



**Planning Commission
Meeting Agenda
June 6, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM**

Registration Link: https://us06web.zoom.us/webinar/register/WN_WHJtAROTc-Q7SIhpLEtjQ

Call to Order

I. Approval of the May 16, 2023, Meeting Minutes

II. Consent Agenda

- | | |
|--|--|
| 1. Lot 31, Block 4 of Railroad Addition | Lot Split |
| 207 Southeast 3 rd Street (LS23-0017) | |
| 2. Lots 9 – 17, Block A of Orchard Addition | Lot Split |
| 421, 423, 425, 427 429 Southeast B Street and
422, 424, 426, 428 Southeast C Street (LS23-0021) | |
| 3. SW 6th Street Townhomes | Large Scale Development Extension |
| Southwest 6 th Street (LSD22-0025) | |
| 4. McKissic Springs Subdivision | Preliminary Plat |
| South Vaughn Road (PP23-0004) | |

III. New Business

- | | |
|--|------------------|
| 1. Alejandro & Cathy Estrada | Rezoning* |
| 402 Northwest 7 th Street (RZ23-0034) | |
| Rezoning: R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential | |
| 2. Donald & Amanda Richardson | Rezoning* |
| 605 Southeast C Street (RZ23-0036) | |
| Rezoning: R-1, Low-Density Single-Family Residential to DE, Downtown Edge | |
| 3. C&C Ventures | Rezoning* |
| 907 Northwest 11 th Street (RZ23-0037) | |
| Rezoning: R-1, Low-Density Single-Family Residential to C-2, Commercial | |
| Future Land Use Map Amendment: LDR, Low-Density Residential to C, General Commercial | |

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

* indicates item requires public hearing

- | | |
|--|--|
| <p>4. JP Specialty, LLC
 1261 Southwest Regional Airport Blvd. (RZ23-0038)
 Rezoning: C-1, Neighborhood Commercial to C-2, Commercial</p> | <p>Rezoning*</p> |
| <p>5. Rosalie & Steven Beavers
 2602 East Battlefield Blvd. (RZ23-0039)
 Rezoning: A-1, Agriculture to R-O, Residential Office
 Future Land Use Map Amendment: C, General Commercial to O, Office</p> | <p>Rezoning*</p> |
| <p>6. Troy Campbell & Michelle Harper
 548 Southeast C Street (RZ23-0040)
 Rezoning: R-1, Low-Density Single-Family Residential to DN-4, Downtown Mixed Use Residential</p> | <p>Rezoning*</p> |
| <p>7. Norbert Hay Jr.
 3006 Southeast J Street (RZ23-0043)
 Rezoning: C-1, Neighborhood Commercial to C-2, Commercial
 Future Land Use Map Amendment: RE, Residential Estate to C, General Commercial</p> | <p>Rezoning*</p> |
| <p>8. Terry & Laura Olson
 409 Northwest 5th Street (RZ23-0044)
 Rezoning: R-1, Low-Density Single-Family Residential to DN-4, Downtown Mixed Use Residential</p> | <p>Rezoning*</p> |
| <p>9. Geraldine Carmical
 411 Northwest 5th Street (RZ23-0045)
 Rezoning: R-1, Low-Density Single-Family Residential to DN-4, Downtown Mixed Use Residential</p> | <p>Rezoning*</p> |
| <p>10. Lightbox Townhomes
 802 Southeast 8th Street (PRD23-0002)
 Rezoning: DN-3, Downtown High Density Residential to PRD, Planned Residential Development</p> | <p>Planned Residential Development*</p> |
| <p>11. Fire Truck
 405 Southwest A Street (CU23-0015)
 <i>Long-term Temporary Structure</i></p> | <p>Conditional Use Permit*</p> |
| <p>12. Hawk Moth Brewing
 1000 Southeast 5th Street (CU23-0017)
 <i>Manufacturing (Brewing)</i></p> | <p>Conditional Use Permit*</p> |
| <p>13. Bentonville Outerbike 2023
 1019 Southeast 8th Street (CU23-0018)
 <i>Long-term Temporary Use</i></p> | <p>Conditional Use Permit*</p> |
| <p>14. Founders Classical Academy
 1300 Melissa Drive (CU23-0019)
 <i>School/Educational Facility</i></p> | <p>Conditional Use Permit*</p> |

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15. Lots 30 and 31 of Happy Home Subdivision

801 Northwest 10th Street [\(LS23-0020\)](#)

Lot Split

16. LDS Church

2801 Southwest Featherston Road [\(WAV23-0007\)](#)

Fee in Lieu of Street Improvements

Waiver

IV. Old Business

1. Parking Amendments

Municipal Code Chapter 94-VI of the Municipal Code and
Article 501, Off-Street Parking of the Zoning Code.

Ordinance

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

* indicates item requires public hearing



**Planning Commission
Meeting Agenda
May 16, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM**

Recording Link:

https://us06web.zoom.us/rec/share/81hlU9UHY1t1qlGqu_Bi5VLqZkRQc7kzntd2hyuwA0C6D-ZQRx2XcNtKk_pd0eYN.FoWZK-s7HOQ7m30

Commissioners Present: Joe Haynie, Danny Bennett, Rod Sanders, Eric Hipp, Dana Davis

Commissioners Absent: Elaine Kerr, Reginald Wright

Staff Present: Tyler Overstreet, Tom Adler, Bradley Gavrielides, Jon Stanley (via Zoom), Keegan Stanton (via Zoom), Luke Aitken (via Zoom)

Call to Order

- Meeting called to order at 5:00 pm by Chairman Sanders

I. Approval of the May 2, 2023 Meeting Minutes

- Motion to approve by Haynie, second by Hipp.
- May 2, 2023 meeting minutes approved 5-0 by voice vote.

II. Consent Agenda

- | | |
|--|------------------|
| 1. Lots 15 and 16 of Demings 2nd Addition
300, 302, 308 and 310 Northwest 5 th Street (LS21-0061) | Lot Split |
| 2. Lots 53 - 58 of Skyview Acres Subdivision
1102, 1104 and 1106 Lockheed Street (LS22-0034) | Lot Split |
| 3. Lot 1 of MCDC 5430 Addition
201 South Walton Blvd. (LS23-0009) | Lot Split |
| 4. Lots 1 and 2 of McKissic Springs Addition
South Vaughn Road and Motley Road (LS23-0019) | Lot Split |
| 5. Lots 29 and 30 of Huffman's Addition
205 Northwest D Street (LS23-0023) | Lot Split |
| 6. Lots 35 - 39, Block 2 of W.A. Burks Addition
1004 and 1006 Northwest A Street (LS23-0024) | Lot Split |
| 7. Lots 2 and 3 of Gateway North Subdivision | Lot Split |

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* indicates item requires public hearing

4300 Southwest Rainbow Farm Road ([LS23-0025](#))

8. Lots 33 – 38, Block 6 of W.A. Burks Addition

Lot Split

1137, 1139, 1143, 1145, 1149, 1151 Northeast Monroe Street ([LS23-0026](#))

- Mr. Adler provides an overview of the consent agenda.
- Consent agenda is approved 5-0.

III. New Business

1. Parking Amendments

Ordinance*

Municipal Code Chapter 94-VI of the Municipal Code and Article 501, Off-Street Parking of the Zoning Code.

- Mr. Adler provides an overview of the staff report for this request
- Chairman Sanders opens the public hearing
- Public hearing is closed
- Chairman Sanders raises concern with vehicle for rent business being run on public right of way.
- Mr. Overstreet agrees that Staff will investigate the concern and coordinate with the legal team.
- Commissioner Davis raises his concern on how the ordinance and the timeline limit will be enforced.
- Mr. Overstreet concurs that the right of way timeline should be better defined.
- Motion to table by Davis, second by Haynie.
- Amendment request is tabled 5-0

2. Elm Tree Accommodation LLC

Rezoning*

801 Southwest Elm Tree Road ([RZ23-0028](#))

Future Land Use Map Amendment: RE, Residential Estate to LDR, Low Density Residential

Rezoning: A-1, Agriculture to R-1, Low Density Single Family Residential

- Mr. Adler provides an overview of the staff report for this request
- Chairman Sanders opens the public hearing
- Public hearing is closed
- Future Land Use Map Amendment request is approved 5-0.
- Rezoning request is approved 5-0

3. Ultra Homes, LLC

Rezoning*

1906 SW 14th Street ([RZ23-0032](#))

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

- Mr. Adler provides an overview of the staff report for this request
- Chairman Sanders opens the public hearing
- Clint Karstetter with CK Civil speaks on behalf of the applicant.
- Commissioner Davis states that the proposal of C-2 does not fit the surrounding area, suggesting that C-1, the current zoning, is the best fit.
- Mr. Karstetter states that the area has C-2 zoning around it and the zoning would fit with the area.
- Mr. Adler describes the future uses that may come through the area such as a bus route to XNA Airport, and that a mix of commercial and residential uses in this area would be beneficial.

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

* indicates item requires public hearing

- Chairman Sanders reminds the Commission that C-2 is allowed by right in the current Future Land Use Map designation of General Commercial, Commissioner Haynie agrees with the statement.
- Commissioner Davis references past projects that the Commission voted on with the same issue arising.
- Commissioner Bennett confirms that Staff does recommend approval of the rezoning. Staff confirms that they do recommend approval based on the future land use designation.
- Commissioner Hipp understands Commissioner Davis's point of C-2 zoning being on a hard corner, but the land use allows the C-2 zoning.
- Public hearing is closed.
- Rezoning request is approved 4-1 with Commissioner Davis voting no because of the location of the property.

4. Chen and Ehret Real Holdings, LLC

Rezoning*

1105 Convair Street ([RZ23-0033](#))

Future Land Use Map Amendment: LDR, Low Density Residential to MDR, Medium Density Residential

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

- Mr. Adler provides an overview of the staff report for this request
- Chairman Sanders opens the public hearing.
- Michael Marler of 1103 Convair Street speaks on his concern that the rezoning will create a chain of rezonings along Convair Street.
- Mr. Marler does not want Convair Street to become duplexes and townhomes like Lockheed.
- Mr. Marler states that Convair Street is used as a cut-through street for traffic coming from Moberly to SE 14th Street.
- Ken Ehret, the applicant, speaks on how the neighborhood is currently being destroyed by absent landlords and the surrounding properties have dilapidated recreational vehicles in various states in front yards.
- Mr. Ehret states that the property will be used as an executive rental for Walmart employees transitioning to the area and will not be used as a short-term rental.
- Michael Karbouski of 1201 Convair Street believes that the rezone will allow the development to change the look and feel of the neighborhood as well as decrease land values of the surrounding properties, in return benefitting the developer at the expense of the neighbors.
- Mr. Adler points out the two letters of objection that members of the public submitted to the Staff.
- Public hearing is closed.
- Commissioner Davis questions that the applicant states that a duplex would be built, but the letter submitted for the project stated townhomes.
- Mr. Ehret clarifies that he intends for a duplex, not a townhome.
- Commissioner Davis questions when the property to the northeast was rezoned and the land use was changed.
- Staff states that it was in October 2022.
- Commissioner Hipp references past projects where higher density was requested but was denied for the benefit of the neighborhood.
- Commissioner Davis states that the new property may in fact increase the surrounding property values and questions how Staff sees the street developing.

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* indicates item requires public hearing

- Mr. Overstreet speaks on different areas where the land use was changed.
- Commissioner Davis questions the density of rentals in the area.
- Mr. Ehret states that there are 65% rentals on Convair Street.
- Discussion on the different zoning and land use designations.
- Future Land Use Map Amendment request is denied 5-0.
- Rezoning request is denied 4-1 with Chairman Sanders voting yes.
- Clarification that the applicant may go to City Council and appeal the decision.

5. Bentonville Film Festival

Conditional Use Permit*

507 Southeast E Street ([CU23-0014](#))

Long temporary use

- Mr. Adler provides an overview of the staff report.
- Chairman Sanders opens the public hearing for this item.
- Chairman Sanders closes the public hearing.
- Chairman Sanders asks if a longer permit would be beneficial.
- Mr. Overstreet states that the nature of the event is constantly changing locations, requiring a new permit.
- Terry Flank, the applicant, states that he is comfortable coming back next year for a new permit.
- Mr. Overstreet clarifies the term Long temporary use permit for the Commission.
- Permit request is approved 5-0.

6. Hounds Lounge

Conditional Use Permit*

Southwest Crockett Street ([CU23-0016](#))

Long temporary use for Animal Kennel/Shelter

- Mr. Adler provides an overview of the staff report.
- Chairman Sanders opens the public hearing for this item.
- Justin Harris, the owner, speaks on the established business and states that this would be the 7th location.
- Chairman Sanders closes the public hearing.
- Mr. Overstreet details the surrounding developments and businesses in the area for the Commission.
- Chairman Sanders raises the question of the length of the permit.
- Mr. Overstreet states that perpetuity may be appropriate for this permit.
- Commissioner Davis reminds the Commission that the supplied plans do not meet the Large-Scale Development material requirements.
- Mr. Harris states that the building will comply with all regulations.
- Commissioner Davis raises a concern with where the layout of the building and open area will be.
- Mr. Harris states that he has contacted the surrounding landowners and they are content with the development, with the dogs being brought in around 8:30 pm and not being outside again until 7:30 am.
- Permit request is approved 5-0 with the length of time being changed "in perpetuity".

7. Lots 1 and 2 of 8th & Elm Subdivision

Lot Split

Southwest 8th Street and SW Elm Tree Road ([LS23-0016](#))

- Mr. Adler provides an overview of the staff report.
- Lot split is approved 5-0.

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

* indicates item requires public hearing

8. Lots 59 and 60 of Sky View Acres Subdivision

Lot Split

1105 Convair Street ([LS23-0022](#))

- Lot split LS23-0022 is pulled from the agenda due to a nonconformity since RZ23-0033 was denied.

9. SWEPCO/AEP Sunshine Substation

Large Scale Development

1100 Southeast Moberly Lane ([LSD23-0015](#))

Waiver #1: Article 1200, Off-Site Improvements, Section 1200.02 (b) – Direct Access to Substandard Streets. The applicant is requesting not to construct the required improvements to Southeast Moberly Lane as indicated in the Master Street Plan.

Waiver #2: Article 1100, Development Standards, Section 1100.2 (a.6) - Distance between Curb Cuts. The applicant requests to construct a new curb cut within 107 feet of an existing curb cut which is a difference of 43 feet from the required 150 feet.

- Mr. Adler provides an overview of the staff report.
- Bradley Harden of SWEPCO speaks and gives an overview of the large-scale development and the associated waiver requests.
- Discussion between Mr. Harden and the Commission on the waiver to Article 1200.
- Motion to approve by Bennett, second by Davis for the waiver to Article 1200 subject to the condition that a fee-in-lieu, as determined by the City Engineer for all frontage street improvements, except for the 3 stormwater inlets be paid to the City
- Waiver 1 is approved 5-0 with conditions.
- Discussion between Mr. Harden and the Commission on the waiver to Article 1100.
- Motion to approve waiver to Article 1100 as written by Davis, second by Hipp.
- Waiver to Article 1100 for driveway access distance approved 5-0.
- Discussion between Mr. Harden and the Commission on the regulations electric companies have regarding residential proximity.
- Commissioner Davis raises concern with the large scale not showing any infrastructure in the plans.
- Motion to approve the large-scale development with the condition that the substation be substantially as depicted on the plans submitted during the conditional use permit. Changes that are not significant may be approved by the Director of Planning and Community Development with significant changes requiring Planning Commission review and approval.
- Large-scale Development is approved 5-0 with conditions.

10. The Mill at the Reserve

Large Scale Development

Southwest Regional Airport Boulevard ([LSD23-0016](#))

Waiver #1: Article 1100, Development Standards, Sec 1100.21 (e) Building Material.

- Mr. Adler provides an overview of the staff report.
- Bo Hagerman of BOTI Architecture speaks on the large-scale development and what the intentions are for the project and the requested waiver.
- Chairman Sanders raises the question on if a certain percentage is needed to be workforce housing.
- Commissioner Davis states that workforce housing does not mean lower cost materials.
- Mr. Hagerman states that workforce means less than market price point but more than the affordable housing rate.
- Discussion on the surrounding properties and the recent development that was approved.

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

* indicates item requires public hearing

- Discussion on the percentages of the materials being used on each building.
- Commissioner Hipp excuses himself from the meeting.
- Chairman Sanders raises concern with the developer not being held to the promise of workforce housing.
- Mr. Hagerman states that the developer does intend to provide workforce housing as well as many amenities to the surrounding areas.
- Mr. Adler mentions future transportation infrastructure plans for SW Regional Airport Boulevard, which the retail use would support.
- Commissioner Bennett raises concerns that materials are not clearly identified on the elevations, and material quantities are not correct on some elevations.
- Discussion among the Commission on hardy board durability.
- Mr. Hagerman states that hardy board has a 40-year warranty and gives percentage of materials for each building to Mr. Adler.
- Motion to approve the waiver to Article 1100 by Haynie, second by Bennett with the condition that the developer provide cut sheets, technical data and warranty information for the hardy board material and comply with the material percentages supplied during the meeting as found on Attachment A.
- Waiver is approved 4-0.
- Large-scale Development is approved 4-0.

IV. Old Business

V. Other Business

VI. Adjournment

- Motion to adjourn by Haynie, second by Davis.
- Meeting adjourned.

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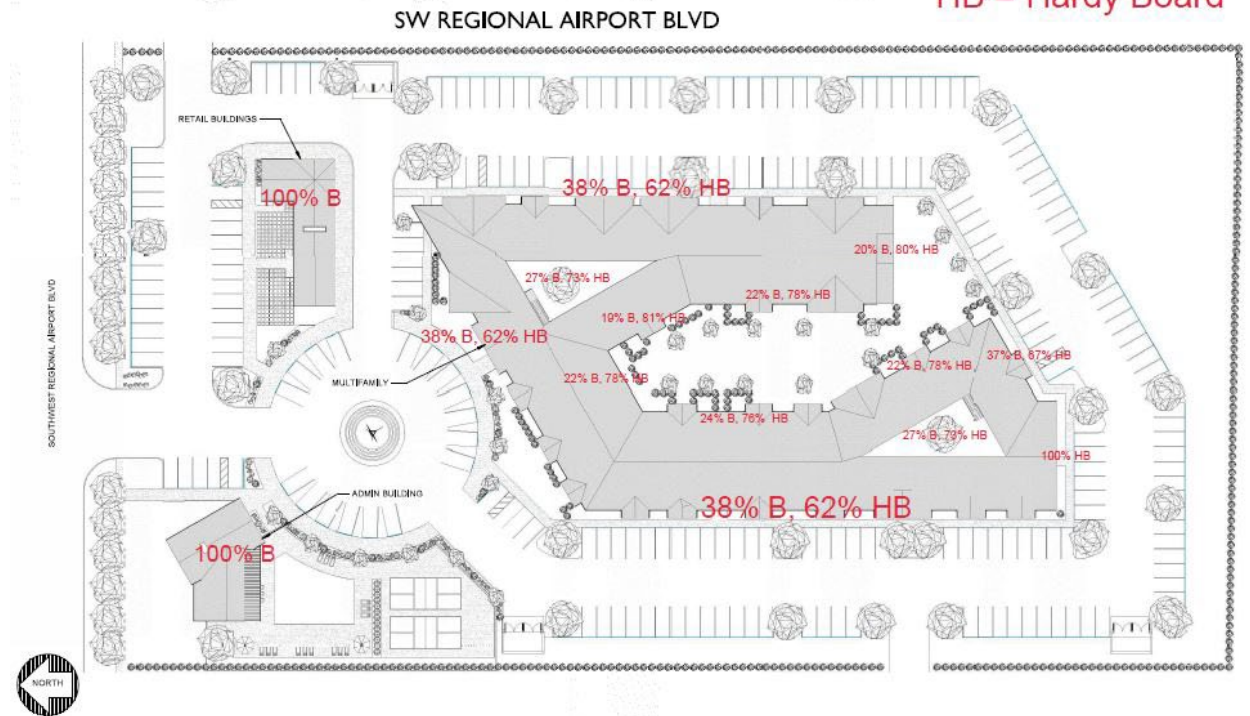
* indicates item requires public hearing

VII. Attachments

Attachment A

BENTONVILLE MULTIFAMILY

B = Brick
HB = Hardy Board



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* indicates item requires public hearing



Consent Agenda Items

For the Planning Commission meeting on June 6, 2023

Reviewer: Jon Stanley, Senior Planner, ASLA, APA

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

1. Lot Split: Lot 31, Block 4 of Railroad Addition, Terlouw Family Trust, 207 Southeast 3rd Street, R-1, Low-Density Residential, LS23-0017

A property line adjustment of a piece of sectional land, part of Lot 5, Block 4 of Railroad Addition, and Lot 8, Block 4 of Railroad Addition, creating new Lot 31, Block 4 of Railroad Addition. The plat dedicates right-of-way along Southeast 3rd Street to the Master Street Plan requirements and a utility easement along the south boundary adjacent to Southeast 3rd Street. No variances or waivers are associated with this plat.

2. Lot Split: Lots 9-17 of Orchard Addition, JNJB LLC, 410 Southeast C Street and 407 Southeast B Street, DN-2, Downtown Medium Density Residential, LS23-0021

A lot split of Tracts 1 & 2 Block A of Orchard Addition, creating new Lots 9-17 of Orchard Addition. The plat dedicates right-of-way along Southeast C Street to Master Street Plan requirements, as well as a shared access easement from Southeast C through to the middle of the development for shared access to rear-loaded garages. A utility easement is dedicated along the south boundary. No variances or waivers are associated with this plat.

3. Property Line Adjustment: Lot 29, Block 9 of W. A. Burk's Addition, Main Monroe Holdings LLC, R-1, Low-Density Residential, PLA23-0014

A property line adjustment of Lots 1-6 of W. A. Burk's Addition into Lot 29 of W. A. Burk's Addition. The Plat dedicates a utility easement in the northwest corner of the right of way vacation. No variances or waivers are associated with this property line adjustment.

4. Large Scale Development Extension: SW 6th Townhomes, SW 6th Street LLC, Southwest 6th Street and Southwest B Street, DC, Downtown Core, LSD22-0025

The applicant is requesting a 6-month extension of this development proposal, to finalize the construction contracts. The Planning Commission originally approved this Large Scale Development on June 7, 2022, for an eight-unit, three-story townhome development located on the northeast corner of SW 6th and SW B Streets. A plat shall be submitted and approved by the Planning Commission.

5. Preliminary Plat: McKissic Springs Subdivision, Buffington BW LLC, South Vaughn Road, R-1, Low-Density Single Family Residential, PP23-0004

A preliminary plat for McKissic Springs Subdivision, creating thirty-five (35) total lots, four (4) of which are unbuildable and set aside for common property and detention areas. The plat provides a future street stub out for future connection to the property immediately east and south however, there is a flood plain and potential wetlands that will not allow street stub outs to the north and west. A local street traverses the property from northeast to southwest and provides ingress/egress into the subdivision from South Vaughn Road. A firetruck turnaround has been incorporated into the design. Right-of-way is dedicated at the far northeast corner to round the corner at the intersection of Rainbow Farm and Morningstar. Sidewalks, stormwater drainage improvements and landscaping will all be completed per the requirements of the Land Development Code. No variances or waivers are associated with this plat.

SE A ST

SE HENRY

SE B ST

SE 3RD ST

SE C ST

Legend

 Pending Planning Commission Items



1 inch = 100 feet

LS23-0017
LOT SPLIT
RAILROAD ADDITION
PART OF LOTS 5 & 8 BLOCK 4 CREATING LOT 31





LEGEND

- F.I.P. FOUND IRON PIN
- S.I.P. SET IRON PIN (5/8" W/CAP)
- ⚡ POWER POLE
- ⚙ EX. WATER METER
- ❄ AIR CONDITIONER
- ⚡ POWER POLE
- ☎ TELEPHONE
- ⛽ GAS METER

CITY REQUIRED NOTES:

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

CERTIFICATE OF OWNERSHIP

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

DATE OF EXECUTION _____

SIGNED: _____
(REP. OF TERLOUW FAMILY TRUST)

NAME AND ADDRESS: _____

PRINT NAME: _____

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

STATE OF ARKANSAS)

COUNTY OF BENTON)

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____
DAY OF _____ 2023.

NOTARY PUBLIC SIGNATURE _____

FLOOD CERTIFICATION

THIS PROPERTY DOES NOT LIE IN FLOOD ZONE AE OR A, AS SHOWN ON FEMA PANEL #05007C0255 K, DATED JUNE 05, 2012.

LAND SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ON THE 22ND DAY OF MARCH, 2023 THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THE IRON PINS WERE FOUND OR SET, AS SHOWN ON THIS PLAT, ALL EASEMENTS AND ENCROACHMENTS REVEALED BY THE SURVEY ARE AS SHOWN ON THIS PLAT.

DAVID B. PLATZ, R.L.S. #1553

CERTIFICATE OF APPROVAL

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

DATE OF EXECUTION: _____

SIGNED: _____

MAYOR

CITY CLERK

PLANNING COMMISSION CHAIRMAN

NOTES

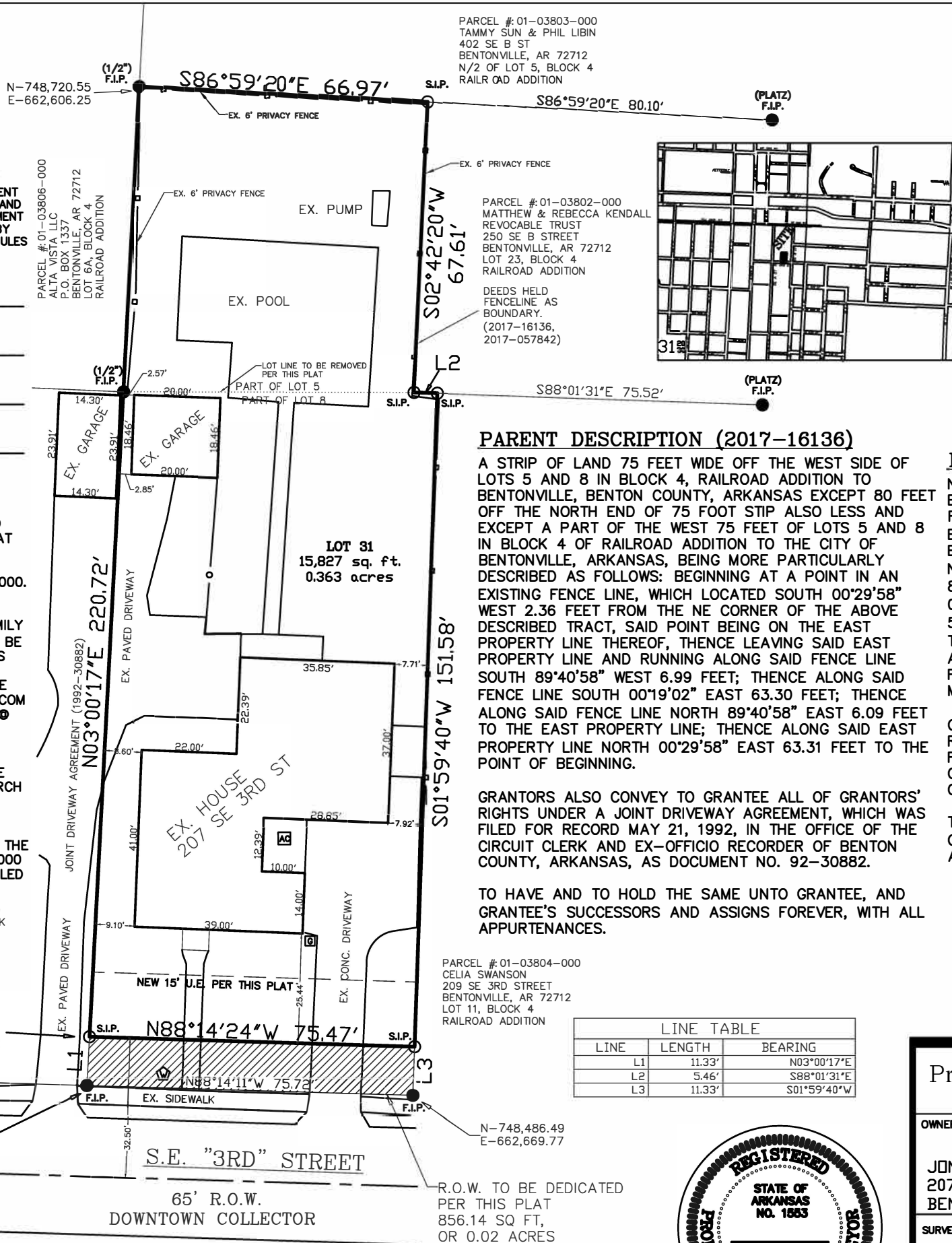
1. PARENT DEED IS A WARRANTY DEED FILED ON MARCH 24, 2017 & FOUND AT BOOK 2017, AT PAGE 16136.
2. TAX PARCEL FOUND AT 01-03810-000.
3. THE CURRENT ZONING FOR THE PROPERTY IS LOW DENSITY SINGLE FAMILY RESIDENTIAL (R-1). SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.
4. OUR LIMITED RESEARCH COULD NOT FIND ANY EXISTING EASEMENTS ON THE PARENT TRACT, A MORE INDEPTH SEARCH IS NEEDED TO VERIFY.
5. THERE IS A JOINT DRIVEWAY AGREEMENT BETWEEN THE OWNERS OF THE PROPERTIES OF PARCEL # 01-03810-000 AND # 01-03807-000, FOUND IN A FILED AGREEMENT FOUND IN BOOK 1992 AT PAGE 30882.

PARCEL # 01-03807-000
BERNARD & SARAH CLARK
LIVING TRUST
205 SE 3RD STREET
BENTONVILLE, AR 72712
E/2 OF LOT 7, BLOCK 4
RAILROAD ADDITION

P.O.B.
SW CORNER
LOT 31, BLOCK 4
RAILROAD ADDITION

P.O.C.
SW CORNER
LOT 8, BLOCK 4
RAILROAD ADDITION

BASIS OF BEARING
ARKANSAS STATE PLANE
COORDINATE SYSTEM, CITY OF
BENTONVILLE, AR CONTROL
MONUMENTS (7 & 56).



PARENT DESCRIPTION (2017-16136)

A STRIP OF LAND 75 FEET WIDE OFF THE WEST SIDE OF LOTS 5 AND 8 IN BLOCK 4, RAILROAD ADDITION TO BENTONVILLE, BENTON COUNTY, ARKANSAS EXCEPT 80 FEET OFF THE NORTH END OF 75 FOOT STIP ALSO LESS AND EXCEPT A PART OF THE WEST 75 FEET OF LOTS 5 AND 8 IN BLOCK 4 OF RAILROAD ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN AN EXISTING FENCE LINE, WHICH LOCATED SOUTH 00°29'58" WEST 2.36 FEET FROM THE NE CORNER OF THE ABOVE DESCRIBED TRACT, SAID POINT BEING ON THE EAST PROPERTY LINE THEREOF, THENCE LEAVING SAID EAST PROPERTY LINE AND RUNNING ALONG SAID FENCE LINE SOUTH 89°40'58" WEST 6.99 FEET; THENCE ALONG SAID FENCE LINE SOUTH 00°19'02" EAST 63.30 FEET; THENCE ALONG SAID FENCE LINE NORTH 89°40'58" EAST 6.09 FEET TO THE EAST PROPERTY LINE; THENCE ALONG SAID EAST PROPERTY LINE NORTH 00°29'58" EAST 63.31 FEET TO THE POINT OF BEGINNING.

GRANTORS ALSO CONVEY TO GRANTEE ALL OF GRANTORS' RIGHTS UNDER A JOINT DRIVEWAY AGREEMENT, WHICH WAS FILED FOR RECORD MAY 21, 1992, IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, AS DOCUMENT NO. 92-30882.

TO HAVE AND TO HOLD THE SAME UNTO GRANTEE, AND GRANTEE'S SUCCESSORS AND ASSIGNS FOREVER, WITH ALL APPURTENANCES.

PROPERTY DESCRIPTION (NEW LOT 31)

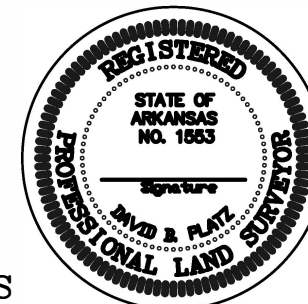
NEW LOT 31, BLOCK 4, RAILROAD ADDITION TO BENTONVILLE, BENTON COUNTY, ARKANSAS, FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF OLD LOT 8, BLOCK 4, RAILROAD ADDITION, THENCE NORTH 03°00'17" EAST 11.33 FEET TO THE POINT OF BEGINNING, THENCE NORTH 03°00'17" EAST 220.72 FEET; THENCE SOUTH 86°59'20" EAST 66.97 FEET; THENCE ALONG A FENCE, SOUTH 02°42'20" WEST 67.61 FEET; THENCE SOUTH 88°01'31" EAST 5.46 FEET; THENCE SOUTH 01°59'40" WEST 151.58 FEET TO THE EDGE OF RIGHT OF WAY OF SE "3" STREET; THENCE ALONG SAID RIGHT OF WAY, NORTH 88°14'24" WEST 75.47 FEET TO THE POINT OF BEGINNING, CONTAINING 0.363 ACRES MORE OR LESS.

GRANTORS ALSO CONVEY TO GRANTEE ALL OF GRANTORS' RIGHTS UNDER A JOINT DRIVEWAY AGREEMENT, WHICH WAS FILED FOR RECORD MAY 21, 1992, IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, AS DOCUMENT NO. 92-30882.

TO HAVE AND TO HOLD THE SAME UNTO GRANTEE, AND GRANTEE'S SUCCESSORS AND ASSIGNS FOREVER, WITH ALL APPURTENANCES.

