fee types for this Agreement.

WORK DESCRIPTION	ORIGINAL FEE AMOUNT	AMENDMENT NO. 1	AMENDMENT NO. 2	AMENDMENT NO. 3	AMENDMENT NO. 4	FEE TYPE
Construction Phase Services – 64 th St. Improvements & Extension	\$178,000.00	\$0.00	\$41,000	\$0.00	\$0.00	Hourly
Construction Phase Services – 40 th St. Improvements	\$0.00	\$266,088.00	\$0.00	\$0.00	\$0.00	Hourly
Construction Phase Services – Gene George South Phase I	\$0.00	\$203,794.00	\$0.00	\$0.00	\$0.00	Hourly
Construction Phase Services – Har-Ber Ave. Ext. Phase I	\$0.00	\$0.00	\$200,000.00	\$0.00	\$0.00	Hourly
Bidding Services – Har-Ber Ave. Ext. Phases I & II	\$0.00	\$0.00	\$27,300.00	\$0.00	\$0.00	Hourly
Construction Phase Services – Dixieland Rd. Extension	\$0.00	\$0.00	\$0.00	\$210,000.00	\$0.00	Hourly
Construction Phase Services – Har-Ber Ave. Ext. Phase 2	\$0.00	\$0.00	\$0.00	\$0.00	\$535,000.00	Hourly
TOTAL FEE	\$178,000.00	\$469,882.00	\$268,300.00	\$210,000.00	\$535,000.00	

Increase the total amount paid to GARVER under this agreement by \$535,000.00 from \$1,126,182.00 to \$1,661,182.00.

IN WITNESS WHEREOF, Owner and Garver have executed this Amendment effective as of the date last written below.

City of Springdale

Garver, LLC

By: _____
Signature

By: _____
Signature

Name: _____
Printed Name

Name: _____
Printed Name

Title: _____

Title: _____

Date: _____

Date: _____

Attest: _____

Attest: _____

Exhibit B

**City of Springdale
Harber Ext. Ph. 2 CEI**

CONSTRUCTION PHASE SERVICES

WORK TASK DESCRIPTION	E-4	E-3	C-2	C-1	AM-2	2-Man Crew (GPS Survey)	- Select Category -
	\$212.00	\$181.00	\$146.00	\$117.00	\$100.00	\$255.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	100				40		
Quality Control Review							
Response to Inquiries	336						
Subtotal - Project Management	436	0	0	0	40	0	0
2. Civil Engineering							
Preconstruction Meeting	2	2	2				
Progress Meetings with Contractor/City	14	14	14				
Monthly Pay Requests	14		28		40		
Shop Drawings/Material Submittals	20	16					
Record Drawings		24	20				
On-Site Meetings							
Resident Construction Observation (Bridge, 8hrs/day for 11 months)			1885				
Resident Construction Observation (Rdwy, 4 hrs/day for 3 months)			257				
Prepare Change Orders	14				40		
Final Project Inspection and Punchlist	14		24				
Subtotal - Civil Engineering	78	56	2230	0	80	0	0
3. Structural Engineering							
Response to Inquiries		80					
Shop Drawings		160					
Subtotal - Structural Engineering	0	240	0	0	0	0	0
4. Utility Coordination							
Utility Coordination Meeting	2	2		2			
Utility Plan Review	16	20	16	60			
Staking						40	
Subtotal - Utility Coordination	18	22	16	62	0	40	0

Hours	532	318	2246	62	120	40	0
Salary Costs	\$112,784.00	\$57,558.00	\$327,916.00	\$7,254.00	\$12,000.00	\$10,200.00	\$0.00

SUBTOTAL - SALARIES: \$527,712.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$0.00
Postage/Freight/Courier	\$0.00
Office Supplies/Equipment	\$0.00
Communications	\$0.00
Survey Supplies	\$0.00
Aerial Photography	\$0.00
GPS Equipment	\$0.00
Computer Modeling/Software Use	\$0.00
Traffic Counting Equipment	\$0.00
Locator/Tracer/Thermal Imager Equipment	\$0.00
Travel Costs	\$7,288.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$7,288.00

SUBTOTAL: \$535,000.00

SUBCONSULTANTS FEE: \$0.00

TOTAL FEE: \$535,000.00

RESOLUTION NO. XX-24

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELOCATION AGREEMENT WITH CARROLL ELECTRIC COOPERATIVE CORPORATION FOR KENDRICK AVENUE, PROJECT NO. 18BPS16

WHEREAS, Carroll Electric facilities need to relocate to facilitate the construction of Kendrick Avenue Widening from Old Missouri Road to Old Wire Road, and

WHEREAS, Carroll Electric has prepared a relocation agreement for the necessary facility relocation:

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 Relocation Agreement for actual cost to relocate with Carroll Electric Cooperative Corporation for Kendrick Avenue from Old Missouri Road to Old Wire Road for \$195,241.25 from the 2018 Street Bond Fund.

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

PASSED AND APPROVED this 9th day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



RELOCATION AGREEMENT

Actual Cost Agreement:

Between
City of Springdale
And
Carroll Electric Cooperative Corporation

*Carroll Electric Cooperative Corporation and the City of Springdale both agree to the following agreement and cost estimate for the **Kendrick Ave Relocation wo# 044548**:*

- See Attached

Owner will not commence work until authorized by the City and will then endeavor to begin within 60 days after electric easements and materials are acquired and will complete within 60 days thereafter. The City will be invoiced on an *actual cost* basis once the project is finished.

City of Springdale

Carroll Electric Cooperative Corp.

Signature



Signature

Title

Title

V.P. Engineering & Operations

12-13-23

Date

Date

44548

Invoice Date: December 13, 2023

Date Shipped	Salesperson	Terms	Shipped Via	F.O.B.
Quantity	Description	Unit Price	Amount	
	Work Order # 44548			
	Construction Labor		\$94,792.01	
	Removal Labor		\$34,381.72	
	Materials		\$41,611.52	
	Engineering & Easement Procurement Costs		\$19,456.00	
	Clean-up Costs		\$5,000.00	
	TOTAL AMOUNT DUE		\$195,241.25	

Vendor #: 4183
Date due: ASAP

Amount	A/C	WO/Equip	Labor/Mat	Bud	Dept
\$160,859.53	107.2	44548	L	CNST 03	11
\$34,381.72	108.8	44548	L	CNST 03	11
\$0.00	583			CNST 03	11
\$0.00	584			CNST 03	11
\$0.00	586			CNST 03	11
\$0.00	593			CNST 03	11
\$0.00	598			CNST 03	11

approved

date

Page 77

Construction Assembly Units

UNIT NO.	# of Units			
		Labor	Materials	Total
40-4	13	1110.07	395.41	19,571.12
45-3	7	1172.46	508.67	11,767.95
VA1.011	12	113.69	40.51	1,850.44
VA5.1	5	138.39	77.78	1,080.86
VA5.1S	1	138.39	58.63	197.02
VA5.3	1	149.99	78.90	228.89
VA5.3S	1	171.98	78.90	250.88
VA5.4	5	158.70	97.33	1,280.15
VC1.11F	10	351.98	346.67	6,986.49
VC2.52F	1	574.32	525.16	1,099.48
VC3.2L	2	588.78	614.41	2,406.37
VC5.71L	5	784.34	503.07	6,437.09
VC5.73L	6	784.34	503.07	7,724.51
E2.1	17	251.02	34.30	4,850.41
E2.1B	7	327.81	45.10	2,610.37
E2.1E	22	168.71	87.41	5,634.49
F2.10	28	371.34	96.46	13,098.47
G1.5	6	281.56	0.00	1,689.36
H1.1X	17	122.49	19.64	2,416.13
J3.1	5	48.98	30.83	399.05
K1.3	3	48.98	13.38	187.06
#1/0 ACSR	1.266	1817.37	362.56	2,759.79
#1/0 ALT OH	0.166	1897.35	1325.61	535.01
#4/0 ACSR	2.644	1922.39	668.47	6,850.24
#477 ACSR	7.932	2340.42	1325.61	29,078.95
P2.1	20	163.39	52.49	4,317.72
R1.2	1	578.97	516.25	1,095.23
		136,403.53		

