Planning Commission
Meeting Agenda
December 6, 2022
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM

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

Call to Order

I. Approval of the November 15th Meeting Minutes
II. Consent Agenda

1. **Lot 21 Spring Park Addition** **Property Line Adjustment**
   903 Northwest A Street *(PLA22-0030)*

2. **Lots 4-6 Highland West Addition** **Lot Split**
   Northwest Corner of Lee Harris Road and Barron Road *(LS22-0046)*

3. **Lots 5, 6, & 7 Green Acres Subdivision** **Lot Split**
   1005 Northwest A Street *(LS22-0059)*

III. Old Business

Advertised Public Hearings

1. **Jon P. Simpson Trust**
   Arkansas State Highway 112 and West Scroggins Road *(RZ22-0050)*
   a. **Future Land Use Map Amendment:** Unassigned/Recently Annex to Medium Density Residential & General Commercial
   b. **Rezoning:** A-1, Agricultural to R-3, Medium-High Density Multifamily Residential & C-2, General Commercial

2. **Central & Battlefield** East Central Ave. & East Battlefield Blvd. *(PUD22-0002)*
   a. **Future Land Use Map Amendment:** Mixed-Use Commercial
   b. **Rezoning: PRD, Planned Residential Development,** A-1, Agriculture & R-O, Residential Office to PUD, Planned Unit Development

IV. New Business

Advertised Public Hearings

1. **Bentonville Redevelopment, LLC** **Rezoning**
   1005 Northwest A Street *(RZ22-0051)*
   Rezoning: R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

2. **Burckart Family, LLC** **Rezoning**
   North of 2603 North Walton Blvd. *(RZ22-0057)*
   Rezoning: C-1, Neighborhood Commercial to C-2, General Commercial

3. **Pinnacle Villas, LLC** **Rezoning**
   201 Southeast 22nd Street *(RZ22-0058)*
   a. Future Land Use Map Amendment: Mixed-Use Commercial
   b. Rezoning: C-2, General Commercial to C-3, Mixed-Use Commercial

4. **Mammoth Properties, LLC** **Rezoning**
   101 Northeast 7th Street *(RZ22-0059)*
   Rezoning: R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

5. **1208 SW Horizon, LLC** **Rezoning**
   509 Southeast C Street *(RZ22-0060)*
   Rezoning: R-1, Low Density Single-Family Residential to DE, Downtown Edge

6. **Ken Ehret** **Rezoning**
   1169 Northeast Monroe Street *(RZ22-0061)*
   Rezoning: R-1, Low-Density Single-Family Residential to DN-2 Downtown Medium Density Residential

7. **Patrick Nowlin** **Rezoning**
   Northwest Corner of Southwest Barron Road and Southwest Lee Harris Road *(RZ22-0062)*
   a. Future Land Use Map Amendment: Residential Estate
   b. Rezoning: A-1, Agriculture to R-E, Residential Estate

8. **Sonia Faciszewski** **Rezoning**
   107 Northeast Park Street. *(RZ22-0063)*
   Rezoning: R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

9. **Ozelton Family Trust** **Rezoning**
   306 Northwest 7th Street *(RZ22-0064)*
   Rezoning: R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

10. RLP Developments, LLC **Rezoning**
East of Piercy Road and Southwest Barron Road *(RZ22-0065)*
a. Future Land Use Map Amendment: Low-Density Residential
b. Rezoning: A-1, Agriculture to R-1, Low Density Single-Family Residential

11. Brightbox, LLC **Rezoning**
802 Southeast G Street *(RZ22-0066)*
a. Future Land Use Map Amendment: High Density Residential
b. Rezoning: R-3, Medium-High Density Multifamily Residential to DN-3, Downtown High Density Residential
** Certified mail receipts were not sent, however, a public hearing notice was published in the paper and will need to take place.*

12. Southern Hair Co. **Conditional Use Permit**
1915 Southwest Ellington Street *(CU22-0034)*
** Project was requested to be withdrawn, however, a public hearing notice was published in the paper and will need to take place.*

13. Hitt Brands Inc. **Conditional Use Permit**
1112 South Main Street *(CU22-0035)*
** Project was requested to be withdrawn, however, a public hearing notice was published in the paper and will need to take place.*

Other New Business (Projects associated with waivers)

14. Bentonville Public Library Expansion **Large Scale Development**
405 South Main Street *(LSD22-0062)*
Waiver 1: Section 1100.21(k) Roofs – Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length.

15. North Walton Multi-Family Development **Large Scale Development**
220 North Walton Blvd. *(LSD22-0063)*
Waiver Amendment 1: 1100.21(p) Parking Placement – An amendment to WAV22-0009 to allow for a planting screen as opposed to a structural screen.

V. Other Business

1. Constellation Properties, LLC **Planned Residential Development**
Northwest 9th and Northwest A Street *(PRD22-0002)*
Materials Update: Staff approved material associated with waiver request part of approved PRD.

2. Topics for December 13th Administration Meeting

Planning Commission
Meeting Agenda
November 15, 2022
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM

Meeting Recording: https://us06web.zoom.us/rec/share/FJ-Ed8uW-n6aFdtw6C_GJU1eKY7bZ6kG4hDxqpnmn_kI2q_hY5Nhxjm_Xh4BpjOB.aHttunh8snlYdrrP

Commissioners Present: Danny Bennett, Dana Davis, Joe Haynie, Reginald Wright, Elaine Kerr, Rod Sanders, Eric Hipp

Commissioners Absent: N/A

Staff Present: Tyler Overstreet, Dan Weese, Bonnie Bridges, Tom Adler, Luke Aitken, Jon Stanley (via Zoom), Keegan Stanton (via Zoom)

I. Call to Order

- Meeting called to order at 5:00 pm by Chairman Sanders
- The following modificatons to the agenda were noted from Tech Review
  - Commissioner Davis requests Item 3 on the consent agenda be moved to new business as item 2E.
  - The extension for Item 7 on the consent agenda was clarified to include approval through January 5, 2023.
  - Mr. Aitken announced that improperly labeled notification letters were sent out to the public by the applicants regarding four rezoning requests, and therefore they will not be heard until the December 6 Planning Commission meeting.

II. Approval of the November 1st Meeting Minutes

- Motion by Haynie, second by Davis to approve the November 1st meeting minutes as presented
- Minutes are approved 7-0 by a voice vote

III. Consent Agenda

- Mr. Adler presents the items on the consent agenda, clarifying the removal of item number 3 from consent and its placement under new business as item 2E.
- Consent agenda is approved 7-0

1. **Lots 205 of Original Town of Bentonville** **Lot Split**
   804 North Main Street *(LS19-0040)*

2. **Lot 30 Railroad Addition** **Lot Split**
   306 South Main Street *(LS22-0054)*

3. **Lots 5 & 6 Vivian Farms Subdivision** **Lot Split**
   South Vaughn Road *(LS22-0055)*

4. **Lot 27 of W. A. Burk's Addition** **Property Line Adjustment**
   Northeast Monroe Street *(LS22-0056)*

5. **Lot 9 of B-W Heights Subdivision** **Property Line Adjustment**
   903, 905, & 907 Southeast 10th Street *(PLA22-0023)*

6. **Artspace SOMO Lofts** **Large-Scale Development Extension**
   701 Southeast 8th Street *(LSD21-0063)*

7. **The Reserve** **Large-Scale Development Extension**
   Southwest Deerfield Blvd. & Greenhouse Road (*LSD20-0002*)

8. **I Street Commercial Shell** **Large Scale Development**
   Southwest I Street/Lot 20 Eversole Addition *(LSD22-0054)*

IV. Old Business

Advertised Public Hearings

1. **Hunter Wright Development** **Rezoning**
   406 SE 7th Street *(PRD22-0003)* *(Correct Project Number is: RZ22-0048)*
   1. **Rezoning:** R-1, Low Density Single Family Residential to DE, Downtown Edge
   - Mr. Adler provides an overview of the staff report and explains an error on the agenda noting the correct project number as RZ22-0048 instead of what was previously listed.
   - Mr. Sanders opens the public hearing. No public comments
   - Commissioner Wright recused himself from this item due to a conflict of interest.
   - Request is approved 6-0

V. New Business

Advertised Public Hearings

2. Vivian Farms Subdivision

A. Washark Investments LLC **Rezoning**
South Vaughn Road *(RZ22-0052)*

1. **Future Land Use Map Amendment:** Agriculture to Medium Density Residential
2. **Rezoning:** A-1, Agricultural to R-2, Medium Density Two Family and Townhome Residential

- Mr. Adler provides an overview of the staff report
- Mr. Sanders opens the public hearing. No public comments made.
- Molly Cameron of Odyssey Engineering, representing the applicant, is available for questions and speaks to details of the four contiguous rezoning and future land use map amendment requests
- Pursuant to separate votes, both the land use amendment and rezoning are approved 7-0

B. Washark Investments LLC **Rezoning**
South Vaughn Road *(RZ22-0053)*

1. **Future Land Use Map Amendment:** Agriculture to High Density Residential
2. **Rezoning:** A-1, Agricultural to R-3, Medium-High Density Multifamily Residential

- Mr. Adler provides an overview of the staff report.
- Mr. Sanders opens the public hearing. No public comments made.
- Pursuant to separate votes, both the land use amendment and rezoning are approved 7-0

C. Elite Equity Group of Arkansas LLC **Rezoning**
South Vaughn Road *(RZ22-0054)*

1. **Future Land Use Map Amendment:** Agriculture to General Commercial
2. **Rezoning:** A-1, Agricultural to C-2, General Commercial

- Mr. Adler provides an overview of the staff report.
- Mr. Sanders opens the public hearing. No public comments made.
- There is discussion among the applicant, staff, and commissioners regarding the possibility of locating this commercial development on the corner of an intersection instead of mid-block as proposed by the applicant
- Molly Cameron, representing the applicant, requests the item be tabled
- Motion by Haynie, second by Hipp to table both the land use amendment and rezoning requests
- Both items are tabled 7-0 via voice vote

D. Roth Farms LLC/Elite Equity Group LLC **Rezoning**
South Vaughn Road *(RZ22-0055)*

1. **Future Land Use Map Amendment:** Agriculture to Medium Density Residential
2. **Rezoning:** A-1, Agricultural to R-2, Medium Density Two Family and Townhome Residential

- Mr. Adler provides an overview of the staff report.
- Mr. Sanders opens the public hearing. No public comments made.
- Pursuant to separate votes, both the land use amendment and rezoning are approved 7-0

NOTE: *LS22-0055 was added under New Business after its removal from the Consent Agenda per a request by Mr. Davis.*

E. Lots 5 & 6 Vivian Farms Subdivision **Lot Split**
South Vaughn Road *(LS22-0055)*

- Applicant requests the item be tabled
- Motion by Davis, seconded by Hipp to table
- Item is tabled 7-0 via voice vote

3. Main and A Connect LLC **Rezoning**
Southwest A Street and South Main Street at Southwest 14th Street *(PRD22-0003)*

1. **Rezoning:** DC, Downtown Core to PRD, Planned Residential Development.

- Mr. Adler provides an overview of the staff report.
- Mr. Sanders opens the public hearing.
- Mitch Moore, with Newell Development is available for questions and briefly speaks to project details.
- Katelynn Morgan of Ecological Design Group speaks to details of the project, goes over elevation drawings and site design, specifically around the effects of electric distribution line separation requirements on the site layout.
- Jingjing Yu of 1207 SW B Street speaks to her concerns around property maintenance and construction disturbances.
- Dennis Hoover of 1200 SW A Street, speaks on his concerns around traffic coming to and from the site, blocking access to his business.
- Dan Weese, City Transportation Engineer, speaks in response to Mr. Hoover, regarding ongoing bond projects on A street and Walton Blvd
- Nancy Pace, of 102 SE 12th Street speaks on her concerns around flooding.
- Dan Weese speaks in response, regarding bond projects which will alleviate flooding concerns nearby.
- Brahm Driver of Ecological Design Group speaks to further details of the project in response to public comments
- Request is approved 7-0

Other New Business (Projects associated with waivers)

4. SOCO Church **Large Scale Development**
2601 Southwest 14th Street *(LSD22-0058)*

Waiver #1: A waiver from Section 1100.21(e) – Building Material: A minimum of two primary building materials is required constituting at least 75 percent of the wall area.

- Mr. Adler provides an overview of the staff report and waiver request
- The waiver will apply only to architectural materials used on the south and west facades of the proposed building
- Motion by Kerr, second by Hipp to approve the waiver request
- Waiver request is approved 7-0
- Large Scale Development is approved 7-0

Adjournment

- Motion by Haynie, seconded by Wright to adjourn the meeting.
- Meeting adjourned.

Consent Agenda Items

For the Planning Commission meeting on December 6, 2022

Reviewer: Keegan Stanton, Senior Planner, AICP

- The descriptions below shall serve as the staff report for each of the proposed consent agenda items.

Property Line Adjustment: Lot 21 Spring Park Addition, Constellation Properties LLC, 903 Northwest A Street, PRD, Planned Residential Development, *PLA22-0030*

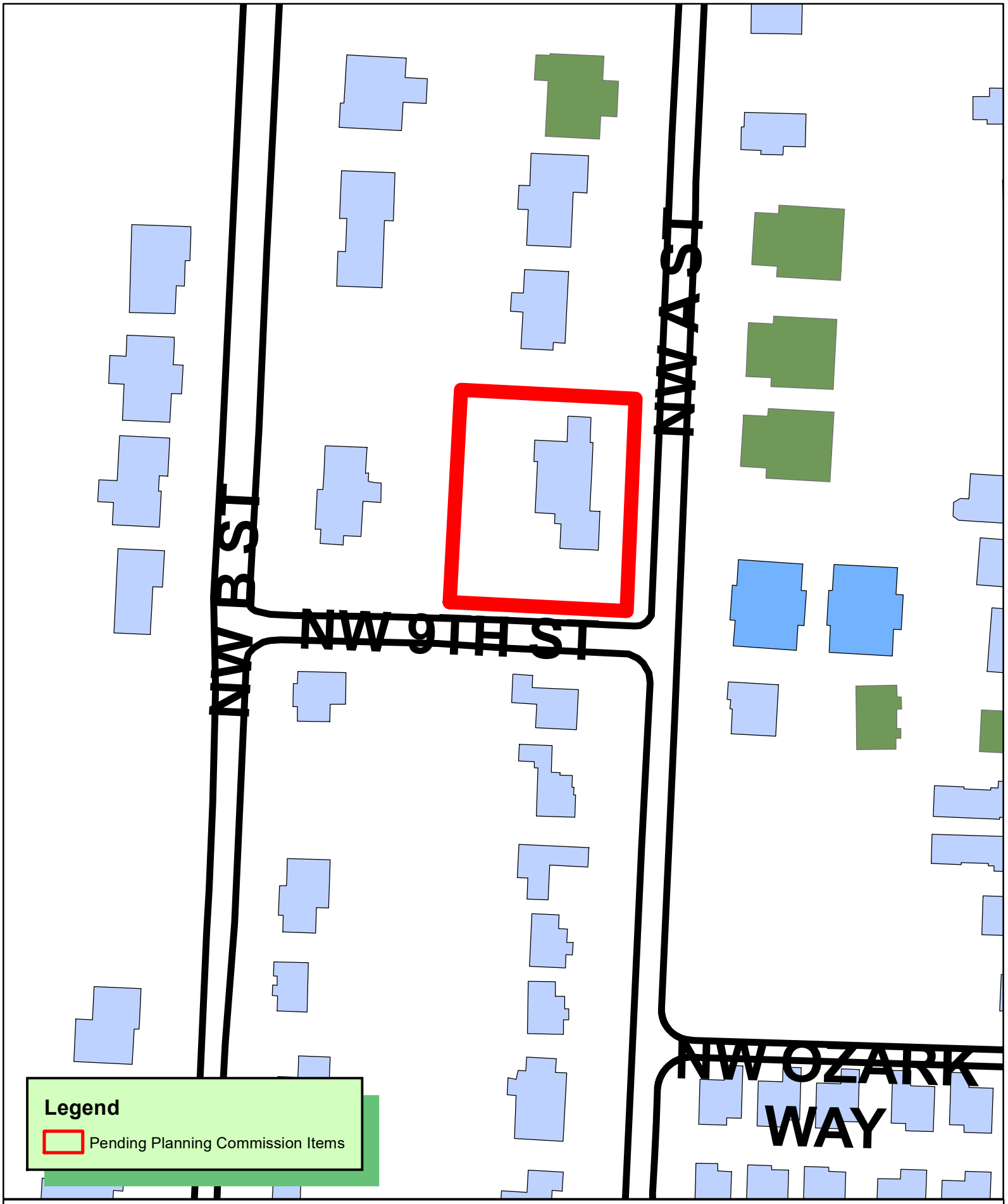
A property line adjustment of Lots 16, 17, and 18 and the South ½ of Lot 15, creating new Lot 21 (+/- 0.58 acres) of Spring Park Addition. The plat dedicates a strip of right-of-way approximately 6' wide along the Northwest A Street side of the property.

Lot Split: Lots 4-6 Highland West Addition, Patrick & Amber Nowlin, Northwest Corner of Lee Harris Road and Barron Road, AG, Agriculture, *LS22-0046*

A lot split of Lot 3 of Highland West Addition, creating new Lots 4-6 of Highland West Addition. The plat dedicates new right-of-way for future arterial streets per the Master Street Plan for Barron Road and Lee Harris Road. This lot split is related to RZ22-0062 and is predicated on the passage of that request. Should RZ22-0062 not be approved, staff would not recommend approval of this lot split as it would not meet the minimum size requirements in the A-1 district.

Lot Split: Lots 5, 6, & 7 Green Acres Subdivision, Bentonville Redevelopment LLC, 1005 Northwest A Street, R-1, Low Density Single-Family Residential, *LS22-0059*

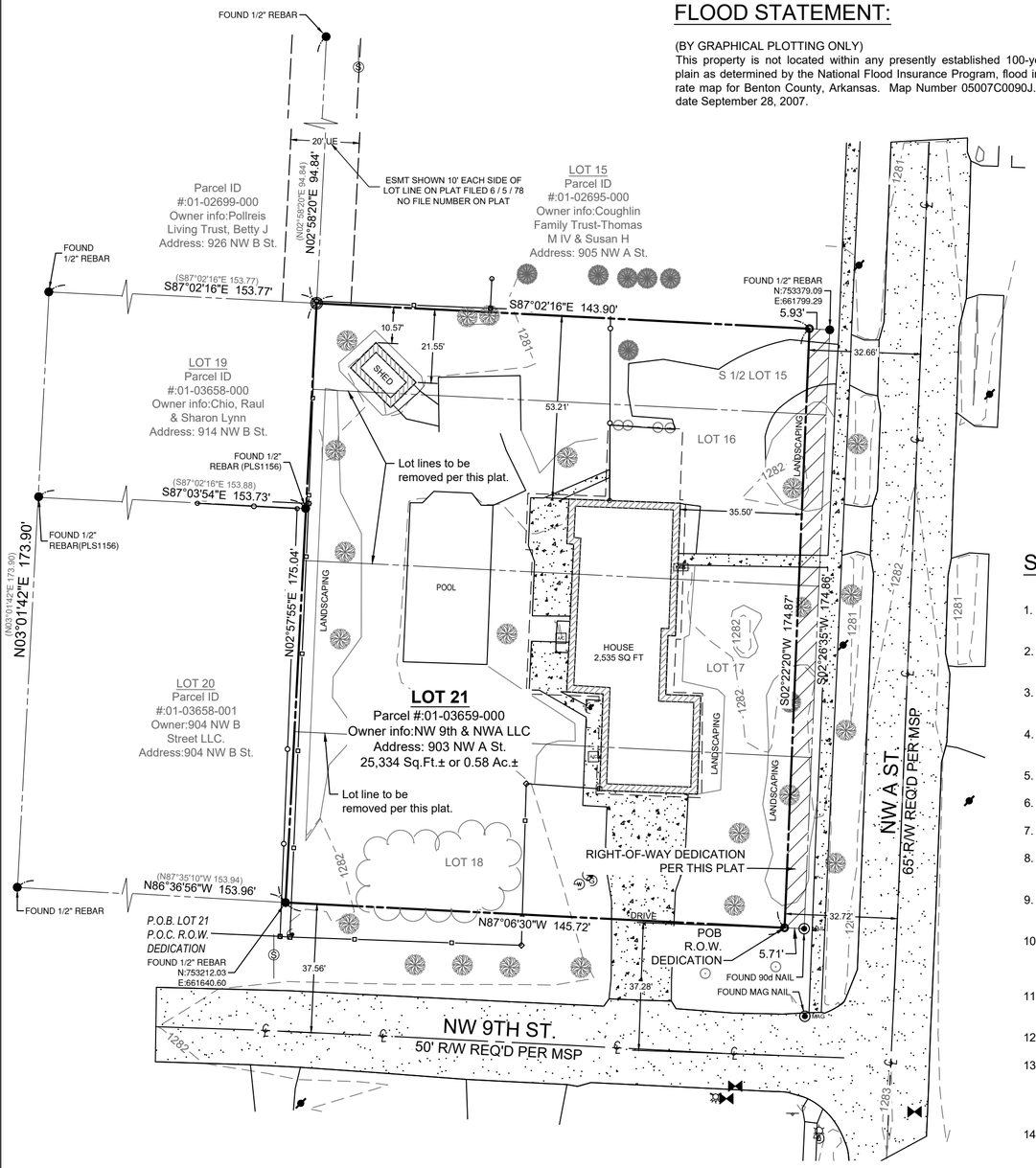
A lot split of Tract A of Green Acres Subdivision, creating new Lots 5, 6, & 7 of Green Acres Subdivision. The plat dedicates no new right-of-way or easements.



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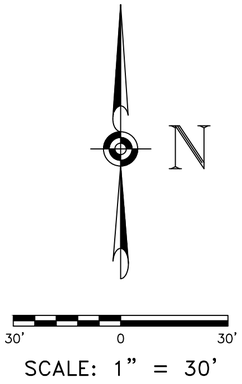
1 inch = 100 feet

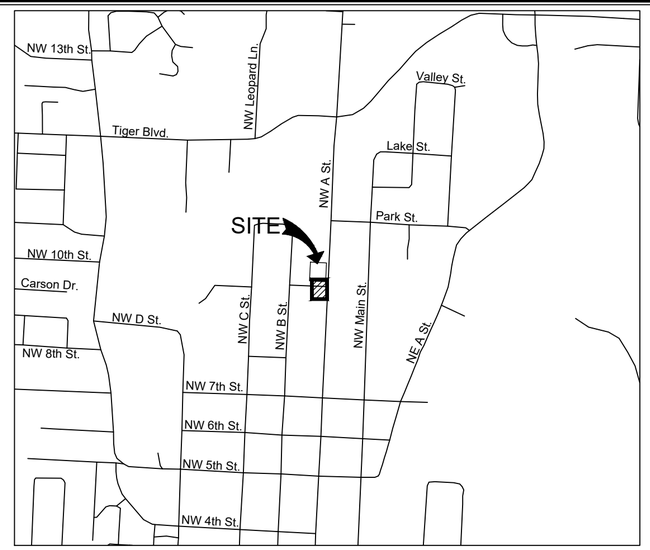
PLA22-0030 11/1/22
PROPERTY LINE ADJUSTMENT
SPRING PARK ADDITION
LOTS 16-18 CREATING LOT 21



FLOOD STATEMENT:

(BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0090J. Revised date September 28, 2007.





VICINITY MAP
Scale: 1" = 1,000'

SURVEY NOTES:

1. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
2. This plat represents a boundary survey of the parcel recorded in Deed Records, Book 615, Page 707 at the courthouse in Benton County, Arkansas.
3. The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
4. Basis of Bearings: NAD83, State Plane Grid Coordinates, Arkansas North Zone referencing Bentonville City Control Monument Number 38.
5. Basis of Elevation: NAVD88, referencing Bentonville City Control Monument Number 38.
6. This survey is valid only if the drawing includes the seal and signature of the surveyor.
7. This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats".
8. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record which would affect this parcel.
9. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
10. This property is currently zoned DN-2, Downtown High Density Residential. Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
11. No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.
12. Subsurface and environmental conditions were not examined nor considered a part of this survey.
13. The locations of underground utilities as shown hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
14. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
15. Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
16. Before any work in the Right-of-Way commences, contractor and or owner is to obtain Right-of-Way permit from the City of Bentonville Transportation Department.
17. There may not be any fences or any other structures built in any drainage easements.
18. All structures must maintain minimum 20' clearances from all electric lines.
19. Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.

SITE LEGEND

- MONUMENT SET (⅝" REBAR W/CAP AR1002)
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- UTILITY POLE
- SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- HOSE BIB
- DRAINAGE MANHOLE
- SANITARY SEWER MANHOLE
- CLEANOUT
- HVAC UNIT
- FIBER OPTIC RISER
- MAILBOX
- GAS METER
- LIGHTPOLE
- ELECTRICAL METER
- BUSH
- EVERGREEN TREE
- DECIDUOUS TREE
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- FENCE (WOODEN)
- FENCE (BARB WIRE)
- FENCE (CHAINLINK)
- OVERHEAD ELECTRIC LINE
- XXXX MAJOR CONTOUR
- XXXX MINOR CONTOUR
- CONCRETE
- ASPHALT
- (xxxx) RECORD BEARINGS AND DISTANCES PER PLAT BK. 2013 PG. 155

PARENT DESCRIPTION:

LOTS 16, 17 AND 18 AND THE S1/2 OF LOT 15 IN SPRING PARK ADDITION TO THE CITY OF BENTONVILLE. AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK IN BK.615 PG.707 IN BENTON COUNTY, ARKANSAS

LOT 21 DESCRIPTION:

Being a Part of the NW of the NE of Section 30, T-20-N, R-30-W. Beginning at a Found ½" Rebar at the Southwest Corner of Lot 18, Park Springs Addition to the City of Bentonville, Benton County, Arkansas. Thence N02°57'55"E 175.04 feet to a Set ⅝" Rebar w/Cap (AR1002); Thence S87°02'16"E 143.90 feet to a Set ⅝" Rebar w/Cap (AR1002) on the West Right of Way of NW "A" St.; Thence along said Right of Way S02°22'20"W 174.87 feet to a Set ⅝" Rebar w/Cap (AR1002); Thence leaving said West Right of Way N87°06'30"W 145.72 feet to the Point of Beginning. Containing 25,334 SqFt or 0.58 Acres, more or less.

RIGHT OF WAY DEDICATION:

Being a Part of the NW of the NE of Section 30, T-20-N, R-30-W. Commencing at a Found ½" Rebar at the Southwest Corner of Lot 18, Park Springs Addition to the City of Bentonville, Benton County, Arkansas. Thence S87°06'30"E 145.72 feet to a Set ⅝" Rebar w/Cap (AR1002) on the West Right of Way of NW A St. for the Point of Beginning; Thence along said Right of Way N02°22'20"E 174.87 feet to a Set ⅝" Rebar w/Cap (AR1002); Thence leaving said West Right of Way S87°02'16"W 5.93 feet to a Found ½" Rebar; Thence S02°26'35"W 174.86 feet to a Found 90D Nail; Thence N87°06'30"W 5.71 feet to the Point of Beginning. Containing 1017 SqFt or 0.02 Acres, more or less.

CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____

Signed: _____

Name and Address: _____

Print Name: _____

CERTIFICATE OF APPROVAL:

Pursuant to the Bentonville Land Development Code 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 regulation.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor City of Bentonville

Signed: _____
City Clerk, City of Betonville

SURVEYOR'S CERTIFICATE:

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

Date of Execution: _____

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

State Filing Code: *500-20N-30W-0-30-140-04-1002*

C.O.B. Project No. *PLA22-0030*

CLIENT:
Aaron Wilkerson
P.O. Box 148
Bentonville, Arkansas
(904) 613-5805
Aaron.Wilkerson@constellationprops.com

SHEET: PROPERTY LINE ADJUSTMENT

PROJECT: CREATING LOT 21 SPRING PARK ADDITION BENTONVILLE, ARKANSAS

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

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

PLS:	ECG
CAD:	AF/MJH
FIELD:	MJH
SCE PROJECT #:	21069
DATE:	08/04/2022
SHEET:	1 OF 1

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS 16, 17, AND 18 AN DSOUTH HALF OF LOT 15 OF SPRING PARK ADDITION; CREATING NEW LOT 21 OF SPRING PARK ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: PLA22-0030)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOTS 16, 17, AND 18 AND SOUTH HALF OF LOT 15 OF SPRING PARK ADDITION, creating new LOT 21 OF SPRING PARK ADDITION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on December 6, 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 LOTS 16, 17, AND 18 AND SOUTH HALF OF LOT 15 OF SPRING PARK ADDITION creating new LOT 21 OF SPRING CREEK 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 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.

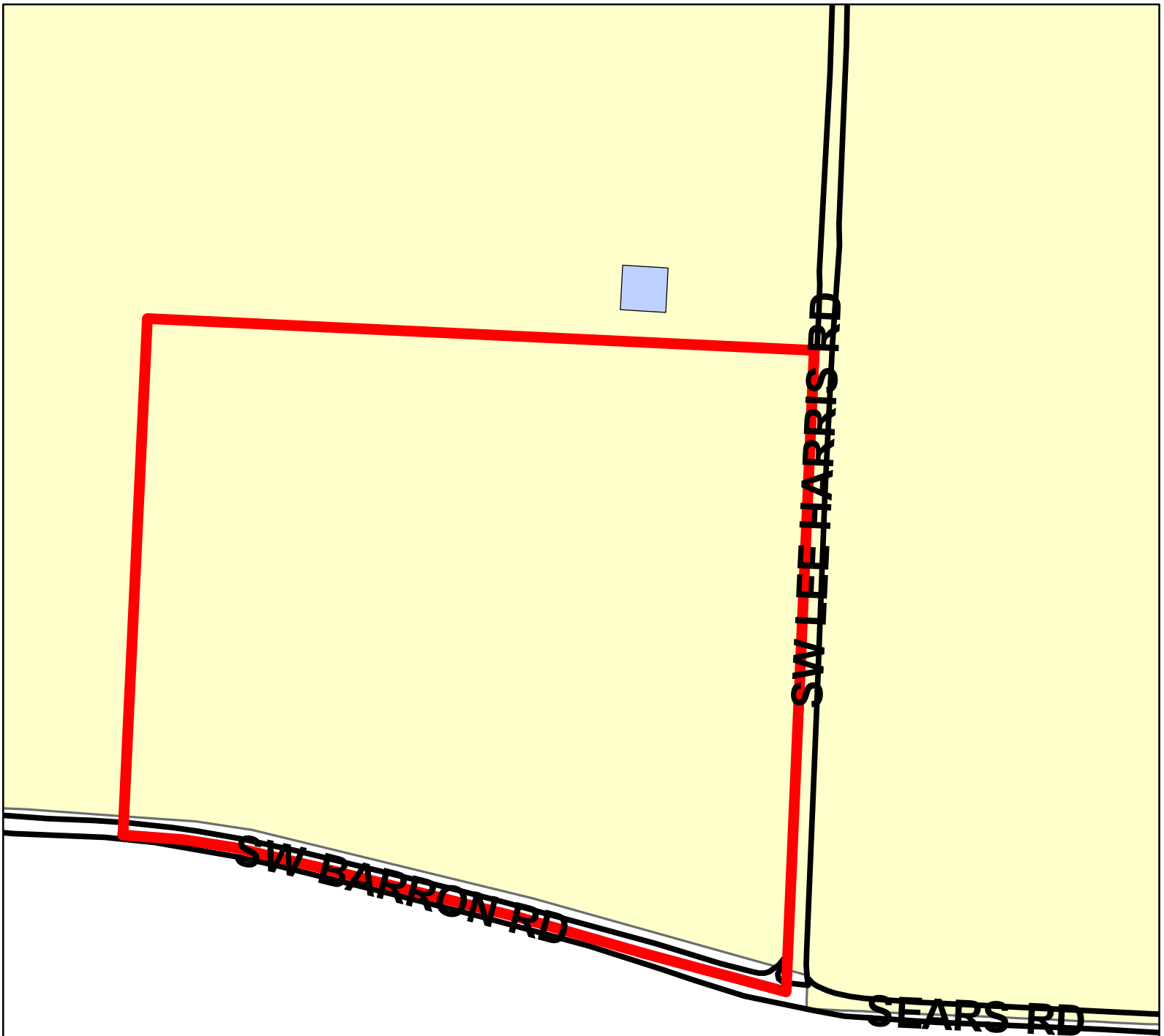
PASSED AND APPROVED this_____ day of _____, 2022.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk



Legend

- Pending Planning Commission Items
- BENTONVILLE

N
W E
S

1 inch = 150 feet

LS22-0046 10/18/22
LOT SPLIT
HIGHLAND WEST SUBDIVISION
LOT 3 CREATING LOTS 4-6

CITY NOTES:

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

2. BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.

3. OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.

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

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

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

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

8. NEWLY CREATED LOTS DO NOT HAVE ACCESS TO PUBLIC WATER OR SEWER.

60' 0 60'

SCALE: 1" = 60'

CERTIFICATE OF APPROVAL

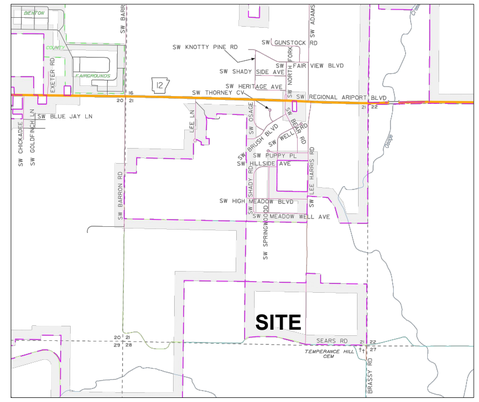
PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED_____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED_____
MAYOR CITY OF BENTONVILLE

SIGNED_____
CITY CLERK, CITY OF BENTONVILLE



Vicinity Map
N.T.S.

P.O.B. PARENT LOT 3 AND NEW LOT 4
P.O.C. NEW LOTS 5 & 6
1/2" REBAR
PLS 147
CONVERGENCE: -1°19'45"
N: 72435.57
E: 639323.71

PARCEL: 01-18911-000
RUBY REALTY LLC
4604 SW BARTON ST
BENTONVILLE AR 72713

S87°16'06"E 678.36'

15' U.E.
PER PLAT L202003368

5/8" REBAR W/CAP

S3°12'28"W 85.10'

S2°36'42"W 111.23'

S1°50'33"W 124.99'

45' R/W TO BE DEDICATED BY THIS PLAT

LEE HARRIS ROAD
ASPHALT 90' R/W PER M.S.P.

20' U.E. PER THIS PLAT

N2°45'27"E 320.99'

NEW LOT 4
HIGHLAND WEST ADDITION
5.00 ACRES+/-

PARCEL: 01-18912-000
PARENT LOT 3
10.00 ACRES+/-

15' U.E.
PER PLAT L202003368

P.O.B.
NEW LOT 5

NEW LINE LINE

S87°14'33"E 378.11'

N87°14'33"W 679.97'

N: 724198.60
E: 639647.86

P.O.B.
NEW LOT 6

NEW LINE LINE

S87°14'33"E 301.86'

RIGHT-OF-WAY TO BE DEDICATED BY THIS PLAT 0.55 ACRES+/- (HATCHED AREA)

PARCEL: 01-18910-000
DELVASTO, ESTEFANY & VILLAR, JEREMY M
4306 SW ALFALFA AVE
BENTONVILLE AR 72713

N2°45'27"E 205.94'

NEW LOT 5
HIGHLAND WEST ADDITION
2.00 ACRES+/-

NEW LINE LINE

N1°15'12"E 264.92'

NEW LOT 6
HIGHLAND WEST ADDITION
2.04 ACRES+/-

20' GENERAL U.E.
PER L202003368

S2°37'57"W 333.10'

PARCEL: 01-18914-000
BEAN, JEFF D & BEAN, TYNA J TRUSTEES
4019 BLOSSOM HILL DR
WEDDINGTON NC 28104

5/8" REBAR
PLS 1156

30' GAS EASEMENT
DEED 96-88981

20' GENERAL U.E.
PER L202003368

N85°40'26"W 67.24'

N80°55'56"W 61.35'

N76°42'54"W 88.52'

N75°52'49"W 173.22'

BARRON ROAD ROAD
GRAVEL 50' R/W

N75°52'49"W 48.05'

N73°55'50"W 255.38'

RIGHT OF WAY A TO BE DEDICATED BY THIS PLAT (0.40 ACRES)

PARCEL: 18-09105-001
HARRAL, GARY H & LORETTA K TRUSTEES
1695 GREYSTONE PL
SPRINGDALE AR 72762

2" ALUMINUM MONUMENT
SE CORNER
SW 1/4 SE 1/4
SECTION 21
T-19-N, R-31-W

1/2" REBAR

CERTIFICATE OF OWNERSHIP

I 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: _____

PATRICK NOWLIN

SIGNED: _____

AMBER NOWLIN

Notes:

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

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

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

3. This plat represents a boundary survey of the parcel recorded in Plat Records, L202003368 at the Office of the Circuit Clerk Benton County, Arkansas.

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

5. Basis of Bearings: Arkansas State Plane System North Zone (NAD83).

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

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

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

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

10. For the latest zoning/building set back check with the City of Bentonville Community Development at 479-271-3122 :

11. No attempt was made to show building setback lines graphically on the survey.

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

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

14. (BY GRAPHICAL PLOTTING ONLY)
    This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0245K. Revised date 06/05/2012.

PARENT LOT 3 DESCRIPTION:
LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS.

NEW LOT 4 DESCRIPTION:
PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 87°16'06" EAST A DISTANCE OF 678.36 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 03°12'26" WEST A DISTANCE OF 85.10 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 02°36'42" WEST A DISTANCE OF 111.23 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 01°50'33" WEST A DISTANCE OF 124.99 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 87°14'33" WEST A DISTANCE OF 679.97 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 02°45'27" EAST A DISTANCE OF 320.99 FEET TO THE POINT OF BEGINNING CONTAINING 5.00 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

NEW LOT 5 DESCRIPTION:
PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 378.11 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 01°15'12" EAST A DISTANCE OF 264.92 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 173.22 FEET; THENCE NORTH 76°42'54" WEST A DISTANCE OF 88.52 FEET; THENCE NORTH 80°55'56" WEST A DISTANCE OF 61.35 FEET; THENCE NORTH 85°40'26" WEST A DISTANCE OF 67.24 FEET; THENCE NORTH 02°45'27" EAST A DISTANCE OF 205.94 FEET TO THE POINT OF BEGINNING CONTAINING 2.00 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

NEW LOT 6 DESCRIPTION:
PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 378.11 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 301.86 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 02°37'57" WEST A DISTANCE OF 333.10 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 73°55'50" WEST A DISTANCE OF 255.38 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 48.05 FEET; THENCE NORTH 00°19'29" EAST A DISTANCE OF 264.92 FEET TO THE POINT OF BEGINNING CONTAINING 2.64.92 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

CERTIFICATE OF SURVEYING ACCURACY

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

DATE OF EXECUTION: _____

SIGNED: _____

REGISTERED LAND SURVEYOR

NO. _____

STATE OF ARKANSAS

COB PROJECT NUMBER:
LS22-0046

CERTIFICATE OF AUTHORIZATION
JAMES LAYOUT SERVICES, LLC
NO. 2389
ARKANSAS SURVEYOR

Lot Split of Lot 3, Highland West Addition
Creation Lots 4-6, Highland West Addition

JLS

James Layout Services, LLC
P.O. Box 611
Farmington, Arkansas 72730
Telephone: (479) 439-9929
survey@jlsnwa.com

REGISTERED
STATE OF ARKANSAS
NO. 1845
SIGNATURE
MATTHEW D. JAMES
PROFESSIONAL LAND SURVEYOR

Recording Information

Job Number: 22-248
Field Work: A.S.
Drawn By: N.R.
Checked By: M.J.
Certificate of Authorization Arkansas Land Surveyor No. 2389
Date: 9/2/2022
Scale: 1"=60'
Basis of Bearings:(NAD83) Arkansas State Plane North Zone

GAS LINE
TELEVISION CABLE
PROPERTY LINES
BUILDING SETBACK
UTILITY POLE (WITH GUY WIRE)

TREE LINE
WOOD FENCE
CHAIN LINK FENCE
WIRE FENCE
PAINTED STRIPE
TELEPHONE LINE
EXISTING WATER LINE
OVERHEAD ELECTRIC LINE
UNDERGROUND ELECTRIC LINE

RECORD DISTANCE
RECORD BEARING
SANITARY SEWER MANHOLE
DECIDUOUS TREE
EVERGREEN TREE

CABLE RISER
TRAFFIC SIGNAL
SIGN
WATER METER
WATER VALVE
FIRE HYDRANT
WATER SPIGOT
GAS METER
DRAINAGE MANHOLE

LEGEND
MONUMENT FOUND (AS NOTED)
MONUMENT SET (AS NOTED)
AHTD R-O-W MONUMENT
BENCHMARK
GUARD POST
UTILITY POLE
TELEPHONE RISER
FIBER OPTIC TELEPHONE RISER
ELECTRICAL RISER

SHEET NO.
1 OF 1

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 3 OF HIGHLAND WEST ADDITION; CREATING NEW LOTS 4-6 OF HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: LS22-0046)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 3 OF HIGHLAND WEST ADDITION, creating new LOTS 4-6 OF HIGHLAND WEST ADDITION , Benton County, Arkansas, was submitted to the Bentonville Planning Commission on December 6, 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 3 OF HIGHLAND WEST ADDITION; creating new LOTS 4-6 OF HIGHLAND WEST 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 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; 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:

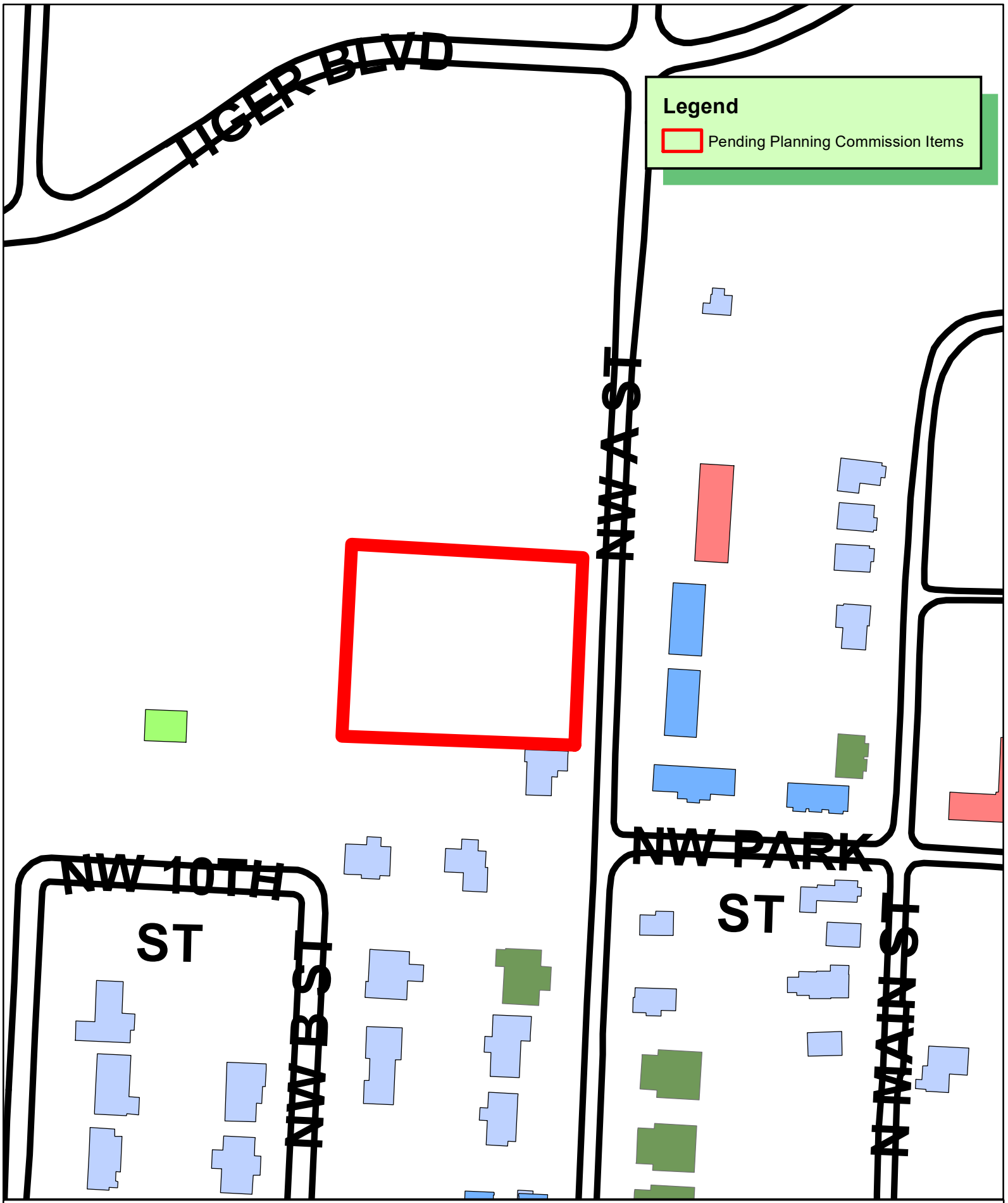
_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk



N
W E
S

1 inch = 150 feet

LS22-0059 12/6/22
LOT SPLIT
GREEN ACRES SUBDIVISION
TRACT A CREATING LOTS 5-7

PARENT TRACT LEGAL DESCRIPTION - Quitclaim Deed Book 2014, page 13687:

Tract "A", Green Acres Subdivision, Bentonville, Benton County, Arkansas, as shown in plat record "S" at page 265.

