Planning Commission
Meeting Agenda
Tuesday, July 18, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM

Registration Link: https://us06web.zoom.us/webinar/register/WN_PMHSI2kMRLqGEAMM-EfElg

Call to Order

I. Approval of the July 5, 2023, Meeting Minutes

II. Consent Agenda

1. **Lots 29, 30 and 31 of Line Stone Ranch Subdivision** — **Lot Split**
   Southwest Regional Airport Boulevard, Southwest F Street and Southwest Stone Boulevard *(LS23-0011)*

2. **Lot 26, Block 1 of Quail Run Subdivision and Lot 15, Block 1 of Quail Run II, Phase 2 Subdivision** — **Property Line Adjustment**
   1310 Quail Run Circle and 1307 Northwest K Street *(PLA23-0011)*

3. **Lots 32 & 33 of Clarks Addition** — **Property Line Adjustment**
   204 and 206 Southwest Glover Street *(PLA23-0020)*

4. **Brier Hill Subdivision** — **Preliminary Plat Extension**
   Southwest Featherston Road and Southwest 28th Street *(PP21-0015)*

5. **Crystal Street Development Subdivision** — **Preliminary Plat**
   Northeast A Street *(PP23-0006)*

III. New Business

1. **Gatlin** — **Rezoning***
   204 Southwest F Street *(RZ23-0035)*
   Rezoning: R-1, Low-Density Single-Family Residential to DN-2, Medium Density Two Family and Townhome Residential

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

* indicates item requires public hearing

2. **Jacobs and Rivard** **Rezoning***
   2202 Del White Drive *(RZ23-0041)*
   Future Land Use Map Amendment: C, Commercial to MUC, Mixed Uses Commercial
   Rezoning: R-1, Low-Density Single-Family Residential to C-3, Mixed Use Commercial

3. **Ausmus and Johnson** **Rezoning***
   10325 South Morning Star Road *(RZ23-0048)*
   Future Land Use Map Amendment: None, as it was recently annexed to MDR, Medium Density Residential
   Rezoning: A-1, Agricultural to R-E, Residential Estate

4. **RJM Property Management, LLC** **Rezoning***
   1204 Lockheed Street *(RZ23-0051)*
   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 Residential

5. **AP RE and Development, LLC** **Rezoning***
   215 Southwest F Street *(RZ23-0052)*
   Rezoning: R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential

6. **Skyline Rental, LLC** **Rezoning***
   412 Northwest 6th Street *(RZ23-0053)*
   Rezoning: R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential

7. **Lot 25, Block 18 of Deming's Addition** **Property Line Adjustment**
   412 Northwest 6th Street *(PLA23-0021)*

8. **Lots 1, 2, 3 and 4 of AJ Subdivision** **Lot Split**
   10325 and 10327 South Morningstar Road *(LS23-0031)*

9. **Lots 61 and 62 of Skyview Acres Subdivision** **Lot Split**
   1204 Lockheed Street *(LS23-0034)*

10. **Chick-fil-a** **Large Scale Development**
    209 South Walton Blvd. *(LSD23-0023)*
    Waiver #1: A waiver from Land Development Code Section 1100.21 Large Scale Development Design Standards (e) Building Material

11. **Nelagoney Glen Subdivision** **Waiver**
    Northwest C Street *(PP22-0007)*
    Waiver #1: A waiver to Article 400, Sec. 400.08, Building Permits for Model Homes

IV. Old Business

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

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1. **Laptop/email/civic clerk discussion**

V. Other Business

1. **Maximum Residential Driveway Width** **Ordinance***

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Planning Commission
Meeting Minutes
Wednesday, July 5, 2023
Bentonville City Hall
Tech Review: 4:00 PM
Public Hearing: 5:00 PM

Recording Link:
https://us06web.zoom.us/rec/share/eh0AjTGhYXuhzoz9v3AZ7b4wcfHY4Ot1cMJxiN7V4Pys61Dftw2Ka0oViibT6mVJ.HhcFMPl9W73E_Oly

Commissioners Present: Dana Davis, Elaine Kerr, Eric Hipp, Rod Sanders, Reginald Wright Danny Bennett, Joe Haynie
Commissioners Absent: N/A
Staff Present: Tom Adler, Bradley Gavrielides, Luke Aitken, Dan Weese, Keegan Stanton, Christopher Hyatt, Jon Stanley (via Zoom)

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

I. Approval of the June 20, 2023, Meeting Minutes
- Motion by Haynie, second by Kerr to approve the minutes
- June 20, 2023 meeting minutes are approved 7-0 by voice vote.

II. Consent Agenda

- **Commissioner Davis requests, without objection, that Item 1 of New Business and Items 1 and 3 of Old Business be moved to the Consent Agenda.**

1. **Lot 51 of Dickson's Addition** **Lot Split**
   710 West Central Avenue *(LS23-0018)*

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

3. **Walnut Farm Montessori** **Large Scale Development**
   4208 East Central Avenue *(LSD23-0024)*
   Note: This item was moved to the Consent Agenda during Tech Review.

4. **NW 9th and A Townhomes** **Large Scale Development**
   Northwest A and Northwest 9th Street *(LSD22-0041)*
   Note: This item was moved to the Consent Agenda during Tech Review.

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5. Cimuca Coffee Roasting **Conditional Use Permit**

40 Valley View Circle *(CU23-0020)*

Type B Home Occupation – Coffee Roasting, on-line orders only

Note: This item was moved to the Consent Agenda during Tech Review.

- Mr. Adler provides an overview of the consent agenda.
- Consent agenda is approved 7-0.

III. New Business

1. Ziggi's Coffee **Large Scale Development**

1622 Southeast J Street *(LSD23-0025)*

Waiver 1: A waiver from Sec. 5.4.2 Dry Reservoirs of the Storm Water Drainage Manual that requires twenty (20) feet horizontal separation from any building.

- Mr. Adler provides an overview of the staff report
- Jason Ingalls of Expedient Civil Engineering is present representing the applicant
- Chairman Sanders seeks clarification on the waiver
- Mr. Weese asks the distance of separation.
- Mr. Ingalls states that 12 feet is the request.
- Discussion on the protective barrier for the trees for the project.
- Condition that protective fencing be placed around all trees.
- Motion by Wright, second by Hipp to approve the waiver for a 12-foot horizontal separation from any building.
- Waiver 1 is approved 7-0.
- Large-Scale Development is approved 7-0 as conditioned in the meeting.

2. Aurora Clubhouse **Large Scale Development**

6807 Southwest Ambient Street *(LSD23-0026)*

Waiver 1: A wavier from Article 1400, Sec. 1400.08 Interior Parking Lot Landscaping to provide fewer trees in parking islands due to utility conflicts.

- Mr. Adler provides an overview of the staff report
- Chad Caletka of CEI Engineering is present representing the applicant
- Mr. Caletka clarifies that material call outs on the plans are architectural metal panels.
- Motion by Davis, second by Kerr to approve Waiver 1.
- Waiver 1 is approved 7-0.
- Large-scale Development is approved 7-0.

3. 2023-2027 CDBG **Consolidated Plan***

- Mr. Hyatt provides an overview presentation of the CDBG consolidated plan.
- Chairman Sanders opens the public hearing.
- Chairman Sanders closes the public hearing.
- Commissioner Davis asks if there is a new application process for each year.
- Mr. Hyatt states that this plan is for 5 years, but each year a new plan with specific projects is submitted.
- Discussion on previous CDBG programs that the City was involved in including workforce housing.
- Mr. Hyatt discusses the goals of this plan and the housing issues that exist in the City.
- Commissioner Davis states that he is concerned for the workforce population is not able to live in the City due to the housing costs, and this plan may not help that.

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

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- Commissioner Davis asks if the e-bike voucher program has tiered vouchers based on income.
- Mr. Hyatt states that the details of the plans are still in the discovery process.
- Commissioner Wright asks if the City has researched looking into the HUD Home program.
- Mr. Hyatt states that it is something the City has discussed.
- Commissioner Hipp asks if utilities have been discussed for the program.
- Mr. Hyatt states that is something that the City has discussed.
- Commissioner Hipp asks how the opportunities and program are being marketed to the public.
- Mr. Hyatt states that flyers and log info from boys' and girls' clubs and other facilities that assist lower income individuals will help get the word out about the programs.
- Discussion on housing and rental assistance programs.
- Motion by Wright, second by Hipp to approve the CDBG Consolidated Plan.
- CDBG Consolidated Plan is approved 7-0.

IV. Old Business

1. Starbucks — Conditional Use Permit

Southwest Regional Airport Boulevard and Southwest Sunbrooke Street *(CU23-0023)*

Long Term Temporary Use of Drive-thru

- Mr. Adler provides an overview of the staff report.
- Chairman Sanders opens the Public Hearing for the project.
- Eddie Bailey of Blue Whale Development outlines the request on behalf of the applicant.
- Mr. Bailey states that adjustments were made to address some of the concerns that the neighbors had to the south of the development.
- Mr. Bailey states that on average 7% of sales are between the hours of 5:30am and 7:00pm, which they believe is an adequate number.
- Jack Lam 1402 SW Summerfield Ave, directly south and adjacent to the development speaks in opposition to the permit.
-
- Mr. Lam states that he did not receive any notification of the new changes to the development, so it would be difficult to give any feedback.
- Mr. Lam is concerned with the noise disturbance and pollution from the exhaust of the cars going through the drive-thru and decreasing the value of his property.
- Mr. Lam is concerned with the location of the dumpster with it attracting rodents.
- Mr. Lam states that the C-1 zoning is not consistent with the harmonious development.
- Mr. Lam references a city plan that states development in these areas must be well screened and buffered when adjacent to residential areas.
- Mr. Lam is concerned with the traffic on Regional Airport Boulevard backing up and creating dangerous conditions entering Eden's Brooke Subdivision.
- Mr. Lam references an article by CNN on the dangers of a drive-thru to cyclists and pedestrians.
- Mr. Lam references different Starbucks locations that has different variations of drive-thru layouts.
- Mike Liddekee 1400 SW Summerfield Ave speaks in opposition to the permit.
- Mr. Liddekee states that he is concerned that developments in the city do not always follow City Ordinances.

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

* indicates item requires public hearing

- Mr. Liddekee references the KFC in Bentonville with the distances of the drive thru and the location of the dumpster.
- Chairman Sanders closes the public hearing.
- Mr. Bailey addresses that the store will close at 8:00pm, not 10:00pm.
- Mr. Bailey states that the landscape and full set of plans is not feasible if the project does not get past the conditional use.
- Mr. Bailey believes that a drive-thru is necessary for businesses in today's world.
- Commissioner Hipp asks what the location of the dumpster is in the City Code.
- Commissioner Bennett confirms that the screening and location of the dumpster would be dealt with in the large-scale development.
- Discussion on number of patrons the store will see and the ease of access to the development.
- Commissioner Davis states that the level of traffic increase referenced during the public hearing may be extreme, and the level of increase may not be so high due to the local nature of those visiting this location.
- Discussion on the proposed location of the dumpster.
- Discussion on what can be conditioned during the large-scale development.
- Commissioner Wright states that the developer should allow access for the neighborhood to the south.
- Discussion on the pedestrian access to the development.
- Commissioner Kerr states that the changes made to the plans show the developer is showing good faith and wants to be a good neighbor.
- Discussion on the request for a traffic light.
- Discussion on public notice process.
- Commissioner Bennett asks if Starbucks has a minimum stacking distance of cars.
- Mr. Bailey states that there is a standard of 17-20 vehicles.
- Commissioner Bennett states that there are acoustical elements to use as buffering to aid in noise disturbance and requests that applicant consider those in the large-scale process.
- Commissioner Davis requests, without objection, that the CUP for this request is specific to this project and not for the entire lot.
- Mr. Adler confirms that the store will operate until 8:00pm
- Mr. Adler confirms that the CUP is for a 5-year approval.
- Conditional Use Permit is approved 7-0 as conditioned in the meeting.

V. Other Business (completed in Tech Review)

1. **Phillips Park** **Public Infrastructure Improvement Plan**
   Southeast 28th Street & Southeast C Street *(PIIP23-0007)*
   Informational Item
2. **Planning Commission iPad Discussion**
3. **Discussion on Format Festival location and Conditional Use Permit.**

Adjournment

- **Motioned by Haynie, second by Wright.**
- **Meeting is adjourned 7-0.**

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

* indicates item requires public hearing

Consent Agenda Items

For the Planning Commission meeting on July 18, 2023

Reviewer: Jon Stanley, ASLA, APA, Senior Planner

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

1. **Lot Split: Lots 29, 30 & 31 of Limestone Ranch Subdivision, Tollett Wood LLC, C-2, General Commercial,** ***LS23-0011***

   A lot split of Lot 28 of Limestone Ranch Subdivision, originally 4.77 acres, creating new Lots 29, 30 & 31 of Limestone Ranch Subdivision, measuring 1.92, 1.33, and 1.52 acres respectively. The plat dedicates two 40' wide access easements, one along Southwest Stone Boulevard, and one along Southwest F Street, as well as a 20' utility easement extending southwest from the northern property boundary along Arkansas Highway 12. No variances or waivers are associated with this lot split.

2. **Property Line Adjustment: Lots 32 & 33 of Clark's Addition, Johnny & Beth Haney, DN-2, Downtown Medium Density Residential,** ***PLA23-0011***

   A property line adjustment of Lots 15 and 26, Block 1, of Quail Run Subdivision. The plat dedicates a 20' utility easement along the Northwest K Street side of the property. No variances or waivers are associated with this property line adjustment.

3. **Property Line Adjustment: Lots 32 & 33 of Clark's Addition, Steven & Julie Freeman, DN-2, Downtown Medium Density Residential,** ***PLA23-0020***

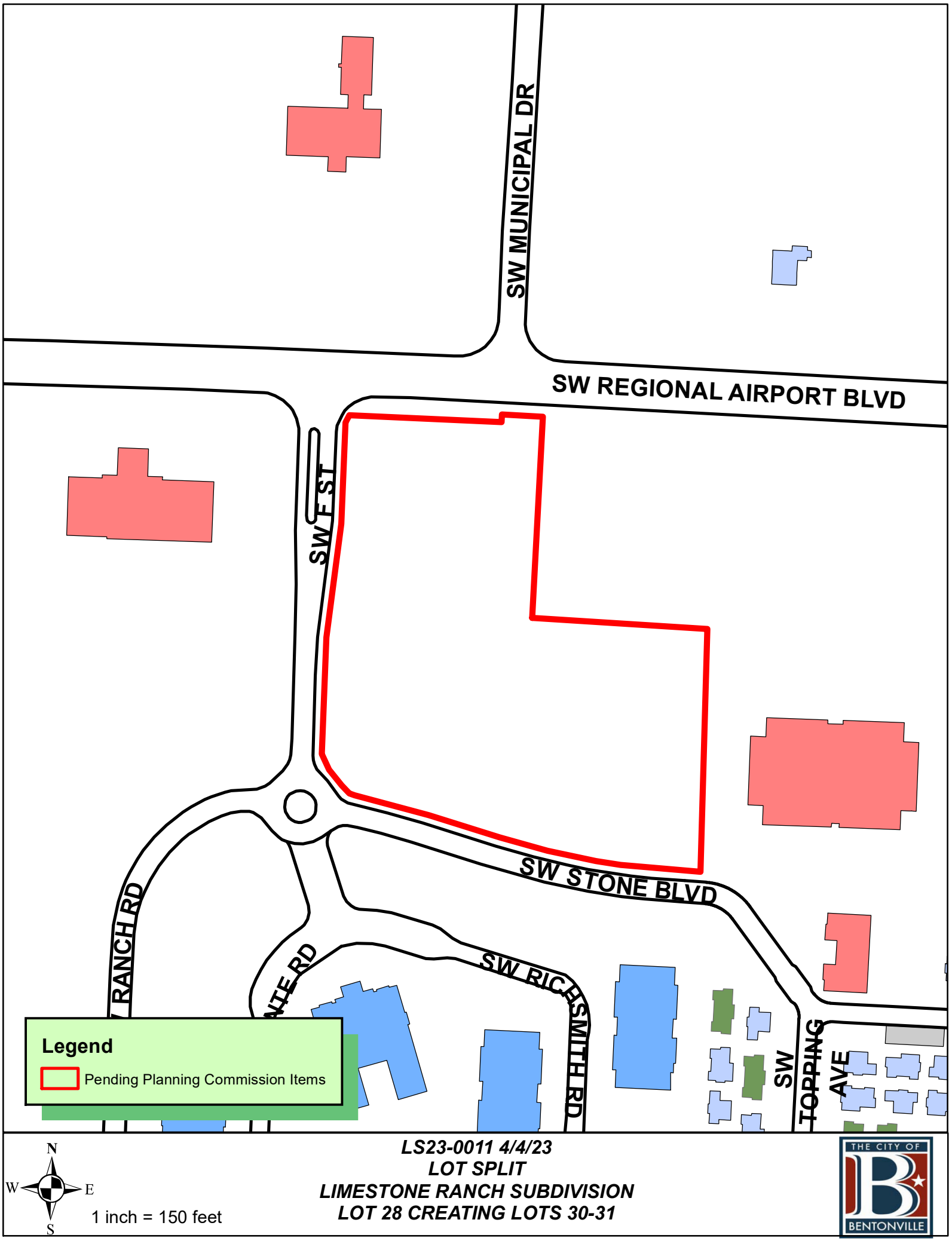
   A property line adjustment of Lots 11 & 12 of Clark's Addition into Lots 32 & 33 of Clark's Addition. The plat dedicates approximately 283 square feet of right-of-way along Glover Street per Master Street Plan requirements, and a 12' utility easement along the Glover side of the property as well. No variances or waivers are associated with this property line adjustment.

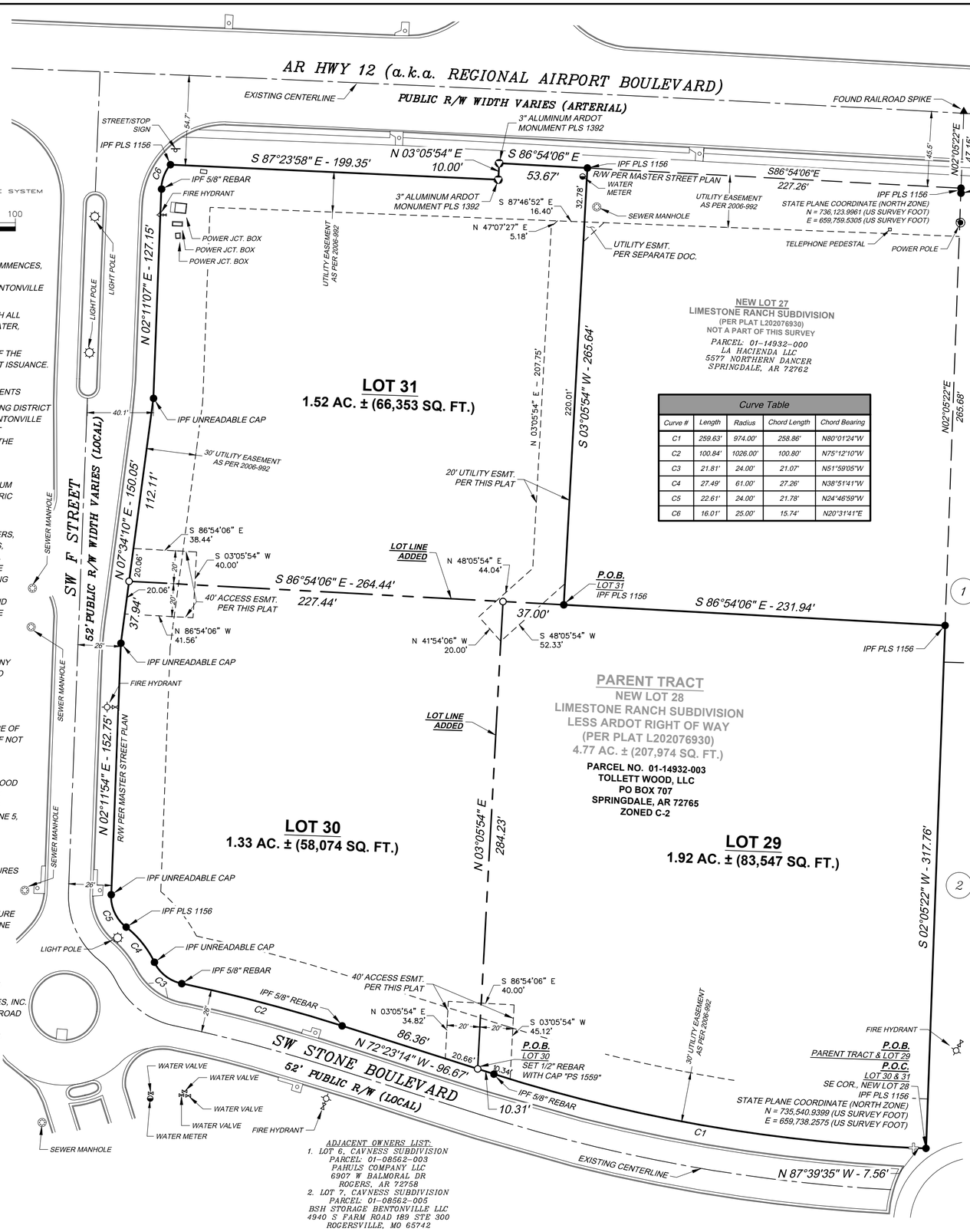
4. **Preliminary Plat Extension: Brier Hill Subdivision, Sunrise Residential Construction, LLC, Southwest Featherston Road and Southwest 28th Street, R-1, Low Density Single-Family Residential and RZ-L, Zero Lot Line Residential,** ***PP21-0015***

   The applicant is requesting an extension to a Preliminary Plat that was originally approved by Planning Commission on September 21, 2021. The Preliminary Plat proposes 216 single-family and zero lot line single-family homes. The plat will be constructed in three separate phases, all public infrastructure shall be constructed and installed with Phase 1. Cross connection is being provide to the north and west and ingress/egress into the subdivision will be provided with a single curb cut onto both SW Featherston Road and SW 28th Street. All non-bondable items and guarantees of improvements must be complete, and a final inspection performed and approved prior to final platting.

5. **Preliminary Plat: Crystal Street Development Subdivision, Mammoth Properties, LLC, Northeast A Street, DN-2, Downtown Medium Density Residential,** *PP23-0006*

   The applicant is proposing a Preliminary Plat that will consist of four (4), DN-2 zoned lots and one lot for stormwater detention. The plat will be constructed in a single phase. Access to the proposed lots will be from a local public street extension to be known as Crystal Street. Sidewalks, stormwater, and landscaping requirements are all in compliance with the Land Development Code. All non-bondable items and guarantees of improvements must be complete, and a final inspection performed and approved prior to final platting.


SW MUNICIPAL DR
SW REGIONAL AIRPORT BLVD
SW F ST
SW STONE BLVD
SW RICHSMITH RD
SW TOPPING AVE
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 150 feet
LS23-0011 4/4/23
LOT SPLIT
LIMESTONE RANCH SUBDIVISION
LOT 28 CREATING LOTS 30-31
THE CITY OF
BENTONVILLE



NOTES:

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

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

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

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

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

BENTONVILLE ELECTRIC NOTES:

1. *ALL STRUCTURES MUST MAINTAIN A MINIMUM OF 20 FEET CLEARANCES FROM ALL ELECTRIC LINES..*
2. *BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LINE LINE.*
3. *OWNER TO CONTACT NEW SERVICE COORINATOR (479-271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.*

SURVEYOR'S NOTES:

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN ZONE AS SHOWN ON THE F.I.R.M. MAP # 05007C0255 K, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: JUNE 5, 2012.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS BASED ON ABOVE GROUND FEATURES AND THE CITY OF BENTONVILLE G.I.S. ONLY.

PLAT CLOSURE DECLARATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 440,375 FEET.

OWNER TOLLETT WOOD, LLC
P.O. BOX 707
SPRINGDALE, AR 72765

SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72765

CITY ZONING: C-2

REGISTERED STATE OF ARKANSAS NO. 1559 SIGNATURE RODNEY WOODS PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF SURVEYING ACCURACY:

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

DATE OF EXECUTION: _____

SIGNED: _____

REGISTERED LAND SURVEYOR NO. _____ STATE OF ARKANSAS

Curve Table				
Curve #	Length	Radius	Chord Length	Chord Bearing
C1	259.63'	974.00'	258.86'	N80°01'24"W
C2	100.84'	1026.00'	100.80'	N75°12'10"W
C3	21.81'	24.00'	21.07'	N51°59'05"W
C4	27.49'	61.00'	27.26'	N38°51'41"W
C5	22.61'	24.00'	21.78'	N24°46'59"W
C6	16.01'	25.00'	15.74'	N20°31'41"E

LEGEND

———	PROPERTY LINE	P.O.C.	POINT OF COMMENCEMENT
——— – – ———	SPLIT LINE	P.O.B.	POINT OF BEGINNING
– — – — – —	ADJACENT OWNER	●	IPF - IRON PIN FOUND (AS NOTED)
– – – – – –	EASEMENT (AS NOTED)	○	SET 1/2" REBAR WITH CAP "PS 1559"
——— – ——— – ———	CENTERLINE OF ROAD	✛	COMPUTED POINT
		⛉	FOUND MONUMENT (AS NOTED)
		▲	FOUND RAILROAD SPIKE

ADJACENT OWNERS LIST:
1. *LOT 6, CAVNESS SUBDIVISION PARCEL: 01-08562-003 PAHULS COMPANY LLC 6907 W BALMORAL DR ROGERS, AR 72758*
2. *LOT 7, CAVNESS SUBDIVISION PARCEL: 01-08562-005 BSH STORAGE BENTONVILLE LLC 4940 S FARM ROAD 189 STE 300 ROGERSVILLE, MO 65742*

CERTIFICATE OF AUTHORIZATION ENGINEERING SERVICES, INC. 131 ARKANSAS • ENGINEER

CERTIFICATE OF OWNERSHIP:

WE THE UNDERSIGNED, OWNER(S) 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 STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED: _____

NAME & ADDRESS: _____

_____

_____

PRINTED NAME: _____

SOURCE OF TITLE: WARRANTY DEED, DOCUMENT FILE NUMBER, 2013-58147

SUBSRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____

_____

NOTARY PUBLIC

NEW LOT 28 PARENT TRACT LEGAL DESCRIPTION:

NEW LOT 28 OF LIMESTONE RANCH SUBDIVISION AS SHOWN ON A LOT SPLIT TO THE CITY OF BENTONVILLE, ARKANSAS, RECORDED AS L202076930 OF THE BENTON COUNTY RECORDS, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

***BEGINNING** AT THE SOUTHEAST CORNER OF SAID NEW LOT 28, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156" ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N87°39'35"W A DISTANCE OF 7.56 FEET TO A FOUND 60D NAIL; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 974.00 FEET, AN ARC LENGTH OF 259.63 FEET AND A CHORD BEARING AND DISTANCE OF N80°01'24"W - 258.86 FEET TO A FOUND 5/8 INCH REBAR; THENCE N72°23'14"W A DISTANCE OF 96.67 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1026.00 FEET, AN ARC LENGTH OF 100.84 FEET AND A CHORD BEARING AND DISTANCE OF N75°12'10"W - 100.80 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 21.81 FEET AND A CHORD BEARING AND DISTANCE OF N51°59'05"W - 21.07 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 61.00 FEET, AN ARC LENGTH OF 27.49 FEET AND A CHORD BEARING AND DISTANCE OF N38°51'41"W - 27.26 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 22.61 FEET AND A CHORD BEARING AND DISTANCE OF N24°46'59"W - 21.78 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST "F" STREET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N02°11'54"E A DISTANCE OF 152.75 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N07°34'10"E A DISTANCE OF 150.05 FEET TO A FOUND IRON PIN WITH CAP "PS 1559"; THENCE N02°11'07"E A DISTANCE OF 127.15 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 16.01 FEET AND A CHORD BEARING AND DISTANCE OF N20°31'41"E - 15.74 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156" ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY 12 (a.k.a REGIONAL AIRPORT BOULEVARD); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST "F" STREET AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S87°23'58"E A DISTANCE OF 199.35 FEET TO A FOUND 3 INCH ALUMINUM ARDOT MONUMENT, PLS #1392; THENCE N03°05'54"E A DISTANCE OF 10.00 FEET TO A FOUND 3 INCH ALUMINUM ARDOT MONUMENT, PLS #1392; THENCE S86°54'06"E A DISTANCE OF 53.67 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE; S03°05'54"W A DISTANCE OF 265.64 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S86°54'06"E A DISTANCE OF 231.94 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S02°05'22"W A DISTANCE OF 317.76 FEET TO THE **POINT OF BEGINNING**, CONTAINING 4.77 ACRES (207,974 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.*

SURVEY DESCRIPTION LOT 29:

PART OF NEW LOT 28 OF LIMESTONE RANCH SUBDIVISION AS SHOWN ON A LOT SPLIT TO THE CITY OF BENTONVILLE, ARKANSAS, RECORDED AS L202076930 OF THE BENTON COUNTY RECORDS, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

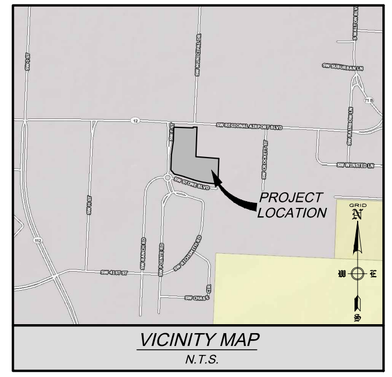
***BEGINNING** AT THE SOUTHEAST CORNER OF SAID NEW LOT 28, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156" ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N87°39'35"W A DISTANCE OF 7.56 FEET TO A FOUND 60D NAIL; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 974.00 FEET, AN ARC LENGTH OF 259.63 FEET AND A CHORD BEARING AND DISTANCE OF N80°01'24"W - 258.86 FEET TO A FOUND 5/8 INCH REBAR; THENCE N72°23'14"W A DISTANCE OF 10.31 FEET TO A SET 1/2 INCH RBEAR WITH CAP "PS 1559"; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, N03°05'54"E A DISTANCE OF 284.23 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S86°54'06"E A DISTANCE OF 268.94 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S02°05'22"W A DISTANCE OF 317.76 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.92 ACRES (83,547 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.*

SURVEY DESCRIPTION LOT 30:

PART OF NEW LOT 28 OF LIMESTONE RANCH SUBDIVISION AS SHOWN ON A LOT SPLIT TO THE CITY OF BENTONVILLE, ARKANSAS, RECORDED AS L202076930 OF THE BENTON COUNTY RECORDS, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

***COMMENCING** AT THE SOUTHEAST CORNER OF SAID NEW LOT 28, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156" ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N87°39'35"W A DISTANCE OF 7.56 FEET TO A FOUND 60D NAIL; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 974.00 FEET, AN ARC LENGTH OF 259.63 FEET AND A CHORD BEARING AND DISTANCE OF N80°01'24"W - 258.86 FEET TO A FOUND 5/8 INCH REBAR; THENCE N72°23'14"W A DISTANCE OF 10.31 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE CONTINUING N72°23'14"W A DISTANCE OF 86.36 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1026.00 FEET, AN ARC LENGTH OF 100.84 FEET AND A CHORD BEARING AND DISTANCE OF N75°12'10"W - 100.80 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 21.81 FEET AND A CHORD BEARING AND DISTANCE OF N51°59'05"W - 21.07 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 61.00 FEET, AN ARC LENGTH OF 27.49 FEET AND A CHORD BEARING AND DISTANCE OF N38°51'41"W - 27.26 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 22.61 FEET AND A CHORD BEARING AND DISTANCE OF N24°46'59"W - 21.78 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST "F" STREET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N02°11'54"E A DISTANCE OF 152.75 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N07°34'10"E A DISTANCE OF 37.94 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, S86°54'06"E A DISTANCE OF 227.44 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S03°05'54"W A DISTANCE OF 284.23 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.33 ACRES (58,074 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.*

RECORDING INFORMATION



VICINITY MAP
N.T.S.