Materials

Only

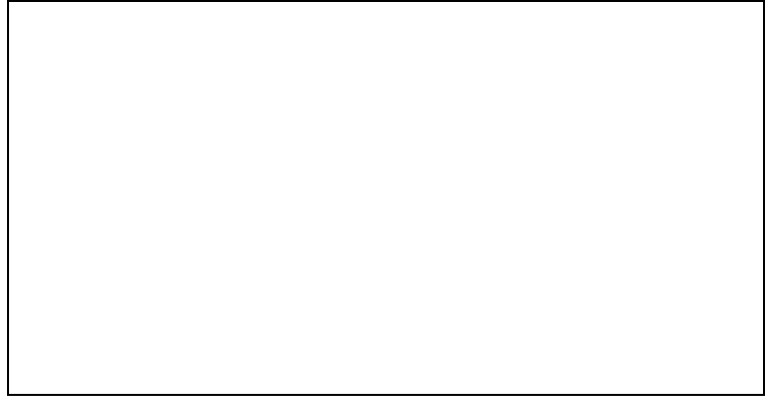
395.41	5,140.28
508.67	3,560.71
40.51	486.16
77.78	388.91
58.63	58.63
78.90	78.90
78.90	78.90
97.33	486.64
346.67	3,466.65
525.16	525.16
614.41	1,228.81
503.07	2,515.37
503.07	3,018.44
34.30	583.07
45.10	315.70
87.41	1,922.93
96.46	2,700.85
0.00	-
19.64	333.80
30.83	154.17
13.38	40.13
362.56	459.00
1325.61	220.05
668.47	1,767.43
1325.61	10,514.74
52.49	1,049.84
516.25	516.25
41,611.52	

Removal Assembly Units

UNIT NO.	# of Units		
		Labor	Total
#1/0 ACSR	12.862	566.69	7288.77
#1/0 Alt OH	0.13	671.76	87.33
35-	1	267.90	267.90
40-	11	292.50	3217.50
45-	6	300.73	1804.38
50-	1	450.73	450.73
VA1.01	1	55.59	55.59
VA1.011	4	54.82	219.28
VA1.014	5	54.82	274.10
VA5.1	1	91.00	91.00
VA5.4	2	90.13	180.26
VA5.4S	2	122.34	244.68
VA6.2	1	127.89	127.89
VB5.1	1	179.24	179.24
VC1.11	1	281.00	281.00
VC1.11F	2	126.98	253.96
VC1.11L	10	281.00	2810.00
VC3.1L	1	376.98	376.98
VC5.21	2	487.23	974.46
VC5.2L	2	489.29	978.58
VC5.3L	2	339.32	678.64
VC5.31B	1	451.81	451.81
VC5.71B	1	451.81	451.81
VC5.71L	3	537.38	1612.14
VC5.73L	1	383.56	383.56
E	17	160.75	2732.82
F	13	119.65	1555.41
G1.	9	431.89	3887.04
H1.1X	16	0.00	0.00
J	4	30.34	121.35
K	4	35.01	140.05
M26.	1	115.08	115.08
M26.100	2	126.59	253.18
P1.1A	1	76.20	76.20
P2.1	19	0.00	0.00
Q2.1	1	396.28	396.28
#4/0 USE	0.033	2126.67	70.18
UM5	2	162.76	325.52
UM50.P.3	33	7.31	241.23
UM50.P.SWP.3	2	128.26	256.52
UQ2.MBM	1	99.87	99.87
UQ2.1.200	1	369.41	369.41
		34381.72	

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER
110, ARTICLE VI. STREET NAMES AND
ADDRESS NUMBERS, TO CHANGE THE
NAME OF AN EXISTING STREET**



WHEREAS, the City of Springdale has received a request to rename a private street; more specifically renaming Animal Emergency Drive to Metroplex Drive; and

WHEREAS, on January 9, 2024, a public hearing was held by the City Council for the City of Springdale, Arkansas, pursuant to Sec. 110-138 of the Code of Ordinances of the City of Springdale, Arkansas, to consider the request to rename Animal Emergency Drive to Metroplex Drive;

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

Section 1. That the street address map is hereby amended to rename Animal Emergency Drive to Metroplex Drive.

Section 2. Chapter 110, Article VI, the same being the Street Addressing and Numbering Ordinance is hereby amended as set forth above and any and all parts in conflict herewith are hereby repealed and that the change in name will be in effect upon the signing and filing of this ordinance for all existing streets.

Section 3. A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas.

PASSED AND APPROVED this 9th day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

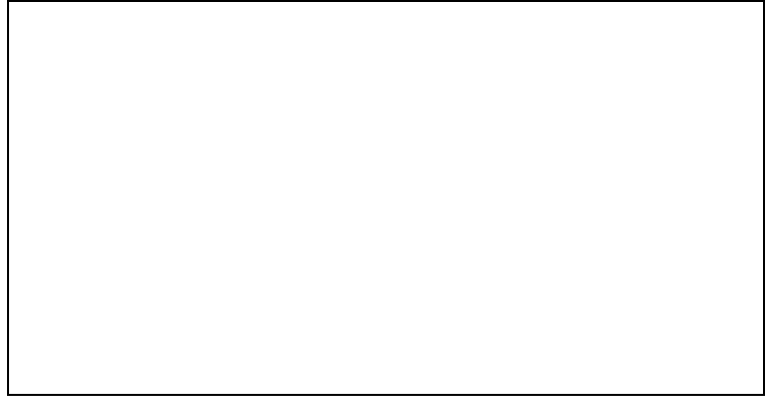
APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER
110, ARTICLE VI. STREET NAMES AND
ADDRESS NUMBERS, TO CHANGE THE
NAME OF AN EXISTING CITY STREET**



WHEREAS, the City of Springdale has received a request to rename a portion of a public street; more specifically renaming that portion of Christian Avenue between Virginia Street and Thompson Street to Neals Cafe Avenue;

WHEREAS, notice of the public hearing was posted, and all property owners whose address would change due to the proposed street name change were sent notice of the public hearing by way of certified mail, as required by Sec. 110-138 of the Code of Ordinances of the City of Springdale, Arkansas; and

WHEREAS, on January 9, 2024, a public hearing was held by the City Council for the City of Springdale, Arkansas, pursuant to Sec. 110-138 of the Code of Ordinances of the City of Springdale, Arkansas, to consider the request to rename the above-referenced portion of Christian Avenue;

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

Section 1. That the street address map is hereby amended to rename that portion of Christian Avenue between Virginia Street and Thompson Street to Neals Cafe Avenue;

Section 2. Chapter 110, Article VI, the same being the Street Addressing and Numbering Ordinance is hereby amended as set forth above and any and all parts in conflict herewith are hereby repealed and that the change in name will be in effect upon the signing and filing of this ordinance for all existing streets.

Section 3. A copy of this ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas.

PASSED AND APPROVED this 9th day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

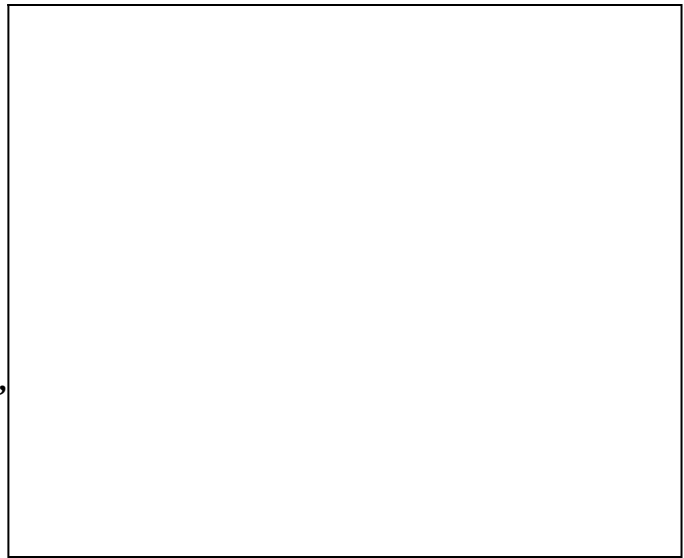
APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



ORDINANCE NO. _____

**AN ORDINANCE VACATING A
PORTION OF A UTILITY EASEMENT
ON WASHINGTON COUNTY TAX
PARCEL NO. 815-29300-011, PURSUANT
TO ARK. CODE ANN. §14-301-301, *et seq.*,
DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES.**



WHEREAS, Springdale School District #50, has petitioned for the abandonment of a portion of a utility easement on Parcel No. 815-29300-011, as shown on an Easement filed at Book 1448, Page 087 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said portion to be vacated being more particularly described as follows, and as shown on the attached Exhibit “A”:

LEGAL DESCRIPTION OF EASEMENT AREA TO BE VACATED:

A PART OF THE NORTHWEST (NW1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWELVE (12) T-17-N R-30-W BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOR THE NW CORNER OF SAID NW 1/4 OF THE SE 1/4 AND RUN THENCE S00°01’31”W 85.00 FEET; THENCE N89°47’07”E 529.44 FEET TO THE POINT OF BEGINNING; THENCE N89°47’07”E 15.00 FEET; THENCE S00°12’53”W 104.30 FEET; THENCE S89°47’07”W 15.00 FEET; THENCE N00°12’53”E 104.30 FEET TO THE POINT OF BEGINNING. CONTAINING .036 ACRES MORE OR LESS, IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

Tax Parcel No.: 815-29300-011

Address: 2878 S. Powell St.

