

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



**Planning Commission
Meeting Agenda
March 7, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM**

Registration Link:

https://us06web.zoom.us/webinar/register/WN_7U8YcdxhTzWH8BX4Rwvjmg

Call to Order

- I. Invitation from Mayor Orman**
- II. Approval of the February 21st 2023 Meeting Minutes**
- III. Consent Agenda**

- 1. Lots 25, 26, 27, 28, 29, & 30 of Railroad Addition** **Lot Split**
218-226 Southeast B Street ([LS23-0008](#))
- 2. SE L Street Development** **Large Scale Development Extension**
3320 Southeast L Street ([LSD22-0003](#))

IV. New Business
Advertised Public Hearings

- 1. Buffington Barron, LLC** **Planned Unit Development**
SW Regional Airport Blvd. and SW Opal Road ([PUD22-0003](#))
Future Land Use Map Amendment: Agricultural to Mixed-Use Commercial
Rezoning: PUD, Planned Unit Development to PUD, Planned Unit Development
- 2. Seventh Living LLC** **Rezoning**
814 Southeast G Street ([RZ23-0002](#))
Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential
- 3. Seventh Living LLC** **Rezoning**
805 Southeast G Street ([RZ23-0003](#))

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

Rezoning: R-3, Medium High Density Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential

- 4. Borra Revocable Living Trust** **Rezoning**
811 Southeast G Street ([RZ23-0004](#))
Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential
- 5. Borra Revocable Living Trust** **Rezoning**
809 Southeast G Street ([RZ23-0005](#))
Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential
- 6. Seventh Living LLC** **Rezoning**
911 Southeast H Street ([RZ23-0006](#))
Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential
- 7. Seventh Living LLC** **Rezoning**
907 Southeast H Street ([RZ23-0008](#))
Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential
Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential
- 8. Gundapaneni Revocable Living Trust** **Rezoning**
607 Southeast 10th Street ([RZ23-0011](#))
Rezoning: R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential
Future Land Use Map Amendment: LDR, Low Density Residential to MDR, Medium Density Residential
- 9. Seventh Living LLC** **Rezoning**
904 Southeast 10th Street ([RZ23-0012](#))
Rezoning: R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential
Future Land Use Map Amendment: LDR, Low Density Residential to MDR, Medium Density Residential
- 10. Seventh Living LLC** **Rezoning**
908 Southeast G Street ([RZ23-0020](#))

Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential

Future Land Use Map Amendment: MDR, Medium Density Residential to HDR, High Density Residential

11. Anglin Properties

Rezoning

Northwest Corner of Southwest Opal Road & Southwest Adams Road ([RZ23-0013](#))

Rezoning: A-1, Agriculture to C-1, Neighborhood Commercial

Future Land Use Map Amendment: AG, Agriculture to C, General Commercial

12. Seventh Living LLC

Rezoning

1205 Fillmore Street ([RZ23-0015](#))

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

13. Seventh Living LLC

Rezoning

710 Northwest 10th Street ([RZ23-0016](#))

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

14. Seventh Living LLC

Rezoning

801 Northwest 10th Street ([RZ23-0017](#))

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

15. Seventh Living LLC

Rezoning

810 Northwest 10th Street ([RZ23-0018](#))

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

16. Jampana

Rezoning

3406 Southeast K Street ([RZ23-0019](#))

Rezoning: R-1, Low Density Single Family Residential to R-2, Medium Density Two Family and Townhome Residential

V. Other New Business (Projects associated with waivers)

1. Crain Dealership

Large Scale Development

2201 Southeast 28th Street ([LSD22-0073](#))

Waiver #1: A waiver from Section 1100.02(a)(4) – Access Management Standards, Curb Cuts, Offset: The applicant is requesting a waiver that nonresidential drives be offset by at least 75 feet. An existing platted shared access easement does not exactly align with the existing drive to the Clorox building.

2. JB Townhomes

Large Scale Development

809 Northwest 14th Street ([LSD23-0001](#))

Waiver #1: A waiver from Section 1100.21(e) – Building Materials. The applicant is requesting to use cementitious board and batten siding as a second primary material.

Waiver #2: A waiver from Section 5.4.11 – Easements of the Drainage Manual. The applicant is requesting to place the detention pipe and outfall structure in an easement rather than separate lot.

3. GI Alliance Bentonville **Large Scale Development**

3700 Southeast Dodson Road ([LSD23-0005](#))

Waiver #1: A waiver from Section 1100.16(a) – Street Standards. The applicant is requesting a waiver from constructing the Master Street Plan cross section for the half-street improvements to Dodson Road.

Waiver #2: A waiver from Section 1400.06(a) – Street Frontage Buffer Landscaping. The applicant is requesting to place required trees in alternate locations on site due to buried stormwater infrastructure.

4. Bentonville Plaza Addition, Phase 3: Lot 1 and Lot 2 **Final Plat**

Southwest Redbud Road ([FP22-0005](#))

Waiver #1: A waiver from Section 500.01(a) – Improvements Complete. The applicant is requesting to proceed with final plat approval without completing required improvements.

Waiver #2: A waiver from Section 500.05(c) – Final Inspection. The applicant is requesting a waiver from the final inspection requirements.

5. Community Development Block Grant (CDBG) Citizen Participation Plan

A resolution to adopt the Citizen Participation Plan for re-entry into HUD's Community Development Block Grant Program.

VI. Old Business

1. Beach BBQ **Conditional Use Permit Extension**

1080 Southeast 14th Street ([CU22-0023](#))

2. 7TH Street Townhomes **Waiver Request**

207 & 209 SE 7th Street ([LSD21-0038](#))

Waiver #1: Applicant requests a waiver to exterior materials for a previously approved large-scale development. A waiver from Section 1100.21(e) – Building Material. The applicant is requesting a waiver to provide one primary material over 25% and to allow LP or Hardie Board as a primary material.

VII. Other Business

1. Discussion on upcoming text amendments

- a. An ordinance amending Zoning Code Sec. 601.29 Alcohol Sales to establish operating hours for Sunday alcohol sales; and for other purposes
- b. An ordinance amending Zoning Code Sec. 601.03 Animals; and for other purposes
- c. An ordinance amending Land Development Code Sec. 1100.21 Large-Scale Development Design Standards; and for other purposes

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**Planning Commission
Meeting Minutes
February 21, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM**

Meeting Recording Link:

https://us06web.zoom.us/rec/share/76UCdi0PS33oSMmd19klcIKDx5Hiij_Y8QtHAwpPXcRenSYyDVpzara-pfAKURMG.TXcM-vb1vYIEGku0

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

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

Call to Order

- Meeting called to order at 5:10 pm by Chairman Sanders

I. Approval of the February 7th 2023 Meeting Minutes

- Discussion between Mr. Aitken and commissioners confirming minor corrections which were made to the minutes during the meeting break.
- Motion by Hipp, second by Wright to approve the February 7th meeting minutes as presented
- Minutes are approved 7-0 by voice vote

II. Consent Agenda

- Mr. Adler presents the items on the consent agenda.
- Consent agenda is approved 7-0 as presented

1. Lot 19, Block 16 of Railroad Addition

303 Southeast Henry Street ([LS23-0004](#))

Property Line Adjustment

III. New Business

Advertised Public Hearings

1. Masterson

1208 Southeast D Street ([RZ23-0001](#))

Rezoning

Rezoning: R-1, Low Density Single Family Residential to DN-3, Downtown High Density Residential

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

Future Land Use Map Amendment: LDR, Low Density Residential to HDR, High Density Residential

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- Abby Critselous of Verdant Studio, representing the applicant, speaks to the intent of the request.
- Discussion among staff and commissioners regarding surrounding R-3 Zoning and the upcoming future land use map update which may lend credence to a similar request in the future
- Public hearing is closed
- Future Land Use Map Amendment Request is Denied 4-3 with Commissioners Davis, Hipp, Haynie, and Kerr voting no due to incompatibility with the future land use map.
- Rezoning Request is Denied 5-2 with Commissioners Davis, Hipp, Haynie, Bennet, and Kerr voting no due to the contrast between the requested zoning and the property's current land use map designation

2. Freeman Living Trust

Rezoning

204, 206, & 214 Southwest Glover Street ([RZ23-0007](#))

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.
- Will Kelstrom, representing the applicant, speaks to the intent of the rezoning request
- Public hearing is closed
- Rezoning Request is Approved 7-0

3. Freeman Living Trust

Rezoning

203 Northwest D Street ([RZ23-0009](#))

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- Will Kelstrom, representing the applicant, speaks to the intent of the rezoning request and clarifies why two separate requests were made
- Elaine Maulky of 504 W Central Ave asks about what will be built there
- Mr. Adler and Mr. Aitken clarify the difference between the two relevant zoning districts
- Public hearing is closed
- Rezoning Request is Approved 7-0

4. Freeman Living Trust

Rezoning

205 Northwest D Street ([RZ23-0010](#))

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

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- Public hearing is closed
- Rezoning Request is Approved 7-0

5. Ehret

Rezoning

1109 Northeast A Street ([RZ23-0014](#))

Rezoning: R-1, Low Density Single Family Residential to DN-4, Downtown Mixed-use Residential

Future Land Use Map Amendment: LDR, Low Density Residential to MUC, Mixed-use Commercial

- Mr. Adler provides an overview of the staff report
- Chairman Sanders opens the public hearing.
- The applicant, Ken Ehret presents his case and intent for the request
- Mr. Ehret amends his request from DN-4 to DN-3, Downtown Medium Density Residential
- Greg Parker of 1055 N Main Street, speaks in support of the request, concurring with the applicant
- Angela Jones of 108 NE Briartown Mews speaks in opposition of the request due to concerns around increased vehicle traffic in her neighborhood
- Public hearing is closed
- Mr. Ehret amends his request from DN-3 to DN-2, Downtown Medium Density Residential
- This amended request will not require a future land use map amendment prior to approval
- Mr. Ehret withdraws his request to amend the future land use map
- The amended Rezoning Request to DN-2 is Approved 7-0

6. Brothers Meet House

Conditional Use Permit

405 Southeast 5th Street ([CU23-0001](#))

- Mr. Adler provides an overview of the staff report
- The applicant, April Seggebruch, provides a drawing showing bike parking and vehicle parking on site and off site parking to be utilized through a shared parking agreement with neighboring property owners
- Chairman Sanders and Mr. Adler clarify that the applicant shall have their shared parking agreement approved by Mr. Overstreet prior to obtaining their Certificate of Occupancy as a condition of approval.
- Permit Request is Approved 7-0
- Chairman Sanders failed to open a public hearing prior to calling for a vote on this item so a revote must take place.
- Chairman Sanders opens the public hearing
- Public hearing closed

- Motion by Davis, second by Hipp to vacate the original vote and it is unanimously approved by voice vote.
- Permit Request is Approved 7-0

7. City of Bentonville

Conditional Use Permit

908 Southeast 14th Street ([CU23-0003](#))

- Mr. Adler provides an overview of the staff report
- Chairman Sanders clarifies that the Commission's findings and decision are informed primarily by the high importance of the emergency radio system in question to the public safety of citizens.
- Chairman Sanders opens the public hearing
- Chairman Sanders closes the public hearing
- Permit Request is Approved 7-0

8. City of Bentonville

Conditional Use Permit

5500 Southwest Barron Road ([CU23-0004](#))

- Mr. Adler provides an overview of the staff report
- Chairman Sanders clarifies that the Commission's findings and decision are informed primarily by the high importance of the emergency radio system in question to the public safety of citizens.
- Chairman Sanders opens the public hearing
- Chairman Sanders closes the public hearing
- Commissioner Davis asks the applicant, Captain John Hubbard of Bentonville Police Department, how feasible it would be to relocate the radio tower further away from the homes to the south, and Mr. Hubbard states that a redesign at this point would be cost prohibitive
- Permit Request is Approved 7-0

9. Beach BBQ

Conditional Use Permit Extension

1080 Southeast 14th Street ([CU22-0023](#))

- Mr. Adler provides an overview of the staff report, and Mr. Overstreet clarifies it is only a request for time frame extension on the previously approved permit, and as such a public hearing is not necessary
- The applicant, Ravi Naidu Dadi, explains the need for the extension and reasoning for not building the site to the previously approved large scale design.
- Commissioner Davis speaks with Mr. Dadi regarding the possibility of providing a letter of credit for the City prior to Planning Commission approving another extension.
- Commissioner Davis proposes tabling the item amidst further discussion needed between the applicant and staff. He also proposes a 3 month extension to the CUP and a condition for allowing another 3 months extension if the LSD plans are amended or a pre-construction conference is held for the LSD within the first 3 month time frame.
- Chairman Sanders reiterates the need for the large scale development plans to be fully executed after the CUP expires
- Motion by Davis, second by Hipp to table the request to March 7th
- Permit extension request is tabled to the March 7th meeting 7-0

Other New Business (Projects associated with waivers)

1. My Place Hotel

Large Scale Development

Southeast East Pointe Avenue ([LSD23-0002](#))

Waiver #1: A waiver from Section 501.06(f) – Off-street parking standards. The applicant is requesting a waiver to provide one less parking space than is required.

- Barry Williams of Crafton Tull, representing the applicant, speaks to how utility conflicts make it difficult to provide the exact number of parking stalls required by code
- Motion by Davis, Second by Kerr to approve the waiver as presented
- Waiver request is Approved 7-0
- Discussion among staff and commissioners around the proposed large scale development
- Large Scale Development request is Approved 7-0

2. 7Brew

Large Scale Development

411 Southeast Walton Blvd. ([LSD23-0003](#))

Waiver #1: A waiver from Section 1100.21(e) – Building Material. The applicant is requesting a waiver to provide one primary material over 25% and to allow Nichiha as a primary material.

Waiver #2: A waiver from Section 1100.02(a)(6) Access Management Standards – Distance Between Curb Cuts. The applicant is requesting a waiver on driveway spacing in order to continue using existing curb cut.

- Mr. Adler provides an overview of the staff report
- Chairman Sanders asks that a stub for cross access be shown on the plans where appropriate
- Mr. Adler clarifies that there is no cross access shown on the plans currently
- Jared Inman of Jorgenson and Associates, representing the applicant, speaks to a lack of cooperation from neighboring businesses around shared access agreements
- Mr. Inman states they can add a cross access easement and curb cut where appropriate to facilitate adequate cross access in the future
- Jake Wrazel, the Applicant, states he is able to show the requested easement on the large scale plans
- Motion by Hipp, second by Kerr to approve the first waiver as presented
- Waiver #1 Approved 7-0
- Motion by Wright, second by Haynie to approve the second waiver as presented
- Waiver #2 Approved 7-0

- Chairman Sanders specifies he wants to add conditions to the approval of the large scale stating that the drainage report must be revised to reflect the proposed detention area prior to pre-construction and another stating adequate cross access must be shown on the plat and plans for the parking lot to the North.
- Large Scale Development is approved 7-0

3. Nelagoney Glen

Preliminary Plat

909-911 Northwest C Street ([PP22-0007](#))

Waiver #1: A waiver from Section 1100.16(b) Right-of-way dedication. The applicants requests a waiver in order to preserve and plant trees along the street frontage.

- Mr. Adler provides an overview of the staff report
- Patrick Foy of Halff, speaks to the reason for the altered right of way dedication
- Motion by Kerr, second by Wright to approve the waiver as presented
- Waiver #1 Approved 7-0
- Preliminary Plat Approved 7-0

4. 7TH Street Townhomes

Waiver Request

207 & 209 SE 7th Street ([LSD21-0038](#))

Waiver #1: Applicant requests a waiver to exterior materials for a previously approved large-scale development. A waiver from Section 1100.21(e) – Building Material. The applicant is requesting a waiver to provide one primary material over 25% and to allow LP or Hardie Board as a primary material.

- Mr. Adler provides an overview of the staff report
- Discussion among commissioners regarding setting precedent for lower quality materials on new townhomes and buildings downtown
- Barry Williams of Crafton Tull, representing the applicant, requests to table the item to March 7th
- Motion by Hipp, second by Wright to Table the waiver request
- Tabled 7-0

Motion by Davis, second by Kerr to Adjourn

Meeting adjourned 6:25 PM



Consent Agenda Items

For the Planning Commission meeting on March 7, 2023

Reviewer: Keegan Stanton, Senior Planner, AICP

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

Lot Split: Lots 25, 26, 27, 28, 29, & 30 of Railroad Addition, NLG Properties LLC, 218-226 Southeast B Street, DE, Downtown Edge, LS23-0008

A lot split of Lot 22, Block 4 of Railroad Addition, creating lots 25, 26, 27, 28, 29, & 30 of Railroad Addition. The plat is subdividing the property along the shared walls of the townhomes now that construction has started. This plat dedicates utility easements on the west side of the plat. No right-of-way is dedicated. No waivers are associated with this plat. A variance was approved in 2021 on sight-triangles to allow for on-street parking.

Large Scale Development Extension: SE L Street Development, L Street Partners LLC, 3302 Southeast L Street, R-3, Medium High Density Residential, LSD22-0003

The project consists of a large-scale development proposing a multifamily development on this site that was originally approved by the Planning Commission on March 15, 2022. Seventy-Seven (77) parking spaces are required. Sixty-six (66) parking spaces are provided. The Planning Commission approved this waiver at the November 2, 2021, meeting. Sidewalks, landscaping, grading/drainage, and site amenities are per the requirements of the Land Development Code. Access to the project will be achieved through a curb cut onto SE K Street and SE L Street. Additionally, the Board of Adjustments and the Planning Commission both granted the following variances and waiver for this project on March 15, 2022.

- A variance from Article 401, Section 401.07(b), which requires 1,500-square feet of land area per dwelling unit. The variance was approved at the October 13, 2021, Board of Adjustment meeting to reduce the minimum land area per unit down to 1,057-square feet.
- A waiver from Article 401, Section 401.06(f), which requires three parking spaces for every two dwelling units or 1.5 spaces per unit. The waiver was approved by the Planning Commission on November 2, 2021, to reduce the ratio down to 1.3 spaces per dwelling unit.
- A variance from Article 401, Section 401.07(c)(1) to reduce the exterior side yard setback from 20 feet to +/- 14 feet along SE K Street.
- A waiver from Article 1100, Section 1100.05 driveway standards, which requires the throat length to be at least 40 feet to 60 feet for unsignalized driveways.
- A waiver from Article 1100, Section 1100.02 access management standards, which requires opposing nonresidential driveways to either align or be offset no less than 75 feet. The applicant proposes the two driveways be offset 26.91 feet.
- A waiver from Article 501, Section 501.07 surfacing of parking lots, which requires all off-street parking areas to be paved with a sealed surface pavement. The applicant proposed using permeable pavers.



LOT 25 DESCRIPTION:

PART OT LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT-OF-WAY OF SE "B" STREET, S02°03'21"W 117.96 FEET TO A SET MAG NAIL AND WASHER (AR1002) IN CONCRETE, FOR THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SE "B" STREET RIGHT OF WAY, S02°03'21"W 11.00 FEET TO THE NORTH LINE OF LOT 21, BLOCK 4 OF SAID PLAT L201901264; THENCE, LEAVING SAID RIGHT OF WAY, ALONG THE NORTH LINE OF SAID LOT 21, N86°50' 49"W 147.68 FEET TO A FOUND 5/8" REBAR W/CAP (AR1636); THENCE N01°40'59"E 129.34 FEET TO A FOUND 5/8" REBAR AT THE NORTHWEST CORNER OF LOT 22 OF SAID BLOCK 4; THENCE S86°42'48"E 50.02 FEET TO SET 3/4" REBAR WITH CAP (AR1002), THENCE S01°40'59"W 118.22 FEET TO A SET MAG NAIL AND WASHER (AR1002) IN CONCRETE; THENCE S86°50'49"E 97.74 FEET TO THE POINT OF BEGINNING, CONTAINING 7,538 SQ FT OR 0.173 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND COVENANTS OF RECORD, IF ANY.

LOT 26 DESCRIPTION:

PART OF LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT- OF-WAY OF SE "B" STREET, S02°03'21"W 89.34 FEET TO A SET 3/4" REBAR WITH CAP (AR1002), FOR THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SE "B" STREET RIGHT OF WAY, S02°03'21"W 28.62 FEET TO A SET MAG NAIL AND WASHER (AR1002); THENCE LEAVING SAID RIGHT OF WAY, S86°50'49"W 97.74 FEET TO A SET MAG NAIL AND WASHER (AR1002); THENCE N01°40'59"E 28.85 FEET TO A SET 5/8" REBAR WITH CAP (AR1002); THENCE S86°42'48"E 97.93 FEET TO THE POINT OF BEGINNING, CONTAINING 2,810.0 SQ FT OR 0.45 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF- WAY, AND COVENANTS OF RECORD, IF ANY.

LOT 27 DESCRIPTION:

PART OF LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT- OF-WAY OF SE "B" STREET, S02°03'21"W 68.84 FEET TO A SET 3/4" REBAR WITH CAP (AR1002), FOR THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SE "B" STREET RIGHT OF WAY, S02°03'21"W 20.50 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE LEAVING SAID RIGHT OF WAY, S86°42'48"W 97.93 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE N01°40'59"E 20.51 FEET TO A SET 5/8" REBAR WITH CAP (AR1002); THENCE S86°42' 48"E 98.07 FEET TO THE POINT OF BEGINNING; CONTAINING 2,008.10 SQ FT OR 0.46 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF- WAY, AND COVENANTS OF RECORD, IF ANY.

LOT 28 DESCRIPTION:

PART OF LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT- OF-WAY OF SE "B" STREET, S02°03'21"W 48.34 FEET TO A SET 3/4" REBAR WITH CAP (AR1002), FOR THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SE "B" STREET RIGHT OF WAY, S02°03'21"W 20.50 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE LEAVING SAID RIGHT OF WAY, N86°42'48"W 98.07 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE N01°40'59"E 20.51 FEET TO A SET 5/8" REBAR WITH CAP (AR1002); THENCE S86°42'48"E 98.20 FEET TO THE POINT OF BEGINNING; CONTAINING 2,011.7 SQ FT OR 0.46 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF- WAY, AND COVENANTS OF RECORD, IF ANY.

LOT 29 DESCRIPTION:

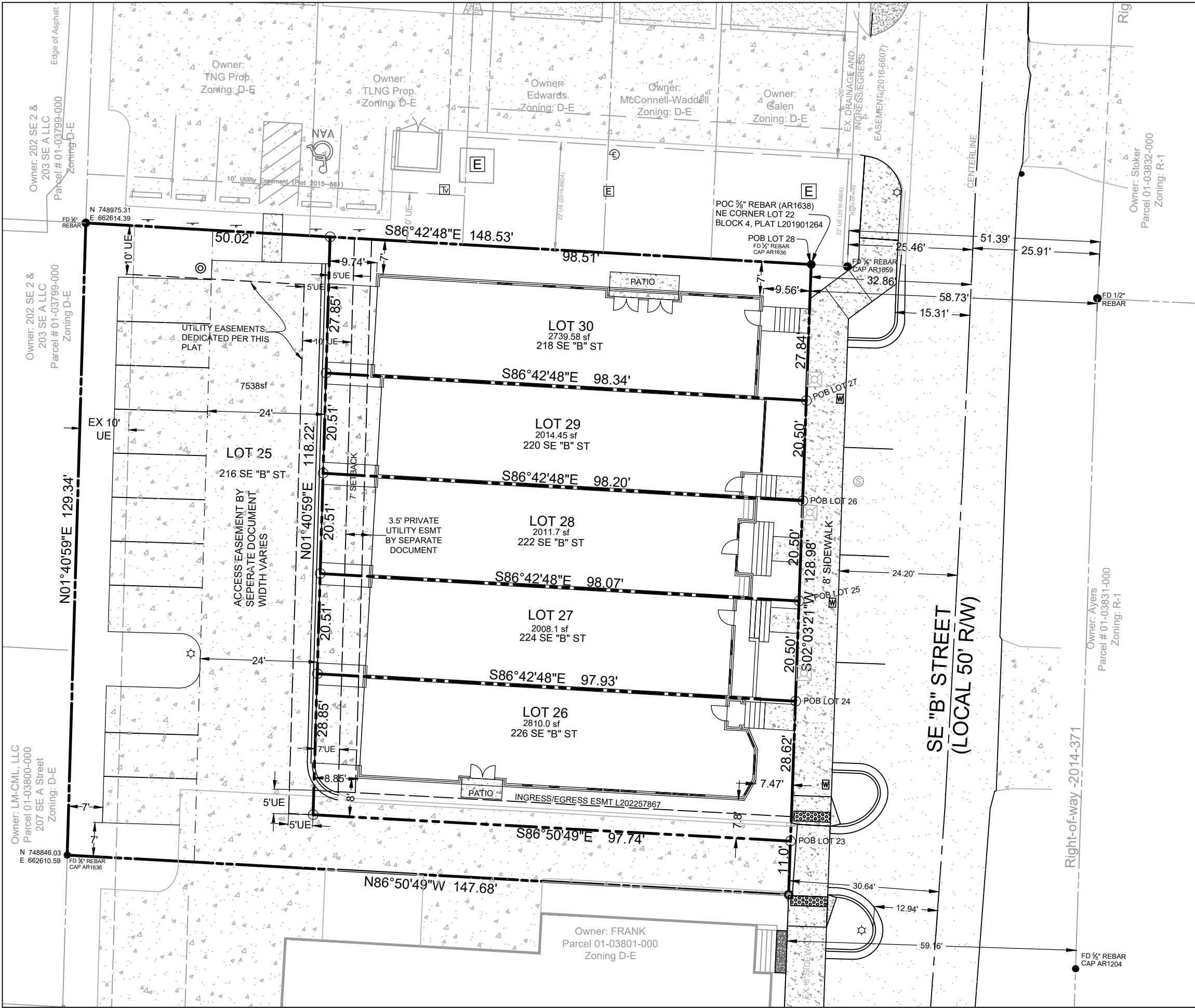
PART OF LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT- OF-WAY OF SE "B" STREET, S02°03'21"W 27.84 FEET TO A SET 3/4" REBAR WITH CAP (AR1002), FOR THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID SE "B" STREET RIGHT OF WAY, S02°03'21"W 20.50 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE LEAVING SAID RIGHT OF WAY, N86°42'48"W 98.20 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE N01°40'59"E 20.51 FEET TO A SET 5/8" REBAR WITH CAP (AR1002); THENCE S86°42' 48"E 98.34 FEET TO THE POINT OF BEGINNING, CONTAINING 2,014.45 SQ FT OR 0.46 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF- WAY, AND COVENANTS OF RECORD, IF ANY.

LOT 30 DESCRIPTION:

PART OF LOT 22 OF BLOCK 4, RAILROAD ADDITION, AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK, BENTON COUNTY, ARKANSAS, AS PLAT RECORD L201901264, SAME BEING PART OF THE NE 1/4 OF THE NE 1/4 SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 4 OF RAILROAD ADDITION; THENCE ALONG THE WEST RIGHT- OF-WAY OF SE "B" STREET, S02°03'21"W 27.84 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE LEAVING SAID RIGHT OF WAY, N86°42'48"W 98.34 FEET TO A SET 3/4" REBAR WITH CAP (AR1002); THENCE N01°40'59"E 27.85 FEET TO A SET 5/8" REBAR WITH CAP (AR1002); THENCE S86°42' 48"E 98.51 FEET TO THE POINT OF BEGINNING, CONTAINING 2,739.0 SQ FT OR 0.628 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, RIGHTS-OF- WAY, AND COVENANTS OF RECORD, IF ANY.



RAILROAD ADDITION NOTES:

DUE TO THE FINDINGS OF MULTIPLE PREVIOUS SURVEYS, BASED ON THE EXISTING MONUMENTATION AND OCCUPATION AS FOUND AND DISPLAYED ON THIS PLAT, IT IS APPARENT THAT THERE IS AN OFFSET BETWEEN THE WEST HALF LOTS AND EAST HALF LOTS OF BLOCK 4 OF RAILROAD ADDITION (PLAT BOOK A, PAGE 38). SAID PLAT A-38 OF RAILROAD ADDITION DOES NOT APPEAR TO BE THE ORIGINAL DOCUMENT AND THIS FINDING IS DESCRIBED IN A "REPORT OF SURVEY" RECORDED IN BOOK 2015, PAGE 7779.

THE FOUND 5/8" REBAR AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 4 AND COMMON TO THE NORTHEAST CORNER OF LOT 5, BLOCK 4, AS SHOWN ON THIS PLAT, IS BEING HELD DUE TO THE FOLLOWING RECORD DOCUMENTS. SAID 5/8" REBAR IS SHOWN ON THE FOLLOWING PLATS IN BLOCK 4 OF RAILROAD ADDITION AND ARE IN AGREEMENT WITH PLAT P-104, LOT 4, BLOCK 4, RECORDED MAY 8, 1973: PLAT P4-556, BOUNDARY SURVEY, N 1/2, LOT 3, BLOCK 4, DATED 2/22/02 PLAT 2002-51, INFORMAL PLAT, N 1/2 OF LOT 3, BLOCK 4, DATED 6/14/02 PLAT 2015-292, LOT SPLIT, LOT 1, BLK 4, DATED 5/14/15 PLAT 2015-661, LOT SPLIT, LOT 12, BLK 4, DATED OCTOBER 26, 2015 PLAT 2017-305, LOT SPLIT, LOT 15, OF BLOCK 4, DATED APRIL 4, 2017

THE LOCATION OF SAID FOUND 5/8" REBAR AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 4 AND THE SET REBAR AT THE SOUTHEAST CORNER OF THE NORTH 80' OF LOT 5, BLOCK 4 IS FURTHER SUPPORTED BY THE FOLLOWING SURVEYS AND DEEDS: PLAT 2013-321, PROPERTY LINE ADJUSTMENT, LOT 11, BLOCK 4, DATED 12/15/12- DISPLAYS THE SOUTH LINE OF LOT 5, BLOCK 4 DEED 2016-42579, PART OF LOT 5, BLOCK 4, NORTH 80' LOT 5, BLOCK 4 DEED L2017057842, PART OF LOT 5, BLOCK 4, 65' ALONG THE RIGHT OF WAY OF SE "B" STREET, BEGINNING 80' SOUTH OF THE NORTHEAST CORNER OF LOT 5, BLOCK 4

THE FOLLOWING PLATS DISPLAY BOTH THE NORTHEAST AND SOUTHEAST CORNER FOR THE NORTH 80' OF LOT 5, BLOCK 4: PLAT P4-556, BOUNDARY SURVEY, N 1/2, LOT 3, BLOCK 4, DATED 2/22/02 PLAT 2002-51, INFORMAL PLAT, N 1/2 OF LOT 3, BLOCK 4, DATED 6/14/02

SURVEYOR MET WITH A REPRESENTATIVE OF PENSAGO, LLC (OWNER OF THE NORTH 80', LOT 5, BLOCK 4) AND PRESENTED ABOVE EVIDENCE AND WAS AGREED TO SET THE SOUTHEAST CORNER OF SAID TRACT AS PART OF THIS SURVEY.

SITE LEGEND

- MONUMENT SET (PIN/CAP or MAG NAIL/WASHER)
- MONUMENT FOUND
- BENCH MARK
- LIGHT POLE
- ELECTRIC STRUCTURES
- WATER METER
- SEWER CLEANOUT
- TELEPHONE RISER
- SEWER MANHOLE
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- CENTER LINE OF ROAD

APPROVED VARIANCE:

VAR21-0007 approved April 14, 2021 to allow on-street parking

FLOOD STATEMENT:

(BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0255K. Revised date June 04, 2012.



SCALE: 1" = 20'

BENCHMARK:

Mag nail on south side of concrete drive 18± southeast of the southeast corner of subject tract.
Northing: 748969.57'
Easting: 658235.99'
Elev: 1298.51'

State Filing Code:
500-20N-31W-0-31-110-04-1002

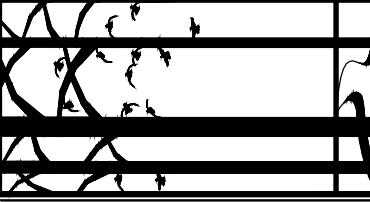
COB PROJECT # LS23-0008

LLC, OWNER, DEVELOPER:
NLG PROPERTIES, LLC
Neil Greenhaw
PO Box 692
Bentonville, AR 72712

LOT SPLIT
LOT 22 BLOCK 4
RAILROAD ADDITION to be
Lots 23, 24, 25, 26, 27, 28
BENTONVILLE, ARKANSAS



SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-5262



PLS:	CEG
CAD:	KB
FIELD:	MJH/MS
SCE PROJECT #:	21012
DATE:	2/13/2023
SHEET:	2 OF 2

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 22, BLOCK 4 OF RAILROAD
ADDITION; CREATING NEW LOTS 25, 26, 27, 28, 29, & 30 OF RAILROAD
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER
PURPOSES. (PROJECT NUMBER: LS23-0008)**

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 22, BLOCK 4 OF RAILROAD ADDITION, creating new LOTS 25, 26, 27, 28, 29, & 30 OF RAILROAD ADDITION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on March 7, 2023;

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

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

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

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

Section 1: That the lot split of LOT 22, BLOCK 4 OF RAILROAD ADDITION creating new LOTS 25, 26, 27, 28, 29, & 30 OF RAILROAD ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

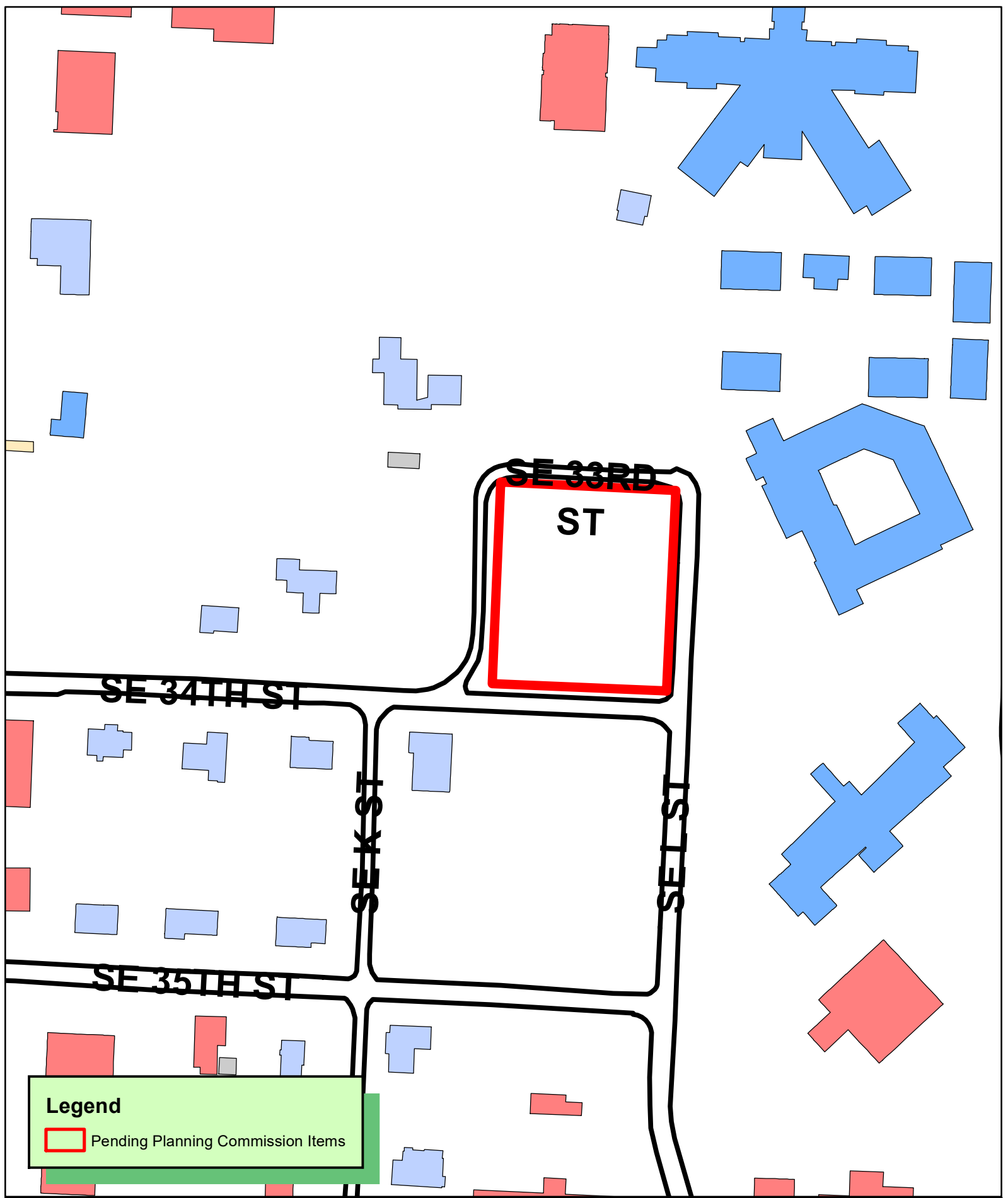
PASSED AND APPROVED this _____ day of _____, 2023

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk





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

Waiver Request

To: City of Bentonville
From: Ecological Design Group, Inc – on behalf of L Street Partners LLC
Date: February 28, 2022
Re: Multifamily Development @ 3302 L Street, Bentonville, AR – #LSD22-0003

On behalf of L Street Partners LLC, Ecological Design Group, Inc. (EDG) is submitting this Waiver Request concurrently with Large Scale Development Review.

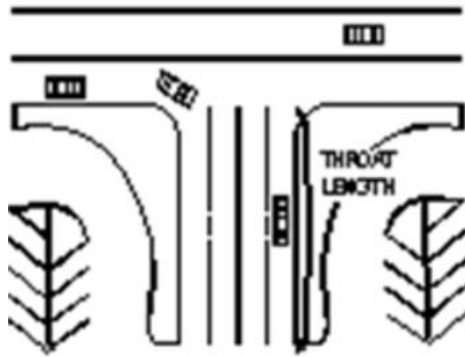
Project Description: Proposed multifamily development includes approximately 51 one bedroom, street widening per the Master Street Plan, on-street parking, interior parking, utility connections, and landscape improvements. The property is zoned R-3 (Medium to High Density Multifamily Residential).

This Waiver Request items are listed below:

Driveway Throat Length

- City of Bentonville Municipal Code: Appendix B – Land Development Code – Article 1100 Development Standards
 - Section 1100.05 Driveway Standards
 - *“(d) Throat length. The length of driveways or “throat length” shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear in the table below titled “Generally Adequate Driveway Throat Lengths,” but may vary according to the projected volume of the individual driveway. These measures generally are acceptable for the principle access to a property and are not intended for minor driveways. The figure titled “Driveway Throat Length,” depicts an example of adequate throat length. Variation from these shall be permitted for good cause upon approval of the director/ engineer and/or planning commission.”*

GENERALLY ADEQUATE DRIVEWAY THROAT LENGTHS	
Development type	Driveway throat length
Shopping centers with greater than 200,000 gross leasable area (Signalized) (800 spaces)	200'
Smaller developments equal to or less than 200,000 gross leasable area (Signalized)	75'–95'
Unsignalized driveways	40'–60'



- The proposed project is a 51 unit multi-family development, with a total of 60 on-site parking spaces being provided. The typical stacking for this size of a project is **one** vehicle. The site layout has used design principles providing smooth site circulation and two points of entry/exit, decreasing chances of traffic congestion. One vehicle staking length is 20 feet, and is adequately provided in the current site layout. The 40 – 60 feet requested by code is self-described as “Generally Adequate Driveway Throat Lengths”, and “may vary according to the projected volume of the individual driveway”. The code section also explicitly allows for variation from this standard with approval of the director/engineer and or planning commission. Given the project traffic volume of this project, it is requested a 20 foot stacking area be adequate for meeting the intent of this code section.

Offset Distance of Driveways

- City of Bentonville Municipal Code: Appendix B –Land Development Code – Article 1100 Development Standards
 - Section 1100.02 Access Management Standards:
 - *“(a)(4)Offset. Either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than seventy-five (75) feet. This condition shall not apply where a permanent median exists without break for these driveways..”*
 - The existing conditions surrounding the site prohibit the project from meeting this criteria at the driveway in the NE corner. There is an existing **Service Only/Dead End** drive for the assisted living center across the street that is less than 75 feet from the proposed driveway. Given the location of the existing drive, along with the existing road (SE 33rd St), it is physically impossible to provide a driveway that would line up with the service drive. The main entrance to the assisted living center is to the south, and the proposed driveway is more than 75 feet away. Given the low traffic anticipated with the service-only drive, the orientation of the existing drive and SE 33rd St, and providing 75 foot clearance to the major drive, it is requested that this requirement be waived.

Surfacing of Parking Lots

- City of Bentonville Municipal Code: Appendix A – Zoning Code – Article 501 Off Street Parking and Loading
 - Section 501.07 Surfacing of Parking Lots:
 - *“Any off-street parking area shall be paved with a sealed surface pavement and maintained to prevent dust resulting from continued use. The parking area should be arranged as efficiently as possible, be so graded and drained as to dispose of all surface water accumulated in the area, and shall be so arranged and marked as to provide for orderly and safe parking and storage of vehicles, according to provisions of this Article.”*
 - This project includes permeable pavers which does not meet above-mentioned code criteria. The project also includes asphalt as part of street widening, and concrete pavement throughout the interior of the parking lot. The permeable pavers are proposed in the parking stalls, and act as a means for stormwater to infiltrate into the underground stormwater detention area. Permeable pavers are one of the tools in

Low Impact Development principles and responsible development. They are heavy duty, rated for traffic, and will cause no impairment to drivers or guests to the property. In lieu of traditional pavement, permeable pavers will decrease stormwater runoff, provide an opportunity to filter stormwater, and are a positive addition to the project's footprint.

These requests are made in good faith on behalf of ownership and design team. These requests are reasonable and meet the intent of the code.

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

Sincerely,

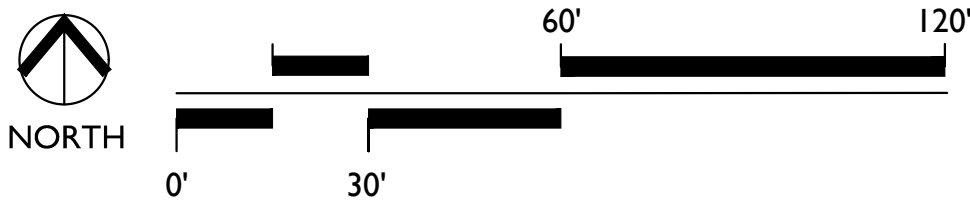


Jenny Burbidge, ASLA
Project Manager
Ecological Design Group, Inc.



I SITE PLAN - DRIVEWAY EXHIBIT

SCALE: 1" = 30'-0"



E | D | G

Ecological Design Group, Inc

www.ecologicaldg.com

phone: 501 378 0200

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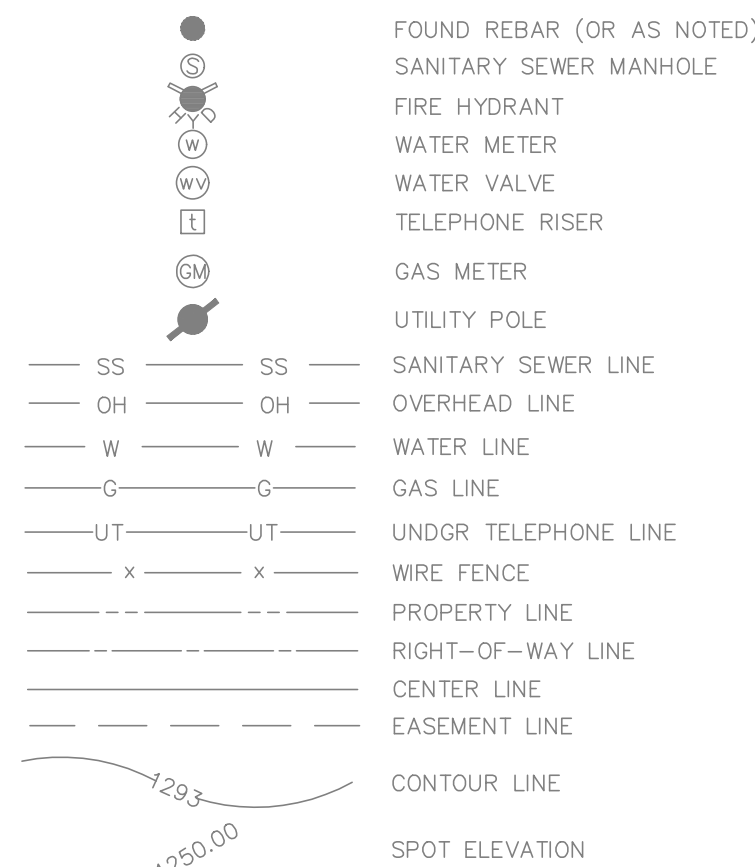
Know what's below.
Call before you dig.

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

EDG PROJECT NO.	21-012
DATE	2022.02.28
REVISIONS	
Number	Date
PHASE	Construction Documents
TITLE	Site Plan Exhibit A
SHEET NO.	EX A
LSD22-0003	

NOTE: ARCHITECTURAL FOOTPRINTS, THRESHOLDS AND VESTIBULES ARE SHOWN FOR REFERENCE. REFER TO ARCHITECTURAL PLANS FOR ALL EXACT MEASUREMENTS AND BUILDING DIMENSIONS.

EXISTING LEGEND



SITE SUMMARY

ZONING: MEDIUM DENSITY RESIDENTIAL (R-3)
USE: MULTIFAMILY
UNITS: 51 SINGLE BEDROOM UNITS
AREA: 53,898 SF / 1.24 AC

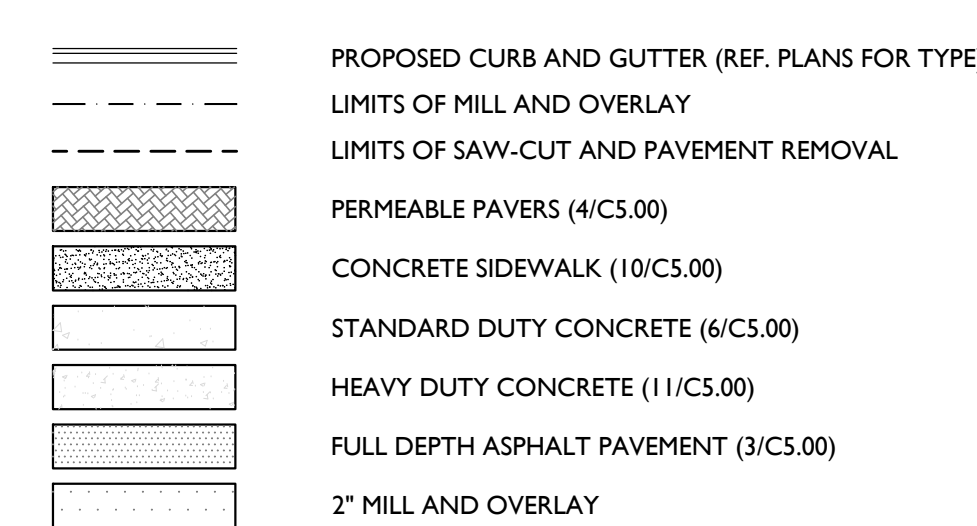
ZONING SUMMARY

LOT AND AREA STANDARDS		
MIN. LAND AREA/ UNIT	REQUIRED 800 SF	PROVIDED 1,057 SF**
MIN. LOT AREA:	10,000 SF/23 AC	53,898 SF/1.24 AC
MIN. LOT WIDTH:	100'	215'
MAX LOT COVERAGE MAX (MULTIFAMILY, CORNER LOT):	55%	20%
**VARIANCE APPROVED 10/13/2021		
SETBACK STANDARDS		
FRONT YARD MIN (SE 34TH ST):	REQUIRED 20'	PROVIDED 20'
SIDE YARD (EXTERIOR) MIN (SE L ST):	20'	20'
SIDE YARD (EXTERIOR) MIN (SE K ST):	20'	13' ***
REAR YARD MIN (SE 33RD ST):	25'	25'
***VARIANCE REQUESTED 2/22/2022		
OPEN SPACE REQUIREMENTS		
MIN OPEN SPACE/ UNIT (20 SQFT)	REQUIRED 1,020 SF	PROVIDED 5,560 SF

GENERAL NOTES:

- EXISTING SURVEY DATA WAS OBTAINED FROM A TOPOGRAPHIC & BOUNDARY SURVEY PERFORMED BY CASTER & ASSOCIATES LAND SURVEYING, INC AND DATED 09/21/2021.
- SURVEY DATA IS BASED UPON NAD 83, STATE STATE PLANE, ARKANSAS NORTH FEET COORDINATE SYSTEM.
- ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM.
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY, COUNTY, STATE, AND FEDERAL REGULATIONS AND CODES AS WELL AS OSHA STANDARDS. SITE CONTRACTOR SHALL MEET OR EXCEED ALL LOCAL, STATE, AND FEDERAL EROSION CONTROL MEASURES
- THE APPROXIMATE LOCATION OF KNOWN UTILITIES & SUBSURFACE STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES & RECORD DRAWINGS PROVIDED. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF THESE & ALL OTHER SUBSURFACE AND/OR LATENT FACILITIES PRIOR TO BEGINNING WORK. ALL REPAIRS OR RELOCATIONS NECESSARY SHALL BE MADE AS REQUIRED BY THE OWNER OF THE UTILITY OR STRUCTURE & THE COST OF SUCH REPAIRS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
- ALL WORK PERFORMED WITHIN THE RIGHT-OF-WAY SHALL BE COORDINATED WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT AND TRAFFIC DEPARTMENT.
- ALL STREETS, DRIVES, WALKS, DRAINAGE STRUCTURES, FENCES, ETC. THAT ARE DISTURBED SHALL BE RESTORED TO THEIR ORIGINAL OR BETTER CONDITION USING LIKE MATERIALS. COST OF SUCH REPAIRS SHALL BE BORNE BY THE CONTRACTOR UNLESS PROVISION FOR PAYMENT IS MADE IN THE PROPOSAL.
- THE CONTRACTOR IS REQUIRED TO NOTIFY THE ONE CALL CENTER AT 1-800-482-8998 48 HOURS PRIOR TO DIGGING IN ORDER THAT UNDERGROUND UTILITIES IN THE AREA CAN BE LOCATED.
- THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN IMPLEMENTED, AND THE SWPPP, EROSION CONTROL PLAN, AND SIGNED AUTOMATIC NOTICE OF COVERAGE IS POSTED ON SITE.
- CONTRACTOR IS RESPONSIBLE FOR ALL FIELD TESTING AS DESCRIBED IN THE SPECIFICATIONS (INCLUDING BUT NOT LIMITED TO COMPACTION DENSITY TESTING, ETC.), AND SHALL PROVIDE RESULTS TO ENGINEER, AND MAINTAIN RECORDS AND RESULTS OF ALL TESTS PERFORMED DURING CONSTRUCTION. TESTING BY THE CONTRACTOR SHALL BE INCLUDED IN THE BID.
- EXISTING FACILITIES AND FEATURES ARE SHOWN LIGHT-LINED AND/OR SCREENED. NEW FACILITIES AND FEATURES ARE SHOWN SOLID AND HEAVY-LINED.
- SLOPES AND GRADES SHOWN ARE IN UNITS OF FT/FT UNLESS OTHERWISE NOTED.
- ALL PAVEMENT AND CURB MEASUREMENTS ARE TAKEN FROM FACE OF CURB OR EDGE OF PAVEMENT.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
- 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 BENTONVILLE ELECTRIC UTILITY DEPARTMENT WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.

PROPOSED LEGEND



PARKING DATA

ZONING
USE
PARKING REQUIREMENTS

(R-3)
MULTI FAMILY
RESIDENTIAL - MULTIFAMILY
3 SPACES FOR 2 DWELLING UNITS
(1.5 SPACES PER UNIT)
51 UNITS * 1.5 SPACES = 76.5 SPACES

TOTAL 77 SPACES REQUIRED

PARKING PROVIDED
ON SITE PARKING PROVIDED 60 SPACES
ON STREET PARKING PROVIDED 6 SPACES
TOTAL 66 SPACES PROVIDED*

*PARKING WAIVER APPROVED - 1/10/2021

PLANNING NOTES:

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

SITE AMENITIES

#1 - BIKE RACK - DERO-SWERVE BIKE RACK- BLACK OR APPROVED EQUAL

E | D | G

Ecological Design Group, Inc

www.ecologicaldg.com

phone: 501 378 0200

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

EDG PROJECT NO. 21-012

DATE 2022.02.28

REVISIONS

Number Date

PHASE Construction Documents

TITLE Site Plan

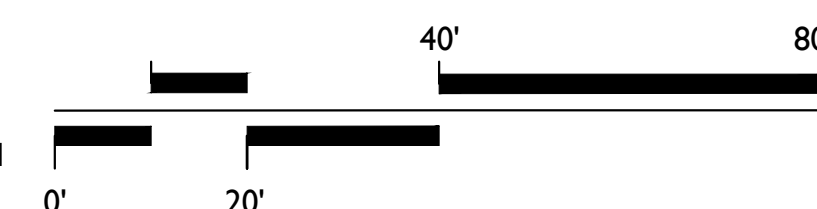
SHEET NO. C1.00

LSD22-0003

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SITE PLAN

SCALE: 1" = 20'-0"



EXISTING LEGEND

	FOUND REBAR (OR AS IS)
	SANITARY SEWER MANHOLE
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	TELEPHONE RISER
	GAS METER
	UTILITY POLE
SS _____ SS	SANITARY SEWER LINE
OH _____ OH	OVERHEAD LINE
W _____ W	WATER LINE
G _____ G	GAS LINE
UT _____ UT	UNDERGROUND TELEPHONE LINE
x _____ x	WIRE FENCE
- - - - -	PROPERTY LINE
_____	RIGHT-OF-WAY LINE
_____	CENTER LINE
_____	EASEMENT LINE
	CONTOUR LINE
	SPOT ELEVATION

PROPOSED LEGEND

PROPOSED CURB AND GUTTER (REF. PLANS FOR TYPE 1)
LIMITS OF MILL AND OVERLAY
LIMITS OF SAW-CUT AND PAVEMENT REMOVAL
PERMEABLE PAVERS (4/C5.00)
CONCRETE SIDEWALK (10/C5.00)
STANDARD DUTY CONCRETE (6/C5.00)
HEAVY DUTY CONCRETE (11/C5.00)
FULL DEPTH ASPHALT PAVEMENT (3/C5.00)
2" MILL AND OVERLAY

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SE L STREET DEVELOPMENT
33302 SE L ST. BENTONVILLE, AR

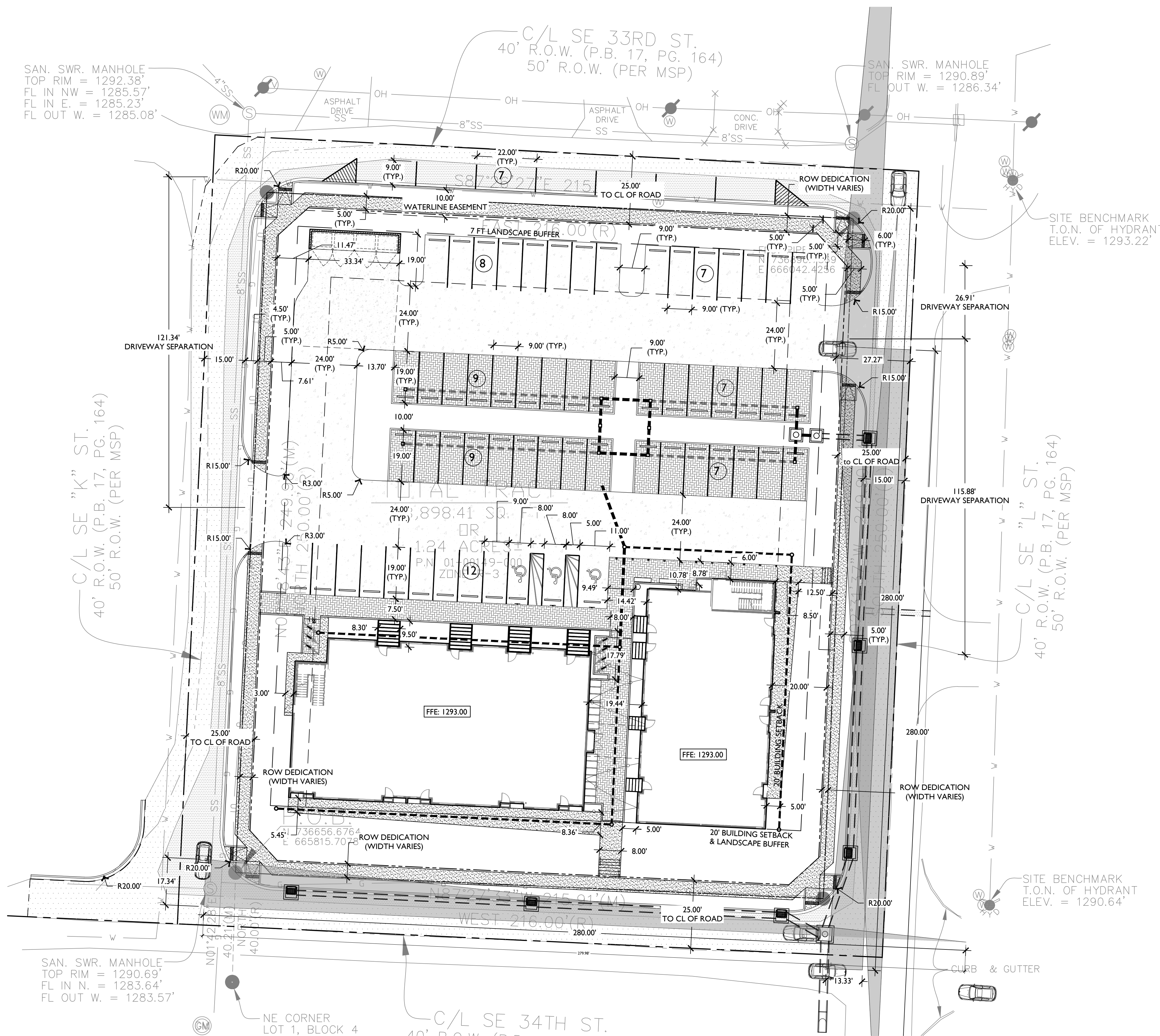
EDG PROJECT NO.	21-01
DATE	2022.02.20

[illegible]

PHASE	Construction Documents
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TITLE **Site Layout Plan**

SHEET NO. **C1.01**
LSD22-0001

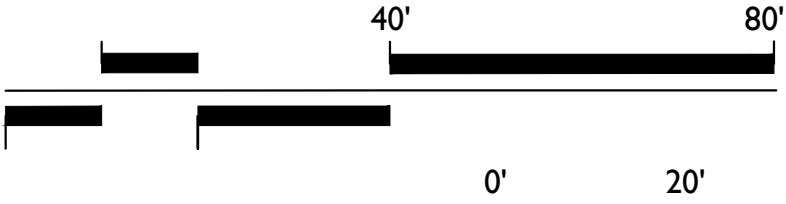


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5. THE APPROXIMATE LOCATION OF KNOWN UTILITIES & SUBSURFACE STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES & RECORD DRAWINGS PROVIDED. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF THESE & ALL OTHER SUBSURFACE AND/OR LATENT FACILITIES PRIOR TO BEGINNING WORK. ALL REPAIRS OR RELOCATIONS NECESSARY SHALL BE MADE AS REQUIRED BY THE OWNER OF THE UTILITY OR STRUCTURE & THE COST OF SUCH REPAIRS NECESSARY SHALL BE BORNE BY THE CONTRACTOR.
6. ALL WORK PERFORMED WITHIN THE RIGHT-OF-WAY SHALL BE COORDINATED WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT AND TRAFFIC DEPARTMENT.
7. ALL STREETS, DRIVES, WALKS, DRAINAGE STRUCTURES, FENCES, ETC. THAT ARE DISTURBED SHALL BE RESTORED TO THEIR ORIGINAL OR BETTER CONDITION USING LIKE MATERIALS. COST OF SUCH REPAIRS SHALL BE BORNE BY THE CONTRACTOR UNLESS PROVISION FOR PAYMENT IS MADE IN THE PROPOSAL.
8. THE CONTRACTOR IS REQUIRED TO NOTIFY THE ONE CALL CENTER AT 1-800-482-8998 48 HOURS PRIOR TO DIGGING IN ORDER THAT UNDERGROUND UTILITIES IN THE AREA CAN BE LOCATED.
9. THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN IMPLEMENTED, AND THE SWPPP, EROSION CONTROL PLAN, AND SIGNED AUTOMATIC NOTICE OF COVERAGE IS POSTED ON SITE.
10. CONTRACTOR IS RESPONSIBLE FOR ALL FIELD TESTING AS DESCRIBED IN THE SPECIFICATIONS (INCLUDING BUT NOT LIMITED TO COMPACTION DENSITY TESTING, ETC.), AND SHALL PROVIDE RESULTS TO ENGINEER, AND MAINTAIN RECORDS AND RESULTS OF ALL TESTS PERFORMED DURING CONSTRUCTION. TESTING BY THE CONTRACTOR SHALL BE INCLUDED IN THE BID.
11. EXISTING FACILITIES AND FEATURES ARE SHOWN LIGHT-LINED AND/OR SCREENED. NEW FACILITIES AND FEATURES ARE SHOWN SOLID AND HEAVY-LINED.
12. SLOPES AND GRADES SHOWN ARE IN UNITS OF FT/FT UNLESS OTHERWISE NOTED.
13. ALL PAVEMENT AND CURB MEASUREMENTS ARE TAKEN FROM FACE OF CURB OR EDGE OF PAVEMENT.
14. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
15. CONTACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
16. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
17. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE BENTONVILLE ELECTRIC UTILITY DEPARTMENT WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.
18. CONTRACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
19. BEUD DESIGN LAYOUT TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON SITE OR UTILITY PLAN.
20. ELECTRIC FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.
21. THERE SHALL NOT BE ANY OBSTRUCTION PLACED WITHIN THE SIGHT TRIANGLE AT A HEIGHT OF BETWEEN 3' AND 8'.

