Planning Commission
Meeting Agenda
July 19, 2022

Registration Link: https://us06web.zoom.us/webinar/register/WN_oK8BhifeRhqwvRk2tz6UbQ

I. Call to Order
II. Approval of the July 5th Meeting Minutes
III. Consent Agenda

1. **Lot 1 Medlin Meadows Subdivision, Phase 2** — **Property Line Adjustment**
   2303lin Lane *(PLA22-0013)*

2. **Lots 1 & 2 of Reynosa Addition** — **Lot Split**
   600602 Bella Vista Road *(LS22-0026)*

3. **Lots 48 and 49 of Fountain Plaza Subdivision** — **Lot Split**
   SE Plaza Avenue *(LS22-0027)*

4. **Hindu Assoc. of Northwest Arkansas (Parking Lot)** — **Large-Scale Development**
   2502 SW Regional Airport Blvd. *(LSD22-0033)*

IV. Old Business

1. **Rainbow Junction Patio Homes** — **Large-Scale Development**
   SW Winsted Lane *(LSD22-0031)*

2. **Blue Sprig Pediatrics** — **Conditional Use Permit***
   2601 N Walton Blvd - Gravel Parking Lot *(CU22-0014)*

V. New Business

1. **Garcia - Lionheart Enterprises LLC** — **Rezoning***
   A-1, Agriculture to R-1, Low Density Single Family Residential
   908 Tater Black Road *(RZ22-0035)*

2. **Maddison Heights** — **Future Land Use Map Amendment***
   2a. Agriculture to Low Density Residential
   Parcel No. 15-18542-000 *(RZ22-0036)*

   2b. Maddison Heights — **Rezoning***
   A-1, Agricultural to R-1, Low Density Single Family Residential
   Parcel No. 15-18542-000 *(RZ22-0036)*

***Note: RZ22-0037 is on hold per applicant request. A new notice of intent letter and public hearing notice will be sent out in the future if needed.**

3. **Adventure Church** **Future Land Use Map Amendment***
   3a. Residential Estate to Low Density Residential
   Portions of Parcel No. 01-00942-530 *(RZ22-0037)*

   3b. Adventure Church **Rezoning***
   A-1, Agricultural to R-1, Low Density Single Family Residential
   Portions of Parcel No. 01-00942-530 *(RZ22-0037)*

4. **JP Specialty, LLC** **Future Land Use Map Amendment***
   4a. Residential Estate to General Commercial
   SW 14th Street *(RZ22-0038)*

   4b. JP Specialty, LLC **Rezoning***
   A-1, Agricultural to C-2, General Commercial
   SW 14th Street *(RZ22-0038)*

5. **N. Walton Multi-Family Dev.** **Waiver(s)**
   220 North Walton Blvd. *(WAV22-0009)*

***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
July 5, 2022

Meeting Recording: https://us06web.zoom.us/rec/share/ZvGApabwtmwNNvh-F_yGM6f_xQpz6OpMVtbM_7qhdrE4OSF1995ZsznlNwLDJ2Bx.uxgnt71olw7KEIbu

Attendees: Haynie, Kerr, Sanders, Wright, Davis, and Bennett

Absent: Hipp

Call to Order

I. Approval of the June 21st Meeting Minutes

- Revision of the meeting minutes request by Davis
- PRD and Future Land Use was corrected
- Waffle House waiver was also made to be more specific

Motion by Haynie to approve the revised meeting minutes, seconded by Kerr

- Approved 6-0

II. Other Business

1. Base Flood Elevation Ordinance

- Public Hearing opened
- Dan Weese presented the details of the Ordinance
- Discussion amongst commissioners and staff
- Tim Sorey (Sand Creek Engineering), speaks
- Additional staff discussion
- Motion by Rod Sanders to affirm as written (3 feet), seconded by Joe Haynie
- Haynie, Kerr, Sander, Wright, Bennett; Yes
- Davis votes No (Reason was not given)

2. Planning Area Boundary Resolution

- Public hearing opened
- Shelli Kerr Presents
- Public hearing closed
- Approved 6-0

III. Consent Agenda

- Dana Davis requests to pull items #2 and #4 off of consent to hold separate votes

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

1. **Lots 52 & 53 of Applegate Subdivision** **Lot Split**
   1410 A&B Bella Vista Road *(LS21-0075)*

2. **Lots 1 and 2 of Urban Bentonville Subdivision** **Lot Split**
   504 NE A Street *(PLA22-0012)*
   - Address was updated

3. **Lots 3 & 4 of Stagecoach Subdivision** **Property Line Adjustment**
   3710 & 3810 N Rainbow Farm Road *(PLA22-0015)*

4. **Lots 17 & 18, Block 7 of Gilmore's Addition** **Property Line Adjustment**
   521, 525, 529, 535, 537 & 540 SW 5th Street *(PLA22-0016)*
   - Tyler reads consent agenda
   - Approved 6-0

Voted on separately:

1. **Lot 18, Block 16 of Railroad Addition** **Lot Split**

301 Henry *(LS22-0025)*
- Tyler reads staff report
- Discussion amongst commissioners and staff
- Approved 6-0

2. **Lot 1 Crabtree Addition Phase 2** **Property Line Adjustment**

710 B Street *(PLA22-0014)*
- Approved 6-0

IV. New Business

1. **Bentonville Festival** **Conditional Use Permit***
   3100ce Coffee Road *(CU22-0010)*
   - Tyler reads staff report
   - Public hearing opened
   - Zachary Hoyt from CEI Engineering spoke to more details of the project
   - Public hearing closed
   - Approved 6-0

2. **David and Alyson Brittain Trust** **Rezoning***
   R-1, Low Density Single Family Residential to DN-1, Downtown Low Density Residential

302 E St *(RZ22-0032)*
- Tyler read the staff report
- Public hearing opened
- Dave Burris from Burris Architecture speaks on behalf of the owner
- Public hearing closed
- Approved 6-0

3. **Haney Enterprises, LLC** **Future Land Use Map Amendment***
   2a. Low-Density Residential to Medium Density Residential

809 NW 14th Street *(RZ22-0034)*

- Tyler reads staff report
- Public hearing opened
- Tim Sorey was availed for questions
- Dana Davis and Elaine Kerr express concerns voting parcel by parcel to update future land use and zoning
- Discussion amongst committee members and staff
- Kerr- No, Bennett-No, Sanders-Yes, Davis-No, Wright- Yes, Haynie-No.
- Denied 4-2

2b. Haney Enterprises, LLC **Rezoning***
R-1, Low Density Residential to R-2, Medium Density Two Family and Townhome Residential
809 14th Street *(RZ22-0034)*

- Wright- Yes, Haynie-No, Bennett- No, Davis-No, Sander-No, Kerr-No
- Sanders voted no because he wanted the rezoning of the land use to be the same
- Denied 5-1

4. **Rainbow Junction Patio Homes** **Large-Scale Development**
SW Winsted Lane *(LSD22-0031)*

- Tyler reads staff report
- Taylor Lindley from Crafton Tull and Associates speaks and requests to table the item
- Motion by Davis, seconded by Wright to table
- Tabled 6-0

5. **West Edge Townhomes** **Large-Scale Development**
521, 525, 529, 535, 537 & 540 SW 5th Street *(LSD22-0032)*

- Tyler reads staff report
- 2 waivers requested
- Dan supports both waivers on the condition that the applicant submits operation of maintenance manual for the underground detention facility and applicants provides the POA maintenance responsibilities

Waiver 1:

- Motion by Davis to approve the waiver, seconded by Wright
- Approved 6-0

Waiver 2:

- Motion by Wright to approve the waiver, seconded by Kerr
- Davis-Yes, Haynie- Yes, Kerr- Yes, Wright-Yes, Bennett-No, Sanders-Yes
- Approved 5-1
- Bennett voted 'No' based on finish floor elevation of unit 6

Large Scale:

- Dave Burris from Burris Architecture spoke more about the item
- Approved 6-0

6. **Providence Village Phase IV** **Preliminary Plat**
Nomad Road *(PP22-0003)*

- Tyler reads staff report
- Taylor Lindley (Crafton Tull) speaks on project
- Staff discussion on cul-de-sac length

Waiver 1:

- Motion by Davis to approve the waiver, seconded by Haynie
- Approved 6-0

Preliminary Plat

- Motion by Dana Davis and seconded by Elaine Kerr to add a condition of approval to remove box culverts and return to existing condition
- Approved 6-0

Motion to adjourn

Meeting adjourned

Jana Snyder
Development Coordinator

Consent Agenda Items

For the Planning Commission meeting on July 19, 2022

Reviewer: Elizabeth Johnson, Senior Planner

- At the Technical Review meeting held on July 12, 2022 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 Medlin Meadows Subdivision, Phase 2, NWA Real Estate and Investments LLC, 2303 Medlin Lane, C-2, General Commercial, PLA22-0013

A property line adjustment of existing Lot 4 of Swaffer Subdivision & Lot 8 (+/- 5.01 acres) of Medlin Meadows Subdivision, creating new Lot 1 (+/- 6.43 acres) of Medlin Meadows Subdivision Phase 2. Per the requirements of the Master Street Plan, the plat dedicates right-of-way along Medlin Lane. The plat also dedicates various public utility easements to serve the newly created lots. An existing 15-foot utility easement across the two existing lots will be vacated by a separate document and replaced with a new 20-foot utility easement dedicated per this plat.

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

Lot Split: Lots 1 & 2 of Reynosa Addition, HVM Construction Inc. & Ray Residential Homes, LLC, 600 & 602 Bella Vista Road, DN-2, Downtown Medium Density Residential, LS22-0026

A lot split of un-platted section land creating new Lot 1 (+/-0.17 acres) and Lot 2 (+/- 0.21acres) of Reynosa Addition. Per the requirements of the Master Street Plan, the plat dedicates right-of-way along Bella Vista Road. The plat dedicates various public utility easements to serve the newly created lots. Since Bella Vista Road is designated as a collector street on the Master Street Plan, there is a note on the plat that only one combined point of access will be allowed for both new lots so a shared access easement will be required.

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

Lot Split: Lots 48 and 49 of Fountain Plaza Subdivision, Dynamic Development, Inc., SE Plaza Avenue, C-2, General Commercial, LS22-0027

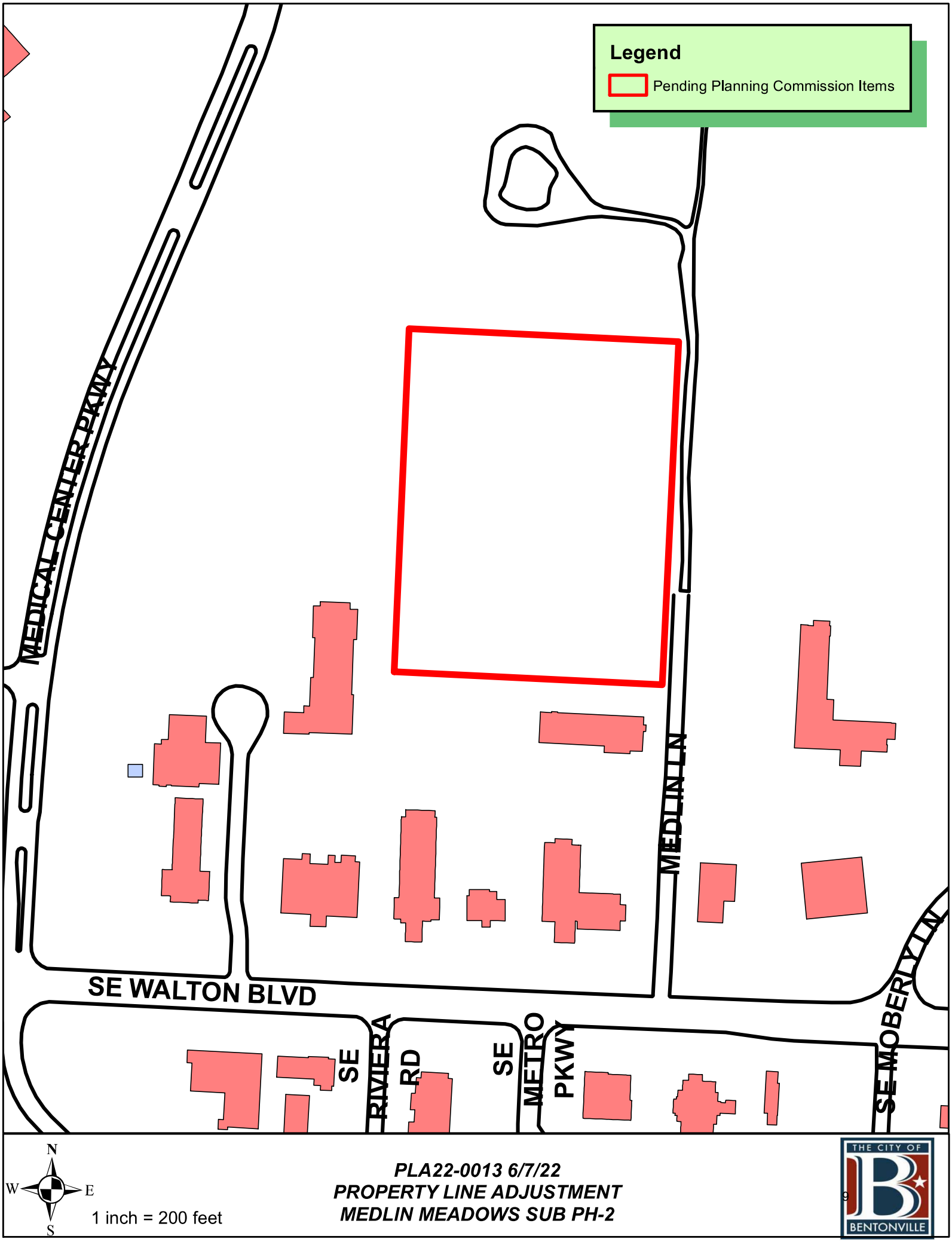
A lot split for existing Lot 43 of Fountain Plaza Subdivision, creating Lot 48 (+/- 1.02 Acres) and Lot 49 (+/- 1.00 Acres). The current right-of-way along SE Plaza Avenue is adequate per the requirements of the Master Street Plan. This plat dedicates an access easement along the east side of Lot 49 to serve the newly created lots.

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

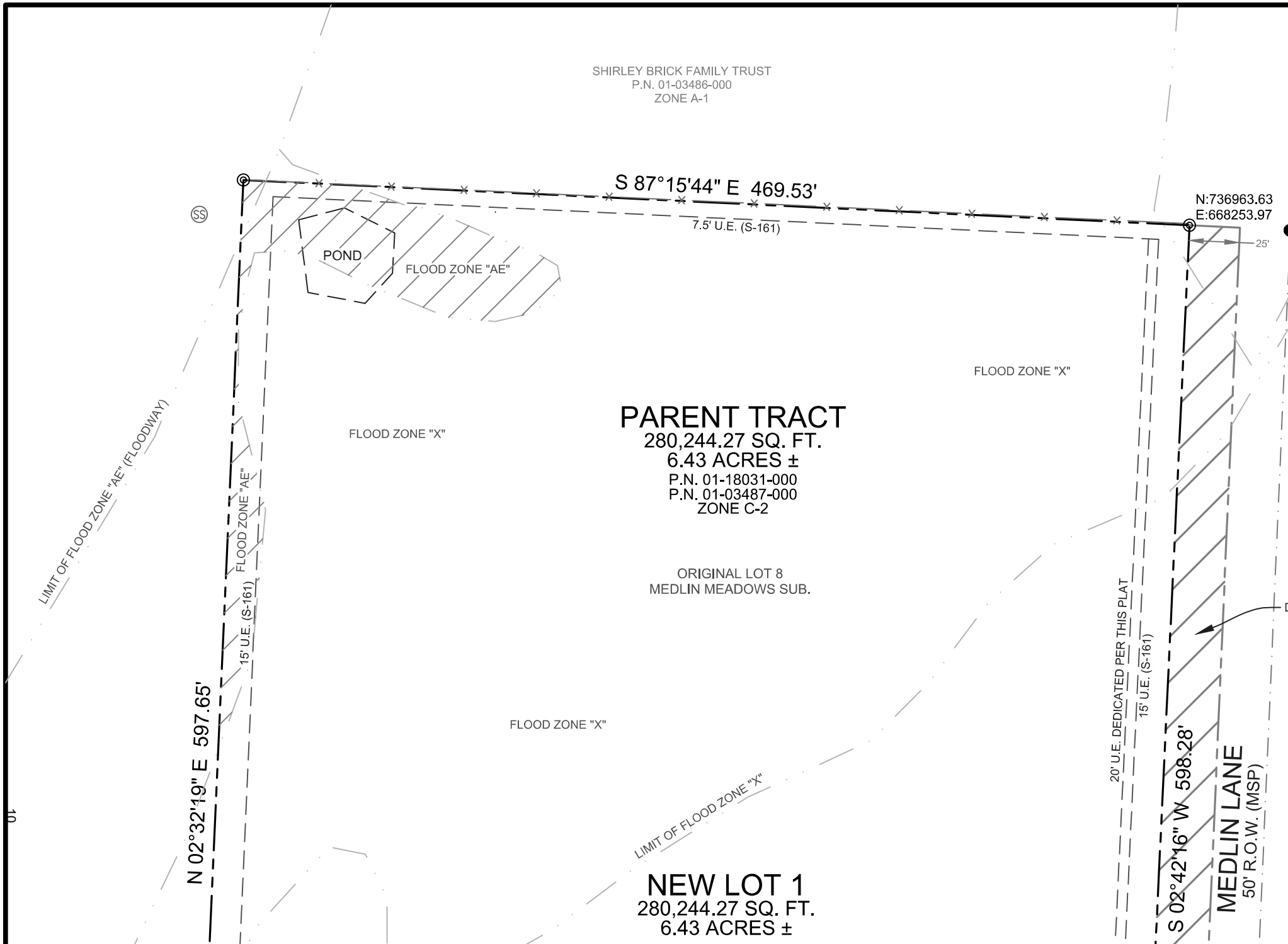
Large Scale Development: Hindu Assoc. of Northwest Arkansas Parking Lot, Hindu Assoc. of NWA Inc., 2502 SW Regional Airport Boulevard, A-1, Agricultural, LSD22-0033

The applicant is proposing a large-scale development for a parking lot as an accessory use to the existing religious facility. The proposed parking lot will provide 461 parking spaces. In addition to the parking lot the applicant is also proposing to construct a full width local road traversing the property from east to west as shown on the current Master Street Plan. Sidewalks, site amenities and landscaping are proposed to meet the requirements of the Land Development Code.

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



PLA22-0013 6/7/22
PROPERTY LINE ADJUSTMENT
MEDLIN MEADOWS SUB PH-2


SHIRLEY BRICK FAMILY TRUST
P.N. 01-03486-000
ZONE A-1
S 87°15'44" E 469.53'
7.5' U.E. (S-161)
N:736963.63
E:668253.97
25'
POND
FLOOD ZONE "AE"
FLOOD ZONE "X"
PARENT TRACT
280,244.27 SQ. FT.
6.43 ACRES ±
P.N. 01-18031-000
P.N. 01-03487-000
ZONE C-2
ORIGINAL LOT 8
MEDLIN MEADOWS SUB.
LIMIT OF FLOOD ZONE "AE" (FLOODWAY)
FLOOD ZONE "AE"
15' U.E. (S-161)
N 02°32'19" E 597.65'
FLOOD ZONE "X"
LIMIT OF FLOOD ZONE "X"
20' U.E. DEDICATED PER THIS PLAT
15' U.E. (S-161)
S 02°42'16" W 598.28'
MEDLIN LANE
50' R.O.W. (MSP)
NEW LOT 1
280,244.27 SQ. FT.
6.43 ACRES ±
10

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 4 OF SWAFFER SUBDIVISION AND LOT 8 OF MEDLIN MEADOWS SUBDIVISION; CREATING NEW LOT 1 OF MEDLIN MEADOWS SUBDIVISION PHASE 2, TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: PLA22-0013)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 4 OF SWAFFER SUBDIVISION AND LOT 8 OF MEDLIN MEADOWS SUBDIVISION creating new LOT 1 OF MEDLIN MEADOWS SUBDIVISION PHASE 2 to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on July 19, 2022;

WHEREAS, said property line adjustment is attached hereto as Exhibit "A";

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council for the City of Bentonville, and after consideration and deliberation, said Council is of the opinion that said property line adjustment should be approved.

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

Section 1: That the property line adjustment of LOT 4 OF SWAFFER SUBDIVISION AND LOT 8 OF MEDLIN MEADOWS SUBDIVISION creating new LOT 1 OF MEDLIN MEADOWS SUBDIVISION PHASE 2 to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

Section 2: That the Mayor and City Clerk are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

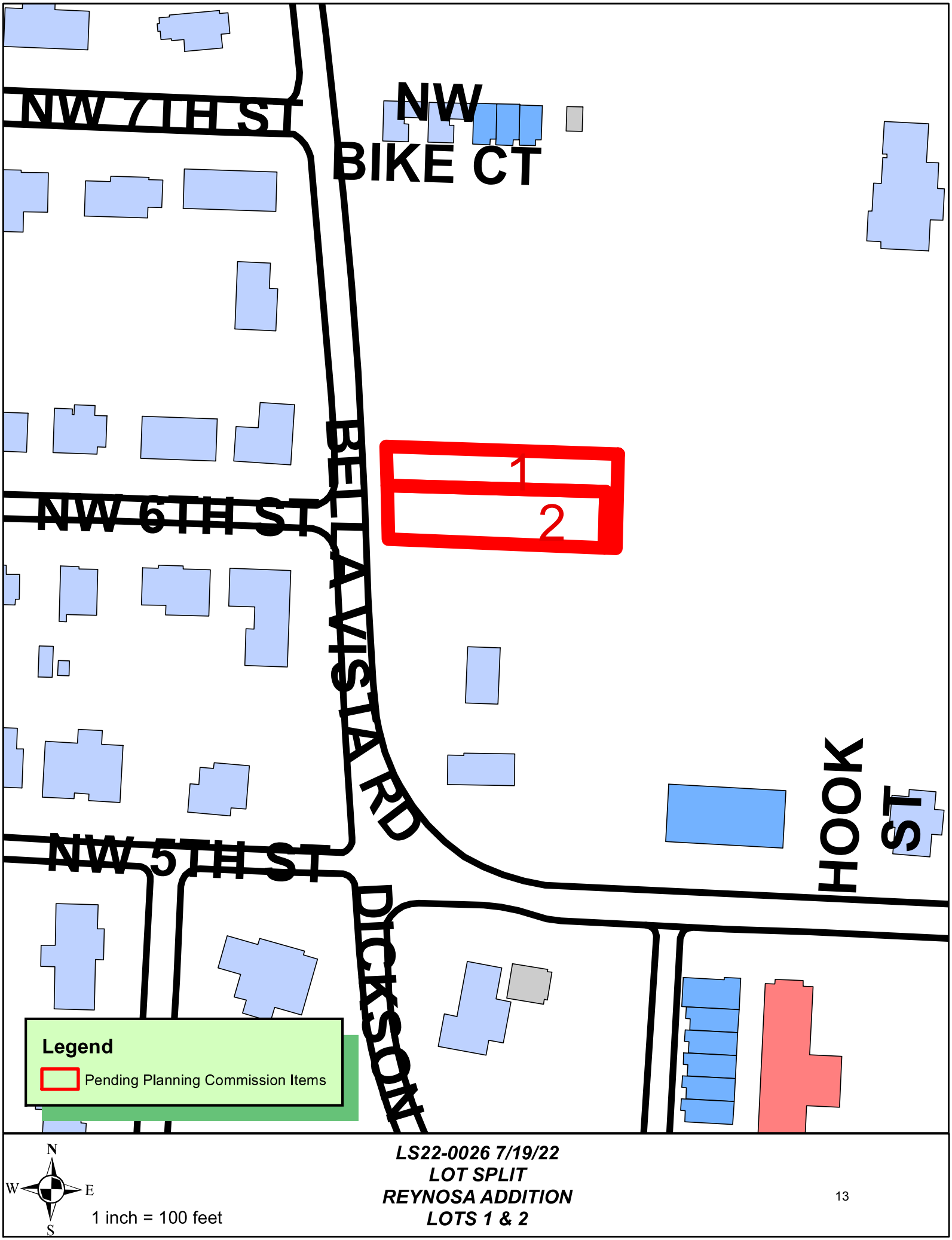
PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



LS22-0026 7/19/22
LOT SPLIT
REYNOSA ADDITION
LOTS 1 & 2

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: _____

SIGNED: _____

NAME AND ADDRESS: _____

PRINT NAME: _____

SOURCE OF TITLE: D.R. _____
PAGE: _____

STATE OF ARKANSAS)

COUNTY OF BENTON)

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2022.

_____
NOTARY PUBLIC SIGNATURE

CERTIFICATE OF APPROVAL

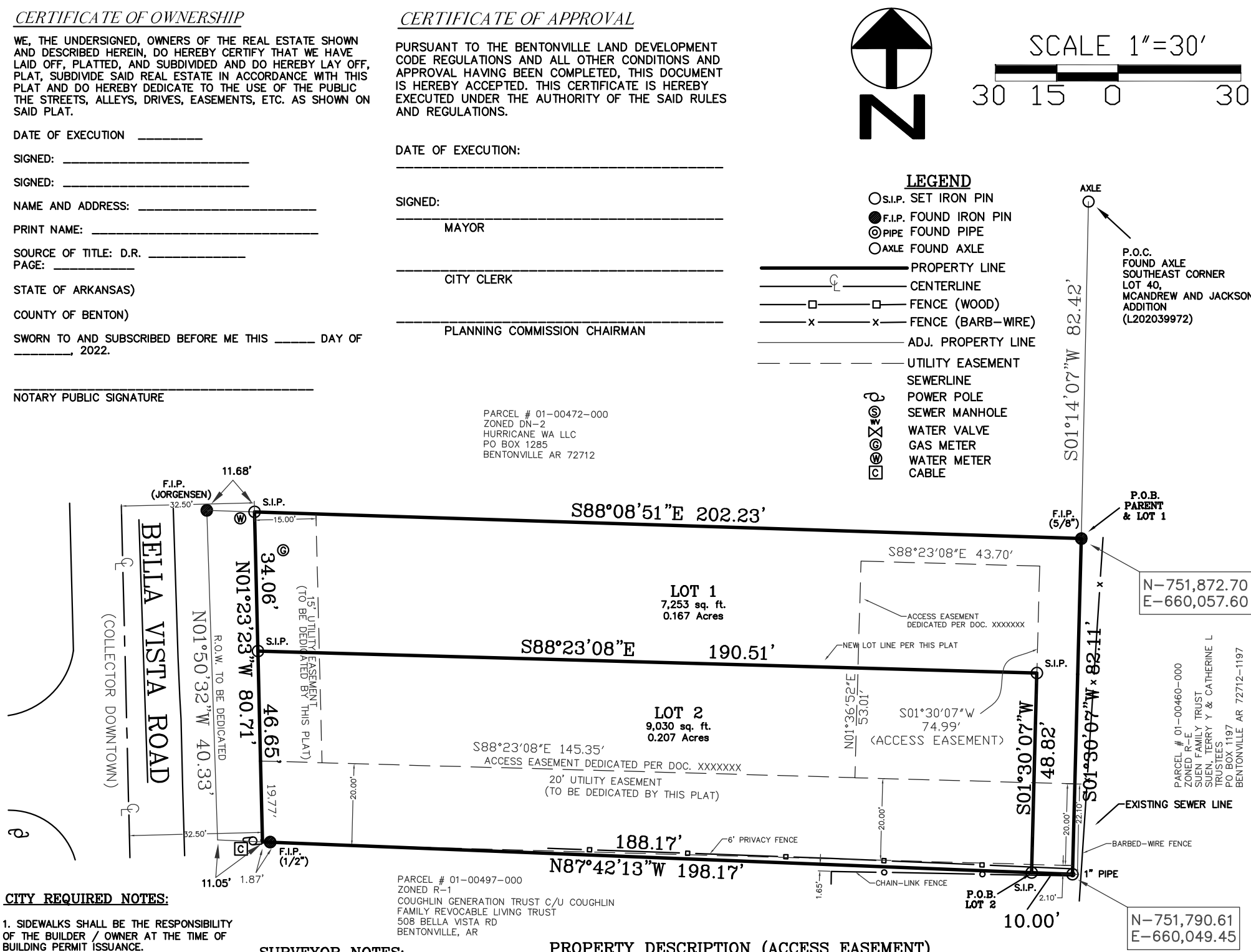
PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION:
_____

SIGNED:
_____
MAYOR

_____
CITY CLERK

_____
PLANNING COMMISSION CHAIRMAN



PARCEL # 01-00497-000
ZONED R-1
COUGHLIN GENERATION TRUST C/U COUGHLIN
FAMILY REVOCABLE LIVING TRUST
508 BELLA VISTA RD
BENTONVILLE, AR

CITY REQUIRED NOTES:

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

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

SURVEYOR NOTES:

1. PARENT DEED FILED IN BOOK 2015 AT PAGE 51722.

PROPERTY DESCRIPTION (ACCESS EASEMENT)

PART OF THE FRACTIONAL NE 1/4 OF THE SW 1/4 OF SECTION 30, TOWNSHIP NORTH. RANGE 30 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 40 OF MCANDREW AND

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF UNPLATTED SECTION LAND CREATING NEW LOTS 1 AND 2 OF REYNOSA ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES (PROJECT NUMBER: LS22-0026).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of UNPLATTED SECTION LAND creating new LOTS 1 AND 2 OF REYNOSA ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on July 19, 2022;

WHEREAS, said lot split is attached hereto as Exhibit "A";

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated, and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion that said lot split should be approved.