WHEREAS, after due notice as required by law, the City Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question;

WHEREAS, public interest and welfare will not be adversely affected by the abandonment of the portion of the easement herein described.

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

Section 1: That the City of Springdale, Arkansas, hereby releases, vacates and abandons all its interests, with the rights of the public generally, in and to the portion of the utility easement described hereinabove.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington 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 9th day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

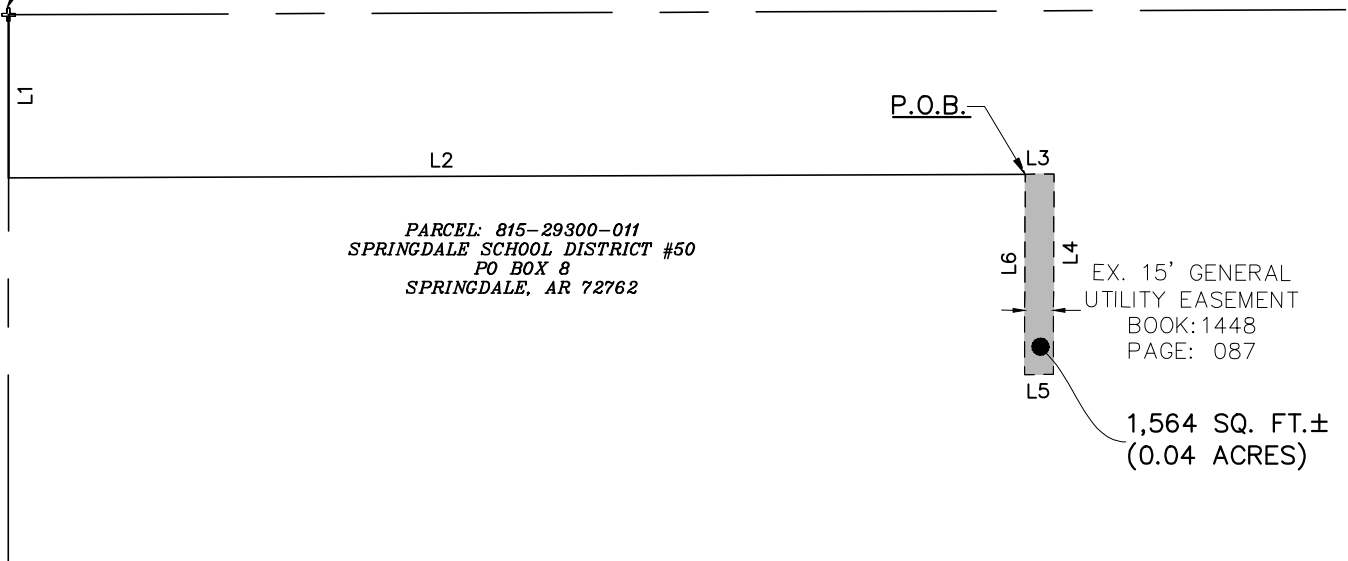
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

P.O.C.

NW. COR., NW 1/4 - SE 1/4,
SEC. 12, T-17-N, R-30-W
PER W.D. 1407-784

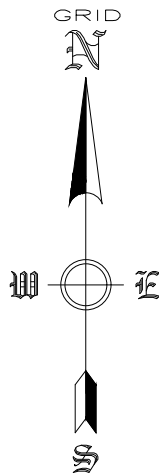


Line Table

Line #	Length	Direction
L1	85.00	S00° 01' 31"W
L2	529.44	N89° 47' 07"E
L3	15.00	N89° 47' 07"E
L4	104.30	S00° 12' 53"W
L5	15.00	S89° 47' 07"W
L6	104.30	N00° 12' 53"E

LEGEND

————— ————— PROPERTY LINE PER W.D. 1407-784
- - - - - EXISTING EASEMENT LINE



GRAPHIC
REPRESENTATION
ONLY

BASIS OF BEARINGS:
WARRANTY DEED BOOK: 1407, PAGE: 784
OF THE WASHINGTON COUNTY RECORDS

A

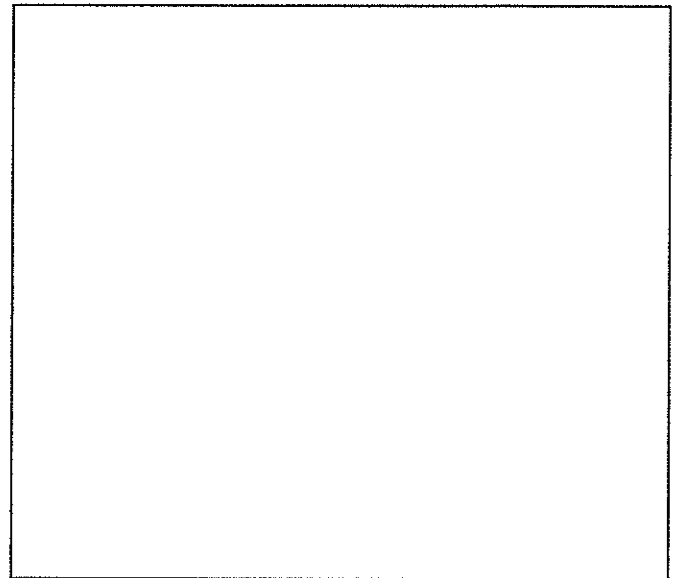
SCALE: NTS
DATE: Nov 10, 2023
ENGINEER: TJA
DRAWN BY: MMB
W.O. #: 21979

UTILITY EASEMENT VACATION EXHIBIT
GENE GEORGE ELEMENTARY ADDITION & REMODEL
SPRINGDALE, ARKANSAS

ESI
ENGINEERING SERVICES INC.
207 SOUTH OLD MISSOURI RD.
SPRINGDALE, ARKANSAS 72764
Page 86

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE CITY
CLERK TO FILE A CLEAN-UP LIEN FOR
THE REMOVAL OF OVERGROWN BRUSH
AND DEBRIS ON PROPERTY LOCATED
WITHIN THE CITY OF SPRINGDALE,
ARKANSAS AND DECLARING AN EMERGENCY**



WHEREAS, the following real property located in Springdale, Washington County, Arkansas, is owned as set out below:

PROPERTY OWNER: Elemental Properties LLC

LEGAL DESCRIPTION: A part of the NW ¼ NW ¼ of Section 25, Township 18 North, Range 30 West, being more particularly described as follows: Commencing at the SE corner of said 40 acre tract; thence S 89 degrees 51'47" W 841.91 feet to an existing iron at the SW corner of North Meadows Subdivision, Springdale, Arkansas, for the TRUE POINT OF BEGINNING; then S 89 degrees 51'47" W 439.90 feet to a set iron on the East right of way line of US Highway 71B (Thompson Street); thence N 00 degrees 00'47" W along said right of way 247.53 feet to an existing iron; thence leaving said right of way line N 89 degrees 59'08" E 439.49 feet to an existing iron on the West line of said North Meadows Subdivision; thence S 00 degrees 06'27" E 246.59 feet to the point of beginning. Subject to all easements, covenants, conditions, restrictions, reservations and rights of way of record. Subject to all prior mineral reservations and oil and gas leases.

LAYMAN'S DESCRIPTION: 2307 N. Thompson Street

PARCEL NO.: 815-29599-000

PROPERTY OWNER: Tiffany Schmidt

LEGAL DESCRIPTION: Lot 4 and the North Half of Lot 3, Block 4, College Heights Addition, Springdale, Washington County, Arkansas as shown on plat record 4 at page 65.