SURVEY DESCRIPTION LOT 31:

PART OF NEW LOT 28 OF LIMESTONE RANCH SUBDIVISION AS SHOWN ON A LOT SPLIT TO THE CITY OF BENTONVILLE, ARKANSAS, RECORDED AS L202076930 OF THE BENTON COUNTY RECORDS, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

***COMMENCING** AT THE SOUTHEAST CORNER OF SAID NEW LOT 28, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156" ON THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST LIMESTONE BOULEVARD; THENCE N02°05'22"E A DISTANCE OF 317.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N86°54'06"W A DISTANCE OF 231.94 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING N86°54'06"W A DISTANCE OF 264.44 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST "F" STREET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N07°34'10"E A DISTANCE OF 112.11 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE N02°11'07"E A DISTANCE OF 127.15 FEET TO A FOUND 5/8 INCH REBAR; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 16.01 FEET AND A CHORD BEARING AND DISTANCE OF N20°31'41"E - 15.74 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156" ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ARKANSAS HIGHWAY 12 (a.k.a REGIONAL AIRPORT BOULEVARD); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST "F" STREET AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S87°23'58"E A DISTANCE OF 199.35 FEET TO A FOUND 3 INCH ALUMINUM ARDOT MONUMENT, PLS #1392; THENCE N03°05'54"E A DISTANCE OF 10.00 FEET TO A FOUND 3 INCH ALUMINUM ARDOT MONUMENT, PLS #1392; THENCE S86°54'06"E A DISTANCE OF 53.67 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE; S03°05'54"W A DISTANCE OF 265.64 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S02°05'22"W A DISTANCE OF 317.76 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.52 ACRES (66,353 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.*

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 UN THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED: _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED: _____
MAYOR, CITY OF BENTONVILLE

SIGNED: _____
CITY CLERK, CITY OF BENTONVILLE

REFERENCES:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

- **A. WARRANTY DEED:** *TOLLETT WOOD, LLC, RECORDED OCTOBER 22, 2013, RECORD BOOK 2013 AT PAGE 58147.*
- **B. FINAL PLAT:** *LIMESTONE RANCH SUBDIVISION, RECORDED AUGUST 21, 2006, RECORD BOOK 2006 AT PAGE 992.*
- **C. LOT SPLIT OF LOT 2:** *BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS NO. 1156, RECORDED NOVEMBER 24, 2020, INSTRUMENT NO. L202076930.*
- **D. WARRANTY DEED:** *CITY OF BENTONVILLE, ARKANSAS, RECORDED JULY 29, 2009, RECORD BOOK 2009 AT PAGE 37881.*
- **E. WARRANTY DEED:** *ARKANSAS STATE HIGHWAY COMMISSION, RECORDED JUNE 4, 2013, RECORD BOOK 2013 AT PAGE 30034.*

LOT SPLIT FOR NEW LOT 28 OF LIMESTONE RANCH SUBDIVISION

CREATING LOTS 29, 30 AND 31

BENTONVILLE, BENTON COUNTY, ARKANSAS

SCALE: 1"=50'	DATE: June 27, 2023	DRAWN BY: KND

ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

LS23-0011

© COPYRIGHT 2023, ENGINEERING SERVICES, INC. 6/27/2023 9:58 AM
Z:\00 SURVEY MASTER FOLDER\2 CIVIL 3D SURVEY PROJECTS\22236 LIMESTONE RANCH LOT SPLIT\22236 LIMESTONE RANCH LOT SPLIT.dwg

W.O.# 22236 | SHEET 1/1

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 28 OF LIMESTONE RANCH SUBDIVISION; CREATING NEW LOTS 29, 30, AND 31 OF LIMESTONE RANCH SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: LS23-0011)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 28 OF LIMESTONE RANCH SUBDIVISION, creating new LOTS 29, 30, AND 31 OF LIMESTONE RANCH SUBDIVISION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on July 18, 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 28 OF LIMESTONE RANCH SUBDIVISION creating new LOTS 29, 30, AND 31 OF LIMESTONE RANCH SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023

APPROVED:

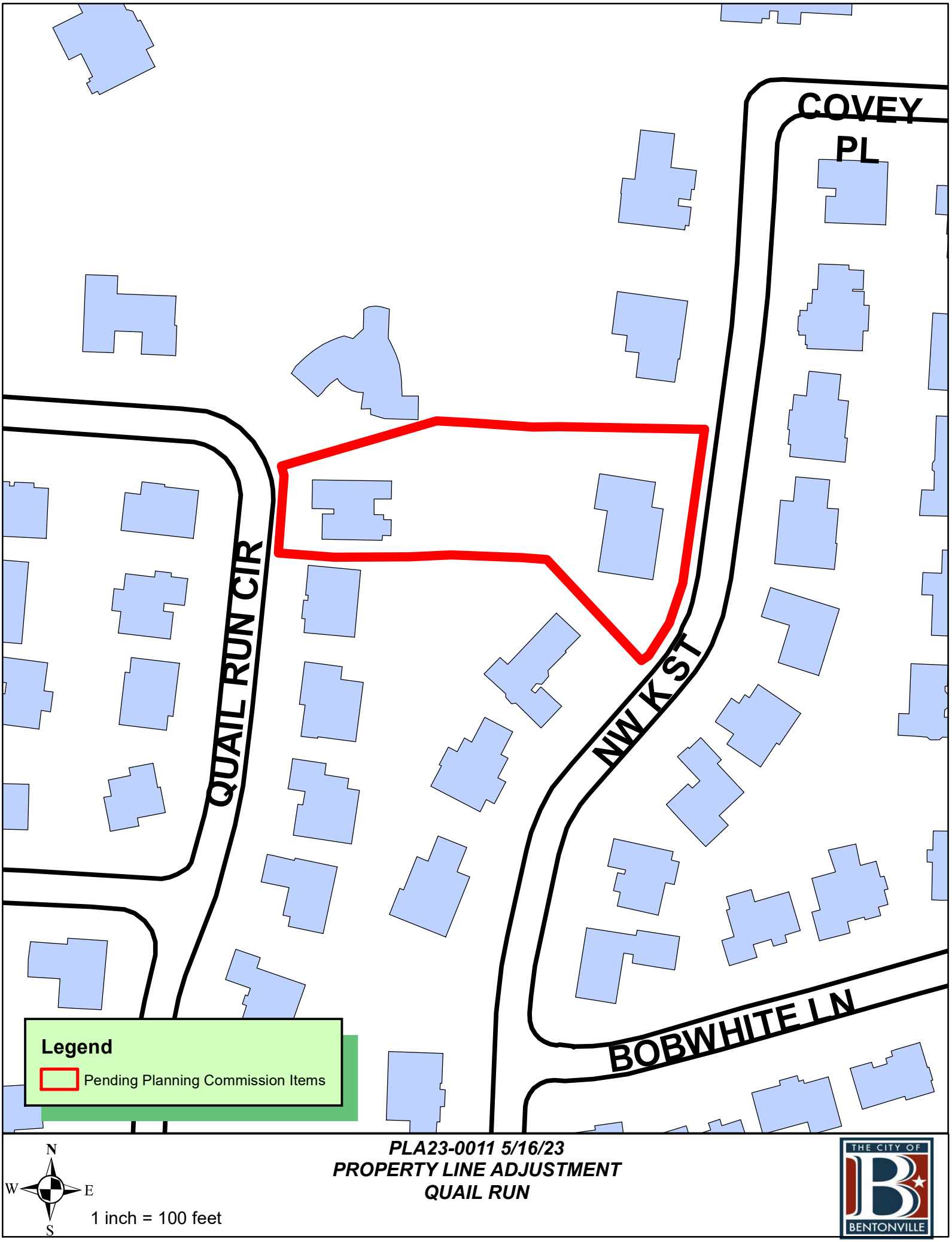
_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

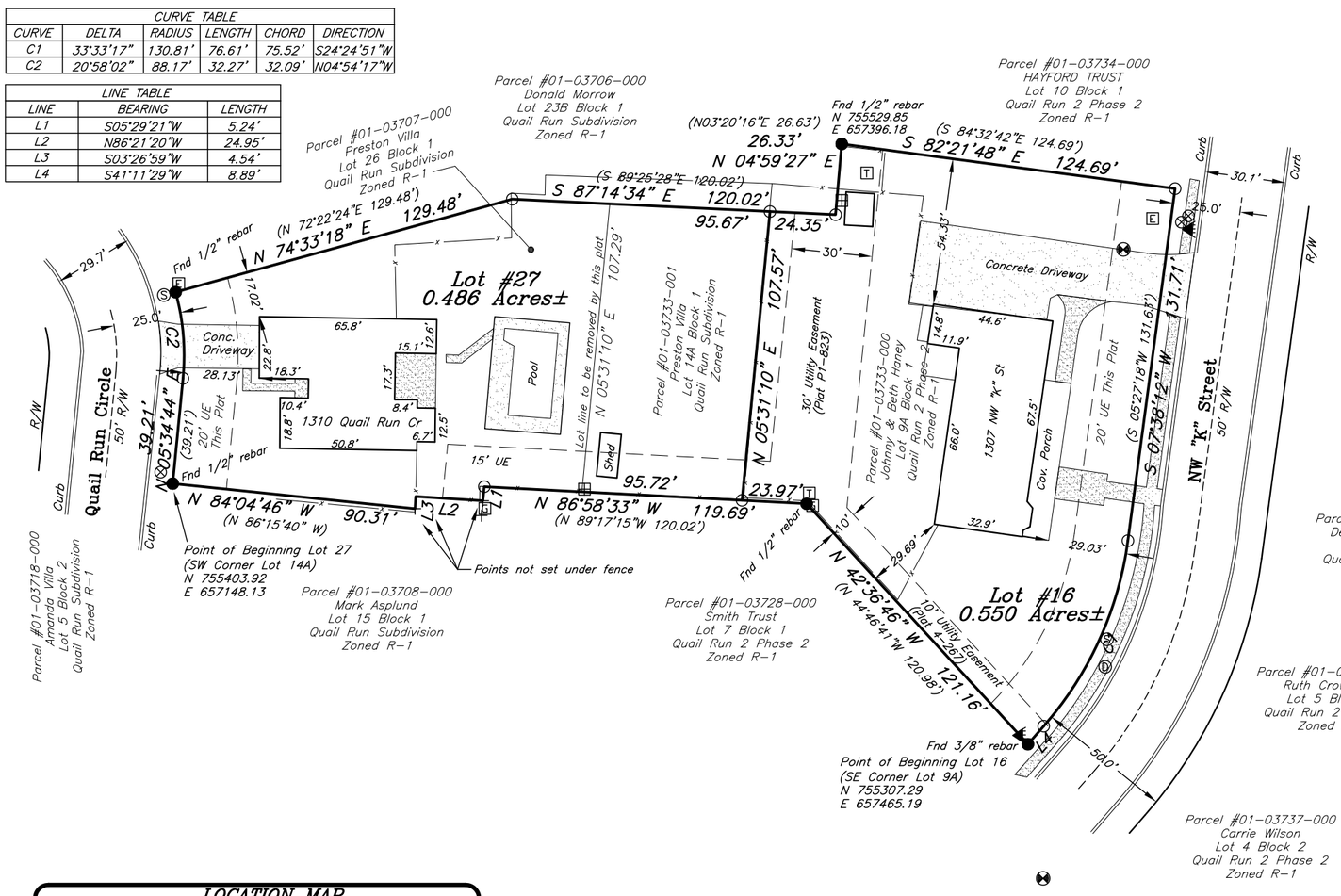

COVEY PL
QUAIL RUN CIR
NW K ST
BOBWHITE LN
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
PLA23-0011 5/16/23
PROPERTY LINE ADJUSTMENT
QUAIL RUN
THE CITY OF
BENTONVILLE

Ramsey Surveying, Inc.

PROPERTY LINE ADJUSTMENT
Lot 26 Block 1 Quail Run Subdivision &
Lot 15 Block 1 Quail Run II Phase 2

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	DIRECTION
C1	33°33'17"	130.81'	76.61'	75.52'	S24°24'51"W
C2	20°58'02"	88.17'	32.27'	32.09'	N04°54'17"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	S05°29'21"W	5.24'
L2	N86°21'20"W	24.95'
L3	S03°26'59"W	4.54'
L4	S41°11'29"W	8.89'



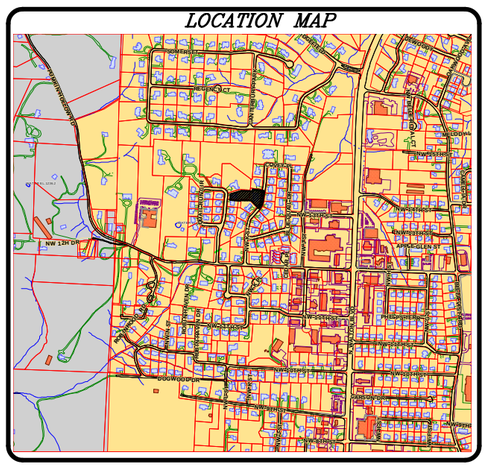
Parcel #01-03733-001
Owner: Preston Villa
1310 Quail Run Circle
Bentonville, AR

Parcel #01-03733-000
Owner: John & Beth Haney
1307 NW "K" Street
Bentonville, AR
479-273-1608

Parcel #01-03707-000
Owner: Preston Villa
1310 Quail Run Circle
Bentonville, AR

Graphic Scale
0 25 50 100

LOCATION MAP



Survey Description of Lot #16

A part of Lot 15 Block 1 of Quail Run 2 Phase 2 in Bentonville, Benton County, Arkansas, as shown on Plat Record 2009-50, more precisely described as follows: Starting at a found 3/8" rebar at the Southeast Corner of said Lot 15 for the true POINT OF BEGINNING;
thence North 42 Degrees 36 Minutes 46 Seconds West, 121.16 feet to a found ½" rebar;
thence North 86 Degrees 58 Minutes 33 Seconds West, 23.97 feet to a set 5/8" rebar;
thence North 05 Degrees 31 Minutes 10 Seconds East, 107.57 feet to a set 5/8" rebar;
thence South 87 Degrees 14 Minutes 34 Seconds East, 24.35 feet to a set 5/8" rebar;
thence North 04 Degrees 59 Minutes 27 Seconds East, 26.33 feet to a found ½" rebar;
thence South 82 Degrees 21 Minutes 48 Seconds East, 124.69 feet to a set 5/8" rebar;
thence South 07 Degrees 38 Minutes 12 Seconds West, 131.71 feet to a set 5/8" rebar;
thence along a curve to the right with a delta angle of 33 degrees 33 minutes 17 seconds, an arc length of 76.61 feet and a chord of South 24 degrees 24 minutes 51 seconds West, 75.52 feet to a found 3/8" rebar and the true POINT OF BEGINNING containing 0.550 acres more or less and being subject to any easements of record.

Survey Description of Lot #27

All of Lot 26 of Quail Run and a part of Lot 15 Block 1 of Quail Run 2 Phase 2 in Bentonville, Benton County, Arkansas, as shown on Plat Record 2009-50, more precisely described as follows: Starting at a found ½" rebar at the Southwest Corner of said Lot 26 for the true POINT OF BEGINNING;
thence North 05 Degrees 34 Minutes 44 Seconds East, 39.21 feet to a set 5/8" rebar;
thence along a curve to the left with a delta angle of 20 degrees 58 minutes 02 seconds, an arc length of 32.27 feet and a chord of North 04 degrees 54 minutes 17 seconds West, 32.09 feet to a found ½" rebar;
thence North 74 Degrees 33 Minutes 18 Seconds East, 129.48 feet to a set 5/8" rebar;
thence South 87 Degrees 14 Minutes 34 Seconds East, 95.67 feet to a set 5/8" rebar;
thence South 05 Degrees 31 Minutes 10 Seconds West, 107.57 feet to a set 5/8" rebar;
thence North 86 Degrees 58 Minutes 33 Seconds West, 95.72 feet to a set 5/8" rebar;
thence South 05 Degrees 29 Minutes 21 Seconds West, 5.24 feet;
thence North 86 Degrees 21 Minutes 20 Seconds West, 24.95 feet;
thence South 03 Degrees 26 Minutes 59 Seconds West, 4.54 feet;
thence North 84 Degrees 04 Minutes 46 Seconds West, 90.31 feet to a found ½" rebar and the true POINT OF BEGINNING containing 0.486 acres more or less and being subject to any easements of record.

Lot 15 Parent Legal

All of Lot 15 Block 1 of Quail Run 2 Phase 2 in Bentonville, Benton County, Arkansas, as shown on Plat Record 2009-50 recorded in the Circuit Clerk's office in Bentonville, Arkansas.

Lot 26 Parent Legal

All of Lot 26 Block 1 of Quail Run in Bentonville, Benton County, Arkansas, as shown on Plat Record 2009-50 recorded in the Circuit Clerk's office in Bentonville, Arkansas.

NOTE: Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more information, visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.

NOTE: There are no waivers, variances and/or conditional uses at the time of preparing this plat to the best of my knowledge.

NOTE: Before any work in the right-of-way commences, contractor or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.

NOTE: Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.

NOTE: Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.

NOTE: There may not be fences or any other structures built in any drainage easement.

Surveyor's Notes:

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 are noted hereon. There may exist other documents of record that affect this surveyed parcel.
3. Ramsey Surveying, Inc. has made no additional investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
4. Basis of bearings is Grid North according to the Arkansas Coordinate System, North Zone, derived from GPS rapid static method. Record bearings in parentheses are according to Plat Record P1-823.
5. This plat represents a survey of Parcel #01-03707-000 (Deed Record 2007-17603), Parcel #01-03707-001 and Parcel #01-03733-000.
6. The purpose of this survey is to move the property line between Lot 15 and Lot 26.
7. Horizontal coordinates shown on this survey were established by GPS rapid static method and are based on NAD 83 datum, CORS96, Epoch 2002. This survey used a combined scale factor of 0.99998000 with a convergence angle of -1.29463148° computed at N 755258 E 657471 Z 1226.
8. Plat Record P1-823 shows a 30 foot wide building setback along Quail Run Circle and NW "K" Street, but the setback table for Zone R-1 shows a building setback of 20 feet.
9. The field survey for this project was completed on August 25, 2008. The new property corners for the common boundary line were set on July 16, 2015. No other measurements were taken since the completion of the 2008 survey.

Owner's Certification and Dedication

We, the undersigned owners of the real estate shown and described herein, do hereby dedicate to the public all streets, alleys, parks and other public lands shown upon this plat and do hereby establish the easements shown upon this plat. Said easements shall be for the benefit of the City of Bentonville and all utility companies, including cable television companies, and said easements shall be for the purpose of constructing, maintaining, repairing and replacing utility lines, cable television lines and drainage structures. The City of Bentonville, and all utility companies, and all cable television companies shall have the right of ingress and egress to said easements and shall have the right to remove or trim trees within said easements and the right to prohibit the erection of buildings, structures, or fences within said easements.

*Owner*_____ *Date*_____

*Owner*_____ *Date*_____

State of Arkansas
County of _____
*Subscribed and sworn before me this*_____*day of*_____*20*__.

Notary Public _____

My commission expires _____

Acceptance

*Approved and accepted by the City of Bentonville Planning Commission this*_____*day of*_____*20*____.

*Community Development Director*_____

*City Clerk*_____

*Mayor*_____

Surveyor's Certification

To Johnny Haney: This is to certify that an accurate survey was made of the hereon described property and that this plat is the results of that survey. The land was surveyed under the supervision of Jim Ramsey, PS #1227, with a plat of said survey filed in the Arkansas State Land Surveyor's office in Little Rock.
FLOOD CERTIFICATION: According to this survey, no part of the above described land appears to lie in a known flood area, according to FIRM Community Panel number 05007C0090 J, effective date, September 28, 2007. The property surveyed is located in Zone X. This survey was completed on August 25, 2008. This plat was completed on June 21, 2023.

ARKANSAS CERTIFICATE OF AUTHORIZATION
RAMSEY SURVEYING INC
6/21/23
#1679

LEGEND
- Found 1/2" Rebar
- Set 5/8" Rebar
- G Gas Meter
- T Telephone Pedestal
- E Electric Box
- Water Meter
- Computed
- GPS Rapid Static
- S Sanitary Sewer Manhole
- D Storm Sewer Manhole
- Property Boundary
- Utility Easement
- Privacy Fence
- Curb
- Centerline

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1227
SIGNATURE
6/21/23
JIM FRANKLIN RAMSEY

RAMSEY SURVEYING, INC.
1729 West Poplar Street
Rogers, Ar. 72758
www.ramseysurveying.com

Job: Property Line Adjustment For Preston Villa & Johnny Haney
Scale 1"=50'
Date: 6/21/23
Drawn By: JFR
Rev:
Location: Lot 26 Block 1 Quail Run & Lot 15 Block 1 Quail Run 2 Phase 2
500-20N-31W-0-24-220-04-1227
Jim F. Ramsey RLS #1227
479-631-8663 479-582-4977 Fax 479-636-4429
Job Number: 15122

PLA23-0011

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ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 26 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 15 BLOCK 1 OF QUAIL RUN II PHASE 2; CREATING NEW LOT 27 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 16 BLOCK 1 OF QUAIL RUN SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES. (PROJECT NUMBER: PLA23-0011)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 26 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 15 BLOCK 1 OF QUAIL RUN II PHASE 2; creating new LOT 27 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 16 BLOCK 1 OF QUAIL RUN SUBDIVISION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on July 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of LOT 26 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 15 BLOCK 1 OF QUAIL RUN II PHASE 2 creating new LOT 27 BLOCK 1 OF QUAIL RUN SUBDIVISION AND LOT 16 BLOCK 1 OF QUAIL RUN SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

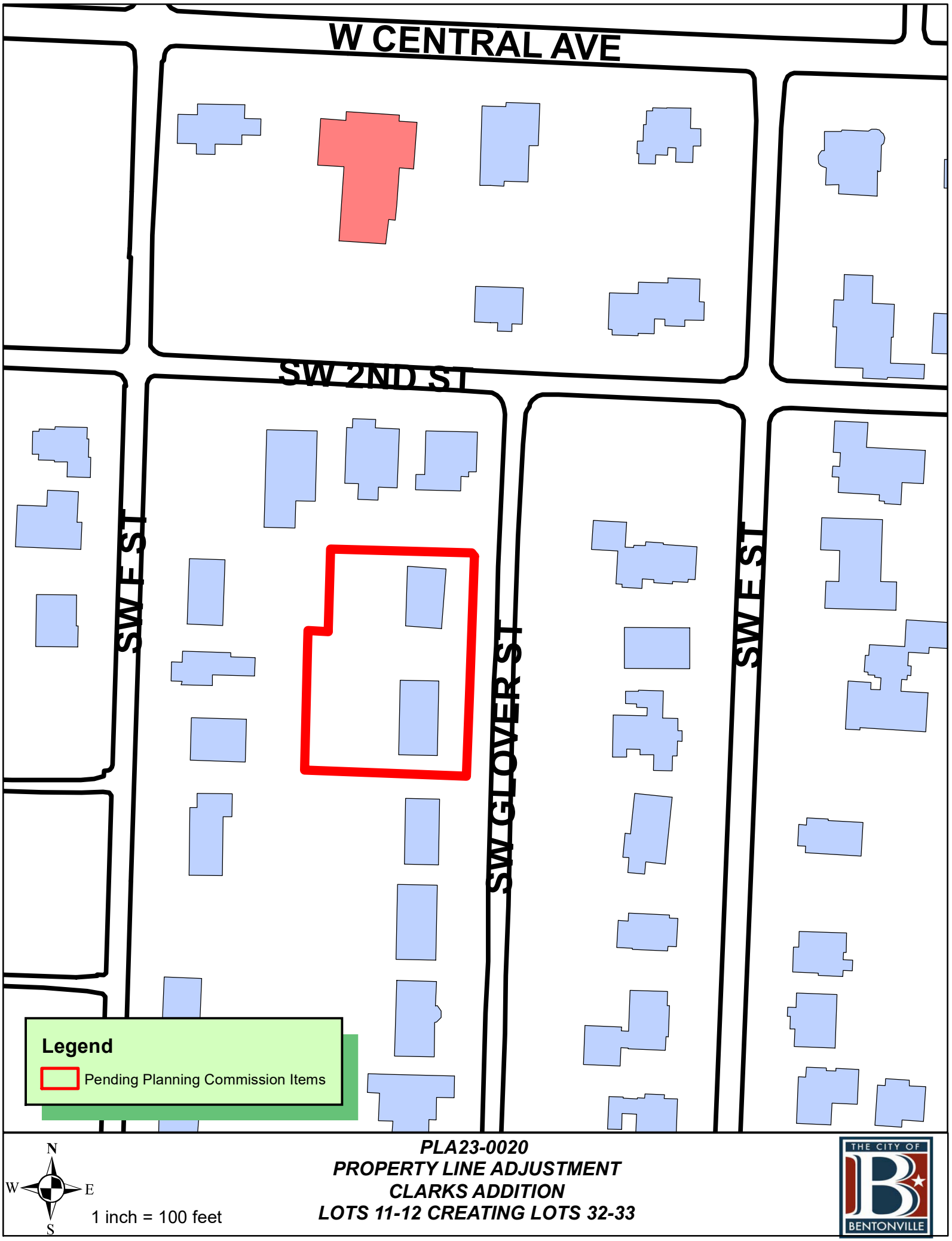
_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

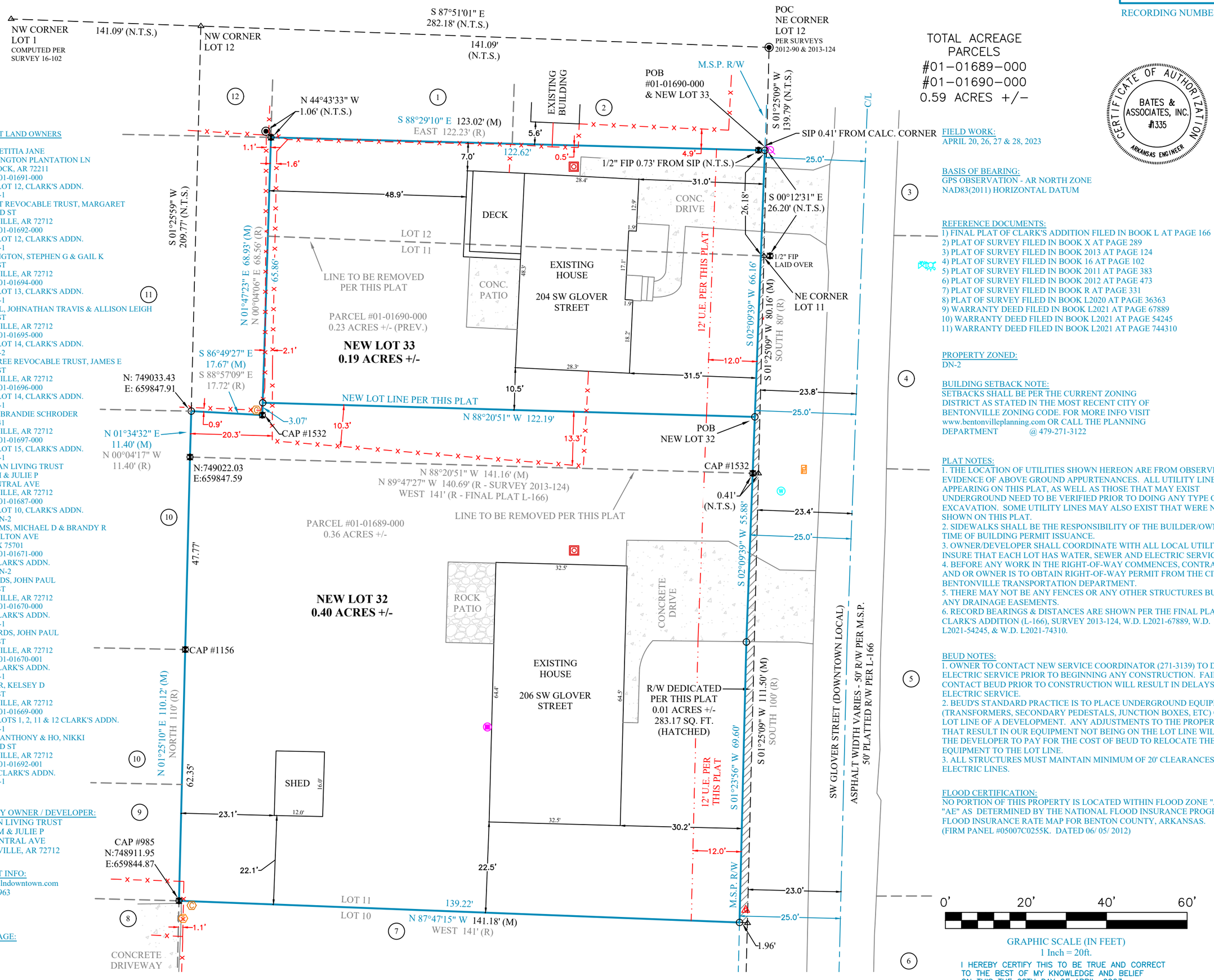


PLA23-0020
PROPERTY LINE ADJUSTMENT
CLARKS ADDITION
LOTS 11-12 CREATING LOTS 32-33

THE CITY OF BENTONVILLE

PROPERTY LINE ADJUSTMENT OF A PART OF LOTS 11 & 12 OF CLARK'S ADDITION CREATING NEW LOTS 32 AND 33

RECORDING NUMBER/DATE



GRAPHIC SCALE (IN FEET)
1 Inch = 20ft.

TOTAL ACREAGE
PARCELS
#01-01689-000
#01-01690-000
0.59 ACRES +/-

CERTIFICATE OF AUTHORIZATION
BATES & ASSOCIATES, INC.
#1335
ARKANSAS ENGINEER

FIELD WORK:
APRIL 20, 26, 27 & 28, 2023

BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

REFERENCE DOCUMENTS:
1) FINAL PLAT OF CLARK'S ADDITION FILED IN BOOK L AT PAGE 166
2) PLAT OF SURVEY FILED IN BOOK X AT PAGE 289
3) PLAT OF SURVEY FILED IN BOOK 2013 AT PAGE 124
4) PLAT OF SURVEY FILED IN BOOK 16 AT PAGE 102
5) PLAT OF SURVEY FILED IN BOOK 2011 AT PAGE 383
6) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 473
7) PLAT OF SURVEY FILED IN BOOK R AT PAGE 331
8) PLAT OF SURVEY FILED IN BOOK L2020 AT PAGE 36363
9) WARRANTY DEED FILED IN BOOK L2021 AT PAGE 67889
10) WARRANTY DEED FILED IN BOOK L2021 AT PAGE 54245
11) WARRANTY DEED FILED IN BOOK L2021 AT PAGE 744310

PROPERTY ZONED:
DN-2

BUILDING SETBACK NOTE:
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

PLAT NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
2. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
3. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
4. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
5. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
6. RECORD BEARINGS & DISTANCES ARE SHOWN PER THE FINAL PLAT OF CLARK'S ADDITION (L-166), SURVEY 2013-124, W.D. L2021-67889, W.D. L2021-54245, & W.D. L2021-74310.

BEUD NOTES:
1. OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
2. BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
3. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

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

ADJACENT LAND OWNERS

1) EAST, LETITIA JANE
132 WELLINGTON PLANTATION LN
LITTLE ROCK, AR 72211
PARCEL #01-01691-000
PART OF LOT 12, CLARK'S ADDN.
ZONED: R-1
2) DUPONT REVOCABLE TRUST, MARGARET
605 SW 2ND ST
BENTONVILLE, AR 72712
PARCEL #01-01692-000
PART OF LOT 12, CLARK'S ADDN.
ZONED: R-1
3) HARRINGTON, STEPHEN G & GAIL K
206 SW E ST
BENTONVILLE, AR 72712
PARCEL #01-01694-000
PART OF LOT 13, CLARK'S ADDN.
ZONED: R-1
4) ATWELL, JOHNATHAN TRAVIS & ALLISON LEIGH
217 SW E ST
BENTONVILLE, AR 72712
PARCEL #01-01695-000
PART OF LOT 14, CLARK'S ADDN.
ZONED: R-2
5) CRABTREE REVOCABLE TRUST, JAMES E
210 SW E ST
BENTONVILLE, AR 72712
PARCEL #01-01696-000
PART OF LOT 14, CLARK'S ADDN.
ZONED: R-1
6) PERRY, BRANDIE SCHRODER
PO BOX 141
BENTONVILLE, AR 72712
PARCEL #01-01697-000
PART OF LOT 15, CLARK'S ADDN.
ZONED: R-1
7) FREEMAN LIVING TRUST
STEVEN M & JULIE P
401 W CENTRAL AVE
BENTONVILLE, AR 72712
PARCEL #01-01687-000
PART OF LOT 10, CLARK'S ADDN.
ZONED: DN-2
8) WILLIAMS, MICHAEL D & BRANDY R
2323 S CHILTON AVE
TYLER, TX 75701
PARCEL #01-01671-000
LOT 24, CLARK'S ADDN.
ZONED: DN-2
9) EDWARDS, JOHN PAUL
209 SW F ST
BENTONVILLE, AR 72712
PARCEL #01-01670-000
LOT 20, CLARK'S ADDN.
ZONED: R-1
10) EDWARDS, JOHN PAUL
209 SW F ST
BENTONVILLE, AR 72712
PARCEL #01-01670-001
LOT 21, CLARK'S ADDN.
ZONED: R-1
11) MILLER, KELSEY D
205 SW F ST
BENTONVILLE, AR 72712
PARCEL #01-01669-000
PART OF LOTS 1, 2, 11 & 12 CLARK'S ADDN.
ZONED: R-1
12) TRAN, ANTHONY & HO, NIKKI
609 SW 2ND ST
BENTONVILLE, AR 72712
PARCEL #01-01692-001
LOT 12A, CLARK'S ADDN.
ZONED: R-1

PROPERTY OWNER / DEVELOPER:
FREEMAN LIVING TRUST
STEVEN M & JULIE P
401 W CENTRAL AVE
BENTONVILLE, AR 72712

CONTACT INFO:
steve@chillndowntown.com
479-321-1963

ATLAS PAGE:
403B

OWNER'S CERTIFICATION:
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 :_____ _____
STEVEN M. FREEMAN - TRUSTEE JULIE P. FREEMAN - TRUSTEE

SOURCE OF TITLE: DEED BOOK L2021 AT PAGE 74310 & DEED BOOK L2021 AT PAGE 54245

SUBSCRIBED AND SWORN BEFORE ME, THIS ____ DAY OF _____, 2023.

_____
NOTARY PUBLIC

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

DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

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

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR NO. 1642 - STATE OF ARKANSAS

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 28TH DAY OF APRIL, 2023.

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1642
SIGNATURE
DERRICK L. THOMAS

DRAFT

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

SURVEY DESCRIPTIONS:

PARCEL #18-01689-000 (EXISTING DEED DESCRIPTION B. L2021, P. 54245):
THE SOUTH 110 FEET OF LOT 11, CLARK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS AS SHOWN ON PLAT RECORD "L" AT PAGE 166. SUBJECT TO ANY RESTRICTIONS, CONDITIONS, COVENANTS, RIGHTS OF WAY AND EASEMENTS NOW OF RECORD.