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

Section 1: That the lot split of UNPLATTED SECTION LAND creating new LOTS 1 AND 2 OF REYNOSA ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.

Section 4: Repeal of Conflicting Provisions**:** All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

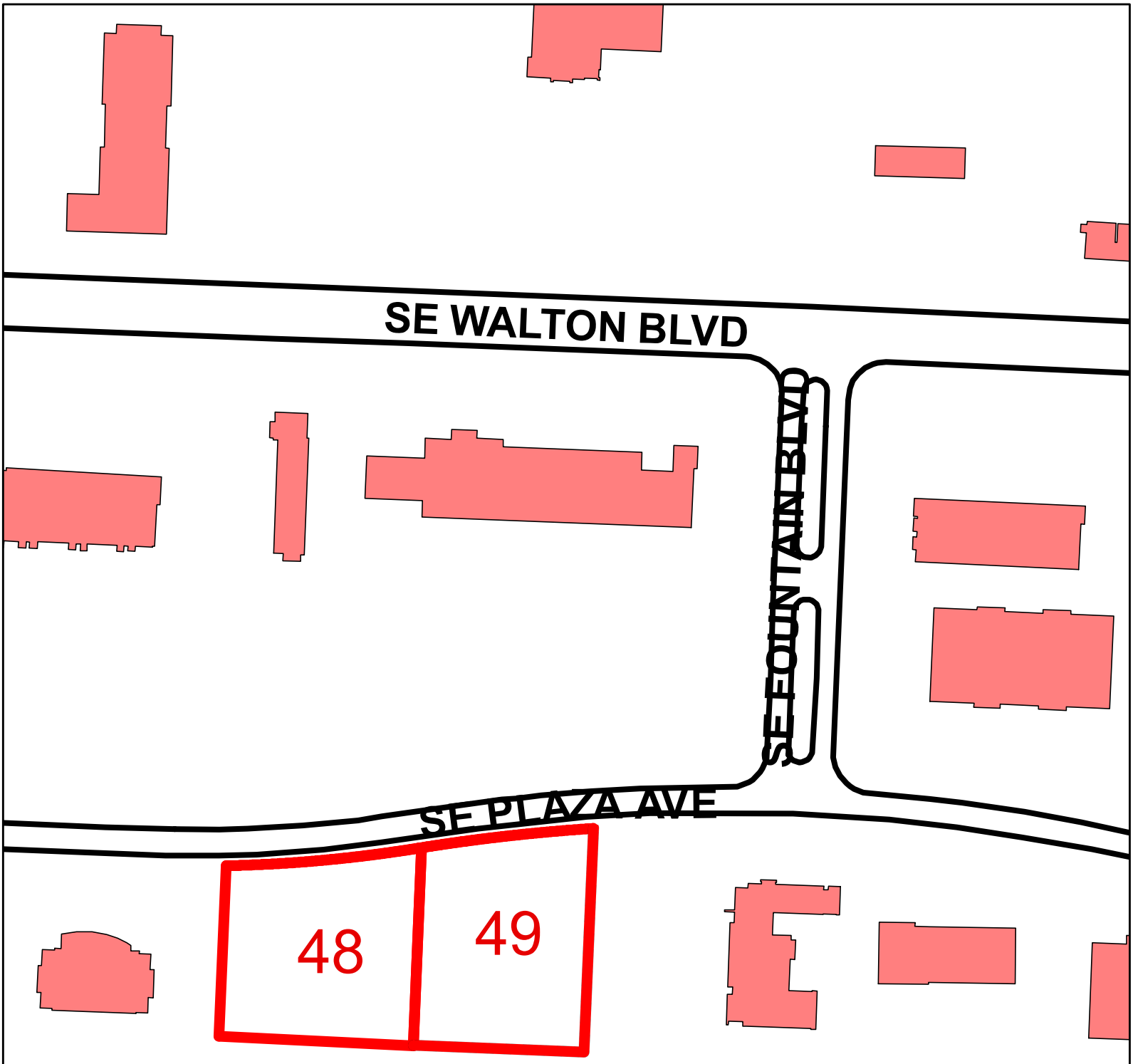
_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk



Legend

Pending Planning Commission Items

N
W E
S

1 inch = 150 feet

LS22-0027 7/19/222
LOT SPLIT
FOUNTAIN PLAZA SUBDIVISION
LOT 43 CREATING LOTS 48-49

LOT SP

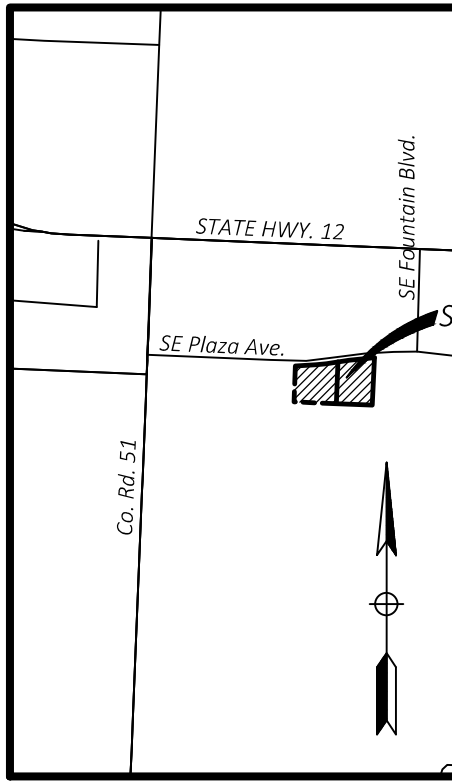
LOT 43 OF FOUNTAIN PLAZA SUB

SE PLA

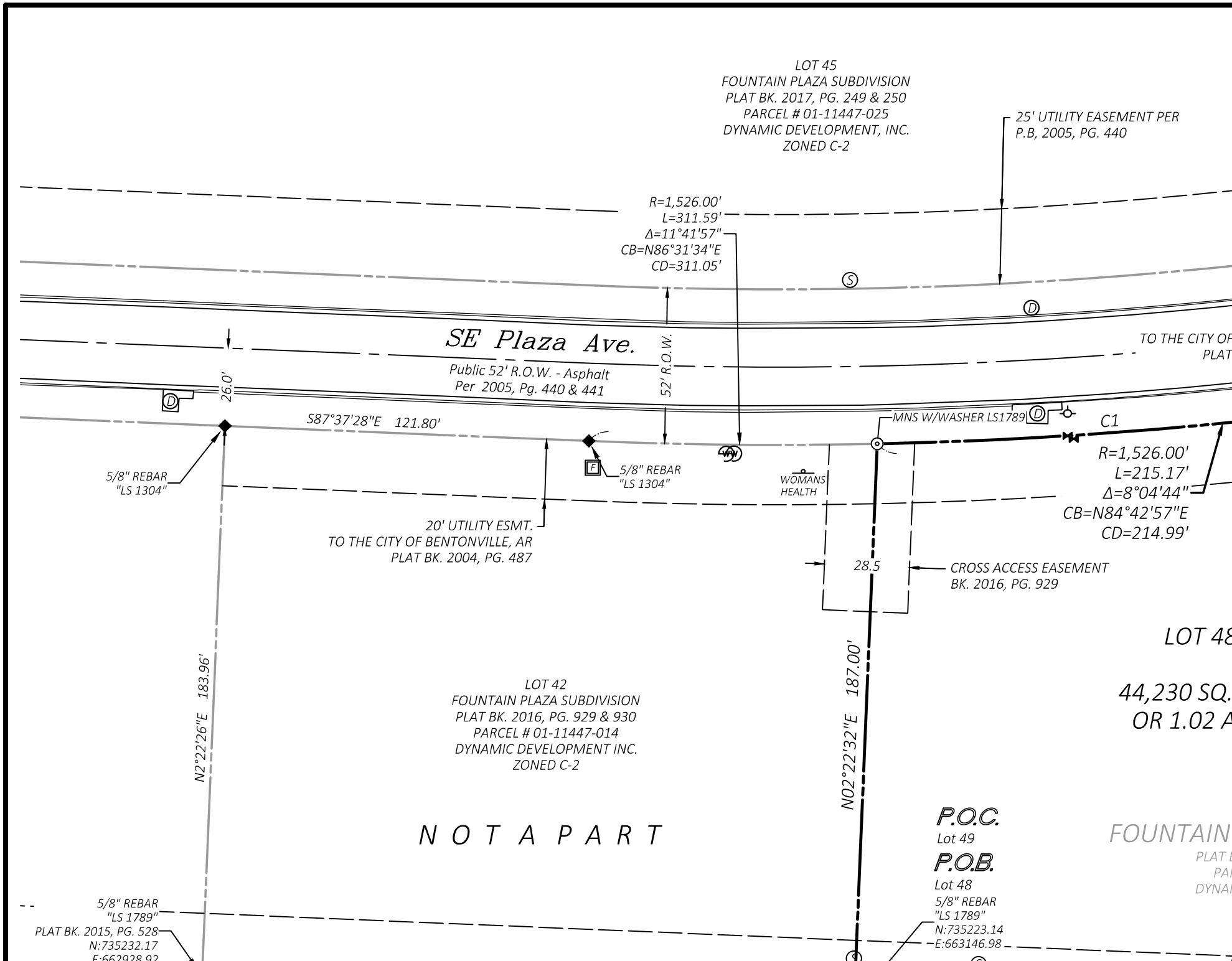
BENTONVILLE, BENTO

NOTES:

1. This plat represents a Incidental Lot Split of Lot 43 of the Incidental Lot Split of Fountain Plaza Subdivision, as recorded in Plat Book 2016, Pages 929 & 930 in the public records of Benton County, Arkansas, creating Lots 48 & 49.
2. The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
3. Basis of Bearings: NAD83, State Plane Coordinate System, AR North Zone based on City of Bentonville GPS Monument #90.
4. This survey is valid only if the drawing includes the seal and signature of the surveyor.
5. This survey meets current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
6. No attempt was made to show building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.
7. By scaled map location and graphical plotting only. This property is located in Zone "X" which are areas of 0.2% chance flood and not located within any presently established 100-year floodplain as determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.
   Map Number: 05007C0255K
   Map Revised: June 5, 2012
8. Subsurface and environmental conditions were not examined nor considered a part of this survey.
9. No current zoning report or letter regarding zoning classification was provided to the Surveyor. Setbacks shall be per the current zoning



VICINITY


LOT 45
FOUNTAIN PLAZA SUBDIVISION
PLAT BK. 2017, PG. 249 & 250
PARCEL # 01-11447-025
DYNAMIC DEVELOPMENT, INC.
ZONED C-2
25' UTILITY EASEMENT PER
P.B, 2005, PG. 440
R=1,526.00'
L=311.59'
Δ=11°41'57"
CB=N86°31'34"E
CD=311.05'
SE Plaza Ave.
Public 52' R.O.W. - Asphalt
Per 2005, Pg. 440 & 441
52' R.O.W.
26.0'
TO THE CITY OF
PLAT
S87°37'28"E 121.80'
MNS W/WASHER LS1789
C1
R=1,526.00'
L=215.17'
Δ=8°04'44"
CB=N84°42'57"E
CD=214.99'
5/8" REBAR
"LS 1304"
5/8" REBAR
"LS 1304"
WOMANS
HEALTH
20' UTILITY ESMT.
TO THE CITY OF BENTONVILLE, AR
PLAT BK. 2004, PG. 487
28.5
CROSS ACCESS EASEMENT
BK. 2016, PG. 929
LOT 48
44,230 SQ.
OR 1.02 A
LOT 42
FOUNTAIN PLAZA SUBDIVISION
PLAT BK. 2016, PG. 929 & 930
PARCEL # 01-11447-014
DYNAMIC DEVELOPMENT INC.
ZONED C-2
N2°22'26"E 183.96'
N02°22'32"E 187.00'
N O T A P A R T
P.O.C.
Lot 49
P.O.B.
Lot 48
5/8" REBAR
"LS 1789"
N:735223.14
E:663146.98
5/8" REBAR
"LS 1789"
PLAT BK. 2015, PG. 528
N:735232.17
E:662928.92
FOUNTAIN
PLAT
PA
DYNA

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 43 OF FOUNTAIN PLAZA SUBDIVISION CREATING NEW LOTS 48 AND 49 OF FOUNTAIN PLAZA SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES (PROJECT NUMBER: LS22-0027).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 43 OF FOUNTAIN PLAZA SUBDIVISION creating new LOTS 48 AND 49 OF FOUNTAIN PLAZA SUUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on July 19, 2022;

WHEREAS, said lot split is attached hereto as Exhibit "A";

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated, and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion that said lot split should be approved.

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

Section 1: That the lot split of LOT 43 OF FOUNTAIN PLAZA SUBDIVISION creating new LOTS 48 AND 49 OF FOUNTAIN PLAZA SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.

Section 4: Repeal of Conflicting Provisions**:** All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

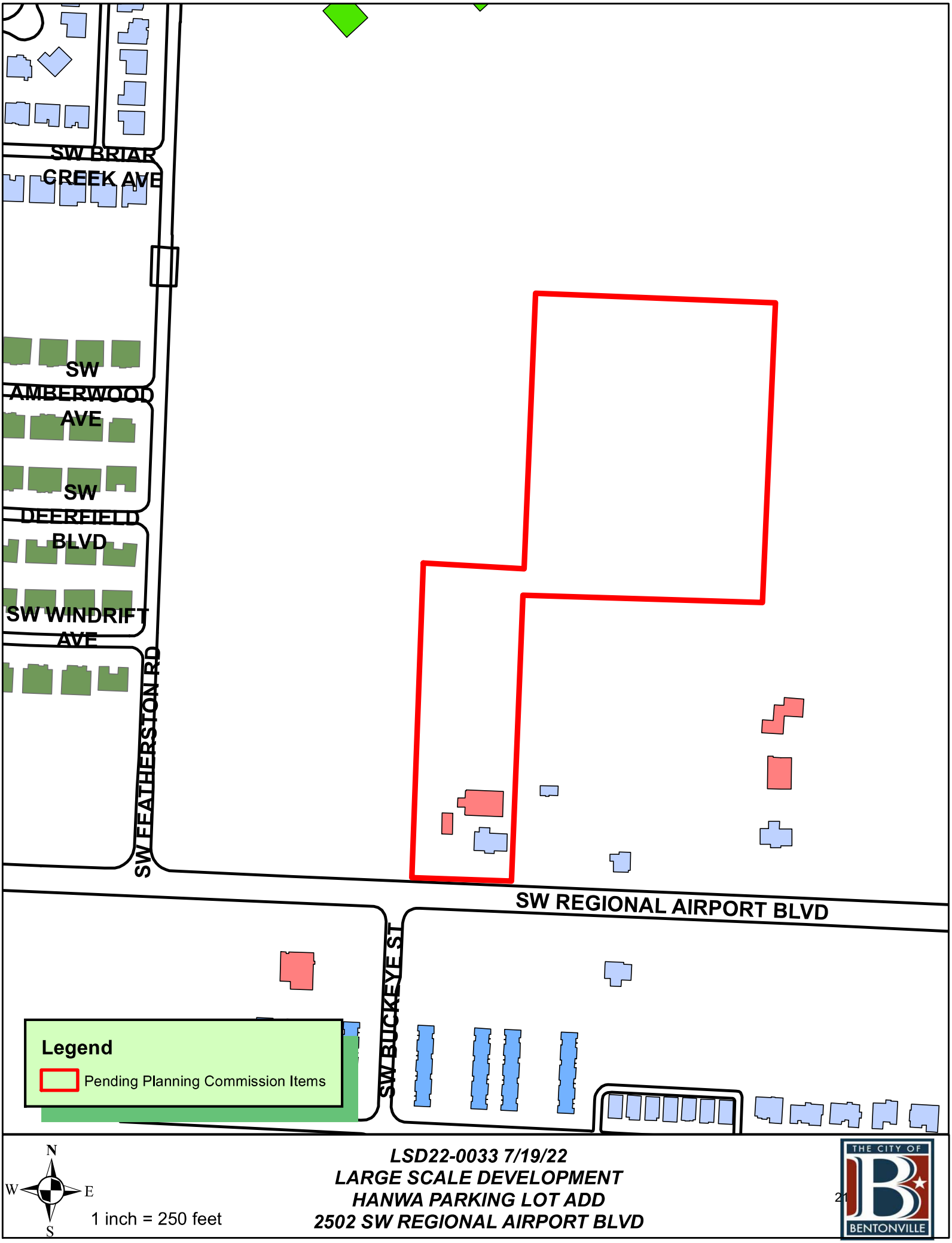
PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

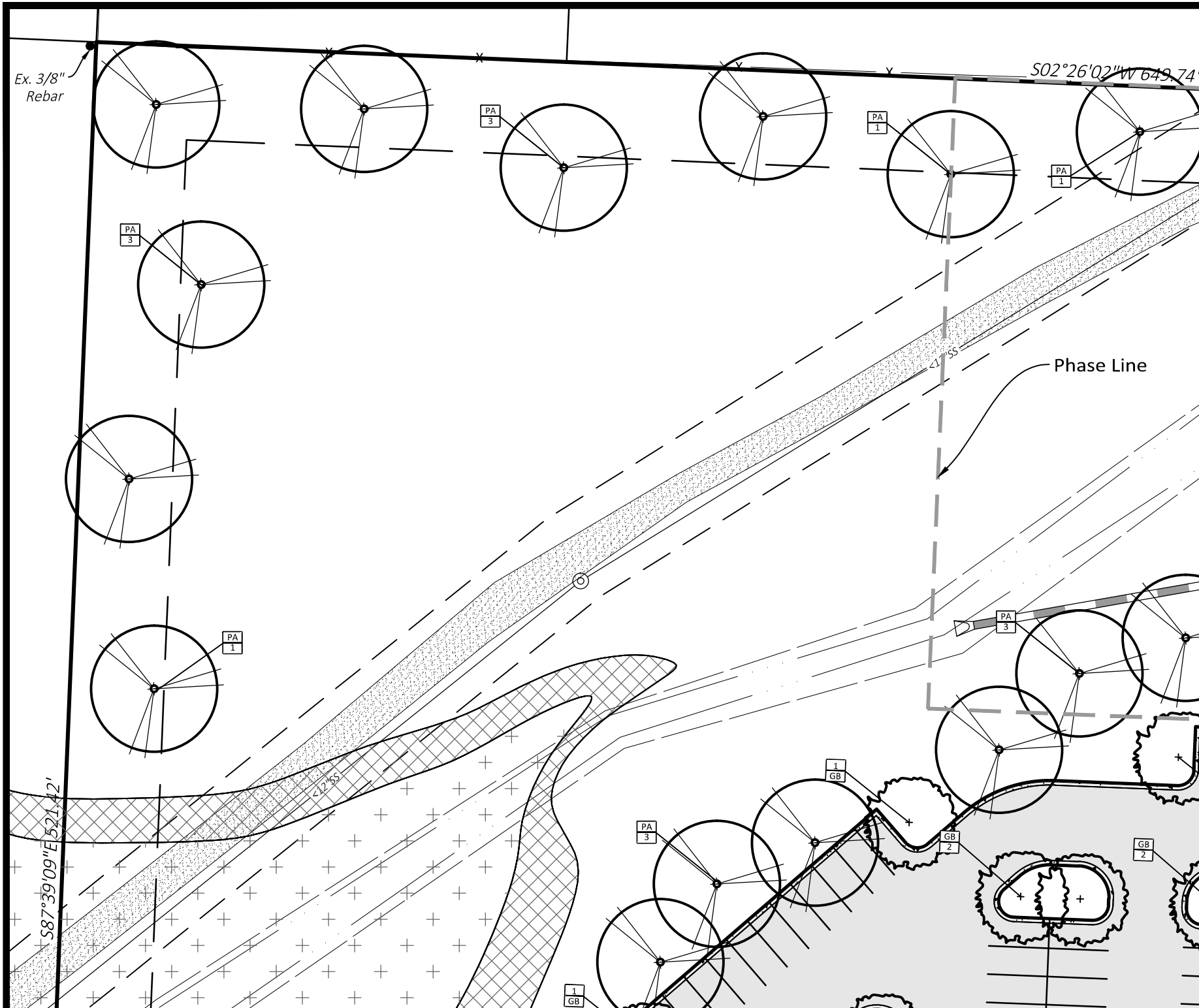
_____

ATTEST: **Stephanie Orman, Mayor**

Kirby Romines, City Clerk



LSD22-0033 7/19/22
LARGE SCALE DEVELOPMENT
HANWA PARKING LOT ADD
2502 SW REGIONAL AIRPORT BLVD


Ex. 3/8"
Rebar
S02°26'02"W 649.74'
PA 3
PA 1
PA 3
PA 1
PA 1
PA 3
1 GB
PA 3
GB 2
GB 2
1 GB
Phase Line
S87°39'09"E 521.42'

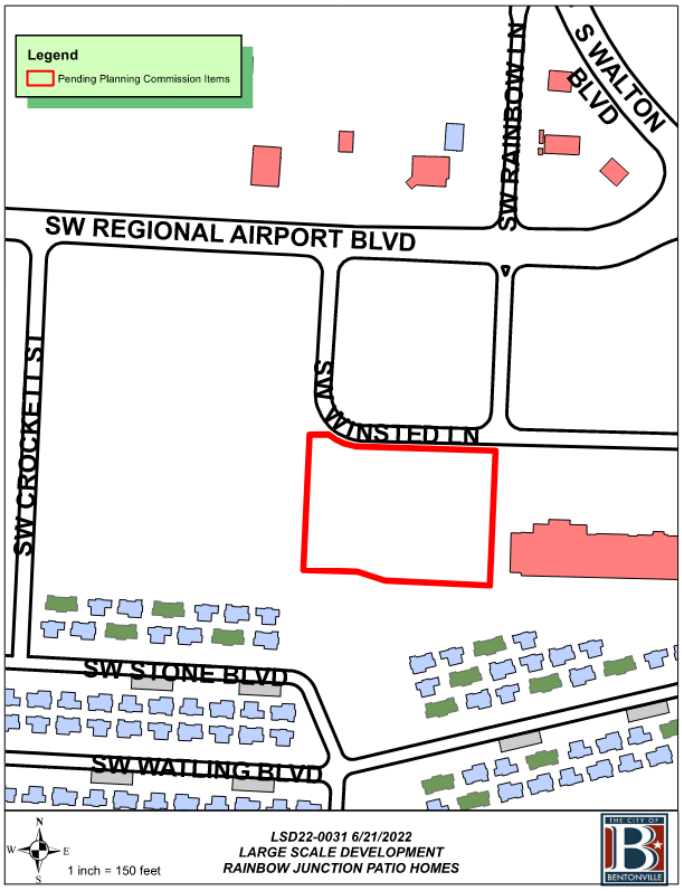
Rainbow Junction Patio Homes

SW Winsted Lane
PC Date: 7/19/2022
Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	LSD22-0031
Applicant / Current Owner	Plateau Properties, LLC
Site Area	+/- 1.90 acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Development Type / Use	Patio Homes

https://arcg.is/08HvK8

Location Map



Property Description
The subject property is +/- 1.90 acres and is currently zoned R-3, Medium-High Density Multifamily Residential.

Project Details
The applicant seeks large-scale development approval to construct five residential units. 8 parking spaces are required. 8 parking spaces are provided through individual garages and driveways for each unit. Sidewalks, landscaping, grading/drainage, and site amenities are in accordance with the requirements of the Land Development Code.

Projected Traffic Impact
This project should have negligible traffic impacts.

Waivers
Two waivers are requested:

- A waiver from Sec. 1100.02(a)(5) from the requirement that you cannot have more than two curb cuts with a street frontage 600 feet or less. The applicant proposes five curb cuts.
- A waiver from Sec. 1100.02(a)(6) from the requirement to have a minimum distance of at least 100 feet on streets with a speed limit of 30 mph or less.

Conclusion
The proposed large-scale development does not meet the minimum requirements of the Land Development Code because of the requested waivers.

If the Planning Commission approves the requested waivers, staff recommends approval of the large-scale development. If the commission denies the requested waivers, staff recommends the applicant table their large-scale development until the proposal is brought into compliance with all codes.

N
W E
S

1 inch = 150 feet

LSD22-0031 6/21/2022
LARGE SCALE DEVELOPMENT
RAINBOW JUNCTION PATIO HOMES

THE CITY OF BENTONVILLE

Crafton Tull

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

479.636.4838 (ph)
479.631.6224 (fax)

June 22, 2022

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

RE: Rainbow Junction Patio Homes
COB# LSD22-0031
CTA Job No. 21111700

Dear City of Bentonville Planning Department:

This is a formal request for a waiver of the following city codes:

1. Section 1100.02.a.5 requiring only 2 curb cuts on 310' of street frontage.

   We are requesting to have 5 curb cuts on the street frontage along SW Winsted Lane. These homes will be single family homes on a horizontal property regime. They are on single lot for platting purposes, but will be owned and maintained as individual lots. The single lot triggers this waiver request. This is a low traffic volume street and the increased amount of curb cuts will not cause traffic issues in the area.

2. Section 1100.02.a.6 requiring a certain distance between curb cuts.

   SW Winsted Ln is a local street with a design speed of 25 mph per the street specifications Table 400-1. This road does not fall within the table provided in Section 1100.02. However, the lot has a large amount of BLE floodplain, detention area and existing utilities that constricts placement of buildings. The site has been designed to keep all buildings within the setbacks and minimum distance from the 100 year water surface elevation which places the buildings, and consequently, the driveways closer together. This development will function similar to a residential subdivision and with low speeds and low traffic along SW Winsted Ln, the driveway separation proposed on the site plan should not pose any issues.

We formally petition the Planning Commission to waive the above listed city code requirements allowing for the intent to be met given the site's layout and utility constraints.

Large Scale Development (LSD) plans have been submitted to the City Planning Department and shall be considered inclusive of this request including any revisions made throughout the review process.

Crafton Tull

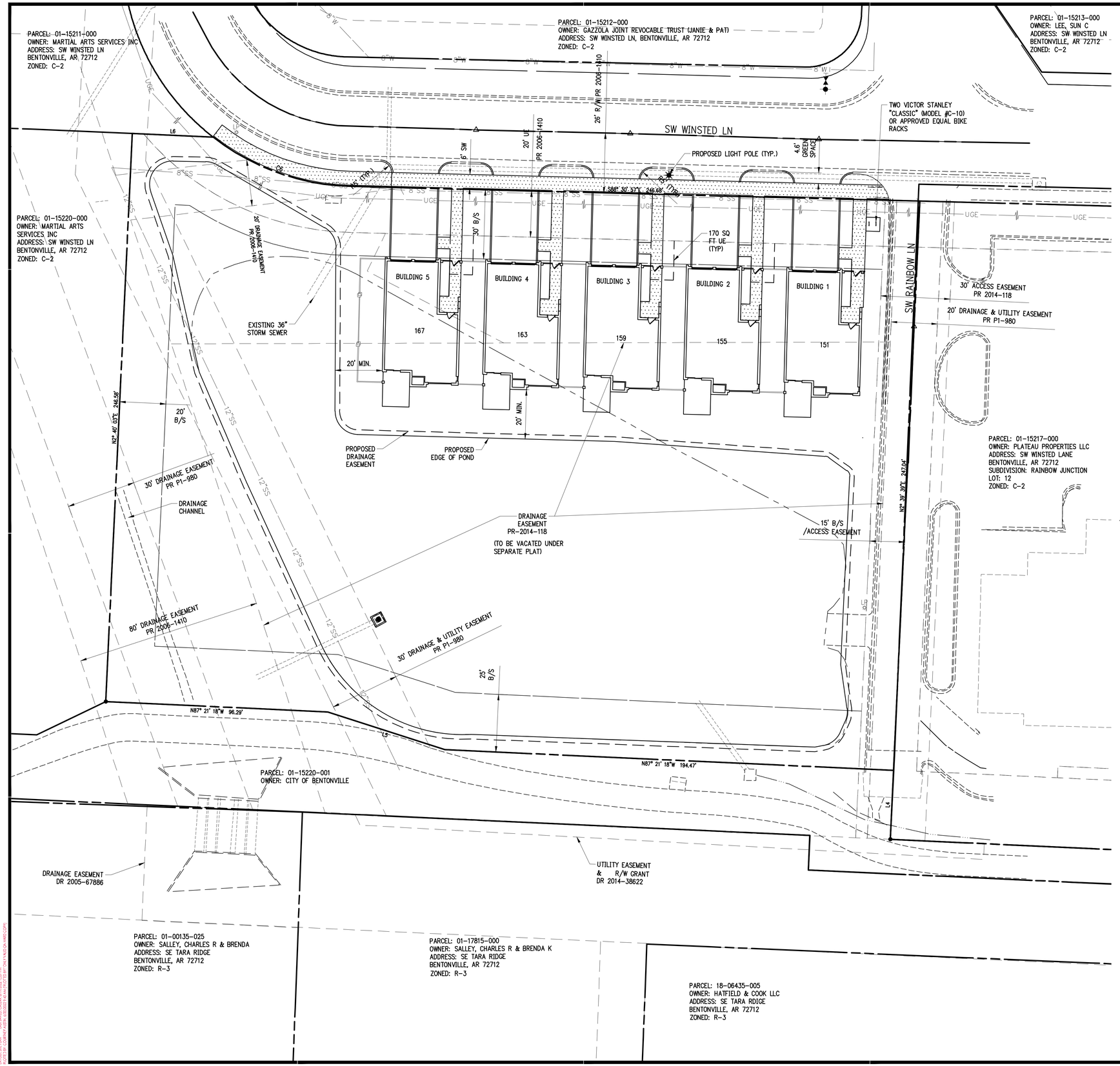
901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

We appreciate your consideration in this matter. Should you have any questions, or require any additional information, please contact us at your convenience.

Sincerely,

Ali Karr, P.E.



SITE NOTES

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL CURB DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL PAVEMENT MARKINGS DIMENSIONS FACE OF CURB UNLESS OTHERWISE NOTED.
6. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
7. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
8. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
9. CONTRACTOR SHALL MATCH NEW CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
10. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
11. ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
12. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
13. ANY NEW LIGHTING WILL REQUIRE THAT IT BE CUT OFF OR B-U-G (WITH A U RATING OF 0) AND APPROVED BY THE PLANNING DEPARTMENT.

LEGEND (EXISTING SYMBOLS)

SYMBOLS	LINEWORK
FOUND IRON PIN	EASEMENT
LIGHT POLE	CURB
	PROPERTY LINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
LIGHT POLE	CURB
	6' MASONRY FENCE
	RIGHT OF WAY
	PROPERTY LINE
	LOT LINE
	ROAD CENTERLINE
	BUILDING SET BACK
	SIDEWALK TO BE BUILT AS PART OF THIS CONTRACT

PROJECT INFORMATION

BUILDING SETBACK:	FRONT 20' FRONT WITH GARAGE 20' EXTERIOR SIDE 20' INTERIOR SIDE 10' REAR 25'
FINISHED FLOOR ELEV.	SEE GRADING PLAN
SITE AREA:	1.90 AC. (82,720 SQ.FT.)
BUILDING SIZE:	TYPE A: 3,070 SQ. FT.
ZONING:	R-3
PROPERTY USAGE:	RESIDENTIAL

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C4	13.54'	25.00'	31°02'24"	S72° 59' 45"E	13.38'
C5	36.17'	60.00'	34°32'26"	S74° 44' 46"E	35.63'
C6	64.24'	101.00'	36°26'42"	S70° 17' 36"E	63.17'

PARCEL LINE TABLE

LINE #	LENGTH	DIRECTION
L4	29.92'	N2° 39' 39"E
L5	53.27'	N72° 07' 03"W
L6	35.11'	S87° 20' 53"E

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architecture | engineering | surveying
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CERTIFICATE OF AUTHORIZATION:

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

GRAPHIC SCALE IN FEET
20' 0 20'

RAINBOW JUNCTION PATIO HOMES

BENTONVILLE, AR

Key Plan

No.	Description	Date

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PROJECT NO:
ISSUE DATE: 06/17/2022
CONTACT: A. KARR
QC By:
QC Date: MM/DD/YYYY

PRELIMINARY PLANS

NOT FOR CONSTRUCTION · REVIEW SET · THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

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LSD22-0031

SITE PLAN

C-102

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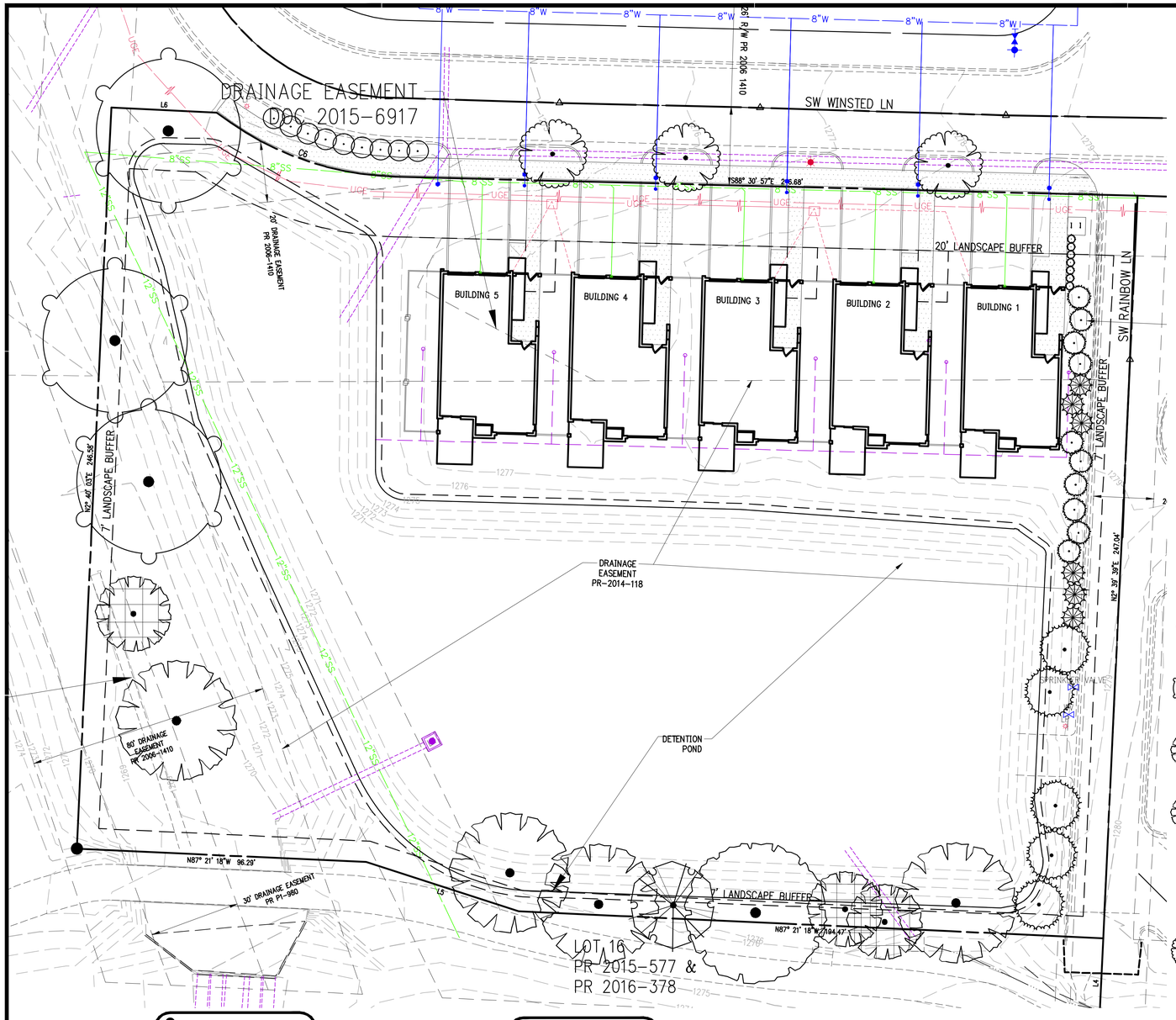

Arkansas One Call

811

Know what's **below**.

Call before you dig.

BENTONVILLE MAINTENANCE NOTES

1. CONTRACTOR SHALL PROVIDE A WARRANTY ON ALL PLANT MATERIALS FOR A MINIMUM OF ONE YEAR FROM PROJECT COMPLETION AND ACCEPTANCE BY OWNER. ANY PLANT MATERIAL THAT DIES, TURNS BROWN, OR DEFOLIATES PRIOR TO WARRANTY EXPIRATION SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
2. AFTER THE REQUIRED WARRANTY PERIOD, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION BY THE OWNER OF THE PROPERTY. ALL PLANTS THAT DIE SHALL BE REPLACED BY THE OWNER OF THE PROPERTY.
3. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME.
4. TREES SHALL NOT BE TOPPED AT ANY TIME.
5. WHEN PRUNING IS NECESSARY TO MAINTAIN THE HEALTH OF THE TREE OR FOR PUBLIC SAFETY, PROPER PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE OPERATIONS" SHALL BE UTILIZED.

PLANTING REQUIREMENTS

STREET FRONTAGE: (1 TREE PER 20LF)
SW WINSTED LN: 248.03LF /20LF = 12 TREES REQUIRED;12 PROVIDED
SW RAINBOW LN: PRIVATE DRIVE. NO STREET TREES REQUIRED.

PERIMETER TREES/ SCREENING: 1 TREE PER 50L; MIN 50% SHADE
SOUTH = 344.03LF = 7 TREES REQUIRED; 7 PROVIDED
WEST = 246.58LF = 5 TREES REQUIRED; 5 PROVIDED

BENTONVILLE UTILITIES AND PLANT MATERIALS

1. CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF UTILITIES PRIOR TO LANDSCAPE INSTALLATION AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS.
2. TREES AND LANDSCAPING SHALL NOT BE PLACED WHERE THEY INTERFERE WITH SITE DRAINAGE CHANNELS, LINES, OR STRUCTURES, NOR WHERE THEY IMPEDE DETENTION/RETENION FUNCTIONS.
3. TREES WITH A MATURE HEIGHT GREATER THAN 25' SHALL NOT BE PLANTED WITHIN 25' OF OVERHEAD UTILITIES.
4. TREES SHALL NOT BE PLACED WITHIN 5' OF PUBLIC UTILITIES.
5. TREES SHALL NOT BE PLACED WITHIN 3' OF ANY ABOVEGROUND ELECTRICAL EQUIPMENT, NOR WITHIN 10' FROM DOORS OF ABOVEGROUND ELECTRIC EQUIPMENT.
6. TREES AND LANDSCAPING THAT OBSCURE VISIBILITY SHALL NOT BE PLACED WITHIN 3' OF A FIRE HYDRANT. ALL OTHER LANDSCAPING MUST BE MAINTAINED TO ENSURE VISIBILITY OF FIRE HYDRANT.
7. CITY RESERVES THE RIGHT TO REMOVE LANDSCAPING THAT BLOCKS ACCESS TO UTILITIES OR FAILS TO MEET THE REQUIREMENTS SET FORTH HEREIN.

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	HEIGHT	TYPE
	10	CUPRESSUS X LEYLANDII 'MONCAL' TM / EMERALD ISLE LEYLAND CYPRESS *FULL TO THE GROUND	B & B		8'-10' HT. MIN	EVERGREEN
	7	JUNIPERUS VIRGINIANA 'TAYLOR' / TAYLOR JUNIPER	B & B		8' HT. MIN.	EVERGREEN
	6	JUNIPERUS VIRGINIANA 'BRODIE' / BRODIE COLUMNAR CEDAR *FULL TO THE GROUND	B & B		8'-10' HT. MIN	EVERGREEN
	3	PLATANUS X ACERIFOLIA 'BLOODGOOD' / BLOODGOOD LONDON PLANE TREE	B & B	2.5" CAL	10'-12' HT.	SHADE
	1	QUERCUS MACROCARPA / BURR OAK	B & B	2.5" CAL	8'-10' HT.	SHADE
	3	QUERCUS NUTTALLII / NUTTALL OAK	B & B	2.5"CAL	10' HT. MIN.	SHADE
	1	QUERCUS SHUMARDII / SHUMARD OAK	B & B	2.5" CAL	8' HT. MIN.	SHADE
	4	TAXODIUM DISTICHUM / BALD CYPRESS	B & B	2.5" CAL	10' HT MIN	SHADE
	5	THUJA STANDISHII X PLICATA 'GREEN GIANT' / GREEN GIANT ARBORVITAE *FULL TO THE GROUND	B & B		8'-10' HT. MIN	EVERGREEN
STREET TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	HEIGHT	TYPE
	9	LIQUIDAMBAR STYRACIFLUA 'SLENDER SILHOUETTE' / SLENDER SILHOUETTE SWEET GUM *LIMBED UP FROM GROUND TO HT OF 4.5' TO FIRST BRANCH. **IN RIGHT OF WAY AREAS; UPSIZE TO 4" CALIPER AND LIMB UP TO 96".	B & B	2.5" CAL	10'-12' HT.	SHADE
	3	NYSSA SYLVATICA 'HAYMANRED' TM / RED RAGE TUPELO *IN RIGHT OF WAY AREAS; UPSIZE TO 4" CALIPER AND LIMB UP TO 96".	B & B	2.5"CAL	8' HT. MIN.	SHADE
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT			
	21,482 SF	CYNODON DACTYLON 'TIFWAY 419' / TIFWAY 419 BERMUDA GRASS *ALL DISTURBED AREAS NOT OTHERWISE NOTED SHALL BE SODDED.	S.F.			

LEGEND (CONSTRUCT)

SYMBOLS

- SET IRON PIN
- WATER METER
- RECTANGULAR DROP INLET, GRATED INLET OR JUNCTION BOX (SPECIFY ON PLAN SHEET)
- YARD DRAIN

LINEWORK

- RIGHT OF WAY
- PROPERTY LINE
- ROAD CENTERLINE
- SS — SANITARY SEWER LINE
- W — WATER LINE
- STORM DRAIN LINE

LANDSCAPE NOTES

1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK BY CONTACTING THE ONE-CALL SYSTEM. ALL UTILITY LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND ARE BASED ON SURVEY INFORMATION, SITE DEVELOPMENT PLANS, UTILITY RECORDS, ETC.
2. CONTRACTOR SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF WORK. ANY DAMAGES TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF LANDSCAPE CONSTRUCTION ARE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE REPAIRED AT NO COST TO OWNER.
3. ALL PLANT MATERIALS SHALL BE NURSERY GROWN (CONTAINER OR BALLED & BURLAPPED) AND SHALL MEET OR EXCEED THE SIZE AND GRADING REQUIREMENTS ESTABLISHED BY THE LATEST EDITION OF "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
4. ALL PLANT MATERIALS MUST BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND/OR DISEASE.
5. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER CONSTRUCTION.
6. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS PRIOR TO PRICING THE WORK.
7. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT OR QUANTITY DISCREPANCIES PRIOR TO BEGINNING CONSTRUCTION.
8. NO CHANGES TO THE PLANT SCHEDULE ARE ALLOWED WITHOUT APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT, AND CITY. APPROVED ALTERNATE MATERIALS SHALL MEET THE SAME CRITERIA FOR TYPE, SIZE, AND FUNCTION AS THOSE SHOWN ON LANDSCAPE PLAN.
9. PLANTINGS IN EXCESS OF MINIMUM REQUIREMENTS MAY NOT BE REDUCED ONCE APPROVED BY THE PLANNING COMMISSION.
10. ALL PLANT MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS PROVIDED.
11. ALL LAWN AREAS SHALL RECEIVE 4" OF TOPSOIL TO MEET FINAL GRADE IN ACCORDANCE WITH GRADING PLAN.
12. ALL PLANTING BED AREAS SHALL BE PREPARED BY REMOVING EXISTING SOD AND WEEDS. PLANTING BED AREAS SHALL RECEIVE 6" OF TOPSOIL AMENDED TO ENHANCE FAVORABLE GROWING CONDITIONS. SOIL MIX SHALL BE TILLED INTO BED AREA TO A MINIMUM DEPTH OF 12"
13. PLANTING BEDS SHALL RECEIVE A MINIMUM OF 3" SHREDDED HARDWOOD MULCH. ALL TREES NOT LOCATED IN PLANTING BEDS SHALL RECEIVE A MULCH SAUCER PER DETAIL.
14. CONTRACTOR TO FIELD VERIFY THE LIMITS OF DISTURBANCE. ALL DISTURBED AREAS MUST BE STABILIZED PER CITY CODE PRIOR TO PROJECT CLOSE-OUT.
15. TURF AREAS SHALL BE SEEDED OR SODDED PER PLANTING PLAN. REFER TO PLANT SCHEDULE, LANDSCAPE NOTES, AND HYDROSEEDING NOTES FOR SPECIES AND INSTALLATION REQUIREMENTS.
16. ALL SLOPES 3:1 AND GREATER SHALL RECEIVE SOD. ON SLOPES OF 4:1 OR GREATER, SOD SHALL BE STAPLED IN PLACE.
17. ALL ENTRANCE/EXIT PLANTINGS SHALL BE INSTALLED AND MAINTAINED TO PROVIDE CLEAR SIGHT DISTANCE FROM THE STREETS AND ALL SITE ENTRANCES/EXITS PER CITY CODE.
18. IF A LANDSCAPE IRRIGATION SYSTEM IS TO BE CONSTRUCTED, LANDSCAPE CONTRACTOR SHALL CONFIRM LOCATION OF PLANNED IRRIGATION LINE WITH THE IRRIGATION CONTRACTOR PRIOR TO PLANTING BED CONSTRUCTION AND PLANT INSTALLATION.
19. CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL. (INCLUDING BUT NOT LIMITED TO WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS APPROVED AND ACCEPTED IN TOTAL BY OWNER.
20. 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. (1400.8.g)
21. ALL TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY SHALL BE 4" CALIPER AND THE LOWEST LIMB SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.

901 N. 47th St., Suite 400
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CERTIFICATE OF AUTHORIZATION:

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

GRAPHIC SCALE IN FEET
20' 0 20'

RAINBOW JUNCTION PATIO HOMES

BENTONVILLE, AR

Key Plan

No.	Description	Date

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PROJECT NO:
ISSUE DATE: 06/17/2022
CONTACT: A. KARR
QC By:
QC Date: MM/DD/YYYY

PRELIMINARY PLANS

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REVIEW SET - NOT FOR CONSTRUCTION

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LSD22-0031

PLANTING PLAN

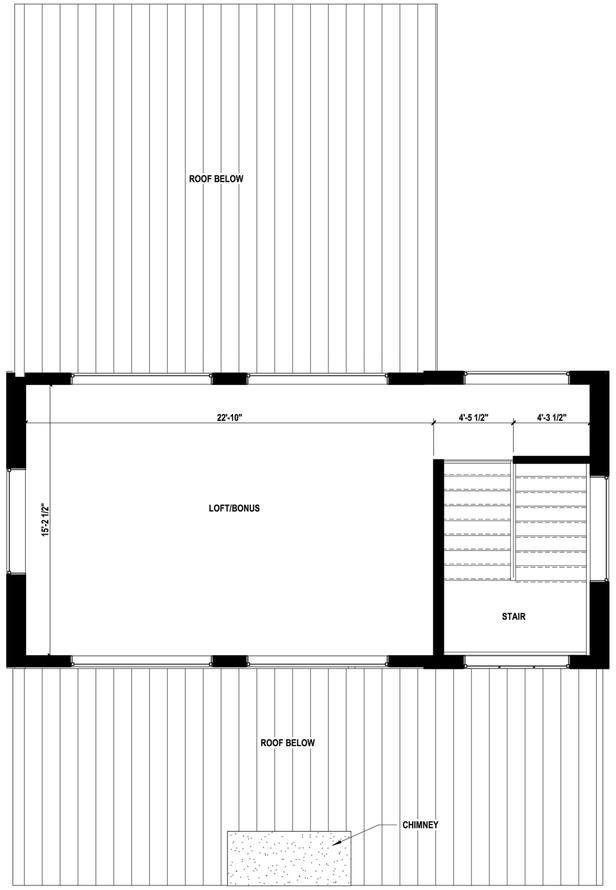
L-101

DRAWING OUTPUT:[S:\CRAFTON_TULL\PROJECTS\2022\LSD22-0031\PLANS\PLANTING PLAN.DWG]
PLOTTED BY: CODY KARR, 6/17/2022 9:14 AM | PLOTTED AT: 24 in = 1 in | SCALE: 1:1 | MODEL SPACE | COPY

GENERAL NOTE:

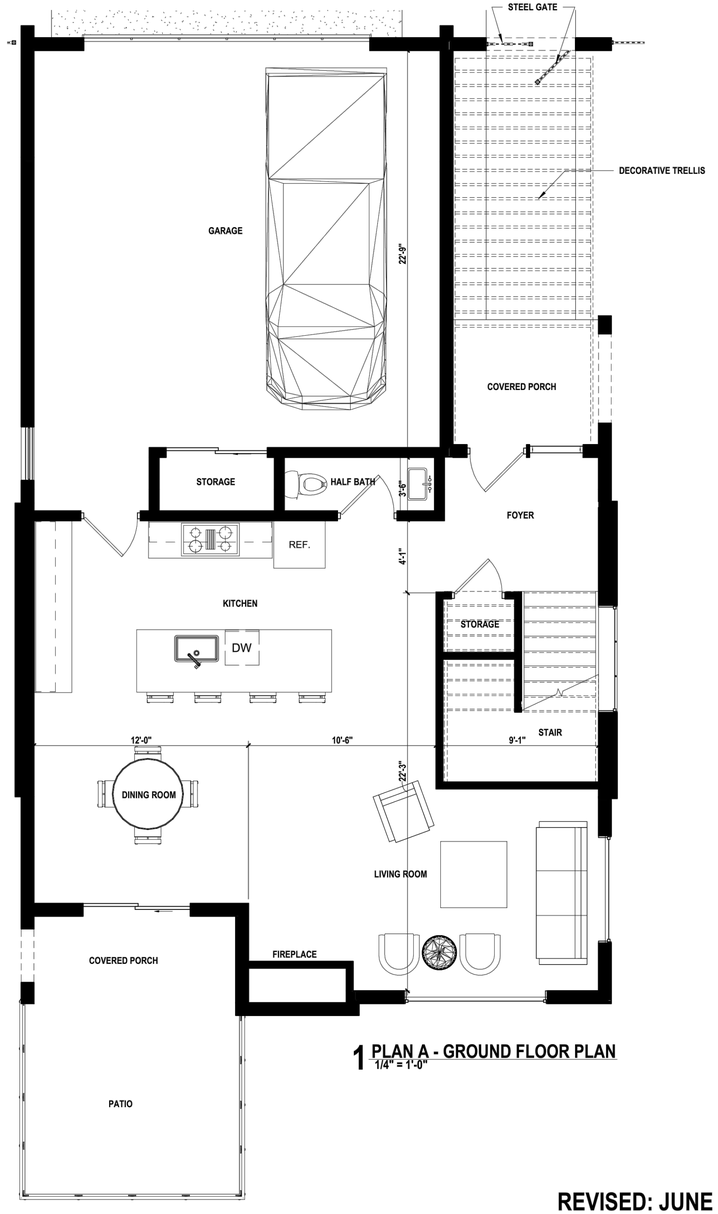
ALL 5 BUILDINGS ARE 3 BEDROOM UNITS

SQUARE FOOTAGE	
NAME	**AREA**
FIRST FLOOR CONDITIONED	882 SQ FT.
SECOND FLOOR CONDITIONED	1290 SQ FT.
THIRD FLOOR CONDITIONED	530 SQ FT.
COVERED PORCHES	177 SQ FT.
GARAGE AND STORAGE	602 SQ FT.
PATIO	120 SQ FT.
TOTAL UNDER ROOF	3481 SQ FT.



3 PLAN A - FLOOR 3
1/4" = 1'-0"

2 PLAN A - FLOOR 2
1/4" = 1'-0"



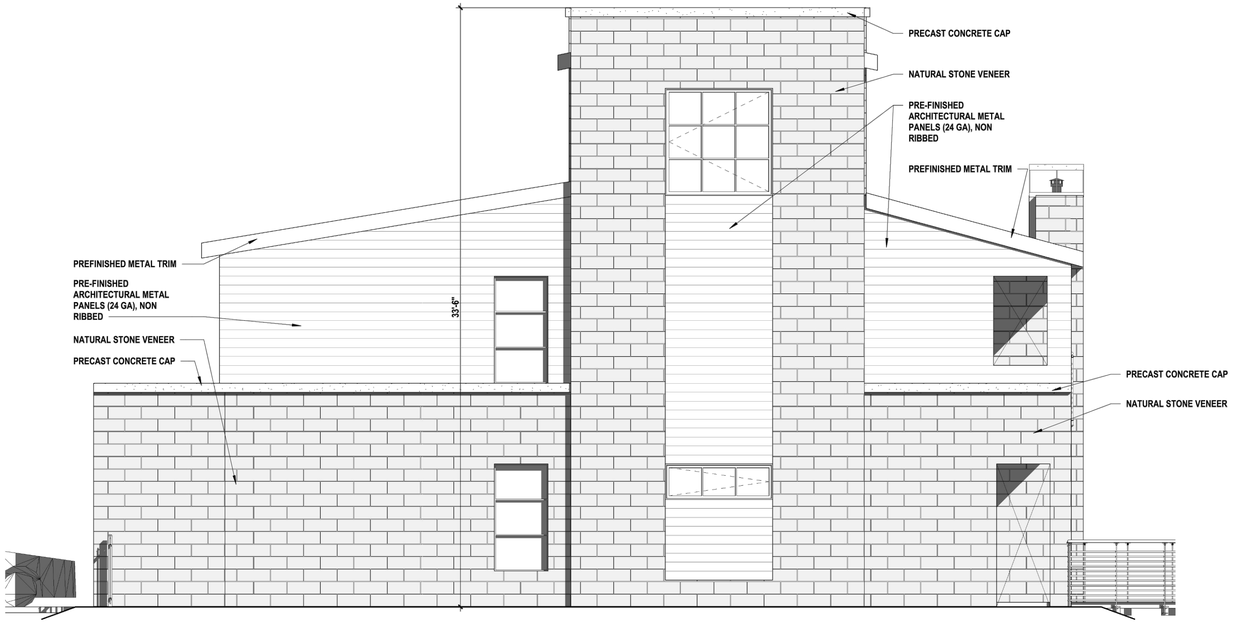
1 PLAN A - GROUND FLOOR PLAN
1/4" = 1'-0"

REVISED: JUNE 17, 2022

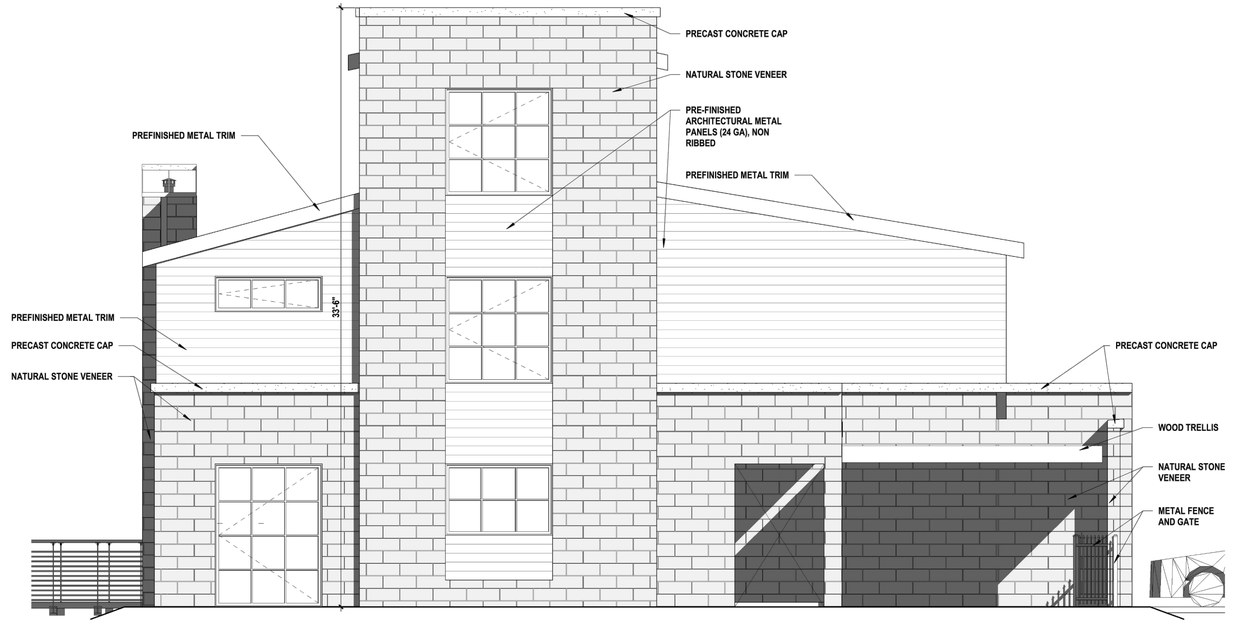
MARCH 8, 2022

WILLIAMS & DEAN
ARCHITECTURE | INTERIOR DESIGN

RAINBOW JUNCTION
ARCHITECTURAL FLOOR PLAN - PLAN A



4 PLAN A - LEFT ELEVATION
1/4" = 1'-0"



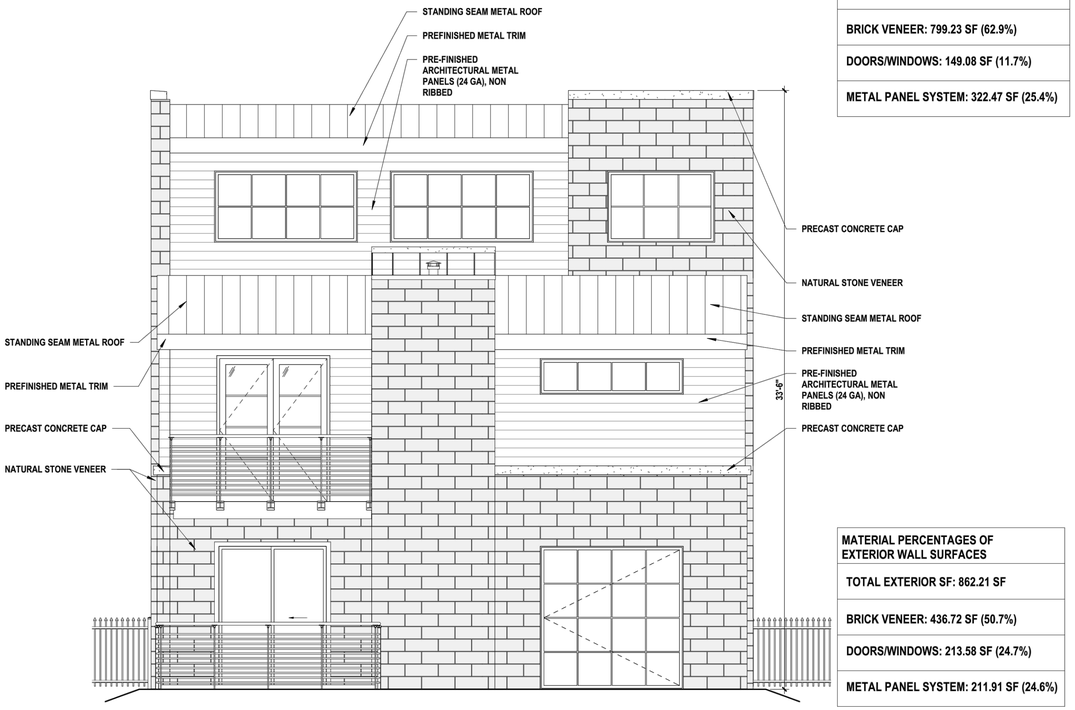
3 PLAN A - RIGHT ELEVATION
1/4" = 1'-0"

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 1287.69
BRICK VENEER: 858.05 SF (66.6%)
DOORS/WINDOWS: 79.31 SF (6.2%)
METAL PANEL SYSTEM: 350.33 SF (27.2%)

1 PLAN A - FRONT ELEVATION
1/4" = 1'-0"

SEC.1100.21 : (L) ENTRANCES	SEC.1100.21 : (M) ARCHITECTURAL DETAILS
• CANOPIES/PORTICOS • RECESSES/PROJECTIONS • CHANGE IN MATERIALS	• DISPLAY WINDOWS • ACCENT MATERIALS - 16.1%, EXCEEDING MINIMUM REQUIRED 15% OF EXTERIOR FACACE. AC (DECORATIVE TRELLIS, WINDOW TRIM, RAILING, FASCIA, AND SOFFIT) • VARIED ROOF HEIGHTS

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 736.29 SF
BRICK VENEER: 309.54 SF (42%)
DOORS/WINDOWS: 227.09 SF (30.8%)
METAL PANEL SYSTEM: 199.66 SF (27.2%)



2 PLAN A - BACK ELEVATION
1/4" = 1'-0"

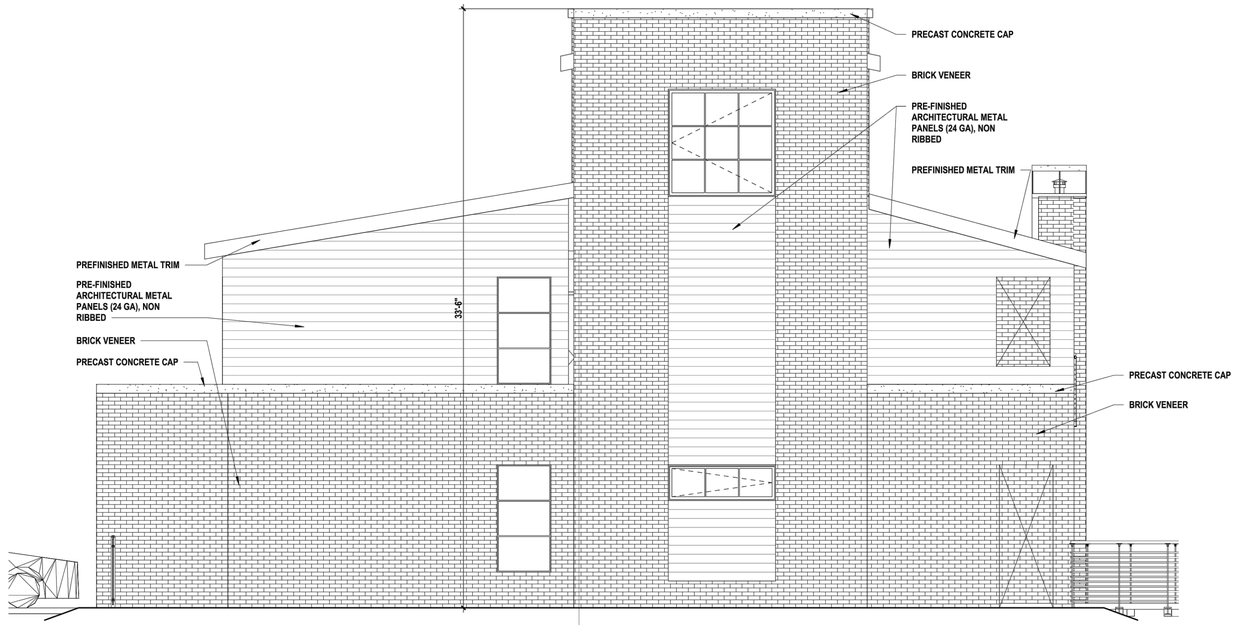
MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 1270.78
BRICK VENEER: 799.23 SF (62.9%)
DOORS/WINDOWS: 149.08 SF (11.7%)
METAL PANEL SYSTEM: 322.47 SF (25.4%)

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 862.21 SF
BRICK VENEER: 436.72 SF (50.7%)
DOORS/WINDOWS: 213.58 SF (24.7%)
METAL PANEL SYSTEM: 211.91 SF (24.6%)

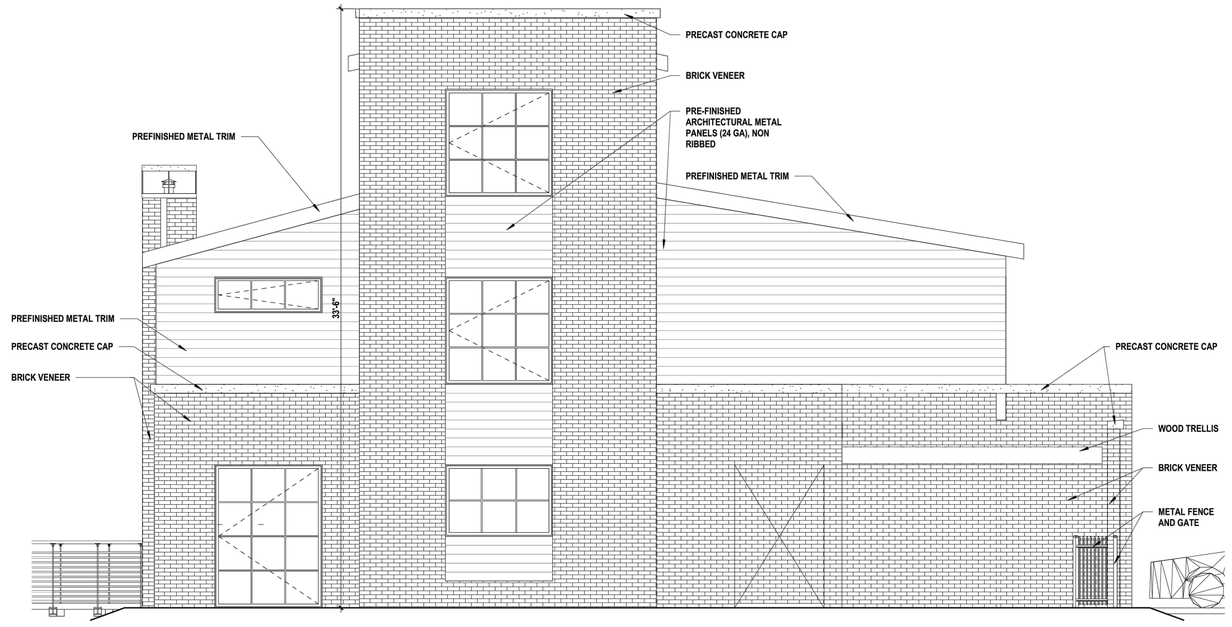
REVISED: JUNE 17, 2022
MARCH 8, 2022

WILLIAMS & DEAN
ARCHITECTURE | INTERIOR DESIGN

RAINBOW JUNCTION
BUILDING ELEVATIONS - PLAN A



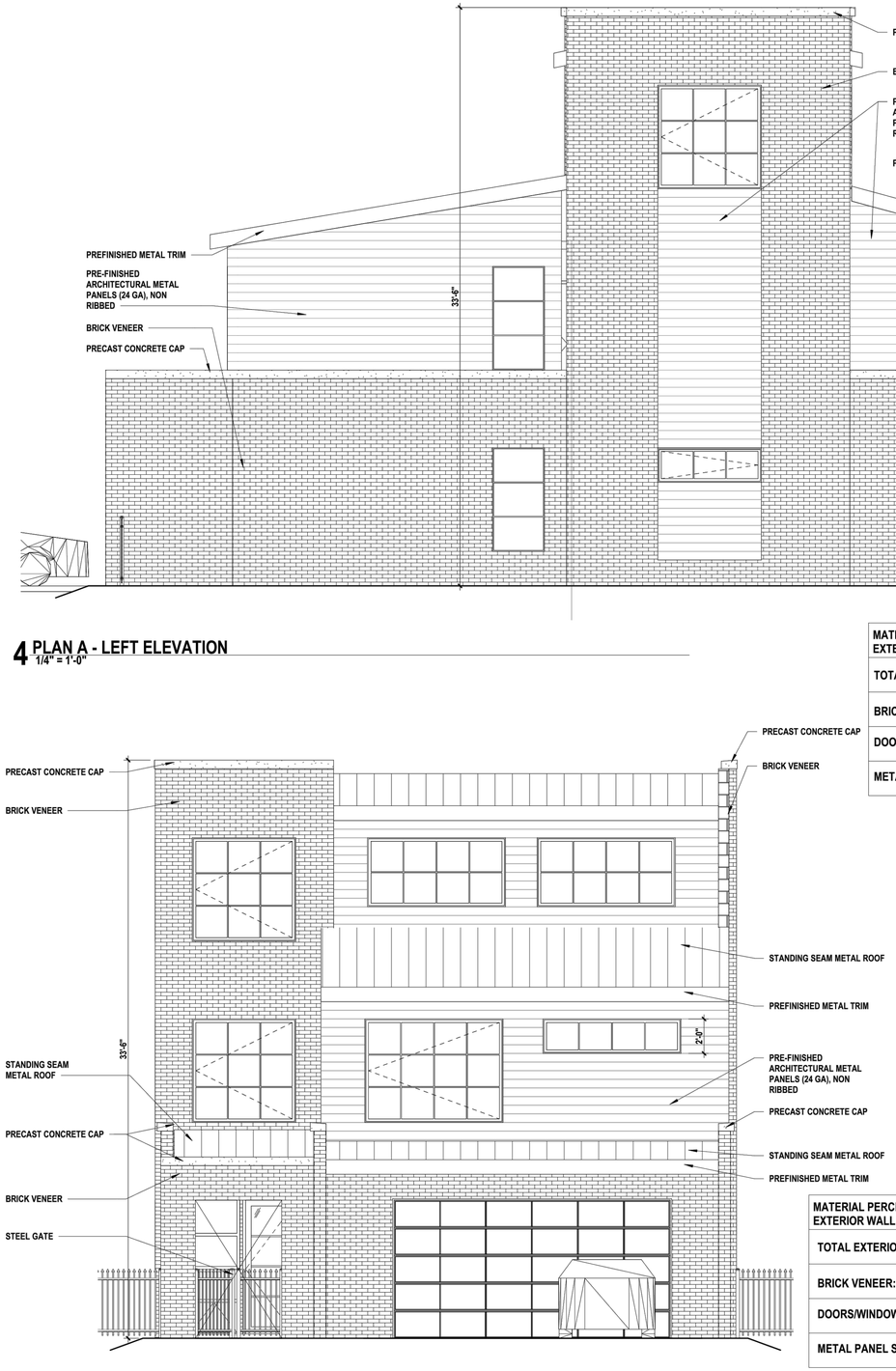
4 PLAN A - LEFT ELEVATION
1/4" = 1'-0"



3 PLAN A - RIGHT ELEVATION
1/4" = 1'-0"

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 1287.69
BRICK VENEER: 858.05 SF (66.6%)
DOORS/WINDOWS: 79.31 SF (6.2%)
METAL PANEL SYSTEM: 350.33 SF (27.2%)

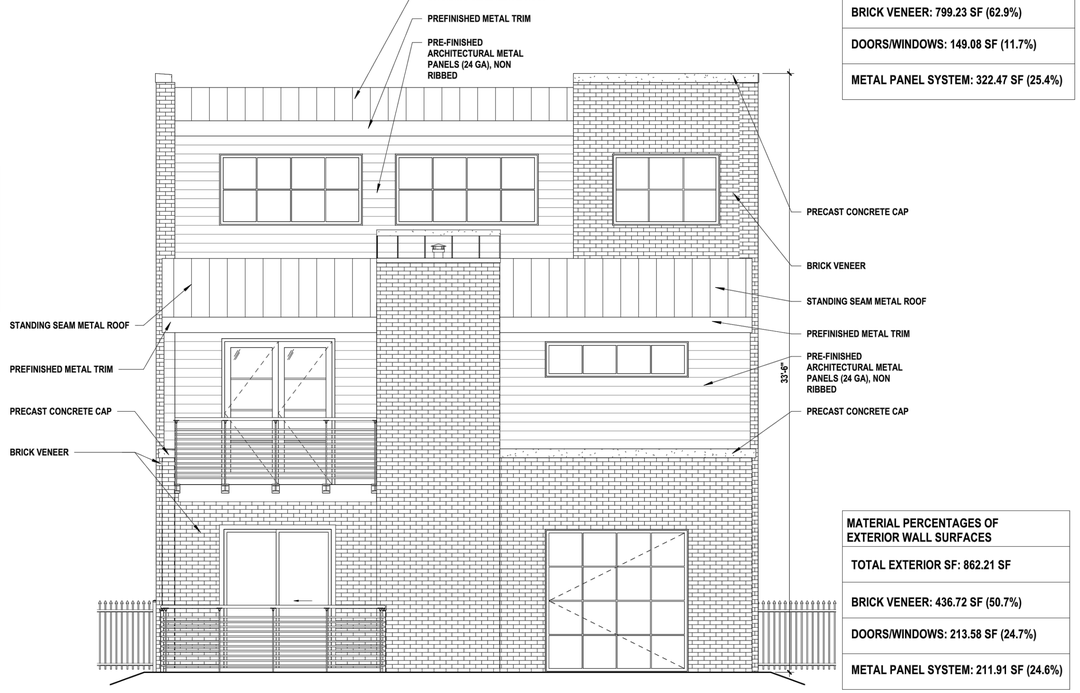
MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 1270.78
BRICK VENEER: 799.23 SF (62.9%)
DOORS/WINDOWS: 149.08 SF (11.7%)
METAL PANEL SYSTEM: 322.47 SF (25.4%)



1 PLAN A - FRONT ELEVATION
1/4" = 1'-0"

SEC.1100.21 : (L) ENTRANCES	SEC.1100.21 : (M) ARCHITECTURAL DETAILS
• CANOPIES/PORTICOS • RECESSES/PROJECTIONS • CHANGE IN MATERIALS	• DISPLAY WINDOWS • ACCENT MATERIALS - 16.1%, EXCEEDING MINIMUM REQUIRED 15% OF EXTERIOR FACADE. AC (DECORATIVE TRELLIS, WINDOW TRIM, RAILING, FASCIA, AND SOFFIT) • VARIED ROOF HEIGHTS

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 736.29 SF
BRICK VENEER: 309.54 SF (42%)
DOORS/WINDOWS: 227.09 SF (30.8%)
METAL PANEL SYSTEM: 199.66 SF (27.2%)



2 PLAN A - BACK ELEVATION
1/4" = 1'-0"

MATERIAL PERCENTAGES OF EXTERIOR WALL SURFACES
TOTAL EXTERIOR SF: 862.21 SF
BRICK VENEER: 436.72 SF (50.7%)
DOORS/WINDOWS: 213.58 SF (24.7%)
METAL PANEL SYSTEM: 211.91 SF (24.6%)

JUNE 17, 2022

WILLIAMS & DEAN
ARCHITECTURE | INTERIOR DESIGN

RAINBOW JUNCTION
BUILDING ELEVATIONS - PLAN A

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

RAINBOW JUNCTION PATIO HOMES

BENTONVILLE, AR

Key Plan

No.	Description	Date

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PROJECT NO: 21111700
ISSUE DATE: 06/17/2022
CONTACT: A. KARR
QC by: M. LOVE
QC Date: 05/31/2022

PRELIMINARY PLANS

NOT FOR CONSTRUCTION · REVIEW SET · NOT FOR CONSTRUCTION · REVIEW SET · NOT FOR CONSTRUCTION

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

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LSD22-0031

RENDERINGS BUILDING 1 FRONT

A-301

DRAWING G:\21111700_RAINBOW\PHASE\CRAFTON\CAD\LDWG\VERSIONS\0 BUILDING A.DWG
PLOTTED BY: ROB ANDREWS 7/5/2022 8:42 AM PLOTTED AT: ONE HALF ON HARD COPY

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Rogers, Arkansas 72756

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PROJECT NO: 21111700
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NOT FOR CONSTRUCTION ••• REVIEW SET ••• NOT FOR CONSTRUCTION ••• REVIEW SET •••

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LSD22-0031

RENDERINGS BUILDING 2 REAR

A-302

DRAWING G:\211700_RAINBOW\ARKRTZ\CAD\CONST\ARCH\SHEETS\A-302.DWG
LAST MODIFIED: 6/17/2022 11:11 AM BY: KARR, ANDREW
PLOTTED BY: ROB ANDREW, 6/17/2022 8:42 AM PLOTTED BY: CRAFTON-MAIN COPY

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

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CERTIFICATE OF AUTHORIZATION:

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

RAINBOW JUNCTION PATIO HOMES

BENTONVILLE, AR

Key Plan

No.	Description	Date

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PROJECT NO: 21111700
ISSUE DATE: 06/17/2022
CONTACT: A. KARR
QC by: M. LOVE
QC Date: 05/31/2022

PRELIMINARY PLANS

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NOT FOR CONSTRUCTION ... REVIEW SET ... NOT FOR CONSTRUCTION ... REVIEW SET ...

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LSD22-0031

RENDERINGS BUILDING 2 FRONT

A-303

DRAWING G:\211700_KARR\CHAPMEDIA\CAD\CIVIL\CHQ\DEBORAH\2 BUILDING A.DWG
PLOTTED BY: DEBORAH CHAPMAN 6/17/2022 8:42 AM
XREFS BY: ROB ANDREW, 10/2022 8:42 AM, PLOTTED BY: CHAD NELSON (HARD COPY)

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

Crafton Tull
architecture | engineering | surveying

479.636.4838 t 479.631.6224 f
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CERTIFICATE OF AUTHORIZATION:

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

RAINBOW JUNCTION PATIO HOMES

BENTONVILLE, AR

Key Plan

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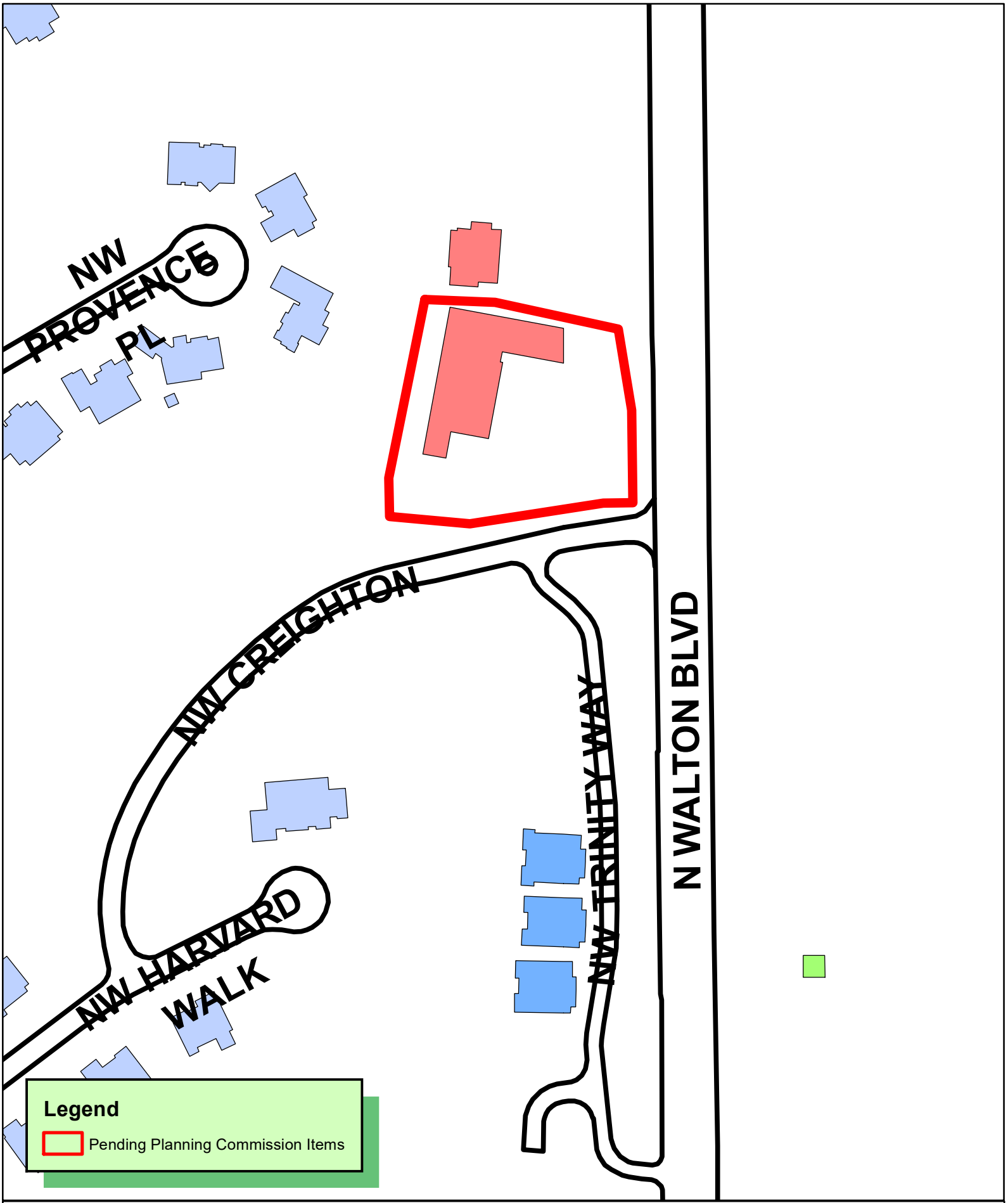
LSD22-0031

RENDERINGS BUILDING 2 REAR

A-302

DRAWING: G:\211170\2_RAINBOW\PHASE\PLOT\PLOTS\CAD\LSD\RENDERINGS BUILDING A.DWG
LAST SAVED BY: KARR, ANDREA 6/17/2022 8:46 AM
PLOTTED BY: KARR, ANDREA 6/17/2022 8:46 AM PLOTTED BY: DAILY PLOT (1-1 ARCH E.CTB)



N
W E
S

1 inch = 150 feet

CU22-0014 5/17/22
CONDITIONAL USE
BLUE SPRING PEDIATRICS
2601 N WALTON BLVD

THE CITY OF BENTONVILLE

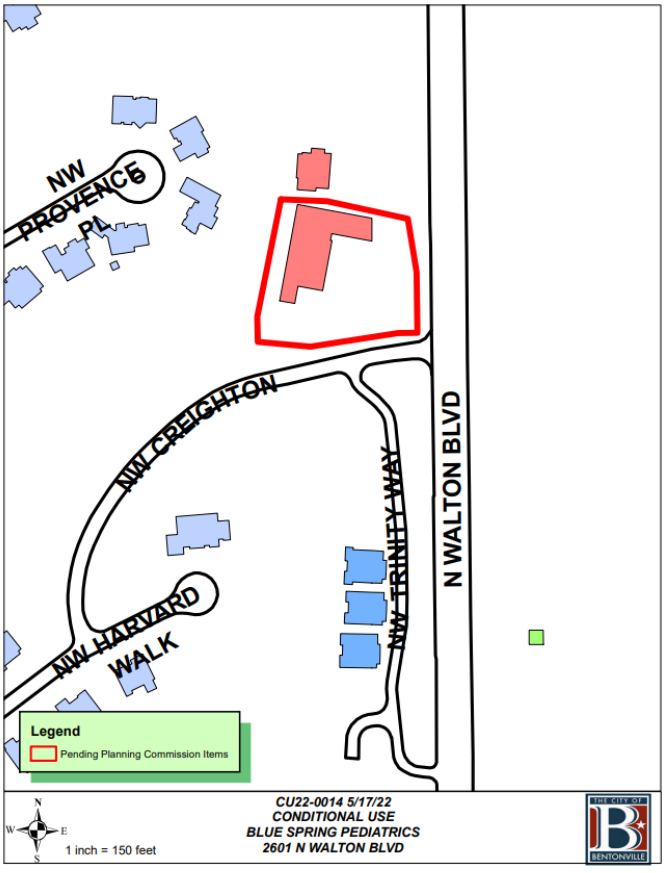
Nslokan, LLC

2601 North Walton Blvd.
PC Date: 5/17/2022
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	CU22-0014
Applicant / Current Owner	Nslokan, LLC
Site Area	+/- 1.62 acres
Current Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Use	Long-Term Temporary Uses and Structures (Gravel Parking)
Protective Covenants	N/A

https://arcg.is/08HvK8

Location Map



Property Description
The subject property is located at 2601 North Walton Boulevard and is currently zoned C-1, Neighborhood Commercial. The use of "Long-Term Temporary Uses and Structures" is allowed conditionally in non-residential zoning districts.

Proposed Use Description
According to the applicant's narrative, Blue Sprig is proposing the installation of a gravel parking lot area adjoining the current parking lot at 2701 N. Walton Blvd. The current parking lot has been unable to accommodate parking by all needed staff and clients. Blue Sprig would install a gravel lot to temporarily accommodate parking needs. Further evaluation of parking needs at various times of day would be conducted to determine if the additional parking will be a long-term need. The applicant also states that the addition of this parking area would accommodate the employees and clients in this location and would not change anything concerning the existing lot or its use. Current traffic patterns would not change, although cars entering off the main road would be able to divert into this gravel lot, instead of proceeding to the main parking lot, if needed. At this time, there is no plan to add any additional outdoor lighting, as the lighting provided for the main lot reaches the proposed gravel area. The hours of operation are assumed to be from 8 a.m. to 6 p.m. each day of the week.

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

Conditions of Approval
1. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.
2. This conditional use permit shall be valid for twelve (12) months from the date of issuance of Certificate of Occupancy at which time the applicant shall remove the gravel parking, submit a Large Scale Development to make it permanent parking, or renew the Conditional Use Permit.
3. The applicant shall install bollards around existing hydrant to protect from vehicular traffic. These must meet fire code spacing. Ensure valve pads on water main and hydrant lead are not buried from the additional gravel that will be installed. Coordinate with Fire and Water Departments. Satisfy all City Departments comments in eTrakit.
4. The increase in impervious will need to be accounted for. Please use the runoff mitigation spreadsheet attached. If any portion of this project lies within the floodplain then a floodplain development permit will be required
5. Any changes in scope, use, or ownership, may require a new conditional use permit. In addition, the Planning Commission may hold a public hearing to reconsider the conditional use at any time.

May 17th, 2022
NSLokam, LLC
45625 Grand River Avenue
Novi, MI 48374
Re: Conditional Use Request CU22-0014

To Whom It May Concern,

We are pleased to inform you that the Bentonville Planning Commission approved your conditional use permit for the Blue Sprig gravel parking lot adjoining the current parking lot at 2701 North Walton Boulevard, located at 2601 North Walton Boulevard.

The following conditions apply:

1. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.
2. The applicant shall conduct a title search of the property in question within 45 days to verify that a gravel parking lot would be allowed within the existing conservation easement. If the easement prohibits a gravel parking lot the Planning Commission may hold a public hearing to reconsider the conditional use.
3. This conditional use permit shall be valid for twelve (12) months from the date of issuance of Certificate of Occupancy at which time the applicant shall remove the gravel parking, submit a Large Scale Development to make it permanent parking, or renew the Conditional Use Permit.
4. The applicant shall install bollards around existing hydrant to protect from vehicular traffic. These must meet fire code spacing. Ensure valve pads on water main and hydrant lead are not buried from the additional gravel that will be installed. Coordinate with Fire and Water Departments. Satisfy all City Departments comments in eTrakit.
5. The increase in impervious will need to be accounted for. Please use the runoff mitigation spreadsheet attached. If any portion of this project lies within the flood plain then a flood plain development permit will be required
6. Any changes in scope, use, or ownership, may require a new conditional use permit. In addition, the Planning Commission may hold a public hearing to reconsider the conditional use at any time.

Please sign below and return to the Planning Office, and retain a copy of this for your records. If you have any questions do not hesitate to call the Planning Department at (479) 271-3122 ext. 2 or email planning@bentonvillear.com.

Sincerely,

Christopher Hyatt
Planning Technician

As owner/developer of the above referenced project, I/we acknowledge receipt of this letter and agree to the conditions listed above.

_____ _____

By/Title Date

CHANGING THE WORLD FOR CHILDREN WITH AUTISM™

Melissa Renz
(321) 200-4037
mrenz@bluesprigpediatrics.com

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

Re: 2701 N. Walton Boulevard, Bentonville, AR Conditional Use Permit Application

Below please find our narrative for application for a conditional use permit for the above referenced property regarding installation of a gravel lot for additional parking use.

Blue Sprig is proposing the installation of a gravel parking lot area adjoining the current parking lot at 2701 N. Walton Blvd. The current parking lot has been unable to accommodate parking by all needed staff and clients. With permission from the owner of the property, Blue Sprig would install a gravel lot to temporarily accommodate parking needs. Further evaluation of parking needs at various times of day would be conducted to determine if the additional parking will be a long-term need. We are requesting a conditional use permit to be issued for one (1) year, so that we may evaluate long-term needs and determine a long-term plan for parking at this location.

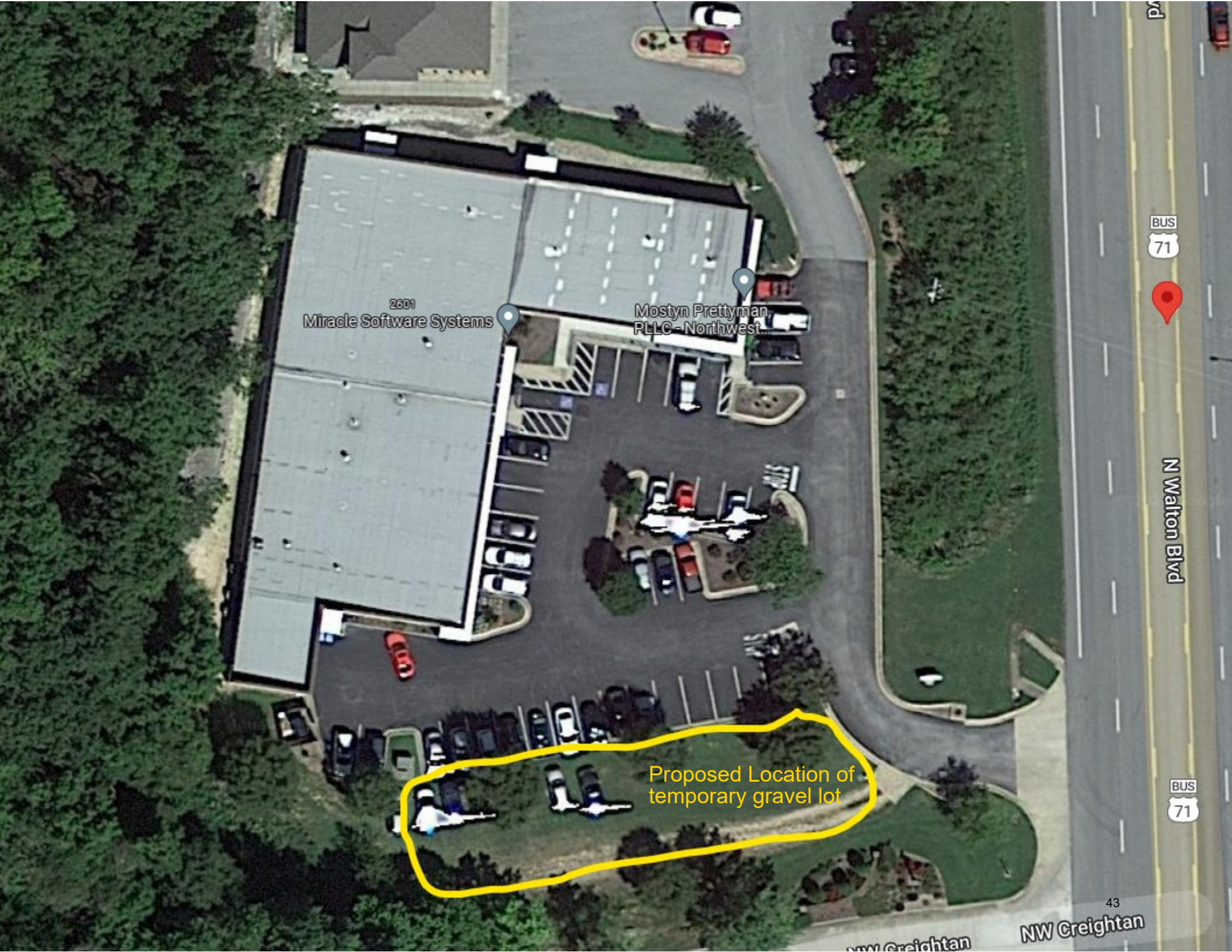
Please see site plan attached to this narrative depicting the area intended to be used as a gravel parking area. The area is adjoining the current asphalt parking lot and shares an entrance from the main road. The addition of this parking area would accommodate the employees and clients in this location and would not change anything concerning the existing lot or its use. Current traffic patterns would not change, although cars entering off the main road would be able to divert into this gravel lot, instead of proceeding to the main parking lot, if needed. At this time, there is no plan to add any additional outdoor lighting, as the lighting provided for the main lot reaches the proposed gravel area. Please see additional site plan depicting the anticipated traffic pattern and parking pattern, along with identification of current parking lot lights. This area will be only area impacted. No existing structures will be modified. No trees or other landscaping will need to be modified.

Blue Sprig Pediatrics' hours of operation at this location are Monday through Friday, 8:00am to 6:00pm each day. Staff are occasionally on the property outside of these hours; however, clients are only seen within this timeframe. On average per day, Blue Sprig sees 25 clients and has 30 to 35 employees on premises.

Please let me know if there is any further information needed.

Respectfully,

Melissa Renz
Director of Facilities
Blue Sprig Pediatrics
(321) 200-4037
mrenz@bluesprigpediatrics.com


2601
Miracle Software Systems
Mostyn Prettyman, PLLC - Northwest...
Proposed Location of temporary gravel lot
BUS
71
N Walton Blvd
BUS
71
NW Creightan
NW Creightan

ALTA / NSPS LAND TITLE SURVEY

Miscellaneous Notes

STATE RECORDING NUMBER:
500-20N-30W-0-18-330-04-1826

COMPLETED FIELD WORK:
APRIL 13, 2018

BASIS OF BEARING:
ARKANSAS STATE PLANE, NORTH ZONE, NAD 83

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED BOOK 2016 AT PAGE 65972.
2. SURVEY PLAT FILED IN PLAT BOOK P4 AT PAGE 439.

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

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

BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0090J, WHICH BEARS AN EFFECTIVE DATE OF 9/28/2007 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

AT THE TIME OF THE ALTA SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTH WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

AT THE TIME OF THE ALTA SURVEY THERE WERE NO CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION OR OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS.

AT THE TIME OF THE ALTA SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

TOTAL NUMBER OF PARKING SPACE IS 41, WHICH INCLUDES 2 DESIGNATED HANDICAPPED SPACE.

THERE IS EVIDENCE OF ENCROACHMENTS.

Owner/Developer

PARCEL #01-08739-006
NORTH WALTON OFFICE, LLC
1700 W INDUSTRIAL DRIVE, SUITE D
ROGERS, AR 72756

Zoning & Setback Information

ZONED: C-1

SETBACKS: *AS PER PLAT P4-439*
FRONT: 50'
SIDE: 7'
REAR: 25'
CORNER: 15'

Surveyor's Certification

TO:
COMMONWEALTH LAND TITLE INSURANCE COMPANY;
NSLOKAM, LLC;
JP MORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR RESPECTIVE INTEREST MAY APPEAR;
FIRST NATIONAL TITLE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 7A, 8, 9, 11A, 13, 16, 17, & 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 4/13/2018.

DATE OF PLAT OR MAP: 4/17/2018

Heath Myers
HEATH A. MYERS P.L.S. #1826 — 4/17/2018 DATE

Schedule A - Description

COMMONWEALTH LAND TITLE INSURANCE COMPANY
TITLE COMMITMENT #105-180105-PB-1
EFFECTIVE DATE: MARCH 30, 2018 @ 7:00 AM

LOT 47, OF THE REPLAT OF COMMERCIAL TRACT NO. 1 OF AVIGNON SUBDIVISION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD P4 AT PAGE 439.
SUBJECT TO EASEMENTS, RIGHTS OF WAY AND PROTECTIVE COVENANTS OF RECORD, IF ANY, SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

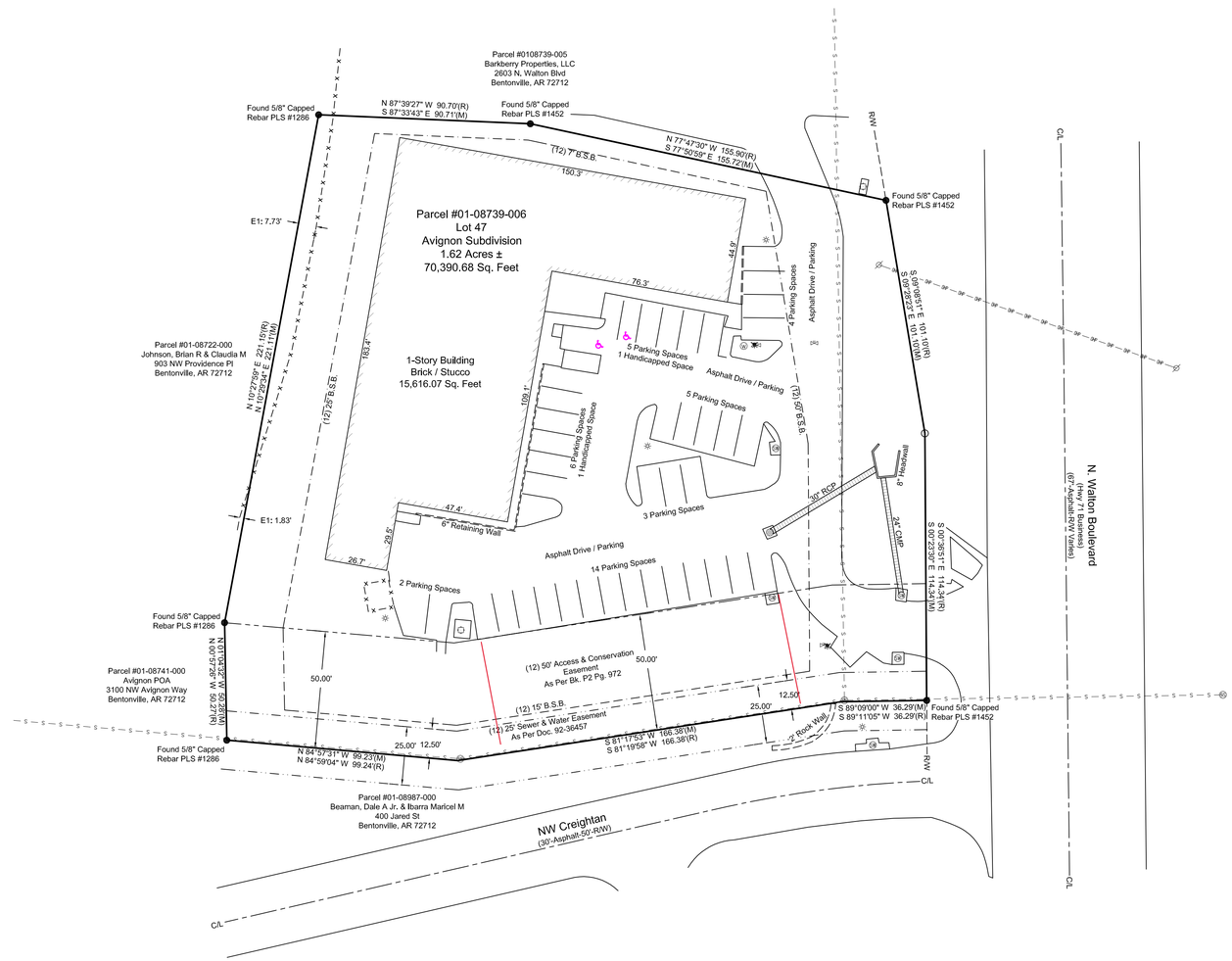
Schedule B - Section II

11. TERMS, CONDITIONS, RESTRICTIONS AND RESERVATIONS AS CONTAINED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AVIGNON SUBDIVISION FILED FOR RECORD ON MAY 12, 2000 AS INSTRUMENT NO. 00-46408 AND AMENDMENT TO DECLARATION OF COVENANTS FILED FOR RECORD ON JULY 15, 2013 IN DEED RECORD 2013 AT PAGE 38929, RECORDS OF BENTON COUNTY, ARKANSAS. (AFFECTS, BLANKET IN NATURE)

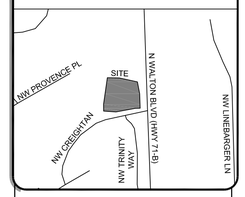
12. BUILDING SETBACKS, UTILITY AND DRAINAGE EASEMENTS, DEDICATIONS AND ALL OTHER INFORMATION AS SET OUT IN PLAT RECORD P4 AT PAGE 439, RECORDS OF BENTON COUNTY, ARKANSAS.
(AFFECTS, PLOTTED AND SHOWN)

Significant Observations

E1: FENCE LINE SHOWN AND LABELED AS E1 APPEARS TO POSSIBLY ENCROACH ON TO THE SUBJECT PROPERTY BY AS MUCH AS 7.73'.



Vicinity Map



Legend of Symbols & Abbreviations

- PROPERTY LINE
- CENTERLINE OF ROAD
- RIGHT OF WAY
- FENCE LINE
- BUILDING SETBACK
- UTILITY EASEMENT
- ACCESS EASEMENT
- OVERHEAD POWER LINE
- SEWER LINE
- FOUND MONUMENT (AS NOTED)
- SET IRON PIN
- POWER POLE
- LIGHT POLE
- ELECTRIC BOX
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SEWER MANHOLE
- DRAIN MANHOLE
- GRATED INLET
- HANDICAPPED PARKING
- MEASURED (M)
- RECORD (R)

Utility Notes

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

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

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

0 30 60 90
1 INCH = 30 FEET

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 13TH DAY OF APRIL, 2018.

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

DATE	REVISION
4-23-18	ADDED FIRST NATIONAL TITLE COMPANY TO CERTIFIED PARTIES

TBM:
BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
524 W. SYCAMORE ST. SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com
Certificate of Authorization № 1534

DRAWN BY & DATE:	REVIEWED BY:	SURVEYED BY:
JH 4-17-2018	HM	WA
COUNTY & STATE: BENTON COUNTY, AR	JOB NUMBER: 18-1247	

LOCATION:
2601 N. WALTON BOULEVARD, BENTONVILLE, AR

FOR THE USE AND BENEFIT OF:

NSLOKAM, LLC

6457

FILED FOR RECORD
11:00 o'clock A M
JUN 17 1992
SUE HODGES
CIRCUIT CLERK
BENTON COUNTY, ARK

UTILITY EASEMENT

THIS AGREEMENT is made as of the 6th day of February, 1992, between JOHN D. WRIGHT, DAN D. SHOOK and CAROL SHOOK, Trustees of THE JOHN D. WRIGHT LIVING TRUST dated July 22, 1988, whose addresses are 9 Thornhedge Court, The Woodlands, Texas 77381 (hereinafter called "GRANTORS") and CITY OF BENTONVILLE (hereinafter called "GRANTEE")

W I T N E S S E T H

The said Grantors, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant to Grantee, its successors and assigns, a non-exclusive right and easement to enter upon and to construct, reconstruct, use, operate, maintain and patrol public sewer and water lines, fixtures, and appurtenances thereto, on, over, across or under a strip of land loacted in Bentonville, Arkansas, more particularly described in Exhibit A attached hereto and made a part hereof.

THE EASEMENTS ARE MADE SUBJECT TO THE FOLLOWING:

1. The Grantors shall have the right to use and enjoy fully said premises subject to the easement rights hereby granted, but Grantors agree that they will not construct nor permit to be constructed any lakes, ponds, buildings or other structures of a permanent nature upon or over said easement area without the written consent of Grantee.

2. The Grantee shall have the right at any time to cut, trim and keep clear all trees, brush and other obstructions that may injure, endanger or interfere with the construction, operation or maintenance of said utility.

3. In exercising any of the rights granted herein, the Grantee will not unreasonably interfere with the normal use of the premises and will, at its sole cost and expense and with due diligence, restore the premises to its condition immediately prior to the exercise of any such right.

4. The Grantee will indemnify and hold harmless the Grantors from any claims for damages or injuries arising out of or connected directly or indirectly with the use by the Grantee of the easement granted herein.

5. The easement granted hereunder is a permanent easement and will continue in full force and effect so long as the easement is used by the Grantee, its successors and assigns. Notwithstanding, Grantors shall have the right at their sole

City of B'Ville
117 W. Central

10568

option and expense to relocate said easement upon Grantors' property. Upon fifteen (15) days' written notice, Grantee shall release and extinguish all its rights granted pursuant to this easement.

6. This easement constains all of the agreements and stipulations between the Grantors and Grantee with respect to the granting of said easement, and the same shall inure to the benefit of and be binding upon the Grantors and Grantee and their respective successors and assigns.

IN WITNESS WHEREOF, the undersigned have executed this easement Agreement the date first written above.

John D. Wright, Trustee

Dan D. Shook, Trustee

Carol Shook, Trustee

Carol Shook, Trustee

ACKNOWLEDGMENT

STATE OF Arkansas)
:ss
COUNTY OF Benton)

BE IT REMEMBERED that on this date personally appeared before me, a Notary Public duly commissioned, qualified and acting, JOHN D. WRIGHT, DAN D. SHOOK and CAROL SHOOK who identified themselves to be the duly appointed, authorized and acting Trustees of THE JOHN D. WRIGHT LIVING TRUST dated July 22, 1988, and who stated on oath that, being authorized so to do by the terms of the said TRUST, they had executed the foregoing EASEMENT for the considerations and purposes therein mentioned and set forth.

IN WITNESS WHEREOF I have hereunto set my hand and seal as a Notray Public this 6th day of February, 1992.

Notary Public

My Commission Expires:

1-16-2001

OFFICIAL SEAL
J. L. HENDREN
NOTARY PUBLIC - ARKANSAS
BENTON COUNTY
My Commission Expires: 1 - 16 - 2001

92 36459

EXHBIT "A"
25' UTILITY EASEMENT
BENTONVILLE, ARKANSAS

A 25.00 FOOT WIDE STRIP OF LAND IN PART OF THE SW¼ OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF, AND N 00°16'23"E, 272.80 FEET FROM THE SW CORNER OF THE SW ¼ OF SAID SECTION 18; THENCE CONTINUING ALONG THE WEST LINE OF SAID SECTION 18, N 00°16'23"E FOR 34.66 FEET; THENCE LEAVING SAID SECTION LINE N 46°26'12"E FOR 35.68 FEET; THENCE N 61°21'36"E FOR 282.34 FEET; THENCE N 42°08'16"E FOR 207.84 FEET; THENCE N 49°59'30"E FOR 246.22 FEET; THENCE N 45°56'13"E FOR 404.92 FEET; THENCE S 87°37'54"E FOR 221.56 FEET; THENCE N 79°01'47"E FOR 171.20 FEET TO THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 71; THENCE ALONG SAID RIGHT-OF-WAY S 02°32'32"E FOR 25.27 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S 79°01'47"W FOR 170.41 FEET; THENCE N 87°37'54"W FOR 213.76 FEET; THENCE S 45°56'13"W FOR 395.08 FEET; THENCE S 49°59'30"W FOR 245.38 FEET; THENCE S 42°08'16"W FOR 210.36 FEET; THENCE S 61°21'36"W FOR 283.30 FEET; THENCE S 46°26'12"W FOR 56.41 FEET TO THE POINT OF BEGINNING CONTAINING 39,306.03 SQUARE FEET OR 0.90 ACRES, MORE OR LESS. ALSO SHOWN ON EXHIBIT "B" ON THE FOLLOWING PAGE.

5119S/REH - 1

92 36460

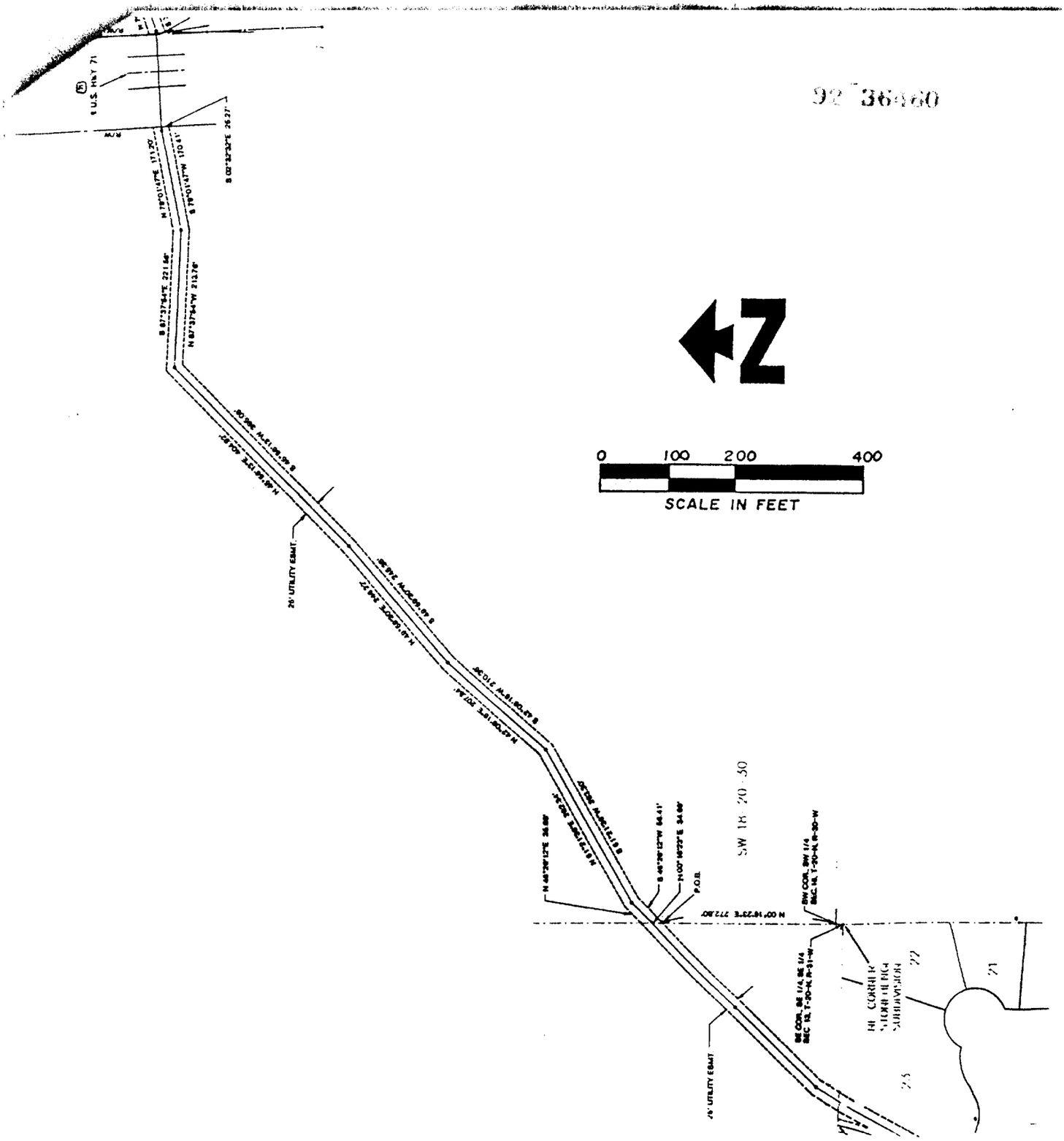


EXHIBIT "B"

PC 00-46408

FINAL PLAT of AVIGNON SUBDIVISION

TO THE CITY OF BENTONVILLE, ARKANSAS

FILED FOR RECORD
At 9:51 O'Clock A M
MAY 11 2000
SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK

A part of the Fractional Southwest Quarter (Frl. SW1/4) of Section Eighteen (18), Township Twenty (20) North, Range Thirty (30) West in Benton County, Arkansas, being more particularly described as follows: Beginning at the Northwest corner of the said Frl. NW1/4, of the Frl. SW1/4; thence South 442.15 feet to the POINT OF BEGINNING; Thence North 89°17'34" East 1234.15 feet to the West right-of-way of U.S. Highway No. 71B; thence along said right-of-way South 00°45'33" East 339.02 feet; thence South 01°19'24" East 175.10 feet; thence South 06° 46'24" East 150.30 feet; thence South 05°34'36" West 101.10 feet; thence South 08°40'24" East 150.80 feet; thence South 11°29'24" East 101.10 feet; thence South 02°57'24" East 114.34; thence leaving said right-of-way South 86°50'32" West 36.29 feet; thence South 78°59'25" West 166.38 feet; thence North 87°19'37" West 215.97 feet; thence South 46°13'34" West 402.98 feet; thence South 49°32'35" West 244.10 feet; thence South 42°20'24" West 205.95 feet; thence South 60° 53'57" West 285.05 feet; thence South 46°28'15" West 43.45 feet; thence North 00°22'53" East 1632.20 feet; thence N 00°15'15" E 260.53 feet to the POINT OF BEGINNING, containing 41.34 acres more or less

ACCESS AND CONSERVATION EASEMENT:
THE PURPOSE OF THE EASEMENT IS TO INSURE THE PRESERVATION OF THE NATURAL ECOLOGY OF LANDS DEDICATED TOT THE PUBLIC AND THE CITY OF BENTONVILLE FOR IMPLENTATION AND USE AS A GREENBELT SYSTEM. PUBLIC ACCESS IS FOR PEDESTRAIN USE ONLY, EXCEPT AS REQUIRED BY THE CITY OF BENTONVILLE FOR THE MAINTENANCE OF UTILITIES OR DRAINAGE. PRIVATE VEHICULAR ACCESS IS RESERVED FOR PROPERTY LYING CONTIGUOUS TO SAID EASEMENT AND SHOWN AS "RESERVED PROPERTY" BY THIS PLAT.

FLOOD CERTIFICATION:
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, REVISED DATE SEPTEMBER 18,1991
PANEL NO. 05007C0045 E AND PANEL NO. 05007C0065 E

OWNER/DEVELOPER

BURCKART DEVELOPMENT, INC
810 NW 3RD STREET, SUITE H
BENTONVILLE, AR 72712
TELE. PH. # (501)273-1881
FAX # (501)273-3280

ENGINEER

LANDTECH ENGNEERING, INC
P.O. BOX 1080
120 W. EMMA AVENUE
SPRINGDALE, AR 72765
TELE. PH. # (501)756-2772
FAX # (501)756-6452

OWNER'S CERTIFICATION AND DEDICATION:

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE SOLE OWNERS OF THE HEREON PLATED PROPERTY AND DO HEREBY DEDICATE ALL STREETS AND EASEMENTS FOR THE USE OF THE GENERAL PUBLIC AND FOR THE INSTALLATION OF UTILITIES.

5-10-00
DATE

SUBSCRIBED AND SWORN BEFORE ME, THIS 11th DAY OF May, 2000.
Diane Shastid

Diane Shastid
Notary Public, State of Arkansas
Benton County
My Commission Expires 02/14/06

APPROVED AND RECOMMENDED FOR THE CITY PLANNING COMMISSION OF BENTONVILLE, ARKANSAS THE 2ND DAY OF May, 2000.
CHAIRMAN

THIS PLAT IS HEREBY ACCEPTED BY THE BENTONVILLE CITY COUNCIL THIS 10th DAY OF May, 2000.
MAYOR
CITY CLERK

CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THE PLAT MEETS CERTAIN REGULATIONS OF THE CITY OF BENTONVILLE AND THE REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW .

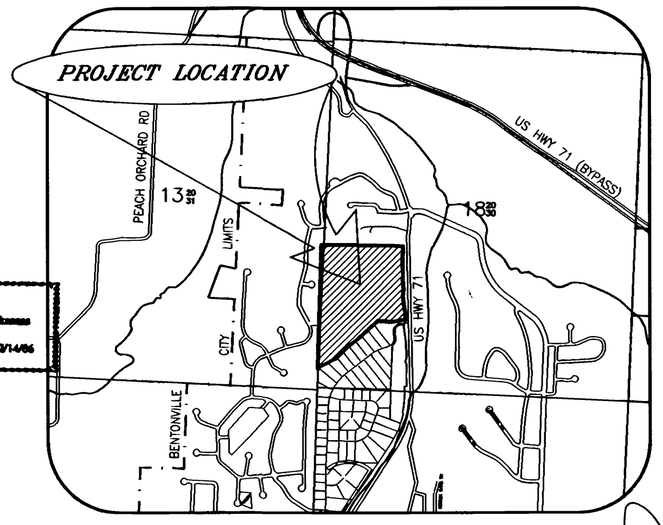
BUILDING SETBACK DIMENSIONS _____
STREETS AND DRAINAGE _____
WATER & SEWER _____
ELECTRIC _____

CERTIFICATE OF ACCURACY:

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED ON THIS PLAT IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED AND AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF BENTONVILLE, ARKANSAS.

5-10-2000
DATE

LEONARD E. GARNER / # 1204
REGISTERED LAND SURVEYOR / NO. 1204



VICINITY MAP
SCALE: NONE

P2 672

NOTE: SIDEWALKS ARE TO BE CONSTRUCTED AS LOTS ARE DEVELOPED AND ARE TO A MINIMUM OF 2.0 FT. BEHIND THE BACK OF CURB.

ATLAS PAGE NO. 277

Professional Land Planners
Landtech Engineering, Inc.
120 W. Emma Ave.
Springdale, Arkansas 72765
Telephone: (501) 756-2772

FINAL PLAT
AVIGNON SUBDIVISION
BENTONVILLE, ARKANSAS

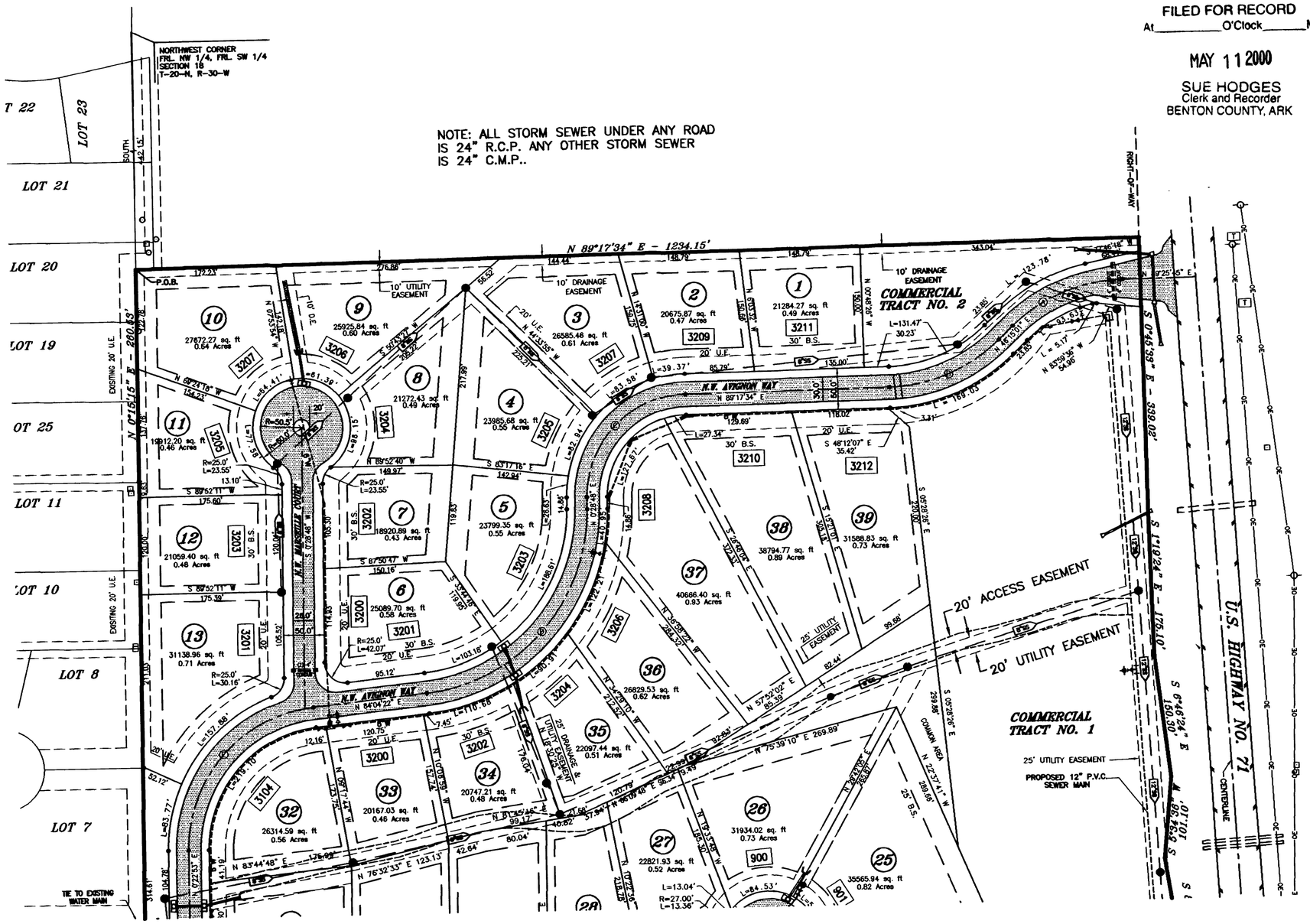
Drawn By: Kyle	SCALE: NONE	DATE: FEBRUARY 2000	SURVEY DATE:
Design By:	W.O.# 98220	Drawing 98220FIN.DWG	F.B.
Checked By:	DATE OF APPROVAL:	Sheet 1 of 3	

FILED FOR RECORD
At _____ O'Clock _____ M

MAY 11 2000

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK

NOTE: ALL STORM SEWER UNDER ANY ROAD IS 24" R.C.P. ANY OTHER STORM SEWER IS 24" C.M.P..



LEGEND

- SET IRON PIN
- FOUND IRON PIN
- FOUND PIPE
- FOUND RAIL ROAD SPIKE
- WATER MAIN
- EXISTING FIRE HYDRANT
- WATER VALVE
- SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING POWER POLE
- EXISTING TELEPHONE PEDASTAL
- EXISTING TELEPHONE VAULT
- U.E. UTILITY EASEMENT
- B.S. BUILDING SETBACK

CURVE DATA

CURVE "A" Δ =43°10'44" T = 79.14' R = 200.00' L = 150.72'	CURVE "E" Δ =83°41'29" T = 156.72' R = 175.00' L = 255.62'
CURVE "B" Δ =43°02'33" T = 78.87' R = 200.00' L = 150.25'	CURVE "F" Δ =59°48'45" T = 71.90' R = 125.00' L = 130.49'
CURVE "C" Δ =88°48'46" T = 122.44' R = 125.00' L = 193.76'	CURVE "G" Δ =33°03'55" T = 51.95' R = 175.00' L = 100.99'
CURVE "D" Δ =83°35'35" T = 201.15' R = 225.00' L = 328.27'	

NOTE: SIDEWALKS ARE TO BE CONSTRUCTED ON BOTH SIDES OF THE THE STREET ON THE FRONT OF EACH LOT.

P2 972A

NORTH

200 100 0 100 200

GRAPHIC SCALE (1" = 100')

TOTAL AREA: 41.34 ACRES±

ZONING:
LOTS 1 THRU 41 – ZONED R-1

ATLAS PAGE NO. 277

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FINAL PLAT
AVIGNON SUBDIVISION
BENTONVILLE, ARKANSAS

Drawn By: Kyle	SCALE: 1" = 100'	DATE: FEBRUARY 2000	SURVEY DATE:
Design By:	W.O.# 98220	Drawing 98220FIN.DWG	F.B.
Checked By:	DATE OF APPROVAL:	Sheet 2 of 3	

FILED FOR RECORD
11 O'Clock M
MAY 11 2000
SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK

LEGEND

- SET IRON PIN
- FOUND IRON PIN
- FOUND PIPE
- FOUND RAIL ROAD SPIKE
- WATER MAIN
- EXISTING FIRE HYDRANT
- WATER VALVE
- SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING POWER POLE
- EXISTING TELEPHONE PEDASTAL
- T — EXISTING TELEPHONE VAULT
- U.E. — UTILITY EASEMENT
- B.S. — BUILDING SETBACK

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200 100 0 100 200

GRAPHIC SCALE (1" = 100')

TOTAL AREA: 41.34 ACRES±

ATLAS PAGE NO. 277

ZONING:
LOTS 1 THRU 41 – ZONED R-1

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Professional Land Planners
Landtech Engineering, Inc.
120 W. Emma Ave.
Springdale, Arkansas 72765
Telephone: (501) 756-2772

FINAL PLAT
AVIGNON SUBDIVISION
BENTONVILLE, ARKANSAS

Drawn By: Kyle	SCALE: 1" = 100'	DATE: FEBRUARY 2000	SURVEY DATE:
Design By:	W.O.# 98220	Drawing 98220FIN.DWG	F.B.
Checked By:	DATE OF APPROVAL:	Sheet 3 of 3	

P2

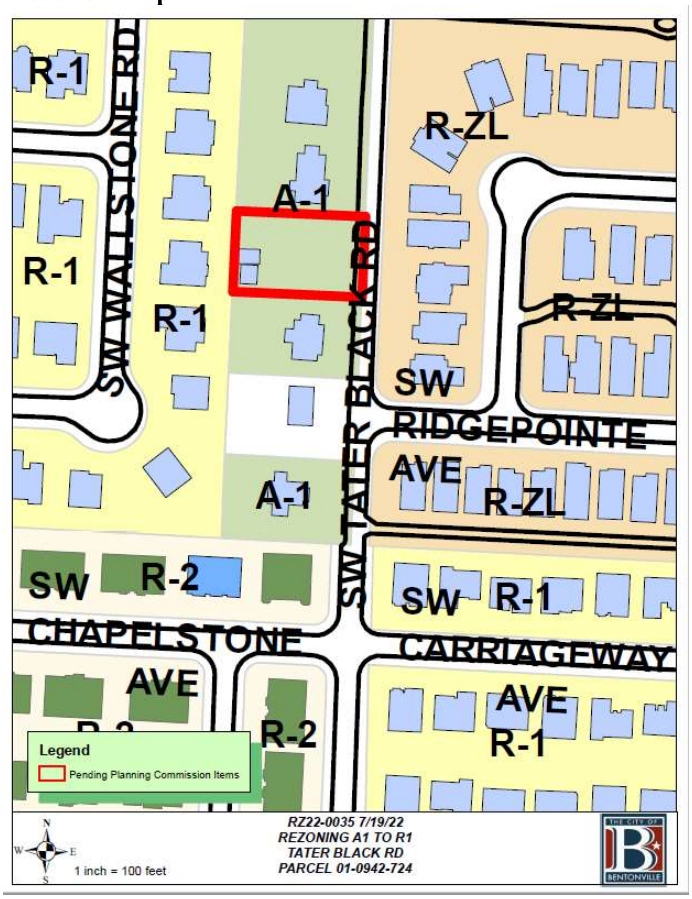
Lionheart Enterprises, LLC

908 SW Tater Black
PC Date: 7/19/2022
Reviewer: Luke Aitken, Planning Technician

Project Number	RZ22-0035
Applicant / Current Owner	Lionheart Enterprises, LLC
Site Area	+/- 0.37 acres
Current Zoning	A-1, Agriculture
Requested Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Future Land Use Map Designation	Low-Density Residential (LDR)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 908 SW Tater Black Road and is currently zoned A-1, Agriculture. Adjacent zoning districts are A-1, Agriculture to the north and south, R-ZL, Zero Lot Line Residential to the east, and R-1, Low Density Single Family Residential to the west.

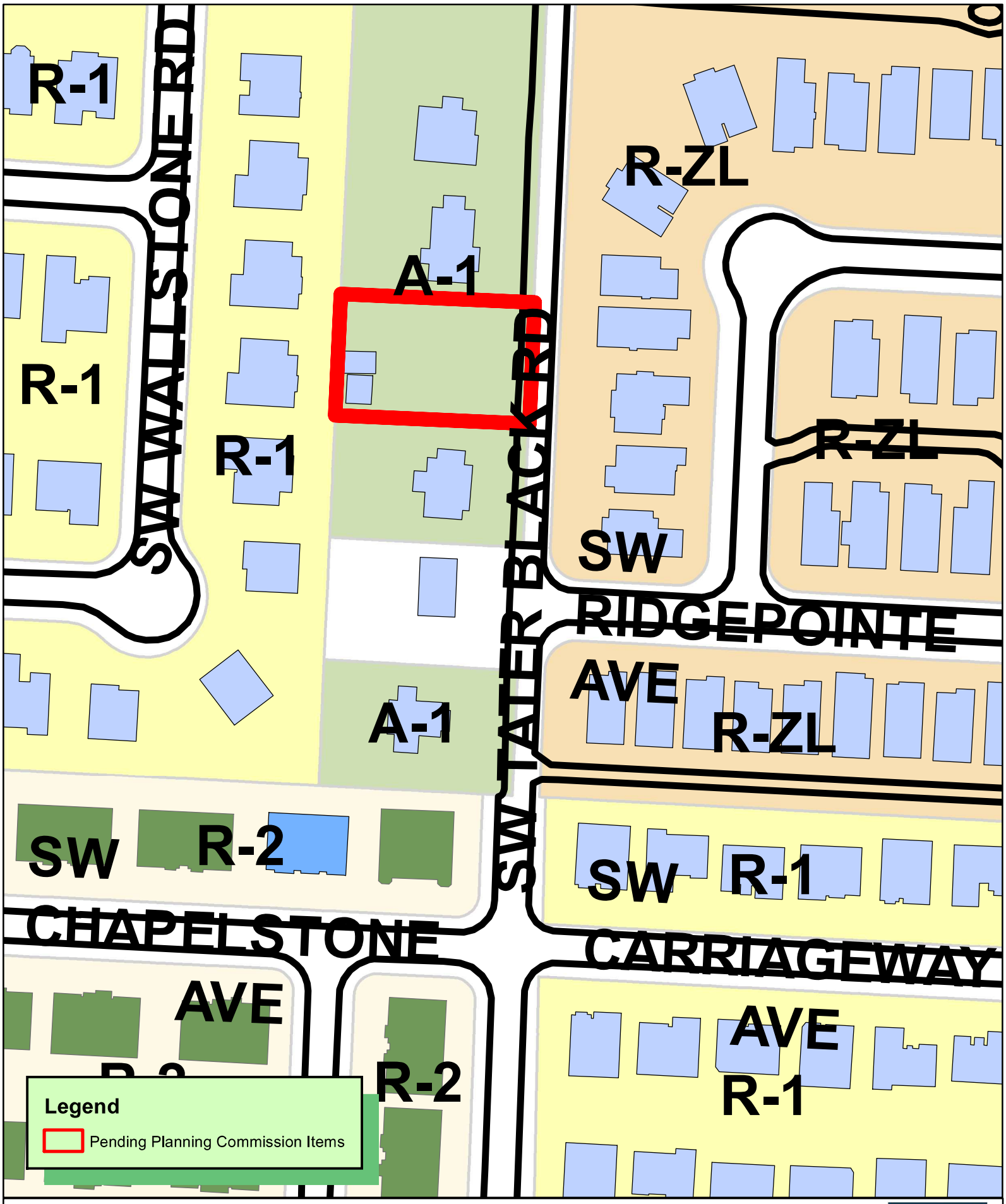
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently depicts this property as Low-Density Residential. Low-density residential areas include detached single-family residential properties with a typical density of 3-8 units per acre. While lot size and overall density may vary from one part of the city to another, these areas represent the predominant form of residential development in Bentonville. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area focuses on development in areas proximate to existing infrastructure to capitalize on municipal investment that has already taken place.

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

Analysis
The requested R-1 District serves low-density developments in which housing is generally of the highest value and where a strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential.

Conclusion
In conclusion, this request is consistent with the Future Land Use Plan and is supported by our Future Land Use Map and Zoning Districts Alignment Policy. Staff recommends approval of the requested rezoning to R-1.



N
W E
S

1 inch = 100 feet

RZ22-0035 7/19/22
REZONING A1 TO R1
TATER BLACK RD
PARCEL 01-0942-724

THE CITY OF BENTONVILLE

To the Bentonville Planning Staff:

Parcel # 01-00942-724
Owned by: Lionheart Enterprises LLC, Rene Garcia, Owner
Address: 908 SW. Tater Black Rd, Bentonville AR 72712

Current Zone: A-1
Poposed Zone: R-1

We are requesting to rezone the property from A-1 to R-1 due to the existing lot not containing 5 acres.

The proposed zoning is also suitable for the planned residential structure.

The property will relate to the surrounding properties as there are numerous single family homes in the area.

This application is running concurrently with a Lot Split application.

Not Applicable: Traffic, Sinage, Appearance, and Availability of Water & Sewer.

Thank you,

Jazzmen
Satterfield Land Surveyors
1928 Hwy 71N / PO Box 640
Alma AR 72921
479-632-3565
jazzmen@slsurveying.com

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

R-ZL, Zero Lot Line Residential

The R-ZL District is a moderate density residential district designed to permit and encourage the development of a variety of dwelling types including "zero lot line" units suitable for a low cost per unit development. To be approved, an R-ZL district must be efficient in the use of land and utilities. It should be considered compatible with other residential use and may be used to create a transition from purely residential zones to medium and high-density residential zones.

Maximum Height Allowed: 36 feet

Minimum Street Frontage: 20 feet

Minimum Width of Corner Lots: 75 feet at building line

Lot and Area Standards:

District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior lot
R-ZL	Zero lot line	4,000	-	40'	60%	65%

Minimum Setback Standards:

District	Building type	Front	Side		Rear
			Interior	Exterior	
R-ZL	Zero lot line	20'	One side yard setback must be no less than 12' and the other side yard setback may be 0 ft.'	20'	25'

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

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

Garage, Street Facing: 30 ft. from the property line the garage faces
Garage, Side- or Rear-loading: 20 ft. from the facing property line
Garage, Alley Facing: 20 ft. from property line at alley

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

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

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

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R-ZL, Zero Lot Line Residential

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

Land Uses:

ALLOWED BY RIGHT	CONDITIONAL	ACCESSORY
Agriculture and Animals Animal - domestic or household Community garden **Residential** Dwelling - modular Dwelling - single family Residential facility - assisted living **Recreation, Education & Assembly** Library Park - mini Park - neighborhood **Retail** Mobile food vendor **Services** Child care – registered family home (5 children)	**Agriculture and Animals** Botanical garden Urban farm **Residential** Home occupation - type b **Recreation, Education & Assembly** Aquarium Community center Country club Educational facility Golf course Religious facilities **Services** Adult day care Cemetery or mausoleum Child care – licensed center Child care – licensed family home (6-16 children) Lodging - bed & breakfast Public safety services **Transportation / Utilities** Utility facility Wireless communication facility (cell towers) **Other** Temporary uses	**Residential** Home occupation - type a Dwelling - accessory **Transportation / Utilities** Solar energy system Wind energy system, small **Other** Building, accessory – nonresidential Donation boxes

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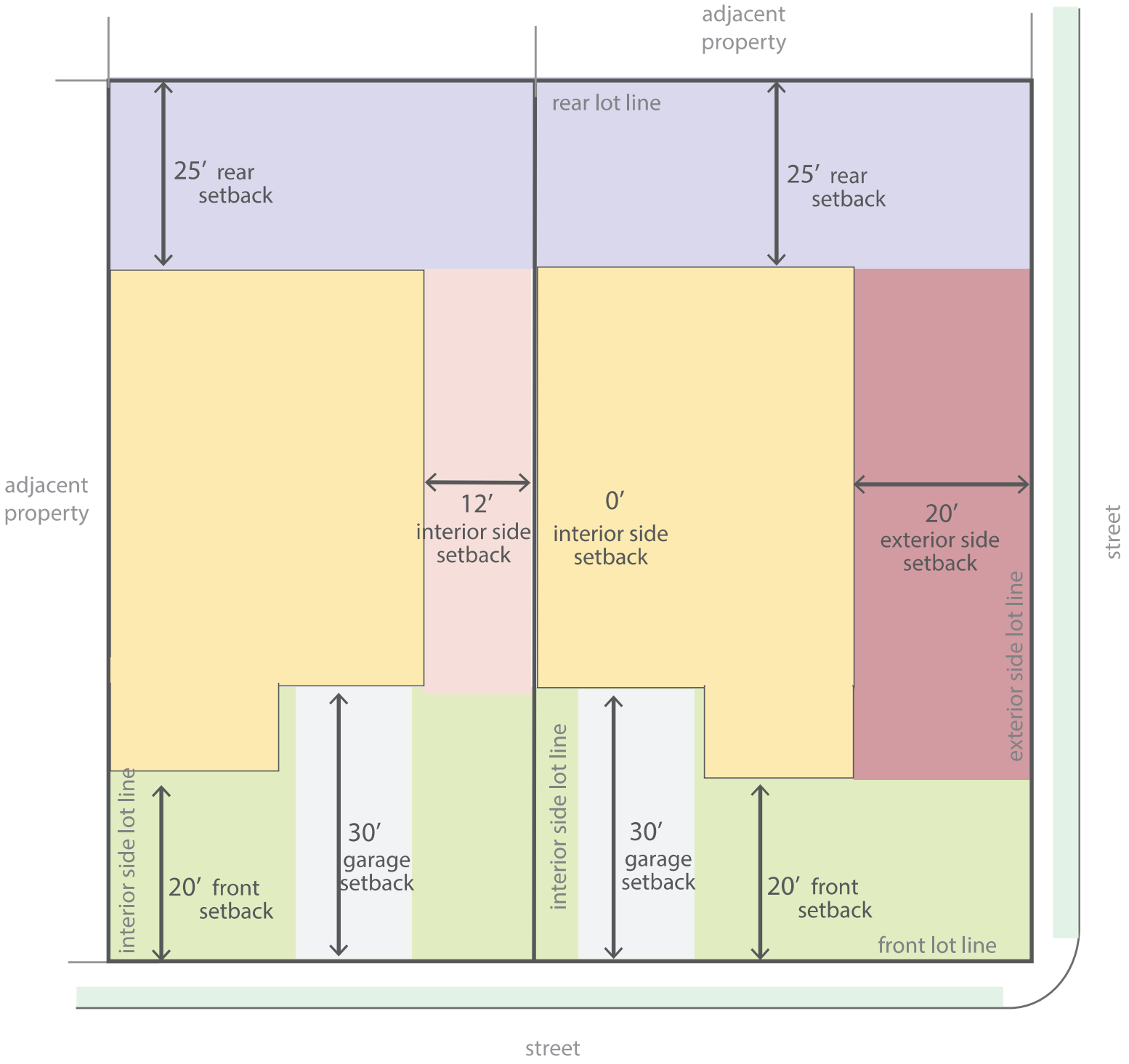
R-ZL, Zero Lot Line Residential

Setback Illustration



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER:RZ22-0035).

WHEREAS, Jazzmen Varney on behalf of Rene Garcia/Lionheart Enterprises LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

PARENT TRACT: NORTHEAST QUARTER OF THE SOUTHEAT QUARTER AND ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER LYING SOUTH OF PUBLIC ROAD RUNNING EAST AND WEST THROUGH THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, CONTAINING 55 ACRES, MORE OR LESS. FILED FOR RECORD AUGUST 7, 1950 IN BOOK 286 AT PAGE 562. LOT 1: PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT AN EXISTING IRON PIN MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER. THENCE ALONG THE EAST LINE OF SAID FORTY, SOUTH 02 DEGREES 32 MINUTES 54 SECONDS WEST, 932.12 FEET TO A SET P/K NAIL AND THE POINT OF BEGINNING. THENCE CONTINUE ALONG SAID EAST LINE, SOUTH 02 DESGREES 32 MINUTES 54 SECONDS WEST, 100.00 FEET TO A SET P/K NAIL. THENCE LEAVING SAID EAST LINE, NORTH 87 DEGREES 27 MINUTES 06 SECONDS WEST, 160.00 FEET TO AN EXISTING REBAR, LYING ON THE EAST LINE OF LOT 89, STONEBURROW ADDITION, PHASE 1. THENCE ALONG THE EAST LINE OF LOTS 89 AND 90, NORTH 02 DEGREES 32 MINUTES 55 SECONDS EAST, 100.0 FEET TO AN EXISTING REBAR LYING IN THE EAST LINE OF LOT 90. THENCE LEAVING SAID EAST LINE, SOUTH 87 DEGREES 27 MINUTES 06 SECONDS EAST, 160.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES AND SUBJECT TO ROAD RIGHTS OF WAY AND ANY EASEMENTS OF RECORD. ;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 19, 2022 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL .

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

Section 1: That the above described real property is hereby changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with the city zoning laws and state laws.

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

_____

ATTEST: **Stephanie Orman, Mayor**

_____

Kirby Romines, City Clerk

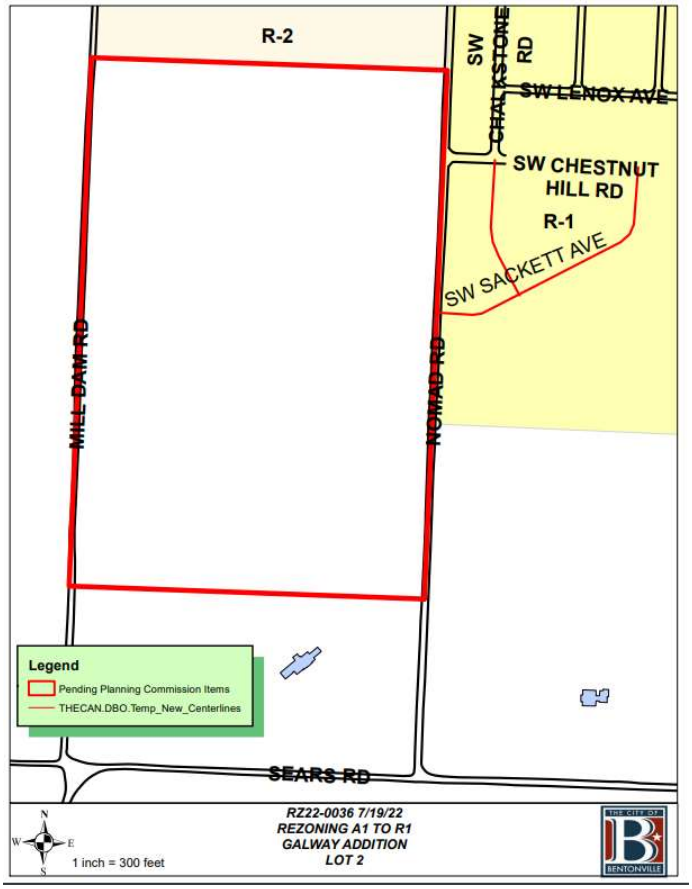
Maddison Heights Development Company

Parcel: 15-18542-000
PC Date: 7/19/2022
Reviewer: Christopher Hyatt, Planning Technician

Project Number	RZ22-0036
Applicant / Current Owner	Maddison Heights Development Company
Site Area	+/- 59.6 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Agriculture (A)
Requested Future Land Use Map Designation	Low-Density Residential (LDR)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located along Nomad Road. Adjacent zoning districts are the R-3, Medium-High Density Multifamily Residential to the north, Benton County to the south, east, and west, and R-1, Low Density Single Family Residential to the east.

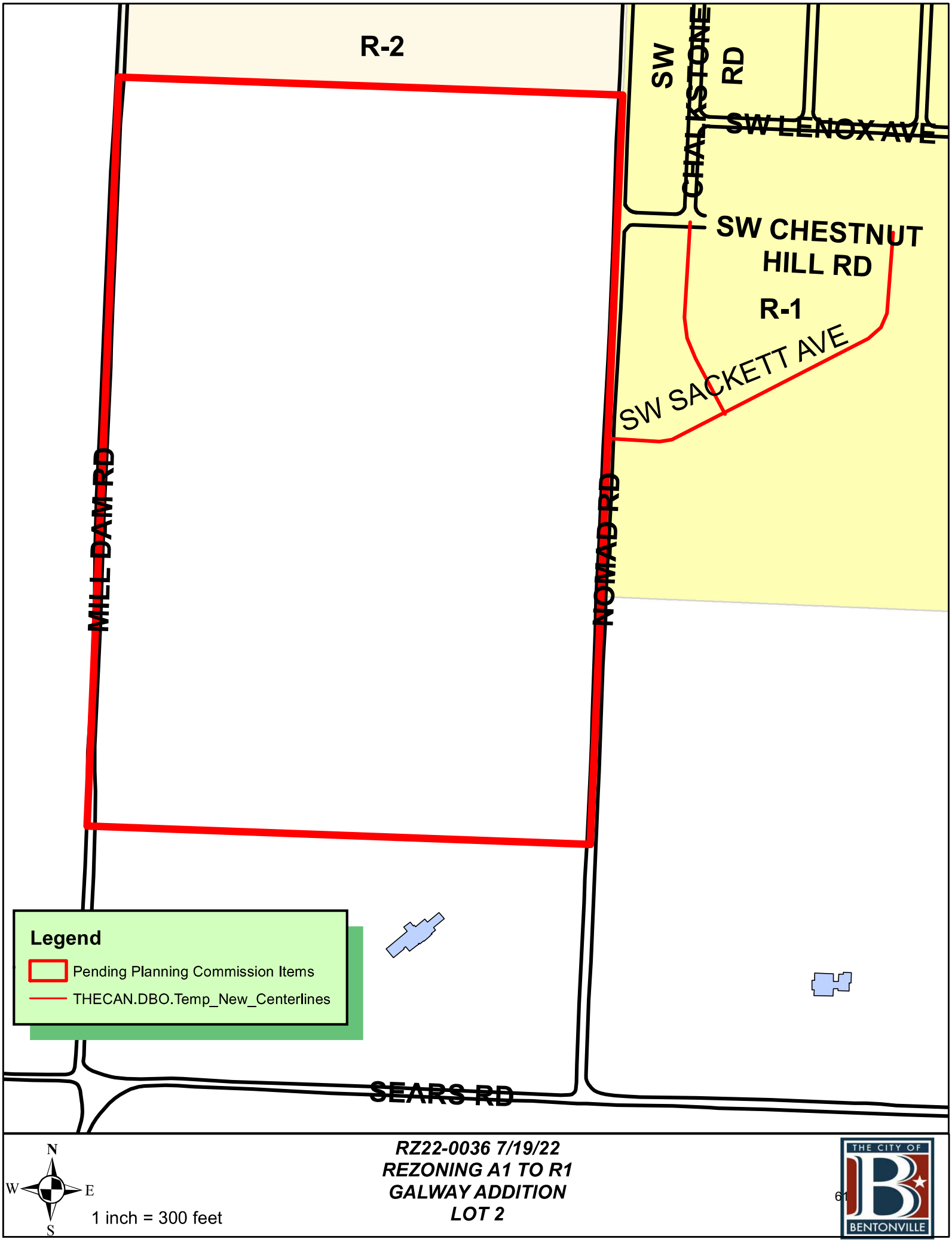
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently depicts this property as Agriculture, however, the applicant is requesting a change in the Future Land Use Plan to Low-Density Residential. These areas typically include detached single-family residential properties with a typical density of 3-8 units per acre. While lot size and overall density may vary from one part of the city to another, these areas represent the predominant form of residential development in Bentonville. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area focuses on developing in areas proximate to existing infrastructure to capitalize on municipal and private investments that have already taken place.

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

Analysis
The R-1 District serves low-density developments in which housing is generally of the highest value and where a strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential.

Conclusion
While this request is not consistent with the Future Land Use Plan, it is consistent with some of the surrounding zoning districts and development patterns located in the vicinity. Some adjacent zoning districts surrounding the property allow for more intense uses and may lend credence to the requested change to the Future Land Use Map and zoning of this property.


R-2
SW CHALKSTONE RD
SW LENOX AVE
SW CHESTNUT HILL RD
R-1
SW SACKETT AVE
MILL DAM RD
NOMAD RD
SEARS RD
Legend
Pending Planning Commission Items
THECAN.DBO.Temp_New_Centerlines
N
W
E
S
1 inch = 300 feet
RZ22-0036 7/19/22
REZONING A1 TO R1
GALWAY ADDITION
LOT 2
THE CITY OF
BENTONVILLE

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER, P.A.
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
WILLIAM A. KELLSTROM
JOHN E. JENNINGS (OF COUNSEL)
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

June 13, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Requesting A Change in the Future Land Use Plan ("FLUP") Designation of Parcel No. 15-18542-000 From Agriculture to Low Density Residential

Dear Planning Staff:

This law firm has been hired to assist the applicant, Maddison Heights Development Company, LLC (hereinafter "Applicant") in obtaining a rezoning of Parcel No. 15-18542-000 (hereinafter "the Property") from A-1, Agriculture to R-1, Low Density Single Family Residential. Because the Property is currently designated as Agriculture on the FLUP, a change to Low Density Residential is necessary to accommodate that re-zoning request.

To start, the Property was previously in unincorporated Benton County prior to this rezoning request, which is likely the reason is was given an Agriculture designation. By the time this request is on the agenda for the Planning Commission, it will have been annexed into the City of Bentonville. The Property is located in the "Edge Growth" Strategic Growth Zone as defined by the Bentonville Community Plan ("BCP"). Per the BCP, the purpose of Edge Growth zones is to accommodate long-term population growth where there is already nearby infrastructure in place. As mentioned in the narrative for the rezoning request, this Property is adjacent to the Providence Village subdivision, which has existing infrastructure for the developer to tie into. Accordingly, due to the rapid population growth in Bentonville and the large demand for housing generally, the highest and best use of the Property is low density single-family residential, and change to a Low Density Residential FLUP designation is proper.

Thank you for considering this rezoning request. If you have any questions please feel free to contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479-636-2168
FX: 479-636-6098
WWW.WATKINSLAWOFFICE.COM

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
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DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

June 13, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 15-18542-000 from A-1, Agriculture to R-1, Low Density Single-Family Residential

Dear Planning Staff:

This law firm has been hired to assist the applicant, Maddison Heights Development Company, LLC (hereinafter "Applicant") in obtaining a rezoning of Parcel No. 15-18542-000 (hereinafter "the Property") from A-1, Agriculture to R-1, Low Density Single Family Residential.

The primary purpose for this rezoning request is to allow the developer to build a traditional low density single family subdivision. The Property is adjacent to R-1 zoning to the East, R-2 zoning to the North, and unincorporated land to the South and West. All land surrounding the Property is either used for low to medium density single family or agriculture. Accordingly, an R-1 zoning for the Property would be compatible with the surrounding zonings and existing uses.

Appearance of the subdivision will be similar to the neighborhoods around it, and no signage is contemplated other than potentially a monument sign at the entrance to the neighborhood. Because the Property is panned to be developed as low density residential, it should not cause for any appreciable increase in traffic. Lastly, as for utilities, there is an 8" water line and an 8" sewer line which can be run from the adjacent Providence Village Subdivision.

Thank you for considering this rezoning request. If you have any questions please feel free to contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

1106 WEST POPLAR STREET
ROGERS, AR 72756
PH: 479-636-2168
FX: 479-636-6098
WWW.WATKINSLAWOFFICE.COM

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

R-1, Low Density Single Family Residential

The R-1 District serves low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential.

Maximum Height Allowed: 36 feet

Minimum Street Frontage: Equal to min. lot width required at building line, except for lots fronting on cul-de-sac turnarounds and on curving street frontages, which must have no less than 20 ft. of street frontage with the two side lots lines intersecting the street diverging until they are separated by the min. required lot width at the building line.

Minimum Width of Corner Lots: 75 ft. at building line.

Lot and Area Standards:

District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior lot
R-1	All	6,000	-	60’	40%	45%

Minimum Setback Standards:

District	Building type	Front	Side		Rear
			Interior	Exterior	
R-1	All	20’	7’	20’	25’

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

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

Garage, Street Facing: 30 ft. from the property line the garage faces
Garage, Side- or Rear-loading: 20 ft. from the facing property line
Garage, Alley Facing: 20 ft. from property line at alley

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

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

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

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

R-1, Low Density Single Family Residential

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

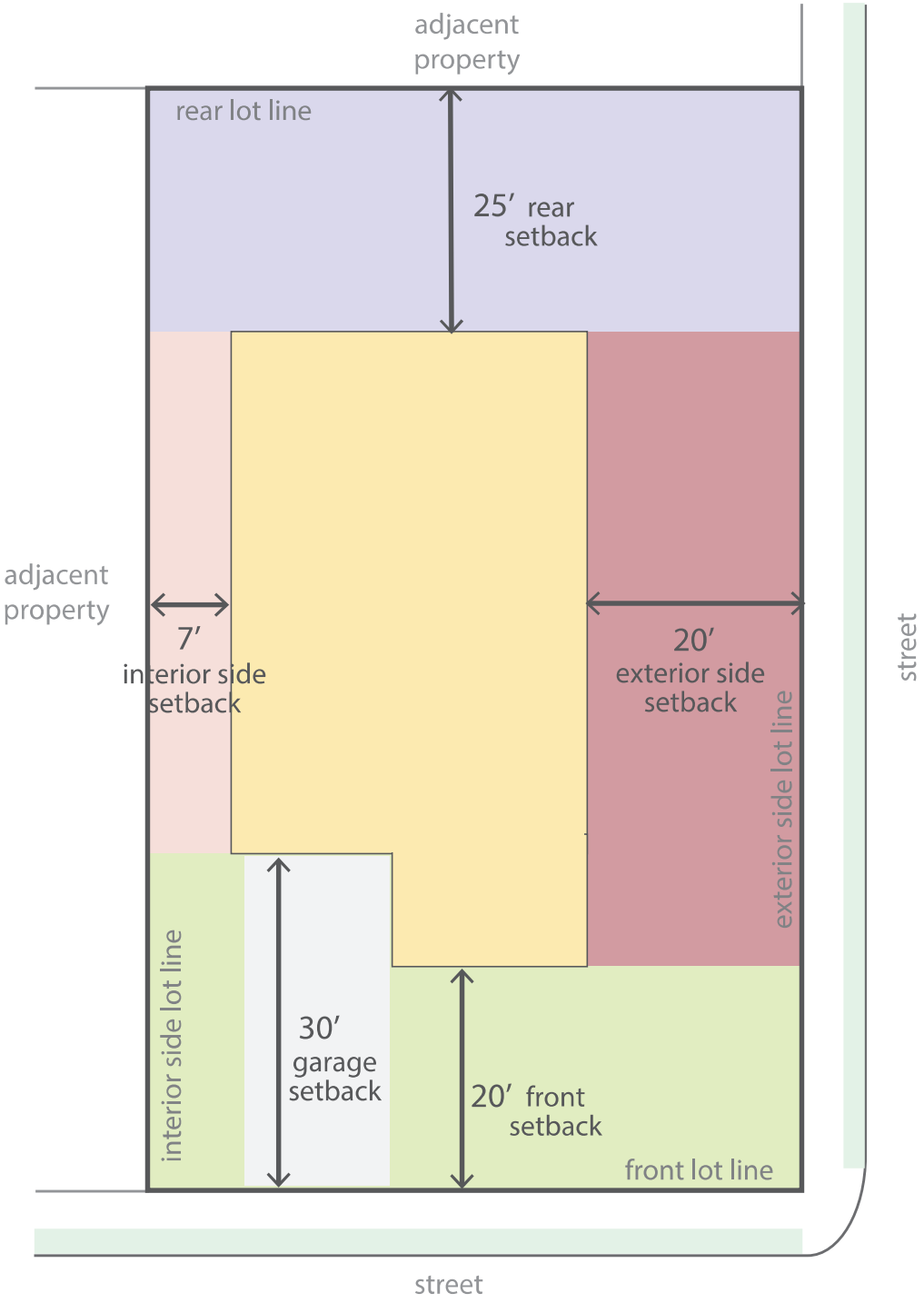
Land Uses:

ALLOWED BY RIGHT	CONDITIONAL	ACCESSORY
Agriculture and Animals Animal - domestic or household Community garden **Residential** Dwelling - modular Dwelling - single family **Recreation, Education & Assembly** Library Park - community Park - mini Park – neighborhood **Services** Child care – registered family home (5 children) **Retail** Mobile food vendor	**Agriculture and Animals** Animal - farm Botanical garden Urban farm **Residential** Home occupation - type a **Recreation, Education & Public** Aquarium Community center Country club Educational facility Golf course Religious facilities **Services** Adult day care Cemetery or mausoleum Child care – licensed center Child care – licensed family home (6-16 children) Lodging - bed & breakfast **Transportation / Utilities** Utility facility Wireless communication facility (cell towers) **Other** Temporary Uses	**Agriculture and Animals** Apiculture Hobby chicken **Residential** Dwelling - accessory Home occupation - type a **Transportation / Utilities** Solar energy system Wind energy system, small **Other** Building, accessory - nonresidential Donation boxes

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

R-1, Low Density Single Family Residential

Setback Illustration



RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM AGRICULTURE TO LOW-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER: RZ22-0036).

WHEREAS, Will Kellstrom on behalf of Maddison heights Development Company duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of AGRICULTURE to LOW-DENSITY RESIDENTIAL, which property is described as follows:

LOT 2, GALWAY ADDITION, BENTON COUNTY, ARKANSAS, AS SHOWN ON CORRECTIVE PLAT RECORDED IN PLAT BOOK 2014 AT PAGE 319.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 19, 2022 at the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of AGRICULTURE to LOW-DENSITY RESIDENTIAL on the City of Bentonville Future Land Use Map.

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

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed.

Section 4: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2022.

APPROVED:

ATTEST: **Stephanie Orman, Mayor**

Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER: RZ22-0036).

WHEREAS, Will Kellstrom on behalf of Maddison Heights Development Company duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 2, GALWAY ADDITION, BENTON COUNTY, ARKANSAS, AS SHOWN ON CORRECTIVE PLAT RECORDED IN PLAT BOOK 2014 AT PAGE 319.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 19, 2022 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL .

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

Section 1: That the above described real property is hereby changed from its present zoning classification of A-1, AGRICULTURAL to R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to be used in accordance with the city zoning laws and state laws.

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed.

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

_____

ATTEST: **Stephanie Orman, Mayor**

Kirby Romines, City Clerk

JP Specialty, LLC

SW 14th Street

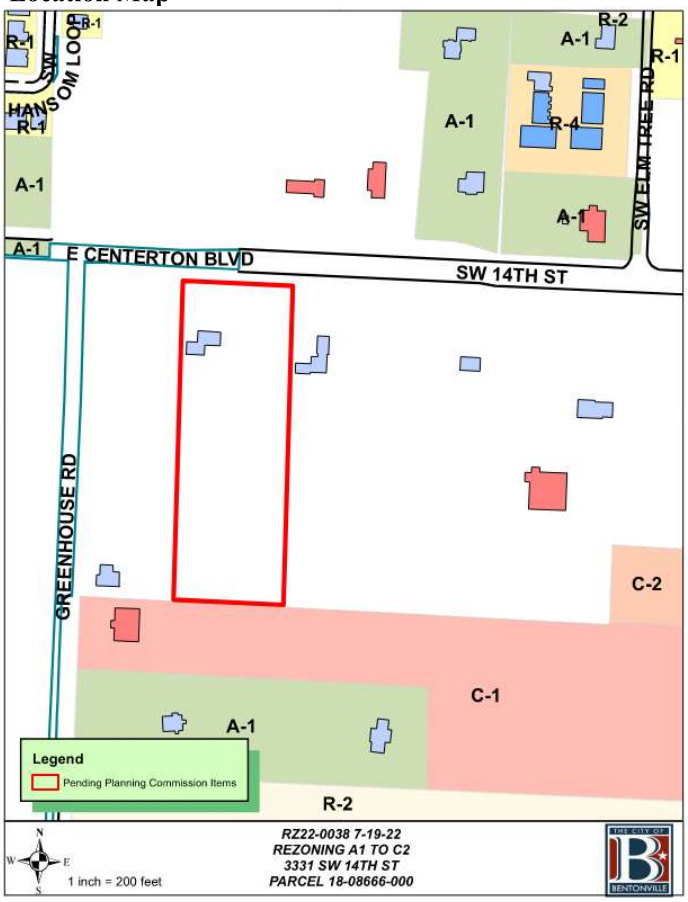
PC Date: 7/19/2022

Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	RZ22-0038
Applicant / Current Owner	JP Specialty, LLC
Site Area	+/- 4.8 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	Residential Estate (RE)
Requested Future Land Use Map Designation	General Commercial (C)

https://arcg.is/08HvK8

Location Map



Property Description

This property is located along SW 14th Street. Adjacent zoning districts are the City of Centerton to the north and west, Benton County to the east and west, and C-1, Neighborhood Commercial to the south.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently depicts this property as Residential Estate, however, the applicant is requesting a change in the Future Land Use Plan to General Commercial. These areas typically include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

The property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area focuses on developing in areas proximate to existing infrastructure to capitalize on municipal and private investments that have already taken place.

Public Comment

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

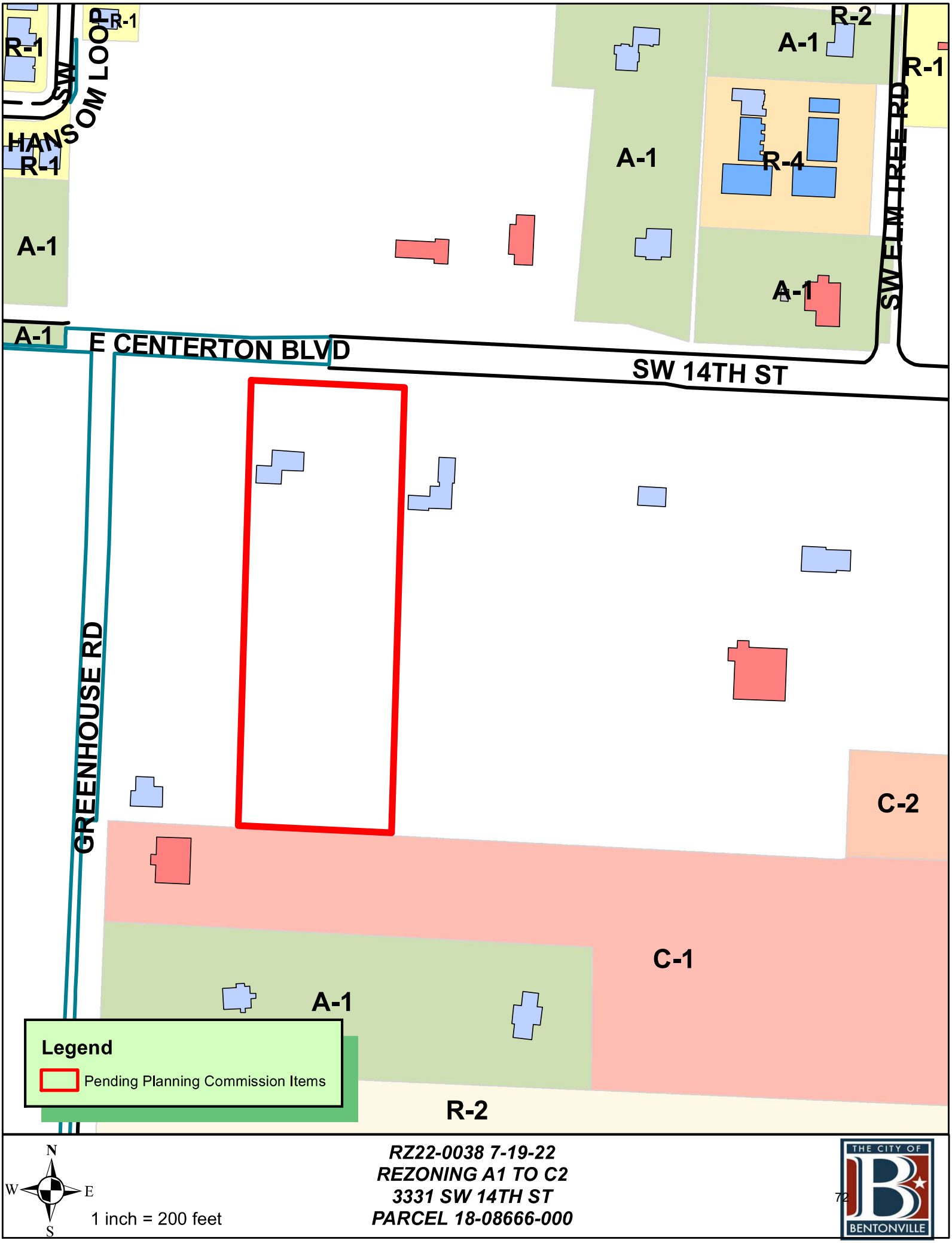
Analysis

The C-2 District is the least restrictive of the commercial districts and is designed to serve the planning area and highway travelers. This district shall congregate on local arterial streets in such a manner as to minimize disruptions of through traffic and shall be interspersed within the corporate boundaries.

While this request is not consistent with the Future Land Use Plan, it is consistent with surrounding zoning districts as SW14th Street has a large number of C-2 commercial developments along this section of the corridor.

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.


R-1
R-1
SW HANSOM LOOP
R-1
A-1
R-2
A-1
R-1
A-1
R-4
SW ELM TREE RD
A-1
A-1
A-1
E CENTERTON BLVD
SW 14TH ST
GREENHOUSE RD
C-2
C-1
A-1
R-2
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 200 feet
RZ22-0038 7-19-22
REZONING A1 TO C2
3331 SW 14TH ST
PARCEL 18-08666-000
THE CITY OF
BENTONVILLE

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER, P.A.
JENNIFER E. GRAY, P.A.*
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* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

June 13, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 18-08666-000 from A-1, Agriculture to C-2, General Commercial

Dear Planning Staff:

This law firm has been hired to assist the applicant, JP Specialty, LLC in obtaining a rezoning of Parcel No.18-08666-000 (hereinafter "the Property") from A-1, Agriculture to C-2, General Commercial.

The primary purpose for this rezoning request is to allow the developer to develop the Property with a multi-tenant commercial development. The Property sits on Highway 102/Centerton Boulevard, which is a major arterial in both Centerton and Bentonville and generally lined with commercial on both sides of the highway. The Property is adjacent to C-1 zoning to the South in Bentonville, C-2 zoning to the North and West in Centerton, and is adjacent to unincorporated land to the East. Because the Property is more or less surrounded by commercial uses and zonings, and because Highway 102 is generally a commercial corridor, C-2 is an appropriate and compatible zoning for the Property.

Because the project is still early in the development process, neither appearance, nor signage has been contemplated thus far. As for traffic, the parcel sits on Highway 102/Centerton Boulevard, which is a major arterial in both Bentonville and Cneterton and which has ample capacity for further development. Lastly, as for utilities, there is a 12" water line which runs along Highway 102, and there are 12" sewer lines nearby across Highway 102 which can be tied into.

Thank you for considering this rezoning request. If you have any questions please feel free to contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

1106 WEST POPLAR STREET
ROGERS, AR 72756
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FX: 479-636-6098
WWW.WATKINSLAWOFFICE.COM

WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

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DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER

June 13, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Requesting a Change of the Future Land Use Map ("FLUM") Designation for Parcel No. 18-08666-000 from Residential Estate to General Commercial

Dear Planning Staff:

This law firm has been hired to assist the applicant, JP Specialty, LLC in obtaining a rezoning of Parcel Nos. 18-08666-000 (hereinafter "the Property") from Residential Estate to General Commercial. Because the Property is currently designated as Residential Estate on the FLUM, a change to a General Commercial designation is required in order to facilitate a C-2, General Commercial, zoning. The purpose of this letter is to request that change.

A change to a General Commercial designation for this Property would put it in alignment with nearly every other parcel along Highway 102 as it runs through Centerton and Bentonville. Highway 102 is a major arterial road in both Centerton and Bentonville, and therefore, is generally an appropriate location for further commercial development. Moreover, the Property is already nearly surrounded by commercial uses, with a shopping center to the West and a Walmart to the North. For this reason, it is unlikely that this property would ever develop with a Residential Estate-type use. Accordingly, General Commercial is the highest and best use of the Property and is compatible with surrounding uses already in place.

Thank you for considering this request to change the Future Land Use Map designation for this property. If you have any questions, feel free to contact me at 479-636-2168 or wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

1106 WEST POPLAR STREET
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General Commercial

Future Land Use Plan Category Description

Res. No. 10-23-18A

Description

General commercial areas include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged, but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

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

C-2, General Commercial

The C-2 District represents the least restrictive of the commercial districts and is designed to serve the planning area and highway travelers. This district shall congregate on local arterial streets in such a manner as to minimize disruptions of through traffic and shall be interspersed within the corporate boundaries.

Maximum Density Allowed: N/A

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-2	All	7,000	-	70’	-	60%	60%

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-2	50’	20’	7’	30’	20’	30’

Disclaimer: FOR INFORMATIONAL PURPOSES ONLY.
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C-2, General Commercial

ALLOWED BY RIGHT

Agriculture and Animals
Animal clinic
Animal - domestic or household
Botanical garden
Greenhouse
Plant nursery

Residential
Dwelling – condominium
Dwelling - multifamily
Residential facility - assisted living
Residential facility - extended medical care
Residential facility - temporary shelter

Services
Adult day care
ATM machine
Auction house
Auto or equipment auction
Automobile repair
Car wash
Cemetery or mausoleum
Child care – licensed center
Child care – registered family home (5 children)
Child care – licensed family home (6-16 children)
Financial institution
Funeral home
Governmental services facility
Lodging - hotel / motel
Maintenance service
Medical services - hospital
Medical services - doctor office
Medical services - urgent care clinic
Medical services - laboratory
Medical services - substance abuse or mental health treatment clinic
Office
Office / warehouse
Personal services
Postal services
Repair services - household
Repair services - equipment, large appliances

Retail
Artisan shop
Auto and vehicle sales/rental
Bakery
Bar, lounge or tavern
Building and landscape material sales
Equipment rental - indoor
Equipment rental - outdoor
Gas station
Recreational vehicle and boat sales/rental
Outdoor vending - private property
Package liquor store
Packaged sale of beer and/or light wine
Packaged sale of beer, light wine and/or spirits
Restaurant
Restaurant, drive-in
Restaurant, drive-through
Retail

Industrial and Warehousing
Laboratory – dental or medical
Laboratory – research
Mini-warehouse storage
Taxidermy

Transportation / Utilities
Broadcasting studio
Parking facility (as principle use)

Recreation, Education & Assembly
Aquarium
Arena / auditorium
Community Center
Commercial recreation facility – indoor
Conference / convention center
Cultural studio
Event center
Library
Museum
Library
Museum
Park – community, mini, neighborhood

CONDITIONAL

Agriculture and Animals
Animal kennel or shelter
Urban farm

Residential
Residential facility – rehabilitation

Recreation, Education & Assembly
Commercial recreation facility – outdoor
Educational facility
Golf course
Outdoor music venue
Religious facilities

Services
Crematory
Public safety services

Retail
Construction / heavy equipment sales/rental
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
Package liquor store within 500 ft. of a city owned and maintained park or trail
Restaurant – microbrewery
Sexually oriented business

Industrial and Warehousing
Contractor maintenance yard
Manufacturing and/or distribution plant, alcoholic beverages of every kind and type
Manufacturing and/or distribution plant, alcoholic beverages of every kind and type within 500 ft. of a city owned and maintained park or trail
Mining

Transportation / Utilities
Airport facilities
Transportation facilities excluding airports
Utility facility
Wireless communication facility (cell towers)

Other
Temporary uses

ACCESSORY

Residential
Dwelling – accessory

Transportation / Utilities
Solar energy system
Wind energy system, small

Other
Building, accessory – nonresidential
Donation box

Updated 11-09-21

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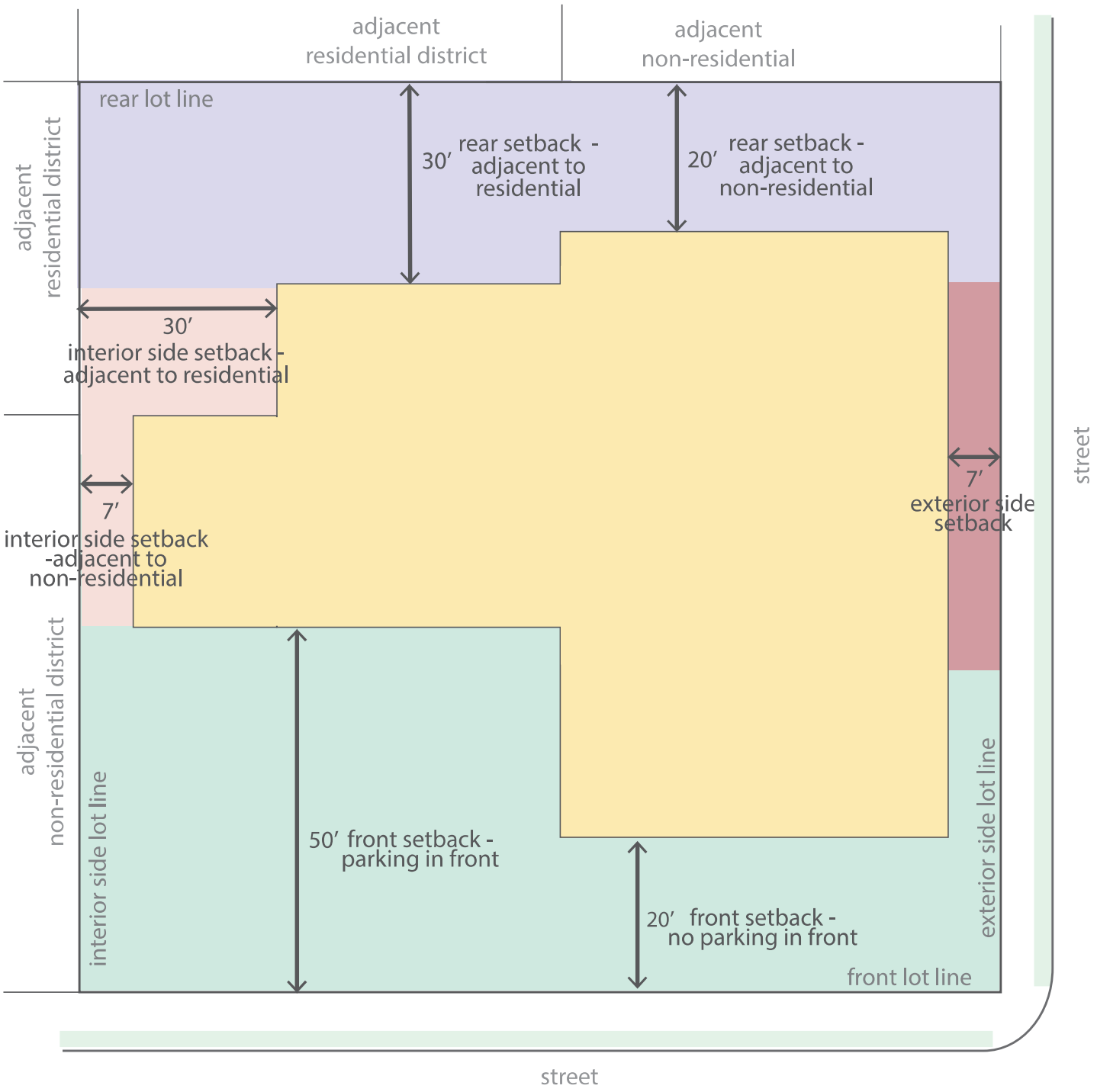
In cases of discrepancy between the information presented here and a city ordinance, the city ordinance will prevail.

C-2, General Commercial

Setback Illustration



RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE TO GENERAL COMMERCIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER: RZ22-0038).

WHEREAS, JP Specialty, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of RESIDENTIAL ESTATE to GENERAL COMMERCIAL, which property is described as follows:

PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, DESCRIBED AS BEGINNING 258 FEET EAST OF THE NW CORNER OF SAID NE 1/4 OF THE NW 1/4; THENCE EAST 267.25 FEET; THENCE SOUTH 815 FEET; THENCE WEST 267.25 FEET; THENCE NORTH 815 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF STATE HIGHWAY 102 ON THE NORTH SIDE THEREOF.ALSO DESCRIBED ON ALTA/NSPS TITLE SURVEY, DATED NOVEMBER 8, 2021, BY MICHAEL MILLIONS, AR PLS #1519, OF A MILLION MIRACLES SURVEYING P.L.L.C., AND DESIGNATED AS JOB 2022-DH-01, AS FOLLOWS:A PART OF THE FRL NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE NORTHWEST CORNER OF THE FRL. NE 1/4 OF THE NW 1/4 OF SAID SECTION 2, THENCE S02°15'04"W 39.57 FEET, S86°44'01" E 50.24 FEET AND S87°13'43"E 208.27 FEET TO A 5/8" IRON REBAR CAP #1519 AND THE TRUE POINT OF BEGINNING; SAID REBAR BEING LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HWY 102 (NW 14TH ST); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S87°16'38"E 267.29 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S01°40'54"W 774.97 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE N87°18'03"W 267.29 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE N01°40'54"E 775.08 FEET TO THE POINT OF BEGINNING, CONTAINING 4.8 ACRES, MORE OR LESS. SUBJECT TO A 25 FOOT WIDE UTILITY EASEMENT SOUTH OF AND CONTIGUOUS TO THE NORTH LINE (AR HIGHWAY 102 SOUTH RIGHT-OF-WAY), A 100 FOOT WIDE OVERHEAD ELECTRIC TRANSMISSION LINE AS FILED IN BK:313 PG:101(05/20/1956) RUNNING EAST TO WEST THROUGH THE SOUTH HALF OF THE PROPERTY..;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 19, 2022 at the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present land use classification of RESIDENTIAL ESTATE to GENERAL COMMERCIAL on the City of Bentonville Future Land Use Map.

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

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed.