LAYMAN'S DESCRIPTION: 610 North Kansas Street

PARCEL NO.: 815-21001-000

WHEREAS, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

WHEREAS, the property owner of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$358.32 clean-up costs and \$22.53 administrative costs – 2307 N. Thompson Street. (815-29599-000)

\$2,472.82 clean-up costs and \$22.53 administrative costs – 610 N. Kansas Street (815-21001-000)

WHEREAS, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

WHEREAS, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$380.85, plus 10% for collection – 2307 North Thompson (815-29599-000)

\$2,495.35, plus 10% for collection – 610 N. Kansas Street (815-21001-000)

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 9th day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2303312



Date: 10/30/2023
Status: Abated
Property: 2307 N THOMPSON ST
City, State, Zip: Springdale, AR 72764

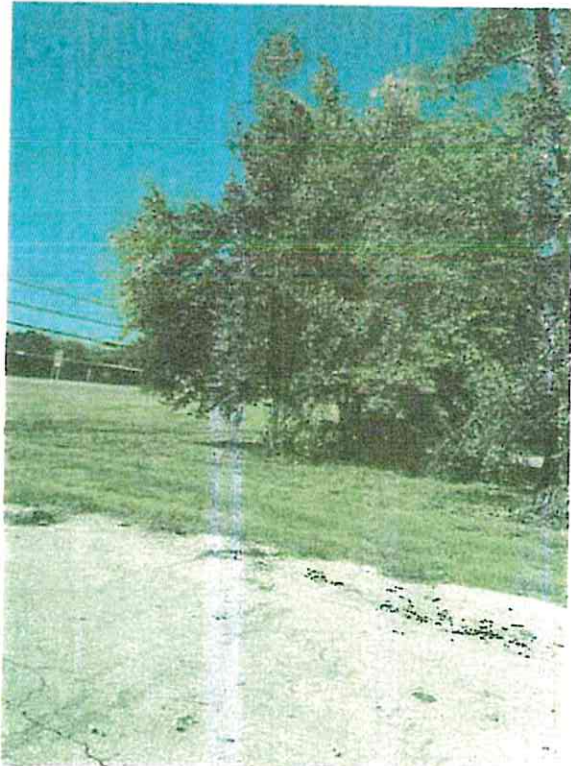
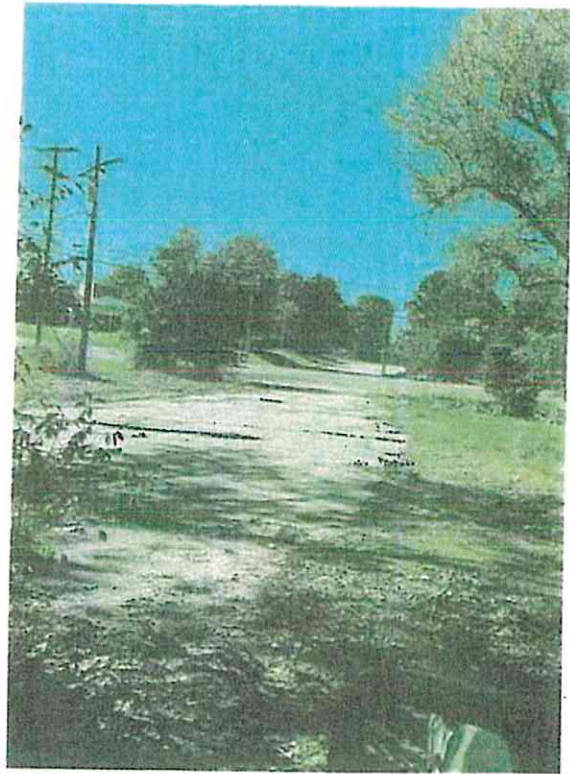
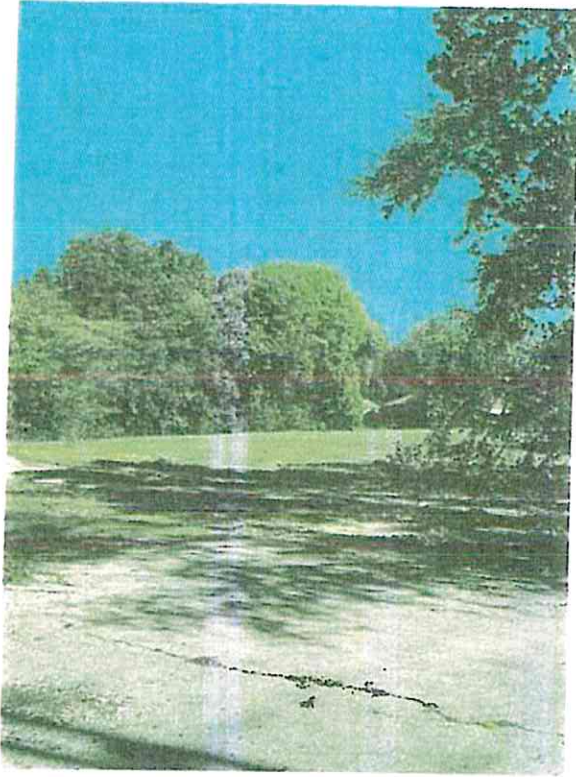
Officer on Site: Isidro Camacho
Abatement Type: Lien
Abatement Date: 10/27/2023
Abatement Start Time: 8:45am
Abatement End Time: 10:45am

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$60.00
Equipment Rate	\$180.00
Total Fee: \$358.32	

Method of Compliance: Property was abated on 10/30/23 for two hours from 8:45am to 10:45am. A full time employee and a bush hog tractor completed the abatement. See fees for further breakdown of total fee amount.

Isidro Camacho
Code Enforcement Officer

10/30/2023
Date



Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

David D. Phillips
Deputy City Attorney
dphillips@springdalear.gov

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALE™

WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764
Phone (479) 750-8173 • Fax (479) 750-4732
www.springdalear.gov

Giselle Gonzalez
Case Coordinator/Victim Advocate
ggonzalez@springdalear.gov

Steve Helms
Investigator
shelms@springdalear.gov

Dixie Putt
Administrative Legal Assistant/Paralegal
dputt@springdalear.gov

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

November 30, 2023

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL**

Elemental Properties LLC
1026 Morsani Ave.
Springdale, AR 72762

RE: Notice of clean-up lien on property located at 2307 N. Thompson St., Springdale,
Washington County, Arkansas, Tax Parcel No. 815-29599-000

Dear Property Owner/Lienholder:

On September 25 and October 20 2023 notice was posted on property located at 2307 N. Thompson Street, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on September 25, 2023, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about October 30, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$358.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 3, 2024, a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, January 9, 2024, at 6:00 p.m. in the City Council

Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

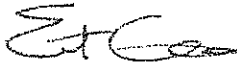
Please remit the total sum of \$365.85, which includes 358.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

If you desire to contest the amount sought above, you will need to contact Neighborhood Services Division at 479-756-7712 for an appointment and you will be given a court date in Springdale District Court where you will have the opportunity to state your case before the District Court Judge.

This letter is also being mailed by regular mail to Elemental Properties, LLC at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

If you should have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. B. Cate', with a stylized flourish at the end.

Ernest B. Cate
City Attorney

Enclosures
EBC:dp

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elemental Properties LLC
1026 Morsani Ave.
Springdale, AR 72762



9590 9402 8146 3030 4449 55

2. Article Number (Transfer from service label)

7020 0640 0001 3065 6820

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL



7020 0640 0001 3065 6820

US POSTAGE PAID BY FITNEY BOWES



ZIP 72701 \$ 008.77⁰
02 7W
0008029151 NOV 30 2023



CITY OF SPRINGDALE
OFFICE OF CITY ATTORNEY
201 SPRING STREET
SPRINGDALE, AR 72764

Elemental Properties LLC
1026 Morsani Ave.
Springdale

Not. 12/6/23

NIXIE 722 FE 1 0012/03/23

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 72764455401 *2755-13458-30-44

7276289575
72764>4554

City Abatement

City of Springdale
 Neighborhood Service
 201 Spring Street
 Springdale, AR 72764
 479-756-7712
 Case Number: 2301506



Date: 10/06/2023
 Status: Abated
 Property: 610 N KANSAS ST
 City, State, Zip: Springdale, Arkansas 72764

Officer on Site: Logan West
 Abatement Type: Lien
 Abatement Date: 10/03/2023
 Abatement Start Time: 0830
 Abatement End Time: 1230

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$960.00
Equipment Rate	\$1,220.00
Tires Removed	\$24.50
Tires/ Rim Removed	\$150.00
Total Fee: \$2,472.82	

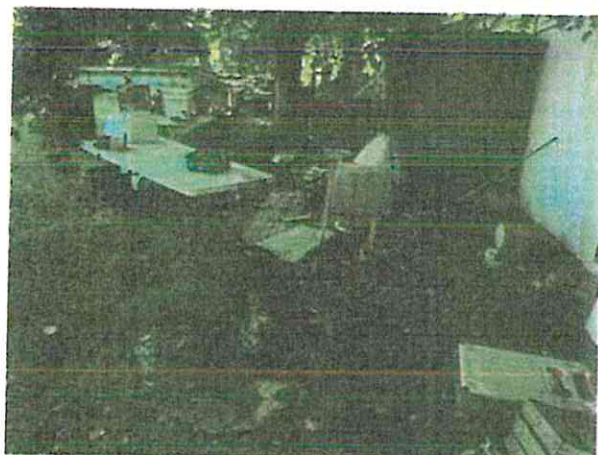
Method of Compliance: At the property of 610 N Kansas, the city landscape crew removed the junk and trash including trash bags, car parts, building materials, tires, indoor furniture and other items.