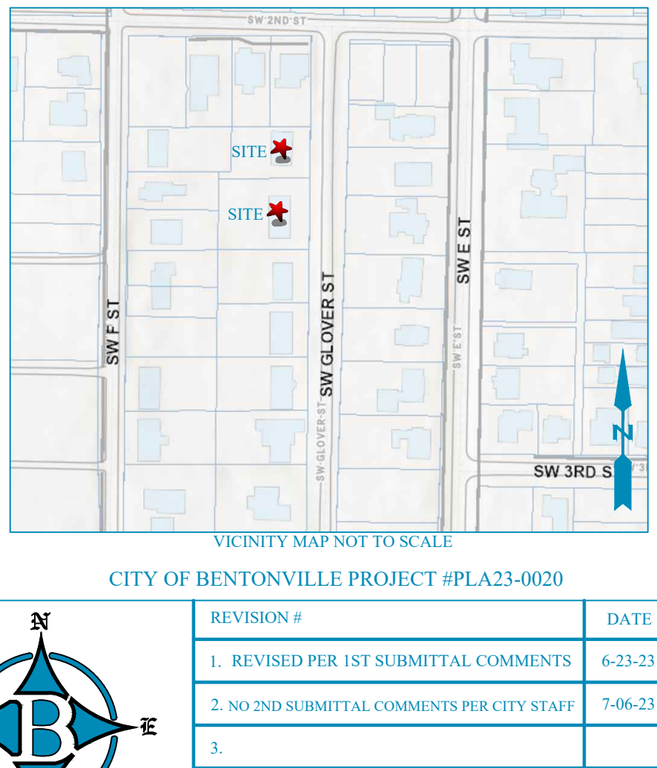
PARCEL #18-01690-000 SURVEY DESCRIPTION (WARRANTY DEED REFERENCE L202174310):
A PART OF LOTS 11 AND 12 IN CLARK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S 01°25'09" W 139.79' FROM AN EXISTING PIPE MARKING THE NORTHEAST CORNER OF SAID LOT 12 AND RUNNING THENCE S01°25'09"W 80.16', THENCE N88°20'51"W 141.16' TO AN EXISTING REBAR, THENCE N01°34'32"E 11.40', THENCE S86°49'27"E 17.67' TO AN EXISTING REBAR, THENCE N01°47'23"E 68.93' TO AN EXISTING REBAR, THENCE S88°29'10"E 123.02' TO THE POINT OF BEGINNING, CONTAINING 0.23 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN SOUTHWEST GLOVER STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE EAST SIDE OF HEREIN DESCRIBED TRACT AND ALSO SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 32:
A PART OF LOTS 11 IN CLARK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF LOT 12 OF SAID CLARK'S ADDITION AND RUNNING THENCE S01°25'09"W 139.79', THENCE N88°29'10"W 0.41' TO THE WEST MASTER STREET PLAN RIGHT-OF-WAY OF SOUTHWEST GLOVER STREET, THENCE ALONG SAID RIGHT-OF-WAY S02°09'39"W 66.16' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY S02°09'39"W 55.88', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S01°23'56"W 69.60' THENCE LEAVING SAID RIGHT-OF-WAY N87°47'15"W 139.22' TO AN EXISTING REBAR, THENCE N01°25'10"E 110.12' TO AN EXISTING REBAR, THENCE N01°34'32"E 11.40', THENCE S86°49'27"E 17.67' TO AN EXISTING REBAR, THENCE N01°47'23"E 3.07' THENCE S88°20'51"E 122.19' TO THE POINT OF BEGINNING, CONTAINING 0.40 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 33:
A PART OF LOTS 11 AND 12 IN CLARK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE WEST MASTER STREET PLAN RIGHT-OF-WAY OF SOUTHWEST GLOVER STREET WHICH IS S01°25'09"W 139.79' AND N88°29'10"W 0.41' FROM AN EXISTING PIPE MARKING THE NORTHEAST CORNER OF SAID LOT 12 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY S02°09'39"W 66.16', THENCE LEAVING SAID RIGHT-OF-WAY N88°20'51"W 122.19', THENCE N01°47'23"E 65.86' TO AN EXISTING REBAR, THENCE S88°29'10"E 122.62' TO THE POINT OF BEGINNING, CONTAINING 0.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

R/W DEDICATION DESCRIPTION:
A PART OF LOTS 11 AND 12 IN CLARK'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S 01°25'09" W 139.79' FROM AN EXISTING PIPE MARKING THE NORTHEAST CORNER OF SAID LOT 12 AND RUNNING THENCE S01°25'09"W 191.66', THENCE N87°47'15"W 1.96', THENCE N01°23'56"E 69.60', THENCE N02°09'39"E 122.05', THENCE S88°29'10"E 0.41' TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRES, MORE OR LESS.

VICINITY MAP



VICINITY MAP NOT TO SCALE

CITY OF BENTONVILLE PROJECT #PLA23-0020

DRAWING #23-079 PLA 2023

FOR USE AND BENEFIT OF:
STEVE FREEMAN

ADDRESS: 204 & 206 SW GLOVER STREET, BENTONVILLE, ARKANSAS

DATE: 07/06/23 SCALE: 1"=20'

LOCATION: PART OF LOTS 11 & 12 CLARK'S ADDITION

SURVEYED: JRICH DRAFTED: AH

REVIEWED: DT

COA #1335

BATES Engineers - Surveyors
7230 S. Pleasant Ridge Dr. · Fayetteville, Arkansas 72704 · 479.442.9350

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LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.

(R) RECORD BEARING & DISTANCE
(M) MEASURED BEARING & DISTANCE
FOUND 5/8" REBAR
FOUND 1/2" REBAR
FOUND PIPE
SET 5/8" REBAR/CAP
COMPUTED POINT
CABLE PEDESTAL
TELEPHONE PEDESTAL
WATER METER
CLEANOUT
FIRE HYDRANT
POWER POLE
WATER VALVE
GAS METER
AC CONDENSER UNIT
TELEPHONE VAULT
BOUNDARY LINE (MEASURED)
LOT LINE / PARCEL LINE
TIE LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
FENCE

REVISION #	DATE
1. REVISED PER 1ST SUBMITTAL COMMENTS	6-23-23
2. NO 2ND SUBMITTAL COMMENTS PER CITY STAFF	7-06-23
3.	
4.	

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF PART OF LOTS 11 & 12 OF CLARK'S ADDITION; CREATING NEW LOTS 32 AND 33 OF CLARK'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: PLA23-0020)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of PART OF LOTS 11 & 12 OF CLARK'S ADDITION; creating new LOTS 32 AND 33 OF CLARK'S ADDITION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on July 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of PART OF LOTS 11 & 12 OF CLARK'S ADDITION creating new LOTS 32 AND 33 OF CLARK'S ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

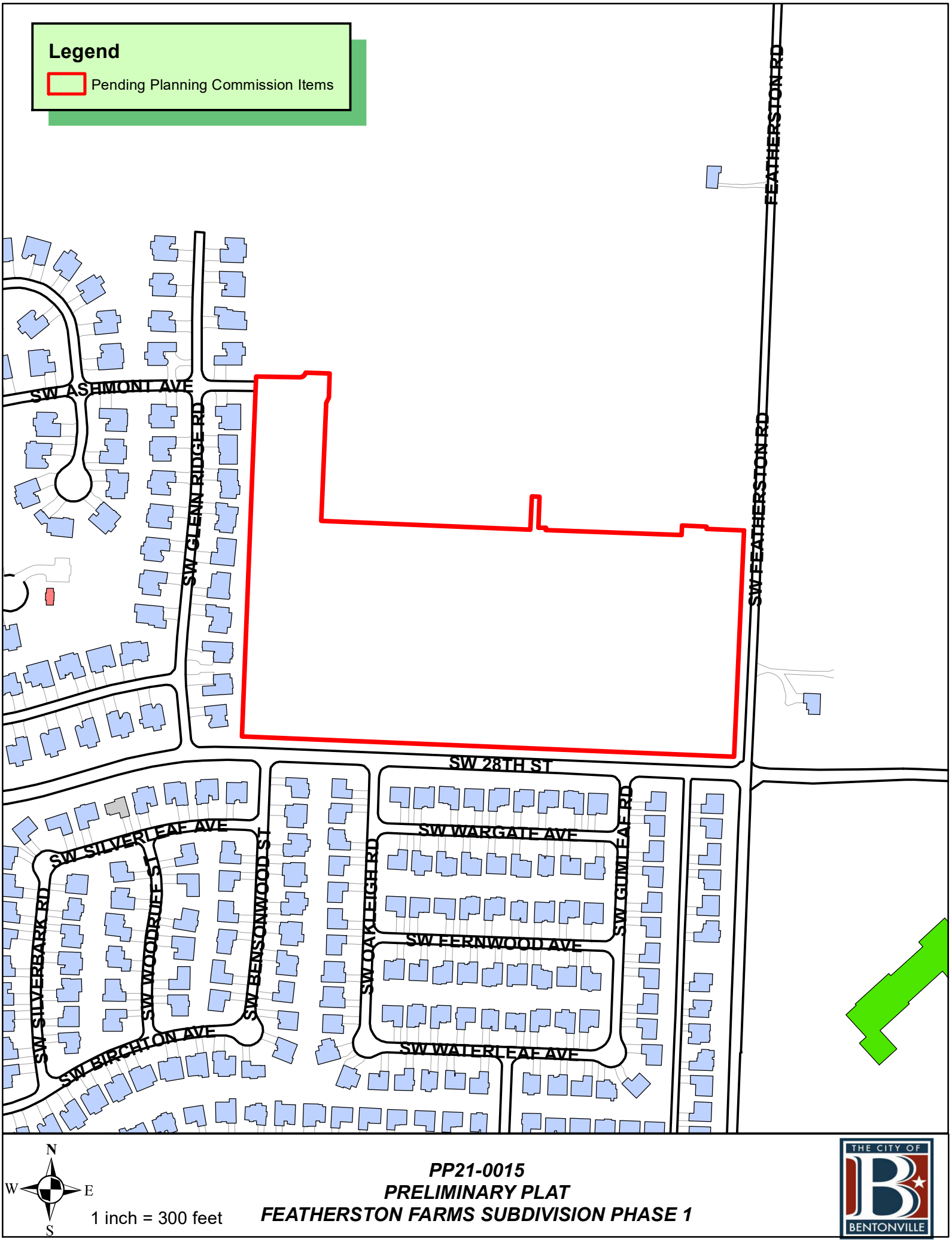
_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk



PP21-0015
PRELIMINARY PLAT
FEATHERSTON FARMS SUBDIVISION PHASE 1

PRELIMINARY PLAT DESIGN DRAWINGS
TO SERVE
BRIER HILL SUBDIVISION
CITY OF BENTONVILLE
LOTS 1-216

ANDERSON ENGINEERING, INC. OR ITS DESIGNATED REPRESENTATIVE SHALL PROVIDE INSPECTION SERVICES DURING CONSTRUCTION OF PUBLIC UTILITIES.

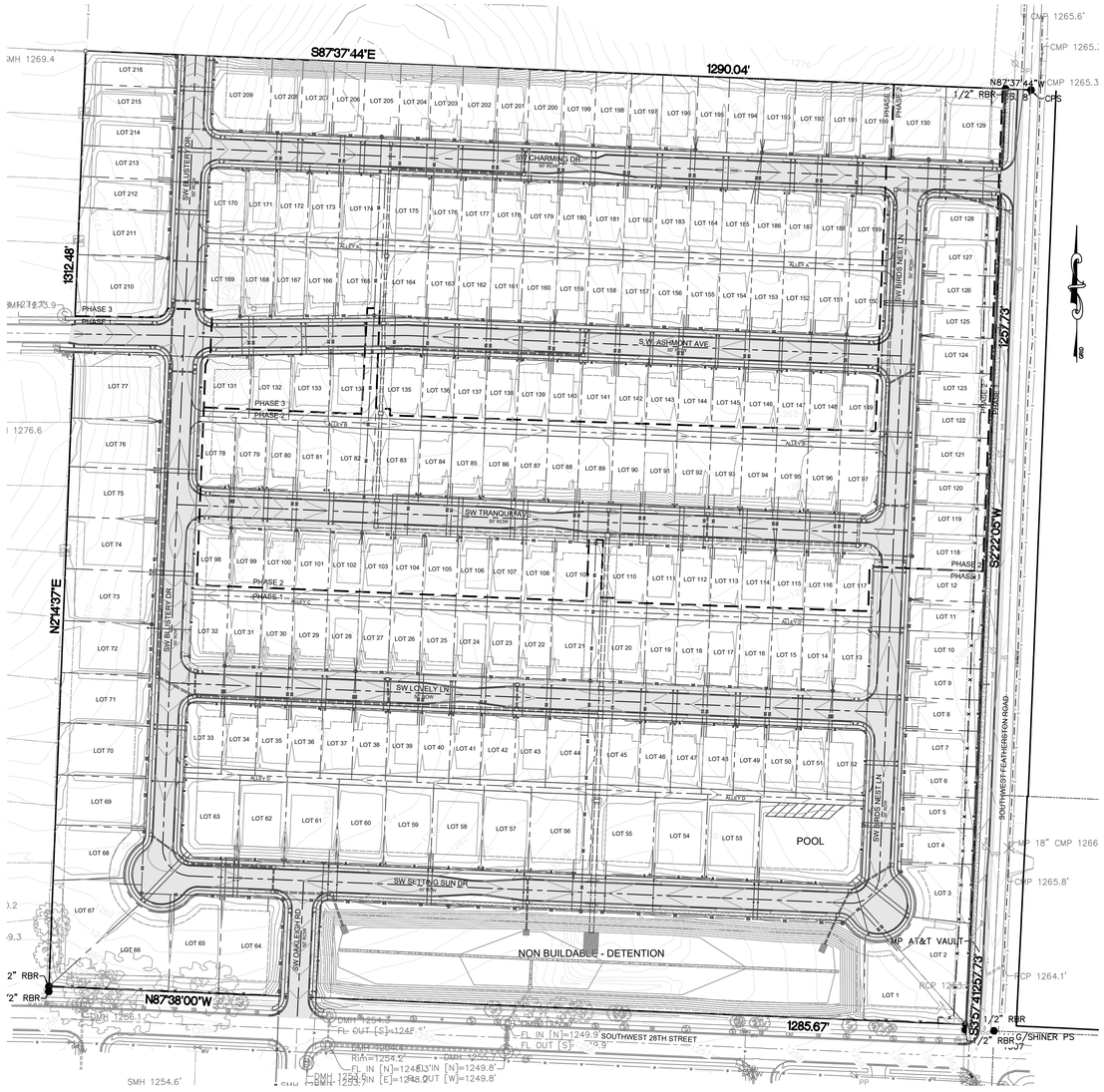
NO RESIDENTIAL LOT SHALL HAVE DIRECT ACCESS TO SW 28TH STREET OR SW FEATHERSTON ROAD.

PHASE TABLE

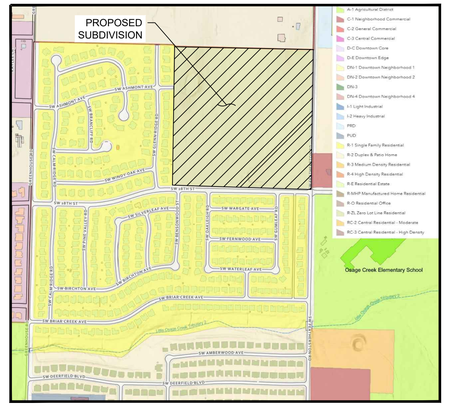
PHASE 1:	76 LOTS
PHASE 2:	54 LOTS
PHASE 3:	86 LOTS

INDEX OF SHEETS

NO.	DESCRIPTION
C0.0	COVER SHEET
C0.1	GENERAL NOTES
1	BOUNDARY TOPOGRAPHIC SURVEY
2	BOUNDARY TOPOGRAPHIC SURVEY
3	PRELIMINARY PLAT
4	PRELIMINARY PLAT
5	PRELIMINARY PLAT
6	PRELIMINARY PLAT
7	PRELIMINARY PLAT
8	PRELIMINARY PLAT
C1.0	OVERALL GRADING & EROSION CONTROL PLAN
C1.1	GRADING PLAN
C1.2	GRADING PLAN
C1.3	GRADING PLAN
C1.4	GRADING PLAN
C1.5	EROSION CONTROL PLAN
C1.6	EROSION CONTROL PLAN
C1.7	EROSION CONTROL PLAN
C1.8	EROSION CONTROL PLAN
C1.9	SW CHARMING DR PLAN & PROFILE
C1.10	SW ASHMONT AVE PLAN & PROFILE
C1.11	SW TRANQUIL AVE PLAN & PROFILE
C1.12	SW LOVELY LN PLAN & PROFILE
C1.13	SW SETTING SUN DR PLAN & PROFILE
C1.14	SW BLUSTERY DR PLAN & PROFILE
C1.15	SW BIRDS NEST LN PLAN & PROFILE
C1.16	SW OAKLEIGH RD PLAN & PROFILE
C1.17	ALLEY A PLAN & PROFILE
C1.18	ALLEY B PLAN & PROFILE
C1.19	ALLEY C PLAN & PROFILE
C1.20	ALLEY D PLAN & PROFILE
C1.21	SW FEATHERSTON STREET IMPROVEMENT PLAN
C1.22	INTERSECTION PLAN
C1.23	INTERSECTION PLAN
C2.0	UTILITY PHASING PLAN
C2.1	SEWER OVERVIEW
C2.2	SEWER LINE A 0+00 TO 8+00 PLAN & PROFILE
C2.3	SEWER LINE A 8+00 TO 16+00 PLAN & PROFILE
C2.4	SEWER LINE A 16+00 TO 22+00 PLAN & PROFILE
C2.5	SEWER LINE A 22+00 TO 25+48.73 PLAN & PROFILE
C2.6	SEWER LINE B PLAN & PROFILE
C2.7	SEWER LINE C & D PLAN & PROFILE
C2.8	SEWER LINE F PLAN & PROFILE
C2.9	SEWER LINE E & G PLAN & PROFILE
C2.10	SEWER LINE H & K PLAN & PROFILE
C2.11	SEWER LINE I, J, & L PLAN & PROFILE
C3.0	STORMWATER OVERVIEW
C3.1	STORM LINE A STA 0+00 TO 9+00 PLAN & PROFILE
C3.2	STORM LINE A STA 9+00 TO 14+17.85 PLAN & PROFILE
C3.3	STORM LINE B, C, & D PLAN & PROFILE
C3.4	STORM LINE F 0+00 TO 9+00 PLAN & PROFILE
C3.5	STORM LINE F 9+00 TO 11+90.52 & O PLAN & PROFILE
C3.6	STORM LINE E, G, H, & P PLAN & PROFILE
C3.7	STORM LINE J PLAN & PROFILE
C3.8	STORM LINE I, K, L, & M PLAN & PROFILE
C3.9	STORM LINE N & Q PLAN & PROFILE
C4.0	DETENTION POND PLAN
C5.0	WATER OVERVIEW
C5.1	WATER OVERVIEW
C5.2	WATER OVERVIEW
C5.3	WATER OVERVIEW
C5.4	WATER MAIN A 0+00 TO 10+00 PLAN & PROFILE
C5.5	WATER MAIN A 10+00 TO 13+20.80 PLAN & PROFILE
C5.6	WATER MAIN B PLAN & PROFILE
C5.7	WATER MAIN C 0+00 TO 9+00 PLAN & PROFILE
C5.8	WATER MAIN C 9+00 TO 19+00 PLAN & PROFILE
C5.9	WATER MAIN C 19+00 TO 30+19.27 PLAN & PROFILE
C5.10	WATER MAIN D PLAN & PROFILE
C5.11	WATER MAIN E PLAN & PROFILE
C5.12	WATER MAIN F PLAN & PROFILE
C5.13	WATER MAIN G PLAN & PROFILE
C6.0	STREET DETAILS
C6.1	EROSION DETAILS
C6.2	STORM DETAILS
1	CITY OF BENTONVILLE WATER / SEWER DETAILS
1	CITY OF BENTONVILLE WATER DETAILS
2	CITY OF BENTONVILLE WATER DETAILS
1	CITY OF BENTONVILLE SAN. SEWER DETAILS
2	CITY OF BENTONVILLE SAN. SEWER DETAILS
L1.0	PLANTING PLAN
L1.1	PLANTING PLAN
L1.2	PLANTING PLAN
L1.3	PLANTING PLAN
L1.4	PLANTING PLAN
L1.5	PLANTING PLAN
L1.6	PLANTING PLAN
L1.7	PLANTING PLAN
L1.8	PLANTING PLAN
L1.9	PLANTING PLAN
L1.10	PLANTING PLAN
L1.11	PLANTING PLAN
L1.12	PLANTING PLAN
L1.13	PLANTING PLAN
L2.0	LANDSCAPE DETAILS AND SPECIFICATIONS
E1	ELECTRIC LAYOUT
E2	ELECTRIC LAYOUT
E3	ELECTRIC LAYOUT
E4	ELECTRIC LAYOUT
E5	ELECTRIC LAYOUT



GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.



VICINITY

CONTACT LIST:

CITY OF BENTONVILLE, PLANNING DEPARTMENT
CONTACT: ELLEN NORVELL
305 SW A STREET
BENTONVILLE, AR 72712
PHONE: (479) 271-3122

CITY OF BENTONVILLE, ENGINEERING DIVISION
CONTACT: DAN WEESE
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
PHONE: (479) 271-5993

CITY OF BENTONVILLE, STORMWATER
CONTACT: JANET PAITH
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
PHONE: (479) 271-5002
JPAITH@BENTONVILLEAR.COM

CITY OF BENTONVILLE, WATER DEPARTMENT
CONTACT: BEAU THOMPSON
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
PHONE: (479) 271-3140

CITY OF BENTONVILLE, WASTEWATER DEPARTMENT
CONTACT: NANCY BUSEN
1901 NE A STREET
BENTONVILLE, AR 72712
PHONE: (479) 271-3160

CITY OF BENTONVILLE, STREET DEPARTMENT
CONTACT: MR. TONY DAVIS
3200 S.W. MUNICIPAL DRIVE
BENTONVILLE, AR 72712
PHONE: (479) 271-3130

CITY OF BENTONVILLE, ELECTRIC DEPARTMENT
CONTACT: CHARLIE BARNES
3200 SW MUNICIPAL DRIVE
BENTONVILLE, AR 72712
PHONE: (479) 271-3159

CITY OF BENTONVILLE FIRE DEPARTMENT
CONTACT: BRENT BOYDSTON
FIRE CHIEF
800 SW A STREET
BENTONVILLE, AR 72712
PHONE: (479) 271-5927

CITY OF BENTONVILLE BUILDING AND FIRE SAFETY
CONTACT: JAKE FEEMSTER
305 SW A STREET
BENTONVILLE, AR 72712
PHONE: (479) 271-3108

ARKANSAS DEPARTMENT OF HEALTH
CONTACT: MR. CRAIG CORDER
DIVISION OF ENGINEERING
4815 W. MARKHAM STREET
LITTLE ROCK, AR 72205
PHONE: (501) 661-2000

GAS UTILITY: BLACK HILL ENERGY
CONTACT: JOSH KNIGHT
1301 FEDERAL WAY, PO BOX 2129
LOWELL, AR 72745
PHONE: (479) 333-7005
JOSHUA.KNIGHT@BLACKHILLSCORP.COM

CABLE UTILITIES: COX COMMUNICATIONS
CONTACT: KIP SMITH
4901 S. 48TH STREET
SPRINGDALE, AR 72762
PHONE: (479) 717-3796
KIP.SMITH@COX.COM

TELEPHONE: AT&T
CONTACT: BRENT BALDWIN
1133 EAST HAROLD ST.
FAYETTEVILLE, AR 72703
OFFICE: (479) 571-6609
CELL: (479)-200-9022

OWNER/DEVELOPER
SUNRISE DEVELOPERS, INC.
CONTACT: ED BLALOCK
354 ANGEL FALLS
SPRINGDALE, AR 72762
PHONE: (479) 422-5515

LAND SURVEYOR
ANDERSON ENGINEERING, INC.
CONTACT: NIKOLAY NEDKOV, PLS
5311 W. VILLAGE PARKWAY
ROGERS, AR 72758
PHONE: (479) 286-8181

CIVIL ENGINEER
ANDERSON ENGINEERING, INC.
CONTACT: MOLLY ROBB, P.E.
5311 W. VILLAGE PARKWAY
ROGERS, AR 72758
PHONE: (479) 286-8181

LANDSCAPE ARCHITECT
LANDTEK STUDIOS
CONTACT: JAMES GIBSON, PLA
PHONE: (479) 283-9721

CITY OF BENTONVILLE STANDARD NOTES:

1. THE CITY OF BENTONVILLE STREET STANDARDS, DRAINAGE CRITERIA MANUAL, SUBDIVISION ORDINANCE, WATER, SEWER, ELECTRIC UTILITY SPECIFICATIONS, AND STATE CODE SHALL GOVERN THESE PLANS. IF THERE ARE DISCREPANCIES IN THE PLANS OR INFORMATION CONTAINED WITHIN, CITY OF BENTONVILLE ORDINANCES, STANDARDS, AND SPECIFICATIONS SHALL RULE, UNLESS APPROVED IN WRITING BY THE CITY ENGINEER.
2. TO SCHEDULE AN INSPECTION OR TEST WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT, INSPECTIONS MUST BE CALLED IN (479-271-3168) BY THE ENGINEER OF RECORD 24 HOURS IN ADVANCE BEFORE 10 AM FOR AN INSPECTION THE FOLLOWING DAY.
3. THE ENGINEER OF RECORD MUST CERTIFY THE SITE AND THE PROJECT MUST PASS A DEVELOPMENT FINAL SITE INSPECTION BEFORE REQUESTING A BUILDING FINAL INSPECTION.
4. PRE-PAVE PRECON WILL BE REQUIRED BEFORE ANY PAVING OF STREETS. ALL TEST RESULTS AND INSPECTIONS TO BE VERIFIED AND IN FILE BEFORE REQUESTING PRE-PAVE PRECON. TRACER WIRE TO BE INSPECTED BEFORE PAVING.
5. BORING OF STREETS IS REQUIRED WHEN THE EXISTING UTILITY RESIDES OUTSIDE OF THE ROAD WAY.

CERTIFICATE OF AUTHORIZATION — ANDERSON ENGINEERING INC. #335 — ARKANSAS - ENGINEER

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www.arkonecall.com

PRELIMINARY PLAT NUMBER: PP21-0015

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
5311 W. VILLAGE PKWY • ROGERS, ARKANSAS 72758 • PHONE (479) 286-8181
ANDERSON COA# 335 • MOLLY ROBB PE# 19640

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 19640
MOLLY ROBB
8-20-2021

DRAWING INFO.	
FIELD BY:	-
DRAWN BY:	MRR
CHECK BY:	MRR
DATE:	8-20-2021
FIELD BOOK:	-
JOB NUMBER:	20RO10008

NO.	DESCRIPTION	DATE	BY
	REVISIONS		

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SUNRISE DEVELOPERS, INC.
BRIER HILL SUBDIVISION

COVER SHEET

BENTONVILLE, AR

SHEET NUMBER C0.0

ANDERSON ENGINEERING
EMPLOYEE OWNED

AndersonEngineeringInc.com
5311 W. Village Parkway
Rogers, AR 72758
479-286-8181

June 28, 2023

Brier Hill Subdivision (PP21-0015)
City of Bentonville Arkansas

Preliminary Plat Approval Extension Request.

To Whom It May Concern:

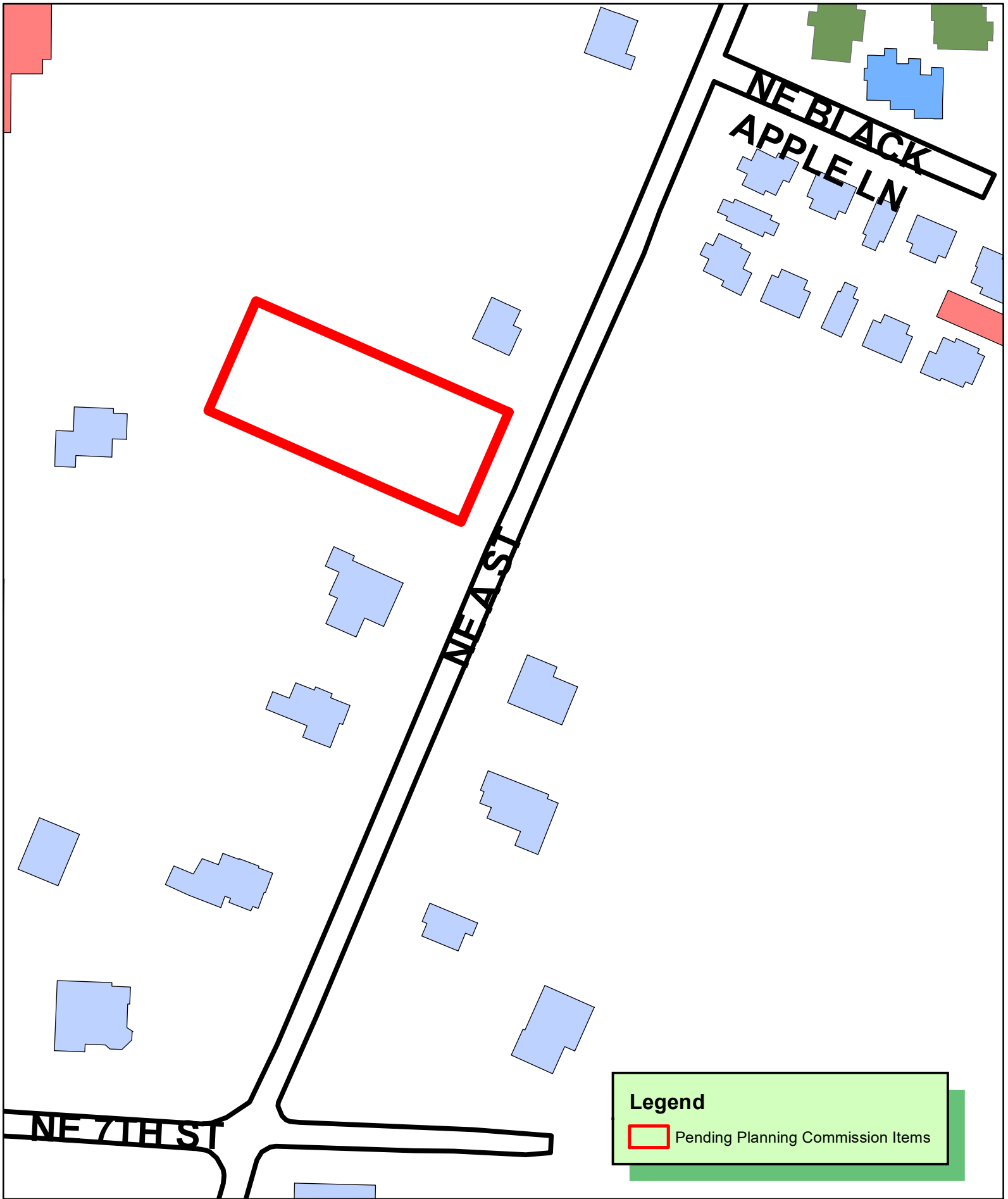
This letter is to request a preliminary plat approval extension per SEC. 400.07 of the Land Development Code in regards to the Brier Hill Subdivision project of approximately 40 acres located North of Southwest 28th St and West of Southwest Featherston Rd. Per email correspondence with Bryan Wick and the noted approved date of 06/09/2022 on eTrakit, we are asking the planning commission and staff to consider an extension of (12) months from approved date noted above.

This project has had lengthened delays in construction due to the efforts and coordination with city staff to make necessary revisions that require review by different city and state entities. The overall design and plans are generally consistent with the preliminary plat approval on 06/09/2022. We are requesting 12 months to provide adequate time for construction to proceed and complete the once approved plans under this existing preliminary plat approval.

We appreciate your consideration of this request and look forward to working with you.

Respectfully,

L. Ernie Deaton II, PE
Anderson Engineering, Inc.
Rogers Office Leader / Civil Engineer of Record



N
W E
S

1 inch = 100 feet

PP23-0006
PRELIMINARY PLAT
NEW SUBDIVISION NAME TBD (DEMINGS 2ND ADD)
LOTS 19-20-BLOCK 23 CREATING LOTS 1-5

THE CITY OF BENTONVILLE

PRELIMINARY PLAT FOR LOTS 19-20 BLOCK 23 OF DEMINGS 2ND ADDITION, CREATING NEW LOTS 32-36 BENTONVILLE, AR

GENERAL NOTES TO CONTRACTOR

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO RELOCATE UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO STARTING CONSTRUCTION.
3. EXISTING GRADE CONTOURS ARE AT ONE FOOT INTERVALS.
4. PROPOSED CONTOURS ARE AT FINISH GRADE AND ARE AT ONE FOOT INTERVALS.
5. PROPOSED SPOT ELEVATIONS ARE TOP OF FINISH CURB UNLESS OTHERWISE INDICATED OR SHOWN.
6. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL N.P.D.E.S. PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
7. CONTRACTOR TO INSTALL MUD ABATEMENT ENTRANCES ANYWHERE PROPOSED STREETS ENTER EXISTING PUBLIC STREETS. ENTRANCE TO BE CONSTRUCTED A MIN. OF 50' IN LENGTH BY WIDTH OF PROPOSED STREET AND TO A DEPTH OF 8 INCHES.
8. CONTRACTOR TO INSTALL EROSION CONTROL BMPS PRIOR TO BEGINNING ANY CONSTRUCTION. BMPS SHALL BE MAINTAINED & REPAIRED AS NECESSARY BY THE CONTRACTOR DURING CONSTRUCTION.
9. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS.
10. ALL CONCRETE TO HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH OF 3500 PSI.
11. DAMAGE DURING CONSTRUCTION TO ANY EXISTING STRUCTURES TO REMAIN SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE.
12. ALL MATERIALS AND CONSTRUCTION SHALL COMPLY WITH THE CITY OF BENTONVILLE'S REQUIREMENTS. IN THE CASE OF CONFLICTS, THE CITY'S CRITERIA SHALL GOVERN.
13. ALL SIDEWALKS AND HANDICAP RAMPS SHALL BE BUILT TO THE CURRENT STANDARDS OF THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.
14. THE CITY OF BENTONVILLE STREET STANDARDS, DRAINAGE CRITERIA MANUAL, SUBDIVISION ORDINANCE, WATER, SEWER, ELECTRIC UTILITY SPECIFICATIONS, AND STATE CODE SHALL GOVERN THESE PLANS. IF THE ARE DISCREPANCIES IN THE PLANS OR INFORMATION CONTAINED WITHIN, CITY OF BENTONVILLE ORDINANCES, STANDARDS, AND SPECIFICATIONS SHALL RULE, UNLESS APPROVED IN WRITING BY THE CITY ENGINEER.
15. TO SCHEDULE AN INSPECTION OR TEST WITH THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT, INSPECTIONS MUST BE CALLED IN (479-271-3168) BY THE ENGINEER OF RECORD 24 HOURS IN ADVANCE BEFORE 10am FOR AN INSPECTION THE FOLLOWING DAY.
16. PRE-PAVE PRECON WILL BE REQUIRED BEFORE ANY PAVING OF STREETS. ALL TEST RESULTS AND INSPECTIONS TO BE VERIFIED AND IN FILE BEFORE REQUESTING PRE-PAVE PRECON. TRACER WIRE TO BE INSPECTED BEFORE PAVING.
17. BORING OF STREETS IS REQUIRED WHEN THE EXISTING UTILITY RESIDES OUTSIDE OF THE ROAD WAY.
18. ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE SIGN PERMIT.
19. 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.
20. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

STANDARD ENGINEERING NOTES

1. ALL ENGINEERING SERVICES NEEDED FOR THE PROJECT SHALL BE UNDER THE SUPERVISION OF A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF ARKANSAS (ENGINEER OF RECORD).
2. THE DESIGN DATA, PLANS, SPECIFICATION, AND RELATED INFORMATION SHALL BEAR THE NAME OF THE ENGINEER OF RECORD. THE REGISTRATION SEAL OF THE ENGINEER OF RECORD SHALL BE PLACED ON EACH SHEET OF THE PLANS ALONG WITH HIS/HER SIGNATURE.
3. SOILS INVESTIGATIONS, MATERIALS TESTING, AND QUALITY CONTROL TESTING SHALL BE PERFORMED BY A LABORATORY APPROVED BY THE CITY ENGINEER. ALL REPORTS SUBMITTED SHALL BEAR THE NAME OF THE ENGINEER OF RECORD.
4. WRITTEN CERTIFICATION BY THE ENGINEER OF RECORD THAT MATERIALS AND CONSTRUCTION CONFORM TO THE APPROVED PLANS AND SPECIFICATIONS IS REQUIRED. INSPECTION AND TESTING REQUIREMENTS ARE OUTLINED IN SECTION 1100 OF THESE SPECIFICATIONS.

