



Planning Board

Darrell Watts – Chairman
Rocky Clinton-Vice-Chairman
Michael Lunsford-Secretary
Susan Sedberry-Member
Larry Roberts-Member

City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Board of Zoning Adjustments Public Hearing Agenda

Date: **THURSDAY**, April 26, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

- 1. Board of Zoning Adjustments Meeting Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
 - a. K2 Contracting CUP
 - b. Updates to Chapter 155 Fees
- 4. Comments from Citizens**
- 5. Meeting Adjourned**



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Planning Board Agenda

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Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

- 1. Planning Board Meeting Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes**
 - a. Approval of March 27, 2018 Public Hearing Minutes
 - b. Approval of March 27, 2018 Planning Board Minutes
- 5. Comments from Citizens**
- 6. Old Business**
- 7. New Business**
 - a. Westbrook Subdivision Phase 2 Final Plat
 - b. K2 Contracting Conditional Use Permit
 - c. Cross Pointe Church Large Scale Development
 - d. Updates to Chapter 155 Fees
- 8. Review Items for Placement on City Council Agenda (if applicable)**
 - a. Updates to Chapter 155 Fees
- 9. Reoccurring Items and Items for Review**
 - a. Review of Approved Projects & Expirations
 - b. Review Building Activity
- 10. Comments from Staff**
 - a. Sue is resigning. Thank you for your service to Tontitown.
 - b. Discuss changes to Sign Ordinance proposed by City Council.
 - c. Updates on Landfill progress, discussion of Landfill Tour
 - d. Discussion of Subcommittee Meeting on April 10, 2018
 - i. Synopsis of meeting
 - ii. Outline for next month and set Public Input Session
 - e. Upcoming Subcommittee Meeting, Tuesday, May 15, 2018
 - f. Upcoming Planning Board Meeting, Tuesday, May 22, 2018
- 11. Comments from Board Members**
- 12. Meeting Adjourned**



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Board of Zoning Adjustments Public Hearing Minutes

Date: Tuesday, March 27, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Board of Zoning Adjustments Meeting Call to Order

2. Roll Call

All but Darrel Watts was in attendance.

3. Approval of Agenda

a. Updates to Chapter 153.180-Sign Regulations

Susan Sedberry motioned to approve the agenda Second by Michael Lunsford Motion Passes

Courtney McNair gave a review of the proposed updated Sign Regulations from the last subcommittee meeting. This will be for new signs moving forward, existing signs will be grandfathered in.

4. Comments from Citizens

The Mayor said that there needs to be more clarification in the sign regulations no gray areas, for example the painted wall signage.

Reference the audio on the city's website for detailed discussion.

5. Meeting Adjourned- Susan Sedberry motioned to adjourn Second by Larry Roberts Motion Passes



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Planning Board Minutes

Date: Tuesday, March 27, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Planning Board Meeting Call to Order

2. Roll Call

All but Darrel Watts was in attendance.

3. Approval of Agenda

Susan Sedberry motioned to approve agenda Second by Larry Roberts Motion Passes

4. Approval of Minutes

a. Approval of February 27, 2018 Public Hearing Minutes

b. Approval of February 27, 2018 Planning Board Minutes

Susan Sedberry motioned to approve the minutes Second by Larry Roberts Motion Passes

5. Comments from Citizens- None

6. Old Business

7. New Business

a. Mathias Property Rezoning Request

Susan Sedberry motioned to approve Second by Michael Lunsford Motion Passes

b. Westbrook Subdivision Phase 2 Final Plat

Michael Lunsford motioned to table Second by Larry Roberts Motion Passes

c. Updates to Chapter 153.180-Sign Regulations

Susan Sedberry motioned to approve the updates to chapter 153.188 with corrections noted Second by Michael Lunsford Motion Passes

Move to the next city council meeting

8. Review Items for Placement on City Council Agenda (if applicable)

a. Mathias Property Rezoning Request

b. Updates to Chapter 153.180-Sign Regulations

9. Reoccurring Items and Items for Review

a. Review of Approved Projects & Expirations

Reference the city's website for detailed report

b. Review Building Activity

Rocky Clinton requested that a "percentage of change" column be added to the report.

Reference the city's website for detailed report

10. Comments from Staff

- a. Updates on Landfill progress

City Attorney is working on a resolution.

- b. Discussion of Subcommittee Meeting on March 8, 2018 and March 26, 2018

- i. Synopsis of meeting

Reference the city's audio for discussion.

- ii. Outline for next month and set subcommittee meeting date

- c. Upcoming Planning Board Meeting, **THURSDAY**, April 26, 2018.

11. Comments from Board Members

Rocky Clinton asked the board if they wanted to change the meeting time back to 7:00 pm., everyone seems to like the 6:00 pm time but will make a decision at next month's planning meeting.

- 12. Meeting Adjourned- Susan Sedberry motioned to adjourn Second by Larry Roberts All in favor**



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **April 26, 2018**
Project: **Westbrook SD Ph. 2**
Planner: Courtney McNair

AGENDA ITEM

A

FINAL SUBDIVISION PLAT APPROVAL REQUEST

Parcel #s: 830-37661-000, 830-37661-005, & 830-37661-003

SUMMARY: Westbrook Subdivision Phase 2 is requesting Final Subdivision approval for 114 lots on 33.97 acres of land.

CURRENT ZONING: **R-3** - Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three units/net acres (i.e. after dedications are made).

CITY WARD: 1- Gene McCartney & Henry Piazza

FLOODPLAIN: No

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

School District: Springdale

PROJECT SYNOPSIS:

Westbrook Subdivision Phase 2 is requesting Final Subdivision approval for 114 lots on 33.97 acres of land. The property is zoned R3, and all lots meet the minimum lot size of 9,600 sq. ft.

This property is owned by Sprout Holdings, LLC., and located within the City Limits of Tontitown.

This project has access along E. Fletcher Road, as well as several connections to stub outs from the neighboring Westbrook Phase 1. The site was previously undeveloped.

This project was tabled at the last meeting in order to give the developer more time to finish the required items. At this time, the project is not yet complete. Staff will update the Board at the meeting.

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water- The developer has relocated the 8-inch water line that crossed the property to the east side of the property. The remainder of the required line has been installed but has not yet passed final testing.

Electric: Ozarks Electric-no additional comments were submitted. Utility easements are shown on the plat.

Sewer/Septic: Sewer- this project connects to the City of Tontitown sewer system. The sewer has been installed but has not passed final testing at this time.

Phone: AT&T- No comments were received from ATT but staff did provide the plat information to them per their request.

Natural Gas: Black Hills Energy- No comments were received from BHE but utility easements are shown on the plat.

Cable: Cox Communications- No comments were received from Cox but utility easements are shown on the plat.

School District: Springdale school district was notified of this project, but submitted no comments.

Stormwater Pollution Prevention Plan (SWPPP):

The applicant has installed appropriate measures to protect the stormwater system from pollution and runoff.

Police:

Tontitown Police Chief Joey McCormick had no concerns with the current plat proposal.

Fire:

The developer has relocated the 8-inch water line that crossed the property to the east side of the property. The remainder of the required line has been installed but has not yet passed testing.

Final Inspections are required on the fire hydrants.

Drainage:

The as-built plans that show the drainage and as-built conditions must be submitted prior to Final Approval. These plans have not been provided at this time.

Roads:

This project has road connections to existing stub outs on Gaiche and Frizzo, one connection along E. Fletcher (lots back up along E. Fletcher), Lot 112 has access along S. Barrington and stub out connection on Lazzari.

The roads have not been completed at this time.

STAFF RECOMMENDATION: There are several outstanding items that must be completed prior to Final Approval, however, the developer is trying to have everything complete by the meeting. Staff will update the Board at the meeting on the status of this project.

I, THE UNDERSIGNED, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT I HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, AND EASEMENTS AS SHOWN ON SAID PLAT.

ADDRESS:

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

THIS DOCUMENT FILED FOR RECORD THIS _____ DAY OF _____, 20____.

IN PLAT BOOK NO. _____, PAGE _____

SIGNED: _____
WASHINGTON COUNTY CIRCUIT CLERK

PURSUANT TO THE CITY OF TONTITOWN SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

THIS APPROVAL DOES NOT GUARANTEE ANY OF THE FOLLOWING.

1. DELIVERY OF PUBLIC WATER OR SEWER SERVICE.
2. DELIVERY OF ANY OTHER UTILITY SERVICE.
3. IMPROVEMENTS TO ANY AFFECTED CITY STREETS OR COUNTY ROADS.
4. APPROVAL FROM THE ARKANSAS DEPARTMENT OF HEALTH.
5. ACCESS TO THE PROPERTY VIA EASEMENTS OR OTHERWISE EITHER KNOWN OR UNKNOWN.

DATE OF EXECUTION: _____

SIGNED: _____
CHAIRMAN, TONTITOWN PLANNING COMMISSION

SIGNED: _____
MAYOR, CITY OF TONTITOWN

SIGNED: _____
RECORDER / TREASURY, CITY OF TONTITOWN

I, S. CRAIG DAVIS, HEREBY CERTIFY THAT THIS PLAT CORRECTLY 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: _____
S. CRAIG DAVIS

REGISTERED LAND SURVEYOR NO. _____ STATE OF ARKANSAS

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

THIS PROPERTY IS NOT WITHIN A 100-YEAR FLOOD PLAIN ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0065 F, PANEL 65 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: APRIL 2, 2008.

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

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

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

- A. WARRANTY DEED:** SPROUT HOLDINGS, LLC, RECORDED APRIL 16, 2014, DOCUMENT FILE NO. 2014-8981.
- B. SURVEY:** BY ALAN REID & ASSOCIATES, RECORDED APRIL 2, 2004, DOCUMENT FILE NO. 2004-12215

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 1, TOWNSHIP 17 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 13 NORTH, RANGE 31 WEST, BEING A FOUND 1 INCH PINCHED PIPE, THENCE ALONG THE EAST LINE OF SAID SECTION 1, N03°09'40" E A DISTANCE OF 29.85 FEET TO THE **POINT OF BEGINNING**; THENCE LEAVING SAID EAST LINE, N87°24'55" W A DISTANCE OF 1,611.01 FEET TO A FOUND IRON PIN WITH CAP "JENKINS PLS 688"; THENCE N03°17'02" E A DISTANCE OF 890.05 FEET TO A FOUND IRON PIN WITH CAP "JENKINS PLS 688"; THENCE N87°24'55" W A DISTANCE OF 756.37 FEET TO THE EASTERLY RIGHT OF WAY LINE OF S. BARRINGTON ROAD, SAID POINT BEING A FOUND IRON PIN; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING 2 CALLS, N32°36'53" E A DISTANCE OF 182.73 FEET TO A POINT; THENCE N31°47'11" E A DISTANCE OF 19.80 FEET TO A POINT SAID POINT BEING LOCATED ON THE SOUTH LINE OF WESTBROOK SUBDIVISION PHASE I; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID SOUTH LINE, S58°39'23" E A DISTANCE OF 118.46 FEET TO A POINT; THENCE S22°08'18" E A DISTANCE OF 62.21 FEET TO A POINT; THENCE S38°39'23" E A DISTANCE OF 66.48 FEET TO A POINT; THENCE N87°24'55" E A DISTANCE OF 1,908.60 FEET TO A POINT; THENCE S74°15'33" E A DISTANCE OF 50.30 FEET TO A FOUND 5/8" REBAR; THENCE S86°43'39" E A DISTANCE OF 118.20 FEET TO THE EAST LINE OF SECTION 1; THENCE ALONG SAID EAST LINE, N03°09'40" W A DISTANCE OF 910.11 FEET TO THE **POINT OF BEGINNING**. CONTAINING 34.96 ACRES - 1,523.050 SQ.FT., MORE OR LESS.