**PART OF LOT 5 AND 8, BLOCK 4,
CREATING LOT 31, BLOCK 4
IN RAILROAD ADDITION
BENTONVILLE, ARKANSAS**

LINE TABLE		
LINE	LENGTH	BEARING
L1	11.33'	N03°00'17"E
L2	5.46'	S88°01'31"E
L3	11.33'	S01°59'40"W



SITE ADDRESS:
207 S.E. 3RD STREET
BENTONVILLE, ARKANSAS
ATLAS PAGE = 403A

Property Line Adjustment		REVISIONS		
		No.:	BY:	DATE:
OWNER:	TERLOUW FAMILY TRUST JONATHAN & LORI TERESA TERLOUW 207 SE 3RD STREET BENTONVILLE, AR 72712	#1	CITY	4/14/23
SURVEYOR:	DAVID B. PLATZ P.O. BOX 223 BENTONVILLE, AR 72712	DRAWN BY:	DATE:	
		DBP/ZHS	3/23/23	
		CHECKED BY:	JOB No.:	
			2023084	
		SCALE:	SHEET:	
		1"=30'	1	

BENTONVILLE PROJECT NUMBER: LS23-0017

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF A PORTION OF PREVIOUSLY
UNPLATTED LAND AND LOT 8, BLOCK 4 OF RAILROAD ADDITION; CREATING
NEW LOT 31, BLOCK 4 OF RAILROAD ADDITION TO THE CITY OF
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: LS23-0017)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of A PORTION OF PREVIOUSLY UNPLATTED LAND AND LOT 8, BLOCK 4 OF RAILROAD ADDITION, creating new LOT 31, BLOCK 4 OF RAILROAD ADDITION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on June 6, 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 A PORTION OF PREVIOUSLY UNPLATTED LAND AND LOT 8, BLOCK 4 OF RAILROAD ADDITION creating new LOT 31, BLOCK 4 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



SE 4TH ST

SE B ST

SE C ST

SE 6TH ST

Legend

Pending Planning Commission Items



1 inch = 100 feet

LS23-0021
LOT SPLIT
ORCHARD ADDITION
TRACTS 1-2 BLOCK A CREATING LOTS 9-17



SCALE: 1" = 30'	DATE: 4-3-23		
LOT SPLIT OF TRACTS 1 & 2 BLOCK A ORCHARD ADDITION CREATING LOTS 9-17			
410 SE "C" STREET & 407 SE "B" STREET BENTONVILLE, BENTON CO., AR			
JOB #	DRAWN BY:	CHK'D BY:	PAGE
21-226LS	ASD	RJC	1 OF 1

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF TRACTS 1 & 2 BLOCK 2 OF W.A. BURKS ADDITION; CREATING NEW LOTS 35-39 OF W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: LS23-0021)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of TRACTS 1 & 2 BLOCK 2 OF W.A. BURKS ADDITION, creating new LOTS 35-39 OF W.A. BURKS ADDITION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on June 6, 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 TRACTS 1 & 2 BLOCK 2 OF W.A. BURKS ADDITION creating new LOTS 35-39 OF W.A. BURKS 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.

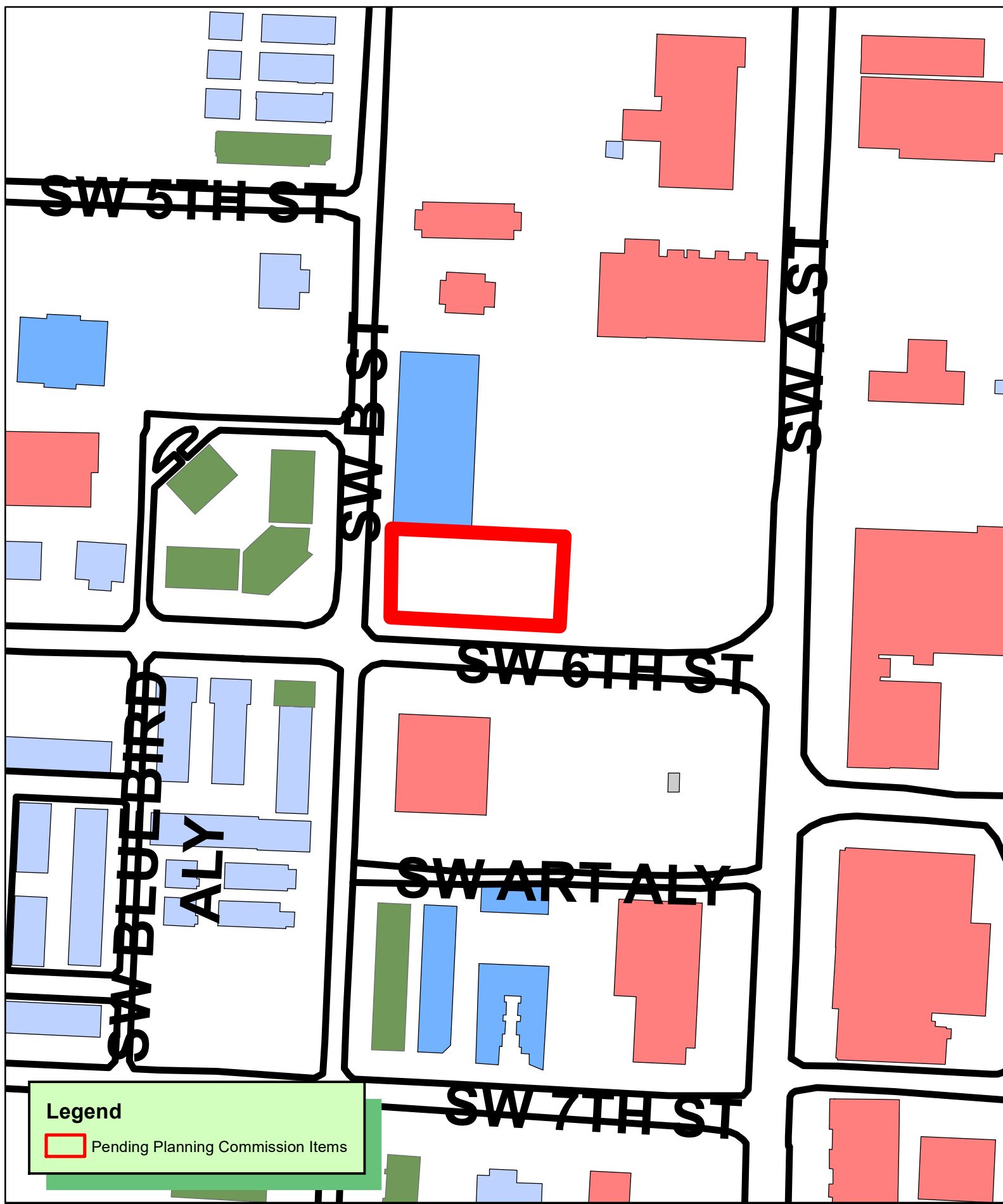
PASSED AND APPROVED this _____ day of _____, 2023

APPROVED:

ATTEST:

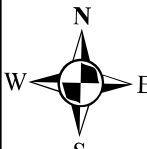
Stephanie Orman, Mayor

Kirby Romines, City Clerk



Legend

 Pending Planning Commission Items

 1 inch = 100 feet

LSD22-0025
LARGE SCALE DEVELOPMENT
SW 6TH ST TOWNHOMES



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

May 24, 2023

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

Re: Request for LSD Extension – SW 6th St. Townhomes - LSD #22-0025

Dear Planning Commissioners:

On behalf of SW 6th Street LLC, Ecological Design Group, Inc. is requesting an extension for the Large Scale Development approval for the aforementioned project as allowed in the City of Bentonville Subdivision Code and further defined in Article 700.7(B): Large Scale Developments; Expiration of Large Scale Development Approval; Extension. The design team requires the additional 6 months to finalize the construction contract.

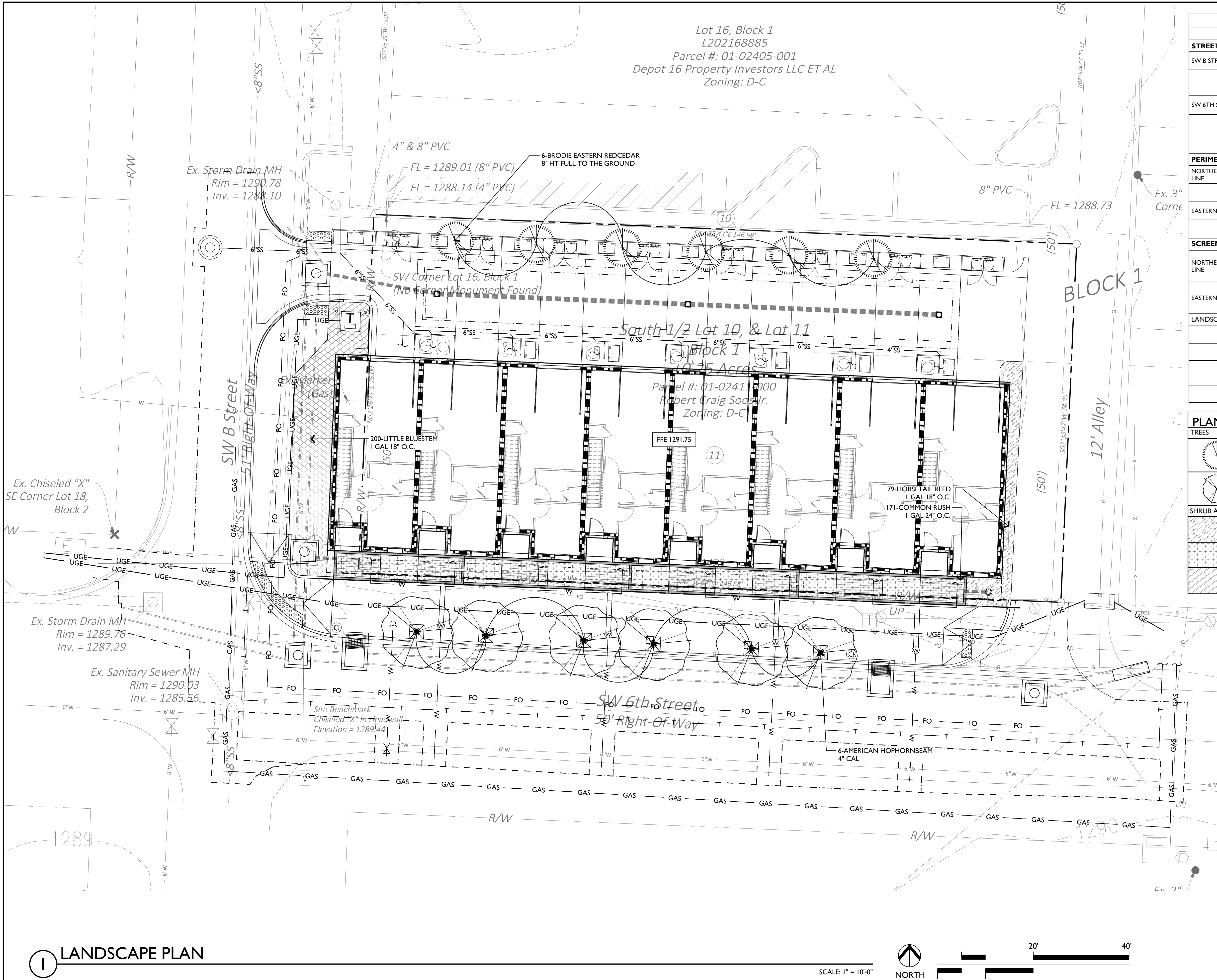
Please let us know if you need any additional information regarding the extension request. We appreciate your review and consideration of this project. If you need any additional information or have any questions, please do not hesitate to contact me at 501-944-3090 or via email at bdriver@ecologicaldg.com.

Sincerely,

ECOLOGICAL DESIGN GROUP, INC.

A handwritten signature in blue ink, appearing to read 'Brahm Driver'.

Brahm Driver, PE
Civil Engineering Director



CITY OF BENTONVILLE LANDSCAPE REQUIREMENTS			
		REQUIRED	PROVIDED
STREET FRONTAGE			
SW B STREET	MIN. 20 FT BUFFER	NO	NO
	ONE (1) TREE PER 25 LF. OF STREET FRONTAGE: 75.00 LF / 25 = 3 TREES REQUIRED	3 TREES	0 TREES. WAIVER REQUESTED
SW 6TH STREET	MIN. 20 FT BUFFER	NO	NO
	ONE (1) TREE PER 25 LF. OF STREET FRONTAGE: 146.88 LF / 25 = 5.88 ~ 6 TREES REQUIRED	6 TREES	6 TREES
PERIMETER LANDSCAPE STRIP			
NORTHERN LOT LINE	MIN 7' PERIMETER LANDSCAPE STRIP	NO	NO
	ONE (1) TREE PER 50 LF OF LENGTH: 146.96 / 50 = 2.94 ~ 3 TREES REQUIRED	3 TREES	6 NEW TREES
EASTERN LOT LINE	MIN 7' PERIMETER LANDSCAPE STRIP	NO	NO
	ONE (1) TREE PER 50 LF OF LENGTH: 74.95 / 50 = 1.50 ~ 2 TREES REQUIRED	2 TREES	2 NEW TREES
SCREENING REQUIREMENTS			
NORTHERN LOT LINE	MULTIFAMILY / TOWNHOME USES: TYPE C SCREEN REQUIRED MIN 20' W/ INTERMITTENT VISUAL OBSTRUCTION	YES	NEW EVERGREEN TREES
EASTERN LOT LINE	MULTIFAMILY / ALLEY USES:	N/A	EASTERN LOT LINE ADJACENT TO ACCESS ALLEY
LANDSCAPE AND UTILITY REQUIREMENTS			
	TREES PLANTED UNDER OVERHEAD UTILITIES SHALL NOT EXCEED A MATURE HEIGHT OF 25'	YES	YES
	TREES SHALL NOT BE WITHIN 5' OF UNDERGROUND UTILITIES	YES	YES
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 10' FROM THE DOOR SIDE OF TRANSFORMER; AND 3' FROM OTHER SIDES.	YES	YES
	TREES AND LANDSCAPING SHALL NOT BE WITHIN 3' OF A FIRE HYDRANT	YES	YES

PLANT SCHEDULE					
TREES	QTY	COMMON / BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	6	BRODIE EASTERN REDCEDAR JUNIPERUS VIRGINIANA 'BRODIE'	8" HT FULL TO THE GROUND	BALL & BURLAPPED	AS SHOWN
	6	AMERICAN HOPHORNBEAM OSTRYA VIRGINIANA	4" CAL	BALL & BURLAPPED	AS SHOWN
SHRUB AREAS	QTY	COMMON / BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	79	HORSETAIL REED EQUISETUM HYEMALE	---	1 GAL	18" O.C.
	171	COMMON RUSH JUNCUS EFFUSUS	---	1 GAL	24" O.C.
	200	LITTLE BLUESTEM SCHIZACHYRIUM SCOPARIUM	---	1 GAL	18" O.C.

EDG

Ecological Design Group, Inc

www.ecologicaldg.com

phone: 501 378 0200

LITTLE ROCK | ROGERS | WYNNE

811

Know what's below.
Call before you dig.

SW6TH TOWNHOMES

SW B Street

Bentonville, Arkansas

EDG PROJECT NO. 21-046

DATE 2022.05.23

REVISIONS

Number Date

PHASE Design Development

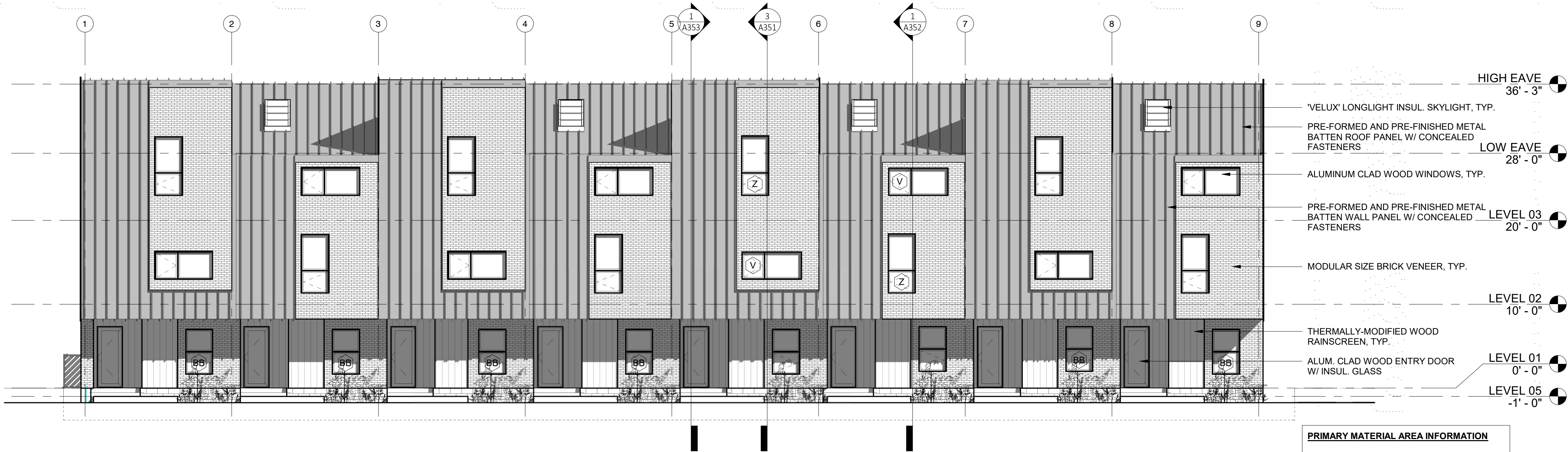
TITLE Landscape Plan

SHEET NO. L1.00

LSD22-0025



2 Elevation-NORTH
1/8" = 1'-0" RE: 1/A000



1 Elevation-SOUTH
1/8" = 1'-0" RE: 1/A000



Hufft

PROJECT INFORMATION:
640- SW6TH TOWNHOMES

1007 SW A STREET

OWNER:

CRAIG SOOS

1007 SW A STREET
BENTONVILLE, AR 72712

ARCHITECT:

HUFFT

403 SE 5th Street
Bentonville, AR 72712
P. 816-631-0200

www.hufft.com

A. STRUCTURAL:

J&M ENGINEERS

3045 S Kansas Expy
Springfield, MO 65807

B. MEP:

OMNI ENGINEERS, INC.

300 N 2nd St
Rogers, AR 72756

C. CIVIL:

Ecological Design Group

218 West Birch St.
Rogers, AR 72756

KEY PLAN:

ISSUE:

**LARGE SCALE
DEVELOPMENT
05/02/2022**

REVISION SCHEDULE:

NO.	DATE	ISSUE
-----	------	-------

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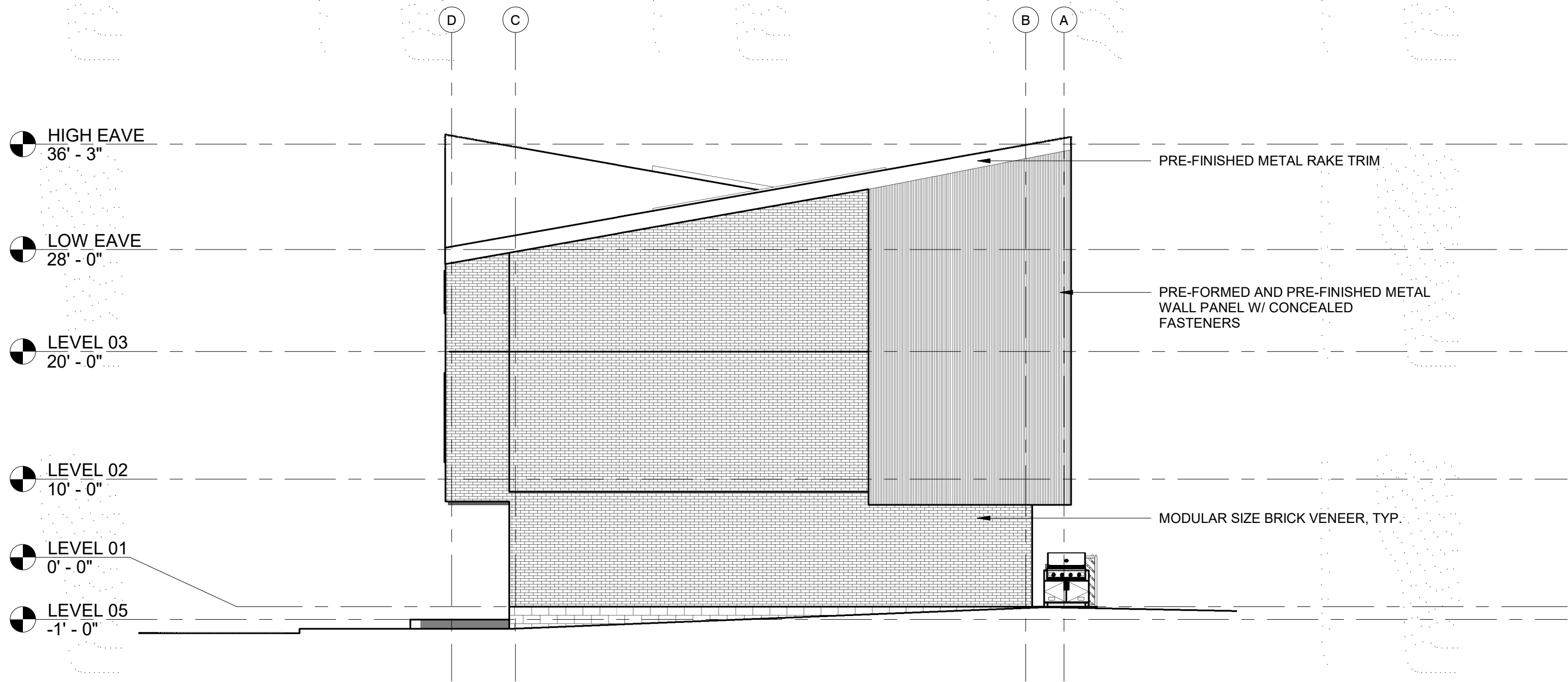
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Drawn By: Author

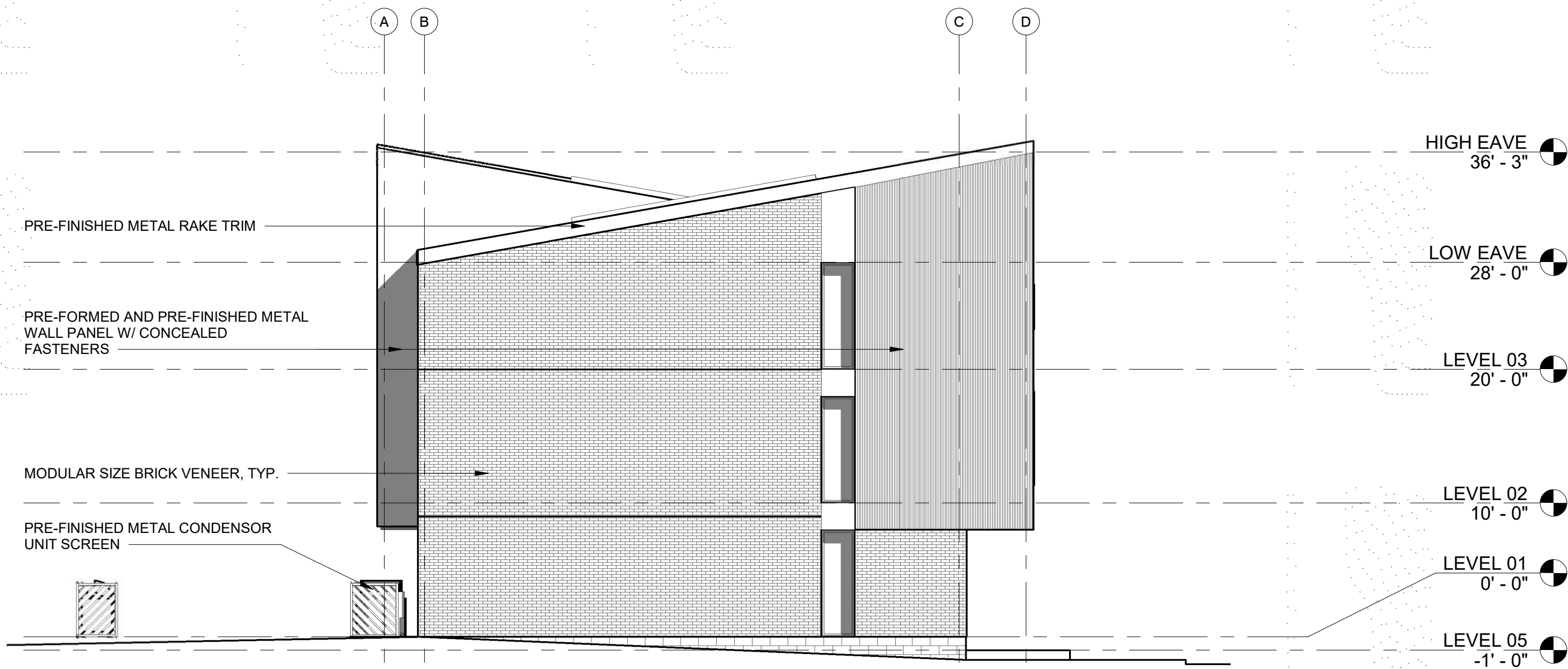
RENDERED ELEVATIONS -
NORTH AND SOUTH

A201-R



PRIMARY MATERIAL AREA INFORMATION	
TOTAL WALL AREA:	1564.32 SQFT
BRICK AREA:	1086.21 SQFT (69.4%)
METAL PANEL AREA:	478.79 SQFT (30.6%)

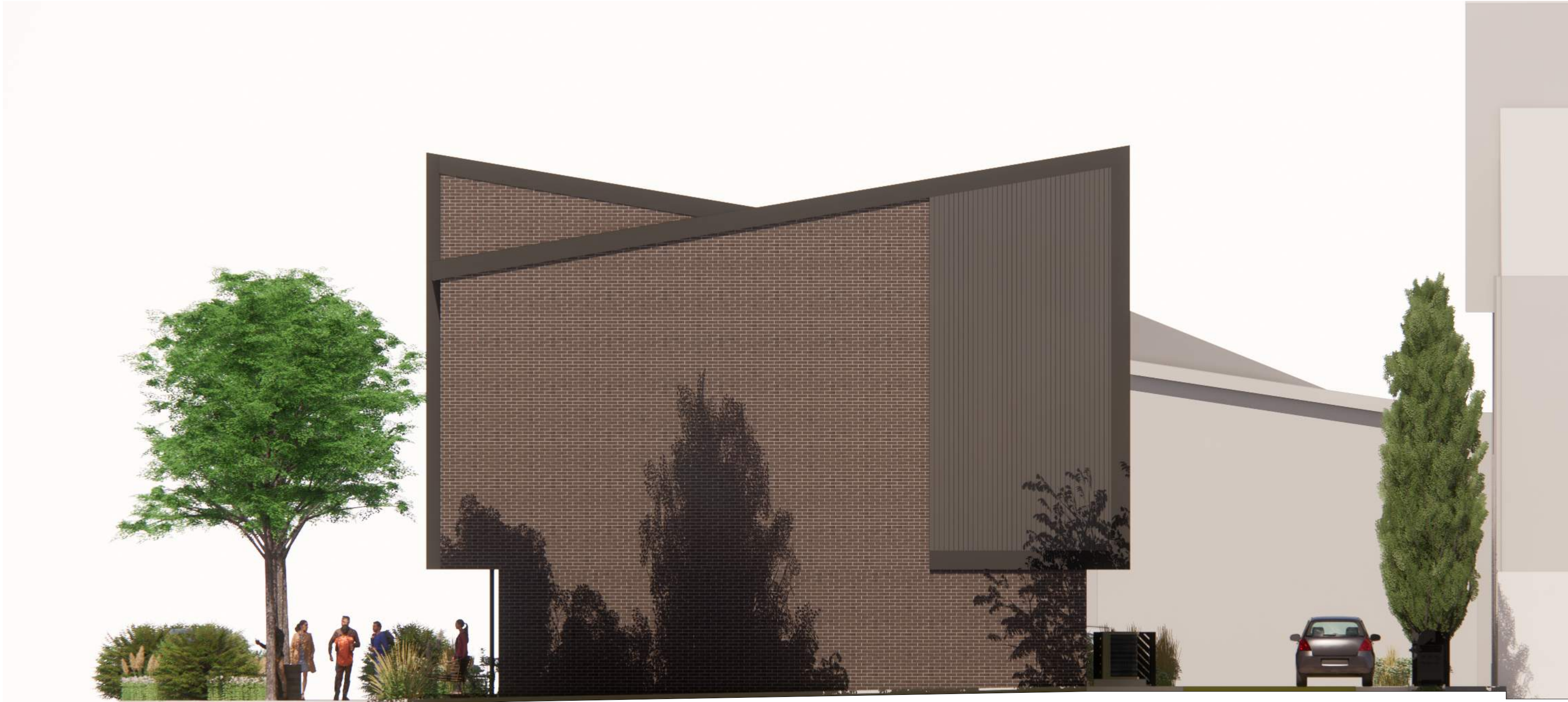
1 Elevation-EAST
1/8" = 1'-0" RE: 1/A000



PRIMARY MATERIAL AREA INFORMATION	
TOTAL WALL AREA:	1475.25 SQFT
BRICK AREA:	1041.87 SQFT (73.1%)
METAL PANEL AREA:	433.38 SQFT (26.9%)

2 Elevation-WEST
1/8" = 1'-0" RE: 1/A000

Printed: 4/20/2022 2:54:13 AM



1 RENDERED ELEVATIONS - EAST AND WEST

Hufft

PROJECT INFORMATION:

640- SW6TH TOWNHOMES

1007 SW A STREET

OWNER:

CRAIG SOOS

1007 SW A STREET
BENTONVILLE, AR 72712

ARCHITECT:

HUFFT

403 SE 5th Street
Bentonville, AR 72712
P. 816-631-0200

www.hufft.com

A. STRUCTURAL:

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3045 S Kansas Expy
Springfield, MO 65807

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Rogers, AR 72756

C. CIVIL:

Ecological Design Group

218 West Birch St.
Rogers, AR 72756

KEY PLAN:

ISSUE:

LARGE SCALE
DEVELOPMENT
05/02/2022

REVISION SCHEDULE:

NO.	DATE	ISSUE
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RENDERED ELEVATIONS -
EAST AND WEST

A202-R



SOUTH PERSPECTIVE



SOUTH PERSPECTIVE CLOSEUP



SOUTH PERSPECTIVE STREETScape



SOUTH PERSPECTIVE ENTRY



SOUTH PERSPECTIVE ENTRY CLOSEUP



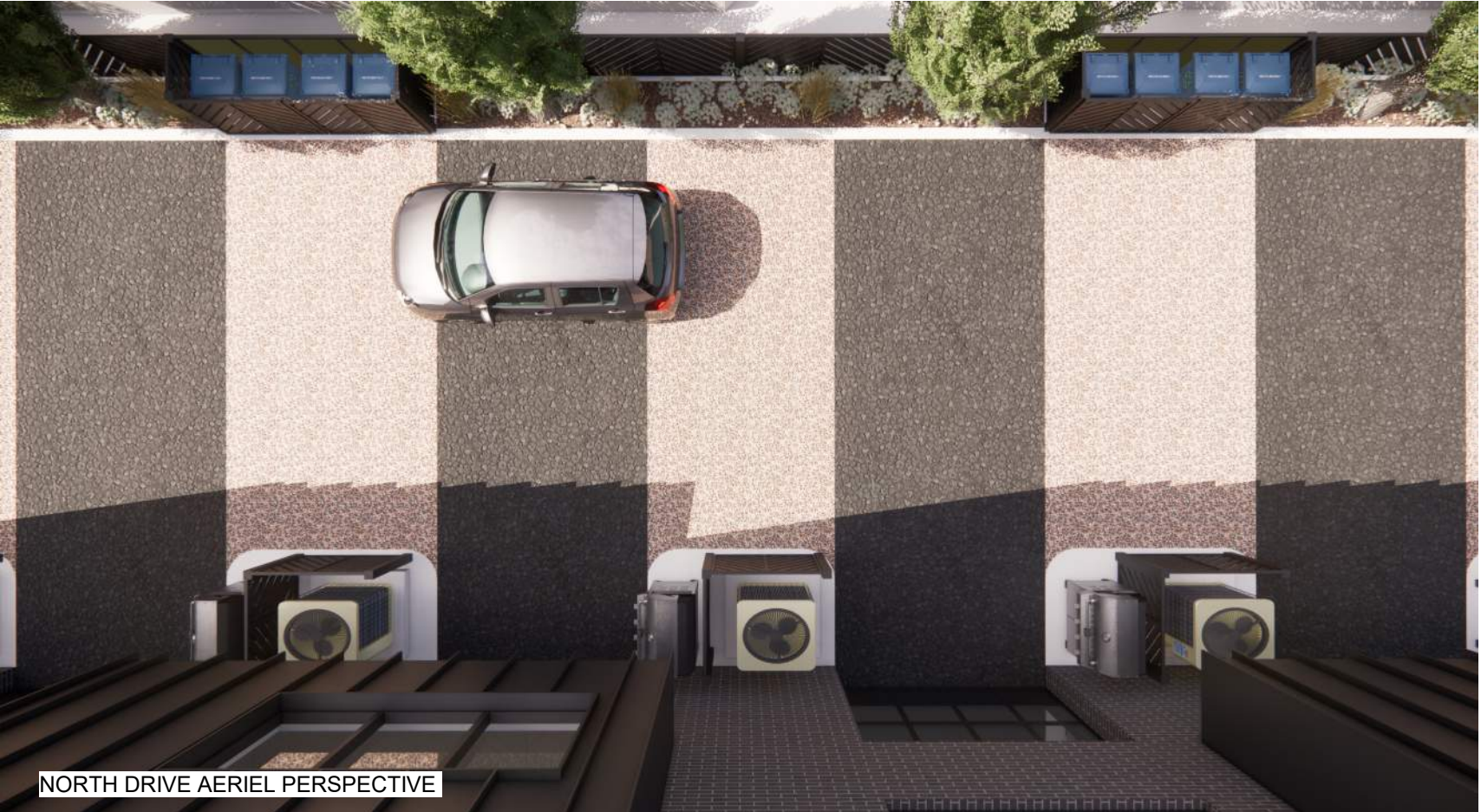
NORTHWEST PERSPECTIVE



NORTH PERSPECTIVE GARAGE AND CONDENSOR SCREEN



NORTH PERSPECTIVE TRASH SCREEN



NORTH DRIVE AERIEL PERSPECTIVE

Hufft

PROJECT INFORMATION:
640- SW6TH TOWNHOMES

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LARGE SCALE

DEVELOPMENT

05/02/2022

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NO.