SURVEYOR NOTES:

1. ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS,TITLE EVIDENCE, OWNERSHIP, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE..
3. THE LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, RECORD DRAWINGS PROVIDED TO THE SURVEYOR. NOT ALL UNDERGROUND UTILITIES/STRUCTURES MAY BE SHOWN. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON.
4. ALL UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE CONTRACTOR SHOULD FIELD VERIFY ALL UTILITY LINES PRIOR TO ANY EXCAVATION ON THIS SITE.

THERE ARE NO EXISTING WETLANDS ON THIS SITE.

OWNERSHIP OF DOCUMENTS

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICES, IS THE PROPERTY OF BATES + ASSOCIATES, INC., AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF BATES + ASSOCIATES, INC.

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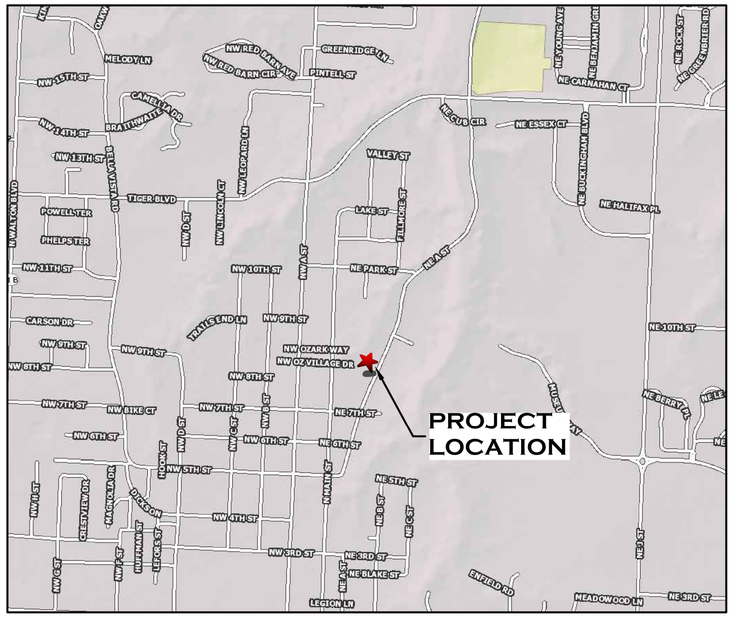
SAFETY NOTICE TO CONTRACTOR

IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

THE DUTY OF THE ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, OR NEAR THE CONSTRUCTION SITE.

ENGINEER'S NOTICE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE DRAWINGS ARE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE DRAWINGS AND WE ASSUME NO RESPONSIBILITY AS TO THE ACCURACY OF THEIR DEPICTED LOCATION ON THESE DRAWINGS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN, AND ALL OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE DRAWINGS BY VERIFICATION OF THEIR LOCATION IN THE FIELD PRIOR TO THE INITIATION OF THE ACTUAL PORTION OF THEIR WORK.



VICINITY MAP

N.T.S.

NORTH

BASIS OF BEARING:
GPS OBSERVATION – AR NORTH ZONE (NAD83 [HARN] HORIZONTAL DATUM)

BASIS OF ELEVATION:
CITY GPS MONUMENT #60
NAVD_88 VERT DATUM

SURVEYOR NOTE:
THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES AND MAPS PROVIDED BY THE INDIVIDUAL UTILITY COMPANIES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
*AS OF 12/8/21, WE HAVE NOT CONTACTED 1-CALL TO LOCATE ANY UTILITIES ON SITE.

EXISTING DEED DESCRIPTION (B. L2022, P. 14720):
LOTS 19 AND 20, BLOCK 23, DEMINGS SECOND ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD B AT PAGE 24. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05007C0090J. DATED 09/ 28/ 2007)

MAXIMUM HEIGHT ALLOWED (DN-2):

SINGLE FAMILY	36'
TWO FAMILY	36'
TOWNHOUSE	36'
MULTI-FAMILY	N/A
MIXED-USE	N/A

BUILDING SETBACKS:

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 AND AREA STANDARDS (DN-2):

BUILDING TYPE	MIN. LOT AREA	MIN. LAND AREA/DWELLING UNIT	MIN. LOT WIDTH	MAX. LOT COVERAGE
SINGLE-FAMILY, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
SINGLE-FAMILY, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
SINGLE-FAMILY ATTACHED UNIT	2000 SQ. FT.	N/A	20'	N/A
SINGLE-FAMILY ATTACHED STRUCTURE, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
SINGLE-FAMILY ATTACHED STRUCTURE, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
TWO-FAMILY, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
TWO-FAMILY, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
TOWNHOUSE UNIT	2000 SQ. FT.	N/A	20'	N/A
TOWNHOUSE STRUCTURE	7500 SQ. FT.	2500 SQ. FT.	70'	60% INT / 55% EXT.

SITE PLANNING NOTES:
1) NO WAIVERS, VARIANCES, OR CONDITIONAL USES REQUESTED AT THIS TIME.
2) NO FENCING PROPOSED AT THIS TIME. IF FENCING IS REQUESTED AT A LATER DATE, A SEPARATE SITE PLAN AND PERMIT WILL BE REQUIRED.
3) THIS PROJECT IS WITHIN AIRPORT SAFETY ZONE D (3) – TRAFFIC PATTER ZONE (TPZ). SITE COMPLIES WITH ALL REQUIREMENTS OF SAFETY ZONE.
4) 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.
5) NO SIGNAGE PROPOSED AT THIS TIME. ALL FUTURE PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
6) NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

INDEX OF DRAWINGS

01	COVER SHEET
02	BOUNDARY SURVEY
03	PRELIMINARY PLAT
03A	SIGHT TRIANGLE DIAGRAM
04	UTILITY PLAN
05	WATER EXTENSION PLAN + PROFILE
06	SEWER EXTENSION PLAN + PROFILE
07	PUBLIC STREET EXTENSION PLAN + PROFILE
08	GRADING + EROSION CONTROL PLAN
09	STORM PROFILE
10	LANDSCAPE PLAN
11	LANDSCAPE DETAILS
12-14	SITE DETAILS
15-19	STANDARD WATER + SEWER DETAILS
20-22	STANDARD BEUD ELECTRIC DETAILS
23-28	UNDERGROUND DETENTION DETAILS

PARCEL NUMBER:	01-02281-000
PROJECT SITE ADDRESS:	803 NE A ST BENTONVILLE, ARKANSAS 72712
ZONING CLASSIFICATION:	DN-2 DOWNTOWN MEDIUM DENSITY
PROPOSED USE:	SINGLE-FAMILY, ALLEY ACCESS
TOTAL SITE AREA:	0.55 ACRES +/-
OWNER/DEVELOPER:	TOM UNDERWOOD MAMMOTH PROPERTIES LLC 3120 OAK TREE DR CENTERTON AR 72719 PHONE: (479) 664-9350 EMAIL: TOMCHAR@COX.NET
ENGINEER/SURVEYOR:	BATES & ASSOCIATES, INC. 7230 S. PLEASANT RIDGE DR. FAYETTEVILLE, AR 72704 PHONE: (479) 442-9350 EMAIL: GEOFF@BATESNWA.COM

CONTACT INFORMATION

GAS:	BLACK HILL ENERGY JOSHUA KNIGHT 1301 FEDERAL WAY PO BOX 2129 LOWELL, AR 72745 PHONE: (479) 333-7005 JOSHUA.KNIGHT@BLACKHILLSCORP.COM
CABLE:	COX COMMUNICATIONS 4901 S. 48TH STREET SPRINGDALE, AR 72762 CHAD HODGE PHONE: (479) 263-7057 EMAIL: CHAD.HODGE@COX.COM TIMOTHY GOSS PHONE: (479) 651-5583 EMAIL: TIMOTHY.GOSS@COX.NET
TELEPHONE:	AT&T BRENT BALDWIN 1133 E HAROLD ST FAYETTEVILLE, AR 72703 PHONE: (479) 571-6609 CELL: (479) 200-9022 EMAIL: BB6585@ATT.COM
ELECTRIC:	CITY OF BENTONVILLE CHARLIE BARNES 3200 SW MUNICIPAL DRIVE BENTONVILLE, AR 72712 PHONE: (479) 271-3159
FIRE:	CITY OF BENTONVILLE BRENT BOYDSTON FIRE CHIEF 800 S.W. 'A' ST BENTONVILLE, AR 72712 PHONE: (479) 271-5927
BUILDING INSPECTION:	BENTONVILLE BUILDING INSPECTION DEPT 305 SW "A" ST BENTONVILLE, AR 72712 PHONE (479) 271-3125 FAX (479) 271-5906
BUILDING AND FIRE SAFETY:	BRAD ARNOLD 305 SW "A" ST BENTONVILLE, AR 72712 PHONE (479) 271-3108
STREET DEPT:	CITY OF BENTONVILLE TONY DAVIS 3200 SW MUNICIPAL DRIVE BENTONVILLE, AR 72712 PHONE: (479) 271-3130
WASTE WATER:	CITY OF BENTONVILLE CHRIS EARL 1901 NE A STREET BENTONVILLE, AR 72712 PHONE: (479) 271-3161
WATER/SEWER:	CITY OF BENTONVILLE BEAU THOMPSON 3200 SW MUNICIPAL DRIVE BENTONVILLE, AR 72712 PHONE: (479) 271-3140
SOLID WASTE:	ALLIED WASTE SERVICE 36 BELLA VISTA WAY BELLA VISTA, AR 72714 PHONE: (800) 627-1717
PLANNING:	CITY OF BENTONVILLE TYLER OVERSTREET 305 S.W. 'A' STREET BENTONVILLE, AR PHONE: (479) 271-3122
CITY ENGINEER:	CITY OF BENTONVILLE ELLEN NORVELL 117 W CENTRAL AVE BENTONVILLE, AR 72712 PHONE: (479) 271-5993
FIRE DEPT	CITY OF BENTONVILLE BRENT BOYDSTON – FIRE CHIEF 800 SW A STREET BENTONVILLE, AR 72712 PHONE: (479) 271-5927
STORMWATER:	CITY OF BENTONVILLE JANET PAITH 3200 SW MUNICIPAL DRIVE BENTONVILLE, AR PHONE: (479) 271-5002 EMAIL: JPAITH@BENTONVILLEAR.COM

PP23-0006

DRAWN BY: J. Young / E. Le Sage ENGINEER: G. Bates

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9810
GEOFFREY H. BATES
6/12/23

CERTIFICATE OF AUTHORIZATION
BATES & ASSOCIATES, INC.
#1335
ARKANSAS ENGINEER

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REVISIONS	DATE
PRE-DESIGN PLAN SUBMITTAL	02/09/23
PRE-APPLICATION PLAN SUBMITTAL	04/19/23
REVISIONS PER PRE-APPLICATION PLAN COMMENTS	05/15/23
1ST SUBMITTAL	05/26/23
REVISIONS PER STAFF REVIEW	06/12/23

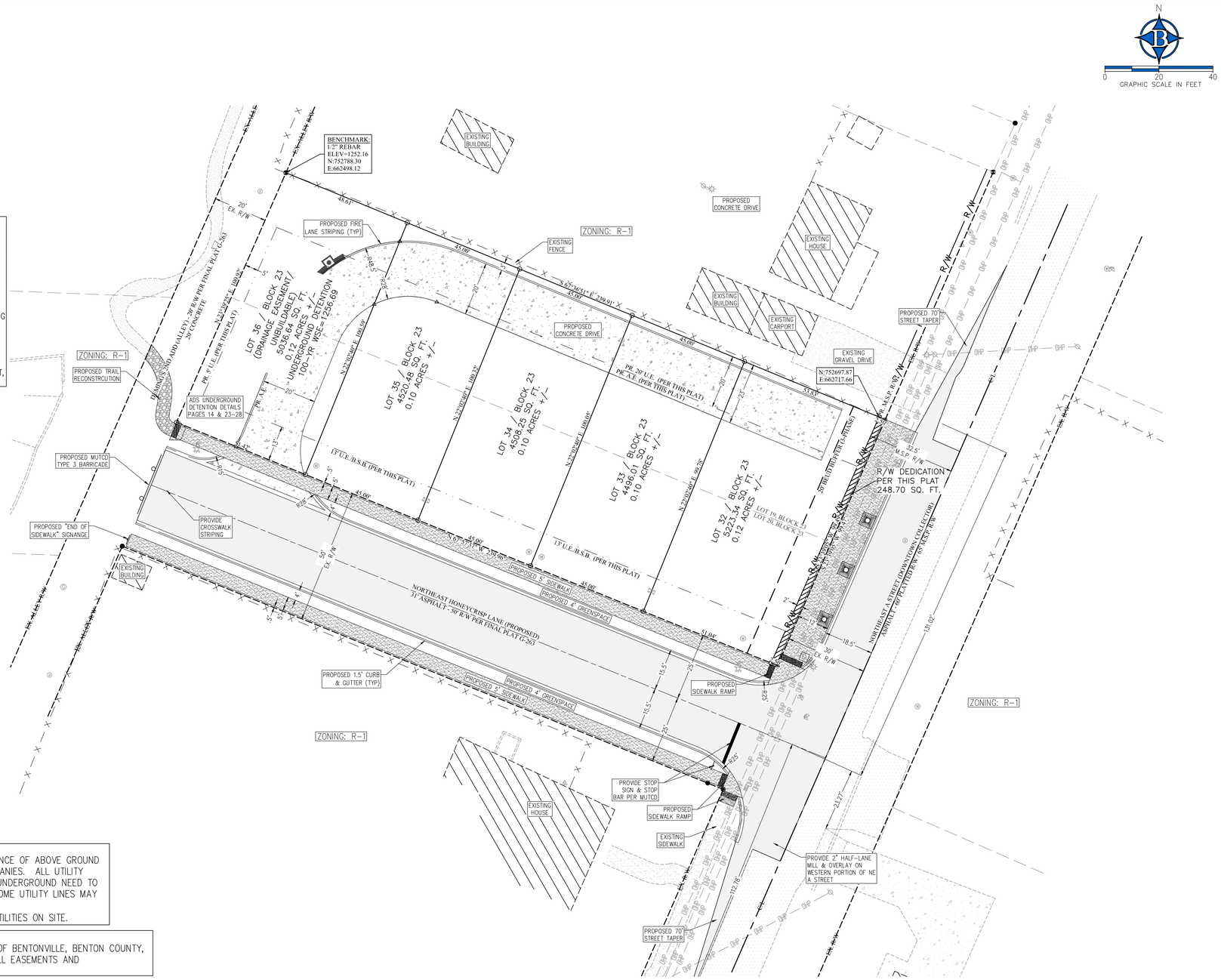
CRYSTAL STREET DEVELOPMENT
PRELIMINARY PLAT
COVER SHEET
BENTONVILLE, ARKANSAS

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

PROJECT NO 22-308

DRAWING NO 01

Drawing Name: I:\100\16-100\Engineering\01 Cover.dwg
Xrefs Used: BATES-AR w signature, 24x36, COA BBA
Scale: 1=1 (PS)
Time: 9:14 am
Date: 5/9/2017



SITE PLANNING NOTES:

1) NO WAIVERS, VARIANCES, OR CONDITIONAL USES REQUESTED AT THIS TIME.
2) ALL FENCE SEGMENTS ABUTTING A THOROUGHFARE, EXCEPT FOR CORNER LOTS, SHALL PROVIDE ONE GATE OPENING PER LOT TO ALLOW ACCESS TO THE AREA 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 NOT BY INDIVIDUAL HOMEOWNERS.
3) THIS PROJECT IS WITHIN AIRPORT SAFETY ZONE D (3) – TRAFFIC PATTER ZONE (TPZ). SITE COMPLIES WITH ALL REQUIREMENTS OF SAFETY ZONE.
4) 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.
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BASIS OF BEARING:
GPS OBSERVATION – AR NORTH ZONE
(NAD83 [HARN] HORIZONTAL DATUM)

BASIS OF ELEVATION:
CITY GPS MONUMENT #60
NAVD 88 VERT DATUM

SURVEYOR NOTE:
THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES AND MAPS PROVIDED BY THE INDIVIDUAL UTILITY COMPANIES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
*AS OF 12/8/21, WE HAVE NOT CONTACTED 1-CALL TO LOCATE ANY UTILITIES ON SITE.

EXISTING DEED DESCRIPTION (B. L2022, P. 14720):
LOTS 19 AND 20, BLOCK 23, DEMINGS SECOND ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD B AT PAGE 24. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05007C0090J. DATED 09/ 28/ 2007)

BUILDING SETBACKS:

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.

MAXIMUM HEIGHT ALLOWED (DN-2):

SINGLE FAMILY	36'
TWO FAMILY	36'
TOWNHOUSE	36'
MULTI-FAMILY	N/A
MIXED-USE	N/A

LOT AND AREA STANDARDS (DN-2):

BUILDING TYPE	MIN. LOT AREA	MIN. LAND AREA/DWELLING UNIT	MIN. LOT WIDTH	MAX. LOT COVERAGE
SINGLE-FAMILY, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
SINGLE-FAMILY, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
SINGLE-FAMILY ATTACHED UNIT	2000 SQ. FT.	N/A	20'	N/A
SINGLE-FAMILY ATTACHED STRUCTURE, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
SINGLE-FAMILY ATTACHED STRUCTURE, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
TWO-FAMILY, ALLEY ACCESS	4000 SQ. FT.	N/A	40'	50% INT / 55% EXT.
TWO-FAMILY, NO ALLEY ACCESS	5000 SQ. FT.	N/A	50'	50% INT / 55% EXT.
TOWNHOUSE UNIT	2000 SQ. FT.	N/A	20'	N/A
TOWNHOUSE STRUCTURE	7500 SQ. FT.	2500 SQ. FT.	70'	60% INT / 55% EXT.

LEGEND:
- FOUND 5/8" REBAR
- COMPUTED POINT
- FOUND 1/2" REBAR
- SET 5/8" REBAR/CAP
- TELEPHONE PEDESTAL
- WATER METER
- FIRE HYDRANT
- SANITARY SEWER MH
- POWER POLE
- WATER VALVE
- GAS METER
- SIGN
- ELECTRICAL BOX
- BOUNDARY LINE (MEASURED)
- BOUNDARY LINE (EXISTING)
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- INGRESS & EGRESS EASEMENT
- UTILITY EASEMENT
- FENCE

CALL BEFORE YOU DIG! ARKANSAS ONE CALL 1-800-482-8998

PP23-0006

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9810
GEOFFREY H. BATES
6/12/23
CERTIFICATE OF AUTHORITY
BATES & ASSOCIATES, INC.
#335
ARKANSAS ENGINEER

DRAWN BY: J. Young / E. Le Salle ENGINEER: G. Bates

Copyright © 2023 Bates & Associates, Inc.

REVISIONS	DATE
PRE-DESIGN PLAN SUBMITTAL	02/09/23
PRE-APPLICATION PLAN SUBMITTAL	04/19/23
REVISIONS PER PRE-APPLICATION PLAN COMMENTS	05/15/23
1ST SUBMITTAL	05/26/23
REVISIONS PER STAFF REVIEW	06/12/23

CRYSTAL STREET DEVELOPMENT
PRELIMINARY PLAT
PRELIMINARY PLAT
BENTONVILLE, ARKANSAS

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

PROJECT NO 22-308

DRAWING NO 03

Time: 9:22 am
Scale: 1:20 (D-SIZE)
Date: 4/15/2021

Drawing Name: 21\100\21-108\Engineering\03 site Plan.dwg
Xrefs Used: bces, COA BBR, 24X36

REZONING & FUTURE LAND USE MAP AMENDMENT STAFF REPORT

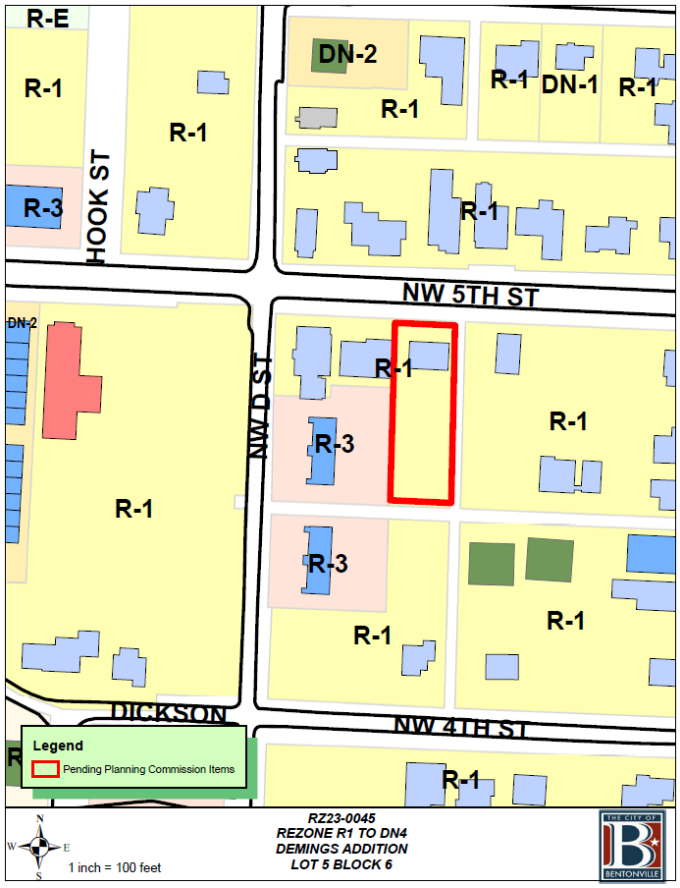
Gatlin

204 SW F Street
PC Date: 7/18/2023
Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0035
Applicant / Current Owner	Nick & Danielle Gatlin
Site Area	+/- 0.23 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested 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 204 SW F Street. It is currently zoned R-1, Single Family Residential. It contains an existing single-family home. Adjacent zonings are R-1, Single Family Residential with a DN-1 zoning across the street.

Relationship to the General Plan
The Future Land Use Plan depicts this property as Low Density Residential (LDR) and is surrounded by Low Density Residential (LDR) and Medium Density Residential (MDR) land use.

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.

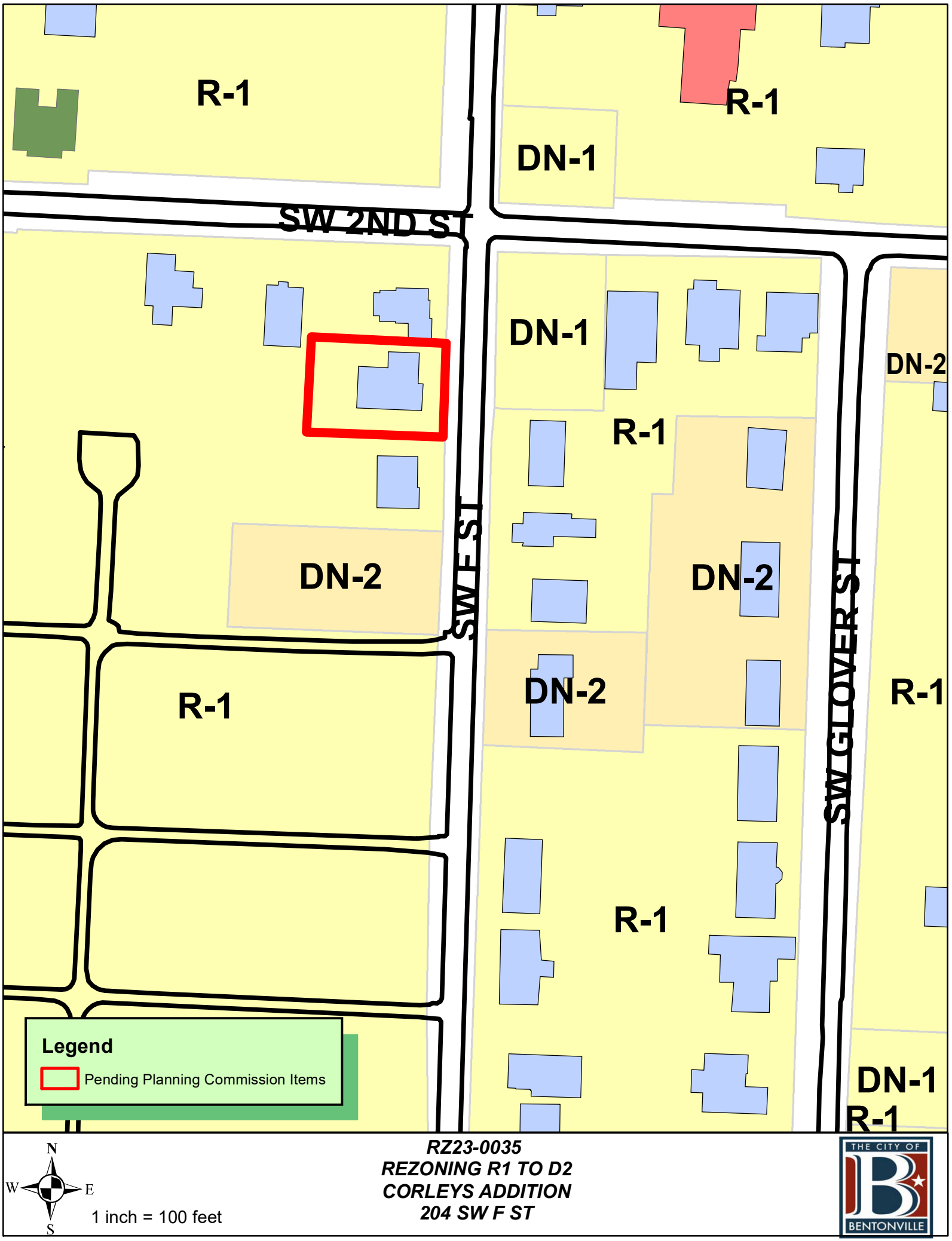
Medium-density residential areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre. These areas are found both near Downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

Public Comment
Staff has NOT received public comment regarding this request.

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

The proposed zoning of DN-2 is 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.

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



RZ23-0035
REZONING R1 TO D2
CORLEYS ADDITION
204 SW F ST

THE CITY OF BENTONVILLE

May 11, 2023

Rezoning Narrative
204 SW F STREET, BENTONVILLE, AR 72712

CURRENT ZONING DESIGNATION: R-1 Single Family Residential

PURPOSED ZONING DESIGNATION: DN-2 Downtown Medium-Density Residential

REASON/NEED OF THE PROPOSED REZONE INCLUDING CURRENT OWNER INFORMATION AND ANY PROPOSED SALES: We are redesigning the exterior of our home and want it to better match the others on the street, most of whom already have DN-2 zoning. There is a strong precedent, with several d-2 zonings already approved only a few houses down. We are rebuilding the porch to beautify the property and might need less constrictive front setbacks. We are also constructing a detached garage and expanding the back deck, which may need the higher structure / open lot percentage.

REASON FOR REQUESTING THE ZONING: To make it easier to improve the exterior of the home.

STATEMENT OF HOW THE PROPERTY WILL RELATE TO THE SURROUNDING PROPERTIES: It will simply be our place of residence, relating just as other houses on the street do.

USE: Residential

TRAFFIC: None except family of 5, residential

SIGNAGE: No commercial signage

APPEARANCE: Likely white wood siding and brick with cedar shake

WATER/SEWER: YES

LEGAL DESCRIPTION: Parcel ID#01-01864-000 LOT S 80’E 123’L 1 & PT VACATED ALLEY Bentonville City Ordinance Number 520 8/29/1973 465-332

3012 S 28TH PLACE 9 ROGERS AR 72758 UNITED STATES (123)-456-7890 NO_REPLY@EXAMPLE.COM

Nick and Danielle Gatlin have 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:

A PART OF LOT ONE (1) IN CORLEY'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING 85 FEET SOUTH OF THE NORTHEAST CORNE1· OF SAID LOT ONE (1) AND RUN THENCE SOUTH 80 FEET, MORE OR LESS, TO THE ALLEY; THENCE WEST ALONG THE NM1B SIDE OF SAID ALLEY, 125 FEET; THENCE NORTH 80 FEET, MORE OR LESS; THENCE EAST 125 FEET TO THE PLACE OF BEGINNING. ALSO, THE NORTH 4 FEET OF A VACATED 8 FOOT ALLEY LYING ADJACENT AND SOUTH OF THE ABOVE DESCRIBED TRACT. SUBJECT TO RECORDED INSTRUMENTS, COVENANTS, RIGHTS OF WAY, AND EASEMENTS, SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

The common description of the property is: 204 SW F St. Bentonville, AR 72712

The public hearing will be held July 18th, 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:

_____

_____

_____

William Stanley
107 SW F Street
Signature and Physical Address

Debra R Stanley
107 SW F St,
Signature and Physical Address

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: RZ23-0035)

WHEREAS, Nick Gatlin, 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:

A PART OF LOT ONE (1) IN CORLEY'S ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING 85 FEET SOUTH OF THE NORTHEAST CORNE1· OF SAID LOT ONE (1) AND RUN THENCE SOUTH 80 FEET, MORE OR LESS, TO THE ALLEY; THENCE WEST ALONG THE NM1B SIDE OF SAID ALLEY, 125 FEET; THENCE NORTH 80 FEET, MORE OR LESS; THENCE EAST 125 FEET TO THE PLACE OF BEGINNING. ALSO, THE NORTH 4 FEET OF A VACATED 8 FOOT ALLEY LYING ADJACENT AND SOUTH OF THE ABOVE DESCRIBED TRACT. SUBJECT TO RECORDED INSTRUMENTS, COVENANTS, RIGHTS OF WAY, AND EASEMENTS, SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

REZONING & FUTURE LAND USE MAP AMENDMENT STAFF REPORT

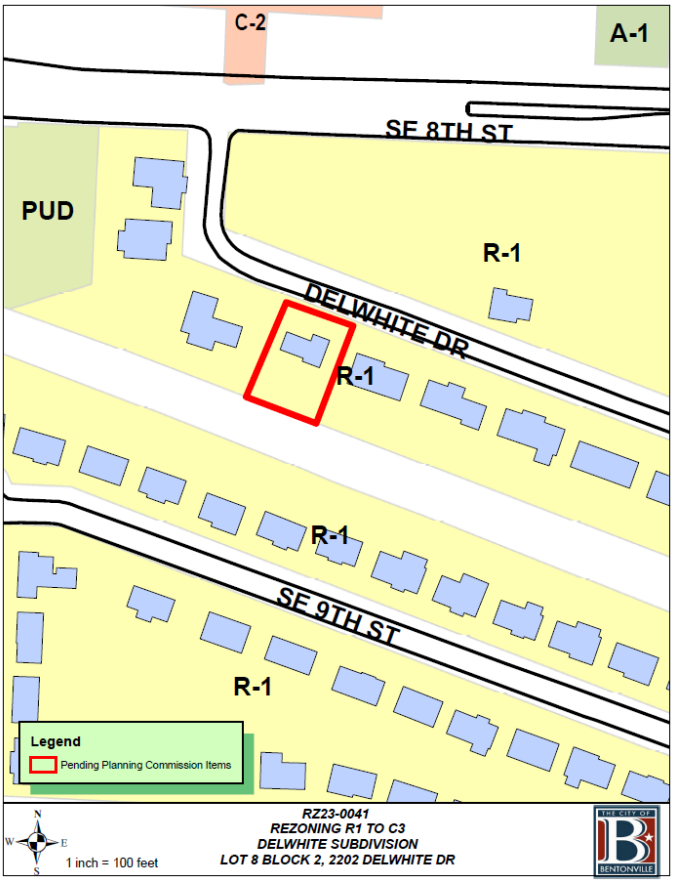
Jacobs and Rivard

2202 Del White Drive
PC Date: 7/18/2023
Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0041
Applicant / Current Owner	Casey Jacobs and Matthew Rivard
Site Area	+/- 0.31 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	C-3, Mixed-use Commercial
Current Future Land Use Map Designation	Commercial (C)
Requested Land Use Map Designation	Mixed Use Commercial (MUC)
Related projects	N/A

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 2202 Del White Drive. 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 General Commercial (C) and is surrounded by General Commercial (C) and Low Density Residential (LDR) land use across a drainage ditch to the south.