Section 4: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this ___ day of _____, 2022.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO C-2, GENERAL COMMERCIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0038)

WHEREAS, JP Specialty LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to C-2, GENERAL COMMERCIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, DESCRIBED AS BEGINNING 258 FEET EAST OF THE NW CORNER OF SAID NE 1/4 OF THE NW 1/4; THENCE EAST 267.25 FEET; THENCE SOUTH 815 FEET; THENCE WEST 267.25 FEET; THENCE NORTH 815 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF STATE HIGHWAY 102 ON THE NORTH SIDE THEREOF.ALSO DESCRIBED ON ALTA/NSPS TITLE SURVEY, DATED NOVEMBER 8, 2021, BY MICHAEL MILLIONS, AR PLS #1519, OF A MILLION MIRACLES SURVEYING P.L.L.C., AND DESIGNATED AS JOB 2022-DH-01, AS FOLLOWS:A PART OF THE FRL NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE NORTHWEST CORNER OF THE FRL. NE 1/4 OF THE NW 1/4 OF SAID SECTION 2, THENCE S02°15'04"W 39.57 FEET, S86°44'01" E 50.24 FEET AND S87°13'43"E 208.27 FEET TO A 5/8" IRON REBAR CAP #1519 AND THE TRUE POINT OF BEGINNING; SAID REBAR BEING LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS STATE HWY 102 (NW 14TH ST); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S87°16'38"E 267.29 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S01°40'54"W 774.97 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE N87°18'03"W 267.29 FEET TO A 5/8" IRON REBAR CAP #1519; THENCE N01°40'54"E 775.08 FEET TO THE POINT OF BEGINNING, CONTAINING 4.8 ACRES, MORE OR LESS. SUBJECT TO A 25 FOOT WIDE UTILITY EASEMENT SOUTH OF AND CONTIGUOUS TO THE NORTH LINE (AR HIGHWAY 102 SOUTH RIGHT-OF-WAY), A 100 FOOT WIDE OVERHEAD ELECTRIC TRANSMISSION LINE AS FILED IN BK:313 PG:101(05/20/1956) RUNNING EAST TO WEST THROUGH THE SOUTH HALF OF THE PROPERTY.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 19, 2022 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to C-2, GENERAL COMMERCIAL.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of A-1, AGRICULTURAL to C-2, GENERAL COMMERCIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

North Walton Multi-Family Dev.

220 North Walton Boulevard
PC Date: 7/19/2022
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	WAV22-0009
Applicant / Current Owner	Dunn & Davis Townhomes, LLC
Site Area	1.54 acres
Current Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	Commercial (C)
Waiver Request(s)	Article 1100 Development Standards; Section 1100.02 Access Management Standards Article 1100 Development Standards; Section 1100.21 Large-Scale Development Design Standards Article 501 Off Street Parking and Loading; Section 501.06(f) Standards; Number of Off-Street Parking Spaces Required

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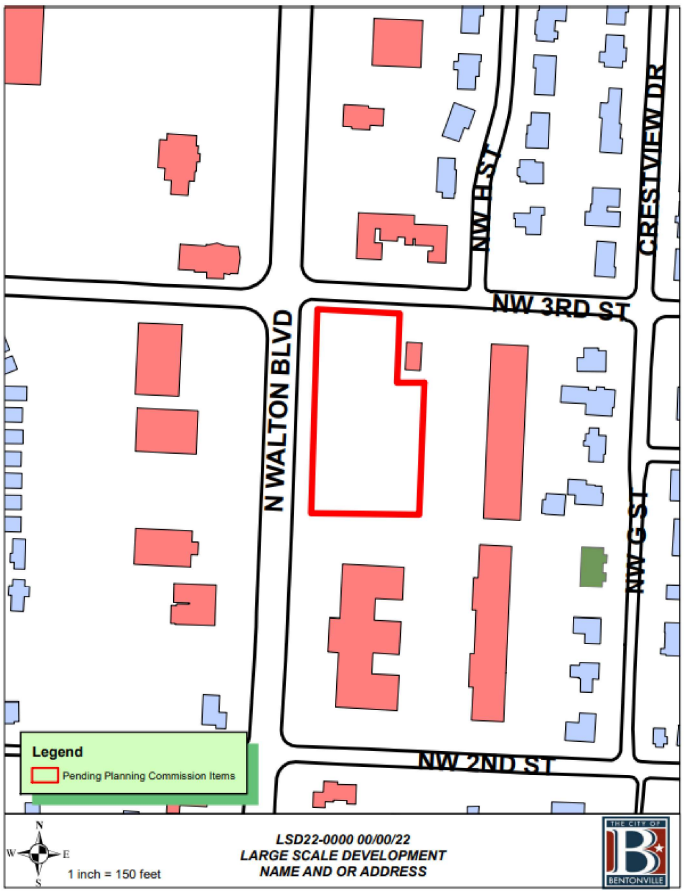


Property Description
The property is located at 220 North Walton Boulevard and is zoned C-3, Mixed Use Commercial.

Waiver Request
In anticipation of a Large Scale Development for this property, the applicant has summited three (3) waiver requests to be heard by the Planning Commission prior to the submittal of the Large Scale Development. See pages 2, 3 & 4 of this staff report for a more detailed analysis on the waivers being requested.

WAIVER REQUEST STAFF REPORT

In anticipation of a large scale development for this property, the applicant has summited three (3) waiver request to be heard by the Planning Commission prior to the submittal of the large scale development. The three waivers are as follows:

1. Waiver from the City of Bentonville Municipal Code: Appendix B – Land Development Code – Article 1100 Development Standards; Section 1100.02 Access Management Standards (6) which requires:

   "(6) Distance between curb cuts. The table below establishes the minimum distance that shall be provided between curb cuts, based on the maximum speed limit of the road, measured from centerline to centerline. Where lots are contiguous, a common ingress/egress drive is encouraged to minimize curb cuts and better facilitate traffic."

MINIMUM DISTANCE BETWEEN CURB CUTS	
Maximum speed allowed	Minimum distance between curb cuts
30 mph	100
35 mph	150
40 mph	200
45 mph	250
50 mph	300
55 mph	350

   The applicant request/states:

   This property is located on the hard corner of the signalized intersection of NW 3rd St and N. Walton Blvd. Per the City of Bentonville's Access Standards, driveways are required to be a specific distance from the intersection. In order to meet this requirement, the driveway location is closer than allowed to an existing driveway. Through discussion with the Engineering Department, it is agreed that the more critical requirement is the distance from the intersection. With that, EDG is requesting a waiver along N Walton Blvd. and NW 3rd Street for:

   - The proposed driveway along N Walton is 157' from the existing driveway, the code section calls for a minimum distance of 200'. This drive will be limited to right-in/right-out only movements.
   - The proposed driveway along NW 3rd street is 47' from the existing driveway, the code section calls for a minimum of 100'.

2. Wavier from the City of Bentonville Municipal Code: Appendix B –Land Development Code – Article 1100 Development Standards; Section 1100.21 Large-Scale Development Design Standards, which requires:

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

   The applicant request/states:

   The original design for this project met this criteria. Unfortunately, a Bentonville Utility Electric Department (BEUD) transmission line exists along N Walton Blvd. This transmission line requires a 50' clearance from any building/structures. A waiver was separately submitted to compromise to a 30' clearance, but was denied.

   The proposed use of the property includes a 3-story multi-family building along with a clubhouse for tenants. A fire sprinkler/suppression system will be required. With the height of the building, and fire sprinkler requirements, a fire lane must be provided as part of the layout. Due to the driveway location constraints as listed in the previous waiver item, the fire lane location is also limited in its location.

   The limitations of the existing utilities and streets surrounding the property, required a redesign of the site, and the proposed Site Plan is the best solution after exploring five other layout options. The proposed programming of the site has also been reduced to accommodate the lack of 'buildable' area. Previously, commercial/restaurant uses were included, but have since been removed.

   In effort to provide screening and meet the intent of this code section, the design proposes an "L" shaped building to screen the parking from traffic. Along with street trees and screening shrubs, the design also includes removable, semi-

transparent screening art panels along N Walton. These panels would be removable to accommodate BEUD access needs, but also provide visual screen along N. Walton.

3. A waiver from the City of Bentonville Municipal Code: Appendix A – Zoning Code – Article 501 Off Street Parking and Loading; Section 501.06(f) Standards; Number of Off-Street Parking Spaces Required, which requires:

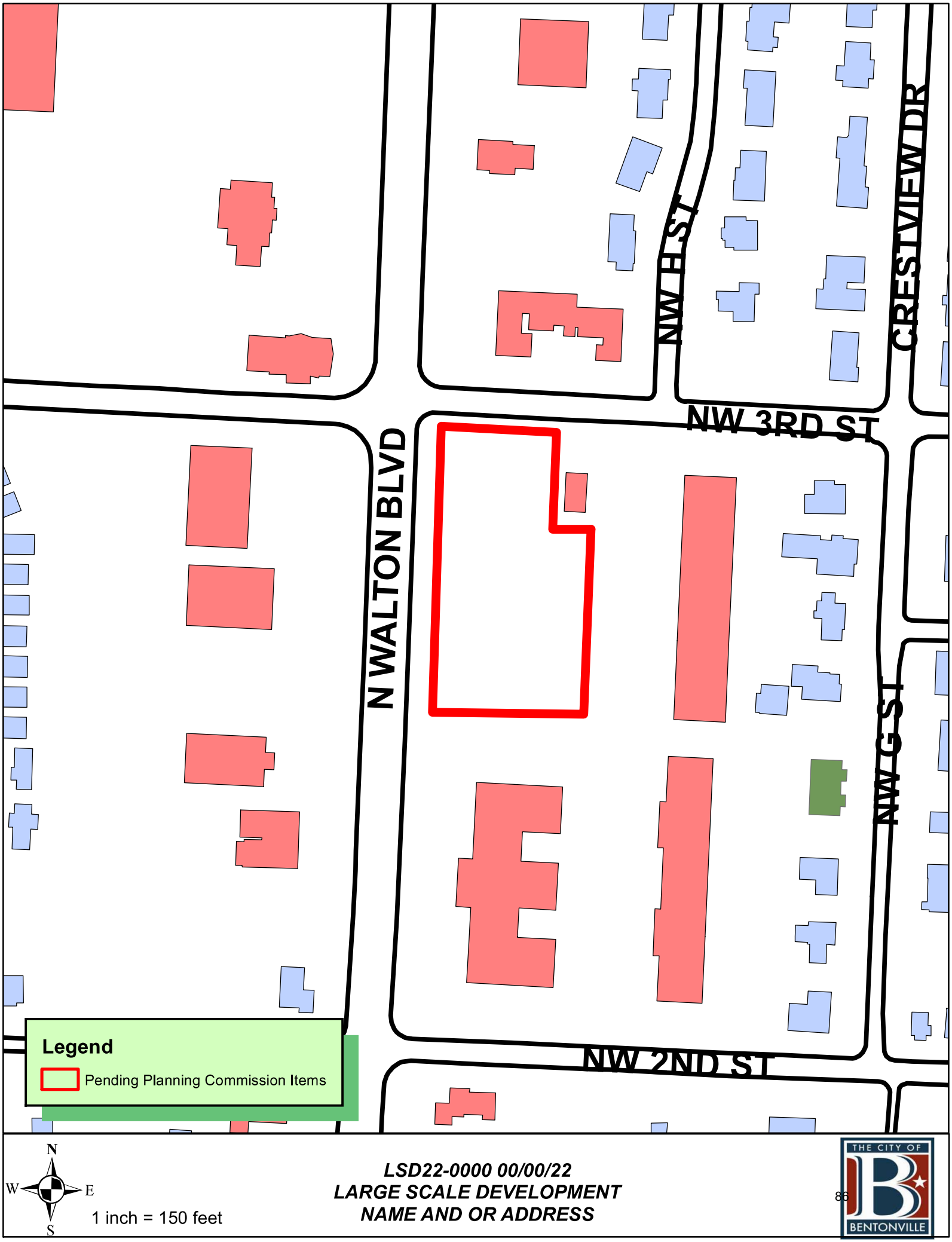
"Standards. Off-street parking shall be provided in accordance with the following schedule, with the exception of the DC and DE district, already provided for in Section 501.6(d)(1) above:"

The applicant request/states:

The parking code requires 1.5 spaces per unit. With 60 proposed units, 90 spaces are required. Given the close proximity to a shared use (bike/pedestrian), unit type mix, and proximity to downtown, the development has proposed a reduced parking count, further detailed in the applicant's narrative.

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

- The proposed development includes the following unit mix and provided parking: ▪
  - (24) Studio units : providing 1 parking space = 24 spaces
  - (24) 1-bedroom units : providing 1 parking space = 24 spaces
  - (12) 2-bedroom units : providing 1.5 parking spaces = 18 spaces
  - Totaling 66 spaces = 1.1 parking ratio o
- From the original layout and proposed parking, the programming has been reduced and the commercial component has been removed.
- The property owner has built and is currently managing (5) multi-family developments throughout the City of Bentonville city 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; o
- 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 1.1 spaces 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 1.1 stalls per dwelling unit in lieu of 1.5 stalls per dwelling unit.



LSD22-0000 00/00/22
LARGE SCALE DEVELOPMENT
NAME AND OR ADDRESS

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 Dunn & Davis Townhomes LLC

Date: July 15, 2022

Re: Multifamily Development @ 220 N Walton Blvd. Bentonville, AR

On behalf of Dunn & Davis Townhomes LLC, Ecological Design Group, Inc. (EDG) is submitting this Waiver Request before Large Scale Development.

Project Description: Proposed multifamily development includes 60 unit building, a clubhouse, public improvements per the Master Street Plan, interior parking, utility connections, and landscape improvements. The property is zoned C-3, Mixed-Use Commercial. Per the City of Bentonville Municipal Code, C-3 districts 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 Waiver Request items are listed below:

Distance Between Curb Cuts

- City of Bentonville Municipal Code: Appendix B – Land Development Code – Article 1100 Development Standards
  - Section 1100.02 Access Management Standards (6)
    - "(6) Distance between curb cuts. *The table below establishes the minimum distance that shall be provided between curb cuts, based on the maximum speed limit of the road, measured from centerline to centerline. Where lots are contiguous, a common ingress/egress drive is encouraged to minimize curb cuts and better facilitate traffic."*

MINIMUM DISTANCE BETWEEN CURB CUTS	
Maximum speed allowed	Minimum distance between curb cuts
30 mph	100
35 mph	150
40 mph	200
45 mph	250
50 mph	300
55 mph	350

- This property is located on the hard corner of the signalized intersection of NW 3rd St and N. Walton Blvd. Per the City of Bentonville's Access Standards, driveways are required to be a specific distance from the intersection. In order to meet this requirement, both driveway locations are closer than allowed to existing driveways on adjacent properties. Through discussion with the Engineering department, it is agreed that the more critical requirement is the distance from the intersection. With that, EDG is requesting a waiver for the driveway locations along N Walton Blvd. and NW 3rd Street.
    - The proposed driveway along N Walton is 157' from the existing driveway, the code section calls for a minimum distance of 200'. **This drive will be limited to right-in/right-out only movements.**
    - The proposed driveway along NW 3rd street is 47' from the existing driveway, the code section calls for a minimum of 100'.

Parking Placement

- City of Bentonville Municipal Code: Appendix B –Land Development Code – Article 1100 Development Standards
    - Section 1100.21 Large-Scale Development Design Standards:
        - "(p)Parking placement. *No more than 60% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by out-lot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Parking lots shall be designed in regular, rectangular shapes."*
    - The original design for this project met this criteria. Unfortunately, a Bentonville Utility Electric Department (BEUD) transmission line exists along N Walton Blvd. This transmission line requires a 50' clearance from any building/structures. A waiver was separately submitted to compromise to a 30' clearance, but was denied.
    - The proposed use of the property includes a 3-story multi-family building along with a clubhouse for tenants. A fire sprinkler/suppression system will be required. With the height of the building, and fire sprinkler requirements, a firelane must be provided as part of the layout. Due to the driveway location constraints as listed in the previous waiver item, the firelane location is also limited in its location.
    - The limitations of the existing utilities and streets surrounding the property, required a redesign of the site, and the proposed Site Plan is the best solution after exploring five other layout options. The proposed programming of the site has also been reduced to accommodate the lack of 'buildable' area. Previously, commercial/restaurant uses were included, but have since been removed.
    - In effort to provide screening and meet the intent of this code section, the design proposes an "L" shaped building to screen the parking from traffic. Along with street trees and screening shrubs, the design also includes removeable, semi-transparent screening art panels along N Walton. These panels would be removeable to accommodate BEUD access needs, but also provide visual screen along N. Walton.

Off-Street Parking Spaces Required

- 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

- The parking code requires 1.5 spaces per unit. With 60 proposed units, **90 spaces are required**. Given the close proximity to a shared use (bike/pedestrian), unit type mix, and proximity to downtown, the development has proposed a reduced parking count, further detailed below.
- The proposed development includes the following unit mix and provided parking:
  - (24) Studio units : providing 1 parking space = 24 spaces
  - (24) 1-bedroom units : providing 1 parking space = 24 spaces
  - (12) 2-bedroom units : providing 1.5 parking spaces = 18 spaces
  - **Totaling 66 spaces = 1.1 parking ratio**
- From the original layout and proposed parking, the programming has been reduced and the commercial component has been removed.
- The property owner has built and is currently managing (5) multi-family developments throughout the City of Bentonville city 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:
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  - 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 1.1 spaces 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 1.1 stalls per dwelling unit in lieu of 1.5 stalls per dwelling unit.

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

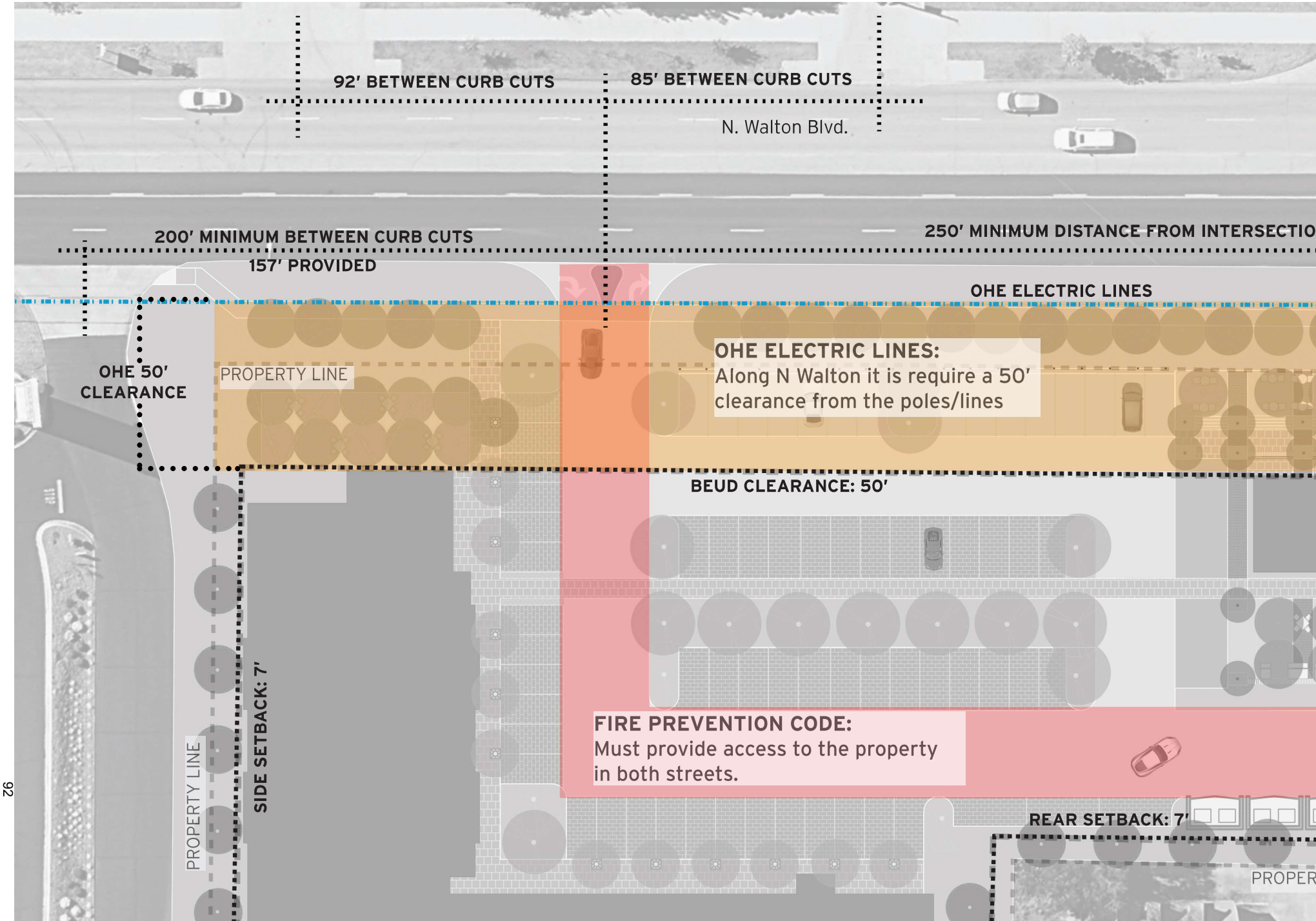
Sincerely,

Jenny C. Burbidge

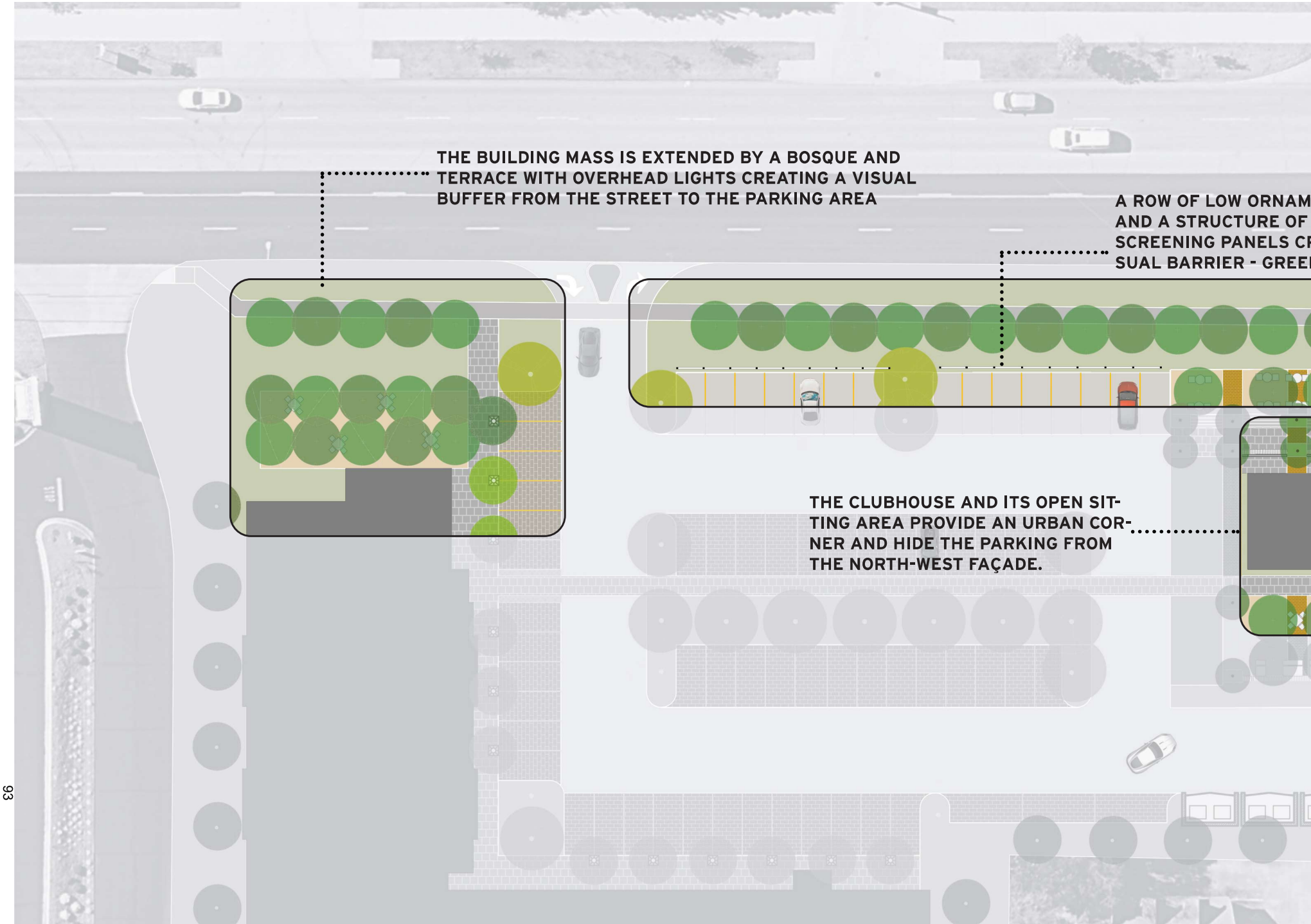
Jenny Burbidge, ASLA
Project Manager
Ecological Design Group, Inc.

Site Plan

Site Plan Strategies / Site's Restrictions



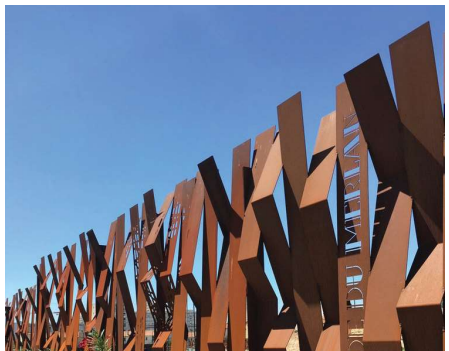
Façade-Screening Strategy

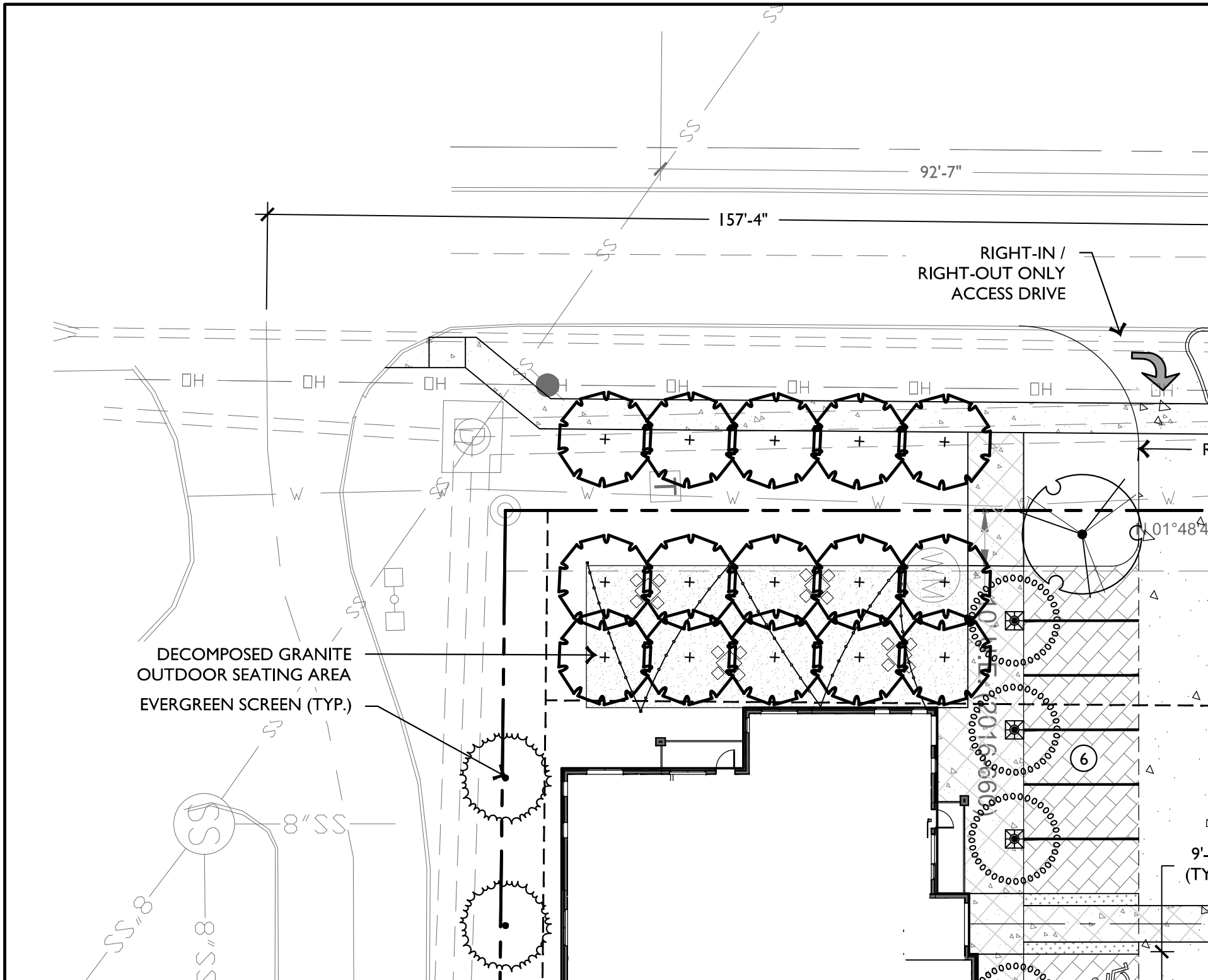


Façade-Screening Inspiration Options

MODULAR SCREENING PANELS MOUNTED ON POSTS STRUCTURE

UNCONVENTIONAL / PLAYFUL SCREENS




92'-7"
157'-4"
RIGHT-IN /
RIGHT-OUT ONLY
ACCESS DRIVE
DECOMPOSED GRANITE
OUTDOOR SEATING AREA
EVERGREEN SCREEN (TYP.)
8"SS
OH
W
SS
6