

- The next Committee Meeting will be held on Monday, May 1st, 2023 at 5:30p.m.
- Agenda Packet will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF CRIMINAL JUSTICE BUILDING
Tuesday, April 25th, 2023**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Mark Fougrousse

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. **A Public Hearing** on a proposed amendment to Chapter 110-138 of the Code of Ordinances of the City of Springdale, Arkansas. Presented by Ernest Cate, City Attorney.

6. **A Public Hearing** on a petition to change a street name. Presented by Ernest Cate, City Attorney.

7. Approval of Minutes – **Tuesday, April 11, 2023.** Pgs. 37-47

8. 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) **13A–13G, 14A, and 15** (Motion must be approved by two-thirds (2/3) of the council members).*

9. **Spirit Award.** Presented by Mayor Doug Sprouse.

10. **Employee Recognition.** Presented by Mayor Doug Sprouse.
11. **Chamber of Commerce Quarterly Report.** Presented by Jay Sego, Director of Economic Development for the Springdale Chamber of Commerce. Pgs. 1-2
12. **A Resolution** endorsing participation in the Sales and Use Tax Refund Program authorized by the Consolidated Incentive Act of 2003 and Ark. Code Ann. §15-4-2706(d). Presented by Jay Sego, Director of Economic Development for the Springdale Chamber of Commerce. Pg. 3
13. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development
 - A. **An Ordinance** amending Ordinance No. 5810, which rezoned (R23-06) certain lands located at 5576 N. Oak Street from Agricultural District (A-1) and General Commercial District (C-2) to General Commercial District (C-2) and Light Industrial District (I-1); and declaring an emergency. Pgs. 4-6
 - B. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-11) certain lands located at 825 Oak Grove Road from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 7-9
 - C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-15) certain lands located at 3581 Elm Springs Road from Neighborhood Office District (O-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 10-12
 - D. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-16) certain lands located at 680 West County Line Road from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 13-15
 - E. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-17) certain lands located at 3221 Habberton Road from Agricultural District (A-1) to

Low/Medium Density Single Family Residential District (SF-2) and declaring an emergency. Pgs. 16-19

F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-18) certain lands located at 2300 Turner Street from Light Industrial District (I-1) to General Commercial District (C-2).and declaring an emergency. Pgs. 20-22

G. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (FB23-01) certain lands located at 401 E. Velma Avenue from Multi-Family Residential (MF-12) to SEED DISTRICT – Neighborhood Residential Type 1 District (NR1) and declaring an emergency. Pgs. 23-25

H. **A Resolution** approving a waiver (W23-10) of street improvements, drainage relating thereto, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to UAMS Health Orthopedic & Sports Medicine Center in connection with L23-27, a Large-Scale Development. Pgs. 26-27

I. **A Resolution** approving a waiver (W23-11) of street improvements, drainage relating thereto, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to UAMS Health Orthopedic & Sports Medicine Center in connection with L23-27, a Large-Scale Development. Pgs. 28-29

J. **A Resolution** approving a waiver (W23-13) of street improvements, drainage relating thereto, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Manhattan Road and Bridge in connection with L23-28, a Large-Scale Development. Pgs. 30-31

14. Ordinance Committee by Chairman Mike Overton

A. **An Ordinance** amending Section 110-138 of the Code of Ordinances of the City of Springdale, Arkansas. Forwarded from Committee with recommendation for approval. Presented by Ernest Cate, City Attorney. Pg. 32

15. **An Ordinance** amending Chapter 110, Article VI. Street Names and Address Numbers, to change the name of an existing city street.
Presented by Ernest Cate, City Attorney. Pgs. 33-36
16. Comments from Council Members.
17. Comments from City Attorney.
18. Comments from Mayor
19. Adjournment.



Economic Development Report – 1st Quarter 2023

Projects: Springdale's economic development activity has remained steady through the first quarter of 2023. The Chamber continues to assist a computerized steel fabrication company expand to Springdale that will add 75 new jobs with the \$18M facility investment. Additionally, we are assisting six other business projects in Springdale – four potentially relocating to Springdale and two business expansions.

New Job #s: 41,325 people were employed in Springdale at the end of February, according to the Arkansas Department of Workforce Services. The City has shown an increase of 2,101 jobs since December of 2022.

Unemployment Data: Springdale had a 1.9% unemployment rate as of February 28, 2023. Comparatively, unemployment was 2.6% in February 2022.

Sales & Use Tax Receipts: March receipts totaled \$1,864,405 which is a 14% increase from March 2022. The 2023 Year-to-Date receipts total \$5,846,787 which represents an increase of 10.8% over 2022.

Construction Permits: For the 1st Quarter 2023, 18 commercial permits totaling \$21,713,074 and 40 residential permits totaling \$11,081,716 were issued

Community Engagement and Inclusion: The Chamber's ASCENDER Minority Seminar Series is designed to help minority Springdale businesses become more profitable; the first of three seminars start on June 6th. Additionally, our Team assisted four minority business prospects in the process of launching a new business since January.

Business Retention & Expansion Visits: The Chamber met with 28 local businesses for BRE this quarter. We have supported multiple business owners researching new lease options. Currently, we are supporting three of these businesses through the AEDC state incentive pipeline in parallel to the business growth plans.

New & Ongoing Construction:

Yesterday, **Cypress Cold Storage** broke ground on a \$50M investment for a temperature-controlled warehouse facility on Angell Dr that will support local businesses.

The new **Holiday Inn Express** located on Sunset Avenue near 48th Street is expected to open in the next 30-60 days.

Hawaiian Bros Island Grill plans to open May 8th at 4515 W Sunset.

Goodwill Training and Education Center announced plans to open at 2100 S Old Missouri Rd. The Center will be home to the Excel Center, a place for adults to earn high school diplomas; and the Academy at Goodwill providing job skills and opportunities for students.

Watco transportation and supply chain services company signed a long-term lease to occupy a 200,000-square-foot building in the I-49 Logistics Park at 621 W Apple Blossom south of JB Hunt. Based in Pittsburgh KS, this facility will greatly benefit from Springdale's infrastructure expansion of the future Dixieland Road extension.

New construction for both **Southwest and Central Junior Highs** is ongoing. Of note, Southwest school officials recently celebrated a topping out ceremony.

Construction on the new **Frito Lay** warehouse located at 1255 Kendrick Avenue continues and a Public Facilities Board sewer extension project is in progress to run sewer to this new facility.

Heartland Honda Powersports & Marine are close to breaking ground on a new facility close to their location 824 S 48th Street.

La Quinta Inn & Suites by Wyndham on 48th Street remains under complete renovation throughout the year.

Carmelitas Modern Mexican Cuisine recently opened on the west side located at The Shoppes at Har-Ber. Their Ribbon Cutting and Grand Opening will be May 5th/ Cinco de Mayo.

The **Animal Emergency and Specialty Center of NWA** built a new ER Facility and hosting a ribbon cutting on May 16th at 881 Animal Emergency Drive.

RESOLUTION NO. _____

**A RESOLUTION ENDORSING PARTICIPATION IN
THE SALES AND USE TAX REFUND PROGRAM
AUTHORIZED BY THE CONSOLIDATED INCENTIVE
ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(d).**

WHEREAS, in order for a business to be eligible for the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), the governing body of the municipality in which the business is located must pass a resolution endorsing the participation of the business in the tax refund program;

WHEREAS, Ark. Code Ann. §15-4-2706(d) provides that the governing body of the municipality must specify that the Department of Finance and Administration is authorized to refund local sales taxes to a business participating in the tax refund program;

WHEREAS, Cypress Cold Storage, LLC, 1440 Angell Drive, wishes to participate in, and be eligible for, the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), due to the location of its facility in the City of Springdale, Arkansas;

WHEREAS, Cypress Cold Storage, LLC, has agreed to furnish the City of Springdale all information necessary for its participation in the tax refund program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the participation of Cypress Cold Storage, LLC, in the tax refund program contained in Ark. Code Ann. §15-4-2706(d) is hereby endorsed, and the Department of Finance and Administration is authorized to refund local sales taxes to Cypress Cold Storage, LLC, and this resolution shall take effect immediately.

PASSED AND APPROVED this _____ day of _____, 2023.

