***Note** – Some of the members of the Planning Commission, as well as City staff members, may attend this meeting virtually. For public health reasons, those who attend in person should consider personal hygiene, the use of facial coverings, and social distancing.*

Planning Commission
Meeting Agenda
November 2, 2021

Registration Link: https://us06web.zoom.us/webinar/register/WN_vRrKeQJXTQyaY_QfjTgb1A

I. Call to Order

II. Approval of the October 19 Meeting Minutes

III. Consent Agenda

1. **Lots 1 and 2 of Gerber Subdivision** — **Lot Split**
   SW 14th Street (*LS21-0053*)

2. **Lot 39, Block J of Orchard Addition** — **Lot Split**
   527 SE 6th Street (*LS21-0054*)

3. **Lots 56 and 57 of Whiteoak Trails Subdivision** — **Property Line Adjustment**
   208 and 210 SW Highlands Road (*PLA21-0041*)

4. **Dollar Tree** — **Large-Scale Development**
   2900 SW 14th Street *(LSD21-0024)*

5. **Glen Arbor Subdivision** — **Final Plat**
   Featherston Road and Glen Road *(FP21-0006)*

IV. Old Business

1. **Zoning and Land Development Code Update** — **Ordinance***

2. **Donation Boxes** — **Ordinance***

3. **Table at the Station** — **Conditional Use Permit***
   Amendment to Approved CUP
   409 SE 6th Street *(CU19-0014)*

4. **Table at the Station** — **Large-Scale Development**
   409 SE 6th Street *(LSD20-0040)*

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

V. New Business

1. **1003 North Main Street, LLC** **Rezoning***
   R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium-Density Residential
   1003 North Main Street *(RZ21-0071)*

2. **Westwood Development Lot B, LLC** **Future Land Use Map Amendment***
   2a. Low Density Residential to Mixed-Use Commercial
   801-809 SW 3rd Street *(RZ21-0072)*

   2b. R-1, Low Density Single Family Residential and R-3, Medium-High Density Multifamily Residential to C-3, Mixed-Use Commercial **Rezoning***
   801-809 SW 3rd Street *(RZ21-0072)*

3. **Walmart Store 100 Drone-Up Building** **Conditional Use Extension***
   Long-Term Temporary Uses or Structures
   406 S Walton Boulevard *(CU21-0022)*

4. **Gator District Subdivision** **Preliminary Plat**
   SW Gator Blvd. & SW Dundee Drive *(PP21-0005)*

5. **3302 SE L Street** **Waiver**
   Parking Count
   3302 SE L Street *(WAV21-0022)*

VI. Other Business

1. **Topics for 12-14-21 Administration Meeting**

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

Planning Commission Meeting
Minutes
October 19, 2021

Meeting called to order at 4:00 p.m. by Dana Davis, Chairman. Meeting was held at City Hall and via Zoom video conference.

Present: Dana Davis, Eric Hipp, Elaine Kerr, Reggie Wright, Joe Haynie, Rod Sanders, Richard Binns
Absent: N/A
Staff: Ellen Norvell, Jon Stanley, Tyler Overstreet, Luke Aitken

Motion by Mr. Haynie, seconded by Mr. Wright to approve the minutes of October 5, 2021.

Approved 7-0

Consent Agenda

1. Lot 1 of Reynosa Addition, Lot Split, 602 Bella Vista Road, LS21-0037
2. Lots 13 & 14, Block 5 of Bank's Addition, Lot Split, 110 SE 13th Street, LS21-0051
3. Lot 17, Block 1 of Lincoln and Rice Addition, Property Line Adjustment, 608 NE 2nd Street, PLA21-0037
4. Splash Car Wash, Large-Scale Development, 1005 S Walton Boulevard, LSD21-0051

Approved 7-0

New Business

Item #1a
Hubbard, Future Land Use Map Amendment, Agriculture to Residential Estate, 7431 SW Lee Harris Road, RZ21-0065
Jon Stanley reads the staff report.
Opened public hearing
Daniel Lazenby of Engineering Services Incorporated, the applicant, is available for questions
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #2a
Hubbard, Future Land Use Map Amendment, Agriculture to Residential Estate, 7431 SW Lee Harris Road, RZ21-0070
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #3a
Heartland Advisers, LLC, Future Land Use Map Amendment, Low Density Residential to Medium Density Residential, 813 Bella Vista Road, RZ21-0066
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
Brock Peterson of Heartland Advisers, the applicant, is available for questions
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #3b
Heartland Advisers, LLC, Rezoning, R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential, 813 Bella Vista Road, RZ21-0066
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #1b
Hubbard, A-1, Agricultural to R-E, Residential Estate, Rezoning, 7431 SW Lee Harris Road, RZ21-0065
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #2b
Hubbard, A-1, Agricultural to R-E, Residential Estate, Rezoning, 7431 SW Lee Harris Road, RZ21-0070
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #4
Ogle, Rezoning, R-1, Single-Family Residential to DN-1, Downtown Low Density Residential, 201 SW F Street, RZ21-0067
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #6
Barrett Family Trust, Rezoning, R-1, Single-Family Residential to DN-2, Downtown Medium Density Residential, 310 NW 10th Street, 905 & 907 NW B Street & 960 NW C Street, RZ21-0069
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #7
8th Street Market Saddle Span Tent, Conditional Use, Long–Term Temporary Structure, 1017 SE 8th Street, CU21-0020
Jon Stanley reads the staff report.
Opened public hearing
Closed public hearing
Erin Rushing, the applicant is available for questions
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #8
Lots 4, 5, & 6 of Highland East Addition, Lot Split, 7431 SW Lee Harris Road, LS21-0041
Jon Stanley reads the staff report.
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #9
Crystal Bridges Expansion Phase II, Large-Scale Development, 600 Museum Way, LSD21-0053
Jon Stanley reads the staff report.
Dan Weese, City Engineer explains the need for a waiver of street improvements
Nate Bachelor, the applicant, is available for questions
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #10
Taco Bell, Large-Scale Development, 1200 SW Regional Airport Boulevard, LSD21-0050
Jon Stanley reads the staff report.
Matt Murdock of TMG Construction, representing the applicant and the developer, is available for questions and speaks regarding a waiver request for landscaping requirements.
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #11
Brier Hill Subdivision, Waiver, Storm water Management & Drainage Manual, SW Featherston Road & SW 28th Street, PP21-0015
Jon Stanley reads the staff report.
Dan Weese, City Engineer is available for questions
There is discussion amongst Commissioners and Staff.
Approved 7-0

Item #12
SW 5th Street Neighborhood Mini Park, Waiver, Offsite Improvements, SW 5th Street and SW F Street WAV21-0019
Jon Stanley reads the staff report.
Dan Weese, City Engineer is available for questions
John Easterling, the applicant is available for questions
There is discussion amongst Commissioners and Staff.
Approved 7-0

Motion by Mr. Sanders, seconded by Mr. Haynie to adjourn.
Meeting adjourned

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

Consent Agenda Items

For the Planning Commission meeting of November 2, 2021

Reviewer: Elizabeth Johnson, Senior Planner

- At the Technical Review meeting held on October 26, 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.

Lot Split: Lot 1 and 2 of Gerber Subdivision, Vashino Groups, LLC, SW 14th Street, C-1, Neighborhood Commercial and C-2, General Commercial, *LS21-0053*

The property is currently zoned C-1, Neighborhood Commercial, and C-2, General Commercial. A lot split of previously unplatted land, creating new Lot 1 (+/- 2.32 acres) and Lot 2 (+/-31.27 acres), of Gerber Subdivision. The plat dedicates a shared public access easement between new Lots 1 & 2.
(Please click on this link to access the vicinity map for this item: https://arcg.is/08HvK8)

Lot Split: Lot 39, Block J of Orchard Addition, KY Enterprises, LLC, 527 SE 6th Street, DE, Downtown Edge, *LS21-0054*

The property is currently zoned DE, Downtown Edge. A lot split of part of existing Lots 12 and 13, creating new Lot 39 (+/- 2.53 acres), Block J of Orchards Addition. The plat dedicates right-of-way along SE 6th Street per the Master Street Plan requirements.

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

Property Line Adjustment: Lot 56 and 57, Whiteoak Trails Subdivision, Lisa J. Jones and Jess W. Jones and CHP, LLC, 208 and 210 SW Highlands Road, R-1, Low-Density Single-Family Residential, *PLA21-0041*

The property is currently zoned R-1, Low Density Single-Family Residential. A property line adjustment of existing Lots 2 and 3, creating new Lot 56 (+/- 2.53 acres) and Lot 57 (+/- 0.74 acres) of Whiteoak Trails Subdivision Phase 2. The plat dedicates right-of-way along SW 2nd Street per the Master Street Plan requirements.

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

Final Plat: Glen Arbor Subdivision, GlenArborPRD, LLC, Featherston Road and Glen Road, PRD, Planned Residential Development, *FP21-0006*

The property is currently zoned PRD, Planned Residential Development. The subdivision consists of 137 total lots. One-hundred nineteen (119) are single-family residential lots and 18 lots will be utilized as common lots. The applicant must dedicate all private access easements before this plat can be filed with the County. All non-bondable items and guarantees of improvements must be complete and a final inspection performed and approved before Planning Commission approval.

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

Large-Scale Development: Dollar Tree, DPG Single Tenant Arkansas, LLC, 2900 SW 14th Street, C-2, General Commercial, *LSD21-0024*

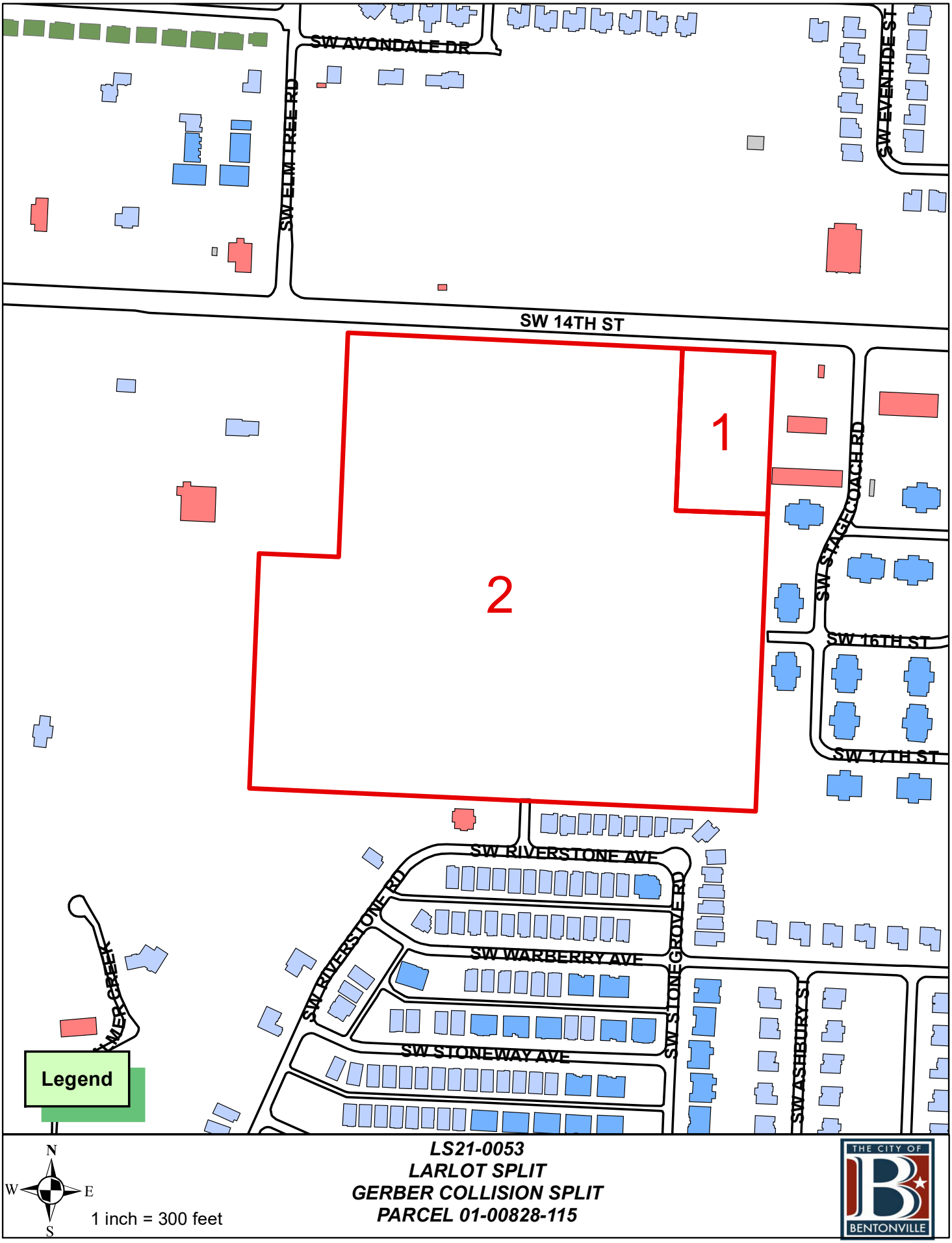
The subject property is currently zoned C-2, General Commercial. A large-scale development proposing the construction of a Dollar Tree retail store. The building is approximately 10,000 square feet. The development provides a total of forty parking spaces. The development provides landscaping in accordance with the requirements of the Land Development Code. The primary materials on the exterior of the building include 24-gauge architectural metal panels and split-faced CMU.

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

Large-Scale Development: The Warren, Redbud Holdings, LLC, 527 SE 6th Street, DE, Downtown Edge, *LSD21-0057*

The subject property is currently zoned DE, Downtown Edge and is a large-scale development proposing the development of a three-story mixed use building. Fourteen (14) parking spaces are provided. Sidewalks, landscaping, grading/drainage, and site amenities are in accordance with the requirements of the Land Development Code. Access to the project will be achieved through a single, shared ingress/egress point onto SE E Street. The primary materials on the exterior of the building include 24 gauge architectural metal panels, brick, and storefront glass.

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



LS21-0053
LARLOT SPLIT
GERBER COLLISION SPLIT
PARCEL 01-00828-115

NOTES:

1. CURRENT ZONING: C-1 & C-2.

2. PARCEL NUMBER: 01-00828-115.

3. ROTATION BASED ON ARKANSAS STATE PLANE GRID NORTH ZONE (NAD83).

4. BOUNDARY BASED ON WARRANTY DEED FILED AS INSTRUMENT #L201946829.

5. THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR FLOOD PLAIN AS PER FIRM #05007C0255K DATED JUNE 5, 2012.

6. PER THE U.S. FISH AND GAME WILDLIFE SERVICE WEBSITE ONLY, THERE ARE DELINEATED WETLANDS AREAS LOCATED ON THE SUBJECT PROPERTY. NO WETLANDS MARKERS WERE OBSERVED DURING THE COURSE OF THIS SURVEY. WETLANDS AREAS AS SHOWN HEREON HAVE NOT BEEN FIELD VERIFIED.

7. 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.

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

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

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

11. 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.

WETLANDS AREA DEFINITIONS:
PUBHh - SYSTEM PALUSTRINE (P) : THE PALUSTRINE SYSTEM INCLUDES ALL NONTIDAL WETLANDS DOMINATED BY TREES, SHRUBS, PERSISTENT EMERGENTS, EMERGENT MOSSES OR LICHENS, AND ALL SUCH WETLANDS THAT OCCUR IN TIDAL AREAS WHERE SALINITY DUE TO OCEAN-DERIVED SALTS IS BELOW 0.5 PPT. IT ALSO INCLUDES WETLANDS LACKING SUCH VEGETATION, BUT WITH ALL OF THE FOLLOWING FOUR CHARACTERISTICS: (1) AREA LESS THAN 8 HA (20 ACRES); (2) ACTIVE WAVE-FORMED OR BEDROCK SHORELINE FEATURES LACKING; (3) WATER DEPTH IN THE DEEPEST PART OF BASIN LESS THAN 2.5 M (8.2 FT) AT LOW WATER; AND (4) SALINITY DUE TO OCEAN-DERIVED SALTS LESS THAN 0.5 PPT.

CLASS UNCONSOLIDATED BOTTOM (UB) : INCLUDES ALL WETLANDS AND DEEPWATER HABITATS WITH AT LEAST 25% COVER OF PARTICLES SMALLER THAN STONES (LESS THAN 6-7 CM), AND A VEGETATIVE COVER LESS THAN 30%.

WATER REGIME PERMANENTLY FLOODED (H) : WATER COVERS THE SUBSTRATE THROUGHOUT THE YEAR IN ALL YEARS.

SPECIAL MODIFIER DIKED/IMPOUNDED (H) : THESE WETLANDS HAVE BEEN CREATED OR MODIFIED BY A MAN-MADE BARRIER OR DAM THAT OBSTRUCTS THE INFLOW OR OUTFLOW OF WATER.

R4SBC - SYSTEM RIVERINE (R) : THE RIVERINE SYSTEM INCLUDES ALL WETLANDS AND DEEPWATER HABITATS CONTAINED WITHIN A CHANNEL, WITH TWO EXCEPTIONS: (1) WETLANDS DOMINATED BY TREES, SHRUBS, PERSISTENT EMERGENTS, EMERGENT MOSSES, OR LICHENS, AND (2) HABITATS WITH WATER CONTAINING OCEAN-DERIVED SALTS OF 0.5 PPT OR GREATER. A CHANNEL IS AN OPEN CONDUIT EITHER NATURALLY OR ARTIFICIALLY CREATED WHICH PERIODICALLY OR CONTINUOUSLY CONTAINS MOVING WATER, OR WHICH FORMS A CONNECTING LINK BETWEEN TWO BODIES OF STANDING WATER.

SUBSYSTEM INTERMITTENT (4) : THIS SUBSYSTEM INCLUDES CHANNELS THAT CONTAIN FLOWING WATER ONLY PART OF THE YEAR. WHEN THE WATER IS NOT FLOWING, IT MAY REMAIN IN ISOLATED POOLS OR SURFACE WATER MAY BE ABSENT.

CLASS STREAMBED (SB) : INCLUDES ALL WETLANDS CONTAINED WITHIN THE INTERMITTENT SUBSYSTEM OF THE RIVERINE SYSTEM AND ALL CHANNELS OF THE ESTUARINE SYSTEM OR OF THE TIDAL SUBSYSTEM OF THE RIVERINE SYSTEM THAT ARE COMPLETELY DEWATERED AT LOW TIDE.

WATER REGIME SEASONALLY FLOODED (C) : SURFACE WATER IS PRESENT FOR EXTENDED PERIODS ESPECIALLY EARLY IN THE GROWING SEASON, BUT IS ABSENT BY THE END OF THE GROWING SEASON IN MOST YEARS. THE WATER TABLE AFTER FLOODING CEASES IS VARIABLE, EXTENDING FROM SATURATED TO THE SURFACE TO A WATER TABLE WELL BELOW THE GROUND SURFACE.

OWNER/DEVELOPER:
VAISHNO GROUPS, LLC
4105 SW. ACRES AVENUE
BENTONVILLE, AR 72713

REGIONAL AGENT FOR OWNER:
BHAGAWAN KANNAPPA
4105 SW. ACRES AVENUE
BENTONVILLE, AR 72713

PARENT TRACT (PARCEL #01-00828-115)
A PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE SAID FRACTIONAL FORTY ACRE TRACT AND RUNNING THENCE N02°20'31"E 614.23 FEET; THENCE S87°18'31"E 208.56 FEET; THENCE N02°17'13"E 586.15 FEET TO THE SOUTH RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY 102; THENCE ALONG SAID HIGHWAY RIGHT-OF-WAY S87°18'31"E 1113.90 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S02°19'16"W 1197.83 FEET; THENCE N87°25'08"W 1322.33 FEET TO THE POINT OF BEGINNING, CONTAINING 33.59 ACRES, MORE OR LESS. SUBJECT TO THE EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

LOT 1:
A PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID FRACTIONAL FORTY ACRE TRACT, AND RUNNING S87°25'08"E 1322.32 FEET AND N02°19'16"E 776.34 FEET TO THE POINT OF BEGINNING, AND RUNNING THENCE N87°40'42"W 238.97 FEET; THENCE N02°19'18"E 423.03 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHWEST 14TH STREET (ARKANSAS STATE HIGHWAY 102), AND RUNNING ALONG SAID RIGHT OF WAY S87°18'31"E 238.97 FEET; THENCE LEAVING SAID RIGHT OF WAY S02°19'16"W 421.49 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 2.32 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

LOT 2:
A PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE SAID FRACTIONAL FORTY ACRE TRACT, AND RUNNING THENCE N02°20'31"E 614.23 FEET; THENCE S87°18'31"E 208.56 FEET; THENCE N02°17'13"E 586.15 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHWEST 14TH STREET (ARKANSAS STATE HIGHWAY 102), AND RUNNING ALONG SAID RIGHT OF WAY S87°18'31"E 874.93 FEET; THENCE LEAVING SAID RIGHT OF WAY S02°19'16"W 423.03 FEET; THENCE S87°40'42"E 238.97 FEET; THENCE S02°19'16"W 776.34 FEET TO THE SOUTHEAST CORNER OF THE SAID FRACTIONAL FORTY ACRE TRACT; THENCE N87°25'08"W 1322.32 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 31.27 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

VARIABLE WIDTH ACCESS EASEMENT
A VARIABLE WIDTH ACCESS EASEMENT, BEING A PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID FRACTIONAL FORTY ACRE TRACT, AND RUNNING S87°25'08"E 1322.32 FEET; N02°19'16"E 1197.83 FEET; AND N87°18'31"W 192.42 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE SOUTHERN RIGHT OF WAY OF SOUTHWEST 14TH STREET (ARKANSAS STATE HIGHWAY 102), AND RUNNING THENCE S12°29'37"E 13.10 FEET; THENCE S27°40'44"E 26.44 FEET; THENCE S02°19'16"W 45.18 FEET; THENCE N87°40'44"W 63.13 FEET; THENCE N02°19'18"E 24.00 FEET; THENCE S87°40'44"E 24.13 FEET; THENCE N02°19'16"E 10.73 FEET; THENCE N27°40'44"W 21.19 FEET; THENCE N12°29'37"W 18.30 FEET; THENCE N00°39'49"E 10.22 FEET TO THE SOUTH RIGHT OF WAY OF SOUTHWEST 14TH STREET (ARKANSAS STATE HIGHWAY 102), AND RUNNING ALONG SAID RIGHT OF WAY S87°18'31"E 38.00 FEET TO THE POINT OF BEGINNING. CONTAINING IN ALL 3,872 SQUARE FEET, MORE OR LESS.

CERTIFICATION OF OWNERSHIP:

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

DATE OF EXECUTION: _____

SIGNED : _____

NAME & ADDRESS _____

PRINT NAME: _____

SOURCE OF TITLE: D.R. _____

PAGE _____

CERTIFICATE OF SURVEYING ACCURACY:

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

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1118
STATE OF ARKANSAS

CERTIFICATE OF APPROVAL:

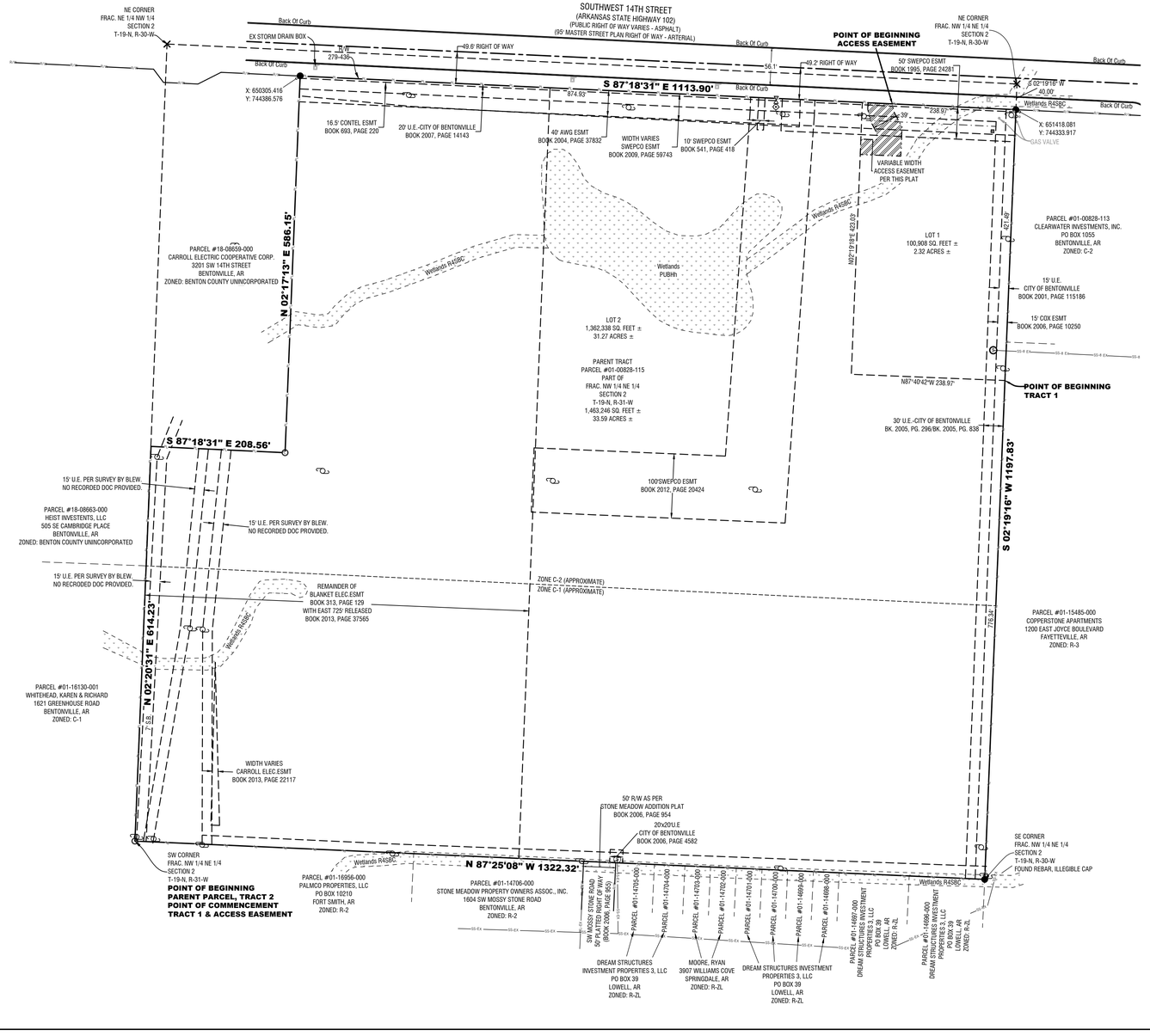
PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

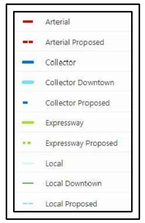
DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING
COMMISSION CHAIRMAN

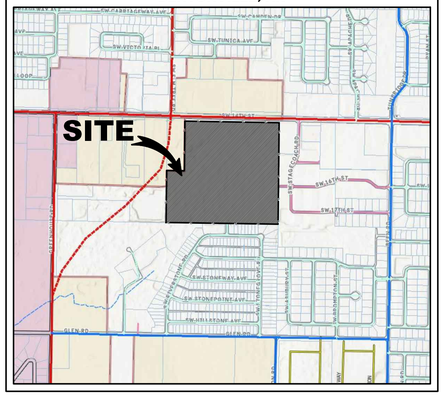
SIGNED _____
MAYOR CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE





VICINITY MAP
BENTONVILLE, AR



N
W E
S

GRAPHIC SCALE

100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

LEGEND
- FOUND IRON PIN
- SET IRON PIN WITH CAP
- CALCULATED POINT
- FIRE HYDRANT
- SEWER MANHOLE
- POWER POLE
- EXISTING SEWER MANHOLE
- PROPERTY LINE
- CENTERLINE OF ROAD
- RIGHT OF WAY
- UTILITY EASEMENT
- ACCESS EASEMENT
- FORTY LINE
- ADJOINER LINE

PROJECT DETAILS

PROJECT TITLE:
LOT SPLIT CREATING
GERBER SUBDIVISION,
LOTS 1 & 2

PROJECT LOCATION:
BENTONVILLE, AR

REVISIONS

DATE	COMMENT
10/1/2021	CITY COMMENTS
10/18/2021	CITY COMMENTS

DATE: 7/30/2021
DRAWN BY: JH
PROJECT #2021-103
FILE PATH: Z:\LSD\2021103\DWG
SHEET SIZE: 22" x 34"
SCALE: 1" = 100'

CERTIFICATE OF AUTHORIZATION
JORGENSEN & ASSOCIATES
No. 722
ARKANSAS ENGINEER

SHEET TITLE
LOT SPLIT

BENTONVILLE PROJECT
#LS21-0053

JORGENSEN +ASSOCIATES
Civil Engineering + Surveying
124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com



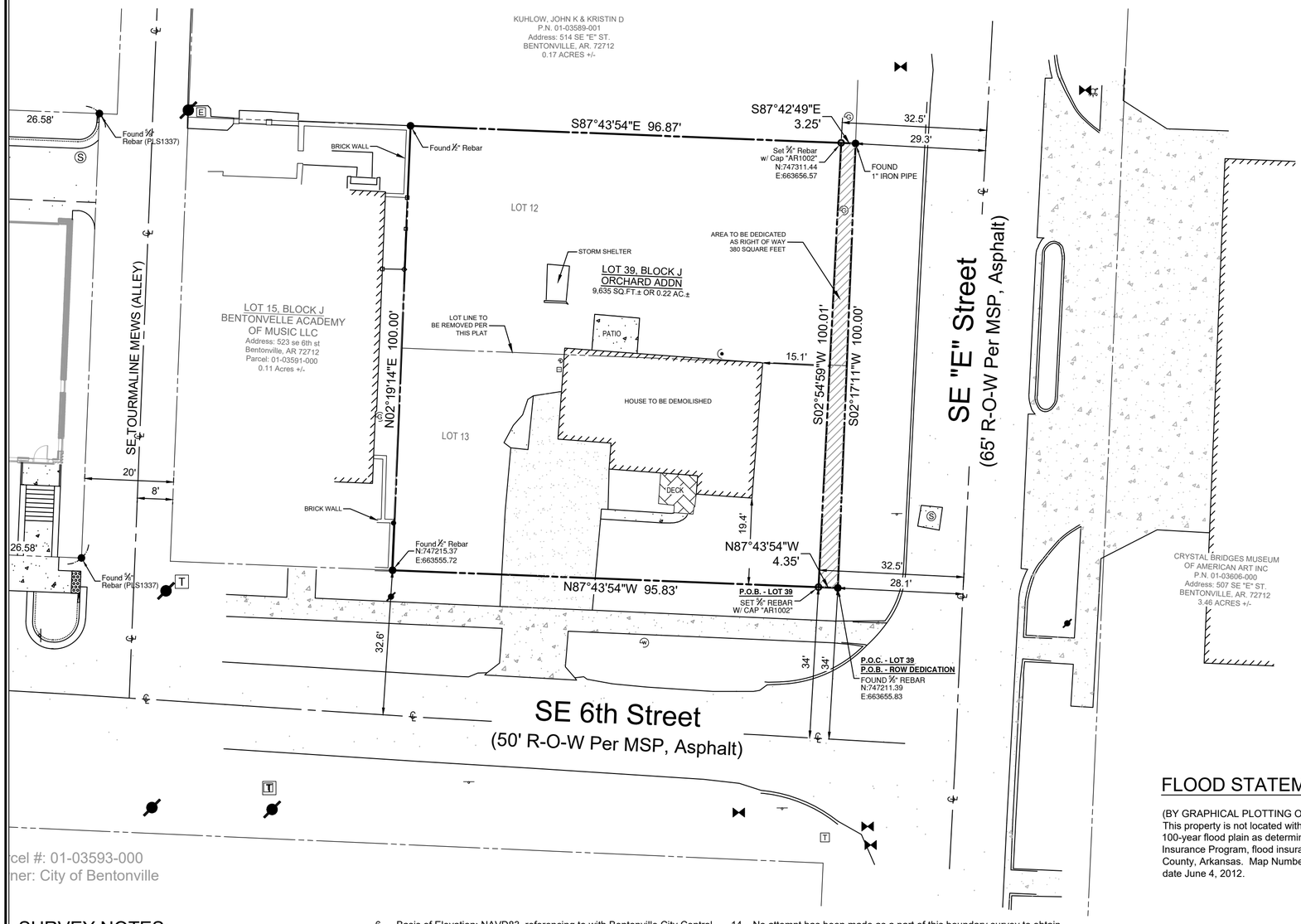
LS21-0054
LOT SPLIT
ORCHARD ADDITION
PART OF LOTS 12-13 BLOCK J CREATING LOT 39

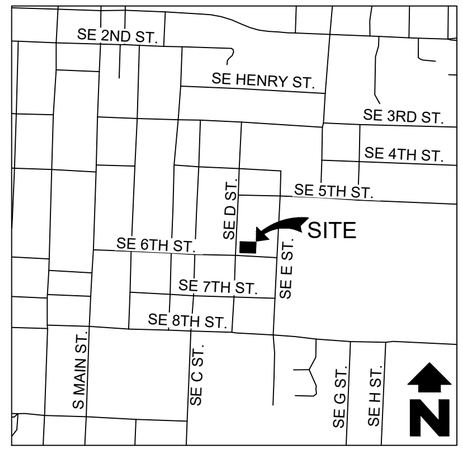
SURVEY DESCRIPTION:

Commencing at a Found 5/8" Rebar at the South East Corner of Lot 13, Block J, Orchard Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record "A" at Pages 4 and 89, and in Plat Record "B" at Page 27, Point being on the West Right of Way of SE "E" St. and the North Right of Way of SE 6th St.; Thence along the North Right of Way of SE 6th Street, North 87°43'54" West 4.35 feet to a Set 5/8" Rebar with cap "AR1002" for the POINT OF BEGINNING. Thence continue along the North Right of way of SE 6th Street, North 87°43'54" West 95.83 feet to a Found ½" Rebar; Thence departing said North Right-of-Way, North 02°19'14" East 100.00 feet to a Found ½" Rebar; Thence South 87°43'54" East 96.87 feet to a Set 5/8" Rebar with cap "AR1002"; Thence South 02°54'59" West 100.01 feet to the Point of Beginning, containing 9,635 Square Feet or 0.22 Acres, more or less. Subject to any restrictions, covenants, easements and rights-of-way of record or fact.

ROW DESCRIPTION:

Beginning at a Found 5/8" Rebar at the South East Corner of Lot 13, Block J, Orchard Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record "A" at Pages 4 and 89, and in Plat Record "B" at Page 27, Point being on the West Right of Way of SE "E" St. and the North Right of Way of SE 6th St.; Thence along the North Right of Way of SE 6th Street, North 87°43'54" West a distance of 4.35 feet to a Set 5/8" Rebar with cap "AR1002". Thence departing said North Right-of-Way, North 02°54'59" East a distance of 100.01 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence South 87°43'54" East a distance of 3.25 feet to a Found 1" Iron Pipe; Thence South 02°17'11" West a distance of 100.00 feet to the Point of Beginning, containing 380 Square Feet or 0.009 Acres, more or less.





VICINITY MAP
Scale: 1" = 1,000'
ATLAS PAGE # 404



LEGEND

- MONUMENT FOUND (AS NOTED)
- MONUMENT SET (AS NOTED)
- BENCH MARK
- UTILITY POLE
- TELEPHONE RISER
- A/C UNIT
- GAS METER
- SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- MAIL BOX
- SANITARY SEWER
- SEWER CLEAN OUT
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- CENTERLINE
- EASEMENT LINE
- ASPHALT
- CONCRETE
- ASPHALT
- DEDICATED RIGHT OF WAY (PER THIS PLAT)

SURVEY NOTES:

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

   Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.

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

3. This plat represents a boundary survey of the parcel recorded in Plat Book Records, Book 2016, Page 927 in the Official Public Records of Benton County, Arkansas.

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

5. Basis of Bearings: NAD83, State Plane Grid Coordinates, Arkansas North Zone referencing to with Bentonville City Control Monument Number 56.

6. Basis of Elevation: NAVD83, referencing to with Bentonville City Control Monument Number 56.

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

8. This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats".

9. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record which would affect this parcel.

10. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.

11. Property is currently zoned DE - Downtown Edge. 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.

12. No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.

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

14. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.

15. All areas of asphalt and curb & gutter are in "good" condition unless otherwise noted.

16. Before any work in the Right-of-Way commences, Contractor and or owner is to contact the City of Bentonville Engineering and Transportation Departments and notify said departments on the intent and type of the work that will take place within the Right-of-Way.

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

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

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

PARENT TRACT DESCRIPTION:

East 100 feet of Lots 12 and 13, Block J, Orchard Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record "A" at Pages 4 and 89, and in Plat Record "B" at Page 27.

FLOOD STATEMENT:

(BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0255K. Revised date June 4, 2012.

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This certificate is hereby executed under the authority of said rules and regulations.

