Planning Commission
Agenda
October 3, 2017

I. Call to Order
II. Approval of Minutes
III. Consent Agenda

1. **Willowbrook Farms Subdivision Phase 2** — **Final Plat**
   Southwest Shell Road

IV. New Business

1. **Bray** — **Rezoning ***
   (R-1to DN-2)
   708 Bella Vista Road.

2. **Garrett** — **Rezoning***
   (A-1 to R-E)
   1600 NW 3rd Street

3. **Garrett Estate** — **Rezoning***
   (A-1 to R-1)
   1602 NW 3rd Street

4. **Cindy Springs, LLC** — **Rezoning***
   (Expired PUD to C-3, R-3 & R-4)
   NE John DeShields Blvd & NE Legacy Parkway

5. **Lots 29 & 30 Deming's 2nd Addition** — **Lot Split**
   NE 'A' Street & NE 7th Street

V. Other Business
VI. Planner's Report
VII. Adjournment

*Denotes Public Hearing

Planning Commission
Minutes
September 19, 2017

Meeting called to order at 5:00 p.m. by Richard Binns, Vice-Chairman

Present: Joe Haynie, Jim Grider, Elaine Kerr, Scott Eccleston, and Richard Binns
Absent: Rod Sanders and Tregg Brown
Staff: Brian Bahr and Jon Stanley

Motion by Mr. Grider, seconded by Mr. Haynie to approve the minutes of September 5, 2017 as written
Approved 5-0

Consent Agenda

1. Phillips Park Townhomes — Large Scale Development
   SE 'C' Street & SE 34th Street

2. Amber Ridge South @ Woods Creek Subdivision — Preliminary Plat
   NE Marina Drive & NE Amber Ridge Drive

3. Lochmoor Club Subdivision Phase 2 — Final Plat
   Southwest Edinburgh Avenue

Approved 5-0

New Business

Item #1
Chambers Bank: Rezoning, Expired PUD, Planned Unit Development to R-2, Duplex & Patio Home Residential, Ginn Road & Brookside Road
Jon Stanley reads the staff report.
Opened public hearing
No public comments
Closed public hearing
Approved 5-0

Item #2
Chambers Bank & FH&G Properties, LLC: Rezoning, Expired PUD, Planned Unit Development to R-1, Single Family Residential, Ginn Road & North Rainbow Farm Road
Jon Stanley reads the staff report.
Opened public hearing
No public comments
Closed public hearing
Approved 5-0

Item #3
Yessur Investments, LLC: Rezoning, R-1, Single Family Residential & R-3, Medium Family Residential to DN-2, Downtown Medium-Density Residential, 507 Northwest 5th Street & 410 Dickson
Jon Stanley reads the staff report.
Opened public hearing
Virgil Dawson, of 416 Dickson, speaks. He states he has a number of concerns. He states that when the chicken houses were converted into apartments and zoned to R-3, it never went before the Planning Commission. He says he is also concerned about drainage through the outdated culvert. His wife, Lila Dawson, shows pictures to the Commissioners of the drainage issues. Mr. Stanley states that the drainage issues will come up when development of the property goes through the City; this is strictly for the rezoning of the property. Mr. Dawson states that his other concern is about the survey done in 2000. Mrs. Dawson gives the Commissioners a copy to view. He then asks the Commissioners what they would do if the property was theirs.
Pastor Melvin Waters, of the Nazarene Church at 505 Northwest 5th Street, speaks next. He states he is against the types of buildings going up in Downtown Bentonville. He says he was required to put a retention pond when the church was built. He also has drainage concerns. He is against the multi-family, but in favor of the single-family, however, the DN-2 district allows for single-family, two-family, and multifamily. Mr. Stanley states that this future development would have the same requirements that the church did for anything over a two-family home and would have to follow stormwater regulations.
Janice Pearson, of 402 Dickson, speaks next. She states she does not want the rezoning and does not want multi-family in the area. She states she feels the area is just for single-family and gives off that feel. She is concerned about clear-cutting of trees and the higher noise level.
Jeff Matkins, of 1303 Northeast 10th Street, speaks next. He states that the letter sent from the applicant stated multi-family, which would not be allowed in the proposed DN-2 district. Mr. Stanley states that the applicant would have to seek a variance for anything over two-family. Mr. Matkins questions how it got zoned to R-3 and is concerned about the development intent. Mr. Stanley states that the applicant could do single-family and two-family by right, but would go to the Board of Adjustment if anything over a two-family, which would be another Public Hearing.
Closed public hearing
Mr. Eccleston asks Tim Sorey, of Sand Creek Engineering, representative, to answer questions from the Commissioners regarding the drainage issues. Mr. Sorey states that an engineering study will be done. Mr. Eccleston asks what could the applicant do if it was left in the R-3 zoning district. Mr. Stanley states they would be able to do multi-family. He then shows the Commissioners the land use and current zoning districts on surrounding area.
Approved 5-0

Item #4
Crystal Bridges Museum of American Modern Art, Inc.: Rezoning, I-2, Heavy Industrial & R-3, Medium Family Residential to C-2, General Commercial, 507 Southeast 'E' Street
Jon Stanley reads the staff report.
Opened public hearing
No public comments
Closed public hearing
Mr. Bahr states that any development would go through Building Inspections and Fire Department. If they would want more parking, it would go through an In-House Large Scale Development.
Mr. Eccleston abstains
Approved 4-0

Other Business

Planning Commission Training will be held on September 27th from 8:30am to 4:30pm at the Arvest Conference Center

At the 9-26-17 Tech Review meeting, the Commissioners will select one winning poster from Jr. High Students and one from High School Students. On 10-10-17, the banners will be unveiled at 5:45pm before City Council

Motion by Mr. Grider, seconded by Mr. Binns, third by Mr. Haynie to adjourn.
Meeting adjourned

Ali Worley
*A full recording of this meeting can be obtained from the City of Bentonville Planning Department.

FINAL PLAT STAFF REPORT

Willowbrook Farms Subdivision Phase 2

SW Shell Rd

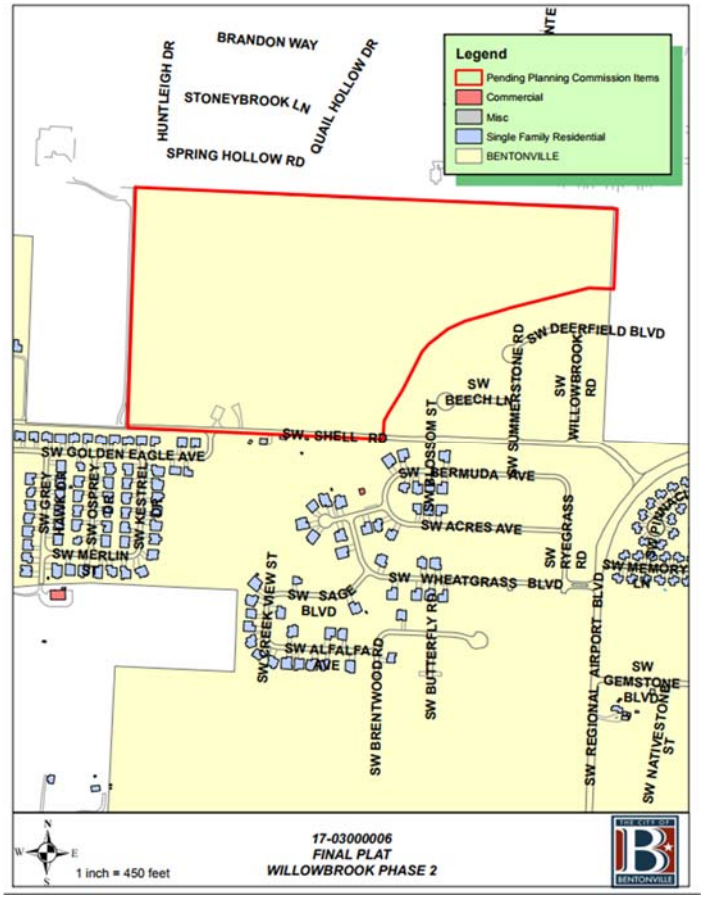
PC Date: 10/3/2017

Reviewer: Jon Stanley, Planner

Project Number	FP17-00006
Applicant / Current Owner	RLP Investments PO Box 3207 Bentonville, AR
Site Area	±60 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Mixed Use (MU)
No. of Lots	124 buildable and 3 non-buildable
Subdivision Name	Willowbrook Farms

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

The property is approximately 60+/- acres and is currently under construction. It fronts onto SW Shell Road and is bordered by the City of Centerton to the north. All adjacent zoning designations are R-1, Single-Family Residential.

Project Details

The applicant has submitted a final plat of 60+/- acres consisting of 124 buildable lots and 3 non-buildable lots and will be known as Willowbrook Farms Subdivision Phase 2. The homes that will be constructed in this phase will be consistent with the first phase of the subdivision. Average lot size is approximately 0.30 acres. This phase will connect to Willowbrook Farms Phase 1 to the east and future street stubs have been provide for connectivity as development begins to occur to the north and west. This final plat dedicates right-of-way and utility and drainage easements that will serve the subdivision. The sections of sidewalk that is the developer's responsibility have been installed. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required at the time of final platting.

Waivers

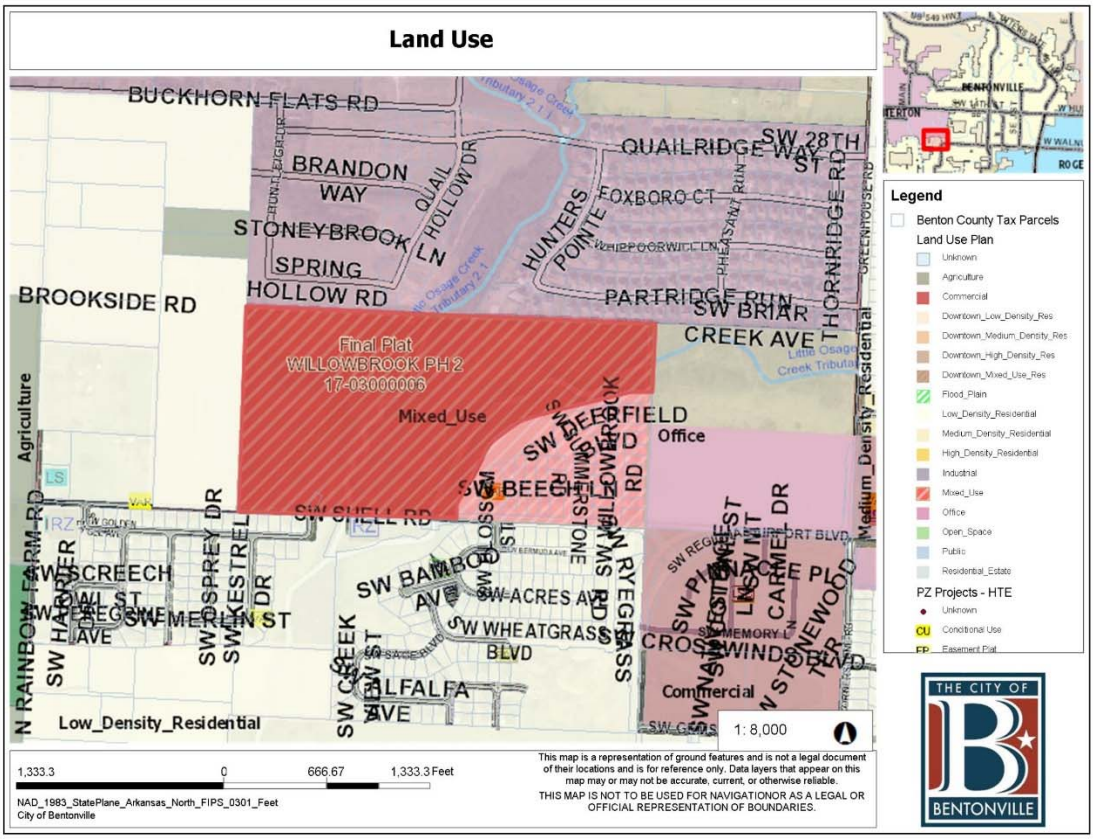
No waivers requested.

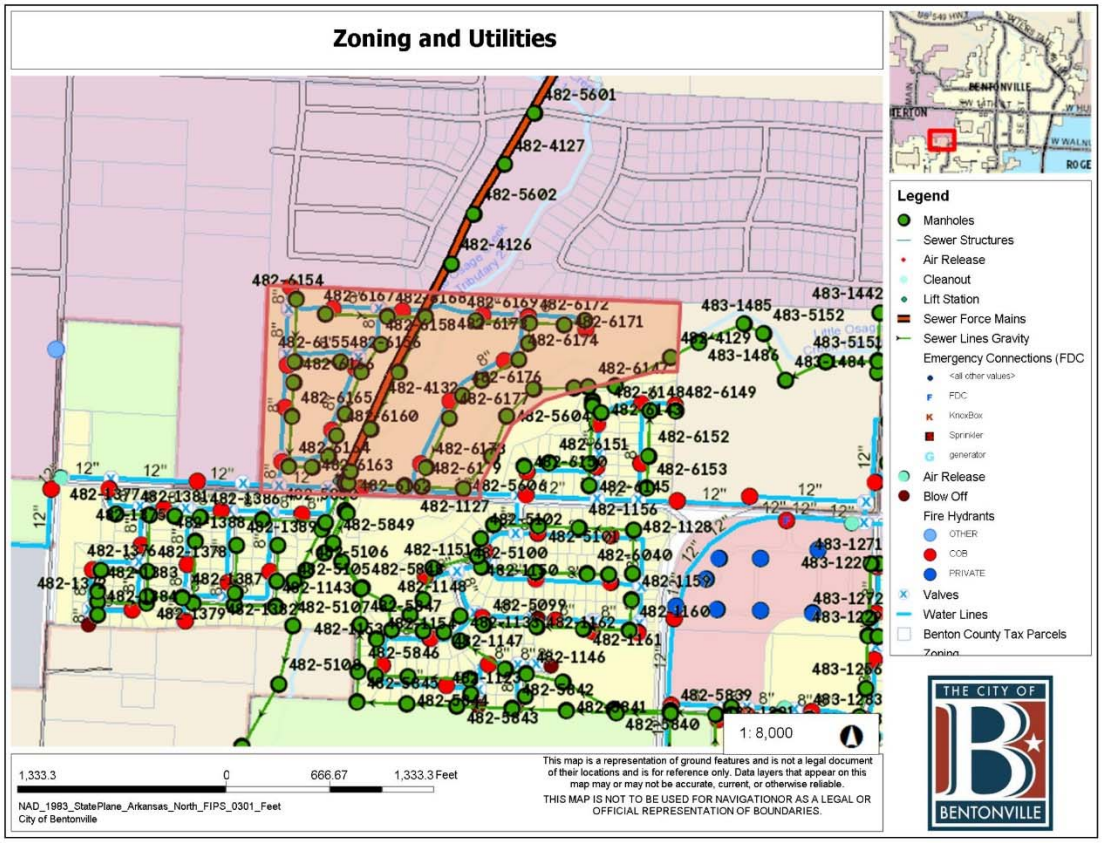
Conclusion

In conclusion, this final plat does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.