DATE

ISSUE

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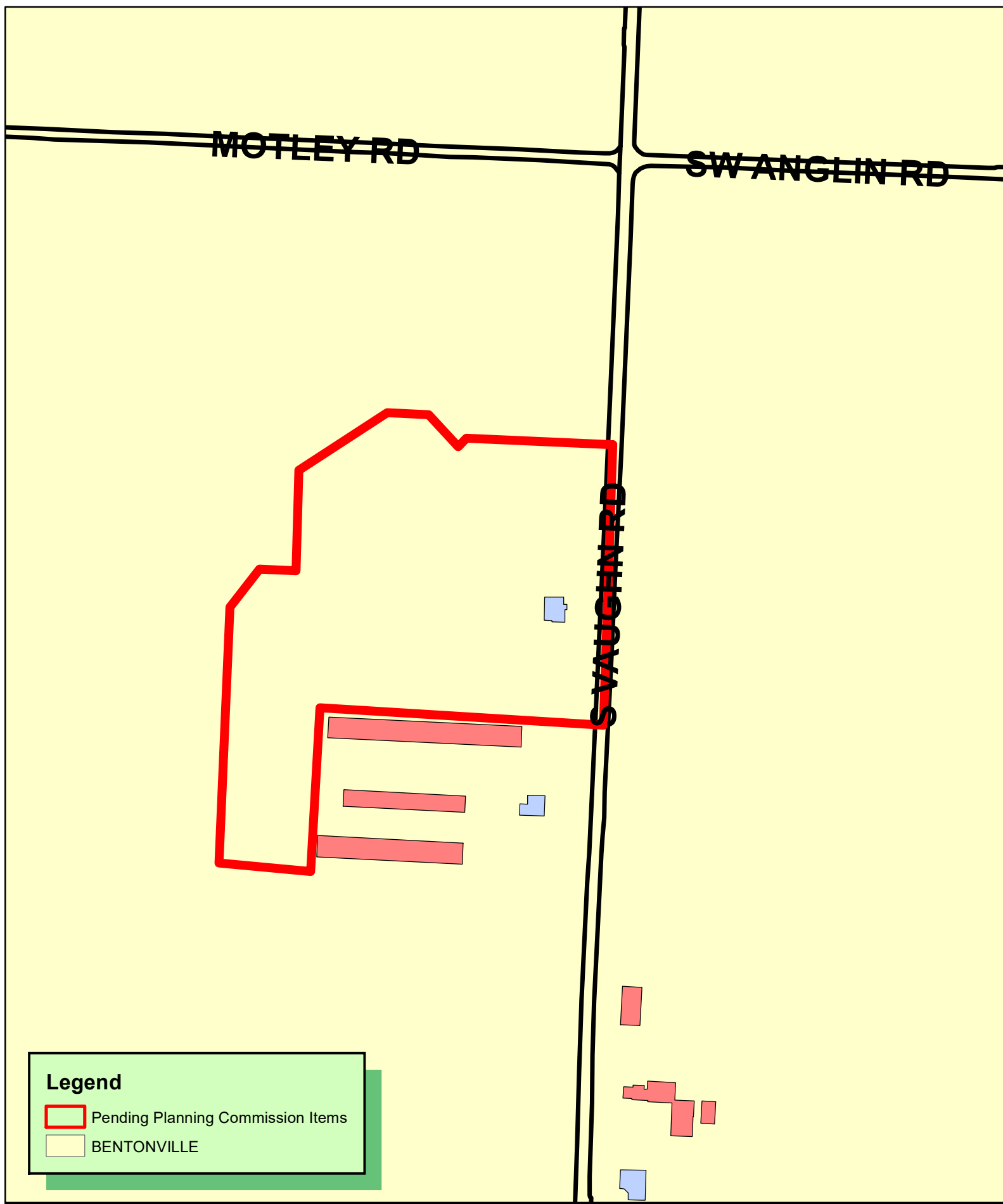
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EXTERIOR RENDERINGS

A203



Legend

-  Pending Planning Commission Items
-  BENTONVILLE


1 inch = 250 feet

PP23-0004
PRELIMINARY PLAT
MCKISSIC SPRINGS ADDITION PHASE 1



- 

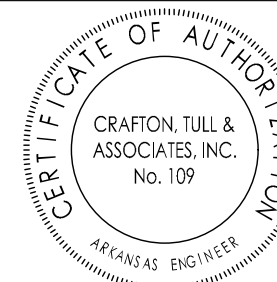
1. GAS LINES NEEDING TO BE REMOVED OR RELOCATED SHALL BE COORDINATED WITH THE AFFECTED UTILITY COMPANY. ADEQUATE TIME SHALL BE PROVIDED FOR RELOCATION AND CLOSE COORDINATION WITH THE UTILITY COMPANY IS NECESSARY TO PROVIDE A SMOOTH TRANSITION IN UTILITY SERVICE.
11. CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES WITH FENCING, BARRICADES, ENCLOSURES, ETC.
12. ALL EROSION CONTROL DEVICES ARE TO BE INSTALLED PRIOR TO DEMOLITION.
13. CONTRACTOR MAY LIMIT SAW-CUT AND PAVEMENT REMOVAL TO ONLY THOSE AREAS WHERE IT IS REQUIRED AS SHOWN ON THESE CONSTRUCTION PLANS BUT IF ANY DAMAGE IS INCURRED ON ANY OF THE SURROUNDING PAVEMENT, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS REMOVAL AND REPAIR.
14. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVEWAYS, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
15. THE CONTRACTOR SHALL COORDINATE WATERMAIN WORK WITH THE FIRE DEPARTMENT AND THE CITY/COUNTY UTILITY DEPARTMENT TO PLAN WATERMAIN IMPROVEMENTS AND TO ENSURE ADEQUATE FIRE PROTECTION IS CONSTANTLY AVAILABLE TO THE SITE THROUGHOUT THIS SPECIFIC WORK AND THROUGH ALL PHASES OF CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE FOR ARRANGING/PROVIDING ANY REQUIRED WATERMAIN SHUT-OFFS WITH THE CITY/COUNTY DURING CONSTRUCTION. ANY COSTS ASSOCIATED WITH WATERMAIN SHUT-OFFS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NO EXTRA COMPENSATION WILL BE PROVIDED.
16. DAMAGE TO ALL EXISTING CONDITIONS TO REMAIN WILL BE REPLACED AT CONTRACTOR'S EXPENSE. REPAIRS SHALL RESTORE DAMAGED ITEMS TO EQUAL OR BETTER THAN, EXISTING CONDITIONS. CONTRACTOR IS RESPONSIBLE FOR DOCUMENTING ALL EXISTING DAMAGE AND NOTIFYING CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION START.
17. ALL TRENCHES AND/OR EXCAVATED AREAS SHALL BE FILLED/TESTED IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEERING REPORT.
18. IF SEPTIC TANKS ARE FOUND PRESENT WITHIN THE LIMITS OF DISTURBANCE THEY SHALL BE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL LAWS.
19. IF THE CONTRACTOR FINDS ANY UNDERGROUND TANKS ON SITE THEY SHALL CONTACT THE ENGINEER IMMEDIATELY.
20. ALL WELLS SHALL BE CAPPED AND CLOSED IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAW.

- 

- SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL NPDES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
11. ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE A INCHES OF TOPSOIL TO FINAL GRADE. REFER TO THE LANDSCAPE PLAN.
12. TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON PLANS, CONTRACT ENGINEER IMMEDIATELY.
13. THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
14. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT ELEVATION BY ANY CONSTRUCTION ACTIVITY.
15. THE EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS.
16. EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS.
17. CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.
18. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVEWAYS, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
19. IF WEI AREAS ARE ENCOUNTERED ON-SITE THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR THE DESIGN AND REPLACEMENT OF A FRENCH DRAIN SYSTEM.
20. CRAFTON, TULL & ASSOCIATES, INC. (CTA) HAS NOT NECESSARILY ESTABLISHED MINIMUM FINISH FLOOR ELEVATIONS FOR EACH INDIVIDUAL BUILDING OR LOT IN THIS SUBDIVISION. WHEN A MINIMUM BUILDING FLOOR ELEVATION IS NOT ESTABLISHED AND NOTED, THE RESPONSIBILITY FOR THE PROPER GRADING OF EACH INDIVIDUAL LOT OR PARCEL SHALL REST WITH THE LOT OWNER. TYPICALLY, THE MINIMUM FINISH FIRST FLOOR ELEVATIONS SHOULD BE AT LEAST TWELVE INCHES (12") ABOVE THE FINISHED TOP OF STREET CURB ELEVATION ASSOCIATED WITH EACH INDIVIDUAL LOT OR PARCEL OR AS REQUIRED BY LOCAL AND STATE CODES.

-

CERTIFICATE OF AUTHORIZATION



MCKISSIC SPRINGS

BENTONVILLE, AR

[illegible]

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PROJECT NO: 23302500

ISSUE DATE: 05/15/20

CONTACT: B. MURRAY

QC by:

QC Date: _____

PRELIMINA

PLANS

TELETYPE

PP23-0004

GENERAL NOTES

C-002

DRAWING: G:\23022500_MCKESSIN\INFRASTRUCTURE\CHVIL\DWG\IPRE\PRELIMINARY PLAT.DWG
LAYOUT: OVERALL PRELIMINARY PLAT LAST SAVED: CHS207, 5/11/2023 7:57 AM
PLOTTED BY: CONLEE HALE, 5/11/2023 9:41 AM (PLOTTED BY: ONLY VALID ON HARD COPY)

18-09006-005
ELITE EQUITY GROUP OF AR
PO BOX 239
BENTONVILLE, AR 72716

ELITE EQUITY GROUP OF ARKANSAS, LLC
PO BOX 239
BENTONVILLE, AR 72712

NOTE:

SIDEWALKS ALONG COMMON AREA AND PUBLIC SPACES TO BE CONSTRUCTED IN THIS CONTRACT.

SIDEWALKS ALONG LOT FRONTAGE TO BE CONSTRUCTED LATER WITH INDIVIDUAL HOME CONSTRUCTION.

 SIDEWALK BY LOT
 SIDEWALK BY COMMON AREA TO BE CONSTRUCTED BY DEVELOPER

PROPERTY DESCRIPTION

PART OF THE NW 1/4 OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 17, SAID POINT BEING A RAILROAD SPIKE;

THENCE ALONG THE EAST LINE THEREOF S02°19'35"W 588.73 FEET;

THENCE LEAVING SAID EAST LINE N87°35'04"W 44.22 FEET TO THE POINT OF BEGINNING, SAID POINT BEING 4 5/8" IRON PIN EMBOSSED PS 1460;

THENCE S02°33'43"W 567.63 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N86°27'39"W 538.84 FEET TO A 1/2" IRON PIN;

THENCE S03°20'59"W 337.38 FEET TO A 1/2" IRON PIN EMBOSSED PS 147;

THENCE N87°30'08"W 184.64 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N02°24'56"E 526.72 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N38°17'10"E 98.38 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N87°35'04"E 74.27 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N01°37'36"E 206.69 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N56°57'15"E 216.96 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N87°35'04"E 85.38 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE S42°35'04"E 90.02 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

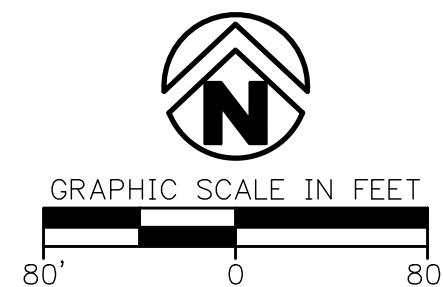
THENCE N44°20'29"E 24.06 FEET TO A 5/8" IRON PIN EMBOSSED PS 1460;

THENCE N87°35'04"E 258.85 FEET TO THE POINT OF BEGINNING, CONTAINING 9.97 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

 PRELIMINARY PLAT NOTES

1. NO NEW FREESTANDING SIGNAGE IS PROPOSED WITH THIS PRELIMINARY PLAT. ALL NEW SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
2. NO NEW FENCING IS PROPOSED WITH THIS PRELIMINARY PLAT. NEW FENCING WILL REQUIRE A SEPARATE PERMIT.
3. NO FENCE EXISTENTS ADJUTING A THROUGHFARE, EXCEPT CORNER LOTS, SHALL PROVIDE AN GATE OPENING PER LOT TO ALLOW ACCESS TO THE ARE BETWEEN THE FENCE AND THE STREET PAVEMENT FOR MAINTENANCE AND MOWING. AN EXCEPTION MAY BE GRANTED IF THE CITY RECEIVES A LETTER FROM THE HOMEOWNERS' ASSOCIATION STATING THAT THIS AREA IS MAINTAINED BY THE ASSOCIATION AND/OR BY INDIVIDUAL HOMEOWNERS.
4. NO CDD OR CDDA AND 'S' SHALL BE PLACED WITHIN THE SHADED SIGN TRIANGLES SHOWN ON THE PRELIMINARY PLAT SHEETS.
5. NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET. ALL RESIDENTIAL DRIVEWAYS SHALL BE PERMITTED TO BE LOCATED ON A MAJOR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREET.
6. 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.
7. THE SIGNED RESPONSIBILITY OF THE CITY OF BENTONVILLE IS THE TIME OF BUILDING PERMIT ISSUANCE.
8. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
9. BUILDING SECTORS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING MAP. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT 479-7127-3122.

ALIGNMENT CENTERLINE TAG TABLE					
CURVE #	RADIUS	LENGTH	CHORD LENGTH	START POINT	END POINT
C1	100.00	157.08	141.42	(633284.45, 733671.37)	(633180.32, 733575.67)
C2	100.00	157.08	141.42	(633625.86, 733757.05)	(633521.74, 733661.36)
C3	100.00	157.08	141.42	(633733.65, 733939.45)	(633629.52, 733843.75)

[illegible]

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

PROJECT NO: 23302500

ISSUE DATE: 05/15/2023
CONTACT: B. MURRAY

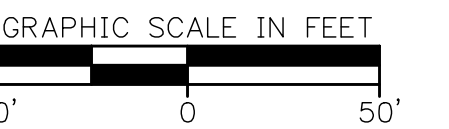
QC by:

PRELIMINAR
PLANS

PP23-0004

OVERALL PRELIMINARY PLAT

C-102



Key Plan

The map shows a grid of roads. S Tycoon Rd runs vertically through the center. S Vaughn Rd runs horizontally across the middle. Other roads include N Tycoon Rd to the north, W Vaughn Rd to the west, Anglin Rd to the east, Opal Rd to the east, and SW Reg Airport Blvd to the southeast. A north arrow is located in the top right corner. A small shaded area on S Tycoon Rd indicates the proposed development site.

[illegible]

PROJECT NO: 23302500
ISSUE DATE: 05/15/2023
CONTACT: B. MURRAY
QC by: _____
QC Date: _____

**PRELIMINARY
PLANS**

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

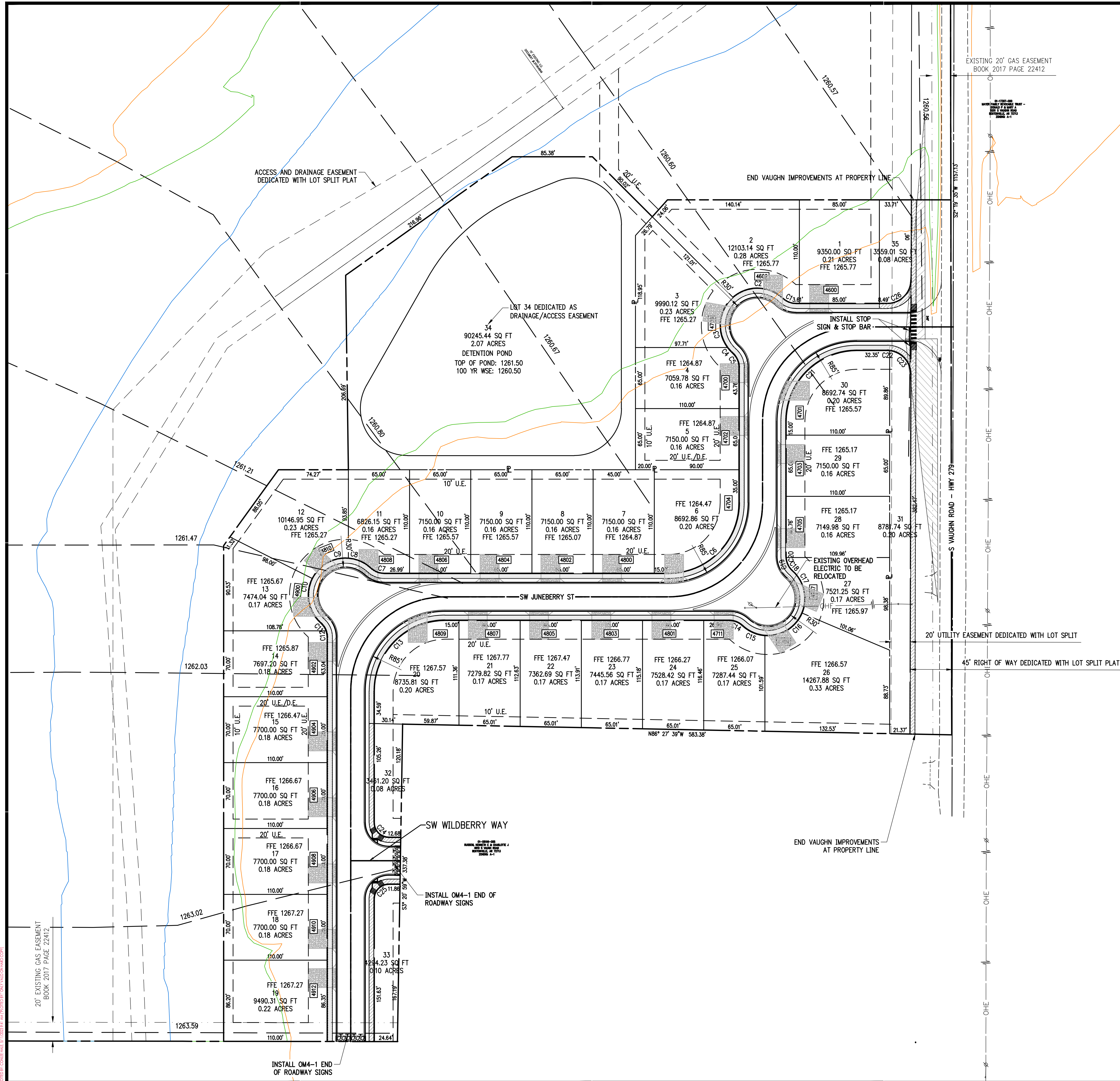
NOT FOR CONSTRUCTION REVIEW SET NOT FOR CONSTRUCTION

© 2023 Crofton, Tull & Associates, Inc.

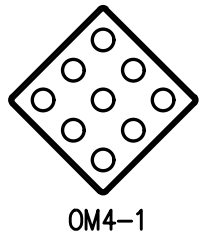
PP23-0004

PRELIMINARY PLAT A

C-103



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	15.46'	20.50'	43°12'29"	S65° 58' 50"E	15.10'
C2	58.12'	39.50'	84°18'04"	S86° 31' 37"E	53.02'
C3	58.94'	39.50'	85°29'46"	N8° 34' 27"E	53.62'
C4	8.06'	39.50'	11°41'40"	N40° 01' 16"W	8.05'
C5	17.28'	20.50'	48°17'02"	N21° 43' 35"W	16.77'
C6	117.81'	75.00'	90°00'00"	N47° 24' 56"E	106.07'
C7	15.46'	20.50'	43°12'29"	S65° 58' 50"E	15.10'
C8	26.71'	39.50'	38°44'42"	S63° 44' 57"E	26.21'
C9	46.68'	39.50'	67°43'04"	N63° 01' 10"E	44.01'
C10	51.73'	39.50'	75°01'45"	N8° 21' 14"W	48.11'
C11	10.17'	20.50'	28°25'31"	N31° 39' 21"W	10.07'
C12	7.11'	20.50'	19°51'31"	N7° 30' 50"W	7.07'
C13	117.81'	75.00'	90°00'00"	N47° 24' 56"E	106.07'
C14	15.46'	20.50'	43°12'29"	S65° 58' 50"E	15.10'
C15	26.71'	39.50'	38°44'42"	S63° 44' 57"E	26.21'
C16	49.29'	39.50'	71°30'11"	N61° 07' 37"E	46.16'
C17	49.12'	39.50'	71°14'37"	N10° 14' 48"W	46.01'
C18	16.03'	20.50'	44°48'37"	N23° 27' 48"W	15.63'
C19	16.03'	20.50'	44°48'37"	N23° 27' 48"W	15.63'
C20	1.24'	20.50'	3°28'25"	N0° 40' 43"E	1.24'
C21	117.81'	75.00'	90°00'00"	N47° 24' 56"E	106.07'
C22	2.66'	25.00'	6°05'32"	S84° 32' 18"E	2.66'
C23	36.68'	25.00'	84°03'15"	S39° 27' 55"E	33.47'
C24	24.35'	15.50'	90°00'00"	N42° 35' 04"W	21.92'
C25	24.35'	15.50'	90°00'00"	S47° 24' 56"W	21.92'
C26	39.21'	25.00'	89°51'13"	N47° 29' 19"E	35.31'



ZONING: R-1

BUILDING SETBACK: BUILDING SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.



L-101

REZONING STAFF REPORT



Estrada

402 NW 7th Street

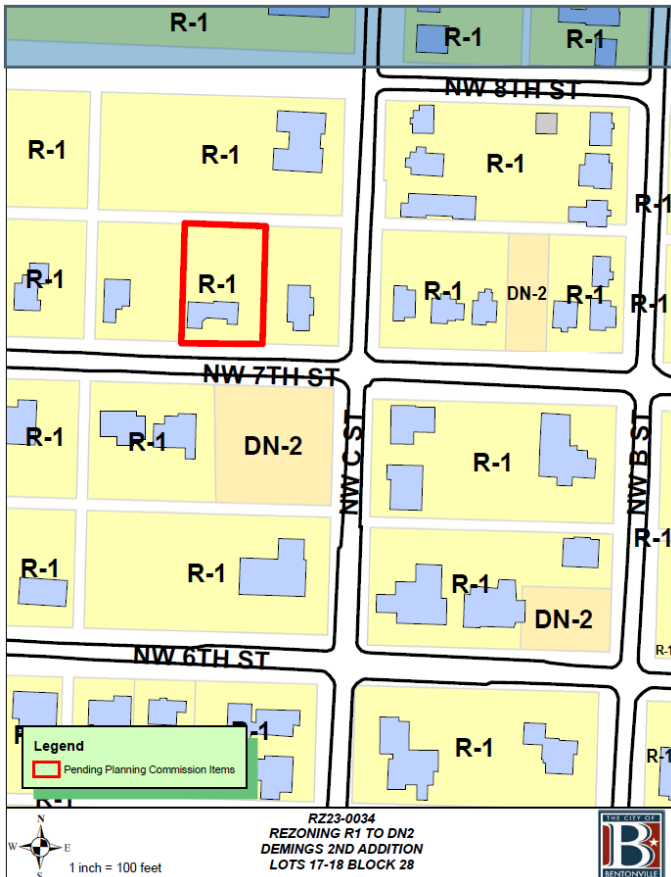
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0034
Applicant / Current Owner	Sand Creek Engineering / Alejandro & Cathy Estrada
Site Area	+/- 0.33 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Related projects	N/A

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

Location Map



Property Description

This property is located at 402 NW 7th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are all R-1, Low-density Single Family Residential except for one DN-2 property to the southeast across NW 7th Street.

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. 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. See attached.

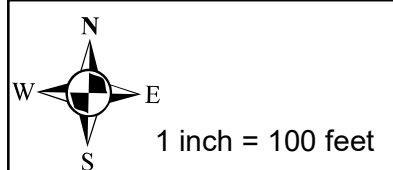
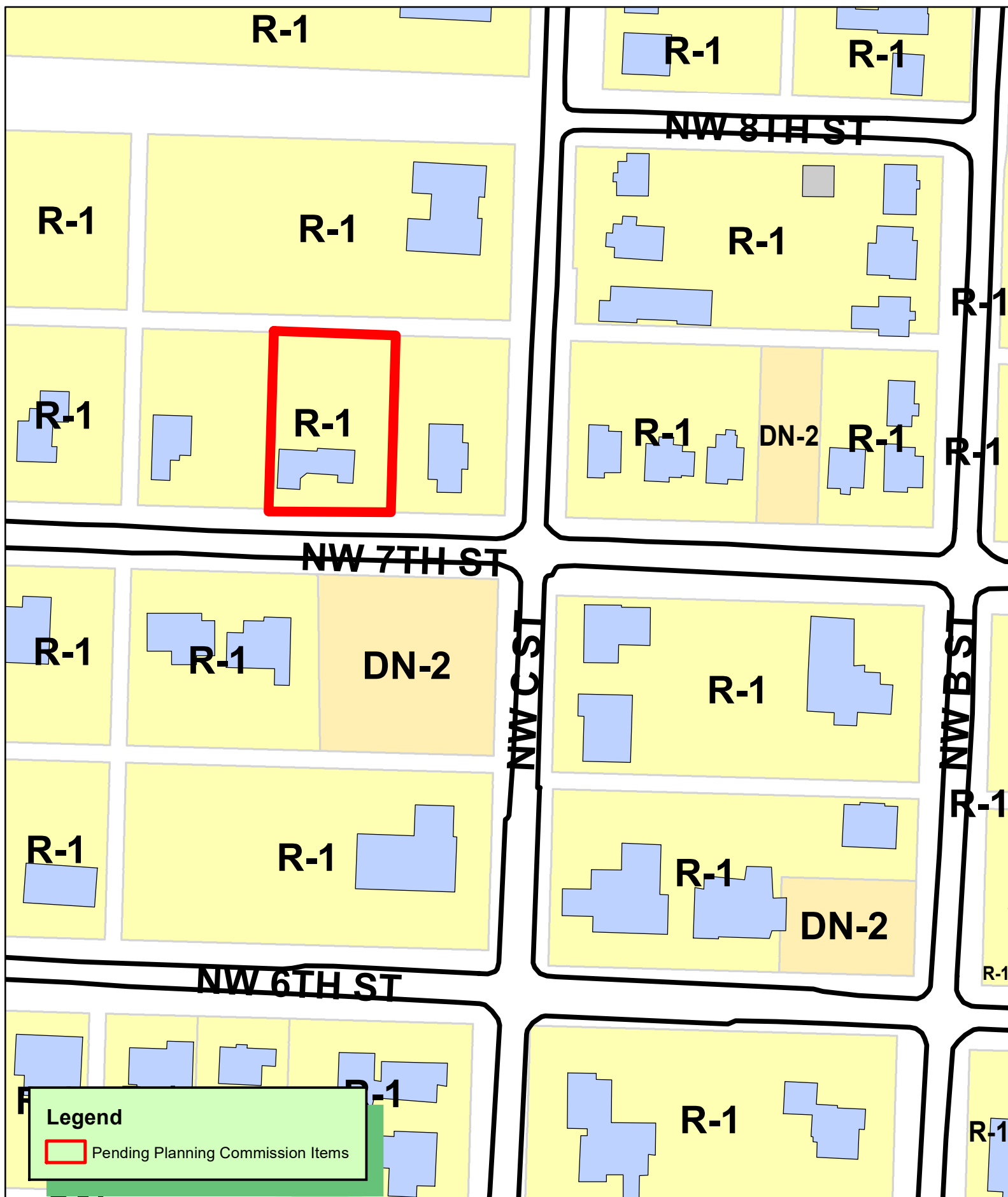
Analysis

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 and is compatible with the surrounding development patterns within this area of the city and support the requested change.

Conclusion

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



RZ23-0034
REZONING R1 TO DN2
DEMINGS 2ND ADDITION
LOTS 17-18 BLOCK 28



Rezone Narrative

Owner: Alejandro Estrada
Address: 402 NW 7th St.
Bentonville, AR 72712

Current Zoning: R-1, Single Family Residential

Proposed Zoning: DN-2, Downtown Medium Density Residential

Owner: Alejandro Ulloa Estrada and Cathy Vanessa Estrada

Reason for rezone: Small-lot single-family development.

How will property relate to surrounding properties: The current surrounding properties are all zoned R-1, Single Family Residential and DN-2, Downtown Medium Density Residential.

Proposed Use: Downtown Medium Density Residential

Traffic: The current city infrastructure is adequate to accommodate the use. No significant impact is expected to traffic.

Signage: Any signage to comply with city ordinances and regulations. None planned.

Appearance: Small-lot single-family development.

Water and Sewer Availability: Water mains and 8" Sanitary system is available to serve the property. New water meters and sanitary service lines will need to be constructed.

NOTICE OF INTENT TO REZONE

Alejandro Estrada

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

R-1, Low Density Single-Family Residential

to

DN-2, Downtown Medium Density Residential

The legal description of the property is as follows:

Lot 17 & 18, Block 28, Deming's Second Addition, to the City of Bentonville, Arkansas, as shown on plat of record in plat book B, at page 24, plat records of Benton County, Arkansas.

The common description of the property is: 402 NW 7th Street

The public hearing will be held June 6, 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:

SEE Attached Document

Sp Lockwood

Signature and Physical Address

704 NW D Street
Bentonville, AR 72712

Sp Lockwood

Signature and Physical Address

704 NW D St.
Bentonville, AR 72712

City of Bentonville
Notice of Intent to Rezone
402 NW 7th Street
Formal Response
June 1, 2023

We Object to the Proposed D-2 Rezoning Because:

1. We purposely chose to live in the R-1 neighborhood area of Bentonville for a purpose of not having D-2 High Density housing in our neighborhood.
2. Roads, infrastructure, bike and pedestrian traffic is already being stressed in the Bentonville Northwest quadrant of the city. More density will only add to the congestion and stress level.
3. The only real reason for rezoning to D-2, Downtown Medium Density in the residential zoned area is to make the financial numbers work for the developers. Higher density (larger houses/more houses) on a proposed lot. Most of the time these developers choose not to live in the congested areas they have created.
4. It is typical with construction of new housing, the normal practice is to cut down major mature trees leaving the lot stripped of the green space that once existed.

Lisa and Steve Lockwood
704 NW D Street
Bentonville, Arkansas 72712

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: RZ23-0034)

WHEREAS, Alejandro and Cathy Estrada, 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 17 & 18, BLOCK 28, DEMING'S SECOND ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK B, AT PAGE 24, PLAT RECORDS OF BENTON COUNTY, ARKANSAS.

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



Richardson

605 SE C Street

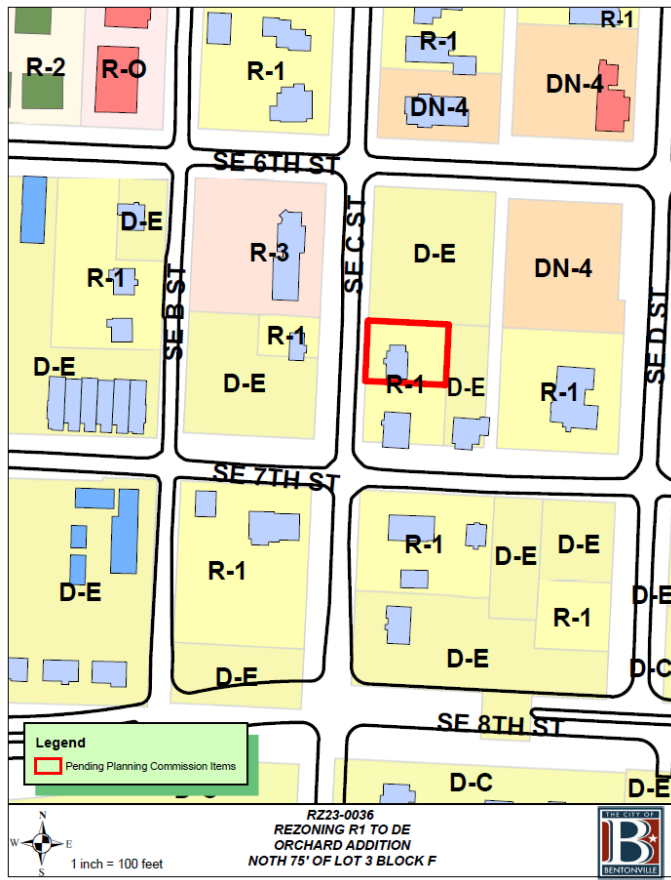
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0036
Applicant / Current Owner	Amanda & Donald Richardson
Site Area	+/- 0.17 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DE, Downtown Edge
Current Future Land Use Map Designation	Commercial (C)
Related projects	N/A

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

Location Map



Property Description

This property is located at 605 SE C Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are R-1, Low-density Single Family Residential to the south, and DE, Downtown Edge on all other sides.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Commercial (C) and is majority surrounded by Downtown Edge. The Downtown Edge creates an area of transition between the Downtown Core with its retail emphasis and the lower density residential neighborhoods on the outskirts of downtown. This is the area of downtown with the greatest potential for infill and redevelopment. Developments that face primary streets have specific regulations pertaining to the relationship between the building and the street. The designated primary streets in the downtown districts are: Central Avenue, SW A Street, SW 8th Street, and S. Main Street. All other streets in the downtown districts shall be considered secondary streets.

Public Comment

Staff has NOT received public comment regarding this request.

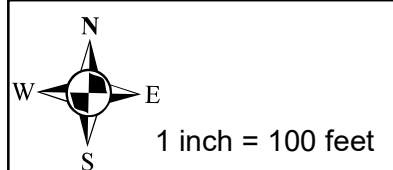
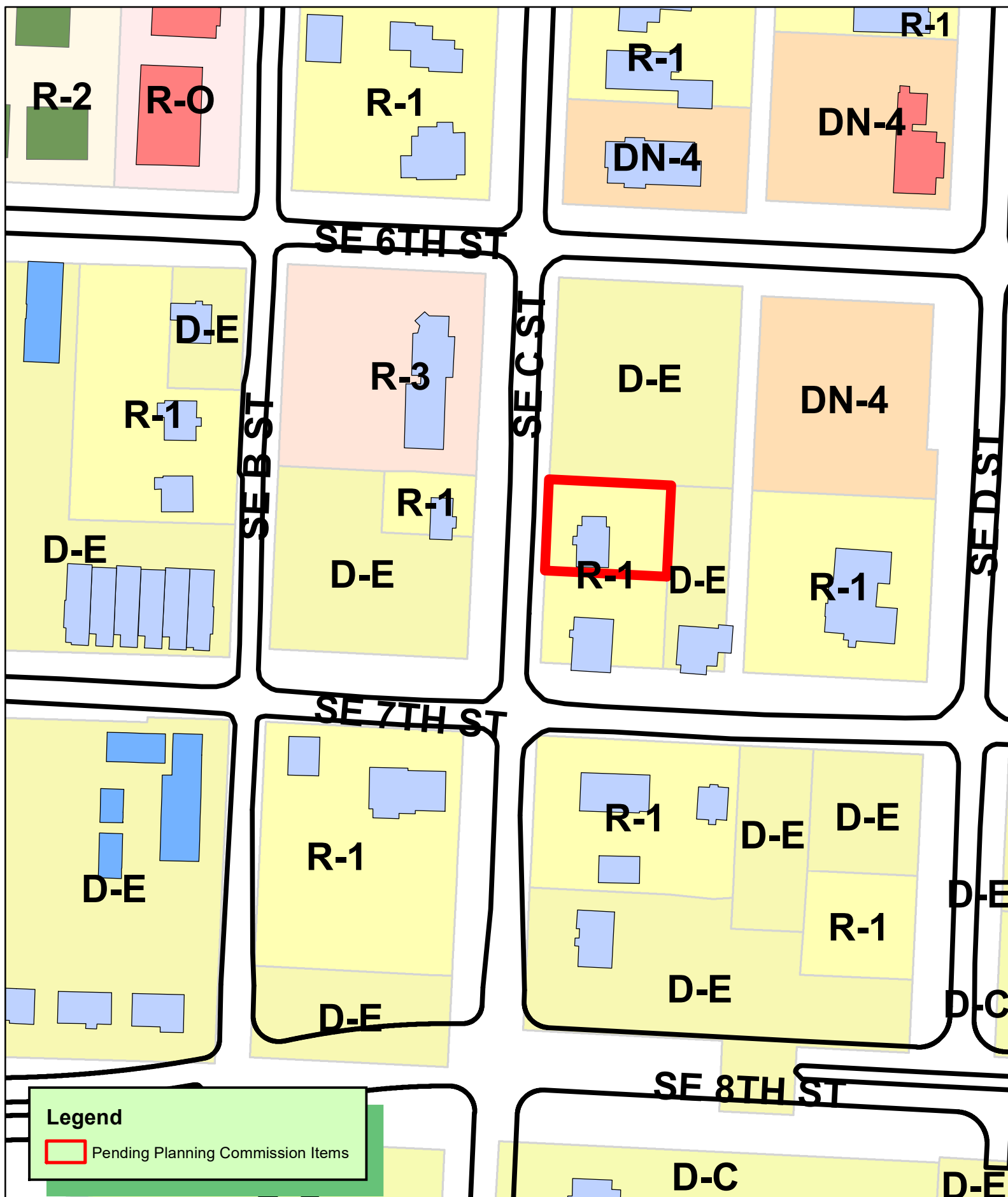
Analysis

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

The proposed zoning of DE is consistent with the Future Land Use Plan and is compatible with the surrounding development patterns within this area of the city and support the requested change.