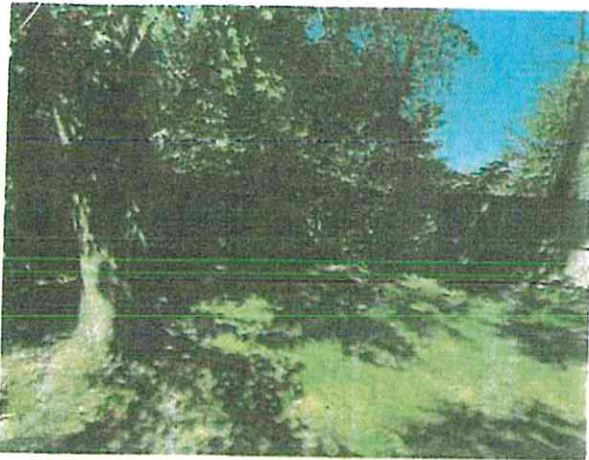
5 full time employees.
 6 temps
 1 bulk truck
 3 service trucks.

 Logan West
 Code Enforcement Officer

 10/06/2023
 Date









Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

David D. Phillips
Deputy City Attorney
dphillips@springdalear.gov

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764
Phone (479) 750-8173 • Fax (479) 750-4732
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Giselle Gonzalez
Case Coordinator/Victim Advocate
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Steve Helms
Investigator
shelms@springdalear.gov

Dixie Putt
Administrative Legal Assistant/Paralegal
dputt@springdalear.gov

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

November 6, 2023

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL**

Tiffany Schmidt
610 N. Kansas Street
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 610 N. Kansas Street, Springdale,
Washington County, Arkansas, Tax Parcel No. 815-21001-000

Dear Property Owner/Lienholder:

On September 17, 25, and 27, 2023 and October 6, 2023 notice was posted on property located at 610 N. Kansas Street, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on September 17, 2023, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about October 6, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$2,472.82. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 3, 2024, a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, January 9, 2024, at 6:00 p.m. in the City Council

Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

Please remit the total sum of \$2,480.35, which includes \$2,472.82 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

If you desire to contest the amount sought above, you will need to contact Neighborhood Services Division at 479-756-7712 for an appointment and you will be given a court date in Springdale District Court where you will have the opportunity to state your case before the District Court Judge.

This letter is also being mailed by regular mail to Tiffany Schmidt at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

If you should have any questions, please let me know.

Sincerely,



Ernest B. Cate
City Attorney

Enclosures
EBC:dp

USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)**70200640000130656790**[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Feedback

Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt

Reminder to Schedule Redelivery of your item

November 14, 2023

Notice Left (No Authorized Recipient Available)

SPRINGDALE, AR 72764

November 9, 2023, 10:28 am

Arrived at USPS Regional Facility

FAYETTEVILLE AR DISTRIBUTION CENTER

November 7, 2023, 8:26 pm

[Hide Tracking History](#)[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)[Text & Email Updates](#)[USPS Tracking Plus®](#)

The City Council of the City of Springdale met in regular session on Tuesday, December 12, 2023 in the Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

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

Department heads present:

Blake Holte	Fire Chief
Frank Gamble	Police Chief
Patsy Christie	Planning Director
Mike Chamlee	Buildings Director
Ron Findley	Community Engagement Director
Ben Peters	Engineering Department
Chad Wolf	Parks & Recreation Director
James Smith	Public Works Director
Colby Fulfer	Chief of Staff
Anne Gresham	Library Director
Angie Albright	Shiloh Museum Director
Mark Gutte	IT Director

APPROVAL OF MINUTES

Council Member Harriman moved the minutes of the November 28, 2023 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 Williams made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

PRESENTATION BY ARKANSAS MUNICIPAL LEAGUE

John Wilkerson, General Counsel with Arkansas Municipal League, presented the distinguished legislator award to Senator Clint Penzo.

RESOLUTION NO. 182-23 – MAKING APPOINTMENTS TO THE SPRINGDALE LIBRARY BOARD

Library Director Anne Gresham presented a Resolution appointing Debbie Keen and Megan Godfrey to the Springdale Library Board.

RESOLUTION NO. ____

**A RESOLUTION MAKING APPOINTMENTS TO THE
SPRINGDALE LIBRARY BOARD**

WHEREAS, Felice Barrett vacated her seat on the Springdale Library Board earlier this year with a term set to expire on December 31, 2023, and

WHEREAS, Zelda Parson will be stepping down from the Springdale Library Board following the expiration of her term on December 31, 2023, and

WHEREAS, the Springdale Library Board has been conducting interviews with various applicants to fill the two vacant seats, and

WHEREAS, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

WHEREAS, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends the appointments of Debbie Keen and Megan Godfrey to the Springdale Library Board for a full-term beginning January 1, 2024; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
FOR THE CITY OF SPRINGDALE, ARKANSAS** that Debbie Keen and Megan Godfrey are hereby appointed to the Springdale Library Board, beginning January 1, 2024, for a full term that is set to expire on December 31, 2028.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Powell

No: Fougrousse

The Resolution was numbered 182-23.

**RESOLUTION NO. 183-23 – MAKING A REAPPOINTMENT TO THE SPRINGDALE
LIBRARY BOARD**

Library Director Anne Gresham presented a Resolution making the reappointment of Laurie Marshall to the Springdale Library Board.

RESOLUTION NO. ____

**A RESOLUTION MAKING A REAPPOINTMENT TO THE
SPRINGDALE LIBRARY BOARD**

WHEREAS, Laurie Marshall currently serves on the Springdale Library Board with a term set to expire on December 31, 2023, and

WHEREAS, Marshall also serves as the board’s vice president, and

WHEREAS, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

WHEREAS, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends the reappointment of Laurie Marshall to the Springdale Library Board for a full-term beginning January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Laurie Marshall is hereby reappointed to the Springdale Library Board for a full term that is set to expire on December 31, 2028.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Watson, Overton, Lawson, Bailey, Harriman, Powell, Williams

No: Fougrousse

The Resolution was numbered 183-23.

ORDINANCE NO. 5908 – ADOPTING A REVISED MASTER STREET PLAN FOR THE CITY OF SPRINGDALE

Engineering Director Ben Peters presented an Ordinance adopting a revised Master Street Plan for the City of Springdale.

Planning Commission recommended approval at their December 5, 2023 meeting where a public hearing was held.

The Master Street Plan map, dated December 5, 2023 will be used in guiding future decisions regarding transportation facilities and traffic circulation relationships within the City's area of planning jurisdiction. The plan includes the design criteria engineers would use to design future city streets in the master plan.

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

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5908.

PROPOSED ORDINANCE – REPLAT SPRING CREEK FARMS SUBDIVISION, PHASE I, TO REPLACE STREET NAMES

At the request of the Planning Director Christie, Council Member Watson made the motion to table this proposed Ordinance until the January 9, 2024 City Council meeting. Council Member Lawson made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

ORDINANCE NO. 5909 – REZONING .92 ACRES OWNED BY 3724 WEST SUNSET AVENUE, SPRINGDALE, LLC, LOCATED AT 3724 W. SUNSET AVENUE, FROM C-2 TO C-5, (R23-49) AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .92 acres owned by 3724 Sunset Avenue, Springdale, LLC, located at 3724 W. Sunset Avenue, from C-2 to C-5 (R23-49); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Watson moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

The Ordinance was numbered 5909.

ORDINANCE NO. 5910 – REZONING 39.99 ACRES OWNED BY THE TRAILS AT THE CROSSINGS APARTMENTS, LP, LOCATED AT 6200 W. WATKINS AVENUE, FROM A-1 TO PUD (R23-50); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning property owned by The Trails at the Crossings Apartments, LP, located at 6200 W. Watkins Avenue, from A-1 to PUD (R23-50); and declaring an emergency.

Planning Commission recommended approval.

The amendment is adding 17.25 acres to the PUD making the total area of the PUD to be 39.99 acres. There are a couple more amenities being added to it but it is pretty much staying the same.

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

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

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

The Ordinance was numbered 5910.

ORDINANCE NO. 5911 – REZONING 9.723 ACRES OWNED BY OLD MO EAST, LLC, LOCATED AT 1609 N. OLD MISSOURI ROAD, FROM I-2 TO I-1 (R23-52); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 9.723 acres owned by Old Mo East, LLC, located at 1609 N. Old Missouri Road, from I-2 to I-1 (R23-52); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Watson moved the Ordinance “Do Pass”. Council Member Bailey made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

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

The vote:

Yes: Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5911.

RESOLUTION NO. 184-23 – APPROVING A CONDITIONAL USE (C23-17) FOR UNITED RENTALS AT 1609 N. OLD MISSOURI ROAD AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal (C23-17) for Use Unit 48 (Automotive, Machinery & Equipment Open Display Retails Sales) in a Light Industrial District (I-1) by United Rentals located at 1609 N. Old Missouri Road as set forth in Ordinance No. 4030.