SURVEY DESCRIPTION - Overall Boundary:

Tract “A”, Green Acres Subdivision, Bentonville, Benton County, Arkansas, as shown in Plat record “S” at page 265, and more particularly described as follows:

BEGINNING at the northeast corner of Tract “A”, Green Acres Subdivision, from which the southeast corner of the Northwest Quarter Northeast Quarter (NW1/4 NE1/4) of Section 30, Township 20 North, Range 30 West, bears South 87°11'05” East 25.0 feet and South 02°52'09” West 994.8 feet; thence South 02°46'55” West a distance of 230.00 feet to the southeast corner of said Tract “A”; thence North 87°11'05” West crossing a one-half inch (1/2”) rebar with PS #1507 cap at a distance of 15.00 feet, in all a distance of 308.00 feet to a five-eighths inch (5/8”) rebar with PS #1659 cap marking the southwest corner of said Tract “A”; thence North 02°46'55” East a distance of 230.00 feet to a five-eighths inch (5/8”) rebar with PS #1659 cap marking the northwest corner of said Tract “A”; thence South 87°11'05” East along the north line thereof and crossing a one-half inch (1/2”) rebar at a distance of 293.00 feet, in all a distance of 308.00 feet to the Point of Beginning.

SURVEY DESCRIPTION - LOT 5:

Part of Tract “A”, Green Acres Subdivision, Bentonville, Benton County, Arkansas, as shown in Plat record “S” at page 265, and more particularly described as follows:

COMMENCING at the northeast corner of Tract “A”, Green Acres Subdivision, from which the southeast corner of the Northwest Quarter Northeast Quarter (NW1/4 NE1/4) of Section 30, Township 20 North, Range 30 West, bears South 87°11'05” East 25.0 feet and South 02°52'09” West 994.8 feet; thence North 87°11'05” West a distance of 15.00 feet to a one-half inch (1/2") rebar with PS #1507 cap and the POINT OF BEGINNING; thence South 02°46'55” West a distance of 60.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap; thence North 87°11'05” West a distance of 293.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap on the west line of said Tract "A"; thence North 02°46'55” East a distance of 60.00 feet to a five-eighths inch (5/8”) rebar with PS #1659 cap marking the northwest corner of Tract “A”; thence South 87°11'05” East a distance of 293.00 feet to the Point of Beginning.

SURVEY DESCRIPTION - LOT 6:

Part of Tract “A”, Green Acres Subdivision, Bentonville, Benton County, Arkansas, as shown in Plat record “S” at page 265, and more particularly described as follows:

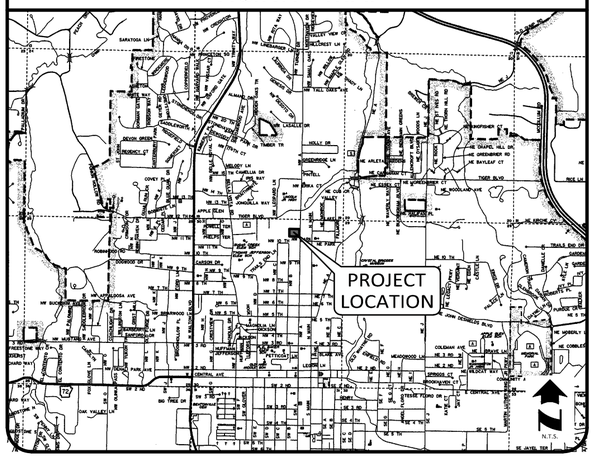
COMMENCING at the northeast corner of Tract “A”, Green Acres Subdivision, from which the southeast corner of the Northwest Quarter Northeast Quarter (NW1/4 NE1/4) of Section 30, Township 20 North, Range 30 West, bears South 87°11'05” East 25.0 feet and South 02°52'09” West 994.8 feet; thence North 87°11'05” West a distance of 15.00 feet to a one-half inch (1/2") rebar with PS #1507 cap; thence South 02°46'55” West a distance of 60.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap and the POINT OF BEGINNING; thence South 02°46'55” West a distance of 60.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap; thence North 87°11'05” West a distance of 293.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap on the west line of said Tract "A"; thence North 02°46'55” East along said west line a distance of 60.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap; thence leaving said west line, South 87°11'05” East a distance of 293.00 feet to the Point of Beginning.

SURVEY DESCRIPTION - LOT 7:

Part of Tract “A”, Green Acres Subdivision, Bentonville, Benton County, Arkansas, as shown in Plat record “S” at page 265, and more particularly described as follows:

COMMENCING at the northeast corner of Tract “A”, Green Acres Subdivision, from which the southeast corner of the Northwest Quarter Northeast Quarter (NW1/4 NE1/4) of Section 30, Township 20 North, Range 30 West, bears South 87°11'05” East 25.0 feet and South 02°52'09” West 994.8 feet; thence North 87°11'05” West a distance of 15.00 feet to a one-half inch (1/2") rebar with PS #1507 cap; thence South 02°46'55” West a distance of 120.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap and the POINT OF BEGINNING; thence South 02°46'55” West a distance of 110.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap on the south line of said Tract "A"; thence North 87°11'05” West a distance of 293.00 feet to a five-eighths inch (5/8”) rebar with PS #1659 cap at the southwest corner of said Tract "A"; thence North 02°46'55” East along the west line of said Tract "A" a distance of 110.00 feet to a one-half inch (1/2”) rebar with PS #1507 cap; thence leaving said west line, South 87°11'05” East a distance of 293.00 feet to the Point of Beginning.

VICINITY MAP



GENERAL NOTES:

- Basis of Bearings: Grid North, State Plane Coordinate System, Arkansas North Zone (0301), NAD 83 (2011)(Epoch:2010.0000), based on RT Kinematic GNSS Observations derived from a Static GNSS Base and OPUS post-processed solution, having published values of: Latitude 36°23'10.37263” N; Longitude 94°12'47.90628” W; Convergence Angle = -1.28792222 degrees; and a computed Combined Scale Factor (Grid to Ground) of 1.00002235.
- Vertical Datum: Vertical Datum: NAVD88 (Geoid 18). Orthometric heights and contours are derived from Terrestrial and RT Kinematic GNSS Observations based on an OPUS post-processed solution having an ellipsoid height of: 356.610 m and computed orthometric height of 385.938 m/1266.20 feet.
- Grid North Convergence: At the northwest corner of Tract A, rotate from Grid North 01°17'11” to the left for True (Geodetic) North.
- Flood Information: Based upon review of NFIP FIRM, Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0090J, Effective Date September 28, 2007, and by graphic plotting only; the subject property lies within: Zone X-Other Areas, areas determined to be outside the 0.2% annual chance floodplain. Surveyor assumes no liability for the correctness of cited map and this flood statement does not cover localized flooding.
- Every recorded document reviewed and considered as a part of this survey is noted hereon. Surveyor has not made a thorough investigation or independent search for any easements or other encumbrances or facts that an accurate, complete and current title search and/or title commitment would disclose. Other documents of record, rights of others, or facts, may exist and affect this subject property.
- Subsurface or environmental conditions were not examined or considered as a part of this survey, except for sanitary sewer pipes observed at the time of the field survey.
- Existing utilities shown hereon were located by reasonable visual observed surface improvements and the results of an Arkansas One-Call request and paint marks, Ticket No. 220208-0384 unless noted otherwise. The depths and /or heights of utilities were not measured unless noted with an elevation hereon. The locations of surface or subsurface utilities and improvements may differ from that depicted hereon and the locations of all utilities or the existence of additional subsurface utilities or improvements not shown, should be verified before any excavations are made.

BENTONVILLE DEVELOPMENT NOTES:

- Before any work in the street right-of-way commences, contractor and/or owner is to contact the City of Bentonville Engineering and Transportation Departments and notify said departments of the intent and type of work that will take place within the right-of-way.
- Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
- There may not be fences or any other structures built in any drainage easements.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
- Current Zoning: R-1, Residential
- Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.

CERTIFICATE OF OWNERSHIP

We The Undersigned, Owners Of The Real Estate Shown And Described Herein, Do Hereby Certify That We Have Laid 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.

OWNER:

Signed: _____ Date: _____
Joseph Farnham Thompson, Operating Manager
Bentonville RE Development, LLC

State Of Arkansas }
} SS
County Of _____ }

Sworn And Subscribed Before Me This Day _____ of

_____, 2022.

Notary Public: _____

My Commission Expires: _____

Source Of Title: Quitclaim Deed, Book 2014 Page 13687

CERTIFICATE OF APPROVAL:

Pursuant To The Bentonville Land Development Code And All Other Conditions And Approval having Been Completed, This Document Is Hereby Accepted. This Certificate Is Hereby Executed Under The Authority Of The Said Rules And Regulations.

Date Of Execution: _____

Signed _____
Bentonville Planning Commission Chairperson

Signed _____
City Clerk, City of Bentonville

Signed _____
Mayor, City of Bentonville

CERTIFICATE OF SURVEYING ACCURACY:

I, Keith A. Sikes, hereby certify that this plat correctly represents a boundary survey made by me or under my direct supervision and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all requirements of the Arkansas Standards of Practice for Property Boundary Surveys and Plats have been met.

Date of Execution: November 14, 2022

PRELIMINARY

Signed: _____
Keith A. Sikes, Arkansas PS #1507

Arkansas Plat Code: 500-20N-30W-0-30-140-04-1507

Filing Block

ENGINEER
Halff Associates, Inc.
2407 SE Cottonwood St.
Bentonville, AR 72712
Contact: Joanne Johnson
Telephone: (479) 273-2209

SURVEYOR
Halff Associates, Inc.
2407 SE Cottonwood St.
Bentonville, AR 72712
Contact: Keith Sikes
Telephone: (479) 273-2209

OWNER
Bentonville RE Developments LLC
1706 Carolyn Street
Bentonville, AR 72712
Contact: Joe Thompson
Telephone: 479-246-8275
Email: joethomjr@gmail.com

HALFF

HALFF ASSOCIATES, INC.
2407 SE COTTONWOOD ST. STE 1
BENTONVILLE, AR 72712
479.273.2209 - HALFF.COM

LOT SPLIT

of TRACT "A" Green Acres Subdivision

Prepared For:
Bentonville RE Developments, LLC

Creating LOTS 5, 6, & 7, Green Acres Subdivision Bentonville, Arkansas

City of Bentonville Project #: LS22-0059

Revisions

1	11.14.2022-Revised Per City Comments

Drawn By:	**JDS**	Vert. Scale:	**N/A**
Approved By:	**KAS**	Horiz. Scale:	**1" = 1'**
Date:	**11.14.2022**	Plot Scale:	**1**
Project No.:	**JOT-02**	DWG Name:	**PLAT**

SHEET **1** of 2

Drawing Name: P:\JOT-02 NW A Townhomes\DRAFTING\JOT-02 Lot Split.dwg Last Modified: Nov 14, 2022 - 9:45am Plotted on: Nov 14, 2022 - 10:06am by ah5165

LEGEND

Ex. Boundary Line	Ex. Fence Line
Ex. Adjacent Boundary Line	Ex. Overhead Electric Line
Ex. Right of Way Line	Ex. Power Pole
Ex. Road Centerline	Ex. Gas Meter
Ex. Easement Line	Ex. Water Meter
Ex. Building Setback Line	Ex. Fire Hydrant
Proposed Easement Line	Ex. Water Valve
Set 1/2" Rebar w/ PS# 1507 Cap	Ex. Sewer Manhole

PARK SPRINGS PARK

Lot 2
Black Apple Addition
Plat Book 2012, page 178
Filed: 5/30/2012
Parcel #: 01-16746-000
City of Bentonville
Zoning: R-1

State Plane Coordinates
N: 754149.5
E: 661532.5

Ex. 5/8" Rebar w/ 1659 Cap

S87°11'05"E 308.00'
293.00'

60.00'

LOT 5
±0.40 Acres

POB, Lot 5

32.6'
17.6'
15.00'
S87°11'05"E 25.0'
POC
POB, Overall & Tract "A"

R/W

5' Concrete Sidewalk

Ex. 5/8" Rebar w/ 1845 Cap (S06°47'W, 1.80')

N87°11'05"W 293.00'

New Lot Line Per This Plat

Ex. 15' Utility Easement
City of Bentonville
L202240799

65' Right-Of-Way

POB, Lot 6

32.6'

Lot 2
Black Apple Addition
Plat Book 2012, page 178
Filed: 5/30/2012
Parcel #: 01-16746-000
City of Bentonville
Zoning: R-1

60.00'

N. 195' of Tract A
Green Acres Subdivision
Parcel #: 01-02751-000
Bentonville RE Development LLC
Zoning: R-1

LOT 6
±0.40 Acres

60.00'

S02°46'55"W 230.00'

NW A Street
22' Asphalt Width

S02°52'09"W 994.8'

N02°46'55"E 230.00'

N87°11'05"W 293.00'

New Lot Line Per This Plat

POB, Lot 7

32.6'

Ex. 20' Arkansas Western Gas Easement Book 554, Page 359

15' Right-Of-Way
Plat Book S, page 265
Filed: 1/11/1978

Ex. Gas Riser

Ex. 10' Arkansas Western Gas Easement Book 554, Page 359

110.00'

Concrete Pad

LOT 7
±0.74 Acres

Benton County Parcel Line

S. 35' of Tract A
Green Acres Subdivision
Parcel #: 01-02750-000
Bentonville RE Developments LLC
Zoning: R-1

Ex. 15' Utility Easement
City of Bentonville
L202240799

5' Concrete Sidewalk

Ex. 5/8" Rebar w/ 1659 Cap

State Plane Coordinates
N: 753919.8
E: 661521.4

293.00'
N87°11'05"W 308.00'

15.00'
17.6'
32.6'

Lots 1 & 2 Tract B, Green Acres Subdivision
Parcel #: 01-02752-000
Bobby R. & Wanda Manning
Warranty Deed, Book 719, page 870
Filed: 2/14/1990
Zoning: R-1

One-Story
Brick Veneer Residence
(1003 NW "A" Street)

Computed Point
SE Corner
NW1/4, NE1/4
S30, T20N, R30W

Filing Block

Grid North

20 0 20

Scale in Feet
1 Inch = 20 Feet

PRELIMINARY

HALFF

HALFF ASSOCIATES, INC.
2407 SE COTTONWOOD ST. STE 1
BENTONVILLE, AR 72712
479.273.2209 - HALFF.COM

LOT SPLIT

of TRACT "A" Green Acres Subdivision

Prepared For:
Bentonville RE Developments, LLC

Creating LOTS 5, 6, & 7, Green Acres Subdivision Bentonville, Arkansas

City of Bentonville Project #: LS22-0059

Revisions

1	11.14.2022-Revised Per City Comments

Drawn By:	**JDS**	Vert. Scale:	**N/A**
Approved By:	**KAS**	Horiz. Scale:	**1" = 20'**
Date:	**11.14.2022**	Plot Scale:	**1**
Project No.:	**JOT-02**	DWG Name:	**PLAT**

SHEET **2** of 2

Drawing Name: P:\JOT-02 NW A Townhomes\DRAFTING\JOT-02 Lot Split.dwg Last Modified: Nov 14, 2022 - 9:45am Plotted on: Nov 14, 2022 - 10:06am by ahl5165

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF TRACT A OF GREEN ACRES SUBDIVISION; CREATING NEW LOTS 5, 6, & 7 OF GREEN ACRES SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: LS22-0059)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of TRACT A OF GREEN ACRES SUBDIVISION, creating new LOTS 5, 6, & 7 OF GREEN ACRES SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on December 6, 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 TRACT A OF GREEN ACRES SUBDIVISION, creating new LOTS 5, 6, & 7 OF GREEN ACRES 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 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; 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

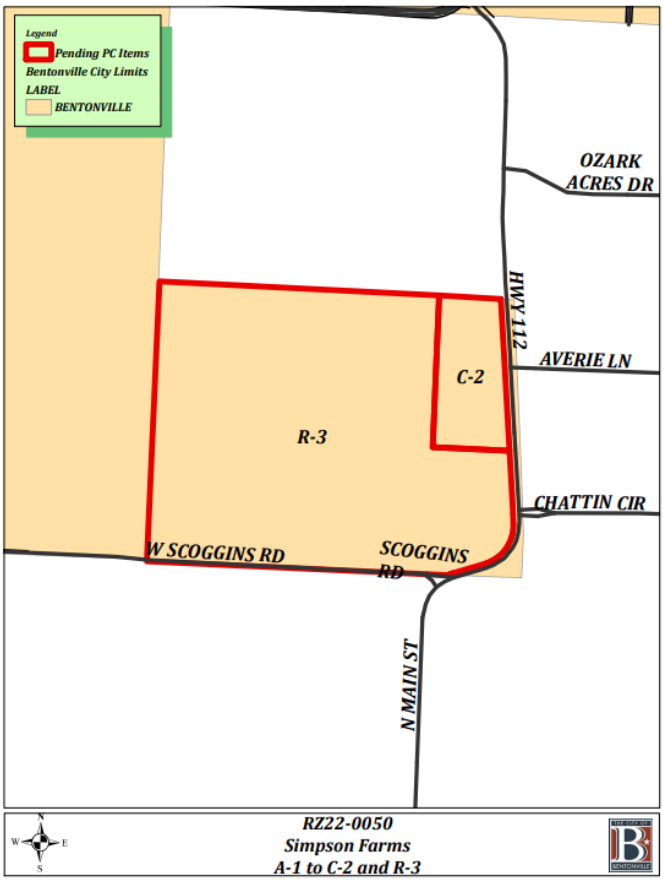
Simpson Farms

Parcel: 05-10243-000
PC Date: 11/1/2022
Reviewer: Christopher Hyatt, Planning Technician

Project Number	RZ22-0050
Applicant / Current Owner	Crafton Tull / Jon P Simpson Trust
Site Area	+/- 50.21 Acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-3, Medium-High Density Multifamily Residential & C-2, General Commercial
Future Land Use Map Designation	Unassigned (Recently Annexed)
Requested Future Land Use Map Designation	Medium-Density Residential (MDR) & General Commercial (C)
Related Project	PUD22-0001 (Withdrawn)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located Northwest of the intersection of Scoggins Road and Highway 112. The property is currently zoned A-1, Agriculture. Adjacent zoning districts are Benton County to the North, City of Rogers to the South, Cave Springs and Benton County to the East, and A-1 Agriculture to the West.

Relationship to the Bentonville Community Plan
The Future Land Use Plan does not currently establish a use due to the recent annexation; however, the applicant is requesting a change in the Future Land Use Plan to Medium Density Residential and General Commercial. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre.
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 uses. 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, minimizing impacts of parking through site design and landscaping.

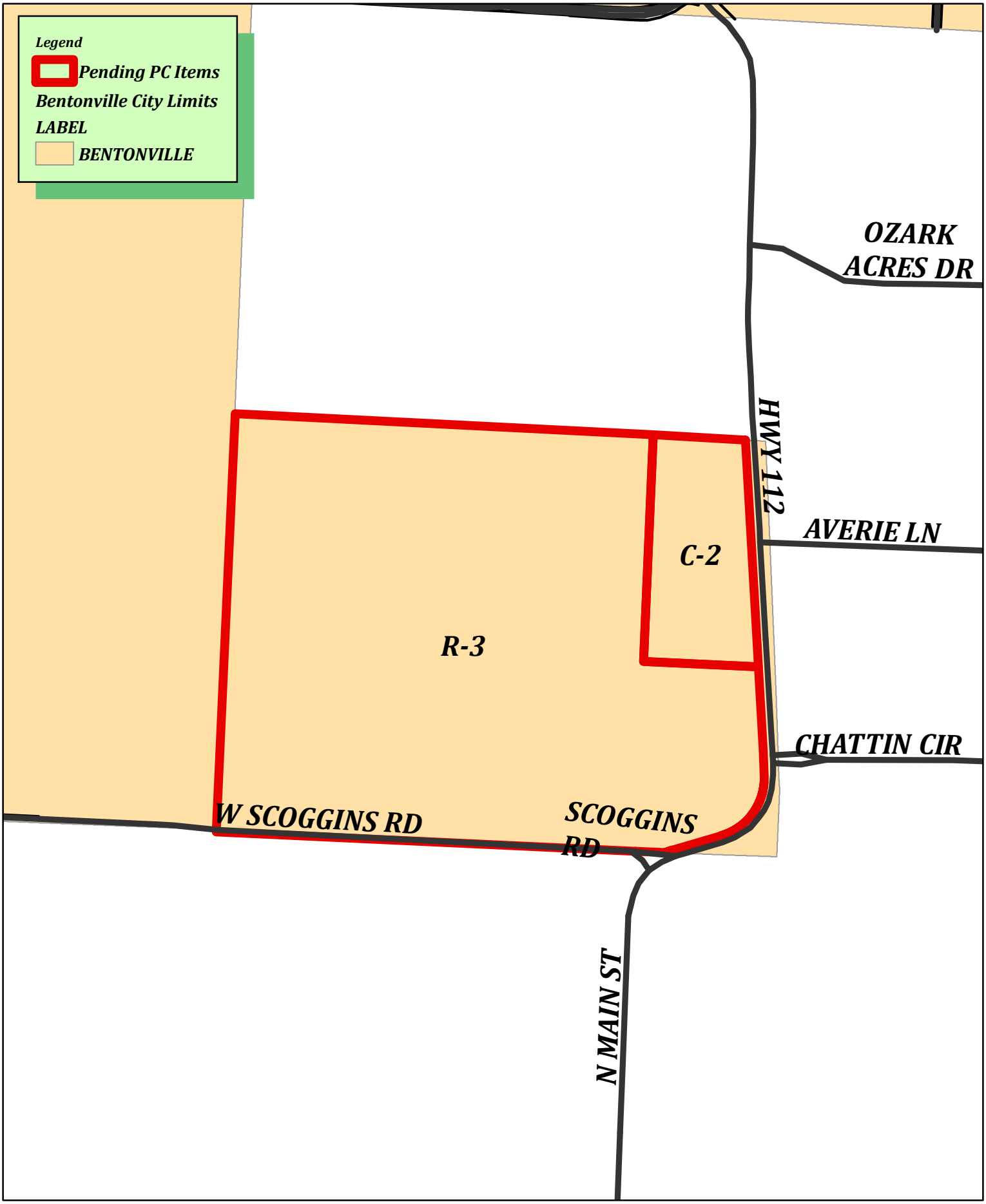
The property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area focuses on development in areas proximate to existing infrastructure in order to capitalize on municipal investment that has already taken place. Although water service is available for the property, sewer service requires an extension beyond a quarter mile that the developer is seeking to build. Scoggins Rd is currently unimproved.

Public Comment
At the time of writing this staff report, staff **HAS** received public comment on this item.

Analysis
The R-3 District is established to provide suitable areas for medium density residential development. Such units would be located in areas where adequate city facilities existed prior to development or would be provided in conjunction with development, and where a suitable environment for medium density residential development would be available. Such districts could be used in suburban portions of the city as buffer or transitional zones between single-family and other uses not compatible with low density residential development. 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.

Conclusion

This request is not consistent with the adopted Bentonville Community Plan where new development is discouraged in Priority Area 3 for areas further than ¼ mile from existing infrastructure. As such, staff recommends that the development wait until such time as the infrastructure is closer to the project. Further, staff recommends that the commercial element of the application be lowered from C-2 to C-1 to better fit the character of the surrounding community. Any off-site improvement necessary to support the project, if approved, will be presented to Planning Commission at the time of the Preliminary Plat.



N
W E
S

RZ22-0050
Simpson Farms
A-1 to C-2 and R-3

Crafton Tull

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

479.636.4838 (ph)
479.631.6224 (fax)

September 23, 2022

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Change in Future Land Use Plan (Parcel #05-10243-000)

Staff,

On behalf of our clients we would like to formally request a change in the Future Land Use Plan for this project from Unassigned to Medium Density Residential and General Commercial. The property is currently owned by Simpson Exempt Trust, Jon P C/U Simpson Family Revocable Living Trust, et al. The adjacent properties are noted as Agriculture (Bentonville) to the west, Unincorporated Benton County to the North and East, Commercial (Cave Springs) to the East, and Agriculture (Rogers) to the South. A proposed change to Medium Density Residential and General Commercial Land Use is appropriate in this area based on proximity to other residential and commercial parcels.

The owners of this parcel are requesting a change to Medium Density Residential and General Commercial Land Use in order to develop residential units and a commercial area. Currently, the proposed plans for development on this property are to build 364 residential units and 5 commercial building with associated infrastructure, storm water retention, and onsite amenities. This property has access to 2 points of ingress/egress (via via Scoggins Rd and HWY 112).

The site currently has one single family home and a few outbuildings. The land is comprised of hay/grass cover with some larger trees surrounding the house and two ponds. There are no plans for proposed signage on this property. Owner/developer will work with city staff when planning any proposed signage.

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

Thank you,

Ali Karr, P.E.
Project Manager

Crafton Tull

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

479.636.4838 (ph)
479.631.6224 (fax)

September 23, 2022

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Property (Parcel #05-10243-000)

Staff,

On behalf of our clients we would like to formally request a zoning change for this project from A-1, Agricultural to R-3 and C-2. The property is currently owned by Simpson Exempt Trust, Jon P C/U Simpson Family Revocable Living Trust, et al. The adjacent property to the west is zoned A-1. The properties to the east are in Cave Springs City Limits and are zoned R-1 and R-2. The property to the southeast is in Cave Springs City Limits and is zoned C-2. The property due south is in Rogers City Limits and is zoned A-1. The property to the north and a parcel to the east are unincorporated Benton County properties. A proposed R-3 and C-2 zoning is appropriate in this area based on proximity to other residential and commercial parcels.

The owners of this parcel are requesting a rezone to R-3 and C-2 in order to proceed with a mixed use development of residential and commercial.

The development will include the associated infrastructure to support the density, storm water retention, and onsite amenities. This property has access to 2 points of ingress/egress (via Scoggins Rd and HWY 112). The site currently has one single family home and a few outbuildings. The land is comprised of hay/grass cover with some larger trees surrounding the house and two ponds. There are no plans for proposed signage on this property. Owner/developer will work with city staff when planning any proposed signage.

By rezoning to R-3 and C-2, Medium-High Density Multifamily Residential and General Commercial, this property will be an excellent place for development and will be an asset to the Bentonville community.

Thank you,

Ali Karr, P.E.
Project Manager

NOTICE OF INTENT TO REZONE

Simpson Exempt Trust, Jon P C/U Simpson Family Revocable Living Trust et al. has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

A-1 to R-3 and C-2

The legal description of the property is as follows:

See attached.

The common description of the property is: Northwest the intersection of Scoggins Rd and HWY 112

The public hearing will be held November 1st, 20 22 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.
☒ I / we object to the rezoning because:

Please enclosed letter - our primary concerns relate to maintaining the childhood friendly environment, the increased traffic congestion, increased noise, and the lack of clear need of any commercial businesses in the immediate area.

Signature and Physical Address

Scott Shadiow
116 Averie Lane
Bentonville, AR 72713

Signature and Physical Address

Kaitlyn Shadiow
116 Averie Lane
Bentonville, AR 72713

Scott & Kaitlyn Shadiow
116 Averie Ln
Bentonville, AR 72713
(317) 432-9210
scott.shadiow@gmail.com

RE: New Zoning Request

Dear Planning Commission,

We received rezoning request (RZ22-0050) for property description "NW the intersection of Scoggins Rd and HWY 112) to convert a section of land from A-1 to R-3 and C-2, and we would like to express our concerns and opposition to the C-2 rezoning request based on the following reasons:

1) Child-Friendly Environment - One of the main reasons we selected our home in this rural area of Bentonville was to explicitly be in a child-friendly environment and away from high-traffic commercial enterprises. We wanted a safe and quiet location for our family, along with the rest of the families that live on Averie lane. We believe allowing a commercial space in this area is a severe contrast to the consistent zoning in the broader area. This is also sadly not aligned with the environment we considered when purchasing our property.

2) Increased traffic congestion – During peak traffic times (morning/evenings) it is very dangerous for us to exit and enter into our community due to heavy congestion and the speed of cars along this stretch of the highway. We often must plan our route to avoid needing to turn left onto HW 112 or left onto Averie Lane. This is a huge safety concern for us. Adding a commercial business will only make this road more congested and more difficult for us to safely enter and exit our community.

3) Increased noise pollution – Not only does the traffic along HW 112 create a sub-optimal situation to enter and exit our community, the noise pollution caused by the traffic cannot be ignored. With more traffic, the noise from HW 112 will only increase creating a lower quality of living for our community.

4) Lack of need - Our community and immediate, surrounding area is rural and residential. Businesses ranging from grocery, fuel stations, medical, restaurants and storage are located conveniently two miles away (towards SW Regional Airport Rd). Adding an additional commercial location in this area is not required nor filling a gap in the community's need.

We would kindly ask you to reject this rezoning proposal. We plan to be at the public hearing to share our concerns, given the significant impact we believe this will have on our property value, quality of life and overall condition for our child-focused community.

Sincerely,

Scott and Kaitlyn Shadiow

NOTICE OF INTENT TO REZONE

Simpson Exempt Trust, Jon P C/U Simpson Family Revocable Living Trust et al. has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

A-1 to R-3 and C-2

The legal description of the property is as follows:

See attached.

The common description of the property is: Northwest the intersection of Scoggins Rd and HWY 112

The public hearing will be held November 1st, 20 22 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.
☒ I / we object to the rezoning because:

Please see attached letter

Signature and Physical Address
100 AVERIELN
BENTONVILLE, AR 72713

Signature and Physical Address
100 AVERIELN
BENTONVILLE, AR 72713

Maria & Joseph Godsey
100 Averie Ln
Bentonville, AR 72713
(479) 799-8151
Godsey.mj@gmail.com

RE: New Zoning Request

Dear Planning Commission,

We received rezoning request (RZ22-0050) for property description "NW the intersection of Scoggins Rd and HWY 112) to convert a section of land from A-1 to R-3 and C-2. We have no objections to the portion of land proposed to be rezoned to R-3. However, we have strong concerns and oppose to the C-2 rezoning request based on the following reasons:

1) Increased traffic congestion – The traffic along HW 112 has increased dramatically since the end of "remote office." During peak traffic times (morning/evenings) it is very dangerous for us to exit and enter into our community due to heavy congestion and the speed of cars along this stretch of the highway. We often must plan our route to avoid needing to turn left onto HW 112 or left onto Averie Lane. This is a huge safety concern for us. Adding a commercial business will only make this road more congested and more difficult for us to safely enter and exit our community.

2) Increased noise pollution – Not only does the traffic along HW 112 create a sub-optimal situation to enter and exit our community, the noise pollution caused by the traffic cannot be ignored. With more traffic, the noise from HW 112 will only increase creating a lower quality of living for our community.

3) Lack of need - Our community and immediate, surrounding area is rural and residential. Businesses ranging from grocery, fuel stations, medical, restaurants and storage are located conveniently two miles away (towards SW Regional Airport Rd). Adding an additional commercial location in this area is not required nor filling a gap in the community's need.

4) Environment - One of the main reasons we selected our home in this area of Bentonville was to explicitly be in a rural environment and away from commercial centers. We wanted a safe and quiet location for our family. We believe allowing a commercial space in this area is a severe contrast to the consistent zoning in the broader area. This is also sadly not aligned with the environment we considered when purchasing our property.

We would kindly ask you to reject this rezoning proposal. We plan to be at the public hearing to share our concerns, given the significant impact we believe this will have on our property value, quality of life and overall condition for our community.

Sincerely,

Maria Godsey

Maria and Joseph Godsey

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM OPEN SPACE TO MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER: RZ22-0050).

WHEREAS, Crafton Tull on behalf of Jon P Simpson Trust 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 OPEN SPACE to MEDIUM-DENSITY RESIDENTIAL, which property is described as follows:

PART OF THE SE 1/4 OF THE NE 1/4 AND PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE SOUTH LINE THEREOF N87°20'18"W 1319.25 FEET TO THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE WEST LINE THEREOF N02°35'13"E 1316.95 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE NORTH LINE THEREOF S87°06'24"E 1316.20 FEET TO THE NORTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE EAST LINE THEREOF S02°27'10"W 713.58 FEET;THENCE LEAVING SAID EAST LINE S87°20'18.1"E 361.42 FEET TO THE WEST RIGHT-OF-WAY OF ARKANSAS HIGHWAY 112;THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES:THENCE S03°17'44"E 261.09 FEET;THENCE S01°56'34"E 83.69 FEET;THENCE 248.75 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 188.61 FEET AND A LONG CHORD OF S35°50'21"W 231.11 FEET;THENCE S73°37'15"W 156.49 FEET;THENCE 26.89 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 249.37 FEET AND A LONG CHORD OF S69°43'28"W 26.87 FEET TO THE SOUTH LINE OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG SAID SOUTH LINE N87°20'18"W 93.91 FEET TO THE POINT OF BEGINNING, CONTAINING 44.60 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE WEST LINE THEREOF N02°27'10"E 598.05 FEET TO THE POINT OF BEGINNING;THENCE CONTINUING ALONG SAID WEST LINE N02°27'10"E 713.58 FEET TO THE NORTHWEST CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE NORTH LINE THEREOF S86°37'13"E 289.96 FEET TO

THE WEST RIGHT-OF-WAY OF ARKANSAS HIGHWAY 112;THENCE ALONG SAID RIGHT-OF-WAY S03°17'44"E 713.79 FEET;THENCE LEAVING SAID RIGHT-OF-WAY N87°20'18"W 361.42 FEET TO THE POINT OF BEGINNING, CONTAINING 5.32 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 1, 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 OPEN SPACE to MEDIUM-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-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL AND C-2, GENERAL COMMERCIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER:RZ22-0050).

WHEREAS, Crafton Tull on behalf of Jon P Simpson Trust 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-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and 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 SE 1/4 OF THE NE 1/4 AND PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE SOUTH LINE THEREOF N87°20'18"W 1319.25 FEET TO THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE WEST LINE THEREOF N02°35'13"E 1316.95 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE NORTH LINE THEREOF S87°06'24"E 1316.20 FEET TO THE NORTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE EAST LINE THEREOF S02°27'10"W 713.58 FEET;THENCE LEAVING SAID EAST LINE S87°20'18.1"E 361.42 FEET TO THE WEST RIGHT-OF-WAY OF ARKANSAS HIGHWAY 112;THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES:THENCE S03°17'44"E 261.09 FEET;THENCE S01°56'34"E 83.69 FEET;THENCE 248.75 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 188.61 FEET AND A LONG CHORD OF S35°50'21"W 231.11 FEET;THENCE S73°37'15"W 156.49 FEET;THENCE 26.89 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 249.37 FEET AND A LONG CHORD OF S69°43'28"W 26.87 FEET TO THE SOUTH LINE OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG SAID SOUTH LINE N87°20'18"W 93.91 FEET TO THE POINT OF BEGINNING, CONTAINING 44.60 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE WEST LINE THEREOF N02°27'10"E 598.05 FEET TO THE POINT OF BEGINNING;THENCE CONTINUING ALONG SAID WEST LINE N02°27'10"E 713.58 FEET TO THE NORTHWEST

CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 24;THENCE ALONG THE NORTH LINE THEREOF S86°37'13"E 289.96 FEET TO THE WEST RIGHT-OF-WAY OF ARKANSAS HIGHWAY 112;THENCE ALONG SAID RIGHT-OF-WAY S03°17'44"E 713.79 FEET;THENCE LEAVING SAID RIGHT-OF-WAY N87°20'18"W 361.42 FEET TO THE POINT OF BEGINNING, CONTAINING 5.32 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 1, 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-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and 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 R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and 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.

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

Central & Battlefield

East Central Ave and Battlefield Boulevard
PC Dates: 10/4/2022 **;** 12/6/2022
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	PUD22-0002
Applicant / Current Owner	Dalton & Linda Lott
Site Area	+/- 7.46 acres
Current Zoning	PRD, A-1 and R-O
Requested Zoning	PUD, Planned Unit Development
Future Land Use Map Designation	High Density Residential & Residential Estate
Requested Future Land Use Map Designation	Mixed-Use Commercial (MUC)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at the intersection of East Central Avenue and East Battlefield Boulevard.

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

The property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. This area supports the development of vacant properties already served by infrastructure within the context of existing development

Public Comment
At the time of writing this staff report, staff has received public comment on this item. See attached

Analysis
The primary purpose of a PUD is to establish a mechanism for a person to propose a commercial, industrial or residential mixed-use development that is innovative but which does not strictly comply with the provisions of the zone in which the property is located and cannot be achieved through traditional zoning. The intent of the PUD district is to promote high quality developments while allowing greater flexibility in the design of such developments. The PUD should produce: (1) a maximum choice in the types of environment and living units available to the public; (2) common open space and recreation areas; (3) a pattern of development which preserves natural features and prevents soil erosion; (4) a creative approach to the use of land and related physical development; (5) an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering costs; (6) internally located commercial uses that serve surrounding residential areas; and, (7) an environment of stable character in harmony with the surrounding development.

The applicant is proposing a Planned Unit Development (PUD) Development of 7.07 acres consisting of approximately 15,000 square feet of retail space, 30,000 square feet of Class A Office space and 545 multifamily housing units (85 units/per acre). The PUD adheres to the minimum open space requirements by allocating 1.43 acres (20%) of the site to common open space.

Approximately 900 surface parking spaces are being provided with the PUD. As design details materialize, this PUD may need to be amended accordingly. Major amendments to the PRD shall require additional Planning Commission review and approval. See the applicant's attachments for master plan, elevations and architectural style.

Waivers
At this time there on no waivers requested

Conclusion
While this project would provide needed housing for the City and the vertical mixed use is encouraged, there are some challenges for the scope of project at this site as outlined below. We welcome the opportunity to have meaningful public participation at this public hearing so that staff and the applicant can refine the project scope to better harmonize it with the surrounding development.

Some challenges to be considered may be: 1. The proposed height of the project: one of the tallest in the City, and the property being located *within Priority Area 2*, outside of downtown. 2. The thin transition from the low land use to the east and the proposed intense land use of the project raises questions ranging from the expectations of back yard privacy to the value of sunlight (sunlight necessary to support the established landscaping on adjacent properties and if the lack of sunlight will preclude existing neighborhoods from ever installing photovoltaics). 3. At the time of the writing of this staff report there was no traffic study submitted. We anticipate significant impacts associated with traffic which could be softened with proposed project features such as a pedestrian crossing of Central to encourage walking and biking to the large recreational facility and retail to the northwest. The applicant is in coordination with City staff to ensure that the City constructed improvements along Battlefield Blvd will dovetail with the site plan, but, as of the writing of this staff report, the alignment of the intersection of Battlefield and Central is still conceptual. Any realignment of this intersection will necessarily reconfigure the site plan of the project. 4. The non-standard configuration of the site in relation to the commercial property that it wraps around: This transition needs thoughtful consideration, both from the view from the public realm, as Central is a gateway entry to the City and with an eye toward how this commercial parcel may affect the future residents of the proposed project.



PUD22-0002 10/4/2022
PLANNED UNIT DEVELOPMENT
CENTRAL & BATTLEFIELD

UNC + modus studio

PUD Submission #4
November 28, 2022

PUD22-0002



TEAM

Developer: **Uncommon Developers**
16380 Roscoe Boulevard
Van Nuys, California 91406
818.517.5343

Opher Benrimon
opher@uncommondevelopers.com

Architect: **Modus Studio**
15 N. Church Ave #102
Fayetteville, AR 72701
479.455.5577

Chris Baribeau, AIA
chris@modusstudio.com

Civil Engineer: **McClelland Consulting Engineers**
1580 E Stearns St.
Fayetteville, AR 72703

Nathan Streett, PLA
nstreett@mce.us.com

Surveyor: **Anderson Engineering**
5311 Village Pkwy
Rogers, AR 72758

Nikolay Nedkov, PLS
nnedkov@ae-inc.com

drone photo of existing site



Narrative

1
Planned Unit Development Intent.

Uncommon Developers, Modus Studio, and McClelland Consulting Engineers are pleased to submit this mixed-use Planned Unit Development to the City of Bentonville.

This project seeks to address the ongoing housing crisis in Northwest Arkansas by occupying a formerly suburban, but increasingly urban infill site that is bound by robust infrastructure and general connectivity for pedestrians, cyclists and motorists. This project will provide ample housing, neighborhood amenities, and additional class A office space within the growing context of Bentonville. The project will enhance the quality of walkable urban life and strike a balance for livable proximity to the major workcenters, trails, and cultural amenities that define the Northwest Arkansas community. The Planned Unit Development approach allows stakeholders to understand the intent, qualities, and merits of the proposed project.

The PUD encompasses a 7.07 acre site that is bound by Central Avenue on the Northwest and Battlefield Boulevard on the South. While the site currently has a Walkscore of only 20 and a Bikescore of 47, it is evident this will increase significantly over the next decade as Bentonville becomes increasingly connected. Particularly, the recently passed bond project for Battlefield Boulevard improvements promotes expansive walkability and bikability adjacent to the new the Walmart Headquarters, Memorial Park, Crystal Bridges, and many other existing Bentonville amenities.

The amenities are burgeoning and people need quality housing to call home. This project will provide new options within the context of Bentonville and the greater Northwest Arkansas community.

2
Description of Land Uses.

This PUD includes the following mixed-use allocations:

Neighborhood Retail.
Approximately 15,000 square feet located at the main intersectiong of Central Ave and Battlefield Blvd, with access directly from Battlefield Blvd.

Class A Office.
Approximately 30,000 square feet located above retail space at the intersection of Central Ave and Battlefield Blvd.

Combined building, open space, and parking accounts for .67 acres

note: shared parking occurs in podium area near commercial space

Housing.
Approximately **499** units of new multifamily housing units. (*545 units originally proposed)*

Parking.
The entire mixed-use development will be properly parked with a combination of surface parking and structured parking. Surface parking is purposefully located along the eastern edge of the property as a well-planted buffer from the existing single family neighborhood. All other structured parking is within a podium structure, screened from the street and trail.

Combined building, open space, and parking accounts for 6.4 acres

Narrative

3
Structural Design.

The various buildings of the mixed-use project will have a range of construction types all rooted in a placemaking concept inspired by the bluffs, falls, and flora of the Arkansas Ozarks. The buildings are terraced and carved to control scale and massing while weaving the natural flora of the Ozarks into the architecture. Additionally, ground level open space and pocket parks are provided along with elevated open space at multiple courtyards including various amenities such as pools, sport courts, outdoor living, etc. Additionally, the design seeks to save a small grove of existing specimen trees as a point of convergence between the neighborhood commercial and housing.

Neighborhood Retail + Office Building.
The Retail + Office Building is proposed as a mass timber structure, complimentary to the construction type being used for the office buildings on the new Walmart Campus. The layered terracing of the spaces will minimize total height above the street while providing a soft and inviting terminating vista to the long access of Central Avenue that is experienced when leaving the Bentonville Square.

Modus Studio has completed multiple mass timber projects and the positive effects in the quality of construction and spaces crafted in wood are undeniable for quality retail and Class A office space.

Housing.
The multifamily housing units, community amenities, and structured parking are proposed as two-stories of concrete podium with five-stories of light wood frame construction above. The same terracing and layering of space with ample public, semi-public, and private outdoor spaces become the primary reading of the architecture. The goal is to intertwine landscape with built form, creating a generous and comfortable place to live.

Specifically, the height and scale of the housing buffers away from the existing single family homes to the East while also creating a strong urban edge along Central Avenue, ultimately a welcoming ensemble as citizens and visitors alike traverse from I-49 to Downtown Bentonville.


Ozark bluffs, falls, and flora


Greenway Offices in Bentonville, expressing the quality of mass timber in Class A office space


Adohi Hall in Fayetteville, expressing the quality of mass timber in community spaces and housing.



UNCO + modus studio

Narrative

4

Development Criteria.

The proposed mixed-use project seeks to adhere to all materiality and articulation requirements of the city design and approval process.

No separate phasing is planned for the project, with all buildings executing construction simultaneously to cohesively deliver a new neighborhood center.

The development + design team hosted a neighborhood meeting on August 25th to explain the project and hear any concerns of the nearby dwellers.

A traffic report has been completed to confirm the continuity, capacity and connectivity of the Central Ave corridor along with Battlefield Blvd intersection and its future improvements will perfectly support this project.

drone photo showing the existing treeline buffer along the eastern edge of the proposed project



PUD Summary.