Conclusion

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



RZ23-0036
REZONING R1 TO DE
ORCHARD ADDITION
NOTH 75' OF LOT 3 BLOCK F



April 24th, 2023

Planning Department

City of Bentonville

305 SW A Street

Bentonville, AR 727212

RE: Rezoning 605 SE C Street, Bentonville AR 72712

The current zoning at 605 SE C Street is R-1 and this is a request to rezone to D-E in accordance with the existing land use plan for the property. The proposed rezone is in order to develop a mixed use business development. The plan is to have a first floor boutique gift and décor retail and a separate tea, beer and wine bar. The second and third floor will be residential with a separate entry from the first floor.

This rezone will allow us to be compliant with the future land use plan and support the area for revenue and growth.

Thank you,

Don and Amanda Richardson

Able 2 Build, LLC

richardsonsoldit@gmail.com

479-903-6316

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0036)

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

COMMENCING AT THE SW CORNER OF SAID LOT 3; THENCE NORTH 75 FEET,
THENCE EAST 100 FEET; THENCE SOUTH 75 FEET; THENCE WEST 100 FEET TO THE
PLACE OF BEGINNING.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 DE, DOWNTOWN EDGE.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



C&C Ventures LLC

907 NW 11th Street

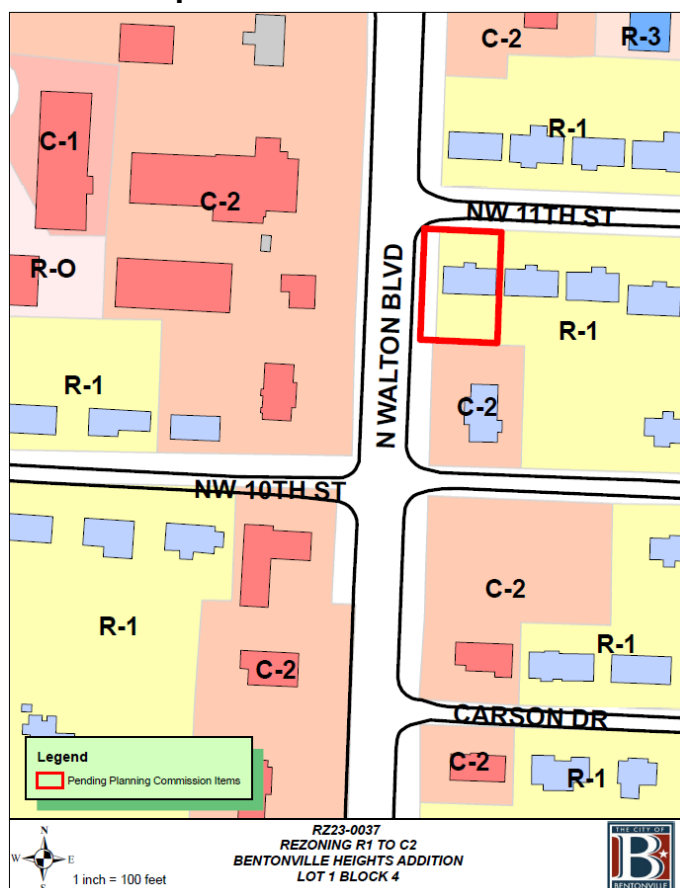
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0037
Applicant / Current Owner	Chase Smith / C&C Ventures LLC
Site Area	+/- 0.23 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	C-2, General Commercial
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	Commercial (C)
Related projects	N/A

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

Location Map



Property Description

This property is located at 907 NW 11th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are all either R-1, Single Family Residential or C-2, General Commercial.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Low Density Residential (LDR) and is surrounded by General Commercial and 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.

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

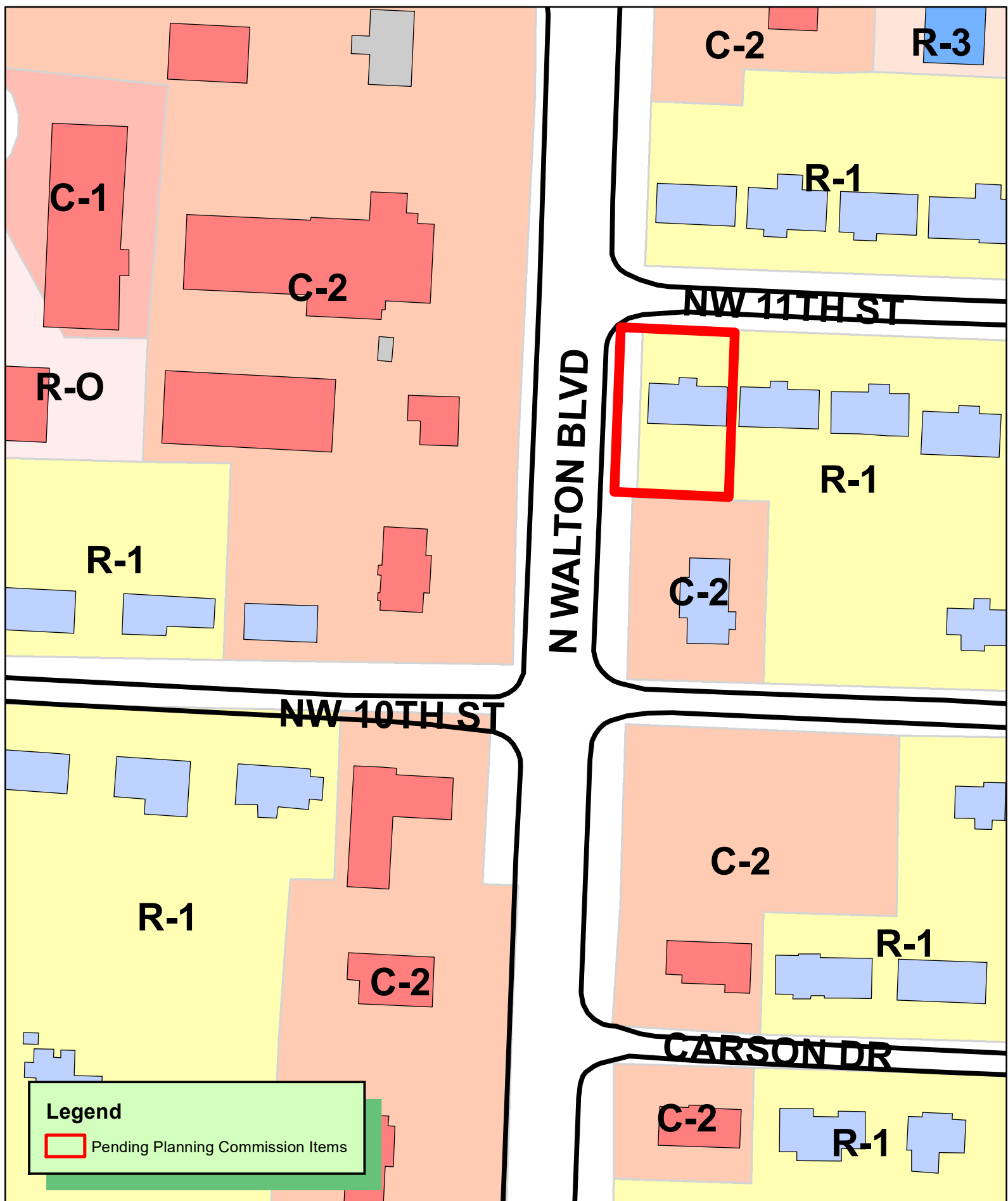
The C-2 District represents the least restrictive of the commercial districts and is designed to serve the planning area and highway travelers. This district shall congregate on local arterial streets in such a manner as to minimize disruptions of through traffic and shall be interspersed within the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

The proposed zoning of C-2 and the request land use plan change are not consistent with the Future Land Use Plan but is compatible with the surrounding development patterns within this area of the city and support the requested change. The property to the south was rezoned from R-1 to C-2 in October of 2005.

The North Walton Boulevard Corridor Enhancement Plan of 2013 has this property slated as office space.

Conclusion

While this request is consistent with the uses of the surrounding zoning districts and development patterns, it is not consistent with the Future Land Use Plan and the timing of this request may be premature. In the long run, this and all properties along the Walton Blvd corridor may be suitable for some sort of mixed use if planned for comprehensively.



Narrative

We, Chase Smith and Colt Benson of C&C Ventures LLC, recently purchased the property/house at 907 NW 11th Street Bentonville AR 72712.

We are proposing to rezone the property from low density residential R-1 to C-2 general commercial.

The purpose of the rezone is to expand the potential use for the property for resale. It is directly on the corner of NW 11th and North Walton Blvd. Being on said corner puts it in a unique position to provide a residence or a business such as – dental office, cpa office, insurance agency, etc.

Such examples are:

Barbara's Tax Service 817 Carson Dr, Bentonville, AR 72712

Shelley Parson Farmers insurance office at 2106 SE 14th St, Bentonville, AR 72712

Signage and appearance should follow the local code.

Being an established residence in good standing, water is at the property supplied by the city through a 6" supply line. Sewer is 3 properties to the East down NW 11th supplied by the city through an 8" line. Currently the property's sewer system is septic.

Thank you for your consideration, we look forward to working with Bentonville City Officials and It's residents.

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0037)

WHEREAS, C&C Ventures 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 GENERAL COMMERCIAL, which property is described as follows:

LOT 1, BLOCK 4, BENTONVILLE HEIGHTS ADDITION, REVISED, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON 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 June 6, 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 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 R-1, LOW
DENSITY SINGLE FAMILY RESIDENTIAL TO C-2, GENERAL COMMERCIAL; AND
FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0037)

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

LOT 1, BLOCK 4, BENTONVILLE HEIGHTS ADDITION, REVISED, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON 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 June 6, 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 C-2, GENERAL COMMERCIAL.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



JP Specialty LLC

1261 SW Regional Airport Blvd

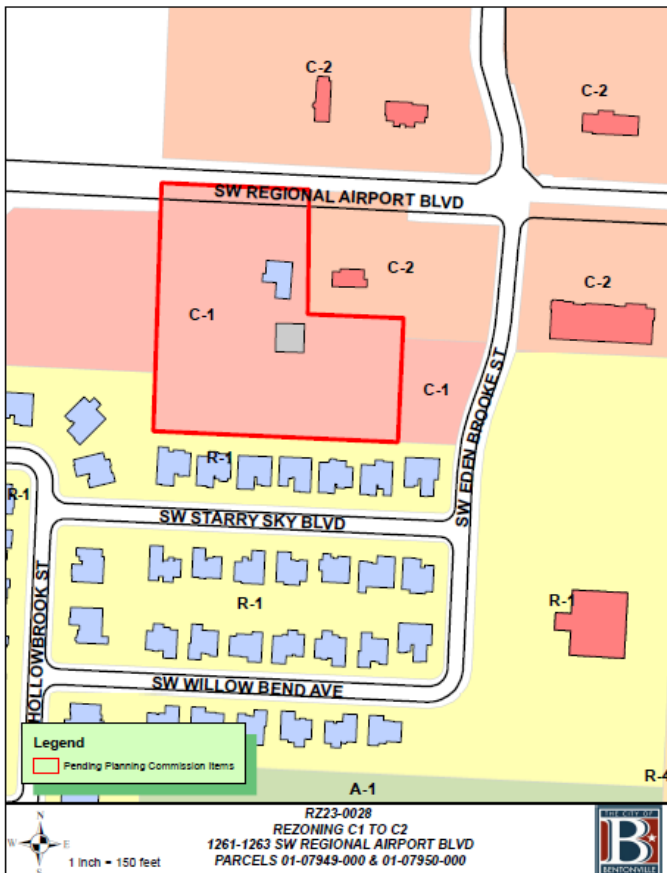
PC Date: 6/6/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	RZ23-0038
Applicant / Current Owner	Will Kellstrom / JP Specialty LLC
Site Area	+/- 0.33 acres
Current Zoning	C-1, Neighborhood Commercial
Requested Zoning	C-2, General Commercial
Current Future Land Use Map Designation	Commercial (C)
Related projects	N/A

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

Location Map



Property Description

This property is located at 1261 SW Regional Airport Blvd. It is currently zoned C-1, Neighborhood Commercial and contains an existing single-family home. Adjacent zonings are R-1, Low-density Single Family Residential to the south, C-2, General Commercial to the north and east, as well as C-1 Neighborhood Commercial to the east and west.

Relationship to the General Plan

The Future Land Use Plan currently designates this property as General Commercial, and it shares that designation with its neighbors to the east and west. The property is also adjacent to Low-Density Residential land use designations to the south and High-Density Residential land use designations to the north. Chapter 6 of the Bentonville Community Plan also outlines the need for these commercial nodes nearby residential developments.

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.

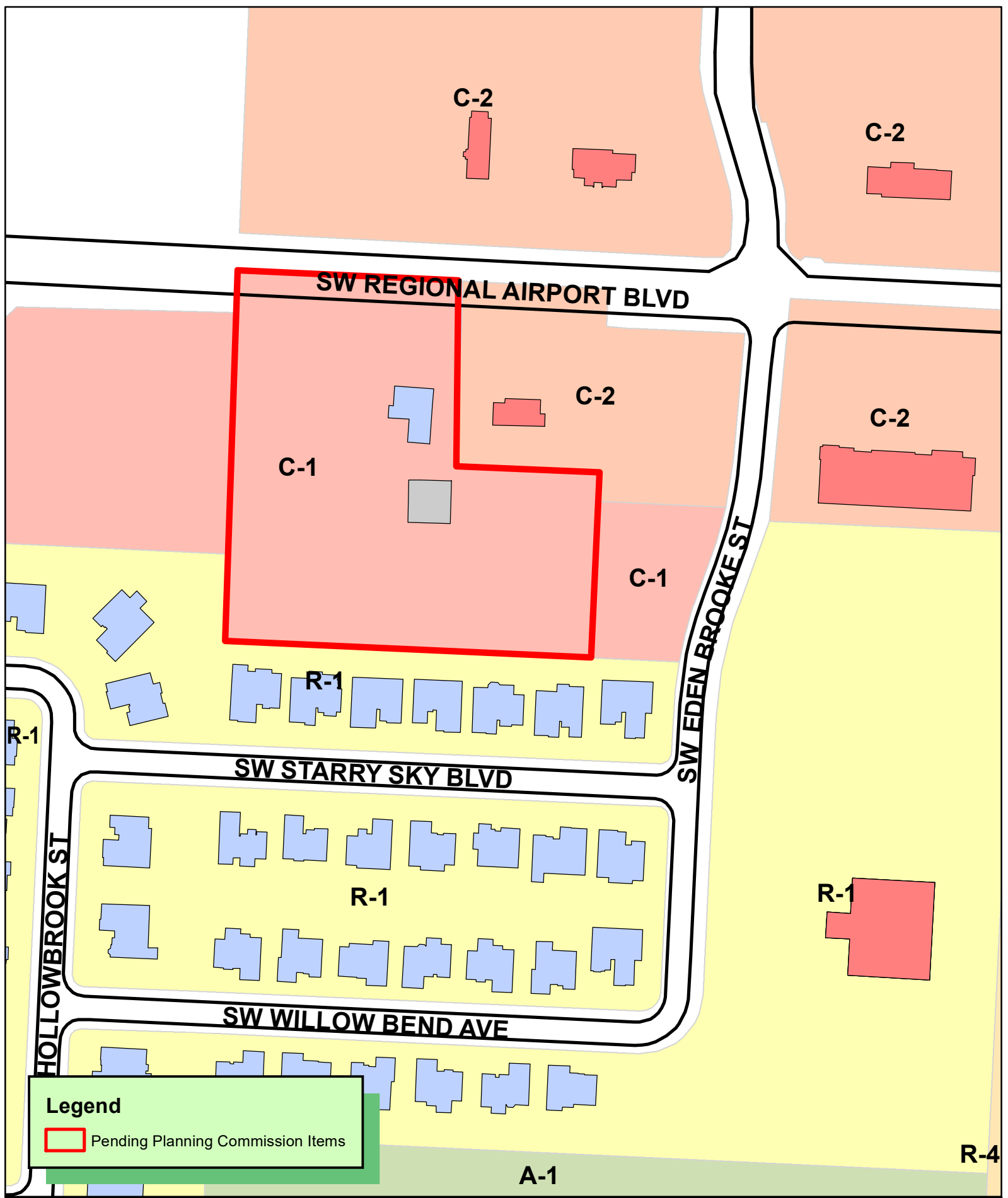
Analysis

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

The proposed zoning of C-2 is consistent with the Future Land Use Plan and is compatible with the surrounding development patterns along SW Regional Airport Blvd. Development of this site with a mix of uses, allowed in C-2 zoning, could create a nearby commercial node which provides easy access to day-to-day retail, services, and employment. Which is a goal outlined in Chapter 6 of the Bentonville Community Plan.

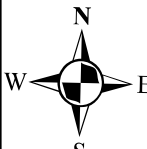
Conclusion

This request is consistent with the Future Land Use Plan and consistent with the uses of the surrounding zoning districts as well as nearby development patterns.



Legend

 Pending Planning Commission Items

 1 inch = 150 feet

RZ23-0028
REZONING C1 TO C2
1261-1263 SW REGIONAL AIRPORT BLVD
PARCELS 01-07949-000 & 01-07950-000



WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

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

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

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

April 27, 2023

Bentonville Planning Department
305 SW A Street
Bentonville, AR 72712

RE: Rezoning Parcel No. 01-07949-000 and 01-07950-000 from C-1, Neighborhood Commercial to C-2, General Commercial

Dear Planning Staff:

This law firm has been hired to assist the applicant, JP Specialty, LLC in obtaining a rezoning of Parcel No. 01-07949-000 and 01-07950-000 (hereinafter "the Property") from C-1, Neighborhood Commercial to C-2, General Commercial. The primary purpose for this rezoning request is for the increased spectrum of uses available under C-2 as compared to C-1.

The Property is adjacent to C-1 zoning to the West, R-1 to the South, C-1 and C-2 to the East, and C-2 to the North. The Future Land Use Map designates the Property as General Commercial, which allows for C-2 zoning. The Property is more or less surrounded by commercial development or commercially zoned properties on all sides, except to the South. There are a large number of parcels along Southwest Regional Airport Boulevard which are already zoned C-2, including those situated near the intersection with Walton Boulevard and those across the street, as well as some which are further West. Southwest Regional Airport Boulevard is a major arterial road, and is well situated for higher intensity commercial development.

Because no specific project is contemplated at this time, neither appearance, nor signage has been contemplated thus far. As for traffic, the parcel sits on SW Regional Airport Boulevard, which is a major arterial and which has ample capacity for further development. Lastly, as for utilities, there is an 18" water line which runs along Southwest Regional Airport Boulevard, and there are 8" sewer lines along both SW Regional Airport Boulevard and SW Edenbrook St.

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

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0038)

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

TRACT 1 PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12; THENCE NORTH 02°19'16" EAST A DISTANCE OF 2176.36 FEET TO A FOUND 1/2" REBAR PLS 1000; THENCE NORTH 02°19'16" EAST A DISTANCE OF 109.38 FEET TO A FOUND 1/2" REBAR PLS 1349; THENCE NORTH 02°40'32" EAST A DISTANCE OF 116.70 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINING; THENCE NORTH 02°40'32" EAST A DISTANCE OF 236.11 FEET; THENCE SOUTH 87°07'04" EAST A DISTANCE OF 274.00 FEET; THENCE SOUTH 02°41'53" WEST A DISTANCE OF 235.00 FEET TO A FOUND 1/2" REBAR; THENCE NORTH 87°21'01" WEST A DISTANCE OF 273.91 FEET TO THE POINT OF BEGINNING, CONTAINING 1.48 ACRES OR 64,531 SQUARE FEET MORE OF LESS. SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY OF RECORD OR FACT. LESS & EXCEPT PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12; THENCE NORTH 02°19'16" EAST A DISTANCE OF 2176.36 FEET TO A FOUND 1/2" REBAR PLS 1000; THENCE NORTH 02°19'16" EAST A DISTANCE OF 109.38 FEET TO A FOUND 1/2" REBAR PLS 1349; THENCE NORTH 02°40'32" EAST A DISTANCE OF 309.86 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°40'32" EAST A DISTANCE OF 1.77 FEET; THENCE SOUTH 87°08'42" EAST A DISTANCE OF 273.98 FEET; THENCE SOUTH 02°41'53" WEST A DISTANCE OF 1.79 FEET; THENCE NORTH 87°08'24" WEST A DISTANCE OF 273.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRES OR 505 SQUARE FEET MORE OF LESS. SUBJECT TO ANY EASEMENTS OF RIGHTS-OF-WAY OF RECORD OR FACT.

AND

PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12; THENCE NORTH 02°19'16" EAST A DISTANCE OF 2176.36 FEET A FOUND 1/2" REBAR PLS 1000 BEING THE POINT OF BEGINNING; THENCE NORTH 02°19'16" EAST A DISTANCE OF 109.38 FEET TO A FOUND 1/2" REBAR PLS 1349; THENCE NORTH 02°40'32" EAST A DISTANCE OF 116.70

FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 87°21'01" EAST A DISTANCE OF 447.33 FEET TO A FOUND 5/8" REBAR PLS 1618; THENCE SOUTH 02°44'36" WEST A DISTANCE OF 227.18 FEET TO A FOUND 1/2" REBAR PLS 1000; THENCE NORTH 87°12'33" WEST A DISTANCE OF 446.38 FEET TO THE POINT OF BEGINNING CONTAINING 2.33 ACRES OR 101,309 SQUARE FEET MORE OF LESS. SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY 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 June 6, 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 C-1, NEIGHBORHOOD COMMERCIAL to C-2, GENERAL COMMERCIAL.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Beavers

2602 E Battlefield Blvd

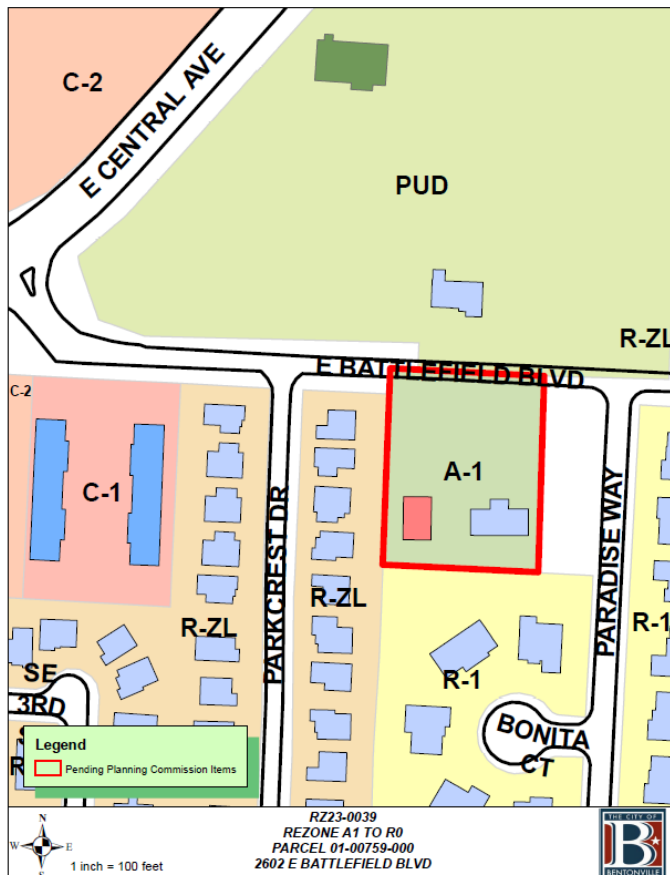
PC Date: 6/6/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	RZ23-0039
Applicant / Current Owner	Will Kellstrom / Rosalie & Steven Beavers
Site Area	+/- 1.06 acres
Current Zoning	A-1, Agricultural
Requested Zoning	RO, Residential Office
Current Future Land Use Map Designation	Commercial (C)
Requested Future Land Use Map Designation	Office (O)
Related projects	N/A

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

Location Map



Property Description

This property is located at 2602 East Battlefield Blvd. It is currently zoned A-1, Agricultural. It contains an existing single-family home which has been used as an office building, and a detached garage. Adjacent zonings include R-1, Single Family Residential, to the south and east, R-ZL, Zero Lot Line to the west, and PUD, Planned Unit Development to the north across E Battlefield Blvd. The recently approved PUD zoning to the north will soon be developed with a mix uses ranging from rental housing to hotel and retail spaces.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Commercial (C) and is surrounded by Low-Density Residential designated property on all sides but the north, where the future land use plan recommends mixed use commercial.

Office areas include properties primarily dedicated to professional employment/office uses, but can accommodate accessory commercial uses such as restaurant, service, or convenience uses oriented to serving office tenants. These areas can include stand-alone office buildings or be designed as a multi-building office park or campus. These areas are considered lower intensity development, relative to other commercial areas.

Public Comment

Staff has NOT received public comment regarding this request.

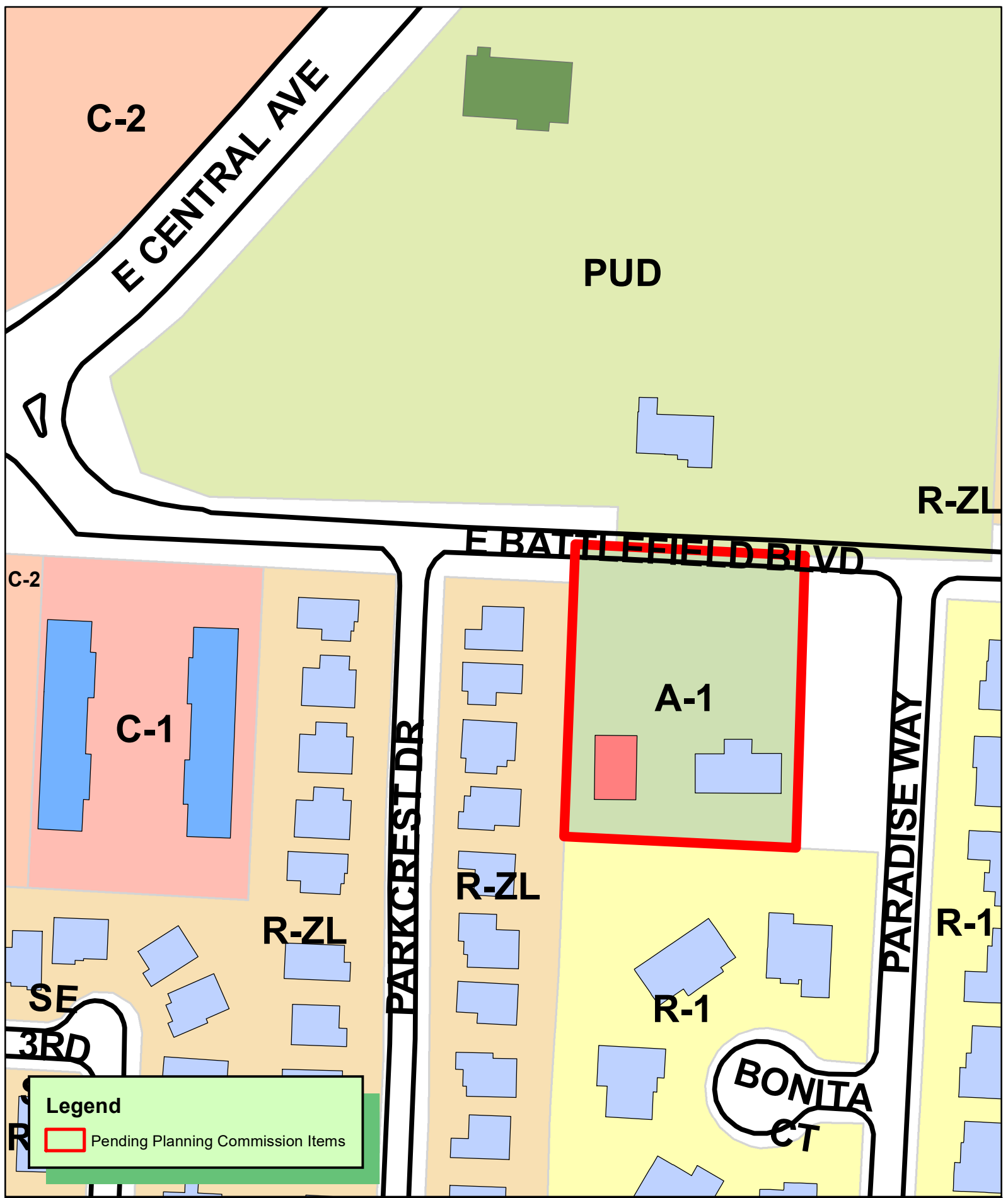
Analysis

The R-O District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities and compatible residential uses. It is further the intent of this district to establish a transition area where the continuation of residential activity is no longer practical between residential and nonresidential uses.

The proposed zoning of RO and the requested land use plan change are not consistent with the Future Land Use Plan but the proposed use is compatible with development patterns within this area of the city which lends some support to the requested changes. The application states that the intended use is for a real-estate office so the applicant could have applied for a C-1 or a C-2 zone and been consistent with the future land use map. Their approach allows them the flexibility of using the existing home as a residence or an office.

Conclusion

While this request is not consistent with the Future Land Use Plan, it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.



**WATKINS, BOYER,
GRAY & CURRY, PLLC**

ATTORNEYS AT LAW

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

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

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

April 27, 2023

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

**RE: Rezoning Parcel No. 01-00759-000 from A-1, Agriculture, to R-O, Residential Office;
Requesting Future Land Use Map (FLUM) Amendment from General Commercial to Office**

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Rosalie and Steven Beavers, with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-00759-000 (hereinafter "the Property"), be rezoned from A-1, Agriculture, to R-O, Residential Office.

A. Rezoning

The primary reason for this rezoning is to allow the Property to be used as an office for a real estate brokerage. The Property is currently zoned A-1, which does not contain Office as a permitted or conditional use. The Property is currently developed with a single residential home, that has historically been used as an office. The applicants would like to be able to rent the entirety of the home for usage as an office, but would like to retain the ability to use the home as a residence in the future.

The Property is adjacent to R-1 zoning to the south, R-ZL to the West, and the Uncommon Developers PUD to the North. The intent of R-O is provide office space which is compatible with nearby residential uses. Therefore, R-O is compatible with the adjacent residential uses by definition, and is further compatible with the mixed use development to the North.

The existing structure will remain largely unchanged in appearance and any additional

signage would be required to obtain all permitting necessary under Bentonville City Code. Because the use of the Property is remaining the same, it will not increase traffic, and there no new water or sewer modifications or connections anticipated.

B. FLUM Amendment

The Property is currently designated by the FLUM as “General Commercial”, and the Property is located in “Priority Area 2: Infill”, which allows only for C-1 and C-2. Therefore, a FLUM amendment to a designation of “Office” would be necessary for a rezoning to R-O.

The Office designation allows only for R-O, C-1, and C-2 in this location. Because R-O is a less intense use than both C-1 and C-2, a FLUM amendment to Office in this location would only add one new possible zoning, R-O, which is less intense than both of the zonings currently allowed. Accordingly, the proposed FLUM amendment here would be compatible with the FLUM designation which is currently in place, and would be compatible overall.

Thank you for considering this request for rezoning and future land use map amendment. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:

pc:

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0039)

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

PART OF THE E 1/2 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 30 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE NW1/4 OF SAID SECTION 33 AND SOUTH 89°48'19" EAST 843.48 FEET FROM THE NW CORNER OF THE E 1/2 OF THE NW 1/4 OF SAID SECTION 33; THENCE ALONG SAID NORTHERLY LINE OF THE NW 1/4, SOUTH 89°48'19" EAST 188.85 FEET; THENCE SOUTH 01°16'20" EAST 240.60 FEET; THENCE SOUTH 89°47'57" WEST 193.35 FEET; THENCE NORTH 00°12'03" WEST 241.86 FEET TO THE POINT OF BEGINNING. SUBJECT TO COVENANTS, EASEMENTS AND RIGHT OF WAYS OF RECORD, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 GENERAL COMMERCIAL to OFFICE 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:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1,
AGRICULTURAL TO R-O, RESIDENTIAL OFFICE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0039)**

WHEREAS, Rosalie & Steven Beaver, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, AGRICULTURAL to R-O, RESIDENTIAL OFFICE to be used in accordance with city zoning laws and state laws, which property is described as follows:

PART OF THE E 1/2 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 30 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE NW1/4 OF SAID SECTION 33 AND SOUTH 89°48'19" EAST 843.48 FEET FROM THE NW CORNER OF THE E 1/2 OF THE NW 1/4 OF SAID SECTION 33; THENCE ALONG SAID NORTHERLY LINE OF THE NW 1/4, SOUTH 89°48'19" EAST 188.85 FEET; THENCE SOUTH 01°16'20" EAST 240.60 FEET; THENCE SOUTH 89°47'57" WEST 193.35 FEET; THENCE NORTH 00°12'03" WEST 241.86 FEET TO THE POINT OF BEGINNING. SUBJECT TO COVENANTS, EASEMENTS AND RIGHT OF WAYS OF RECORD, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 R-O, RESIDENTIAL OFFICE.

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

Section 1: That the above-described real property is hereby changed from its present zoning classification of A-1, AGRICULTURAL to R-O, RESIDENTIAL OFFICE 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

Reviewer: Luke Aitken, Planning Technician

This request is consistent with both the Future Land Use Plan for this area and the surrounding zoning districts and subsequent development patterns nearby.

Legend
 Pending Planning Commission Items

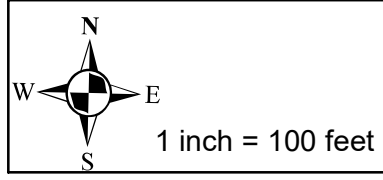
**RZ23-0040
 REZONE R1 TO DN4
 ORCHARD ADDITION
 LOT 8 BLOCK B**

1 inch = 100 feet

IB
 IDENTITY



Legend
 Pending Planning Commission Items



RZ23-0040
REZONE R1 TO DN4
ORCHARD ADDITION
LOT 8 BLOCK B



WATKINS, BOYER, GRAY & CURRY, PLLC

ATTORNEYS AT LAW

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

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

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

April 27, 2023

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

**RE: Rezoning Parcel No. 01-03544-000 from R-1, Low Density Residential to DN-4,
Downtown Mixed Use Residential**

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicants, Troy Campbell and Michelle Harper, with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-03544-000 (hereinafter "the Property"), be rezoned from R-1, Low Density Residential to DN-4, Downtown Mixed Use Residential. The reason for this rezoning request is to bring the Property into compliance with Bentonville's Future Land Use Plan ("FLUP").

The requested zoning is in compliance with the FLUP. The FLUP designates this parcel, as well as the majority of this portion of 6th Street, as Downtown Commercial, which allows for DN-4 zoning. Accordingly, no FLUP amendment is necessary in order to rezone the Property to DN-4. There are several rezonings along SE 6th Street that provide precedent for zoning the Property to DN-4. The Property is one of the few parcels on 6th St. that remains low density single family, with the majority remainder of 6th St. between Main St. and SE E St. being zoned some kind of commercial, or downtown-higher-density zoning. Lastly, the property directly across the street, on the corner of SE C and 6th, was very recently rezoned to DN-4.

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

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

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

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-4, DOWNTOWN MIXED-USE
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0040)

WHEREAS, Troy Campbell & Michelle Harper, 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-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 8, BEING A REPLAT OF LOTS 6 & 7, BLOCK B, ORCHARD ADDITION, BENTONVILLE,
BENTON COUNTY, ARKANSAS AS SHOWN ON PLAT RECORD 2014 AT PAGE 213.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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-4, DOWNTOWN MIXED-USE 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-4, DOWNTOWN MIXED-USE 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



Norbert Hay Jr.

3006 Southeast J Street

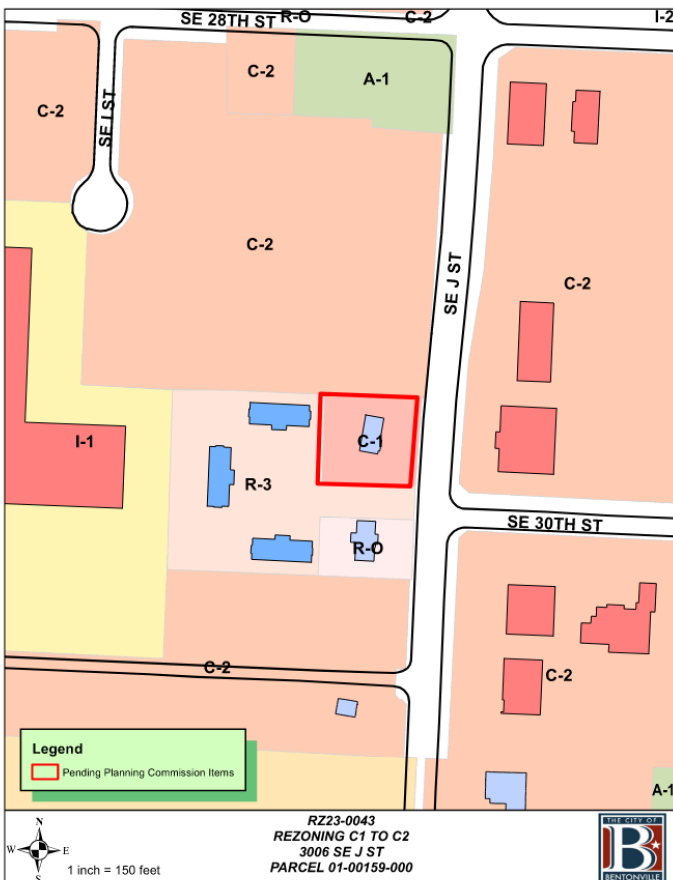
PC Date: 6/6/2023

Reviewer: Keegan Stanton, Senior Planner, AICP

Project Number	RZ23-0043
Applicant / Current Owner	Norbert Hay Jr.
Site Area	+/- 0.66 acres
Current Zoning	C-1, Neighborhood Commercial
Requested Zoning	C-2, General Commercial
Current Future Land Use Map Designation	Residential Estates (RE)
Requested Future Land Use Map Designation	General Commercial (C)
Related projects	N/A

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

Location Map



Property Description

This property is located at 3006 Southeast J Street. It is currently zoned C-1, Neighborhood Commercial. It contains an existing single-family home. Adjacent zonings include R-3, Medium-High Density Residential and C-2, Commercial.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Residential Estates (RE) and with Office (O), General Commercial (C), and High-Density Residential (HDR) in the area along this portion of the Southeast J Street corridor. The applicant has requested the General Commercial (C) land use classification.

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.

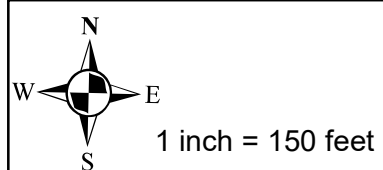
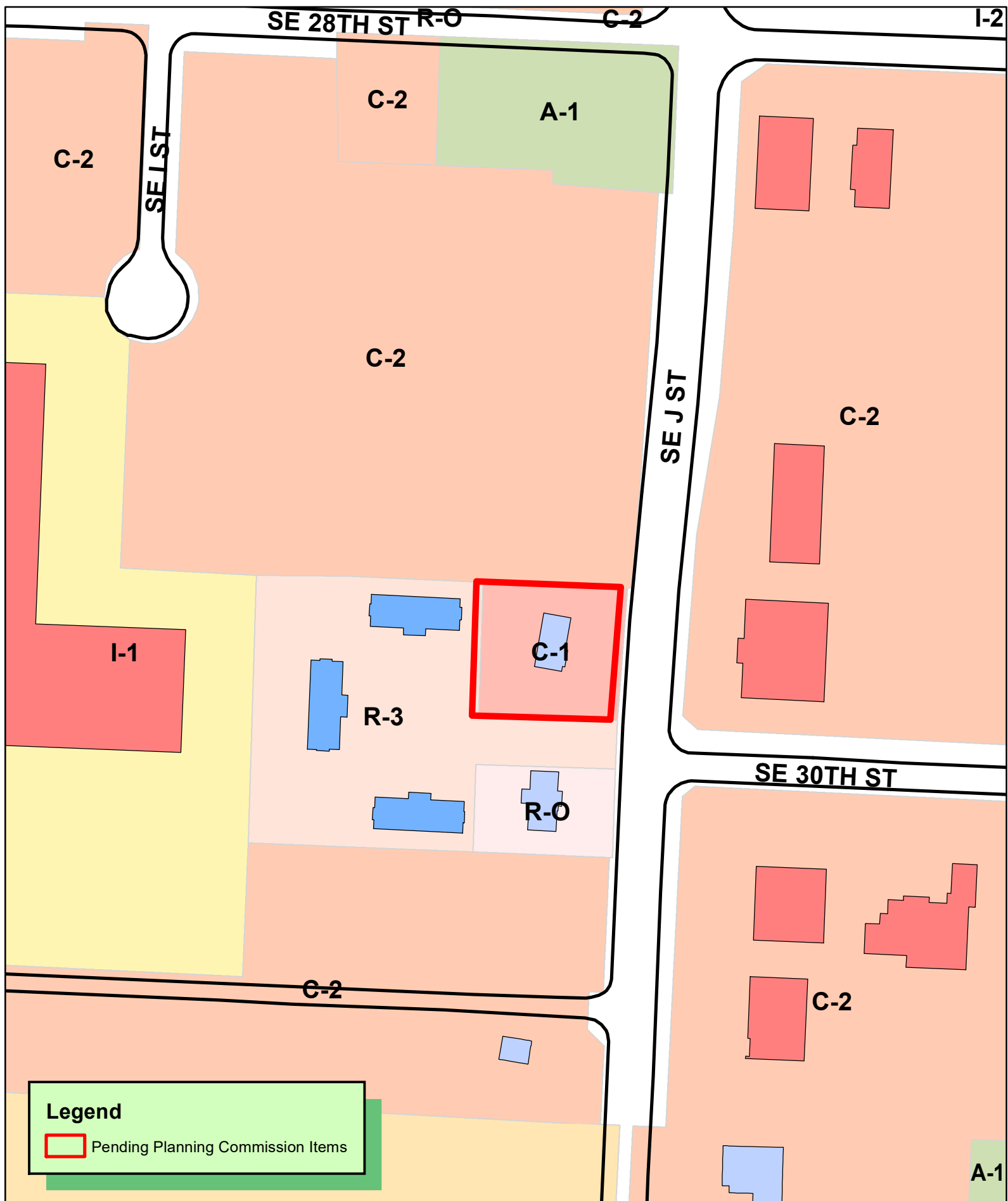
Analysis

The C-2 zoning district allows a broad set of both commercial and residential uses, and is typically deployed in areas designated for commercial development per the Future Land Use Plan. This district is also appropriate along arterial streets due to the high amount of traffic and overall streetscape. With J Street being classified as an arterial street, this zoning would be appropriate.

Existing C-2 zoning effectively surrounds this property, save the R-3/R-O residential development directly adjacent to the subject property to the South and West. C-2 zoning would generally coincide with existing zoning and uses in this area.

Conclusion

This request is not consistent with the Future Land Use Plan without the proposed plan amendment. Should Planning Commission vote to approve the plan amendment, planning staff would recommend approval of the rezoning request. Should Planning Commission not approve the plan amendment, planning staff would recommend the item be tabled to allow the applicant to amend their request.



RZ23-0043
REZONING C1 TO C2
3006 SE J ST
PARCEL 01-00159-000



May 2nd, 2023

Dear City of Bentonville Planning Department:

My name is Nikki Scheafbauer. I am a real estate agent for McGraw Realtors and am representing my client, Mr. Norbert Hay, who is planning on listing his property for sale at 3006 SE J Street, Bentonville, AR 72712.

His property is currently zoned as C-1. Norbert and I believe his property, being located close proximity to the new Walmart home office, would be a great spot for a multi-family property. We are visualizing a builder possibly building high end townhomes such as on B Street in Downtown Bentonville.

Behind this property are multi-family apartment complexes and believe a little south of his property on J Street may be zoned for future multi-family development.

Norbert would like to propose rezoning his property to C-2 to allow potential buyers for commercial or multi-family development. In addition, the property is currently listed as a residential estate for its current land use and the owner requests that it be changed to general commercial.

His property currently has city water and sewer.

Sincerely,

Nikki Scheafbauer,

Representing Mr. Norbert Hay

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0043)

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

PART OF THE NE1/4 OF THE NW1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS BEGINNING 660 FEET SOUTH OF THE NE CORNER OF SAID NE1/4 OF THE NW1/4; THENCE SOUTH 165 FEET, THENCE SOUTH 89 DEGREES 24 MINUTES WEST 212 FEET, THENCE NORTH 165 FEET, THENCE NORTH 89 DEGREES 24 MINUTES EAST 212 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF S.E. "J" STREET ACROSS THE EAST SIDE THEREOF. LESS AND EXCEPT: STARTING AT A COTTON PICKER SPINDLE BEING USED AS THE CENTER NORTH SIXTEENTH CORNER OF SECTION 8; THENCE NORTH 87°35'48" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8 A DISTANCE OF 25.61 FEET TO A POINT ON THE WESTERLY PRESCRIPTIVE RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD AFFIDAVIT DATED APRIL 6, 2004; THENCE NORTH 02°34'12" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 143.14 FEET TO A POINT; THENCE SOUTH 02°44'55" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 186.84 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY THE PLAT OF THOMPSON HILL ADDITION; THENCE NORTH 87°42'26" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 16.47 FEET TO A POINT; THENCE NORTH 02°17'55" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 172.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD JOB 009834 FOR THE POINT OF BEGINNING; THENCE NORTH 04°27'32" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 168.69 FEET TO A POINT; THENCE SOUTH 87°49'36" EAST A DISTANCE OF 11.49 FEET TO A POINT ON THE WESTERLY PRESCRIPTIVE RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD AFFIDAVIT DATED APRIL 6, 2004; THENCE SOUTH 02°25'12" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 168.59 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY THE PLAT OF THOMPSON HILL ADDITION; THENCE NORTH 87°42'26" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 17.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES MORE OR LESS AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED AS JOB 009834 SURVEY T-289.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 RESIDENTIAL ESTATE 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 C-1,
NEIGHBORHOOD COMMERCIAL TO C-2, GENERAL COMMERCIAL; AND FOR
OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0043)

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

PART OF THE NE1/4 OF THE NW1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS BEGINNING 660 FEET SOUTH OF THE NE CORNER OF SAID NE1/4 OF THE NW1/4; THENCE SOUTH 165 FEET, THENCE SOUTH 89 DEGREES 24 MINUTES WEST 212 FEET, THENCE NORTH 165 FEET, THENCE NORTH 89 DEGREES 24 MINUTES EAST 212 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF S.E. "J" STREET ACROSS THE EAST SIDE THEREOF. LESS AND EXCEPT: STARTING AT A COTTON PICKER SPINDLE BEING USED AS THE CENTER NORTH SIXTEENTH CORNER OF SECTION 8; THENCE NORTH 87°35'48" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8 A DISTANCE OF 25.61 FEET TO A POINT ON THE WESTERLY PRESCRIPTIVE RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD AFFIDAVIT DATED APRIL 6, 2004; THENCE NORTH 02°34'12" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 143.14 FEET TO A POINT; THENCE SOUTH 02°44'55" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 186.84 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY THE PLAT OF THOMPSON HILL ADDITION; THENCE NORTH 87°42'26" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 16.47 FEET TO A POINT; THENCE NORTH 02°17'55" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 172.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD JOB 009834 FOR THE POINT OF BEGINNING; THENCE NORTH 04°27'32" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 168.69 FEET TO A POINT; THENCE SOUTH 87°49'36" EAST A DISTANCE OF 11.49 FEET TO A POINT ON THE WESTERLY PRESCRIPTIVE RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY AHTD AFFIDAVIT DATED APRIL 6, 2004; THENCE SOUTH 02°25'12" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 168.59 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ARKANSAS HIGHWAY 112 AS ESTABLISHED BY THE PLAT OF THOMPSON HILL ADDITION; THENCE NORTH 87°42'26" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 17.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES MORE OR LESS AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED AS JOB 009834 SURVEY T-289.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 C-1, NEIGHBORHOOD COMMERCIAL to C-2, GENERAL COMMERCIAL.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING STAFF REPORT



Olson

409 NW 5th Street

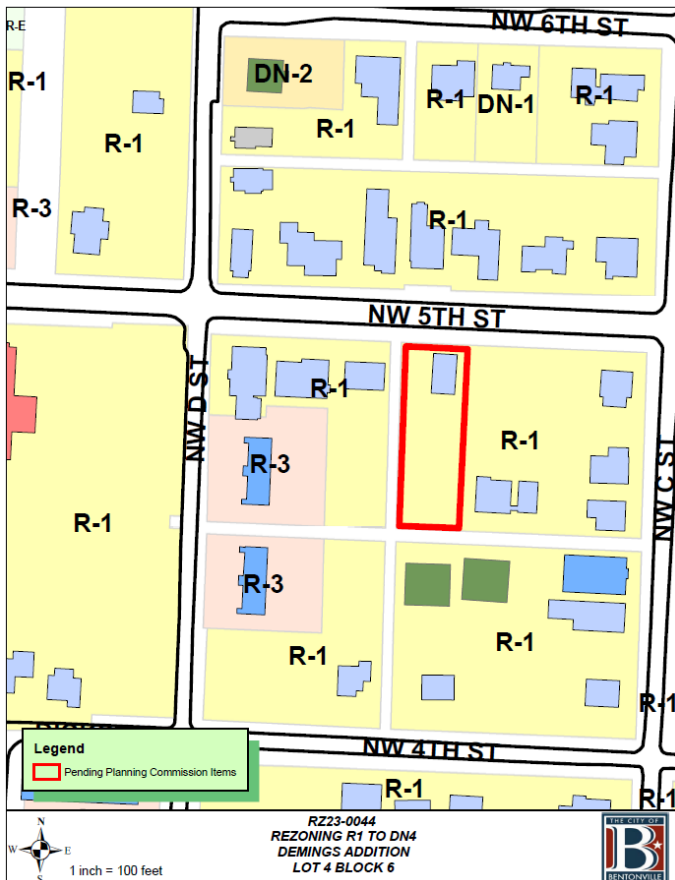
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0044
Applicant / Current Owner	Mark Haney / Laura Olson
Site Area	+/- 0.39 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential (HDR)
Related projects	N/A

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

Location Map



Property Description

This property is located at 409 NW 5th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are all R-1, Single Family Residential.

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 (HDR) land use, though the properties are still single family currently.

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 NOT received public comment regarding this request.

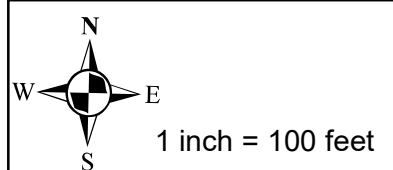
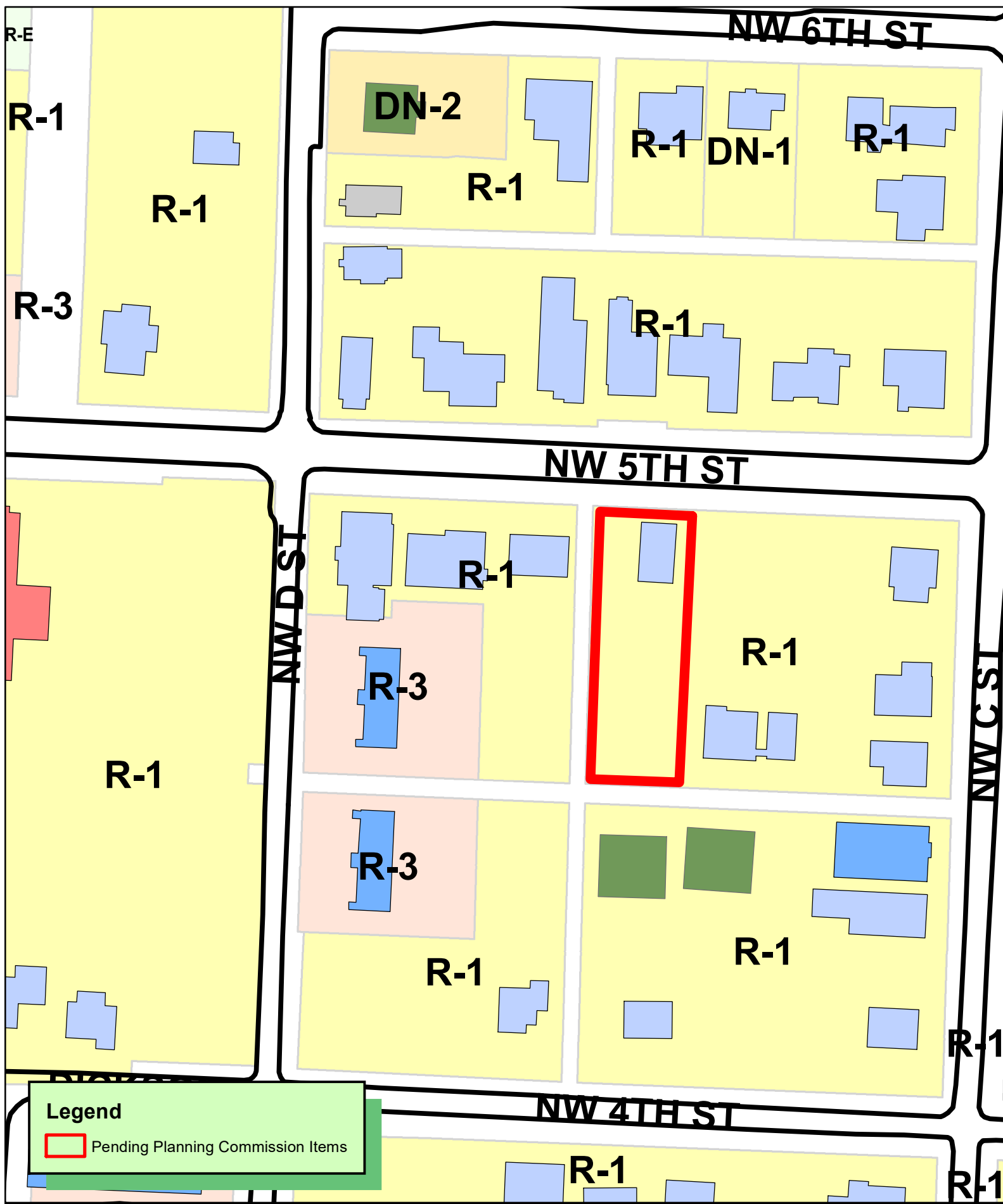
Analysis

The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand.

The proposed zoning of DN-4 is consistent with the Future Land Use Plan but is not compatible with the surrounding development patterns within this area of the city and support the requested change.

Conclusion

This request is consistent with the Future Land Use Plan but it is not consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.



RZ23-0044
REZONING R1 TO DN4
DEMINGS ADDITION
LOT 4 BLOCK 6





MARK RUSSELL
HOMES

848 NW C Street
Bentonville, AR 72712

April 28, 2023

To Whom It May Concern:

We are requesting a rezone from R-1 to DN-4 at 409 NW 5th St in line with the Bentonville land use plan for high density residential in this area. Neighboring parcels are a mix of single family, small multifamily, and townhomes. We may consider residential development in the future, in line with the land use plan and community goals.

We expect the traffic impact of future development to be minimal or even an improvement as we would likely activate the alley which is not currently in use.

Respectfully,
Mark Haney
479-381-1648

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-4, DOWNTOWN MIXED-USE
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0044)

WHEREAS, Terry & Laura Olson, 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-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 4, BLOCK 6, DEMING'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD "B" AT PAGE 6.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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-4, DOWNTOWN MIXED-USE 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-4, DOWNTOWN MIXED-USE 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



Carmical

411 NW 5th Street

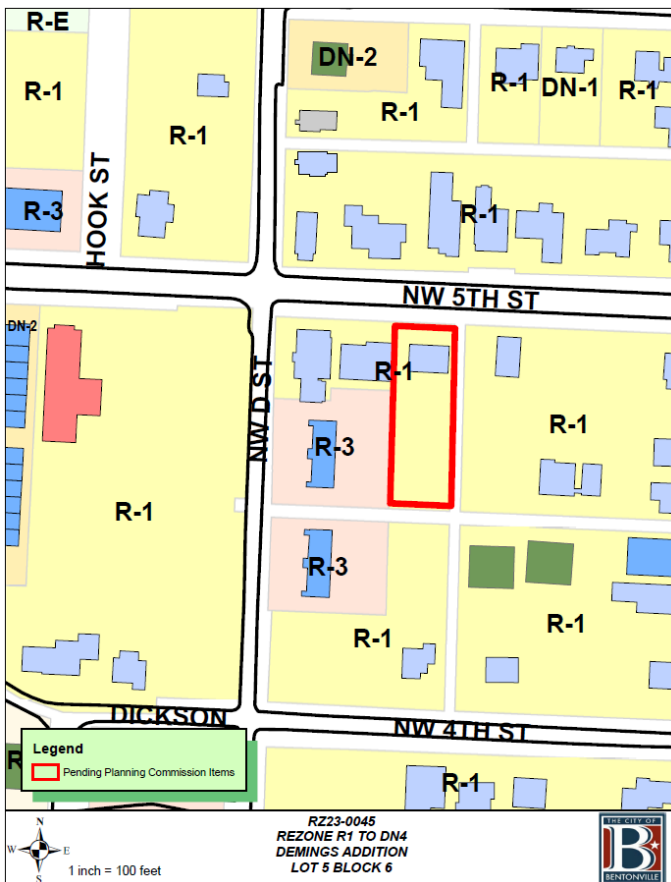
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0045
Applicant / Current Owner	Mark Haney / Geraldine Carmical
Site Area	+/- 0.39 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential (HDR)
Related projects	N/A

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

Location Map



Property Description

This property is located at 411 NW 5th Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are all R-1, Single Family Residential with a small R-3 property along the southwestern edge.

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 (HDR) land use, though the properties are still single family currently.

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 NOT received public comment regarding this request.

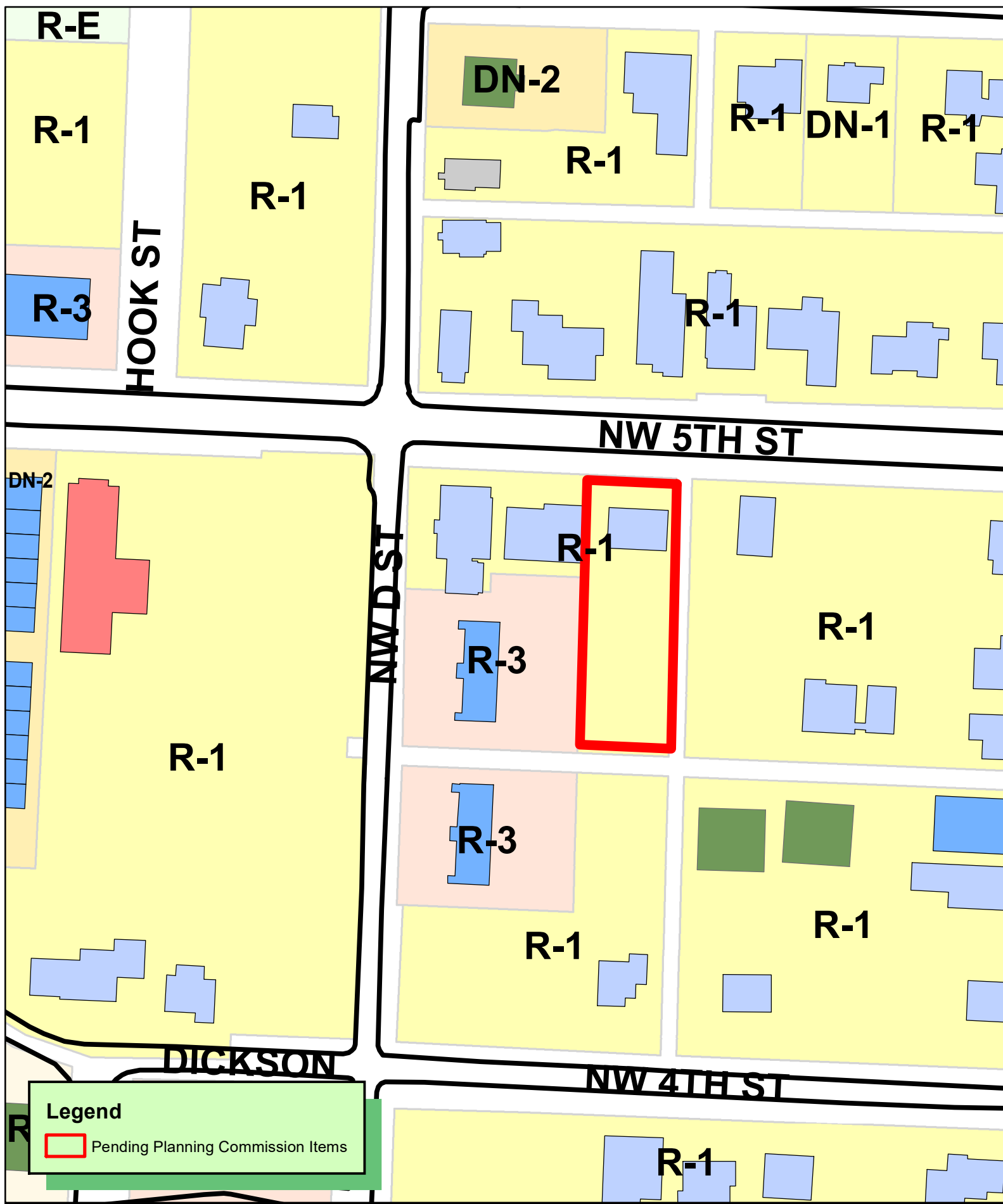
Analysis

The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand.

The proposed zoning of DN-4 is consistent with the Future Land Use Plan but is not compatible with the surrounding development patterns within this area of the city and support the requested change.

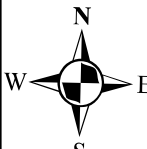
Conclusion

This request is consistent with the Future Land Use Plan but it is not consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.



Legend

 Pending Planning Commission Items


1 inch = 100 feet

RZ23-0045
REZONE R1 TO DN4
DEMINGS ADDITION
LOT 5 BLOCK 6





MARK RUSSELL
HOMES

848 NW C Street
Bentonville, AR 72712

April 28, 2023

To Whom It May Concern:

We are requesting a rezone from R-1 to DN-4 at 411 NW 5th St in line with the Bentonville land use plan for high density residential in this area. Neighboring parcels are a mix of single family, small multifamily, and townhomes. We may consider residential development in the future, in line with the land use plan and community goals.

We expect the traffic impact of future development to be minimal or even an improvement as we would likely activate the alley which is not currently in use.

Respectfully,
Mark Haney
479-381-1648

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-4, DOWNTOWN MIXED-USE
RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0045)

WHEREAS, Geraldine Carmical, 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-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 5, BLOCK 6, DEMING'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD "B" AT PAGE 6.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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-4, DOWNTOWN MIXED-USE 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-4, DOWNTOWN MIXED-USE 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

PLANNED RESIDENTIAL DEVELOPMENT STAFF REPORT



Lightbox Townhomes

802 SE 8th Street

PC Date: 6/6/2022

Reviewer: Luke Aitken, Planning Technician

Project Number	PRD23-0002
Applicant	CEI Engineering / Michael Pedler – Lightbox @ Market, LLC
Site Area	+/- 0.61 acres
Current Zoning	DN-3, Downtown High Density Residential
Requested Zoning	PRD, Planned Residential Development
Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is located at 802 SE 8th Street at the intersection of SE 8th Street and SE H Street and is currently zoned DN-3, Downtown High Density Residential.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently depicts this property as High Density Residential (HDR). These areas typically 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.

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

Public Comment

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

Analysis

The primary purpose of a PRD is to enhance the design of a residential development by allowing for flexibility and variation from the established site requirements and development standards of the zoning and subdivision codes. The PRD is a mechanism by which the city may allow for variation in the design and arrangement of structures as well as provide for the coordination of project characteristics with features of a particular site in a manner that is consistent with the public health, safety, and welfare of the community. A PRD allows for innovations and special features in site development, including the locations and type of structures, the conservation of natural features, the conservation of energy, the efficient use of open space, and allowances for housing serving varying price points.

The intent of the PRD district is to encourage the use of Smart Growth principals and Traditional Neighborhood Design, to provide a variety of housing types and densities available to the general public, and to promote high quality residential developments while allowing greater flexibility in the design of such developments. The PRD shall produce: (1) a maximum choice in the types of environment and living units available to the public;

PLANNED RESIDENTIAL DEVELOPMENT STAFF REPORT

(2) a variety of housing types that effectively meets the varying price points of the community; (3) energy-efficient site design or building features; (4) a minimum of fifteen percent (15%) common, useable open space and recreation areas; (5) a pattern of development which preserves natural features and prevents soil erosion; (6) a creative approach to the use of land and related physical development; (7) efficient use of land resulting in smaller networks of utilities and streets and thereby lowering costs; (8) environment of stable character in harmony with the surrounding development; (9) efficient use of infrastructure, and, (10) high quality architectural design, placement, relationship and orientation of structures.

The applicant is proposing a Planned Residential Development (PRD) of approximately 0.61 acres consisting of 12 townhome style residential units featuring street facing porches and a shared driveway with rear loaded garages. The PRD adheres to the minimum open space requirements by allocating 15% of the site to common open space.

The PRD provides 18 parking spaces which is a 1.5:1 ratio. See the applicant's attachments for master plan, elevations, and architectural style. The applicant will not be installing street trees as part of this project as they will be installed by the city when they complete the 8th street widening project.

Waivers

There are two waivers requested for the project which Planning Staff supports:

1. Article 1100 Development Standards ∞ Section 1100.02 Access management Standards (a) Curb Cuts (3) Distance from Intersections
2. City of Bentonville Stormwater Management and Drainage Manual ∞ Section 3.5 Utilities Minimum drainage easement width shall be 20'. The applicant is requesting a 15' easement to the east be allowed instead, combining with an identical easement on the adjacent property, for a 30' wide total drainage easement.

Conclusion

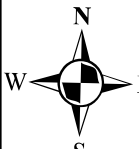
Having a mix of housing types located near employment and retail centers helps to generally lower traffic impacts. The placement of the buildings closer to the street and the geographical location of the project at the corner of an arterial street intersection as well as the proximity of the project to the 8th street market and Momentary specifically, all add to the walkability and bike ability of the area.

This request is consistent with the density envisioned by Future Land Use Plan (High) and is consistent with the vision of the Bentonville Community Plan as it seizes an opportunity to capitalize on existing infrastructure and services to intensify new development that aligns with existing uses and is compatible with the character of surrounding areas.



Legend

 Pending Planning Commission Items


1 inch = 150 feet

PRD23-0002
PLANNED RESIDENTIAL DEVELOPMENT
LIGHTBOX TOWNHOMES





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

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

LIGHTBOX TOWNHOMES
PLANNED RESIDENTIAL DEVELOPMENT NARRATIVE
April 28, 2023

OWNER

Lightbox @ Market, LLC
1703 NW Angel Falls Rd.
Bentonville, AR 72712

PROPERTY INFORMATION

Address: 802 SE 8 th St	Parcel ID: 01-02611-000	Acreage: 0.29 acres
Address: 801 SE H St	Parcel ID: 01-02610-000	Acreage: 0.32 acres

PROJECT INFORMATION

Total Acreage	0.61 acres
Current Zoning	DN3 – Downtown High Density Residential
Proposed Zoning	PRD – Planned Residential Development
Current Land Use	High-Density Residential (two existing four-plexes)
Proposed Land Use	High-Density Residential

APPLICANT / REPRESENTATIVE

Chad Caletka
CEI Engineering
3108 SW Regency Pkwy.
Bentonville, AR 72712

PLANNED RESIDENTIAL DEVELOPMENT INTENT

CEI Engineering is pleased to present a proposed Planned Residential Development to the City of Bentonville for consideration on behalf of Lightbox @ Market, LLC. This site is located at 801 SE H ST. and 802 SE 8TH ST across from the Momentary and 8th Street Market, and ¼ mile from the new Walmart Headquarters. The proposed townhome development faces the upcoming 8th Street Corridor Improvements and is within the Downtown Intensification Growth Zone.

The requested PRD seeks additional flexibility in the design from the requirements outlined in the DN3 zoning to provide a mixture of unit types that generally meet townhome criteria for downtown neighborhoods. The development will provide 12 residential units in a compact footprint in an area of Bentonville experiencing rapid growth. The townhomes offer a variety of housing types with three options of floor plans for prospective buyers, articulated facades with porches facing an enhanced streetscape to improve the neighborhood character, a shared driveway with rear loaded garages to limit vehicular impacts, and is located in proximity to several nearby attractions and trail networks to promote walkability and cycling.

Request for Rezone

The property is currently zoned DN3 – High Density Residential. The request is to rezone to Planned Residential Development (PRD) to allow for design flexibility in lot widths and higher residential density. The goal for this development is to provide much needed housing in the area as well as adding to the neighborhood character of the 8th Street Corridor, nearby Market District, and broader Downtown Core.

How the Property will adhere to Smart Growth Principles & Traditional Neighborhood Design

The layout of the proposed development faces 8th Street and H Street with a 10' front setback to create a corner edge that is appropriate for the 8th Street Improvements and downtown neighborhood. Eight units face 8th Street to concentrate higher density on 8th and four units face H Street to reduce density in the neighborhood setting. All units have patios and balconies to create a lively and activated streetscape, and streetscape improvements are proposed on H Street to meet the *Master Street Plan* goals and to connect to the upcoming 8th Street improvements.

High quality architecture is planned to reflect the character of the nearby Momentary and 8th Street Market and to further add to the Market District sense of place. Garages are located on the rear of units and are accessed via a shared driveway access to reduce visual impacts of the vehicular areas. The townhomes are located around the auto court and maintain a 15% open space with a central courtyard available to residents.

The compact nature of the development and proximity to the 8th Street Market and Momentary, as well as the adjacent 8th Street bike lane, promote walkability and cycling with readily accessible multi-modal facilities which connect to the broader downtown area. In addition, the project is approximately ¼ mile from the upcoming Walmart Home Office, which provides the opportunity for short commuting distances.

How the Property will relate to surrounding properties

The proposed development faces the 8th Street Market and is walking distance from the nearby Momentary – the design aesthetic matches the character of these two developments, along with design features that contribute to neighborhood scale and character.

The density is concentrated along 8th Street and reduces on the H Street frontage to provide a transition to the neighborhood. Streetscape improvements are proposed on H Street, which tie into upcoming streetscape improvements along 8th Street. Landscape buffers (7 feet wide) are shown on the south and east property lines to provide a transition for the single family home to the south and the commercial property to the east.

PRD DEVELOPMENT STANDARDS

STANDARDS	REQUIRED	PROVIDED
Allowed Uses	Residential	Residential
Authorized Housing Types	Townhouses for Individual Sale	Townhouses for Individual Sale
Common Open Space	Minimum of 15% of Total Site Area	15% of Total Site Area
Land Area per Dwelling Unit	500 SF Per Dwelling Unit	500+ Per Dwelling Unit
Parking and Off-Street Loading	(3) Spaces per (2) Units = 18 Spaces	18 Min. Spaces Provided Building A, 1 car garage, (8) spaces total Building B, 2 car garages, (8) spaces total Uncovered Parking as shown in Site Plan

LOT AND AREA STANDARDS

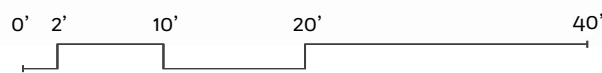
Building Setbacks	
Front	10 feet
Side (Interior)	0 feet
Side (Exterior)	10 feet (Building A, west side)
Rear	0 feet
Building Height	40' Max. (3 stories)
Lot Size	784 square feet minimum
Lot Width	14' minimum
Lot Depth	56' minimum
Lot Coverage	50% total site coverage 85% maximum lot coverage
Density (Units Per Acre)	20 units per acre (12 units on 0.61 acres)
Street Width	H Street: 50' Local Downtown Right of Way per Master Street Plan 8 th Street: 92' Arterial Right of Way per 8 th Street Improvement Plans
Phasing	No Phased Construction





1.	FIBER CEMENT PANELS	40%
2.	BRICK	25%
3.	GLASS	24%
4.	METAL PANEL	7%
5.	WOOD ACCENT	4%
6.	GARAGE DOOR	0%

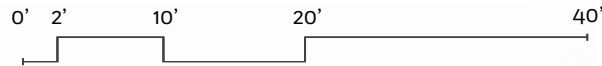
NORTH ELEVATION

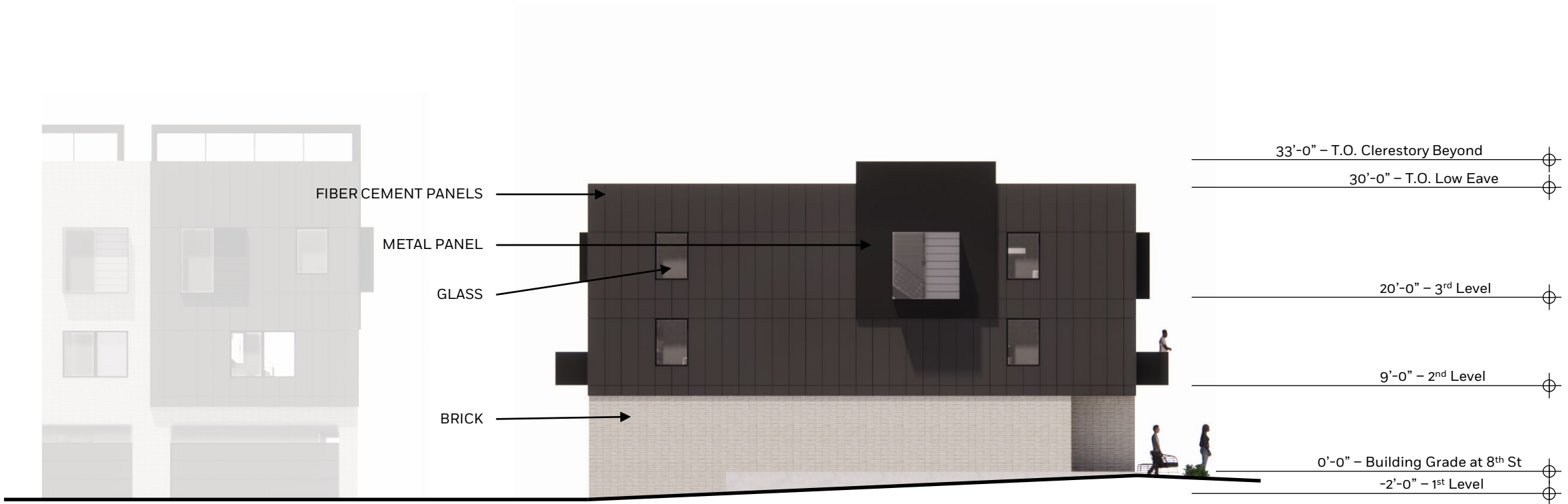




1.	FIBER CEMENT PANELS	40%
2.	BRICK	33%
3.	GLASS	11%
4.	METAL PANEL	3%
5.	WOOD ACCENT	0%
6.	GARAGE DOOR	13%

SOUTH ELEVATION





1.	FIBER CEMENT PANELS	53%
2.	BRICK	29%
3.	GLASS	6%
4.	METAL PANEL	12%
5.	WOOD ACCENT	0%
6.	GARAGE DOOR	0%

EAST ELEVATION

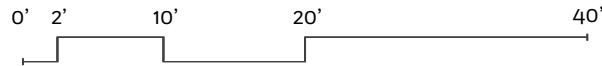
- 33'-0" – T.O. Clerestory Beyond
- 30'-0" – T.O. Low Eave
- 20'-0" – 3rd Level
- 9'-0" – 2nd Level
- 0'-0" – Building Grade at 8th St
- 2'-0" – 1st Level

FIBER CEMENT PANELS
GLASS

BRICK

1.	FIBER CEMENT PANELS	66%
2.	BRICK	30%
3.	GLASS	4%
4.	METAL PANEL	0%
5.	WOOD ACCENT	0%
6.	GARAGE DOOR	0%

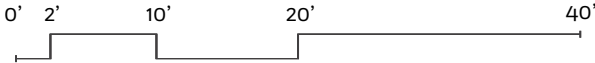
WEST ELEVATION





1.	FIBER CEMENT PANELS	27%
2.	BRICK	38%
3.	GLASS	22%
4.	METAL PANEL	6%
5.	WOOD ACCENT	7%
6.	GARAGE DOOR	0%

WEST ELEVATION



⊕ 36'-0" – T.O. Clerestory Beyond

⊕ 33'-0" – T.O. Low Eave

⊕ 22'-0" – 3rd Level

⊕ 11'-0" – 2nd Level

⊕ 0'-0" – 1st Level

FIBER CEMENT PANELS

BRICK

METAL PANEL

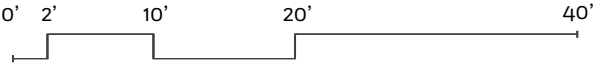
GLASS

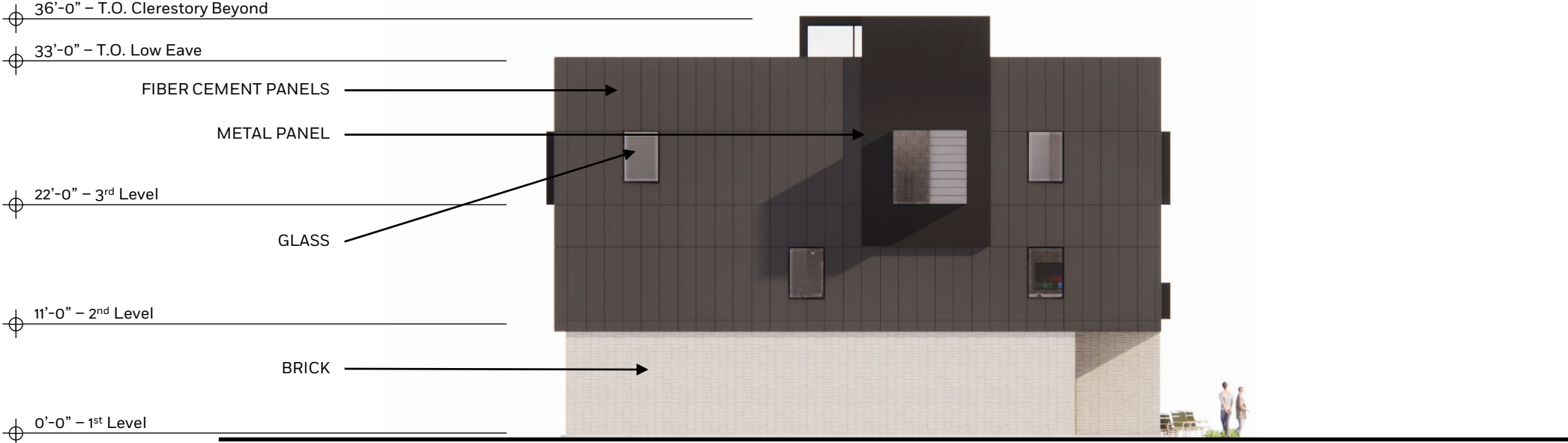
GARAGE DOOR



- | | | |
|----|---------------------|-----|
| 1. | FIBER CEMENT PANELS | 30% |
| 2. | BRICK | 38% |
| 3. | GLASS | 11% |
| 4. | METAL PANEL | 3% |
| 5. | WOOD ACCENT | 0% |
| 6. | GARAGE DOOR | 18% |

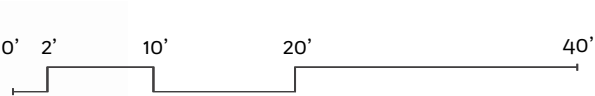
EAST ELEVATION

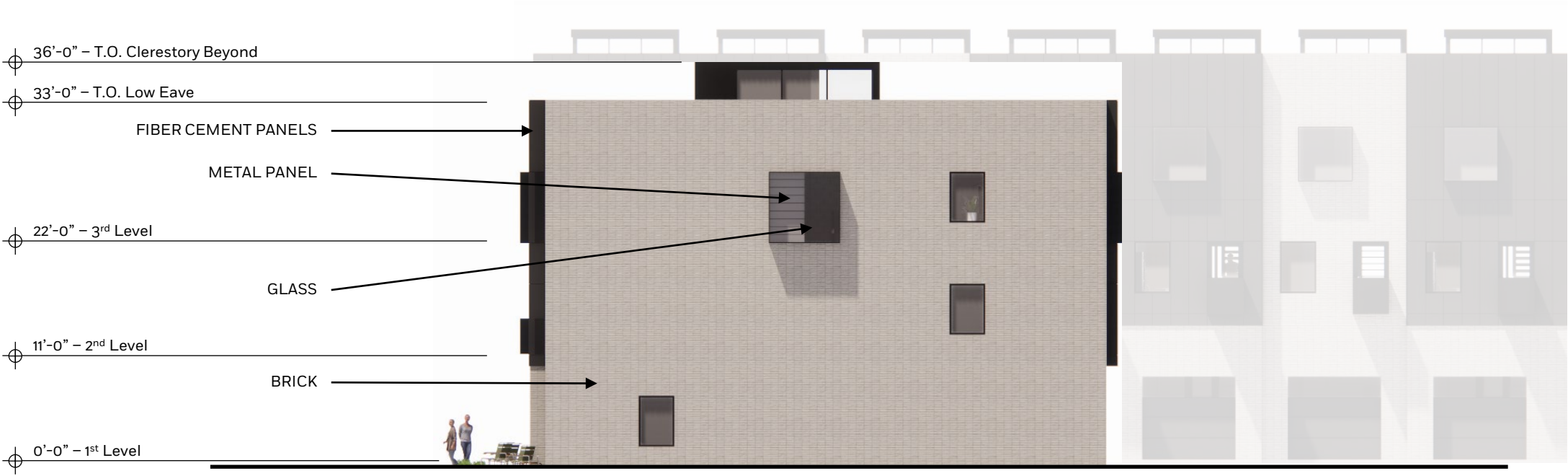




1.	FIBER CEMENT PANELS	58%
2.	BRICK	26%
3.	GLASS	5%
4.	METAL PANEL	11%
5.	WOOD ACCENT	0%
6.	GARAGE DOOR	0%

NORTH ELEVATION





1.	FIBER CEMENT PANELS	3%
2.	BRICK	91%
3.	GLASS	4%
4.	METAL PANEL	2%
5.	WOOD ACCENT	0%
6.	GARAGE DOOR	0%

SOUTH ELEVATION

ORDINANCE NO. _____

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

(PROJECT NUMBER: PRD23-0002)

WHEREAS, Lightbox @ Market 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 DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to PRD, PLANNED RESIDENTIAL DEVELOPMENT to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 13 AND THE SOUTH 25 FEET OF LOT 14, BLOCK 5, FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK O AT PAGE 351. SUBJECT TO EXISTING EASEMENTS, MINERAL RESERVATIONS, CONVEYANCES AND/OR LEASES, AND COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.

AND

LOT 14, BLOCK 5, FAIRFIELD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK O AT PAGE 351, EXCEPT THE SOUTH 25 FEET THEREOF. SUBJECT TO EXISTING EASEMENTS, MINERAL RESERVATIONS, CONVEYANCES AND/OR LEASES, AND COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 6, 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 DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to PRD, PLANNED RESIDENTIAL 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 of DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL to PRD, PLANNED RESIDENTIAL 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

CONDITIONAL USE STAFF REPORT



Fire Truck

405 SW A Street

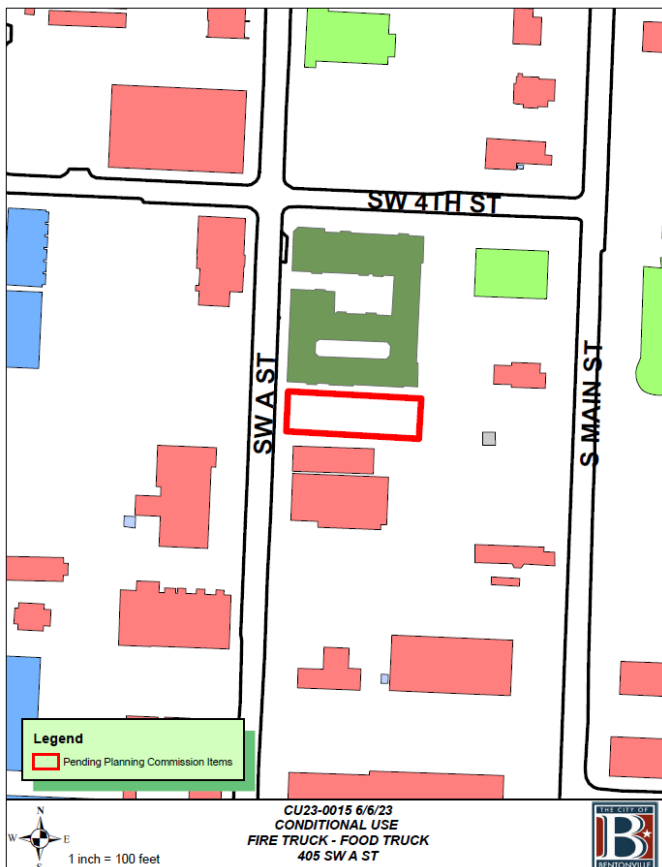
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides Planning Technician

Project Number	CU23-0015
Applicant / Current Owner	Casey Roberts / Dalwarr LLC
Site Area	+/- 0.19 acres
Current Zoning	DC, Downtown Core
Future Land Use Map Designation	Downtown Commercial (DC)
Requested Use	Food truck (Temporary structure)
Protective Covenants	N/A

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

Location Map



Property Description

This property is located at 405 SW A Street. The property is currently zoned DC, Downtown Core. The applicant is requesting the conditional use permit for a temporary structure that was previously approved in 2021.

Proposed Use Description

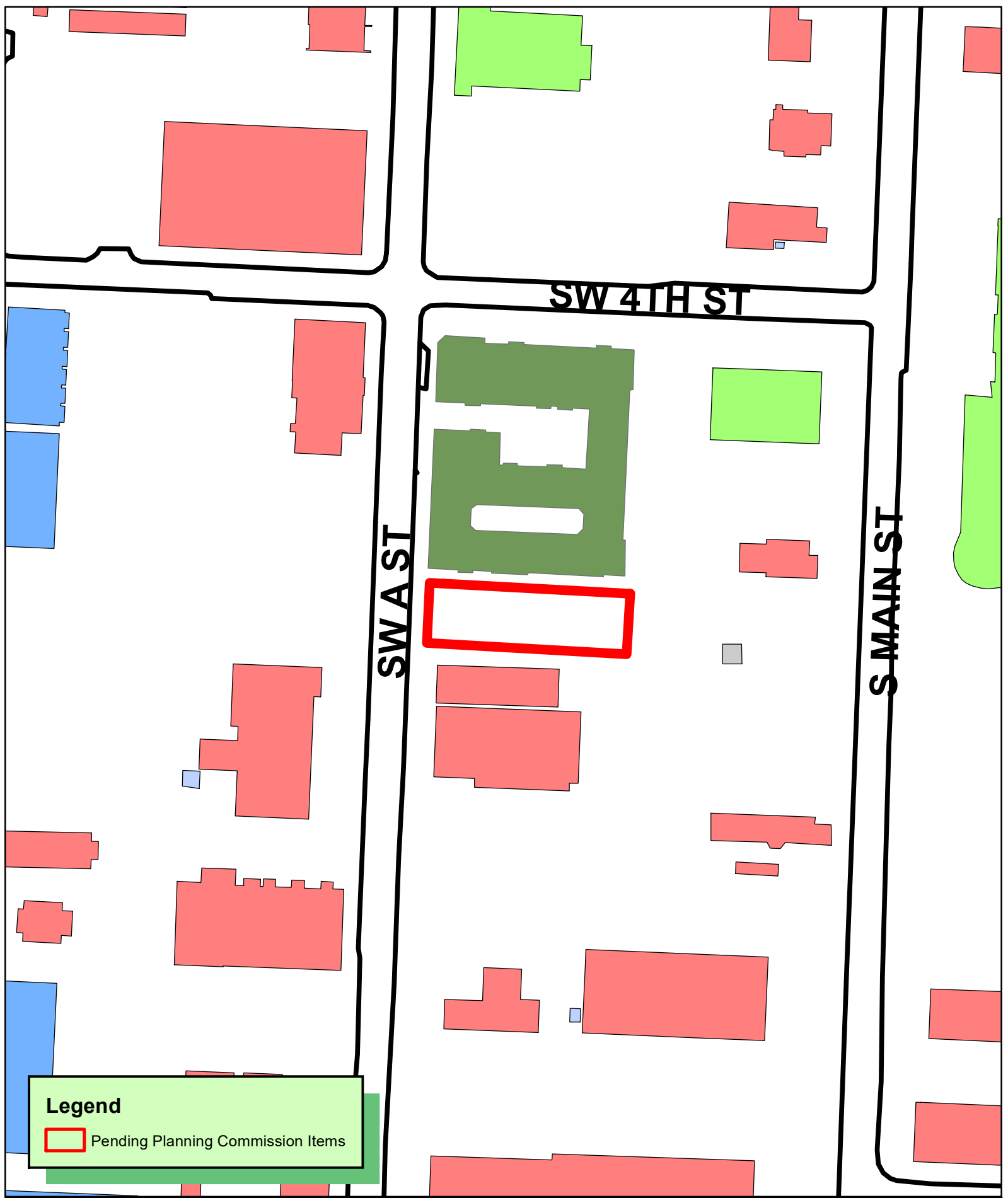
The applicant states the proposal for the conditional use permit is to allow for a temporary structure as was previously approved in 2021. The Conditional Use has since expired and they are looking to apply for the same permit but with a duration of 5 years. The applicant is not expecting any structural changes to the area but may install rope lights across the property in the future. The food truck will have hours of operation from 7AM-12AM seven days a week. There is no parking necessary or anticipated due to the high volume of foot traffic in the area. The applicant expects around 100 customers per day with approximately 5 employees.

Public Notice

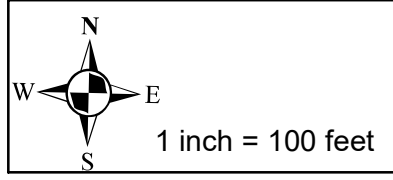
Staff has NOT received public notice regarding this request.

Conditions of Approval

1. This Conditional Use Permit shall be valid for 5 years from the date of issuance.
2. 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.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.



CU23-0015 6/6/23
CONDITIONAL USE
FIRE TRUCK - FOOD TRUCK
405 SW A ST



**WATKINS, BOYER,
GRAY & CURRY, PLLC**

ATTORNEYS AT LAW

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

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

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

April 6, 2023

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

RE: Conditional Use Permit for Temporary Use on Parcel No. 01-04224-000

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Dalwarr, LLC and Casey Roberts with respect to this conditional use permit request. The applicant is requesting a conditional use permit for "Temporary Structure" on the Parcel No. 01-04224-000 (hereinafter "the Property"), which is allowed by condition under the current zoning of Downtown Core.

This property has been used as the site of a food truck, namely, the Fire Truck for a few years. In, 2021, the Applicant applied for a conditional use permit for Outdoor Vendor Park because the improved area around the food truck consisted of more than 900 square feet, which is the area limitation for single mobile food vendors under Bentonville Code § 601.16. At the Planning Commission meeting on the abovementioned CUP application, the Commission ultimately approved the permit as a CUP for a "Temporary Structure" for all of the area around the food truck in excess of 900 square feet, to be valid for a period of (1) year. The one (1) year period has now expired, and the Applicant is now reapplying for the same temporary structure permit, but for a longer period of time.

No structural changes are contemplated. At the current time, the Applicant plans to continue to operate a only single food truck and no longer has immediate plans for expansion into a vendor park. If the Applicant wishes to expand the single food truck into a vendor park with multiple food trucks, he would be required to return to the Planning Commission for a different CUP.

The hours of operation for the food truck lot would be from 7am to 12am, seven days a week. No parking is anticipated for this use, as the Property is located downtown, receives heavy pedestrian traffic, and is adjacent to the bike trail. As for lighting, the applicant may install rope lights in the future. The food truck is expected to generate somewhere around 100 patrons per

Fire Truck
Page 2

day on average and will have around five (5) employees. A site plan has been submitted showing the layout of the food truck and improved area around it.

Thank you for considering this request for conditional use permit. If you have any questions, please contact me at 479-636-2168 or at wkellstrom@watkinslawoffice.com.

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

SW A Street



Grease Trap
(Existing)

Rope Hounds
407 SW A Street

CONDITIONAL USE STAFF REPORT



Hawk Moth Brewing

1000 SE 5th ST Suite H

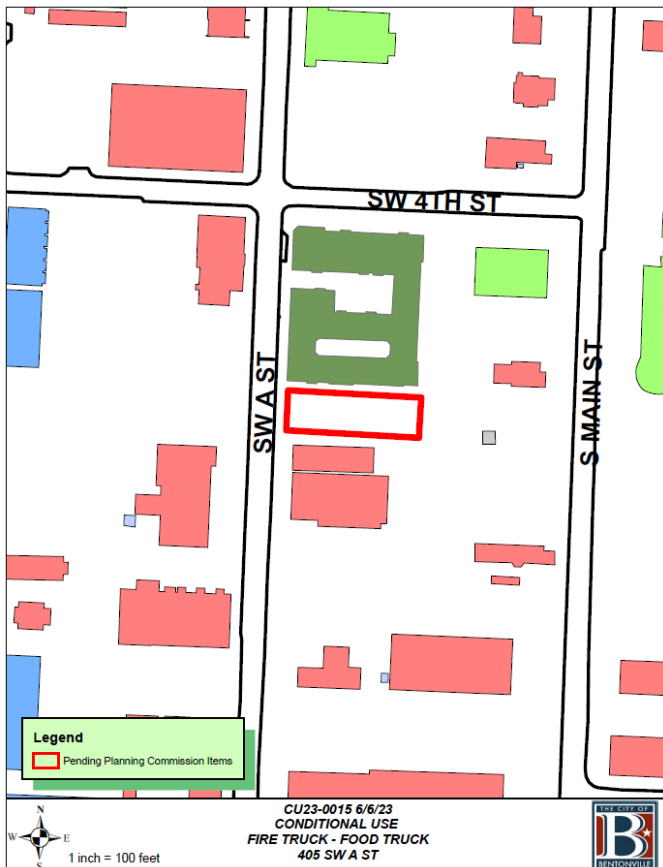
PC Date: 6/6/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	CU23-0017
Applicant / Current Owner	Hawk Moth Brewing / 1000 SE 5 th LLC
Site Area	+/- 1.27 acres
Current Zoning	I-2, Heavy Industrial
Future Land Use Map Designation	Office (O)
Requested Use	Manufacturing and/or distribution plant, alcoholic beverages of every kind and type within 500 ft. of a city owned & maintained park or trail
Protective Covenants	N/A

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

Location Map



Property Description

This property is located at 1000 SE 5th ST Suite H. There is an existing warehouse style building on the site which houses multiple tenants including Airship Coffee. The property is currently zoned I-2, Heavy Industrial, and is located approximately 200 ft from the Town Branch Creek Trail, maintained by Bentonville Parks and Recreation.

Proposed Use Description

The applicant is requesting a conditional use permit to allow the use of the existing warehouse style building for brewing beer. The City of Bentonville Zoning Code, Section 401.05 states that, in industrial zoning districts, the uses of manufacturing or distribution of alcoholic beverages within 500 ft of a city owned & maintained park or trail, shall only be allowed by an approved conditional use permit from the planning commission.

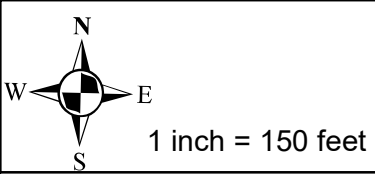
The applicant states the building will be used to increase manufacturing capacity and have this location serve as the base of operations for wholesale, as opposed to downtown Rogers where the business has been located since its inception in 2018. The applicants' narrative states that the business will not be operating a taproom/bar with regular hours open to the public at this location. The applicant is not proposing any major structural changes to the building, besides those needed for plumbing and electrical to meet manufacturing needs. Their narrative also states that they have a 4-employee staff and do not require any additional parking on the premises. The applicant wishes to have this permit approved in perpetuity, so the business can scale their non-alcoholic beer production in the future.

Public Notice

Staff has NOT received public notice regarding this request.

Conditions of Approval

1. This Conditional Use Permit shall be valid in perpetuity from the date of issuance.
2. 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.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.



CU23-0017
CONDITIONAL USE
HAWK MOTH BREWING
1000 SE 5TH ST STE-G



Hawk Moth Brewing

Conditional Use Narrative

Hawk Moth Brewing is a beer manufacturing company (brewery) that began operations in September of 2018 in downtown Rogers, AR. We are currently looking to relocate the business to 1000 SE 5th ST Suite H Bentonville, AR 72712. The business will not be operating a taproom/bar with regular hours open to the public. But instead, we will be using the location to increase manufacturing capacity and have it serve as the base of operations for wholesale.

There are no plans to change the exterior of the building in any structural way. We only plan to modify interior plumbing and electrical to meet our specific manufacturing needs. We currently have a small 4 employee staff. We do not require any additional or specific parking needs on the premises.

Hawk Moth Brewing plans to work closely with the building's anchor tenant, Airship Coffee, to provide customers of the Bentonville community with a high quality experience of craft beer. A significant reason the business has decided to move into Bentonville is to further grow in the Non-Alcoholic Beer category. Supplying this very active running and cycling community has become a big focus and passion of the company. As this city continues to progress, Hawk Moth Brewing wants to be a part of that with our innovative products that we believe offer experience without compromise through flavor and overall quality.

Reviewer: Luke Aitken, Planning Technician

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

Location Map



Property Description

This property is located at 1019 SE 8th Street and is currently zoned I-2, Heavy Industrial. The applicant is requesting the conditional use permit for temporary structures to be erected on the vacant property for a one weekend event.

Proposed Use Description

The applicant states they propose multiple large tents be used for hosting this event on the subject property from October 18th – 23rd, 2023. The following event hours are proposed:

- Friday, October 20th, 2023; event opens at 9AM, closes at 5PM
- Saturday, October 21st, 2023; event opens at 9AM, closes at 5PM
- Sunday, October 22nd, 2023; event opens at 9AM, closes at 4PM

Per the applicant's narrative Outerbike is a cycling industry event which showcases the latest and greatest cycling products for the public to ride, test and purchase. In addition, lunch and happy hours are also provided onsite to attendees as well as giveaways and sponsored contests held throughout the weekend.

The applicant states the property will be utilized as outdoor space for the Outerbike Main Tent, caterer tent, exhibitor/vendor space and an attendee parking area. Additional structures include a 40x80 ft high peak tent which is the seating area for attendees, providing a shaded lunch area. A 20x20 ft high peak tent provides the caterer set up and serving area. There are expected traffic impacts of this event on nearby roads and the applicant will need to acquire approval of a traffic control plan from Traffic Safety and Signage Committee prior to the event. The applicant does expect however that there will be a large amount of pedestrian and bike traffic to and from the event given its location and theme.

Public Notice

Staff has NOT received public notice regarding this request.

Conditions of Approval

1. This Conditional Use Permit shall be valid from October 17th – 23rd 2023.
2. 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.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.



Legend

 Pending Planning Commission Items


1 inch = 150 feet

CU23-0018
CONDITIONAL USE
BENTONVILLE OUTERBIKE
1019 SE 8TH ST



Outerbike

478 Mill Creek Dr
Moab, UT 84532
(435) 259-8732

Event Description:

Outerbike is a consumer demo event in which attendees demo mountain bikes from exhibitors for 3 days. Presented by Western Spirit Cycling, 2023 is the 13th year of Outerbike events. Exhibitors are primarily major bike manufacturers and cycling industry partners who bring the latest and greatest products to Outerbike for the public to ride, test and purchase. Lunch and happy hour are provided to attendees as well as giveaways and sponsored contests.

Event Schedule:

1019 SE 8th ST will be utilized as outdoor space for the Outerbike Main Tent, caterer tent, exhibitor/vendor space and attendee parking. Additional structures include a 40x80 high peak tent which is the seating area for attendees, providing shade and lunch area. A 20x20 high peak tent provides the caterer set up and serving area.

Setup: Wed/Thur, October 18/19, 12PM-4PM

Final teardown: Monday, October 23rd 8AM-2PM

Event Hours:

- **Friday, October 20th, 2023; event opens at 9AM, closes at 5PM**
- **Saturday, October 21st, 2023; event opens at 9AM, closes at 5PM**
- **Sunday, October 22nd, 2023; event opens at 9AM, closes at 4PM**

CONDITIONAL USE STAFF REPORT



Founders Classical Academy

1300 Melissa Dr St 110

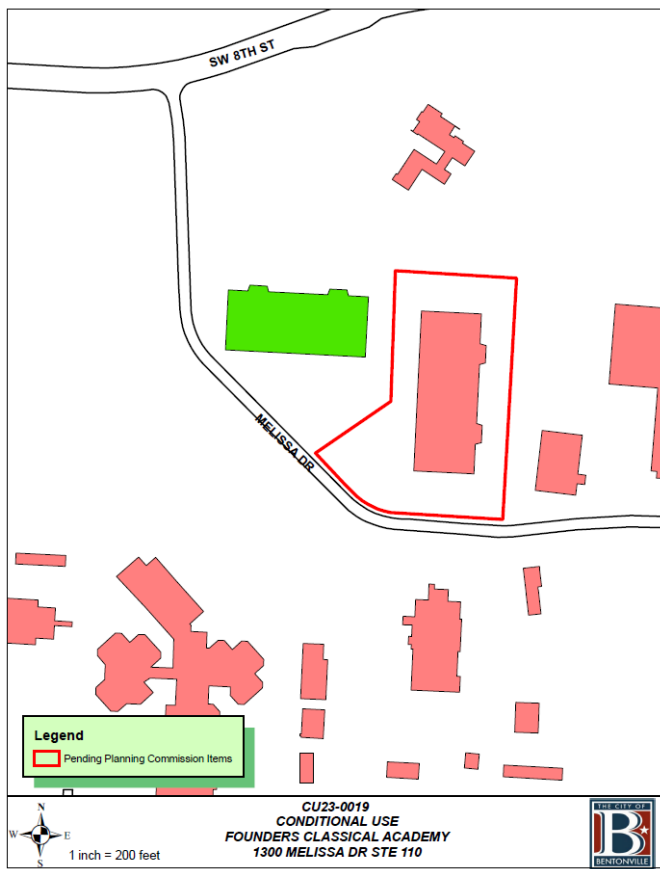
PC Date: 6/6/2023

Reviewer: Bradley Gavrielides Planning Technician

Project Number	CU23-0019
Applicant / Current Owner	Jeff Snyder / 1300 Melissa LLC
Site Area	+/- 4.79 acres
Current Zoning	PUD, Planned Unit Development
Future Land Use Map Designation	Light Industrial (LI)
Requested Use	Educational facility
Protective Covenants	N/A
Related Projects	CU20-0017

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

Location Map



Property Description

This property is located at 1300 Melissa Drive. The property is currently zoned I-1, Light Industrial. The applicant is requesting the conditional use permit for an educational facility.

Proposed Use Description

The applicant states the proposal for the conditional use permit is to allow for additional space to be used by the school, Founders Classical Academy. The school currently has a conditional use that is valid in perpetuity but would require a new CUP in the event of an expansion or major change in scope. The applicant is seeking to add approximately 7,846 sq ft of space to the permit for additional staff offices and educational space. The applicant states that the occupancy of this new area would not exceed 375. The hours of operation would remain unchanged, Monday through Saturday, 7AM-7PM. The applicant has completed some interior improvements in the past including a fire alarm system, appropriate door hardware for the space, a janitorial closet on the second floor, and Bentonville Fire Department approved fire walls.

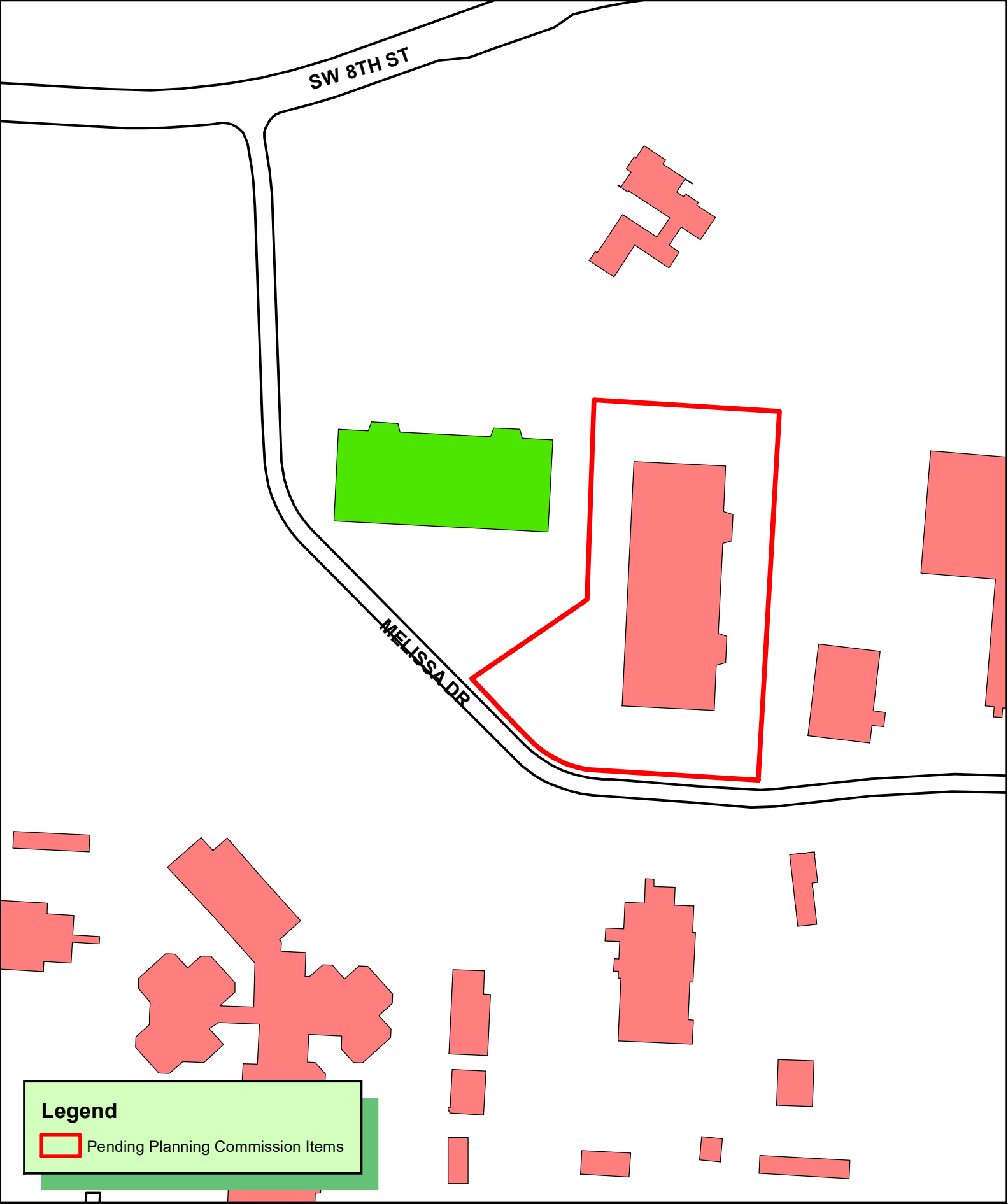
The applicant is anticipating new traffic control measures to help with traffic, staggering start times, and utilizing new software for student pick up to help ease traffic.

Public Notice

Staff has NOT received public notice regarding this request.

Conditions of Approval

1. This Conditional Use Permit shall be valid in perpetuity from the date of issuance.
2. 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.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.



SW 8TH ST

MELISSA DR

Legend

 Pending Planning Commission Items



1 inch = 200 feet

CU23-0019
CONDITIONAL USE
FOUNDERS CLASSICAL ACADEMY
1300 MELISSA DR STE 110



NARRATIVE

Founders Classical Academy

1300 Melissa Drive, Bentonville, AR 72712

Continuing

Proposed Use:

This property was previously approved for Conditional Use as a school. This is an Application to expand the area from 10,810 square feet to 18,656 square feet.

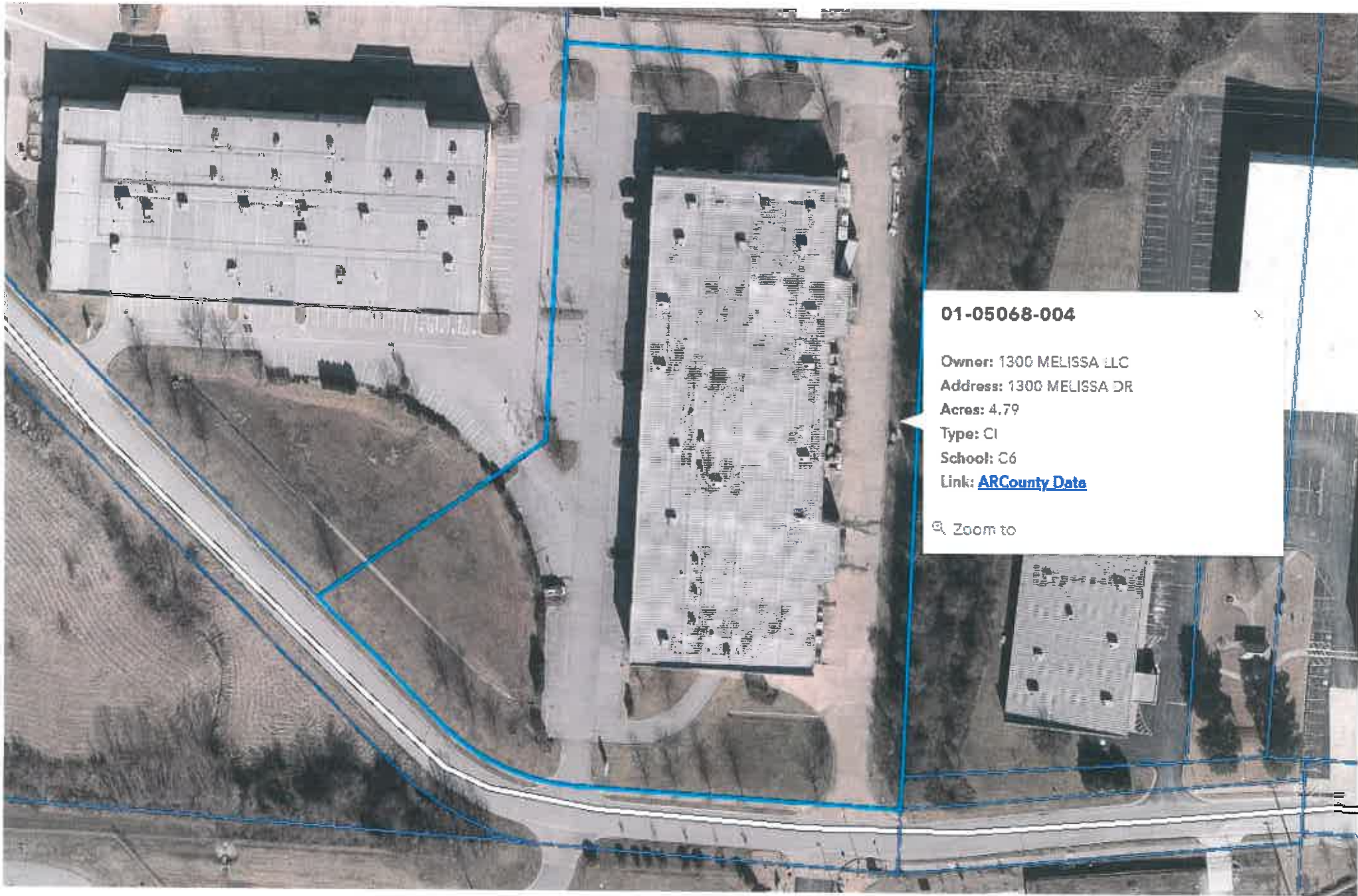
Responsive Education Solutions currently uses the 1st floor lobby, ½ the 1st floor office space and entire 2nd floor as classrooms and administration for Founders Academy, with the main school building located next door at 1302 Melissa Drive. The new space of 7,846 square feet will add offices and larger areas on the 1st floor to be used as additional classrooms/educational space. This area within the 1300 building houses 7th through 12th grade students and related teachers and staff. Total occupancy of this 18,656 square foot area would not exceed 375.

Hours of Operation: Normal School hours, but generally no more than Monday through Saturday 7:00 am to 7:00 pm.

Structural Changes: Interior previous completed: Add Janitor closet to 2nd floor; Add 1 demise wall; Bentonville Fire Department approved Fire Walls, Fire Alarm system and appropriate door hardware to the space.

New interior improvements to be constructed: . Exterior: None.

- 2 Site plan, indoor floor plan, parking & traffic flow and photographs attached.
- No outdoor areas to be used. Outdoor areas within 1302 Melissa. Student & teachers to walk to 1302 Melissa for indoor and Outdoor activities. No outdoor lighting changes proposed.
- No Protective Covenants.



01-05068-004

Owner: 1300 MELISSA LLC

Address: 1300 MELISSA DR

Acres: 4.79

Type: CI

School: C6

Link: [ARCounty Data](#)

 Zoom to

 Existing Responsive Education Space

 New Responsive Education Space



Ⓐ FIRST FLOOR ENLARGED PLAN
SCALE: 1/8" = 1'-0"

Car Line Information

Please review the following information about our car line procedures. Please note that the first two weeks will take some time for everyone to adjust to the car rider procedures. Expect delays and please be patient with us when we need to make adjustments to make it run more smoothly in the afternoon. To help with this, **do not arrive early.** This will cause car rider to back up onto Melissa Drive very quickly and block other traffic from passing through. Please also refrain from blocking any entrances or cross walks to any businesses or the Benton County Sherrif's Department. **Arrive when your car rider time is scheduled to begin.**

Car Line Video

Arrival Times

K-4 Drop off Times

- 7:15-7:40 AM
- Students must be walked in at 7:40 AM.
- Students are tardy at 7:45 AM and must be signed in.

5-7 Drop off Times

- 7:15-7:55 AM
- Students must be walked in at 7:55 AM.
- Students are tardy at 8:00 AM and must be signed in.

Dismissal Times

- 2:45- Kindergarten & 1st- Front Car line
- 2:45-2nd Grade and Siblings- Back Car line
- 3:05- 3rd & 4th Grade and Siblings- Back Car Line
- 3:30- 5th-7th- Front & Back Car line

All students should be picked up by 3:45 PM. Students not picked up by 3:45 PM will be escorted to the Spartan Afternoon Academy. Students who are picked up late from the Spartan Afternoon Academy after three times will be required to meet with the Headmaster in accordance with the handbook policies.

Reaching Campus - Morning Drop Off

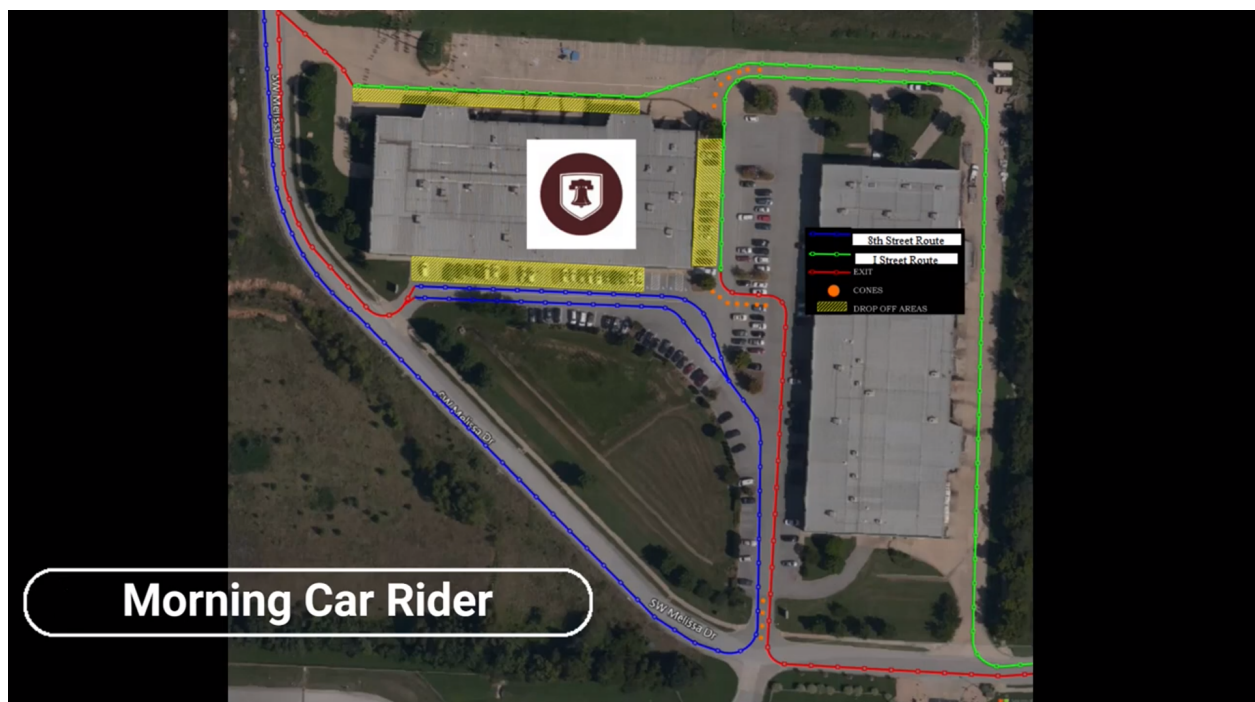
Families will need to come to campus from either 8th Street to Melissa Drive or I Street to Melissa Drive. If you live North and West of FCA Bentonville, please arrive by taking 8th Street to Melissa Drive. If you live South and East of FCA Bentonville, please arrive by I Street to Melissa Drive.

Families when leaving campus will need to leave by turning right on Melissa Drive and then right on 8th Street.

Reaching Campus - Afternoon Pick Up

Families will need to come to campus from either 8th Street to Melissa Drive or I Street to Melissa Drive. If you are picking up a Kindergarten or First Grade student with no older siblings, you will need to arrive by taking 8th Street to Melissa Drive. If you are picking up **only** second through sixth grade student(s), you will need to arrive by taking I Street to Melissa Drive. Any older siblings who have a Kindergarten or First Grade sibling will use front car rider.

Morning Car Line



Times:

- K-4 Main Building
 - 7:15-7:40 AM
- 5-7 Middle School Building
 - 7:15-7:55

Front Car Line - Arriving from 8th Street to Melissa Drive

- Front car line (blue line) will need to enter the front parking lot and stay to the left.
- Cars may form 2 lines at the post with the 2 arrows.
- Students will be released from cars when they are in the unloading zone and the stop sign has been turned to the STOP position.
- Students then walk into the designated entrances.

Back Car Line - Arriving from I Street to Melissa Drive

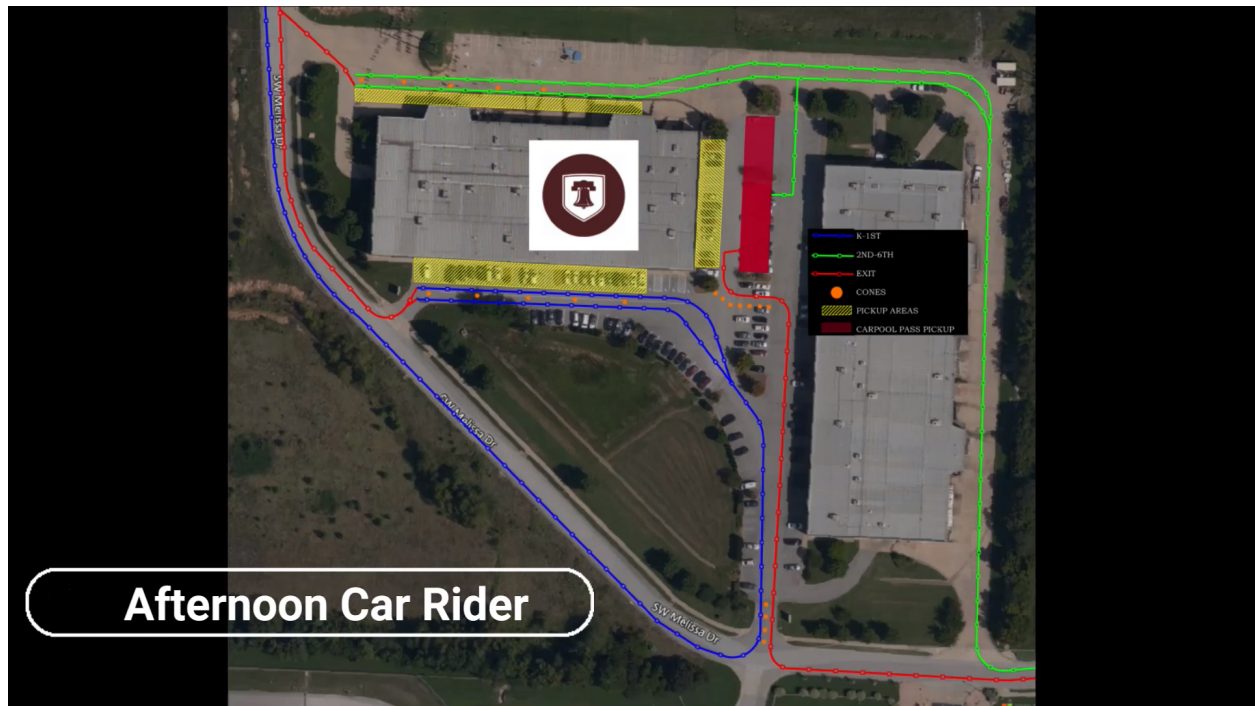
- Back car line (green line) will need to enter using the entrance behind the 5/6 building.
- Maintain a single file line until you turn left at the end of the building.
- There will be cones to split the car line into a left lane and right lane.
- The left lane will turn into the parking lot to unload in front of our Padded Gym entrance.
- The right lane will continue in a single file line along the white line behind the K-4 building.
- Students will be released from cars when they are in the unloading zone and the stop sign has been turned to the STOP position.
- Students then walk into the designated entrances.

Morning Car Line Procedures

- Parents **must** remain in their cars.
- Students should be able to unbuckle seat belts and open doors when given the go ahead to unload by teachers/staff (Traffic sign turned to STOP)
- Students should exit car and walk to designated doors for building entry.
- Do not proceed forward until the traffic guide turns the traffic sign to SLOW.

Please Note: If your vehicle is not in the car loading zones (between the orange posts) by 7:40 AM, you will need to park your vehicle and escort your student(s) in. At 7:45 AM, all students must be checked in at the front office. Students are expected to be accompanied by an adult driver for safety reasons.

Afternoon Car Line



Times:

- 2:45- Kindergarten & 1st- Front Car line
- 2:45-2nd Grade and Siblings - Back Car line
- 3:05- 3rd & 4th Grade and Siblings- Back Car line
- 3:30- 5th-7th Front & Back car line

The latest released child's pick up time determines which pick up time you are in. For example, if you have a 5th grade student and 2nd grade student, pick up will be at 3:15 PM in the Back Car Line. If you have a 4th grade student and 1st grade student, pick up will be at 3:00 in the Front Car Line.

Students need to know their car tag number for Monday. Make sure to practice!

Afternoon Car Line Procedures

- Parents **must** remain in their cars.
- When given the load up signal, students will proceed to their car to climb in.
- Students should be able to load in the car on their own (this includes buckling once the door is shut). Practice before Monday!

DO NOT BLOCK Business Driveways on Melissa Dr.

Carpool Dismissal

We will have a 3:05 & 3:35 carpool release in the afternoons. Cars participating in this carpooling time will have a special tag for the carpool area. To participate in the 3:20 carpool release you must meet all of the following criteria:

-Picking up at least 4 students.

-At least 2 families must be represented in the carpool-use the carpool daily.

-All drivers will need to attend a "Carpool Orientation" on Saturday July 13th at 11:00 AM. Failure to attend "Carpool Orientation" will result in not being able to participate in the parked carpool areas. Families are encouraged to carpool in the front and back car lines even if not participating in the 3:20 carpool dismissal. We only have certain amounts of spots available to participate. You will receive an email confirmation about participation.

Car Pool Sign Up

Car Tag Pick Up

If you did not pick up your car tag at Meet the Teacher, you will need to stop by Friday, August 12th in the afternoon between 1:00-3:00.

Extra Car Tags

If you are needing additional car tags, you need to complete the Google form [HERE](#).

It is important for everyone to follow the directions so the car line can be the most efficient. Make sure to be patient and follow staff directions!

Car Line Plan for 2022-2024 Founders Classical Academy

We will be instituting the following plan to accommodate additional students and cars during drop off and pick up times at Founders Classical Academy. This plan will allow for the additional cars and keep vehicles from backing up onto public streets during drop off and pick up times. We believe this plan will alleviate any stacking issues that could occur do to the increase in student enrollment.

- Carpool Lane - Cars picking up two or more families and at least three students may use the more efficient Car Pool Lane / HOV Lane
- Staggered Start Times - by staggering the start and end times for the upper and lower schools of the day by 30 minutes, we will be able to have the car lines move faster and not spill out onto the street It will split up the number of cars at any given time in the line.
- Student Pick Up App - we will purchase an app that notifies the school automatically as to which car is in which lane, we will be able to move students to their cars faster and more efficiently. This will also reduce the time cars spend in line.

We anticipate adding an additional 10 parking spaces for new staff.





LOT SPLIT STAFF REPORT



Lots 30 & 31 of Happy Home Subdivision

801 Northwest 10th Street

PC Date: 5/16/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	LS23-0020
Applicant / Current Owner	Phil Swope/Seventh Living LLC
Site Area	+/- 0.35 acres
Current Zoning	DN-1, Downtown Low-Density Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Related Projects	None

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

Location Map



Property Description

This property is located at 801 NW 10th Street. It is currently zoned DN-1, Downtown Low Density Residential, with a Future Land Use Map classification of LDR, Low Density Residential.

Project Details

The applicant is proposing a split of existing 0.35-acre Lot 6 of Happy Home Addition into two lots; Lot 6A of Happy Home Addition (0.17 acres) and Lot 6B of Happy Home Addition (0.17 acres).

The plat would dedicate a 20-foot-wide utility easement along NW 10th Street, in addition to dedicating additional right of way along NW 10th Street as needed to meet the requirements of the Bentonville Master Street Plan.

Waivers

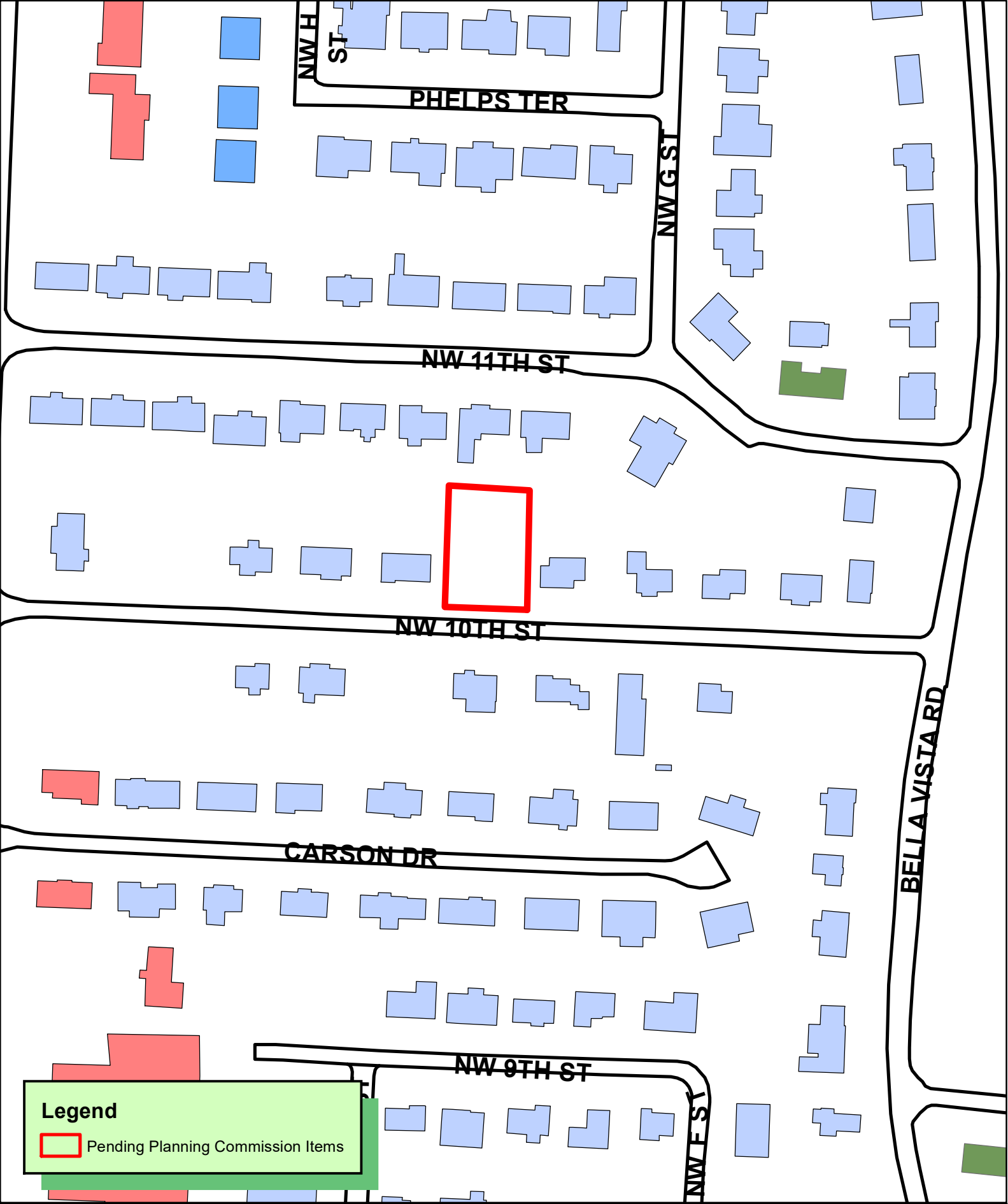
There are no waiver requests associated with this project.

Analysis and Recommendation

Staff recommends approval of the lot split, as adequate right of way is proposed to be dedicated along NW 10th Street and all lots proposed would comply with zoning and subdivision specific code requirements.

Standard Conditions of Approval

1. The applicant shall provide a digital copy of the plat.
2. All technical review comments shall be addressed prior to filing the plat or requesting a building permit.



Legend

 Pending Planning Commission Items


1 inch = 150 feet

LS23-0020 5/16/23
LOT SPLIT
HAPPY HOME SUBDIVISION
LOT 6 CREATING LOTS 30-31



r:\1-survey\23-021 nw 10th split\external references\23-021su.dwg - Plotted on 5/24/2023 10:42:25 AM @ a scale of 1:1 to autocad pdf (general documentation).pc3 by Kyle Rodgers

PARENT LOT 6
SURVEY DESCRIPTION

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

FURTHER DESCRIBED AS BEGINNING AT A THE SW CORNER OF LOT 6; THENCE N 02°10'16" E 151.07' TO A FOUND PIPE; THENCE S 87°15'20" E 99.75' TO A FOUND PIPE; THENCE S 02°04'47" W 150.45' TO A FOUND PIPE; THENCE N 87°36'56" W 99.98' TO THE POINT OF BEGINNING, HAVING AN AREA OF 15,055 SQUARE FEET, 0.35 ACRES. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

NEW LOT 30
SURVEY DESCRIPTION

LOT 30, HAPPY HOME ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS BEING FURTHER DESCRIBED AS COMMENCING FROM THE SW CORNER OF NEW LOT 6; THENCE N 02°10'16" E 4.67' TO THE POINT OF BEGINNING; THENCE N 02°10'16" E 146.40' TO A FOUND PIPE; THENCE S 87°15'20" E 49.87' TO A SET 5/8" IRON REBAR; THENCE S 02°06'43" W 146.03' TO A SET 5/8" IRON REBAR; THENCE N 87°41'10" W 50.02' TO THE POINT OF BEGINNING, HAVING AN AREA OF 7,300 SQUARE FEET, 0.17 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

NEW LOT 31
SURVEY DESCRIPTION

LOT 6B, HAPPY HOME ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS BEING FURTHER DESCRIBED AS COMMENCING FROM THE SE CORNER OF LOT 6; THENCE S 02°04'47" W 4.79' TO THE POINT OF BEGINNING; THENCE N 87°41'10" W 49.96' TO A SET 5/8" IRON REBAR; THENCE N 02°06'43" E 146.01' TO A SET 5/8" IRON REBAR; THENCE S 87°15'20" E 49.87' TO A FOUND PIPE; THENCE S 02°04'47" W 145.65' TO THE POINT OF BEGINNING, HAVING AN AREA OF 7279 SQUARE FEET, 0.17 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

LOT 30 R/W DEDICATION
SURVEY DESCRIPTION

A PART OF THE NW1/4 OF THE NW1/4 OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF NEW LOT 6A; THENCE N 02°10'16" E 4.67' TO A POINT; THENCE S 87°41'10" E 50.02' TO A POINT; THENCE S 02°06'43" W 4.72' TO A POINT; THENCE N 87°36'56" W 49.99' TO THE POINT OF BEGINNING, HAVING AN AREA OF 235 SQUARE FEET, 0.01 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

LINE	BEARING	DISTANCE
L1	N 02°10'16" E	4.67'
L2	N 87°41'10" W	50.02'
L3	S 87°41'10" E	49.96'
L4	S 02°04'47" W	4.79'
L5	N 87°36'56" W	49.99'
L6	S 87°36'56" E	49.99'
L7	N 02°10'16" E	20.00'
L8	S 87°41'10" E	50.00'
L9	N 87°41'10" W	49.92'
L10	N 02°04'47" E	20.00'
L11	N 02°06'43" E	4.72'

500-20N-30W-0-30-440-04-1889



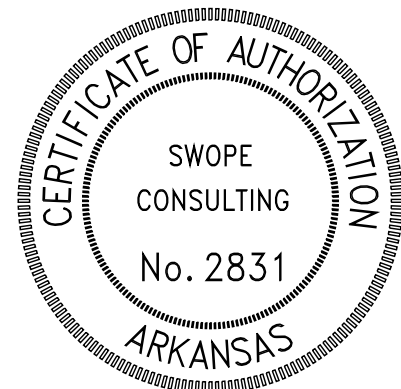
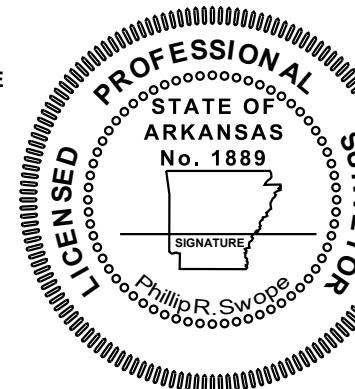
LOT SPLIT
FOR
SEVENTH LIVING LLC
801 NW 10TH ST
BENTONVILLE, AR 72717

PARCEL # 01-02774-000

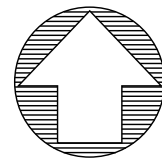
CERTIFICATE OF SURVEYING ACCURACY

I, PHILLIP R. SWOPE, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET. DATE OF EXECUTION: _____

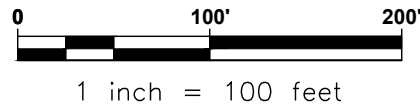
SIGNED: _____
REGISTERED LAND SURVEYOR
NO.1889
STATE OF ARKANSAS



DRAWN BY: K.W.R.	JOB NUMBER: 23-021
SUBMITTAL DATE: 05/10/2023	City Number: LS23-0020
DRAWING NAME: 23-021SU.dwg	
SHEET NUMBER: 1 OF 2	



GRAPHIC SCALE



Recording Block

BASIS OF BEARING:
ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.

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, easements, etc. as shown on said plat.

Date: _____
Signed by: _____

NOTES:

- SURVEYOR # - (479) 877-7388
- CLIENT EMAIL - <munishekarraja@gmail.com>
- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE Ciry 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
- THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT

CERTIFICATE OF APPROVAL

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

Date of Execution: _____

Signed: _____
Bentonville Planning
Commission Chairman

Signed: _____
Mayor City of Bentonville

Signed: _____
City Clerk

REVISION LIST

#	TITLE	DATE	NOTES:
1	RE-1	04/04/2023	1st Submittal
2	RE-2	04/14/2023	2nd Submittal
3	RE-3	05/10/2023	3rd Submittal

NOTARY

State of: _____

County of: _____

Subscribed and sworn before me this _____ day of _____, 2023.

Notary Public

My commission expires

SURVEYOR'S CERTIFICATION

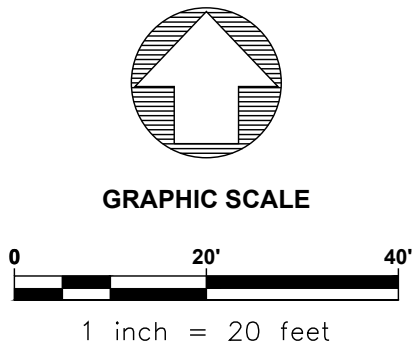
1. In providing this survey, no attempt has been made to show data concerning size, depth, condition, or capacity of underground utilities existing on site. Only visible utilities have been located on this survey.
2. No abstract of title nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed were provided by Benton County records. There may exist other documents of record that may affect this surveyed parcel.
3. No additional investigation or independent search by Swope Engineering has been made for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

r:\-survey\23-021 nw 10th split\external references\23-021su.dwg - Plotted on 5/24/2023 10:42:26 AM @ a scale of 1:1 to autocad pdf (general documentation).pc3 by Kyle Rodgers

SURVEYING SYMBOLS		
○ SET/FOUND REBAR	⊠ AIR CONDITIONER	⊕ POWER POLE
⊠ SET/FOUND MAG NAIL	⊠ CLEANOUT	⊕ SANITARY SEWER
⊠ SET/FOUND ALUM. MONUMENT	⊠ ELECTRIC BOX	⊕ SIGN
⊠ SET/FOUND COTTON SPINDLE	⊠ ELECTRIC METER	⊕ SEPTIC LID
▽ SET / FOUND PK NAIL	⊠ FENCE CORNER POST	⊕ STORM WATER
⊠ FOUND STONE	⊠ FIBER OPTIC VAULT	⊕ TELEPHONE PEDESTAL
⊠ STATE MONUMENT	⊠ FIRE HYDRANT	⊕ TRANSFORMER
⊠ FOUND PIPE	⊠ GAS METER	⊕ WATER METER
⊠ COMPUTED POINT	⊠ GAS VALVE	⊕ WATER VALVE
⊠ RAILROAD SPIKE	⊕ GAS RISER	
⊠ TEMP BENCH MARK (ELEV.)	⊕ GUY ANCHOR	
⊠ STAKE ON LINE	⊕ IRRIGATION CONTROL VALVE	
⊠ TREE	⊕ LIGHT POLE	
	⊕ MANHOLE	

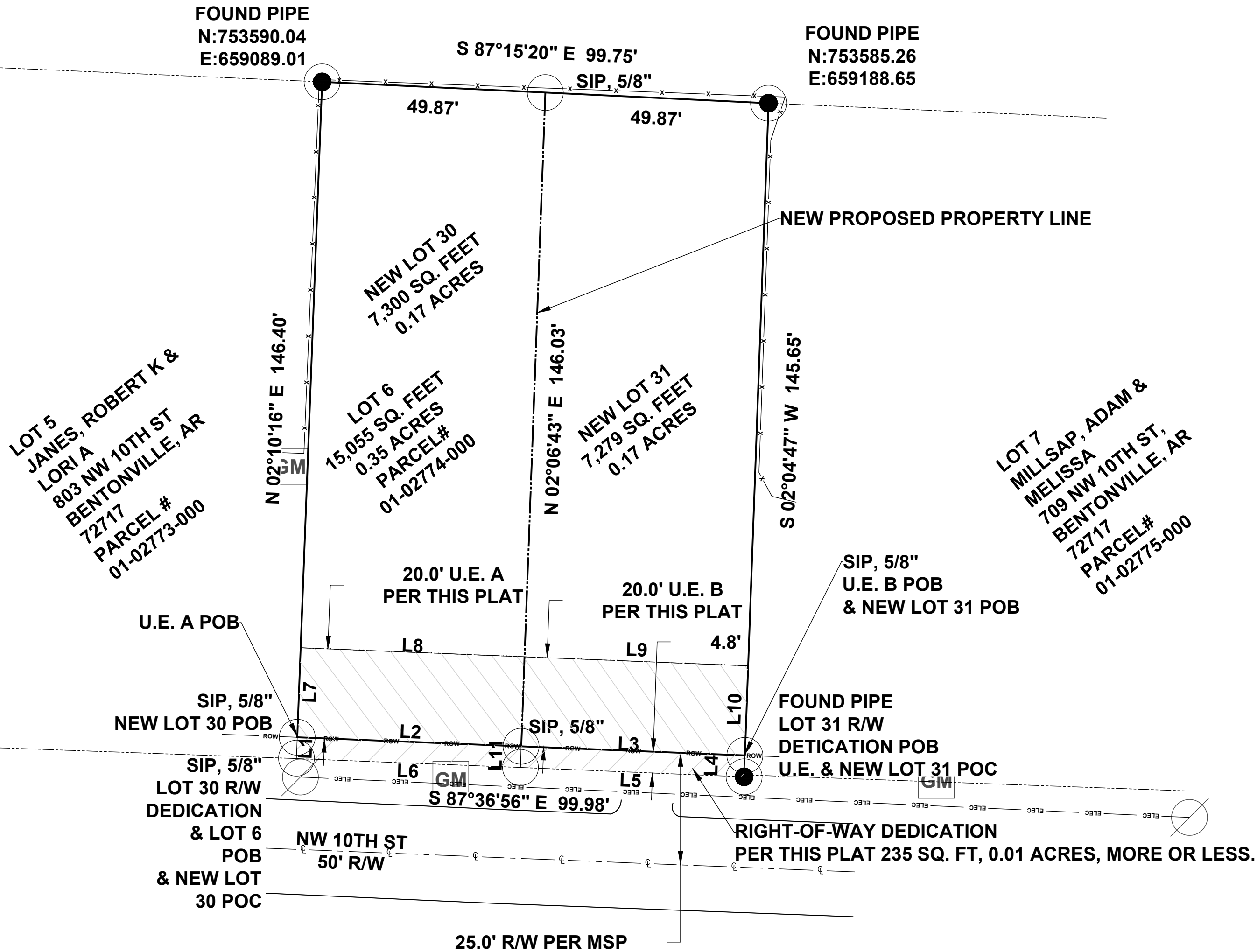
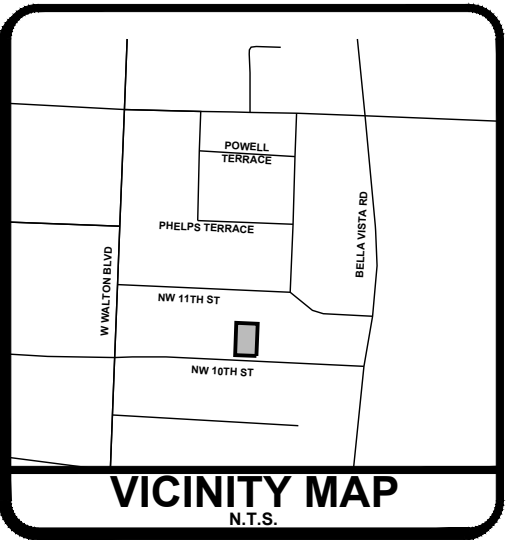
FEATURE LINES		
— BOUNDARY LINE	— OVERHEAD POWER LINE	
— FORTY LINE	— FENCE	
— CENTERLINE OF ROAD	— FLOW LINE	
— RIGHT-OF-WAY		
— INGRESS & EGRESS EASEMENT		
— UTILITY EASEMENT		
— BUILDING SET BACK		
(M) FIELD MEASUREMENT		
(R) RECORDED MEASUREMENT		

LOT SPLIT FOR LOT 6 OF HAPPY HOME SUBDIVISION CREATING NEW LOTS 30-31



Recording Block

BASIS OF BEARING:
ARKANSAS STATE PLANE,
COORDINATE SYSTEM,
(NAD-83) NORTH ZONE.



SURVEYOR'S CERTIFICATION

1. In providing this survey, no attempt has been made to show data concerning size, depth, condition, or capacity of underground utilities existing on site. Only visible utilities and lines marked by the appropriate utility provider have been located on this survey.

2. No abstract of title nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed were provided by Benton County records. There may exist other documents of record that may affect this surveyed parcel.

3. No additional investigation or independent search by Swope Engineering has been made for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

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

5. Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.

FLOOD INFORMATION

This property lies in Zone 'X' (Special Flood Hazard Areas Inundated by 100-year Flood) as determined from the F.I.R.M. maps of Benton County, Arkansas, and Incorporated Areas, Map Number 05007C0090j, effective September 28th, 2007.

DN1 ZONING

SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122



LOT SPLIT FOR

SEVENTH LIVING LLC

801 NW 10TH ST
BENTONVILLE, AR 72717

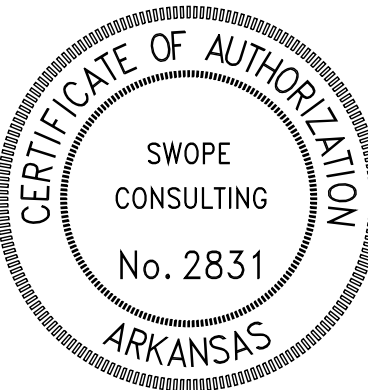
PARCEL # 01-02774-000

CERTIFICATE OF SURVEYING ACCURACY

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

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1889
STATE OF ARKANSAS



DRAWN BY: **K.W.R.** JOB NUMBER: **23-021**

SUBMITTAL DATE: **05/10/2023** City Number: **LS23-0020**

DRAWING NAME: **23-021SU.dwg**

SHEET NUMBER: **2 OF 2**

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 6 of HAPPY HOME
ADDITION; CREATING NEW LOTS 30 & 31 OF HAPPY HOME ADDITION TO THE
CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: LS23-0020)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 6 OF HAPPY HOME ADDITION, creating new LOTS 30 & 31 OF HAPPY HOME ADDITION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on June 6, 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 6 OF HAPPY HOME ADDITION creating new LOTS 30 & 31 OF HAPPY HOME 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

WAIVER REQUEST STAFF REPORT



Church of Latter Day Saints

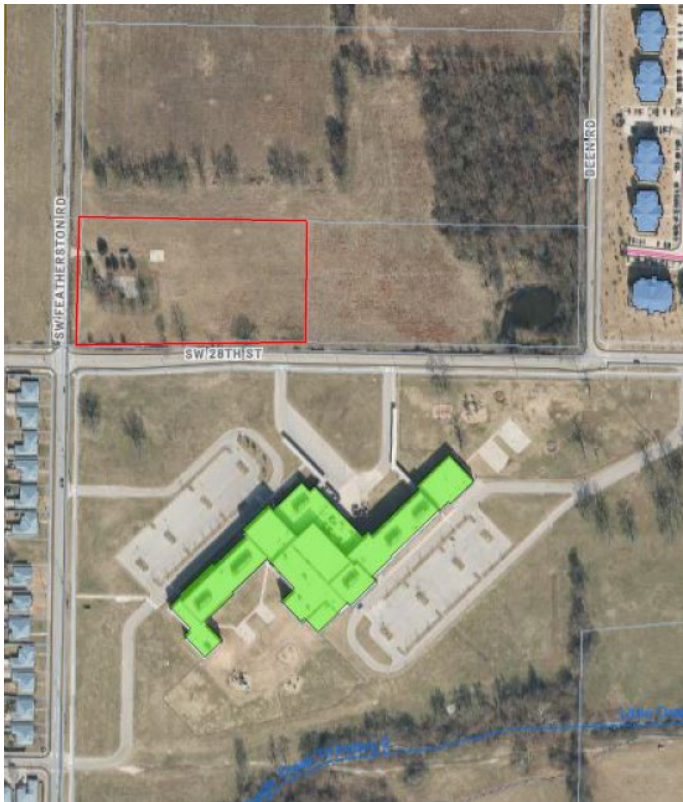
SW Featherston Road & SW 28th Street

PC Date: 6/6/2023

Reviewer: Jon Stanley, Senior Planner, ASLA,
APA

Project Number	WAV23-0007
Applicant / Current Owner	Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints
Site Area	+/- 4.16 Acres
Current Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Mixed Use Commercial
Waiver Request	Land Development Code: Article 1200, Off-site Improvements, Section 1200.02, Determining Necessity for Off-Site Improvements, (b) Direct Access to Substandard Streets.
Related Project #'s	N/A

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



Property Description

This property is located at intersection of SW Featherston Road and SW 28th Street and is currently zoned C-1, Neighborhood Commercial with a Future Land Use Map designation of Mixed Use Commercial.

Waiver Request

The applicant is requesting a waiver from the Land Development Code, Article 1200, Off-site Improvements, Section 1200.02, Determining Necessity for Off-Site Improvements, (b) Direct Access to Substandard Streets.

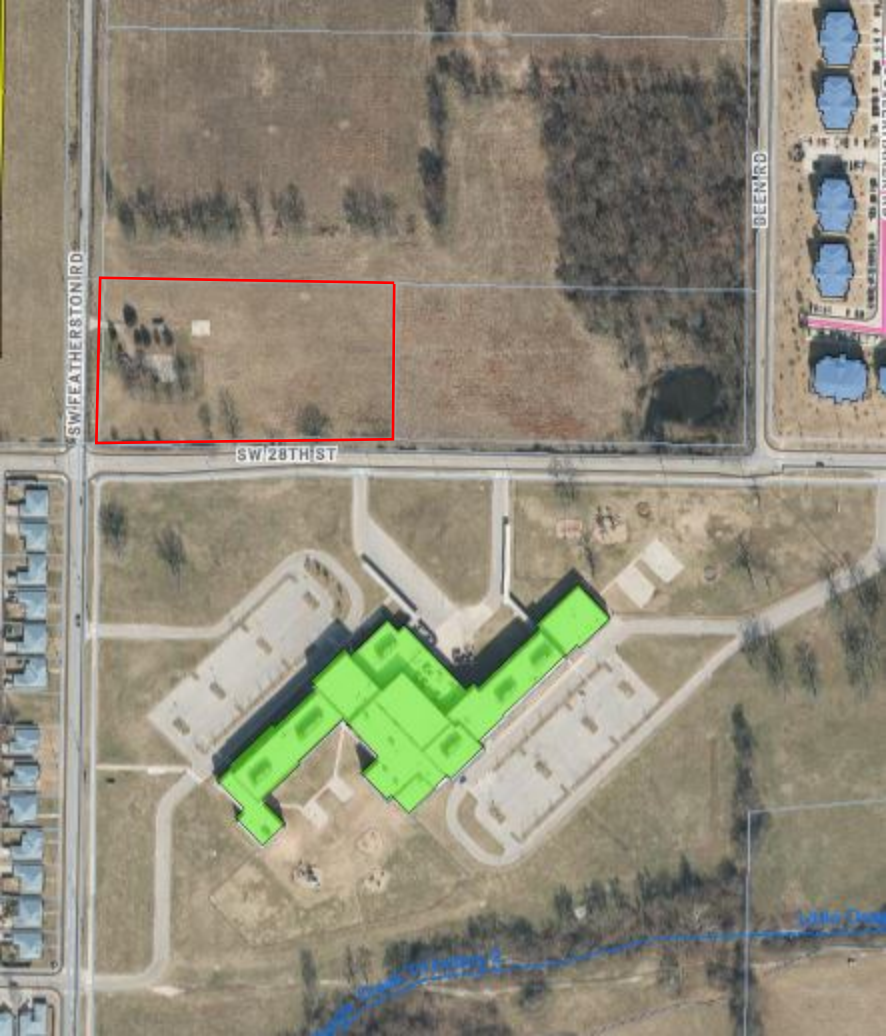
Code requires that a When a proposed subdivision has direct access to, or fronts on, an existing road or street which is below current standards, the developer shall be responsible for contributing his proportionate share of the cost of improving said street or road to existing city standards. The Planning Commission shall determine the developer's proportionate share of said costs in accordance with the provisions of Section 1200.1.

The applicant is only requesting a waiver of these requirements and request a Fee-IN Lieu for Delayed Improvements in accordance with Section 1200.03 of the Land Development Code

See the applicant's narrative for more information.

Staff Recommendation

Planning Staff recommends approval of the waiver request to provide a Fee-In Lieu.





7230 S. Pleasant Ridge Dr. / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

April 10, 2023

Planning Commission
City of Bentenville

RE: LDS Church waivers to required MSP improvements

Dear Commissioners,

LDS church is applying for a Large scale development located on parcel #01-18717-000 (28th and Featherston road). The one waiver request is outlined below:

- A waiver of improvements to the South side of parcel number 01-18717-000, Improvements to 28th street and SW Featherston.
 - LDS church is under the impression that a bond has already been allocated for the improvements to most of these sections of frontage, as well as the entire roundabout. Our clients propose fee-in -lieu of all improvements
 - See exhibit attached. There is a small section of frontage that is not included in the bond. We are proposing to include this in the fee-in lieu so it can all be built at once with no interruptions. Also, because of the roundabout, the city will have to be granted additional ROW that would not normally have to be dedicated if this was a typical intersection . Thus, we are proposing to subtract the value of this area from the total Fee-in-lieu.

We respectfully ask the planning commission to consider the waiver and fee in lieu requests to meet the aim of the project for an affordable minimal quality space that will enhance the safety and welfare of the community. Please see included waiver exhibit.

Should you have any questions or require any additional information, please feel free to contact us at your convenience

Sincerely,
Bates & Associates, Inc

Jake Chavis

April 28, 2023

Planning Commission
City of Bentonville

RE: LDS Church waiver follow up

Dear Commissioners,

This letter is to present the options for the waiver that was applied for by the LDS church.

Option 1

The city has a bond in place to improve SW 28th Street and a portion of SW Featherstone. If the work is completed by the city using the bond, the amount to improve the remaining street frontage of Featherstone would be \$17,711.50

Option 2

Typical half street improvements (no roundabout). Church to improve their half of Featherston and SW 28th Street is estimated to be \$76,887.0

Option 3

Half street Improvements to Featherston and SW 28th Street as shown on the approved plans with the roundabout is estimated to be \$219,051.75

We respectfully ask the planning commission to consider the waiver and fee in lieu request for Option 2. This would be the typical requirement for most developments. Attached are the cost estimates.

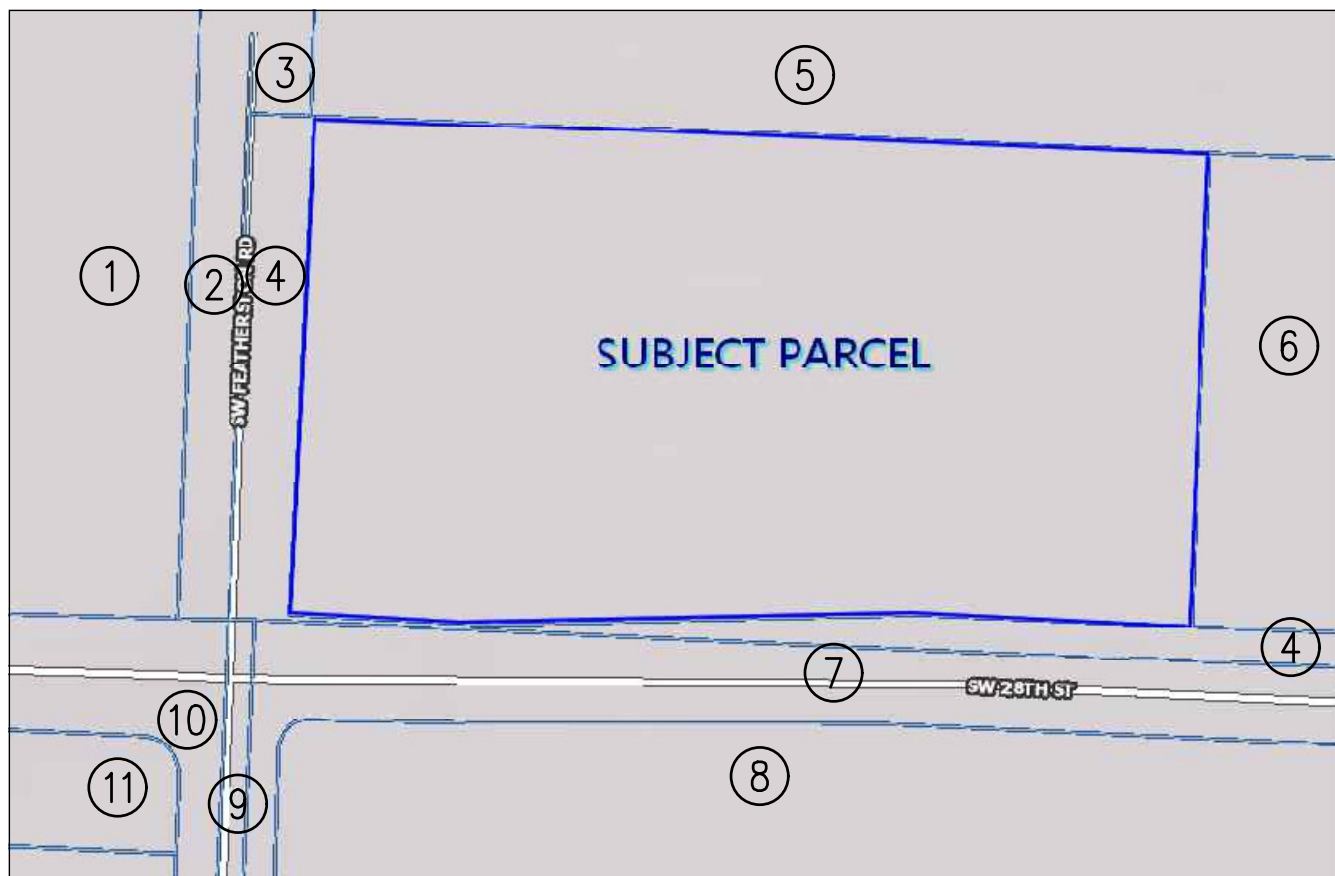
Should you have any questions or require any additional information, please feel free to contact us at your convenience

Sincerely,

Bates & Associates, Inc



Jake Chavis, E. I.



ADJACENT PARCEL MAP

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	65.50	10.17	10.16	N 46°00'23" W	8°53'37"
C2	231.50	34.38	34.35	N 22°36'28" W	8°30'36"
C3	168.50	62.10	61.75	N 16°18'19" W	21°06'53"

ADJACENT LAND OWNERS:

- 1) SUNRISE RESIDENTIAL CONSTRUCTION INC
669 S 48TH ST
BENTONVILLE AR 72762
PARCEL #01-18922-000
ZONED: R-ZL
- 2) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-18923-000
ZONED: ROW
- 3) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-18436-000
ZONED: ROW
- 4) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-18719-000
ZONED: ROW
- 5) PRESTIGE INVESTMENTS GROUP LLC
4203 SW ACRES AVE
BENTONVILLE AR 72713
PARCEL #01-18435-001
ZONED: R-2
- 6) PINNACLE VENTURES & DEVELOPERS LLC
7331 RIDGEPOINT DR
IRVING TX 75063
PARCEL #01-18718-000
ZONED: R-3
- 7) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-16701-000
ZONED: ROW
- 8) BENTONVILLE SCHOOL DISTRICT #6
500 TIGER BLVD
BENTONVILLE AR 72712-4208
PARCEL #01-16697-000
ZONED: A-1
- 9) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-07933-005
ZONED: ROW
- 10) CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
PARCEL #01-13617-001
ZONED: ROW
- 11) DODDA, RAMESH
4001 SW LAYTON RD
BENTONVILLE AR 72713
PARCEL #01-13487-000
ZONED: R-1

SITE AND UTILITY NOTES:

- 1) THE CITY REQUIRES CUT-OFF OR B-U-G LIGHTING FIXTURES. ANY NEW PARKING LOT LIGHTING OR LIGHTING ATTACHED TO THE STRUCTURE MUST BE A CUT-OFF OR B-U-G LIGHTING FIXTURE.
- 2) ALL MECHANICAL EQUIPMENT (ROOF AND GROUND-MOUNTED) SHALL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
- 3) ALL EXISTING UTILITIES BELOW 12KV SHALL BE RELOCATED UNDERGROUND. ALL INSTALL UTILITIES SHALL BE LOCATED UNDERGROUND.
- 4) ALL CONDUITS PLACED BY CONTRACTOR MUST HAVE 48" OF COVER AT FINAL GRADE AND MARKED WITH POST TO IDENTIFY THE END OF CONDUITS. THERE MUST BE A MINIMUM SEPARATION OF 12" BETWEEN CONDUITS FOR ELECTRIC AND CONDUITS FOR OTHER UTILITIES.
- 5) DAMAGE TO OR RELOCATION OF EXISTING UTILITIES SHALL BE AT THE DEVELOPERS EXPENSE.
- 6) TREES MUST BE LOCATED 5' FROM PUBLIC UTILITIES.
- 7) THIS LARGE SCALE DEVELOPMENT WILL REQUIRE RP TYPE BACKFLOW PREVENTER ON ALL DOMESTIC WATER SERVICES. IRRIGATION SERVICE CONNECTIONS SHALL ALSO BE PROTECTED BY AN RP TYPE BACKFLOW PREVENTER.
- 8) ALL WATER SERVICES WILL REQUIRE RP-TYPE BACKFLOW PREVENTERS
- 9) BACKFLOW PREVENTION DEVICE FOR WATER SERVICE WILL BE INSIDE BUILDING.
- 10) ALL SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
- 11) ALL TRENCHING AND BEDDINGS SHALL BE IN ACCORDANCE WITH BENTONVILLE 'TYPICAL BEDDING DETAIL AND BACKFILL DETAIL', UNLESS OTHERWISE NOTED ON DRAWING.
- 12) ANY CHANGES TO THE ELECTRIC FEED OR SERVICE SIZE AFTER THE PRECON COULD RESULT IN A DELAY OF THE DEVELOPMENT RECEIVING POWER AND A CHARGE TO THE DEVELOPER FOR THE CHANGE.
- 13) CONTACT BEUD AT 479-271-3135 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) SIGN LOCATION, IF ANY, IS NOT KNOWN AT THIS TIME. IF SIGN IS INSTALLED IT SHALL CONFORM WITH WILL NOT OBSTRUCT SIGHT DISTANCE OR BE WITHIN 25' SIGHT TRIANGLE.
- 17) ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT
- 18) IT IS THE ENGINEER'S RESPONSIBILITY TO ENSURE THAT BEUD HAS THE LATEST SITE PLAN FOR DESIGN. ANY CHANGES AFTER ANY SUBMITTAL SHOULD BE CONVEYED TO BEUD IMMEDIATELY.
- 19) THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDING.
- 20) OWNER REQUIRED TO PAY FOR LIGHTS PRIOR TO REQUESTING PRECON.
- 21) SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
- 22) THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

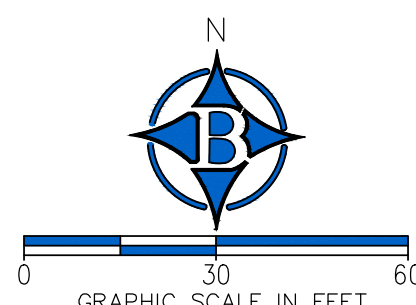
SITE AMENITIES (2 REQUIRED):

1. CHURCH STEEPLE
2. BIKE RACK

currently under city bonding

not under city bonding, we are proposing to pay fee in lieu of here so everything can be done at once.

area of land that we are proposing to have a price for to be reduced from total fee-in-lieu estimates.



BUILDING SETBACKS:	
FRONT	50H - PARKING IN FRONT
FRONT	20H - NO PARKING IN FRONT
SIDE	07H - ADJACENT TO NON-RESIDENTIAL DISTRICT
SIDE	15H - ADJACENT TO RESIDENTIAL DISTRICT
REAR	20H - ADJACENT TO NON-RESIDENTIAL DISTRICT
REAR	25H - ADJACENT TO RESIDENTIAL DISTRICT

PARKING TABLE:	
501.06.F OFF-STREET PARKING STANDARDS	
CHURCH SANITARY (1 PARKING SPACE FOR EACH FOUR (4) SEATS BASED ON MAXIMUM SEATING CAPACITY IN THE PRINCIPAL ASSEMBLY ROOM)	
ASSEMBLY ROOM SEATING CAPACITY:	268
PARKING SPACES REQUIRED:	67
TOTAL STANDARD SPACES PROVIDED:	219
TOTAL ADA SPACES REQUIRED/PROVIDED:	7

PARKING LOT LANDSCAPE AREA REQUIREMENTS:	
SEC. 1400.08 - INTERIOR PARKING LOT LANDSCAPING REQUIRED:	
PARKING LOT AREA:	89263 SQ. FT.
PARKING LOT LANDSCAPING REQUIRED:	8926 SQ. FT. (10%)
PARKING LOT LANDSCAPING PROVIDED:	9169 SQ. FT. (10.3%)

SITE COVERAGE CALCULATIONS:	
TOTAL SITE AREA:	176489 SQ. FT.
BUILDING COVERAGE:	20041 SQ. FT. (11.4%)
ADDITIONAL IMPERMEABLE:	88942 SQ. FT. (50.4%)
PERMEABLE AREA:	67506 (38.2%)

PROPOSED	EXISTING	DESCRIPTION
AE	AE	ACCESS EASEMENT
ASPH	ASPH	ASPHALT (EDGE)
ASPH	ASPH	ASPHALT (SURFACE)
BOLL	BOLL	BOLLARD
BUILD	BUILD	BUILDING
BSL	BSL	BUILDING SETBACK LINE
CABLE	CABLE	CABLE TV (UNDERGROUND)
CEN	CEN	CENTERLINE
CONC	CONC	CONCRETE (EDGE)
CONC	CONC	CONCRETE (SURFACE)
CONDUIT	CONDUIT	CONDUIT
CONTOUR	CONTOUR	CONTOURS
CURB	CURB	CURB & GUTTER
DRAIN	DRAIN	DRAINAGE FLOW
DUMP	DUMP	DUMPSTER
ELECT	ELECT	UTILITY EASEMENT
ELECT	ELECT	ELECTRICAL (UNDERGROUND)
ELECT	ELECT	ELECTRICAL (OVERHEAD)
ELECT	ELECT	ELECT. TRANSFORMER
EROSION	EROSION	EROSION CONTROL FENCE
EROSION	EROSION	EROSION CONTROL RIP-RAP
FENCE	FENCE	FENCE (EX. WIRE/PR. SCREENING)
FIBER	FIBER	FIBER OPTIC CABLE
FIRE	FIRE	FIRE HYDRANT ASSEMBLY
FLOWLINE	FLOWLINE	FLOWLINE
FORCE	FORCE	FORCE MAIN
GAS	GAS	GAS MAIN
GAS	GAS	GAS METER/VALVE
GRAVEL	GRAVEL	GRAVEL (EDGE)
GRAVEL	GRAVEL	GRAVEL (SURFACE)
IRON	IRON	IRON PIN - (RE-BAR)
LIGHT	LIGHT	LIGHT
POND	POND	POND
POWER	POWER	POWER POLE
PROPERTY	PROPERTY	PROPERTY LINE
RETAINING	RETAINING	RETAINING WALL
RIGHT	RIGHT	RIGHT-OF-WAY
SANITARY	SANITARY	SANITARY SEWER MANHOLE
SANITARY	SANITARY	SANITARY SEWER PIPE
SANITARY	SANITARY	SANITARY SEWER SERVICE
SECTION	SECTION	SECTION/RIE LINE
SIDEWALK	SIDEWALK	SIDEWALK
SIGN	SIGN	SIGN
SPOT	SPOT	SPOT ELEVATION
STABILIZED	STABILIZED	STABILIZED CONSTRUCTION ENT.
STORM	STORM	STORM SEWER INLET
STORM	STORM	STORM SEWER PIPE
STRIPES	STRIPES	STRIPES (PAINTED OR STICKY)
TELEPHONE	TELEPHONE	TELEPHONE PED/MANHOLE
TELEPHONE	TELEPHONE	TELEPHONE (UNDERGROUND)
TREE	TREE	TREE LINE CANOPY
TREE	TREE	TREE/TREE TO BE REMOVED
WATER	WATER	WATER MAIN BLOWOFF VALVE
WATER	WATER	WATER MAIN FIRE DEPT. CONN.
WATER	WATER	WATER MAIN PIPE
WATER	WATER	WATER MAIN REDUCER
WATER	WATER	WATER MAIN THRUST BLOCK
WATER	WATER	WATER METER
WATER	WATER	WATER METER (IRRIGATION)
WATER	WATER	WATER VALVE

DATE	3/13/23
REVISIONS	
PRE-APPLICATION PLAN PREPARATION	



Parking Amendments

PC Date: 6/6/2023

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Zoning Code, Chapter 94
Section(s)	
Recommendation	APPROVAL

Request

Approval of an ordinance amending City Code Chapter 94-VI Parking to regulate on-street parking in residential areas and Appendix A Zoning Code Article 501 Off-street Parking and Loading to regulate off-street parking in residential areas; and for other purposes.

Issue Statement

City officials have documented numerous cases of vehicles, particularly large commercial vehicles and recreational vehicles, parked continuously in residential areas. Such on-street parking of larger vehicles can reduce travel safety, impact response times for public safety, and affect the appearance and value of residential neighborhoods.

The intent of this amendment is to provide regulations for on-street parking and combine regulations for off-street parking, particularly recreational vehicles and commercial vehicles in residential areas. The regulations are separated in two different sections of the Municipal Code. The first is Chapter 94 which pertains primarily to parking on public-right-of-way and is enforced by the Police Department. The second is the Zoning Code, Art. 501 which pertains primarily to off-street parking which is enforced by the Planning Department and Code Enforcement.

Proposed Changes

- Amend Chapter 94 to add definitions for a "commercial vehicle" and "recreational vehicle."
- Amend Chapter 94 to add regulations for on-street parking that limits how long a vehicle can park and prohibiting inoperable vehicles, vehicles displayed for sale, vehicle repair, commercial vehicles in or near residential zones, and recreational vehicles from being parked on public right-of-way.
- Amend Zoning Code, Art. 201 Definitions to include "residential driveway."
- Amend Zoning Code, Sec. 501.12 to regulate recreational vehicles and commercial vehicles.
- Delete Ch. 94-156 and incorporate into Sec. 501.12 as subsection (a).
- Delete Sec. 601.09 and incorporate into Sec. 501.12 as subsection (c).

ATTACHMENT A PARKING AMENDMENTS

Underline text to be added and strikethrough text to be deleted.

Chapter 94-149 Definitions Amendment

Commercial Vehicle - a self-propelled or towed vehicle to transport passengers or property used primarily for business or commercial purposes, or, if the vehicle-- (1) Has a gross vehicle weight rating or gross vehicle weight of at least 12,001 pounds, whichever is greater; (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation.

Recreational Vehicle ("RV") - a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth wheel trailers, folding camping trailers, truck campers, motor homes, and non-freight trailers used to transport other leisure equipment, such as a boat, horse, motorcycle, show car, race car, snowmobile or bicycle.

Driveway, Residential – a continuous and unobstructed path of travel between the public street to the garage or carport or vehicle entrance to the residential structure.

Chapter 94-VI Parking Amendment

94-163 On-street parking.

1. **Length of time.** It shall be unlawful for any person or business to park a vehicle in the public right-of-way and to occupy that space for more than a consecutive period of 72 hours.
2. **Inoperable Vehicles.** It shall be unlawful for any person to park, keep or store any vehicle that is inoperable and/or has been damaged, wrecked or is in a state of disrepair within any public right-of-way.
3. **Display and repairs.** It shall be unlawful for any person to park a vehicle or trailer within any public right-of-way for the purpose of displaying a vehicle for sale or for washing/repairing vehicles or trailers, except in an emergency.
4. **Commercial Vehicles.** It shall be unlawful for any person to park or store commercial vehicles, as defined herein, within any public right-of-way in a residential zone or within a public right-of-way abutting a residential zone between 10 pm and 7 am.
5. **Recreational Vehicles.** It shall be unlawful to park a recreational vehicle, all-terrain vehicle, boat, utility trailer, or trailer of any kind, within a public right-of-way, except when it is actually being loaded, readied for use, or unloaded, but in no event longer than 24 hours.

**ATTACHMENT A
PARKING AMENDMENTS**

App. A Zoning Code, Sec. 501.12 Parking and Storage of Certain Vehicles Amendment

Sec. 501.12 Parking and Storage of Certain Vehicles

- (a) Owner Consent.** It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.
- (b) Recreational Vehicles.**

 - (1) Number allowed.** It shall be unlawful to park more than two (2) recreational vehicles or trailers on any residential property, excluding those parked in an enclosed garage or placed in the side or rear yard, if said yard is enclosed by a minimum of a six foot (6') tall opaque fence.
 - (2) Garage driveway.** Only one (1) recreational vehicle or trailer may be parked or stored between the paved edge of any street and a dwelling or garage (whichever is closer to the paved edge of the street) and shall be parked or left on a garage driveway or other approved parking area which is immediately adjacent to and an expansion of the garage driveway, not to exceed 50% of the size of the existing driveway, and is the same material as the existing driveway or approved parking surface.
 - (3) Dwelling or Lodging Use.** It shall be unlawful to use a recreational vehicle, trailer or any other vehicle for temporary or permanent on-premises dwelling or lodging purposes for more than seven days total in any continuous 12-month period.
- (c) Commercial Vehicles.** A private garage located in a Residential Zoning District (including MF and RMH Zones) shall not be used for storage of more than one commercial vehicle that does not exceed one and one-half (1½) tons rated capacity per family living on the premises.
- (d) Unlicensed Vehicles.** Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings or carport.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CITY CODE CHAPTER 94-VI PARKING
TO REGULATE ON-STREET PARKING IN RESIDENTIAL AREAS
AND APPENDIX A ZONING CODE ARTICLE 501 OFF-STREET
PARKING AND LOADING; REGULATING OFF-STREET PARKING IN
RESIDENTIAL AREAS; AND FOR OTHER PURPOSES.**

WHEREAS, city officials have documented numerous cases of vehicles, particularly large commercial vehicles and recreational vehicles, parked continuously in residential areas;

WHEREAS, such on-street parking of larger vehicles can reduce travel safety, impact response times for public safety, and affect the appearance and value of residential neighborhoods;

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

Section 1: That Bentonville Municipal Code, Chapter 94 and Appendix A Zoning Code shall be and are hereby amended with *Attachment A: Parking Amendments*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by references as though it were copied herein fully.

Section 2: That City Code, Chapter 94-156 shall be and is hereby deleted from Ch. 94, pursuant to Section 1 above including the regulations from Chapter 94-156 in Sec. 501.12.

Section 3: That Zoning Code, Sec. 601.09 Commercial Vehicles in Residential Zones should be and the same is hereby deleted, pursuant to Section 1 above including the regulations from Sec. 601.09 in Sec. 501.12.

Section 4- 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 5 - 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