Planning Commission recommended approval.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE (C23-17) FOR UNITED RENTALS AT 1609 N. OLD MISSOURI ROAD AS SET FORTH IN ORDINANCE NO. 4030

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

WHEREAS, the Planning Commission held a public hearing on December 5, 2023, on a request by United Rentals for a Use Unit 48 (Automotive, Machinery & Equipment Open Display Retail Sales) in a Light Industrial District (I-1).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) nays recommends that a Conditional Use (C23-17) be granted to United Rentals with the following conditions:

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to with the following conditions

PASSED AND APPROVED THIS ____ DAY OF December, 2023.

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 Harriman made the second.

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 184-23.

ORDINANCE NO. 5912 – REZONING 6.6 ACRES OWNED BY CITY OF SPRINGDALE (BLUFF CEMETERY) LOCATED AT 606 MILL STREET, FROM SF-2 TO P-1 (R23-54); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 6.6 acres owned by the City of Springdale (Bluff Cemetery), located at 606 Mill Street, from SF-2 to P-1 (R23-54); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Watson moved the Ordinance “Do Pass”. Council Member Lawson made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5912.

ORDINANCE NO. 5913 – REZONING .5 ACRES OWNED BY L.D. GIBSON, LLC, LOCATED AT 1216 & 1216 ½ CRUTCHER STREET AND 314 GAINES AVENUE, FROM I-2 TO MF-12 (R23-55); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .5 acres owned by L.D. Gibson, LLC, located at 1216 & 1216 ½ Crutcher Street and 314 Gaines Avenue, from I-2 to MF-12 (R23-55); and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

The Ordinance was numbered 5913.

ORDINANCE NO. 5914 – REZONING .68 ACRES OWNED BY RICHARD AND JANET HARRIS LOCATED AT 5876 ELM SPRINGS ROAD, FROM A-1 TO C-2 (R23-56); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .68 acres owned by Richard and Janet Harris located at 5876 Elm Springs Road, from A-1 to C-2 (R23-56); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Watson moved the Ordinance “Do Pass”. Council Member Lawson made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5914.

ORDINANCE NO. 5915 – REZONING 16.52 ACRES OWNED BY C.L. GEORGE AND SONS, LP, LOCATED AT 5671 APPLE ROAD, FROM A-1 TO C-5 (R23-57); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 16.52 acres owned by C.L. George and Sons LP, located at 5671 Apple Road, from A-1 to C-5 (R23-57); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

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

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5915.

ORDINANCE NO. 5916 – REZONING .337 ACRES OWNED BY JUSTINA MEJIA, LOCATED AT 501 N. WEST END STREET, FROM SF-2 TO MF-2 (R23-58); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .337 acres owned by Justina Mejia located at 501 N. West End Street, from SF-2 to MF-2 (R23-58); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Bailey made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5916.

ORDINANCE NO. 5917 – REZONING 1.72 ACRES OWNED BY BEREAN PROPERTIES, LLC, LOCATED AT THE NORTHEAST CORNER OF MCRA Y AVENUE AND S. 40TH STREET, FROM O-1 TO C-2 (R23-59); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.72 acres owned by Berean Properties LLC, located at the northeast corner of McRay Avenue and S. 40th Street, from O-1 to C-2 (R23-59); and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

The Ordinance was numbered 5917.

ORDINANCE NO. 5918 – REZONING 6.83 ACRES OWNED BY GARY AND WENDY STITH LOCATED AT 3162 N. THOMPSON STREET, FROM MF-12 TO C-2 (R23-61); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 6.83 acres owned by Gary and Wendy Stith located at 3162 N. Thompson Street, from MF-12 to C-2 (R23-61); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Watson moved the Ordinance “Do Pass”. Council Member Bailey made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5918.

ORDINANCE NO. 5919 – REZONING 10.73 ACRES OWNED BY RMB INVESTMENTS, INC, LOCATED AT 4785 E. DON TYSON PARKWAY, FROM A-1 TO C-2 (R23-62); AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 10.73 acres owned by RMB Investments, Inc. located at 4785 E. Don Tyson Parkway, from A-1 to C-2 (R23-62); and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Williams moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Overton, Harriman, Fougrousse, Powell, Williams

No: Watson, Lawson, Bailey

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

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5919.

RESOLUTION NO. 185-23 - APPROVING A WAIVER (W23-27) OF SUBDIVISION REQUIREMENTS AS SET FORTH IN ORDINANCE NO. 3725 TO MAESTRI ROAD IN CONNECTION WITH LS23-43 AN INFORMAL PLAT FOR HARWELL FAMILY TRUST

Planning Director Patsy Christie presented a Resolution approving a waiver (W23-27) of subdivision requirements as set forth in Ordinance No. 3725 to Maestri Road in connection with LS23-43, an informal plat for Harwell Family Trust.

Planning Commission recommended approval of the waiver.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W23-27) OF SUBDIVISION REQUIREMENTS AS SET FORTH IN ORDINANCE NO. 3725 TO MAESTRI ROAD IN CONNECTION WITH LS23-43 AN INFORMAL PLAT FOR HARWELL FAMILY TRUST

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 (W23-27) of Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust 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 (W23-27) of Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust and the Planning Commission recommends approval of the waiver request.

PASSED AND APPROVED THIS ____ DAY OF December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

The Resolution was numbered 185-23.

RESOLUTION NO. 186-23 - TO AUTHORIZE A SUBAWARD TO BUSINESS AND INDUSTRY TRAINING FROM THE CITY OF SPRINGDALE'S AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO HELP FUND COSTS ASSOCIATED WITH INCREASING CITY OF SPRINGDALE, ARKANSAS PARTICIPATION IN THEIR WORKFORCE DEVELOPMENT AND JOB TRAINING PROGRAM

Council Member Amelia Williams presented a Resolution to authorize a subaward to business and industry training from the City of Springdale's American Rescue Plan Act (ARPA) Funds to help fund costs associated with increasing City of Springdale, Arkansas participation in their workforce development and job training program.

RESOLUTION NO. ____

A RESOLUTION TO AUTHORIZE A SUBAWARD TO BUSINESS AND INDUSTRY TRAINING FROM THE CITY OF SPRINGDALE'S AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO HELP FUND COSTS ASSOCIATED WITH INCREASING CITY OF SPRINGDALE, ARKANSAS PARTICIPATION IN THEIR WORKFORCE DEVELOPMENT AND JOB TRAINING PROGRAM

WHEREAS, the City of Springdale, Arkansas has been directly affected by the COVID-19 global pandemic;

WHEREAS, the COVID-19 pandemic has highlighted a need for a trained labor force for essential industries;

WHEREAS, the citizens of City of Springdale, Arkansas could benefit from job training and other assistance to move to jobs that provide better opportunities for economic advancement;

WHEREAS, NORTHWEST ARKANSAS INDUSTRIES FOR EDUCATION DBA Business and Industry Training, or BIT operates a workforce development and job training program that connects participants with educational opportunities to increase their skill sets so they are qualified for higher paying jobs in essential industries;

WHEREAS, Northwest Arkansas Industries For Education DBA Business and Industry Training desires to increase Springdale participation in its workforce development and job

training program;

WHEREAS, the City of Springdale, Arkansas desires to use a portion of the American Rescue Plan Act (ARPA) funds awarded to the City to make a subaward to Northwest Arkansas Industries For Education DBA Business and Industry Training to increase participation of Springdale residents in its workforce development and job training program;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that \$332,350.00 be awarded to Northwest Arkansas Industries For Education DBA Business and Industry Training for the purpose of increasing Springdale participation in its workforce development and job placement program, in accordance with eligible use of funds as defined by ARPA; and the Mayor and City Clerk are hereby authorized to execute a Grant Award Agreement for the same.

PASSED AND APPROVED this ____ day of December 2023.

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 Powell made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 186-23.

RESOLUTION NO. 187-23 - AUTHORIZING THE GRANT OF RIGHT OF WAY TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION OVER AND ACROSS PROPERTY OWNED BY THE SPRINGDALE WATER & SEWER COMMISSION IN BENTON COUNTY, ARKANSAS, AND CONCURRING WITH THE AMOUNT OF COMPENSATION RELATED THERETO

City Attorney Ernest Cate presented a Resolution authorizing the grant of right of way to the Arkansas Department of Transportation over and across property owned by the Springdale Water & Sewer Commission in Benton County, Arkansas, and concurring with the amount of compensation related thereto.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE GRANT OF RIGHT OF WAY TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION OVER AND ACROSS PROPERTY OWNED BY THE SPRINGDALE WATER & SEWER COMMISSION IN BENTON COUNTY, ARKANSAS, AND CONCURRING WITH THE AMOUNT OF COMPENSATION RELATED THERETO.