- 1) ALL STREET RIGHTS-OF-WAY WITHIN SUBDIVISION ARE 50' IN WIDTH.
- 2) ALL LOT CORNER RADII ARE 30' UNLESS OTHERWISE NOTED.
- 3) LOTS 127 THROUGH 145 SHALL NOT HAVE ACCESS TO FLETCHER.
- 4) LOTS 230 & 231 SHALL NOT HAVE ACCESS TO S. BARRINGTON.
- 5) 5/8" REBAR WITH CAP PL'S 1156" SET AT ALL PROPERTY CORNERS.
- 6) THERE ARE NO KNOWN EXISTING OR ABANDONED WATER WELLS, SUMPS, CESSPOOLS, SPRING WATER IMPROVEMENTS, AND UNDERGROUND STRUCTURES ON THE SUBJECT PROPERTY.
- 7) THERE ARE NO KNOWN EXISTING EROSION PROBLEMS ON-SITE OR WITHIN 100' DOWNSTREAM OF THE SUBJECT PROPERTY.
- 8) THERE IS NO KNOWN ARMY CORP OF ENGINEERS WETLANDS DETERMINATION IN PROGRESS WHICH AFFECTS SUBJECT PROPERTY.
- 9) MAINTENANCE OF THE DETENTION POND AT CALCULATED STORAGE VOLUME, PLUS REQUIRED FREEBOARD, SHALL BE THE RESPONSIBILITY OF THE DEVELOPER IN PERPETUITY, EXCEPT IN THE CASE OF A SUBDIVISION, WHERE THE PROPERTY OWNER'S ASSOCIATION SHALL BEAR SUCH RESPONSIBILITY.
- 10) OWNERSHIP OF STORMWATER DETENTION PONDS IN RESIDENTIAL SUBDIVISIONS SHALL BE VESTED IN THE PROPERTY OWNER'S ASSOCIATION FUNDED BY THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION PRIOR TO FILING OF THE FINAL PLAT. THE DEVELOPER MUST WARRANT THE OPERATION OF THE DRAINAGE SYSTEM FOR A 1-YEAR PERIOD AFTER THE ACCEPTANCE OF THE PROJECT. THE OWNERS ASSOCIATION BY AN ACCEPTABLE MAINTENANCE BOND OR OATH PROVIDED BY THE DEVELOPER'S CONTRACTOR OR THE DEVELOPER, THE BOND SHALL BE EXTENDED UNTIL 1 YEAR AFTER ALL PHASES OF THE SUBDIVISION THAT SUBSTANTIALLY DRAIN INTO THE BASIN ARE COMPLETED. MAINTENANCE OF THE POND SHALL BE THE PERPETUAL RESPONSIBILITY OF THE PROPERTY OWNER'S ASSOCIATION.
- 11) ANNUAL MAINTENANCE IS THE RESPONSIBILITY OF THE DEVELOPER OR ASSOCIATION FOR 1 YEAR AFTER ACCEPTANCE OR THE FINAL PLAT ... AFTER LEGAL OCCUPANCY OF THE PROJECT, THE MAINTENANCE OF DETENTION FACILITIES SHALL BE VESTED WITH THE OWNER (OR PROPERTY OWNER'S ASSOCIATION) OF THE DETENTION POND.
- 12) DEVELOPER SHALL GUARANTEE INSTALLATION OF SIDEWALK AND APURTAINANCES FOR A PERIOD OF ONE YEAR AFTER ACCEPTANCE OF THE FINAL PLAT OR OCCUPANCY OF THE PROJECT. SIDEWALKS MUST BE COMPLETED BEFORE THE CERTIFICATE OF OCCUPANCY WILL BE ISSUED AND PERMANENT CONNECTION TO UTILITIES PERMITTED. THE OWNER'S OF RECORD WILL BE REQUIRED TO INSTALL SIDEWALKS ON ANY LOT(S) WHICH ARE CONSTRUCTED OR UNDER CONSTRUCTION AFTER THE FINAL PLAT OR WITHIN 90 DAYS FROM NOTIFICATION BY THE CITY IF SIDEWALKS ARE CONSTRUCTED ON BOTH SIDES OF SAID LOT. IN THE EVENT THAT THE SIDEWALKS ARE NOT COMPLETED WITHIN THE TEN YEAR PERIOD OF FILING OF THE FINAL PLAT OR UPON NOTIFICATION BY THE CITY, THE CITY SHALL HAVE THE RIGHT (BUT SHALL NOT BE REQUIRED) TO CONSTRUCT THE SIDEWALKS AND TO CHARGE THE COST THEREOF TO THE PROPERTY OWNER(S) THROUGH PLACEMENT OF ALIEN ON THE REAL PROPERTY.
- 13) THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR REPAIR AND MAINTENANCE OF ALL SIDEWALKS INSTALLED TO FULFILL THE PROVISIONS OF THESE REGULATIONS.
- 14) ALL HOUSES MINIMUM FINISH FLOOR ELEVATIONS SHALL BE AT LEAST 6 INCHES ABOVE THE TOP OF ADJACENT CURB OR AT THE ELEVATION OF THE FINISH GRADE OF THE ADJACENT PAVED ROAD.

GRAPHIC REPRESENTATION ONLY

BASIS OF BEARINGS:
ARKANSAS STATE PLANE COORDINATE SYSTEM
NORTH ARK 8301

0 15 30 45 60

SCALE 1" = 30'

VICINITY MAP

N.T.S.

The diagram shows a rectangular building footprint with a dashed inner rectangle. The setbacks are labeled as follows:

- Front Setback:** 30' (from the front street centerline to the front of the building footprint)
- Side Setback:** 25' (from the side street centerline to the side of the building footprint)
- Back Setback:** 30' (from the back street centerline to the back of the building footprint)
- Right of Way:** Indicated by a dashed line on the right side of the building footprint.

- 1) DISTANCE SHOWN WILL YIELD TO UTILITY EASEMENTS
- 2) STREET SIDE SETBACKS WILL BE 25'

BUILDING SETBACKS	
FRONT	30"
REAR	25"
REAR NEXT TO STREET	25"
SIDE	7"

EASEMENT IS GREATER
*UNLESS A UTILITY

SPROUT HOLDINGS, LLC
P.O. BOX 10620
FAYETTEVILLE, AR 72703

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

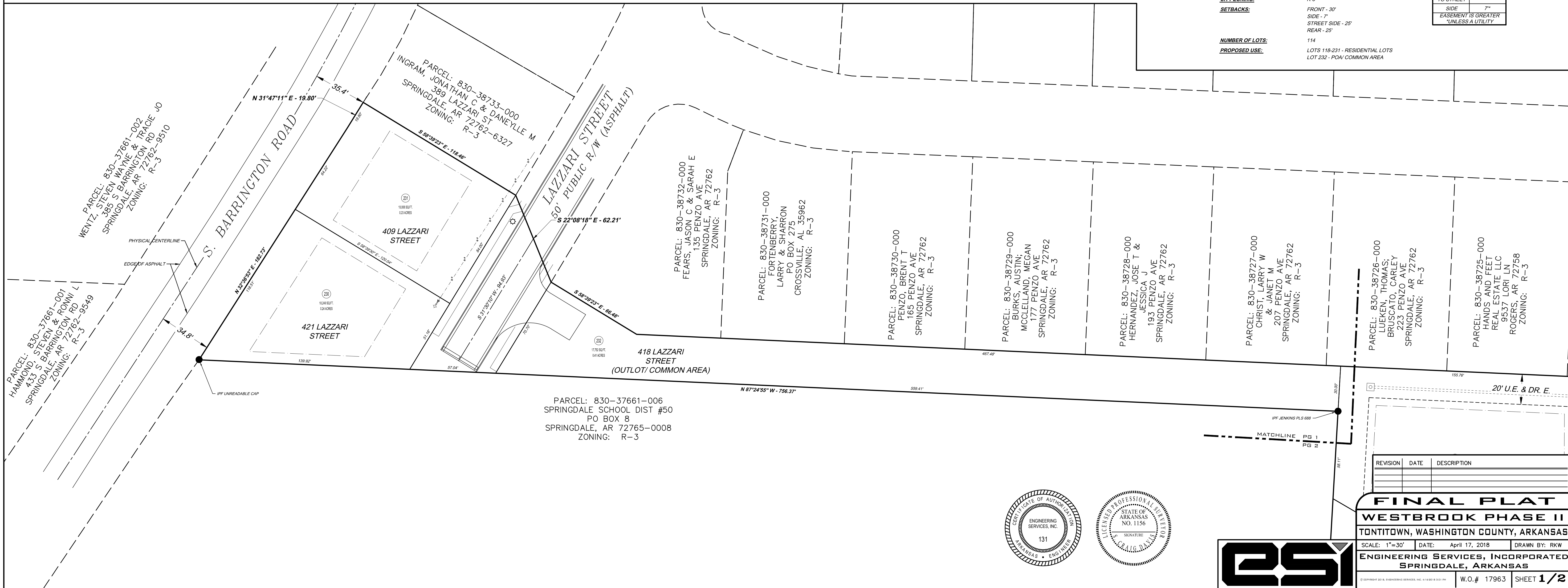
17963

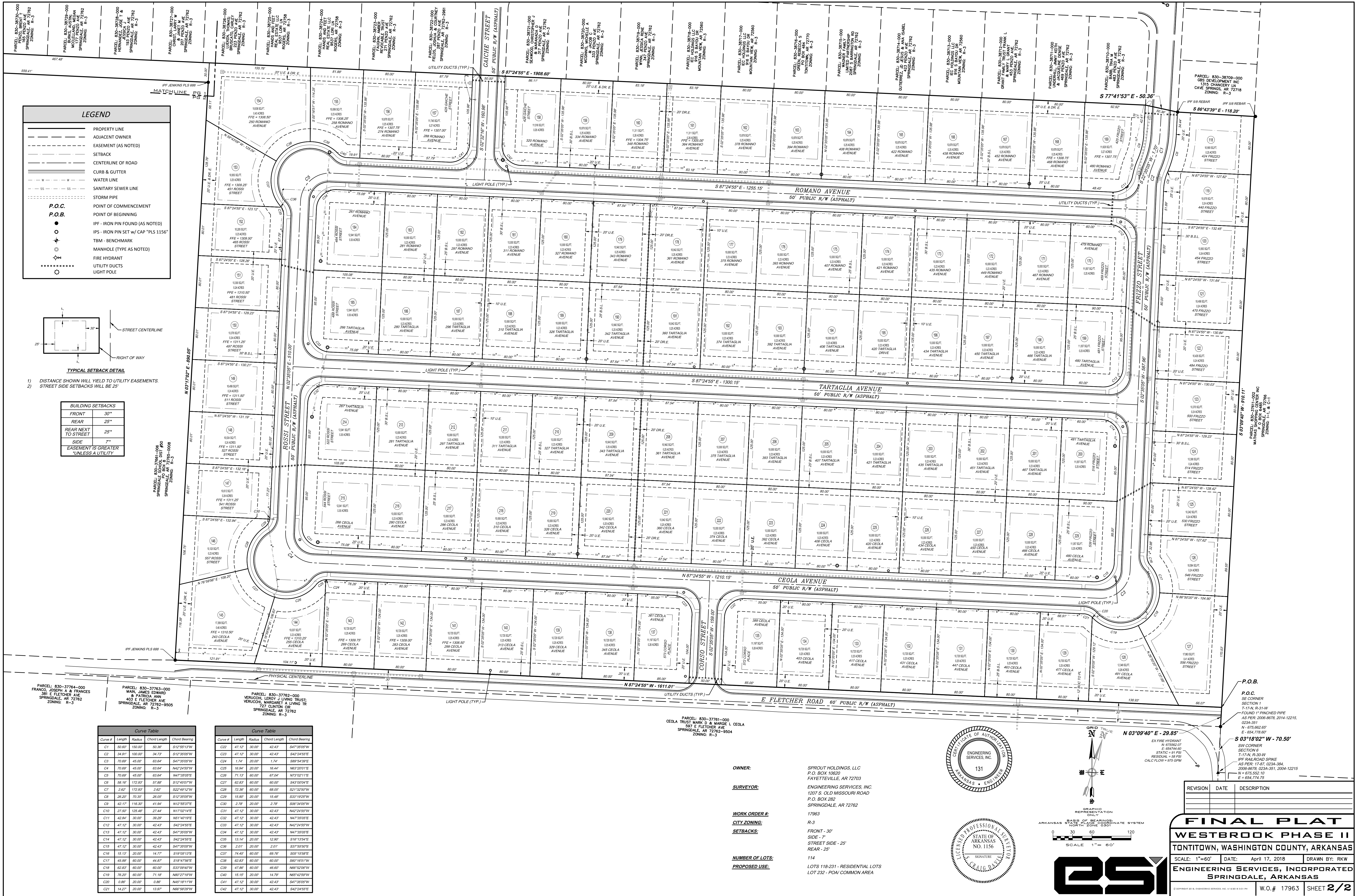
R-3

FRONT - 30'
SIDE - 7'
STREET SIDE - 25'
REAR - 25'

114

LOTS 118-231 - RESIDENTIAL LOTS
LOT 232 - POA/ COMMON AREA





OWNER: SPROUT HOLDINGS, LLC
P.O. BOX 10820
FAYETTEVILLE, AR 72703

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

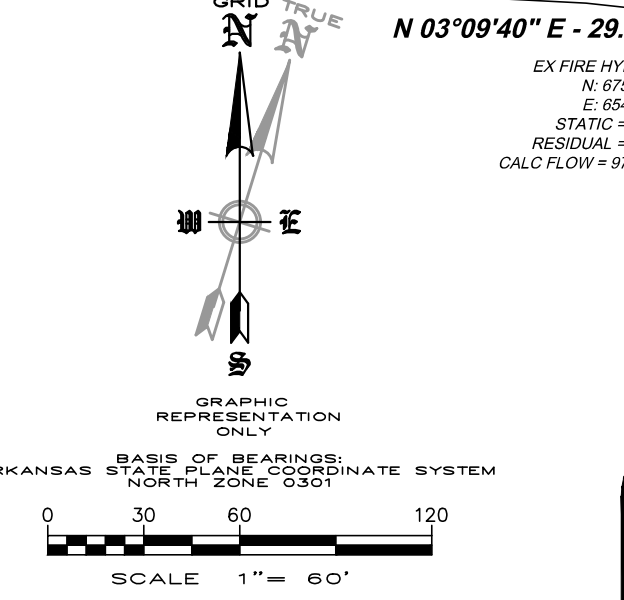
WORK ORDER #: 17963

CITY ZONING: R-3

SETBACKS: FRONT - 30'
SIDE - 7'
STREET SIDE - 25'
REAR - 25'

NUMBER OF LOTS: 114

PROPOSED USE: LOTS 118-231 - RESIDENTIAL LOTS
LOT 232 - POA/COMMON AREA



REVISION	DATE	DESCRIPTION

FINAL PLAT

WESTBROOK PHASE II

TONTITOWN, WASHINGTON COUNTY, ARKANSAS

SCALE: 1"=60' DATE: April 17, 2018 DRAWN BY: RKW

ENGINEERING SERVICES, INCORPORATED

SPRINGDALE, ARKANSAS

W.O.# 17963 SHEET 2/2



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **April 26, 2018**
Project: **K2 Contracting CUP**
Planner: Courtney McNair

AGENDA ITEM

B

CONDITIONAL USE PERMIT REQUEST

North of 681 Gina Marie Lane

Parcel # 830-37976-500

SUMMARY: Request to allow the storage of a small amount of equipment related to the applicant's business to be stored and parked on site in zone **R-E**

CURRENT ZONING: **R-E** Residential Estate

PROPOSED USE: storage and parking of equipment related to business

CITY WARD: 2- Arthur Penzo and Larry Ardemagni

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water, existing 8" line

Electric: Ozarks Electric

Sewer/Septic: Septic

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

This property is owned by Pianalto Farms, and the applicant is Ryan Krug. This project is located within the City Limits of Tontitown, and takes access from W. Liberty Ave. and Gina Marie Lane.