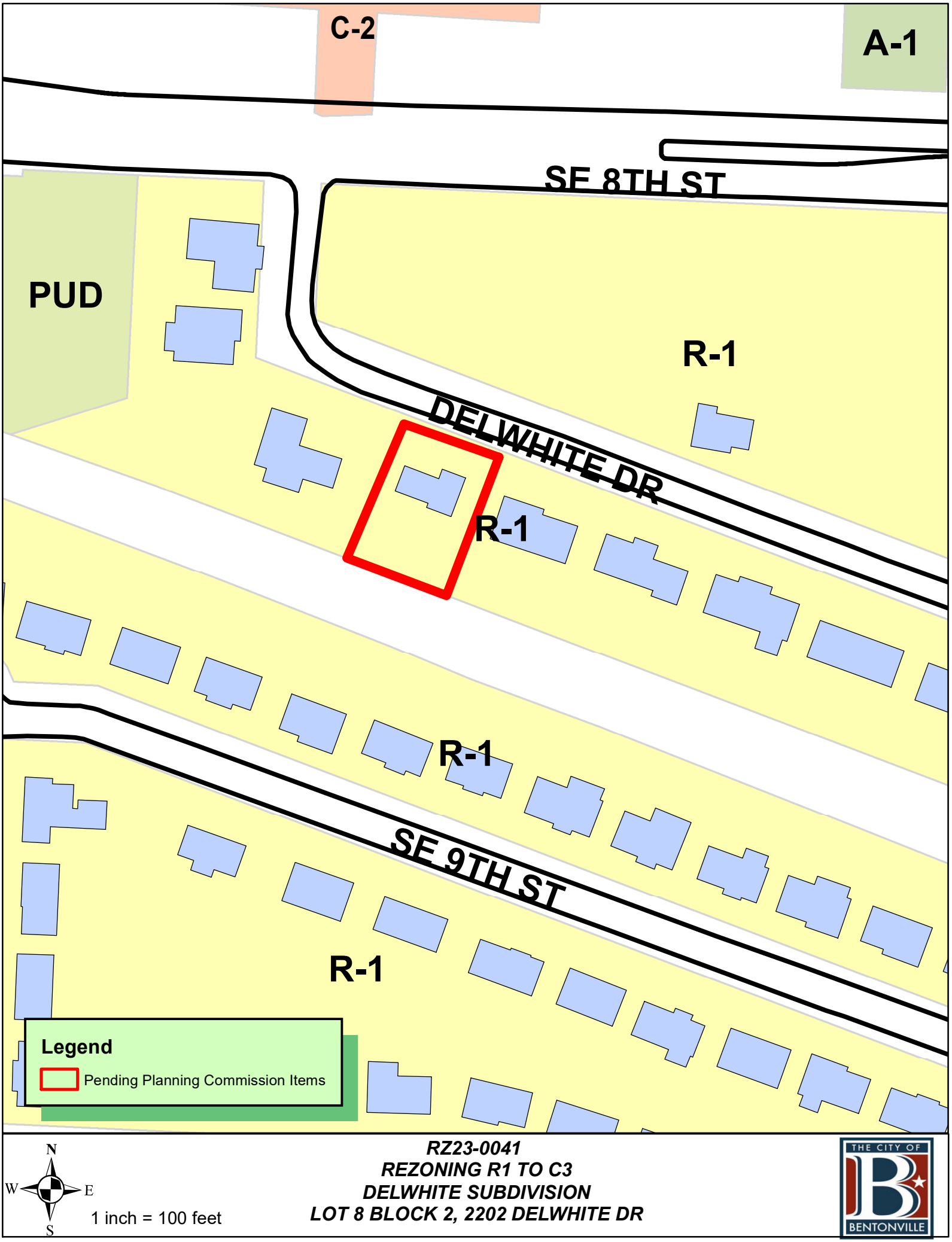
This is an area in transition as currently shown by the existing low-density residential zoning and a future land us classification as General Commercial. The application for C-3, is not consistent with the future land use of General Commercial as C-3 requires a future land use of Mixed Use Commercial.

Mixed-use commercial areas include uses that provide goods and services to nearby residents. Local retail, day-to-day services, and small offices are appropriate in these areas. Vertical mixed-use developments are encouraged in mixed-use commercial areas, with upper floors including offices, services, or residential uses.

Public Comment
Staff has NOT received public comment regarding this request.

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

Conclusion
This request is NOT consistent with the Future Land Use Plan however, development patterns in the vicinity could benefit with true vertical mix-use as this application allows. Planning staff supports the requested change.


C-2
A-1
SE 8TH ST
PUD
R-1
DELWHITE DR
R-1
R-1
SE 9TH ST
R-1
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
RZ23-0041
REZONING R1 TO C3
DELWHITE SUBDIVISION
LOT 8 BLOCK 2, 2202 DELWHITE DR
THE CITY OF
BENTONVILLE

2202 DEL WHITE DRIVE – REZONING – NARRATIVE

- Property is currently zoned R-1. Proposed property zoning C-3

Matthew & Casey Rivard currently own the property, there are no proposed sales associated with this property.

- Re-zoning request is to better align with Bentonville's Current Land Use plan
- Property directly across the street is zoned commercial
- Property will be commercial mixed use
- No known traffic impacts
- Small, localized signage if any
- Property will conform with current and future surroundings
- Water & Sewer are located at street. 6" water line. 6" sewer line.

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: RZ23-0041)

WHEREAS, Matthew Rivard and Casey Jacobs Rivard, 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-3, MIXED-USE COMMERCIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 82 BLOCK 2 OF DELWHITE SUBDIVISION TO BENTONVILLE, BENTON COUNTY, ARKANSAS AS SHOWN ON PLAT FILED UNDER BOOK AND PAGE 125, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 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-3, MIXED-USE COMMERCIAL.

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

ATTEST: **Stephanie Orman, Mayor**

_____

Kirby Romines, City Clerk

REZONING & FUTURE LAND USE MAP AMENDMENT STAFF REPORT

Ausmus and Johnson

10325 South Morning Star Road
PC Date: 6/20/2023
Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0048
Applicant / Current Owner	Rob Caster / Pamela Ausmus & Lyndell Johnson
Site Area	+/- 5.00 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-E, Residential Estate
Current Future Land Use Map Designation	N/A – Recently annexed
Requested Future Land Use Map Designation	Residential Estates (RE)
Related projects	LS23-0031

https://arcg.is/08HvK8

Location Map



Property Description
This property was recently annexed into the City of Bentonville and is located at 10325 South Morning Star Road. It is currently zoned A-1, Agricultural. It currently is part of a larger lot that contains an existing single-family home. Adjacent zonings are A-1 agriculture and City of Rogers land across the street.

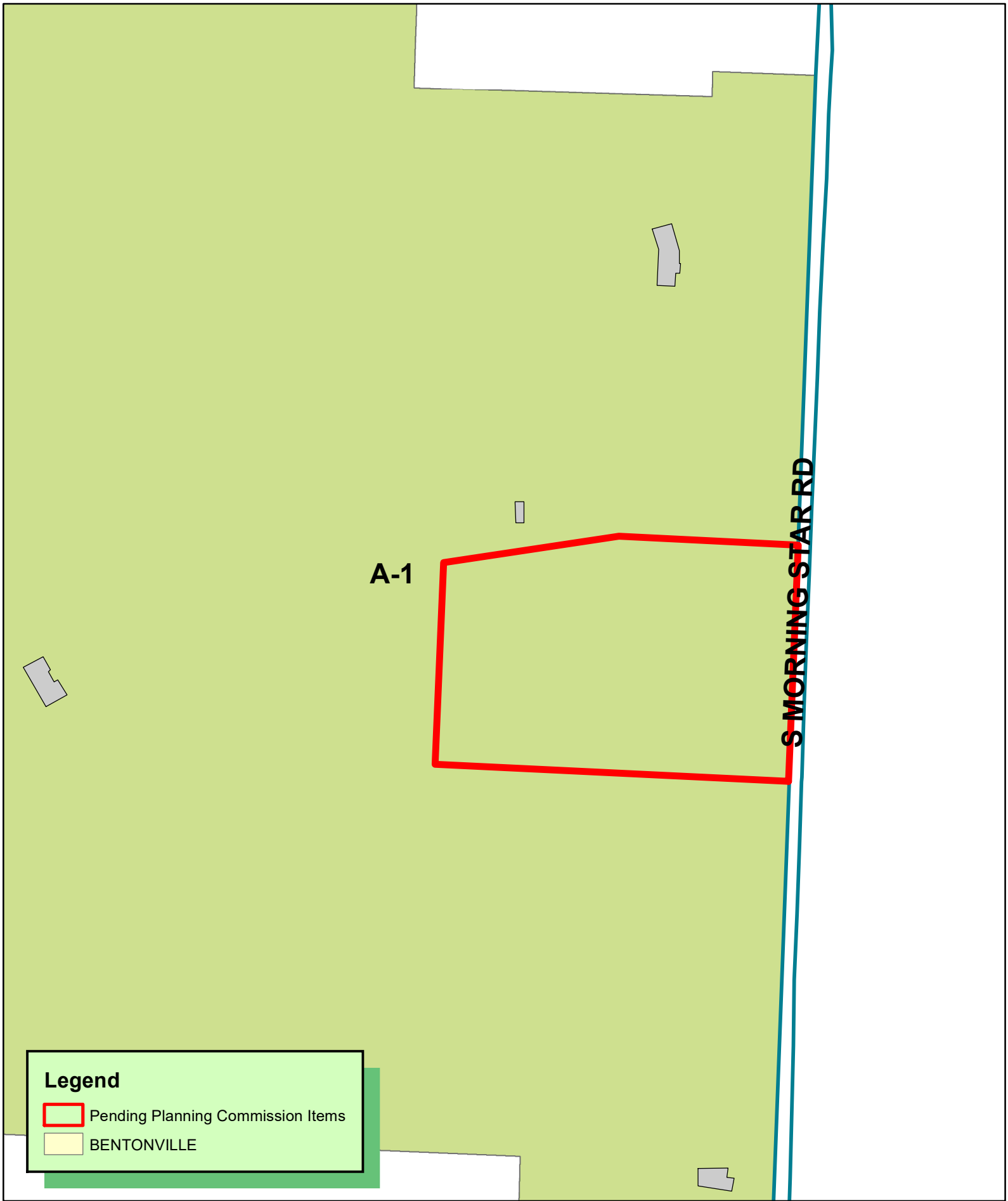
Relationship to the General Plan
The Future Land Use Plan currently does not have a depiction for this property as it was recently annexed, but the applicant is requesting that the designation be Residential Estates (RE). Residential estate areas include large detached single-family residential properties at least one acre in size. These areas may also include public uses that support residents.

Public Comment
Staff has not received public comment regarding this request. See attached.

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

The proposed zoning of R-E 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 uses of the surrounding zoning districts and development patterns located in the vicinity.



N
W E
S

1 inch = 200 feet

RZ23-0048
REZONING A1 TO RE
10325 S MORNING STAR RD

THE CITY OF BENTONVILLE

CASTER & ASSOCIATES LAND SURVEYING, INC.
2715 SE 'I' STREET, SUITE 5, BENTONVILLE, ARKANSAS 72712
PH.(479) 268-4464

May 12th, 2023

RE : Pamela Ausmus & Lyndell Johnson Rezone Request
Five Acres (two 2.5 acre lots) in the Southeast corner of
P.N. 01-08215-768
10325 S. Morning Star Rd.
Bentonville, AR 72712

To Whom it May Concern,

The owners of the above described property request a rezone from A-1 to R-E in order to create two 2.5 acre lots.

Regards,

Robert J. Caster, PLS #1370

DESCRIPTION - PARENT TRACT:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 1320.00 FEET; THENCE N 02°29'56" E A DISTANCE OF 601.42 FEET; THENCE S 87°12'35" E A DISTANCE OF 659.78 FEET; THENCE N 02°36'40" E A DISTANCE OF 120.00 FEET; THENCE S 87°09'01" E A DISTANCE OF 658.50 FEET; THENCE S 02°22'48" W A DISTANCE OF 720.00 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 871821.61 SQUARE FEET, OR 20.014 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 1 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF 408.81 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 295.28 FEET; THENCE S 81°32'30" W A DISTANCE OF 1042.87 FEET; THENCE S 02°29'56" E A DISTANCE OF 395.46 FEET; THENCE S 87°12'35" E A DISTANCE OF 659.78 FEET; THENCE N 02°36'40" E A DISTANCE OF 120.00 FEET; THENCE S 87°09'01" E A DISTANCE OF 658.50 FEET; THENCE S 02°22'48" W A DISTANCE OF 311.19 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 436221.61 SQUARE FEET, OR 10.014 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 2 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF 388.81 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 295.28 FEET; THENCE S 81°32'30" W A DISTANCE OF 290.87 FEET; THENCE S 02°22'48" W A DISTANCE OF 332.23 FEET; THENCE N 87°14'32" W A DISTANCE OF 739.03 FEET; THENCE N 02°29'56" E A DISTANCE OF 205.96 FEET; THENCE N 81°32'30" E A DISTANCE OF 1042.87 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 217800.00 SQUARE FEET, OR 5.000 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 3 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF368.81 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 368.81 FEET; THENCE N 87°14'32" W A DISTANCE OF 285.69 FEET; THENCE N 02°22'48" E A DISTANCE OF 332.23 FEET; THENCE N 81°32'30" E A DISTANCE OF 290.87 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 108900.00 SQUARE FEET, OR 2.500 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 4 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 295.28 FEET; THENCE N 02°22'48" E A DISTANCE OF 368.81 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 368.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 108900.00 SQUARE FEET, OR 2.500 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

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

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

5. 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 AT (479) 271-3122.

6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

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

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

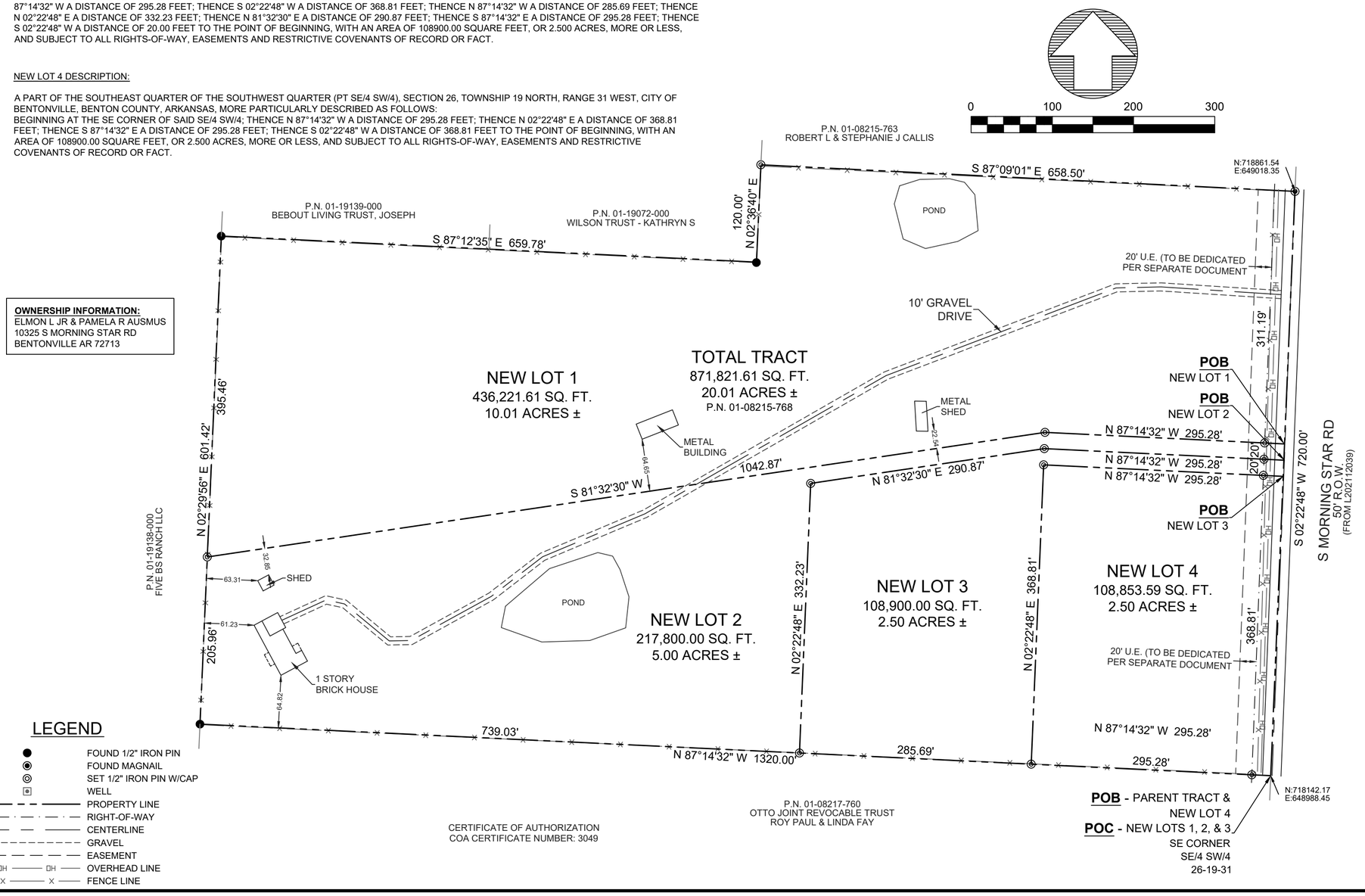
9. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

10. 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.

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

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0245K (EFFECTIVE DATE 09/28/2007) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.



LEGEND

- FOUND 1/2" IRON PIN
- FOUND MAGNAIL
- SET 1/2" IRON PIN W/CAP
- WELL
- PROPERTY LINE
- RIGHT-OF-WAY
- CENTERLINE
- GRAVEL
- EASEMENT
- OVERHEAD LINE
- FENCE LINE

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

VICINITY MAP



N.T.S.

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, 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. 1370
STATE OF ARKANSAS

CERTIFICATE OF OWNERSHIP AND DEDICATION:

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: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

LS23-0031

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suit 5
Bentonville, AR 72712
(479) 268-4464

REGISTERED STATE OF ARKANSAS NO.1370 SIGNATURE ROBERT J. CASTER PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 100'	DATE: 04/21/2023

LOT SPLIT
FOR AUSMUS & JOHNSON TRUST
CREATING LOTS 1-4

SOUTH MORNING STAR ROAD
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
23-116	ASG	RJC	1 OF 1

R23-0048 (1)

NOTICE OF INTENT TO REZONE

PAMELA AUSMUS & LYNDELL JOHNSON has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

A-1, Agricultural to R-E, Residential Estate

The legal description of the property is as follows:
A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4) OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 580.97 FEET; THENCE N 02°22'48" E A DISTANCE OF 332.23 FEET; THENCE N 81°32'30" E A DISTANCE OF 290.87 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 388.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 217800.00 SQUARE FEET, OR 5.000 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

The common description of the property is: 10325 S. MORNINGSTAR ROAD

The public hearing will be held JUNE 20TH, 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:

Marcus D. Wilson
Signature and Physical Address
10165 S. Morningstar Rd,
Bentonville, AR 72713

Kathryn S. Wilson
Signature and Physical Address
10165 S. Morningstar Rd
Bentonville, AR 72713

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0048)

WHEREAS, Pamela Ausmus & Lyndell Johnson, 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 RECENTLY ANNEXED LAND to RESIDENTIAL ESTATE, which property is described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4) OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 580.97 FEET; THENCE N 02°22'48" E A DISTANCE OF 332.23 FEET; THENCE N 81°32'30" E A DISTANCE OF 290.87 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 388.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 217800.00 SQUARE FEET, OR 5.000 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS 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 20, 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 RESIDENTIAL ESTATE on the City of Bentonville Future Land Use Map;

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

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

PASSED AND APPROVED this ___ day of _____, 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-E, RESIDENTIAL ESTATE; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ23-0048)

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

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4) OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 580.97 FEET; THENCE N 02°22'48" E A DISTANCE OF 332.23 FEET; THENCE N 81°32'30" E A DISTANCE OF 290.87 FEET; THENCE S 87°14'32" E A DISTANCE OF 295.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 388.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 217800.00 SQUARE FEET, OR 5.000 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS 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 20, 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-E, RESIDENTIAL ESTATE.

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

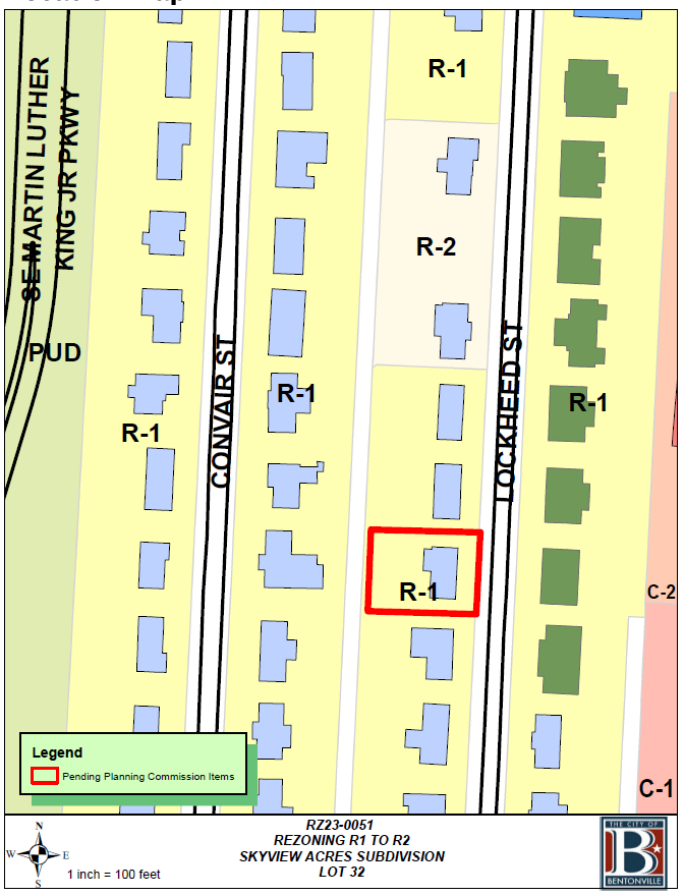
REZONING & FUTURE LAND USE AMENDMENT STAFF REPORT

RJM Property Management, LLC
Addresses: 1204 Lockheed Street
PC Date: 7/18/2023
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	RZ23-0051
Applicant / Current Owner	RJM Property Management, LLC
Site Area	0.32 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	R-2, Medium Density Two Family and Townhome Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Case(s):	LS23-0034

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 1204 Lockheed Street within the Sky View neighborhood. Directly adjacent zonings are R-1 Low Density Single Family Residential. On September 20, 2022, the Planning Commission approved a similar request from R-1, Low Density Single Family Residential to R-2, Medium Density Two Family and Townhome Residential for the properties located one lot north of this request.

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

This property is located within Priority Area 2, Infill, as identified in Chapter 4 of the Bentonville Community Plan. This area looks to leverage the City's existing investments in utilities and streets to accommodate new development.

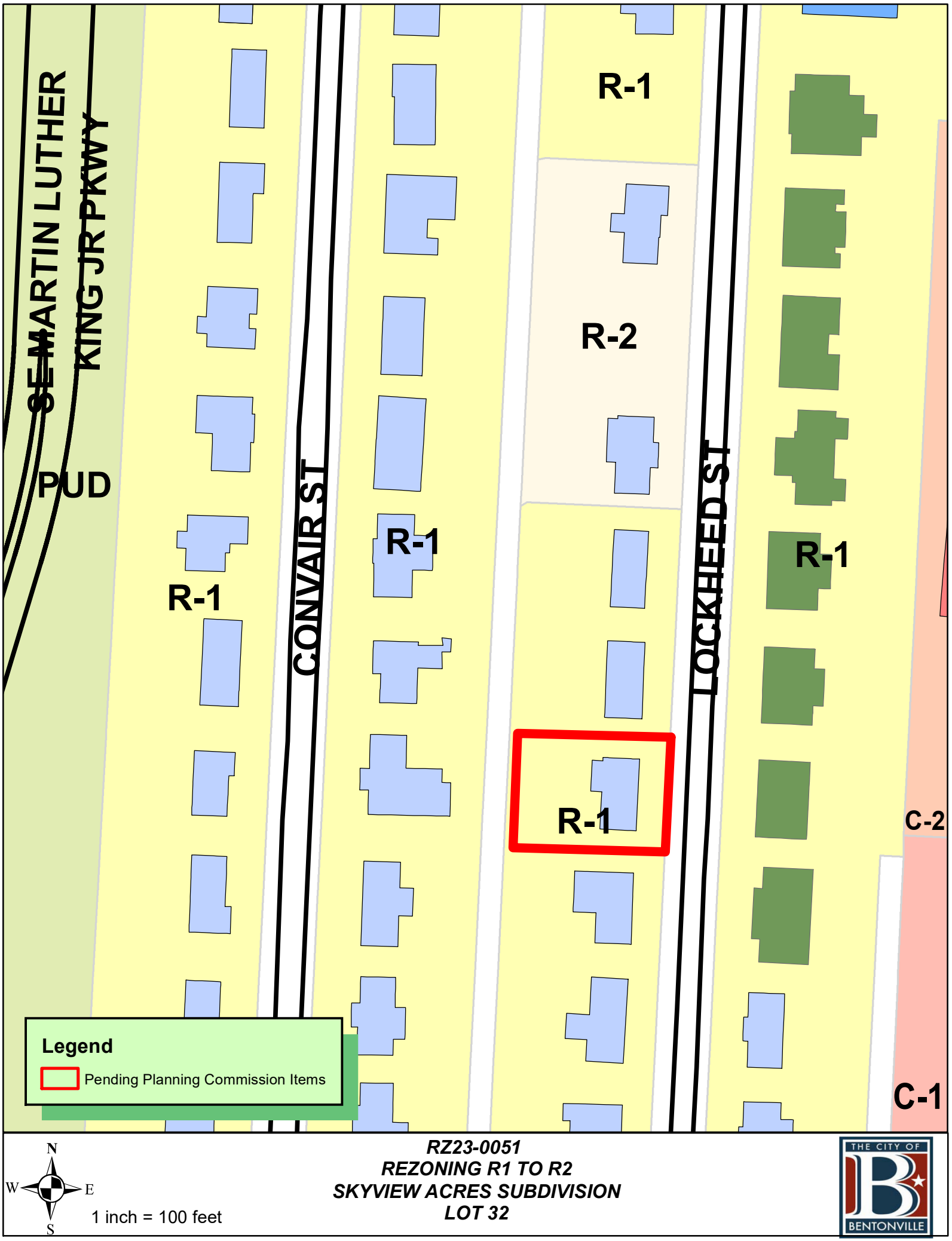
Public Comment
At the time of writing this staff report, staff has not received public comment on this item.

Analysis
A significant number of properties on Lockheed Street are already functioning as duplexes – a legal non-conforming use under the terms of the Zoning Code. Additionally, the new Walmart campus development to the West and existing commercial zoning and uses to the East sandwich this neighborhood amongst more intense uses. Rezoning to R-2 would be appropriate in this context and in line with recent rezoning request and approvals along Lockheed Street.

Conclusion
This request is not consistent with the Future Land Use Plan. However, the context of the property - with a significant number of existing two-family residential uses across the street and the recently approved R-2 rezoning tot eh north, as well as its location amidst new and existing intensifying commercial development – along with the goals of the Community Plan to capitalize on the existing infrastructure in this part of the City, an amendment to the Future Land Use Plan to

Medium-Density Residential would be appropriate.

Should the Planning Commission approve the Future Land Use Plan Amendment, Planning staff recommends approval of the rezoning request. Should the Planning Commission deny the Future Land Use Plan Amendment, Planning staff recommends denial of the rezoning.



RZ23-0051
REZONING R1 TO R2
SKYVIEW ACRES SUBDIVISION
LOT 32

THE CITY OF BENTONVILLE

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

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

June 1st, 2023

To Whom It May Concern,

Rezone

My client, Ronald McGeath, is requesting a rezone and land use amendment from R-1 to R-2 for the property at 1204 Lockheed Street in Bentonville. He is requesting this to eventually tear down the existing home and replace it with a slightly higher density housing option. There are existing duplexes in the area, so we believe this zoning change will fit into the area nicely. The use will still be residential. There may be a slight increase in traffic due to additional housing, but it should not be significant. No signs are proposed at this time and no changes to the appearance of the existing homes. Water & sewer are available at all properties. We kindly ask for your approval of this rezone on our client's behalf. The rezone affects parcel: 01-04198-000

Sincerely,

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

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0051)

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

LOT 32, SKYVIEW ACRES SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS
AS DESIGNATED IN PLAT BOOK E, AT PAGE 38.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 2023 at the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this ___ day of _____, 2023.

APPROVED:

_____

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 R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL TO R-2, MEDIUM DENSITY TWO FAMILY AND TOWNHOME RESIDENTIAL; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: RZ23-0051)

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

LOT 32, SKYVIEW ACRES SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS
AS DESIGNATED IN PLAT BOOK E, AT PAGE 38.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____
Stephanie Orman, Mayor

ATTEST:

_____
Kirby Romines, City Clerk

REZONING STAFF REPORT

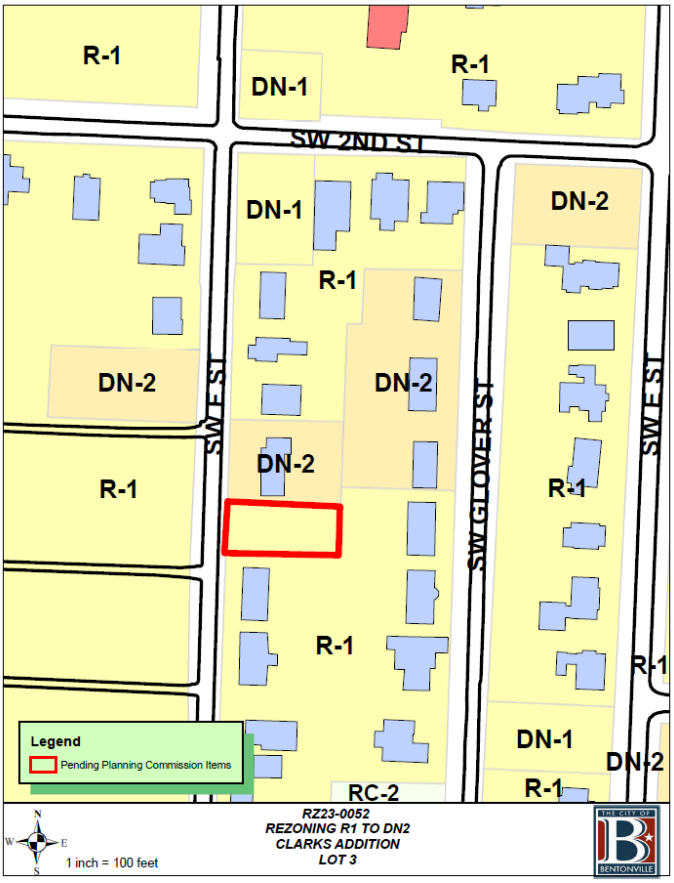
AP RE & DEVELOPMENT LLC

215 Southwest F Street
PC Date: 7/18/2023
Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0052
Applicant / Current Owner	STACY LAW GROUP / SKYLINE RENTAL LLC
Site Area	+/- 0.21 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Current Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Projects	

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 215 SW F Street. It is currently zoned R-1, Low Density Single Family Residential. The property currently does not contain any structures. Adjacent zonings are R-1 to the East, South, and West and DN-2 to the North.

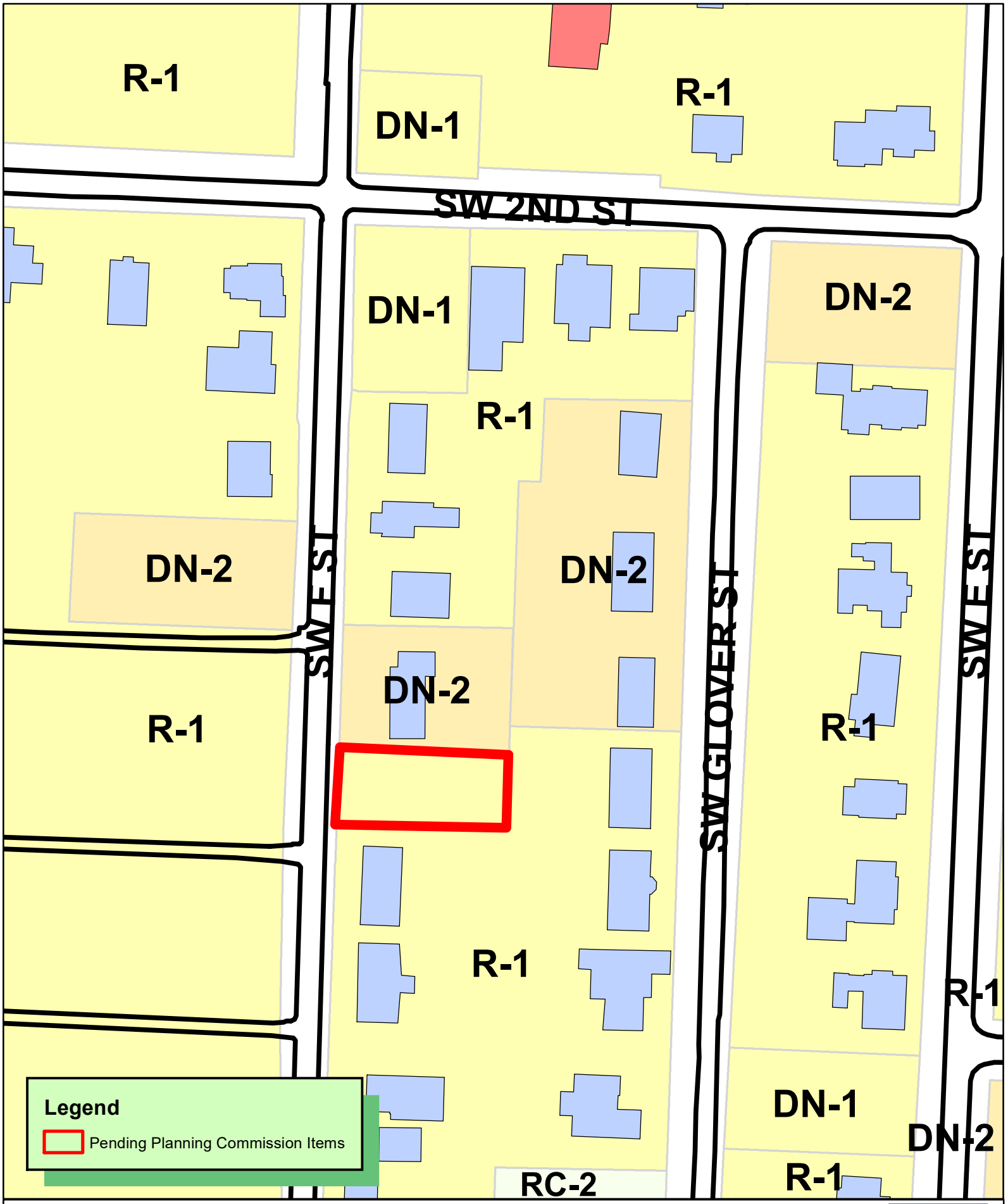
Relationship to the General Plan
The Future Land Use Plan currently depicts this property as Medium-Density Residential (MDR) and is surrounded by Medium-Density Residential designated property. These areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre.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

Public Comment
Staff has received public comment regarding this request.

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

The proposed zoning of DN-2 is consistent with the Future Land Use Plan and is compatible with the surrounding development patterns within this area of the city which lends support for the requested zoning change.

Conclusion
This request is consistent with both the Future Land Use Plan and the uses of the surrounding zoning districts. The request is also consistent with recent development located in the vicinity.



N
W E
S

1 inch = 100 feet

RZ23-0052
REZONING R1 TO DN2
CLARKS ADDITION
LOT 3

THE CITY OF BENTONVILLE

Rezone Narrative

Owner: AP RF and Development LLC
Address: 215 SW F St.
Bentonville, AR 72712

Current Zoning: R-1, Single Family Residential

Proposed Zoning: DN-2, Downtown Medium Density Residential

Owner: AP RF and Development LLC

Reason for rezoning: 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 a 6" Sanitary system are available to serve the property. New water meters and sanitary service lines will need to be constructed.

