

Note – Due to health concerns related to COVID-19, and the current Federal recommendations to avoid gatherings of 10 or more people, some of the members of the Planning Commission, as well as City staff members, may attend this meeting by phone or other remote means. That being said, the Community Development Building will be open for the public to attend. Those that do attend will be asked to watch the meeting from the building’s lobby. Attendees will only be allowed into chambers to make a public comment or to speak during any public hearing on the agenda. Those who do attend should observe the CDC recommendations concerning hygiene and social distancing (keeping at least 6 feet away from other persons present at the meeting). Moreover, no one should attend this meeting if they are experiencing any type of illness involving a fever, sneezing or coughing. Those wishing to make public comments who do not want to attend the meeting may do so in written form, submitted to planning@bentonvillear.com before 3:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Planning Commission. While email comments are encouraged, accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot or do not feel comfortable attending the meeting in person. To do so, please send an email indicating a desire to make “live” oral public comments to Ali Worley at aworley@bentonvillear.com by at least 3:00pm on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number, and email address. Procedures with respect to oral public comments still apply.



**Planning Commission
Meeting Agenda
July 21, 2020**

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

- 1. Lots 1-3, Zeher Addition** **Lot Split**
10125 South Morningstar Road ([LS20-0036](#))
- 2. Been Road Villas Subdivision Phase I** **Preliminary Plat**
9549 Glen Road ([PP20-0005](#))

IV. New Business

- 1. ELB Land Holdings, LLC** **Rezoning***
R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line Residential
3310 & 3312 SW Hillstone Ave. & 3311 & 3313 SW Stonepoint Ave. ([RZ20-0022](#))
- 2. Desavado Living Trust** **Rezoning***
R-1, Single-Family Residential to R-2, Medium Density Residential
404 SW Glover Street ([RZ20-0028](#))

- | | |
|--|---------------------------------------|
| <p>3. G&I Properties, LLC
 C-2, General Commercial & PUD, Planned Unit Development to R-3, Medium Density Residential
 1507 & 1605 SW 14th Street (RZ20-0023)</p> | <p>Rezoning*</p> |
| <p>4. Parker & Buildup Development, LLC
 R-ZL, Residential Zero-Lot Line to R-3, Medium Density Residential
 SW Livingston Square (RZ20-0027)</p> | <p>Rezoning*</p> |
| <p>5. Osage Real Estate Holdings
 Expired PUD, Planned Unit Development to R-1, Single-Family Residential
 4080 N Rainbow Farm Road (RZ20-0025)</p> | <p>Rezoning*</p> |
| <p>6. 28th and I Street, LLC
 A-1, Agricultural to C-2, General Commercial
 SW I Street and SW 28th Street (RZ20-0026)</p> | <p>Rezoning*</p> |
| <p>7. Circle K Convenience Store w/ Fuel Sales
 SW 2nd Street and SW Elm Tree Road (CU20-0026)</p> | <p>Conditional Use*</p> |
| <p>8. Lots 21-22 of Eversole Addition
 SW H Street (LS20-0033)</p> | <p>Lot Split</p> |
| <p>9. G @ Market
 SE G Street (LSD20-0042)</p> | <p>Large Scale Development</p> |
| <p>10. Land Development Code Updates</p> | <p>Public Hearing*</p> |
| <p>11. Group Home Ordinance</p> | <p>Public Hearing*</p> |
- V. Other Business**
1. **PC Start Time Process**

Planning Commission
Minutes
July 7, 2020

Meeting called to order at 5:00 p.m. by Dana Davis, Chairman. Meeting was held via Zoom video conference.

Present: Richard Binns, Dana Davis, Joe Haynie, Eric Hipp, Elaine Kerr, Rod Sanders, and Reggie Wright
Staff: Ellen Norvell, Brian Bahr, Jon Stanley, Tyler Overstreet, Dan Weese, Peter Farmer, and Mark Brightwell

Mr. Davis welcomes the two new Commissioners, Eric Hipp and Reggie Wright.

Motion by Mr. Haynie to approve the minutes of June 16, 2020 as written.

Approved 7-0

Consent Agenda

- | | |
|--|----------------------------|
| 1. Lots 29-30, Block 1 of Crabtree Addition
NW B Street (PLA20-0020) | Property Line Adjustment |
| 2. Lot 59 of Chardonay Subdivision
SW Chardonay Boulevard (PLA20-0032) | Property Line Adjustment |
| 3. Lot 22, Block G of Orchard Addition
409 SE 6 th Street (PLA20-0033) | Property Line Adjustment |
| 4. Lot 19, Block 2 of Lincoln & Rice Addition
108 NE F Street (LS20-0028) | Property Line Adjustment |
| 5. Walnut Grove Subdivision Phase I
SW Barron Road | Preliminary Plat Extension |

Approved 7-0

New Business

Item #1

Bentonvest Fund IV, LLC: Rezoning, R-1, Single Family Residential to R-O, Residential Office, SW 5th Street and SW F Street, RZ20-0020

Jon Stanley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is some discussion amongst staff and Commissioners.

Approved 7-0

Item #2

Stuckey: Rezoning, R-1, Single Family Residential to DN-1, Downtown Low-Density Residential, 107 SW F Street, RZ20-0019

Jon Stanley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is some discussion amongst staff and Commissioners.

Approved 7-0

Item #3

KCG BV, LLC: Rezoning, C-2, General Commercial and PUD, Planned Unit Development to R-3, Medium Density Residential, SW Buckeye Street and SW Juniper Avenue, RZ20-0021

Jon Stanley reads the staff report.

Opened public hearing

Mike Gardner speaks his objections.

Closed public hearing

There is some discussion amongst staff and Commissioners.

Approved 7-0

Item #4

Tylluan, LLC: Planned Residential Development, DN-2, Downtown Medium-Density Residential to PRD, Planned Residential Development, NE Fillmore Street, PRD20-0001

Jon Stanley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is some discussion amongst staff and Commissioners.

Approved 7-0

Item #5

SW 5th Street Parking Lot: Conditional Use, Parking Facility, SW 5th Street and SW F Street, CU20-0022

Jon Stanley reads the staff report.

Opened public hearing

A member of the public speaks on the item. Mr. Overstreet answers her questions. Terry Pool, representative, also answers the questions and confirms the parking will be open to the general public.

Closed public hearing

Approved 7-0

Item #6

Hail Stop: Conditional Use, Temporary Use, 2503 S Walton Boulevard, CU20-0024

Jon Stanley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Approved 7-0

Item #7

Hail One Solutions: Conditional Use, Temporary Use, 1402 Shane Lane, CU20-0027

Jon Stanley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is some discussion amongst staff and Commissioners.

Approved 7-0

Item #8

Motto Hotel: Waiver, Right-of-Way and Sidewalk Widths, S Main Street, WAV20-0010

Jon Stanley reads the staff report.

There is some discussion amongst Commissioners and staff.

Motion by Mr. Sanders, seconded by Ms. Kerr to approve the waiver request: Right-of-Way.

Approved 7-0

Motion by Mr. Sanders, seconded by Ms. Kerr to approve the waiver request: Sidewalk Widths.

Approved 7-0

Item #9

Table at the Station: Large Scale Development, 409 SE 6th Street, LSD20-0040

Jon Stanley reads the staff report.

There is some discussion amongst Commissioners, staff, and representatives.

Approved 7-0

Item #10

The Enclave at Park Springs: Large Scale Development, 909 NW C Street, LSD20-0030

Jon Stanley reads the staff report.

There is some discussion amongst Commissioners and staff.

Motion by Mr. Sanders, seconded by Mr. Haynie to approve the Waiver Request: Sidewalk Requirements.

Approved 7-0

Motion by Mr. Sanders, seconded by Mr. Haynie to approve the Waiver Request: Off-Site Improvements.

Approved 7-0

Large Scale Development

Approved 7-0

There is discussion on changing the times of the Planning Commission and Tech Review meetings to 4pm. As well as holding training sessions.

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 July 21, 2020

Reviewer: Tyler Overstreet, AICP, Senior Planner

- ❖ At the Technical Review meeting held on July 14, 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.

Lot Split: Lots 1-3, Zeher Addition, Zeher, 10125 S Morningstar Road, A-1, Agricultural, LS20-0036

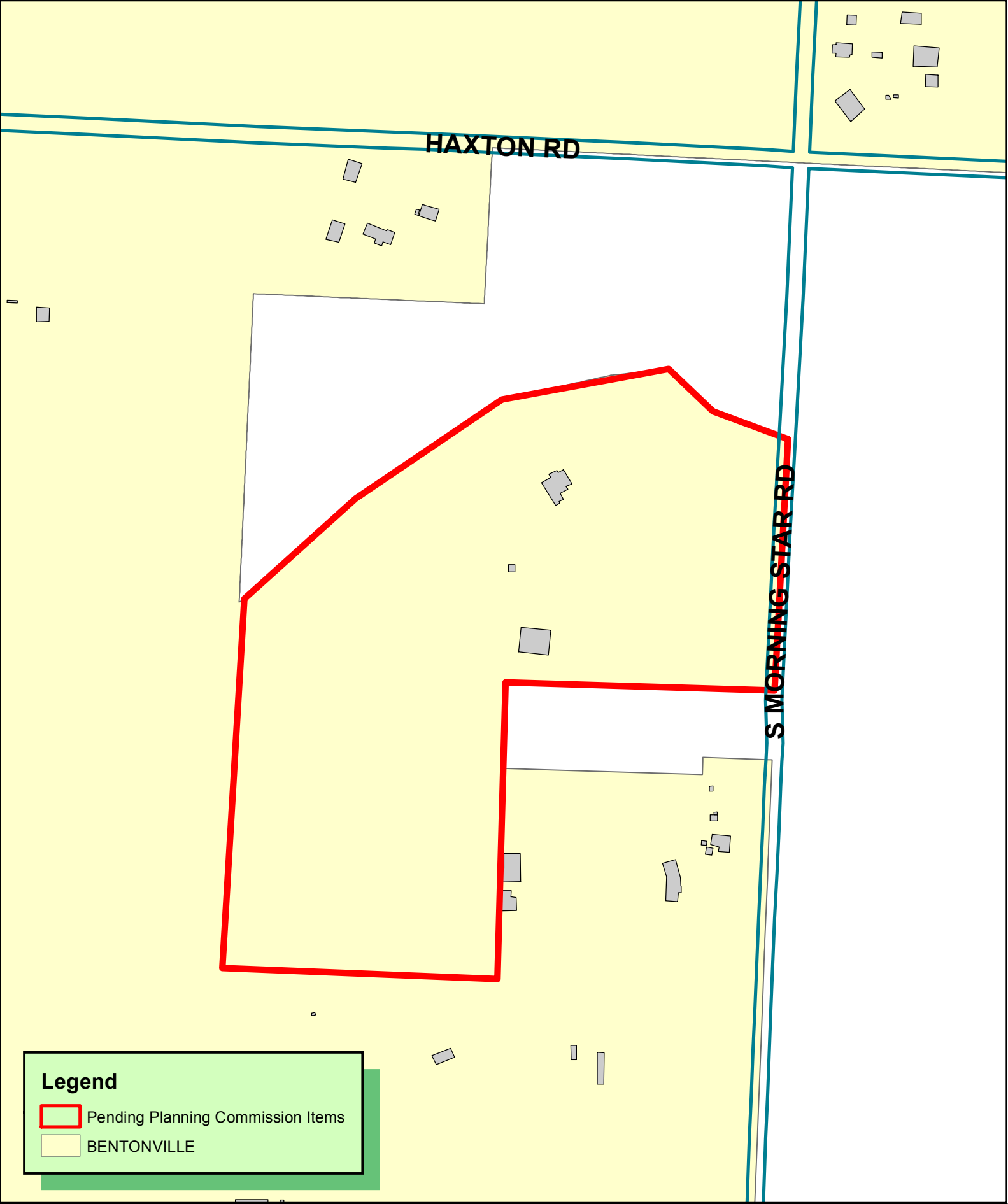
A lot split of +/- 29 acres of un-platted section land that will create Lot 1 (+/-18 acres), Lot 2 (5.41 acres) and Lot 3 (5.40 acres) of Zeher Addition. The plat dedicates a 20-foot utility easement along the entire length of Morningstar Road. Right-of-way is adequate along Morningstar Road at this time.

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

Preliminary Plat: Been Road Villas Subdivision Phase I, BBG Property Development, LLC, 9549 Glen Road, R-2, Duplex and Patio Home Residential, PP20-0005

A preliminary plat proposing the creation of a 49-lot, two-family subdivision to be known as Been Road Villas Phase I. Lots 47, 48, and 49 are reserved as townhouse lots to be constructed with the Been Road Villas Large Scale Development. The development provides sidewalk adjacent to all exterior roadways and common lots. In addition, the development provides street frontage landscaping along Glen Road. All non-bondable items and guarantees of improvements must be complete and a final inspection performed and approved prior to approval of a final plat.

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



LS20-0036
LOT SPLIT
ZEHER ADDITION
LOTS 1-3



LOT SPLIT

CREATING LOTS 1-3, ZEHER ADDITION

BENTONVILLE, ARKANSAS

CLIENT:
Mike & Pam Zeher
10125 S Morning Star Rd
Bentonville, Ar. 72712
(804) 874-4120 pamzeher@msn.com

SURVEY 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 parcels recorded in Deed Records, Book 2014, Page 70947 and Instrument L201829465 in the Official Public Records of Benton County, Arkansas.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- Basis of Bearings: NAD82, State Plane Grid Coordinates, Arkansas North Zone, checking with Bentonville City Control Monument No. 118
- Basis of Elevation: NAVD88, checking with Bentonville City Control Monument No. 118.
- 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.
- This property is zoned A-1 (Agricultural). Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
- 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.
- The locations of underground utilities as shown hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
- 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.
- 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.
- All structures must maintain minimum 20' clearances from all electric lines.

CERTIFICATE OF OWNERSHIP:

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 use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____

Signed: _____

Name & Address _____

Print Name: _____

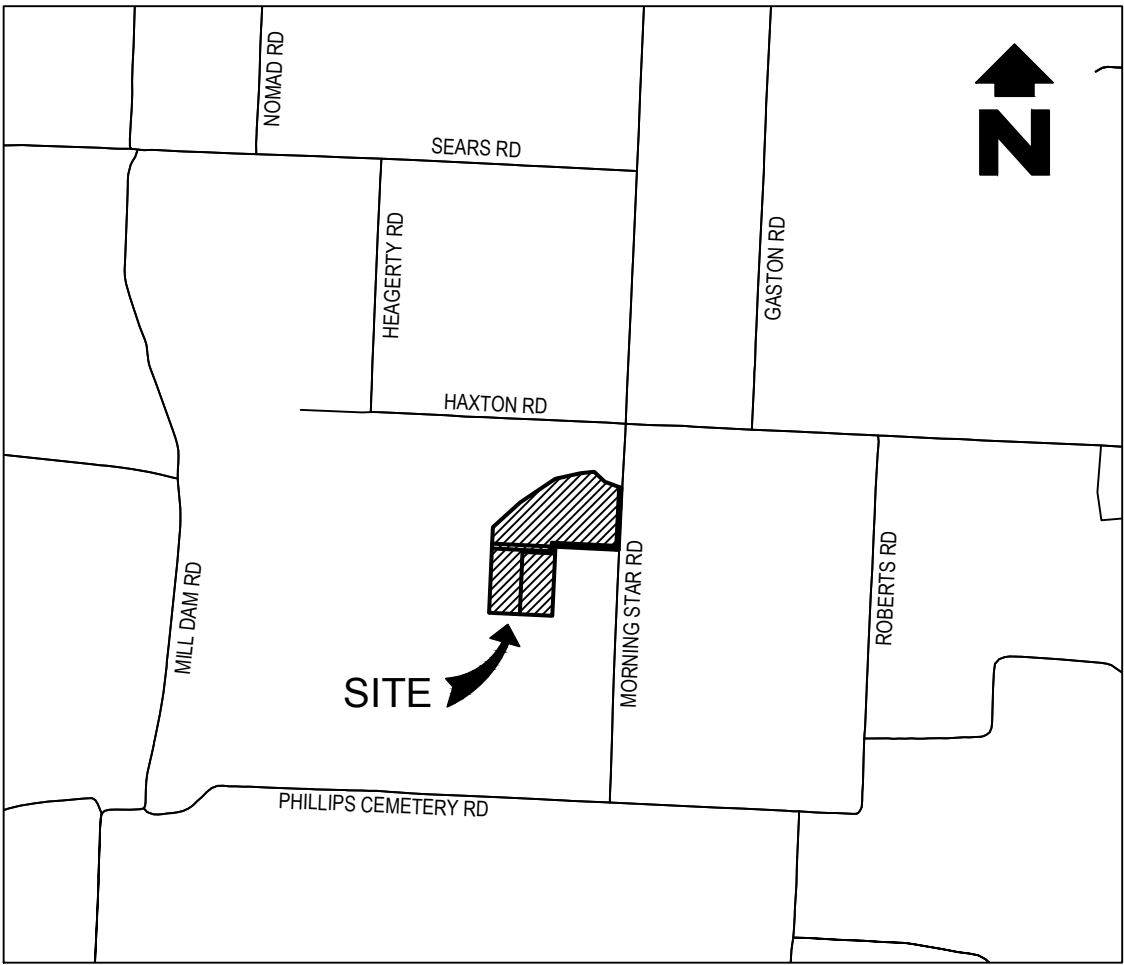
(State of Arkansas)
County of Benton
On this day before the undersigned, a Notary Public duly qualified and acting in and for the county and state aforesaid, personally appeared _____

_____, satisfactorily proven to be the person(s) whose name(s) appear(s) as the Owner(s) in the foregoing instrument, and stated that he/she/they/ has/have executed the same for the consideration, uses and purposes therein stated.

In witness whereof, I hereunto set my hand and on this _____ day of _____, 20____.

Notary Public _____

My commission expires: _____



VICINITY MAP

Scale: 1" = 2,000'

ATLAS PAGE # 606

SURVEY DESCRIPTION - LOT 3:

A part of the SE¼ of the SW¼ of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Beginning at the NW Corner of said SE¼ SW¼, being a Found 2" Aluminum Monument; Thence along the West line thereof, South 02°35'07" West, a distance of 720.12 feet to a Found ½" Rebar; Thence departing said West line, South 87°12'35" East, a distance of 319.89 feet to a Set ⅝" Rebar "AR1002" for the POINT OF BEGINNING; Thence North 02°35'54" East, a distance of 650.05 feet to a Set ⅝" Rebar "AR1002"; Thence South 87°11'45" East, a distance of 319.80 feet to a Set ⅝" Rebar "AR1002"; Thence North 02°48'15" East, a distance of 90.00 feet to a Set ⅝" Rebar "AR1002"; Thence South 87°11'45" East, a distance of 651.92 feet to a Set ⅝" Rebar "AR1002" in the West Right-of-Way of Morningstar Rd.; Thence along said West Right-of-Way, South 02°52'27" West, a distance of 20.00 feet to a Found ⅝" Rebar "PLS688"; Thence North 87°11'45" West, a distance of 631.89 feet to a Found ½" Rebar "PLS688"; Thence South 02°36'40" West, a distance of 719.96 feet to a Found ½" Rebar; Thence North 87°12'35" West, a distance of 339.89 feet to the POINT OF BEGINNING, containing 235,422 Square Feet or 5.40 Acres, more or less. Subject to easements, right of ways, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

LEGAL DESCRIPTION:

PARCEL # 01-08215-750 (Deed 2014-70947)

A part of the NE¼ of the SW¼ of Section 26, T19N, R31W in Benton County, Arkansas, and being more particularly described as follows: Beginning at the SW Corner of said NE¼, SW¼, thence South 00°53' West 720 feet to an iron pin; thence South 88°59' East 660 feet to 435.78 feet, thence N77°30'34"E 272.05 feet, thence N83°56'19"E 142.50 feet, thence S47°21'55"E 151.27 feet, thence S69°25'16"E 186.07 feet, thence S02°37'01"W 645.15 feet, thence N87°11'45"W 1319.39 feet to the P.O.B., containing 18.29 acres more or less and subject to easements and right of way of record.

LEGAL DESCRIPTION:

PARCEL # 01-08215-740 (Instrument L201829465)

A part of the SE¼ of the SW¼ of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the NW Corner of said SE¼, SW¼, thence South 00°53' West 720 feet to an iron pin; thence South 88°59' East 660 feet to an iron pin; thence North 00°53' East 720 feet to the North line of said SE¼ of the SW¼; thence West 660 feet, more or less, to the point of beginning. feet to the P.O.B. Subject to easements, right of ways, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

SURVEY DESCRIPTION - LOT 1:

A part of the NE¼ of the SW¼ of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Beginning at the SW Corner of said NE¼ SW¼, being a Found 2" Aluminum Monument; Thence along the West line thereof, North 02°26'51" East, a distance of 171.45 feet to a Found ⅝" Rebar "PLS1118"; Thence departing said West line, North 47°51'32" East, a distance of 385.97 feet to a Found ⅝" Rebar "PLS1118"; Thence North 55°58'51" East, a distance of 435.58' to a Found ⅝" Rebar "PLS1118"; Thence North 77°30'34" East, a distance of 34.07 feet to a Found ⅝" Rebar "ARPLS1370"; Thence North 77°28'46" East, a distance of 237.98 feet to a Found ⅝" Rebar "PLS1118"; Thence North 83°56'35" East, a distance of 142.67 feet to a Found ⅝" Rebar "PLS1118"; Thence South 47°21'22" East, a distance of 151.33 feet to a Found ⅝" Rebar "PLS1118"; Thence South 69°25'31" East, a distance of 160.09 feet to a Found ⅝" Rebar "PLS1118" in the West Right-of-Way of Morningstar Rd.; Thence along said West Right-of-Way, South 02°52'27" West, a distance of 613.22 feet to a Set ⅝" Rebar "AR1002"; Thence departing said West Right-of-Way, North 87°11'45" West, a distance of 671.94 feet to a Set ⅝" Rebar "AR1002"; Thence South 02°24'48'15" West, a distance of 90.00 feet to a Set ⅝" Rebar "AR1002"; Thence North 87°11'45" West, a distance of 619.91 feet to the POINT OF BEGINNING, containing 784,292 Square Feet or 18.00 Acres, more or less. Subject to easements, right of ways, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

SURVEY DESCRIPTION - LOT 2:

A part of the SE¼ of the SW¼ of Section 26, Township 19 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Beginning at the NW Corner of said SE¼ SW¼, being a Found 2" Aluminum Monument; Thence along the West line thereof, South 02°35'07" West, a distance of 50.00 feet to a Set ⅝" Rebar "AR1002" for the POINT OF BEGINNING; Thence departing said West line, South 87°11'45" East, a distance of 619.91 feet to a Set ⅝" Rebar "AR1002"; Thence North 02°48'15" East, a distance of 90.00 feet to a Set ⅝" Rebar; Thence South 87°11'45" East, a distance of 671.94 feet to a Set ⅝" Rebar "AR1002" in the West Right-of-Way of Morningstar Rd.; Thence along said West Right-of-Way, South 02°52'27" West, a distance of 20.00 feet to a Set ⅝" Rebar "AR1002"; Thence departing said West Right-of-Way, North 87°11'45" West, a distance of 54081 feet to a Set ⅝" Rebar "AR1002"; Thence South 02°14'8'15" West, a distance of 90.00 feet to a Set ⅝" Rebar "AR1002"; Thence North 87°11'45" West, a distance of 319.80 feet to a Set ⅝" Rebar "AR1002"; Thence South 02°35'54" West, a distance of 650.05 feet to a Set ⅝" Rebar "AR1002"; Thence North 87°12'35" West, a distance of 319.89 feet to a Found ½" Rebar; Thence North 02°35'07" East, a distance of 670.12 feet to the POINT OF BEGINNING, containing 235,638 Square Feet or 5.41 Acres, more or less. Subject to easements, right of ways, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases, if any.

SURVEYOR'S CERTIFICATE:

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

Date of Execution: _____

Signed: _____

C. Ed Gray
Registered Land Surveyor
State of Arkansas
Registration No. 1002



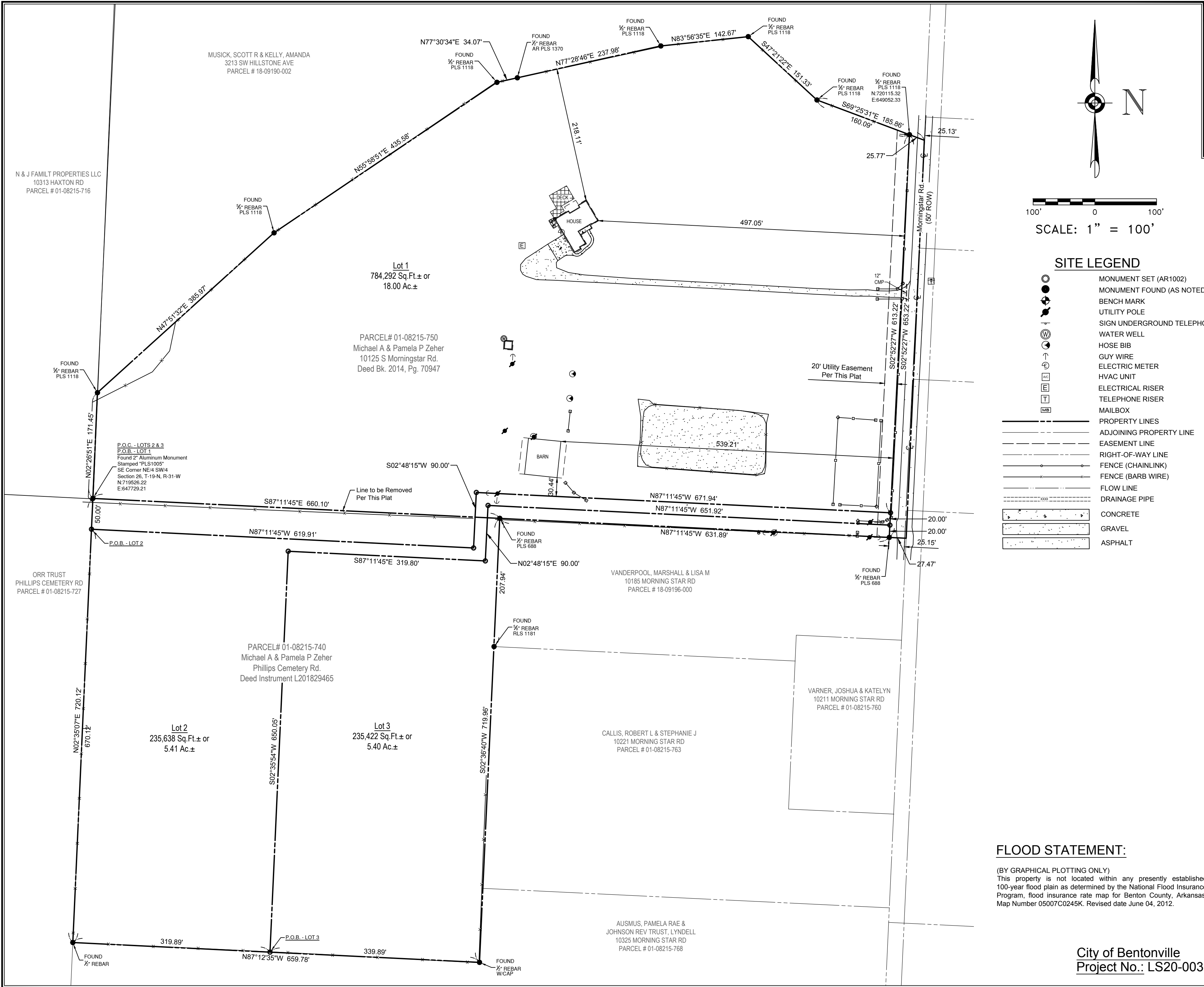
SAND CREEK

Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282



City of Bentonville
Project No.: LS20-0036

SHEET: 1 OF 2



100' 0 100'
SCALE: 1" = 100'

SITE LEGEND

- MONUMENT SET (AR1002)
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- UTILITY POLE
- SIGN UNDERGROUND TELEPHONE
- WATER WELL
- HOSE BIB
- GUY WIRE
- ELECTRIC METER
- HVAC UNIT
- ELECTRICAL RISER
- TELEPHONE RISER
- MAILBOX
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- FENCE (CHAINLINK)
- FENCE (BARB WIRE)
- FLOW LINE
- DRAINAGE PIPE
- CONCRETE
- GRAVEL
- ASPHALT

FLOOD STATEMENT:

(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 05007C0245K. Revised date June 04, 2012.

City of Bentonville
Project No.: LS20-0036

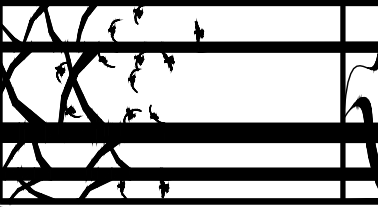
CLIENT:
Mike & Pam Zeher
10125 S Morning Star Rd
Bentonville, Ar. 72712
(804) 874-4120 pamzeher@msn.com

LOT SPLIT

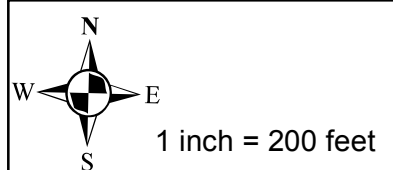
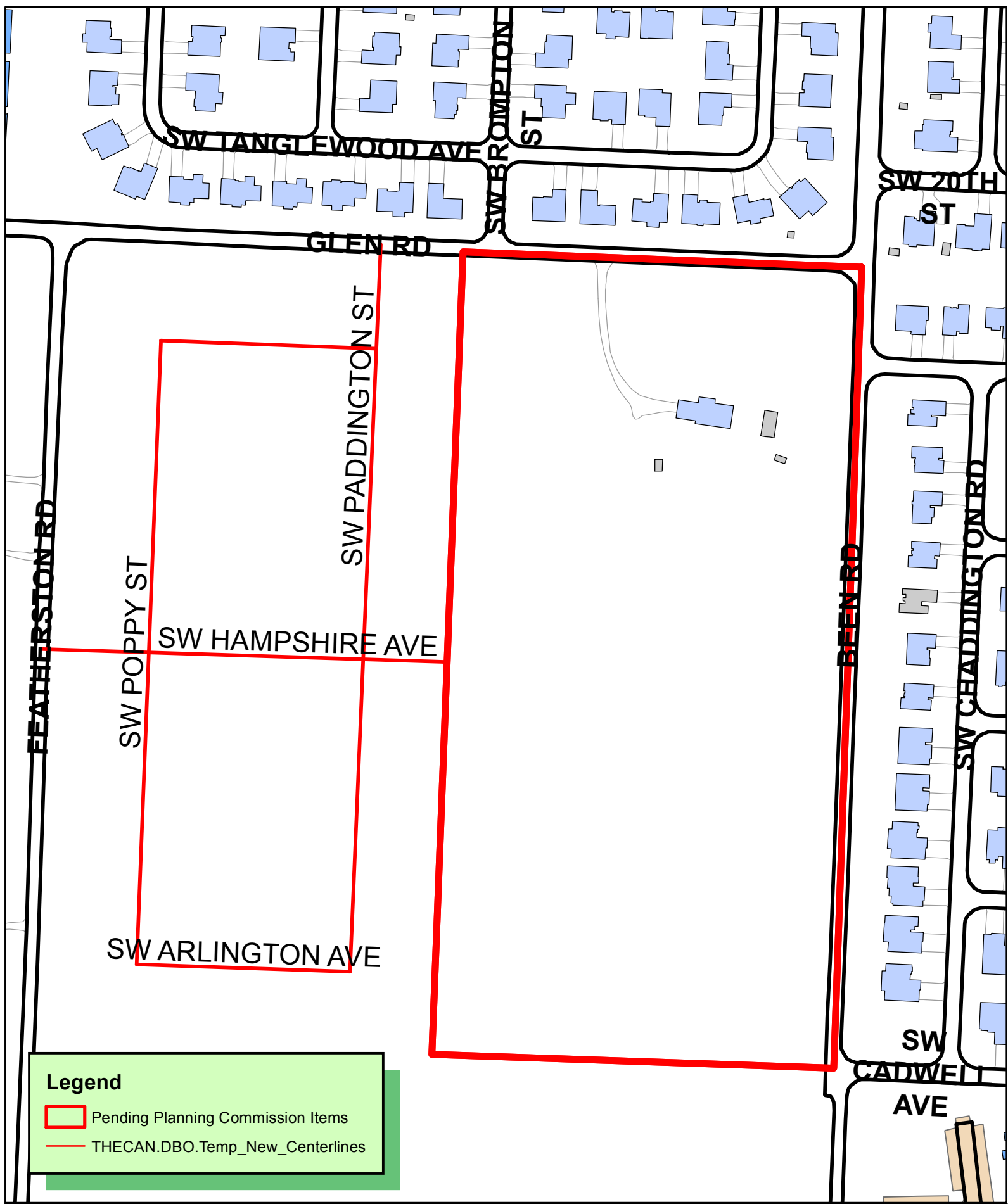
CREATING LOTS 1-3
ZEHER ADDITION
BENTONVILLE, ARKANSAS



SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9282



PLS:	CEG
CAD:	MJH
FIELD:	MJH
SCE PROJECT #:	20007
DATE:	04/15/2020
SHEET:	2 OF 2



PP20-0005
PRELIMINARY PLAT
BEEM ROAD VILLAS



BEEN ROAD VILLAS SUBDIVISION

PRELIMINARY PLAT - PHASE 1

9549 GLEN RD
BENTONVILLE, AR 72713

GENERAL NOTES

- INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS AND FIELD CONDITIONS WHEN POSSIBLE, BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF TRENCHING. IF THE CLEARANCES ARE LESS THAN SPECIFIED ON THE PLANS OR 18", WHICHEVER IS LESS, CONTACT SWOPE CONSULTING AT 479-268-6099 PRIOR TO PROCEEDING WITH CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND IMPLEMENTATION OF ALL REQUIRED/NECESSARY SHEETING, SHORING, BRACING, AND SPECIAL EXCAVATION MEASURES REQUIRED ON THE PROJECT TO MEET OSHA, FEDERAL, STATE, AND LOCAL REGULATIONS PURSUANT TO THE INSTALLATION OF THE WORK INDICATED ON THE DRAWINGS. SWOPE CONSULTING, ACCEPTS NO RESPONSIBILITY FOR THE DESIGN TO INSTALL SAID ITEMS. CALL THE ARKANSAS STATE ONE-CALL UTILITY LOCATION CENTER (1-800-522-6543) BEFORE YOU DIG.
- THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE DAILY RECORD KEEPING OF THE AS-BUILT CONDITION OF ALL OF THE UNDERGROUND UTILITIES AND CONSTRUCTION STAKEOUT ASSOCIATED WITH THE PROJECT.
- ALL WATER LINE AND SEWER LINE INSTALLATION SHALL CONFORM TO THE STANDARDS AND DETAILS OF BENTONVILLE AND ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY SPECIFICATIONS.
- IF APPLICABLE TO THIS PROJECT, THE LAND DISTURBANCE PERMIT MUST BE KEPT ON THE WORK SITE AND SHOWN UPON REQUEST.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL MATERIAL AND LABOR ASSOCIATED WITH THE TESTING OF THE WATER AND SEWER LINES REQUIRED BY CITY OF BENTONVILLE.
- THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ANY DE-WATERING NECESSARY TO CONSTRUCT THE PROJECT AS SHOWN ON THE PLANS.
- THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ANY AND ALL COST ASSOCIATED WITH PROVIDING A PROFESSIONAL ENGINEER ON-SITE IF THE CONTRACTOR DOES NOT ADEQUATELY HANDLE STORMWATER MANAGEMENT FACILITIES AND A PROFESSIONAL ENGINEER IS REQUIRED BY A GOVERNING AGENCY DURING THE CONSTRUCTION OF SAID FACILITIES.
- THE OWNER IS RESPONSIBLE FOR THE ACQUISITION OF ALL EASEMENTS, RIGHTS, AND/OR RIGHTS OF WAY THAT MAY BE REQUIRED FOR THE SEDIMENT AND EROSION CONTROL PRACTICES, STORMWATER ONTO OR ACROSS ADJACENT OR DOWNSTREAM PROPERTIES, INCLUDED IN THIS PLAN. SAID OWNER IS ALSO RESPONSIBLE FOR THE ACQUISITION OF ALL EASEMENTS, RIGHTS, AND/OR RIGHTS OF WAY THAT MAY BE REQUIRED FOR GRADING AND/OR WORK ON ADJACENT PROPERTIES INCLUDED IN THIS PLAN.
- SEDIMENT CONTROL MEASURES MUST BE INSPECTED AND MAINTAINED REGULARLY TO ENSURE THAT THE INTENDED PURPOSES ARE ACCOMPLISHED.
- THE CONTRACTOR SHALL INCLUDE IN HIS CONTRACT PRICE THE REMOVAL AND DISPOSAL OF ANY EXCESS TOPSOIL HE DETERMINES IS NOT REQUIRED TO PERFORM THE FINAL GRADING AND LANDSCAPING OPERATIONS.
- BUILDING CONTRACTOR SHALL INSTALL ALL UTILITY SERVICE LINES, METERS, AND OTHER UTILITY APPURTENANCES NECESSARY FOR THE CONNECTION OF BUILDING UTILITIES.
- A MINIMUM OF FORTY EIGHT (48) HOURS PRIOR TO ANY EXCAVATION OR GRADING, CONTRACTOR SHALL CONTACT THE STATE ONE-CALL SYSTEM AT 811 TO LOCATE ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD IMMEDIATELY IN THE EVENT THAT UNDERGROUND UTILITIES ARE NOT SHOWN ON PLAN AND / OR CONFLICT WITH PROPOSED CIVIL WORKS.
- THE CONTRACTOR IS TO BE SOLELY RESPONSIBLE FOR ANY DAMAGE TO NEIGHBORING PROPERTIES DURING CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL REVIEW THE CONSTRUCTION DOCUMENTS PRIOR TO ANY CONSTRUCTION, AND NOTIFY THE ENGINEER OF RECORD IMMEDIATELY UPON DISCOVERY OF ANY DISCREPANCIES THAT MAY OCCUR ON THE DRAWINGS. ALL WORK SHALL DISCONTINUE UNTIL SUCH TIME THAT THE ENGINEER OF RECORD HAS RESOLVED SAID DISCREPANCY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSAL OF CONSTRUCTION WASTE MATERIALS INCLUDING BUT NOT LIMITED TO DEMOLITION MATERIALS, DEBRIS, CONTAMINATED SOILS / MATERIALS, ETC. IN A LAWFUL MANNER, AT STATE AND FEDERALLY ACCEPTED DISPOSAL SITES.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND CONSTRUCTING IN ACCORDANCE WITH THE STRICTER OF: THESE CONSTRUCTION DOCUMENTS AND ANY ASSOCIATED DETAILS & SPECIFICATIONS; AND ALL MUNICIPALITIES' / GOVERNING AGENCIES' STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION.
- NO EVIDENCE IS FOUND ON-SITE OF WETLANDS OR OTHER "WATERS OF THE U.S."
- THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE THROUGHOUT THE PROJECT SITE. IF ANY DISCREPANCIES ARE FOUND ON PLANS OR IN THE FIELD WHICH WOULD PREVENT POSITIVE DRAINAGE, CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY TO AVOID ADDITIONAL COST TO THE OWNER.