EDG PROJECT NO.		21-012
DATE	2022.02.28	
REVISIONS		
Number	Date	
PHASE		
		Construction Documents
TITLE		
		Utility Plan
SHEET NO.	C2.00	LSD22-0003 of 6

LANDSCAPE PLAN

SCALE: 1" = 20'-0"



PLANT SCHEDULE

TREES	QTY	COMMON / BOTANICAL NAME	CALIPER	CONTAINER	SPACING		DETAIL
	11	AMERICAN SYCAMORE / PLATANUS OCCIDENTALIS	4" CAL	BALL & BURLAPPED	AS SHOWN		
	51	SUMMER SPRITE LITTLELEAF LINDEN / TILIA CORDATA 'HALKA'™	2.5" CAL	BALL & BURLAPPED	AS SHOWN		
SHRUB AREAS	QTY	COMMON / BOTANICAL NAME	CALIPER	CONTAINER	SPACING	SPACING	DETAIL
	956	BLUE ZINGER SEDGE / CAREX FLACCA 'BLUE ZINGER'	---	1 GAL	12" O.C.	12" o.c.	
	597	COMMON RUSH / JUNCUS EFFUSUS	---	1 GAL	24" O.C.	24" o.c.	
	1,771	PRAIRIE BLUES LITTLE BLUESTEM / SCHIZACHYRIUM SCOPARIUM 'PRAIRIE BLUES'	---	1 GAL	30" O.C.	30" o.c.	
GROUND COVERS	QTY	COMMON / BOTANICAL NAME	CALIPER	CONTAINER	HEIGHT X SPREAD	SPACING	DETAIL
	2,822 SF	MEYER ZOYSIA GRASS / ZOYSIA JAPONICA 'MEYER'	SOLID SOD				

EXISTING LEGEND

	FOUND REBAR (OR AS NOTED)
	SANITARY SEWER MANHOLE
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	TELEPHONE RISER
	GAS METER
	UTILITY POLE
	SANITARY SEWER LINE
	OVERHEAD LINE
	WATER LINE
	GAS LINE
	UNDGR. TELEPHONE LINE
	WIRE FENCE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTER LINE
	EASEMENT LINE
	CONTOUR LINE
	SPOT ELEVATION

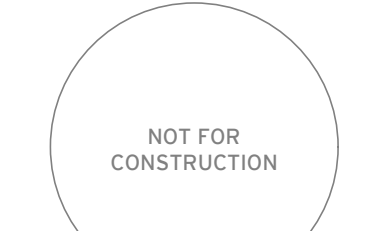
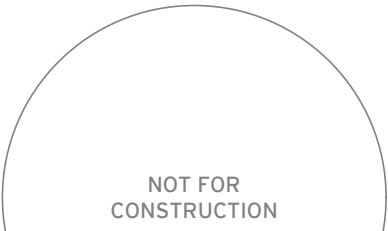
CITY OF BENTONVILLE LANDSCAPE REQUIREMENTS

	REQUIRED	PROVIDED
STREET FRONTAGE		
SE "L" STREET	MIN. 20 FT BUFFER	YES
	ONE (1) TREE PER 20 LF OF STREET FRONTAGE (MINUS DRIVEWAY WIDTH); 245 LF / 20 LF = 12 TREES	12 TREES
SE 33RD STREET	MIN. 20 FT BUFFER	YES
	ONE (1) TREE PER 20 LF OF STREET FRONTAGE (MINUS DRIVEWAY WIDTH); 216 LF / 20 LF = 10.8 = 11 TREES	11 TREES
SE "K" STREET	MIN. 20 FT BUFFER	YES
	ONE (1) TREE PER 20 LF OF STREET FRONTAGE (MINUS DRIVEWAY WIDTH); 246 LF / 20 LF = 12 TREES	12 TREES
SE 34TH ST	MIN. 20 BUFFER	YES
	ONE (1) TREE PER 20 LF OF STREET FRONTAGE (MINUS DRIVEWAY WIDTH); 219 LF / 20 LF = 10.95 = 11 TREES	11 TREES
PERIMETER LANDSCAPE STRIP		
	NONE REQUIRED (STREET FRONTAGE ON ALL SIDES)	
INTERIOR PARKING LOT LANDSCAPING		
PLANTING ISLANDS	MAX. SPACING OF 15 SPACES APART	YES
	AT ENDS OF ALL PARKING ROWS	YES
INTERNAL PLANTING ISLANDS	MIN. SIZE OF 18' X 18'	YES
	MIN. 2 TREES EACH	YES
EXTERNAL PLANTING ISLANDS	MIN. SIZE OF 9' X 19'	YES
	MIN. OF 1 TREE EACH	YES
CONTINUOUS PLANTING ISLAND	REQ'D WHEN TWO OR MORE DOUBLE ROWS	YES
	MIN. LENGTH OF PARKING ROW AND WIDTH OF 9 FT.	YES
	ONE (1) SHADE TREE PER 6 SPACES	YES
SCREENING REQUIREMENTS		
	NONE REQUIRED	
LANDSCAPE AND UTILITY REQUIREMENTS		
	TREES PLANTED UNDER OVERHEAD UTILITIES SHALL NOT EXCEED A MATURE HEIGHT OF 25'	YES
	TREES SHALL NOT BE WITHIN 5' OF UNDERGROUND UTILITIES	YES
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 10' FROM THE DOOR SIDE OF TRANSFORMER; AND 3' FROM OTHER SIDES.	YES
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 3' OF A FIRE HYDRANT	YES

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

EDG PROJECT NO.	21-012
DATE	2022.02.28
REVISIONS	
Number	Date
PHASE	Construction Documents
TITLE	Landscape Plan
SHEET NO.	L1.00

LSD22-0003



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E

D

C

B

A

EXTERIOR MATERIAL SCHEDULE				
NO.	Material	COLOR/STYLE	MANUFACTURER	COMMENTS
B-1	THIN BRICK	GREY	SIoux CITY BRICK	
CM-1	CONCRETE MASONRY VENEER	TAWNY GROUND FACE BLOCK	TRENDSTONE	BLOCK FINISH TO BE GROUND FACE TEXTURE
FC-2	FIBER CEMENT VERTICAL SIDING	SW EIDER WHITE SW7014	JAMES HARDIE OR APPROVED EQUAL	
FC-3	FIBER CEMENT LAP SIDING	SW EIDER WHITE SW7014	JAMES HARDIE OR APPROVED EQUAL	
M-1	ARCHITECTURAL METAL PANEL	PREFINISHED BLACK, MIN 24 GA	PAC-CLAD OR APPROVED EQUAL	CONCEALED FASTENERS

PER SECTION 1100.21 (L) ENTRANCES EACH GROUND LEVEL EXTERIOR UNIT ENTRANCE IS ARTICULATED WITH A RECESS IN THE FACADE, MATERIAL CHANGE AND OVERHANG.

PER SECTION 1100.21 (M) ARCHITECTURAL DETAILS THE BUILDING DESIGN INCORPORATES A RHYTHM OF RECESSES/PROJECTIONS ACROSS THE BUILDING LENGTH, VARIED ROOF HEIGHTS, ARTICULATED BASE, ACCENT MATERIALS.

ROOF MOUNTED EQUIPMENT TO BE SCREENED ON ALL SIDES BY PARAPET WALLS.



8 3D View 4
SD0.00



6 3D View 7
SD0.00



7 3D View 8
SD0.00

WEST ELEV. THROUGH BREEZEWAY		
TOTAL AREA:	5534 sf	
WINDOWS:	918 sf	
ADJ. TOTAL:	4616 sf	
PRIMARY MATERIALS:		
1 - BRICK:	2596 sf	(56%)
2 - CMU:	1727 sf	(37%)
OTHER:		
FIBER CEMENT:	266 sf	(7%)
WEST ELEV. FACING K		
TOTAL AREA:	2409 sf	
WINDOWS:	82 sf	
ADJ. TOTAL:	2327 sf	
PRIMARY MATERIALS:		
1 - BRICK:	1104 sf	(47%)
2 - CMU:	622 sf	(27%)
OTHER:		
FIBER CEMENT:	485 sf	(21%)
METAL PANEL:	116 sf	(5%)

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REZONING & FUTURE LAND USE AMENDMENT STAFF REPORT



Buffington Barron LLC

Southwest Regional Airport Blvd.

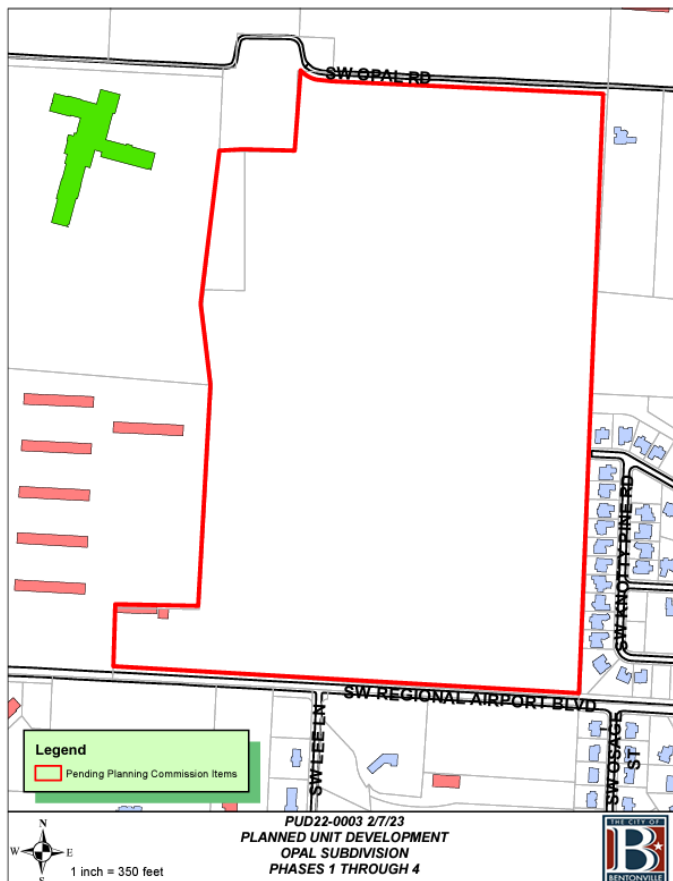
PC Date: 2/7/2023

Reviewer: Keegan Stanton, Senior Planner,
AICP

Project Number	PUD22-0003
Applicant / Current Owner	Buffington Barron LLC
Site Area	+/- 95.22 acres
Current Zoning	PUD, Planned Unit Development
Requested Zoning	PUD, Planned Unit Development
Future Land Use Map Designation	Agriculture (A)
Requested Future Land Use Map Designation	Mixed-Use Commercial

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

Location Map



Property Description

This property is approximately 95.22 acres of land in the Opal Subdivision. The property has access to Southwest Regional Airport Blvd. and Southwest Opal Road, which are classified as Arterial and Collector, respectively. The property also has access to the stub of Southwest Fairview Blvd., a local road in the North Fork Addition. The property is presently zoned PUD, Planned Unit Development from a request that was approved in 2021, with a Future Land Use Map designation of Agriculture.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently depicts this property as Agriculture. Agriculture areas include larger properties used primarily for the raising of crops or livestock. These properties may include residence and farm-related structures.

The applicant is requesting an amendment to the Future Land Use Plan to Mixed-Use Commercial to comply with the Future Land Use Map and Zoning District Alignment Policy. Mixed-use commercial areas include uses that provide goods and services to nearby residents. Local retail, day-to-day services, and small offices are appropriate in these areas. Vertical mixed-use developments are encouraged in mixed-use commercial areas, with upper floors including offices, services, or residential uses. Parking may be more prominent in these areas than in Downtown commercial areas but should be sited and designed to not be detrimental to the character of the area.

The property is located within Priority Area 3, Edge Growth, as identified in Chapter 4 of the Bentonville Community Plan. This area highlights thoughtful growth and development along existing infrastructure and the preservation of land for future commercial incorporation.

Public Comment

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

Analysis

The purpose of the PUD district is to establish a mechanism for a person to propose a commercial, industrial or residential mixed-use development that is innovative, but which does not strictly comply with the provisions of the zone in which the property is located and cannot be achieved through traditional zoning. The intent of the PUD district is to promote high quality developments while allowing greater flexibility in the design of such

REZONING & FUTURE LAND USE AMENDMENT STAFF REPORT

developments.

The applicant is proposing a Planned Unit Development (PUD) consisting of 457 total residential lots. The applicant proposes three types of residential lots: those greater than 60-feet in width, 45-foot width, and townhouse lots for attached units. 5 commercial and 10 open space lots are also proposed. A mix of single-family detached and townhome style development composes the residential portion of the request.

The applicant states they will provide 23.57% common usable open space. This is spread out through a series of integrated greenspace, acting as neighborhood or linear parks connected via pedestrian walks, as well as a large open space central to the development that doubles as drainage. The proposal depicts this area as an activated greenspace with a number of trails.

Parking will be provided on each residential lot. The provided architectural renderings show generally 2-car garages plus driveway space for single-family residential and off-street space for townhomes as well. Significant on-street parking is provided to supplement provided off-street parking. A series of alleys will provide rear-loading to all townhome units and most if not all 45' lots.

The road network can be described as generally in a connected grid pattern, with a primary spine running north to south from Southwest Regional Airport Blvd. to Southwest Opal Road. A central roundabout serves to calm traffic while a southern roundabout offers access to the commercial areas along Regional Airport Blvd. Stubs are provided to the east and west, and the one existing stub is picked up off of Southwest Fairview Blvd.

The applicant has included concept imagery of the single-family residential units, depicting a mixed-material product with mostly brick on the front

façade with a Hardy Board product around the sides and rear, with the amount of brick increasing on the larger sized lots in an overall contemporary design. Farmhouse-style elements, such as board and batten, appear as well. The townhouse structures are shown to be designed in a farmhouse style as well with the applicant is proposing a mix of brick and Hardy Board, with brick being mostly located along the front façade. The commercial portion is proposed with a mostly brick façade, with Hardy Board around the sides and rear.

The applicant is proposing the commercial portion be built along with Phase 3 of the development, allowing a critical mass of rooftops to be built and occupied prior to bringing commercial uses online.

The proposed PUD will be required to conform to Article 1400 Landscaping of the Land Development Code as landscaping requirements are explicitly not permitted to be amended.

Waivers:

There are no waivers requested with the PUD.

Conclusion

This request is not consistent with the Future Land Use Plan without approval of the requested amendment but is consistent with the vision of the Bentonville Community Plan as the property is located within Priority Area 3, Edge Growth which encourages thoughtful growth and development along existing infrastructure and the preservation of land for future commercial incorporation.

The proposed design and phasing of the development are consistent with the intent of PUD zoning and development.

January 16, 2023

PUD BOOKLET

Prepared for:

Buffington Barron, LLC

Opal Park

Submitted to:

City of Bentonville

305 SW A St.

Bentonville, Arkansas 72712

CT JOB NO. 21300200



Crafton Tull



Crafton Tull

1C NARRATIVE

401.10(a) Description and Purpose of PUD

Buffington Homes created Opal Park to be a destination community unlike anything currently in development in the NWA region. The development will incorporate principals of New Urbanism through the creation of a series of interconnected paths and sidewalks, numerous pocket parks, and community green spaces, a mix of housing types and sizes and a centrally featured low impact storm water park.

The purpose of the Planned Unit Development (PUD) request is to create an innovative mixed-use development with high standards, but which do not strictly comply to current options presented by the zoning code. This PUD will allow for commercial properties along the highway, standard single family style housing, row house style single family housing, and attached single family residential which is similar in nature to a townhome. The commercial properties will not only serve this development but also the surrounding areas.

There are ample amounts of open green space within the development, including a dog park, linear park, and a large storm park (over 13 acres) with walking trails and nature elements. The entirety of the development is very pedestrian friendly, with sidewalks and trails which connect all facets of the residential properties to the open green space and commercial units.

The idea behind the proposal was a mixed-use development, but also to cluster the residential together to leave a large area of open green space for the community to enjoy, rather than larger lots to achieve similar density without the green space. This creative approach to the layout of the development is an efficient use of the land that reduces the quantities of streets and utilities, leading to less impervious area, and less impacts to the city's maintenance crews for the public infrastructure. This also preserves and will greatly enhance many of the natural features on-site and will also prevent soil erosion by careful controlling the water through this area through a series of wet ponds.

401.10(b) PUD Districts Require Zoning Designation and Master Plan

Many detailed site plans are included with this booklet including an Overall Development Plan, Phasing Plan, and a Planning Area Plan to clearly and adequately show what is being proposed. In addition to these overall maps, a detailed site plan is also included which show street sizes, utility locations, setbacks, easements, and dimensions. This PUD application covers an area of 95.22 acres, exceeding the minimum required lot area of 10 acres.

401.10(c) Allowed uses in PUD district

- **Planning Area 1 (Commercial)** – This area will encompass the lots and areas where commercial uses shall be developed (either by Buffington Baron LLC or by others). This includes the areas along Highway 12, as well as the residential community clubhouse. This district shall be designed to provide convenience goods and personal services for the development as well as the surrounding communities. Commercial developments within this area shall generally conform in architecture and material to the proposed residential planning area.

Goals of this planning area include the following:

- I. Minimize any potential incompatibilities between commercial developments and other types of land use;
- II. Provide opportunities for investment as new residential areas and thoroughfares are built, they are particularly designed to encourage the use of undeveloped lands in existing commercial areas;
- III. Provide sufficient space, at appropriate locations in close proximity to established residential areas for retail and service trade. Such commercial establishments should provide shopping needs of nearby residential areas; and,
- IV. Provide sufficient and appropriate space to meet anticipated future needs for planned commercial developments in central shopping districts, regional, community and neighborhood shopping centers.
- V. Provision of off-street parking in conjunction with commercial area development shall be fostered through commercial district establishments. Establishments will be encouraged through the districts to congregate in planned developments to the consumer and merchant's advantage.

The zoning within this planning area will be based on the existing C1 (Neighborhood Commercial) zoning district. This district is designed to provide convenience goods and personal services for the development as well as the surrounding communities.

Table 1: Table of Allowed Uses

Uses Allowed By Right		
Residential	Residential Facility: Assisted Living	Residential Facility: Extended Medical Care
Recreation, Education, Public Assembly		Cultural Studio
Services	ATM Machine	Adult Day Care
	Child Care: Commercial	
	Copy Services	Financial Institution
	Maintenance Service	Medical Services: Doctor Office
	Medical Services: Urgent Care Clinic (< 12,000 gsf)	
	Office: Small Scale (< 4,000 gsf)	Office: Large Scale (4,000 gsf to 12,000 gsf)
	Personal Services	Repair Services: Household
Retail	Artisan Shop	Bakery
	Bar, Lounge or Tavern	Convenience Store
	Convenience Store that sells beer and/or light wine for off-site consumption	
	Convenience Store that sells beer, light wine and/or spirits for off-site consumption	
	Equipment Rental: Indoor	
	Outdoor Vending, Private Property	Pharmacy (< 12,000 gsf)
	Retail: Small Scale (< 4,000 gsf)	Retail: Large Scale (4,000 gsf to 12,000 gsf)
Uses Allowed with an Approved Conditional Use Permit		
Agriculture and Animals		Animal Clinic
Recreation, Education, Public Assembly	Commercial Recreation Facility: Indoor	Educational Facility
Services	Medical Services: Laboratory	
Retail	Convenience Store that sells beer and/or light wine for off-site consumption within 500' of a city owned park or trail	
	Convenience Store that sells beer, light wine and/or spirits for off-site consumption within 500' of a city owned park or trail	
	Gas Station	Restaurant
	Restaurant: Drive-Through	Restaurant: Microbrewery

- **Planning Area 2 (Residential)** - This planning area will encompass residential lots, alleys, houses, and areas where single family, townhomes, or attached homes shall be built or developed. This planning area is the largest of the three proposed planning areas and includes single family detached, and single family attached (2+ units).

Goals of this planning area include the following:

- I. Provisions of adequate space at appropriate locations necessary to create an appropriate mix of housing alternatives for people of all lifestyles;
- II. Consideration to site selection and variety of choice;
- III. Prevention of congestion as much as possible by regulating population density, activity intensity and extent of building bulk in relation to area land use;
- IV. Control of structure height to provide light and air access through windows; and
- V. Promotion of desirable land use and development in order to protect district character and to conserve land and building value.

The zoning within this planning area will be based on the existing R2 (Medium Density Two Family and Townhomes Residential) zoning district. This district is designed to permit residential housing, whether single family detached or single-family attached.

Permitted Uses:

- | | |
|---|---|
| - Animal – Domestic or Household | - Park: Mini, Neighborhood, Community |
| - Community Garden | - Child Care- Registered Family Home (5 children or less) |
| - Dwelling – Condominium, Modular, Single Family, Townhouse, Two-Family | - Mobile Food Vendor |
| - Library | |

Conditional Uses:

- | | |
|---|---|
| - Botanical Garden | - Wireless Communication Facility (Cell Towers) |
| - Urban Farm | |
| - Group Home | |
| - Home Occupation Type B | |
| - Community Center | |
| - Educational Facility | |
| - Golf Course | |
| - Adult Day Care | |
| - Child Care – Licensed Center | |
| - Temporary Uses | |
| - Child Care – Licensed Family Home (6-16 Children) | |
| - Bed and Breakfast | |
| - Public Safety Services | |
| - Utility Facility | |

Accessory Uses (Not the primary use):

- Chicken, Hobby
 - Dwelling – Accessory
 - Home Occupation – Type A
 - Solar Energy System
 - Building Accessory – Nonresidential
 - Donation Box
-
- **Planning Area 3 (Open Green Space)** – This planning area will encompass all the detention, drainage features, forested areas, natural areas, recreational features, and parks on-site. This planning area is designed to permit and encourage the minimum amount of development, protect natural features, encompass all common open space, and recreational features for the property.

These planning areas are further discussed in greater detail in Section E and Section F of this booklet, along with a map delineating each planning area.

This planning area will encompass all the detention, drainage features, forested areas, natural areas, recreational features, and parks on-site. This planning area is designed to permit and encourage the minimum amount of development, protect natural features, encompass all common open space, and recreational features for the property.

Permitted Uses:

- | | |
|--------------------|----------------------|
| - Botanical Garden | - Park: Mini, |
| - Community Garden | Neighborhood, |
| - Greenhouse | Community |
| - Plant Nursery | - Mobile Food Vendor |

Conditional Uses:

- | | |
|--------------------------|--------------------|
| - Outdoor Music Venue | - Utility Facility |
| - Public Safety Services | - Temporary Uses |

Accessory Uses (Not the primary use):

- Solar Energy System
- Wind Energy System
- Building Accessory – Nonresidential
- Donation Box

401.10(d) Density Requirements for PUD district

Definition: Net residential acres - Gross acreage of the PUD site minus all public rights-of-way and less the area of all parcels or lots devoted to commercial, industrial, or institutional uses not of a residential nature. As it pertains to this PUD, the acreage shall omit Planning Area 1 and the public rights-of-way but include Planning Area 3.

Total Acreage: 95.22 Acres

Commercial: 12.51 Acres

Street R/W: 21.52 Acres

Net Residential Acres: 61.19 Acres

*All of the above acreages are approximate based on the site maps, and may vary slightly.

401.10(e)(1) PUD district permitted modifications

- **Planning Area 1 (Commercial)**

- a. Density shall not be regulated for this planning area. The size of the commercial buildings shall be limited by landscaping and off-street parking requirements as well as any additional large scale development requirements.

- b. Setbacks for this planning area shall be as follows:

	Front		Side		Rear	
District	Parking in Front	No Parking in Front	Adjacent to Non-Residential District	Adjacent to Residential District	Adjacent to Non-Residential District	Adjacent to Residential District
Commercial	50'	20'	7'	15'	20'	25'

- c. Building heights within this planning area shall not exceed 40 feet. Where greater than 40 feet is requested, the structure shall be setback an additional foot for each foot in excess of the maximum height allowed.
- d. Lot size shall not be smaller than 7,000 square feet.
- e. Lot width shall not be less than 70 feet.
- f. There shall be no minimum lot depth, but there shall be a maximum lot coverage of 50%.
- g. Landscaping: Landscaping shall be consistent with Article 1400 of the Bentonville Municipal Code.
- h. Parking: Parking shall be associated with the proposed use and will conform to Section 501 of the Bentonville Municipal Code.
- i. Street widths are requested per the included site drawings. All streets shall be public, except for the drive adjacent to the proposed clubhouse, with parking on both sides. That shall be private. Street sections vary in width and right of way but shall meet the minimum street sections for pavement depth, cross-slope, and base and subgrade requirements.
- j. Where allowed, rear and side loading shall be setback a minimum of 20'. Front-load garages shall be recessed a minimum of 10' from the front elevation of the house, 30' from the property line.

Additional Details

1. Architectural design standards: Architectural design standards of the proposed commercial use shall generally conform in architecture and material to the proposed residential planning area. These will be reviewed by The Architectural Control Committee (as outlined in the covenants) for final approval.

- **Planning Area 2 (Residential)**

- a. Density shall not be regulated for this planning area, except by the minimum lot sizes as indicated in the below tables.

- b. Building setbacks shall be as follows:

Residential (R) Districts					
Minimum Setback Standards					
District	Building Type	Front	Side		Rear
			Interior	Exterior ***	
Residential District	>59' Detached SF Lot	20'	7'	20'	25'
Residential District	45'-59' Detached SF Lot	20'	0'/7' *	20'	20'
Residential District	Attached SF Lot (Townhome)	20'	0'/5' **	20'	20'

For the 45' to 59' detached single family lots, a zero side setback is allowable as long as a 7' side setback is proposed on the other property line.

** For the attached single family lots (townhomes), a zero side setback is allowed. At the end of the building, there shall be a minimum of 5' to the lot line. A minimum of 10' must be provided between buildings.

*** Exterior side setbacks shall be as measured to public streets only, not alleys. Where adjacent to alleys, a minimum of 5' shall be provided.

Note: Setback shall be measured from the face of the building. Roof overhangs are permitted within the setback up to 24".

- c. Buildings shall not exceed a 30' plate height. Elevations are provided with this document detailing proposed heights. No building or structure may exceed this number, which will be enforced by the Architectural Control Committee.

- d. Lot size, (e.) width, and (f.) depth shall be as indicated in the following table.

Residential District						
Lot and Area Standards						
District	Building Type	Min. Lot Area (SF)	Min. Land Area/ Dwelling Unit (SF)	Min. Lot Width	Max. Lot Coverage	
					Interior	Exterior/Corner
Residential District	Single Family	4,000	N/A	30'	60%	65%
	Two-Family	5,000	N/A	40'	70%	75%
	Townhouse-Unit	1,500	N/A	15'	N/A	N/A
	All others not listed	6,000	N/A	40'	60%	65%

- g. Landscaping: Landscaping shall be consistent with Article 1400 of the Bentonville Municipal Code.
- h. Parking: Each unit shall be required to provide two off street parking spaces.
- i. Street Widths: Street widths are requested per the included site drawings. All streets shall be public, except for the drive adjacent to the proposed clubhouse, with parking on both sides. That shall be private. Street sections vary in width and right of way but shall meet the minimum street sections for pavement depth, cross-slope, and base and subgrade requirements.
- j. Garage Setback: Rear and side loading shall be setback a minimum of 20'. Front-load garages shall be recessed a minimum of 10' from the front elevation of the house, 30' minimally from the property line.

- **Planning Area 3 (Open Green Space)**

- a. Density shall not be regulated for this planning area, except by the minimum lot sizes as indicated in the below tables.
- b. Building setbacks shall be 30' for front, side, and rear setbacks.
- c. Building heights, where allowed, shall not exceed 40'.
- d. Lot Size: There shall be no minimum lot size.
- e. Lot Width: There shall be no minimum lot width.
- f. Lot Depth: There shall be no minimum lot depth.
- g. Landscaping: Landscaping shall be consistent with Article 1400 of the Bentonville Municipal Code.
- h. Parking: Parking shall be associated with the proposed use and will conform to Section 501 of the Bentonville Municipal Code.
- i. Street Widths: Street widths are requested per the included site drawings. All streets shall be public, except for the drive adjacent to the proposed clubhouse, with parking on both sides. That shall be private. Street sections vary in width and right of way but shall meet the minimum street sections for pavement depth, cross-slope, and base and subgrade requirements.
- j. Garages shall not be allowed within this planning area.

401.10(f)(1) PUD Open Space Requirements

a. *Minimum area devoted to Open Space:*

- Required Open Space by Code: A minimum of 20% of the total project area, exclusive of public right-of-way and parking lots, shall be devoted to common open space.
 - Total Project Area : 95.22 acres
 - Public right-of-way: 21.52 acres
 - Commercial Lot Area: 12.51 Acres
 - Remainder: 61.19 Acres
- Required Open Space: +/- 12.24 Acres (20%)
- Provided Open Space: +/- 14.42 Acres (23.57%)

b. *Equitable Distribution:*

- The proposed open space is equitably distributed throughout the entirety of the project. In the first two phases there is a dog park and open space area. In the middle of the site, the large open space is provided with walking trails and retention ponds. In the final two phases there is a linear park and pocket parks.

c. *Preservation:*

- All area located within Planning Area 3 will be preserved in accordance with the aforementioned uses and restrictions. A property owners associations and restrictive covenants will be utilized to restrict and manage this area, inclusive of all landscaping and maintenance.

d. *Accessible:*

- All open space within the proposed PUD shall be connected with a pedestrian network so that all residential and commercial units can fully access each area. These pathways shall be ADA compliant with ramps and warning devices as regulated per federal standards.

e. *Common Open Space Options:*

- There are multiple open green space areas on-site. This includes a linear park, dog park, pocket park, and the large central area. All of these will be vegetated with interconnectivity to the entire site. The large central area will include walking retention areas with walking trails and benches. Other open space options might be included and are not limited to grilling areas, public pools, tennis courts, basketball courts, soccer fields or any of the uses which were previously defined under Planning Area 3.

(f)(2) Parking Requirements

Parking shall be in compliance with Article 501 Off-Street Parking and Loading.

Additionally there is on-street parking for guests, parking areas near the clubhouse, and on-street parking near the open green space areas for guest and adjacent developments to utilize.

(f)(3) Perimeter Requirements

Setbacks, both internal and on the perimeter of the site shall be in accordance with 401.10(e)(1)

(f)(3) Structural Design Standards

The PUD shall meet the design standards for large scale developments in the subdivision code and the following structural design standards.

- a. Residential buildings will have their main entrances oriented toward the adjoining street. There will be no residences that are perpendicular or angled.
- b. All structures shall have a common architectural theme. All structures shall follow the example architecture included with this booklet. All homes will be reviewed for compliance by the owners.
- c. Avoid unbroken building facades of more than 100 feet.
- d. Provide human scale features, especially at street level.
- e. Avoid unarticulated and monotonous building facades and window placement.
- f. Provide a variety of building heights and varied roofline articulation.
- g. Aluminum, vinyl or fiberglass siding or roofing materials on the facades or sides of the building shall not be visible from a public right-of-way.
- h. Rear and side loading residential garages are encouraged and shall be setback a minimum of 20 feet. Front-loading garages shall be recessed a minimum of 10 feet, from the front elevation of the house and shall be setback a minimum of 30 feet from the front property line.

401.10(f)(2) PUD district prohibited modifications

Compliance with the development standards referenced in this code section will be demonstrated by way of the Large Scale Development submission.

401.10(g)(1) PUD districts common open space requirement

This proposal exceeds the minimum open space requirements for a PUD district.

401.10(g)(2) PUD district parking and off-street requirement

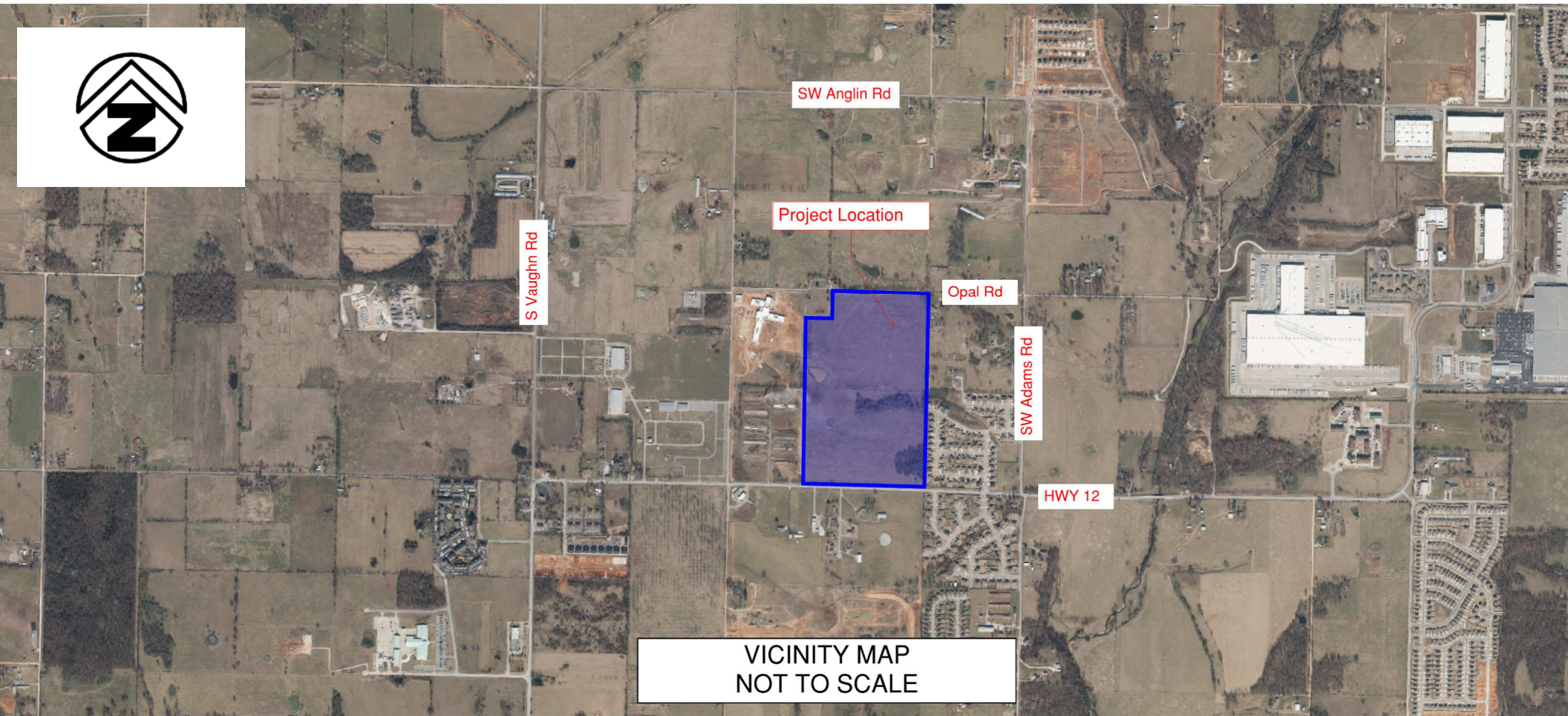
Compliance with the development standards referenced in this code section will be demonstrated by way of the Large Scale Development Surfaces.

401.10(g)(3) PUD district perimeter requirement

The master site plan is designed to ensure maximum compatibility with the surrounding land uses.

401.10(g)(4) PUD district structural design standard

Refer to Section 2D for documentation showing compliance with the structural design standards, such as elevations. Single-Family Lot's building materials will consist of brick, stone, lap siding, board and batten siding.



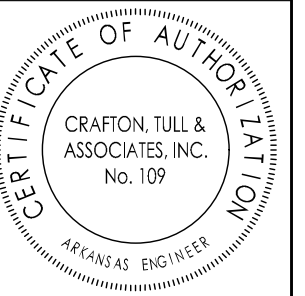
Buffington Homes
o:479.251.1106
w:buffingtonhomesar.com

300 N College Ave., Suite 317
Fayetteville, Arkansas 72701



Crafton Tull
architecture | engineering | surveying

479.636.4838 †
www.craftontull.com



GRAPHIC SCALE IN FEET

A horizontal scale bar with alternating black and white segments. It is marked with '0' at the center, '50'' at the left end, and '100'' at the right end.

OPAL PARK
BENTONVILLE, AR

Key Plan

PHASING MAP
PUD22-0003

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PROJECT NO: 21300200
ISSUE DATE: 01/24/2023
CONTACT: T. HENNELLY
QC by:
QC Date:

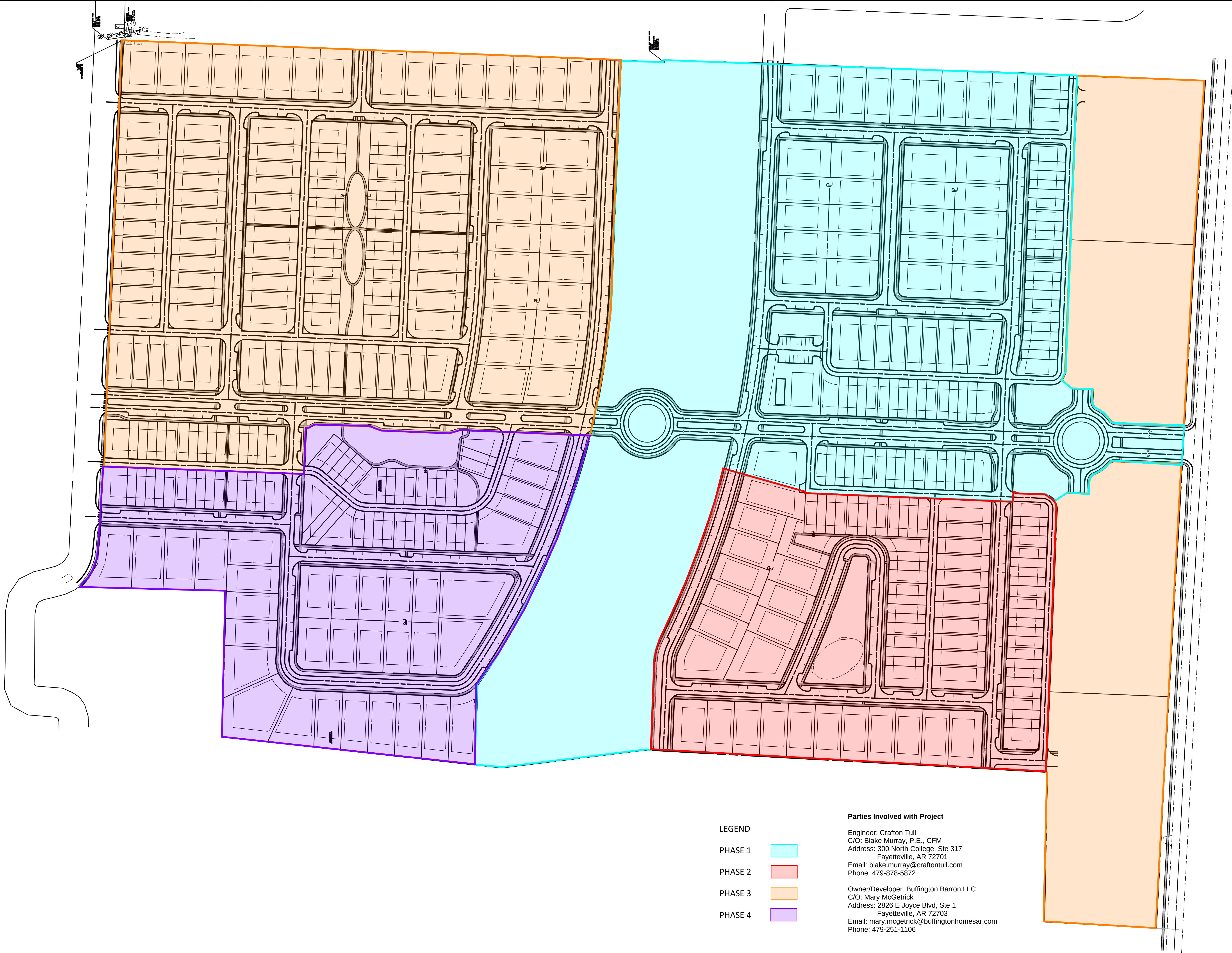
PRELIMINARY
PLANS

PUD22-0003

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LEGEND

- | | |
|---------|---|
| PHASE 1 |  |
| PHASE 2 |  |
| PHASE 3 |  |
| PHASE 4 |  |

Parties Involved with Project

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Phone: 479-251-1106



GRAPHIC SCALE IN FEET

A horizontal scale bar with alternating black and white segments. It is marked with '0' at the left end, '50' in the middle, and '100' at the right end.

OPAL PARK
BENTONVILLE, AR

Key Plan

[illegible]

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PROJECT NO: 21300200
 ISSUE DATE: 01/24/2023
 CONTACT: T. HENNELLY
 QC by:
 QC Date:

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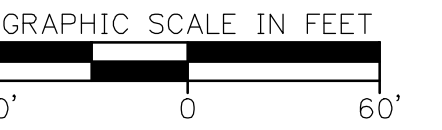
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PUD22-0003

OVERALL LAYOUT
WITH COMMERCIAL

C-004

The commercial building and parking configuration shown on this drawing is conceptual in nature. The ultimately layout will vary from what is shown on this drawing, as this drawing is used for illustration purposes only. Building sizes will be at the developer (Buffington or their buyer's) discretion which will then be submitted as a large scale development to conform with Bentonville municipal code.



Key Plan

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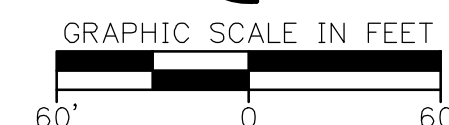
REFERENCES

114

C-103

Owner/Developer: Buffington Barron LLC
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Key Plan

[illegible]

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QC Date:

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C-102

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C/O: Mary McGetrick
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Fayetteville, AR 72703
Email: mary.mcgetrick@buffingtonhomesar.com
Phone: 479-251-1106

MATCH LINE

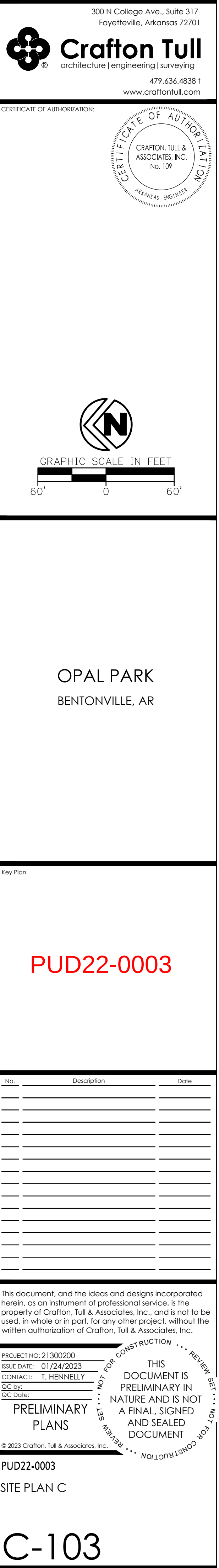
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MATCH LINE

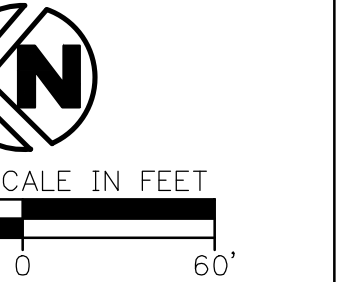
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SITE PLAN E



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



OPAL PARK
ENTONVILLE, AR

PUD22-0003

[illegible]

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PUD22-0003

SITE PLAN D

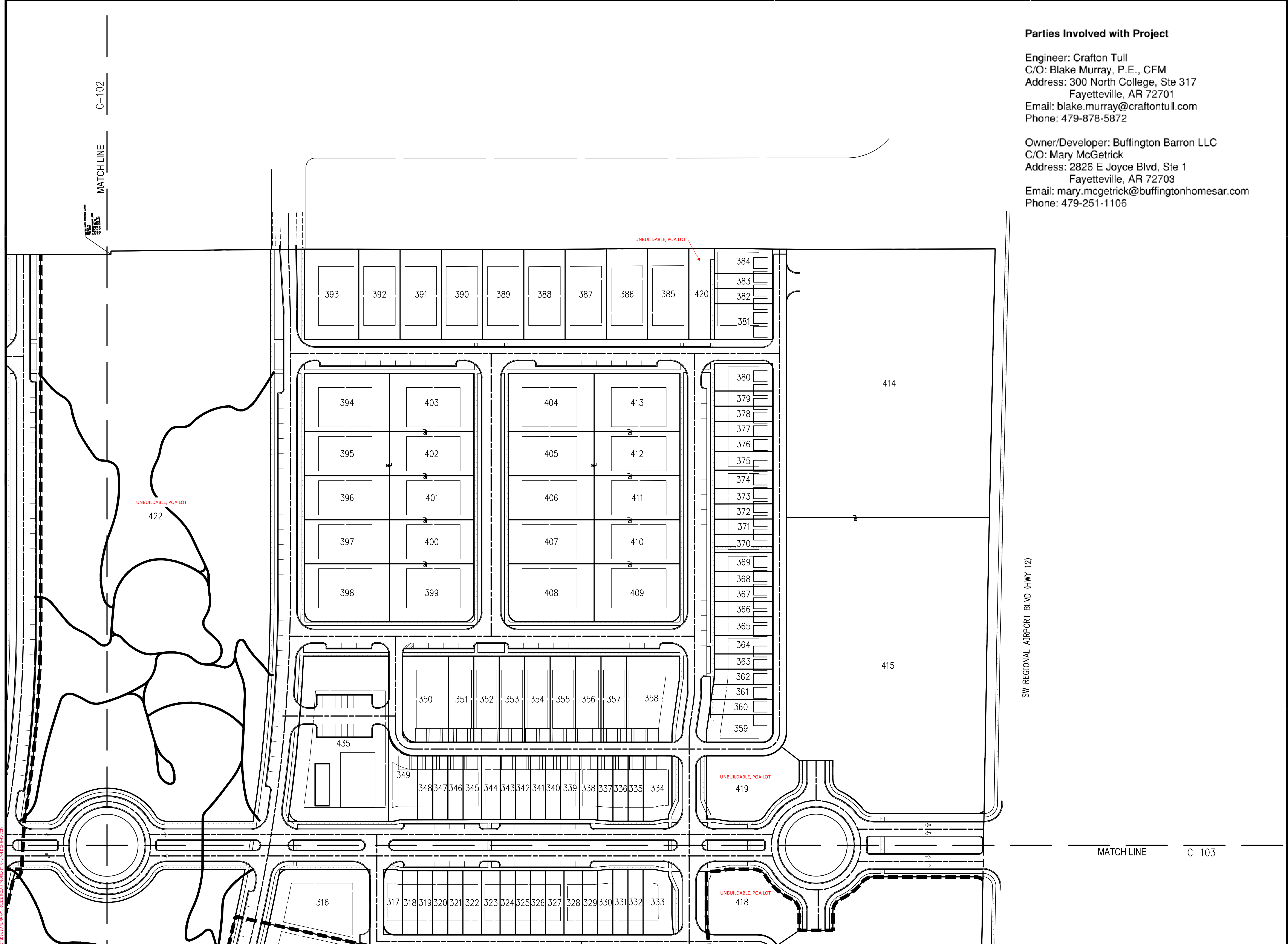
C-104

1

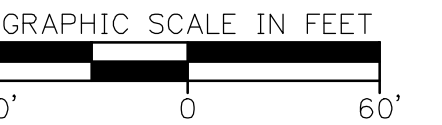
Parties Involved with Project

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Fayetteville, AR 72703
Email: mary.mcgetrick@buffingtonhomesar.com
Phone: 479-251-1106



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PUD22-0003

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CIT

C-101

52

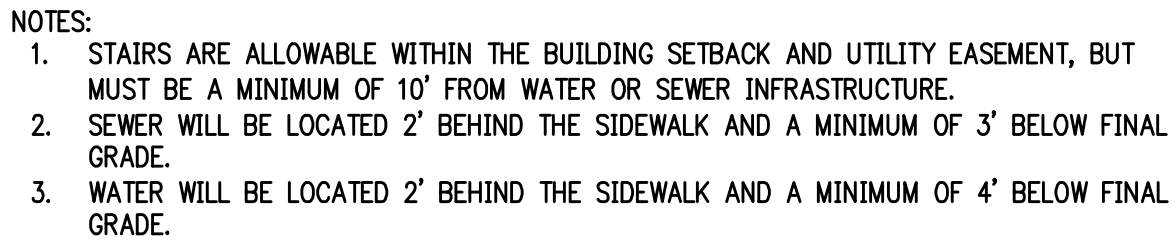
Owner/Developer: Buffington Barron LLC
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Address: 2826 E Joyce Blvd, Ste 1
Fayetteville, AR 72703
Email: mary.mcgetrick@buffingtonhomesar.com
Phone: 479-251-1106

C-103

BUILDABLE:	457 LOTS
UNBUILDABLE:	16 LOTS
TOTAL:	473 LOTS

SW OPAL RD

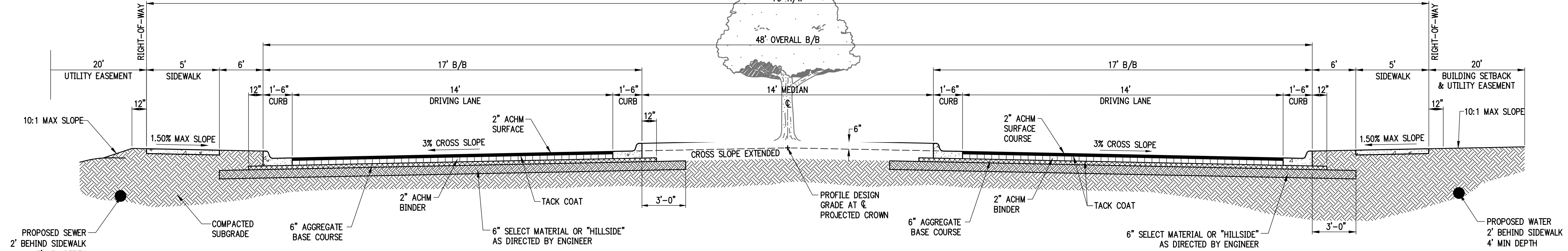
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TYPICAL STREET SECTION A

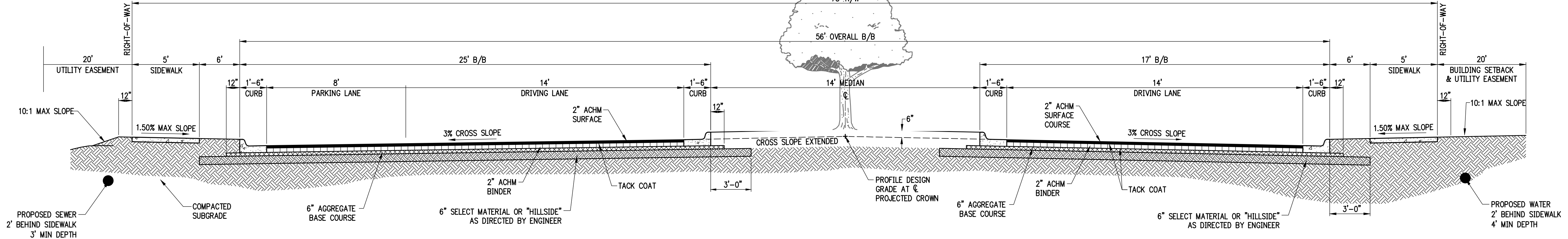
TYPICAL STREET SECTION B





TYPICAL STREET SECTION D
NTS

- NOTES:
1. STAIRS ARE ALLOWABLE WITHIN THE BUILDING SETBACK AND UTILITY EASEMENT, BUT MUST BE A MINIMUM OF 10' FROM WATER OR SEWER INFRASTRUCTURE.
 2. SEWER WILL BE LOCATED 2' BEHIND THE SIDEWALK AND A MINIMUM OF 3' BELOW FINAL GRADE.
 3. WATER WILL BE LOCATED 2' BEHIND THE SIDEWALK AND A MINIMUM OF 4' BELOW FINAL GRADE.



TYPICAL STREET SECTION E

Parties Involved with Project

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Address: 2826 E Joyce Blvd, Ste 1
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Email: mary.mcgetrick@buffingtonhomesar.com
Phone: 479-251-1106

TYPICAL STREET SECTIONS 2 OF 2

C-802

Material Breakdown per Building

Townhomes:

Brick – 75%

Hardy Board – 25%

45's:

Brick – Approximately 10-25% , predominately on the facade

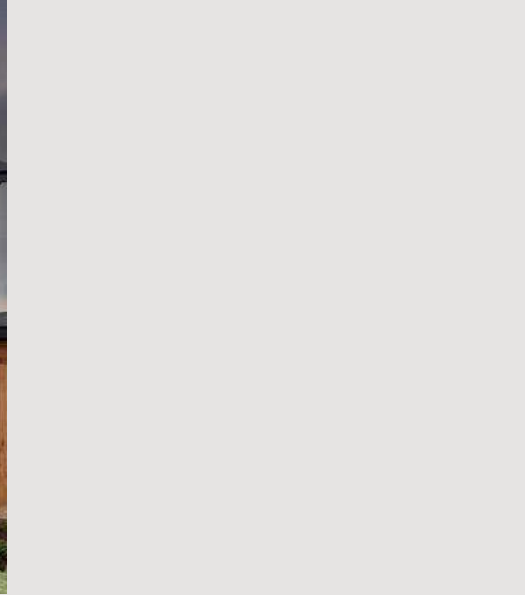
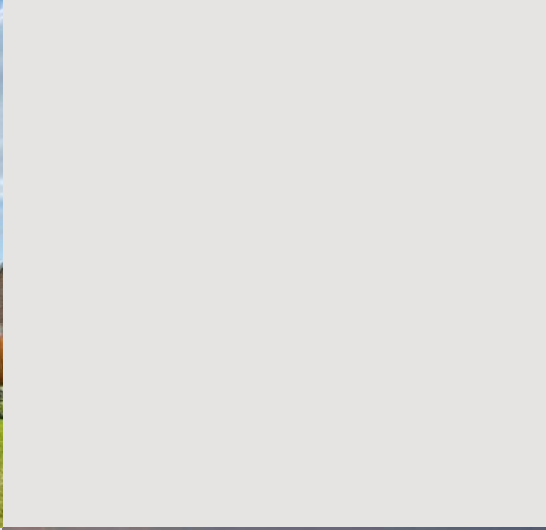
Hardy Board – Approximately 75-90%, predominately on the sides/rear

60'+:

Brick Only

Commercial:

Per Large Scale Building Requirements





GRAMERCY				
ELEVATION	A	B	C	D
SQFT	2266+	2241+	2241+	2266+
BuffingtonHomesAR.com				



ASPEN				
ELEVATION	A	B	C	D
SQFT	1758+	1766+	1758+	1767+
BuffingtonHomesAR.com				



PRESTON				
ELEVATION	A	B	C	D
SQFT	2138+	2147+	2153+	2146+
BuffingtonHomesAR.com				



DOGWOOD				
ELEVATION	A	B	C	D
SQFT	1882+	1882+	1882+	1882+
BuffingtonHomesAR.com				



MAPLE				
ELEVATION	A	B	C	D
SQFT	1905+	1905+	1905+	1905+
BuffingtonHomesAR.com				

4-Unit 3-Story Bldg

Modern Farmhouse A



6-Unit 3-Story Bldg

Modern Farmhouse A



4-Unit 3-Story Bldg

Modern Farmhouse B



6-Unit 3-Story Bldg

Modern Farmhouse B



RESOLUTION NO. _____

**A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE MAP FOR
A SPECIFIC AREA TO MIXED-USE COMMERCIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: PUD22-0003)**

WHEREAS, Buffington Barron, LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be given a land use classification of MIXED-USE COMMERCIAL, which property is described as follows:

LOT 2 OF OPAL SUBDIVISION, TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT BOOK 2017, PAGE 462, OF THE RECORDS OF BENTON COUNTY, ARKANSAS.

AND

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST, AND RUN THENCE ALONG THE NORTH LINE OF SAID SW 1/4 OF THE SE 1/4, S 87°08'32" E 4.70 FEET TO A STEEL REBAR PIN; THENCE S 01°44'22" W 283.18 FEET TO A STEEL REBAR PIN; THENCE S 02°24'34" W 330.00 FEET TO A STEEL REBAR PIN; THENCE S 01°55'16" W 240.03 FEET TO A STEEL REBAR PIN; THENCE S 02°58'28" W 159.99 FEET TO A STEEL REBAR PIN; THENCE S 02°11'17" W 275.31 FEET TO A STEEL REBAR PIN SET ON THE NORTH RIGHT OF WAY OF SW REGIONAL AIRPORT BOULEVARD AS SHOWN ON THE FINAL PLAT OF NORTH FORK ADDITION; THENCE N 86°17'56" W ALONG SAID RIGHT OF WAY LINE 7.72 FEET TO THE WEST LINE OF SAID SW 1/4 OF THE SE 18/4; THENCE ALONG SAID WEST LINE, N 02°19'42" E 1288.33 FEET TO THE POINT OF BEGINNING. 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.

AND

A PART OF LOT NUMBER 1 OF OPAL SUBDIVISION IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2017 AT PAGE 462 IN THE RECORDS OF BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST BOUNDARY OF SAID LOT 1, SAID POINT ALSO BEING THE SW CORNER OF BARRON CEMETERY; THENCE WITH SAID EAST BOUNDARY THE FOLLOWING THREE (3) CALLS: SOUTH 88°24'51" EAST WITH THE SOUTH LINE OF SAID BARRON CEMETERY, 108.65 FEET; LEAVING CEMETERY SOUTH 00°00'1" EAST, 597.29 FEET; NORTH 88°28'19" WEST, 174.41 FEET; THENCE LEAVING SAID EAST BOUNDARY OF SAID LOT 1 NORTH 06°17'53" EAST, 599.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.94 ACRES, 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.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

Section 1: That the above described real property is hereby given the land use classification of MIXED-USE COMMERCIAL on the City of Bentonville Future Land Use Map;

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

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

PASSED AND APPROVED this ____ day of _____, 2022.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS
PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURE TO PUD, PLANNED UNIT
DEVELOPMENT; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: PUD22-0003)**

WHEREAS, Buffington Barron, LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURE to PUD, PLANNED UNIT DEVELOPMENT to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 2 OF OPAL SUBDIVISION, TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT BOOK 2017, PAGE 462, OF THE RECORDS OF BENTON COUNTY, ARKANSAS.

AND

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST, AND RUN THENCE ALONG THE NORTH LINE OF SAID SW 1/4 OF THE SE 1/4, S 87°08'32" E 4.70 FEET TO A STEEL REBAR PIN; THENCE S 01°44'22" W 283.18 FEET TO A STEEL REBAR PIN; THENCE S 02°24'34" W 330.00 FEET TO A STEEL REBAR PIN; THENCE S 01°55'16" W 240.03 FEET TO A STEEL REBAR PIN; THENCE S 02°58'28" W 159.99 FEET TO A STEEL REBAR PIN; THENCE S 02°11'17" W 275.31 FEET TO A STEEL REBAR PIN SET ON THE NORTH RIGHT OF WAY OF SW REGIONAL AIRPORT BOULEVARD AS SHOWN ON THE FINAL PLAT OF NORTH FORK ADDITION; THENCE N 86°17'56" W ALONG SAID RIGHT OF WAY LINE 7.72 FEET TO THE WEST LINE OF SAID SW 1/4 OF THE SE 18/4; THENCE ALONG SAID WEST LINE, N 02°19'42" E 1288.33 FEET TO THE POINT OF BEGINNING. 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.

AND

A PART OF LOT NUMBER 1 OF OPAL SUBDIVISION IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2017 AT PAGE 462 IN THE RECORDS OF BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST BOUNDARY OF SAID LOT 1, SAID POINT ALSO BEING THE SW CORNER OF BARRON CEMETERY; THENCE WITH SAID EAST

BOUNDARY THE FOLLOWING THREE (3) CALLS: SOUTH 88°24'51" EAST WITH THE SOUTH LINE OF SAID BARRON CEMETERY, 108.65 FEET; LEAVING CEMETERY SOUTH 00°00'1" EAST, 597.29 FEET; NORTH 88°28'19" WEST, 174.41 FEET; THENCE LEAVING SAID EAST BOUNDARY OF SAID LOT 1 NORTH 06°17'53" EAST, 599.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.94 ACRES, 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.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7th, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURE to PUD, PLANNED UNIT DEVELOPMENT.

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

Section 1: That the above described real property is hereby changed from its present zoning classification A-1, AGRICULTURE to PUD, PLANNED UNIT DEVELOPMENT to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

Buffington Barron LLC

_____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

PUD, Planned Unit Development

to PUD, Planned Unit Development

The legal description of the property is as follows:

See Exhibit A, attached.

The common description of the property is: Planned Mixed Use Subdivision

The public hearing will be held March 7, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

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

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

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

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


Signature and Physical Address

11713 Hwy 279
Signature and Physical Address Bentonville
72712

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

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

David Gates
6103 SW Osage St

Signature and Physical Address

Tamara Gates
6103 SW Osage St

Signature and Physical Address

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

805 SE G Street

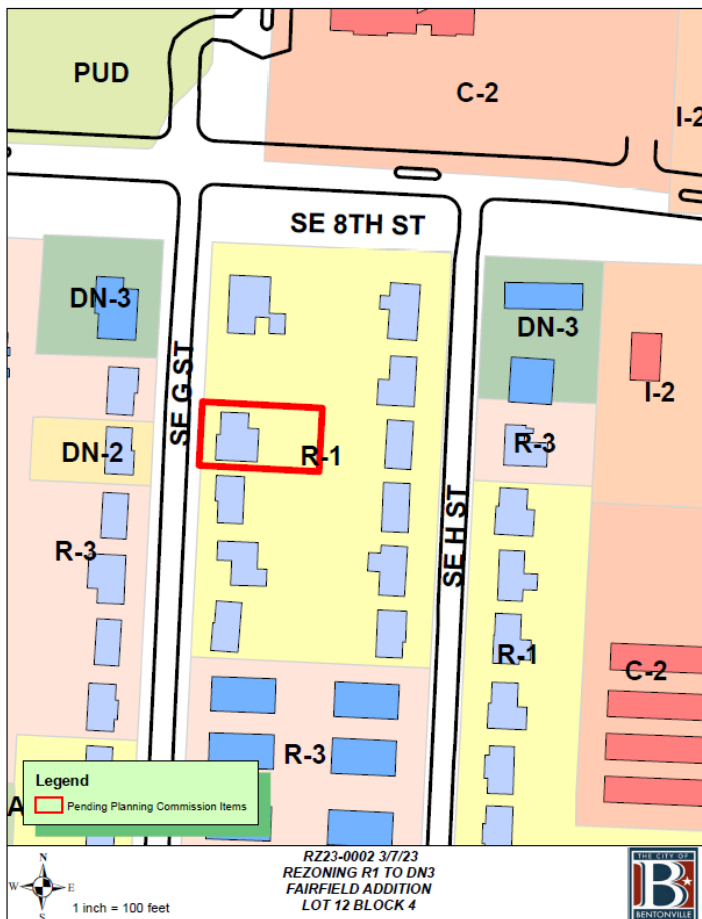
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0002
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 805 SE G Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north, south and east and R-3, DN-2, and one DN-3 to the west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc. The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

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.

The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to a DN-2 property and R-3, Medium Density Residential is within the same block. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.

PUD

C-2

I-2

SE 8TH ST

DN-3

DN-3

I-2

DN-2

R-1

R-3

R-3

SE H ST

R-1

C-2

R-3

Legend

 Pending Planning Commission Items



1 inch = 100 feet

**RZ23-0002 3/7/23
REZONING R1 TO DN3
FAIRFIELD ADDITION
LOT 12 BLOCK 4**



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 805 SE G St Bentonville AR - 01-02581-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0002)

WHEREAS, Seventh Living LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 12, BLOCK 4, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0002)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 12, BLOCK 4, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

814 SE G Street

PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0003
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-3, Medium Density Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

Property Description

This property is located at 814 SE G Street. It is currently zoned R-3, Medium Density Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the south and R-3 to the north, east, and west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

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

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has received public comment regarding this request.

Analysis

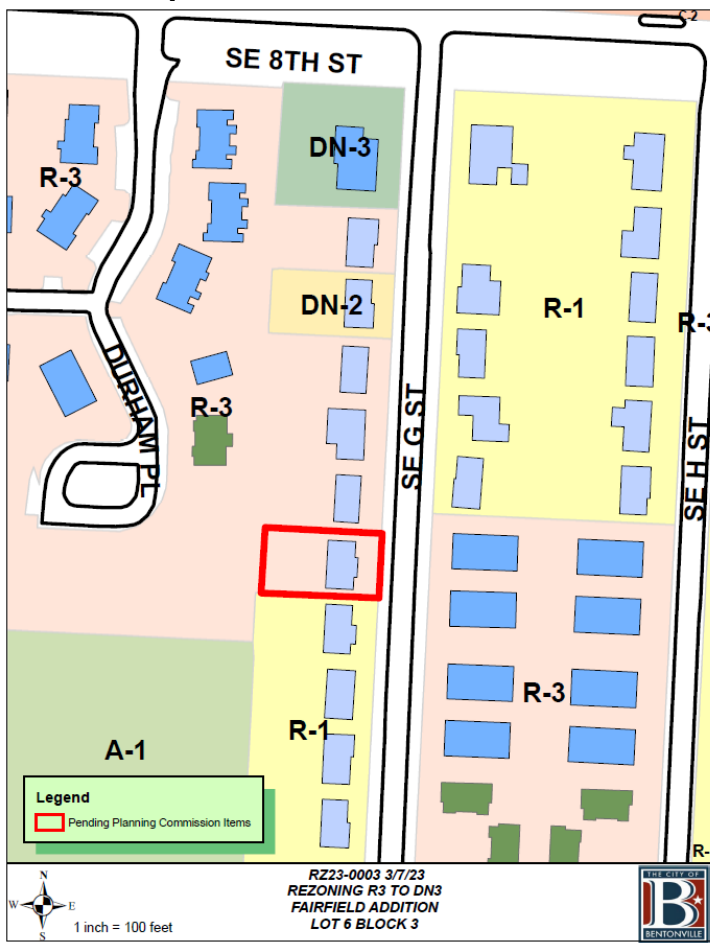
The intent of the DN-3 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family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

The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-3 property and DN-2, Downtown Medium Density Residential is within the same block. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

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

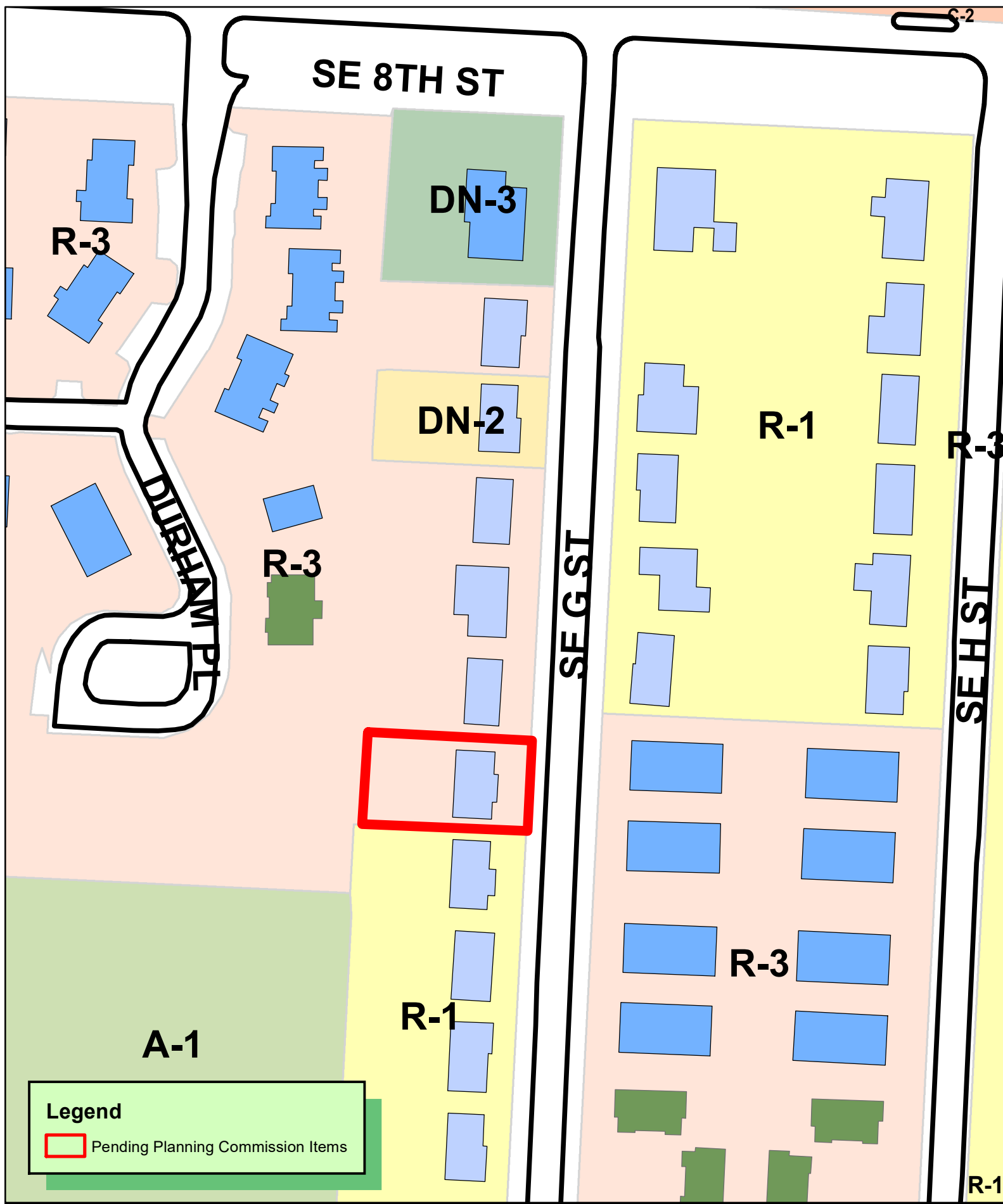
Location Map



REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



**RZ23-0003 3/7/23
REZONING R3 TO DN3
FAIRFIELD ADDITION
LOT 6 BLOCK 3**



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 814 SE G St Bentonville AR - 01-02563-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0003)

WHEREAS, Seventh Living LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 6, BLOCK 3, IN FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0003)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 6, BLOCK 3, IN FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

The **Seventh Living LLC** has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-3, Downtown High-density Residential

The legal description of the property is as follows:

Lot 6, Block 3, Fairfield Addition to the City of Bentonville, Benton County, Arkansas.

The common description of the property is: **814 SE G St Bentonville AR 72712**

Proposed land use: **Medium Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

 506 SE Stagger Winglove

Signature and Physical Address

Signature and Physical Address

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Borra Revocable Living Trust

811 SE G Street

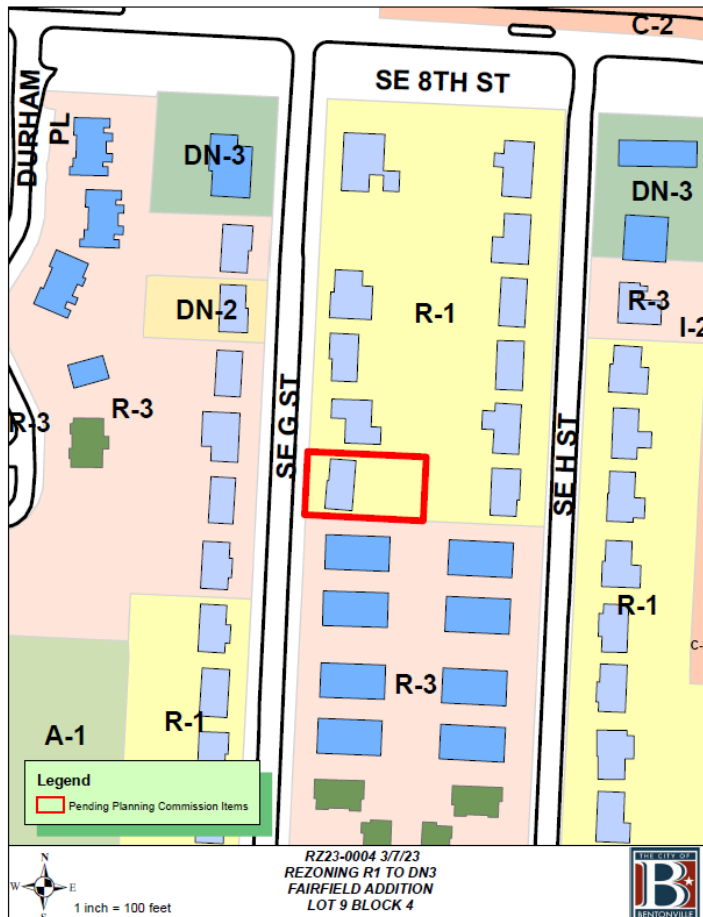
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0004
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 805 SE G Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north and east and R-3 to the south and west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

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.

The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

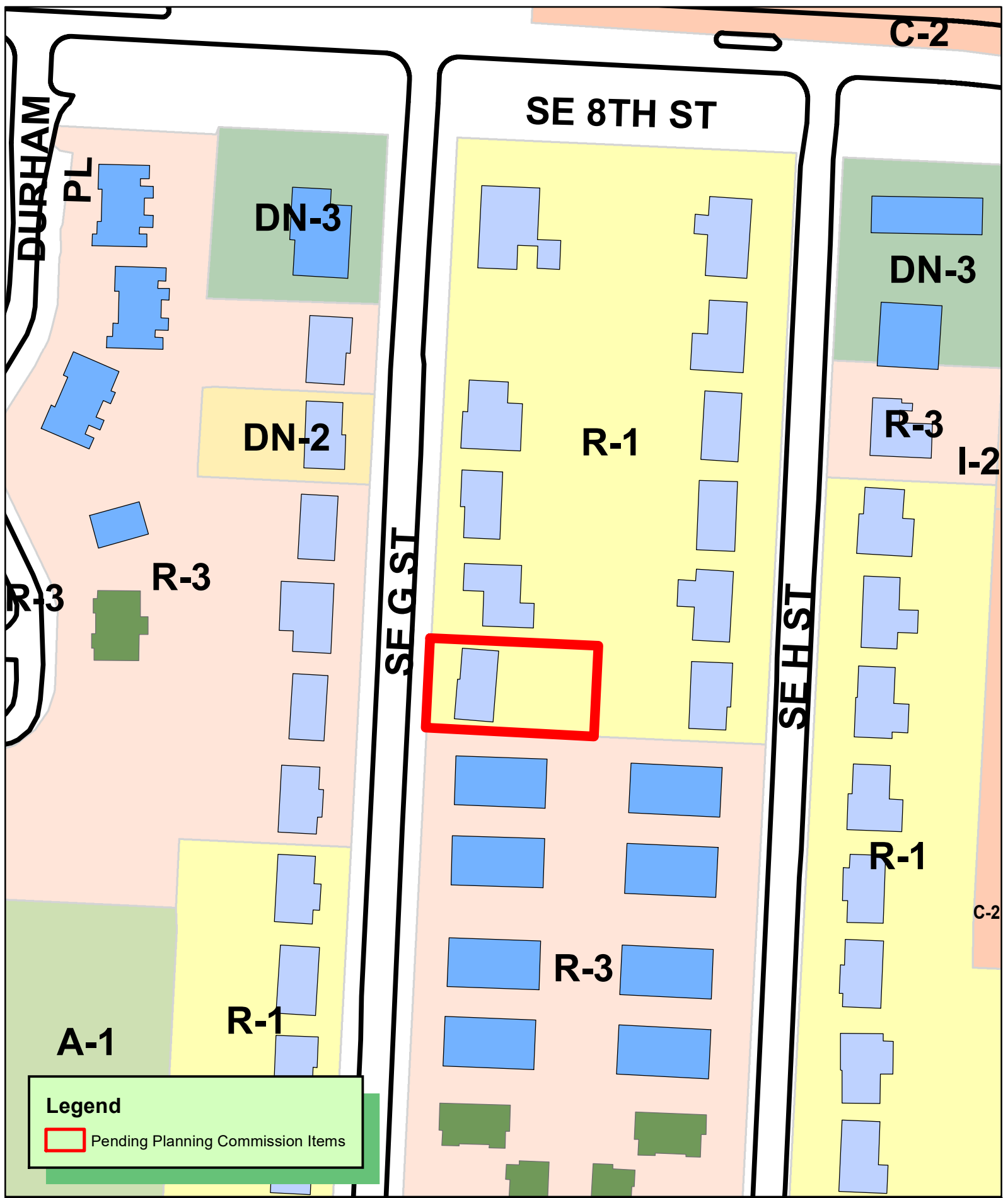
The property is adjacent to a R-3 property and DN-2, Downtown Medium-Density Residential is within the same block. The property fronts a Local Street per the Master Street Plan, which carries a lower

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

amount of traffic than a Collector Street.

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 811 SE G St Bentonville AR - 01-02578-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0004)

WHEREAS, Seventh Living LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 9, BLOCK 4, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN IN PLAT RECORD "O", PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0004)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 9, BLOCK 4, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD "O", PAGE 351.

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

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Borra Revocable Living Trust

809 SE G Street

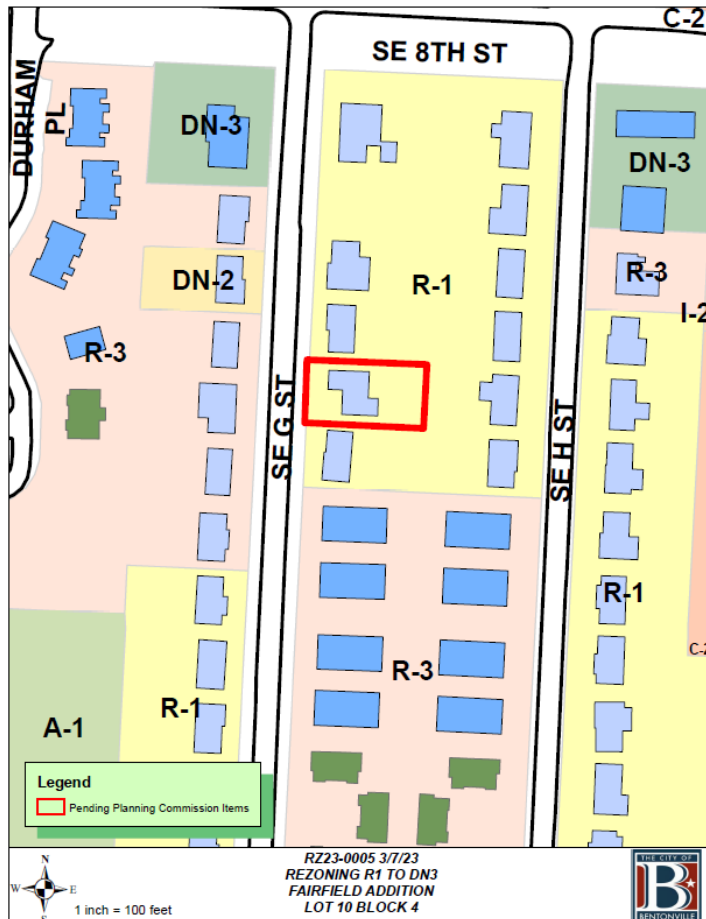
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0005
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 809 SE G Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north, south, and east and R-3 to the west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

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.

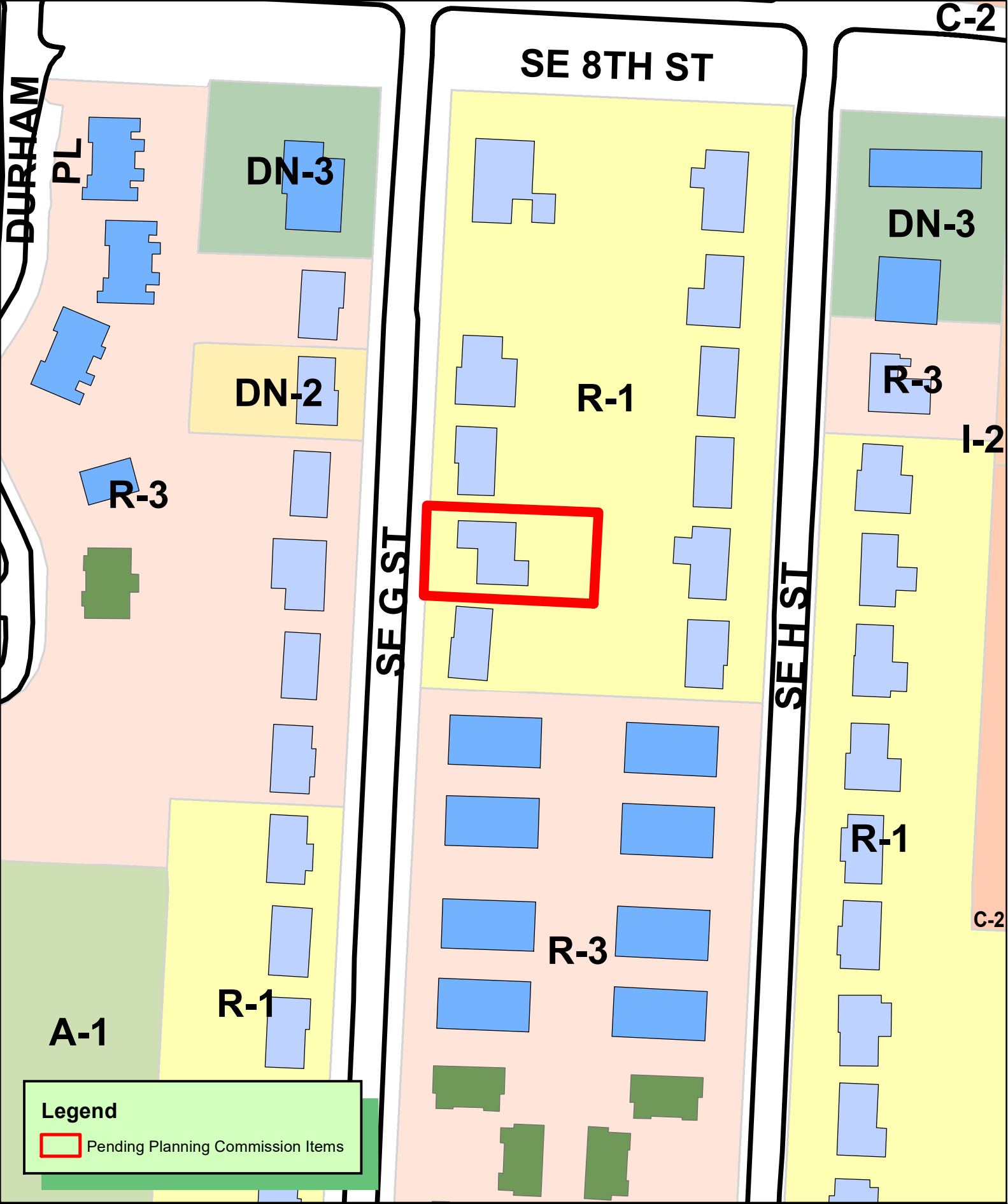
The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-3 property and DN-2, Downtown Medium-Density Residential is within the same block. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 809 SE G St Bentonville AR - 01-02579-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0005)

WHEREAS, Borra Revocable Living Trust duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 10, BLOCK 4, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0005)

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PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

911 SE H Street

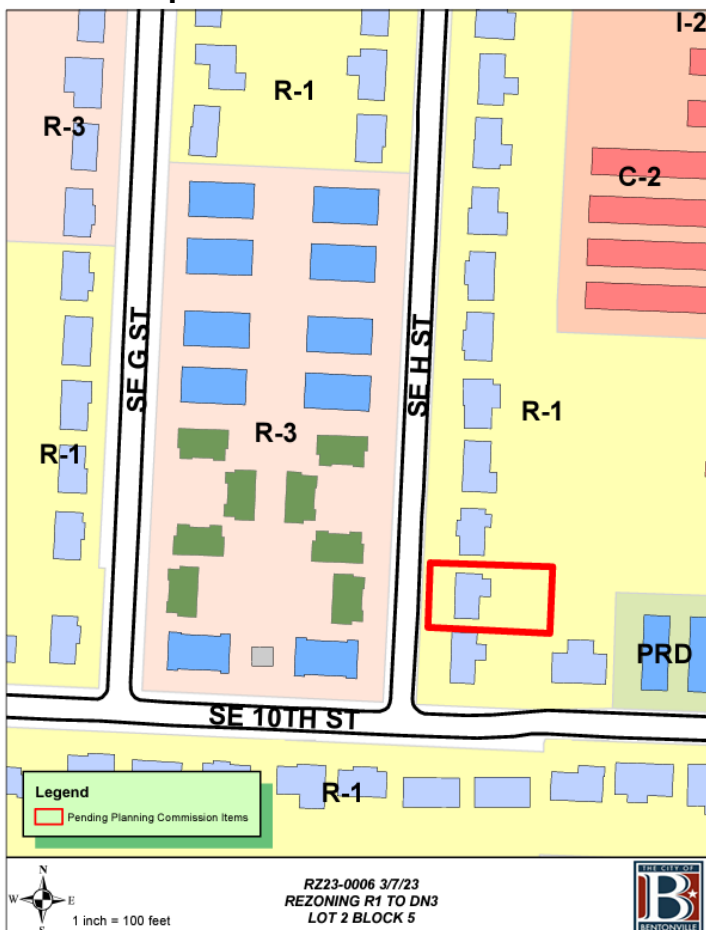
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0006
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 809 SE G Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north, south, and east and R-3 to the west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

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.

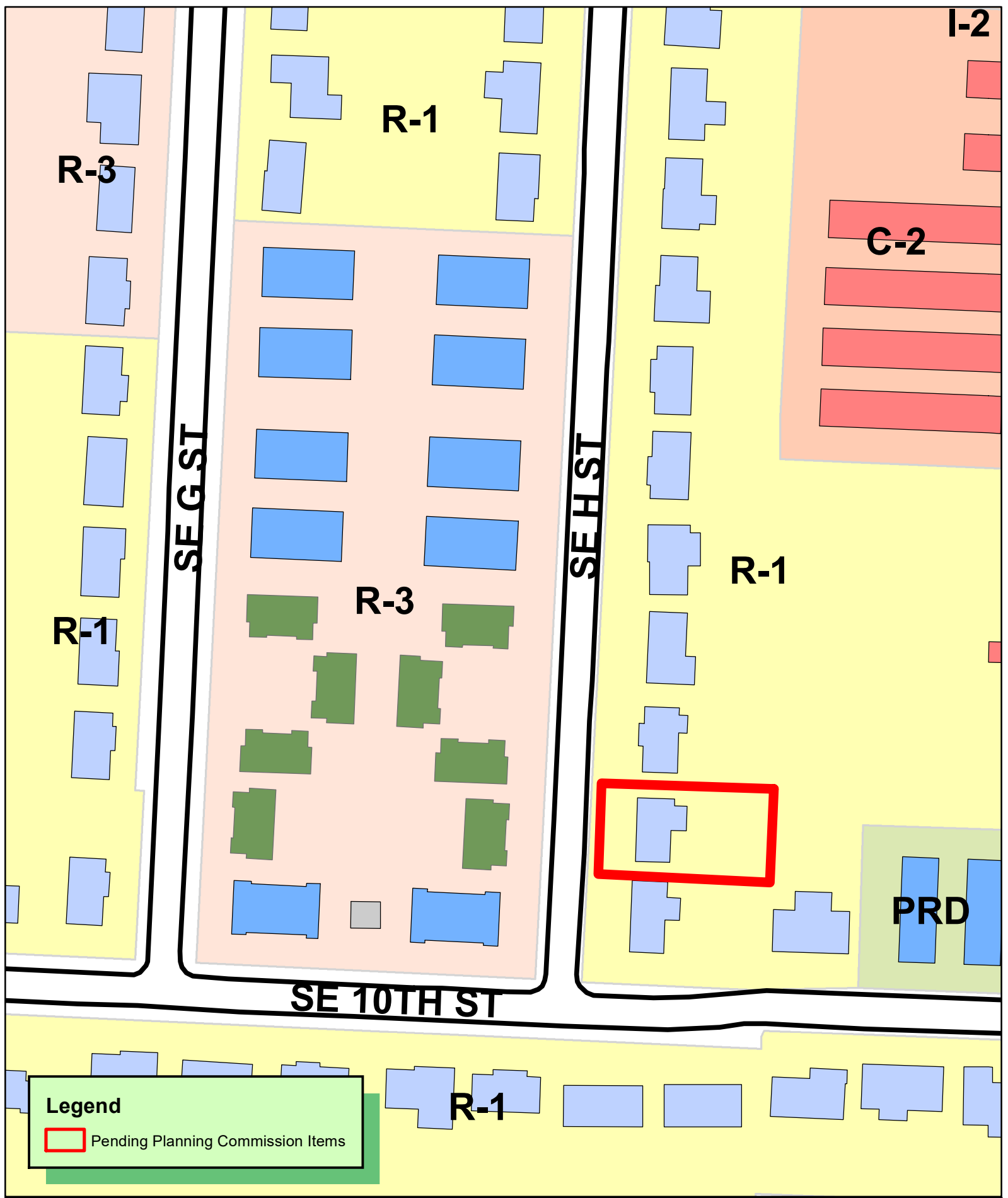
The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-3 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



Legend

Pending Planning Commission Items

1 inch = 100 feet

RZ23-0006 3/7/23
REZONING R1 TO DN3
LOT 2 BLOCK 5

January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 911 SE H St Bentonville AR - 01-02599-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0006)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 2, BLOCK 5, FAIRFIELD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0006)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 2, BLOCK 5, FAIRFIELD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

907 SE H Street

PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0008
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 907 SE H Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north, south, and east and R-3 to the west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

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.

The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-3 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 907 SE H St Bentonville AR - 01-02601-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build higher density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0008)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 4, BLOCK 5, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0008)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 4, BLOCK 5, FAIRFIELD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Gundapaneni Revocable Living Trust

607 SE 10th Street

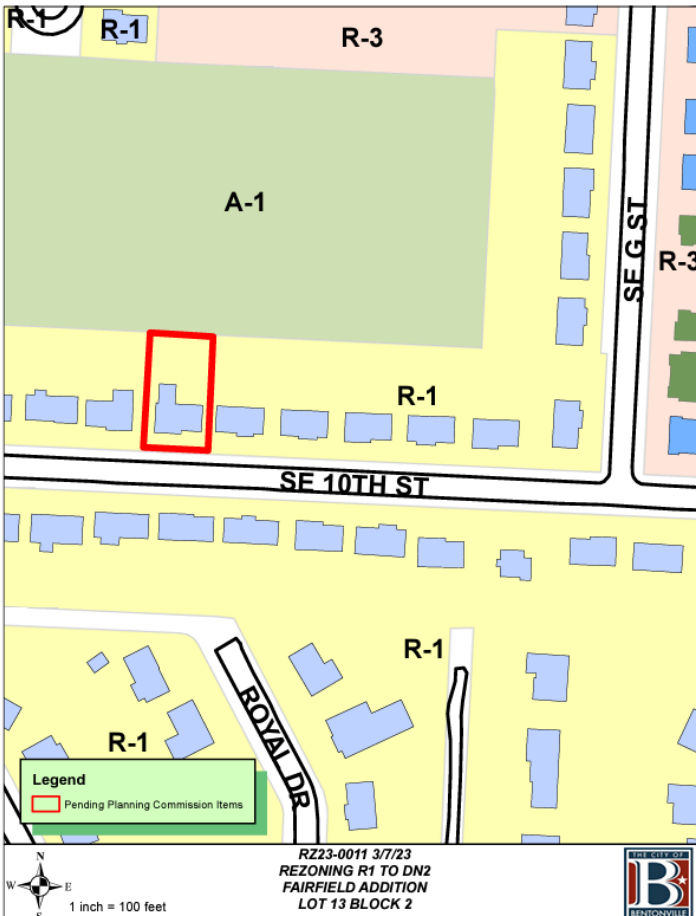
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0011
Applicant / Current Owner	Muni Jampana / Rajesh Gundapaneni
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located at 607 SE 10th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the south, west, and east and A-1 to the north. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

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

The applicant is also requesting a Future Land Use Amendment from Low-Density residential to Medium-Density residential.

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

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

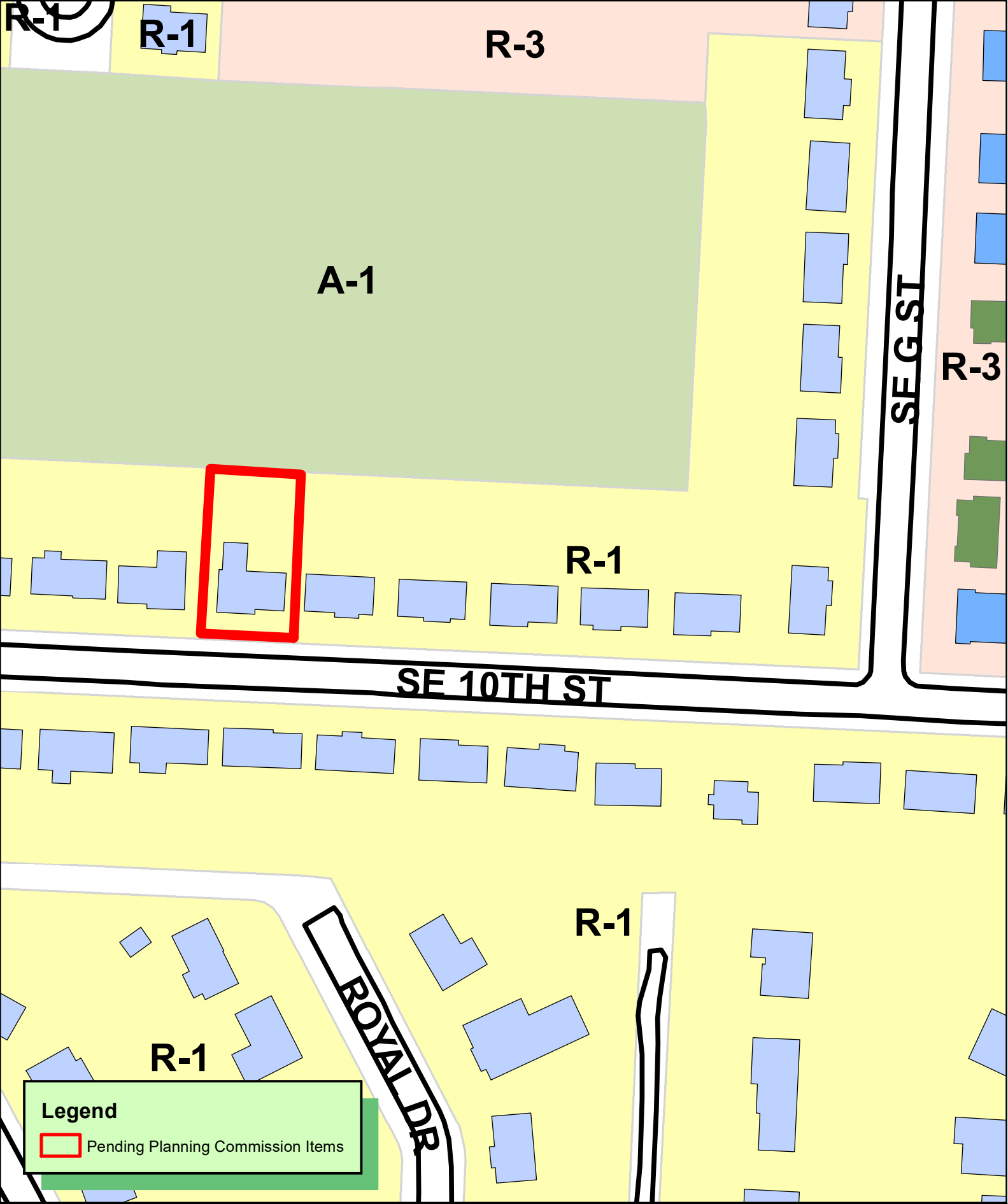
The proposed zoning of DN-2 is not consistent with the Future Land Use Plan. DN-2 is a higher density residential district, and the surrounding existing and future land use is low to medium density. The nearest location of higher density residential land use is on corner properties along 10th Street. Rezoning this property to DN-2 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Collector Street per the Master Street Plan, which carries a higher amount of traffic than a Local Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



R-1

R-1

R-3

A-1

R-1

R-3

SE G ST

SE 10TH ST

R-1

R-1

ROYAL DR

Legend

 Pending Planning Commission Items



1 inch = 100 feet

RZ23-0011 3/7/23
REZONING R1 TO DN2
FAIRFIELD ADDITION
LOT 13 BLOCK 2



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 607 SE 10th St Bentonville AR - 01-02551-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-2 Downtown medium Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
607 SE 10 th	01-02551-000	R1 Single Family	DN2 Medium Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build medium density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN2 Medium Density
904 SE 10th St	01-01192-000	R1 Single Family	DN2 Medium Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0011)

WHEREAS, Gundapaneni Revocable Living Trust, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of LOW-DENSITY RESIDENTIAL to MEDIUM-DENSITY RESIDENTIAL, which property is described as follows:

LOT 13, BLOCK 2, FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0011)

WHEREAS, Gundapaneni Revocable Living Trust, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 13, BLOCK 2, FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

Gundapaneni Revocable Living Trust has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-3, Downtown High-density Residential

The legal description of the property is as follows:

Lot 13, Block 2, Fairfield Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record "O" at page 351.

The common description of the property is: **607 SE 10th St Bentonville AR 72712**

Proposed land use: **Low Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Ray 607 SE 10th St
Signature and Physical Address

Signature and Physical Address

NOTICE OF INTENT TO REZONE

Gundapaneni Revocable Living Trust has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-3, Downtown High-density Residential

The legal description of the property is as follows:

Lot 13, Block 2, Fairfield Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record "O" at page 351.

The common description of the property is: **607 SE 10th St Bentonville AR 72712**

Proposed land use: **Low Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

904 SE 10th Street

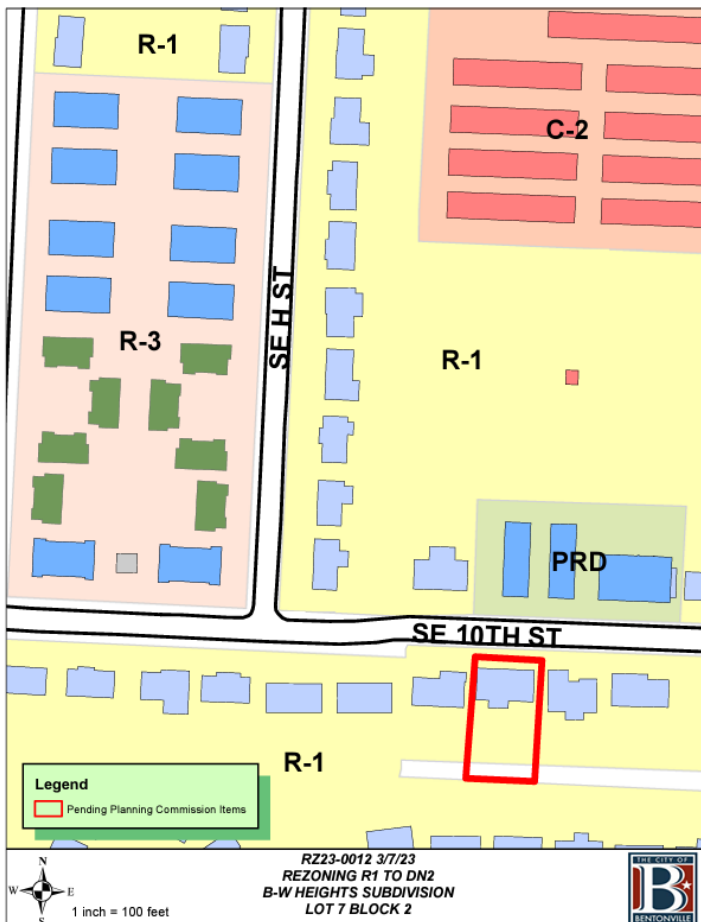
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0012
Applicant / Current Owner	Muni Jampana / Seventh Living LLC
Site Area	+/- 0.25 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located at 607 SE 10th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential in all directions. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

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

The applicant is also requesting a Future Land Use Amendment from Low-Density residential to Medium-Density residential.

Public Comment

Staff has received public comment regarding this request.

Analysis

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

The proposed zoning of DN-2 is not consistent with the Future Land Use Plan. DN-2 is a higher density residential district, and the surrounding existing and future land use is low to medium density. The nearest location of higher density residential land use is on corner properties along 10th Street. Rezoning this property to DN-2 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Collector Street per the Master Street Plan, which carries a higher amount of traffic than a Local Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.

R-1

C-2

R-3

R-1

PRD

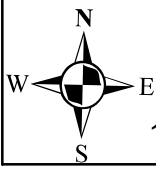
SE H ST

SE 10TH ST

R-1

Legend

 Pending Planning Commission Items



1 inch = 100 feet

RZ23-0012 3/7/23
REZONING R1 TO DN2
B-W HEIGHTS SUBDIVISION
LOT 7 BLOCK 2



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 904 SE 10th St Bentonville AR - 01-01192-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following property to DN-2 Downtown Medium Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
904 SE 10 th St	01-01192-000	R1 Single Family	DN2 Medium Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build medium density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN2 Medium Density
904 SE 10th St	01-01192-000	R1 Single Family	DN2 Medium Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0012)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of LOW-DENSITY RESIDENTIAL to MEDIUM-DENSITY RESIDENTIAL, which property is described as follows:

LOT 7, BLOCK 2, B-W HEIGHTS SUBDIVISION, BENTONVILLE, BENTON
COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "K" AT PAGE 156.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0012)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 7, BLOCK 2, B-W HEIGHTS SUBDIVISION, BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON PLAT RECORD "K" AT PAGE 156.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

The **Seventh Living LLC** has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-3, Downtown High-density Residential

The legal description of the property is as follows:

LOT 7, BLOCK 2, B-W HEIGHTS SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "K" AT PAGE 156.

The common description of the property is: **904 SE 10th St Bentonville AR 72712**

Proposed land use: **Low Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

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

1. The easement behind this property and ours at 905 SE 11th should be cleared out,
2. Drainage behind this property and ours at 905 SE 11th must be fixed first.

Kyle P Joe Campbell
Signature and Physical Address Signature and Physical Address
905 SE 11th St 905 SE 11th St.

There will be more water in the easement to flood our backyard.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Seventh Living LLC

908 SE G Street

PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0020
Applicant / Current Owner	Muni Jampana / Seventh Living, LLC
Site Area	+/- 0.24 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-3, Downtown High Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 908 SE G Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential to the north and south, R-3 to the east, and A-1 to the west. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Medium Density Residential (MDR) and is surrounded by Low Density Residential, with Medium-High density Multifamily residential across the street. Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

The applicant is also requesting a Future Land Use Amendment from Medium-Density residential to High-Density residential.

Public Comment

Staff has received public comment regarding this request.

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.

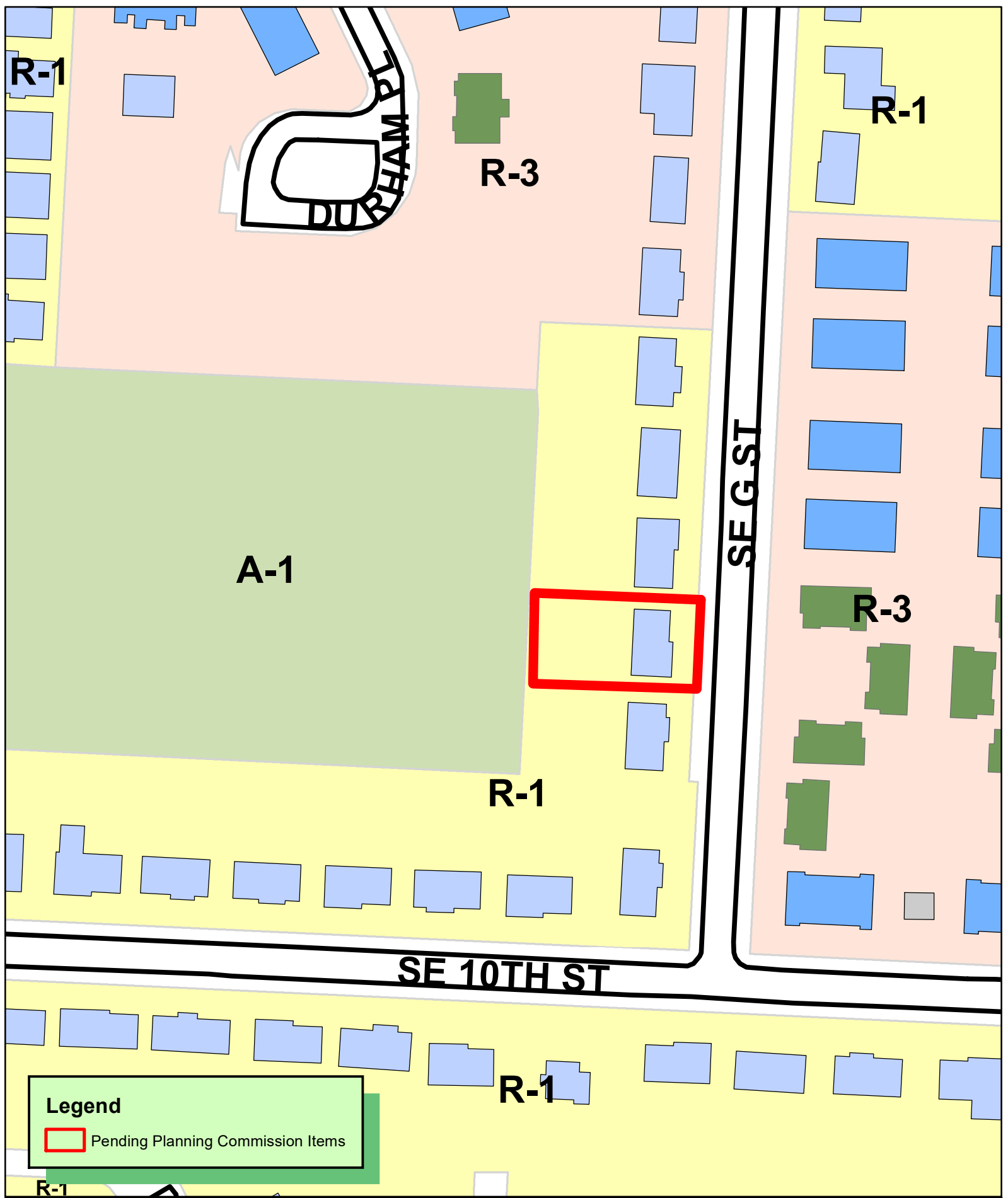
The proposed zoning of DN-3 is not consistent with the Future Land Use Plan. DN-3 is a higher density residential district, and the surrounding existing and future land use is medium to medium-high density. The nearest location of higher density residential land use is on corner properties along 8th Street. Rezoning this property to DN-3 sets a precedence in moving higher density into the interior of neighborhoods than in the Future Land Use Plan.

The property is adjacent to R-3 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT

Conclusion

While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity, such as The Momentary and 8th Street Market.



Legend

 Pending Planning Commission Items

 1 inch = 100 feet

RZ23-0020 3/7/23
REZONING R1 TO DN3
FAIRFIELD ADDITION
LOT 2 BLOCK 3

127



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 908 SE G St Bentonville AR - 01-02559-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
908 SE G St	01-02559-000	R1 Single Family	DN 3 High Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build high density housing units which will support the future land use plan for this area and the growth.

Thank you,
Muni Jampana

January 26, 2023

Bentonville City Planning
305 SW A Street
Bentonville, AR 72712

RE: Land use amendment request for SE G St and SE H St Bentonville to DN-3 Downtown High-density Residential Homes.

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN-3 Downtown High Density Residential in order to develop the area as per the DN-3 code standards.

Address	Parcel id	Current Zoning	Requested Zoning
805 SE G St	01-02581-000	R1 Single Family	DN3 High Density
814 SE G St	01-02563-000	R1 Single Family	DN3 High Density
811 SE G St	01-02578-000	R1 Single Family	DN3 High Density
809 SE G St	01-02579-000	R1 Single Family	DN3 High Density
911 SE H St	01-02599-000	R1 Single Family	DN3 High Density
907 SE H St	01-02601-000	R1 Single Family	DN3 High Density
607 SE 10th St	01-02551-000	R1 Single Family	DN3 High Density
904 SE 10th St	01-01192-000	R1 Single Family	DN3 High Density
908 SE G St	01-02559-000	R1 Single Family	DN3 High Density

Based on the surrounding properties, proximity to the 8th St Market, Momentary, New Walmart Campus and the new commercial developments planned, we wanted to request the city to consider the request for Land amendment. Current City future land use plan is Medium Density and making these streets to be High Density will fit the echo system.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0020)

WHEREAS, Seventh Living LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of MEDIUM-DENSITY RESIDENTIAL to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

LOT 2, BLOCK 3, IN FAIRFIELD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0020)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 2, BLOCK 3, IN FAIRFIELD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "O" AT PAGE 351.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

Himageeta Kalluri has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-3, Downtown High-density Residential

The legal description of the property is as follows:

Lot 2, Block 3, in Fairfield Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record "O" at page 351.

The common description of the property is: **908 SE G St Bentonville AR 72712**

Proposed land use: **Medium Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Himageeta Kalluri *306 SE Sloggerking Lane*
Signature and Physical Address

Signature and Physical Address

REZONING & FUTURE LAND USE MAP AMENDMENT STAFF REPORT



Anglin Properties

Northwest Corner of Southwest Opal Road & Southwest Adams Road

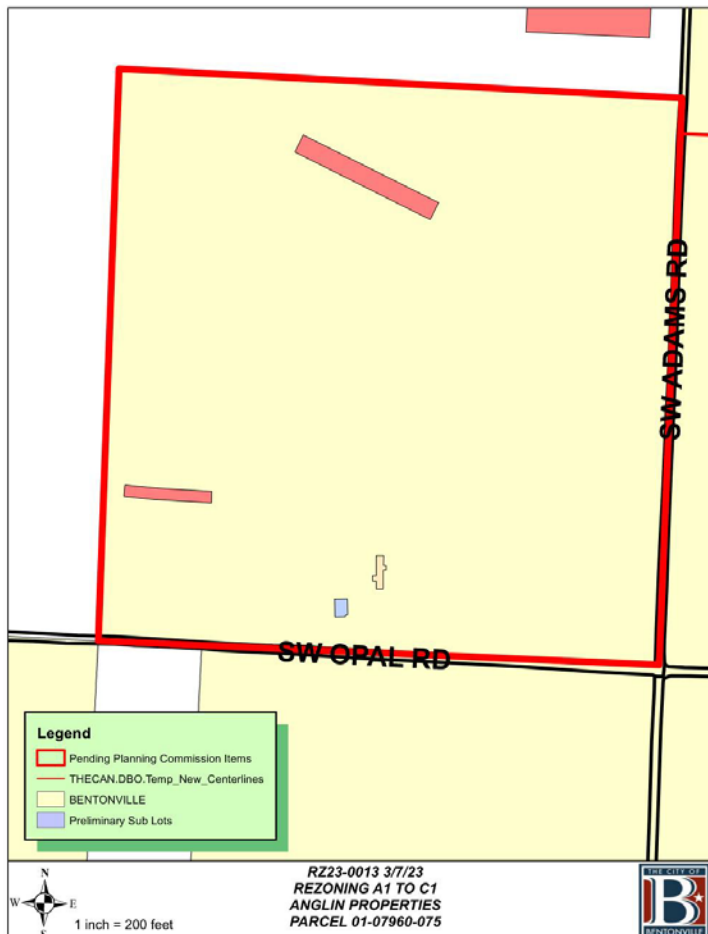
PC Date: 3/7/2023

Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ23-0013
Applicant / Current Owner	Phil Swope/Ryan Anglin
Site Area	+/- 40 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Agricultural (A)
Future Land Use Map Request	General Commercial (C)

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

Location Map



Property Description

This property is located at the Northwest Corner of Southwest Opal Road & Southwest Adams Road. It is currently zoned A-1, Agriculture. It contains a variety of agriculture-related buildings. Adjacent zonings are R-1, Single Family Residential to the northeast, A-1, Agriculture to the east and south, and county to the north and west.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Agricultural (A) and is surrounded by almost exclusively Agriculture (A). Agriculture areas include larger properties used primarily for the raising of crops or livestock. These properties may include residence and farm-related structures.

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

The C-1 District is 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. To this end, development in the C-1 District should harmonize in terms of form, bulk, height, materials, architecture, and overall design with surrounding residential areas. Signage and lighting should be subdued while landscaping and open space should be maximized. Parking areas should be as inconspicuous as possible as should loading and trash collection areas.

This property sits at the corner of an arterial and collector classes of streets. Neighborhood Commercial zoning and its allowable uses are appropriate at this corner. Additionally, existing, under-construction, and proposed neighborhoods nearby would benefit from having commercial uses

REZONING & FUTURE LAND USE MAP AMENDMENT STAFF REPORT

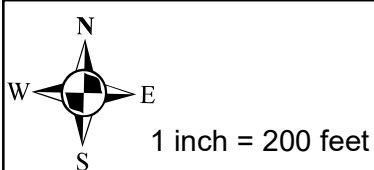
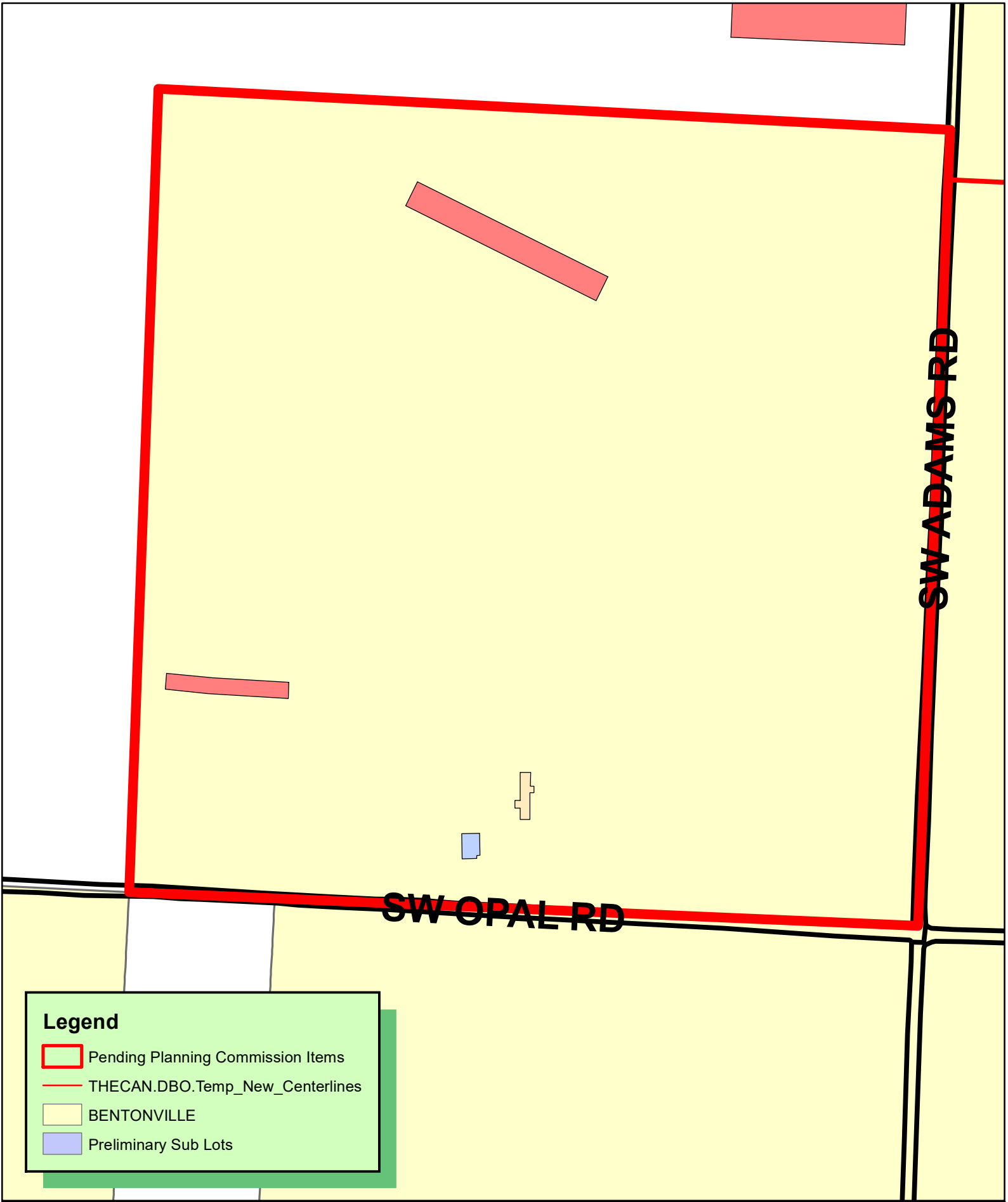
nearby and potentially lessen the traffic impact on streets heading east toward existing businesses, services, and jobs.

This property sits within Priority Area 3, Edge Growth which encourages integration of local commercial uses in new residential subdivisions.

Conclusion

While this request is not consistent with the Future Land Use Plan, it is compatible with nearby residential zoning and uses and the general development pattern, including its location near the intersection of Opal Road and Adams Road.

If Planning Commission approves the requested Land Use Amendment, staff recommends approval of this item. If Planning Commission does not approve the requested Land Use Amendment, staff recommends tabling this item to allow the applicant to consider alternative actions.



RZ23-0013 3/7/23
REZONING A1 TO C1
ANGLIN PROPERTIES
PARCEL 01-07960-075





January 13th, 2023

City of Bentonville Planning
Attn: Tyler Overstreet
305 SW A Street
Bentonville, AR 72712

**RE: Rezone to C-1
Parcel# 18-08989-000**

Dear Mr. Overstreet,
Please accept this narrative for the referenced rezone. This site is a 13.86-acre lot, currently zoned A-1, and is proposed to rezone to C-1. This new designation is not consistent with the Future Land Use Map (agricultural), but this area is in need of services to support the large residential developments nearby. The current owner is as listed below, and no proposed sales are planned or pending.

ANGLIN PROPERTIES LLC
5895 SW ANGLIN RD
BENTONVILLE, AR 72712

Surrounding property is all agricultural (except for residential across Adams Road), but adjacent property is expected to be residential and low-intensity commercial. The addition of service businesses to areas of town, like this, is a goal of the city's future growth- so that the development of single-family is not isolated from supporting workplaces and supporting services. The frontage of Adams Road is an ideal place for commercial properties.

- A. How property will relate to surrounding properties: The surrounding properties are all A-1 and R-1, but they will end up being single-family, primarily, except for other Adams' Road frontages.
- B. Use: This project will result in construction of a commercial building.
- C. Traffic: Since this business' workers will primarily work on their job sites, not at this facility, this rezone will have very little additional impact to traffic.
- D. Signage: No signage is currently anticipated for this land.
- E. Appearance: All construction will be high-end and meet required city standards.
- F. Water/Sewer: Both water and sewer are adjacent to this land.

Thank you for your consideration.

Sincerely,

Phil Swope, PE
Project Engineer

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0013)

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

A PART OF THE S 1/2 OF THE NW 1/4 AND THE NE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND COTTON PICKER SPINDLE ALSO BEING THE SE CORNER OF THE SW1/4 OF THE NE1/4 OF SECTION 16; THENCE N 87°05'07" W 38.02' TO A SET 5/8" IRON REBAR; THENCE N 02°27'18" E 1145.63' TO A SET 5/8" IRON REBAR; THENCE N 87°29'23" W 298.75' TO A SET 5/8" IRON REBAR; THENCE N 01°58'39" E 173.25' TO A SET 5/8" IRON REBAR; THENCE S 87°10'49" E 300.20' TO A SET 5/8" IRON REBAR; THENCE S 02°27'18" W 171.62' TO THE POINT OF BEGINNING, CONTAINING 51,638 SQ. FEET, 1.19 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0013)

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

A PART OF THE S 1/2 OF THE NW 1/4 AND THE NE 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND COTTON PICKER SPINDLE ALSO BEING THE SE CORNER OF THE SW1/4 OF THE NE1/4 OF SECTION 16; THENCE N 87°05'07" W 38.02' TO A SET 5/8" IRON REBAR; THENCE N 02°27'18" E 1145.63' TO A SET 5/8" IRON REBAR; THENCE N 87°29'23" W 298.75' TO A SET 5/8" IRON REBAR; THENCE N 01°58'39" E 173.25' TO A SET 5/8" IRON REBAR; THENCE S 87°10'49" E 300.20' TO A SET 5/8" IRON REBAR; THENCE S 02°27'18" W 171.62' TO THE POINT OF BEGINNING, CONTAINING 51,638 SQ. FEET, 1.19 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



Seventh Living LLC

1205 Fillmore Street

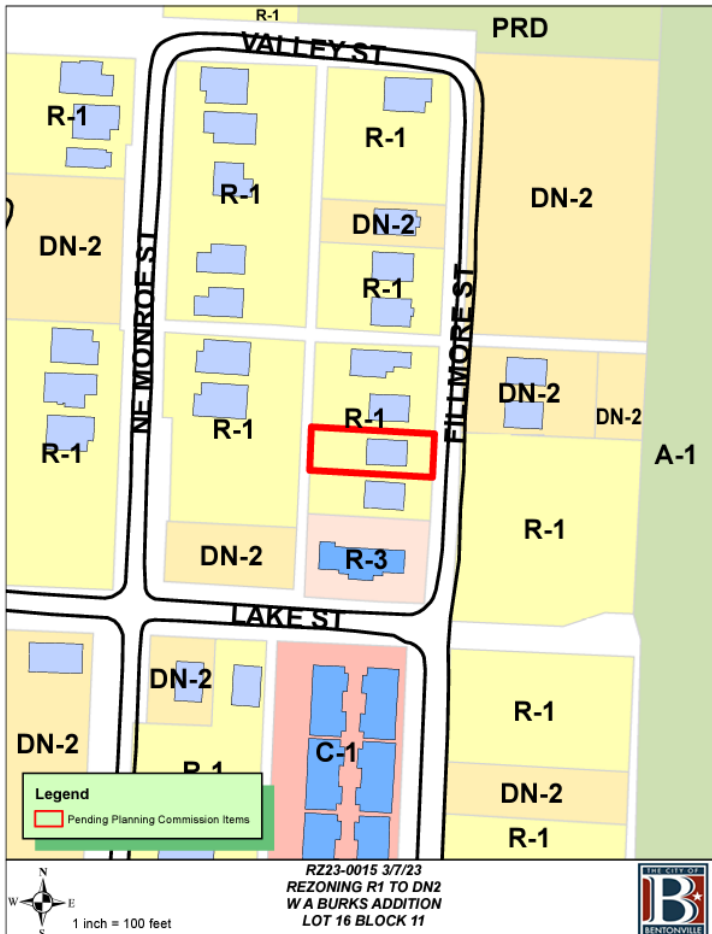
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0015
Applicant / Current Owner	Muni Jampana / Seventh Living LLC
Site Area	+/- 0.17 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located at 1205 Fillmore Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential in all directions. The applicant is requesting the rezone to increase density in the areas close to 8th Street Market, the Walmart Campus, and other amenities.

Relationship to the General Plan

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

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

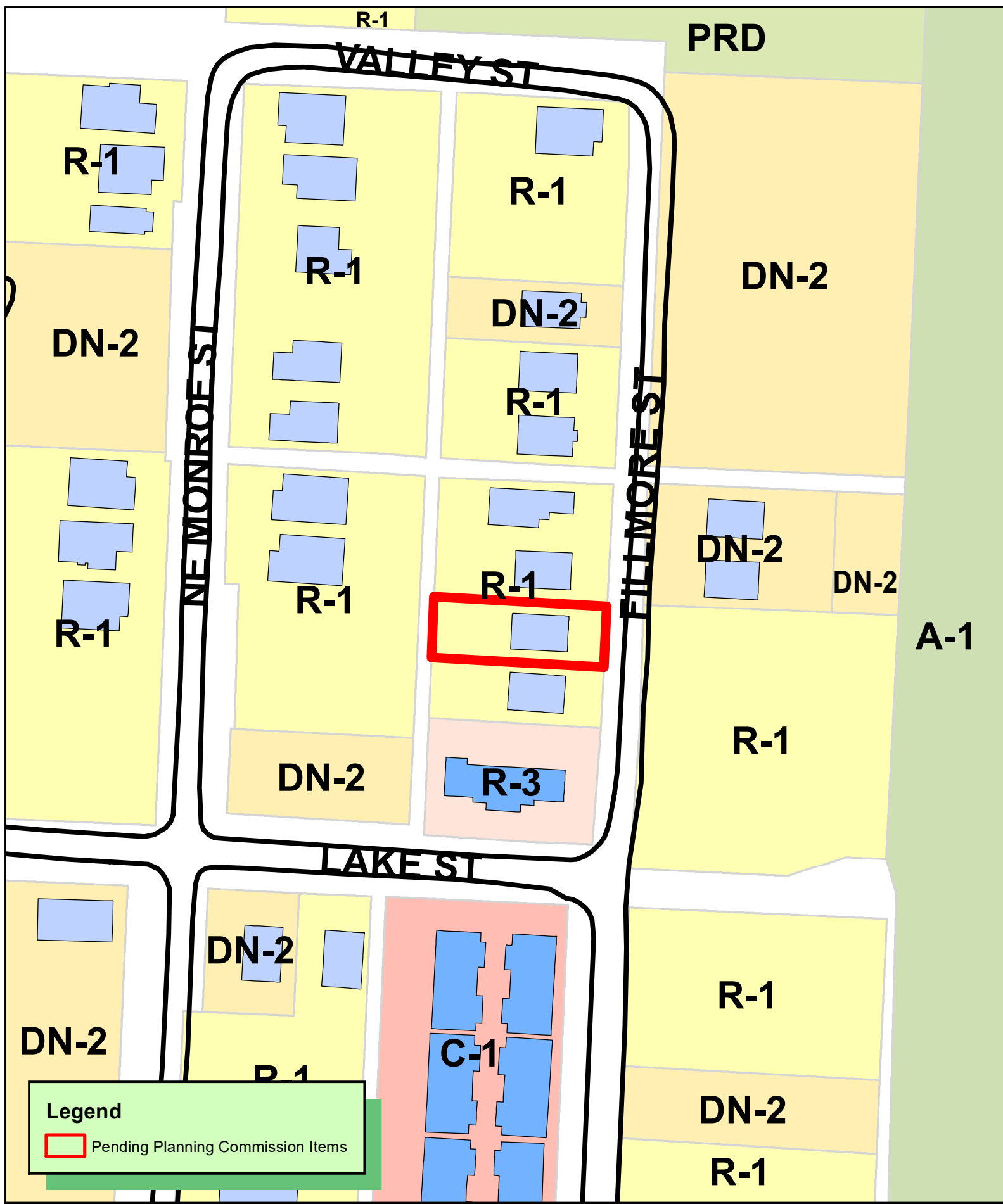
The proposed zoning of DN-2 is consistent with the Future Land Use Plan. DN-2 is a higher density residential district than what is found in the undeveloped area of the neighborhood but is consistent with the newer development. The nearest location of higher density residential land use is across the street of Fillmore Street. Rezoning this property to DN-2 sets a precedence in continuing to move higher density dwellings into the interior of neighborhoods per the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

REZONING STAFF REPORT

Conclusion

This request is consistent with the Future Land Use Plan and surrounding zoning districts, it is consistent with the development of the surrounding zoning districts and development patterns located in the vicinity.



VALLEY ST

PRD

R-1

R-1

DN-2

DN-2

R-1

DN-2

R-1

NE MONROE ST

FILLMORE ST

R-1

R-1

DN-2

DN-2

A-1

DN-2

R-3

R-1

LAKE ST

DN-2

DN-2

R-1

C-1

R-1

DN-2

R-1

Legend

Pending Planning Commission Items



1 inch = 100 feet

RZ23-0015 3/7/23
REZONING R1 TO DN2
W A BURKS ADDITION
LOT 16 BLOCK 11



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning request on 1205 NE Fillmore St; Parcel id: 01-04603-002

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Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following properties to DN 2 Downtown Medium Density Residential in order to develop the area as per the R-2 Medium Density. The plan is to build a single family house which will match the Downtown Bentonville standards

Address	Parcel id	Current Zoning	Requested Zoning
1205 NE Fillmore St	01-04603-002	R1 Single Family	DN 2 Downtown Medium Density Residential

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build downtown medium density housing units which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0015)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 16, BLOCK 11, W A BURK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "A" AT PAGE 81 AND ON PLAT RECORD "A" AT PAGE 119.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-2, DOWNTOWN MEDIUM-DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



Seventh Living LLC

710 NW 10th Street

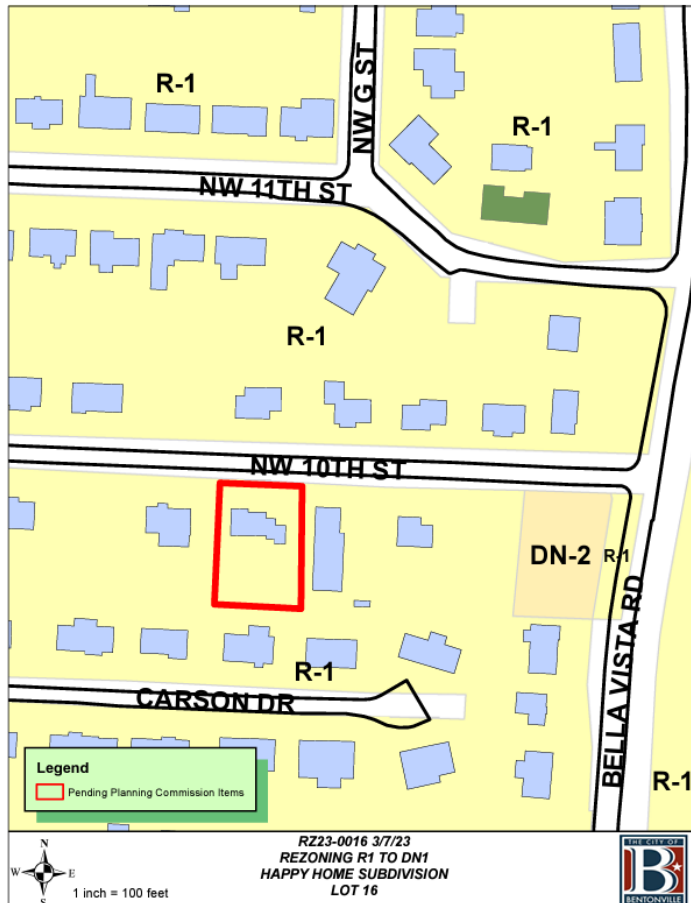
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0016
Applicant / Current Owner	Muni Jampana / Seventh Living LLC
Site Area	+/- 0.34 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-1, Downtown Low-Density Residential
Future Land Use Map Designation	Low Density Residential (LDR)

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

Location Map



Property Description

This property is located at 710 NW 10th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family residential structure. Adjacent zonings are R-1, Single Family Residential in all directions.

Relationship to the General Plan

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

Public Comment

Staff has received public comment regarding this request.

Analysis

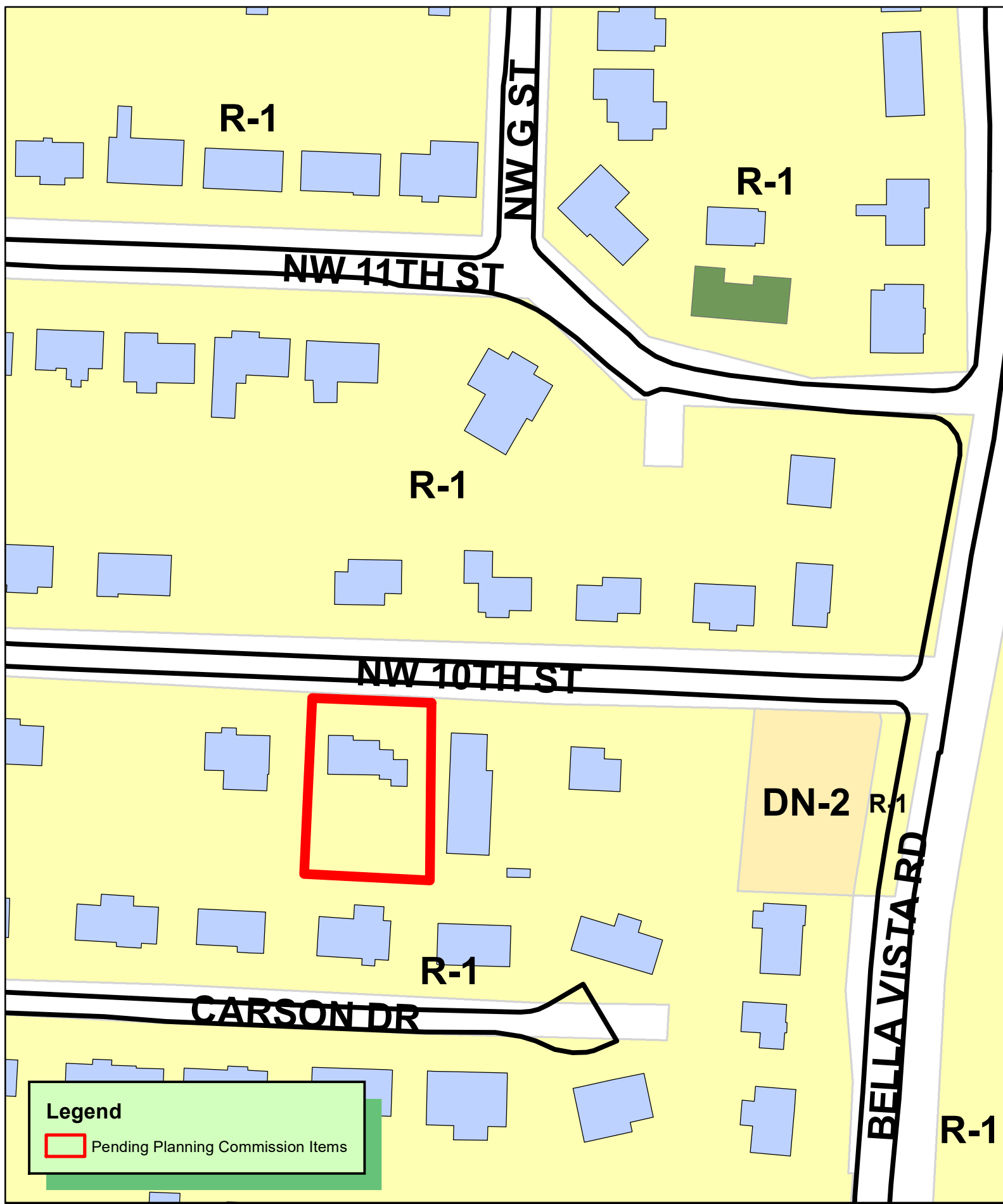
The intent of the DN-1 district is to preserve the established development pattern of portions of the downtown neighborhoods that are predominantly single-family with lots generally larger than 60 feet in width.

The proposed zoning of DN-1 is consistent with the Future Land Use Plan. DN-1 continues the establishment of development patterns for downtown areas. The nearest location of higher density residential land use is on corner properties along NW 10th Street. Rezoning this property to DN-1 sets a precedence in continuing the pattern of development in accordance with the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

Conclusion

This request is consistent with the Future Land Use Plan and surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity.



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 710 NW 10th St Bentonville. Parcel id: 01-02784-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following property to DN1 Downtown Low Density Residential in order to develop the area as per the DN 1 zoning standards.

Address	Parcel id	Current Zoning	Requested Zoning
710 NW 10th St	01-02784-000	R1 Single Family	DN1 Low Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build low-density single-family homes which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0016)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 16, HAPPY HOME ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON AMENDED PLAT RECORD "C" AT PAGE 59.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

The **Seventh Living LLC** has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to DN-1, Downtown Low-density Residential

The legal description of the property is as follows:

Lot 16, Happy Home Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Amended Plat Record "C" at page 59.

The common description of the property is: **710 NW 10th St Bentonville AR 72712**

Proposed land use: **Low Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Signature and Physical Address

**610 PEACH ORCHARD ROAD
BENTONVILLE, AR. 72712**

Signature and Physical Address

**Terri M. Dawson
610 PEACH ORCHARD ROAD
BENTONVILLE, AR. 72712**

REZONING STAFF REPORT



Seventh Living LLC

801 NW 10th Street

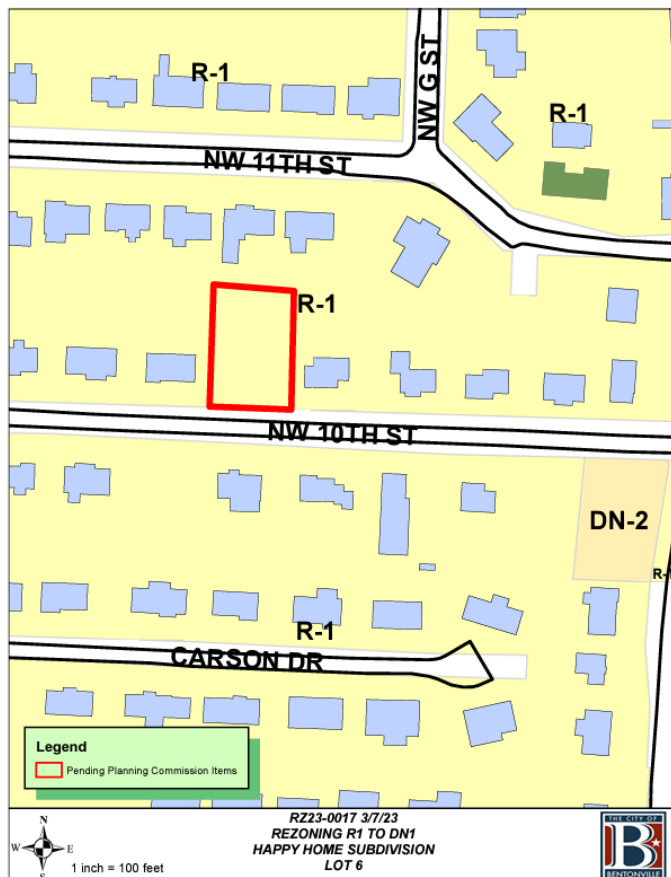
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0017
Applicant / Current Owner	Muni Jampana / Seventh Living LLC
Site Area	+/- 0.35 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-1, Downtown Low-Density Residential
Future Land Use Map Designation	Low Density Residential (LDR)

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

Location Map



Property Description

This property is located at 801 NW 10th Street. It is currently zoned R-1, Single Family Residential. It is currently an empty lot. Adjacent zonings are R-1, Single Family Residential in all directions.

Relationship to the General Plan

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

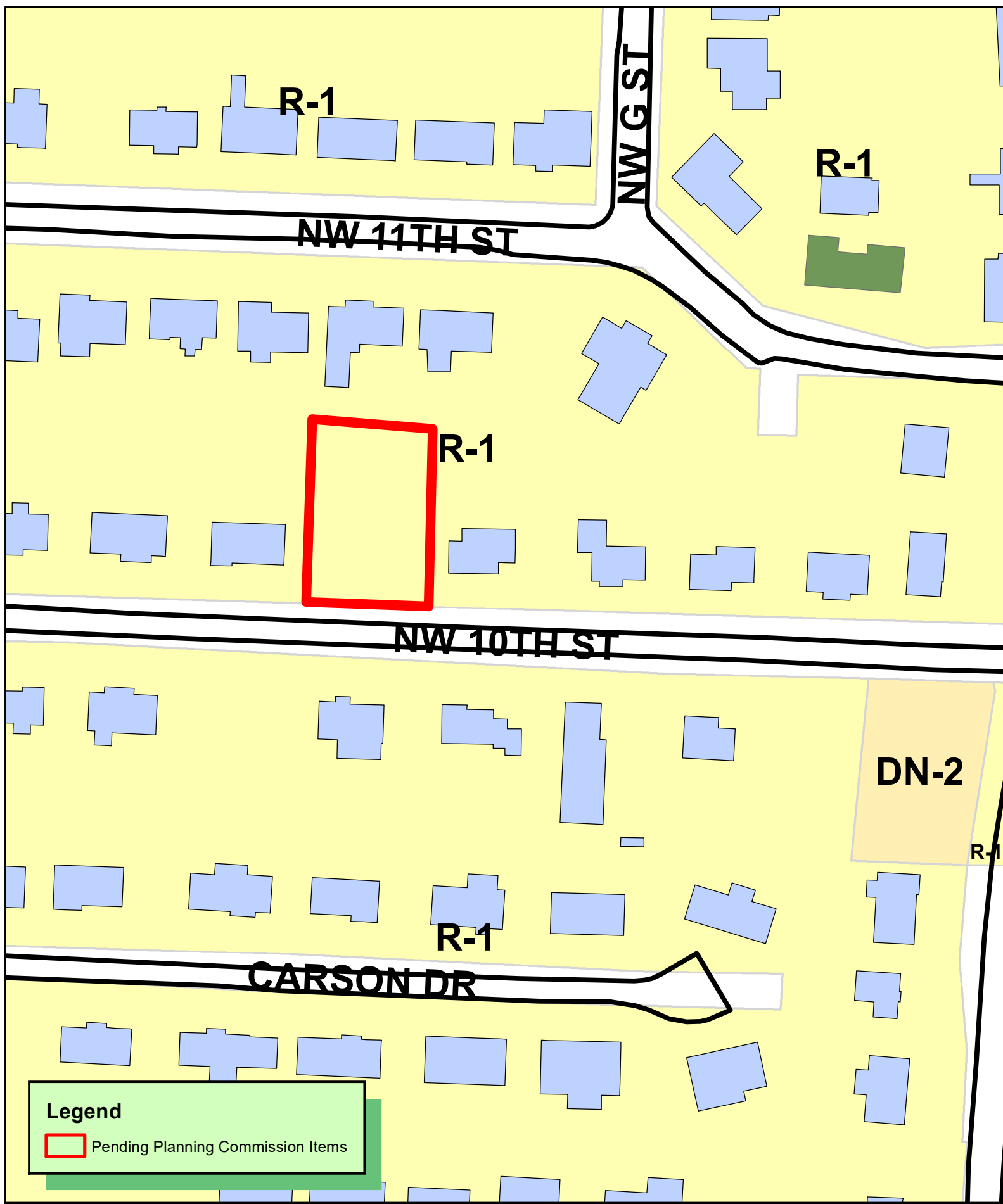
The intent of the DN-1 district is to preserve the established development pattern of portions of the downtown neighborhoods that are predominantly single-family with lots generally larger than 60 feet in width.

The proposed zoning of DN-1 is consistent with the Future Land Use Plan. DN-1 continues the establishment of development patterns for downtown areas. The nearest location of higher density residential land use is on corner properties along NW 10th Street. Rezoning this property to DN-1 sets a precedence in continuing the pattern of development in accordance with the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

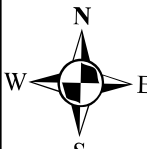
Conclusion

This request is consistent with the Future Land Use Plan and surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity.



Legend

 Pending Planning Commission Items

 1 inch = 100 feet

RZ23-0017 3/7/23
REZONING R1 TO DN1
HAPPY HOME SUBDIVISION
LOT 6

116



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 801 NW 10th St Bentonville. Parcel id: 01-02774-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following property to DN1 Downtown Low Density Residential in order to develop the area as per the DN 1 zoning standards.

Address	Parcel id	Current Zoning	Requested Zoning
801 NW 10th St	01-02774-000	R1 Single Family	DN1 Low Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build low-density single-family homes which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0017)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 6, HAPPY HOME ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY,
ARKANSAS, AS SHOWN ON AMENDED PLAT RECORD "C" AT PAGE 59.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



Seventh Living LLC

810 NW 11th Street

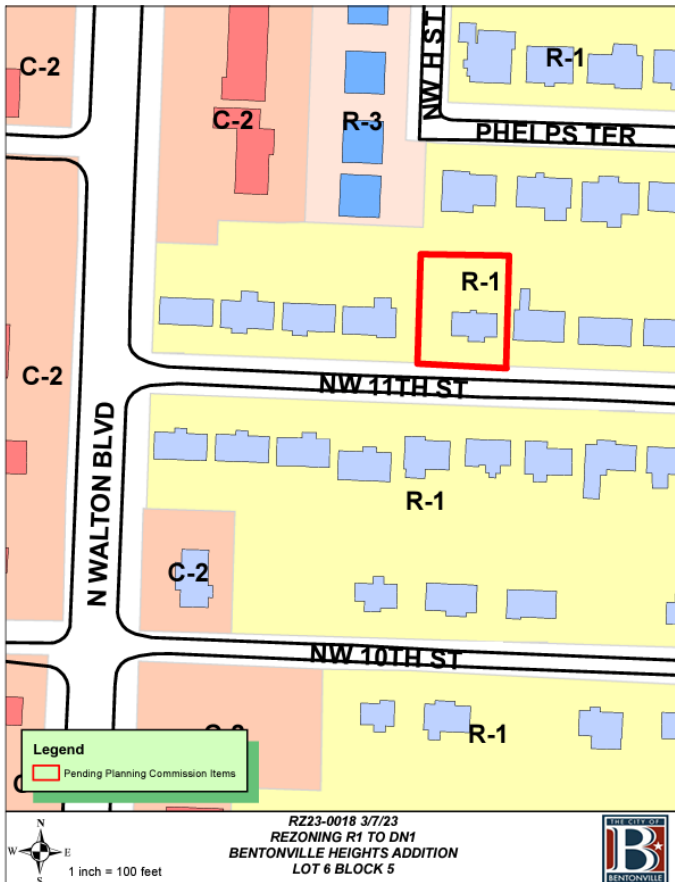
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0018
Applicant / Current Owner	Muni Jampana / Seventh Living LLC
Site Area	+/- 0.32 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-1, Downtown Low-Density Residential
Future Land Use Map Designation	Low Density Residential (LDR)

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

Location Map



Property Description

This property is located at 810 NW 11th Street. It is currently zoned R-1, Single Family Residential. It is currently an empty lot. Adjacent zonings are R-1, Single Family Residential in all directions.

Relationship to the General Plan

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

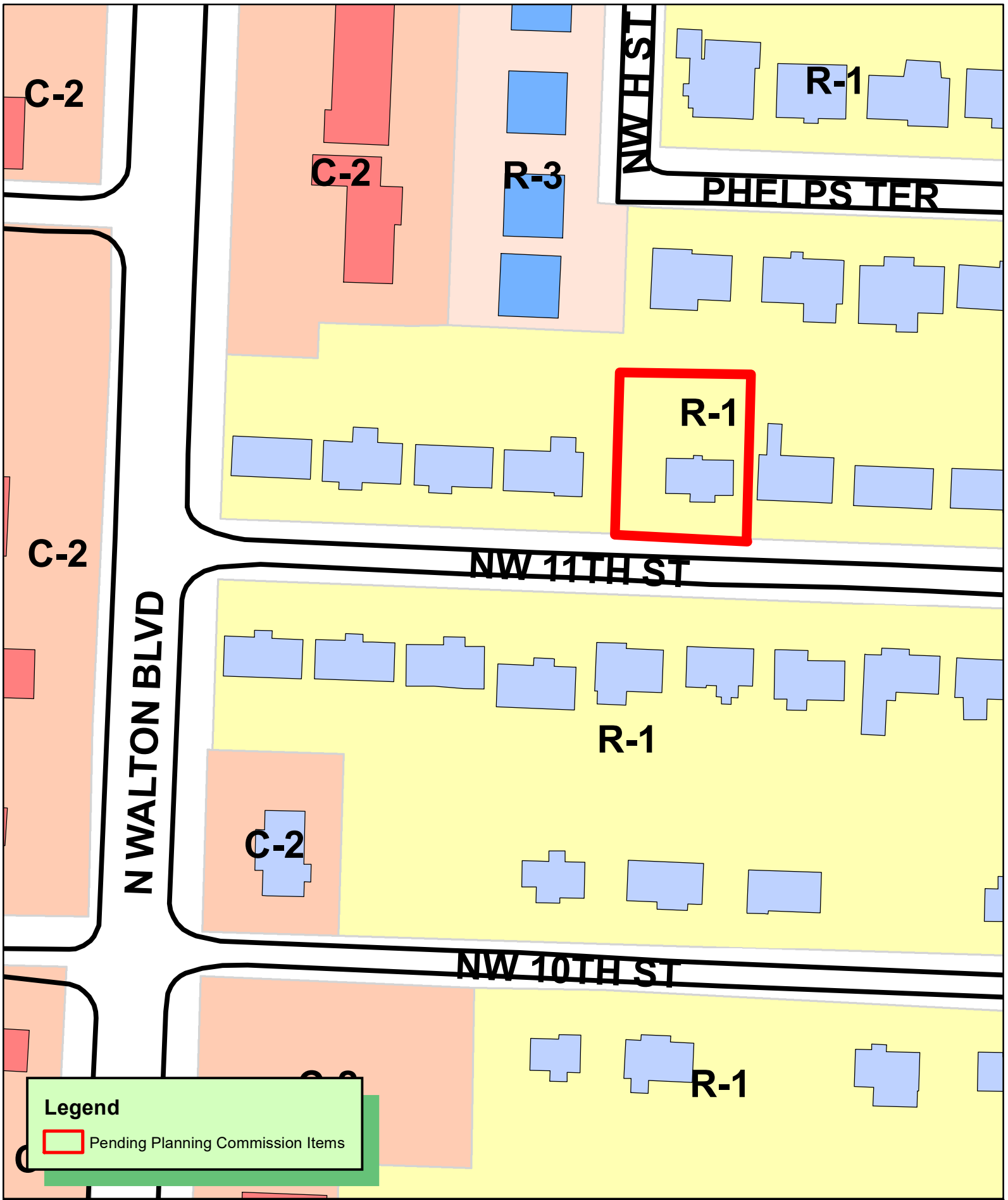
The intent of the DN-1 district is to preserve the established development pattern of portions of the downtown neighborhoods that are predominantly single-family with lots generally larger than 60 feet in width.

The proposed zoning of DN-1 is consistent with the Future Land Use Plan. DN-1 continues the establishment of development patterns for downtown areas. The nearest location of higher density residential land use is on corner properties along NW 11th Street. Rezoning this property to DN-1 sets a precedence in continuing the pattern of development in accordance with the Future Land Use Plan.

The property is adjacent to R-1 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

Conclusion

This request is consistent with the Future Land Use Plan and surrounding zoning districts, it is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity.



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning of Properties on 810 NW 11th St Bentonville. Parcel id: 01-01318-000

Staff,

Our firm The Seventh Living LLC is requesting the City staff to approve for rezoning on the following property to DN1 Downtown Low Density Residential in order to develop the area as per the DN 1 zoning standards.

Address	Parcel id	Current Zoning	Requested Zoning
810 NW 11th St	01-01318-000	R1 Single Family	DN1 Low Density

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build low-density single-family homes which will support the future land use plan for this area and the growth.

Thank you,
The Seventh Living LLC
Muni Jampana

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0018)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 6, BLOCK 5 OF BENTONVILLE HEIGHTS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS AS SHOWN ON REVISED PLAT RECORD "O" AT PAGE 279.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



Jampana

3406 SE K Street

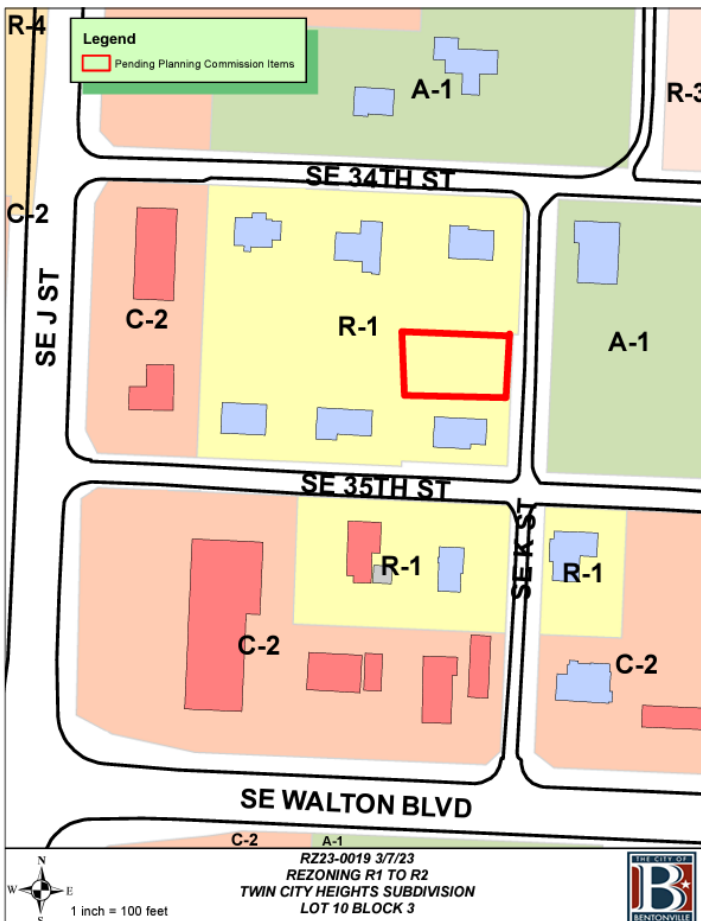
PC Date: 3/7/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0019
Applicant / Current Owner	Muni Jampana
Site Area	+/- 0.21 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	R-2, Medium-Density Two Family and Townhome
Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 3406 SE K Street. It is currently zoned R-1, Single Family Residential. It is currently an empty lot. Adjacent zonings are R-1, Single Family Residential to the south, west and north, with A-1 property to the east.

Relationship to the General Plan

The Future Land Use Plan depicts this property as High Density Residential (HDR) and is surrounded by 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.

Public Comment

Staff has received public comment regarding this request.

Analysis

The R-2 District encourages the basic land use restrictions as the R-1 District. It allows slightly higher population density than the R-1 District, with residential and related uses separated from commercial and industrial activity. Such a district shall encourage and maintain duplex and patio home development at appropriate locations. The R-2 District has a dual purpose. First, the district should provide areas for the development of two-family residential structures. Second, the district should facilitate conversion of one family residences to two-family use in established developed areas. The district may be in developed areas or undeveloped areas of the City where an environment compatible with moderate density residential development can be established. Such a district can also be in medium density areas where conversion may facilitate their continuation as a desirable area.

The proposed zoning of R-2 is consistent with the Future Land Use Plan. R-2 continues the establishment of two-family residential structures in established developed areas. The nearest location of higher density residential land use is to the south along SE 35th Street, where many C-2 properties are located. Rezoning this property to R-2 sets a precedence in continuing the pattern of development in accordance with the Future Land Use Plan.

REZONING STAFF REPORT

The property is adjacent to R-1 property. The property fronts a Local Street per the Master Street Plan, which carries a lower amount of traffic than a Collector Street.

Conclusion

This request is lower than what the Future Land Use Plan intended but is consistent with surrounding zoning districts and is consistent with some of the uses of the surrounding zoning districts and development patterns located in the vicinity.

R-4

Legend



Pending Planning Commission Items

R-3

A-1

SE 34TH ST

C-2

C-2

R-1

A-1

SE 35TH ST

R-1

R-1

C-2

C-2

SE WALTON BLVD

C-2

A-1



1 inch = 100 feet

RZ23-0019 3/7/23
REZONING R1 TO R2
TWIN CITY HEIGHTS SUBDIVISION
LOT 10 BLOCK 3



January 9, 2023

Bentonville Current Planning
305 SW A Street
Bentonville, AR 72712

RE: Rezoning request on Parcel id: 01-04479-004

.

Staff,

Our firm RAY Residential Homes LLC is requesting the City staff to approve for rezoning on the following properties to R-2 Medium Density Two Family and Townhome Residential in order to develop the area as per the R-2 Medium Density. The plan is to build a duplex which will match the Downtown Bentonville standards

Address	Parcel id	Current Zoning	Requested Zoning
35th and K st Lot	01-04479-004	R1 Single Family	R-2 Medium Density Two Family and Townhome Residential

This re-zone would allow us to be complainant with the city future land use plan. This will allow us to build medium density housing units which will support the future land use plan for this area and the growth.

Thank you,
RAY Residential Homes LLC
Muni Jampana

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO DN-3, DOWNTOWN HIGH DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0019)

WHEREAS, Seventh Living LLC, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to R-2, MEDIUM DENSITY TWO FAMILY AND TOWNHOME RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 10, TWIN CITY HEIGHTS SECOND REVISION, AS SHOWN ON PLAT RECORD 2014 AT PAGE 554, AND BEING A PART OF LOT 1, BLOCK 3, TWIN CITY HEIGHTS SECOND REVISION, A PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT RECORD H-134 IN THE BENTON COUNTY CIRCUIT CLERK'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 1, BLOCK 3, THENCE S 87°18'40" E, 124.00 FEET, THENCE S 02°41'20" W, 74.06 FEET, THENCE N 87°15'19" W, 124.00 FEET, THENCE N 02°41'20" E, 73.94 FEET, TO THE POINT OF BEGINNING AND CONTAINING 0.21 ACRES, MORE OR LESS AND SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held March 7, 2023 in the Council Chambers of the City of Bentonville;

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to R-2, MEDIUM DENSITY TWO FAMILY AND TOWNHOME RESIDENTIAL.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

NOTICE OF INTENT TO REZONE

RAY Residential Homes LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Single-family Residential to R-2, Duplex and Patio Home

The legal description of the property is as follows:

LOT 10, TWIN CITY HEIGHTS SECOND REVISION, AS SHOWN ON PLAT RECORD 2014 AT PAGE 554, AND BEING A PART OF LOT 1, BLOCK 3, TWIN CITY HEIGHTS SECOND REVISION, A PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTONVILLE, ARK

The common description of the property is: **35th and K st Lot Bentonville AR 72712**

Proposed land use: **High Density**

The public hearing will be held **March 7, 2023 at 5:00pm. It will be held at 305 SW "A" Street.**

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

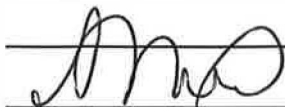
1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:



Signature and Physical Address

1108 SE 35th St.

Bentonville

Ark

72712

Signature and Physical Address

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

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Cosmetically this would cause a large contrast with current developments.

I Purchased this property because it was mostly developed and has no multi-family units - Property. I am also concerned what this would do -

1109 S.E. 35th Kevin Freeman
Signature and Physical Address

Signature and Physical Address

For WATER Drainage - we already have issues.

LARGE-SCALE DEVELOPMENT STAFF REPORT



Crain Kia

Northeast Corner of Southeast 28th Street
and Southeast S Street

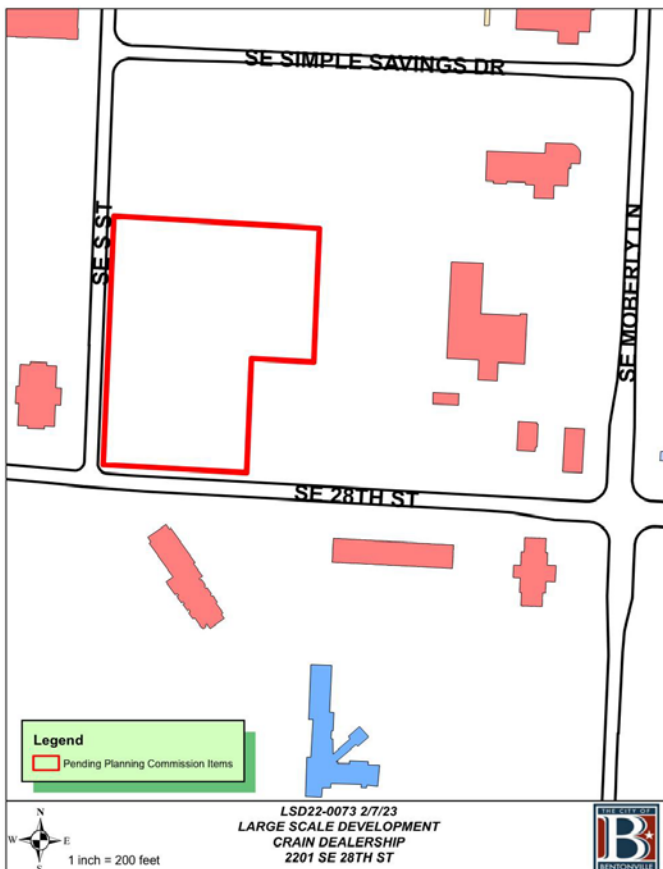
PC Date: 2/21/2023

Reviewer: Keegan Stanton, Senior Planner,
AICP

Project Number	LSD22-0073
Applicant / Current Owner	Brandon Rush/Crain Investments LP
Site Area	+/- 6.15 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Office (O)
Development Type / Use	Vehicle Sales
Related Project(s)	None

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

Location Map



Property Description

This property is located at the Northeast Corner of Southeast 28th Street and Southeast S Street. It is currently zoned C-2, General Commercial with a Future Land Use Classification of Office. This property presently is vacant.

Project Details

This project is a large-scale development that consists of a single structure that will serve as the Crain Kia dealership. The proposed structure will be approximately 20,542 square feet, providing showroom, office, and maintenance areas. It is also shown to be almost 39 feet tall. The project will provide 474 parking spaces, which includes those for vehicles for sale. 3 means of access are proposed – one shared drive along Southeast 28th Street and two drives off of Southeast S Street.

The proposal provides sidewalk improvements and new landscaping per the requirements of the Land Development Code. The project complies with the Master Street Plan, and the Master Trails Plan requirements. The primary materials are split-face or textured concrete block, architectural metal panels, and glass. Additional metal is proposed as a trim material.

Projected Traffic Impact

While the proposed development will constitute an increase in intensity from the current vacant property, the traffic impact will likely be minimal.

Waivers

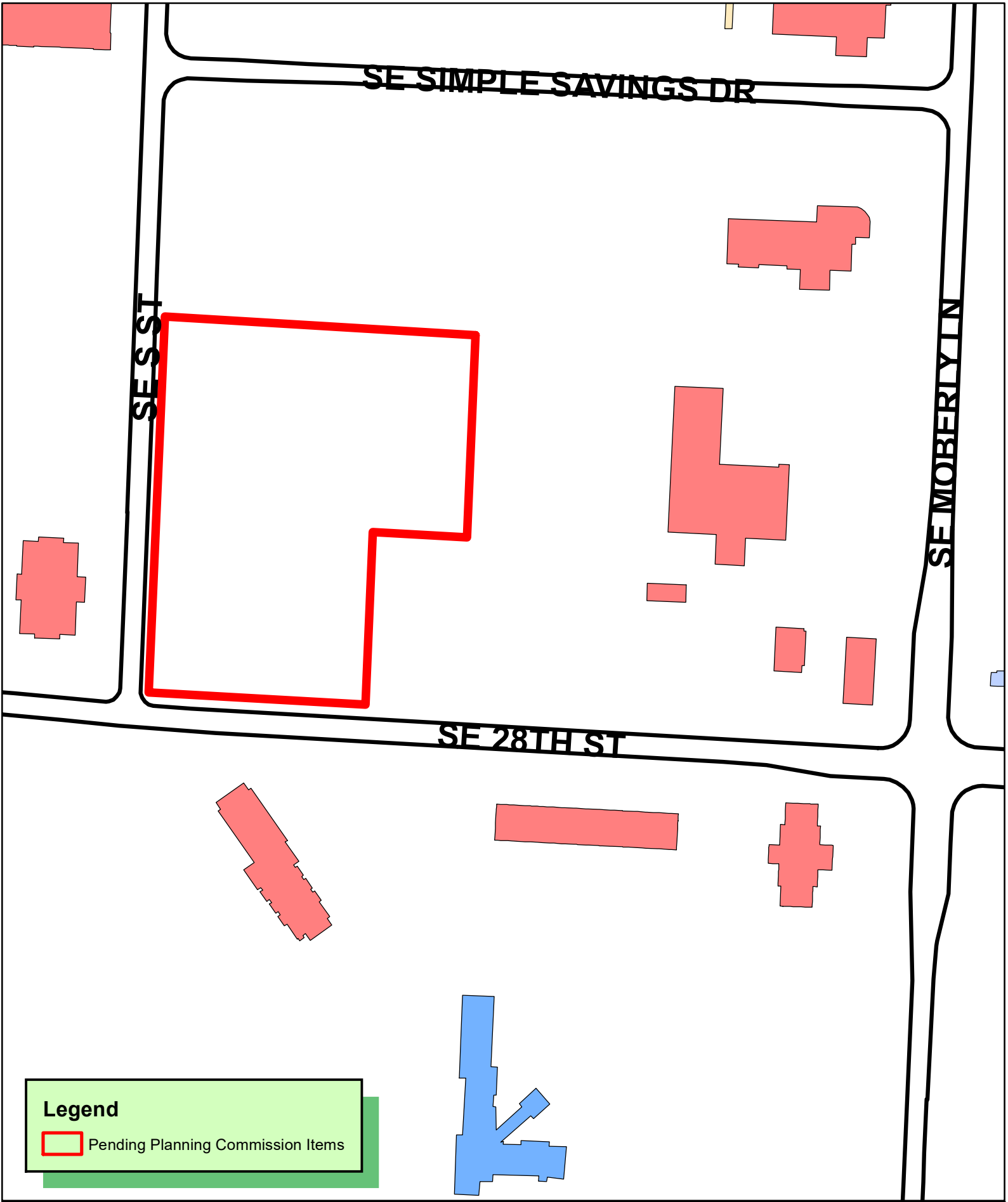
One waiver is requested:

- A waiver from Section 1100.02(a)(4) – Access Management Standards, Curb Cuts, Offset: The applicant is requesting a waiver that nonresidential drives be offset by at least 75 feet. An existing platted shared access easement does not exactly align with the existing drive to the Clorox building.

Conclusion

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

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



December 12, 2022

City of Bentonville
Current Planning Department
c/o Jon Stanley
305 SW A Street
Bentonville, AR 72712

Via email: JStanley@bentonvillear.com

Re: Waiver Request Narrative
Proposed Crain Dealership
SE 28th Street & SE S Street
Bentonville, AR

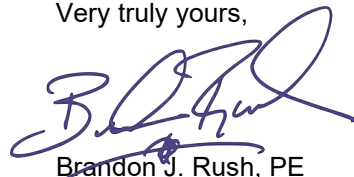
Mr. Stanley:

On behalf of our client, Crain Investments LP, we hereby submit a waiver request as part of this large-scale development. Specifically, the Owner/Developer is requesting a waiver from § 1100.02(a)(4) *Access Management Standards, Curb Cuts, Offset*.

The subject property was first platted in the "Moberly Corner Addition" on April 23, 2009 and remains the one of the few undeveloped parcel in the immediate vicinity, which both confers advantages and assigns disadvantages to the property. Further re-platting and connections to the existing street network were previously designed, approved, and constructed by others. During re-platting, a shared access point with the adjoining property to the east (G & S Property Management, Parcel 01-16301-002) was created. This access is neither in alignment nor 75' west of the existing driveway for 2200 SE 28th Street (see attached exhibit).

The option to relocate the driveway along 28th Street further west runs afoul of the requirements in §1100.02(a)(3) *Distance from intersections*. Specifically, 28th Street requires driveways 250' from the intersection with S Street. Under this circumstance, another driveway would likely need to be constructed for Parcel 01-16301-002 which would also not comply and would cause further access management issues. Therefore, any installation of a driveway on 28th Street in this location will require a waiver, but we believe this request, **granting a waiver from § 1100.02(a)(4) to use the dedicated shared access easement with a 15' offset from the driveway on the southern side of 28th Street (i.e., as platted) best satisfies the intent of the ordinance.** We appreciate your consideration.

Very truly yours,

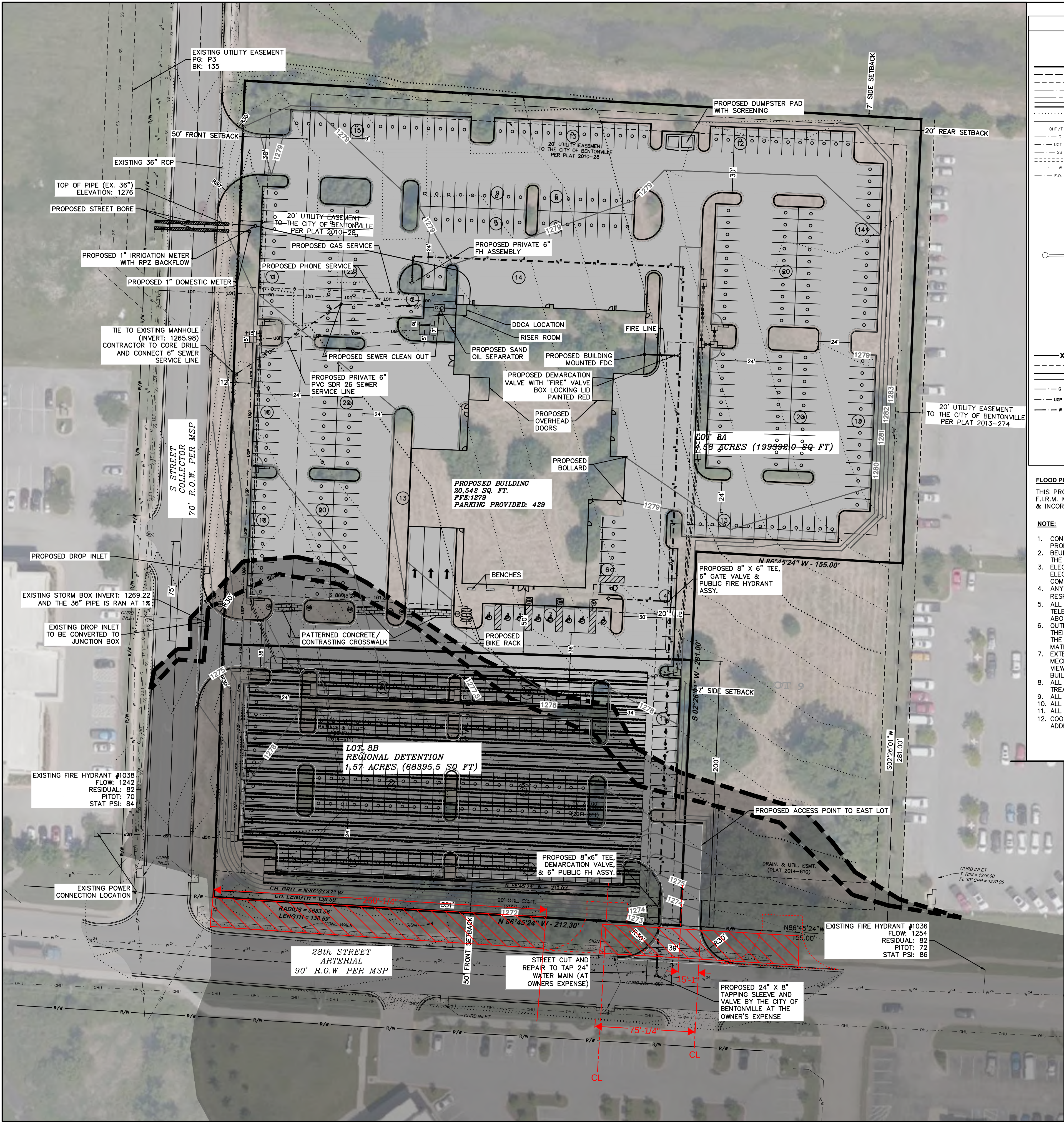


Digitally signed by:
Brandon J. Rush

Brandon J. Rush, PE

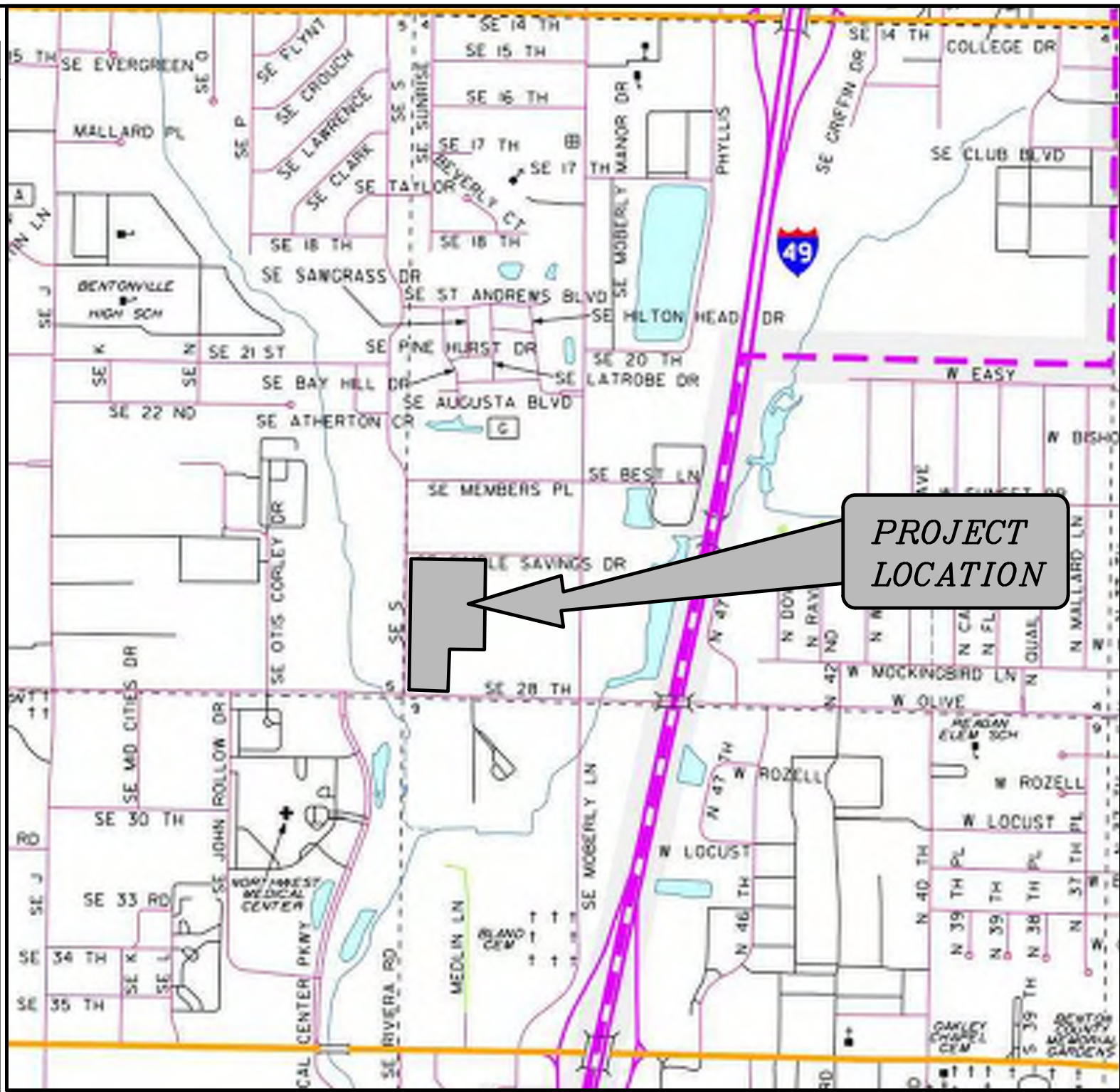
cc Ira Moore (Crain)
Jason Appel, P.E. and Chase Stumne (ESI)

Z:\Engineers\00 - Engineer Projects\21942 Crain Kia Bville\01 Correspondence\City\Stanley 2022-12-12 Waiver Narrative.docx



LEGEND

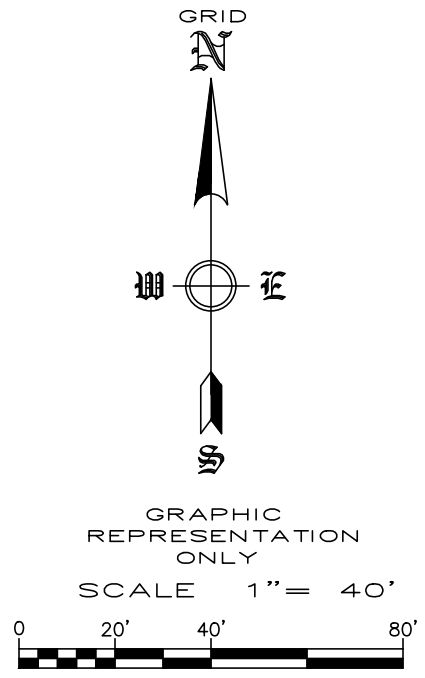
- SET IRON PIN
- IRON PIN FOUND
- MAG NAIL FOUND
- C. PROPERTY LINE
- SAW-CUT LINE
- EX. EASEMENT LINE
- EX. BUILDING SETBACK LINE
- EX. ROAD CENTERLINE
- EX. CURB & GUTTER
- EX. CONTOUR
- PROPOSED CONTOUR
- EX. OVERHEAD POWER LINE
- EX. GAS LINE
- EX. UNDERGROUND TELEPHONE LINE
- EX. 8\"/>



VICINITY MAP

FLOOD PLAIN ZONING:
THIS PROPERTY IS WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP #05007C0255K AND #05007C0260K, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS, PANEL 235 OF 560. EFFECTIVE DATE: JUNE 5, 2012.