RZ23-00052 (1)

NOTICE OF INTENT TO REZONE

AP RE & Development LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

The legal description of the property is as follows:

The South 65 feet of lot 3, Clark's Addition, to the City of Bentonville, Benton County, Arkansas, As shown on the plat filed in deed book "L" at Page 166.

The common description of the property is: 215 SW F St Bentonville, AR

The public hearing will be held July 18th, 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:

Parking Concerns, - many people currently block the road by parking on the street.

Child Safety & increase Traffic...

Signature and Physical Address

311 SW F ST Bentonville

Signature and Physical Address

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) §
COUNTY OF BENTON)

RZ23-0052

II

2

NOTICE OF INTENT TO REZONE

AP RE & Development LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-1, Low Density Single-Family Residential to DN-2, Downtown Medium Density Residential

The legal description of the property is as follows:

The South 65 feet of lot 3, Clark's Addition, to the City of Bentonville, Benton County, Arkansas, As shown on the plat filed in deed book "L" at Page 166.

The common description of the property is: 215 SW F St Bentonville, AR

The public hearing will be held July 18th, 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:

Please see attached letter.

Signature and Physical Address
301 SW F Street
Bentonville AR

Signature and Physical Address

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) §
COUNTY OF BENTON)

RZ23-0052 (1)

Michael Maloy
301 SW F Street
Bentonville AR 72712

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

Re: Rezoning of 215 SW F Street, Bentonville, AR

I am writing to express my concern about the rezoning (from R-1 to DN-2) of the lot at 215 SE F Street directly to the north of my home. I live at 301 SW F Street. My major concern is regarding adequate drainage for any proposed structure built on the lot at 215 SW F Street. The two lots north of the proposed rezoning (213 & 211 SW F Street) were rezoned, and homes have been built on each that cover most of the lot. As a result, the empty lot at 215 SW F Street has become a drainage field. After heavy rains, the empty lot is covered in deep water that sits for days before it drains or evaporates. If a new home is built with the footprint that DN-2 zoning allows, I fear that my home will become the new drainage field for the three properties to the north. All I ask is that any new plans to build on the lot at 215 SW F Street are required to allow for appropriate drainage to ensure that my home does not become the defacto drainage field. Please let me know if you have any questions or if you need any additional information. Thank you for your consideration.

Sincerely,

Michael Maloy

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: RZ23-0052)

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

THE SOUTH 65 FEET OF LOT 3, CLARK'S ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON THE PLAT FILED IN DEED BOOK "L" ON PAGE 166.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

REZONING STAFF REPORT

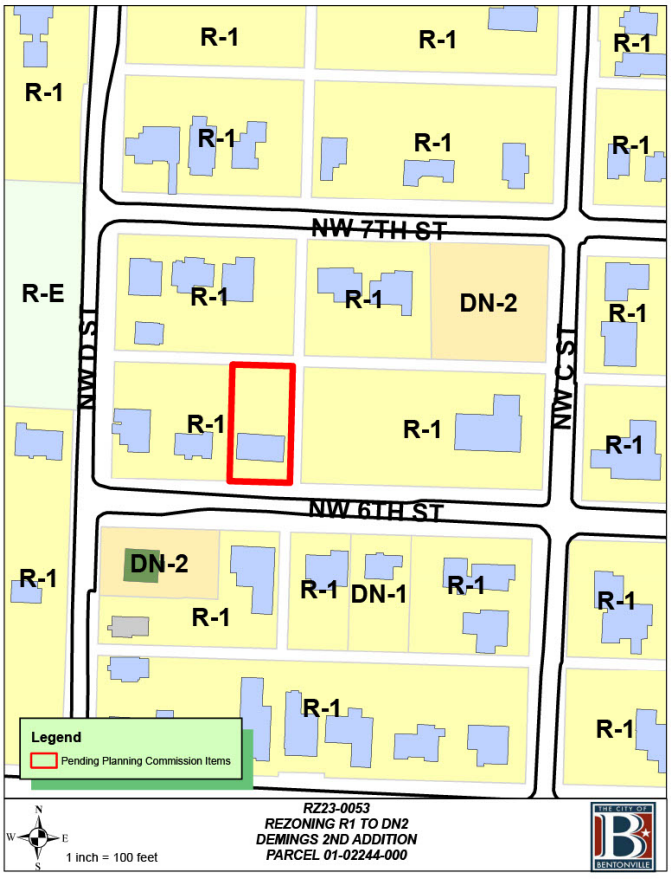
SKYLINE RENTAL LLC

412 NW 6th Street
PC Date: 7/18/2023
Reviewer: Logan Webb, Planning Intern, Jon Stanley, Senior Planner, ASLA, APA

Project Number	RZ23-0053
Applicant / Current Owner	STACY LAW GROUP / SKYLINE RENTAL LLC
Site Area	+/- 0.25 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Current Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Projects	PLA23-0021

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 412 NW 6th Street. It is currently zoned R-1, Low Density Single Family Residential. The property currently contains an existing single-family home. Adjacent zonings are all R-1 except for one property to the southeast and two properties to the southwest across NW 6th Street.

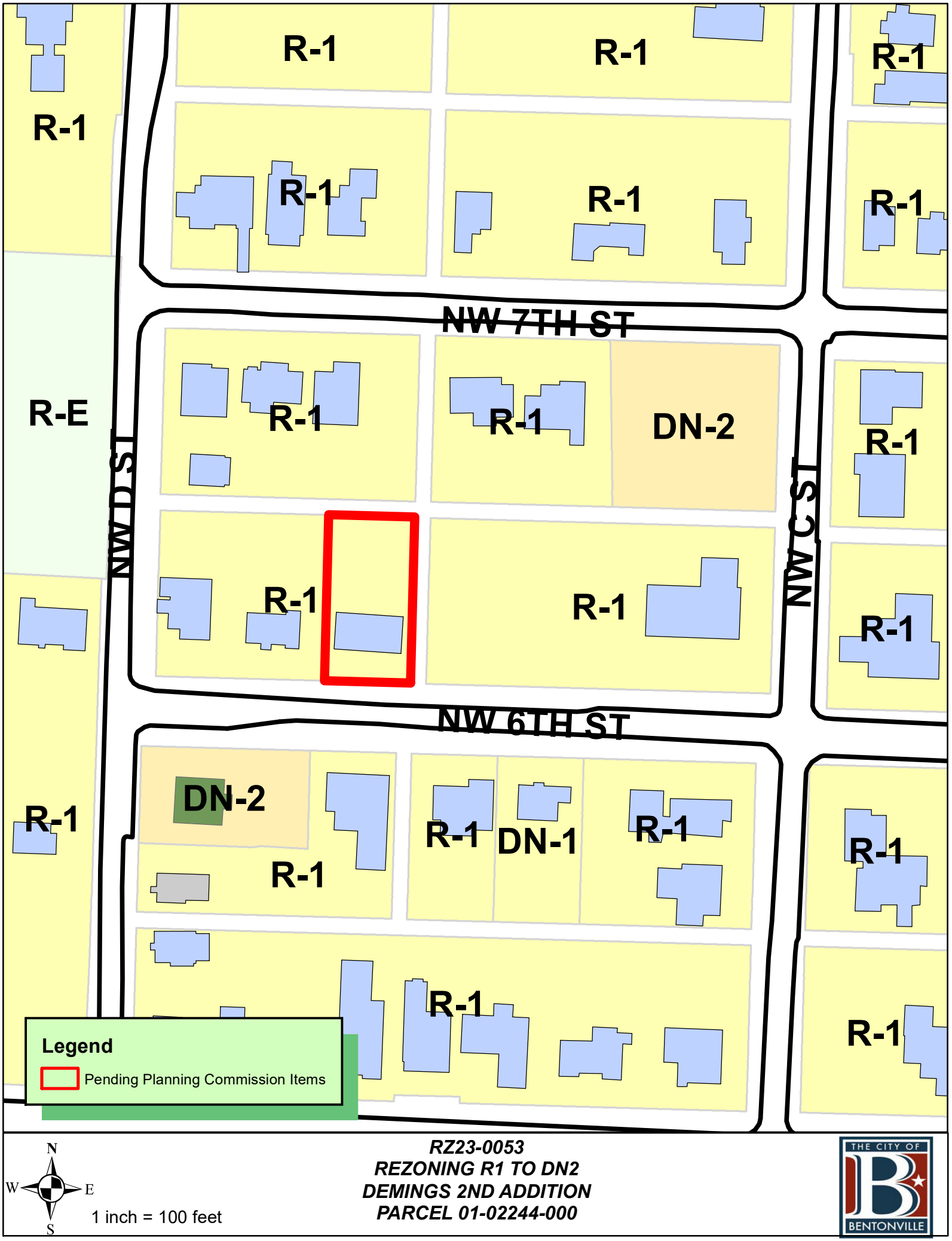
Relationship to the General Plan
The Future Land Use Plan currently depicts this property as Medium-Density Residential (MDR) and is surrounded by Medium-Density Residential designated property. These areas include townhouse or duplex residential properties with a typical density of 8-12 units per acre.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

Public Comment
Staff has received public comment regarding this request.

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

The proposed zoning of DN-2 is consistent with the Future Land Use Plan and is compatible with the surrounding development patterns within this area of the city which lends support for the requested zoning change.

Conclusion
This request is consistent with both the Future Land Use Plan and the uses of the surrounding zoning districts. The request is also consistent with recent development located in the vicinity. This request is in conjunction with related project PLA23-0021 seeking a property line adjustment of the same property.


R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-E
NW 7TH ST
R-1
R-1
DN-2
NW D ST
NW C ST
R-1
R-1
R-1
R-1
R-1
NW 6TH ST
DN-2
R-1
R-1
DN-1
R-1
R-1
R-1
R-1
R-1
R-1
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 100 feet
RZ23-0053
REZONING R1 TO DN2
DEMINGS 2ND ADDITION
PARCEL 01-02244-000
THE CITY OF
BENTONVILLE

NARRATIVE

The current zoning for 412 N.W. 6th Street, Bentonville (the "Property"), AR is R-1, Low Density Single-Family Residential, and Skyline Rental, LLC, owner, proposes that the Property be rezoned to DN-2 Downtown Medium Density Residential.

The current owner is Skyline Rental, LLC, which is owned by Charlotte M. Stacy. Charlotte and Burton E. Stacy Jr, husband and wife, intend to build their residence on the Property. There are no proposed or intended resale of the property in the foreseeable future.

The rezoning is intended to match the comprehensive plan set forth by the City of Bentonville in which DN-2 is the recommended zoning usage for the area of downtown in which the Property is located. Rezoning to DN-2 will also allow Charlotte and Burton Stacy to utilize the allowed setbacks as set forth in DN-2 zoning.

The Property will fit into the aesthetics of the neighboring properties, most notably those that have been constructed over the past five to ten years. The intended use is construction of a new single family residence that will favorably fit and benefit the neighborhood and surrounding properties.

RZ23-0053 (1)

NOTICE OF INTENT TO REZONE

SKYLINE RENTAL LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-1, Low Density Single-Family Residential to DN-2 Downtown Medium Density Residential

The legal description of the property is as follows:

LOT 14 and the East Half of Lot 13 in Block 18, in Demings Second Addition to the City of Bentonville, Benton County, Arkansas

The common description of the property is: 412 NW 6th Street

The public hearing will be held July 18, 20 23 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

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

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

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

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

We would only object if it impacts the use of the Alley. We utilize the alley and keep it mowed. We would like to keep the alley.

* Signature and Physical Address

Signature and Physical Address

*We own 414 NW 6th and my mother lives there.

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: RZ23-0053)

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

LOT 14 AND THE EAST HALF OF LOT 13 IN BLOCK 18, IN DEMINGS SECOND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held July 18, 2023 in the Council Chambers of the City of Bentonville;

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

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

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

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

Lot 25, Block 18 of Deming's 2nd Addition

412 Northwest 6th Street

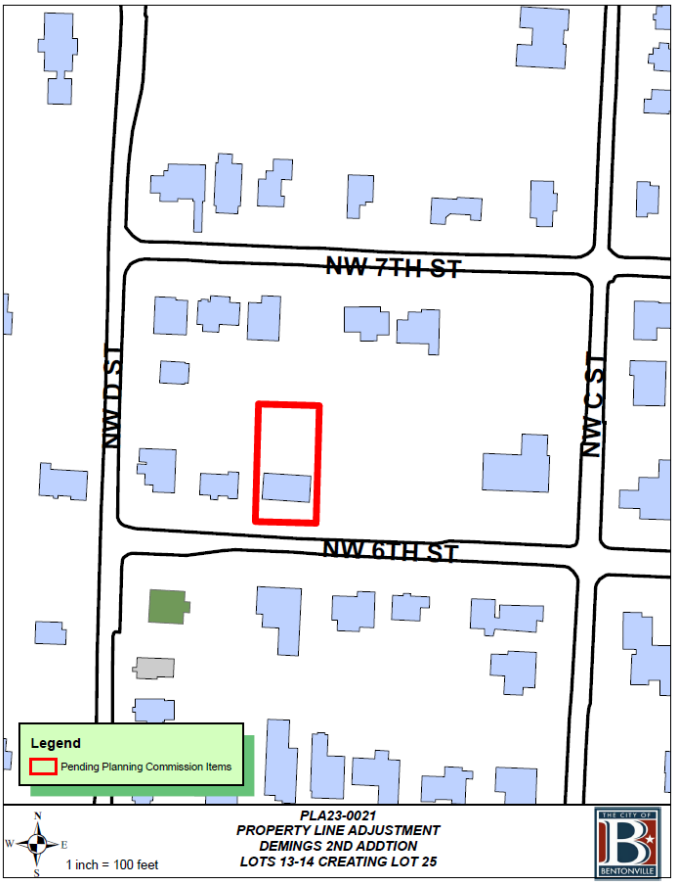
PC Date: 7/18/2023

Reviewer: Bradley Gavrielides, Planking Technician

Project Number	PLA23-0021
Applicant / Current Owner	Justin Reid / Skyline Rentals LLC
Site Area	+/- 0.25 Acres
Current Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Medium-Density Residential (MDR)
Related Projects	RZ23-0053

https://arcg.is/08HvK8

Location Map



Property Description

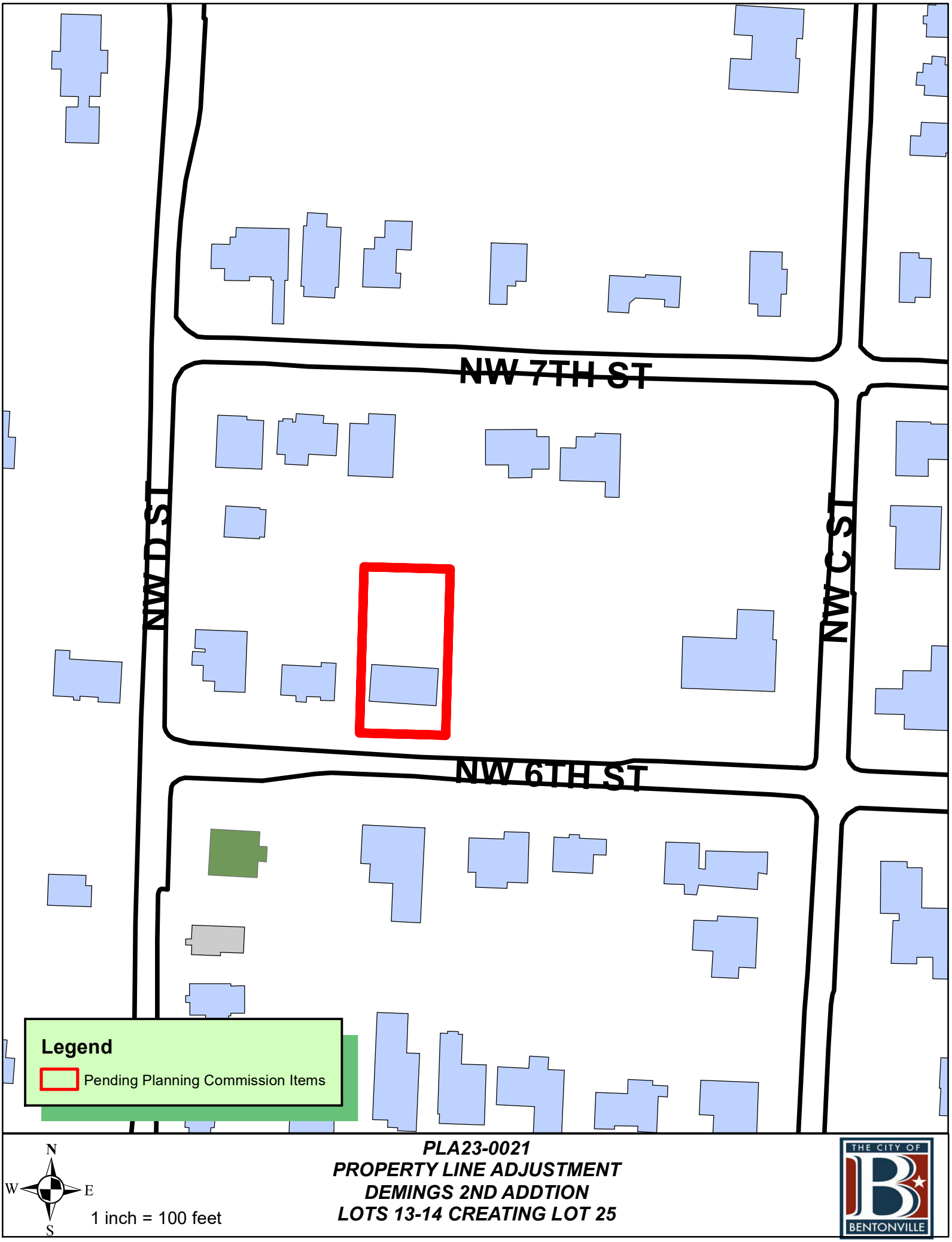
The Subject property is located at 412 Northwest 6th Street. the property is currently zoned R-1, with some DN-2 sporadically mixed in throughout the neighborhood. The property is associated with the rezone RZ23-0053, where the applicant is requesting DN-2. The plat removed a lot line that currently runs through the dwelling on the property.

Dedication for Right of Way for SW Shell Rd

This project is a property line adjustment of existing Lot 14 and part of Lot 13, Block 18 of Deming's Addition, creating new Lot 25, Block 18 of Deming's Addition. This plat dedicates a 12' utility easement along Northwest 6th Street. There is already adequate right of way according to the Master Street Plan.

Recommended Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments prior to filing.



PLA23-0021
PROPERTY LINE ADJUSTMENT
DEMINGS 2ND ADDTION
LOTS 13-14 CREATING LOT 25

THE CITY OF BENTONVILLE

PROPERTY LINE ADJUSTMENT OF LOT 14 AND THE EAST HALF OF LOT 13, BLOCK 18 DEMING'S ADDITION CREATING NEW LOT #25

LAST SITE VISIT:
FEBRUARY 15, 2023

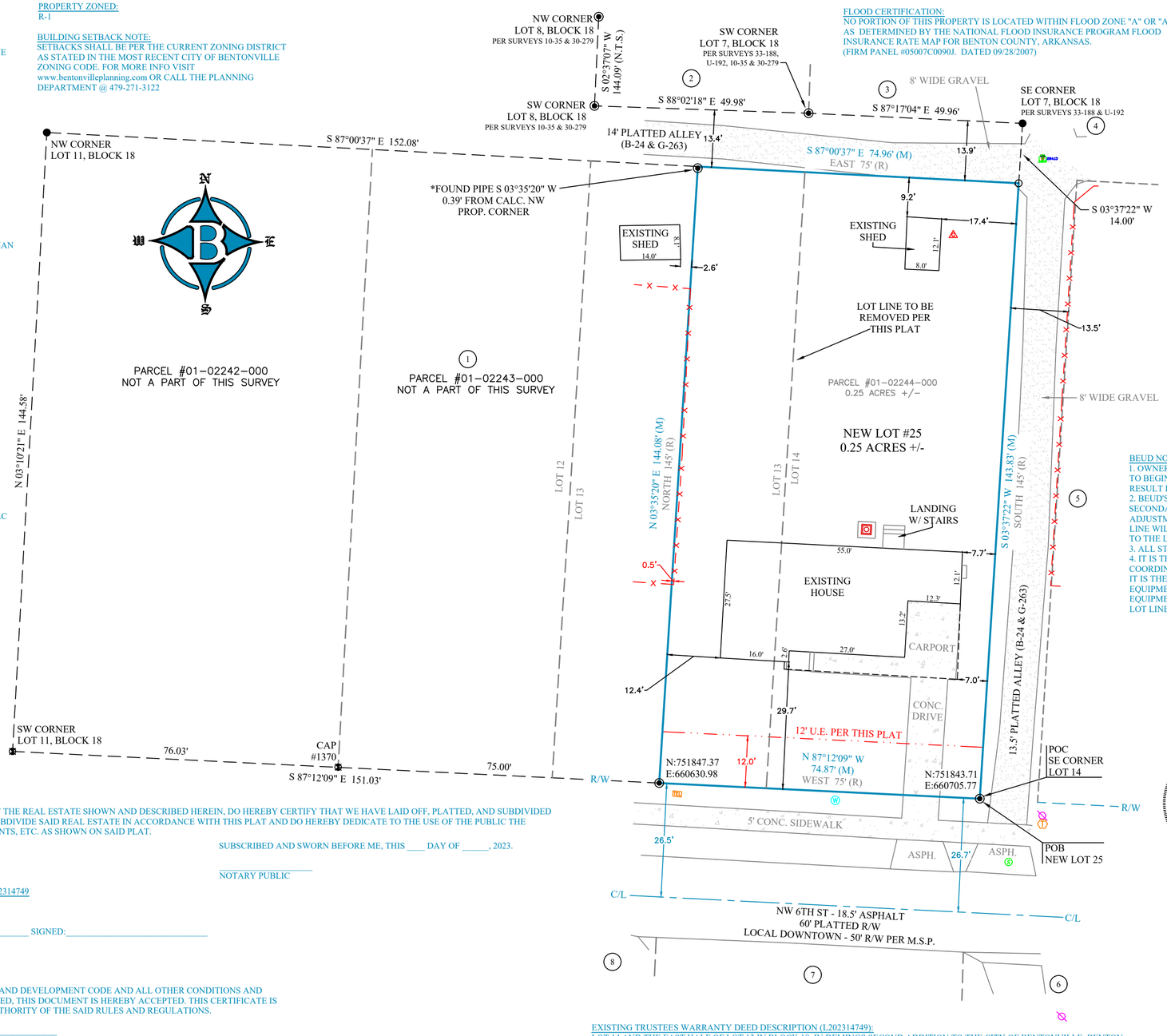
BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

ADJACENT LAND OWNERS

1) BOULANGER, MONTE
& NEWMAN, SUE ANNV
815 NE A ST
BENTONVILLE, AR 72712
PARCEL #01-02243-000
ZONED: R-1
2) MACK, GLENN R & ASELE S
415 NW 7TH ST
BENTONVILLE, AR 72712
PARCEL #01-02239-000
ZONED: R-1
3) UMANA, CASSANDRA S & CHRISTIAN
411 NW 7TH ST
BENTONVILLE, AR 72712
PARCEL #01-02238-000
ZONED: R-1
4) AP RE & DEVELOPMENT LLC
PO BOX 2591
BENTONVILLE, AR 72712
PARCEL #01-02237-000
ZONED: R-1
5) SCHUBER FAMILY TRUST
JOHN D & ANGELA F
410 NW 6TH ST
BENTONVILLE, AR 72712
PARCEL #01-02245-000
ZONED: R-1
6) EVANS TRUST, LENA BELLE
405 NW 6TH ST
BENTONVILLE, AR 72712
PARCEL #01-02223-000
ZONED: R-1
7) SLATON, DOYLE DAVID
& LINDA REAVES
13517 ABINGER DR
LITTLE ROCK, AR 72212
PARCEL #01-02224-000
ZONED: R-1
8) SQUARE DISTRICT PROPERTIES LLC
503 NE 2ND ST
BENTONVILLE, AR 72712
PARCEL #01-02225-001
ZONED: DN-2

PROPERTY ZONED:
R-1

BUILDING SETBACK NOTE:
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



PROPERTY OWNER:
#01-02244-000
SKYLINE RENTAL LLC
3 CANTERBURY PARK
BENTONVILLE AR 72712

PROPOSED USE:
SINGLE-FAMILY
RESIDENTIAL

ATLAS PAGE:
361

OWNER'S CERTIFICATION:
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.

SKYLINE RENTAL LLC
3 CANTERBURY PARK
BENTONVILLE AR 72712

SUBSCRIBED AND SWORN BEFORE ME, THIS ___ DAY OF _____, 2023.

_____
NOTARY PUBLIC

SOURCE OF TITLE: T.W.D. DEED L202314749

DATE OF EXECUTION:_____

PRINTED:_____ SIGNED:_____

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

DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING
COMMISSION CHAIRMAN

SIGNED_____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

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

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR NO. 1642 -
STATE OF ARKANSAS

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05007C0090J. DATED 09/28/2007)

REFERENCE DOCUMENTS:
1) FINAL PLAT OF DEMINGS 2ND ADDITION FILED IN BOOK B AT PAGE 24 & G AT PAGE 263
2) PLAT OF SURVEY DATED JULY 26, 2022, PREPARED BY BATES AND ASSOCIATES FOR CHARLOTTE STACY; JOB #22-164
3) PLAT OF SURVEY FILED IN BOOK 33 AT PAGE 188
4) PLAT OF SURVEY DATED JANUARY 2, 2021, PREPARED BY BATES AND ASSOCIATES FOR JOHN WOLFE; JOB #21-331
5) PLAT OF SURVEY FILED IN BOOK 30 AT PAGE 279
6) PLAT OF SURVEY FILED IN BOOK 10 AT PAGE 35
7) PLAT OF SURVEY FILED IN BOOK U AT PAGE 192
8) BENEFICIARY DEED FILED IN BOOK 2009 AT PAGE 46578
9) PLAT OF SURVEY FILED IN BOOK R AT PAGE 112
10) PLAT OF SURVEY FILED IN BOOK R AT PAGE 167
11) PLAT OF SURVEY FILED IN BOOK R AT PAGE 160
12) PLAT OF SURVEY FILED IN BOOK K AT PAGE 272
13) PLAT OF SURVEY FILED IN BOOK L2021 AT PAGE 27229
14) PLAT OF SURVEY DATED JULY 28, 2022, PREPARED BY BATES AND ASSOCIATES FOR JAMES & STACY KEENAN; JOB #22-190
15) PLAT OF SURVEY FILED IN BOOK L2020 AT PAGE 18593
16) PLAT OF SURVEY FILED IN BOOK 9 AT PAGE 212
17) PLAT OF SURVEY FILED IN BOOK 22 AT PAGE 135
18) PLAT OF SURVEY FILED IN BOOK 23 AT PAGE 43
19) PLAT OF SURVEY FILED IN BOOK 2015 AT PAGE 79
20) PLAT OF SURVEY FILED IN BOOK 23L AT PAGE 68
21) PLAT OF SURVEY FILED IN BOOK P AT PAGE 333
22) PLAT OF SURVEY FILED IN BOOK Y AT PAGE 280
23) PLAT OF SURVEY FILED IN BOOK 2 AT PAGE 125
24) PLAT OF SURVEY FILED IN BOOK 22 AT PAGE 90
25) PLAT OF SURVEY FILED IN BOOK 27 AT PAGE 256
26) PLAT OF SURVEY FILED IN BOOK 7 AT PAGE 60
27) PLAT OF SURVEY PREPARED BY S.B. ROBERTSON DATED DECEMBER 18, 1883
28) PLAT OF SURVEY FIELD IN BOOK 29 AT PAGE 52
29) PLAT OF SURVEY FILED AS STATE SURVEY DOCUMENT 2013310290063
30) PLAT OF SURVEY FILED IN BOOK L2022 AT PAGE 75848
31) PLAT OF SURVEY FILED IN BOOK 2015 AT PAGE 251
32) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 485
33) PLAT OF SURVEY FILED IN BOOK L2019 AT PAGE 35263
34) PLAT OF SURVEY FILED IN BOOK L2021 AT PAGE 22484

BEUD NOTES:
1. OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
2. BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
3. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
4. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO COORDINATE WITH THE NEW SERVICE COORDINATOR @ 479 271-3139 TO DETERMINE IF EQUIPMENT IS IN CONFLICT
IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE

0' 20' 40' 60'

GRAPHIC SCALE (IN FEET)
1 Inch = 20ft.

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 15TH DAY OF FEBRUARY, 2023.

CERTIFICATE OF AUTHORIZATION
BATES & ASSOCIATES, INC. #1335
ARKANSAS ENGINEER

REGISTERED
STATE OF ARKANSAS
NO. 1642
PROFESSIONAL LAND SURVEYOR
DRAFT
SIGNATURE
DERRICK L. THOMAS

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

EXISTING TRUSTEES WARRANTY DEED DESCRIPTION (L202314749):
LOT 14 AND THE EAST HALF OF LOT 13 IN BLOCK 18, IN DEMINGS SECOND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS. SUBJECT TO EASEMENTS, RIGHTS-OF-WAY AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

NEW LOT #25 SURVEY DESCRIPTION:
LOT 14 AND THE EAST HALF OF LOT 13 IN BLOCK 18, IN DEMINGS SECOND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING PIPE ON THE NORTH RIGHT-OF-WAY OF NORTHWEST 6TH STREET MARKING THE SOUTHEAST CORNER OF SAID LOT 14 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N87°12'09"W 74.87' TO AN EXISTING PIPE, THENCE LEAVING SAID RIGHT-OF-WAY N03°35'20"E 144.08', THENCE S87°00'37"E 74.96', THENCE S03°37'22"W 143.83' TO THE POINT OF BEGINNING, CONTAINING 0.25 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PLAT NOTES:
1. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
2. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
3. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
4. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
5. THERE MAY NOT BE ANY FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
6. RECORD (R) BEARINGS & DISTANCES ARE SHOWN PER THE FINAL PLAT OF DEMING'S 2ND ADDITION TO BENTONVILLE (B-24 & G-263).

VICINITY MAP



VICINITY MAP NOT TO SCALE

CITY OF FAYETTEVILLE PROJECT #PLA23-0021

REVISION #	DATE	RECORDING NUMBER/DATE
1. REVISED PER 1ST SUBMITTAL COMMENTS	6-23-23	
2.		
3.		
4.		

LEGEND:
THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING.
(R) RECORD BEARING & DISTANCE
(M) MEASURED BEARING & DISTANCE
FOUND 5/8" REBAR
FOUND PIPE
FOUND 1/2" REBAR
SET 5/8" REBAR CAP
TELEPHONE PEDESTAL
TELEPHONE VAULT
AC CONDENSER UNIT
POWER POLE
BOUNDARY LINE (MEASURED)
LOT LINE / PARCEL LINE
TIE LINE
CENTERLINE OF ROAD
RIGHT-OF-WAY
FENCE

BATES
Engineers • Surveyors
7230 S. Pleasant Ridge Dr.- Fayetteville, Arkansas 72704 - 479.442.9350

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FOR USE AND BENEFIT OF:
CHIP STACY

ADDRESS:
412 NORTHWEST 6TH STREET
BENTONVILLE, ARKANSAS

DATE: 06/23/23
SCALE: 1" = 20'
SURVEYED: CALEB
DRAFTED: BA, JCR
REVIEWED: DT
COA #1335

LOCATION:
LOT 14 & THE EAST HALF OF LOT 13, BLOCK 18
DEMINGS 2ND ADDITION

DRAWING #23-037 PLA

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 14 AND THE EAST HALF OF LOT 13, BLOCK 18 OF DEMING'S 2ND ADDITION; CREATING NEW LOT 25, BLOCK 18 OF DEMING'S 2ND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: PLA23-0021)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 14 AND THE EAST HALF OF LOT 13, BLOCK 18 OF DEMING'S 2ND ADDITION; creating new LOT 25, BLOCK 18 OF DEMING'S 2ND ADDITION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on July 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of LOT 14 AND THE EAST HALF OF LOT 13, BLOCK 18 OF DEMING'S 2ND ADDITION creating new LOT 25, BLOCK 18 OF DEMING'S 2ND ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

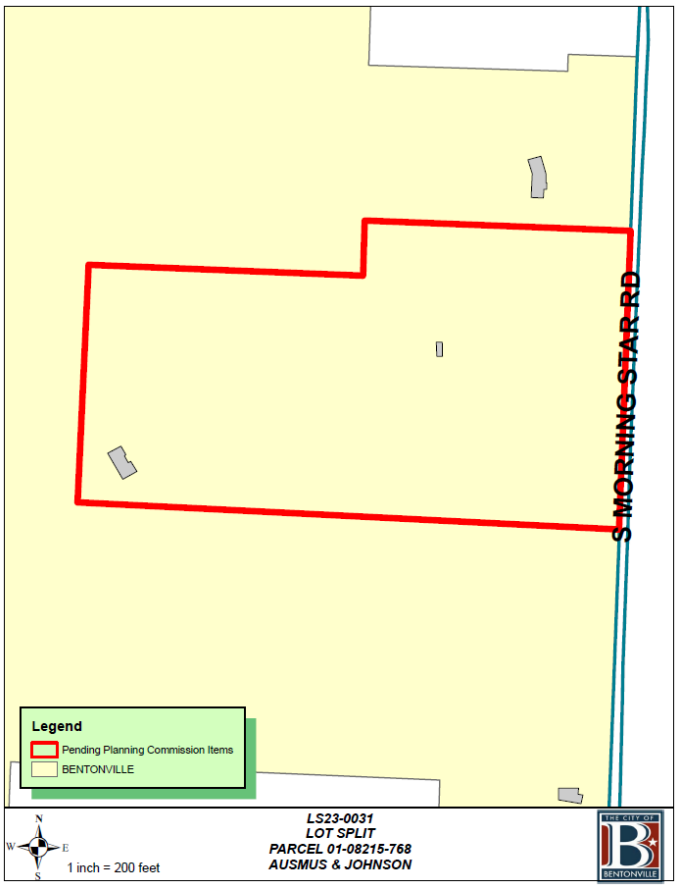
Lots 1, 2, 3, and 4 of AJ Subdivision

10325 South Morning Star Road
PC Date: 6/20/2023 7/18/2023
Reviewer: Bradley Gavrielides, Planning Technician

Project Number	LS23-0031
Applicant / Current Owner	Rob Caster / Pamela Ausmus & Lyndell Johnson
Site Area	+/- 20.00 acres
Current Zoning	R-E, Residential Estate
Future Land Use Map Designation	Residential Estate (RE)
Related Projects	RZ23-0048

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 10325 South Morning Star Road. It is currently zoned R-E, Residential Estate, with a Future Land Use Map classification of Residential Estate (RE).

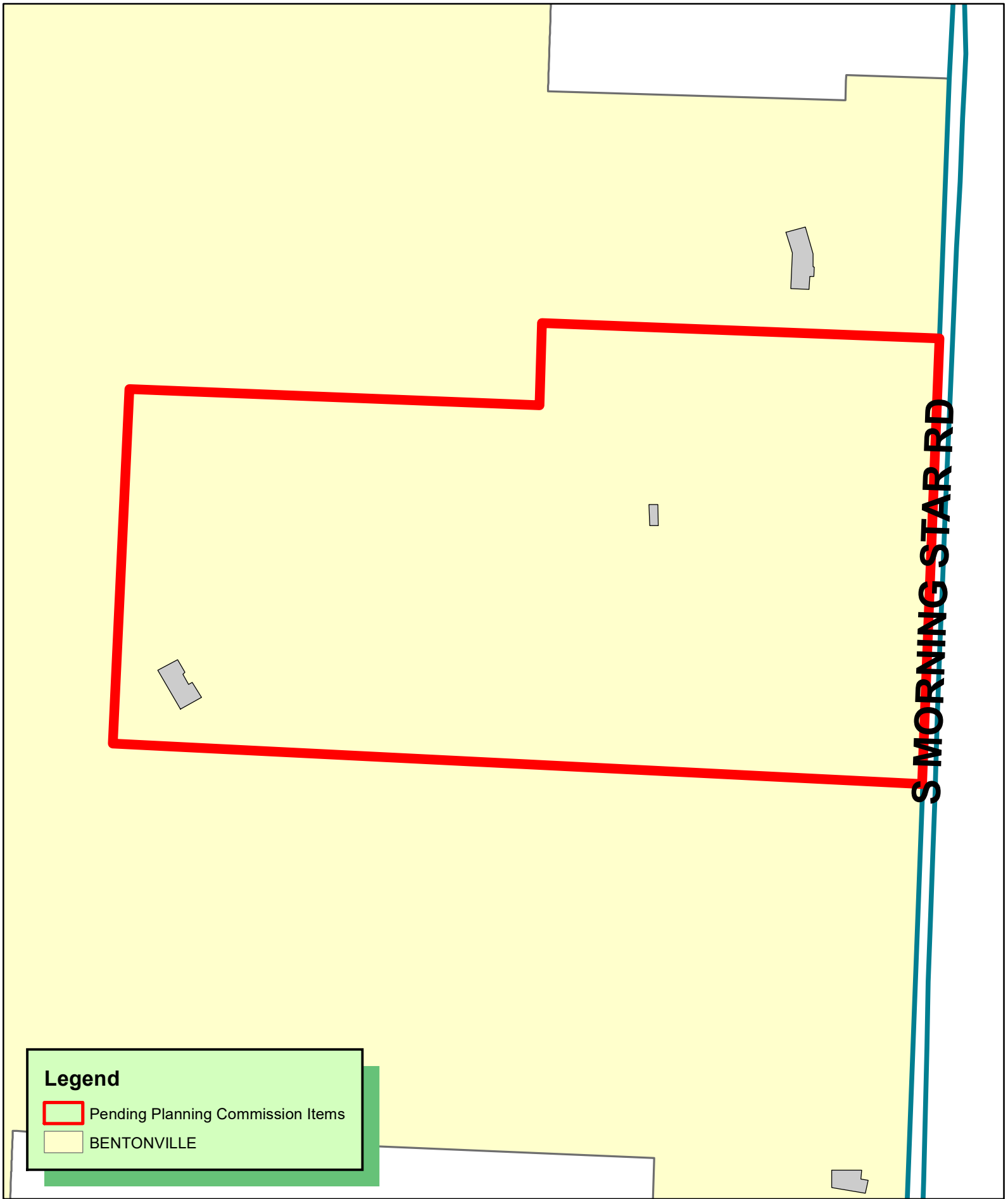
Project Details
The applicant is proposing a lot split of an existing 20-acre lot that was recently annexed into the City of Bentonville. The proposal is for 4 lots; two 2.50 acres lots, one 5-acre lot, and one 10.01-acre lot.

The plat would dedicate a 30-foot-wide private access easement to serve the newly created lots. The Plat also shows a 20-foot-wide utility easement along South Morning Star Road, as well as right of way being dedicated along South Morning Star Road as needed to meet the requirements of the Bentonville Master Street Plan. The plat notes that none of the lots have direct access to public water or sewer.

Waivers
There are no waiver requests associated with this project.

Analysis and Recommendation
Staff recommends approval of the lot split, under the condition that the associated rezone is approved, as adequate right of way is proposed to be dedicated along South Morning Star Road 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.



LS23-0031
LOT SPLIT
PARCEL 01-08215-768
AUSMUS & JOHNSON

DESCRIPTION - PARENT TRACT:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 1320.00 FEET; THENCE N 02°29'56" E A DISTANCE OF 601.42 FEET; THENCE S 87°12'35" E A DISTANCE OF 659.78 FEET; THENCE N 02°36'40" E A DISTANCE OF 120.00 FEET; THENCE S 87°09'01" E A DISTANCE OF 658.50 FEET; THENCE S 02°22'48" W A DISTANCE OF 720.00 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 871821.61 SQUARE FEET, OR 20.014 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 1 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF 408.81 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 295.28 FEET; THENCE S 81°32'30" W A DISTANCE OF 1042.87 FEET; THENCE N 02°29'56" E A DISTANCE OF 395.46 FEET; THENCE S 87°12'35" E A DISTANCE OF 659.78 FEET; THENCE N 02°36'40" E A DISTANCE OF 120.00 FEET; THENCE S 87°09'01" E A DISTANCE OF 658.50 FEET; THENCE S 02°22'48" W A DISTANCE OF 311.19 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 436221.61 SQUARE FEET, OR 10.014 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 2 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF 548.28 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 771.72 FEET; THENCE N 02°29'56" E A DISTANCE OF 205.96 FEET; THENCE N 81°32'30" E A DISTANCE OF 785.28 FEET; THENCE S 02°22'48" W A DISTANCE OF 358.71 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 217800.00 SQUARE FEET, OR 5.000 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 3 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 02°22'48" E A DISTANCE OF 266.39 FEET TO THE POINT OF BEGINNING; THENCE N 87°14'32" W A DISTANCE OF 281.89 FEET; THENCE N 02°22'48" E A DISTANCE OF 358.71 FEET; THENCE N 81°32'30" E A DISTANCE OF 257.59 FEET; THENCE S 87°14'32" E A DISTANCE OF 28.89 FEET; THENCE S 02°22'48" W A DISTANCE OF 408.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 108900.00 SQUARE FEET, OR 2.500 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NEW LOT 4 DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT SE/4 SW/4), SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SE CORNER OF SAID SE/4 SW/4; THENCE N 87°14'32" W A DISTANCE OF 266.39 FEET; THENCE N 02°22'48" E A DISTANCE OF 408.81 FEET; THENCE S 87°14'32" E A DISTANCE OF 266.39 FEET; THENCE S 02°22'48" W A DISTANCE OF 408.81 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 108900.00 SQUARE FEET, OR 2.500 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

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

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

5. THE PROPERTY IS ZONED A-1, AGRICULTURAL. 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 AT (479) 271-3122.

6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

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

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

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

10. 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.

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

12. ALL TREES SHALL BE PRESERVED UNLESS APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT PURSUANT TO ARTICLE 1300.07 OF THE MUNICIPAL CODE.

13. THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT.

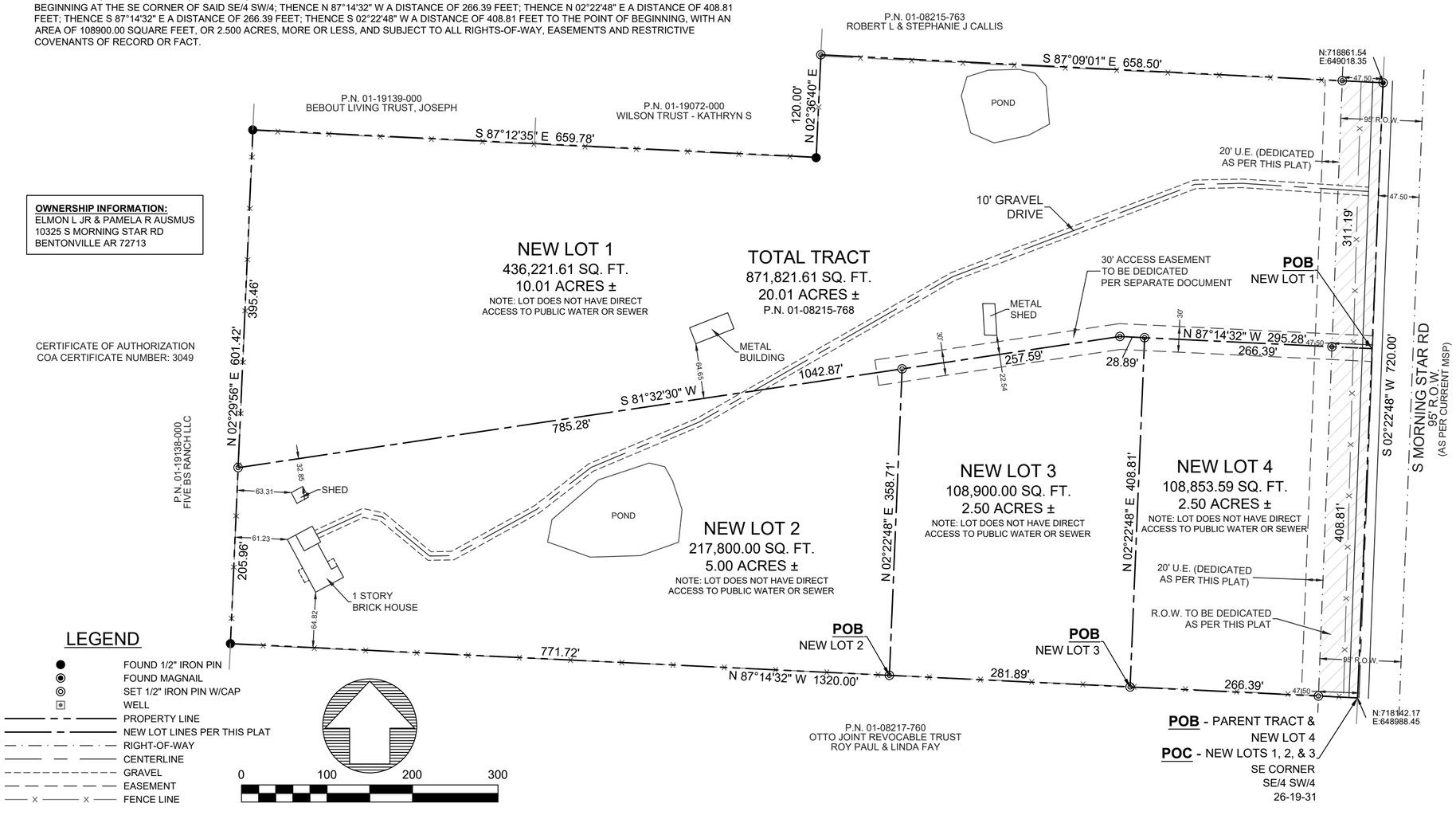
FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0245K (EFFECTIVE DATE 09/28/2007) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

VICINITY MAP



N.T.S.



CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, 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. 1370
STATE OF ARKANSAS

CERTIFICATE OF OWNERSHIP AND DEDICATION:

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: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

LS23-0031

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suit 5
Bentonville, AR 72712
(479) 268-4464

REGISTERED STATE OF ARKANSAS NO.1370 SIGNATURE ROBERT J. CASTER PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 100'	DATE: 04/21/2023

LOT SPLIT FOR PARCEL 01-08215-768
CREATING A J SUBDIVISION
LOTS 1, 2, 3 & 4

SOUTH MORNING STAR ROAD
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS

JOB #	DRAWN BY:	CHK'D BY:	PAGE
23-116	ASG	RJC	1 OF 1

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF PREVIOUSLY UNPLATTED LAND; CREATING NEW LOTS 1, 2, 3, & 4 OF AJ SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: LS23-0031)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PREVIOUSLY UNPLATTED LAND, creating new LOTS 1, 2, 3, & 4 OF AJ SUBDIVISION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on July 18, 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 PREVIOUSLY UNPLATTED LAND creating new LOTS 1, 2, 3, & 4 OF AJ SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

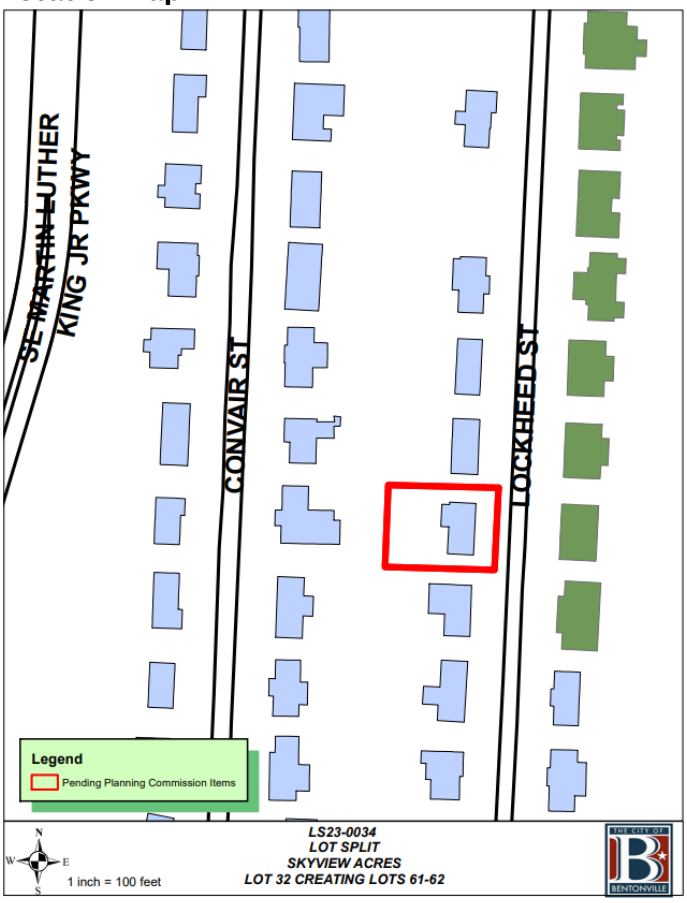
Lots 61 and 62 of Skyview Acres Subdivision

1204 Lockheed Street
PC Date: 7/18/2023
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	LS23-0034
Applicant / Current Owner	RJM Property Management LLC
Site Area	+/- 0.32 acres
Current Zoning	R-1, Low Density Single Family Residential
Future Land Use Map Designation	Low-Density Residential (LDR)
Related Projects	RZ23-0053

https://arcg.is/08HvK8

Location Map



Property Description
This property is located at 1204 Lockheed Street within the Sky View neighborhood. Directly adjacent zonings are R-1 Low Density Single Family Residential.

Project Details
The applicant is proposing a lot split of an existing +/-0.32 acre lot that will create two new lots that are +/- 0.16 acres each. This project is related to rezoning RZ23-0053 on this agenda.

The plat would dedicate utility easements to serve the newly created lots. All requirements of the zoning and Lan Development code are being meet. Per the Master Street Plan Requirements right-of-way along Lockheed Street is adequate.

Waivers
There are no waiver requests associated with this project.

Analysis and Recommendation
Staff recommends approval of the lot split, under the condition that the associated rezone is approved, as presented, the proposed lot split would comply with all Zoning Code and Land Development 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.



N
W E
S

1 inch = 100 feet

LS23-0034
LOT SPLIT
SKYVIEW ACRES
LOT 32 CREATING LOTS 61-62

THE CITY OF BENTONVILLE

LOT SPLIT
OF LOT 32 SKYVIEW ACRES SUBDIVISION
CREATING LOTS 61 & 62

1204 LOCKHEED STREET, BENTONVILLE, AR 72712

BENTON COUNTY

MISCELLANEOUS NOTES

COMPLETED FIELD WORK:
MAY 19, 2023

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED UNDER L202233137.
2. SURVEY PLAT FILED IN PLAT BOOK E AT PAGE 38.
3. SURVEY PLAT FILED IN PLAT BOOK 25 AT PAGE 132.

BASIS OF BEARING:
THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH, BASED ON ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE NAD83.

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

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

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

APPROVAL OF THE PLAT DOES NOT CARRY ANY ASSURANCES THAT THE TRACT OR TRACTS WILL QUALIFY FOR A SEPTIC SYSTEM PERMIT FROM THE ARKANSAS HEALTH DEPARTMENT.

APPROVAL OF THIS PLAN DOES NOT IN ANY WAY INDICATE THAT ANY OF THE LOTS ON THIS PLAN ARE BUILDABLE ACCORDING TO THE PLANNING REGULATIONS OF BENTON COUNTY, ARKANSAS, NOR AN ENDORSEMENT BY THE PLANNING BOARD OF SAID BUILDABILITY OF SAID LOTS.

AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EXISTING OR ABANDONED WATER WELLS, SUMPS, CESSPOOLS, SPRINGS, WATER IMPOUNDMENTS OR UNDERGROUND STRUCTURES.

AT THE TIME OF THE SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EXISTING EROSION PROBLEMS ON-SITE OR WITHIN 100' DOWNSTREAM OF THE THE PROPERTY.

THERE IS NO KNOWN OCCURRENCE OF ANY OVERFLOW PROBLEMS OF SEWER OR SEPTIC SYSTEMS AT THE TIME OF THE SUBJECT SURVEY.

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

THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT.

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

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

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

UTILITY INFORMATION

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

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0260K, WHICH BEARS AN EFFECTIVE DATE OF 06/05/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

ZONING INFORMATION

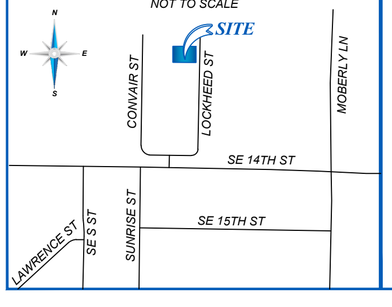
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.

OWNER/DEVELOPER

RJM PROPERTY MANAGEMENT LLC
RONALD.MCGEATH@GMAIL.COM

VICINITY MAP

NOT TO SCALE



LAND AREA

PARENT PARCEL
14,005 SQ. FEET ±
0.322 ACRES ±

LOT 61
7,001 SQ. FEET ±
0.161 ACRES ±

LOT 62
7,004 SQ. FEET ±
0.161 ACRES ±

SURVEY DESCRIPTION

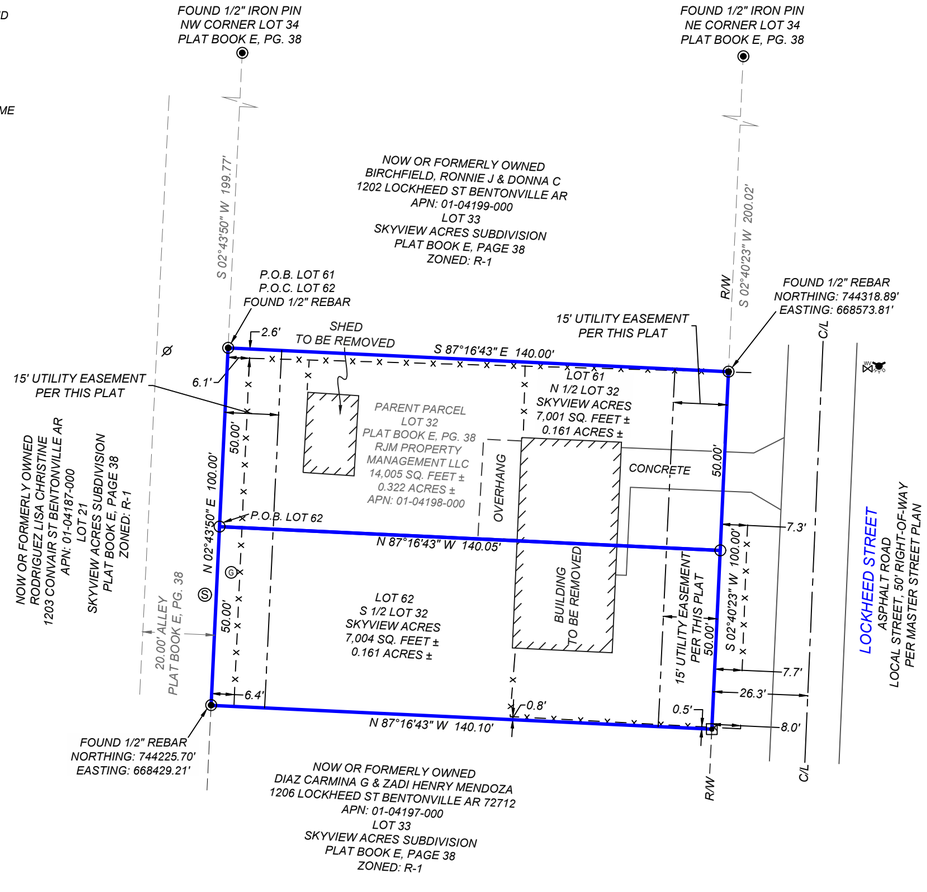
PARENT PARCEL (PARCEL NO. 01-04198-000):
LOT 32, SKYVIEW ACRES SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS AS DESIGNATED IN PLAT BOOK E, AT PAGE 38.

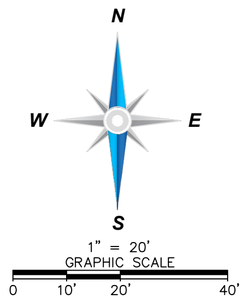
LOT 61:
BEING THE NORTH HALF OF LOT 32, SKYVIEW ACRES SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS AS DESIGNATED IN PLAT BOOK E, AT PAGE 38, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR MARKING THE NORTHWEST CORNER OF SAID LOT 32, THENCE ALONG THE NORTH LINE OF SAID LOT 32, S87°16'43"E A DISTANCE OF 140.00' TO A FOUND 1/2" REBAR LOCATED ON THE WEST RIGHT-OF-WAY OF LOCKHEED STREET; THENCE ALONG SAID RIGHT-OF-WAY S02°40'23"W A DISTANCE OF 50.00' TO A SET CAPPED 5/8" REBAR MARKED "AR 1659"; THENCE LEAVING SAID RIGHT-OF-WAY N87°16'43"W A DISTANCE OF 140.05' TO A SET CAPPED 5/8" REBAR MARKED "AR 1659"; THENCE N02°43'50"E A DISTANCE OF 50.00' RETURNING TO THE POINT OF BEGINNING, CONTAINING 7,001 SQ. FEET OR 0.161 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

LOT 62:
BEING THE SOUTH HALF OF LOT 32, SKYVIEW ACRES SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS AS DESIGNATED IN PLAT BOOK E, AT PAGE 38, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A FOUND 1/2" REBAR MARKING THE NORTHWEST CORNER OF SAID LOT 32, THENCE ALONG THE WEST LINE OF SAID LOT 32, S02°43'50"W A DISTANCE OF 50.00' TO A SET CAPPED 5/8" REBAR MARKED "AR 1659", MARKING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE S87°16'43"E A DISTANCE OF 140.05' TO A SET CAPPED 5/8" REBAR MARKED "AR 1659" LOCATED ON THE WEST RIGHT-OF-WAY OF LOCKHEED STREET; THENCE ALONG SAID RIGHT-OF-WAY S02°40'23"W A DISTANCE OF 50.00' TO A SET MAG-NAIL; THENCE LEAVING SAID RIGHT-OF-WAY N87°16'43"W A DISTANCE OF 140.10' TO A FOUND 1/2" REBAR; THENCE N02°43'50"E A DISTANCE OF 50.00' RETURNING TO THE POINT OF BEGINNING, CONTAINING 7,004 SQ. FEET OR 0.161 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD.





SIGNATURE BLOCKS

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

DATE OF EXECUTION: _____

SIGNED: _____

NAME AND ADDRESS: _____

PRINT NAME: _____

SOURCE OF TITLE: D.R. _____

PAGE _____

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

DATE OF EXECUTION: _____

SIGNED: _____

REGISTERED LAND SURVEYOR NO. 1659

STATE OF ARKANSAS

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

DATE OF EXECUTION: _____

SIGNED: _____

BENTONVILLE PLANNING

COMMISSION CHAIRMAN

SIGNED: _____

MAYOR CITY OF BENTONVILLE

SIGNED: _____

CITY CLERK, CITY OF BENTONVILLE

STATE OF ARKANSAS
COUNTY OF _____
SUBSCRIBED AND SWORN BEFORE ME THIS ____DAY OF _____ 2023.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES
_____

LEGEND & SYMBOLS

◉	FOUND MONUMENT (AS NOTED)
○	SET 5/8" REBAR WITH CAP "AR 1659"
▣	SET MAG NAIL IN CONCRETE
WV	WATER VALVE
FH	FIRE HYDRANT
Ⓢ	SANITARY MANHOLE
Ⓖ	GAS METER
Ø	POWER POLE
R/W	RIGHT-OF-WAY
C/L	CENTERLINE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
———	BOUNDARY LINE
—— - - ——	EASEMENT LINE
— — — — —	RIGHT-OF-WAY LINE
——— – ———	CENTERLINE
— x — x — x —	FENCE LINE

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 24TH DAY OF MAY, 2023.

CERTIFICATE OF AUTHORIZATION
BLEW & ASSOCIATES, PA
No. 1534
ARKANSAS

REGISTERED
STATE OF ARKANSAS
NO.1659
SIGNATURE
W. GAGNER
PROFESSIONAL LAND SURVEYOR

PRELIMINARY

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

DATE	REVISION HISTORY	BY
06/20/23	PLANNING COMMENTS	TPN

BLEW & ASSOCIATES, P.A.
Surveying
Engineering
Mapping
3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
EMAIL:SURVEY@BLEWINC.COM
OFFICE: 479.443.4506 ·FAX: 479.582.1883
EMAIL: SURVEY@BLEWINC.COM·WWW.BLEWINC.COM

SURVEYOR JOB NUMBER: 23-3183	**SURVEY DRAWN BY:** BDM - 05/24/2023
SURVEY REVIEWED BY: TPN	**SCALE:** 1" = 20'
FOR THE USE AND BENEFIT OF: RONALD MCGEATH	COB PROJECT NO: LS23-0034

ORDINANCE NO._____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 32 OF SKYVIEW ACRES SUBDIVISION; CREATING NEW LOTS 61 & 62 OF SKYVIEW ACRES SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: LS23-0034)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 32 OF SKYVIEW ACRES SUBDIVISION, creating new LOTS 61 & 62 OF SKYVIEW ACRES SUBDIVISION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on July 18, 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 32 OF SKYVIEW ACRES SUBDIVISION creating new LOTS 61 & 62 OF SKYVIEW ACRES SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this_____ day of _____, 2023

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk

LARGE-SCALE DEVELOPMENT STAFF REPORT

Chick-Fil-A

209 S Walton Blvd
PC Date: 7/18/2023
Reviewer: Luke Aitken, Planning Technician

Project Number	LSD23-0023
Applicant / Current Owner	Burger Engineering, LLC / Posh Enterprises, LLC
Site Area	+/- 1.64 acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	General Commercial (C)
Development Type / Use	Fast Food Drive Through Expansion
Related Project(s)	CUP for parking lot

https://arcg.is/08HvK8

Location Map



Property Description

This property is located one parcel south of the southwest corner of S Walton Blvd and SW 2nd St. It is currently zoned C-2, General Commercial with a Future Land Use Classification of General Commercial. This property presently contains an existing Chick-fil-a restaurant, built with a single lane drive through.

Project Details

This project is a large-scale development proposing the expansion of an existing fast-food restaurant and its associated drive through and parking areas. This proposal includes a 509 Sq ft building addition, expanding the total building square footage from an original size of 4,423 sq ft, to 4932 sq ft. 28 additional parking spaces are provided as part of a new parking lot proposed at the eastern boundary of the property.

The Lumen, a multifamily housing development, is currently under construction on the property directly south of this location. A vehicular cross connection from The Lumen will also be provided into the new parking lot. When complete this would connect to SE 2nd St via the existing McDonald's parking lot to the north. A proposed drive through expansion would increase stacking capacity of the Chick-Fil-A property to serve more drive through customers, aiding in reducing congestion from turning movements into the site from S Walton Blvd. Additionally, sidewalks and site amenities are provided per the requirements of the Land Development Code.

The proposal provides adequate pedestrian connection via the existing sidewalk to the east along Walton Blvd and new landscaping per the requirements of the Land Development Code. The project also complies with Master Street Plan requirements. The primary materials proposed for the building addition are, various shades of stucco, to match the existing building, with brick and metal coping as trim materials.

Projected Traffic Impact

The proposed development will address capacity concerns around excess vehicle stacking along S Walton Blvd. The proposed cross access to the south, the additional drive through lane, and street and sidewalk connectivity to the nearby neighborhoods should mitigate some effects of additional traffic.

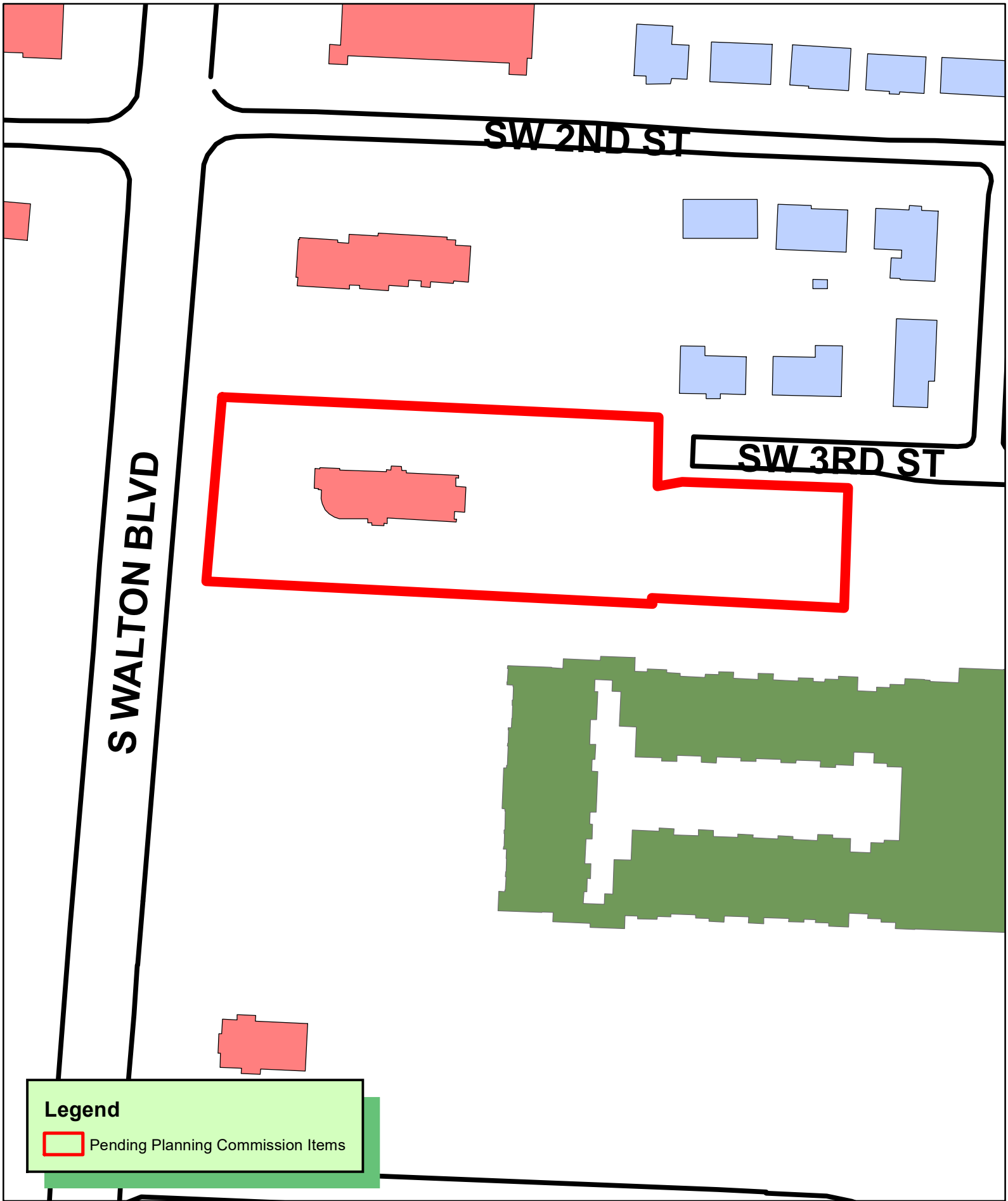
Waivers

One waiver has been requested by the applicant:

- A waiver from Land Development Code Section 1100.21 Large Scale Development Design Standards (e) Building Material

Conclusion

The proposed large-scale development fails to meet the minimum requirements of the Land Development Code because of the requested waiver. Since the proposed building materials exactly match those used for the original building, constructed in 2007, staff recommends approval of the building materials waiver request and this LSD.



N
W E
S

1 inch = 100 feet

LSD23-0023
LARGE SCALE DEVELOPMENT
CHICK FIL A
209 S WALTON BLVD

THE CITY OF BENTONVILLE

BURGER
ENGINEERING
Civil Consultants

April 27, 2023

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

Re: Large Scale Development Plan
209 S. Walton Boulevard
Bentonville, Arkansas
B.E. No. 013-363

Please accept this letter as our formal request to deviate from the required building materials on this project to allow stucco as an acceptable material. The reason for this request is so the proposed building expansion will match the existing building materials.

Please contact our office if you have any questions or comments.

Sincerely,

Bryan M. Burger, P.E.

BRYAN M. BURGER, P.E.

17103 Preston Road, Suite 180N | Dallas, Texas 75248 | Office: 972.630.3360 | Fax: 972.630.3380

LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

IRRIGATION REPAIR SPECIFICATIONS

1. Contractor shall perform site visit prior to bidding and construction, to review extent of existing irrigation system.
2. Contractor shall be responsible for verifying conditions of existing irrigation system. Contractor shall be responsible for maintaining the integrity of existing irrigation where possible, and if not, repair as needed, including but not limited to irrigation controller, meter, sleeving, etc.