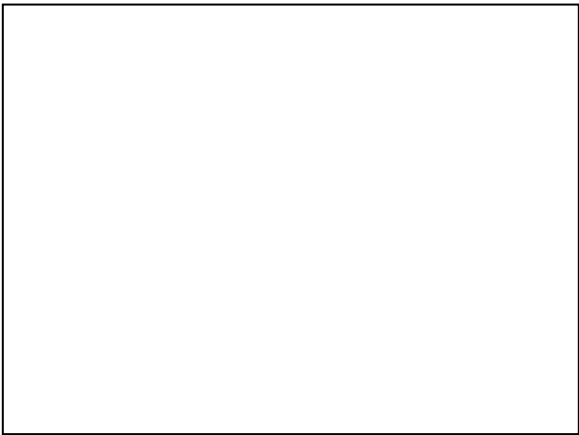
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



ORDINANCE NO. 5810

AN ORDINANCE AMENDING ORDINANCE NO. 5810, WHICH REZONED (R23-06) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) AND GENERAL COMMERCIAL DISTRICT (C-2) TO GENERAL COMMERCIAL DISTRICT (C-2) AND LIGHT INDUSTRIAL DISTRICT (I-1); AND DECLARING AN EMERGENCY

WHEREAS, THE City Council for the City of Springdale, Arkansas, passed Ordinance No. 5810 on February 28, 2023, which amended the zoning ordinance for the City of Springdale by rezoning (R23-06) certain lands from Agricultural District (A-1) and General Commercial District (C-2) to General Commercial District (C-2) and Light Industrial District (I-1).

WHEREAS, Ordinance No. 5810 contained a scrivener's error by including in the legal description property not intended to be included in the rezoning ordinance;

WHEREAS, Ordinance No. 5810 should be amended to clarify which property was subject to the rezoning (R23-06), contains 14 acres, more or less to read as follows:

Layman's Description: 5576 N. Oak Street

Legal Description:

PROPOSED C-2 ZONING LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST LINE OF SAID FORTY ACRE TRACT WHICH IS S02°33'46"W 234.97' FROM THE NORTHEAST CORNER THEREOF AND RUNNING THENCE ALONG SAID EAST LINE S02°33'46"W 342.53' TO AN EXISTING COTTON SPINDLE, THENCE LEAVING SAID EAST LINE THENCE N85°38'59"W 311.89', THENCE N02°32'48"E 342.73', THENCE S85°36'48"E 312.00' TO THE POINT OF BEGINNING, CONTAINING 2.45 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PROPOSED I-1 ZONING LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S02°33'46"W 234.97' AND N85°36'48"W 312.00' FROM THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S02°32'48"W 342.73', THENCE N85°38'59"W 104.10' TO AN EXISTING REBAR, THENCE S02°32'48"W 207.98' TO AN EXISTING REBAR, THENCE N85°46'36"W 849.74' TO AN EXISTING REBAR, THENCE N02°00'08"E 553.40' TO AN EXISTING REBAR, THENCE S85°36'48"E 959.18' TO THE POINT OF BEGINNING, CONTAINING 11.62 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

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

SECTION 1: That Ordinance No. is hereby amended as provided herein:

From Agricultural District (A-1) and General Commercial District (C-2) to General Commercial District (C-2) and Light Industrial District (I-1).

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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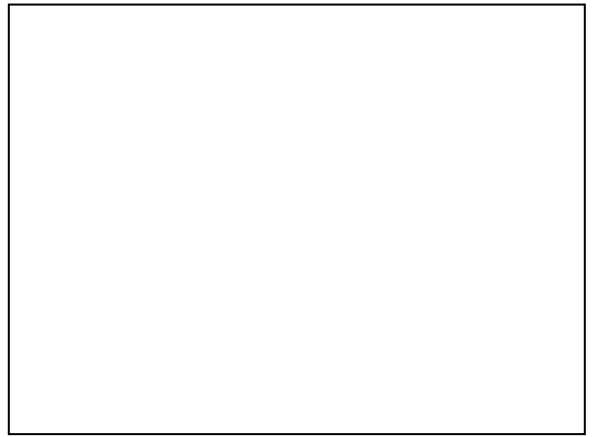
DALE™

IT HAPPEN

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SPRINGDALE™
WE'RE MAKING IT HAPPEN



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-11) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 4, 2023 for hearing the matter of a petition of PV=nRT, Inc. requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman's Description: 825 Oak Grove Road

Legal Description: PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, OF RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS: BEGINNING AT A POINT 196 FEET SOUTH OF THE NORTHWEST CORNR OF SAID FORTY ACRE TRACT, AND RUNNING THENCE EAST 180 FEET; THENCE SOUTH 100 FEET; THENCE WEST 180 FEET; THENCE NORTH 100 FEET TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANATS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-11) from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted on or Prior to: 02/24/2023
Public Hearing Sign Posted By Planning Department Staff
 Public Hearing Sign Location

815-29801-107

815-39264-200

815-29801-108

815-39264-100

815-39264-300

815-29801-095

815-39264-500

815-29801-106

815-39264-600

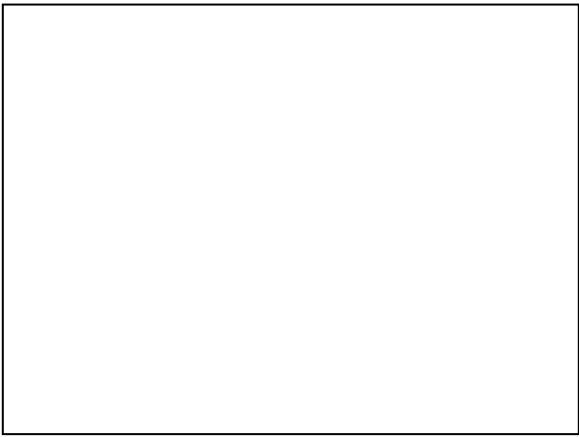
815-39264-400

TABLED UNTIL APRIL 4, 2023 PC
Planning Commission Meeting
March 7, 2023

0 0 0 0.01 0.01 0.02 Miles



PROJECT: R23-11
APPLICANT: PV=NRT, Inc.
REQUEST: Rezone from A-1 to C-2



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-15) CERTAIN LANDS FROM NEIGHBORHOOD OFFICE DISTRICT (O-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 4, 2023, for hearing the matter of a petition of Gonzalez Family Revocable Trust requesting that the following described tract of real estate to be zoned from Neighborhood Office District (O-1) to General Commercial District (C-2).

Layman's Description: 3581 Elm Springs Road

Legal Description: LOT 1A, REPLAT OF LOT 1, WESTFIELD SUBDIVIISON, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AS SHOWN ON PLAT OF RECORD FILED IN PLAT BOOK 23A AT PAGE 142, PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS. AND LOT 1B-A, OF THE REPLAT OF LOT 1B OF THE REPLAT OF LOT 1, WESTFIELD SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 23 AT PAGE 342, PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS. SUBJECT TO COVENANTS, EASEMENTS AND RIGHTS OF WAY, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-15) from Neighborhood Office District (O-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm

and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Neighborhood Office District (O-1) to General Commercial District (C-2).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

