



**Planning Commission
Meeting Agenda
January 3, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM**

Registration Link:

https://us06web.zoom.us/webinar/register/WN_UYSiYSWZTrCE_Wlsj6KMqQ

Call to Order

- I. Approval of the December 6th and December 13th 2022 Meeting Minutes**
- II. Consent Agenda**

- 1. Lots 47, 48, & 49 Dickson's Addition** **Lot Split**
808 West Central Avenue ([LS22-0047](#))
- 2. Lots 8, 9 & 10 of East Ridge Subdivision** **Lot Split**
Northwest Woods Creek Road ([LS22-0053](#))
- 3. Lots 1-3 City U Addition** **Property Line Adjustment**
Southwest Corner of Southeast F Street and Southeast 3rd Street ([PLA22-0034](#))
- 4. Lot 14 Cook's Addition** **Property Line Adjustment**
808 Northwest C Street ([PLA22-0037](#))

III. New Business
Advertised Public Hearings

- 1. Brightbox, LLC** **Rezoning**
802 SE G Street ([RZ22-0066](#))
***Note: This item was improperly noticed. Planning Commission will hold a public hearing and then table the item.**
- 2. Bentonville-Bella Vista Trailbalzers Assoc. Inc.** **Rezoning**
2810 NW A Street ([RZ22-0067](#))
***Note: Public notice was published in the paper for the January 3rd Planning Commission meeting but the applicant has requested the item to be tabled. Planning Commission will hold a public hearing and then table.**
- 3. Sunshine Electric Substation (SEPCO)** **Conditional Use Permit**
1100 Southeast Moberly Lane ([CU22-0036](#))

4. **Dogwood Acres LLC/Alice Walton School of Med.** **Conditional Use Permit**
1101/1107 NE J Street ([CU22-0037](#))
5. **Walmart Stores Inc.** **Conditional Use Permit**
Northeast Corner of Southeast Moberly Lane & Southeast 8th Street ([CU20-0040](#))
6. **Codification of Floodplain Regulations** **Land Development Code Article 1500**
7. **Amendment to Tree and Landscape Committee Membership** **Land Development Code Article 1300**

Other New Business (Projects associated with waivers)

1. **The Station Phase 2** **Large Scale Development**
3000 Southeast 14th Street ([LSD22-0064](#))
Waiver #1: A waiver from off-street parking requirement from Article 501.06 (f) which states that every 10 rooms shall have 11 parking spaces for developments larger than twenty (20) rooms. In all, 110 spaces are required, and the applicant is proposing 107.

Waiver #2: A waiver from interior parking lot landscape requirement from article 1400.08 (c) interior parking lot landscape requirement. The applicant is requesting the waiver due to the parking island in the Northwest of the development lacking a tree. Several utility lines, connection, and boxes are located near, under, or in this island and a tree would be infeasible.
2. **Kristopher T. Ashmore** **Waiver**
808 Northwest C Street ([WAV22-0022](#))
Waiver: A waiver from Section 1100.02(a)(5) to allow for two curb cuts on less than 200 feet of street frontage for the construction of a circle drive.
3. **Will Moore Subdivision Phase 3** **Waiver**
1300 Tunbridge Drive ([PP22-0002](#))
Waiver: A waiver in association with a previously approved preliminary plat (August 16, 2022, PP22-0002). The waiver request is for the width of a proposed drainage easement. The Drainage Manual – Section 3.5 Utilities, calls for a minimum 20' easement, this request is for a 15-foot wide drainage easement.

4. **Bentonville Housing Partners**

Waiver

Brookside Road and Ginn Road [\(WAV22-0023\)](#)

Waiver: Applicant is seeking a waiver from the requirement to have the final plat accepted prior to the issuance of building permits. The project is an affordable housing project and must have certificates of occupancies prior to December 31, 2023 to receive federal funding.

Other Business

Planning Commission By-Laws



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

Meeting Recording: https://us06web.zoom.us/rec/share/k4ZDoGXp_0kHoO3RLRkstuJafPJ9zU-DSXztaG1WEswRc8jdlZ0bqAm4ADY8xPVx.hZiv3D3xdeWgqT1K

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, Christopher Hyatt, Jon Stanley (via Zoom), Keegan Stanton (via Zoom)

I. Call to Order

- Meeting called to order at 5:00 pm by Chairman Sanders
- Commissioner Davis requests Item 2 on the consent agenda be moved to new business as Item 16 and, pursuant to action at Technical Review, that Items 12 and 13 be removed from the agenda.

II. Approval of the November 15th Meeting Minutes

- Motion by Haynie, second by Hipp to approve the November 15th meeting minutes as presented
- Minutes are approved 7-0 by voice vote

III. Consent Agenda

- Mr. Adler presents the items on the consent agenda, clarifying the removal of Item number 2 from consent and its placement under new business as Item 16.
- Consent agenda is approved 7-0

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
1005 Northwest A Street ([LS22-0059](#))

Lot Split

IV. 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
 - Mr. Adler provides overview of the staff report
 - Bill Watkins, representing the applicant, amends the request by changing the area originally requested as C-3 to R-3
 - With the requested amendment a down zoning, no further public hearing is held.
 - Pursuant to separate votes, both the land use amendment and rezoning are approved 7-0

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
 - Mr. Adler provides an overview of the staff report
 - Bill Watkins, representing the applicant, requests to table this item to permit applicant time for a redesign of the project
 - Chairman Sanders opens the public hearing and instructs attendees to provide contact information for future public hearings
 - Laura Duncan, Jordan Lane asks questions
 - Kay Burks, Parkcrest Drive, details concerns
 - Danielle Stewart, Lindell Lane, asks questions and expresses concerns
 - Chairman Sanders closes public hearing
 - Motion to table both the land use amendment and rezoning indefinitely by Kerr, second by Wright
 - Both items tabled 7-0

V. New Business

Advertised Public Hearings

1. Bentonville Redevelopment, LLC
1005 Northwest A Street ([RZ22-0051](#))

Rezoning

Rezoning: R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing. No public comments made
- Rezoning approved 7-0

2. Burckart Family, LLC

Rezoning

North of 2603 North Walton Blvd. ([RZ22-0057](#))

Rezoning: C-1, Neighborhood Commercial to C-2, General Commercial

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing
- Bill Watkins, representing the applicant, requests to table indefinitely
- Dave Ferguson of 3210 Avignon Way asks questions
- Chairman Sanders closes the public hearing
- Motion to table by Haynie, second by Bennett
- Tabled 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing. No public comments made
- Bill Watkins speaks
- Chairman Sanders closes the public hearing
- Future Land Use Map Amendment approved 7-0
- Rezoning approved 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing
- Bill Watkins, representing the applicant, speaks and provides an email in support of the rezoning request
- Donna King, 102 NW 7th Street, expresses concerns
- Kevin Reynolds, 104 NW 7th Street, expresses concerns
- Chairman Sanders closes public hearing
- Bill Watkins speaks on land use and zoning, addressing concerns
- Discussion among Commissioners and staff

- Chairman Sanders closes the public hearing
- Rezoning approved 6-1
- Mr. Wright votes no due to belief that medium density is not a correct zoning for the area

5. 1208 SW Horizon, LLC

Rezoning

509 Southeast C Street ([RZ22-0060](#))

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing
- Bill Watkins speaks on behalf of the applicant
- Tom Gean, 505 SE C Street, expresses concerns
- Michael Sapino (property owner) of 509 SE C Street details intentions for the property
- Chairman Sanders closes public hearing
- Staff discussion
- Michael Sapino amends request to DN-4
- Rezoning to DN-4 approved 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- Niki Littrell (representative for owner) speaks
- Ken Ehret (Owner) speaks
- Chairman Sanders closes public hearing
- Staff discussion
- Rezoning approved 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- Jeremy Viar speaks
- Patrick Nowlin (Owner) speaks
- Chairman Sanders closes public hearing
- Future Land Use Map Amendmet approved 7-0

- Rezoning approved 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing. No public comments made
- Chairman Sanders closes public hearing
- Rezoning approved 7-0

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing. No public comments made
- Niki Littrell (representative for owner) available for questions
- Chairman Sanders closes public hearing
- Staff discussion
- Rezoning approved 7-0

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

- Mr. Adler gives overview of the staff report
- Chairman Sanders opens the public hearing. No public comments made
- Chairman Sanders closes public hearing
- Staff discussion
- Future Land Use Map Amendment approved 7-0
- Rezoning approved 7-0

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.*

- Mr. Adler provides an overview of the staff report

- Chairman Sanders opens the public hearing. No public comments made
- Chairman Sanders closes public hearing
- Motion by Hipp, second by Davis to table to next meeting
- Staff discussion
- Tabled by voice vote

12. Southern Hair Co. **Conditional Use Permit**
 1915 Southwest Ellington Street ([CU22-0034](#))

- *Removed from agenda during tech review*

13. Hitt Brands Inc. **Conditional Use Permit**
 1112 South Main Street ([CU22-0035](#))

- *Removed from agenda during tech review*

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.

- Mr. Adler provides an overview of the staff report
- Staff discussion
- Motion by Kerr, second by Bennett to approve the waiver
- Waiver approved 7-0
- Large Scale approved 7-0

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.

- Mr. Adler provides an overview of the staff report and advises that this waiver is no longer needed; however, since a screening waiver was previously approved by the Commission, action related to that waiver is needed.
- Staff discussion
- Motion by Davis, second by Wright to remove the previously approved screening waiver
- Motion approved unanimously by voice vote
- Large Scale approved 7-0

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

- Mr. Adler provides an overview of the staff report

- Approved 7-0

Adjournment

- Motion by Haynie, second by Hipp to adjourn the meeting.
- Meeting adjourned.



**Planning Commission
Meeting Agenda
4:00 PM December 13, 2022
Bentonville City Hall**

Meeting Recording: <https://us06web.zoom.us/rec/share/PGxkczhhcxCPVGiFi12caOGJevXG-czYU8GkKfMR6WjqNsKrLiD3u3ywdwfRdF0E.zRzZF2Il6HJPU-sd>

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

Commissioners Absent: N/A

Staff Present: Tyler Overstreet, Bonnie Bridges, Tom Adler, Shelli Kerr

I. Call to Order

- Meeting called to order at 4:00 pm by Chairman Sanders

II. Administrative Items

1. Election of Officers

Chairman Sanders for a 1-year term as Chairperson is approved 7-0

Commissioner Wright for a 1-year term as Vice Chairperson is approved 7-0

Commissioner Davis for a 1-year term as Secretary is approved 7-0

2. 2023 Meeting Calendar

- Mr. Overstreet presents the draft 2023 calendar.
- Chairman Sanders requests that the July 4th meeting be moved to July 5th unless the Director of Community Development informs the Commission in June that the July 5th meeting is not necessary.

3. By-Law Discussion

- Mr. Overstreet proposes to amend Section 3.1.1 to reflect that Technical Review and Planning Commission are on the same day at different times.
- Commissioner Kerr requests that terms of officers be extended to two years.
- Commissioner Davis requests that Section 1.3 be amended to reflect that technical review and planning commission are considered one meeting for

purposes of attendance and that the recommendation for removal of a commissioner under this section be made by the mayor.

- Commissioner Davis requests that Section 3.7 be amended to evaluate changes to the Future Land Use Plan be in April and that the review occur annually.

4. Goals and Development

- Mr. Overstreet presents a summary of permits and projects processed in 2022.

5. Informational Updates

a. Future Land Use Map Update

- Mr. Overstreet presents the current schedule of the Future Land Use Update that will take place in 2023
- Chairman Sanders and Commissioner Bennett request that the Planning Commission be provided a minimum of 3 opportunities to weigh in on the project before the final document comes before the commission for approval.

b. Design Standards

- Mr. Overstreet updates the Commission on the working group's progress on proposing a modification to the current building materials design standards.

6. Joint Meeting Survey Results for Priority Projects for the Planning Department

- Mr. Overstreet presents the results of the survey of Commissioners and Council members votes for highest priority Planning Department projects in 2023: Zoning Reform, Streamlining of the PRD /PUD process, Parking Reform
- Commissioner Davis cautions against requiring too little detail while streamlining the PRD /PUD process.
- Chairman Sanders requests a hard look at Commercial uses and moving from height limitations to stories.

Adjournment

- Meeting adjourned.



Consent Agenda Items

For the Planning Commission meeting on January 3, 2023

Reviewer: Jon Stanley, Senior Planner, ASLA, APA

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

Lot Split: Lots 47, 48 & 49 of Dickson's Addition, N & J Family Properties, 808 West Central Avenue, DN-1, Downtown Low Density Residential, *LS22-0047*

A lot split of Lot 14 and part of Lot 15 of Dickson's Addition, creating new Lot 47 (+/- 0.19 acres), Lot 48 (+/- 0.13 acres) and Lot 49 (+/- 0.12 acres) of Dickson's Addition. The plat dedicates various utility easements to serve the newly created lots. Each of the newly created lots has access to a public street, public water, and public sewer.

Lot Split: Lots 8, 9 & 10 of East Ridge Subdivision, Slo-Hko, LLC & Dupps Squared Inc., Northwest Woods Creek Road, R-1, Low Density Single Family Residential, *LS22-0053*

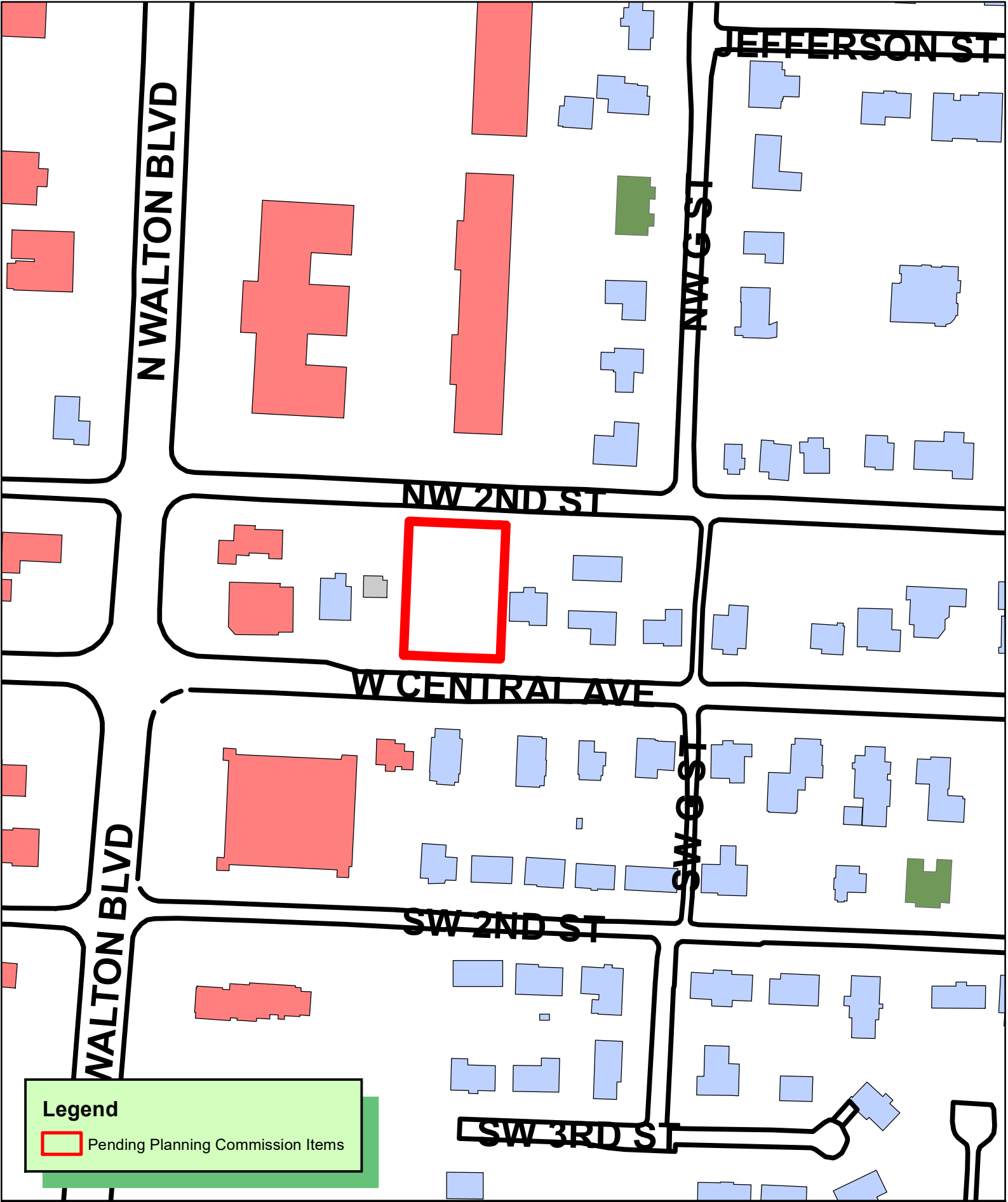
A lot split of Lot 2 of East Ridge Subdivision, creating new Lot 8 (+/-11.37 acres), Lot 9 (+/- 3.00 acres) and Lot 10 (+/-3.00 acres) of East Ridge Subdivision. The plat dedicates various utility easements to serve the newly created lots. There will be only one point of ingress/egress to Woods Creek Road for the new lots. The three new lots do not have access to public sewer however they do meet the requirements of the state health department and the City of Bentonville Water Utilities.

Property Line Adjustment: Lots 1-3 of City U Addition, Bentonville Housing LLC, Southwest Corner of Southeast F Street and Southeast 3rd Street, PRD, Planned Residential Development, *PLA22-0034*

A property line adjustment of Lot 2 Bentonville Municipal Shop Addition, Lots 7 & 13 Block 2 Armstrong Addition, and all of City Services Addition, creating new Lots 1-3 (+/- 9.06 acres) of City U Addition. The plat dedicates additional right-of-way along both sides of Southeast 3rd Street, as well as drainage and utility easements over new and existing lines.

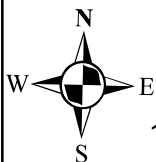
Property Line Adjustment: Lot 14, Block 2 of Cook's Addition Kristopher Ashmore, 808 NW C Street, R-1, Low Density Single Family Residential, *PLA22-0037*

A property line adjustment of Lots 3, 6 and 7, Block 2 of Cook's Addition, creating new Lot 14 (+/- 0.50 acres), Block 2 of Cook's Addition. The plat dedicates additional right-of-way along NW C Street, as well as 15' utility easement parallel to NW C Street.



Legend

 Pending Planning Commission Items



1 inch = 150 feet

LS22-0047 10/18/22
LOT SPLIT
DICKSONS ADDITION
LOT 14 & PART OF LOT 15 CREATING LOTS 47-49



CITY NOTES:

- ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
- 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.
- 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.
- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
- SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE

PARENT LOT (TAKEN FROM DEED L202203988):

LOT 14, EXCEPT THE EAST 70 FEET THEREOF, AND THE EAST 12 FEET OF LOT 15, ALSO CLOSED ALLEY BETWEEN LOTS 14 AND 15, IN DICKSON'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS.

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.

CERTIFICATE OF APPROVAL

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

DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CLERK, CITY OF BENTONVILLE

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 _____
N & J FAMILY PROPERTIES LLC

CERTIFICATE OF SURVEYING ACCURACY

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

DATE OF EXECUTION: _____

SIGNED: _____

REGISTERED LAND SURVEYOR

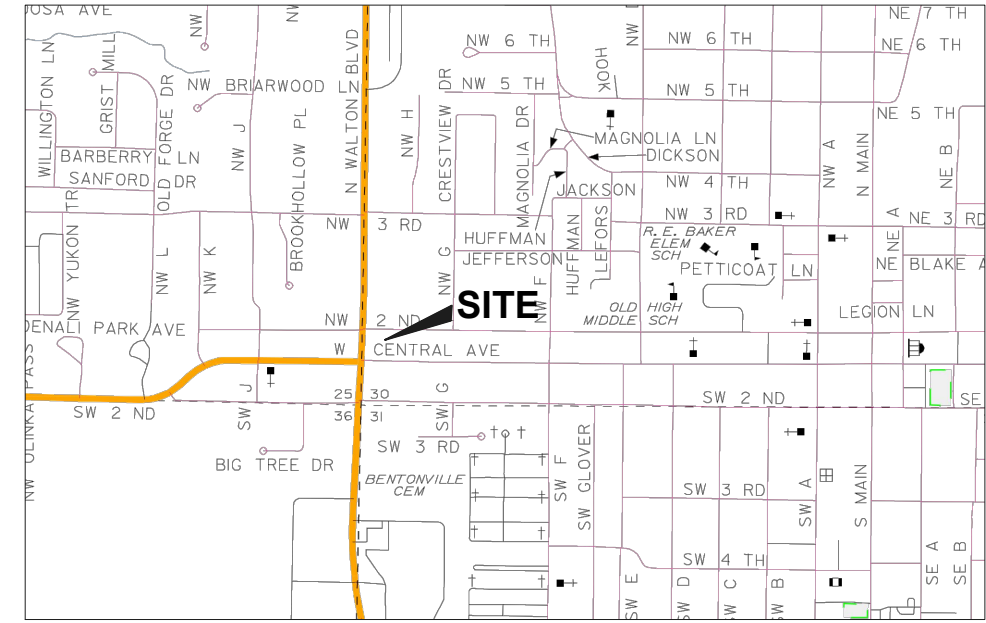
NO. _____

STATE OF ARKANSAS

OWNER:
N & J FAMILY PROPERTIES LLC
1402 SW SUSANA ST UNIT 6
BENTONVILLE AR 72713
479-721-7002

20' 0 20'
SCALE: 1" = 20'

Vicinity Map
N.T.S.



NEW LOT 49:

LOT 14, EXCEPT THE EAST 70 FEET THEREOF, IN DICKSON'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF SAID LOT 14; THENCE SOUTH 87°44'01" EAST A DISTANCE OF 39.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°19'55" EAST A DISTANCE OF 87.42 FEET; THENCE SOUTH 87°45'32" EAST A DISTANCE OF 49.00 FEET; THENCE NORTH 02°19'55" EAST A DISTANCE OF 77.50 FEET; THENCE SOUTH 87°45'32" EAST A DISTANCE OF 7.00 FEET; THENCE SOUTH 02°19'55" WEST A DISTANCE OF 164.94 FEET; THENCE NORTH 87°44'01" WEST A DISTANCE OF 56.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.12 ACRES OR 5,439 SQUARE FEET MORE OR LESS.

SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

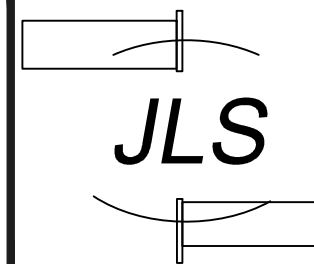
Notes:

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

Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- This plat represents a boundary survey of the parcel recorded in Deed Records, Book L202203988 at the Office of the Circuit Clerk Benton County, Arkansas.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- Basis of Bearings: Arkansas State Plane System North Zone (NAD83).
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats."
- No abstract of title, nor title commitment, nor results of title searches were furnished to the surveyor. There may exist other documents of record which would affect this parcel.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- This property is currently zoned DN-1.
- For the latest building set back check with the City of Bentonville Planning Department at 479-271-3122 or at <http://bentonvillear.com/195/Current-Planning>.
- No attempt was made to show building setback lines graphically on the survey.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- 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.
- (BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0255K. Revised date 06/05/2012.

City Code:
LS2022-0047

Lot split of 14 & part of lot 15, Dickson's Addition
Creating Lots 47, 48 & 49 Dickson's Addition

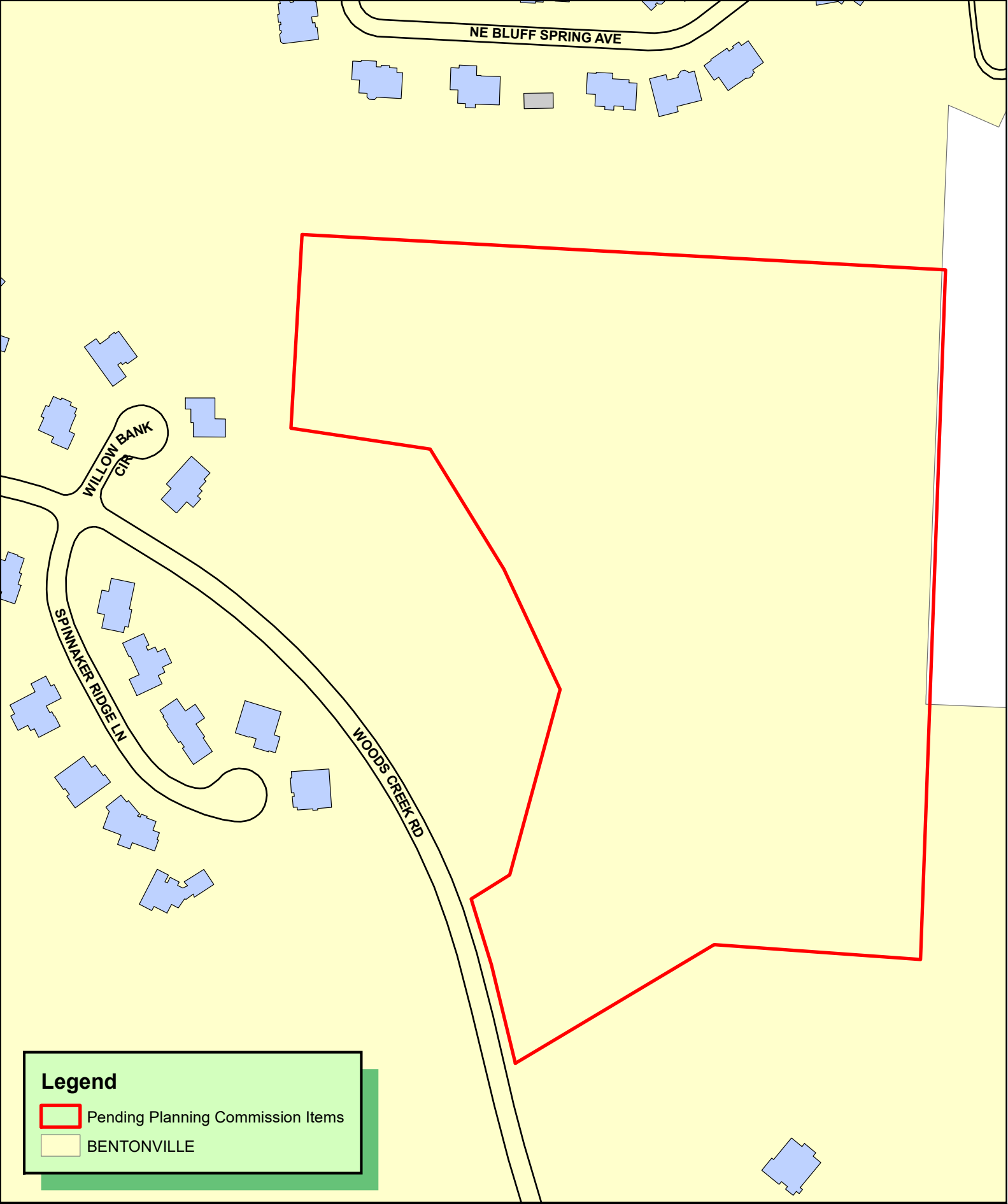


James Layout Services, LLC
P.O. Box 611
Farmington, Arkansas 72730
Telephone: (479) 439-9929
survey@jlsnwa.com



LEGEND	
● MONUMENT FOUND (AS NOTED)	RECORD DISTANCE
○ MONUMENT SET (AS NOTED)	RECORD BEARING
▲ AHTD P-O-W MONUMENT	① SANITARY SEWER MANHOLE
⬢ BENCHMARK	DECIDUOUS TREE
● GUARD POST	EVERGREEN TREE
⚡ UTILITY POLE	
Ⓣ TELEPHONE RISER	
Ⓛ FIBER OPTIC TELEPHONE RISER	
ⓔ ELECTRICAL RISER	
Ⓜ CABLE RISER	
Ⓢ TRAFFIC SIGNAL	
Ⓢ SIGN	
Ⓜ WATER METER	
Ⓢ WATER VALVE	
Ⓢ FIRE HYDRANT	
Ⓢ WATER SPOGOT	
Ⓢ GAS METER	
Ⓢ DRAINAGE MANHOLE	

SHEET NO.
1 OF 1



LOT SPLIT OF EXISTING LOT 2, CREATING LOTS 8, 9 & 10 EAST RIDGE SUBIDVISION BENTONVILLE, ARKANSAS

CLIENT:

LEGAL DESCRIPTION - PARENT TRACT:

Being a part of the SE 1/4, NW 1/4, Section 27, T-20-N, R-30-W, Fifth Principal Meridian, and being all of Lot 2, East Ridge Subdivision per Plat Book 2013, Page 527, in the City of Bentonville, County of Benton, State of Arkansas.

Subject to easements, rights-of-way, and covenants of record, if any.

SURVEY DESCRIPTION - LOT 8:

Being a part of the SE 1/4, NW 1/4, Section 27, T-20-N, R-30-W, Fifth Principal Meridian, and being a part of Lot 2, East Ridge Subdivision per Plat Book 2013, Page 527, in the City of Bentonville, County of Benton, State of Arkansas, being more particularly described as follows:

BEGINNING at a Found 4"x7" Stone, being the NE Corner of said SE 1/4 NW 1/4 of Section 27; Thence along the East line of said SE 1/4 NW 1/4, South 02°05'27" West 169.66 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence departing said East line, South 57°24'01" West 404.63 feet to a Set 5/8" Rebar w/ Cap "ar1002"; Thence South 02°05'27" West 545.23 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence South 58°07'47" West 331.59 feet to a Set 5/8" Rebar w/ Cap "Ar1002" in the Easterly Right-of-Way of Woods Creek Rd.; Thence along said Easterly Right-of-Way, North 13°41'49" West 31.58 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence 101.60 feet along a curve to the left, having a radius of 4234.81 feet, a central angle of 01°22'29", and a long chord bearing North 17°02'32" West 101.60 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence departing said Easterly Right-of-Way, North 58°02'24" East 66.87 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; thence North 15°13'09" East 283.28 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence North 25°06'51" West 195.52 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence North 31°30'37" West 207.52 feet to a Found 1/2" Rebar; Thence North 81°27'31" West 207.51 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence North 03°18'45" East 285.62 feet to a Found 5/8" Rebar in the North line of aforementioned SE 1/4 NW 1/4 of Section 27; Thence along said North line, South 86°51'50" East 949.20 feet to the POINT OF BEGINNING, containing 495,178 Square Feet or 11.37 Acres, more or less.

Subject to easements, rights-of-way, and covenants of record, if any.

SURVEY DESCRIPTION - LOT 9:

Being a part of the SE 1/4, NW 1/4, Section 27, T-20-N, R-30-W, Fifth Principal Meridian, and being a part of Lot 2, East Ridge Subdivision per Plat Book 2013, Page 527, in the City of Bentonville, County of Benton, State of Arkansas, being more particularly described as follows:

COMMENCING at a Found 4"x7" Stone, being the NE Corner of said SE 1/4 NW 1/4 of Section 27; Thence along the East line of said SE 1/4 NW 1/4, South 02°05'27" West 169.66 feet to a Set 5/8" Rebar w/ Cap "Ar1002" for the POINT OF BEGINNING;

Thence continuing along said East line, South 02°05'27" West 369.00 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence departing said East line, South 64°55'21" West 340.24 feet; Thence South 02°05'27" West 267.12 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence South 58°07'47" West 357.40 feet to a Set 5/8" Rebar w/ Cap "Ar1002" in the Easterly Right-of-Way of Woods Creek Rd.; Thence along said Easterly Right-of-Way, North 13°41'49" West 31.58 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence departing said Easterly Right-of-Way, North 58°07'47" East 331.59 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence North 02°05'27" East 545.23 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence North 57°24'01" East 404.63 feet to the POINT OF BEGINNING, containing 130,741 Square Feet or 3.00 Acres, more or less.

Subject to easements, rights-of-way, and covenants of record, if any.