WHEREAS, the Springdale Water & Sewer Commission owns certain properties located in Benton County, Arkansas, known as Tax Parcel No. 18-08422-000 and Tax Parcel No. 18-08424-000 ("the Property");

WHEREAS, the Arkansas Department of Transportation is undertaking the Northwest Arkansas National Airport Access project, which will require that right-of-way and other related easements be acquired over and across the Property, and as shown on the attached Exhibit “A”;

WHEREAS, the Springdale Water & Sewer Commission has agreed to and approved an amount of compensation to be paid for the easements obtained by ARDOT over and across the Property, in the amount of \$550,000.00, plus remnant value;

WHEREAS, pursuant to Arkansas law, the Ordinances establishing the Springdale Water & Sewer Commission reserved the power to sell or transfer real property to the Springdale City Council; and

WHEREAS, it is the desire of the City of Springdale and the Springdale Water & Sewer Commission to agree upon the terms associated with the grant of easements to ARDOT across the Property for the above-mentioned project.

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 any documents necessary to facilitate the granting of right-of-way and other related easements associated with the Northwest Arkansas National Airport Access project being undertaken by the Arkansas Department of Transportation, and the City hereby concurs with the amount of compensation to be paid by ARDOT for such easements, as approved by the Springdale Water & Sewer Commission, in the amount of \$550,000.00, plus remnant value.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Harriman, Fougrousse, Williams, Watson, Overton, Lawson, Bailey

No: None

Recuse: Powell

The Resolution was numbered 187-23.

RESOLUTION NO. 188-23 - AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE LAND FROM ESO PROPERTIES, LLC, FOR THE SENIOR CENTER PROJECT, PROJECT NO. 23BSC1

Council Member Amelia Williams presented a Resolution authorizing the expenditure of funds to acquire land from ESO Properties, LLC, for the Senior Center Project, Project No. 23BSC1.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE LAND FROM ESO PROPERTIES, LLC, FOR THE SENIOR CENTER PROJECT, PROJECT NO. 23BSC1.

WHEREAS, the City of Springdale is in need of acquiring a parcel of land for the Senior Center Project, Project No. 23BSC1, said land being owned by ESO Properties, LLC, also known as Washington County Tax Parcel No. 815-28449-000, located at 103 Baggett St., Springdale, Washington County, Arkansas;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$120,000.00 is the estimated just compensation for the property;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$185,460.00 to acquire the land needed for the Project, said amount being justified by the nature of the property, and the increase in property values;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$65,460.00 to acquire the property needed from ESO Properties, LLC, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring this property by eminent domain proceedings.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire the parcel of land for the Senior Center Project, Project No. 23BSC1, said lands being owned by ESO Properties, LLC, for the total sum of \$185,460.00 to be paid from the 2023 Senior Center Bond.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

The Resolution was numbered 188-23.

RESOLUTION NO. 189-23 - AUTHORIZING THE PURCHASE OF VARIOUS CITY VEHICLES IN THE FIRE DEPARTMENT, NEIGHBORHOOD SERVICES, PARKS AND RECREATION, BUILDINGS AND PUBLIC WORKS DEPARTMENTS

Council Member Amelia Williams presented a Resolution authorizing the purchase of city vehicles for Springdale Fire, Neighborhood Services, Parks and Recreation, Buildings, and Public Works Department. Delaying until 2024 will prove to be more costly.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS CITY VEHICLES.

WHEREAS, the Springdale Fire, Neighborhood Services, Parks and Recreation, Buildings, Public Works Departments desire to purchase vehicles which are essential to their day-to-day operations, and

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

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

WHEREAS, delaying the purchase until 2024 will prove to be more costly;

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Council authorized the purchase of the following vehicles for an amount not to exceed \$350,000.00 out of the Unrestricted General Fund and the Mayor is hereby authorized to execute any contracts related to the purchase.

Neighborhood Servicves	\$41,727.00
Fire	\$44,235.00
Parks & Rec	\$106,180.00
Buildings	\$41,885.00
Public Works	\$63,163.00
Airport	\$41,885.00

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

The Resolution was numbered 189-23.

RESOLUTION NO. 190-23 - AMENDING THE 2024 BUDGET OF THE CITY OF SPRINGDALE, ARKANSAS, FOR VEHICLES IN THE FIRE DEPARTMENT, NEIGHBORHOOD SERVICES, PARKS AND RECREATION, BUILDINGS AND PUBLIC WORKS DEPARTMENTS

Council Member Amelia Williams presented a Resolution amending the 2024 Budget of the City of Springdale, Arkansas, for a portion of vehicles in the Fire Department, Neighborhood Services, Parks and Recreation, Buildings and Public Works Departments.

RESOLUTION NO. ____

A RESOLUTION AMENDING THE 2024 BUDGET OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, the 2024 budget contained \$413,569.00 for vehicles for a portion of vehicles in the Fire, Neighborhood Services, Parks and Recreation, Buildings and Public Works Departments, and

WHEREAS, the administration finds it to be advantageous to procure the vehicles at this time, and

WHEREAS, the state buy boards have had difficulty fulfilling orders due to supply shortages, and

WHEREAS, waiting until 2024 would cause possible delays in securing vehicles as well as increased costs according to buy board pricing,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2024 budget is hereby amended as follows:

		Present		Proposed
<u>Department</u>	<u>Description</u>	<u>Budget</u>	<u>Decrease</u>	<u>Budget</u>
Fire	Capital Vehicle	\$212,000.00	\$117,967.00	\$94,033.00
Neighborhood Services	Capital Equipment	\$42,000.00	\$42,000.00	\$0.00
Parks and Rec	Capital Equipment	\$257,000.00	\$119,000.00	\$138,000.00
Buildings	Capital Equipment	\$49,000.00	\$49,000.00	\$0.00
Public Works	Capital Equipment	\$66,000.00	\$66,000.00	\$0.00

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 190-23.

RESOLUTION NO. 191-23 - AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES WITH MESHEK & ASSOCIATES FOR DESIGN AND CONSTRUCTION SERVICES FOR PARSON HILLS DRAINAGE REPLACEMENT

Council Member Amelia Williams presented a Resolution authorizing the Mayor and City Clerk to enter into a contract for consultant services with Meshek & Associates for design and

construction services for Parson Hills drainage replacement for an amount not to exceed \$79,060.00.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES WITH MESHEK & ASSOCIATES FOR DESIGN AND CONSTRUCTION SERVICES FOR PARSON HILLS DRAINAGE REPLACEMENT

WHEREAS, The City of Springdale is aware of failed drainage systems in the Parson Hills Subdivision and is planning to replace all metal storm pipe with concrete pipe; and

WHEREAS, using the procurement procedures required by State Law, the program management team has selected Meshek & Associates as the most qualified firm; and

WHEREAS, the contract has been submitted for approval with a fee not to exceed \$79,060.00 for basic services and reimbursable expenses as shown in the attached documents; and

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

Section 1. Expenditures for this project will be paid with ARPA funds.

Section 2. The Mayor and City Clerk are hereby authorized to execute an engineering services contract with Meshek & Associates for engineering services related to the Parson Hills Drainage Replacement for an amount not to exceed \$79,060.00.

Section 3. The Mayor is hereby authorized to execute change orders to this contract provided the cumulative total does not exceed 10% of the original contract price.

Section 4. The Mayor is hereby authorized to institute eminent domain proceedings in any instance that an agreement has not been reached with the property owner regarding the amount of just compensation to be paid for the acquisition of property and easements for this project. All settlements proposed by the Mayor that exceed the appraised value will be presented to City Council for approval.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 191-23.

RESOLUTION NO. 192-23 - AUTHORIZING THE PURCHASE OF FENCING, DUGOUT BENCHES, AND OTHER FIELD IMPROVEMENTS FOR THE SPRINGDALE PARKS AND RECREATION DEPARTMENT (2023 BOND PROJECT NO. 23BPP6)

Council Member Amelia Williams presented a Resolution authorizing the purchase of fencing, dugout benches and other field improvements for the Springdale Parks and Recreation Department (2023 Bond Project No. 23BPP6).