The applicant is requesting a Conditional Use Permit to allow the storage of a small amount of equipment related to their business in a personal shop building that is approximately 2,400 SF in size (that will be constructed if CUP is granted), and to park some larger pieces of equipment related to the business on approximately 3,600 SF gravel area (that will be constructed if CUP is granted).

The existing parcel has three old chicken houses that will be removed, and the applicant plans on also constructing their personal residence on this property.

As this property is zoned for R-E, Residential, the applicant must request a Conditional Use Permit to store/park items related to the business use on site.

There will be no signage, no customers, and his employees would not work on the site. Employees would arrive daily in the morning to pick up equipment, and return in the evening to drop off equipment. There will be an occasional delivery of supplies.

153.121 DEVELOPMENT STANDARDS AND REVIEW GUIDELINES:

(A) All development shall be designed in such a way as to minimize any potential negative impact on the surrounding area. Special attention shall be given to buffering commercial developments from adjacent single-family areas. Design of the internal traffic circulation system, ingress and egress, off-street parking, loading and pedestrian ways shall be sensitive to such conditions as safety, convenience, separation of vehicular and pedestrian traffic, general attractiveness, and the proper relationship of different land uses. Landscaped areas shall be provided to protect water quality, and reduce erosion, heat and glare. Such areas shall be maintained in an attractive condition. Existing trees on a development site shall be retained where possible. Screening, open space, or other buffer may be required to give adequate separation between uses which are marginally compatible, and shall also be provided for the beautification and enhancement of the property.

STAFF ANALYSIS: The proposed use will have a minimal impact on surrounding properties. Any outdoor storage (not to include equipment parking) must be screened with opaque materials, kept orderly, and not cause a nuisance to surrounding properties. No inoperable vehicles may be permanently parked on this site. The applicant must provide a barrier to keep his equipment from damaging any neighboring fences. The shop will be a personal use shop similar to others in the area.

(B) In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.

- (1) The proposed use is within the provision of "conditional uses," as set out in these regulations.**

STAFF ANALYSIS: This is an ancillary commercial use, not true commercial. The shop will be a personal shop that will be used to store some equipment related to the business.

- (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.**

STAFF ANALYSIS: All setbacks will be met with this proposal.

- (3) The proposed use is so designated, located, and proposed to be operated, that the public health, safety and welfare will be protected.**

STAFF ANALYSIS: There will be minimal traffic, the use is not disruptive, and staff does not foresee any concern for public health, safety, or welfare.

- (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.**

STAFF ANALYSIS:

North-zoned RE

East-zoned RE

South-zoned RE

West-zoned RE

This property is surrounded by agricultural and residential properties. The majority of this site

will be used for residential purposes. The shop building will be a personal shop that will have some business-related equipment stored in it, but will still function primarily as surrounding residential shop buildings.

- (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of these regulations.**

STAFF ANALYSIS: The applicant will meet all required setbacks, and the shop building is placed north centrally on the property. This places it further from existing residences.

- (6) The proposed ingress and egress, internal circulation system, location and amount of off street parking, loading and pedestrian ways are sufficiently adequate, and not inconsistent with requirements of these regulations.**

STAFF ANALYSIS: This is not a major concern with this type of use.

- (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of these regulations.**

STAFF ANALYSIS: Based on (A), the landscaping should:

- Provide protection for water quality, reduce erosion, heat and glare*
- Retain existing trees where possible*
- Screening and buffering for uses which are marginally compatible,*
- Provide for beautification and enhancement of the property*

There will be very little to screen and minimal disturbance with this proposed use. Staff does recommend that if the applicant stores any materials outside, that it be screened (not to include work vehicles). Staff recommends that only vehicles which fit within the proposed parking area are allowed to be parked on site. If the business expands, additional review will be required.

- (8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed**

STAFF ANALYSIS: In order to reduce the potential for noise, staff recommends that any maintenance that causes excessive noise be performed inside the personal shop building. Any outdoor lighting must be shielded from neighboring properties. Staff does not expect any dust or odor concerns with this proposed use.

TECHNICAL INFORMATION:

Utilities:

Water: According to the Water System information, there is an existing 8-inch water line along Liberty Ave. There is also an existing hydrant at Gina Marie Lane and Liberty Ave.

Electric: Ozarks Electric submitted general comments and highlighted an existing easement.

General Comments:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey at (479)263-2167 Or wmahaffey@ozarksecc.com
5. Highlighted in orange is a 30Ft. U.E. along Existing Overhead Line.

Sewer/Septic: Septic-no comments were received

Phone: AT&T-no comments.

Natural Gas: Black Hills Energy- no comments were received

Cable: Cox Communications- no comments were received

Drainage:

The applicant is proposing to add a relatively small amount of impervious service (roof), and some gravel parking on a large site. Staff does not foresee any drainage concerns, but will address BMPs for reducing runoff during construction.

SWPPP:

Stormwater BMP's will be discussed with the applicant prior to construction.

Roads:

The applicant plans to use a 50-foot easement to access his property along Gina Marie Lane to access Liberty Ave from Gina Marie Lane.

Police:

Tontitown Police Chief Joey McCormick had no concerns with the current use proposal.

Fire:

Todd Witzigman, Operations Chief for City of Tontitown, had no concerns with the proposal.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received one comment at this time regarding this project. The neighbor who commented is not opposed as long as there are no inoperable vehicles stored on site, and there is a barrier between his property and the parking area so that his fence does not get damaged. He has livestock on the adjacent property. Staff has added these conditions as recommendations.

STAFF RECOMMENDATION: Based on the minimal impact this use will have on surrounding properties, staff feels this project is compatible and suitable to the area.

Therefore, staff recommends approval of the K2 Contracting Conditional Use Permit Request to allow storage of equipment and vehicles relating to a business use within R-E zoning.

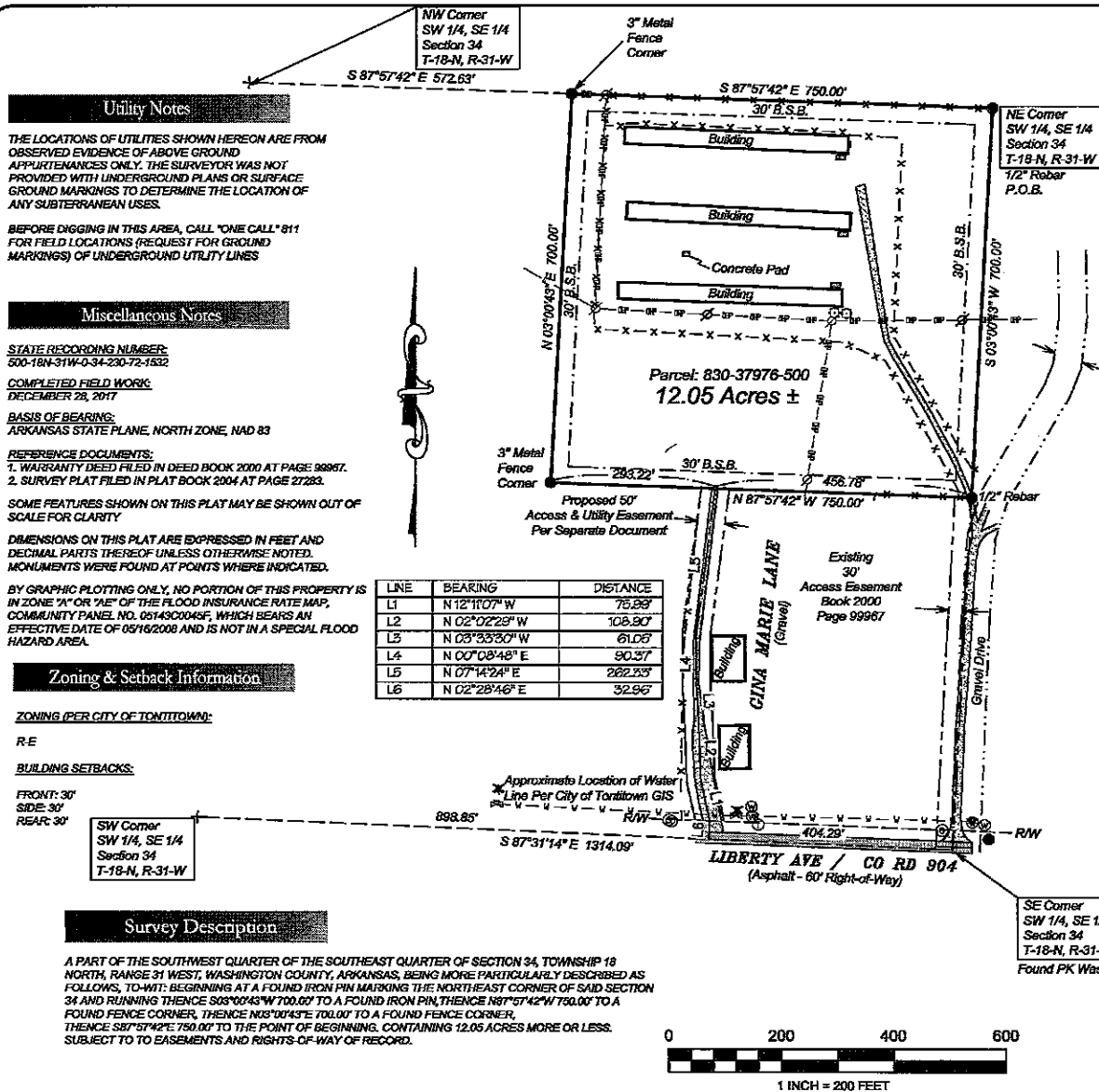
CONDITIONS RECOMMENDED FOR APPROVAL:

1. Any outdoor storage (not to include equipment parking) shall be screened with opaque materials, kept orderly, and not cause a nuisance to surrounding properties.
2. No inoperable vehicles may be permanently parked on this site.
3. The applicant shall provide a barrier to keep his equipment from damaging any neighboring fences.

4. Only vehicles which fit within the proposed parking area are allowed to be parked on site. If the business expands, additional review shall be required.
5. Any maintenance that causes excessive noise shall be performed inside the personal shop building.
6. Any outdoor lighting shall be shielded from neighboring properties.
7. Ozarks Electric submitted general comments and highlighted an existing easement.

General Comments:

- Any damage or relocation of existing facilities will be at owner's expense.
 - Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
 - All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
 - Please contact Ozarks Electric if you have any questions.
 - Wes Mahaffey at (479)263-2167 Or wmahaffey@ozarksecc.com
 - Highlighted in orange is a 30Ft. U.E. along Existing Overhead Line.
8. This project must develop generally as is stated in the applicant's letter and presented in the plans.



RECEIVED
APR 04 2018

Vicinity Map

Brush Creek Rd

904

904

SITE

412

BLEW & ASSOCIATES, P.A.
CIVIL ENGINEERS & LAND SURVEYORS

524 W. SYCAMORE ST. SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479-443-4506
FAX: 479-582-1883
www.BLEWINC.com

Certificate of Authorization No. 1534

DRAWN BY & DATE:	REVIEWED BY:	SURVEYED BY:
M.B. 1-3-2018	T.K.S.	D.D.A.
COUNTY & STATE:	JOB NUMBER:	
WASHINGTON COUNTY, ARKANSAS	17-2840	
LOCATION:		
SECTION 34, TOWNSHIP 18 NORTH, RANGE 31 WEST		
FOR THE USLAND KIMBET ON		
RYAN KRUG		

Conditional Use Application

I am requesting a conditional use permit for parcel # 830-37976-500. I own a small plumbing business. I am requesting the permit to be allowed to build approximately a 40 x 60 building. This building would hold plumbing supplies and vehicles. I would also like to have a 60 x 60 gravel area for parking. Lighting would be limited to one light in the front and one in the back of the building.

Business hours would vary depending on weather and time of year. The approximate hours would be 7 a.m. to 5:30 p.m.. I have on average 3 employees. Deliveries would be kept to a minimum, with normally only one or two per month. Since my work requires me to be on the job site, I would not have customers at this location.

RECEIVED
APR 04 2018



Approx 750'

Min. 30' setback

Approx. Shop and Parking Location

Approx 680'

Approx 680'

Approx. House Location

Approx 750'

Gina Marie Ln

Approx 50' wide
Easement location

17

904

Liberty Ave



RECEIVED

APR 17 2018

CONDITIONAL USE PERMIT RESPONSE
K2 Contracting Conditional Use Permit Request

- () I/we have no objections to the rezoning.
() I/we object to the rezoning because:

1. Is this creating spot zoning?
2. No objections as long as no inoperative equipment
3. Must have some sort of barrier so that trucks or equipment can't back into fence since it is a cattle fence.

Shawn Allen Camp
Signature

Shawn Allen Camp
Signature

Shawn Allen Camp - 479-601-3710
OPTIONAL: email/phone number

This form can be mailed to:
City of Tontitown Planning Department,
P.O. Box 305,
Tontitown, AR 72770.

Or emailed to:
planning@tontitownar.gov



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **April 26, 2018**
Project: **Cross Pointe Church**
Planner: Courtney McNair

AGENDA ITEM

C

PRELIMINARY LARGE-SCALE DEVELOPMENT PLAN APPROVAL REQUEST

1174 W. Henri de Tonti Blvd.

Parcel # 830-37857-000, 830-37856-000, (applicant also owns adjacent parcel 830-37858-000, and a portion of the parking is being modified on this parcel)

SUMMARY: Cross Pointe Church is requesting Preliminary Large-Scale Development to construct the first of several additions to the existing church building on site.

CURRENT ZONING: C-2 General Commercial - proposed church use allowed by right

CITY WARD: 2- Arthur Penzo, Larry Ardemagni

FLOODPLAIN: No

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water

Sewer: Tontitown Sewer

Road Access: W. Henri de Tonti and N. Mantegani Road

Electric: Ozarks Electric

Cable: Cox Communications

Phone: ATT

Natural Gas: Black Hills Energy

School District: Springdale

PROJECT SYNOPSIS:

Cross Pointe Church is requesting Preliminary Large-Scale Development to construct the first of several additions to the existing church building on site. They have two phases proposed, with the first phase consisting of the proposed 5,000 SF addition, parking lot expansion, connection to city sewer, and related landscaping and grading.

The second phase (timeline undetermined) will consist of a 1,700 SF building addition, parking lot expansion, and related landscaping and grading. Phase 2 will be required to come back as a Large-Scale Development.

Additional phasing appears to be desired, but there is no timeline or delineate for future phasing. This appears to include a large worship expansion and additional parking.

The existing building is approximately 10,500 SF. The site includes two tracts of the C & T Business Park, tract 1 and tract 2. The site is 2.37 acres, and zoned for C2 uses, including churches.

WAIVER REQUESTS:

The applicant is requesting that sidewalk along W. Henri de Tonti be waived at this phase of the proposed development. The request would be to include the sidewalk during the second phase of this proposal.

The applicant is also requesting that curb and gutter requirements be waived from the property along Mantegani Road. This has not been investigated for the expected impact on drainage. Staff is recommending that if the Board chooses to allow this waiver, it is with the condition that an

addendum to the drainage report is reviewed and approved by the City Engineer.

Please see the attached waiver requests from the applicant.

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water -According to the Water System information, there is an existing 6-inch water line along W. Henri de Tonti, an existing 6-inch line and an existing 8-inch line along N. Mantegani Road. -There were no comments from Tontitown Water.

Sewer: Tontitown Sewer- this project proposes to connect to the City of Tontitown sewer system. The connection must be approved prior to construction. There were no further comments from Tontitown Sewer

Road Access: W. Henri de Tonti and N. Mantegani Road-As this is located along a state highway, the applicant must received all permits from ARDOT and provide those to the City.

Electric: Ozarks Electric-Comments were submitted:

General Comments:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey at (479)263-2167 Or wmahaffey@ozarksecc.com

Additional Comments:

5. Highlighted Pink is a 50ft. U.E. along are Transmission Line.
6. Highlighted Orange is a 30Ft. U.E. along a Distribution Line

Cable: Cox Communications- No comments were received from Cox.

Phone: ATT- ATT had no comments.

Natural Gas: Black Hills Energy -No comments were received from BHE.

School District: Springdale- Springdale school district was notified of this project, but submitted no comments.

It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.

Fire Safety:

According to the Water System information, there is an existing 6-inch water line along W. Henri de Tonti. There is one existing hydrant on site, and one proposed FDC. Additional hydrants will be required in future phases.

Interior drives appear to range from 20' wide to 24' wide. There appear to be three existing entrance drives, one on W. Henri de Tonti and two on N. Mantegani Road. Several areas must be marked as fire lanes.

An FDC is shown for the sprinkler system, and a full review of the architectural plans will be required prior to construction.

Drainage:

There does not appear to be a detention pond onsite. The applicant has submitted a drainage report for review. Staff has not received additional comments from the City Engineer at this time, but will require that any additional comments be addressed prior to construction plan approval.

SWPPP:

A grading plan is included, and the applicant has shown stormwater protection measures.

Police:

The Police Department has no concerns.

STAFF RECOMMENDATION:

SIDEWALK WAIVER REQUEST: Staff is recommending approval of the request to allow the sidewalks to be constructed with Phase 2 of this development.

CURB AND GUTTER WAIVER REQUEST: Staff is recommending approval of the curb and gutter waiver request with the condition that an addendum to the Drainage Report is submitted and must be reviewed and approved by the City Engineer. If no detrimental impact is expected, then staff has no objection. If for any reason, this will have a negative impact on City infrastructure, the applicant must provide mitigation efforts that may include curb and gutter along N. Mantegani Road.

PRELIMINARY LARGE-SCALE DEVELOPMENT REQUEST: There are some details that remain to be addressed at the Construction Plan phase of plan review, but nothing that should significantly impact the overall design.

Therefore, staff recommends approval of Cross Pointe Church Preliminary Large-Scale Development with conditions.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. The sidewalk must be constructed with Phase 2.
2. An addendum to the Drainage Report must be submitted, and reviewed and approved by the City Engineer for the curb and gutter waiver along Mantegani Road. If there is any negative impact on city infrastructure, the applicant must provide mitigation efforts that may include adding curb and gutter along Mantegani Road.
3. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
4. The SWPPP must be completed and posted on site prior to construction.
5. A full review of the architectural plans will be required prior to construction.
6. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
7. All interior drives must meet the required compaction rating to support emergency vehicles.
8. Approval for the entrance drive will be required by the Arkansas Department of Transportation (ARDOT).
9. Correct all comments from the City Engineer prior to Construction Plan approval.
10. The applicant must apply for all required permits prior to construction.



**Bates &
Associates, Inc.**
Civil Engineering - Land Surveying - Landscape Architecture

7230 S. Pleasant Ridge Dr. Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

www.nwabatesinc.com

April 3, 2018

To the City of Tontitown Planning Staff,

Our client, Cross Pointe Church, is proposing a Large Scale Development within the City of Tontitown.

The subject parcels are 830-37856-000, & 830-37857-000, with an acreage totaling 2.37 acres. The property is currently zoned C-2 and has an existing building that has been operating as a church sanctuary.

Our client would like to continue the use and develop this property in two phases. Phase I will consist of a 5,000 square foot building addition to the existing ministry building, parking lot expansion, connecting to city sewer service, perimeter landscape additions, and related grading. Phase II will consist of a 1,700 square foot building addition to the current foundry/fellowship building, with a parking expansion, interior landscaping, and related grading.

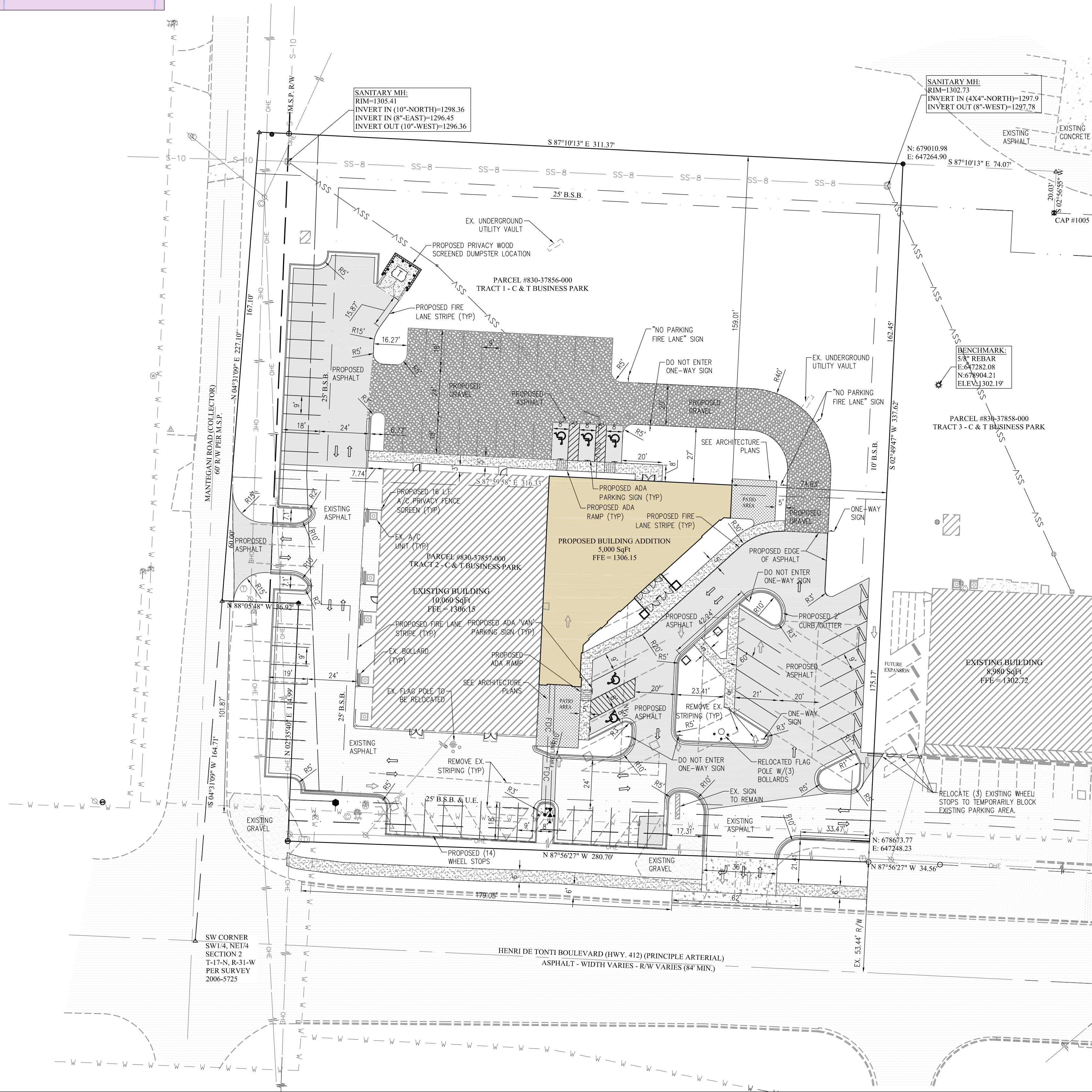
While a finalized phase timeline has not been determined yet, Phase II will complete Phase I north side proposed gravel parking area into an asphalt parking area with related curb and gutter. Phase II will also remove a proposed gravel driveway that is proposed in Phase I. Although interior landscape is not required for Phase I per 152.197(B), Phase II will also complete all interior landscaping with consideration for Phase I parking area. Interior parking lot lights are not proposed for Phase I, but will be proposed for Phase II. Parking lot lights will meet the lighting requirements with fixtures being a cut-off fixture. A lighting cut sheet and landscape plan will be provided for Phase II.

Please contact me if you have any questions.

Sincerely,

Tina Ford
Project Manager
Bates and Associates, Inc.

- ADJACENT PROPERTY OWNERS:
- 1) JB HANNA LLC
2700 S ARMSTRONG AVE
FAYETTEVILLE, AR 72701-7274
PARCEL #830-37687-001
ZONED: C-2
 - 2) JB HANNA LLC
2700 S ARMSTRONG AVE
FAYETTEVILLE, AR 72701-7274
PARCEL #830-37687-004
ZONED: C-2
 - 3) JB HANNA LLC
2700 S ARMSTRONG AVE
FAYETTEVILLE, AR 72701-7274
PARCEL #830-37859-000
ZONED: C-2
 - 4) FARM CREDIT OF WESTERN ARKANSAS, FLCA
3115 WEST 2ND COURT
RUSSELLVILLE, AR 72801
PARCEL #830-38672-000
ZONED: C-2
 - 5) ARROW INVESTMENTS NORTHWEST, INC
PO BOX 545
TONTITOWN, AR 72770
PARCEL #830-38662-000
ZONED: C-2
 - 6) 3E DEVELOPMENT, LLC
PO BOX 1549
SPRINGDALE, AR 72765
PARCEL #830-37730-005
ZONED: C-2
 - 7) J&J BOLEK PROPERTIES, LLC
ATTN: JOE & JUDY BOLEK
PO BOX 640
TONTITOWN, AR 72770-0640
PARCEL #830-37694-000
ZONED: C-2
 - 8) J&J BOLEK PROPERTIES, LLC
ATTN: JOE & JUDY BOLEK
PO BOX 640
TONTITOWN, AR 72770-0640
PARCEL #830-37695-000
ZONED: C-2
 - 9) J&J BOLEK PROPERTIES, LLC
ATTN: JOE & JUDY BOLEK
PO BOX 640
TONTITOWN, AR 72770-0640
PARCEL #830-37697-000
ZONED: C-2
 - 10) JB HANNA LLC
2700 S ARMSTRONG AVE
FAYETTEVILLE, AR 72701-7274
PARCEL #830-37687-002
ZONED: C-2
**POSSIBLE ERROR
 - 11) CROSS POINTE COMMUNITY CHURCH
1174 W HENRI DE TONTI BLVD
SPRINGDALE, AR 72762
PARCEL #830-37858-000
ZONED: C-2
 - 12) ARKANSAS STATE HIGHWAY COMM.
PO BOX 2261
LITTLE ROCK, AR 722703
PARCEL #830-37718-001
ZONED: C-2
 - 13) ARKANSAS STATE HIGHWAY COMM.
PO BOX 2261
LITTLE ROCK, AR 722703
PARCEL #830-37730-002
ZONED: C-2
 - 14) ARKANSAS STATE HIGHWAY COMM.
PO BOX 2261
LITTLE ROCK, AR 722703
PARCEL #830-37694-001
ZONED: C-2
 - 15) ARKANSAS STATE HIGHWAY COMM.
PO BOX 2261
LITTLE ROCK, AR 722703
PARCEL #830-37687-003
ZONED: C-2
**POSSIBLE ERROR



NOTES:

1. THERE ARE NO EXISTING WETLANDS ON THIS SITE.
2. THIS SITE IS NOT WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO FIRM PANEL #05143C0065F. DATED MAY 16, 2008.
3. THERE ARE NO KNOWN OVERFLOW PROBLEMS ON-SITE OR IN THE PROXIMITY OF THE SITE.
4. THERE ARE NO KNOWN EROSION PROBLEMS ON-SITE OR WITHIN 100' DOWNSTREAM OF THE PROPERTY.
5. THERE ARE NO KNOWN ABANDONED WATER WELLS, SUMPS, CESSPOOLS, SPRINGS, WATER IMPOUNDMENTS, OR UNDERGROUND STRUCTURES WITHIN THE PROJECT.
6. THERE ARE NO KNOWN EXISTING OR PROPOSED GROUND LEASES OR ACCESS AGREEMENTS ON THIS PROPERTY.
7. THERE ARE NO KNOWN POTENTIALLY DANGEROUS AREAS, INCLUDING AREAS SUBJECT TO FLOODING, SLOPE STABILITY, SETTLEMENT, EXCESSIVE NOISE, OR PREVIOUSLY FILLED AREAS.
8. ALL INTERIOR DRIVE SHALL MEET THE REQUIRED COMPACTION RATING TO SUPPORT EMERGENCY VEHICLES.
9. PRELIMINARY PLAN FOR INSPECTION PURPOSES ONLY. NOT FOR RECORD PURPOSES

ADA NOTES:

1. CONTACT ADA ADMINISTRATOR AND REQUEST AN INSPECTION PRIOR TO POURING ANY SIDEWALK OR DRIVEWAY IN THE RIGHT-OF-WAY
2. HANDICAP ACCESS AREAS MUST HAVE NO MORE THAN 2% GRADE

LEGAL DESCRIPTIONS:

PARCEL #830-37858-000:

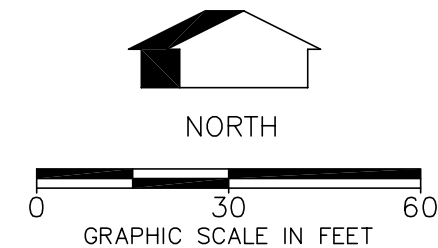
TRACT NUMBERED ONE (1) OF C & T BUSINESS PARK IN THE CITY OF TONTITOWN, AS PER FINAL PLAT OF SAID BUSINESS PARK ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PARCEL #830-37857-000:

TRACT NUMBERED TWO (2) OF C & T BUSINESS PARK IN THE CITY OF TONTITOWN, AS PER FINAL PLAT OF SAID BUSINESS PARK ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

GENERAL SURVEY NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



BUILDING SETBACKS (C-2):

FRONT	25ft. (RESIDENTIAL USES)
FRONT	25ft. (NONRESIDENTIAL USES)
SIDE	25ft. (STREET SIDE)
SIDE	30ft. (INTERIOR RESIDENTIAL USES)
SIDE	10ft. (INTERIOR NONRESIDENTIAL USES)
REAR	25ft. (RESIDENTIAL USES)
REAR	25ft. (NONRESIDENTIAL USES).

FLOOD CERTIFICATION:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD (FIRM) PANEL #05143C0045F. DATED MAY 16, 2008) INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR WASHINGTON COUNTY, ARKANSAS.

BASIS OF ELEVATION:

CITY OF TONTITOWN GIS CONTROL MONUMENT #6. (ELEV:1278.55 - NAVD 88)

BASIS OF BEARING:

ARKANSAS STATE PLAN COORDINATE SYSTEM - AR NORTH ZONE

THERE ARE NO EXISTING WETLANDS ON THIS SITE.

PROPOSED	EXISTING	DESCRIPTION
		ASPHALT (EDGE)
		ASPHALT (SURFACE)
		BUILDING
		BUILDING SETBACK LINE
		BOLLARD
USTV	USTV	CABLE TV (UNDERGROUND)
	OHTV	CABLE TV (OVERHEAD)
		CENTERLINE
		CONCRETE SURFACE
		CONDUIT
		CONTOURS
		CURB & GUTTER
UGE	UGE	ELECTRICAL (UNDERGROUND)
OHE	OHE	ELECTRICAL (OVERHEAD)
		ELECT. TRANSFORMER
		EASEMENT
		FENCE (WIRE/WOOD/CHAIN)
		FIBER OPTIC CABLE
		FIRE HYDRANT ASSEMBLY
		FLOWLINE
FM	FM	FORCE MAIN
GAS	GAS	GAS MAIN
		GAS METER
		GRAVEL SURFACE (EDGE)
		GRAVEL SURFACE
		IRON PIN (5/8" RE-BAR)
		LIGHT MONUMENT (CONCRETE)
		POND
		POWER POLE
		PROPERTY LINE (EXTERNAL)
		RETAINING WALL
		RIGHT-OF-WAY
7SS	7SS	SANITARY SEWER PIPE
SSV	SSV	SANITARY SEWER MANHOLE
		SANITARY SEWER SERVICE
		SECTION LINE
		SIDEWALK
SF		SIGN
		SILT FENCE
		SPOT ELEVATION
		STORM SEWER PIPE
		STORM SEWER INLET
		STORM SEWER BALES
UT	UT	TELEPHONE PED/MANHOLE
OHT	OHT	TELEPHONE (UNDERGROUND)
		TELEPHONE (OVERHEAD)
		TREE LINE CANOPY
		TREE/TREE TO BE REMOVED
UW	UW	UTILITY EASEMENT
		WATER MAIN PIPE
		WATER VALVE
		WATER METER
		WATER THRUST BLOCK
		WATER MAIN REDUCER
		WATER MAIN BLOWOFF VALVE

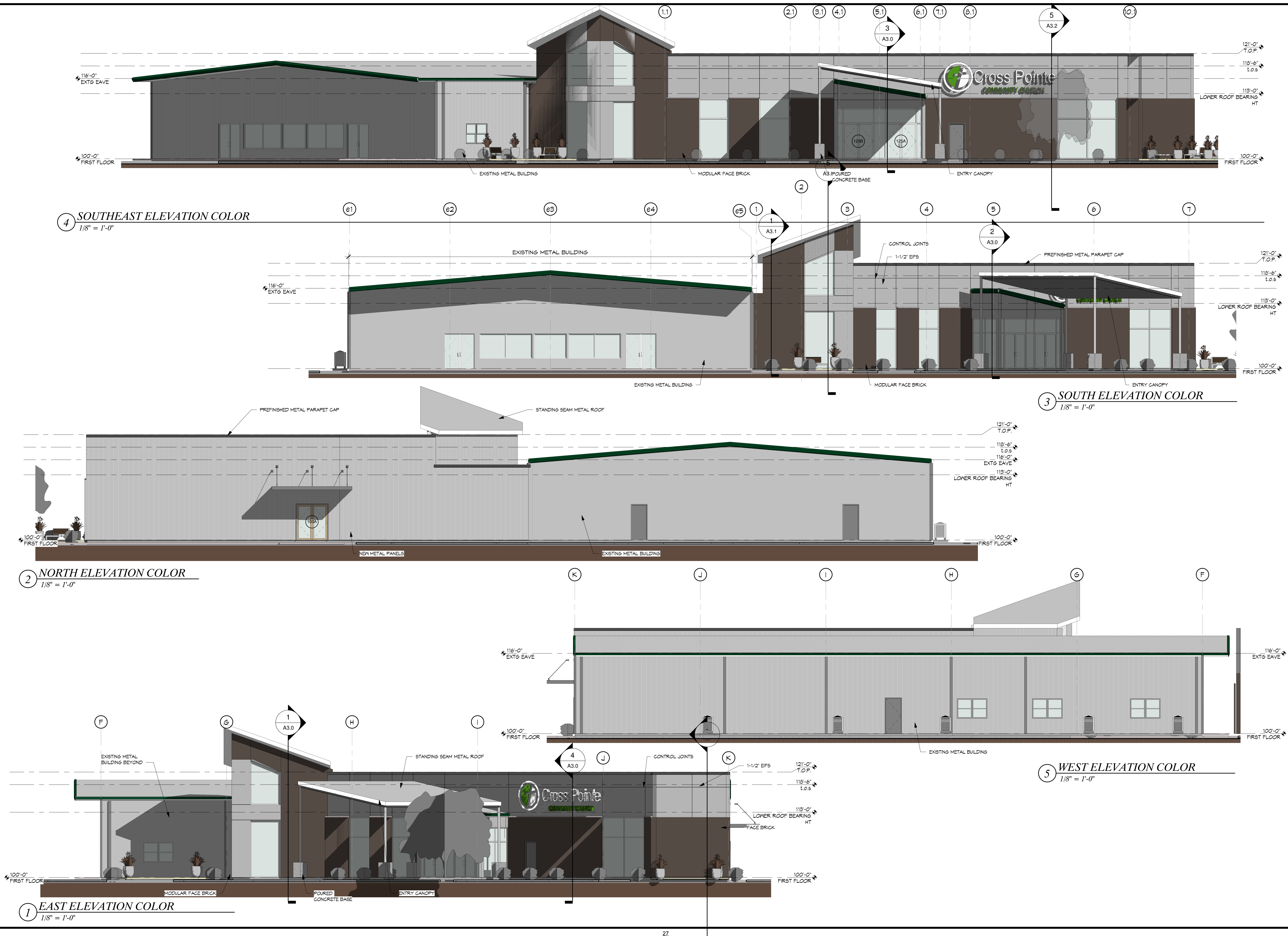


NOT FOR CONSTRUCTION

CROSS POINTE CHURCH
1174 W HENRI DE TONTI BLVD
TONTITOWN, AR

Burris
Architecture
820 Tiger Blvd, Suite 4, Bentonville, Ar 72712
479-319-6045

DATE
3-30-18
JOB NO.
17095
REVISIONS
PRE2
COLOR ELEVATIONS





7230 S Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350
www.batesnwa.com

April 16, 2018

To: City of Tontitown

RE: Waiver Request for Cross Pointe Church

Bates & Associates, Inc. would like to request of the Planning Commission a waiver from the Tontitown Code of Ordinances Article 90.900 *SIDEWALKS* for the Cross Pointe Church LSD.

Cross Pointe Church will be a phased large scale development project, with the initial phase consisting of a 5,000 square foot building addition and related parking. The church has plans to also include their adjacent property to the east for the next phase development, and would like to include the Principal Arterial sidewalk at the same time that they construct the sidewalk for that phase development's sidewalk.

We appreciate your consideration. Please, feel free to get in touch with us anytime.

Sincerely,

Tina Ford
Bates & Associates, Inc.

RECEIVED
APR 17 2018



7230 S Pleasant Ridge Dr / Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

www.batesnwa.com

April 26, 2018

To: City of Tontitown

RE: Waiver Request for Cross Pointe Church

Bates & Associates, Inc. would like to request a waiver from parking lot curb and gutter that is located on parcel 830-37856-000. This parking lot is north of the entrance from Mantegani Rd. and also runs parallel with Mantegani Rd.

We appreciate your consideration. Please, feel free to get in touch with us anytime.

Sincerely,

Tina Ford

Bates & Associates, Inc.



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **April 26, 2018**
Project: **Chapter 155**
Planner: Courtney McNair

AGENDA ITEM

D

UPDATES TO CODE OF ORDINANCES

Chapter 155:Fees

SUMMARY: Ordinance Updates to Chapter 155-Fees

Mayor Colvin asked staff to research fees for Engineering costs on projects being submitted for review as several recent ones have far exceeded the current fees the City charges. Review fees are charged on projects to help cover the cost of professional staff to review and manage projects and to help cover materials used during review. Most surrounding jurisdictions also charge additional for professional engineering review fees as this review must be completed by a professional engineer and is charged to the City. There is a provision that would allow the Planning Board to charge for Engineering fees in the City's current code, but it was difficult to track, and has not been enforced.

Current Code:

- (DD) Engineering fees. The Planning Commission, with the approval of the City Council, reserves the right to retain a disinterested engineer for advice and review purposes concerning any plans submitted. The developer shall be responsible for any and all related expenses.

After some research, staff is suggesting that the Engineering Fee reimbursement be tied to each type of project that will require engineering review (Final Plat/As Built Plans, Large Scale Developments, PUDs, Preliminary Plats and RePlats when applicable):

- (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.

Staff is already tracking Engineering Invoices and will be able to invoice the developer of a project if the engineer costs exceed \$500 on those types of projects.

As staff was reviewing the fees for engineering, all fees were evaluated. Some were clarified. Others were changed to reflect permits that require more staff time. One was added that had been erroneously removed previously. But overall, several were lowered and clarified.

Facts on Fees:

The City began tracking charges in November 2016

Total Project Fees received \$39,122.50

Total Paid by City for Engineering/Planning (Planning was contracted out for administrative plans for a period of time prior to hiring a full-time planner on staff late Oct 2017) \$57,872.50

Net -\$18,750.00

CHAPTER 155- FEES

CURRENT CODE SHOWING ADJUSTMENTS

155.01 FEES.

- (A) *After hours/emergency inspection.* Thirty dollars (\$30.00) per hour, with a one-hour minimum.
- (B) *Appeal of a City Official ~~official~~ decision.* Three hundred dollars (\$300.00).
- (C) *Appeal of Planning Commission decision.* Four hundred dollars (\$400.00).
- (D) *Certificate of occupancy.* Seventy-five dollars (\$75.00).
- (E) *Certificate of occupancy- change of use involving on-site inspection.* One hundred dollars (\$100.00). Certificate of occupancy for change of use involving on-site inspection, if no plans are required by the Building Official.
- (F) *Certificate of occupancy-partial.* Twenty-five dollars (\$25.00) for 30-day duration.
- (G) *Conditional use.* Two hundred ~~thirty~~ dollars ~~(\$230.00)~~ (\$200.00).
- (H) *Copies:*
 - (1) *Drainage manual (copies):* \$100.00.
 - (2) *Zoning regulations (copies):* \$40.00.
 - (3) *Subdivision regulations (copies):* \$30.00.
 - (4) *Storm water regulations (copies):* \$30.00.
- (I) *Demolition permit.* ~~Demolition of any building or structure: \$50.00.~~
 - (1) *Demolition of any single family residential structure:* Fifty dollars (\$50.00).
 - (2) *Demolition of multi-family residential, commercial, or industrial structure:* Fifty dollars (\$50.00) plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
- (J) *Fence permit.* Twenty-five dollars (\$25.00).
- (K) *Final plat/As-Built Plans (Large Scale Development, Subdivision, and PUD).* ~~Five hundred dollars (\$500.00).~~ Two hundred and fifty dollars (\$250.00) plus:
 - (1) *Engineering fees and costs:* a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (L) *Garage sale, yard sale, and rummage sale permits.* Ten dollars (\$10.00).
- (M) *Grading permit.* ~~One hundred dollars (\$100.00).~~
 - (1) *Grading permit for small sites (one acre or less):* Fifty dollars (\$50.00).
 - (2) *Grading permit for large sites (more than one acre):* Fifty dollars (\$50.00) plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
- (N) *Home occupation permit.* Fifty dollars (\$50.00).
- (O) *Informal plat (Minor Subdivision, Incidental Subdivision, Administrative Plat).* Two hundred dollars (\$200.00).
- (P) *Large scale development.* Five hundred dollars (\$500.00), plus:
 - ~~(1) Large scale development Tech review: \$575.00;~~
 - ~~(3) Drainage review: \$300.00.~~
 - (1) *Engineering fees and costs:* a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.

- (Q) *Lot splits*. Two hundred dollars (\$200.00).
- (R) *Moving permit*. Three hundred dollars (\$300.00). (Moving of building or structure. Additional highway permits may be required).
- (S) *Outdoor food vendor*. three hundred dollars (\$300.00).
- (T) *Planned unit development*. ~~One thousand, one hundred fifty dollars (\$1,150.00)~~, Five hundred dollars (\$500.00), plus:
- (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (U) *Preliminary plat*. ~~Four hundred sixty dollars (\$460.00)~~ two hundred and fifty dollars (\$250.00) up to ten (10) lots, and an additional ten dollars (\$10) per each lot for preliminary plats containing more than 10 lots, ~~or \$25.00 per lot up to 50 lots, whichever is greater; for preliminary plats submitted that contain 50 lots to 100 lots, a fee of \$2,156.25 will be charged; for preliminary plats submitted that contain an excess of 100 lots, a fee of \$2,156.25 will be charged or \$28.75 per lot, whichever is greater, with a maximum fee of \$3,450.00; for preliminary plats,~~ plus:
- (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (V) *Road cut permit*. Two hundred dollars (\$200.00).
- (W) *Re-zoning request*. Four hundred dollars (\$400.00).
- (X) *Re-plat*:
- ~~(1) Four hundred sixty dollars (\$460.00). (Re-plats are the same as preliminary plats.)~~
- (1) Two hundred and fifty dollars (\$250.00), plus:
 - (2) Engineering fees and costs (applicable only to replats with more than five lots being replatted, and that require engineering review): a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (Y) *Sign permit*. ~~One hundred fifteen dollars (\$115.00)~~.
- (1) One hundred dollars (\$100.00) plus 1% (0.10) of job cost up to \$5,000.00 plus ½% (.005) of job cost up to \$5,001.00 to \$10,000.00 plus 1/4% (.0025) of job cost up to \$10,001.00 and above. Subject to surcharge detailed in Chapter 155.02
- (Z) *Solicitor/peddler permit*. Forty dollars (\$40.00).
- (1) Permit for principal peddler/solicitor. No peddling or solicitation shall be conducted within the city without a principal permit being issued and fees shall be paid before any peddling or soliciting is conducted within the city. The permit shall expire on December 31 in the year the permit is issued. In addition to the principal's permit, the principal must also comply with the city's business license requirements under Chapter 110. To obtain a permit, a representative of the principal shall provide a written, signed application stating:
 - (a) The name, address, telephone number, type of organization, and contact person for the principal applicant;
 - (b) The nature of the products or services involved;
 - (c) The proposed method of operation in the city; and
 - (d) A list of persons who will peddle or solicit in the city on behalf of the principal in the city.
 - (2) Permit for agents of principal peddler/solicitor. In addition to the principal permit, each peddler or solicitor acting for the principal shall also obtain a permit from the City before

peddling or soliciting within the city. The cost to obtain a peddler/solicitor permit is \$5 for each agent assisting the principal peddler/solicitor. In applying for the permit, each applicant shall provide the same information as required by the principal peddler/solicitor found above.

- (3) Soliciting without a permit. The penalty for violation of soliciting/peddling without a permit shall be punishable pursuant to § 116.99.
- (3) Exemptions. Exemptions for this division are provided by § 116.03.

~~(AA) Technical plat. Four hundred sixty dollars (\$460.00).~~

(AA) *Vacate permit.* One hundred twenty-five dollars (\$125.00).

(BB) *Variance request.* One hundred twenty-five dollars (\$125.00).

(CC) *Revisions of plats.* Each revised plat submitted shall be regarded as a new plat and shall be subject to the appropriate fees as required within this section.

~~(DD) Engineering fees. The Planning Commission, with the approval of the City Council, reserves the right to retain a disinterested engineer for advice and review purposes concerning any plans submitted. The developer shall be responsible for any and all related expenses.~~

(EE) *Transfer of fees.* Fees are not transferable or refundable. The Building Official reserves the right to apply prepaid fees to certain lot splits, sketch plans or plat revisions; provided that the revised portions of the lot splits, sketch plans or plats have not been reviewed prior to the submittal of the revision.

(FF) *Building permits.*

- (1) Building permit. The city determines the valuation of a structure using the ICC Building Valuation Data Table. A copy of the table is available on the International Building Code's website at www.iccsafe.org/cs/techservices. The valuation table is updated every six months to provide an up-to-date "average" construction cost per square foot. For construction of new single family residential dwellings, the permit fee will be calculated based on heated square feet. Once the valuation is determined, the following table is used to calculate permit fees:

- (a) Twenty-eight dollars and seventy-five cents (\$28.75) fee for any valuation of a structure that is \$3,000.00 or less.
- (b) Twenty-eight dollars and seventy-five cents (\$28.75) fee for the first \$3,000.00 plus \$5.75 for each additional thousand or fraction thereof, to and including \$50,000.00, for any valuation of a structure that is from \$3,000.01 to \$50,000.00.
- (c) Two hundred ninety-nine dollars (\$299.00) fee for the first \$50,000.00 plus \$4.60 for each additional thousand or fraction thereof, to and including \$100,000.00, for any valuation of a structure that is from \$50,000.01 to \$100,000.00.
- (d) Five hundred twenty-nine dollars (\$529.00) fee for the first \$ 100,000 plus \$3.45 for each additional thousand or fraction thereof, to and including \$500,000.00, for any valuation of a structure that is from \$100,000.01 to \$500,000.00.
- (e) One thousand, nine hundred nine dollars (\$1,909.00) fee for the first \$500,000.00 plus \$2.30 for each additional thousand or fraction thereof, for any valuation of a structure in excess of \$500,000.01.
- (f) Water and sewer tap and access fees. Prior to the issuance of a building permit, all tap and access fees for the project site must be paid in full.
- (g) Residential single family building permit. The purchase of a building permit for a residential single family home shall include the cost of all necessary permits to complete the construction as presented on the approved plans. Individual contractors must obtain permits for plumbing, electrical, mechanical and fence work. However, these permits will be issued at no charge if associated with a current building permit.

- (2) If work for which a permit is required by Chapter 152, Subdivisions, is started or proceeded with, prior to obtaining said permit or other approvals required by ordinance, the fees specified herein and elsewhere in the Code of Ordinances shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of Chapter 152 and all applicable in the execution of the work, nor from

- any other penalties prescribed therein.
- (3) Plan checking fees. When the valuation of the proposed construction is for a commercial use and exceeds \$1,000.00, and a plan is required to be submitted by the Code of Ordinances, a plan checking fee shall be paid to the Inspection Department at the time of submitting plans and specifications for checking. Residential plan checking fees apply to single-family dwellings with a valuation of \$500,000.00 or more. Said plan checking fee shall be equal to one-half of the building permit as set forth in the code.
 - (4) Miscellaneous commercial permits. Shell commercial structures will receive a final building permit upon approval of completion of the shell building and associated systems. Tenant improvement permits and interior remodeling permits will be issued based on the permit and plan checking fee schedule.
 - (5) Miscellaneous residential and agricultural zoned accessory building permits. Permit fees for sheds, pole barns, unattached garages and other like structures will be calculated using the following guidelines: for a structure without any utilities (plumbing, electrical or HVAC) consisting of pole type, wood or steel frame construction without a concrete floor, the permit fee shall be calculated at 25% of the square foot cost using the most current ICC building valuation data for utility group and VB construction type, not including the suggested 20% deduction for shell only buildings. Permit fees for structures with a concrete floor and wood or steel frame construction with no utilities shall be calculated at 35% of the ICC valuation using the same group and construction type. Permit fees for buildings with a concrete floor and wood or steel frame that include any utilities, (plumbing, electrical, HVAC) will be calculated at 45% of the ICC valuation.
 - (6) Additions to commercial or residential buildings. Fees for additions to commercial and residential buildings will be regarded as new construction for fee purposes.
 - (GG) *Electrical permit.* Seventy-five dollars (\$75.00) on residential and \$50.00 on commercial plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
 - (HH) *Extension of permit.* Fifty dollars (\$50.00) extension for 180-day duration.
 - (II) *Mechanical permit.* Seventy-five dollars (\$75.00) on residential and \$50.00 on commercial plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
 - (JJ) *Plumbing permit.* Seventy-five dollars (\$75.00) on Residential and \$50.00 on Commercial plus 1% (0.10) of job cost Up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
 - (KK) *Re-inspection.* With the purchase of any permit, one inspection and if necessary, one follow-up inspection for correction of violations will be free of charge. A fee for each additional re-inspection of the same issue shall be \$25.00 per trip.
- (Ord. 60, passed 11-4-75; Am. Ord. 122, passed 3-3-98; Am. Ord. 2006-10-273, passed 10-3-06; Am. Ord. 2007-06-293, passed 6-5-07; Am. Ord. 2008-02-306, passed 2-5-08; Am. Ord. 2008-06-314, passed 6-3-08; Am. Ord. 2008-08-319, passed 8-5-08; Am. Ord. 2010-07-358, passed 7-6-10; Am. Ord. 2010-10-359, passed 10-5-10; Am. Ord. 2011-07-377, passed 7-5-11; Am. Ord. 2011-08-379, passed 8-2-11; Am. Ord. 2013-08-436, passed 8-6-13; Am. Ord. 2013-10-446, passed 10-1-13; Am. Ord. 2014-05-466, passed 5-6-14; Am. Ord. 2014-11-483, passed 11-4-14; Am. Ord. 2015-07-530, passed 7-21-15; Am. Ord. 2015-07-531, passed 7-21-15; Am. Ord. 2016-08-595, passed 9-3-16)

§ 155.02 SURCHARGE TO APPLICANTS FOR NONRESIDENTIAL PERMITS.

- (A) Pursuant to the Arkansas Construction Industry Craft Training Act, A.C. § 6-55-101 et seq., it is the intent of the state to promote a coordinated effort between the construction industry and the vocational and technical schools and colleges to enhance the availability and the competence of the work force supporting the industry by instituting a craft training program.
- (B) Pursuant to A.C. § 6-55-106, the state requires a surcharge in the amount of \$0.50 per each \$1,000 of construction authorized on any nonresidential construction permit issued by any political subdivision of the state imposed to support the Arkansas Construction Industry Craft Training Program. The maximum surcharge for any construction project permitted shall be \$1,000.
- (C) This surcharge is intended to be included in any charges to an applicant for a nonresidential permit and will be reflected in the application for any nonresidential permit.
- (D) This surcharge is intended to follow A.C. § 6-55-101 et seq., and will be amended to reflect

any amendment to the surcharge found in A.C. § 6-55-106 if said statute is amended.
(Ord. 2010-05-354, passed 5-4-10; Am. Ord. 2014-05-466, passed 5-6-14)

CODE AS WILL READ

155.01 FEES.

- (A) *After hours/emergency inspection.* Thirty dollars (\$30.00) per hour, with a one-hour minimum.
- (B) *Appeal of a City Official decision.* Three hundred dollars (\$300.00).
- (C) *Appeal of Planning Commission decision.* Four hundred dollars (\$400.00).
- (D) *Certificate of occupancy.* Seventy-five dollars (\$75.00).
- (E) *Certificate of occupancy- change of use involving on-site inspection.* One hundred dollars (\$100.00). Certificate of occupancy for change of use involving on-site inspection, if no plans are required by the Building Official.
- (F) *Certificate of occupancy-partial.* Twenty-five dollars (\$25.00) for 30-day duration.
- (G) *Conditional use.* Two hundred dollars (\$200.00).
- (H) *Copies:*
 - (1) *Drainage manual (copies):* \$100.00.
 - (2) *Zoning regulations (copies):* \$40.00.
 - (3) *Subdivision regulations (copies):* \$30.00.
 - (4) *Storm water regulations (copies):* \$30.00.
- (II) *Demolition permit.*
 - (1) Demolition of any single family residential structure: Fifty dollars (\$50.00).
 - (2) Demolition of multi-family residential, commercial, or industrial structure: Fifty dollars (\$50.00) plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
- (J) *Fence permit.* Twenty-five dollars (\$25.00).
- (K) *Final plat/As-Built Plans (Large Scale Development, Subdivision, and PUD).* Two hundred and fifty dollars (\$250.00) plus:
 - (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (L) *Garage sale, yard sale, and rummage sale permits.* Ten dollars (\$10.00).
- (M) *Grading permit.*
 - (1) Grading permit for small sites (one acre or less): Fifty dollars (\$50.00).
 - (2) Grading permit for large sites (more than one acre): Fifty dollars (\$50.00) plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus 1/4% (.0025) of job cost up to \$20,001.00 and above.
- (N) *Home occupation permit.* Fifty dollars (\$50.00).
- (O) *Informal plat (Minor Subdivision, Incidental Subdivision, Administrative Plat).* Two hundred dollars (\$200.00).
- (P) *Large scale development.* Five hundred dollars (\$500.00), plus:
 - (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.

- (Q) *Lot splits*. Two hundred dollars (\$200.00).
- (R) *Moving permit*. Three hundred dollars (\$300.00). (Moving of building or structure. Additional highway permits may be required).
- (S) *Outdoor food vendor*. three hundred dollars (\$300.00).
- (T) *Planned unit development*. Five hundred dollars (\$500.00), plus:
 - (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (U) *Preliminary plat*. Two hundred and fifty dollars (\$250.00) up to ten (10) lots, and an additional ten dollars (\$10) per each lot for preliminary plats containing more than 10 lots, plus:
 - (1) Engineering fees and costs: a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (V) *Road cut permit*. Two hundred dollars (\$200.00).
- (W) *Re-zoning request*. Four hundred dollars (\$400.00).
- (X) *Re-plat*: Two hundred and fifty dollars (\$250.00), plus:
 - (1) Engineering fees and costs (applicable only to replats with more than five lots being replatted, and that require engineering review): a nonrefundable fee of five hundred dollars (\$500.00). In the event engineering review fees and costs exceed five hundred dollars (\$500.00), the owners and/or developers shall reimburse the city for all additional expenses incurred.
- (Y) *Sign permit*.
 - (2) One hundred dollars (\$100.00) plus 1% (0.10) of job cost up to \$5,000.00 plus ½% (.005) of job cost up to \$5,001.00 to \$10,000.00 plus 1/4% (.0025) of job cost up to \$10,001.00 and above. Subject to surcharge detailed in Chapter 155.02
- (Z) *Solicitor/peddler permit*. Forty dollars (\$40.00).
 - (1) Permit for principal peddler/solicitor. No peddling or solicitation shall be conducted within the city without a principal permit being issued and fees shall be paid before any peddling or soliciting is conducted within the city. The permit shall expire on December 31 in the year the permit is issued. In addition to the principal's permit, the principal must also comply with the city's business license requirements under Chapter 110. To obtain a permit, a representative of the principal shall provide a written, signed application stating:
 - (a) The name, address, telephone number, type of organization, and contact person for the principal applicant;
 - (b) The nature of the products or services involved;
 - (c) The proposed method of operation in the city; and
 - (d) A list of persons who will peddle or solicit in the city on behalf of the principal in the city.
 - (2) Permit for agents of principal peddler/solicitor. In addition to the principal permit, each peddler or solicitor acting for the principal shall also obtain a permit from the City before peddling or soliciting within the city. The cost to obtain a peddler/solicitor permit is \$5 for each agent assisting the principal peddler/solicitor. In applying for the permit, each applicant shall provide the same information as required by the principal peddler/solicitor found above.
 - (3) Soliciting without a permit. The penalty for violation of soliciting/peddling without a permit shall be punishable pursuant to § 116.99.
 - (2) Exemptions. Exemptions for this division are provided by § 116.03.

- (AA) *Vacate permit.* One hundred twenty-five dollars (\$125.00).
- (BB) *Variance request.* One hundred twenty-five dollars (\$125.00).
- (CC) *Revisions of plats.* Each revised plat submitted shall be regarded as a new plat and shall be subject to the appropriate fees as required within this section.
- (EE) *Transfer of fees.* Fees are not transferable or refundable. The Building Official reserves the right to apply prepaid fees to certain lot splits, sketch plans or plat revisions; provided that the revised portions of the lot splits, sketch plans or plats have not been reviewed prior to the submittal of the revision.
- (FF) *Building permits.*
 - (1) Building permit. The city determines the valuation of a structure using the ICC Building Valuation Data Table. A copy of the table is available on the International Building Code's website at www.iccsafe.org/cs/techservices. The valuation table is updated every six months to provide an up-to-date "average" construction cost per square foot. For construction of new single family residential dwellings, the permit fee will be calculated based on heated square feet. Once the valuation is determined, the following table is used to calculate permit fees:
 - (a) Twenty-eight dollars and seventy-five cents (\$28.75) fee for any valuation of a structure that is \$3,000.00 or less.
 - (b) Twenty-eight dollars and seventy-five cents (\$28.75) fee for the first \$3,000.00 plus \$5.75 for each additional thousand or fraction thereof, to and including \$50,000.00, for any valuation of a structure that is from \$3,000.01 to \$50,000.00.
 - (c) Two hundred ninety-nine dollars (\$299.00) fee for the first \$50,000.00 plus \$4.60 for each additional thousand or fraction thereof, to and including \$100,000.00, for any valuation of a structure that is from \$50,000.01 to \$100,000.00.
 - (d) Five hundred twenty-nine dollars (\$529.00) fee for the first \$ 100,000 plus \$3.45 for each additional thousand or fraction thereof, to and including \$500,000.00, for any valuation of a structure that is from \$100,000.01 to \$500,000.00.
 - (e) One thousand, nine hundred nine dollars (\$1,909.00) fee for the first \$500,000.00 plus \$2.30 for each additional thousand or fraction thereof, for any valuation of a structure in excess of \$500,000.01.
 - (f) Water and sewer tap and access fees. Prior to the issuance of a building permit, all tap and access fees for the project site must be paid in full.
 - (g) Residential single family building permit. The purchase of a building permit for a residential single family home shall include the cost of all necessary permits to complete the construction as presented on the approved plans. Individual contractors must obtain permits for plumbing, electrical, mechanical and fence work. However, these permits will be issued at no charge if associated with a current building permit.
 - (2) If work for which a permit is required by Chapter 152, Subdivisions, is started or proceeded with, prior to obtaining said permit or other approvals required by ordinance, the fees specified herein and elsewhere in the Code of Ordinances shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of Chapter 152 and all applicable in the execution of the work, nor from any other penalties prescribed therein.
 - (3) Plan checking fees. When the valuation of the proposed construction is for a commercial use and exceeds \$1,000.00, and a plan is required to be submitted by the Code of Ordinances, a plan checking fee shall be paid to the Inspection Department at the time of submitting plans and specifications for checking. Residential plan checking fees apply to single-family dwellings with a valuation of \$500,000.00 or more. Said plan checking fee shall be equal to one-half of the building permit as set forth in the code.
 - (4) Miscellaneous commercial permits. Shell commercial structures will receive a final building permit upon approval of completion of the shell building and associated systems. Tenant improvement permits and interior remodeling permits will be issued based on the permit and plan checking fee schedule.
 - (5) Miscellaneous residential and agricultural zoned accessory building permits. Permit fees

for sheds, pole barns, unattached garages and other like structures will be calculated using the following guidelines: for a structure without any utilities (plumbing, electrical or HVAC) consisting of pole type, wood or steel frame construction without a concrete floor, the permit fee shall be calculated at 25% of the square foot cost using the most current ICC building valuation data for utility group and VB construction type, not including the suggested 20% deduction for shell only buildings. Permit fees for structures with a concrete floor and wood or steel frame construction with no utilities shall be calculated at 35% of the ICC valuation using the same group and construction type. Permit fees for buildings with a concrete floor and wood or steel frame that include any utilities, (plumbing, electrical, HVAC) will be calculated at 45% of the ICC valuation.