Land Use
BUCKHORN FLATS RD
BRANDON WAY
QUAIL HOLLOW DR
QUAILRIDGE WAY
SW 28TH ST
STONEYBROOK LN
SPRING HOLLOW RD
HUNTERS POINTE
FOXBORO CT
THORNRIDGE RD
BROOKSIDE RD
PARTRIDGE RUN
SW BRIAR CREEK AVE
Final Plat
WILLOWBROOK PH 2
17-03000006
Mixed_Use
Office
SW BEECHFIELD RD
SW BEECHFIELD
SW SHELL RD
SW BAMBOO AVE
SW ACRES AVE
SW WHEATGRASS BLVD
SW ALFALFA AVE
SW CROSSWINDS BLVD
Commercial
Agriculture
N RAINBOW FARM RD
SW SCREECH OWL ST
SW MERLIN ST
SW OSPREY DR
Low_Density_Residential
Medium_Density_Residential
1: 8,000
1,333.3 0 666.67 1,333.3 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville
This map is a representation of ground features and is not a legal document of their locations and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATIONOR AS A LEGAL OR OFFICIAL REPRESENTATION OF BOUNDARIES.
Legend
Benton County Tax Parcels
Land Use Plan
Unknown
Agriculture
Commercial
Downtown_Low_Density_Res
Downtown_Medium_Density_Res
Downtown_High_Density_Res
Downtown_Mixed_Use_Res
Flood_Plain
Low_Density_Residential
Medium_Density_Residential
High_Density_Residential
Industrial
Mixed_Use
Office
Open_Space
Public
Residential_Estate
PZ Projects - HTE
Unknown
CU Conditional Use
EP Easement Plat
THE CITY OF
BENTONVILLE


Zoning and Utilities
482-5601
482-4127
482-5602
482-4126
482-6154
483-1485
483-5152
483-1442
482-6171
482-6174
482-6176
482-6177
482-6148
482-6149
482-6152
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482-1159
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482-1148
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482-5840
483-1271
483-1272
483-1256
1: 8,000
1,333.3 0 666.67 1,333.3 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
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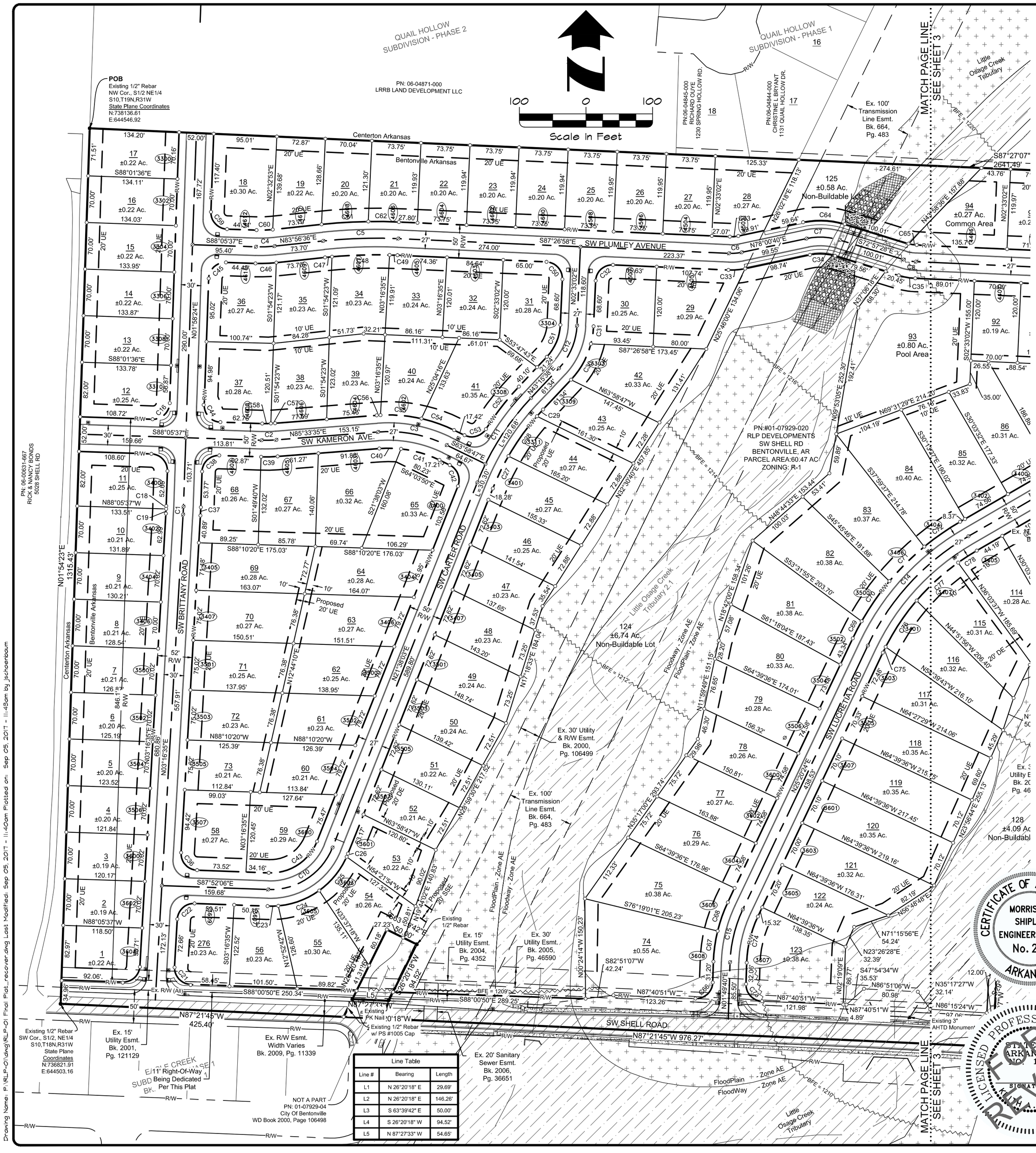
Legend
Manholes
Sewer Structures
Air Release
Cleanout
Lift Station
Sewer Force Mains
Sewer Lines Gravity
Emergency Connections (FDC
<all other values>
FDC
KnoxBox
Sprinkler
generator
Air Release
Blow Off
Fire Hydrants
OTHER
COB
PRIVATE
Valves
Water Lines
Benton County Tax Parcels
THE CITY OF
BENTONVILLE



Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C16	39.24'	25.0'	N46° 56' 23"E	35.33'
C17	39.30'	25.0'	N43° 03' 37"W	35.38'
C18	4.32'	499.0'	N02° 13' 18"E	4.32'
C19	7.03'	499.0'	N02° 52' 23"E	7.02'
C20	38.71'	25.0'	N47° 37' 52"E	34.96'
C21	39.83'	25.0'	S42° 22' 08"E	35.75'
C22	38.77'	25.0'	S47° 42' 14"W	35.00'
C23	16.17'	125.0'	N88° 25' 36"E	16.15'
C24	66.44'	125.0'	N69° 29' 43"E	65.66'
C25	65.96'	125.0'	N39° 09' 04"E	65.20'
C26	5.23'	125.0'	N22° 50' 02"E	5.23'
C27	54.23'	375.0'	S25° 46' 37"W	54.18'
C28	73.54'	375.0'	S35° 32' 14"W	73.42'
C29	13.78'	375.0'	S42° 12' 28"W	13.78'
C30	62.21'	125.0'	N29° 00' 11"E	61.57'
C31	26.61'	125.0'	N08° 38' 52"E	26.55'
C32	39.27'	25.0'	S47° 33' 02"W	35.36'
C33	25.38'	100.0'	S85° 16' 51"W	25.31'
C34	38.00'	75.0'	N87° 28' 24"W	37.60'
C35	25.29'	100.0'	N80° 12' 13"W	25.23'
C36	39.77'	25.0'	N42° 17' 46"W	35.71'
C37	12.53'	551.0'	N02° 37' 29"E	12.53'
C38	39.24'	25.0'	N46° 56' 23"E	35.33'
C39	24.92'	225.0'	N88° 43' 59"E	24.91'
C40	32.71'	175.0'	N89° 05' 09"W	32.66'
C41	60.33'	175.0'	N73° 51' 20"W	60.03'
C42	37.36'	25.0'	S21° 10' 22"E	33.98'
C43	92.28'	75.0'	S56° 52' 58"W	86.57'
C44	39.30'	25.0'	N43° 03' 37"W	35.38'
C45	39.24'	25.0'	N46° 56' 23"E	35.33'
C46	31.27'	225.0'	N87° 55' 30"E	31.25'
C47	10.57'	725.0'	N84° 21' 40"E	10.57'
C48	86.54'	725.0'	N88° 11' 54"E	86.49'
C49	11.80'	725.0'	S87° 54' 57"E	11.80'
C50	39.27'	25.0'	S42° 26' 58"E	35.36'
C51	53.29'	75.0'	S22° 54' 20"W	52.18'
C52	80.87'	425.0'	S37° 48' 34"W	80.74'
C53	36.50'	25.0'	S74° 11' 22"W	33.35'
C54	52.14'	225.0'	N70° 37' 07"W	52.03'
C55	61.90'	225.0'	N85° 08' 21"W	61.70'
C56	5.58'	225.0'	S86° 16' 11"W	5.58'
C57	6.28'	175.0'	N86° 35' 17"E	6.28'
C58	13.10'	175.0'	N89° 45' 41"E	13.10'
C59	39.30'	25.0'	S43° 03' 37"E	35.38'
C60	24.32'	175.0'	N87° 55' 30"E	24.30'
C61	70.44'	775.0'	N86° 32' 50"E	70.42'
C62	45.98'	775.0'	S89° 08' 57"E	45.97'
C63	12.69'	50.0'	N85° 16' 51"E	12.65'
C64	63.34'	125.0'	S87° 28' 24"E	62.66'
C65	12.65'	50.0'	S80° 12' 13"E	12.61'
C66	39.48'	25.0'	N47° 04' 24"E	35.51'
C67	46.56'	225.0'	S07° 45' 20"W	46.47'
C68	45.78'	225.0'	S19° 30' 41"W	45.70'
C69	28.93'	400.0'	S27° 24' 44"W	28.93'
C70	73.29'	400.0'	S34° 44' 01"W	73.19'
C71	73.77'	400.0'	S45° 15' 59"W	73.67'
C72	65.56'	400.0'	S55° 14' 44"W	65.49'
C73	39.06'	25.0'	S42° 55' 36"E	35.20'
C74	71.81'	175.0'	S13° 35' 02"W	71.31'
C75	9.56'	350.0'	S26° 07' 22"W	9.56'
C76	83.88'	350.0'	S33° 46' 17"W	83.68'
C77	84.55'	350.0'	S47° 33' 29"W	84.35'
C78	33.37'	350.0'	S57° 12' 36"W	33.35'

Line Table		
Line #	Bearing	Length
L1	N 26°20'18" E	29.69'
L2	N 26°20'18" E	146.26'
L3	S 63°39'42" E	50.00'
L4	S 26°20'18" W	94.52'
L5	N 87°27'33" W	54.65'

Filing Block

LEGEND

- Property Line
- R/W — Right-Of-Way Line
- R/W — Proposed R/W Line
- Road Center Line
- Ex. Easement Line
- Easement Line
- Existing Concrete
- Existing Asphalt
- Existing Floodway Zone AE
- Existing Floodplain Zone AE
- BFE = 1213' — Base Flood Elevation
- Set 1/2" Rebar PS# 1507 Cap
- Set Mag Nail PS# 1507 Washer
- 20' UE — Utility Easement
- 20' DE — Drainage Easement
- 20' SSE — Sanitary Sewer Easement
- Drainage Structure
- Sidewalk Ramp

Street Centerline Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	11.94'	525.0'	N02° 37' 29"E	11.94'
C2	22.15'	200.0'	N88° 43' 59"E	22.14'
C3	106.33'	200.0'	S79° 12' 36"E	105.08'
C4	27.80'	200.0'	N87° 55' 30"E	27.77'
C5	112.67'	750.0'	N88° 14' 49"E	112.56'
C6	19.03'	75.0'	N85° 16' 51"E	18.98'
C7	50.67'	100.0'	S87° 28' 24"E	50.13'
C8	18.97'	75.0'	S80° 12' 13"E	18.92'
C10	123.04'	100.0'	N56° 52' 58"E	115.43'
C11	150.98'	400.0'	N32° 26' 51"E	150.09'
C12	71.05'	100.0'	N22° 54' 20"E	69.57'
C14	226.46'	375.0'	N42° 38' 26"E	223.04'
C15	82.07'	200.0'	N13° 35' 02"E	81.50'

CERTIFICATE OF AUTHORIZATION
MORRISON-SHIPLEY ENGINEERS, INC.
No. 281
ARKANSAS

STATE OF ARKANSAS
LICENSED PROFESSIONAL LAND SURVEYOR
NO. 1507
SIGNATURE
KAREN A. SIKES
FOR REVIEW

ATLAS PAGE 482

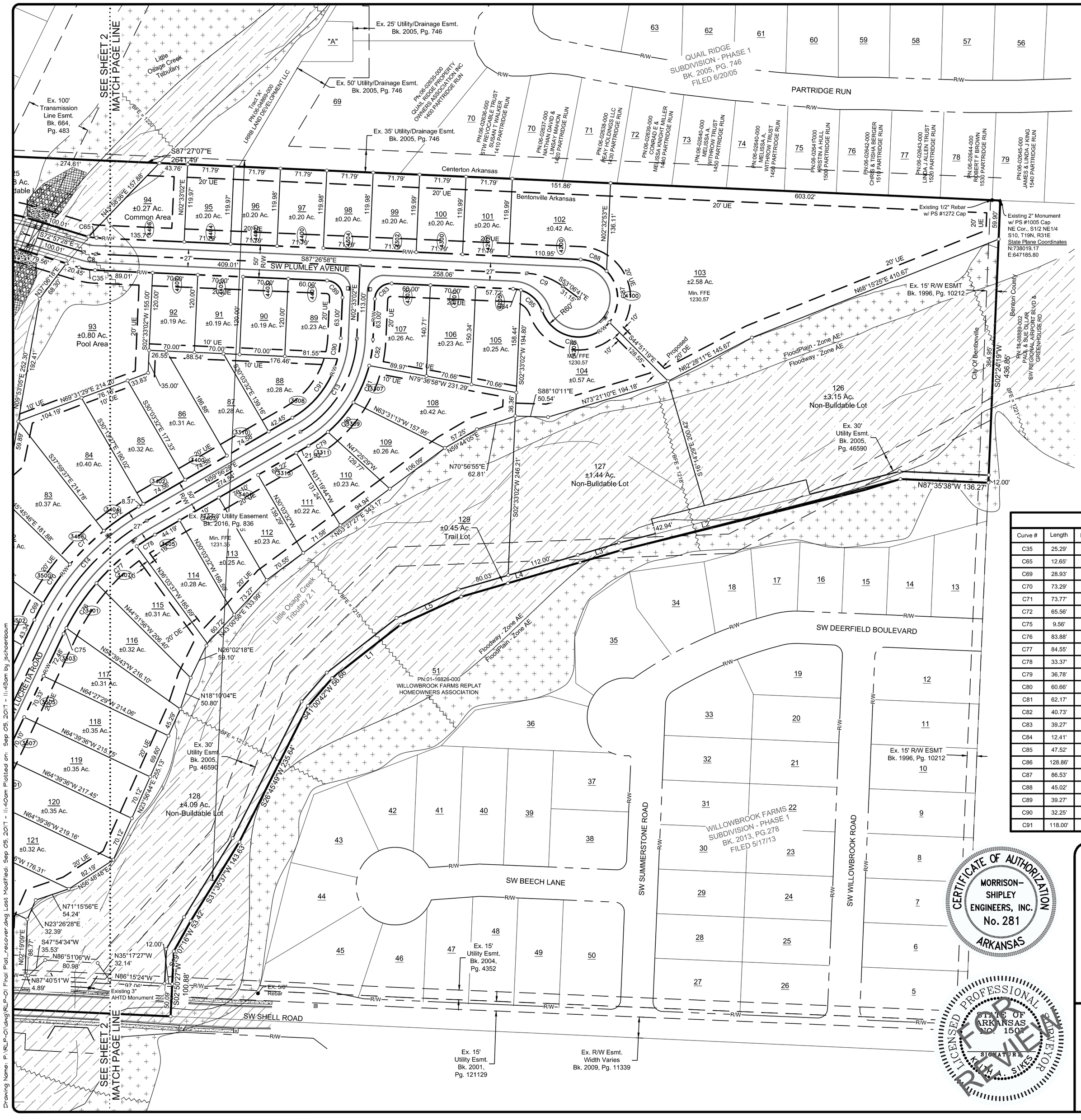
FINAL PLAT

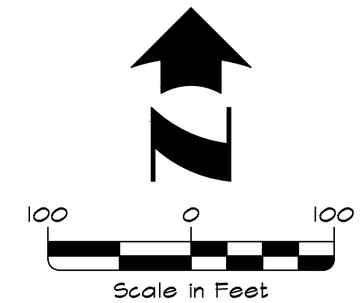
WILLOWBROOK FARMS SUBDIVISION PHASE II

Project No. RLP-01	Drawn By JDS Checked By KAS
Date: August 14, 2017	Sheet 2 of 3

Bentonville Assigned Project # - FP17-00006

MORRISON SHIPLEY
ENGINEERS ▪ SURVEYORS
2407 SE Cottonwood Street ▪ Bentonville, AR 72712 ▪ 479.273.2209 ▪ morrisonshipley.com





Filing Block

LEGEND

- Property Line
- Right-Of-Way Line (R/W)
- Proposed R/W Line (R/W)
- Road Center Line
- Ex. Easement Line
- Easement Line
- Existing Concrete
- Existing Asphalt
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- Existing Floodplain Zone AE
- BFE = 1213' — Base Flood Elevation
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- 20' SSE — Sanitary Sewer Easement
- Drainage Structure
- Sidewalk Ramp

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C35	25.29'	100.0'	N80° 12' 13"W	25.23'
C65	12.65'	50.0'	S80° 12' 13"E	12.61'
C69	28.93'	400.0'	S27° 24' 44"W	28.93'
C70	73.29'	400.0'	S34° 44' 01"W	73.19'
C71	73.77'	400.0'	S45° 15' 59"W	73.67'
C72	65.56'	400.0'	S55° 14' 44"W	65.49'
C75	9.56'	350.0'	S26° 07' 22"W	9.56'
C76	83.88'	350.0'	S33° 46' 17"W	83.68'
C77	84.55'	350.0'	S47° 33' 29"W	84.35'
C78	33.37'	350.0'	S57° 12' 36"W	33.35'
C79	36.78'	200.0'	N54° 40' 21"E	36.73'
C80	60.66'	200.0'	N40° 42' 56"E	60.42'
C81	62.17'	200.0'	N23° 07' 20"E	61.92'
C82	40.73'	200.0'	N08° 23' 02"E	40.66'
C83	39.27'	25.0'	S47° 33' 02"W	35.36'
C84	12.41'	50.0'	N80° 20' 26"W	12.38'
C85	47.52'	50.0'	N46° 00' 08"W	45.75'
C86	128.86'	60.0'	S80° 17' 58"E	105.48'
C87	86.53'	60.0'	N03° 08' 27"W	79.22'
C88	45.02'	60.0'	N65° 57' 09"W	43.97'
C89	39.27'	25.0'	N42° 26' 58"W	35.36'
C90	32.25'	150.0'	N08° 42' 35"E	32.19'
C91	118.00'	150.0'	N37° 24' 18"E	114.98'

Street Centerline Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C8	18.97'	75.0'	S80° 12' 13"E	18.92'
C9	59.93'	100.0'	S70° 16' 50"E	59.04'
C13	175.29'	175.0'	N31° 14' 45"E	168.05'
C14	226.46'	375.0'	N42° 38' 26"E	223.04'

CERTIFICATE OF AUTHORIZATION
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No. 281
ARKANSAS

LICENSED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
NO. 1507
SIGNATURE
KITH A. SIKES

FOR REVIEW

ATLAS PAGE 482

FINAL PLAT

WILLOWBROOK FARMS SUBDIVISION PHASE II

Project No. RLP-01	Drawn By JDS Checked By KAS
Date: August 14, 2017	Sheet 3 of 3
Bentonville Assigned Project # - FP17-00006	

MORRISON SHIPLEY
ENGINEERS ▪ SURVEYORS

2407 SE Cottonwood Street ▪ Bentonville, AR 72712 ▪ 479.273.2209 ▪ morrisonshipley.com

Drawing Name: P:\RLP-01\dwg\RLP-01 Final Plat_recover.dwg Last Modified: Sep 05, 2017 - 11:40am Plotted on: Sep 05, 2017 - 11:40am Plotted by: lschoenbaum

REZONING STAFF REPORT

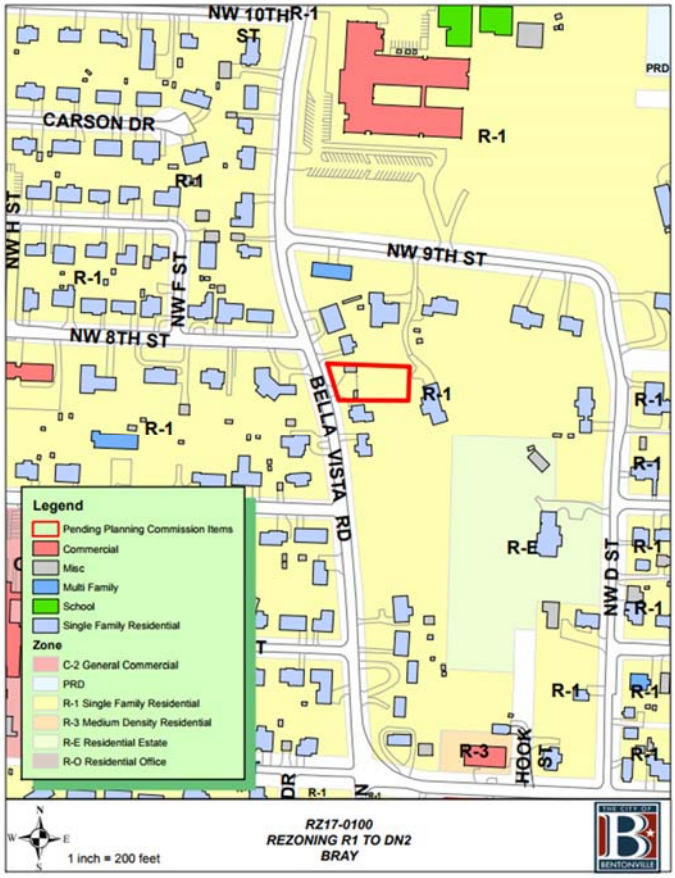
Bray

708 Bella Vista Rd
PC Date: 10/3/2017
Reviewer: Jon Stanley, Planner

Project Number	RZ17-0100
Applicant / Current Owner	Frank Bray 1302 Windsor Ct Benton, AR 72709
Site Area	±0.39 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

This property is located at 708 Bella Vista Road in an established single-family neighborhood where infill and redevelopment are beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Utility Infrastructure

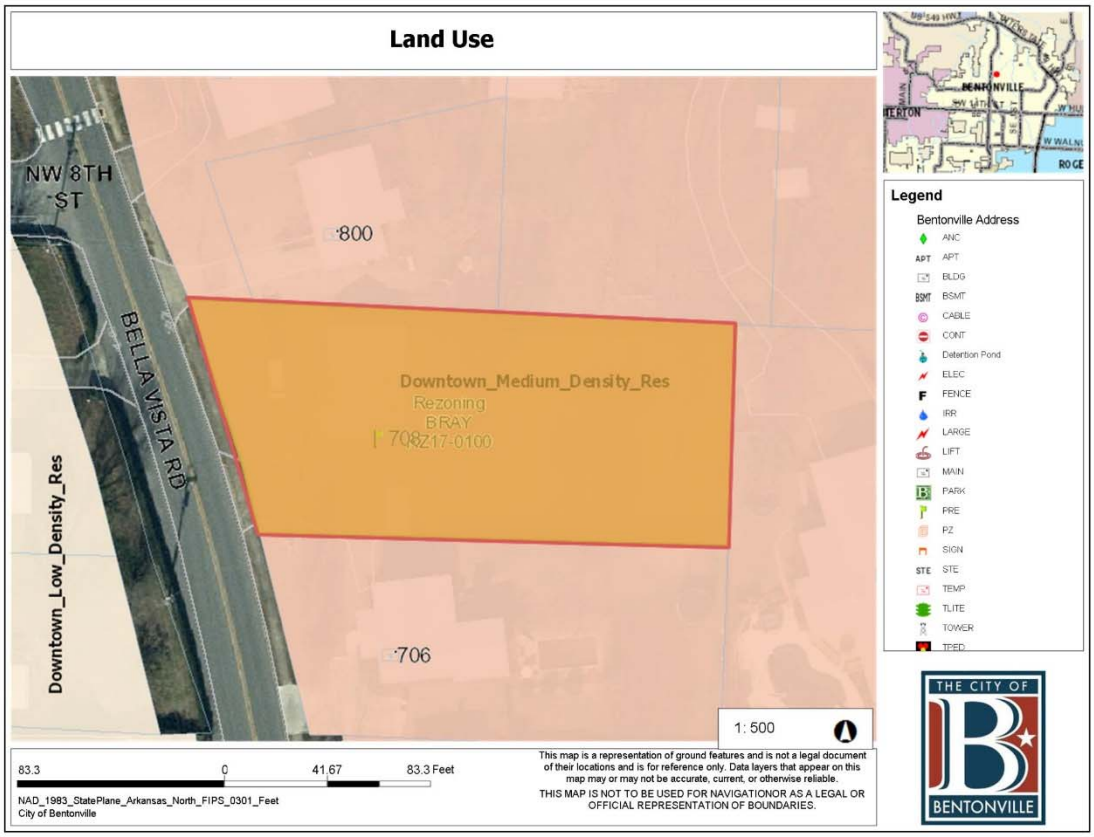
Per the GIS website, water and sewer are available.

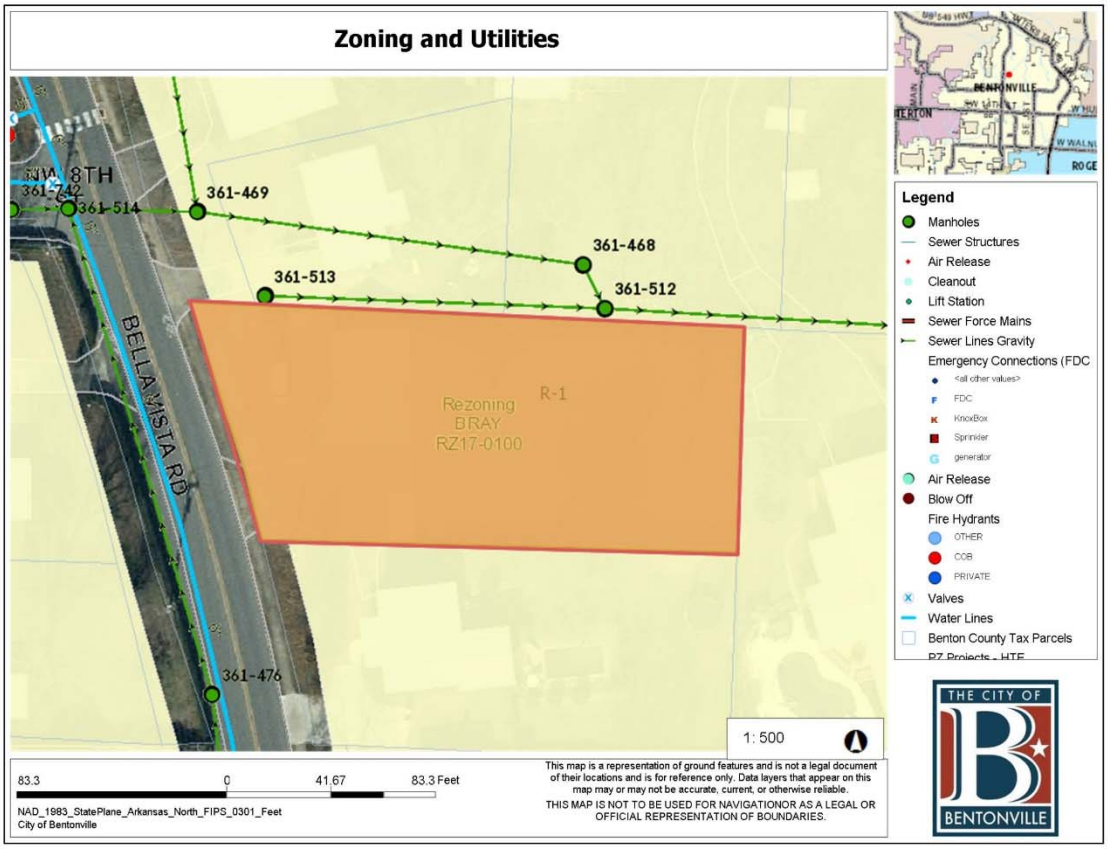
Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

Conclusion

In Conclusion, the DN-2, Downtown Medium-Density Residential zoning designation is consistent with the Future Land Use Plan that depicts this property as Downtown Medium Density Residential and is compatible with the existing and adjacent uses.


Land Use
NW 8TH ST
800
BELLA VISTA RD
Downtown_Medium_Density_Res
Rezoning
BRAY
708 RZ17-0100
Downtown_Low_Density_Res
706
1: 500
83.3
0
41.67
83.3 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville
This map is a representation of ground features and is not a legal document of their locations and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATIONOR AS A LEGAL OR OFFICIAL REPRESENTATION OF BOUNDARIES.
Legend
Bentonville Address
ANC
APT
BLDG
BSMT
CABLE
CONT
Detention Pond
ELEC
FENCE
IRR
LARGE
LIFT
MAIN
PARK
PRE
PZ
SIGN
STE
TEMP
TLITE
TOWER
THE CITY OF
BENTONVILLE


Zoning and Utilities
NW 8TH
361-742
361-514
361-469
361-468
361-513
361-512
BELLA VISTA RD
R-1
Rezoning
BRAY
RZ17-0100
361-476
1: 500
83.3
0
41.67
83.3 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville
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Legend
Manholes
Sewer Structures
Air Release
Cleanout
Lift Station
Sewer Force Mains
Sewer Lines Gravity
Emergency Connections (FDC
FDC
KnoxBox
Sprinkler
generator
Air Release
Blow Off
Fire Hydrants
OTHER
COB
PRIVATE
Valves
Water Lines
Benton County Tax Parcels
THE CITY OF
BENTONVILLE

Gray Rock

August 22, 2017

Jon Stanley
Planning Department
City of Bentonville

RE: Bray Rezone Narrative

Jon,

Frank M. Bray is requesting to rezone his property at 708 Bella Vista Road in Bentonville from R-1 to DN-2. The owner is wanting to rezone the property, then split it into two lots. Once the lot is split, the owner plans to develope single family residences on each of the newly created lots. The rezone will allow for the construction of the houses and will not negatively affect traffic or the appearance of the area. In contrast, the development will be a welcome addition to the neighborhood. Water, sewer, and all other utilities are already in place to support the development.

Respectfully submitted,

M. Dirk Thibodaux, ASLA, PLA
Gray Rock, LLC

REZONING STAFF REPORT

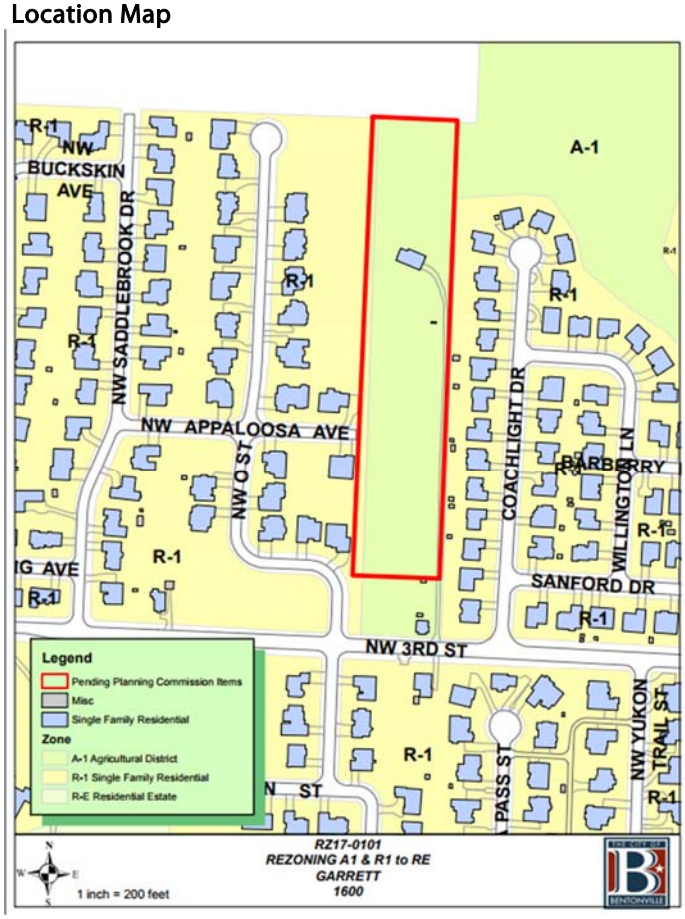
Garrett

1600 NW 3rd Street
PC Date: 10/3/2017
Reviewer: Jon Stanley, Planner

Project Number	RZ17-0101
Applicant / Current Owner	Jeffery E. Garrett & Tyler K. Garrett 1600 NW 3rd Street Bentonville, AR 72712
Site Area	±5.58 acres
Current Zoning	A-1, Agricultural and R-1, Single Family Residential
Requested Zoning	R-E, Residential Estate
Future Land Use Map Designation	Residential Estates (RE)

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

This property is the location of an unoccupied single-family home located at 1600 NW 3rd Street. Adjacent zonings include A-1, Agricultural and R-1, Single Family Residential to the south, east, and west.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area.

Utility Infrastructure

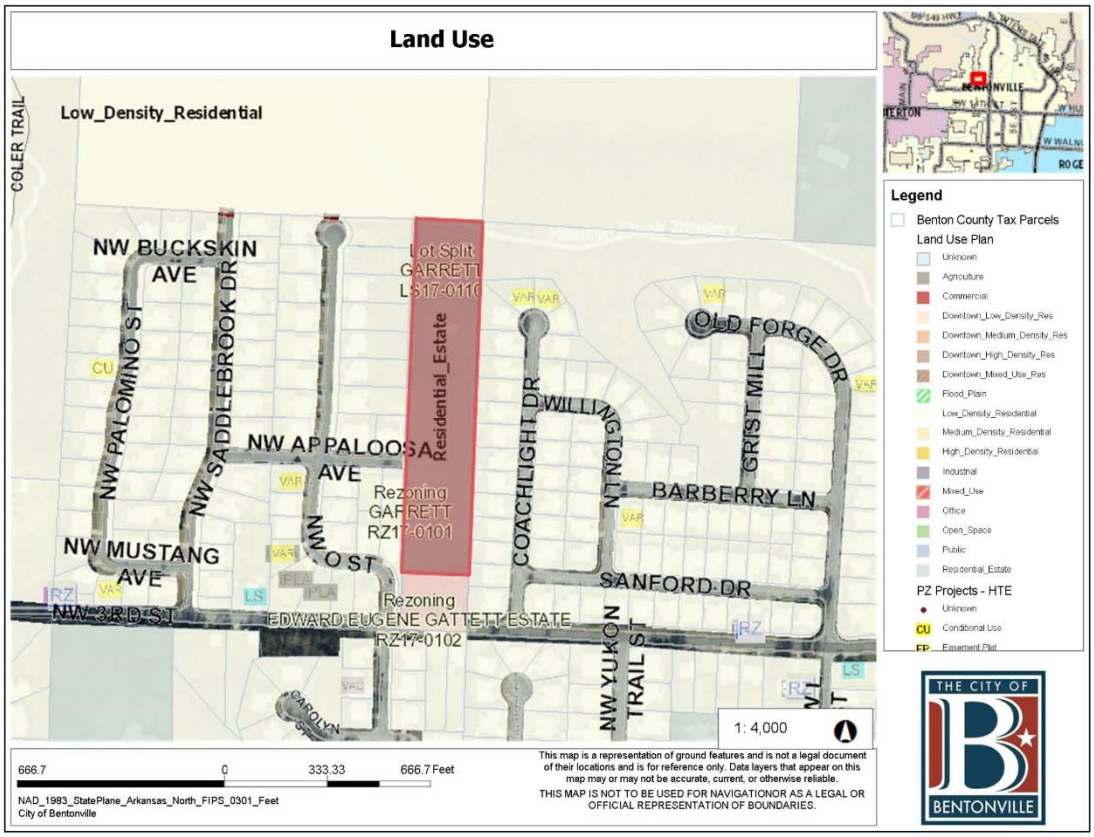
Per the GIS website, water and sewer are available.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Residential Estates (RE). The R-E, Residential Estate zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

Conclusion

In conclusion, the R-E, Residential Estate zoning designation is consistent with the Future Land Use Plan that depicts this property as Residential Estate and is compatible with existing and adjacent uses.


Land Use
Low_Density_Residential
COLER TRAIL
NW BUCKSKIN AVE
NW PALOMINO ST
NW SADDLEBROOK DR
NW APPALOOSA AVE
NW MUSTANG AVE
NW 3RD ST
Lot Split GARRETT LS17-0110
Residential_Estate
Rezoning GARRETT RZ17-0101
Rezoning EDWARD EUGENE GATTETT ESTATE RZ17-0102
COACHLIGHT DR
WILLINGTON LN
OLD FORGE DR
GRIST MILL
BARBERRY LN
SANFORD DR
NW YUKON TRAIL ST
CAROLYN ST
1: 4,000
666.7 0 333.33 666.7 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville
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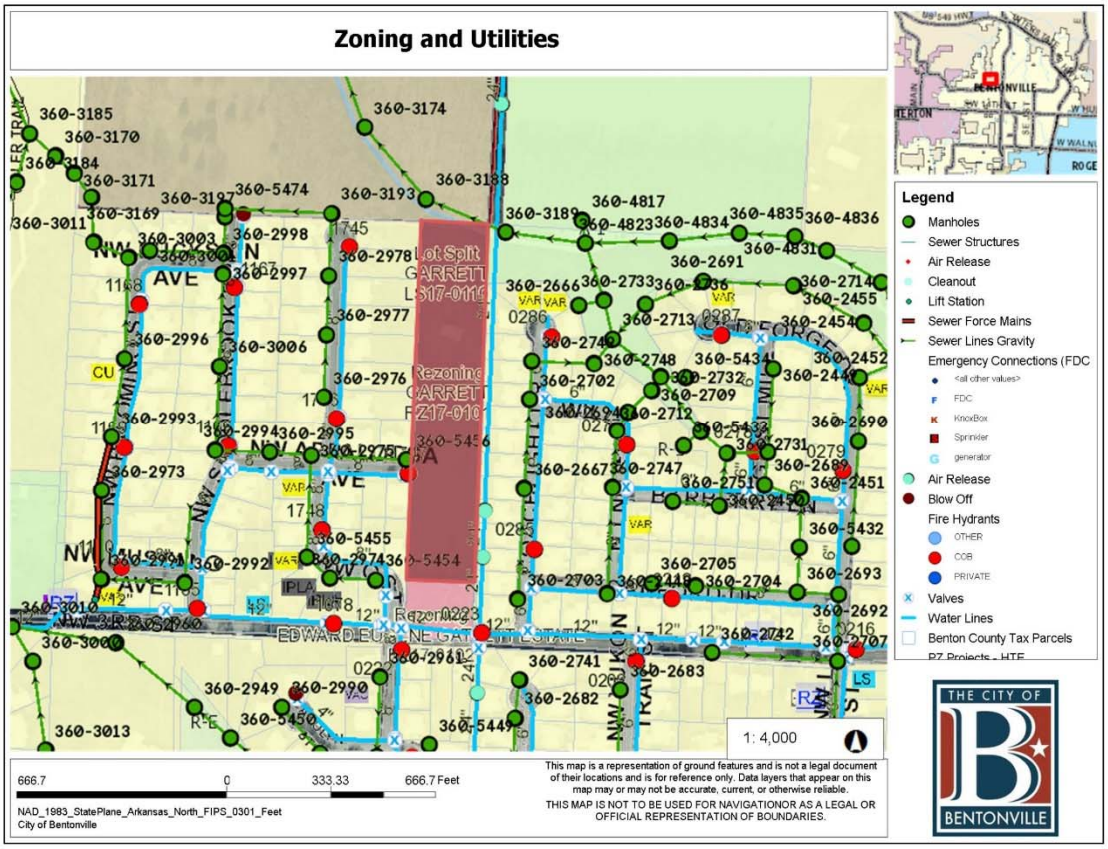
Legend
Benton County Tax Parcels
Land Use Plan
Unknown
Agriculture
Commercial
Downtown_Low_Density_Res
Downtown_Medium_Density_Res
Downtown_High_Density_Res
Downtown_Mixed_Use_Res
Flood_Plain
Low_Density_Residential
Medium_Density_Residential
High_Density_Residential
Industrial
Mixed_Use
Office
Open_Space
Public
Residential_Estate
PZ Projects - HTE
Unknown
Conditional Use
Easement Plat
THE CITY OF BENTONVILLE


Zoning and Utilities
Lot Split GARRETT LS17-0110
Rezoning GARRETT RZ17-0101
1: 4,000
666.7 0 333.33 666.7 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
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Legend
Manholes
Sewer Structures
Air Release
Cleanout
Lift Station
Sewer Force Mains
Sewer Lines Gravity
Emergency Connections (FDC
Air Release
Blow Off
Fire Hydrants
OTHER
COB
PRIVATE
Valves
Water Lines
Benton County Tax Parcels
THE CITY OF BENTONVILLE

To: Planning Commission

Re: Rezoning request

Owner: Jeffrey and Tyler Garrett

We are requesting the rezoning of 1600 NW 3rd ST or parcel 01-00894-020 from A-1 Agricultural & R-1 Residential to R-E Residential Estate.

The reason for this request is to meet the acreage zoning requirements for split and pending sale of part of this parcel. We have enclosed a draft of the proposed split to justify the rezoning.

There will be no change in how the property will relate to the surrounding properties.

There will be no change in the intended use of the property.

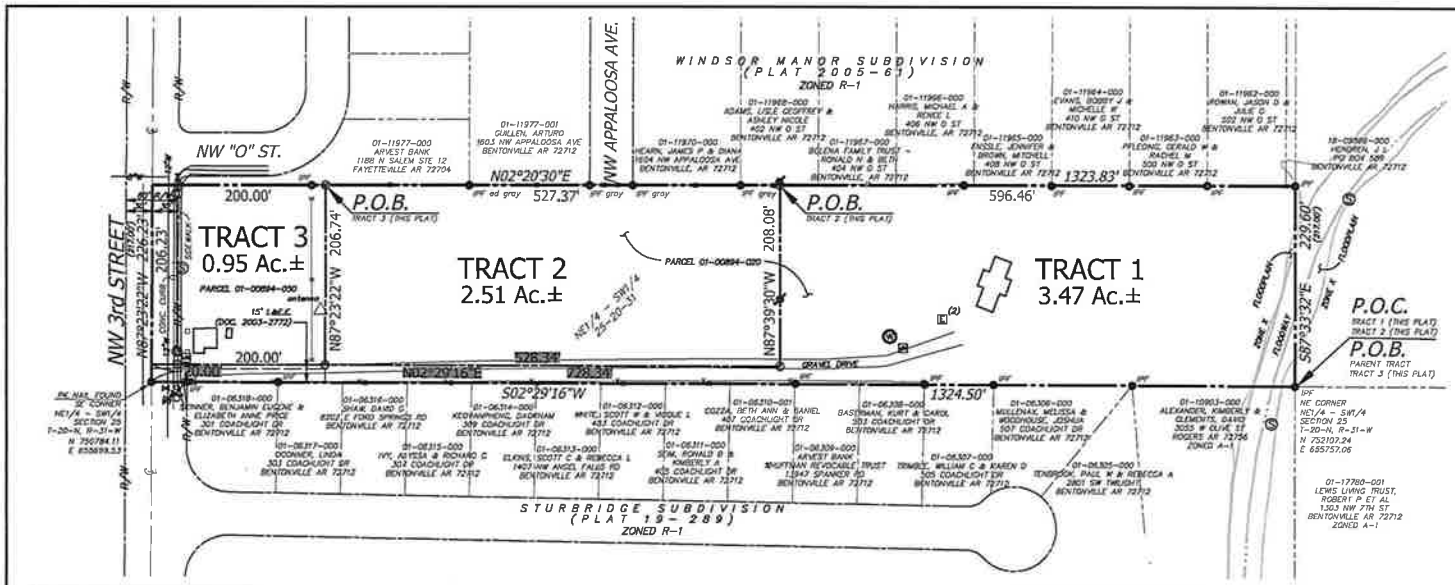
There will be no change or impact regarding traffic.

No signage will be needed.

There will be no change in appearance.

The current parcel has been confirmed to have sewer access crossing the NE corner of the plat. There is a 24" water main running the full length of the East border of the parcel.

Thank you for your consideration in this matter.



VICINITY MAP
NOT TO SCALE

CITY OF BENTONVILLE ATLAS
PAGE NUMBER 360

BASIS OF BEARINGS: ARKANSAS STATE PLANE NORTH COORDINATE SYSTEM. CONVERGENCE ANGLE: -1°7'53"

100 50 0 100

1 Inch = 100 ft.

AREA INDEX	
PARENT TRACT	6.93 Acres±
TRACT 1 (THIS PLAT)	3.47 Acres±
TRACT 2 (THIS PLAT)	2.51 Acres±
TRACT 3 (THIS PLAT)	0.95 Acres±

SITE SPECIFIC NOTES:

1. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENTS AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF THE WORK THAT WILL TAKE PLACE WITH-IN THE RIGHT-OF-WAY.

2. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

3. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

4. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

GENERAL NOTES:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR PRESENT.

THIS SURVEY MEETS CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN THE STATE OF ARKANSAS.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

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

THIS PROPERTY IS CURRENTLE ZONED A-1 (AGRICULTURAL)
SETBACKS ARE AS FOLLOWS:
FRONT: 30 FEET
SIDE: 30 FEET
REAR: 30 FEET

FLOOD CERTIFICATION:

A PART OF THIS PROPERTY IS LOCATED WITHIN A PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS DETERMINED BY SCALING THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS AND INCORPORATED AREAS.

MAP NUMBER: 05007C0090J
REVISED DATE: SEPTEMBER 28, 2007

PARENT TRACT DESCRIPTION

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE SW1/4 S02°29'16"W 1324.50 FEET TO A PK NAIL FOUND AT THE SE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE SW1/4 N87°23'22"W 226.23 FEET; THENCE N02°20'30"E 1323.83 FEET TO AN IRON PIN FOUND ON THE NORTH LINE OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 S87°33'32"E 229.60 FEET TO THE POINT OF BEGINNING, CONTAINING 6.93 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

PROGRESS DRAWING

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we 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, easements, etc. as shown on said plat.

Date of Execution: _____
Signed :_____
Name & Address

Date of Execution: _____
Signed :_____
Name & Address

Date of Execution: _____
Signed :_____
Name & Address

Source of Title: D.R. _____
Page _____

Pursuant to the City of Bentonville 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.

Date of Execution: _____

Signed: _____
Community Development Director

SURVEY DESCRIPTION TRACT 1 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE SW1/4 S02°29'16"W 1324.50 FEET TO A PK NAIL FOUND AT THE SE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE SW1/4 N87°23'22"W 226.23 FEET; THENCE N02°20'30"E 1323.83 FEET TO AN IRON PIN FOUND ON THE NORTH LINE OF SAID NE1/4 OF THE SW1/4; THENCE ALONG SAID NORTH LINE S87°33'32"E 229.60 FEET TO THE POINT OF BEGINNING, CONTAINING 3.47 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION TRACT 2 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 N87°33'32"W 229.60 FEET TO AN IRON PIN FOUND; THENCE S02°20'30"W 596.46 FEET TO THE POINT OF BEGINNING; THENCE S87°39'30"E 208.08 FEET; THENCE S02°29'16"W 528.34 FEET; THENCE N87°23'22"W 206.74 FEET; THENCE N02°20'30"E 527.37 FEET TO THE POINT OF BEGINNING, CONTAINING 2.51 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION TRACT 3 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 N87°33'32"W 229.60 FEET TO AN IRON PIN FOUND; THENCE S02°20'30"W 1,123.83 FEET TO THE POINT OF BEGINNING; THENCE S87°23'22"E 206.74 FEET; THENCE S02°29'16"W 200.00 FEET; THENCE N87°23'22"W 206.23 FEET; THENCE N02°20'30"E 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.95 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

OWNERS:

P.N. 01-00894-020
JEFFREY E GARRETT & TYLER KELSEY GARRETT
1602 NW 3RD ST
BENTONVILLE, AR 72712

P.N. 01-00894-050
EDWARD EUGENE GARRETT ESTATE
1602 NW 3RD ST
BENTONVILLE, AR 72712

I, LAZARO G. PAYA, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME, BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST, 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: PROGRESS DRAWING
LICENSED PROFESSIONAL SURVEYOR NO. 1380
STATE OF ARKANSAS

LEGEND:

	IRON PIN FOUND
	1/2" IRON PIN SET PS 1380
	BOUNDARY LINE
	LOT LINE
	RIGHT OF WAY LINE
	EASEMENT LINE
	BARBED WIRE FENCE
	UTILITY POLE
	GUY WIRE
	SANITARY SEWER MANHOLE
I.&E.E.	INGRESS AND EGRESS EASEMENT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
A.R.E.	ACCESS ROAD EASEMENT
O.H.E.E.	OVERHEAD ELECTRIC EASEMENT

CITY OF BENTONVILLE PROJECT NUMBER: XX-XXXXXXXX

STATE RECORDING NUMBER: 500-20N-31W-0-25-310-04-1380

REVISION	DATE	DESCRIPTION

PAYA INC.
www.paya-inc.com
(479) 696-9138
mail@paya-inc.com
259 BRIGHT ROAD – CAVE SPRINGS, AR – 72718

TRACT SPLIT

A PART OF THE NE1/4 OF THE SW1/4
SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST
CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

PREPARED FOR:	EDWARD EUGENE GARRETT				
DRAWN BY:	LP	SCALE:	1" = 100'	DATE:	August 18, 2017
REVISED:	CEB	DWG:	17047_PLA	SHEET:	1 OF: 1

NOTICE OF INTENT TO REZONE

Jeffrey E. Garrett & Tyler has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

A-1 AND R-1 to R-E, Residential Estate

The legal description of the property is as follows:

See the back of this for for legal description

The common description of the property is: 1600 NW 3rd ST

Proposed land use: Residential Estate

The public hearing will be held October 3rd, 20 17 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

For more information, you may call the Planning Department at (479) 271-3122.

I/we have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Impact on housing density, traffic and existing property. I urge the city planners to be thoughtful about city development - not popularity.

MGR. ALDERSON FAMILY LLC

Signature and Physical Address

Signature and Physical Address

21 STONEHENGE DRIVE
BENTONVILLE, AR

RE: 304 COACHLIGHT DR.
BENTONVILLE, AR

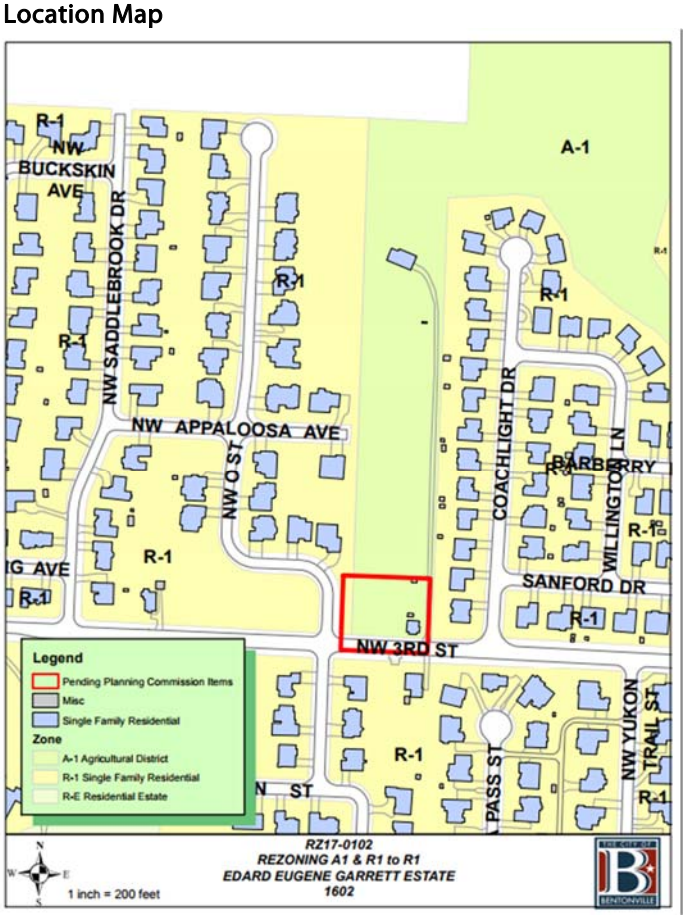
Garret Estate

1602 NW 3rd Street
PC Date: 10/3/2017
Reviewer: Jon Stanley, Planner

Project Number	RZ17-0102
Applicant / Current Owner	Edward Eugene Garrett Estate 1602 SW 3rd Street Bentonville, AR 72712
Site Area	1.0 acres
Current Zoning	A-1, Agricultural and R-1, Single Family Residential
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

This property is the location of an occupied single-family home located at 1602 NW 3rd Street. Adjacent zonings include A-1, Agriculture to the north and R-1, Single Family Residential to the south, east, and west.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area.

Utility Infrastructure

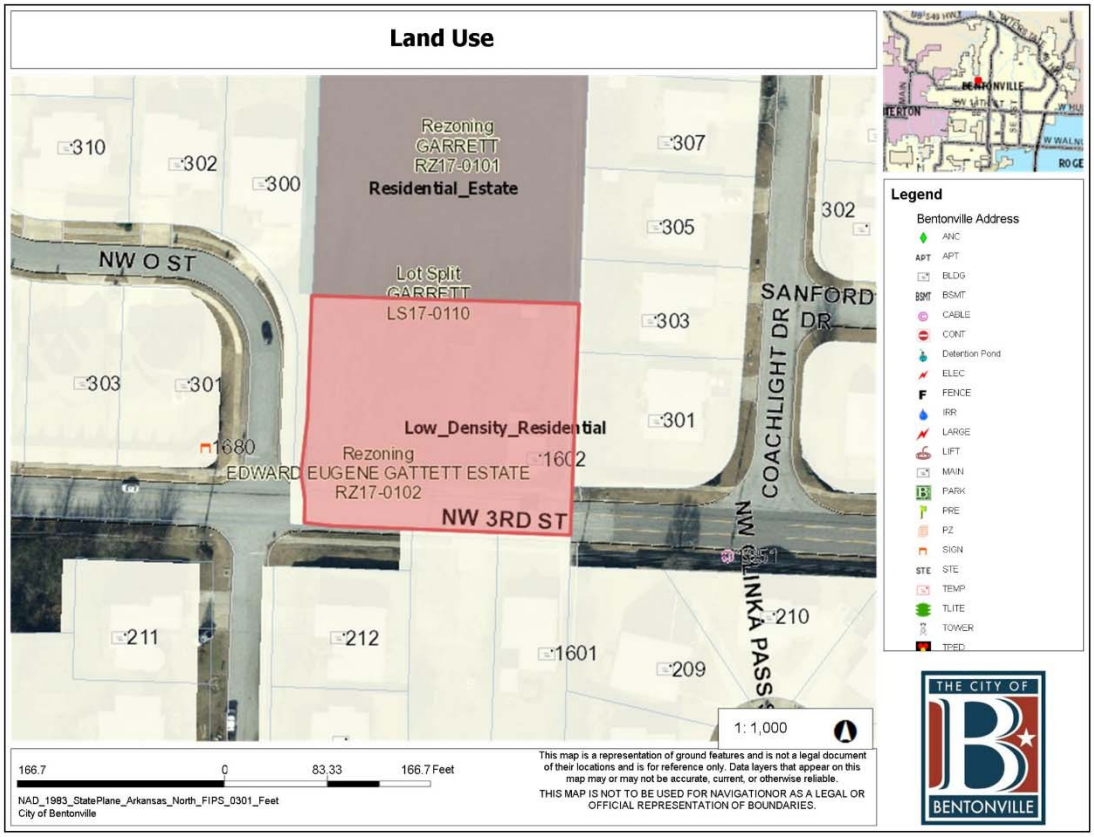
Per the GIS website, water and sewer are available.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Low Density Residential (LDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

Conclusion

In conclusion, the R-1, Single Family Residential zoning designation is consistent with the Future Land Use Plan that depicts this property as Low Density Residential and is compatible with existing and adjacent uses.


Land Use
Rezoning
GARRETT
RZ17-0101
Residential_Estate
Lot Split
GARRETT
LS17-0110
Low_Density_Residential
Rezoning
EDWARD EUGENE GATTETT ESTATE
RZ17-0102
NW O ST
NW 3RD ST
SANFORD DR
COACHLIGHT DR
NW OLINKA PASS
310
302
300
307
305
303
301
1680
1602
211
212
1601
209
210
1: 1,000
166.7
0
83.33
166.7 Feet
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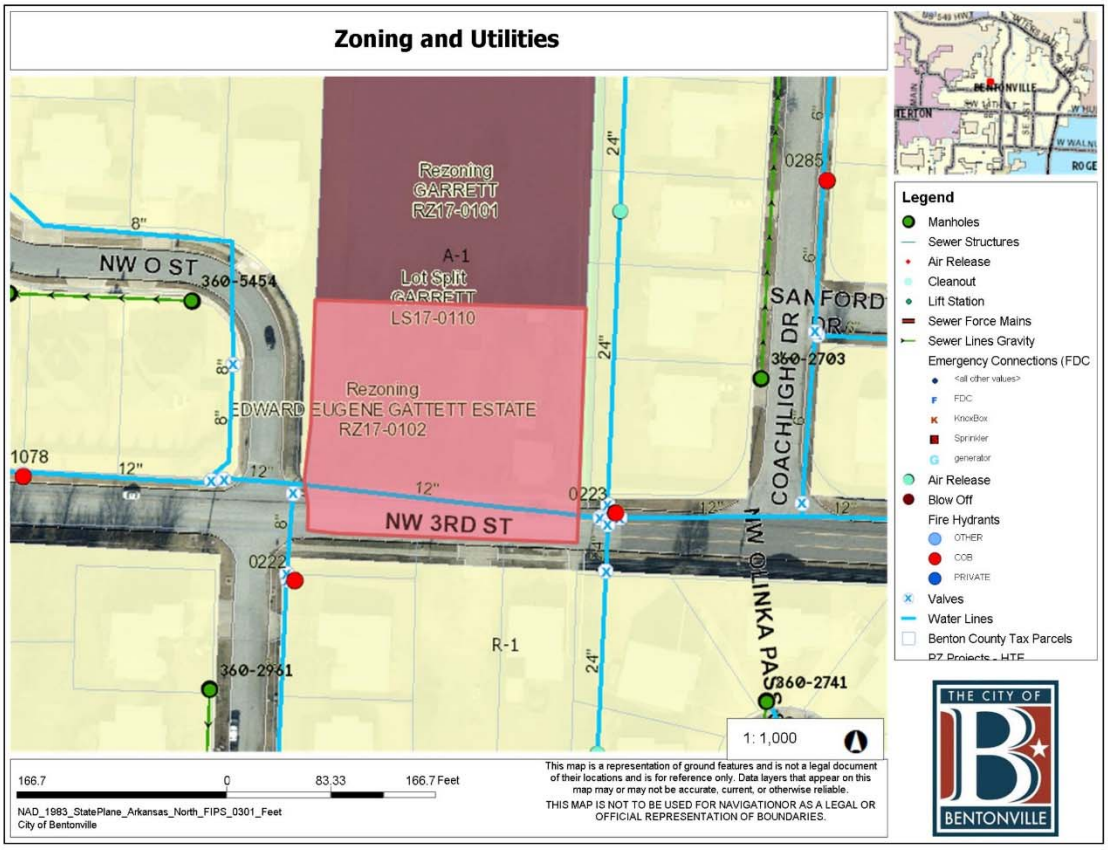
THE CITY OF
BENTONVILLE


Zoning and Utilities
Rezoning
GARRETT
RZ17-0101
A-1
Lot Split
GARRETT
LS17-0110
Rezoning
EDWARD EUGENE GATTETT ESTATE
RZ17-0102
R-1
NW O ST
NW 3RD ST
SANFORD DR
COACHLIGHT DR
NW OLINKA PASS
360-5454
360-2703
360-2981
360-2741
1078
0222
0223
0285
8"
12"
24"
1: 1,000
166.7
0
83.33
166.7 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
City of Bentonville
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Legend
Manholes
Sewer Structures
Air Release
Cleanout
Lift Station
Sewer Force Mains
Sewer Lines Gravity
Emergency Connections (FDC
FDC
KnoxBox
Sprinkler
generator
Air Release
Blow Off
Fire Hydrants
OTHER
COB
PRIVATE
Valves
Water Lines
Benton County Tax Parcels
THE CITY OF
BENTONVILLE

To: Planning Commission

Re: Rezoning request

Owner: Edward Eugene Garrett

Executor: Jeffrey E. Garrett

As the executor of my father's estate, I am requesting the rezoning of 1602 NW 3rd ST or parcel 01-00894-050 from A-1 Agricultural and R-1 Single Family Residence to only R-1 Single Family Residence.

The reason for this request is to meet the acreage zoning requirements for split and pending sale of part of this parcel. I have enclosed a draft of the proposed split to justify the rezoning.

There will be no change in how the property will relate to the surrounding properties.

There will be no change in the intended use of the property.

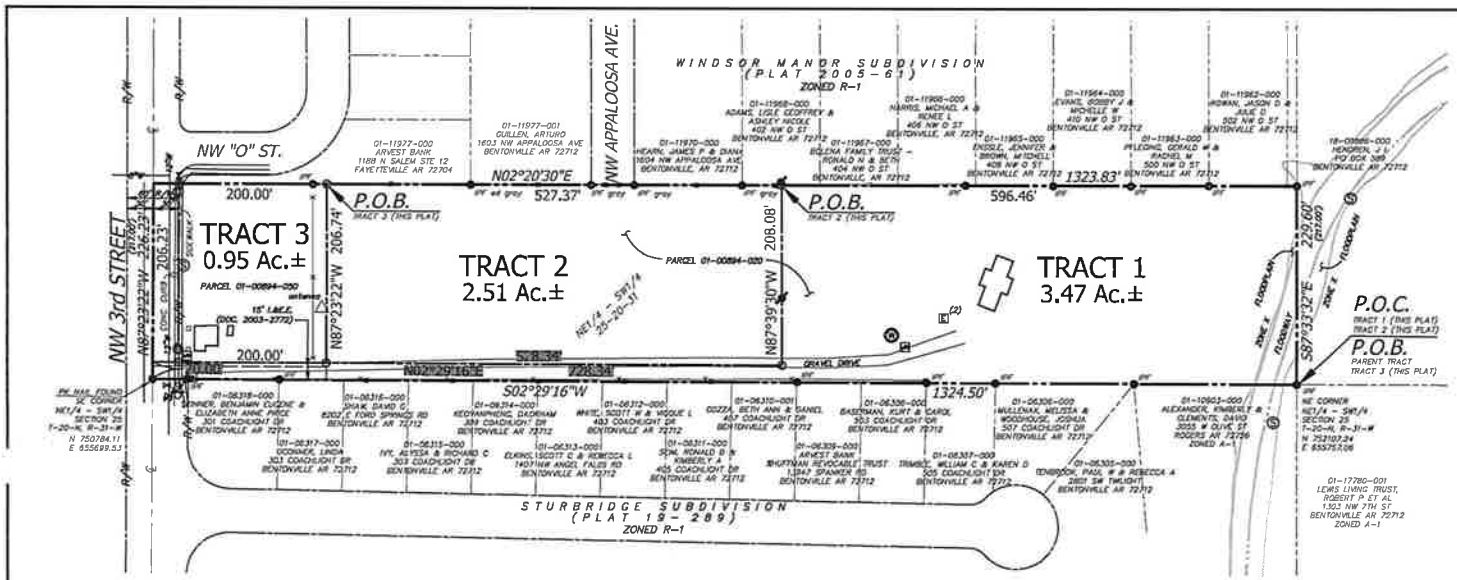
There will be no change or impact regarding traffic.

No signage will be needed.

There will be no change in appearance.

The current parcel has been confirmed to have sewer access. There is a 24" water main running the full length of the East border of the parcel as well as a 12" line at NW 3rd ST.

Thank you for your consideration in this matter.



VICINITY MAP
NOT TO SCALE

CITY OF BENTONVILLE ATLAS
PAGE NUMBER 360

BASIS OF BEARINGS: ARKANSAS STATE PLANE NORTH COORDINATE SYSTEM
CONVERGENCE ANGLE: -1°17'53"

100 50 0 100
1 Inch = 100 ft.

AREA INDEX	
PARENT TRACT	6.93 Acres±
TRACT 1 (THIS PLAT)	3.47 Acres±
TRACT 2 (THIS PLAT)	2.51 Acres±
TRACT 3 (THIS PLAT)	0.95 Acres±

SITE SPECIFIC NOTES:

1. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENTS AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF THE WORK THAT WILL TAKE PLACE WITH-IN THE RIGHT-OF-WAY.

2. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

3. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

4. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

GENERAL NOTES:

-Y IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE RVEYOR PRESENT.

SURVEY MEETS CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN THE STATE OF ARKANSAS.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

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

THIS PROPERTY IS CURRENTLE ZONED A-1
(AGRICULTURAL)
SETBACKS ARE AS FOLLOWS:
FRONT: 30 FEET
SIDE: 30 FEET
REAR: 30 FEET

FLOOD CERTIFICATION:

A PART OF THIS PROPERTY IS LOCATED WITHIN A PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS DETERMINED BY SCALING THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS AND INCORPORATED AREAS.

MAP NUMBER: 05007C0090J
REVISED DATE: SEPTEMBER 28, 2007

PARENT TRACT DESCRIPTION

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE SW1/4 S02°29'16"W 1324.50 FEET TO A PK NAIL FOUND AT THE SE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE SW1/4 N87°23'22"W 226.23 FEET; THENCE N02°20'30"E 1323.83 FEET TO AN IRON PIN FOUND ON THE NORTH LINE OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 S87°33'32"E 229.60 FEET TO THE POINT OF BEGINNING, CONTAINING 6.93 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF--WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

PROGRESS DRAWING

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we 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, easements, etc. as shown on said plat.

Date of Execution: _____
Signed : _____
Name & Address

Date of Execution: _____
Signed : _____
Name & Address

Date of Execution: _____
Signed : _____
Name & Address

Source of Title: D.R. _____
Page _____

Pursuant to the City of Bentonville 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.

Date of Execution: _____

Signed: _____
Community Development Director

SURVEY DESCRIPTION TRACT 1 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID NE1/4 OF THE SW1/4 S02°29'16"W 1324.50 FEET TO A PK NAIL FOUND AT THE SE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE SOUTH LINE OF SAID NE1/4 OF THE SW1/4 N87°23'22"W 20.00 FEET; THENCE N02°29'16"E 728.34 FEET; THENCE N87°39'30"W 208.08 FEET; THENCE N02°20'30"E 596.46 FEET TO AN IRON PIN FOUND ON THE NORTH LINE OF SAID NE1/4 OF THE SW1/4; THENCE ALONG SAID NORTH LINE S87°33'32"E 229.60 FEET TO THE POINT OF BEGINNING, CONTAINING 3.47 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION TRACT 2 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 N87°33'32"W 229.60 FEET TO AN IRON PIN FOUND; THENCE S02°20'30"W 596.46 FEET TO THE POINT OF BEGINNING; THENCE S87°39'30"E 208.08 FEET; THENCE S02°29'16"W 528.34 FEET; THENCE N87°23'22"W 206.74 FEET; THENCE N02°20'30"E 527.37 FEET TO THE POINT OF BEGINNING, CONTAINING 2.51 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION TRACT 3 (THIS PLAT):

A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID NE1/4 OF THE SW1/4; THENCE ALONG THE NORTH LINE OF SAID NE1/4 OF THE SW1/4 N87°33'32"W 229.60 FEET TO AN IRON PIN FOUND; THENCE S02°20'30"W 1,123.83 FEET TO THE POINT OF BEGINNING; THENCE S87°23'22"E 206.74 FEET; THENCE S02°29'16"W 200.00 FEET; THENCE N87°23'22"W 206.23 FEET; THENCE N02°20'30"E 200.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.95 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF NW 3rd STREET AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

OWNERS:

P.N. 01-00894-020
JEFFREY E GARRETT & TYLER KELSEY GARRETT
1602 NW 3RD ST
BENTONVILLE, AR 72712

P.N. 01-00894-050
EDWARD EUGENE GARRETT ESTATE
1602 NW 3RD ST
BENTONVILLE, AR 72712

I, LAZARO G. PAYA, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME, BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST, 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: PROGRESS DRAWING
LICENSED PROFESSIONAL SURVEYOR NO. 1380
STATE OF ARKANSAS

LEGEND:

	IRON PIN FOUND
	1/2" IRON PIN SET PS 1380
	BOUNDARY LINE
	LOT LINE
	RIGHT OF WAY LINE
	EASEMENT LINE
	BARBED WIRE FENCE
	UTILITY POLE
	GUY WIRE
	SANITARY SEWER MANHOLE
I.&E.E.	INGRESS AND EGRESS EASEMENT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
A.R.E.	ACCESS ROAD EASEMENT
O.H.E.E.	OVERHEAD ELECTRIC EASEMENT

CITY OF BENTONVILLE PROJECT NUMBER: XX-XXXXXXXX
STATE RECORDING NUMBER: 500-20N-31W-0-25-310-04-1380

REVISION	DATE	DESCRIPTION

PAYA INC.
www.paya-inc.com
(479) 898-9138
mail@paya-inc.com
259 BRIGHT ROAD – CAVE SPRINGS, AR – 72718

TRACT SPLIT

A PART OF THE NE1/4 OF THE SW1/4
SECTION 25, TOWNSHIP 20 NORTH, RANGE 31 WEST
CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

PREPARED FOR:	EDWARD EUGENE GARRETT		
DRAWN BY: LP	SCALE: 1" = 100'	DATE: August 18, 2017	
REVISED: CEB	DWG: 17047_PLA	SHEET: 1 OF: 1	

REZONING STAFF REPORT

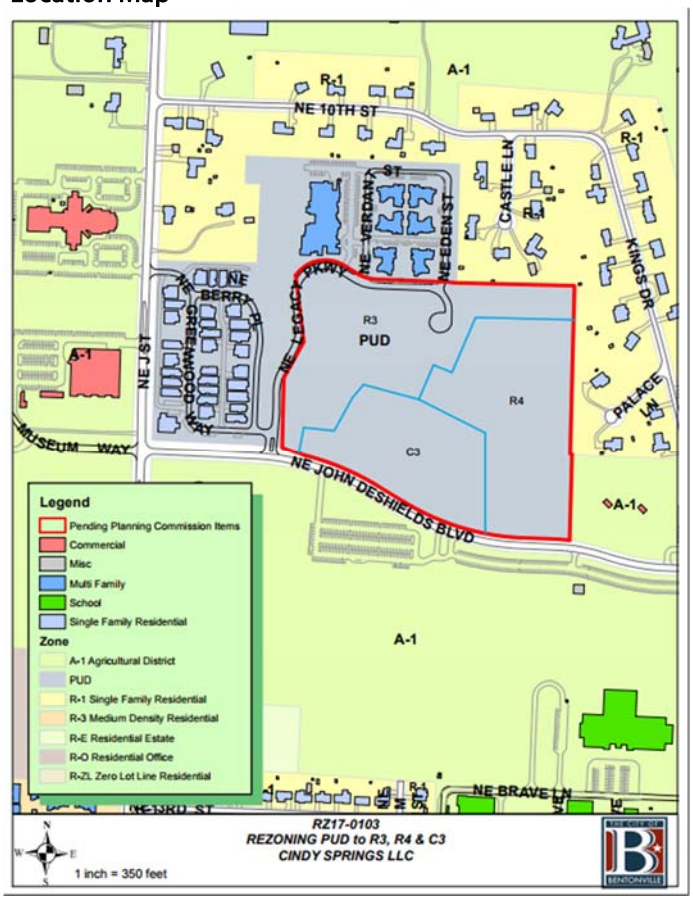
Cindy Springs LLC

NE John DeShields Blvd & NE Legacy Parkway
PC Date: 10/3/2017
Reviewer: Jon Stanley, Planner

Project Number	RZ17-0103
Applicant / Current Owner	Cindy Springs LLC PO Box 1860 Bentonville, AR 72712
Site Area	27.83 acres
Current Zoning	Expired PUD, Planned Unit Development
Requested Zoning	R-3, Medium Density Residential; R-4, High Density Residential and C3, Central Commercial
Future Land Use Map Designation	Mixed Use (MU)

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

This property is the location of a vacant parcel situated between Legacy Village and Circle of Life Hospice to the north and Orchards Park to the south. Adjacent zonings are PUD and R-1 to the north, PUD to the west, A-1 to the south & R-1 and A-1 to the east.

Projected Traffic Impact

The proposed zoning designation has potential to adversely impact traffic in the area. Per the traffic analysis submitted by Peters & Associates, it was found that roundabout warrants are met for the intersection of John Deshields Boulevard, Museum Way and NE 'J' Street with the projected traffic volume from the proposed development.

Utility Infrastructure

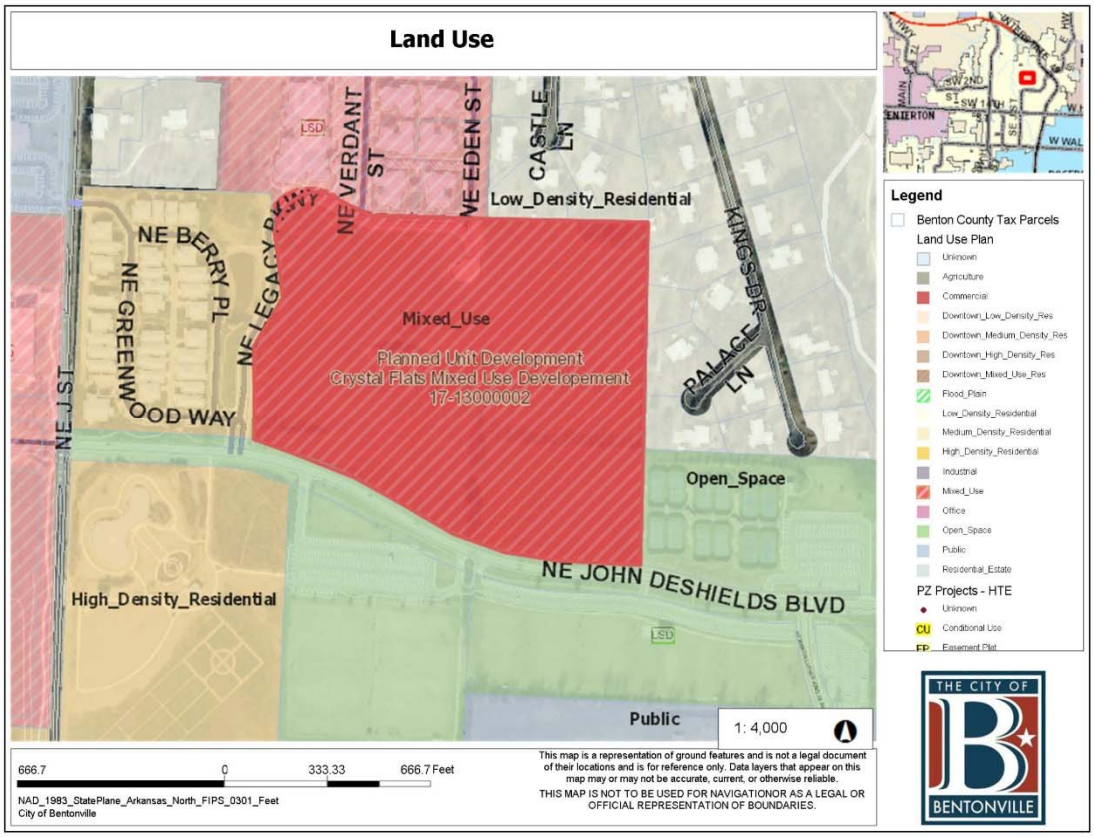
Per the GIS website, water and sewer are available.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Mixed Use (MU). The R-3, Medium Density Residential, R-4, High Density Residential and C3, Central Commercial zoning designations are appropriate zoning district for this designation and are consistent with the Future Land Use Plan. The proposed multi-family housing and associated commercial uses are consistent with the city's General Plan key concept of promoting mixed-use development to reduce vehicle trip numbers, provide public amenities and increase urban vitality.

Conclusion

In Conclusion, the R-3, Medium Density Residential, R-4, High Density Residential and C3, Central Commercial zoning designations will allow for a mix of uses that offer residents the ability to live and work in close proximity. The proposed zoning designations provide an opportunity for a variety of housing types that are needed in the central part of the city. The site has access to the adjacent collector street and existing utilities that have adequate capacity for new development. The mix of uses will add to the fabric of the city ensuring sustainable growth for the future. Based on the analysis of the traffic study, a roundabout at NE J Street and John Deshields Boulevard must be constructed prior to or in conjunction with future development. Any proposed development will require Large Scale Development approval and must comply with all requirements of the subdivision regulations, including landscaping, screening, buffering and lighting requirements.


Land Use
NE VERDANT ST
NE EDEN ST
CASTLE LN
Low_Density_Residential
NE BERRY PL
NE LEGACY PKWY
NE GREENWOOD WAY
NE J ST
Mixed_Use
Planned Unit Development
Crystal Flats Mixed Use Developement
17-13000002
KINGS DR
PALACE LN
Open_Space
NE JOHN DESHIELDS BLVD
High_Density_Residential
Public
1: 4,000
666.7 0 333.33 666.7 Feet
NAD_1983_StatePlane_Arkansas_North_FIPS_0301_Feet
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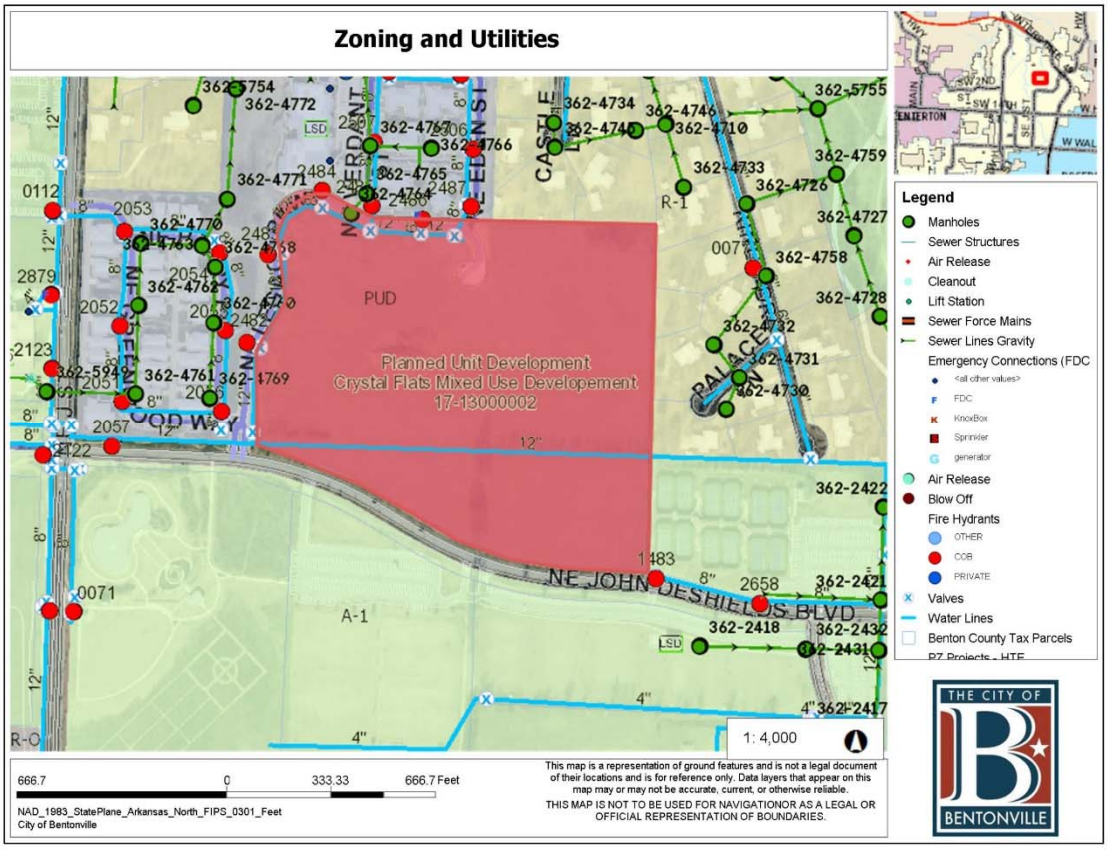
Legend
Benton County Tax Parcels
Land Use Plan
Unknown
Agriculture
Commercial
Downtown_Low_Density_Res
Downtown_Medium_Density_Res
Downtown_High_Density_Res
Downtown_Mixed_Use_Res
Flood_Plain
Low_Density_Residential
Medium_Density_Residential
High_Density_Residential
Industrial
Mixed_Use
Office
Open_Space
Public
Residential_Estate
PZ Projects - HTE
Unknown
CU Conditional Use
EP Easement Plat
THE CITY OF
BENTONVILLE


Zoning and Utilities
PUD
Planned Unit Development
Crystal Flats Mixed Use Developement
17-13000002
NE JOHN DESHIELDS BLVD
A-1
R-1
R-O
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THE CITY OF
BENTONVILLE

CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

August 28, 2017

City of Bentonville
Planning Dept.
305 SW A St.
Bentonville, AR 72712

RE: Cindy Springs LLC rezoning application

Dear Planning Commission:

Please accept this narrative letter to accompany a formal application by Cindy Springs LLC, owner of real property located in the City of Bentonville, for consideration of a rezoning request for the Benton County parcel #01-08641-005. The property is currently zoned expired PUD and the applicant has requested consideration of a request to change the zoning to a combination of commercial and residential uses consistent with the land use plan designation of 'Mixed Use'. The land owner wishes to develop the land and based on the expiration of the original PUD for the property, this rezoning is necessary to facilitate the development of the land.

In keeping with the intent of the Mixed Use designation of the land use plan, the property owner is requesting a combination of residential and commercial zones across the property. Medium to high density residential zoning is proposed along the west, north, and east property boundaries; with central commercial zoning proposed along the John Deshields street frontage. This layout provides buffering of existing lower density residential areas from the proposed commercial zone.

Public water and sewer mains exist along the site with a 12" water line running through the property and along the east side of Legacy; and an 8" sewer main on the north side of the site. Pending approval of this zoning request, plans for development will be prepared and the any necessary easements for extension of these utilities will be dedicated. John Deshields Blvd is a collector street on the city master street plan and recent traffic counts are available. Impacts to traffic, site signage, and specific use information will be presented at the time of Large Scale Development application pending approval of this zoning request.

Thank you for your time and consideration in this matter. Should you have any questions, please do not hesitate to call.

Respectfully submitted,
CEI Engineering Associates, Inc.

Nate Bachelor, PE
Project Manager

I/we have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

traffic concerns

density height of structure

Peggy White

Signature and Physical Address

801 Castle Lane

Bentonville

Signature and Physical Address

801 Castle LN

Lot 29 & 30
Deming's 2nd Addition

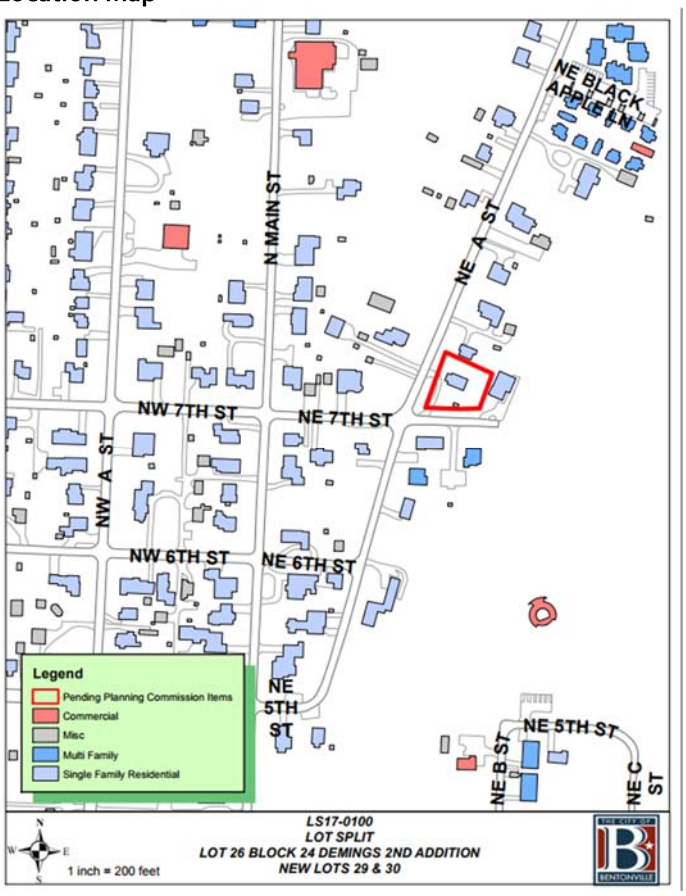
PC Date: 10/3/2017

Reviewer: Jon Stanley, Planner

Project Number	LS17-0100
Applicant / Current Owner	Boulder Creek Homes, LLC 4508 NE Birchgrove Place Bentonville, AR
Site Area	0.38 acres
Current Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

http://geo.bentonvillear.com/mgweb/PZpending/

Location Map



Property Description

This property is located at 702 NE A Street and is currently occupied by a single-family home in an area designated as Downtown Medium Density Residential on the Future Land Use Plan. All adjacent properties are zoned R-1, Single-Family Residential.

Project Details

The applicant has submitted a proposal for a lot split creating two new lots from one existing lot. The new lots will be known as Lot 29 (0.18 acres) & Lot 30 (0.17 acres) of Deming's 2nd Addition. The applicant is dedicating 22' of right-of-way from centerline along NW 7th Street. Both lots will have rear or side access. Direct access to NE A Street shall not be permitted.

Projected Traffic Impact

The proposed lot split will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

1 Waiver request:
- Wavier to Article 1100, Design Standards, Section 1100.5.B, Streets; Right-of-Way Dedication. The applicant is proposing to dedicate 22' of right-of-way from centerline along NE 7th Street instead of the required 26'.

Conclusion

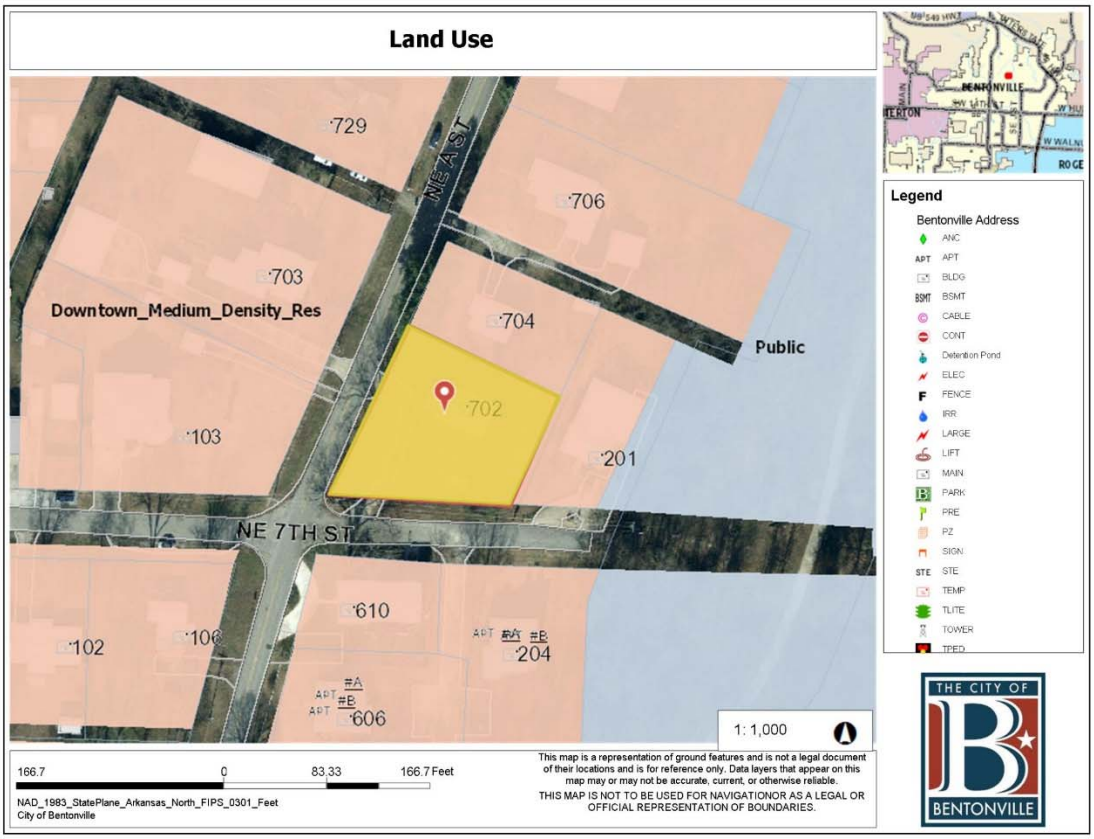
This lot split does not meet the minimum requirements of the subdivision regulations due to the waiver request.

Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.


Land Use
729
706
703
704
702
201
103
102
106
610
204
606
NE A ST
NE 7TH ST
Downtown_Medium_Density_Res
Public
Legend
Bentonville Address
ANC
APT
BLDG
BSMT
CABLE
CONT
Detention Pond
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PARK
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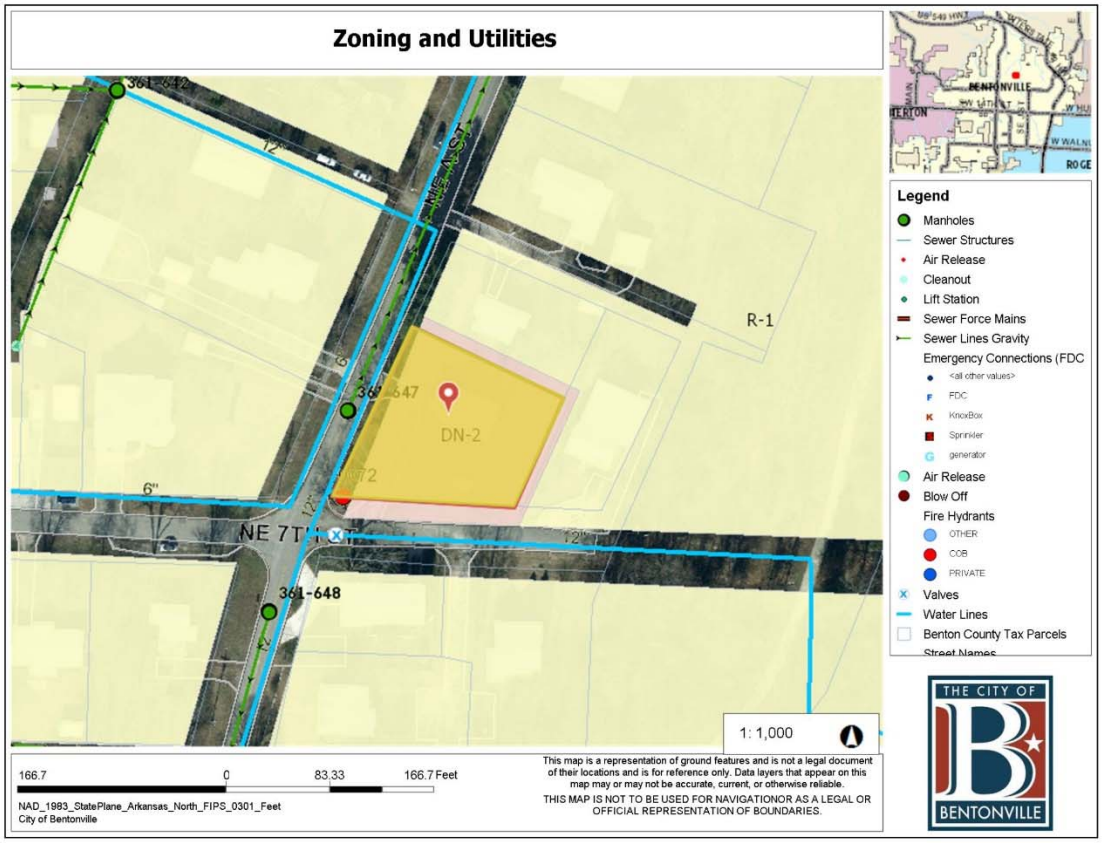
Zoning and Utilities
R-1
DN-2
361-647
361-648
NE 7TH
NE A ST
6"
12"
Legend
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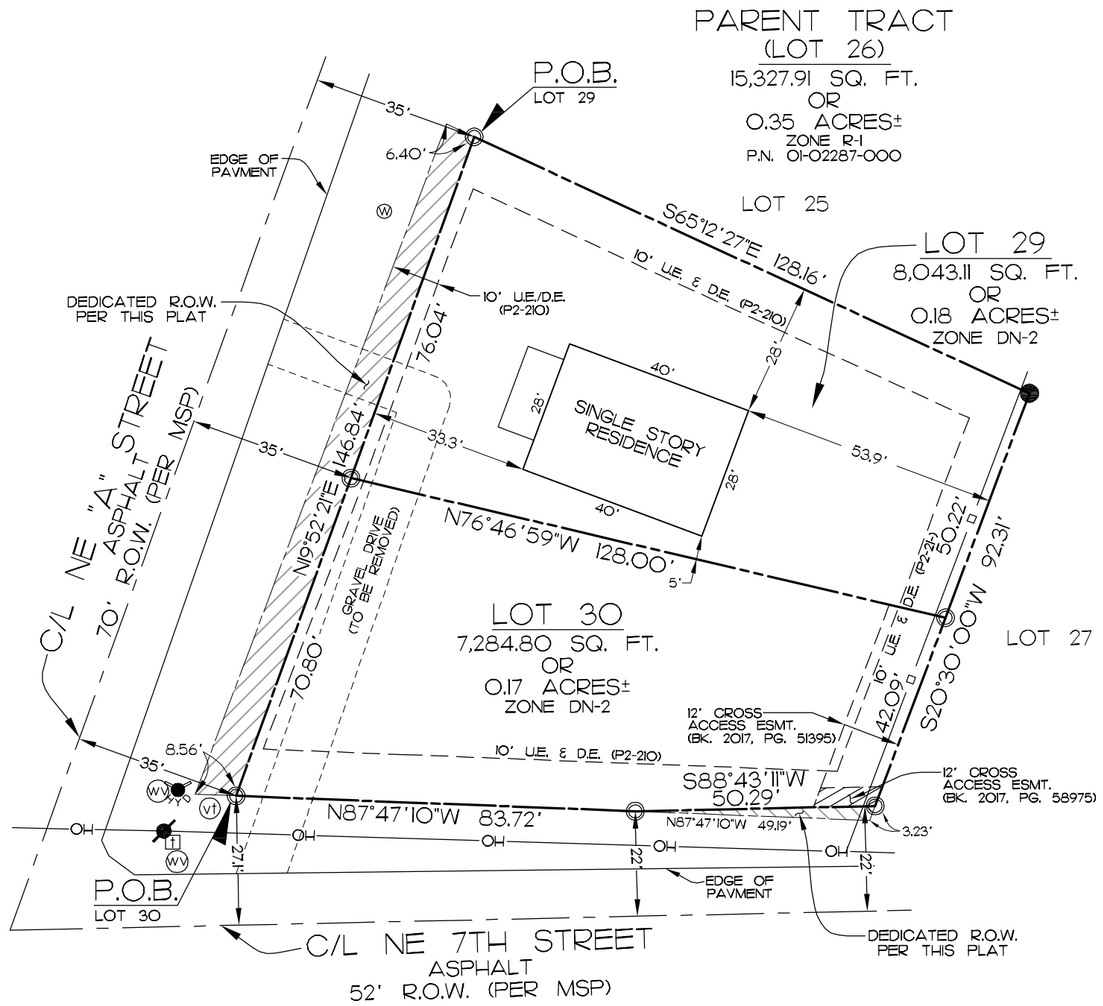
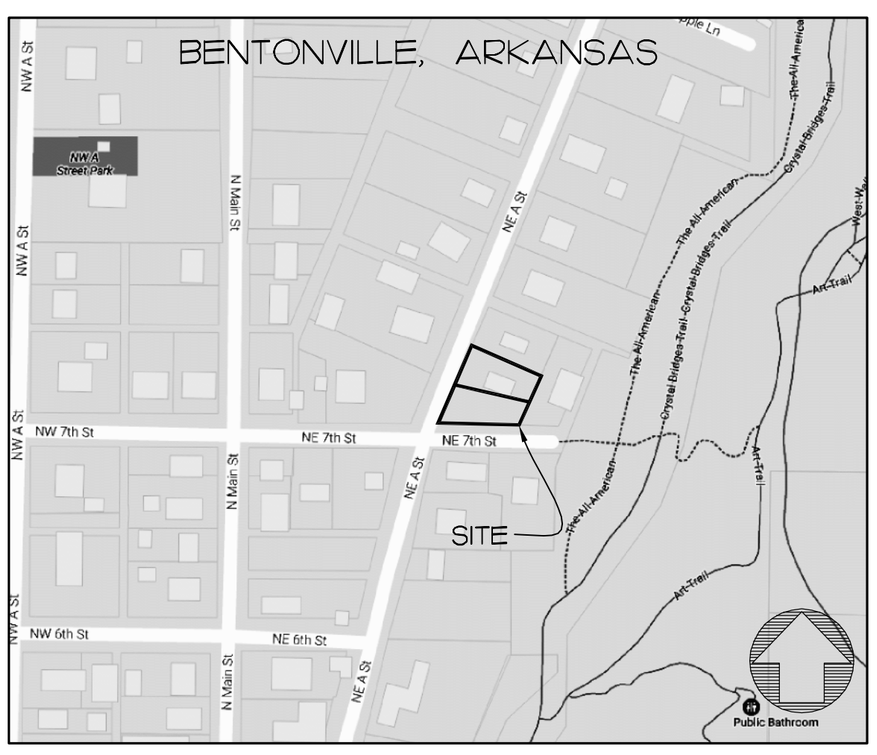
RECORDING INFORMATION



LEGEND

- FOUND REBAR
- SET 1/2" REBAR W/CAP, LS 1370
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- TELEPHONE RISER
- TELEPHONE VAULT
- UTILITY POLE
- OH — OH — OVERHEAD LINE
- WOOD FENCE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- SETBACK LINE
- EASEMENT LINE



VICINITY MAP
(N.T.S.)

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: PLAT BOOK P2, PAGE 210 OF THE BENTON COUNTY RECORDS.

3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.

5. THE PROPERTY SHOWN HEREON IS ZONED DN-2 (DOWNTOWN MEDIUM-DENSITY RESIDENTIAL) AND IS WITHIN THE CITY LIMITS OF BENTONVILLE, ARKANSAS. THE FRONT, SIDE AND REAR YARD REGULATIONS ARE AS FOLLOWS:

FRONT YARD: 15 FEET (MIN.), 25 FEET (MAX.)
INTERIOR SIDE YARD: YARD 1 - 10 FEET (25% OF LOT WIDTH)
INTERIOR SIDE YARD: YARD 2 - REMAINDER OF TOTAL, BUT NO LESS THAN 5 FT.
CORNER SIDE YARD: 12 FEET (MIN.)
REAR YARD: 25 FEET

6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

7. THIS SURVEY DOES NOT PROVIDE SURVEY CONTROL FOR FUTURE CONSTRUCTION.

8. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

9. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

10. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

11. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENTS AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF THE WORK THAT WILL TAKE PLACE WITH-IN THE RIGHT-OF-WAY.

12. NO DIRECT ACCESS TO NE A STREET SHALL BE PERMITTED FROM LOTS 29 & 30.

PARENT TRACT (LOT 26):

LOT 26, BLOCK 24 DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN CORRECTION PLAT BOOK P2, PAGE 210 OF THE BENTON COUNTY RECORDS.

LOT 29:

PART OF LOT 26, BLOCK 24 DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN CORRECTION PLAT BOOK P2, PAGE 210 OF THE BENTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF SAID LOT 26, THENCE S65°12'27"E 6.40 FEET TO THE POINT OF BEGINNING, THENCE S65°12'27"E 128.16 FEET, THENCE S20°30'00"W 50.22 FEET, THENCE N76°46'59"W 128.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF NE "A" STREET, THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N19°52'21"E 76.04 FEET TO THE POINT OF BEGINNING, CONTAINING 8,043.11 SQUARE FEET OR 0.18 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LOT 30:

PART OF LOT 26, BLOCK 24 DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN CORRECTION PLAT BOOK P2, PAGE 210 OF THE BENTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SW CORNER OF SAID LOT 26, THENCE S87°47'10"E 8.56 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF NE "A" STREET, THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF NE "A" STREET N19°52'21"E 70.80 FEET, THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S76°46'59"E 128.00 FEET, THENCE S20°30'00"W 42.09 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NE 7TH STREET, THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S88°43'11"W 50.29 FEET, THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE N87°47'10"W 83.72 FEET TO THE POINT OF BEGINNING, CONTAINING 7,284.80 SQUARE FEET OR 0.17 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE F.I.A. OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0090J (EFFECTIVE DATE SEPTEMBER 28, 2007) AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER 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, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: JUNE 9, 2017

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE 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, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

0 30 60

SCALE 1" = 30 FEET

CITY OF BENTONVILLE PROJECT #17-05000026

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suite 5
Bentonville, AR 72712
Telephone 479-268-4464

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1370
SIGNATURE
ROBERT J. CASTER

SCALE: 1" = 30'	DATE: 9-21-17

LOT SPLIT OF:
LOT 26, BLOCK 24
DEMINGS 2ND ADDITION
CREATING LOTS 29 & 30

702 NE "A" STREET
BENTONVILLE, BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
17-105LS	ASD	RJC	1 OF 1

3908 SW Staverton Drive
Bentonville AR 72712
Ph: 479-685-3063

DATE: August 28, 2017

TO: Jon Stanley
City of Bentonville, Planning Department

FROM: Teri Malies & Ali Phillips
Boulder Creek Homes

RE: Waiver Request to Decrease R.O.W. dedication for Deming's Subdivision Lot 30

Dear Mr. Stanley:

We would like to submit this letter in conjunction with our application for a revised lot split for Deming's Subdivsion. We are requesting to decrease the amount to right-of-way dedication along NE 7th Street for the following reasons:

1. The lot we split is an odd shape and gets quite narrow at the back. This makes it very difficult to locate a detached two-car garage at the rear of the lot.

2. This block of NE 7th Street only serves 4 existing homes, as well as the two future homes that we will be building, before it dead ends at the Crystal Bridges property. There is no other property that can be developed along this block of NE 7th Street so the traffic on this block will always be minimal. As such, widening the roadway in the future seems unlikely and unnecessary.

3. The current 2 lane road is located along the center line of the right-of-way and does not currently use all of the existing right-of-way along NE 7th. As such, there is already additional un-used right which allows for improvements if necessary. Based on comments from the City, a total of 22 feet from the centerline is needed to allow for future improvements that may be made, including curb, gutter and sidewalk.

We've updated thee proposed lot split to dedicate only the necessary additional R.O.W that is needed to meet the 22' requirement.

We appreciate your consideration,

Sincerely,

Teri Malies

Ali Phillips