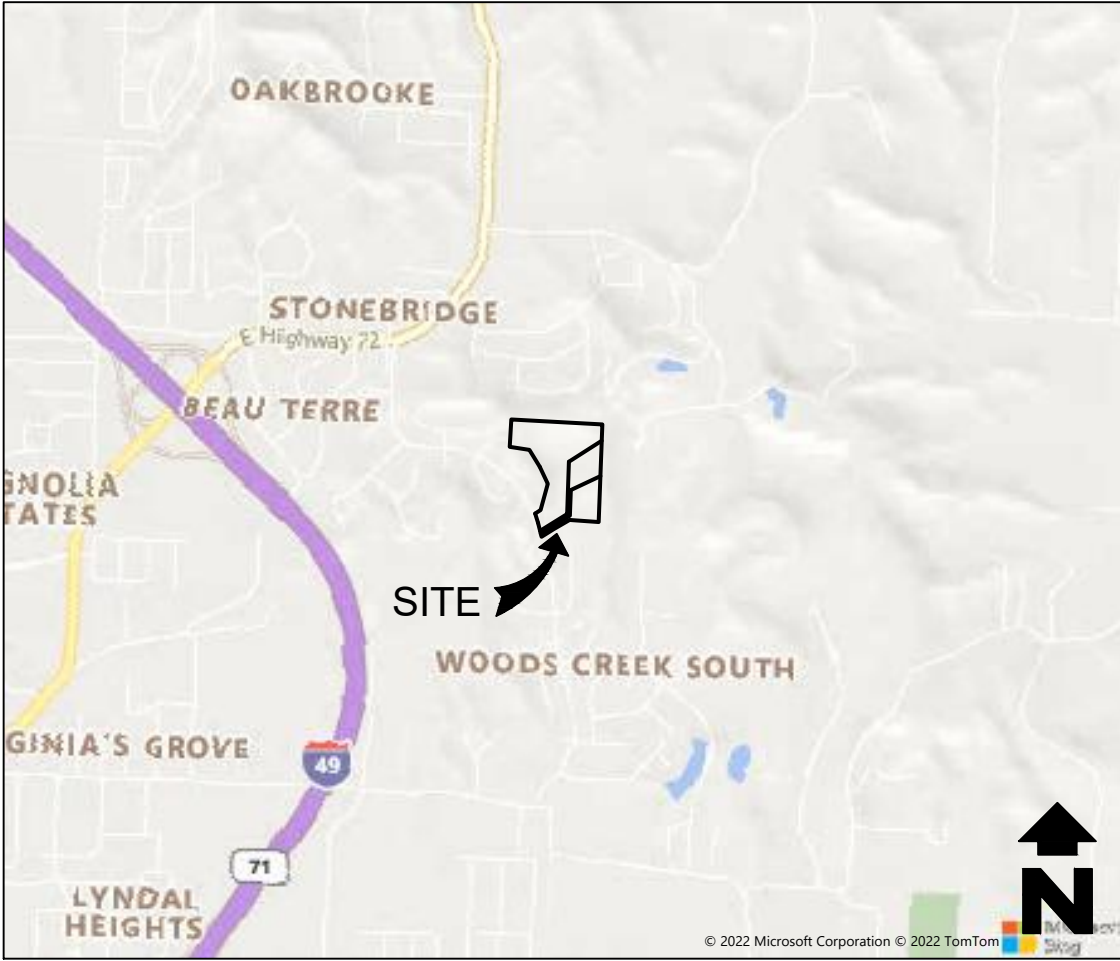
SURVEY DESCRIPTION - LOT 10:

Being a part of the SE 1/4, NW 1/4, Section 27, T-20-N, R-30-W, Fifth Principal Meridian, and being a part of Lot 2, East Ridge Subdivision per Plat Book 2013, Page 527, in the City of Bentonville, County of Benton, State of Arkansas, being more particularly described as follows:

COMMENCING at a Found 4"x7" Stone, being the NE Corner of said SE 1/4 NW 1/4 of Section 27; Thence along the East line of said SE 1/4 NW 1/4, South 02°05'27" West 169.66 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence South 02°05'27" West 369.00 feet to a Set 5/8" Rebar w/ Cap "AR1002" for the POINT OF BEGINNING;

Thence continuing along said East line, South 02°05'27" West 478.06 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence departing said East line, North 85°51'28" West 304.68 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence South 59°55'57" West 192.53 feet to a Found 1/2" Rebar w/ Cap "PLS1532"; Thence South 58°07'47" West 148.38 feet to a Found 1/2" Rebar w/ Cap "PLS1532" in the Easterly Right-of-Way of Woods Creek Rd.; Thence along said Easterly Right-of-Way, North 13°41'49" West 31.58 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence departing said Easterly Right-of-Way, North 58°07'47" East 357.40 feet to a Set 5/8" Rebar w/ Cap "AR1002"; Thence North 02°05'27" East 267.12 feet to a Set 5/8" Rebar w/ Cap "Ar1002"; Thence North 64°55'21" East 340.24 feet to the POINT OF BEGINNING, containing 130,731 Square Feet or 3.00 Acres, more or less.

Subject to easements, rights-of-way, and covenants of record, if any.



VICINITY MAP

Scale: 1" = 2,000'

ATLAS PAGE # 364

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 _____
Mayor

Signed _____
City Clerk

Signed _____
Planning Commission Chairperson

CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____

Signed: _____

Print Name: _____

Address: _____

State of Arkansas)
County of Benton)

Sworn to and subscribed before me this _____ day of _____, 2022.

Notary Public Signature _____



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



SURVEYOR'S CERTIFICATE:

I, C. Ed Gray, hereby certify that this plat correctly represents a boundary survey made by me and all monuments shown hereon actually exist and their location, size, type, and material are correctly shown.

Date of Execution: _____

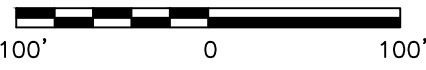
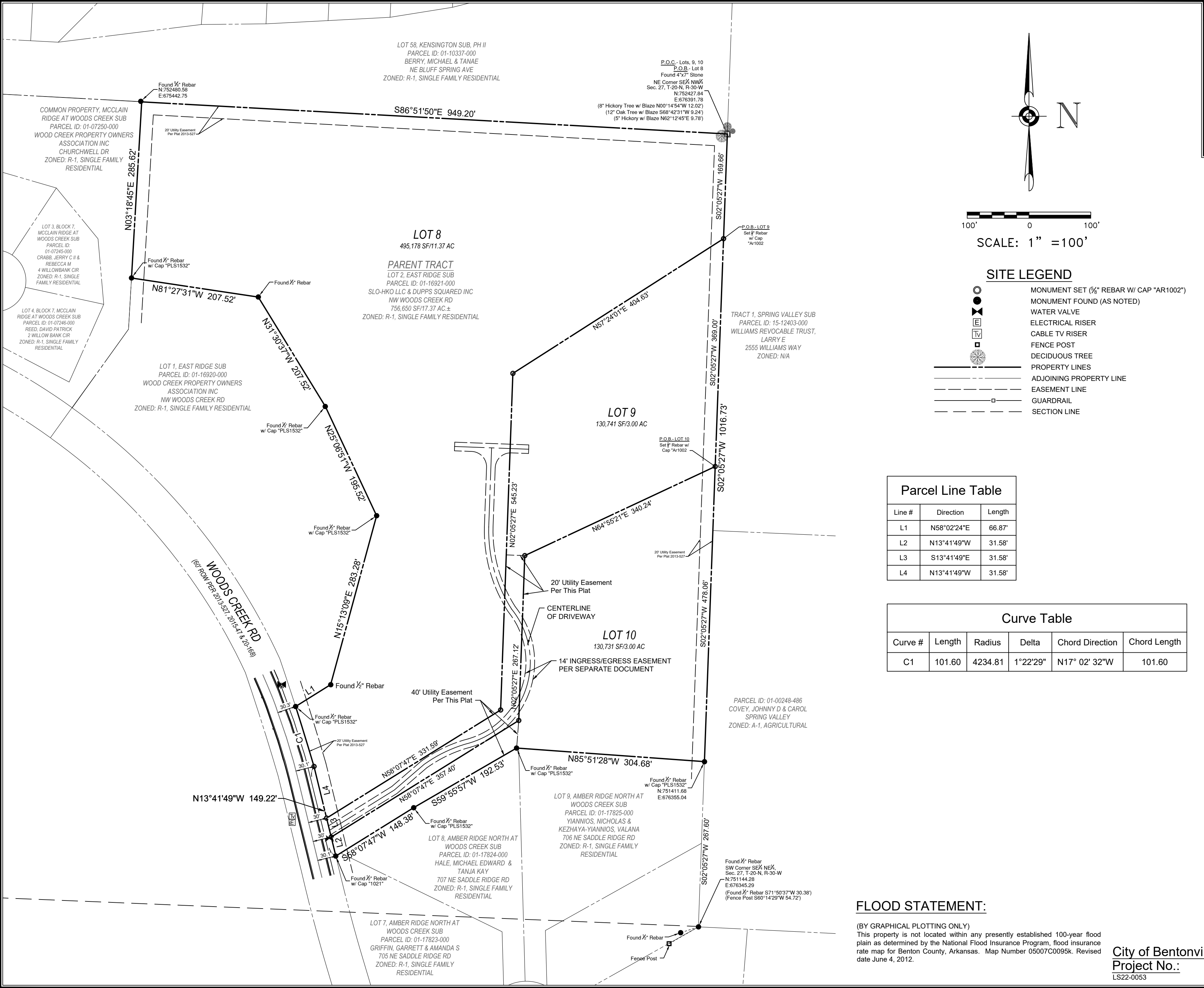
C. Ed Gray
Registered Land Surveyor
State of Arkansas
Registration No. 1002

City of Bentonville
Project No.:
LS22-0053

SURVEY NOTES:

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

Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
- This plat represents a boundary survey of the parcel recorded in Deed Records, Book 2009, Page 50118 at the courthouse in Benton County, Arkansas.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- Basis of Bearings: NAD83, State Plane Grid Coordinates, checking with Bentonville City Control Monument No. 42.
- Basis of Elevation: NAVD88, checking with Bentonville City Control Monument No. 42.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats".
- No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record which would affect this parcel.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- This property is zoned R-1 (Residential).
- Setbacks shall be per the current Zoning district for the Lots zoned R-1 (Single Family Residential) as stated in the most recent City of Bentonville Zoning Code. For more information visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
- No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- The locations of underground utilities as shown hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
- No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
- Before any work in the right-of-way commences, contractor and or owner is to contact the City of Bentonville Engineering and Transportation Departments and notify said Departments of the intent and type of work that will take place within the Right-of-Way. Work in the Right-of-Way may require a separate permit.
- No residential lot shall be permitted direct access to a collector, minor, or major arterial street. All residential subdivision development contiguous to a collector, minor, or major arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.
- There may not be fences or any other structures built in any drainage easements.
- Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.
- All structures must maintain minimum of 20' clearances from all electric lines.



SCALE: 1" = 100'

SITE LEGEND

- MONUMENT SET (5/8" REBAR W/ CAP "AR1002")
- MONUMENT FOUND (AS NOTED)
- WATER VALVE
- ELECTRICAL RISER
- CABLE TV RISER
- FENCE POST
- DECIDUOUS TREE
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- GUARDRAIL
- SECTION LINE

Parcel Line Table

Line #	Direction	Length
L1	N58°02'24"E	66.87'
L2	N13°41'49"W	31.58'
L3	S13°41'49"E	31.58'
L4	N13°41'49"W	31.58'

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	101.60	4234.81	1°22'29"	N17° 02' 32"W	101.60

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 05007C0095k. Revised date June 4, 2012.

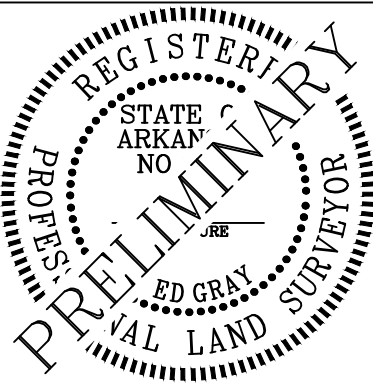
City of Bentonville
Project No.:
LS22-0053

CLIENT:

LOT SPLIT

SHEET:

CREATING LOTS 8, 9 & 10
EAST RIDGE SUBDIVISION
BENTONVILLE, ARKANSAS



SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9202



PLS: CEG

CAD: JDW

FIELD: MJH/MDS

SCE PROJECT #: 22039

DATE: 09/08/2022

SHEET: 2 OF 2



Legend

 Pending Planning Commission Items

N
W E
S

1 inch = 200 feet

PLA22-0034 12/6/22
PROPERTY LINE ADJUSTMENT
CITY U ADDITION

THE CITY OF
B
BENTONVILLE

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008LIC.DWG - SAVED BY - JCHRISTIANSEN

Property Line Adjustment of Lot 2, Bentonville Municipal Shop Addition, Lots 7 & 13, Block 2, Armstrong Addition and all of City Services Addtion, Creating Lots 1-3, City U Addition

Bentonville Housing, LLC

SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

GENERAL NOTES:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other that 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.
- This plat represents a Lot Combination of the parcel recorded in Deed Records, Deed Bk. 2016, Pg. 79267 in the public records of Benton County, Arkansas.
- 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.
- This survey if based on a title commitment/search provided by Chicage Title Insurance Company, File #1404550-106 , countersigned by Waco Title Company, Effective Date: November 3, 2014.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- Basis of Bearings: All bearing shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through OPUS.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- The locations of underground utilities as shown hereon are based on 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.
- The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- No current zoning report or letter regarding zoning classification was provided to the Surveyor. 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.
- Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.
- No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approve.
- No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the Bentonville GIS map. This property is zoned PRD (Planned Residential Development).
- By scaled map location and graphical plotting only. A portion of this property is located within Flood Zone "AE" as determined by the National Flood Insurance Program which is subject to inundation by the 1% annual chance flood (100-year flood) shown on the Flood Insurance Rate Map for Benton County, Arkansas.
Map Number: 05007C0255K
Map Revised: June 05, 2012
LMOR: 12-06-229
Effective Date: June 13, 2012
- There may not be fences or any other structures built in any drainage easements.
- Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.
- Owner is to contact New Service coordinator (479-271-3139) to discuss electric service prior to beginning any construction. Failure to contact BEUD prior to construction will result in delays to get electric service.
- All structures must maintain minimum of 20' clearance from all electric lines.
- 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 require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.
- It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and elbows) and labor and material to move the equipment to the new lot line.
- Relocation of any existing electrical facilities shall be at the owner's expense.
- Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.



VICINITY MAP

NOT TO SCALE

Latitude: 36°22'10.13"N
Longitude: 94°12'15.63"W

Owner
Parcel Number: #01-01167-000, #01-01168-000, #01-01169-000, #01-01170-000, #01-01171-000, #01-01172-000, #01-10855-000, #01-05137-000 Bentonville Housing, LLC P.O. BOX 668 Bentonville, Arkansas 72712

Surveyors:
CEI Engineering Associates, Inc. 3108 SW Regency Parkway Bentonville, AR 72712 Phone: (479) 273-9472 Fax:(479) 271-0536 Surveyor: Dustin G. Riley, Arkansas PLS #1618



CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____ Signed: _____

Name & Address: Bentonville Housing, L.L.C.
PO Box 668, Bentonville, AR 72712

Print Name: _____

Source of Title: D.R. _____, Page _____ or Inst. No. _____

Subscribed and sworn before me, this _____ day of _____, 20____.

Notary Public _____ My Commission Expires _____

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 said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville

CERTIFICATE OF SURVEYING ACCURACY:

I, Dustin G. Riley, 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: _____
Dustin G. Riley
PLS #1618
State of Arkansas



ATLAS PAGE: 404

City of Bentonville Project # PLA22-0034

State Plat Code: 500-20N-30W-0-32-440-04-1759

REVISION		
NO.	DESCRIPTION	DATE
Δ	1st Sub Comm	11/23/2022



CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 488-3737
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Property Line Adjustment
Bentonville Housing, LLC
SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	EDM
CEI PROJECT NUMBER	31008
DATE	11/28/2022
REVISION	REV-1

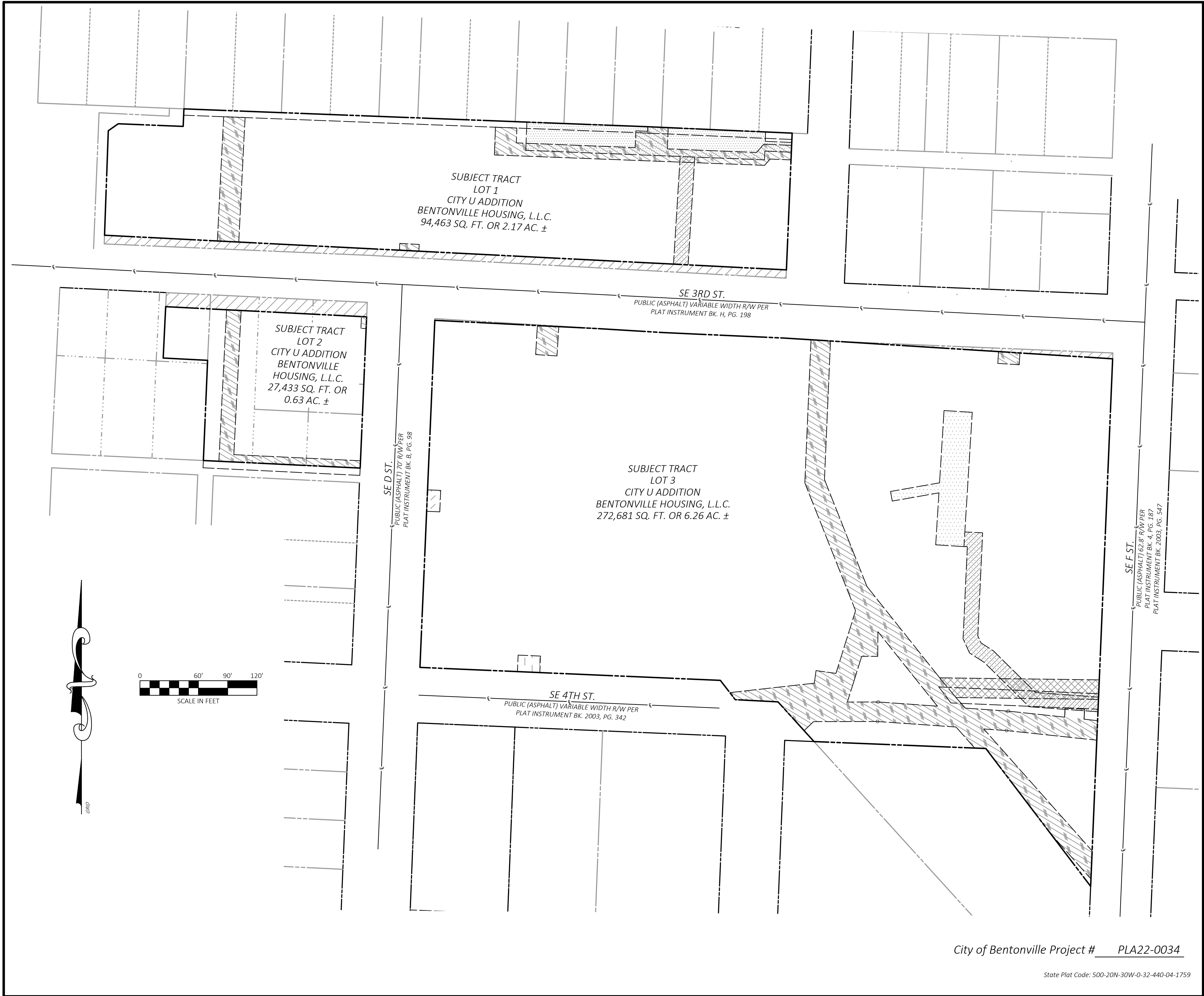
Cover Sheet

SHEET TITLE

SHEET NUMBER

1 OF 20

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008LC.DWG - SAVED BY - JCHRISTIANSEN



CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Bentonville Housing, LLC
SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall
not be recorded for any
purpose and shall not
be used or viewed or
relied upon as a final
survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	EDM
CEI PROJECT NUMBER	31008
DATE	11/28/2022
REVISION	REV-1

City of Bentonville Project # PLA22-0034

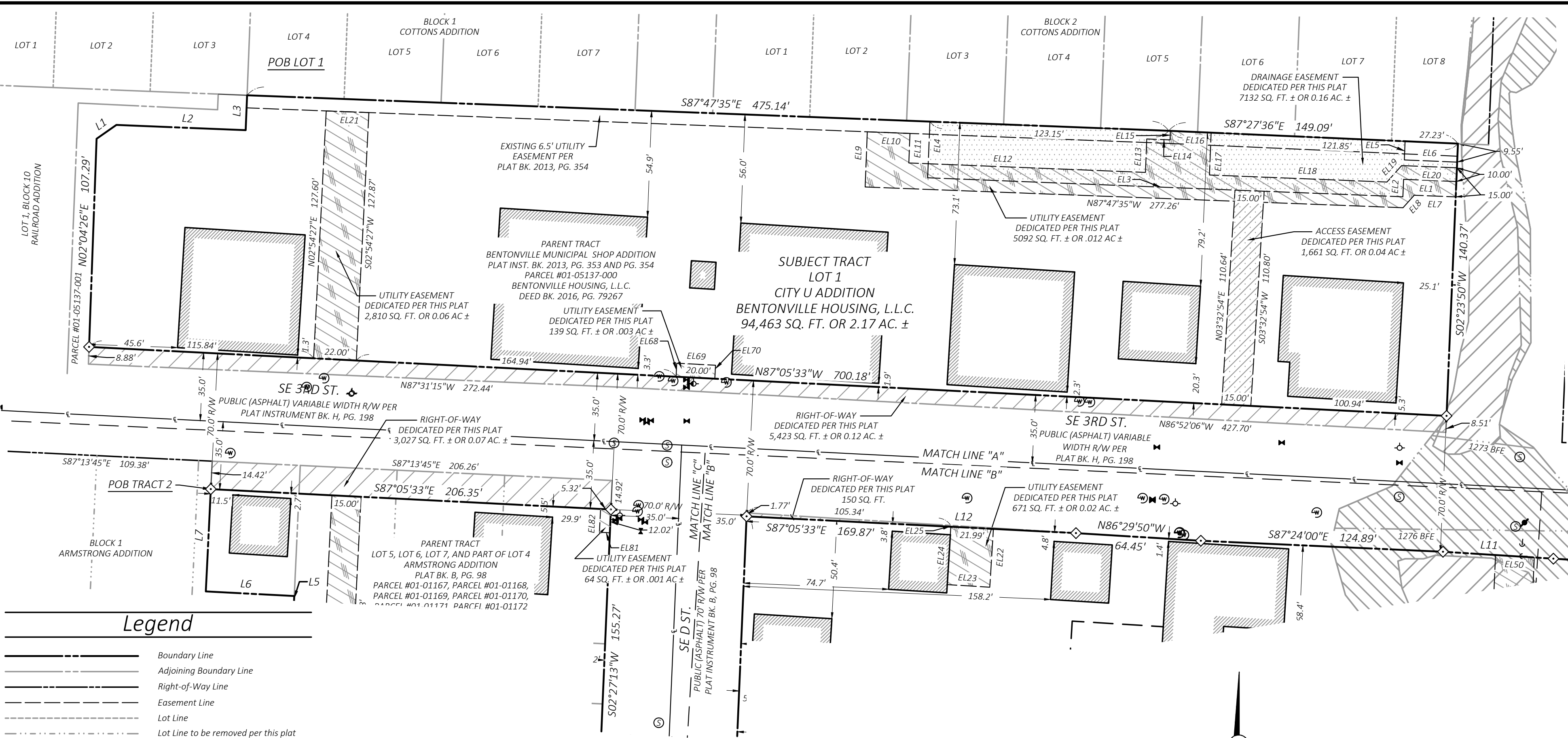
State Plat Code: 500-20N-30W-0-32-440-04-1759

Overview Sheet

SHEET TITLE
SHEET NUMBER

2 OF 21

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008LCD.DWG - SAVED BY - JCHRISTIANSEN



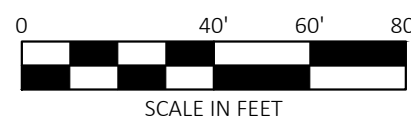
Legend

	Boundary Line
	Adjoining Boundary Line
	Right-of-Way Line
	Easement Line
	Lot Line
	Lot Line to be removed per this plat
	Found Pipe (As noted)
	Found Aluminum Cap (As Noted)
	Found Monument (As Noted)
	Set 5/8" Rebar "LS#1618"
	Gas Meter
	Electric Meter
	Water Meter
	Drainage Manhole (DMH)
	Grate Inlet (GI)
	Fire Hydrant
	Sewer Manhole (SMH)
	Sewer Clean Out
	Guy Wire / Anchor
	Utility Pole
	Light on Utility Pole
	Electric Riser
	Telephone Riser
	Water Valve
	Unknown Manhole
	Cable TV Riser
	Fiber Optic Vault
	Electric Vault
	Unknown Vault
	Backflow Preventer
	Bearing Change
	Right-of-Way
	Zone AE (Without Base Flood Elevation)
	Zone AE (Regulatory Floodway)
	Drainage and Utility Easement Per this Document
	Utility Easement Per this Document
	Drainage Easement Per this Document
	Access Easement Per this Document
	Right-of-Way Per this Document

SUBJECT Description Lot 1:

A part of Lot 2 Bentonville Municipal Shop Addition to the City of Bentonville, as shown on Plat Book 2013, Page 353 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

BEGINNING at a 1/2" Rebar LS1728, found at the most northern corner of said Lot 2;
THENCE with the north line of said Lot 2, South 87°47'35" East, 475.14 feet to a 5/8" Rebar LS1759;
THENCE South 87°27'36" East, 149.09 to a 1/2" Rebar LS1728 found at the northeast corner of said Lot 2;
THENCE with the east line of said Lot 2, South 02°23'50" West, 140.37 feet to the north right-of-way line of Southeast 3rd/ Street;
THENCE with said north right-of-way line, North 87°05'33" West, 700.18 feet to the west line of said Lot 2;
THENCE leaving said north right-of-way line, with the west line of said Lot 2, North 02°04'26" East, 107.29 feet to a found 1/2" Rebar LS1728;
THENCE North 55°00'50" East, 12.42 feet to a found 1/2" Rebar LS1728;
THENCE South 81°41'00" East, 66.67 feet to a found 1/2" Rebar LS1728;
THENCE North 02°21'12" East, 18.00 feet to the POINT OF BEGINNING, containing 94,463 square feet or 2.17 acres, more or less.



CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Bentonville Housing, LLC
SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall
not be recorded for any
purpose and shall not
be used or viewed or
relied upon as a final
survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	EDM
CEI PROJECT NUMBER	31008
DATE	11/28/2022
REVISION	REV-1

North and West

SHEET TITLE

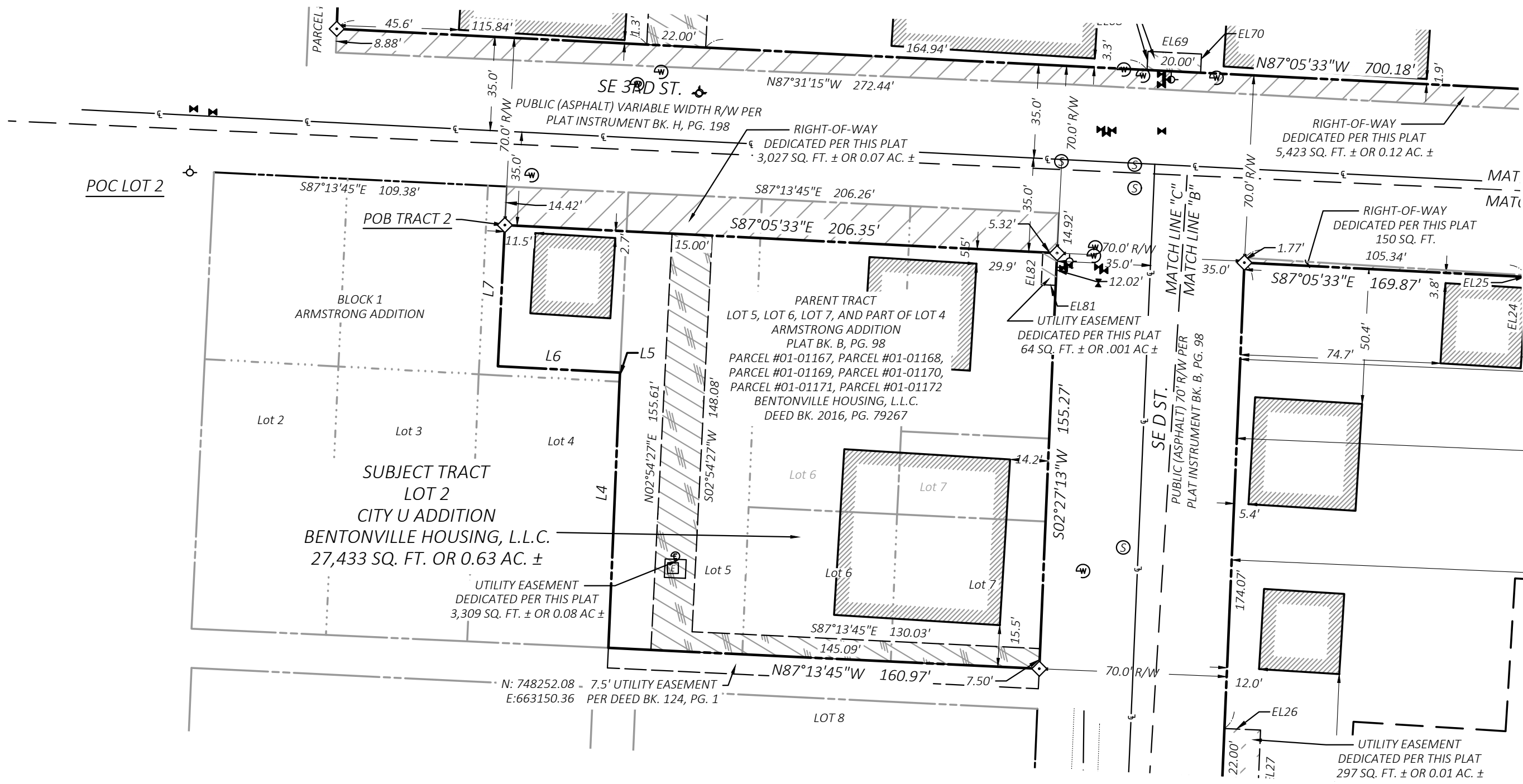
SHEET NUMBER

City of Bentonville Project # PLA22-0034

State Plat Code: 500-20N-30W-0-32-440-04-1759

3 OF 22

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008\CD.DWG - SAVED BY - JCHRISTIANSEN



Legend	
	Boundary Line
	Adjoining Boundary Line
	Right-of-Way Line
	Easement Line
	Lot Line
	Lot Line to be removed per this plat
	Found Pipe (As noted)
	Found Aluminum Cap (As Noted)
	Found Monument (As Noted)
	Set 5/8" Rebar "LS#1618"
	Gas Meter
	Electric Meter
	Water Meter
	Drainage Manhole (DMH)
	Grate Inlet (GI)
	Fire Hydrant
	Sewer Manhole (SMH)
	Sewer Clean Out
	Guy Wire / Anchor
	Utility Pole
	Light on Utility Pole
	Electric Riser
	Telephone Riser
	Water Valve
	Unknown Manhole
	Cable TV Riser
	Fiber Optic Vault
	Electric Vault
	Unknown Vault
	Backflow Preventer
	Bearing Change
	Right-of-Way
	Zone AE (Without Base Flood Elevation)
	Zone AE (Regulatory Floodway)
	Drainage and Utility Easement Per this Document
	Utility Easement Per this Document
	Drainage Easement Per this Document
	Access Easement Per this Document
	Right-of-Way Per this Document



CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Bentonville Housing, L.L.C.
SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

Preliminary
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survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	CNS
FIELD WORK	EDM
CEI PROJECT NUMBER	31008
DATE	11/28/2022
REVISION	REV-0

North and West

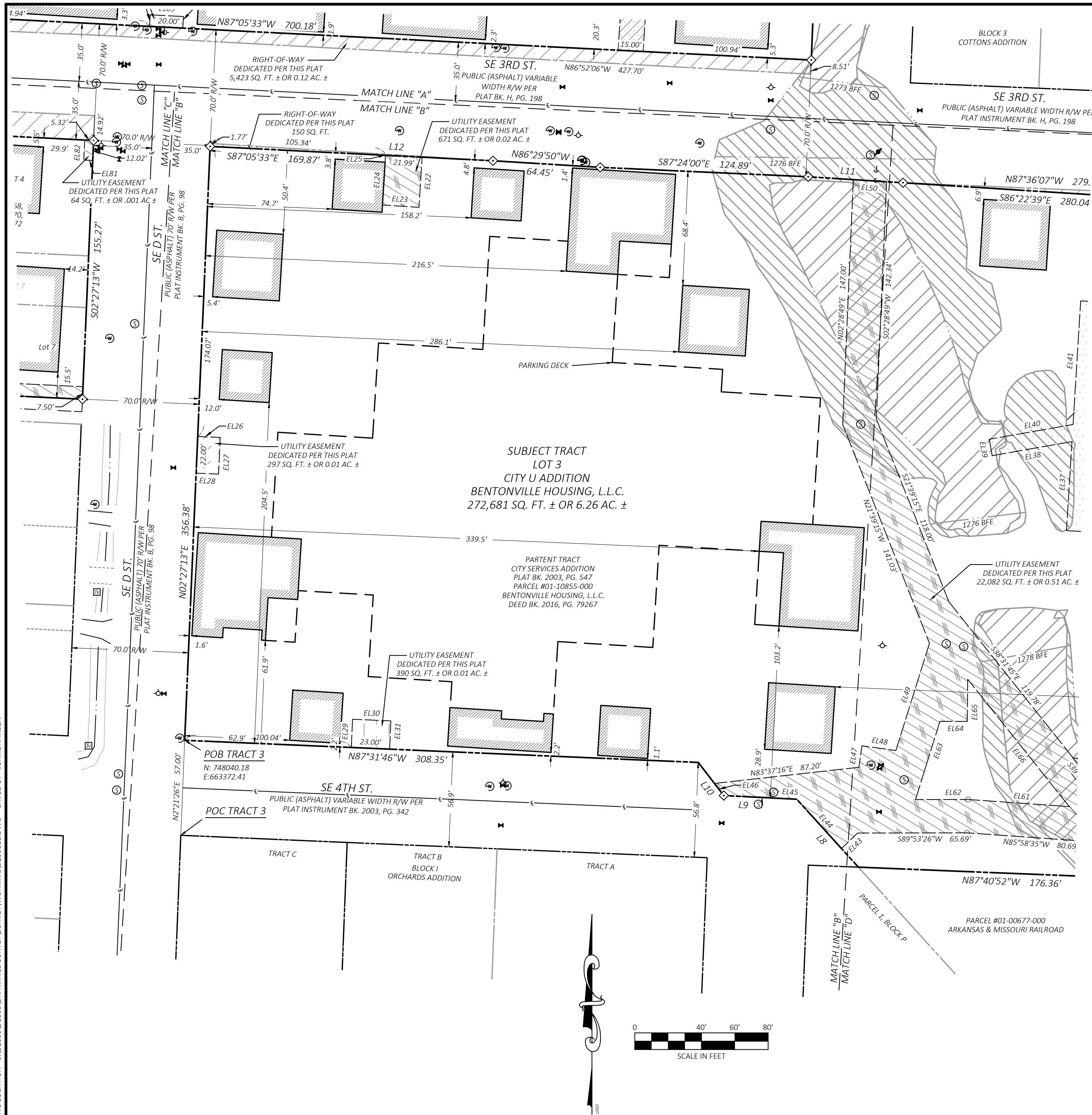
SHEET TITLE
SHEET NUMBER

City of Bentonville Project # PLA22-0034

State Plat Code: 500-20N-30W-0-32-440-04-1759

4 OF 23

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008\CD.DWG - SAVED BY - JCHRISTIANSEN



Legend

	Boundary Line
	Adjoining Boundary Line
	Right-of-Way Line
	Easement Line
	Lot Line
	Lot Line to be removed per this plat
	Found Pipe (As noted)
	Found Aluminum Cap (As Noted)
	Found Monument (As Noted)
	Set 5/8" Rebar "LS#1618"
	Gas Meter
	Electric Meter
	Water Meter
	Drainage Manhole (DMH)
	Grate Inlet (GI)
	Fire Hydrant
	Sewer Manhole (SMH)
	Sewer Clean Out
	Guy Wire / Anchor
	Utility Pole
	Light on Utility Pole
	Electric Riser
	Telephone Riser
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Lot Combination Sheet

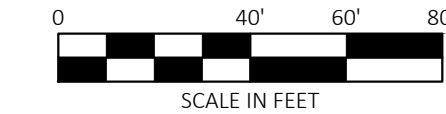
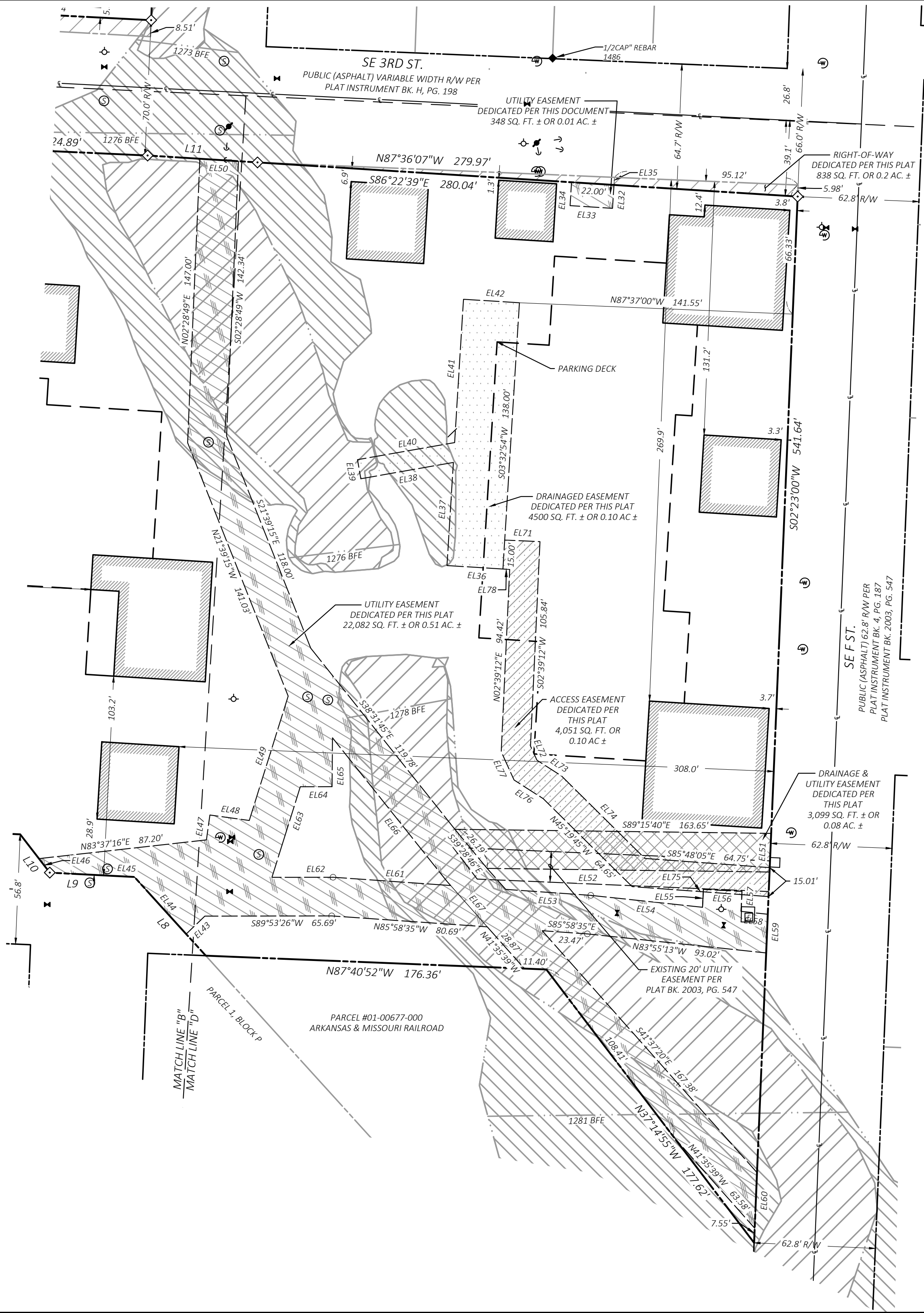
SHEET TITLE

SHEET NUMBER

5 OF 24

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008LCD.DWG - SAVED BY - JCHRISTIANSEN

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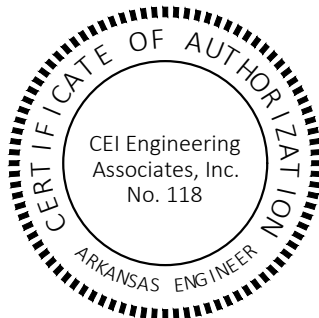


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	Zone AE (Without Base Flood Elevation)
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	Utility Easement Per this Document
	Drainage Easement Per this Document
	Access Easement Per this Document
	Right-of-Way Per this Document

SUBJECT LOT 3:

A part of City Services Addition as shown on Plat Book 2003, Page 547 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a 1" Pipe found at the northwest corner of Tract C, Block I, Orchard Addition as shown on Plat Book 11, Page 281 in the public records of Benton County, Arkansas;
THENCE North 02°21'26" East, 57.00 feet to a 1/2" Rebar found at the southeast corner of said City Services Addition and the POINT OF BEGINNING;
THENCE with the west line of said City Services Addition , North 02°27'13" East, 356.38 feet;
THENCE South 87°05'33" East, 169.87 feet;
THENCE South 86°29'50" East, 64.45 feet;
THENCE South 87°24'00" East, 124.89 feet;
THENCE South 86°24'37" East, 56.98 feet;
THENCE South 86°22'39" East, 280.04 feet to a point in the east boundary line of said City Services Addition;
THENCE with said east boundary line, South 02°23'00" West, 541.64 feet to a 5/8" Rebar found at the southeast corner of said City Services Addition;
THENCE with the south line of said City Services Addition, North 37°14'55" West, 177.62 feet to a found 1/2" Rebar;
THENCE North 87°40'52" West, 176.36 feet to a found 1/2" Rebar;
THENCE North 42°13'35" West, 55.00 feet to a found 1/2" Rebar;
THENCE North 87°05'40" West, 43.84 feet;
THENCE North 37°38'20" West, 25.04 feet to a found 1/2" Rebar;
THENCE North 87°31'46" West, 308.35 feet to the POINT OF BEGINNING containing 272,681 square feet or 6.26 acres, more or less.



City of Bentonville Project # PLA22-0034

State Plat Code: 500-20N-30W-0-32-440-04-1759



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3030 LBJ FREEWAY, SUITE 100
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Lot Combination
Bentonville Housing, LLC
SE F Street and SE 3rd Street
Bentonville, Benton County, Arkansas

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FIELD WORK	EDM
CEI PROJECT NUMBER	31008
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REVISION	REV-1

Lot Combination
Sheet

SHEET TITLE

SHEET NUMBER

6 OF 25

DRAWING LOCATION - S:\31000\31008\DRAWINGS\SURVEY\WORKING\31008LIC.DWG -- SAVED BY - JCHRISTIANSEN

ADJOINER INFROMATION

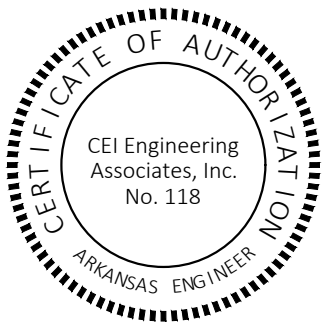
LOT 1, LOT 2, AND LOT 3, BLOCK 1 COTTONS ADDITION PARCEL #01-01877-000 RAKES FAMILY TRUST- PATSY R. DEED BK. 2015, PG. 15509	LOT 4A, A REPLAT OF LOTS 4 AND 5, BLOCK 1 COTTONS ADDITION PARCEL #01-01879-000 ALEX DANIEL AND CALAH ANDELMAN DEED INSTRUMENT L202227236	LOT 6 AND LOT 7, BLOCK 1 COTTONS ADDITION PARCEL #01-01880-000 OLIVIA VEGA DEED BK. 2010, PG. 61236	LOT 1 AND LOT 2, BLOCK 2 COTTONS ADDITION PARCEL #01-01882-000 1010 SE 4TH STREET, L.L.C. DEED INSTRUMENT L202081790	LOT 3, BLOCK 2 COTTONS ADDITION PARCEL #01-01882-001 BENNETT AND LAURA BATTLE DEED INSTRUMENT L202100599
LOT 4, BLOCK 2 COTTONS ADDITION PARCEL #01-01882-002 WAKEFIELD TRUST DEED BK. 2013, PG. 29741	LOT 5, BLOCK 2 COTTONS ADDITION PARCEL #01-01883-000 RAMONA STEIN DEED BK. 2014, PG. 59892	LOT 6, BLOCK 2 COTTONS ADDITION PARCEL #01-01883-001 SE STREET, L.L.C. DEED INSTRUMENT L202021056	LOT 7 AND LOT 8, BLOCK 2 COTTONS ADDITION PARCEL #01-01884-000 SE STREET, L.L.C. DEED INSTRUMENT L202021056	PART OF LOT 2, LOT 3, AND LOT 4, BLOCK 2 ARMSTRONGS ADDITION PARCEL #01-01166-000 FOWLER REVOCABLE TRUST, JANET C. DEED BK. 2017, PG. 60046
PART OF LOT 2, LOT 3, AND LOT 4, BLOCK 2 ARMSTRONGS ADDITION PARCEL #01-01165-000 FOWLER REVOCABLE TRUST, JANET C. DEED BK. 2017, PG. 57099	LOT 16, BLOCK 2 ARMSTRONGS ADDITION PLAT INSTRUMENT L202042105 PARCEL #01-01164-000 STEPHEN C. & ROBIN L. TRAINOR DEED BK. 2017, PG. 60046	PARCEL 1, BLOCK P ORCHARD ADDITION PARCEL #01-03608-000 KNOLL PROPERTIES, L.L.C. DEED BK. 2003, PG. 6885	PART OF LOT 1, BLOCK 10 RAILROAD ADDITION PARCEL #01-03838-000 LISA HERSCHBACH & IAN STANLEY DEED BK. 2016, PG. 48012	PARCEL #01-05137-001 CITY OF BENTONVILLE PLAT INSTRUMENT BK. 2013, PG. 353

Property Line Table		
Line #	Direction	Length
L1	N55°00'50"E	12.42'
L2	S87°41'00"E	66.67'
L3	N02°21'12"E	18.00'
L4	N02°23'47"E	99.45'
L5	N02°39'20"E	3.40'
L6	N87°01'08"W	45.62'
L7	N02°48'34"E	52.75'
L8	N42°13'35"W	55.00'
L9	N87°05'40"W	43.84'
L10	N37°38'20"W	25.04'
L11	N86°24'37"W	56.98'
L12	N86°29'50"W	169.90'

Easement Line Table		
LINE	BEARING	DISTANCE
EL1	N87°36'10"W	27.20'
EL2	S02°17'11"W	9.00'
EL3	N87°42'49"W	245.00'
EL4	N02°17'11"E	28.99'
EL5	S02°17'11"W	9.62'
EL6	S87°36'10"E	27.22'
EL7	N87°42'49"W	21.39'
EL8	S41°52'50"W	8.64'
EL9	N02°12'25"E	28.46'
EL10	S87°47'35"E	22.00'
EL11	S02°12'25"W	15.22'
EL12	S87°42'49"E	122.00'
EL13	N02°12'25"E	17.23'
EL14	S87°47'35"E	12.00'
EL15	N02°12'25"E	4.66'
EL16	S87°27'36"E	21.00'
EL17	S02°12'25"W	21.81'
EL18	S87°42'49"E	91.47'
EL19	N41°52'50"E	11.39'
EL20	S87°42'49"E	28.48'
EL21	N87°47'35"W	22.00'
EL22	S03°32'54"W	30.11'
EL23	N86°27'06"W	21.94'
EL24	N03°28'02"E	29.86'
EL25	N03°28'02"E	0.67'
EL26	S87°32'47"E	13.48'
EL27	S02°27'13"W	22.00'

Easement Line Table		
LINE	BEARING	DISTANCE
EL28	N87°32'47"W	13.48'
EL29	S02°28'14"W	16.94'
EL30	N87°31'46"W	23.00'
EL31	N02°28'14"E	16.94'
EL32	S03°37'21"W	12.11'
EL33	N86°22'39"W	22.00'
EL34	N03°37'21"E	12.11'
EL35	S03°37'21"W	3.95'
EL36	N86°27'06"W	29.00'
EL37	N03°32'54"E	53.44'
EL38	S80°00'52"W	48.62'
EL39	N09°59'08"W	10.00'
EL40	N80°00'52"E	51.02'
EL41	N03°32'54"E	74.27'
EL42	S86°27'06"E	29.00'
EL43	S46°08'16"W	13.36'
EL44	N42°13'35"W	39.89'
EL45	N87°05'40"W	43.84'
EL46	N37°38'20"W	9.16'
EL47	N07°54'09"E	12.99'
EL48	S82°05'51"E	20.56'
EL49	N17°23'11"E	67.41'
EL50	S86°24'37"E	20.00'
EL51	S02°23'00"W	20.01'
EL52	N89°15'40"W	146.17'
EL53	S85°58'35"E	44.14'
EL54	S83°55'13"E	58.13'

Easement Line Table		
LINE	BEARING	DISTANCE
EL55	N02°54'27"E	9.29'
EL56	S87°05'33"E	20.00'
EL57	S02°54'27"W	10.40'
EL58	S83°55'13"E	13.93'
EL59	S02°23'00"W	20.04'
EL60	S02°23'00"W	28.79'
EL61	N85°58'35"W	56.02'
EL62	S89°53'26"W	31.63'
EL63	N17°23'11"E	29.16'
EL64	N89°57'04"E	16.42'
EL65	N00°31'29"E	25.27'
EL66	S38°34'48"E	95.08'
EL67	S41°35'39"E	28.59'
EL68	S02°54'27"W	6.96'
EL69	N87°05'33"W	20.00'
EL70	N02°54'27"E	6.96'
EL71	S87°26'37"E	18.27'
EL72	S24°23'33"E	8.05'
EL73	S57°21'19"E	15.09'
EL74	S45°19'45"E	60.70'
EL75	N85°48'05"W	70.76'
EL76	N57°21'19"W	17.95'
EL77	N24°23'33"W	16.10'
EL78	N87°26'37"W	3.50'
EL81	N87°12'59"W	5.39'
EL82	N02°47'01"E	12.03'



City of Bentonville Project # PLA22-0034

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Tables Sheet

SHEET TITLE
SHEET NUMBER

Legend

 Pending Planning Commission Items

NW 6TH ST

NW 8TH ST

NW 8TH ST

NW 7TH ST



1 inch = 100 feet

PLA22-0037 1/3/23
PROPERTY LINE ADJUSTMENT
COOKS ADDITION
LOTS 6-7 & 3 BLOCK 2 CREATING LOT 14



PROPERTY LINE ADJUSTMENT OF LOTS 3, 6, AND 7
BLOCK 2, COOK'S ADDITION CREATING LOT 14

SURVEY DESCRIPTION OF LOT 14:

LOTS NUMBERED THREE (3), SIX (6) AND A PART OF LOT NUMBERED SEVEN (7), ALL IN BLOCK NUMBERED TWO (2) OF COOK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN AND DESIGNATED ON THE BENTON COUNTY ATLAS OF 1903, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT THREE (3), BLOCK TWO (2), SAID POINT BEING AN EXISTING IRON REBAR; THENCE S87°18'23"E 144.80 FEET TO AN EXISTING IRON REBAR AT THE NORTHEAST CORNER OF SAID LOT THREE (3); THENCE S03°14'57"W 150.00 FEET TO AN EXISTING IRON REBAR AT THE SOUTHEAST CORNER OF SAID LOT SEVEN (7); THENCE N87°18'23"W 144.28 FEET ALONG THE SOUTH LINE OF SAID LOT SEVEN (7) TO A SET 1/2" IRON REBAR AT THE EAST RIGHT-OF-WAY LINE OF NW 'C' STREET, AS PER THE MASTER STREET PLAN OF BENTONVILLE, ARKANSAS, SAID POINT BEING 25.00 FEET EAST OF THE EXISTING PHYSICAL CENTERLINE OF SAID NW 'C' STREET; THENCE N04°19'17"E 21.13 FEET ALONG SAID EAST RIGHT-OF-WAY LINE, SAID LINE BEING 25.00 FEET EAST OF AND PARALLEL WITH THE EXISTING PHYSICAL CENTERLINE OF SAID STREET TO A SET 1/2" IRON REBAR; THENCE N00°43'38"E 21.21 FEET ALONG SAID RIGHT-OF-WAY LINE TO A SET 1/2" IRON REBAR ON THE WEST LINE OF SAID LOT SEVEN (7); THENCE N03°15'44"E 107.68 FEET ALONG THE WEST LINE OF SAID LOTS THREE (3), SIX (6) AND SEVEN (7) TO THE POINT OF BEGINNING.

CERTIFICATE OF SURVEYING ACCURACY:

I, ALAN REID, 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

CERTIFICATE OF OWNERSHIP:

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, 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: _____

SOURCE OF TITLE: D.R. _____

PAGE _____

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

SIGNED: _____
BENTONVILLE PLANNING
COMMISSION CHAIRMAN
SIGNED: _____
MAYOR OF BENTONVILLE
SIGNED: _____
CITY CLERK, CITY OF BENTONVILLE

PLAT NOTES:

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE:

EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDED THE SEAL AND SIGNATURE OF THE SURVEYOR.

THIS SURVEY MEETS OR EXCEEDS THE CURRENT "ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS".

DECLARATION IS MADE TO THE ORIGINAL PURCHASERS OF THE SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT (R-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL) AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE.

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

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

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

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

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

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.

BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF 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.

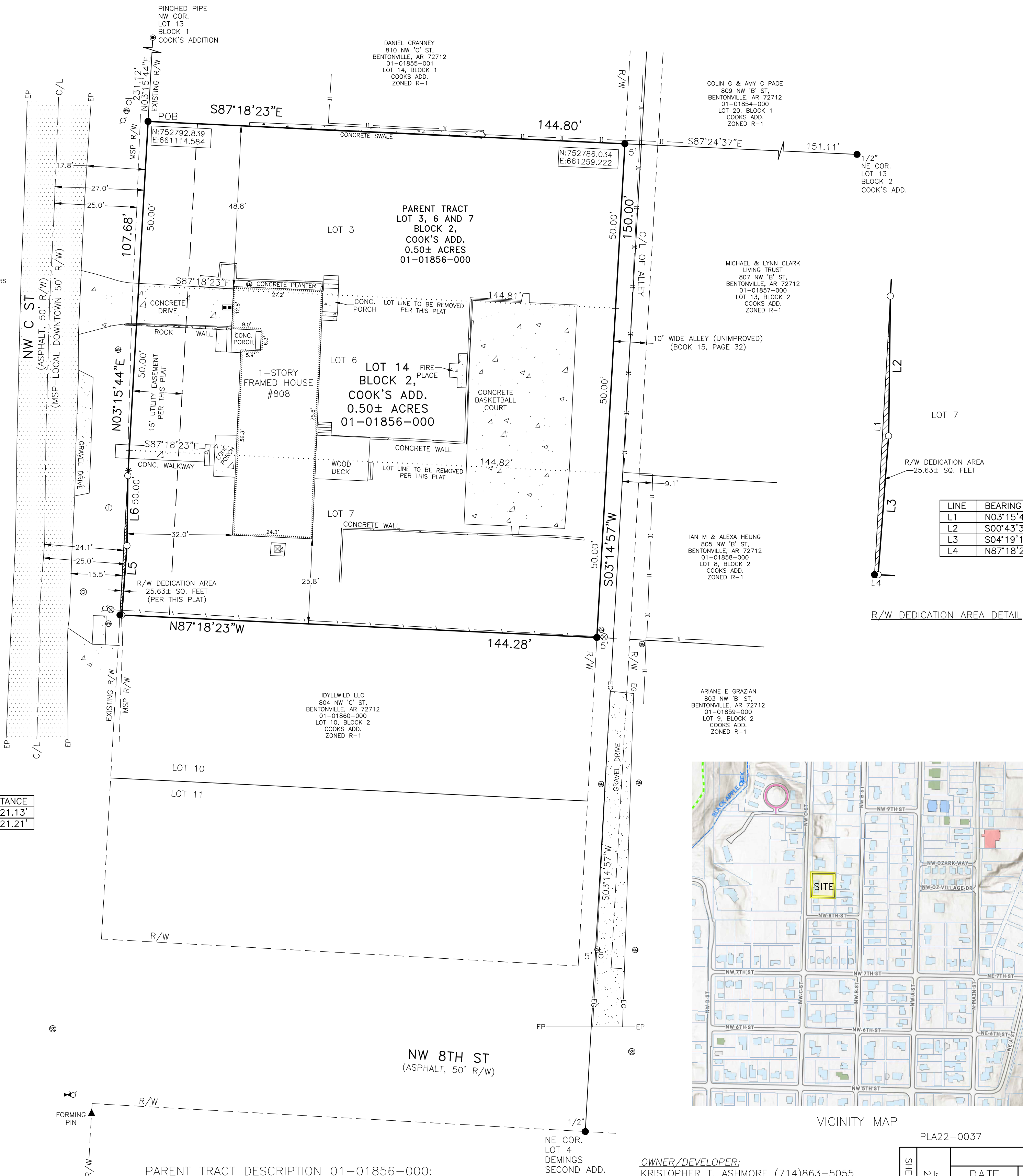
IT IS THE RESPONSIBILITY OF THE DEVELOPER TO COORDINATE WITH THE NEW SERVICE COORDINATOR AT (479) 271-3139 TO DETERMINE IF EQUIPMENT IS IN CONFLICT.

IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE.

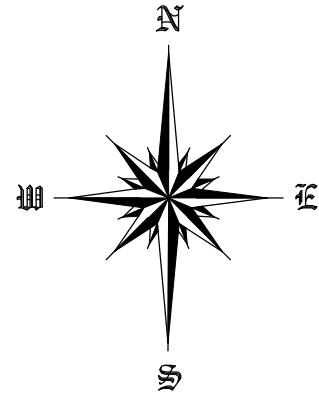
NEAL G & BONNIE A CHILDERS
JOINT TRUST
803 NW 'C' ST.
BENTONVILLE, AR 72712
01-00433-000
PT. OUTLOT 7
CITY OF BENTONVILLE
ZONED R-1

PATRICK J & STEPHANIE L BARRETT
801 NW 'C' ST.
BENTONVILLE, AR 72712
01-00437-000
PT. OUTLOT 7
CITY OF BENTONVILLE
ZONED R-1

LINE	BEARING	DISTANCE
L5	N04°19'17"E	21.13'
L6	N00°43'38"E	21.21'



FLOOD DESIGNATION:
THIS PROPERTY DOES NOT LIE IN ZONE 'A/AE' (SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD) AS DETERMINED FROM THE F.I.R.M. MAP OF BENTON COUNTY, ARKANSAS, AND INCORPORATED AREAS, MAP NUMBER 05007C0090 J, EFFECTIVE DATE SEPTEMBER 28, 2007.



STREET RIGHT-OF-WAY DEDICATION

A PART OF LOT NUMBERED SEVEN (7) IN BLOCK NUMBERED TWO (2) OF COOK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN AND DESIGNATED ON THE BENTON COUNTY ATLAS OF 1903, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT SEVEN (7), SAID POINT BEING AN EXISTING IRON REBAR; THENCE N03°15'44"E 42.32 FEET ALONG THE WEST LINE OF SAID LOT SEVEN (7) TO A POINT WHICH IS 25.00 FEET EAST OF THE CENTER OF NW 'C' STREET; LEAVING THE WEST LINE OF SAID LOT SEVEN (7), S00°43'38"W 21.21 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF NW 'C' STREET, SAID RIGHT-OF-WAY LINE BEING 25.00 FEET EAST OF AND PARALLEL WITH THE CENTERLINE OF SAID STREET, TO A POINT; THENCE S04°19'17"W 21.13 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF SAID LOT SEVEN (7); THENCE N87°18'23"W 0.55 FEET TO THE POINT OF BEGINNING, CONTAINING 25.63 SQUARE FEET, MORE OR LESS.

LINE	BEARING	DISTANCE
L1	N03°15'44"E	42.32'
L2	S00°43'38"W	21.21'
L3	S04°19'17"W	21.13'
L4	N87°18'23"W	0.55'

R/W DEDICATION AREA DETAIL



1" = 20'

LEGEND

☒ AC UNIT	☒ FIBER OPTICS SIGN	☒ SANITARY SEWER MANHOLE
☒ BACKFLOW VALVE	☒ FIRE HYDRANT	☒ SATELLITE DISH
☒ BOLLARD POST	☒ FIRE SPRINKLER	☒ SEPTIC TANK LID
☒ BUGGY AXLE	☒ FLAG POLE	☒ SET ALUMINUM MONUMENT
☒ CABLE BOX	☒ GAS LINE SIGN	☒ SET COTTON SPINDLE
☒ CABLE TV PEDESTAL	☒ GAS METER	☒ SET STAKE ON LINE
☒ CHISLED 'X'	☒ GAS STUB	☒ SET 1/2" IRON REBAR
☒ COMPUTED POINT	☒ GAS REGULATOR	☒ STATE MONUMENT
☒ CONC. MONUMENT	☒ GENERATOR	☒ STONE MONUMENT
☒ C.O.E. MONUMENT	☒ GROUND LIGHT	☒ STORM DRAIN MANHOLE
☒ DOWN GUY	☒ IRRIG. CONTROL VALVE	☒ STREET SIGN
☒ DRAIN GRATE	☒ JUNCTION BOX	☒ T-POST
☒ ELECTRIC BOX	☒ LAMP POST	☒ TELEPHONE BOX
☒ ELECTRIC METER	☒ MAIL BOX	☒ TELEPHONE PEDESTAL
☒ ELECTRIC PEDESTAL	☒ PARKING SIGN	☒ TEMPORARY BENCHMARK
☒ EXIST. ALUM. CAPPED MON.	☒ PAY PHONE	☒ TRAFFIC SIGNAL BOX
☒ EXIST. COTTON SPINDLE	☒ POWER POLE	☒ TRANSFORMER BOX
☒ EXISTING IRON PIPE	☒ PROPANE TANK	☒ TREE
☒ EXISTING IRON REBAR	☒ RAILROAD SPIKE	☒ WATER LINE SIGN
☒ EXISTING NAIL	☒ READING	☒ WATER METER
☒ FENCE POST	☒ RIGHT OF WAY MONUMENT	☒ WATER SPIGOT
☒ EXIST. IRON IN CONCRETE	☒ SANITARY SEWER CLEANOUT	☒ WATER VALVE

--- CENTERLINE ROAD
--- RIGHT-OF-WAY LINE
--- CHAIN-LINKED FENCE
--- PRIVACY FENCE
--- BUILDING LINE
--- EASEMENT LINE
--- PROPERTY LINE

OWNER/DEVELOPER:
KRISTOPHER T. ASHMORE (714)863-5055
KRIS.ASHMORE@JBHUNT.COM
PROPERTY ADDRESS: 808 NORTHWEST C STREET,
BENTONVILLE, AR 72712
MAILING ADDRESS: 17180 WABASH AVE,
YORBA LINDA, CA 92866

ZONED:
R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL
BASIS OF BEARINGS: ARKANSAS STATE PLANE
COORDINATE SYSTEM
(NORTH ZONE)NAD83

SHEET 1 OF 1	JOB NO. 21137-01	REVISIONS		
		DATE	DESCRIPTION	BY
		12/07/2022	CITY COMMENTS	DF
		12/21/2022	CITY COMMENTS	DF

ARA
118 S. COLLEGE AVENUE
FAKETTSVILLE, ARKANSAS 72701
479 444 8784
1 888 548 8784
arasurveying@abcglobal.net

Alan Reid
& ASSOCIATES

PROFESSIONAL
LAND SURVEYORS
BOUNDARY
TOPO

DRAFTSMAN	DF
DATE	11/22/2022
CHECKED	-
SCALE	1" = 20'
SHEET SIZE	24"x 36"

KRISTOPHER T. ASHMORE
808 NORTHWEST 'C' STREET,
BENTONVILLE, AR 72712

PROPERTY LINE ADJUSTMENT - BENTONVILLE, AR.



Brightbox LLC

802 Southeast G Street

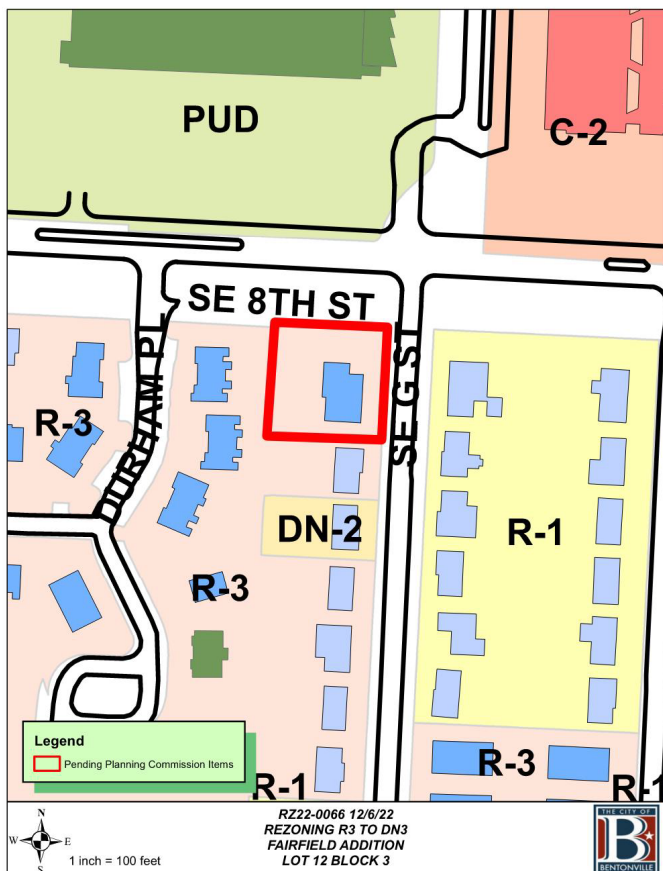
PC Date: 1/3/2023

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://arcgis/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

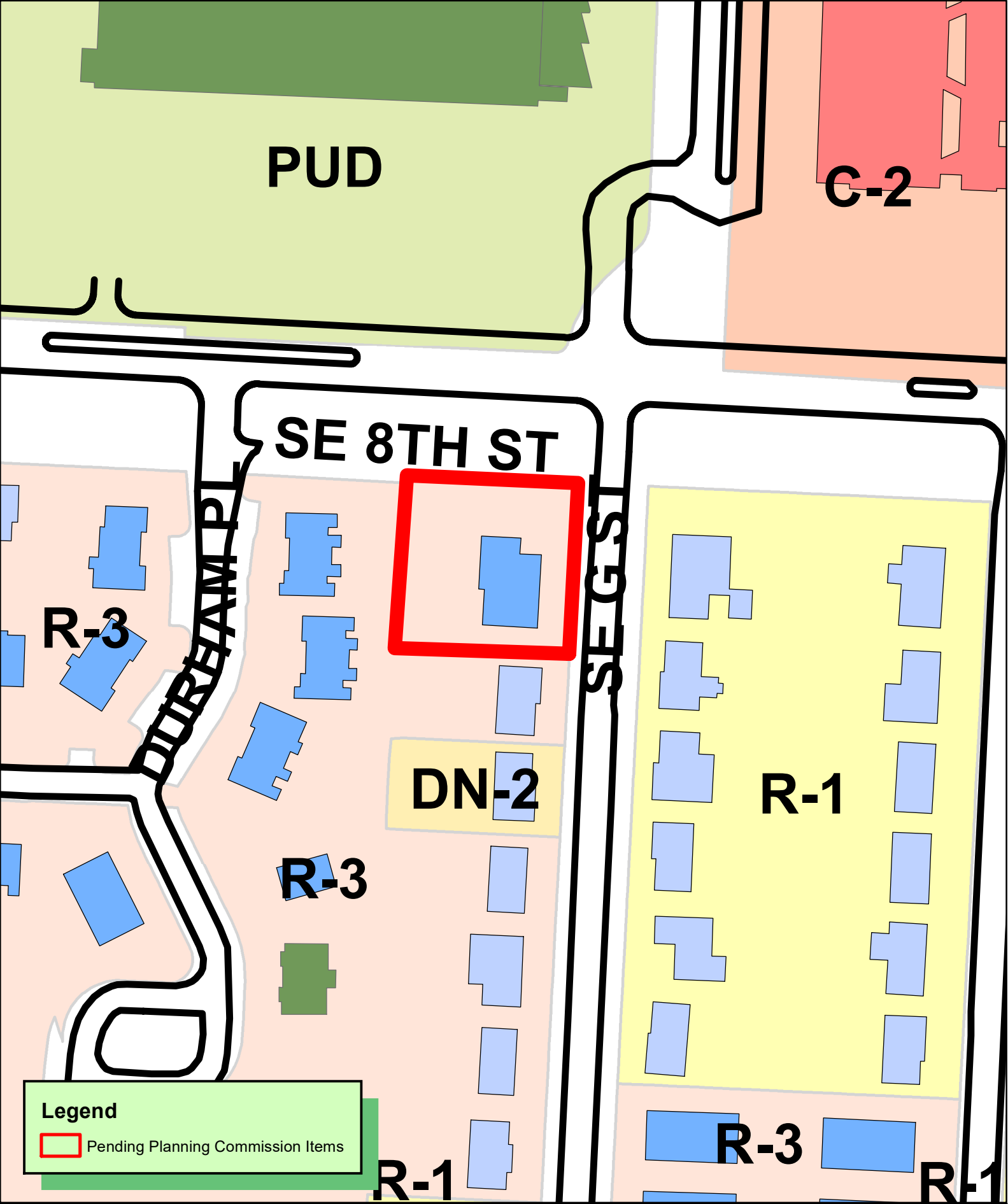
At the time of writing this staff report, staff has not received public comment on this item.

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.





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

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
ceieng.com

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



Bentonville Bella Vista Trailblazers Association Inc.