Signed _____
Bentonville Community Development Director

CERTIFICATE OF OWNERSHIP:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____

Signed: _____

Name & Address: _____

Print Name: _____

State of Arkansas }
County of Benton }
Sworn to and subscribed before me this _____ day of

_____ 2021.

_____
Notary Public Signature

CERTIFICATE OF AUTHORIZATION
SAND CREEK ENGINEERING AND LANDSCAPE ARCHITECTURE, INC.
No.385
ARKANSAS – ENGINEER

SURVEYOR'S CERTIFICATE:

I, C. Ed Gray, hereby certify that this plat correctly represents a boundary survey made by me and all 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: _____

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

City of Bentonville Project No.:
LS21-0054

State Filing Code:
500-20N-30W-0-32-430-04-1002

CLIENT:
KY ENTERPRISES LLC
200 SW CHARDONNAY ST.
BENTONVILLE, AR 72712
PHONE: 479-685-9924
KEVINWYINGST@GMAIL.COM

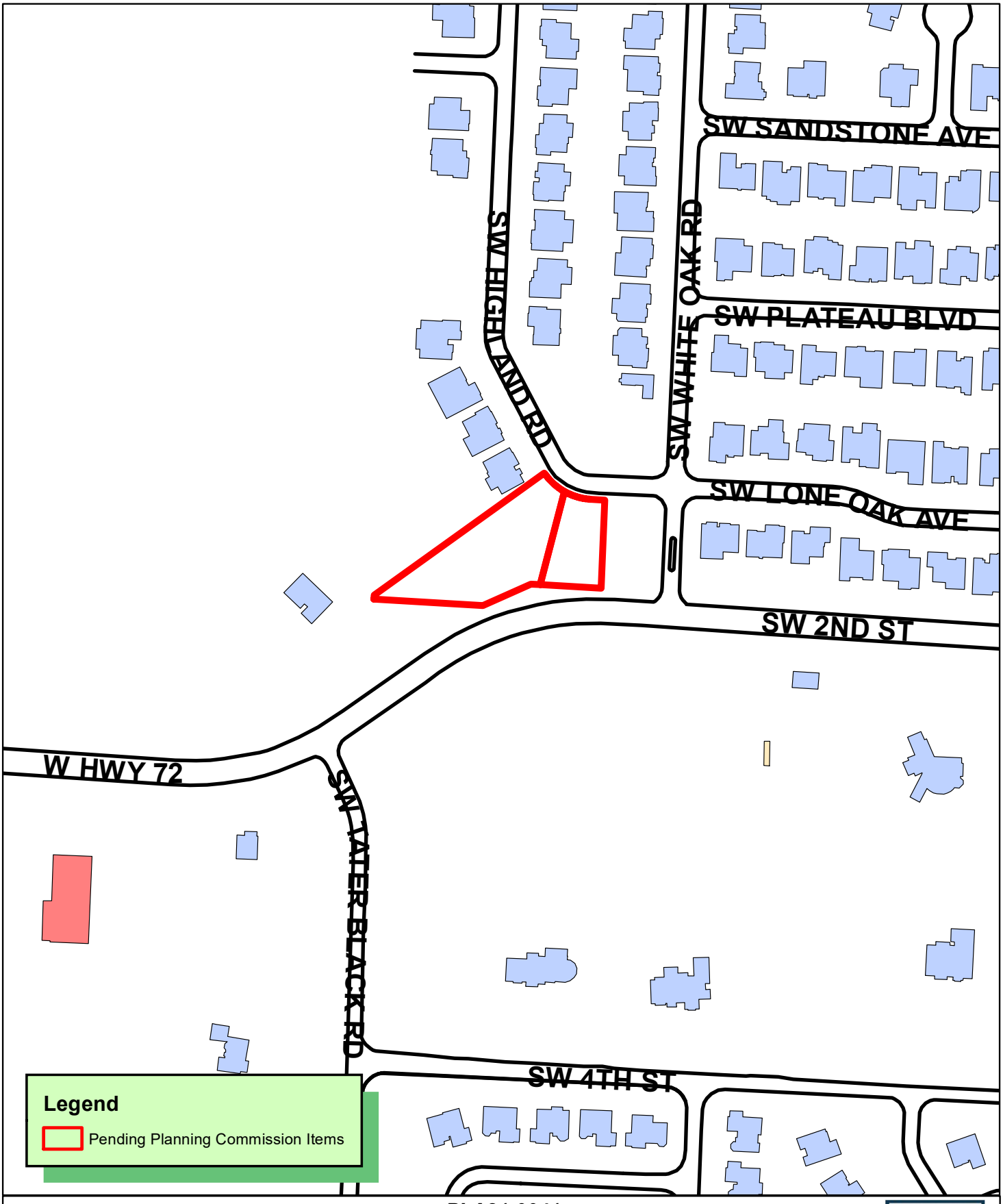
SHEET: PROPERTY LINE ADJUSTMENT

PROJECT: Property Line Adjustment of Part of Lots 12 & 13, Creating Lot 39, Block J, Orchard Addition Bentonville, Arkansas

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO.1002
SIGNATURE
C. ED GRAY

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

PLS:	JW
CAD:	AF
FIELD:	MJH
SCE PROJECT #:	19115
DATE:	09/27/2021
SHEET:	1 OF 1

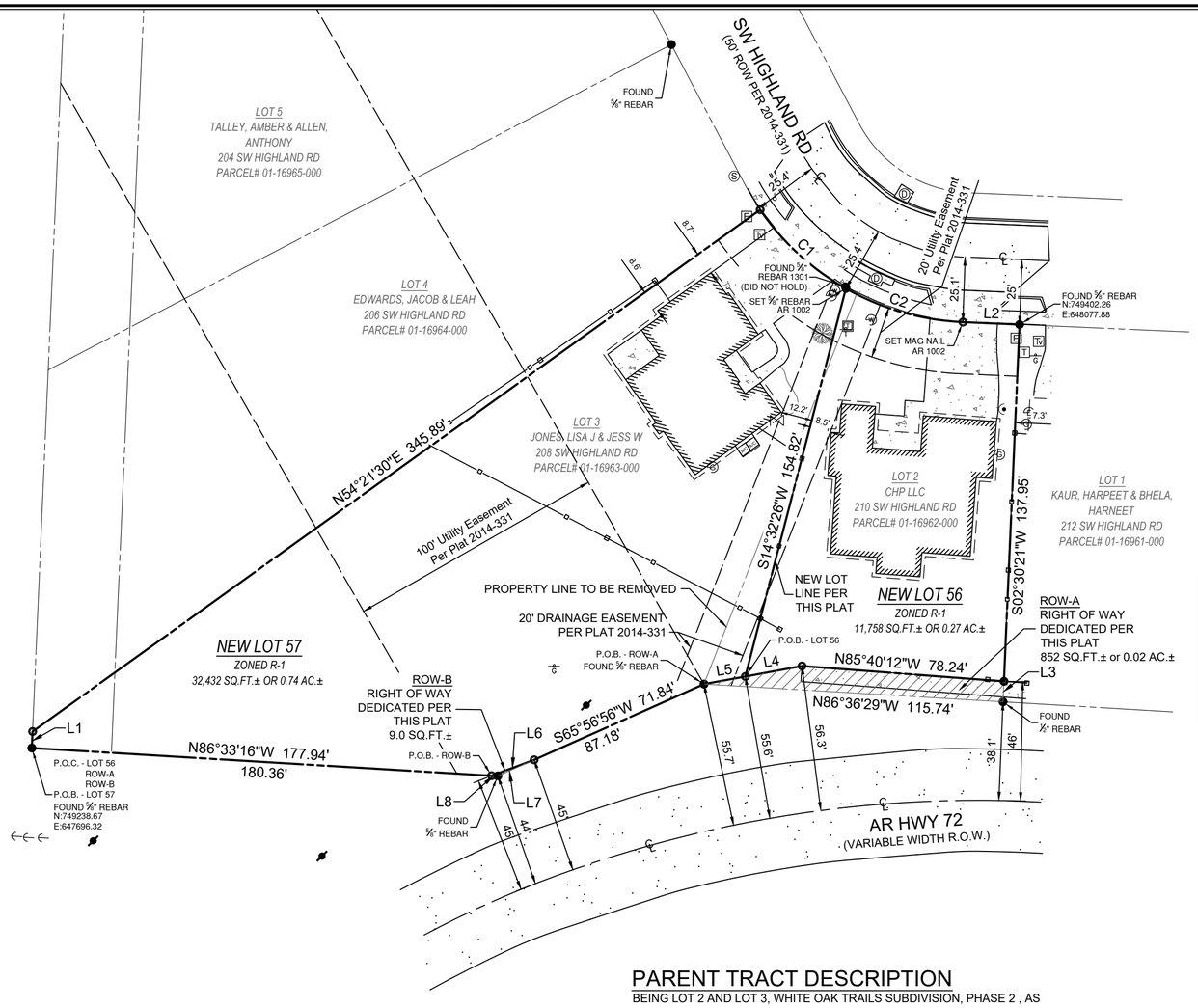


N
W E
S

1 inch = 200 feet

PLA21-0041
PROPERTY LINE ADJUSTMENT
WHITE OAK TRAILS SUBDIVISION
LOTS 2-3 CREATING LOTS 56-57

THE CITY OF BENTONVILLE



SITE LEGEND

- MONUMENT SET (AS NOTED)
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- UTILITY POLE
- TELEPHONE SIGN
- GAS SIGN
- WATER METER
- DRAINAGE MANHOLE
- SANITARY SEWER MANHOLE
- CLEANOUT
- ELECTRICAL RISER
- CABLE RISER
- TELEPHONE RISER
- TELEPHONE VAULT
- TELEPHONE VAULT
- GAS METER
- ELECTRIC METER
- DECIDUOUS TREE
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- FENCE (METAL)
- FENCE (WOOD)
- CENTERLINE

N

40' 0 40'

SCALE: 1" = 40'

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	45.35	100.00	25°59'03"	S47° 25' 30"E	44.96
C2	47.45	100.00	27°11'06"	S74° 00' 35"E	47.00

Parcel Line Table		
Line #	Direction	Length
L1	N2°28'59"E	6.37
L2	S87°29'36"E	21.92
L3	S2°30'21"W	6.90
L4	S79°32'42"W	22.27
L5	S79°32'42"W	16.24
L6	N69°36'25"E	17.53
L7	S65°56'56"W	15.34
L8	N86°33'16"W	2.42

PARENT TRACT DESCRIPTION

BEING LOT 2 AND LOT 3, WHITE OAK TRAILS SUBDIVISION, PHASE 2 , AS RECORDED AT PLAT BOOK 2014, PAGE 331 IN THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS.

SURVEY DESCRIPTION - LOT 56:

BEING A PART OF THE NW ¼ OF THE NW ¼, SECTION 35, T-20-N, R-31-W, FIFTH PRINCIPAL MERIDIAN, SAME BEING A PART OF LOT 2, WHITE OAK TRAILS SUBDIVISION, PHASE 2 , AS RECORDED AT PLAT BOOK 2014, PAGE 331 IN THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND ⅝" REBAR, BEING THE SW CORNER OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2, BEING A POINT IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72;

THENCE ALONG THE SOUTH BOUNDARY OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2 AND THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72, SOUTH 86°33'16" EAST, A DISTANCE OF 180.36 FEET TO A FOUND ⅝" REBAR; THENCE NORTH 65°56'56" EAST 87.18 FEET TO A FOUND ⅝" REBAR IN THE PROPOSED NORTH RIGHT-OF-WAY OF AR HWY 72 PER THIS PLAT; THENCE ALONG THE PROPOSED NORTH RIGHT-OF-WAY OF AR HWY 72, NORTH 79°32'42" EAST 16.24 FEET TO A SET ⅝" REBAR W/CAP "AR1002" FOR THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH BOUNDARY AND SAID PROPOSED NORTH RIGHT-OF-WAY, NORTH 14°32'26" EAST154.82 FEET TO A SET ⅝" REBAR W/ CAP "AR1002" IN THE SOUTHERLY RIGHT-OF-WAY OF SW HIGHLAND RD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, 47.45 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 27°11'06", AND A LONG CHORD BEARING SOUTH 74°00'35" EAST 47.00 FEET TO A SET MAG NAIL W/ WASHER "AR1002"; THENCE SOUTH 87°29'36" EAST 21.92 FEET TO A FOUND ⅝" REBAR; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 02°30'21" WEST 137.95 FEET TO A SET ⅝" REBAR W/CAP "AR1002" IN THE PROPOSED NORTH RIGHT-OF-WAY OF HWY 72 DEDICATED PER THIS PLAT; THENCE ALONG SAID PROPOSED NORTH RIGHT-OF-WAY, SOUTH 85°40'12" WEST 78.24 FEET TO A SET ⅝" REBAR W/CAP "AR1002"; THENCE SOUTH 79°32'42" WEST 22.27 FEET TO THE POINT OF BEGINNING, CONTAINING 11,758 SQUARE FEET OR 0.27 ACRES, MORE OR LESS. SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS, AND RIGHTS-OF-WAY OF RECORD OR FACT.

SURVEY DESCRIPTION - LOT 57:

BEING A PART OF THE NW ¼ OF THE NW ¼, SECTION 35, T-20-N, R-31-W, FIFTH PRINCIPAL MERIDIAN, SAME BEING A PART OF LOT 2 AND LOT 3, WHITE OAK TRAILS SUBDIVISION, PHASE 2 , AS RECORDED AT PLAT BOOK 2014, PAGE 331 IN THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ⅝" REBAR, BEING THE SW CORNER OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2, BEING A POINT IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72;

THENCE ALONG THE WEST BOUNDARY OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2, NORTH 02°28'59" EAST 6.37 FEET TO A SET ⅝" REBAR W/ CAP "AR1002"; THENCE DEPARTING SAID WEST BOUNDARY, NORTH 54°21'30" EAST 345.89 FEET TO A SET ⅝" REBAR "AR1002" IN THE SOUTHERLY RIGHT-OF-WAY OF SW HIGHLAND RD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, 45.35 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 25°59'03", AND A LONG CHORD BEARING SOUTH 47°25'30" EAST 44.96 FEET TO A SET ⅝" REBAR W/ CAP "AR1002"; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 14°32'26" WEST 154.82 FEET TO A SET ⅝" REBAR W/ CAP "AR1002" IN THE PROPOSED NORTH RIGHT-OF-WAY OF AR HWY 72 PER THIS PLAT; THENCE ALONG SAID PROPOSED NORTH RIGHT-OF-WAY, SOUTH 79°32'42" WEST 16.24 FEET TO A FOUND ⅝" REBAR IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72; THENCE ALONG SAID EXISTING NORTH RIGHT-OF-WAY, SOUTH 65°56'56" WEST 71.84 FEET TO A SET ⅝" REBAR W/CAP "1002" IN THE PROPOSED NORTH RIGHT-OF-WAY OF AR HWY 72 PER THIS PLAT; THENCE ALONG SAID PROPOSED NORTH RIGHT-OF-WAY, SOUTH 69°36'25" WEST 17.53 FEET TO A SET ⅝" REBAR W/CAP "AR1002" IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72; THENCE ALONG SAID EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72, NORTH 86°33'16" WEST 177.94 FEET TO THE POINT OF BEGINNING, CONTAINING 32,432 SQUARE FEET OR 0.74 ACRES, MORE OR LESS. SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS, AND RIGHTS-OF-WAY OF RECORD OR FACT.

RIGHT-OF-WAY A DEDICATION:

BEING A PART OF THE NW ¼ OF THE NW ¼, SECTION 35, T-20-N, R-31-W, FIFTH PRINCIPAL MERIDIAN, SAME BEING A PART OF LOTS 2 AND 3, WHITE OAK TRAILS SUBDIVISION, PHASE 2 , AS RECORDED AT PLAT BOOK 2014, PAGE 331 IN THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND ⅝" REBAR, BEING THE SW CORNER OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2, BEING A POINT IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72;

THENCE ALONG THE SOUTH BOUNDARY OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2 AND THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72, SOUTH 86°33'16" EAST, A DISTANCE OF 180.36 FEET TO A FOUND ⅝" REBAR; THENCE NORTH 65°56'56" EAST 87.18 FEET TO A FOUND ⅝" REBAR IN THE PROPOSED NORTH RIGHT-OF-WAY OF AR HWY 72 PER THIS PLAT FOR THE POINT OF BEGINNING;

THENCE NORTH 79°32'42" EAST, A DISTANCE OF 38.51 FEET TO A FOUND ⅝" REBAR; THENCE SOUTH 85°40'12" EAST 78.24 FEET TO A FOUND ⅝" REBAR; THENCE SOUTH 02°30'21" WEST 6.90 FEET TO A FOUND ½" REBAR IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72; THENCE ALONG SAID EXISTING NORTH RIGHT-OF-WAY, NORTH 86°36'29" WEST 115.74 FEET TO THE POINT OF BEGINNING, CONTAINING 852 SQUARE FEET OR 0.02 ACRES, MORE OR LESS. SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS, AND RIGHTS-OF-WAY OF RECORD OR FACT.

RIGHT-OF-WAY B DEDICATION:

BEING A PART OF THE NW ¼ OF THE NW ¼, SECTION 35, T-20-N, R-31-W, FIFTH PRINCIPAL MERIDIAN, SAME BEING A PART OF LOT 3, WHITE OAK TRAILS SUBDIVISION, PHASE 2 , AS RECORDED AT PLAT BOOK 2014, PAGE 331 IN THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND ⅝" REBAR, BEING THE SW CORNER OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2, BEING A POINT IN THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72; THENCE ALONG THE SOUTH BOUNDARY OF SAID WHITE OAK TRAILS SUBDIVISION, PHASE 2 AND THE EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72, SOUTH 86°33'16" EAST, A DISTANCE OF 177.94 FEET TO A SET ⅝" REBAR W/CAP "AR1002" FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH BOUNDARY OF WHITE OAK TRAILS, PHASE 2 AND SAID EXISTING NORTH RIGHT-OF-WAY OF AR HWY 72, NORTH 86°36'25" EAST 17.53 FEET TO A SET ⅝" REBAR W/CAP "AR1002"; THENCE SOUTH 65°56'56" WEST 15.34 FEET TO A FOUND ⅝" REBAR; THENCE NORTH 86°33'16" WEST 2.42 FEET TO THE POINT OF BEGINNING, CONTAINING 9.0 SQUARE FEET, MORE OR LESS. SUBJECT TO ANY RESTRICTIONS, COVENANTS, EASEMENTS, AND RIGHTS-OF-WAY OF RECORD OR FACT.

COB PROJECT #
PLA21-0041

CLIENT:

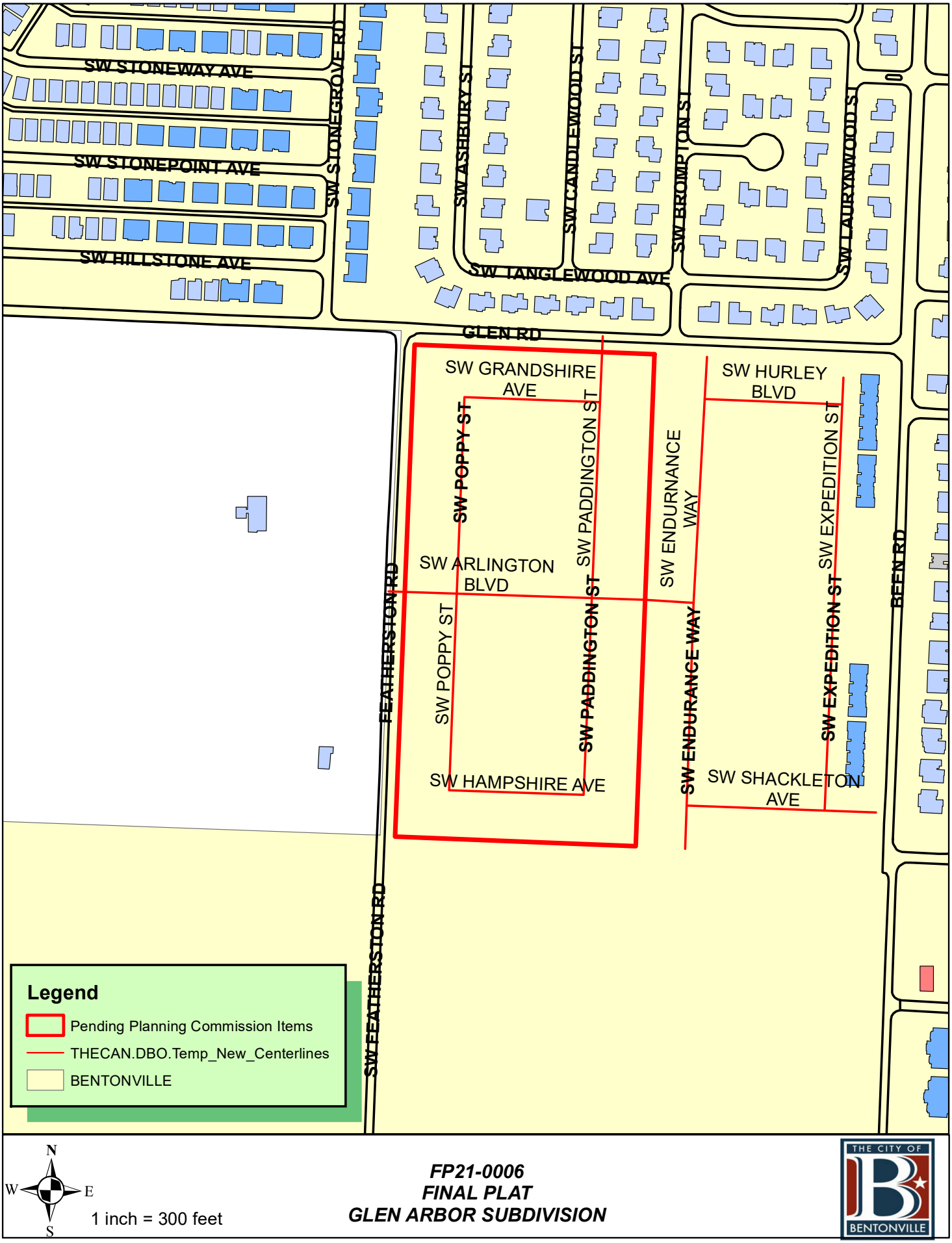
SHEET: PROPERTY LINE ADJUSTMENT

PROJECT: CREATING LOTS 56 & 57
WHITE OAK TRAIL SUB, PH2
BENTONVILLE, ARKANSAS

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO.
ED GRAY
PRELIMINARY

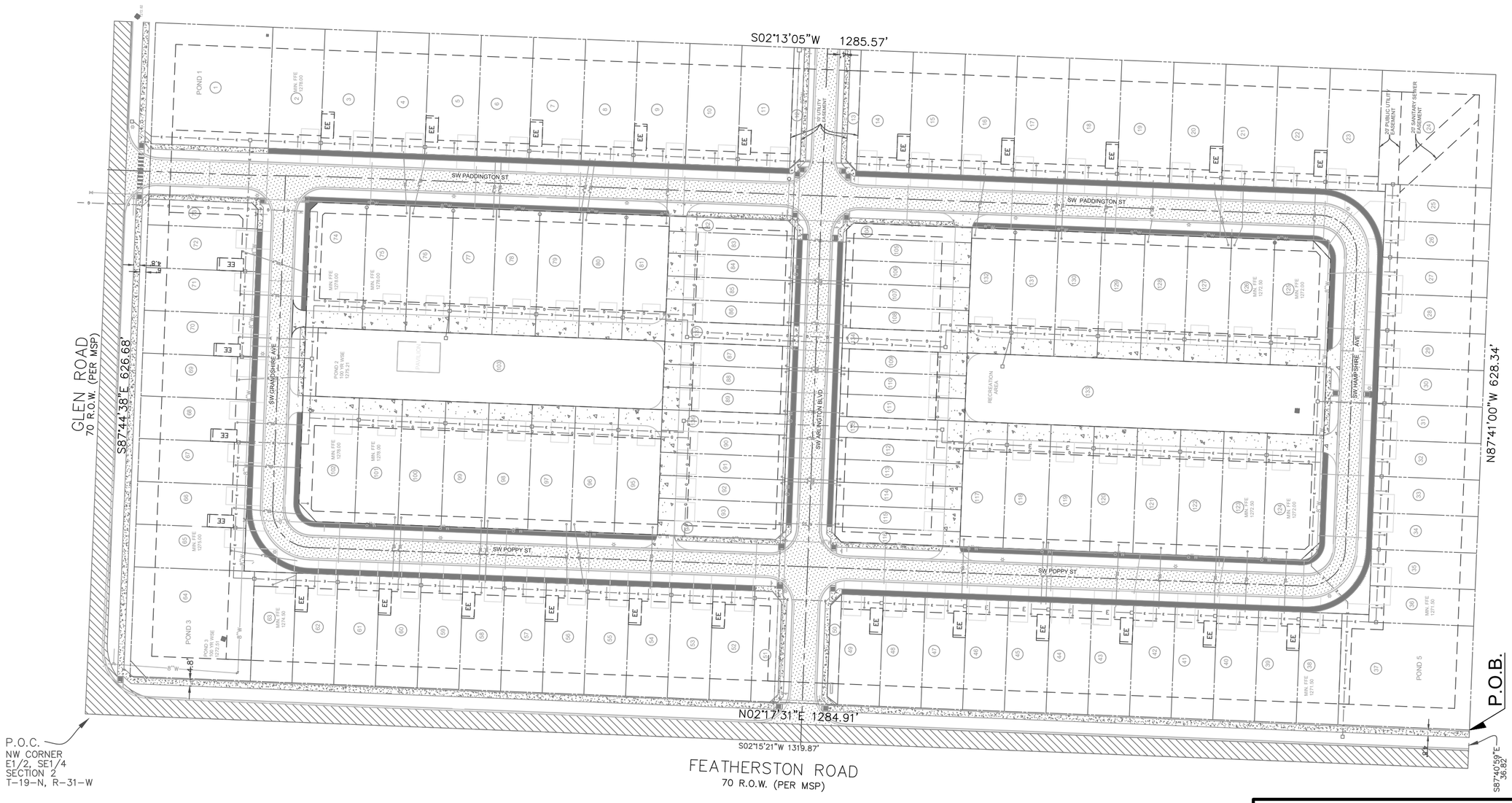
SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9262

PLS:	CEG
CAD:	JDW
FIELD:	MJH
SCE PROJECT #:	21065
DATE:	10/04/2021
SHEET:	2 OF 2



FP21-0006
FINAL PLAT
GLEN ARBOR SUBDIVISION

FINAL PLAT
GLEN ARBOR SUBDIVISION



SURVEY DESCRIPTIOIN:

PART OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF THE E½ OF THE SE¼ OF SAID SECTION 2; THENCE ALONG THE WEST LINE OF SAID E½ OF THE SE¼ S02°15'21"W 1319.87 FEET; THENCE LEAVING SAID WEST LINE S87°40'59"E 36.82 FEET TO THE WEST RIGHT-OF-WAY LINE OF FEATHERSTON ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE N02°17'31"E 1284.91 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE S87°44'38"E 626.68 FEET; THENCE S02°13'05"W 1285.57 FEET; THENCE N87°41'00"W 628.34 FEET TO THE POINT OF BEGINNING, CONTAINING 806,497.85 SQUARE FEET OR 18.51 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

N.T.S.

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

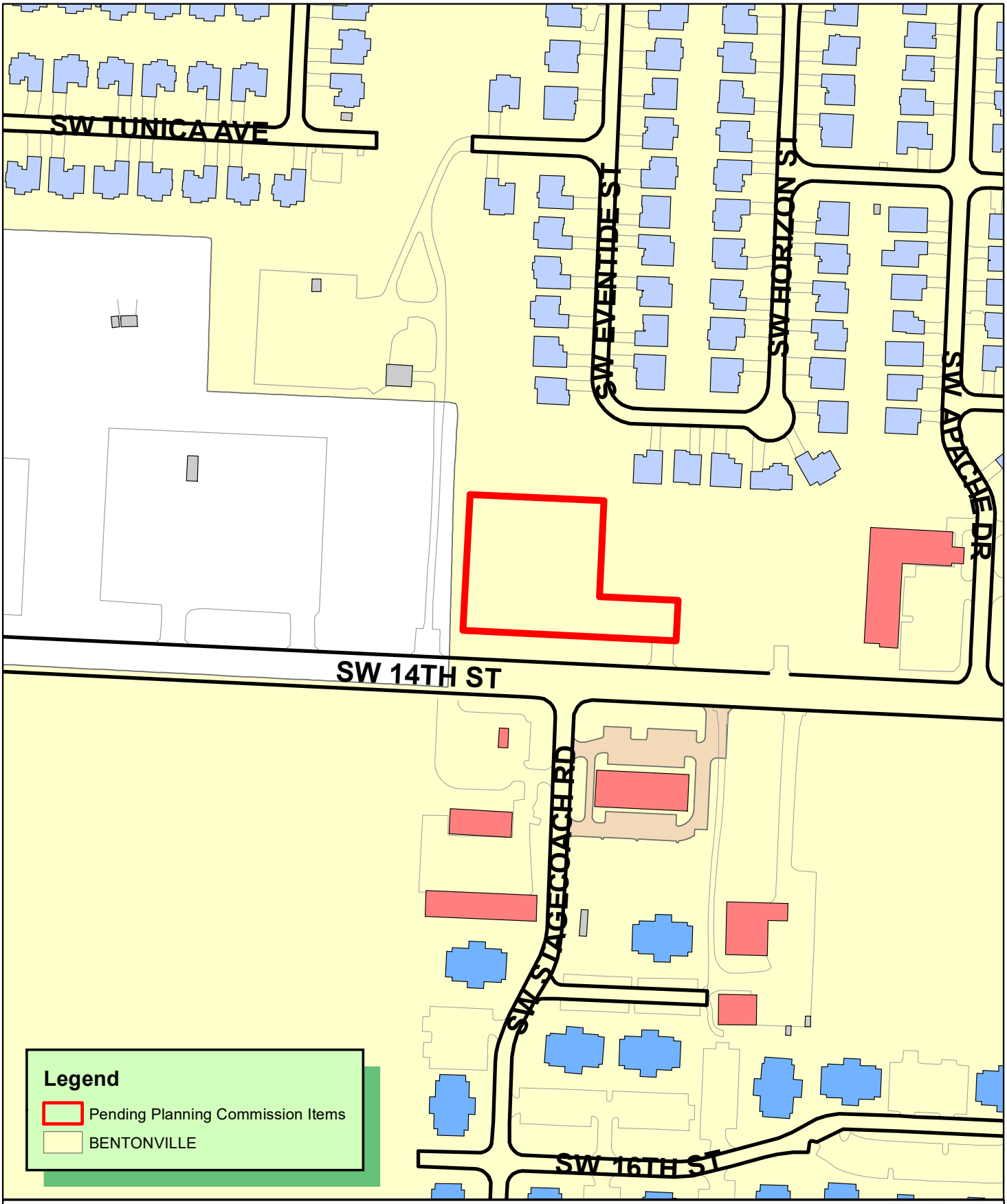
REGISTERED
STATE OF ARKANSAS
NO.1370
SIGNATURE
ROBERT J. CASTER
PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 60'	DATE: 10-15-21

FINAL PLAT
GLEN ARBOR SUBDIVISION
BENTONVILLE, BENTON COUNTY ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
GAFP	ASD	RJC	1 OF 3

Bentonville Project FP21-0006



LSD21-0024
LARGE SCALE DEVELOPMENT
DOLLAR TREE
2900 SW 14TH ST

LARGE SCALE SITE DEVELOPMENT PLANS

DOLLAR TREE
DELANEY PROPERTY GROUP, LLC

2900 SW 14TH ST

CITY OF BENTONVILLE, BENTON COUNTY, AR

GENERAL NOTES:

A. TOPOGRAPHIC BOUNDARY SURVEY, INCLUDING PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY, AS A CONTRACTOR TO THE SELLER/OWNER:

TOPOGRAPHY: CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PARKWAY, SUITE 2
BENTONVILLE, AR 72712
DUSTIN RILEY
(479) 273-9472

B. ALL PHASES OF SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE OWNER / DEVELOPER SITE WORK SPECIFICATIONS.

C. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF EXISTING STRUCTURES, RELATED UTILITIES, PAVING, UNDERGROUND STORAGE TANKS AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED. SEE SITE WORK SPECIFICATIONS.

D. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.

E. THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.

F. WARRANTY/DISCLAIMER: THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORANEOUS BASIS AT THE SITE.

G. SAFETY NOTICE TO CONTRACTOR: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.

H. ALL CONSTRUCTION IN STATE HIGHWAY DEPARTMENT RIGHT-OF-WAY SHALL BE COORDINATED WITH THE HIGHWAY DEPARTMENT RESIDENT ENGINEER.

I. WETLANDS NOTE: ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. CORPS OF ENGINEERS DESIGNATED WETLAND IS SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS AND/OR RESTRICTIONS AND ANY VIOLATION WILL BE SUBJECT TO FEDERAL PENALTY. THE CONTRACTOR SHALL HOLD THE OWNER/DEVELOPER, THE ENGINEER AND THE LOCAL GOVERNING AGENCIES HARMLESS AGAINST SUCH VIOLATION.

J. RESIDENT ENGINEERING SERVICES: WHEN REQUESTED BY THE OWNER, RESIDENT ENGINEERING SERVICES SHALL BE PROVIDED BY THE ENGINEERS (ON A TIME AND FREQUENCY BASIS) ACCEPTABLE TO THE CITY ENGINEER FOR IMPROVEMENTS TO PUBLIC WATER MAINS, PUBLIC SEWER, AND CITY STREETS. AT THE COMPLETION OF CONSTRUCTION, THE ENGINEER SHALL CERTIFY THE CONSTRUCTION TO BE IN COMPLIANCE WITH THE PLANS AND SPECIFICATIONS. THIS WORK WILL BE AT THE OWNER/DEVELOPER'S DIRECT EXPENSE AND SHALL BE COORDINATED WITH CEI ENGINEERING ASSOCIATES, INC. IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE RESIDENT ENGINEER OF ANY PRECONSTRUCTION / CONSTRUCTION CONFERENCES AND ANY PUBLIC CONSTRUCTION 24 HOURS PRIOR TO SAID ACTION.

FLOOD CERTIFICATION:

BY SCALED MAP LOCATION AND GRAPHICAL PLOTTING ONLY. THIS PROPERTY IS DETERMINED TO BE LOCATED WITHIN ZONE 'X', OR AREAS OUTSIDE THE 0.2% ANNUAL CHANCE 100-YR FLOODPLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM.
FLOOD INSURANCE MAP FOR BENTON COUNTY, AR.
MAP NUMBER: 05007C0255K
MAP REVISED: 06/05/2012

CITY OF BENTONVILLE GENERAL NOTES:

A. THE CITY OF BENTONVILLE STREET STANDARDS, DRAINAGE CRITERIA MANUAL, SUBDIVISION ORDINANCE, WATER, SEWER, ELECTRIC UTILITY SPECIFICATIONS, AND STATE CODE SHALL GOVERN THESE PLANS. IF THERE ARE DISCREPANCIES IN THE PLANS OR INFORMATION CONTAINED WITHIN, CITY OF BENTONVILLE ORDINANCES, STANDARDS, AND SPECIFICATIONS SHALL RULE, UNLESS APPROVED IN WRITING BY THE CITY ENGINEER.

B. TO SCHEDULE AN INSPECTION OR TEST WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT, INSPECTIONS MUST BE CALLED IN (479-271-3168) BY THE ENGINEER OF RECORD 24 HOURS IN ADVANCE BEFORE 10AM FOR AN INSPECTION THE FOLLOWING DAY.

C. THE ENGINEER OF RECORD MUST CERTIFY THE SITE AND THE PROJECT MUST PASS A DEVELOPMENT FINAL INSPECTION BEFORE REQUESTING A FINAL INSPECTION.

D. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY INFORMATION SHOWN ON THE SITE UTILITY PLAN. CONTRACTOR SHALL FOLLOW DESIGN ON BEUD'S DRAWING WHEN INSTALLING FACILITIES.

E. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) SHALL BE SCREENED ON ALL EXPOSED TO VIEW SIDES BY SIMILAR MATERIALS AS THE BUILDING.

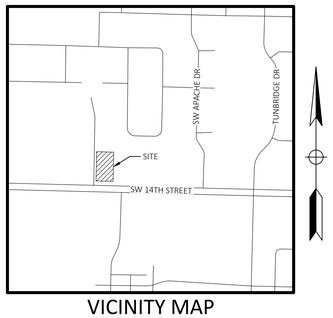
F. ANY NEW LIGHTING WILL REQUIRE THAT IT CUTOFF OR B-U-G (WITH A 'U' RATING OF 0 AND APPROVED BY THE PLANNING DEPARTMENT).

APPROVED	DATE
CITY OF BENTONVILLE, AR	
ARKANSAS DEPARTMENT OF HEALTH	
ARKANSAS DEPARTMENT OF TRANSPORTATION	09/07/2021

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

TRACT 1 OF LONESOME POND ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK & PAGE 2004-109, AND BEING ALSO DESCRIBED AS FOLLOWS, TO WIT: PART OF THE SE1/4 OF THE SE1/4 OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SE1/4, THENCE N2°59'39"E 40.00 FEET TO THE POINT OF BEGINNING, THENCE ALONG THE NORTH RIGHT OF WAY OF ARKANSAS HIGHWAY 102, S87°15'05"E 165.97 FEET, THENCE N2°59'39"E 277.17 FEET, THENCE N87°16'53"W 165.88 FEET TO THE WEST LINE OF THE SE1/4 OF THE SE1/4, THENCE ALONG SAID WEST LINE S02°59'39"W 277.08 FEET TO THE POINT OF BEGINNING, CONTAINING 1.06 ACRES, MORE OR LESS
AND
TRACT 2 OF LONESOME POND ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK & PAGE 2004-109, AND BEING ALSO DESCRIBED AS FOLLOWS, TO WIT: PART OF THE SE1/4 OF THE SE1/4 OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SE1/4, THENCE N2°59'39"E 40.00 FEET, THENCE S87°15'05"E 165.97 FEET ALONG THE NORTH RIGHT OF WAY OF ARKANSAS HIGHWAY 102 TO THE POINT OF BEGINNING, THENCE N2°59'39"E 277.17 FEET, THENCE S87°16'53"E 495.78 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF EAGLE CREST ESTATES SUBDIVISION, THENCE S02°25'23"W 277.43 FEET, THENCE N87°15'05"W 498.54 FEET ALONG THE SAID NORTH RIGHT OF WAY OF ARKANSAS HIGHWAY 102 TO THE POINT OF BEGINNING, CONTAINING 3.16 ACRES, MORE OR LESS.
LESS AND EXCEPT:
PART OF TRACTS 1 AND 2, LONESOME POND ADDITION, TO THE CITY OF BENTONVILLE, SECTION 35, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING USED AS THE SOUTHWEST CORNER OF LOT 1, LONESOME POND ADDITION, SAID POINT BEING ON THE WEST LINE OF SAID TRACT 1; THENCE NORTH 02°56'45" EAST ALONG SAID WEST LINE A DISTANCE OF 45.92 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 102 AS ESTABLISHED BY AHTD JOB 090179; THENCE SOUTH 87°16'28" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 107.46 FEET TO A POINT; THENCE SOUTH 87°13'18" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 470.60 FEET TO A POINT; THENCE SOUTH 84°21'33" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 85.59 FEET TO A POINT ON THE EAST LINE OF TRACT 2, LONESOME POND ADDITION; THENCE SOUTH 02°26'26" WEST ALONG SAID EAST LINE A DISTANCE OF 41.52 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 102 AS ESTABLISHED BY TRACT 2, LONESOME POND ADDITION, RECORDED IN PLAT BOOK 2004, PAGE 109; THENCE NORTH 87°14'27" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 663.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.70 ACRES OR 30,281 SQUARE FEET, MORE OR LESS, AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED AS JOB 090179.



VICINITY MAP
NOT TO SCALE

Latitude: 36.358108
Longitude: -94.244142

CEI CONTACT:

CEI ENGINEERING ASSOCIATES, INC.
CHRIS JOHNSON
PROJECT MANAGER EMAIL:
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CLIENT CONTACT:

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PB2 ARCHITECTURE & ENGINEERING
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SENIOR ARCHITECT
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FAX: (479) 636-1209

Know what's **below.**
Call before you dig.