- (6) Additions to commercial or residential buildings. Fees for additions to commercial and residential buildings will be regarded as new construction for fee purposes.
 - (GG) *Electrical permit.* Seventy-five dollars (\$75.00) on residential and \$50.00 on commercial plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus ¼% (.0025) of job cost up to \$20,001.00 and above.
 - (HH) *Extension of permit.* Fifty dollars (\$50.00) extension for 180-day duration.
 - (II) *Mechanical permit.* Seventy-five dollars (\$75.00) on residential and \$50.00 on commercial plus 1% (0.10) of job cost up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus ¼% (.0025) of job cost up to \$20,001.00 and above.
 - (JJ) *Plumbing permit.* Seventy-five dollars (\$75.00) on Residential and \$50.00 on Commercial plus 1% (0.10) of job cost Up to \$10,000.00 plus ½% (.005) of job cost up to \$10,001.00 to \$20,000.00 plus ¼% (.0025) of job cost up to \$20,001.00 and above.
 - (KK) *Re-inspection.* With the purchase of any permit, one inspection and if necessary, one follow-up inspection for correction of violations will be free of charge. A fee for each additional re-inspection of the same issue shall be \$25.00 per trip.
- (Ord. 60, passed 11-4-75; Am. Ord. 122, passed 3-3-98; Am. Ord. 2006-10-273, passed 10-3-06; Am. Ord. 2007-06-293, passed 6-5-07; Am. Ord. 2008-02-306, passed 2-5-08; Am. Ord. 2008-06-314, passed 6-3-08; Am. Ord. 2008-08-319, passed 8-5-08; Am. Ord. 2010-07-358, passed 7-6-10; Am. Ord. 2010-10-359, passed 10-5-10; Am. Ord. 2011-07-377, passed 7-5-11; Am. Ord. 2011-08-379, passed 8-2-11; Am. Ord. 2013-08-436, passed 8-6-13; Am. Ord. 2013-10-446, passed 10-1-13; Am. Ord. 2014-05-466, passed 5-6-14; Am. Ord. 2014-11-483, passed 11-4-14; Am. Ord. 2015-07-530, passed 7-21-15; Am. Ord. 2015-07-531, passed 7-21-15; Am. Ord. 2016-08-595, passed 9-3-16)

§ 155.02 SURCHARGE TO APPLICANTS FOR NONRESIDENTIAL PERMITS.

- (A) Pursuant to the Arkansas Construction Industry Craft Training Act, A.C. § 6-55-101 et seq., it is the intent of the state to promote a coordinated effort between the construction industry and the vocational and technical schools and colleges to enhance the availability and the competence of the work force supporting the industry by instituting a craft training program.
 - (B) Pursuant to A.C. § 6-55-106, the state requires a surcharge in the amount of \$0.50 per each \$1,000 of construction authorized on any nonresidential construction permit issued by any political subdivision of the state imposed to support the Arkansas Construction Industry Craft Training Program. The maximum surcharge for any construction project permitted shall be \$1,000.
 - (C) This surcharge is intended to be included in any charges to an applicant for a nonresidential permit and will be reflected in the application for any nonresidential permit.
 - (D) This surcharge is intended to follow A.C. § 6-55-101 et seq., and will be amended to reflect any amendment to the surcharge found in A.C. § 6-55-106 if said statute is amended.
- (Ord. 2010-05-354, passed 5-4-10; Am. Ord. 2014-05-466, passed 5-6-14)

STAFF RECOMMENDATION: Staff recommends approval of the code changes for Chapter 155.

Approved_Projects_Expirations

Project Name	Approval Date	Start/Expiration Date 152.101	Comments
South Point Subdivision-Phase I	December 27, 2016	June 27, 2017	In Construction
Burton Warehouse	February 28, 2017	August 28, 2017	In Construction-Temp COO expires 4/29/18
South Point Subdivision-Phase II	February 28, 2017	August 28, 2017	In Construction
Venezia Piazza-LSD	April 25, 2017	October 28, 2017	In Construction
Westbrook Subdivision Phase 2	November 28, 2017	May 28, 2018	In Construction
Tontitown Self Storage LSD	December 27, 2017	June 27, 2018	In Construction
Napa Subdivision	February 27, 2018	August 27, 2018	Preliminary grading/technical review
			4/26/2018 14:36

Building Activity Report:	YTD - 2018	# Permits
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YTD - 2017

Variance

% change

RESIDENTIAL VALUATION	\$ 15,785,618.27	
Single Family Permits		52
COMMERCIAL VALUATION	\$ 6,337,137.25	
		13
RESIDENTIAL PERMIT FEES	\$ 65,839.18	
COMMERCIAL PERMIT FEES	\$ 26,356.16	
Other Permits	\$ 9,534.50	
Total Fees Assessed	\$ 162,146.48	
<i>For Information Only:</i>		
Water Tap	\$ 38,050.00	
Sewer Tap	\$ 19,000.00	

\$ 13,725,586.14
\$ 2,935,853.20
\$ 56,816.96
\$ 11,008.54
\$ 9,274.60
\$ 110,894.67

\$2,060,032.13
\$3,401,284.05
\$9,022.23
\$15,347.62
\$259.90
\$ 51,251.81

15.01%
115.85%
15.88%
139.42%
2.80%
46.22%

As of 4/26/2018

compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

- vii. *Construction Signs.* Government sign- placards and other signs required by State and/or Federal Law to be displayed during construction or remodeling of buildings, or other site/infrastructure work.

B. Temporary Signs.

- i. *Temporary Signage.* Temporary Signs are allowed at any:

- (1) A property owner may place signage with sign face square footage not to exceed ~~twelve~~ sixteen (~~12-16~~) square feet on the property at any time.
- (2) A property owner may place one (1) sign no larger than ~~twelve-sixteen~~ (~~12~~16) square feet in one (1) window on the property at any time.

- ii. *Temporary Signs During Elections.* Temporary Signs may be located on the owner's property for a period of sixty (60) days prior to any federal, state or local election that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located. All such temporary signs shall be removed within three (3) days after the election has occurred.

- iii. *Temporary Signs During Times When a Property is For Sale.* One (1) Temporary Sign may be located on a property when the following conditions are all met:

- (1) The owner consents and that property is being offered for sale through a licensed real estate agent.
- (2) If not offered for sale through a real estate agent, when the Sign is owned by the property owner and that property is offered for sale by the owner through advertising in a newspaper, online newspaper or in another public manner,

building on the property unless a court having jurisdiction determines that additional Signs must be permitted and then the signage must be limited to the fewest Signs and the smallest accumulated sign area permissible under the court's determination.

viii. *Sign Face Limitation.* The Sign face of any Temporary Sign, unless otherwise limited in this Section 3.B must not be larger than ~~twelve~~ sixteen (12-16) square feet.

- C. Lessors. For purposes of this Section (3), a lessor of a property is considered the property owner as to the property if the lessor holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessors of a property then each lessor must have the same rights and duties as the property owner as to the property the lessor leases and has the sole right to occupy and the size of the property must be deemed to be the property that the lessor has the sole right to occupy under the lease.
- D. Signs Not in View. Signs not otherwise prohibited in Section 2-Prohibited Signs, and which are not exposed to view from a public street or public right of way, public place or other property, shall not be regulated by the Code.
- E. Flags. Flags shall be permitted on properties as follows:
 - i. *Single-family Zoning Districts.* In a single-family zoning district (such as the zones currently recognized in the City: R-E Estate Single-Family Residential, R-1 Single-Family Residential, R-2 Single Family Residential, R-3 Single-Family Residential R-MF Multi-Family Residential, and R-MH Mobile Homes Residential) two (2) flags and one (1) flag pole shall be allowed per premises. Each flag shall be a maximum of fifteen (15) square feet in area. The flag pole shall be a maximum of twenty-five (25) feet in height or no higher than the highest point of the principal building's roof, whichever is lower. Flag poles must meet the minimum yard setback requirements for a principal building.
 - ii. *Nonresidential Zoning Districts.* In all other non-residential zoning districts, one flag per twenty-five (25) feet of frontage on a right-of-way up to a maximum of six (6) flags and six (6) flag poles per premises. Each flag shall be a maximum of twenty-four (24) square feet in area. Flag poles shall be a maximum of fifty (50) feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flag poles must meet the minimum yard setback requirements for a principal building or a minimum of ten feet whichever is more restrictive.
- F. Temporary Signs shall not be placed or located in such a manner as they obscure the view of pedestrian or vehicular traffic and shall not be placed within twenty-five (25) feet of an intersection.

i. *Awning Sign.*



Description	Sign Dimensions
<p>A Sign where graphics or symbols are painted, sewn or otherwise adhered to the awning fabric or material that is soft or flexible as an integrated part of the awning itself.</p>	<ul style="list-style-type: none"> Width (max) – no greater than 75% of the width or depth of the awning. Area (max) – 9 SF No maximum
Regulations	Number of Signs
<ul style="list-style-type: none"> Shall not extend beyond the awning itself. Only awnings over ground story windows may contain a Sign. 	<p>In a single tenant situation, 1 Awning Sign permitted per awning. The Awning Sign can be placed on either the front or side valance. For multi-tenant awning Signs, and a canopy that extends the length of several tenants, each tenant may have a maximum of 9 SF on the Awning Sign.</p>

Total Sign Area Allocation:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 square feet.

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Awning	--	--	--	--	--	--	--	--	A	A	A

ii. *Canopy Sign.*



Photo Credit: wikipedia.org



Description	Sign Dimensions
Any Sign that is mounted, painted, or otherwise applied on or attached to an architectural canopy or structural protective cover over an outdoor area.	<ul style="list-style-type: none"> • Width – no greater than 75% of the width or depth of the canopy • Height of text or graphics on the canopy – 2' • Sign Area (max) – 12 24 SF • Sidewalk/driving surface clearance (min) – 10'
Regulations	Number of Signs
<p>For awnings attached to a building:</p> <ul style="list-style-type: none"> • The Canopy Sign shall not extend beyond the length or the width of the canopy, but it may extend either above or below the canopy. • Only awnings over ground story windows may contain a Sign. <p>For free-standing awnings:</p> <ul style="list-style-type: none"> • The Canopy Sign shall not extend beyond the length or the width of the canopy, but it may extend either above or below the canopy. 	<p>For awnings attached to a building:</p> <ul style="list-style-type: none"> • 1 Canopy Sign permitted per each customer entrance. The Canopy Sign can be placed on either the front or side valance. <p>For free-standing awnings:</p> <ul style="list-style-type: none"> • 1 sign allowed per side for up to two sides maximum.

Total Sign Area Allocation:

For awnings attached to a building:

The combined square footage of Awning, Canopy, Crown, Projection and Wall Signs shall not exceed 20% of the total square footage of the wall area of that side of the building, not to exceed a maximum total amount of 800 SF.

For free-standing awnings:

No more than 24 sq ft total of awning signage allowed per free-standing awning

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Canopy	--	--	--	--	--	--	--	--	A	A	A

v. *Pylon Sign.*



Description		Sign Dimensions
A Sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including Signs mounted to the ground.		<ul style="list-style-type: none"> • Sign Area (max) - 48 100 SF • Total Structure Height (max) –Divided into two sections of intensity: <ol style="list-style-type: none"> 1. 40 (forty feet in height) or less (from the eastern City limits boundary) to the intersection of Via De Tonti and HWY 412 2. 25' (twenty-five feet in height) or less (from the intersection of Via De Tonti and HWY 412 to the Western City limits)
Regulations	Number of Signs	
<ul style="list-style-type: none"> • Single Tenancy use only • Allowed only within 100 (one hundred) linear feet (to the north or south) of the HWY 412 R.O.W. 	<ul style="list-style-type: none"> • Only 1 Pylon Sign Structure* (or Double Post/Monument Sign) is allowed per street frontage of each lot. • Where more than one Monument Sign or Pylon Sign Structure* is allowed on the same property, must be a minimum of 500 feet apart. • Placement of the sign within the lot may be evaluated by the planning official to achieve appropriate spacing of signage between adjoining lots (the goal is to keep signage evenly spaced along ROWS when possible). 	

	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Pylon	--	--	--	--	--	--	--	--	--	A*	A*

**Allowable only within 100' (one hundred feet) of the HWY 412 R.O.W.*

vi. **Monument Sign.**



Description		Sign Dimensions									
A free-standing and permanently affixed Sign that is supported by a solid base (other than poles) and such that no air space is visible within or between any portion of the sign display area and sign structure.		Sign Area (max per Sign)									
		<ul style="list-style-type: none"> 1 tenant - 48 SF 2 to 3 tenants - 64 72 SF 4 to 5 tenants - 72 84 SF 6 or more tenants - 96 108 SF 									
		Height (max) - 8' for 1-3 tenants, 12' for 4-6 or more tenants									
Regulations		Number of Signs									
<ul style="list-style-type: none"> Must be set back at least 10 feet from the front lot line and 10 feet from the side lot line. The size of the Monument Sign for applicants which include more than 6 tenants may be increased by conditional use permit approved by the Planning Commission. 		<ul style="list-style-type: none"> Only one Monument, Double Post or Freestanding Sign Structure is allowed per street frontage. Where more than one Monument, Double Post or Freestanding Sign Structure is allowed on the same property, must be a minimum of 500 feet apart. 									
	A-1	R-E	R-1	R-2	R-3	R-3L	R-MF	R-MH	C-I	C-2	I
Monument	--	C	C	C	C	C	C	C	A	A	A