2810 NW A Street

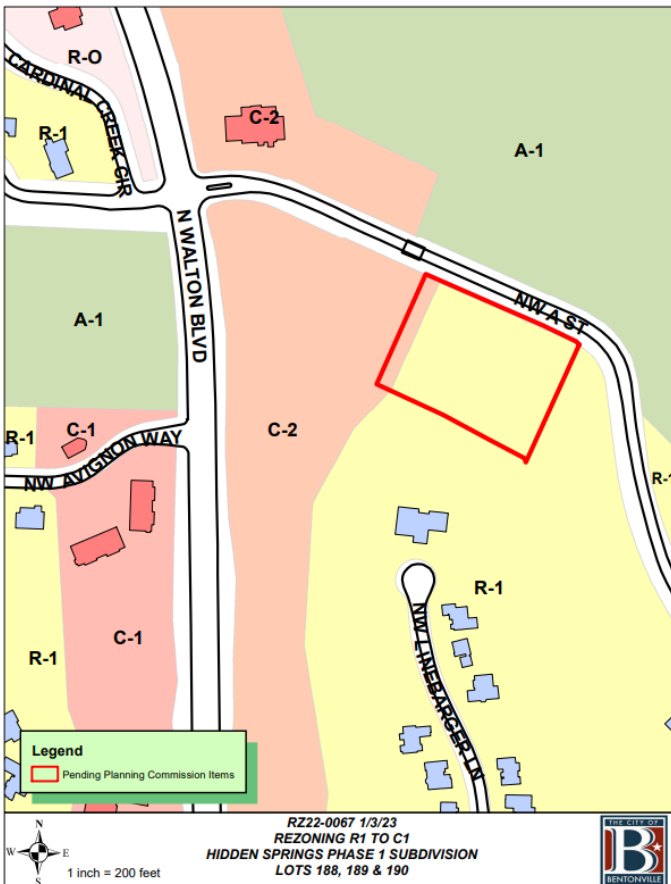
PC Date: 1/3/2023

Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ22-0067
Applicant / Current Owner	Daniel Marley / Bentonville-Bella Vista Trailblazers Association Inc
Site Area	+/- 0.91, +/- 0.85, & +/- 0.72
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Future Land Use Map Designation	General Commercial (C)

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

Location Map



Property Description

This request is located along NW A Street, directly adjacent zoning is C-2, General Commercial to the West. R-1, Low-Density Residential to the South and East. A-1 Agriculture to the North.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently shows this property as Low Density Residential, in which the proposed food truck courtyard is not compatible, however the applicant is requesting a Future Land Use Map Amendment to Neighborhood Commercial. Neighborhood Commercial areas include area that are designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development. These areas may also include local amenities for residents, including parks, bakeries, 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 infrastructure within the context of existing development.

Public Comment

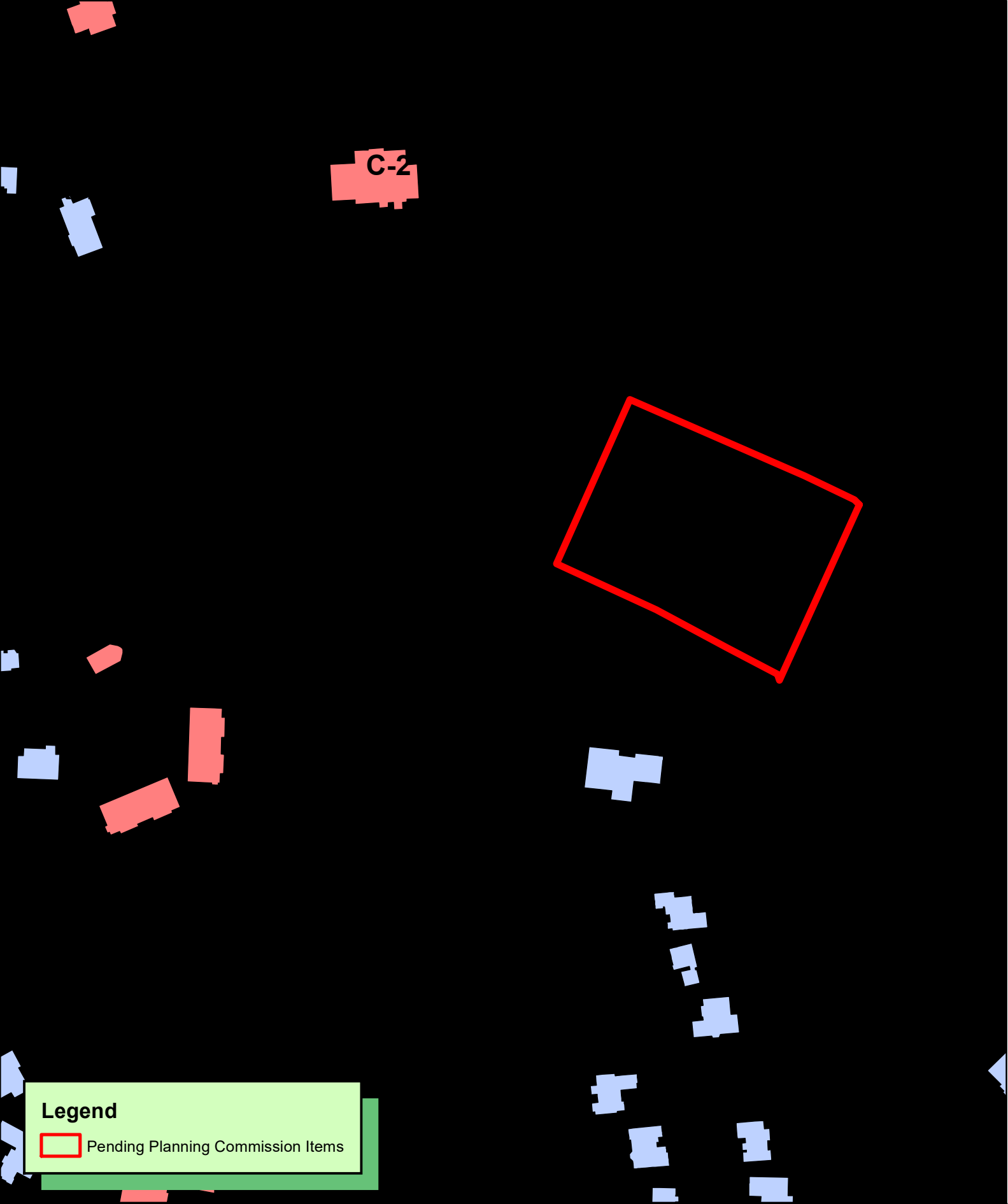
At the time of writing this staff report, staff has not received public comment on this item.

Analysis

The C-1 District serves residential developments while still maintaining the character of the area. Since C-1 Districts are generally located near Residential Districts, proximity to Residential areas 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.



November 28, 2022

City of Bentonville
Attn: Planning Commission
1000 SW 14th Street
Bentonville, AR 72712

**RE: Rezone Request
NW A Street
01-03065-000**

Dear Planning Commission:

Please except this letter as a formal request by Bentonville/Bella Vista Trailblazers Association Inc to rezone approximately 0.72 acres from R-1 to C-1. The property is located 950 feet east of N Walton Blvd.

This land is being proposed to develop into a future Food Truck Court.

The traffic generated from this site will be routed onto NW "A" Street and over to N Walton Blvd.

The said land is currently undeveloped and within the floodway and floodplain. The surrounding land uses are: City of Bentonville Park property to the north, east, and southwest. There is a doctors office to the northwest and residential to the south.

There is a commercial businesses in the area and adjacent to this property.

The signage, architectural appearance and lighting have not been proposed at this time.

Public water is currently available along the north side of NW "A" street from a 8" water line. There is an 6" public sewer main in the middle of the property. Public electric is available from NW "A" Street. Any additional utility ties will be proposed to extend to said property by virtue of the Large Scale Development plans for the Food Truck Court.

Thank you for your time and consideration in this matter. Should you have any questions, please do not hesitate to call.

Sincerely,

R. Erin Rushing, RLA
CEO
Trailblazers



Sunshine Electric Substation (SEPCO)

1100 SE Moberly Lane

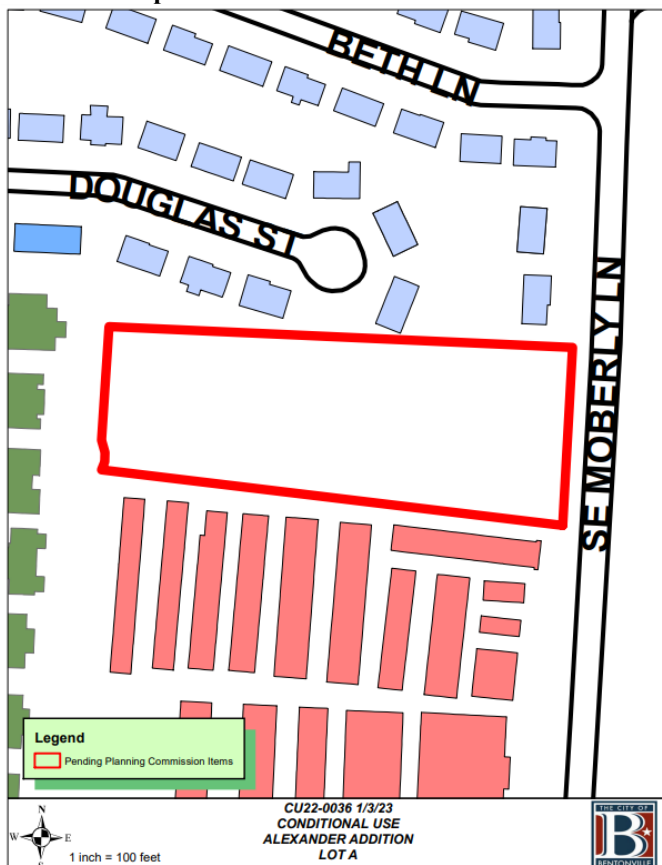
PC Date: 1/3/2023

Reviewer: Bradley Gavrielides

Project Number	CU22-0036
Applicant / Current Owner	Southwestern Electric Power Company
Site Area	+/- 2.71 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Office (O)
Requested Use	Electric Substation
Protective Covenants	N/A

<https://arcgis/08HvK8>

Location Map



Property Description

The subject property is located at 1100 SE Moberly Lane and is currently zoned C-2, General Commercial. The property has no existing structures aside from a fence in the Southwest corner of the lot. This property has direct access off SE Moberly Lane.

Proposed Use Description

According to the applicant's narrative, they propose to erect an electric substation provide increased reliability to the power grid of the surrounding area. Per City of Bentonville Zoning Code, Electric Substations are allowed conditionally in all zoning districts. Their site plan shows most outdoor structures near the east side of the property, except for a detention pond in the center of the property.

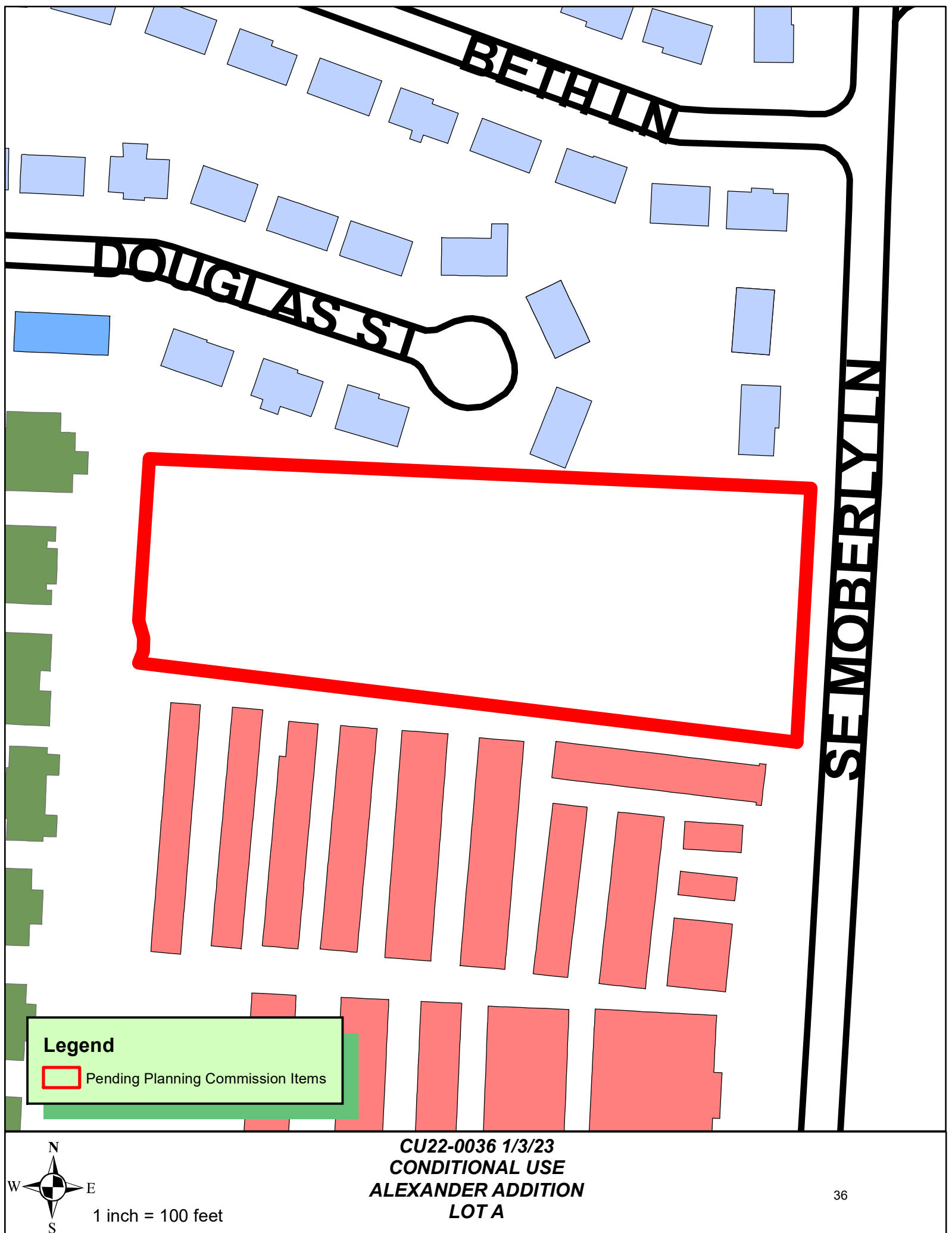
The applicant proposes 24/7 access to the property be available in case of emergencies, and states that the site will be visited for safety and operations purposes on a monthly basis. No employees will be permanently on-site. The applicant anticipates no need for parking spaces since vehicle traffic flow to and from the site will be limited. Outdoor lighting will be installed in accordance with code and will be designed for minimal impact on surrounding residential areas.

Public Notice

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

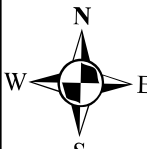
Proposed Conditions of Approval

1. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.
2. The applicant shall limit all noise at the property line to 55 dB(A) or less.
3. This conditional use permit shall be valid for a period of five years unless extended by the Planning Commission.



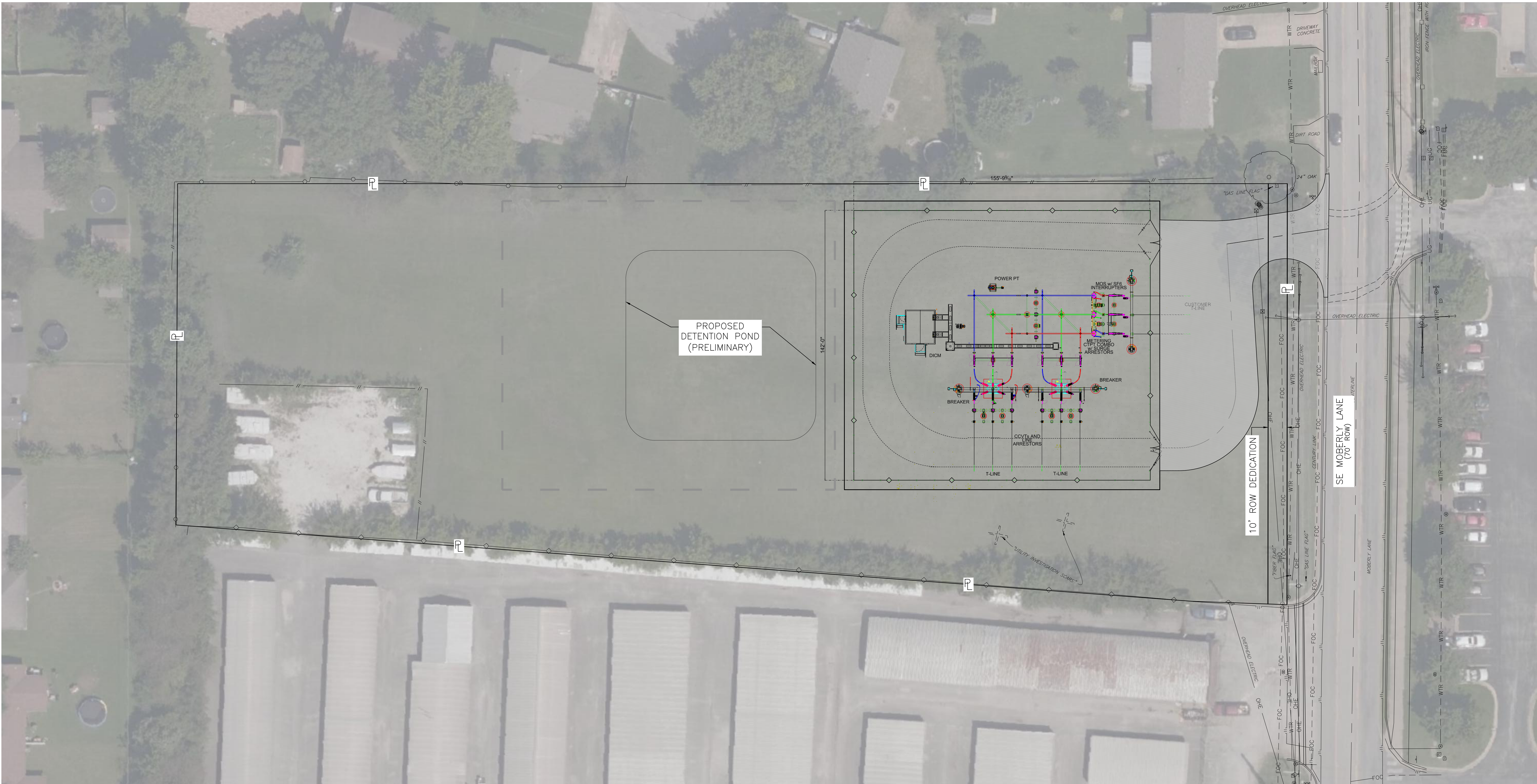
Legend

 Pending Planning Commission Items

 1 inch = 100 feet

**CU22-0036 1/3/23
CONDITIONAL USE
ALEXANDER ADDITION
LOT A**

- Proposed use and reason for the proposed use
The proposed use is an electric substation. The reason for the proposed use is to increase reliability in the electric grid.
- Site plan drawn to scale designating the property line, existing structure(s), proposed structures(s), and indoor and outdoor areas to be utilized;
See attached Sunshine Substation Site Plan
- Hours of operation, including days of the week;
The substation will be in continuous operation, monitored offsite (no permanent employees onsite). There is no set schedule. Maintenance personnel will check the substation operation periodically typically once a month or more in case of needed repairs, i.e., due to extreme weather.
- Indoor and outdoor areas to be utilized;
The use of the site is limited to the outdoor area within the fence, a service drive that ties to Moberly Ln and detention pond on the west side of the substation .
- Planned indoor and outdoor structural changes;
Planned structural changes are limited to outdoor structures which may be improvements, i.e. power poles, electrical equipment, foundations, fencing, a driveway and detention pond.
- Parking needs required for the proposed use including existing and proposed – provide sketch of traffic flow and parking pattern (if applicable)
No parking spaces are needed, private or public. A traffic flow and parking pattern are not applicable.
- Planned outdoor lighting changes;
 Outdoor lighting will be provided designed per code and for minimal impact to areas outside the substation.
- Anticipated patrons, clients, deliveries and/or customers (average per day);
Not applicable. See answer to hours of operation above for reference.
- Proposed number of employees; and,
Not applicable. The substation has no assigned employees onsite on a daily basis. See answer to hours of operation above for reference.
- Photographs of the property.
See attached photographs



SUNSHINE SUBSTATION

BENTON COUNTY ARKANSAS

SITE PLAN

SCALE: SEE PLAN DR: PDL ENG: B. CROWELL CH: B. CROWELL
WO#: T10330037002 APPD: B. CROWELL DATE:
1 RIVERSIDE PLAZA
COLUMBUS, OH 43215
DWG. NO.
REV

NO DATE REVISION DESCRIPTION DR ENG CK ISSUE#

SUNSHINE SUBSTATION

NE MOBERLY



SUNSHINE SUBSTATION

SpareBox STORAGE ACCESS DRIVE



SUNSHINE SUBSTATION

LOOKING WEST FROM MOBERLY LN



SUNSHINE SUBSTATION

LOOKING EAST TO MOBERLY LN



Dogwood Acres/AWSOM Offsite Staging Area

1101/1107 NE J STREET

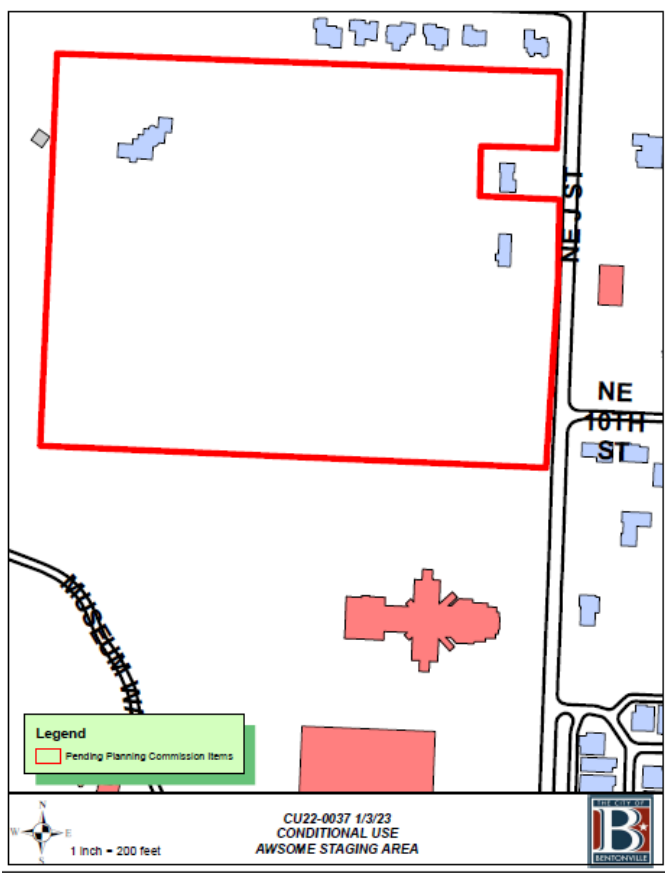
PC Date: 1/3/2023

Reviewer: Bradley Gavrielides, Planning
Technician

Project Number	CU22-0037
Applicant / Current Owner	McClelland Consulting Engineers / Dogwood Acres LLC
Site Area	+/- 5.79 acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	Residential Estate (RE)
Requested Use	Construction laydown area for parking, temp. office, storage, etc.
Protective Covenants	N/A
Related Projects	LSD22-0065, LSD22-0068, LSD22-0069

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

Location Map



Property Description

The subject property is located at 1101/1107 NE J Street and is currently zoned A-1, Agriculture. Long-Term Temporary Uses are allowed conditionally in this zoning district. The property has four existing (4) buildings and is adjacent to a residential neighborhood to the north.

Proposed Use Description

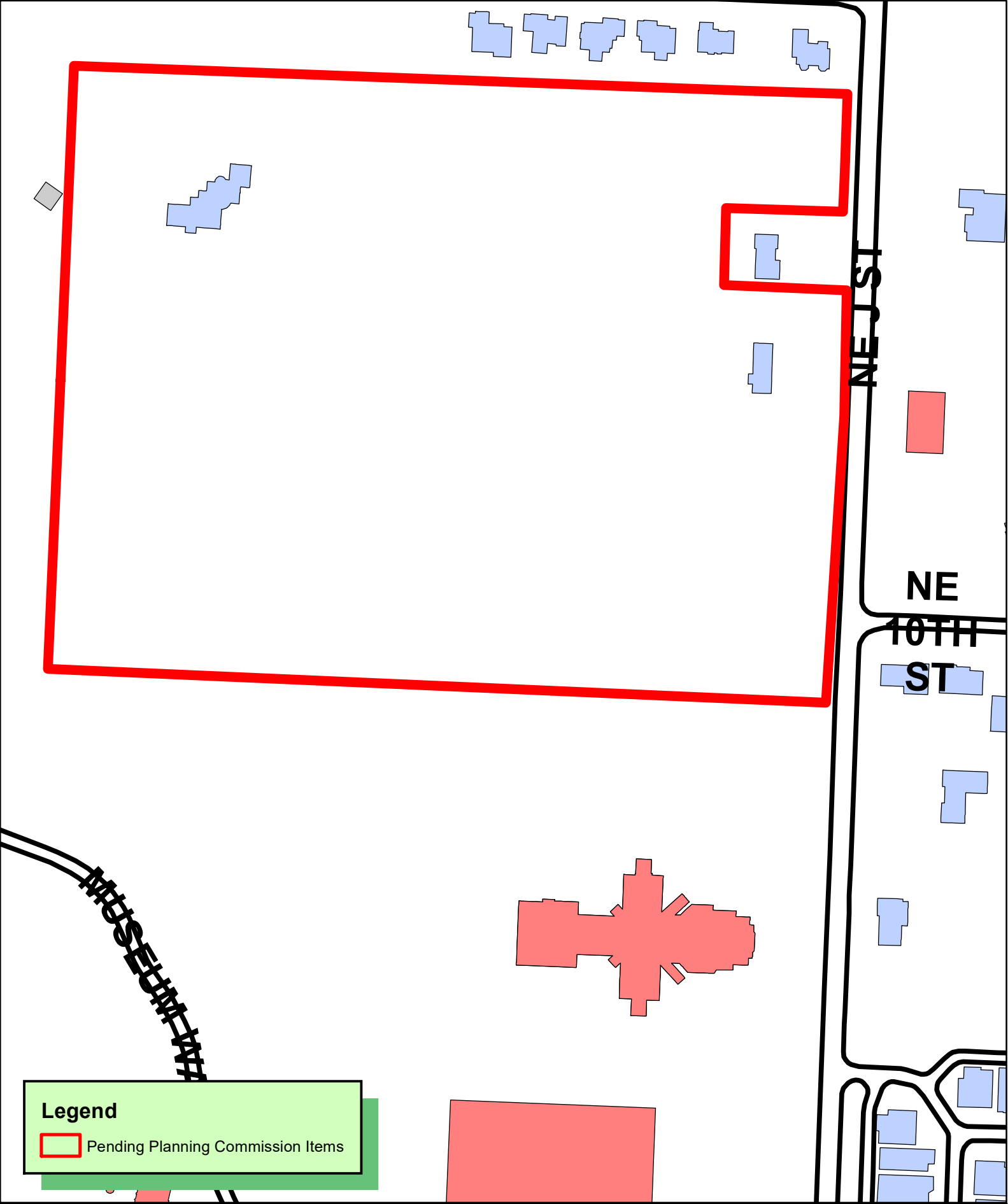
According to the applicant's narrative, they propose to use this area as a long-term multi-use area including temporary offices, parking, laydown, stockpile, and sediment basin for the Alice Walton School of Medicine project (LSD22-0065). The facility is estimated to be used from early 2023 through 2025. This property has direct access off NE J Street and, per code requirements, will feature a gravel parking area and driveway transitioning to a heavy-duty concrete apron onto NE J Street. The applicant states ample parking will be provided on site and that traffic flow to and from the site will be managed to insure as little obstruction as possible to the general public and residents of the area.

Public Notice

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

Proposed Conditions of Approval

1. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements associated with material storage.
2. This conditional use permit shall be valid for two years unless extended by the Planning Commission.
3. Water & Sewer Dept. proposed conditions:
 - a. Spot dig existing 8" main running west from J Street where the proposed swale will cross to verify 4' cover can be maintained.
 - b. 24/7 access to existing public utility infrastructure must be maintained at all times.
 - c. No materials storage, buildings, or any other obstruction shall be permitted within any existing public utility easement.
 - d. If water service is requested, due to the temporary change in use, a RPZ type backflow device must be installed.



Legend

 Pending Planning Commission Items



1 inch = 200 feet

**CU22-0037 1/3/23
CONDITIONAL USE
AWSOME STAGING AREA**

November 23, 2022

Planning Commission
Bentonville Planning Department
305 S.W. A Street
Bentonville, AR. 72712

Re: Condition Use Request for Alice L. Walton School of Medicine

Planning Commission,

Please consider this Conditional Use request for the properties located at 1101 and 1107 N.E. J Street which will be used during the construction for the new adjacent Alice L. Walton School of Medicine project. The request is to apply for a 'long term, temporary use' to allow temporary job offices, parking, staging, laydown, stockpile, and a sediment basin. In addition to this request, plans have been submitted for an administrative largescale development review. The facilities will be used from early 2023 through 2025.

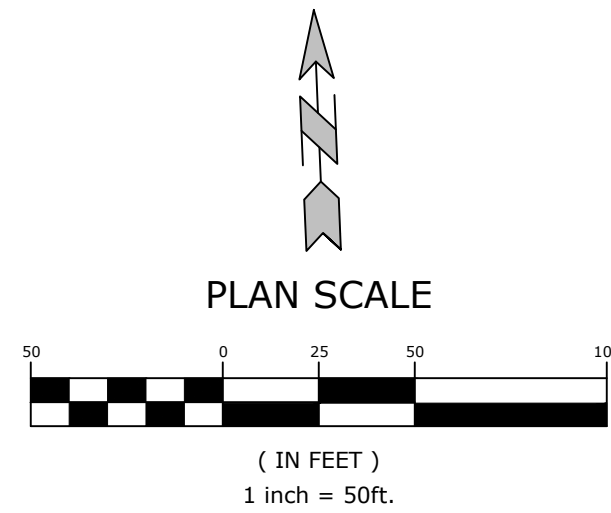
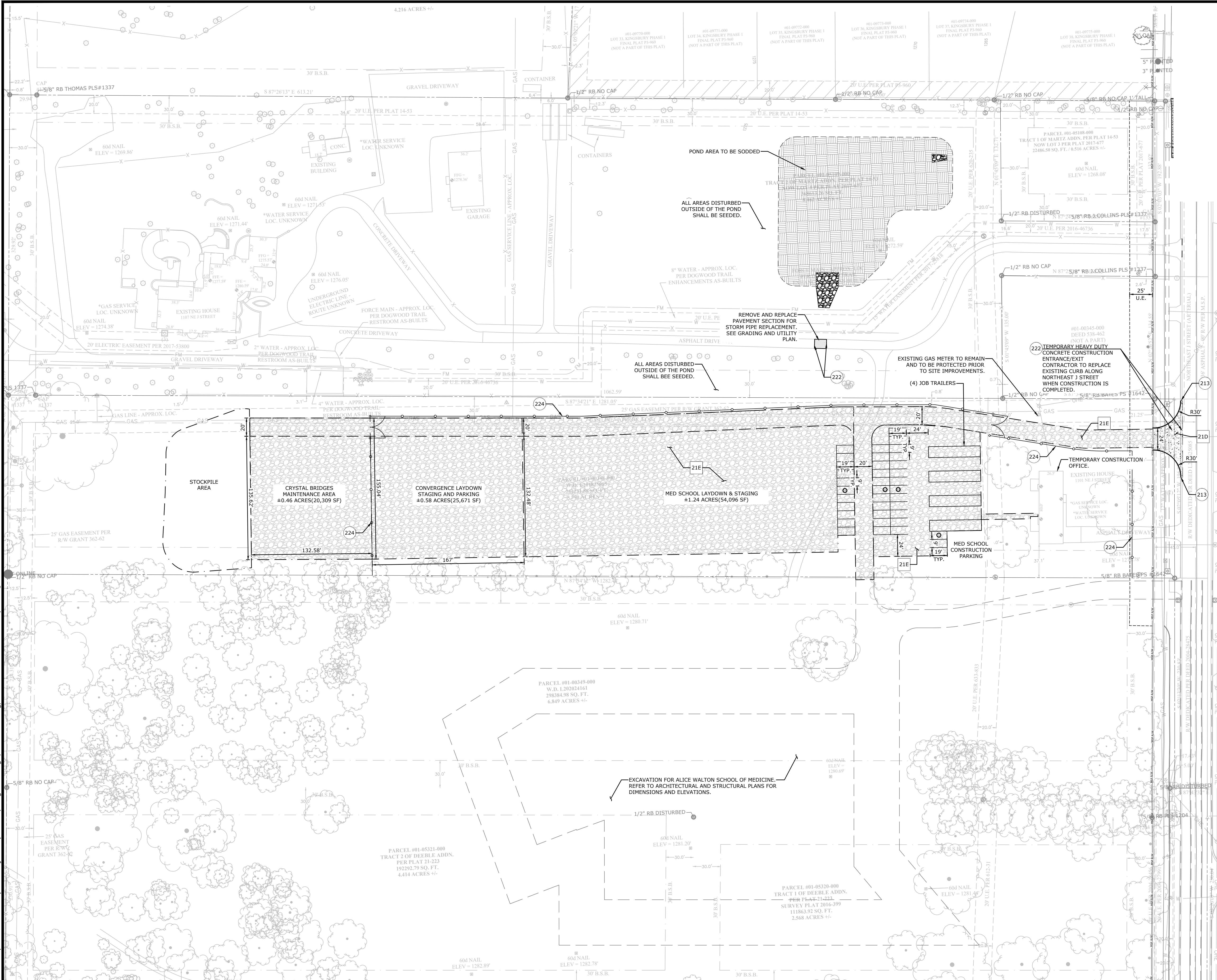
If you should have any questions, please do not hesitate to contact me. We appreciate your continued support of this project.

Sincerely,



Chris Bakunas, PLA
Project Manager
cbakunas@mce.us.com
479.443.2377

W:\2022\22-2132 - Bentonville, AR Walton Enterprises Project Preparation\Design Drawings\212185-SP.dwg, PRINTED ON: November 17, 2022 @ 10:58 AM



EXISTING LEGEND

— R/W	PROPERTY LINE	— POWER POLE
— SS	RIGHT OF WAY	— GUY WIRE w/ ANCHOR
— W	SANITARY SEWER LINE	— GAS METER
— GAS	WATER LINE	— GAS RISER
— UGT	GAS LINE	— STREET LIGHT POLE
— UGE	UNDERGROUND TELEPHONE	— TELEPHONE PEDESTAL
— UGTV	UNDERGROUND ELECTRIC	— CABLE TV PEDESTAL
— OHE	UNDERGROUND TELEVISION	— CABLE VAULT
— X	UNDERGROUND FIBER	— ELECTRIC VAULT
— X	OVERHEAD ELECTRIC	— FIBER VAULT
— X	FENCE	— GAS VAULT
— X	ROAD CENTERLINE	— TELEPHONE VAULT
— X	DITCH FLOWLINE	— WATER VAULT
— X	EASEMENT LINE	— SIGN (AS NOTED)
— X	GRAVEL LINE	— POST (AS NOTED)
— X	FIRE HYDRANT	— BENCHMARK
— X	WATER METER	— FOUND IRON PIN (AS NOTED)
— X	WATER VALVE	— CONTROL POINT
— X	WATER FAUCET	— RR SPIKE
— X	SANITARY SEWER MH	— BUSH
— X	CLEAN-OUT	— DECIDUOUS TREE
— X	DRAINAGE MH	— CONIFEROUS TREE

PROPOSED LEGEND

—	CURB AND GUTTER
—	EASEMENT
—	SETBACK
—	DENOTES OUTLINE OF DESIGNATED PARKING
—	ASPHALT PAVEMENT REPAIR (SEE DETAIL 42A)
—	CONCRETE PAVEMENT
—	CONCRETE PAVEMENT
—	SOD
—	CATCH BASIN
—	FLARED END SECTION
—	SANITARY SEWER MANHOLE
—	PARKING SLAT COUNT
—	FIRE HYDRANT
—	WATER METER

GENERAL SITE NOTES

- CONTRACTOR SHALL RETAIN A FULL SET OF LATEST APPROVED CONSTRUCTION PLANS ON SITE DURING CONSTRUCTION ACTIVITIES.
- CONSTRUCTION METHODS AND MATERIALS NOT SPECIFIED IN THESE PLANS ARE TO MEET OR EXCEED THE SITE WORK SPECIFICATIONS PROVIDED BY MCCLELLAND CONSULTING ENGINEERS, INC. OR AS SPECIFIED BY THE OWNER'S RESIDENT REPRESENTATIVE.
- ALL CONSTRUCTION WORK AND UTILITY WORK OUTSIDE OF PROPERTY BOUNDARIES SHALL BE PERFORMED IN COOPERATION WITH AND IN ACCORDANCE WITH REGULATIONS OF THE AUTHORITIES CONCERNED.
- PUBLIC CONVENIENCE AND SAFETY: THE CONTRACTOR SHALL CONDUCT THE WORK IN A MANNER THAT WILL INSURE, AS FAR AS PRACTICABLE, THE LEAST OBSTRUCTION TO TRAFFIC AND SHALL PROVIDE FOR THE CONVENIENCE AND SAFETY OF THE GENERAL PUBLIC AND RESIDENTS ALONG AND ADJACENT TO HIGHWAYS IN THE CONSTRUCTION AREA IN AN ADEQUATE AND SATISFACTORY MANNER IN ACCORDANCE WITH THE ARKANSAS DOT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- CONTACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
- BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
- ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE CITY OF BENTONVILLE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.
- GENERAL CONTRACTOR SHALL COORDINATE AND COMPLY WITH ALL UTILITY COMPANIES INVOLVED IN PROJECT AND PAY ALL REQUIRED FEES AND COSTS.
- ALL WORK TO BE DONE IN STRICT ACCORDANCE WITH THE OWNER'S STANDARD SITE SPECIFICATIONS.
- CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION LAYOUT AND STAKING.

SITE KEYNOTES

- 213 TAPER CURB TO MATCH EXISTING
222 LIMITS OF SAWCUT AND PAVEMENT REMOVAL
224 8' TALL TEMPORARY CHAIN LINK FENCE

SITE DETAILS

- 21D HEAVY DUTY CONCRETE PAVEMENT
21E GRAVEL SURFACE

MCE **MCCLELLAND**
CONSULTING
ENGINEERS, INC.
1580 E STEARNS ST
FAYETTEVILLE, ARKANSAS 72703
(479) 443-2377
HTTP://WWW.MCE.US.COM

PRELIMINARY
NOT FOR
CONSTRUCTION

ORIGINAL SIGNATURE ON FILE

NE J STREET
EARLY SITE PREPARATION
1101 AND 1107 NE J STREET
BENTONVILLE, AR

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

REVISIONS		DESCRIPTION
REV	DATE	

SITE PLAN

DESIGNED BY: ----	DRAWN BY: ----
DATE: 11/17/2022	REVISION: REV-0
SCALE: AS NOTED	JOB NUMBER: 22-2132

C2.0



Walmart Temporary Storage Containers

SE 8th St & SE Moberly Ln.

PC Date: 1/3/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	CU20-0040
Applicant / Current Owner	Walmart Stores, Inc.
Site Area	Corner of SE Moberly and SE 5 th Street
Current Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Office (O)
Requested Use	Long Term Temporary Use for Shipping Containers
Protective Covenants	N/A

<https://arcgis/08HvK8>

Location Map



NOTE: This is an amendment to a previously approved Conditional Use Permit (approved 9/21/2021) for long-term temporary storage containers located at SE 5th Street and SE Moberly Lane.

Property Description

This request is specifically for an increase in the footprint of the construction material storage yard at Southeast 5th Street and Southeast Moberly Lane. The property is currently zoned C-1, Neighborhood Commercial.

Proposed Use Description

The applicant has requested an amendment to this previously approved permit to allow the long-term temporary use of the property for storage purposes in an additional area on the existing storage site. The applicant requests to expand the storage area at Southeast Moberly to include (+/-) 90 additional flatbed trailers, containing timber, to be used during the construction of the home office campus. The previously approved 75 storage containers would also remain onsite. This revision would allow for an added temporary trailer lot south of the existing lot, but still within the overall north parking lot (north of 8th Street) for the David Glass Technology Center.

An additional request has been made by the applicant to temporarily remove or relocate (5) light poles and remove and temporarily pave (9) landscape islands. These are proposed to be re-installed or replaced at the end of the project. The existing parking lot does not meet current standards for internal parking lot landscaping.

The applicant anticipates between 10 to 75 deliveries per day and has depicted vehicular movement and traffic circulation patterns on their attached site plan. According to the site plan provided, deliveries would enter and exit off Southeast 8th Street. The applicant has shown a willingness to route the truck traffic away from the backyards of the neighboring residential uses, save for the occasional delivery that may not be able to navigate another way.

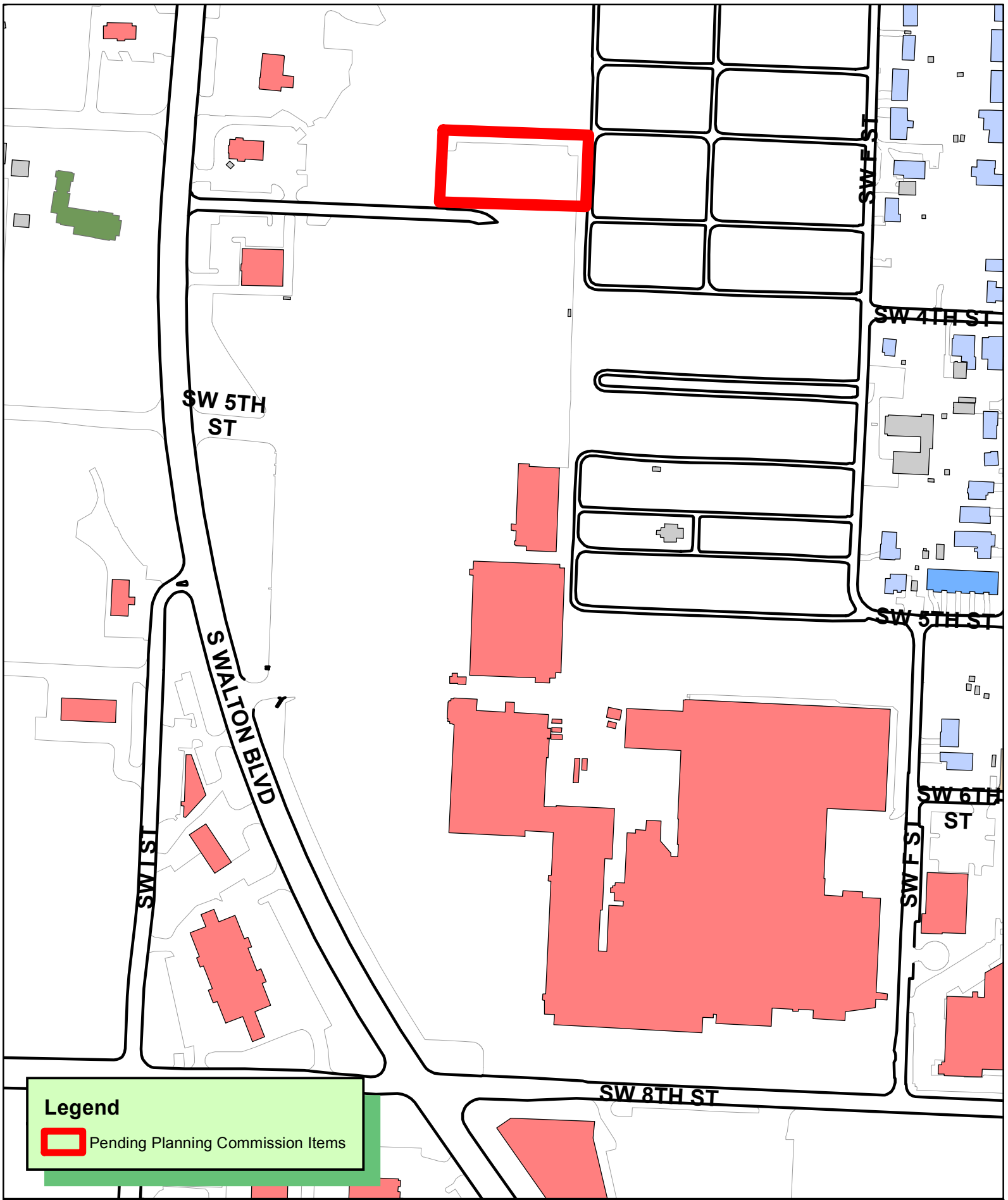
The applicant has proposed to use a similar screen as what is presently screening the storage yard – a chain link fence with scrim cloth. The existing screening does not fully screen the materials as they are stacked to a point higher than the top of the fence, sometimes as high as twice the height of the fence.

Public Notice

At the time of writing this report city staff has not received any public comment on this request.

Conditions of Approval

1. This conditional use permit shall be valid for one year after the filing of the Walmart Campus Final Plat for the New Home Office Campus.
2. Any changes in locations, scope, use, or ownership, may require a new conditional use permit. In addition, the Planning Commission has the ability to hold a public hearing to reconsider the conditional use.
3. Any other conditions imposed by the Planning Commission.





August 23, 2022

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

RE: (Amended) Conditional Use Permit Request - Temporary Trailer Storage

Dear Planning Commissioners:

Please accept this revised narrative letter to go with a formal application by Walmart Stores Inc; for consideration of an amendment to an existing conditional use permit (CU20-0040). This revision would allow for an added temporary trailer lot south of the existing temporary trailer lot, but still within the overall north parking lot (north of 8th ST) for the David Glass Technology Center. The requested storage area would accommodate (+/-) 90 additional flatbed trailers containing predominantly timber to meet the demands of construction schedule for the Walmart Campus. No hazardous material would be stored within the requested area, and it would be fully enclosed within chain link fence and scrim cloth to buffer views from the public. We will need to temporarily remove or relocate (5) light poles and remove and temporarily pave (9) landscape islands.

In addition, there are no planned changes to traffic flow patterns. Deliveries would enter and exit off 8th ST. We currently project anywhere from 10 to 75 deliveries per day, which will be dependent upon speed of construction.

We ask that this conditional use be permitted, in accordance with the attached site exhibit, through the conclusion of the approved buildings associated with the Walmart Campus project, after which it will be returned to its original use as a parking lot.

Respectfully Submitted,
CEI Engineering Inc.

A handwritten signature in blue ink, appearing to read 'Clinton Muse'.

Clinton Muse
Project Manager
cmuse@ceieng.com

Lot 2 Survey Description:

A part of Lot 1, Wal-Mart ISD, Second Addition as recorded in Plat Book 2004 at Page 1298 and situated in the East Half (E/2) of the Northwest Quarter (NW1/4) of Section 33, Township 20 North, Range 30 West, City of Bentonville, Benton County, Arkansas also being a portion of that certain tract of land recorded in Deed Book 2013 at Page 19223, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Lot 1; Thence along the West boundary of said Lot 1 North 02° 37' 24" East a distance of 136.59 feet; Thence continuing along said boundary North 02° 26' 10" East a distance of 609.27 feet; Thence leaving said boundary South 87°06'46" East a distance of 14.72 feet to a set 5/8" Rebar (LS#1304) for the most Westerly Southwest Corner of herein described Lot 2 and the POINT OF BEGINNING;

Thence North 02° 27' 37" East a distance of 714.02 feet to a set 5/8" Rebar (LS#1304) for the Northwest Corner herein described Lot 2;

Thence along the South Right-of-Way of Southeast 5th Street according to said Plat Book 2004, Page 1298 the following four (4) courses:

1. South 87° 06' 46" East a distance of 592.56 feet to a set 5/8" Rebar (LS#1304);
2. Along a non-tangent curve to the right, with an arc length of 65.04 feet, having a radius of 174.00 feet, through a central angle of 21° 24' 58", and having a chord which bears South 76° 34' 14" East, a distance of 64.66 feet to a set 5/8" Rebar (LS#1304);
3. South 65° 51' 43" East a distance of 53.41 feet to a set 5/8" Rebar (LS#1304);
4. 4. Along a non-tangent curve to the left, with an arc length of 89.25 feet, having a radius of 176.00 feet, through a central angle of 29° 03' 14", and having a chord which bears South 80° 00' 55" East, a distance of 88.29 feet to a set 5/8" Rebar (LS#1304) for the Northeast Corner of said Lot 1, also being the Northeast Corner of herein described Lot 2;

Thence departing said right-of-way and along the East boundary of said Lot 1 the following six (6) courses:

1. South 02° 31' 31" West a distance of 124.97 feet to a found 5/8" Rebar (LS#0944);
2. South 02° 30' 22" West a distance of 810.91 feet to a set 5/8" Rebar (LS#1304) at the North right-of-way of Southeast 7th Street;
3. North 87° 15' 02" West along said right-of-way a distance of 30.50 feet to a set 5/8" Rebar (LS#1304);
4. North 87° 15' 02" West along said right-of-way a distance of 30.50 feet to a set 5/8" Rebar (LS#1304);
5. South 87° 15' 02" East along the South right-of-way of said street crossing a set Magnail with washer (LS#1304) at a distance of 25.46 feet, continuing for a total distance of 30.46 feet to an ornamental bush at corner;
6. departing said right-of-way South 02° 30' 22" West a distance of 424.22 feet to a set 5/8" Rebar (LS#1304), being the Southeast Corner of said Lot 1 and also being the Southeast Corner herein described Lot 2;

Lot 3 Survey Description:

A part of Lot 1, Wal-Mart ISD, Second Addition as recorded in Plat Book 2004 at Page 1298 and situated in the East Half (E/2) of the Northwest Quarter (NW1/4) of Section 33, Township 20 North, Range 30 West, City of Bentonville, Benton County, Arkansas also being a portion of that certain tract of land recorded in Deed Book 2013 at Page 19223 being more particularly described as follows:

COMMENCING at the Southwest Corner of said Lot 1; Thence along the West boundary of said Lot 1 North 02° 37' 24" East a distance of 136.59 feet; Thence continuing along said boundary North 02° 26' 10" East a distance of 609.27 feet; Thence leaving said boundary South 87°06'46" East a distance of 14.72 feet to a set 5/8" Rebar (LS#1304) for the Northwest Corner of herein described Lot 3 and the POINT OF BEGINNING;

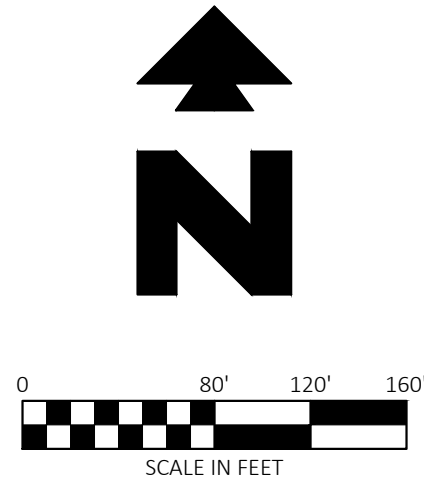
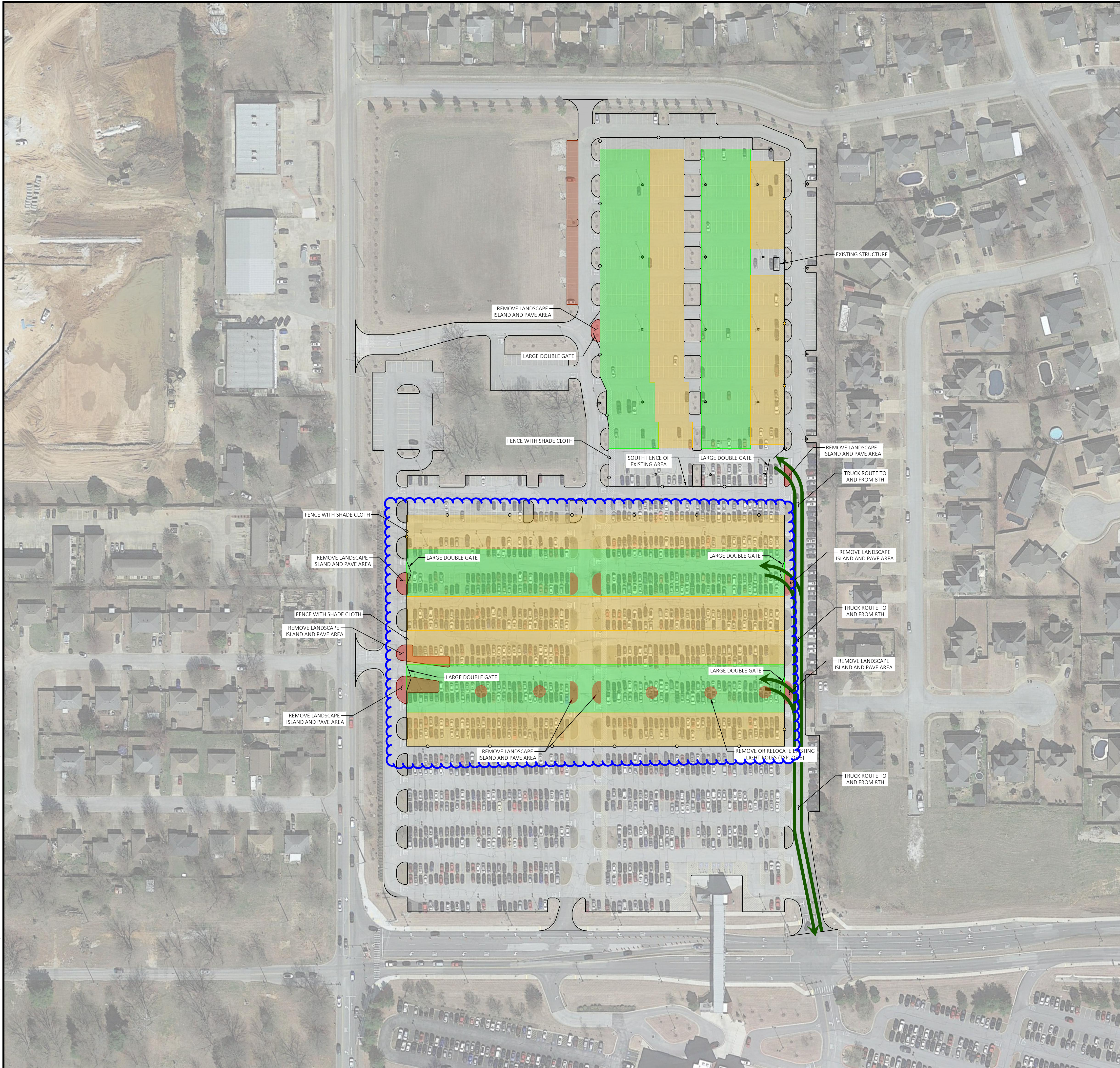
Thence South 87° 06' 46" East a distance of 582.63 feet to a set Magnail with washer (LS#1304) for the Northeast Corner of herein described Lot 3; Thence South 02° 30' 22" West a distance of 774.03 feet to a set 5/8" Rebar (LS#1304) for the Southeast Corner of herein described Lot 3;

Thence along the South boundary of Said Lot 1, being the South boundary of herein described Lot 3 the following five (5) courses:

1. North 87° 20' 33" West a distance of 64.01 feet to a set 5/8" Rebar (LS#1496);
2. along the East right-of-way of Southeast 8th Street North 02° 26' 09" East a distance of 8.69 feet to a set 5/8" Rebar (LS#1304);
3. along the North right-of-way of said street North 87° 33' 51" West a distance of 324.78 feet to a set 5/8" Rebar (LS#1304);
4. continuing along said right-of-way North 80° 02' 20" West a distance of 182.06 feet to a set 5/8" Rebar (LS#1304);
5. continuing along said right-of-way North 87° 22' 36" West a distance of 12.69 feet to a set 5/8" Rebar (LS#1304) for the Southwest corner of herein described Lot 3;

Thence North 02° 27' 37" East a distance of 745.79 feet to the POINT of BEGINNING and containing 444,959 square feet or 10.21 acres, more or less.

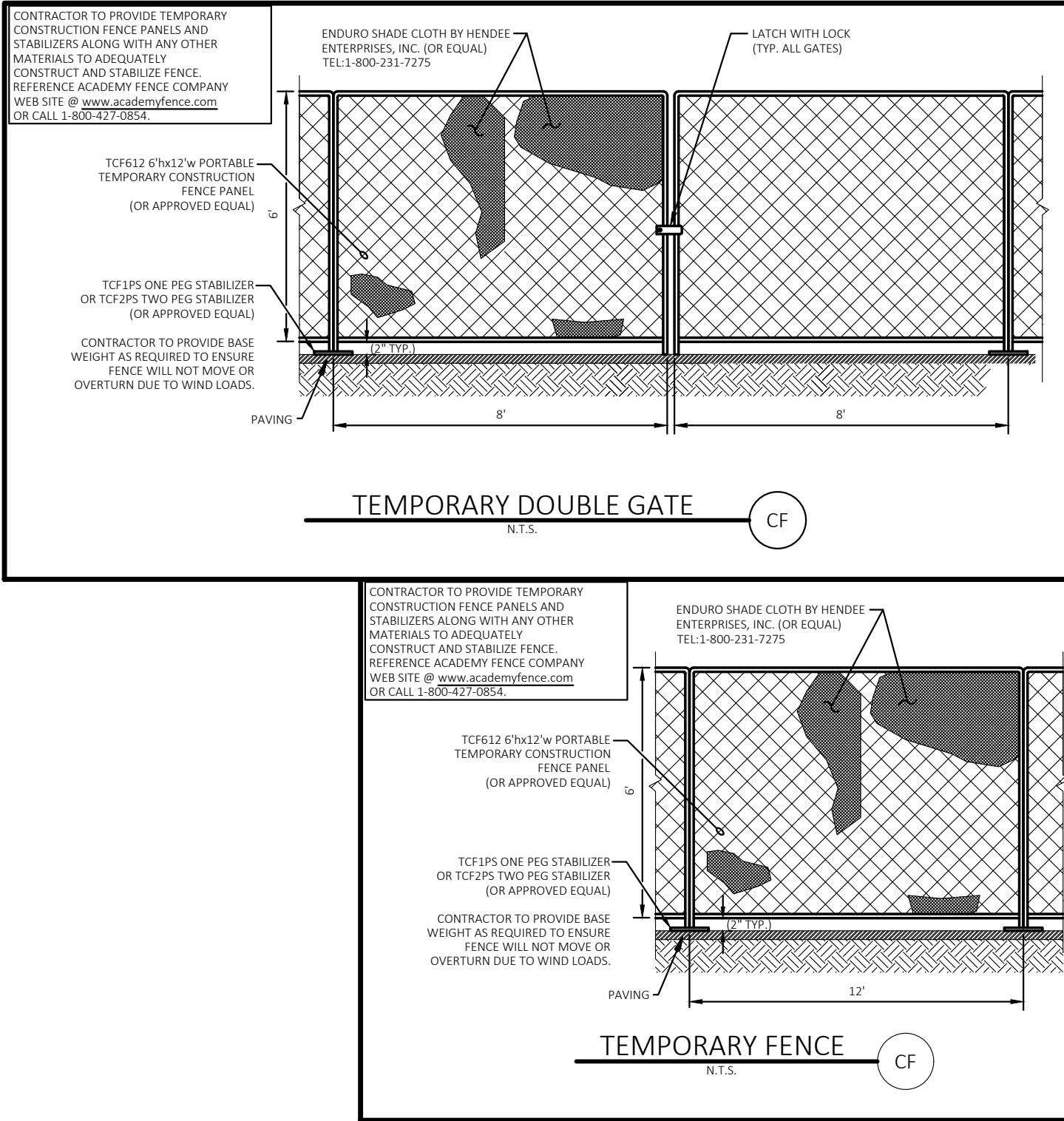
Thence along the South line of said Lot 1 North $87^{\circ} 20' 33''$ West a distance of 210.00 feet to a set 5/8" Rebar (LS#1304) for the most Easterly Southwest Corner of herein described Lot 2;
Thence North $02^{\circ} 30' 22''$ East a distance of 774.03 feet to a set Magnail with washer (LS#1304); Thence North $87^{\circ} 06' 46''$ West a distance of 582.63 feet to the POINT OF BEGINNING and containing 721,161 square feet or 16.56 acres, more or less.



LEGEND

TRAILER MANEUVERING AREAS

TRAILER PARKING AREAS



PROFESSIONAL OF RECORD	POR
PROJECT MANAGER	JE
DESIGNER	JB
CEI PROJECT NUMBER	31470
DATE	11/14/2022
REVISION	REV-2



David Glass (North Lot) – looking north



David Glass (North Lot) – looking north



David Glass (North Lot) – looking east



David Glass (North Lot) – looking east



David Glass (North Lot) – looking south



David Glass (North Lot) – looking south

PREPARED BY:



CEI Engineering Associates, Inc.

3108 SW Regency Parkway
Bentonville, Arkansas

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

Exhibit Description: Site Photographs

Job Number: 31470

City, State: Bentonville, AR

Project: David Glass Technology Center

EXHIBIT NUMBER

EX1.01



David Glass (North Lot) – looking west



David Glass (North Lot) – looking west

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PREPARED BY:



CEI Engineering Associates, Inc.

3108 SW Regency Parkway
Bentonville, Arkansas

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

Exhibit Description: Site Photographs

Job Number: 32813

City, State: Bentonville, AR

Project: David Glass Technology Center

EXHIBIT NUMBER

EX1.02

ORDINANCE STAFF REPORT



Flood Damage Prevention Codification

PC Date: 1/3/2023

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Manager

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

Staff recommends an ordinance to amend Bentonville Municipal Code, Appendix B Land Development Code, Article 1500 Flood Damage Prevention to codify the referenced Flood Damaged Prevention Code in Sec. 1500.06 and repealing redundant or conflicting codes.

The proposed ordinance provides a renumbering of Article 1500 to codify and incorporate the Flood Damage Prevention Code that was originally adopted by reference. This includes a few minor amendments including:

1. Adding clarifying text to headings and subheadings.
2. **Sec. 1500.06, Flood Damage Prevention Code Adopted By Reference:**
Replace “May 22, 2012” date with “August 28, 2007” to correct the adoption date.
3. **Sec. 1500.14 Permits and Sec. 1500.18 Establishment of floodplain development permit:**
Repeal Sec. 1500.14 and relocate it to Sec. 1500.18.
4. **Sec. 1500.19 Floodplain development permit procedures:**
Removes last statement since it is addressed specifically in subsequent sections.
5. **Sec. 1500.20 Procedures for variance from requirements of this code:**
Changes code references to match current code sections and subsections.
6. **Sec. 1500.23 Risk zone specific standards:**
Changes code references to match current code sections and subsections.

ORDINANCE NO. _____
CITY OF BENTONVILLE, ARKANSAS

**AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE,
APPENDIX B LAND DEVELOPMENT CODE, ARTICLE 1500 FLOOD
DAMAGE PREVENTION TO CODIFY THE REFERENCED FLOOD DAMAGE
PREVENTION CODE IN SEC. 1500.06, REPEALING REDUNDANT OR
CONFLICTING CODES; AND FOR OTHER PURPOSES.**

WHEREAS, Section 1500.06 adopts by reference a “Flood Damage Prevention Code for the City of Bentonville, Arkansas” dated May 22, 2012;

WHEREAS, the date listed as May 22, 2012 is an error and should be August 28, 2007; and

WHEREAS, the referenced “Flood Damage Prevention Code for the City of Bentonville” should be codified and incorporated into Article 1500 Flood Damage Prevention of the Municipal Code;

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

Section 1 – Codification: That Bentonville Municipal Code, Appendix B Land Development Code, Article 1500 Flood Damage Prevention should be and the same is hereby amended with the following Attachment A: Flood Damage Prevention, an electronic copy and paper copy of which is on file with the City Clerk, is hereby referred to, adopted and made a part hereof as though it were copied herein fully.

Section 2 - Severability Provision: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3 - Repeal of Conflicting Provisions: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4 - Effective Date: This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ARTICLE 1500 FLOOD DAMAGE PREVENTION

Sec. 1500.01 Statutory Authority

The Legislature of the State of Arkansas has in Ark. Code Ann. § 14-268-101 et seq., delegated the responsibility of local governmental units to adopt regulations to minimize flood losses. Therefore, the City Council of the City of Bentonville, Arkansas, does hereby ordain as follows.

Sec 1500.02 Findings Of Fact

- (a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of the City of Bentonville in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Benton County, Arkansas," dated June 5, 2012 with an effective Flood Insurance Rate Map (FIRM) dated June 5, 2012.
- (b) These Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (c) The Base Level Engineering data for the City of Bentonville identifies additional areas outside the Special Flood Hazard Areas that are also subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
- (d) These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or otherwise unprotected structures or uses vulnerable to floods into Special Flood Hazard Areas. Such structures or uses are inherently hazardous to other lands because of their adverse impact on flooding events.

Sec 1500.03 Statement Of Purpose

The purpose of this ordinance is to promote the public health, safety and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified Special Flood Hazard Areas. This ordinance advances the stated purpose through provisions designed to:

- (a) Protect human life and health;
- (b) Protect natural floodplains against unwise development;
- (c) Eliminate adverse impacts of necessary floodplain development;
- (d) Minimize expenditure of public monies on flood control projects;
- (e) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (f) Minimize prolonged business interruptions due to flooding events;

Attachment A

- (g) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Special Flood Hazard Areas;
- (h) Minimize future flood blight areas to help maintain a stable tax base; and
- (i) Provide for notice to potential buyers when property is in a Special Flood Hazard Area.

Sec 1500.04 Lands To Which This Ordinance Applies

The ordinance shall apply to all Special Flood Hazard Areas and additional areas identified in the Base Level Engineering data within the jurisdiction of the City of Bentonville, Arkansas.

Sec 1500.05 Methods Of Reducing Flood Losses

This ordinance uses the following methods to accomplish the stated purpose:

- (a) This ordinance restricts or prohibits structures or uses in Special Flood Hazard Areas that adversely impact health, safety or property during flooding events;
- (b) This ordinance requires protection against flood damage for structures or uses vulnerable to floods at the time of initial construction, or after substantial improvement of the structure, or after substantial damage has occurred;
- (c) This ordinance controls the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation and transport of flood waters;
- (d) This ordinance controls floodplain development (structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations and other activities) which may increase flood damage by increasing flood elevations, flood water velocities, or flood discharge patterns;
- (e) This ordinance regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands.

Sec 1500.06 Flood Damage Prevention Code ~~Adopted By Reference~~

There is hereby adopted ~~by reference~~ a "Flood Damage Prevention Code for the City of Bentonville, Arkansas," ~~dated May 22, 2012~~ **adopted August 28, 2007 and codified in Sec. 1500.15 through Sec. 1500.25 of Appendix B Land Development Code of the Bentonville Municipal Code.** ~~The code shall be available for inspection and copying by any person during normal office hours.~~

Sec 1500.07 Abrogation And Greater Restrictions

This ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Whenever there is a conflict or overlap between this ordinance and another ordinance, easement, covenant, or deed restriction, the instrument with the more stringent restrictions applies.

Sec 1500.08 Interpretation

In the interpretation and application of this ordinance, all provisions must:

- (a) Be considered as minimum requirements;
- (b) Be liberally construed in favor of the governing body; and
- (c) Be deemed to neither limit nor repeal any other powers granted under State statutes.

Sec 1500.09 Warning And Disclaimer Of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes. Documented scientific and engineering data form the basis for these requirements. On rare occasions, flooding events greater than those considered for this ordinance will occur. In addition, flood heights may increase over time due to manmade or natural causes. This ordinance does not imply that land outside Special Flood Hazard Areas will be free from flooding, nor that strict adherence to this ordinance protects uses permitted within Special Flood Hazard Areas from all flood damages. This ordinance specifically does not create liability on the part of the community, nor any official or employee of the community, for any flood damages that result while strictly following this ordinance, or from any lawful administrative decision made under the provisions of this ordinance.

Sec 1500.10 Compliance

Constructing, locating, substantially altering or changing the use of any structure or land after the effective date of this ordinance requires full compliance with the provisions of this ordinance and all other applicable regulations.

Sec1500.11 Penalty For Non-Compliance

Flood hazards are reduced by compliance with the provisions of this code. Accordingly, enforcement of this ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.

- (a) The Floodplain Administrator and his or her designee must enforce the provisions of this ordinance and is authorized to:
- (b) Issue a stop work order on non-compliant floodplain development projects;
- (c) Issue citations for non-compliance;
- (d) Request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-compliant properties; and
- (e) Take any other lawful action necessary to prevent or remedy any instance of non-compliance with the provisions of this ordinance.
 - 1. It is a misdemeanor to violate or fail to comply with any provision of this ordinance.
 - 2. Any person found, in a court of competent jurisdiction, guilty of violating this ordinance is subject to fines of not more than \$500 per day for each violation; in addition, the defendant is subject to payment of all associated court costs and costs involved in the case.

Attachment A

Sec 1500.12 Severability

If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this ordinance.

Sec 1500.13 Fees

The applicant shall pay the fee listed on the permit application, as adopted from time to time by City Council.

Sec 1500.14 ~~Permits~~ Repealed

- ~~(a) *Applicability.* Any structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations and other activities must be approved via the current Floodplain Development Permit Application prior to any work within the Special Flood Hazard Area.~~
- ~~(b) *Exemptions.* No exemptions may be granted without a written request to the city Floodplain Administrator and approval by the appropriate board.~~
- ~~(c) *Application.*~~
 - ~~(1) *Application Form.* Completed and signed application form.~~
 - ~~(2) *Fee.* Payment of fee as indicated on the application.~~
- ~~(d) *Review and approval.* Any Floodplain Development permit may not be completely reviewed until all associative documents and detailed study information has been made available to the Floodplain Administrator. Upon completion of the review a determination will be made to approve or deny the permit.~~

ARTICLE 1

DEFINITIONS

Sec. 1500.15 Definitions

Unless specifically defined below, words or phrases used in this Code have their common usage meaning to give the most reasonable application to this Code.

Additional definitions for floodplain management terms can be found at Part §59.1 of 44 CFR.

44 CFR (Emergency Management and Assistance – National Flood Insurance Program Regulations) Parts 59-75 contain Federal regulations upon which local floodplain managements are based

44 CFR § 65.12 – contains the section of the Federal regulations which involves revision of flood insurance rate maps to reflect base flood elevations caused by proposed encroachments.

Attachment A

“100-Year Flood” is any flood with a 1% chance of occurring in any given year. The term is misleading, because of its statistical derivation. A “100-year flood” may occur many times in any given 100-year period, or it may not occur at all in 100 years.

“500-Year Flood” is any flood with a 0.2% chance of occurring in any given year. As with the 100-year flood, this term is also misleading, because of its statistical derivation. A “500-year flood” may occur many times in any given 500-year period, or it may not occur at all in 500 years.

“Accessory Structures” are structures which are on the same parcel of property as the principle structure and the use of which is incidental to the use of the principle structure (such as garages and storage sheds).

“Adverse Impact” means any negative or harmful effect.

“AE Risk Zones” are special flood hazard areas where detailed studies have determined base flood elevations.

“AH Risk Zones” are special flood hazard areas characterized by shallow flooding with ponding effects (where floodwaters accumulate in depressions and linger until absorbed or evaporated).

“AO Risk Zones” are special flood hazard areas characterized by shallow flooding with sheet flow (where floodwaters flow in a broad, shallow sheet rather than through a narrow channel).

“A Risk Zones” are special flood hazard areas without detailed studies, where base flood elevations have not been determined.

“Appeal Board” means a person or persons specifically designated to render decisions on variance applications and floodplain management complaints.

“Automatic” entry and exit of floodwaters means that the water must be able to enter and exit with no intervening action from a person.

“Base Flood” is the flood profile used as the basis for the NFIP regulations. The Federal government has selected the “100-year flood” as the base flood.

“Base Flood Elevation” refers to the expected height of floodwaters during the peak of the base flood event.

“Basement” is any enclosed area that is below grade on all four walls.

“BFE” is the acronym for Base Flood Elevation.

“Buoyancy” is the upward force exerted by water. Buoyancy can cause underground tanks to float free and can lift structures off foundations.

“Certificates of Compliance” are formal documents issued by floodplain administrators certifying that completed projects comply with the requirements of the local Code.

“CFR” is the acronym for the Code of Federal Regulations. The Code of Federal Regulations is the codification of the general and permanent rules published in the Federal Register by the

Attachment A

executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation. The Federal regulations pertaining to the national Flood Insurance Program are found in title 44, Emergency Management and Assistance.

“Clearing” is the act of cutting timber or shrubs from an area

“Commercial Business Park” is typically an area of offices or light industrial usage, although retail, service, or industrial usage is sometimes included in supporting roles. For example, a commercial business park of office complexes may also include restaurants which service these offices.

“Concrete Deadman Anchors” are heavy steel rods embedded in buried sections of concrete, used to secure items in place under tension.

“Covenant” is a clause in a contract that requires one party to do, or refrain from doing, certain things. A covenant frequently appears as a restriction that a lender imposes on a borrower.

“Crawlspace” is a type of structural foundation where the space beneath the lowest floor is typically not deep enough to allow a person to stand and not all four walls are below grade.

“Critical Facilities” include: Governmental facilities that are considered essential for the delivery of critical services and crisis management (such as data and communication centers and key governmental complexes); facilities that are essential for the health and welfare of the whole population (such as hospitals, prisons, police and fire stations, emergency operations centers, evacuation shelters and schools); mass transportation facilities (such as airports, bus terminals, train terminals); lifeline utility systems (including potable water, wastewater, oil, natural gas, electric power and communications systems); high potential loss facilities (such as nuclear power plants or military installations); hazardous material facilities (such as industrial facilities housing or manufacturing or disposing of corrosives, explosives, flammable materials, radioactive materials and toxins.

“D Zones” areas in which the flood hazard has not been determined, but may be possible

“Deed Restriction” refers to a clause in a deed that limits the future uses of the property in some respect. Deed restrictions may impose a vast variety of limitations and conditions, for example, they may limit the density of buildings, dictate the types of structures that can be erected, prevent buildings from being used for specific purposes or even from being used at all.

“Development” broadly means any manmade change in improved or unimproved real estate. It includes, but is not limited to, construction, reconstruction, or placement of a building, or any addition or substantial improvement to a building. “Development” also includes the installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 consecutive days. The installation of utilities, construction of roads, bridges, culverts or similar projects are also “developments.” Construction or erection of levees, dams, walls, or fences; drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface are “developments.” Storage of materials including the placement of gas and liquid storage tanks are “developments,” as are channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

Attachment A

"Development" does not include maintenance of existing buildings and facilities, maintenance of existing drainage ditches, resurfacing of roads, gardening, plowing, or similar practices that do not involve filling, grading, or construction of levees.

"Development Permit" refers to the permit required for placing a "development" in the floodplain.

"Easements" are rights or permissions held by one person to make specific, limited use of land owned by another person.

"Elevation Certificate" refers to FEMA form 81-31, which for the purposes of this Code must be properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.

"Erosion" is the process of soil removal by moving water.

"Existing Structure" means, for floodplain management purposes, a structure which is in place before any reconstruction, rehabilitation, addition, or other improvement takes place.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Federal Emergency Management Agency", or FEMA, is the Federal agency responsible for administering the National Flood Insurance Program.

"FEMA" is the acronym for the Federal Emergency Management Agency.

"Fill" refers to the placement of natural sand, dirt, soil, rock, concrete, cement, brick or similar material at a specified location to bring the ground surface up to a desired elevation.

"FIRM" is the acronym for Flood Insurance Rate Map.

"Flood Fringe" refers to the portion of the 100-year floodplain which is outside the floodway (See definition of floodway below.)

"Flood Insurance Rate Map" (or "FIRM") refers to the official flood map of a community on which FEMA has categorized Special Flood Hazard Areas into risk premium zones.

"Flood Insurance Study" (or "FIS") is the official report provided by FEMA. It contains flood profiles, floodway tables, engineering methods, and other descriptive and technical data.

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“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

“Flooding Events” are general or temporary conditions of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or from the unusual and rapid accumulation or runoff of surface waters from any source.

“Floodplain” refers to any land area susceptible to inundation by floodwaters from any source. For the purposes of this Code, floodplain refers to the land area susceptible to being inundated by the base flood.

“Floodplain Administrator” refers to the community official designated in the local Flood Damage Prevention Code as responsible for the Code’s administration.

“Floodplain Development Permit” is a permit issued by the local Floodplain Administrator and is required before beginning any development in an area designated as a Special Flood Hazard Area on the community’s FIRM.

“Floodproofing” is a combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate the risk of flood damage.

“Floodproofing Certificate” refers to FEMA form 81-65, which for the purposes of this Code must be properly completed by a Professional Engineer or Architect licensed to practice in the State of Arkansas.

“Floodway or Regulatory Floodway” refers to a stream channel and the land to either side of the stream channel that must remain undeveloped and open in order to allow floodwaters to pass without increasing the base flood elevation more than a designated height. For the purposes of this Code, the height is one foot (1 ft.). Severe restrictions or prohibitions are imposed on development within the floodway.

“Flow-through Openings” are openings specifically designed to allow floodwaters to flow into and out of enclosed spaces, minimizing the danger of foundation or wall collapse from lateral hydrostatic pressure.

“Functionally Dependent Use” is a use that requires a location or construction contrary to the requirements of the Code. Shipyards and docks are the most common examples of “functionally dependant uses,” but in Arkansas, water and wastewater treatment facilities are often constructed on normally prohibited sites. Another example of a functionally dependant use might be an addition to a manufacturing facility with precision equipment which must align with existing equipment in a pre-existing, pre-FIRM building. Variances may be granted for functionally dependant uses.

“Grade” means the surface of the ground.

“Grading” means to smooth the surface of the ground, typically with heavy construction equipment.

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“Highest Adjacent Grade” (HAG) means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historical Structure” means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or;
 - b. Directly by the Secretary of the Interior in states without approved programs.

“Hydrodynamic Forces” are the forces and stresses associated with moving water, including impacts from objects carried in the water.

“Hydrostatic Flood Forces” are the forces and stresses associated with standing floodwaters.

“Lacustrine Flooding” is flooding associated with a lake.

“Lateral Forces” are the horizontal hydrostatic forces associated with standing water. Water exerts an equal force in all directions, and as little as three feet of standing water can generate sufficient lateral force to collapse a foundation or wall.

“Lowest Floor” refers to the lowest floor of the lowest enclosed area (including basement). For a typical **slab-on-grade construction**, the elevation of the lowest floor is the top of the first floor of the house. For a typical **basement foundation construction**, the elevation of the lowest floor is the top of the basement floor. For a typical **crawlspace foundation construction**, the elevation of the lowest floor is the top of the first floor of the house. For typical **split-level constructions**, the elevation of the lowest floor is the top of the first living area floor – the **garage floor** is not the lowest floor as long as there are no living areas in the garage and it is used solely for storage, parking vehicles and entry to the house. The elevation of the lowest floor of a **manufactured home**, however, is the bottom surface of the lowest floor joist.

“Manufactured Homes or Structures” are modular in nature and are constructed elsewhere and transported to another site for placement, assembly, or reassembly.

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land subdivided into two or more manufactured home lots for rent or sale.

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“Mean Sea Level” (MSL) means, for the purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s FIRM are referenced.

“Mixed Use Structures” are structures with both a business and a residential component, but where the area used for business is less than 50% of the total floor area of the structure.

“New Construction” means, for floodplain management purposes, structures for which the “start of construction” commenced on or after the date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

“New Manufactured Home Park or Subdivision” - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

“No Adverse Impact Principle” is a principle of restricting or prohibiting land development that does harm or “adversely affects” someone else’s property or land.

“Nonresidential Structures” are structures used only for commercial or public purposes, such as businesses, schools, churches, etc... **“No-Rise Certificates”** are formal certifications signed and stamped by a Professional Engineer licensed to practice in the State of Arkansas, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase in flood levels within the community during the occurrence of a base flood event.

“Piers” are columns of masonry or other structural material (commonly cement blocks stacked up to support a manufactured home), usually rectangular, used to support other structural members.

“Pilings” are steel tubes driven to rock or a suitable soil bearing layer and connected to the foundation of a structure.

“Ponding” is a flooding effect where floodwaters accumulate in shallow depressions and linger until absorbed or evaporated.

“Recreational Vehicles” means a vehicle which is:

- i. Built on a single chassis;
- ii. 400 square feet or less when measured at the largest horizontal projections;
- iii. Designed to be self-propelled or permanently towable by a light duty truck; and
- iv. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Risk Zones” categorize special flood hazard areas into groupings by the specific risk of flooding. Zones A, AE, AO, and AH are Special Flood Hazard Areas. See “X Risk Zones” in this section.

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“Riverine Flooding” is flooding associated with a river or stream channel.

“RV” is the acronym for recreational vehicle.

“Screw Augers” are any type of anchor that twists into the soil, typically to a depth of 4 feet or more. They are not suitable for securing manufactured homes against floodwaters because saturated grounds often soften and fail to hold the anchor in place.

“Section 404 Wetlands Permit” is a permit required under Section 404 of the Clean Water Act for the discharge of dredged and fill material into any surface water of the United States. The US Army Corps of Engineers issues Section 404 permits.

“SFHA” is the acronym for Special Flood Hazard Area.

“Shallow Flooding” means a depth of less than 3 feet.

“Slab Anchors” are anchors where the hook of the anchor is wrapped around a horizontal rebar in the slab before the concrete is poured.

“Special Flood Hazard Areas” are geographical areas identified on FEMA flood maps as being at-risk for flooding. The maps further categorize these areas into various flood risk zones A, AE, AH, and AO.

“Start of Construction” includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“State Coordinating Agency” is the agency that acts as a liaison between FEMA and a community for the purposes of floodplain management. The Arkansas Natural Resources Commission is the State Coordinating Agency for Arkansas.

“Stream Channels” are depressed natural pathways through which water of any quantity routinely flows.

“Structural Development” is a development that includes the placement or construction of a structure.

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“Structure” for the purposes of floodplain management, refers to any building with two or more rigid walls and a fully secured roof on a permanent site or to any gas or liquid storage tank that is principally above ground.

“Substantial Damage” is damage of any origin where the cost to restore a structure to its original undamaged state would equal or exceed 50% of the market value of the structure before any damage occurred. In determining whether substantial damage has occurred, estimators must use standard contractor and materials costs. There are no exceptions for homeowners who make their own repairs or for discounted or free raw materials.

“Substantial Improvement” is any reconstruction, remodeling, addition or improvement to a structure with a cost equaling or exceeding 50% of the market value of the structure before any improvement. Improvements to correct identified violations of local health, sanitary or safety Codes are not substantial improvements, regardless of the cost, as long as they are the minimum improvement necessary to bring the structure up to Code. Alterations to historical structures are also exempted, as long as the improvement does not affect the structure’s official status of “historical structure.”

“Uses Vulnerable to Floods” are simply any land or structural uses that may be negatively affected by a flood.

“Variance” is a formal, written permission from the Appeals Board to construct or develop in a way that is inconsistent with the requirements of this Code. The variance only deals with this Code – the Appeals Board has no authority to waive any other governmental requirement, and has no say in the cost of flood insurance.

“Violation” - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Code is presumed to be in violation until such time as that documentation is provided.

“Watercourse Alteration” refers to any change that occurs within the banks of a watercourse.

“Water Surface Elevation” - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“X Risk Zones” are a special group of insurance risk zones. One type, shown as non-shaded areas on FEMA issued flood maps, indicates a zone where flooding is not expected to occur. The second type, shown as shaded areas of FEMA flood maps, indicates a flood hazard area that is expected to be affected by the 500-year flood, but not by the 100-year base flood.

ARTICLE 2
ADMINISTRATION

Sec. 1500.16 Designation of the Floodplain Administration

The Mayor of the City of Bentonville, or his designee, is hereby appointed the Floodplain Administrator.

Sec. 1500.17 Duties & responsibilities of the floodplain administrator

It is the duty and responsibility of the Floodplain Administrator or his designee to:

- (a) Obtain accreditation. Obtain accreditation each year as required by A.C.A. §14-268-106 through the State Coordinating Agency, which is the Arkansas Natural Resources Commission.
- (b) Administer code compliance. Administer and implement the provisions of this Code and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) as they pertain to floodplain management
- (c) Review applications. Review applications for Floodplain Development Permits to:
 - (1) Evaluate proposed projects for reasonable safety from flooding;
 - (2) Evaluate proposed projects for conformance with No Adverse Impact principles;
 - (3) Ensure that all other permits necessary (including Section 404 Wetlands Permits as required by the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) for proposed projects are obtained from the appropriate government agency prior to issuing a Floodplain Development Permit; and
 - (4) Ensure that proposed projects conform to the applicable provisions of this Code.
- (d) Approve or deny applications. Approve or deny applications for Floodplain Development Permits on the basis of:
 - (1) The proposed development's compliance or non-compliance with the provisions of this Code;
 - (2) The expected flood elevation, flood water velocity, flood duration, rate of rise and sediment transport of the floodwaters expected at the proposed development site;
 - (3) The proposed development's potential to adversely impact life and property by changing flooding patterns, changing erosion rates, or being swept onto other lands by flood waters;
 - (4) The proposed development's susceptibility to flood damage;
 - (5) The proposed development's compatibility with existing and planned community development;
 - (6) The proposed development's accessibility by ordinary and emergency vehicles during flooding events;

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- (7) The anticipated costs of providing governmental services to the proposed development during and after flooding events, including maintenance and repair of streets, bridges, facilities and public utilities such as sewer, gas, electrical and water systems;
 - (8) The proposed development's functionally dependent use;
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed development; and
 - (10) The relationship of the proposed use to the comprehensive plan for that area.
- (e) Interpret boundaries. Interpret the exact location of the boundaries of Special Flood Hazard Areas whenever a mapped boundary appears to be different from actual field conditions. (The sole purpose of this interpretation is to determinate the applicability of the provisions of this Code to the proposed project.)
 - (f) Provide notifications. Notify adjacent communities and the State Coordinating Agency, which is the Arkansas Natural Resources Commission, a minimum of 60 days prior to any alteration or relocation of a watercourse, and submit evidence of all such notifications to FEMA.
 - (g) Review flood carrying capacity. Ensure that the flood carrying capacity within an altered or relocated portion of a watercourse is not diminished, and that the alteration or relocation does not adversely impact any other lands.
 - (h) Review base flood elevation data. Obtain, review and reasonably utilize, whenever the current Flood Insurance Study or current Flood Insurance Rate Map does not provide base flood elevation data, any base flood elevation data and floodway data available from any Federal, State or other source. The Floodplain Administrator may obtain such data by requiring the applicant to submit it in conjunction with a Floodplain Development Permit application. (The sole use of this data is the administration of the provisions of this Code.)
 - (i) Provide inspections. Inspect floodplain developments as necessary to ensure construction is in accordance with the application data that formed the basis for the decision to issue the Floodplain Development Permit.
 - (j) *Issue Certificates of Compliance.*
 - (k) Maintain documents. Maintain all records and documents pertaining to this Code for public inspection.

Sec. 1500.18 Establishment of floodplain development permit

- (a) Applicability. A Floodplain Development Permit is required for all structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations or any other development in a Special Flood Hazard Area to ensure conformance with the provisions of this Code.

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(b) Exemptions. No exemptions may be granted without a written request to the city Floodplain Administrator and approval by the appropriate board.

(c) Application.

(1) Application Form. Completed and signed application form.

(2) Fee. Payment of fee as indicated on the application.

(d) Review and approval. Any Floodplain Development permit may not be completely reviewed until all associative documents and detailed study information has been made available to the Floodplain Administrator. Upon completion of the review a determination will be made to approve or deny the permit.

Sec. 1500.19 Floodplain development Ppermit procedures

- (a) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.
- (b) The documentation required with each Application for a Floodplain Development Permit, and the specific provisions of this Code applicable to the proposed development, are dependant upon the type of development proposed and the Risk Zone of the proposed development site. *Sec. 1500.21 Special Flood Hazard Areas General Standards* contains standards for all developments in all Risk Zones. *Sec. 1500.22 – 25* contain standards for specific development types in specific Risk Zones.
- (c) The decision of the Floodplain Administrator to approve or deny issuance of a Floodplain Development Permit is subject to appeal to the designated Appeal Board. ~~Within the City of Bentonville, Arkansas the designated Appeal Board is the Board of Adjustment.~~

Sec. 1500.20 Procedures for variance from the requirements of this code

- (a) Applicants must submit petitions for variances directly to the Board of Adjustment ~~(Section E).~~
- (b) Variances may only be issued:
 - (a) if showing a good and sufficient cause;
 - (b) granting of the variance will not result in any adverse impact upon other lands;
 - (c) if granting of the variance will not result in any additional threats to public safety;
 - (d) if granting of the variance will not result in extraordinary public expense;
 - (e) if granting of the variance does not create a nuisance, cause fraud on or victimization of the public, or conflict with existing laws or ordinances;
 - (f) if granting of the variance will not result in increased flood heights or an increase in expected flood velocities;

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- (g) if the requested variance is the minimum necessary, considering the flood hazards, to afford the necessary relief; and
- (h) upon determination that the requested variance is necessary to avoid an extraordinary hardship to the applicant.
- (c) Variances may not be issued for developments inside a regulatory floodway unless
 - (a) all requirements of 44 CFR §65.12 are first met; or
 - (b) the following requirements are met:
 - a. a No-Rise Certificate signed and sealed by a Professional Engineer licensed to practice in the State of Arkansas is submitted to document that no increase in the base flood elevation would result from granting a variance for the proposed development;
 - b. protective measures are employed to minimize damages during flooding events; and
 - c. the variance does not result in any adverse impact to other lands.
- (d) Examples of developments for which variance petitions may be appropriate include but are not limited to
 - (a) the new construction of, or substantial improvement to, a structure on a lot of 1/2 acre or less in size that is surrounded by contiguous lots with existing structures constructed below the base flood elevation;
 - (b) for the reconstruction, rehabilitation or restoration of an historical structure, provided that:
 - a. the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure; and
 - b. the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (c) the new construction of, substantial improvement to, or other development necessary to conduct a functionally dependent use, provided that:
 - a. the criteria outlined in [*Sec. 1500.20 Procedures for Variance from Requirements of this Code*](#)~~Article 2, Section E~~, (3) and (4) and [*Sec. 1500.21 Appeal Board*](#)~~Article 2, Section F~~ are met, and
 - b. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Sec. 1500.21 Appeal board

- (a) Within the City of Bentonville, Arkansas the Board of Adjustment is the designated Appeal Board.
- (b) The Appeal Board will consider an appeal only with allegations of an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Code.

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- (c) Upon consideration of the factors noted in Article 1, Sections E and F, and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.
- (d) Appeal Board decisions are binding only upon the requirements of this Code and have no bearing on the decision of any lending institution to require the purchase of flood insurance or on the rate determination of such insurance.
- (e) Any time the Appeal Board issues a variance, it must provide the applicant with a formal written warning of an increased risk of flood damage due to removal of restrictions designed to lessen such risks. The notice must also warn of a corresponding increase in the cost of flood insurance, since the cost of such insurance will be commensurate with the increased risk.
- (f) Aggrieved parties may appeal any decision of the Appeal Board to a court of competent jurisdiction.

ARTICLE 3 **~~PROVISIONS FOR FLOOD HAZARD REDUCTION~~**

Sec. 1500.22 Special Flood Hazard Areas general standards

The following standards apply to all developments in Special Flood Hazard Areas, regardless of the type of proposed development or the Risk Zone of the proposed site.

- (a) All new and substantial construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (c) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (d) All critical facilities constructed or substantially improved in Special Flood Hazard Areas (SFHA) must be constructed or modified to exceed 500-year flood protection standards or located outside the SFHA.
- (e) The placement or construction of all new structures must be in full compliance with the provisions of this Code
- (f) For the purposes of this Code, all mixed-use structures are subject to the more stringent requirements of residential structures.
- (g) A substantial improvement or substantial damage to an existing structure triggers a requirement to bring the entire structure into full compliance with the provisions of this Code. The existing structure, as well as any reconstruction, rehabilitation, addition, or other improvement, must meet the standards of new construction in this Code.
- (h) Any improvement to an existing structure that is less than a substantial improvement requires the improvement, but not the existing structure, to be in full compliance with the provisions of this Code.

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- (i) All manufactured homes to be placed within a Special Flood Hazard Area on a community's FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. Screw augers or expanding anchors will not satisfy the requirement of this provision.
- (j) The design or location of electrical, heating, ventilation, plumbing, and air conditioning equipment for new structures, or for any improvements to an existing structure, must prevent water from entering or accumulating within the components during base flood events.
- (k) The design of all new and replacement water supply systems must minimize or eliminate infiltration of floodwaters into the system during base flood events.
- (l) The design of all new and replacement sanitary sewage systems must minimize or eliminate infiltration of floodwaters into the system during flooding events, and must prevent sewage discharge from the systems into floodwaters.
- (m) The placement of on-site waste disposal systems must avoid impairment to, or contamination from, the disposal system during base flood events.
- (n) Construction of basement foundations in any Special Flood Hazard Area is prohibited.
- (o) New construction and substantial improvements, with fully enclosed areas (such as garages and crawlspaces) below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are below the base flood elevation shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (2) The bottom of all openings shall be no higher than 1 foot above grade.
 - (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (p) The placement of recreational vehicles (RV) in Special Flood Hazard Areas must either be temporary, as demonstrated by the RV being fully licensed, being on wheels or a jacking system, attached to the site only by quick disconnect type utilities and security devices, having no permanently attached additions, and being immobile for no more than 180 consecutive days; or else meet all provisions of this Code applicable to manufactured home structures.
- (q) All proposals for the development of a residential subdivision, commercial business park or manufactured home park/subdivision must have public utilities and facilities such as

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sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

- (r) All proposals for the development of a residential subdivision, commercial business park or a manufactured home park/subdivision must include an adequate drainage plan to reduce exposure to flood hazards.
- (s) All proposals for the development of a commercial business park or a manufactured home park/subdivision must include an adequate evacuation plan for the escape of citizens from affected nonresidential structures during flooding events.

Sec. 1500.23 Risk zone specific standards

In addition to the General Standards, the ~~following~~additional standards apply to specific development types in specific Risk Zones, except as revised in Sec. 1500.20 Procedures for variance from the requirements of this code ~~Section E~~ of this Article. Risk Zones listed in this Code that do not appear on the current FIRM are not applicable.

Sec. 1500.24 ~~In~~ AE Risk Zones: Special Flood Hazard Areas with base floods determined

(a) ~~For~~ Residential Structures in Zone AE:

- (1) For all new residential structures, the top surface of the lowest floor must have an elevation 3 feet or more above the published BFE. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.
- (2) For all substantial improvements or substantial damage to existing residential structures, the entire structure becomes subject to the requirements of a new residential structure.
- (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing residential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new residential structure.

(b) ~~For~~ Nonresidential Structures in Zone AE:

- (1) All new commercial, industrial or other nonresidential structures must either:
 - a. have the lowest floor (including basement) elevated 3 feet or more above the base flood level or
 - b. be floodproofed such that, together with attendant utility and sanitary facilities, be designed so that below an elevation of 3 feet above the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify on a Floodproofing Certificate that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A

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record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

- (2) For all substantial improvements or substantial damage to existing commercial, industrial or other nonresidential structures the entire structure becomes subject to the requirements of a new nonresidential structure.
- (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing nonresidential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new nonresidential structure.

(c) ~~For~~ *Manufactured Homes in Zone AE:*

- (1) All manufactured homes that are placed or substantially improved on sites:
 - a. outside of a manufactured home park or subdivision,
 - b. in a new manufactured home park or subdivision,
 - c. in an expansion to an existing manufactured home park or subdivision, or
 - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated 3 feet or more **above** the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (2) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on the community's FIRM that are not subject to the provisions of paragraph (1.) of this section be elevated so that either:
 - a. the lowest floor of the manufactured home is 3 feet or more above the base flood elevation, or
 - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (3) For all substantial improvements or substantial damage to existing manufactured home, the entire structure becomes subject to the requirements of a new manufactured home.
- (4) For any reconstruction, rehabilitation, addition, or other improvement to an existing manufactured home that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new manufactured home.

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- (d) *Where FEMA has not established a regulatory floodway in Zone AE, no Floodplain Development Permit may be issued unless a detailed engineering analysis is submitted along with the application that demonstrates the increase in base floodwater elevation due to the proposed development and all cumulative developments since the publication of the current FIRM will be less than 1 foot.*

Sec. 1500.25 Floodways: High risk areas of stream channel and adjacent floodplain

- (a) Developments in regulatory floodways are prohibited, unless
- (1) A No-Rise Certificate, signed and stamped by a Professional Engineer licensed to practice in the State of Arkansas, is submitted to demonstrate through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed development would not result in any increase in flood levels within the community during the occurrence of a base flood event; or
 - (2) All requirements of 44 CFR §65.12 are first met.
- (b) No Manufactured Home may be placed in a regulatory floodway, regardless of elevation height, anchoring methods, or No-Rise Certification.

Sec. 1500.26 ~~In~~ AH or AO Risk Zones: Special Flood Hazard Areas of shallow flooding

- (a) ~~For~~ *Residential Structures in Zones AH or AO:*
- (1) All new residential structures must be constructed with the top surface of the lowest floor elevated 3 feet or more above the published BFE, or 3 feet or more above the highest adjacent grade in addition to the depth number specified (at least 2 feet if no depth number is specified) on the community's FIRM. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.
 - (2) For all substantial improvements or substantial damage to existing residential structures the entire structure becomes subject to the requirements of a new residential structure.
 - (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing residential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new residential structure
- (b) ~~For~~ *Nonresidential Structures in Zones AH or AO:*
- (1) All new commercial, industrial or other nonresidential structure must either:
 - a. have the top surface of the lowest floor elevated 3 feet or more above the published BFE, or 3 feet or more above the highest adjacent grade in addition to the depth number specified (at least 2 feet if no depth number is specified) on the community's FIRM, with documentation on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas; or

Attachment A

- b. be floodproofed such that the structure, together with attendant utility and sanitary facilities be designed so that below 3 feet or more above the published BFE in Zone AH, or 3 feet or more above the base specified flood depth in an AO Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
 - (2) For all substantial improvements or substantial damage to existing commercial, industrial or other nonresidential structures the entire structure becomes subject to the requirements of a new nonresidential structure.
 - (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing nonresidential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new nonresidential structure.
- (c) ~~For~~ *Manufactured Homes in Zones AH or AO:*
- (1) All manufactured homes that are placed or substantially improved on sites:
 - a. outside of a manufactured home park or subdivision,
 - b. in a new manufactured home park or subdivision,
 - c. in an expansion to an existing manufactured home park or subdivision, or
 - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated 3 feet or more above the published BFE, or 3 feet or more above the highest adjacent grade in addition to the depth number specified (at least 2 feet if no depth number is specified) on the community's FIRM, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (2) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on the community's FIRM that are not subject to the provisions of paragraph 1. of this section be elevated so that either:
 - a. the lowest floor of the manufactured home meets the elevation standard of paragraph 1., or
 - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (3) For all substantial improvements or substantial damage to existing manufactured home, the entire structure becomes subject to the requirements of a new manufactured home.

Attachment A

- (4) For any reconstruction, rehabilitation, addition, or other improvement to an existing manufactured home that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new manufactured home.
- (d) Where FEMA has not established a regulatory floodway in Zone in Zones AH or AO, no Floodplain Development Permit may be issued unless a detailed engineering analysis is submitted along with the application that demonstrates the increase in base floodwater elevation due to the proposed development and all cumulative developments since the publication of the current FIRM will be less than 1 foot.
- (e) Require adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

Sec. 1500.27 ~~In~~ “A” Risk Zones: Special Flood Hazard Areas with no base flood elevations determined

- (a) ~~In~~ Zone A. The applicant or the applicant’s agent must determine a base flood elevation prior to construction. The BFE will be based on a source or method approved by the local Floodplain Administrator.
- (b) ~~For~~ Residential Structures in Zone A:
 - (1) For all new residential structures, the top surface of the lowest floor must have an elevation 3 feet or more above the BFE. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.
 - (2) For all substantial improvements or substantial damage to existing residential structures, the entire structure becomes subject to the requirements of a new residential structure.
 - (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing residential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new residential structure.
- (c) ~~For~~ Nonresidential Structures in Zone A:
 - (1) All new commercial, industrial or other nonresidential structures must either:
 - a. have the lowest floor (including basement) elevated 3 feet or more above the base flood level or
 - b. be floodproofed such that, together with attendant utility and sanitary facilities, be designed so that below an elevation of 3 feet above the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Attachment A

- c. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify on a Floodproofing Certificate that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
 - (2) For all substantial improvements or substantial damage to existing commercial, industrial or other nonresidential structures the entire structure becomes subject to the requirements of a new nonresidential structure.
 - (3) For any reconstruction, rehabilitation, addition, or other improvement to an existing nonresidential structure that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new nonresidential structure.
- (d) ~~For~~ *Manufactured Homes in Zone A:*
- (1) All manufactured homes that are placed or substantially improved on sites:
 - a. outside of a manufactured home park or subdivision,
 - b. in a new manufactured home park or subdivision,
 - c. in an expansion to an existing manufactured home park or subdivision, or
 - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated 3 feet or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (2) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on the community's FIRM that are not subject to the provisions of paragraph (1.) of this section be elevated so that either:
 - a. the lowest floor of the manufactured home is 3 feet or more above the base flood elevation, or
 - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (3) For all substantial improvements or substantial damage to existing manufactured home, the entire structure becomes subject to the requirements of a new manufactured home.

Attachment A

- (4) For any reconstruction, rehabilitation, addition, or other improvement to an existing manufactured home that is less than a substantial improvement, only the improved area, but not the entire structure, becomes subject to the requirements of a new manufactured home.
- (e) Base flood elevation data and a regulatory floodway, utilizing accepted engineering practices, shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided.

ORDINANCE NO. _____
CITY OF BENTONVILLE, ARKANSAS

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE
SEC. 1300.04 ESTABLISHMENT OF A TREE AND LANDSCAPE
ADVISORY COMMITTEE TO CHANGE
VOTING MEMBERSHIP AND FOR OTHER PURPOSES.

WHEREAS, the Tree and Landscape Advisory Committee was established in 1998 with Ord. No. 98-90, amended in 2020 with Ord. No. 2020-156, and again in 2021 with Ord. No. 2021-217.

WHEREAS, additional amendments are needed to clarify voting membership.

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

Section 1 – Amendment. That the Land Development Code, Sec. 1300.04 Establishment of a Tree and Landscape Advisory Committee should be and the same is hereby amended with the following:

(a) Membership.

- (1) There shall be created a committee to be known and designated as the "Tree and Landscape Advisory Committee", composed of citizens of the City of Bentonville.
- (2) The Tree and Landscape Advisory Committee shall consist of at least five and no more than seven (7) voting members appointed by the Mayor and approved by City Council. The members shall consist of at least ~~three (3)~~four(4) persons professionally trained in fields such as forestry, botany, horticulture, and/or landscape architecture;.
- (3) The Mayor shall appoint a City Council member as a non-voting ex-officio member.
- (4) All appointed members shall serve without pay.

Section 2 - Severability Provision: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the

Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3 - Repeal of Conflicting Provisions: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4 - Effective Date: This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____ , 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



The Station Phase 2

1500 Southeast Griffin Drive

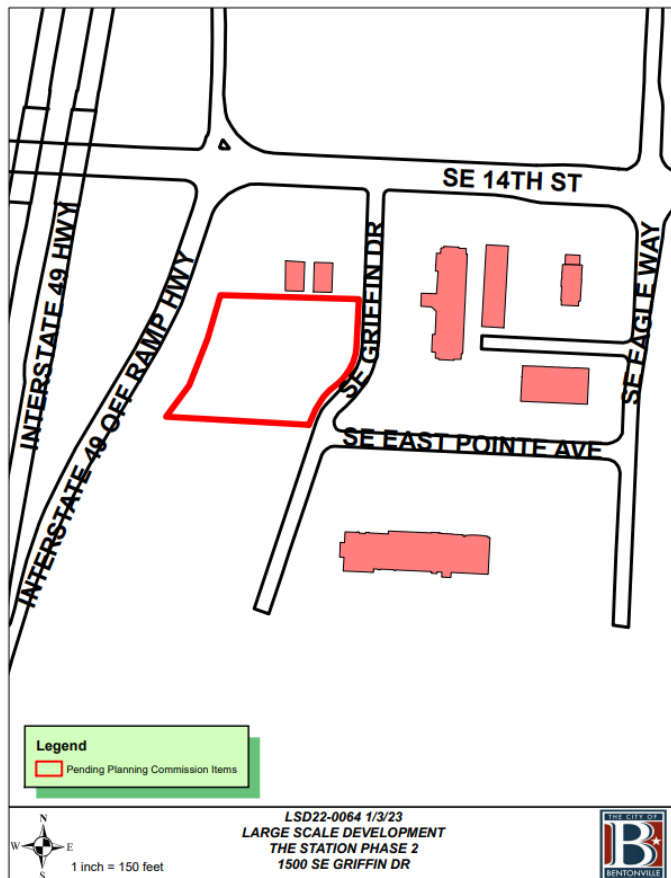
PC Date: 1/3/2023

Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	LSD22-0064
Applicant / Current Owner	Zachary Hoyt / Rose Development LLC
Site Area	+/- 2.25 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	General Commercial (C)
Development Type / Use	Hotel, restaurant, retail

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

Location Map



Property Description

This property is located at 1500 Southeast Griffin Drive. It is currently zoned C-2, General Commercial with a Future Land Use Classification of General Commercial.

Project Details

The project is phase 2 of a large-scale development proposing the construction of a hotel. Sidewalks, landscaping, grading/drainage, and site amenities are in accordance with the requirements of the Land Development Code. Access to the site will be achieved through a curb cut onto Southeast Griffin Drive. 110 spaces are required, and 107 spaces are provided. Cross access is provided to the South for future development.

The proposed hotel is 5 stories and is composed of primarily brick and stone, with EIFS, Alucobond, and tile as trim materials. The proposed structure meets both vertical and horizontal articulation requirements out of the Land Development Code.

Projected Traffic Impact

This project has the potential to impact traffic in the area. However, the proposed parking will help alleviate potential impacts. Cross access and appropriately spaced drives mitigate the number of conflicts and turning movements that may occur because of the development.

Waivers

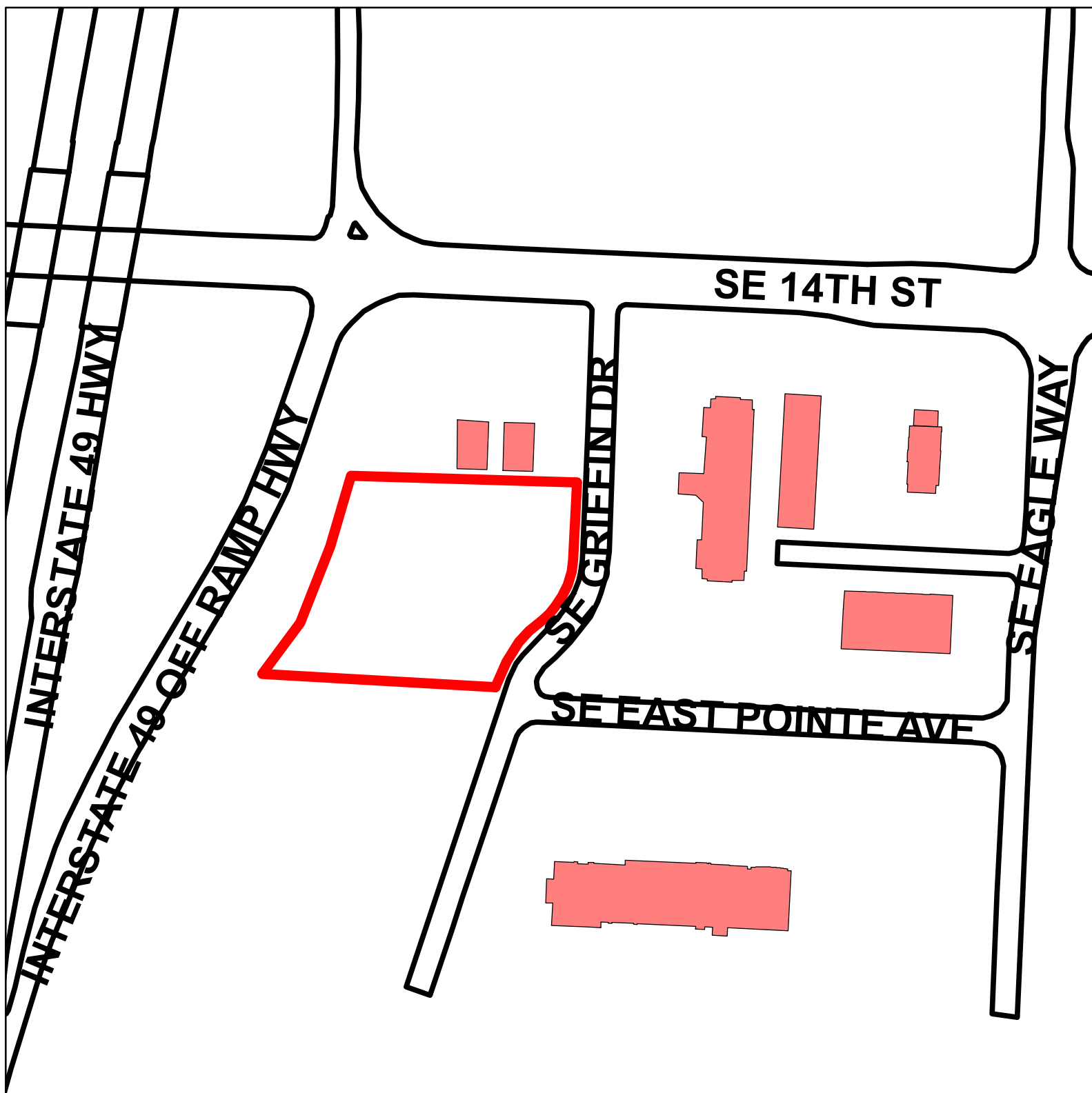
Two waivers are requested:

- A waiver from off-street parking requirement from Article 501.06 (f) which states that every 10 rooms shall have 11 parking spaces for developments larger than twenty (20) rooms. In all, 110 spaces are required, and the applicant is proposing 107.
- A waiver from interior parking lot landscape requirement from article 1400.08 (c) interior parking lot landscape requirement. The applicant is requesting the waiver due to the parking island in the Northwest of the development lacking a tree. Several utility lines, connection, and boxes are located near, under, or in this island and a tree would be infeasible.

Conclusion

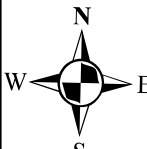
The proposed large-scale development does not meet the minimum requirements of the Land Development Code because of the requested waivers.

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



Legend

 Pending Planning Commission Items

 1 inch = 150 feet

LSD22-0064 1/3/23
LARGE SCALE DEVELOPMENT
THE STATION PHASE 2
1500 SE GRIFFIN DR

86

 THE CITY OF
BENTONVILLE



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

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

December 12, 2022

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

**RE: LSD22-0064 The Station Ph II – Interior Parking Lot Landscape Waiver Request
Parcel # 01-06089-000**

Dear Planning Commission,

We are requesting a waiver from Section 1400.08 Interior Parking Lot Landscape Required as part of The Station Ph II project. There is a requirement for Exterior Planting Islands to have a minimum of 1 shade tree per. The parking island on the NW corner of our building is currently providing area and safety for several of our utility connections, valves, and access points. This island is not large enough to accommodate a shade tree without either negatively impacting the access to these fixtures or allow for full growth potential of the required shade tree.

As a separate waiver on this project, we are requesting leniency on parking stalls. We explored enlarging the island, but this would provide even more of a negative impact to the parking situation.

Given the above-mentioned constraints, we are requesting a waiver from the External planting island requirement for the area NW of the proposed building.

Based on these considerations, please take this into account for approval of this waiver request.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Zachary Hoyt'.

Zachary Hoyt
Program Manager



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

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

December 12, 2022

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

**RE: LSD22-0064 The Station Ph II – Off Street Parking Waiver Request
Parcel # 01-06089-00**

Dear Planning Commission,

We are requesting a waiver of Sec. 501.06 (f) Number of Off Street Spaces Required for Phase II of The Station project. Phase I was permitted with an overabundance of parking stalls, with the excess to help service the Phase II build out. With the 2 retail establishments of Phase I and the proposed addition of the hotel in Phase 2, as well as the larger requirement for fire lanes, we will be deficient in parking counts overall. The developer did attempt to secure an agreement for a satellite parking area at the adjacent hotel, but the property owner was not interested in helping.

Currently there are a total of 110 spaces required between the two phases. Phase I required 10.5 spaces for the restaurant and 6 spaces for the retail building. Phase II will require 93.5 spaces for the hotel. Given the above-mentioned site constraints, we are only able to provide 107 parking spaces, which has us 3 spaces short of the required total. There are 6 stacking spaces at the restaurant that will service the quick serve nature of the establishment, but these cannot be formally counted toward the total. We mention this just for clarification of how the site will operate.

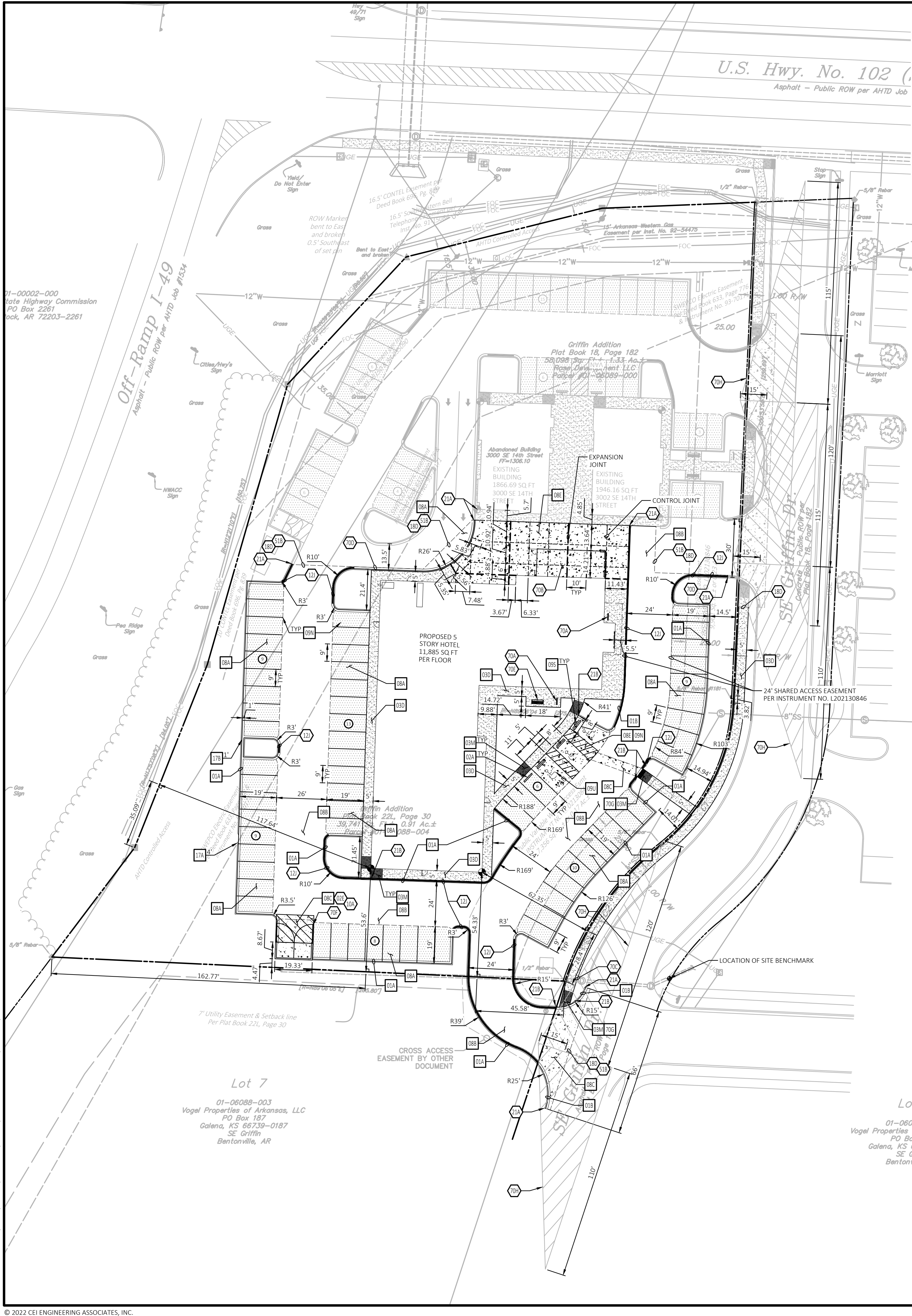
We are formally requesting a waiver of the Sec. 501.06 (f) section of the code, to be attributed to the 3 parking stalls that this site will be under, the stated requirement.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Zachary Hoyt'.

Zachary Hoyt
Program Manager

DRAWING LOCATION: P:\310003\31649\0\DRAWINGS\DESIGN\HOTEL - PHASE 2\WORKING\31649-SP.DWG - SAVED BY: TNGUYEN



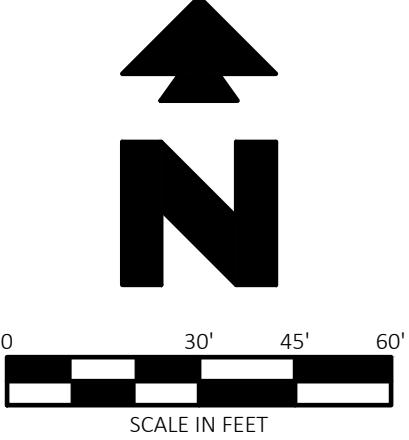
SITE DATA	
SITE AREA	2.25 ACRES (98,010 ± SF)
BUILDING AREA	15,514 ± SF
ZONING	C2
HOTEL	8.5*11 = 93.5 SPACES
RESTAURANT	$\frac{30}{4} + 3 = 10.5$ SPACES
RETAIL BUILDING	1/300 = 6 SPACES
TOTAL REQUIRED	93.5+10.5+6 = 110 SPACES
PARKING PROVIDED	107 SPACES

SITE BENCHMARK

TOP FLANGE BETWEEN THE "E" AND "L" ON THE WORD "MUELLER" ON A FIRE HYDRANT LOCATED ON THE EAST SIDE OF SE GRIFFIN DRIVE APPROXIMATELY 10.5' NORTHEAST FROM A DRAINAGE MANHOLE AND APPROXIMATELY 140.0' SOUTH OF A SANITARY SEWER MANHOLE. ELEVATION = 1305.54'

NOTE:

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



Know what's below.
Call before you dig.

EXISTING LEGEND

	Property Line		Rebar Found (As Noted)
	Easement Line		Riser Electrical
	Building Setback		Riser Gas
	Existing Building		Right-of-Way Sign Post
	Canopy - Overhang		Sewer Manhole
	Natural Gas Line		Sign
	Fuel Line		Sign-Fiber Optic Sign
	Overhead Electric Line		Sign-Telephone
	Sanitary Sewer Line		Traffic Signal-2 Lamp
	Storm Drainage Pipe		Traffic Signal-3 Lamp
	Underground Electric Line		Tree (Deciduous)
	Underground Fiber-optic Line		
	Water Line		Utility Pole
	Metal Chainlink Fence		Vault Traffic Signal
	Wire Metal Fence		Water Meter
	Wood Fence		Water Valve
	Tree Line		Bottom of Bank
	Aluminum Moundment		Bench Mark
	Backflow Preventer		Curb Inlet Flow
	Benchmark		Corrugated Metal Pipe
	Clean out		Concrete
	Drainage Manhole		Canopy-Overhanging
	Electric Meter		Crown
	Fueling Cap		Drainage Manhole
	Fire Hydrant		Edge of Asphalt
	Guard Post		Edge of Concrete
	Guy Wire		Existing Ground
	Handicapped Facility		Flow Line (Ditch)
	Light Pole Straight - 1 Lamp		Flow Line Pipe
	Light Pole Straight - 2 Lamp		Grade Break
	Light on Utility Pole		Gutter
	MAG Nail Found (As Noted)		Polyvinyl Chloride Pipe
	Mail Box		Reinforced Concrete Pipe
	Mail Box		Sanitary Sewer Manhole
			Stripe Solid
			Sidewalk
			Top of Bank
			Top Back Curb
			Wall Block

SITE NOTES

- 02E TRASH DUMPSTER ENCLOSURE (PER ARCH. PLANS)
10A LOADING ZONE (PER ARCH. PLANS)
12J FIRE LANE STRIPING PER LOCAL CODES.
18D MATCH EXISTING PAVEMENT ELEVATIONS
21A TAPER CURB TO MATCH EXISTING CURB.
21B TAPER CURB FROM 6 INCHES TO 0 INCHES OVER 2 FEET.
51B LIMITS OF SAWCUT AND PAVEMENT REMOVAL
70A VICTOR STANLEY BIKE RACK; MODEL BRWS-101; COLOR: TAVERN SQUARE GREEN; INSTALLED PER MANUFACTURER SPECS. OR APPROVED EQUAL
70B HOTEL PATIO (PER ARCH. PLANS)
70C MATCH PAVEMENT ELEVATION OF EXISTING DRAINAGE MANHOLE
70D CONTRACTOR TO LINE SAWCUT UP WITH EDGE OF GUTTER LINE
70E VICTOR STANLEY BENCH; MODEL F-50, STANDARD 6FT LENGTH; COLOR: TAVERN SQUARE GREEN; INSTALLED PER MANUFACTURER SPECS. OR APPROVED EQUAL
70F BOLLARD TO ACT AS DOOR STOP FOR DUMPSTER ENCLOSURE
70H AASHTO SIGHT TRIANGLES

SITE DETAILS

- 01A TYPE A CONCRETE CURB AND GUTTER
01B TYPE B CONCRETE INTEGRAL CURB AND GUTTER
02A PRECAST CONCRETE WHEEL STOP
03D CONCRETE SIDEWALK
03M WHEELCHAIR RAMP IN SIDEWALK
08A STANDARD DUTY ASPHALT PAVING
08B HEAVY DUTY ASPHALT PAVING
08C HEAVY DUTY CONCRETE PAVING
08E STANDARD DUTY CONCRETE PAVING
09N 90 DEGREE PARKING, ACCESSIBLE PARKING AND "VAN ACCESSIBLE PARKING SPACE STRIPING
09S ACCESSIBLE / VAN ACCESSIBLE PARKING SIGN
09J ACCESSIBLE PARKING SYMBOL
17A CURB CUT
17B CONCRETE FLUME
70G DETECTABLE WARNING DEVICES

PROPOSED LEGEND

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

GENERAL SITE NOTES

- A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
B. ALL CURB RETURN RADII SHALL BE 3', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
C. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS: ALL CURB AND GUTTER ADJACENT TO ASPHALT PAVING SHALL BE INSTALLED PER DETAIL 01A. ALL CURBING ADJACENT TO CONCRETE PAVING SHALL BE INSTALLED PER DETAIL 01B. PAVEMENT SHALL BE INSTALLED IN ACCORDANCE WITH DETAIL 08A AND 08B OVER THE ENTIRE PARKING LOT AREA AND ALL APPROACH DRIVES.
D. ALL ACCESSIBLE PARKING STALLS SHALL HAVE SIGNAGE INSTALLED PER DETAIL 09S.
E. DRIVES ALONG GRIFFIN DRIVE ARE PERMITTED THROUGH THE STATION PHASE 1 LSD.

CITY OF BENTONVILLE GENERAL NOTES

- A. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) SHALL BE SCREENED ON ALL EXPOSED TO VIEW SIDES BY SIMILAR MATERIALS AS THE BUILDING.
B. ALL SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
C. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIAL AS THE BUILDING.
D. ANY NEW LIGHTING WILL REQUIRE THAT IT CUTOFF OR B-U-G (WITH A 'U' RATING OF 0 AND APPROVED BY THE PLANNING DEPARTMENT).
E. DRIVEWAYS SHALL MEET THE STANDARDS FOR DRIVEWAY DESIGN AS DEFINED IN THE CITY OF BENTONVILLE MINIMUM STANDARD SPECIFICATIONS FOR STREETS SECTION 400.9 DRIVEWAYS. DRIVEWAY PORTION WITHIN THE CITY RIGHT OF WAY TO RECEIVE 24" SUBGRADE SOIL WITH A CBR VALUE OF (8) OR GREATER. ASPHALT THICKNESS FOR COMMERCIAL DRIVES WITHIN CITY RIGHT-OF-WAY SHALL BE 3 INCHES OF ASPHALT OVER 6 INCHES OF COMPACTED CLASS 7 AGGREGATE BASE COURSE. THE SLOPE OF THE DRIVEWAY SHALL MATCH THE CROSS SLOPE OF THE SIDEWALK WHICH SHALL HAVE A CROSS SLOPE OF NO MORE THAN 2%.

NOTE: CONTRACTOR TO ASSURE COORDINATION
WITH PHASE ONE CONSTRUCTION



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

THE STATION
PHASE 2
1500 SE GRIFFIN DR
BENTONVILLE, ARKANSAS



12/12/2022

PROFESSIONAL OF RECORD	AED
PROJECT MANAGER	ZMH
DESIGNER	TMO
CEI PROJECT NUMBER	31649
DATE	12/12/2022
REVISION	REV-1

SITE PLAN

SHEET TITLE
SHEET NUMBER

COB PROJECT NUMBER LSD22-0064

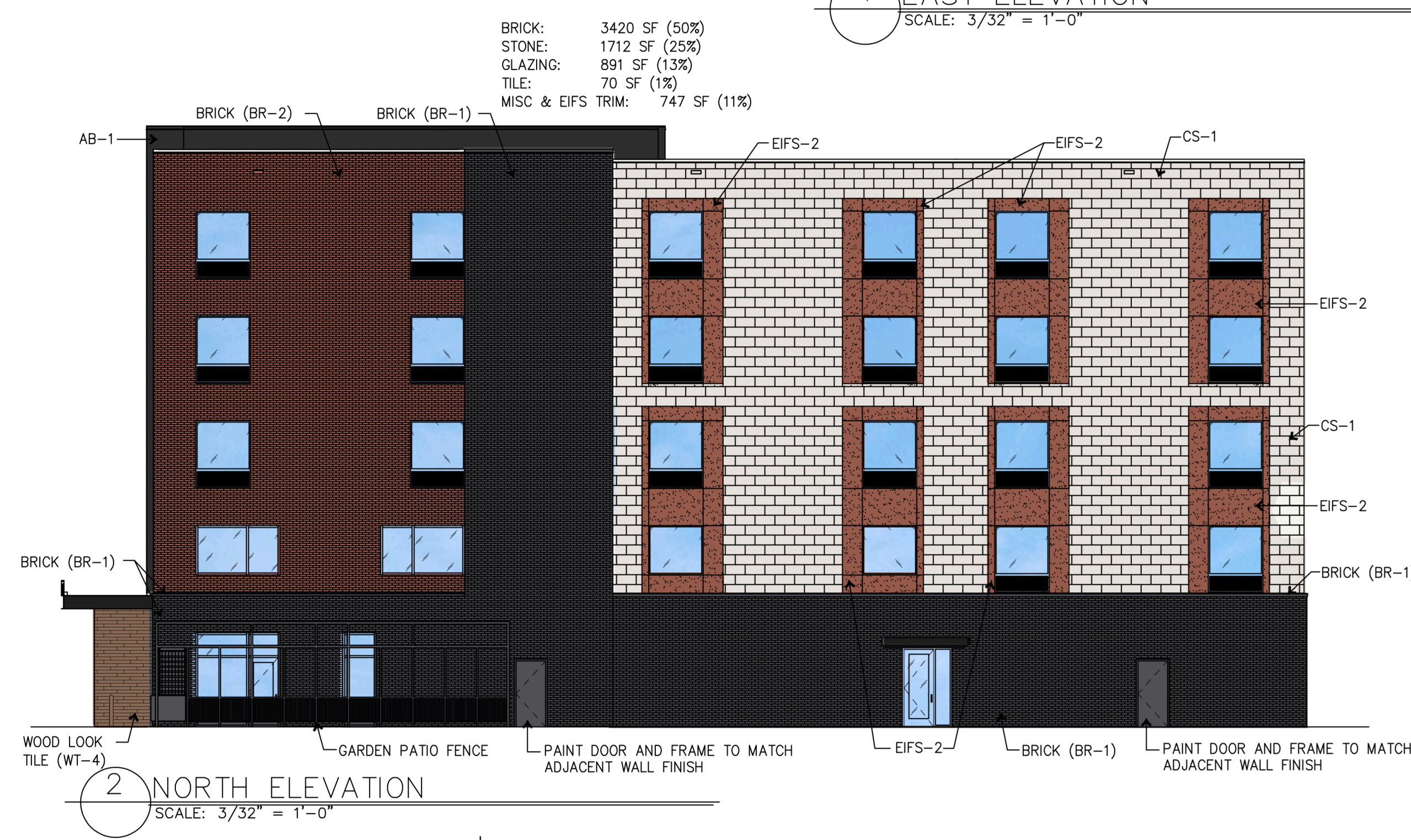
C2



REQUIRED: SIGNAGE OF INTERNALLY LIT ALUMINUM CHANNEL LETTERS, PROVIDE BLOCK IN WALL.

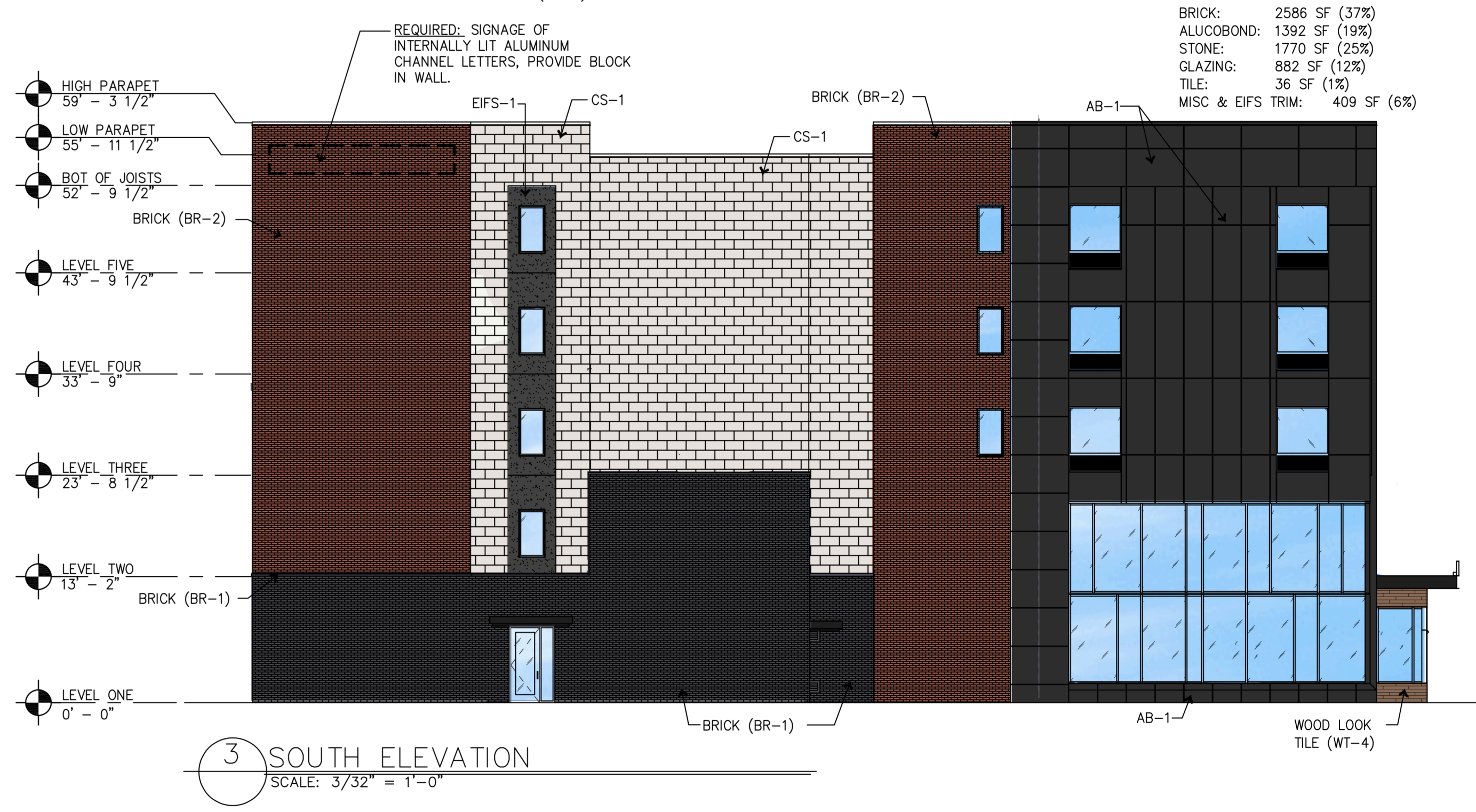
BRICK: 3776 SF (43%)
ALUCOBOND: 827 SF (9%)
STONE: 2264 SF (25%)
GLAZING: 1127 SF (13%)
TILE: 200 SF (2%)
MISC & EIFS TRIM: 870 SF (9%)

1 EAST ELEVATION
SCALE: 3/32" = 1'-0"



BRICK: 3420 SF (50%)
STONE: 1712 SF (25%)
GLAZING: 891 SF (13%)
TILE: 70 SF (1%)
MISC & EIFS TRIM: 747 SF (11%)

2 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



BRICK: 2586 SF (37%)
ALUCOBOND: 1392 SF (19%)
STONE: 1770 SF (25%)
GLAZING: 882 SF (12%)
TILE: 36 SF (1%)
MISC & EIFS TRIM: 409 SF (6%)

3 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



BRICK: 3592 SF (44%)
STONE: 2846 SF (31%)
GLAZING: 1016 SF (11%)
MISC & EIFS TRIM: 1270 SF (14%)

4 WEST ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND			
TAG #	FINISH COLOR	HATCH	PRODUCT
CS-1	WHITE SANDS		COLORADO STONE
EIFS-1	SW 7069 - IRON ORE		DRYVIT
EIFS-2	DRYVIT #365 ST. - IRISH COFFEE		DRYVIT
EIFS-3	DRYVIT #104 ST. - DOVER SKY		DRYVIT
AB-1	BRUSHED CARBON		ALUCOBOND
WT-4	MOTIVATE - WALNUT - MATTE		
BR-1	CAPITAL IRONSPOT		YANKEE HILL
BR-2	SALMON		YANKEE HILL
CS - CORONADO STONE PRODUCTS - 12"x24" SMOOTH LIMESTONE WITH COLOR MATCHED MORTAR.			
EIFS - DRYVIT SYSTEMS, INC.			
AB - ALUCOBOND USA (CONCEALED FASTENER)			
WT - CREATIVE MATERIALS CORPORATION - WOOD LOOK TILE			
BR - MODULAR SIZE FULL BRICK - SMOOTH COLOR MATCHED MORTAR			
TAG #			
BR-1			

PROPOSED
ATWELL SUITES
BENTONVILLE, ARKANSAS

ATWELL SUITES
AN IHG HOTEL

NIELSEN
ARCHITECTURE, LLC
nielsen-architecture.com
Suite 25
Bentonville, AR 72712
eric@nielsen-architecture.com
479.254.0112

PERTAINING TO ISSUES OF CONFIDENTIALITY AND COPYRIGHT, REQUEST FOR THE RELEASE OR REPRODUCTION OF THESE DRAWINGS MUST BE APPROVED BY NIELSEN ARCHITECTURE, LLC.

PROJECT NUMBER:
2021-0001

ISSUE DATE:
1/21/21

REVISIONS
DATE DESCRIPTION

SHEET CONTENTS:
FIRST
SECOND
THIRD
FOURTH
FIFTH
Category Sheet No.
A 1



ASHMORE

808 NW C STREET

PC Date: 1/3/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	WAV22-0022
Applicant / Current Owner	Gateway Strategies / Kristopher Ashmore
Site Area	+/- 0.5 acres
Current Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Waiver Request	Sec 1100.02 Access Management Standards, (a) Curb Cuts, (5) Number of Curb Cuts Allowed

<https://arcris/08HvK8>



Property Description

The property is located at 808 NW C Street and is zoned R-1, Low-Density Single Family Residential.

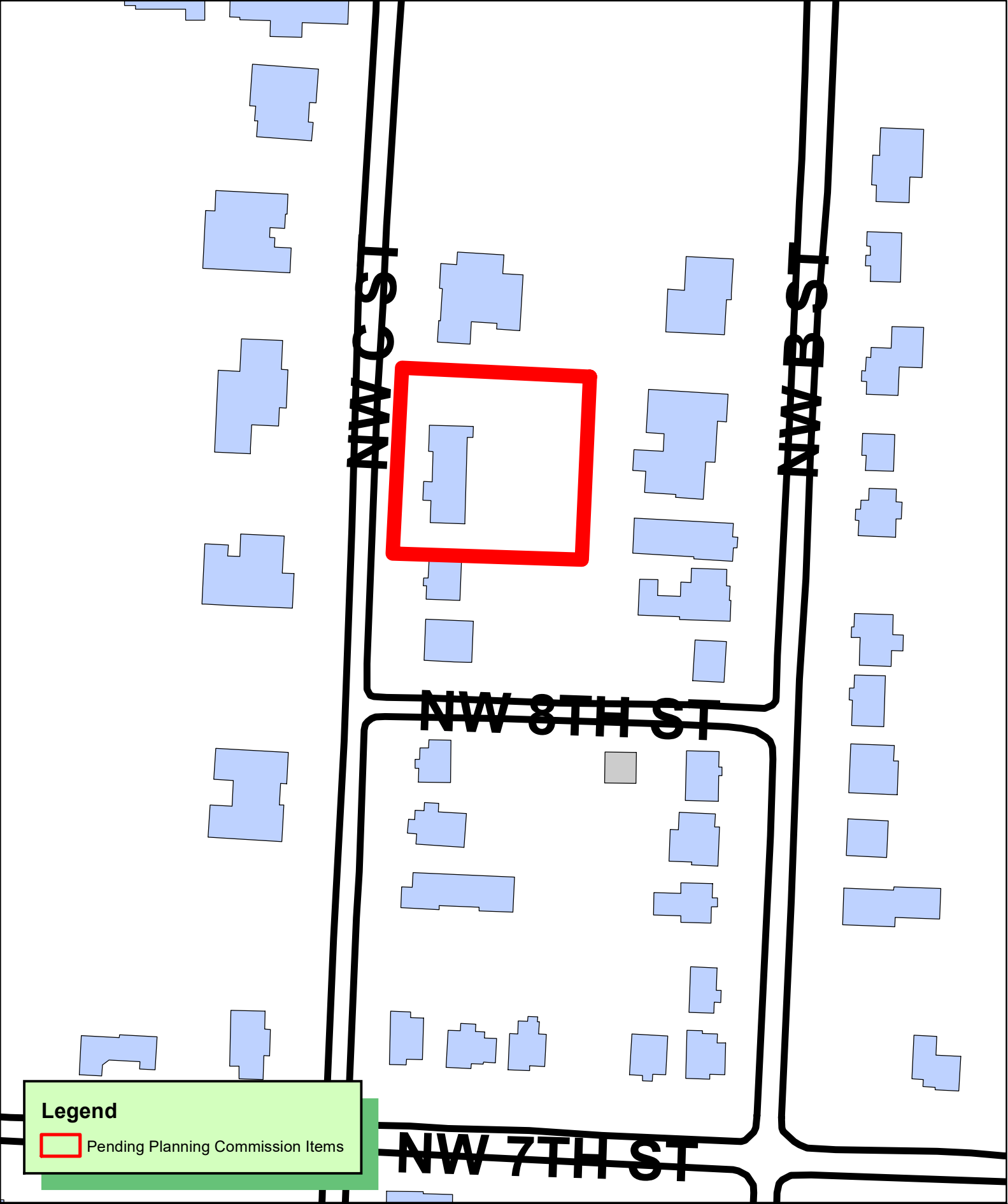
Waiver Request

The applicant requests a waiver to Section 1100.02 Access Management: Number of Curb Cuts Allowed. The number of curb cuts allowed on a property with less than two hundred (200) feet of road frontage is one (1). The curb cut code is in place to prevent traffic interference along the roadway by turning traffic. C Street is a local street per the Master Street Plan and requires a maximum of one (1) curb cut.

The proposed additional curb cuts would be along C Street. According to the applicant's narrative, the request for the second curb cut is to prevent the need to back onto the busy street, potentially causing an accident with a car, a biker, or a pedestrian

Conclusion

Access management is not an issue for this property since there will only be one vehicle leaving from either driveway at a time. If the Planning Commission wanted to deny the request, the applicant could easily install a hammerhead-type driveway or use the alley way that is located to the east of the applicant's property for rear access.



Legend

 Pending Planning Commission Items

 1 inch = 100 feet

WAV22-0022 1/3/23
WAIVER
COOKS ADDITION
PARCEL 01-01856-000
808 NW C ST

THE CITY OF

BENTONVILLE

92



To whom it may concern,

We are requesting a waiver for the 200' frontage road curb cut ordinance. **Sec 1100.02 Access Management Standards**

The team we met with on November 17th, said they would recommend to the planning commission that 808 be allowed (2) curb cuts.

We have increased traffic with several more houses to be built on "C" Street. There are additional cars, construction traffic, Airbnb guests, cyclists, walkers & runners. This has made backing on to "C" dangerous. Especially at this location because of the hill.

The current driveway sits at the north end of the lot and makes it difficult to see traffic coming up the hill from the north. The house next door with 120' of frontage has (2) curb cuts for the same reason. We have 3 lots with 150' of frontage. We need (2) curb cuts for a circle drive to safely enter and exit the residence. In addition, the current driveway doesn't give access to the garage being built behind the house. We need the second curb cut to access the new garage.

Regards,

James Ford

Gateway Strategies

479-644-7782

Licensed Residential Contractor

Certified in:

Mold Remediation

Water and Fire Damage Clean up

Crime Scene Clean up





Will Moore Subdivision (Waiver for Drainage Easement)

1200 Tunbridge Drive

PC Date: 1/3/2023

Project Number	PP22-0002
Applicant / Current Owner	RJ Roth Holdings, LLC
Site Area	+/- 5.31 acres
Current Zoning	R-ZL, Zero Lot Line
Future Land Use Map Designation	Residential Estate (RE)
Development Type / Use	Single-Family

<https://arcris/08HvK8>

Location Map



Property Description

The subject property is +/- 5.31 acres and is currently zoned R-ZL, Zero Lot Line Residential.

Project Details

The planning commission previously approved a Preliminary Plat for this subdivision on August 16, 2022. It will consist of the construction of a single-family subdivision. Will Moore Subdivision, Phase 3 contains a total of 32 single-family lots. Lots 31 and 32 are non-buildable..

Since the original approval by Planning Commission, the applicant is now requesting a waiver to Article 3.5 of the Drainage Manual: *Minimum drainage easement width shall be 20'.*

The applicant is requesting a waiver in the minimum width of the drainage easement from 20' to 15' to allow for the rear yard fence to be located 15' from the rear property line and maximize the amount of usable rear yard. The developer has also proposed amend their preliminary plat to place a pedestrian access easement at the end of the long cul-de-sac, as previously requested by planning staff.

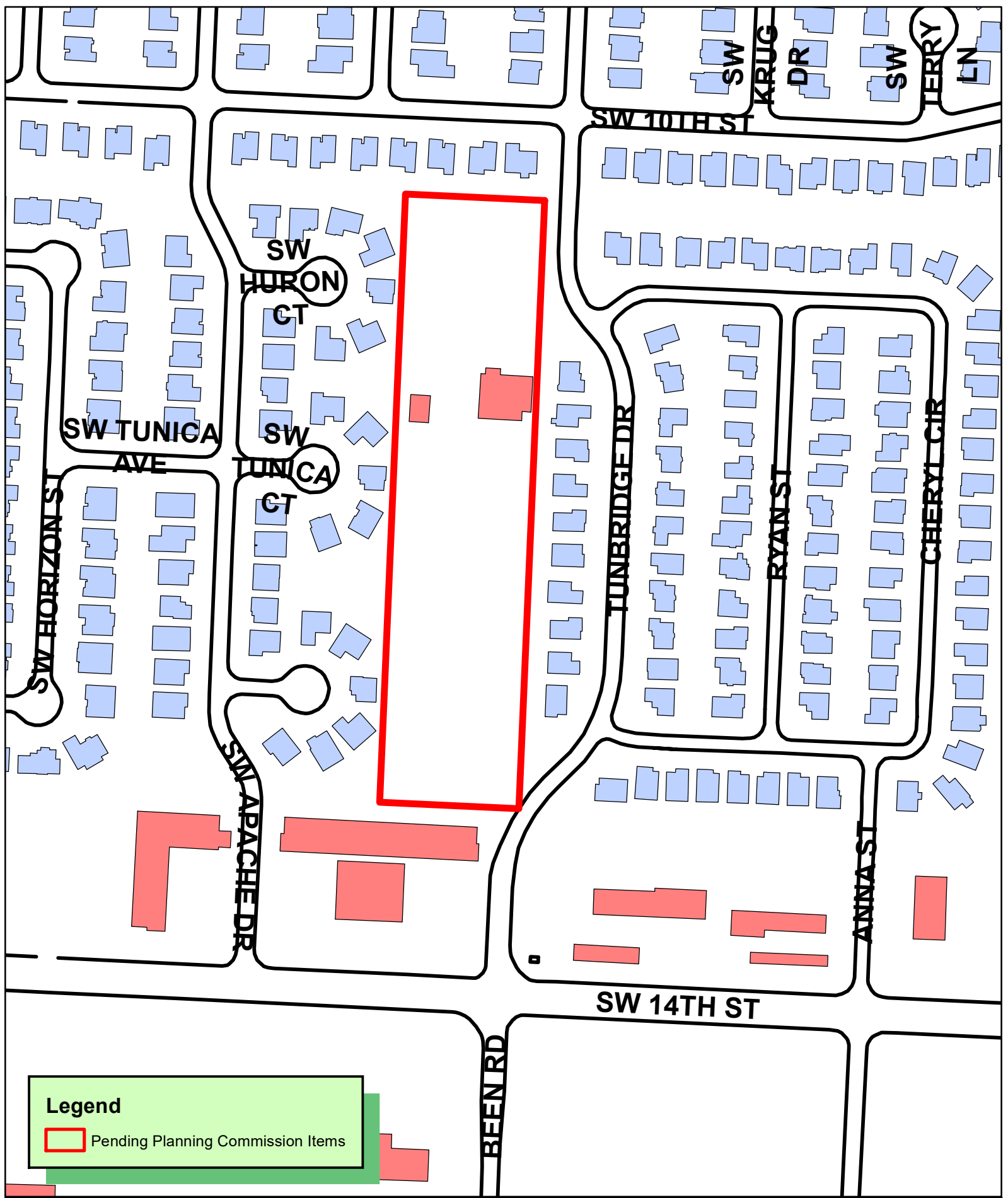
Previous Waivers Requested:

Two previous waivers were requested and approved by the planning Commission on August 16, 2022:

- A waiver from Sec. 1100.16(f) from the maximum length of cul-de-sac street. The maximum allowed by code is 660 linear feet. The applicant proposes an approximately 839' cul-de-sac. (NOTE: PC approved on 8-16-22)
- A waiver from Sec. 400.2 from the requirement that horizontal curves for residential streets shall not be less than 100'. The applicant proposes 50'. (NOTE: PC approved on 8-16-22)

Conclusion

Staff recommends approval of the amended preliminary plat with the inclusion of the pedestrian easement and the 15' cross-lot drainage easements.



PP22-0002 6/7/22
PRELIMINARY PLAT
WILL MOORE SUB PHASE 2
LOT K



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * www.batesnwa.com

December 9, 2022

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

RE: Drainage waiver for Will Moore Subdivision Ph 3

Members of planning commission,

The Applicant, R J Holdings , would like to request a variance from minimum drainage easement standards in the drainage manual section 3.5- utilities.

We are requesting to change the minimum drainage easement from 20' to 15'. The city of Bentonville has recently instated a policy that no Fences shall be build inside of drainage easements. Due to the sized of the lots, our client is concerned that he will not be able to sell the houses unless they have at least a little bit of a back yard. He is hoping for 20' back yard, which would give him roughly 35' for the houses.

The hardship associated with this variance is the pre-existing condition of existing subdivisions on both sides of the proposed development. Each subdivision to the east and the west have fences that seem to impede the flow and could potentially cause flooding issues if we had not designed to accept offsite runoff from both sides.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

Bates & Associates, In

Jake Chavis, E.I.
Project Engineer

FIELD WORK:
JANUARY 28 & FEBRUARY
1-2, 2021
BASIS OF BEARING:
GPS OBSERVATION - AR NORTH
ZONE
BASIS OF ELEVATION:
CITY OF BENTONVILLE GPS MONUMENT
#1 (NAVD88 VERTICAL DATUM)

REFERENCE DOCUMENTS:
1) REPLAT OF TRACTS 1 & 4 OF WILL-MORE
SUBDIVISION, PHASE 2 FILED IN BOOK 6 AT PAGE
160
2) WARRANTY DEED FILED IN BOOK L2019 AT PAGE
66706
3) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE
367

NOTES:
1. PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
2. SEPARATE PERMIT WILL BE REQUIRED FOR FENCING.
3. SIDEWALKS ALONG PUBLIC ROAD R/W SHALL BE CONSTRUCTED BY HOME BUILDER AT TIME
OF BUILDING PERMIT. ALL OTHER SIDEWALKS TO BE CONSTRUCTED BY DEVELOPER.
4. NO FENCES SHALL BE CONSTRUCTED WITHIN A DRAINAGE EASEMENT.
5. PROJECT IS LOCATED IN AIRPORT ZONE C (3), OUTER SAFETY ZONE (OSZ).
6. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH
LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
7. TRACTS A AND B, (DETENTION LOTS) SHALL BE DRAINAGE AND UTILITY EASEMENTS.
8. DRIVEWAY LOCATION FOR LOTS 4, 5 DESIGNATED BY ASTERISK.
9. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING
PERMIT ISSUANCE.

ACCESS NOTES:
No residential lot shall be permitted direct access to a collector, minor, or major arterial
street. All residential subdivision development contiguous to a collector, minor, or major
arterial street shall orient frontage to local street, and back of the project, without access
to said major streets.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED
WITHIN FLOOD ZONE "A" OR "AE" AS
DETERMINED BY THE NATIONAL FLOOD
INSURANCE PROGRAM FLOOD INSURANCE RATE
MAP FOR BENTON COUNTY, ARKANSAS.
(FIRM PANEL #05007C0255K. DATED
06/05/2012)

PROPERTY ZONED:
R-ZL

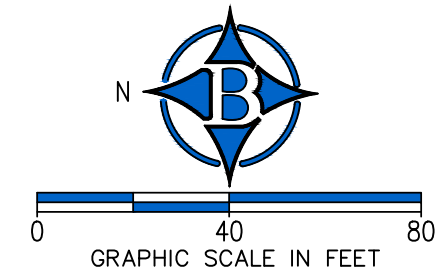
BUILDING SETBACKS (R-ZL)
SETBACKS SHALL BE PER THE CURRENT ZONING
DISTRICT AS STATED IN THE MOST RECENT CITY
OF BENTONVILLE ZONING CODE. FOR MORE INFORMATION
SEE www.bentonvillear.com/882/Zoning-Code
479-271-5906

EXISTING WARRANTY DEED DESCRIPTION (B. L2019, P. 66706):
LOT K, WILL-MOORE SUBDIVISION, PHASE II, BENTON COUNTY, ARKANSAS AS SHOWN ON PLAT
RECORD 6 AT PAGE 160, AS DELINEATED ON PLAT RECORD 14 AT PAGE 03. SUBJECT TO
EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO
ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

SURVEY DESCRIPTION:
LOT K, WILL-MOORE SUBDIVISION, PHASE II, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT
RECORD 6 AT PAGE 160 OF THE RECORDS OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER
OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT K AND
RUNNING THENCE S02°25'36"W 1006.17', THENCE N87°17'23"W 229.95' TO AN EXISTING REBAR,
THENCE N02°25'43"E 1006.19' TO AN EXISTING REBAR, THENCE S87°17'02"E 229.91' TO THE
POINT OF BEGINNING, CONTAINING 5.31 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN
TUNBRIDGE DRIVE MASTER STREET PLAN RIGHT-OF-WAY ON THE EAST AND SOUTH SIDES OF
HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF
RECORD.

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

NO FENCES ALLOWED IN DRAINAGE EASEMENTS



SANITARY SEWER INFORMATION:
1) 4" PVC IN (S) [SERVICE] 1257.73'
10" PVC OUT (NW) 1256.50'
RIM ELEVATION = 1262.15'

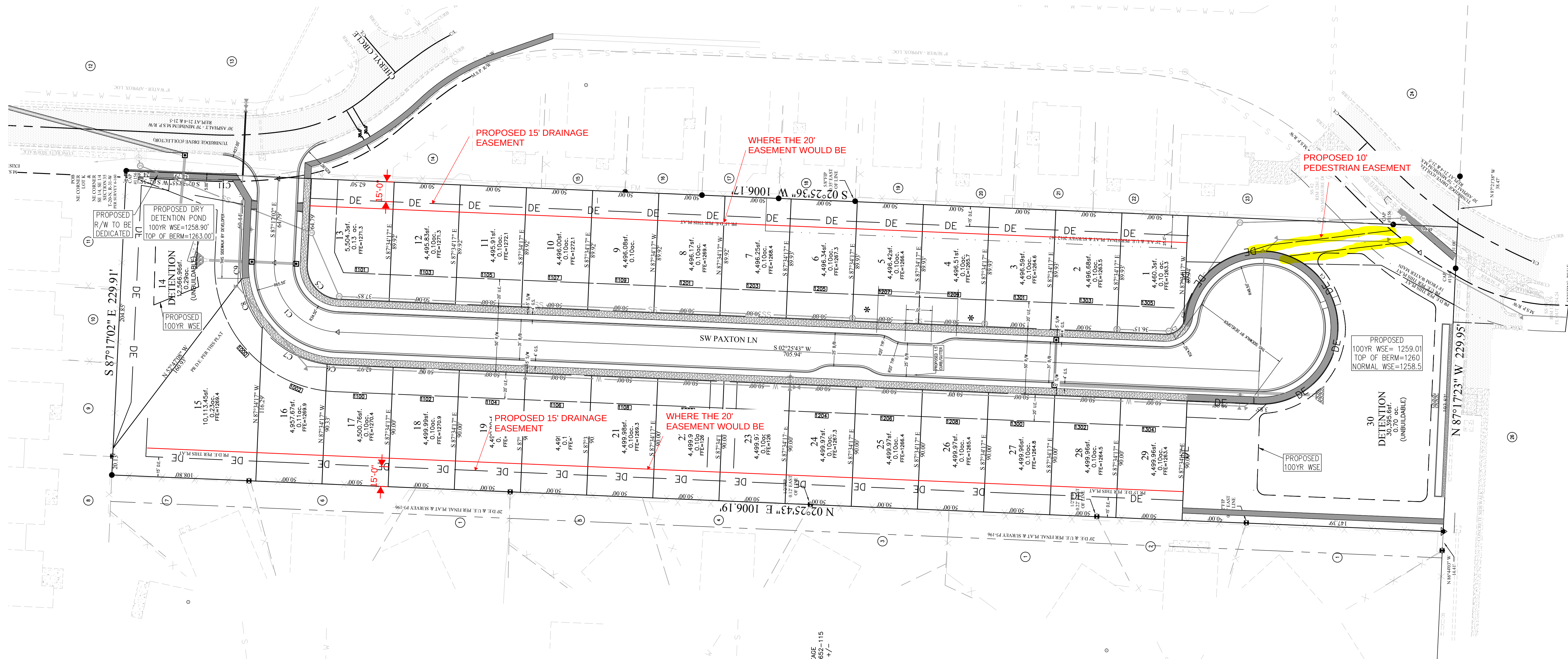
2) 10" PVC IN (NE) 1255.28'
10" PVC IN (E) 1255.29'
10" PVC OUT (SW) 1255.10'
RIM ELEVATION = 1261.34'

3) 10" PVC IN (NE) 1254.28'
10" PVC OUT (S) 1254.25'
RIM ELEVATION = 1261.91'

STORM SEWER INFORMATION:
1) 24" CMP OUT (W) 1256.26'
RIM ELEVATION = 1259.65'

2) 15" RCP OUT (E) 1264.10'
RIM ELEVATION = 1266.71'

3) 15" RCP IN (W) 1263.62'
18" RCP IN (SE) 1263.62'
18" RCP OUT (N) 1263.62'
RIM ELEVATION = 1266.25'



WILL MOORE SUBDIVISION, PHASE 3
PRELIMINARY PLAT
PRELIMINARY PLAT
BENTONVILLE, ARKANSAS

Bates & Associates, Inc.
www.batesinc.com
Civil Engineering & Surveying
7230 S. Pleasant Ridge Dr. Fayetteville, Arkansas 72704 - 479.442.9350 - Fax 479.521.9350

ENGINEER: G. Bates
J. Chavis
12/09/22
STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9810
GEOFFREY H. BATES
BATES & ASSOCIATES, INC.
#335
CERTIFICATE OF AUTHORITY
ARKANSAS DRIVER

DATE	REVISIONS
7/29/22	1st SUBMITTAL
8/8/22	REVISED SEWER N PROFILE PER ADH
8/19/22	REVISED PER CITY COMMENTS
8/29/22	REVISED PER ADH
9/12/22	REVISED PER ENGINEERING COMMENTS
11/04/22	REVISED PER UTILITY COMMENTS
12/09/22	



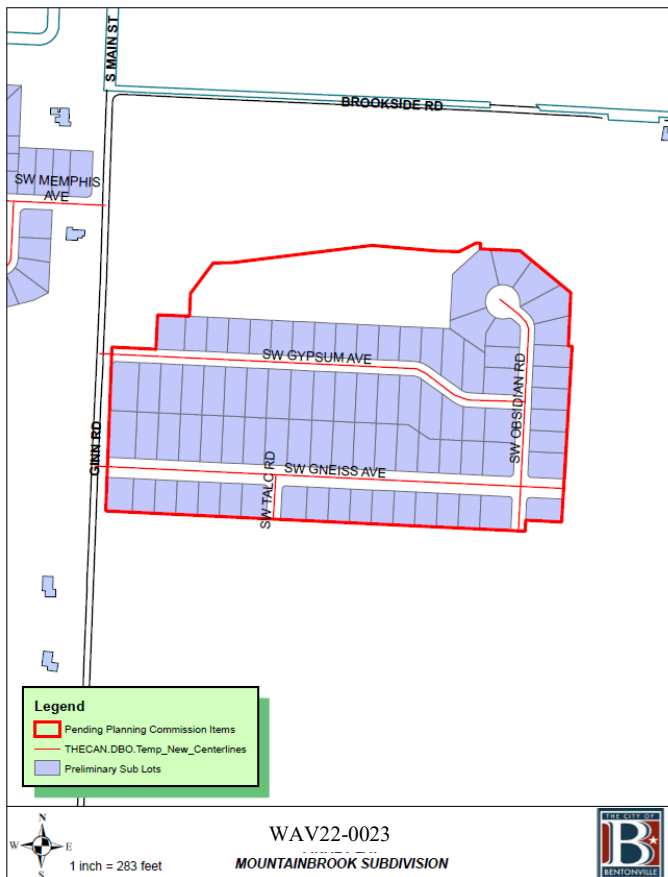
Bentonville Housing Partners, L.P.

Mountainbrook Subdivision

PC Date: 1/3/2022

Reviewer: Tom Adler, Planning Dept

Project Number	WAV22-0023
Applicant / Current Owner	Jim Petty, Manager, Bentonville Housing Partners L.P.
Site Area	+/- 27.3 acres
Current Zoning	R-2, Medium Density Two Family and Townhome Residential
Future Land Use Map Designation	Agricultural
Waiver Request	Development Code 500.07 and 400.8 Waiver
Related Project #'s	FP22-0006, PP20-0004



Property Description

The property is an 83 lot subdivision within the Osage Hills area located east of Ginn Rd and south of Brookside Rd and is zoned R-2, medium density residential.

Waiver Request

The applicant states that federal funding for an affordable housing application for 75 units within the subdivision is contingent upon the issuance of certificates of occupancy by December 31, 2023. The developer is therefore trying to accelerate the issuance of building permits to meet that date. Per Section 500.07 of the Land Development Code: *No building permits may be issued until proof of the recording of the approved final plat has been presented to the appropriate City department, with the exception of model homes as provided for in Section 400.08.*

In addition, Section 400.08 of the Land Development Code give conditions for the early issuance of building permits for model homes:

1. A preliminary plat is approved for the subdivision.
2. Fire protection is available to the site.
3. Roads are cut into the site and covered with crushed base.
4. Water and sewer services shall be available.
5. Lift station shall be completely finished, if lift station is required.

The applicant is requesting the issuance of 75 building permits for the construction of homes prior to the final platting of the subdivision (the entire subdivision except for 8 lots along the easterly side of SW Obsidian Rd). The applicant states that since the ownership of the homes will stay within the ownership of the developer for long term rentals there is no danger of selling off an unplatted parcel. Additionally, the applicant anticipates recording the Final Plat in spring of 2023.

Current construction status of the project

The project is currently constructed but not accepted by the City. Approximately half the sewer line needs retesting.

Staff Recommendation

Staff recommends a limited, two-phase approval of this waiver request as outlined below. This keeps the pressure on the developer to complete all the punch list items necessary for the final approval process while allowing the developer to begin construction on the dwellings.

Phase 1 No inspections may be schedule after the slab inspection until all infrastructure has passed testing. Once the infrastructure installation is completed and passed testing then they could proceed to the framing stages.

Phase 2 No Certificates of Occupancy or meter installations until Final Platting.

This two-phase waiver approval will limit the amount of construction traffic in the subdivision until all the infrastructure is installed appropriately. It will also reduce safety and accessibility concerns around repairing and testing the infrastructure.



December 9, 2022

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

Re: Mountainbrook Subdivision
Bentonville, AR
CTA No. 19112300

To whom it may concern,

We are requesting a waiver from the City of Bentonville code sections 500.07 and 400.8 to allow immediate home construction prior to sewer service being finalized and accepted in the Mountainbrook Subdivision.

The type of development incorporates state funding to maintain affordability, but with that, there is a delivery timeline before the developer begins to incur penalties. Between covid, material availability, and construction related issues, this development is in jeopardy of missing its deadline. Therefore, we are requesting a waiver to allow the construction of the units early. We'd also like request that the transformers assigned to this development be assigned based on the date of this waiver approval rather than the date of final plat approval to avoid potential delay there.

All homes will be built by and remain within the ownership of the developer for long term rentals, so there is no risk in selling off an unplatted parcel. The curb, streets, and drainage are complete. The waterline throughout the development is loaded so hydrants are active in case of a fire fighting emergency. The developer understands certificates of occupancy will not be issued until the sewer line is approved and accepted. If there are any other items of concern or questions, we will be happy to address them and we appreciate your consideration in this request.

Sincerely,

Taylor Lindley, P.E.

**BY-LAWS
BENTONVILLE PLANNING COMMISSION**

Article 1 Member, Term, Attending to Duties

- 1.1 The Members and term of office shall be as stipulated by the most recent city ordinances or as amended.
- 1.2 When a new member is appointed to the commission the position number he or she is filling will be so designated at the time of appointment.
- 1.3 Missing three (3) consecutive regularly scheduled meetings, ~~to include both, Planning Commission and/or Technical Review meetings~~ or a total of six (6) meetings combined in a calendar year, except in extraordinary cases, may, at the recommendation of the ~~commission~~ Mayor, constitute cause for removal by the city council.
- 1.4 Members should advise the secretary or planning staff before the meeting date if they expect to be absent or late.

Article 2 Officers, Election and Term, Duties, Chairing the Meeting, Signing for the Commission.

- 2.1 The members shall elect a chairman, vice-chairman and a secretary at the administrative meeting in December, and the term of office shall be two years or until the next officers have been elected.
- 2.2 The chairman shall preside at meetings and hearings and shall decide points of order or procedure, following Robert's Rules of Order. The chair may designate a parliamentarian to keep the meeting running in an orderly fashion.
- 2.3 In case the chairman is absent, the vice-chairman shall assume the duties as chair; next comes the secretary. If all three are absent and a quorum is present, those members shall elect from among themselves a chairman and secretary and proceed.
- 2.4 The secretary shall be responsible for the following tasks; however, (s) he may delegate authority for performing them to another member or employee of the planning department;
 - 2.4.1 Bring an up-to-date copy of the by-laws and appointing orders (names, addresses, term dates, and committee lists) to every meeting.
 - 2.4.2 Prepare the minutes of meetings and public hearings.
 - 2.4.3 Distribute minutes of regular meetings, special meetings and public hearings to all Commission members prior to next regularly scheduled meeting.
 - 2.4.4 Hand deliver, mail, email or otherwise digitally notify the proposed order of business items and notice of regular meetings, and the purpose and notice of special meetings.
 - 2.4.5 Keep up with priority correspondence and inspect the files; complete filings with city officials as required. Routine matters will normally be delegated to the employee (s) of the planning department.
 - 2.4.6 Place notices of public hearing and legal advertising.
- 2.5 When adopting all or a part of the comprehensive city plan for all or any part of the incorporated territory which takes the certifying signature of the chairman, the material shall be signed by the appointed chairman or the acting chairman.
 - 2.5.1 In lesser matters and when agreed to by the members, the chair shall delegate the authority for certifying specific commission actions to another officer. Routine matters will normally be the duty of the planning department.
 - 2.5.2 In the event the planning commission takes action accompanied by restrictions or conditions that must be met before that action is to be certified and carried into effect, the planning staff will assure satisfaction of these conditions.

Article 3 Meeting scheduling, Quorum, Majority, Order of Business, Public Hearings

- 3.1 Commission meetings shall be open to the public as provided by the Arkansas Freedom of Information Act.
 - 3.1.1. The regular meetings of the planning commission shall be on the first and third Tuesday of each month at 4:00 p.m. for the Technical Review and at 5:00pm for the Planning Commission Meeting in the Planning Commission Chambers of the Bentonville Community Development Building located at 305 SW A Street.
 - 3.1.2. Special meetings may be called at any time by the chairman or any three members.
- 3.2. No formal business shall be conducted without a quorum and no member may vote by proxy.
 - 3.2.1 A quorum shall exist when a majority of the appointive members are present.
 - 3.2.2 The affirmative vote of a simple majority of those members present shall carry any motion or resolution, except as otherwise stated. The chairman may make or second motions, and shall have a vote at all times.
 - 3.2.3 The mayor shall be an ex-officio member (or any ex-officio member) and shall not be counted in arriving at quorum.
- 3.3 The order of business shall follow the distributed agenda unless otherwise agreed to by the members.
- 3.4 Public hearings shall be conducted (formally), and the chair shall make all rulings and determinations regarding the scope of the inquiry, the admissibility of evidence, the order in which evidence, objections and arguments will be heard, and other like matters, except that other members shall be privileged to make inquires personally and to call for a vote on any ruling of the chair, whereupon the vote shall determine the rule. It shall be the purpose of the chair to entertain the presentation of sufficient matter to do substantial justice to all concerned parties to the proceedings. It is not the intent in the public hearing to defy the members and their responsibilities as spokesmen for the public view on public issues, but rather to develop them in this role. Final or official action shall be taken only in regular meetings unless the public hearing is continued to a special session of the planning commission after the hearing.
- 3.5 A rehearing shall be called if there is substantial information indicating a factual error, omission or oversight in the first consideration or at the request of city council. A request for a rehearing must be made in writing and must state the factual error, omission or oversight asserted as the basis for a rehearing. A request of a rehearing must be filed with the community development director within 30 days from the date of final action on the matter by planning commission.
- 3.6 The Planning Commission shall hold an annual administrative meeting on the 2nd Tuesday of December. No development items will be heard at this meeting.
- 3.7 In ~~November~~ April of each even year, Planning Commission and Planning Staff will hold a special meeting to review the previous two year's Zoning and General Plan Amendments and evaluate the need for changes to the Future Land Use Plan.

Article 4 Consent Agenda

- 4.1 The community development director or his/her designee is authorized to prepare for each meeting a consent agenda for consideration by the planning commission.
- 4.2 Items may be placed on the consent agenda if it is non-controversial, the item does not require a public hearing and staff and applicant agree on the findings and conditions of approval.
- 4.3 The following procedure will generally be followed by the planning commission when considering consent agenda items:
 - 4.3.1 Introduction of the consent agenda items by the chair.
 - 4.3.2 Any commissioner or member of the public may request that an item be removed from the consent agenda. The reason for the request shall be stated. Such request need not be seconded.

- 4.3.3 The chair shall determine if the item removed from the consent agenda can be expeditiously resolved or be placed at the end of the regular agenda. The public hearing on each item, which has been removed from consent, shall be limited to the issues raised by those requesting removal.
- 4.3.4 After any item(s) has been removed from the consent agenda, the chair may call for a motion to approve the item(s) remaining on the consent agenda.
- 4.3.5 Only one motion is required for all consent items. After being duly seconded, the consent agenda shall be voted on by a roll call vote of the commissioners.

Article 5 Committees

- 5.1 The chairman may establish standing, special, or advisory committees. Committee members may be persons other than member of the planning commission, but a commission member shall be named as either active or ex officio chairman of each committee. The chairman shall be obliged to follow Robert's Rules of Order.
- 5.2 Meetings shall be called by the chairman of the committee, or a majority of the membership of the committee, notifying the others.

Article 6 Records, Action, Studies, Recommendations, Public Access

- 6.1 The planning department shall keep a file including, among other things, studies, plans, reports and recommendations made by the commission members and planning department staff in the discharge of its duties and responsibilities.
- 6.2 Records shall be kept open to the public, available without fees or delays, subject only to the necessity for good order and discipline in the office of the planning department.

Article 7 Changes to These By-Laws, Timing, 2/3 Majority

- 7.1 These by-laws shall be adopted, and later suspended, changed, or canceled only after an affirmative vote of 2/3rds of the membership of the planning commission. Amendments shall be proposed in writing at a regular meeting and moved for action at a following meeting, unless ten days notice and the written amendment itself have been given to all members, in which case motion may be made at a special meeting ten days after all the members have received the proposed change to these by-laws.

PLANNING COMMISSION ACTION: by majority of the appointed members so voting, these by-laws for the Bentonville Planning Commission are approved.

REVISED AND ADOPTED BY THE CITY OF BENTONVILLE PLANNING COMMISSION THIS ~~13rd~~ DAY OF ~~DECEMBER~~JANUARY, 202~~3~~2.

ATTEST:

Secretary

Chair

Amended 02/11/77
 05/19/98
 02/03/04
 12/28/05
 03/20/07
 03/6/18
 08/18/20
 11/17/20
 03/02/21
 1/3/23