CEI Solutions for Land and Life

CERTIFICATE OF AUTHORIZATION — CEI Engineering Associates, Inc. — No. 118 — ARKANSAS

PLAN INDEX:

C0.0 COVER SHEET
C1.0 SITE PLAN
C1.1 OVERALL SITE PLAN
C2.0 DEMOLITION PLAN
C3.0 GRADING PLAN
C3.1 PRE-DEVELOPMENT DRAINAGE MAP
C3.2 POST-DEVELOPMENT DRAINAGE MAP
C3.3 INLET MAP
C4.0 EROSION CONTROL PLAN
C4.1 EROSION CONTROL NOTES
C5.0 UTILITY PLAN - SHEET 1
C5.1 UTILITY PLAN - SHEET 2
C5.2 SANITARY SEWER EXTENSION PLAN
C5.3 WATER LINE PROFILE
C6.0 PAVING PLAN
C7.0 LANDSCAPE PLAN
C7.1 LANDSCAPE NOTES
C7.2 OVERALL LANDSCAPE PLAN
C8.0 DETAIL SHEET 1
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C10.0 DETAIL SHEET 3

ASSOCIATED PLANS:

1 OF 1 ALTA/NSPS LAND TITLE SURVEY
1 OF 2 CITY OF BENTONVILLE STANDARD WATER DETAILS
2 OF 2 CITY OF BENTONVILLE STANDARDS WATER DETAILS
1 OF 1 CITY OF BENTONVILLE STANDARDS SANITARY SEWER DETAILS
1 OF 2 CITY OF BENTONVILLE STANDARDS WATER/SEWER DETAILS
2 OF 2 CITY OF BENTONVILLE STANDARDS WATER/SEWER DETAILS
1 OF 3 CITY OF BENTONVILLE STANDARD ELECTRICAL DETAILS
2 OF 3 CITY OF BENTONVILLE STANDARD ELECTRICAL DETAILS
3 OF 3 CITY OF BENTONVILLE STANDARD ELECTRICAL DETAILS
1 OF 2 PROPOSED DOLLAR TREE ELEVATIONS
2 OF 2 PROPOSED DOLLAR TREE ELEVATIONS
1 OF 1 CITY OF BENTONVILLE ELECTRIC LAYOUT PLANS (PENDING)

RESOURCE LIST:

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LANCE BLASI
CITY OF BENTONVILLE - BUILDING INSPECTOR
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HEALTH DEPARTMENT
ARKANSAS DEPARTMENT OF HEALTH
1200 W WALNUT ST. SUITE 2200
ROGERS, AR 72756
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STREET DEPARTMENT
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WATER DEPARTMENT
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CITY OF BENTONVILLE WATER UTILITIES
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PLANNING
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BLACK HILLS ENERGY
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LOWELL, AR 72745
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AT&T
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FAYETTEVILLE AR 72703
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CELL PHONE: (479) 200-9022

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DAN WEESE
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WASTEWATER DEPARTMENT
NANCY BUSEN
CITY OF BENTONVILLE WASTEWATER DEPARTMENT
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FIRE DEPARTMENT
BRENT BOYDSTON, FIRE CHIEF
CITY OF BENTONVILLE FIRE DEPARTMENT
800 SW A STREET
BENTONVILLE, AR 72712
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INTERNET
KIP SMITH
COX COMMUNICATION
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SPRINGDALE, AR 72762
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EMAIL: KIP.SMITH@COX.COM

CIVIL ENGINEERING ▪ LANDSCAPE ARCHITECTURE ▪ LAND SURVEYING ▪ PLANNING
BENTONVILLE | DALLAS | FRESNO | HOUSTON | JACKSONVILLE | MINNEAPOLIS | PHILADELPHIA | PHOENIX

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

REVISION

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	08/23/2021
2	CITY COMMENTS	09/03/2021

DOLLAR TREE
DELANEY PROPERTY GROUP, LLC
2900 SW 14TH ST
CITY OF BENTONVILLE, BENTON COUNTY, AR

STATE OF ARKANSAS — REGISTERED PROFESSIONAL ENGINEER — No. 21850 — CHRISTOPHER D. JOHNSON
10/18/2021

PROFESSIONAL OF RECORD	ADS
PROJECT MANAGER	CSJ
DESIGNER	MPD
CEI PROJECT NUMBER	31964
DATE	9/7/2021
REVISION	REV-12

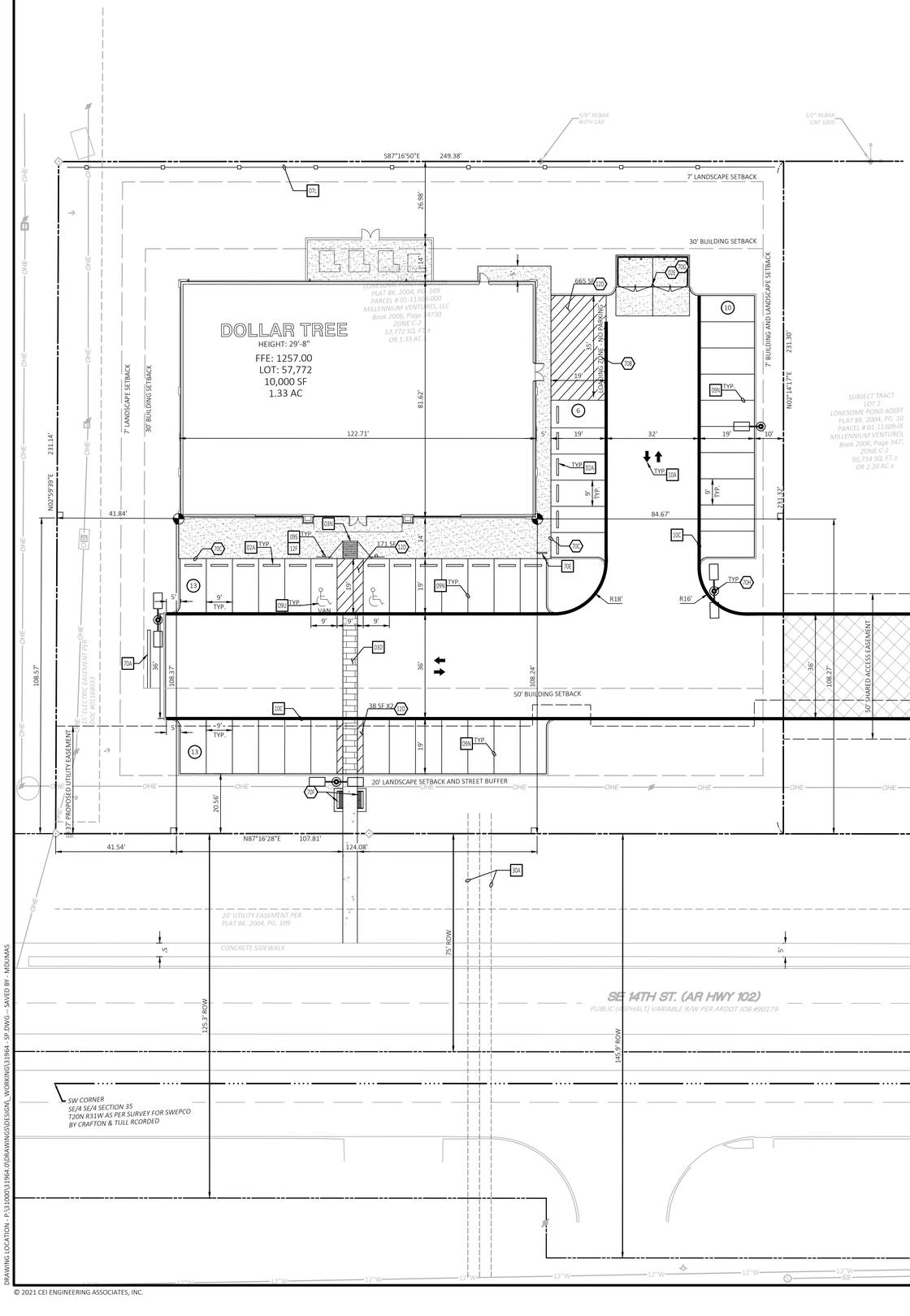
BENTONVILLE PROJECT NUMBER: LSD21-0024

COVER SHEET
SHEET TITLE

SHEET NUMBER
C0.0

DRAWING LOCATION - P:\31000\31964.0\DRAWINGS\DESIGN_WORKING\31964 - CS.DWG - SAVED BY - MDUMAS

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SITE BENCHMARK	
BENCHMARK #1:	BENCHMARK #2:
MAG NAIL	MAG NAIL
N: 744422.86'	N: 744379.48'
E: 651438.93'	E: 652176.89'
ELEV: 1253.82'	ELEV: 1256.99'

PARKING RATIO		
	REQUIRED	PROVIDED
	1/250 SF	
STANDARD PARKING	XX SPACES	40 SPACES
ACCESSIBLE PARKING	2 SPACES	2 SPACES
TOTAL	XX SPACES	42 SPACES

PROPERTY INFO (ZONING: C-2)		
PROPERTY AREA	57,772 SF	1.33 ACRES
BUILDING AREA	10,000 SF	0.23 ACRES
BUILDING COVERAGE	17.3%	
IMPERVIOUS AREA	33,282 SF	0.76 ACRES (57.6%)
OPEN SPACE	24,490 SF	0.56 ACRES (42.4%)
SETBACKS	BUILDING	LANDSCAPE
FRONT	50'-0"	20'-0"
SIDE	7'-0"	7'-0"
REAR	30'-0"	7'-0"
EXISTING USE	VACANT LOT	
PROPOSED USE	RETAIL	

ELECTRICAL NOTES

1. CONTACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' PF EXISTING OR PROPOSED POWER POLES.
2. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
3. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

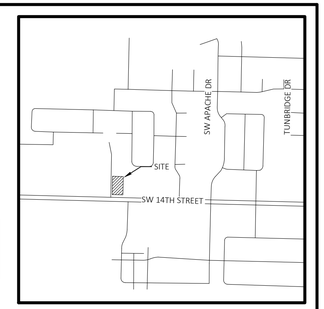
PLANNING NOTES

1. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING
2. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDING AND PROVIDED A DETAIL.

Know what's below. Call before you dig.



NOTE:
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.



Vicinity Map

Not to Scale

Latitude: 36.358108
Longitude: -94.244142

EXISTING LEGEND

Boundary Line		Drainage Manhole (DMH)	
Adjoining Boundary Line		Grate Inlet (GI)	
Right-of-Way Line		Fire Hydrant	
Easement Line		Sewer Manhole (SMH)	
Section Line		Guy Wire / Anchor	
Break Line		Utility Pole	
OHE Overhead Electric Line		Electric Riser	
SS Sanitary Sewer Line		Water Valve	
(Size) Storm Drainage Pipe		Cable TV Riser	
W Water Line		Cable TV Vault	
Barb Wire Fence Line		Electric Vault	
Wood Fence Line		Warning Cable TV Sign	
Benchmark (BM)		Tree (Deciduous)	
Found Monument (As Noted)	R/W	Right-of-Way Record Bearing & Distance per Plat Bk. 2004, Pg. 109	
Set 5/8" Rebar "LS#1618"	(XXXX)	Record Bearing & Distance per ARDOT Job # 090179	
Found Aluminum Cap (As Noted)			
Found Chiseled "X"			
Electric Meter			

PROPOSED LEGEND

PROPERTY LINE/RIGHT OF WAY LINE	PROPOSED PARKING SPACES
CONCRETE CURB AND GUTTER. SEE DETAIL 01A/01B.	LIMITS OF SIDEWALKS AND CONCRETE APRONS (PER ARCH. PLANS)
BUILDING CONTROL POINT	

GENERAL SITE NOTES

A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.

B. ALL CURB RETURN RADII SHALL BE 3', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.

C. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS: ALL CURB AND GUTTER ADJACENT TO ASPHALT PAVING SHALL BE INSTALLED PER DETAIL 01A. ALL CURBING ADJACENT TO CONCRETE PAVING SHALL BE INSTALLED PER DETAIL 01B. PAVEMENT SHALL BE INSTALLED IN ACCORDANCE WITH DETAIL 08A OVER THE ENTIRE PARKING LOT AREA AND ALL APPROACH DRIVES. ALL PARKING LOT STRIPING INCLUDING ACCESSIBLE AND VAN ACCESSIBLE SPACES SHALL BE PAINTED PER DETAIL: 09U.

D. ALL PARKING LOT SIGN BASE SUPPORTS SHALL BE INSTALLED PER DETAIL 12F.

E. ALL ACCESSIBLE PARKING STALLS SHALL HAVE SIGNAGE INSTALLED PER DETAIL 09S.

SITE DETAILS

02A PRECAST CONCRETE WHEEL STOP
03D CONCRETE SIDEWALK
03N WHEELCHAIR RAMP IN SIDEWALK (TYPICAL AT EACH DRIVEWAY CURB RETURN)
07L WOOD FENCE
09N 90 DEGREE PARKING
09S ACCESSIBLE / VAN ACCESSIBLE PARKING SIGN
09U ACCESSIBLE PARKING SYMBOL
10A TRAFFIC FLOW ARROW
10B STOP BAR
10C FIRE LANE MARKING
12F SIGN BASE
30A JACK & BORE
12G STOP SIGN
70A PROPOSED MONUMENT SIGN (SIGN WILL BE PERMITTED SEPARATELY)
70E BIKE RACK (MINIMUM CAPACITY OF 2 BIKES)

SITE NOTES

02E TRASH DUMPSTER ENCLOSURE (DETAIL ENCLOSED WITH ARCHITECT PLANS)
12D 4 INCH WIDE PAINTED YELLOW STRIPES. 2.0 FOOT O.C. @ 45 DEGREES (SEE SIZE INDICATED AT SYMBOL).
12H 4 INCH DOUBLE TRAFFIC YELLOW LANE STRIPE (SEE LENGTH INDICATED AT SYMBOL).
70B "NO PARKING - FIRE LANE" PAINTED 12" HIGH LETTERS WITH 2' MIN STROKE
70C LIMITS OF CONCRETE PAVING
70F PROPOSED PEDESTRIAN SEATING WILL BE A MINIMUM OF 6 FEET IN LENGTH AND BE VICTOR STANLEY "CLASSIC" (MODEL #C-10) OR APPROVED EQUAL
70G MINIMUM INSIDE DUMPSTER ENCLOSURE DIMENSIONS SHALL BE 9' IN DEPTH BY 11' IN WIDTH PER ARCH. PLANS AND CITY OF BENTONVILLE STANDARDS
70H SITE LIGHT (PER PHOTOMETRIC PLAN)

CITY OF BENTONVILLE GENERAL NOTES

A. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) SHALL BE SCREENED ON ALL EXPOSED TO VIEW SIDES BY SIMILAR MATERIALS AS THE BUILDING.

B. ALL SIGNAGE WILL REQUIRE A SEPARATE PERMIT.

C. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIAL AS THE BUILDING.

D. ANY NEW LIGHTING WILL REQUIRE THAT IT CUTOFF OR B-U-G (WITH A 'U' RATING OF 0 AND APPROVED BY THE PLANNING DEPARTMENT).

E. DRIVEWAYS SHALL MEET THE STANDARDS FOR DRIVEWAY DESIGN AS DEFINED IN THE CITY OF BENTONVILLE MINIMUM STANDARD SPECIFICATIONS FOR STREETS SECTION 400.9 DRIVEWAYS. DRIVEWAY PORTION WITHIN THE CITY RIGHT OF WAY TO RECEIVE 24" SUBGRADE SOIL WITH A CBR VALUE OF (8) OR GREATER. ASPHALT THICKNESS FOR COMMERCIAL DRIVES WITHIN CITY RIGHT-OF-WAY SHALL BE 3 INCHES OF ASPHALT OVER 6 INCHES OF COMPACTED CLASS 7 AGGREGATE BASE COURSE. THE SLOPE OF THE DRIVEWAY SHALL MATCH THE CROSS SLOPE OF THE SIDEWALK WHICH SHALL HAVE A CROSS SLOPE OF NO MORE THAN 2%.

BENTONVILLE ELECTRIC UTILITY DEPARTMENT NOTES

A. CONTACT BEUD AT (479) 271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
B. BEUD DESIGN AND LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE UTILITY PLAN
C. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

REVISION

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	8/23/2021
2	CITY COMMENTS	8/26/2021
3	CITY COMMENTS	09/03/2021
4	CITY COMMENTS	10/15/2021

DOLLAR TREE
DELANEY PROPERTY GROUP, LLC
2900 SW 14TH ST
CITY OF BENTONVILLE, BENTON COUNTY, AR

BENTONVILLE PROJECT NUMBER: LSD21-0024

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 21680
CHRISTOPHER J. SWEED
10/18/2021

PROFESSIONAL OF RECORD	ADS
PROJECT MANAGER	CSJ
DESIGNER	MPD
CEI PROJECT NUMBER	31964
DATE	10/15/2021
REVISION	REV-12

SITE PLAN
SHEET TITLE
SHEET NUMBER
C1.0

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[DRAWING LOCATION - P:\31000\31964.01\DRAWINGS\DESIGN_WORKING\31964 - SP DWG - SAVED BY - MDUMAS]

CITY OF BENTONVILLE GENERAL NOTES

A. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) SHALL BE SCREENED ON ALL EXPOSED TO VIEW SIDES BY SIMILAR MATERIALS AS THE BUILDING.

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C. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIAL AS THE BUILDING.

D. ANY NEW LIGHTING WILL REQUIRE THAT IT CUTOFF OR B-U-G (WITH A 'U' RATING OF 0 AND APPROVED BY THE PLANNING DEPARTMENT).

E. DRIVEWAYS SHALL MEET THE STANDARDS FOR DRIVEWAY DESIGN AS DEFINED IN THE CITY OF BENTONVILLE MINIMUM STANDARD SPECIFICATIONS FOR STREETS SECTION 400.9 DRIVEWAYS. DRIVEWAY PORTION WITHIN THE CITY RIGHT OF WAY TO RECEIVE 24" SUBGRADE SOIL WITH A CBR VALUE OF (8) OR GREATER. ASPHALT THICKNESS FOR COMMERCIAL DRIVES WITHIN CITY RIGHT-OF-WAY SHALL BE 3 INCHES OF ASPHALT OVER 6 INCHES OF COMPACTED CLASS 7 AGGREGATE BASE COURSE. THE SLOPE OF THE DRIVEWAY SHALL MATCH THE CROSS SLOPE OF THE SIDEWALK WHICH SHALL HAVE A CROSS SLOPE OF NO MORE THAN 2%.

BENTONVILLE ELECTRIC UTILITY DEPARTMENT NOTES

A. CONTACT BEUD AT (479) 271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
B. BEUD DESIGN AND LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE UTILITY PLAN
C. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

ELECTRICAL NOTES

1. CONTACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' PF EXISTING OR PROPOSED POWER POLES.
2. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
3. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

PLANNING NOTES

1. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING
2. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDING AND PROVIDED A DETAIL.

SITE BENCHMARK

BENCHMARK #1:	BENCHMARK #2:
MAG NAIL	MAG NAIL
N: 744422.86'	N: 744379.48'
E: 651438.93'	E: 652176.89'
ELEV: 1253.82'	ELEV: 1256.99'

PARKING RATIO		
	REQUIRED	PROVIDED
	1/250 SF	
STANDARD PARKING	XX SPACES	40 SPACES
ACCESSIBLE PARKING	2 SPACES	2 SPACES
TOTAL	XX SPACES	42 SPACES

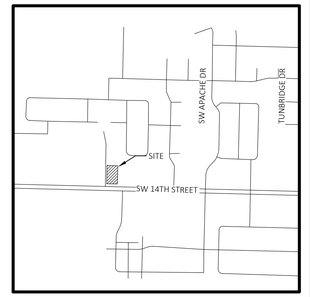
PROPERTY INFO (ZONING: C-2)		
PROPERTY AREA	57,772 SF	1.33 ACRES
BUILDING AREA	10,000 SF	0.23 ACRES
BUILDING COVERAGE	17.3%	
IMPERVIOUS AREA	33,282 SF	0.76 ACRES (57.6%)
OPEN SPACE	24,490 SF	0.56 ACRES (42.4%)
SETBACKS	BUILDING	LANDSCAPE
FRONT	50'-0"	20'-0"
SIDE	7'-0"	7'-0"
REAR	30'-0"	7'-0"
EXISTING USE	VACANT LOT	
PROPOSED USE	RETAIL	

Know what's **below.** **Call** before you dig.

N

0 20' 30' 40'
SCALE IN FEET

NOTE:
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.



Vicinity Map

Not to Scale

Latitude: 36.358108
Longitude: -94.244142

EXISTING LEGEND

	Boundary Line		*Drainage Manhole (DMH)*
	Adjoining Boundary Line		*Grate Inlet (GI)*
	Right-of-Way Line		*Fire Hydrant*
	Easement Line		*Sewer Manhole (SMH)*
	Section Line		*Guy Wire / Anchor*
	Break Line		*Utility Pole*
OHE	*Overhead Electric Line*	E	*Electric Riser*
SS	*Sanitary Sewer Line*		*Water Valve*
[Site]	*Storm Drainage Pipe*	TV	*Cable TV Riser*
W	*Water Line*	TV	*Cable TV Vault*
	Barb Wire Fence Line	E	*Electric Vault*
	Wood Fence Line		*Warning Cable TV Sign*
	Benchmark (BM)		*Tree (Deciduous)*
	Found Monument (As Noted)		
	Set 5/8" Rebar "LS#1618"	R/W	*Right-of-Way*
	Found Aluminum Cap (As Noted)	(XXXX)	*Record Bearing & Distance per Plat Bk. 2004, Pg. 109*
	Found Chiseled "X"	[XXXX]	*Record Bearing & Distance per ARDOT Job # 090179*
	Electric Meter		

PROPOSED LEGEND

PROPERTY LINE/RIGHT OF WAY LINE

CONCRETE CURB AND GUTTER. SEE DETAIL 01A/01B.

BUILDING CONTROL POINT

PROPOSED PARKING SPACES

LIMITS OF SIDEWALKS AND CONCRETE APRONS (PER ARCH. PLANS)

GENERAL SITE NOTES

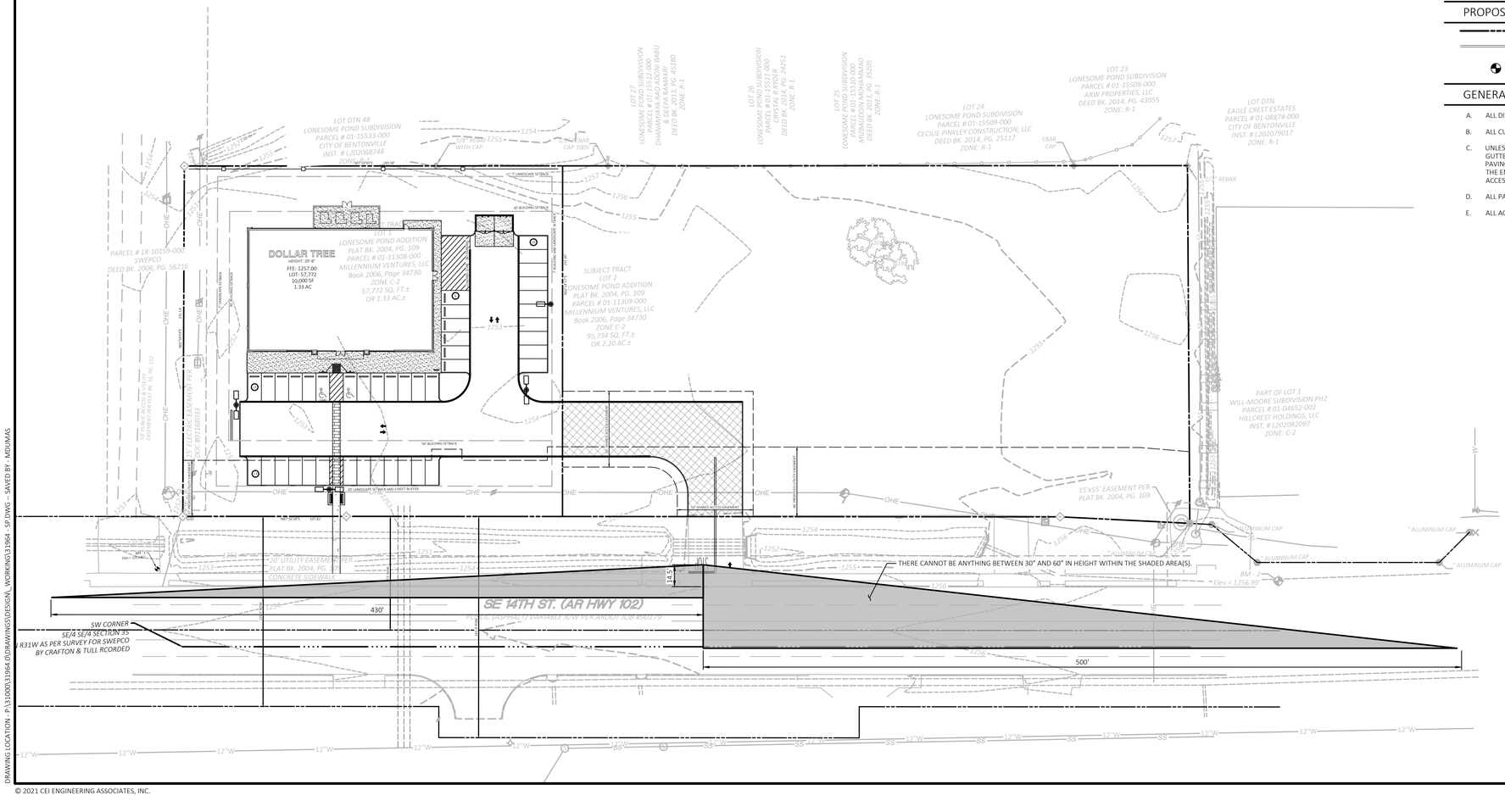
A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.

B. ALL CURB RETURN RADII SHALL BE 3', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.

C. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS: ALL CURB AND GUTTER ADJACENT TO ASPHALT PAVING SHALL BE INSTALLED PER DETAIL 01A. ALL CURBING ADJACENT TO CONCRETE PAVING SHALL BE INSTALLED PER DETAIL 01B. PAVEMENT SHALL BE INSTALLED IN ACCORDANCE WITH DETAIL 08A OVER THE ENTIRE PARKING LOT AREA AND ALL APPROACH DRIVES. ALL PARKING LOT STRIPING INCLUDING ACCESSIBLE AND VAN ACCESSIBLE SPACES SHALL BE PAINTED PER DETAIL: 09U.

D. ALL PARKING LOT SIGN BASE SUPPORTS SHALL BE INSTALLED PER DETAIL 12F.

E. ALL ACCESSIBLE PARKING STALLS SHALL HAVE SIGNAGE INSTALLED PER DETAIL 09S.



DRAWING LOCATION - P:\31000\31964.0\DRAWINGS\DESIGN_WORKING\31964 - SP.DWG - SAVED BY - MDUMAS

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BENTONVILLE PROJECT NUMBER: LSD21-0024

DOLLAR TREE
DELANEY PROPERTY GROUP, LLC
2900 SW 14TH ST
CITY OF BENTONVILLE, BENTON COUNTY, AR

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

REVISION

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	8/23/2021
2	CITY COMMENTS	8/26/2021
3	CITY COMMENTS	09/03/2021
4	CITY COMMENTS	10/15/2021

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 21600
CHRISTOPHER S. JULIAN
10/18/2021

PROFESSIONAL OF RECORD	ADS
PROJECT MANAGER	CSJ
DESIGNER	MPD
CEI PROJECT NUMBER	31964
DATE	10/15/2021
REVISION	REV-12

OVERALL SITE PLAN

SHEET TITLE

SHEET NUMBER

C1.1

LANDSCAPE REQUIREMENTS: PER CITY OF BENTONVILLE, AR ZONING ORDINANCE

	REQUIRED	PROVIDED
SCREENING REQUIREMENTS		
SREEN TYPE A NEEDED: OPAQUE SCREEN. INTENDED TO EXCLUDE ALL VISUAL CONTACT BETWEEN USES AND TO CREATE A STRONG IMPRESSION OF SPATIAL SEPARATION	YES	YES
SCREEN TYPE D NEEDED: DEFINED SCREEN. THE PERIMETER LANDSCAPING REQUIREMENTS; NO ADDITIONAL SCREENING IS REQUIRED.	YES	YES
LANDSCAPE LOCATION AND UTILITY CLEARANCE		
TREES AND LANDSCAPING SHALL NOT BE PLACED WHERE THEY INTERFERE WITH SITE DRAINAGE	YES	YES
TREES SHALL NOT BE WITHIN 5 FEET FROM UNDERGROUND UTILITIES	YES	YES
TREES AND LANDSCAPING SHALL NOT BE WITHIN 10 FEET FROM THE SIDES WITH DOORS AND THREE FEET FROM ALL OTHER SIDES OF ALL PADMOUNT SWITCHGEAR, PRIMARY JUNCTION BOXES, AND ALL PHASES OF PADMOUNT TRANSFORMERS	YES	YES
TREES AND LANDSCAPING SHALL NOT BE WITHIN 3 FEET OF A FIRE HYDRANT. ALL LANDSCAPING SHALL BE MAINTAINED TO ENSURE THE VISIBILITY OF THE FIRE HYDRANT.	YES	YES

LANDSCAPE REQUIREMENTS: PER CITY OF BENTONVILLE, AR ZONING ORDINANCE

	REQUIRED	PROVIDED
INTERIOR PARKING LOT LANDSCAPING REQUIRED		
THE PERCENT OF THE TOTAL AREA OF PARKING LOT DEDICATED TO INTERIOR LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH: 3,000-49,999 SQ. FT. OF PARKING LOT AREA = 8% MINIMUM DEDICATED TO INTERIOR GREENSPACE	22,082 * 8% = 1,766.5 SF REQ'D	2,882 SF
INTERNAL PLANTING ISLANDS SHALL CONTAIN A MINIMUM OF 1 SHADE TREE	5	YES
INTERIOR LANDSCAPED AREAS SHALL BE PROTECTED FROM VEHICULAR ENCROACHMENT THROUGH APPROPRIATE CURBS OR WHEEL STOPS	YES	YES
PLANTING ISLANDS SHALL BE PLACED NO FATHER THAN 15 PARKING SPACES APART	YES	YES
ALL ROWS OF PARKING SHALL TERMINATE WITH A PLANTING ISLAND OR LANDSCAPED AREA	YES	YES
EXTERNAL PLANTING ISLANDS SHALL BE A MINIMUM SIZE OF 9 FEET BY 19 FEET	YES	YES
EXTERNAL PLANTING ISLANDS SHALL CONTAIN A MINIMUM OF 1 SHADE TREE	YES	YES

LANDSCAPE REQUIREMENTS

CITY REQUIREMENTS	REQUIRED	PROVIDED
SOUTH STREET TREES	- 1 TREE PER 20 L.F.: 250 L.F. TOTAL SITE PERIMETER - 13 TREES REQUIRED	- 13 TREES PROVIDED
WEST PERIMETER R-2=TYPE A SCREEN	- 1 TREE PER 50 L.F.: 232 L.F. TOTAL SITE PERIMETER - 5 TREES REQUIRED	- 5 TREES PROVIDED
NORTH PERIMETER R-1=TYPE A SCREEN	- 1 TREE PER 50 L.F.: 249 L.F. TOTAL SITE PERIMETER - 5 TREES REQUIRED - TYPE A SCREEN REQUIRED	- 5 TREES PROVIDED
EAST PERIMETER C-2= TYPE D SCREEN	- 1 TREE PER 50 L.F.: 232 L.F. TOTAL SITE PERIMETER - 5 TREES REQUIRED - TYPE D SCREEN REQUIRED	- 5 TREES PROVIDED
INTERIOR GREENSPACE	- TOTAL PARKING AREA = 19,585 SQ.FT - 8% REQUIRED = 1,567 SQ.FT - 1 TREE PER ISLAND = 2 TREES	- YES - 1,570 SF
TYPE A SCREEN	- CONTINUOUS EVERGREEN SCREEN, 6' AT PLATING AND MATURE HEIGHT OF 20'.	- YES
TYPE D SCREEN	- NO DEFINED SCREEN	- YES

CITY OF BENTONVILLE LANDSCAPE NOTES

ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION AND ALL PLANT MATERIAL THAT DIES SHALL BE REPLACED. (SEC 1400.5.C-10)

TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-11)

HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-12)

LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY ENCOURAGED. (SEC 1400.6.A-8 & 1400.8.G-7)

WHERE POTENTIAL UTILITY CONFLICTS WITH LANDSCAPING OCCUR, UTILITY LOCATIONS SHALL BE FIELD VERIFIED.

ALL LANDSCAPING IS REQUIRED TO MAINTAIN FIVE FEET OF SEPARATION FROM ANY PUBLIC UTILITY.

ALL TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY SHALL BE 4" CALIBER AND THE LOWEST LIMB SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.

811 Know what's below. Call before you dig.

N

0 20' 30' 40'
SCALE IN FEET

NOTE:
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.

SITE BENCHMARK

BENCHMARK #1: MAG NAIL N: 744422.86' E: 651438.93' ELEV: 1253.82'

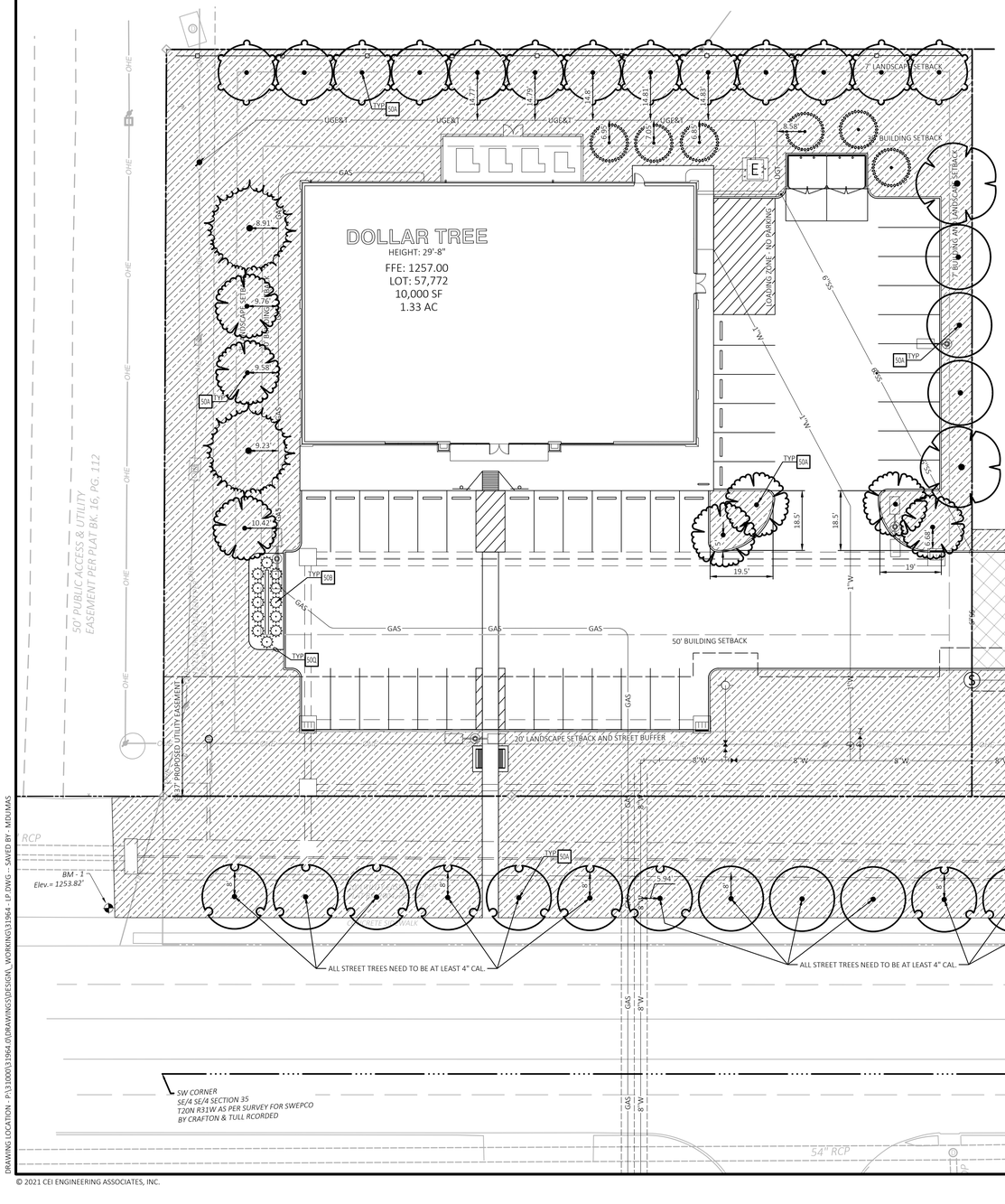
BENCHMARK #2: MAG NAIL N: 744379.48' E: 652176.89' ELEV: 1256.99'

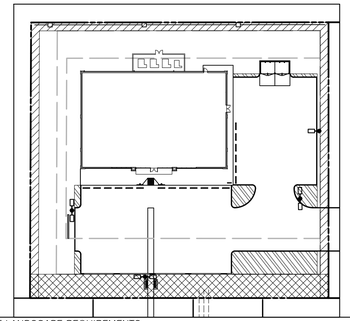


Vicinity Map

Not to Scale

Latitude: 36.358108
Longitude: -94.244142





CITY OF BENTONVILLE LANDSCAPE REQUIREMENTS AREAS SHOWN IN DIAGRAM TO THE RIGHT

AREA	REQUIREMENT	REQUIRED	PROVIDED	
STREET FRONTAGE BUFFER	A 20' LANDSCAPED STREET BUFFER SHALL BE PROVIDED ALONG ANY STREET RIGHT OF WAY. SHADE TREES SHALL BE PLANTED AT A RATE OF 1 TREE PER 20 LF OF RIGHT OF WAY	SW 14TH STREET: 250 LF / 20 = 13 TREES REQUIRED	13 TREES PROVIDED	
PERIMETER LANDSCAPE STRIP	A 7' PERIMETER LANDSCAPE STRIP SHALL BE PROVIDED ALONG THE SIDE AND REAR LOT LINES. TREES SHALL BE PLANTED AT A RATE OF 1 TREE PER 50 LF OF LOT LINES	712 LF OF SIDE AND REAR YARDS / 50 = 15 TREES REQUIRED	16 TREES PROVIDED	
INTERIOR PARKING LOT LANDSCAPING	8% OF THE TOTAL AREA OF THE PARKING LOT SHALL BE DEDICATED TO INTERIOR LANDSCAPING	19,585 SF OF PARKING x 8% = 1,567 SF OF LANDSCAPE AREA REQUIRED	2,242 SF PROVIDED	
	1 TREE SHALL BE PLANTED PER 125 SF OF INTERIOR PARKING LOT LANDSCAPE AREA	592 / 125 = 5 TREES REQUIRED	5 TREES PROVIDED	

EXISTING LEGEND

	Boundary Line		*Drainage Manhole (DMH)*
	Adjoining Boundary Line		*Grate Inlet (GI)*
	Right-of-Way Line		*Fire Hydrant*
	Easement Line		*Sewer Manhole (SMH)*
	Section Line		*Guy Wire / Anchor*
	Break Line		*Utility Pole*
OHE	*Overhead Electric Line*	E	*Electric Riser*
SS	*Sanitary Sewer Line*		*Water Valve*
(Size)	*Storm Drainage Pipe*	TV	*Cable TV Riser*
W	*Water Line*	TV	*Cable TV Vault*
	Barb Wire Fence Line	E	*Electric Vault*
	Wood Fence Line		*Warning Cable TV Sign*
	Benchmark (BM)		*Tree (Deciduous)*
	Found Monument (As Noted)		
	Set 5/8" Rebar "LS#1618"	R/W	*Right-of-Way Record Bearing & Distance per Plat Bk. 2004, Pg. 109*
	Found Aluminum Cap (As Noted)	(XXXX)	
	Found Chiseled "X"	[XXXX]	*Record Bearing & Distance per ARDOT Job # 090179*
	Electric Meter		