CONTACT INFORMATION:

DEVELOPER / PROPERTY OWNER:

Parcel #: 01-00828-070
610 Towson Avenue
PO Box 2207
Fort Smith, AR 72902
479.783.5191

CIVIL ENGINEER/SURVEYOR

Phil Swope, P.E.
Terry Gling, P.S.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office
479.250.4285 fax

City of Bentonville - Engineering Department

Attn: Dan Weese, City Engineer
3200 SW Municipal Drive
Bentonville, AR
Ph: (479) 271-5993
dweese@bentonvillear.com

City of Bentonville - Stormwater

Attn: Janet Paith
3200 SW Municipal Drive
Bentonville, AR 72712
Ph: (479) 271-5002
jpaith@bentonvillear.com

City of Bentonville - Planning Department

Attn: Brian Bahr, Planning Director
305 SW "A" Street
Bentonville, AR 72712
Ph: (479) 271-3122

City of Bentonville - Fire Department

Attn: Brent Boydston, Fire Chief
800 SW "A" Street
Bentonville, AR 72712
Ph: (479) 271-5927

City of Bentonville - Street Department

Attn: Tony Davis
3200 SW Municipal Drive
Bentonville, AR 72712
Ph: (479) 271-3130
todavis@bentonvillear.com

City of Bentonville - Water Department

Attn: Preston Newbill
3200 SW Municipal Drive
Bentonville, AR 72712
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pnewbill@bentonvillear.com

City of Bentonville - Electric Department

Attn: Charlie Barnes
3200 SW Municipal Drive
Bentonville, AR 72712
Ph: (479) 271-3159

City of Bentonville - Wastewater Department

Attn: Nancy Busen
1901 NE "A" Street
Bentonville, AR 72712
Ph: (479) 271-3160
nbusen@bentonvillear.com

CITY OF Bentonville MAYOR

117 W. Central Avenue
Bentonville, AR 72712
Assistant to the Mayor
CONTACT: Karlie Magee
(479) 271-5966 OFFICE

UTILITY INFORMATION:

GAS COMPANY

BLACK HILLS ENERGY
ATTN: JOSH KNIGHT
1301 FEDERAL WAY
PO BOX 2129
LOWELL, AR 72745
PH: (479) 333-7005
JOSHUA.KNIGHT@BLACKHILLSCORP.COM

TELEPHONE COMPANY

AT&T
ATTN: SCOTT SEAMAN
OR LAYNE RHODES
627 WHITE ROAD
SPRINGDALE, AR 72766
PH: 479-442-1967 (SCOTT SEAMAN)
PH: 479-442-1977 (LAYNE RHODES)
SS7513@ATT.COM
LR159@ATT.COM

CENTURYTEL PHONE COMPANY

2601 WAUKESHA ROAD
SILOAM SPRINGS, AR 72761
PH: 479-524-9943
FAX: 479-524-9936
MICHAEL.EDWARDS@CENTURYLINK.COM

CABLE COMPANY

COX COMMUNICATIONS
ATTN: KIP SMITH,
4901 S. 48TH STREET,
SPRINGDALE, AR 72762,
PH: (479) 717-3796
KIP.SMITH@COX.COM

ARKANSAS DOT

ATTN: DOUG MEARS
215 INDUSTRIAL PARK ROAD
PO BOX 610
HARRISON, AR 72602
DOUG.MEARS@AHTD.GOV

ARKANSAS DEPARTMENT OF HEALTH

ATTN: ADAM PARKER
DIVISION OF ENGINEERING, SLOT 37
4815 W MARKHAM
LITTLE ROCK, AR 72205
661-2623 OFFICE
ADAM.PARKER@ARKANSAS.GOV

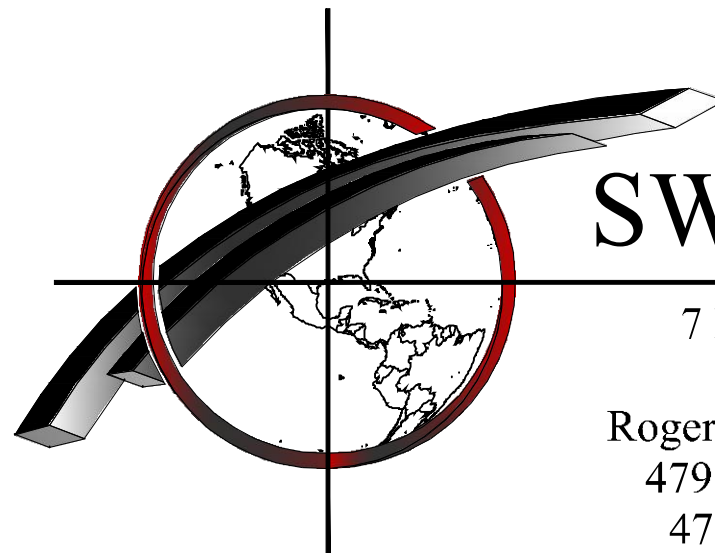
CARROLL ELECTRIC

ATTN: RYAN BUTLER
PO BOX 329
BENTONVILLE, AR 72712
PH: 479-273-2421 EXT 1415
RBUTLER@CARROLLECC.COM

LEGAL DESCRIPTION

PART OF THE NE CORNER OF THE SE 1/4 SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NW CORNER OF THE SW 1/4 OF SAID SECTION 2;
THENCE S 02°06'40" W 1321.13 FEET TO A FOUND COTTON PICKER SPINDLE;
THENCE N 87°41'02" W 662.70 FEET TO A FOUND IRON PIN;
THENCE N 02°13'23" E 1320.38 FEET TO A FOUND IRON PIN;
THENCE S 87°44'57" E 660.12 FEET TO THE POINT OF BEGINNING CONTAINING 873557.12 SQUARE FEET OR 20.05 ACRES MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.



SWOPE ENGINEERING

7 Halsted Circle
Suite #210
Rogers, Arkansas 72756
479.685.8399 office
479.250.4285 fax

Civil Engineering
Construction Management
Municipal Engineering
Land Planning
Land Surveying

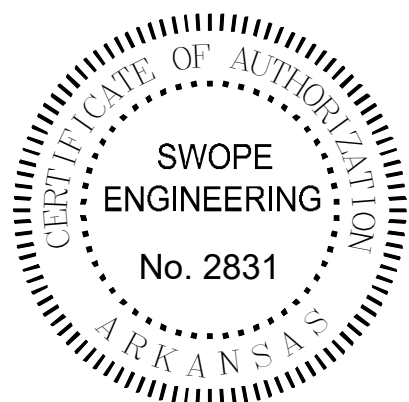


Know what's below.
Call before you dig.

*** CAUTION ***
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. OTHER (IN SERVICE OR ABANDONED) THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

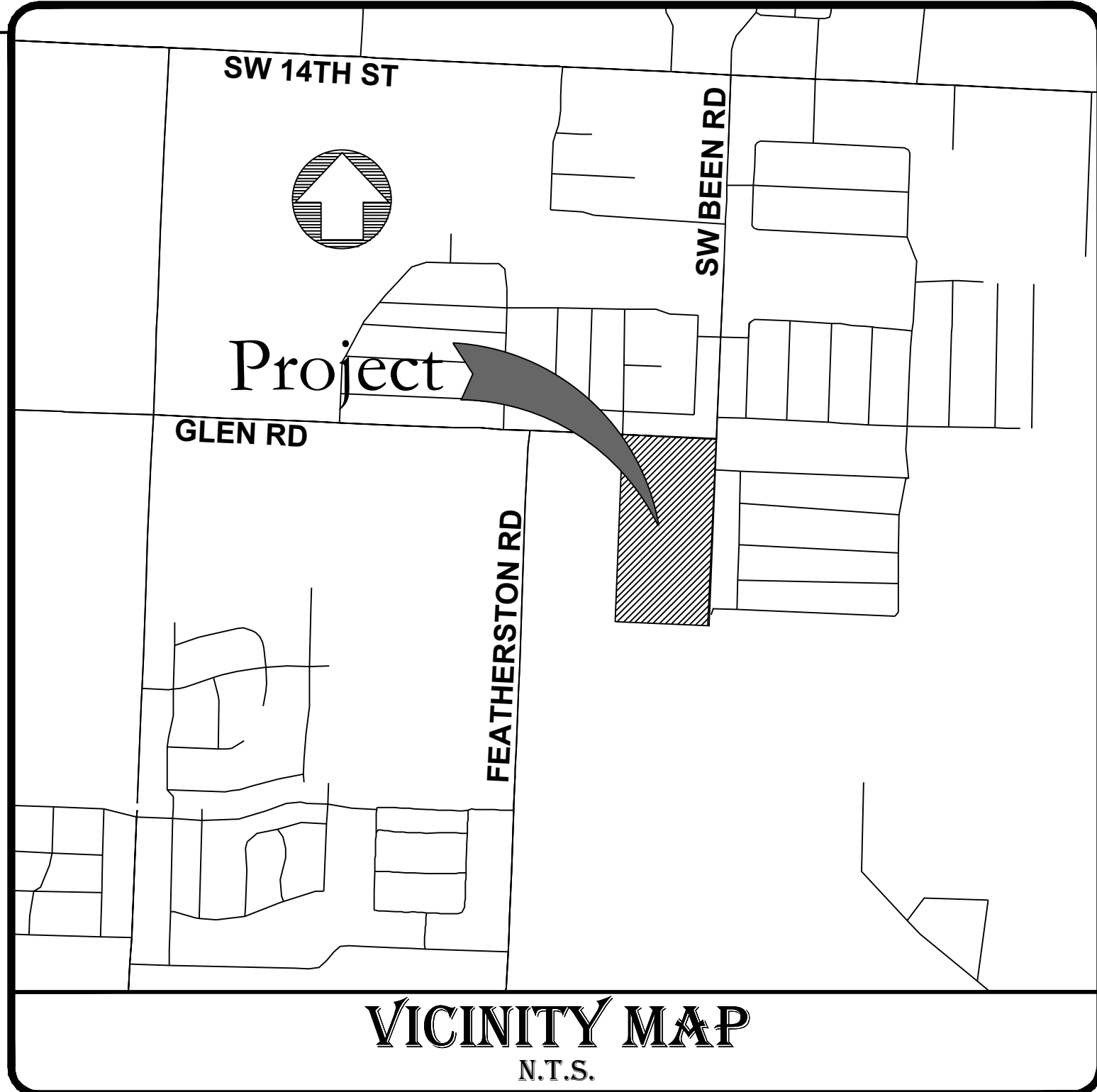


THIS DRAWING IS
"PRELIMINARY - NOT FOR
CONSTRUCTION" UNTIL
ABOVE SEAL HOLDER
ACKNOWLEDGES THE
CANCELLATION OF THIS
DISCLAIMER BELOW.



PP 20-0005
DATE: 07/02/2020
REVISED: XX-XX-XXXX

DATE



VICINITY MAP
N.T.S.

CERTIFICATIONS:

REVIEW OF THESE PLANS IS LIMITED TO GENERAL COMPLIANCE WITH CITY CODES AND REGULATIONS AND DOES NOT WARRANT THE ENGINEER'S DESIGN OR RELIEVE THE DEVELOPER OF ANY REQUIREMENTS, EVEN IF ERRORS, OMISSIONS, OR ANY INADEQUACIES ARE DISCOVERED AFTER PLAN APPROVAL. THE CITY'S REQUIREMENTS SHALL GOVERN OVER ANY CONFLICTS WITH THE PLANS OR SPECIFICATIONS. ANY CONDITIONS DETERMINED IN THE FIELD WHICH REQUIRE CHANGES SHALL BE SUBJECT TO FURTHER REVIEW AND CORRECTIVE ACTION.

SHEET LIST TABLE

Sheet Number	Sheet Title
C1.0	Cover Sheet
C1.1	General Notes
C2.0	Overall Preliminary Plat
C2.1	Preliminary Plat
C2.2	Preliminary Plat
C2.2	Landscaping Plan
C3.0	Demolition and Erosion Control Phase 1 Plan
C3.1	Erosion Control Phase 2 Plan
C3.2	Erosion Control Details
C4.0	Grading Plan
C5.0	Utility Plan
C5.1	Utility Plan
C6.0	Storm Line A Plan and Profile
C6.1	Storm Line B Plan and Profile
C6.2	Storm Line A.1, A.2, and A.3
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C6.4	North and East Pond Plan and Profile
C7.0	SW Endurance Way Plan and Profile
C7.1	SW Shackleton Avenue and Street 4 Plan and Profile
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C7.6	Intersection Grading Details
C7.7	Intersection Grading Details
C8.0	Sanitary Sewer Line A Plan and Profile
C8.1	Sanitary Sewer Line A Plan and Profile - Continued
C8.2	Sanitary Sewer Line B Plan and Profile
C9.0	Waterline A Plan and Profile
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C9.2	Waterline B Plan and Profile
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C10.0	Roadway and Signage Details
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C10.7	BEUD ELECTRIC LAYOUT 1
C10.8	BEUD ELECTRIC LAYOUT 2
C10.9	BEUD ELECTRIC LAYOUT 3
C10.10	BEUD DETAILS
C10.11	BEUD DETAILS
C10.12	BEUD DETAILS

C1.0

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GENERAL NOTES

- × Dimensions are measured from the Back of Curb, the Edge of Pavement, the Edge of Sidewalk the Face/Corner of the Building(s) or the Center/End of Stripe.
- × All radii shall be 4 foot at Face of Curb unless otherwise specified.
- × Layout of Site Plan is based on and limited to survey information.
- × All Curb & Gutter shall be Type "A" 24" wide per detail sheet.
- × All Pavement Marking shall be applied in accordance with the requirements outlined in the most current edition of the "Manual on Uniform Traffic Control Devices" (MUTCD).
- × All Signs, Traffic Control Devices, etc. shall follow the guidelines of the MUTCD.
- × The Contractor shall refer to the Architectural drawings for Building Floor plans and Dimensions, Wall Sections, Door Openings, Building Utility Entrance Points, etc. The Contractor shall immediately notify the Architect and Engineer in the event that the Civil Site Plans Building Layout does not match the Architectural drawings.
- × All handicap spaces shall be striped / marked in accordance with the handicap striping detail.
- × All pavement indicated shall be standard duty bituminous pavement unless otherwise noted on plan. The pavement shall be constructed in accordance with the pavement section detail.
- × All ramps shall have detectable truncated dome panels per A.D.A. and city standards and the detail sheet

NOTES

- Unless Otherwise Noted On The Plat, All Houses Minimum Finished Floor Elevation Shall Be A Minimum Of Twelve (12) Inches Above The Highest Curb Elevation In Front Of The Home/Building.
- Lot Developer/Builder shall be responsible for replacement in kind of any existing sidewalk or ADA Ramps damaged during construction.
- The Developer/Contractor will be responsible for all ADA Ramp construction and all common property sidewalk construction.
- Lot Developer/Builder shall be responsible for construction of sidewalks prior to Certificate of Occupancy, per City of Bentonville Specifications and the American Disability Act, (5' green space BOC and 5' sidewalk on all street frontages).
- Interior Streets on 50-ft Dedicated R/W, 30-ft BOC, 3-inch HMA over 6-inch Class 7 base and 24-inch concrete Curb/Gutter.
- Corner lots shall be addressed and residences shall face front of lot not street side.
- USACE, David Rupe, have done a jurisdictional determination and concluded no wetland features exist on-site. (Refer to File SWL-2018-00232 dated November 2, 2018)
- Phase 1 consists of 115 Total Lots; 113 Buildable lots; and 2 Non-Buildable Lots A & B (Retention Pond Lots).
- Lot(s) A & B (Retention Pond Lots) will be owned and maintained by Developer or Property Owners Association in accordance with Covenants.

SITE NOTES:

- Regrade and furnish additional topsoil as required. Seed all areas disturbed by construction.
- Slope finished grades to ensure positive drainage
- General Contractor shall verify all existing conditions, grades and dimension on site and report all major discrepancies to Engineer immediately.
- Remove all items as noted. Protect all existing items to remain.
- All construction shall be in strict accordance with the current city standards and specifications.
- All costs associated with utility connections shown shall be included in Base Bid. Coordinate all issues with local utility company prior to bidding.
- Contractor shall construct all intersection handicap ramps into corner lots.
- Sign installation shall be the responsibility of the contractor unless otherwise specified by the City. Signage shall meet current reflectivity specifications. All sign posts will be on break-away bases. All signage shall conform to the latest MUTCD requirements.
- Contractor is responsible for striping installation. All pavement arrows, cross hatching, crosswalks and other pavement markings will be thermoplastic per City Standards and Specifications.
- All concrete and asphalt pavement, curb and gutter, aggregate base, etc shall be in accordance with the detail sheets and the city standards and specifications. Any changes must be approved by the City, the Owner and the Engineer.
- All saw-cut edges shall be a clean edge. Width of asphalt may vary: See plans. Dispose of all removed asphalt in accordance with local and state requirements for disposal. All new pavement surfaces shall conform to city specifications for smoothness.
- All dimension are to center of stripe(s), edge of pavement, face of building, or face of curb unless noted otherwise.
- Final "As-Built" plans of all improvements performed shall be provided to the city after completion of the entire project. As-Built plans must be provided before final approval and acceptance will be given by the City, and before the associated project bonds are released.
- Curb inlet and junction box top elevation shall be set by the street profile. If a conflict exists between the structure's top elevation and the street top-of-curb, the street shall govern. Contractor shall notify the engineer immediately if a conflict exists.

ALL WATER AND SEWER FACILITIES SHALL CONFORM TO THE CITY OF BENTONVILLE STANDARD WATER & SEWER SPECIFICATIONS MANUAL 2008 Council Approved - August 12, 2008 Ordinance - 2008-64 ADH Approved #67501 June 16, 2008

ALL PROPOSED SEWER MANHOLES MUST BE INSTALLED, TESTED AND ACCEPTED BEFORE THE PIPE IS CUT AWAY AND DIRECTED THROUGH THE PROPOSED SEWER ROUTE. THE OLD SECTION OF LINE CAN BE ABANDONED AFTER TESTING AND ACCEPTANCE

ALL RIM ELEVATIONS (SEWER MANHOLES AND STORM INLETS) ARE TO BE SET USING FINAL GRADING. IF THERE IS A DISCREPANCY BETWEEN THE FINAL GRADING AND POSTED RIMS, THE FINAL GRADING SHALL RULE. IF THERE IS A DISCREPANCY OF MORE THAN 3" THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD.

DEMOLITION NOTES:

- Contractor shall be responsible for removal of the Existing Structures, Related Utilities, Paving, Underground Storage Tanks and any other existing improvements as noted. Contractor is to remove and dispose of all debris, rubbish, and other materials resulting from previous and current demolition operations. Disposal shall be in accordance with all Local, State and/or Federal Regulations Governing such operations.
- The General Contractor shall take all precautions necessary to avoid property damage to adjacent properties during the construction phases of this project. The contractor will be held solely responsible for any damages to the adjacent properties occurring during the construction phases of this project.
- The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies, and where possible, measurements taken in the field. The information is not to be relied upon as being exact or complete. The contractor must call the appropriate utility company at least 48 hours prior to any excavation to request exact field location of utilities. It shall be the contractor's responsibility locate all existing utilities which conflict with the proposed improvements shown on the plans, whether shown or not shown at no additional cost to the owner.
- Contractor shall remove all buildings, pavement, curbs, trees (save and protect), light poles, utility poles and lines from the site up to the limits of construction or the property line unless otherwise noted. Contractor shall cap/plug any water, gas, sanitary sewer or storm sewer line at the property line. Electric and Telephone lines whether overhead or underground shall be terminated at the closest utility pole or pedestal to the property line or per the Designated Utility Company's Requirements.
- It is the Contractor's responsibility to remove any and all asbestos or any other hazardous materials from the site per government guidelines and shall dispose of the hazardous materials in strict accordance to the guidelines.
- Contractor shall ensure that adequate measures are taken prior to the removal of any existing storm water / sanitary sewer systems so that the discharge of water remains uninterrupted both on and off the site.
- Contractor shall ensure that any utility service to the site that shall be removed will not interrupt service to the neighboring property owners. It is the contractors responsibility to coordinate with the neighboring property owners if service will be interrupted.

MAINTENANCE:

All measures stated on this erosion and sediment control plan, and in the storm water pollution prevention plan, shall be maintained in fully functional condition until no longer required for a completed phase of work or final stabilization of the site. All erosion and sedimentation control measures shall be checked by a qualified person in accordance with the contract documents or the applicable permit, whichever is more stringent, and repaired in accordance with the following:

1. Inlet protection devices and barriers shall be repaired or replaced if they show signs of undermining, or deterioration.
2. All seeded areas shall be checked regularly to see that a good stand is maintained. Areas should be fertilized, watered, and reseeded as needed.
3. Silt fences shall be repaired to their original conditions if damaged. Sediment shall be removed from the silt fences when it reaches one-half the height of the silt fence.
4. The construction entrances shall be maintained in a condition which will prevent tracking or flow of mud onto public rights-of-way. This may require periodic top dressing of the construction entrances as conditions demand.
5. The temporary parking and storage area shall be kept in good condition (suitable for parking and storage). This may require periodic top dressing of the temporary parking as conditions demand.
6. Outlet structures in the sedimentation basins shall be maintained in operational conditions at all times. Sediment shall be removed from sediment basins or traps when the design capacity has been reduced by 50%.

TREES SHALL NOT BE PLANTED CLOSER THAN 5' FROM ELECTRIC, SEWER, OR WATER

ALL VALVES SHALL BE RESTRAINED TO THE TEE NEARBY

WATER AND SEWER SERVICES SHALL BE 3' FROM PROPERTY LINE

ALL FIRE HYDRANTS ARE SHOWN FOR VISUAL PURPOSES ONLY AND SHALL COMPLY WITH BENTONVILLE WATER AND SEWER SPECIFICATIONS

THIS PLAN INCLUDES A REHABILITATION OF AN EXISTING ROAD, AS WELL AS TIE-INS TO EXISTING ROAD STRUCTURES ON THE NORTH AND EAST BOUNDARY OF THE SITE. EVERY EFFORT HAS BEEN MADE BY THE ENGINEER TO LOCATE THE EXISTING UTILITIES AND SHOW THEM WITHIN THIS PLAN SET. THE CONTRACTOR SHALL EXECUTE A ONE CALL ADJACENT TO THE REHABILITATION OF THE EXISTING ROADS AND NOTIFY THE ENGINEER OF RECORD OF ANY CONFLICTING UTILITIES OR CONFLICTS WITH GRADING WITH THE DESIGN SHOWN HEREIN, PRIOR TO INSTALLATION OF STORM DRAIN FACILITIES, CURB, NOTCH AND WIDENING, OR BEFORE TIE-INS TO EXISTING SANITARY SEWER OR WATER FACILITIES.

ALL WATERLINE APPURTENANCES (HYDRANTS, VALVE BOXES, ARV BOXES, METERS, ETC) SHALL BE SET ACCORDING TO HEIGHTS RELATIVE TO THE ADJACENT ROAD'S FINISHED GRADE. DO NOT SET ANY WATERLINE APPURTENANCES WITHOUT VERIFYING TOP BACK-OF-CURB ELEVATIONS FIRST

EROSION GENERAL NOTES:

- A. The Storm Water Pollution Prevention Plan (SWPPP) is comprised of the Erosion Phase I & II construction drawings, the standard details and any related documents including City Ordinance.
- B. Contractor shall implement best management practices as required by the SWPPP. Additional best management practices shall be implemented as dictated by conditions at no additional cost of owner throughout all phases of construction.
- D. Best Management Practices (BMP's) and controls shall conform to federal, state, or local requirements or manual of practice, as applicable. Contractor shall implement additional controls as directed by permitting agency or owner.
- E. Site map must clearly delineate all state waters. Permits for any construction activity impacting state waters or regulated wetlands must be maintained on site at all times.
- F. Contractor shall minimize clearing to the maximum extent practical or as required by the general permit.
- G. General Contractor shall denote on plan the temporary parking and storage area which shall also be used as the equipment maintenance and cleaning area, employee parking area, and area for locating portable facilities, office trailers, and toilet facilities.
- H. All wash water (concrete trucks, vehicle cleaning, equipment cleaning, etc.) shall be detained and properly treated or disposed.
- I. Sufficient oil and grease absorbing materials and flotation booms shall be maintained on site or readily available to contain and clean-up fuel or chemical spills and leaks.
- J. Dust on the site shall be controlled. The use of motor oils and other petroleum based or toxic liquids for dust suppression operations is prohibited.
- K. Rubbish, trash, garbage, litter, or other such materials shall be deposited into sealed containers. Materials shall be prevented from leaving the premises through the action of wind or stormwater discharge into drainage ditches or waters of the state or U.S.
- L. All storm water pollution prevention measures presented on this plan, and in the Storm Water Pollution Prevention Plan, shall be initiated as soon as practicable.
- M. Disturbed portions of the site where construction activity has stopped shall be temporarily seeded no later than 14 days after the last construction activity occurring in these areas.
- N. Disturbed portions of the site where construction activity has permanently stopped shall be permanently seeded. These areas shall be seeded no later than 14 days after the last construction activity occurring in these areas. Refer to the grading plan and/or landscape plan.
- O. If the action of vehicles traveling over the gravel construction entrances is not sufficient to remove the majority of dirt or mud, then the tires must be washed before the vehicles enter a public road. If washing is used, provisions must be made to intercept the wash water and trap the sediment before it is carried off the site.
- P. All materials spilled, dropped, washed, or tracked from vehicles onto roadways or into storm drains must be removed immediately.
- Q. Contractors or Subcontractors will be responsible for removing sediment in the north and retention ponds and any sediment that may have collected in the storm sewer drainage systems in conjunction with the stabilization of the site.
- R. On-site & offsite soil stockpile and borrow areas shall be protected from erosion and sedimentation through implementation of best management practices.
- S. Contractor shall indicate on plan the stockpile and borrow area locations and permitted in accordance with general permit requirements.
- S. Slopes shall be left in a roughened condition during the grading phase to reduce runoff velocities and erosion.
- T. Due to the grade changes during the development of the project, the Contractor shall be responsible for adjusting the erosion control measures (silt fences, straw bales, etc.) to prevent erosion.
- U. All construction shall be stabilized at the end of each working day, this includes backfilling of trenches for utility construction and placement of gravel or bituminous paving for road construction.

SEQUENCE OF CONSTRUCTION:

SWPPP Phase I:

1. Pre-construction meeting.
2. Install stabilized construction exit(s) and concrete wash area(s).
3. Prepare temporary parking and storage area. Upon implementation and installation of the following areas:
 - a. Trailer
 - b. Parking & storage areas
 - c. Lay down
 - d. Porta potty
 - e. Wheel wash &/or concrete washout
 - f. Masons area
 - g. Fuel and material storage containers
 - h. Solid waste containers, etc.,denote them on the site maps immediately and note any changes in the locations as they occur throughout the construction process.
4. The following shall be shown on the erosion control site map upon implementation and installation:
 - a. Construction trailer(s)
 - b. Parking & storage areas
 - c. Lay down
 - d. Porta-potty
 - e. Wheel wash &/or concrete washout
 - f. Fuel and material storage containers
 - g. Solid waste containers, etc.
5. Construct the silt fences on the site.
6. Contractor shall halt all ground disturbance activities and contact the civil engineer of record to perform inspection and certification of bmps. General contractor shall schedule and conduct storm water pre-construction meeting with engineer and all ground-disturbing contractors before proceeding with construction.
7. Construct the sediment basin(s) with outfall structure as shown on plan before any other construction activities are performed.
8. Clear and grub the site.
9. Start construction of building pad, structures, if any and RETENTION Pond Modifications.
10. Begin grading the site.

SWPPP Phase II

1. Temporarily seed denuded areas.
2. Install utilities, underdrains, storm sewers, curbs and gutters.
3. Install rip rap around outlet structures where noted on plans.
4. Install inlet protection around all storm sewer structures.
5. Prepare site for paving.
6. Pave site.
7. Install inlet protection devices.
8. Complete grading and install permanent seeding and planting.
9. Remove all temporary erosion and sediment control devices (only if site is stabilized).

GRADING NOTES:

PRE-CONSTRUCTION:

- × Prior to start of site grading, erosion control measures shall be installed in accordance to the erosion control plan. These erosion control measures, as a minimum, shall include all silt fencing, temporary sediment ponds, temporary construction entrance, and any other measures necessary to ensure that sediment does not leave the site.
- × Contractor shall notify the appropriate Utility Companies and the State One-Call System a minimum of 48 hours prior to any excavation for the location of all underground utility lines that will be affected by this development. Please note that existing utilities noted on plan have been located with all available information and that exact location of utility lines may not be accurate.
- × A pre-construction meeting shall be held on site once ALL Erosion Control Measures have been installed and prior to any site grading / construction / demolition.

GENERAL:

- × Contractor shall install/use all required equipment so as to comply with all safety standards dictated by OSHA, Federal, State, and Local Regulations.
- × Contractor shall coordinate with appropriate Utility Company as listed on the cover sheet for adjustment of utility lines affected by cut and fill.
- × Areas to be graded shall be cleared and grubbed so as to remove all organic material including but not limited to vegetation, trees, roots, debris or other materials that would affect the stability of the fill. If uncertainty exists as to the suitability of any material, the contractor shall have a Registered Geotechnical Engineer make the final determination.
- × Contractor shall ensure that the fill material be free of organic materials, frozen materials, muck, highly compressible materials, rocks, rubbish, timber, brush, stumps, building debris, and other materials that would negatively affect the fill material.
- × Contractor shall stock pile and maintain all good top soil removed from areas to be graded and filled for use in final grading all critical / unpaved areas.
- × Contractor shall proof roll subgrade of all areas to be paved prior to installation of paving materials. Any soft areas shall be removed and replaced with select fill and compacted as noted in the pavement section shown on the detail sheet.
- × Contractor shall employ a Geotechnical Engineering / Inspection Firm registered with the State of Arkansas for inspection and testing of subgrade for proper compaction (95% standard proctor).

STORM SYSTEM:

- × All drainage structures under paved areas and / or areas expecting heavy duty traffic loading shall be designed to meet AASHTO Heavy Duty (H20) traffic loading.
- × Storm pipe / box shall be bedded in accordance with the bedding detail and in accordance with the specifications of ASTM D2321 (latest edition available at <http://www.ASTM.org>).
- × Storm system is measured from the center of the box and from the end of the flared end sections.
- × Drainage structures shall be constructed so that the appropriate section of the box, such as the gutter for curb inlets, the grate for drop inlets, is at an elevation that will allow for the maximum drainage into the box in accordance with proposed grades and spot elevation shown on the plan. The contractor shall notify the engineer of record in the event of a discrepancy.
- × All drainage structures located within the State or Local Right of Way shall be constructed in accordance with the specifications and details of the Appropriate Governing Agency.
- × Contractor shall match top of proposed sanitary sewer manhole to proposed grade. If a discrepancy occurs between the proposed grade and proposed structure tops, the grading shall govern. If the discrepancy is more than 4 inches the contractor shall contact the Engineer of Record.
- × Where HDPE is chosen to replace RCP, follow manufacturer's installation details.

GRADING NOTES:

POST-CONSTRUCTION:

- × Contractor shall scarify any area to receive top soil to a min. depth of 3".
- × All unpaved disturbed areas shall be graded smooth and receive a minimum of 4" of topsoil. The area shall be seeded and / or sodded in accordance with the landscape plan. The area shall be watered until a hardy cover of grass has been established and 70% of the site has been stabilized in accordance with ADEQ's Construction General Permit (ARR150000).
- × Once the site has reached final stabilization in accordance to the requirements set forth in adeq's construction general permit, the contractor shall file a notice of termination.
- × Sod is required for entire RETENTION Pond area.
- × HDPP refers to High Density Polyethylene "PP" type (High Performance) double walled corrugated (exterior) drainage pipe.

All Erosion and Sedimentation Control Devices on-site shall be maintained by contractor until permanent vegetation is established.