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PURCHASE OF FENCING, DUGOUT BENCHES, AND OTHER FIELD IMPROVEMENTS FOR THE SPRINGDALE PARKS AND RECREATION DEPARTMENT (2023 BOND PROJECT NO. 23BPP6)

WHEREAS, Springdale Parks and Recreation is seeking approval to purchase new fencing for the fields at Randall Tyson Sports Complex and J.B. Hunt, new aluminum dugout benches for Randall Tyson Sports Complex, and Windscreens and Fence Toppers for the fields at J.B. Hunt, to be paid for out of the 2023 Parks and Recreation Bond Fund, and

WHEREAS, these specific sport facilities currently have old, outdated fencing, dugout benches, and lack windscreens and fence toppers, and

WHEREAS, the fields require these improvements to ensure the safety and security of those who utilize them, and

WHEREAS, Springdale residents approved the 2023 Bond for the City of Springdale, Arkansas, which includes improvements and upgrades to existing parks.

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

- 1. Springdale Parks and Recreation is authorized to purchase new fencing from Thomas Fence for Randall Tyson Sports Complex and J.B. Hunt Park in the amount of \$23,663.44, to be paid for out of the 2023 Parks and Recreation Bond Fund.
- 2. Springdale Parks and Recreation is authorized to purchase new, aluminum dugout benches from BSN Sports for Randall Tyson Sports Complex in the amount of \$14,793.13, to be paid for out of the 2023 Parks and Recreation Bond Fund.
- 3. Springdale Parks and Recreation is authorized to purchase windscreens and fence toppers from BSN Sports for J.B. Hunt Park in the amount of \$14,678.07, to be paid for out of the 2023 Parks and Recreation Bond Fund.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 192-23.

ORDINANCE NO. 5920 – AMENDING CHAPTER 50 FLOODS, ARTICLE II FLOOD DAMAGE PREVENTION, SECTION 50-27. AMENDMENTS OF THE SPRINGDALE CODE OF ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Council Member Mike Overton presented an Ordinance amending Chapter 50 Floods, Article II Flood Damage Prevention, Section 50-27. Amendments of the Springdale Code of Ordinance; declaring an emergency and for other purposes.

The Federal Emergency Management Agency (FEMA) has revised certain map panels in the Washington County Flood Insurance Study (FIS) and these maps will become effective on January 25, 2024.

That Chapter 50 Floods, Article II Flood Damage Prevention, Section 50-27 (a) will be amended to read as follows:

Section 50-27-Findings of Fact

- (a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Springdale in the current scientific and engineering report entitled “The Flood Insurance Study (FIS) for Benton County, Arkansas and Incorporated Areas” dated June 5, 2012, with an effective flood insurance rate map (FIRM) dated June 5, 2012 and “The Flood Insurance Study (FIS) for Washington County, Arkansas and Incorporated Areas,” dated January 25, 2024, with an effective flood insurance rate map (FIRM) dated January 25, 2024.

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

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5920.

RESOLUTION NO. 193-23 - AUTHORIZING THE PURCHASE OF A K-9 FOR THE SPRINGDALE POLICE DEPARTMENT

Council Member Brian Powell presented a Resolution authorizing the purchase of a K-9 for the Springdale Police Department.

The Springdale Police Department recently retired a K-9 and is requesting to purchase a new K-9 from Von Klein Stein Working Dogs, a business they have purchased from in the past, in the amount of \$15,587.50. Drug Seizure Funds will be used for the purchase. This will include four (4) weeks of training with the officer that was selected to receive the K-9.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE PURCHASE OF A K-9 FOR
THE SPRINGDALE POLICE DEPARTMENT**

WHEREAS, the Springdale Police Department recently retired a K-9 and is requesting permission to purchase a new K-9 from the Drug Seizure Fund, and

WHEREAS, the Springdale Police Department would like to purchase the new K-9 from Von Klein Stein Working Dogs, a business they have purchased from in the past, in the amount of \$15,587.50, and

WHEREAS, the purchase of the K-9 will include four (4) weeks of training with the officer that was selected to receive the K-9.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Springdale Police Department is authorized to purchase a new K-9 from Von Klein Stein Working Dogs in the amount of \$15,587.50 from Drug Seizure Funds.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

The Resolution was numbered 193-23.

ORDINANCE NO. 5921 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED AT 300 S. WEST END STREET, SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located at 300 S. West End Street, Springdale, Arkansas; and declaring an emergency.

The property owner is Steven William Sevic.

After reading the title of the Ordinance, Council Member Overton moved the Ordinance “Do Pass”. Council Member Lawson made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

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

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

The Ordinance was numbered 5921.

ORDINANCE NO. 5922 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON LOT 59 AND LOT 60, THORNBURY SUBDIVISION, PHACE IV, LOCATED IN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on Lot 59 and Lot 60, Thornbury Subdivision, Phase IV, located in the City of Springdale, Benton County, Arkansas; and declaring an emergency.

Lot 59 is owned by Steve and Teresa Fisher.

Lot 60 is owned by Dream Structures Investment Properties LLC.

After reading the title of the Ordinance, Council Member Lawson moved the Ordinance “Do Pass”. Council Member Powell made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

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

The vote:

Yes: Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5922.

ORDINANCE NO. 5923 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED AT 1005 EAST ROBINSON AVENUE AND 101 SAN JOSE DRIVE IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located at 1005 East Robinson Avenue and 101 San Jose Drive, located in the City of Springdale, Washington County, Arkansas; and declaring an emergency.

The property owner for 1005 East Robinson Avenue is Fort Worth Partners LLC.

The property owner for 101 San Jose Drive is William A. Kuhl.

After reading the title of the Ordinance, Council Member Lawson moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

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

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

The Ordinance was numbered 5923.

RESOLUTION NO. 194-23 - APPROVING A TAXICAB OPERATOR PERMIT FOR WESTARK TAXI, LLC, PURSUANT TO CHAPTER 122 OF THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, ARKANSAS.

City Attorney Ernest Cate presented a Resolution approving a taxicab operator permit for Westark Taxi, LLC, pursuant to Chapter 122 of the Code of Ordinances for the City of Springdale, Arkansas.

Sergeant Mike Bell, Administrator of Taxicabs, recommends approval of this permit.

RESOLUTION NO. ____

A RESOLUTION APPROVING A TAXICAB OPERATOR PERMIT FOR WESTARK TAXI, LLC, PURSUANT TO CHAPTER 122 OF THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, the City of Springdale has received an application for a taxicab operator permit from WestArk Taxi, LLC;

WHEREAS, Section 122-27 of the Code of Ordinances for the City of Springdale, Arkansas, provides that no taxicab operator permit shall be issued unless and until the permit application has been reviewed by the taxicab administrator; that a determination has been made that the application meets all requirements of City Ordinance; and, the taxicab administrator refers the application for consideration by the Springdale City Council;

WHEREAS, on December 12, 2023, a hearing was held on WestArk Taxi, LLC's application for a taxicab operator permit, after due notice of said hearing was given to each and every holder of a taxicab operator permit in the City, pursuant to Section 122-27 of the Code of Ordinances for the City of Springdale, Arkansas; and

WHEREAS, the taxicab administrator for the City of Springdale recommends that the taxicab operator permit application for WestArk Taxi, LLC, be approved

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the taxicab operator permit application for WestArk Taxi, LLC, be, and is hereby approved, and that a taxicab operator permit shall be issued to WestArk Taxi, LLC, subject to all requirements of Chapter 122 of the Code of Ordinances for the City of Springdale, Arkansas.

PASSED AND APPROVED this ____ day of DECEMBER, 2023.

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: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 194-23.

RESOLUTION NO. 195-23 - AUTHORIZING THE DESTRUCTION OF OLD ACCOUNTING RECORDS

City Attorney Ernest Cate presented a Resolution authorizing the destruction of old accounting records in the City Clerk's Office, District Court and Police Department.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE DESTRUCTION OF OLD ACCOUNTING RECORDS

WHEREAS, there is presently a shortage of storage space to maintain old records, and

WHEREAS, the storage of a large amount of paper accounting records could present a fire hazard, and

WHEREAS, the City Clerk/Treasurer, District Court and Police Department have identified old accounting records and other documents to be destroyed, and

WHEREAS, Arkansas Code Ann. § 14-59-114 provides for the destruction of old accounting records with the permission of the City Council,

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

Section 1. The Mayor is hereby authorized to arrange for the destruction, by shredding, of the accounting records and other documents indicated on the attached affidavit, in accordance with Arkansas Code Ann. §14-59-114.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

The Resolution was numbered 195-23.

CITY COUNCIL MEETING CANCELLED

Council Member Overton made the motion to cancel the regular City Council meeting on December 26, 2023. Council Member Powell made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman

No: None

CITY COUNCIL COMMITTEE MEETING CANCELLED

Council Member Watson made the motion to cancel the regular City Council committee meeting on December 18, 2023. Council Member Overton made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

COMMITTEE MEETING RESCHEDULED

Council Member Overton made the motion to move the regularly scheduled committee meeting from January 1st to January 3rd, 2024. Council Member Lawson made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

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 6:57 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer