

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 Bentonville Community Center 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 planning@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
April 20, 2021**

Registration Link:

- I. Call to Order**
- II. Approval of the April 6 Meeting Minutes**
- III. Consent Agenda**

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. Lots 11 and 12, Osage Hills Subdivision
Brookside Road and Ginn Road (PLA20-0068) 2. Lots 14 and 15 Bentonville Plaza Addition
609 SW 8th Street (LS21-0012) 3. Lot 28, Huffman’s Addition
502 NW 3rd Street (LS21-0015) | <p>Property Line Adjustment</p>

<p>Lot Split</p>

<p>Lot Split</p> |
|--|--|

IV. New Business

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Land Use and Zoning Alignment Policy
To review the map 2. Removal of DC and DE Street Standards | <p>Ordinance*</p>

<p>Ordinance*</p> |
|---|--|

To see a full list of all pending Planning Commission items, please visit: <https://arcg.is/08HvK8>

3. **Pinnacle Villas, LLC** **Rezoning***
R-1, Single-Family Residential to DN-2, Downtown Medium-Density Residential
SW 3rd Street and SW E Street ([RZ20-0060](#))
4. **J Street Apartments** **Rezoning***
C-2, General Commercial to R-4, High Density Residential
3110 SE J Street ([RZ21-0023](#))
5. **220 N Main Bike Rental** **Conditional Use Permit***
Temporary Use and Structure
220 N Main Street ([CU21-0007](#))

Planning Commission Special Meeting
Minutes
April 6, 2021

Meeting called to order at 4:00 p.m. by Dana Davis, Chairman. Meeting was held at the Bentonville Community Center and via Zoom video conference.

Present: Dana Davis, Joe Haynie, Eric Hipp, Elaine Kerr, Rod Sanders, and Richard Binns
Staff: Ellen Norvell, Tyler Overstreet, Jon Stanley, and Elizabeth Johnson

Motion by Mr. Binns, seconded by Ms. Kerr to approve the minutes of March 16, 2021.
Approved 6-0

Consent Agenda

- Lots 1 & 2 Donald Addition: SW Barron Road & South Vaughn Road (PLA21-0008)
- Walmart Campus Zone 4: SE 8th Street (LSD21-0006)
- Walmart Campus Zone 5: SE 10th Street (LSD21-0010)

Approved 6-0

New Business

Item #1

Westpark Properties, LLC: Rezoning DE, Downtown Edge to DC, Downtown Core, 408 S Main Street (RZ21-0018)

Tyler Overstreet reads the staff report

Opened public hearing

No public comments

Closed public hearing

There is a discussion month the Commissioners and Staff.

Approved 6-0

Item #2

Vandiver: Rezoning R-1, Single-Family Residential to DE, Downtown Edge, 707 SE C Street. (RZ21-0020)

Tyler Overstreet reads the staff report

Opened public hearing

Burton E. Stacy Jr, 403 SE 8th Street, spoke their concerns.

Closed public hearing

Paul Ester, the representative, is available to speak

There is discussion amongst staff and Commissioners.

Approved 6-0

Item #3

Matteri: Rezoning, R-1, Single-Family Residential to DE, Downtown Edge, 305, 307 & 309 North Main Street (RZ21-0021)

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Greg Matteri, the applicant, is available to speak

Approved 6-0

Item #4

Vandiver: Rezoning, R-1, Single-Family Residential to DN-4, Downtown Mixed-Use Residential (RZ21-0022)

Tyler Overstreet reads the staff report.

Opened public hearing

No public Comments

Closed public hearing

Jake Newell, the representative, is available to speak

There is discussion amongst representatives, staff, and Commissioners.

Approved 6-0

Item #5

Pagan, Inc: Rezoning, A-1, Agricultural to R-2, Duplex and Patio Home Residential and R-3, Medium-Density Residential, SW 28th Street. (RZ21-0022)

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Motion by Sanders, second by Kerr to table the request.

Approved 6-0

Item #6

Eyecandy Spa and Boutique: Conditional Use Permit, 1724 SE Moberly Lane (CU21-0006)

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is discussion amongst staff and Commissioners.

Approved 6-0

Item #7

Walmart Campus: Planned Unit Development, 1724 SE Moberly Lane (CU21-0006)

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is discussion amongst staff and Commissioners.

Approved 6-0

Item #8

Whole Health Institute & Art Bridges: Large Scale Development, Museum Way (LSD21-0011)

Opened public hearing

No public comments

Closed public hearing

There is discussion amongst staff and Commissioners.

Motion by Mr. Sanders, second by Mr. Haney to approve the wavier request

Approved 6-0

Large-Scale Development Approved 6-0

Item #9

Sterling Bank: Large-Scale Development, 1001 S Walton Boulevard (LSD21-0012)

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Motion by Mr. Sanders, second by Ms. Kerr to approve the waiver request

Approved 6-0

Large-Scale Development Approved 6-0

Item #10

Bentonville Plaza Add. Lot 4: Waiver, 1101 South Walton Boulevard (WAV21-0008)

Tyler Overstreet reads the staff report.

Motion by Mr. Hipp, second by Mr. Sanders to approve the landscape waiver request

Approved 6-0

Other Business

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

Meeting adjourned

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

Baylea Birchfield



Consent Agenda Items

For Planning Commission meeting of April 20, 2021

Reviewer: Tyler Overstreet, AICP, Planning Services Manager

- ❖ At the Technical Review meeting held on April 13, 2021 the Planning Commission requested these items be placed on the consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Property Line Adjustment: Lots 11 and 12, Osage Hills Subdivision, WM 63 RE 1, LLC and Bentonville Housing Partners, LLP, Brookside Road and Ginn Road, R-1, Single-Family Residential and R-2, Duplex and Patio Home Residential, PLA20-0068

A property line adjustment of Lots 6 and 7 of Osage Hills Subdivision, creating new Lots 11 (+/- 33.41 acres) and 12 (+/- 195.2 acres). The plat transfers a portion of property from existing Lot 7 to Lot 6. The plat dedicates a 20-foot utility easement to provide sewer service to the lots.

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

Lot Split: Lots 14 and 15, Bentonville Plaza Addition, Bentonville Plaza Partners, LLC, 609 SW 8th Street, C-3, Mixed-Use Commercial, LS21-0012

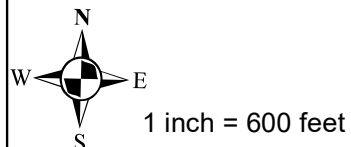
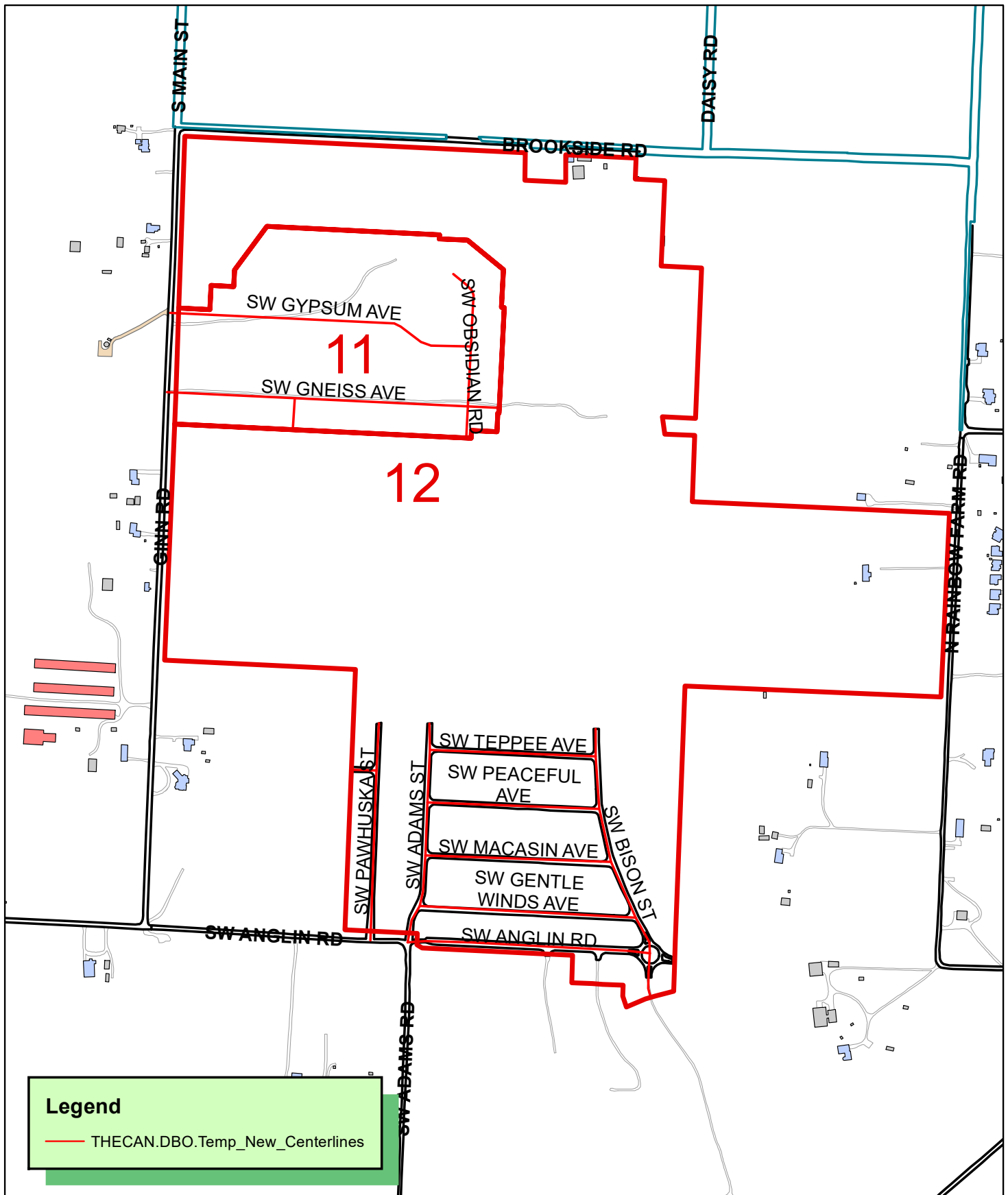
A lot split of Bentonville Plaza Addition Lot 11 creating new Lot 14, (+/- 1.84 acres) and Lot 15 (+/- 3.44 acres) of Bentonville Plaza Addition. The plat dedicates various utility and access easements to serve the new lots.

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

Lot Split: Lot 28, Huffman's Addition, Stratford Assets, LLC, 502 NW 3rd Street, DN-1, Downtown Low-Density Residential, LS21-0015

A Lot Split of a part of Lot 1 of Huffman's Addition, creating new Lot 28 (+/- .26 acres). The plat dedicates right-of-way along NW 3rd Street and Lefors Street to meet the requirements of the Master Street Plan. The plat dedicates five-feet of utility easement along all street frontages.

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



PLA20-0068
PROPERTY LINE ADJUSTMENT
OSAGE HILLSE SUBDIVISION
LOTS 6 & 7 CREATING LOTS 11 & 12



PROPERTY LINE ADJUSTMENT PLAT OF LOT 6 AND LOT 7 OF OSAGE HILLS SUBDIVISION CREATING LOT 11 AND LOT 12

DESCRIPTION PARENT:

LOT 6 AND LOT 7 OF OSAGE HILLS SUBDIVISION, AS PER PLAT RECORD L202022287 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

DESCRIPTION LOT 11:

LOT 6 AND PART OF LOT 7 OF OSAGE HILLS SUBDIVISION, AS PER PLAT RECORD L202022287 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE NORTH LINE THEREOF THE FOLLOWING THREE COURSES:
THENCE S87°15'55"E 154.24 FEET;
THENCE N02°44'05"E 120.00 FEET;
THENCE S87°15'55"E 111.58 FEET;
THENCE LEAVING SAID NORTH LINE N02°44'05"E 80.79 FEET;
THENCE N36°49'49"E 269.20 FEET;
THENCE S87°15'55"E 853.75 FEET;
THENCE S02°44'05"W 20.00 FEET TO THE NORTH LINE OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG SAID NORTH LINE S87°15'55"E 139.60 FEET;
THENCE ALONG SAID NORTH LINE S50°29'36"E 230.21 FEET TO THE NORTHEAST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING FIVE COURSES:
THENCE S02°44'05"W 186.04 FEET;
THENCE S87°15'55"E 13.01 FEET;
THENCE S02°44'05"W 523.25 FEET;
THENCE N87°15'55"W 7.00 FEET;
THENCE S02°44'05"W 92.00 FEET TO THE SOUTHEAST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE SOUTH LINE THEREOF THE FOLLOWING THREE COURSES:
THENCE N87°15'59"W 126.01 FEET;
THENCE S02°44'05"W 38.00 FEET;
THENCE N87°16'04"W 1468.15 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE WEST LINE THEREOF N02°22'47"E 149.77 FEET;
THENCE ALONG SAID WEST LINE N02°00'07"E 423.72 FEET TO THE POINT OF BEGINNING, CONTAINING 33.41 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

DESCRIPTION LOT 12:

PART OF LOT 7 OF OSAGE HILLS SUBDIVISION, AS PER PLAT RECORD L202022287 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE WEST LINE OF LOT 7 OF SAID OSAGE HILLS SUBDIVISION N02°00'07"E 850.57 FEET TO THE NORTHWEST CORNER OF LOT 7 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE NORTH LINE THEREOF THE FOLLOWING FIVE COURSES:
THENCE S87°12'16"E 1685.61 FEET;
THENCE S00°25'43"W 136.56 FEET;
THENCE S87°15'27"E 201.12 FEET;
THENCE N00°25'43"E 136.57 FEET;
THENCE S87°13'23"E 347.46 FEET TO THE NORTHEAST CORNER OF LOT 7 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING SIXTEEN COURSES:
THENCE S02°13'20"W 103.84 FEET;
THENCE S87°17'51"E 146.00 FEET;
THENCE S02°19'34"W 422.36 FEET;
THENCE S87°13'23"E 200.00 FEET;
THENCE S02°20'13"W 745.90 FEET;
THENCE N87°16'14"W 163.23 FEET;
THENCE S07°32'02"E 86.41 FEET;
THENCE S87°39'47"E 148.59 FEET;
THENCE S02°12'43"W 329.00 FEET;
THENCE S87°28'33"E 1274.25 FEET;
THENCE S02°38'31"W 909.15 FEET;
THENCE N87°33'39"W 1267.45 FEET;
THENCE S02°10'52"W 1260.95 FEET;
THENCE S02°11'07"W 63.35 FEET;
THENCE S01°50'53"W 72.03 FEET;
THENCE S01°50'53"W 116.08 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE SOUTH LINE THEREOF THE FOLLOWING THIRTEEN COURSES:
THENCE S75°29'25"W 94.86 FEET;
THENCE S74°43'29"W 50.02 FEET;
THENCE S66°13'00"W 101.56 FEET;

CERTIFICATE OF OWNERSHIP LOT 6

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: _____
BENTONVILLE HOUSING PARTNERS LIMITED PARTNERSHIP

(PRINT)

SOURCE OF TITLE: DEED RECORD L202024276

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

NOTARY PUBLIC. _____

CERTIFICATE OF OWNERSHIP LOT 7

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: _____
WM 63 RE 1, LLC

(PRINT)

SOURCE OF TITLE: PLAT RECORD L202022287

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

NOTARY PUBLIC. _____

THENCE N19°21'19"W 56.37 FEET;
THENCE N01°38'38"E 54.17 FEET;
THENCE N87°15'44"W 102.29 FEET;
THENCE N85°31'54"W 50.05 FEET;
THENCE N86°01'21"W 101.50 FEET;
THENCE N01°58'39"E 136.01 FEET;
THENCE N87°12'08"W 745.13 FEET;
THENCE N59°36'32"W 31.55 FEET;
THENCE N02°47'52"E 55.46 FEET;
THENCE N87°03'12"W 358.82 FEET TO THE SOUTHWEST CORNER OF LOT 7 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE WEST LINE THEREOF THE FOLLOWING THREE COURSES:
THENCE N02°20'57"E 1288.80 FEET;
THENCE N87°10'29"W 945.19 FEET;
THENCE N02°22'47"E 1170.42 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE SOUTH LINE THEREOF THE FOLLOWING THREE COURSES:
THENCE S87°16'04"E 1468.15 FEET;
THENCE N02°44'05"E 38.00 FEET;
THENCE S87°15'59"E 126.01 FEET TO THE SOUTHEAST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING FIVE COURSES:
THENCE N02°44'05"E 92.00 FEET;
THENCE S87°15'55"E 7.00 FEET;
THENCE N02°44'05"E 523.25 FEET;
THENCE N87°15'55"W 13.01 FEET;
THENCE N02°44'05"E 186.04 FEET TO THE NORTHEAST CORNER OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG THE NORTH LINE THEREOF N50°29'36"W 230.21 FEET;
THENCE ALONG SAID NORTH LINE N87°15'55"W 139.60 FEET;
THENCE LEAVING SAID NORTH LINE N02°44'05"E 20.00 FEET;
THENCE N87°15'55"W 853.75 FEET;
THENCE S36°49'49"W 269.20 FEET;
THENCE S02°44'05"W 80.79 FEET TO THE NORTH OF LOT 6 OF SAID OSAGE HILLS SUBDIVISION;
THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE COURSES:
THENCE N87°15'55"W 111.58 FEET;
THENCE S02°44'05"W 120.00 FEET;
THENCE N87°15'55"W 154.24 FEET TO THE POINT OF BEGINNING, CONTAINING 195.20 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

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 R-2 AND R-1.

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 L202022287.

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 PLAT RECORD L202022287.

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.

PART OF THIS PROPERTY IS IN FLOOD ZONE "A" OR "AE", AND IS INSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBER 05007C0235K, 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 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

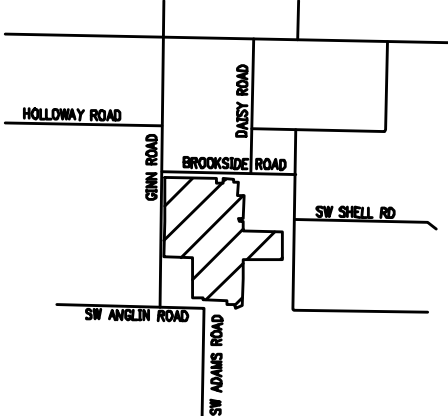
ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

ATLAS PAGE: 481 & 522

CITY OF BENTONVILLE
PROJECT NUMBER: PLA20-0068

RECORD INFORMATION

VICINITY MAP



SEAL

LOT LINE ADJUSTMENT PLAT OF
LOT 6 AND LOT 7 OF OSAGE
HILLS SUBDIVISION
CREATING LOT 11 AND LOT 12
BENTONVILLE ARKANSAS

PREPARED FOR:
BENTONVILLE HOUSING PRT., LP

STATE PLAT CODE:
500-19N-31W-0-19-102-04-1460

DATE: 03/16/2021
PROJECT NO: 19112300
CONTACT: K.MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756

Crafton Tull
architecture | engineering | surveying
479.636.4838 | 479.631.6224 |
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:

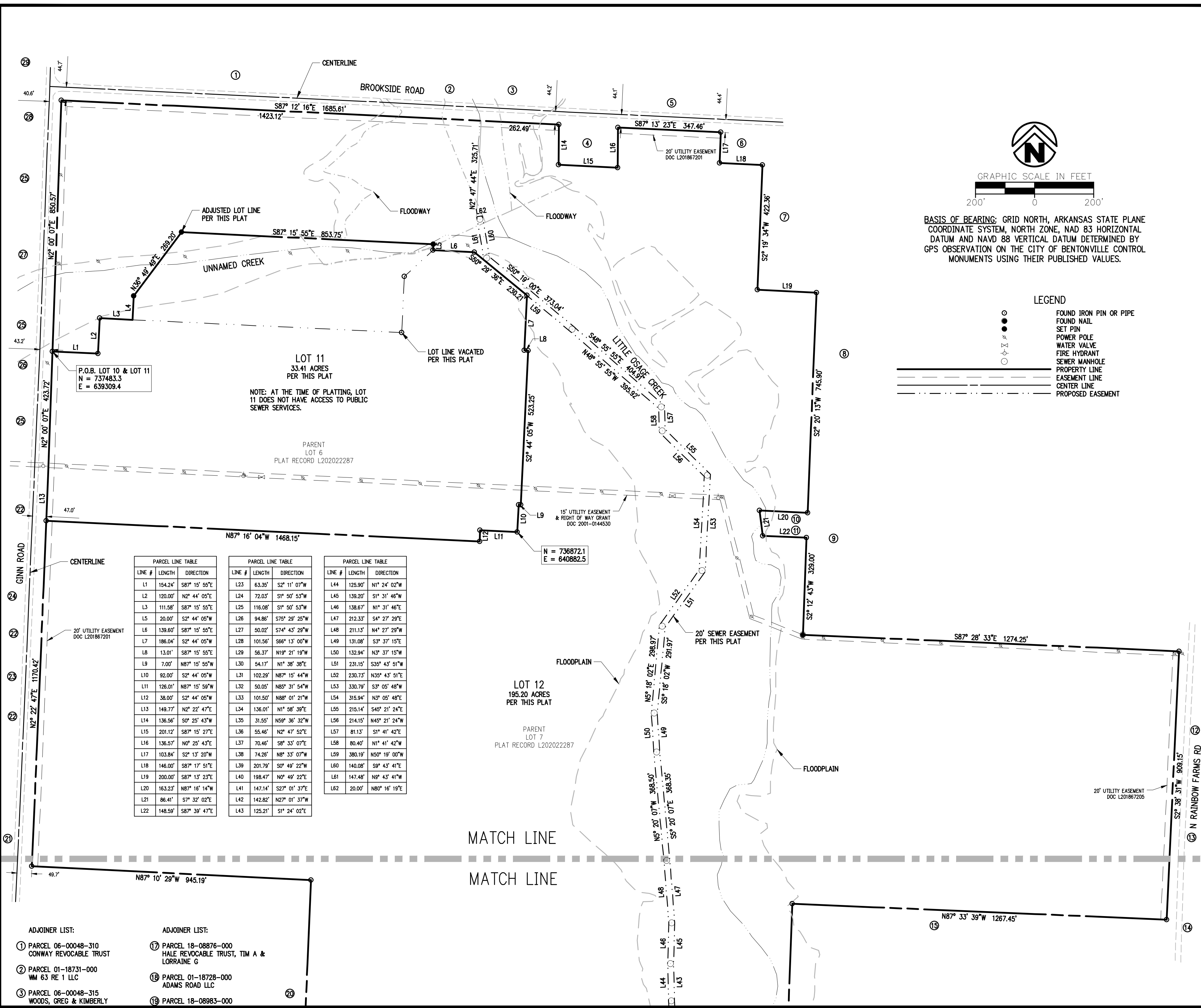
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DELTA	DESCRIPTION	DATE
1	REV PER COMMENTS	02/03/2021
2	REV PER COMMENTS	03/01/2021
3	REV TO ADD SEWER ESMT	03/16/2021

SHEET NO.:

1 OF 3

DRAWING: GA19112300, STONERDGRAV INFRASTRUCTURE SURVEY DWG 19112300, ADJ.DWG
LAST REVISED: 03/16/2021, 3:10:25 PM, 3/16/2021, 3:10:25 PM, 3/16/2021, 3:10:25 PM
LAST PLOTTED BY: K MONTGOMERY, 03/17/2021, 8:34:34 AM, PLOTTED BY: "VALID ON HARD COPY ONLY"



RECORD INFORMATION

VICINITY MAP

SEAL

LOT LINE ADJUSTMENT PLAT OF
LOT 6 AND LOT 7 OF OSAGE
HILLS SUBDIVISION
CREATING LOT 11 AND LOT 12
BENTONVILLE ARKANSAS

PREPARED FOR:
BENTONVILLE HOUSING PRT., LP

STATE PLAT CODE:
500-19N-31W-0-19-102-04-1460

DATE: 03/16/2021
PROJECT NO: 19112300
CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756

Crafton Tull
architecture | engineering | surveying
479.636.4838 f 479.631.6224 f
www.craftontull.com

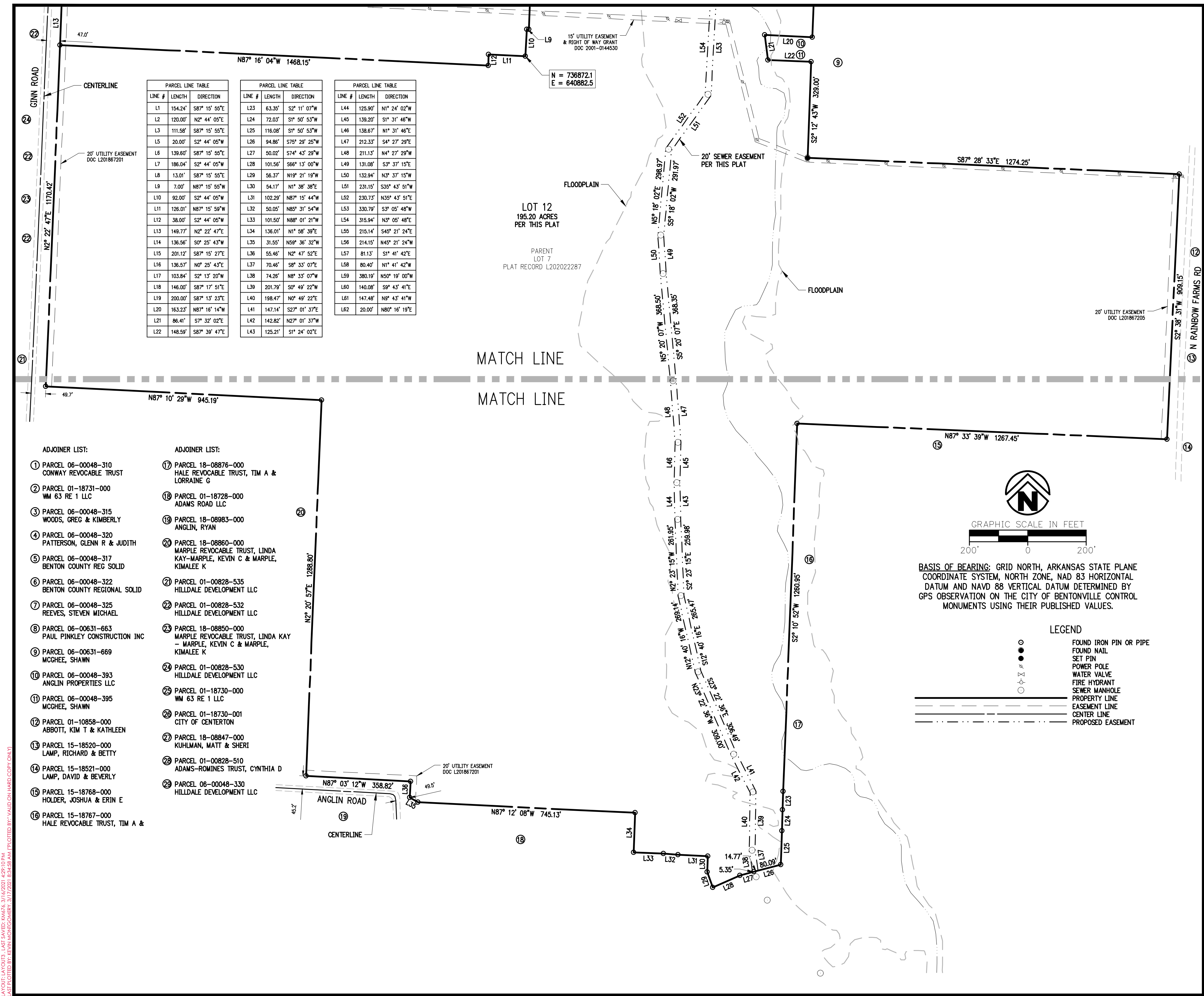
CERTIFICATE OF AUTHORIZATION

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DELTA	DESCRIPTION	DATE

SHEET NO.: 2 OF 3

DRAWING: GA19112300_STONERDGRAV_INFRASTRUCTURE_SURVEY.DWG (19112300_ADI.DWG)
LAST MODIFIED: 03/16/2021 10:56:29 AM
LAST PLOTTED BY: K MONTGOMERY, 03/17/2021 03:45:58 AM (PLOTTED BY: VALID ON HARD COPY ONLY)



PARCEL LINE TABLE			
LINE #	LENGTH	DIRECTION	
L1	154.24'	S87° 15' 55"E	
L2	120.00'	N2° 44' 05"E	
L3	111.58'	S87° 15' 55"E	
L5	20.00'	S2° 44' 05"W	
L6	139.60'	S87° 15' 55"E	
L7	186.04'	S2° 44' 05"W	
L8	13.01'	S87° 15' 55"E	
L9	7.00'	N87° 15' 55"W	
L10	92.00'	S2° 44' 05"W	
L11	126.01'	N87° 15' 59"W	
L12	38.00'	S2° 44' 05"W	
L13	149.77'	N2° 22' 47"E	
L14	136.56'	S0° 25' 43"W	
L15	201.12'	S87° 15' 27"E	
L16	136.57'	N0° 25' 43"E	
L17	103.84'	S2° 13' 20"W	
L18	146.00'	S87° 17' 51"E	
L19	200.00'	S87° 13' 23"E	
L20	163.23'	N87° 16' 14"W	
L21	86.41'	S7° 32' 02"E	
L22	148.59'	S87° 39' 47"E	

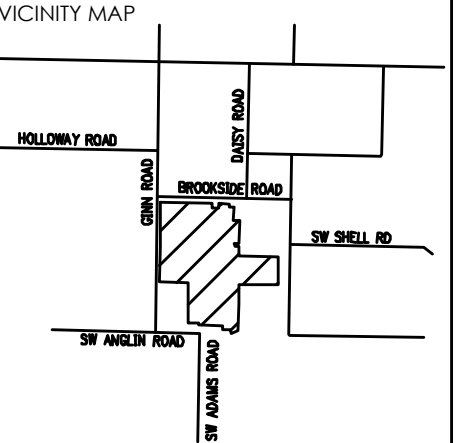
PARCEL LINE TABLE			
LINE #	LENGTH	DIRECTION	
L23	63.35'	S2° 11' 07"W	
L24	72.03'	S1° 50' 53"W	
L25	116.08'	S1° 50' 53"W	
L26	94.86'	S75° 29' 25"W	
L27	50.02'	S74° 43' 29"W	
L28	101.56'	S66° 13' 00"W	
L29	56.37'	N19° 21' 19"W	
L30	54.17'	N1° 38' 38"E	
L31	102.29'	N87° 15' 44"W	
L32	50.05'	N85° 31' 54"W	
L33	101.50'	N88° 01' 21"W	
L34	136.01'	N1° 58' 39"E	
L35	31.55'	N59° 36' 32"W	
L36	55.46'	N2° 47' 52"E	
L37	70.46'	S8° 33' 07"E	
L38	74.26'	N8° 33' 07"W	
L39	201.79'	S0° 49' 22"W	
L40	198.47'	N0° 49' 22"E	
L41	147.14'	S27° 01' 37"E	
L42	142.82'	N27° 01' 37"W	
L43	125.21'	S1° 24' 02"E	

PARCEL LINE TABLE			
LINE #	LENGTH	DIRECTION	
L44	125.90'	N1° 24' 02"W	
L45	139.20'	S1° 31' 46"W	
L46	138.67'	N1° 31' 46"E	
L47	212.33'	S4° 27' 29"E	
L48	211.13'	N4° 27' 29"W	
L49	131.08'	S3° 37' 15"E	
L50	132.94'	N3° 37' 15"W	
L51	231.15'	S35° 43' 51"W	
L52	230.73'	N35° 43' 51"E	
L53	330.79'	S3° 05' 48"W	
L54	315.94'	N3° 05' 48"E	
L55	215.14'	S45° 21' 24"E	
L56	214.15'	N45° 21' 24"W	
L57	81.13'	S1° 41' 42"E	
L58	80.40'	N1° 41' 42"W	
L59	380.19'	N50° 19' 00"W	
L60	140.08'	S9° 43' 41"E	
L61	147.48'	N9° 43' 41"W	
L62	20.00'	N80° 16' 19"E	

- ADJOINER LIST:
- 1 PARCEL 06-00048-310 CONWAY REVOCABLE TRUST
 - 2 PARCEL 01-18731-000 WM 63 RE 1 LLC
 - 3 PARCEL 06-00048-315 WOODS, GREG & KIMBERLY
 - 4 PARCEL 06-00048-320 PATTERSON, GLENN R & JUDITH
 - 5 PARCEL 06-00048-317 BENTON COUNTY REG SOLID
 - 6 PARCEL 06-00048-322 BENTON COUNTY REGIONAL SOLID
 - 7 PARCEL 06-00048-325 REEVES, STEVEN MICHAEL
 - 8 PARCEL 06-00631-663 PAUL PINKLEY CONSTRUCTION INC
 - 9 PARCEL 06-00631-669 MCGHEE, SHAWN
 - 10 PARCEL 06-00048-393 ANGLIN PROPERTIES LLC
 - 11 PARCEL 06-00048-395 MCGHEE, SHAWN
 - 12 PARCEL 01-10858-000 ABBOTT, KIM T & KATHLEEN
 - 13 PARCEL 15-18520-000 LAMP, RICHARD & BETTY
 - 14 PARCEL 15-18521-000 LAMP, DAVID & BEVERLY
 - 15 PARCEL 15-18768-000 HOLDER, JOSHUA & ERIN E
 - 16 PARCEL 15-18767-000 HALE REVOCABLE TRUST, TIM A &

- ADJOINER LIST:
- 17 PARCEL 18-08876-000 HALE REVOCABLE TRUST, TIM A & LORRAINE G
 - 18 PARCEL 01-18728-000 ADAMS ROAD LLC
 - 19 PARCEL 18-08983-000 ANGLIN, RYAN
 - 20 PARCEL 18-08860-000 MARPLE REVOCABLE TRUST, LINDA KAY-MARPLE, KEVIN C & MARPLE, KIMALEE K
 - 21 PARCEL 01-00828-535 HILLDALE DEVELOPMENT LLC
 - 22 PARCEL 01-00828-532 HILLDALE DEVELOPMENT LLC
 - 23 PARCEL 18-08850-000 MARPLE REVOCABLE TRUST, LINDA KAY - MARPLE, KEVIN C & MARPLE, KIMALEE K
 - 24 PARCEL 01-00828-530 HILLDALE DEVELOPMENT LLC
 - 25 PARCEL 01-18730-000 WM 63 RE 1 LLC
 - 26 PARCEL 01-18730-001 CITY OF CENTERTON
 - 27 PARCEL 18-08847-000 KUHLMAN, MATT & SHERI
 - 28 PARCEL 01-00828-510 ADAMS-ROMINES TRUST, CYNTHIA D
 - 29 PARCEL 06-00048-330 HILLDALE DEVELOPMENT LLC

RECORD INFORMATION



SEAL

LOT LINE ADJUSTMENT PLAT OF
LOT 6 AND LOT 7 OF OSAGE
HILLS SUBDIVISION
CREATING LOT 11 AND LOT 12
BENTONVILLE ARKANSAS

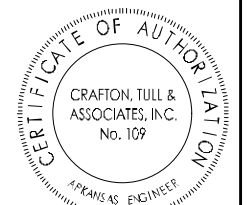
PREPARED FOR:
BENTONVILLE HOUSING PRT., LP

STATE PLAT CODE:
500-19N-31W-0-19-102-04-1460

DATE: 03/16/2021
PROJECT NO: 19112300
CONTACT: K MONTGOMERY

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

CERTIFICATE OF AUTHORIZATION:

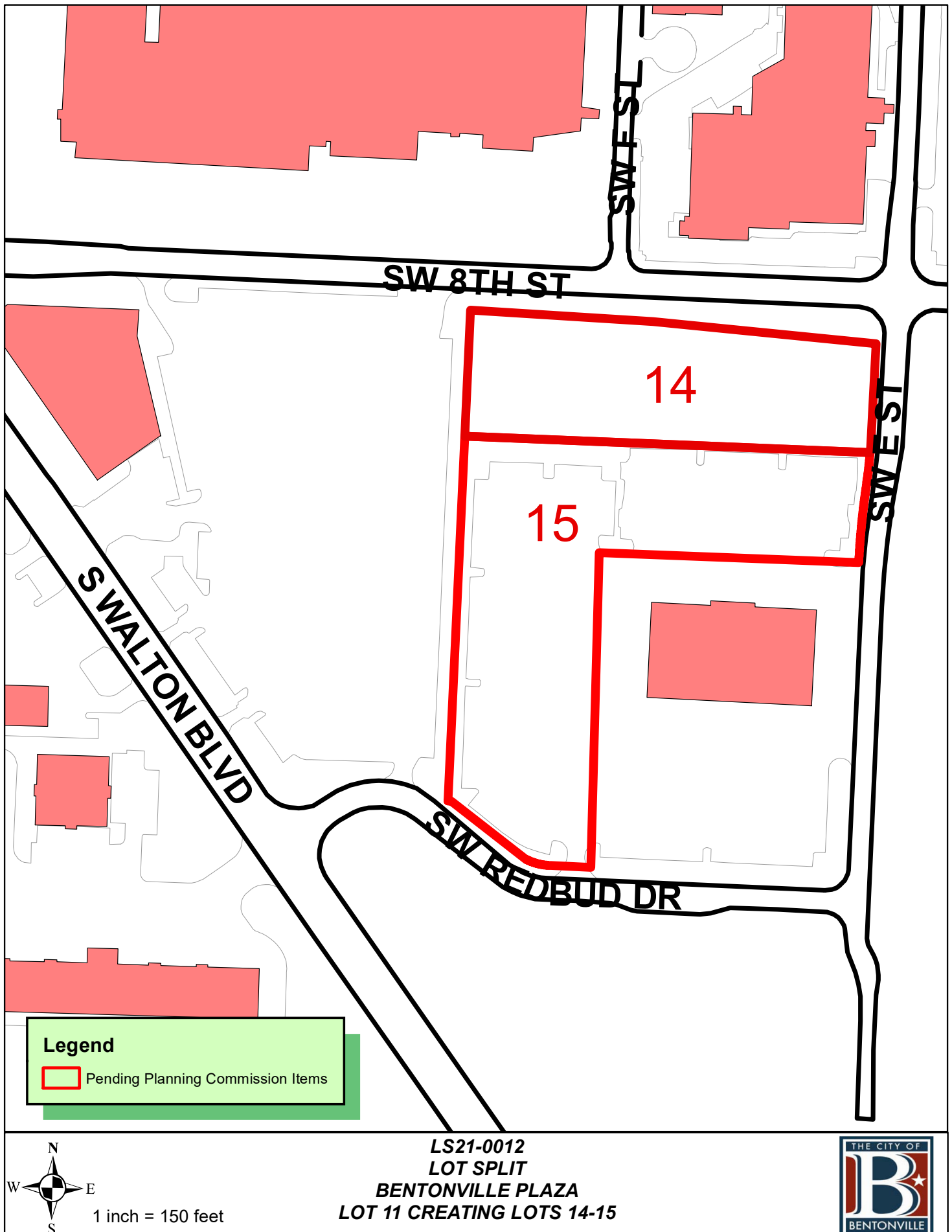


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DELTA	DESCRIPTION	DATE

SHEET NO.:

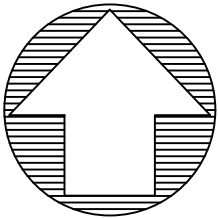
3 OF 3



EXISTING LOT 11

LEGEND

- FOUND IRON PIN W/ CAP
○ FOUND MAG NAIL
○ SET 1/2" IRON PIN W/CAP, LS 1370
○ DRAINAGE MANHOLE
○ SANITARY SEWER MANHOLE
○ FIRE HYDRANT
○ WATER METER
○ WATER VALVE
○ TELEPHONE RISER
○ TELEPHONE VAULT
○ GAS METER
○ LIGHT POLE SINGLE LIGHT
- - - - - PROPERTY LINE
- - - - - RIGHT-OF-WAY
- - - - - EASEMENT
- - - - - CENTERLINE



POB
LOT 14

POB
LOT 15
SW CORNER
LOT 11

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0255K (EFFECTIVE DATE 06/05/2012) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

LEGAL DESCRIPTION FOR PARENT TRACT - LOT 11

P.N.# 01-11088-001
REFERENCE PLAT BOOK 2016 PAGE 145
ZONE - C3

A PART OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF PARCEL 01-02047-000, SAID POINT BEING A FOUND IRON PIN AND RUNNING THENCE S87°28'11"E 196.12' TO A SET IRON PIN, THENCE N02°25'34"E 4.85' TO A SET IRON PIN, THENCE S87°24'14"E 316.91' TO A SET IRON PIN, THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00' AND A LENGTH OF 32.06' TO A SET IRON PIN; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00' AND A LENGTH OF 7.77' TO A SET IRON PIN; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 30.00' AND A LENGTH OF 7.77' TO A SET IRON PIN; THENCE S03°06'51"W 134.98' TO A SET IRON PIN; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 369.50' AND A LENGTH OF 49.11' TO A SET IRON PIN; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1034.33' AND A LENGTH OF 103.59' TO A SET IRON PIN; THENCE N87°48'35"W 339.82' TO A SET IRON PIN; THENCE S01°30'11"W 412.34' TO A SET IRON PIN; THENCE N87°28'02"W 52.33' TO A SET IRON PIN; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 75.04' AND A LENGTH OF 34.20' TO A SET IRON PIN; THENCE N50°18'13"W 123.94' AND A LENGTH OF 34.20' TO A FOUND ½" REBAR; THENCE N02°25'03"E 653.81' TO THE POINT OF BEGINNING CONTAINING 5.56 ACRES MORE OR LESS.

LEGAL DESCRIPTION FOR NEW LOT 14 (1.84 ACRES):

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 11; THENCE NORTH 02°38'17" EAST A DISTANCE OF 484.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°38'17" EAST A DISTANCE OF 158.84 FEET; THENCE SOUTH 87°40'18" EAST A DISTANCE OF 73.23 FEET; THENCE SOUTH 85°56'09" EAST A DISTANCE OF 166.16 FEET; THENCE SOUTH 84°18'18" EAST A DISTANCE OF 293.63 FEET; THENCE SOUTH 03°06'16" WEST A DISTANCE OF 134.90 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 367.55 FEET, A CENTRAL ANGLE OF 00°15'52", AN ARC LENGTH OF 1.70 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03°18'09" WEST, 1.70 FEET; THENCE NORTH 87°40'07" WEST A DISTANCE OF 531.44 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 80098.21 SQUARE FEET, OR 1.839 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

LEGAL DESCRIPTION FOR NEW LOT 15 (3.44 ACRES):

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 11; THENCE NORTH 02°38'17" EAST A DISTANCE OF 484.01 FEET; THENCE SOUTH 87°40'07" EAST A DISTANCE OF 531.44 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 369.48 FEET, A CENTRAL ANGLE OF 07°20'22", AN ARC LENGTH OF 47.33 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 07°06'27" WEST, 47.30 FEET; THENCE ON A REVERSE CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1034.33 FEET, A CENTRAL ANGLE OF 05°44'20", AN ARC LENGTH OF 103.60 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 07°47'04" WEST, 103.56 FEET; THENCE NORTH 87°45'49" WEST A DISTANCE OF 339.82 FEET; THENCE SOUTH 01°31'19" WEST A DISTANCE OF 412.34 FEET; THENCE NORTH 87°23'48" WEST A DISTANCE OF 52.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 75.04 FEET, A CENTRAL ANGLE OF 26°06'33", AN ARC LENGTH OF 34.20 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 76°12'24" WEST, 33.90 FEET; THENCE NORTH 52°05'42" WEST A DISTANCE OF 123.94 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 149896.26 SQUARE FEET, OR 3.441 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NOTES:

- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
- BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
- 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
- DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
- SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE.
- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
- 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.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION AND NOTIFY SAID DEPARTMENTS OF THE INTENT AND TYPE OF WORK THAT WILL TAKE PLACE WITHIN THE R.O.W.
- ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

CERTIFICATE OF OWNERSHIP AND DEDICATION:

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

DATE OF EXECUTION: _____

PRINT NAME: _____

SIGNATURE: _____

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

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION _____

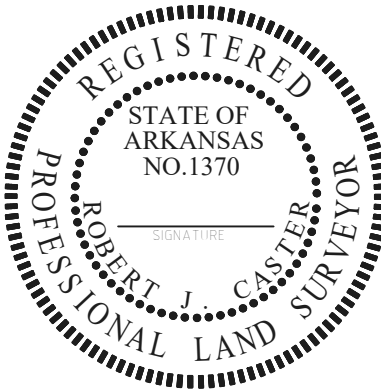
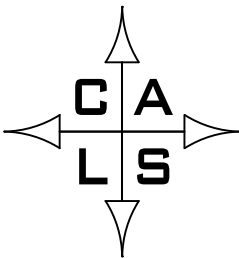
SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

COB PROJECT # LS21-0012

CASTER & ASSOCIATES
LAND SURVEYING, INC.

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



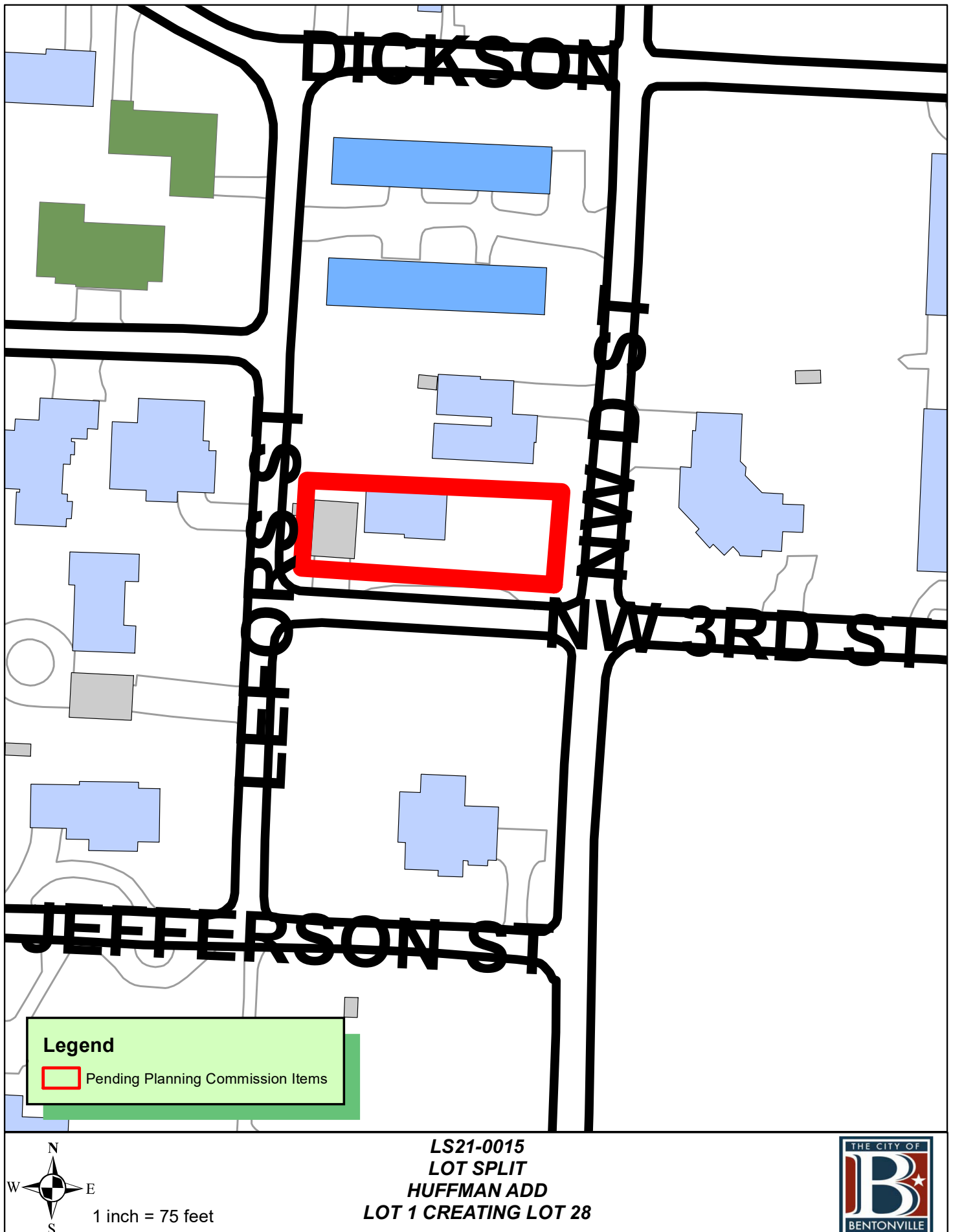
SCALE: 1" = 60'

02/26/2021

LOT SPLIT OF LOT 11
CREATING NEW LOTS 13 & 14
BENTONVILLE PLAZA

CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
21-047	ASG	RJC	1 OF 1



ORDINANCE STAFF REPORT



Alignment of Future Land Use Map and Zoning Districts

PC Date: 4/20/2021

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Manager & Tyler Overstreet, Planning Services Manager, AICP

Type	Resolutions and Amending Ordinance
Code Impacted	Zoning Code
Section(s)	Sec. 301.08 Zoning Amendments (rezoning)

Issues

The Code Diagnostic completed by Jim von Tungeln makes several suggestions regarding the relationship between zoning districts and Future Land Use classifications.

- Establish a clear process for dealing with rezone requests that do not match the city's plans.
- Create a "growth sector" overlay or, alternatively, a "transect overlay" to identify areas of transition from urban core to low-intensity residential.
- Revise zoning districts to be more in-line with plan proposals.

These recommendations, combined with the following issues, suggest a need to improve alignment between the Zoning Code and the Future Land Use Plan and Map.

1. The Future Land Use Plan land use categories do not clearly align with the city's zoning districts. Guidance is needed on how to apply the Future Land Use Plan in making rezoning decisions.
2. Planning Commission and City Council have approved numerous rezoning requests that are inconsistent with the recommendations of the Future Land Use Map; making the Future Land Use map outdated.
3. The city does not have a streamlined process for keeping the Future Land Use Map current.

Background

When the Future Land Use Map was adopted in 2007, it came with a table identifying the zoning districts recommended for each land use classifications. Then, the new Future Land Use Map was adopted in 2018 and did not provide such a table. This has left planning staff and Planning Commission without proper guidance on how to apply the Future Land Use Map when considering rezoning requests.

Since the new Future Land Use Map was adopted in 2018, Planning Commission and City Council have approved a total of 156 rezoning requests (See All Rezoning Projects by Land Use). Of those, 64 are proposed for General Plan Amendments due to incompatibility with the Future Land Use Map (See Recommended Land Use Amendments).

Interestingly, 27 of the 64 (42%) proposed amendments currently have a Land Use Classification of Agricultural or Residential Estate. Both of these classifications, according to the plan, are meant to serve as placeholders until there is adequate access to city utilities (p.50). This is reflected in the Future Land Use Map and Zoning District alignment policy, where the Agriculture and Residential Estate Zoning Districts are only supported in the Edge Growth Priority Area.

Highlighted items on the Recommended Land Use Amendments Table are those that staff does not recommend a Land Use Amendment, despite potential support from the policy. The reasoning behind these recommendations are summarized below in Table 1.

ORDINANCE STAFF REPORT

Table 1: Areas Without Recommended Land Use Changes

Project	PC Notes	PC Date	Land Use Designation	Current Zoning	Recommended Land Use	Notes
RZ19-0006	403 NW 6TH ST RZ R-1 TO DN-1	4/2/2019	Medium Density Residential	DN-1	Medium-Density Residential	The surrounding area is designated as Medium-Density Residential. One property should not have a different Land Use.
RZ19-0026	A-1 to C-2	8/20/2019	Office	C-2	Office	C-2, General Commercial is a secondary choice for Office areas.
RZ19-0049	B'VILLE ACADEMY OF MUSIC RZ RC-2 TO DN-4	1/21/2020	Downtown Commercial	DN-4	Downtown Commercial	DN-4 is a secondary choice for Downtown Commercial Areas.
RZ20-0001	PUMP STATION RZ R-Z TO DN-3	2/18/2020	Public / Semi-Public	DN-3	Medium-Density Residential	Although DN-3 is a higher density than suggested for Medium-Density areas, it would not make sense to amend this area to High-Density Residential
RZ20-0034	408 SE D ST RZ R-1 TO DN-2	8/18/2020	High Density Residential	DN-2	High-Density Residential	While DN-3 may have been supported, the applicant could accomplish their development within DN-2. It would not make sense to lower the recommended density because an applicant chose not to pursue the highest use.
RZ20-0042	ML, RES, LLC RZ R-1 TO DN-2	10/6/2020	High Density Residential	DN-2	High-Density Residential	See above reasoning.
RZ20-0056	LOT 10 CRYSTAL BRIDGES RZ A-1 TO C-3	12/1/2020	Public / Semi-Public	C-3	Public/Semi-Public	The current and future use of the property (Crystal Bridges) makes sense in the semi-public land use category.
RZ20-0074	CRYSTAL BRIDGES RZ A-1 TO C-3	3/2/2021	Public / Semi-Public	C-3	Public/Semi-Public	The current and future use of the property (Crystal Bridges) makes sense in the semi-public land use category.
RZ21-0017	ORCHARDS ADD LOT 1 BLK H RZ R1 TO DE	3/16/2021	High Density Residential	DE	High-Density Residential	DE is a secondary choice in High-Density Residential areas. This property would not make sense as Downtown Commercial.

ORDINANCE STAFF REPORT

Relationship to the Community Plan

The proposed resolutions and amendments will help bridge the gap between the Community Plan and development regulations in an effort to better implement the Community Plan. It implements strategy A1 on pg. 182 – *Amend zoning ordinance and map to reflect the recommendations of the Community Plan's Land Use Plan and establish development review and approval procedures that streamline and improve the infill development process.*

Proposed Changes

Staff recommends the following:

- 1) A resolution adopting a Future Land Use Map and Zoning District alignment policy.
- 2) A resolution to amend the Future Land Use Map to update it based on rezonings that have occurred since it was adopted in 2018.
- 3) An ordinance requiring a Future Land Use Map amendment when a rezoning is inconsistent with the Future Land Use Map. The goal is to keep the Future Land Use Map current with zoning activity.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING THE FUTURE LAND USE
MAP AND ZONING DISTRICT ALIGNMENT POLICY.**

WHEREAS, the City of Bentonville adopted a the Community Plan and Future Land Use Map, in 2018; and,

WHEREAS, an adopted policy will provide the necessary guidance on using the Future Land Use Map in the analysis of rezoning decisions.

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

Section 1. That the City of Bentonville hereby adopts Attachment A: Future Land Use Map and Zoning Districts Alignment Policy, an electronic copy and paper copy of which is on file with the City Clerk, and is hereby adopted by reference as though it were copied herein fully.

PASSED and APPROVED this ____ day of _____, 2021.

Approved:

Mayor Stephanie Orman

ATTEST:

City Clerk

ATTACHMENT A

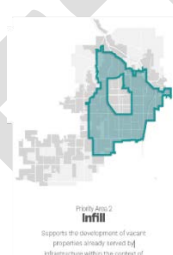


Future Land Use Map and Zoning Districts Alignment Policy

This document establishes the policy for reviewing rezoning requests in the City of Bentonville. All rezoning requests should be reviewed according to the following criteria:

1. Consistency with the Future Land Use Plan.
2. Consistency with the vision and policies of the Community Plan.
3. Relationship and effect on the land use and zoning of the surrounding area.
4. Compatibility with recent development activity in the surrounding area.

The table below provides guidance for the first criteria above to support implementation of the Community Plan. It recommends the most appropriate zoning districts for each land use category in the Future Land Use Plan. The district listed first is the most compatible.

Land Use Classification	 Priority Area 1: Downtown Intensification	 Priority Area 2: Infill	 Priority Area 3: Edge Growth
Agriculture	--	--	A-1
Residential Estate	--	--	R-E
Low-Density Residential	DN-1 / PRD	R-1 / PRD	R-1 / PRD / RMH
Medium-Density Residential	DN-2 / RC-2 / PRD	R-2 / R-3 / R-ZL / PRD / RO	R-2 / R-3 / R-ZL / PRD / RO
High Density Residential	DN-3 / DN-4 / RC-3 / PRD	R-4 / R-3 / PRD	R-4 / R-3 / PRD
Mixed-Use Commercial	DC / DN-4 / C-3 ¹ / PUD	C-3 / PUD	C-3 / PUD
General Commercial	C-1 ¹ / C-2 ¹ / PUD	C-1 / C-2	C-1 / C-2
Downtown Commercial	DC / DE / DN-4 / PUD	--	--
Office	DC / DE / R-O	R-O / C-1 / C-2	R-O / C-1
Light Industrial	--	I-1	I-1
Heavy Industrial	--	--	I-2
Utility/Transportation	--	I-1	I-1 / I-2
Public/Semi-Public	Review for compatibility on a cases-by-case basis and should not be required to submit a Future Land Use map amendment until corresponding districts for these classifications are adopted.		
Parks			
Open Space			

¹Only fronting N. Walton Blvd., SW 14th St. or NW J St.

Disclaimer: This policy has been adopted by resolution. It does not have the weight of law. It is provided as a decision making tool in implementation of the Future Land Use Map of the Community Plan and does not guarantee approval of any rezoning request.

RESOLUTION NO. _____

A RESOLUTION ADOPTING A REVISED FUTURE LAND USE MAP OF THE CITY OF BENTONVILLE TO REFLECT APPROVED REZONINGS SINCE THE FUTURE LAND USE MAP WAS ADOPTED IN 2018.

WHEREAS, City Council approved the Future Land Use Map as part of the Community Plan on October 23, 2018 with Resolution No. 10-23-18A; and,

WHEREAS, the Future Land Use Map should be updated to reflect recent rezoning activity; and,

WHEREAS, public notice of said hearing having been published in the Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the updated Future Land Use Map be approved.

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

Section 1: That the Bentonville Future Land Use Map should be and the same is hereby amended with the following *Attachment A: Bentonville Future Land Use Map – April 2021 Update*, an electronic copy and paper copy of which is on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully.

Section 2: That this resolution shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

Recommended Land Use Amendments

PROJECT	PCNOTES	PCDATE	LAND USE DESIGNATION	CURRENT ZONING	RECOMMENDED LAND USE
PRD18-0003	BENTONVILLE NORTH VILLAGE	7/3/2018	Residential Estate	PRD	Medium-Density Residential
RZ18-0029	9801 GASTON RD RZ A-1 TO R-E	10/16/2018	Agriculture	R-E	Residential Estate
RZ18-0030	SIMON 206 SE B ST RZ R-1 TO D-E	10/16/2018	High Density Residential	D-E	Downtown Commercial
RZ18-0031	5036 SW Shell Rd Rezone A-1 to R-1	11/6/2018	Residential Estate	R-1	Low-Density Residential
PRD18-0004	Aurora Partners, LLC.	12/4/2018	Agriculture	PRD	Low-Density Residential
RZ18-0036	R-1 to DN-2	1/15/2019	Open Space	PRD	Medium-Density Residential
RZ18-0039	HARBIN POINTE ADD PH-2 LOTS 3-4	2/5/2019	Residential Estate	R-3	Medium-Density Residential
RZ19-0003	PARNELL LOT 10 VINTAGE ESTATE PUD TO R-O	3/19/2019	Medium Density Residential	R-O	Office
RZ19-0006	403 NW 6TH ST RZ R-1 TO DN-1	4/2/2019	Medium Density Residential	DN-1	Medium-Density Residential
RZ19-0007	SS PROPERTIES RZ A-1 & PUD TO C-2	4/2/2019	General Commercial	R-3	High-Density Residential
RZ19-0008	SEWELL FAMILY DEV RZ A-1 TO R-1	4/2/2019		R-1	Low-Density Residential
RZ19-0010	YOUNGS ADD LOTS 5,9 & 10 BLK 4 RZ R-1 TO DN-4	5/7/2019	Low Density Residential	DN-4	High-Density Residential
RZ19-0011	301 SW 4TH ST RZ R-Z TO DN	5/7/2019	Medium Density Residential	D-E	Downtown Commercial
RZ19-0012	C-1 to C-2 2902 SE I Street	5/7/2019	Residential Estate	C-2	Office
RZ19-0014	BLUFFS PROPERTY OWNERS ASSOC. RZ A-1 TO R-1	5/21/2019	Residential Estate	A-1	Low-Density Residential
RZ19-0013	BASCO & BISHOP RZ A-1 & R-1 TO C-2	5/21/2019	Residential Estate	C-2	Office
RZ19-0017	GLASS INVESTMENTS RZ A-1 to I-1	7/2/2019	Mixed-Use	I-1	Light Industrial
RZ19-0019	HOLLAND FAMILY TRUST RZ A-1 TO R-4	7/16/2019	Residential Estate	R-4	High-Density Residential
RZ19-0025	R-1 to C-2 2603 SE 14th Street	8/20/2019	Office	C-2	General Commercial
RZ19-0027	A-1 to R-ZL	8/20/2019	Residential Estate	R-ZL	Medium-Density Residential
RZ19-0026	A-1 to C-2	8/20/2019	Office	C-2	Office
RZ19-0029	RZ R-3, R-2 & R-O TO DE MONTERO PROPERTIES OF NWA	10/1/2019	High Density Residential	D-E	Downtown Commercial
RZ19-0035	PATIL & DHARMADHIKARI	12/3/2019	High Density Residential	R-O	Office
RZ19-0034	REYES RZ R-1 TO R-4	12/3/2019	Low Density Residential	R-4	High-Density Residential
RZ19-0036	WM 63 RE 1 LLC RZ PUD TO R-2	12/3/2019	Agriculture	R-2	Medium-Density Residential
RZ19-0039	215 NW A ST RZ R-3 TO D-C	1/21/2020	High Density Residential	D-C	Downtown Commercial
RZ19-0047	WHITLEY & WITTEN RZ R-1 TO DN-4	1/21/2020	Low Density Residential	DN-4	High-Density Residential
RZ19-0048	BERTSCHY TRUST RZ A-1 TO C-3	1/21/2020	Residential Estate	C-3	Mixed-Use
RZ19-0049	B'VILLE ACADEMY OF MUSIC RZ RC-2 TO DN-4	1/21/2020	Downtown Commercial	DN-4	Downtown Commercial
PRD19-0003	THE RESERVE BENTONVILLE	1/21/2020	Open Space	PRD	Medium-Density Residential
RZ20-0001	PUMP STATION RZ R-Z TO DN-3	2/18/2020	Public / Semi-Public	DN-3	Medium-Density Residential
RZ20-0003	PATTON TRUST RZ A-1 TO C2	3/3/2020	Residential Estate	C-2	General Commercial
RZ20-0006	KIRKPATRICK RZ A-1 TO R-1	4/7/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0012	NORTHWEST BAPTIST ASSOC RZ A-1 & R-E TO R-O	4/7/2020	Residential Estate	R-O	Office
RZ20-0014	DAKOTA LEASING RZ C-2 TO C-3	4/21/2020	General Commercial	C-3	Mixed-Use
RZ20-0015	CITY OF B'VILLE COM DEV BLDG RZ I-1 TO C-2	4/21/2020	Light Industrial	C-2	Public/Semi-Public
RZ20-0013	BERTRAND RZ A-1 & R-E TO R-1	5/5/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0016	CICH RZ A-1 TO C-2	5/5/2020	Residential Estate	C-2	General Commercial
RZ20-0018	BENTONVILLE/BELLA VISTA TRAILBLAZERS RZ A-1 TO C-2	6/16/2020	Medium Density Residential	C-2	Parks
RZ20-0020	BENTONVEST FUND IV	7/7/2020	Medium Density Residential	R-O	Office
PRD20-0001	TYLLUAN PRD	7/7/2020	Open Space	PRD	Medium-Density Residential
RZ20-0022	ELB LAND HOLDINGS RZ R-1 TO R-ZL	7/21/2020	Low Density Residential	R-ZL	Medium-Density Residential
RZ20-0023	G & I PROPERTIES RZ C-2 & PUD TO R-3	7/21/2020	General Commercial	R-3	High-Density Residential
RZ20-0025	OSAGE RE HOLDINGS RZ PUD TO R-1	7/21/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0026	SW I ST RZ A-1 TO C-2	7/21/2020	Medium Density Residential	C-2	General Commercial
RZ20-0034	408 SE D ST RZ R-1 TO DN-2	8/18/2020	High Density Residential	DN-2	High-Density Residential

RZ20-0029	R-1 to R-3	9/1/2020	Low Density Residential	R-3	Medium-Density Residential
RZ20-0035	LUTTRELL RZ A-1 TO R-1	9/1/2020	Open Space	R-1	Low-Density Residential
RZ20-0036	CASEY RZ A-1 TO R-O	9/1/2020	High Density Residential	R-O	Office
RZ20-0038	STANLEY RZ A-1 TO R-3	9/15/2020	General Commercial	R-3	High-Density Residential
RZ20-0037	HARMON RZ A-1 TO R-1	9/15/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0039	HARMON COM RZ A-1 TO C-1	9/15/2020	Residential Estate	C-1	Office
RZ20-0042	ML, RES, LLC RZ R-1 TO DN-2	10/6/2020	High Density Residential	DN-2	High-Density Residential
RZ20-0043	405 SE 5TH ST, LLC RZ C-2 TO DE	10/6/2020	High Density Residential	D-E	Downtown Commercial
RZ20-0045	CAMPBELL & MEEKS RZ R-1 TO DN-3	10/6/2020	Low Density Residential	DN-3	High-Density Residential
RZ20-0048	9084 LEE HARRIS RD RZ A-1 TO R-1	11/3/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0052	MURRAY & WILLIAMS RZ A-1 TO R-4	11/3/2020	Residential Estate	R-4	High-Density Residential
RZ20-0053	YOUNGS ADD LOTS 6-7 BLK 3 RZ R-1 TO DN-2	12/1/2020	Medium Density Residential	DN-4	High-Density Residential
RZ20-0056	LOT 10 CRYSTAL BRIDGES RZ A-1 TO C-3	12/1/2020	Public / Semi-Public	C-3	Public/Semi-Public
RZ20-0057	DEMINGS ADD LOT 18 BLK 3 RZ R-1 TO DN-2	12/1/2020	High Density Residential	D-E	Downtown Commercial
RZ20-0064	4800 S VAUGHN RD A-1 to R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ20-0069	GAFFNEY RZ A-1 TO R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ20-0068	SHASTA PROPERTIES RZ A-1 TO R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ20-0070	EVERSOLE ADD PART OF LOT 18	2/2/2021	Medium Density Residential	R-3	Medium-Density Residential
RZ21-0001	PARCEL 01-00828-115 RZ A-1 TO C-2 & C-1	3/2/2021	Residential Estate	C-2/C-1	General Commercial/Office
RZ21-0002	302 NW A ST RZ R-1 TO D-E	3/2/2021	High Density Residential	DE	Downtown Commercial
RZ21-0004	LAROSE DEV RZ C-2 TO C-3	3/2/2021	General Commercial	C-3	Mixed-Use
RZ21-0005	TAILOR FAMILY DEV RZ C-2 TO C-3	3/2/2021	Office	C-3	Mixed-Use
RZ20-0059	KALAISELVAN RZ A-1 TO R-4	4/6/2021	Residential Estate	R-2/R-3	Medium-Density Residential
RZ20-0074	CRYSTAL BRIDGES RZ A-1 TO C-3	3/2/2021	Public / Semi-Public	C-3	Public/Semi-Public
RZ21-0010	ALEXANDRA TIRADO-WANG RZ A-1 TO R-3	3/16/2021	Low Density Residential	R-3	Medium-Density Residential
RZ21-0017	ORCHARDS ADD LOT 1 BLK H RZ R1 TO DE	3/16/2021	High Density Residential	DE	High-Density Residential
RZ21-0021	R-1 to D-E	3/16/2021	Medium Density Residential	DE	Downtown Commercial

Note: Highlighted Items are rezoning projects that did not meet the Land Use Plan at the time of approval, but Land Use Amndments are not recommended. Each of these items are discussed within the Staff Report.

All Rezoning Projects by Land Use

PROJECT	PCNOTES	PCDATE	LAND USE DESIGNATION	CURRENT ZONING	RECOMMENDED LAND USE
PRD18-0003	BENTONVILLE NORTH VILLAGE	7/3/2018	Residential Estate	PRD	Medium-Density Residential
RZ18-0029	9801 GASTON RD RZ A-1 TO R-E	10/16/2018	Agriculture	R-E	Residential Estate
RZ18-0030	SIMON 206 SE B ST RZ R-1 TO D-E	10/16/2018	High Density Residential	D-E	Downtown Commercial
RZ18-0034	BURNETT RZ A1 TO DN2	11/20/2018	Medium Density Residential	DN-2	
RZ18-0032	SMITH - PARCEL 01-07928-030 RZ A1 TO RE	11/20/2018	Residential Estate	R-E	
RZ18-0033	OSTERLOH PARCEL 01-02379-000 R1 TO DN1	11/20/2018	Low Density Residential	DN-1	
RZ18-0035	411 TIGER BLVD R-3 TO DN-4	12/18/2018	High Density Residential	DN-4	
RZ18-0037	ROPESWING GROUP SE E ST	1/15/2019	Downtown Commercial	PUD	
RZ18-0031	5036 SW Shell Rd Rezone A-1 to R-1	11/6/2018	Residential Estate	R-1	Low-Density Residential
RZ19-0001	REZONE PUD & R-2 TO C-2 PARCEL 01-07933-051	2/19/2019	General Commercial	C-2	
PRD18-0004	Aurora Partners, LLC.	12/4/2018	Agriculture	PRD	Low-Density Residential
RZ19-0002	HARBIN POINT ADD PH-2 LOTS 5-8 PUD TO C2	3/19/2019	General Commercial	C-2	
RZ18-0036	R-1 to DN-2	1/15/2019	Open Space	PRD	Medium-Density Residential
RZ19-0004	109 SE 14th St C-3 to D-C	3/19/2019	Mixed-Use	D-C	
RZ18-0039	HARBIN POINTE ADD PH-2 LOTS 3-4	2/5/2019	Residential Estate	R-3	Medium-Density Residential
RZ19-0003	PARNELL LOT 10 VINTAGE ESTATE PUD TO R-O	3/19/2019	Medium Density Residential	R-O	Office
RZ19-0006	403 NW 6TH ST RZ R-1 TO DN-1	4/2/2019	Medium Density Residential	DN-1	Medium-Density Residential
RZ19-0005	OZARK BIBLE FELLOWSHIP RZ R-1 TO DN-3	4/2/2019	High Density Residential	DN-3	
RZ19-0009	1253 SW REGIONAL AIRPORT BLVD RZ R-1 TO C-2	4/16/2019	General Commercial	C-2	
RZ19-0007	SS PROPERTIES RZ A-1 & PUD TO C-2	4/2/2019	General Commercial	R-3	High-Density Residential
RZ19-0008	SEWELL FAMILY DEV RZ A-1 TO R-1	4/2/2019		R-1	Low-Density Residential
RZ19-0010	YOUNGS ADD LOTS 5,9 & 10 BLK 4 RZ R-1 TO DN-4	5/7/2019	Low Density Residential	DN-4	High-Density Residential
RZ19-0011	301 SW 4TH ST RZ R-Z TO DN	5/7/2019	Medium Density Residential	D-E	Downtown Commercial
RZ19-0012	C-1 to C-2 2902 SE I Street	5/7/2019	Residential Estate	C-2	Office
RZ19-0015	WALLACE RZ DE TO DC	5/21/2019	Downtown Commercial	D-E	
RZ19-0014	BLUFFS PROPERTY OWNERS ASSOC. RZ A-1 TO R-1	5/21/2019	Residential Estate	A-1	Low-Density Residential
RZ19-0018	WALMART PROPERTIES RZ I-2 & R-1 TO C-2	7/2/2019	General Commercial	C-2	
RZ19-0013	BASCO & BISHOP RZ A-1 & R-1 TO C-2	5/21/2019	Residential Estate	C-2	Office
RZ19-0021	EVERSOLE ADD LOT 14 C-3 TO C-2	8/6/2019	General Commercial	C-2	
RZ19-0022	R-3 to D-E	8/6/2019	Downtown Commercial	D-E	
RZ19-0023	DN-4 to C-2	8/6/2019	Downtown Commercial	PUD	
RZ19-0024	Southwest E St and Southwest 5th St	8/20/2019	Medium Density Residential	DN-2	
RZ19-0017	GLASS INVESTMENTS RZ A-1 to I-1	7/2/2019	Mixed-Use	I-1	Light Industrial
RZ19-0019	HOLLAND FAMILY TRUST RZ A-1 TO R-4	7/16/2019	Residential Estate	R-4	High-Density Residential
RZ19-0025	R-1 to C-2 2603 SE 14th Street	8/20/2019	Office	C-2	General Commercial
RZ19-0020	RZ BROWN R-1 TO DN-2	10/1/2019	Medium Density Residential	DN-2	
RZ19-0027	A-1 to R-ZL	8/20/2019	Residential Estate	R-ZL	Medium-Density Residential
RZ19-0030	RZ DN-4 TO DE LOT 1 BLK K ORCHARD ADDITION	10/15/2019	Downtown Commercial	D-E	
RZ19-0031	MUSTARD SEED RZ PUD TO C-2	10/15/2019	General Commercial	C-2	
RZ19-0032	ELZEY A-1 TO R-2	11/5/2019	Medium Density Residential	R-2	
RZ19-0033	NORTH AR WHOLESALE CO RZ R1 TO DN2	11/19/2019	Medium Density Residential	DN-2	
RZ19-0026	A-1 to C-2	8/20/2019	Office	C-2	Office
RZ19-0029	RZ R-3, R-2 & R-O TO DE MONTERO PROPERTIES OF NWA	10/1/2019	High Density Residential	D-E	Downtown Commercial
RZ19-0035	PATIL & DHARMADHIKARI	12/3/2019	High Density Residential	R-O	Office
RZ19-0038	BELLA TERRA RZ C-1 TO C-1	1/21/2020	General Commercial	C-2	
RZ19-0034	REYES RZ R-1 TO R-4	12/3/2019	Low Density Residential	R-4	High-Density Residential