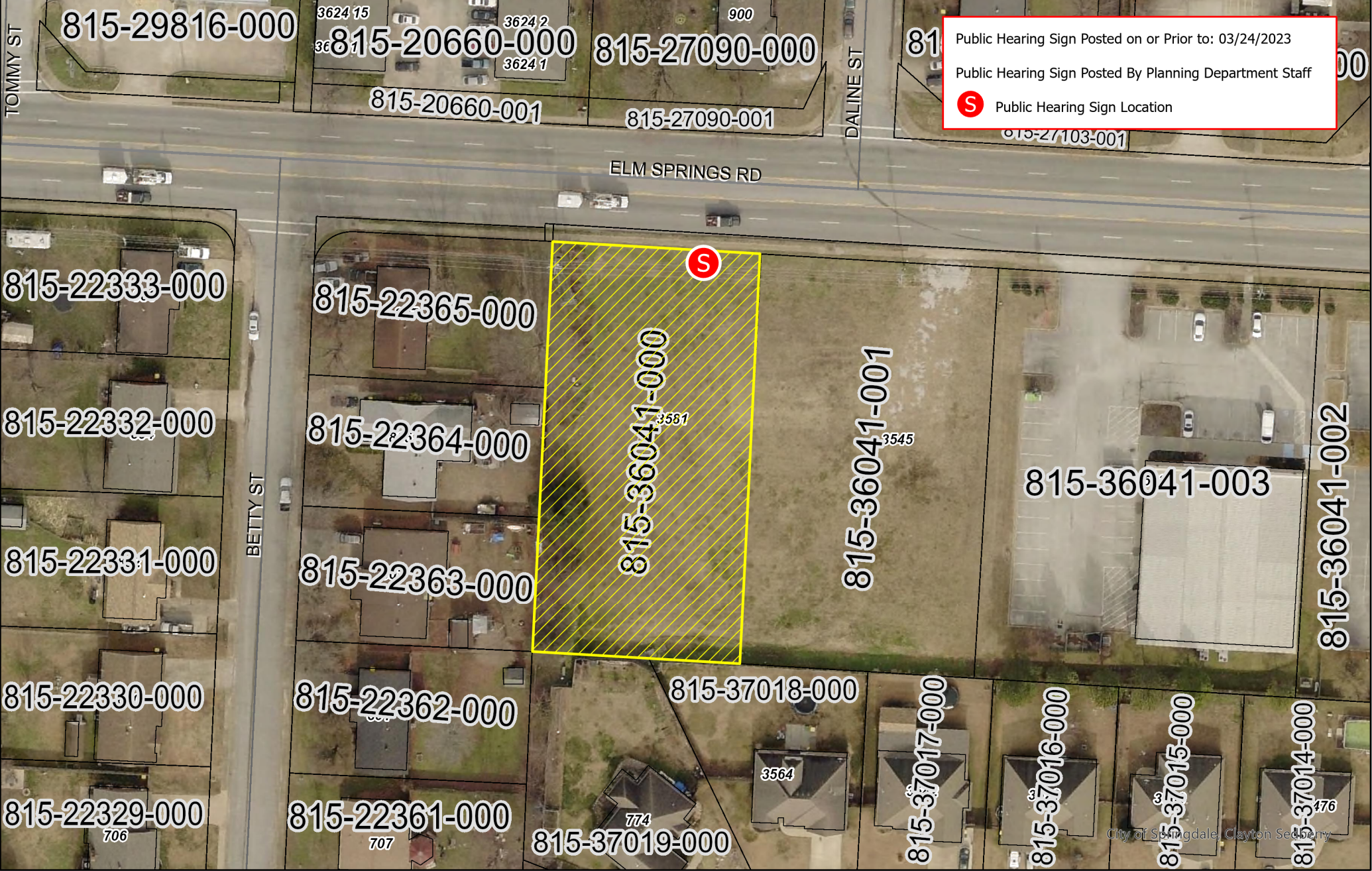
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

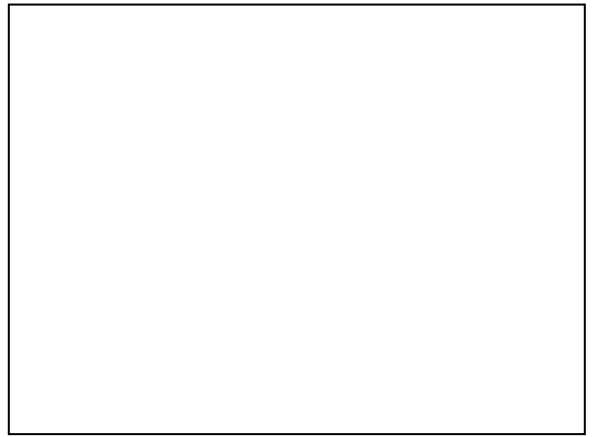


Public Hearing Sign Posted on or Prior to: 03/24/2023
Public Hearing Sign Posted By Planning Department Staff
S Public Hearing Sign Location

Planning Commission Meeting
April 4, 2023

PROJECT: R23-15
APPLICANT: Gonzalez Family Trust
REQUEST: Rezone from O-1 to C-2





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-16) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of April 4, 2023, for hearing the matter of a petition of Jose Antonia Meza Serrano requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman's Description: 680 West County Line Road

Legal Description: A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING AN EXISTING IRON REBAR; THENCE N87°30'53"W 432.56 FEET (DEED=249 FEET) TO A SET COTTON SPINDLE AT THE SOUTHWEST CORNER OF LAND PARCEL #89-21-00263-000, OF THE LAND RECORDS OF BENTON COUNTY, ARKANSAS, FOR THE TRUE POINT OF BEGINNING, SAID POINT BEING IN THE CENTER OF COUNTY LINE ROAD AND FROM WHICH AN EXISTING REFERENCE IRON ON THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD BEARS N02°05'42"E 30.00 FEET; THENCE LEAVING THE SOUTH LINE OF SAID ROAD BEARS N02°05'42"E 660.47 FEET TO AN EXISTING IRON; THENCE N87°32'19"W 230.72 FEET TO A SET $\frac{1}{2}$ " IRON REBAR; THENCE S02°19'47"W 660.37 FEET TO A SET $\frac{1}{2}$ " REBAR; THENCE S02°18'47"W 660.37 FEET TO A MAGNETIC READING IN THE PAVEMENT OF SAID ROAD; THENCE S87°30'54" E 233.23 FEET TO THE POINT OF BEGINNING,

CONTAINING 3.52 ACRES, MORE OR LESS. THE ABOVE DESCRIBED 3.52 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF COUNTY LINE ROAD AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT RECORDED.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-16) from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

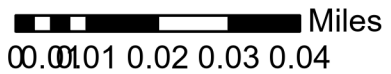
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

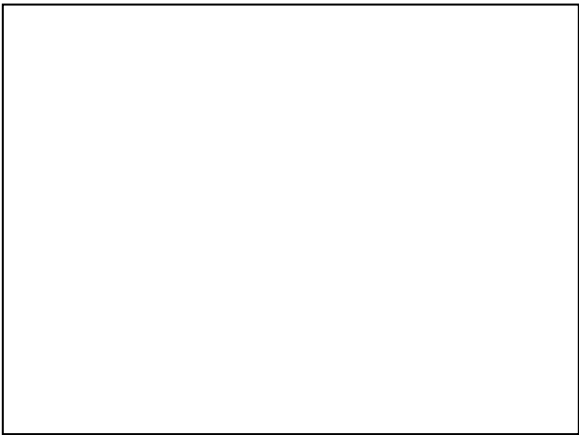


Planning Commission Meeting
April 4, 2023



PROJECT: R23-16
APPLICANT: Jose Antonio Meza Serrano
REQUEST: Rezone from A-1 to C-2





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-17) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 4, 2023, for hearing the matter of a petition of L & X Investments, LLC requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

Layman's Description: 3221 Habberton Road

Legal Description: PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION NINE (9), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 9, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE EAST LINE OF SAID SW 1/4 OF THE SE 1/4, N02°20'41"E A DISTANCE OF 339.92 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID EAST LINE, N86°22'21"W A DISTANCE OF 502.18 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N02°21'58"E A DISTANCE OF 538.45 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N86°42'17"W A DISTANCE OF 565.37 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N03°17'43"E A DISTANCE OF 180.00 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N86°42'17"W A DISTANCE OF 244.92 FEET TO A POINT ON THE WEST LINE OF SAID

SW 1/4 OF THE SE 1/4, SAID POINT BEING IN HABBERTON ROAD; THENCE ALONG SAID WEST LINE AND HABBERTON ROAD, N02°21'58"E A DISTANCE OF 253.65 FEET TO THE NORTHWEST CORNER OF SAID SW 1/4 OF THE SE 1/4; THENCE LEAVING SAID WEST LINE AND HABBERTON ROAD AND ALONG THE NORTH LINE OF SAID SW 1/4 OF THE SE 1/4, S86°52'47"E A DISTANCE OF 1309.07 FEET TO THE NORTHEAST CORNER OF SAID SW 1/4 OF THE SE 1/4, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID SW 1/4 OF THE SE 1/4, S02°20'41"W A DISTANCE OF 979.04 FEET TO THE POINT OF BEGINNING, CONTAINING 18.31 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF HABBERTON ROAD ON THE WEST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-17) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

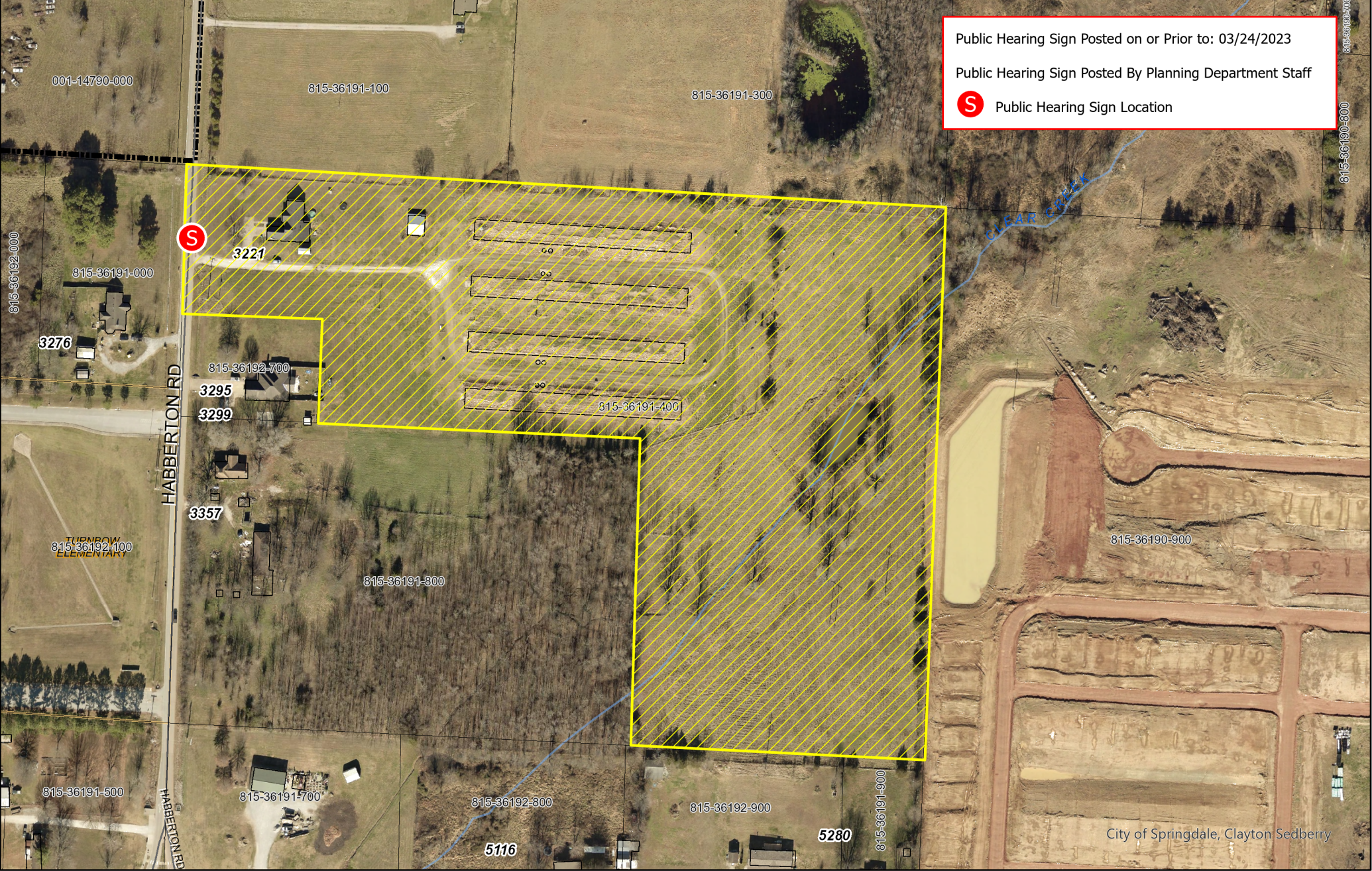
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted on or Prior to: 03/24/2023
Public Hearing Sign Posted By Planning Department Staff
S Public Hearing Sign Location

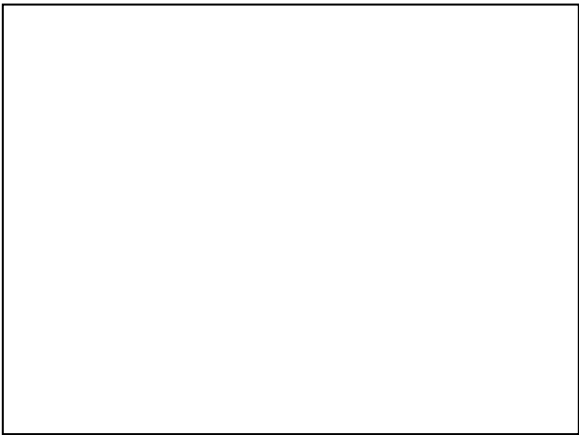


Planning Commission Meeting
April 4, 2023

0.00 0.01 0.03 0.04 0.06 Miles



PROJECT: R23-17
APPLICANT: L&X Investments, LLC
REQUEST: Rezone from A-1 to SF-2



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-18) CERTAIN LANDS FROM LIGHT INDUSTRIAL DISTRICT (I-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 4, 2023 for hearing the matter of a petition of 1st Choice Auto Repair, LLC requesting that the following described tract of real estate to be zoned from Light Industrial District (I-1) to General Commercial District (C-2).

Layman's Description: 2300 Turner Street

Legal Description: A PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N01°06'42"E, 353.23 FEET FROM THE SOUTHEAST CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE S01°06'42"W 75.23 FEET; THENCE N88°49'38"W, 398.70 FEET; THENCE N01°06'42"E, 248.49 FEET; THENCE S88°49'38"E, 147.94 FEET, THENCE S01°06'42"W, 173.71 FEET; THENCE S88°49'38"E, 250.76 FEET TO THE POINT OF BEGINNING.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-18) from Light Industrial District (I-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

815-29276-000

ARKHOLA

2101 B
815-29278-000

2106

Public Hearing Sign Posted on or Prior to: 03/24/2023

Public Hearing Sign Posted By Planning Department Staff



Public Hearing Sign Location

2107

815-29284-002

815-29284-000

2204

TURNER ST

2203

815-29275-000

2300

815-29255-000

2301

815-29254-000

815-29284-003

2304

815-29253-000

2303

City of Springdale, Clayton Sedberry

Planning Commission Meeting
April 4, 2023

0 0 0 0.01 0.01 0.02 Miles

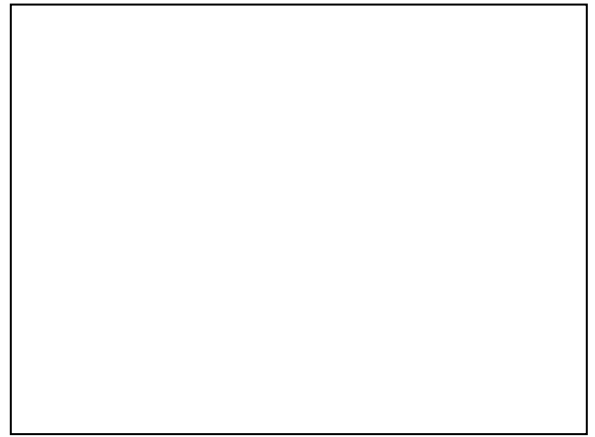


PROJECT: R23-18
APPLICANT: 1st Choice Auto Repair, LLC
REQUEST: Rezone from I-1 to C-2



SPRINGDALE
WE'RE MAKING IT HAPPEN

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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (FB23-01) CERTAIN LANDS FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (MF-12) TO SEED DISTRICT – NEIGHBORHOOD RESIDENTIAL TYPE 1 (NR1) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 4, 2023 for hearing the matter of a petition of Independence Realty Group, LLC requesting that the following described tract of real estate to be zoned from Medium Density Multi-Family Residential (MF-12) to SEED DISTRICT – Neighborhood Residential Type 1 District (NR1).

Layman's Description: 401 E. Velma Avenue

Legal Description:

Lots twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16), in block ten (10) in the R.L. Hayes Addition to the City of Springdale, Arkansas, as designated on the Plat of said addition now on file in the office of the Circuit Clerk of Washington County.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning (FB23-01), recommends to the Springdale City Council that the area described herein should be rezoned from Medium Density Multi-Family Residential (MF-12) to SEED DISTRICT – Neighborhood Residential Type 1 District (NR1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Medium Density Multi-Family Residential (MF-12) to SEED DISTRICT – Neighborhood Residential Type 1 District (NR1).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

815-22429-000

DODSON ST

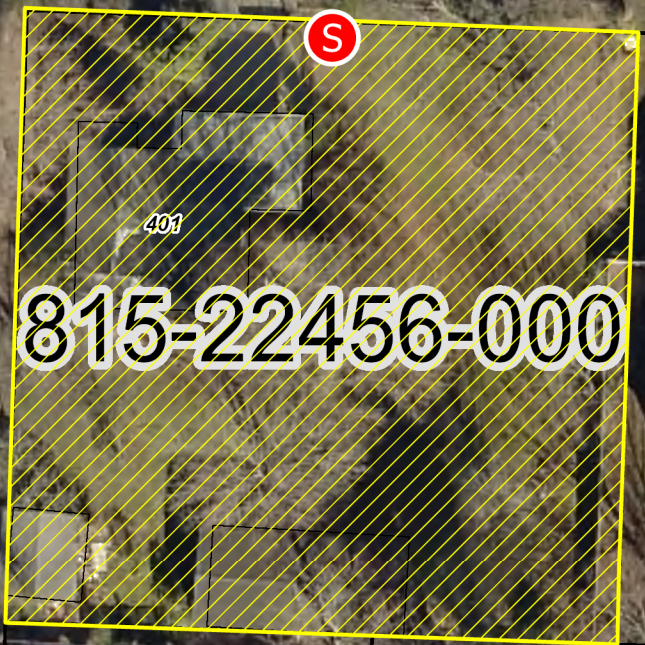
Public Hearing Sign Posted on or Prior to: 03/24/2023
Public Hearing Sign Posted By Planning Department Staff
 Public Hearing Sign Location

E VELMA AVE

815-22443-000

815-22443-001

DODSON ST



815-22456-000

815-22455-000

815-22453-000

815-22452-000

815-22450-000

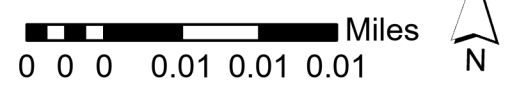
815-22451-000

815-22457-000

815-22458-000

City of Springdale, Clayton Sedberry

Planning Commission Meeting
April 4, 2023



PROJECT: FB23-01
APPLICANT: Independence Realty Group, LLC
REQUEST: Rezone from MF-12 to NR1 within the S.E.E.D.



RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W23-10) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO UAMS HEALTH ORTHOPEDIC & SPORTS MEDICINE CENTER IN CONNECTION WITH L23-27 A LARGE SCALE DEVELOPMENT

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 (W23-10) of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27 a Large Scale Development for UAMS Health Orthopedic & Sports Medicine Center 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 (W23-10) of street improvements to Watkins Avenue including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27 a Large Scale Development for UAMS Health and Orthopedic & Sports Medicine Center.

Option 2: Denies a waiver (W23-10) of street improvements to Watkins Avenue including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic & Sports Medicine.

Option 3: Approves payment in lieu (W23-10) of improvements to Watkins Avenue in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic & Sports Medicine with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver (W23-10) and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to Watkins Avenue including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic Sports Medicine.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

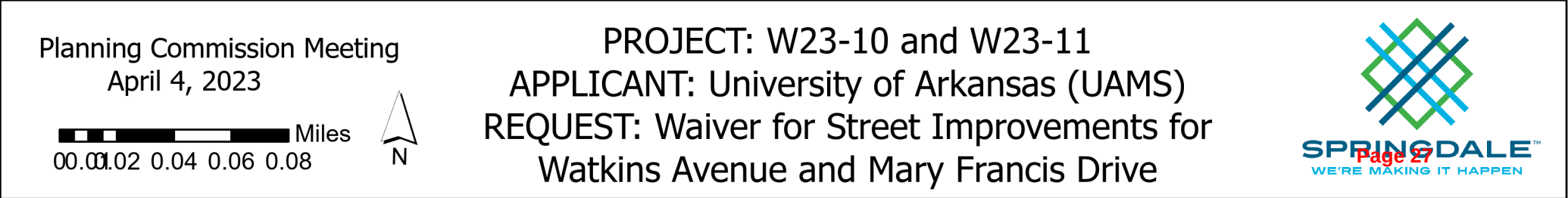
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



SPRINGDALE™
Page 27
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W23-11) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO UAMS HEALTH ORTHOPEDIC & SPORTS MEDICINE CENTER IN CONNECTION WITH L23-27 A LARGE SCALE DEVELOPMENT

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 (W23-11) of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27 a Large Scale Development for UAMS Health Orthopedic & Sports Medicine Center. 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 (W23-11) of street improvements to Mary Francis Drive including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27 a Large Scale Development for UAMS Health and Orthopedic & Sports Medicine Center.

Option 2: Denies a waiver (W23-11) of street improvements to Mary Francis Drive including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic & Sports Medicine.

Option 3: Approves payment in lieu (W23-11) of improvements to Mary Francis Drive in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic & Sports Medicine with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver (W23-11) and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to Mary Francis Drive including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with L23-27, a Large Scale Development for UAMS Health Orthopedic Sports Medicine.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

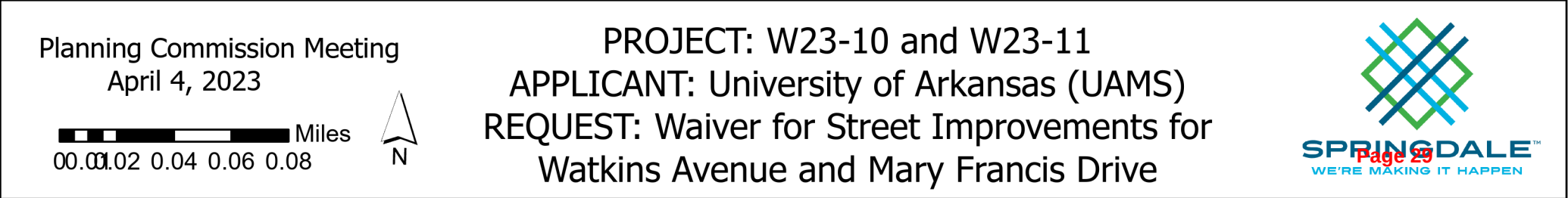
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



SPRINGDALE
Page 29
WE'RE MAKING IT HAPPEN

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W23-13) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO MANHATTAN ROAD AND BRIDGE IN CONNECTION WITH L23-28 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver (W23-13) of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-28 a Large Scale Development for Manhattan Road and Bridge and the Planning Commission recommends Payment in lieu of for 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 (W23-13) of street improvements to North Jefferson Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-28, a Large Scale Development for Manhattan Road & Bridge.

Option 2: Denies a waiver (W23-13) of street improvements to North Jefferson Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L23-28, a Large Scale Development for Manhattan Road & Bridge.

Option 3: Approves payment in lieu (W23-13) of improvements to North Jefferson Street in connection with L23-28, a Large Scale Development for Manhattan Road & Bridge with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver (W23-13) and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to North Jefferson Street including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with L23-28, a Large Scale Development for Manhattan Road & Bridge.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

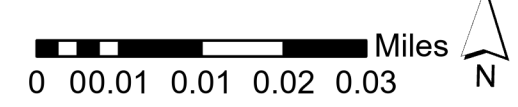
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



Planning Commission Meeting
April 4, 2023



PROJECT: W23-13
APPLICANT: RRE Springdale, LLC
(Manhattan Road and Bridge)
REQUEST: Waiver of Street Improvements on Jefferson Street
and Trickle Channel Construction or Detention Requirement



ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 110-138 OF THE
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,
ARKANSAS.**

WHEREAS, Section 110-138 of the Code of Ordinances of the City of Springdale, Arkansas, contains the provisions and regulations pertaining to the assignment of, and amendment to, street names in the City of Springdale, Arkansas;

WHEREAS, Section 110-138 of the Code of Ordinances of the City of Springdale, Arkansas, should be amended to revise the procedures pertaining to the assignment of, and amendment to, street names in the City of Springdale, Arkansas; and

WHEREAS, a public hearing was held before the Springdale City Council on April 25, 2023, after notice was given of said hearing as currently required by Section 110-138 of the Code of Ordinances of the City of Springdale, Arkansas.

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

Section 1: Section 110-138 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 110-138. Proposed amendments; hearing, notice.

On any proposed amendments to the regulations in this article or to the street address map, the City Council shall hold a public hearing, a notice of which shall be posted on the City's website and on the City's social media platforms at least 15 days prior to the date of the hearing. In addition, notice shall be sent by certified mail to all property owners whose street name would change due to the proposed amendment, advising of the date of the public hearing and the proposed street name change. Following the public hearing, the city council may adopt the amendment or amendments as recommended by the Information Technology Division (or other staff as appointed by the Mayor) or as determined by a majority vote of the city council.

Section 2: All other provisions of Chapter 110 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

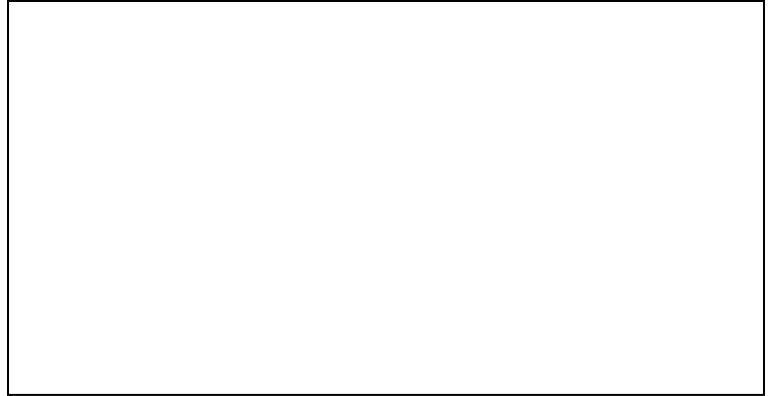
Denise Pearce, City Clerk

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 public street; more specifically renaming Robert Circle to Trailside Terrace; and

WHEREAS, on April 25, 2023, 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 Robert Circle to Trailside Terrace;

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 Robert Circle to Trailside Terrace.

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 25th day of April, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

CAMPUS EDGE, LLC

April 4, 2023

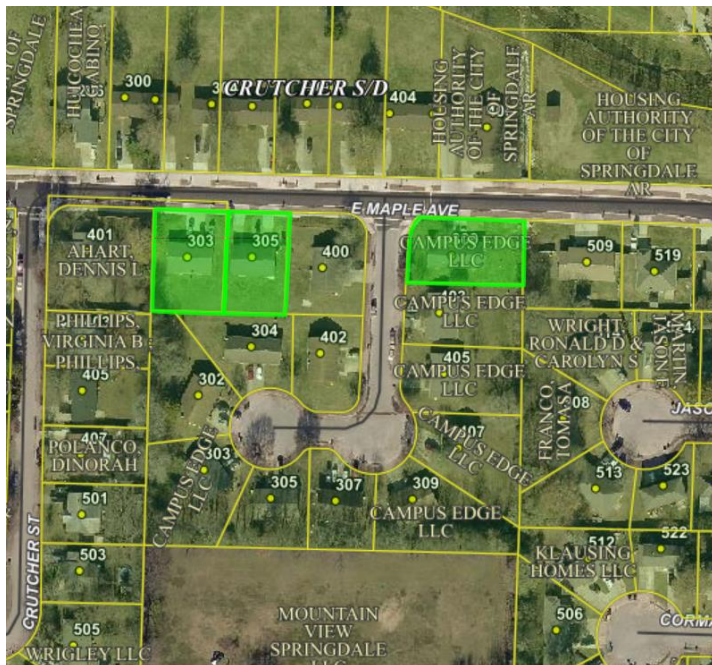
Ernest Cate
Springdale City Attorney
201 Spring Street
Springdale, AR 72764

Re: Robert Circle Address Change

Dear Mr. Cate,

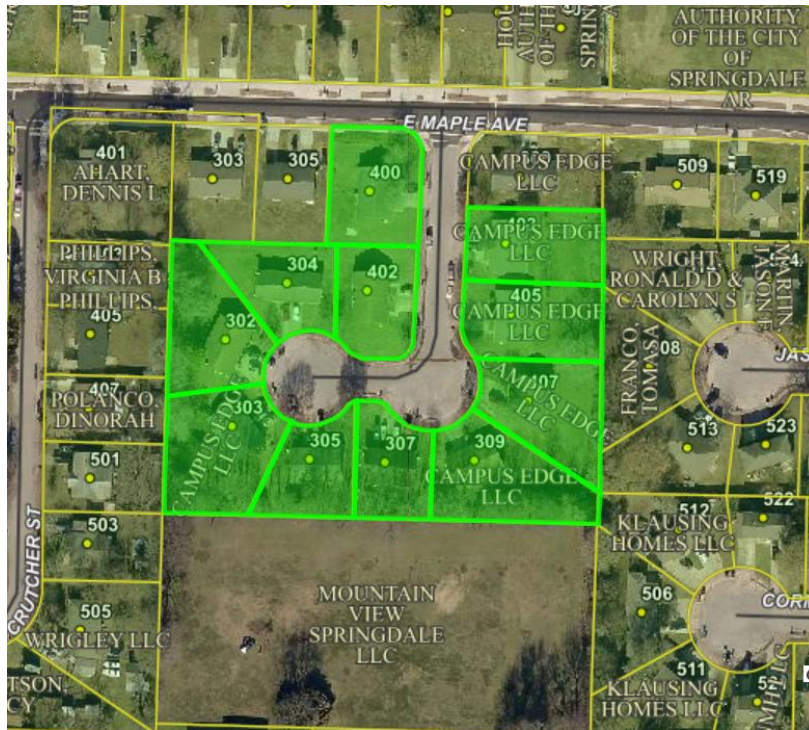
Campus Edge, LLC (“Applicant”) owns 14 duplexes situated immediately south of East Maple Avenue in Springdale (generally, south of Luther George Park). The 14 duplexes were developed as part of the “Shaver Addition” subdivision. The addresses for 3 of the duplexes within the subdivision are “East Maple Avenue” addresses with the balance of the addresses being “Robert Circle” addresses.

The locations of the East Maple Avenue duplexes are highlighted below:



Applicant is not requesting an address change with respect to the duplexes having East Maple Avenue addresses.

The locations of the duplexes with Robert Circle addresses are highlighted below:



Applicant is in the process of remodeling all 14 duplexes. There are no other owners of any property within the subdivision. Because of the proximity to the Razorback Greenway, Applicant desires to re-brand the subdivision as “Trailside Terrace” and accordingly requests that the addresses for the duplexes having a Robert Circle address be changed to duplexes having a Trailside Terrace address, as follows:

<u>Previous Address</u>	<u>New Proposed Address</u>
302 Robert Circle, Springdale, AR 72764	302 Trailside Terrace Springdale, AR 72764
303 Robert Circle, Springdale, AR 72764	303 Trailside Terrace Springdale, AR 72764
304 Robert Circle, Springdale, AR 72764	304 Trailside Terrace Springdale, AR 72764
305 Robert Circle, Springdale, AR 72764	305 Trailside Terrace Springdale, AR 72764
307 Robert Circle,	307 Trailside Terrace

Springdale, AR 72764

309 Robert Circle,
Springdale, AR 72764

400 Robert Circle,
Springdale, AR 72764

402 Robert Circle,
Springdale, AR 72764

403 Robert Circle,
Springdale, AR 72764

405 Robert Circle,
Springdale, AR 72764

407 Robert Circle,
Springdale, AR 72764

Springdale, AR 72764

309 Trailside Terrace
Springdale, AR 72764

400 Trailside Terrace
Springdale, AR 72764

402 Trailside Terrace
Springdale, AR 72764

403 Trailside Terrace
Springdale, AR 72764

405 Trailside Terrace
Springdale, AR 72764

407 Trailside Terrace
Springdale, AR 72764

Please let us know if you have additional questions or need additional information. I can be reached at 479-409-6021 and khall@nwabusinesslaw.com. Any mailed correspondence can be sent to 417 W. Maple Avenue, Springdale, AR 72764.

Thank you,

Ken Hall, Manager of Campus Edge, LLC

The City Council of the City of Springdale met in regular session on Tuesday, April 11, 2023 in the tiered training room in the new Criminal Justice 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 (Absent)
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4 (Absent)
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Colby Fulfer	Chief of Staff
Frank Gamble	Police Chief
Jimmy Vaughan	Asst. Fire Chief
Patsy Christie	Planning Director
Mike Chamlee	Building Official
James Smith	Public Works Director
Ben Peters	Engineering Dept.
Angie Albright	Shiloh Museum Director

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the March 28, 2023 City Council meeting be approved as presented. Council Member Harriman made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

PROCLAMATION – RECOGNIZING KELSIE EVERETT – MISS ARKANSAS CONTESTANT

Mayor Doug Sprouse recognized Kelsie Everett who is competing in the Miss Arkansas Pageant June 3-10, 2023 where she plans to sing for her talent. He proclaimed April 10-14, 2023 as Kelsey Everett week in Springdale, Arkansas.