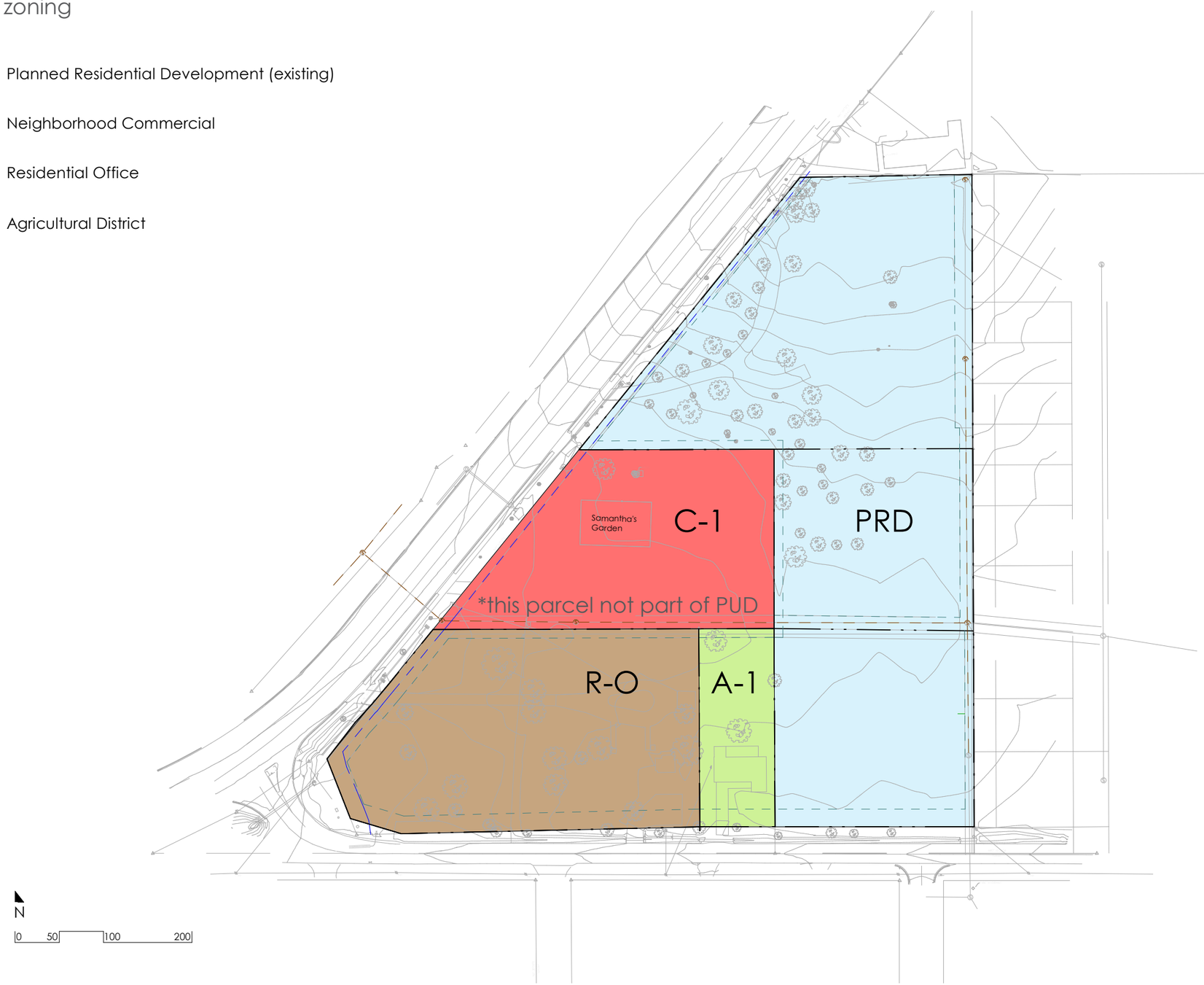
Site Area:	7.07 acres
Open Space Required:	1.43 acres | 20%
Open Space Provided:	**1.43 acres | 20%**
Retail + Office Buidling:	45,000 SF
Commercial Retail:	15,000 SF
Class A Office:	30,000 SF
Amenities + Housing:	6.4 acres
	460,000 SF
	499 Units (major reduction)
	85 Units per acre
Parking Spaces:	900 +/-
	Surface parking adhering to all standards
Setbacks + Buffers:	
Central Avenue	20’ Setback inclusive of overhead power line setback
Battlefield Boulevard	0’ Setback from new edge of ROW as defined by Battlefield Bond Project which includes a 12’ wide trail
North Side Yard	10’ Setback Existing Fencing Existing Trees Type A Screening per Landscape Requirements
East Side Yard	15’ Setback **+ PARKING BUFFER = 91’ SETBACK** Existing Fencing Existing Trees Type A Screening per Landscape Requirements

UNCO + modus studio

PLAN SET

current zoning

- Planned Residential Development (existing)
- Neighborhood Commercial
- Residential Office
- Agricultural District



Zoning Intent.

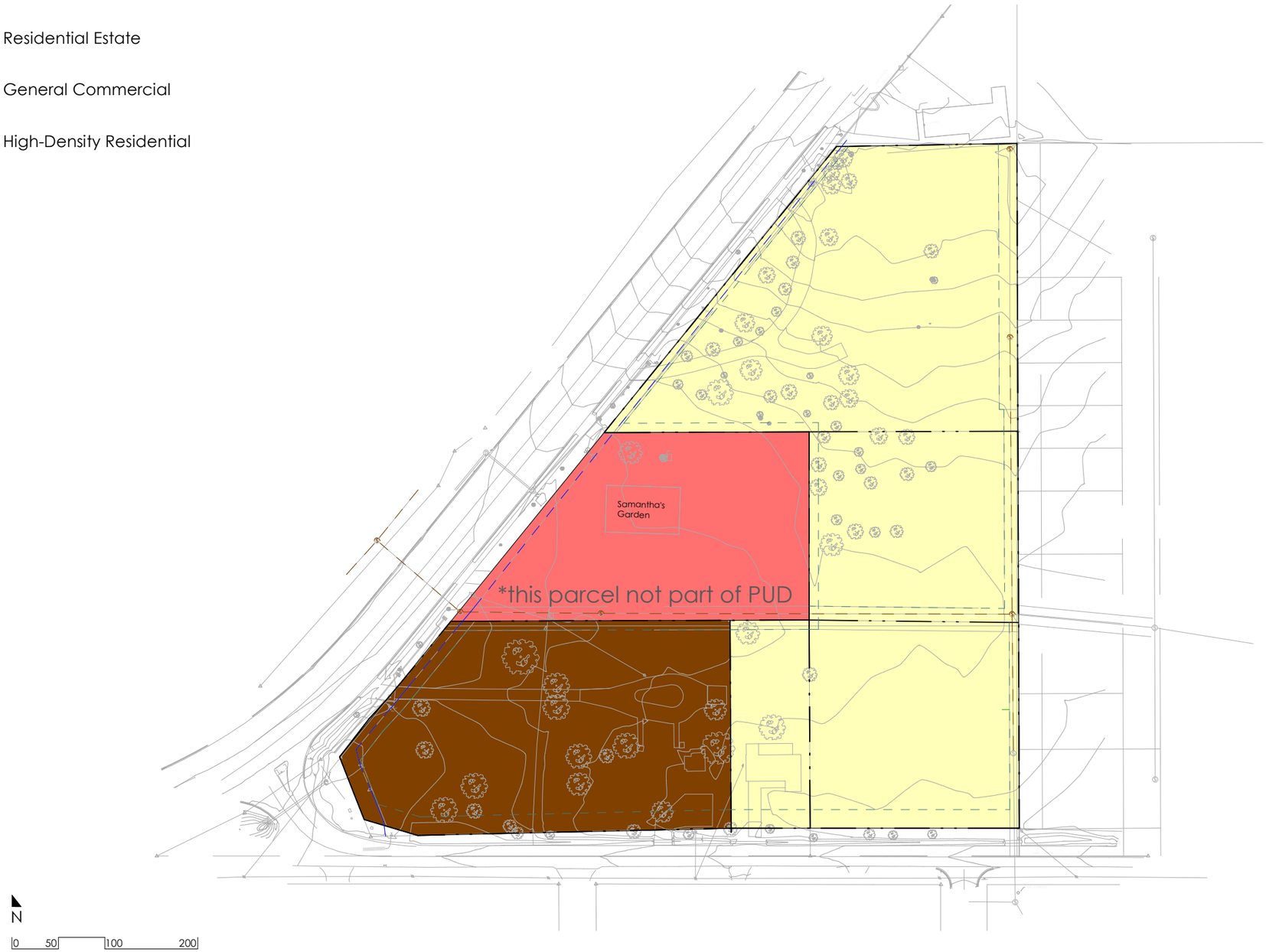
The proposed mixed-use project reabsorbs a mixture of incongruent zoning into a specific, focused development opportunity for balancing the Central Ave and Battlefield Blvd intersection as Bentonville continues to grow and require neighborhood centers supporting housing, retail and existing homes.

UNC + modus studio

PLAN SET

future land use

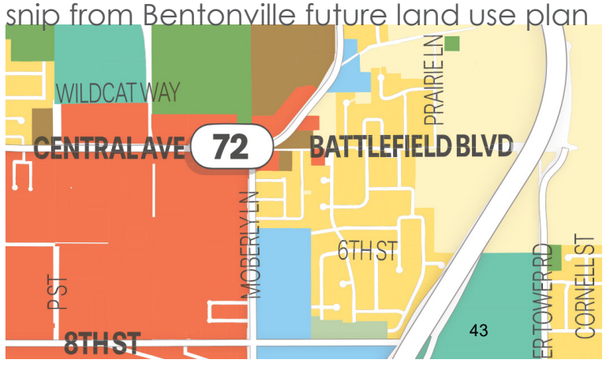
- Residential Estate
- General Commercial
- High-Density Residential



Land Use Intent.

The proposed mixed-use project is in keeping with the future land use plan, but expands the intent of smart growth to address the critical intersection of Central Ave and Battlefield Blvd.

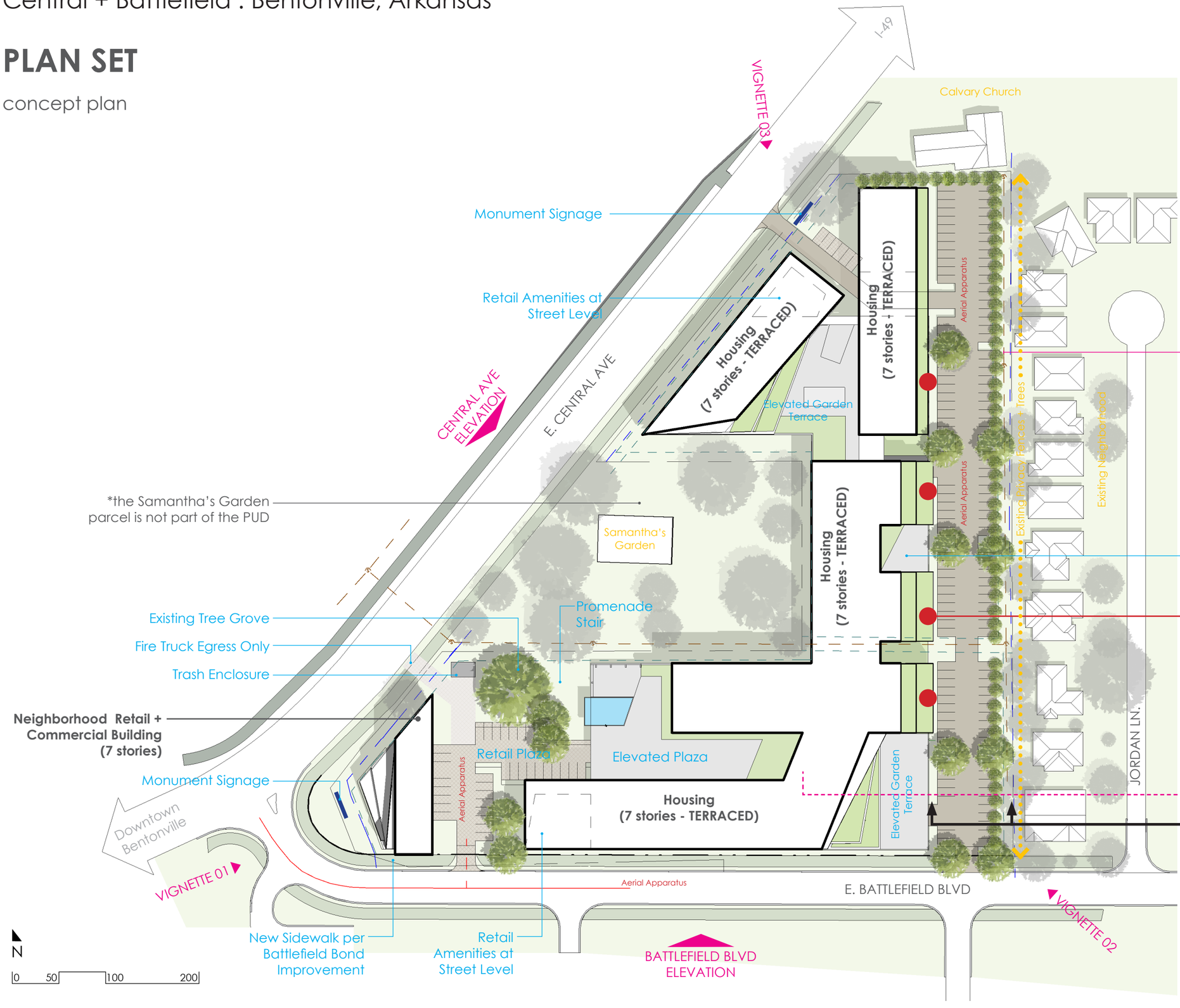
snip from Bentonville future land use plan



UNCO + modus studio

PLAN SET

concept plan



ALL UTILITIES ARE SHOWN, PLEASE SEE PROVIDED .DWG FILE FOR CLARITY

THE 6TH AND 7TH FLOORS HAVE BEEN TERRACED TO FURTHER MITIGATE THE BUILDING HEIGHT ALONG THE EASTERN EDGE OF THE PROPERTY

SECTION DIAGRAM

91' BUFFER FROM NEIGHBORHOOD (Setback + Parking Courts)

PLAN SET

street elevations



Battlefield Boulevard Elevation



Central Avenue Elevation

Primary Materials



masonry (brick / brick screen / panelized stone)

Secondary Materials

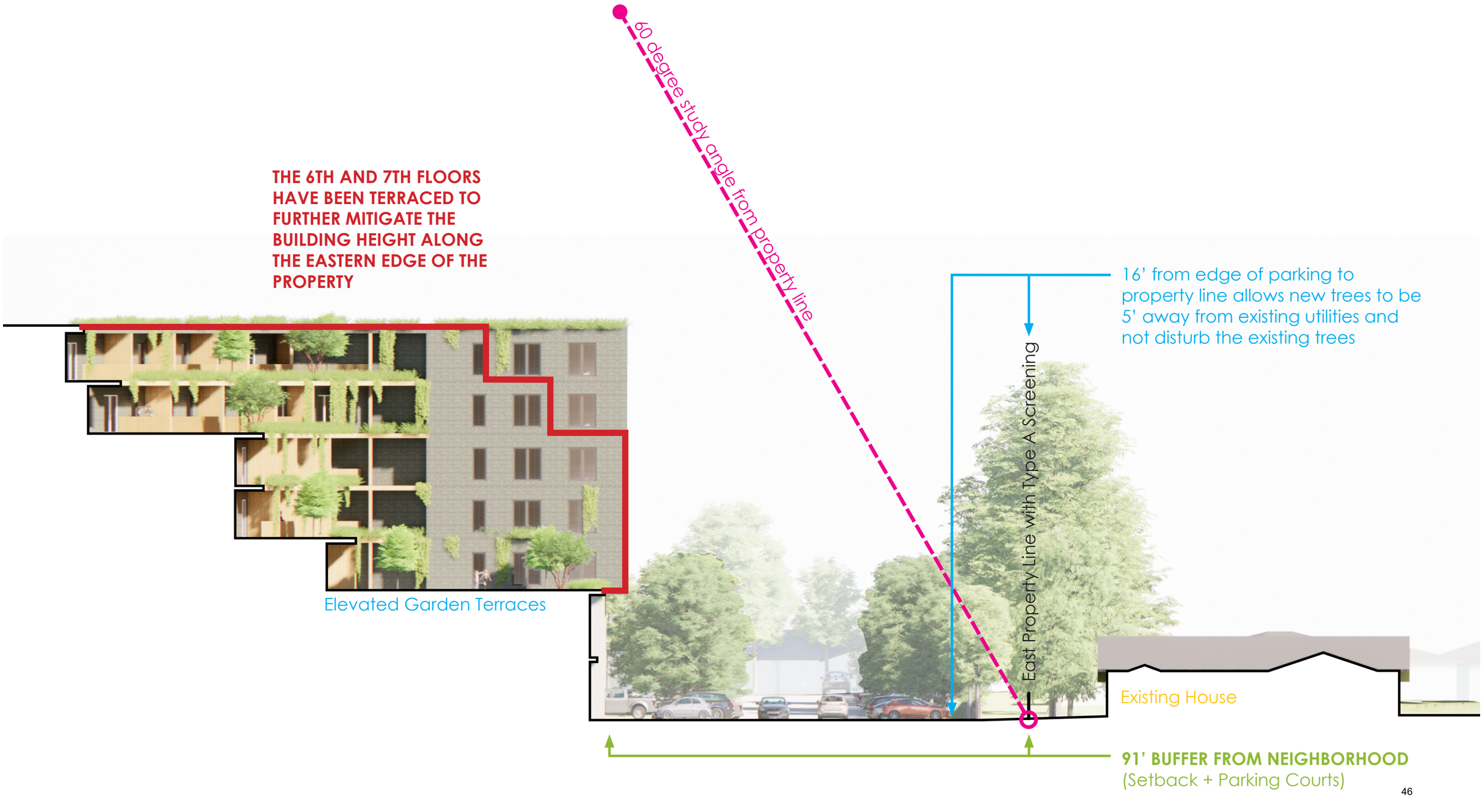


wood rainscreen (vertical / horizontal)

fiber cement board (lap / panel)

PLAN SET

SECTION DIAGRAM at east property line



PLAN SET

Pedestrian Connectivity Diagram



The City of Bentonville Battlefield Boulevard Bond Project is intending to add (2) 12' wide paved trails on the north and south sides of Battlefield Boulevard. The bond project does not propose any additional surface connectivity such as bridges or tunnels.

This proposed PUD project will pay for the portion of the Battlefield Boulevard Bond project improvements that are on the PUD project site. The existing sidewalk along the south side of Central Avenue (north of Smokin' Joes and 7Brew) will be used to connect to the Central + Moberly signalized intersection, which already has crosswalks. This will ensure the existing infrastructure is being utilized to connect to Memorial Park, Downtown, etc.

UNCO + modus studio

PLAN SET

Drainage Diagram (CoB GIS reference image)



The proposed Central + Battlfield project will drastically improve the stormwater and drainage problems that currently exist on this site and in this area. It is anticipated that stormwater will be discharged to the north side of Central Avenue through new underground piping. Along with the City's Battlefield Boulevard Bond project, potential flooding in this area will be heavily resolved. The final system, routing, and sizing will be coordinated and approved by the City of Bentonville through the Large Scale Development process.

THE BATTLEFIELD BOULEVARD BOND PROJECT IS CURRENTLY DESIGNED TO ADD A NEW 4' X 8' CULVERT DISCHARGING AT THIS LOCATION, TO DRAIN STORMWATER TO THE EXISTING 4' X 8' CULVERT UNDER CENTRAL AVENUE

PLAN SET

Traffic Study (summary + recommendations)

EXECUTIVE SUMMARY

September 20, 2022

SUBJECT: Battlefield Mixed-Use Development
Traffic Impact Analysis

LOCATION: E Central Ave and E Battlefield Boulevard
Bentonville, Arkansas

SUMMARY

TEC was requested to conduct a traffic impact analysis on a proposed mixed-use development in Bentonville, Arkansas. Existing traffic volume data was collected adjacent to the proposed site. The existing traffic was utilized to determine the background traffic for 2026 by applying an average annual growth rate of 5.5% to the 2022 existing traffic volumes. The 2026 design period was selected as the year the development is estimated to be completed. The proposed site traffic was then determined and added to the 2026 future background traffic for conducting site reviews and analyses.

The analyses conducted under all traffic and improvement scenarios indicated that the intersections of Battlefield Boulevard & Parkcrest Drive, Battlefield Boulevard & Paradise Way, and all three development drives currently operate and would be expected to continue operating at acceptable levels-of-service during the a.m. and p.m. peak hours.

The intersection of Central Avenue and Moberly Lane currently operates at a level-of-service “D” or higher and a critical approach level-of-service “F” or better. The addition of an eastbound right turn lane would be expected to improve intersection level-of-service to “C” or higher and a critical approach level-of-service to “C” or better.

The intersection of Central Avenue and Battlefield Boulevard currently operates at a level-of-service “A” or higher and a critical approach level-of-service “E” or better. With the 2026 future background traffic the intersection would be expected to operate at a level-of-service “C” or higher and a critical approach level-of-service “F” or better. The addition of a traffic signal would be expected to improve intersection level-of-service to “B” or higher and a critical approach level-of-service to “E” or better but would cause unacceptable delays at the intersection of Central Avenue and Moberly Lane due to necessary signal coordination. The addition of another northbound left turn lane and a northbound right turn lane would improve delays to acceptable levels for both intersections for the 2026 future background traffic and 2026 total traffic. This would make for a five-lane section on Moberly Lane on the south approach, or one southbound and four northbound lanes.

Traffic Engineering Consultants, Inc.
6000 S. Western Avenue, Suite 300 | Oklahoma City, Oklahoma 73139| Ph. 405-720-7721
6931 S. 66th E. Avenue, Suite 100 | Tulsa, Oklahoma 74133 | Ph. 918-481-8484
217 E. Dickson Street, Suite 106 | Fayetteville, Arkansas 72701| Ph. 479-335-5636
Website: www.tecusa.com

RECOMMENDATIONS

Existing intersection control and geometric deficiencies exist near the development. These deficiencies are currently being addressed through the City of Bentonville bond program independent of the development. Improvement scenarios are evaluated in this report.

Based on the results of the analyses conducted, no traffic control or geometric roadway improvements are necessary as a result of the proposed site for traffic to operate at an acceptable level-of-service both now and for many years in the future.

City staff requested that the traffic report be adjusted to utilize other in-depth and non-standard methodologies to support the report's findings. The depth and scope of work being requested should be performed and coordinated beyond the conceptual PUD process, allowing more engineering detail to be resolved in Large Scale Development in conjunction with creative options that the city can coordinate with the development.

Traffic Engineering Consultants, Inc.
6000 S. Western Avenue, Suite 300 | Oklahoma City, Oklahoma 73139| Ph. 405-720-7721
6931 S. 66th E. Avenue, Suite 100 | Tulsa, Oklahoma 74133 | Ph. 918-481-8484
217 E. Dickson Street, Suite 106 | Fayetteville, Arkansas 72701| Ph. 479-335-5636
Website: www.tecusa.com

PLAN SET

place-making mixed-use project precedents



Lighting and atmosphere scaled to pedestrians



Building arrangements to control scale



Retail opportunities and integrated plaza space



Building form and landscape terraces



Vibrant retail and seasonal change



Elevated gardens as part of the architecture



Warm materiality and bike/ped friendly design along with community-focused amenities





Mixed-use balance between space and buildings

Central + Battlefield : Bentonville, Arkansas

UNC9 + modus studio

Vignette looking east from the intersection of Central Ave and Battlefield Blvd



Vignette looking east from Central Ave



Vignette looking south from Central Ave



Vignette looking from Battlefield Boulevard at the parking buffer along the eastern edge of the property - **ORIGINAL**



Vignette looking from Battlefield Boulevard at the parking buffer along the eastern edge of the property - **REVISED**



Vignette looking northwest at new housing and parking buffer from Battlefield Boulevard - **ORIGINAL**



Vignette looking northwest at new housing and parking buffer from Battlefield Boulevard - **REVISED**



Central + Battlefield, moving forward.

By far the largest amount of focused feedback on this project has revolved around the issue of traffic. To fully understand the scope and magnitude of the existing and potential future conditions, the development team has conducted a traffic study, held multiple meetings directly with city staff, and have considered substantial options for helping alleviate the poor traffic conditions.

The reality, per the traffic report generated by TEC, is that the proposed development will increase traffic volumes by only 7% when the project is complete. While this may be hard to grasp initially, we believe that it is of the utmost importance that the staff, commission, and citizens understand the facts about this area:

> Per the city staff, there is no plan or intention by the city to address the traffic issues in this area, of its own accord, within the next 15-20 years.

> The solutions that have been studied at the request of the city staff to remedy traffic and congested intersections that already exist in this area of Bentonville would be undertaking roadway improvements with an order of magnitude of +/- $10 million in construction cost. This is not a justifiable cost for this PUD considering the marginal increase in traffic volumes.

> The site is located on the edge of the new 350 acre campus of the largest company in the world and is a very logical place for much-needed housing to be located...and we are living in the middle of a housing crisis.

In summary, Bentonville's problems regarding traffic are not going away. The reality is that this project is not, by itself, adding a significant load to the already difficult problem and the city's self-initiated solutions are more than a decade (or two) away.

>>>



Therefore, approving the Central + Battlefield PUD is the single best opportunity that the city and its citizens have to fix the existing poor traffic conditions.

The city's Battlefield Boulevard bond project and other cost sharing options can be creatively identified, planned, and engineered through the Large Scale Development process to make actual improvement to the roadways in this area. This further conversation can only take place if you approve the *concept* of this PUD and allow the engineering details and other considerations to be resolved where they should, at Large Scale Development.

Christopher Hyatt

From: planning
Sent: Tuesday, September 20, 2022 1:04 PM
To: Luke Aitken; Christopher Hyatt; Keegan Stanton
Cc: Thomas Adler; Jon Stanley
Subject: FW: New construction @ Battlefield and E Central

Hi Luke and Christopher,

I am pretty sure this person has sent us an email before but please add the concern to public hearing comments for this project.

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

From: Dale Smith <qcdale@gmail.com>
Sent: Tuesday, September 20, 2022 11:56 AM
To: planning <planning@bentonvillear.com>
Subject: New construction @ Battlefield and E Central

I would like to express my concern and opposition to this proposed development. The additional traffic both on Battlefield and Central, will make an already dangerous intersection worse. It will also, in all likelihood, create more traffic through the Parkcrest neighborhood as residents cut through there to avoid the Central intersection.

The other concern is the already unaddressed flooding occurring in the Lyndal Heights area will become much worse.

The proposed 7 story complex is not appropriate for that location. Building this on 7.5 acres and abutting two neighborhoods along already congested streets is absurd.

One of the issues with all the growth in NWA, and Bentonville in particular, is that infrastructure is not part of the plan until the new construction is complete. This is opposite of what it should be and was at one time the norm.

Uncontrolled growth is destroying what made Bentonville a desirable place to live. Growth is inevitable but should be properly planned.

Thank you for listening to my concerns.
--
Dale Smith
2604 SE 7th Ct, Bentonville, AR

To: City of Bentonville Planning Department

Re: Development at Battlefield and East Central

Thoughts and Concerns of Gina Woods, resident at 202 Lyndal Lane from 1994 to present

The proposed development at Battlefield and E. Central would definitely put pressure on existing traffic issues, control of sound and air quality, and the lack of infrastructure to compensate for the relocation of a large population of individuals. Our world today has great concern for quality of air and the disappearance of green space. With ever-growing alarms for climate change, this massive structure would only add to those woes.

The topography of this area of Bentonville could easily be described as "bowl-shaped". The extension of 8th street across the southern side of our neighborhood compounded the flooding aspects greatly. The soil is comprised heavily of solid rock which is prominent for the area because we live on a plateau of the Ozark Mountains. This soil does not accept heavy rainfalls readily so the tendency for flooding increases. With this in mind, if the northern side of the neighborhood is developed along Battlefield, this would further enhance the "bowl-shape" thereby greatly compromising the area for flooding to increase. If flooding increases to the point that a family or group of families' homes suffer property damage due to this development, I could foresee the possibilities of lawsuits.

I understand the future widening of Battlefield, scheduled for completion in 2025, will be for pedestrian and biking traffic. While I agree that this is a much needed safety addition, I am not sure if it means the existing detention lots for storm drainage on Battlefield will be reduced in size. If that were to be the case, would not the effectiveness of these drainage areas be lessened. Let us not forget the intense flooding that occurs on Battlefield currently as well as throughout the streets in this neighborhood. Not so long ago, April 2021, there was the frightening scene of a Bentonville district school bus almost overturning while trying to navigate the flood waters at the corner of Battlefield and East Central.

Attempting to turn left onto Central from Battlefield is a serious traffic safety hazard. Central is a main street in Bentonville and having a comfortable access is imperative for facilitating traffic flow. The negative effects on this intersection by the 7 story apartment overcrowding development will skyrocket the potential for more wrecks and increased risks of pedestrian injuries. Countless times, I have been present when cars were backed-up for several blocks lacking the opportunity to turn left onto Central from Battlefield. This pressure-filled frustration creates an environment of drivers who risk the lives of themselves, their families, and other innocent lives who would happen to be in the intersection.

Several years ago, discussions were on the table regarding sound ordinances due to the additional exit on I49 at 8th street. The compromise on that issue was to plant trees to buffer the noise. Those important trees have continued to die and neglect has allowed the noise level to continue to be an issue. Witnessing this failure of the City to protect our neighborhood leads one to observe and theorize that sound ordinances are not a priority. The development of a 7 story, 500 plus apartment complex with office and retail would most definitely shred the boundaries of a desired neighborhood sound ordinance.

The adverse visual impact of a 7 story structure in this location proposes to be totally out of character for the current landscape. This structure would not only create overcrowding but would be over-bearing and out-of-scale for all surrounding structures. As our city grows, there is a need to manage growth and actively protect our city by planning carefully. We need to actively protect our city from becoming a suburban sprawl which not only would complicate traffic but draw higher crime rates. It is better to face these concerns by being pro-active now rather than looking back with regrets due to rushed development.

Thank you for your time in reading this and consideration to stop this potential development at the location of Battlefield and East Central.

Gina Woods

Gregory Woodell

207 Prairie Lane, Bentonville, AR 72712. 479 869-4848

September 13, 2022

City of Bentonville Planning Commission
305 SW "A" Street
Bentonville, AR. 72712

Planning Commission:

I own the single family property located at 207 Prairie Lane, Bentonville, AR. As such, I believe I should have been notified of the Uncommon Developers proposed development to be completed at the corner of Central Avenue and Battlefield Road in Bentonville. I, along with a great many other local property owners, just learned of this development in the last two weeks. Because of this error on the part of the City, I am requesting that the request for a change in zoning of this property to PUD be denied until it can be determined that proper notification was done by the City.

Other points that need to be addressed are:

* I believe that your requirement of notification of all property owners within 200 feet of the proposed development is inadequate in protecting the rights of the citizens of this neighborhood and a public hearing on this development and the current notification standard needs to be reviewed. In addition, the Notice of Intent doesn't state that all public responses must be submitted by September 15, 2022.

* Why were tax-paying citizens of Bentonville that rent a residence within the 200 foot requirement not notified of this development proposal.

* There are two other major developments scheduled to be constructed in this immediate area within the next two years. They are the Battlefield Road widening and Bridge widening project and the Walmart Campus Construction Project. The changes to this area from these two items alone will have a major effect on the area transportation element of the City General Plan. In addition, these two new developments will also have an audition all affect on the future utility and sanitation elements, which needs to be addressed before you add another 550 new apartments.

* The widening of Battlefield Road is being from $12 million in an approved area Bond Act. I have to question if the voters knew when they approved this if they were paying for an improvement that is indirectly benefitting traffic being generated directly for the new Walmart Campus development. Also, this development should not be considered until the improvements to roads and drainage are constructed.

* The safety element at Central and Battlefield needs to be addressed before you add an additional 900 cars to this corner.

Sincerely yours

G Woodell

Gregory Woodell

GW:gw

NOTICE OF INTENT TO REZONE

Uncommon Developers has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from PRD (Planned Residential Development), R-O (Residential Office), and A-1 (Agricultural) to PUD, Planned Unit Development

The legal description of the property is as follows:

Please see the attached legal description.

The common description of the property is: North of Battlefield Rd between Central Ave. & Jordan Ln.

The public hearing will be held October 4th, 2022 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

- [x] I / we have no objections to the rezoning.
- [ ] I / we object to the rezoning because:

2606 E. Central Ave.

Signature and Physical Address

Signature and Physical Address

From:	planning
To:	Luke Aitken; Christopher Hyatt
Cc:	Thomas Adler
Subject:	FW: HIGHRISE @ Battlefield and E Central
Date:	Wednesday, September 14, 2022 8:05:14 AM

Hi team,

Please see the concerns below.

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

From: Holly Hall <hollylynhall@yahoo.com>
Sent: Tuesday, September 13, 2022 7:45 PM
To: planning <planning@bentonvillear.com>
Subject: HIGHRISE @ Battlefield and E Central

Dear Bentonville planning department,

I am a resident in Pleasant view Estates and I am very disturbed and upset to learn about a high-rise apartment complex coming in on the corner of E Central and Battlefield Road.

There is absolutely not enough room in that area, not to mention traffic on that intersection and possible flooding from the apartments.

I don't believe this area has the ability to handle that many apartments with all the cable/Internet, traffic and utility infrastructures.

Please reconsider and find a different area for these apartments. I'm sure there's lots of areas more suited for this construction.

Sincerely,
Holly Hall
479–640–2455

Christopher Hyatt

From: planning
Sent: Thursday, September 29, 2022 8:05 AM
To: Luke Aitken; Christopher Hyatt
Cc: Thomas Adler
Subject: FW: Battlefield-NE Central Project

Hi team,

Could you add this to the public comments for this project, please?

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

From: MARY VAUGHN <vaughnm3@sbcglobal.net>
Sent: Wednesday, September 28, 2022 11:13 PM
To: planning <planning@bentonvillear.com>
Subject: Battlefield-NE Central Project

I was informed recently of the plan to build three seven story buildings in my neighborhood at Battlefield and Central. I am disappointed in each of you, even considering developers
out of CA, coming into our town and proposing to put seven-story buildings in our neighborhood. We have traffic issues turning left onto Central from Battlefield now. Eastbound traffic on Central, Moberly Lane traffic turning east onto Central, plus 7-Brew and Smoking Joe traffic exiting east Central. Plus east and westbound traffic on Battlefield heavy, and I have to sit and wait to get on Battlefield from our side street. Sometimes I use Paradise Way and 5th going to Moberly, to avoid Central, a "do not make a left turn between these AM & PM hours. I can't even make a left turn at Parkcrest & Moberly Ln intersection, because of eastbound traffic. I read there is a plan to add a center turn lane on Battlefield, that will not eliminate the added traffic with the amount of proposed apartments and business traffic in the future, not to mention traffic from the Walmart Home Office using East Central in the near future.
I have lived in this neighborhood since 1995 and worked for Walmart when the DC was on 5th St. I would sit through multiple lights to make right hand turns or wait on Battlefield to make left turn durning the noon hour, seeing many vehicles almost get hit turning left onto Central.
I have had to cut through neighborhoods because Battlefield was flooded after a heavy rain storm, so adding more runoff with a proposed fix to drainage, but if you allow this development to begin, seven acres of concrete will add to additional flooding not only on our streets but also to the runoff in the park.
One other issue I did not see addressed, if this large scale apartments, what is the plan for schooling a large influx of children? I wouldn't be happy if my grandchildren get bussed to another neighborhood when Apple Glen is such a short distance from our homes, because the apartments are closer then our homes.
If I was to ask each of you, if these builders wanted to come into your neighborhood taking 7 acres and building three seven story apartments in your neighborhood, would you vote yes to allow it?

If you asked any home owner in Bentonville, would they want it in their neighborhood, you would not get a yes because we love our neighborhoods and do not want this in our backyard.
I read where they had a meeting with residents of this area, on August 25th. I did not get a notification of this proposal. One of my neighbors informed our street with a flyer.
Please vote NO. We do not want Bentonville to look like Fayetteville or Little Rock with these massive buildings going up in neighborhoods.

Mary Vaughn
109 Prairie Lane
Bentonville

Sent from AT&T Yahoo Mail for iPhone

Sent from my iPad

Christopher Hyatt

From: planning
Sent: Tuesday, September 20, 2022 1:04 PM
To: Luke Aitken; Christopher Hyatt; Keegan Stanton
Cc: Thomas Adler; Jon Stanley
Subject: FW: New construction @ Battlefield and E Central

Hi Luke and Christopher,

I am pretty sure this person has sent us an email before but please add the concern to public hearing comments for this project.

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

From: Dale Smith <qcdale@gmail.com>
Sent: Tuesday, September 20, 2022 11:56 AM
To: planning <planning@bentonvillear.com>
Subject: New construction @ Battlefield and E Central

I would like to express my concern and opposition to this proposed development. The additional traffic both on Battlefield and Central, will make an already dangerous intersection worse. It will also, in all likelihood, create more traffic through the Parkcrest neighborhood as residents cut through there to avoid the Central intersection.

The other concern is the already unaddressed flooding occurring in the Lyndal Heights area will become much worse.

The proposed 7 story complex is not appropriate for that location. Building this on 7.5 acres and abutting two neighborhoods along already congested streets is absurd.

One of the issues with all the growth in NWA, and Bentonville in particular, is that infrastructure is not part of the plan until the new construction is complete. This is opposite of what it should be and was at one time the norm.

Uncontrolled growth is destroying what made Bentonville a desirable place to live. Growth is inevitable but should be properly planned.

Thank you for listening to my concerns.
--
Dale Smith
2604 SE 7th Ct, Bentonville, AR

858.692.4975

From:	planning
To:	Luke Aitken; Christopher Hyatt
Cc:	Thomas Adler
Subject:	FW: HIGHRISE @ Battlefield and E Central
Date:	Wednesday, September 14, 2022 8:05:14 AM

Hi team,

Please see the concerns below.

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

From: Holly Hall <hollylynhall@yahoo.com>
Sent: Tuesday, September 13, 2022 7:45 PM
To: planning <planning@bentonvillear.com>
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Dear Bentonville planning department,

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There is absolutely not enough room in that area, not to mention traffic on that intersection and possible flooding from the apartments.

I don't believe this area has the ability to handle that many apartments with all the cable/Internet, traffic and utility infrastructures.

Please reconsider and find a different area for these apartments. I'm sure there's lots of areas more suited for this construction.

Sincerely,
Holly Hall
479–640–2455

From: planning
To: Luke Allbritt; Christopher Hyatt
Cc: Thomas Adair
Subject: FW: High rise centralAllbattlefield
Date: Wednesday, September 14, 2022 8:04:10 AM

Hi team,

Please see below. Might want to correct the spelling and grammar errors before giving it to the planning commissioners.

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bentonvillear.com%2F&data=05%7C01%7CLAitken%40bentonvillear.com%7Cd51742de95d40fa7abb08da96519bdf7%7C19c567b27d2c4c9fa772c068f84fa6d8%7C0%7C0%7C637987574499510169 0%7CUnknown%7CTWFpbGZsb3dEeyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2B0oeATux9JiQKHbyOGT%2FrXkc5KKP%2F%2BNHYVDhXK Sk4%3D&reserved

-----Original Message-----
From: Bill Hall <billhall2536@yahoo.com>
Sent: Tuesday, September 13, 2022 7:26 PM
To: planning <planning@bentonvillear.com>
Subject: High rise centralAllbattlefield

We live on Bonita Court and paridise we are in total opposition to this high rise. Way to high and too much traffic. We still have major water issues in this area that have not been taken care of. Traffic is already terrible in this area.

Sant from my iPhone

Christopher Hyatt

From: planning
Sent: Thursday, September 29, 2022 8:05 AM
To: Luke Aitken; Christopher Hyatt
Cc: Thomas Adler
Subject: FW: Battlefield-NE Central Project

Hi team,

Could you add this to the public comments for this project, please?

Thank you!

Jana Snyder
Community Development Coordinator/Admin Assistant II
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
www.bentonvillear.com

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Please vote NO. We do not want Bentonville to look like Fayetteville or Little Rock with these massive buildings going up in neighborhoods.

Mary Vaughn
109 Prairie Lane
Bentonville

Sent from AT&T Yahoo Mail for iPhone

Sent from my iPad

NOTICE OF INTENT TO REZONE

Uncommon Developers has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from PRD (Planned Residential Development), R-O (Residential Office), and A-1 (Agricultural) to PUD, Planned Unit Development

The legal description of the property is as follows:

Please see the attached legal description.

The common description of the property is: North of Battlefield Rd between Central Ave. & Jordan Ln.

The public hearing will be held October 4th, 2022 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.
☑ I / we object to the rezoning because:

Please see attached letter.

Lara Duncan 21 Jordan Lane Bentonville AR 72712
Signature and Physical Address

Signature and Physical Address

Lara Carr Duncan
21 Jordan Lane
Bentonville, AR 72712
smkybhr@msn.com
479-381-0108

October 4, 2022

To: Planning Commission – City of Bentonville, AR

RE: Rezoning request of the property at North of Battlefield Blvd between Central Ave and Jordan Lane

I would like to ask that you object and deny the zoning of the above mentioned property from PRD, R-O, and A-1 to PUD. Uncommon Developers has proposed a 900+ unit 7 story multi-use complex that the infrastructure in this part of Bentonville is not ready to handle. Plus, I do not want the now proposed tallest building in Bentonville in my backyard.

I do not object to rezoning these parcels to C1, but PUD is just way too much for this size of property in this area of town. The zero setback on that corner may make it more difficult for drivers to see when they turn from Battlefield onto Central Ave. Right now, it can be difficult for pedestrians and bikes to cross this intersection safely.

The flooding in this area has been frequently featured on the news, even nationally, and Battlefield is frequently closed down due to flooding. I know the City has plan for improving Battlefield Blvd to add a turning lane and bike lanes, but until these street improvements have been made, and the flooding on Battlefield Blvd addressed and resolved, rezoning to PUD, just does not make sense to me for these parcels.

I also fear that if these parcels are rezoned to PUD, the influx of people to Bentonville will also add a strain to the schools, and cause Bentonville to have to redraw the school zone lines again. Have we done a study to see if the school system in the area is prepared to handle this proposed growth to the area?

This property is near one of the main entrances into our City off I-49. And with the proposed increase of people, this will just add to this already congested area. I wish the City will consider improving some of the walking/biking trails, along with increased safety for crossing these busy areas, before we add more multi-family residential growth. I feel we are putting the cart before the horse. I also, feel that having the proposed tallest building in Bentonville with an urbanized feel to greet the visitors to the town at this busy entrance to the City, takes away for the quaint home-town feel Bentonville strives to have.

Please feel free to view some videos of the flooding on Battlefield Blvd at the following links. More videos and pictures are available as needed from previous years as well.

https://www.youtube.com/watch?v=E9BpU4uDN48
https://www.youtube.com/watch?v=izHBciAMpJc
https://www.youtube.com/shorts/KYvOeyCsQpw
https://www.youtube.com/watch?v=TXFSAgXmYFQ
https://www.youtube.com/watch?v=6qceJO_WZgg
https://www.youtube.com/watch?v=I34PtLv73rM

Thank you so much for your consideration to our objections!

Sincerely,

Lara Carr Duncan

Bentonville RE Development, LLC

1005 NW A St

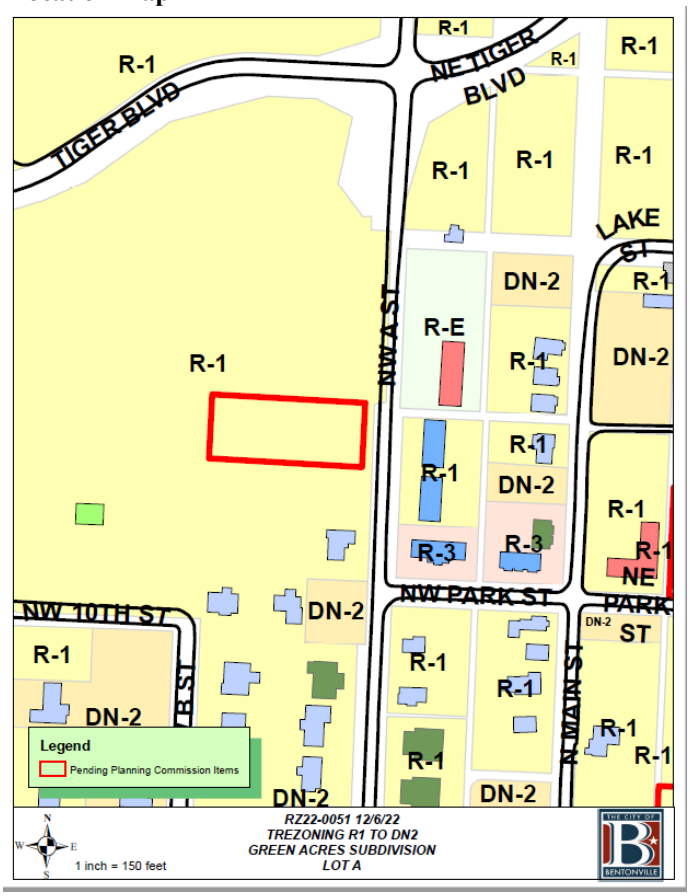
PC Date: 12/6/2022

Reviewer: Christopher Hyatt, Planning Tech

Project Number	RZ22-0051
Applicant / Current Owner	Halff Associates / Joe Thompson
Site Area	+/- 1.37 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Case(s):	LS22-0059

https://arcg.is/08HvK8

Location Map



Property Description

This request is located at 1005 NW A Street. Directly adjacent zoning is R-1, Low Density Single Family Residential to the North, South, and West. RE, Residential Estate, R-1, Low Density Single Family Residential, and R-3, Medium-High Density Multifamily Residential to the East.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently shows this property as Medium-Density Residential, in which DN-2 zoning is appropriate. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Bentonville Community Plan. This area looks to leverage the existing urban fabric of walkability and connectivity to increase density.

Public Comment

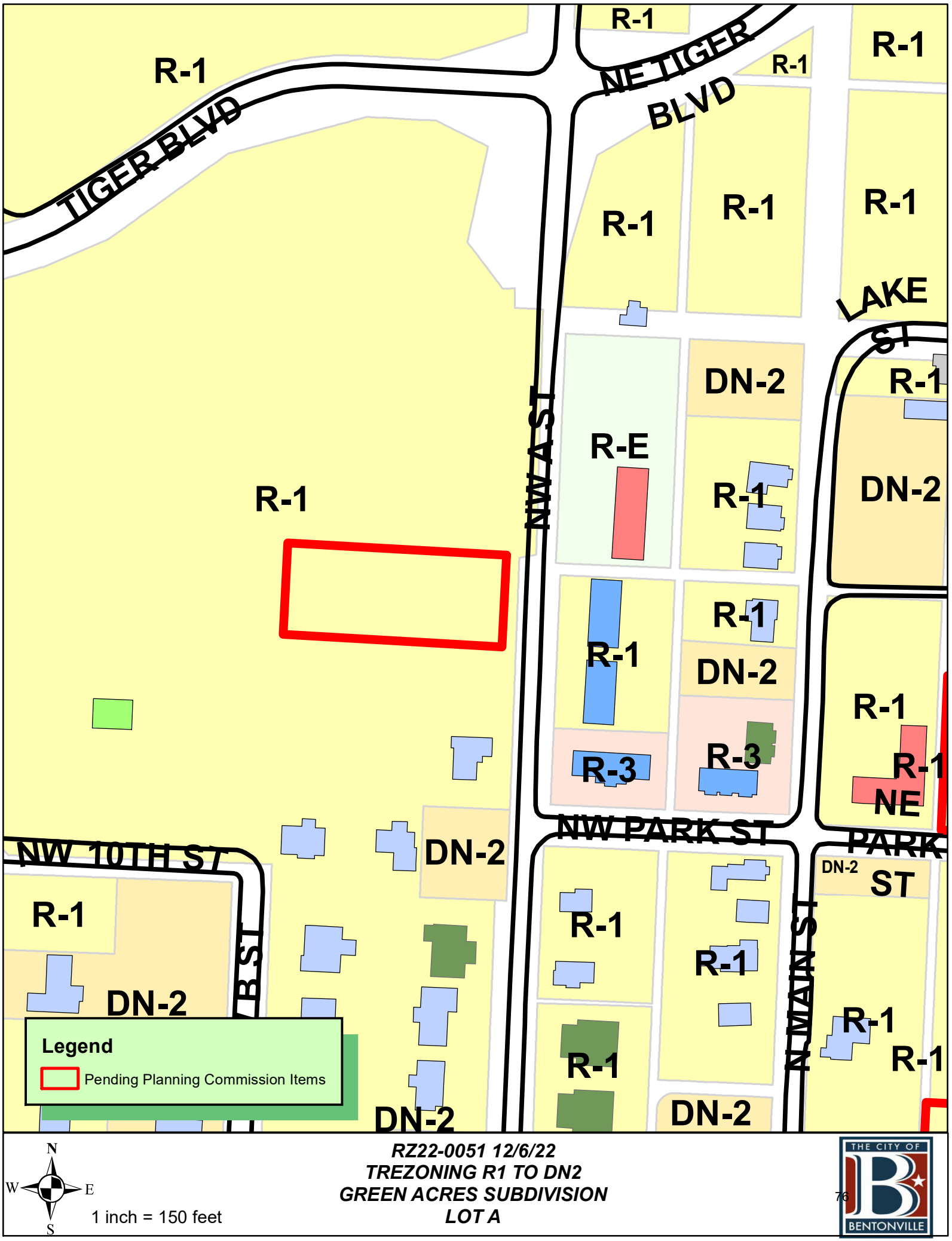
At the time of writing this staff report, staff has not received public comment on this item.

Analysis

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

Conclusion

This request is consistent with the Community Plan and Future Land Use Map.


R-1
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NE TIGER BLVD
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R-1
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DN-2
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R-E
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PARK ST
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R-1
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Pending Planning Commission Items
N
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1 inch = 150 feet
RZ22-0051 12/6/22
TREZONING R1 TO DN2
GREEN ACRES SUBDIVISION
LOT A
THE CITY OF
BENTONVILLE

HALFF

October 11, 2022

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

Re: ***NW A St Townhomes***
Rezone Request
Bentonville, AR 72712

We are representing a request by Joe Thompson to rezone the northern portion of a parcel located on the west side of NW A St, parcel 01-02751-000, just south of Tiger Boulevard at Park Springs Trail Head. This property is currently occupied. The owner would like to develop northern portion of the lot into four townhomes (two residential structures) and the southern portion into a single-family residence. Please find below the narrative addressing the required items under the Rezoning Request Checklist.

1. The property is currently zoned R-1, Low Density Single-Family Residential. The proposed zoning is DN-2, Downtown Medium Density Residential.
2. The DN-2 zoning will allow the construction of a medium-density townhome development.
3. The DN-2 zone classification is consistent with the Land Use Map, see attached request to amend the Future Land Use Map.
4. The property currently vacant.
5. Signage is anticipated at the drive connection for the development and will meet all city sign ordinances.
6. The appearance of the development is not known at this time; however, development will follow the Bentonville Design Standards.
7. There are no water lines located on the property; however, there is a 12" water line located east of the centerline of NW A St. The proposed means of connecting to the water line will be a tapping sadle. There is an 8" sewer line located on the property running south-north that is in the front of the property.

Sincerely,
Halff Associates

Joanne Johnson
Project Manager
Land Development

HALFF ASSOCIATES, INC.

2407 SE COTTONWOOD ST., SUITE 1
BENTONVILLE, AR 72712

TEL (479) 273-2209

WWW.HALFF.COM

RESOLUTION NO. 10-11-16 B

A RESOLUTION ADOPTING REVISIONS TO THE FUTURE LAND USE MAP OF THE CITY OF BENTONVILLE, ARKANSAS PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-414 TO ADD FOUR DOWNTOWN NEIGHBORHOOD LAND USES.

WHEREAS, the City of Bentonville adopted a Future Land Use Map with Resolution No. 5-22-07-A on May 22, 2007; and,

WHEREAS, the Future Land Use Map is revised from time to time to better manage development trends; and,

WHEREAS, the City of Bentonville hired Houseal Lavigne Associates to establish a land use plan and corresponding zoning districts to address downtown neighborhood residential development; and,

WHEREAS, revisions to the Future Land Use Map are necessary to establish downtown residential zoning districts;

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

Section 1. The adopted 2007 General Plan is hereby amended by establishing the following Future Land Use Categories and adding them to Exhibit 1 of the adopted 2007 General Plan:

Category	Description	Average Dwelling Units per acre	Zoning Districts Included	Typical Floor Area Ratio
Downtown Low-Density Residential (D-LDR)	Established downtown neighborhoods that are predominantly single-family with large lots.	8	DN-1, PRD	--
Downtown Medium-Density Residential (D-MDR)	Established downtown neighborhoods where increased single-family density can be accomplished with small-lot single family development.	12-16	DN-2, PRD	--
Downtown High Density Residential (D-HDR)	Downtown neighborhoods with increased density achieved through small lot single family and townhouse development.	36-48	DN-3, PRD	--
Downtown Mixed-Use Residential (D-MUR)	Downtown neighborhoods allowing a range of residential types and densities with supportive neighborhood-scale commercial uses. Appropriate uses will be considered on an individual basis with an emphasis on compatibility.	36	DN-4, PRD	0.5 to 4.0

Section 2. That the Future Land Use Map of the City of Bentonville is hereby amended by reference with *Attachment A: Future Land Use Map – Downtown Neighborhood Amendment,* a digital copy and a paper copy of which is on file with the City Clerk, as though it were copied herein fully.

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

PASSED and APPROVED this 11th day of October 2016.

APPROVED:

Bob McCaslin

ATTEST:

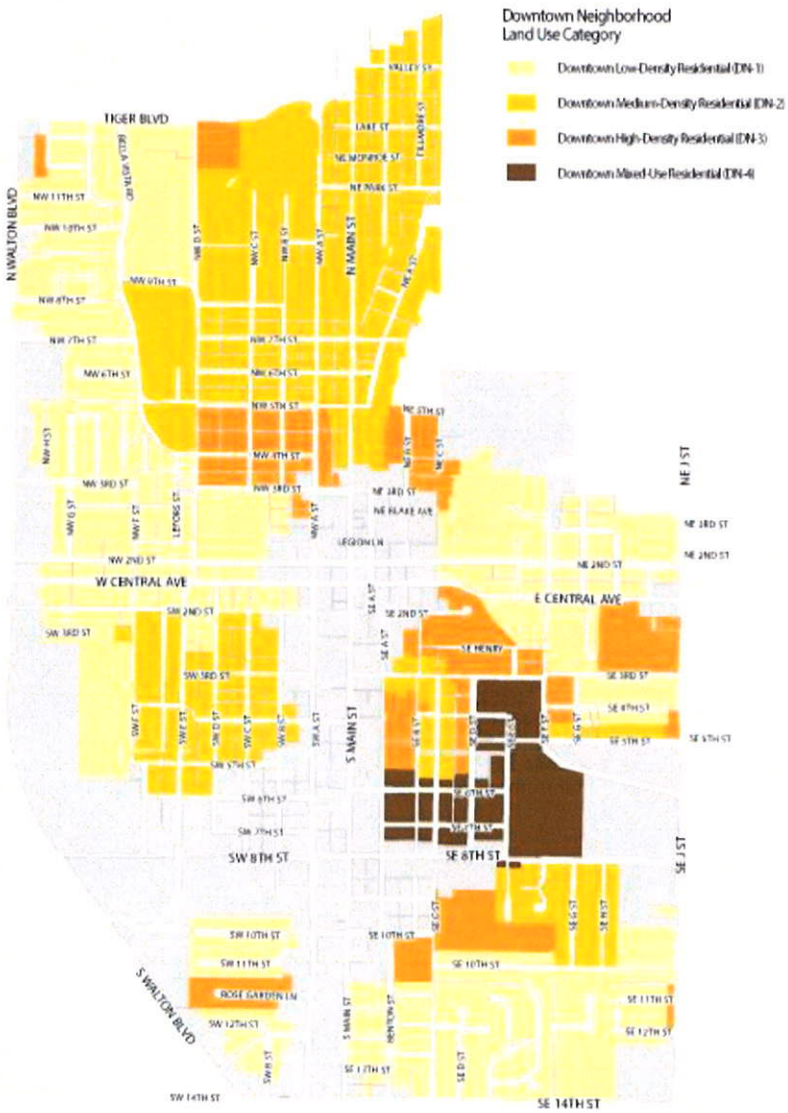
CITY OF BENTONVILLE CORPORATE SEAL ARKANSAS

Linda Spence

City Clerk

ATTACHMENT A
FUTURE LAND USE MAP DOWNTOWN NEIGHBORHOOD AMENDMENT

Downtown Neighborhood (DN) Districts
Land Use Plan



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0051)

WHEREAS, Bentonville Redevelopment 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

180 FEET SQUARELY OFF THE SOUTH SIDE OF LOT 4, BLOCK 1, WILSON'S SUBDIVISION OF A PART OF THEE 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD A, PAGE 103.LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED IN WARRANTY DEED BY GREGORY D. WOODS AND KIMBERLY D. WOODS IN FAVOR OF THE CITY OF BENTONVILLE, ARKANSAS, FILED FOR RECORD IN/AS BOOK_2013,_PAGE_30790, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING A PART OF LOT 4, BLOCK 1, WILSON'S SUBDIVISION TO THE TO THE CITY OF BENTONVILLE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LANDS, BEING ON THE EXISTING WESTERLY RIGHT OF WAY LINE OF SOUTH MAIN STREET; THENCE LEAVING SAID RIGHT OF WAY, N 87°57'31" W 3.20 FEET; THENCE N 02°28'58" E 80.05 FEET; THENCE N 02°40'00" E 99.96 FEET TO THE NORTH PROPERTY LINE OF SAID LANDS; THENCE S87°53'11" E 2.76 FEET TO THE EXISTING RIGHT OF WAY LINE OF SOUTH MAIN STREET; THENCE WITH SAID RIGHT OF WAY S 02°26'40" W 180.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRE, MORE OR LESS.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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; 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

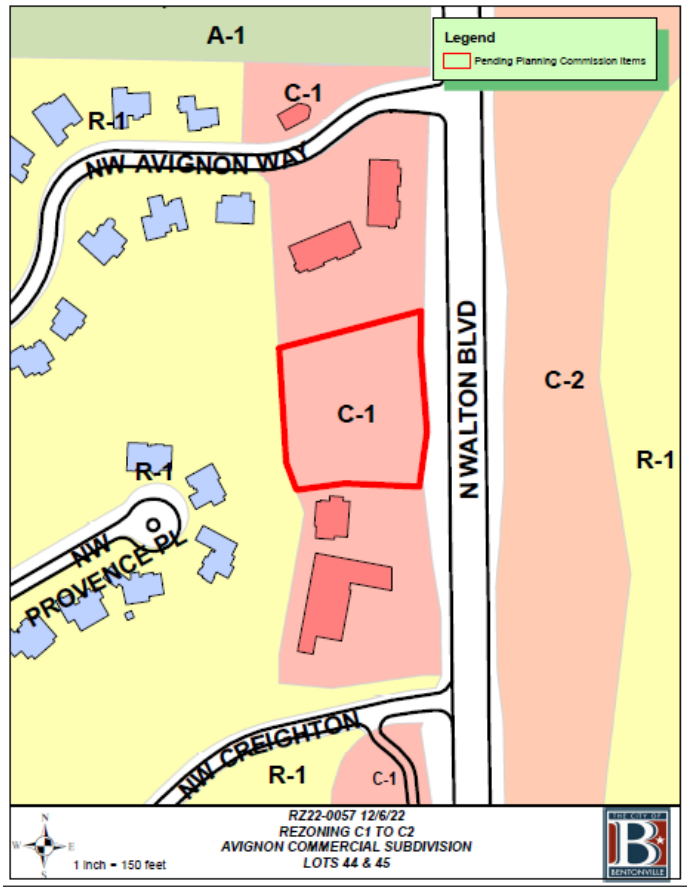
Burckart Family LLC

2605 & 2607 N. Walton Blvd
PC Date: 12/6/2022
Reviewer: Luke Aitken, Planning Technician

Project Number	RZ22-0057
Applicant / Current Owner	Watkins, Boyer, Gray & Curry PLLC / Burckart Family LLC
Site Area	+/- 1.76 Acres
Current Zoning	C-1, Neighborhood Commercial
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	Office (O)

https://arcg.is/08HvK8

Location Map



Property Description
These properties are located in northeast Bentonville, at 2605 and 2607 N. Walton Blvd, and are currently undeveloped. Adjacent zoning districts include C-1, Neighborhood Commercial to the north and south, R-1, Low Density Single Family Residential to the west, and C-2, General Commercial across N. Walton Blvd to the east.

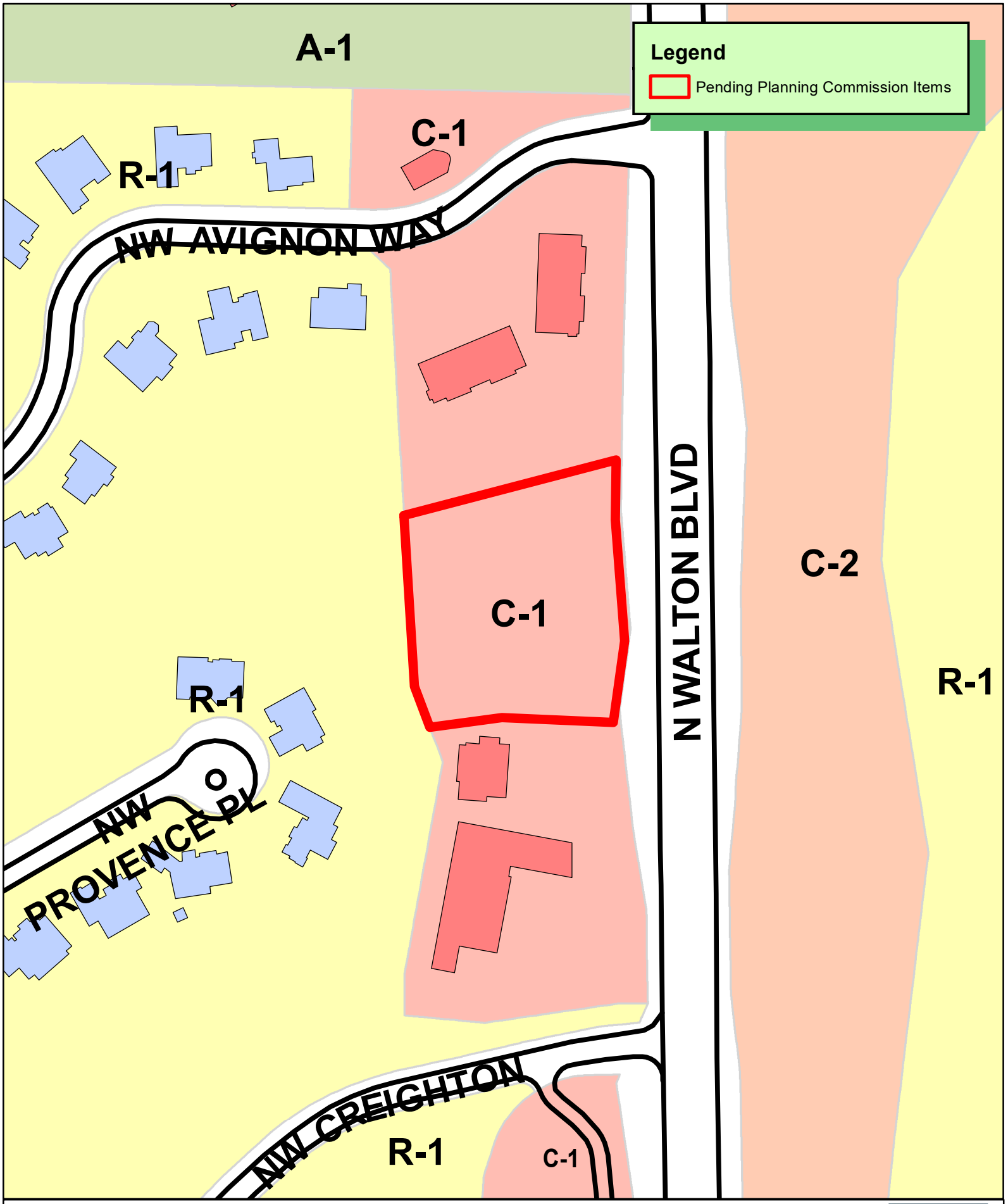
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Office, in which C-2 zoning is compatible. Office areas include properties primarily dedicated to professional employment/office uses, but can accommodate accessory commercial uses such as restaurant, service, or convenience uses oriented to serving office tenants. These areas can include stand-alone office buildings or be designed as a multi-building office park or campus. These areas are considered lower intensity development, relative to other commercial areas.

This property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. This area supports the development of vacant properties already served by infrastructure within the context of existing development.

Public Comment
At the time of writing this staff report, staff has received public comment on this item. These comments have been included in the meeting agenda.

Analysis
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.

Conclusion
This request is consistent with the Future Land Use Map, but is not consistent with the surrounding development pattern of the area, particularly in regard to the adjacent single-family subdivision to the west, and existing neighborhood commercial developments to the north and south along the west side of N Walton Blvd.



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1 inch = 150 feet

RZ22-0057 12/6/22
REZONING C1 TO C2
AVIGNON COMMERCIAL SUBDIVISION
LOTS 44 & 45

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

October 10, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel Nos. 01-08739-004 and 01-08739-003 from C-1, Neighborhood Commercial to C-2, General Commercial

Dear Planning Staff:

This law firm has been hired to assist the applicant, Burckart Family, LLC ("Applicant"), in obtaining a rezoning of Parcel Nos. 01-08739-004 and 01-08739-003 from C-1, Neighborhood Commercial to C-2, General Commercial.

The primary reason for this rezoning request is to take advantage of the expanded variety of uses available under C-2 as opposed to C-1.

The requested zoning is in compliance with the FLUP. The FLUP designates this parcel as Office, and the Property is located in the "Infill" Strategic Growth Zone, which allows for C-2 zoning at this location. Accordingly, no FLUP amendment is necessary in order to rezone the Property to C-2. This Property is located on Highway 71B, which is a major arterial and major commercial corridor through Bentonville. While the West side of Highway 71B is zoned C-1, the majority of the East side of Highway 71B in the vicinity of this property is already zoned C-2. Additionally, the vast majority of parcels on Highway 71B are also zoned C-2.

There is ample buffering already in place between these commercial parcels and the nearby residential parcels to the West. For example, there is a large retaining wall several feet in height on the West side of the Property. Moreover, the land to the West of the retaining wall is heavily wooded and moves uphill into the neighborhood to the West. Lastly, the property between this Property and the subdivision to the West is mostly owned by the POA of that subdivision, which presumably means that it will be left undeveloped as open space, providing even further buffer between potential commercial uses on the Property and the subdivision to the West.

This rezoning will not increase traffic by an appreciable amount, no signage is contemplated, and the appearance of any development will conform to Bentonville's City Code. Lastly, an twelve inch (12") gravity sewer line and a eight inch (8") water line are located along Highway 71B.

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

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ22-0057)

WHEREAS, Burckart Family 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 C-1, NEIGHBORHOOD COMMERCIAL to C-2, GENERAL COMMERCIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOTS 44 AND 45, AVIGNON SUBDIVISION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD P4, PAGE 439.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 C-1, NEIGHBORHOOD COMMERCIAL 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 C-1, NEIGHBORHOOD COMMERCIAL 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

Pinnacle Villas LLC

201 SE 22nd Street

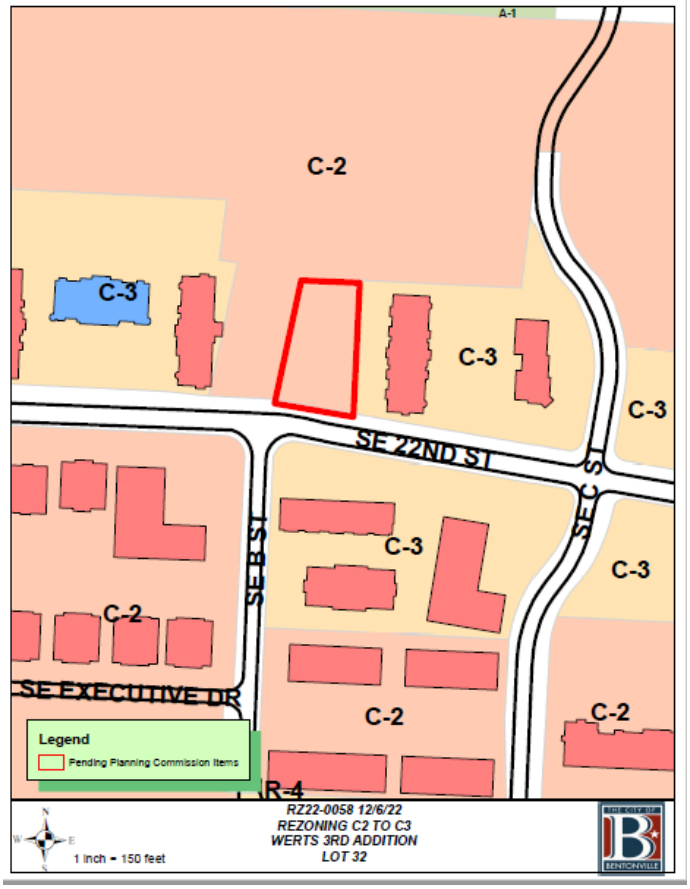
PC Date: 12/6/2022

Reviewer: Christopher Hyatt, Planning Technician

Project Number	RZ22-0058
Applicant / Current Owner	Watkins , Boyer, Gray & Curry PLLC / Pinnacle Villas LLC
Site Area	+/- 0.72 Acres
Current Zoning	C-2, General Commercial
Requested Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	General Commercial (C)
Requested Future Land Use Map Designation	Mixed-Use Commercial (MUC)

https://arcg.is/08HvK8

Location Map



Property Description

This request is located at 201 SE 22nd Street. Directly adjacent zoning is C-2, General Commercial to the North, South, and West. C-3, Mixed-Use Commercial to the East and South

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently shows this property as General Commercial, in which C-3 zoning is not compatible, however, the applicant has requested a future land use map amendment to Mixed-Use Commercial. Mixed-use commercial areas include uses that provide goods and services to nearby residents. Local retail, day-to-day services, and small offices are appropriate in these areas. Vertical mixed-use developments are encouraged in mixed-use commercial areas, with upper floors including offices, services, or residential uses. Parking may be more prominent in these areas than in Downtown commercial areas but should be sited and designed to not be detrimental to the character of the area.

The property is located within Priority Area 2, Infill, as identified in chapter 4 of the Bentonville Community Plan. This area focuses on supporting the development of vacant properties already served by infrastructure within the context of existing development.

Public Comment

At the time of writing this staff report, staff has received public comment on this item.

Analysis

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

Conclusion

This request is not consistent with the Future Land Use Map but is consistent with the surrounding development pattern of the area.



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1 inch = 150 feet

RZ22-0058 12/6/22
REZONING C2 TO C3
WERTS 3RD ADDITION
LOT 32

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

October 10, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 01-11316-000 from C-2, General Commercial to C-3, General Commercial

Dear Planning Staff:

This law firm has been hired to assist the applicant, Pinnacle Villas, LLC ("Applicant"), in obtaining a rezoning of Parcel No. 01-11316-000 (hereinafter "the Property") C-2, General Commercial to C-3, General Commercial.

The primary reason for this rezoning request is to bring the property into conformity with the nearby properties on SE 22nd Street and to take advantage of the recent updates to the C-3 zoning district.

The requested zoning is in compliance with the FLUP. The FLUP designates this parcel as General Commercial, which allows for C-3 zoning in this area. Accordingly, no FLUP amendment is necessary in order to rezone the Property to C-3. There are properties along SE 22nd Street which are already zoned C-3. In fact, the Property is the one of the only parcels on SE 22nd Street between SE B Street and SE Village Loop which is not already zoned C-3. At the time the Property and some of the lots around it were being platted, the developer's intent was for the Property to be zoned C-3, but due to a mistake on the part of the developer, application for this parcel was either never submitted or submitted incorrectly. Accordingly, a rezone of this Property to C-3 would be harmonious with the surrounding properties.

This rezoning will not increase traffic by an appreciable amount, no signage is contemplated, and the appearance of any development will conform to Bentonville's City Code. Lastly, an eight inch (8") gravity sewer line and a eight inch (8") water line are located along SE 22nd Street.

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

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM GENERAL COMMERCIAL TO MIXED-USE COMMERCIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0058)

WHEREAS, Pinnacle Villas 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 GENERAL COMMERCIAL to MIXED-USE COMMERCIAL, which property is described as follows:

LOT 32, WERT'S 3RD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS REFLECTED IN PLAT OF LOTS 32, 33, 34, FORMERLY KNOWN AS LOTS 6, 7, AND 8, AS SHOWN ON PLAT RECORD 2008 AT PAGE 32.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 RESOLVED 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 GENERAL COMMERCIAL to MIXED-USE COMMERCIAL on the City of Bentonville Future Land Use Map;

Section 2 - 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; 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 Resolution 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 C-2, GENERAL COMMERCIAL TO C-3, MIXED-USE COMMERCIAL; AND FOR OTHER PURPOSES. (PROJECT NUMBER: RZ22-0058)

WHEREAS, Pinnacle Villas 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 C-2, GENERAL COMMERCIAL to C-3, MIXED-USE COMMERCIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 32, WERT'S 3RD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS REFLECTED IN PLAT OF LOTS 32, 33, 34, FORMERLY KNOWN AS LOTS 6, 7, AND 8, AS SHOWN ON PLAT RECORD 2008 AT PAGE 32.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 C-2, GENERAL COMMERCIAL to C-3, MIXED-USE 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 C-2, GENERAL COMMERCIAL to C-3, MIXED-USE 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

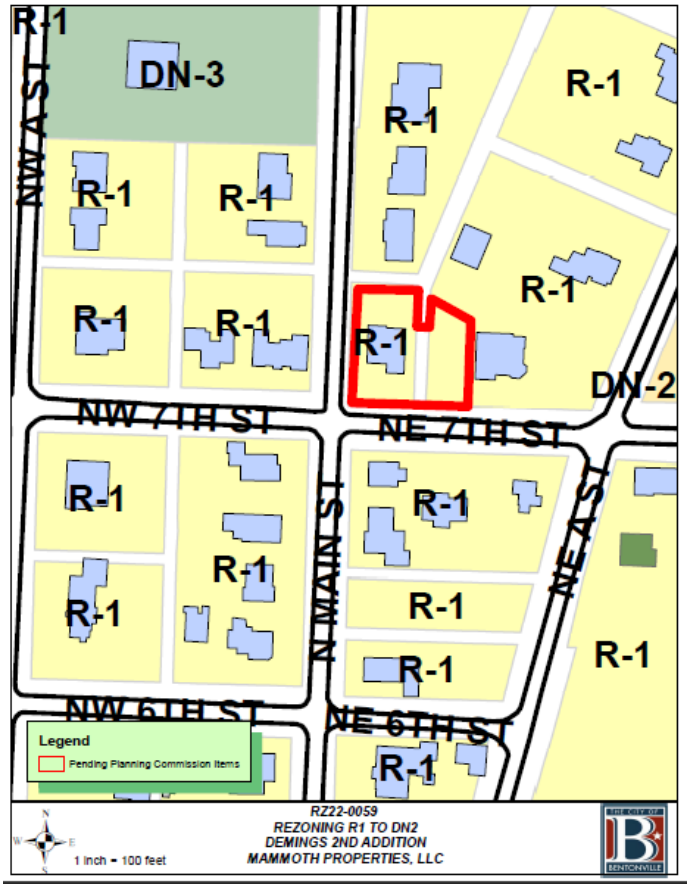
Mammoth Properties LLC

101 NE 7th Street
PC Date: 12/6/2022
Reviewer: Luke Aitken, Planning Technician

Project Number	RZ22-0059
Applicant / Current Owner	Watkins, Boyer, Gray & Curry PLLC / Mammoth Properties LLC
Site Area	+/- 0.45 Acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)

https://arcg.is/08HvK8

Location Map



Property Description
This property is located in north Bentonville, at 101 NE 7th Street, and is currently zoned R-1, Low Density Single family residential. Adjacent zoning districts include R-1, Low Density Single Family Residential in all directions.

Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Medium Density Residential, in which DN-2 zoning is compatible. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.
This property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. This area supports the development of vacant properties already served by infrastructure within the context of existing development.

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

Analysis
The intent of the requested DN-2 zoning district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density. In some instances, such as the end of blocks, townhouses may be appropriate in this district. This property is located at the corner of two Local Downtown streets per the City's Master Street Plan, which lends support for a denser zoning designation such as DN-2, to allow for a variety of housing types including townhomes.

Conclusion
This request is consistent with the Future Land Use Map, and with the surrounding development pattern of the area, with many DN-2 zoned properties one block to the east along NE A Street.



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1 inch = 100 feet

RZ22-0059
REZONING R1 TO DN2
DEMINGS 2ND ADDITION
MAMMOTH PROPERTIES, LLC

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

October 7, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 01-02290-000 from R-1, Low Density Residential to DN-2, Downtown Medium Density Residential

Dear Planning Staff:

This law firm has been hired to assist the applicant, Mammoth Properties, LLC, in obtaining a rezoning of Parcel No. 01-02290-000 (hereinafter "the Property") from R-1, Low Density Residential to DN-2, Downtown Medium Density Residential.

The primary reason for this rezoning request is to take advantage of Bentonville's updated downtown zoning codes and to bring the Property into compliance with Bentonville's Future Land Use Plan ("FLUP").

The requested zoning is in compliance with the FLUP. The FLUP designates this parcel as Medium Density Residential, which allows for DN-2 zoning. Accordingly, no FLUP amendment is necessary in order to rezone the Property to DN-2. There are some precedent rezoning's in this neighborhood which would justify a rezoning to DN-2. Several parcels to the North and Northeast on Main St., NWA A St., and NE A St. have recently been rezoned to some kind of medium density residential zoning. Because the Property is in Downtown Bentonville, where there is a high demand for housing, and because the FLUP designates the Property as Medium Density Residential, this Property is a good candidate for a moderate increase in density.

This rezoning will not increase traffic by an appreciable amount, no signage is contemplated, and the appearance of any development will conform to Bentonville's Downtown Design Codes. Lastly, the Property has access to an ten inch (10") sewer line located in the adjacent alley, and access to an eight inch (8") water line located on N. Main St.

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

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0059)

WHEREAS, Mammoth Properties 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

ALL OF LOTS 21 AND 22 AND A PART OF LOT 20 DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 20, RUN EAST 50 FEET, THENCE NORTH TO THE NORTH LINE OF SAID LOT; THENCE WEST 50 FEET TO THE NW CORNER OF SAID LOT 20; THENCE SOUTH TO THE PLACE OF BEGINNING, ALL IN BLOCK 24 IN DEMING'S SECOND ADDITION TO THE TOWN OF BENTONVILLE. AND THE VACATED ALLEY AS SHOWN IN ORDINANCE NO. 88-44 FILED AS DOCUMENT NO. 92-72011, RECORDS OF BENTON COUNTY, ARKANSAS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 20, BLOCK 24, DEMING'S SECOND ADDITION, THENCE NORTH 100 FEET ALONG THE WEST LINE OF SAID LOT 20, THENCE WEST TO LOT 21, THENCE SOUTH 100 FEET TO THE SE CORNER OF SAID LOT 21, THENCE EAST TO THE PLACE OF BEGINNING.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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; 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

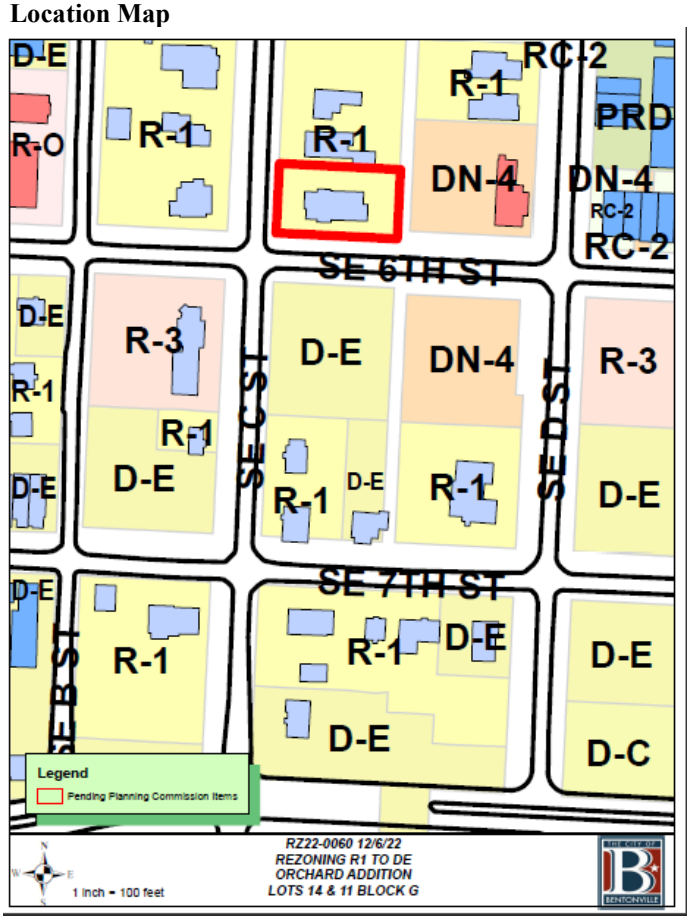
1208 SW Horizon LLC

509 SE C Street
PC Date: 12/6/2022
Reviewer: Luke Aitken, Planning Technician

Project Number	RZ22-0060
Applicant / Current Owner	Watkins, Boyer, Gray & Curry PLLC / 1208 SW Horizon LLC
Site Area	+/- 0.30 Acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown Commercial (DC)

https://arcg.is/08HvK8

Location Map



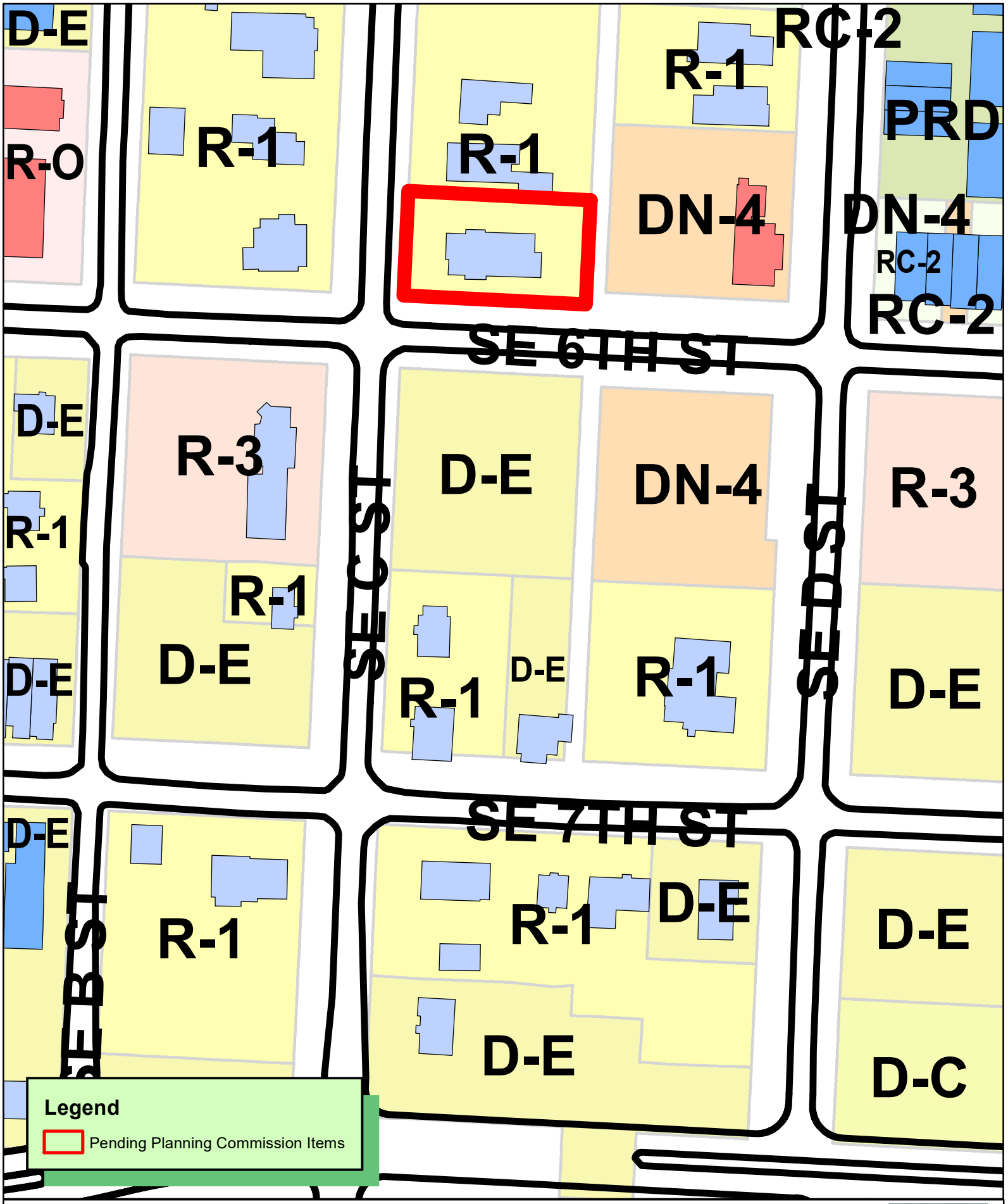
Property Description
This property is located near downtown Bentonville, at 509 SE C Street, and is currently zoned R-1, Low Density Single family residential. Adjacent zoning districts include R-1, Low Density Single Family Residential to the north and west, DN-4, Downtown Mixed Use Residential to the east, and DE, Downtown Edge to the south.

Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Downtown Commercial, in which DE zoning is compatible. Downtown Commercial areas include traditional mixed-use developments with a focus on design character and pedestrian access. Ground-floor uses should include activities that capitalize on pedestrian traffic and support street life, such as restaurants, retail, and services that create frequent patron trac. Upper-floor uses could include offices, services not reliant on ground-floor visibility, and residential units. Parking could be provided in Downtown Commercial areas, but only where it is not detrimental to the character of the area and is secondary to an active use.

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

Analysis
The Downtown Edge creates an area of transition between the Downtown Core with its retail emphasis and the lower density residential neighborhoods on the outskirts of downtown. This is the area of downtown with the greatest potential for infill and redevelopment. The physical form of structures begins to shift from commercial to residential character with flexibility in use, taking on a more service-oriented character for surrounding neighborhoods. The horizontal and vertical mixed use allows retail, commercial, office and residential uses on all floors. Live/work housing, personal services and small offices are strongly evident in this district. Buildings are spaced closely but are separated by setbacks.

Conclusion
This request is consistent with the Future Land Use Map, and with the surrounding development pattern of the area, with some DE zoned properties nearby and across the adjacent local street (SE 6th Street).



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1 inch = 100 feet

RZ22-0060 12/6/22
REZONING R1 TO DE
ORCHARD ADDITION
LOTS 14 & 11 BLOCK G

100

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

October 7, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 01-03576-000 from R-1, Low Density Residential to DE, Downtown Edge

Dear Planning Staff:

This law firm has been hired to assist the applicant, Mammoth Properties, LLC, in obtaining a rezoning of Parcel No. 01-03576-000 (hereinafter "the Property") from R-1, Low Density Residential to DE, Downtown Edge.

The primary reason for this rezoning request is to take advantage of Bentonville's updated downtown zoning codes and to bring the Property into compliance with Bentonville's Future Land Use Plan ("FLUP").

The requested zoning is in compliance with the FLUP. The FLUP designates this parcel as Downtown Commercial, which allows for DE zoning. Accordingly, no FLUP amendment is necessary in order to rezone the Property to DE. There are several rezonings along SE 6th Street that provide precedent for zoning the Property to DE. Both sides of 6th St. between SE A and S. Main St. are zoned DE. Moreover, there are two more DE-zoned parcels between SE A St. And SE B St., and the property directly south of the Property is also zoned DE. In fact, the Property is one of the few parcels on 6th St. that remains low density single family, with the majority remainder of 6th St. between Main St. and SE E St. being zoned some kind of commercial, or downtown-higher-density zoning. Lastly, the FLUP calls for that entire 6th corridor to be Downtown Commercial.

This rezoning will not increase traffic by an appreciable amount, no signage is contemplated, and the appearance of any development will conform to Bentonville's Downtown Design Codes. Lastly, an eight inch (8") gravity sewer line and a eight inch (8") water line are located along SE C St..

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

NOTICE OF INTENT TO REZONE

1208 SW Horizon, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Low Density Single-Family Residential to DE, Downtown Edge

The legal description of the property is as follows:

See attached.

The common description of the property is: 509 SE C St.

The public hearing will be held November 15, 2022 at 5:00 p.m. It will be held at 305 S.W. "A„ Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.
☒ I / we object to the rezoning because:

We feel like this is further encroaching into our Residential area and will become a slippery slope for more Re-zoning and will begin to push residents out, as well as increase traffic which is already becoming problematic.

Signature and Physical Address
500 SE D ST.
Bentonville, AR 72712

Signature and Physical Address

NOTICE OF INTENT TO REZONE

1208 SW Horizon, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-1, Low Density Single-Family Residential to DE, Downtown Edge

The legal description of the property is as follows:

See attached.

The common description of the property is: 509 SE C St.

The public hearing will be held November 15, 2022 at 5:00 p.m. It will be held at 305 S.W. "A,, Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
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3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

☐ I / we have no objections to the rezoning.
☒ I / we object to the rezoning because:

This PARK-CENTERED Neighborhood has become AND is becoming, A Residential landmark. We do NOT NEED MORE RETAIL. There is no parking for the park —

Signature and Physical Address

616 S.E. D St.

Signature and Physical Address

616 S.E. D Street

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DE, DOWNTOWN EDGE; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0060)

WHEREAS, 1208 SW Horizon 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DE, DOWNTOWN EDGE to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 14, AND A STRIP 36 FEET WIDE SQUARELY OFF THE SOUTH SIDE OF LOT 11 IN BLOCK G IN ORCHARD ADDITION TO BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK A AT PAGE 89.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DE, DOWNTOWN EDGE.