RZ19-0042	BELLA VISTA CHURCH OF CHRIST RZ A-1 TO C-1	1/21/2020	General Commercial	C-2	
RZ19-0043	CJIC PROPERTIES RZ R-1 TO DN-2	1/21/2020	Medium Density Residential	DN-2	
RZ19-0046	PENSCO TRUST CO RZ R-1 TO DE	1/21/2020	Downtown Commercial	D-E	
RZ19-0036	WM 63 RE 1 LLC RZ PUD TO R-2	12/3/2019	Agriculture	R-2	Medium-Density Residential
RZ19-0039	215 NW A ST RZ R-3 TO D-C	1/21/2020	High Density Residential	D-C	Downtown Commercial
RZ19-0047	WHITLEY & WITTEN RZ R-1 TO DN-4	1/21/2020	Low Density Residential	DN-4	High-Density Residential
RZ19-0048	BERTSCHY TRUST RZ A-1 TO C-3	1/21/2020	Residential Estate	C-3	Mixed-Use
RZ19-0049	B'VILLE ACADEMY OF MUSIC RZ RC-2 TO DN-4	1/21/2020	Downtown Commercial	DN-4	Downtown Commercial
RZ20-0002	SAMPLE	2/4/2020	Downtown Commercial	DN-4	
RZ20-0004	403 SW C ST RZ R-1 TO DN-2	4/7/2020	Medium Density Residential	DN-2	
RZ20-0007	502 NW 3RD ST RZ R-1 TO DN-2	5/5/2020	Low Density Residential	DN-1	
RZ20-0009	211 SW F ST RZ R-1 TO DN-2	4/7/2020	Medium Density Residential	DN-2	
PRD19-0003	THE RESERVE BENTONVILLE	1/21/2020	Open Space	PRD	Medium-Density Residential
RZ20-0010	402 SE G ST RZ DN-3 TO DE	4/7/2020	High Density Residential	DN-4	
RZ20-0011	BRANNON ESSLINGER CRYSTAL CREEK REALTY	5/5/2020	High Density Residential	DN-3	
RZ20-0001	PUMP STATION RZ R-Z TO DN-3	2/18/2020	Public / Semi-Public	DN-3	Medium-Density Residential
RZ20-0003	PATTON TRUST RZ A-1 TO C2	3/3/2020	Residential Estate	C-2	General Commercial
RZ20-0006	KIRKPATRICK RZ A-1 TO R-1	4/7/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0012	NORTHWEST BAPTIST ASSOC RZ A-1 & R-E TO R-O	4/7/2020	Residential Estate	R-O	Office
RZ20-0014	DAKOTA LEASING RZ C-2 TO C-3	4/21/2020	General Commercial	C-3	Mixed-Use
RZ20-0015	CITY OF B'VILLE COM DEV BLDG RZ I-1 TO C-2	4/21/2020	Light Industrial	C-2	Public/Semi-Public
RZ20-0013	BERTRAND RZ A-1 & R-E TO R-1	5/5/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0021	HARBIN NORTH TOWNHOMES RZ C-2 & PUD TO R-3	7/7/2020	High Density Residential	R-3	
RZ20-0019	Rezoning R-1 to DN-1 107 SW F St.	7/7/2020	Low Density Residential	DN-1	
RZ20-0016	CICH RZ A-1 TO C-2	5/5/2020	Residential Estate	C-2	General Commercial
RZ20-0018	BENTONVILLE/BELLA VISTA TRAILBLAZERS RZ A-1 TO C-2	6/16/2020	Medium Density Residential	C-2	Parks
RZ20-0020	BENTONVEST FUND IV	7/7/2020	Medium Density Residential	R-O	Office
PRD20-0001	TYLLUAN PRD	7/7/2020	Open Space	PRD	Medium-Density Residential
RZ20-0027	R-ZL to R-3	7/21/2020	Medium Density Residential	R-ZL	
RZ20-0028	DESAVADO LIVING TRUST RZ R-1 TO DN-2	7/21/2020	Medium Density Residential	DN-2	
RZ20-0022	ELB LAND HOLDINGS RZ R-1 TO R-ZL	7/21/2020	Low Density Residential	R-ZL	Medium-Density Residential
RZ20-0030	RAINBOW HOMEBUYERS RZ R-1 TO DN-2	8/18/2020	Medium Density Residential	DN-2	
RZ20-0031	BREWER RZ R-1 TO DN-2	8/18/2020	Medium Density Residential	DN-2	
RZ20-0032	BENTONVILLE PLAZA PARTNERS RZ C-3 TO C-2	8/18/2020	General Commercial	C-2	
RZ20-0023	G & I PROPERTIES RZ C-2 & PUD TO R-3	7/21/2020	General Commercial	R-3	High-Density Residential
RZ20-0025	OSAGE RE HOLDINGS RZ PUD TO R-1	7/21/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0026	SW I ST RZ A-1 TO C-2	7/21/2020	Medium Density Residential	C-2	General Commercial
RZ20-0034	408 SE D ST RZ R-1 TO DN-2	8/18/2020	High Density Residential	DN-2	High-Density Residential
RZ20-0029	R-1 to R-3	9/1/2020	Low Density Residential	R-3	Medium-Density Residential
RZ20-0035	LUTTRELL RZ A-1 TO R-1	9/1/2020	Open Space	R-1	Low-Density Residential
RZ20-0036	CASEY RZ A-1 TO R-O	9/1/2020	High Density Residential	R-O	Office
RZ20-0038	STANLEY RZ A-1 TO R-3	9/15/2020	General Commercial	R-3	High-Density Residential
RZ20-0037	HARMON RZ A-1 TO R-1	9/15/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0044	BANWARTH RZ R-1 TO DN-2	10/6/2020	Medium Density Residential	DN-2	
RZ20-0047	BAILEY R-1 TO DN-2	10/20/2020	Medium Density Residential	DN-2	
RZ20-0046	TOLLETT WOOD RZ PUD TO C-2	10/20/2020	General Commercial	C-2	
RZ20-0039	HARMON COM RZ A-1 TO C-1	9/15/2020	Residential Estate	C-1	Office

RZ20-0051	405-407-409 SW D ST RZ R-1 TO DN-2	11/3/2020	Medium Density Residential	DN-2	
RZ20-0050	1112 FILLMORE ST RZ R-1 TO DN-2	11/3/2020	Medium Density Residential	DN-2	
RZ20-0049	319 SW 4TH ST RZ R-1 TO R-2	11/3/2020	Medium Density Residential	R-2	
RZ20-0042	ML, RES, LLC RZ R-1 TO DN-2	10/6/2020	High Density Residential	DN-2	High-Density Residential
RZ20-0043	405 SE 5TH ST, LLC RZ C-2 TO DE	10/6/2020	High Density Residential	D-E	Downtown Commercial
RZ20-0054	208 SE 6TH ST RZ R-1 TO DE	12/1/2020	Downtown Commercial	D-E	
RZ20-0045	CAMPBELL & MEEKS RZ R-1 TO DN-3	10/6/2020	Low Density Residential	DN-3	High-Density Residential
RZ20-0055	510 NW D ST RZ R-1 TO DN2	12/1/2020	Medium Density Residential	DN-2	
RZ20-0058	811 NE A ST RZ R-1 TO DN-2	12/1/2020	Medium Density Residential	DN-2	
RZ20-0048	9084 LEE HARRIS RD RZ A-1 TO R-1	11/3/2020	Residential Estate	R-1	Low-Density Residential
RZ20-0065	EMMA PARTNERS RZ DE TO DC	1/5/2021	Downtown Commercial	D-C	
RZ20-0066	EMMA PARTNERS LOT 27 BLK 1 RZ DE TO DC	1/5/2021	Downtown Commercial	D-C	
RZ20-0067	3302 SE L ST RZ A-1 TO R-3	1/5/2021	High Density Residential	R-3	
RZ20-0052	MURRAY & WILLIAMS RZ A-1 TO R-4	11/3/2020	Residential Estate	R-4	High-Density Residential
RZ20-0061	PINNACLE VILLAS RZ A-1 TO C-2	1/5/2021	General Commercial	C-2	
RZ20-0053	YOUNGS ADD LOTS 6-7 BLK 3 RZ R-1 TO DN-2	12/1/2020	Medium Density Residential	DN-4	High-Density Residential
RZ20-0056	LOT 10 CRYSTAL BRIDGES RZ A-1 TO C-3	12/1/2020	Public / Semi-Public	C-3	Public/Semi-Public
RZ20-0057	DEMINGS ADD LOT 18 BLK 3 RZ R-1 TO DN-2	12/1/2020	High Density Residential	D-E	Downtown Commercial
RZ20-0073	LINCOLN & RICE ADD LOTS 7-12 RZ C1 TO C3	1/19/2021	Mixed-Use	C-3	
RZ20-0075	YOUNGS ADD LOT 2 BLK 3 RZ R-1 TO DN-1	2/2/2021	Low Density Residential	DN-1	
RZ20-0064	4800 S VAUGHN RD A-1 to R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ20-0069	GAFFNEY RZ A-1 TO R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ21-0003	ORCHARD ADD PART OF BLOCK L RZ DE TO DC	2/2/2021	Downtown Commercial	DC	
RZ20-0068	SHASTA PROPERTIES RZ A-1 TO R-1	1/5/2021	Agriculture	R-1	Low-Density Residential
RZ20-0070	EVERSOLE ADD PART OF LOT 18	2/2/2021	Medium Density Residential	R-3	Medium-Density Residential
RZ21-0006	WAYNE ALEXANDER RZ R-2 TO DN-2	3/2/2021	Medium Density Residential	DN-2	
RZ21-0001	PARCEL 01-00828-115 RZ A-1 TO C-2 & C-1	3/2/2021	Residential Estate	C-2/C-1	General Commercial/Office
RZ21-0007	514 SE E ST RZ R-3 TO D-E	3/16/2021	Downtown Commercial	DE	
RZ21-0009	900 SW REGIONAL AIRPORT BLVD RZ A-1 TO C-2	3/16/2021	General Commercial	C-2	
RZ21-0008	312 S MAIN ST RZ D-E TO D-C	3/16/2021	Downtown Commercial	DC	
RZ21-0002	302 NW A ST RZ R-1 TO D-E	3/2/2021	High Density Residential	DE	Downtown Commercial
RZ21-0012	ORCHARD ADD LOT 2 BLK F RZ R-1 TO D-E	3/16/2021	Downtown Commercial	DE	
RZ21-0004	LAROSE DEV RZ C-2 TO C-3	3/2/2021	General Commercial	C-3	Mixed-Use
RZ21-0014	ORTHO MEK RZ C-1 TO C-2	3/16/2021	General Commercial	C-2	
RZ21-0005	TAILOR FAMILY DEV RZ C-2 TO C-3	3/2/2021	Office	C-3	Mixed-Use
RZ21-0015	203 SE 7TH ST.	3/16/2021	Downtown Commercial	DE	
RZ21-0018	408 S MAIN ST RZ D-E TO D-C	4/6/2021	Downtown Commercial	DC	
RZ21-0020	707 SE C ST RZ R-1 TO D-E	4/6/2021	Downtown Commercial	DE	
RZ21-0022	LOTS 6-7 BLK 1 RZ R-1 TO DN-4	4/6/2021	High Density Residential	DN-4	
RZ20-0059	KALAISELVAN RZ A-1 TO R-4	4/6/2021	Residential Estate	R-2/R-3	Medium-Density Residential
RZ20-0074	CRYSTAL BRIDGES RZ A-1 TO C-3	3/2/2021	Public / Semi-Public	C-3	Public/Semi-Public
RZ21-0010	ALEXANDRA TIRADO-WANG RZ A-1 TO R-3	3/16/2021	Low Density Residential	R-3	Medium-Density Residential
PRD18-0005	CITY U	12/18/2018	High Density Residential	PRD	
PRD19-0001	W A BURKS LOTS 18-25 BLK 10 BRIARTOWN PKT COM	8/6/2019	Medium Density Residential	PRD	
PRD19-0002	BLACK APPLE SPRINGS	12/17/2019	Medium Density Residential	PRD	
RZ21-0017	ORCHARDS ADD LOT 1 BLK H RZ R1 TO DE	3/16/2021	High Density Residential	DE	High-Density Residential
PRD19-0004	BELLA VISTA ROAD HOUSING	1/21/2020	Medium Density Residential	PRD	

PRD19-0006	OZ VILLAGE	2/4/2020	Medium Density Residential	PRD	
PUD20-0001	SOMO PUD C-2 & DN-4 TO PUD	2/18/2020	Public / Semi-Public	PUD	
RZ21-0021	R-1 to D-E	3/16/2021	Medium Density Residential	DE	Downtown Commercial
PUD20-0002	WALMART CAMPUS	8/18/2020	General Commercial	PUD	

Note: Highlighted Items are rezoning projects that did not meet the Land Use Plan at the time of approval, but Land Use Amndments are not recommended. Each of these items are discussed within the Staff Report.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CODE TO REQUIRE AN AMENDMENT TO THE BENTONVILLE COMMUNITY PLAN FUTURE LAND USE MAP WHEN A REZONING REQUEST IS INCONSISTENT WITH THE FUTURE LAND USE MAP.

WHEREAS, on September 9, 2008, Bentonville City Council adopted a voluntary process for amending the General Plan; and,

WHEREAS, the City of Bentonville has since adopted a new Community Plan and Future Land Use Map, replacing the General Plan; and,

WHEREAS, to ensure that the Future Land Use Map remains a current document, the Future Land Use Map should be amended when a rezoning request is inconsistent with the land use classification recommended in the Future Land Use Plan.

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

Section 1. That the Sec. 301.08 of the Zoning Code shall be and is hereby amended by adding the following underlined text:

301.08 (b)(1) Application.

- a. If the rezoning request is for a zoning district inconsistent with the land use classification recommended by the Future Land Use Plan, as guided by the Future Land Use Plan and Zoning Districts Alignment Policy, the applicant shall also submit an application for a Future Land Use Plan map amendment, at no charge, to the planning department in accordance with current planning department policies and procedures.

Section 2. That Resolution No. 9-09-08A is hereby repealed.

Section 3. That 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 _____, 2021.

Approved:

Mayor Stephanie Orman

ATTEST:

City Clerk

ORDINANCE STAFF REPORT



Removal of DC/DE Sidewalk Standards

PC Date: 4/20/2021

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Zoning Code
Section(s)	Art. 401 Zoning Regulations

Issue

The regulations of the Zoning Code for the DC, Downtown Core and DE, Downtown Edge zoning districts conflict with the recently adopted Master Street Plan. The proposed amendment addresses this conflict and improves alignment between the Zoning Code and Master Street Plan.

Background

In 2009, the city adopted the DC, Downtown Core and DE, Downtown Edge zoning districts (Ord. No. 2009-111). At the time, the Master Street Plan did not identify street sections specifically for downtown and a more urban environment. So, the city established regulations to extend the walkable and pedestrian scale characteristics of the square to all areas in the Downtown Core or Downtown Edge districts. The ordinance identified primary streets (Central Ave, SW A St, SW 8th St, and S Main St.) and secondary streets (all others). These street classifications regulate sidewalks, building placement, parking placement, and street trees.

On January 12, 2021, the city adopted a new Master Street Plan that included specific cross sections for downtown collector and downtown local streets. The cross sections address the sidewalk requirements and on-street parking needs of the downtown area. The Master Street Plan is also aligned with the Bicycle and Pedestrian Master Plan that addresses pedestrian and bicycling infrastructure. With the Master Street Plan now adequately addressing urban street design, the primary and secondary streets of the DC and DE districts conflict with the Master Street Plan and are no longer necessary.

Relationship to the Community Plan

The Community Plan recommends addressing the infill of sidewalks in and around the downtown area (pg. 86). This amendment allows the Master Street Plan to serve as the primary guide for sidewalk improvements in the downtown area. It also results in more consistent application of the requirements throughout downtown, being based on the street classifications of the Master Street Plan instead of by zoning district.

ORDINANCE STAFF REPORT

Proposed Changes

Staff recommends the following amendments

- | | |
|--|---|
| 1. Eliminate the primary and secondary streets in the DC and DE district regulations. | <i>Zoning Code, Sec. 401.08-B (b)
Downtown districts primary and secondary streets.</i> |
| 2. Amend encroachment standards by replacing “primary” with “arterial or collector” and replacing “secondary” with “downtown local.” | <i>Zoning Code, Sec. 401.08-B Sec. (f)
Downtown districts encroachment standards.</i> |
| 3. Amend the sidewalk requirements to be in accordance with the Master Street Plan. | <i>Land Development Code, Sec.
1100.15 Sidewalks, (d) Requirement.</i> |
| 4. Amend the corner architecture requirement based on intersecting arterials/collectors, instead of two primary streets. | <i>Land Development Code,
Sec.1100.23(h) Corner architecture.</i> |
| 5. Amend building placement to eliminate primary and secondary streets and require 80% of façade to be placed at the maximum allowed setback for both districts. | <i>Land Development Code, Sec.
1100.23 (k) Building placement.</i> |
| 6. Amend parking placement by replacing “primary streets” with “arterial or collector streets.” | <i>Land Development Code, Sec.
1100.23 (l) Parking placement.</i> |
| 7. Amend site amenity standards by replacing “primary and secondary streets” with “all streets.” | <i>Land Development Code, Sec.
1100.23 (m) Parking placement.</i> |
| 8. Amend street tree planting requirements by replacing “primary” with “arterial or collector” and replacing “secondary” with “downtown local.” | <i>Land Development Code, Sec.
1400.16 (b) Downtown zoning street tree planting requirements.</i> |

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ZONING CODE TO REMOVE THE
SIDEWALK STANDARDS IN THE DC DOWNTOWN CORE AND DE
DOWNTOWN EDGE ZONING DISTRICTS.**

WHEREAS, Ordinance No. 2009-11 adopted the DC Downtown Core and DE Downtown Edge zoning districts that establish primary and secondary streets within those districts.

WHEREAS, on January 21, 2021, City Council adopted the current Master Street Plan that includes street classifications specific to downtown streets; and,

WHEREAS, there is no longer a need for the primary and secondary streets in the DC and DE zoning districts.

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

Section 1. That the Bentonville Zoning Code and Land Development Code should be and the same is hereby amended with the following *Attachment A: Downtown Districts Primary and Secondary Streets*, an electronic copy and paper copy of which is on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully.

Section 2. That 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 _____, 2021.

Approved:

Mayor Stephanie Orman

ATTEST:

City Clerk

Attachment A: Downtown Districts Primary and Secondary Streets

SECTION 1: **AMENDMENT** “Sec 401.8-B Downtown (D) Districts Regulations” of the Bentonville Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 401.8-B Downtown (D) Districts Regulations

- (b) ~~*Downtown (D) districts primary and secondary streets.*~~ ~~Developments that face primary streets have specific regulations pertaining to the relationship between the building and the street. The designated primary streets in the downtown districts are: Central Ave, SW A St, SW 8th St, and S Main St. All other streets in the downtown districts shall be considered secondary streets.~~

- (f) *Downtown (D) districts encroachment standards.* The table below establishes the standards for encroachments such as canopies, awnings and balconies. Height clearance is measured from the pavement to the bottom most portion of the encroachment. The setback is measured from back of curb or, if no curb is present, from the edge of street pavement.

DOWNTOWN (D) DISTRICTS ENCROACHMENT STANDARDS			
District	Min. height clearance	Min. setback adjacent to an primary <u>arterial or collector</u> street	Min. setback adjacent to a secondary <u>downtown local</u> street
DC	8'	2'	2'
DE	8'	4'	6'

Attachment A: Downtown Districts Primary and Secondary Streets

SECTION 2: **AMENDMENT** “Sec 1100.15 Sidewalk Requirements” of the Bentonville Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 1100.15 Sidewalk Requirements

- (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 according to the Master Street Plan and as set forth in the city's current adopted Standard Specifications for Streets, ~~except as regulated below for downtown sidewalks.~~

~~*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.~~

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

Attachment A: Downtown Districts Primary and Secondary Streets

SECTION 3: AMENDMENT “Sec 1100.23 Downtown (D) Districts Design Standards” of the Bentonville Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 1100.23 Downtown (D) Districts Design Standards

- (h) *Corner architecture.* All buildings located at the corner of the intersection between ~~two primary~~any combination of arterial and collector 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.

- (k) *Building placement.* ~~The table below establishes the~~ A minimum of 80% 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%
Any section along the maximum setback on an primary <u>arterial or collector</u> 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.		

- (l) *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~~arterial or collector streets, unless at the intersection of ~~two primary~~any combination of arterial and collector streets (~~see DC and DE zoning districts for information on primary and secondary streets.~~) Parking drives are highly discouraged along ~~primary~~arterial

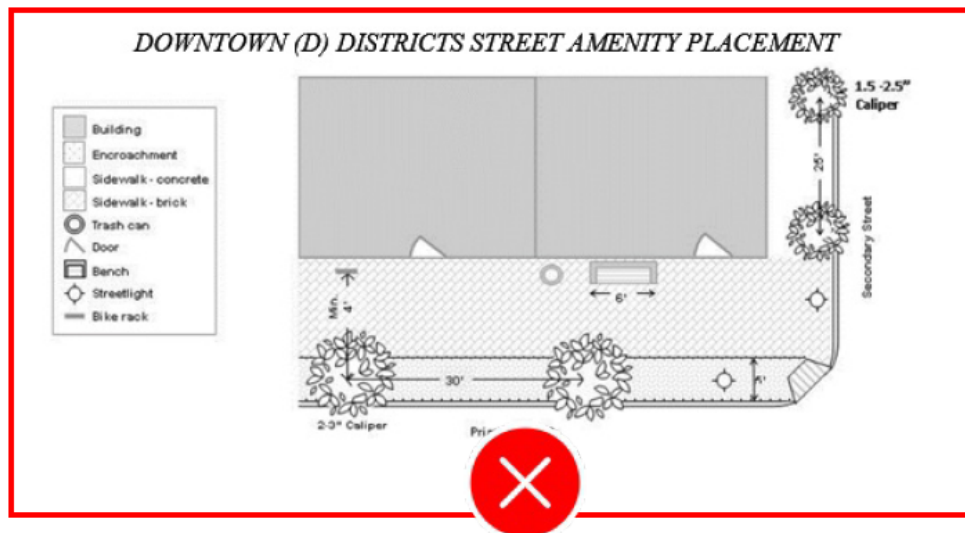
Attachment A: Downtown Districts Primary and Secondary Streets

and collector 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.

- (m) *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 all 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.*

- a. Street trees and streetlights shall not be placed directly in front of an entrance to a building.
- b. All street furniture shall be placed so that a minimum of 4' of the width of the sidewalk is clear and unobstructed.
- c. 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.



Attachment A: Downtown Districts Primary and Secondary Streets

SECTION 4: **AMENDMENT** “Sec 1400.16 Downtown Zoning Districts Landscaping” of the Bentonville Municipal Code is hereby *amended* as follows:

- (a) *Applicability.* The landscaping requirements in this section shall apply to the D-C, Downtown Core Zoning District and the D-E, Downtown Edge Zoning District, depending on the type of street frontage, as established in the zoning code.
- (b) *Downtown zoning street tree planting requirements.* The table below establishes the minimum requirements, unless otherwise indicated, for tree plantings along ~~primary and secondary~~ streets in the Downtown zoning districts. ~~Primary streets and secondary streets are designated in the Downtown zoning district regulations in Article 401 of the Zoning Code.~~

DOWNTOWN ZONING STREET TREE PLANTING REQUIREMENTS		
	Primary <u>Arterial or Collector</u> street	Secondary <u>Downtown Local</u> street
(1) Requirement	1 tree per 30 linear feet	1 tree per 25 linear feet
(2) Spacing	30 feet maximum on center	25 feet maximum on center
(3) Shade	3-inch caliper	2.5-inch caliper
(4) Ornamental	2-inch caliper	1.5-inch caliper
(5) Planting beds	5 feet by 6 feet minimum	3 feet by 3 feet minimum
(6) Tree grates* 	5 feet by 6 feet minimum	3 feet by 3 feet minimum
*Made of cast iron and placed a minimum of twelve (12) feet from streetlights		

REZONING STAFF REPORT



Pinnacle Villas, LLC

SW 3rd and SW E Street

PC Date: 4/20/2021

Reviewer: Tyler Overstreet, AICP, Planning Services Manager

Project Number	RZ20-0060
Applicant/ Current Owner	Pinnacle Villas, LLC
Site Area	0.29 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 on the southeast corner of SW 3rd & SW E Streets; both are Local streets on the Master Street Plan. The property is currently zoned R-1, Single-Family Residential. Surrounding zoning districts are R-

1, Single-Family Residential to the north, south, east, and west.

Relationship to the Bentonville Community Plan

The Land Use Plan identifies this area and the surrounding area as Medium-Density Residential. These areas support the DN-2, Downtown Medium-Density Residential classification that allows for single and two-family homes midblock and townhomes at the end of the block. This lot falls within the Priority Area 1, Downtown Intensification, and Downtown Neighborhood Subarea Plan, Character Area 5, High-Density Residential. Areas immediately adjacent to the Downtown Core and Gateway Corridors are planned for the highest density and range of housing types, including multi-family.

Public Comment

Staff has received public comment on this rezoning request.

Analysis

This approximately .29 acre parcel contains Lots 2 and 3, Block 5 of Clark's 2nd Addition (Figure 1). These lots are shared with the adjacent parcel at 503 SW 3rd Street (Figure 2). Both lots are 53-feet wide and 146-feet deep (Deed Record "Q" Page 502, Benton County). In order for the applicant to receive a building permit for a single-family home for either of the two platted lots, they would need to submit a Property Line Adjustment so that the property's lot lines match with their parcel ownership. The resulting lots, however, would only be approximately 85-feet in depth, and would not meet the minimum lot size requirements of 6,000 square feet in zoning district R-1, necessitating the need for a rezoning (Figure 3).

The owner does not state their intent for development of the lot. Lots in the general area vary in size from 44 feet wide to 60+ feet. Most of the new construction in the area are tear-downs and rebuilds. Vacant infill sites like this request are served by existing infrastructure, provide access to existing transportation systems, support enhanced walkability and mobility, and provide proximity to goods, services, and activities. Through urban infill opportunities downtown, Bentonville can accommodate anticipated growth in a thoughtful, responsible, and appropriate manner.

Conclusion

Planning staff has reviewed this rezoning request. It is consistent with the Community Plan and surrounding development patterns. Staff recommends approval of the proposed rezoning.

REZONING STAFF REPORT

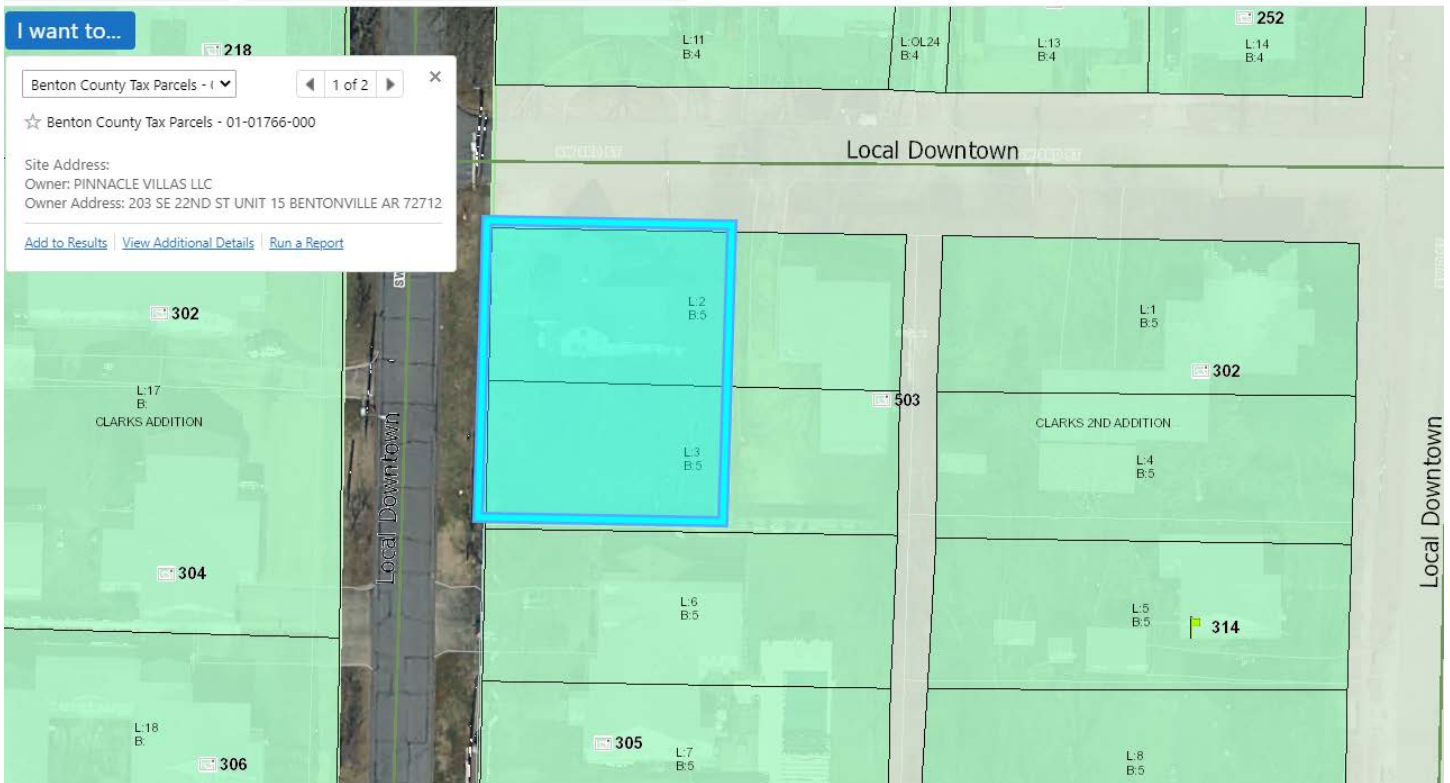


Figure 1: Pinnacle Villas Rezoning Request

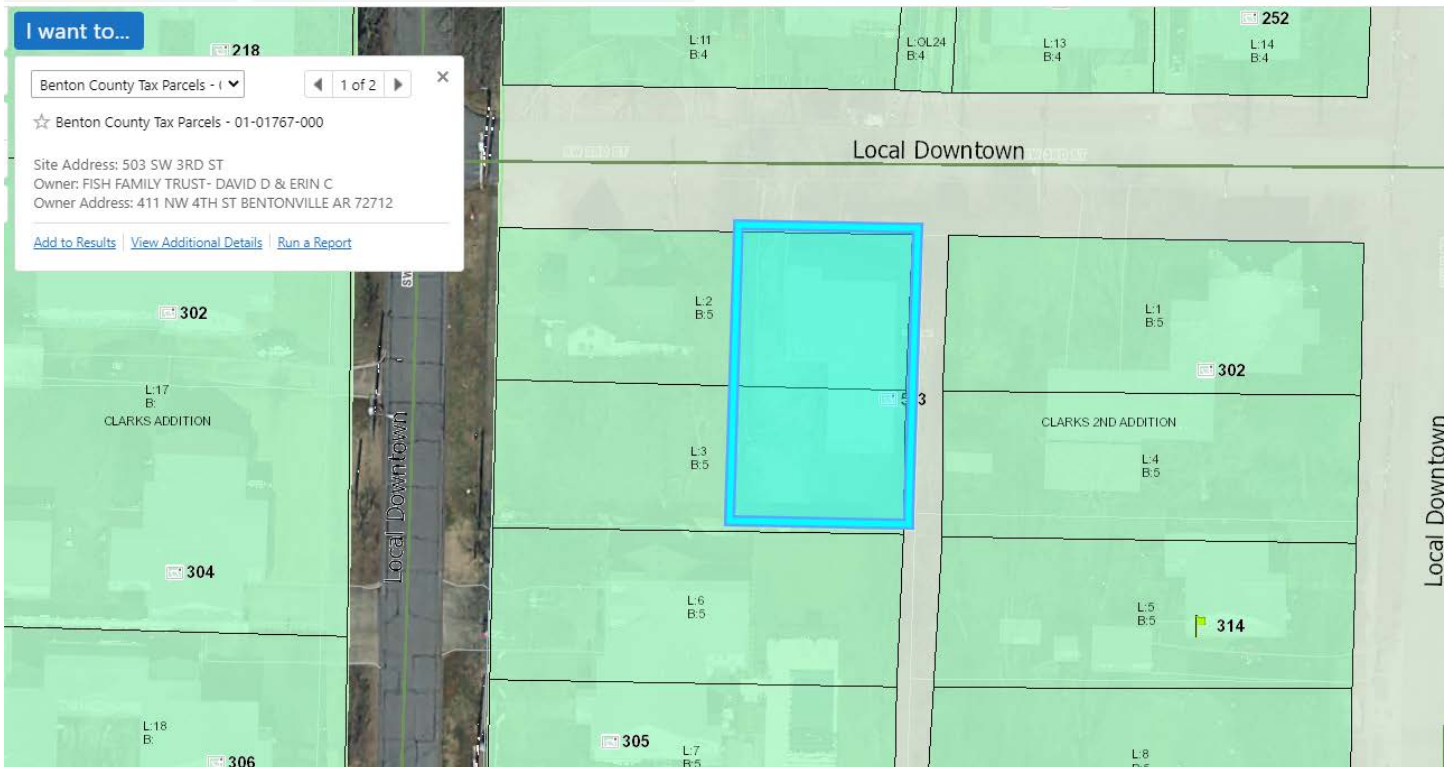


Figure 2: 503 SW 3rd Note that the property's shared lot lines with the vacant, Pinnacle Villas parcel.

REZONING STAFF REPORT

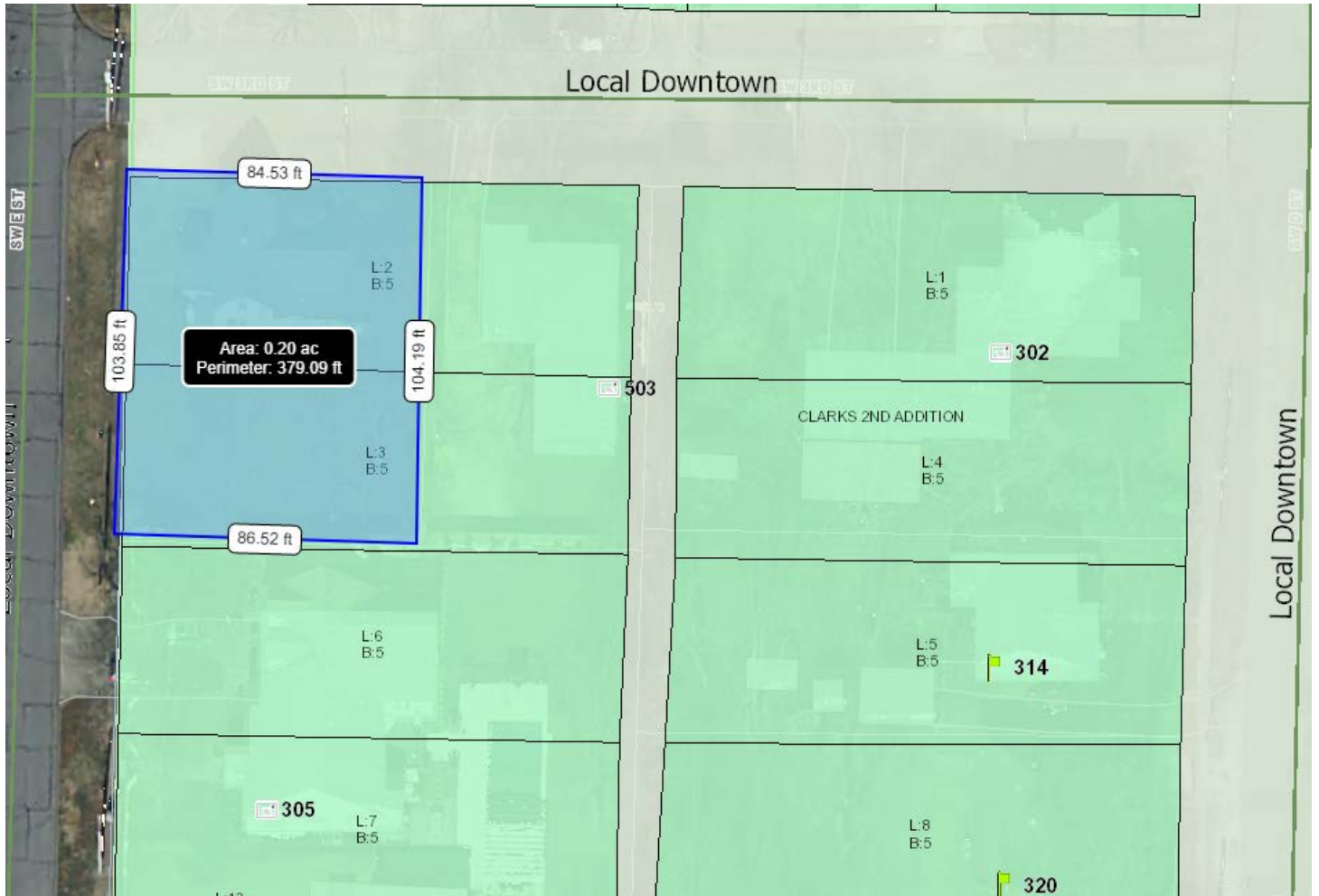
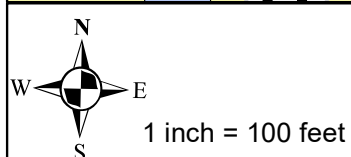
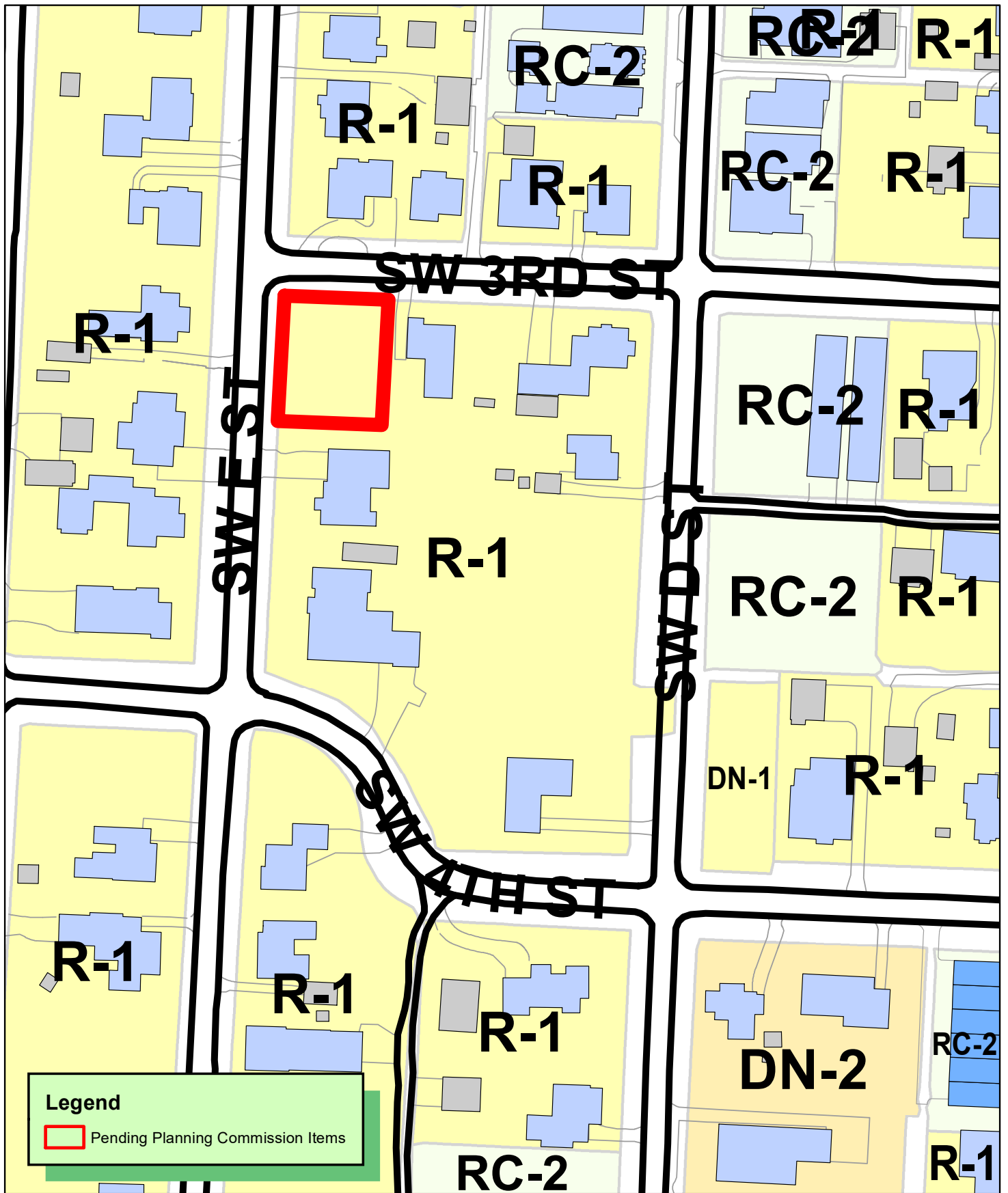


Figure 3: Approximate Ownership Area in relation to Lots 2 and 3.



RZ20-0060
REZONING R-1 TO DN-2
PINNACLE VILLAS



The property at 301 SW E Street is surrounded by 50's to 70's style single family homes. Within the block there are 1 story single family homes. Within a 2 block area there are new 2 and 3 story single family dwellings built or being built. I believe DN-2 is well suited for the neighborhood style wise. All utilities are on or could be on these lots. Electric and sewer is on SW 3rd street and water and sewer is on SW E street with curb and gutter.

Terry Ging

NOTICE OF INTENT TO REZONE

Pinnacle Villas, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-1, Single Family Residential to DN-2, Downtown Neighborhood. The legal description of the property is as follows:

Lots 2 and 3, Block 5, Clark's Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record Q at Page 502, EXCEPT 60 feet squarely off the East end.

The common description of the property is: **301 SW E St., Bentonville, Arkansas**

Proposed land use: **Single Family, Residential**

The public hearing will be held on April 6th, 2021 at 4:00 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:

WE FEEL THIS SECTION OF DOWNTOWN SHOULD REMAIN
SINGLE FAMILY HOMES. WE ARE NOT IN FAVOR OF
TOWNHOUSES OR MULTI-FAMILY STRUCTURES ON
OUR STREET

Paul Marshall
 Signature

PAUL + KAREN MARSHALL
 Printed Name

334
2028 S.W. 'D' ST
 Physical Address

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.

In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

DN-2, Downtown Medium Density Residential



The intent of the DN-2 district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development, and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density. In some instances, such as the end of blocks, townhouses may be appropriate in this district.

Building Types Allowed:

District	Single-family	Two-family	Townhouse		Multi-family		Mixed-use
			Block-end	Mid-block	Block-end	Mid-block	
DN-2	•	•	•				

Maximum Height Allowed:

District	Single-family	Two-family	Townhouse	Multi-family	Mixed-use
DN-2	36 ft.	36 ft.	36 ft.	--	--

Lot and Area Standards:

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

Minimum Setback Standards:

District	Building type	Front Yard		Side Yard				Rear Yard
				Exterior Side Yard		Interior Side Yard		
		Min.	Max.	Min.	Max.	Detached Yard	Attached Yard	
DN-2	Single-family and Two-family	12'	25'	12'	25'	7'	0'	25'
	Townhouse block-end and all others not listed	12'	25'	12'	25'	10'	0'	25'

Residential Tree Planting:

For newly constructed single and two-family residential structures: 1 shade tree planted in each yard adjacent to roadway and 1 shade tree planted in each right-of-way adjacent to roadway.

Updated 08-31-20

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.

In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

DN-2, Downtown Medium Density Residential

Garage Setback Standards (generally for DN districts – additional requirements may apply):

Prohibited in front yards. Garages, parking lots or designated parking spaces are prohibited in the front yard and corner side yard.

Attached garages. Garages may be attached to the primary structure. However, if the garage is attached, it must be located and oriented in such a way that it does not protrude from the side façade of the primary building in order to be visible from the public street.

Detached garages. Detached garages shall be located to the rear of the primary structure.

Corner lot. On a corner lot, the garage shall not be located closer than 20' to the corner side lot line in order to allow for outdoor vehicular parking entirely on the lot.

Detached garages. Detached garages must be separated from the primary structure by a minimum of 10'.

Garages with alley access. Garages with alley access must be setback 8' from the alley.

Accessory Structures & Uses: (i.e. garages, storage sheds, separate dwelling units)

	Detached Non-residential	Detached Accessory Dwelling	Attached Accessory Dwelling
% of floor area of primary structure	40%	50%	50%
Maximum footprint	720 sq. ft.	720 sq. ft.	-
Front setback	As required by the district	As required by the district	As required by the district
Side setback	7'	7'	As required by the district
Rear setback	7'	7'	As required by the district

On corner lots: Structure shall not project beyond the building line of the primary structure of existing primary structure on the adjacent lot

Land Uses:

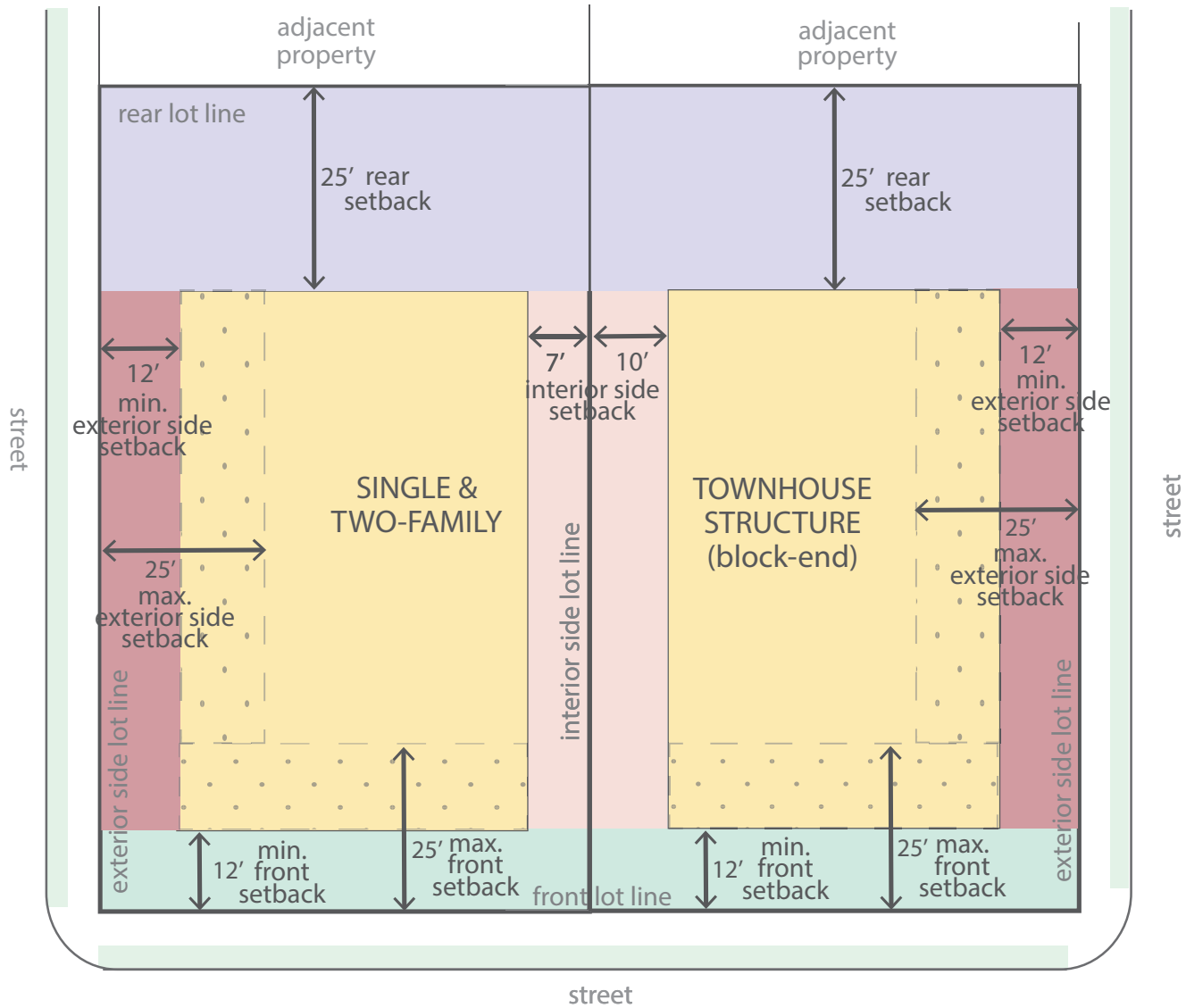
ALLOWED BY RIGHT	CONDITIONAL	ACCESSORY
Residential Dwelling - modular Dwelling - single family Dwelling - townhouse or rowhouse – end block Dwelling - two-family Recreation, Education & Assembly Park - mini Park - neighborhood Services Child care - residential (4 children)	Agriculture and Animals Urban farm Residential Home occupation - type b Recreation, Education & Assembly Educational facility Museum Religious facilities Services Adult day care Cemetery or mausoleum Child care - residential (5-10 children) Lodging - bed & breakfast Public safety services Transportation / Utilities Utility facility Wireless communication facility (cell towers) Other Temporary uses	Agriculture and Animals Community garden Residential Dwelling – accessory Home occupation - type a Transportation Utilities Solar energy system Wind energy system, small Other Building, accessory - nonresidential

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.

In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

DN-2, Downtown Medium Density Residential

Setback Illustration



REZONING STAFF REPORT



J Street of Bentonville

SW 28th Street

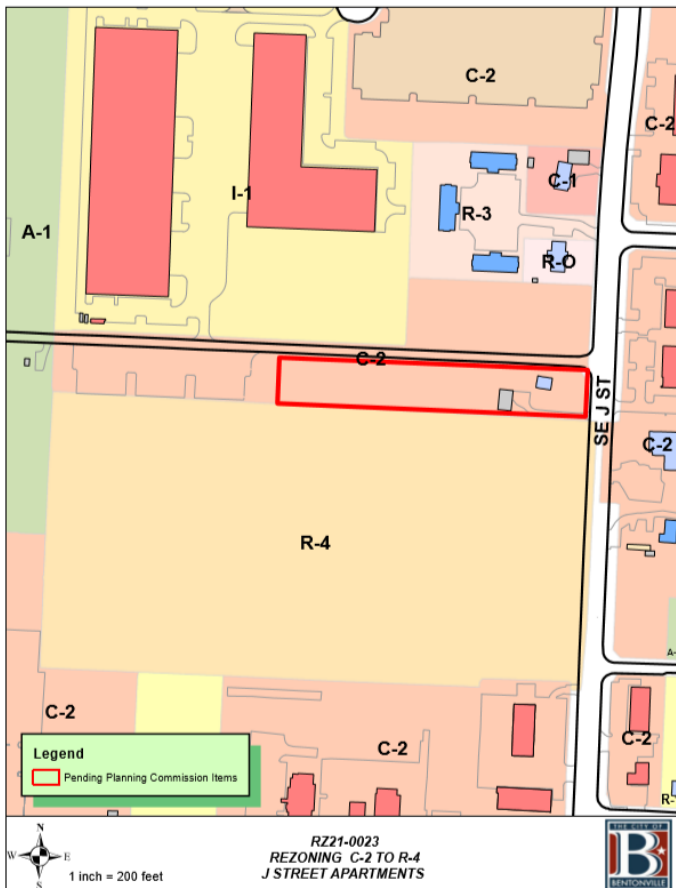
PC Date: 4/20/2021

Reviewer: Jon Stanley, Senior Planner, APA,
ASLA

Project Number	RZ21-0023
Applicant / Current Owner	J Street of Bentonville
Site Area	+/- 56 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-4, Medium Density Residential
Future Land Use Map Designation	Residential Estate

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

Location Map



Property Description

This property is located northwest of the intersection of S Walton Boulevard and SE J Street. Adjacent zoning districts are C-2, General Commercial to the north, east and west and R-4, High Density Residential to the south. There is also a small portion of I-1 zoned property to the northwest.

Relationship to the Bentonville Community Plan

The Future Land Use Plan depicts this property as RE, Residential Estate. Residential Estate areas typically include larger, detached single-family homes on lots of 2 acres or more. This Future Land Use Classification does not seem reflective of current nor future development trends in proximity of this rezoning. Surrounding land uses include industrial warehousing and offices to the north, retail stores to the east, and the Carroll Electric Corporate Office to the east. The Master Street Plan depicts SE J Street as an arterial roadway which borders the request to the west.

Public Comment

Staff has not received public comment regarding this request.

Analysis

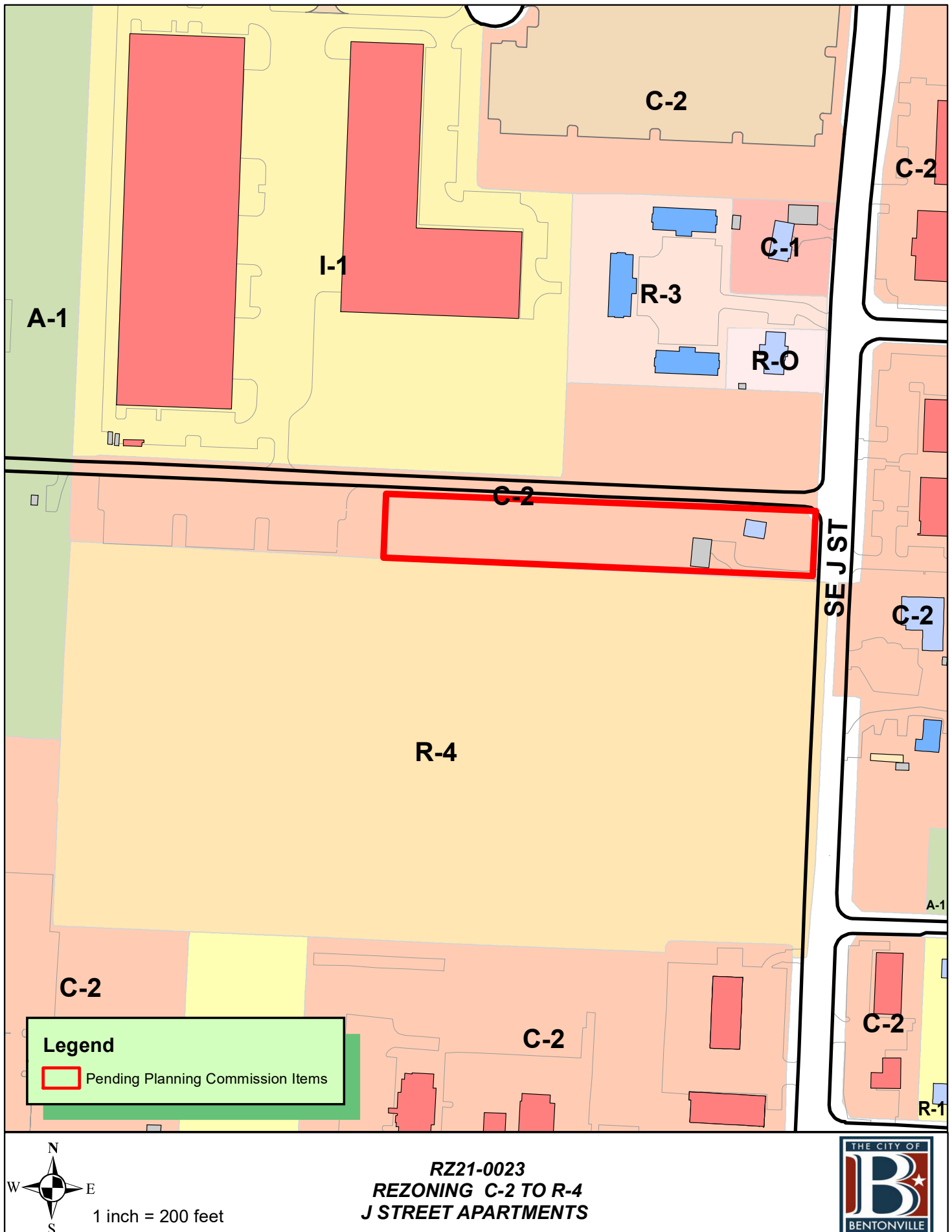
The Master Street Plan depicts an Arterial roadway directly adjacent to the property to the west (SE J Street). Because single and two-family homes are not permitted direct access on Collector nor Arterial roadways, a higher density development may make sense.

The R-4 District is established in order to provide high-density residential development. This area could exist in the older sections and newer developed areas of town. Such a district may be developed adjacent to, or in conjunction with neighborhood commercial or shopping center development. Adequate public utilities and services shall exist prior to or be provided in conjunction with development. Such a district may exist as a buffer zone between single-family and non-compatible use districts.

Conclusion

Although the request does not align with the Future Land Use Plan, surrounding development patterns and the Master Street Plan both lend support to the rezoning request.

Staff recommends approval of the rezoning request.



BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

March 12, 2021

SUBJECT: J Street Apartments Rezoning Application Narrative Statement

To Whom It May Concern:

The applicant is proposing a rezoning of property located at 3110 SE J Street. Currently, the property is zoned C-2, General Commercial. The proposed zoning is for R-4, High Density Residential. The Tax Parcel ID is 01-00157-000 and the owner is J STREET OF BENTONVILLE. There are no proposed sales associated with this property at this time.

The parcel directly south of the subject parcel (Tax Parcel 01-00177-000), which is also owned by J STREET OF BENTONVILLE, is currently zoned R-4 and is being developed in tandem with the subject parcel. Uniform zoning will be required to continue with the development as planned.

The surrounding properties include parkland, apartment complexes, warehouses, Carroll Electric Cooperative Corporation, single family residences, restaurants, and consumer shopping stores. Residents of the proposed development will have amenity access, multi-use trail access, ample food supply, and plenty of shopping opportunities. The NW Medical Center of Bentonville is located nearby and would provide access to immediate healthcare needs if the situations arise.

The proposed property is intended to be developed as a portion of a multifamily residential development currently being planned for the property directly to the south.

There are currently no right-of-way improvements proposed other than replacing the existing sidewalk along J Street with a 12-foot multi-use path. A secondary access point is proposed at the northwest corner of the subject property which will connect to the adjacent private road.

No additional signage is being proposed at this time.

This development will follow all guidelines for buffers, setbacks, and architectural standards pertaining to multi-family developments.

An 8" water main will be extended to the site by jack and bore from the existing 12" water main on the East side of J Street. Sewer service is currently available from the existing 8" sanitary sewer main running along the West side of J Street. The proposition of the multifamily development shall include a full design of utilities under the guidance of the City of Bentonville Water Utilities Department.

Sincerely,

Trent Nolen
Blew & Associates, PA

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.

In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

R-4, High Density Residential



The R-4 District is established in order to provide high-density residential development. This area could exist in the older sections and newer developed areas of town. Such a district may be developed adjacent to, or in conjunction with neighborhood commercial or shopping center development. Adequate public utilities and services shall exist prior to or be provided in conjunction with development. Such a district may exist as a buffer zone between single-family and non-compatible use districts. Within this district, buildings, structures or uses having commercial characteristics and not planned as a main part of the total development shall be excluded.

Maximum Height Allowed: 40 feet

Minimum Street Frontage: 20 feet

Minimum Width of Corner Lots: 75 feet at building line

Lot and Area Standards:

District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior lot
R-4	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	65'	50%	55%
	Townhouse unit	2,500	-	25'	-	-
	Townhouse structure	7,500	2,500	75'	65%	70%
	Multi-family	10,000	800	100'	50%	55%
	All others not listed	10,000	-	100'	50%	55%

Minimum Setback Standards:

District	Building type	Front	Side		Rear
			Interior	Exterior	
R-4	All	20'	10'	20'	25'

Where a utility easement extends beyond the required setback, the edge of the utility easement shall be the setback.

Garage Setback Standards: *Applicable to attached and detached garages.*

Garage, Street Facing: 30 ft. from the property line the garage faces

Garage, Side- or Rear-loading: 20 ft. from the front property line

Garage, Alley Facing: 20 ft. from property line at alley

Accessory Structures & Uses: (i.e. garages, storage sheds, separate dwelling units)

	Detached Non-residential	Detached Accessory Dwelling	Attached Accessory Dwelling
% of floor area of primary structure	40%	50%	50%
Maximum footprint	720 sq. ft.	720 sq. ft.	-
Front setback	As required by the district	As required by the district	As required by the district
Side setback	7'	7'	As required by the district
Rear setback	7'	7'	As required by the district

On corner lots: Structure shall not project beyond the building line of the primary structure of existing primary structure on the adjacent lot.

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R-4, High Density Residential

Residential Tree Planting:

For newly constructed single and two-family residential structures: 1 shade tree planted in each yard adjacent to roadway and 1 shade tree planted in each right-of-way adjacent to roadway.

Land Uses:

ALLOWED BY RIGHT	CONDITIONAL	ACCESSORY
Agriculture and Animals Animal - domestic or household Community garden	Agriculture and Animals Botanical garden Urban farm	Residential Dwelling - accessory Home occupation - type a
Residential Dwelling - condominium Dwelling - modular Dwelling - multi-family Dwelling - single family Dwelling - townhouse or rowhouse Dwelling - two-family Residential facility - assisted living Residential facility - temporary shelter	Residential Home occupation - type b	Transportation / Utilities Solar energy system Wind energy system, small
Recreation, Education & Assembly Library Park - mini	Recreation, Education & Assembly Aquarium Community center Country club Educational facility Golf course Museum Religious facilities	Other Building, accessory - nonresidential
Retail Mobile food vendor	Services Adult day care Cemetery or mausoleum Child care - commercial Child care - residential (5-10 children) Lodging - bed & breakfast Public safety services	
Services Child care - residential (4 children)	Transportation / Utilities Utility facility Wireless communication facility (cell towers)	
	Other Temporary uses	

CONDITIONAL USE STAFF REPORT



220 N Main Bike Rental

220 N Main Street

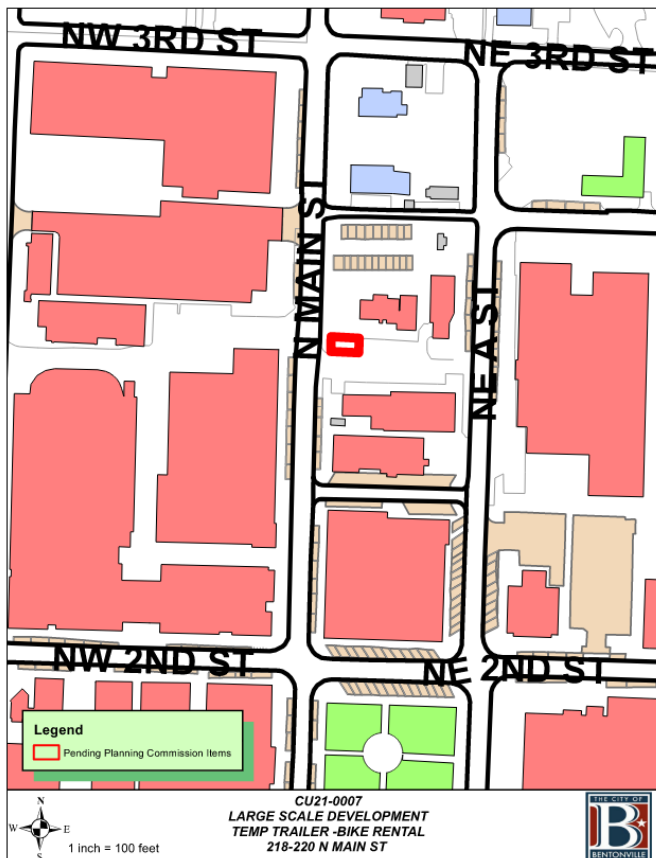
PC Date: 4/20/2021

Reviewer: Elizabeth Johnson, AICP, Senior Planner

Project Number	CU21-0007
Applicant / Current Owner	216 and 220 North Main, LLC
Site Area	+/- 0.24 acres
Current Zoning	DC, Downtown Core
Future Land Use Map Designation	Downtown Commercial (DT)
Requested Use	Temporary Use and Structure
Protective Covenants	N/A

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

Location Map



Property Description

This property is located at 220 N Main Street and is currently zoned DC, Downtown Core, with a Future Land Use Designation of Downtown Commercial.

Proposed Use Description

The applicant requests to use the parking spaces in front of 220 N Main Street for a long-term temporary bike rental trailer. Temporary Uses and Structures require a Conditional Use Permit in all zoning districts.

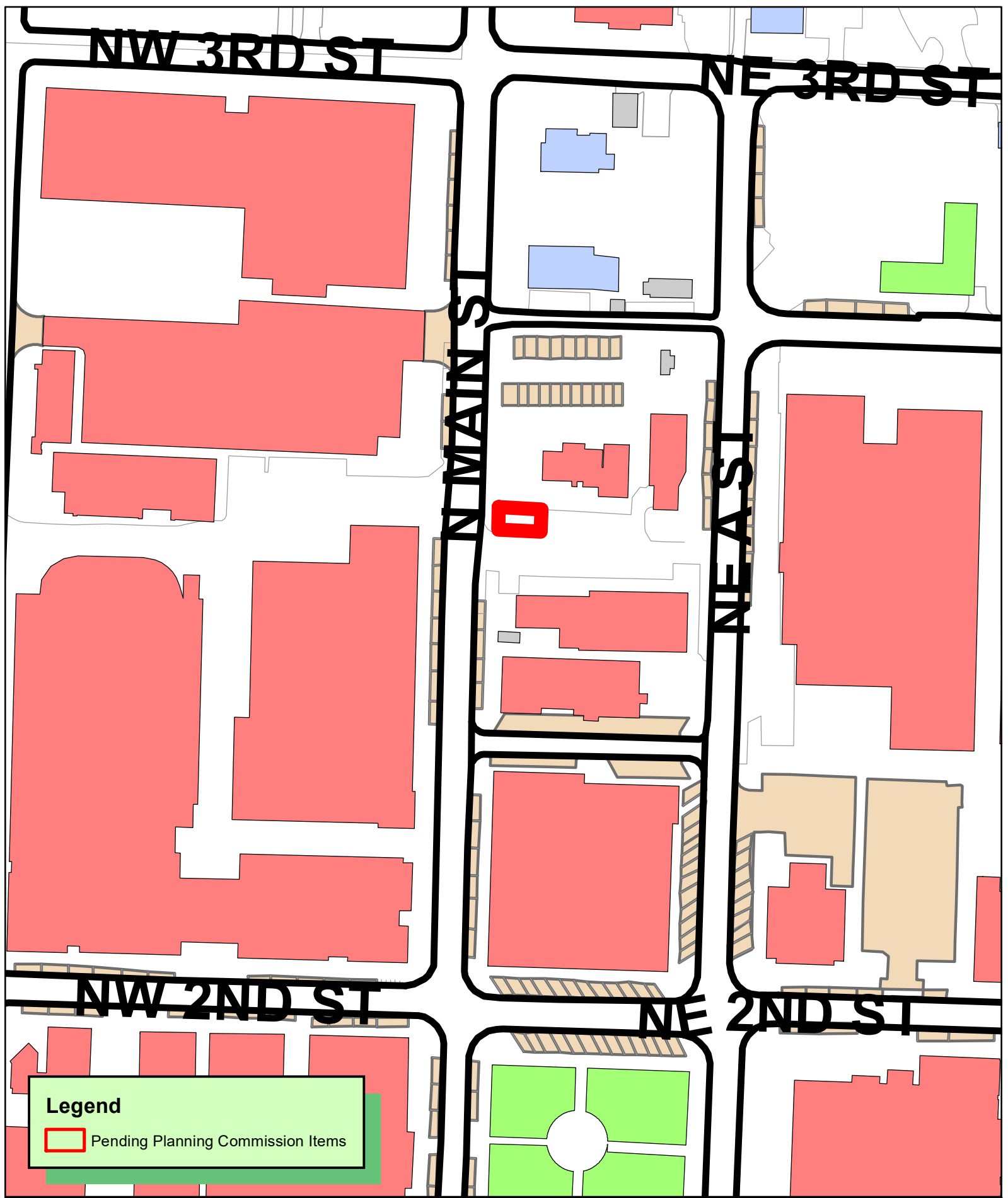
According to the applicant's narrative, all business will be done from the trailer and will be on site from early April 2021 to late October 2021. The trailer will be 16' long. Hours of operation will be 8 AM to 7 PM, 6-7 days a week. The applicant expects there to be 1-2 employees and approximately 20-30 patrons a day.

Public Notice

At this time, staff has not received public comment about this request.

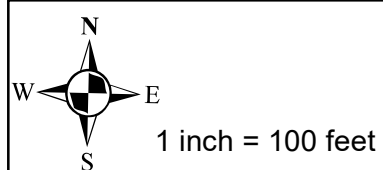
Conditions of Approval

1. This Conditional Use Permit shall be valid through October 2021.
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 on or revoke the Conditional Use at any time.



Legend

 Pending Planning Commission Items

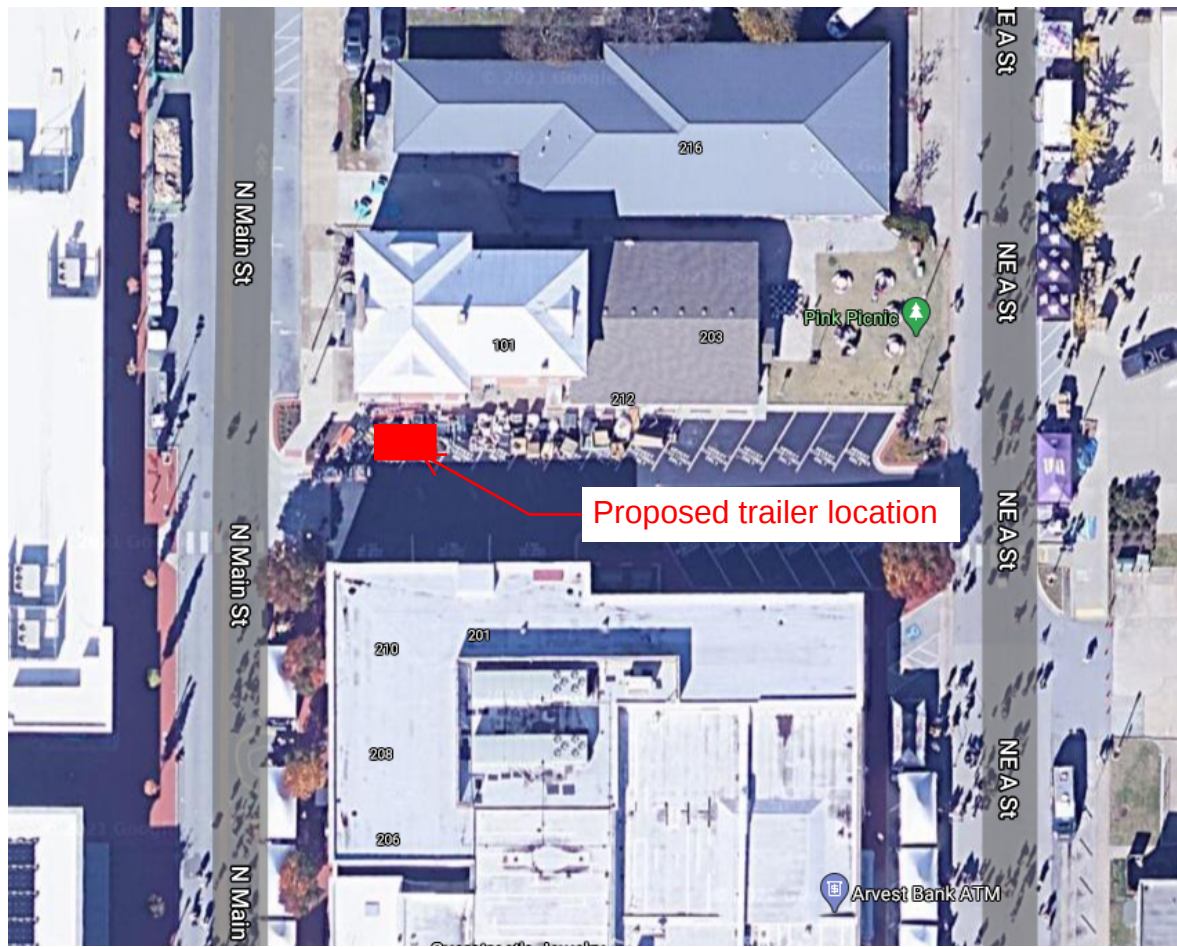


CU21-0007
LARGE SCALE DEVELOPMENT
TEMP TRAILER -BIKE RENTAL
218-220 N MAIN ST



Blue Crane Owner Narrative for 220 N Main

Blue Crane would like to propose using the Southern parking area of 220 N Main as a temporary home for a bike rental retailer. Business would be conducted out of a 16' custom trailer that would stay on site from Early April 2021 to late October 2021. Rentals would be available 6-7 days a week from 8am-7pm. All business would be done from the trailer and will not affect the surrounding structures. No structural or lighting changes will be made to the existing property. Patron would use the public parking available in the downtown area to access the business. 2-1 employees can be expected for an estimated 20-30 patrons a day. This location is ideal for this type of retail as it is adjacent to the trailhead and central to many other biking attractions in Bentonville.





E-BIKES

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