PROPOSED LEGEND

BOUNDARY LINE

STORM DRAIN

GENERAL NOTES

A. SEE LANDSCAPE NOTES (SHEET C7.1) FOR LANDSCAPE NOTES AND DETAILS.

LANDSCAPE DETAILS

50A TREE PLANTING
50B SHRUB PLANTING
50Q STEEL EDGING

PLANT SCHEDULE

2021-07-29 15:17

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	DETAIL	MATURE HT.	TYPE	CAL.
	12	ACER TRUNCATUM / SHANTUNG MAPLE	15 GAL	50A		SHADE	2.50" CAL.
	16	CARPINUS CAROLINIANA / AMERICAN HORNBEAM	B&B	50A		SHADE	2.50" CAL.
	13	CRYPTOMERIA JAPONICA 'YOSHINO' / YOSHINO JAPANESE CEDAR	B&B	50A	40'	SHADE/SCREEN	2.50" CAL.
	6	ILEX DECIDUA 'WARREN'S RED' / WARREN'S RED POSSUMHAW	B&B	50A		ORNAMENTAL	2.00" CAL.
	2	PISTACIA CHINENSIS / CHINESE PISTACHE	B&B	50A		ORNAMENTAL	2.00" CAL.
	2	PRUNUS X YEDOENSIS / YOSHINO CHERRY	B&B	50A		ORNAMENTAL	2.00" CAL.
	7	QUERCUS SHUMARDII / SHUMARD RED OAK	B&B	50A		SHADE	2.50" CAL.
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	DETAIL	MATURE HT.	TYPE	
	12	ABELIA X GRANDIFLORA 'SHERWOODII' / DWARF ABELIA	3 GAL	50B			
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE				
	54,063 SF	FESTUCA ARUNDINACEA / TALL FESCUE	SOD				

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

CEI Solutions for Land and Life

REVISION

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	8/23/2021
2	CITY COMMENTS	8/26/2021
3	CITY COMMENTS	09/03/2021
4	CITY COMMENTS	10/15/2021

DOLLAR TREE
DELANEY PROPERTY GROUP, LLC
2900 SW 14TH ST
CITY OF BENTONVILLE, BENTON COUNTY, AR

PRELIMINARY
NOT FOR
CONSTRUCTION

PROFESSIONAL OF RECORD	ADS
PROJECT MANAGER	CSJ
DESIGNER	MPD
CEI PROJECT NUMBER	31964
DATE	9/7/2021
REVISION	REV-12

BENTONVILLE PROJECT NUMBER: LSD21-0024

LANDSCAPE PLAN

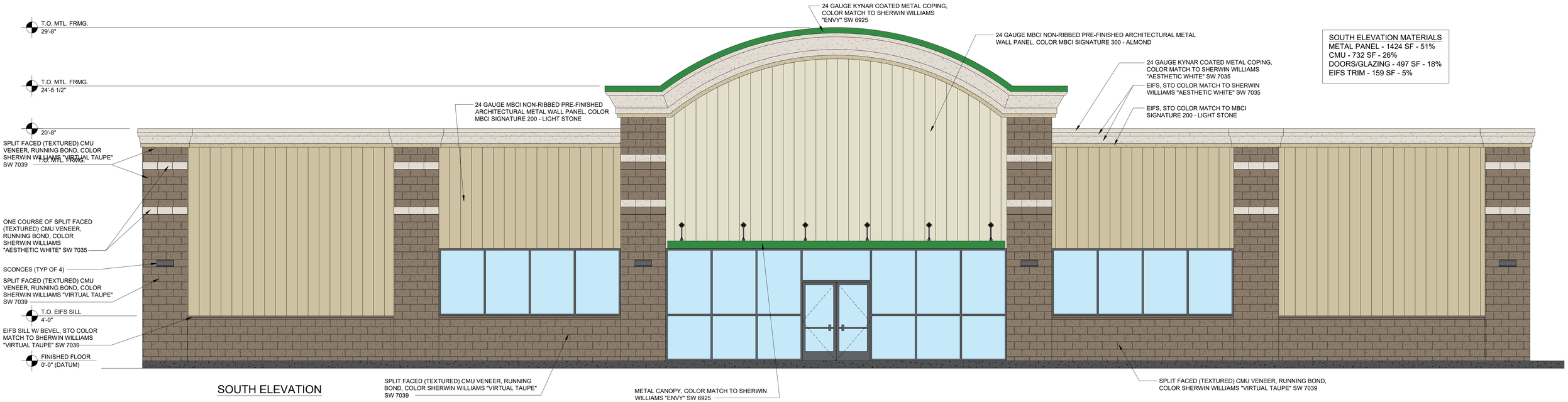
SHEET TITLE

SHEET NUMBER

C7.0

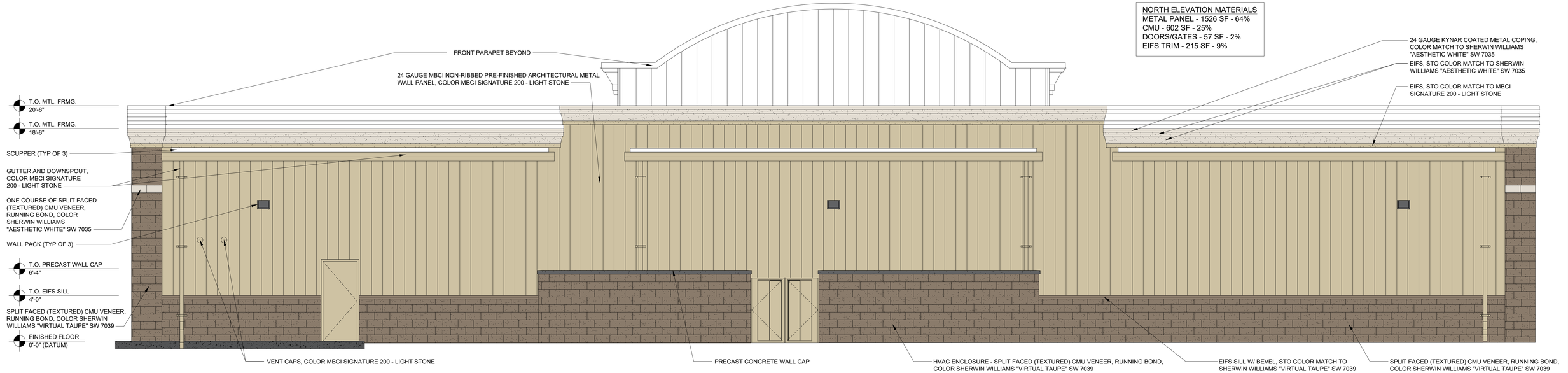
DRAWING LOCATION - P:\31000\31964.0\DRAWINGS\DESIGN_WORKING\31964 - LP.DWG -- SAVED BY - MDUMAS

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SOUTH ELEVATION

SOUTH ELEVATION MATERIALS
METAL PANEL - 1424 SF - 51%
CMU - 732 SF - 26%
DOORS/GLAZING - 497 SF - 18%
EIFS TRIM - 159 SF - 5%



NORTH ELEVATION

NORTH ELEVATION MATERIALS
METAL PANEL - 1526 SF - 64%
CMU - 602 SF - 25%
DOORS/GATES - 57 SF - 2%
EIFS TRIM - 215 SF - 9%

PROPOSED DOLLAR TREE ELEVATIONS

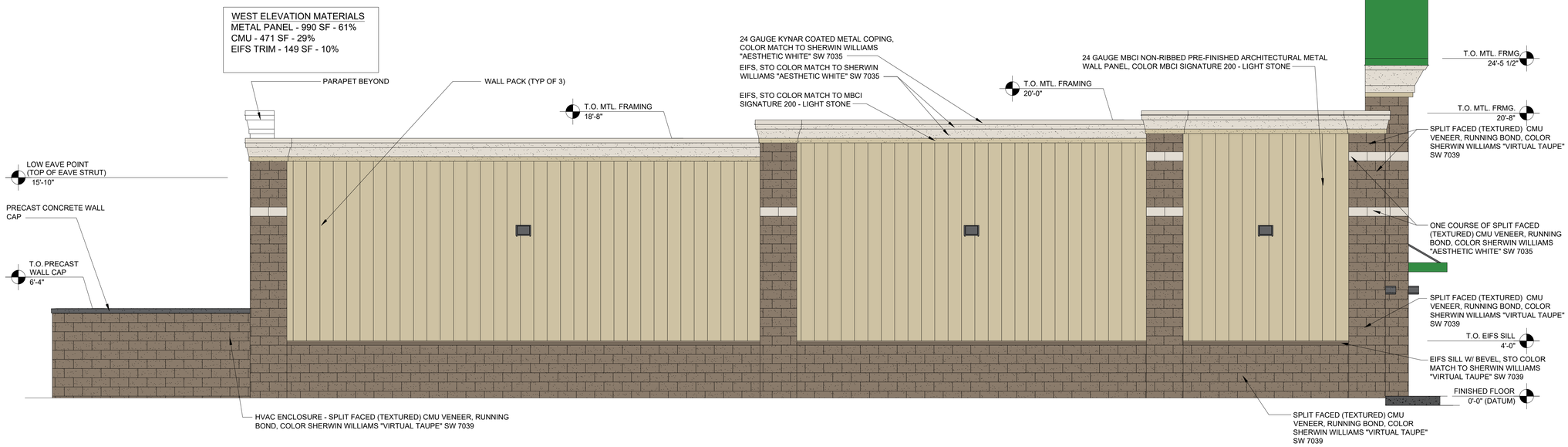
08/10/2021

BENTONVILLE, AR

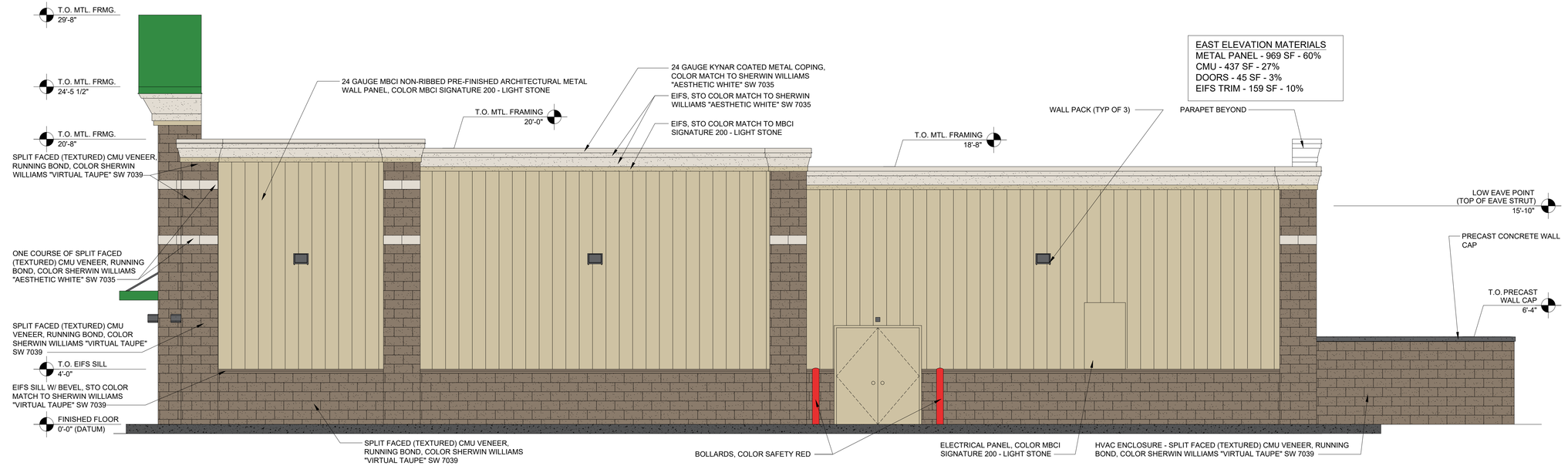
pb2 architecture +engineering
2809 Ajax Avenue Suite 100
Rogers, Arkansas 72758
Phone: 479.636.3545

REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.

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WEST ELEVATION



EAST ELEVATION

PROPOSED DOLLAR TREE ELEVATIONS

08/10/2021

BENTONVILLE, AR

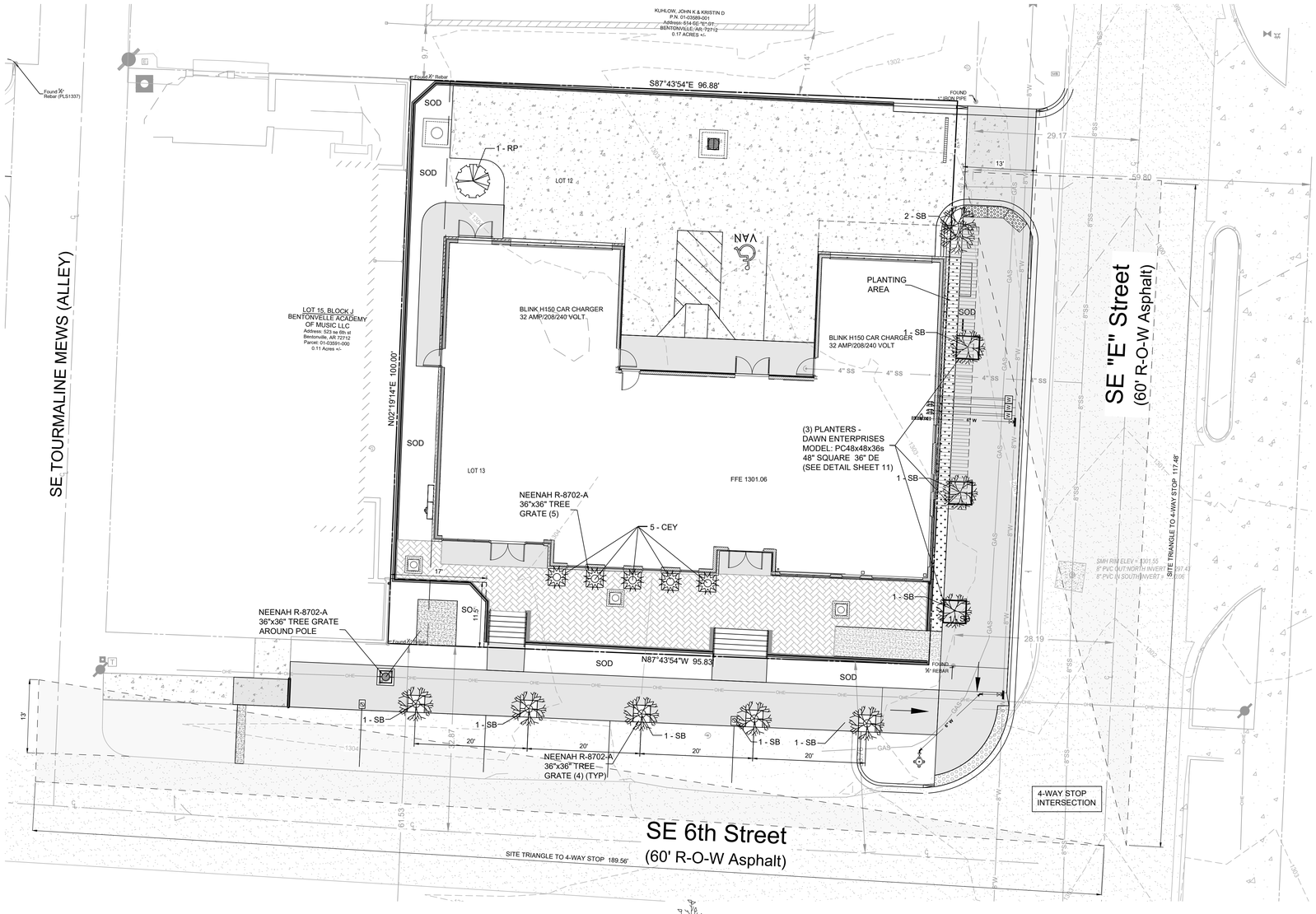
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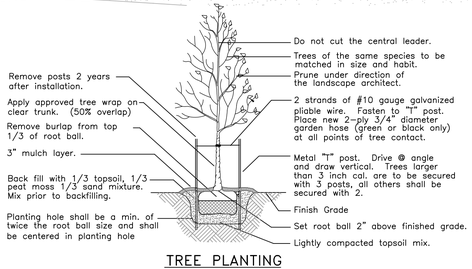
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LSD21-0057
LARGE SCALE DEVELOPMENT
THE WARREN
527 SE 6TH ST





TREE PLANTING

NTS

PLANT MATERIAL SCHEDULE

Quantity	Symbol	Abv	Common Name	Scientific Name	Planting Size (min)	Mature Height
3		RP	Regal Prince Oak "Long"	Quercus rober x bicolor	2.5" Caliper B&B	60 ft (SHADE)
10		SB	Serviceberry	Amelanchier	2.0" Caliper B&B	20 ft (SHADE)
5		CEY	Columnar English Yew	Taxus baccata 'Erecta'	(Tree not required) 1.5" Caliper B&B	10 ft (EVERGREEN)
3			Dawn Enterprises Planter	Model: PC48x48x36S	48"x48"x 30"	

TREE REQUIREMENTS

ALONG THE STREETS
SE "E" STREET 100' ÷ 20 = 5
SE 6th STREET 95' ÷ 20 = 4.75
5 TREES PROVIDED ON EACH STREET

NOTICE:

NO TREES SHALL BE PLANTED NEARER THAN 5' TO A PUBLIC WATER, SEWER OR ELECTRIC LINE

THERE CANNOT BE ANYTHING BETWEEN 3' AND 8' IN HEIGHT WITHIN THE SHADED AREAS.

ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION AND ALL PLANT MATERIAL THAT DIES SHALL BE REPLACED. (SEC 1400.5.C-10)

TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-11)

HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-12)

LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY ENCOURAGED. (SEC 1400.6.A-8 & 1400.8.G-7)

WHERE POTENTIAL UTILITY CONFLICTS WITH LANDSCAPING, UTILITY LOCATIONS SHALL BE FIELD VERIFIED.

N

10' 0 10'

SCALE: 1" = 10'

LANDSCAPE NOTES:

GENERAL

1. LANDSCAPE CONTRACTOR TO CONTACT "ONE CALL" PRIOR TO BEGINNING WORK.PRIOR TO THE EXCAVATION OF PLANT PITS AND DRIVING OR PLACING OF STAKES OR DEADMEN, THE LANDSCAPE CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UNDERGROUND UTILITIES AND TAKE THE PROPER PRECAUTIONS TO PREVENT DAMAGE TO SUCH SUBSURFACE IMPROVEMENTS. IN THE EVENT UTILITIES ARE UNCOVERED, THE LANDSCAPE CONTRACTOR SHALL PROMPTLY NOTIFY THE PROJECT MANAGER.
2. ALL PLANT MATERIALS SHALL MEET REQUIREMENTS ESTABLISHED BY THE AMERICAN STANDARD OF NURSERY STOCK.
3. ALL PLANT MATERIAL TO ARRIVE AT THE SITE WITH MOIST SOIL.
4. DIMENSIONS FOR HEIGHT, SPREAD AND TRUNK, AS SPECIFIED ON THE MATERIAL SCHEDULE ARE A GENERAL GUIDE FOR THE MINIMUM DESIRED SIZE OF EACH PLANT.
5. ANY SERIES OF TREES OR SHRUBS TO BE PLACED IN A PARTICULAR ARRANGEMENT WILL BE FIELD CHECKED FOR ACCURACY. ANY PLANTS INCORRECTLY ARRANGED SHALL BE RELOCATED WITH THE LANDSCAPE ARCHITECTS APPROVAL.
6. PLANT QUANTITIES SHOWN IN PLANT SCHEDULE ARE THE MINIMUM TO BE INSTALLED AND SHALL BE VERIFIED WITH THE PLAN BY THE LANDSCAPE CONTRACTOR.THE QUANTITIES INDICATED ON THE DRAWINGS ARE PROVIDED FOR THE BENEFIT OF THE LANDSCAPE CONTRACTOR BUT SHOULD NOT BE ASSUMED TO BE CORRECT. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY CALCULATIONS AND SHALL ASSUME ALL LIABILITY ASSOCIATED WITH THOSE QUANTITIES OR ANY RELATED CONTRACT DOCUMENTS AND/OR PRICE QUOTATIONS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ROTOTILLING ALL PLANTING BEDS TO A MINIMUM DEPTH OF 12". TOPSOIL AND PEAT MOSS ARE TO BE ADDED AT THE FOLLOWING RATES: PEAT MOSS, ONE SIX CUBIC FOOT BALE PER 75 SQ. FT. OF BED AREA; TOPSOIL, ONE CUBIC YARD PER 150 SQ. FT. OF BED AREA.
8. PRE-EMERGENT HERBICIDE (TREFLAN OR APPROVED EQUAL) SHALL BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS TO ALL PLANT BEDS PRIOR TO PLANTING.
9. WIRE BASKETS AND BURLAP TO BE REMOVED DURING TREE PLANTING.
10. BALLED AND BURLAPPED MATERIAL SHALL NOT BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN EITHER BEFORE OR DURING THE PROCESS OF PLANTING, OR WHEN BURLAP STAVES, ROPES, OR PLATFORM HAVE BEEN REMOVED.
11. PLANTS DESIGNATED "B&B SHALL BE BALLED AND BURLAPPED. THEY SHALL BE DUG WITH FIRM NATURAL BALLS OF EARTH OF SUFFICIENT DIAMETER AND DEPTH TO ENCOMPASS THE FIBROUS AND FEEDING ROOT SYSTEM NECESSARY FOR FULL RECOVERY OF THE PLANT.
12. ONLY "HEMP" BURLAP AND TWINE SHALL BE USED. NO TREATED OR PRESERVED BURLAP OR TWINE IS ALLOWED. ALL HEMP TWINE ATTACHED TO THE TREE TRUNK IS TO BE REMOVED AFTER PLANTING.
13. ALL PLANTS SHALL BE HANDLED SO THAT ROOTS ARE ADEQUATELY PROTECTED AT ALL TIMES DURING SHIPMENT. THE ENTIRE PLANT SHALL BE PROTECTED BY TARPAULINS OR OTHER SUITABLE COVERING. PLANT MATERIAL SUFFERING FROM WIND BURN OR OTHER DAMAGE IS NOT ACCEPTABLE
14. PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY UPON DELIVERY, SHALL BE COVERED WITH MOIST SOIL, MULCH OR OTHER PROTECTION FROM DRYING WINDS AND SUN. ALL PLANTS SHALL BE WATERED BY THE LANDSCAPE CONTRACTOR AS NECESSARY UNTIL PLANTING.
15. NO PLANT SHALL BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR DISFIGURE THE BRANCHES.
16. ALL PROPOSED TREES SHALL BE A MINIMUM OF 5 FEET AWAY FROM ALL PUBLIC UTILITIES. WHERE POTENTIAL CONFLICTS ARISE CONTRACTOR IS RESPONSIBLE TO FIELD VERIFY UTILITY LOCATIONS
17. ALL DISTURBED AREAS NOT RECEIVING PLANTINGS OR SOD, SHALL RECEIVE SEEDING OF BERMUDA GRASS SEED AT A RATE OF 8 LBS PER 1000 SF. THESE AREAS SHOULD RECEIVE WATER UNTIL GRASS HAS BEEN ESTABLISHED.
18. EROSION AND SEDIMENTATION CONTROL BARRIERS SHALL BE INSTALLED OR MAINTAINED IN A MANNER WHICH DOES NOT RESULT IN SOIL BUILD-UP WITHIN TREE DRIPLINES.
19. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN A FENCE BEING CLOSER THAN 4 FEET TO A TREE TRUNK. PROTECT THE TRUNK WITH STRAPPED ON PLANKING TO A HEIGHT OF 8 FEET (OR LIMITS OF LOWER BRANCHING) IN ADDITION TO THE REDUCED FENCING PROVIDED.
20. ANY ROOTS EXPOSED BY CONSTRUCTION ACTIVITY SHALL BE PRUNED FLUSH WITH THE SOIL. BACKFILL ROOT AREAS WITH GOOD QUALITY TOP SOIL AS SOON AS POSSIBLE. IF EXPOSED ROOT AREAS ARE NOT BACKFILLED WITHIN 2 DAYS, COVER THEM WITH ORGANIC MATERIAL IN A MANNER WHICH REGULATES SOIL TEMPERATURE AND MINIMIZES WATER LOSS DUE TO EVAPORATION.
21. NO LANDSCAPE TOPSOIL DRESSING GREATER THAN 4 INCHES SHALL BE PERMITTED WITHIN THE DRIPLINE OF TREES. NO SOIL IS PERMITTED ON THE ROOT FLARE OF ANY TREE.
22. PRUNING TO PROVIDE CLEARANCE FOR STRUCTURES, VEHICULAR TRAFFIC, AND EQUIPMENT SHALL TAKE PLACE BEFORE CONSTRUCTION BEGINS.
23. ALL FINISHED PRUNING MUST BE DONE ACCORDING TO RECOGNIZED, APPROVED STANDARDS OF THE INDUSTRY (REFERENCE THE AMERICAN NATIONAL STANDARD, ANSI-A300 PRUNING, 2008 OR LATER)
24. ANY SUPPLEMENTAL IRRIGATION REQUIRED TO SUSTAIN PLANTING MATERIALS SHALL BE PROVIDED BY THE OWNER/OPERATOR FORM PROPOSED HOSE BIBS LOCATED ON THE BUILDING.
25. ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION. ALL PLANT MATERIAL THAT DIES WITHIN ONE YEAR SHALL BE REPLACED BY CONTRACTOR.
26. TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARD FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES.
27. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OG ANSI A300 "STANDARD FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSE.

ALL PLANT MATERIALS SHALL MEET THE REQUIREMENTS OF THE AMERICAN STANDARD FOR NURSERY STOCK. CONTRACTOR SHALL GUARANTEE PLANT MATERIALS TO THE DEVELOPER FOR 18 MONTHS FROM THE DATE OF PROVISIONAL ACCEPTANCE BY OWNER. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL INSTALLED PLANT MATERIAL UNTIL ACCEPTANCE. OWNER TO MAINTAIN AND PROTECT PLANT MATERIAL AFTER ACCEPTANCE TO MEET CITY OF BENTONVILLE REQUIREMENTS.

DEVELOPER:
KY ENTERPRISES, LLC
527 SE 6TH STREET
BENTONVILLE, ARKANSAS
479-685-9924
kevinyingst@gmail.com

Engineer and Land Surveyor:
Sand Creek Engineering
1610 NW 12th Street
Bentonville, AR 72712
(479) 464-9282
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SHEET: LANDSCAPE PLAN

PROJECT: the WARREN - KY ENTERPRISES, LLC
527 SE 6TH STREET
BENTONVILLE, ARKANSAS

NOT FOR CONSTRUCTION
PRELIMINARY
NOT FOR CONSTRUCTION

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

MANAGER:	KEN BOOTH
DESIGNED BY:	KEN BOOTH
DRAWN BY:	KEN BOOTH
CHECKED BY:	TRS
SCE PROJECT #:	19115
CURRENT REVISION:	1
DATE:	10/18/2021
SHEET:	8 of 17

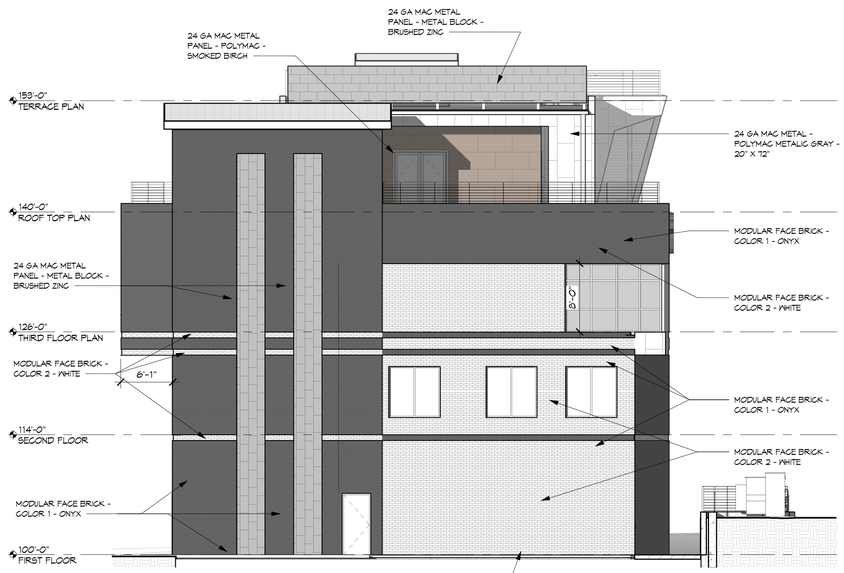
KY ENTERPRISES, LLC 19115

BENTONVILLE ID LSD 21-0057

\\sandcreek-fs\users\kbooth\Desktop\cad sTORAGE\KY19115\Drawings\Project\19115_Master.dwg - Plotted on 10/18/2021 7:28 AM @ a scale of 1:1 to DWG TO PDF.PC3 by KBOOTH

EXTERIOR MATERIALS LEGEND

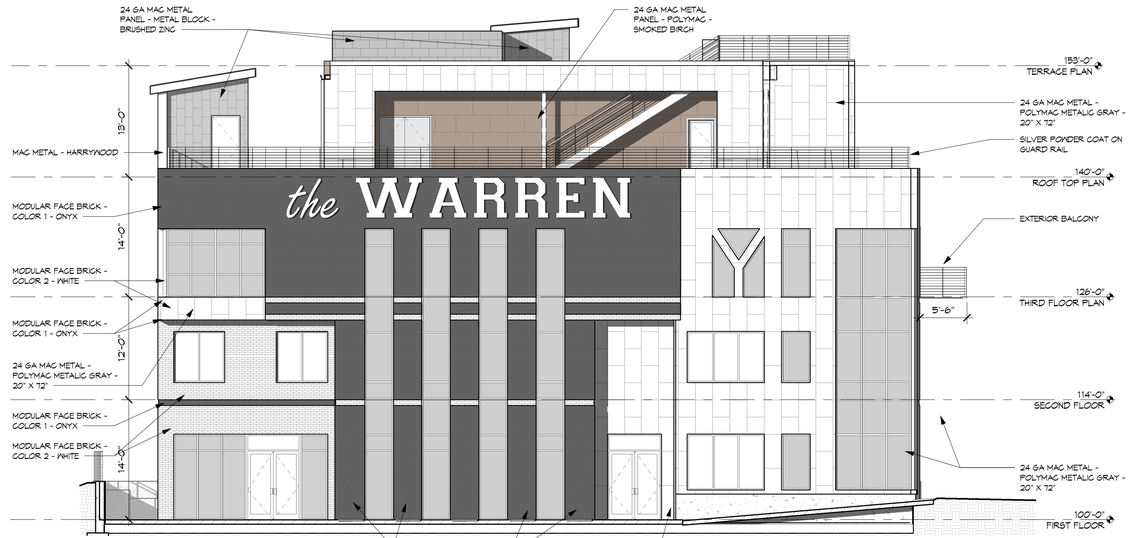
- MODULAR BRICK - COLOR #1 - ONYX
- MODULAR BRICK - COLOR #2 - WHITE
- 24 GA MAC METAL - POLYMAC; INSPIRATION COLLETCTION - COLOR: 'METALIC GREY'
- 24 GA MAC METAL - HARRYNOOD; WOOD COLLETCTION - COLOR: 'WHITE OAK'
- 24 GA MAC METAL - METAL BLOCK; INSPIRATION COLLETCTION - COLOR: 'BRUSHED ZINC'
- 24 GAMAC METAL - POLYMAC; WOOD COLLETCTION - COLOR: 'SMOKED BIRCH'
- METAL ACCENT TRIM, DOWNSPOUTS, GUTTERS, COLOR - BLACK
- DOUBLE PANE - LOW E - TINTED GLAZING



MATERIAL PERCENTAGES:

MODULAR BRICK -	66%
ALUMINUM COMPOSITE PANEL -	7%
MAC METAL - METAL BLOCK -	10%
MAC METAL - HARRYNOOD -	9%
GLAZING -	8%

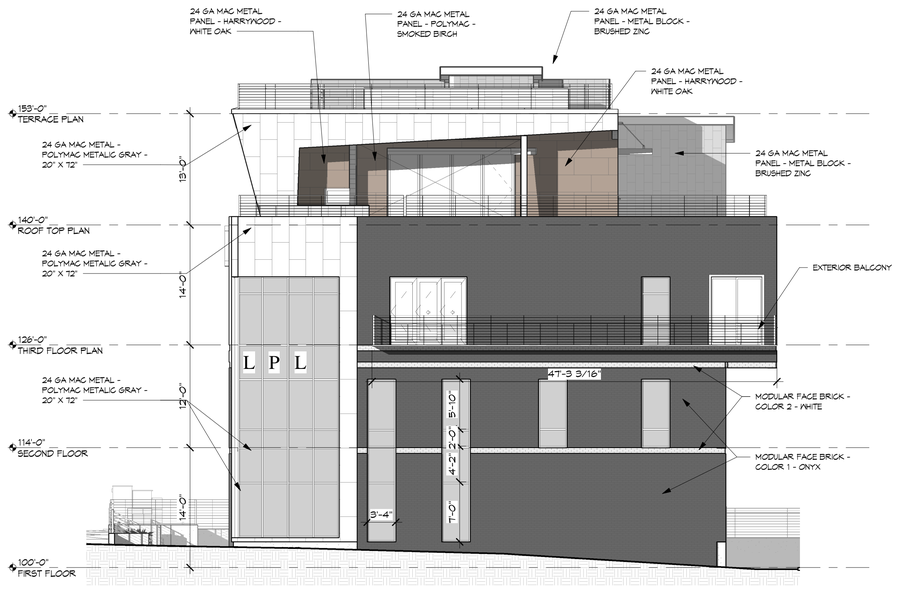
4 *WEST ELEVATION*
1/8" = 1'-0"



MATERIAL PERCENTAGES:

MODULAR BRICK -	36%
ALUMINUM COMPOSITE PANEL -	22%
MAC METAL - METAL BLOCK -	3%
MAC METAL - HARRYNOOD -	5%
GLAZING -	31%

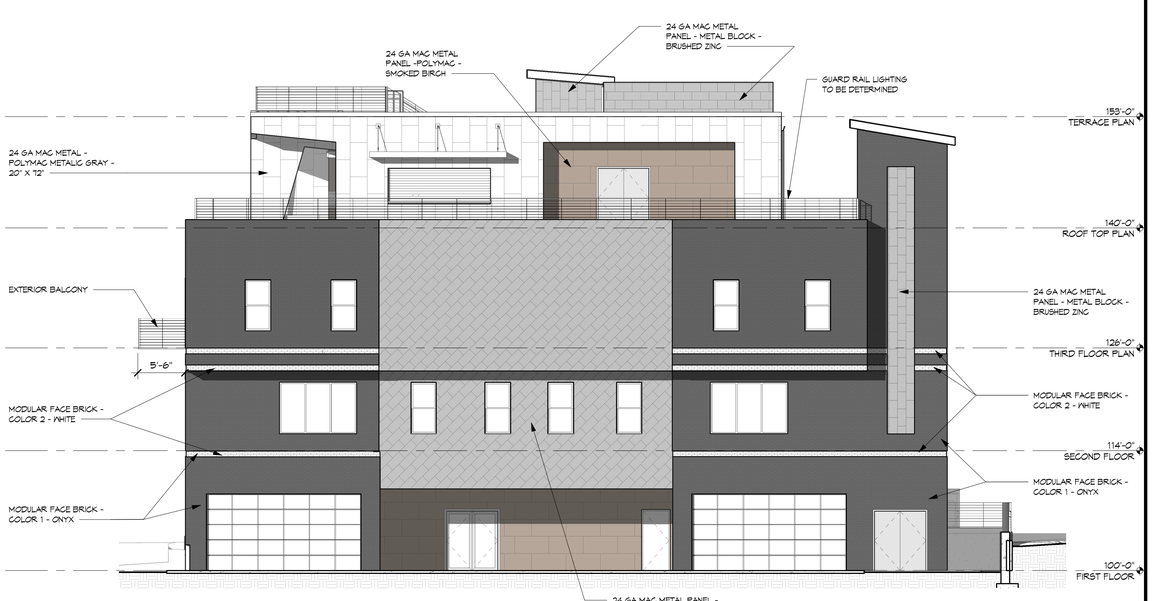
3 *SOUTH ELEVATION*
1/8" = 1'-0"



MATERIAL PERCENTAGES:

MODULAR BRICK -	35%
ALUMINUM COMPOSITE PANEL -	19%
MAC METAL - METAL BLOCK -	6%
MAC METAL - HARRYNOOD -	12%
GLAZING -	25%

2 *EAST ELEVATION*
1/8" = 1'-0"



MATERIAL PERCENTAGES:

MODULAR BRICK -	44%
ALUMINUM COMPOSITE PANEL -	15%
MAC METAL - METAL BLOCK -	4%
MAC METAL - HARRYNOOD -	9%
GLAZING -	23%

1 *NORTH ELEVATION*
1/8" = 1'-0"

BID SET
NOT FOR CONSTRUCTION

Burris Architecture
820 Tiger Blvd, Suite 4, Bentonville, Ar 72712
479-315-6045

the WARREN
527 S.E. 6TH ST.
BENTONVILLE, AR

DATE
10-12-21

JOB NO.
20040

REVISIONS

A2.0
EXTERIOR ELEVATIONS

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ORDINANCE STAFF REPORT

Code Update - 2021

Original PC Date: 10/5/2021
2nd PC Date: **11/02/2021**
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Zoning Code & Land Development Code
Section(s)	Zoning Article 201 Definitions

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

Proposal History

Staff presented the proposed code amendments to Planning Commission on Tuesday, Oct. 5, 2021. Planning Commission tabled the item and requested staff to provide a map showing the location of current C-2 zoning to assist in making a decision regarding the proposal to add multifamily and condominiums as an allowed use in C2. They also requested staff to provide the definitions and allowed zoning districts for *convenience store* and *retail*. Staff presented the requested information to Planning Commission at the Oct. 12 Technical Review Meeting.

The proposal regarding C-2 zoning remains as originally presented on Oct. 5. Several amendments regarding convenience store and retail uses have been added to the original proposal. Please see the attached *Staff Report Addendum: Summary Report for Proposed Amendments for convenience store and Retail Use* for details on these additions

Orange text are the items added or changed since the original Planning Commission meeting.

Issue

From time to time, staff reviews the existing development code for clarification, corrections, or updates to meet current conditions. The following outline is a summary of the key issues and the recommended changes. Staff requests approval of the proposed ordinance to Appendix A Zoning Code and Appendix B Land Development Code. * = Code Diagnostic Recommendation

Appendix A ZONING CODE

A. Sec. 201.02 Definitions **Att. A, pg. 1-4**

The following definitions are proposed for amendment.

(1) *Alley* - consistency between both codes. *

(2) *Alternative Tower Structure* – remove to eliminate confusion with wireless communication tower.

(3) *Auto and Vehicle Sale and Rental* to amend from *mobile home* to *manufactured home.*

(4) *Basement* - consistency with Building Code.

(5) *Buffer* - eliminate regulatory language. *

(6) *Building* - consistency with Building Code.

