

# Bryant Planning Commission Meeting <br> Monday, July 10th, 2017 <br> 6:00 p.m. <br> Boswell Municipal Complex-City Hall Courtroom 

## Agenda

## CALL TO ORDER

- Chairman to call the meeting to order.
- Secretary calls roll


## APPROVAL OF MINUTES

Mintues
Documents:

Bryant Planning Commission Meeting Mintues 61217.pdf

## ANNOUNCEMENTS

## DRC REPORT

## Tonia Griffin

Requesting Approval of Re-Plat - Approved
Documents:

TONIA GRIFFIN MORDENS SUB REPLAT.pdf

## Grace Village Phase 2

Vernon Williams - Requesting Approval of Preliminary Plat - Tabled
Documents:

> 016072 Grace Village Ph 2 Cover Sheet.pdf 216072 Grace Village Ph 2 Site Layout.pdf Grace Village Ph 2 Main D Sewer PandP.pdf Grace Village Ph 2 Main E Sewer PandP.pdf Grace Village Ph 2 Street and Drainage Plan.pdf Grace Village Ph 2 Street Profile Grace and Tranquility.pdf Grace Village Ph 2 Street Profile Peace Lane.pdf

## Dental And Dentures Services

Requesting Approval for Parking Expansion - Tabled Due to No Drainage Calculations
Documents:

## US Pizza Parking Lot

Requesting Approval for Parking Lot Expansion - Tabled Due to No Drainage Calculations

Documents:

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\begin{aligned}
& \text { 2.pdf } \\
& \text { 4.pdf } \\
& \text { 5.pdf }
\end{aligned}
$$

David's Burgers Building Signage
Requesting Sign Permits Approval - Tabled
Documents:

Davids Burger Sign Plan.pdf
Davids Burgers Building Signs.pdf
revised layout.pdf

A-1 Fireworks
Requesting Temporary Business Permit Application Approval - Approved

Documents:

A1 Fireworks App 2017.pdf

Burger King
Requesting Sign Permits Application Approval - Approved East and North Sides, South Does Not Comply

Documents:

Burger King Sign Permit Application.pdf

Fulks Family Dentistry
Requesting Temporary Business Permits Approval - Approved
Documents:

Fulks Family Dentistry Sign.pdf

## Arnold Fireworks

Requesting Temporary Business Permits Approval - Approved
Documents:

Arnold Fireworks Springhill Rd App.pdf
Arnold Fireworks South Reynolds App.pdf

## Bethel Middle School

Requesting Approval for New Entry Canopy - Approved
Documents:

## Fire Dancer BBQ

Requesting to Move Temporary Business Location For Two Weeks Starting on 7/3/17. Approved

Documents:

FDBBQ Site Plan - Crush.pdf

## PUBLIC HEARING

## Zoning Code Changes

James Walden - Requesting Approval Of Zoning Code Changes
Documents:

Zoning Code VARIANCE WCF.PDF

OLD BUSINESS

## NEW BUSINESS

## 611 SW 2nd Re-Plat

Tonia Griffin - Requesting Re-plat of Lots 4, 5, and 6 of Modern Subdivision.
Documents:

TONIA GRIFFIN MORDENS SUB REPLAT.pdf

## ADJOURNMENT



# Bryant Planning Commission Meeting <br> Monday, July 10th, 2017 <br> 6:00 p.m. <br> Boswell Municipal Complex-City Hall Courtroom 

## UNAPPROVED MI NTUES FOR 6/ 12/ 17 MEETI NG <br> 5 Pages

## CALL TO ORDER:

- Chairman Lance Penfield Calls Meeting To Order
- Commissioners Present: Penfield, Poe, Statton, Brunt, Johnson, Erwin, Mayfield.
- Commissioners Absent: Burgess.


## APPROVAL OF MI NTUES:

## Approval of the April 10 ${ }^{\text {th }}, 2017$ Planning Commission Minutes.

Action taken: Motion made to approve by Commissioner Brunt and seconded by Commissioner Statton. Voice vote: 7 yeas and 0 nay. Passed. Burgess Absent.

## DRC REPORT

Chairman Penfield reads the DRC Report.
Fire Dancer BBQ - Requesting Temporary Business Permit Application Approval - Approved
Baxley Penfield Moudy Realtors Building - Requesting Approval of Parking and Dumpster Relocation Plan Due to Highway 5 Widening Project - Approved

Nail Lounge \& Spa - 4000 Hwy 5 Suite 2 - Requesting Sign Permit Application Approval - Approved
Wildman Arms - 25502 I-30 North - Requesting Sign Permit Application Approval - Approved
TNT Fireworks - Requesting Temporary Business Permit Application - Approved
Stuart Finley - Discussion of Storage Project on Spingrhill Road
Screaming Eagle Fireworks - Requesting Temporary Business Permit Application - Approved
Pikewood Replat Lot 71 - Requesting Replat of Lot 71 Pikewood - Approved

## Olde Savannah

1. Requesting Approval of Preliminary Plat
2. Requesting Recommendation for Re-Zoning

## Meramec Specialty Company - Fireworks Stand - Requesting Temporary Business Permit Application Approval - Approved

HealthCare Express - Requesting Sign Permit Application Approval - Approved
David's Burgers Sign - Requesting the Approval for Moving One of the Already Approved Signs Denied - Sign Would Be Located In Easement

Changes To The Zoning Code - Conditional Use - Requesting Recommendation to Planning Commission - Recommend Approval

Carter Billboard Sign Relocation - Requesting the Movement of Billboard - Recommended Ordinance to City Council

Bryant Parkway Access Management Plan - Discussion and Recommendation of Bryant Parkway Access Management Plan - Recommend Approval

Bobs Wholesale Fireworks - Requesting Temporary Business Permit Application Approval - Approved
Baxter Vet Clinic Parking Addition - Requesting Approval of Parking Addition - Approved
Air BnB - Discussion on the Regulation of Air BnB
433 Windrush Point - Jonathan Hope - Request Recommendation for Variance - Approved Change, Variance Not Necessary

1101 North Reynolds Road - Requesting Recommendation to Planning Commission for Re-Zoning R-E to C-2 - Recommend Approval

PUBLIC HEARING

## 1101 North Reynolds Road - Requesting to Re-Zone From R-E to C-2

Chairman Penfield opens the public hearing and gives the floor to Mr. Johnathan Hope of Hope Consulting. Mr. Hope states that his client has no project imminent. They just wanted to rezone the property to $\mathrm{C}-2$ to help the sale of the property. Mr. Hope also states that the client is aware that no access will be allowed of Sullivan Road, since it is a private school road. All ingress and egress will occur from Reynolds Road. Chairman Penfield also clarifies that since the school is zoned residential, the commercial property will have to adhere to the setback and fencing requirements.

No Public Comment.
Chairman Penfield Calls for a roll call vote. 6 yeas. 0 nays. Passed. Burgess Absent.

Olde Savannah - Requesting Re-Zoning From R-2 to PUD
Chairman Penfield opens the public hearing and clarifies that this is for just the rezoning and is not any approval of a plat. The Chair then opens the floor to Mr. Randy Ives.

Mr. Ives is asking for the PUD to construct an active senior living retirement type community geared at 55 years of age and over. He states he wants the PUD to gate the community, allow for the POA to control the green spaces as well as the landscaping of the homes, give more control over the architectural design of the homes. Mr. Ives also states that this fits the Bryant Comprehensive Growth plan and that is a transitional neighborhood between the developments on either side of his. Chairman Penfield clarifies
what Mr. Ives has stated and asked about the POA. Mr. Ives confirms that the POA will take care of the streets, common area and yards. Mr. Ives explains the concept and how the project is designed for 55 and up retirement individuals and that these will not be starter homes. Commissioner Statton asks about the areas between the duplexes. Mr. Ives confirms that it will be about 15 feet of grassy area.
Commissioner Erwin asks about parking on the street, and Mr. Ives confirms that 9 buildings will have a single car garages and the rest will park on a driveway in front of the building. Commissioner Statton asks about the average price, Mr. Ives estimates that they will be North of $\$ 1,000$ a month. Chairman Penfield asks Mr. Ives if he would be willing to restrict the parking on the street, which is typically done in Bryant with tight PUDs like this. Mr. Ives sees no problem with this.

Chairman Penfield opens the floor to public comment. Wesely Russell, Vice President of the Hurricane Lake POA Board voiced concerns of the rear setbacks close to R-2, the PUD does not preserve or enhance the neighborhood which is what a PUD is supposed to do, and everything in the area is single family housing. Chairman Penfield asks Mr. Russell about the Saint Regis development. Mr. Russel does state that they are similar but that those do not have the majority of its borders to the area and it is not a PUD. Mr. Russell confirms that there is about 8 houses that the proposed property backs up to in Hurricane Lake Estates. Chairman Penfield asks about the multifamily that Benton approved just a little further down, done by Mr. Schadder. This project has a larger set back.

Carol Simmons voices concerns of flooding in the area and the drainage on the property and the overall density of the project.

Kay Prince states that her property is one of the abutting properties and that her and her neighbors are against this development. Mrs. Prince voiced concerns for the nature of which these buildings would be sold or rented. She is also worried about the taking of trees and amount of drainage the loss will cause. Chairman Penfield confirms that he will have to meet the drainage specs no matter what he does and that he could clear all of the trees as a property owner right now. Mr. Walden confirms that the rezoning would be done with a contingency on the site plan. Mrs. Prince asks if it will be a rental property. Chairman Penfield states that the Planning Commission has no authority to dictate whether Mr. Ives can sell or rent the property and that Mr. Ives plans to rent these out. Mrs. Prince confirms that she is against this project.

Gary Ferrell voices concerns over the setbacks for the property and the overdevelopment of the piece of property. Mr. Ferrell also voices his appreciation to the Commission for allowing the people of Benton to speak.

David Chapman explains his project next door and voices concerns over the drainage that may come on to his property. Mr. Chapman asks to be involved in the engineering discussions and voices his concern again for drainage in the area. Chairman Penfield confirms with Mr. Chapman that there was a public hearing held for his development too. Chairman Penfield also states that no more water can come off a piece property before the development as after the development. Chairman Penfield asks Mr. Chapman about the use. Mr. Chapman welcomes the use but jokingly wishes he would go somewhere else so that he wouldn't have to compete against him. Commission Erwin asks about the drainage and Mr. Chapman confirms about the drainage concerns and the retaining wall. Chairman Penfield confirms that this development is also a PUD due to the density of the development. Mr. Chapman states that his development has about a 50 foot tree line on the side of his property facing Hurricane Lake Estates, except for some areas that have large lots.

Misty Kenison voices concerns for how the green spaces has slowly gone away and how this would completely take this away and protests against it because of no green space.

Chairman Penfield asks if anyone from the city limits of Bryant is present that is for or against the project.
Nakia Lovell asks if this project could be shifted to be low income housing. Chairman Penfield clarifies that Mr. Ives is trying to market to 55 and over empty nesters. Mr. Walden states that there could be a deed restrictions placed on the property. Commission Johnson states that with features that will be in this
development, it will not be cost prohibitive to rent at a low rate. Mrs. Lovell states her concerns over crime and density.

Mr. Chapman returns to confirm that with the amount of money going into this project, it will be hard if not impossible to rent these are a low rate.

Mr. Russell comments on the setbacks.
Chairman Penfield turns the floor back over to Mr. Ives voicing the two major concerns, setbacks and drainage. Mr. Ives states that Peach Blossom will be draining on to them and speaks to the difficulty of keeping any trees on a project like this. He also speaks to the quality of homes he plans to build. Mr. Ives also confirms that he could not rent these homes for less than $\$ 1,000$ a month and that they will not be government subsidizes housing. Commissioner Poe asks Mr. Ives if he would be okay with this project going in his back yard. Mr. Ives answers with the property owner should be able to do whatever they want with their property. Commissioner Statton asks about adding some kind of shrub or decretive tree that could be add. Mr. Ives confirms that the buildings will look like 2500 to 3000 square feet homes.

Chairman Penfield confirms that this will have two contingencies with preliminary plat and drainage.
Commission Statton asks if Mr. Ives would consider additional greenery. Mr. Ives states he has no problem with trying to fit that in. Commission Statton does not want to make it a requirement but rather favor adding some greenery.

Vice-Chairman asks Mr. Kribbs about the drainage with this development. Mr. Kribbs states that he is planning on working closely with the City and Mr. Chapman's engineer. He also points out and discusses the detention area.

Chairman Penfield Calls for a roll call vote. 5 yeas. 0 nays. Passed. Burgess Absent. Johnson Abstains.

Changes To The Zoning Code - Conditional Use - Requesting Changes to the Bryant Zoning Code Pertaining to Revising Permitted Commercial Uses, Conditional Uses and the Conditional Use Process

Mr. Walden presents on the conditional use changes. The first being changing the regulations with medical marijuana dispensaries. This is an added level of check for the city to have some say in the development process. This is not intended to zone them out. Drug stores and pharmacies have to play by the same rules. Chairman Penfield confirms what is going to happen to projects under current development. Vice-Chairman Erwin asks about Air BnB and was updated about the one year moratorium. Mr. Walden the goes into the second section which goes into the actual conditional use language. Mr. Walden walks through the entire process. Chairman Penfield recommends changing the rezoning and public hearing signs so that they are easier to see. He recommends that staff review some signs and make a recommendation to DRC.

Chairman Penfield Calls for a roll call vote. 6 yeas. 0 nays. Passed. Burgess Absent.
Vice-Chairman Erwin takes a moment to clarify the role of Mr. James Walden and Secretary Smith. Secretary Smith being the Assistant Planning Director. Mr. Erwin asks if the city is still actively perusing a Planning Director. Mr. Walden states that the city is actively perusing training up Mr. Smith. Mr. Walden confirms that he is under contract with the city to be a support the Planning Department. Mr. Erwin states that he thinks this is working well, especially with Mr. Walden's experience around the area of the state. Vice-Chairman Erwin asks Councilmember Higginbotham's opinion on how the City Council thinks the department is functioning. Councilmember Higginbotham confirms that they love the arrangement. Chairman Penfield confirms that things are working better than before and things aren't being missed like they once were.

## OLD BUSINESS

## NEW BUSINESS

## ADJ OURNMENT

Motion made to adjourn by Commissioner Statton, seconded by Commissioner Erwin.
Approval of the minutes for June 12th Bryant Planning Commission meeting was approved on July 10th, 2017.

C̄hairman Lance Penfield ${ }^{-\quad-\quad-1}$

Date:
2017
Secretary Truett Smith


## GRACE VILLAGE SUBDIVISION - PHASE 2 <br> CITY OF BRYANT, SALINE COUNTY, ARKANSAS



ARKANSAS


Prepared by:

## GarNat Engineering, LLC

P.O. Box 116 (72018)

Ph (501) 408-4650
2909 Military Road
Benton, AR 72015
Fx (888) 900-3068
www.garnatengineering.com

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3 OVERALL WATER \& SANITARY SEWER PLAN
4 SANITARY SEWER PLAN \& PROFILE MAIN 'D'
5 SANITARY SEWER PLAN \& PROFILE MAIN 'E
6 STREET \& DRAINAGE PLAN
7 STREET \& DRAINAGE PROFILE - GRACE VILLAGE DRIVE \& TRANQUILITY LANE

8 STREET \& DRAINAGE PROFILE - PEACE LANE






TRANQUILITY LANE PROFILE



Vicinity Map









City of Bryant, Arkansas<br>Code Enforcement, Permits and Inspections<br>312 Royal Lane<br>Bryant, Ar 72022<br>501-943-0943

## SIGN PERMIT APPLICATION

Applicants are advised to read the sign ordinance prior to completing and signing this form. The Sign Ordinance is available at www.cityofbryant.com

Site plan showing placement of sign and any existing signs on the property. A rendering of sign showing correct dimensions of all signs are required with application. Additional documentation may be required by Sign Administrator.

Date:


SIGN CO. OR


City, State, Zip Bryant, AR 12022
Phone 501-773-0544

Note: Electrical permits may be Required, Please contact the Permits Office at 501-943-0943 for more information.


City, state, Zip Bryant, AR
Phone $501-773-0544$
Alternate Phone $\qquad$
SIGN TYPE
__Pole ___ Monument $V$ Wall
$\frac{\text { Other }}{\text { Ital sq. ft. }}$ (type)
$\qquad$
$\qquad$ Aggregate Surface Area (total all signs) $\qquad$


## READ CAREFULLY BEFORE SIGNING

LT re han
correct Leflly understand that , do hereby certify that all information contained within this application is true and fully comply with all terms of the Sim Orle Sign Ordinance supersede the Sign Administrator's approval and that all signs must inner of the propel and owner of the property and that I am authorized by the property owner to make this application. I understand that no sign may be placed in anypubpic right of way. I understand that I must comply with all Building and Electrical Codes and that it is my responsibility to $\phi$ tain all necessary permits.


# City of Bryant, Arkansas <br> Code Enforcement, Permits and Inspections <br> 312 Royal Lane <br> Bryant, Ar 72022 <br> 501-943-0943 

## SIGN PERMIT APPLICATION

Applicants are advised to read the sign ordinance prior to completing and signing this form. The Sign Ordinance is available at www.cityofbryant.com

Site plan showing placement of sign and any existing signs on the property. A rendering of sign showing correct dimensions of all signs are required with application. Additional documentation may be required by Sign Administrator.

Date:


SIGN CO. OR


Phone 501-773-0544
Alternate Phone $\qquad$

Note: Electrical permits may be Required, Please contact the Permits Office at 501-943-0943 for more information.


City, State, Zip Bryant, ARY20 22

$$
\text { Phone } 501-773-0544
$$

Alternate Phone $\qquad$

| GENERAL DETAILS |
| :--- |
| Name of Business David's Burgers |
| Address/Location of sign 23140 I-30 N |
| Sign dimensions (height, length, width) $109^{\prime \prime} \times 60^{\prime \prime}$ |

SIGN TYPE
___Pole $\qquad$ Monument


Wall
Other
(type)
Total sq. ft. $\qquad$

Zoning Classification C Aggregate Surface Area (total all signs) $\qquad$
Height of sign from lot surface: Bottom $\qquad$ Top $23^{\prime}$

## READ CAREFULLY BEFORE SIGNING



City of Bryant, Arkansas<br>Code Enforcement, Permits and Inspections<br>312 Royal Lane<br>Bryant, Ar 72022<br>501-847-6031

## SIGN PERMIT APPLICATION

Applicants are advised to read the sign ordinance prior to completing and signing this form. The Sign Ordinance is available at www.cityofbryant.org.

Site plan showing placement of sign and any existing signs on the property. A rendering of sign showing correct dimensions of all signs are required with application. Additional documentation may be required by Sign Administrator.

Date:


SIGN CO. OR
SIGN OWNER
Name


Address 701 N . Reynolds Rd
City, State, Zip Bryant, AR 72022
Phone $\qquad$ 501-773-0544

Alternate Phone

Note: Electrical permits may be Required, Please contact the Permits Office at 847-6031 for more information.

PROPERTY OWNER's Burgers
Name David's
Address 23140 I- 30 North
City, State, Zip Bryant, AR 72022
Phone $501-773-0544$
Alternate Phone $\qquad$

GENERAL DETAILS Name of Business David's Burgers
SIGN TYPE
_Pole $\qquad$ Monument

Address/Location of $\operatorname{sign} 23140$ I- 30 north
Sign dimensions (height, length, width)

 Wall Other (type)
Total sq. ft. $\qquad$

Zoning Classification $\quad$ Aggregate Surface Area (total all signs) $\qquad$
$\qquad$ Top_ $23^{\prime}$

## READ CAREFULLY BEFORE SIGNING

I. De , do hereby certify that all information contained within this application is true and correct. I fully understand that the terms of the Sign Ordinance supersede the Sign Administrator's approval and that all signs must fully comply with all terms of the Sign Ordinance regardless of approval. I further certify that the proposed sign is authorized by the owner of the property and that I am authorized by the property owner to make this application. I understand that no sign may be placed in any publicright of way. I understand that I must comply with all Building and Electrical Codes and that it is my responsibility to obtain all necessary permits.





## A-1 FIREWORKS

## 26 April 2017

This is a letter requesting that A-1 Fireworks be granted a temporary business license for the purpose of selling fireworks inside of Bryant city limits. Included is our application and fee as well as our lease agreement with the property owner and $\frac{15}{10}$ copies of the site plan included with the lease. Please let me know what else we need to do to have a license approved for our business.

Thank you


Lela Hawks
Office Manger

# Temporary Business Application <br> City of Bryant 

Date
$4-26-17$
Name of Business A-1 Fireworks
Federal Tax Employer Identification Number 26-1711923
Arkansas State Sales Tax Number 00318073 -SLS
Type of Business Retail FireworkS
Location of proposed Temporary Business $22578 \quad 1-30$
Owner Mailing Address 24341 E. Hwy 10 Ola AR 72853 Contact Person Lela Hawks

Daytime Phone No. 479-495-9889 - cell
Evening Phone No. - Same -
Please check the category you are applying for. Permits cannot exceed the following time limits:


Beginning Date Requested
$6-20 \cdot 17$ Ending Date Requested $\qquad$
$I$ understand violation of Temporary Business Ordinance 2007-43 is a misdemeanor punishable by a fine of up to $\$ 500.00$ per occurrence of violation. Each day's occurrence is a separate violation. No temporary business may operate for more than 180 days during any consecutive 12-month period.

Owners Signature

## CITY OF BRYANT - BRYANT, ARKANSAS

210 S.W. Third Street, Bryant, Arkansas
Phone: (501) 847-5559 (Ext 212) or FAX: (501) 847-5332

## Privilege Fee Information TEMPORARY BUSINESS LICENSE PERMIT

## (WHEN FILLING IN THE BLANKS PLEASE PRINT OR TYPE IN INK)

A $\$ 1000.00$ Surety Bond made payable to the city of Bryant is required for all applicants and must be received in this office and approved before any license will be issued.

Date: $4-26-17$
Business Name: A-1 Fireworks
Location of Business: $\frac{22578 \quad 1-30}{24341}$
Mailing Address:
City: Ola State? $A R$ Business Telephone: 479-489-3298
Type of License applied for: Temporary Period license is desired: 4/20/17 to 7/5/17
Type of Business (Services offered or product sold): FireworkS
Applicants Name: Silver Gongola
Applicants Home Address: $\frac{23204 \text { E Hwy } 10}{\text { State AR }}$
City: Ola
State: AR Zip Code: 72853
Applicants Home Telephone: 479-489-5678
Cellphone: $\quad 479 \cdot 495-9988$
Names) of each employee/peddler/vendor/salesman:


Address of business or premises to be used in Bryant:
Last two cities worked in:
$225781-30$

I hereby certify the above to be true and correct and state that I am operating a business in accordance with the city zoning regulations and/or any other city, state, or federal laws which may be applicable. I understand that if I am found to be in violation of any of the city zoning regulations and/or any other city laws, I may be subject to fines as outlined in any applicable City of Bryant Ordinance.


Signature of Applicant

Bond Received and Approved
Signature of Designated City Official


Ola, Ar 72853
Office Phone 479-489-3298
Fax 479-489-5679
WWW.a1fireworks.com


## Officers:

Silver Gongola CEO Lela Hawks Office Mgr Mike Gongola Whee. \& fleet Operations

## February 20, 2017

To Whom it May Concern,
The following is an agreement is made between Service King and A-1 Fireworks. This agreement was entered into by Service King and Mike Gongola of A-1 Fireworks. Service King gives permission to A-1 Fireworks to set up a tent, trailer, and a camper on the grass spot by the fence to sell fireworks. Dates for setting up are June $1^{\text {st }}, 2016$ through July 15, 2016. Dates for selling will be June $20^{\text {th }}, 2016$ to July $5^{\text {th }}, 2016$.

A-1 Fireworks agrees to provide insurance before using the premises. A-1 Fireworks agrees to take care of the property and provide a dumpster for trash. A-1 Fireworks will keep the property clear of trash and will have an operator on site 24 hours a day for duration of selling season.

If there are any questions or concerns please contact Mike Gongola at 479-970-6511.

Thank you for your time and this opportunity.

God Bless


Service King Assoc.
Date


SO529AACRWE
A-1 FIREWORKS
Type: SURETY BOND
OBLIGEE
CITY OF BRYANT

Fixe Policy Status Agt:8975
H Ph. (000)000-0000
FIRE Policy: 94-CQ-5505-7 F
$\qquad$


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CITY OF BRYANT - BRYANT, ARKANSAS
210 S.W. Third Street, Bryant, Arkansas
Phone: (501) 847-5559 (Ext 212) or FAX: (501) 847-5332
Privilege Fee Information TEMPORARY BUSINESS LICENSE PERMIT
(WHEN FILLING IN THE BLANKS PLEASE PRINT OR TYPE IN INK)
A $\$ \mathbf{1 0 0 0} .00$ Surety Bond made payable to the city of Bryant is required for all applicants and must be received in this office and approved before any license will be issued.

Date:


Business Name: $\qquad$
Armors FiNo works Inc
Location of Business:

Business Telephone:
$\qquad$
Cellphone:
S01-773-0011

Type of License applied for:
Period license is desired:
Type of Business (Services offered or product sold): $\qquad$ Fintwonk sales

Applicants Name:
Tom Annzec

Applicants Home Address: 4802 LexznGTUN PARK CR


Address of business or premises to be used in Bryant:
2516 Sparnatra Rd. Brant
Last two cities worked in:

1. $\qquad$ Bryant
2. $\qquad$
I hereby certify the above to be true and correct and state that I am operating a business in accordance with the city zoning regulations and/or any other city, state, or federal laws which may be applicable. I understand that if I am found to be in violation of any of the city zoning regulations and/or any other city laws, I may be subject to fines as outlined in any applicable City of Bryant Ordinance.


Bond Received and Approved
Signature of Designated City Official

Temporary Business Application
City of Bryant
Date $6 / 13 / 17$
$\qquad$
Name of Business $\qquad$ Anvoed Fzaiwonks INC

Federal Tax Employer Identification Number $\qquad$ 710311720

Arkansas State Sales Tax Number $\qquad$ 034327-60-001

Type of Business $\qquad$ FIREWORK TENT

2516 Sphznantae pd.
$\qquad$
Contact Person $\qquad$ Tom Annie

Daytime Phone No. $\qquad$ 773.0011

Evening Phone No. $\qquad$
Please check the category you are applying for. Permits cannot exceed the following time limits:
$\qquad$ Carnivals $\qquad$ 30 Days
Fireworks stands or tents $\qquad$ 30 Days
$\qquad$ Christmas tree stands, tents or lots. $\qquad$ 60 Days
$\qquad$ General commercial sales stands, tents or lots $\qquad$ 90 Days
$\qquad$ 180 Days

Beginning Date Requested $\qquad$ $6 / 24 / 17$ Ending Date Requested $\qquad$
$I$ understand violation of Temporary Business Ordinance 2007-43 is a misdemeanor punishable by a fine of up to $\$ 500.00$ per occurrence of violation. Each day's occurrence is a separate violation. No temporary business may operate for more than 180 days during any consecutive 12-month period.

Owners Signature $\qquad$




ARNOLD'S FIREWORK INE. woubd lere to sale fatewoxks AT $25 / 6$ SpRINGPtech Rd. WE USOLIS LZILE TO PLACE A $40 \times 40$ Tent on trle Murarcane lake BAPTFST CMuach property. We WFLL BE OFF OF SPREnGHzLC Rd. BY APPROXZMATELY 80!.

## LEASE AGREEMENT

This agreement, entered into this $12^{\text {th }}$ day of June, 2017 by and between HurfzenANE CHuRch| , hereinafter designated as Lessor, and Arnold Fireworks, Inc., an Arkansas for profit corporation designated as Lessee.

## WITNESSETH:

Lessor leases to Lessee the following described property, situated in the County of Saline and State of Arkansas, to-wit:


The terms of this lease will commence on $\qquad$ 2017 through July 5, 2017 for the purpose of the lawful selling of fireworks.

The rental for said property shall be in the amount of $\$ / 1,000^{\varepsilon^{2}}$. The Lessee hereby agrees and promises to pay to Lessor the amount of rent as stated in the above paragraph no later than June 25, 2017. The payment is to be made to Lessor, at

1. Arnold Fireworks, Inc is permitted to erect a tent for the purpose of housing and selling the fireworks.
2. As a condition of the lease and prior to June 25, 2017, Arnold Fireworks, Inc will add Hurnzcané BarIEST CHuRCH) as an additional insured to a liability
insurance policy with no less than $\$ 1$ million of coverage. To the fullest extent permitted by law, Lessee shall indemnify, save and hold harmless Lessor from and for any and all liability, losses, claims, actions, judgments for damages, or injury to persons or property, and all losses and expenses, including reasonable attorney fees, arising from all acts or omissions to act of Lessee or its servants, officers, agents, employees, sub-lessees, guests, and business invitees, patrons and customers or otherwise caused or incurred by Lessee, its servants, officers, agents, employees, sub-lessees, guests and business invitees, patrons and customers, including, but not limited to events occurring on the Premises and any use on the adjacent parking lot and not caused by or arising out of the tortious conduct of Lessor or its elected officials, officers, employees, agents, servants or volunteers. The limits of insurance shall not be deemed a limitation of the covenants to indemnify and to save and to hold harmless Lessor, Lessee assumes all risk of and liability for damages to persons or property arising during the term of this lease from the present or future condition of the leased premises, and agrees to save the Lessor harmless there from.
3. Further, Arnold Fireworks, Inc. agrees to hold the lessor harmless for any claims, whatsoever, against it relating to the use of the property by Arnold Fireworks Inc, the sale of fireworks, access to the property by persons.
4. Arnolds Fireworks, Inc agrees to hold the lessor harmless for any damages, including but not limited to personal injury and property, arising out of the use of the property or the sale of goods on the property."

Wherever the word "Lessee" is used, it shall apply to and bind the successors and assigns of the original Lessee.

IN WITNESS WHEREOF the parties have executed this lease, in duplicate, on the date first above written.


| PRODUCER <br> PROFESSIONAL PROGRAM INSURANCE BROKERAGE 371 bEL MARIN KEYS BLVD., SUITE 220 NOVATO <br> CA, 94949-5662 | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE DOES NOT AMEND EXTEND OR LATER THE COVERAGE AFFORDED BY THE POLICIES BELOW. |
| :---: | :---: |
|  | INSURER(S) AFFORDING COVERAGE |
|  | INSURERA: LLOYD'S OF LONDON |
| INSURED <br> Arnold Fireworks, Inc.; Spa Fireworks, Co.; AR Pyro, LLC PO Box 873 <br> N. Little Rock, AR 72115 | INSURER B: |
|  | INSURER C: |
|  | INSURER D: |
| coverages <br> THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. |  |
|  |  |


| $\begin{aligned} & \text { CO } \\ & \text { LTR } \end{aligned}$ | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MMIDDIYY) | LIM |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| A | GENERAL LIABILITY CLAIMS MADE | PY/17-0063 | 04/30/2017 | 04/30/2018 | EACH ACCIDENT | \$ | 1,000,000 |
|  |  |  |  |  | MEDICAL EXP (Any one person) | \$ |  |
|  |  |  |  |  | FIRE LEGAL LIABILITY | \$ | 50,000 |
|  | GEN'L AGGREGATE LIMIT APPLIES PER POLICY |  |  |  | GENERAL AGGREGATE | \$ | 1,000,000 |
|  |  |  |  |  | PRODUCTS-COMP/OPS AGG | \$ | 1,000,000 |
|  | $\begin{array}{ll}\text { AUTOMOBILE LIABILITY } \\ - & \text { ANY AUTO } \\ \text { ANY OWNED AUTOS } \\ \text { SCHEDULED AUTOS } \\ \text { SIRED AUTOS } \\ \text { I } & \text { NON-OWNED AUTOS }\end{array}$ |  |  |  | COMBINED SINGLE LIMIT <br> (Ea accident) | \$ |  |
|  |  |  |  |  | BODILY INJURY <br> (Per person) | 5 |  |
|  |  |  |  |  | BODILYINJURY (Per accldent) | \$ |  |
|  |  |  |  |  | PROPERTY DAMAGE <br> (Per accident) | \$ |  |
|  | EXCESS LIABILITY FOLLOWING FORM |  |  |  | EACH ACCIDENT | \$ |  |
|  |  |  |  |  | AGGREGATE | \$ |  |
|  | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY |  |  |  | WC STATU- OTH- <br> TORY LIMITS ER | \$ |  |
|  |  |  |  |  | E.L.EACH ACCIDENT | \$ |  |
|  |  |  |  |  | E.L. DISEASE-EA EMPLOYEE | \$ |  |
|  |  |  |  |  | E.L DISEASE-POLICY LIMIT | \$ |  |
|  | OTHER |  |  |  |  |  |  |

## DESGRIPTION OF OPERATIONS/LOCATIONSIVEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Hurricane Baptist Church and Benny Grant as Property Owner are additional insured as respects the retail fireworks stand operated by the Named Insured, located at 2516 Springhill Rd., Bryant, AR 72022 operating from 6/20/2017 through 7/5/2017.

## CERTIFICATE HOLDER

## Hurricane Baptist Church

2516 Stringhill Rd.
Bryant, AR 72022


# Western Surety Company 

## CONTINUA'TION CERTIFICA'TE

Western Surety Company hereby continues in force Bond No. $\qquad$ briefly described as VENDOR CITY OF BRYANT
for ARNOLD FIREWORKS. INC.
as Principal,
in the sum of $\$$ ONE THOUSAND AND NO/ 100 $\qquad$ Dollars, for the term beginning
$\qquad$ June 13 $\qquad$ 2017
$\qquad$ and ending $\qquad$ 2018 , subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.
$\qquad$
Dated this 14 day of June 2017.


THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Form 90-A-8-2012

# Western Surety Company 

## POWER OF ATTORNEY

## KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:


On this 14 day of June $\qquad$
Paul T. Bruflat and L. Nelson
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation


Notary Public
To validate bond authenticity, go to www.cnasurety.com $>$ Owner/Obligee Services $>$ Validate Bond Coverage.
Form F1975-1-2016

PO Box 5077 Sioux Falls SD 57117-5077

ARNOLD FIREWORKS, INC.
P.O. Box 873

North Little Rock, AR 72115

File \# 15158150
ARNOLD FIREWORKS, INC.
\$1,000.00
Company Code: 0601
Written By: WESTERN SURETY COMPANY
VENDOR CITY OF BRYANT

Enclosed is your renewal certificate. To continue your bond coverage and keep it in force, you must file this renewal document with the city of Bryant.

If you are no longer required to post this bond, please write the word "Cancel" directly on the document, and return it to CNA Surety.

If you have any questions, please contact your local agent.
Enclosure

CITY OF BRYANT - BRYANT, ARKANSAS
210 S.W. Third Street, Bryant, Arkansas
Phone: (501) 847-5559 (Ext 212) or FAX: (501) 847-5332
Privilege Fee Information TEMPORARY BUSINESS LICENSE PERMIT
(WHEN FILLING IN THE BLANKS PLEASE PRINT OR TYPE IN INK)
A $\$ 1000.00$ Surety Bond made payable to the city of Bryant is required for all applicants and must be received in this office and approved before any license will be issued.

$\qquad$
Type of License applied for: $\qquad$ Period license is desired:
Type of Business (Services offered or product sold): $\qquad$ FiREWORK SACE゙S

Applicants Name: Tom $\triangle$ antic

$\qquad$
Applicants Home Telephone: $\qquad$ 773.0011 $\qquad$
Names) of each employee/peddler/vendor/salesman: $\qquad$
$\qquad$
Address of business or premises to be used in Bryant:
Last two cities worked in:

1. $\qquad$ Benton
2. $\qquad$ BryANT

I hereby certify the above to be true and correct and state that I am operating a business in accordance with the city zoning regulations and/or any other city, state, or federal laws which may be applicable. I understand that if I am found to be in violation of any of the city zoning regulations and/or any other city laws, I may be subject to fines as outlined in any applicable City of Bryant Ordinance.


Bond Received and Approved
Signature of Designated City Official

Temporary Business Application
City of Bryant
Date $6 / 13 / 17$
Name of Business $\qquad$ ArNica Firework inc.

Federal Tax Employer identification Number $\qquad$ 710311720
Arkansas State Sales Tax Number. $\qquad$ $034327-60 \cdot 001$

Type of Business $\qquad$ Fehiworl Tent

Location of proposed Temporary Business $\qquad$ 604 S. Reywass ed.
$\qquad$
$\qquad$
Daytime Phone No. $\qquad$ 273-0011

Evening Phone No. $\qquad$ 773.0011

Please check the category you are applying for. Permits cannot exceed the following time limits:
$\qquad$ Carnivals. $\qquad$ 30 Days
Fireworks stands or tents. $\qquad$ 30 Days
Christmas tree stands, tents or lots $\qquad$ 60 Days
General commercial sales stands, tents or lots. $\qquad$ 90 Days
Concession/Refreshment stands/Food Service $\qquad$ 180 Days

Beginning Date Requested $\qquad$ $6 / 24 / 17$ Ending Date Requested $\qquad$

I understand violation of Temporary Business Ordinance 2007-43 is a misdemeanor punishable by a fine of up to $\$ 500.00$ per occurrence of violation. Each day's occurrence is a separate violation. No temporary business may operate for more than 180 days during any consecutive 12-month period.

Owners Signature


## LEASE AGREEMENT

This agreement, entered into this $4 / 12 / 17$ day of June, 2017 by and between Peter Cunnzash Mam, hereinafter designated as Lessor, and Arnold Fireworks, Inc., an Arkansas for profit corporation designated as Lessee.

## WITNESSETH:

Lessor leases to Lessee the following described property, situated in the County of Saline and State of Arkansas, to-wit:

The terms of this lease will commence on $6 / 24 \quad, 2017$ through July 5, 2017 for the purpose of the lawful selling of fireworks.

The rental for said property shall be in the amount of $\$ \ldots .0$. The Lessee hereby agrees and promises to pay to Lessor the amount of rent as stated in the above paragraph no later than June 25, 2017. The payment is to be made to Lessor, at

1. Arnold Fireworks, Inc is permitted to erect a tent for the purpose of housing and selling the fireworks.
2. As a condition of the lease and prior to June 25, 2017, Arnold Fireworks, Inc will add FERST Soutriena BAPTZST as an additional insured to a liability
. insurance policy with no less than $\$ 1$ million of coverage. To the fullest extent permitted by law, Lessee shall indemnify, save and hold harmless Lessor from and for any and all liability, losses, claims, actions, judgments for damages, or injury to persons or property, and all losses and expenses, including reasonable attorney fees, arising from all acts or omissions to act of Lessee or its servants, officers, agents, employees, sub-lessees, guests, and business invitees, patrons and customers or otherwise caused or incurred by Lessee, its servants, officers, agents, employees, sub-lessees, guests and business invitees, patrons and customers, including, but not limited to events occurring on the Premises and any use on the adjacent parking lot and not caused by or arising out of the tortious conduct of Lessor or its elected officials, officers, employees, agents, servants or volunteers. The limits of insurance shall not be deemed a limitation of the covenants to indemnify and to save and to hold harmless Lessor, Lessee assumes all risk of and liability for damages to persons or property arising during the term of this lease from the present or future condition of the leased premises, and agrees to save the Lessor harmless there from.
3. Further, Arnold Fireworks, Inc. agrees to hold the lessor harmless for any claims, whatsoever, against it relating to the use of the property by Arnold Fireworks Inc, the sale of fireworks, access to the property by persons.
4. Arnolds Fireworks, Inc agrees to hold the lessor harmless for any damages, including but not limited to personal injury and property, arising out of the use of the property or the sale of goods on the property."

Wherever the word "Lessee" is used, it shall apply to and bind the successors and assigns of the original Lessee.

IN WITNESS WHEREOF the parties have executed this lease, in duplicate, on the date first above written.

## LESSOR:



Lessor representative


## LESSEE:

Arnold Fireworks, Inc.



Anvols Fhatworks Frc. wUCA LZKE TO SALE FZRiwoKKS Eँ AT 604 souith Relnouss pld. ON trle pioperty of Farst Southean Baptest chluachl. WE Wrel BE Alfroxzmatecy $80^{\circ}$ OFF OF REYNOLAS Rd WITA A $40^{\circ} \times 40^{\prime}$ TENT. WE WOURA LEKE TO SALE FENM $6 / 24 / 17$ - 7/5/17

Griffis Rd


Hogue Cir

## PRODUCER

PROFESSIONAL PROGRAM INSURANCE BROKERAGE 371 BEL MARIN KEYS BLVD., SUITE 220
NOVATO CA, 94949-5662

## INSURED

Arnold Fireworks, Inc.; Spa Fireworks, Co.; AR Pyro, LLC
PO Box 873
N. Little Rock, AR 72115

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE DOES NOT AMEND, EXTEND OR LATER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

## INSURER(S) AFFORDING COVERAGE

## INSURER A

LLOYD'S OF LONDON
INSURER B:
INSURER C:
INSURER D:

## COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

| $\underset{\text { co }}{\text { LTR }}$ | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| A | general liability CLAIMS MADE | PY/17-0063 | 04/30/2017 | 04/30/2018 | EACH ACCIDENT | \$ | 1,000,000 |
|  |  |  |  |  | MEDICAL EXP (Any one person) | \$ |  |
|  |  |  |  |  | Fire legal liability | \$ | 50,000 |
|  | GEN'L AGGREGATE LIMIT APPLIES PER POLICY |  |  |  | GENERAL AGGREGATE | \$ | 1,000,000 |
|  |  |  |  |  | PRODUCTS-COMP/OPS AGG | \$ | 1,000,000 |
|  | AUTOMOBILE LIABILITY <br> - any auto <br> ¿ any owned autos Scheduled autos <br> $\llcorner$ HIRED AUTOS <br> - NON-OWNED AUTOS |  |  |  | COMBINED SINGLE LIMIT (Ea accident) | \$ |  |
|  |  |  |  |  | BODILY INJURY <br> (Per person) | \$ |  |
|  |  |  |  |  | BODILY INJURY (Per accldent) | \$ |  |
|  |  |  |  |  | PROPERTY DAMAGE (Per accident) | \$ |  |
|  | EXCESS LIABILITYFOLLOWING FORM |  |  |  | EACH ACCIDENT | \$ |  |
|  |  |  |  |  | AGGREGATE | \$ |  |
|  | WORKERS COMPENSATION AND EmpLOYERS' LIABILITY |  |  |  | WC STATU-  <br> TORY LIMITS OTH- <br> ER  | \$ |  |
|  |  |  |  |  | E.L.EACH ACCIDENT | S |  |
|  |  |  |  |  | E.L. DISEASE-EA EMPLOYEE | \$ |  |
|  |  |  |  |  | E.L DISEASE-POLICY LIMIT | \$ |  |
|  | OTHER |  |  |  |  |  |  |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
1st Southern Baptist Church is additional insured as respects the retail fireworks stand operated by the Named Insured, located at 604 S . Reynolds Rd., Bryant, AR 72022 operating from 6/20/2017 through 7/10/2017.

## CERTIFICATE HOLDER

1st Southern Baptist Church
604 S. Reynolds Rd.
Bryant, AR 72022

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES be CANCELLED bEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS gp*em FSENTATIVES.


# Western Surety Company 

## CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No． $\qquad$ 15158150 briefly described as VENDOR CITY OF BRYANT
for ARNOLD FIREWORKS，INC． $\qquad$
$\qquad$ ，as Principal，
in the sum of $\$$ ONE THOUSAND AND NO／100 $\qquad$ Dollars，for the term beginning
$\qquad$ June 13 $\qquad$ ， $\qquad$ 2017 ，and ending $\qquad$ ， 2018 ，subject to all the covenants and conditions of the original bond referred to above．

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written．

Dated this $\qquad$ day of June $\qquad$ 2017 ＿．


THIS＂Continuation Certificate＂MUST BE FILED WITH THE ABOVE BOND．

# Western Surety Company 

## POWER OF ATTORNEY

## KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

|  | Paul T. Bruflat |  |
| :--- | :--- | :--- |
| State of | South Dakota | of $\quad$ Sioux Falls |
| Vice President |  |  | ,

as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One VENDOR CITY OF BRYANT
bond with bond number 15158150
for ARNOLD FIREWORKS, INC
as Principal in the penalty amount not to exceed: $\$ 1,000.00$
Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the bylaws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this _14_ day of June 2017.

## ATTEST


$\left.\begin{array}{l}\text { STATE OF SOUTH DAKOTA } \\ \text { COUNTY OF MINNEHAHA }\end{array}\right\}$ ss
$\qquad$ , 2017 $\qquad$ , before me, a Notary Public, personally appeared On this 14 day of

Paul T. Bruflat and L. Nelson
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021
To validate bond authenticity, go to www.enasurety.com $>$ Owner/Obligee Services $>$ Validate Bond Coverage.
Form F1975-1-2016

ARNOLD FIREWORKS, INC.
P.O. Box 873

North Little Rock, AR 72115

File \# 15158150
ARNOLD FIREWORKS, INC.
\$1,000.00
Company Code: 0601
Written By: WESTERN SURETY COMPANY
VENDOR CITY OF BRYANT

Enclosed is your renewal certificate. To continue your bond coverage and keep it in force, you must file this renewal document with the city of Bryant.

If you are no longer required to post this bond, please write the word "Cancel" directly on the document, and return it to CNA Surety.

If you have any questions, please contact your local agent.
Enclosure

## NEW ENTRY CANOPY BETHEL MIDDLE SCHOOL BRYANT PUBLIC SCHOOLS Bryant, Arkansas



Cerification statement:







(3.1) BRIDGE CANOPY COLUMN BASE CONNECTION

3A BRIDGE CANOPY COLUMN BASE CONNECTION





## BASIC ELECTRICAL REQUIREMENTS




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Noant a CANOPY PLAN - ELECTRICAL



Fire Dancer BBQ - alternate location to current
3345 Hwy 5, Bryant
Crush Wine and Spirits Parking Lot (beginning week of 3-July)

## SECTION 17 - SCHOOLS, CHURCHES, AND -AIRPORT-INDUSTRIAL SPECIAL PROVISIONS

### 17.1 Schools and Churches

## A. Purpose and Intent

It is the intent of these zoning regulations to allow churches, public schools, and private schools the greatest possible flexibility in accommodating the citizens of the community. These land uses will be allowed in all zoning districts provided an adequate parking plan and open space scheme for the proposed development is submitted to the planning commission and approved. No specific number of parking spaces or open space criteria will be specified.
B. Churches

The development of a new church site in any zoning district will require a site plan that will show the parking accommodations, open space, and landscaping. A parsonage for one family will be allowed on-site.

Site expansion of existing churches will be allowed provided additional parking requirements are addressed,

## C. Public and Private Schools

New development and expansion of schools will be allowed in any zoning district provided off street parking is made available to faculty, students, and busses. If total off-street parking is not provided then an adequate parking plan must be submitted to the planning commission and approved.

### 17.2 Airport - Industrial

A. Purpose

These district regulations apply to the land on which the Saline County Airport is located as well as to adjacent lands owned by the Saline County Airport Commission as of December 13, 2004. The purpose of this section is to establish a zoning district to protect the operation of the airport and to permit industrial development activities to be carried out by the Saline County Airport Commission.
B. Intent and Administration

It is the intent of the Bryant Planning Commission and City Council that the Saline County Airport Commission shall assume sole responsibility for the creation and enforcement of regulations for the operation and development of the property owned by the commission, including the issuance of building permits. Further, the Saline County Airport Commission shall develop standards for construction and development within the district, said standards to comply with the Arkansas State Fire Prevention Code.

### 17.3 Wireless Communication Facilities

## A. Purpose

The purposes of these regulations are described as follows: 1) to establish a system of administering requests for the siting wireless communication facilities in accordance with the provisions of the Federal Telecommunications Act of 1996; 2) to minimize the number of new towers needed by encouraging the use of existing towers and existing public and private
structures; 3) to preserve the stability of land values or properties near and adjacent to proposed wireless communication facilities; 4) to protect the public health, safety, and welfare through the use of good engineering and urban design principles.

The provisions of these regulations do not retain to amateur radio operators licensed by the Federal Communication Commission (FCC).

## B. Application Review Process

Permits for the use or construction of a Wireless Communication Facility are required. Review shall be processed as follows:

1. A permit for the following may be processed and approved with necessary information and agreements, through administrative staff review:
A. An attached Wireless Communications Facility (Attached WCF) to be attached to an existing monopole, tower, or structure.
B. Antenna Arrays to be co-located on an existing Wireless Communication Tower.
C. Facilities to be located in parks or other public areas upon approval by the City Council.
D. Property located in the Airport Industrial District upon approval by the district's governing body.
2. All other Wireless Communication Facilities shall be reviewed through the Conditional Use Permit process in Section 19.2. All the restrictions, provisions, and application requirements of this Section shall apply.

## C. Restrictions for New Tower Construction:

Any permit application for new tower construction will be considered only after the applicant has demonstrated to the satisfaction of the Administrative Official that:

1. No existing towers or structures are located within the geographic area that would meet the applicant's engineering requirements through co-location.
2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
5. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure, or to adapt an existing tower or structure for sharing, are
unreasonable. Any such costs that exceed the cost of new tower development are presumed to be unreasonable.
6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

## D. Application Requirements

All applications shall include, in addition to the other requirements for conditional use permits, when applicable, a scaled site plan, a scaled elevation view, and other supporting drawings as may be required. The Applicant shall also submit calculations and other documentation showing the location and dimensions of the WCF and all associated improvements, including information concerning specifications, site conditions, antenna locations, equipment storage facilities, landscaping, parking, access, and fencing.

## E. Development Standards

1. Height
A. An attached WCF shall not add more than 20 feet in height to the existing building or structure to which it is attached.
B. WCF with Support Structures shall have a maximum height of 200 feet in industrial and agricultural zones, 150 feet in commercial zones, and 100 feet in residential zones.
2. Setbacks
A. Attached WCF: Antenna Arrays for Attached WCF are exempt from the setback provisions of the zone in which they are located. An Attached WCF Antenna Array may extend up to 30 inches horizontally beyond the edge of the Attached Structure so long as the Antenna Array does not encroach upon an adjoining parcel.
B. WCF with Support Structures shall meet the setback requirements for principal structures of the underlying zone in which they are located, except for residential zoning districts.
C. WCF with Support Structures abutting residential property on any side shall be set back from any adjoining property line a distance at least 50 percent of the height of the tower measured from the base of the tower to the property line of the residential lot.
3. Landscaping
A. Existing mature tree growth and natural landform on the site shall be preserved to the extent feasible; provided, however, that vegetation that causes interference with the antenna or inhibits access to the equipment storage may be trimmed. Any trees in excess of six (6) inches in diameter, which are to be cut, must be indicated on the development plan.
B. WCF shall be designed so as to be compatible with the existing structures and surroundings to the extent feasible. Such requirements shall not interfere with normal functioning of the WCF and may include the use of compatible or neutral colors, or stealth technology.

## 4. Lighting

A. WCF shall not be artificially illuminated, directly or indirectly, except as may be required by state or federal law or for security of the equipment building. It shall be the Owner's responsibility to meet FAA lighting requirements, if necessary.
B. WCF shall not display any signage or message of a commercial nature except for an inconspicuous message containing provider identification and emergency telephone numbers.
5. Security Fencing: WCF with Support Structures shall be enclosed by a wood, brick, or masonry security fence not less than six (6) feet in height.
6. Collocation
A. All WCF with Supporting Structures shall be designed to accommodate a minimum of three antenna arrays where technically feasible and visually desirable.
7. Conditions
A. Support Structures for wireless communication facilities shall be of the monopole type construction.
B. The City may impose other conditions and restrictions upon the applicant, as it deems necessary to reduce or minimize any adverse effects and to enhance the compatibility of the WCF with the surrounding properties. Such requirements shall be reasonable and capable of being accomplished under the purposes of this section.

## F. Abandonment

Any Wireless Communication Facility (WCF) which ceases operation shall be removed by the owner, and shall be reported to the City of Bryant immediately. All discontinued facilities shall be removed within six months and the site restored to its original condition, at the owner's expense.

## G. Environmental Impact

1. Assessments of environmental impact are required by federal law to be prepared by personal wireless service carriers when the following environmental impacts occur:
A. Facilities are located in officially designated wilderness or wildlife areas.
B. Facilities threaten endangered species or critical habitats.
C. Facilities affect historic sites or structures
D. Facilities are to be located in floodplains.
E. Facilities that will significantly change a surface area involving wetlands, deforestation, or water diversions.
2. Since these assessments are already required by federal law, these provisions are incorporated into this code and certification of compliance with the National Environmental Policy Act (NEPA) (43 U.S.C. Section 4321) must be provided before any permits will be issued.
H. Timeliness

The City of Bryant shall complete final action upon any permit application within 90 days of the filing of the application unless the Applicant files a request for extension. Any decision to deny a request will be made in writing and will be supported by substantial evidence contained in a written record.

## SECTION 18 - BOARD OF ADJUSTMENT AND VARIANCES

Variances - An applicant for a variance must give a written request to the zoning board of adjustment. The board will require the applicant to have written consent from any-adjoining property owner affected. The board may deny the variance or a thirty ( 30 day notice to issue the variance will be issued. If no written objection is received during the thirty (30) day notice period the variance will be issued.

Communication and Microwave Towers- If a land owner wants to allow a tower to be built on their property and the property is zoned commercial the owner would need to come to the commission with a plat of the property and a written request for approval to allow the tower to be built as a conditional use. The tower height must be shown on the request. If a land owner wants to sell a portion of land to someone that wants to put a tower up, the property would need to be re-platted and then the portion for the tower would have to be rezoned and come in under PUD. (Towers can exceed the three (3) story height limit.) A tower must be a minimum of thirty feet (30') from the property line.

## A. Organization and Rules

1. A Board of Adjustment is established to consist of the members of the Planning Commission. The terms of the Board of Adjustment members shall run concurrent with their terms on the Planning Commission.
2. The officers of the Planning Commission shall hold the same offices on the Board of Adjustment.
3. A majority of the membership of the Board of Adjustment shall be considered a quorum.
4. Any action taken by the Board of Adjustment, except a public hearing, shall require a majority vote of the entirety of the Board of Adjustment.
B. Meetings and Hearings

The Board of Adjustment shall establish regular meeting dates, adopt rules for the conduct of its business, and keep a public record of all findings and decisions. Each session of the Board of Adjustment is a public meeting and public notice of the meeting/agenda items must be published in a newspaper of general circulation in the city, at least one (1) time seven (7) days prior to the meeting.
C. Powers and Duties

1. Administrative Appeals
A. The Board shall hear appeals from the decision of the Administrative Official in respect to the enforcement and application of said Code; and may affirm or reverse, in whole or in part, any decision of the Administrative Official.
2. Variances
A. The Board shall hear requests for Variances from the literal provisions of the Zoning Code in instances where strict enforcement of the Zoning Code would cause undue hardship because of circumstances unique to the individual property under consideration, and grant such Variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the Zoning Code.
B. The Board of Adjustment shall not permit as a Variance, any use in a zone that is not permitted under the Code.
C. The Board of Adjustment may impose conditions in granting of a Variance to ensure compliance and to protect adjacent property.
3. Special Exceptions

The Board of Adjustment shall be permitted to take the following actions through a special exception. Special exceptions shall not be deemed variances and shall only be required to demonstrate that such action will not harm the public health, safety, and welfare.
A. Permit a change in use or occupancy of a non-conforming use, provided the use is less intense in regard to its external impacts as the original nonconforming use.
B. Waive parking requirements by up to $75 \%$ where it is shown that the specific use would not need the required parking.
C. Vary any area requirements by no more than $10 \%$ of the numerical standard.

## D. Appeals

A decision of the Board of Adjustment may be appealed within thirty (30) days of the decision to a court of record having jurisdiction in Saline County, Arkansas.
E. Procedure for Variance Applications

1. Application for Variance: An application for a Variance shall be filed with the Administrative Official. At the time of filing, the applicant shall provide the application fee. The application shall include the information and documents listed as required in the application. The application shall be due at least thirty (30) days in advance of the meeting at which the application will be heard.
2. Posting of Notice of Public Hearing: The applicant shall post notice of the public hearing by posting a sign on the property involved for the fifteen (15) consecutive days prior to the hearing. Posting of the sign by the prescribed time shall be the responsibility of the applicant. The city shall provide the sign. The sign shall be displayed to be prominently viewable by passing motorists or pedestrians. One sign shall be required for each two hundred (200) feet of street frontage abutting the property. Failure to provide notice in this manner shall require delay of the public hearing until notice has been properly made.
3. Public Hearing: The Board of Adjustment shall hold a public hearing on the proposed variance to allow members to comment on the application.
4. Finding of Fact: For the Board of Adjustment to approve an application for any proposed Variance, a majority of the entire Board must find that each of the following facts exist with respect to the application:
A. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, the strict letter of this Zoning Code would result in an undue hardship to the owner, as distinguished from a mere inconvenience.
B. The conditions causing the need for a Variance are unique to the property and are not applicable, generally, to other property within the same zoning classification.
C. The literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.
D. The alleged difficulty or hardship is caused by this Code and has not been created by the applicant or a previous owner of the property.
E. The granting of the Variance will not harm the public welfare, other property, or improvements in the neighborhood in which the property is located.
F. The proposed Variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood;
G. The proposed Variance complies with the spirit and intent of restrictions imposed by this Code.

No variance may be approved that would allow a use that is not permitted or that is implicitly or expressly prohibited. The existence of a nonconforming use or structure shall not be used as grounds to justify approval of a variance. The Board of Adjustment may provide conditions on the approval of a variance. Violation of these conditions shall be considered a violation of this Zoning Code.
5. Conditions of Variances: The Board of Adjustment may require such conditions or restrictions upon the construction, location, and operation of a Variance, as deemed necessary to secure the general objectives of this Code.
6. Effect of Denial: No application for a Variance that has been wholly or partly denied by the Board of Adjustment shall be resubmitted within a period of one (1) year from date of said denial.
7. Lapse of Variance:
A. Where no building or construction is involved, approvals for the use of the property for which the Variance is issued shall expire within six (6) months if not begun.
B. Where buildings or construction is involved, if a building permit for the construction tied to the Variance is not issued within six (6) months or completed within two (2) years, the approvals shall expire.
F. Procedure for Appeals of Decisions by the Administrative Official

1. Appeals may be made by any person aggrieved by any decision of the Administrative Official and shall be made in writing on forms prescribed by the Board within 30 days after the decision has been rendered by the Administrative Official. The appeal will be filed in the city hall. Fee for filing appeal shall be set by ordinance of the City Council, and is to be paid at time of filing.
2. Public notice of the appeal hearing shall be advertised seven (7) days in advance in a publication of general circulation within Bryant. The public notice shall give the address and location of the property, as well as a brief description of the appeal. The public hearing shall be open to comment by anyone.
3. At the hearing for the appeal, the applicant shall demonstrate to the Board of Adjustment why he/she believes the Administrative Official was incorrect in making his/her decision based upon the facts of the case and the provisions of the zoning code. Input from the public shall be allowed. The Board of Adjustment may uphold, partially uphold, or reverse the decision of the Administrative Official. The Board of Adjustment shall consider all the facts presented in determining whether the Administrative Official was correct in carrying out the provisions of the zoning code.

Administrative Official: The person(s) designated by the Mayor to administer the Zoning Code.
Antenna Array: One or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include an omni-directional antenna (rod), a directional antenna (panel) and a parabolic antenna (disc). The Antenna Array does not include the Support Structure defined below.

Attached Wireless Communications Facility (Attached WCF): An Antenna Array that is attached to an existing building or structure which shall include, but not be limited to, utility poles, signs, water towers, with any accompanying poles or device which attaches the Antenna Array to the existing building or structure and associated connection cables, and any Equipment Facility which may be located either inside or outside the Attachment Structure.

Co-location or Site Sharing: Use of a common WCF or common site by two or more wireless communication license holders or by one wireless license holder for more than one type of communications technology or placement of a WCF on a structure owned or operated by a utility or other public entity.

FAA: The Federal Aviation Administration.
FCC: The Federal Communication Commission
FTA: The Federal Telecommunications Act of 1996.
Monopole Tower: A supporting structure composed of a solid pole without any guy-wired support.

Radio Tower, Commercial: A commercial communication tower not covered under the Telecommunications Act of 1996.

Radio Tower, Private: A radio or TV tower that is attached to a residence(s) for home or amateur use, and not covered under the Telecommunications Act of 1996.

Stealth Technology: Systems, components and materials used in the construction of the WCF, which are designed to mask or conceal the WCF to make it compatible with the surrounding property.

Support Structure: A wireless communication structure designed and constructed specifically to support an Antenna Array, and may include a monopole, guy-wire support tower, or derrick tower. Any device used to fasten an Attached WCF to an existing building or structure shall be excluded from the definition of and regulations applicable to Support Structures.

Wireless Communications: Any personal wireless service as defined in the Telecommunications Act of 1996, which includes FCC-licensed commercial wireless communications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.

Wireless Communication Facility (WCF) or Tower: Any unstaffed facility covered under the Telecommunications Act of 1996 used for the transmission or reception of wireless telecommunications services, usually consisting of an Antenna Array, connection cables, an Equipment Facility, and a Support Structure to achieve the necessary elevation.