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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DE, DOWNTOWN EDGE 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

Ken Ehret

1169 NE Monroe Street

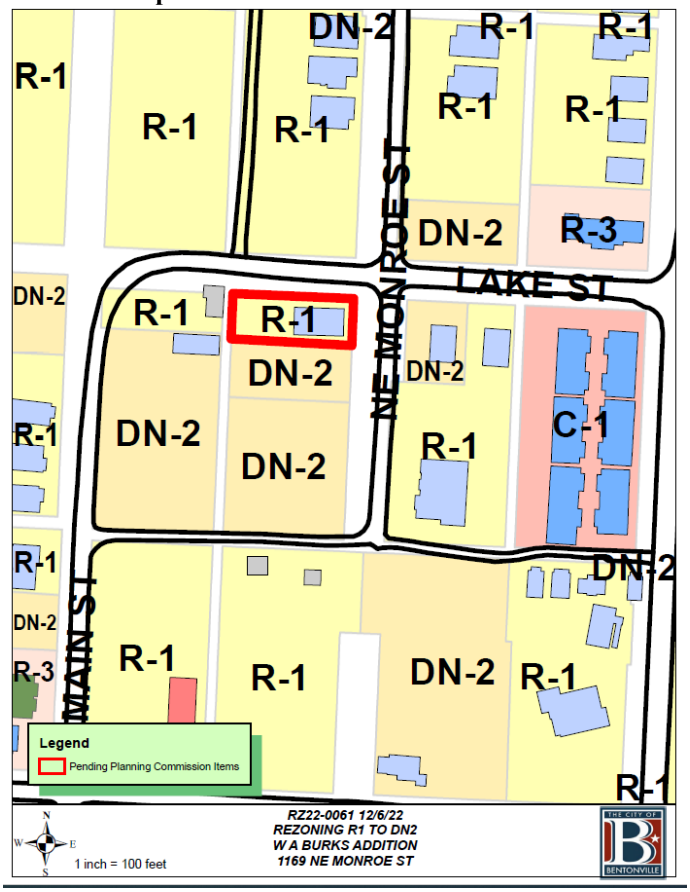
PC Date: 12/6/2022

Reviewer: Christopher Hyatt, Planning Tech

Project Number	RZ22-0061
Applicant / Current Owner	Blew & Associates / Ken Ehret
Site Area	+/- 0.2 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)

https://arcg.is/08HvK8

Location Map



Property Description

This request is located at 1169 NE Monroe Street. Directly adjacent zoning is R-1, Low Density Single Family Residential to the North and West. R-1, Low Density Single Family Residential and DN-2, Downtown Medium Density Residential to the East. DN-2, Medium Density Residential to the South.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently shows this property as Medium Density Residential. Medium-Density Residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

This property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. This area supports the development of vacant properties already served by infrastructure within the context of existing development.

Public Comment

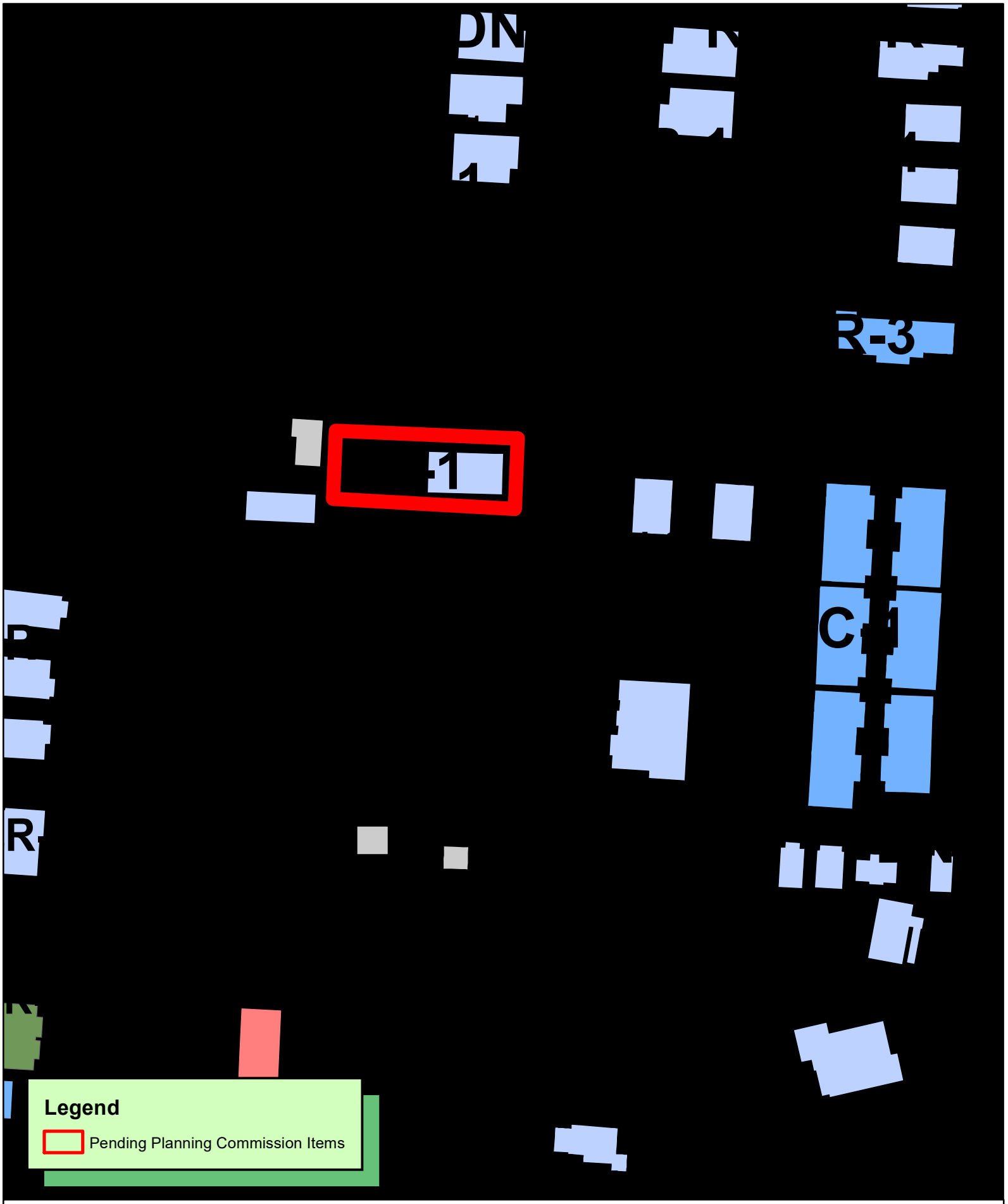
At the time of writing this staff report, staff has not received public comment on this item.

Analysis

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

Conclusion

This request is consistent with the Future Land Use Map, and the surrounding development pattern of the area.



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1 inch = 100 feet

RZ22-0061 12/6/22
REZONING R1 TO DN2
W A BURKS ADDITION
1169 NE MONROE ST

Blew & Associates, P.A.
Civil Engineers Professional Land Surveyors

3825 N. Shiloh Dr.
Fayetteville, Arkansas 72703
479-443-4506
Fax 582-1883

October 20, 2022

To Whom It May Concern,

Rezone & Land Use Amendment

My client, Ken Ehret, is requesting a rezone from R-1 to DN-2 and a land use amendment from Low-Density Residential to Medium Density Residential for the property at 1169 Northeast Monroe Street in Bentonville. He is requesting this to eventually tear down the existing house and replace it with townhomes. There are existing townhomes in the area so we believe this zoning change will fit into the area nicely. The use will still be residential. There may be a slight increase in traffic due to additional housing, but it should not be significant. No signs are proposed at this time and no changes to the appearance of the existing homes. Water & sewer are available. We kindly ask for your approval of this rezone on our client's behalf. The rezone affects parcel: 01-04559-000.

Sincerely,

Nikki Littrell
Senior Project Coordinator
Blew & Associates, P.A.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0061)

WHEREAS, Ken Ehret, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

THE NORTH 20 FEET OF LOT 23 AND ALL OF LOT 24, BLOCK 6, W.A. BURK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS FILED IN THE OFFICE OF THE CIRCUIT CLERK IN PLAT BOOK A AT PAGE 81 & 119.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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; 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

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM LOW-DENSITY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES (PROJECT NUMBER: RZ22-0061).

WHEREAS, Ken Ehret 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 LOW-DENSITY RESIDENTIAL to MEDIUM-DENSITY RESIDENTIAL, which property is described as follows:

THE NORTH 20 FEET OF LOT 23 AND ALL OF LOT 24, BLOCK 6, W.A. BURK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS FILED IN THE OFFICE OF THE CIRCUIT CLERK IN PLAT BOOK A AT PAGE 81 & 119.;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 LOW-DENSITY RESIDENTIAL to MEDIUM-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

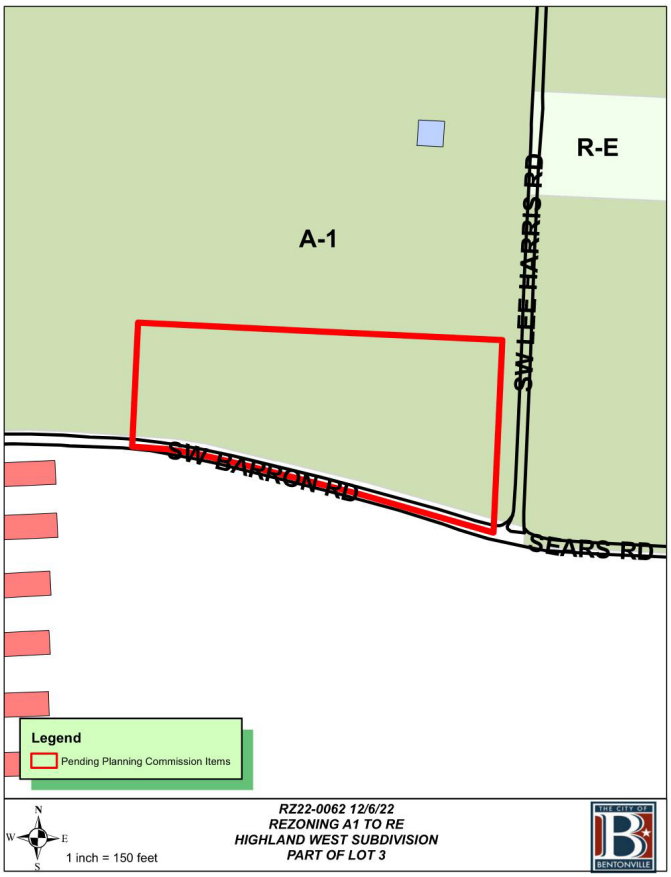
Patrick Nowlin

Northwest Corner of Southwest Barron Road and Southwest Lee Harris Road
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ22-0062
Applicant / Current Owner	Patrick Nowlin
Site Area	+/- 2.44 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-E, Residential Estate
Future Land Use Map Designation	Agriculture (A)
Future Land Use Map Requested	Residential Estate (RE)
Related Case(s):	LS22-0046

https://arcg.is/08HvK8

Location Map



Property Description
This request is located at the Northwest Corner of Southwest Barron Road and Southwest Lee Harris Road. Directly adjacent zoning is A-1 Agriculture to the North, East, and West. The property to the South is outside of the city limits.

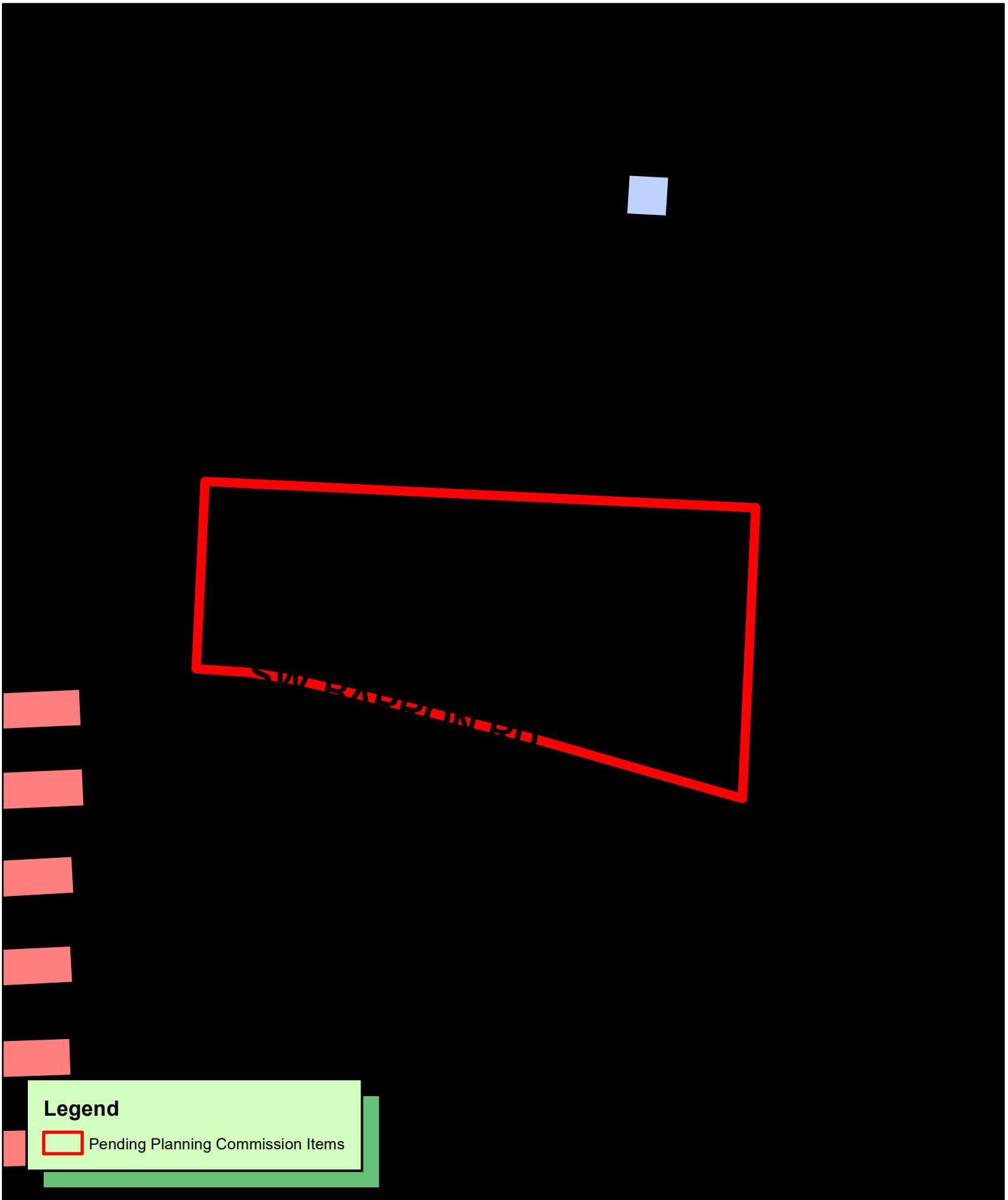
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Agriculture, in which R-E zoning is not compatible, however, the applicant has requested a future land use map amendment to Residential Estate. Residential estate areas include large detached single-family residential properties at least one acre in size. These areas may also include public uses that support residents.

This property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area prioritizes limiting premature growth by ensuring adequate utilities and services are in place prior to development. In this case, the R-E zoning designation would not be incompatible with existing services and utilities.

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

Analysis
The R-E District is an extremely low-density residential district designed to provide for maximum privacy through the use of open spaces, permit the keeping of animals, specifically approved by the Planning Commission, promote scenic attraction, expand and promote residential alternatives and encourage the development of residential areas most protective of the environment.

Conclusion
This request is not consistent with the Future Land Use Map without the approval of the accompanying amendment but is consistent with the surrounding development pattern of the area. R-E zoning is present further North along Lee Harris Road.



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1 inch = 150 feet

RZ22-0062 12/6/22
REZONING A1 TO RE
HIGHLAND WEST SUBDIVISION
PART OF LOT 3

October 21, 2022

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

To whom this may concern,

Please consider this narrative, along with all accompanying documents, as the submittal for the Rezoning of Parcel 01-18912-000. This 10-acre parcel is located on the west side of SW Lee Harris Rd and the north side of SW Barron Rd Bentonville, AR touching both roads.

The current zoning is A-1 Agriculture with the proposed change to one 5-acre A-1 agriculture zone (keeping current zoning) and splitting the rest of the 10-acre parcel to two 2.4 (approximate) acre lots to R-E Residential Estate. Resulting in three separate lots on the property in which two are R-E and one A-1. This is requested by myself the current owner: Patrick and Amber Nowlin at 2810 Balmoral Dr Trophy Club, TX 76262. This change would be in preparation if the owner would like to sell off the two R-E lots and keep the 5-acre parcel until the owner builds his/her own residence on it. This change is consistent with the changes from the neighboring parcels across the street East/Northeast of this parcel off SW Lee Harris.

This change will not change or have any affect on traffic in the area, and no additional signage is planned either. This change will not change the appearance of this lot except if sold and the new owner builds on the lots.

The property does not have access to water or sewer in the current state. Future builds on these would require septic and a well. The closest water tap is half a mile up the road toward SW Regional Rd.

Included with this letter you will find:

- Property Owner Consent
- Warranty Deed
- Word Doc. Of Legal Description
- List of Adjacent Property Owners

Should you have any questions regarding this submittal, please contact the owner at 479-790-2677 or the surveyor at 479-271-6827. I appreciate your time and review of this change and look forward to hearing back from you.

Respectfully,

Patrick and Amber Nowlin Property Owner

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM AGRICULTURE TO RESIDENTIAL ESTATE; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0062)

WHEREAS, Patrick Nowlin, 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 RESIDENTIAL ESTATE, which property is described as follows:

PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 00°19'29" EAST A DISTANCE OF 284.76 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 147.70 FEET; THENCE NORTH 76°42'54" WEST A DISTANCE OF 87.42 FEET; THENCE NORTH 80°55'56" WEST A DISTANCE OF 59.37 FEET; THENCE NORTH 85°47'44" WEST A DISTANCE OF 65.55 FEET; THENCE NORTH 02°45'27" EAST A DISTANCE OF 231.09 FEET TO THE POINT OF BEGINNING CONTAINING 2.00 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT. PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 02°37'57" WEST A DISTANCE OF 358.79 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 73°54'38" WEST A DISTANCE OF 121.86 FEET; THENCE NORTH 73°57'11" WEST A DISTANCE OF 139.07 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 72.97 FEET; THENCE NORTH 00°19'29" WEST A DISTANCE OF 284.76 FEET TO THE POINT OF BEGINNING CONTAINING 2.44 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 RESOLVED 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 RESIDENTIAL ESTATE on the City of Bentonville Future Land Use Map;

Section 2 - 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; 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 Resolution 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 R-E, RESIDENTIAL ESTATE; AND FOR OTHER PURPOSES. (PROJECT NUMBER: RZ22-0062)

WHEREAS, Patrick Nowlin, 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-E, RESIDENTIAL ESTATE to be used in accordance with city zoning laws and state laws, which property is described as follows:

NEW LOT 5 DESCRIPTION:PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 00°19'29" EAST A DISTANCE OF 284.76 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 147.70 FEET; THENCE NORTH 76°42'54" WEST A DISTANCE OF 87.42 FEET; THENCE NORTH 80°55'56" WEST A DISTANCE OF 59.37 FEET; THENCE NORTH 85°47'44" WEST A DISTANCE OF 65.55 FEET; THENCE NORTH 02°45'27" EAST A DISTANCE OF 231.09 FEET TO THE POINT OF BEGINNING CONTAINING 2.00 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT. NEW LOT 6 DESCRIPTION:PART OF LOT 3, HIGHLAND WEST ADDITION TO THE CITY OF BENTONVILLE ARKANSAS AS SHOWN IN PLAT RECORD L202003368 OF THE BENTON COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST (NW) CORNER OF SAID LOT 3; THENCE SOUTH 02°45'27" WEST A DISTANCE OF 320.99 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING; THENCE SOUTH 87°14'33" EAST A DISTANCE OF 339.98 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 02°37'57" WEST A DISTANCE OF 358.79 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 73°54'38" WEST A DISTANCE OF 121.86 FEET; THENCE NORTH 73°57'11" WEST A DISTANCE OF 139.07 FEET; THENCE NORTH 75°52'49" WEST A DISTANCE OF 72.97 FEET; THENCE NORTH 00°19'29" WEST A DISTANCE OF 284.76 FEET TO THE POINT OF BEGINNING CONTAINING 2.44 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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-E, RESIDENTIAL ESTATE.

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-E, RESIDENTIAL ESTATE 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

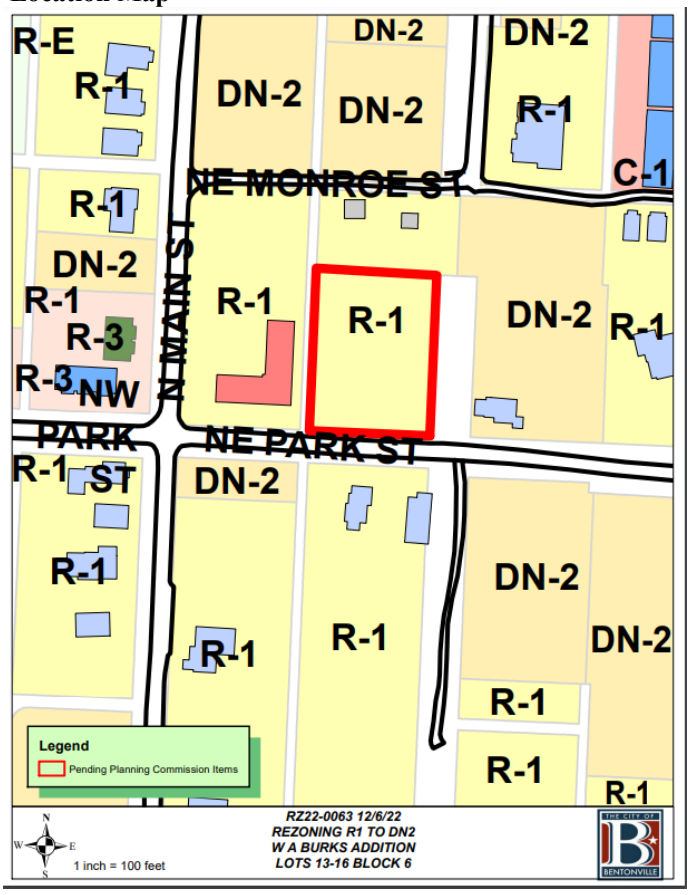
Faciszewski

107 NE Park Street
PC Date: 12/6/2022
Reviewer: Christopher Hyatt, Planning Tech

Project Number	RZ22-0063
Applicant / Current Owner	Jared & Sonia Faciszewski
Site Area	+/- 0.69 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Case(s):	None

https://arcg.is/08HvK8

Location Map



Property Description
This request is located at 107 NE Park Street. Directly adjacent zoning is DN-2, Downtown Medium Density Residential to the North and East. R-1, Low Density Single Family Residential to the South and West.

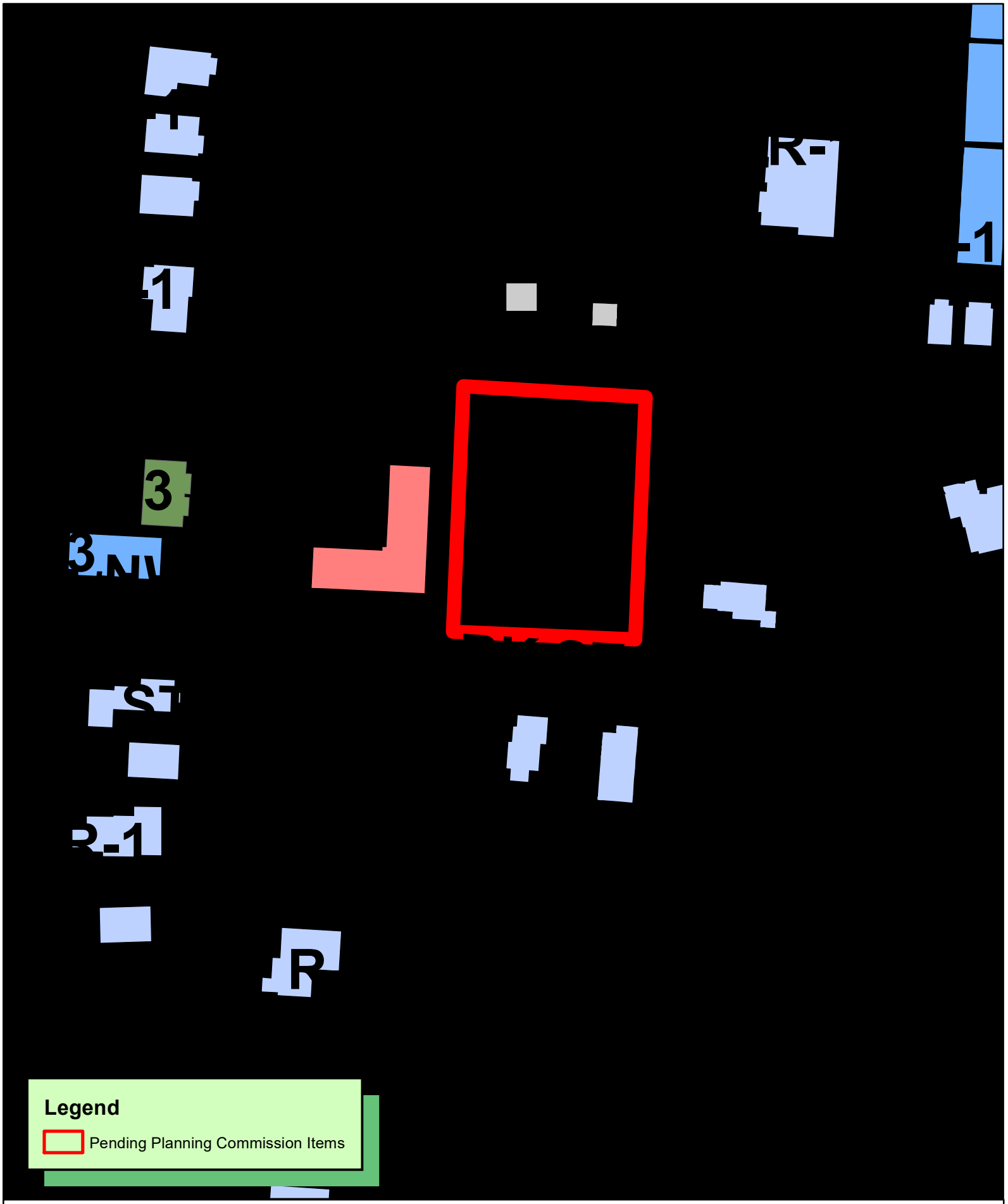
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Medium Density Residential, in which DN-2 zoning is compatible. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

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

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

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

Conclusion
This request is consistent with the Future Land Use Map, and is consistent with the surrounding development pattern of the area.



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1 inch = 100 feet

RZ22-0063 12/6/22
REZONING R1 TO DN2
W A BURKS ADDITION
LOTS 13-16 BLOCK 6

107 NE Park Street, Bentonville, AR 72712

Owners: Jared & Sonia Faciszewski

REZONE to DN-2

Currently this property is R-1 low density residential. There was an older home on it that was demolished in 2021. We are proposing to rezone the property to DN-2. This will conform with several other residential developments in the neighborhood. This will also allow for updated zoning guidelines to be upheld, such as rear loading garages, etc.

There will not be a large impact on traffic on this street. Utilities are already located at this address and were used for the previous residence.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0063)

WHEREAS, Sonia Faciszewski, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOTS 13, 14, 15, 16 BLOCK 6, LYING INSIDE WA BURKS ADDITION, AND FILED FOR RECORD ON PLAT RECORD BOOK 'A', PAGE 81 AND 119, AND FILED FOR RECORD IN THE BENTON COUNTY CLERK'S OFFICE, BENTON COUNTY, ARKANSAS.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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; 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

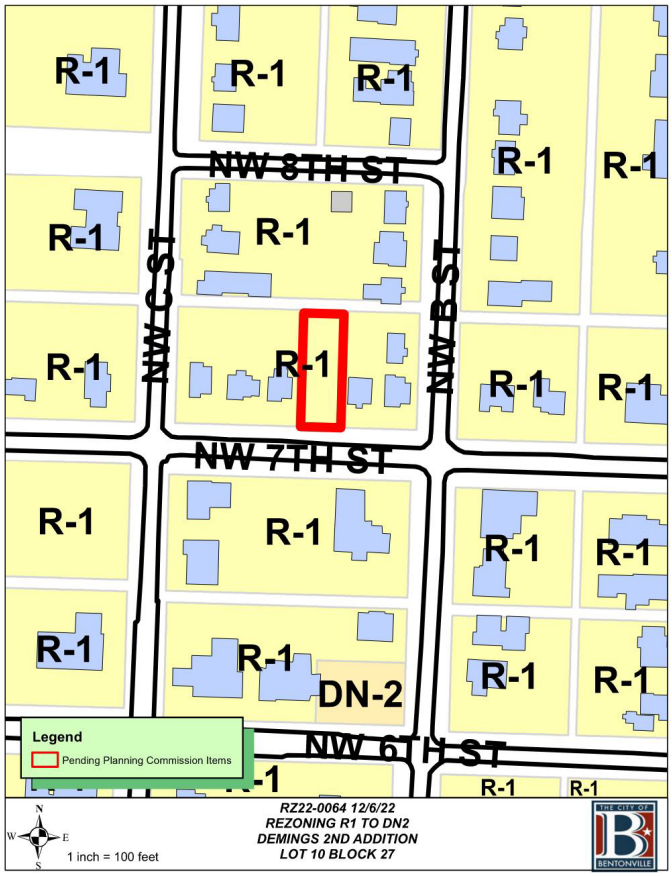
Ozelton Family Trust

306 Northwest 7th Street
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ22-0064
Applicant / Current Owner	Ozelton Family Trust
Site Area	+/- 0.17 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Case(s):	None

https://arcg.is/08HvK8

Location Map



Property Description
This request is located at 306 Northwest 7th Street. Directly adjacent zoning is R-1 Low Density Single Family Residential in all directions.

Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Medium-Density Residential (MDR), in which DN-2 zoning is compatible. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Bentonville Community Plan. This area prioritizes increasing residential density and upgrading capital projects in the downtown area.

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

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

Conclusion
This request is consistent with the Future Land Use Map and is consistent with the surrounding development pattern of the area. DN-2 zoning is intermixed with R-1 zoning throughout Priority Area 1 as the downtown area redevelops.


R-1
NW 8TH ST
NW C ST
NW B ST
NW 7TH ST
DN-2
NW 6TH ST
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
RZ22-0064 12/6/22
REZONING R1 TO DN2
DEMINGS 2ND ADDITION
LOT 10 BLOCK 27
THE CITY OF
BENTONVILLE

SWOPE
ENGINEERING
Civil Engineering and Land Surveying
www.swopeengineering.com

O□□□□□r 2□□□, 2022

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RE: Rezone to DN-2
Parcel# 01-02319-000

D□□r Mr. S□□□□□□,

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O□ELTON FAMILY TRUST -DAVID □OHN □ AMY MARIE
30□ NW 7TH ST
BENTONVILLE, AR

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ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0064)

WHEREAS, Ozelton Family Trust, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 10, BLOCK 27, DEMINGS SECOND ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED FOR RECORD IN/AS PLAT BOOK "B" AT PAGE 24.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY 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; 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

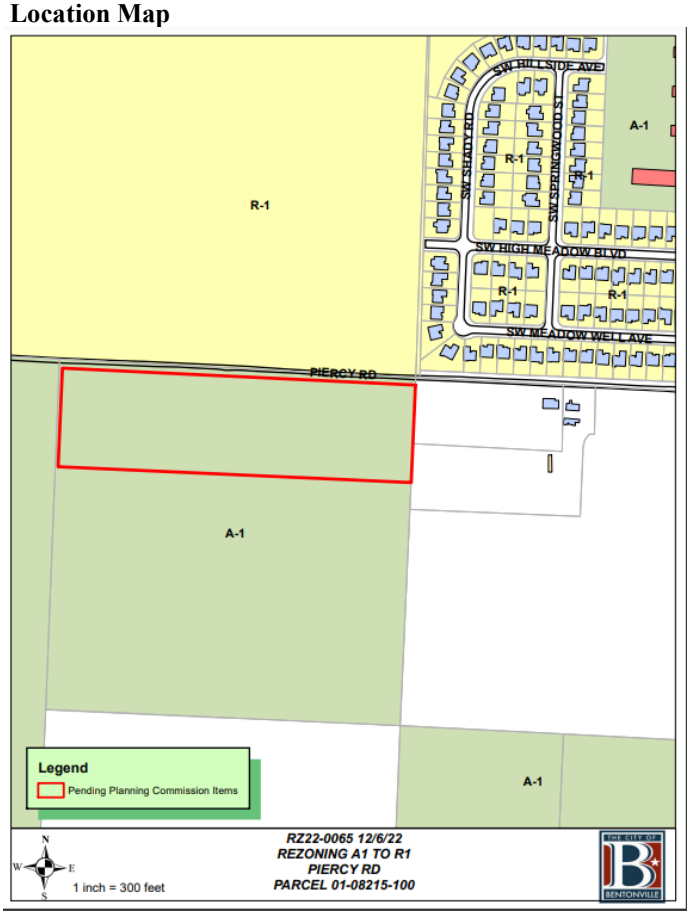
RLP Developments LLC

Parcel: 01-13362-000
PC Date: 12/6/2022
Reviewer: Christopher Hyatt, Planning Tech

Project Number	RZ22-0065
Applicant / Current Owner	Halff Associates / RLP Developments LLC
Site Area	+/- 11.0 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Residential Estate (RE)
Requested Future Land Use Map Designation	Low-Density Residential (LDR)

https://arcg.is/08HvK8

Location Map



Property Description
This request is located along Piercy Road. Directly adjacent zoning is R-1, Low Density Single Family Residential to the North. A-1, Agriculture to the South and West. Benton County to the East.

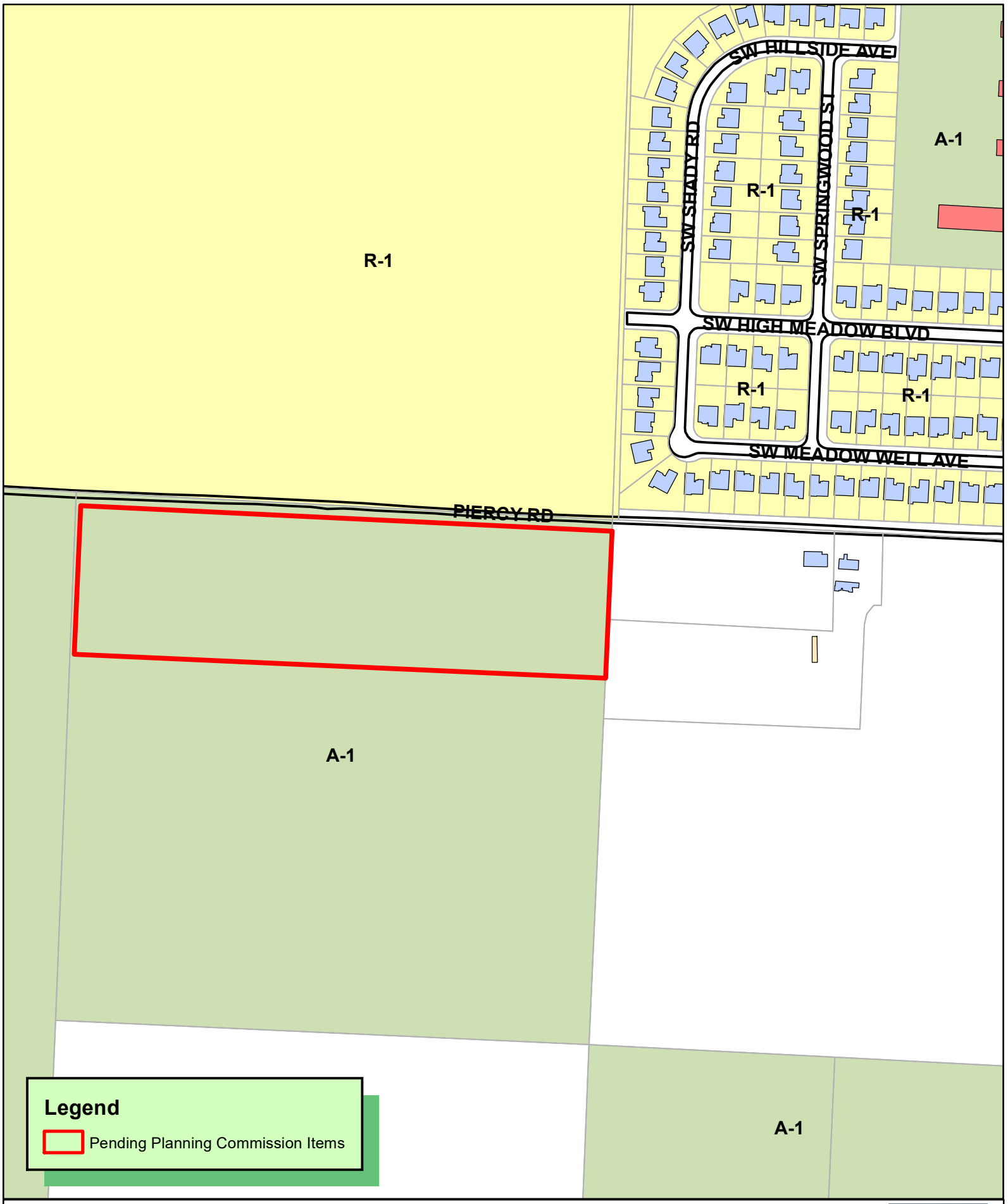
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Residential Estate, in which R-1 zoning is not compatible, however the applicant is requesting a Future Land Use Map Amendment to Low-Density Residential. Low-density residential areas include detached 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.

This 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 in order 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 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.

Conclusion
This request is not consistent with the Future Land Use Map; however it is consistent with the surrounding development pattern of the area.



N
W E
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1 inch = 300 feet

RZ22-0065 12/6/22
REZONING A1 TO R1
PIERCY RD
PARCEL 01-08215-100

THE CITY OF BENTONVILLE

HALFF

October 28, 2022

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

Re: ***RLP Developments, LLC, Piercy Road***
Bentonville, AR 72713
Rezoning Request

We are representing RLP Developments, LLC to rezone property on the south side of Piercy Road that is to the southwest of High Meadows subdivision and just south of Walnut Grove Subdivision. The property is currently undeveloped, and the owner would like to develop ±11 acres of the property into single family home lots.

1. The current zoning designation is A-1 Agricultural. The proposed zoning designation is R-1, Low Density Single Family Residential.
2. The R-1 designation will allow for the construction of single family homes on this property.
3. Currently, future land use for this property is Residential Estate, so we are requesting future land use be amended to Low Density Residential to allow R-1 Zoning.
4. This development will match the single-family residential areas immediately surrounding the property.
5. The property will have two access points to Piercy Road to the north.
6. Signage will be installed and will meet all city sign ordinances.
7. The appearance of the development is not known at this time. The development will follow the Bentonville Design Standards.
8. There will be an 8" PVC waterline and 8" PVC sanitary sewer line via the Walnut Grove Subdivision to the north of this property.

Sincerely,
HALFF Associates, Inc.

Carl Cooney, Jr. E.I., CFM
Graduate Civil Engineer

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: RZ22-0065)

WHEREAS, RLP Developments 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 AGRICULTURE to LOW-DENSITY RESIDENTIAL, which property is described as follows:

A PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, BENTON COUNTY, ARKANSAS, BEING MORE PRACTICALLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION TWENTY-ONE (21), SAID POINT BEING IN PIERCY ROAD AND FROM WHICH A ½" REFERENCE IRON BEARS S02°30'39"W 28.93 FEET FROM SAID CORNER; THENCE SOUTH 2°30'39" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) A DISTANCE OF 363.47 FEET TO A POINT; THENCE LEAVING SAID EAST LINE NORTH 87°23'03" WEST A DISTANCE OF 1,313.57 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE ALONG THE SAID WEST LINE NORTH 2°36'57" EAST A DISTANCE OF 367.34 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE ALONG SAID NORTH LINE SOUTH 87°12'55" EAST A DISTANCE OF 1,312.91 FEET TO THE POINT OF BEGINNING. CONTAINING 11.01 ACRES (479,867 SQUARE FEET) MORE OR LESS. THE ABOVE DESCRIBED 11.01 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF PIERCY ROAD ALONG THE ENTIRE NORTH BOUNDARY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 RESOLVED 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 - 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; 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 Resolution 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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0065)

WHEREAS, RLP Developments 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:

A PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST, BENTON COUNTY, ARKANSAS, BEING MORE PRACTICALLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION TWENTY-ONE (21), SAID POINT BEING IN PIERCY ROAD AND FROM WHICH A ½" REFERENCE IRON BEARS S02°30'39"W 28.93 FEET FROM SAID CORNER; THENCE SOUTH 2°30'39" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) A DISTANCE OF 363.47 FEET TO A POINT; THENCE LEAVING SAID EAST LINE NORTH 87°23'03" WEST A DISTANCE OF 1,313.57 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE ALONG THE SAID WEST LINE NORTH 2°36'57" EAST A DISTANCE OF 367.34 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4); THENCE ALONG SAID NORTH LINE SOUTH 87°12'55" EAST A DISTANCE OF 1,312.91 FEET TO THE POINT OF BEGINNING. CONTAINING 11.01 ACRES (479,867 SQUARE FEET) MORE OR LESS. THE ABOVE DESCRIBED 11.01 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF PIERCY ROAD ALONG THE ENTIRE NORTH BOUNDARY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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; 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

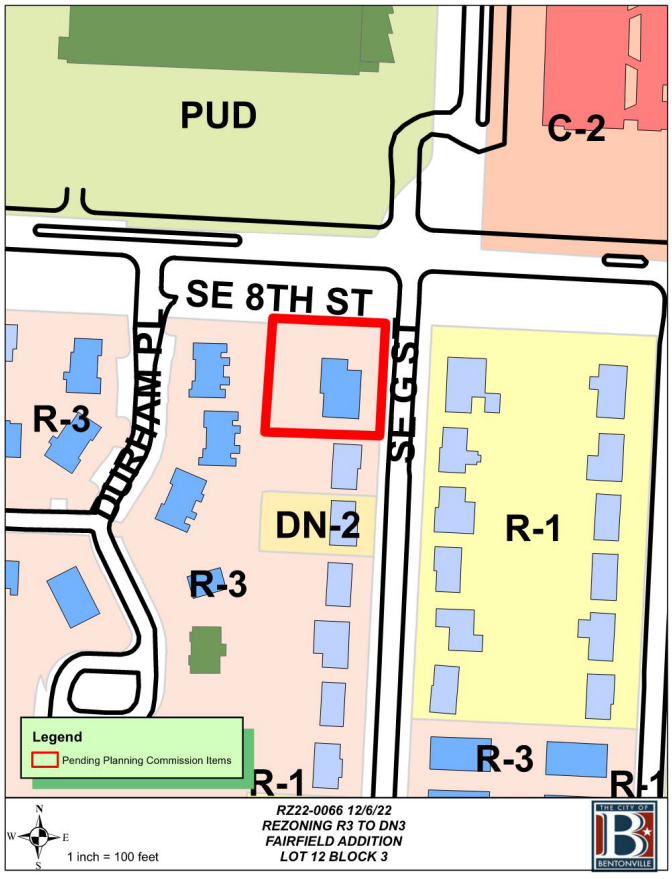
Brightbox LLC

802 Southeast G Street
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ22-0066
Applicant / Current Owner	Brightbox LLC
Site Area	+/- 0.46 acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DN-3, Downtown High Density Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Future Land Use Map Requested	High-Density Residential (HDR)
Related Case(s):	None

https://arcg.is/08HvK8

Location Map



Property Description
This request is located at 802 Southeast G Street. Directly adjacent zoning is R-3, Medium-High Multifamily Residential to the South and West, PUD, Planned Unit Development to the North, and R-1, Low Density Single-Family Residential to the East.

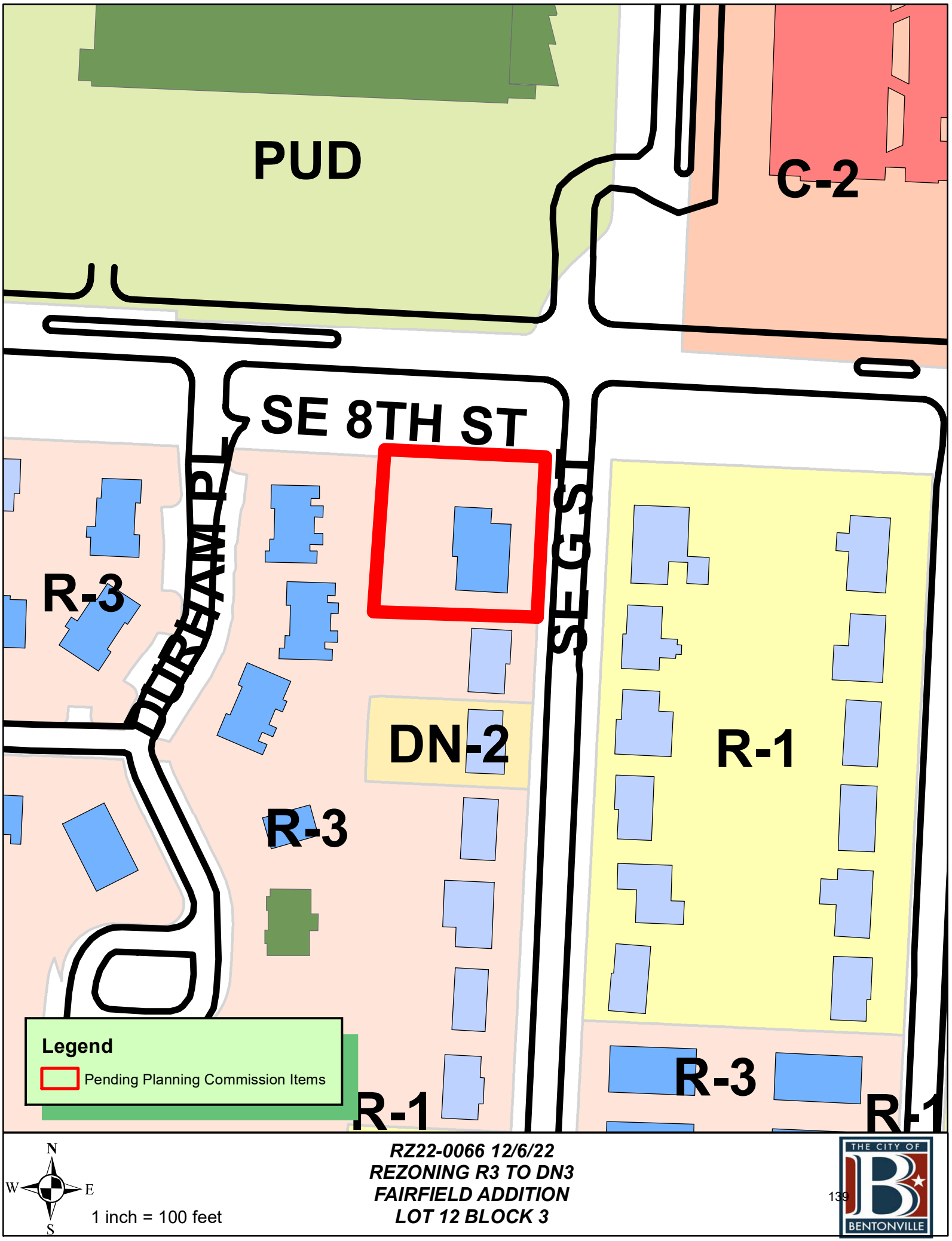
Relationship to the Bentonville Community Plan
The Future Land Use Plan currently shows this property as Medium-Density Residential (MDR), in which DN-3 zoning is not compatible, however, the applicant has requested a future land use map amendment to High-Density Residential. High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Bentonville Community Plan. This area prioritizes increasing residential density and upgrading capital projects in the downtown area.

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

Analysis
The intent of the DN-3 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

Conclusion
This request is not consistent with the Future Land Use Map without the approval of the accompanying amendment but is consistent with the surrounding development pattern of the area. Intensification is a stated goal of the Community Plan, and it is appropriate along Southeast 8th Street, which is classified as an arterial and will soon undergo an widening project to a 4-lane boulevard.


PUD
C-2
SE 8TH ST
DUREAM PL
SE G ST
R-3
DN-2
R-1
R-3
R-3
R-1
R-1
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
RZ22-0066 12/6/22
REZONING R3 TO DN3
FAIRFIELD ADDITION
LOT 12 BLOCK 3
THE CITY OF
BENTONVILLE

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

310 SW R[illegible] P[illegible]
B[illegible], AR 72712
O[illegible]479.273.9472
[illegible]

October 28, 2022

City of Bentonville
Planning Dept.
305 SW A St.
Bentonville, AR 72712

RE: Bentonville Parcel 01-02569-000 Rezoning Application

Dear Planning Commission:

Please accept this narrative letter to accompany a formal request by Brightbox, LLC owner of real property located in the City of Bentonville, for consideration of a rezoning for Benton County parcel 01-02569-000 from R-3, *Medium Density Residential* to DN-3, *Downtown High Density Residential*. The parcel is located on 802 SE G Street and is approximately 0.46 acres. The property is planned for development by the current owner as townhomes for individual sale, and the DN-3 zoning allows a 0' interior side yard setback for units to be sold individually along the line of building walls.

Pending approval of this rezoning request, a proposed development plan will be submitted to address details of construction. It will be consistent with the allowable uses under the current city of Bentonville zoning code for the proposed district. Zoning of the subject tract as DN-3 use will be compatible with the surrounding neighborhood made up of R-1, R-3, DN-2, DN-3, C-2, and PUD as a part of the *Downtown Intensification Strategic Growth Zone*. The townhome units are intended to provide walkable and bikeable density to nearby neighborhood attractions.

Access to this development will be provided by the existing street network and plans to accommodate rear loaded garages and townhome units which face 8th Street. A minimal increase of traffic can be expected from the development of the townhomes which are replacing one existing multifamily residential building which currently contains four units. All necessary utilities for the proposed development are available on or by adjacent easements to the subject tract. The main water utility connection will take place on the western side of G Street to an existing 6" water main. Access to sewer will be provided by the existing 8" gravity sewer on the east side of G Street. Signage is not anticipated for the building.

Thank you for your time and consideration in this matter.

Respectfully submitted,
CEI Engineering Associates, Inc.

Chad Caletka, Project Manager

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR A SPECIFIC AREA FROM MEDIUM-DENSITY RESIDENTIAL TO HIGH-DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0066)

WHEREAS, Brightbox 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 MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 12, BLOCK 3 FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD O AT PAGE 351. SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 RESOLVED 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 MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL on the City of Bentonville Future Land Use Map;

Section 2 - 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; 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 Resolution 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 R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ22-0066)

WHEREAS, Brightbox 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 R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 12, BLOCK 3 FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD O AT PAGE 351. SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held December 6, 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 R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY 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 R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY 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; 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:

ATTEST: **Stephanie Orman, Mayor**

Kirby Romines, City Clerk

Southern Hair Co.

1915 SW Elington Street
PC Date: 12/6/2022
Reviewer: Christopher Hyatt, Planning Tech

Project Number	CU22-0034
Applicant / Current Owner	Southern Hair Co.
Site Area	+/- 0.27 acres
Current Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Use	Home Occupation Type B
Protective Covenants	N/A

https://arcg.is/08HvK8

Location Map



Property Description
The subject property is located at 1915 SW Elington Street and is currently zoned R-1, Low-Density Single Family Residential. The use of "Home Occupation Type B" is allowed conditionally in residential zoning districts.

Proposed Use Description
According to the applicant's narrative, they propose to run a hair salon from their primary residence via an accessory structure in the back yard. The proposed hours for the business will be from 9AM till 5PM Tuesday through Friday by appointment with an average of 3-4 customers per day. The applicant currently works with one client at a time and will continue to schedule one at a time if approved for the conditional use. All parked vehicles will be in the applicant's driveway to ensure there are no traffic concerns from on street parking.

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

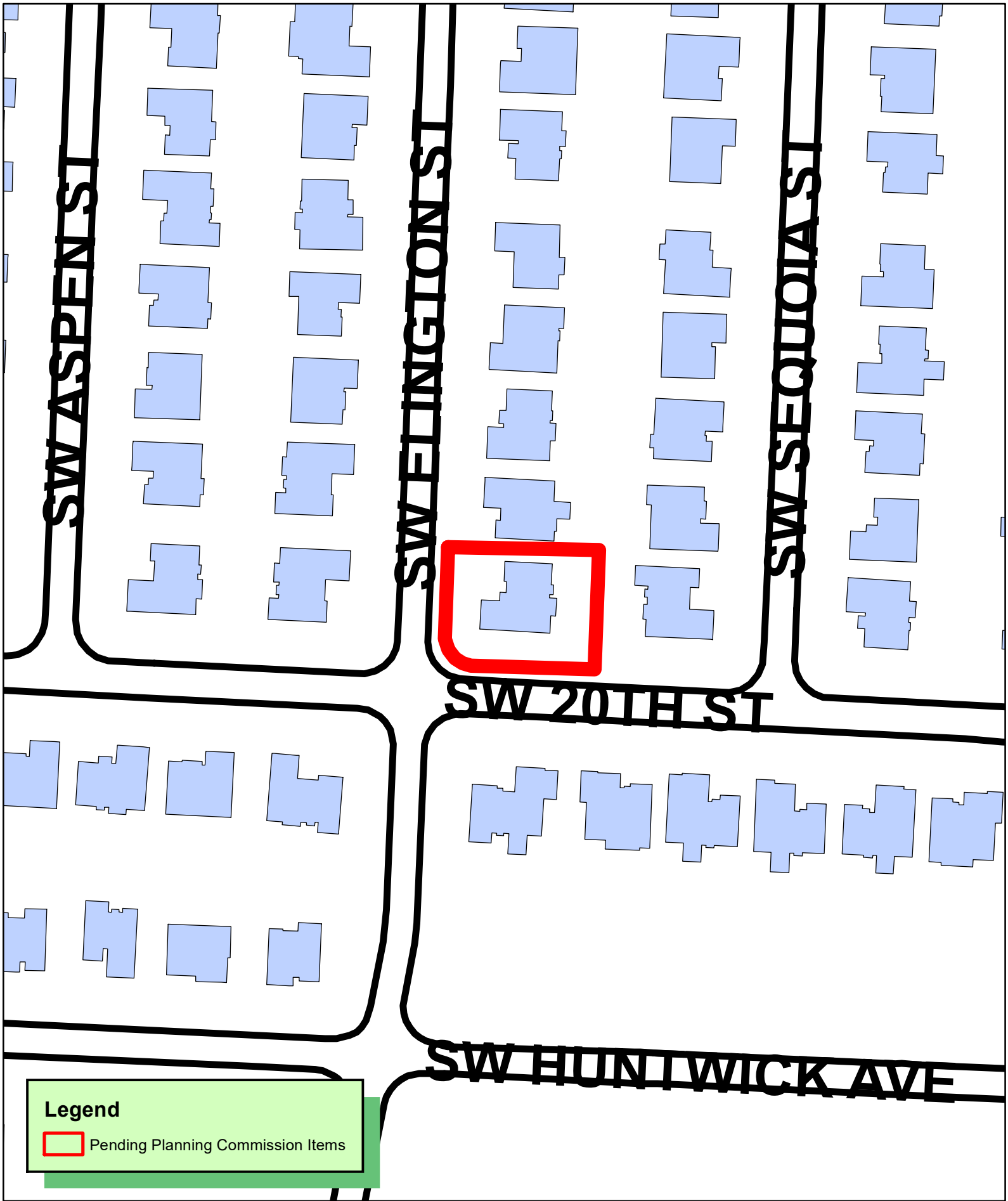
Conditions of Approval

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 approval.

Conditions of Approval

3. The applicant shall provide drainage calculations showing the proposed pond is mitigating the increased temporary impervious area from the addition of the parking area gravel.

4. 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.



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1 inch = 100 feet

CU22-0034 12/6/22
CONDITIONAL USE
SOUTHERN HAIR
1915 SW ELINGTON ST

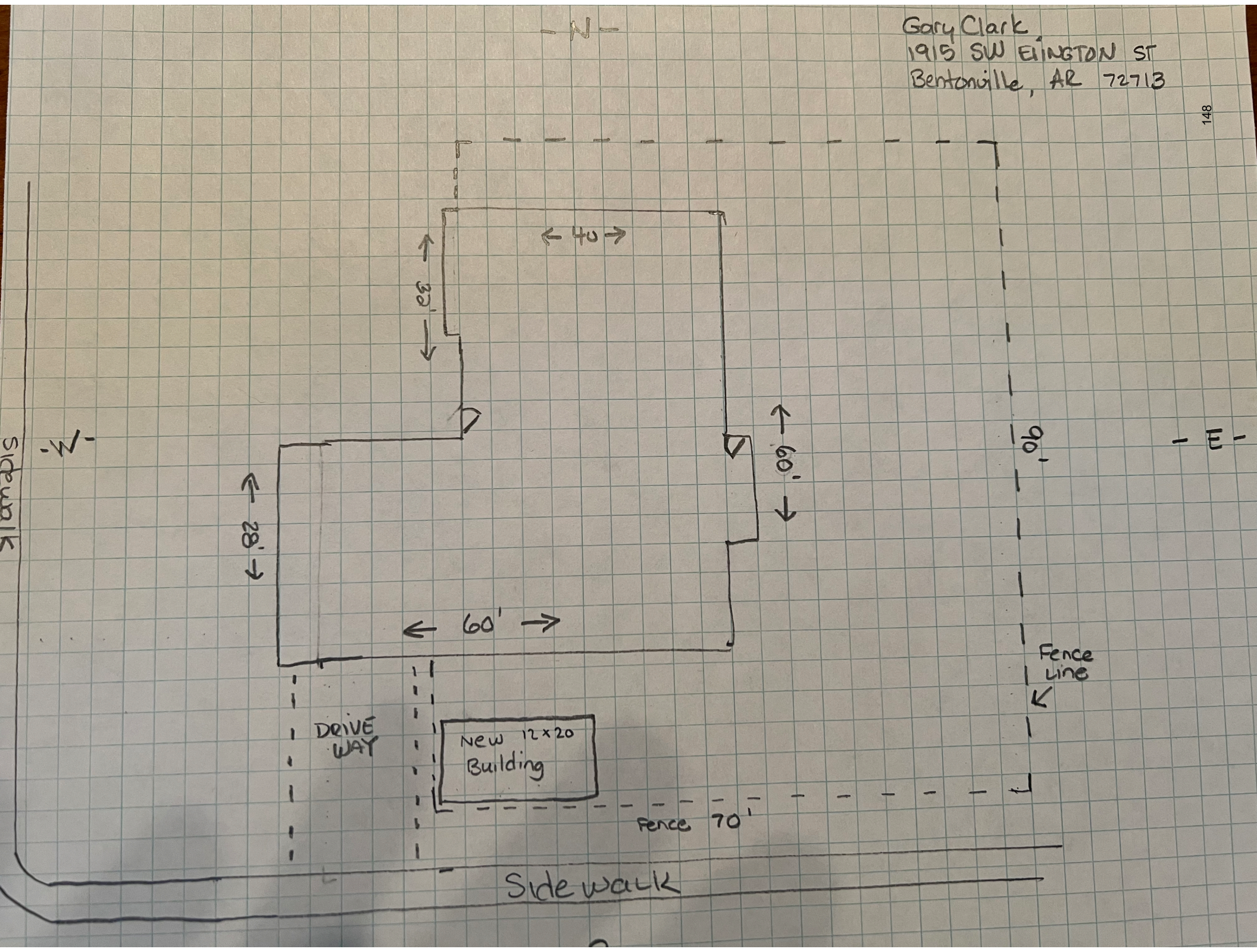
THE CITY OF BENTONVILLE

To whom it may concern,

I have been a Cosmetologist for over 27 yrs., and I would like to continue doing hair in a building at my home. We did not want to put it in the garage as it would take up too much space and would like to do it in a building inside the fence of our yard. The salon hours will be 9 am till 5 pm Tuesday through Friday, by appointment with an average of 3-4 people per day. I currently only do one client at a time and will continue to only do one at a time at our home. No extra lighting will be needed. All parked vehicles will be on our driveway so as not to constrict traffic around our home. The Salon will be fully licensed and inspected with the State of AR.

Thank you for your consideration,
Gary and Samantha Clark

Gary Clark
1915 SW ELINGTON ST
Bentonville, AR 72713



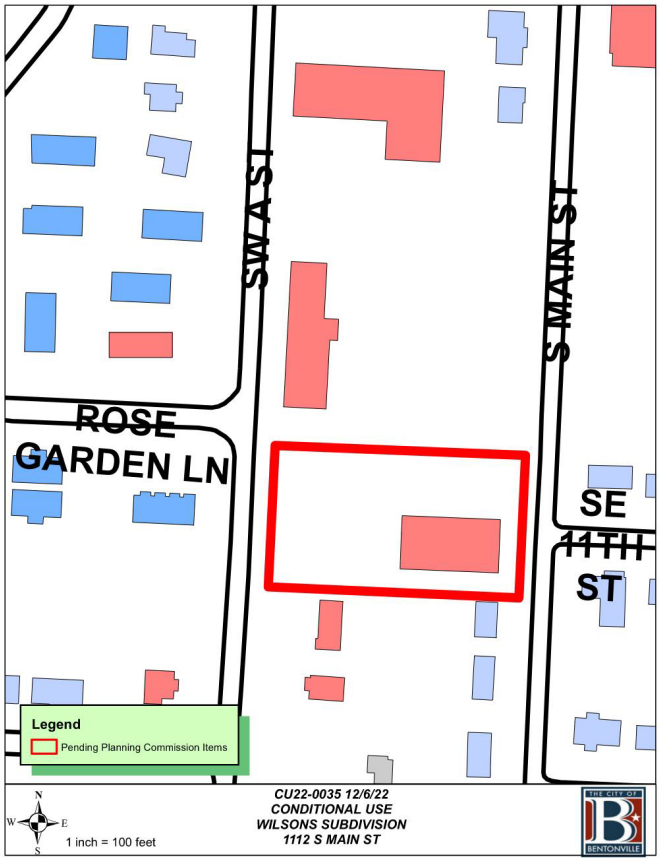
Hitt Brands Inc.

1112 South Main Street
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	CU22-0035
Applicant / Current Owner	1112 S Main LLC
Site Area	+/- 1.35 acres
Current Zoning	DC, Downtown Core
Future Land Use Map Designation	Mixed-Use Commercial (MUC)
Requested Use	Temporary Storage Containers/Conex
Protective Covenants	N/A

https://arcg.is/08HvK8

Location Map



Property Description
The subject property is located at 1112 South Main Street and is currently zoned DC, Downtown Core. The property currently has one building that has a number of truck docks, with an asphalt and gravel parking area. This property has access off of both South Main Street and Southwest A Street.

Proposed Use Description
According to the applicant's narrative, they propose to provide storage containers on the site for additional storage space. The drawing included appears to show 6 total containers located on the North side of the building. The applicant is proposing that they be used Monday through Friday, 8 AM to 5 PM. The applicant anticipates no changes to the structure of the existing building, parking or traffic flow on the site, or outdoor lighting. They anticipate 4 or 5 shipments to the site per week and will employ 3 positions.

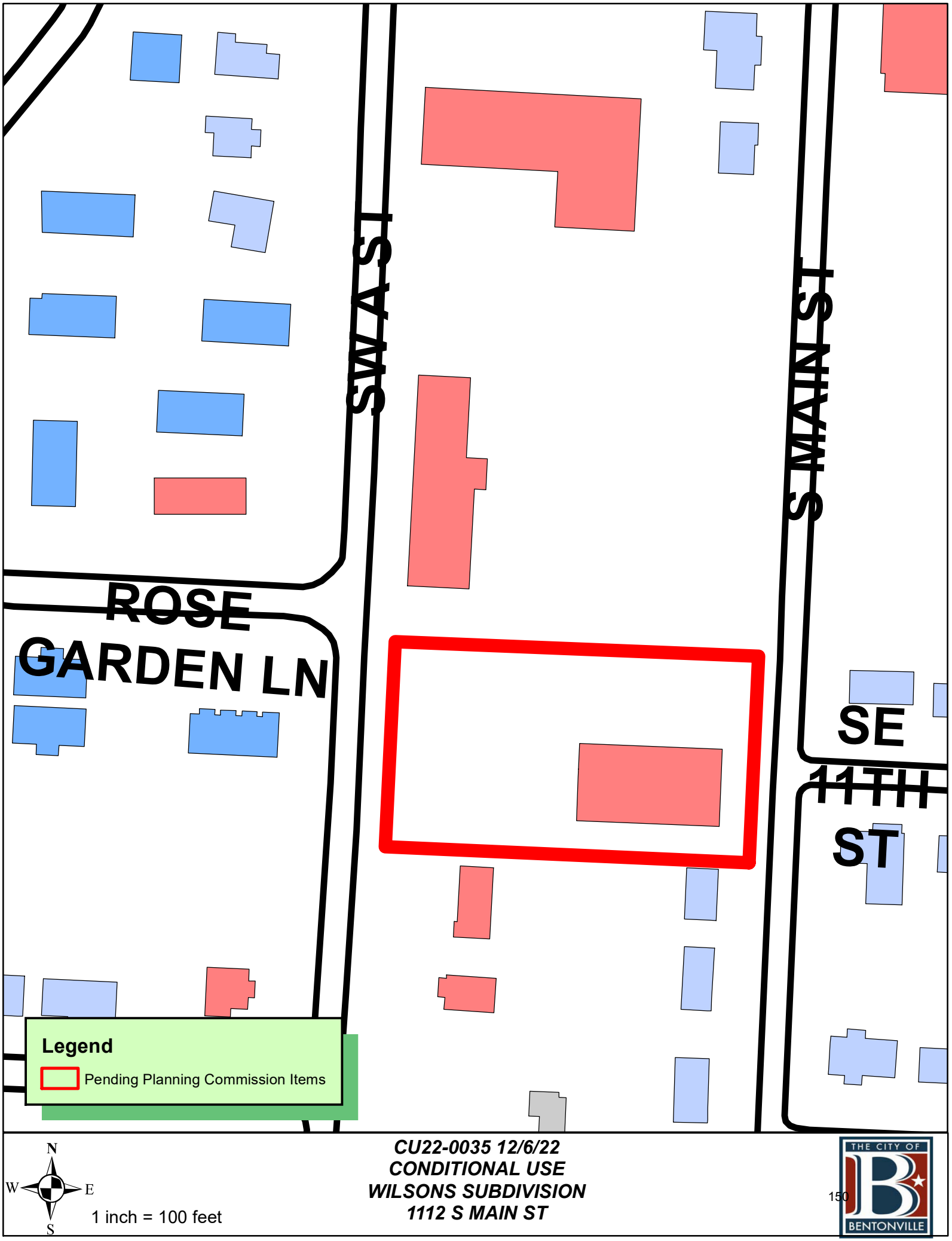
Public Notice
At the time of writing this staff report, staff has not received public comment on this item.

Discussion
The applicant has received notice from the Engineering Department that the containers already on site are within the floodway of Little Osage Creek Tributary 2, which runs along the North and West property lines. They have been instructed to remove those containers from the floodway or pursue one of the following options:

- Obtain a Floodplain Development permit (FDP) and demonstrate containers can be moved at moment's notice.
- Obtain an FDP and produce a No Rise Certificate with flood modeling study

Note: *As of 12/2/2022 the containers have been removed by the applicant per the request of the City of Bentonville Storm Water Coordinator*

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 a time period determined appropriate by the Planning Commission.
3. 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.


SW A ST
S MAIN ST
ROSE
GARDEN LN
SE
11TH
ST
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
CU22-0035 12/6/22
CONDITIONAL USE
WILSONS SUBDIVISION
1112 S MAIN ST
THE CITY OF
BENTONVILLE

TO BENTONVILLE PLANNING COMMISSION:

Hitt Brands, Inc. is requesting a Conditional Use Permit to park storage containers on the property described above.

After leasing the warehouse located at 1112 S. Main in January of 2022, our space requirements have expanded to a volume that requires additional storage space for temporary relief. We cannot store everything under roof. These containers give us the needed additional flexible space.


162'
67.5'
330'
126'
65.5'
Native Eats
SW A St

Hours of operation are M-F 8:00AM to 5:00 PM

No structural changes are required indoor or outdoor.

No change to parking or traffic flow is required.

No outdoor lighting changes are required.

Anticipated deliveries / shipments should average 4 – 5 per week

Proposed number of Employees are 3









Bentonville Public Library Expansion

405 South Main Street
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	LSD22-0062
Applicant / Current Owner	City of Bentonville
Site Area	+/- 4.02 acres
Current Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown Commercial (DC)
Development Type / Use	Library
Related Project(s)	PLA22-0004, WAV22-0005

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 405 South Main Street, where 4th Street dead ends at Main. It is currently zoned DC, Downtown Core with a Future Land Use Classification of Downtown Commercial and Public/Semi-public. This property presently is in use by the existing library building.

Project Details
This project is a large-scale development that consists of a 22,256 sqft addition to the existing Bentonville Public Library. The proposed structure will be approximately 22 feet tall at its highest point, generally matching the scale of the existing structure. The project will provide 12 new off-street parking spaces by reconfiguring portions of the existing parking lot. No other additional parking is proposed.

The proposal provides sidewalk and landscaping as required per the requirements of the Land Development Code, the Master Street Plan, and the Master Trails Plan. The primary materials are finished brick and glass.

Projected Traffic Impact
While the proposed development will constitute an increase in intensity, the traffic impact will likely be minimal. As part of this project and the Main Street improvements concurrently under way, one entry off of Main Street has been closed, leaving two vehicle entries – one on Main Street and one on Southeast A Street. Additionally, bicycle and pedestrian improvements to the site as well as similar improvements to Main Street may decrease the number of vehicle trips to the property.

Waivers
One waiver is requested:

- A waiver from Section 1100.21(k) – Roofs: Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. The applicant requests a waiver from this requirement along the North elevation.

Conclusion
The proposed large-scale development does not meet the minimum requirements of the Land Development Code due to the requested waiver. The proposal does satisfy the goal of the Bentonville Community Plan to infill development near existing utilities.

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



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W E
S

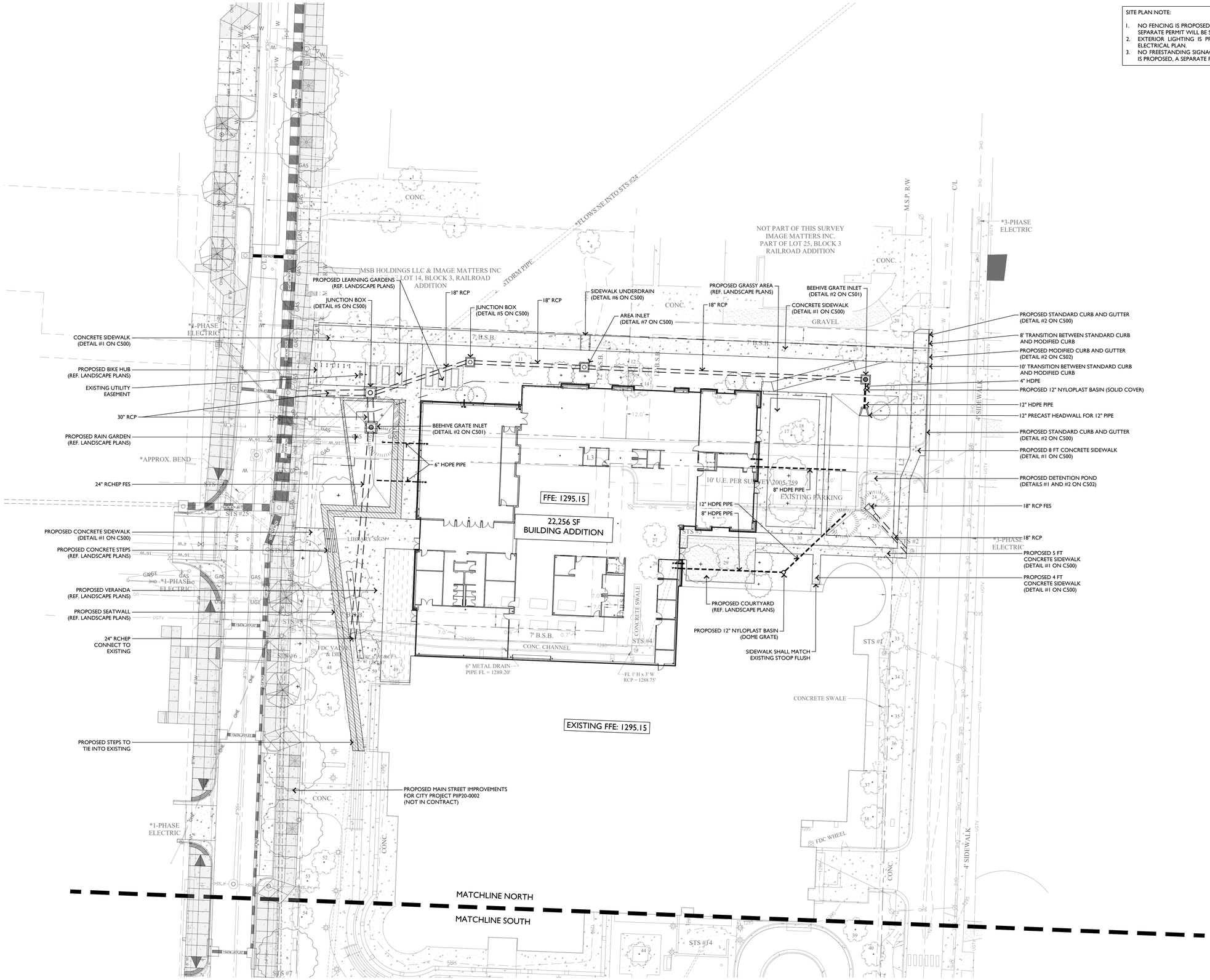
1 inch = 150 feet

LSD22-0062 12/6/22
LARGE SCALE DEVELOPMENT
BENTONVILLE PUBLIC LIBRARY EXPANSION
405 S MAIN ST

THE CITY OF BENTONVILLE

SITE PLAN NOTE:

1. NO FENCING IS PROPOSED. IF FENCING IS PROPOSED, A SEPARATE PERMIT WILL BE SUBMITTED.
2. EXTERIOR LIGHTING IS PROPOSED. PLEASE REFER TO ELECTRICAL PLAN.
3. NO FREESTANDING SIGNAGE IS PROPOSED. IF SIGNAGE IS PROPOSED, A SEPARATE PERMIT WILL BE SUBMITTED.



1 SITE PLAN (NORTH)

SCALE: 1" = 20'-0"

NORTH 0' 20' 40' 80'

Architecture and Interiors

MSRDesign

510 Marquette Avenue South, Suite 200
Minneapolis, MN 55402 | 612.375.0336

Associate Architect

Hight Jackson Associates PA

5201 W Village Pkwy #300
Rogers, AR 72758 | 479.464.4965

Civil Engineer

E | D | G

216 West Birch Street
Rogers, AR 72756 | 501.378.0200

Landscape Architect

TEN x TEN

575 SE 9th St #210
Minneapolis, MN 55414 | 612.440.8369

Structural Engineer

Tatum Smith Welcher Engineers, Inc.

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Rogers, AR 72758 | 479.621.6128

MEP Engineer

HP Engineering, Inc.

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Rogers, AR 72758 | 479.899.6370

Bentonville Public Library Expansion

405 S Main Street
Bentonville, AR 72712

Project No: 2031027

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Architect Seal

Signature _____

Print Name _____

Date _____ **License No** _____

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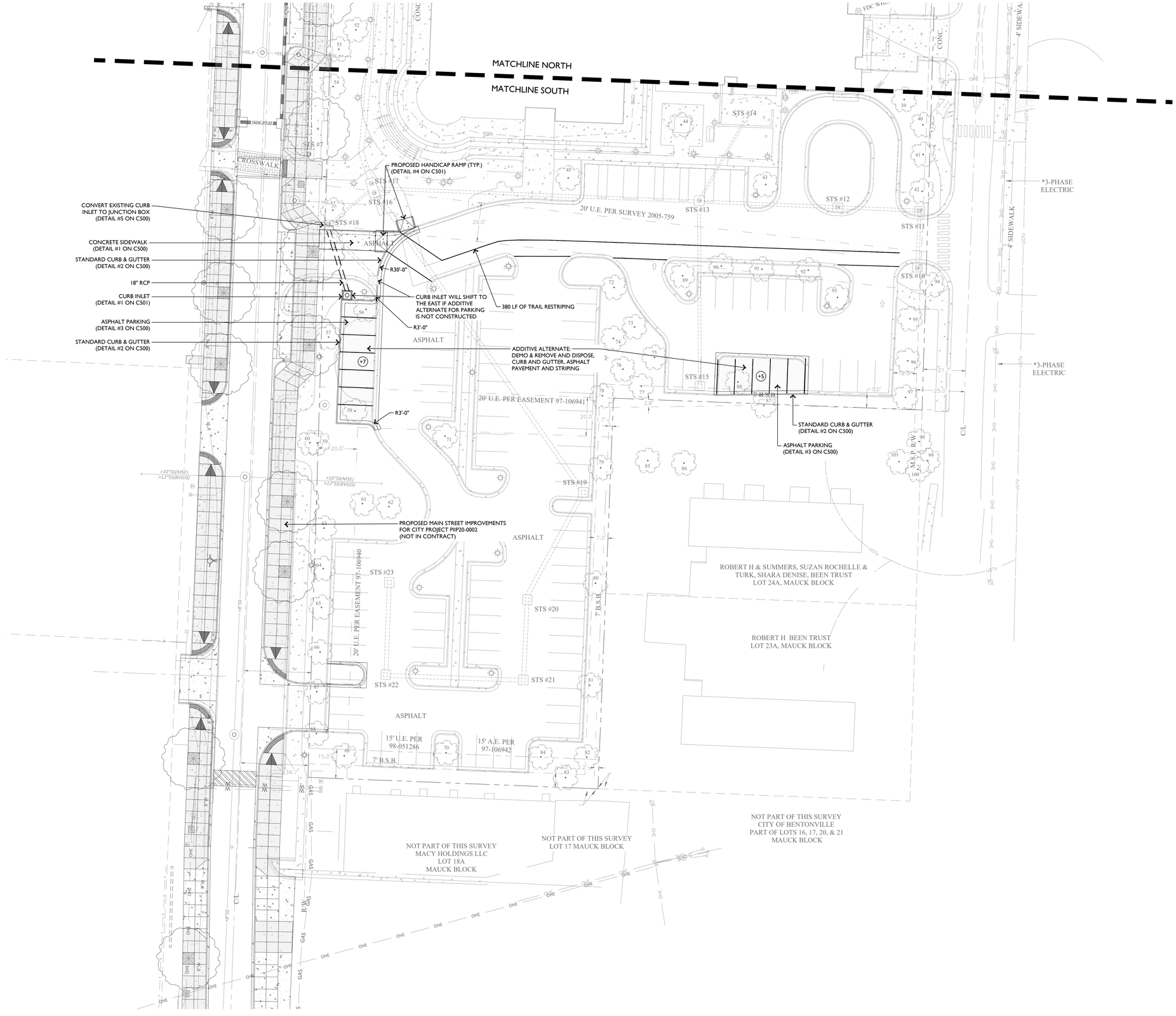
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SITE PLAN (NORTH)

C100

LSD22-0062

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SITE PLAN NOTE:

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2. EXTERIOR LIGHTING IS PROPOSED. PLEASE REFER TO ELECTRICAL PLAN.
3. FREESTANDING SIGNAGE IS PROPOSED. PLEASE REFER TO LANDSCAPE PLANS.

1 SITE PLAN (SOUTH)

SCALE: 1" = 20'-0"

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SITE PLAN (SOUTH)

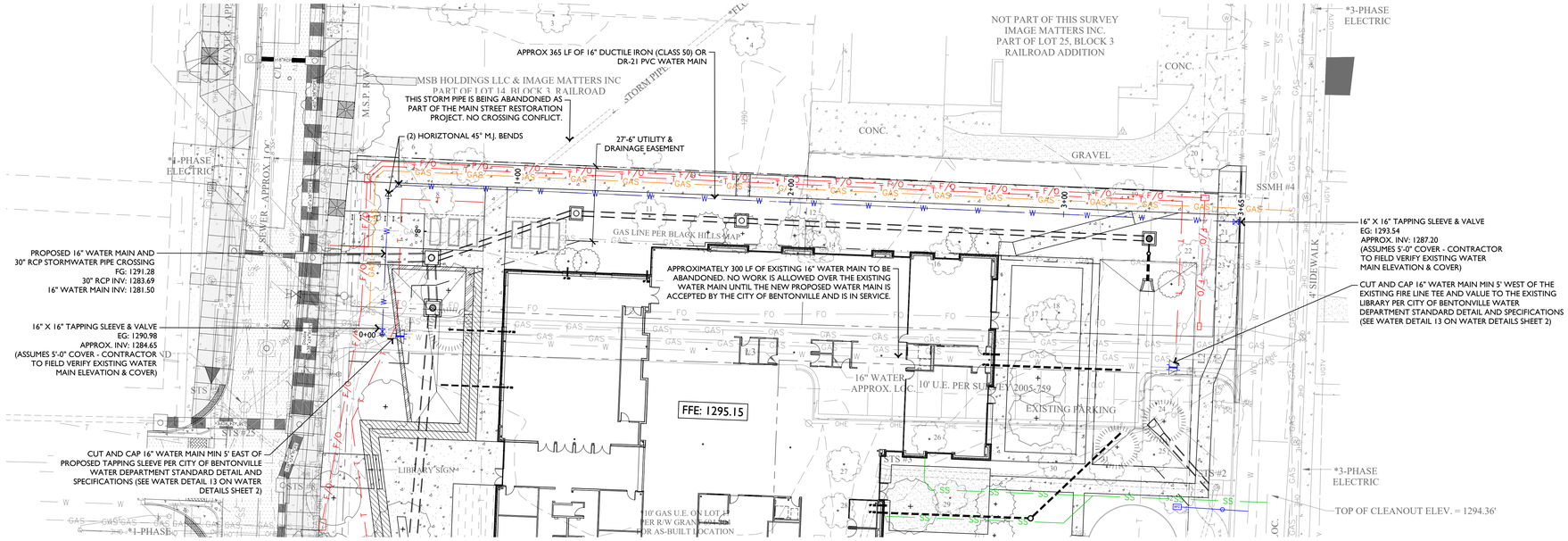
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PROPOSED UTILITY LEGEND

- W — WATER LINE
- SS — SANITARY SEWER LINE
- GAS — GAS LINE
- T — TELECOM LINE
- F/O — FIBER OPTIC LINE
- WATER METER
- GATE VALVE FOR WATER
- FDC — FIRE DEPARTMENT CONNECTION (FDC)

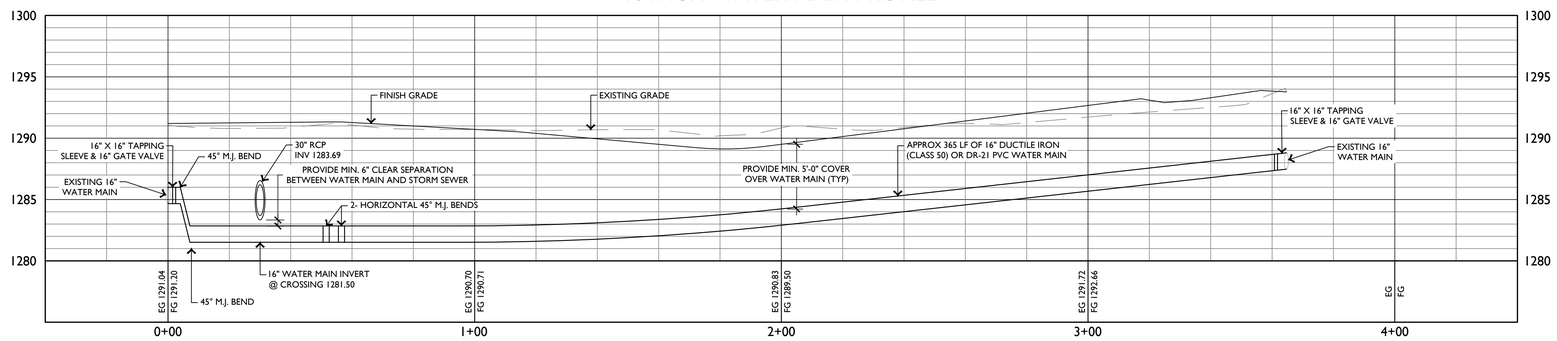


1 16 INCH WATER MAIN PLAN

SCALE: 1" = 20'-0"

NORTH 0' 20' 40' 80'

16 INCH WATER MAIN PROFILE



2 16 INCH WATER MAIN PROFILE

HORIZONTAL SCALE: 1" = 20'-0"
VERTICAL SCALE: 1" = 5'-0"

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Bentonville, AR 72712

Project No: 2021027

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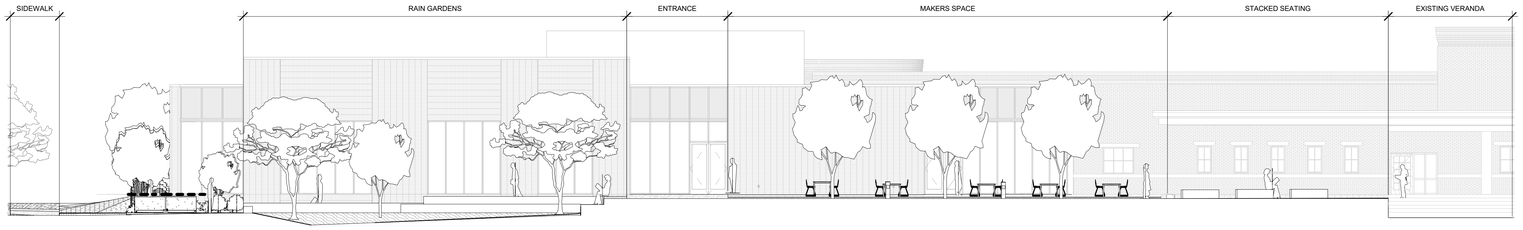
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16 INCH WATER MAIN PLAN & PROFILE

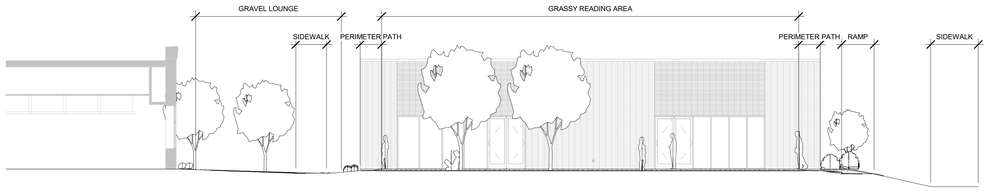
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1 VERANDA SECTION
1" = 10'-0"



2 OUTDOOR READING PLATFORM SECTION
1" = 10'-0"

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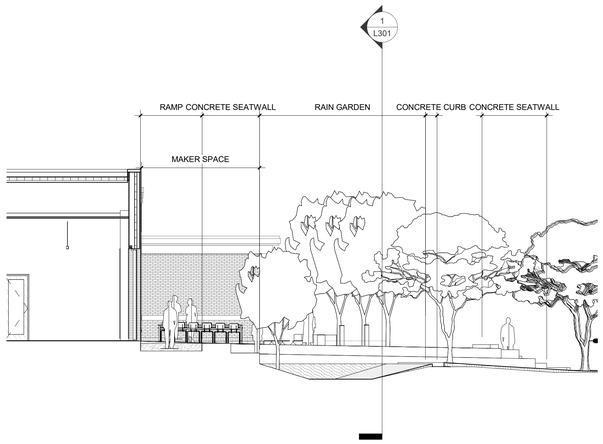
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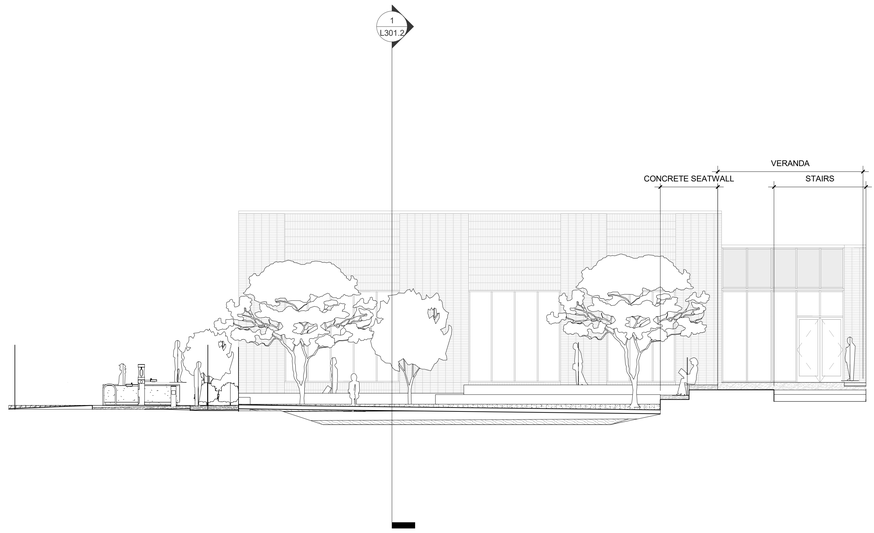
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Sections

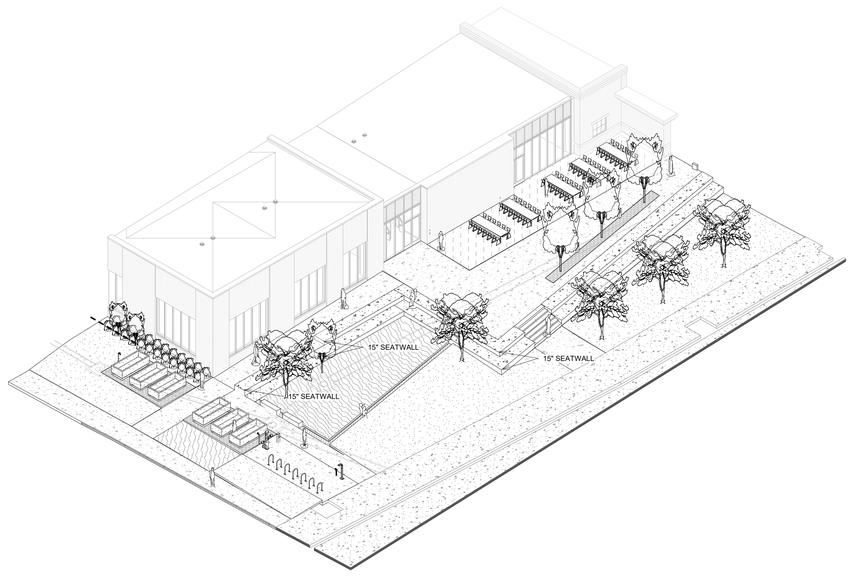
L301



1 RAMP CROSS SECTION
1/8" = 1'-0"



2 Ramp Elevation
1/8" = 1'-0"



3 VERANDA AXON

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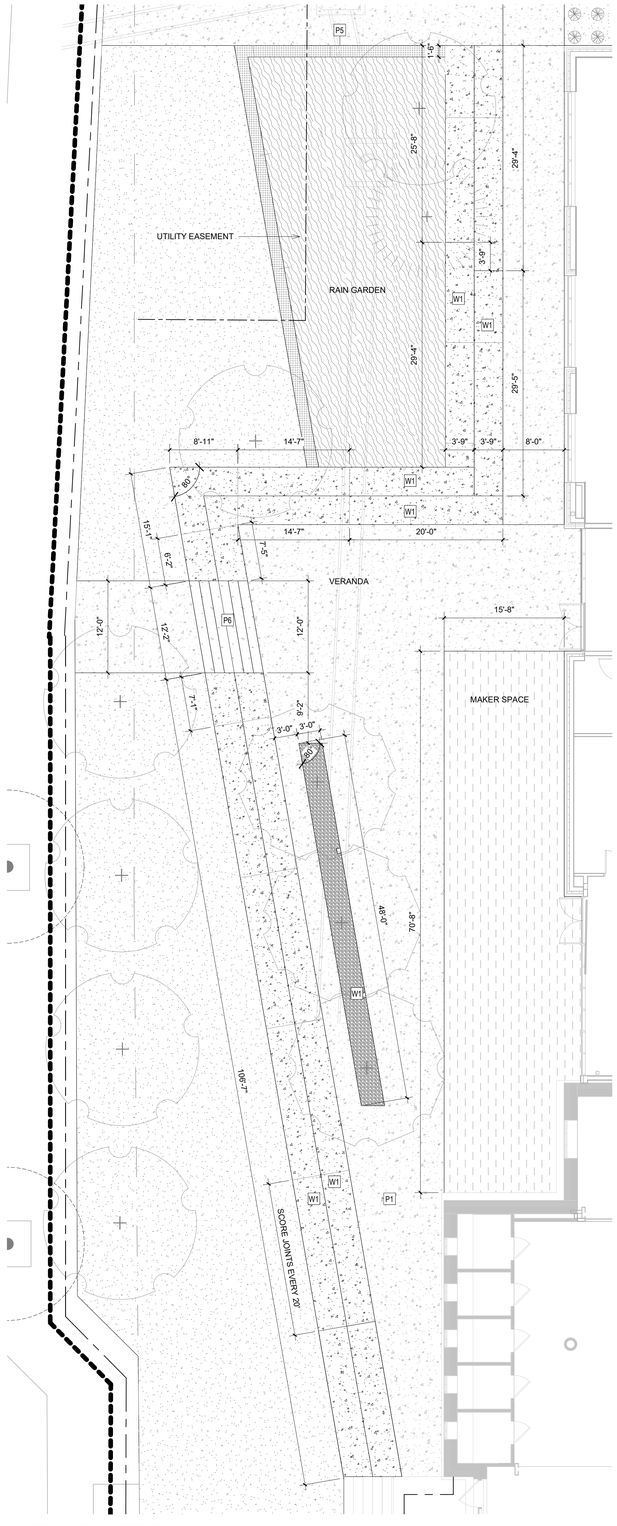
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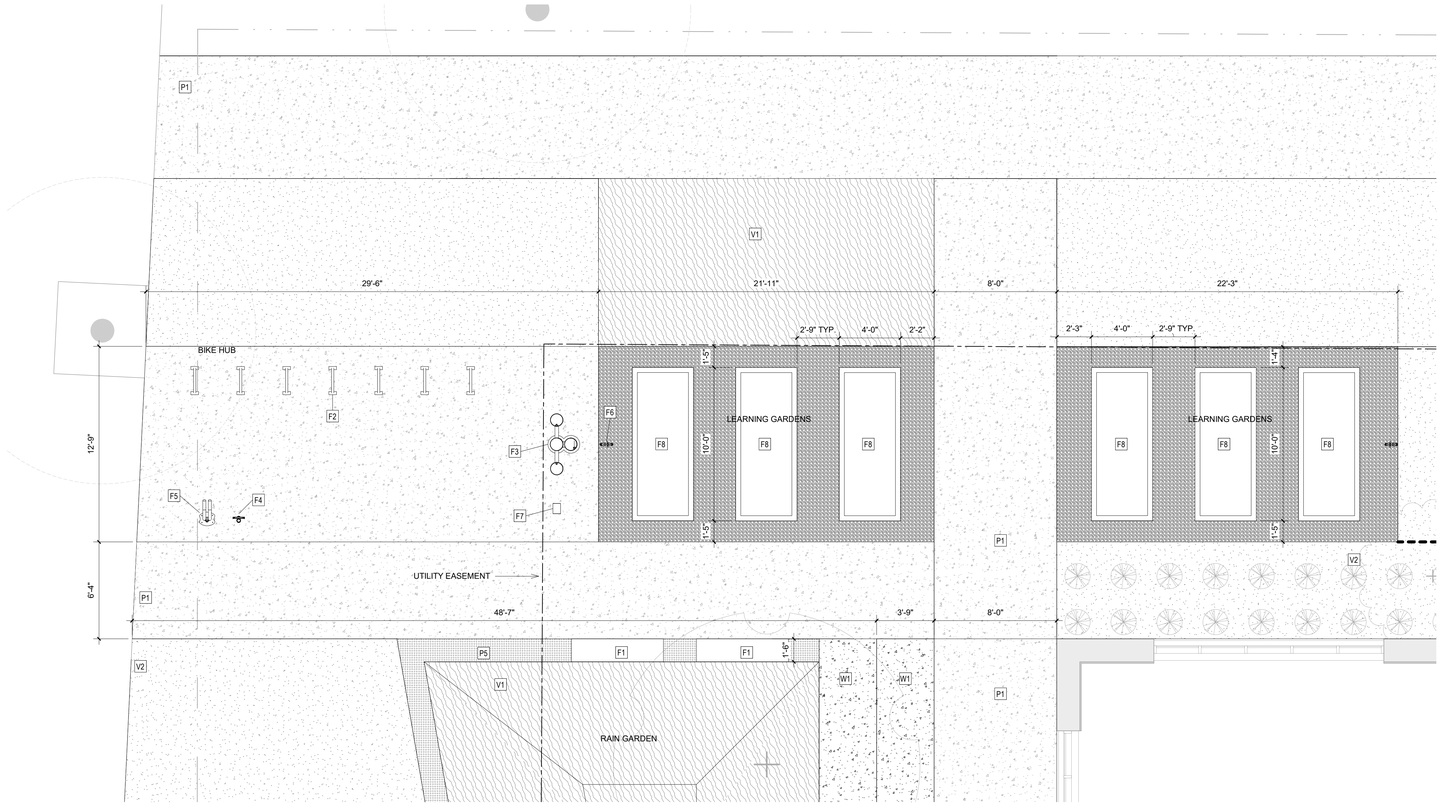
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Sections - Veranda

L301.2



1 VERANDA ENLARGEMENT PLAN
1/8" = 1'-0"



2 BIKE HUB AND LEARNING GARDENS ENLARGEMENT PLAN
1/4" = 1'-0"

LEGEND

- NATIVE PLANTINGS
- LAWN
- C.I.P. CONCRETE
- C.I.P. CONCRETE CURB
- C.I.P. CONCRETE SEATWALLL
- C.I.P. CONCRETE STAIRS
- SANDBLASTED C.I.P. CONCRETE
- GRAVEL

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Layout Enlargements

L401

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LEGEND

- NATIVE PLANTINGS
- LAWN
- C.I.P. CONCRETE
- PRECAST CONCRETE CURB
- PRECAST CONCRETE SEATWALLL
- PRECAST CONCRETE STAIRS
- SANDBLASTED C.I.P. CONCRETE
- GRAVEL

Add Alternate Wall Schedule				
Type Mark	Description	Finish	Area	Detail
W2	PRECAST CONC. BLOCK SEATWALLS	LIGHT ACID ETCH	1191 SF	L503-2

Add Alternate Curb Schedule				
Type Mark	Description	Finish	Area	Detail
P7	PRECAST CONC. CURB	MATCH W2	121 SF	L503-1

Add Alternate Stair Schedule				
Type Mark	Description	Finish	Area	Detail
P8	PRECAST CONCRETE STAIRS		15 SF	L503-3

1 VERANDA ENLARGEMENT PLAN - ADD ALTERNATE
1/8" = 1'-0"

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3100 S Market St #202
Rogers, AR 72758 | 479.621.6128

MEP Engineer

HP Engineering, Inc.
5214 W Village Pkwy #120
Rogers, AR 72758 | 479.899.6370

Project No. 2201027

Bentonville Public Library Expansion

405 S Main Street
Bentonville, AR 72712

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the Laws of the State of Minnesota.

Architect Seal

Signature _____

Print Name _____

Date _____ **License No** _____

CONSTRUCTION DOCUMENTS

ISSUE / REVISION

Mark	Date	Description
	12/10/2021	SCHEMATIC DESIGN PRICING
	06/22/2022	DESIGN DEVELOPMENT PRICING
	08/1/2022	DD VE OPTION B
	10/13/2022	PRE APP SET
	10/28/2022	FIRST LSD SUBMITTAL
	11/14/2022	SECOND LSD SUBMITTAL

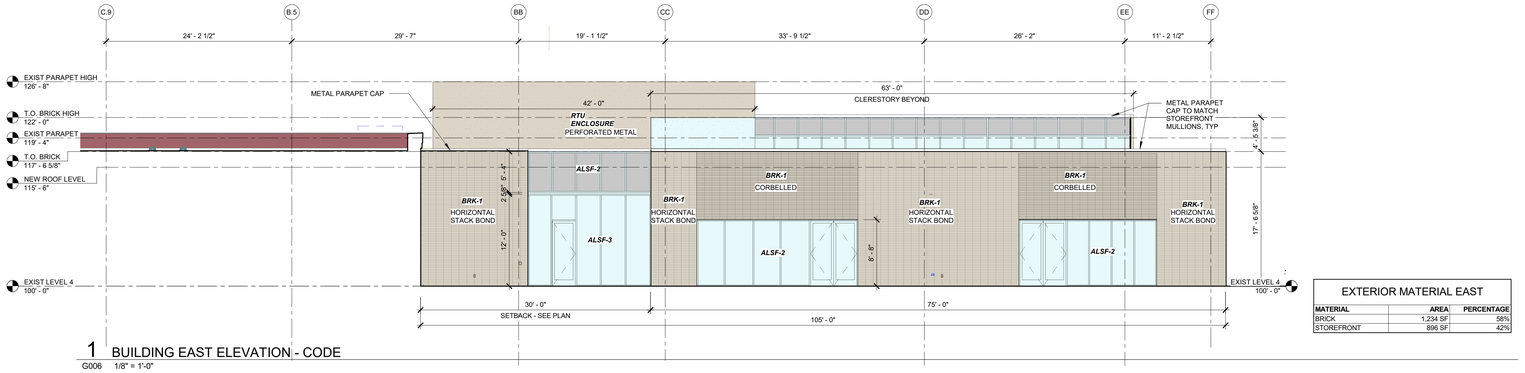
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NOT FOR CONSTRUCTION

Veranda - Add Alternate

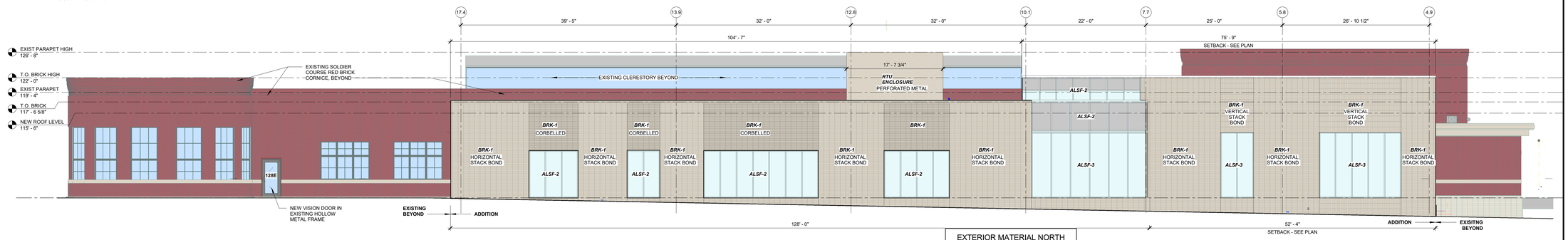
L401.2

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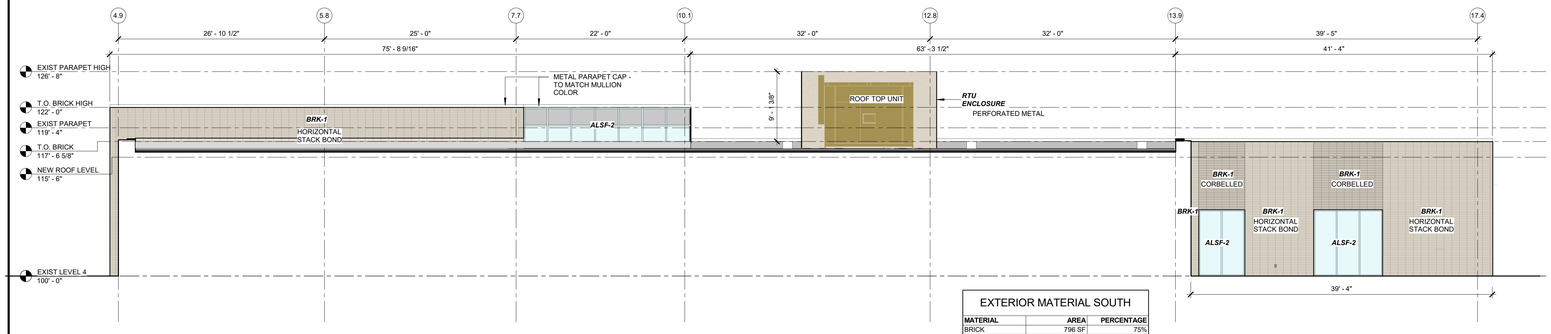
1 BUILDING EAST ELEVATION - CODE
G006 1/8" = 1'-0"

EXTERIOR MATERIAL EAST		
MATERIAL	AREA	PERCENTAGE
BRICK	1,234 SF	58%
STOREFRONT	896 SF	42%



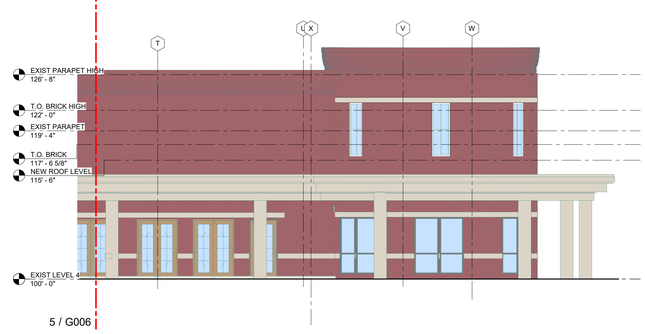
2 BUILDING NORTH ELEVATION - CODE
G006 1/8" = 1'-0"

EXTERIOR MATERIAL NORTH		
MATERIAL	AREA	PERCENTAGE
BRICK	3,734 SF	75%
GLASS	1,235 SF	25%

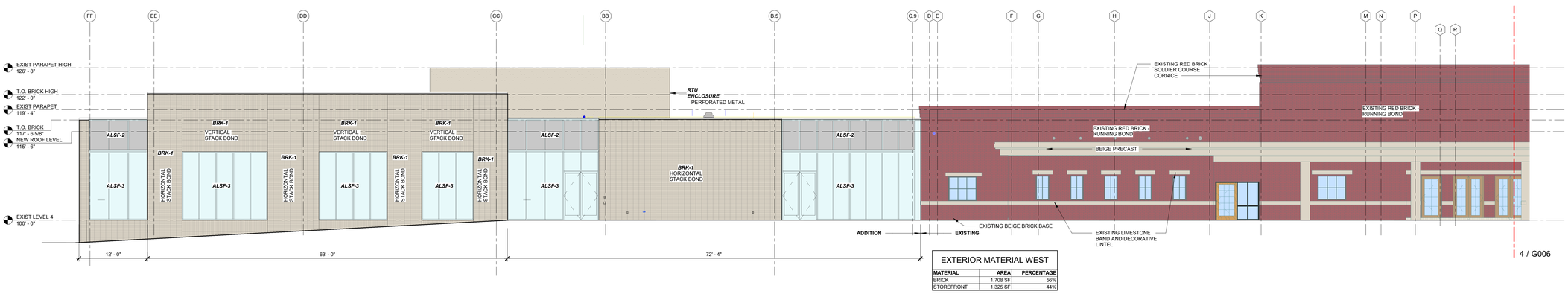


EXTERIOR MATERIAL SOUTH		
MATERIAL	AREA	PERCENTAGE
BRICK	796 SF	75%
GLASS	260 SF	25%

3 BUILDING SOUTH ELEVATION - CODE
G006 1/8" = 1'-0"



4 BUILDING WEST ELEVATION - CODE - EXISTING
G006 1/8" = 1'-0"



EXTERIOR MATERIAL WEST		
MATERIAL	AREA	PERCENTAGE
BRICK	1,708 SF	56%
STOREFRONT	1,325 SF	44%

5 BUILDING WEST ELEVATION - CODE - ADDITION
G006 1/8" = 1'-0"

Architecture and Interiors

MSRDesign
510 Marquette Avenue South, Suite 200
Minneapolis, MN 55402 | 612.375.0336

Associate Architect

Hight Jackson Associates PA
5201 W Village Pkwy #300
Rogers, AR 72758 | 479.464.4965

Civil Engineer

E | D | G
216 West Birch Street
Rogers, AR 72756 | 501.378.0200

Landscape Architect

TEN x TEN
575 SE 9th St #210
Minneapolis, MN 55414 | 612.440.8369

Structural Engineer
Tatum Smith Welcher Engineers, Inc.
3100 S Market St #202
Rogers, AR 72758 | 479.621.6128

MEP Engineer

HP Engineering, Inc.
5214 W Village Pkwy #120
Rogers, AR 72758 | 479.899.6370

Bentonville Public Library Expansion

405 S Main Street
Bentonville, AR 72712

Project No: 2021027

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the Laws of the State of Minnesota.

Architect Seal

Signature _____

Print Name _____

Date _____ **License No** _____

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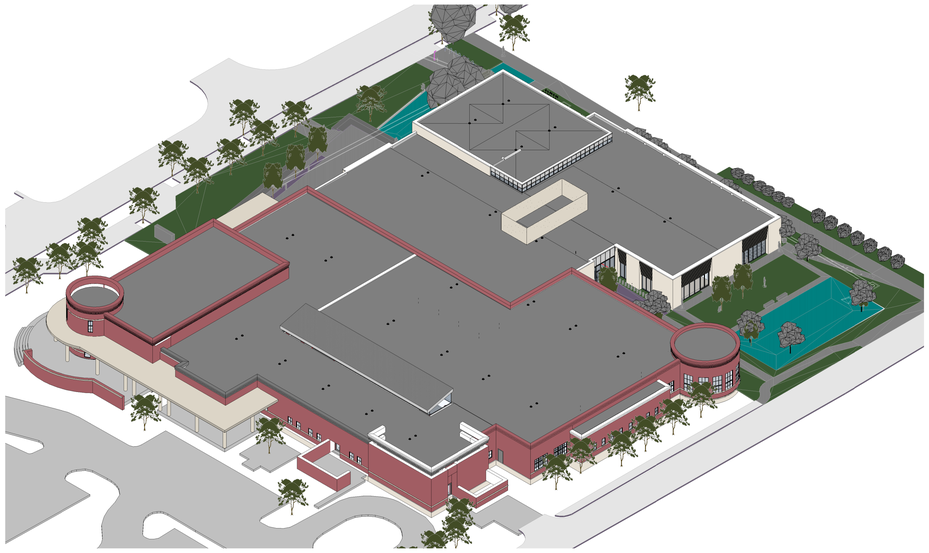
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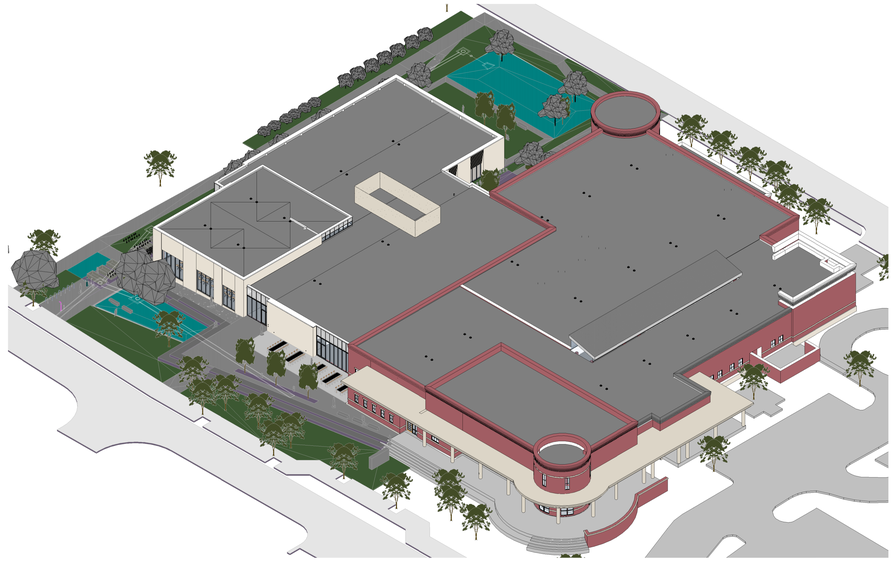
ZONING - ELEVATION

G006

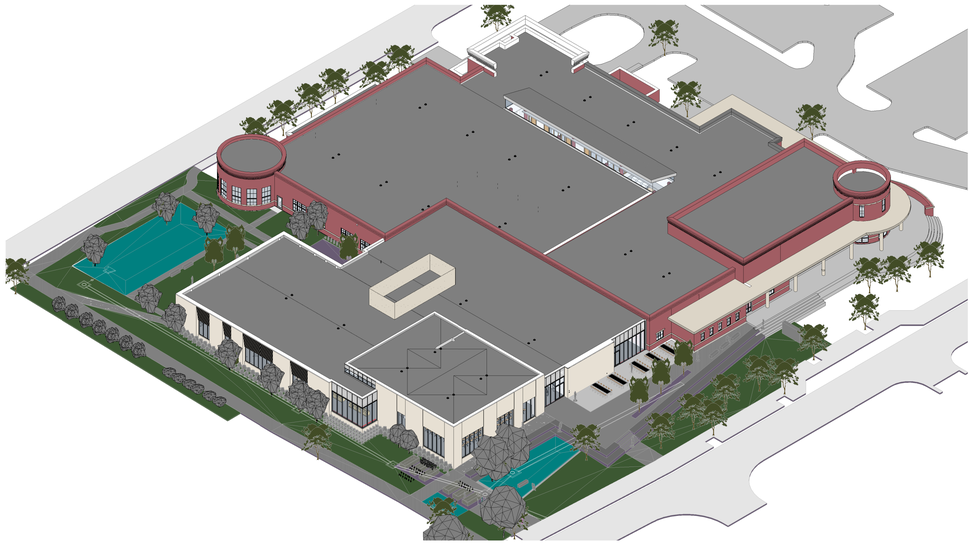
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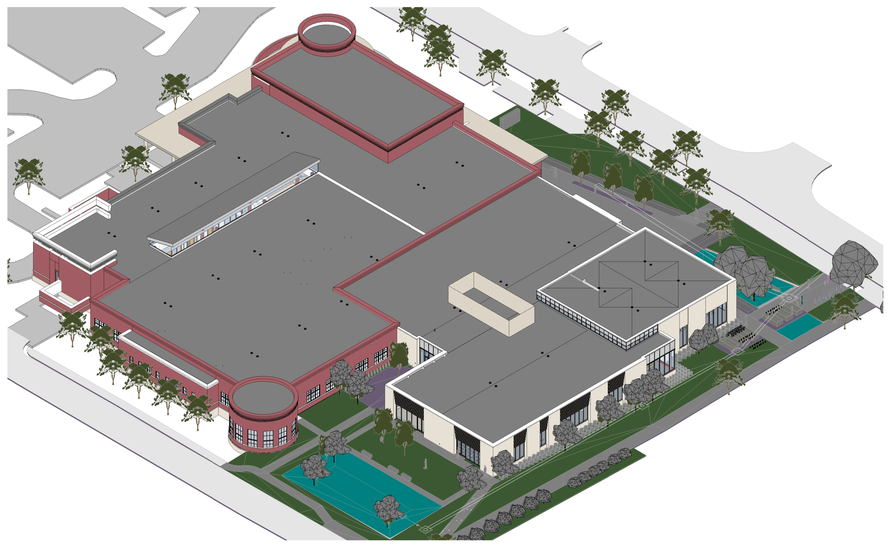
1 CODE - SOUTHEAST CORNER MASSING
G007



2 CODE - SOUTHWEST CORNER MASSING
G007



3 CODE - NORTHWEST CORNER MASSING
G007



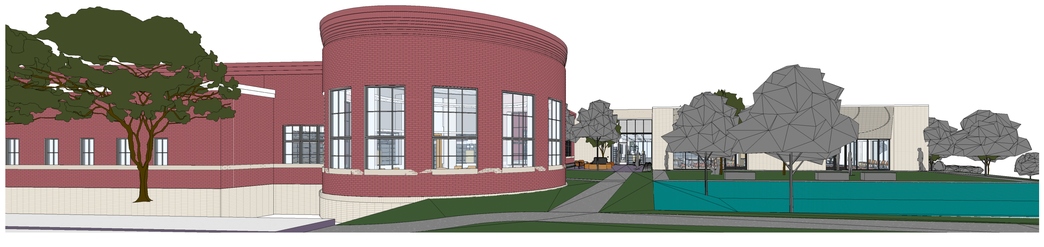
4 CODE - NORTHEAST CORNER MASSING
G007



5 VIEW FROM NORTHWEST CORNER
G007



6 VIEW FROM SOUTHWEST CORNER - MAIN ENTRY
G007



7 VIEW FROM NORTHEAST CORNER
G007



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Architect Seal

Signature _____

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EXTERIOR RENDERINGS / MASSING

G007

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11/14/2022

City of Bentonville

MSR Design

Re: **Waiver Request: Bentonville Public Library Expansion**

On behalf of the Bentonville Public Library, MSR is submitting this Waiver Requests as part of the LSD Submittal. This letter includes one waiver request related to Land Development Code

Architectural Roof Request:

City of Bentonville:

City of Bentonville – Land Development Code – Article 1100 Development Standards – Section 1100.21.k

(k) Roofs. Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternative lengths and designs may be acceptable and may be approved by planning commission.

The proposed north elevation, (see 2/G006) which faces the neighboring houses and not a public road, has a 104'-7" length of roof without any additional roof articulation. To respect the scale of the adjacent houses, the parapet height is minimized on the north elevation at the north east corner to allow for a 12' ceiling on the interior of the building. The grade drops as the site moves to the west exposing more of the brick façade – which increases the height of the wall as one is traveling from east to west along the north path. In order to keep the scale of the building down along that residential area, we are proposing to keep the parapet at the minimum elevation until it is required to be raise by the program of the interior. We have provided deep window niches along the façade with a corbelled brick area above the windows to maintain interested along that elevation. We also have tree plantings as well as ground planting to break up the façade. See sheet G007 of the packet to see massing studies as well as perspective drawings of the path view along the north façade.

Please don't hesitate to contact me with any questions or requests for further information.

Sincerely,



Kristilyn Vercruysse, AIA, Senior Associate, Architect
612.616.8148 | Kristilyn@msrdesign.com

North Walton Multi-Family Development

220 North Walton Blvd.
PC Date: 12/6/2022
Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	LSD22-0063
Applicant / Current Owner	Dunn & Davis Townhomes, LLC
Site Area	+/- 1.54 acres
Current Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	Mixed-Use Commercial (MUC)
Development Type / Use	Multi-family Residential
Related Project(s)	WAV22-0009

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 220 North Walton Blvd., at the Southeast corner of the intersection of Northwest 3rd Street and North Walton Blvd. It is currently zoned DC-3, Mixed-Use Commercial with a Future Land Use Classification of Mixed-use Commercial. This property is presently vacant.

Project Details
This project is a large-scale development that consists of a 13,700 sqft multifamily structure at the southeast corner of the site, as well as a 1,015 sqft clubhouse/commercial space at the north side of the property. The proposed structure will be approximately 40 feet tall at its highest point. The project will provide 66 off-street parking spaces of the 90 required – a difference approved via WAV22-0009. Most of the parking will be in front of the building, which was also approved via WAV22-0009.

The proposal provides sidewalk and landscaping as required per the requirements of the Land Development Code, the Master Street Plan, and the Master Trails Plan. The primary materials are finished metal panels, masonry, and glass. Fiber cement is used as an accent and trim material.

Projected Traffic Impact
While the proposed development will constitute an increase in intensity, the traffic impact will likely be minimal. The project is designed with two new driveways, one each accessing North Walton Blvd., and Northwest 3rd Street. The Walton entrance will be limited to a right-in-right-out driveway, eliminating any left-turn stacking and conflicts. Recent improvements to bicycle and pedestrian facilities on 3rd Street may allow for fewer vehicle trips to and from the site. Further, this property is locating a residential use amidst a generally retail and commercial oriented corridor which may have the affect of minimizing the time and distance users are on the roads.

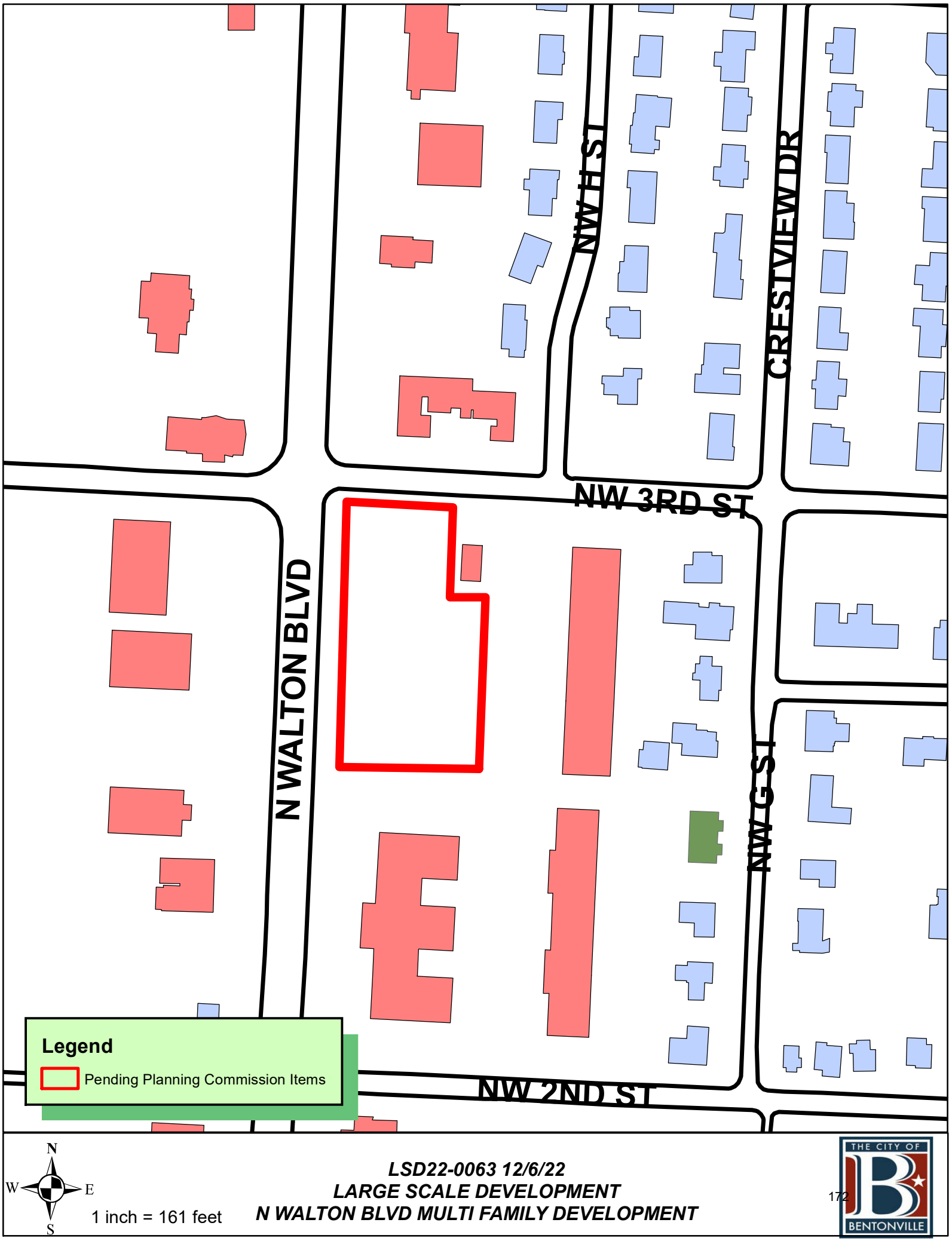
Waivers
One waiver amendment is requested:

- A waiver from Section 1100.21(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 primary abutting street.
- WAV22-0009 was approved to allow for the proposed parking placement provided the project be designed with a screen to obstruct the view of the vehicles.
- The proposed screens were located in a water line easement and are therefore not permitted. Permanent fixtures are not permitted in utility easements.
- The applicant is requesting an amendment ot the approved waiver for the use of landscaping as a screen as plant material is permitted within the easement with a 5' minimum distance from any line.

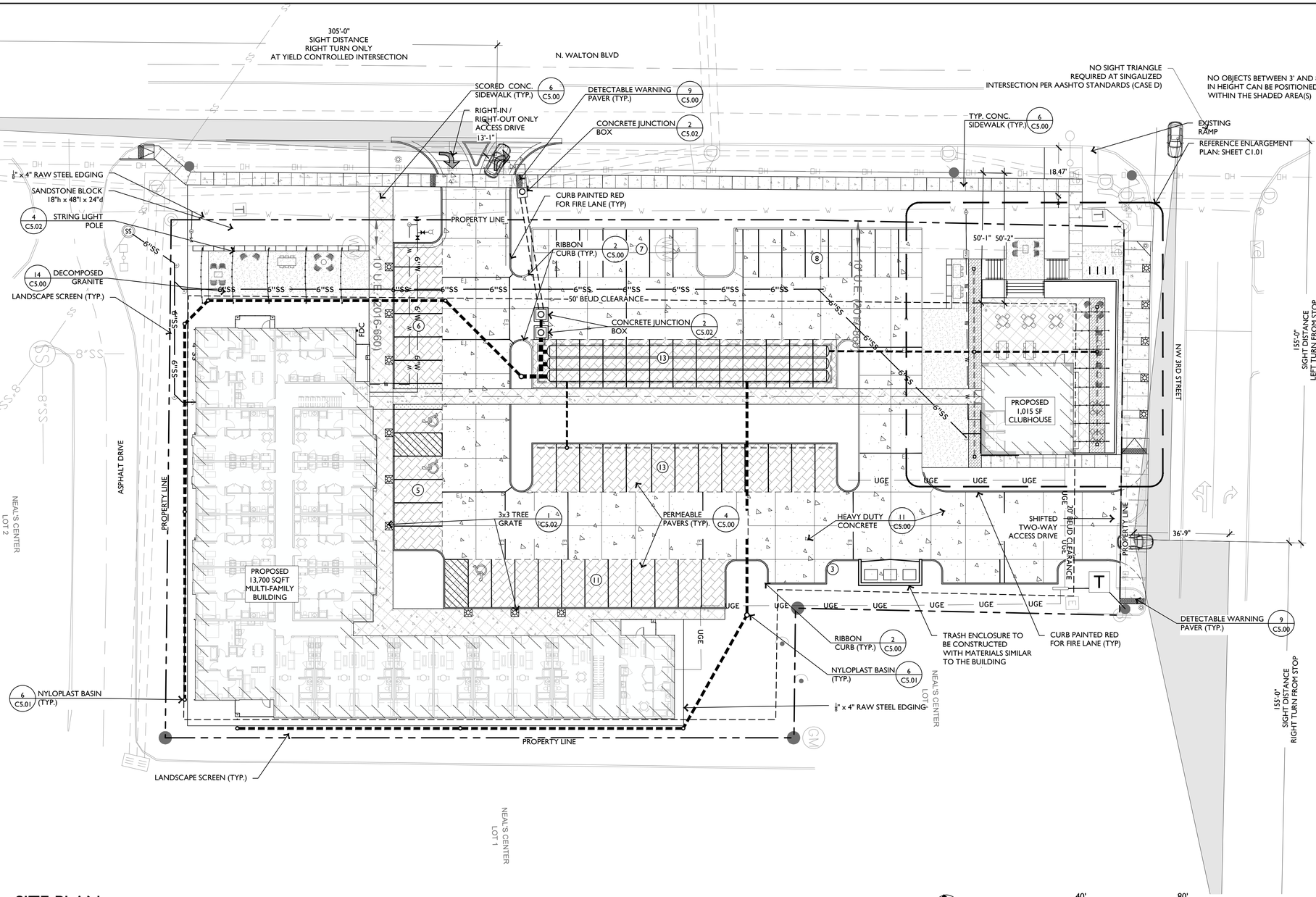
Conclusion

The proposed large-scale development does not meet the minimum requirements of the Land Development Code due to the requested waiver. The proposal does satisfy the goal of the Bentonville Community Plan to infill development near existing utilities.

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



LSD22-0063 12/6/22
LARGE SCALE DEVELOPMENT
N WALTON BLVD MULTI FAMILY DEVELOPMENT



1 SITE PLAN

SCALE: 1" = 20'-0"

GENERAL NOTES:

1. EXISTING SURVEY DATA WAS OBTAINED FROM A TOPOGRAPHIC & BOUNDARY SURVEY PERFORMED BY CARTER AND ASSCOCIATES, INC AND DATED 10-18-2021.
2. SURVEY DATA IS BASED UPON NAD 83, STATE STATE PLANE, ARKANSAS NORTH FEET COORDINATE SYSTEM.
3. ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM.
4. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY, COUNTY, STATE, AND FEDERAL REGULATIONS AND CODES AS WELL AS OSHA STANDARDS. SITE CONTRACTOR SHALL MEET OR EXCEED ALL LOCAL, STATE, AND FEDERAL EROSION CONTROL MEASURES
5. THE APPROXIMATE LOCATION OF KNOWN UTILITIES & SUBSURFACE STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES & RECORD DRAWINGS PROVIDED. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF THESE & ALL OTHER SUBSURFACE AND/OR LATENT FACILITIES PRIOR TO BEGINNING WORK. ALL REPAIRS OR RELOCATIONS NECESSARY SHALL BE MADE AS REQUIRED BY THE OWNER OF THE UTILITY OR STRUCTURE & THE COST OF SUCH REPAIRS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
6. ALL WORK PERFORMED WITHIN THE RIGHT-OF-WAY SHALL BE COORDINATED WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT AND TRAFFIC DEPARTMENT.
7. ALL STREETS, DRIVES, WALKS, DRAINAGE STRUCTURES, FENCES, ETC. THAT ARE DISTURBED SHALL BE RESTORED TO THEIR ORIGINAL OR BETTER CONDITION USING LIKE MATERIALS. COST OF SUCH REPAIRS SHALL BE BORNE BY THE CONTRACTOR UNLESS PROVISION FOR PAYMENT IS MADE IN THE PROPOSAL.
8. THE CONTRACTOR IS REQUIRED TO NOTIFY THE ONE CALL CENTER AT 1-800-482-8998 48 HOURS PRIOR TO DIGGING IN ORDER THAT UNDERGROUND UTILITIES IN THE AREA CAN BE LOCATED.
9. THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN IMPLEMENTED, AND THE SWPPP, EROSION CONTROL PLAN, AND SIGNED AUTOMATIC NOTICE OF COVERAGE IS POSTED ON SITE..
10. CONTRACTOR IS RESPONSIBLE FOR ALL FIELD TESTING AS DESCRIBED IN THE SPECIFICATIONS (INCLUDING BUT NOT LIMITED TO COMPACTION DENSITY TESTING, ETC.), AND SHALL PROVIDE RESULTS TO ENGINEER, AND MAINTAIN RECORDS AND RESULTS OF ALL TESTS PERFORMED DURING CONSTRUCTION. TESTING BY THE CONTRACTOR SHALL BE INCLUDED IN THE BID.
11. EXISTING FACILITIES AND FEATURES ARE SHOWN LIGHT-LINED AND/OR SCREENED. NEW FACILITIES AND FEATURES ARE SHOWN SOLID AND HEAVY-LINED.
12. SLOPES AND GRADES SHOWN ARE IN UNITS OF FT/FT UNLESS OTHERWISE NOTED.
13. ALL PAVEMENT AND CURB MEASUREMENTS ARE TAKEN FROM FACE OF CURB OR EDGE OF PAVEMENT.
14. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
15. CONSTRUCTION OF ANY FUTURE FREESTANDING SIGNAGE WILL REQUIRE A SEPARATE PERMIT

NOTES:
1. ARCHITECTURAL FOOTPRINTS, THRESHOLDS AND VESTIBULES ARE SHOWN FOR REFERENCE. REFER TO ARCHITECTURAL PLANS FOR ALL EXACT MEASUREMENTS AND BUILDING DIMENSIONS.
2. CONTACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
3. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
4. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

EXISTING LEGEND

- FOUND REBAR
- FND. PIPE
- SET 1/2" IRON PIN W/CAP
- UTILITY POLE
- TELEPHONE VAULT
- TELEPHONE RISER
- ELECTRIC RISER
- ELECTRIC METER
- WATER VALVE
- WATER METER
- SAN. SEWER MANHOLE
- STORM DRAIN MANHOLE
- SEWER LINE
- PROPERTY LINE
- RIGHT OF WAY
- CENTERLINE
- SETBACK
- FENCE LINE
- OVERHEAD LINE
- DECIDUOUS TREE

PROPOSED LEGEND

- PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
- LIMITS OF MILL AND OVERLAY
- LIMITS OF SAW-CUT AND PAVEMENT REMOVAL
- PERMEABLE PAVERS (4/C5.00)
- CONCRETE SIDEWALK (10/C5.00)
- LIGHT DUTY CONCRETE (6/C5.00)
- HEAVY DUTY CONCRETE (11/C5.00)
- FULL DEPTH ASPHALT PAVEMENT (3/C5.00)
- 2" MILL AND OVERLAY

PARKING DATA

ZONING	C3
USE	MULTIFAMILY
PARKING REQUIREMENTS	3 SPACES PER 2 DWELLING UNITS (1.5 SPACE/UNIT) 60 UNITS 60 x 1.5 = 90 90 SPACES REQUIRED
TOTAL	90 SPACES REQUIRED
PARKING PROVIDED BY UNIT	1 SPACE PER 1 STUDIO UNIT 24 STUDIO UNITS 24 x 1 = 24 24 SPACES PROVIDED 1 SPACE PER 1-BED UNITS 24 1-BED UNITS 24 x 1 = 24 24 SPACES PROVIDED 1.5 SPACES PER 2-BED UNITS 12 2-BED UNITS 12 x 1.5 = 18 18 SPACES PROVIDED
TOTAL	24+ 24 +18 = 66 SPACES PROVIDED
ON SITE PARKING PROVIDED	63 SPACES
ON STREET PARKING PROVIDED	0 SPACES
ADA SPACES PROVIDED	3 SPACES
TOTAL	66 SPACES PROVIDED

SITE SUMMARY

ZONING:
CENTRAL COMMERCIAL (C3)

USE: MULTIFAMILY:
24 STUDIO UNITS
30 1-BED UNITS
6 2-BED UNITS
TOTAL: 60 UNITS

AREA:
1.54 AC

ZONING SUMMARY

LOT AND AREA STANDARDS

	REQUIRED	PROVIDED
LOT AREA MIN:	NONE	67,207.23 SF
MIN LAND AREA / DWELLING UNIT	N/A	1,120 SF
LOT WIDTH MIN:	NONE	149.85 / 199.85
LOT WIDTH MAX:	NONE	149.85 / 199.85
LOT COVERAGE MAX CORNER:	100%	25%

SETBACK STANDARDS

	REQUIRED	PROVIDED
FRONT YARD:	0'	50' +
SIDE YARD NON-RESIDENTIAL:	0'	7' +
REAR YARD NON-RESIDENTIAL:	0'	7' +

PLANNING NOTES:

1. NO SIGNAGE IS PROPOSED AT THIS TIME. FUTURE SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
2. MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
3. THE DUMPSTER ENCLOSURE SHALL BE SCREENED WITH SIMILAR MATERIALS AS THE BUILDING.
4. NO NEW LIGHTING IS PROPOSED AT THIS TIME. ANY NEW LIGHTING WILL BE FULL CUT OFF OR B-U-G (WITH A U RATING OF ZERO) AND APPROVED BY THE PLANNING DEPARTMENT.
5. COORDINATE WORK ON NEIGHBOR'S DRIVEWAY WITH CITY OF BENTONVILLE TO ENSURE RESIDENT IS NOTIFIED APPROPRIATELY.
6. NO FENCING IS PROPOSED AT THIS TIME. FUTURE FENCING WILL REQUIRE A SEPARATE PERMIT.

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

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

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

N WALTON MULTI-FAMILY DEV.

250 and 280 N Walton Blvd
Bentonville, Arkansas 72712

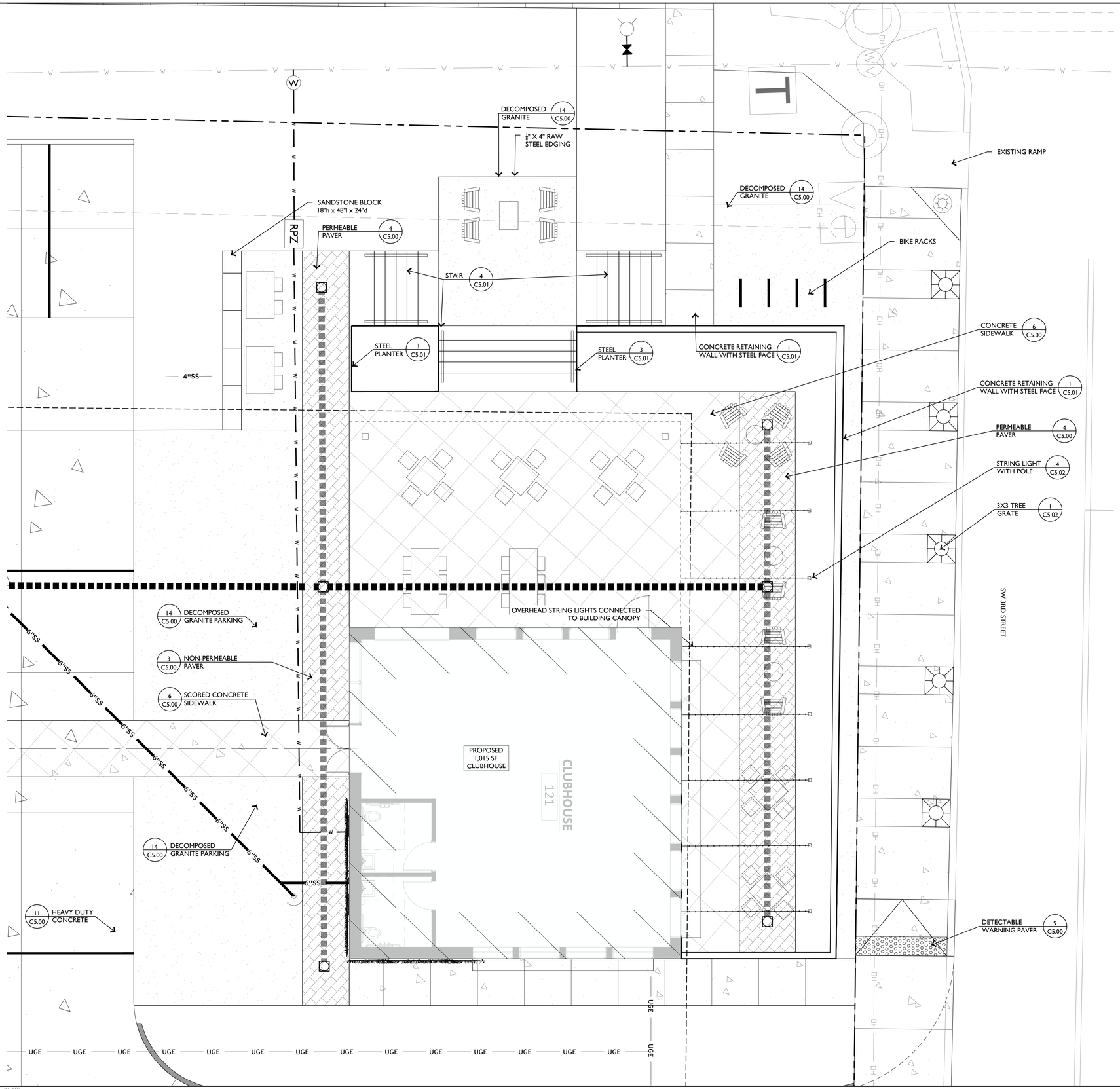
EDG PROJECT NO. 21-072
DATE 2022.11.14

REVISIONS

Number	Date

PHASE CONSTRUCTION DOCUMENTS
TITLE Site Plan
SHEET NO. C1.00

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EXISTING LEGEND

- FOUND REBAR
- FND. PIPE
- SET 1/2" IRON PIN W/CAP
- UTILITY POLE
- TELEPHONE VAULT
- TELEPHONE RISER
- ELECTRIC RISER
- ELECTRIC METER
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- DECIDUOUS TREE

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- LIGHT DUTY CONCRETE (6/C5.00)
- HEAVY DUTY CONCRETE (11/C5.00)
- FULL DEPTH ASPHALT PAVEMENT (3/C5.00)
- 2" MILL AND OVERLAY

NOTES:
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1 PLAZA ENLARGEMENT

SCALE: 1" = 5'-0"

NORTH

0' 5 10' 20'

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phone: 501 378 0200
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811 Know what's below. Call before you dig.

N WALTON MULTI-FAMILY DEV.

250 and 280 N Walton Blvd
Bentonville, Arkansas 72712

EDG PROJECT NO.	21-072
DATE	2022.11.14

REVISIONS

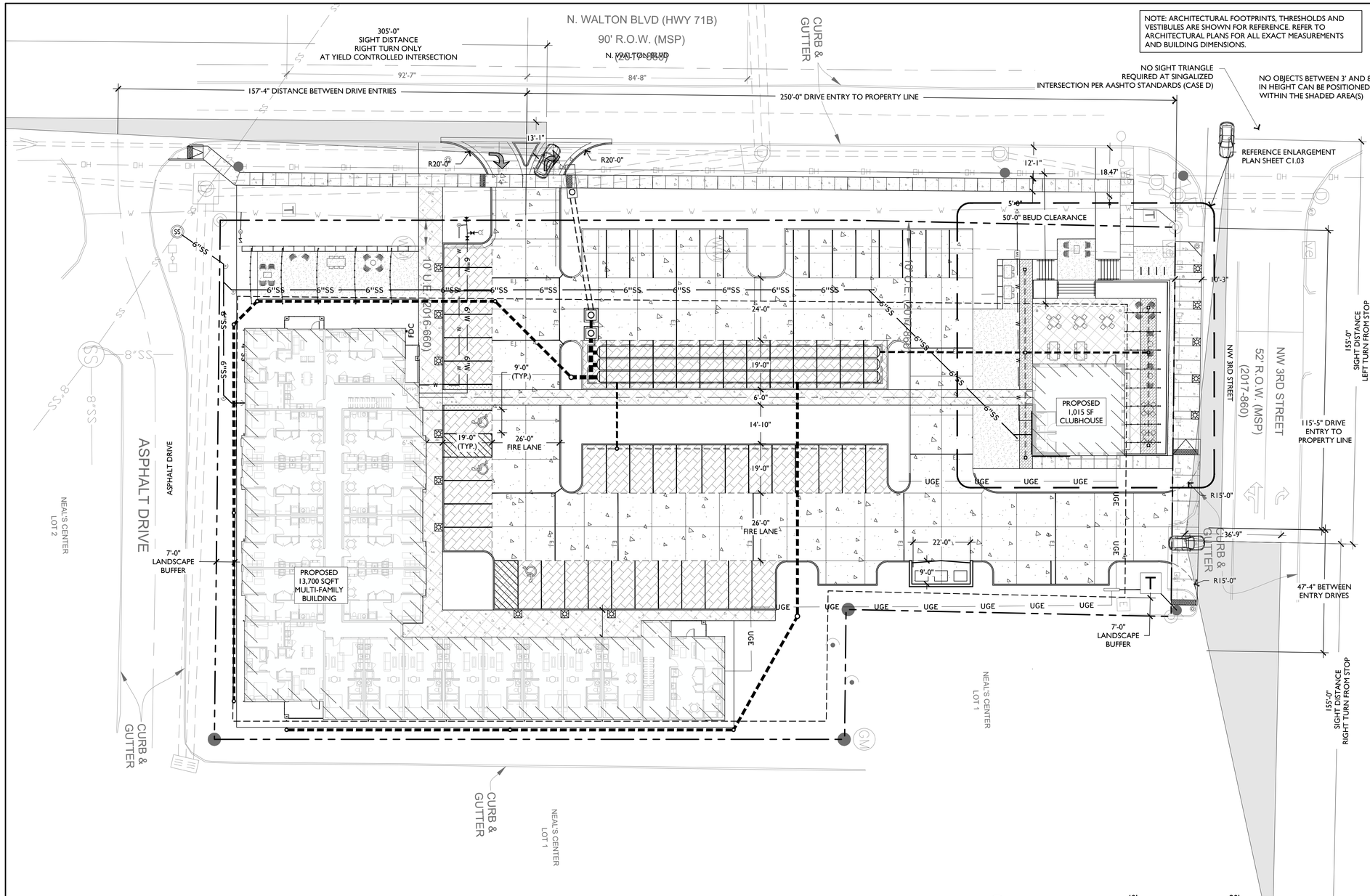
Number	Date

PHASE: CONSTRUCTION DOCUMENTS

TITLE: Site Plan - Plaza Enlargement

SHEET NO. C1.01

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1 SITE LAYOUT PLAN

SCALE: 1" = 20'-0"

GENERAL NOTES:

1. EXISTING SURVEY DATA WAS OBTAINED FROM A TOPOGRAPHIC & BOUNDARY SURVEY PERFORMED BY CARTER AND ASSCOCIATES, INC AND DATED 10-18-2021.
2. SURVEY DATA IS BASED UPON NAD 83, STATE STATE PLANE, ARKANSAS NORTH FEET COORDINATE SYSTEM.
3. ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM.
4. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY, COUNTY, STATE, AND FEDERAL REGULATIONS AND CODES AS WELL AS OSHA STANDARDS. SITE CONTRACTOR SHALL MEET OR EXCEED ALL LOCAL, STATE, AND FEDERAL EROSION CONTROL MEASURES
5. THE APPROXIMATE LOCATION OF KNOWN UTILITIES & SUBSURFACE STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES & RECORD DRAWINGS PROVIDED. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF THESE & ALL OTHER SUBSURFACE AND/OR LATENT FACILITIES PRIOR TO BEGINNING WORK. ALL REPAIRS OR RELOCATIONS NECESSARY SHALL BE MADE AS REQUIRED BY THE OWNER OF THE UTILITY OR STRUCTURE & THE COST OF SUCH REPAIRS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
6. ALL WORK PERFORMED WITHIN THE RIGHT-OF-WAY SHALL BE COORDINATED WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT AND TRAFFIC DEPARTMENT.
7. ALL STREETS, DRIVES, WALKS, DRAINAGE STRUCTURES, FENCES, ETC. THAT ARE DISTURBED SHALL BE RESTORED TO THEIR ORIGINAL OR BETTER CONDITION USING LIKE MATERIALS. COST OF SUCH REPAIRS SHALL BE BORNE BY THE CONTRACTOR UNLESS PROVISION FOR PAYMENT IS MADE IN THE PROPOSAL.
8. THE CONTRACTOR IS REQUIRED TO NOTIFY THE ONE CALL CENTER AT 1-800-482-8998 48 HOURS PRIOR TO DIGGING IN ORDER THAT UNDERGROUND UTILITIES IN THE AREA CAN BE LOCATED.
9. THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN IMPLEMENTED, AND THE SWPPP, EROSION CONTROL PLAN, AND SIGNED AUTOMATIC NOTICE OF COVERAGE IS POSTED ON SITE..
10. CONTRACTOR IS RESPONSIBLE FOR ALL FIELD TESTING AS DESCRIBED IN THE SPECIFICATIONS (INCLUDING BUT NOT LIMITED TO COMPACTION DENSITY TESTING, ETC.), AND SHALL PROVIDE RESULTS TO ENGINEER, AND MAINTAIN RECORDS AND RESULTS OF ALL TESTS PERFORMED DURING CONSTRUCTION. TESTING BY THE CONTRACTOR SHALL BE INCLUDED IN THE BID.
11. EXISTING FACILITIES AND FEATURES ARE SHOWN LIGHT-LINED AND/OR SCREENED. NEW FACILITIES AND FEATURES ARE SHOWN SOLID AND HEAVY-LINED.
12. SLOPES AND GRADES SHOWN ARE IN UNITS OF FT/FT UNLESS OTHERWISE NOTED.
13. ALL PAVEMENT AND CURB MEASUREMENTS ARE TAKEN FROM FACE OF CURB OR EDGE OF PAVEMENT.
14. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
15. RELOCATION OF ANY EXISTING ELECTRICAL FACILITIES SHALL BE AT THE OWNER'S EXPENSE.
16. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDING AND PROVIDE A DETAIL.
17. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.

EXISTING LEGEND

- FOUND REBAR
- FND. PIPE
- SET 1/2" IRON PIN W/CAP
- UTILITY POLE
- TELEPHONE VAULT
- TELEPHONE RISER
- ELECTRIC RISER
- ELECTRIC METER
- WATER VALVE
- WATER METER
- SAN. SEWER MANHOLE
- STORM DRAIN MANHOLE
- SEWER LINE
- PROPERTY LINE
- RIGHT OF WAY
- CENTERLINE
- SETBACK
- FENCE LINE
- OVERHEAD LINE
- DECIDUOUS TREE

PROPOSED LEGEND

- PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
- LIMITS OF MILL AND OVERLAY
- LIMITS OF SAW-CUT AND PAVEMENT REMOVAL
- PERMEABLE PAVERS (4/C5.00)
- CONCRETE SIDEWALK (10/C5.00)
- LIGHT DUTY CONCRETE (6/C5.00)
- HEAVY DUTY CONCRETE (11/C5.00)
- FULL DEPTH ASPHALT PAVEMENT (3/C5.00)
- 2" MILL AND OVERLAY

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Ecological Design Group, Inc
www.ecologicaldg.com
phone: 501 378 0200
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EDG PROJECT NO. 21-072
DATE 2022.11.14

REVISIONS

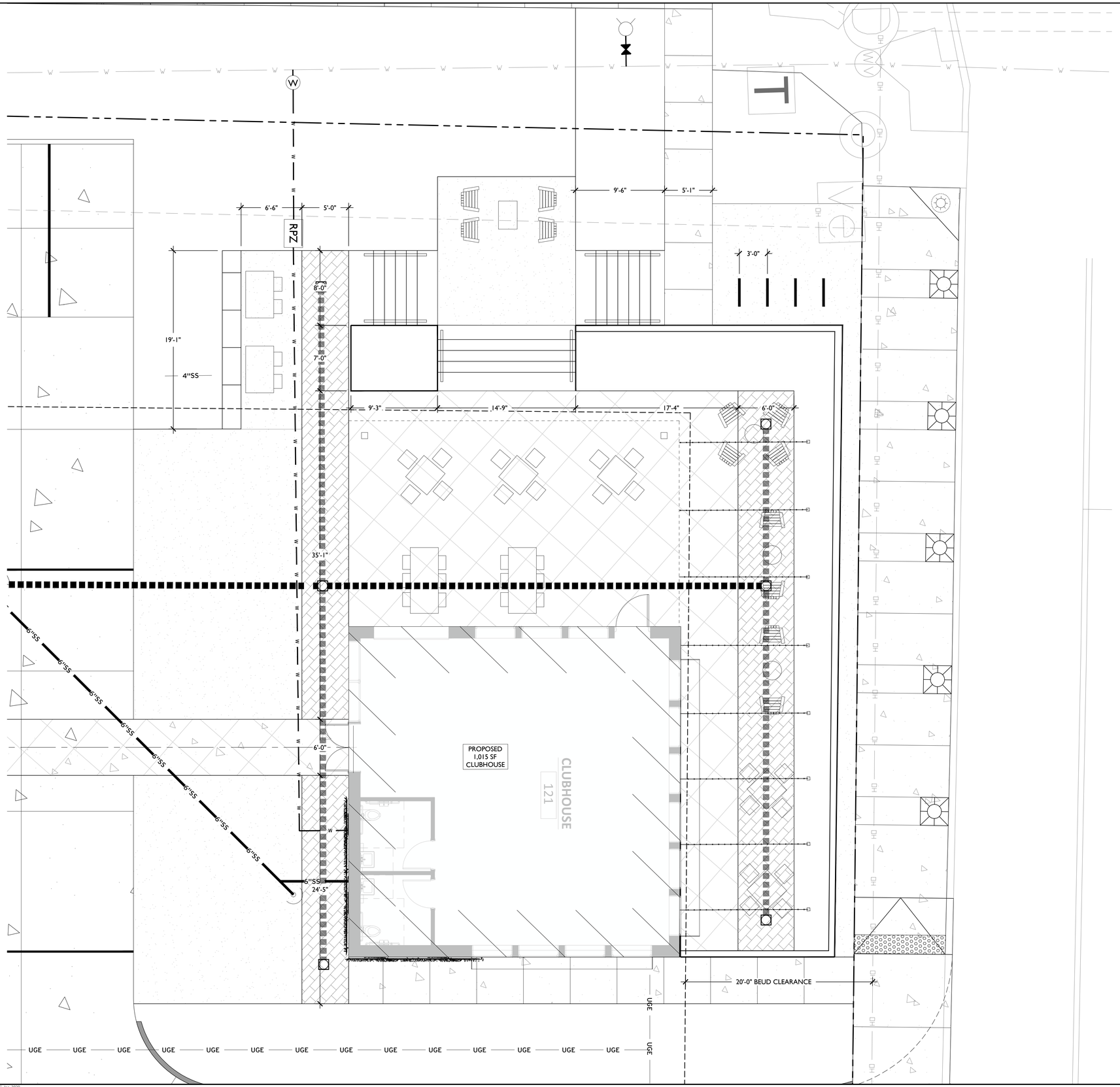
Number	Date

PHASE CONSTRUCTION DOCUMENTS

TITLE Site Layout Plan

SHEET NO. C1.02

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EXISTING LEGEND

- FOUND REBAR
- FND. PIPE
- SET 1/2" IRON PIN W/CAP
- UTILITY POLE
- TELEPHONE VAULT
- TELEPHONE RISER
- ELECTRIC RISER
- ELECTRIC METER
- WATER VALVE
- WATER METER
- SAN. SEWER MANHOLE
- STORM DRAIN MANHOLE
- SEWER LINE
- PROPERTY LINE
- RIGHT OF WAY
- CENTERLINE
- SETBACK
- FENCE LINE
- OVERHEAD LINE
- DECIDUOUS TREE

PROPOSED LEGEND

- PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE)
- LIMITS OF MILL AND OVERLAY
- LIMITS OF SAW-CUT AND PAVEMENT REMOVAL
- PERMEABLE PAVERS (4/C5.00)
- CONCRETE SIDEWALK (10/C5.00)
- LIGHT DUTY CONCRETE (6/C5.00)
- HEAVY DUTY CONCRETE (11/C5.00)
- FULL DEPTH ASPHALT PAVEMENT (3/C5.00)
- 2" MILL AND OVERLAY

1 PLAZA ENLARGEMENT

SCALE: 1" = 5'-0"

NORTH

0' 5 10' 20'

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Number	Date

PHASE: CONSTRUCTION DOCUMENTS

TITLE: Site Layout Plan - Plaza Enlargement

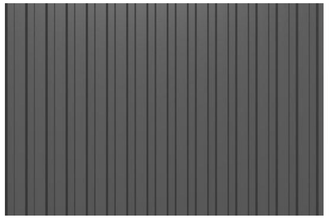
SHEET NO. C1.03

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EXTERIOR MATERIAL SCHEDULE

NO.	Material	COLOR/STYLE	MANUFACTURER	COMMENTS
AW	CANOPY	BLACK ANODIZED	ATAS OR APPROVED EQ.	
BK-1	BRICK - INTERSTATE	BLACK OPAL	INTERSTATE BRICK	
FP-1	FIBER CEMENT PANEL	PAINT FINISH COLOR TBD	JAMES HARDIE OR APPROVED EQUAL	ACCENT / TRIM MATERIAL LESS THAN 25% OF FACADE AREA
MP-1	METAL PANEL	MASTERLINE 16 - CHARCOAL GREY	MBCI	OR APPROVED EQUAL. CONCEALED FASTENERS, MIN 24 GA
MT-2	PREFINISHED METAL CANOPY	PRE-FINISHED ALUMINUM CANOPY	MAPES ARCHITECTURAL CANOPIES	FINISH TO MATCH SW TRICORN BLACK SW6258



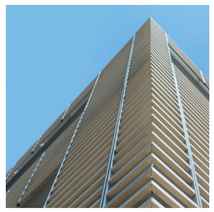
MBCI - ARCHITECTURAL METAL PANEL - COLOR CHARCOAL GREY



ACCENT PAINT FIBER CEMENT BOARD



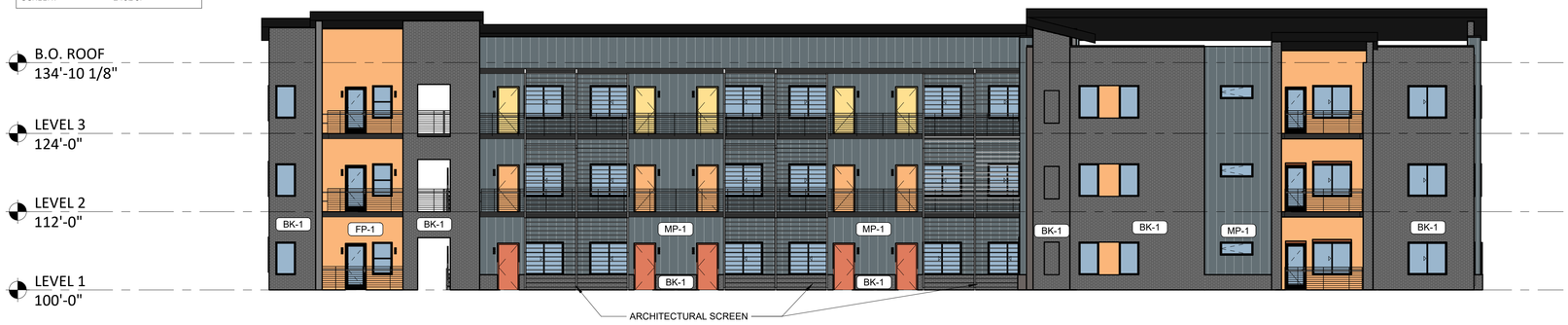
INTERSTATE BRICK - COLOR BLACK OPAL



ARCHITECTURAL SCREEN ELEMENT

Material calculations not including Architectural Screens:

TOTAL AREA:	7,211 sf	
WINDOWS/DOORS:	1,520 sf	
ADJUSTED:	5,691 sf	
METAL PANEL:	2,587 sf	45 %
MASONRY:	2,370 sf	42 %
FIBER CEMENT:	734 sf	13 %
ARCHTIECTURAL SCREEN:	1462 sf	



1 A4.00 **WEST ELEVATION**
3/32" = 1'-0"

TOTAL AREA:	6,436 sf	
WINDOWS/DOORS:	1,672 sf	
ADJUSTED:	4,764 sf	
METAL PANEL:	2,874 sf	60 %
MASONRY:	1,585 sf	33 %
FIBER CEMENT:	305 sf	7 %



2 A4.00 **EAST ELEVATION**
3/32" = 1'-0"

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702 SE 5TH ST STE 30
BENTONVILLE, AR 72712
TEL: 479.579.9959

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NEWELL DEVELOPMENT
204 SE 6TH STREET SUITE 101
BENTONVILLE, AR 72712

MEP CONSULTANT
BUF STUDIO
702 SW 5TH STREET SUITE 30
BENTONVILLE, AR 72712
CONTACT:ANDREW FINNEGAN, P.E.

N WALTON APARTMENTS

BENTONVILLE, AR

NOT FOR CONSTRUCTION

11/14/2022

Architect Name - RYAN FAUST
Architect Number - 4711

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REVISIONS

NO.	DATE	DESCRIPTION

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Drawn By: AN	*Checked By:* KB

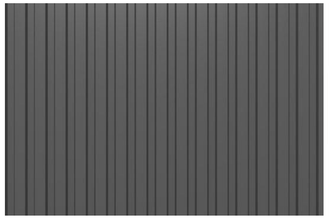
Title:
BUILDING ELEVATIONS

Sheet Number:
A4.00

Date: 11/14/2022

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EXTERIOR MATERIAL SCHEDULE				
NO.	Material	COLOR/STYLE	MANUFACTURER	COMMENTS
AW	CANOPY	BLACK ANODIZED	ATAS OR APPROVED EQ.	
BK-1	BRICK - INTERSTATE	BLACK OPAL	INTERSTATE BRICK	
FP-1	FIBER CEMENT PANEL	PAINT FINISH COLOR TBD	JAMES HARDIE OR APPROVED EQUAL	ACCENT / TRIM MATERIAL LESS THAN 25% OF FACADE AREA
MP-1	METAL PANEL	MASTERLINE 16 - CHARCOAL GREY	MBCI	OR APPROVED EQUAL. CONCEALED FASTENERS, MIN 24 GA
MT-2	PREFINISHED METAL CANOPY	PRE-FINISHED ALUMINUM CANOPY	MAPES ARCHITECTURAL CANOPIES	FINISH TO MATCH SW TRICORN BLACK SW6258



MBCI - ARCHITECTURAL METAL PANEL - COLOR CHARCOAL GREY



ACCENT PAINT FIBER CEMENT BOARD

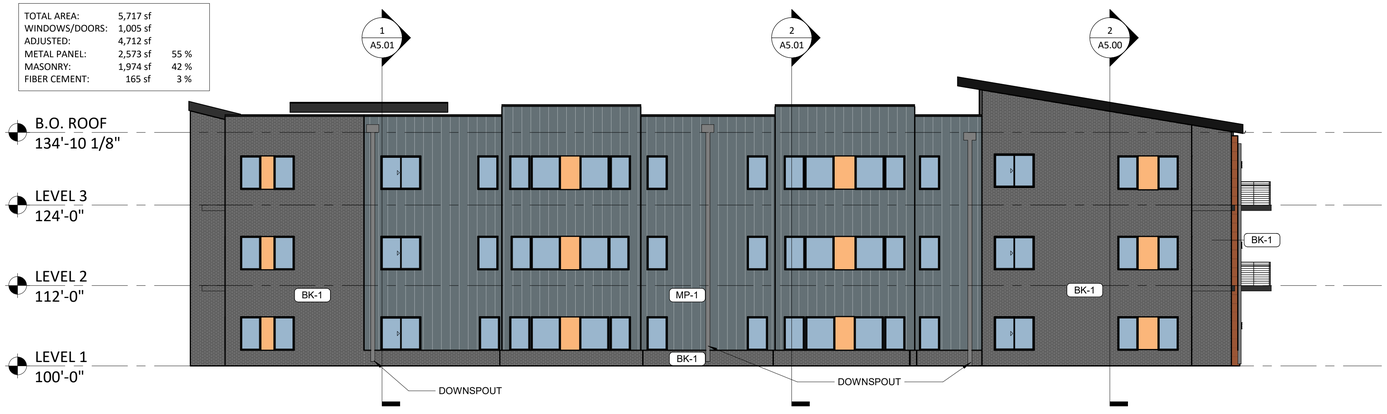


INTERSTATE BRICK - COLOR BLACK OPAL



ARCHITECTURAL SCREEN ELEMENT

TOTAL AREA:	5,717 sf	
WINDOWS/DOORS:	1,005 sf	
ADJUSTED:	4,712 sf	
METAL PANEL:	2,573 sf	55 %
MASONRY:	1,974 sf	42 %
FIBER CEMENT:	165 sf	3 %



5 A4.01 **SOUTH ELEVATION**
3/32" = 1'-0"

TOTAL AREA:	5,777 sf	
WINDOWS/DOORS:	1,003 sf	
ADJUSTED:	4,774 sf	
METAL PANEL:	1,241 sf	26 %
MASONRY:	3,255 sf	68 %
FIBER CEMENT:	278 sf	6 %



6 A4.01 **NORTH ELEVATION**
3/32" = 1'-0"

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NO.	DATE	DESCRIPTION

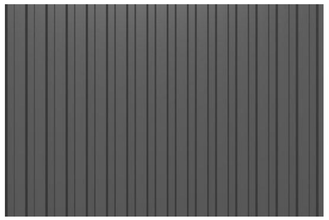
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24 x 36	21073
Drawn By:	*Checked By:*
AN	KB

Title:
BUILDING ELEVATIONS

Sheet Number:
A4.01

Date: 11/14/2022

EXTERIOR MATERIAL SCHEDULE				
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AW	CANOPY	BLACK ANODIZED	ATAS OR APPROVED EQ.	
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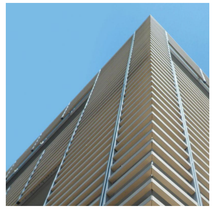
MBCI - ARCHITECTURAL METAL PANEL - COLOR CHARCOAL GREY



ACCENT PAINT FIBER CEMENT BOARD

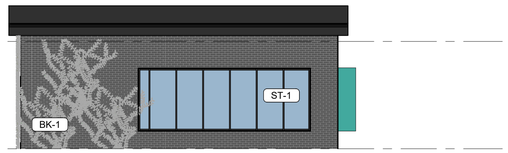


INTERSTATE BRICK - COLOR BLACK OPAL



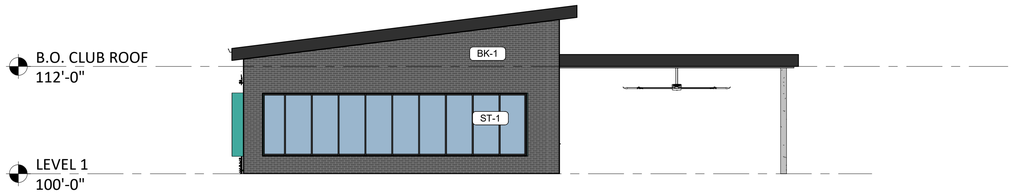
ARCHITECTURAL SCREEN ELEMENT

TOTAL AREA:	449 sf	
GLASS:	134 sf	30 %
MASONRY:	314 sf	70 %



2 A4.02 **COMMERCIAL EAST ELEVATION**
1/8" = 1'-0"

TOTAL AREA:	503 sf	
GLASS:	208 sf	41 %
MASONRY:	325 sf	59 %



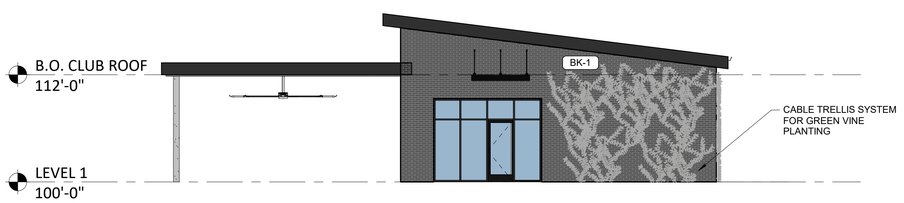
1 A4.02 **COMMERCIAL NORTH ELEVATION**
1/8" = 1'-0"

TOTAL AREA:	611 sf	
GLASS:	292 sf	47 %
MASONRY:	318 sf	52 %



4 A4.02 **COMMERCIAL WEST ELEVATION**
1/8" = 1'-0"

TOTAL AREA:	524 sf	
GLASS:	132 sf	25 %
MASONRY:	392 sf	75 %



3 A4.02 **COMMERCIAL SOUTH ELEVATION**
1/8" = 1'-0"

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702 SW 5TH STREET SUITE 30
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N WALTON APARTMENTS

BENTONVILLE, AR

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11/14/2022

Architect Name - RYAN FAUST
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REVISIONS

NO.	DATE	DESCRIPTION

Drawing Size: 24 x 36
Project #: 21073
Drawn By: Author
Checked By: Checker

Title : BUILDING ELEVATIONS

Sheet Number: A4.02

Date: 11/14/2022

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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:	November 14, 2022
Date of Original Waiver:	July 27, 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 Amendment to a waiver that was granted on 7/19/2022 in a waiver only submittal. The amended portion has been highlighted in Blue.

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.~~
        - The screen panels cannot be utilized due to a conflict with a waterline easement along the length of the property. After a conversation with Keegan Stanton, it was determined that a mixture of small trees and shrubs can be used to screen the the parking lot without interfering in the water line easement.

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:
  - Eight (8) out of the 65 or 12% were home 50% of the time;
  - Seven (7) out of the 65 or 11% were home 75% of the time;
  - Developments were typically occupied at a 95% rate;
- These percentages, combined the vehicles per unit recorded in the study show that a .945 space per unit is the true utilized parking ratio within these developments; meaning 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 abrown@ecologicaldg.com or 254.495.6045

Sincerely,

Alex Brown, ASLA
Project Manager
Ecological Design Group, Inc.



PRD22-0002 11/1/22
PLANNED RESIDENTIAL DEVELOPMENT
9TH & A TOWNHOMES

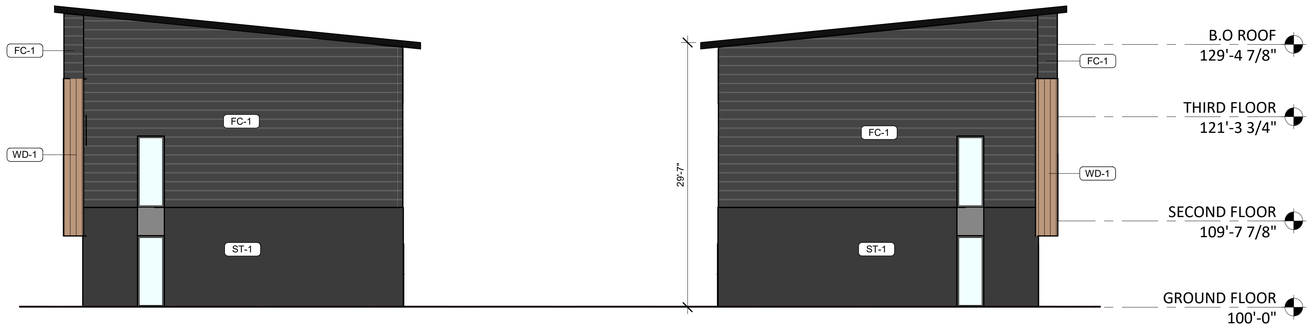
ARCHITECTURAL ELEVATIONS



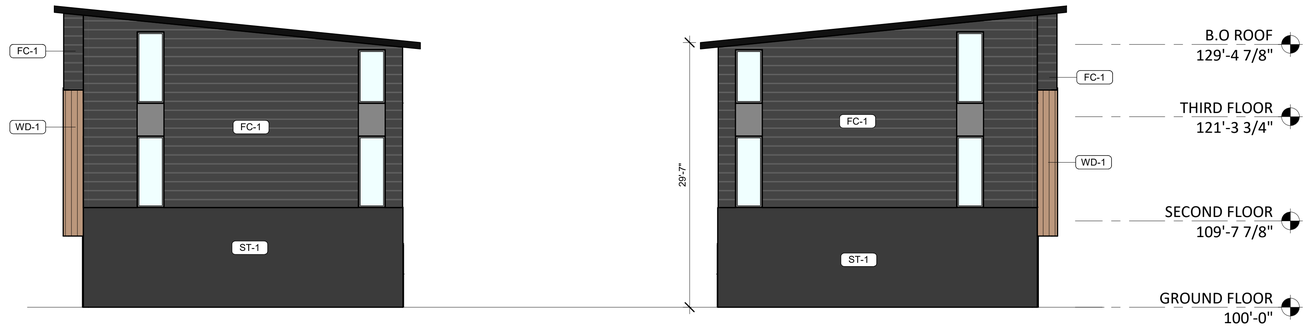
A Street Elevation



Driveway Elevation



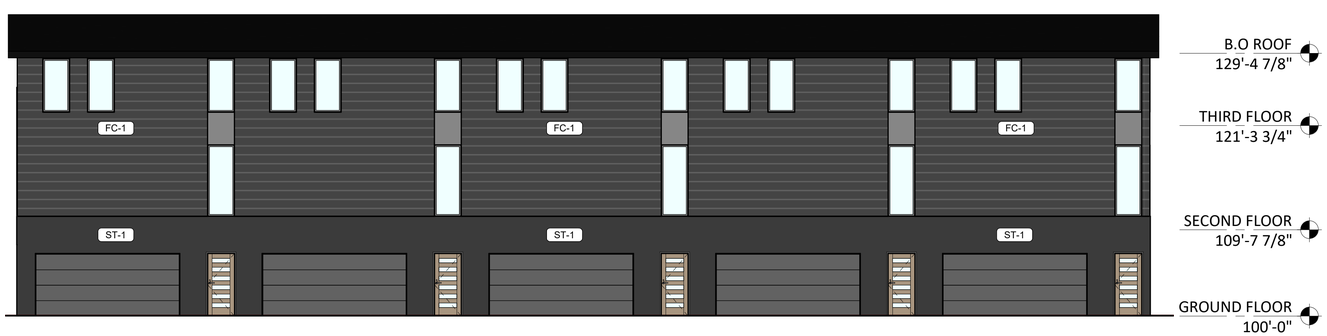
1 R1.00 **NORTH ELEVATION**
1/8" = 1'-0"



2 R1.00 **NW 9TH ST ELEVATION**
1/8" = 1'-0"



3 R1.00 **NW A ST ELEVATION**
1/8" = 1'-0"



4 R1.00 **DRIVE ELEVATION**
1/8" = 1'-0"

EXTERIOR MATERIALS SCHEDULE			
NO.	MATERIAL	MANUFACTURER	COLOR
FC-1	FIBER CEMENT SIDING	JAMES HARDIE OR SIMLAR	EURO CHANNEL HORIZONTAL - DARK GRAY
FC-2	FIBER CEMENT PANEL	JAMES HARDIE OR SIMLAR	ARCHITECTURAL PANELS - LIGHT GRAY
WD-1	WOOD SIDING	BUFFALO LUMBER CO. OR SIMILAR	CEDAR SIDING - SHIP LAP
ST-1	STUCCO		DARK GRAY
VS-1	VENEER STONE	NORSTONE	"PLANC" HONED BASALT

EXEMPT FROM LARGE SCALE DESIGN STANDARDS PER SECTION 1100.21 C EXEMPTION 1.

Downtown Neighborhood (DN) districts. Development that is subject to the design standards for the DN-2 zoning districts, which have specific site and architectural design standards established in Section 1100.22, Downtown Neighborhood (DN) districts design standards, shall be exempt from section 1100.21



5 R1.00 **9TH + A PERSPECTIVE**



6 R1.00 **NW A ST PERSPECTIVE**

b·u·f STUDIO
702 SE 5TH ST. SUITE 30
BENTONVILLE, AR 72712
TEL: 479.321.0478

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

CLIENT NAME
BAXTER PROPERTIES

903 NW A ST
BENTONVILLE, AR

NOT FOR CONSTRUCTION

10/03/2022
Architect Name - RYAN FAUST
Architect Number -

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REVISIONS

NO.	DATE	DESCRIPTION

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Drawn By:	*Checked By:*
JMA	RMF

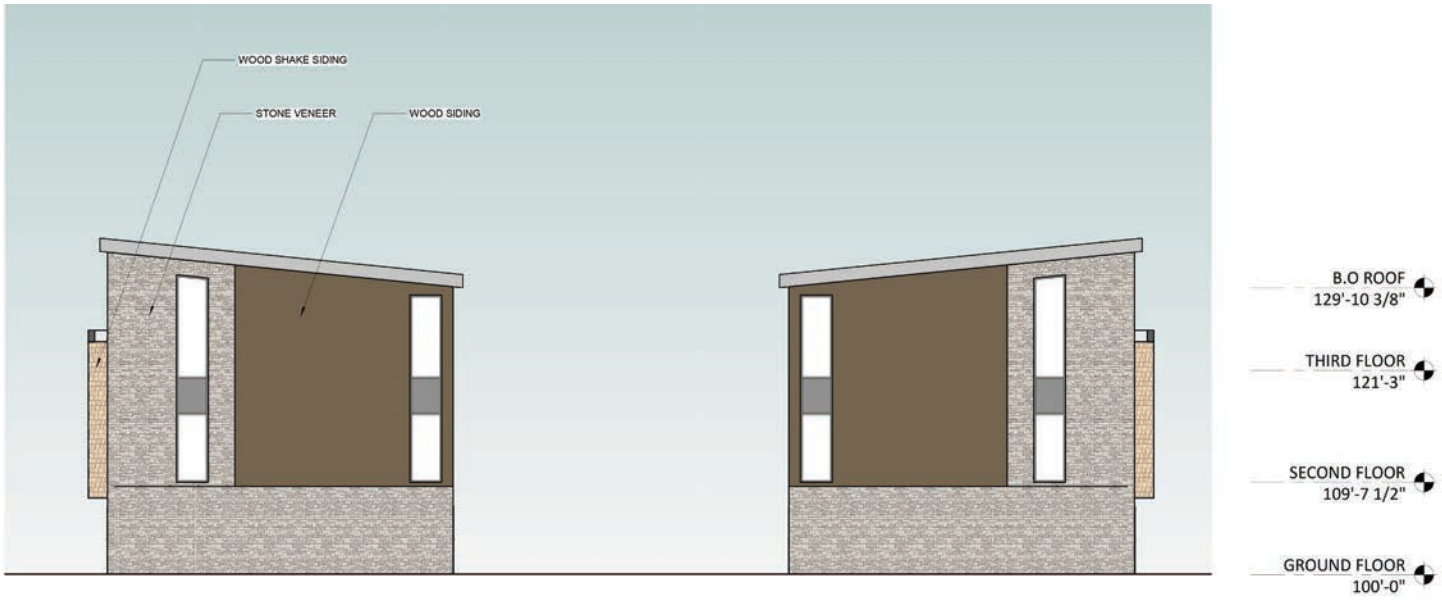
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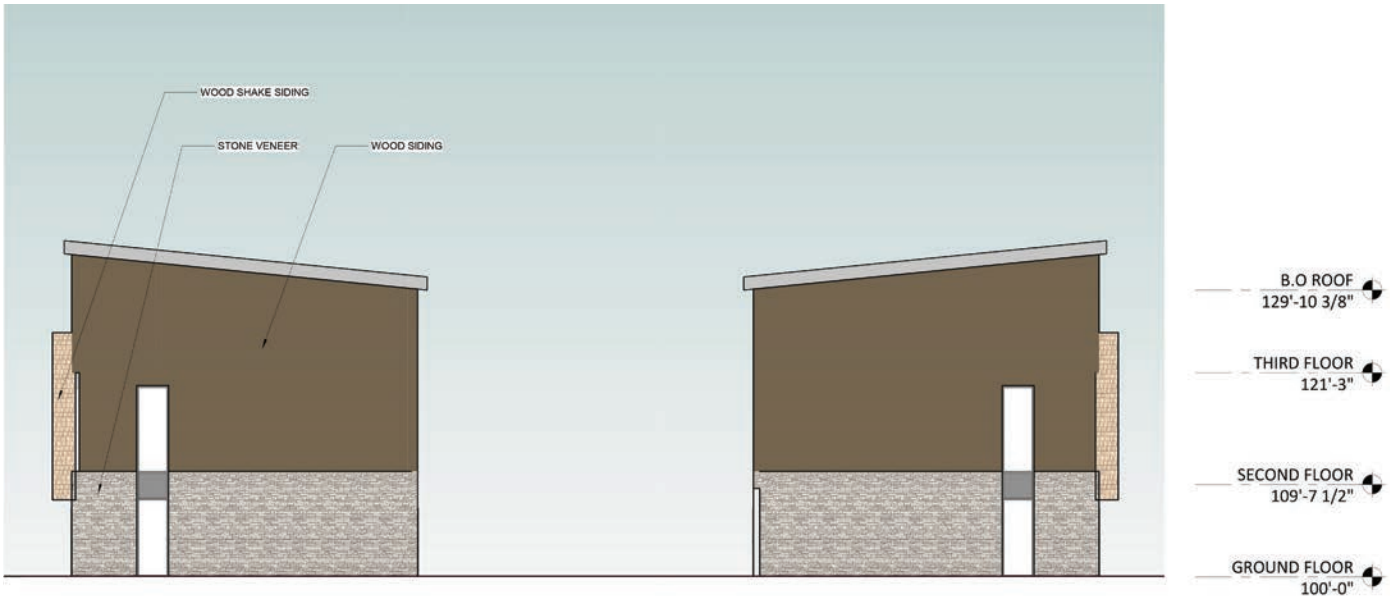
Date: 10/03/2022

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ARCHITECTURAL ELEVATIONS



South Elevation



North Elevation

RUSTICSERIES™

RusticSeries™ Lap

RusticSeries™ Lap is the original two-tone lap siding option; Combining the natural warmth and beauty of wood with the durability of fiber cement and composite products. We give you an alternative to traditional solid colors with 18 two-tone color combinations on lap, shakes, and panels.

ORDER SAMPLES

HOME VISUALIZER

COLOR: ASPEN RIDGE



*The colors represented here may vary from actual product. Learn more.



Specifications

Collapse All Expand All

WHY RUSTICSERIES™?

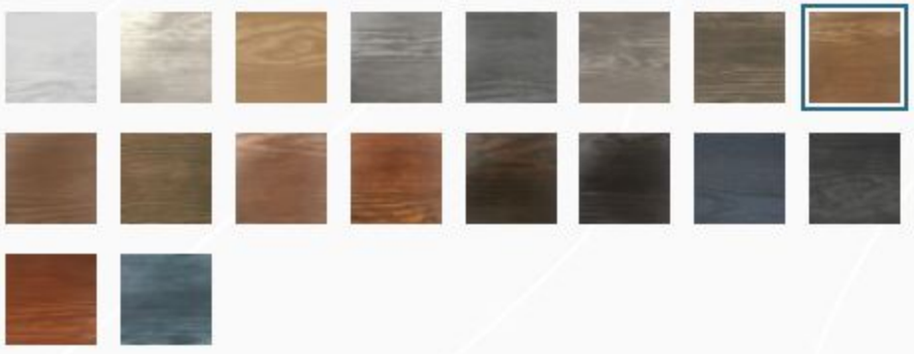
RusticSeries™ Lap

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ORDER SAMPLES

HOME VISUALIZER

COLOR: SUMMER WHEAT



*The colors represented here may vary from actual product. Learn more.



Specifications

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WHY RUSTICSERIES™?