(7) *Child care* - consistency with the state and federal regulations. *

(8) *Convenience store* – Eliminate for consistency with retail uses. (See Staff Report Addendum)

(9) *Dwelling, Manufactured* - consistency with state and federal regulations. *

(10) *Dwelling, Modular* - consistency with state and federal regulations. *

(11) *Easement* - consistency between both codes. *

(12) *Garage, private* - differentiate it from a service garage.

(13) *Home occupation* – consistency with state regulations for home-based work. *

(14) *Lot, corner* - consistency between both codes. *

(15) *Medical Services, Hospital* – add abortion clinics for consistency with state statutes.

(16) *Mini-warehouse storage* – clarify that it includes a self-storage facility.

(17) *Mobile home* - consistency with state and federal regulations.

(18) *Office, large scale* – remove definition to have only one definition of office that is not based on size.

(19) *Office, small scale* – remove "small scale" from title and remove the maximum size requirement.

(20) *Open space* - consistency between both codes. *

(21) *Packaged liquor store* – remove reference to "convenience store." (See Staff Report Addendum)

(22) *Packaged sale of beer and/or light wine* – add new definition. (See Staff Report Addendum)

(23) *Packaged sale of beer, light wine and/or spirits* – add new definition. (See Staff Report Addendum)

(24) *Private garage* – eliminate regulatory language. *

(25) *Reclassification* - align with rezoning regulations.

(26) *Retail, large scale* – remove definition to have only one definition for retail that is not based on size.

(27) *Retail, small scale* – remove "small scale" from title and remove maximum size requirement.

(28) *Street* - consistency between both codes. *

(29) *Setback* - consistency between both codes. *

(30) *Story* - eliminate since it is not used in the code.

(31) Street – consistency between both codes.

(32) *Structure* - consistency with Building Code.

(33) *Wireless communications facility, small cell* - add to accommodate new technology. *

(34) *Yard* - consistency between both codes. *

(35) *Yard, front* - consistency between both codes. *

(36) *Yard, rear* - consistency between both codes. *

(37) *Yard, side* - consistency between both codes. *

B. Sec. 401.02 Classification of Districts **Att. A, Pg. 5**

(a) *C-3 Central Commercial* - correction to C-3, Mixed-Use Commercial

ORDINANCE STAFF REPORT

C. Sec. 401.05 Table of Uses **Att. A, pg. 5**

(a) *Child care* - revise for consistency with state and federal regulations. *

(b) *Convenience store* – remove all categories of convenience store. (See Staff Report Addendum)

(c) *Packaged sale of beer and/or wine* – add as a use and allow by right in C1, C2 and C3, and conditional use in DC, DN3 and DN4. This is the same as what is currently allowed for a convenience store that sells beer and light wine, except now requiring a conditional use in DN4.

(d) *Packaged sale of liquor* – add as a use and allow by right in C2 and C3 and require a conditional use in C1 and DN4. This is similar to a convenience store that sells liquor, except requiring a conditional use in C1 and DN4.

(e) *Multifamily residential and condominiums* – add as an allowed use in the C-2 district.

(f) *Retail and Office* – eliminate the 4,000 square foot size limitations.

D. Sec. 401.07-B Downtown Neighborhood (DN) districts regulations & Sec. 401.08-B Downtown (D) districts regulations **Att. A, pg. 6**

(a) DN-1 lot size – reduce lot area from 6,000 sq. ft. to 5,000 sq. ft. and lot width from 60' to 50' to allow for smaller, single family downtown lots.

E. Sec. 401.10 PUD, Planned Unit Development **Att A, pg. 6**

(a) Eliminate the minimum area requirement for PUD districts. Currently requires 10 acres.

F. Article 601 Use Regulations **Att. A, pg. 7-8**

(a) *Child Care* (601.07) for consistency with state regulations.

(b) *Outdoor and Mobile Food Vendors* (601.16) allowing for outdoor vendors in city parks upon authorization by the Parks and Recreation Director.

(c) *Wireless Communication Facilities* (601.27) – eliminate Subsection (d)(4) regarding leasing space on water towers, which is not allowed.

G. Article 801 Signs **Att. A, pg. 8-9**

(a) Clarify language for "property under construction" vs. "subdivision under construction."

(b) Allow walls signs for non-residential uses in the R-O, Residential Office district.

APPENDIX B LAND DEVELOPMENT CODE

H. Sec. 200.01 Definitions **Att. B, pg. 1-2**

The following definitions are proposed for amendment.

(a) *Access* - consistency between both codes. *

(b) *Alley* - consistency between both codes. *

(c) *Basement* - consistency with the Building Code.

(d) *Building* - add for consistency with the Building Code.

(e) *Buffer, perimeter landscape* – eliminate since it is explained in the regulations

(f) *Lot, reverse frontage* – eliminate since it is not used in the code.

(g) *Manufactured home* - consistency with state and federal regulations.*

(h) *Manufactured home park* - consistency with the state and federal regulations. *

(i) *Open space* - consistency between both codes.*

(j) *Setback* - consistency between both codes.*

(k) *Structure* - consistency with Building Code.

(l) *Variance* - consistency between both codes. *

(m) *Yard* - consistency between both codes. *

(n) *Yard*, *front* - consistency between both codes. *

(o) *Yard, rear* - consistency between both codes. *

(p) *Yard, side* - consistency between both codes. *

I. Sec. 300.04 Waivers **Att. B, pg. 3**

- *Review criteria* – revise to change from a negative to a positive. *

J. Sec. 500.06 Recording **Att. B, pg. 3**

- *Copies of final plat* – change from 10 to 1.

K. Sec. 900.02 Items to be Shown on Plat or Plan **Att. B, pg. 4**

- When a project is to be phased, a phasing plan is required at the time of large scale development submittal.

L. Sec. 1100.22 Downtown Neighborhood (DN) Districts Design Standards **Att. B, pg. 4**

- *Parking* – remove statement that garages, parking lots or designated parking spaces are prohibited in a corner side yard. This conflicts with (d)(2)(a) that establishes the setback for a corner side yard garage.

M. Sec. 1100.23 Downtown (D) Districts Design Standards **Att. B, pg. 4**

- *Parking* – require that the residential garage and parking requirements of the DN districts also apply to residential uses in the DC and DE districts.

N. Sec. 1100.24 Bentonville Municipal Airport Design Standards. **Att. B, pg. 5**

- *Architectural approval* - require Airport Advisory Board approval of building materials and colors.

ORDINANCE STAFF REPORT

STAFF REPORT ADDENDUM

Summary Report for Proposed Amendments for
Convenience Store and Retail Use

Current Regulations as Proposed:

Sec. 201.02 Definitions of Terms and Uses

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

Retail~~, Large Scale~~: A retail store ~~with a gross floor area of more than 4,000 square feet~~ for the sale of general merchandise or food. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, auto parts and accessories, and similar consumer goods. The term "food store" includes a grocery, delicatessen, and convenience and specialty foods stores. This use does not include other uses in this article that are specifically listed.

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

ORDINANCE STAFF REPORT

STAFF REPORT ADDENDUM

Sec. 401.05 Table of Uses for Zoning Districts

RETAIL	Use Regs.	A1	RE	R1	R2	R3	R4	R-C2	R-C3	R-MH	R-ZL	RO	DN-1	DN-2	DN-3	DN-4	C1	C2	C3	DC	DE	I1	I2
Retail															C	A	●	●	●	●	●	●	
Convenience Store									C								●	●	●	●			
Convenience store that sells beer and/or light wine for off-site consumption	601.29														C	A	●	●	●	C			
Convenience store that sells beer, light wine and/or spirits for off-site consumption	601.29															A	●	●	●				
Convenience store that sells beer and/or light wine for off-site consumption within 500' of a city owned park or trail	601.29															AC	C	C	C	C			
Convenience store that sells beer, light wine and/or spirits for off-site consumption within 500 ft. of a city owned park or trail	601.29															AC	C	C	C				
Package liquor store	601.29																	●					
Package liquor store within 500 ft. of a city owned and maintained park or trail	601.29																	C					

ORDINANCE STAFF REPORT

STAFF REPORT ADDENDUM

Sec 601.29 Alcohol Sales

(a) *General provisions*.

(1) *Applicability*. The definitions, terms and provisions of A.C.A. Title 3 (A.C.A. § 3-1-101 et seq.) relating to beer, wine and liquors are hereby adopted and made a part of this article. Applicants for and holders of permits and other persons shall conform to the regulations set forth in A.C.A. Title 3 (A.C.A. § 3-1-101 et seq.) and to the provisions of this article. Violations of the state laws adopted by this section shall subject the offender, upon conviction, to the penalties prescribed by state law.

(2) *Permit required*. It shall be unlawful for any person to engage in the business of manufacturing, transporting, storing, handling, receiving, distributing, selling, or dispensing, either at wholesale or retail, any controlled beverage, within the City of Bentonville without the appropriate permit issued by the Division of Alcoholic Beverage Control of the State of Arkansas.

(3) *Exception*. The provisions of this article shall not apply to the home manufacture of wines or beer for personal use by residents of the City of Bentonville and not for sale or distribution outside of the home.

(b) *Establishment types*.

(1) *Wholesale manufacture and/or distribution*. The wholesale manufacture and/or distribution of intoxicating liquors to include alcoholic beverages of every kind and type shall be allowed by right in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the following additional provision:

a. Any business that manufactures and/or distributes intoxicating liquors to include alcoholic beverages of every kind and type, that is located within 500 feet of any city owned and maintained park or trail, measured from the nearest point of the park or trail to the nearest point of the building to be permitted, shall not be entitled to so operate unless it first obtains a Conditional Use Permit.

(2) *Microbrewery—Restaurant*. A microbrewery-restaurant as defined by the Division of Alcoholic Beverage Control of the State of Arkansas, shall be allowed in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations.

(3) *Packaged Retail Sales*.

a. *Beer and Light Wine—Districts Permitted*. The packaged retail sales of beer and/or light wine of every kind and type for consumption off the premises shall be allowed in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Subsection (c). Conditions for Use.

b. *Beer, Wine and Spirits—Districts Permitted*. The packaged retail sales of intoxicating liquors to include alcoholic beverages of every kind and type for consumption off the premises shall be allowed in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Subsection (c). Conditions for Use.

(c) *Conditions for use*.

(1) Any business that sells at retail, beer and/or light wine of every kind and type and/or packaged intoxicating liquors to include alcoholic beverages of every kind and type for consumption off the premises that is located within 500 feet of any city owned and maintained park or trail, measured from the nearest point of the park or trail to the nearest point of the building to be permitted, shall not be entitled to so operate unless it first obtains a Conditional Use Permit.

(2) Drive-up windows are prohibited.

(3) It shall be unlawful to sell, offer for sale, or give away, at wholesale or retail for consumption off the premises, beer and/or light wine of every kind and type and/or packaged intoxicating liquors to include alcoholic beverages of every kind and type before the hour of 7:00 a.m. and after the hour of 10:00 p.m.

ORDINANCE STAFF REPORT

STAFF REPORT ADDENDUM

ANALYSIS

- *Convenience store* and *Retail* are both allowed in C1, C2, C3 and DC.
- *Convenience store* is not allowed in DE and I1 while *Retail* is.
- *Convenience store* is not allowed in DN3 or DN4, but *Retail* is with a conditional use in DN3 and as an accessory use in DN4.
- *Convenience store* is allowed as a conditional use in R-C3, but *Retail* is not.
- *Retail* is allowed as an accessory use in DN4 and a conditional use in DN3, but a *Convenience store* is not. However, a *Convenience store that sells beer or light wine* has the same allowances in DN3 and DN4 as Retail.
- The definition of *Retail* includes a *Convenience store*. The definition of a *Convenience store* refers to a smaller selection of merchandise used primarily for day-to-day needs, compared to a larger selection of merchandise defined in *Retail*.
- Convenience stores that sells beer and/or wine and those that sell beer, wine and liquor and adjacency next to a city trail brings an additional issue to the discussion. In the Table of Uses, the sale of alcoholic beverages appears to specifically apply only to *Convenience stores* and *Package liquor stores*, but not to *Retail*.
- *Package liquor store* is defined separately as alcoholic beverages being the primary product.

RECOMMENDATION

- A convenience store is essentially a smaller format of retail and should be treated equally as similar retail uses. *Recommendation*: Remove the definition and land use category of *Convenience store*.
- The regulations regarding location next to a city trail are already in Sec. 601.29 Alcohol Sales of the Use Regulations. Furthermore, there are other spacing requirements within the code that are not specifically listed in the Table of Uses. *Recommendation:* Remove from the Table of Uses the *Convenience store* and *Package liquor store* categories that reference adjacency to a city trail or park and let Use Regulations in Sec. 601.29 prevail.
- Since other retail establishments besides convenience stores, such as grocery stores, sell alcoholic beverages as part of their retail sales, the packaged alcohol sale regulations should not be limited to convenience stores. *Recommendation:* Establish and define two new categories regarding packaged sale of alcohol.
    - *Packaged sale of beer and/or light wine* and use the current zoning district allowances for a *Convenience store that sells beer or light wine,* except require a conditional use permit in DN4 (which is currently allowed by right as an accessory use) for consistency with DC.
    - *Packaged sale of beer, light wine and/or spirits* and use the current zoning district allowances for a *Convenience store that sells, beer, light wine and/or spirits*, except require a conditional use in DN-4 (currently allowed by right as an accessory use) and C1 (currently allowed by right.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE APPENDIX A ZONING CODE AND APPENDIX B LAND DEVELOPMENT CODE.

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

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

Section 1. That the Bentonville Municipal Code, *Appendix A Zoning Code* should be and the same is hereby amended with the following *Attachment A: Zoning Code Amendments*, 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 the Bentonville Municipal Code, *Appendix B Land Development Code* should be and the same is hereby amended with the following *Attachment B: Land Development Code Amendments*, 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

DRAFT

Article 201 Definitions

Sec. 201.02 Definition of Terms and Uses.

Act (Wireless Communication Facilities): The Communications Act of 1934, as it has been amended from time to time, including the Telecommunications Act of 1996, and shall include any re-amendments thereto.

Alley: A ~~public~~ passage or way ~~affording a secondary means of~~ to the back or side of abutting property used for vehicular access and utility installations and not intended for general traffic circulation.

~~*Alternative Tower Structure:* Manmade trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers and are built for the express purpose of serving as a tower or for locating antennas.~~

Auto and Vehicle Sales and Rental: A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and scooters with internal combustion engines. (Bicycle sales are included under "General Retail"). Vehicles for sale may be displayed outdoors or indoors, as authorized by the required Use Permit. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"); ~~mobile~~manufactured home, recreational vehicle, or watercraft sales (see "~~Mobile~~Manufactured Home, RV and Boat Sales"); tire recapping establishments (see "Vehicle Services"); businesses dealing exclusively in used parts, (see "Recycling - Scrap and Dismantling Yards"); or "Service Stations," which are separately defined.

Basement: ~~A story partly or wholly underground~~As defined by the International Building Code as adopted by the Bentonville City council. ~~For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.~~

Buffer: A strip of land established to protect one type of land use from another with which it is incompatible. ~~A buffer strip is landscaped and kept in open space.~~ The term buffer zone may be used more broadly to describe any zone that separates two unlike zones such as a multi-family zone between a single-family zone and a commercial zone.

Building: ~~Any structure intended for shelter, housing or enclosure of persons, animals, goods or equipment that includes walls and a roof. When separated by dividing walls without openings, each portion of such structure so separated, shall be deemed a separate structure.~~ Any structure used or intended for supporting or sheltering any use or occupancy.

Child Care, ~~Commercial~~Licensed Center: A~~ny~~ child care facility ~~is considered commercial in nature when the facility~~that cares for ~~eight (8)~~ six (6) or more children under the age of 16 years ~~,~~from more than one family ~~and not of common parentage, for care apart from their natural parents, legal guardians, or custodians, when received for regular periods of time for compensation, provided~~, however, this definition shall not include public or private schools organized, operated or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, or to children related by blood or marriage within the third degree to the custodial persons. These uses include but are not limited to: commercial day care center, nursery school, pre-school, kindergarten.

Child Care, ~~Residential~~Registered Family Home (~~4~~5): A ~~single family~~ dwelling unit that regularly provides care, protection, and supervision of no more than ~~four (4)~~ five (5) children, including ~~children under the age of ten that permanently reside in the home~~the caregiver's own preschool age children, in the ~~permanent residence of the operator's home~~caregiver's own residence, for periods of less than twenty-four (24) hours per day, while parents or guardians are away.

Child Care, ~~Residential~~ Licensed Family Home (~~5~~6-~~10~~16): A ~~single family~~ dwelling unit that regularly provides care, protection, and supervision of between ~~five (5)~~ six (6) and ~~ten (10)~~sixteen (16) children, including ~~children under the age of ten that permanently reside in the home~~the caregiver's own preschool age children, in the ~~permanent residence of the operator's home~~caregiver's own residence, for periods of less than twenty-four (24) hours per day, while parents or guardians are away.

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

Dwelling, Manufactured: A ~~detached single-family dwelling unit fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code. This Code means the standard for construction, design and performance of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, ET SEQ, as mandated in the United Stated of America and as administered by the United States Department of Housing and Urban Development~~dwelling unit constructed in a factory in accordance with and meeting the definitions set forth in the Federal Manufactured Home Construction and Safety Standards, 24 C.F.R. pt. 3280, promulgated by the United States Department of Housing and Urban Development under the authority of 42 U.S.C. 5401 et seq., as it existed on January 1, 1976 and as defined in Arkansas State Statute Sec. 20-25-102.

Dwelling, Modular: A ~~dwelling unit~~factory built structure produced ~~constructed~~ in accordance with the standards set forth in the City of Bentonville Building Code and ~~composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation~~designed to be used as a dwelling unit with a foundation when connected to the required utilities.

Easement: ~~A right-of-way or parcel of land specified or set aside for a specific use, normally used for access, utilities, and other public or private usages given by the owner or land to another party, the City or the public~~A grant by the property owner of the use, for a specific purpose or purposes, of land by the public, a corporation, or certain persons.

Garage, Private: An accessory building or part of a main building used primarily for storage ~~purposes only for not more than four (4) automobiles~~of motor vehicles where no repair service facilities are maintain and where no motor vehicles are kept for rental or sale~~, or for a number of automobiles which does not exceed one and a half (1/2) times the number of families occupying the dwelling unit to which such garage is accessory whichever number is the greater.~~ This definition shall include carports.

Guyed Tower~~s~~ (Wireless Communication Facilities): A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

~~*Home Occupation*~~: Home-based work. ~~A nonresidential use carried on within a dwelling, which is clearly subordinate to the residential use and which does not outwardly change the residential character of the use, lot or structure.~~ Any occupation performed or business conducted by a resident within a residence that is clearly incidental to and secondary to the principal use of the structure for residential dwelling purposes.

Lattice Tower (Wireless Communication Facilities): A guyed or self-supporting three- or four-sided, open, steel frame structure used to support telecommunications equipment.

Lot, Corner: ~~A lot which has an interior angle of less than 180 degrees at the intersection of two streets lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents of the curve at the points of~~

~~intersection of the side lot lines intersect at an interior angle of less than 135 degrees~~. A lot located at the intersection of and abutting two or more streets.

Medical Services, Hospital: Hospitals and similar facilities engaged primarily in providing in-patient diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, in-patient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, abortion clinics as authorized in A.C.A § 12-18-103 and § 20-9-302, accessory retail uses and emergency heliports, and on-site ambulance dispatch facilities.

Mini-Warehouse Storage: ~~One (1) or more permanent structures, meeting applicable City building requirements,~~ A storage facility ~~which w~~with separate storage units or cubicles that are intended to be leased by ~~members of~~ the public. The term includes self-storage facility.

Mobile Home: ~~A movable or portable structure built prior to June 15, 1976, the effective date for the Federal Mobile Home Construction and Safety Act of 1974, which is larger than three hundred twenty (320) square feet, and designed to be used as a year round residential dwelling unit~~A dwelling unit constructed in a factory before the enactment of the Federal Manufactured Home Construction and Safety Standards, 24 C.F.R. pt. 3280, promulgated by the United States Department of Housing and Urban Development under the authority of 42 U.S.C. Section 5401 et seq., as it existed on January 1, 1976. ~~.~~

Monopole Tower (Wireless Communication Facilities): A communication tower constructed without the use of guy wires and ground anchors and consisting of only a single pole. Also called a self-support tower.

~~*Office, Large Scale:* An office facility with a gross floor area of more than 4,000 square feet, characterized by high employee densities and occupied by a business engaged in information processing, providing professional services or engaged in the production of intellectual property. This definition does not include "medical services, doctor office" which is separately defined.~~

Office, ~~*Small Scale*~~*:* An office facility ~~with a gross floor area of 4,000 square feet or less, characterized by low employee densities and~~ occupied by a business engaged in information processing, providing professional services or engaged in the production of intellectual property. This definition does not include "medical services, doctor office" which is separately defined.

Open Space: ~~Any unoccupied space on the lot that is open and unobstructed to the sky and occupied by no structures or portion of structures whatever.~~ Open space shall be interpreted to mean:

1. All areas of natural plant communities or areas replanted with vegetation after construction, such as revegetated natural areas; and
2. tree, shrub, hedge, or ground cover planting areas; and
3. lawns and other areas allowed to be counted as open space per the Zoning Code and Land Development Code.

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

Packaged sale of beer and/or light wine: The retail sale of packaged beer and/or light wine for off-site consumption when such merchandise is not the primary retail product. This definition does not include "packaged liquor store" or "packaged sale of beer, light wine and/or spirits" which are defined separately.

Packaged sale of beer, light wine and/or spirits: The retail sale of packaged beer, light wine, and/or spirits for off-site consumptions when such merchandise is not the primary retail product. This definition does not include "packaged liquor store" or "packaged sale of beer and/or light wine" which are defined separately.

Re~~classification~~zoning: An amendment to or a change in the Zoning ~~Ordinance~~Code reflecting a change or revision or modification of the Zoning District Boundary Map.

~~*Retail, Large Scale:* A retail store with a gross floor area of more than 4,000 square feet for the sale of general merchandise or food. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, auto parts and accessories, and similar consumer goods. The term "food store" includes a grocery, delicatessen, and convenience and specialty foods stores. This use does not include other uses in this article that are specifically listed.~~

Retail, ~~Small Scale~~: A retail store ~~with a gross floor area of 4,000 square feet or less~~ for the sale of general merchandise or food. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, auto parts and accessories, and similar consumer goods. The term ~~"food store"~~sale of food includes a grocery, delicatessen, and convenience and specialty foods stores. This use does not include other uses in this article that are specifically listed.

~~*Story:* That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.~~

~~*Story, Half:* A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-story containing independent apartment or living quarters shall be counted as a full story.~~

Street: ~~Any public thoroughfare which affords the principal means of access to abutting property.~~ A public right-of-way, however designated, which provides vehicular access to adjacent areas.

Structure: ~~Anything constructed or erected for human occupancy and/or entrance, the use of which requires location on the ground or attached to something having a location on the ground.~~ That which is built or constructed.

~~*Tower or* Communication Tower~~ *(Wireless Communication Facilities):* Any structure that is designed and constructed for the primary purpose of supporting one or more antennas, including lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This term is not intended to describe buildings or other structures that have been constructed primarily for a purpose other than supporting one or more antennas, despite the fact that such structure may currently, or in the future, actually support one or more antennas.

Wireless Communications Facility - ~~(WCF) (~~cell tower~~s)~~ (Wireless Communication Facilities): A land use facility that transmits and/or receives electromagnetic signals for the purpose of transmitting analog or digital voice or data communications. It includes antennas, microwave dishes, horns and other types of monopoles, or similar structures supporting said equipment, equipment buildings, shelters or cabinets, and other accessory development. Wireless communication facility includes personal wireless services as defined in the Federal Telecommunication Act of 1996, and as subsequently amended. Wireless communication facility shall not include the following: federally licensed amateur radio stations, ~~and~~ facilities used exclusively for receive-only antennas, and small cell wireless communication facilities.

Wireless Communications Facility - small cell: A non-tower wireless communications facility that houses an antenna and equipment designed for the purpose of wireless communications and is utilized to boost wireless communications capacity for a limited area. A small cell wireless communication facility is not considered a wireless communications facility (cell tower) regulated by the Zoning Code.

Yard: A~~n~~ required open ~~space~~ area at grade between a building setback line and ~~the adjoining~~ a public right-of-way, access easement or property ~~lot~~ line, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically ~~provided~~allowed in this ~~ordinance~~code ~~that the building or structure may be located in a portion of a yard required for main buildings. In measuring a yard for the purpose of determining the width of the side yard, the depth of the front yard, or the depth of the rear yard, the shortest horizontal distance between the lot line and the main building shall be used.~~

Yard, Front: ~~The required area of open space extending across the full width of the lot, the depth of which shall be the least distance between the front lot line and the nearest point of the main building or of any open, unenclosed porch or paved terrace as measured from the exterior face of the building foundation.~~ The portion of a lot between the front building setback line and the public right-of-way, access easement or property line, whichever is closest to the front of the building as determined by the main entry to which the lot is addressed.

Yard, Rear: ~~The required area of open space extending across the full width of the lot between the rear most main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such building.~~ The portion of a lot between the rear building setback line and the public right-of-way, access easement or rear property line, whichever is closest to the back of the building.

Yard, Side: ~~The required area of open space between the main building and the side lot line, extending from the front yard or front lot line, where no front yard is required, to the rear yard, the width of which shall be the least distance between the side lot line and the nearest point of the main building.~~ The portion of a lot between the side building setback line and the public right-of-way, access easement or side property line, whichever is closest to the side of the building.

Article 401 Zoning District Regulations

Sec 401.02 Classification of Districts

4. *Commercial (C) districts.*
   a. C-1, Neighborhood Commercial
   b. C-2, General Commercial
   c. C-3, ~~Central~~ Mixed-Use Commercial

Sec. 401.05 Table of Uses

Residential	Use Regs.	A 1	R E	R 1	R2	R 3	R 4	RC 2	RC3	RMH	RZ L	RO	DN 1	DN 2	DN3	DN4	C 1	C 2	C3	D C	DE	I1	I2
Dwelling - Condominium					●	●	●	●	●			●			●	●		●	●	●	●		
Dwelling—Multi-Family						●	●		●							●		●	●	●	●		

Services	Use Regs	A 1	R E	R 1	R 2	R 3	R 4	RC 2	RC 3	RM H	RZ L	R O	DN 1	DN 2	DN 3	DN 4	C 1	C 2	C 3	D C	D E	I1	I2
Child Care—~~Commercial~~ Licensed Center	601.07	●	C	C	C	C	C	C	C	C	C	●					●	●	●	●	●	C	C
Child Care—~~Residential (4 Children)~~ Registered Family Home (5 children or less)	601.07	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Child Care—~~Residential (5—10 Children)~~ Licensed Family Home (6-16 children)	601.07	C	C	C	C	C	C	C	C	C	C	●	C	C	C	C			●		●		
Office~~—Small Scale(≤ 4,000 gsf)~~												●			C	A	●	●	●	●	●	●	●
~~Office—Large Scale (> 4,000 gsf)~~																		●	●	●		●	●

RETAIL	Use Regs.	A1	RE	R1	R2	R3	R4	R-C2	R-C3	R-MH	R-ZL	RO	DN-1	DN-2	DN-3	DN-4	C1	C2	C3	DC	DE	I1	I2
~~Convenience Store~~									~~C~~								~~•~~	~~•~~	~~•~~	~~•~~			
~~Convenience store that sells~~ Packaged sale of beer and/or light wine ~~for off-site consumption~~	601.29														C	A C	•	•	•	C			
~~Convenience store that sells beer and/or light wine for off-site consumption within 500' of a city-owned park or trail~~	~~601.29~~															~~AC~~	~~C~~	~~C~~	~~C~~	~~C~~			
~~Convenience store that sells~~ Packaged sale of beer, light wine and/or spirits ~~for off-site consumption~~	601.29															A C	~~•~~ C	?	?				
~~Convenience store that sells beer, light wine and/or spirits for off-site consumption within 500 ft. of a city-owned park or trail~~	~~601.29~~															~~AC~~	~~C~~	~~C~~	~~C~~				
Retail ~~– Small Scale (≤ 4,000 gsf)~~	601.29														C	A	•	•	•	•	•	•	
~~Retail – Large Scale (> 4,000 gsf)~~																		~~•~~		~~•~~			

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

(c) DN districts lot and area standards.

DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS LOT AND AREA STANDARDS							
				Lot Width		Max. Lot Coverage Ⓒ	
District	Building Type	Min. Lot Area (sq. ft.) Ⓐ	Min. Land Area/ Dwelling Unit (sq. ft.)	Min. Lot Width Ⓑ	Max. Lot Width	Interior lot	Exterior/ corner lot
DN-1	Single-family	~~6,000~~ 5,000	--	~~60'~~ 50’	--	40%	45%

Sec 401.10 PUD, Planned Unit Development

(b) ~~*Minimum area required for PUD districts*. The minimum lot area required for property proposed for a Planned Unit Development district shall be 10 acres.~~

Article 601 Use Regulations

Sec 601.07 Child Care

(a) ~~*Child care, residential*~~*Registered child care family home*: ~~*Four*~~ *(*~~*4*~~*) Five (5) children or less*. ~~Residential child care~~A registered child care family home shall meet the provisions of Section 601.12, Home Occupations, Subsection (a), Type A, and shall also meet the following provisions:

(1) A ~~small residential child care~~registered child care family home shall not care for more than ~~four (4)~~ five (5) children at any given time, including the ~~children under the age of ten residing in the home or the number approved by the state's licensing board, whichever is fewer~~caregiver's own preschool children.

(2) The dwelling shall meet all City, County and State Health Department requirements as to safety, design, facilities, equipment, and other features and the center shall be operated in a manner that will not adversely affect other properties and uses in the area.

(3) The ~~residential~~ registered child care family home shall be located in a single-family dwelling, which is ~~the permanent residence of the operator(s)~~the caregiver's own residence and shall be operated in a manner that will not change the character of the residence.

(b) ~~*Child care, residential*~~*Licensed child care family home*: ~~*Five (5)*~~*Six (6) to* ~~*ten (10)*~~ *sixteen (16) children*. ~~Residential child care~~A licensed child care family home~~,~~ shall meet the provisions of Section 601.12, Home Occupations, Subsection B, Type B; shall meet all of the provisions of a ~~small residential child care~~registered child chare family home; and the additional following provisions:

(1) A ~~large residential child care~~licensed child care family home shall not care for more than ten (10) children including the number of children under the age of ten that reside in the home, or the number of children approved by the state's licensing board, whichever is fewer.

(2) A large residential child care shall provide verification of a Fire Department inspection at the time of application submittal for a conditional use permit.

(c) ~~*Child care, commercial*~~*.* Licensed child care center. Commercial child care, day care centers, pre-schools, kindergartens, and nurseries shall be operated from structures that are commercial in nature or operated within a religious facility. They shall be limited by the requirements of the State of Arkansas in licensing such a facility, and shall otherwise comply with all area regulations established for the district in which such facility is located.

Sec 601.16 Outdoor and Mobile Food Vendors

(d) Outdoor vending. The following requirements shall apply to outdoor vending at fixed locations:

(2) Public property/right-of-way. Outdoor vending on public right-of-way and public property shall only be permitted in special outdoor vendor districts as identified herein, in public parks only as authorized by the Parks and Recreation Director, or otherwise established by City Council.

(3) Location restrictions. No outdoor vendor shall be permitted to operate in the following areas:

p. City public park property, unless authorized by the Parks and Recreation Director.

Sec. 601.27 Wireless Communication Facilities

(d) General Guidelines.

(4) ~~Space may be leased on city owned water towers for the purpose of constructing telecommunication towers and antennas. The addition of a tower or antenna may not add more than twenty (20) feet to the height of the existing water tower. All proposals for leasing of space upon City owned property must obtain approval by the City Council prior to construction and must meet all applicable requirements of this ordinance.~~

Sec 801.13 Signs Allowed Without A Sign Permit

(b) Additional signs. In addition to any other allowed sign, the following signs may be installed, mounted and displayed without a sign permit when the current condition of the property meets any of the conditions below, subject to the corresponding rules and conditions. Maximum area is measured per sign face. Maximum height applies to freestanding signs only.

Property Condition	Land Use		Max. No.	Max. Area (sf)	Max Height (ft.)
	Res.	Nonres.			
Property Under Construction	●		1/street frontage of the lot	16	6
		●	1/street frontage of the lot or development ~~neighborhood or subdivision~~	32	12
Subdivision Under Construction	●	●	1/street frontage of the neighborhood or subdivision ~~lot or development~~	32	12
Property for Sale or Lease	●		1 freestanding/street frontage and 1 wall/dwelling unit	8	6
		●	1 freestanding/street frontage and 1 wall/lease space	32	8

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Sec 801.15 Signs Allowed With A Sign Permit

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

1. *Height and area regulations*.

Sign Type	ZONING								Use	No. Allowed	Max. Height	Max. Area (per sign face)
	A1,RE, R1, R2, R3, R4 RC-2, RC-3, PRD, DN1, DN2	RO	C1	C2	C3	DC, DE, DN3, DN4	I1 & I2	PUD				
Wall	●	●							Residential	1/building	1 ft. above roof peak	4 sq. ft., non-illuminated
		●	●	●	●	●	●	●	Non-residential	No maximum number; however, the total area cumulative of all sign faces cannot exceed 15% of the wall area for the building, or suite if applicable.	1 ft. above roof peak	15% of wall area* (includes awning, canopy, window, door, projecting and roof signs) 25 sq. ft. min. allowed

Sec 200.01 Definitions

Access: ~~A way or means of approach to provide vehicular or pedestrian entrance or exit to a property~~The way or means by which a piece of property is approached or entered.

~~*AHTD*~~*ARDOT:* Arkansas ~~Highway and Transportation~~ Department of Transportation.

Alley: A ~~minor public right-of-way~~passage or way to the back or the side of abutting properties~~ies~~y used for ~~and~~ vehicular access and utility installations ~~abutting a street~~and not intended for general traffic circulation.

Apex (Flood Damage Prevention)*:* A point on an alluvial fan or similar landform below which the flow path or the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Base Flood (Flood Damage Prevention): The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Basement: ~~Any area of the building having its floor subgrade (below ground level) on all sides~~As defined by the International Building Code as adopted by Bentonville City Council.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

~~*Buffer, Perimeter Landscape:* A continuous area of land set aside along the perimeter of a lot in which landscaping is used to provide a transition between and reduce the environmental, aesthetic, and other impacts of one type of land use upon another.~~

~~*Lot, Reverse Frontage:* A double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of ingress and egress provided on a minor street.~~

Manufactured Home: ~~A detached single family dwelling unit fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the~~ A dwelling unit constructed in a factory in accordance with and meeting the definitions set forth in the Federal Manufactured Housing Construction and Safety Standards Code. ~~This Code means the standard for construction, design and performance of a manufactured home as set forth in the Code of Federal Regulations, Title~~ 24 C.F.R, ~~Part~~pt 3280~~, 3282, 3283, and 42 USC 5401, ET SEQ, as mandated in the United Stated of America and as administered by the~~ promulgated by the United States Department of Housing and Urban Development under authority of 42 U.S.C. 5401 et seq., as it existed on January 1, 1976 and as defined in Arkansas State Statute Sec. 20-25-102.

Manufactured Home Park: A parcel of land which has been designed or improved or is intended to be utilized for occupancy by one or more mobile homes and which conforms to the provisions of this ~~ordinance~~code.

Open Space: Open space shall be interpreted to mean:

1. All areas of natural plant communities o~~f~~r areas replanted with vegetation after construction, such as re-vegetated natural areas; and
2. Tree, shrub, hedge, or ground cover planting areas; and
3. lawns and other areas allowed to be counted as open space per the Zoning Code and Land Development Code.

Planned Residential Development (PRD): A comprehensive residential planned land development project in which the standard requirements of the Zoning Code and Land Development Code may be varied to allow design flexibility, building clustering, grouping of open space, increased density and alternatives to public facility improvements.

Planned Unit Development (PUD): A comprehensive planned land development project in which the standard requirements of the Zzoning ordinanceCode and lLand dDevelopment regulationsCode may be varied to permit allowed design flexibility, building clustering, grouping of open space, increased density and alternatives to public facility improvements.

Setback Line: A line or lines, established by the Zoning Ordinance, designating the area intended for future right-of-way as established by the Master Street Plan and restricting the placement of buildings therein. The required distance between every structure and any lot line on the lot which it is located as established by the Zoning Code.

Structure: Anything inanimate constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including roof overhangs, carports, garages, porches, and other similar structures.That which is built or constructed.

Variance: (Flood Damage Prevention) A grant of relief to a person from the requirements of this ordinancecode when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinancecode. (For full requirements, See Section 60.3 of the National Flood Insurance Program regulations).

Yard: That portion of a lot established by the building lines as minimum open space and intended to be unobstructed and unoccupied by any structure. Such things as fences, poles, posts, fence walls and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height and visibility limitations. A required open area at grade between a building setback line and a public right-of-way, access easement or property line, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically allowed in this code.

Yard, Front: That minimum required open space extending between side lot lines from the front lot line to the nearest point of any building, as set forth in the Zoning Ordinance.The portion of a lot between the front building setback line and the public right-of-way, access easement or property line, whichever is closest to the front of the building as determined by the main entry to which the lot is addressed.

Yard, Rear: That minimum required open space extending between side lot lines measured from the rear lot line to the nearest point of any building, as set forth in the Zoning Ordinance. The portion of a lot between the rear building setback and the public right-of-way, access easement, or rear property line, whichever is closest to the back of the building.

Yard, Side: That minimum required open space extending from the front yard line to the rear lot line on both sides of any lot, measured from the side lot line to the nearest point of any building, as set forth in the Zoning Ordinance. The portion of a lot between the side building setback line and the public right-of-way, access easement, or side property line, whichever is closest to the side of the building.

Article 300 Administration and Enforcement

Sec. 300.04 Waivers.

2. No waiver shall be granted except upon written petition by the applicant when the application is filed. Under exceptional circumstances, the Planning Commission may grant waivers at the time of final plat approval. The petition shall state fully the grounds for the waiver and all the facts upon which the petition is made. In granting the waiver, the Planning Commission shall prescribe any conditions that it deems necessary to or desirable in the public interest. In considering the petition for a waiver, the Planning Commission shall take into account the nature of the proposed use of land involved, existing uses of land in the area, proximity to public utilities, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety and general welfare in the vicinity. No waiver shall be granted unless the Planning Commission finds all four of the following:

    1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provision of these regulations would unreasonably affect the applicant.
    2. That the waiver ~~is not in conflict with~~ supports the overall goals of the City in adopting these regulations.
    3. That the granting of the waiver ~~will not be detrimental~~maintains ~~to the~~ public health, safety and welfare is consistent with~~or injurious to~~ other property in the area.
    4. That the granting of the waiver ~~will not have the effect of preventing~~enables the orderly subdivision of other land in the area in accord with the provision of these regulations.

Article 500 Final Plats

Sec 500.06 Recording

1. *Owner/developer responsibility*. Upon approval of the final plat and acceptance of the public dedications by the city council, the owner/developer shall submit ~~ten~~one (1~~0~~) original paper ~~copies~~plat, notarized and signed, to the Planning Department.
2. *Planning department responsibility*.
    1. The Planning Department shall have the final plat recorded in the office of the County Recorder within 30 days from the date of submittal of the required documentation. If the final plat is not filed within such time, approval shall be considered as having been abandoned.
    2. Upon recording the plat, the designated city official shall retain the ~~Mylar and two (2) copies~~original for the ~~planning commission's files and building inspection's~~city files.

Sec. 900.02 Items to be Shown on Plat or Plan

The table below establishes the information and details required to be shown on all submittals for preliminary plats, final plats, large scale developments, planned developments and incidental subdivisions. The requirements for planned developments apply to planned unit developments (PUDs) and planned residential developments (PRDs). The requirement shall apply to the development type if a dot (●) is shown in the development type column.

Requirements	Preliminary Plat	Final Plat	Large-Scale Development	Planned Development	Incidental Subdivision
(e) Site specific information					
(28) For phased projects, a phasing plan with phased areas outlined and labeled with a phase number shall be required at the time of original submittal.			●		

Sec 1100.22 Downtown Neighborhood (DN) Districts Design Standards

(d) DN districts general site access and parking.

(1) *Parking location*.
   a. *Prohibited in front yards*. Garages, parking lots or designated parking spaces are prohibited in the front yard ~~and corner side yard~~.
   b. *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.
   c. *Detached garages*. Detached garages shall be located to the rear of the primary structure.

(2) *Parking setbacks*.
   a. *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.
   b. *Detached garages*. Detached garages must be separated from the primary structure by a minimum of 10'.
   c. *Garages with alley access*. Garages with alley access must be setback 8' from the alley.

***Sec.* 1100.23 Downtown (D) districts Design Standards**

(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 arterial or collector streets, unless at the intersection of any combination of arterial and collector streets Parking drives are highly discouraged along arterial and collector streets and only allowed 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. The standards for garages and parking for residential uses set forth in Sec. 1100.22 Downtown Neighborhood (DN) Districts Design Standards shall apply to residential uses in the DC and DE districts.

Sec 1100.24 Bentonville Municipal Airport Design Standards

11. *Exterior materials*. The front, rear, and sides of all buildings and structures shall be constructed with materials approved by the ~~City of Bentonville~~Airport Advisory Board. Builders are encouraged to use sustainable materials, when possible.

12. *Exterior colors*. Exterior colors shall utilize primarily muted, neutral, or earth tone colors. Builders must choose from a set of four (4) pre-approved color palettes, which will be made available to all prospective builders. The selected color palette shall be approved by the Airport Advisory Board and provided with all plan submittals.

DRAFT

ORDINANCE STAFF REPORT

Donation Box Regulations

PC Date: 11/2/2021
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	New Regulations
Code Impacted	Zoning Code
Section(s)	Sec. 401.05 Table of Uses, Art. 601 Use Regulations

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

Proposal History

Staff presented the proposed ordinance to Planning Commission on Tuesday, Oct. 5, 2021. Planning Commission tabled the item and requested staff to consider a permit and ensure that items must fit inside the donation box. Staff prefers not to establish an entire permitting/registration process for the limited number of properties it would impact and recommends adopting the regulations so they can be enforced through code enforcement. Staff is recommending to add language to the proposed ordinance that the donation box include a sign stating that all donated items must fit completely inside the box.

Issue

Staff has received several complaints regarding the appearance and upkeep of donation boxes that have recently appeared on vacant properties near the public right-of-way. The donation boxes often become full and persons making donations set items outside of the box. The area surrounding the donation box creates unsightly conditions and becomes a nuisance.

Code enforcement has been working to identify the owners of the donations boxes to bring them into compliance with property maintenance codes. This has been a challenge since often the property owners are not aware the donation boxes have been placed on their property and the donation boxes themselves do provide contact information.







Research Findings

Staff used MuniPro to identify regulations for donation boxes. This included 14 municipalities primarily in the midwest and south, including Texas and Oklahoma. We did not find such regulations for any cities in Arkansas. This is a summary of those findings.

Purpose and Intent: Municipalities regulate donation boxes to maintain cleanliness and visual aesthetics.

Applicability/Exemptions: A few communities prohibit donation boxes outright. Some allow them only for 501(c)(3) nonprofits, and only on the same property as a 501(c)(3) nonprofit. Regulations are retroactive and apply to existing boxes.

Permit/Fees: Most regulations required a permit or registration with fees ranging from $10-$150.

Zoning Districts: Allowed in nonresidential districts only. Some go further and restrict to one specific commercial district, only.

Number Limitations: Some regulations established a limit of one per lot. Others limit the number within the community per operator, anywhere between three and five. Some require spacing from other boxes.

Location Requirements: many regulations established location requirements, including: not on public property; not on vacant property; not in a required parking space; not in a setback; not in an easement; not in a front yard; not within sight distance requirements; and not within 150'/200' of one or two family residential structure.

Box Design: A few regulations included details on design, including size, material, and signage. Maximum height allowed is between 6' and 8' with a footprint no larger than 6' x 6'.

Maintenance: Boxes must be painted, remain clean and emptied frequently. Items cannot be placed outside and around the box.

Proposal

Donation boxes are beneficial to people wishing to donate unwanted items. They also provide items and services to persons in need. However, they can pose an unsightly nuisance if not properly maintained. Adopting regulations will help ensure that the donation boxes are used as intended and are properly maintained.

The regulations recommended include location, box dimensions and maintenance:

- Donation boxes allowed as an accessory use in all zoning districts upon compliance with the use regulations.
- Donation boxes be allowed only on properties that are 501(c)(3) non-profit organizations.
- The operator of donation boxes must be a 501(c)(3) non-profit organization.
- Maximum height of 6'.
- Ground footprint of 25 square feet.
- No more than two donation boxes per parcel.
- Front setback is the same as the zoning district. Side and rear setbacks are 7' (the same as the setbacks for accessory buildings). Must be at least 200 ft. from a residential structure.
- Donation boxes cannot impede traffic flow or sight visibility, cannot be placed within a required parking space, and must be on a concrete or asphalt surface.
- Donation box must include contact information and any additional signage cannot exceed two square feet.
- Donation boxes must be maintained, serviced and emptied regularly.
- Donation boxes must contain a message that all donated items must fit completely within the donation box.

The regulations do not require a permit at this time and will be enforced through code enforcement.

Recommendation

Staff recommends approval of the proposed ordinance.

ORDINANCE NO. _____

AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE APPENDIX A ZONING CODE TO REGULATE DONATION BOXES.

WHEREAS, Bentonville City Council wishes to promote the community's health, safety, and welfare; and,

WHEREAS, unattended donation boxes often become unsightly and create a nuisance.

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

Section 1. That the Bentonville Municipal Code, *Appendix A Zoning Code* should be and the same is hereby amended with the following *Attachment A: Donation Boxes*, 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

DRAFT

Attachment A

Donation Boxes

Underlined red text to be added.

Sec. 201.02 Definitions of Terms and Uses

Operator (Unattanded Donation Box): Means a person, entity, association or organization who places, maintains or operates unattended donation box(es) to solicit donations of salvageable personal property.

Property owner (Unattanded Donation Box): Means the person, entity, association or organization who owns the real property where the unattended donation box(es) are or are proposed to be located.

Unattended donation box: Means any unattended container, receptacle, or similar device that is located on any property, outside of a fully enclosed building, within the city used for soliciting and collecting donations including, but not limited to, clothing, books, shoes furniture, or other salvageable personal property.

Sec. 401.05 Table of uses for zoning districts.

OTHER	Use Regs	A 1	RE	R1	R2	R3	R4	R-C2	R-C3	R-MH	R-ZL	RO	DN-1	DN-2	DN-3	DN-4	C1	C2	C3	DC	DE	I1	I2
Donation Box	601.34	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

Sec. 601.34 Unattended Donation Box. No person or other legal entity shall cause or permit the installation or placement of a donation box upon any property within the city, whether public or private, except in accordance with this section.

(a) Purpose and Intent. The purpose of this section is to regulate the placement of unattended donation boxes within the city. These procedures and requirements are enacted to:

(1) Promote the community's health, safety, and welfare by regulating unattended donation boxes for clothing or other salvageable personal property within the city;

(2) Ensure that unattended donation boxes do not pose a hazard to pedestrian and vehicular traffic;

(3) Ensure that material is not allowed to accumulate outside of the unattended donation boxes where it can be scattered by adverse weather conditions, animal contacts and human activities; and

(4) Establish criteria that avoid attracting vermin, unsightliness, and a public health hazard.

(b) Applicability. The requirements of this section shall apply to all donation boxes regardless of whether said boxes were placed prior to the effective date of these regulations. No previously placed donation boxes shall be granted any inherent legal or nonconforming status. All existing donation boxes shall be removed or brought into compliance with these regulations within 30 days of the effective date of these regulations.

(c) Exemptions. These regulations do not apply to recycling bins operated by the city or a waste management company or donation boxes contained wholly within an enclosed building.

(d) Requirements. Donation boxes are allowed as an accessory use in all zoning districts within the city only upon compliance with the following:

(1) *501(c)(3) required.*

a. All proceeds are dedicated to the use of an entity which is qualified by the Internal Revenue Service as a 501(c)(3) charitable institution, or is a governmental entity.

b. The donation box is located upon the premises of an entity which is qualified by the Internal Revenue Service as a 501(c)(3) charitable institution, or is a governmental entity.

(2) *Number.* A maximum of two (2) donation boxes may be located on any parcel.

(3) *Dimensions.* The donation box shall be no more than six (6) feet high, with a ground footprint of not more than twenty five (25) square feet.

(4) *Setbacks.*

a. *Front:* As required by the zoning district.

b. *Side & Rear*: The donation box shall be located at least 7' from the side and rear property lines.

c. *Buildings*: The donation box shall be located at least 10' from any building.

d. *Residential Structures*: The donation box shall be located at least 200' from any residential structure.

(5) *Surface.* The donation box shall be placed upon a concrete or asphalt surface.

(6) *Visibility.* The donation box shall be located so as not to interfere with any sight triangles or block the view of any business signage.

(7) *Parking spaces and circulation.* No unattended donation box shall be placed on or within any parking space required under Appendix A Zoning, Article 501 Parking and Loading or in any way that interferes with on-site circulation

(8) *Signage.* The total signage on each donation box shall not exceed two square feet. No advertising shall be allowed on the donation box. The donation box must include a message stating "*All donated items must fit completely inside the donation box.*" An additional sign shall include the contact information: the name, address, e-mail and phone number of both the property owner/manager and operator. It too shall not exceed two square feet.

(9) *Locked.* Unattended donation boxes shall be locked or otherwise secured.

(10) *Maintenance.*

a. Unattended donation boxes shall be serviced and emptied as needed, or within 24 hours of a request by the director or his or her designee.

b. Unattended donation boxes shall be maintained in good condition and appearance with no structural damage or defects, holes, or visible rust, and shall be free of graffiti.

c. The area surrounding the unattended donation boxes shall be free of any junk, garbage, trash, debris or other refuse material.

DRAFT

Table at the Station

409 SE 6th Street
PC Date: 11/2/2021
Reviewer: Tyler Overstreet, Planning Services Manager, AICP

Project Number	CU19-0014
Applicant / Current Owner	Table at the Station, LLC 108 E. Central Ave Suite #10 Bentonville, AR 72712
Site Area	+/- .51 acres
Current Zoning	DN-4, Downtown Mixed-Use Residential
Future Land Use Map Designation	Downtown Mixed Use Residential (DMUR)
Requested Use	Permanent Restaurant Use & Temporary Gravel Parking Use
Protective Covenants	None

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

Location Map



Note: This item is an amendment to a previously approved Conditional Use Permit.

Amendment Summary
An amendment to the previously approved Conditional Use Permit for Table at the Station. The intent of the original conditional use was for the existing restaurant and temporary gravel parking to remain, while the applicant designed and constructed a building addition and converted the existing gravel parking to hard surface parking. The applicant amended their Conditional Use Permit to allow for phasing in October of 2020.

The applicant has submitted a revised phasing plan exempting certain items from Phase 1 of the development. If the phasing plan and amended Conditional Use Permit are approved, the applicant can complete and final Phase 1 of the project.

Property Description
This property is located at 409 SE 6th Street and currently zoned DN-4, Downtown Mixed-Use Residential. Standalone restaurants require a Conditional Use Permit in DN-4 and temporary uses require a Conditional Use Permit in all zones.

Proposed Use Description
This request is for an amendment to the previously approved Conditional Use Permit for Table at the Station. The intent of the original conditional use was for the existing restaurant and temporary gravel parking to remain, while the applicant designed and constructed a building addition and converted the existing gravel parking to hard surface. The project was approved in January of 2020 for a period of one year.

The applicant submitted revised large-scale development plans requesting that the development be allowed in two phases. Phase 1 includes the building addition, while Phase 2 consists of the parking lot improvements. At the conclusion of Phase 1, the applicant would be issued a Temporary Certificate of Occupancy. After Phase 2, the applicant would receive their full Certificate of Occupancy.

Because the conditions of approval have changed, the applicant needs an amended Conditional Use Permit. The applicant requests they be given a period of one year to complete the parking lot improvements after issuance of a Temporary Certificate of Occupancy on the restaurant improvements.

According to the applicant's narrative, COVID-19 and its financial implications necessitate the need for the revised request.

Projected Traffic Impact
The proposed use will not adversely impact traffic in the area.

Public Notice
At the time of this staff report, staff has not received public comment regarding this request.

Conditions of Approval
1. The Conditional Use Permit for the permanent restaurant use shall be valid in perpetuity.
2. The temporary gravel parking shall be allowed to remain for a period of one year from the date of issuance of a Temporary Certificate of Occupancy on the restaurant addition.
3. The temporary kitchen trailer must be removed within 30-days of the issuance of a Temporary Certificate of Occupancy for the kitchen addition.
4. The gravel parking area must be developed per Phase 2 of the Table at the Station Large-Scale Development plans to receive a permanent Certificate of Occupancy.
5. Any changes in scope, use, or ownership may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a public hearing to reconsider the Conditional Use at any time.

SAND CREEK
Engineering and Landscape Architecture, Inc.

October 21, 2021 Project # 19118

RE: Conditional Use Amendment Extension request (DN-4 Zone)
Station Café site – Table at the Station - CU-19-0014

Bentonville Planning Commission

Table at the Station, LLC was granted a conditional use at 409 SE 6th Street to allow for a restaurant and to be able to allow use of a gravel parking area until a Large Scale Development plan could be approved and constructed. The Conditional Use expired in July and an extension is needed to complete Phase 1 and get the site and building inspections approved to be able to use the completed kitchen and remove the cook trailer.

Phase one is listed below with the status of each item:

PHASE 1 -

- STREET IMPROVEMENTS, SE 6TH AND SE D, ON STREET PARKING, AND STREET SIDEWALKS Done, except for that section for the alley on 6th Street
- LANDSCAPING ALONG STREET RIGHTS-OF-WAY, AMENITIES Trees along D Street are ordered and planting should be in the next few weeks.
- BUILDING EXPANSION, GREASE TRAP, WEST BUILDING SIDEWALK AND COOLER Cooler pad is done, awaiting the cooler to attach to the pad
- OBTAIN A TEMORARY CERTIFICATE OF OCCUPANCY TO BE ABLE TO OPERATE THE NEW KITCHEN AND REMOVE THE MOBILE UNIT. Working to complete items to schedule the inspection of Phase 1

PHASE 2 -

- DETENTION SYSTEM, PIPES, STRUCTURES, PUMP AND OUTFALL SYSTEM
- ALLEY AND PARKING LOT CONSTRUCTION
- DUMPSTER AREA AND ENCLOSURE
- INTERIOR LANDSCAPING

- Proposed Use – Restaurant
- The LSD was approved, however a revised phase plan is attached to reflect necessary changes in the phases due to concrete and storm box availability.
- Hours of operation - closed Monday's, 11am to 8pm Tuesday through Friday, 8am to 8pm on Saturdays and 10am to 2:30pm on Sunday's.

1610 NW 12th Street Bentonville, AR 72712 Phone: (479) 464-9282

- Planned structural changes is the addition of an attached kitchen and additional seating, and remodel of the existing building. Architectural plans are under review by Building and Fire staff.
- Parking needs will remain the same and the gravel area continue until the Phase 1 activities are complete and Phase 2 can start.
- No outdoor lighting changes are planned.

- Anticipated patrons – Avg. 50-60 quests per day, 5 days a week.
- Number of employees, 5 daily
- No Covenants exists for this site.

Carl Garrett, the owner, hereby requests that the Conditional Use #CU-19-0014 be extended for a period of 10 Months to allow for phase 2 to be completed as described above.

We appreciate your consideration.

Sincerely,

Ken Booth
Project Manager

1610 NW 12th Street Bentonville, AR 72712 Phone: (479) 464-9282 Fax: (479) 464-9284

Table at the Station

409 SE 6th Street
PC Date: 11/2/2021
Reviewer: Tyler Overstreet, Planning Services Manager, AICP

Project Number	LSD20-0040
Applicant / Current Owner	Table at the Station, LLC 409 SE 6th Street Bentonville, AR 72712
Site Area	+/- .51 acres
Current Zoning	DN-4, Downtown Mixed-Use Residential
Future Land Use Map Designation	Downtown Commercial
Development Type / Use	Restaurant

https://arcg.is/08HvK8

Location Map



Note: This is an amendment to a previously approved Large-Scale Development

Amendment Description
An amendment to a previously approved Large-Scale Development for Table at the Station.

The applicant has submitted a revised phasing plan for review by the Planning Commission and staff. The revised plan shows a revised location for a private sidewalk in Phase 1 and an amendment to allow a stormpipe to be constructed in Phase 2 as opposed to Phase 1. In addition, the plans depict an alley to be constructed and paved with Phase 1 as opposed to Phase 2.

Property Description
This property is located at 409 SE 6th Street. The property is the current location of the Table at the Station restaurant. The property is currently zoned DN-4, Downtown Mixed-Use Residential.

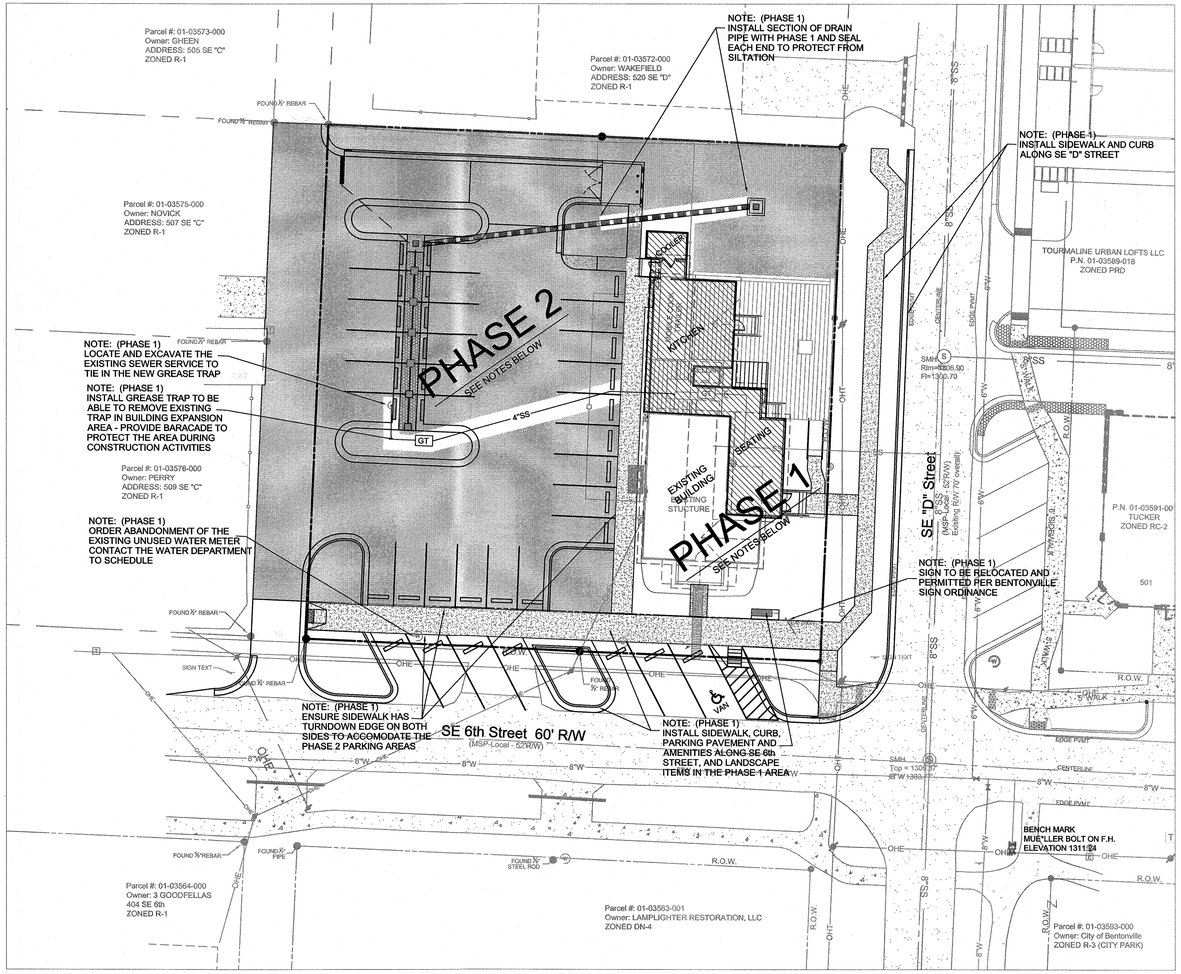
Project Details
A large-scale development proposing an expansion to the existing Table at the Station restaurant. The development also proposes the conversion of the existing temporary gravel parking into a permanent parking lot. This Large-Scale Development was a condition of approval of a 2019 Conditional Use Permit (CU19-0014)

The development provides a total of 34 parking spaces, with 7 being located on-street. The addition to the building is composed of James Hardie cement board siding. The existing structure shall retain its existing wood siding.

Projected Traffic Impact
As an existing use, this development should not generate any additional trips than its current conditions. Bringing the existing parking lot into compliance with the Land Development Code should improve conditions within the area.

Waivers
There are no waivers associated with this request.

Conclusion
The Bentonville Community Plan notates that as development occurs within the DN-4 district, a "creative and flexible blend of residential, commercial, and cultural uses can be expected." The Table at the Station development provides a restaurant in an unique, residential-style building. The addition to the building and the parking lot meet all requirements of the Land Development Code. Staff recommends approval of the amended Large Scale Development.



PHASE 1 IMPROVEMENT AREA

BUILDING EXPANSION AREA

PHASE 2 IMPROVEMENT AREA

PHASE PLAN

PHASE 1 -

- INSTALL NEW GREASE TRAP AND REROUTE EXISTING TRAP LINE - REMOVE OLD TRAP
- BEGIN BUILDING EXPANSION
- INSTALL STREET IMPROVEMENTS, ON STREET PARKING, AND SIDEWALKS ALLEY APPROACH TO RIGHT OF WAY
- LAY STORM PIPE FROM BASIN AREA PAST COOLER - SEAL ENDS UNTIL PHASE 2
- LANDSCAPING ALONG STREET RIGHTS-OF-WAY, INSTALL AMENITIES
- SIDEWALK ALONG WEST SIDE OF BUILDING, AND COOLER

GRAVEL PARKING AREA TO BE CONSTRUCTION STAGING AND MOBILE KITCHEN AREA DURING PHASE 1 IMPROVEMENTS

PHASE 2 -

- COMPLETE DETENTION SYSTEM, PIPES, STRUCTURES, PUMP AND OUTFALL SYSTEM
- ALLEY AND PARKING LOT CONSTRUCTION
- DUMPSTER ENCLOSURE
- LANDSCAPING

GRAVEL PARKING WILL REMAIN IN PLACE UNTIL PHASE 1 IS COMPLETE AND THE BUILDING CAN OBTAIN A TEMPORARY CERTIFICATE OF OCCUPANCY. THE PARKING, DETENTION, DUMPSTER AND LANDSCAPING FOR THE WEST AND NORTH AREAS TO BE PHASE 2.

N

20' 0 20'

SCALE: 1" = 20'

BENCHMARK:
FIRE HYDRANT TOP OF BOLT IN THE WORD MUE'LLER - ELEVATION 1311.24

EXISTING LEGEND

- MONUMENT SET (AS NOTED)
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- WATER METER
- WATER VALVE
- CLEANOUT
- DRAINAGE MANHOLE
- TV RISER
- TELEPHONE RISER
- TELEPHONE METER
- LIGHTPOLE
- DRAIN SPOUT
- SIGN
- UTILITY POLE
- HVAC
- BOLLARD
- GASLINE SIGN
- FIBER OPTIC SIGN
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- OHE — OVERHEAD ELECTRIC LINE
- 8"W — WATER LINE
- FENCE (WOODEN FENCE)
- CENTERLINE
- CONCRETE
- ASPHALT
- HANDICAP SIGN WITH "VAN"
- ADA PARKING SYMBOL
- SCREENING FENCE
- (X) PARKING COUNT
- HEAVY DUTY CONCRETE PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- CONCRETE RIBBON (2')
- CONRETE SIDEWALK

REFERENCE:

REFER TO OTHER SHEETS FOR SPECIFIC NOTES AND AREAS FOR INDIVIDUAL ITEMS TO BE CONSTRUCTED WITH EACH PHASE

CAUTION - NOTICE TO CONTRACTOR:

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN BY THESE PLANS.

DEVELOPER:
TABLE at the STATION, LLC
Carl Garrett
1507 S.W. 2nd Street,
Bentonville, AR 72712
(206) 372-2400
carl@tablemesabristo.com

SHEET: PHASE PLAN

PROJECT: TABLE AT THE STATION CAFE
409 SE 6th STREET
BENTONVILLE, ARKANSAS

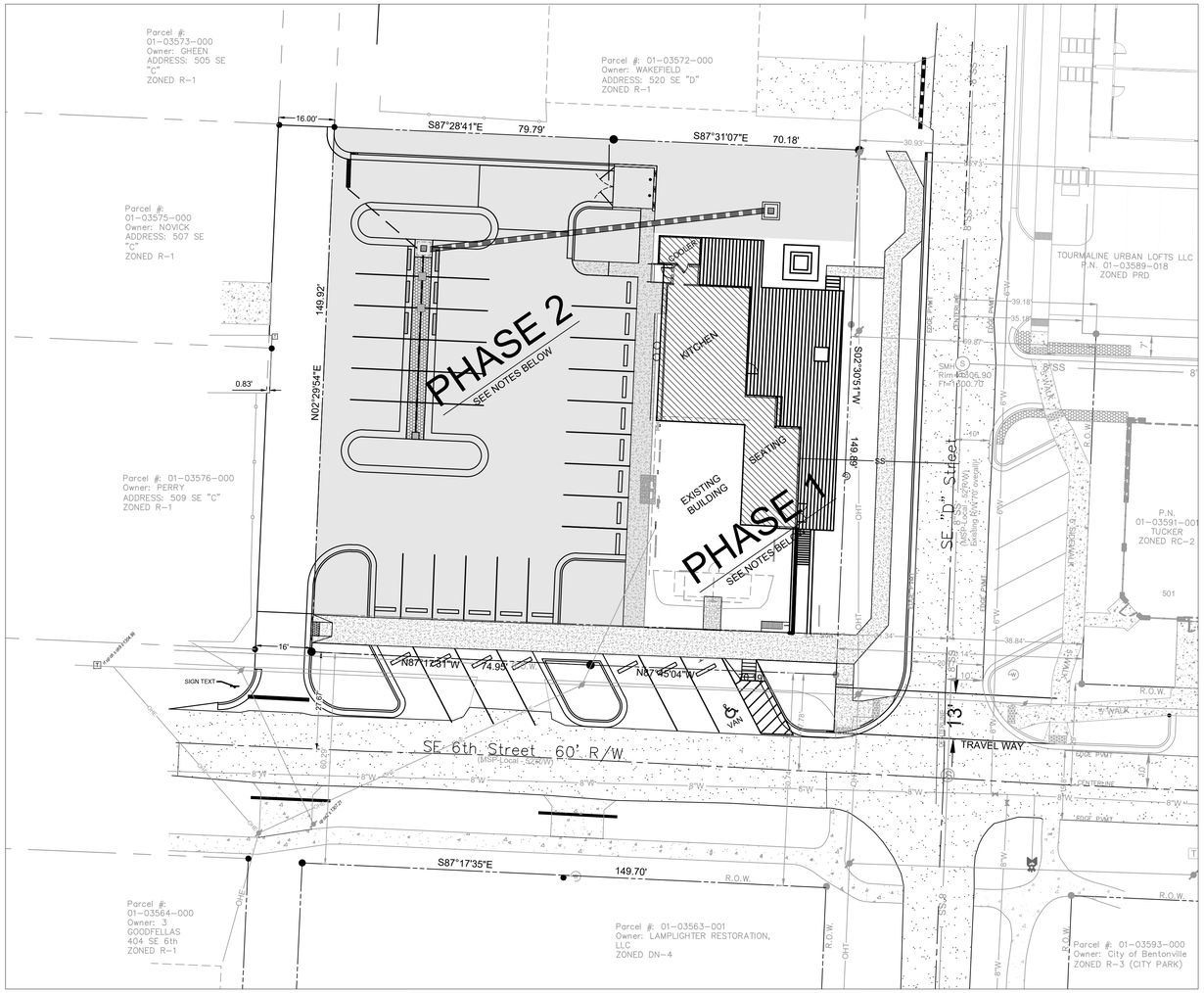
STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9253
TIMOTHY R. SCOTT
10/26/20

SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-8262

MANAGER:	Ken Booth
DESIGNED BY:	KB
DRAWN BY:	KB
CHECKED BY:	TRS
PROJECT #:	19118
CURRENT REVISION:	REV-3
DATE:	10/26/2020
SHEET:	3 OF 7

19118_TABLE AT THE STATION

CITY OF BENTONVILLE PROJECT # LSD 20-0040



EXISTING LEGEND

- MONUMENT SET (AS NOTED)
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- WATER METER
- WATER VALVE
- CLEANOUT
- DRAINAGE MANHOLE
- TV RISER
- TELEPHONE RISER
- TELEPHONE METER
- LIGHTPOLE
- DRAIN SPOUT
- SIGN
- UTILITY POLE
- HVAC
- BOLLARD
- GASLINE SIGN
- FIBER OPTIC SIGN
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- OVERHEAD ELECTRIC LINE
- WATER LINE
- FENCE (WOODEN FENCE)
- CENTERLINE
- CONCRETE
- ASPHALT
- HANDICAP SIGN WITH "VAN"
- ADA PARKING SYMBOL
- SCREENING FENCE
- PARKING COUNT
- HEAVY DUTY CONCRETE PAVEMENT
- CONCRETE SIDEWALK

PHASE 1 IMPROVEMENT AREA

PHASE 2 IMPROVEMENT AREA

PHASE PLAN

PHASE 1 -
- INSTALL NEW GREASE TRAP AND REROUTE EXISTING TRAP LINE - REMOVE OLD TRAP
- BEGIN BUILDING EXPANSION
- INSTALL STREET IMPROVEMENTS, ON STREET PARKING, R/W SIDEWALKS AND ALLEY FROM RIGHT OF WAY TO END
- LANDSCAPING ALONG STREET RIGHTS-OF-WAY, INSTALL AMENITIES

PHASE 2 -
- COMPLETE DETENTION SYSTEM, PIPES, STRUCTURES, PUMP AND OUTFALL SYSTEM
- COMPLETE PARKING LOT CONSTRUCTION, PAINT STRIPING AND PARKING BLOCKS
- DUMPSTER ENCLOSURE
- INTERIOR LANDSCAPING

DEVELOPER:
TABLE at the STATION, LLC
Carl Garrett
1507 S.W. 2nd Street,
Bentonville, AR 72712
(206) 372-2400
carl@tablemesabristo.com

PHASE PLAN

SHEET:

TABLE AT THE STATION CAFE
409 SE 6th STREET
BENTONVILLE, ARKANSAS

PROJECT:

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

MANAGER:	Ken Booth
DESIGNED BY:	KB
DRAWN BY:	KB
CHECKED BY:	TRS
PROJECT #:	19118
CURRENT REVISION:	RECORD
DATE:	REV. 10/21/2021
SHEET:	2 OF 5

19118_TABLE AT THE STATION

CITY OF BENTONVILLE PROJECT # LSD 20-0040

REZONING STAFF REPORT

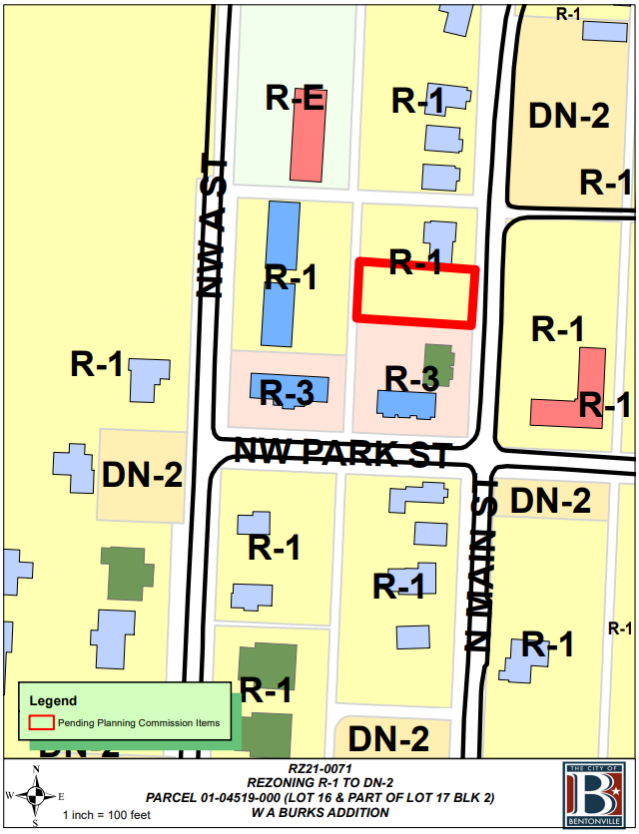
1003 North Main Street, LLC

1003 North Main Street
PC Date: 11/2/2021
Reviewer: Jon Stanley, Senior Planner, ALSA, APA

Project Number	RZ21-0071
Applicant / Current Owner	Barrett Family Trust
Site Area	+/- 1.58 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 1003 North Main Street and is currently zoned R-1, Low-Density Single Family Residential. Adjacent zoning districts are R-1, Low Density Single-Family Residential to the north, east and west and R-3, Medium-High Density Multifamily Residential to the south.

Relationship to the Bentonville Community Plan
The Future Land Use Plan currently depicts this property as Medium-Density Residential. Medium-Density Residential areas typically include townhouses or duplex residential properties. These areas are found both near downtown and in some recent growth areas. These areas may also include local amenities for residents, including educational facilities, religious facilities, museums etc.

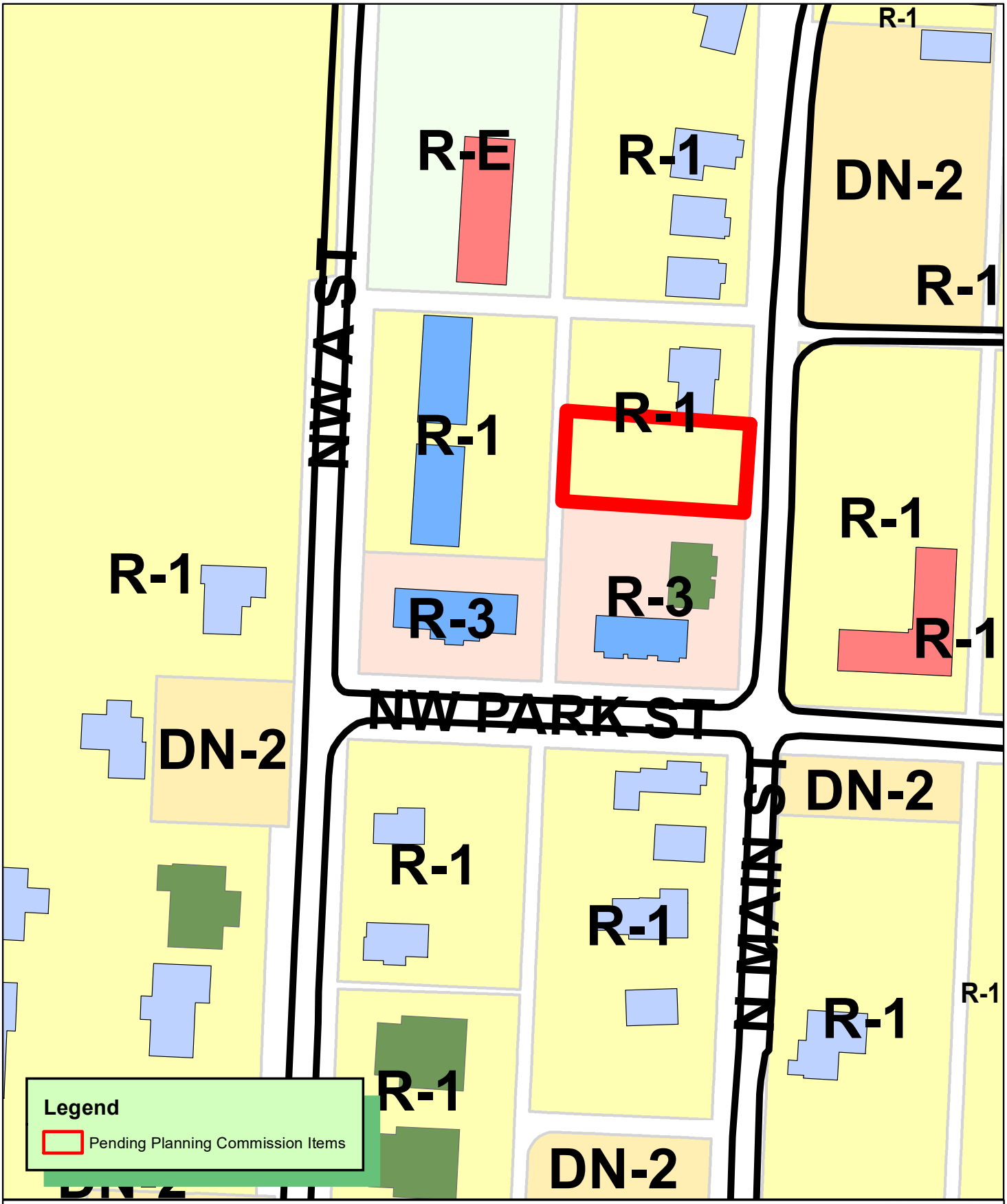
The property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Community Plan. This area highlights reinvestment in urban neighborhoods in and around Downtown Bentonville.

Public Comment
At the time of writing this staff report, staff has not received public comments.

Analysis
The DN-2 district is intended 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.

This rezoning request is consistent with the Bentonville Community Plan and the Future Land Use Plan. Additionally, this request is consistent with surrounding land-use patterns as there are existing DN-2 zoning districts in the immediate area.

Conclusion
This rezoning request is consistent with the Future Land Use Plan and is compatible with surrounding zoning districts and land uses. Staff recommends approval of the rezoning request.



N
W E
S

1 inch = 100 feet

RZ21-0071
REZONING R-1 TO DN-2
PARCEL 01-04519-000 (LOT 16 & PART OF LOT 17 BLK 2)
W A BURKS ADDITION

THE CITY OF BENTONVILLE

The current land use is R1 Residential and requesting to rezone to DN2 Medium Density Residential. The current owner is 1003 N Main, LLC and there are not any planned or proposed sales. The zoning request is to allow for increased density, setback allowances, lot width differences.

1003 N Main will relate to the adjacent DN2 properties that have been built around it. There have been numerous properties built around the property that have already been rezoned DN2. It will also relate to the city's allowable land use that has designated the area Downtown Medium Density and has alley and main street access.

The plan is to build 2 single family homes or a single family attached home.

The property is located on N Main Street with access from Main Street and alley access via Park St.

There will not be any signage on the property.

The appearance of the property is a vacant lot. There was a single family home on the land but it was torn down due to the condition of the home.

6" Water and sewer are available for access on the east side of the property running along N Main St.

Westwood Development Lot B, LLC

801-809 SW 3rd Street
PC Date: 11/2/2021
Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	RZ21-0072
Applicant / Current Owner	Westwood Development Lot B, LLC
Site Area	+/- 0.58 acres
Current Zoning	R-1, Low-Density Single Family Residential and R-3, Medium-High Density Multifamily Residential
Requested Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Future Land Use Map Designation	Mixed-Use Commercial (MUC)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 801-809 SW 3rd Street. The property is surrounded by R-1, Low-Density Single Family Residential to the north, east, and west, and C-3, Mixed-Use Commercial to the south.

Relationship to the Bentonville Community Plan
The Future Land Use Plan currently depicts this property as Low-Density Residential. The applicant requests a change in the Future Land Use Plan to Mixed-Use Commercial. These areas include uses that provide goods and services to nearby residents. Local retail, day-to-day services, and small offices are appropriate in these areas. Vertical mixed-use developments are encouraged in mixed-use commercial areas, with upper floors including offices, services, or residential uses. Parking may be more prominent in these areas than in Downtown commercial areas but should be sited and designed to not be detrimental to the character of the area.

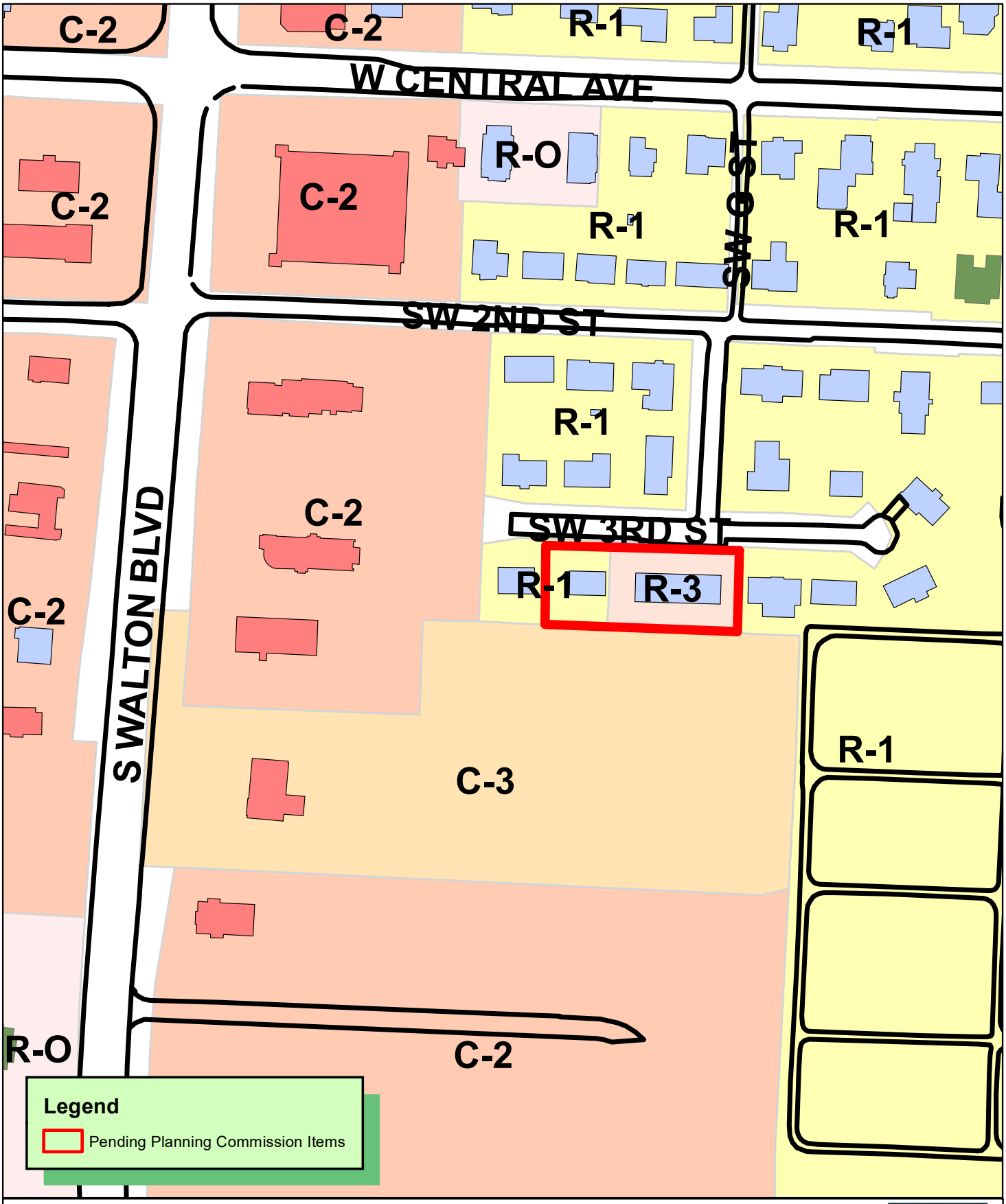
The property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Bentonville Community Plan. This area highlights reinvestment in urban neighborhoods in and around downtown Bentonville (pg. 44).

Public Comment
At the time of writing this staff report, staff has not received public comment on this item.

Analysis
The C-3 district is established for areas outside of downtown to provide an opportunity for people to live, work, meet, shop, and utilize services within the vicinity of their residences. The C-3 district allows for a mix of neighborhood commercial and personal services, offices, and medium-density residential uses. Development in this district should be designed with an urban, walkable character that encourages physical activity, alternative transportation, and greater social interaction to benefit the health and wellbeing of residents.

This request is not consistent with the Future Land Use Plan, however, it is consistent with surrounding zoning districts as there is an existing C-3 lot in the immediate vicinity.

Conclusion
This rezoning request is consistent and compatible with existing land use patterns. Staff recommends approval of the Future Land Use Map amendment and the rezoning request.


C-2
C-2
R-1
R-1
W CENTRAL AVE
R-O
C-2
C-2
R-1
R-1
SW 2ND ST
R-1
C-2
SW 3RD ST
R-1
R-3
C-2
S WALTON BLVD
R-1
C-3
R-O
C-2
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 150 feet
RZ21-0072
REZONING R-1 & R-3 TO C-3
WEST SIDE ADDITION
LOTS 15, 16 & 17
THE CITY OF
BENTONVILLE

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

October 4, 2021

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Property (Parcel #01-04650-000, #01-04649-000)

Staff,

On behalf of our clients we would like to formally request a zoning change for this project from R-1, Single Family Residential and R-3 Medium Density Residential to C-3, Central Commercial. The property is currently owned by Westwood Development Lot B, LLC. The adjacent properties are zoned R-1 and C-3. A proposed C-3 zoning is appropriate in this area based on the proposed large scale development plans for Lumen Multi-Family, as well as proximity to other residential and commercial parcels.

The owner of this parcel is requesting a rezone to C-3 in order to develop a multi-family residential project. Currently, the proposed plans for development on this property are to build multi-family units with associated infrastructure, storm water retention, and onsite amenities. This property has access to 2 points of ingress/egress (via SW 3rd St and S Walton Blvd).

There are no plans for proposed signage on this property. Owner/developer will work with city staff when planning any proposed signage.

The site currently has two townhome buildings. The land is comprised of hay/grass cover with some larger trees throughout. Water and sewer are readily available on this site.

By rezoning to C-3, Central Commercial, this property will be an excellent place for development and will be an asset to the Bentonville community.

Thank you,

Elizabeth Topping

Elizabeth Topping, E.I.

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

October 4, 2021

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Change in Future Land Use Plan (Parcel #1-04650-000, #01-04649-000)

Staff,

On behalf of our clients we would like to formally request a change in the Future Land Use Plan for this project from Low Density Residential to Mixed-Use Commercial. The property is currently owned by Westwood Development Lot B LLC. The adjacent properties are noted as Low Density Residential and Mixed Use Commercial. A proposed change to Mixed Use Commercial Land Use is appropriate in this area based on the proposed large scale development plans for Lumen Multi Family, as well as proximity to other residential and commercial parcels.

The owners of this parcel are requesting a change to Mixed Use Commercial Land Use in order to develop a multi-family residential project with some commercial areas. There are proposed plans currently under review that show development plans with associated infrastructure, storm water retention, and onsite amenities. This property has access to 2 points of ingress/egress (via SW 3rd St and S Walton Blvd).

There are no plans for proposed signage on this property. Owner/developer will work with city staff when planning any proposed signage.

The site currently has two townhome buildings. The land is comprised of hay/grass cover with some larger trees throughout. Water and sewer are readily available on this site.

By changing the Future Land Use to Mixed Use Commercial, this property will be an excellent place for development and will be an asset to the Bentonville community.

Thank you,

Elizabeth Topping

Elizabeth Topping, E.I.

Mixed-Use Commercial

Future Land Use Plan Category Description

Res. No. 10-23-18A



Description

Mixed-use commercial areas include uses that provide goods and services to nearby residents. Local retail, day-to-day services, and small offices are appropriate in these areas. Vertical mixed-use developments are encouraged in mixed-use commercial areas, with upper floors including offices, services, or residential uses. Parking may be more prominent in these areas than in Downtown commercial areas, but should be sited and designed to not be detrimental to the character of the area.

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.
In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

C-3, Mixed-Use Commercial

The C-3 District is established for areas outside of downtown to provide an opportunity for people to live, work, meet, shop and utilize services within the vicinity of their residences. The C-3 district allows for a mix of neighborhood commercial and personal services, offices and medium density residential uses. Development in this district should be designed with an urban, walkable character that encourages physical activity, alternative transportation and greater social interaction to benefit the health and wellbeing of residents.

Maximum Height Allowed: 60 feet

Height Exception: Any structure exceeding the listed maximum height shall be set back an additional 1 foot for each foot in excess of the maximum height allowed for that district.

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
C-3	All	None	-	-	-	100%	100%

Minimum Setback Standards:

District	Front		Side		Rear	
	Parking in front	No parking in front	Adjacent to non-residential district	Adjacent to residential district	Adjacent to non-residential district	Adjacent to residential district
C-3	0’	0’	0’	10’	0’	0’

Sidewalk Setback: No building in the C-3 district, regardless of the location of the lot lines of the property on which it is to be built, shall be built closer than 8 ft. from the back of the curb line of any public street abutting the property on which the building is located. This spacing shall be maintained in order to provide adequate space for the required sidewalk to be built along that street frontage.

Canopy Standards: Canopies may project over the street right-of-way if they terminate no less than 2 ft. horizontally from the outside edge of the street curb and are no less than 8 ft. above the surface of a new or existing sidewalk.

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.
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C-3, Mixed-Use Commercial

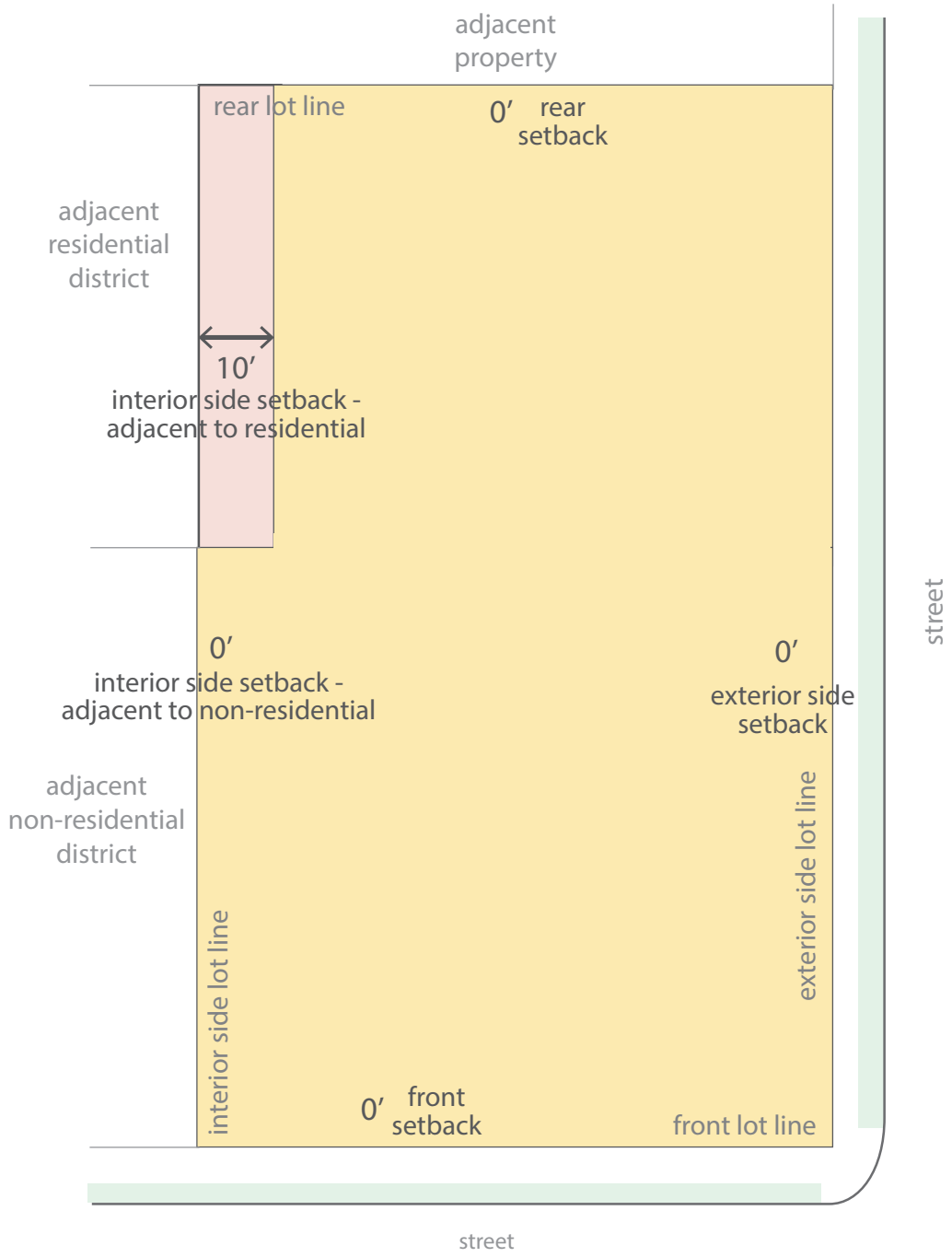
ALLOWED BY RIGHT	CONDITIONAL	ACCESSORY
Agriculture and Animals Animal - domestic or household Community garden Urban farm **Residential** Dwelling - condominium Dwelling - multi-family Home occupation - type b Residential facility - rehabilitation **Recreation, Education & Assembly** Aquarium Community center Commercial recreation facility - indoor Cultural studio Library Museum Park – mini, neighborhood **Services** Adult day care ATM machine Auction house Child care - commercial Child care - residential (4 children) Child care - residential (5-10 children) Copy facilities Financial institution Funeral home Governmental services facility Lodging - hotel / motel Medical services - doctor office Office - small scale (≤ 4,000 gsf) Office - large scale (≥ 4,000 gsf) Personal services Postal services Repair services - household **Retail** Artisan shop Bakery Bar, lounge or tavern Convenience store Convenience store that sells beer and/or light wine - off-site consumption Convenience store that sells beer, light wine/and or spirits for off-site consumption Gas station Outdoor vending - private property Restaurant Restaurant, drive-in Restaurant, drive through Retail - small scale (≤ 4,000 gsf) Sidewalk café in public right-of-way **Transportation / Utilities** Broadcasting studio	**Agriculture and Animals** Animal clinic Botanical garden Greenhouse **Residential** Dwelling - modular Dwelling - townhouse or rowhouse Dwelling - two-family **Recreation, Education & Assembly** Arena / Auditorium Commercial recreation facility - outdoor Educational facility Event center Golf course Outdoor music venue Religious facilities **Services** Cemetery or mausoleum Lodging - bed & breakfast Medical services - hospital Public safety services **Retail** Convenience store that sells beer and/or light wine for off-site consumption within 500 ft. of a city owned park or trail Convenience store that sells beer, light wine/and or spirits for off-site consumption within 500 ft. of a city owned park or trail Outdoor vendor park **Transportation / Utilities** Parking facility (as principle use) Transportation facilities excluding airports Utility facility Wireless communication facility (cell towers) **Other** Temporary uses	**Residential** Dwelling - accessory Home occupation - type a **Transportation / Utilities** Solar energy system Wind energy system, small **Other** Building, accessory - nonresidential

Updated 02-11-2020

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.
In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

C-3, Mixed- Use Commercial

Setback Illustration



CONDITIONAL USE STAFF REPORT

Walmart Store 100 Drone-Up Building

406 S Walton Boulevard

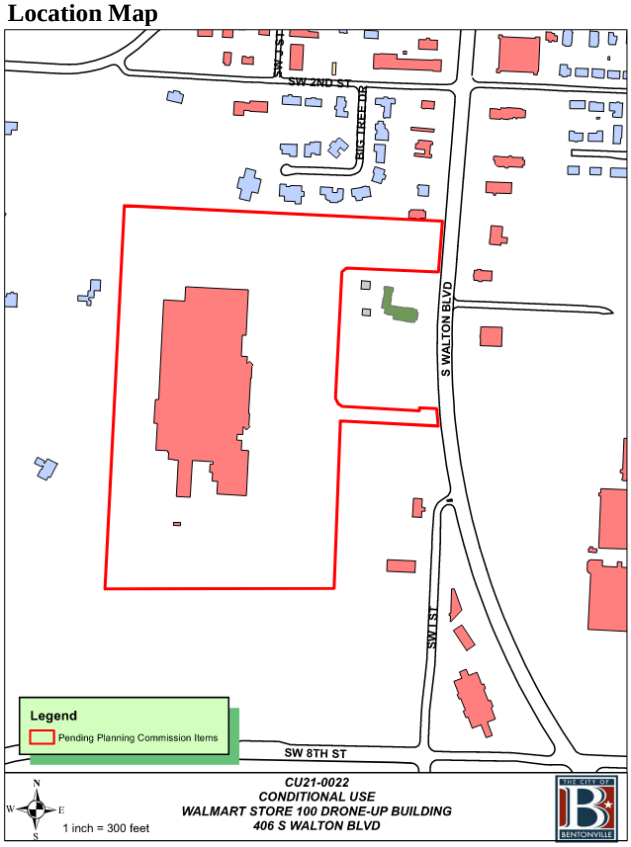
PC Date: 11/2/2021

Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	CU21-0022
Applicant / Current Owner	Wal-Mart Real Estate Business Trust
Site Area	+/- 32.91 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	General Commercial (C)
Requested Use	Long-Term Temporary Uses or Structures
Protective Covenants	N/A

https://arcg.is/08HvK8

Location Map



Property Description

The subject property is located at 406 S Walton Boulevard and is zoned C-2, General Commercial. Long-term temporary uses and structures require a Conditional Use Permit and are only allowed in non-residential zoning districts.

Proposed Use Description

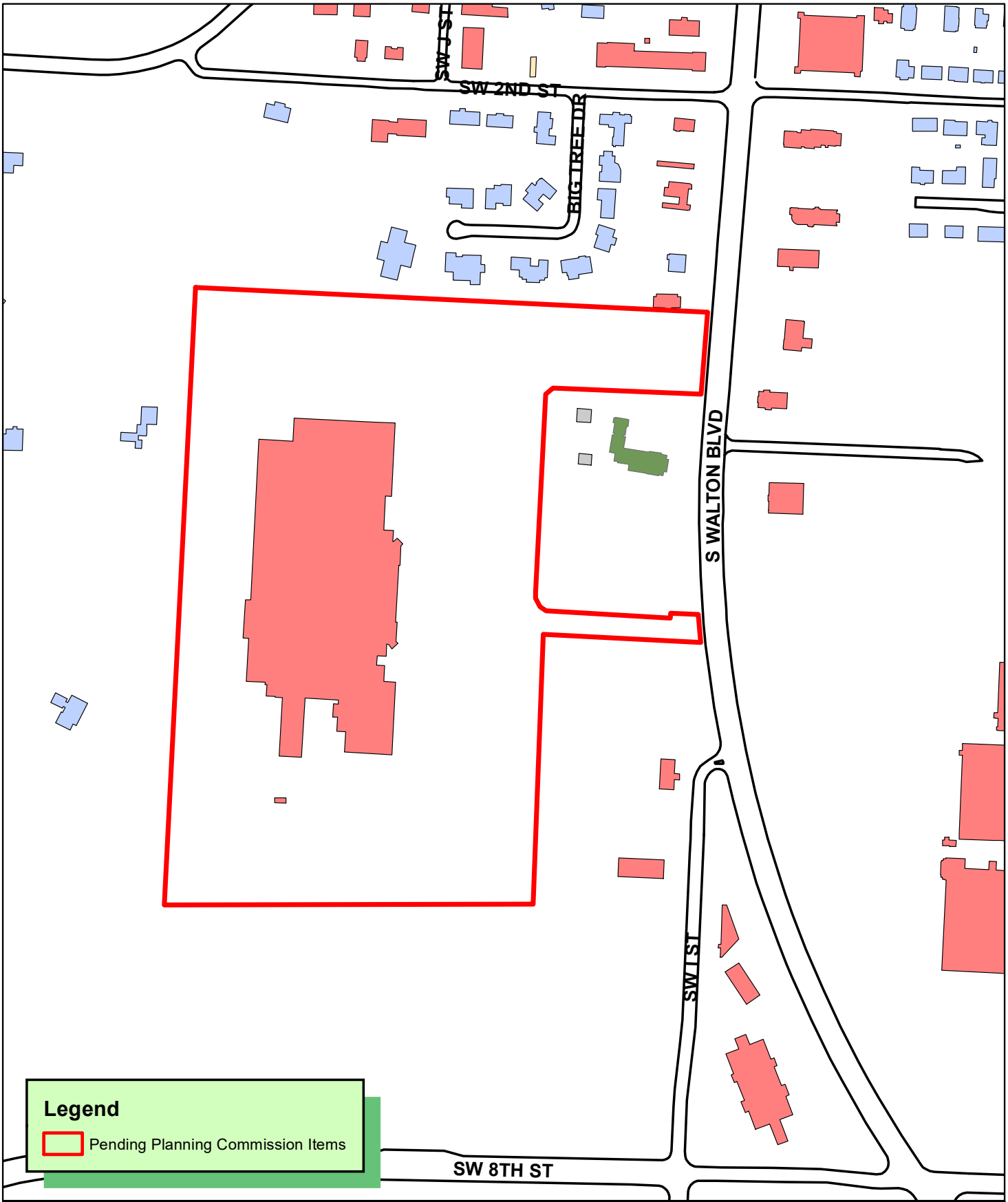
According to the applicant's narrative, they intend to construct a modular structure for drone delivery. The site would be accessed through the Walmart parking lot on S Walton Boulevard. No new parking lot lighting is being proposed. The hours of operation will be 9 AM – 5 PM, 5 days a week. The facility anticipates the need for 9 to 15 employees to operate the Drone-Up facility.

Public Notice

At the time of writing this staff report, staff has not received public comment on this item.

Conditions of Approval

1. This Conditional Use Permit shall be allowed for a period of time determined by the Planning Commission.
2. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission can hold a public hearing on or revoke the Conditional Use at any time.



CU21-0022
CONDITIONAL USE
WALMART STORE 100 DRONE-UP BUILDING
406 S WALTON BLVD

Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

September 24, 2021

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

RE: Walmart Store #100
Drone-Up Building
Conditional Use Request

To the City of Bentonville Planning Commission:

This is a Conditional Use request for parcel 01-01133-000, described below, owned by Wal-Mart Real Estate Business Trust.

The proposed use of this site is to construct a modular structure for Drone Delivery operations for the Bentonville Walmart Store #100 at 406 South Walton Blvd. The modular structure is defined as Long-term temporary uses or structures in Article 601.25 of the Zoning Code. Therefore, requires a Conditional Use Permit. The structure is planned to be in place for as long as DroneUp is delivering product from this location.

A Site Plan is included with this narrative along with photos of the property. The hours of operation will be during the hours of 9AM - 5PM, 5 days a week. The modular structure, defined as DroneUp, indoor space will be used to store/maintain drone aircraft, DroneUp employees, package / parcel handling, drone battery charging, and maintaining FAA compliance while operating Drone Aircraft on the ground and in the air. The close proximity of outdoor space surrounding the structure will be used to allow for safe takeoff and landing of drone aircraft to be compliant with FAA regulations.

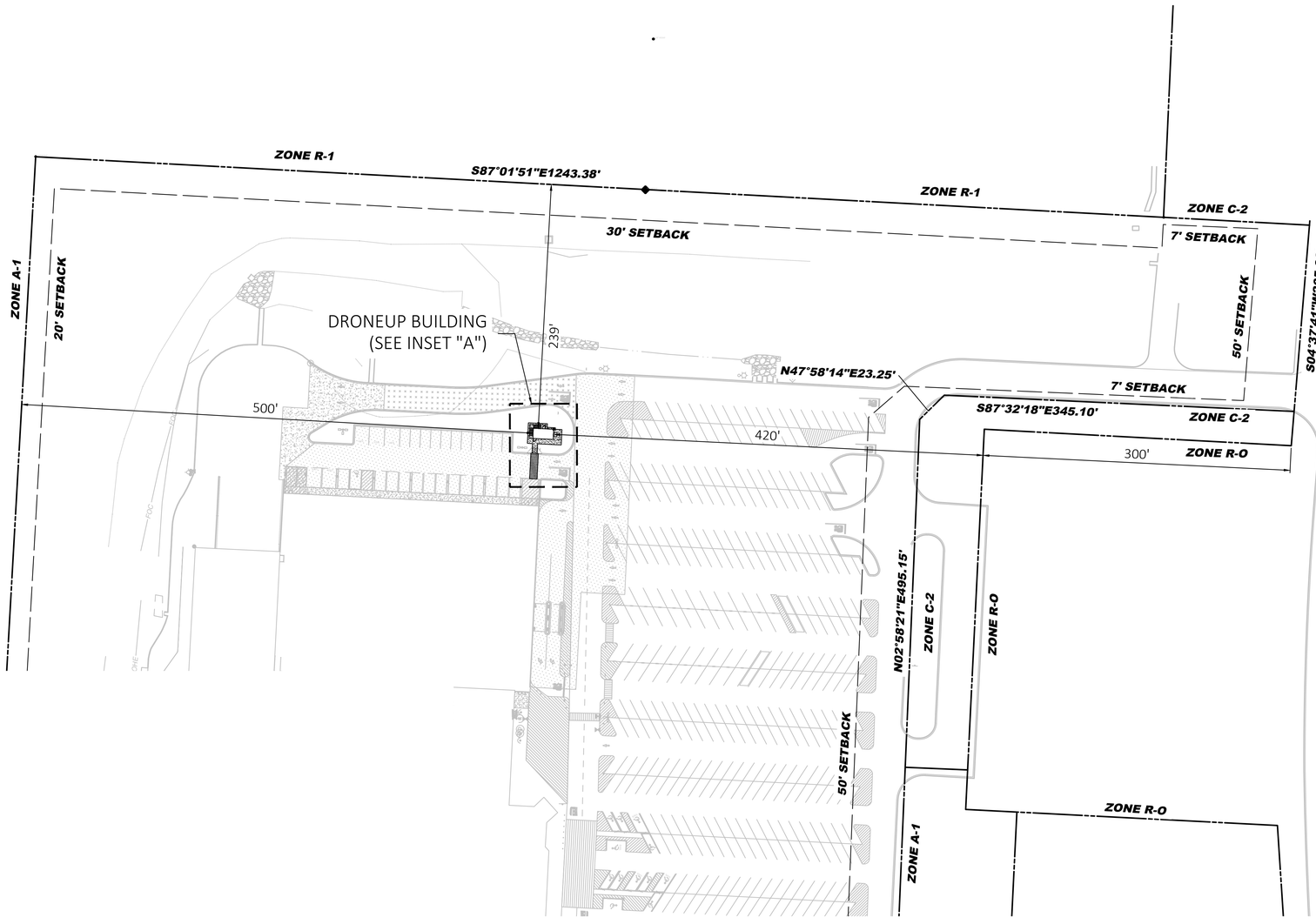
The planned parking for this area is to utilize the existing associate parking on premises. The facility anticipates the need for 8-15 employees to operate the DroneUp facility. No anticipated change in deliveries or number of patrons to the existing supercenter. No new parking lot lighting is being proposed for this area.

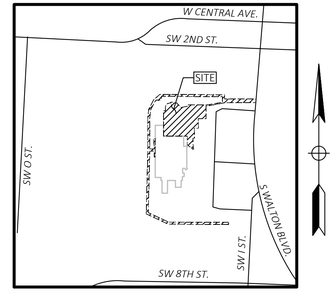
We appreciate your consideration of this request. If you have any questions or need additional information, please contact me via phone at (479) 273-9472 or email at jyoull@ceieng.com*.*

Respectfully submitted,
CEI Engineering Associates, Inc.

John Youll
Project Manager

Enclosed:
Exhibit "A" property photos, and Site Plan





Vicinity Map

Not to Scale

N

0 60' 90' 120'

SCALE IN FEET

811

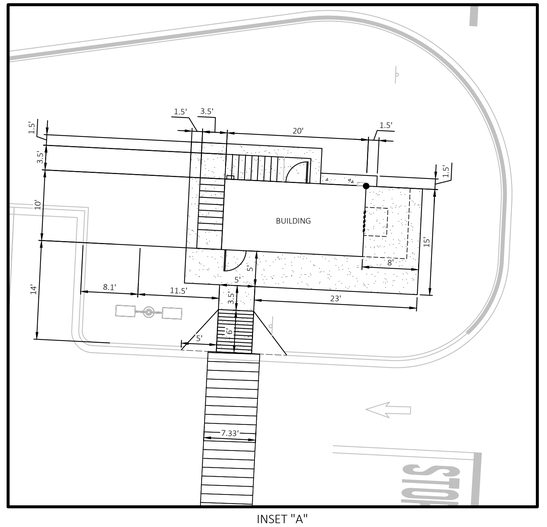
Know what's **below.**
Call before you dig.

EXISTING LEGEND

e	EAST OR ELECTRIC
n	NORTH
oh	OVERHEAD
s	SOUTH OR SEWER
t	TELEPHONE
ug	UNDERGROUND
w	WEST OR WATER
———	PROPERTY LINE
———	RIGHT OF WAY LINE
———	STORM DRAIN
X"G	GAS
OHE	OVERHEAD ELECTRIC
OHE&T	OVERHEAD ELECTRIC AND TELEPHONE
OHT	OVERHEAD TELEPHONE
OHTV	OVERHEAD TV
X"SS	SANITARY SEWER
UGE	UNDERGROUND ELECTRIC
UGE&T	UNDERGROUND ELECTRIC & TELEPHONE
UGT	UNDERGROUND TELEPHONE
UGTV	UNDERGROUND TV
X"W	WATER
.5-10-11 50.5	TREE INFO .5 = DIAMETER OF TRUNK IN FEET 10 = HEIGHT OF TREE IN FEET 11 = CANOPY DIAMETER IN FEET 50.5 = ELEVATION AT BASE OF TREE

PROPOSED LEGEND

LIMITS OF CONCRETE SIDEWALKS (PER ARCHITECTURAL PLANS)



INSET "A"
SCALE: 1" = 10'

LSD PROJECT NUMBER: LSD20-0062

CEI
Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

WALMART
STORE #100-264 BUILDING EXPANSION
406 SOUTH WALTON BOULEVARD
BENTONVILLE, ARKANSAS

Walmart

PRELIMINARY
NOT FOR
CONSTRUCTION

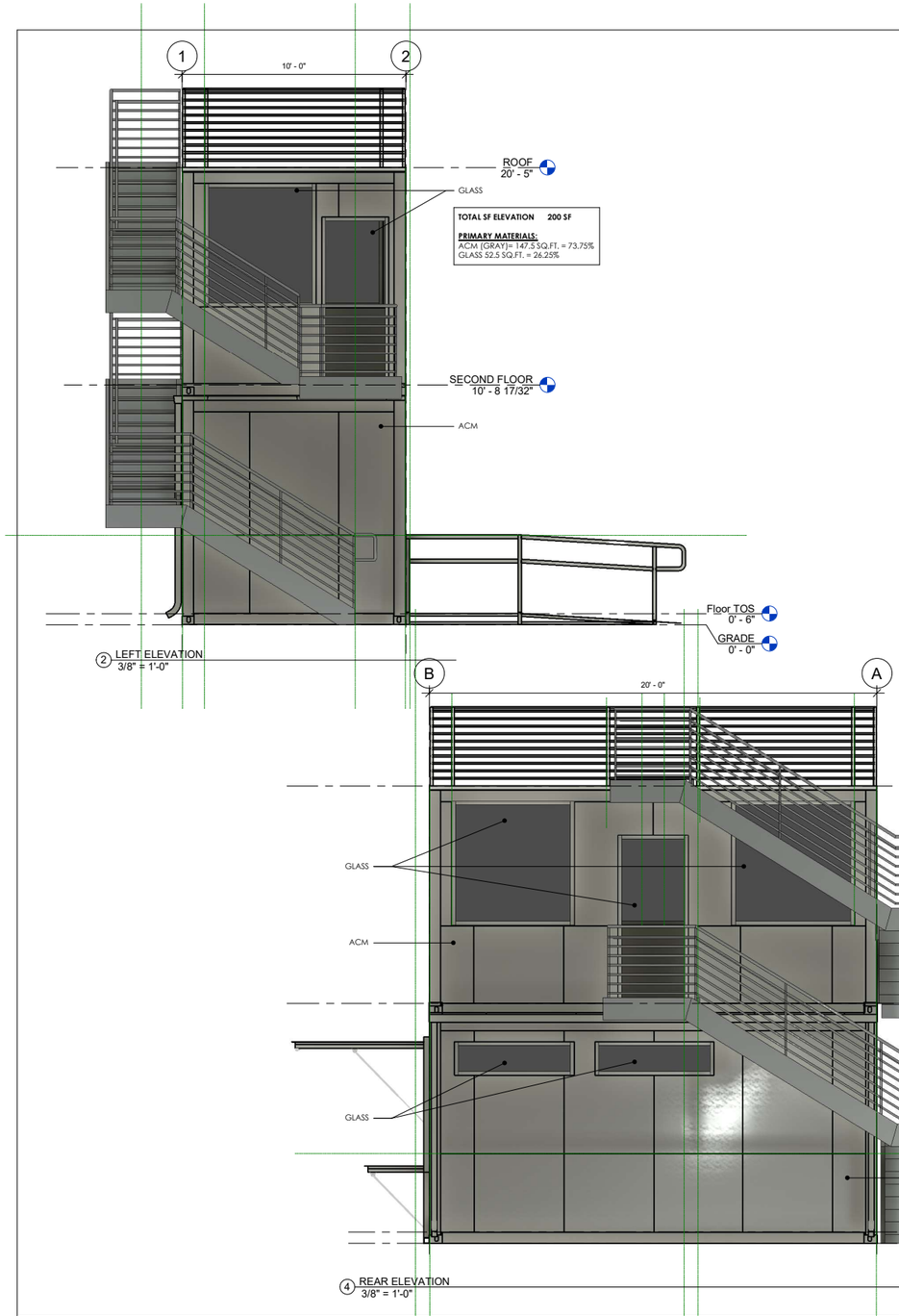
PROFESSIONAL OF RECORD	NAH
PROJECT MANAGER	JDY
DESIGNER	BDB
CEI PROJECT NUMBER	31971
DATE	9/24/2021
REVISION	

DRONEUP LAYOUT
SHEET TITLE

SHEET NUMBER
EX-1

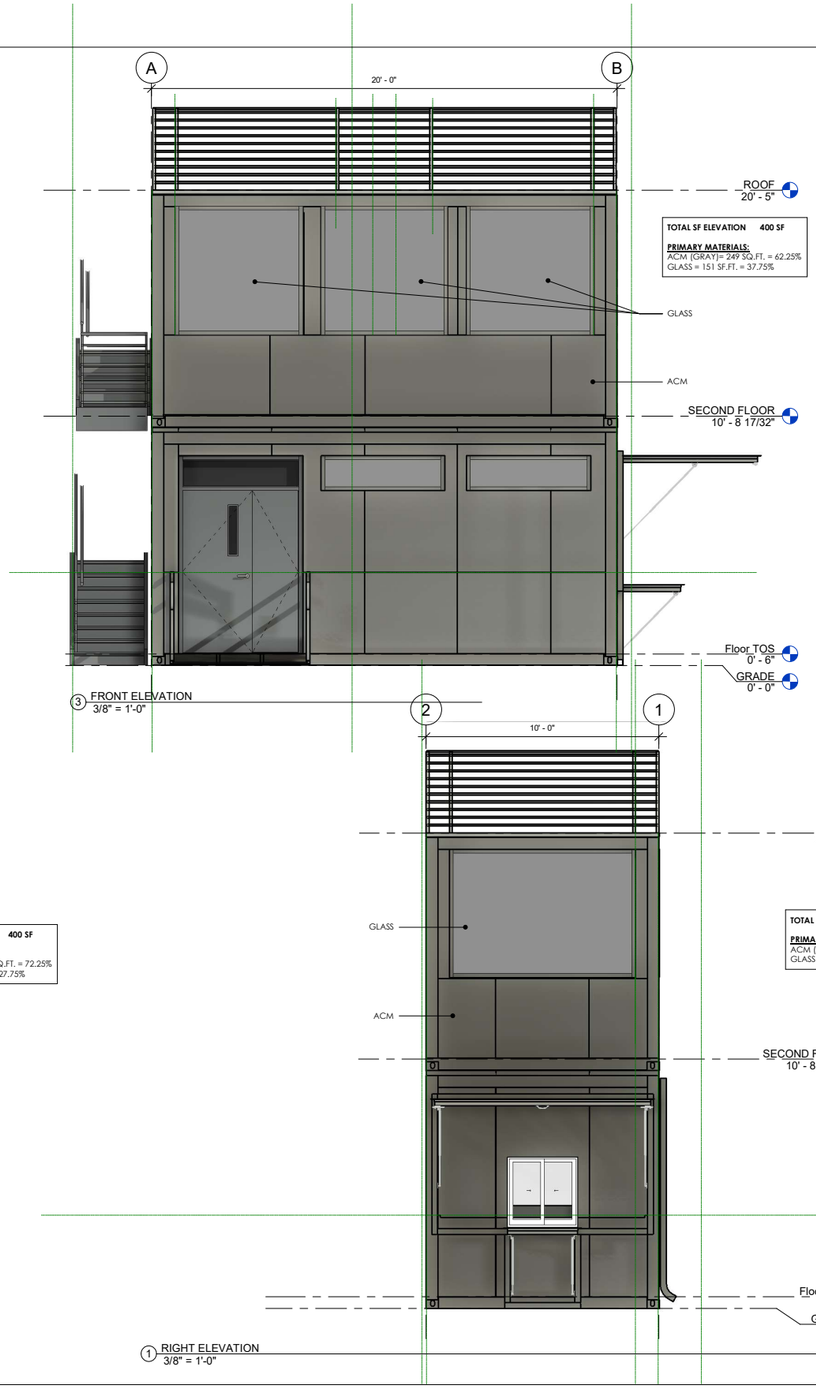
DRAWING LOCATION: P:\31971\00\31971.00\DRAWINGS\EXHIBITS\2021-09-20 NEW DU LAYOUT\31971 - DRONEUP EX.DWG - SAVED BY: BBROWN

© 2021 CEI ENGINEERING ASSOCIATES, INC.