ORDINANCE NO. 5825 – ACCEPTING THE FINAL PLAT (FP23-02) OF BARBERRY COURT PHASE I TO THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Final Plat (FP23-02) of Barberry Court Phase I to the City of Springdale; 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 Bailey made the second.

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5825.

ORDINANCE NO. 5826 – ACCEPTING THE REPLAT (RP23-03) OF ALL OF LOT 12 & PART OF LOT 11, BLOCK 1, NORTH HEIGHTS ADDITION TO THE CITY OF SPRINGDALE; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP23-03) of all of Lot 12 and part of Lot 11, Block 1, North Heights Addition to the City of Springdale; 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: Lawson, Bailey, Harriman, Powell, Williams, Watson

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5826.

ORDINANCE NO. 5827 – ACCEPTING THE REPLAT (RP23-05) OF BLOCK 2, LOTS 3 & 7 OF ZACHARY ADDITION TO THE CITY OF SPRINGDALE; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP23-05) of Block 2, Lots 3 and 7 of Zachary Addition to the City of Springdale; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5827.

ORDINANCE NO. 5828 – ACCEPTING THE REPLAT (RP23-06) OF LOTS 14 AND 15 OF DEL’S WOODS SUBDIVISION, A RESIDENTIAL SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP23-06) of Lots 14 and 15 of Del’s Woods Subdivision, a residential subdivision to the City of Springdale, Arkansas; 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 Williams made the second.

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5828.

RESOLUTION NO. 44-23 – AUTHORIZING THE MAYOR AND CITY CLERK TO RENEW A CONTRACT WITH THE DOWNTOWN SPRINGDALE ALLIANCE TO PROMOTE, PRESERVE AND ENHANCE DOWNTOWN SPRINGDALE, AND TO FACILITATE THE IMPLEMENTATION OF THE DOWNTOWN MASTER PLAN

Council Member Jeff Watson presented a Resolution authorizing the Mayor and City Clerk to renew a contract with the Downtown Springdale Alliance to promote, preserve and enhance Downtown Springdale, and to facilitate the implementation of the Downtown Master Plan.

Council Member Watson said there was some discussion at committee about possibly adjusting this contract during budget time to be on a calendar year as opposed to renewing in April

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO RENEW A CONTRACT WITH THE DOWNTOWN SPRINGDALE ALLIANCE TO PROMOTE, PRESERVE, AND ENHANCE DOWNTOWN SPRINGDALE, AND TO FACILITATE THE IMPLEMENTATION OF THE DOWNTOWN MASTER PLAN.

WHEREAS, in 2015, the City Council for the City of Springdale, Arkansas, passed an Ordinance establishing the Downtown Master Plan for downtown Springdale;

WHEREAS, the intent of the Downtown Master Plan is to promote, preserve, and enhance the development, preservation, and beautification of Downtown Springdale, which benefits all the residents of the City of Springdale;

WHEREAS, on March 23, 2021, the City Council of the City of Springdale, Arkansas, passed Ordinance No. 5579, authorizing a contract between the City of Springdale and the Downtown Springdale Alliance ("the DSA"), allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan;

WHEREAS, the contract with the DSA was extended for an additional one (1) year term by way of Resolution No. 36-22 passed on April 26, 2022, said term expiring on February 28, 2023;

WHEREAS, the City of Springdale desires to renew the existing contract with the DSA for a period of one (1) year;

WHEREAS, incorporated herein by reference and attached hereto as Exhibit "A" is a contract between the City of Springdale and the DSA, allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan, as set out in the contract, for the total sum of \$150,000.00;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to renew a contract, which is incorporated herein by reference, with the Downtown Springdale Alliance, and to pay the sum not to exceed \$150,000.00 to the Downtown Springdale Alliance, as set out in the Contract, said money to be paid from general fund.

PASSED AND APPROVED this ____ day of April, 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: Lawson, Bailey, Harriman, Powell, Williams, Watson

No: None

The Resolution was numbered 44-23.

RESOLUTION NO. 45-23 – TO AUTHORIZING THE EXECUTION OF A CONSTRUCTION MANAGEMENT CONTRACT FOR THE 2023 SPRINGDALE SENIOR CENTER BOND PROGRAM PROJECT

Council Member Amelia Williams presented a Resolution authorizing the execution of a construction management contract with Buffalo Builders, LLC for the Springdale Senior Center Project.

Buffalo Builders, LLC, has agreed to furnish construction management services for a fee not to exceed \$34,220.00 for pre-construction services, with no payment due should the 2023 Senior Center Bond Program not be approved by the voters, and a fee of 6.00% of the guaranteed maximum price of the work for construction services.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION MANAGEMENT CONTRACT FOR THE SPRINGDALE SENIOR CENTER PROJECT.

WHEREAS, Ark. Code Ann. §19-11-801 provides for the employment of a construction manager for certain public improvement projects;

WHEREAS, the City of Springdale is planning on the construction of a new Springdale Senior Center if the 2023 Senior Center Bond Program is approved by the voters;

WHEREAS, it is critical to the efficient and timely completion of the Springdale Senior Center Project to engage the services of a construction management firm for pre-construction and construction phase services related to the Project; and

WHEREAS, Buffalo Builders, LLC, has agreed to furnish construction management services for a fee not to exceed \$34,220.00 for pre-construction services, with no payment due should the 2023 Senior Center Bond Program not be approved by the voters, and a fee of 6.00% of the guaranteed maximum price of the work for construction services.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to execute a contract for construction manager services with Buffalo Builders, LLC, for services to be provided relating to the 2023 Senior Center Bond Program.

PASSED AND APPROVED this ____ day of April, 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 Harriman made the second.

The vote:

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

No: None

The Resolution was numbered 45-23.

RESOLUTION NO. 46-23 – AUTHORIZING THE EXPENDITURE OF FUNDS TO
ACQUIRE A PORTION OF LAND FROM DENNIS C. RICHARDS AND GLENDA M.
RICHARDS FOR THE DON TYSON PARKWAY PROJECT (HWY. 112 TO 56TH STREET)
PROJECT NO. CP1518

Council Member Amelia Williams presented a Resolution authorizing the expenditure of funds to acquire a portion of land from Dennis C. Richards and Glenda M. Richards for the Don Tyson Parkway Project (Hwy. 112 to 56th Street) Project No. CP1518.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO
ACQUIRE A PORTION OF LAND FROM DENNIS C. RICHARDS AND
GLENDA M. RICHARDS FOR THE DON TYSON PARKWAY PROJECT
(HWY 112 TO 56TH STREET), PROJECT NO. CP1518.**

WHEREAS, the City of Springdale is in need of acquiring a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 11, said lands being owned by Dennis C. Richards and Glenda M. Richards;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$61,300.00 is the estimated just compensation for the property needed from the Richards;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$65,000.00 to acquire the land needed for the project, said amount being justified by the nature of these properties, 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 \$3,700.00 to acquire the property needed from the Richards, 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 a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 11, said lands being owned by Dennis C. Richards and Glenda M. Richards, for the total sum of \$65,000.00 to be paid from the general fund.

PASSED AND APPROVED this ____ day of April, 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 Lawson made the second.

The vote:

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

No: None

The Resolution was numbered 46-23.

RESOLUTION NO. 47-23 – AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE CITY OF SPRINGDALE TO DANNY SHIPP AND LANELLE SHIPP IN EXCHANGE FOR PROPERTY OWNED BY DANNY SHIPP AND LANELLE SHIPP

City Attorney Ernest Cate presented a Resolution authorizing the conveyance of land owned by the City of Springdale to Danny Shipp and Lanelle Shipp in exchange for property owned by Danny Shipp and Lanelle Shipp.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE CITY OF SPRINGDALE TO DANNY SHIPP AND LANELLE SHIPP IN EXCHANGE FOR PROPERTY OWNED BY DANNY SHIPP AND LANELLE SHIPP

WHEREAS, on July 19, 1982, a document known as "Plat of Lake Side Addition" ("the Plat"), was filed in the land records of Washington County, Arkansas, at Plat Book 9, Page 2;

WHEREAS, the Plat dedicated certain property at the end of Summers Road as a public street/cul-de-sac, but that portion of the street was never constructed;

WHEREAS, the property subject to the Plat was annexed into the City of Springdale on October 26, 2010, by way of Ordinance No. 4462;

WHEREAS, in order to improve and clearly define the boundary of Summers Road, a portion of the previously dedicated cul-de-sac is not needed, but the City needs to acquire additional square footage from adjacent property owners;

WHEREAS, in order to accomplish the foregoing, it is necessary that certain property owned by the City of Springdale be exchanged for certain property owned by Danny Shipp and Lanelle Shipp, as further described herein;

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the City Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per File #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 114.35 feet; Thence 5.16 feet along a non-tangent curve to the right, having a radius of 64.00 feet, a central angle of 4°36'30", and a long chord bearing of S01°35'28"E with a chord length of 5.16 feet to the Point of Beginning; Thence 32.21 feet along a tangent curve to the right, having a radius of 64 feet, a central angle of 28°45'46", and a long chord bearing S15°05'40"W with a chord length of 31.88 feet Thence 60.97 feet along a tangent curve to the left, having a radius of 144 feet, a central angle of 24°16'27", and a long chord bearing S20°27'34"W with a chord length of 60.52 feet; Thence S02°42'46"W 26.02 feet; Thence N87°17'14"W 2.50 feet; Thence N02°42'46"E 70.20 feet; Thence 55.32 feet along a non-tangent curve to the right, having a radius of 50.00 feet, a central angle of 63°23'19", and a long chord bearing N34°38'08"E with a chord length of 52.54 feet to the Point of Beginning, containing 1,058 sq ft or 0.024 acres, more or less.