MAINTENANCE NOTES

1. The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
2. All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
3. All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
4. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
5. All plant material which dies shall be replaced with plant material of equal or better value.
6. Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

LAWN REPAIR NOTES

1. All lawn areas damaged during construction to be repaired with solid sod and raked free of debris.
2. Adjust damaged areas to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All areas to be repaired must be planted by hand to cover area completely. Insure edges of sod are touching. Top dress joints by hand with compost to fill voids.
4. Roll repaired areas to achieve a smooth, even surface, free from unnatural undulations.

GENERAL LAWN NOTES

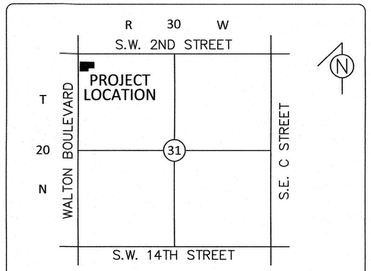
1. Fine grade areas to achieve final contours indicated on civil plans.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
5. All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
6. All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation
7. Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

SOLID SOD NOTES

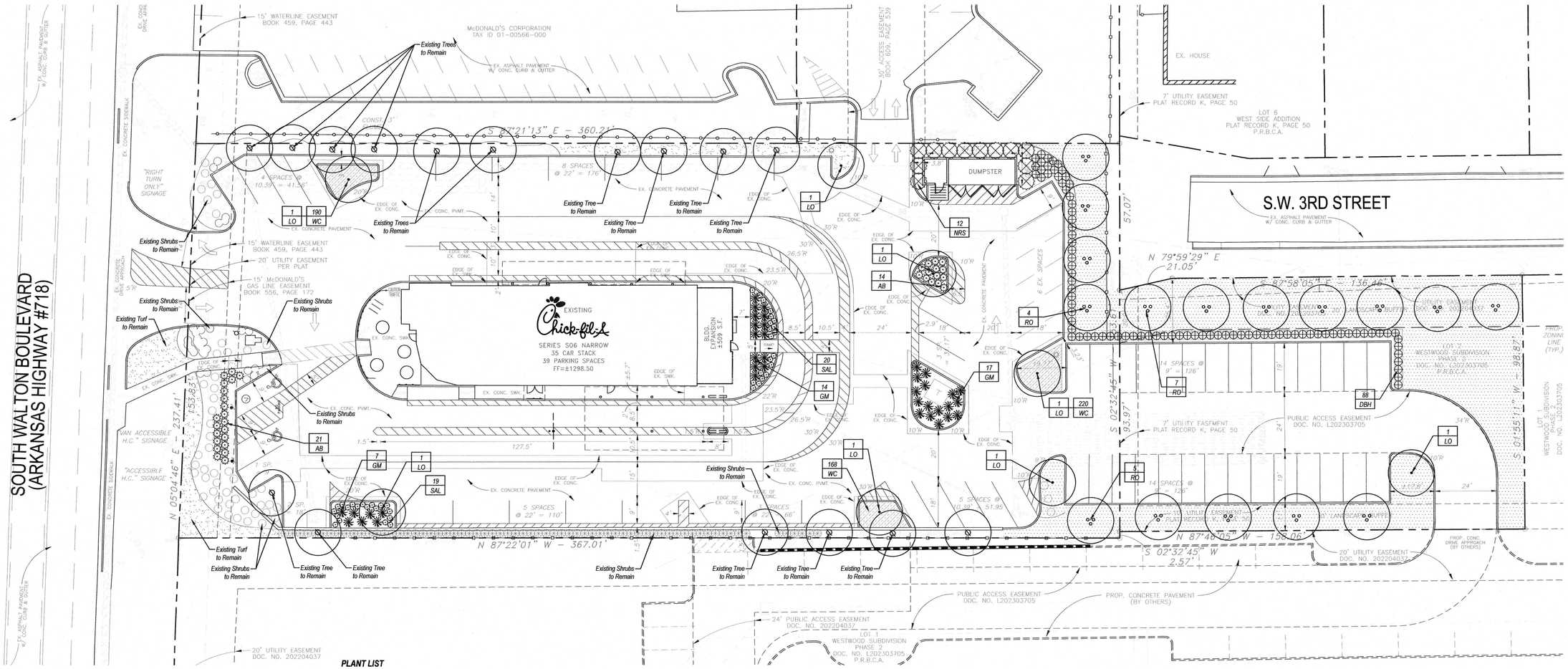
1. Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
5. Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
6. Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
7. Water sod thoroughly as sod operation progresses.
8. Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
9. Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
10. If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

SITE DATA

ZONING:	C-2
LOT AREA:	1.282 ACRES (55,865 S.F.)
ADDITIONAL AREA:	0.365 ACRES (15,879 S.F.)
TOTAL AREA:	1.647 ACRES (71,744 S.F.)
PROPOSED USE:	DINE IN W/ DRIVE THRU RESTAURANT
EX. BUILDING AREA:	4,158 S.F.
BUILDING EXPANSION AREA:	509 S.F.
TOTAL BUILDING AREA:	4,667 S.F.
F.A.R.:	0.065:1
TOTAL OCCUPANTS:	160
TOTAL EMPLOYEES @ MAX. SHIFT:	15
PARKING REQUIRED:	1 SPACE PER 4 OCCUPANTS & 1 SPACE PER EMPLOYEE (160/4) + 15 = 55
PARKING PROVIDED:	67 SPACES WITH OFFSITE PARKING LOT
BUILDING HEIGHT:	25'-6" (1 STORY)
PROPOSED LANDSCAPE AREA:	17,484 S.F. (24.28%)
PROPOSED IMPERVIOUS AREA:	54,514 S.F. (75.72%)



LOCATION MAP
NOT TO SCALE



1. Once installed, landscaping shall be maintained in healthy living condition and all plant material that dies shall be replaced. (Sec 1400.05.b)
2. Trees shall not be topped at any time and proper tree pruning techniques as established by the latest edition of ANSI A300 "Standards for All Tree Care" shall be utilized for maintenance purposes. (Sec 1400.05.b)
3. Healthy trees shall not be removed at any time and proper tree pruning techniques as established by the latest edition of the ANSI A300 "Standards for Tree Care" shall be utilized for maintenance purposes. (Sec 1400.05.b)
4. Living materials, such as lawn, grass or herbaceous groundcovers like juniper or liriope, etc., shall cover a minimum of eighty percent (80%) of the planting islands. One Hundred percent (100%) of living materials is strongly encouraged. (1400.8.g)
5. "Will Provide Interior Parking Greenspace Requirement 8% of impervious material, and at least 80% will be living material for parking islands"
6. Please add a note to the landscape plan that states that where potential utility conflicts with landscaping, utility locations shall be field verified.
7. All proposed trees shall be a minimum of 5' from all public utilities'.

PLANT LIST

TREES

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
8	LO	Live Oak	*Quercus virginiana*	3" cal.	container grown, 12' ht. min. 4'-5' spread min.
16	RO	Red Oak 'Shumard'	*Quercus shumardii*	3" cal.	container grown, 12' ht. min. 4'-5' spread min.

SHRUBS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
35	AB	Dwarf Abelia 'Rose Creek'	*Abelia sp. 'Rose Creek'*	5 gal.	container grown, full plant specimen
88	DBH	Dwarf Burford Holly	*Ilex cornuta 'Burfordii nana'*	24" ht.	container grown, full plant specimen
12	NRS	Nellie R. Stevens Holly	*Ilex sp. 'Nellie R. Stevens'*	5' ht.	container grown, full plant specimen
39	SAL	Salvia 'Furman's Red'	*Salvia greggii 'Furman's Red'*	5 gal.	container grown, full plant specimen
38	GM	Gulf Muhly	*Muhlenbergia capillaris*	5 gal.	container grown, full plant specimen

GROUNDCOVERS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
578	WC	Wintercrepeer	*Euonymus fortunei coloratus*	4" pots	container, (3) 12" runners min. 12" o.c.
		Bermudagrass 'Tiffway 419'	*Cynodon dactylon*	roll sod	solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

EXISTING LAWN AREA

PROPOSED NEW LAWN, SOLID SOD

APPLICANT:
CHICK-FIL-A, INC.
5200 BUFFINGTON ROAD
ATLANTA, GEORGIA 30349
PHONE: (404) 765-8000
CONTACT: DANIEL CARPER
EMAIL: DANIEL.CARPER@CFACORP.COM

ENGINEER:
BURGER ENGINEERING, LLC
TEXAS REGISTERED ENGINEERING FIRM F-12997
17103 PRESTON ROAD, SUITE 180N
DALLAS, TEXAS 75248
PHONE: (972) 630-3360
CONTACT: BRYAN M. BURGER, P.E.
EMAIL: BBURGER@BURGERENGINEERING.COM

Arkansas One Call 811 Know what's below Call before you dig

LSD23-0023

01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"

0 10 20 40

BURGER ENGINEERING
Civil Consultants
17103 Preston Road, Suite 180N
Dallas, Texas 75248
Office: 972.630.3360 Fax: 972.630.3380
Certificate Of Authorization No. 2210

Chick-fil-A
5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:

Mark	Date	By

209 SOUTH WALTON BOULEVARD
LOT 1 - TYL ADDITION,
LOT 18 - WEST SIDE ADDITION &
PART OF LOT 1 - WESTWOOD ADDITION
BENTONVILLE, ARKANSAS

STORE
SERIES
S06 NARROW
MODIFIED

SHEET TITLE
LANDSCAPE PLAN

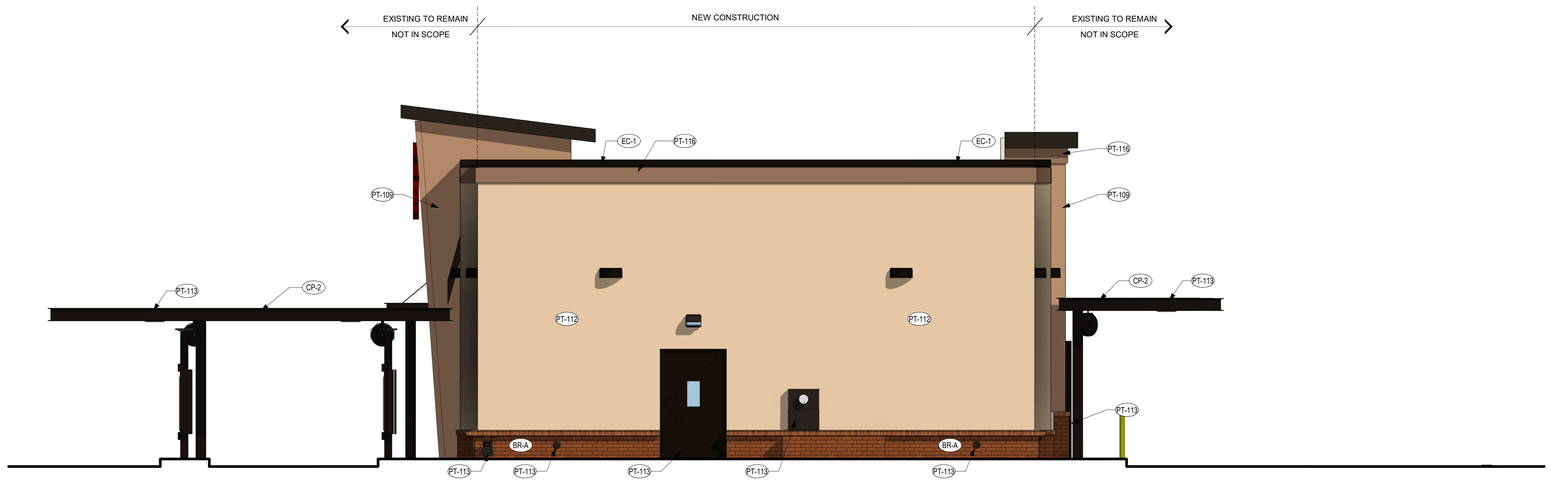
☒ For Permit
☐ For Bid
☐ For Construction

Job No. : 013-363
Store : 02234
Date : 06/22/23
Drawn By : BDA
Checked By: BDA

Sheet
L-1



1 WEST ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"

EXTERIOR FINISHES

PT-112
STUCCO SYSTEM
COLOR: LATTE
FINISH: SAND MEDIUM

PT-116
STUCCO SYSTEM
COLOR: GROUNDED
FINISH: SAND MEDIUM

EC-1
PREFINISHED METAL COPING
COLOR: DARK BRONZE

ST-1
STOREFRONT
COLOR: CLEAR ANODIZED

PT-109
STUCCO SYSTEM
COLOR: TOASTY
FINISH: SAND MEDIUM

BR-A
BRICK VENEER
COLOR: CRIMSON
SIZE: MODULAR

PT-113
EXTERIOR PAINT
COLOR: DARK BRONZE
FINISH: SEMI-GLOSS

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998
P: (404) 765 8000

MAYSE & ASSOCIATES, INC.
Architecture • Planning • Construction Management

14881 Quorum Dr. Suite 800
Dallas, Texas 75254
Phone: (972) 386-0338 Fax: (972) 386-0378
www.MayseAssociates.com

4/20/2023 9:54:14 AM

CHICK-FIL-A
DOWNTOWN BENTONVILLE

209 S WALTON BLVD.
BENTONVILLE, AR 72712

FSR#02234

BUILDING TYPE / SIZE: S06N-XL

REVISION SCHEDULE

NO.	DATE	DESCRIPTION

CONSULTANT PROJECT # 21111
PRINTED FOR ISSUE FOR PERMIT
DATE 4/20/2023 9:54:14 AM
DRAWN BY Designer

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SHEET
COLOR ELEVATIONS

SHEET NUMBER
A-301.1

02234-A-301.1-COLOR ELEVATIONS
4/20/2023 9:54:14 AM
BIM 360://AR_02234_Downtown Bentonville FSU_2021.10_REI\02234_Downtown Bentonville FSU_Remodel_ARC.rvt



1 NORTH ELEVATION
1/4" = 1'-0"



2 SOUTH ELEVATION
1/4" = 1'-0"

EXTERIOR FINISHES

PT-112
STUCCO SYSTEM
COLOR: LATTE
FINISH: SAND MEDIUM

PT-116
STUCCO SYSTEM
COLOR: GROUNDED
FINISH: SAND MEDIUM

EC-1
PREFINISHED METAL COPING
COLOR: DARK BRONZE

ST-1
STOREFRONT
COLOR: CLEAR ANODIZED

PT-109
STUCCO SYSTEM
COLOR: TOASTY
FINISH: SAND MEDIUM

BR-A
BRICK VENEER
COLOR: CRIMSON
SIZE: MODULAR

PT-113
EXTERIOR PAINT
COLOR: DARK BRONZE
FINISH: SEMI-GLOSS

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998
P: (404) 765 8000

MAYSE & ASSOCIATES,INC.
Architecture • Planning • Construction Management
14881 Quorum Dr. Suite 800
Dallas, Texas 75254
Phone: (972) 386-0338 Fax: (972) 386-0378
www.MayseAssociates.com

CHICK-FIL-A
DOWNTOWN BENTONVILLE

209 S WALTON BLVD.
BENTONVILLE, AR 72712

FSR#02234

BUILDING TYPE / SIZE: S06N-XL

REVISION SCHEDULE

NO.	DATE	DESCRIPTION

CONSULTANT PROJECT # 21111
PRINTED FOR ISSUE FOR PERMIT
DATE 4/20/2023 9:54:53 AM
DRAWN BY Designer

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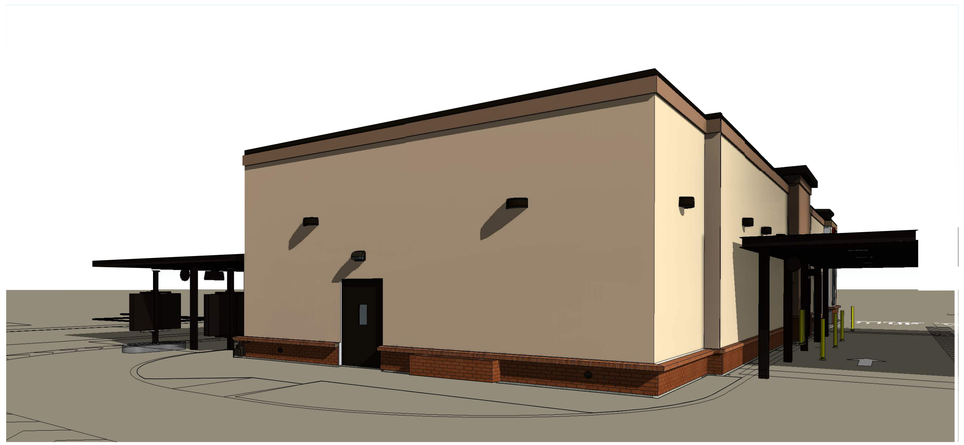
SHEET
COLOR ELEVATIONS

SHEET NUMBER
A-302.1

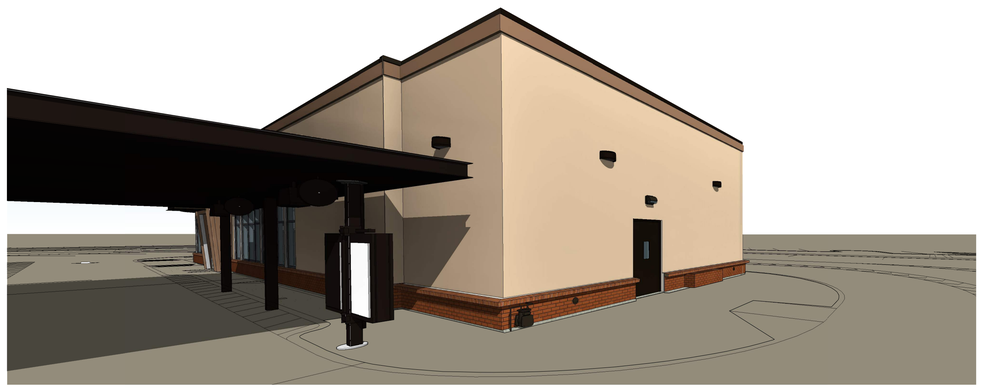
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4/20/2023 9:54:53 AM
BIM 360://AR_02234_Downtown Bentonville FSU_2021.10_REI/02234_Downtown Bentonville FSU_Remodel_ARC.rvt



3 PERSPECTIVE VIEW - ENTRY



1 PERSPECTIVE VIEW - REAR RIGHT



2 PERSPECTIVE VIEW - REAR LEFT

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998
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Phone: (972) 386-0338 Fax: (972) 386-0578
www.MayseAssociates.com

4/26/2023 4:39:03 PM

CHICK-FIL-A
DOWNTOWN BENTONVILLE

209 S WALTON BLVD.
BENTONVILLE, AR 72712

FSR#02234

BUILDING TYPE / SIZE: S06N-XL

REVISION SCHEDULE

NO.	DATE	DESCRIPTION

CONSULTANT PROJECT # 21111
PRINTED FOR ISSUE FOR PERMIT
DATE 4/26/2023 4:39:03 PM
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SHEET
PERSPECTIVE VIEWS

SHEET NUMBER
A-303.1

02234-A-303.1-PERSPECTIVE VIEWS
4/26/2023 4:39:03 PM
BIM 360://AR_02234_Downtown Bentonville FSU_2021.10_REI/02234_Downtown Bentonville FSU_Remodel_ARC.rvt

WAIVER REQUEST STAFF REPORT

Nelagoney Glen Subdivision

Northwest C Street
PC Date: 7/18/2023
Reviewer: Jon Stanley, Senior Planner, ASLA, APA

Project Number	PP22-0007
Applicant / Current Owner	Black Apple Creek, LLC
Site Area	+/- 7.82 Acres
Current Zoning	DN-1, Downtown Low-Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)
Waiver Request	Land Development Code: Article 400, Preliminary Plat, Section 400.08, Building Permits for Model Homes
Related Project #'s	N/A

https://arcg.is/08HvK8



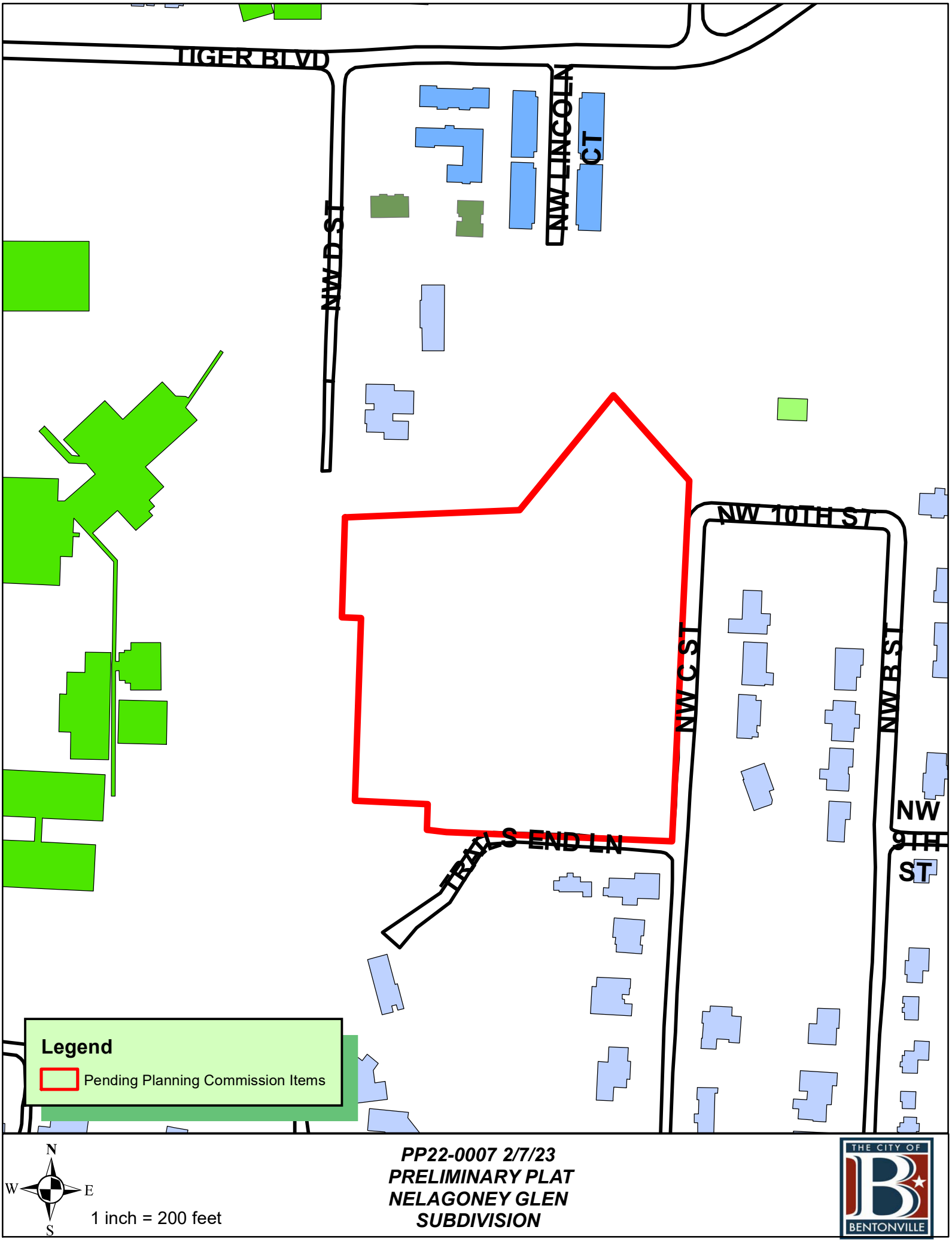
Property Description
This property is located along the west side of Northwest C Stret near Park Springs Park and is currently zoned DN-1, Downtown Low-Density Residential with a Future Land Use Map designation of Medium Density Residential.

Waiver Request
The applicant is requesting a waiver from the Land Development Code: Article 400, Preliminary Plat, Section 400.08, Building Permits for Model Homes

Code states "All new subdivision containing more than 10 lots may be allowed to construct one (1) model home. In subdivisions containing more than one (1) phase, model homes shall be allowed only in the first phase of the subdivision. Model homes shall be placed adjacent to the primary entrance to the subdivision. Temporary offices intended for the purpose of marketing homes in the subdivision shall be placed inside the model home".

This subdivision only contains 7 lots, not the required 10 lots as stated by code.

See the applicant's narrative for more information.


TIGER BLVD
NW D ST
NW LINCOLN CT
NW 10TH ST
NW C ST
NW B ST
TRAILS END LN
NW 9TH ST
Legend
Pending Planning Commission Items
N
W
E
S
1 inch = 200 feet
PP22-0007 2/7/23
PRELIMINARY PLAT
NELAGONEY GLEN
SUBDIVISION
THE CITY OF
BENTONVILLE

52009

June 30, 2023

Jon Stanley
305 SW “A” Street
Bentonville, AR
479-271-3122

RE: Nelagoney Glen PP22-0007 – Waiver Request for Building Permit of Model Home in a subdivision with less than 10 homes.

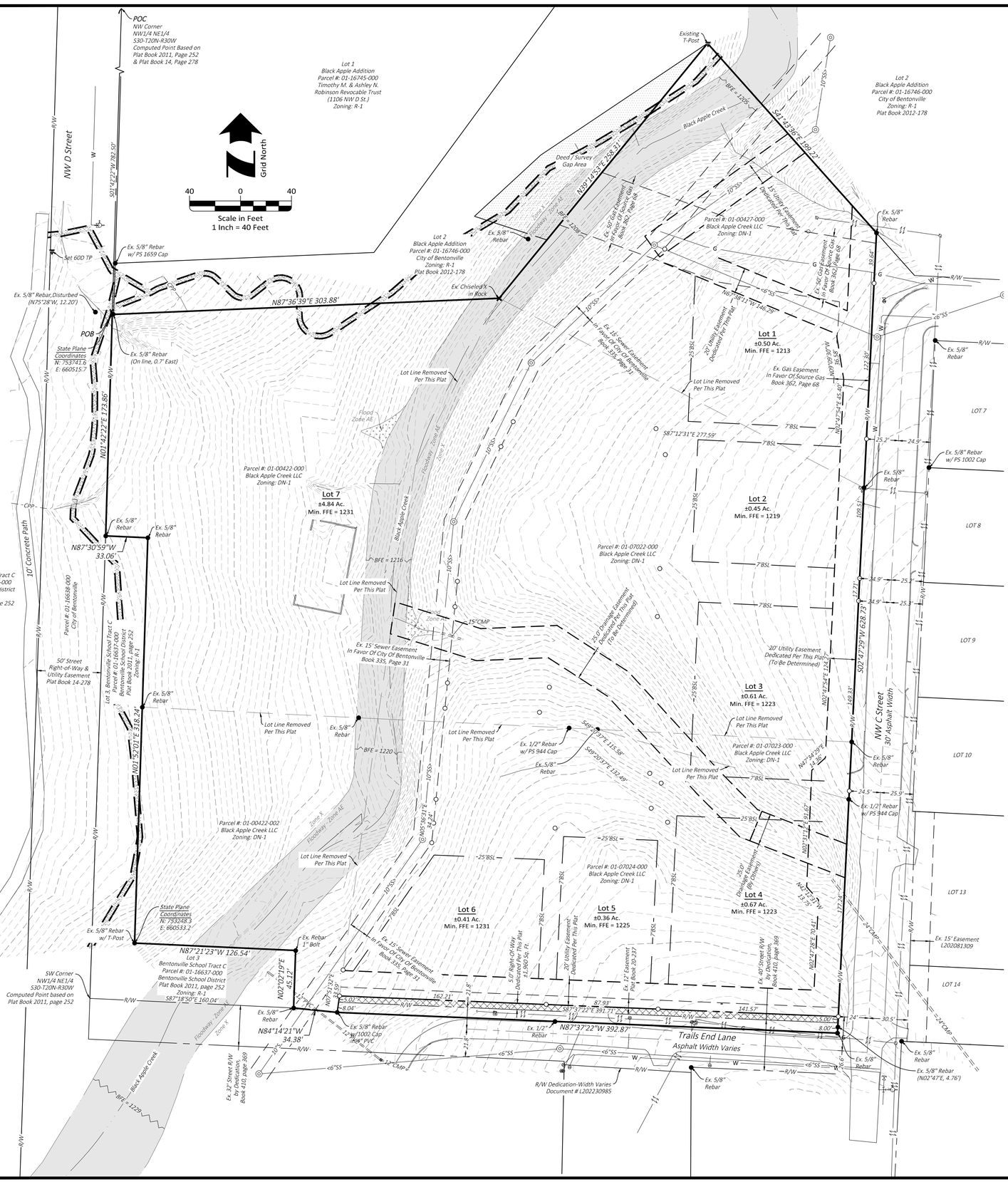
Dear Jon:

We would like to formally request a waiver from section 400.08 in order to construct a model home on lot two at 951 NW “C” Street, within the Nelagoney Glen subdivision. This project involves the construction of six high-quality, intricately designed homes by Modus Studio. The purpose of building a model home is to highlight the structure and facilitate the sale of the remaining five proposed homes.

Sincerely,

Halff Associates, Inc.

M. Dirk Thibodaux, PLA, ASLA
Senior Project Manager



LEGEND

Ex. Section Line	Set 1/2" Rebar w/ PS# 1507 Cap
Ex. Boundary Line	Ex. Rebar
Ex. Adjacent Boundary Line	Ex. Nail
Ex. Right of Way Line	Ex. Chiseled "X"
Dedicated Right of Way Line	Ex. T-Post
Ex. Easement Line	Ex. Water Meter
Ex. Lot Line Being Removed	Ex. Fire Hydrant
Proposed Easement Line	Ex. Water Valve
Ex. Base Flood Elevation Line	Ex. Water Spigot
Ex. FEMA Floodway	Ex. Sewer Manhole
Ex. FEMA Floodzone "AE"	Ex. Gas Meter
Black Apple Creek - Park Springs Trail	Ex. Gas Regulator Valve
Ex. Water Line	Ex. Telephone Pedestal
Ex. Sanitary Sewer Line	Ex. Power Pole
Ex. Gas Line	Ex. Power Pole w/ Guy Wire
Ex. Overhead Electric Line	Ex. Sign
Ex. Storm Drain Pipe	Ex. Spot elevation
Ex. Tree Edge Line	Minimum Finish Floor Elevation
Ex. Fence Line	
Ex. Ditch Line	
Ex. Contour Lines	

SURVEYOR'S NOTE:

- The platted streets, Nelogany Glen Subdivision, filed for record in Plat Book B, page 107, and on the east side of Black Apple Creek, were vacated by Ordinance No. 488, Book 457 at page 76, March 14, 1973, Benton County, Arkansas.
- No Ordinance was found or provided vacating any platted streets or rights-of-way in Nelogany Glen Subdivision on the west of Black Apple Creek.

PRELIMINARY

HALFF

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

NELAGONEY GLEN

Bentoville, Arkansas

Prepared For: Black Apple Creek, LLC

PRELIMINARY PLAT

City of Bentonville Project # PP22-0007
Atlas Page: 361

Revisions

Drawn By:	JDS	Vert. Scale:	N/A
Approved By:	KAS	Horiz. Scale:	1" = 40'
Date:	12.15.2022	Plot Scale:	1
Project No.:	MSO-06	DWG Name:	MSO-06

Drawing Name: P:\MSO-06 Nelagoney Glen\DRAFTING\MSO-06 Preliminary PLAT.dwg Last Modified: Jan 13, 2023 - 3:08pm Plotted on: Jan 27, 2023 - 2:46pm by ah5174

Residential Driveway Width

PC Date: 7/18/2023
Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Land Development Code
Section(s)	Sec. 1100.05 Driveway Standards
Recommendation	APPROVAL

Issue Statement

Staff has determined a need for a maximum driveway width for ingress/egress safety and to reduce the amount of impermeable surfaces in residential areas. A minimum driveway width for driveways longer than 150 feet is necessary to ensure adequate fire access.

The Code Review Committee has reviewed and supports the proposed amendment.

Proposed Changes

In the Land Development Code, Sec. 1100.05 Driveway Standards, add the following regulations for residential driveways:

> Residential driveway width, measured at the right-of-way line, shall not exceed 24 feet. There shall be no minimum width required, unless the driveway is longer than 150 feet in which case the minimum width shall be 8 feet.

PUBLIC NOTICE

CITY OF BENTONVILLE

The Bentonville Planning Commission will duly meet to discuss a proposed amendment to Appendix B Land Development Code Sec. 1100.05 Driveway Standards to establish a maximum residential driveway width at the right-of-way line.

The public hearing will be held at the regular Planning Commission meeting on Tuesday, July 18, 2023 in City Hall at 305 SW A Street, Bentonville, Arkansas, in the Council Chambers beginning at 5:00 p.m. All interested parties wishing to be heard on this matter are urged and notified to attend.

The proposed ordinance is open to public examination either electronically on the city's website at http://www.bentonvillear.com/198/Code-Amendments or paper copy at City Hall at 305 SW A Street. For more information, contact Bentonville Planning at (479) 271-3122.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE APPENDIX B LAND DEVELOPMENT CODE SECTION 1100.05 DRIVEWAY STANDARDS TO ESTABLISH A MAXIMUM RESIDENTIAL DRIVEWAY WIDTH AT THE RIGHT-OF-WAY LINE; AND FOR OTHER PURPOSES.

WHEREAS, city officials have determined the need for a maximum driveway width for ingress/egress safety and to reduce the amount of impermeable surfaces in residential areas;

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

Section 1: That Bentonville Municipal Code, Appendix B Land Development Code shall be and is hereby amended with the following changes to Sec. 1100.05 Driveway Standards:

Sec. 1100.05 Driveway Standards

(a) Driveway width.

(1) Commercial, industrial, multi-family, and mixed-use driveway widths shall meet the following guidelines.

a. *One-way in or out*. If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum width of 16 feet and shall have appropriate signage designating the driveway as a one-way connection.

b. *Two-way*. For two-way access, each lane shall have a width of 12 feet and a maximum of three lanes shall be allowed. Whenever more than two lanes are proposed, entrance and exit lanes shall be divided by a raised median. The median shall be four (4) feet wide and conform to AHTD standard detail for curbed islands

c. *Minor or major arterials*. Driveways that enter a minor or major arterial at traffic signals must have at least two (2) outbound lanes (one for each turning direction) of at least 12 feet in width, and one in-bound lane with a 14-foot width.

(2) Residential driveway width, measured at the right-of-way line, shall not exceed 24 feet. There shall be no minimum width required, unless the driveway is longer than 150 feet in which case the minimum width shall be 8 feet.

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

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

PASSED and APPROVED this _____day of _____, 2023.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Kirby Romines, City Clerk