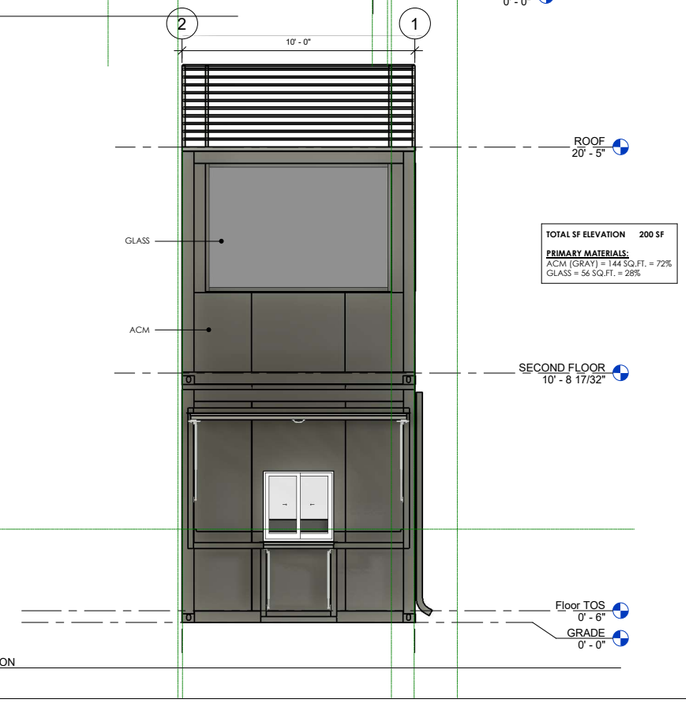


② LEFT ELEVATION
3/8" = 1'-0"

④ REAR ELEVATION
3/8" = 1'-0"



③ FRONT ELEVATION
3/8" = 1'-0"



① RIGHT ELEVATION
3/8" = 1'-0"

BOXMAN STUDIOS

DRONEUP - HANGER PROJECT

droneUp

MATERIAL PERCENTAGE

Project name	DRONEUP - HANGER
Date	09/01/21
Drawn by	BM
Serial Number	BXS-1138

A-202

Scale: 3/8" = 1'-0"

9/17/2021 8:30:17 AM

BIM 360://Drone-Up/Drone Up.rvt



Photo No. 1



Photo No. 2



Photo No. 3



Photo No. 4



Photo No. 5



Photo No. 6

PREPARED BY:

CEI Engineering Associates, Inc.

3108 SW Regency Parkway
Bentonville, Arkansas

(479) 273-9472 or 1-800-433-4173 / Fax (479) 273-0844

Exhibit Description: Site Photographs
Job Number: 31971s
City, State: Bentonville, AR
Project: Walmart Store #100 Drone-Up Site

EXHIBIT NUMBER **EX1.01**



Photo No. 7



Photo No. 8



Photo No. 9

INTENTIONALLY LEFT BLANK

Photo No. 10

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Photo No. 11

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Photo No. 12

PREPARED BY:

CEI Engineering Associates, Inc.

3108 SW Regency Parkway
Bentonville, Arkansas

(479) 273-9472 or 1-800-433-4173 / Fax (479) 273-0844

Exhibit Description: Site Photographs
Job Number: 31971s
City, State: Bentonville, AR
Project: Walmart Store #100 Drone-Up Site

EXHIBIT NUMBER **EX1.02**

PRELIMINARY PLAT STAFF REPORT

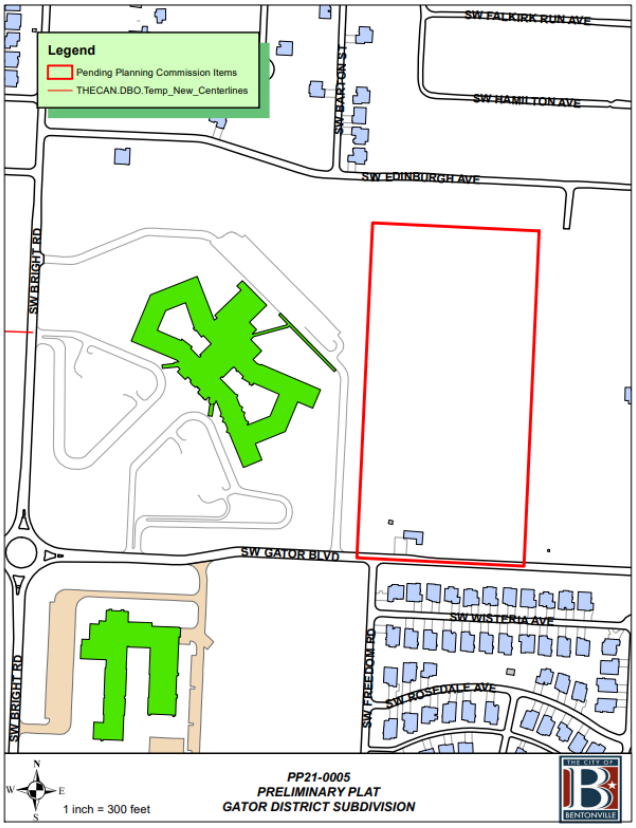
Gator District Subdivision

1730 SW Gator Blvd. & SW Dundee Drive
PC Date: 11/2/2021
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	PP21-0005
Applicant / Current Owner	Gator District, LLC
Site Area	+/- 20 acres
Current Zoning	R-1, Low Density Single Family Residential & C-1, Neighborhood Commercial
Future Land Use Map Designation	Low Density Residential (LDR) and Commercial (C)
Development Type / Use	Single-Family and Two –Family Subdivision

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 1730 SW Gator Blvd. and SW Dundee Drive. It is approximately 20 acres and is zoned R-1, Low Density Single-Family Residential and C-2, General Commercial.

Project Details
A preliminary plat proposing the development of a 59-lot single-family subdivision with two common area lots. The preliminary plat proposes street improvements to SW Gator Boulevard per the Master Street Plan and cross connection to SW Dundee to the north with a future cross connection stub to the east. The plat includes a portion of the neighborhood trail section that will traverse the new subdivision from north to south and east to west. Sidewalks, landscaping, grading/ drainage, and cross connection are in accordance with the requirements of the Land Development Code.

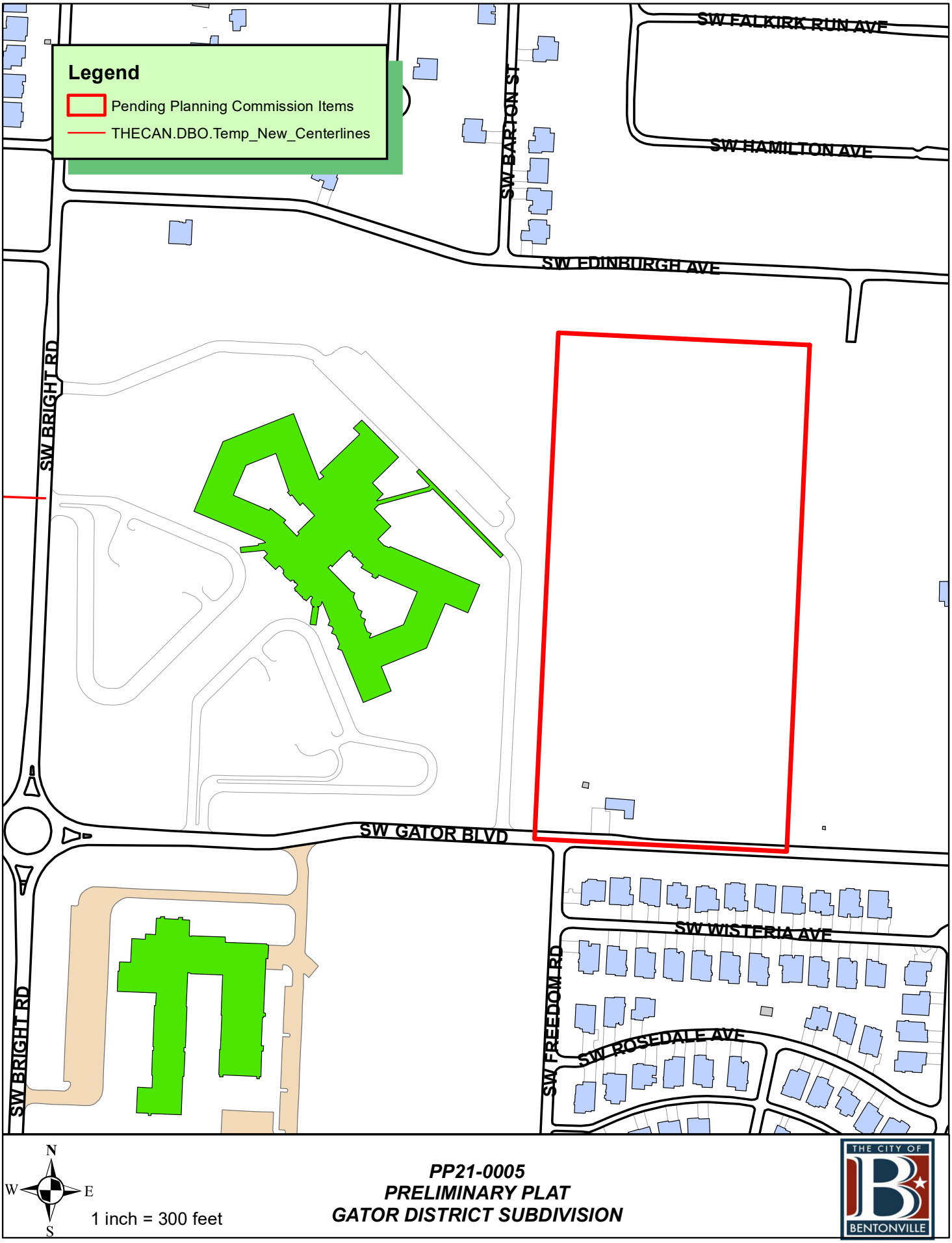
All non-bondable items and guarantees of improvements must be complete, and a final inspection approved prior to final plat approval.

Projected Traffic Impact
The development has the potential to impact traffic in the area. However, the street and traffic control improvements previously completed by the school district in 2014 and the improvements that will be made with this development along the north side of Gator Blvd. should accommodate the increase in traffic.

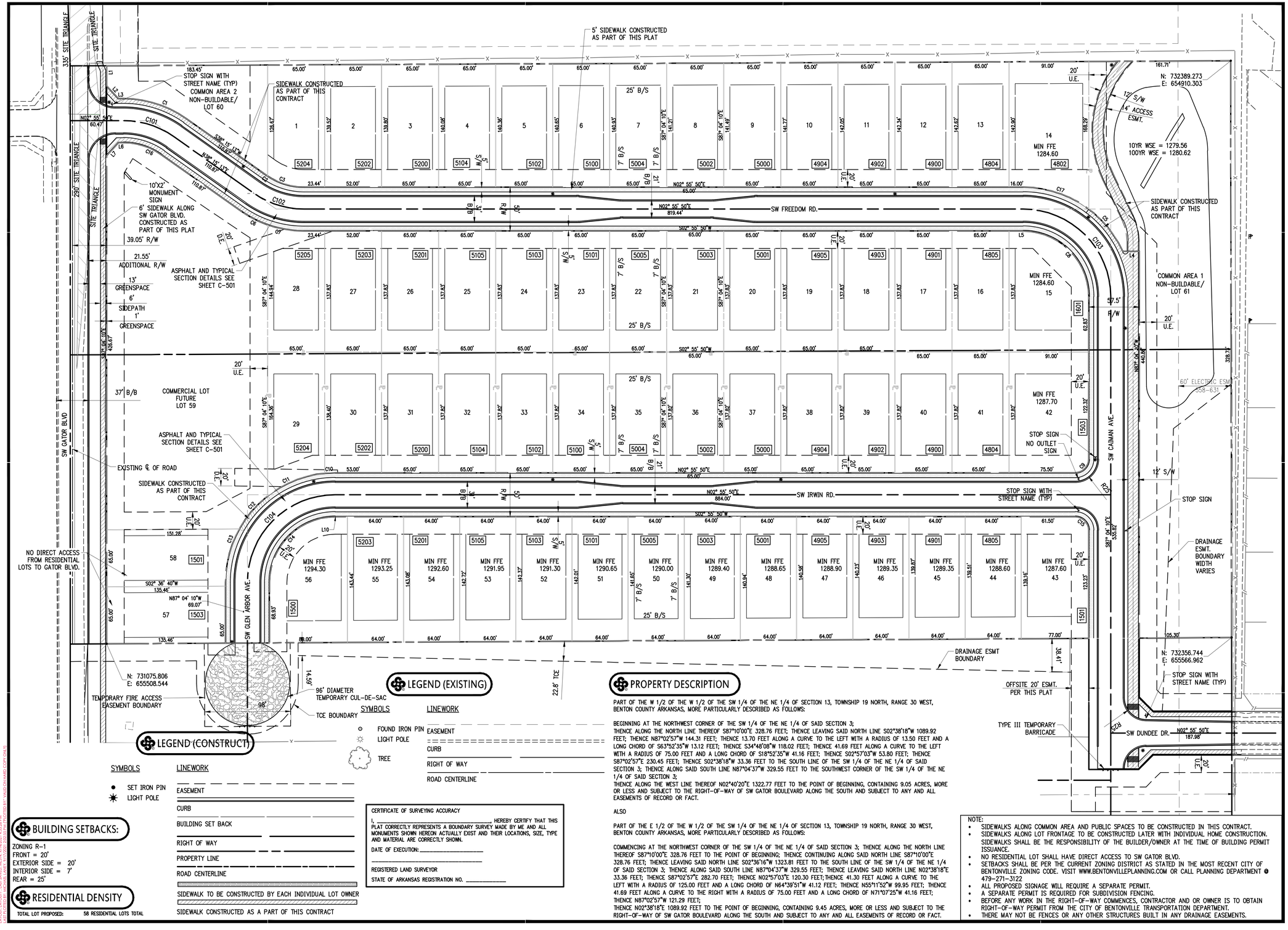
Waivers
One waiver request:

- Stormwater Management and Drainage Manual - Section VIII per *Sec. 8.4.1, "the maximum elevation of the hydraulic gradient is two feet (2') below the ground surface" for the design storm event (10-year).* Please refer to the applicant's narrative for additional information regarding this waiver request to these requirements.

Conclusion
The preliminary plat does not meet the minimum requirements of the Land Development Code due to the waiver request, however, staff recommends approval of the project.



PP21-0005
PRELIMINARY PLAT
GATOR DISTRICT SUBDIVISION



LEGEND (CONSTRUCT)

SYMBOLS

- SET IRON PIN
- LIGHT POLE

LINEWORK

- EASEMENT
- CURB
- BUILDING SET BACK
- RIGHT OF WAY
- PROPERTY LINE
- ROAD CENTERLINE
- SIDEWALK TO BE CONSTRUCTED BY EACH INDIVIDUAL LOT OWNER
- SIDEWALK CONSTRUCTED AS A PART OF THIS CONTRACT

LEGEND (EXISTING)

SYMBOLS

- FOUND IRON PIN
- LIGHT POLE
- TREE

LINEWORK

- EASEMENT
- CURB
- RIGHT OF WAY
- ROAD CENTERLINE

BUILDING SETBACKS:

ZONING R-1
FRONT = 20'
EXTERIOR SIDE = 20'
INTERIOR SIDE = 7'
REAR = 25'

RESIDENTIAL DENSITY

TOTAL LOT PROPOSED: 58 RESIDENTIAL LOTS TOTAL

CERTIFICATE OF SURVEYING ACCURACY

I, _____ HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATIONS, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DATE OF EXECUTION: _____

_____
REGISTERED LAND SURVEYOR
STATE OF ARKANSAS REGISTRATION NO. _____

PROPERTY DESCRIPTION

PART OF THE W 1/2 OF THE W 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 3;
THENCE ALONG THE NORTH LINE THEREOF S87°10'00"E 328.76 FEET; THENCE LEAVING SAID NORTH LINE S02°38'18"W 1089.92 FEET; THENCE N87°02'57"W 144.31 FEET; THENCE 13.70 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 13.50 FEET AND A LONG CHORD OF S63°52'35"W 13.12 FEET; THENCE S34°48'08"W 118.02 FEET; THENCE 41.69 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.00 FEET AND A LONG CHORD OF S18°52'35"W 41.16 FEET; THENCE S02°57'03"W 53.80 FEET; THENCE S87°02'57"E 230.45 FEET; THENCE S02°38'18"W 33.36 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 3; THENCE ALONG SAID SOUTH LINE N87°04'37"W 329.55 FEET TO THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 3;
THENCE ALONG THE WEST LINE THEREOF N02°40'20"E 1322.77 FEET TO THE POINT OF BEGINNING, CONTAINING 9.05 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF SW GATOR BOULEVARD ALONG THE SOUTH AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

ALSO

PART OF THE E 1/2 OF THE W 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 3; THENCE ALONG THE NORTH LINE THEREOF S87°10'00"E 328.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S87°10'00"E 328.76 FEET; THENCE LEAVING SAID NORTH LINE S02°36'16"W 1323.81 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 3; THENCE ALONG SAID SOUTH LINE N87°04'37"W 329.55 FEET; THENCE LEAVING SAID NORTH LINE N02°38'18"E 33.36 FEET; THENCE S87°02'57"E 282.70 FEET; THENCE N02°57'03"E 120.30 FEET; THENCE 41.30 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET AND A LONG CHORD OF N64°39'51"W 41.12 FEET; THENCE N55°11'52"W 99.95 FEET; THENCE 41.69 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET AND A LONG CHORD OF N71°07'25"W 41.16 FEET; THENCE N87°02'57"W 121.29 FEET;
THENCE N02°38'18"E 1089.92 FEET TO THE POINT OF BEGINNING, CONTAINING 9.45 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF SW GATOR BOULEVARD ALONG THE SOUTH AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

NOTE:

- SIDEWALKS ALONG COMMON AREA AND PUBLIC SPACES TO BE CONSTRUCTED IN THIS CONTRACT.
- SIDEWALKS ALONG LOT FRONTAGE TO BE CONSTRUCTED LATER WITH INDIVIDUAL HOME CONSTRUCTION. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT THE TIME OF BUILDING PERMIT ISSUANCE.
- NO RESIDENTIAL LOT SHALL HAVE DIRECT ACCESS TO SW GATOR BLVD.
- SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. VISIT WWW.BENTONVILLEPLANNING.COM OR CALL PLANNING DEPARTMENT @ 479-271-3122
- ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
- A SEPARATE PERMIT IS REQUIRED FOR SUBDIVISION FENCING.
- 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.
- THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

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

CERTIFICATE OF AUTHORIZATION:

CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
50' 0 50'

GATOR DISTRICT SUBDIVISION

BENTONVILLE, AR

Key Plan

No.	Description	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO: 20107600
ISSUE DATE: 03/01/21
CONTACT: D. ELLIS
CHECKED BY:

ISSUED FOR REVIEW

NOT FOR CONSTRUCTION - REVIEW SET - NOT FOR CONSTRUCTION - REVIEW SET -

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

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PP21-0005

PRELIMINARY PLAT

C-102

DRAWING: G:\20107600_GATOR\PRELIM\PLAT\C102.DWG | DWG: PRELIMINARY PLAT.DWG
LAYOUT: LAYOUT1 | LAST SAVED: 3/1/2021 4:55:28 PM | PLOTTED: 3/1/2021 4:55:28 PM | PLOTTED BY: DAVID ELLIS | PLOT SCALE: 1.0000

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

February 23, 2021
City of Bentonville, AR
Engineering Department
3200 SW Municipal Dr.
Bentonville, AR 72712

Re: Waiver Request – Gator District Subdivision
CTA Job No. 20107600

To Whom It May Concern,

This letter is to request a waiver from the City of Bentonville Stormwater Management and Drainage Manual in regards to the Gator District Subdivision. Per Sec. 8.4.1, "the maximum elevation of the hydraulic gradient is two feet (2') below the ground surface" for the design storm event (10-year).

The existing topography of this site is relatively flat. Because of this, the detention pond is unable to sit much lower than the main storm network discharge. When the 10-year hydraulic grade lines (HLGs) were analyzed throughout the storm pipes, the pond's 10-year maximum water surface elevation was used as a constant tail water condition to model worst-case scenario. This resulted in Pipes 1-2 , 1-3 , 2-1, 2-2, 2-3, 2-4, 3-1 & 4-1 having HGLs closer than 2 ft. from the gutter line (2.5 ft. from top of rim). We are requesting a waiver of this requirement in the City of Bentonville Stormwater Management and Drainage Manual for the aforementioned pipes. Distances from the design HGL to gutter line are shown below in Table 1.

Table 1. Elevation Difference from 10-year HGL (up) to Inlet Gutter Line

PIPE ID	10-YR HGL (UP) (FT.)	GUTTER LINE ELEVATION (FT.)	DIFFERENCE (FT.)
1-2	1279.74	1280.03	0.29
1-3	1280.81	1281.91	1.10
2-1	1280.05	1280.61	0.56
2-2	1280.82	1282.65	1.83
2-3	1281.05	1282.75	1.70
2-4	1281.16	1282.75	1.59
3-1	1279.76	1280.03	0.27
4-1	1280.90	1281.91	1.01

Although these pipes do not explicitly meet Sec. 8.4.1, when the 100-year HGLs were analyzed and compared to the proposed grading plan, it was found that there is no risk of flooding. The highest 100-year HGLs were still a minimum of 1.67 ft. below the lowest, adjacent finished floor elevation. Additionally, if the inlets were to become completely clogged, there is an overflow from all sump inlet locations that will allow water to flow through a safe path to the northwest corner of the site and into the existing drainage ditch. The hydraulic analysis of the pond and storm sewer, we well as, the proposed grading plan allow us to feel confident in asking for the waiver of the hydraulic gradient requirement in Sec. 8.4.1.

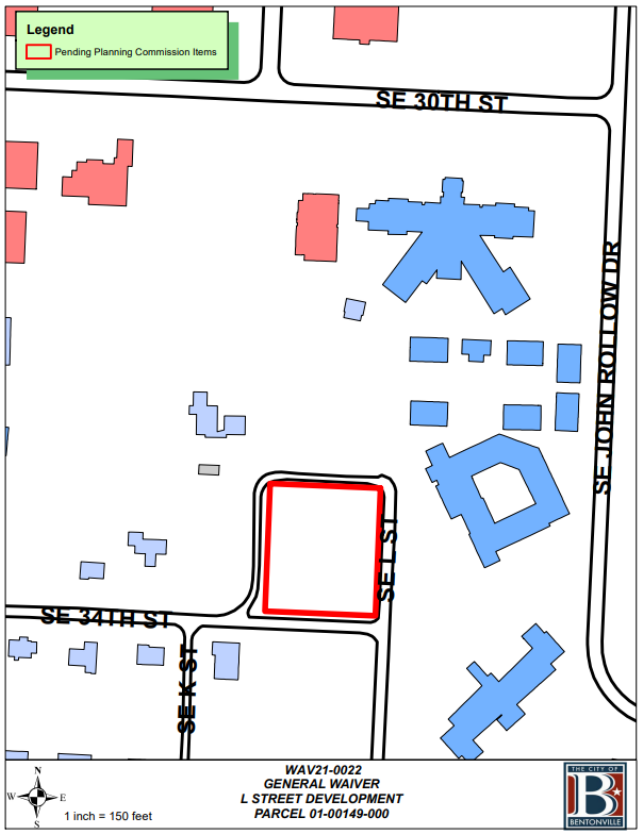
WAIVER REQUEST STAFF REPORT

3302 SE L Street

3302 SE L Street
PC Date: 11/2/2021
Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	WAV21-0022
Applicant / Current Owner	L Street Partners, LLC
Site Area	+/- 1.24 acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Future Land Use Map Designation	High Density Residential (HDR)
Waiver Request	Parking Reduction

https://arcg.is/08HvK8



Property Description
This property is located at 3302 SE L Street and is zoned R-3, Medium High-Density Multifamily Residential with a Future Land Use Classification of High-Density Multifamily Residential.

Waiver Request
The applicant has requested a waiver from Article 401, Sec. 501.06(f), which requires three spaces for every two dwelling units (1.5 spaces/unit) for multifamily dwellings.

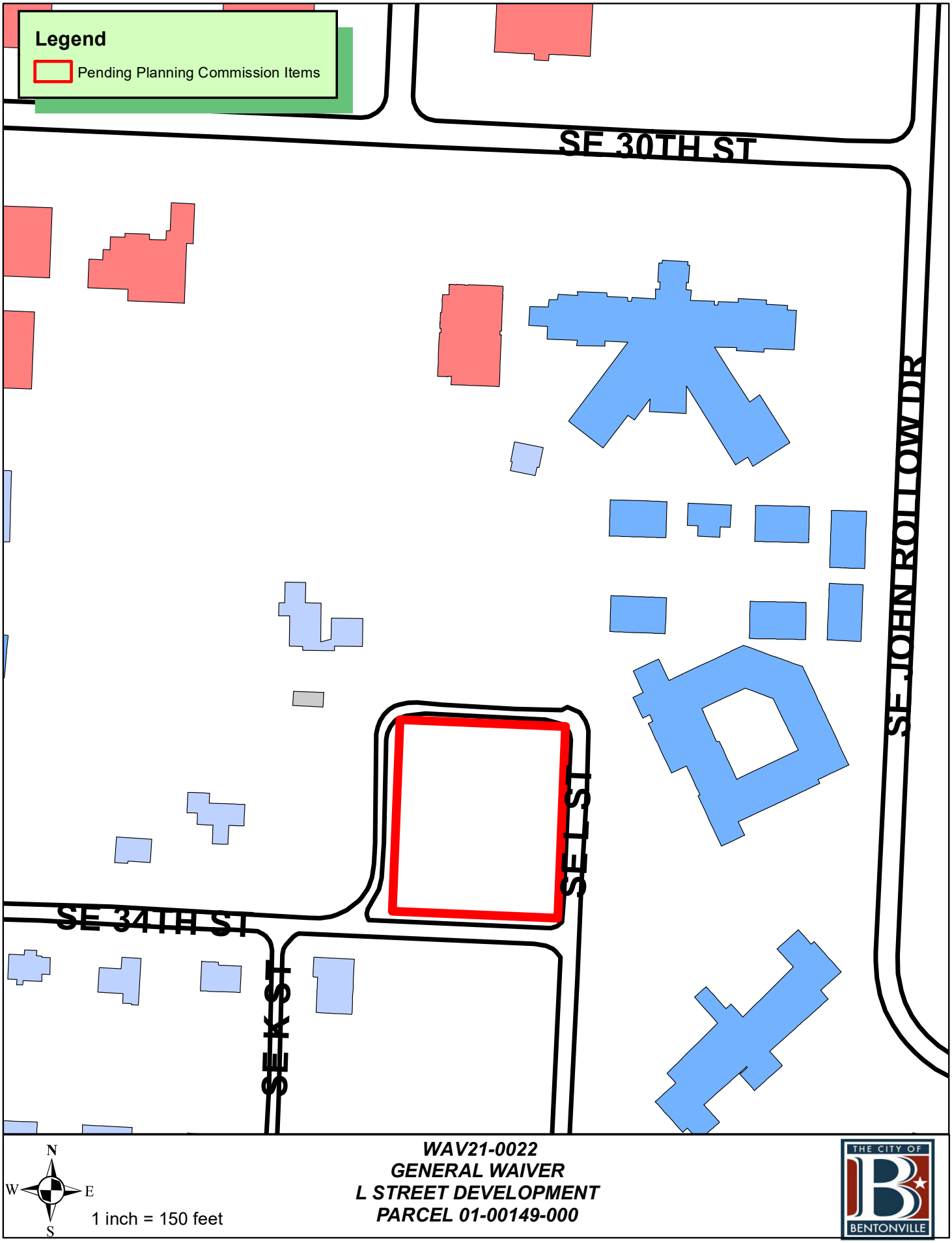
Analysis
Per the applicant's narrative, the applicant proposes 66 parking spaces, which is a ratio of 1.3 spaces per dwelling unit. By ordinance, the applicant would be required to provide 77 parking spaces which is a waiver request of 11 parking spaces.

Since the previous waiver request on August 3, 2021, the applicant has reduced the overall unit count by 4 and added 8 on-site parking spaces.

The applicant cites a parking study that they completed highlighting percentages of frequency that a tenant was at home. Please see the applicant's narrative for more information regarding this study and the requested waiver.

When this property was rezoned to R-3, on January 5, 2021, parking concerns were brought up during the public hearing.

The applicant mentioned in their waiver letter that the waiver will be contingent upon the developer only building one-bedroom, micro, or studio units.



WAV21-0022
GENERAL WAIVER
L STREET DEVELOPMENT
PARCEL 01-00149-000

E | D | G

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

Waiver Request

To: City of Bentonville

From: Ecological Design Group, Inc – on behalf of L Street Partners LLC

Date: October 14, 2021

Re: Multifamily Development @ 3302 L Street, Bentonville, AR

On behalf of L Street Partners LLC, Ecological Design Group, Inc. (EDG) is submitting this Waiver Request prior to the LSD Submittal.

Project Description: Proposed multifamily development includes approximately 51 one-bedroom /studio/ micro units, street widening per the Master Street Plan, on-street parking, interior parking, utility connections, and landscape improvements. A conceptual site plan is included with this waiver for reference. The property is zoned R-3 (Medium to High Density Multifamily Residential).

This Waiver Request items are listed below:

Parking Count Waiver Request

- City of Bentonville Municipal Code: Appendix A – Zoning Code – Article 501 Off Street Parking and Loading
  - Section 501.06 Number of Off-Street Parking Spaces Required
    - *(f)* Standards. *Off-street parking shall be provided in accordance with the following schedule, with the exception of the DC and DE district, already provided for in Section 501.6(d)(1) above:*

Number of Parking Spaces Required	
Land Use	Parking ratio
RESIDENTIAL	
Single-Family Dwelling	2 spaces per dwelling unit
Patio Home Dwelling	2 spaces per dwelling unit
Two-Family Dwelling, Duplex	2 spaces per dwelling unit
Multi-Family Dwelling	3 spaces for each two dwelling units
Hotels and Motels	1 space is required per guest room. For developments larger than twenty (20) rooms, eleven parking spaces must be provided for each ten rooms or fraction thereof for employees and non-guest users patronizing meeting rooms, and other facilities, but not including restaurants.
Manufactured Home Subdivision	2 spaces per manufactured home
Bed and Breakfast	1 space per sleeping/rental unit plus 1 space for the owner

- Per Section 501.06(f) table, the parking requirement for this development is: **3 spaces for each 2 dwellings**, otherwise **1.5 spaces per dwelling unit**.
    - Following this requirement: 51 units * 1.5 = **76.5 OR 77 parking stalls** are required for this development.

- This project is proposing **66 parking spaces**, or a ratio of **1.3 spaces per dwelling unit**. This includes 60 on site spaces and 6 on-street parking spaces. This would be a difference of 11 stalls from the amount required per code.

- From the previous parking waiver request, the development has reduced the overall unit count by 4 and added 8 interior parking stalls.

- The granting of this waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area. The proposed on street parking will add a shared amenity with surrounding property owners and general public.

- The granting of this waiver will waiver will not prevent the orderly subdivision of other land in the area in accordance with the provisions of the Subdivision Code.

- Newell Development, representative of L Street Partners LLC, has built and is currently managing (5) multi-family developments throughout the City of Bentonville city core equaling a total of 65 units. They have completed a parking study for all of their units summarizing the unit type, the number of vehicles used, and percentage the tenant was at home. Please see some of the highlights from the study below:
    - Eight (8) out of the 65 or 12% were home 50% of the time;
    - Seven (7) out of the 65 or 11% were home 75% of the time;
    - Developments were typically occupied at a 95% rate;
    - These percentages, combined the vehicles per unit recorded in the study show that a .945 space per unit is the true utilized parking ratio within these developments; meaning a 1.3 space per unit would be more than adequate for tenants.

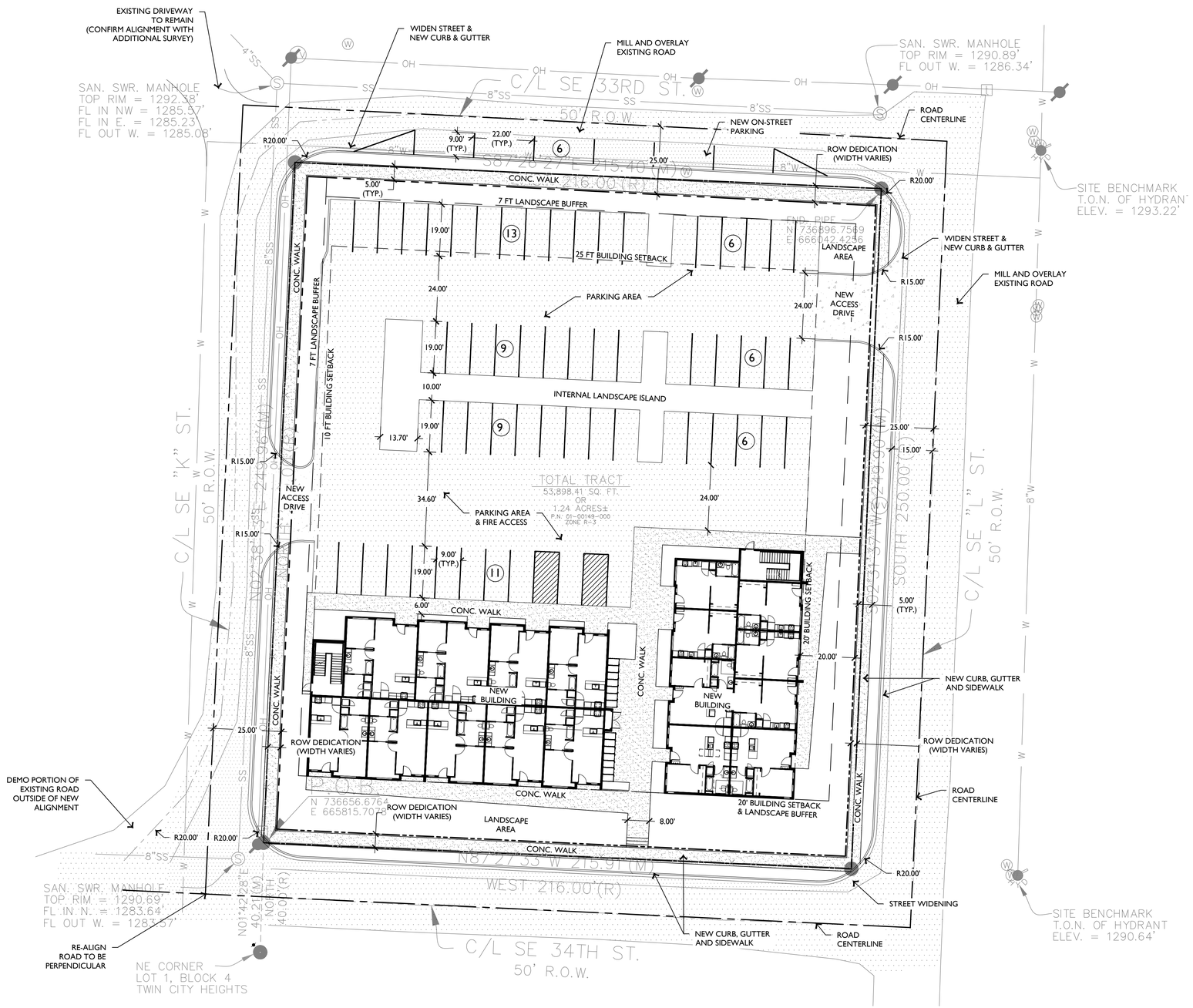
With the findings from items listed above, the notion that the owner wants the development to be successful, which includes satisfied tenants and competitive amenities, the applicant is requesting a waiver to provide 1.3 stalls per 1 dwelling unit in lieu of 1.5 stalls per dwelling unit. This waiver is contingent that the developer only propose one-bedroom, micro or studio units.

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

Sincerely,



Jenny Burbidge, ASLA
Project Manager
Ecological Design Group, Inc.



1 SITE PLAN

SCALE: 1" = 20'-0"

NORTH 0' 20' 40' 80'

PARKING DATA	
ZONING	(R-3)
USE	MULTI FAMILY
PARKING REQUIREMENTS	RESIDENTIAL - MULTIFAMILY 3 SPACES FOR 2 DWELLING UNITS (1.5 SPACES PER UNIT) 51 UNITS * 1.5 SPACES = 76.5 SPACES
TOTAL	77 SPACES REQUIRED
PARKING PROVIDED	
ON SITE PARKING PROVIDED	60 SPACES
ON STREET PARKING PROVIDED	6 SPACES
TOTAL	66 SPACES PROVIDED*
PARKING WAIVER REQUESTED	

SITE SUMMARY

ZONING:
MEDIUM DENSITY RESIDENTIAL (R-3)
USE:
MULTIFAMILY
AREA:
53,898 SF / 1.24 AC

ZONING SUMMARY

LOT AND AREA STANDARDS

	REQUIRED	PROVIDED
MIN. LAND AREA/ UNIT	800 SF	1,057 SF**
MIN. LOT AREA:	10,000 SF/.23 AC	53,898 SF/1.24 AC
MIN. LOT WIDTH:	100'	215'
MAX LOT COVERAGE MAX (MULTIFAMILY, CORNER LOT):	55%	20%

**VARIANCE APPROVED 10/13/2021*

SETBACK STANDARDS

	REQUIRED	PROVIDED
FRONT YARD MIN *(SE 34TH ST)*:	20'	20'
SIDE YARD (EXTERIOR) MIN *(SE L ST)*:	20'	20'
SIDE YARD (INTERIOR) MIN *(SE K ST)*:	10'	10
REAR YARD MIN *(SE 33RD ST)*:	25'	25'

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

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

811 Know what's below. Call before you dig.

SE L STREET DEVELOPMENT
3302 SE L ST. BENTONVILLE, AR

EDG PROJECT NO. 21-012
DATE 2021.10.14

REVISIONS

Number	Date

PHASE Schematic Design
TITLE Site Plan
SHEET NO. C1.00

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