



**Planning Commission
Agenda
February 4, 2020**

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

- 1. Lot 17, Block 3, Spinnaker Ridge at Woods Creek, Phase II** **Property Line Adjustment**
7 Edgewater Lane ([LS19-0046](#))
- 2. Lot 16, Block 19 of Deming's 2nd Addition** **Property Line Adjustment**
308 NW 6th Street ([PLA19-0043](#))
- 3. Lot 31, Block 10 of WA Burks Addition** **Property Line Adjustment**
Fillmore Street ([PLA19-0044](#))
- 4. Brownstones on 'B' Street** **Large Scale Development Elevation Change**
313, 315, 317 & 319 Northeast 'B' Street ([LSD15-00035](#))

IV. New Business

- 1. Jampana** **Rezoning***
(R-1, Single Family Residential to R-4, High Density Residential)
3406 SE K Street ([RZ19-0050](#))
- 2. Sample** **Rezoning***
(R-3, Medium Density Residential to DN-4, Downtown Mixed-Use Residential)
527 SE 6th Street ([RZ20-0002](#))
- 3. Oz Village** **Planned Residential Development***
806 NW A Street ([PRD19-0006](#))
- 4. Lot 14, Block 6 of Railroad Addition** **Lot Split**
209 SE B Street ([LS19-0043](#))
- 5. Zoning Code Amendments** **Public Hearing***

Planning Commission
Minutes
January 21, 2020

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

Present: Richard Binns, Dana Davis, Scott Eccleston, Jim Grider, Joe Haynie, Elaine Kerr, and Rod Sanders
Staff: Brian Bahr, Tyler Overstreet, Ali Worley, Dan Weese, Peter Farmer, and Mark Brightwell

Motion to move the Election of Officers to the beginning of the meeting.

Other Business

Item #2: Election of Officers

Motion by Mr. Sanders, seconded by Mr. Grider to nominate Mr. Davis as Chairman

Approved 7-0

Motion by Mr. Binns, seconded by Ms. Kerr to nominate Mr. Sanders as Vice-President

Approved 7-0

Motion by Mr. Sanders, seconded by Mr. Haynie to nominate Mr. Binns as Secretary

Approved 7-0

Meeting continued to be called to order by new Chairman Mr. Davis.

Motion by Mr. Sanders, seconded by Mr. Haynie to approve the minutes of December 17, 2019 as written

Approved 7-0

Consent Agenda (Ms. Kerr recuses herself)

- | | |
|---|--------------------------|
| 1. Osage Southeast Development
SW 18 th Street, LSD19-0066 | Large Scale Development |
| 2. Elm Tree Townhomes
3102 SW 2 nd Street, LSD19-0068 | Large Scale Development |
| 3. Briartown Cottages
1109 NE Fillmore Street, LSD19-0069 | Large Scale Development |
| 4. Lot 14, Block 26, Deming's 2 nd Addition
727 NW A Street, PLA19-0030 | Property Line Adjustment |

Approved 6-0

New Business

Motion by Mr. Sanders to move Item #11 to Item #1.

Approved 7-0

Item #11

The Reserve Bentonville: Planned Residential Development, A-1, Agricultural to PRD, Planned Residential Development, SW Regional Airport Boulevard, PRD19-0003

Ali Worley reads the staff report.

Opened public hearing

Rick Rachel, Greenhouse Road, expresses his concerns on the widening of Greenhouse Road.

Mike Voll, 3601 SW Ryegrass, echoes Rick Rachel's concerns.

Robert Brown discusses his concerns on location and access.

Scott McKenzie discusses his concerns on traffic, ownership, and stormwater drainage.

Leslie Brown discusses her concerns on school traffic and rezoning of the school district.

Rick Vu discusses his concerns on access and cut-through streets.

David, 4306 SW Acres Ave, discusses his concerns on traffic.

Matthew Freeman discusses his concerns on access.

Brenda Boys, 1521 Quail Ridge, discusses her concerns on the widening of Greenhouse Road.

Closed public hearing

There is discussion amongst the Commissioners, staff, and Jason with ESI, project representative on the traffic study and traffic concerns.

Denied 5-2

Item #1

Bella Terra, LLC: Rezoning, C-1, Neighborhood Commercial to C-2, General Commercial, 1109 SW Regional Airport Boulevard, RZ19-0038

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #2

211, 213, 215 NW A, LLC: Rezoning, R-3, Medium Density Residential to DC, Downtown Core, 215 NW A Street, RZ19-0039

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #3

Bella Vista Church of Christ: Rezoning, A-1, Agricultural to C-2, General Commercial, 989 McNelly Road, RZ19-0042

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #4

CJIC Properties, LLC: Rezoning, R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential, Fillmore Street, RZ19-0043

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #5

Tylluan, LLC: Rezoning, R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential, Tiger Boulevard, RZ19-0044

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #6

Jocz Trust: Rezoning, Undesignated to DN-2, Downtown Medium-Density Residential, Tiger Boulevard, RZ19-0045

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #7

Pensco Trust Company, LLC: Rezoning, R-1, Single Family Residential to DE, Downtown Edge, 204 SE 6th Street, RZ19-0046

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #8

Whitley & Witten: Rezoning, R-1, Single Family Residential to DN-4, Downtown Mixed-Use Residential, 309 SE G Street & 805 SE 4th Street, RZ19-0047

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #9

Bertschy Trust: Rezoning, A-1, Agricultural to C-3, Central Commercial, 1908 SE J Street, RZ19-0048

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #10

Bentonville Academy of Music, LLC: Rezoning, RC-2, Central Residential-Moderate Density to DN-4, Downtown Mixed-Use Residential, 523 SE 6th Street, RZ19-0049

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #12

Bella Vista Road Housing: Planned Residential Development, DN-2, Downtown Medium-Density Residential to PRD, Planned Residential Development, Bella Vista Road, PRD19-0004

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is some discussion on emergency access.

Approved 7-0

Item #13

Table at the Station: Conditional Use, Standalone Commercial Use in DN-4, 409 SE 6th Street, CU19-0014

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

The condition of approval was amended to go from valid for one year to valid for 18 months.

Approved 7-0

Item #14

Reece: Waiver, Sidewalk, 705 NW 13th Street, WAV20-0002

Ali Worley reads the staff report.

Motion by Mr. Grider, seconded by Mr. Eccleston to approve the waiver request.

Approved 7-0

Item #15

Reece: Thaden Performance Building, 201 SE 10th Street, LSD19-0065

Ali Worley reads the staff report.

Motion by Mr. Sanders, seconded by Mr. Grider to approve the Waiver Request: Building Materials

Approved 7-0

Motion by Mr. Grider, seconded by Mr. Sanders to approve the Waiver Request: Building Placement

Approved 7-0

Large Scale Development

Approved 7-0

Motion by Mr. Grider, seconded by Mr. Haynie to adjourn.

Meeting adjourned

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



Consent Agenda Items

For Planning Commission meeting of February 4, 2020

Reviewer: Tyler Overstreet, Senior Planner, AICP

- ❖ At the Technical Review meeting held on January 28, 2020 the Planning Commission requested these items be placed on the consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Property Line Adjustment: Lot 17, Block 3, Spinnaker Ridge at Woods Creek, Phase II, Douglas & Bourquin, 7 Edgewater Lane, R-1, Single-Family Residential, LS19-0046

A property line adjustment of Lot 5, Block 3 and the Common Lot of Spinnaker Ridge at Woods Creek Phase II, creating new Lot 17, Block 3 (+/- .38 acres). The plat dedicates 5-foot utility easements along the adjusted western and northern lot lines.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Property Line Adjustment: Lot 16, Block 19, Deming's 2nd Addition, Rusch, 308 NW 6th Street, R-1, Single-Family Residential, PLA19-0043

A property line adjustment of Lots 7, 8, and the west 20-feet of Lot 9, Block 19 of Deming's 2nd Addition to create new Lot 16 (+/- 0.39 acres). The plat dedicates a 15-foot utility easement along NW 6th Street and NW C Street. The plat also dedicates additional right-of-way along NW C Street to meet the requirements of the Master Street Plan.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Property Line Adjustment: Lot 31, Block 10, W.A. Burks Addition, Community Development Corporation of Bentonville/Bella Vista, Fillmore Street, R-1, Single-Family Residential, PLA19-0044

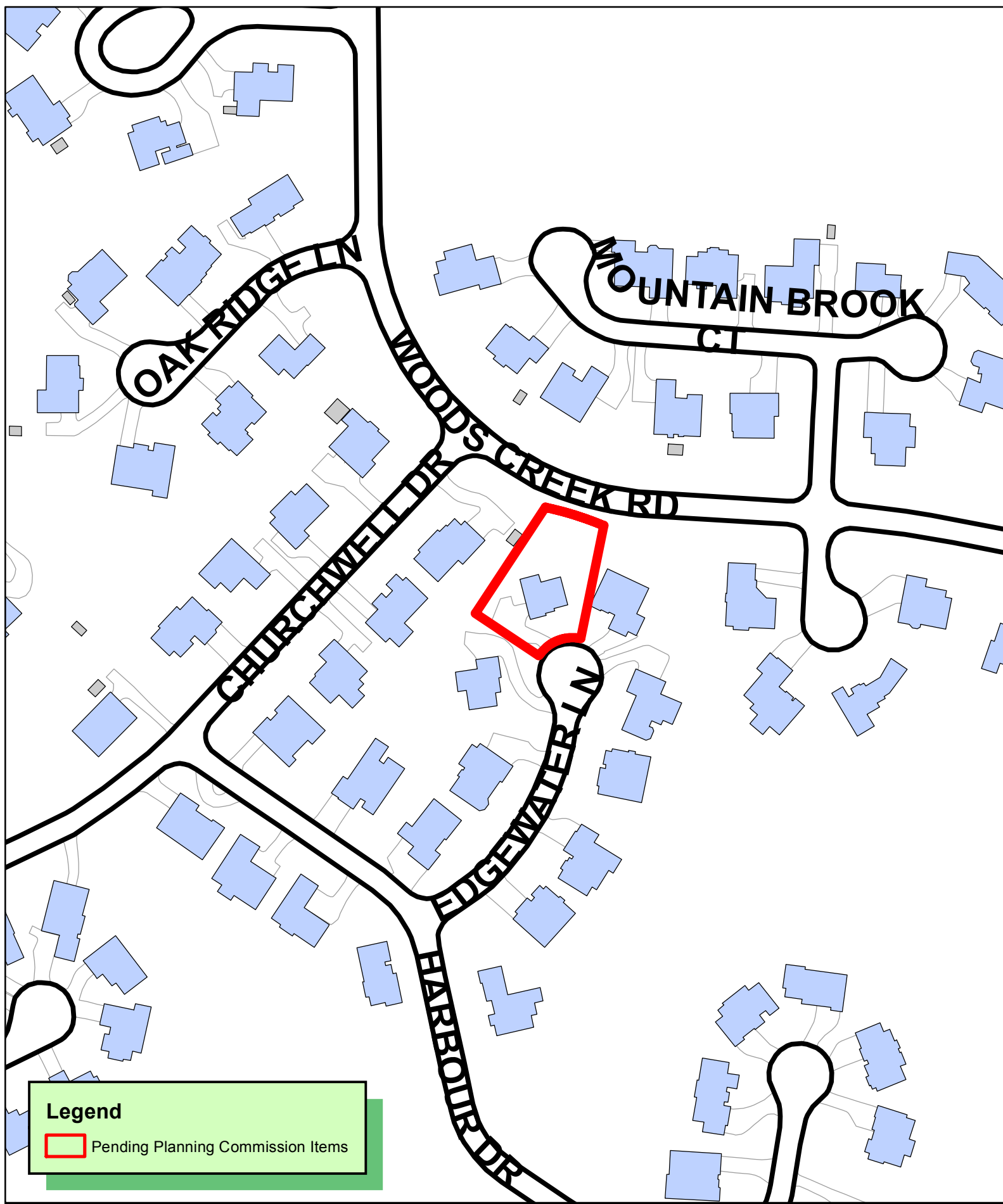
A property line adjustment of Lot 18, Block 10 of WA Burks Addition, creating new Lot 31 (+/- 0.18 acres), Block 10 of WA Burks Addition. The plat dedicates a 15-foot utility easement along Fillmore Street & NE Monroe Street. The plat dedicates additional right-of-way along Fillmore Street to meet the requirements of the Master Street Plan.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Large Scale Development Elevation Change: Brownstones on B Street, Fishback, 313 NE B Street, DE, Downtown Edge, LSD15-00035

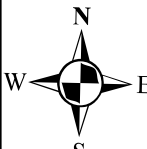
A large scale development proposing four separate buildings with four units per building for a total of 16 three story units. The development provides six on-street and 19 off-street parking spaces for a total of 25 spaces. According to the applicant's architectural elevations, the building shall be constructed of Fiber Cement "Shake" Siding, Stone Veneer, Fiber Cement trim and Aluminum Railings. **The exterior elevations have changed from the previous submittal so the vote will be for the elevation only.**

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)



Legend

 Pending Planning Commission Items


1 inch = 150 feet

LS19-0046
LOT SPLIT-PROPERTY LINE ADJUSTMENT
SPINNAKER RIDGE AT WOODS CREEK PHASE 2
LOT 5 BLOCK 3 CREATING LOT 17 BLOCK 3



LOT 5 BLOCK 3 DESCRIPTION
(PER DEED BOOK 2016, PAGE 29727):

Lot 5, Block 3, Spinnaker Ridge at Woods Creek, Phase II, Bentonville, Benton County, Arkansas, as shown in Plat book 22L at Page 267.

LOT COMMON BLOCK 4 DESCRIPTION
(PER DEED BOOK 2010, PAGE 48256):

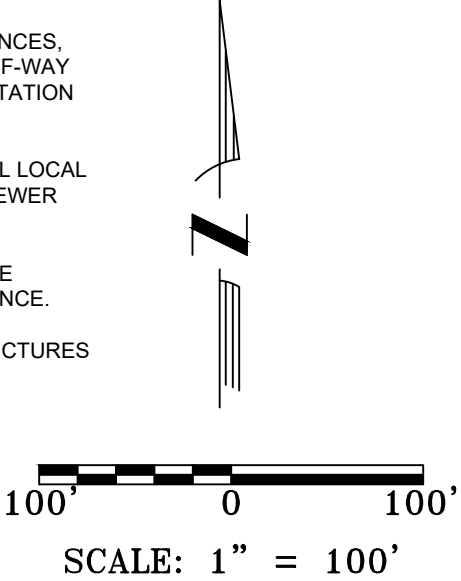
TRACT V: Lot common Block 4 Spinnaker Ridge 2 at Woods Creek Subdivision, City of bentonville 27-20-30, as recorded on Plat 22L-267 on June 11, 1997, and Replat 2006-731 on July 6, 2006, approximately 6.77 acres more or less (Benton County Assessor's Office Parcel No. 01-08126-000).

LOT 17 DESCRIPTION:

ALL OF LOT 5, BLOCK 3, AND A PART THE COMMON AREA, ALL CONTAINED IN SPINNAKER RIDGE AT WOODS CREEK, PHASE 2 TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN IN PLAT RECORD 22L AT PAGE 267 OF THE BENTON COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A SET 5/8" IRON PIN PLS 1845 FOR THE SOUTHWEST CORNER OF SAID LOT 5;
THENCE NORTH 56°24'42" WEST A DISTANCE OF 94.01 FEET TO A SET 5/8" IRON PIN PLS 1845;
THENCE NORTH 41°20'34" EAST A DISTANCE OF 2.80 FEET TO A FOUND 5/8" IRON PIN;
THENCE NORTH 33°19'24" EAST A DISTANCE OF 154.45 FEET TO A SET 5/8" IRON PIN PLS 1845;
THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 400.00 FEET, A CHORD BEARING SOUTH 72°34'31" EAST, AND A CHORD LENGTH OF 75.27 FEET TO A SET 5/8" IRON PIN PLS 1845;
THENCE SOUTH 11°34'17" WEST A DISTANCE OF 142.18 FEET TO A SET 5/8" IRON PIN PLS 1845;
THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, A CHORD BEARING SOUTH 67°34'35" WEST, AND A CHORD LENGTH OF 55.92 FEET TO THE POINT OF BEGINNING CONTAINING 0.38 ACRES, MORE OR LESS, AND BEING SUBJECT ALL EASEMENTS, RIGHT-OF-WAYS, COVENANTS, AND RESTRICTIONS, IF ANY.

CITY NOTES:

- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
- THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.



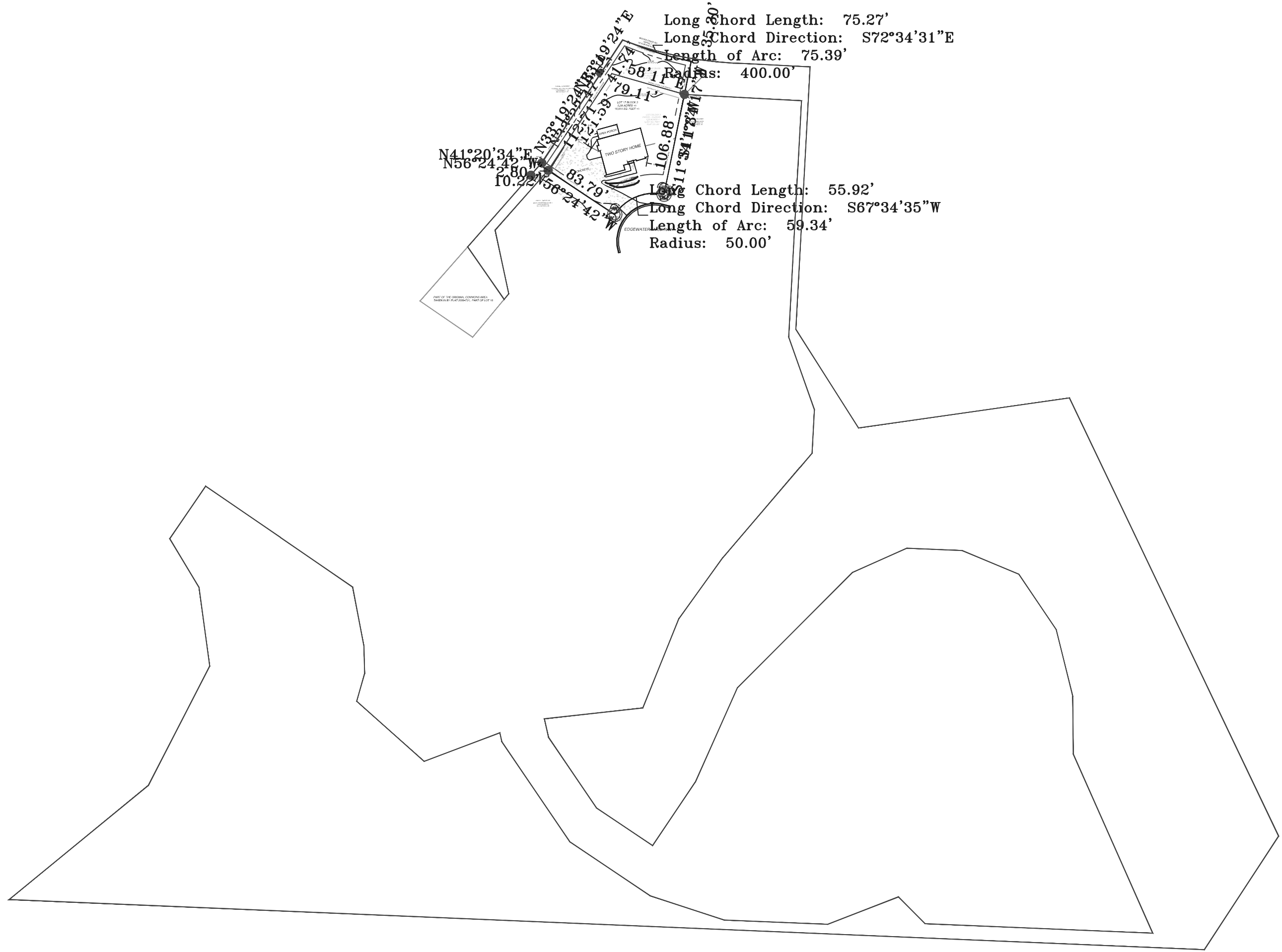
Vicinity Map
N.T.S.

Notes:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate:

Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
- This plat represents a boundary survey of the parcel recorded in Deed Records, Book 2016, Page 29727 at the Office of the Circuit Clerk Benton County, Arkansas.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats."
- No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record which would affect this parcel.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- There is a 20 foot utility and drainage easement (per Plat 22L-267) along all street right-of-ways, and a 5 foot utility and drainage easement along all rear lot lines, and along each side of all of all side lot lines, unless noted otherwise.
- Building setbacks for R-1 are as follows:

Front Garage 30 Feet
Front Building 20 Feet
Side(Interior) 7 Feet
Side(R.O.W) 25 Feet
Rear 25 Feet
- No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- (BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C00095K. Revised date June 5, 2012.



SEE SHEET 1 FOR LOT 17

State Filing Code:
500-20N-30W-0-27-430-04-1845

CITY OF BENTONVILLE PROJECT NUMBER: LS19-0046

Lot Line Adjustment

Creating Lot 17, Block 5 Spinnaker Ridge at Woods Creek, Phase II

JLS

James Layout Services, LLC

P.O. Box 611

Farmington, Arkansas 72730

Telephone: (479) 439-9929

survey@jlsnwa.com

REGISTERED

STATE OF ARKANSAS

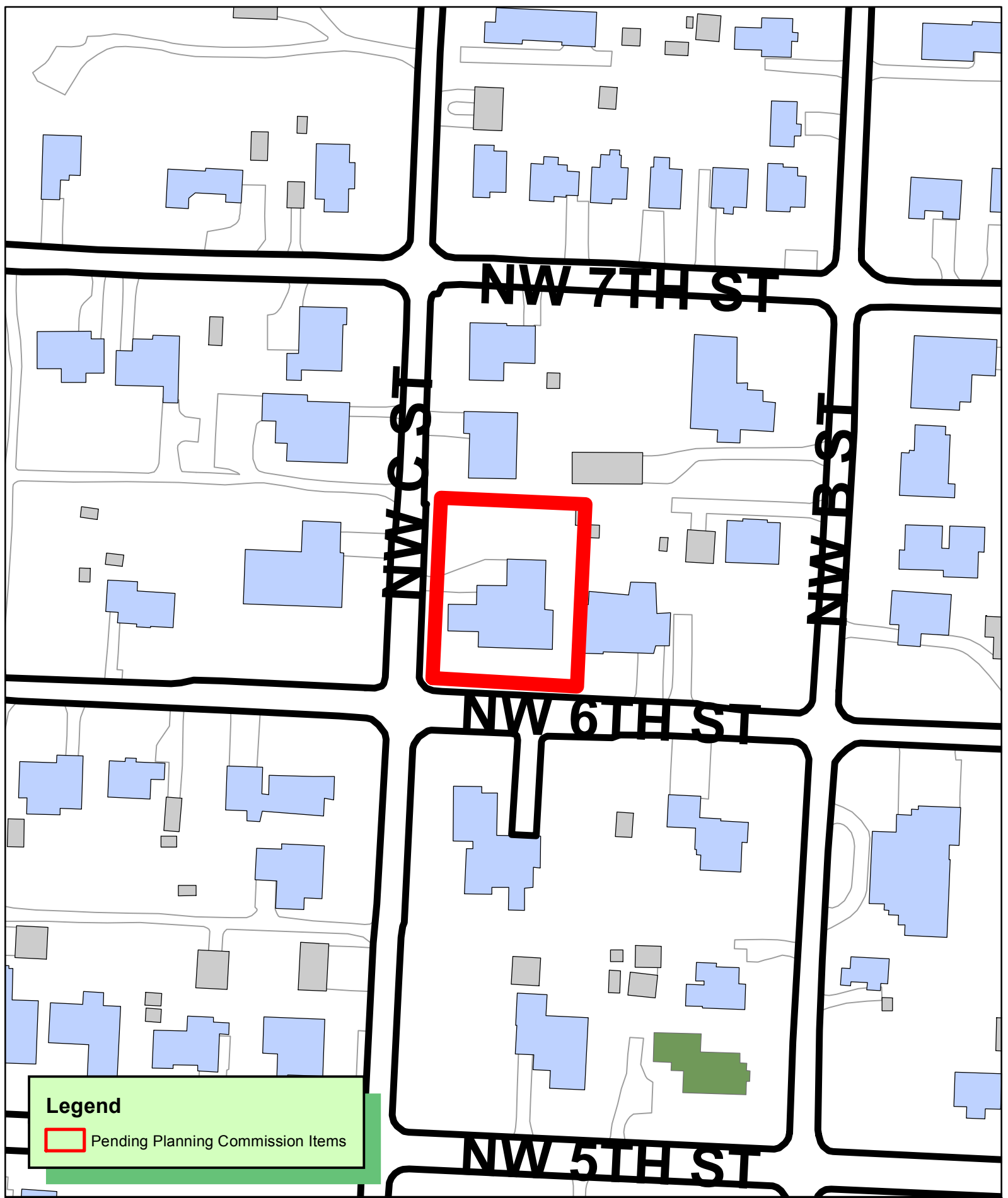
NO. 1845

SIGNATURE

MATTHEW D. JAMES

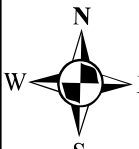
PROFESSIONAL LAND SURVEYOR

LEGEND	
● MONUMENT FOUND (AS NOTED)	RECORD DISTANCE
● SET 5/8" IRON PIN PLS 1845	RECORD BEARING
▲ AHTD R-O-W MONUMENT	① SANITARY SEWER MANHOLE
● BENCHMARK	○ DECIDUOUS TREE
● GUARD POST	⊗ EVERGREEN TREE
🌳 UTILITY POLE	
T TELEPHONE RISER	
F FIBER OPTIC TELEPHONE RISER	
E ELECTRICAL RISER	
TV CABLE RISER	
⦿ TRAFFIC SIGNAL	
SIGN	
WATER METER	
WATER VALVE	
FIRE HYDRANT	
WATER SPIGOT	
GAS METER	
DRAINAGE MANHOLE	



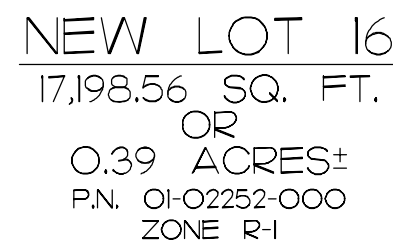
Legend

 Pending Planning Commission Items

 1 inch = 100 feet

PLA19-0043
PROPERTY LINE ADJUSTMENT
DEMINGS ADDITION
NEW LOT 16 BLOCK 19





ANNALEE & JOSHUA
JONES
P.N. 01-02253-000
ZONE R-1

	FOUND REBAR
	SET 1/2" REBAR W/CAP, LS 1370
	FIRE HYDRANT
	WATER METER
	UTILITY POLE
	WOOD FENCE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTER LINE
	EASEMENT LINE



LOTS 7, 8 AND THE WEST 20 FEET OF LOT 9, BLOCK 19 OF
DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT BOOK "B", PAGE 24 OF THE
BENTON COUNTY RECORDS.

LOTS 7, 8, THE WEST 20 FEET OF LOT 9, BLOCK 19, AND A
VACATED ALLEY IN DEMINGS 2ND ADDITION, CITY OF BENTONVILLE,
BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 'B', PAGE
24 OF THE BENTON COUNTY RECORDS, BEING MORE PARTICULARLY
DESCRIBED AS:

BEGINNING AT THE S-W CORNER OF SAID LOT 7, THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF NW 1/4 C. STREET N02°39'21"E 145.00 FEET, THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S87°23'56"E 118.72 FEET, THENCE S02°44'29"W 145.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NW 6TH STREET, THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S87°23'56"W 183.87 FEET TO A POINT OF BEGINNING, CONTAINING 1710.17 SQUARE FEET, OR 0.39 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

I, 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: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
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 R-1 (SINGLE FAMILY RESIDENTIAL) AND IS WITHIN THE CITY LIMITS OF BENTONVILLE, ARKANSAS. THE FRONT, SIDE AND REAR YARD REGULATIONS ARE AS FOLLOWS:

FRONT YARD: 20 FEET
SIDE YARD: 7 FEET (INTERIOR), 20 FEET (EXTERIOR)
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. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
8. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
9. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
10. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.

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.

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

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007COO90J (EFFECTIVE DATE SEPTEMBER 28, 2007) AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

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.

SIGNATURE: _____

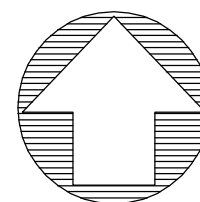
MY COMMISSION EXPIRES: _____

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.

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

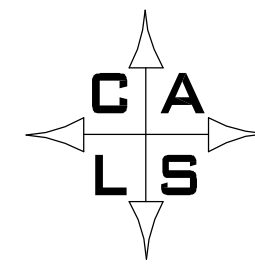
SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE



ATLAS PAGE: NO. 361

2715 SE "I" Street, Suite 5
Bentonville, AR 72712
Telephone 479-268-4464



DATE: 1-2-20

PROPERTY LINE ADJUSTMENT
LOTS 7, 8, & W. 20' LOT 9,
BLOCK 19, DEMINGS 2ND ADD.
CREATING LOT 16

308 NW 6TH STREET
BENTONVILLE, BENTON COUNTY,
ARKANSAS

JOB #
19-273

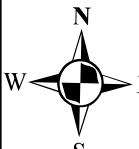
DRAWN BY
ASD

CHK'D BY: RJC	PAGE 1 OF
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Legend

 Pending Planning Commission Items


1 inch = 100 feet

PLA19-0044
PROPERTY LINE ADJUSTMENT
W A BURKS ADDITION
LOT 18 BLOCK 10 NEW LOT 31



Property Line Adjustment LOT 18 BLOCK 10 IN
W A BURKS ADDITION CREATING LOT 31 BLOCK 10
Community Development Corporation
NE Monroe St. & Fillmore St.
Bentonville, Benton County, Arkansas

NOTES:

1. Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.

2. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.

3. This plat represents a Property Line Adjustment of Lot 18, Block 10, of W. A. Burks Addition, according to Plat Book "A", pages 81 and 119, in the public records of Benton County, Arkansas.

4. The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.

5. Basis of Bearings: NAD83, Arkansas State Plane North Zone, based on GPS observations.

6. Basis of Elevation: NAVD88, GEOID12A based on GPS observations.

7. Site Bench Mark: A sanitary sewer manhole, approximately 41 feet East of the Southeast corner of the Subject Tract. Rim elevation= 1248.85'

8. This survey is valid only if the drawing includes the seal and signature of the surveyor.

9. This survey meets current "Arkansas Standards of Practice for Property Boundary Surveys and Plats."

10. This survey is based on a 50 Year Easement Search supplied by Elite Title Company, and dated February 28, 2018. Order #18-35821-007

11. This property is zoned R-1 (Single Family Residential). Building setbacks for zone R-1 are as follows:

Front20 Feet

Side(Interior)7 Feet

Side(R.O.W)20 Feet

Rear25 Feet

12. No attempt was made to show building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.

13. By scaled map location and graphical plotting only. This property is located in Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.

Map Number:05007C0090J

Map Revised:September 28, 2007

14. Subsurface and environmental conditions were not examined nor considered a part of this survey.

15. Underground utilities were located by visible above ground markings as marked by utility locators and shown hereon as located by CEI Engineering Associates, Inc. survey field crews. All utility locations shown hereon are approximate. All utilities may not have been marked/located by the appropriate locators. No excavation has taken place as of this date to determine the exact location of existing underground utilities shown on this survey.

16. Arkansas State Law. The Underground Facilities Damage Act, requires two working days advance notification through the Arkansas One-Call System Center before excavating using mechanized equipment or explosives (except in the case of an emergency). The One-Call System Telephone Number is 1-800-482-8998. The contractor is advised that there is a severe penalty for not making this call. Not all utility companies are members of the Arkansas One-Call Systems. Therefore the contractor is advised to contact all non-members as well as the One-Call System.

17. All structures must maintain minimum of 20' clearances from all electric lines.

18. There may not be fences or any other structures built in any drainage easements.

19. Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.

20. Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.

21. Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.



Vicinity Map

Not to Scale

Latitude: 36°23'05"
Longitude: 94°12'23"



ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

3108 SW REGENCY PKWY
BENTONVILLE, AR 72712 (479) 273-9472
CORPORATE OFFICE TBPLS FIRM: #10194234
3030 LBJ FREEWAY
DALLAS, TX 75234 (972) 488-3737
DALLAS OFFICE TBPLS FIRM: #10031500

Engineering
Associates, Inc.

Arkansas * California * Pennsylvania *

Parent Tract Description:

Lot 18, Block 10, W. A. Burks Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record A at pages 81 and 119.

Legal Description Lot 31:

A tract of land situated in the Northeast Quarter of the Northeast Quarter of Section 30, Township 20N, Range 30W, Benton County, Arkansas, being known as Lot 18, Block 10 of WA Burks Addition per Plat Book A, Page 81 & 119, and being described as follows:

COMMENCING at a found 5/8" Rebar, being the Northeast corner of said Lot 18; THENCE North 86°43'50" West along the South Right-of-Way of NE Monroe St. a distance of 3.63 feet to a set 5/8" rebar capped with PLS #1618 and the POINT OF BEGINNING; THENCE leaving said Right-of-Way and along the West Right-of-Way of Fillmore St., South 03°12'57" West a distance of 50.06 feet to a set 5/8" rebar capped with PLS #1618; THENCE leaving said Right-of-Way and along the South line of aforementioned Lot 18, North 86°42'27" West passing through a found 1/2" rebar at a distance of 146.13 feet for a total distance of 152.13 feet to a set 5/8" rebar capped with PLS #1618; THENCE along the center of a vacated Alley per Instrument #L201951192, North 02°45'19" East a distance of 50.01 feet set 5/8" rebar capped with PLS #1618; THENCE leaving said center line and along the aforementioned South line of NE Monroe St., South 86°43'50" East, passing through a bent 5/8" rebar at a distance of 6.00 feet for a total distance of 152.53 feet to the POINT OF BEGINNING and containing 7,622 square feet or 0.18 acres, more or less.

Certificate of Ownership:

We the undersigned, owners of the real estate shown an 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, esements, etc. as shown on said plat.

Date of Execution: _____
Signed: _____
Name & Address: _____
Print Name: _____
Source of Title: D.R. _____

Page: _____

Subscribed and sworn before me, this _____ day of _____, 2019.

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 said rules and regulations.

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville

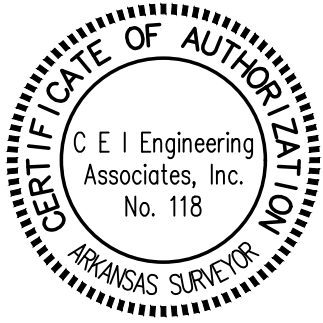
Certificate of Surveying Accuracy

I, Dustin Riley, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Date of Execution: 1.9.2020

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

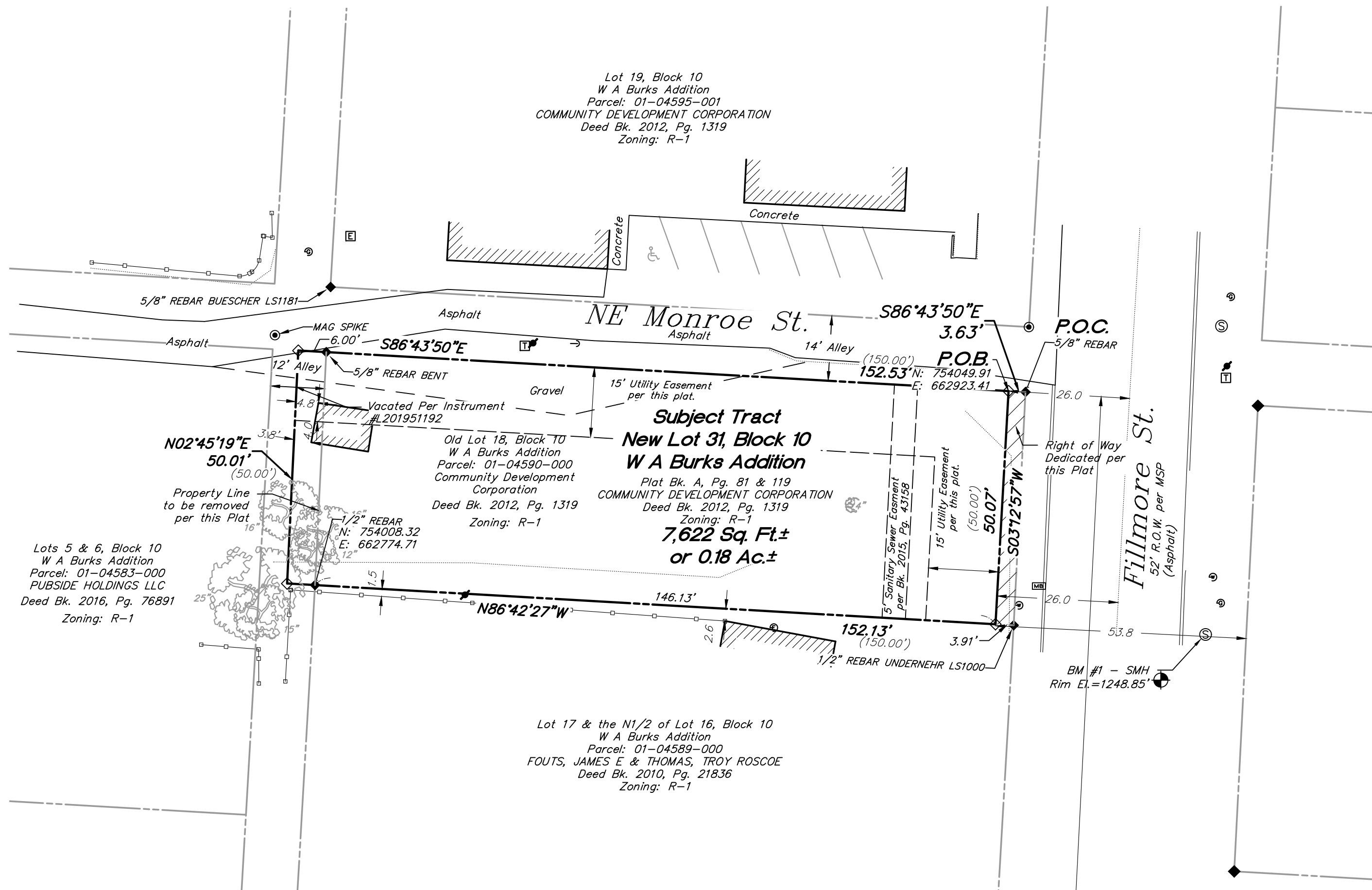
City of Bentonville Project # PLA19-0044



1	1/9/20	1st Submittal Comments
NO.	DATE	DESCRIPTION
		REVISIONS

JOB NO.:30634	DWG NAME:30634PLA
DATE 1/9/20 9:53 AM	SHEET NO. 1 of 2
REV-1	

JOB # 30634 DRAWING: 30634PLA.dwg LAST SAVED BY: JCHRISTIANSEN



LEGEND

	Boundary Line
	Adjoiner Boundary Line
	Easement Line
	Wood Fence Line
	Benchmark
	Set 5/8" Rebar with cap (LS #1618)
	Found Monument (as noted)
	Found Mag Nail (as noted)
	Gas Meter
	Electric Meter
	Water Meter
	Drainage Manhole
	Grate Inlet
	Fire Hydrant
	Sewer Manhole
	Sewer Cleanout
	Guy Wire/Anchor
	Utility Pole
	Electric Riser
	Telephone Riser
	Record Bearing & Distance per Plat A, Page 81 & 119

Convergence -117'02"
Combined Scale Factor: 0.999978024
A Found 5/8" Rebar at the Northeast
Corner of the Subject Tract, Lot 18, Block
10, W A Burks Addition

Northing: 754049.71'
Easting: 662927.03'
Elevation = 1251.70'



City of Bentonville Project # PLA19-0044

State Plat Code: 500-20N-30W-0-30-110-04-1789

NO.	DATE	DESCRIPTION
1	1/7/20	1st Submittal Comments
REVISIONS		
30634	1/7/20	DGR JDC SWG SWG
CEI PROJECT NO.	INITIAL DATE	PLS DRW FLD CHK'R

CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

3108 SW REGENCY PKWY
BENTONVILLE, AR 72712 (479) 273-9472
CORPORATE OFFICE TBPLS FIRM: #10194234

3030 LBJ FREEWAY
DALLAS, TX 75234 (972) 488-3737
DALLAS OFFICE TBPLS FIRM: #10031500

Community Development Corporation
NE Monroe St. and Fillmore St.

City of Bentonville, Benton, Arkansas

Property Line Adjustment

REV DATE
1/9/20
REV-1

SHEET NO.
2 OF 2

C:\Users\buffalo_001\Documents\My 2020 Revit Projects\19027_BENTONVILLE TH_A_R20_russellAEV7s.rvt

EXTERIOR MATERIAL SCHEDULE				
NO.	Material	COLOR/STYLE	MANUFACTURER	COMMENTS
C-1	PREFINISHED PARAPET CAP	CAP COLOR TO MATCH PS-1	TBD	
FC-1	FIBER CEMENT BOARD	PAINT FINISH	TBD	
G-1	GARAGE DOOR	STEEL - PAINT - MATTE BLACK	TBD	
M-1	BREAK METAL	ANODIZED ALUMINUM	TBD	TO MATCH STOREFRONT MULLIONS
MG-1	SMOOTH BAR GRATING	ALUMINUM, POWDER COATED	TBD	
MR-1	MEMBRANE ROOF	GREY	DURO-LAST	
P-1	EXTERIOR ACCENT PAINT FINISH	OZ GREEN	TBD	
P-2	EXTERIOR ACCENT PAINT FINISH 2	OZ PINK	TBD	
P-3	EXTERIOR ACCENT PAINT FINISH 3	OZ ORANGE	TBD	
P-4	EXTERIOR ACCENT PAINT FINISH 4	OZ RED	TBD	
PS-1	PORCELAIN STONE	REFORMATION - RALLY CRY	CROSSVILLE, INC	6" x 36" MATERIAL UNIT SIZE. SEE ELEVATIONS FOR OFFSET AND ORIENTATION.

PRIMARY FACADE MATERIAL



2 FRONT ELEVATION (STREET FACING)
1/4" = 1'-0"



1 REAR ELEVATION
1/4" = 1'-0"

b.u.f
STUDIO

1107 VISTA BELL DR
CAVE SPRINGS, AR 72718
TEL: 479.321.0478

Drawings & Specifications as instruments of service are & shall remain the property of the Architect. They are not to be used on other projects or extensions to this project except by agreement in writing & with appropriate compensation to the Architect.

Contractor is responsible for confirming and correlating dimensions at job site; the Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

CLIENT NAME
BLUE CRANE
700 SE 5TH STREET, SUITE 1
BENTONVILLE, AR 72712

CIVIL
CEI ENGINEERING
3108 SW REGENCY PARKWAY, SUITE 2
BENTONVILLE, AR 72712

MEP CONSULTANT
BUF STUDIO
1107 VISTA BELL DR CAVE SPRINGS, AR 72718

STRUCTURAL CONSULTANT
MILLER ENGINEERING, P.C.
3827 S. TIMBERCREEK AVE SUITE A
SPRINGFIELD MO, 65807

BENTONVILLE
BROWNSTONES
72712
313 NE B STREET, BENTONVILLE, AR
CONSTRUCTION DOCUMENTS

01/15/16

Architect Name -
Architect Number -

THE SEAL & SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED & WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

REVISIONS	
NO.	DESCRIPTION

Drawing Size: 24 x 36	Project #: 190027
Drawn By: KB	Checked By: RF

Title:
EXTERIOR ELEVATIONS

Sheet Number:
A4.00

Date: 01/15/16

C:\Users\buffalo_001\Documents\My 2020 Revit Projects\19027_BENTONVILLE TH_A_R20_russellAEV7s.rvt

EXTERIOR MATERIAL SCHEDULE				
NO.	Material	COLOR/STYLE	MANUFACTURER	COMMENTS
C-1	PREFINISHED PARAPET CAP	CAP COLOR TO MATCH PS-1	TBD	
FC-1	FIBER CEMENT BOARD	PAINT FINISH	TBD	
G-1	GARAGE DOOR	STEEL - PAINT - MATTE BLACK	TBD	
M-1	BREAK METAL	ANODIZED ALUMINUM	TBD	TO MATCH STOREFRONT MULLIONS
MG-1	SMOOTH BAR GRATING	ALUMINUM, POWDER COATED	TBD	
MR-1	MEMBRANE ROOF	GREY	DURO-LAST	
P-1	EXTERIOR ACCENT PAINT FINISH	OZ GREEN	TBD	
P-2	EXTERIOR ACCENT PAINT FINISH 2	OZ PINK	TBD	
P-3	EXTERIOR ACCENT PAINT FINISH 3	OZ ORANGE	TBD	
P-4	EXTERIOR ACCENT PAINT FINISH 4	OZ RED	TBD	
PS-1	PORCELAIN STONE	REFORMATION - RALLY CRY	CROSSVILLE, INC	6" x 36" MATERIAL UNIT SIZE. SEE ELEVATIONS FOR OFFSET AND ORIENTATION.

PRIMARY FACADE MATERIAL



COMMERCIAL GRADE GUTTER AND DOWNSPOUT. STRAP DOWNSPOUT AT TOP AND BOTTOM. PREFINISHED TO MATCH PORCELAIN STONE

METAL BALCONY AND RAILING. FABRICATED AND PAINTED TO MATCH SPECIFIED ACCENT COLOR

EXTERIOR WALL SCONCE

2 SIDE ELEVATION
1/4" = 1'-0"

FACADE MATERIAL CALCULATION:
98 % PORCELAIN STONE
2 % METAL GRATE

20 GA. METAL PARAPET CAP; PREFINISHED TO MATCH PORCELAIN STONE

FIXED WINDOW. REF WINDOW SCHEDULE

SLIDING GLASS DOOR. WOOD FRAME EXTERIOR METAL WRAP
METAL JULIET BALCONY

ALUMINUM BAR GRATE. POWDER COATED ACCENT COLOR

1 SIDE ELEVATION
1/4" = 1'-0"

FACADE MATERIAL CALCULATION:
91 % PORCELAIN STONE
9 % NON MASONRY

NOT FOR
CONSTRUCTION

01/15/16

Architect Name -
Architect Number -
THE SEAL & SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED & WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

REVISIONS	
NO.	DESCRIPTION

Drawing Size: 24 x 36
Project #: 190027

Drawn By: Author
Checked By: Checker

Title:
EXTERIOR ELEVATIONS

Sheet Number:

A4.01

Date: 01/15/16

REZONING STAFF REPORT



Jampana

3406 SE K Street

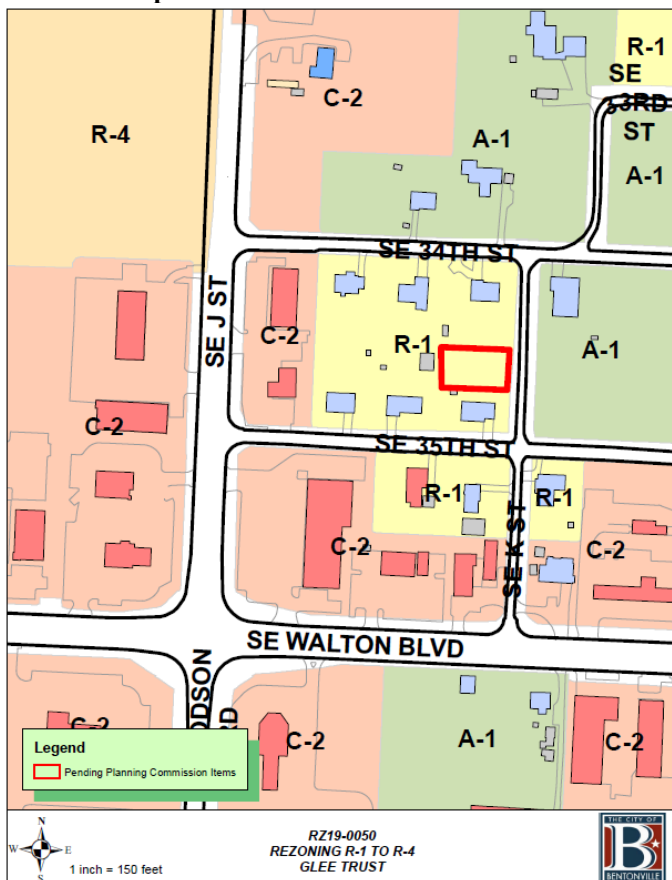
PC Date: 2/4/2020

Reviewer: Ali Worley, Planning Technician

Project Number	RZ19-0050
Applicant / Current Owner	Muni Jampana 1500 SW Liberty Avenue Bentonville, Arkansas 72713
Site Area	+/- 0.21 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	R-4, High Density Residential
Future Land Use Map Designation	High Density Residential (HDR)

<https://arcg.is/08HvK8>

Location Map



Property Description

This property is located at 3406 SE K Street. Adjacent zonings are R-1, Single Family Residential, to the north, south, and west, and A-1, Agricultural, to the east.

Relationship to the General Plan

The Future Land Use Map depicts this property as High Density Residential. These areas include apartments, condominium buildings, senior housing, and other special types of group living.

Public Comment

Staff has received public comment regarding this request.

Conclusion

According to the applicant's narrative, the intention is to build a duplex on this site. Although the proposed zoning district is compatible with the Future Land Use Plan, it does not align with the zoning of surrounding properties nor current development trends within the area. As this is an area in transition, Planning Commission should consider a less intensive zoning district as a transitional measure.

Re-zoning NARRATIVE

Date: 12/31/19

Hello,

I am **Muni Jampana** who is the current owner of the parcel # **01-04479-004**. I would like to request the **Bentonville City Planning Department** to rezone this particular property to Duplex ~~zoning~~ zoning. Current zoning on this parcel is R1.

MS. *R4*
Currently with the growing city needs, the city's **Future master plan** is to plan this area to be high density residential area. To start in that direction, re-zoning this land will be a good start. My plan is to build a very good duplex.

Usage: Duplex

Traffic: Low

Appearance: 2 story with single car garages

Utilities are available at the street. Sewer line has to be brought to this property via 34th Street.



Thank you,

Muni Jampana

munishekarraja@gmail.com

8163830764

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:

The Senior Center is at this corner.

It will lower the cost to sell homes in this area.

Will add traffic to this area, when the warehouse change shift.

car now turn down this street to miss the stop sign.

Signature and Physical Address

Signature and Physical Address

7406 SE K St.

Scanned with CamScanner

Received From

Residence @ 1105 SE 35th

MUNI JAMPANA

has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1

to

R4

The legal description of the property is as follows: Parcel # 01-04479-004

Lot 10, Twin city heights second revision, as shown on plat record 2014 at page 554, and being a part of Lot 1, Block 3, twin city heights second revision, a part of the SW 1/4 of the NE 1/4 of Section 8, Township 19 North, Range 30 West, Bentonville, Arkansas as shown on plat record H-134 in then REPLAT 11/03/2014 2014-554 Benton County

The common description of the property is: 3406 SE Kst; Bentonville AR-72712

Proposed land use: DUPLEX

The public hearing will be held FEB. 4th 2020 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:

WE DO NOT WANT APARTMENTS IN THE
NEIGHBORHOOD

3561 SE Kst Bentonville AR

Signature and Physical Address

Signature and Physical Address

**Written Objections
to the Rezoning Project RZ 19 – 0050
Application re Parcel #01-04479-004
3406 S.E. K Street, Bentonville, AR 72712
Filed by Applicant Muni Jampana**

Hearing: Scheduled February 4, 2020

Objections Submitted on: January 31, 2020 by:

Michael Downs and Stephanie Chin, 1110 S.E. 34th St., Bentonville, AR 72712

James Clark and Denise Clark, 1108 S.E. 34th St., Bentonville, AR 72712

Jean Brooks, 1105 S.E. 35th St., Bentonville, AR 72712

Nathan Bowen, 1109 SE 34th St., Bentonville, AR 72712

Robin Ramsey, 3501 SE K St., Bentonville, AR 72712

Jerry Casey, 1117 SE 33rd St., Bentonville, AR 72712

I. INTRODUCTION

The Neighbors of Twin City Heights have a common interest in the growth and development of our neighborhood consistent with the City of Bentonville's amended 2018 Master Plan. All the neighbors would like to see the neighborhood continue to improve, evolve and increase in economic value while at the same time preserving the character, safety and other common concerns of the neighborhood. Applicant Muni Jampana seeks to rezone property that he recently purchased on December 23, 2019 from R-1 to R-4, but failed to provide any specific description on what he is planning to build in association with this Rezoning Application, as specifically required under Sec. 301.08(b) of the Zoning Code, and demonstrate **why the proposed use will not conflict with the existing land uses.**

Jampana has not had any discussions with his adjacent neighbors and those within the 200 feet vicinity of his property regarding his plans for the property. The Neighbors simply seek to understand his plans for the use of the property, and to ensure that any development, construction or future intended use of the property does not impede their safety or quiet enjoyment of their respective properties, that adequate light, air and space are maintained, and that the general character of the neighborhood is maintained or positively improved. We would welcome Mr. Jampana to sit down with the Neighbors and share the specific details of his plans.

II. BACKGROUND

On or about Dec. 30, 2019 Jampana submitted a Notice of Intent to Rezone Parcel #01-04479-004, common property description 3406 S.E. K Street, Bentonville, AR 72712, Rezoning Project RZ 19 -0050. Jampana's application seeks a rezoning from R-1 single family residential to **R-4 high density residential**. Jampana purchased the land on Dec. 23, 2019 which is 0.21 acres and 9108 square feet.

In the Rezoning Narrative (dated 12/31/19 but filed Jan. 6, 2020) he states that he intends to rezone the property to R-4 duplex based upon “the city’s Future master plan is to plan this area to be high density residential area. To start in that direction, re-zoning this land will be a good start.” Moreover, Jampana’s description of the proposed building merely states, “My plan is to build a very good duplex.” He described the Appearance of the property as: “2 story with single car garages.” There were no other filings, documents, descriptions, renderings, drawings or architectural plans that provided specificity with respect to the subject property in any detail whatsoever.

IV. INTERESTED PARTIES

For example, Michael Downs and Stephanie Chin own the property at 1110 S.E. 34th Street which is immediately north and adjacent to Applicant’s parcel and which is 0.48 acres. James Clark and Denise Clark own the property adjacent to the northwest corner of Applicant’s parcel, 1108 S.E. 34th Street, and which is 0.48 acres. Jean Brooks’ property at 1105 S.E. 35th Street is located west of applicant’s parcel and her property is 0.44 acres. All these are single story residential homes located by Applicant’s property, and all are more than twice the size of Jampana’s parcel. Currently every home in the neighborhood, including those on the same block, those across the street, and those within a two hundred feet radius, are all R-1 single story family homes.

In contrast to the current neighborhood aesthetic, Jampana proposes to build a two story duplex, and without any additional information regarding design, location of setbacks, yard space, impact on the neighboring properties, or any other information.

V. APPLICANT HAS FAILED TO DEMONSTRATE WHY THE PROPOSED CHANGES WILL NOT CONFLICT WITH THE SURROUNDING LAND USES

Bentonville Zoning Code Sec. 301.08(b)(1) requires that the rezoning petition:

shall provide the legal description of the property involved, the zoning classification requested for the property, and a statement and diagram explaining why the proposed changes will not conflict with the surrounding land uses.

Jampana has failed to meet the basic requirements of this Section. Merely stating that his “plan is to **build a very good duplex**” is insufficient to satisfy the requirements of the Zoning Code. He must provide details as required in his statement as well as a diagram or other descriptive drawings, plans or renderings that demonstrate why the proposed zoning change will not conflict with current land uses or negatively impact the Neighbors.

VI. R-4 ZONING IS DISALLOWED WHEN THE PROPERTY DOES NOT ACT AS A BUFFER ZONE TO COMMERCIAL OR SHOPPING CENTER DEVELOPMENTS

Under Sec. 401(a)(6), R-4 Districts allow for high-density residential development that serve as a “buffer zone” and “Such a district may be developed adjacent to, or in conjunction with neighborhood commercial or shopping center development.” The definition of a “buffer zone”, under Art. 201

describes any zone that **separates two unlike zones** such as a **multi-family zone between a single-family zone and a commercial zone.**"

Jampana's property does not serve as a buffer zone between the single family homes and any commercial space or shopping center development. Every property adjacent to, across from, or within 200 feet is a single family home, but there are presently no commercial properties that Jampana's property can help serve as a buffer zone.

The R-4 designation should be disallowed because it is impossible for Jampana's property to physically serve as a buffer zone between all the single family homes and any commercial properties, since there are none.

VII. THE APPLICATION IS INCONSISTENT WITH THE 2018 BENTONVILLE COMMUNITY PLAN

The Bentonville Community Plan, adopted on Oct. 23, 2018, is intended to cover land use planning and development over the next 10 to 20 years (Plan at p. 3). The Plan (at p. 38) specifically recognizes that the neighborhood is in an "Area of Stability" and which is "likely to remain as they are in terms of use and character..... Stable Areas where existing land use, built character, and land use context suggest that they will generally remain the same over the horizon of this plan."

Moreover, "High Density Residential" is defined by the Plan (at p. 40) to include "apartments, condominium buildings, senior housing, and special types of group living." Duplexes are generally considered medium-density residential. Therefore, Jampana's intent to build a duplex is inconsistent with rezoning to R-4 "high density".

VIII. CONCLUSION

In conclusion and for the reasons stated, the Neighbors hereby respectfully request the Planning Commission to reject Applicant's proposed rezoning from R-1 to R-4.

Respectfully Submitted,

By:

Michael Downs and Stephanie Chin

James Clark and Denise Clark

Jean Brooks

Nathan Bowens

Jerry Casey

Robin Ramsey

via Email on January 31, 2020

NOTICE OF INTENT TO REZONE

MUNI JAMPANA

has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1

to

R4

The legal description of the property is as follows: Parcel # 01-04479-004

Lot 10, Twin city heights second revision, as shown on plat record 2014 at page 554, and being a part of Lot 1, Block 3, twin city heights second revision, a part of the SW 1/4 of the NE 1/4 of Section 8, Township 19 North, Range 30 West, Bentonville, Arkansas as shown on plat record H-134 in then REPLAT 11/03/2014 2014-554 Benton County

The common description of the property is: 3406 SE Kst; Bentonville AR-72712

Proposed land use: DUPLEX

The public hearing will be held FEB. 4th 2020 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:

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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:

This section of the neighborhood is R-1 Single Family Residential. R-4 or R-2 either one is not compatible with existing structures of this neighborhood.

James A Clark
Signature and Physical Address

1108 SE 34th St

Dense Clark
Signature and Physical Address

1108 SE 34th St

NOTICE OF INTENT TO REZONE

MUNI JAMPANA

has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1

to

R4

The legal description of the property is as follows: Parcel # 01-04479-004

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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:

NOT COMPATABLE WITH THE NEIGHBORHOOD

1117 4th 33rd ST

Gerry Casey
Signature and Physical Address

Signature and Physical Address

NOTICE OF INTENT TO REZONE

MUNI JAMPANA

has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1

to

R4

The legal description of the property is as follows: Parcel # 01-04479-004

Lot 10, Twin city heights second revision, as shown on plat record 2014 at page 554, and being a part of Lot 1, Block 3, twin city heights second revision, a part of the SW 1/4 of the NE 1/4 of Section 8, Township 19 North, Range 30 West, Bentonville, Arkansas as shown on plat record H-134 in then REPLAT 11/03/2014 2014-554 Benton County

The common description of the property is: 3406 SE Kst; Bentonville AR-72712

Proposed land use: DUPLEX

The public hearing will be held FEB. 4th 2020 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:

Applicant failed to provide a statement or diagram explaining why the proposed zoning change will not conflict with current land uses, as required by Zoning Code Sec. 301.02(C)(2)(1).

Stephanie Chen
Signature and Physical Address

Stephanie Chin
1110 S.E. 34th St.
Bentonville, AR 72712

Michael Downs
Signature and Physical Address

Michael Downs
1110 SE 34th St.
Bentonville, AR 72712

NOTICE OF INTENT TO REZONE

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R-1

to

R4

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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:

Do not want apartments to mix in single Family homes.

Nathan J. Bauer
Signature and Physical Address

1109 S.E. 34th Street
Bentonville, Ar 72712

Signature and Physical Address

REZONING STAFF REPORT



Sample

527 SE 6th Street

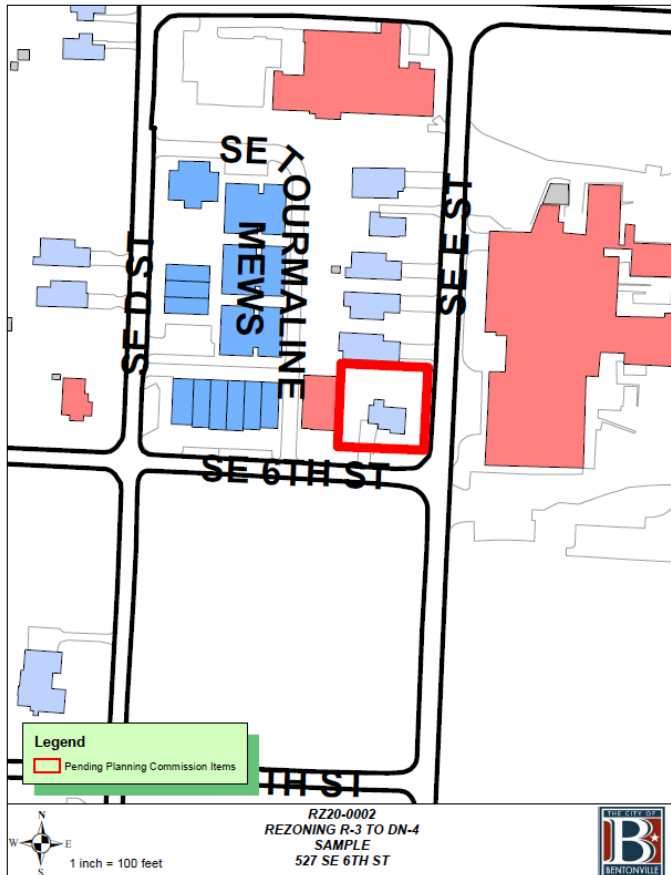
PC Date: 2/4/2020

Reviewer: Ali Worley, Planning Technician

Project Number	RZ20-0002
Applicant / Current Owner	Rodney & Mary Sample 11701 Alconbury Court Bentonville, Arkansas 72712
Site Area	+/- 0.21 acres
Current Zoning	R-3, Medium Density Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Future Land Use Map Designation	Downtown Commercial (DT)

<https://arcg.is/08HvK8>

Location Map



Property Description

This property is located at the northwestern corner of SE E Street and SE 6th Street. Adjacent zonings are R-3, Medium Density Residential to the north and south, DN-4, Downtown Mixed-Use Residential to the west, and C-2, General Commercial to the east.

Relationship to the General Plan

The Future Land Use Map depicts this property as Downtown Commercial. These areas include traditional mixed-use developments with a focus on design character and pedestrian access. Ground-floor uses should include restaurants, retail, and services, while upper-floor uses could include residential units or offices.

Public Comment

Staff has NOT received public comment regarding this request.

Analysis & Recommendation

According to the applicant's narrative, their intent is to allow the buildings to serve as a mixed-use development, with services on the ground floor and residential uses above. Staff recommends approval of the rezoning due to the site's compatibility with the Future Land Use Plan and surrounding uses.

Narrative for corner property at SE E and SE 6th Street

Owners: Rodney & Mary K. Sample

Subject Property: 527 SE 6th Street, Bentonville, AR 72712 (previous address 511 SE 6th Street)

Parcel #01-03592-000

The applicant seeks to work with the city to continue to add to the growth and economic development of the downtown area. The subject property is currently zoned R-3 is seeking a zoning change to DN-4.

The property is located on the corner of SE E Street and SE 6th Street with the Momentary directly across the street to the east and Austin-Baggett park across the street to the south. 6th and E Street are both corridors to The Momentary. We expect to see a lot of growth in this area.

With the recent rezoning across from Austin-Baggett Park and the opening of The Momentary, we feel this rezoning is most compatible with the future land use of the City of Bentonville.

Plans of the space include, but are not limited to, operating a small financial business office out of current structure. Future development includes a multilevel building complimenting the other structures around the park. Main level business open to the public i.e. coffee house, boutique shop, etc. Upper levels serving as offices, with a few residential spaces. Our goal is to add to the walkability



of the neighborhood and the residents who live here. We will request signage in the future in accordance with existing or future sign ordinances.

Traffic counts and parking will not be adversely affected, or vary from the current use. Water and sewer exist and we will reuse sewer. 8" water lines to the south on 6th Street.

REZONING STAFF REPORT



OZ Village

806 NW A Street

PC Date: 2/4/2020

Reviewer: Jon Stanley, Senior Planner

Project Number	PRD19-0006
Applicant / Current Owner	Applicant: Yellow Brick Road, LLC Harry D Marley, Jr. 15602 Putnam Rogers, AR 72756 Owner: Roth Family Inc. 6077 SW Regional Airport Blvd. Bentonville, AR 72713
Site Area	1.36 acres
Current Zoning	DN-2, Downtown Medium-Density Residential
Requested Zoning	PRD, Planned Residential Development
Future Land Use Map Designation	Medium Density Residential (MDR)

<https://arcg.is/08HvK8>

Location Map



Property Description

A planned residential development to develop 11 individual single-family homes on 1.36 acres with a maximum density of eight units/acre. The proposed development incorporates common areas to be utilize by its residence. These spaces include community-seating areas, an outdoor fire-pit and pergola. In addition to the common greenspace, each unit will have a private side yard and outdoor patio space. Each unit has a two-car garage to accommodate parking for the residence. The PRD will be compatible with surrounding homes in regards to scale, lot coverage and setbacks.

Adjacent zonings are R-1 Single Family Residential to the west, east and south, DN-2, Downtown Medium Density Residential and R-3, Medium Density Residential to the north.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Medium Density Residential. These areas typically include a mix of housing types, including single-family, two-family, and townhouse units with a typical density of 8-12 units per acre. The proposed density and character of this planned residential development is compatible with the Future Land Use Plan.

Public Comment

Staff has received public comment. See attached.

Conclusion

Because the proposed planned residential development is compatible with surrounding single-family uses in the neighborhood and the Future Land Use Plan, staff recommends approval.

1. Planned Residential Development (PRD) Design Statement

Oz village is a 1.36 acre proposed residential infill development site located at 806 NW A St. on parcel #01-00451-000. The parcel is located on NW A Street mid-block between NW 9th Street to the north and NW 7th Street to the south. The site is bound by newly constructed small lot single-family homes on the north, N. Main Street on the east, NW A Street Park on the south, and NW A Street on the west.

Oz Village is envisioned to be a contextually-sensitive pocket home community with eleven (11) single family homes that share a central common green. The green space opens up to NW A Street on the west and N. Main Street on the east. The central community green is designed with gateway markers at both ends of the development that serve as a welcome into the community and provide sidewalks, large trees, and attractive landscaping that leads to the front doors of each unit. In order to promote community gathering and neighborly interactions, each unit within Oz Village has been designed with large front porches that face the central community green. Designed within the central community green are seating areas, an outdoor fire-pit, and a pergola that provides residents a space for everyday relaxation as well as special events. Additional green space includes private side yards and a private outdoor patio space for each unit within the development. Oz Village is intended to be platted as one lot with units for individual sale as a Horizontal Property Regime (HPR).

2. Comprehensive Plan Conformance

Oz village is located in Priority Area 1: Downtown Intensification of the City of Bentonville’s Comprehensive Plan and is designated as downtown medium-density residential development future land use. Medium-density residential areas include townhomes, duplex units, and/or clustered single-family housing on properties with a typical density of 8-12 units per acre. This area of downtown is identified as an area of neighborhood transformation and acknowledges that in order to support affordability, aging in place, downtown intensification, and increased walkability, that new development within the downtown medium-density residential areas should anticipate that some large single-family properties will be subdivided into smaller single-family properties thus increasing the density of the neighborhood while maintaining neighborhood compatibility and integrity.

Oz Village supports and promotes these Comprehensive Plan policies by increasing downtown density in an attractive and compatible way. The units are intended to be sold at an affordable price point in comparison to other properties in the area, thus increase downtown affordability. Units will be single-family detached homes cluster around central community open space which provides adds to the variety of housing types within the downtown area..

3. Description of Land Uses

Oz Village consists of 1.36 acres with eleven (11) single family homes. The community is designed with two rear, one-way private driveways located along the north and south perimeter of the site. The private driveways allows for fire truck access and will be signed with no parking to ensure drive isles remain unobstructed. The rear private driveways also provide vehicular access to rear facing garages that are provided with each unit. Each garage will accommodate parking for two cars and will have an additional eighteen (18) foot minimum depth drive apron outside the garage with two additional parking spaces.

4. Description of Compliance with PRD Criteria

The PRD shall not modify the following zoning and development standards:

- 1. Sign Requirements
- 2. Grading and drainage
- 3. Access management
- 4. Outdoor lighting
- 5. Landscaping & Screening: EXCEPT Approved Waiver 19-0007 to reduce perimeter landscaping strip to a width of six (6) feet.
- 6. Residential lighting standards
- 7. Flood damage protection

5. Development Standards

Total Acreage	1.36 acres
Density	11 individual single-family homes (8 units/acre max.)
PRD - Zone DN-2: 1.36 acres	
Building Height Max.	36'-0" (per existing zoning) 30'-0" to eaves of the structure
Overall Site Setbacks	
NW A Street	10'-0" minimum from property line
NW Main Street	15'-0" minimum from property line
North Side	20'-0" minimum from property line
South Side	20'-0" minimum from property line
Side Interior	10'-0" minimum
*Garages rear facing	18'-0" minimum parking apron between drive and garage
	NOTE: Where easements exits, the setback shall be the easement if the easement line is greater than the listed setback.
Parking	
*Fire lane & no parking signage to be placed along rear private drives.	Garage: 22 (one two-car garage/unit) Out of Garage: 22 Guest Surface: 4 Total: 48
Open Space	
	Total Open Space .63 acres Common: .29 acres / 46% Private: .17 acres/ 27% Easement/Perimeter Landscape: .17 acres/ 27%
Lot Coverage	.74 acre / 54.4 %
Phasing	Phase I to include up to 3 dwelling units, all utility infrastructure, paving, stormwater, and grading. Future phases by individual permit as needed.

OZ VILLAGE

PRD 19-0006 SUBMITTAL

City of Bentonville, AR

December 30, 2019

Updated: January 21, 2020

Prepared By:

Planning Design Group

Project Team:

Developer:

Yellow Brick Road, LLC.

Harry D. Marley, Jr.

15602 Putnam

Rogers, AR 72756

dmarley77@gmail.com

Master Planning:

Planning Design Group, Inc.

Katy O’Meilia, PLA, LEED AP

5314 S. Yale Ave., Suite 510

Tulsa, OK 74135

Phone: 918.628.1255

komeilia@pdgtulsa.com

Civil Engineer:

CEI Engineering Associates, Inc.

Nate Bachelor, P.E.

3108 SW Regency Parkway,

Suite 2

Bentonville, AR 72712

Phone: 479.273.9472

nbachelor@ceieng.com

Architect:

Jason West, AIA



1

TOTAL SITE 1.36 ACRES
SINGLE-FAMILY (MAX. 11
UNITS @ 8 UNITS/ACRE)

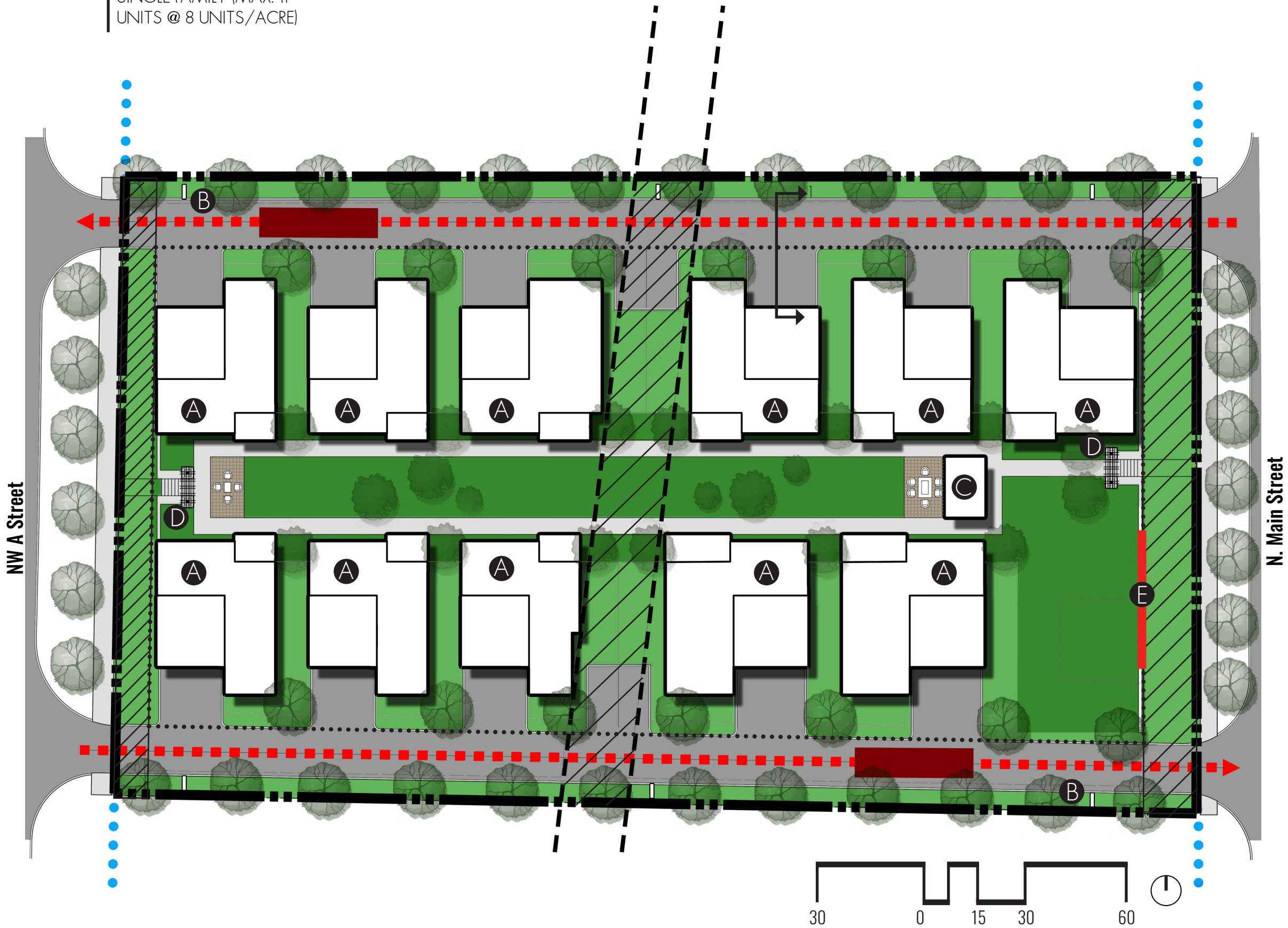
0Z VILLAGE

PRD 19-0006 SUBMITTAL
City of Bentonville, AR
December 30, 2019
Updated: January 21, 2020

MASTER SITE PLAN

Legend:

- Property line
- Setback
- Existing Right-of-way
- Driveway section
- Utility easement
- One-way private drive/ fire lane
- Fire truck
- A Single family residence
- B Fire lane /no parking sign
- C Pavilion with seating area & fire-pit
- D Community gateway
- E Signage Affixed to Retaining Wall
- Common open space
- Private open space/ landscape areas



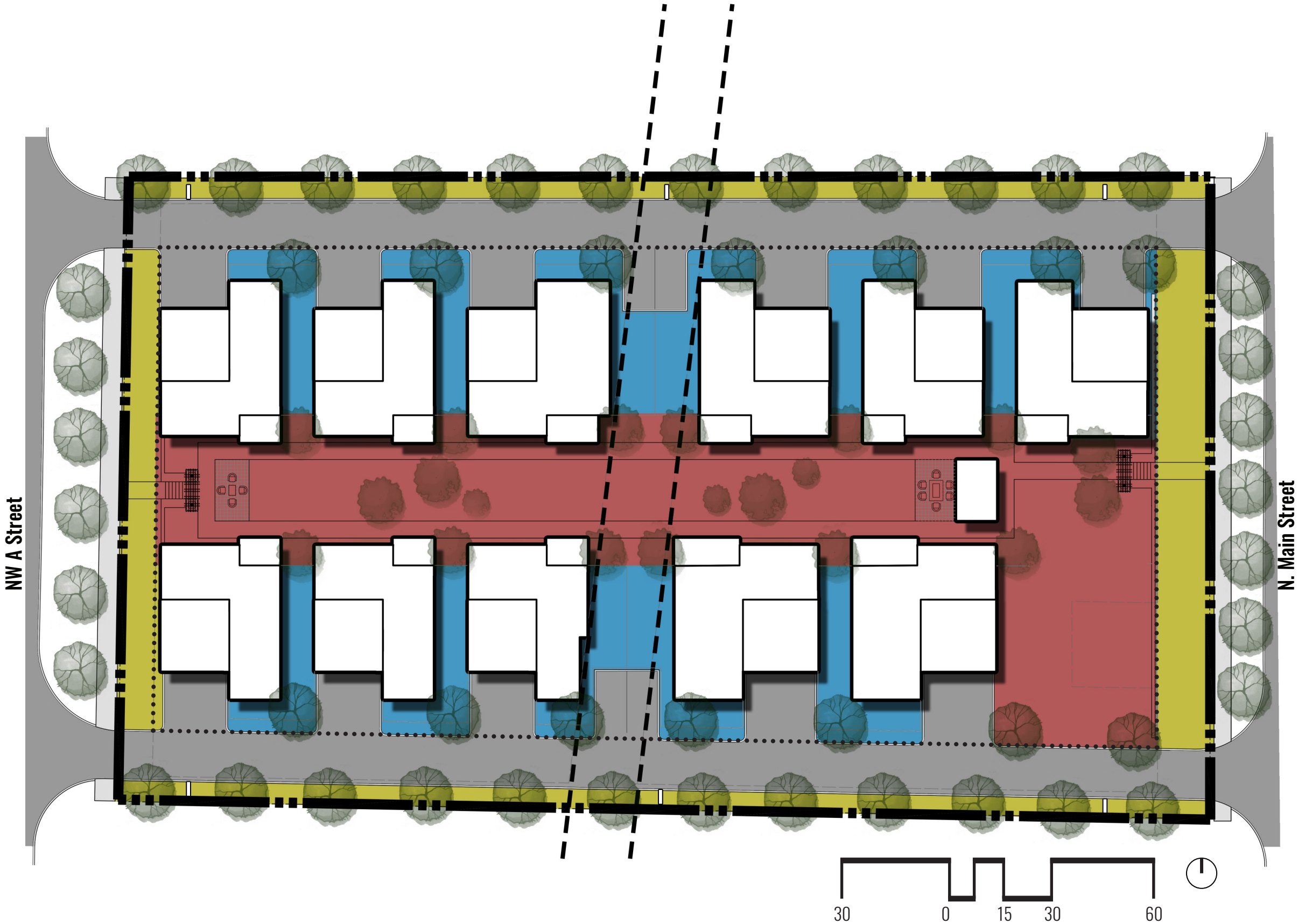
0Z VILLAGE

PRD 19-0006 SUBMITTAL
City of Bentonville, AR
December 30, 2019
Updated: January 21, 2020

OPEN SPACE DIAGRAM

Legend:

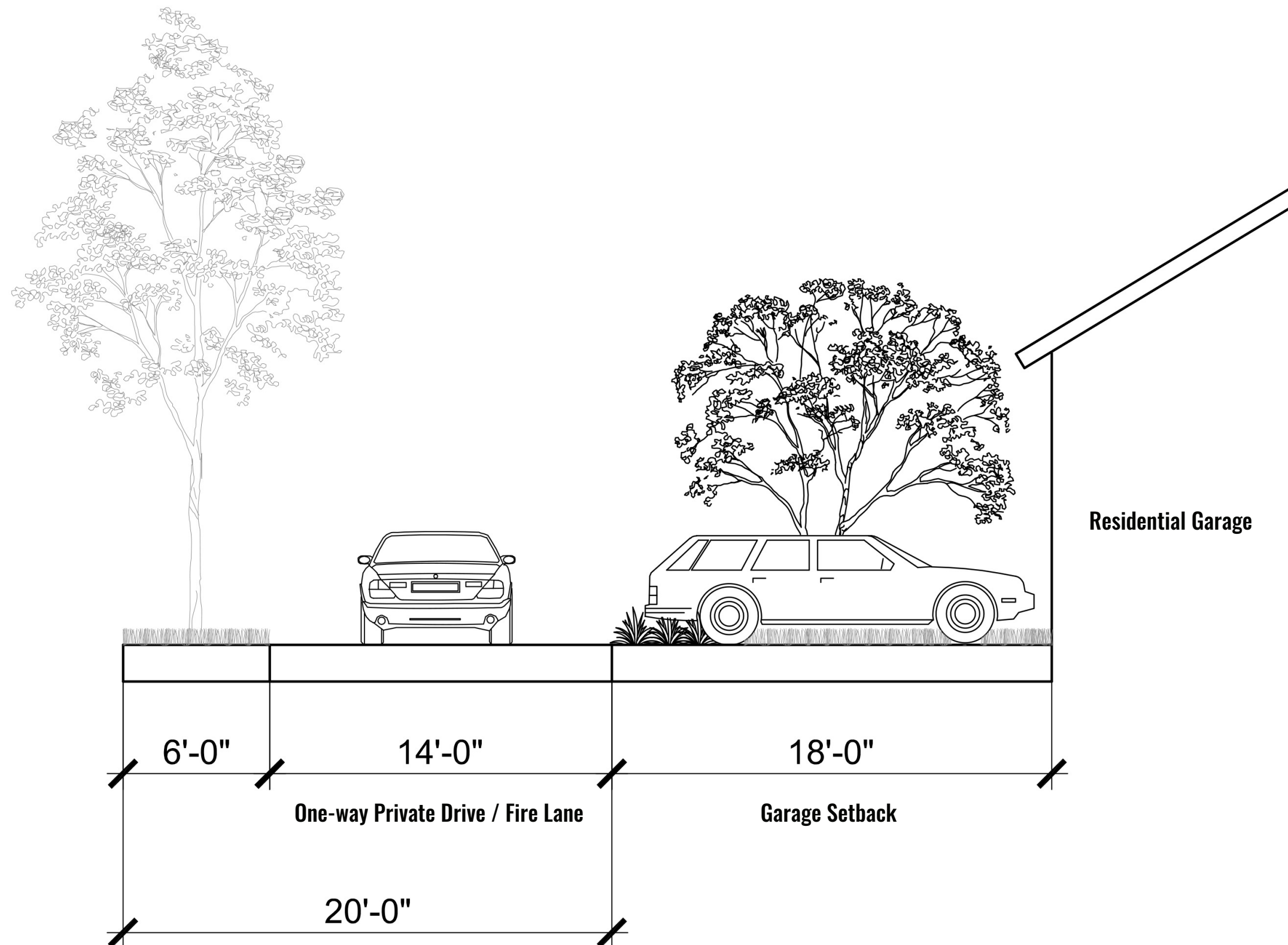
- Property Line
- Setback
- Existing Right-of-way
- Common Open Space
- Private Landscape/
Open Space
- Utility Easement/Open
Space



OZ VILLAGE

PRD 19-0006 SUBMITTAL
City of Bentonville, AR
December 30, 2019
Updated: January 21, 2020

PRIVATE DRIVE CROSS SECTION



1. PROPOSED PRIVATE DRIVE STREET SECTION

OZ VILLAGE

PRD 19-0006 SUBMITTAL
City of Bentonville, AR
December 30, 2019
Updated: January 21, 2020

ARCHITECTURAL ELEVATIONS OF
SINGLE FAMILY DWELLING TYPE

The style for the development will be a modern craftsman style architecture that utilizes predominantly cementitious board cladding on the building facades with additional stone or brick masonry that will serve as architectural detailing and accents.

Building Materials

For all building facades that face public streets and/or the central common green shall adhere to the following building materials and percentages.

- 5% min. Accent Material (stone, brick, stucco, wood and/or concrete are all considered an approved accent material).
- 95% min. Cementitious Board Siding



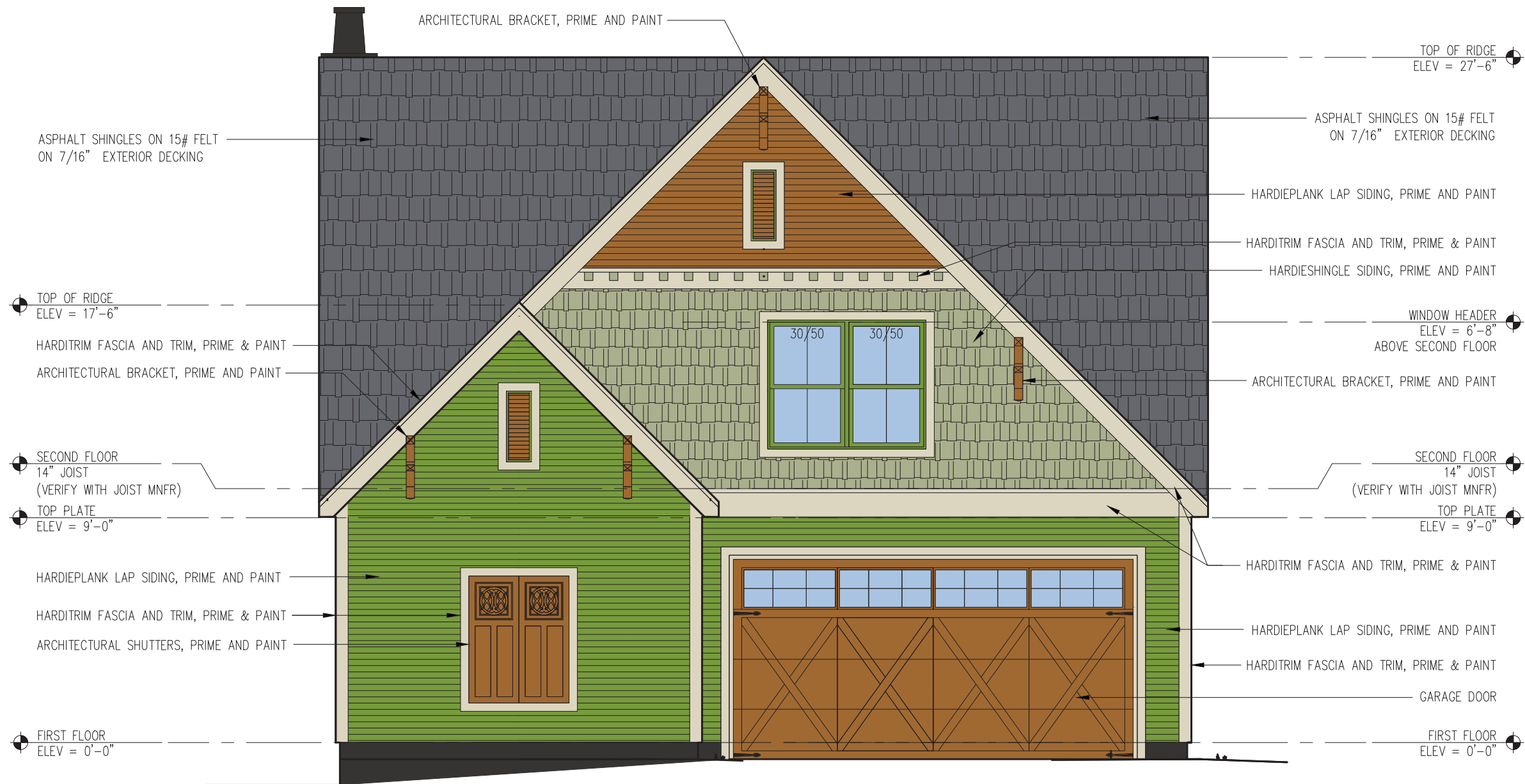
Front Elevation

Note: Elevations provided depict the model home unit for the development. Each subsequent unit built will be custom designed for the owner but will maintain the same quality, style, and material percentages represented and required in the PRD submittal.

OZ VILLAGE

PRD 19-0006 SUBMITTAL
City of Bentonville, AR
December 30, 2019
Updated: January 21, 2020

ARCHITECTURAL ELEVATIONS OF
SINGLE FAMILY DWELLING TYPE



Back Elevation

Note: Elevations provided depict the model home unit for the development. Each subsequent unit built will be custom designed for the owner but will maintain the same quality, style, and material percentages represented and required in the PRD submittal.

OZ VILLAGE

PRD 19-0006 SUBMITTAL
 City of Bentonville, AR
 December 30, 2019
 Updated: January 21, 2020

ARCHITECTURAL ELEVATIONS OF SINGLE FAMILY DWELLING TYPE



Side Elevations

Note: Elevations provided depict the model home unit for the development. Each subsequent unit built will be custom designed for the owner but will maintain the same quality, style, and material percentages represented and required in the PRD submittal.

LOT SPLIT STAFF REPORT



Lot 14, Block 6, Railroad Addition

209 SE B Street

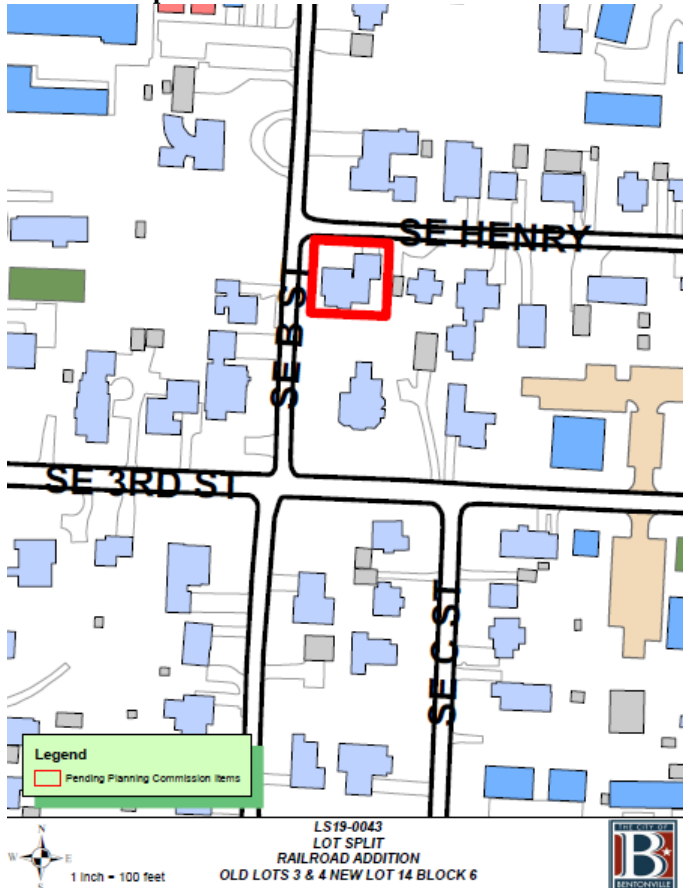
PC Date: 1/21/2020

Reviewer: Jon Stanley, Senior Planner

Project Number	LS19-0043
Applicant / Current Owner	Santosh & Elizabeth Kotyankar 209 SE B Street Bentonville, AR 72712
Site Area	+/- 0.23 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	High Density Residential

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

Location Map



Property Description

This approximately 0.23-acre property is located at 209 SE B Street and is currently zoned R-1, Single Family Residential.

Project Details

A lot split of the western half of existing Lots 3 & 4, Block 6 of Railroad Addition, creating Lot 14 (+/- 0.23 acres).

The plat dedicates 20 feet of right-of-way along SE Henry Street and 26 feet of right-of-way along SE B Street.

Waivers

There is one waiver request to the Land Development Code Article 1100.16.b Right-of-Way Dedication. The applicant requests a waiver to allow the dedication of 20 feet of right-of-way versus the 26 feet required by the current Master Street Plan along SE Henry Street.

Conclusion

This lot split does not meet the minimum requirements of the subdivision regulations due to the waiver request however, the amount right-of-way that is being dedicated by the plat appears sufficient for any future improvements that might occur, therefore staff recommends approval.

Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments prior to filing or requesting a building permit.

NOTES

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

LOT SPLIT
A PART OF LOTS 3 & 4, BLOCK 6
RAILROAD ADDITION TO CITY OF BENTONVILLE
CREATING LOT 14

Utility Notes

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

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES.

Miscellaneous Notes

STATE RECORDING NUMBER:
500-20N-30W-0-31-110-04-1826

COMPLETED FIELD WORK:
NOVEMBER 15, 2019

BASIS OF BEARING:
ARKANSAS STATE PLANE, NORTH ZONE, NAD 83
CONVERGENCE ANGLE = -1°17'01.70707"
DISTANCES SHOWN ON PLAT ARE GRID.
COMBINED SCALE FACTOR (GRID TO GROUND) = 1.00002204648
LATITUDE: 36°22'13.64644"
LONGITUDE: -94°12'22.45403"

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED BOOK 2011 AT PAGE 38980.
2. WARRANTY DEED FILED IN DEED BOOK 2017 AT PAGE 47478.
3. SUBDIVISION PLAT FILED IN PLAT BOOK A AT PAGE 38.
4. SURVEY PLAT FILED IN PLAT BOOK 16 AT PAGE 128.
5. SUBDIVISION PLAT FILED IN PLAT BOOK 2014 AT PAGE 371.

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

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

ATLAS PAGE 403A

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0255K, WHICH BEARS AN EFFECTIVE DATE OF 06/05/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

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

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

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

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

BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.

ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

Owner/Developer

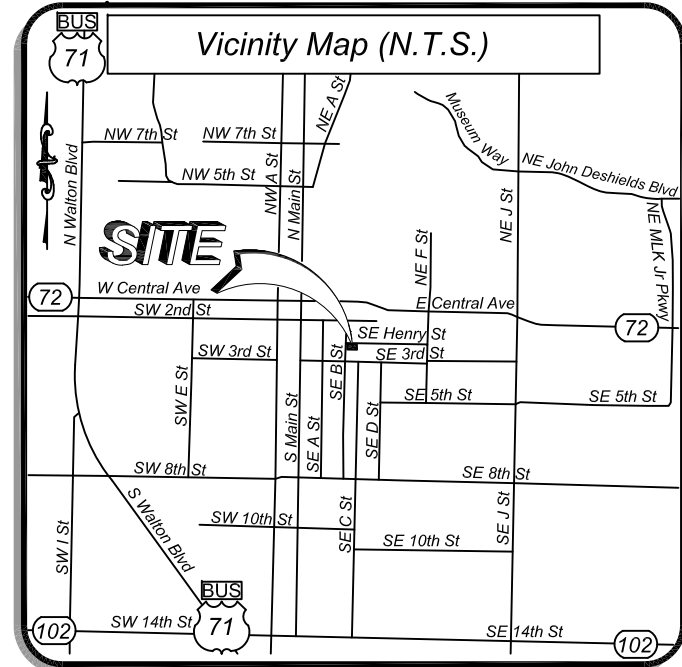
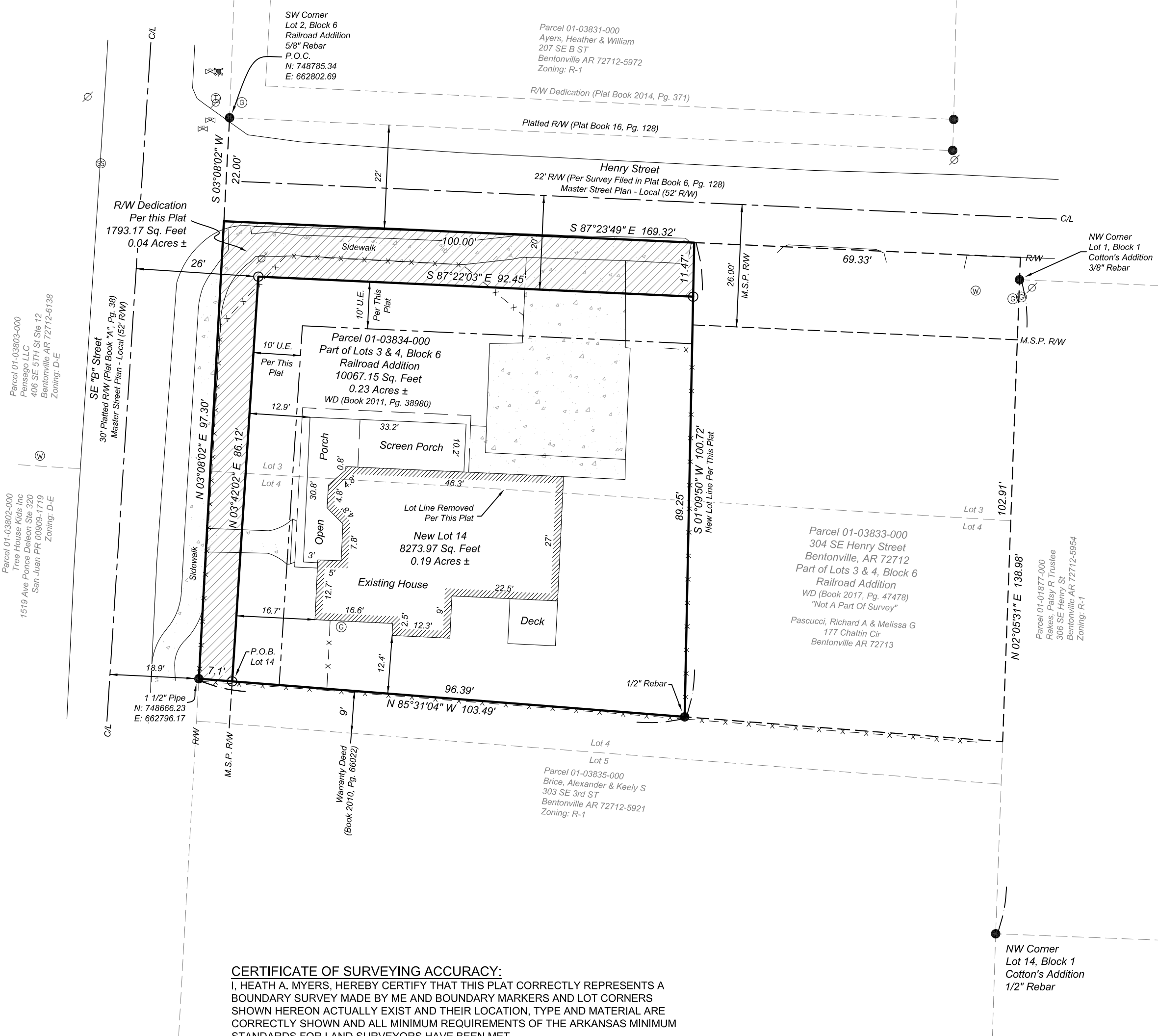
PARCEL 01-03834-000
KOTYANKAR, SANTOSH & ELIZABETH J
209 SE B ST
BENTONVILLE AR 72712-5937

Survey Description

PARENT TRACT
A PART OF LOTS 3 & 4, LESS & EXCEPT THE SOUTH 9 FEET OF LOT 4, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, FILED IN PLAT BOOK "A" AT PAGE 38, ON FILE WITH THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

LOT 14
A PART OF LOTS 3 AND 4, BLOCK 6, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A SET IRON PIN WHICH IS S03°08'02"W 119.30' AND S85°31'04"E 7.10' FROM THE SOUTHWEST CORNER OF LOT 2, BLOCK 6, SAID RAILROAD ADDITION, AND RUNNING THENCE N03°42'02"E 86.12' TO A SET IRON PIN, THENCE S87°22'03"E 92.45' TO A SET IRON PIN, THENCE S01°09'50"W 89.25' TO A FOUND IRON PIN, THENCE N85°31'04"W 96.39' TO THE POINT OF BEGINNING. CONTAINING 0.19 ACRES, MORE OR LESS.

RIGHT-OF-WAY DEDICATION
A PART OF LOTS 3 AND 4, BLOCK 6, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S03°08'02"W 22.00' FROM THE SOUTHWEST CORNER OF LOT 2, BLOCK 6, SAID RAILROAD ADDITION, AND RUNNING THENCE S87°23'49"E 100.00', THENCE S01°09'50"W 11.47', THENCE N87°22'03"W 92.45', THENCE S03°42'02"W 86.12', THENCE N85°31'04"W 7.10', THENCE N03°08'02"E 97.30' TO THE POINT OF BEGINNING. CONTAINING 10667.15 SQ. FEET, 0.04 ACRES, MORE OR LESS.





1702 Beth Dr. Rogers, AR 72758 • 479-899-3943 • 479-531-9119

City of Bentonville

1-24-20

To whom it may concern,

This letter is concerning the property located at 209 SE B ST, Bentonville. The property owners, Santosh and Elizabeth Kotyankar, and the builder Beekman Builders LLC are asking for a variance to the city's request from the street department's right of way of 26' to be reduced to 20'.

Previously a variance letter (VAR19-0020) was given to the owners granting them their request to build on Henry and not meet the required driveway length code. This was due to the fact that the older subdivision layout didn't have these setback requirements when developed and that the new structure to be built would be too close to the existing road.

Now the city is strong arming the owners into giving them additional land so that they can have a right of way to increase their street if they find it necessary, thus decreasing the owner's driveway to a mere 10' in length.

I don't see the logic in this. First, the city wants their driveway to meet new code set backs of 30' but will grant them a variance to not do so, but then turn around and ask for a right of way that would reduce their driveway to 10'.

If you didn't want any new construction to take place in an old subdivision so that you could have nice big wide streets and tiny, short, unusable driveways, the why did you give the approval and permit to proceed with construction? This project would have been in the framing stage by now if the weather had cooperated. But as it is the owner's old garage has been demoed, footings dug and holes cut in the old slab to accommodate new construction.

Thank you,

Christopher Beekman

Beekman Builders LLC

ORDINANCE STAFF REPORT



Zoning Ordinance Amendments

PC Date: 2/4/2020

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Manager

<http://www.bentonvillear.com/198/Code-Amendments>

From time to time, staff reviews the existing zoning code for clarification, corrections, or updates to meet current conditions. The following outline is a summary of the key issues and the recommended changes. Staff requests approval of the proposed ordinance to amend Chapter 14 Zoning Code.

1. Definitions (Attachment A, Sec. 201.02)

- a. Add new definitions for: ““block”, “block, mid-”, “block, end-”, “outdoor music venue”, and “fence”m “restaurant, drive-through”, “restaurant, microbrewery”, and “packaged liquor.”
- b. For “convenience store,” remove the statement “and which may or not include fuel sales.” Fuel sales are separately defined and regulated.
- c. Remove definition of building height. It includes regulations for measurement inconsistent with the regulations in Sec. 401.03.
- d. Clarify definition for varying types of restaurants: drive-in, drive-through and microbrewery.

2. Building height calculations (Attachment B, Sec. 401.03)

Revised methodology for measuring building height and add illustration.

3. Table of Uses (Attachment B, Sec. 401.05)

- a. Add convenience store as an accessory use in DN-4. Those selling alcohol near a trail are required to get a conditional use permit as well.
- b. Add outdoor music venue as a conditional use in A-1, C-2, C-3, DC, I-1 and I-2.
- c. Add a drive through restaurant and allowed by right in C-2 and C-3 and with a conditional use in C1.

4. Density regulations (Attachment B, Sec. 401)

Eliminate density regulations in all districts. The lot sizes, setbacks and height will determine density.

5. Townhouse unit lot coverage (Attachment B, Sec. 401.07 and 07-B)

Eliminate lot coverage for the townhouse unit and leave the lot coverage for the entire structure until the drainage study is complete.

6. Townhouse and multifamily lot and area standards (Attachment B, Sec. 401.07(c))

- Townhouse and multi-family lot and area standards are inconsistent across various zoning districts. Reduce townhouse lot sizes in the R-2, R-3 and R-4 districts. Those in the R-3 and R-4 align with the DN-2 district.
- Multi-family is an allowed use in R-3 and R-4, however, is lot listed in the table with lot and area standards. Establish a 10,000 minimum lot sizes for multifamily structures in R-3 and R-4, consistent with multifamily in DN-3.

ORDINANCE STAFF REPORT

7. RC-2 & RC-3 lot coverage (Attachment B, Sec. 401.07)

Increase lot coverage by 5% on corner lots for RC-2 & RC-3 for consistency with all other districts.

8. Townhouse height (Attachment B, Sec. 401.07-B)

Change height for townhouses in DN-2 district from 35' to 36' for consistency with other zones.

9. DN lot coverage and setbacks (Attachment B, Sec. 401.07-B)

- Reduce rear setbacks in DN-3 and DN-4 districts from 25' to 15'. The 25' rear setback makes it difficult to reach higher densities as intended for these districts.
- Eliminate the maximum lot coverage requirement for the individual unit in single-family attached and townhouse structures. The minimum lot coverage requirement for the structure still applies.

10. C-3 lot and area standards (Attachment B, Sec. 401.08)

Remove the 14' lot width for townhouse and 25' lot width for all other uses in the C-3 district. The 14' lot width is impractical and the 25' lot width creates challenges for creating a truly mixed-use districts, for which C-3 has been established. This brings the C-3 lot and area standards consistent with the DC district, the mixed-use district for downtown.

11. Accessory garage setback (Attachment C, Sec. 601.01)

Add a 20' rear setback for an accessory alley loading garage to allow a vehicle to be parked in front of the garage without impeding the alley.

12. Outdoor music venues (Attachment C, Sec. 601)

Require a conditional use for outdoor music venues and require a noise impact assessment and proposed sound attenuation as part of the conditional use application.

13. Short-term temporary uses (Attachment C, Sec. 601.25)

Revise the three day regulation for short term temporary uses to read “3 consecutive days.”

14. Alcohol sales (Attachment C, Sec. 601.29)

Eliminate the districts where alcohol sales are allowed. This is redundant with the Table of Uses where all other uses are regulated.

15. Sign regulations (Attachment D, Sec. 801.15)

- a. Revise so that all non-residential freestanding signs are treated similarly in low-intensity districts, including agriculture, residential, R-O, C-1 and C-3.
- b. Revise so that all non-residential freestanding signs are regulated by street frontage, not entrance.
- c. Revised so that all non-residential wall signs are treated the same in all residential districts and treated the same in all commercial and industrial districts.
- d. Add “window” and “door” signs as part of the wall coverage calculation in the table for consistency with the text.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 14 ZONING CODE OF THE
BENTONVILLE MUNICIPAL CODE.**

WHEREAS, the City of Bentonville periodically reviews the Zoning Code to identify needs for clarification or updates to meet current conditions.

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

Section 1. That within this ordinance, except section headings, all underlined text shall be added and strikethrough text shall be deleted.

Section 2. That the following sections of the Bentonville Municipal Code, Chapter 14 Zoning Code, shall be and are hereby amended with the respective attachment, an electronic copy and paper copy of which are on file with the City Clerk, and are hereby adopted by reference as though they were copied herein fully:

- Attachment A: Art. 201 Definitions Amendments
- Attachment B: Art. 401 Zoning District Regulations Amendments
- Attachment C: Art. 601 Use Regulations Amendments
- Attachment D: Art. 801 Sign Ordinance – Private Property Amendments.

Section 6. This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this ____ day of _____, 2020.

Approved:

ATTEST:

Mayor Stephanie Orman

City Clerk

Attachment A Article 201 Definitions Amendments

*Underlined text to be added and strikethrough text to be deleted.
Only code sections with amendments are shown.*

Sec. 201.02 Definitions of terms and uses.

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Where any words are not defined, the standard dictionary definition shall apply. In addition some definitions listed restrict and define the meaning and intent of permitted uses set forth in this ordinance.

Block: A parcel of land, intended to be used for urban purposes, that is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, drainage channels or a combination thereof.

Block, mid-: A parcel of land located in the middle of a block.

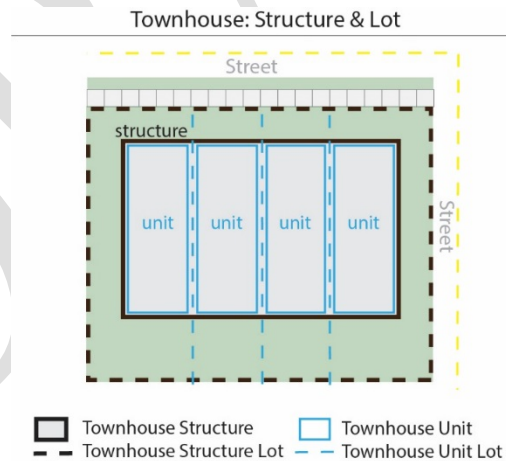
Block, end-: A parcel of land located at the end of block with at least two intersecting property lines adjacent to public streets, highways, railroad rights-of-way, public walks, parks, drainage channels or a combination thereof.

Convenience Store: A retail commercial establishment, not exceeding 2,500 square feet in gross floor area, supplying a limited range of food items, magazines, toiletries, and tobacco products to meet the day-to-day needs of residents in the immediate neighborhood ~~and which may or may not include fuel sales.~~

Drive-Through: A business establishment so developed that its retail or service character is dependent on providing a driveway approach ~~or parking spaces~~ and window serving for motor vehicles to take and deliver orders ~~serve to~~ patrons while in the motor vehicle, rather than within the building or structure.

Dwelling, Townhouse unit: A single dwelling unit in a townhouse structure attached to the adjoining dwelling unit by a common wall extending from the ground to the roof with all exits opening directly to the outside, and located on, or capable of being located on, a separate lot.

Dwelling, Townhouse structure: A dwelling structure consisting of three or more attached townhouse dwelling units.



Event Center: A multi-purpose commercial facility with single or multiple assembly rooms or spaces and related support facilities, such as catering kitchens, indoor/outdoor seating and stage or event area for the primary purpose of hosting special events such as graduations, weddings, anniversaries, holiday gatherings, corporate functions or parties, concert settings, and general get-togethers. This does not include outdoor music venues that are separately defined and regulated.

Art. 201 Definitions

Fence: An artificially constructed barrier or enclosure of wood, masonry, stone, wire, metal or other manufactured material or combination of materials used as a boundary, means of protection, privacy screening, separation of areas, or confinement, but not including hedges, shrubs, trees or other natural growth.

Height: The vertical distance as measured through the central axis of the building from the elevation of the lowest finished floor level to the high point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs.

Outdoor Music Venue: An outdoor area used to accommodate musical performances, including live music, the presentation of music played on sound equipment operated by the owner or by an employee, an agent or a contractor of the venue commonly known as a “disc jockey” or “DJ”, and karaoke. An outdoor music venue may be a stand alone use or may be associated with another use. This does not include “event center or “bars, taverns or lounges” which are separately defined and regulated.

Packaged Liquor Store: A retail establishment with the primary purpose of selling beer, light wine and spirits for off-site consumption. This definition does not include a convenience store when the sale of beer, light wine and/or spirits for off-site consumption is not the primary retail product.

Restaurant: An establishment in which food or beverages are cooked or prepared and offered for sale and where consumption is ~~permitted~~ allowed on the premises, whether or not entertainment is offered, and includes establishments commonly known as grills, and cafes, drive through and any fast food establishment permitting consumption on the premises. This definition does not include drive-in restaurants or restaurants that offer drive-through service, which are separately defined and regulated.

Restaurant, Drive-in: Any restaurant whose primary business is designed to permit or facilitate the serving of meals, sandwiches, ice cream, beverages or other food, served directly to, or permitted to be consumed by, patrons in automobiles or other vehicles parked on the premises for on-site consumption. ~~or permitted to be consumed by patrons elsewhere on the site, outside the main building.~~ This does not include restaurants with drive-through service, which is separately defined and regulated.

Restaurant, Drive-through: A restaurant that provides a driveway approach and window for taking and/or delivering orders to patrons while in their motor vehicle, rather than within the building or structure, for off-site consumption. This definition does not include a drive-in restaurant, which is separately defined and regulated.

Restaurant, Microbrewery: As defined by the Division of Alcoholic Beverage Control of the State of Arkansas and defined generally as any establishment in which beer, malt, and hard cider are brewed and sold at retail in a restaurant setting under the same ownership in the same building or attached buildings.

Attachment B

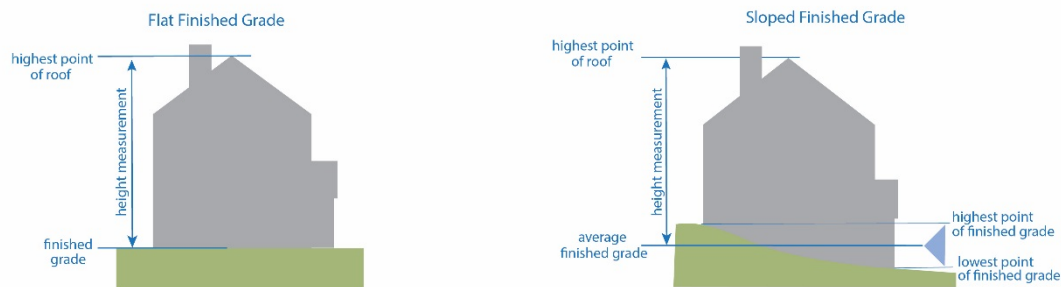
Art. 401 Zoning District Regulations Amendments

Underlined text to be added and strikethrough text to be deleted.

Only code sections with amendments are shown.

Sec. 401.03 Calculations and measurements.

- (a) *Measuring lot width.* Lot width is measured from side lot line to side lot line along the front building setback line.
- (b) *Measuring lot depth.* The minimum lot depth is measured at its shallowest point measured at right angles or radial to the street right-of-way line.
- (c) *Measuring building height.*
- (1) *Measuring height.* Building height shall be measured as the vertical distance from the elevation of the ~~natural~~ finished grade level to the highest point of the roofline or parapet wall. For sloped sites, building height is measured as the vertical distance from the elevation of the average of the highest and lowest finished grade level to the highest point of the roofline or parapet wall.
 - (2) *Exceptions.* Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may extend above the height limit.



- (d) *Measuring setbacks.* Setbacks shall be measured as the horizontal distance between the property line and/or right-of-way line and the structure's foundation.

~~(e) *Computing density.* When computing gross density of a tract of land, any and all common open space may be used in said calculation.~~

(Ord. No. 2012-58, § 2, 07-24-2012; Ord. No. 2018-62, § 6, 03-27-2018; Ord. No. 2019-160, § 3, 10-22-2019)

Attachment B

Art. 401 Zoning District Regulations Amendments

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Sec. 401.05 Table of uses for zoning districts.

TABLE OF USES

	Use Regs.	A1	RE	R1	R2	R3	R4	R-C2	R-C3	R-MH	R-ZL	RO	DN-1	DN-2	DN-3	DN-4	C1	C2	C3	DC	DE	I1	I2
Recreation, education, public assembly																							
outdoor music venue		C															C	C	C		C	C	
Retail																							
convenience store that sells beer and/or light wine for off-site consumption	601.29														C	A	●	●	●	C			
convenience store that sells beer and/or light wine for off-site consumption within 500' of a city owned park or trail	601.29															A C	C	C	C	C			
convenience store that sells beer, light wine and/or spirits for off-site consumption	601.29															A	●	●	●				
convenience store that sells beer, light wine and/or spirits for off-site consumption within 500 ft. of a city owned park or trail	601.29															A C	C	C	C				
packaged liquor store	601.29																	●					
package liquor store within 500 ft. of a city owned & maintained park or trail	601.29																	C					
restaurant									C							A	C	●	●	●	C		
restaurant, drive-in																		●	●				
restaurant, drive-through																	C	●	●				
restaurant, microbrewery	601.29															A	C	C		C		C	C

Sec. 401.06 A-1, Agricultural district regulations.

(a) *Description and purpose.* The regulations for the A-1 Agricultural District are designed to preserve and protect prime agricultural lands and to protect undeveloped areas from intensive uses until a use pattern is approved.

(b) *Bulk and area regulations.*

~~(1) *Density.* The table below establishes the maximum density for agricultural districts.~~

AGRICULTURAL (A) DISTRICT
DENSITY STANDARDS

Zoning district	Maximum density allowed
A-1	1 dwelling unit per 5 acres

Attachment B

Art. 401 Zoning District Regulations Amendments

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Sec. 401.07 Residential (R) districts regulations.

(b) ~~Residential (R) districts density standards.~~ The table below establishes the maximum density allowed for each residential zoning district.

RESIDENTIAL (R) DISTRICTS
DENSITY STANDARDS

Zoning district	Maximum density allowed
R-E	1 dwelling unit per 2 acres
R-1	6 dwelling units per acre
R-2	9 dwelling units per acre
R-3	12 dwelling units per acre
R-4	24 dwelling units per acre
R-MH	6 dwelling units per acre
R-ZL	9 dwelling units per acre
R-O	6 dwelling units per acre
R-C2	18 dwelling units per acre
R-C3	36 dwelling units per acre

(c) Residential (R) districts lot and area standards.

(1) Standards. The table below establishes minimum residential lot and area standards.

District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior / corner lot
R-E	All	87,120 (2 acres)	-	100'	10%	15%
R-1	All	6,000	-	60'	40%	45%
R-2	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	Townhouse unit	3,000	-	30'	50% <u>--</u>	55% <u>--</u>
	Townhouse structure	10,500 <u>9,000</u>	3,500 <u>3,000</u>	105' <u>90'</u>	65%	70%
	All others <u>not listed</u>	6,000	6,000	60'	40%	45%

Attachment B

Art. 401 Zoning District Regulations Amendments

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District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior / corner lot
R-3	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	Townhouse unit	2,500	-	25'	50% --	55% --
	Townhouse structure	9,000 <u>7,500</u>	3,000 <u>2,500</u>	90' <u>75'</u>	50% <u>65%</u>	55% <u>70%</u>
	<u>Multi-family</u>	<u>10,000</u>	<u>800</u>	<u>100'</u>	<u>50%</u>	<u>55%</u>
	All others <u>not listed</u>	6,000 <u>10,000</u>	6,000 --	60' <u>100'</u>	40% <u>50%</u>	45% <u>55%</u>
R-4	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	65'	50%	55%
	Townhouse unit	2,500	-	25'	50% --	55% --
	Townhouse structure	9,000 <u>7,500</u>	3,000 <u>2,500</u>	90' <u>75'</u>	50% <u>65%</u>	55% <u>70%</u>
	<u>Multi-family</u>	<u>10,000</u>	<u>800</u>	<u>100'</u>	<u>50%</u>	<u>55%</u>
	All others <u>not listed</u>	10,000	-	65' <u>100'</u>	50%	55%
R-MH	Manufactured home lots	4,500	4,500	50'	30%	35%
	Manufactured home parks	11,000	3,500	60'	30%	35%
	All others <u>not listed</u>	7,000	7,000	65'	40%	45%
R-ZL	Zero lot line	4,000	-	40'	60%	65%
R-O	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	All others <u>not listed</u>	6,000	6,000	60'	60%	65%
R-C2	Single-family and all others not specifically listed	4,000	-	35', rear access via alley or private drive; 50', no rear access via alley or private drive	--	--
	Two-family / duplex Townhomes – end block	--	2,000	20', rear access via alley or private drive ; 25', no rear access via alley or private drive	--	--
R-C3	Single-family	3,000	-	15'	70%	70% <u>75%</u>
	Two-family / Duplex	7,000	-	15'	70%	70% <u>75%</u>
	Townhomes <u>Structure</u> (attached)	-	1,200	15' per unit	No max.	No max.
	Multi-family (4+ units)	-	1,200	No minimum	No max.	No max.
	All others <u>not listed</u>	4,000	--	15'	70%	70% <u>75%</u>

Attachment B

Art. 401 Zoning District Regulations Amendments

Underlined text to be added and strikethrough text to be deleted.

Only code sections with amendments are shown.

(d) *Residential (R) districts setback standards.*

(1) *Standards:* The table below establishes the minimum residential setback standards.

RESIDENTIAL (R) DISTRICTS MINIMUM SETBACK STANDARDS

District	Building Type	Front	Side		Rear
			Interior	Exterior	
R-E	All	30'	30'	30'	30'
R-1	All	20'	7'	20'	25'
R-2	All	20'	7'	20'	25'
R-3	All	20'	10'	20'	25'
R-4	All	20'	10'	20'	25'
R-MH	Manufactured home lots	20'	10'	20'	25'
	Manufactured home park	25'	15'	25'	25'
R-ZL	Zero lot line	20'	12'/0'	20'	25'
R-O	Single-family	20'	7'	20'	25'
	Two-family	20'	10'	20'	25'
	Office with parking in front	50'	10'	50' parking; 20' no parking	25'
	Office w/o parking in front	20'	10'	20'	25'
R-C2	Single-family and all others not specifically listed	20'	7'	20'	15'
	Two-family, duplex	20'	7'; 0' where attached	20'	15'
	Townhome structure – end block	10'	7'; 0' where attached	10	15
R-C3	Single-family	0'	0'	5'	7'
	Duplex <u>Two-family</u>	0'	0'	5'	7'
	Townhome <u>structure</u>	10'	0'	10'	10'
	Multi-Family	0'	0'	10'	7'
	All others <u>not listed</u>	0'	7'	5'	7'

Attachment B

Art. 401 Zoning District Regulations Amendments

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Only code sections with amendments are shown.

Sec. 401.07-B Downtown Neighborhood (DN) districts regulations.

(c) DN districts lot and area standards.

- (1) *Standards.* The table below establishes the lot and area standards for all development in the Downtown Neighborhood districts. Accessory dwelling units (ADUs) are permitted in DN-1 and DN-2 on lots with single-family structures and do not require additional land area per the table below, but are subject to additional standards in *Article 601.02 Accessory dwelling units.*

DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS
LOT AND AREA STANDARDS

District	Building Type	Min. Lot Area (sq. ft.) Ⓐ	Min. Land Area / Dwelling Unit (sq. ft.)	Lot Width		Max. Lot Coverage Ⓒ	
				Min. Lot Width Ⓑ	Max. Lot Width	Interior lot	Exterior /corner
DN-1	Single-family	6,000	-	60'	-	40%	45%
	Single-family, alley access	4,000	-	40'	-	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'		50%	55%
DN-2	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	-	50%	55%
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	60%	65%
	Townhouse structure	7,500	2,500	75'	-	60%	65%
DN-3	Single-family, alley access	4,000	-	40'	-	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'		50%	55%
	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	-	50%	55%

Attachment B

Art. 401 Zoning District Regulations Amendments

Underlined text to be added and strikethrough text to be deleted.

Only code sections with amendments are shown.

District	Building Type	Min. Lot Area (sq. ft.) Ⓐ	Min. Land Area / Dwelling Unit (sq. ft.)	Lot Width		Max. Lot Coverage Ⓒ	
				Min. Lot Width Ⓑ	Max. Lot Width	Interior lot	Exterior /corner lot
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	65% <u>--</u>	70% <u>--</u>
	Townhouse structure	7,500 <u>6,000</u>	2,500 <u>2,000</u>	75' <u>60'</u>	-	65%	70%
	Multi-family and all others not listed	10,000	800	125' <u>100'</u>	-	65%	70%
DN-4	Single-family, alley access	4,000	-	40'	50'	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'	-	50%	55%
	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	50'	50%	55%
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	65% <u>--</u>	70% <u>--</u>
	Townhouse structure	7,500 <u>6,000</u>	2,500 <u>2,000</u>	75' <u>60'</u>	-	65%	70%
	Multi-family	10,000 <u>8,000</u>	800	125' <u>80'</u>	-	75%	80%
	Mixed-use and all others not listed	10,000	800	75' <u>80'</u>	-	75%	80%

Attachment B

Art. 401 Zoning District Regulations Amendments

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Only code sections with amendments are shown.

(d) *DN districts setback standards.* The table below establishes the setback standards for the Downtown Neighborhood districts.

**DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS
MINIMUM SETBACK STANDARDS**

District	Building type	Front Yard		Side Yard				Rear Yard (R)
				Exterior /Corner Side Yard (CS)		Interior Side Yard (S)		
		Min. (F1)	Max. (F2)	Min.	Max.	Detached Yard	Attached Yard	
DN-1	All	15’	25’	15’	-	7’	0’	25’
DN-2	Single-family and Two-family	12’	25’	12’	25’	7’	0’	25’
	Townhouse block-end and all others not listed	12’	25’	12’	25’	10’	0’	25’
DN-3	Single-family and Two-family	10’	20’	10’	20’	7’	0’	25’
	Townhouse	10’	20’	10’	20’	10’	0’	25’
	Multi-family block-end and others not listed	10’	20’	10’	20’	10’	0’	25’ <u>15’</u>
DN-4	Single-family and Two-family	8’	15’	8’	15’	7’	0’	25’
	Townhouse	8’	15’	8’	15’	10’	0’	25’
	Multi-family	8’	15’	8’	15’	10’	0’	25’ <u>15’</u>
	Mixed-use and others not listed	0’	15’	0’	15’	0’, 12’if adjacent to a non mixed-use building	0’	25’ <u>15’</u>

(e) *DN districts height standards.* The table below establishes the maximum height allowed in the Downtown Neighborhood districts.

**DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS
HEIGHT STANDARDS**

District	Single-family and two-family	Townhouse	Multi-family	Mixed-use
DN-1	36'	--	--	--
DN-2	36'	35' <u>36'</u>	--	--
DN-3	40'	40'	40'	--
DN-4	40'	40'	50'	50'

Attachment B

Art. 401 Zoning District Regulations Amendments

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Sec. 401.08 Commercial (C) districts regulations.

~~(b) Commercial (C) districts density standards.~~ The table below establishes the maximum density when residential is allowed in a commercial district.

COMMERCIAL (C) DISTRICTS
DENSITY STANDARDS

District	Maximum density allowed
C-1	—
C-2	—
C-3	48 dwelling units per acre

(c) Commercial (C) districts lot and area standards. The table below establishes the lot and area standards for all development in commercial (C) districts.

District	Building Type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Lot width		Max. lot coverage	
				Min. lot width	Max. lot width	Interior lot	Exterior / corner lot
C-1	All	7,000	-	70'	-	50%	50%
C-2	All	7,000	-	70'	-	60%	60%
C-3	All except townhouses	None <u>None</u>	-	25' <u>14'</u>	-	100%	100%
	Townhouses	None	-	14'	-	100%	100%

Attachment B

Art. 401 Zoning District Regulations Amendments

Underlined text to be added and strikethrough text to be deleted.

Only code sections with amendments are shown.

Sec. 401.8-B Downtown (D) districts regulations.

~~(c) *Downtown (D) districts density standards.* The table below establishes the density standards for the downtown (D) districts.~~

~~DOWNTOWN (D) DISTRICTS DENSITY STANDARDS~~

Zoning district	Maximum density allowed
DC	48 du/acre
DE	18 du/acre

Attachment C

Art. 601 Use Regulation Amendments

*Underlined text to be added and strikethrough text to be deleted.
Only code sections with amendments are shown.*

Uses permitted or subject to a Conditional Use Permit in any district under this Ordinance shall be subject to the requirements of the district provisions as supplemented or modified by this Article.

Sec. 601.01 Accessory buildings.

(a) *Setbacks.*

(1) *Standards.* The table below establishes the minimum setback standards for accessory structures.

	Detached Accessory Nonresidential	Detached Accessory Dwelling	Attached Accessory Dwelling
Front setback	As required by zoning district	As required by zoning district	As required by zoning district
Side setback	7'	7'	As required by zoning district
Rear setback	7'	7'	As required by zoning district

(2) *Corner lots.* In the case of a corner lot, said accessory structure shall not project beyond the building line of the primary structure or existing primary structure on the adjacent lot.

(3) *Accessory garage setback.* An accessory garage that accesses from a rear alley and the garage door faces the alley shall have a minimum setback of 20' between the alley right-of-way and the garage door.

~~(3)~~(4) *Distance from primary structure.* Any detached accessory structure in excess of 200 square feet shall be located a minimum of 10' from the primary structure.

~~(4)~~(5) *Size variance.* An accessory structure footprint in excess of 720 square feet as approved through a variance shall conform to the required setbacks of the zoning district.

(5) *Exception.* Any accessory non-residential structure less than 200 square feet and not attached to a permanent foundation, shall have a minimum side and rear yard setback of five feet (5') and shall meet the front setback as required by the zoning district.

Attachment C

Art. 601 Use Regulation Amendments

*Underlined text to be added and strikethrough text to be deleted.
Only code sections with amendments are shown.*

Sec. 601.16 Outdoor music venue.

(a) Conditional use permit required. No person or business shall operate a music venue within the city limits without a valid conditional use permit, except on those properties for which such use were established prior to adoption of these regulations.

(b) Applicability. An outdoor music venue conditional use permit may only be granted within those zoning districts identified as allowing outdoor music venues with a conditional use permit, subject to the provisions of this section.

(c) Application requirements. As part of the conditional use permit application, the applicant shall provide the following information:

1. A noise impact assessment completed by a professional acoustical engineering consultant prior to sound attenuation measures and after installation of sound attenuation measures.
2. Details of sound attenuation measures proposed to ensure that the outdoor music venue does not create a noise nuisance to surrounding properties.

(d) Review criteria. The planning commission may approve an outdoor music venue only if the planning commission first finds that:

1. The proposed venue is consistent with the Community Plan and the Land Development Code.
2. The nature, scale and operating characteristics of the venue are compatible with existing and future land use in the vicinity;
3. The noise impact assessment indicates decibel levels will not exceed the maximum decibel limits for the zoning district as set forth in the noise regulations; and,
4. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, parking management and all other conditions that may be attached to the conditional use permit.

Sec. 601.25 Temporary uses and structures.

(a) Short-term temporary uses or structures.

- (1) *Applicability. The regulations for short-term temporary uses or structures shall apply to temporary uses and/or temporary structures that do not exceed three (3) consecutive days ~~in a 12-month time period per location~~, no more than two times per calendar year per location; except outdoor vendors otherwise regulated in this chapter.*

Attachment C

Art. 601 Use Regulation Amendments

*Underlined text to be added and strikethrough text to be deleted.
Only code sections with amendments are shown.*

Sec. 601.29 Alcohol sales.

(b) Establishment types.

- (1) *Wholesale manufacture and/or distribution.* The wholesale manufacture and/or distribution of intoxicating liquors to include alcoholic beverages of every kind and type shall be allowed ~~by right in the I-1, Light Industrial and I-2, Heavy Industrial zoning districts and with the approval of a Conditional Use Permit in the C-2, General Commercial zoning district~~in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the following additional provision:
 1. Any business that manufactures and/or distributes intoxicating liquors to include alcoholic beverages of every kind and type, that is located within 500 feet of any city owned and maintained park or trail, measured from the nearest point of the park or trail to the nearest point of the building to be permitted, shall not be entitled to so operate unless it first obtains a Conditional Use Permit.
- (2) *Microbrewery-Restaurant.* A microbrewery-restaurant as defined by the Division of Alcoholic Beverage Control of the State of Arkansas, shall be allowed in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations.
- (3) *Packaged Retail Sales.*
 1. *Beer and Light Wine – Districts Permitted.* The packaged retail sales of beer and/or light wine of every kind and type for consumption off the premises shall be allowed ~~by right in the following zoning districts: C-1, Neighborhood Commercial, C-2, General Commercial and C-3, Central Commercial and with the issuance of a Conditional Use Permit in the DC, Downtown Core zoning district~~in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Section C. Conditions for Use.
 2. *Beer, Wine and Spirits – Districts Permitted.* The packaged retail sales of intoxicating liquors to include alcoholic beverages of every kind and type for consumption off the premises shall be allowed ~~by right in the C-2, General Commercial zoning district~~in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Section C. Conditions for Use.

Attachment D

Art. 801 Sign Ordinance – Private Property Amendments

Underlined text to be added and strikethrough text to be deleted.

Only code sections with amendments are shown.

801.15 Signs allowed with a sign permit.

The following signs may be installed, mounted, or placed on public display only pursuant to a duly authorized and issued sign permit, subject to the height, area and location regulations specified in this Section. A common signage plan is required in accordance with *SEC. 801.09 Common Signage Plan*. Erection of the following signs without a permit is a violation of this Section.

(a) *Height and area regulations.*

Sign Type	ZONING								Use	No. Allowed	Max. Height	Max. Area (per sign face)
	A1, RE R1, R2, R3, R4, RC-2, RC-3 PRD, DN1, DN2	RO	C1	C2	C3	DC, DE, DN3, DN4	I1 & I2	PUD				
Freestanding	•								Subdivision & Multifamily	2/street entrance	6 ft.	32 sq. ft.
	•	•	•		•				Non - residential	1/street entrance <u>frontage</u>	6 ft.	32 sq. ft.
		•							All	1/lot	6 ft.	32 sq. ft.
			•						All	1/street frontage	6 ft.	32 sq. ft.
				•			•	•	Single tenant	1/street frontage	8 ft.	60 sq. ft.
				•			•	•	Multiple tenant	1/street frontage	12 ft.	100 sq. ft.
					•				All	1/street frontage	6 ft.	32 sq. ft.
Wall	•	•							Residential	1/building	1 ft. above roof peak	4 sq. ft., non-illuminated
	•	•							Non residential	1/building	1 ft. above roof peak	25 sq. ft.
			•	•	•	•	•	•	All Non-residential	No maximum number; however, the total area cumulative of all sign faces cannot exceed 15% of the wall area for the building, or suite if	1 ft. above roof peak	15% of wall area* (includes awning, canopy, <u>window, door</u> , projecting and roof signs) 25 sq. ft. min. allowed