- NOTE:**
- 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 WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.
 - ANY COST OF ADJUSTMENTS, RELOCATION OR DAMAGE OF EXISTING UTILITIES WILL BE THE RESPONSIBILITY OF THE OWNERS/DEVELOPERS.
 - ALL PROPOSED UTILITY WIRES, LINES, AND/OR CABLE UTILIZED BY ELECTRIC AND/OR TELECOMMUNICATIONS COMPANIES SHALL BE PLACED UNDERGROUND, EXCLUDING 12KV AND ABOVE.
 - OUTDOOR STORAGE, TRASH COLLECTION, AND LOADING AREAS MUST BE LANDSCAPED, SO THAT THEIR FUNCTIONS ARE FULLY CONTAINED AND OUT OF VIEW OF THE ADJACENT PROPERTY AND THE PUBLIC RIGHT-OF-WAY. DUMPSTER ENCLOSURES SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDINGS.
 - EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES AND BANKS OF METER SHALL BE SCREENED FROM PUBLIC VIEW WITH LANDSCAPING OR WITH AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING ARCHITECTURE.
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 - ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
 - ALL SITE FENCING NOT SHOWN WITHIN THIS PLAN SET WILL REQUIRE A SEPARATE PERMIT.
 - ALL PROPOSED STREETS SHOWN ARE PRIVATE DRIVES.
 - COORDINATE WITH CITY OF BENTONVILLE GIS (TONI FOERSTER - 479-271-6852) FOR FINAL ADDRESSING, AS SHOWN.



OWNER/DEVELOPER:	CRAIN INVESTMENTS LP P.O. BOX 6070 SHERWOOD AR 72124
ENGINEER:	ENGINEERING SERVICES, INC. 1207 S. OLD MISSOURI ROAD P.O. BOX 282 SPRINGDALE, AR 72762
EXISTING ZONING:	C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING:	C-2 (GENERAL COMMERCIAL)
PROPOSED USE:	RETAIL
SETBACKS:	FRONT WITH PARKING - 50' FRONT WITHOUT PARKING - 20' SIDE ADJACENT TO NON-RESIDENTIAL - 7' SIDE ADJACENT TO RESIDENTIAL - 30' REAR ADJACENT TO NON-RESIDENTIAL - 20' REAR ADJACENT TO RESIDENTIAL - 30'
GROSS AREA:	7.04 ACRES±
NET AREA:	6.15 ACRES±
PARKING PROVIDED:	474 SPACES PROVIDED (INCLUDING 9 A.D.A SPACES)

LARGE SCALE DEVELOPMENT

CRAIN INVESTMENTS LP

S. "S" STREET

BENTONVILLE, ARKANSAS

REVISION	DATE	DESCRIPTION

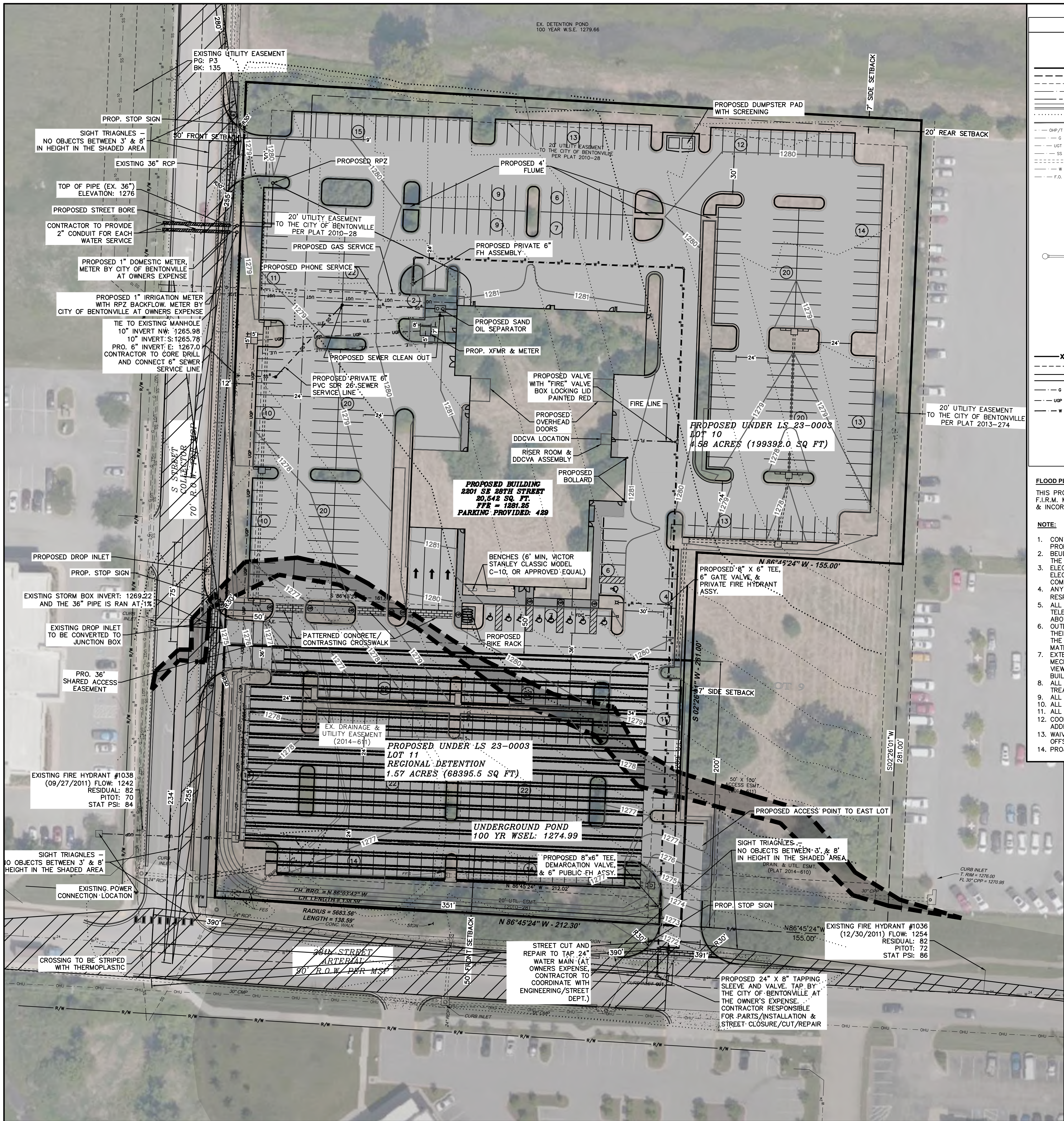
SCALE: 1"=40'

DATE: Dec 2, 2022

DRAWN BY: CAS

W.O. #: 21942

2



LEGEND

	SET IRON PIN
	IRON PIN FOUND
	MAG NAIL FOUND
	C. PROPERTY LINE
	SAW-CUT LINE
	EX. EASEMENT LINE
	EX. BUILDING SETBACK LINE
	EX. ROAD CENTERLINE
	EX. CURB & GUTTER
	EX. CONTOUR
	PROPOSED CONTOUR
	EX. OVERHEAD POWER LINE
	EX. GAS LINE
	EX. UNDERGROUND TELEPHONE LINE
	EX. 8" SEWER LINE
	EX. STORM DRAIN LINE
	EX. WATER LINE
	EX. FIBER OPTIC LINE
	EX. WATER METER
	EX. FIRE HYDRANT
	EX. SEWER MANHOLE
	EX. POWER POLE
	EX. WATER VALVE
	EX. LIGHT POLE
	EX. SIGN
	EX. WATER METER
	EX. TRAFFIC POLE
	EX. GAS MANHOLE
	EX. ELECTRIC MANHOLE
	EX. TELEPHONE MANHOLE
	EX. TREES
	EX. SEWER VALVE
	EX. WATER MANHOLE
	EX. FIBER OPTIC VAULT
	EX. TELEPHONE BOX
	EX. MAILBOX
	EX. GAS METER
	EX. GAS VALVE
	PROPOSED FENCE
	PROPOSED EASEMENT LINE
	PROPOSED SIDEWALK
	PROPOSED GAS LINE
	PROPOSED ELECTRIC LINE
	PROPOSED WATERLINE
	PROPOSED HANDICAP RAMP
	PROPOSED STORM BOX & PIPE
	PROPOSED SEWER MANHOLE & PIPE
	PROPOSED HANDICAP RAMP

HC SIGN

FLOOD PLAIN ZONING:
THIS PROPERTY IS WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP #05007C0255K AND #05007C0260K, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS, PANEL 235 OF 560. EFFECTIVE DATE: JUNE 5, 2012.

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 - ALL SITE FENCING NOT SHOWN WITHIN THIS PLAN SET WILL REQUIRE A SEPARATE PERMIT.
 - ALL PROPOSED STREETS SHOWN ARE PRIVATE DRIVES.
 - COORDINATE WITH CITY OF BENTONVILLE GIS (TONI FOERSTER - 479-271-6852) FOR FINAL ADDRESSING, AS SHOWN.
 - WAIVER REQUESTED FROM § 1100.02(a)(4) ACCESS MANAGEMENT STANDARDS, CURB CUTS, OFFSET.
 - PROJECT IS LOCATED WITHIN AIRPORT ZONE C(3), OUTER SAFETY ZONE (OSZ).

OWNER/DEVELOPER:
CRAIN INVESTMENTS LP
C/O IRA MOORE, IT & FACILITIES DIRECTOR
P.O. BOX 6070
SHERWOOD AR 72124
IRAMOORE@CRAINTEAM.NET
501-542-5010

ENGINEER:
ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72762

EXISTING ZONING:
C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING:
C-2 (GENERAL COMMERCIAL)

PROPOSED USE:
RETAIL

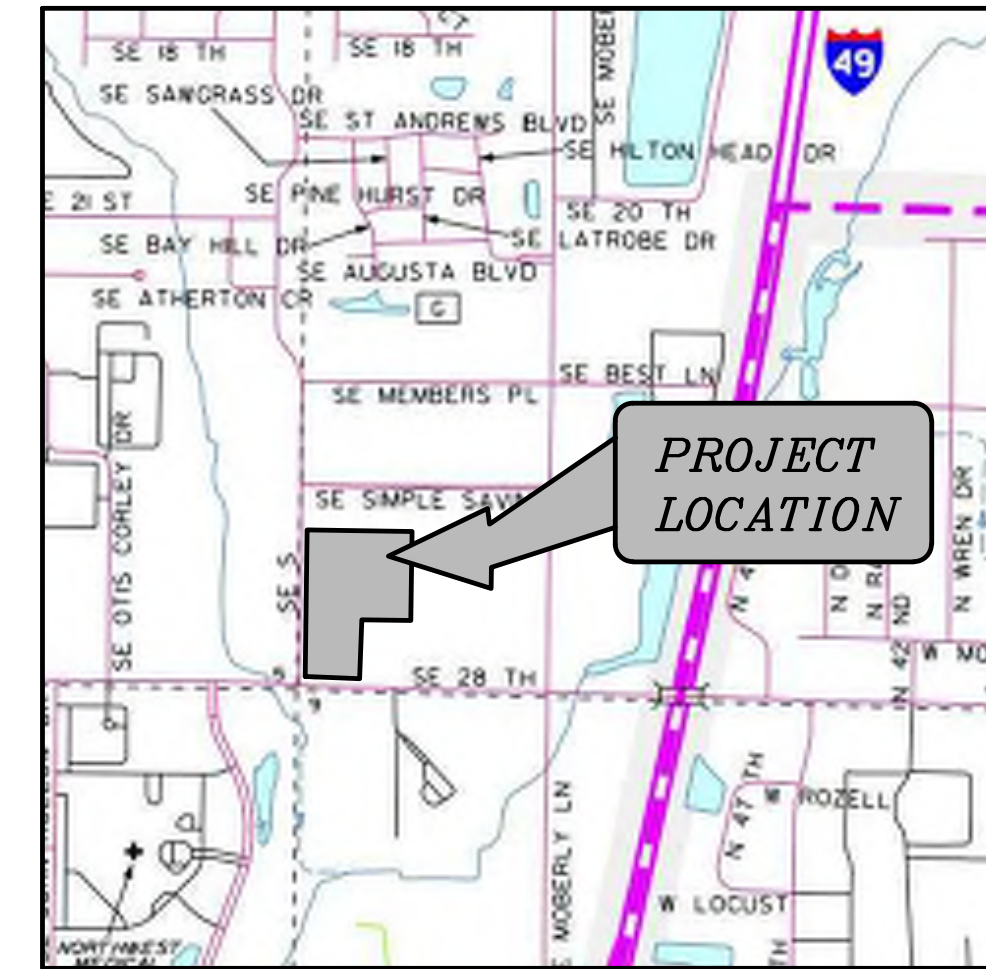
SETBACKS:
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FRONT WITHOUT PARKING - 20'
SIDE ADJACENT TO NON-RESIDENTIAL - 7'
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REAR ADJACENT TO RESIDENTIAL - 30'

WHERE A UTILITY EASEMENT EXIST THE SETBACK SHALL BE THE UTILITY EASEMENT OR WHICHEVER IS GREATER.

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NET AREA:
6.15 ACRES±

PARKING PROVIDED:
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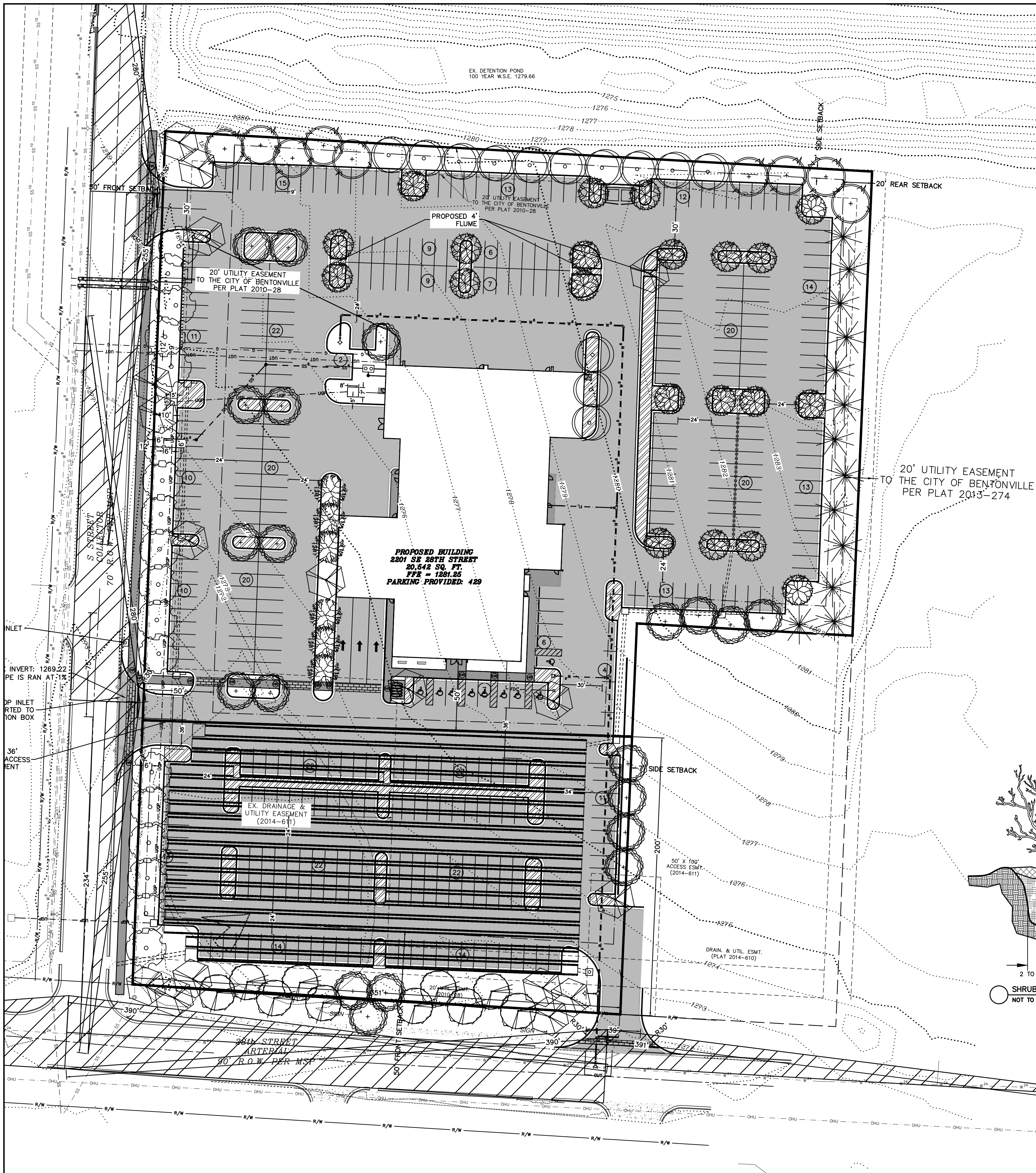


VICINITY MAP

LARGE SCALE DEVELOPMENT
CRAIN INVESTMENTS LP
2201 SE 28TH STREET
BENTONVILLE, ARKANSAS

REVISION	DATE	DESCRIPTION

SCALE: 1"=40'
DATE: Jan 30, 2023
DRAWN BY: CAS
W.O. #: 21942



REQUIRED FRONTAGE FRONTAGE:

20' LANDSCAPE BUFFER
1 TREE PER 20' LF OF FRONTAGE
335' LF ALONG 28TH STREET - 17 TREES
528' LF ALONG S STREET - 26 TREES

REQUIRED PERIMETER LANDSCAPE:

7' LANDSCAPE BUFFER
1 TREE PER 50' LF OF PERIMETER
1,195 TOTAL LF - 24 TREES

REQUIRED PARKING LOT LANDSCAPE:

INTERIOR PARKING LOT GREENSPACE:
BASED ON PERCENTAGE OF TOTAL
PARKING AREA. 10% OF TOTAL PARKING MUST BE
INTERIOR PARKING LOT GREENSPACE.
PARKING LOT SQ FT: 122,938
REQUIRED INTERIOR LANDSCAPE: 12,293 SQ FT. (10%)
PROVIDED INTERIOR LANDSCAPE: 13,573 SQ FT. (11%)

INTERNAL PLANTING ISLANDS TO HAVE MIN 2 TREES PER
ISLAND. EXTERNAL TO HAVE MIN 1 TREE PER ISLAND.
CONTINUOUS PLANTING ISLANDS TO HAVE MIN OF 1
SHADE TREE PER EVERY 6 PARKING SPACES LOCATED
WITHIN THE DOUBLE ROW.

INDEX OF TREES

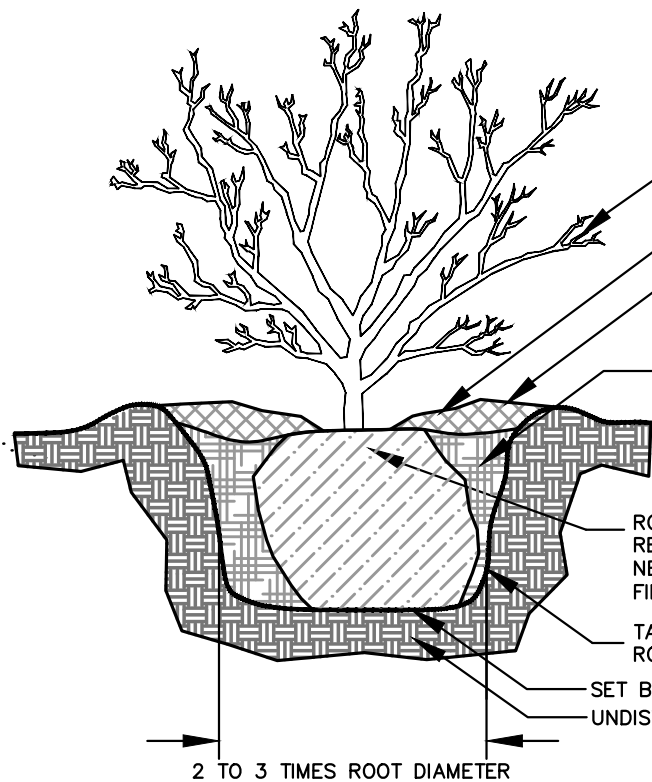
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL # TREES	PLANTING SIZE
	Wildfire Blackgum	Nyssa sylvatica 'Wildfire'	10	2.5" Cal B & B 6' H min
	Northern Red Oak	Quercus rubra	9	2.5" Cal B & B 6' H min
	Panache Shumard Oak	Quercus shumardii 'Panache'	18	2.5" Cal B & B 6' H min
	Valley Forge Elm	Ulmus americana 'Valley Forge'	20	2.5" Cal B & B 6' H min
	Legacy Sugar Maple	Acer saccharum 'Legacy'	21	2.5" Cal B & B 6' H min
	Texas Redbud	Cercis Candensis var. texensis	17	2" Cal B & B 6' H min
	Crimson Spire Oak	Quercus 'Crimschmidt'	13	2.5" Cal B & B 6' H min
	Eastern White Pine	Pinus strobus	13	2.5" Cal B & B 6' H min
	Ginkgo fastigiata	Ginkgo biloba 'fastigiata'	6	2.5" Cal B & B 6' H min

NOTES:

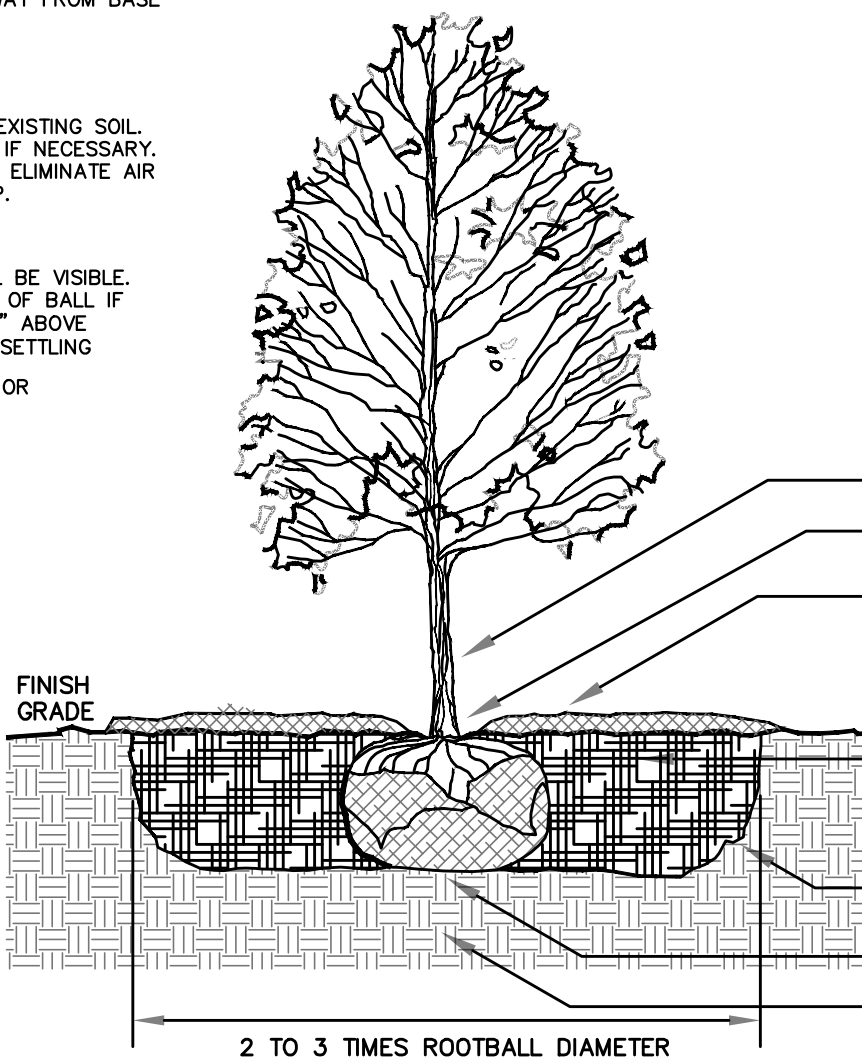
1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR LANDSCAPED AREAS. IRRIGATION PLAN TO BE DESIGN-BUILD.
2. EDGING SHALL BE PLACED IN LANDSCAPE BEDS AS SHOWN ON PLANS. EDGING SHALL BE 4" X 8" STEEL LANDSCAPE EDGING.
3. SOIL SHALL BE AMENDED AND ALL ROCKS AND FOREIGN MATERIAL SHALL BE REMOVED PRIOR TO ANY LANDSCAPE INSTALLATION.
4. HARDWOOD MULCH AND LANDSCAPE EDGING SHALL BE PLACED AROUND ALL TREES AND WITHIN ALL LANDSCAPE BEDS.
5. FREESTANDING TREES OUTSIDE OF CONTAINED LANDSCAPE BEDS TO RECEIVE HARDWOOD MULCH.
6. TOP HALF OF WIRE BASKETS AND BURLAP AROUND TOP OF ROOT BALL TO BE REMOVED DURING TREE PLANTING.
7. ALL PLANTING BEDS SHALL RECEIVE 3"-4" OF HARDWOOD MULCH AT TIME OF INSTALLATION.
8. SHADE TREES SHALL HAVE A MIN. CALIPER OF 2.5", AND ORNAMENTAL TREES SHALL HAVE A MIN. CALIPER OF 2".
9. SHRUBS WILL HAVE A MIN. SIZE OF 3 GALLON POT WITH A HEIGHT OF 18".
10. ONCE INSTALLED LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY LIVING CONDITION, AND IF PLANT MATERIAL DIES IT SHALL BE REPLACED WITHIN THE NEXT APPROPRIATE GROWING SEASON.
11. TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES SHALL BE UTILIZED FOR MAINTENANCE PURPOSES.
12. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PRUNING ACCORDING TO ANSI A300 "STANDARDS FOR TREE CARE" WILL BE UTILIZED FOR MAINTENANCE PURPOSES.
13. IF CONFLICTS WITH PROPOSED LIGHTS, FIRE HYDRANTS, OR OTHER SITE FEATURES EXIST, TREES OR SHRUBS SHALL BE MOVED AND SHALL NOT INTERFERE WITH PROPOSED FEATURES.
14. TREES SHALL BE STAKED AS NECESSARY TO PREVENT LEANING OR FALLING OVER.
15. TREES SHALL BE AT LEAST (5) FIVE FEET FROM ANY PUBLIC UTILITY MAIN LINES. WHERE THERE IS POTENTIAL UTILITY CONFLICTS DUE TO THIS PLAN, UTILITY LOCATIONS SHALL BE FIELD VERIFIED.
16. ALL DISTURBED AREAS OUTSIDE OF LANDSCAPE BEDS AND ISLANDS SHOWN ON THIS PLAN TO BE SODDED WITH BERMUDA OR FESCUE SOD.
17. LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC. SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS.

NOTES:

1. TREES SHALL BE 2" CALIPER MINIMUM.
2. THE HOLE FOR THE TREE SHALL BE EXCAVATED 2-3 TIMES THE SIZE OF THE ROOT BALL.
3. STAKE ONLY IF NECESSARY AND AS DIRECTED BY THE PROJECT MANAGER.
4. REMOVE ANY TWINE, ROPE, FLAGGING, WRAPPING, OR GUARDS FROM TREE.
5. PRUNE ONLY DEAD OR BROKEN BRANCHES OR DOUBLE LEADERS AT TIME OF PLANTING.
6. ROOTBALL - ROOT COLLAR SHALL BE VISIBLE. REMOVE EXCESS SOIL FROM TOP OF BALL IF NEEDED. SET TOP OF BALL 1" TO 2" ABOVE FINISHED GRADE TO ALLOW FOR SETTLING. AFTER SETTING BALL IN PLANTING HOLE, CUT AWAY OR REMOVE THE ENTIRE WIRE BASKET. CUT AWAY OR REMOVE THE OR TWINE FROM BALL. CUT AWAY OR REMOVE BURLAP. IF ROOTBALL BEGINS FALLING APART DURING INSTALLATION OR WHILE REMOVING THE WIRE BASKET, PEEL THE WIRE AND/OR BURLAP BACK TO THE BOTTOM OF THE PLANTING HOLE AND REMOVE ANY PEELLED BACK MATERIAL.



SHRUB PLANTING DETAIL
NOT TO SCALE



TREE PLANTING DETAIL
NOT TO SCALE

ELEVATION LEGEND

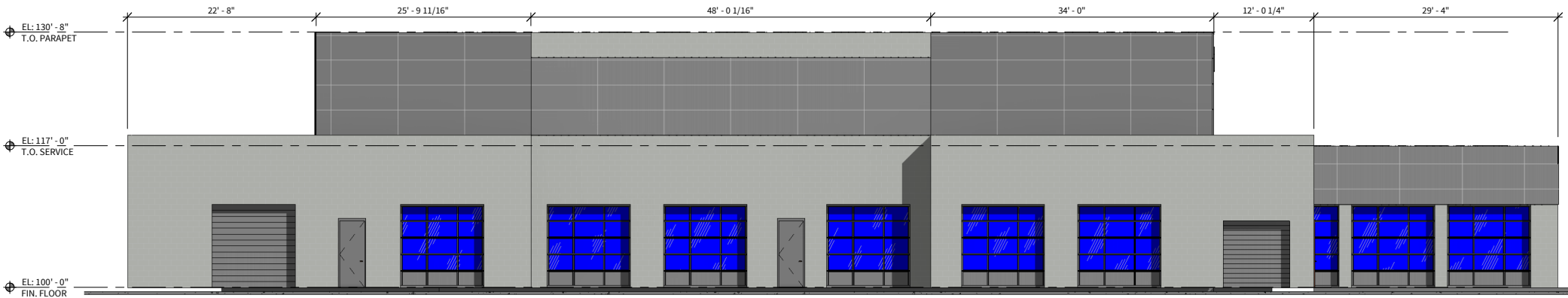
	SPLIT FACE CONCRETE MASONRY UNIT		ALUMINUM COMPOSITE METAL (ACM) PANELS
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MATERIAL CALCULATIONS

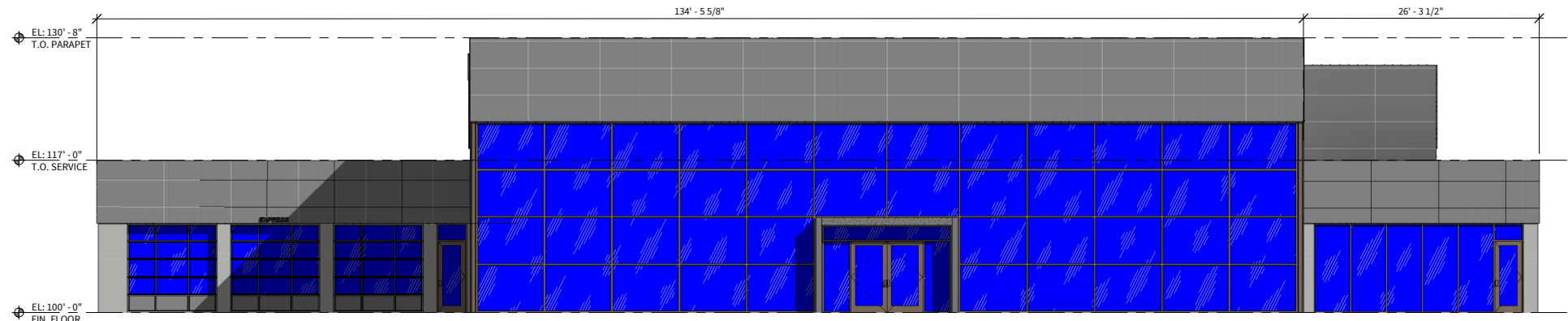
NORTH FACADE: GLASS = 20% ACM PANEL = 32% CMU = 43% METAL = 5%	SOUTH FACADE: GLASS = 59% ACM PANEL = 36% CMU = 5% METAL = 0%
--	---

EAST FACADE: GLASS = 10% ACM PANEL = 26% CMU = 59% METAL = 6%	WEST FACADE: GLASS = 17% ACM PANEL = 30% CMU = 49% METAL = 4%
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TOTAL BUILDING
MATERIAL CALCULATION:
GLASS = 24%
ACM PANEL = 30%
CMU = 42%
METAL = 4%



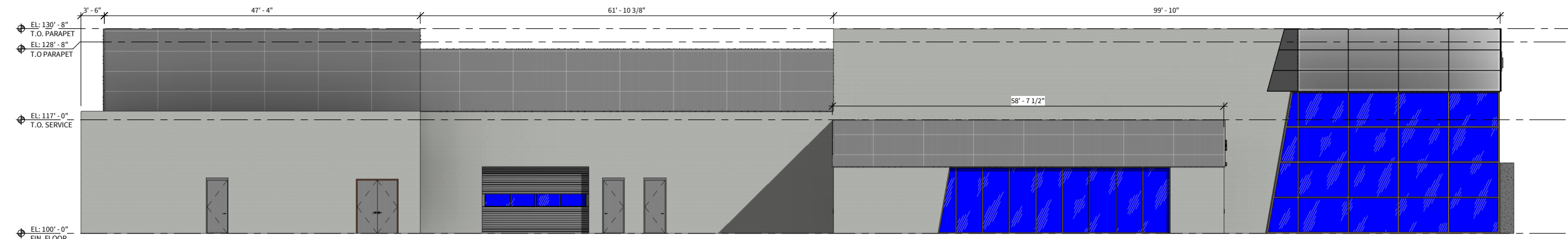
④ NORTH ELEVATION
SCALE: 1/8" = 1'-0"



③ SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



② EAST ELEVATION
SCALE: 1/8" = 1'-0"



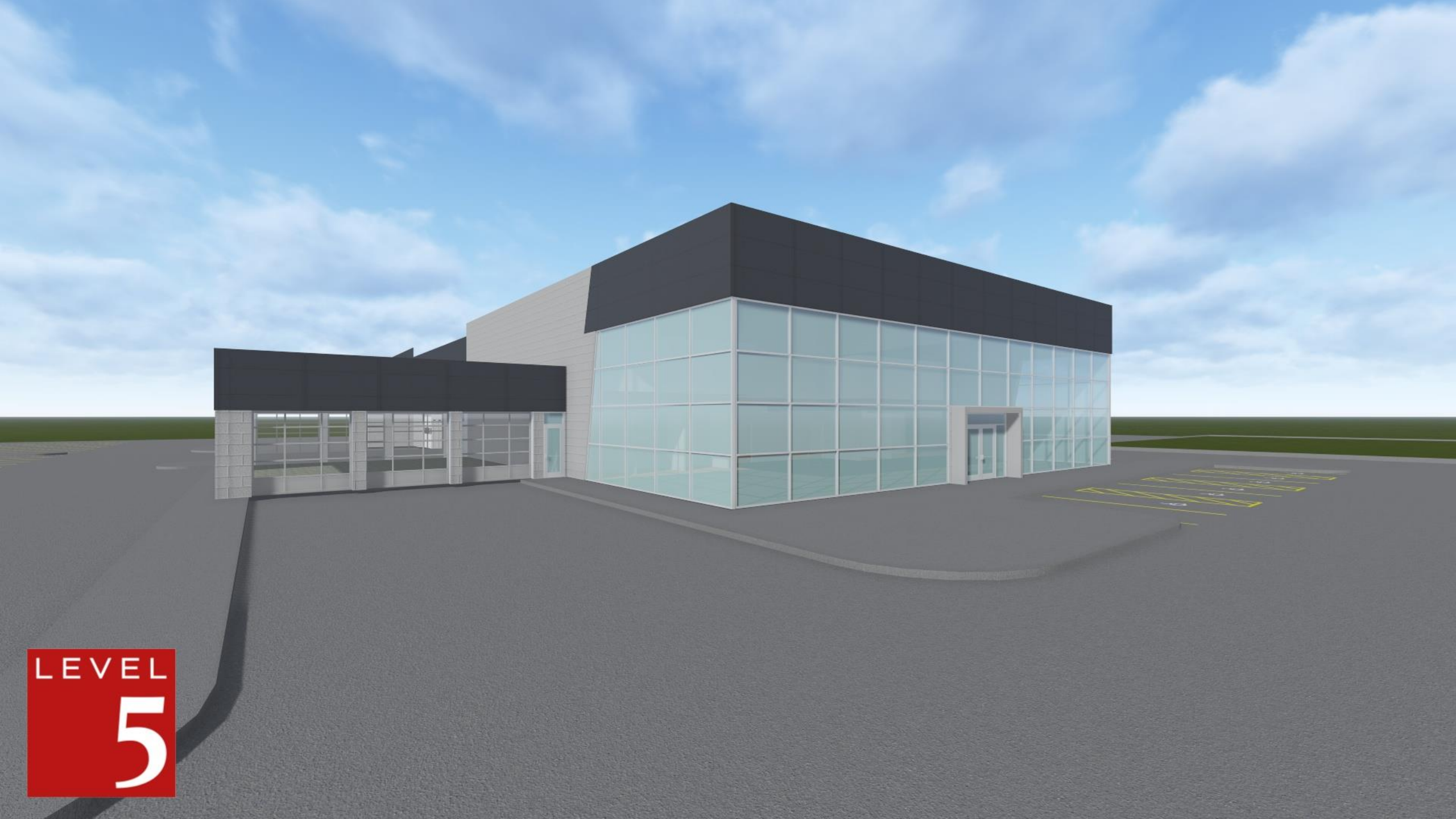
① WEST ELEVATION
SCALE: 1/8" = 1'-0"



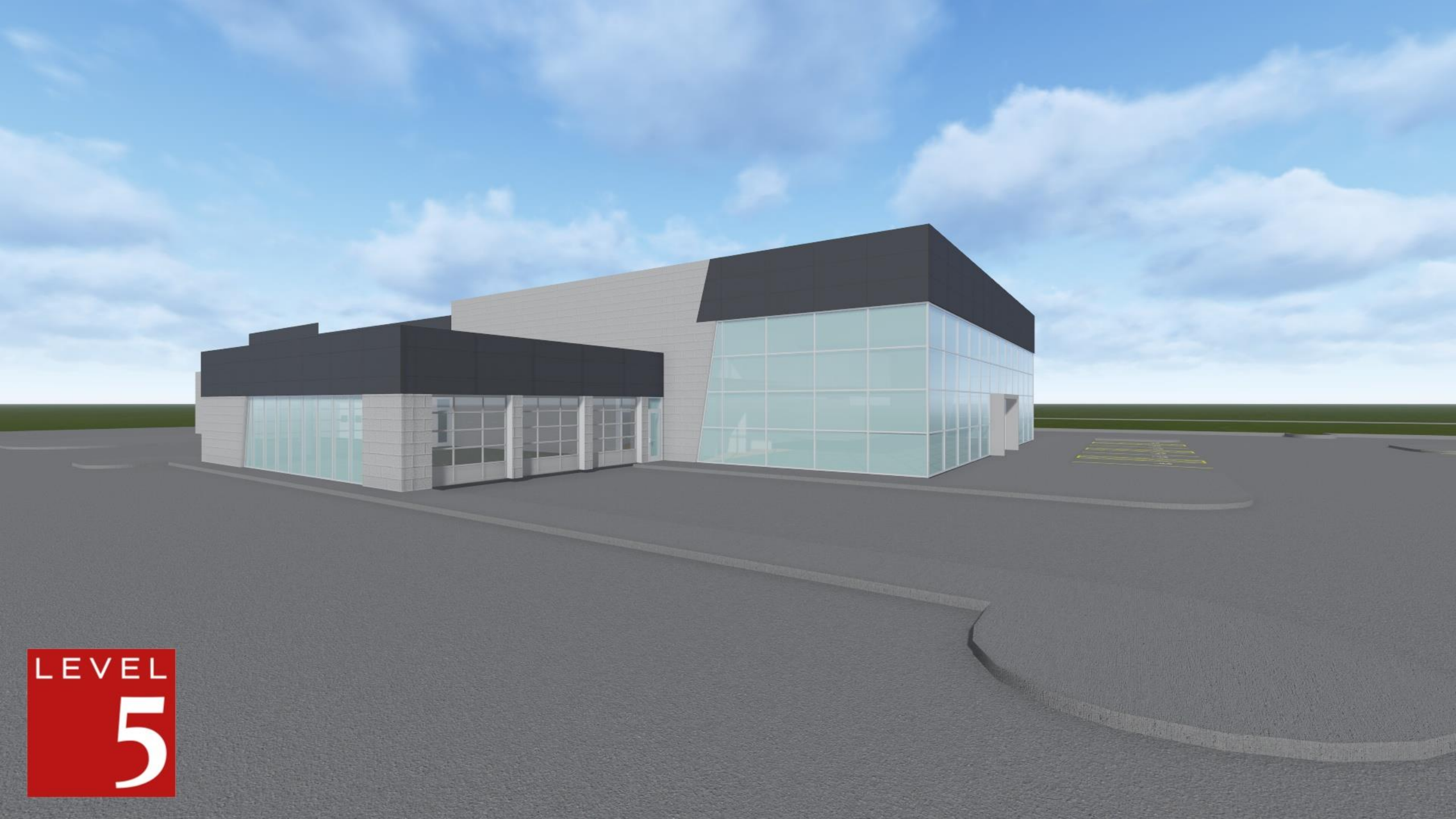
Level 5 Architecture
Mansfield, TX | Springdale, AR
level5architecture.com

THESE DOCUMENTS ARE
FOR REVIEW ONLY AND
ARE NOT INTENDED FOR
BIDDING, PERMITTING OR
CONSTRUCTION PURPOSES

ARCHITECT:
JUSTIN S. GILMORE
LEVEL 5 ARCHITECTURE



LEVEL
5



LEVEL
5



LEVEL
5



LEVEL
5

LARGE-SCALE DEVELOPMENT STAFF REPORT



JB Townhomes

823, 825, 837 and 839 NW 14th Street

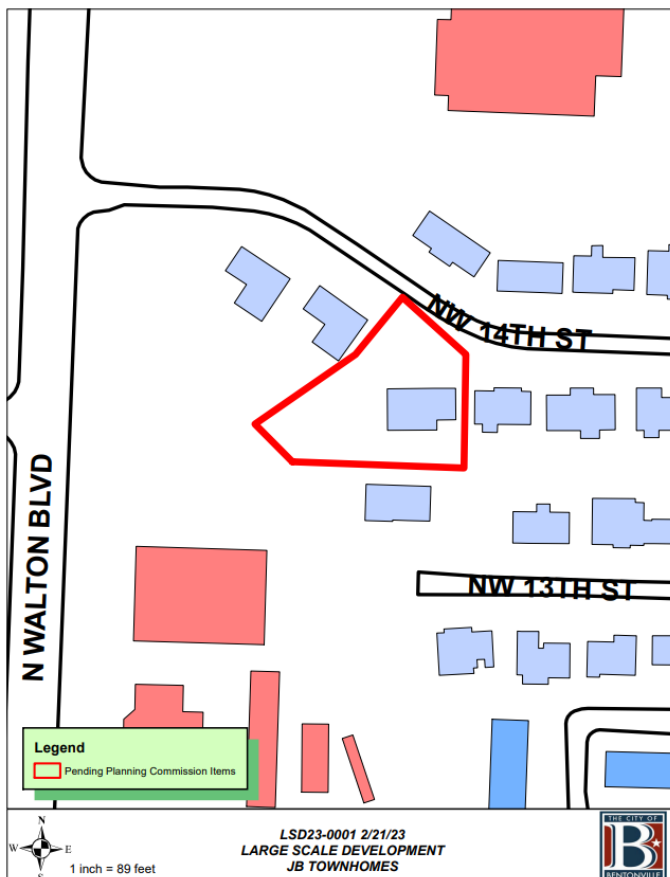
PC Date: 3/7/2023

Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	LSD23-0001
Applicant / Current Owner	Haney Enterprises, LLC
Site Area	+/- 0.59 acres
Current Zoning	R-2, Medium Density Two Family and Townhome Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Development Type / Use	Townhomes
Related Project(s)	RZ22-0034

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

Location Map



Property Description

This property is located at 4 823, 825, 837 and 839 NW 14th Street. It is currently zoned R-2, Medium Density

Two Family and Townhome Residential with a Future Land Use Classification of Low-Density Residential. This property presently a vacant lot.

Project Details

This project is a large-scale development that consists of a two-story single structure containing 4 attached townhome units. Each unit is self-sufficient and able to be sold fee simple or independent of each other. Each unit has a footprint of approximately 61' x 88' and 5,340 Square feet. Each town home unit is rear loaded by a 2-car garage.

One curb-cut is proposed along NW 14th Street., which complies with all access management standards.

The proposal provides sidewalk improvements and new landscaping per the requirements of the Land Development Code. The project complies with the Master Street Plan. The primary materials are brick, and James Hardie Board.

Projected Traffic Impact

While the proposed development will be a similar use to what is currently on the property the traffic patterns should remain similar and any increase in the traffic volume should be negligible.

Waivers

Two waivers are requested:

- A waiver from Section 1100.21(e) – Building Material. The applicant is requesting a waiver to provide one primary material over 25% and to allow James Hardie board as a primary material.
- A waiver from the Stormwater Management and Drainage Manual of 2008, Section 5.4.11 Easements. The applicant request to place the drainage pipe and outfall structure for this project in a Drainage Easement and not a separate lot as required by the manual.

Conclusion

The proposed large-scale development does not meet the minimum requirements of the Land Development Code due to the requested waivers. The proposal does satisfy the goal of the Bentonville Community Plan to infill development where infrastructure already exists.

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

N WALTON BLVD

NW 14TH ST

NW 13TH ST

Legend

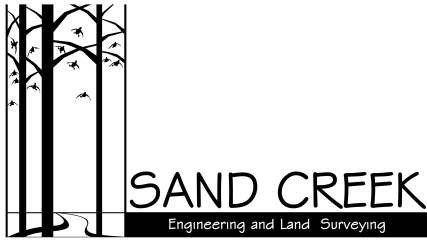
Pending Planning Commission Items



1 inch = 89 feet

LSD23-0001 2/21/23
LARGE SCALE DEVELOPMENT
JB TOWNHOMES





Feb. 13, 2023

Project: 22019

Reference: LSD23-0001 JB Townhomes –
Stormwater Management and Drainage Manual of 2008

Planning,

Based on the following issues on the above listed site, Sand Creek Engineering, on behalf of the developer, request a waiver of the requirement in Section 5.4.11 EASEMENTS of the above mention Drainage Manual, for the detention pipe and outfall structure, proposed on this site, to be placed within an easement and not on a separate lot. The basin ownership and maintenance will be the 4 lots proposed for Phase 1 all to the east of the drive and detention pipe. Please consider the following

- The detention for this site is being provided by an underground pipe rather than an open basin, so no open ground maintenance will be necessary.
- The underground pipe is situated under the shared drive that serves all four of the units on Phase 1 and said drive is intended to be shared with the units planned for Phase 2. This detention pipe will not be shared with phase 2 as elevations do not allow.
- Providing a separate lot for the detention area would create setback issues with both Phases 1 and 2 of this project.

A waiver is hereby requested to allow this sharing situation without a separate “detention lot” with the stipulation that a shared drive and detention easement maintenance agreement be filed and added to the plat subdividing the property into individual lots prior to the submittal of the plat for Planning Commission approval detailing the continual sharing and maintenance of both the driveway and the detention structure.

Please add this request to the LSD submittal to be considered for this project.

Respectfully Submitted,

A handwritten signature in blue ink that reads 'Ken Booth'.

Ken Booth

Project Manager

kbooth@sandcreek.us

January 25, 2023

14TH STREET JB TOWNHOUSES

Dear City of Bentonville,

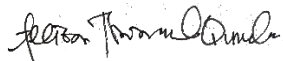
RE: Material Waiver Request

On behalf of our client for the 14th St JB Townhouses project, Flintlock Ltd Co is submitting this waiver request as part of the Large Scale Development Submittal. This request is for a substitution of the second primary material per Article 1100.21 Large Scale Development Design Standards.

1. To provide a warmer, more residential feel to the single family attached townhouse units, we request use of painted cementitious board and batten siding as the second primary material at the top of the building on all four facades.
2. Providing this second primary material in architectural metal panel would provide a more contemporary, colder feeling without significantly improving the overall visual quality, in our opinion.
3. If this waiver is granted, the percentages of materials is otherwise in line with the code's requirements.

We believe, and hope that you'll agree, that this substitution meets the intent of the code to provide high quality housing with pedestrian safety and walkability.

Respectfully,
FLINTLOCK LTD CO

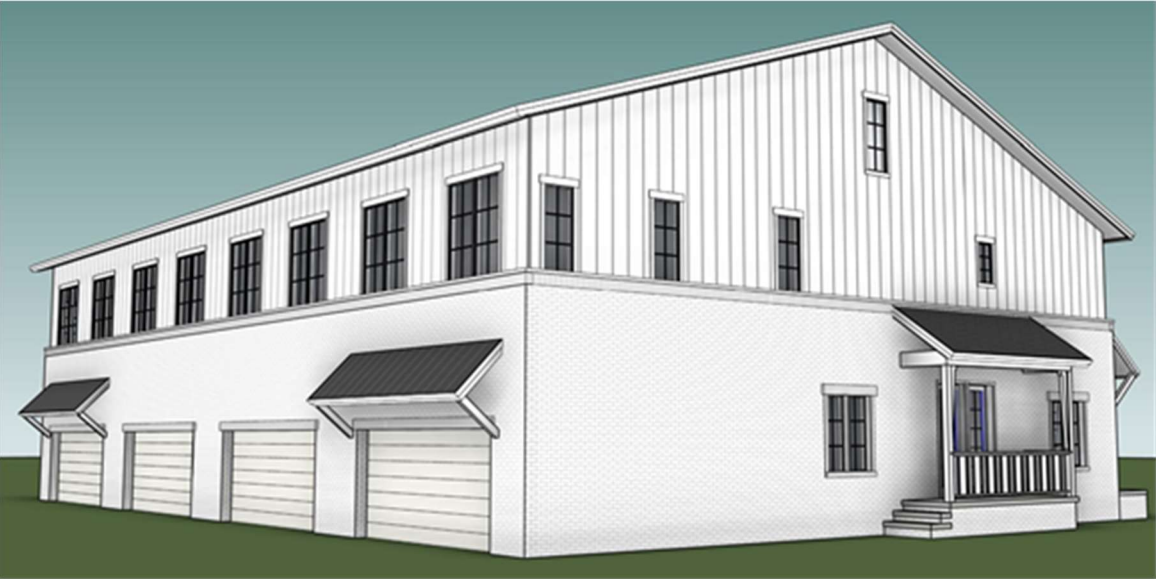


Allison Thurmond Quinlan
AIA RLA LEED AP
Principal Architect

LSD23-001 JB Townhomes



Front & West



Rear & East



West



East

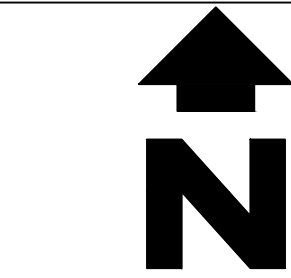
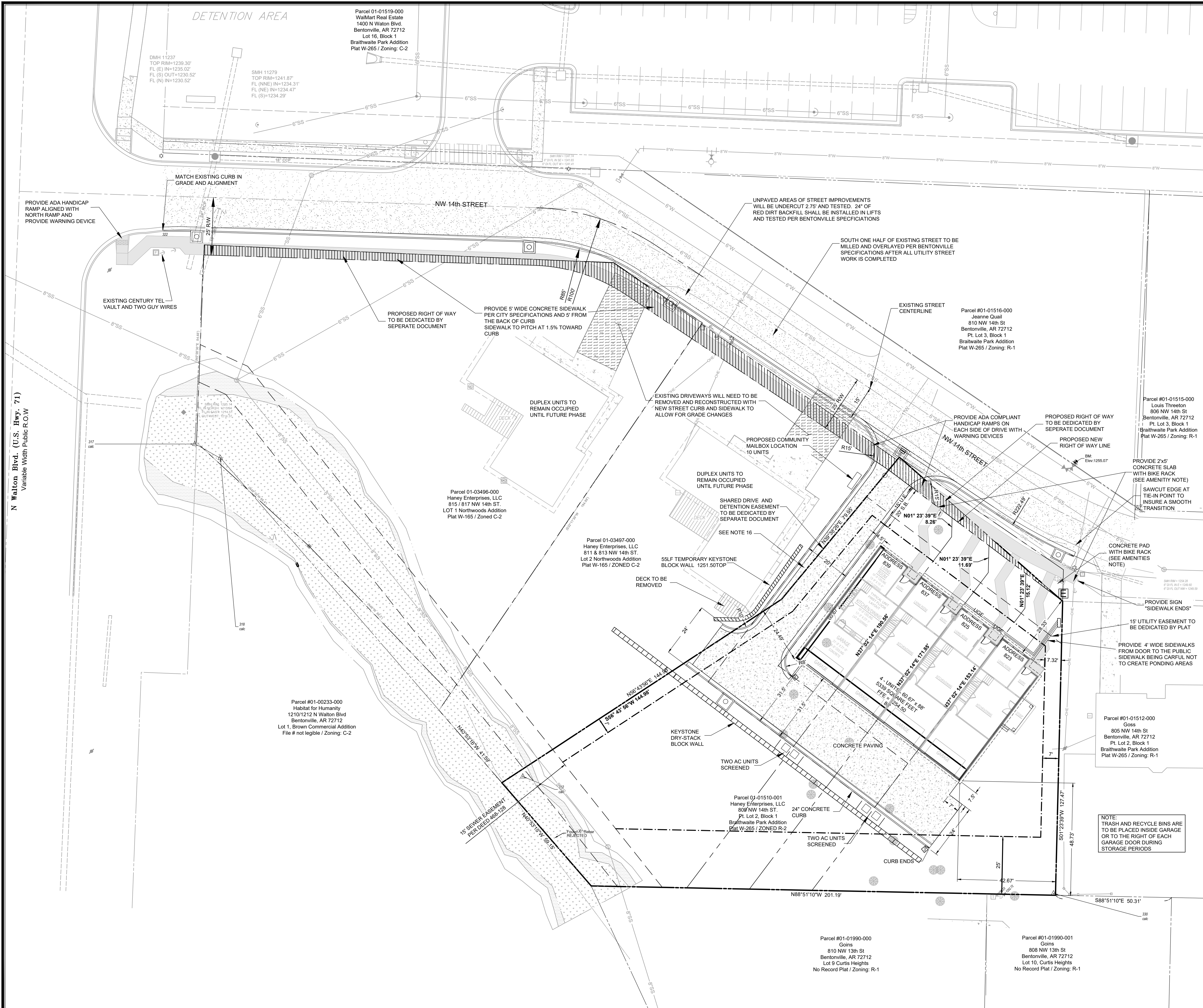


Front- North



Rear - South

X:\22 Proj\22019\Drawings\Project\Rev-0\2019-Master.dwg - Plotted on 2/13/2023 6:41 AM @ a scale of 1:1 to DWG TO PDF PC3 by KB00TH



SCALE: 1" = 20'

ZONING - R-2 RESIDENTIAL	BUILDING AREA - 5390 SF (EXTERIOR)
SETBACKS (NOT SHOWN) - FRONT 20'	PARKING
REAR - 25'	2 GARAGE SPACES FOR EACH UNIT -
SIDE INTERIOR - 7'	8 SPACES PROPOSED
SIDE EXTERIOR - 20'	
USE:	
TOWNHOME RESIDENTIAL	

EXISTING LEGEND

	MONUMENT SET (AS NOTED)
	MONUMENT FOUND (AS NOTED)
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	DRAINAGE MANHOLE
	TV RISER
	TELEPHONE RISER
	LIGHT POLE
	SIGN
	UTILITY POLE
	GAS LINE SIGN
	FIBER OPTIC SIGN
	PROPERTY LINES
	ADJOINING PROPERTY LINE
	BUILDING SETBACK LINE
	EXISTING EASEMENT LINE
	EASEMENT TO BE DEDICATED BY PLAT
	WATER LINE
	STREET CENTERLINE
	EXISTING CONCRETE

PROPOSED LEGEND

	CONCRETE CURB & GUTTER
	CONCRETE PAVING
	CONCRETE SIDEWALK

SITE NOTES:

- ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT OR BACK OF CURB UNLESS NOTED OTHERWISE
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF SLOPED PAVING, PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- CURB ENDS, TRANSITION FROM 6" TO 0" IN TWO FEET.
- RADI, NOTED ON THE PLAN IS TO BACK OF CURB OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
- BUILDING CORNERS ARE DIMENSIONED PERPENDICULAR TO ADJACENT PROPERTY LINES.
- CONTRACTOR SHALL COORDINATE WITH OWNER OR ARCHITECT FOR ANY LIGHTING FIXTURES, LOCATIONS, AND CONDUITS. CONDUITS MUST BE PLACED PRIOR TO PAVING AND CURB WORK ALL EXTERIOR LIGHTING MUST BE CUT-OFF OR B-U-G FIXTURES.
- ALL NECESSARY INSPECTION APPROVALS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR AUTHORITIES SHALL BE COMPLETED PRIOR TO BUILDING POSSESSION AND THE FINAL CERTIFICATION OF SERVICES.
- ALL CURBS SHALL BE CONCRETE CURB & GUTTER UNLESS NOTED OTHERWISE. SEE DETAIL SHEET.
- TIE PROPOSED CURB TO EXISTING CURB. TRANSITION TO MATCH IN GRADE AND ALIGNMENT IN TEN FEET.
- ANY PROPOSED SIGNS REQUIRE A SEPARATE PERMIT.
- ALL MECHANICAL EQUIPMENT, (ROOF OR GROUND MOUNTED) MUST BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
- NO FENCING IS PROPOSED. ANY FENCE WILL REQUIRE A SEPARATE PERMIT.
- REFER TO ARCHITECTURAL PLANS FOR FOOTING DESIGN AND STRUCTURE DIMENSIONS.
- SHARED ACCESS AND DETENTION EASEMENT TO BE DEDICATED BY SEPARATE DOCUMENT.

EXTERIOR LIGHTING

ALL LIGHTING, WHETHER GROUND OR BUILDING MOUNTED, MUST BE CUT-OFF OR B-U-G, HAVE A LUMEN RATING OF 0 AND BE APPROVED BY THE PLANNING DEPARTMENT. PROVIDE PROPOSED LIGHTING SPECIFICATION TO PLANNING PRIOR TO INSTALLATION.

AMENITIES

(2) BIKE RACKS - DERO SWERVE (BLACK) OR APPROVED EQUAL

NOTE

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

CAUTION - NOTICE TO CONTRACTOR:

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

DEVELOPER:

HANEY ENTERPRISES, LLC
P.O. BOX 415
Bentonville, AR 72712
479-273-1668
johnnyhaney@gmail.com

Engineer and Land Surveyor:

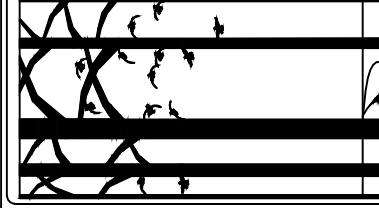
Sand Creek Engineering
1610 NW 12th Street
Bentonville, AR 72712
(479) 464-9282

SITE PLAN

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

SAND CREEK
ENGINEERING AND LAND SURVEYING
Bentonville, Arkansas (479) 464-9282



MANAGER: Ken Booth

DESIGNED BY: KB

DRAWN BY: KB

CHECKED BY: TRS

SCE PROJECT #: 22019_Master

CURRENT REVISION: 2nd Sub

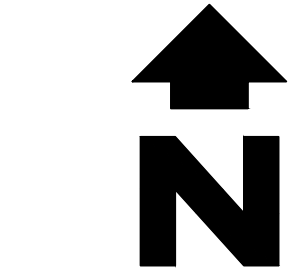
DATE: 2/13/2023

SHEET: 4 of 10

CONTRACTOR BE AWARE, TREES MUST BE 5' OR MORE FROM ANY WATER, SEWER, OR ELECTRIC LINES WHETHER MAIN LINES OR SERVICE LINES

NOTICE:

- SEVERAL TREES EXIST ON THIS SITE. THE SLOPE IS WOODED
- NO TREES SHALL BE PLANTED NEARER THAN 5' TO A PUBLIC WATER, SEWER OR ELECTRIC LINE
- NO PLANTINGS BETWEEN 2' AND 9' IN HEIGHT TO BE PLANTED EITHER SIDE OF THE DRIVEWAY.
- ONCE INSTALLED, LANDSCAPING SHALL BE MAINTAINED IN HEALTHY LIVING CONDITION AND ALL PLANT MATERIAL THAT DIES SHALL BE REPLACED. (SEC 1400.5.C-10)
- TREES SHALL NOT BE TOPPED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-11)
- HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF THE ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5.C-12)
- LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY ENCOURAGED. (SEC 1400.6.A-8 & 1400.8.G-7)
- WHERE POTENTIAL UTILITY CONFLICTS WITH LANDSCAPING, UTILITY LOCATIONS SHALL BE FIELD VERIFIED.
- LANDSCAPE IRRIGATION WILL BE DESIGNED AND INSTALLED BY OTHERS IN CONJUNCTION WITH THE LANDSCAPE INSTALLATION.



SCALE: 1" = 20'

LANDSCAPE NOTES:

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

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

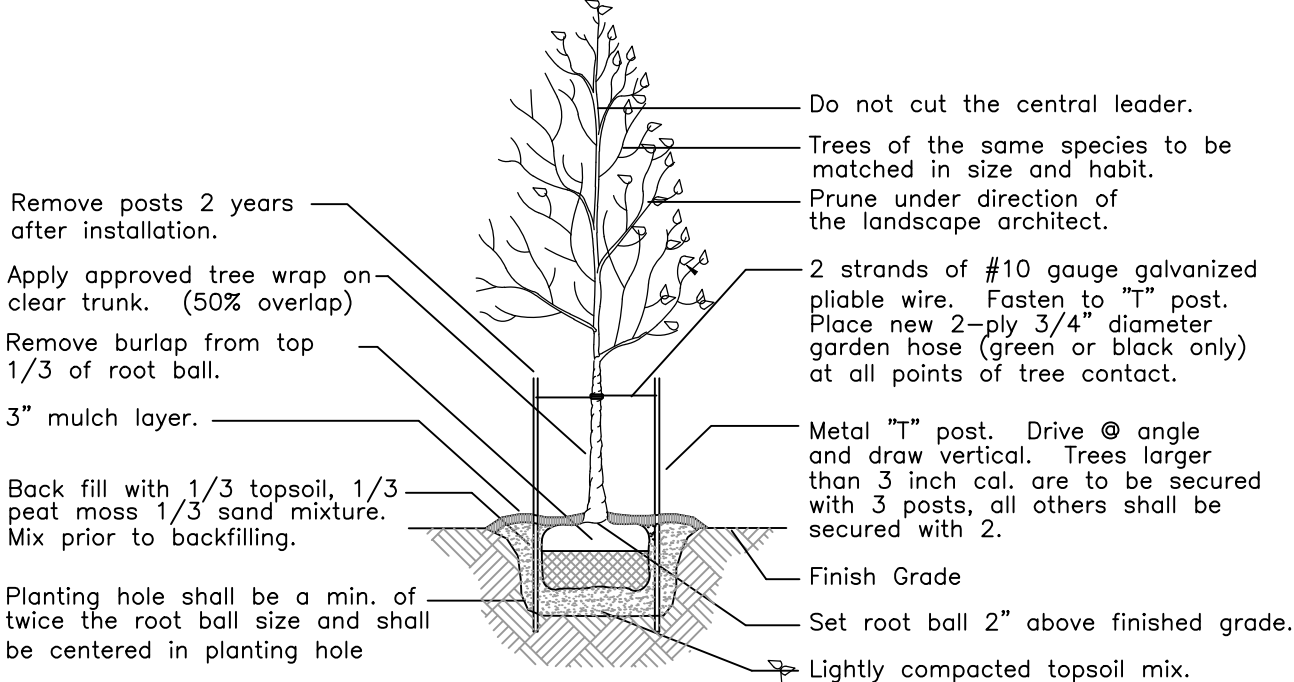
TREE REQUIREMENTS

Street Frontage - 94'
One tree per 20' of frontage - 5 Trees Required
Exterior requirements - One tree per 50'
West Side - 225' x 50' = 5 Trees Required
East Side - 260' x 50' = 5 Trees Required
Rear - 127.5' x 50' = 3 Trees Required
TOTAL TREES REQUIRED = 21
TREES PROPOSED = 21

PLANT MATERIAL SCHEDULE

Quantity	Symbol	Abv	Common Name	Scientific Name	Planting Size (min)	Mature Height
8	RP	RP	Regal Prince Oak	Quercus x Warel "long"	2.5" Caliper B&B	50ft (Shade)
4	TM	TM	Chinese Pistache	Pinachia Chinensis	2.0" Caliper B&B	30 ft (Shade)
9	NA	NA	Nigra Arborvitae	Thuja occidentalis "Nigra"	1.5" Caliper B&B (10' tall)	30 ft (Evergreen)

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



WATER THOROUGHLY, IMMEDIATELY AFTER INSTALLATION

TREE PLANTING

NTS

LANDSCAPE PLAN

JB TOWNHOMES
809 N.W. 14th STREET
BENTONVILLE, AR

SHEET:

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

SAND CREEK
ENGINEERS AND LANDSCAPE ARCHITECTS
BENTONVILLE, ARKANSAS (479) 462-3262



MANAGER: Ken Booth

DESIGNED BY: KB

DRAWN BY: KB

CHECKED BY: TRS

SCE PROJECT #: 22019_Master

CURRENT REVISION: 2nd Sub

DATE: 2/13/2023

SHEET: 8 of 10

LARGE-SCALE DEVELOPMENT STAFF REPORT



GI Alliance Bentonville

3700 Southeast Dodson Road

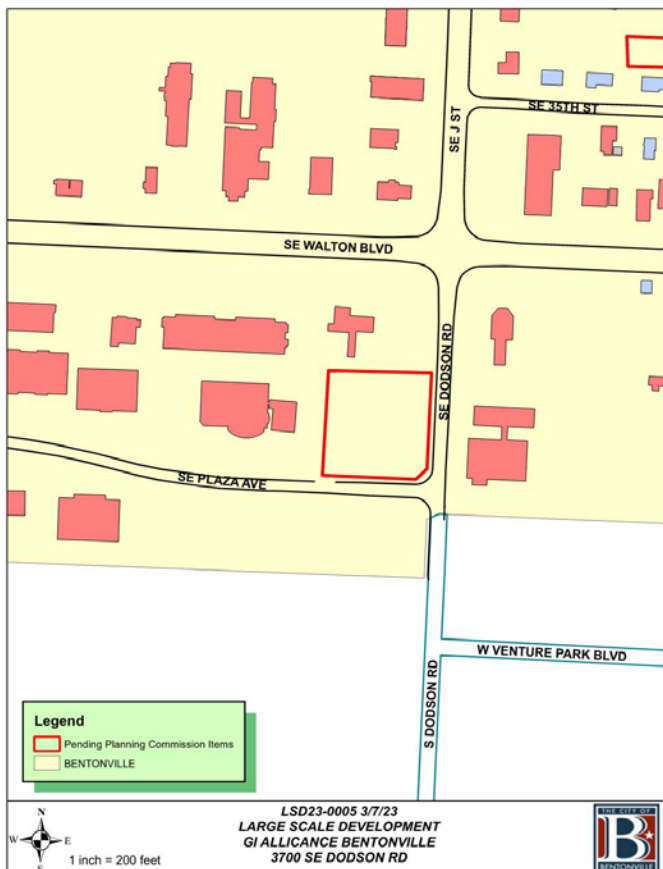
PC Date: 3/7/2023

Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	LSD23-0005
Applicant / Current Owner	Chad Caletka/Southern Pioneer Property & Casualty Insurance Co
Site Area	+/- 1.55 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	General Commercial (C)
Development Type / Use	Medical Office
Related Project(s)	None

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

Location Map



Property Description

This property is located at the Northwest Corner of Southeast Dodson Road and Southeast Plaza Avenue. It is currently zoned C-2, General Commercial with a Future Land Use Classification of General Commercial. This property presently is vacant.

Project Details

This project is a large-scale development that consists of a single structure that will serve as the GI Alliance Bentonville medical office. The proposed structure will be approximately 14,780 square feet, providing office and procedure areas. It is also shown to be almost 24 feet tall at its highest point. The project will provide 54 parking spaces, one more than required. 2 means of access are proposed – one shared drive along Southeast Dodson Road and one shared drive off of Southeast Plaza Avenue.

The proposal provides sidewalk improvements and new landscaping per the requirements of the Land Development Code, however one waiver is associated with the location of trees along Dodson Road given complex utility locations. The project complies with the Master Street Plan, and the Master Trails Plan requirements, although one waiver is associated with the required half-street improvement. The primary materials are brick and stone, as well as glass as an additional material, and metal as a trim material.

Projected Traffic Impact

While the proposed development will constitute an increase in intensity from the current vacant property, the traffic impact will likely be minimal. Adequate access and connectivity to existing sidewalk infrastructure should mitigate some effects of additional traffic.

Waivers

Two waivers are requested:

- A waiver from Section 1100.16(a) – Street Standards. The applicant is requesting a waiver from constructing the Master Street Plan cross section for the half-street improvements to Dodson Road.
- A waiver from Section 1400.06(a) – Street Frontage Buffer Landscaping. The applicant is requesting to place required trees in alternate locations on site due to buried stormwater infrastructure.

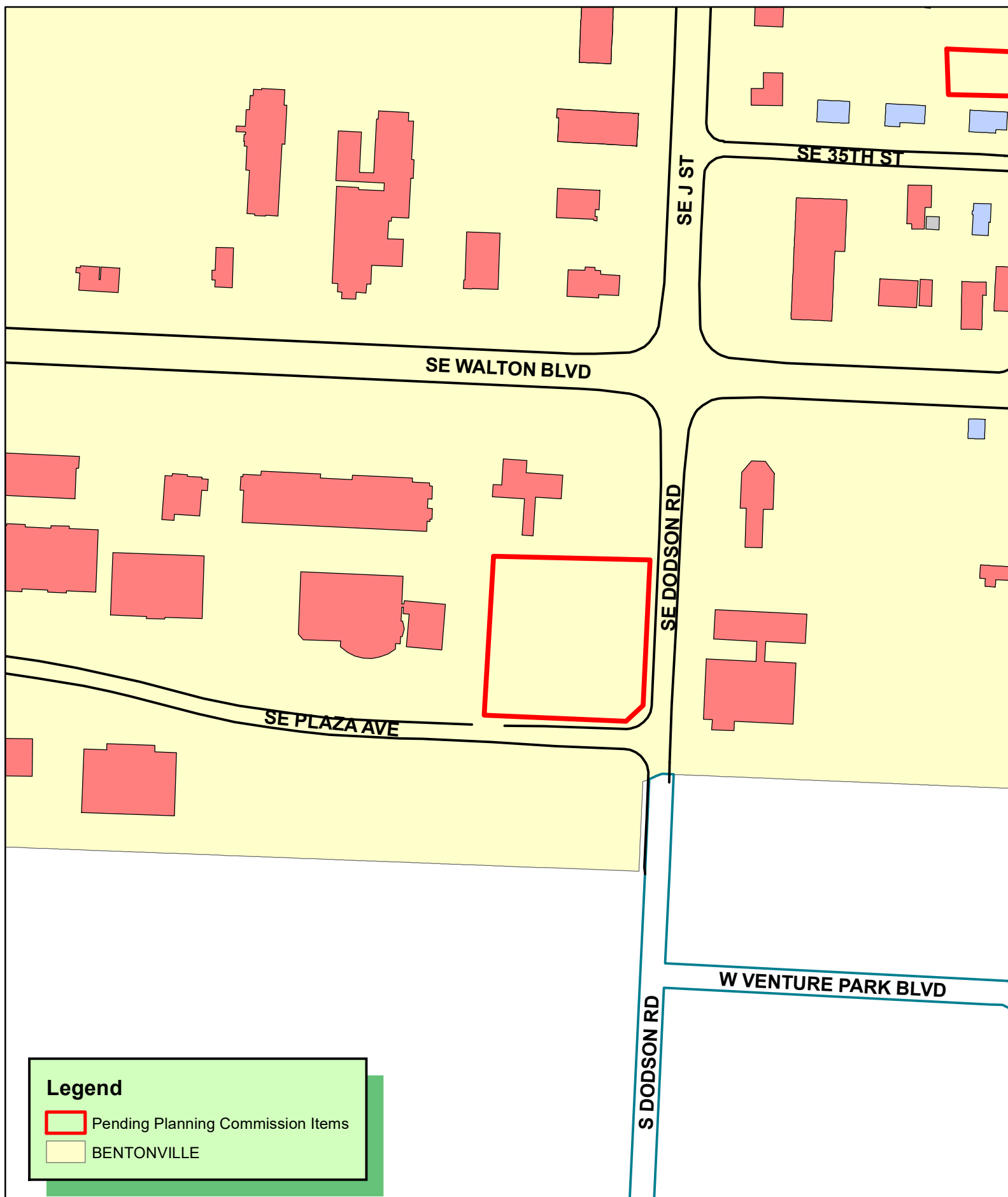
Conclusion

The proposed large-scale development does not meet the minimum requirements of the Land Development Code due to the requested waivers. The proposal does satisfy the goal of the Bentonville Community Plan to infill development where infrastructure already exists.

LARGE-SCALE DEVELOPMENT STAFF REPORT

Engineering staff have communicated that at this time, they do not recommend approval of the first waiver from constructing the half-street improvement.

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



SE WALTON BLVD

SE 35TH ST

SE J ST

SE DODSON RD

SE PLAZA AVE

W VENTURE PARK BLVD

S DODSON RD

Legend

-  Pending Planning Commission Items
-  BENTONVILLE



LSD23-0005 3/7/23
LARGE SCALE DEVELOPMENT
GI ALLICANCE BENTONVILLE
3700 SE DODSON RD





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

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

February 27, 2023
City of Bentonville
Planning Commission
305 SW A St.
Bentonville, AR 72712

RE: GI Alliance – Large Scale Development Waiver Requests
CEI Project No. 32763
COB Project LSD23-0005

Bentonville Planning Commission:

On behalf of GI Alliance, CEI is requesting consideration of the waivers below for the proposed medical office facility at the northwest corner of Plaza Ave and SE Dodson Rd, Parcel 01-11447-012.

➤ **Appendix B Land Development Code, Article 1100 Development Standards; Section 1100.16.a Street Standards:**

- a. *Standard street specifications. All streets, alleys, and on-street parking shall be constructed in conformance with the requirements of the city's current adopted Standard Specifications for Streets. Where an alley will be used for access, the alley must be constructed in conformance with currently adopted alley standards.*

The GI Alliance Large Scale Development Drawings show the required 15 feet Right of Way dedication on the west side of S Dodson Rd to provide the proposed 90 feet of Master Street Plan "Arterial Right of Way."

We request a waiver for construction of the master street plan cross section on the west side of Dodson Rd adjacent to the subject property. The Walton Boulevard and J Street Improvements project (See Drawings in this pdf) exclude the construction of right of way improvements on the west side of the street at the subject property – the current limit of work stops at the alley driveway on the north side of the site. In addition, the site is encumbered by (3) 48" Storm lines, a sanitary sewer line, a water line, and franchise utilities, which prohibit the reconstruction of the existing curbline and sidewalk (existing sidewalk meets Master Street Plan and J Street Improvements Drawings). In addition, should roadway widening be required south of SE Plaza Ave, the existing stormwater pond lot would require reconstruction and would need street coordination with the City of Rogers. The costs of relocating the existing utilities and roadway are cost prohibitive to the developer and would require coordination across municipalities.

➤ **Appendix B Land Development Code, Article 1400 Landscaping, Screening, and Buffering; Section 1400.06.a Street Frontage Buffer Landscaping Required:**

- a. Description. The landscaped street frontage buffer is the planting area parallel to and including the public street right-of-way. Street trees shall be planted in the right-of-way. Exceptions may be made where significant utility conflicts exist.*

We request a waiver for the installation of trees in the right of way and street frontage buffer along SE Dodson Rd due to significant utility conflicts. (3) 48" Storm lines, a sanitary sewer line, a water line, and franchise utilities in this frontage prohibit the required street tree planting. We propose relocating the required trees to the west side property line as an alternative, of which the quantities and locations are reflected in the Landscape Plan.

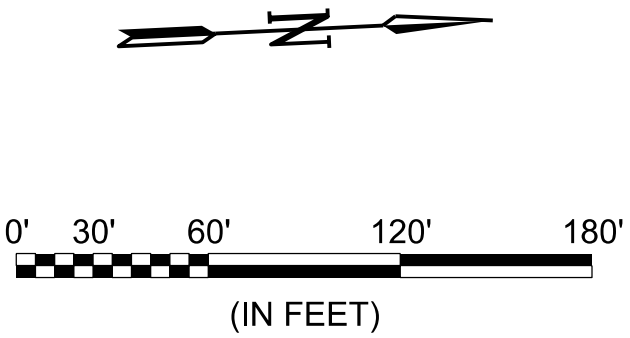
We appreciate your consideration of our request and look forward to discussing any questions you may have. Contact me at your convenience in the office at 479-273-9472, or by email: ccaletka@ceieng.com

Respectfully Requested,
CEI Engineering Associates, Inc.

Chad Caletka
Project Manager – Local Development



SURVEY CONTROL POINTS				
POINT#	NORTHING	EASTING	ELEVATION	DESCRIPTION
13	735987.4770	665007.0620	1276.533	1/2 REBAR WITH GARVER CONTROL CAP
14	735876.3430	665026.5440	1275.688	1/2 REBAR WITH GARVER CONTROL CAP
15	735242.8380	665009.8090	1272.947	1/2 REBAR WITH GARVER CONTROL CAP
16	735889.0300	665143.5490	1275.945	1/2 REBAR WITH GARVER CONTROL CAP
17	735883.6050	665341.4300	1276.933	1/2 REBAR WITH GARVER CONTROL CAP
18	736004.4930	665126.1230	1276.276	1/2 REBAR WITH GARVER CONTROL CAP





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FINAL PLANS
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

BY				
DESCRIPTION				
DATE				
REV.				



CITY OF BENTONVILLE
BENTONVILLE, ARKANSAS

WALTON BOULEVARD
AND J STREET
IMPROVEMENTS

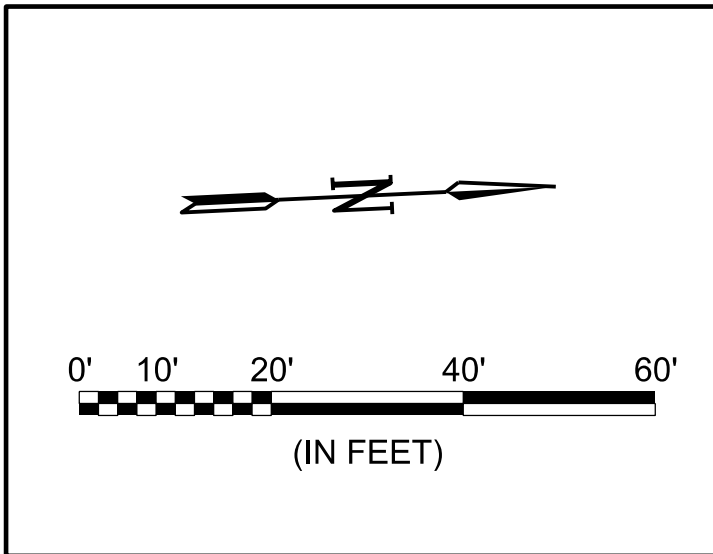
SURVEY CONTROL

JOB NO.: 21T21090
DATE: MAY 2022
DESIGNED BY: ZTM
DRAWN BY: TSA

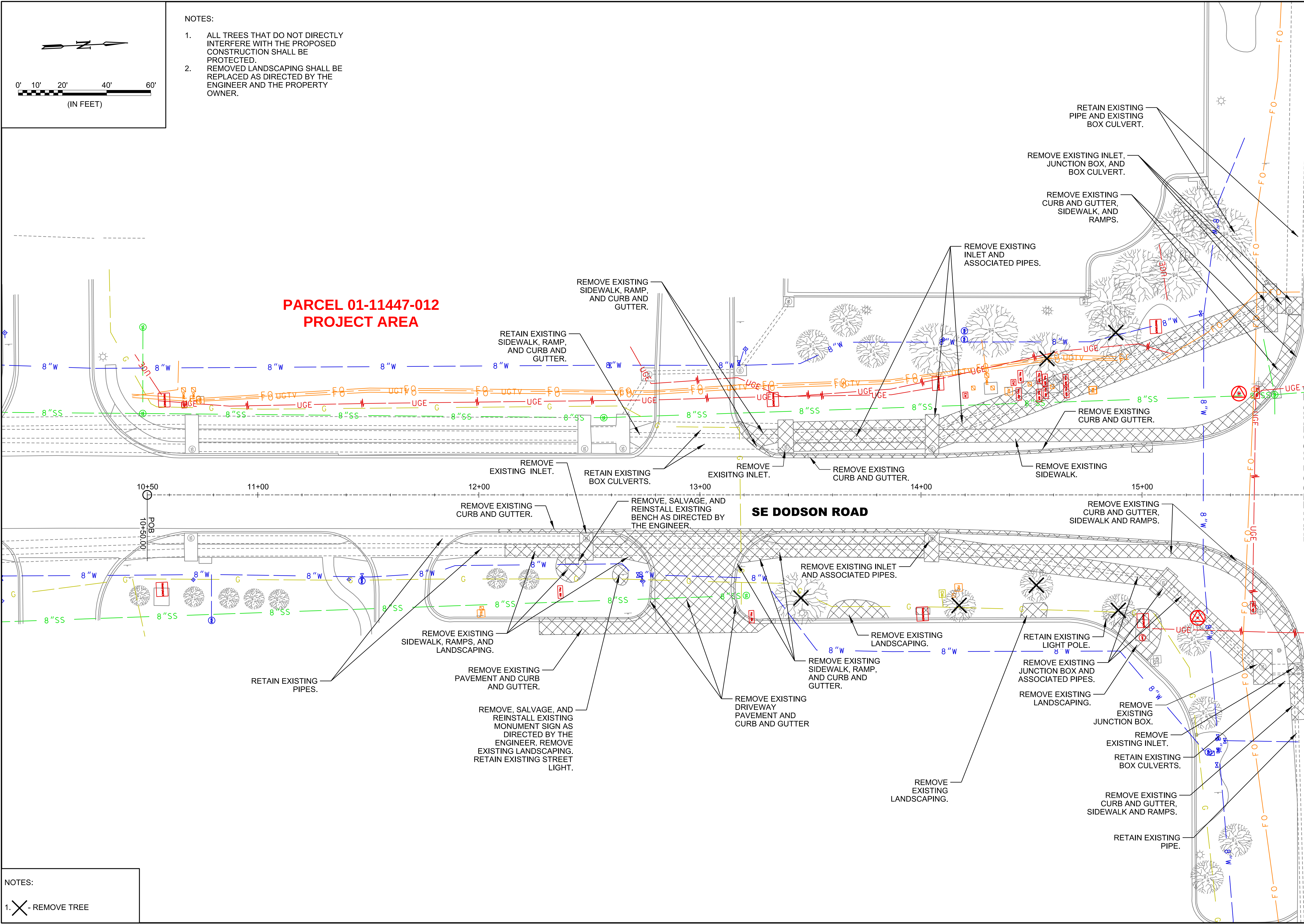
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IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

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WORKSPACE:Garver_2012
L:\Projects\2020 - Bentonville\Wilton Blvd-SE J St Imps\Drawings\WJL_C251_DM.dgn
REVISED DATE:



- NOTES:
1. ALL TREES THAT DO NOT DIRECTLY INTERFERE WITH THE PROPOSED CONSTRUCTION SHALL BE PROTECTED.
 2. REMOVED LANDSCAPING SHALL BE REPLACED AS DIRECTED BY THE ENGINEER AND THE PROPERTY OWNER.



- NOTES:
1. - REMOVE TREE

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FINAL PLANS
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

BY			
DESCRIPTION			
DATE			
REV.			

CITY OF BENTONVILLE
BENTONVILLE, ARKANSAS

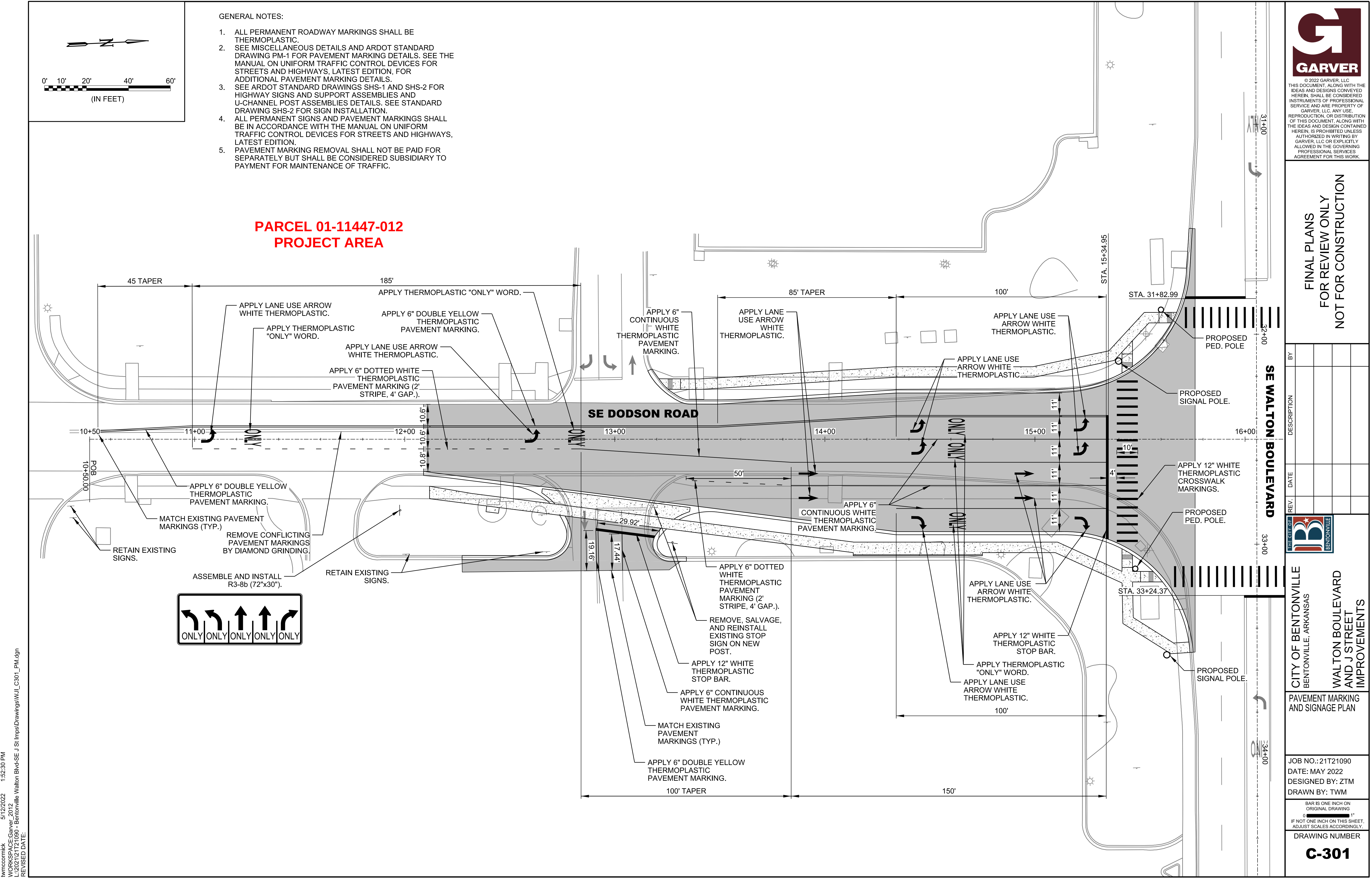
WALTON BOULEVARD
AND J STREET
IMPROVEMENTS

DEMOLITION PLAN

JOB NO.: 21T21090
DATE: MAY 2022
DESIGNED BY: ZTM
DRAWN BY: TWM

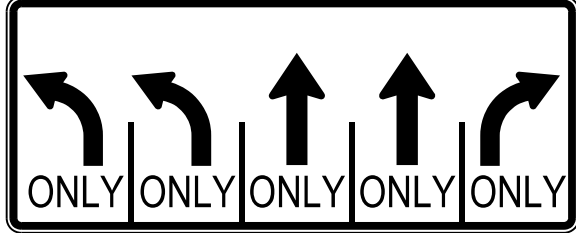
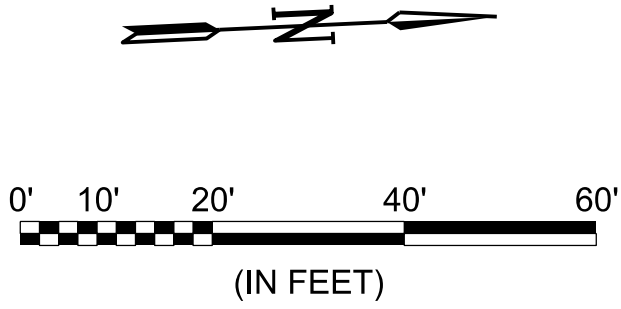
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER
C-251



- GENERAL NOTES:
1. ALL PERMANENT ROADWAY MARKINGS SHALL BE THERMOPLASTIC.
 2. SEE MISCELLANEOUS DETAILS AND ARDOT STANDARD DRAWING PM-1 FOR PAVEMENT MARKING DETAILS. SEE THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, LATEST EDITION, FOR ADDITIONAL PAVEMENT MARKING DETAILS.
 3. SEE ARDOT STANDARD DRAWINGS SHS-1 AND SHS-2 FOR HIGHWAY SIGNS AND SUPPORT ASSEMBLIES AND U-CHANNEL POST ASSEMBLIES DETAILS. SEE STANDARD DRAWING SHS-2 FOR SIGN INSTALLATION.
 4. ALL PERMANENT SIGNS AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, LATEST EDITION.
 5. PAVEMENT MARKING REMOVAL SHALL NOT BE PAID FOR SEPARATELY BUT SHALL BE CONSIDERED SUBSIDIARY TO PAYMENT FOR MAINTENANCE OF TRAFFIC.

PARCEL 01-11447-012
PROJECT AREA



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FINAL PLANS
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

BY	DESCRIPTION	DATE	REV.



CITY OF BENTONVILLE
BENTONVILLE, ARKANSAS
WALTON BOULEVARD
AND J STREET
IMPROVEMENTS

PAVEMENT MARKING
AND SIGNAGE PLAN

JOB NO.: 21T21090
DATE: MAY 2022
DESIGNED BY: ZTM
DRAWN BY: TWM

BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER
C-301

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WORKSPACE: Garver_2012
12121090 - Bentonville Walton Blvd-SE J St Imps Drawings\WJL_C301_PM.dgn
REVISED DATE:

CITY OF BENTONVILLE LANDSCAPE NOTES

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

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

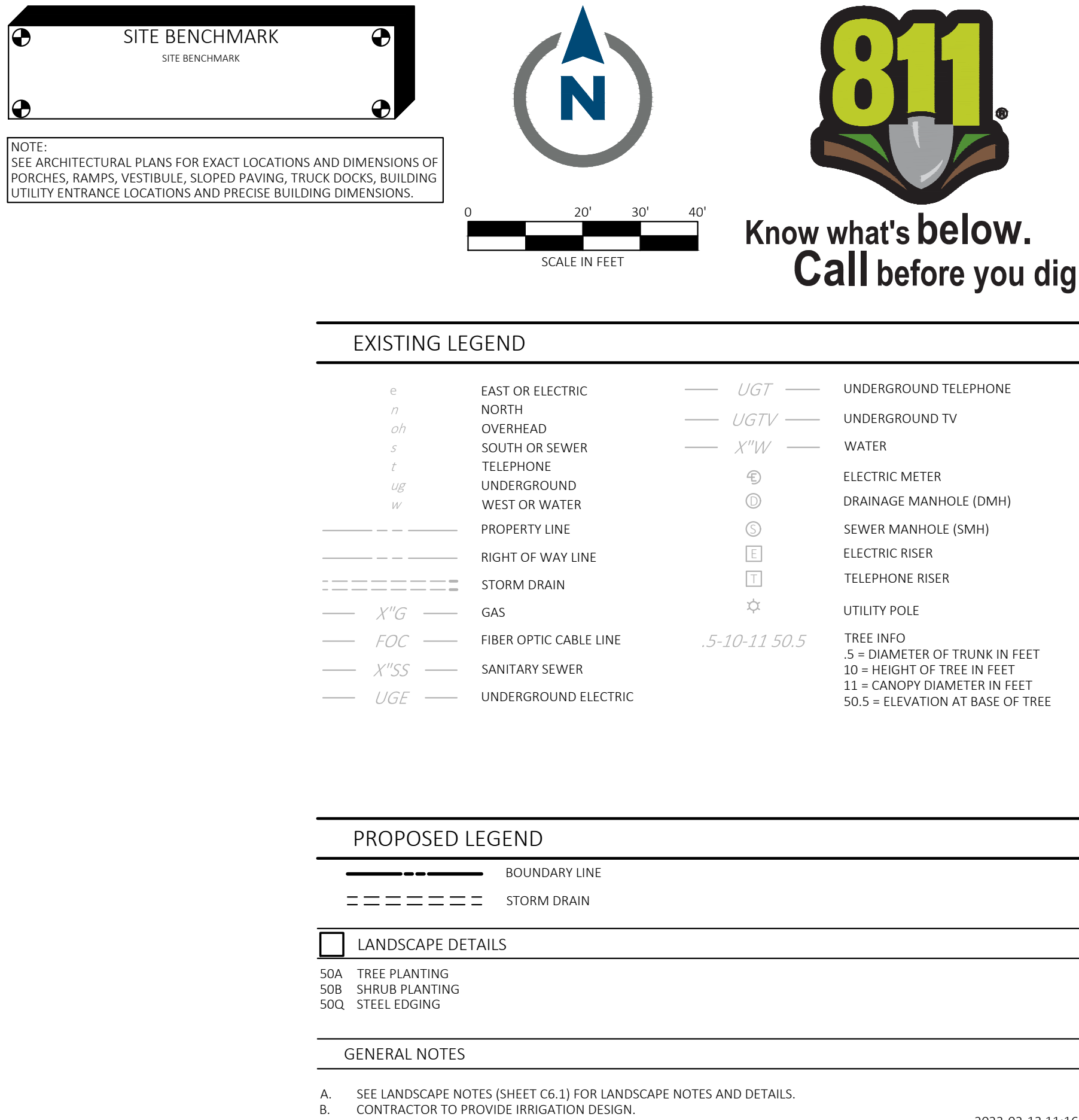
HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME AND PROPER TREE PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE" SHALL BE UTILIZED FOR MAINTENANCE PURPOSES. (SEC 1400.5-C-12)

LIVING MATERIALS, SUCH AS LAWN, GRASS OR HERBACEOUS GROUNDCOVERS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%) OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS IS STRONGLY RECOMMENDED. (SEC 1400.60A-8 & 1400.8-B-7)

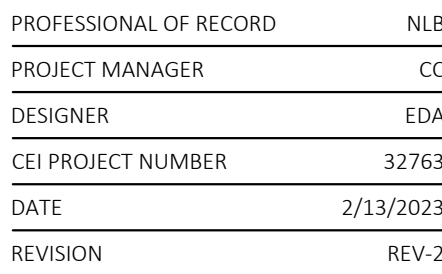
WHERE POTENTIAL UTILITY CONFLICT WITH LANDSCAPING OCCUR, UTILITY LOCATIONS SHALL BE FIELD VERIFIED PRIOR TO LANDSCAPE INSTALLATION.

ALL TREE PLANTINGS SHALL MAINTAIN A MINIMUM OF 5' OF SEPARATION FROM ANY PUBLIC UTILITY.

THERE SHALL BE NO OBSTRUCTIONS BETWEEN 3' AND 8' IN HEIGHT WITHIN THE SIGHT TRIANGLES.



GI ALLIANCE BENTONVILLE
FOUNTAIN PLAZA MEDICAL OFFICE
3700 SE DODSON RD
BENTONVILLE, ARKANSAS 72712



LSD23-0005

LANDSCAPE PLAN

SHEET TITLE

SHEET NUMBER

C6.0



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

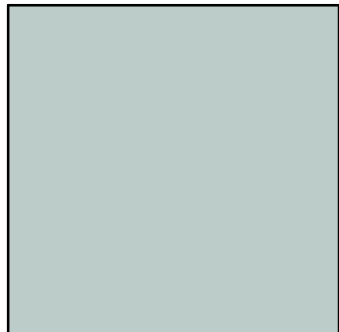
MATERIAL SAMPLES



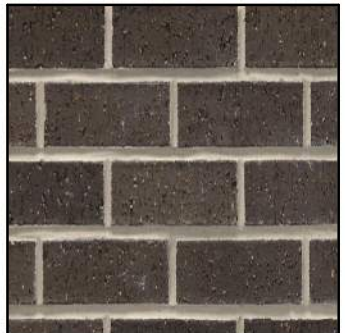
KO-KO BROWN BRICK,
KING SIZE,
RUNNING BOND



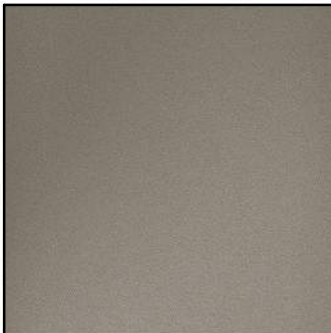
STONE



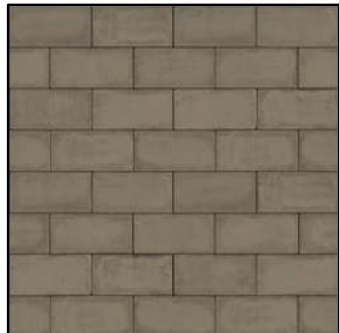
GLAZING



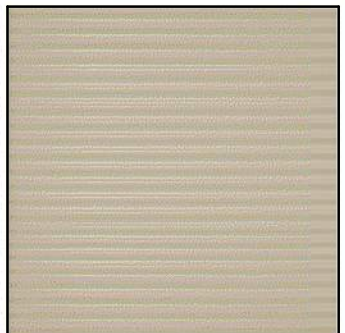
EBONY BRICK,
MODULAR SIZE,
STACKED BOND



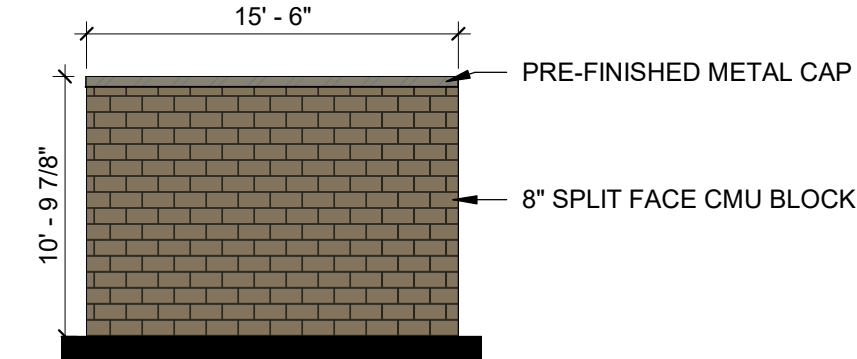
MEDIUM BRONZE



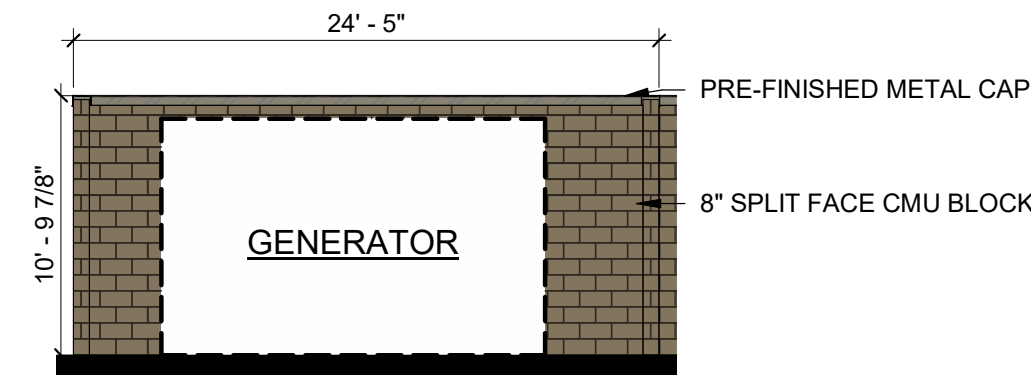
SPLITFACE CMU



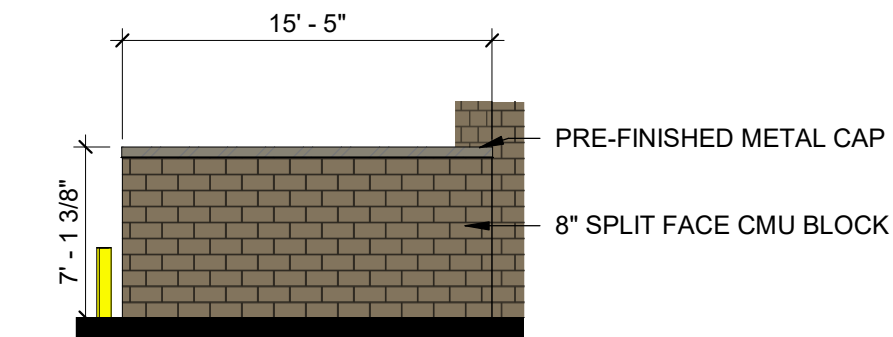
METAL PANEL
(RTU SCREEN)



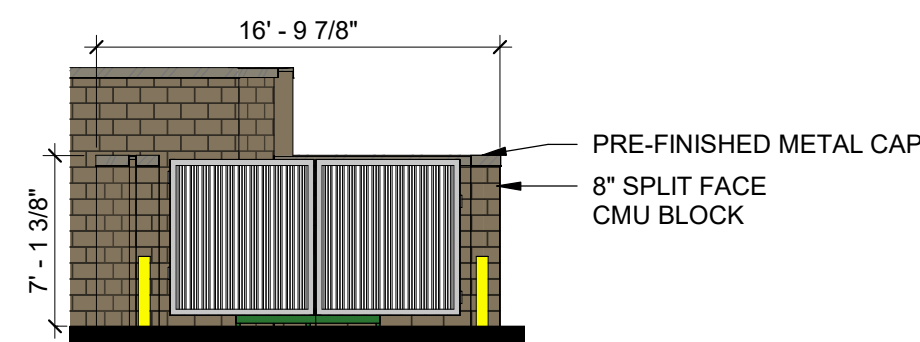
08 SOUTH ELEVATION - GENERATOR ENCLOSURE
1/8" = 1'-0"



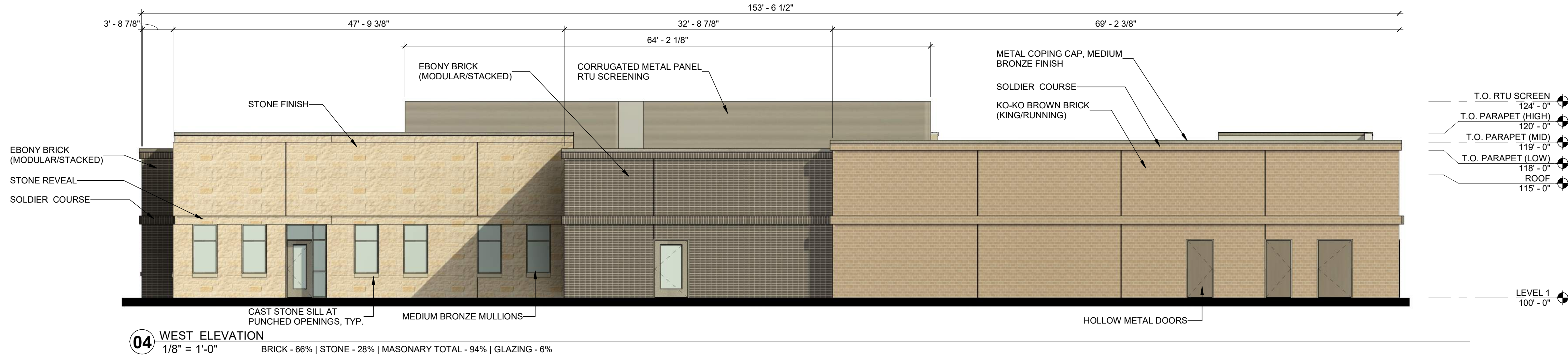
07 EAST ELEVATION - GENERATOR ENCLOSURE
1/8" = 1'-0"



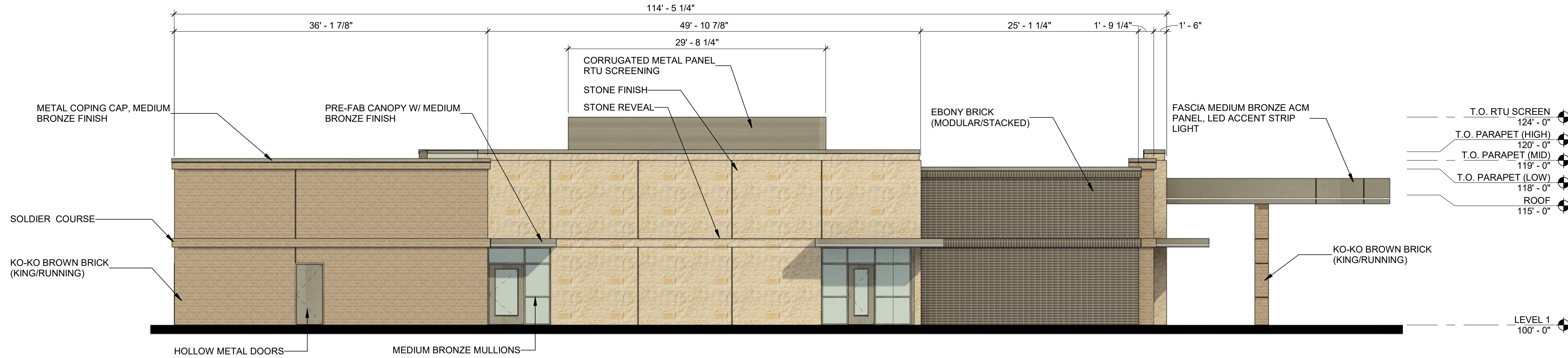
06 NORTHWEST ELEVATION - TRASH ENCLOSURE
1/8" = 1'-0"



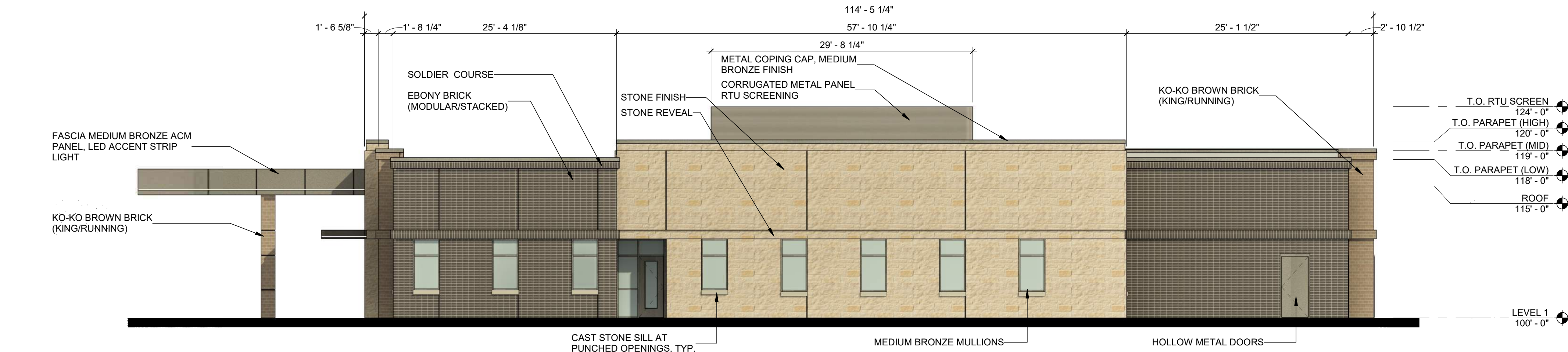
05 NORTHEAST ELEVATION - TRASH ENCLOSURE
1/8" = 1'-0"



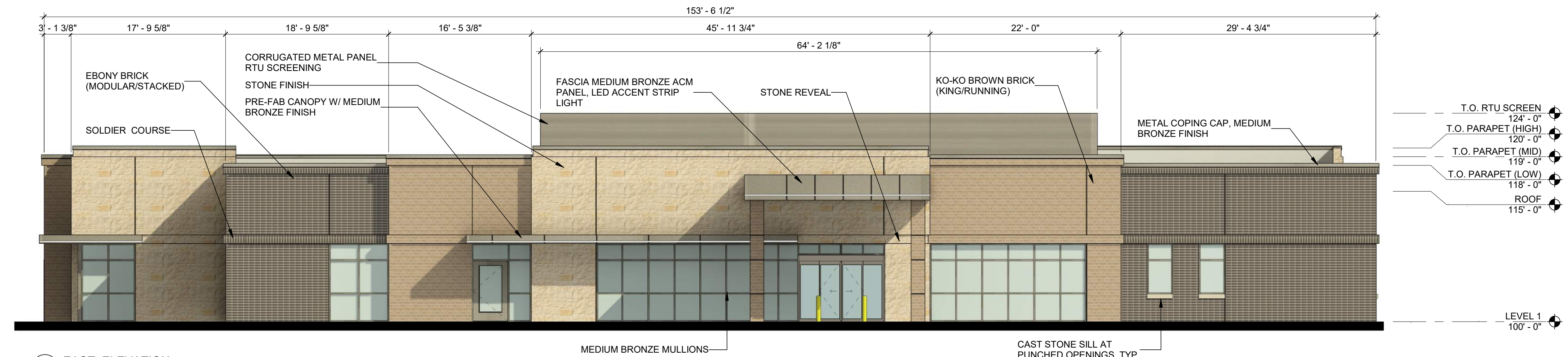
04 WEST ELEVATION
1/8" = 1'-0" BRICK - 66% | STONE - 28% | MASONARY TOTAL - 94% | GLAZING - 6%



03 SOUTH ELEVATION
1/8" = 1'-0" BRICK - 53% | STONE - 39% | MASONARY TOTAL - 92% | GLAZING - 8%



02 NORTH ELEVATION
1/8" = 1'-0" BRICK - 42% | STONE - 48% | MASONARY TOTAL - 90% | GLAZING - 10%



01 EAST ELEVATION
1/8" = 1'-0" BRICK - 46% | STONE - 30% | MASONARY TOTAL - 76% | GLAZING - 24%

CORGAN

CORGAN
401 N. Houston St
Dallas, TX 75202
T: 214-748-2000

ISSUES

1	
2	
3	
4	
5	

REVISIONS

GI ALLIANCE
BENTONVILLE

Northwest Corner of SE Plaza AVE and
SE Dodson RD Bentonville, AR 72712

BUILDING
ELEVATIONS
-COLOR

JOB 22330.0000
DATE 01/09/2023
SHEET

A01

1/10/2023 4:32:39 PM A02 BUILDING 3D VIEWS



OVERHEAD VIEW



SE VIEW



NE VIEW

ISSUES
1
2
3
4
5
REVISIONS
△

GI ALLIANCE
BENTONVILLE

Northwest Corner of SE Plaza AVE and
SE Dodson RD Bentonville, AR 72712

BUILDING 3D
VIEWS

JOB 22330.0000
DATE 01/09/2023
SHEET

Reviewer: T. Adler

Project Number	FP22-0005
Applicant / Current Owner	Redbud Holdings, LLC 4204S. Pinnacle Hills Pkwy #102 S Rogers, AR 72758
Site Area	+/- 3.32 acres
Current Zoning	C-2, General Commercial

Location Map

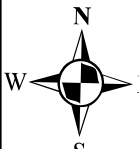


- The Applicant shall provide a surety to the City in an amount and form acceptable to the City Engineer to guarantee the performance of the drainage repairs prior to recordation of the Final Plat.
- The Applicant shall complete all outstanding punch list items and obtain a certified Final Inspection no later than 90 days from the approval of this waiver.



Legend

 Pending Planning Commission Items

 1 inch = 150 feet

FP22-0005 9/6/22
FINAL PLAT
BENTONVILLE PLAZA ADDITION PHASE 3



1Allied Drive, Suite 1500
Little Rock, AR
72202

Direct: 501 372 6161



To: City of Bentonville, Arkansas

RE: Waiver Request
Bentonville Plaza
1005 S Walton Blvd,
Bentonville, AR 72712

To Whom It May Concern,

We are requesting a waiver from section 500.01.a and 500.05.c of the Land Development code which states:
"Improvements complete. And Final Inspection."

We are requesting this waiver due to an issue with the stormwater flowline above an existing sanitary sewer line. The issue with the sewer elevation was noted in fall of 2021. During construction when the conflict was noticed, the engineer was notified and revised plans were coordinated between HFA and the City. HFA worked with Bentonville utilities to come up with a proposed solution. Once a solution was agreed upon, HFA prepared plans and submitted to the City for final review and approval. The plan was approved, and construction was completed in December of 2022.

When HFA went to request a final inspection for Phase III, City Engineering raised a concern about the elevation of the concrete cap that was installed, per the approved plan, over top of the sewer line.

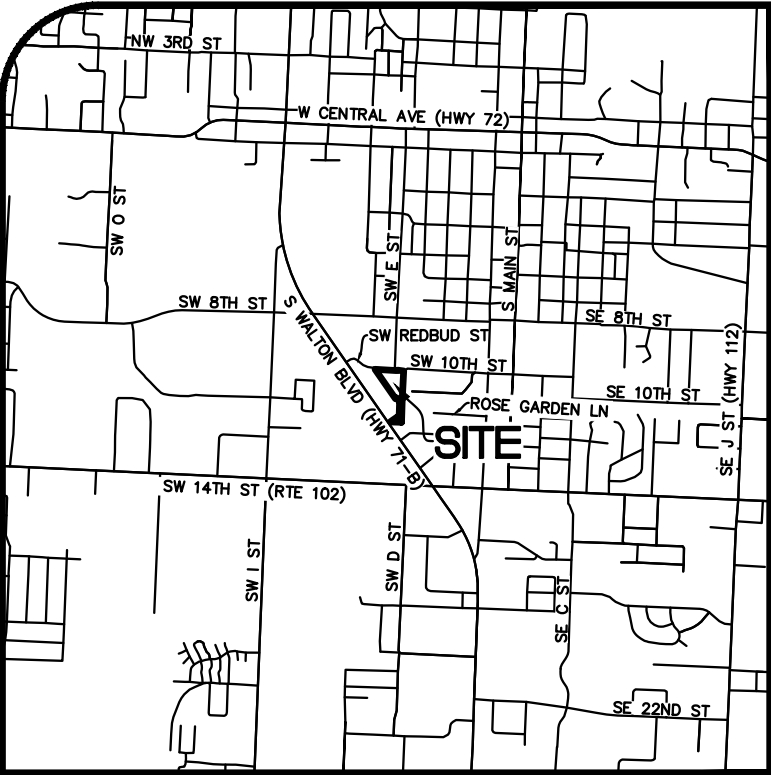
The city approved sanitary sewer plan did not show specific elevations, only contours. The approved grading plan showed an elevation that was lower than what was approved on the sanitary sewer correction plan. This caused the upstream portion of the channel to not flow correctly due to the fact that the cap on the sewer line was installed too high. Currently, the engineer is working with city engineering to provide a proposed correction for this issue.

As such, the site final cannot be approved as substantially completed. Currently, we have coordinated with the engineering and utility departments to come up with an acceptable plan that coordinates with the overall city storm water plan.

Thank you,

A handwritten signature in blue ink, appearing to read "Bradford Gaines", is written over a light blue circular stamp.

Bradford Gaines
Director of New Developments
Colliers of Arkansas
501-372-6161



VICINITY MAP

SE1/4 SW1/4 AND NE1/4 SW1/4, SECTION 31, T20N, R30W
SCALE: 1"=2000'

(REDUCED FOR FILING)

NOTES

- THIS PLAT REPRESENTS A FINAL PLAT OF BENTONVILLE PLAZA ADDITION, PHASE 3: LOT 1 AND LOT 2 TO THE CITY OF BENTONVILLE, ARKANSAS. THE PARENT TRACT OF LOT 1 AND LOT 2, SHOWN HEREON, IS SHOWN AS THE "REMAINDER" ON THE FINAL PLAT OF BENTONVILLE PLAZA ADDITION, PHASE 2, RECORDED AS INSTRUMENT NUMBER L202231904 IN THE LAND RECORDS OF BENTON COUNTY.
- BENTONVILLE PLAZA ADDITION, PHASE 3 CONSISTS OF A TOTAL OF 2 LOTS, INCLUDING 1 BUILDABLE LOT AND 1 NON-BUILDABLE (DETENTION) LOT.
- PARENT TRACT IS LOCATED WITHIN THE CITY LIMITS OF BENTONVILLE, ARKANSAS.
- SOURCE OF TITLE: DEED INSTRUMENT NO. L202070621.
- A TITLE COMMITMENT OR TITLE REPORT WAS NOT PROVIDED TO THE SURVEYOR.
- WITH THE EXCEPTION OF A BLANKET DRAINAGE EASEMENT UPON ALL OF LOT 2 PER THIS PLAT, ALL EASEMENTS SHOWN HEREON ARE PER THE FINAL PLAT OF BENTONVILLE PLAZA ADDITION, PHASE 2, RECORDED AS INSTRUMENT NUMBER L202231904 IN THE LAND RECORDS OF BENTON COUNTY. ACCESS EASEMENTS (A.E.) ARE PRIVATE AS PRESENTED & RECORDED PER INSTRUMENT NO. L202070737, APART FROM EXISTING 20-FOOT (20') UTILITY EASEMENT (U.E.) PER PLAT 2007-705, SHOWN HEREON, EXISTING EASEMENTS PRIOR TO FINAL PLAT OF BENTONVILLE PLAZA ADDITION, PHASE 2 WERE VACATED BY ORDINANCE NO. 2023-18.
- THIS SURVEY MEETS THE 2020 "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS", WHICH IS ALSO KNOWN AS THE "STANDARDS OF PRACTICE NO. 1".
- BASIS OF BEARINGS: GRID NORTH OF THE ARKANSAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE ESTABLISHED BY OPUS REFERENCE FRAME: (2011)(EPOCH:2010.0000).
- BASIS OF ELEVATIONS: NAVD83 (GEOID19) ESTABLISHED BY OPUS REFERENCE FRAME: (2011)(EPOCH:2010.0000). SITE BENCHMARK #1 IS A CHISELED CROSS IN CONCRETE, SHOWN HEREON, AND LOCATED AT:
N: 745798.65'
E: 659820.04'
EL: 1283.42'
- ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
- PROPOSED USE IS COMMERCIAL DEVELOPMENT.
- NO ATTEMPT WAS MADE TO SHOW BUILDING SETBACK LINES GRAPHICALLY HEREON. CURRENT MINIMUM SETBACK REQUIREMENTS ARE LISTED UNDER "ZONING DATA". BUILDING SETBACKS ARE DEPENDANT ON THE ORIENTATION OF THE BUILDING(S) TO BE CONSTRUCTED. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT 479-271-3122.
- NO WETLANDS DELINEATION WAS FOUND AT THE TIME OF SURVEY. SURVEYOR IS UNAWARE IF AN ARMY CORPS OF ENGINEERS DETERMINATION IS IN PROGRESS.
- FENCES OR OTHER STRUCTURES SHALL NOT BE CONSTRUCTED IN ANY DRAINAGE EASEMENT.
- ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS PART OF THIS SURVEY.
- ALL SIGNAGE SHALL REQUIRE PERMITTING.
- FENCING SHALL REQUIRE A SEPARATE PERMIT.
- 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/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES 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.
- DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY AND IS NOT TRANSFERABLE.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR PRESENT.
- ALL ITEMS NOT COMPLETE AT THE TIME OF PLANNING COMMISSION AND CITY COUNCIL APPROVAL SHALL BE GUARANTEED BY THE OWNER/DEVELOPER PRIOR TO THE FILING OF THIS PLAT.

FLOOD NOTE

A PORTION OF THE PARENT TRACT WAS REMOVED FROM THE FLOOD PLAIN BY LETTER OF MAP REVISION BASED ON FILL (LOMR-F) CASE NO. 22-06-0893A, WHICH BEARS AN EFFECTIVE DATE OF MARCH 02, 2022.
BY GRAPHIC PLOTTING ONLY, ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) NO. Q5007C0255K WHICH BEARS AN EFFECTIVE DATE OF JUNE 05, 2012. PORTION OF THE PARENT TRACT IS IN ZONE AE, A SPECIAL FLOOD HAZARD AREA WITH BASE FLOOD ELEVATION (BFE); A PORTION OF THE PARENT TRACT IS IN ZONE X, 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE; AND A PORTION OF THE PARENT TRACT IS IN ZONE X (UNSHADED), AN AREA OF MINIMAL FLOOD HAZARD. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THESE ZONES. SEE ALSO THE LETTER OF MAP REVISION (LOMR) CASE NO. 21-06-0748B, WHICH BEARS AN EFFECTIVE DATE OF MARCH 28, 2022.

FINAL PLAT

BENTONVILLE PLAZA ADDITION, PHASE 3: LOT 1 AND LOT 2

CITY OF BENTONVILLE

BENTON COUNTY, ARKANSAS

ZONING DATA

A ZONING LETTER OR ZONING REPORT WAS NOT PROVIDED TO THE SURVEYOR. PARENT TRACT IS ZONED C-2, GENERAL COMMERCIAL.

LOT AND AREA STANDARDS:
•MIN. LOT AREA = 7,000 SQ. FT.
•MIN. LOT WIDTH = 70 FT.
•MAX. LOT COVERAGE = 60%

MINIMUM SETBACK REQUIREMENTS:

*SEE NOTE 11
•FRONT:
PARKING IN FRONT = 50 FT.
NO PARKING IN FRONT = 20 FT.
•SIDE:
ADJACENT TO NON-RESIDENTIAL DISTRICT = 7 FT.
ADJACENT TO RESIDENTIAL DISTRICT = 30 FT.
•REAR:
ADJACENT TO NON-RESIDENTIAL DISTRICT = 20 FT.
ADJACENT TO RESIDENTIAL DISTRICT = 30 FT.

MAXIMUM HEIGHT STANDARDS:

•MAXIMUM HEIGHT = 60 FT.

RECORD DESCRIPTION OF PARENT TRACT / PHASE 3

PART OF LOTS 8 AND 12 AND ALL OF LOT 13, BENTONVILLE PLAZA ADDITION AS SHOWN ON THAT CERTAIN PROPERTY LINE ADJUSTMENT CREATING LOTS 8-13, BENTONVILLE PLAZA ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS APPEARING IN PLAT BOOK 2016 AT PAGE 145; BEING MORE PARTICULARLY DESCRIBED AS THE "REMAINDER" AS SHOWN ON THE FINAL PLAT OF BENTONVILLE PLAZA ADDITION, PHASE 2, RECORDED AS INSTRUMENT NUMBER L202231904 IN THE LAND RECORDS OF BENTON COUNTY.

SURVEY DESCRIPTION OF PARENT TRACT / PHASE 3

PART OF THE SE1/4 OF THE SW1/4 AND PART OF THE NE1/4 OF THE SW1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND 5/8-INCH REBAR AT THE NORTHEAST CORNER OF SAID SE1/4 OF THE SW1/4; THENCE ALONG THE EAST LINE OF SAID SE1/4 OF THE SW1/4, S01°40'19"W 329.86 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE DEPARTING SAID EAST LINE, N88°25'15"W 167.99 FEET TO A FOUND COTTON PICKER SPINDLE ON THE NORTHEAST RIGHT OF WAY OF S WALTON BLVD; THENCE ALONG SAID NORTHEAST RIGHT OF WAY, N35°27'42"W 6.00 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE DEPARTING SAID NORTHEAST RIGHT OF WAY, N55°02'37"E 164.62 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE N01°40'19"E 214.78 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE N34°23'02"W 76.58 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE S55°10'58"W 25.00 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE N34°49'02"W 173.79 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE N34°49'02"W 180.00 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE N34°49'02"W 206.26 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337" ON THE SOUTH RIGHT OF WAY OF SW REDBUD DR; THENCE ALONG SAID SOUTH RIGHT OF WAY, S86°43'46"E 317.27 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY, S86°44'27"E 18.91 FEET FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1021"; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY, 23.37 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 47°29'23", A RADIUS OF 28.20 FEET, AND A LONG CHORD THAT BEARS N73°58'24"E 22.71 FEET TO A FOUND 1/2-INCH REBAR; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY, S81°50'33"E 91.21 FEET TO A FOUND 1/2-INCH REBAR WITH CAP MARKED "PLS 1339" ON THE EAST LINE OF AFORESAID NE1/4 OF THE SW1/4; THENCE DEPARTING SAID SOUTH RIGHT OF WAY AND ALONG SAID EAST LINE, S02°57'11"W 471.75 FEET TO THE POINT OF BEGINNING, CONTAINING 144,422 SQUARE FEET OR 3.32 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS, OR RESTRICTIONS OF RECORD OR FACT.

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 [EXCEPT ACCESS EASEMENTS; SEE NOTE #14], ETC. AS SHOWN ON SAID PLAT.

SIGNED: _____ DATE OF EXECUTION: _____

PRINT NAME: _____ SOURCE OF TITLE: DEED INSTR. NO. L202070621

ADDRESS: _____

STATE OF _____

COUNTY OF _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

CARROLL ELECTRIC COOPERATIVE CORPORATION DEDICATION

WE, _____, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HERE, ON THIS DATE, _____, DO HEREBY DEDICATE THE PUBLIC STREETS AND EASEMENTS SHOWN UPON THIS PLAT, SAID EASEMENTS SHALL BE FOR THE BENEFIT OF CARROLL ELECTRIC COOPERATIVE CORPORATION, A PERPETUAL EASEMENT RIGHT, PRIVILEGE, AND AUTHORITY TO ENTER UPON THE LANDS OF THE UNDERSIGNED GRANTOR, AND TO PLACE, CONSTRUCT, RECONSTRUCT, ERECT, EXCAVATE, ADD TO, RELOCATE, REBUILD, MODIFY, CHANGE OPERATIVE VOLTAGE LEVEL, REPAIR, REPLACE, PATROL, OPERATE AND MAINTAIN ON, OVER, AND UNDER THE DESCRIBED LANDS, AND IN AND UPON ALL STREETS, ROADS, HIGHWAYS, AND OTHER RIGHTS OF WAY ABUTTING SAID PREMISES, UNDERGROUND CABLES OF ONE OR MORE CIRCUITS TO SERVE AS SERVICE, DISTRIBUTION, OR TRANSMISSION LINES, OR COMBINATIONS OF ALL, TO TRANSMIT ELECTRICAL ENERGY AND COMMUNICATIONS, INCLUDING BUT NOT LIMITED TO BURIED OR ABOVE GROUND CABLE, TRANSFORMERS, JUNCTION CABINETS, VAULTS, AND OTHER APPURTENANCES NECESSARY THERETO, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO AND FROM THE LINES OF THE COOPERATIVE OVER THE LANDS OF THE GRANTORS FOR THE PURPOSE OF INSTALLING, REPAIRING, REPLACING, UPGRADING OR OTHERWISE ACCESSING THE ELECTRIC SYSTEM TO BE INSTALLED IN THE EASEMENT, WHICH SAID LANDS ARE DESCRIBED UNDER THE LEGAL DESCRIPTION ON THIS PLAT.

GRANTORS DO ALSO HEREBY GRANT AND CONVEY TO COOPERATIVE THE PERPETUAL RIGHT TO CLEAR AND KEEP CLEAR BY CUTTING, TRIMMING, SPRAYING, OR REMOVING BY ANY OTHER MANNER ALL BRUSH, TREES, TIMBER, AND VEGETATION WITHIN THE DEFINED EASEMENT, AND AGREE THAT NO SHRUBS, TREES, STRUCTURES, OR FENCES SHALL BE PLANTED OR CONSTRUCTED WITHIN THE SAID EASEMENT.

GRANTORS AGREE TO MAKE NO USE OF, NOR PERMIT OTHERS TO MAKE ANY USE OF SAID EASEMENT THAT WOULD REDUCE IN CLEARANCE OR IN ANY OTHER WAY INTERFERE WITH THE PROPER AND SAFE OPERATION AND OR MAINTENANCE OF THE ELECTRICAL FACILITIES.

PRINTED NAME / COMPANY _____ OWNER SIGNATURE & TITLE _____ DATE _____

CERTIFICATE OF APPROVAL

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

DATE OF EXECUTION: _____

SIGNED: _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED: _____
MAYOR CITY OF BENTONVILLE

SIGNED: _____
CITY CLERK, CITY OF BENTONVILLE

OWNER

REDBUD HOLDINGS, LLC
4204 S PINNACLE HILLS PKWY, UNIT 102, ROGERS, AR 72758
BRADFORD GAINES, MEMBER
501-978-6592

SURVEYOR

ANDERSON ENGINEERING, INC.
5311 W VILLAGE PKWY, ROGERS, AR 72758
JIM COLLINS, PLS LICENSE NO. 1337
479-286-8181

CIVIL ENGINEER

HARRISON FRENCH & ASSOCIATES, LTD
1705 S WALTON BLVD, SUITE 3, BENTONVILLE, AR 72712
RYAN GILL, PE LICENSE NO. 12539
479-273-7780

BLACK HILL ENERGY

JOSH KNIGHT
1301 FEDERAL WAY, PO BOX 2129
LOWELL, AR 72745
(479) 333-7005
JOSHUA.KNIGHT@BLACKHILLSCORP.COM

AT&T

BRENT BALDWIN
1133 EAST HAROLD ST.
FAYETTEVILLE, AR 72703
OFFICE: (479) 571-8609
CELL: (479)-200-9022
BB6585@ATT.COM

COX COMMUNICATIONS

CHAD HODGE
4901 S. 48TH STREET
SPRINGDALE, AR 72762
(479) 263-7057
CHAD.HODGE@COX.COM
& TIMOTHY GOSS
(479) 651-5583
TIMOTHY.GOSS@COX.COM

FIRE DEPT.

CITY OF BENTONVILLE
BENTONVILLE FIRE CHIEF
800 SW A STREET
BENTONVILLE, AR 72712
(479) 271-5927

STREET DEPT.

CITY OF BENTONVILLE
TONY DAVIS
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
(479) 271-3150

WATER DEPT.

CITY OF BENTONVILLE
BEAU THOMPSON
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
(479) 271-3140

ELECTRIC DEPT.

CITY OF BENTONVILLE
CHARLIE BARNES
305 SW A STREET
BENTONVILLE, AR 72712
(479) 271-3159

WASTEWATER DEPT.

CITY OF BENTONVILLE
CHRIS FARR
1901 NE A STREET
BENTONVILLE, AR 72712
(479) 271-3161

PLANNING DEPT.

CITY OF BENTONVILLE
ELLEN NORVELL
305 SW A STREET
BENTONVILLE, AR 72712
PHONE: (479) 271-3122

BUILDING AND FIRE SAFETY

JAKE FEEMSTER
305 SW A STREET
BENTONVILLE, AR 72712
(479) 271-3108

CITY ENGINEER

CITY OF BENTONVILLE
DAN WESE
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
(479) 271-5993

STORMWATER

CITY OF BENTONVILLE
JANET PAITH
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
(479) 271-5002
JPAITH@BENTONVILLEAR.COM

CERTIFICATE OF SURVEYING ACCURACY

I, JAMES E. COLLINS, 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.

JAMES E. COLLINS
REGISTERED LAND SURVEYOR
NO. 1337
STATE OF ARKANSAS

DATE OF EXECUTION _____



STATE PLAT CODE: 500-20N-30W-0-31-300-04-1337
CITY OF BENTONVILLE PROJECT NO: FP22-0005
ATLAS PAGE: 403C

REDBUD HOLDINGS, LLC

FINAL PLAT
BENTONVILLE PLAZA ADDITION
PHASE 3: LOT 1 AND LOT 2

SE1/4 SW1/4 AND NE1/4 SW1/4, SECTION 31, T20N, R30W
1005 S WALTON BLVD, BENTONVILLE, AR 72712
CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

DRAWING NO.

NWA-100-0255

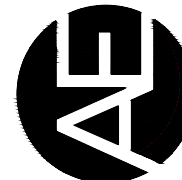
SHEET NUMBER

1

OF

2

ANDERSON
ENGINEERING
EMPLOYEE OWNED



ENGINEERS SURVEYORS LABORATORIES DRILLING
5311 W. VILLAGE PKWY, ROGERS, AR 72758 PHONE (479) 286-8181

CONVERGENCE = -1° 17' 20"
COMBINED SCALE FACTOR = 0.999970874
COMPUTED AT FOUND 5/8" REBAR FOR
NORTHEAST CORNER OF SE1/4 SW1/4, SECTION
31, T20N, R30W FOR P.O.B. OF PARENT TRACT
LATITUDE = N36° 21' 53.5550715"
LONGITUDE = W94° 12' 53.58986909"
ELEVATION = 1279.24'

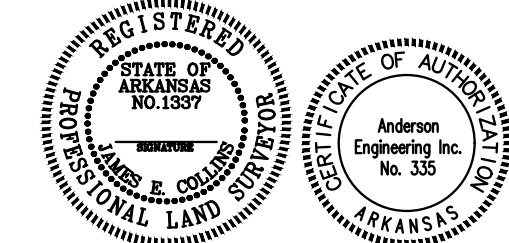
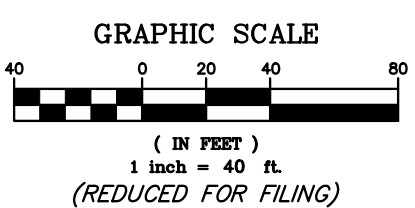
LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N35°27'42"W	6.00'
L2	N35°15'34"W	22.54'
L3	N47°24'00"E	33.92'
L4	N84°21'41"E	17.40'
L5	S86°44'27"E	18.91'
L6	S55°10'58"W	25.00'
L7	S32°41'19"W	22.62'
L8	S86°35'41"E	7.56'
L9	S34°49'02"E	7.50'
L10	S53°28'09"W	14.50'
L11	N55°04'46"E	28.50'
L12	N14°41'32"W	8.94'
L13	N53°28'09"E	21.77'
L14	S53°28'09"W	14.50'
L15	N14°41'32"W	2.38'
L16	S14°41'32"E	25.26'
L17	N3°38'13"E	11.13'
L18	S62°16'12"E	40.68'
L19	S86°58'22"E	4.32'
L20	N68°57'01"E	24.30'
L21	S85°14'10"E	24.00'
L22	S80°09'59"E	54.74'
L23	S49°56'41"E	17.84'
L24	S48°27'37"E	28.78'
L25	S49°56'41"E	22.46'

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE
C1	23.37'	28.20'	47°29'23"	N73°58'24"E	22.71'

TABLE OF ADJACENT PROPERTIES

1	01-11094-000 BENTONVILLE PLAZA OWNER LLC SW REDBUD DR LOT 7, BENTONVILLE PLAZA ADDITION, PLAT 2003-284 ZONED C-3, MIXED-USE COMMERCIAL	4	01-00588-000 CITY OF BENTONVILLE ZONED C-2, GENERAL COMMERCIAL
2	01-03620-000 CLAY, CHADWICK 510 SW 10TH ST LOT 12, PARK ADDITION ZONED R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL	5	01-04898-000 SLUYTER, AARON & CHERYL 1111 S WALTON BLVD LOT 1, JOHNSON ADDITION ZONED C-2, GENERAL COMMERCIAL
3	01-03859-000 P & E WALKER INVESTMENTS LLC 502 - 508 SW 12TH LOT 1 & 2 EXCEPT EAST 35', BLOCK 1, RAZORBACK ADDITION ZONED C-2, GENERAL COMMERCIAL	6	01-07068-000 FIRST WESTERN BANK 1108 S WALTON BLVD LOT 2, CASSIDY ADDITION ZONED C-2, GENERAL COMMERCIAL

LEGEND	
	PARENT TRACT PROPERTY LINE
	LOT LINE
	PREVIOUS, ADJOINING, OR ADJACENT PROPERTY LINE
	EASEMENT LINE PER PLAT INSTR. NO. L202231904
	EXISTING EASEMENT LINE, AS NOTED
	RIGHT OF WAY LINE
	CENTERLINE
	EDGE OF ASPHALT
	BACK OF CURB
	EDGE OF CONCRETE
	CONCRETE SIDEWALK
	DRAINAGE EASEMENT FOR PUBLIC USE; SEE NOTE #6
	FEMA ZONE AE (SEE FLOOD NOTE ON SHEET 1)
	FEMA ZONE X, 0.2% ANNUAL CHANCE FLOOD HAZARD (SEE FLOOD NOTE ON SHEET 1)
	CROSS SECTION FROM FEMA FIRM (SEE FLOOD NOTE ON SHEET 1)
	SET 5/8" REBAR WITH CAP PLS 1337
	FOUND MONUMENT, AS NOTED
	BENCHMARK
	SEE TABLE OF ADJACENT PROPERTIES
	MISC. POINT, AS NOTED
	POWER POLE
	GUY WIRE
	SANITARY SEWER MANHOLE
	DRAINAGE/STORMWATER MANHOLE
	ELECTRIC TRANSFORMER (ET)
	WATER VALVE (WV)
	FIRE HYDRANT
	REBAR
	COTTON PICKER SPINDLE
	BASE FLOOD ELEVATION
	ACCESS EASEMENT FOR PRIVATE USE; SEE NOTE #6
	UTILITY EASEMENT FOR PUBLIC USE; SEE NOTE #6
	RADIUS
	FEMA ZONE (SEE FLOOD NOTE ON SHEET 1)
	WATER VALVE
	ELECTRIC TRANSFORMER
	CONCRETE
	FINISH FLOOR ELEVATION



STATE PLAT CODE: 500-20N-30W-0-31-300-04-1337
CITY OF BENTONVILLE PROJECT NO: FP22-0005
ATLAS PAGE: 403C

ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS SURVEYORS LABORATORIES DRILLING

5311 N. VILLAGE PKWY, ROGERS, AR 72756 PHONE (479) 286-5181

REVISIONS		DRAWING INFO.	
NO.	DESCRIPTION	BY	DATE
1	1ST SET OF CITY COMMENTS	KLM	08/12/22
2	2ND SET OF CITY COMMENTS	KLM	09/06/22
3	EASEMENT VACATION DOC. NO.	KLM	02/14/23

FIELD BY:	CTH
DRAWN BY:	KLM
CHECK BY:	JEC
DATE:	09/01/2022
FIELD BOOK:	
JOB NUMBER:	21R020017

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REDBUD HOLDINGS, LLC

FINAL PLAT

BENTONVILLE PLAZA ADDITION

PHASE 3: LOT 1 AND LOT 2

SE1/4 SW1/4 AND NE1/4 SW1/4, SECTION 31, T20N, R30W
1005 S WALTON BLVD, BENTONVILLE, AR 72702
CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

DRAWING NO. **NWA-100-0255**

SHEET NUMBER **2** OF **2**



City of Bentonville
Community Development Block Grant
305 SW A Street
Bentonville, AR 72712
Phone (479) 271-3122

Community Development Block Grant Program (CDBG)

Citizen Participation Plan

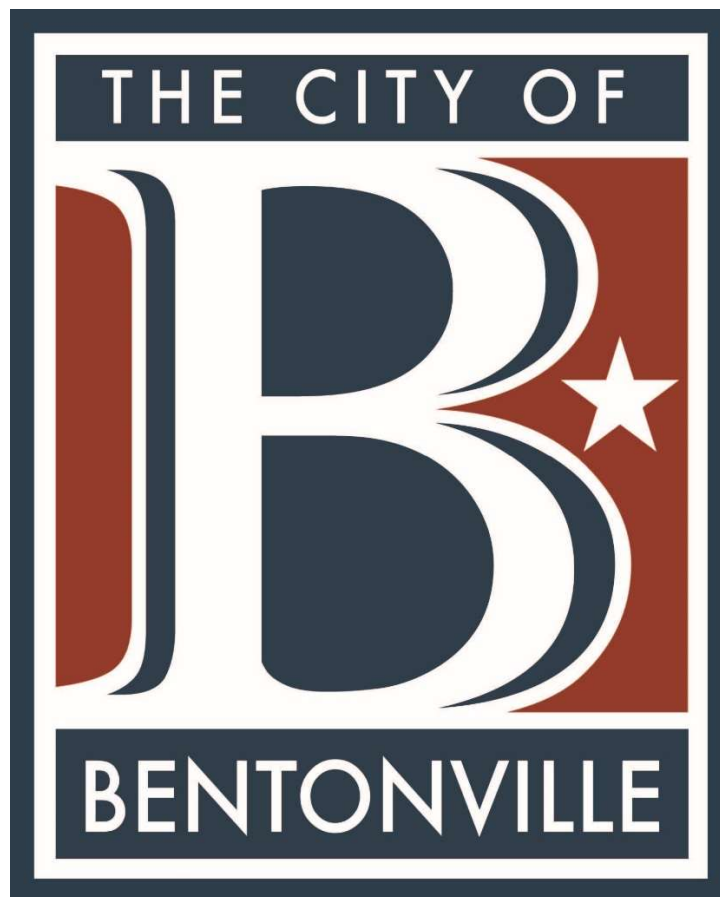


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INTRODUCTION AND APPLICABILITY

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting, and citizen participation processes of four formula grant programs: Community Development Block Grants (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA).

This new process was intended to fulfill three basic goals more comprehensively – provide decent housing, provide a suitable living environment, and expand economic opportunities. Decent housing may involve assisting homeless persons in obtaining appropriate housing, retaining affordable housing stock, increasing the availability of permanent affordable housing for low-income households without discrimination, and increasing supportive housing to assist persons with special needs. Suitable living environment might improve the safety and livability of neighborhoods, including the provision of adequate public facilities, deconcentrating housing opportunities, and revitalizing neighborhoods, restoring, and preserving natural and physical features with historic, architectural, and aesthetic value, and conserving energy resources. Expanding economic opportunities can involve creation of accessible jobs, providing access resources for community development, and assisting low-income persons to achieve self-sufficiency.

As an entitlement community receiving CDBG Funds from HUD, the City of Bentonville is required to adopt a Citizen Participation Plan (CPP) that establishes the City's policies and procedures for citizen's participation. The guidelines for establishing a Citizen Participation Plan as part of submitting the Consolidated Plan/Annual Action Plan, Affirmative Fair Housing (AFH), substantial amendments, and Consolidated Annual Performance and Evaluation Report (CAPER) are outlined in the Code of Federal Regulations Part 91.105 (Governments) and 91.115 (States).

Bentonville Planning serves as the Lead Agency for the administration of the City's HUD entitlement funds and the CDBG Planner is the administrator of the CDBG program. The CDBG Planner is responsible for informing citizens about the planning process, facilitating meetings, preparing, and developing the Annual Action Plan, the Five-Year Consolidated Plan, substantial amendments, and developing the CAPER and Citizen Participation Plan. The CDBG Planner is also responsible for the Affirmatively Furthering Fair Housing development.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Funds authorized by Congress under CDBG are made available to entitlement cities according to a formula allocation. The City of Bentonville is classified as an entitlement city and therefore receives the formula grant annually as a participant in the program. Entitlement grants are awarded for specific program years.

Program year is defined as the authorized operating period of a particular program. The term is usually used to distinguish the program's operating period from the federal government's fiscal year. The City's CDBG program year is the 12-month period starting July 1 in the fiscal year the appropriation is made and ending June 30 of the next year. Low-and-moderate-income is defined as a person or household having an income equal to or less than the Department of Housing and Urban Development (HUD) Income Guidelines adjusted for family size.

Additional information about the Community Development Block Grant (CDBG) Program can be found on the HUD Exchange website at <https://www.hudexchange.info/programs/cdbg/>.

ENCOURAGEMENT OF CITIZEN PARTICIPATION

In accordance with HUD's national objective, 70% of CDBG funds must benefit low/moderate income persons within the Consolidated Plan program year. This benefit can be fulfilled through direct assistance to persons with incomes that do not exceed 80% of the area median income or completing activities in census tracts where 51% or more of the households are low/moderate income.

The legislation which created the CDBG Program and the regulation implementing it encourage the participation of residents in the development of an Affirmatively Furthering Fair Housing (AFFH), any revisions to the AFFH, Consolidated Plans, Annual Action Plans and Consolidated Annual Performance and Evaluation Report (CAPER).

The objectives and procedures of the City of Bentonville for meeting the Citizen Participation Plan requirements of the US Department of Housing and Urban Development (HUD) are set forth below.

A. ADOPTING THE CONSOLIDATED AND ANNUAL ACTION PLANS

Consolidated Plan is defined as a three, four, or five-year plan submitted to the Department of Housing and Urban Development (HUD) and serves as the planning document (Comprehensive Housing Affordability Strategy and Community Development Plan) of the City, and an application for funding under the Community Planning and Development Formula Grant Program. The City of Bentonville will submit a five-year plan that will be completed in a timely manner for submission to HUD. The Consolidated Plan will be submitted to the Mayor and City Council for formal approval prior to submitting to HUD.

Before the City adopts a Consolidated Plan, it will make available to residents, public agencies and other interested parties information that includes the amount of assistance the City expects to receive from the Department of Housing and Urban Development (HUD) Entitlement Cities Program including Program Income the City anticipates it will receive. the City will provide the range of projects and activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

- I. **Notification:** It is the policy of the City of Bentonville to give citizens timely notice of local meetings and reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of Community Development Block Grant (CDBG) funds.

Procedures

- A. **Notice of public hearing.** Notification of the public hearing will be by publication of a Notice of Public Hearing in a local newspaper no later than fifteen (15) days prior to each date.
- B. **Legal Notice.** The City of Bentonville will file a legal notice regarding public hearings that will be published in the local newspaper at least fifteen (15) days prior to the public hearing date.
- C. **Notification to service providers.** Notice of the public hearings will be sent to various organizations to be made available to the low, very low, and extremely low-income residents they serve.

D. Content. Information that may be provided in the notices includes, but is not limited to:

- i. Amount of grant funding and program income anticipated in the coming year.
- ii. Range of activities that may be undertaken.
- iii. Estimated amount of grant funding and program income proposed to be used for activities that will benefit low and moderate- income persons; and,
- iv. Any proposed activities likely to result in displacement.

II. Technical Assistance: It is the policy of the City of Bentonville to take reasonable steps to provide technical assistance to groups' representative of persons of low and moderate income that request assistance in developing proposals.

Procedures

- B. Requests.** Groups representing persons of low and moderate income who are interested in receiving technical assistance may write or call Bentonville Planning, 305 SW A Street, Bentonville, AR 72712: (479) 271-3122.
- B. Assessment.** An assessment of the type and extent of technical assistance needed by the representative group will be made by City staff upon request and in a timely manner.
- D. Timely response.** The City shall ensure that reasonable requests for technical assistance are responded to in a timely manner.

III. Public Hearings: It is the policy of the City of Bentonville to hold public hearings for the purpose of obtaining the views of citizens and responding to proposals and questions.

Procedures

- A. Initial public hearing.** One public hearing to obtain the views of citizens on community development and housing needs will be held by the CDBG Planner prior to publication of the Consolidated Plan for public comment.
- B. Draft plan public hearing.** One public hearing to obtain the views of citizens on the proposed Consolidated Plan and proposed use of grant funding will be held by the CDBG Planner after the citizen comment period is complete and prior to the submission of the Consolidated Plan to HUD.
- C. Additional public hearings.** Other public meetings may be held as necessary.

- D. Content.** Together, the hearings will address community development and housing needs, development of proposed activities, and review of program performance.
- E. Location.** All public hearings will be held in the City of Bentonville's City Council Chambers located in the Bentonville City Hall building at 305 SW A Street. This site is equally accessible to all sections of the City and is anticipated that these factors will enhance citizen participation.
- F. Accommodations.** Reasonable accommodation for the physically challenged will be provided at public hearing sites. At least 48 hours (two complete business days) advanced notice is required.
- H. Documentation.** Comments received during the public comment period and at public hearings will be incorporated into the Consolidated Plan.

- IV. Language Accommodation:** It is the policy of the City of Bentonville to take reasonable steps to assist non-English speaking residents to be able to understand and participate in discussions that take place at public hearings, when a significant number of non-English speaking residents can reasonably be expected to attend.

Procedures

- A.** Anyone anticipating that the effectiveness of the public hearing will be significantly reduced because of English language limitations shall contact Bentonville Planning as far in advance of the public hearing as possible.
- B.** At least 48 hours (two complete business days) advanced notice is required.

- V. Responsiveness:** It is the policy of the City of Bentonville to take reasonable steps to address concerns expressed by citizens and to respond to any formal complaints or grievances in a timely manner.

Procedures

- A.** Citizens are urged to bring any concerns they may have regarding the Consolidated Plan to the attention of Bentonville Planning, 305 SW A Street, Bentonville, AR 72712; (479) 271-3122. It is anticipated that most concerns can be quickly and successfully addressed through direct conversation.
- B.** Unresolved issues, complaints, or grievances may be formally submitted to the following address:
 City of Bentonville
 Bentonville Planning
 Attn: Christopher Hyatt, CDBG Planner
 305 SW A Street
 Bentonville, Arkansas 72712
 chyatt@bentonvillear.com

C. In order for the City of Bentonville to be able to respond effectively, any formal complaint or grievance must be in writing and follow the procedures listed below:

- i. It must be legible – typed correspondence is strongly urged;
- ii. It must be signed, dated, and indicate if the correspondent is representing his / her personal concerns or those of a larger group, in which case, the name and description of the group must be stated; and,
- iii. It must clearly identify the specific complaint or grievance and should state what corrective action is being sought.

D. The City of Bentonville will provide timely written answers to complaints and grievances. The time required to respond may vary depending upon the nature and complexity of the specific complaints. Written answers will be provided within fifteen (15) days of the receipt of the written complaint.

VI. **Encourage Participation of LMI Individuals:** It is the policy of the City of Bentonville to encourage citizen participation, particularly by low and moderate income persons who reside in the areas for which grant funding is proposed to be used.

Procedures

A. Reasonable notice will be given to the general public at appropriate times as the details of the proposed use of grant funding is identified.

B. After specific proposals are received and evaluated by the CDBG Advisory Board additional citizen participation measures will be implemented. The specifics of these procedures may vary from project to project in order to respond to unique circumstances. The general process will be as follows:

- i. Identify the geographic boundaries of the area most likely to be affected by the proposal and the principal organization(s) known to represent or otherwise be affiliated with the low and moderate income residents;
- ii. Proactively communicate the purpose of and means by which grant funding will be used; and,
- iii. Provide reasonable opportunities for low and moderate income residents to ask questions and receive answers regarding how they might be affected by the proposed use of grant funding.

B. AMENDING THE CONSOLIDATED PLAN

- I. **Notification of Change or Deletion:** It is the policy of the City of Bentonville to provide citizens with reasonable advanced notice of and opportunity to comment on proposed activities not previously included in the Consolidated Plan and any proposed deletion or other substantial change to the activities.

Procedures

- A. If the Consolidated Plan is approved and it subsequently becomes necessary to substantially change the program content, a formal amendment process will be followed.
- i. An additional public hearing will be held;
 - ii. Reasonable advance notice of the date, time, and place of the public hearing will be made available to the public; and,
 - iii. The nature of the proposed change(s) will be described in sufficient detail to allow citizens to determine if they are affected and desire to comment on the proposed change.
- B. “Substantial Change” is defined by the City of Bentonville to be:
- i. A proposed new activity which cannot reasonably be construed to have been included within the programmatic intent of the adopted application or in the commitment of funds to a specific project; or
 - ii. An activity that was identified in the adopted application, but which subsequently is proposed to be deleted; or,
 - iii. An activity that is proposed to be altered in terms of its purpose, scope, location, or beneficiaries to such an extent that it can no longer reasonably be construed as the activity reviewed by the public and approved by the Planning Commission and City Council.
- C. The criteria to be used in determining if an activity is at risk of becoming substantially changed from its originally intended purpose will be based upon further City of Bentonville actions to modify / amend the proposed activities in the Consolidated Plan.
- D. The CDBG Planner shall proactively monitor each funded project for compliance with its respective performance criteria and provide periodic progress reports to the Planning Commission and City Council.

- E. Any activity that is judged to be at risk of substantially changing from its originally intended purpose, scope, location, or beneficiaries will be reviewed in a public hearing forum prior to decision by the Planning Commission and City Council as to whether the performance objectives of the project shall be amended.

C. Consolidated Annual Performance and Evaluation Report (CAPER)

- I. **Encourage CAPER Participation:** It is the policy of the City of Bentonville to encourage citizens to participate in the development of the Consolidated Annual Performance and Evaluation Report (CAPER) for the purpose of obtaining the views of citizens about the CDBG program and respond to questions.

Procedures

- A. The City of Bentonville will file a legal notice in regard to public hearings that will be published in the local newspaper at least fifteen (15) days prior to the public hearing date on CDBG performance during the funding cycle. Ongoing community assessment of the effectiveness of the community development process is considered essential to the success of the program. The hearing is prior to the development of the CAPER to allow citizens to participate in the process.
- B. Fifteen days (15) days prior to the submission of the final CAPER document to the Little Rock Field Office a legal notice shall be published in the local newspaper. At a minimum, copies of the CAPER will be placed at City Hall, the Public Library, and the Community Center building for citizens to review, document, and comment on prior to the document's submission to the Field Office.
- C. The City of Bentonville will consider any comments received in writing, or orally at the public hearing in preparation of the final CAPER document.

D. Public Awareness

- I. **Publication and Distribution of The Consolidated Plan:** It is the policy of the City of Bentonville to provide a reasonable number of free copies of the Consolidated Plan to citizens and groups. To ensure this, the City will publish the consolidated Plan on its website, www.bentonvillear.com, as well as, place copies of the proposed Consolidated Plan at the following locations:

City Hall/Community Development Building
305 SW A Street
Bentonville, AR 72712

Public Library
405 S Main Street
Bentonville, AR 72712

Community Center
1101 SW Citizen's Circle
Bentonville, AR 72712

Downtown Activity Center
215 SW A Street
Bentonville, AR 72712

Additionally, notification of publication and any events associated with the CDBG program will be acknowledged on the city social media pages (Facebook and Instagram).

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A FINAL PLAT OF LOTS 1 AND 2 OF
BENTONVILLE PLAZA ADDITION, PHASE 3 TO THE CITY OF BENTONVILLE,
ARKANSAS; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: FP22-0005)**

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of LOTS 1 AND 2 OF BENTONVILLE PLAZA ADDITION, PHASE 3, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on March 7, 2023;

WHEREAS, said final plat is attached hereto as Exhibit "A";

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

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

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

Section 1: That the final plat of LOTS 1 AND 2 OF BENTONVILLE PLAZA ADDITION, PHASE 3 to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

CONDITIONAL USE EXTENSION STAFF REPORT



Beach BBQ

1080 SE 14th Street

PC Date: 8/2/22 and 3/7/23

Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	CU22-0023
Applicant / Current Owner	ROMI Investments, LLC
Site Area	+/- 0.78 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Mixed-Use Commercial (MUC)
Requested Use	Long-Term Temporary Use / Structure
Protective Covenants	N/A

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

Location Map



Property Description

The subject property is located at 1080 SE 14th Street and is currently zoned C-2, General Commercial. Long-term temporary uses and/or structures shall be allowed only in a non-residential zoning district and shall have no facilities located nearer to a residential district than 200 feet.

Proposed Use Description

A large-scale development (LSD21-0031) proposing an expanded parking lot and a small building addition for Beach BBQ was approved by the Planning Commission on August 3, 2021. The applicant has not officially withdrawn their large-scale development, but the project stalled before having a preconstruction meeting.

Since then, the applicant put in a gravel parking lot at their restaurant as part of the interior remodel. Code Enforcement spoke to the owner and let him know that the gravel parking was not allowed without an approved conditional use permit.

The hours of operation for the restaurant will be Sunday through Saturday 11:00 AM to 9:00 PM. The applicant anticipates around 300 patrons per day with 16 employees. There are currently 21 asphalt parking spaces and this temporary gravel parking will help provide additional parking for patrons and employees.

The original 6 month Conditional Use permit was approved by the Planning Commission on August 8, 2022, for the Temporary Long-term use of the gravel parking lot areas has now expired and the applicant is requesting an extension. The applicant believes that giving additional time for the temporary use will allow the business time to develop and create the potential for the original large scale to be constructed. The applicant proposes that in no case will the temporary gravel be in place beyond December 31, 2023 with the time frames given below.

Public Notice

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

Conditions of Approval

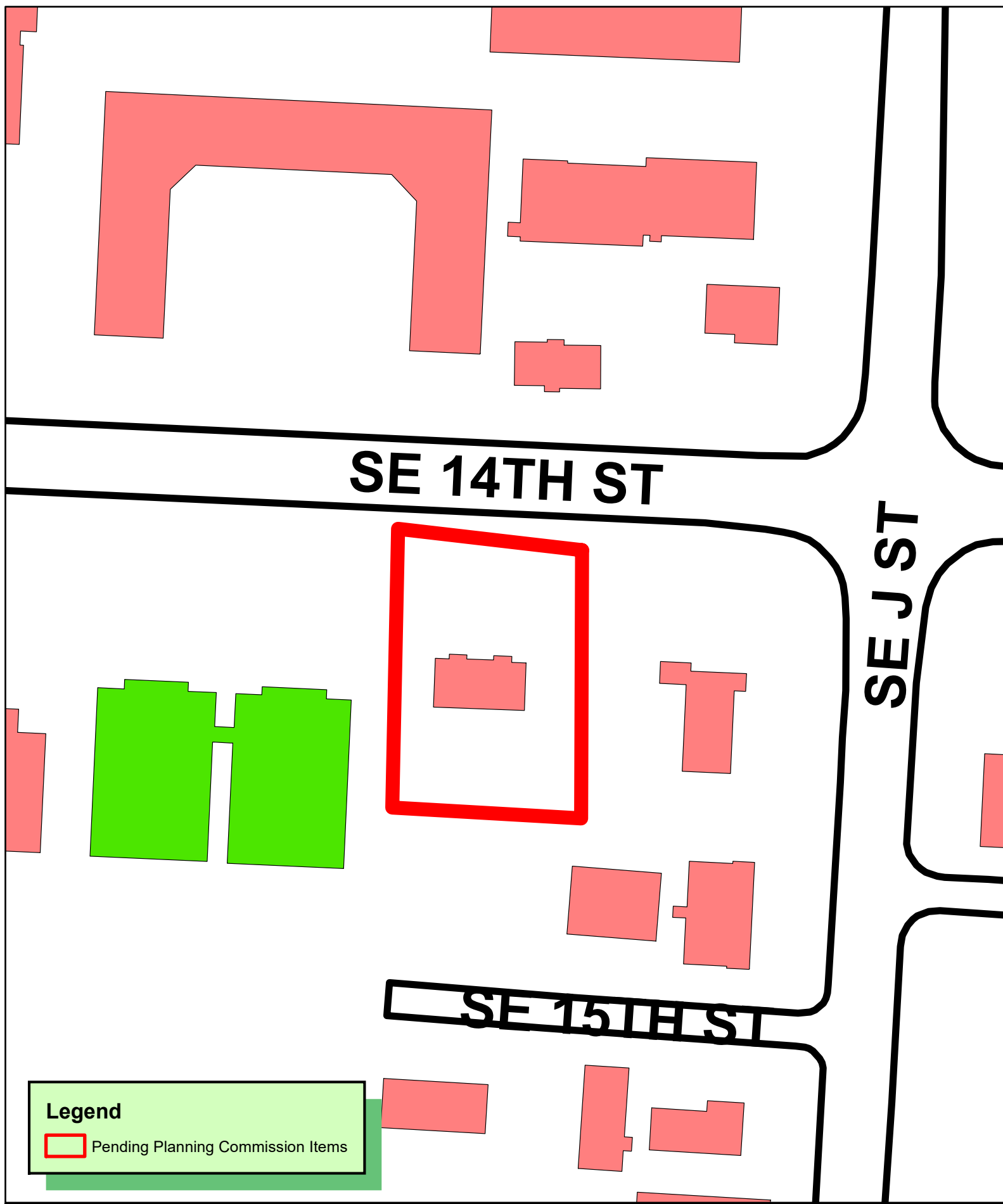
1. This Conditional Use Permit Extension shall be valid until December 31, 2023
2. The applicant shall submit to the City for review and approval a modified Large Scale Development for the site by August 1, 2023 (or request that the original Large Scale Development be extended).
3. If no amended or extended Large Scale proposal has been submitted to the City by August 1, 2023, applicant shall begin removing the temporary gravel by September 1, 2023 and be completed by

CONDITIONAL USE EXTENSION STAFF REPORT

December 31, 2023.

4. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a

public hearing on or revoke the Conditional Use at any time.



SE 14TH ST

SE J ST

SE 15TH ST

Legend

 Pending Planning Commission Items



1 inch = 100 feet

**CU22-0023 CONDITIONAL
USE EXTENSION 1080 SE
14TH STREET**



From: [dadi ravi](#)
To: [Luke Aitken](#)
Cc: [Christopher Hyatt](#); [Jon Stanley](#)
Subject: Re: CU22-0023 1080 SE 14TH ST
Date: Friday, January 13, 2023 3:28:01 PM
Attachments: [image002.png](#)

Hi Jon/Luke/Chris,

Please find answers below, and I uploaded all pictures to eTRAKit, please let me know, if anything else is required from me.

Please let me know, if you still can't read below writeup.

1. Proposed use and reason for the proposed use;

Ans: Proposed use is for Parking variance request customers and employees

This Parking Variance will help to grow small business, will generate new employment and help customers to bring their loved ones to new restaurant.

2. Site plan drawn to scale designating the property lines, existing structure(s),

Ans: Please find sketch with this mail.

3. proposed structure(s), and indoor and outdoor areas to be utilized;

Ans: There is no structural changes to current building.

4. Hours of operation, including days of the week;

Ans: We will be open everyday 11.00 am to 9.00 pm.

5. Indoor and outdoor areas to be utilized;

Ans: Please find sketch with this mail.

6. Planned indoor and outdoor structural changes;

Ans: There is no structural changes to current building.

7. Parking needs required for the proposed use including existing and proposed provide sketch of traffic flow and parking pattern (if applicable);

Ans: As of today there are 21 Asphalt Parking with current building, attached Sketch with this email which shows flow and parking pattern.

8. Planned outdoor lighting changes

Ans: No Outdoor lighting changes.

9. Anticipated patrons, clients, deliveries, and/or customers (average per day);

Ans: Around 300 per day.

10. Proposed number of employees;

Ans: We are expecting 16 employees

and,

11. Photographs of the property

Ans: Attached Photographs with eTRAKit.

On Thursday, January 12, 2023 at 03:52:32 PM CST, Luke Aitken <laitken@bentonvillear.com> wrote:

Ravi,

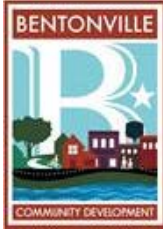
Good afternoon, I'm jumping in to help as Christopher has moved onto handling other projects in his new role with our department.

To request an extension we need to see an extension request letter outlining the below information, uploaded into Trakit for the project no later than 4:30pm tomorrow the 13th of January in order for the request to be voted on by Planning Commission at their February 21st meeting at 4pm. We will need to publish notice in the newspaper and post a sign at your property in order to hold a public hearing offering an opportunity for the public to comment at the meeting. Please let me know when you get this uploaded to eTrakit and we can get this process started for the Feb 21st meeting.

- **Narrative.** A typed narrative addressing each of the following items:
 - Proposed use and reason for the proposed use;
 - Site plan drawn to scale designating the property lines, existing structure(s), proposed structure(s), and indoor and outdoor areas to be utilized;
 - Hours of operation, including days of the week;
 - Indoor and outdoor areas to be utilized;
 - Planned indoor and outdoor structural changes;
 - Parking needs required for the proposed use including existing and proposed- provide sketch of traffic flow and parking pattern (if applicable);
 - Planned outdoor lighting changes
 - Anticipated patrons, clients, deliveries, and/or customers (average per day);
 - Proposed number of employees; and,
 - Photographs of the property

Best Regards,

Luke



Luke Aitken
Planning Tech
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.6827
www.bentonvillear.com

From: ravi dadi <dadi_ravi@yahoo.com>
Sent: Thursday, January 12, 2023 2:00 PM
To: Christopher Hyatt <chyatt@bentonvillear.com>
Cc: Luke Aitken <LAitken@bentonvillear.com>
Subject: Re: CU22-0023 1080 SE 14TH ST

Good Afternoon Christoper,
I am still working on final CO and not opened restaurant yet, need your help to extend Conditional Used case for opening of my restaurant.
Please let me know, what I have to do extend my conditional used case.

Thanks,
Ravi Dadi

On Aug 9, 2022, at 4:26 PM, Christopher Hyatt <chyatt@bentonvillear.com> wrote:

Good Afternoon,

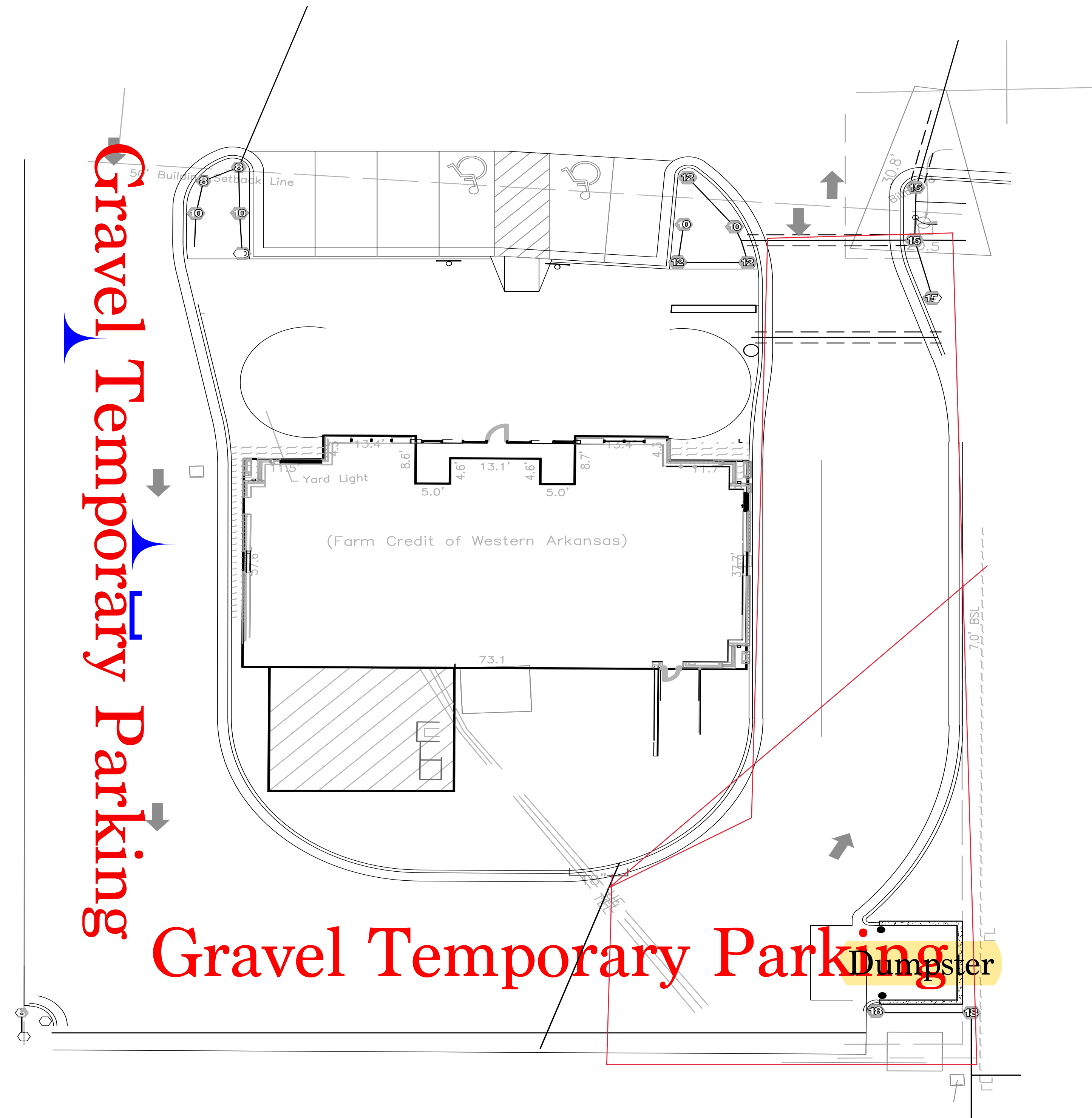
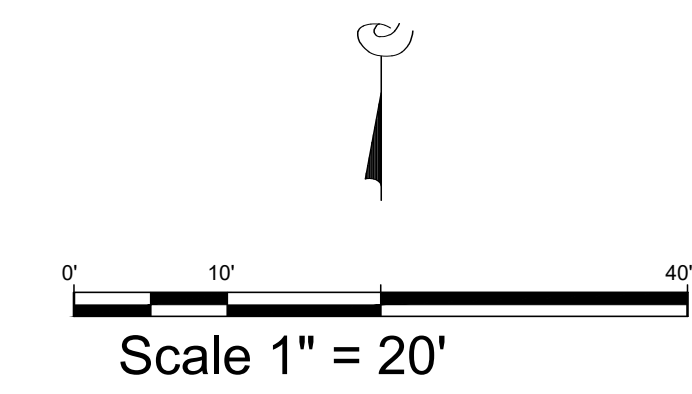
Attached is the Developer Letter Agreement for CU22-0023. Please review, then sign, and return a copy for our records.

Thank you!

<image001.jpg>

Christopher Hyatt
Planning Technician
305 SW "A" Street
Bentonville, AR 72712
Office: 479.271.3122
Fax: 479.271.5906
www.bentonvillear.com

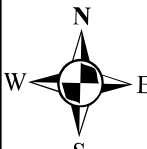
<CU22-0023_Beach BBQ.pdf>





Legend

 Pending Planning Commission Items


1 inch = 100 feet

LSD21-0038
LARGE SCALE DEVELOPMENT
7TH STREET TOWNHOMES PHASE 1





March 1, 2023

Jon Stanley
Senior Planner
Dept. of Current Planning, City of Bentonville, AR
305 SW A Street
Bentonville, AR 72712

RE: 7th Street Townhomes LSD 21-0038
Building Materials Variance and LSD Amendment

Jon,

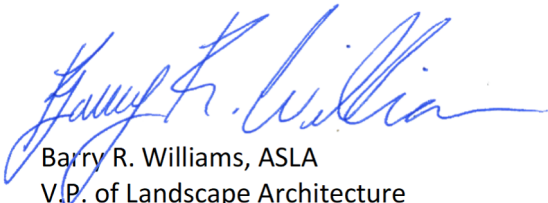
Since the Commission was kind enough allow me to table our application for further internal review, we now have a different solution to propose.

With this iteration of elevations we are still needing to eliminate the metal panels for all the reasons mentioned in Mr. Jampana's request.

This time, however, the owner and architect bring forward elevations that on three sides are almost entirely brick. We would still like to request Hardie panels (Board & Batten) on the second and third levels in the rear. Structurally I am told these buildings were NOT designed to hold brick on the rear elevations due to the shifts and height transitions that exist on the different levels. Therefore, we simply cannot put brick in these areas.

This is our proposal. We hope staff and the Commission will give this some close consideration with this latest set of elevations so that the owner can move forward in a timely fashion.

Thank you,



Barry R. Williams, ASLA
V.P. of Landscape Architecture

LINEWORK

LINEWORK

SYMBOLS

- EASEMENT
- =====
- CURB _____ UGT _____
- UNDERGROUND TELEPHONE _____ UGE _____
- UNDERGROUND ELECTRIC _____ OHE _____
- OVERHEAD ELECTRIC _____ UGTV _____ UGTV _____
- UNDERGROUND TELEVISION _____ OHTV _____ OHTV _____
- OVERHEAD TELEVISION _____
- CHAIN LINK FENCE _____
- WOOD FENCE _____
- BARBED WIRE FENCE _____ X _____ X _____ X _____
- FIBER OPTIC _____ FO _____
- RIGHT OF WAY _____
- ROAD CENTERLINE _____

LINEWORK

SYMBOLS

-
- EASEMENT
- CURB
- OHE
- OVERHEAD ELECTRIC
- FO
- FIBER OPTIC
- BUILDING SET BACK
- RIGHT OF WAY
- PROPERTY LINE
- ROAD CENTERLINE
- PHASE LINE

3. THE DESIGN, INSPECTION, AND VERIFICATION OF ANY RETAINING WALL SHOW OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
4. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
5. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
6. ALL CURB DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
7. ALL PAVEMENT MARKINGS DIMENSIONS FACE OF CURB UNLESS OTHERWISE NOTED.
8. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
9. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
10. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
11. CONTRACTOR SHALL MATCH NEW CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
12. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC FROM THE SITE.
13. CONTACT BEUD AT 479-2721-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
14. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
15. 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.
16. ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT. MONUMENT/FREESTANDING SIGNS ARE NOT ALLOWED IN DE & DC ZONING DISTRICTS.
17. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
18. INDIVIDUAL UNITS WILL HAVE CURBSIDE TRASH CANISTERS TO BE STORED IN THEIR GARAGE.

BUILDING SETBACK:	FRONT SIDE REAR (ADACENT TO RESIDENTIAL)
SITE AREA:	±0.69 AC. (±29,851 SQ.FT.)
BUILDING SIZE:	±8,511 SQ. FT.
BUILDING USAGE:	TOWNHOMES
FINISHED FLOOR ELEVATION:	SEE GRADING PLAN
ZONING:	D-E
PROPERTY USAGE:	RESIDENTIAL
BUILDING HEIGHT:	50' MAX 0' MIN
ADDRESS:	203-209 SE 7TH ST BENTONVILLE, AR 72712

SITE OWNER/DEVELOPER:

CRAFTON TULL
DANIEL ELLIS P.E.
901 N. 47TH ST., SUITE 400
ROGERS, AR 72756
479-636-4838
DANIEL.ELLIS@CRAFTONTULL.COM
GATOR DISTRICT LLC
5303 SW LAVENDER ST.
BENTONVILLE, AR 72713
MUNISHEKARRAJA@GMAIL.COM

STUDIO AND 1 BEDROOM:
1 SPACE/UNIT
2+ BEDROOMS:
1 SPACE/UNIT PLUS .5 FOR
EACH BEDROOM OVER 3

17 PARKING STALLS

1. ALL TREES PLANTED WITHIN THE AASHTO SIGHT TRIANGLE OF PUBLIC RIGHTS-OF-WAY SHALL BE 4" CALIPER AND THE LOWEST LIMBS SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.
2. NOTHING BETWEEN 30" - 60" TALL SHALL BE INSTALLED WITHIN ANY PORTION OF THE SIGHT TRIANGLE.

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PROPOSED PROJECT FOR:

7th LIVING TOWNHOUSES

S.E. 7th ST. & S.E. B ST. - BENTONVILLE, AR



ELEVATIONS

Seal

Revisions

Date

6.9.21

Project

21.33

A2.0



1 REAR ELEVATION
3/16" = 1'-0"



2 SIDE ELEVATION 2
1/4" = 1'-0"

PROPOSED PROJECT FOR:

7th LIVING TOWNHOUSES

S.E. 7th ST. & S.E. B ST. - BENTONVILLE, AR



ELEVATIONS

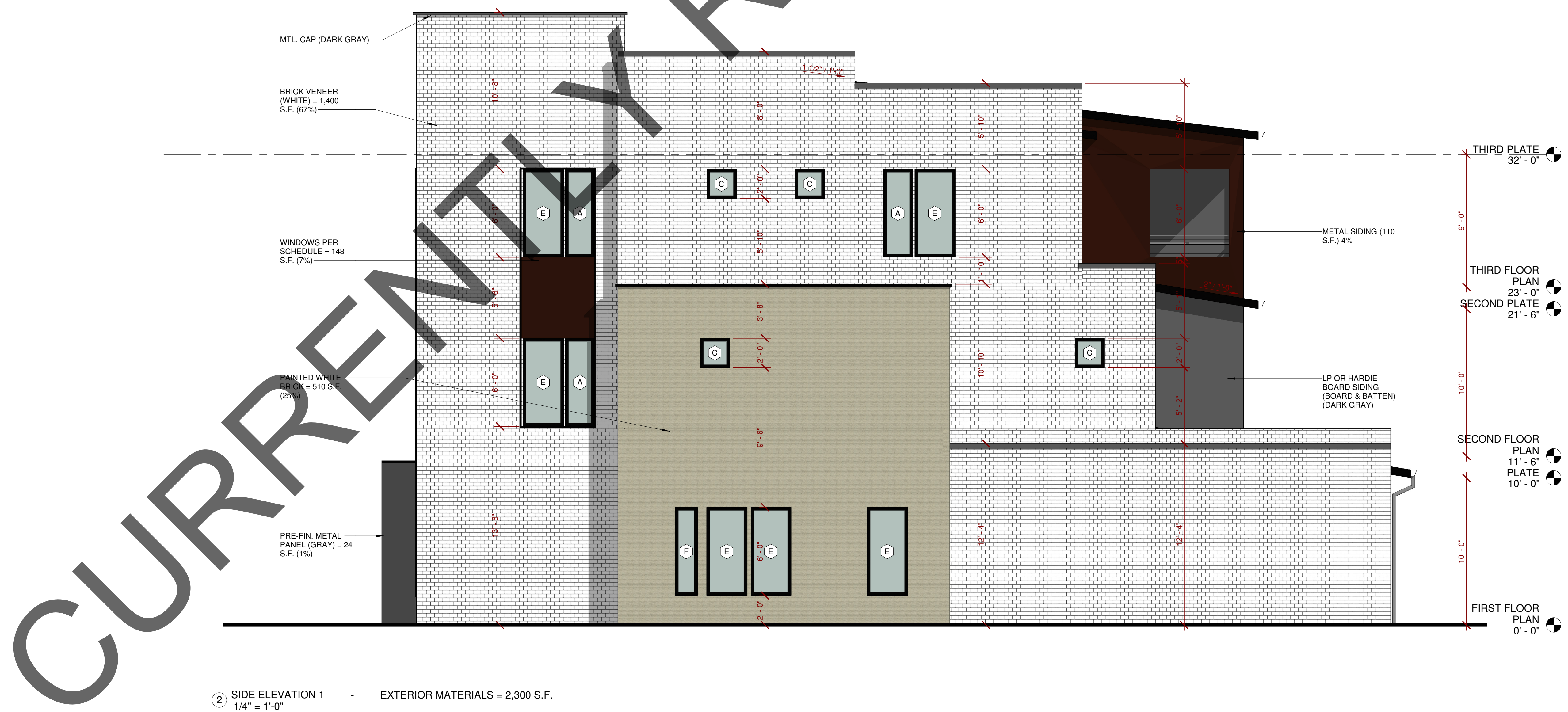
Seal

Revisions

Date
6.9.21

Project
21.33

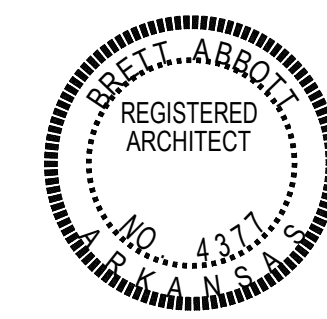
A2.1



PROPOSED PROJECT FOR:

7th LIVING TOWNHOUSES

S.E. 7th ST. & S.E. B ST. - BENTONVILLE, AR



ELEVATIONS

Seal
2.27.23

Revisions

Date
2.27.23

Project
21.33

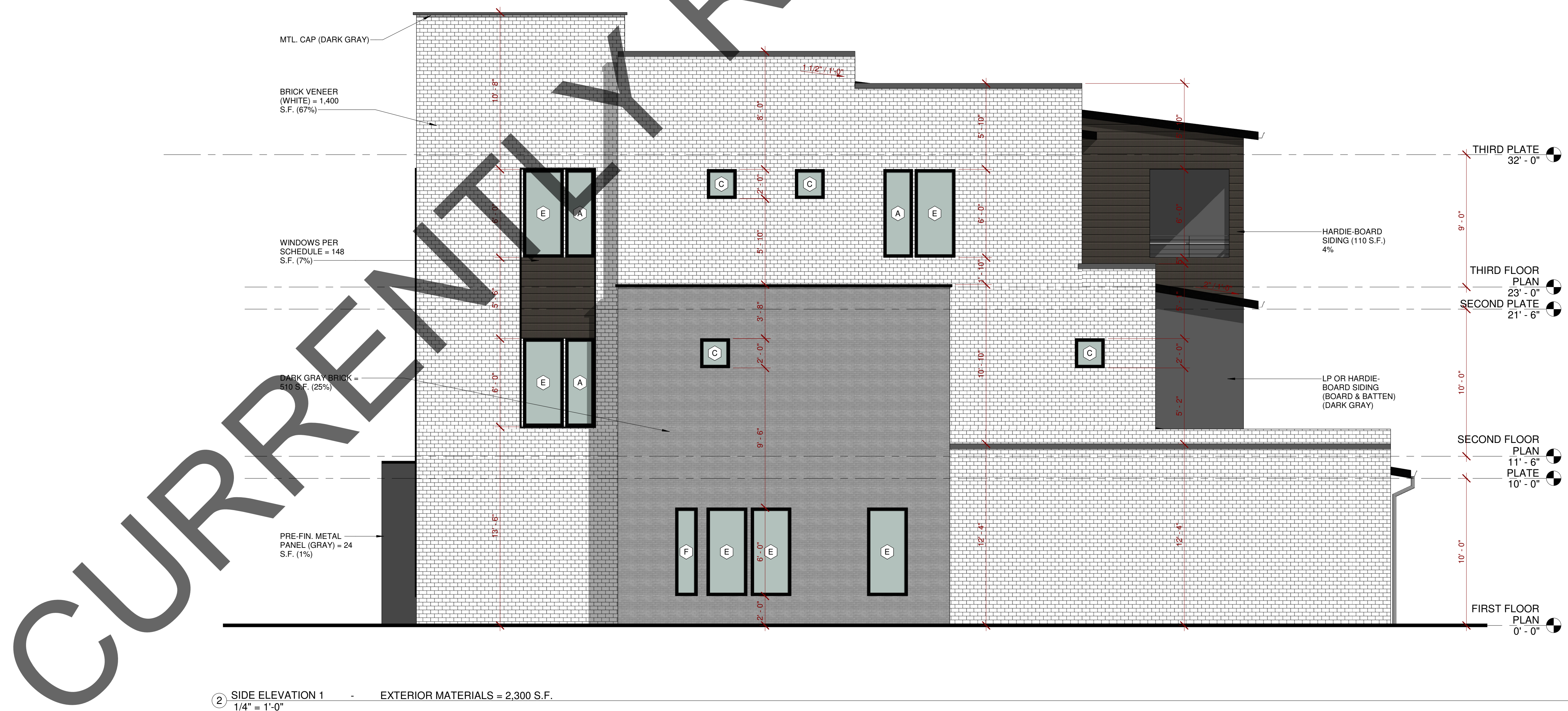
A2.0



① REAR ELEVATION - EXTERIOR MATERIALS = 4,980 S.F.
3/16" = 1'-0"



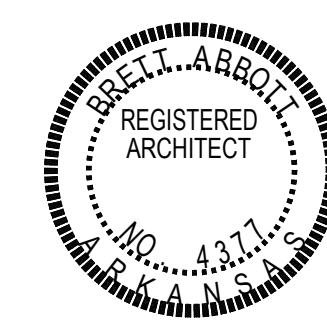
② SIDE ELEVATION 2 - EXTERIOR MATERIALS = 2,300 S.F.
1/4" = 1'-0"



PROPOSED PROJECT FOR:

7th LIVING TOWNHOUSES

S.E. 7th ST. & S.E. B ST. - BENTONVILLE, AR



ELEVATIONS

Seal

2.27.23

Revisions

Date
2.27.23

Project
21.33

A2.0



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3/16" = 1'-0"

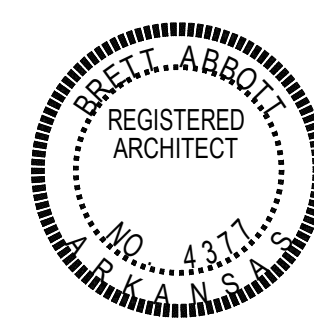


② SIDE ELEVATION 2 - EXTERIOR MATERIALS = 2,300 S.F.
1/4" = 1'-0"

PROPOSED PROJECT FOR:

7th LIVING TOWNHOUSES

S.E. 7th ST. & S.E. B ST. - BENTONVILLE, AR



ELEVATIONS

Seal

2.27.23

Revisions

Date

2.27.23

Project

21.33

A2.1

ORDINANCE NO. _____
CITY OF BENTONVILLE, ARKANSAS

**AN ORDINANCE AMENDING ZONING CODE SEC. 601.29 ALCOHOL SALES
TO ESTABLISH OPERATING HOURS FOR SUNDAY ALCOHOL SALES;
AND FOR OTHER PURPOSES**

WHEREAS, as a result of the November 2012 general election, Benton County, Arkansas voters voted in favor of the manufacture or sale of intoxicating liquors to include alcoholic beverages of every kind and type, including but not limited to beer, vinous, spirituous and malt liquor within Benton County, Arkansas pursuant to applicable Arkansas State law and regulations related to alcohol beverages;

WHEREAS, the City of Bentonville amended the Zoning Code on January 22, 2013 to align with the county laws regarding alcohol sales; and

WHEREAS, as a result of the November 2022 general election, Benton County, Arkansas voters voted in favor of alcohol sales on Sunday;

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

Section 1 – Amendment of Use Regulations for Alcohol Sales. That Bentonville Municipal Code, Appendix A Zoning Code should be and the same is hereby amended with the following:

Sec 601.29 Alcohol Sales

(c) Conditions for use.

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

Section 4 - 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 5 - Repeal of Conflicting Provisions: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 6 - Effective Date: This Ordinance is necessary to preserve the public peace, health, safety and welfare and because of such an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

ORDINANCE NO. _____
CITY OF BENTONVILLE, ARKANSAS

AN ORDINANCE AMENDING ZONING CODE
SEC. 601.03 ANIMALS; AND FOR OTHER PURPOSES

WHEREAS, animals are regulated in Bentonville Municipal Code (BMC), Chapter 6 Animals;
WHEREAS, animals are also regulated in BMC Appendix A: Zoning Code;
WHEREAS, the city finds that the regulations in BMC Chapter 6 Animals should prevail.

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

Section 1 - Amendment of Sec. 601.03 Animals. That Bentonville Municipal Code, Appendix A Zoning Code, Sec. Sec. 601.03 Animals should be and the same is hereby amended as follows:

Sec 601.03 Animals

Animals and fowls, where ~~permitted~~ allowed in a zoning district, shall be kept only in accordance with Bentonville Municipal Code, Chapter 6 Animals and other applicable City Ordinances and Codes. ~~Proponents of such uses shall show that adequate measures will be taken to prevent odor, dust, noise or drainage from becoming a nuisance to uses on other properties. No incineration of animal refuse shall be permitted on the premises. In a Residential District, no more than four (4) domestic/household animals over the age of four (4) months shall be kept, maintained or harbored.~~

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 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

Sec 1100.21 Large-Scale Development Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for commercial and multifamily development as set forth in the city's Community Plan. The Community Plan recommends a high quality of design, improved functionality and appearance of commerce and industry areas, and to support transformation and modernization of aging areas. The intent of these standards is to improve the overall quality of development with surrounding land uses and enhance pedestrian safety and walkability.
- (b) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval. The standards in this section and in Sec. 1100.23 Downtown (D) Non-residential and Mixed use design standards shall apply in the DC, Downtown Core and DE, Downtown Edge zoning districts.
- (c) *Exemptions.*
 - (1) *Residential uses in Downtown districts.* Residential development in the Downtown (DC and DE) and Downtown Neighborhood (DN1, DN-2, DN-3, DN-4) districts shall be exempt from this section but shall be subject to Sec. 1100.22 Downtown Residential Design Standards.
 - (2) *Nonresidential, commercial and mixed-uses in Downtown Districts.* Nonresidential, commercial and mixed-use development in the Downtown (DC and DE) and Downtown Neighborhood (DN1, DN-2, DN-3, DN-4) districts shall be exempt from the site amenities requirement in subsection r but shall be subject to Sec. 1100.22 Downtown Non-residential Design Standards.
 - (3) *Municipal airport.* Development subject to the design standards for the Bentonville Municipal Airport, which have specific site and architectural design standards established in Section 1100.24, Municipal Airport design standards, shall be exempt from this section.
 - (4) *Existing structures.* When a large-scale development is only an addition to an existing structure, the design standards shall only apply to the addition itself. Façade re-skins, where building façade materials are fully or in part replaced, shall be subject to the building material requirements of this section unless otherwise approved by the Planning Director.
- (d) *Review process.* These standards shall be applied in the normal review process for large-scale developments and shall be approved by the planning commission.
- (e) *Building material.* A minimum of seventy five percent of each façade of a building, not including doors, shall be composed of a maximum of three primary materials. Anything less than seventy five percent must be approved by planning commission. The remaining 25% may be composed of trim.
 - (1) *Primary Materials.* All structures in all zoning districts may utilize brick, stone, marble, granite, cast stone, windows, glazing and copper, bronze, or similar quality metals as primary materials.
 - (2) *Special Use Primary Materials.* Fiber cement siding, wood lap siding, three-coat cement-based stucco, 24-gauge architectural metal panel systems, textured concrete

block, glass block, concrete tilt-up panels, and other durable or innovative materials may be used as primary materials subject to the following review criteria:

1. *Location:* Exterior materials should be consistent with the character of the surrounding neighborhood context and be appropriate for the building use type. Applicants shall provide 3-D renderings of their project, and example photos of the material with the application.
 2. *Design and Innovation:* The materials list above are not meant to be exhaustive, but applicants should be prepared to present compelling reasons to the Planning Commission to accept alternatives, such as for specific design purposes or due to new, innovative materials coming available to the development community. Applicants shall supply a written narrative explaining why the alternative material is necessary for their proposed structure with the application.
 3. *Quality.* Selected materials should be high-quality and durable. Applicants shall provide cut sheets and warranty information with the application.
 4. *Building Form and Pedestrian Scale.* Special use materials should be integrated to compliment the building form, articulation, and may be used alongside other allowed primary materials. Examples may include limiting their use to non-street facing facades, as a material change for articulation purposes, or to the upper stories of multi-story buildings.
 5. *Intent.* Exterior materials shall meet the purpose and intent of this Article.
- (3) *Prohibited Primary Materials.* Masonite, non-textured concrete block, vinyl, and Exterior Insulation Finish System (EIFS) shall not constitute a portion of any building except trim. Loading docks, overhead doors, and other service entries are prohibited on primary street-facing facades.

- (f) *Building color.* The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing. All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match or compliment the color of the adjacent surface, unless being used expressly as a trim or accent element. Building color shall be consistent with the standards established below.

LARGE SCALE DEVELOPMENT BUILDING COLOR STANDARDS		
	Primary Colors	Trim Colors

Allowed	Muted Neutral Earth tone	Muted Neutral Earth tone Bright Light Primary
Prohibited	Bright Primary	

- (g) *Building compatibility*.. The exterior building design, including roof style, color, materials, architectural form and detailing, shall use common design characteristics among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.
- (h) *Scale and bulk*. The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care, however, shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size and relationship to street width.
- (i) *Facade articulation*. Buildings shall avoid long uninterrupted façade planes and/or blank walls and shall meet the following requirements.
- (1) *Vertical articulation*. Vertical articulation is required to visually break up the massing of front and corner facades. Vertical articulation elements are required at intervals no less than 20-feet and no more than 50-feet from each other and may include architectural features such as bays, columns, pilasters, mullions, regular repetition of window patterns, a break in the building plane, recessed entries, or other architectural that meet the intent of this article.
 - (2) *Horizontal articulation*. Horizontal articulation is required to help distinguish the ground floor from upper stories on buildings with 3 or more stories. Allowable methods include base, belt courses, awnings or canopies, changes in materials or window patterns, recessed entries, or other architectural treatments that meet the intent of this article.
 - (3) *Color*. Variation in color shall not be used to meet the required articulation.
 - (4) *Roofs*. Roof lines and/or parapets shall be varied with a change in height proportionate to the building length and height. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view.
 - (5) *Entrances*. All primary building entrances shall be visible and accessible from the public street and sidewalk. Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances. This may be satisfied through the use of architectural features such as canopies or porticos, overhangs, recesses/projections, arcades, arches, architectural detail such as tile work and moldings integrated into the building structure and design, integrated planters or wing walls that incorporate landscaped areas and/or places for sitting or other architectural features approved by the planning commission.
- (j)
- (k) *Utility and mechanical equipment screening*.

- (1) Screening of service yards, utility meters and hardware, mechanical equipment, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls constructed with the same materials as the primary building, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by planning commission are required along street frontages and bordering residential areas.
 1. Adjusting the architectural or landscape profile to screen those elements from view.
 2. Placing those elements on service courts or other locations usable by the general public.
 3. Integrating those elements into the architecture or landscaping of the site.
 4. Use materials similar to that of the primary structure.
- (2) The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:
 1. The degree of visibility from all adjacent public ways;
 2. The architectural compatibility of the design and color of the yards, meters and equipment of the building;
 3. Possible visibility from future buildings and public ways; and
 4. Internal overall appearance in relation to the site.
- (l) *Building placement.* Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the public. The front façade shall be kept parallel with the street. On corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.
- (m) *Parking placement.* No more than 60% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by out-lot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Parking lots shall be designed in regular, rectangular shapes.
- (n) *Pedestrian circulation.* Clearly defined pedestrian walkways or paths shall be provided from public sidewalks to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.
- (o) *Site amenities.* Each commercial development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two (2) of the amenities listed below. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
 - (1) Patio, seating area;

- (2) Pedestrian plaza with benches;
- (3) Mini park, square or green;
- (4) Transit stop;
- (5) Public art;
- (6) Window shopping walkway;
- (7) Outdoor play area;
- (8) Kiosk area;
- (9) Water feature;
- (10) Clock tower or steeple;
- (11) Bike racks that hold at least 2 bikes; or
- (12) Any other deliberately shaped area and/or focal feature that, in the planning commission's judgment adequately enhances such development and serves as a gathering place.

Sec 1100.22 Downtown Residential Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to improve the overall quality of development and enhance pedestrian safety and walkability in downtown residential areas.
- (b) *Applicability.* The provisions of this section shall apply to all residential development in the DC, DE, DN-1, DN-2, DN-3 and DN-4 districts.
- (c) *General Residential Building orientation and design.*
 - (1) *Building orientation.* All residential buildings shall be oriented with their primary facades toward the public street. For corner lots, the primary façade must be oriented toward the designated front lot line.
 - (2) *Materials and design.* Front, side, and rear building facades visible from the public street shall incorporate attractive design materials and massing elements that create visual interest and a character consistent with surrounding development. Such design and massing elements could include porches or stoops, dormers, varied roof lines planar modulation or varied façade materials.
 - (3) *Character elements.* Character elements such as porches, window bays, dormers, etc., if used in a way that is consistent with the intended character of the neighborhood, can result in a maximum lot coverage bonus of up to 5% based on the discretion of the Director.
 - (4) *Functional character elements.* Where appropriate, character elements shall be fully functional. Dormers shall be constructed to allow for occupiable space, and porches shall be a minimum depth of 6' to allow for regular use.
 - (5) *Exterior materials.* Exterior façade materials and details should be consistent with the character of the surrounding context.
- (d) *General Residential Site access and parking.*
 - (1) *Parking location.*
 - a. *Prohibited in front yards.* Garages, parking lots or designated parking spaces are prohibited in the front yard .
 - b. *Attached garages.* Garages may be attached to the primary structure. However, if the garage is attached, it must be located and oriented in such a way that it does not protrude from the side façade of the primary building in order to be visible from the public street.
 - c. *Detached garages.* Detached garages shall be located to the rear of the primary structure.
 - (2) *Parking setbacks.*
 - a. *Corner lot.* On a corner lot, the garage shall not be located closer than 20' to the corner side lot line in order to allow for outdoor vehicular parking entirely on the lot.
 - b. *Detached garages.* Detached garages must be separated from the primary structure by a minimum of 10'.
 - c. *Garages with alley access.* Garages with alley access must be setback 8' from the alley.

(3) *Parking access.*

- a. *With alleys.* Where alleys are platted and paved, vehicular access to the designated parking area shall be provided from the alleys.
- b. *Without alleys.*
 1. Where alleys are not platted, or are platted and not paved, property owners are encouraged to locate parking areas in such a way that parking access could be easily converted to an alley if one is installed in the future. Property owners may choose to pave platted alleys provided they pave the portion of the alley that abuts their property to the nearest public road as identified by the Master Street Plan and shall construct the alley in accordance with Section 1100.16.
 2. Where no alley is provided, vehicular access shall be provided in accordance with the standards for each building type.

(4) *Shared parking access.* Where a private drive from the public street is permitted, adjacent properties are encouraged to utilize a shared private drive in order to reduce the overall number of private drives and curb cuts on a block. Where this is done, the following standards shall be met:

a. *Adjacent single-family.*

1. Driveway width. The driveway width shall be a minimum 12' and a maximum of 14'. This area should be kept clear of parked vehicles or other property that would inhibit vehicular circulation.
2. Clear circulation. A clear circulation area shall be provided between designated parking areas or garages and shall have a minimum width of 22' to allow for backing out of vehicles. This area should remain clear of parked vehicles or other property that would inhibit vehicular circulation.
 - i. Garages may be located up to the edge of the required clear circulation area so long as they meet the other setbacks and locational requirements of this chapter.
 - ii. Outdoor parking can be accommodated by setting back the façade of the garage a minimum of 18' and a maximum of 22' from the property line.

b. *Adjacent townhouse or multi-family.*

1. Driveway width. The minimum driveway width shall be 12'. This area shall be kept clear of parked vehicles or other property that would inhibit vehicular circulation.
2. Access. The driveway from the public street shall lead to separate drive aisles for parking on each lot. These drive aisles shall conform to parking lot standards included in the zoning ordinance and shall provide access to individual parking spaces or garages.

c. *Pedestrian access.* Pedestrian access from public sidewalk to front façade shall be provided in accordance with the standards for each building type.

(e) *Single-Family standards.*

- (1) *Street access.* Where no alley is provided, one private drive can be provided from the public street. For corner lots, drive access should be provided from the designated side street.
- (2) *Alley access.* Vehicular access to all lots with a width less than 50' must be provided by a rear alley.
- (3) *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated building entrance on the front façade of the building.

(f) *Townhouse standards.*

(1) *Townhouse design standards.*

- a. *Townhouse unit width.* The minimum width of a townhouse unit is 20'.
- b. *Townhouse cluster size.* One townhouse cluster can have a maximum of 6 dwelling units.
- c. *Townhouse cluster spacing.* Multiple townhouse clusters can be provided on a single lot so long as there is a minimum spacing of 20' between clusters and all clusters are oriented toward the public street.
- d. *Townhouse unit articulation.* Individual townhouse units should be articulated through the exterior design of the cluster. This can be accomplished through dormers, porches, vertical design elements, varying roof forms, or other appropriate techniques.

e. *Block end townhouses.* In districts where townhouse clusters are only allowed at the end of a block,, the cluster(s) shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.

- f. *Mid-block townhouses.* In districts where, townhouse clusters are allowed on any portion of a block, when a cluster is located at the end of a block, it may orient toward either public street.

(2) *Townhouse access and parking management.*

- a. *Alley and drive access.* Vehicular access to townhouse clusters shall be served by a rear alley, or by a private on-site drive.
- b. *Drive access width.* The private on-site drive with a maximum width of 20' can be provided for each cluster of townhouse units. (The drive can be provided in the required 20' spacing between clusters.) However, wherever possible, one private drive should be used to provide access to multiple townhouse clusters.
- c. *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance for each unit on the front façade of the building.

(g) *Multi-Family standards.*

(1) *Multi-family design standards.*

- a. *Design elements.* Multi-family buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.
- b. *Multiple buildings on a lot.* More than one multi-family building can be provided on a single lot so long as there is a minimum spacing of 20' between buildings and all buildings are oriented toward the public street.
- c. *Block-end multi-family buildings.* In the DN-3 district, multi-family buildings are only permitted at the end of a block. In such instances, the building(s) shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.
- d. *Mid-block multi-family buildings.* In the DC, DE, and DN-4 districts, multi-family buildings are permitted on any portion of a block. In this district, when a building is located at the end of a block, it may orient toward either public street.

(2) *Multi-family access and parking management.*

- a. *Vehicular alley access.* Vehicular access to all multi-family buildings must be provided by an alley. Where no alley exists, a private drive may be provided. However, the private drive should be dedicated as a future public alley and designed to be integrated with future alleys as they are built.
- b. *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance or entrances on the front façade of the building.

(h) *Integrated commercial use standards.* Commercial uses that are integrated into a primarily residential structure, shall meet the following standards.

(1) *Allowed location.*

- a. *Ground floor.* Ground-floor commercial uses are permitted in multi-family buildings along property frontages indicated on the City's zoning map and in accordance with items 1.a.—3.c. below.
- b. *Corners.* Commercial uses should be located at the corner of the building and at the corner where a side street exists, if possible.

(2) *Dedicated entrance.* Commercial uses must provide a dedicated entrance from either the public sidewalk or publicly accessible vestibule of the building. Entry from an internal residential corridor is prohibited.

(3) *Commercial area and operations.*

- a. *Size.* The area of any single commercial use shall not exceed 3,000 sq. ft., and the total commercial area in a multi-family building shall not exceed 5,000 sq. ft. Structures that

exceed the maximum size requirements shall be classified and regulated as Mixed-Use structures (1100.22.9)

- b. *Multiple uses.* The commercial use shall not be the only use on the ground floor. Other qualifying uses include residential units or resident amenities (i.e. laundry, parking, storage, building management, etc.).
- c. *Functional operations.* Operations related to the function of commercial tenants (i.e. outdoor trash receptacles, loading areas, etc.) shall be located and designed so they do not interfere with resident access or substantially impact residents through noise, odor, etc.

Sec 1100.23 Downtown Non-residential and Mixed-Use Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for the downtown area as outlined in the Downtown Master Plan and the Bentonville Community Plan. The intent of these standards is to improve the overall quality of development and enhance pedestrian safety and walkability in the downtown districts.
- (b) *Applicability.* The provisions of this section shall apply to all commercial, non-residential and mixed-use developments requiring approval within the DN-1, DN-2, DN-3, DN-4, DC, and DE, districts. These standards are in addition to the regulations in Sec. 1100.21 Large scale development design standards. Where there is conflict between regulations, the regulations in this section shall prevail. These regulations do not apply to residential, integrated commercial or mixed use which are regulations in Sec. 1100.22 Downtown Residential Design Standards.
- (c) *Review process.* These standards shall be applied in the normal review process for large scale developments and shall be approved by the planning commission.
- (d) *Downtown commercial design standards.* Buildings design for non-residential or commercial only uses, shall meet the following standards.
 - (1) *Downtown commercial building design standards.*
 - a. *Façades.* Loading docks, overhead doors, and other service entries are prohibited on primary street-facing façades. Features added to the façade, such as balconies and shutters, shall be useable and/or operational to ensure authenticity of design.
 - c. *Entrances.*
 - 1. *Doors adjacent to sidewalk.* All doors from the structure that are immediately adjacent to the sidewalk shall be recessed from the front of the structure a minimum of the width of the door to allow for safe pedestrian use of the sidewalk.
 - 2. *Primary entrance emphasized.* All primary entrances to a building shall be emphasized with one of the following techniques, or as approved by planning commission: slightly recessed; change in color; and/or materials or paving treatment.
 - d. *Glazing.* Commercial, mixed use and non-residential buildings shall create visible interest at the pedestrian scale. For the purposes of this Section, glazing is the percent of the façade square footage covered by windows and doors, excluding trim. Glazing shall constitute a minimum of 50% of the façade square footage of the ground floor, between 2 and 12 feet, visible from the public street and shall be transparent enough to be visible to an interior depth of five feet inside the floorplate.
 - e. *Corner architecture.* All buildings located at the corner of the intersection between any combination of arterial and collector streets shall incorporate a minimum of one of the following architectural elements, or as approved by planning commission: Cupola, Turret, Pitched roof.
 - f. *Awnings, canopies, and balconies.* Awnings, canopies and balconies shall meet the standards below.

DOWNTOWN AWNING, CANOPIES AND BALCONY STANDARDS	
Material	Durable, protective, water repellant
Prohibited	Plastic, aluminum, fiberglass Backlighting of awning

- g. *Franchise architecture.* Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) is prohibited. Franchises or national chains shall follow these standards to create a unique building that is compatible with the DC, Downtown Core DE, Downtown Edge. DN-1, DN-2, DN-3, Downtown High-Density Residential, and DN-4, Downtown Mixed-Use Residential districts.

(2) Downtown Commercial site design standards.

- a. *Building placement.* A minimum of 80% of the façade must be placed along the maximum setback allowed in the zoning district. Any section along the maximum setback on an arterial or collector street that is not defined by a building up to a 10-foot setback of the maximum setback shall be defined by a 2'6" to 4'6" high fence or wall. The material on the fence or wall shall be consistent and compatible with the adjacent structure and approved by planning commission. The fence or wall may consist of a gate or opening for access.
- b. *Parking placement.* Off-street parking shall be located behind or to the side of the primary building. On corner lots, parking drive shall not be located on arterial or collector streets, unless at the intersection of any combination of arterial and collector streets Parking drives are highly discouraged along arterial and collector streets and only allowed if there is no other option for access to parking areas. Off-site parking may be provided off-site within 600' or as shared parking. A shared parking agreement shall be provided to Planning for all residential use parking spaces.

- (e) *Downtown Mixed-use design standards.* Buildings that mix residential and commercial/non-residential uses shall meet the following standards.

(1) *Downtown Mixed use building standards.*

- a. *Upper floor design.* Upper-floor residential portions of mixed-use buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.

- b. *Ground floor design.* Ground-floor commercial facades must integrate a high level of transparency and elements typical of traditional commercial design. Such elements should include knee walls, window bays framed by architectural columns and pilasters, transom windows, recessed entries, awnings, and others.
- c. *Buildings on a corner lot.* Mixed-use buildings located on corners should integrate prominent massing elements such as corner turrets or chamfered facades.
- d. *Signage and lighting.* Commercial signage and lighting should be integrated into the design of the façade and have a minimal impact on the aesthetic of the area. All commercial signs should comply with the regulations for signs located in the D-C Downtown Core District.
- e. *floor delineation.* For buildings taller than two stories, there should be a clear delineation between the ground-floor commercial or nonresidential space and upper-floor residential areas. Such a delineation can be created through the use of varying materials, slight upper-floor recession, projection or horizontal variation.
- f. *Large scale development compliance.* Mixed-use buildings are subject to the standards for Large Scale Developments and Downtown Commercial development as described in Appendix B, Sec. 1100.21, Large-Scale Development Design Standards and Sec. 1100.23, Downtown Commercial Design Standards and the requirements of Sec. 1100.23 shall prevail.
- g. *Functional operations.* Operations related to the function of commercial tenants (i.e. outdoor trash receptacles, loading areas, etc.) shall be located and designed so they do not interfere with resident access or substantially impact residents through noise, odor, etc. Trash receptacles should not be adjacent to a public right-of-way or located in a front setback.
- h. *Screening of adjacent residential lots.* Mixed-use buildings shall provide screening against abutting residential properties that is compliant with regulations established in Section 1400.09 of the City's Land Development Code.

(2) *Downtown Mixed-use access and parking management.*

- a. *Vehicular access.* Vehicular access to all multi-family buildings must be provided by an alley. Where no alley exists, a private drive may be provided. However, the private drive should be dedicated as a future public alley and designed to be integrated with future alleys as they are built.
 - b. *Pedestrian access.*
 - 1. *Ground floor commercial.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance for each ground-floor commercial unit on the front façade of the building.
 - 2. *Residential.* Direct pedestrian access shall be provided from the public sidewalk to a dedicated entrance that provides access to upper-floor residential units.
- (f) *Downtown Site amenity standards.* A minimum of two site amenities are required and shall meet the standards below. All street furniture shall be installed per manufacturer's specifications.

(1) *Street amenity placement.*

- a. Street trees and streetlights shall not be placed directly in front of an entrance to a building.
- b. All street furniture shall be placed so that a minimum of 4' of the width of the sidewalk is clear and unobstructed.
- c. Trees, street lamps, and all street furniture shall be placed a minimum of 36" away from the back of curb to allow for car doors opening.

(2) *Streetlight standard.*

- a. Luminaire: Granville
- b. Pole: Wadsworth
- c. Pole height: 12' maximum
- d. Color: Black
- e. Spacing: Determined by Bentonville Electric Utility Department.

(3) *Bench standard.*

- a. Length: 6' minimum
- b. Style: Victor Stanley "Classic" Series (Model # C-10) (or approved equal)
- c. Color: Black

(4) *Trash receptacle standard.*

- a. Size: 40-gallon
- b. Style: Victor Stanley "Ironsites" (Model # S-35), or approved equal
- c. Color: Black

(5) *Bicycle rack standard.*

- a. Size: 34" x 21.5"
- b. Style: Single hoop, Dero Swerve Rack, Black
- c. Tube Width: 1.9"
- d. Setback from parallel wall: 24"
- e. Setback from horizontal wall: 28"
- f. Setback from parallel street: 36"
- g. Distance from horizontal street: 62"

Sec 1100.21 Large-Scale Development Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for commercial and multifamily development as set forth in the city's Community Plan. The Community Plan recommends a high quality of design, improved functionality and appearance of commerce and industry areas, and to support transformation and modernization of aging areas. The intent of these standards is to improve the overall quality of development with surrounding land uses and enhance pedestrian safety and walkability.
- (b) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval. ~~Agriculture and industrial zoned properties shall only be required to meet the standards for the side(s) facing a street frontage or clearly visible from a public right of way.~~ The standards in this section and in Sec. 1100.23 Downtown (D) ~~districts~~ Non-residential and Mixed use design standards shall apply in the DC, Downtown Core and DE, Downtown Edge zoning districts.
- (c) *Exemptions.*
- (1) ~~Downtown Neighborhood (DN) districts. Development that is subject to the design standards for the Downtown Neighborhood (DN-1, DN-2, DN-3, and DN-4) zoning districts, which have specific site and architectural design standards established in Section 1100.22, Downtown Neighborhood (DN) districts design standards, shall be exempt from this section.~~ Residential uses in Downtown districts. Residential development in the Downtown (DC and DE) and Downtown Neighborhood (DN1, DN-2, DN-3, DN-4) districts shall be exempt from this section but shall be subject to Sec. 1100.22 Downtown Residential Design Standards.
 - (2) ~~Downtown (DC and DE) districts. Development that is subject to the design standards for the Downtown Core and Downtown Edge zoning districts, which have specific site and architectural design standards established in Section 1100.23 Downtown (D) districts design standards, shall be exempt from the site amenities requirement in subsection (r).~~ Nonresidential, commercial and mixed-uses in Downtown Districts. Nonresidential, commercial and mixed-use development in the Downtown (DC and DE) and Downtown Neighborhood (DN1, DN-2, DN-3, DN-4) districts shall be exempt from the site amenities requirement in subsection r but shall be subject to Sec. 1100.22 Downtown Non-residential Design Standards.
 - (3) *Municipal airport.* Development subject to the design standards for the Bentonville Municipal Airport, which have specific site and architectural design standards established in Section 1100.24, Municipal Airport design standards, shall be exempt from this section.
 - (4) *Existing structures.* When a large-scale development is only an addition to an existing structure, the design standards shall only apply to the addition itself. Façade re-skins, where building façade materials are fully or in part replaced, shall be subject to the building material requirements of this section unless otherwise approved by the Planning Director.
- (d) *Review process.* These standards shall be applied in the normal review process for large-scale developments and shall be approved by the planning commission.

~~(1) Waiver request. Requests for waivers to these requirements must be accompanied by the following items:~~

- ~~1. Narrative. A written narrative explaining why the waiver is necessary to enhance the architectural design of the structure.~~
- ~~2. 3-D Rendering. A 3-D full-color architectural rendering of the final product to include an outline of adjacent structures.~~
- ~~3. Existing examples. Photos of existing buildings or structures that have incorporated the related design element. Examples are not required to be located in Bentonville.~~

(e) Building material. A minimum of seventy five percent of each façade of a building, not including windows, doors, or glazing, shall be composed of a maximum of three primary materials unless otherwise recommended by the Planning and Community Development Director and approved by the Planning Commission. Anything less than seventy five percent must be approved by planning commission. The remaining 25% may be composed of trim.

(1) Primary Materials. All structures in all zoning districts may utilize brick, stone, marble, granite, cast stone, windows, glazing and copper, bronze, or similar quality metals as primary materials.

(2) Special Use Primary Materials. Fiber cement siding, wood lap siding, three-coat cement-based stucco, 24-gauge architectural metal panel systems, textured concrete block, glass block, concrete tilt-up panels, and other durable or innovative materials may be used as primary materials subject to the following approval review criteria:

1. Location: Exterior materials should be consistent with the character of the surrounding neighborhood context and be appropriate for the building use type. Applicants shall provide 3-D renderings of their project, and example photos of the material in use to the Planning Director for evaluation with the application.

2. Design and Innovation: The materials list above are not meant to be exhaustive, but applicants should be prepared to present compelling reasons to the Planning Commission to accept alternatives, such as for specific design purposes or due to new, innovative materials coming available to the development community. Applicants shall supply a written narrative to the Planning Director explaining why the alternative material is necessary for their proposed structure with the application.

3. Quality. Selected materials should be high-quality and durable. Applicants should shall provide cut sheets and warranty information to the Planning Director with the application.

4. Building Form and Pedestrian Scale. Special use materials should be integrated to compliment the building form, articulation, and may be used alongside other allowed primary materials. Examples may include limiting their use to non-street facing facades, as a material change for articulation purposes, or to the upper stories of multi-story buildings.

5. Intent. Exterior materials shall meet the purpose and intent of this Article.

(3) *Prohibited Primary Materials.* Masonite, Corrugated Metal Panel, Non-texturednon-textured concrete block, vinyl, and Exterior Insulation Finish System (EIFS) shall not constitute a portion of any building except trim. Loading docks, overhead doors, and other service entries are prohibited on primary street-facing facades.

~~—*Prohibited Materials.* Masonite, Corrugated Metal Panel, Non-textured concrete block, vinyl, and Exterior Insulation Finish System (EIFS) shall not constitute a portion of any building.~~

(e) A minimum of two primary building materials is required constituting at least 75 percent of the wall area. No single primary material shall constitute less than 25% of wall area. The standard shall apply to all sides of any building. Materials shall comply with the standards established below.

LARGE SCALE DEVELOPMENT BUILDING MATERIALS		
	Primary Materials	Trim Materials
Allowed	Brick Textured concrete block Natural stone Glass veneer Pre-finished architectural metal panels (min. 24 gauge)	Tile Stone Glass block Copper flashing Metal Wood EIFS Pre-finished concrete masonry board
Prohibited	Wood Masonite Asphaltic wall or roof material Aluminum siding Steel siding Non- textured concrete block Stucco Vinyl Fiberglass Ribbed metal panel	

(f) *Building color.* The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing. ~~—~~All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match or compliment the color of the adjacent surface, unless being used expressly as a trim or accent element. Building color shall be consistent with the standards established below.

LARGE SCALE DEVELOPMENT BUILDING COLOR STANDARDS		
	Primary Colors	Trim Colors
Allowed	Muted Neutral Earth tone	Muted Neutral Earth tone Bright Light Primary
Prohibited	Bright Primary	

- (g) *Building compatibility.* ~~All commercial structures shall be designed in a manner compatible with other structures in the surrounding vicinity.~~ The exterior building design, including roof style, color, materials, architectural form and detailing, shall ~~be consistent~~ use common design characteristics among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.
- (h) *Scale and bulk.* The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care, however, shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size and relationship to street width.
- (i) *Wall-Facade articulation.* Buildings shall avoid long uninterrupted façade planes and/or blank walls and shall meet the following requirements.
- (1) *Vertical articulation.* Vertical articulation is required to visually break up the massing of front and corner facades. Vertical articulation elements are required at intervals no less than 20-feet and no more than 50-feet from each other and may include architectural features such as bays, columns, pilasters, mullions, regular repetition of window patterns, a break in the building plane, recessed entries, or other architectural that meet the intent of this article.
 - (2) *Horizontal articulation.* Horizontal articulation is required to help distinguish the ground floor from upper stories on buildings with 3 or more stories. Allowable methods include base, belt courses, awnings or canopies, changes in materials or window patterns, recessed entries, or other architectural treatments that meet the intent of this article.
 - (3) *Color.* Variation in color shall not be used to meet the required articulation.
 - (4) *Roofs.* Roof lines and/or parapets shall be varied with a change in height proportionate to the building length and height. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view.
 - (5) *Entrances.* All primary building entrances shall be visible and accessible from the public street and sidewalk. Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances. This may be satisfied through the use of architectural features such as canopies or porticos, overhangs, recesses/projections, arcades, arches, architectural detail such as tile work and moldings integrated into the building structure and design, integrated planters or wing walls that incorporate landscaped areas and/or places for sitting or other architectural features approved by the planning commission.

(i)(j) _____

LARGE SCALE DEVELOPMENT WALL ARTICULATION	
Vertical	50' max. between articulation
Horizontal	Articulation required between first and second floor

Techniques	• Relief change (projection or recess at least <u>no less than 2'</u> deep) • Breaks in the surface wall • Windows and door openings • Balconies, awnings and canopies • Series of display windows • Recessed entries • Decorative materials / tile • Material change • Texture change • Other techniques that meet the intent of these regulations and approved by Planning Commission.
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~~(j) *Façades.* All commercial structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:~~

- ~~(1) The degree of visibility from all adjacent public ways;~~
- ~~(2) Possible visibility from future buildings and public ways; and~~
- ~~(3) Internal overall appearance in relation to the site.~~

~~(k) *Roofs.* Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternative lengths and designs may be acceptable and may be approved by planning commission if the required design would create water drainage or structural issues; or is necessary to enhance the architectural design of the building.~~

~~(l) *Entrances.* primary Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two (2) of the following:~~

- ~~(1) Canopies or porticos;~~
- ~~(2) Overhangs;~~
- ~~(3) Recesses/projections;~~
- ~~(4) Arcades;~~
- ~~(5) Raised corniced parapets over the door;~~
- ~~(6) Peaked roof forms;~~
- ~~(7) Arches;~~
- ~~(8) Architectural detail such as tile work and moldings integrated into the building structure and design;~~
- ~~(9) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;~~
- ~~(10) Change in material; or,~~
- ~~(11) Other architectural features approved by planning commission.~~

~~(m) *Architectural details.* All buildings shall be designed to incorporate no less than three (3) of the architectural elements from the list below, in addition to regulations regarding the design of entrances above. Buildings over fifty thousand (50,000) square feet shall include a minimum of five (5) of the referenced architectural elements. Buildings over one hundred thousand (100,000) square feet shall include a minimum of six (6) of the referenced architectural elements.~~

- ~~(1) Canopies, awnings, or porticos;~~
- ~~(2) Recesses/projections;~~
- ~~(3) Arcades;~~

- ~~(4) Peaked roof forms;~~
- ~~(5) Arches;~~
- ~~(6) Display windows;~~
- ~~(7) Accent materials (minimum of 15% of exterior façade);~~
- ~~(8) Architectural details (such as tile work and moldings) integrated into the building façade;~~
- ~~(9) Articulated cornice line;~~
- ~~(10) Articulated ground floor levels or base;~~
- ~~(11) Varied roof heights; or,~~
- ~~(12) Other architectural features approved by planning commission.~~

~~(+)(k)~~ Utility and mechanical equipment screening.

- (1) Screening of service yards, utility meters and hardware, mechanical equipment, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls constructed with the same materials as the primary building, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by planning commission are required along street frontages and bordering residential areas.
 1. Adjusting the architectural or landscape profile to screen those elements from view.
 2. Placing those elements on service courts or other locations usable by the general public.
 3. Integrating those elements into the architecture or landscaping of the site.
 4. Use materials similar to that of the primary structure.
- (2) The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:
 1. The degree of visibility from all adjacent public ways;
 2. The architectural compatibility of the design and color of the yards, meters and equipment of the building;
 3. Possible visibility from future buildings and public ways; and
 4. Internal overall appearance in relation to the site.

~~(+)(l)~~ Building placement. Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the public. The front façade shall be kept parallel with the street. On corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.

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

~~(+)(n)~~ Pedestrian circulation. Clearly defined pedestrian walkways or paths shall be provided from public sidewalks to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable,

low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.

(+)(o) *Site amenities.* Each commercial development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two (2) of the amenities listed below. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

- (1) Patio, seating area;
- (2) Pedestrian plaza with benches;
- (3) Mini park, square or green;
- (4) Transit stop;
- (5) Public art;
- (6) Window shopping walkway;
- (7) Outdoor play area;
- (8) Kiosk area;
- (9) Water feature;
- (10) Clock tower or steeple;
- (11) Bike racks that hold at least 2 bikes; or
- (12) Any other deliberately shaped area and/or focal feature that, in the planning commission's judgment adequately enhances such development and serves as a gathering place.

Sec 1100.22 Downtown ~~Neighborhood (DN) Districts~~ Residential Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to improve the overall quality of development and enhance pedestrian safety and walkability in ~~the downtown neighborhood districts~~ residential areas.
- (b) *Applicability.* The provisions of this section shall apply to all residential development in the DC, DE, DN-1, DN-2, DN-3 and DN-4 districts.
- (c) ~~DN districts general~~ General Residential *Building orientation and design.*
 - (1) *Building orientation.* All residential buildings shall be oriented with their primary facades toward the public street. For corner lots, the primary façade must be oriented toward the designated front lot line.
 - (2) *Materials and design.* Front, side, and rear building facades visible from the public street shall incorporate attractive design materials and massing elements that create visual interest and a character consistent with surrounding development. Such design and massing elements could include porches or stoops, dormers, varied roof lines planar modulation or varied façade materials.
 - (3) *Character elements.* Character elements such as porches, window bays, dormers, etc., if used in a way that is consistent with the intended character of the neighborhood, can result in a maximum lot coverage bonus of up to 5% based on the discretion of the Director.
 - (4) *Functional character elements.* Where appropriate, character elements shall be fully functional. Dormers shall be constructed to allow for occupiable space, and porches shall be a minimum depth of 6' to allow for regular use.
 - (5) *Exterior materials.* Exterior façade materials and details should be consistent with the character of the surrounding context.
- (d) ~~DN districts general~~ General Residential *Site access and parking.*
 - (1) *Parking location.*
 - a. *Prohibited in front yards.* Garages, parking lots or designated parking spaces are prohibited in the front yard .
 - b. *Attached garages.* Garages may be attached to the primary structure. However, if the garage is attached, it must be located and oriented in such a way that it does not protrude from the side façade of the primary building in order to be visible from the public street.
 - c. *Detached garages.* Detached garages shall be located to the rear of the primary structure.
 - (2) *Parking setbacks.*
 - a. *Corner lot.* On a corner lot, the garage shall not be located closer than 20' to the corner side lot line in order to allow for outdoor vehicular parking entirely on the lot.
 - b. *Detached garages.* Detached garages must be separated from the primary structure by a minimum of 10'.
 - c. *Garages with alley access.* Garages with alley access must be setback 8' from the alley.

(3) *Parking access.*

- a. *With alleys.* Where alleys are platted and paved, vehicular access to the designated parking area shall be provided from the alleys.
- b. *Without alleys.*
 1. Where alleys are not platted, or are platted and not paved, property owners are encouraged to locate parking areas in such a way that parking access could be easily converted to an alley if one is installed in the future. Property owners may choose to pave platted alleys provided they pave the portion of the alley that abuts their property to the nearest public road as identified by the Master Street Plan and shall construct the alley in accordance with Section 1100.16.
 2. Where no alley is provided, vehicular access shall be provided in accordance with the standards for each building type.

(4) *Shared parking access.* Where a private drive from the public street is permitted, adjacent properties are encouraged to utilize a shared private drive in order to reduce the overall number of private drives and curb cuts on a block. Where this is done, the following standards shall be met:

a. *Adjacent single-family.*

1. Driveway width. The driveway width shall be a minimum 12' and a maximum of 14'. This area should be kept clear of parked vehicles or other property that would inhibit vehicular circulation.
2. Clear circulation. A clear circulation area shall be provided between designated parking areas or garages and shall have a minimum width of 22' to allow for backing out of vehicles. This area should remain clear of parked vehicles or other property that would inhibit vehicular circulation.
 - i. Garages may be located up to the edge of the required clear circulation area so long as they meet the other setbacks and locational requirements of this chapter.
 - ii. Outdoor parking can be accommodated by setting back the façade of the garage a minimum of 18' and a maximum of 22' from the property line.

b. *Adjacent townhouse or multi-family.*

1. Driveway width. The minimum driveway width shall be 12'. This area shall be kept clear of parked vehicles or other property that would inhibit vehicular circulation.
2. Access. The driveway from the public street shall lead to separate drive aisles for parking on each lot. These drive aisles shall conform to parking lot standards included in the zoning ordinance and shall provide access to individual parking spaces or garages.

c. *Pedestrian access.* Pedestrian access from public sidewalk to front façade shall be provided in accordance with the standards for each building type.

(e) ~~DN districts single-family~~ Single-Family standards.

- (1) *Street access.* Where no alley is provided, one private drive can be provided from the public street. For corner lots, drive access should be provided from the designated side street.
- (2) *Alley access.* Vehicular access to all lots with a width less than 50' must be provided by a rear alley.
- (3) *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated building entrance on the front façade of the building.

(f) ~~DN districts townhouse~~ Townhouse standards.

(1) *Townhouse design standards.*

- a. *Townhouse unit width.* The minimum width of a townhouse unit is 20'.
- b. *Townhouse cluster size.* One townhouse cluster can have a maximum of 6 dwelling units.
- c. *Townhouse cluster spacing.* Multiple townhouse clusters can be provided on a single lot so long as there is a minimum spacing of 20' between clusters and all clusters are oriented toward the public street.
- d. *Townhouse unit articulation.* Individual townhouse units should be articulated through the exterior design of the cluster. This can be accomplished through dormers, porches, vertical design elements, varying roof forms, or other appropriate techniques.

e. *Block end townhouses.* ~~In the DN-2 district~~ In districts where, townhouse clusters are only ~~permitted~~ allowed at the end of a block. ~~In such instances,~~ the cluster(s) shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.

f. *Mid-block townhouses.* In ~~the DC, DE, DN-3 and DN-4 Districts~~ districts where, townhouse clusters are ~~permitted~~ allowed on any portion of a block. ~~In these districts,~~ when a cluster is located at the end of a block, it may orient toward either public street.

(2) *Townhouse access and parking management.*

- a. *Alley and drive access.* Vehicular access to townhouse clusters shall be served by a rear alley, or by a private on-site drive.
- b. *Drive access width.* The private on-site drive with a maximum width of 20' can be provided for each cluster of townhouse units. (The drive can be provided in the required 20' spacing between clusters.) However, wherever possible, one private drive should be used to provide access to multiple townhouse clusters.
- c. *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance for each unit on the front façade of the building.

(g) ~~DN districts multi-family~~Multi-Family standards.

(1) *Multi-family design standards.*

- a. *Design elements.* Multi-family buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.
- b. *Multiple buildings on a lot.* More than one multi-family building can be provided on a single lot so long as there is a minimum spacing of 20' between buildings and all buildings are oriented toward the public street.
- c. *Block-end multi-family buildings.* In the DN-3 district, multi-family buildings are only permitted at the end of a block. In such instances, the building(s) shall be oriented toward the intersecting side street. Where existing alleys exist and intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.
- d. *Mid-block multi-family buildings.* In the DC, DE, and DN-4 districts, multi-family buildings are permitted on any portion of a block. In this district, when a building is located at the end of a block, it may orient toward either public street.

(2) *Multi-family access and parking management.*

- a. *Vehicular alley access.* Vehicular access to all multi-family buildings must be provided by an alley. Where no alley exists, a private drive may be provided. However, the private drive should be dedicated as a future public alley and designed to be integrated with future alleys as they are built.
- b. *Pedestrian access.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance or entrances on the front façade of the building.

(h) ~~DN districts integrated~~Integrated commercial use standards. Commercial uses that are integrated into a primarily residential structure, shall meet the following standards.

(1) *Allowed location.*

- a. *Ground floor.* Ground-floor commercial uses are permitted in multi-family buildings along property frontages indicated on the City's zoning map and in accordance with items 1.a.—3.c. below.
- b. *Corners.* Commercial uses should be located at the corner of the building and at the corner where a side street exists, if possible.

(2) *Dedicated entrance.* Commercial uses must provide a dedicated entrance from either the public sidewalk or publicly accessible vestibule of the building. Entry from an internal residential corridor is prohibited.

(3) *Commercial area and operations.*

- a. *Size.* The area of any single commercial use shall not exceed 3,000 sq. ft., and the total commercial area in a multi-family building shall not exceed 5,000 sq. ft. Structures that

exceed the maximum size requirements shall be classified and regulated as Mixed-Use structures (1100.22.9)

- b. *Multiple uses.* The commercial use shall not be the only use on the ground floor. Other qualifying uses include residential units or resident amenities (i.e. laundry, parking, storage, building management, etc.).
- c. *Functional operations.* Operations related to the function of commercial tenants (i.e. outdoor trash receptacles, loading areas, etc.) shall be located and designed so they do not interfere with resident access or substantially impact residents through noise, odor, etc.

Sec 1100.23 Downtown Non-residential and Mixed-Use Design Standards

- (a) Purpose and intent. The design standards in this section are intended to implement the city's vision for the downtown area as outlined in the Downtown Master Plan and the Bentonville Community Plan. The intent of these standards is to improve the overall quality of development and enhance pedestrian safety and walkability in the downtown districts.
- (b) Applicability. The provisions of this section shall apply to all commercial, non-residential and mixed-use developments requiring approval within the DN-1, DN-2, DN-3, DN-4, DC, and DE, districts. These standards are in addition to the regulations in Sec. 1100.21 Large scale development design standards. Where there is conflict between regulations, the regulations in this section shall prevail. These regulations do not apply to residential, integrated commercial or mixed use which are regulations in Sec. 1100.22 Downtown Residential Design Standards.
- (c) Review process. These standards shall be applied in the normal review process for large scale developments and shall be approved by the planning commission.
- (d) Downtown commercial design standards. Buildings design for non-residential or commercial only uses, shall meet the following standards.
 - (1) Downtown commercial building design standards.

- a. Façades. Loading docks, overhead doors, and other service entries are prohibited on primary street-facing façades. Features added to the façade, such as balconies and shutters, shall be useable and/or operational to ensure authenticity of design.

- ~~b. Roofs. Roof styles in the Downtown districts shall meet the standards below:~~

DOWNTOWN (D) DISTRICTS ROOF STYLES ALLOWED	
DC	Gable, hipped, flat
DE, DN-1, DN-2,	Gable, hipped

- c. Entrances.
 - 1. Doors adjacent to sidewalk. All doors from the structure that are immediately adjacent to the sidewalk shall be recessed from the front of the structure a minimum of the width of the door to allow for safe pedestrian use of the sidewalk.
 - 2. Primary entrance emphasized. All primary entrances to a building shall be emphasized with one of the following techniques, or as approved by planning commission: slightly recessed; change in color; and/or materials or paving treatment.
 - d. Glazing. Commercial, mixed use- and non-residential buildings shall create visible interest at the pedestrian scale. For the purposes of this Section, glazing is the percent of the façade square footage covered by windows and doors, excluding trim. Glazing shall constitute a minimum of 50% of the façade square footage of the ground floor, between 2 and 12 feet, visible from the public street ~~for commercial and mixed use~~

~~buildings and shall be transparent enough to allow for the public to view inside at the ground floor be visible to an interior depth of five feet inside the floorplate.~~

- e. *Corner architecture.* All buildings located at the corner of the intersection between any combination of arterial and collector streets shall incorporate a minimum of one of the following architectural elements, or as approved by planning commission: Cupola, Turret, Pitched roof.
- f. *Awnings, canopies, and balconies.* Awnings, canopies and balconies shall meet the standards below.

DOWNTOWN (D) DISTRICTS AWNING, CANOPIES AND BALCONY STANDARDS	
Material	Durable, protective, water repellant
Prohibited	Plastic, aluminum, fiberglass Backlighting of awning

- g. *Franchise architecture.* Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) is prohibited. Franchises or national chains shall follow these standards to create a unique building that is compatible with the DC, Downtown Core ~~and~~ DE, Downtown Edge, DN-1, DN-2, DN-3, Downtown High-Density Residential, and DN-4, Downtown Mixed-Use Residential districts.

(2) Downtown Commercial site design standards.

- a. *Building placement.* A minimum of 80% of the façade must be placed along the maximum setback allowed in the Downtown zoning districts. Any section along the maximum setback on an arterial or collector street that is not defined by a building up to a 10-foot setback of the maximum setback shall be defined by a 2'6" to 4'6" high fence or wall. The material on the fence or wall shall be consistent and compatible with the adjacent structure and approved by planning commission. The fence or wall may consist of a gate or opening for access.
- b. *Parking placement.* Off-street parking shall be located behind or to the side of the primary building. On corner lots, parking drive shall not be located on arterial or collector streets, unless at the intersection of any combination of arterial and collector streets Parking drives are highly discouraged along arterial and collector streets and only allowed if there is no other option for access to parking areas. Off-site parking may be provided off-site within 600' or as shared parking. A shared parking agreement shall be provided to Planning for all residential use parking spaces. ~~The standards for garages and parking for residential uses set forth in Sec. 1100.22 Downtown Neighborhood (DN) Districts Design Standards shall apply to residential uses in the DC and DE districts.~~

- (e) *Downtown Mixed-use design standards.* Buildings that mix residential and commercial/non-residential uses shall meet the following standards.

(1) *Downtown Mixed use building standards.*

- a. *Upper floor design.* Upper-floor residential portions of mixed-use buildings shall incorporate design elements that create visual interest and avoid large blank facades. Such elements should be used to create a façade rhythm that is consistent with surrounding attached or detached single-family buildings. Appropriate elements include protruding or recessed patios, vertical and horizontal design elements, planar variations, varied roof lines, dormers, and others.
- b. *Ground floor design.* Ground-floor commercial facades must integrate a high level of transparency and elements typical of traditional commercial design. Such elements should include knee walls, window bays framed by architectural columns and pilasters, transom windows, recessed entries, awnings, and others.
- c. *Buildings on a corner lot.* Mixed-use buildings located on corners should integrate prominent massing elements such as corner turrets or chamfered facades.
- d. *Signage and lighting.* Commercial signage and lighting should be integrated into the design of the façade and have a minimal impact on the aesthetic of the area. All commercial signs should comply with the regulations for signs located in the D-C Downtown Core District.
- e. ~~Commercial~~ *floor delineation.* For buildings taller than two stories, there should be a clear delineation between the ground-floor commercial or nonresidential space and upper-floor residential areas. Such a delineation can be created through the use of varying materials, slight upper-floor recession, projection or horizontal variation.
- f. *Large scale development compliance.* Mixed-use buildings are subject to the standards for Large Scale Developments and Downtown Commercial development as described in Appendix B, Sec. 1100.21, Large-Scale Development Design Standards and Sec. 1100.23, Downtown Commercial Design Standards and the requirements of Sec. 1100.23 shall prevail.
- g. *Functional operations.* Operations related to the function of commercial tenants (i.e. outdoor trash receptacles, loading areas, etc.) shall be located and designed so they do not interfere with resident access or substantially impact residents through noise, odor, etc. Trash receptacles should not be adjacent to a public right-of-way or located in a front setback.
- h. *Screening of adjacent residential lots.* Mixed-use buildings shall provide screening against abutting residential properties that is compliant with regulations established in Section 1400.09 of the City's Land Development Code.

(2) *Downtown Mixed-use access and parking management.*

- a. *Vehicular access.* Vehicular access to all multi-family buildings must be provided by an alley. Where no alley exists, a private drive may be provided. However, the private drive should be dedicated as a future public alley and designed to be integrated with future alleys as they are built.

b. *Pedestrian access.*

1. *Ground floor commercial.* Direct pedestrian access shall be provided from the public sidewalk to an articulated entrance for each ground-floor commercial unit on the front façade of the building.
2. *Residential.* Direct pedestrian access shall be provided from the public sidewalk to a dedicated entrance that provides access to upper-floor residential units.

- (f) Downtown *Site amenity standards.* ~~Site amenities are not required. However, if a specific site amenity is being provided, it~~ A minimum of two site amenities are required and shall meet the standards below. ~~for all streets in the DC, Downtown Core and DE, Downtown Edge districts.~~ All street furniture shall be installed per manufacturer's specifications.

(1) *Street amenity placement.*

- a. Street trees and streetlights shall not be placed directly in front of an entrance to a building.
- b. All street furniture shall be placed so that a minimum of 4' of the width of the sidewalk is clear and unobstructed.
- c. Trees, street lamps, and all street furniture shall be placed a minimum of 36" away from the back of curb to allow for car doors opening.

(2) *Streetlight standard.*

- a. Luminaire: Granville
- b. Pole: Wadsworth
- c. Pole height: 12' maximum
- d. Color: Black
- e. Spacing: Determined by Bentonville Electric Utility Department.

(3) *Bench standard.*

- a. Length: 6' minimum
- b. Style: Victor Stanley "Classic" Series (Model # C-10) (or approved equal)
- c. Color: Black

(4) *Trash receptacle standard.*

- a. Size: 40-gallon
- b. Style: Victor Stanley "Ironsites" (Model # S-35), or approved equal
- c. Color: Black

(5) *Bicycle rack standard.*

- a. Size: 34" x 21.5"
- b. Style: Single hoop, Dero Swerve Rack, Black
- c. Tube Width: 1.9"
- d. Setback from parallel wall: 24"
- e. Setback from horizontal wall: 28"
- f. Setback from parallel street: 36"
- ~~g. Distance from horizontal street: 62"~~

g.