CITY OF BENTONVILLE SUBDIVISION UTILITY PLACEMENT SPECIFICATIONS		
5'	5' Green Space	Fire Hydrant set at 4' off curb within the green space
10' ROW	5' Sidewalk	No valves or Obstructions within sidewalk
Up to 5' from ROW	Water and Sewer	Water Sewer main line at 12' & services stay within 15' of curb
At 10' from ROW	Electric / Light Conduit	No other utility may be within 5' of electric main
At 15' from ROW	Gas	-
At 18' from ROW	Cable	-
At 20' from ROW	Telephone	-
Total Set-Back from Right-of-Way (25')		All utilities must remain 5' from total set-back, no exception
*** Water meters and sewer taps are to be within 3' of the property line. *** Electric Transformer must be placed on the property line at 10' from ROW *** Fire hydrants must be placed on the property line at 3' to 9' from curb and the valve back at the main. *** Telecommunication/cable boxes must be within 2' either side of property line. *** Water mains must be kept at a depth of 30" to the top of the main. *** Electric lines must be kept at a depth of 48" *** Gas lines must be kept at a depth of 48" *** NOTHING may be outside the 7' side set-backs. *** If there is any issue with the placement of any appurtenance, contact the appropriate department for possible waiver (NO waivers allowed without approval).		

UTILITY NOTES:

GENERAL:

- × The contractor shall contact "One-Call" and / or the appropriate utility company a minimum of 48 hours prior to excavation in areas of existing utilities. The contractor is responsible for any damage to underground, utility lines and shall make every effort necessary to coordinate with the appropriate utility company for repair of the utility.
- × A minimum of 48 hours prior to start of construction / installation of any utilities, the contractor shall be responsible for contacting the local municipality / governing agency or utility to schedule a pre-construction meeting as required by said municipality / agency / utility. No work shall occur on the site prior to the pre-construction meeting. contractor shall also be responsible for obtaining any necessary state / local permits for construction.
- × Water and Sanitary lines shall have a minimum of 18" vertical separation and 10'-0" of horizontal separation from each other.
- × All water and sewer force main fitting shall be restrained through the use of thrust blocking per the detail sheets or approved equivalent anchors.
- × Contractor shall refer to architectural or plumbing drawings for utility connection locations for the building.
- × Dimensions are to the face / corner of the building, back of curb, and centerline of pipe and fitting.
- × Contractor shall coordinate disruption of utility service with all surrounding / adjacent property owners.
- × Existing utilities shown on plans have been shown in their approximate locations per available information.
- × Contractor shall obtain authorization of the local municipalities prior to connection to any existing water lines, sewer lines, or sewer manholes. Contractor shall avoid spillage of any raw materials from the sewer system. In the event that a spill occurs, the contractor shall provide all equipment necessary to repair the sewer line, and remove all spill sewage including contaminated soils per the requirements of the local municipality.
- × Proposed utilities that are to be buried within the same trench shall be coordinated with and approved by the appropriate utility company.
- × Contractor shall field verify depth and location of existing utilities prior to construction of proposed utilities.
- × Fire hydrants shall be installed in accordance with the standards / specification of the local water utility company and local municipality.
- × Proposed utilities shall be constructed in accordance with the standards / specifications of the governing agency.
- × Contractor shall coordinate with appropriate utility company as listed on the cover sheet for adjustment of utility lines affected by cut and fill.
- × Utility lines less than 12 kv shall be relocated underground as required by the local municipality.
- × Contractor shall coordinate with appropriate utility companies for routing of gas, telephone, cable, and electricity.
- × Coordinate with BEUD Utilities for making the hot taps. BEUD Utilities does all hot taps on our system.
- × ALL valves and fire hydrants MUST be installed at finished grade. NO valves within the sidewalks.
- × All meter cans must be 3" above finished grade. This is finished grade when home is built.
- × Street side manhole rim elevations shall to be 4" above the proposed final grade and offsite or non street side manhole top rim elevations shall be 12" above proposed final grade.

SANITARY SEWER NOTES:

- × All sanitary sewer lines shall have 36" min. cover above top of pipe.
- × All sanitary sewer lines shall be bedded in accordance with city standards and bedding detail, see detail sheet(s).
- × Sanitary sewer manholes located in grass area / non-paved area shall be constructed so that the rim is six (6) inches above proposed highest point of closest adjacent grade. In the event this can not be achieved then the manhole cover shall be water tight.
- × Contractor shall match top of proposed sanitary sewer manhole to proposed grade. If a discrepancy occurs between the proposed grade and proposed structure tops, the grading shall govern. If the discrepancy is more than 4 inches the contractor shall contact the Engineer of Record.

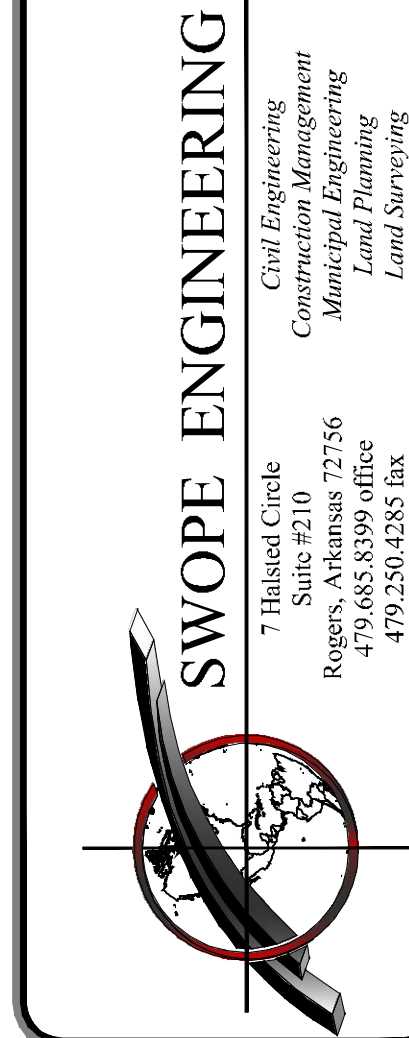
WATER NOTES:

- × All water lines shall have 48" min. cover above top of pipe.
- × All water lines shall be bedded in accordance with city standards and bedding detail, see detail sheet(s).
- × All water lines shall be hydrostatically tested and disinfected in accordance with city standards and with a city inspector present.
- × All fire hydrants shall have a city approved gate valve restrained to the hydrant.
- × Any cleanouts, valve boxes, and meter boxes in the pavement area shall be installed with a concrete apron in accordance with the detail sheet.
- × All waterline appurtenances with access above-ground (valves, meters, etc) shall be placed outside of paving and future sidewalk areas. If these locations are not feasible, contact the Engineer prior to installation.



GENERAL NOTES
BEEN ROAD VILLAS SUBDIVISION
PHASE 1
RIVERWOOD HOMES, LLC
KIMMEL AND WOMACK ROAD
CENTERTON, ARKANSAS

NO.	DATE	REVISION
1	01/20/2020	XXXXXXXXXX



DRAWN BY:	DUFF	JOB NUMBER:	19-126
SUBMITTAL DATE:	06/01/2020	CITY NUMBER:	PP20-0005
DRAWING NAME:	19-126 - CND.DWG		
SHEET NUMBER:			

C1.1

PROPOSED FEATURES

FEATURE LINES

PROPERTY LINE

OFFSITE PROPERTY LINE

CENTERLINE OF ROAD

RIGHT-OF-WAY

FENCE

ACCESS EASEMENT

BUILDING SET BACK

UTILITY EASEMENT

CURB AND GUTTER

ASPHALT PAVEMENT

FIRELANE STRIPING

STORM PIPE

UTILITY LINES

8" W

8" SS

GAS

FO

TELE

C-900 DR-14 CLASS 200 PVC WATERLINE

ELECTRICAL CONDUIT

SDR-26 PVC CLASS 12454-8 SANITARY SEWER

FLOW LINE

GAS LINE

FIBER OPTIC

TELEPHONE LINE

SYMBOLS

HATCHES

FLARED END SECTION

CURB INLET

AREA INLET

JUNCTION BOX

GRATE INLET

SANITARY SEWER

SEWER SERVICE

FIRE HYDRANT ASSEMBLY

WATER VALVE

WATER SERVICE

WATER METER

POWER POLE

LIGHT

ELECTRICAL BOX

ELECTRICAL METER

TELEPHONE PEDESTAL

ASPHALT

CONCRETE

FLOOD ZONE

GRAVEL

POND

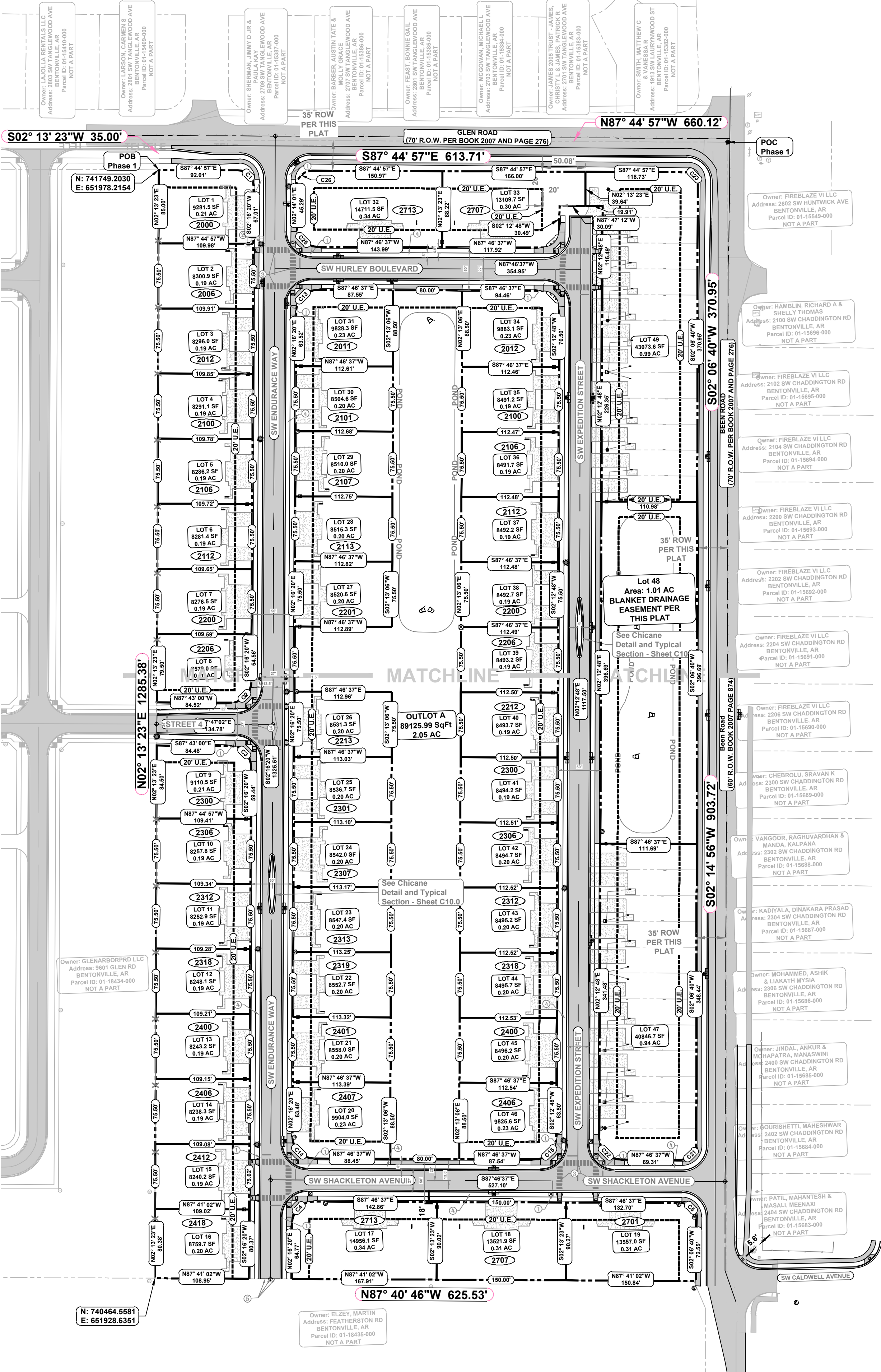
PROPOSED LEGAL DESCRIPTION - PHASE 1

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 2, TOWNSHIP 19 NORTH OF RANGE 31 WEST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NE CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 2;
THENCE N 87°44'57" W 660.12 FEET;
THENCE S 02°13'23" W 35.00 FEET TO THE POINT OF BEGINNING;
THENCE S 87°44'57" W 613.71 FEET;
THENCE A LONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 18.04 FEET AND A CHORD BEARING AND DISTANCE OF S 42°49'09" 16.24 FEET;
THENCE S 02°06'40" W 370.95 FEET;
THENCE S 02°14'56" W 903.72 FEET;
THENCE N 87°40'46" W 625.53 FEET;
THENCE N 02°13'23" E 1285.38 FEET, THE POINT OF BEGINNING, CONTAINING 18.47 ACRES, MORE OR LESS, BEING SUBJECT TO ANY COVENANTS, EASEMENTS, OR RIGHT-OF-WAYS OF RECORD OR FACT.

Curve Table

Curve #	Length	Radius	Chord Bearing	Chord Length	Delta Angle
C1	28.29	18.02	S42° 49' 08"E	25.47	089.97238340°
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C3	39.27	25.00	S42° 43' 20"E	35.35	089.98878144°
C4	39.25	25.00	N47° 14' 51"E	35.34	089.95099883°
C5	28.24	18.00	S42° 49' 58"E	25.43	089.88794315°
C13	39.25	25.00	N47° 14' 51"E	35.34	089.95099884°
C14	39.29	25.00	N42° 45' 09"W	35.37	090.04900116°
C15	39.27	25.00	S47° 13' 06"W	35.36	090.00974464°
C16	28.27	18.00	S42° 46' 54"E	25.45	089.99025536°
C21	28.31	18.00	S47° 10' 02"W	25.48	090.11205685°
C22	39.27	25.00	N42° 46' 54"W	35.35	089.99025536°
C23	18.04	11.50	S42° 49' 09"E	16.24	089.86032655°
C24	28.28	18.00	S47° 13' 06"W	25.46	090.00974464°
C25	39.27	25.00	N42° 46' 18"W	35.36	090.01043362°
C26	28.28	18.00	N47° 14' 13"E	25.46	090.02761660°



PROJECT ENGINEER

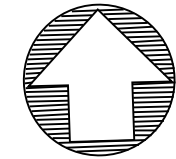
Phil Swope, P.E.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office

PROJECT SURVEYOR

Terry Ging, P.S.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office



Know what's below.
Call before you dig.



BASIS OF BEARING

ARKANSAS STATE PLANE
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.

Owner's Certification and Dedication

All public streets and public rights-of-way/easements shall be dedicated to the public using the following language:
We, the undersigned owners of the real estate shown and described herein, do hereby acknowledge that we have the legal right and authority to make the property interest grants contained on and within this document. We, the undersigned owners of the real estate shown and described herein, do hereby establish, grant, and dedicate to the City of Bentonville, Arkansas the rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. The City of Bentonville is further granted the rights of ingress and egress to and from said rights-of-way, easements, streets, and alleys. The City of Bentonville is also granted the right and authority to maintain, service, and improve said rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. Any right or authority granted above specifically regarding maintenance, service, or improvement shall be exercised in a manner chosen at the discretion of the City of Bentonville. Said rights-of-way, easements, streets, and alleys shall be for the benefit of the City of Bentonville and all of its franchised utility providers. The City of Bentonville and its franchised utility providers shall have the right and authority to cut, trim, or remove trees, shrubs, and other vegetation within said rights-of-way, easements, streets, and alleys. The City of Bentonville and all of its franchised utility providers shall also have the right and authority to prohibit the erection of building, structures, or fences within said rights-of-way, easements, streets, and alleys.

Owner _____ Date _____

Owner _____ Date _____

State of Arkansas
County of Benton
Subscribed and sworn before me this _____ day of _____, 2019.

Notary Public
My commission expires _____

CERTIFICATE OF SURVEYING ACCURACY

I, TERRY L. GING, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO.1301
STATE OF ARKANSAS

FLOOD INFORMATION

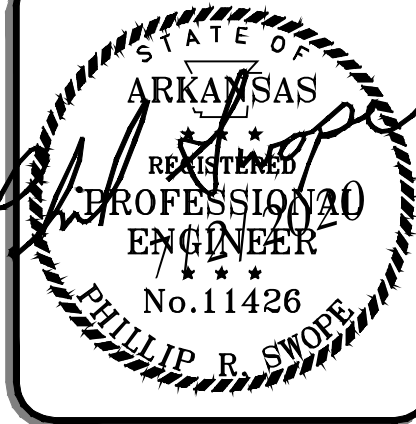
This property lies in Zone "X" (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0256K, effective June 5, 2012.

Zone: R-1, Single-Family Building Setbacks

Front	20'
Side, Interior/Exterior	7'/20'
Rear	25'
Front facing garage	30'

SITE INFORMATION

PROPERTY INFORMATION		
Gross Site area	805,389.52 sf	18.49 acres
Proposed Dedicated R.O.W.	68,147.52 sf	1.56 acres
Net Site Area	873,537.12 sf	20.05 acres
Zoning	R-3 Residential	
ZONING REGULATIONS		
Front Yard		20 ft
Rear Yard		25 ft
Side Yard		7 ft
Side Yard (Street Side)		20 ft
Minimum Lot Width		75.50 ft
PHASE II SUBDIVISION INFORMATION		
Buildable Lots		50
Non-Buildable Lots		4
Total Lots		54



OVERALL PRELIMINARY PLAT
BEEN ROAD VILLAS SUBDIVISION
PHASE 1
BAXTER PROPERTIES, INC.
GLEN AND BEEN ROAD
BENTONVILLE, ARKANSAS

NO.	DATE	REVISION
1	05/25/2020	XXXXXXXXXX

SWOPE ENGINEERING

Civil Engineering
Construction Management
Municipal Engineering
Land Surveying

7 Thistle Circle
Suite #210
Rogers, Arkansas 72726
479.250.4285 fax

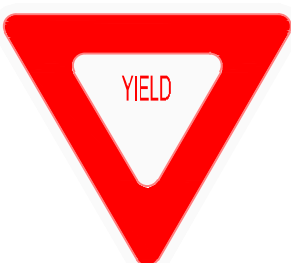
PHOTOGRAPH

7 Thistle Circle
Suite #210
Rogers, Arkansas 72726
479.250.4285 fax

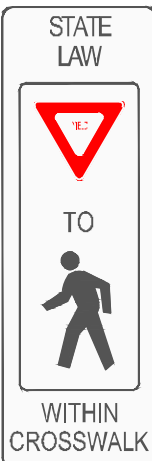
DESIGNED BY:	DUFF	JOB NUMBER:	19-126
SUBMITTAL DATE:	04/15/2020	CITY NUMBER:	PP20-0005
DRAWING NAME:	19-126 - PR-DWG		
SHEET NUMBER:	C2.0		



1



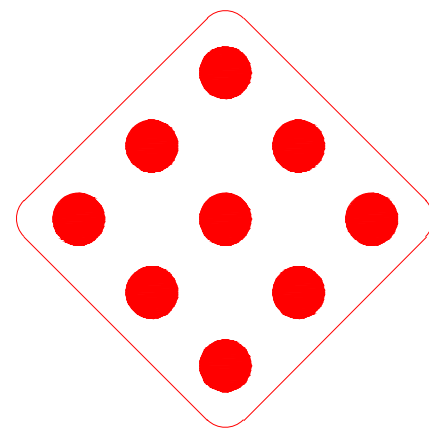
2



3



4



5

PROPOSED FEATURES

FEATURE LINES

- PROPERTY LINE
- OFFSITE PROPERTY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- FENCE
- ACCESS EASEMENT
- BUILDING SET BACK
- UTILITY EASEMENT
- CURB AND GUTTER
- ASPHALT PAVEMENT
- FIRELANE STRIPING
- STORM PIPE

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- 8" SS ELECTRICAL CONDUIT
- SDR-26 PVC CLASS 12454-8 SANITARY SEWER
- FLOW LINE
- GAS LINE
- FO FIBER OPTIC
- TELE TELEPHONE LINE

SYMBOLS

- FLARED END SECTION
- CURB INLET
- AREA INLET
- JUNCTION BOX
- GRATE INLET
- SANITARY SEWER
- SEWER SERVICE
- FIRE HYDRANT ASSEMBLY
- WATER VALVE
- WATER SERVICE
- WATER METER
- POWER POLE
- LIGHT
- ELECTRICAL BOX
- ELECTRICAL METER
- TELEPHONE PEDESTAL

HATCHES

- ASPHALT
- CONCRETE
- FLOOD ZONE
- GRAVEL
- POND

Curve Table					
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PROJECT ENGINEER

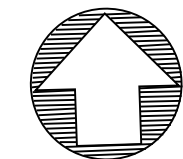
Phil Swope, P.E.
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479.685.8399 office

PROJECT SURVEYOR

Terry Ging, P.S.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office



Know what's below.
Call before you dig.



GRAPHIC SCALE
0 40' 80'
1 inch = 40 feet

BASIS OF BEARING
ARKANSAS STATE PLANE
COORDINATE SYSTEM
(NAD-83) NORTH ZONE.

Owner's Certification and Dedication

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Owner _____ Date _____
Owner _____ Date _____
State of Arkansas
County of Benton
Subscribed and sworn before me this _____ day of _____, 2019.
Notary Public _____
My commission expires _____

CERTIFICATE OF SURVEYING ACCURACY

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DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1301
STATE OF ARKANSAS

FLOOD INFORMATION

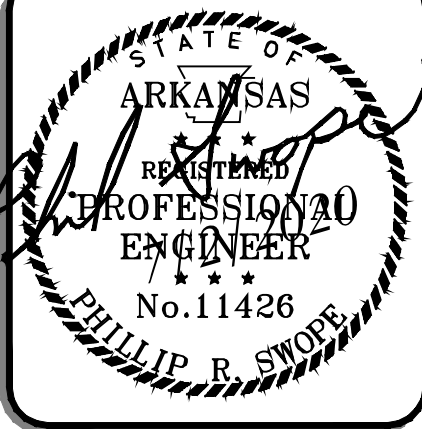
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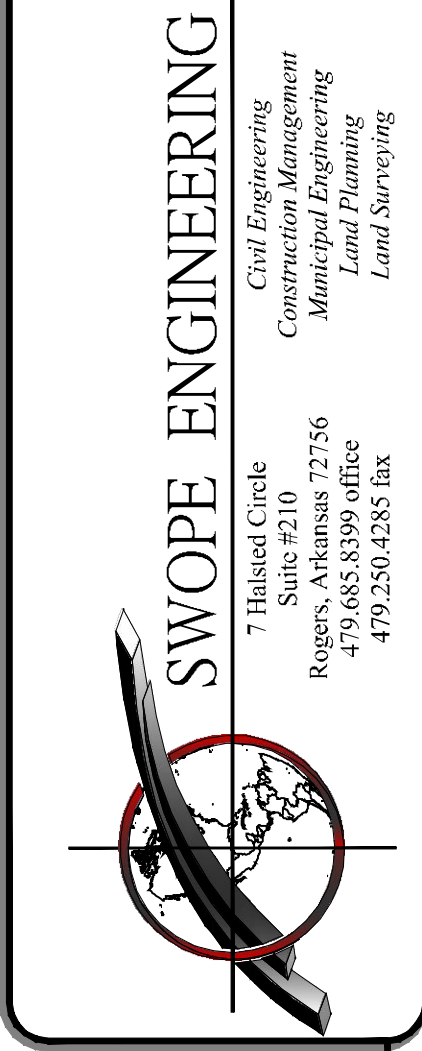
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Side Yard (Street Side)	20 ft	
Minimum Lot Width	75.50 ft	
PHASE II SUBDIVISION INFORMATION		
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Non-Buildable Lots	4	
Total Lots	54	



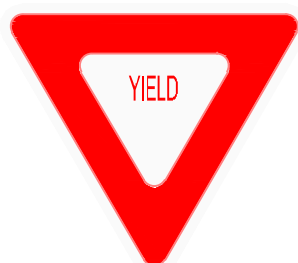
PRELIMINARY PLAT
BEEN ROAD VILLAS SUBDIVISION
PHASE 1
BAXTER PROPERTIES, INC.
GLEN AND BEEN ROAD
BENTONVILLE, ARKANSAS



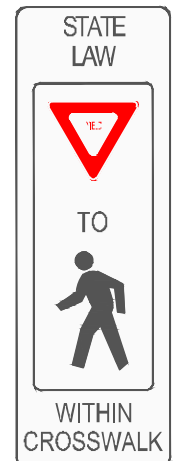
READY BY: DUFF JOB NUMBER: 19-126
SUBMITTAL DATE: 04/15/2020 CITY NUMBER: PP20-0005
DRAWING NAME: 19-126 - PR.DWG
SHEET NUMBER: C2.1



1



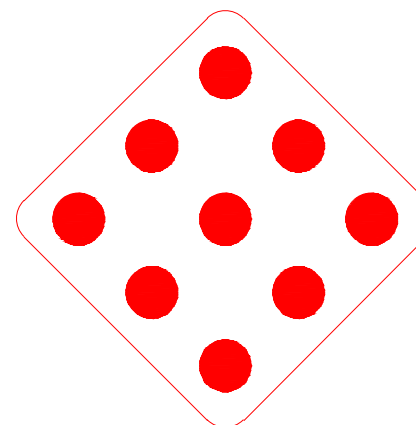
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3



4



5

PROPOSED FEATURES

FEATURE LINES

- PROPERTY LINE
- OFFSITE PROPERTY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- FENCE
- ACCESS EASEMENT
- BUILDING SET BACK
- UTILITY EASEMENT
- CURB AND GUTTER
- ASPHALT PAVEMENT
- FIRELANE STRIPING
- STORM PIPE

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- GAS LINE
- FIBER OPTIC
- TELE

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C2	39.27	25.00	S47° 16' 40"W	35.36	090.01121788°
C3	39.27	25.00	S42° 43' 20"E	35.35	089.98878144°
C4	39.25	25.00	N47° 14' 51"E	35.34	089.95099883°
C5	28.24	18.00	S42° 49' 58"E	25.43	089.88794315°
C13	39.25	25.00	N47° 14' 51"E	35.34	089.95099884°
C14	39.29	25.00	N42° 45' 09"W	35.37	090.04900116°
C15	39.27	25.00	S47° 13' 06"W	35.36	090.00974464°
C16	28.27	18.00	S42° 46' 54"E	25.45	089.99025536°
C21	28.31	18.00	S47° 10' 02"W	25.48	090.11205685°
C22	39.27	25.00	N42° 46' 54"W	35.35	089.99025536°
C23	18.04	11.50	S42° 49' 09"E	16.24	089.86032655°
C24	28.28	18.00	S47° 13' 06"W	25.46	090.00974464°
C25	39.27	25.00	N42° 46' 18"W	35.36	090.01043362°
C26	28.28	18.00	N47° 14' 13"E	25.46	090.02761660°

PROJECT ENGINEER

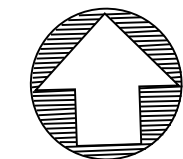
Phil Swope, P.E.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office

PROJECT SURVEYOR

Terry Ging, P.S.
Swope Engineering
3511 SE J Street, Suite 9
Bentonville, Arkansas 72712
479.685.8399 office



Know what's below.
Call before you dig.



GRAPHIC SCALE
1 inch = 40 feet

BASIS OF BEARING
ARKANSAS STATE PLANE
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.

Owner's Certification and Dedication

All public streets and public rights-of-way/easements shall be dedicated to the public using the following language:

We, the undersigned owners of the real estate shown and described herein, do hereby acknowledge that we have the legal right and authority to make the property interest grants contained on and within this document. We, the undersigned owners of the real estate shown and described herein, do hereby establish, grant, and dedicate to the City of Bentonville, Arkansas the rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. The City of Bentonville is further granted the rights of ingress and egress to and from said rights-of-way, easements, streets, and alleys. The City of Bentonville is also granted the right and authority to maintain, service, and improve said rights-of-way, easements, streets, and alleys and the improvements contained therein. Any right or authority granted above specifically regarding maintenance, service, or improvement shall be exercised in a manner chosen at the discretion of the City of Bentonville. Said rights-of-way, easements, streets, and alleys shall be for the benefit of the City of Bentonville and all its franchised utility providers. The City of Bentonville and its franchised utility providers shall have the right and authority to cut, trim, or remove trees, shrubs, and other vegetation within said rights-of-way, easements, streets, and alleys. The City of Bentonville and all of its franchised utility providers shall also have the right and authority to prohibit the erection of building, structures, or fences within said rights-of-way, easements, streets, and alleys.

Owner _____ Date _____
Owner _____ Date _____
State of Arkansas
County of Benton
Subscribed and sworn before me this ____ day of _____, 2019.
Notary Public _____
My commission expires _____

CERTIFICATE OF SURVEYING ACCURACY

I, TERRY L. GING, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.
DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO.1301
STATE OF ARKANSAS

FLOOD INFORMATION

This property lies in Zone "X" (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0256K, effective June 5, 2012.

Zone: R-1, Single-Family Building Setbacks

Front	20'
Side, Interior/Exterior	7'/20'
Rear	25'
Front facing garage	30'

SITE INFORMATION

PROPERTY INFORMATION		
Gross Site area	805,389.52 sf	18.49 acres
Proposed Dedicated R.O.W.	68,147.52 sf	1.56 acres
Net Site Area	873,537.12 sf	20.05 acres
Zoning	R-3 Residential	
ZONING REGULATIONS		
Front Yard		20 ft
Rear Yard		25 ft
Side Yard		7 ft
Side Yard (Street Side)		20 ft
Minimum Lot Width		75.50 ft
PHASE II SUBDIVISION INFORMATION		
Buildable Lots		53
Non-Buildable Lots		1
Total Lots		54



PRELIMINARY PLAT
BEEN ROAD VILLAS SUBDIVISION
PHASE 1
BAXTER PROPERTIES, INC.
GLEN AND BEEN ROAD
BENTONVILLE, ARKANSAS

NO.	DATE	REVISION
1	05/25/2020	XXXXXXXXXX

SWOPE ENGINEERING
Civil Engineering
Construction Management
Municipal Engineering
Surveying
7 Thicket Circle
Suite #210
Rogers, Arkansas 72756
479.250.4285 fax

DESIGNED BY: DUFF
SUBMITTAL DATE: 04/15/2020
DRAWING NAME: 19-126 - PR.DWG
SHEET NUMBER: C2.2

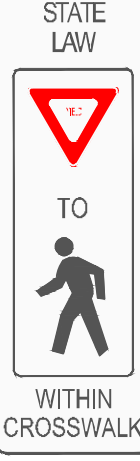
JOB NUMBER: 19-126
CITY NUMBER: PP20-0005



1



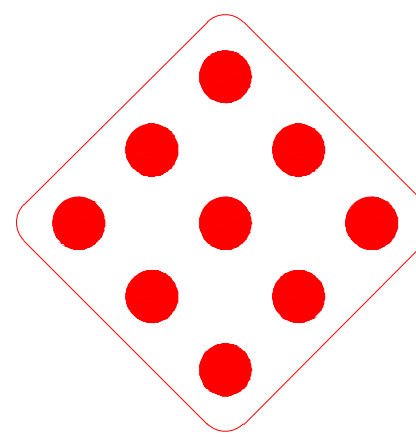
2



3



4



5

PROPOSED FEATURES

FEATURE LINES

PROPERTY LINE

OFFSITE PROPERTY LINE

CENTERLINE OF ROAD

RIGHT-OF-WAY

FENCE

ACCESS EASEMENT

BUILDING SET BACK

UTILITY EASEMENT

CURB AND GUTTER

ASPHALT PAVEMENT

FIRELANE STRIPING

STORM PIPE

UTILITY LINES

8" W

8" SS

GAS

FO

TELE

C-900 DR-14 CLASS 200 PVC WATERLINE

ELECTRICAL CONDUIT

SOR-26 PVC CLASS 12454-8 SANITARY SEWER

FLOW LINE

FIBER OPTIC

TELEPHONE LINE

SYMBOLS

FLARED END SECTION

CURB INLET

AREA INLET

JUNCTION BOX

GRATE INLET

SANITARY SEWER

SEWER SERVICE

FIRE HYDRANT ASSEMBLY

WATER VALVE

WATER SERVICE

WATER METER

POWER POLE

LIGHT

ELECTRICAL BOX

ELECTRICAL METER

TELEPHONE PEDESTAL

HATCHES

ASPHALT

CONCRETE

FLOOD ZONE

GRAVEL

POND

LANDSCAPE REQUIREMENTS:
TOTAL STREET FRONTAGE = 1906 FT
1 SHADE TREE PER 20 FT
1906 / 20 = 95.3
95 SHADE TREES REQUIRED
95 SHADE TREES PROVIDED

PLANT SCHEDULE

NO.	SYM.	COMMON NAME Botanical Name	SIZE/SPACING/ REMARKS
14		NORWEGIAN SUNSET MAPLE <i>Acer x. Norwegian Sunset</i>	4.0" CAL / 8x8 AS SHOWN, MATURE HEIGHT & SPREAD: 35 FT & 35 FT
16		EUROPEAN HORNBEAM <i>Carpinus betulus</i>	4.0" CAL / 8x8 AS SHOWN, MATURE HEIGHT & SPREAD: 50 FT & 35 FT
32		FRUITLESS SWEETGUM <i>Liquidambar styraciflua</i>	4.0" CAL / 8x8 AS SHOWN, MATURE HEIGHT & SPREAD: 70 FT & 55 FT
33		TRIDENT MAPLE <i>Acer buergerianum</i>	4.0" CAL / 8x8 AS SHOWN, MATURE HEIGHT & SPREAD: 30 FT & 25 FT
4		YOSHINO CHERRY <i>Prunus x yedoensis</i>	2.0" CAL / 8x8 AS SHOWN, MATURE HEIGHT & SPREAD: 25 FT & 30 FT

LANDSCAPING NOTES:

- ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION AND ALL PLANT MATERIAL THAT DIES SHALL BE REPLACED. (SEC 1400.5.C-10)
- TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR ALL TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-11)
- HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-12)
- LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUND COVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY ENCOURAGED. (SEC 1400.6.A-8 & 1400.8.G-7)
- ALL TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY SHALL BE 4" CALIBER AND THE LOWEST LIMB SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.
- ALL PROPOSED TREES SHALL BE A MINIMUM OF 5' FROM ALL PUBLIC UTILITIES.

SEEDING AND SODDING NOTE:

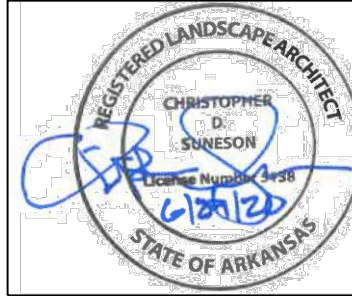
- ALL DISTURBED AREAS UNDER A 10% SLOPE SHALL BE TOPSOILED TO A MINIMUM DEPTH OF 4". FERTILIZED AT A RATE OF 250 POUNDS PER ACRE AND SEEDED WITH ANNUAL RYE GRASS AT A RATE OF 3-4 POUNDS PER 1000 SQUARE FEET AND WITH TURF-TYPE FESCUE AT A RATE OF 8 POUNDS PER 1000 SQUARE FEET, OR SODDED IF THE AREA IS DESIGNATED FOR SOD. THE AREA MUST ALSO BE MULCHED WITH STRAW. THE CONTRACTOR SHALL WATER AND MAINTAIN THE GRASS UNTIL A HEALTHY PERMANENT STAND IS ESTABLISHED.
- ALL DISTURBED AREAS WITH A 10% TO 15% SLOPE SHALL BE TOPSOILED TO A MINIMUM DEPTH OF 4", FERTILIZED AT A RATE OF 250 POUNDS PER ACRE AND SODDED AND STAKED WITH ZOYSIA GRASS (SEE PLAN FOR AREAS.) IF ANY OTHER SLOPES ARE CREATED BY THE CONTRACTOR ABOVE 10%, THEY SHALL ALSO BE TREATED IN THIS MANNER.
- ALL AREAS OVER 15% SHALL BE PLANTED AS ABOVE, BUT SHALL ALSO BE COVERED WITH EROSION CONTROL FABRIC AND STAKED.
- AREAS TO BE SODDED ARE DESIGNATED BY THE DOTTED HATCH AS SHOWN IN THE LEGEND ON THE PLAN.

TREES SHALL NOT BE PLANTED CLOSER THAN 5' FROM ELECTRIC, SEWER, OR WATER

SEE SHEET C1.1
FOR ALL PLAN AND
STANDARD NOTES



Know what's below.
Call before you dig.



LANDSCAPING PLAN
BEEN ROAD VILLAS SUBDIVISION
PHASE 1
BAXTER PROPERTIES, INC.
GLEN AND BEEN ROAD
BENTONVILLE, ARKANSAS

SWOPE ENGINEERING

7 Thicket Circle
Suite #210
Rogers, Arkansas 72756
479.250.4285 fax

Civil Engineering
Construction Management
Municipal Engineering
Land Surveying

Certificate of Authorization No 5387

DRAWN BY:	DUFF	JOB NUMBER:	19-126
SUBMITAL DATE:	06/01/2020	CITY NUMBER:	PP20-0005
DRAWING NAME:	19-126 - PR.DWG		
SHEET NUMBER:	C2.2		

REZONING STAFF REPORT



ELB Holdings, LLC

3310 & 3312 SW Hillstone Ave. and 3311 & 3313 SW Stonepoint Ave.

PC Date: 7/21/2020

Reviewer: Jon Stanley, Senior Planner

Project Number	RZ20-0022
Applicant / Current Owner	ELB Holdings, LLC 354 Angle Falls Lane Springdale, AR 72762
Site Area	+/- 0.44 acres
Current Zoning	R-2, Duplex & Patio Home Residential
Requested Zoning	R-ZL, Zero Lot Line
Future Land Use Map Designation	Residential Estate

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

Location Map



Property Description

These properties are located at 3310 & 3312 SW Hillstone Avenue and 3311 & 3313 SW Stonepoint Avenue in the Stone Meadows Addition Subdivision. They are currently zoned R-2, Duplex & Patio Home Residential. Adjacent zoning districts are R-2 to the north and south and RZ-L, Residential Zero-Lot Line, to the east and west.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Low Density Residential. According to the Bentonville Community Plan, Low Density Residential areas typically include single-family residential properties with a density of 3-8 units per acre.

Public Comment

Staff has not received public comment regarding this request.

Analysis

According to the applicant's narrative, the intent of the rezoning request is to develop four single-family residential houses that would be consistent and comparable to the existing single-family homes within and immediately adjacent to these properties.

Conclusion

Due to the site's compatibility with the Future Land Use Plan and compatibility to surrounding uses, staff recommends approval of the rezoning request to DN-1, Downtown Low-Density Residential.

REZONING APPLICATION NARRATIVE

This rezone request for lot 182/183 228/229 Stone Meadows Subdivision are described in plat 08/09/2006 Book 2006 Page 954 and 955. The current zoning designation is R-2 and the proposed designation is RZL.

Explanation: Owner ELB land Holding LLC. We request the rezone for future single family residents. We have had some interest but nothing finalized at this time.

Reason: We want to be able to build single family residents not attached.

Use: The zoning request will allow for single family homes just like the current homes in the surrounding area.

Traffic: Changing to RZL will not change the current traffic pattern already established.

Signage: No additional signage will be needed for this request.

Appearance: The new zoning request will not change the appearance of the homes built in this area.

Availability of water and sewer: The properties currently have water and sewer taps available.

REZONING STAFF REPORT



Desavedo Living Trust

404 SW Glover Street

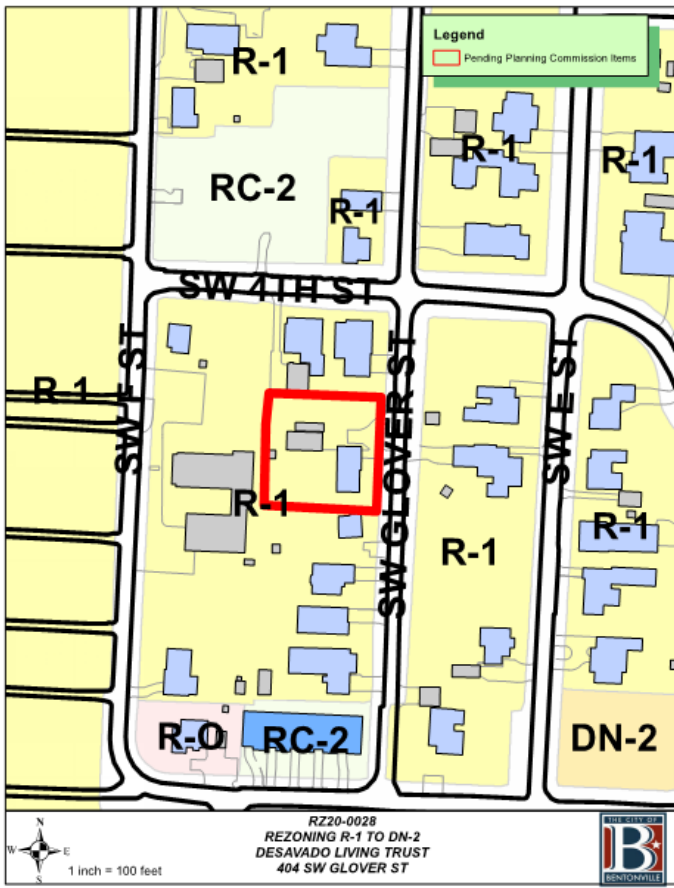
PC Date: 7/21/2020

Reviewer: Jon Stanley, Senior Planner

Project Number	RZ20-0004
Applicant / Current Owner	Desavedo Living Trust 404 SW Glover Street Bentonville, AR 72712
Site Area	0.43 +/- acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located at 404 SW Glover Street and is currently zoned R-1, Single Family Residential. Adjacent zonings are R-1 to the north, south, east and west.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Medium Density Residential. These areas include single-family residential, two-family residential and townhouse properties, as well as local amenities for residents. These areas are found both near Downtown and in some recent growth areas.

Public Comment

Staff has received public comment regarding this request.

Analysis

According to the applicant's narrative, their intent of the rezone is to be able to split the current lot and construct single family residences. The regulation in the DN-2 district states that lots shall be a minimum of 40 feet wide. While the DN-2 district does allow for townhomes at the end of blocks, only single or two family residences would be allowed on this property due to its mid-block location.

Conclusion

Staff recommends approval of the rezoning request due to the site's compatibility with the Future Land Use Plan and surrounding uses.

Rezoning Narrative 404 SW Glover

Current Zoning Designation: R1- Single Family Residential

Proposed Zoning Designation: DN2- Downtown Medium Density Residential

Explanation: Newell Development proposes to rezone the property at 404 SW Glover (Parcel # 01-02511-000) from R1 to DN2, in order to develop a real estate project in compliance with DN2 development standards. The current owner is Desavedo Living Trust, Leslie Warren and Sharon Lynn (Mailing Address: 5 Darian Drive, Bentonville AR 72712) who endeavors to sell the property to Randall Hinton Development LLC. Newell Development will be the property developer.

Reason to Rezone: The rezone would allow for Randall Hinton Development LLC. to build more affordable medium density single-family units in the downtown area.

Statement of how the property will relate to surrounding properties: The development proposed for the property will fit in form and scale with similar Newell Development properties to the south on B Street.

Use: This residential development will fit into the SW Downtown development plan.

Traffic: The additional units should not impact current traffic patterns.

Signage: None proposed.

Appearance: Similar in style other Newell Development properties on B Street.

Water/ Sewer/ Electric: On-Site

NOTICE OF INTENT TO REZONE

Newell Development has requested the Bentonville Planning

Commission to set a public hearing date to consider rezoning the following property from

R-1 to DN-2

The legal description of the property is as follows:

Lot 19 of the replat of lots 7, 8 and part of lot 6, Fairclo Block addition to the City of Bentonville Arkansas, as shown in Plat Book 8 at Page 104.

The common description of the property is: 404 SW Glover, Bentonville AR

Proposed land use: Medium Density Residential Housing

The public hearing will be held July 21, 20 20 at 5:00 p.m. It will be held at 305 SW 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 deliver it to the City of Bentonville Planning Department, 305 SW 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 extension 2.

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:~~ HAVE CONCERN

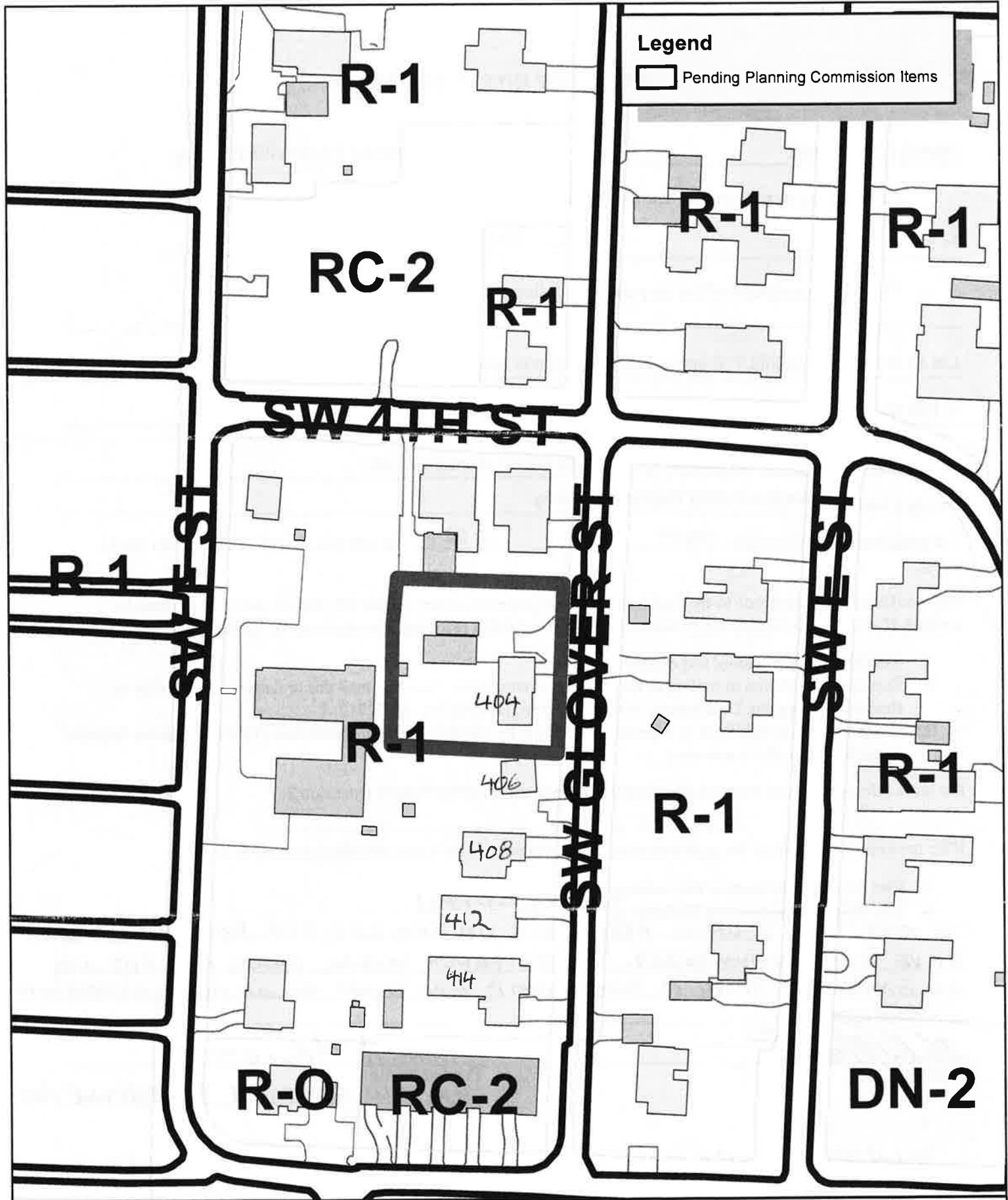
IF MORE THAN 2 UNITS ARE BUILT ON THIS LOT, OUR HOUSE(414) WILL HAVE TO BE RENUMBERED. THIS HAPPENED SEVERAL YEARS AGO AND WAS AN EMMENSE PAIN. IT TOOK ALMOST A YEAR TO GET ALL OF OUR CORRESPONDENCE CORRECTED


Signature

MARK H. MALLET
Printed Name
414 SW GLOVER ST. BENTONVILLE ARK
Physical Address

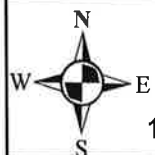
TONY FORRESTER - PLANNING ADDRESS/HOUSES EXT 479-271-6852

NOTE PLEASE INVITE US TO THE ³³ ZOOM MEETING
JNMMALLETTO@GMAIL.COM



Legend

 Pending Planning Commission Items



1 inch = 100 feet

RZ20-0028
REZONING R-1 TO DN-2
DESAVADO LIVING TRUST
404 SW GLOVER ST



REZONING STAFF REPORT



G&I Properties, LLC

1507 & 1605 SW 14th Street

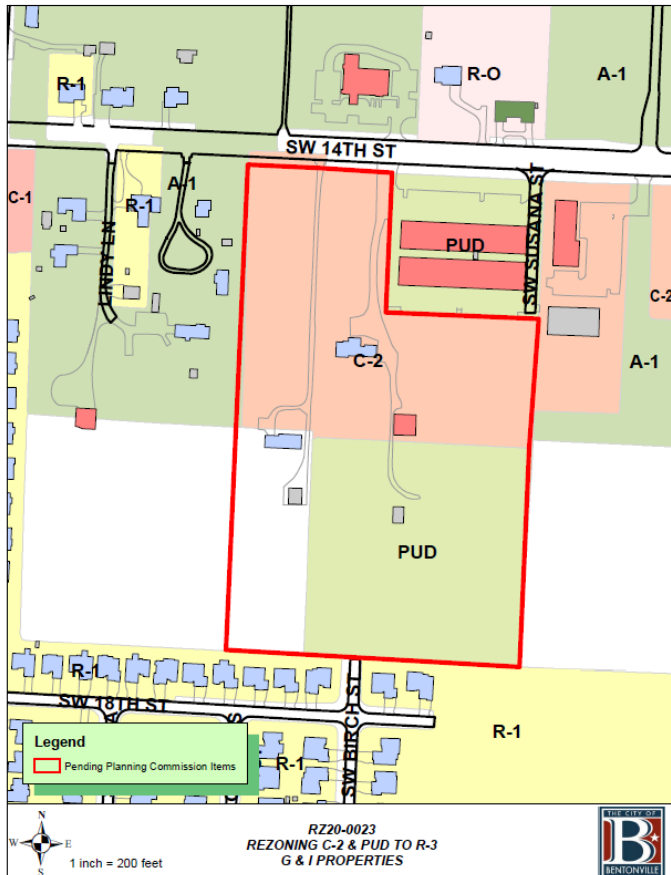
PC Date: 7/21/2020

Reviewer: Ali Worley, Planning Technician

Project Number	RZ20-0023
Applicant / Current Owner	G&I Properties, LLC 3502 SW Champagne Avenue Bentonville, Arkansas
Site Area	+/- 17.06 acres
Current Zoning	PUD, Planned Unit Development & C-2, General Commercial
Requested Zoning	R-3, Medium Density Residential
Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 1507 SW 14th Street and is currently zoned PUD, Planned Unit Development, and C-2, General Commercial. Adjacent zonings are PUD to the north, A-1, Agricultural, to the east and west, and R-1, Single Family Residential, to the south.

Relationship to the General Plan

The Future Land Use Plan was recently amended to High Density Residential. The General Plan Amendment was approved by Planning Commission on June 2, 2020. High Density Residential areas include apartments, condominium buildings, and other special types of group living. These areas vary greatly in terms of density. They may also integrate amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

Public Comment

Staff has not received public comment regarding this request.

Analysis

According to the applicant's narrative, the intent of the rezoning request is to construct a multi-family development that will be similar to existing developments along SW 14th Street to the west. It is important to note that according to the applicant's narrative, the developer is well aware of the screening, buffering, and separation requirements that will have to be met due to the surrounding residential properties.

Conclusion

Due to the site's compatibility with the Future Land Use Plan, its proximity to an Arterial road, as well as surrounding uses and zoning districts, staff recommends approval of the rezoning request.



June 15, 2020

Planning Department
City of Bentonville
305 SW A Street
Bentonville, AR 72712

**Re: G&I Properties, 1605 and 1507 SW 14th Street
Bentonville, AR 72712
Rezoning Request**

We are representing a request by Iqbal Singh Makkar to rezone property on the south side of SW 14th Street, just southwest of the Benton County Jail. This property currently have two homes located on the property along with pasture and minimal tree coverage. The owner would like to develop the 17-acre property into a multi-family development. Please find below the narrative addressing the required items under the Rezoning Request Checklist.

1. The property is currently zoned C-2, General Commercial and PUD, Planned Unit District. The proposed zoning is R-3, Medium Density Residential.
2. The R-3 zone will allow the construction of a Multi-Family Development.
3. The anticipated Multi-Family Development will be consistent with the Future Land Use Map. The development will be similar to other multi-family developments along SW 14th St to the west.
4. The property will have direct access to Hwy 102 (SW 14th St).
5. Signage is anticipated for the development but will meet all city sign ordinances.
6. The appearance of the development is not known at this time. The development will follow the Bentonville Design Standards.
7. There is an 8" water line located on both the north and south sides of the property. There is an 8" Sewer line also located on both the north and south sides of the property. station and found the pumps must be upgraded for this development, due to the existing pumps

Sincerely,
Morrison Shipley Engineers, Inc.

Patrick Foy, P.E.
Project Manager

REZONING STAFF REPORT



Parker & Buildup Development, LLC

SW Livingston Square

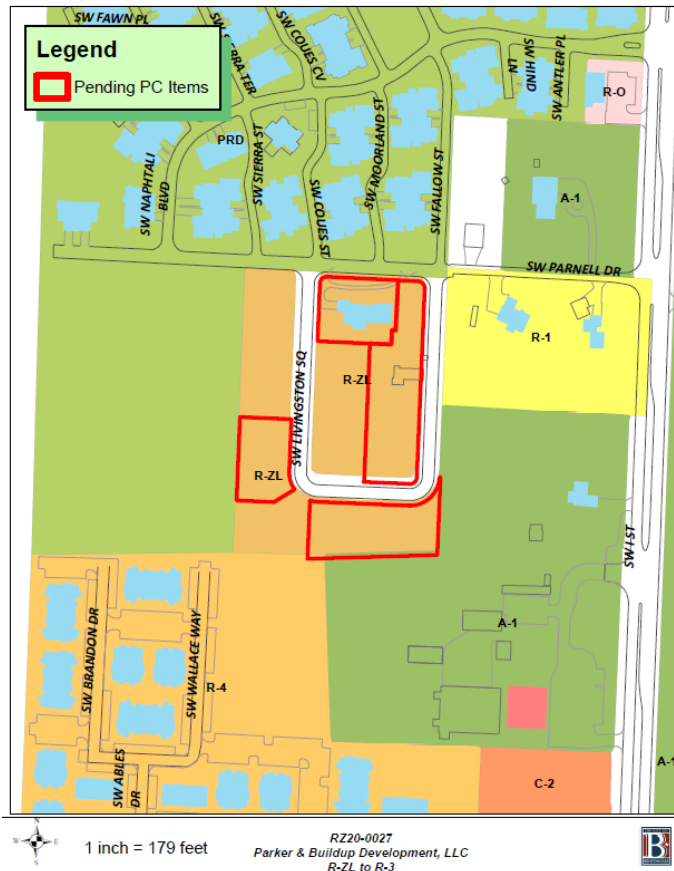
PC Date: 7/21/2020

Reviewer: Ali Worley, Planning Technician

Project Number	RZ20-0027
Applicant / Current Owner	Jamaal Parker 1111 SW Parnell Drive Bentonville, Arkansas 72713 Buildup Development, LLC 2700 SW Ledbury Cove Bentonville, Arkansas 72712
Site Area	+/- 2.24 acres
Current Zoning	R-ZL, Zero Lot Line
Requested Zoning	R-3, Medium Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located south of SW Parnell Drive along SW Livingston square. It is currently zoned R-ZL, Residential Zero-Lot Line. Adjacent zonings are PRD, Planned Residential Development, to the north and west, R-1, Single Family Residential, to the east, A-1, Agricultural, to the east and south, and R-4, High Density Residential, to the south.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Medium Density Residential. These areas include townhouse or duplex residential properties. They may also include local amenities for residents.

Public Comment

Staff has received public comment regarding this request.

Analysis

According to the applicant's narrative, they are requesting a rezoning for Lots 8-11, 13-18, and 26-34 of PE Livingston Estates Subdivision. The intent of the rezoning request is so the applicant can construct two-family residential homes and townhomes of up to three stories high. The exterior architectural designs of the new developments will be similar to the existing homes in the subdivision.

Conclusion

Due to the site's compatibility with the Future Land Use Plan, as well as surrounding uses and zoning districts, staff recommends approval of the rezoning request.



Earthplan Design Alternatives, PA

Civil Engineering / Landscape Architecture

Mr. Jon Stanley
Planning Department
305 SW A Street
Bentonville, AR 72712

June 17, 2020

Mr. Stanley,

Jamal and Stephanie Parker and Buildup Development, LLC are requesting a change in zoning from the current R-ZL to R-3 for lots 8-11, 13-18, and 26-34 of the existing PE Livingston Estates Subdivision located on the south side of SW Parnell Dr. The Parnells *own all lots in this subdivision* and they live on Lot 34 of it. There are no pending property sales involving these lots; the properties are being developed and rented by the same company. This subdivision has road frontage onto SW Parnell Dr. and SW I St. is located approximately 430 feet to the east. The Bentonville airport is located about 500 feet to the east.

The client has constructed single family residential units on lots 1-7 and 19-25 of PE Livingston Estates Subdivision. However, he now wishes to construct up to three story-high two-family residential units with two townhome structures on the remaining property in order to make a denser use of the land in an area that is sure to build up as Bentonville grows.

The property within this subdivision was previously zoned R-2 before late 2016 when the current owner requested the zoning to be changed to R-ZL to allow his proposed single family homes to have a more usable side yard with zero side setbacks. Zero lot line building setbacks are not allowed in R-3 zoning but R-3 zoning coupled with a Horizontal Property Regime would allow the Parnells to finish out this subdivision in the manner they need with both two-family residential units and townhomes. This is therefore what is being requested.

For simplicity's sake, I've outlined below what the surrounding land uses are in relation to the *entire* Livingston Estates Subdivision. The land adjacent to the west and north is zoned PRD; fourplexes are located to the north within this PRD. R-1 zoning is located adjacent to the northeast, A-1 is located in the southeast, and R-4 zoning consisting of apartments is located on the southwest. Some of the adjacent zoning for the lots requested to be rezoned is R-ZL.

The property will be used for two-family residential homes and townhomes of up to three stories with brick and fiber cement siding boards. The exterior architectural designs will be the similar to that of the current homes in this subdivision. Signage will consist of what the existing subdivision has, if any. The future homes will connect to the existing eight inch water lines in the subdivision and eight inch sewer lines.



Earthplan Design Alternatives, PA

Civil Engineering / Landscape Architecture

Traffic will enter and exit onto SW Parnell Dr. and would then travel north and south on SW I St.. SW Parnell Dr. is classified as a Local Street and SW I St. is classified as an Arterial Street. Direct water and sewer is available for this future development, as these items were designed for during the design of the PE Livingston Estates subdivision.

If you have any questions please do not hesitate to contact me.

Sincerely,

Sarah Geurtz, PLA
sdg@eda-pa.com

NOTICE OF INTENT TO REZONE

Stephanie & Jamal Parker & Buildup Development, LLC

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

R-ZL (Residential Zero Lot Line)

to

R-3 – (Medium Density Residential)

The legal description of the property is as follows:

See attached

The common description of the property is: South of SW Parnell Drive

Proposed land use: residential (two-family residential and townhomes)

The public hearing will be held July 21, 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:

THIS REZONING WOULD ALLOW AN ADDITIONAL
APPROXIMATELY 18 FAMILIES ON THESE LOTS,
ASSUMING THE BUILDING OF DUPLEX UNITS. *

Myra D. Williams

Signature and Physical Address

2505 SW. COURSE

Signature and Physical Address

* THIS WILL INCREASE THE TRAFFIC ON PARNELL
FLOWING TOWARD "I" STREET EXIT WITH NO
LIGHT AT "I" STREET. THIS WILL INCREASE THE
POSSIBILITY OF RESIDENTS USING THE STREETS IN THE
ARBORS COMMUNITY,

Dear Planning Commission,

The intent of this letter is to describe the current conditions of the property at 4808 N. Rainbow Farm Road, and the reason we are requesting the zoning be revised. The current zoning designation of the property is Planned Unit Development (PUD). The purpose of the PUD zoning classification was originally used to give more flexibility to the property for development, since at the time of purchase the development of the property was unknown. The current owner, Osage RE Holdings, LLC, would like to develop the 26.55-acre site into a single-family residential subdivision and request that the property be zoned as R-1, Single Family Residential.

Development of surrounding area has begun to increase in recent years. The majority of the new development has been single family residential. We believe this area, and property, lends itself well to continue the development of single-family residents. There is a total of 8 schools within a 2.5-mile radius of the property, which lends this property to be a prime location for a new residential subdivision.

The current traffic directly adjacent to the property is very light. There is an existing gravel road along the east property line that would be developed during our project, to assist in the transportation of future residents, and the community. The city's Master Street Plan classifies N. Rainbow Farm Road as a future arterial roadway, so it would seem as though the potential traffic for this area has not come close to its peak.

Signage for the subdivision will reflect similar adjacent residential signage in the form of a ground mounted signage not more than 6 feet in height. The signage entering the residential community should meet signage requirements as listed for R-1 zoning per the city of Bentonville code.

The subdivision should include no more than 4 lots per acre. Currently, the site layout yields 95 lots for the 26.5 acres. Each lot should include a house approximately 2,200-2,600 square feet in size.

Access to existing public utilities should be available for both water and sewer. There is an existing 12" water main that runs along the north property line that the subdivision will tap onto. As for sewer, there is currently a 24" sewer main being constructed approximately 100' west of the property. After speaking with the city's Utility Department, these two locations are the recommended utility connection points.

Sincerely,



Jon Brittenum

Osage RE Holdings, LLC

REZONING STAFF REPORT



28th and I Street, LLC

SW I Street and SW 28th Street

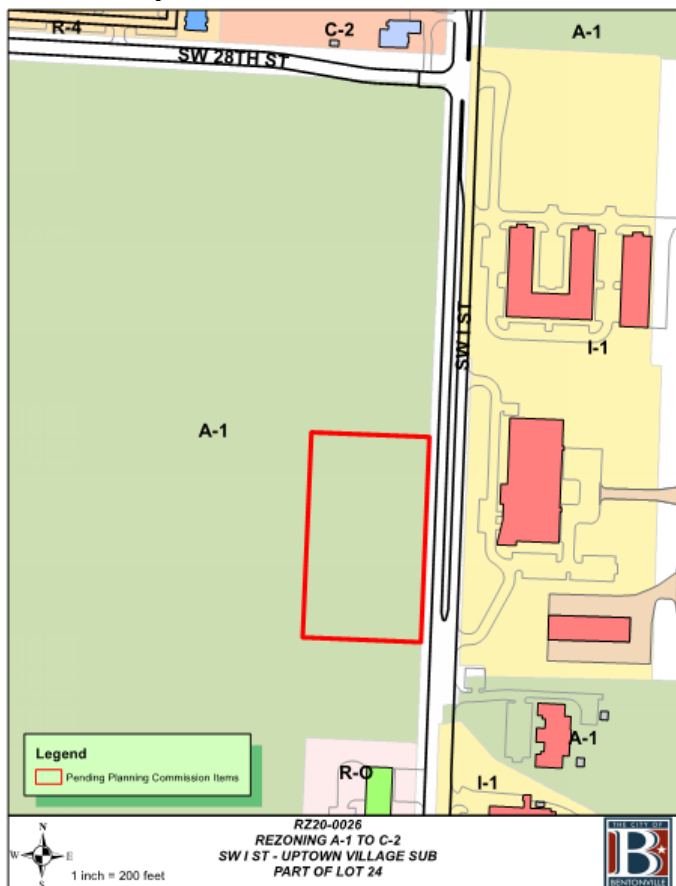
PC Date: 7/21/2020

Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	RZ20-0026
Applicant / Current Owner	28 th and I Street, LLC 4 NE 10 th Street #435 Oklahoma City, OK 73104
Site Area	+/- 3.29 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	Medium-Density Residential

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

Location Map



Property Description

This property is located on SW I Street, north of the Walmart Neighborhood Market and south of SW 28th Street. Adjacent zoning districts are R-4, C-2, and A-1 to the north, I-1 to the east, A-1, R-O, and C-2 to the south, and Benton County to the west.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Medium-Density Residential. The Bentonville Community Plan describes Medium-Density Residential land use areas as locations for townhouse or duplex residential properties with a density of 8-12 units per acre. The plan also notes the potential for the development of amenities for local residents.

Public Comment

Staff has not received public comment regarding this request.

Analysis

According to the applicant's narrative, the intent of the rezoning request is to provide food, beverage, retail, and other by-right uses for the property. The changing context of the area, such as commercial development to the south and the airport and its associated uses to the west infer that additional commercial development may be warranted.

Conclusion

While the proposed rezoning request does not necessarily align with the Future Land Use plan, surrounding uses, such as the Bentonville Municipal Airport to the west and Neighborhood Market to the south, and zoning districts may justify the rezoning request to C-2, General Commercial.

Staff recommends approval of the rezoning request.

2020.06.15

City of Bentonville Planning Commission
Community Development Building
305 SW "A" Street
Bentonville, Arkansas 72712

RE: Rezoning Request for a portion of land as described on the attached exhibits.

To the City of Bentonville Planning Commission:

On behalf of 28th and I Street, LLC, we are requesting a zoning change to C-2 Commercial (proposed) from A-1 Agricultural (current) for a portion of the described lot.

The C-2 zoning allows for a multitude of appropriate uses along the I Street corridor. There is C-2 zoning directly north and south of this property and I-2 directly across the street to the east of the property.

Proposed Use

The future proposed uses include food, beverage, retail, and other by-right business uses for the property.

Signage

Any signage will be part of the development LSD and will be approved via separate sign permit as required by ordinance.

Traffic

Traffic considerations will be further studied during the LSD process and the capacity and utilization of I Street and 28th Street and current signalization is anticipated to be adequate for any future uses.

Utilities

Public water, sewer and electric are all adjacent to the site and will be further analyzed and designed during the LSD process.

Attachments

- Rezoning Diagram
- Property Owner Consent Form
- Warranty Deed
- Legal Description

Respectfully submitted,



Chris Baribeau, AIA + Brahm Driver, PE
modus studio EDG

CONDITIONAL USE STAFF REPORT



Circle K Convenience Store with Fuel Sales (Gas Station)

3207 & 3209 SW 2nd Street

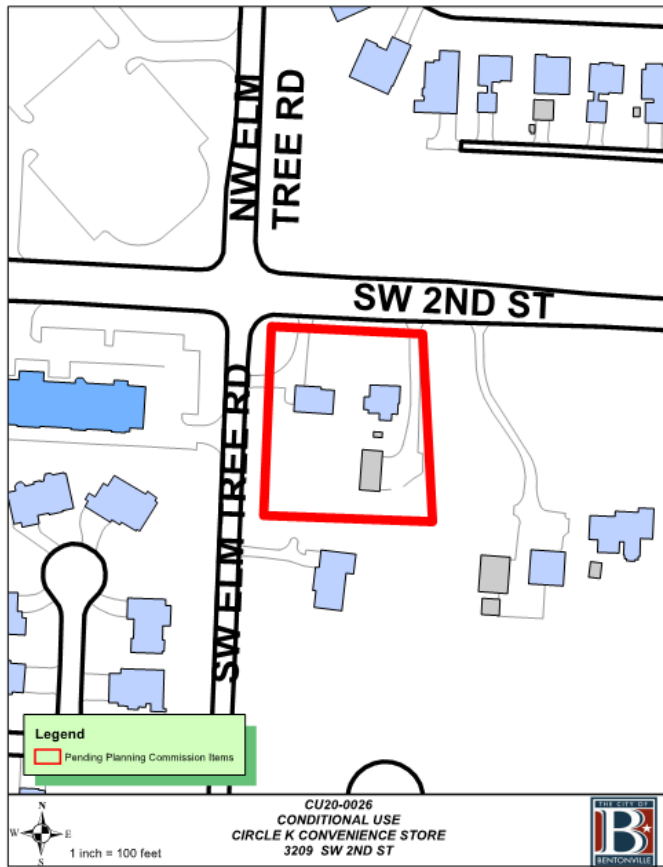
PC Date: 7/21/2020

Reviewer: Jon Stanley, Senior Planner

Project Number	CU20-0026
Applicant / Current Owner	Steele Development Inc. 400 Peach Orchard Road Bentonville, AR 72712
Site Area	+/- 1.27 acres
Current Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Residential Estates (RE)
Requested Use	Gas Station

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

Location Map



Property Description

This property is located at the intersection of two Arterial Streets on the southeast corner of SW Elm Tree Road and SW 2nd Street (Hwy 72). It is zoned C-1, Neighborhood Commercial. Surrounding uses include multi-family residential to the north, commercial office and retail to the west, a public school to the northwest, and single family residences to the east and south.

Convenience stores are allowed by right however, fuel sales require a Conditional Use Permit in the C-1 zoning district.

Proposed Use Description and Analysis

According to the applicant's narrative, the intent of the Conditional Use Permit is to allow for the construction of a gas station at this location. Hours of operation would be seven days a week from 5:30am to 10:30pm. The approximate size of the facility would be +/- 3,200 square feet with four fueling islands covered by a canopy. One to two deliveries are anticipated each day with a maximum of 10 employees working a rotating shift, so not all 10 would be present at one time. The applicant anticipates 250-500 patrons per day.

The applicant included a site plan which generally depicts the applicant's intent.

The C-1, Neighborhood Commercial, zoning district is intended primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development.

While the Land Use at this location is Residential Estate, staff's analysis of the surrounding area shows a significant change in the land use and density over the past decade. Staff feels it is necessary to incorporate some goods and services into this sector of the city. As such, staff recommends approval of the Conditional Use Permit.

Public Notice

Staff HAS received public comment regarding this request.

Conditions of Approval

1. This Conditional Use Permit shall be valid in perpetuity from date of issuance.
2. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a public hearing to reconsider the Conditional Use at any time.
3. The applicant will be required to receive Large Scale Development approval prior to construction of the gas station.
4. A traffic study shall be conducted at this location.



June 8, 2020

Current Planning
City of Bentonville
305 SW A Street
Bentonville, AR 72712

RE: Conditional Use Permit – Circle K Convenience Store
3207 and 3209 SW 2nd Street

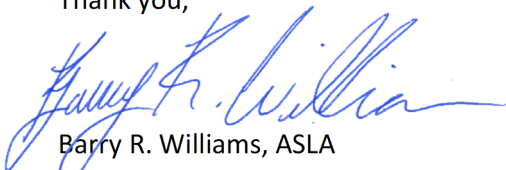
Staff,

The property at this current location is Zoned C-1, Neighborhood Commercial. *"The C-1 District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development."* (From the City of Bentonville Website). It is our desire to do just this. Provide convenience items and services to the surrounding neighborhood. The project is a store that will want to sell gasoline in a self-service manner. Therefore, we must request a Conditional Use per the code.

To be more specific, the store will be manned by a group of 10 employees with rotating shifts of course. Not all 10 will need to be there at one time. The hours of operation will be from 5:30 a.m. to 10:30 p.m. The store will have +/- 1,780 sq.ft. of retail display space with restrooms being and additional +/- 266 sq.ft. The stock room area and associated coolers will occupy +/- 900 sq.ft. with the cashiers station covering another +/- 285 sq.ft. Outside the plan is to offer propane tank exchange, ice machine and an air / vacuum station. Also, included on the outside will be the 4 pump stations under the canopy. The site would typically have 1 – 2 deliveries per day with an anticipated number of customers being between 250 – 500 per day.

We appreciate your consideration and look forward to discussing our project further.

Thank you,



Barry R. Williams, ASLA
Project Manager

July 15, 2020

Bentonville Planning Commission
Community Development Building
305 SW A Street
Bentonville, AR 72712

Dear Members,

On July 21, 2020 you are scheduled to review a request for a Conditional Use Permit to allow for the construction of a Convenience Store with Multiple Gas Pumps at the corner of Highway 72 and Elm Tree Road. This will be at least the fourth time this issue has been formally discussed by the Planning Commission with the request being declined, by the Commission, on three previous occasions.

Unfortunately, I will be out of State, and cannot attend the meeting in person but will try to attend electronically. None the less hopefully this letter will adequately represent our views and the views of many others as regards the Conditional Use Permit.

First and foremost we are opposed to this use for the property at this location. While it is our understanding that the proposed development meets city codes and requirements and has the support of City Planning Staff there have been many reasons for the opposition in the past. All of the reasoning used to make the decision to decline the request in the past still exists with one exception – there has been some improvement to the intersection of Hwy 72 and Elm Tree Road. However this intersection remains heavily traveled and continues to be the site of numerous traffic accidents of which speed and congestion are often a part.

Three major reasons for objection to the Conditional Use Permit are still in place and in many ways have become more important.

Compatibility with the surrounding area! While the property in question is currently zoned to allow for a Convenience Store and apparently the developer has suggested hours of operation, deliveries and lighting plan to mitigate some of these concerns we have questions regarding the future. Once the facility is built it will be easy enough for them to change things that would be more adverse to the neighborhood.

While there are many people who might use the Convenience Store to pick up a few items from time to time we see it as an occasional destination and probably not one that many would walk to as most would probably use it for gas. There are currently multiple locations within a very short distance that provide more goods and services than the proposed facility would provide with these existing in highly commercial areas. This facility simply does not fit in with the need or “feel” of the area. It is more suited to a “quiet business” use such as office space similar to directly west of the proposed development.

Traffic! Traffic! Traffic! These two roads are heavily traveled throughout the day with traffic often backed up in all directions especially on Hwy 72 (often backed up to the East by ½ mile or more). Since the last time this came before the commission (Casey's) we have added additional housing to the White Oak Trails and Angel Falls subdivisions that greatly impact the intersection of Hwy 72 and Elm Tree Road. Additionally an entirely new single family subdivision, Coler Creek, has been added as well as the Coler Creek Bike and Walking Trailhead. As this is written land clearing has been begun for the Elm Tree Townhomes Development which will add 32 additional residential sites at this already over taxed intersection. This is a tremendous amount of additional traffic that has already been added. As the school district continues to grow the Bus Barn vehicle inventory continues to grow with even more pressure added to the intersection in question.

While the intersection has been improved somewhat it is still not where it needs to be and the Highway itself is only two lanes. Elm Tree Townhomes will add two Entry/Exit points very near the intersection on Hwy 72 and the proposed development will add an additional Entry/Exit on Hwy 72 and one on Elm Tree Road. We believe that will create many more opportunities for vehicle accidents and traffic that the intersection is not currently designed to handle. At the very least we hope a comprehensive traffic study has been completed that you can review before making your decision.

Elm Tree Elementary/Ardis Ann Middle Schools. This was a major issue for many when this was reviewed the last time. Many parents had issue with this type of business being directly across from school buildings. This proposed facility could be described as what we understand is called an "attractive nuisance". While some might like it we don't think it is a place where we would want our school children "hanging out". It would be a major temptation for children to stop on the way home from school. Other issues brought up by parents were various products that would be available in the store such as tobacco and other smoking products, types of magazines and literature on display, and the possibility of alcoholic beverages being sold.

Hopefully this letter adequately describes some of our many concerns regarding the proposed development. While a convenience store may meet all of the criteria established by the City it doesn't mean it is necessarily the right fit on this property. In the past three different groups of Commissioners have listened intently, asked questions and have ultimately sided with the residents. We ask that you once again look at the "fit" and vote NO on the proposed Conditional Use Permit.

Thank you for your time and attention to this matter.

Respectfully submitted,

John & Eileen Donaldson
3209 SW Orchard Way
Bentonville, Arkansas 72712

LOT SPLIT ADJUSTMENT STAFF REPORT



Lots 21-22 of Eversole Addition

3703 & 3705 SW H Street

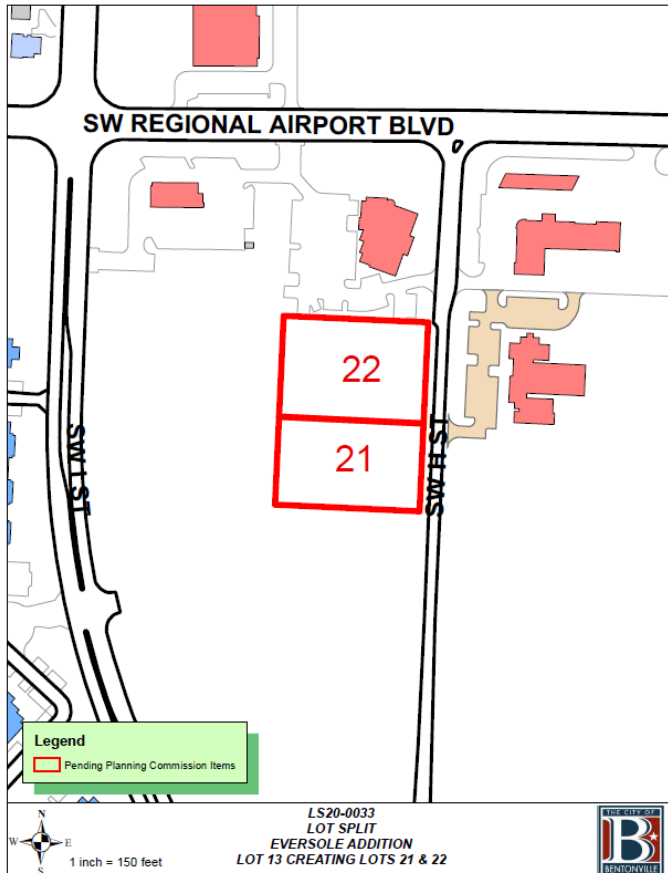
PC Date: 7/21/2020

Reviewer: Ali Worley, Planning Technician

Project Number	LS20-0033
Applicant / Current Owner	JHampton, LLC 47 W Champions Boulevard Rogers, Arkansas
Site Area	+/- 2.15 acres
Current Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

The property is located at 3703 and 3705 SW H Street. It is currently zoned C-3, Mixed-Use Commercial with a Future Land Use designation of High Density Residential. Adjacent zonings are C-3 to the north, south, and west, and C-2, General Commercial, to the east.

Project Details

A lot split of Lot 13 of Eversole Addition, creating new Lots 21 (approximately one acre) and 22 (approximately 1.15 acres). The plat dedicates a 20-foot utility easement along the street frontage of new Lot 22, as well as a varying width utility easement along the shared lot line. The plat also dedicates a 12.5-foot by 20-foot utility easement in the northwest corner of new Lot 22.

Waivers

There is one waiver requested for this project:

- A waiver from Section 1100.16, Street Standards, subsection b, Right-of-Way Dedication. The code states that developments "shall dedicate sufficient right-of-way to bring those streets...into conformance with the right-of-way requirements of the most recently adopted Master Street Plan." SW H Street is designated as an Arterial road, which requires 90 feet of right-of-way, or 45 feet from the centerline of the road.
 - According to the applicant's waiver letter, based on expected traffic utilizing SW H Street, and what has been allowed for previous developers along the street, they are requesting to only dedicate right-of-way to a Collector street width. This is 70 feet of total right-of-way, or 35 feet from the centerline of the road.

Analysis and Recommendation

The plat does not meet the minimum requirements of the Land Development Code due to the waiver request. However, based on the reasons the applicant states in their waiver letter, both Planning and Engineering staff recommend approval of the right-of-way waiver, therefore recommending approval of the lot split.

Standard Conditions of Approval

- Provide a digital copy of the plat.
- 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.



July 16, 2020

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

Re: LS 20-0033 Eversole
Bentonville, AR
CTA No. 20104000

Planning Staff,

We are requesting a waiver from the master street plan requirement that designates SW H Street as an arterial roadway. Based on expected traffic utilizing this street and what has been allowed for previous developers along the street, we are requesting that we only dedicate R/W to a collector street width. This would be 35 feet dedicated from the centerline of the road.

If you have any additional questions or concerns, please contact us at your earliest convenience. Thank you in advance for your consideration of this request.

Sincerely,

Taylor Lindley, P.E.

LOT SPLIT PLAT OF LOT 13 OF EVERSOLE ADDITION CREATING LOT 21 AND LOT 22

DESCRIPTION PARENT:

LOT 13 OF EVERSOLE ADDITION, AS PER PLAT RECORD 2014-648 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

DESCRIPTION LOT 22:

PART OF LOT 13 OF EVERSOLE ADDITION, AS PER PLAT RECORD 2014-648 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13;
THENCE ALONG THE EAST LINE THEREOF S02°35'57"W 187.08 FEET;
THENCE LEAVING SAID EAST LINE N87°24'10"W 267.84 FEET TO THE WEST LINE OF SAID LOT 13;
THENCE ALONG SAID WEST LINE N02°36'05"E 187.08 FEET TO THE NORTHWEST CORNER OF SAID LOT 13;
THENCE ALONG THE NORTH LINE THEREOF S87°24'10"E 267.83 FEET, CONTAINING 1.15 ACRES, MORE OR LESS.

DESCRIPTION LOT 21:

PART OF LOT 13 OF EVERSOLE ADDITION, AS PER PLAT RECORD 2014-648 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13;
THENCE ALONG THE SOUTH LINE THEREOF N87°24'10"W 267.85 feet TO THE SOUTHWEST CORNER OF SAID LOT 13;
THENCE ALONG THE WEST LINE THEREOF N02°36'05"E 162.63 feet;
Thence LEAVING SAID WEST LINE S87°24'10"E 267.84 feet TO THE EAST LINE OF SAID LOT 13;
THENCE ALONG SAID EAST LINE S02°35'57"W 162.63 feet to the POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS.

NOTES:

THE SURVEY SHOWN HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

THIS PROPERTY LIES WITHIN THE MUNICIPAL LIMITS OF BENTONVILLE, ARKANSAS.

ACCORDING TO THE CITY OF BENTONVILLE GIS WEB SITE, THIS PROPERTY IS ZONED C-3.

THE RIGHT OF WAY WIDTH SHOWN ON THIS PLAT IS BASED ON THE CITY MASTER STREET PLAN REQUIRED RIGHT OF WAY WIDTH FOR ARTERIAL STREETS AND IS SHOWN FOR INFORMATION ONLY. NO STREET RIGHT OF WAY IS DEDICATED BY THIS PLAT.

THE ADJACENT PROPERTY OWNERS NAMES SHOWN ON THIS PLAT WERE OBTAINED FROM THE BENTON COUNTY GIS WEB SITE, AND REPRESENT THE OWNER'S LISTED NAME AT THE TIME OF THIS SURVEY.

THE BOUNDARY DETERMINATION SHOWN HEREON WAS BASED UPON THE FOLLOWING PLAT AND NO OTHERS: PLAT RECORD 2014-648.

CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE FILE NO. 2006851-106, DATED APRIL 15, 2020, WAS ENTIRELY RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.

THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS OR ANY OTHER FACTS WHICH MIGHT AFFECT THE PROPERTY. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR FROM EXAMINATION OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE FILE NO. 2006851-106, DATED APRIL 15, 2020.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WAS MADE.

ANY UTILITY LINES, STRUCTURES OR APPURTENANCES SHOWN HEREON ARE FROM A FIELD INVESTIGATION LIMITED TO THE VISIBLE SURFACE OF THE PROPERTY SURVEYED. OTHER UTILITY LINES, STRUCTURES AND APPURTENANCES MAY BE PRESENT ON THE PROPERTY. FOR INFORMATION REGARDING SUCH ITEMS, CONTACT THE APPROPRIATE AGENCIES.

THIS PROPERTY IS NOT IN FLOOD ZONE "A" OR "AE", AND IS OUTSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBER 05007C0255K, EFFECTIVE DATE JUNE 05, 2012.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY. THE FLOOD HAZARD ZONE BOUNDARIES SHOWN HEREON WERE SCALED FROM THE MAPS CITED AND ARE NOT THE RESULT OF INDEPENDENT COMPUTATION OR ANALYSIS.

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

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

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.

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.

BUILDING SETBACK NOTE:

SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFORMATION, VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT 479-271-3122.

CERTIFICATE OF OWNERSHIP

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

DATE OF EXECUTION: _____

BY: _____

HAMPTON, LLC

(PRINT)

SOURCE OF TITLE: DEED RECORD 2017-49218

STATE OF ARKANSAS)
) SS

COUNTY OF BENTON)
SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 2020
MY COMMISSION EXPIRES:

NOTARY PUBLIC _____

CERTIFICATE OF APPROVAL

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

DATE OF EXECUTION: _____

SIGNED _____

BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED _____

MAYOR CITY OF BENTONVILLE

SIGNED _____

CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF SURVEYING ACCURACY

I, KEVIN J. MONTGOMERY, 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: _____

CRAFTON, TULL & ASSOCIATES, INC.
BY KEVIN J. MONTGOMERY (AGENT)

SIGNED: _____

KEVIN J. MONTGOMERY (AGENT)
REGISTERED LAND SURVEYOR
NO. 1460
STATE OF ARKANSAS

ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.



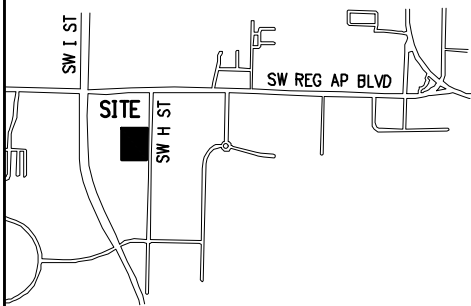
ATLAS PAGE: 485

CITY OF BENTONVILLE
PROJECT NUMBER:

LS20-0033

RECORD INFORMATION

VICINITY MAP



LOT SPLIT PLAT OF
LOT 13 OF EVERSOLE ADDITION
CREATING LOT 21 AND LOT 22

BENTONVILLE AR

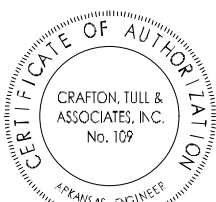
PREPARED FOR:
WRIGHT STREET HOLDINGS, LLC

STATE PLAT CODE:
500-19N-30W-0-07-340-04-1460

DATE: 06/26/2020
PROJECT NO.: 02104000
CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
 **Crafton Tull**
architecture | engineering | surveying
479.636.4838 | 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:



© 2020 Crafton, Tull & Associates, Inc.

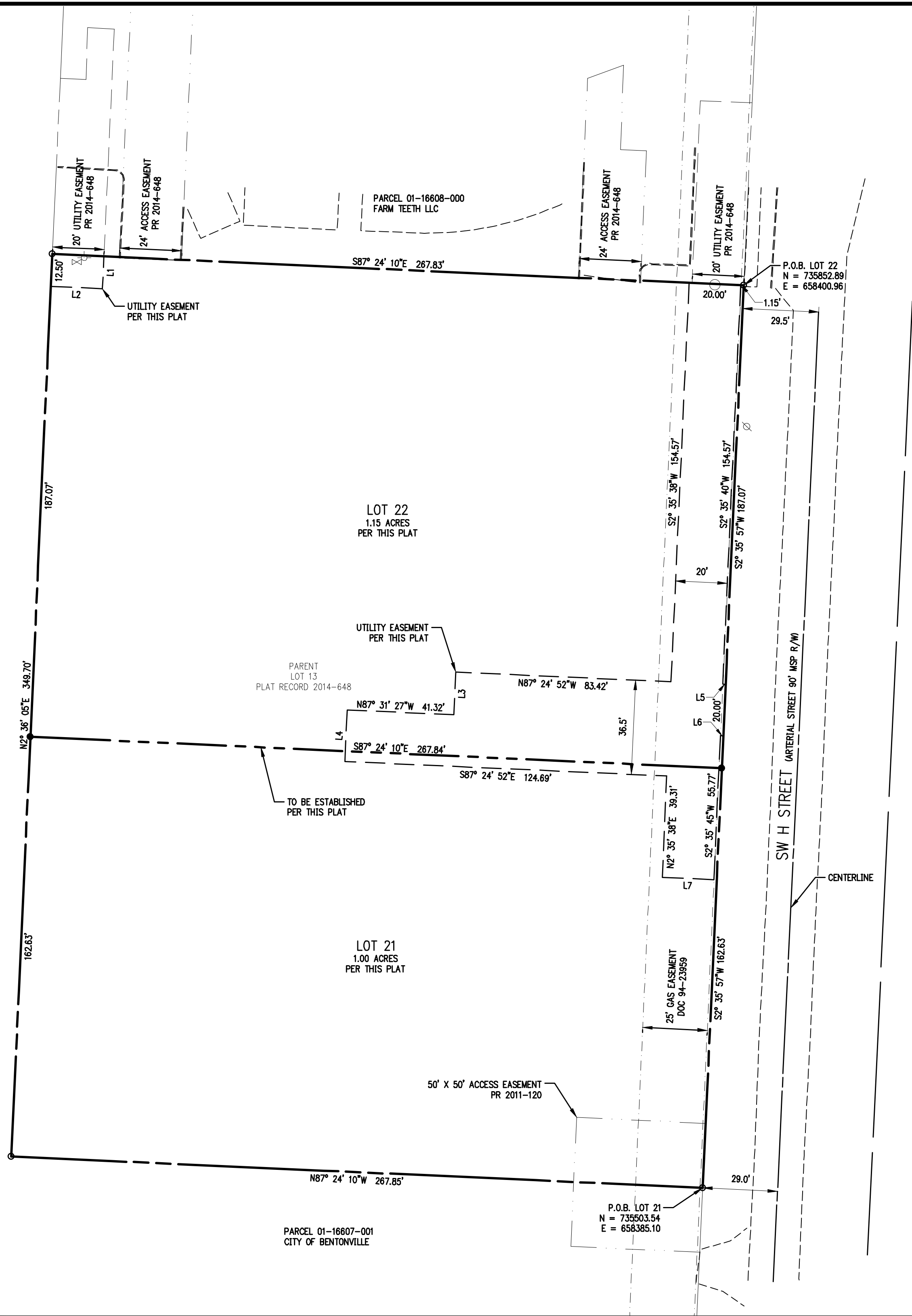
DELTA	DESCRIPTION	DATE
1	REV PER COMMENTS	06/26/2020

SHEET NO.:

1 OF 2

DRAWING: G:\20104000\GODDARD\INFRASTRUCTURE\SURVEY\DWG\20194000_LOT SPLIT.DWG
LAYOUT: LAYOUT2, LAST SAVED: 6/26/2020 7:56:19 AM
LAST PLOTTED BY: KEVIN MONTGOMERY, 6/26/2020 7:57:36 AM (PLOTTED BY: VALID ON HARD COPY ONLY)

PARCEL 01-16607-001
CITY OF BENTONVILLE



GRAPHIC SCALE IN FEET
30' 0 30'

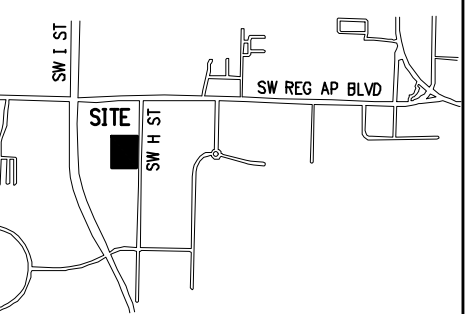
BASIS OF BEARING: GRID NORTH, ARKANSAS STATE PLANE
COORDINATE SYSTEM, NORTH ZONE, NAD 83 HORIZONTAL
DATUM AND NAVD 88 VERTICAL DATUM DETERMINED BY
GPS OBSERVATION ON THE CITY OF BENTONVILLE CONTROL
MONUMENTS USING THEIR PUBLISHED VALUES.

LEGEND

- FOUND IRON PIN OR PIPE
- SET IRON PIN
- FIRE HYDRANT
- WATER VALVE
- SEWER MANHOLE
- POWER POLE
- PROPERTY LINE
- RIGHT OF WAY
- UTILITY EASEMENT
- ACCESS EASEMENT
- GAS EASEMENT

RECORD INFORMATION

VICINITY MAP



LOT SPLIT PLAT OF
LOT 13 OF EVERSOLE ADDITION
CREATING LOT 21 AND LOT 22

BENTONVILLE AR

PREPARED FOR:
WRIGHT STREET HOLDINGS, LLC

STATE PLAT CODE:
500-19N-30W-0-07-340-04-1460

DATE: 06/26/2020
PROJECT NO: 02104000
CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
479.636.4838 | 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:



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DELTA	DESCRIPTION	DATE
1	REV PER COMMENTS	06/26/2020

SHEET NO.:

LARGE SCALE DEVELOPMENT STAFF REPORT



G @ Market

SE G Street

PC Date: 7/21/2020

Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	LSD20-0042
Applicant / Current Owner	G Street Holdings, LLC 640 SW B Street Bentonville, AR 72712
Site Area	+/- 1.3 acres
Current Zoning	DN-4, Downtown Mixed-Use Residential
Future Land Use Map Designation	High-Density Residential
Development Type / Use	Mixed-Use Multi-Family/Commercial

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

Location Map



Property Description

This property is located at the intersections of SE 3rd Street, SE G Street, and SE 4th Street. The property is currently zoned DN-4, Downtown Mixed-Use Residential.

Project Details

A large scale development proposing the construction of a mixed-use residential structure at the corners of SE G, SE 3rd, and SE 4th Streets. The development proposes a total of 82 units and 4,300 square feet of commercial space.

The development provides a total of 78 parking spaces. The structure is cantilevered over three off-street parking areas (59 spaces). These lots shall be loaded off a private alley. Their remaining parking is provided on-street (19 spaces)

The development style is meant to mimic the design requirements of the Downtown Edge zoning district, with 8-foot wide sidewalks, tree grates, and on-street parking.

Projected Traffic Impact

This development has the potential to impact traffic in the area. However, the site's compliance with the City of Bentonville's Access Management Standards should help accommodate any increases in traffic. In addition, the development's street improvements and on-street parking should serve as a form of traffic calming.

Waivers

There are three waivers associated with this development:

- A waiver from Article 1400, Section 1400.06, Street frontage buffer landscape, of the Land Development Code.
 - The code requires the applicant to provide a minimum street frontage landscape buffer of 20-feet. The applicant instead requests to provide street frontage landscaping more in line with our downtown design standards, which would include planting areas and tree grates. In a DN-4 zoning district where we allow for zero-foot setbacks, the street frontage buffer runs counter to our setback requirements. A strict enforcement of this code section would in effect create a 20-foot front setback along all three street frontages.
 - Staff recommends approval of the waiver request.
- A waiver from Article 501, Section 501.06, Number of off-street parking spaces required, of the Zoning Code
 - The applicant wishes to provide 78 parking spaces as opposed to the 137 that would be required by the ordinance.
 - According to the applicant's narrative, they wish to utilize the Downtown Core parking standards for this development, which would require 84 spaces. The applicant provided a parking study of other projects where they have an average space per unit ratio of .95/unit.

LARGE SCALE DEVELOPMENT STAFF REPORT

- Other developments within vicinity of this project, such as City U and J3 Apartments, are parked at 1:1 ratios. Both of these developments are Planned Unit Developments, which allows applicants to set their own parking ratios. They chose to provide parking at a 1:1 ratio.
 - The RC-2 and RC-3 zoning districts, which have now been sunset, previously required multi-family developments to provide one parking space, either on-street, off-street, or satellite, per residential unit.
 - Staff does not recommend approval of the waiver request in its current construction. Staff recommends the applicant amend their waiver request to provide parking at a 1 space:1 unit ratio.
- A waiver from Article 1100, Section 1100.21, Large scale development design standards, subsection e, Building material, of the Land Development Code.
 - The development includes over 25% architectural metal panel (24-gauge) on three sides of the building. The code requires that at least 75% of all facades of commercial buildings be composed of a masonry product.
 - Staff recommends approval of the waiver request.

Conclusion

The Bentonville Community Plan notates that as development occurs within the DN-4 district, a “creative and flexible blend of residential, commercial, and cultural uses can be expected.” G @ Market provides a unique, attractive residential product in a rapidly growing area of the city. The unique design combines the best elements of the Downtown Neighborhood and Downtown District design requirements. However, because of the parking waiver request, staff recommends the applicant revise their waiver request and plans to provide parking at a 1 space:1 unit ratio.



Ecological Design Group, Inc
216 W Birch Street
Rogers, AR 72756

Waiver Request

To: City of Bentonville
From: Ecological Design Group, Inc – on behalf of G Street Holdings Partners LLC
Date: July 6, 2020
Re: G @ Market – SE G & SE 3rd Street, Bentonville, AR

On behalf of G Street Holdings Partners LLC, Ecological Design Group, Inc. (EDG) is submitting this Waiver Request as part of the LSD Submittal. This letter includes three waiver requests related to zoning and drainage departments.

Street Frontage Landscape Buffer Waiver Request

- City of Bentonville:
 - City of Bentonville – Land Development Code – Article 1400 Landscaping, Screening and Buffering – Section 1400.06 Street frontage buffer landscape :
 - *“(c) Minimum buffer width. The landscaped street frontage buffer shall be a minimum of twenty (20) feet and is the planting area parallel to and including the public street right-of-way. Where significant private utility conflicts exist, adjustments shall be made so that trees are planted outside of the private easement but remain in an area parallel to the street right-of-way in a location approved by the director..”*
 - The proposed street frontage landscape buffer width varies from 9 ft to 20 ft in width. The typical application of a street buffer is a green buffer between the edge of the road and the project. This development is in a Downtown district and is utilizing a downtown, urban streetscape. Street frontage trees, as requested by Article 14, are being provided in tree wells along a wide sidewalk and end islands next to on-street parking. The proposed layout meets the intent of the above described landscape buffer and provides a positive, urban, landscaped experience for the public.

Parking Count Waiver Request

- City of Bentonville:
 - City of Bentonville – Zoning Code – Article 501 Off-Street Parking and Loading – Section 501.06 Number of off-street parking spaces required:
 - *Residential Uses: Types of dwelling listed do not include an urban condo- type category that would apply to this project.*
 - *Commercial Uses: Propose to use the Downtown (DE and DC) require 1 space/1,000 sf over initial 3,000sf. The proposed commercial space for this project is 4,348 sf; therefore, one (1) space is required.*

- The proposed project is a downtown zoning (DN-4) and is an urban development. Building programming includes 82 apartments, and 4,348+/- sf of commercial space. On-street and Off-street parking are being provided, totaling 78 spaces. The parking waiver requests a deviation of **5 spaces. Proposed parking ratio is .94 spaces/unit.**
- Newell Development, representative of G Street Holdings Partners LLC, has built and is currently managing (5) multi-family developments in the Downtown Core and Downtown Edge zoning districts throughout the Bentonville city core equaling a total of 67 units. (9) out of the 67 residents are either part time residence, have no car, or travel greater than 50% of the time equaling 13% of the occupants which require the minimal need for parking.
- Developments are typically occupied at a 95% rate. This combined with the percentage of mobile travelers that do not own or utilize a vehicle, show that 1 unit : .945 ratio are adequate. An on-site parking count, performed by the owner, with supporting data has been included in this submittal.
- The project is within 400 ft. of the Razorback Greenway Trail, half a mile to the center of the Bentonville square, and within walking or biking distance of 8th street market, Wal-mart offices and other major workforce hubs.
- With this data in mind, and the overall goal to achieve a dense, walkable downtown Bentonville the applicant is requesting a waiver for Section 501.06 to approve (6) fewer parking stalls than the (84) required to meet code.

Architectural Material Request

- City of Bentonville:
 - City of Bentonville – Land Development Code – Article 1100 Development Standards – Section 1100.23 Downtown (D) district design standards:
 - *Maximum 25% of façade allowed for secondary material, exclusive of windows:*

DOWNTOWN (D) DISTRICTS
BUILDING MATERIALS

	Primary material	Secondary material
Coverage	75% min. of façade, exclusive of windows	25% max. of façade, exclusive of windows
Allowed	Brick, stone, manufactured stone, architectural steel, architectural concrete	Tile, stone, glass block, copper flashing, metal and wood, EIFS
Prohibited	Aluminum, vinyl , fiberglass	--

- The proposed elevation includes over 25% of architectural metal panel on three primary facades. The intended use of the metal panel used is to enhance the design and offer both color and texture relief on a large building. It is not being used as a less expensive alternative material. The Mac Metal block is a higher end metal (24 gauge) with segmented articulation. Please see included building elevations in this submittal.

If you have any further questions or concerns, please contact me at jburbidge@ecologicaldg.com or 479.883.2845.

Sincerely,

Ecological Design Group, Inc.

Jenny Burbidge, ASLA

Portfolio Rent Roll

Property Groups: B Street

Units: Active

Unit	BD/BA	Total Cars/Unit	% At Home
401 SW B Street	2/2.00	1	100%
405 SW B Street	2/2.00	1	75%
407 SW B Street	2/2.00	1	100%
411 SW B Street	2/2.00	1	100%
413 SW B Street	2/2.00	1	100%
417 SW B Street	2/2.00	1	50%
101	2/2.00	1	100%
102	2/2.00	1	100%
104	0/1.00	1	75%
105	1/1.00	1	100%
106	1/1.00	2	100%
107	1/1.00	1	100%
108	1/1.00	1	100%
109	0/1.00	1	100%
111	2/2.00	2	75%
112	2/2.00	1	75%
200	1/1.00	2	100%
201	1/1.00	1	100%
202	1/1.00	1	100%
203	0/1.00	1	100%
204	1/1.00	2	75%
205	1/1.00	1	100%
206	1/1.00	1	100%
207	1/1.00	1	100%
208	1/1.00	1	100%
210	1/1.00	1	100%
211	2/2.00	2	100%
212	1/1.00	1	75%
213	1/1.00	1	100%
300	1/1.00	1	100%
301	1/1.00	2	100%
302	1/1.00	1	100%
303	2/2.00	1	100%
304	2/2.00	0	50%
305	2/2.00	2	100%
306	2/2.00	1	100%
307	1/1.00	1	100%
308	1/1.00	1	50%
309	1/1.00	1	100%

102	1/1.00	1	100%
201	2/2.00	0	50%
202	2/2.00	1	100%
203	1/1.00	1	100%
204	1/1.00	1	100%
205	1/1.00	1	100%
206	1/1.00	1	100%
207	2/2.00	2	100%
208	2/2.00	1	100%
301	2/2.00	0	75%
302	2/2.00	1	50%
303	1/1.00	1	100%
304	1/1.00	1	100%
305	1/1.00	1	100%
306	1/1.00	1	50%
307	2/2.00	0	50%
308	2/2.00	1	100%
The Village One Bedroom #			
2	1/1.00	1	100%
The Village One Bedroom			
#5	1/1.00	1	100%
The Village Three Bedroom			
#3	3/2.00	2	100%
The Village Three Bedroom			
#4	3/2.00	1	50%
The Village Two Bedroom			
#1	2/2.00	1	100%
The Village Two Bedroom			
#6	2/2.00	2	100%
The Village One Bedroom			
Carriage House #1	1/1.00	1	100%
The Village One Bedroom			
Carriage House #2	1/1.00	1	100%
The Village One Bedroom			
Carriage House #3	1/1.00	1	100%

Total Units 65

Total Cars 71
 Avg Occupancy 95%
 Cars less 5% Vacancy 67.45
 Average % Time at 91%
 Cars with Occupancy +
 Travel 61.48326923

Avg Spots/Unit 0.94589645

LARGE SCALE DEVELOPMENT

G @ MARKET
301 SE G ST, BENTONVILLE, AR 72712
(LSD #20-0042)

75% CONSTRUCTION DOCUMENTS

JULY 06, 2020

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION



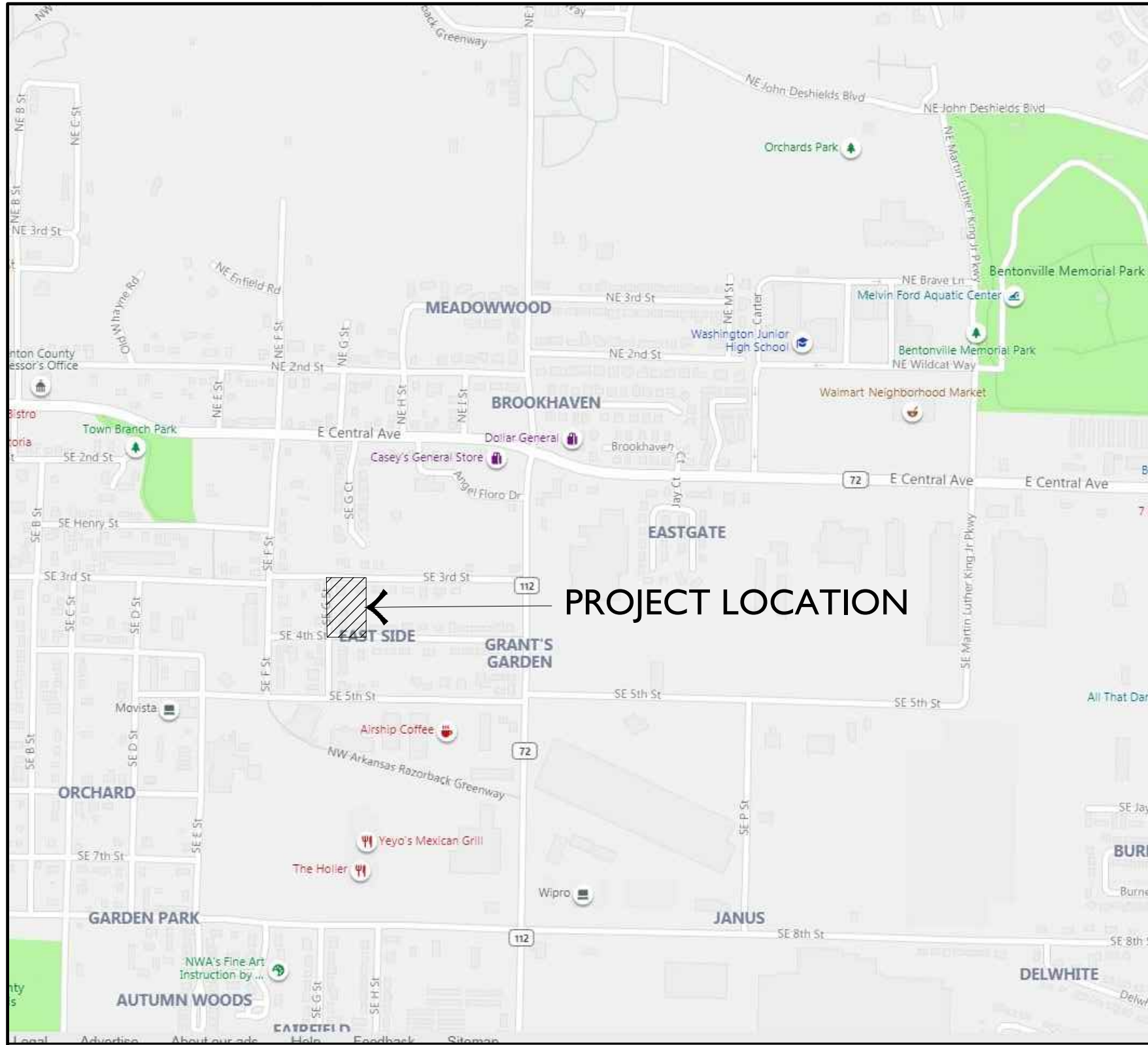
Know what's below.
Call before you dig.

G @ MARKET
301 SE G STREET , BENTONVILLE, AR

EDG PROJECT NO.	20-003
DATE	2020.07.06
REVISIONS	
Number	Date

PHASE 75%
CONSTRUCTION
DOCUMENTS
TITLE Cover Sheet

SHEET NO. C0.00
LSD20-0042



VICINITY MAP
NOT TO SCALE



AERIAL MAP
NOT TO SCALE



OWNER:
G STREET HOLDINGS PARTNERS LLC
437 N. BONHILL RD.
LOS ANGELES, CA 90049

LANDSCAPE :
ECOLOGICAL DESIGN GROUP, INC.
JENNY BURBIDGE, ASLA
216 W BIRCH ST.
ROGERS, AR 72756
JBURBIDGE@ECOLOGICALDG.COM
479.883.2845

DEVELOPER:
NEWELL DEVELOPMENT
JAKE NEWELL
402 SW A ST
BENTONVILLE, AR 72712
JAKE@NEWELLDEVELOPMENT.COM
479.208.5046

CIVIL ENGINEER:
ECOLOGICAL DESIGN GROUP, INC.
BRAHM DRIVER, PE
216 W BIRCH ST.
ROGERS, AR 72756
BDRIVER@ECOLOGICALDG.COM
501.944.3090

ARCHITECT:
BURRIS ARCHITECTURE
DAVE BURRIS, AIA
820 TIGER BLVD. #4
BENTONVILLE, AR 72712
DAVE@BURRISARCH.COM
479.319.6045

SURVEYOR:
BATES AND ASSOCIATES, INC.
DERRICK THOMAS, PLS
7230 S PLEASANT RIDGE,
FAYETTEVILLE, AR 72704
479.442.9350

SITE SUMMARY	
ZONING:	DOWNTOWN NEIGHBORHOOD (DN-4)
USE:	MIXED USE
AREA:	1.24 AC

ZONING SUMMARY		
LOT AND AREA STANDARDS		
LOT AREA MIN:	REQUIRED 10,000 SF	PROVIDED 54,121 SF
MIN LAND AREA / DWELLING UNIT (SF)	800 SF	122 SF
LOT WIDTH MIN:	80'	116.01 / 191.05
LOT WIDTH MAX:	NONE	116.01 / 191.05
LOT DEPTH:	NONE	300.03 / 300.08
EXTERIOR LOT COVERAGE:	80%	64%
SETBACK STANDARDS		
FRONT YARD MIN:	REQUIRED 0'	PROVIDED 0'
FRONT YARD MAX:	15'	0'
SIDE YARD MIN:	0'	0'
SIDE YARD MAX:	15'	0'
REAR (RESIDENTIAL):	15'	15'

DRAWING LIST

COVER	COVER SHEET
C0.01	GENERAL NOTES & LEGEND
C0.10	DEMOLITION PLAN
C1.00	SITE PLAN
C1.01	SITE LAYOUT PLAN
C2.00	SITE UTILITY PLAN
C2.01	EXISTING WATER MAIN PROFILE
C3.00	GRADING & DRAINAGE PLAN
C3.01	SPOT ELEVATION PLAN
C3.10	ROW DRAINAGE PLAN & PROFILE
C4.00	EROSION & SEDIMENT CONTROL PLAN
C4.01	EROSION & SEDIMENT CONTROL DETAILS
C5.00	DETAILS
C5.01	DETAILS
C5.02	DETAILS
C5.03	DETAILS
C5.04	DETAILS
C5.05	DETAILS
L1.00	LANDSCAPE PLAN
L1.01	LANDSCAPE NOTES & DETAILS

SUPPLEMENTAL SHEETS

SHEET 1	TOPO AND ALTA SURVEY
SHEET 1 OF 2	WATER/SEWER DETAILS
SHEET 2 OF 2	WATER/SEWER DETAILS
SHEET 1 OF 2	WATER DETAILS
SHEET 2 OF 2	WATER DETAILS
SHEET 1 OF 2	SANITARY SEWER DETAILS
SHEET 1	ELECTRIC DETAILS
SHEET 2	ELECTRIC DETAILS
SHEET 3	ELECTRIC DETAILS

UTILITY AND CITY CONTACTS

Black Hills Energy: Josh Knight, 1301 Federal Way, PO Box 2129, Lowell, AR 72745, (479)333-7005, joshua.knight@blackhillscorp.com

AT&T: Scott Seaman, 627 White Road, Springdale AR 72766, (479) 442-1967 or Layne Rhodes, lr159@att.com, (479) 442-1977

Cox Communications: Kip Smith, 4901 S. 48th Street, Springdale, AR 72762, (479)717-3796 kip.smith@cox.com

Fire Dept.: City of Bentonville, W. Jake Feemster CBO CFM CFEI, Division Chief / Fire Marshal, Bentonville Fire Department, (479)271-3108

Street Dept.: City of Bentonville, Dennis Birge, PE, Transportation Engineer, City of Bentonville, 3200 SW Municipal Drive, Bentonville, Arkansas 72712, (479)271-6840, dbirge@bentonvillear.com

Water Dept.: City of Bentonville, Preston Newbill, Manager, City of Bentonville Water Utilities, (479)-271-3140, pnewbill@bentonvillear.com

Wastewater Dept.: City of Bentonville, Nancy Busen, Manager, City of Bentonville Wastewater Utilities, (479)-271-3161, nbusen@bentonvillear.com

Electric Dept.: City of Bentonville, Travis Matlock, PE Engineering Director, City of Bentonville, 3200 Municipal Drive, Bentonville, AR 72712 (479)-271-5941

Planning Dept.: City of Bentonville, Jon Stanley, Senior Planner, 305 SW A Street, Bentonville, AR 72712, (479)-271-3122

City Engineer: City of Bentonville, Dan Weese, City Engineer, (479)-271-3168, dweese@bentonvillear.com

Stormwater: City of Bentonville, Janet Paith, 3200 SW Municipal Dr., Bentonville, AR 7212, (479) 271-5002, jpaith@bentonvillear.com

PROPERTY DESCRIPTION:

LOTS 5, 7, 8, 9 AND 10, AND ALSO THE NORTH 65' OF THE WEST 35' OF THE WEST 35' OF LOT 3, AND ALSO A VACATED 12' WIDE ALLEY, ALL BEING LOCATED IN THE BLOCK 4 OF YOUNG'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING PIPE MARKING THE NORTHWEST CORNER OF SAID LOT 9 AND RUNNING THENCE S88°14'58"E 190.93' TO AN EXISTING REBAR, THENCE S02°44'23"W 300.08' TO AN EXISTING REBAR, THENCE N88°13'55"W 191.05' TO AN EXISTING REBAR, THENCE N02°45'52"E 300.03' TO THE POINT OF BEGINNING, CONTAINING 1.32 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN SOUTHEAST THIRD STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE NORTH SIDE, SUBJECT TO THAT PORTION IN THE SOUTHEAST FOURTH STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT, AND SUBJECT TO ALL OTHER EASEMENT AND RIGHTS-OF-WAY OF RECORD.

FLOOD DATA:

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

PROJECT NOTES

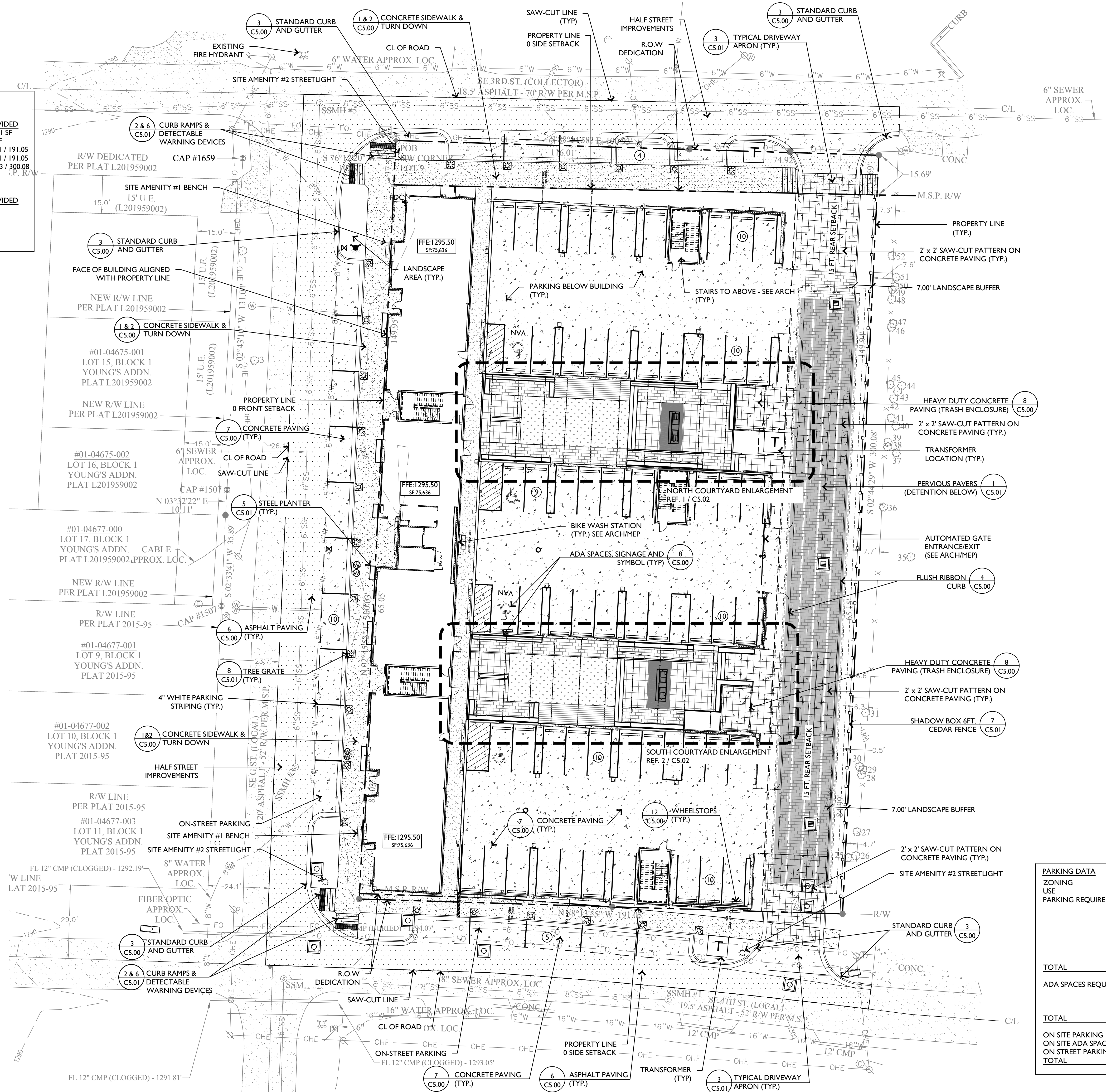
- THE CITY OF BENTONVILLE STREET STANDARDS, DRAINAGE CRITERIA MANUAL, SUBDIVISION ORDINANCE, WATER, SEWER, ELECTRIC UTILITY SPECIFICATIONS, AND STATE CODE SHALL GOVERN THESE PLANS. IF THERE ARE DISCREPANCIES IN THE PLANS OR INFORMATION CONTAINED WITHIN, CITY OF BENTONVILLE ORDINANCES, STANDARDS, AND SPECIFICATIONS SHALL RULE UNLESS, APPROVED IN WRITING BY THE CITY ENGINEER.
- TO SCHEDULE AN INSPECTION OR TEST WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT, INSPECTIONS MUST BE CALLED IN (479-271-3168) BY THE ENGINEER OF RECORD 24 HOURS IN ADVANCE BEFORE 10AM FOR AN INSPECTION THE FOLLOWING DAY.
- THE ENGINEER OF RECORD MUST CERTIFY THE SITE AND THE PROJECT MUST PASS A DEVELOPMENT FINAL SITE INSPECTION BEFORE REQUESTING A BUILDING FINAL INSPECTION.
- THE ENGINEER OF RECORD SHALL COORDINATE AND SCHEDULE A PRE-PAVE PRECON WITH THE ENGINEERING DEPARTMENT AND CONTRACTOR BEFORE THE PAVING OF ANY PUBLIC STREET OR PUBLIC ALLEY.

ZONING: DOWNTOWN NEIGHBORHOOD (DN-4)
USE: MIXED USE
AREA: 1.24 AC

LOT AND AREA STANDARDS

	<u>REQUIRED</u>	<u>PROVIDED</u>
LOT AREA MIN:	10,000 SF	54,121 SF
MIN LAND AREA / DWELLING UNIT (SF)	800 SF	122 SF
LOT WIDTH MIN:	80'	116.01 / 191.05
LOT WIDTH MAX:	NONE	116.01 / 191.05
LOT DEPTH:	NONE	300.03 / 300.08
EXTERIOR LOT COVERAGE:	80%	64% J.P. RW

	<u>REQUIRED</u>	<u>PROVIDED</u>
FRONT YARD MIN:	0'	0'
FRONT YARD MAX:	15'	0'
SIDE YARD MIN:	0'	0'
SIDE YARD MAX:	15'	0'
REAR (RESIDENTIAL):	15'	15'



	PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
	SAWCUT AND PAVEMENT REMOVAL LIMITS
	TYPICAL ASPHALT PAVEMENT REF. 6 / C5.00
	CONC. SIDEWALK REF. 1 / C5.00
	TYPICAL CONCRETE PAVEMENT REF. 7 / C5.00
	PERMEABLE PAVERS REF. 1 / C5.01

NO SIGNAGE IS PROPOSED AT THIS TIME. FUTURE SIGNAGE WILL REQUIRE A SEPARATE PERMIT

ARCHITECTURAL FOOTPRINTS, THRESHOLDS AND VESTIBULES ARE SHOWN FOR REFERENCE. REFER TO ARCHITECTURAL PLANS FOR ALL EXACT MEASUREMENTS AND BUILDING DIMENSIONS.

#1 - BENCH - 6' VICTOR STANLEY "CLASSIC"
(MODEL #C10) OR APPROVED EQUAL
#2 - STREET LIGHT - 12' GRANVILLE
LUMINAIRE AND WADSWORTH POLE;
COLOR: BLACK OR APPROVED EQUAL

ZONING
USE
PARKING REQUIREMENTS

ZONING USE	DN-4
PARKING REQUIREMENTS	MIXED USE CONDO / TOWNHOUSE - 82 UNITS TOTAL 1 SPACE PER DWELLING UNIT 1 SPACES x 82 UNITS = 82 SPACES
	COMMERCIAL SPACE - 4,348 SF TOTAL 1 SPACE PER 1,000 SF ABOVE 3,000 SF 1 SPACE
TOTAL	83 SPACES REQUIRED
ADA SPACES REQUIRED	78 TOTAL PARKING SPACES 4 MIN. NUMBER OF ADA SPACES REQUIRED
TOTAL	4 ADA SPACES REQUIRED
ON SITE PARKING PROVIDED	55 SPACES
ON SITE ADA SPACES PROVIDED	4 SPACES (VAN)
ON STREET PARKING PROVIDED	19
TOTAL	78 SPACES

Ecological Design Group, Inc.
www.ecologicaldg.com
phone: 501 378 0200
LITTLE ROCK | ROGERS | WYNNE

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION



G @ MARKET
3301 SE G STREET , BENTONVILLE, AR

EDG PROJECT NO.	20-003
DATE	2020.07.06

[illegible]

PHASE	75% CONSTRUCTION DOCUMENTS
TITLE	Site Plan

SHEET NO. C1.00

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION

NOT FOR
CONSTRUCTION



Know what's below.
Call before you dig.

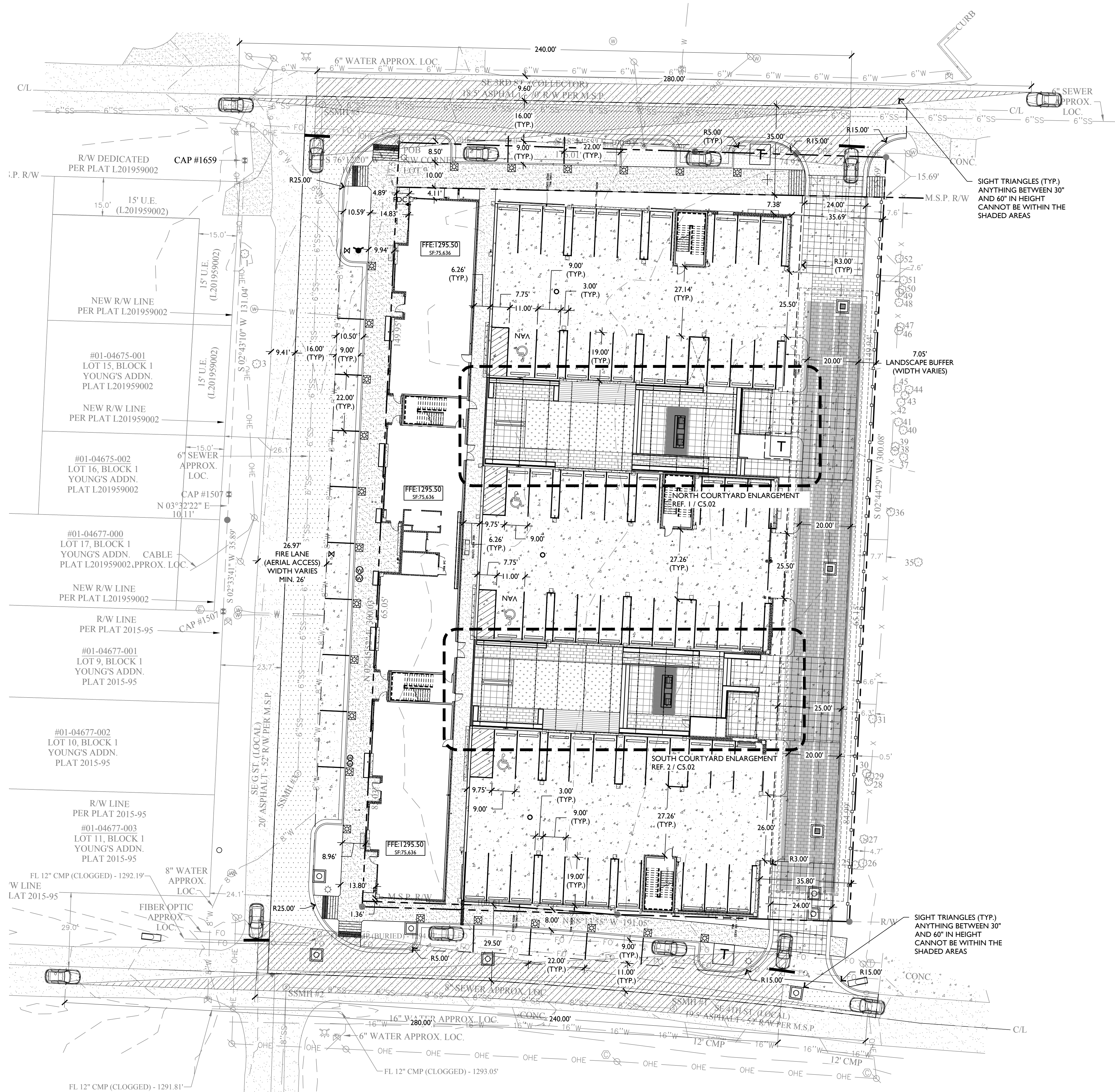
G @ MARKET
301 SE G STREET, BENTONVILLE, AR

EDG PROJECT NO. 20-003

DATE 2020.07.06

REVISIONS

Number Date



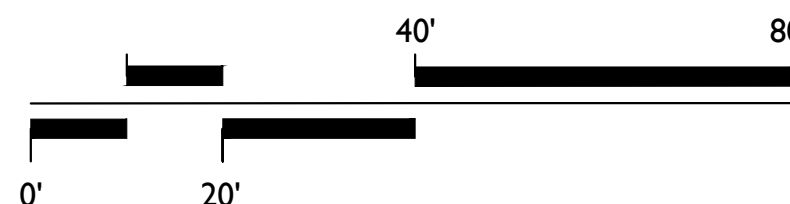
PROPOSED LEGEND

- PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
- SAWCUT AND PAVEMENT REMOVAL LIMITS
- TYPICAL ASPHALT PAVEMENT REF. 6 / C5.00
- CONC. SIDEWALK REF. 1 / C5.00
- TYPICAL CONCRETE PAVEMENT REF. 7 / C5.00
- PERMEABLE PAVERS REF. 1 / C5.01

NOTE:
ARCHITECTURAL FOOTPRINTS, THRESHOLDS AND VESTIBULES ARE SHOWN FOR REFERENCE. REFER TO ARCHITECTURAL PLANS FOR ALL EXACT MEASUREMENTS AND BUILDING DIMENSIONS.



NORTH

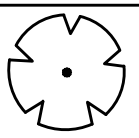
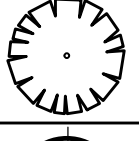
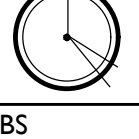
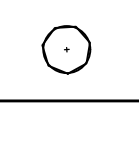
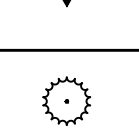
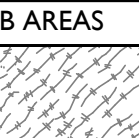
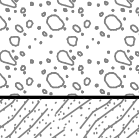
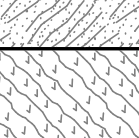


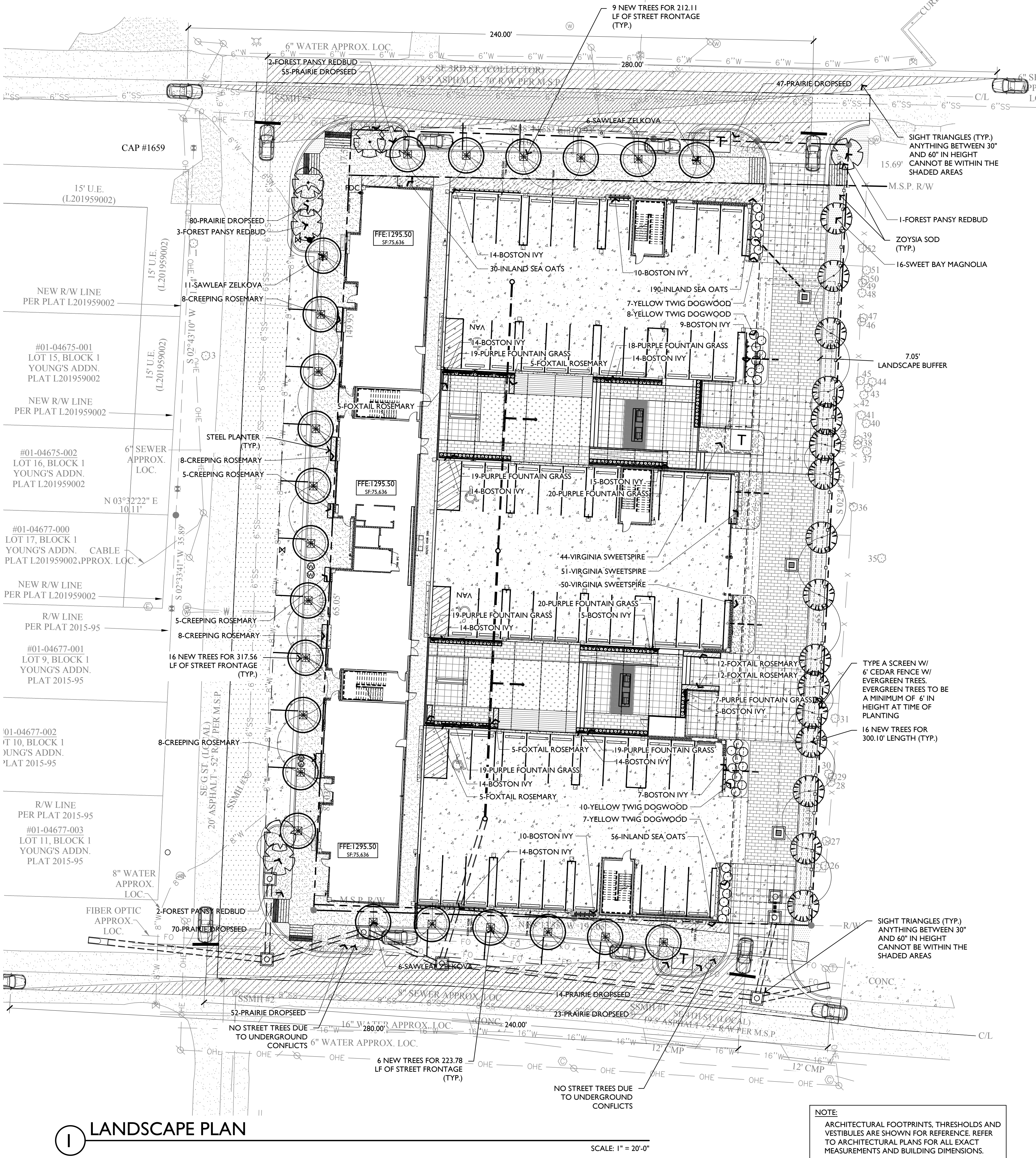
SCALE: 1" = 20'-0"

1 SITE LAYOUT PLAN

CITY OF BENTONVILLE LANDSCAPE REQUIREMENTS			
		REQUIRED	PROVIDED
STREET FRONTAGE			
SE 3RD STREET	MIN. 20 FT BUFFER	YES	NO WAIVER REQUESTED
	ONE (1) TREE PER 25 LF. OF STREET FRONTAGE: 212.11 LF / 20 = 10.61 ~ 11 TREES REQUIRED	11 TREES	9 NEW TREES. DEFICIENT DUE TO UTILITY CONFLICTS
SE G STREET	MIN. 20 FT BUFFER	YES	NO WAIVER REQUESTED.
	ONE (1) TREE PER 20 LF. OF STREET FRONTAGE: 317.56 LF / 20 = 15.88 ~ 16 TREES REQUIRED	16 TREES	16 NEW TREES
SE 4TH STREET	MIN. 20 FT BUFFER	YES	NO WAIVER REQUESTED
	ONE (1) TREE PER 20 LF. OF STREET FRONTAGE: 223.78 LF / 20 = 11.19 ~ 11 TREES REQUIRED	11 TREES	6 NEW TREES. DEFICIENT DUE TO UTILITY CONFLICTS.
PERIMETER LANDSCAPE STRIP			
EASTERN LOT LINE	ONE (1) TREE PER 50 LF OF LENGTH: 300.10 / 50 = 6.00 ~ 6 TREES REQUIRED	6 TREES	16 NEW TREES
INTERIOR PARKING LOT LANDSCAPING			
	REQUIRED INTERIOR LANDSCAPE AREA: TOTAL PARKING AREA = 23,210.88 8% * 23,210.88 = 1,856.87 SF	N/A	N/A
	ONE (1) TREE PER 125 SF OF REQUIRED LANDSCAPE AREA: 1,856.87 / 125 = 14.85 ~ 15 TREES	N/A	N/A
PLANTING ISLANDS	MAX. SPACING OF 15 SPACES APART	N/A	N/A
	AT ENDS OF ALL PARKING ROWS	N/A	N/A
INTERNAL PLANTING ISLANDS	MIN. SIZE OF 18' X 18'	N/A	N/A
	MIN. 2 TREES EACH	N/A	N/A
EXTERNAL PLANTING ISLANDS	MIN. SIZE OF 9' X 19'	N/A	N/A
	MIN. OF 1 TREE EACH	N/A	N/A
CONTINUOUS PLANTING ISLAND	REQ'D WHEN TWO OR MORE DOUBLE ROWS	N/A	N/A
	MIN. LENGTH OF PARKING ROW AND WIDTH OF 9 FT.	N/A	N/A
	ONE (1) SHADE TREE PER 6 SPACES	N/A	N/A
SCREENING REQUIREMENTS			
EASTERN LOT LINE	SINGLE FAMILY / COMMERCIAL USES: TYPE A SCREEN REQUIRED MIN. LANDSCAPE SCREEN 20' HEIGHT + SOLID SCREEN MIN. 6' HEIGHT	YES	6' CEDAR FENCE + NEW TREES
TREE PRESERVATION CREDITS	NONE		
LANDSCAPE AND UTILITY REQUIREMENTS			
	TREES PLANTED UNDER OVERHEAD UTILITIES SHALL NOT EXCEED A MATURE HEIGHT OF 25'	YES	YES
	TREES SHALL NOT BE WITHIN 5' OF UNDERGROUND UTILITIES	YES	NO
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 10' FROM THE DOOR SIDE OF TRANSFORMER; AND 3' FROM OTHER SIDES.	YES	YES
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 3' OF A FIRE HYDRANT	YES	YES

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER	SPACING
	8	CERCIS CANADENSIS 'FOREST PANSY'	FOREST PANSY REDBUD	2.5" CAL.	45 GALLON	AS SHOWN
	16	MAGNOLIA VIRGINIANA	SWEET BAY MAGNOLIA	2.5" CAL.	45 GALLON	AS SHOWN
	23	ZELKOVA SERRATA 'MUSASHINO'	SAWLEAF ZELKOVA	2.5" CAL.	65 GALLON	AS SHOWN
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER	SPACING
	32	CORNUS SERICEA 'FLAVIRAMEA'	YELLOW TWIG DOGWOOD	---	5 GALLON	42" O.C.
	193	PARTHENOCISSUS TRICUSPIDATA 'VEITCHII'	BOSTON IVY	---	3 GALLON	24" O.C.
	173	PENNISETUM SETACEUM	PURPLE FOUNTAIN GRASS	---	1 GALLON	18" O.C.
SHRUB AREAS	QTY	BOTANICAL NAME	COMMON NAME	CALIPER	CONTAINER	SPACING
	276	CHASMANTHIUM LATIFOLIUM	INLAND SEA OATS	---	1 GALLON	24" O.C.
	153	ITEA VIRGINICA 'LITTLE HENRY' TM	VIRGINIA SWEETSPIRE	---	3 GALLON	24" O.C.
	46	ROSMARINUS OFFICINALIS 'FOXTAIL'	FOXTAIL ROSEMARY	---	1 GALLON	18" O.C.
	42	ROSMARINUS OFFICINALIS 'PROSTRATUS'	CREEPING ROSEMARY	---	1 GALLON	18" O.C.
	341	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED	---	1 GALLON	24" O.C.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	
	2,137 SF	ZOYSIA JAPONICA	ZOYSIA GRASS	FLAT		



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REVISIONS

PHASE 75% CONSTRUCTION DOCUMENTS

TITLE Landscape Plan

SHEET NO. L1.00

LS020-0042





































ORDINANCE STAFF REPORT



Development Code Amendments

PC Date: 7/21/2020

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Manager

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

From time to time, staff reviews the existing development 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. Title of Code (Ordinance, Sec. 2)

Replace “Subdivision Code” with “Land Development Code” throughout.

2. Guarantees of Completion (Ordinance, Sec. 3)

Change incorrect section reference by replacing “Article 1700 Guarantees” with “Article 300 Administration.”

3. Off-site improvements applicability (Ordinance, Sec. 4)

Replace ““subdivider” and “sub-divider” with “developer” since this article applies to all development, not only subdivisions.

4. Definitions (Attachment A, Art. 200):

Add definitions for “mid-block”, “end-of-block”, “fence” and “trim.”

5. Maintenance Letter of Credit (Attachment B, Sec. 300.09)

- Change section title from “*Maintenance Letter of Credit*” to “*Maintenance guarantee.*”
- Change approvals from Community Development Director to City Engineer.
- Change language for the amount from determined by “*the cost of donated assets*” to “*the replacement cost of donated assets.*”
- Add that the City Engineer must approve the engineer-of-record’s estimate of donated assets.
- Add that certain documents are required to support the engineer-of-record’s estimate.
- Change the term date from approval by council to final acceptance through the final inspection process.

6. Guarantees (Attachment B, Sec. 300.10)

- Change section title from “*Guarantees*” to “*Completion Guarantee.*”
- Change approvals from Community Development Director to City Engineer.
- Allow a letter of credit for guarantees for completion.
- Change language for the amount from determined by “*the cost of improvements*” to “*the cost for the city to complete the improvements.*”
- Add that certain documents are required to support the engineer-of-record’s estimate.

ORDINANCE STAFF REPORT

7. **Off – site performance Guarantee** (Attachment B, Sec. 300.11)

- Change approvals from Community Development Director to City Engineer.
- Change language for the required amount from being determined by “*the cost of improvements*” to “*the cost for the city to complete the improvements.*”
- Add that certain documents are required to support the engineer-of-record’s estimate.

8. **Drainage easements** (Attachment C, Sec. 500.04)

Allow drainage easements dedications on the final plat.

9. **Criteria for substantial completion** (Attachment C, Sec. 500.08 & Sec. 500.09)

- a. Remove all references to bonds or non-bondable items.
- b. Add that for a final inspection to pass, all items must be completed in compliance with all regulations, except landscaping and cosmetic items, and remove criteria for substantial completion.
- c. Add landscaping criteria for final plats now that residential final plats require perimeter landscaping.

10. **Large scale applicability** (Attachment D, Art. 700)

- Clarify that improvements to an existing development, including parking lot improvement or expansions, are required to go through the large scale development process.
- Add that for a final inspection to pass, all items must be completed in compliance with all regulations, except landscaping and cosmetic items, and remove criteria for substantial completion.

11. **Fences in easements** (Attachment E, Sec. 1100.06 (g))

Add the following statement regarding drainage easements: “*The city reserves the right to remove any fence found to be impeding the normal flow of storm water and replacement cost of such fence shall be the sole responsibility of the property owner.*”

12. **Downtown Sidewalks** (Attachment E, Sec. 1100.15(d)(1))

- Relocate the regulations for downtown sidewalks from the Sec. 1100.23(s) Downtown Districts Design Standards to Sec. 1100.15 Sidewalk Requirements.
- For consistency, the requirements should be based on the designation as a primary or secondary street not the zoning district. This ensures that all sidewalks on a primary street are built at the same width.
- Add that the DN-4 districts also have to meet the downtown sidewalk requirements for primary and secondary streets.

13. **Commercial design standards** (Attachment E, Sec. 1100.21)

- Require a minimum of two primary materials and expand the material options to include glass. Planning Commission has approved several materials waivers over the last several years, and these amendments reflect those decisions.

ORDINANCE STAFF REPORT

- Revise so that the commercial design standards apply to the downtown districts (DC and DE) and that the downtown district design standards are in addition to the commercial design standards.
- Reduce vertical articulation from 100' to 50' (which is the requirement for the downtown districts).
- Add techniques to use for articulation.
- Add criteria to be used when reviewing waiver requests to include a narrative, a 3-d rendering and photos of existing examples.

13. Downtown design standards (Attachment E, Sec. 1100.11023)

- Add statement clarifying that these regulations are in addition to the commercial design standards in Sec. 1100.21.
- Remove downtown design standards that are redundant with the commercial design standards.

14. Chapter reference (Attachment E, Sec. 1100.22)

Change incorrect section references in section (l)(1) by replacing “Chapter 50, Sec. 50-1116” with “Sec. 1100.21” and replacing “Sec. 50-1116(g)” with “Sec. 1100.21(r).”

15. Illustrations for landscape and buffer requirements (Attachment F, Sec. 1400.05 (b))

Add illustrations for landscape islands and screening requirements.

16. Applicability of landscape regulations in DN-4 (Attachment F, Art. 1400 Landscaping)

Exempt DN-4 districts from the landscape street frontage buffer requirement and the landscape perimeter requirement. Applying those standards to development in the DN-4 district essentially creates a setback that is otherwise not required in the district.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15 LAND DEVELOPMENT
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 Chapter 15 Land Development Code shall be and is hereby amended by replacing to “Subdivision Code” or “Subdivision Regulations” with “Land Development Code.”

Section 3. That Sec. 800.08 Guarantee of Completion of Chapter 15 Land Development Code shall be and is hereby amendment by replacing “Article 1700 Guarantees” with “Article 300 Administration.”

Section 4. That Article 1200 Off Site Improvements of Chapter 15 Land Development Code shall be and is hereby amended by replacing “sub-divider” or “subdivider” with “developer.”

Section 5. That the following sections of the Bentonville Municipal Code, Chapter 15 Land Development 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. 200 Definition Amendments
- Attachment B: Art. 300 Administration and Enforcement Amendments
- Attachment C: Art. 500 Final Plats Amendments
- Attachment D: Art. 700 Large Scale Development Amendments
- Attachment E: Art. Art. 1100 Development Standards Amendments
- Attachment F: Art. 1400 Landscaping, Screening and Buffering 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 200 Definitions Amendments

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

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.

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

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.

Trim: An ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement.

ATTACHMENT B

Art. 300 Administration and Enforcement Amendments

*Underlined text to be added and strikethrough text to be deleted.
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Sec. 300.01 Administration

(a) These rules and regulations shall be administered by the Planning Department staff. The Planning Commission may, from time to time, recommend instructions and operating procedures to be followed in the administration of these regulations to the end that the public may be better informed and that approval of plats be expedited.

Sec. 300.03 Violation and penalty.

(a) When, in the opinion of the Planning Department staff, a violation of the ~~subdivision ordinance~~Development Code exists, and a ~~subdivider~~developer who has not complied with the requirements and procedures set forth herein attempts to proceed with construction work, or attempts to convey title to any lot or lots before obtaining Final Plat Approval, or otherwise is in substantial violation of the ordinance, the Planning Department shall, within thirty (30) days of becoming aware of a possible violation, issue a written order to the alleged violator. Said written order shall be by certified mail, restricted delivery, and shall set out the specific violations alleged. Notification to the Mayor and City Attorney of the issuance of the written order shall be given. If the alleged violator, within fifteen (15) days of receipt of said order, does not cease and desist from activities not in conformance with this ordinance, the Planning Department shall, within sixty (60) days, transmit to the City Attorney an affidavit setting out the nature of the violation. The City Attorney shall take appropriate measures to enforce the ordinance, including but not limited to, seeking injunctive relief from a court of competent jurisdiction.

(b) Any person, firm or corporation that violates any provision of these regulations or amendments thereto shall be guilty of a misdemeanor and on conviction shall be fined ~~not less than \$50.00 nor more than \$100.00 for each offense and each day that any violation of these rules and regulations are in effect shall constitute a separate offense and be subject to additional fines of between \$50.00 and \$100.00 per day in accordance with Sec. 1-8. General Penalty of the City Code.~~ Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premise, and these remedies shall be in addition to the penalties described above.

(Ord. No. 2003-100, 06-10-2003)

Sec. 300.09 Maintenance ~~letter of credit~~ guarantee.

A maintenance ~~letter of credit~~guarantee shall meet the following conditions:

(a) *Amount.* The owner/developer shall provide a maintenance letter of credit or cashier's check to the City of Bentonville for an amount equal to shall reflect 25% of the City's replacement costs of the donated assets. ~~value~~ Estimate shall be prepared by the engineer-of-record and approved by the City Engineer.

(b) *Phased Projects.* ~~For a development project of 40 acres or more which has been approved for phasing by the Planning Commission, a maintenance letter of credit shall reflect 25% of the donated assets value for the first phase, which must be a minimum of 20 acres, plus 10% of the donated assets for additional phases, each of which must be a minimum of 20 acres. In the event the letter of credit issued for the first phase~~

ATTACHMENT B

Art. 300 Administration and Enforcement Amendments

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Only code sections with amendments are shown.*

~~has expired, the maintenance letter of credit shall reflect 25% of the donated assets value for the second phase and all subsequent phases.~~ For phased projects, each phase shall provide an engineering estimate and a Maintenance Guarantee for all donated assets within that phase. Only Planning Commission approved phased developments will be considered.

(c) Required Documents. Engineering estimate shall be accompanied by a site plan showing donated assets and all backup supporting data used to develop the engineer estimate. Engineering estimate shall be broken up into the subcategories as noted in Sec 500.02(e). Each subcategory shall be subtotaled from the individual items pertaining to that subcategory. No Lump Sum units will be approved. Each subtotal shall then be added together to create a grand total then multiplied by the percentage noted in Sec. 300.09(a) to create the amount for the Maintenance Guarantee.

(d) Beneficiary. The ~~maintenance~~ letter of credit shall be irrevocable and shall list the City of Bentonville as the beneficiary.

(e) Format. The ~~maintenance~~ letter of credit shall be in a format as provided by the City or as approved by the Staff Attorney or his or her designee.

(f) Term. The ~~maintenance~~ letter of credit shall run for no less than one (1) year from the date of ~~approval by City Council~~ final acceptance as indicated by the final inspection process.

(g) Entitlement of payment. At the end of that year, if the improvements have not been adequately maintained, as determined by the ~~Community Development Director~~ City Engineer or his or her designee(s), the City shall be entitled to payment under the terms of the maintenance ~~letter of credit~~ guarantee. Further, the City shall be entitled to use all of the money secured by the maintenance ~~letter of credit~~ guarantee to assure the proper maintenance of the improvement.

(h) Excess monies. The owner/developer shall not be entitled to any excess monies until the maintenance of the improvements in the development has been completed.

(Ord. No. 98-73; § 1, 08-25-1998; Ord. 2003-100, §1; Ord. No. 2006-24, § 18; Ord. No. 2007-41, §1-2, 4-10-07)

Sec. 300.10 Completion Guarantees.

Prior to final plat approval, the owner/developer shall enter into an agreement with the City to guarantee installation or ensure the completion of improvements in accordance with the approved preliminary plat. The City will accept the subdivision and issue a Certificate of Final Plat approval subject to the following guarantee requirements:

(a) Amount. The owner/developer shall provide a cashier's check or a letter of credit to the City of Bentonville for an amount equal to 150% of what it would cost the City to complete the ~~total estimated cost for~~ improvements as shown on the preliminary plat as approved by the ~~Community Development Director~~ City Engineer or his or her designee(s).

(b) Required Documents. Engineering estimate shall be accompanied by a site plan showing estimated cost of improvements and all backup supporting data used to develop the engineer estimate. Engineering estimate shall be broken up into the subcategories as noted in sec 500.02(e). Each subcategory shall be totaled from the individual items pertaining to that subcategory. No Lump Sum units will be approved. Each subtotal

ATTACHMENT B

Art. 300 Administration and Enforcement Amendments

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shall then be added to create a grand total then multiplied by the percentage noted in 300.10(a) to create the amount for the Guarantee.

~~(a)(c)~~ (c) *Term.* The cashier's check shall be deposited immediately. The owner/ developer shall have a maximum of 60 days to complete the improvements, unless an extension is granted by the ~~Community Development Director~~City Engineer or his or her designee(s).

~~(b)(d)~~ (d) *City action.* If the improvements have not been completed within the terms provided for in ~~B.300.10(c) Term~~ above, the City may take one of the following actions:

- (1) Construct the remaining improvements using the amount of the cashier's check. Any balance remaining after the improvements have been constructed shall be returned to the owner/developer. The owner/ developer shall be liable for any cost exceeding the amount of the cashier's check; or,
- (2) Continue to hold the funds until the owner/developer completes the required improvements.

~~(e)(e)~~ (e) *Release of guarantee.*

- (1) *Certificate of completion.* To request a release of a guarantee, the owner/developer's engineer of record shall submit a certification of completion to the City Engineer or his or her designee(s) that the development is complete and functional.
- (2) *Final inspection.* The City Engineer shall conduct a Final Inspection of remaining guaranteed items. The Final Inspection must be approved prior to releasing the guarantee.
- (3) *Guarantee released.* Guarantee released and the City shall reimburse the owner/developer for the amount of the cashier's check.

(Ord. No. 98-57, § 1, 06-22-1998; Ord. No. 2000-72, § 1, 06-09-2000; Ord. No. 2003-100, § 1, 06-10-2003; Ord. No. 2006-24, § 17; Ord. No. 2007-41, §2, 4-10-07)

Sec. 300.11 Off-site performance guarantee.

At or prior to the preconstruction conference with the City, the owner/developer shall provide to the ~~Community Development Director~~City Engineer, or his or her designee(s), a performance guarantee for off-site improvements meeting the following criteria:

(a) Amount. The owner / developer shall provide a letter of credit or a cashier's check to the City of Bentonville for an amount equal to 100% of what it would cost the City to complete the ~~total estimated cost for~~ improvements within the public right-of-way and any off-site improvements as described in Article 1200. The cost estimate shall be prepared by the ~~owner / developer's~~ engineer-of-record and approved by the ~~Community Development Director~~City Engineer or his or her designee(s).

(a)(b) Required Documents. Engineering estimate shall be accompanied by a site plan showing estimated cost of improvements and all backup supporting data used to develop the engineer estimate. Engineering estimate shall be broken up into the subcategories as noted in sec 500.02(e). Each subcategory shall be totaled from the individual items pertaining to that subcategory. No Lump Sum units will be approved. Each subtotal shall then be added to create a grand total then multiplied by the percentage noted in 300.11(a) to create the amount for the Off-Site Performance Guarantee.

ATTACHMENT B

Art. 300 Administration and Enforcement Amendments

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~~(b)~~(c) *Term.* The term of the performance guarantee shall be agreed to in writing by the ~~owner/ developer's~~ engineer-of-record and by the ~~Community Development Director~~ City Engineer or his or her designee(s).

~~(e)~~(d) *Letter of credit standards.* Performance guarantee letter of credits shall be irrevocable and shall list the City of Bentonville as the beneficiary. The letter of credit shall be in a format as provided by the City or as approved by the Staff Attorney or his or her designee.

~~(d)~~(e) *Cashier's check.* The cashier's check will be deposited immediately.

~~(e)~~(f) *City action.* Prior to expiration of the term agreed to in subsection ~~(c)~~B above, the City shall inspect the improvements. If the improvements are not complete to the City's satisfaction, the owner / developer or engineer of record may request in writing an extension. If the City does not agree to the extension, the City may construct the remaining improvements using the amount of the cashier's check or letter of credit. If the improvements are complete, the City shall release the performance guarantee in accordance with ~~s~~H Subsection ~~H~~I.

~~(f)~~(g) *Excess monies.* The owner / developer shall not be entitled to any excess monies until the off-site improvement has been completed and the performance guarantee is released in accordance with ~~s~~H Subsection ~~H~~I.

~~(g)~~(h) *Excess costs.* The owner / developer shall be liable for any cost exceeding the amount of the cashier's check or letter of credit.

~~(h)~~(i) *Release of performance guarantee.*

- (1) *Certificate of completion.* To request a release of a performance guarantee, the ~~owner / developer's~~ engineer-of-record shall submit a certification of completion to the City Engineer or his or her designee(s) that the development is complete and functional.
- (2) *Final inspection.* The City Engineer or his or her designee(s) shall conduct a Final Inspection of the off-site improvement. The Final Inspection must be approved prior to releasing the performance guarantee.
- (3) *Guarantee released.* The performance guarantee is released and the City shall reimburse the owner / developer for the amount of the cashier's check or return the letter of credit to the owner/developer.

(Ord. No. 2007-130, § 1, 11-13-07)

ATTACHMENT C

Art. 500 Final Plats Amendments

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

Sec. 500.03 Items required prior to planning commission review.

(a) Maintenance ~~Letter of Credit~~guarantee. The owner/developer shall submit a ~~maintenance~~ letter of credit in accordance with the requirements set forth in Sec. 300.09 Maintenance ~~Letter of Credit~~guarantee no later than 12:00 pm the Friday before the Planning Commission meeting at which the final plat will be reviewed.

(b) ~~Completion g~~Guarantee~~-of Improvements~~. If improvements are substantially complete, the owner/developer shall submit a cashier's check in accordance with the requirements set forth in Sec. 300.10 ~~Completion g~~Guarantees no later than 12:00 pm the Friday before the planning commission meeting at which the final plat will be reviewed.

(Ord. No. 2007-41, § 3, 4-10-07; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 500.04 Review and approval of final plats.

(a) *Planning Commission action*. The planning commission shall approve or disapprove the final plat within sixty (60) days of when staff accepts the submittal as complete and ready for planning commission review; otherwise said final plat shall be deemed to have been approved. Disapproval of the plat shall be transmitted to the owner/developer with the reasons therefore within a reasonable time (not to exceed two weeks) after the meeting at which the plat was disapproved. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any streets or other public ways or grounds.

(b) *City Council action*. City council approval of the final plat shall provide for the acceptance of right-of-way, drainage easements, and utility easement dedications.

(Code 1994; Ord. No. 2003-100, § 1, 06-10-2003; Ord. No. 2007-41, § 3, 4-10-07; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 500.05 Inspections of final plats.

(a) *Inspections required*. All projects shall be constructed according to the plans and specifications reviewed and approved by the city. Inspections shall be made periodically by the city in accordance with other applicable ordinances. The city, through designated agents, may inspect those facilities, improvements and installations for conformance with plans and specifications.

(b) *Defects and deficiencies*. If such inspection reveals that there are any defects or deficiencies in such improvements as installed or that improvements differ from the final engineering plans and specifications accepted by the city, the appropriate city agency shall notify the owner/developer and his engineer of record in writing of such defects, deficiencies, and deviations. The owner/developer shall, at his expense, correct such defects or deviations prior to final plat approval. When such deficiencies have

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been corrected, the engineer-of-record shall notify the appropriate city agency in writing that improvements are again ready and a final inspection shall be conducted.

(c) Final inspection. When site construction is complete, the owner/developer's engineer-of-record shall request a site final inspection from the Engineering Department. No final inspection shall be passed until all items are completed in accordance with the approved or amended plat, the Land Development Code, Zoning Code, street and utility specifications, and all other governing specifications and regulations of the City of Bentonville, except landscaping and cosmetic work that is not complete but meets the criteria for guarantees in Section 500.09 Criteria for guarantees.

~~Sec. 500.08 — Criteria for substantial completion (non-bondable items).~~

~~The following items shall not be guaranteed and shall be completed prior to planning commission approval of the final plat.~~

~~(a) Drainage.~~

- ~~(1) — Drainage swales in place, sodded or concrete lined, properly dedicated with erosion control measures in place.~~
- ~~(2) — Detention/retention facilities to grade and draining properly.~~
- ~~(3) — Outlet structures, pilot channels, and headwalls, flumes, etc. in place and constructed to approved plans and specifications.~~
- ~~(4) — Any needed off site improvements or easements in place.~~
- ~~(5) — Sodding of detention/retention ponds complete and established.~~
- ~~(6) — Fencing of detention/retention ponds in place.~~
- ~~(7) — Aeration facilities for retention ponds in place.~~
- ~~(8) — All drainage inlets, outlets, and conduits in proper location and constructed to approved plans and specifications.~~
- ~~(9) — Final layer of drainage paving in place as required by approved plan, including parking lots.~~

~~(b) Electric conduit.~~

- ~~(1) — Conduit in place at proper depth and clear of obstructions.~~
- ~~(2) — Conduit termination points in proper location per design layout, marked, and protected.~~
- ~~(3) — Transformer and junction box locations at or near final grade.~~

~~(c) Sewer. Installation required per currently adopted water and sewer specifications.~~

- ~~(1) — All sewer lines constructed to grade.~~
- ~~(2) — Mandrel and pressure tests complete.~~

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- ~~(3) — Televising completed and approved.~~
- ~~(4) — All manholes complete to required elevations and vacuum tested.~~
- ~~(5) — Sewer services marked with T posts.~~
- ~~(6) — Tracer wires on force mains and tested and approved.~~
- ~~(7) — Lift station site complete and approved — there are no bondable items.~~
- ~~(8) — Lift station alarm deposit.~~
- ~~(9) — Lift station extra pump delivered.~~
- ~~(10) — Lift station site accessible with pavement.~~
- ~~(11) — As built drawings per specifications — approved PDF and AutoCAD.~~

~~(d) Streets.~~

- ~~(1) — All curb and gutter completed and backfilled.~~
- ~~(2) — Final layer of asphalt in place.~~
- ~~(3) — Street signs paid for.~~
- ~~(4) — Sidewalks constructed.~~

~~(e) Water. Installation required per currently adopted water and sewer specifications.~~

- ~~(1) — All waterlines in place, pressure tested, and bacteriologically tested safe.~~
- ~~(2) — All hydrants and valves in place, accessible, and operational (facing street).~~
- ~~(3) — Meter tiles and setters in place.~~
- ~~(4) — Tracer wires in place and tested.~~
- ~~(5) — All backflow prevention devices installed properly and functional.~~
- ~~(6) — Passing test results for all backflow devices.~~
- ~~(7) — As built drawings per specifications — approved PDF and AutoCAD.~~

Reserved. (Code 1994: Ord. No. 95-70, § 1, 08-08-1995; Ord. No. 98-57, § 1, 06-22-1998; Ord. No. 2000-72, § 1, 06-09-2000; Ord. No. 2003-100, § 1, 06-10-2003; Ord. No. 2007-41, §3, 4-10-07; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 500.09 Criteria for guarantees ~~(bondable items).~~

The following items may be guaranteed upon approval of the director of the associated department:

- (1) Planning. Landscaping installed when scheduling a development final inspection between December 1 and March 1 and between July 15 and September 15 if the climate and weather delay completion.

~~(+)(2)~~ Sewer.

- (1) Cosmetic work.

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~~(2)~~(3) Streets.

- (1) Correction of final layer of pavement to the required thickness and density.
- (2) Correction of low or ponding areas in street.
- (3) Correction of unacceptable curb sections.
- (4) Correction of damaged sidewalk sections.

(5) Approved as-built street drawings.

(6) Caulking (sidewalks and curb and gutter.

~~(5)~~(7) Cosmetic work for drainage appurtenances.

~~(3)~~(4) Water.

- (1) Painting hydrants.
- (2) Adjusting meter tiles to grade.
- (3) Adjusting meter setters.
- (4) Adjusting valve stacks.
- (5) Valve pads at final grade and grouted.

~~(4)~~(5) Drainage. Cosmetic work (finish grout, clean out boxes and pipes, etc.).

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Art. 700 Large Scale Development Amendments

*Underlined text to be added and strikethrough text to be deleted.
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Sec. 700.01 Applicability of large scale development regulations.

A development plan shall be submitted to the planning commission for all developments, building construction, parking lots, and trail construction regardless of zone and for all additions and improvements to existing developments, buildings, parking lots or trails regardless of zone. Single family and duplex residential construction is specifically exempted from this requirement. Trails and parking lots constructed as part of an approved large scale development or preliminary plat shall not be required to submit separate large scale development application. This shall not apply to interior remodels or general upkeep and maintenance of an existing structure.

No building permit shall be issued and no temporary or permanent connection to city utilities shall be allowed until the development plan has been approved as set forth in this article. No permanent connection to city utilities shall be allowed until the chief building inspector has certified compliance with the approved development plan.

(Code 1994; Ord. No. 95-5, § 1, 01-24-1995; Ord. No. 95-26, § 1, 04-11-1995; Ord. 2003-100, § 1, 06-10-2003; Ord. No. 2007-40, § 1, 04-10-2007; Ord. No. 2010-71, § 6, 11-23-2010; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 700.06 Adjustments and alterations of approved large scale developments.

The development plan approved by the director or planning commission will be deemed to be a final plan for which minor adjustments and modifications may be granted upon request of the director. In no event may any modifications to a development plan be made without prior approval of the director. Any substantial changes in the development will be in conformance with the procedures for a new submission. Determination of the gravity of the alterations will lie with the director.

(Code 1994; Ord. No. 2003-101, § 1, 06-10-2003; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 700.10 Final inspection for large-scale developments.

(a) *Purpose.* The purpose of the large scale development site final inspection (development final) is to insure the completed project complies with the Land Development Code, Zoning Code, and other governing specifications and regulations of the City of Bentonville.

(b) *Process.*

- (1) *Certificate of completion.* When site construction is complete, the owner/developer's engineer-of-record shall submit a written statement certifying that all improvements and installations to the large scale development required for its approval under the terms of these regulations have been made, added, or installed and functional in accordance with city specifications.
- (2) *Site final inspection.* The owner/developer's engineer-of-record shall request ~~in writing~~ a site final inspection, ~~addressed to from~~ the Engineering Department. No site final inspection shall be passed until all items are completed in accordance with Section 700.11 below the approved or amended plans, the Land Development Code, the Zoning Code, street and utility specifications, and all other governing specifications and regulations of the City of Bentonville, except landscaping and cosmetic work that is not complete but meets the criteria for guarantees in Section 700.12.

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- (3) *Building final inspection.* A building final inspection shall be scheduled only after the project has passed the site final inspection and any required guarantees are submitted.

(Ord. No. 2003-101, § 1, 06-10-2003; Ord. No. 2019-57, § 6, 04-09-2019)

~~Sec. 700.11~~ ~~Completed improvements.~~

~~The following improvements shall be complete prior to the city passing the development site final inspection and the owner/developer scheduling a building final inspection.~~

~~(a) *Drainage.*~~

- ~~(1) Drainage swales in place, sodded or concrete lined, properly dedicated with erosion control measures in place.~~
- ~~(2) Detention / retention facilities to grade and draining properly.~~
- ~~(3) Outlet structures, pilot channels, and headwalls, flumes, etc. in place and constructed to approved plans and specifications.~~
- ~~(4) Any needed off site improvements or easements in place.~~
- ~~(5) Sodding of detention/retention ponds complete and established.~~
- ~~(6) Aeration facilities for retention ponds in place.~~
- ~~(7) All drainage inlets, outlets, and conduits in proper location and constructed to approved plans and specifications.~~
- ~~(8) Required fencing of detention/retention ponds in place.~~
- ~~(9) Final layer of drainage paving in place as required by approved plan, including parking lots.~~

~~(b) *Fire.*~~

- ~~(1) All hydrants and valves in place, accessible, and operational (facing street).~~
- ~~(2) Fire lanes marked.~~
- ~~(3) Building addressed (temporary).~~

~~(c) *Planning.*~~

- ~~(1) Final grades achieved.~~
- ~~(2) Seeding and sodding in place.~~
- ~~(3) ADA requirements met.~~
- ~~(4) Landscaping installed when scheduling a development final inspection between March 2 to July 14 and September 16 to November 30.~~
- ~~(5) Parking paved and marked.~~
- ~~(6) Dumpsters screened.~~

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~~(d) *Sewer.* Installation required per currently adopted water and sewer specifications.~~

- ~~(1) All sewer lines constructed to grade.~~
- ~~(2) Mandrel and pressure tests complete.~~
- ~~(3) Televising completed and approved.~~
- ~~(4) All manholes complete to required elevations and vacuum tested.~~
- ~~(5) Sewer services marked with T posts.~~
- ~~(6) Tracer wires on force mains and tested and approved.~~
- ~~(7) Lift station site complete and approved—there are no bondable items.~~
- ~~(8) Lift station alarm deposit.~~
- ~~(9) Lift station extra pump delivered.~~
- ~~(10) Lift station site accessible with pavement.~~
- ~~(11) As built drawings per specifications—approved PDF and AutoCAD.~~

~~(e) *Streets.*~~

- ~~(1) All curb and gutter completed and backfilled.~~
- ~~(2) Final layer of pavement in place to required thickness and density.~~
- ~~(3) Sidewalks constructed per approved plan including accessible ramps.~~
- ~~(4) Low or ponding areas in public street corrected.~~

~~(f) *Water.* Installation required per currently adopted water and sewer specifications.~~

- ~~(1) All water lines in place, pressure tested and bacteriological tested safe.~~
- ~~(2) All hydrants and valves in place, accessible, and operational (facing street).~~
- ~~(3) Meter tiles and setters in place.~~
- ~~(4) Tracer wires in place and tested.~~
- ~~(5) As built drawings per specifications—approved PDF and AutoCAD.~~
- ~~(6) All backflow prevention devices installed properly and functional.~~
- ~~(7) Passing test results for all backflow devices provided. Reserved.~~

(Ord. 98-57, § 1, 06-22-1998; Ord. No. 2003-100, § 1, 06-10-2003; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 700.12 ~~—Exceptions~~Criteria for guarantees.

~~The city may schedule a building final inspection if the items in Section 700.11 above are complete, but any of the following items are incomplete:~~ The following items may be guaranteed upon approval of the director of the associated department.

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Drainage.

- (1) Cosmetic work (finish grout, clean out boxes and pipes, etc.).

(b) *Fire.*

- (1) Building addressed (permanently).

(c) *Planning.* Landscaping installed when scheduling a development final inspection between December 1 ~~to~~ and March 1 and between July 15 ~~to~~ and September 15 if the climate and weather delay completion.

(d) *Sewer.*

- (1) Cosmetic work.

(e) *Streets.*

- (1) Unacceptable curb sections on city streets corrected.

- (2) Approved as-built street drawings submitted.

(3) Joints in concrete pavement and curb and gutter cleaned and caulked.

(4) Caulking (sidewalks and curb and gutter).

(3)(5) Cosmetic work for drainage and appurtenances.

(f) *Water.*

- (1) Hydrants painted.

- (2) Meter tiles adjusted to grade.

- (3) Meter setters adjusted to grade.

- (4) Valve stacks adjusted to grade.

- (5) Concrete valve operator pads installed and / or grouted.

(Ord. No. 98-98, § 4, 12-08-1998; Ord. No. 2003-101, § 1 06-10-2003; Ord. No. 2004-63, § 14,03-23-2004; Ord. No. 2007-41, § 4-5, 4-10-07; Ord. No. 2019-57, § 6, 04-09-2019)

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Sec. 1100.06 Fence and wall requirements.

(g) Fence location.

- (1) *Private property.* All fences and walls shall be located on private property and shall be built with the consent of the property owner. The installer and/or property owner shall be responsible for correctly locating all property lines. Fences and walls shall not encroach into any neighboring property lines.
- (2) *Adjacent to public right-of-way.* A fence or wall shall be placed no closer than five (5) feet to the current or proposed public right-of-way as prescribed within the Master Street Plan.
- (3) *Utility easements.* Walls used as fences and footings for retaining walls are prohibited in a utility easement. Construction of all other fences in utility easements is allowed, but the fence installer and/or property owner assumes some risk by doing so. The fence enclosing utility easement(s) shall have a gate installed to allow access to the easement.
- (4) *Drainage easements.* Fences or walls shall not impede the normal flow of storm water and shall not cross an open drainage channel. Fences or walls proposed in drainage easements shall be approved on a case by case basis. The city reserves the right to remove any fence found to be impeding the normal flow of storm water and replacement cost of such fence shall be the sole responsibility of the property owner.
- (5) *Access easement.* Fences or walls shall not be constructed over a public access easement. Fences or walls proposed over private emergency access easements must be approved by the fire department to ensure adequate access for emergency vehicles and equipment at all times.
- (6) *Sight distance requirements.* Fences shall comply with the areas to be kept clear of all sight obstructions as set forth in ~~Sec. 50-1101(f)~~ 1100.01(f) *Sight distances at driveways and intersections*, unless otherwise approved by the city engineer.

Sec. 1100.15 Sidewalk requirements.

(a) *Intent.* The intent of this section is to provide for safe pedestrian transportation; to enhance the value of the city; and to maintain the character of the city through the installation of sidewalks along all city streets on both sides.

(b) *Applicability.* The provisions of this section shall apply to development in all zoning districts that meet one or more of the following conditions.

- (1) *New construction.* New residential (to include additional dwelling units (ADUs), commercial, or industrial construction.
- (2) *Additions:* Additions to a building or site that total fifty percent (50%) or more of the gross square footage of all existing buildings.
- (3) *Large scale development.* Any development that requires a Large Scale Development approval.

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- (4) *Parking lots.* Development of a new parking lot or expansion of an existing parking lot by more than twenty-five (25%) of the existing parking lot square footage.
- (5) *Interior alterations.* Interior alterations that add one or more dwelling units to the existing number of dwelling units.
- (c) *Exemptions.* The provisions of this section shall not apply to:
- (1) Interior alterations that do not increase the number of dwelling units.
 - (2) A-1 zoned lots or parcels of 150 linear feet or more of street frontage and used as single-family or two-family.
 - (3) ArDOT determination that a sidewalk is not allowed within state right-of-way.
- (d) *Requirement.* The owner of any property abutting a public street or highway for which a sidewalk is required by the city's current Master Street Plan, shall construct a sidewalk as set forth in the city's current adopted Standard Specifications for Streets, except as regulated below for downtown sidewalks.

(1) *Downtown Sidewalks.* In the DC, DE and DN-4 districts, roadways identified as primary and secondary street in Sec. 401.8-B(b) Downtown (d) districts primary and secondary streets, shall meet the Downtown Sidewalk Design Standards below. Sidewalks should fill the space between the back-of-curb and the building.

<u>DOWNTOWN SIDEWALK DESIGN STANDARDS</u>			
	<u>Minimum Sidewalk Width</u>	<u>Sidewalk Material</u>	<u>Sidewalk Brick Color</u>
<u>Primary Street</u>	<u>12'</u>	<u>Concrete, brick or a combination</u>	<u>Pine Hall "Red" or Equivalent</u>
<u>Secondary Street</u>	<u>8'</u>	<u>Concrete</u>	<u>No required color</u>

Sec. 1100.21 Large scale development design standards.

(a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for commercial and multifamily development as set forth in the city's ~~General~~ Community Plan. The intent of these standards is to improve the overall quality of development with surrounding land uses and enhance pedestrian safety and walkability.

(b) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval. Agriculture and industrial zoned properties shall only be required to meet the standards for the side(s) facing a street frontage or clearly visible from a public right-of-way. The standards in this section and in Sec. 1100.23 Downtown (D) districts design standards shall apply-in the DC, Downtown Core and DE, Downtown Edge zoning districts.

~~(b)(c)~~ (c) *Exemptions.*

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- (1) *Downtown Neighborhood (DN) districts.* Development that is subject to the design standards for the Downtown Neighborhood (DN-1, DN-2, DN-3, and DN-4) zoning districts, which have specific site and architectural design standards established in Sec. 1100.2~~4~~2 Downtown Neighborhood (DN) districts design standards, shall be exempt from this section.
 - (2) *Downtown (DC and DE) districts.* Development that is subject to the design standards for the Downtown Core and Downtown Edge zoning districts, which have specific site and architectural design standards established in Sec. 1100.2~~23~~3 Downtown (D) districts design standards, shall be exempt from the site amenities requirement in subsection (r).
 - (3) *Municipal airport.* Development subject to the design standards for the Bentonville Municipal Airport, which have specific site and architectural design standards established in Sec. 1100.2~~34~~4 Municipal Airport design standards, shall be exempt from this section.
 - (4) *Existing structures.* When a large scale development is only an addition to an existing structure, the design standards shall only apply to the addition itself.
- (d) *Review process.* These standards shall be applied in the normal review process for large scale developments and shall be approved by the planning commission.
- (1) *Waiver request.* Requests for waivers to these requirements must be accompanied by the following items.
 - a. *Narrative.* A written narrative explaining why the waiver is necessary to enhance the architectural design of the structure.
 - b. *3-D Rendering.* A 3-D full-color architectural rendering of the final product to include an outline of adjacent structures.
 - c. *Existing examples.* Photos of existing buildings or structures that have incorporated the related design element. Examples are not required to be located in Bentonville.
- (e) *Building material.* ~~The primary material shall~~ A minimum of two primary building materials is required constituteing at least 75 percent of the wall area. ~~No single primary material shall constitute less than 25% of wall area., excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, or natural stone.~~ The standard shall apply to all sides of any building. Materials shall comply with the standards established below. ~~The remaining exterior material shall be considered building trim. Trim is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement. No wood, masonite, asphaltic exterior wall or roof material, aluminum or steel siding, non-textured concrete block, stucco, vinyl or other similar materials shall constitute a portion of any building except trim.~~

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LARGE SCALE DEVELOPMENT BUILDING MATERIALS

	<u>Primary Materials</u>	<u>Trim Materials</u>
<u>Allowed</u>	<u>Brick</u> <u>Textured concrete block</u> <u>Natural stone</u> <u>Glass veneer</u> <u>Pre-finished architectural metal panels (min. 24 gauge)</u>	<u>Tile</u> <u>Stone</u> <u>Glass block</u> <u>Copper flashing</u> <u>Metal</u> <u>Wood</u> <u>EIFS</u> <u>Pre-finished concrete masonry board</u>
<u>Prohibited</u>	<u>Wood</u> <u>Masonite</u> <u>Asphaltic wall or roof material</u> <u>Aluminum siding</u> <u>Steel siding</u> <u>Non-textured concrete block</u> <u>Stucco</u> <u>Vinyl</u> <u>Fiberglass</u> <u>Ribbed metal panel</u>	

(f) *Building color.* The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing. All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match or compliment the color of the adjacent surface, unless being used expressly as a trim or accent element. Building color shall be consistent with the standards established below.

LARGE SCALE DEVELOPMENT BUILDING COLOR STANDARDS

	<u>Primary Colors</u>	<u>Trim Colors</u>
<u>Allowed</u>	<u>Muted</u> <u>Neutral</u> <u>Earth tone</u>	<u>Muted</u> <u>Neutral</u> <u>Earth tone</u> <u>Bright</u> <u>Light</u> <u>Primary</u>
<u>Prohibited</u>	<u>Bright</u> <u>Primary</u>	<u>--</u>

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(g) *Building compatibility.* All commercial structures shall be designed in a manner compatible with other structures in the surrounding vicinity. The exterior building design, including roof style, color, materials, architectural form and detailing, shall be consistent among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.

(h) *Scale and bulk.* The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care, however shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size and relationship to street width.

(i) *Wall articulation.* Buildings shall avoid long uninterrupted façade planes and/or blank walls. ~~All commercial building with facades greater than 200 feet in length shall incorporate wall plane projections or recess that are at least two (2) feet deep. Projections/recess must be at least 25% of the length of the façade. No uninterrupted length of a façade may exceed 100 feet in length and shall meet the following requirements:~~

LARGE SCALE DEVELOPMENT WALL ARTICULATION

<u>Vertical</u>	<u>50' max. between articulation</u>
<u>Horizontal</u>	<u>Articulation required between first and second floor</u>
<u>Techniques</u>	• <u>Relief change (projection or recess at least 2' deep)</u> • <u>Breaks in the surface wall</u> • <u>Windows and door openings</u> • <u>Balconies, awnings and canopies</u> • <u>Series of display windows</u> • <u>Recessed entries</u> • <u>Decorative materials / tile</u> • <u>Material change</u> • <u>Texture change</u> • <u>Other techniques that meet the intent of these regulations and approved by Planning Commission.</u>

(j) *Facades.* All commercial structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:

- (1) The degree of visibility from all adjacent public ways;
- (2) Possible visibility from future buildings and public ways; and

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(3) Internal overall appearance in relation to the site.

(k) *Roofs.* Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternative lengths and designs may be acceptable and may be approved by planning commission if the required design would create water drainage or structural issues; or is necessary to enhance the architectural design of the building.

(l) *Entrances.* Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two (2) of the following:

- (1) Canopies or porticos;
- (2) Overhangs;
- (3) Recesses/projections;
- (4) Arcades;
- (5) Raised corniced parapets over the door;
- (6) Peaked roof forms;
- (7) Arches;
- (8) Architectural detail such as tile work and moldings integrated into the building structure and design;

(9) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;

~~(9)~~(10) Change in material; or,

(11) Other architectural features approved by planning commission.

(m) *Architectural details.* All buildings shall be designed to incorporate no less than three (3) of the architectural elements from the list below, in addition to regulations regarding the design of entrances above. Buildings over fifty thousand (50,000) square feet shall include a minimum of five (5) of the referenced architectural elements. Buildings over one hundred thousand (100,000) square feet shall include a minimum of six (6) of the referenced architectural elements.

- (1) Canopies, awnings, or porticos;
- (2) Recesses/projections;
- (3) Arcades;
- (4) Peaked roof forms;
- (5) Arches;
- (6) Display windows;
- (7) Accent materials (minimum of 15% of exterior façade);
- (8) Architectural details (such as tile work and moldings) integrated into the building façade;
- (9) Articulated cornice line;
- (10) Articulated ground floor levels or base;
- (11) Varied roof heights; or,
- (12) Other architectural features approved by planning commission.

ATTACHMENT E

Art. 1100 Development Standards Amendments

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

(n) *Utility and mechanical equipment screening.*

- (1) Screening of service yards, utility meters and hardware, mechanical equipment, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls constructed with the same materials as the primary building, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by planning commission are required along street frontages and bordering residential areas.
 - a. Adjusting the architectural or landscape profile to screen those elements from view.
 - b. Placing those elements on service courts or other locations usable by the general public.
 - c. Integrating those elements into the architecture or landscaping of the site.
 - d. Use materials similar to that of the primary structure.
- (2) The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:
 - a. The degree of visibility from all adjacent public ways;
 - b. The architectural compatibility of the design and color of the yards, meters and equipment of the building;
 - c. Possible visibility from future buildings and public ways; and
 - d. Internal overall appearance in relation to the site.

(o) *Building placement.* Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the public. The front façade shall be kept parallel with the street. On corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.

(p) *Parking placement.* No more than 60% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by out-lot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Parking lots shall be designed in regular, rectangular shapes.

(q) *Pedestrian circulation.* Clearly defined pedestrian walkways or paths shall be provided from public sidewalks to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.

ATTACHMENT E

Art. 1100 Development Standards Amendments

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(r) *Site amenities.* Each commercial development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two (2) of the amenities listed below. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

- (1) Patio, seating area;
- (2) Pedestrian plaza with benches;
- (3) Mini park, square or green;
- (4) Transit stop;
- (5) Public art;
- (6) Window shopping walkway;
- (7) Outdoor play area;
- (8) Kiosk area;
- (9) Water feature;
- (10) Clock tower or steeple;
- (11) Bike racks that hold at least 2 bikes; or
- (12) Any other deliberately shaped area and/or focal feature that, in the planning commission's judgment adequately enhances such development and serves as a gathering place.

(Ord. No. 2008-44, § 1, 05-27-2008; Ord. No. 2011-72, 08-09-11; Ord. No. 2010-71, § 6, 11-23-2010; Ord. No. 2011-72, §1, 2, 4, 5, 08-09-2011; Ord. No. 2012-58, § 7, 07-24-2012; Ord. No. 2016-30, § 1, 02-09-2016; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 1100.22 Downtown Neighborhood (DN) districts design standards.

(l) *DN districts mixed-use standards.*

(1) *Mixed-use design standards.*

- a. *Upper floor design.* Upper-floor residential portions of mixed-use buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.
- b. *Ground floor design.* Ground-floor commercial facades must integrate a high level of transparency and elements typical of traditional commercial design. Such elements should include knee walls, window bays framed by architectural columns and pilasters, transom windows, recessed entries, awnings, and others.
- c. *Buildings on a corner lot.* Mixed-use buildings located on corners should integrate prominent massing elements such as corner turrets or chamfered facades.

ATTACHMENT E

Art. 1100 Development Standards Amendments

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- d. *Signage and lighting.* Commercial signage and lighting should be integrated into the design of the façade and have a minimal impact on the aesthetic of the area. All commercial signs should comply with the regulations for signs located in the D-C Downtown Core District.
- e. *Commercial floor delineation.* There should be a clear delineation between the ground-floor commercial space and upper-floor residential areas. Such a delineation can be created through the use of varying materials, slight upper-floor recession, projection or horizontal variation.
- f. *Large scale development compliance.* Mixed-use buildings are subject to the standards for Large Scale Developments as described in ~~Chapter 50, Sec. 50-1116~~Sec. 1100.21 *Large scale development design standards*. When identifying additional site amenities in order to meet the standards of the ~~Subdivision Development~~ Code, ~~a~~Applicants should be encouraged to provide amenities in accordance with ~~Sec. 50-1116(g)~~Sec. 1100.21 (r) *Site amenities* that are appropriate for a walkable mixed-use environment, such as patio seating and benches, a pedestrian plaza, window shopping walkway, or public art.
- g. *Functional operations.* Operations related to the function of commercial tenants (i.e. outdoor trash receptacles, loading areas, etc.) shall be located and designed so they do not interfere with resident access or substantially impact residents through noise, odor, etc. Trash receptacles should not be adjacent to a public right-of-way.
- h. *Screening of adjacent residential lots.* Mixed-use buildings shall provide screening against abutting residential properties that is compliant with regulations established in Section 1400.097 Screening requirements of the City's ~~Subdivision Land Development~~ Code.

Sec. 1100.23 Downtown (D) districts design standards.

(a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for the Downtown Master Plan. The intent of these standards is to improve the overall quality of development and enhance pedestrian safety and walkability in the downtown districts.

(b) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval within the DC, Downtown Core and DE, Downtown Edge districts. These standards are in addition to the regulations in Sec. 1100.21 Large scale development design standards. Where there is conflict between regulations, the regulations in this section shall prevail in the DC and DE districts.

(c) *Review process.* These standards shall be applied in the normal review process for large scale developments and shall be approved by the planning commission.

~~(d) — *Building material.* Minimum of two materials required, consistent with the building material regulations established below.~~

~~DOWNTOWN (D) DISTRICTS
BUILDING MATERIALS~~

ATTACHMENT E

Art. 1100 Development Standards Amendments

*Underlined text to be added and strikethrough text to be deleted.
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	<u>Primary material</u>	<u>Secondary material</u>
<u>Coverage</u>	<u>75% min. of façade, exclusive of windows</u>	<u>25% max. of façade, exclusive of windows</u>
<u>Allowed</u>	<u>Brick, stone, manufactured stone, architectural steel, architectural concrete</u>	<u>Tile, stone, glass block, copper flashing, metal and wood, EIFS</u>
<u>Prohibited</u>	<u>Aluminum, vinyl, fiberglass</u>	<u>—</u>

(e) ~~Building color.~~ Building color shall be consistent with the standards established below. All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match or compliment the color of the adjacent surface, unless being used expressly as a trim or access element.

DOWNTOWN (D) DISTRICTS COLOR STANDARDS

	<u>Primary color</u>	<u>Secondary color</u>
<u>Coverage</u>	<u>75% min. of façade</u>	<u>25% max. of façade</u>
<u>Allowed</u>	<u>Earth tones</u>	<u>Earth tones, light and bright colors</u>

(f) ~~Building compatibility.~~ The compatibility requirements in Sec. 1100.20 Large scale development design standards shall apply to the Downtown Districts.

(g) ~~Building scale and bulk.~~ The scale and bulk requirements in Sec. 1100.20 Large scale development design standards shall apply to the Downtown Districts.

(h) ~~Wall articulation.~~ Walls in the Downtown Districts shall be articulated in a manner that meet the minimum requirements below.

DOWNTOWN (D) DISTRICTS WALL ARTICULATION

<u>Vertical</u>	<u>50' min. between articulation</u>
<u>Horizontal</u>	<u>Articulation required between first and second floor</u>
<u>Techniques</u>	● <u>Breaks in the surface wall</u> ● <u>Windows and door openings</u> ● <u>Balconies, awnings and canopies</u> ● <u>Series of display windows</u> ● <u>Recessed entries</u> ● <u>Decorative materials / tile</u>

(i) ~~Facades.~~

ATTACHMENT E
Art. 1100 Development Standards Amendments

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- (1) Loading docks, overhead doors, and other service entries are prohibited on primary street-facing facades.
- (2) Features added to the façade, such as balconies and shutters, shall be useable and/or operational to ensure authenticity of design.
- (j) *Roofs*. Roof styles in the Downtown (D) shall meet the standards below:

DOWNTOWN (D) DISTRICTS
ROOF STYLES ALLOWED

DC	Gable, hipped, flat
DE	Gable, hipped

- (k) *Entrances*.

- (1) *Doors adjacent to sidewalk*. All doors from the structure that are immediately adjacent to the sidewalk shall be recessed from the front of the structure a minimum of the width of the door to allow for safe pedestrian use of the sidewalk.

~~(2) *Primary entrance emphasized*. All primary entrances to a building shall be emphasized with one of the following techniques, or as approved by planning commission:~~

- ~~a. *slightly recessed*;~~
- ~~b. *change in color*; and/or~~
- ~~c. *materials or paving treatment*.~~

~~(l) *Windows*~~. First floor windows shall not be opaque. Windows in the Downtown Districts shall meet the standards below.

DOWNTOWN (D) DISTRICTS
WINDOW REQUIREMENTS

	Minimum First Floor Coverage
DC	50% of façade shall be windows
DE	No minimum required

(m) *Corner architecture*. All buildings located at the corner of the intersection between two primary streets shall incorporate a minimum of one of the following architectural elements, or as approved by planning commission. This standard shall not apply to the intersection of two secondary streets or between a primary and secondary street.

- (1) cupola
- (2) turret
- (3) pitched roof

(n) *Awnings, canopies, and balconies*. Awnings, canopies and balconies shall meet the standards below.

ATTACHMENT E

Art. 1100 Development Standards Amendments

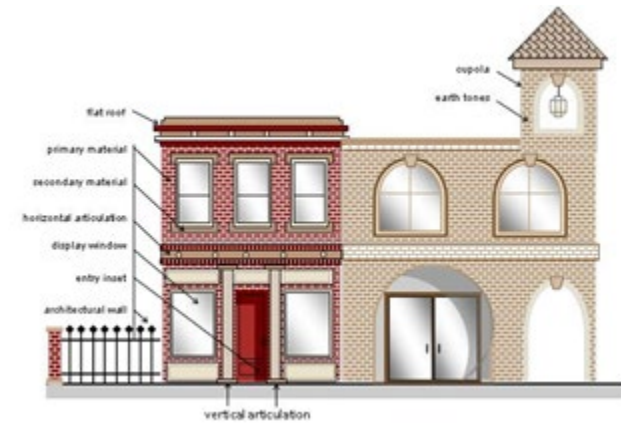
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DOWNTOWN (D) DISTRICTS AWNING, CANOPIES AND BALCONY STANDARDS

Material	Durable, protective, water repellant
Prohibited	Plastic, aluminum, fiberglass Backlighting of awning

(o) *Franchise architecture.* Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) is prohibited. Franchises or national chains shall follow these standards to create a unique building that is compatible with the DC, Downtown Core and DE, Downtown Edge districts.

DOWNTOWN (D) DISTRICTS ARCHITECTURAL FEATURES



~~(p) *Utility and mechanical equipment screening.* The utility and mechanical equipment screening requirements in Sec. 100.20 Large scale development design standards shall apply to the Downtown districts.~~

(q) *Building placement.* The table below establishes the minimum percentage of the façade that must be placed along the maximum setback allowed in the Downtown districts.

DOWNTOWN (D) DISTRICTS FACADE PLACEMENT

	Façade built to maximum setback on a primary street	Façade built to maximum setback on a secondary street
DC	80% min	25% min
DE	80% min	0%

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Art. 1100 Development Standards Amendments

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Any section along the maximum setback on a primary street that is not defined by a building up to a 10 foot setback of the maximum setback shall be defined by a 2'6" to 4'6" high fence or wall. The material on the fence or wall shall be consistent and compatible with the adjacent structure and approved by planning commission. The fence or wall may consist of a gate or opening for access.

(r) *Parking placement.* Off-street parking shall be located behind or to the side of the primary building. On corner lots, parking drive shall not be located on primary streets, unless at intersection of two primary streets (see DC and DE zoning districts for information on primary and secondary streets.) Parking drives are highly discourage along primary streets and only permitted if there is no other option for access to parking areas. Off-site parking may be provided off-site within 600' or as shared parking. A shared parking agreement shall be provided to Planning for all residential use parking spaces.

(s) ~~*Sidewalks.* The table below establishes minimum width, material and color requirements for sidewalks in the Downtown districts. Sidewalks should fill the space between the back of curb and the building.~~ Reserved.

~~DOWNTOWN (D) DISTRICTS~~

~~SIDEWALK REGULATIONS~~

	Minimum sidewalk width adjacent to a primary street	Minimum sidewalk width adjacent to a secondary street	Sidewal k material	Sidewalk brick color
DC	12'	12'	Coneret e, brick or a combination	Pine Hall "Red" or equivalent
DE	8'	8'	Coneret e	No required color

(t) *Site amenity standards.* Site amenities are not required. However, if a specific site amenity is being provided, it shall meet the standards below for both primary and secondary streets in the DC, Downtown Core and DE, Downtown Edge districts. All street furniture shall be installed per manufacturer's specifications.

(1) *Street amenity placement.*

- Street trees and street lights shall not be placed directly in front of an entrance to a building.
- All street furniture shall be placed so that a minimum of 4' of the width of the sidewalk is clear and unobstructed.
- Trees, street lamps, and all street furniture shall be placed a minimum of 36" away from the back of curb to allow for car doors opening.

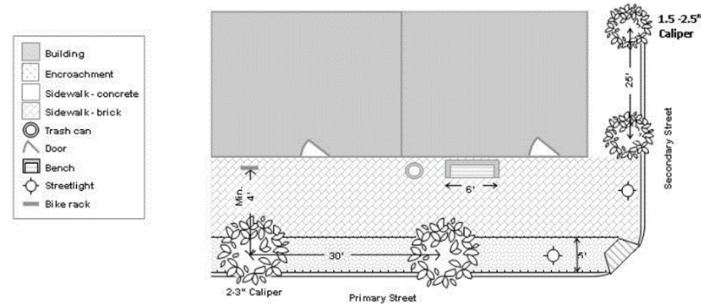
DOWNTOWN (D) DISTRICTS

STREET AMENITY PLACEMENT

ATTACHMENT E

Art. 1100 Development Standards Amendments

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(2) *Streetlight standard.*

- a. Luminaire: Granville
- b. Pole: Wadsworth
- c. Pole height: 12' maximum
- d. Color: Black
- e. Spacing: Determined by Bentonville Electric Utility Department.



(3) *Bench standard.*

- f. Length: 6' minimum
- g. Style: Victor Stanley "Classic" Series (Model # C-10) (or approved equal)
- h. Color: Black



(4) *Trash receptacle standard.*

- i. Size: 40 gallon
- j. Style: Victor Stanley "Ironsites" (Model # S-35), or approved equal
- k. Color: Black



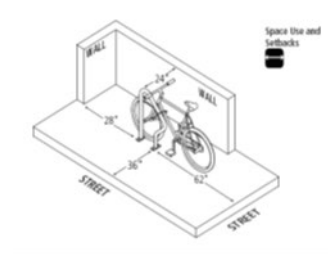
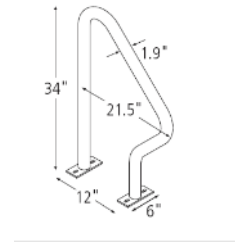
ATTACHMENT E

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(5) *Bicycle rack standard.*

- l. Size: 34" x 21.5"
- m. Style: Single hoop, Dero Swerve Rack, Black
- n. Tube Width: 1.9"
- o. Setback from parallel wall: 24"
- p. Setback from horizontal wall: 28"
- q. Setback from parallel street: 36"
- r. Distance from horizontal street: 62"



(Ord. No. 2005-82, § 1, 04-26-2005; Ord. No. 2009-11, § 1, 11-10-09, Ord. No. 2010-54, § 2, 08-10-2010; Ord. No. 2012-58, § 6, 07-24-2012; Ord. No. 2019-57, § 6, 04-09-2019)

ATTACHMENT F

Art. 1400 Landscaping, Screening and Buffering Amendments

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Sec. 1400.03 Exemptions from landscaping, screening and buffering regulations.

(a) *Previous approval.* Developments that have been approved and permitted to begin building construction prior to the adoption of this Article shall be exempt.

(b) *Downtown (D) districts.* Development and redevelopment in the DC, Downtown Core and the DE, Downtown Edge zoning districts shall be exempt from *Sec. 1400.06 Street Frontage Buffer Landscaping, Sec. 1400.07 Perimeter landscape requirements* and *Sec. 1400.15 Minimum tree size at time of planting.* ~~DC, Downtown Core shall be exempt from *Sec. 1400.07 Perimeter landscape requirements*.~~ Both DC and DE zoning districts, however, shall be subject to *Sec. 1400.16 Downtown districts landscaping requirements.*

(c) *Downtown Neighborhood (DN) districts.* Development and redevelopment in the DN-4, Downtown Mixed-use Residential district where the applicable minimum setback is 0' shall be exempt from *Sec. 1400.06 Street Frontage Buffer Landscaping* and *Sec. 1400.07 Perimeter landscape requirements*, but shall be subject to the regulations for DE districts in *Sec. 1400.16 Downtown Districts Landscaping Requirements.*

(e~~d~~) *Residential.* Newly constructed single and two-family residential structures shall be exempt from this Article with the exception of *Sec. 1400.10 Residential tree planting required.*

(e~~d~~) *Municipal Airport.* Development subject to the design standards for the Bentonville Municipal Airport shall be exempt from this article with the exception of *Sec. 1400.18 Municipal Airport landscaping requirements.*

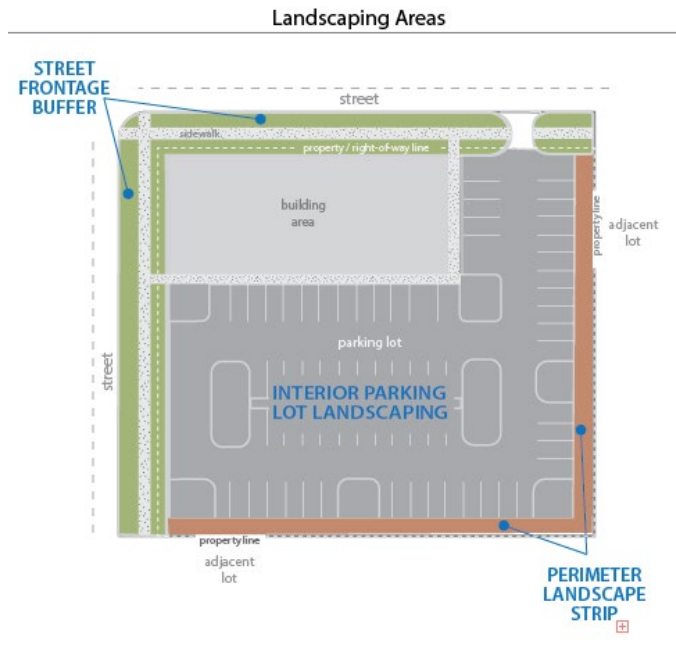
(Code 1994; Ord. No. 98-98, § 4, 12-08-1998; Ord. No. 2003-100, § 1, 06-10-2003; Ord. No. 2009-11, § 6; Ord. No. 2010-71, § 7, 11-23-2010; Ord. No. 2012-58, § 9, 07-24-2012; Ord. No. 2016-30, 02-09-16; Ord. No. 2013-87, § 1, 09-10-2013; Ord. No. 2016-30, § 2, 02-09-2016; Ord. No. 2019-57, § 6, 04-09-2019)

Sec. 1400.05 Landscape plan requirements.

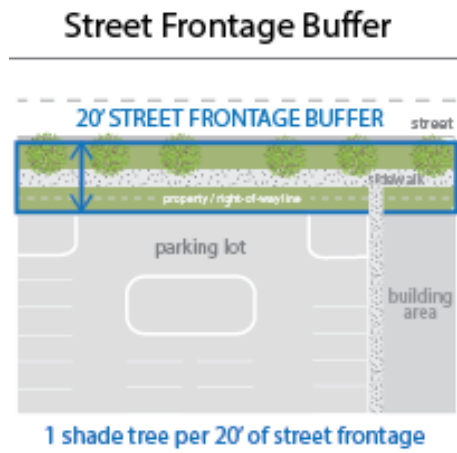
ATTACHMENT F

Art. 1400 Landscaping, Screening and Buffering Amendments

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Sec. 1400.06 Street frontage buffer landscaping required.

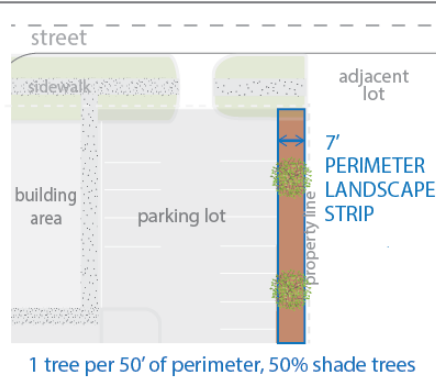


Sec. 1400.07 Perimeter landscape strip required.

ATTACHMENT F
Art. 1400 Landscaping, Screening and Buffering Amendments

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Perimeter Landscape Strip



Sec. 1400.08 Interior parking lot landscaping required.

(c) ~~Number of trees required. Trees shall be provided at a minimum rate of one (1) tree per 125 square feet or fraction thereof of interior parking lot landscaping area.~~

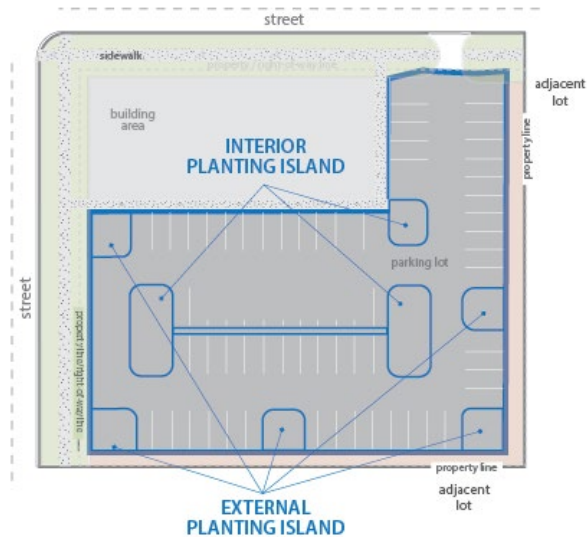
(f) *Planting islands.* Interior areas of parking pavement shall contain planting islands.

(1) *Planting islands generally.*

a. Planting islands shall be spaced no farther than fifteen (15) parking spaces apart.

b. All rows of parking shall terminate with a planting island or landscaped area.

Interior Parking Lot Landscaping



(2) *Internal planting islands.*

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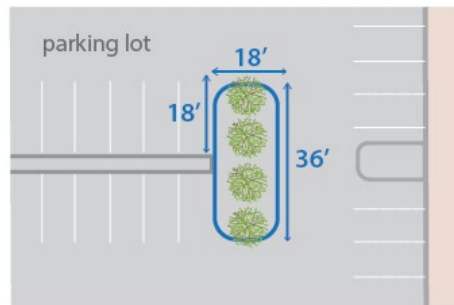
Art. 1400 Landscaping, Screening and Buffering Amendments

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- a. *Minimum size.* Internal planting islands shall be a minimum size of eighteen (18) feet by eighteen (18) feet, measured back of curb to back of curb.
- b. *Number of trees required.* Internal planting islands shall contain a minimum of two (2) shade trees.

Interior Parking Lot Landscaping: INTERNAL PLANTING ISLAND



2 shade trees per internal planting island

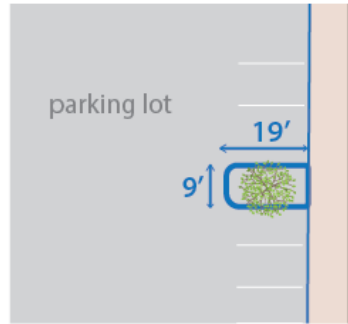
- (3) *External planting islands.* External planting islands are adjacent to the perimeter of the parking lot.
 - a. *Minimum size.* External planting islands shall be a minimum size of nine (9) feet by nineteen (19) feet.
 - b. *Number of trees required.* External planting islands shall contain a minimum of one (1) shade tree.

ATTACHMENT F

Art. 1400 Landscaping, Screening and Buffering Amendments

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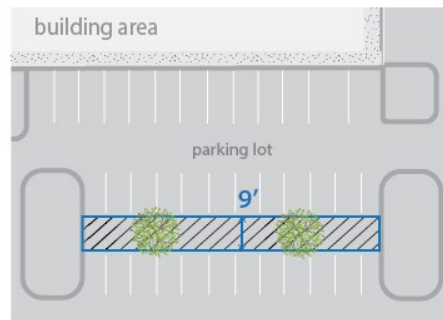
Interior Parking Lot Landscaping: EXTERNAL PLANTING ISLAND



1 shade tree per external planting island

- (4) *Continuous planting islands.* ~~—~~When there are two or more double rows of parking, a continuous planting island shall be located between every other row.
- Minimum size.* Continuous planting islands shall be the length of the parking row and a minimum width of nine (9) feet.
 - Number of trees required.* Continuous planting islands shall contain a minimum of one (1) shade tree per every six (6) parking spaces or fraction thereof located in the double row.

Interior Parking Lot Landscaping: CONTINUOUS PLANTING ISLAND



1 shade tree for every 6 spaces

- (5) *Planting island preparation.* To create favorable conditions conducive to healthy plant growth, planting islands shall be excavated to a depth of three (3) feet and backfilled with grade A sandy loam topsoil. A drainage perk test shall be performed prior to backfilling topsoil. Six (6) inches of water shall be placed in each excavated hole. If all of the water does not percolate out of the excavated hole within 24 hours, then drainage pipe shall be installed.

ATTACHMENT F

Art. 1400 Landscaping, Screening and Buffering Amendments

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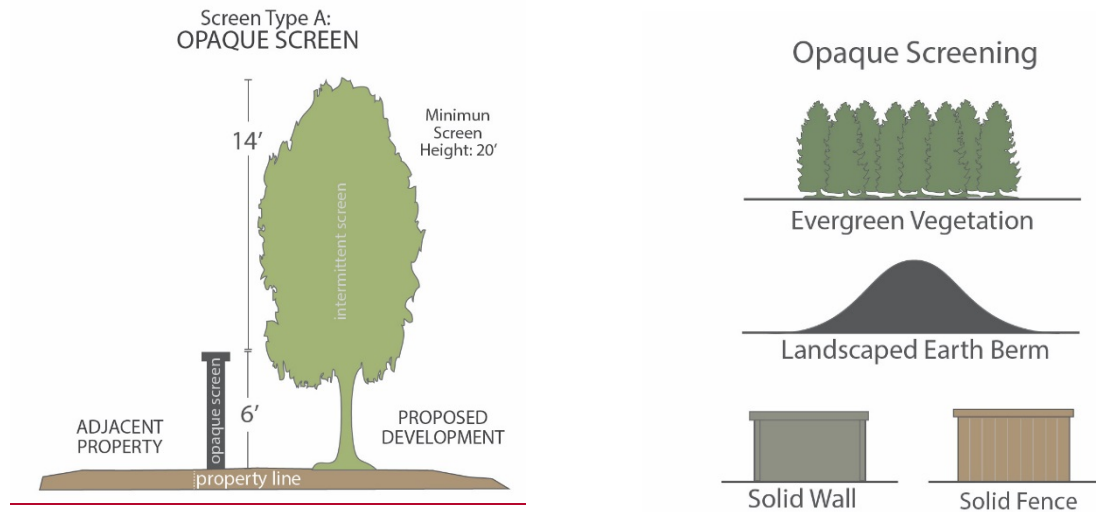
ATTACHMENT F
Art. 1400 Landscaping, Screening and Buffering Amendments

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Sec. 1400.09 Screening requirements.

(c) *Screen type A: opaque screen.* Intended to exclude all visual contact between uses and to create a strong impression of spatial separation.

- (1) *Minimum height.* Minimum height of twenty (20) feet. Opaque from the ground to a height of six (6) feet, intermittent visual obstruction permitted from above the opaque portion.
- (2) *Materials.* May be composed of a wall, fence, landscaped earth berm, planted evergreen vegetation, or existing evergreen vegetation.



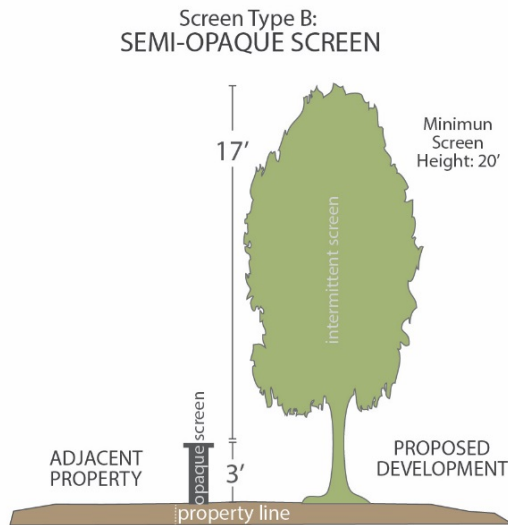
(d) *Screen type B: semi-opaque screen.* Intended to partially block visual contact between uses and to create a strong impression of the separation of spaces.

- (1) *Minimum height.* Minimum height of twenty (20) feet. Opaque from the ground to a height of three (3) feet, intermittent visual obstruction permitted from above the opaque portion.
- (2) *Materials.* May be composed of a wall, fence, landscaped earth berm, planted evergreen vegetation, or existing evergreen vegetation.

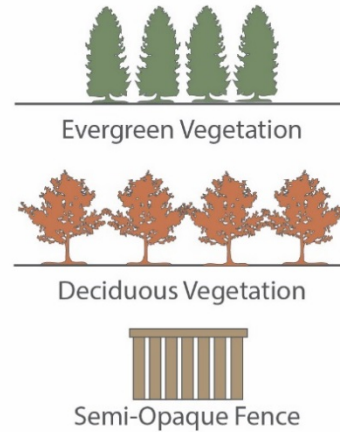
ATTACHMENT F

Art. 1400 Landscaping, Screening and Buffering Amendments

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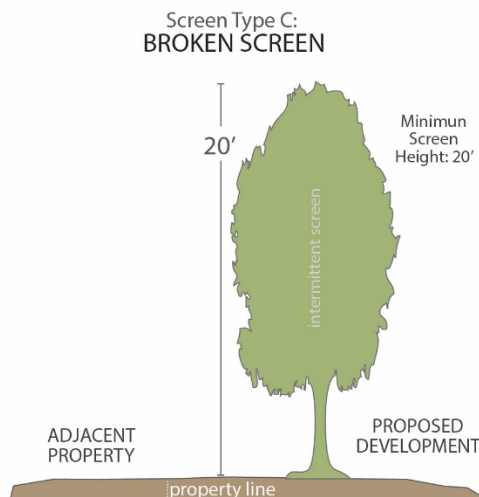


Intermittent Visual Obstruction

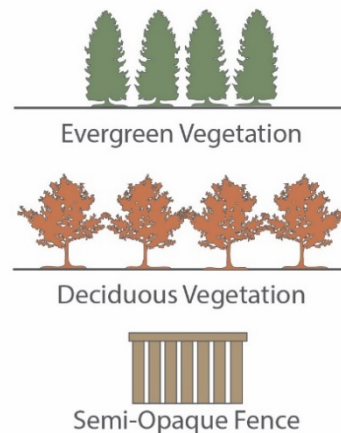


(e) *Screen type C: broken screen.* The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.

- (1) *Minimum height.* Minimum height of twenty (20) feet with intermittent visual obstruction from the ground.
- (2) *Materials.* May be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation.



Intermittent Visual Obstruction



(f) *Screen type D: No defined screen.* The perimeter landscaping requirements in *Sec. 1400.07 Perimeter Landscape Strip Required* shall apply; however, no additional screening is required.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF BENTONVILLE, ARKANSAS, PROVIDING FOR DEFINITIONS AND LAND USE REGULATIONS RELATED TO CERTAIN RESIDENTIAL USES.

WHEREAS, the Bentonville Planning Commission and City Council have determined that it is appropriate to make certain modifications to several sections of the Zoning Code of the City of Bentonville, Arkansas, related to certain uses which are residential in nature; and

WHEREAS, the proposed modifications were presented and discussed at a public hearing of the Bentonville Planning Commission where the Planning Commission voted to recommend approval of the modifications; and

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

Section 1: That Article 201 Definitions shall be and is hereby amended by deleting the definition of “family” in its entirety and replacing with a new definition to read as follows:

Family: In addition to customary domestic servants, family shall mean the following: (1) An individual or two (2) or more persons related by blood, marriage, or adoption, maintaining a common household in a dwelling unit; or (2) a group of not more than four (4) persons who are not related by blood, marriage, or adoption, living together as a common household in a dwelling unit. The City is defining family for the purpose of preserving the character of residential neighborhoods by controlling population density, noise disturbance, and traffic congestion, and shall not be applied so as to prevent the city from making reasonable accommodation where the city determines it necessary to afford handicapped persons living together in a household equal access to housing pursuant to the Federal Fair Housing Amendments Act of 1988.

Section 2: That Article 201 Definitions shall be and is hereby amended by adding the following definition of “group home” to read as follows:

Group Home: A facility that does not fall within another defined facility category within this Article and which provides housing in a family-like environment to more than four (4) handicapped individuals.

Section 3. That Article 301 Administration and Enforcement shall be and is hereby amended to provide for the addition of a new sub-section to read as follows:

Sec. 301.11 Accommodation. *Should an applicant believe that circumstances make it necessary to seek an accommodation from the requirements of this Code to afford handicapped persons equal access to housing pursuant to the Federal Fair Housing Amendment Act of 1988, the applicant is responsible for submitting a request to the Bentonville Planning Staff setting forth in detail the needed accommodation. The request shall subsequently be referred to the Planning Commission for a decision on the request.*

Section 4: That Article 401 Zoning Regulations, Section 401.05 Table of Uses shall be and is hereby amended by adding the land use “group home” to the Table of Uses and allowing “group home” with a conditional use in all agriculture, residential, downtown residential, and industrial zoning districts and by right in all commercial and downtown commercial zoning districts.

Section 5. That Article 601 Use Regulations shall be and is hereby amended by adding the following as Sec. 601.32 Group Homes to read as follows.

Sec. 601.32 *Group homes.*

(a) Conditional use permit required. No person or business shall operate a group home within the city limits without a valid conditional use permit, except in zoning districts where the use is allowed by right.

(b) Neighborhood impacts. Separation, spacing, and procedural requirements for group homes will be determined by the Planning Commission so as not to adversely impact the surrounding properties in the neighborhood. For this Section, a “neighborhood” shall be defined as an area incorporating all properties lying within 1,500 feet of the site, unless the Commission determines that a different area is more appropriate, for which the permit is requested.

(c) Review criteria. The planning commission shall consider during its review of a group home the following, but not limited to:

- (1) Spacing of existing similar facilities.*
- (2) Existing zoning and land use patterns.*
- (3) The maximum number of individuals proposed to be served, the number of employees proposed, and the type of services, being proposed.*
- (4) The need and provision for readily accessible public or quasi-public transportation.*
- (5) Access to needed support services such as social services agencies, employment agencies, and medical service providers.*
- (6) Availability of adequate on-site parking.*
- (7) There shall be a presumption that a conditional use permit for a group home of five (5), six (6), seven (7), or eight (8) handicapped persons will be granted if all ordinance requirements are met except that individuals whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others shall not be allowed in such a home.*

(e) Fire Marshal approval. The fire marshal must approve the use of any structure proposed as a group home.

(f) State requirements. Group Homes shall be operated within any and all applicable licensing and procedural requirements established by the State of Arkansas.

Section 7. That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 8. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 9. 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:

Stephanie Orman, Mayor

City Clerk

DRAFT