WHEREAS, Danny Shipp and Lanelle Shipp own the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the Shipp Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime

Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½” rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per File #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26’44”E 114.35 feet to the Point of Beginning; Thence S87°26’44”E 22.61 feet; Thence 23.02 feet along a non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 26°22’58”, and a long chord bearing of S79°31’16”W with a chord length of 22.82 feet; Thence 5.16 feet along a non-tangent curve to the left, having a radius of 64.00 feet, a central angle of 4°36’30”, and a long chord bearing of N01°35’28”W with a chord length of 5.16 feet to the Point of Beginning, containing 37.87 sq ft or 0.00087 acres, more or less.

WHEREAS, the City Property and the Shipp Property should be exchanged so that the respective property boundaries are made clear, and so Summers Road may be improved;

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

WHEREAS, the exchange of property described herein would be in the best interests of the public, would clearly define the boundaries of the properties, and would allow for the improvements to Summers Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the conveyance of the City Property to Danny Shipp and Lanelle Shipp in exchange for the Shipp Property to the City, and so that the boundaries of the properties are made clear and so improvements may be made to Summers Road.

PASSED AND APPROVED this ____ day of April, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 47-23.

RESOLUTION NO. 48-23 – AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE CITY OF SPRINGDALE TO KATHERINE RUSSELL IN EXCHANGE FOR PROPERTY OWNED BY KATHERINE RUSSELL

City Attorney Ernest Cate presented a Resolution authorizing the conveyance of land owned by the City of Springdale to Katherine Russell in exchange for property owned by Katherine Russell.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE CITY OF SPRINGDALE TO KATHERINE RUSSELL IN EXCHANGE FOR PROPERTY OWNED BY KATHERINE RUSSELL

WHEREAS, on July 19, 1982, a document known as "Plat of Lake Side Addition" ("the Plat"), was filed in the land records of Washington County, Arkansas, at Plat Book 9, Page 2;

WHEREAS, the Plat dedicated certain property at the end of Summers Road as a public street/cul-de-sac, but that portion of the street was never constructed;

WHEREAS, the property subject to the Plat was annexed into the City of Springdale on October 26, 2010, by way of Ordinance No. 4462;

WHEREAS, in order to improve and clearly define the boundary of Summers Road, a portion of the previously dedicated cul-de-sac is not needed, but the City needs to acquire additional square footage from adjacent property owners;

WHEREAS, in order to accomplish the foregoing, it is necessary that certain property owned by the City of Springdale be exchanged for certain property owned by Katherine Russell, as further described herein;

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the City Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition per file #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 136.96 feet; Thence 23.68 feet along a tangent curve to the right, having a radius of 50.00 feet, a central angle of 27°07'59", a long chord bearing of S73°43'16"E with a chord length of 23.46 feet to the Point of Beginning; Thence 133.40 feet along a tangent curve to the right, having a radius of 50.00 feet, a central angle of 152°52'04", a long chord bearing S16°16'46"W with a chord length of 97.21 feet; Thence S02°42'46"W 20.00 feet; Thence N87°17'14"W 2.50 feet; Thence N02°42'46"E 23.61 feet; Thence 40.86 feet along a tangent curve to the right, having a radius of 99.00 feet, a central angle of 23°40'05", and a long chord bearing of N21°18'52"E with a chord length of 40.57 feet; Thence 54.44 feet along a tangent curve to the left, having a radius of 109.00 feet, a central angle of 28°34'13", and a long chord bearing N15°58'39"E with a chord length of 53.88 feet to the Point of Beginning, containing 2,813 sq ft or 0.065 acres, more or less

WHEREAS, Katherine Russell owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the Russell Property"), and as shown on the attached Exhibit "A":

Being a part of the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eighteen (18) North, Range Thirty (30) West of the 5th Prime Meridian, City of Springdale, Washington County, Arkansas, being more particularly described as follows: Commencing at a found ½" rebar at the NW Corner of said SE ¼ of the NW ¼, point also being the NW Corner of Lake Side Addition file #9-00000002 in the official public records of Washington County, Arkansas; Thence S87°26'44"E 136.96 feet to the Point of Beginning; Thence S87°26'44"E 22.56 feet; Thence 5.57 feet along a tangent curve to the right, having a radius of 109.00 feet, a central angle of 2°55'25", a long chord bearing S00°13'49"W with a chord length of 5.57 feet; Thence 23.68 feet along a tangent curve to the left, having a radius of 50.00 feet, a central angle of 27°07'59", and a

long chord bearing of N73°43'16"W with a chord length of 23.46 feet to the Point of Beginning, containing 41.04 sq ft or 0.00094 acres, more or less.

WHEREAS, the City Property and the Russell Property should be exchanged so that the respective property boundaries are made clear, and so Summers Road may be improved;

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

WHEREAS, the exchange of property described herein would be in the best interests of the public, would clearly define the boundaries of the properties, and would allow for the improvements to Summers Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the conveyance of the City Property to Katherine Russell in exchange for the Russell Property to the City, and so that the boundaries of the properties are made clear and so improvements may be made to Summers Road.

PASSED AND APPROVED this ____ day of April, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 48-23.

RESOLUTION NO. 49-23 – SETTING A HEARING DATE ON A PETITION TO VACATE A PORTION OF WEST EMMA AVENUE

City Attorney Ernest Cate presented a Resolution setting a date for May 9, 2023 to hear a petition to vacate a portion of West Emma Avenue.

RESOLUTION NO. ____

A RESOLUTION SETTING A HEARING DATE ON A PETITION TO VACATE A PORTION OF WEST EMMA AVENUE.

WHEREAS, on May 8, 1974, the Final Plat of Lendel Estates, Washington County, Arkansas, was filed in the land records of Washington County, Arkansas, at Plat Book 6, Page 619 (“the Plat”);

WHEREAS, the Plat dedicated right-of-way for Emma Avenue, said dedication including 40 foot in width parallel and adjacent to the northern lot line of Lot 13 of the Plat, said lot now being owned by Edward Allred and Sandra Allred (Parcel No. 815-23364-000);

WHEREAS, this portion of Emma Avenue has never been extended, nor used by the public since the filing of the Plat in 1974;

WHEREAS, the City of Springdale has undertaken the first phase of the Har-Ber Avenue Extension Project (48th Street to Gutensohn), Project No. 18BPS12, more specifically, the portion from Gutensohn to 40th Street;

WHEREAS, the location of the new street is north of the right-of-way originally dedicated by the Plat, and it is therefore necessary and prudent to vacate a portion of the right-of-way previously dedicated by the Plat, that portion being more particularly described as follows:

Beginning at the Northwest corner of Lot 13, Lendel Estates Subdivision, City of Springdale, Washington County, Arkansas, also known as Tax Parcel No. 815-23364-000, thence North 4 feet; thence East 104 feet; then South 4 feet; thence West 104 feet to the point of beginning. Subject to any utility easements of record.

And as shown on the attached Map.

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that a hearing date should be set on the petition pursuant to Ark. Code Ann. §14-301-301, *et seq.*;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that May 9, 2023, at 6:00 p.m. be set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time, as required by law.

PASSED AND APPROVED this ____ day of April, 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 Lawson made the second.

The vote:

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

No: None

The Resolution was numbered 49-23.

ADJOURNMENT

Council Member Harriman 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 6:25 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer