



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

Registration Link: <https://us06web.zoom.us/j/85375278769>

I. Call to Order

II. Approval of Minutes

1. **October 17, 2023 Minutes** **Approval of Meeting Minutes**

III. Consent Agenda

- | | |
|---|-------------------------|
| 1. McKissic Springs West | Preliminary Plat |
| Motley Road and South Vaughn Road (Hwy 279) (PP23-0007) | |
| 2. Lot 15 of Pickens Subdivision | Lot Split |
| John DeShields Boulevard and Northeast Legacy Parkway (LS23-0040) | |
| 3. Lot 16 of Pickens Subdivision | Lot Split |
| Northeast John Deshields Boulevard (LS23-0041) | |
| 4. Lots 5 and 6 of Harbin Pointe Addition | Lot Split |
| Southwest Regional Airport Boulevard (LS23-0049) | |
| 5. Lots 1 and 2 of Pinnacle Villas LLC Subdivision | Lot Split |
| 208 Northwest G Street (LS23-0051) | |

IV. New Business

Advertised Public Hearings

- | | |
|---|------------------|
| 1. Market District II LLC | Rezoning* |
| 1003 Southeast 4th Street (PUD23-0001) | |
| Rezoning: R-1, Low-Density Single-Family Residential to Planned Unit Development (PUD) | |
| 2. Yellow Brick Road, LLC | Rezoning* |
| 503 Southeast A Street (RZ23-0075) | |
| Future Land Use Map Amendment: High Density Residential (HDR) to Downtown Commercial | |
| Rezoning: R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge | |
| 3. REO Plateau Properties | Rezoning* |
| Northwest Deer Run Avenue (RZ23-0076) | |

Future Land Use Map Amendment: Unassigned Land Use to Low Density Residential (LDR)

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

4. **Bentonville/Bella Vista Trailblazers Association Inc.** **Rezoning***

Southwest 8th Street ([RZ23-0077](#))

Future Land Use Map Amendment: Residential Estate and Office to Agriculture

Rezoning: R-3, Medium-High Density Multifamily Residential and Planned Unit Development (PUD) to A-1, Agriculture

5. **Sanders Properties LLLP** **Rezoning***

205 Northwest 4th Street ([RZ23-0078](#))

Rezoning: R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

6. **Esterer Investments, LLC** **Rezoning***

337 Northwest A Street ([RZ23-0079](#))

Rezoning: R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

7. **Positronic Retail LLC** **Conditional Use Permit***

210 Prairie Lane ([CU23-0030](#))

Long-term Temporary use of shipping containers for storage.

8. **The Bike Inn** **Conditional Use Permit***

3400 South Walton Boulevard ([CU23-0031](#))

Temporary Long-Term Use - Mega Sleeper Pods/Mini Cabins

9. **Cilp Realty LLC / United Industries - Material Storage Extension** **Conditional Use Permit***

Southeast 5th Street ([CU23-0032](#))

Bulk Storage of Highly Flammable Material

10. **Sam's Club Office Mobile Recycling** **Conditional Use Permit***

2102 Southeast Simple Savings Drive ([CU23-0033](#))

Long Term Temporary Use

11. **Palmer Violin School** **Conditional Use Permit***

3404 Southeast Macy Road Suite 2 ([CU23-0034](#))

To allow an Educational Facility in C-2 Commercial Zoning

12. **Unlicensed Vehicles** **Ordinance***

13. **CDBG Annual Action Plan Amendment** **Resolution ***

V. Other New Business

1. **Cottages at Simpson Farm** **Large Scale Development**

Arkansas Highway 112 ([LSD23-0041](#))

VI. Old Business

1. **Doaba Investment, LLC** **Rezoning***
Southwest Regional Airport Boulevard ([RZ23-0073](#))
Future Land Use Map Amendment: Residential Estate (RE) to High Density Residential (HDR)
Rezoning: Planned Unit Development (PUD) to R-3, Medium-High Density Multifamily Residential

2. **Extra Territorial Jurisdiction** **Ordinance***

VII. Other Business

1. **December 12, 2023 PC** **Informational**
Administrative Meeting Discussion
2. **Planning Commission/City Council** **Informational**
Joint Work Session Discussion

Adjournment



**Planning Commission
Meeting Minutes
October 17, 2023
Bentonville City Hall
Tech Review: 4:00PM
Public Meeting: 5:00PM**

Meeting Recording:

https://us06web.zoom.us/rec/share/DmqvhQv6T4xEGP8fsLNpra_FkfqUzE_aMMj5ud81FZupg9PTZMTneTxFBud78fS1.PwhXp35DAxre34p2

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

Commissioners Absent: N/A

Staff Present: Tyler Overstreet, Tom Adler, Luke Aitken, Bonnie Bridges, Dan Weese and via zoom: Keegan Stanton, Ellen Norwell, Jon Stanley

I. Call to Order

II. Approval of October 3, 2023 Meeting Minutes

- October 3, 2023 Meeting Minutes approved 7-0 by voice vote.

III. Consent Agenda

Request by Davis that based on the technical committee discussion, and without objection, that Item #3 under new business (WAV23-0018) be moved to the consent agenda and that under new business Items 3, 4, and 5 be correctly titled on the agenda as rezone requests for DN2, DN1 and DN1 respectively, as given in the staff reports. Chairman Sanders: So ordered.

1. Lykins Driveway

1410 NE J St (WAV23-0018)

- Mr. Adler provides an overview of the Staff Report.
- **Consent agenda is approved 7-0.**

Waiver

IV. New Business

1. Walnut Grove Phase II-IV

Preliminary Plat

Southwest Barron Road and Piercy Road (PP22-0009)

Waiver 1: A waiver from Sec 1100.16 Street Standards (a) Standard street specifications to construct roads narrower than the Master Street Plan requirements.

Wavier 2: A waiver from Sec 1100.16 Street Standards (i) Traffic Calming to provide narrower streets in lieu of standard traffic calming

- Mr. Adler provides an overview of the Staff Report.
- Applicant's representative, Patrick Foy explains why moving the curbs inboard 4' for the residential streets on this project allows for cost savings due to the underground infrastructure previously installed under the old residential street standard.
- **Waivers failed for lack of motion.**

2. Medlin Park Detention

Waiver

2303 Medlin Lane (WAV23-0016)

- Mr. Sorey provides an overview of why a waiver of detention, in this case, allowing the peak discharge of 66cfs from the project into the main channel before the main channel peak arrives, is a superior design.
- Mr. Bill Burckart, owner, details how other adjacent areas have received waivers for the same reason.
- Mr. Weese explains why modern drainage design incorporating detention on every site makes the entire basin more resilient and prevents damage and erosion downstream.
- **Waiver is approved 6/1** with Commissioner Bennett voting against due to the increased discharge at property line.

Advertised Public Hearings

1. BVR Properties, LLC

Rezoning*

1304 Bella Vista Road (RZ23-0068)

Future Land Use Map Amendment: Residential Estate (RE) to Medium Density Two Family and Townhome Residential

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

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Future Land Use Map Amendment is approved 7-0.**
- **Roll Call vote: Rezone is approved 7-0.**

2. Lovell Revocable Trust

Rezoning*

1110 Southeast Walton Boulevard (RZ23-0069)

Rezoning: A-1, Agriculture to C-2, General Commercial

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Rezone is approved 7-0.**

3. Freeman Living Trust

Rezoning*

218 and 220 Southwest Glover Street (RZ23-0070)

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

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Rezone is approved 7-0.**

4. Pinnacle Villas, LLC

Rezoning*

208 Northwest G Street (RZ23-0071)

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

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Rezone is approved 7-0.**

<15-minute recess>

5. Wood Family Trust

Rezoning*

308 Southwest E Street (RZ23-0072)

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

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Rezone is approved 7-0.**

6. Doaba Investment, LLC

Rezoning*

Southwest Regional Airport Boulevard (RZ23-0073)

Future Land Use Map Amendment: Residential Estate (RE) to High Density Residential (HDR)

Rezoning: Planned Unit Development (PUD) to R-4, High Density Multifamily Residential

- Chairman Sanders opens the Public Hearing
- George Brandecker, 2901 SW Satinwood Ave states concerns about height and buffers when adjacent to a neighborhood with children present.
- Bill Burks, 3102 SW Satinwood Ave, states concerns about light and noise associated with the existing multi-family neighborhood to the northwest.
- Mark Brodeur, 3000SW Satinwood, states concerns about preserving the existing foxes and property values.
- Commissioners discuss the merits of R-3 vs R4 on the southerly portion of the property and methods to buffer the existing R-1 from the proposed height associated with R-4.
- **Item is tabled 7-0.**

7. Doaba Investment, LLC

Rezoning*

Southwest Regional Airport Boulevard (RZ23-0074)

Rezoning: Planned Unit Development (PUD) to C-2, General Commercial

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: Rezone is approved 7-0.**

8. East Central Avenue Hotel - Noise

Conditional Use Permit*

200 East Central Avenue (CU23-0029)

- Chairman Sanders opens and closes the Public Hearing
- **Roll Call vote: CUP is approved 7-0** with conditions stated in the staff report, expiring 12/31/2023.

V. Old Business

Extra Territorial Jurisdiction

Ordinance

- Chairman Sanders opens and closes the Public Hearing
- Commissioners discuss the merits of having material standards applied for Large Scale Projects outside of the City but within the planning area as there is the possibility of them annexing at a future point with substandard materials.
- Mr. Overstreet emphasizes that the larger projects will most always require City Utilities, requiring annexation.
- Ms. Bridges suggests that having the other departments present might be beneficial for this discussion.
- **Item is tabled 7-0.**

VI. Adjournment Meeting Adjourned.



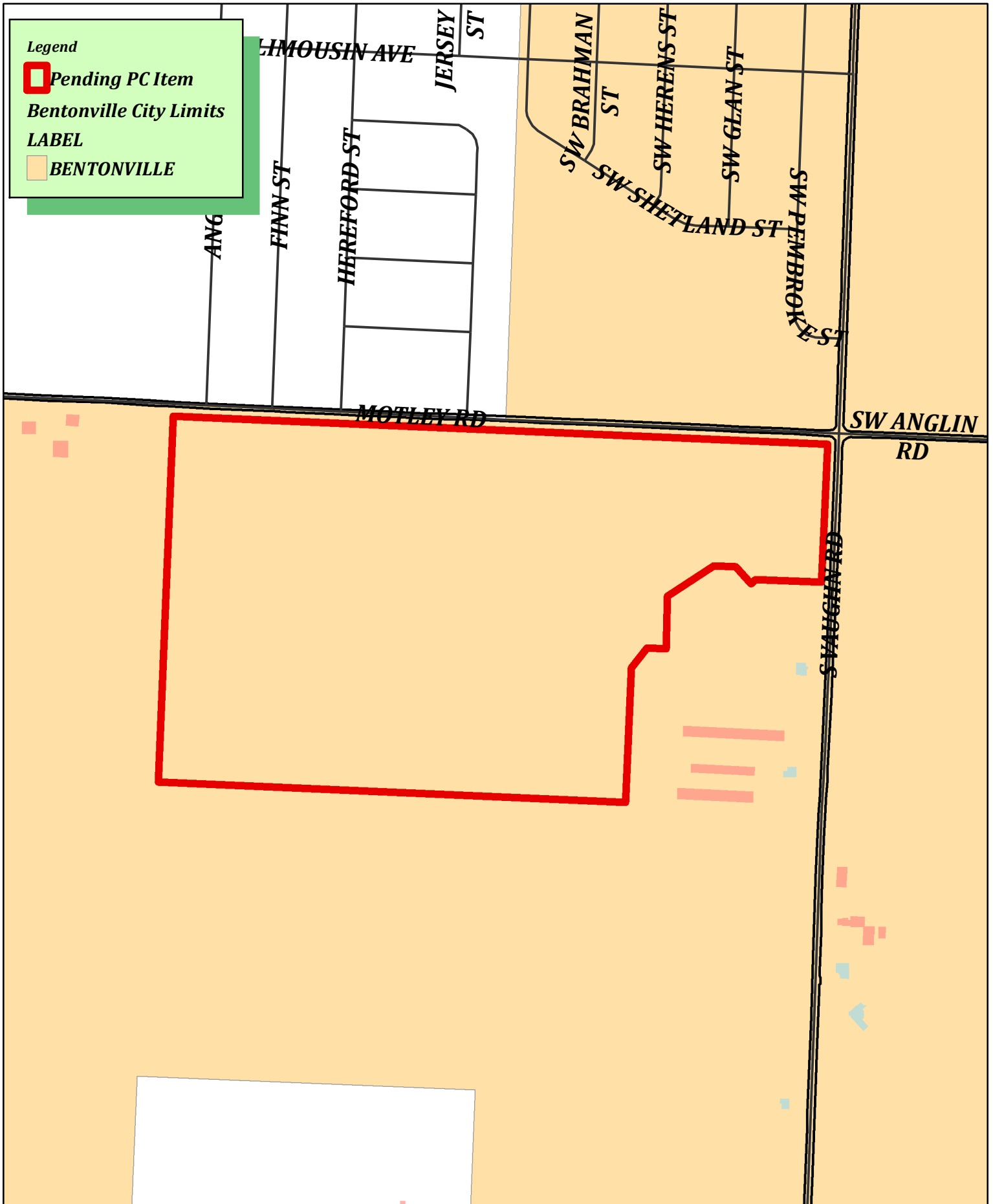
Consent Agenda Item

For the Planning Commission meeting on November 7, 2023

Details

Preliminary Plat: McKissic Springs West, Buffington BW LLC, South Vaughn Road, R-2, Medium Density Two Family and Townhome Residential and R-3, Medium-High Density Multifamily Residential, PP23-0007

A preliminary plat for McKissic Springs West proposing to create a 280-lot subdivision, of which 158 will be townhome lots, 116 will be single-family home lots, and 6 will be common or drainage lots. The townhome lots will be located in the area zoned R-3, the and single-family home lots will be located in the area zoned R-2. Amenities are provided with this plat, including some pool spaces as well as walking trails. Sidewalk connections are provided to allow direct access to amenities and connect the different parts of the neighborhood. Improvements are provided to Motley Road as well as to a new designated collector to be called Southwest Hydrangea Street. Significant drainage and flood areas exist between the townhome and single-family sections of the proposed neighborhood, as well as the existing neighborhood to the East that is show around Juneberry Street. No waivers or variances are associated with this request.



PP23-0007
Buffington BW LLC
McKissic Springs West



 SIDEWALK BY LOT

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

PROJECT NO: 23302500
ISSUE DATE: 09/22/2023
CONTACT: B. MURRAY
JOB: 23302500
3C Dater: _____

PRELIMINARY PLANS

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

NOT FOR CONSTRUCTION

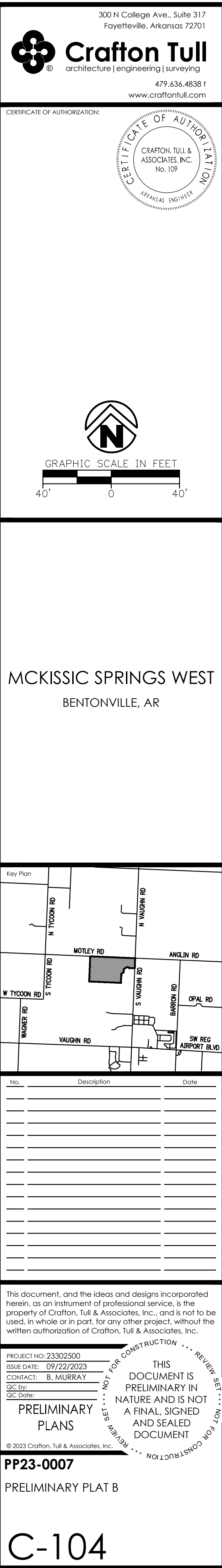
REVIEW SET

NOT FOR CONSTRUCTION

REVIEW SET

2023 Crawford, Tate & Associates, Inc.

C-103





STREET TREES

LANDSCAPE

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Lot 15 of Pickens Subdivision

John DeShields Boulevard and Northeast Legacy Parkway

PC Date: 11/7/2023

Staff Report Details

Project Number	LS23-0040
Applicant / Current Owner	Ken Booth/Northwest Arkansas Senior Services Inc
Site Area	+/- 10.08 Acres
Current Zoning	Planned Unit Development (PUD)
Requested Zoning	
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	
Development Type / Use	
Related projects	LS23-0041

Property Description

Lot Split: Lot 15 of Pickens Subdivision, Northwest Arkansas Senior Services, Inc, Northeast John DeShields Boulevard and Northeast Legacy Parkway, PUD, Planned Unit Development, LS23-0040

A lot split of existing Lot 8 of Pickens Subdivision, creating new Lot 15 of Pickens Subdivision and dedicating a portion of ROW for Northeast Legacy Parkway to become a public street. A second plat, LS23-0041, on behalf of Crystal Pickes, LLC (Crystal Flats) is on this agenda also, and that plat will dedicate the remainder of the necessary ROW for all of Legacy Parkway to become public. The plat would dedicate utility easements to serve the newly created lots. All requirements of the zoning and Land Development code are being met.

Project Details

There are portions of NE Legacy Parkway, a previously private road, that will be converted to public road with the approval of this Lot Split. This road was built with Legacy Village Phase I, and generally built to City Standards. The applicant for this Lot Split has committed to making the repairs and modifications necessary to bring the road up to current City standards within 1 year.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

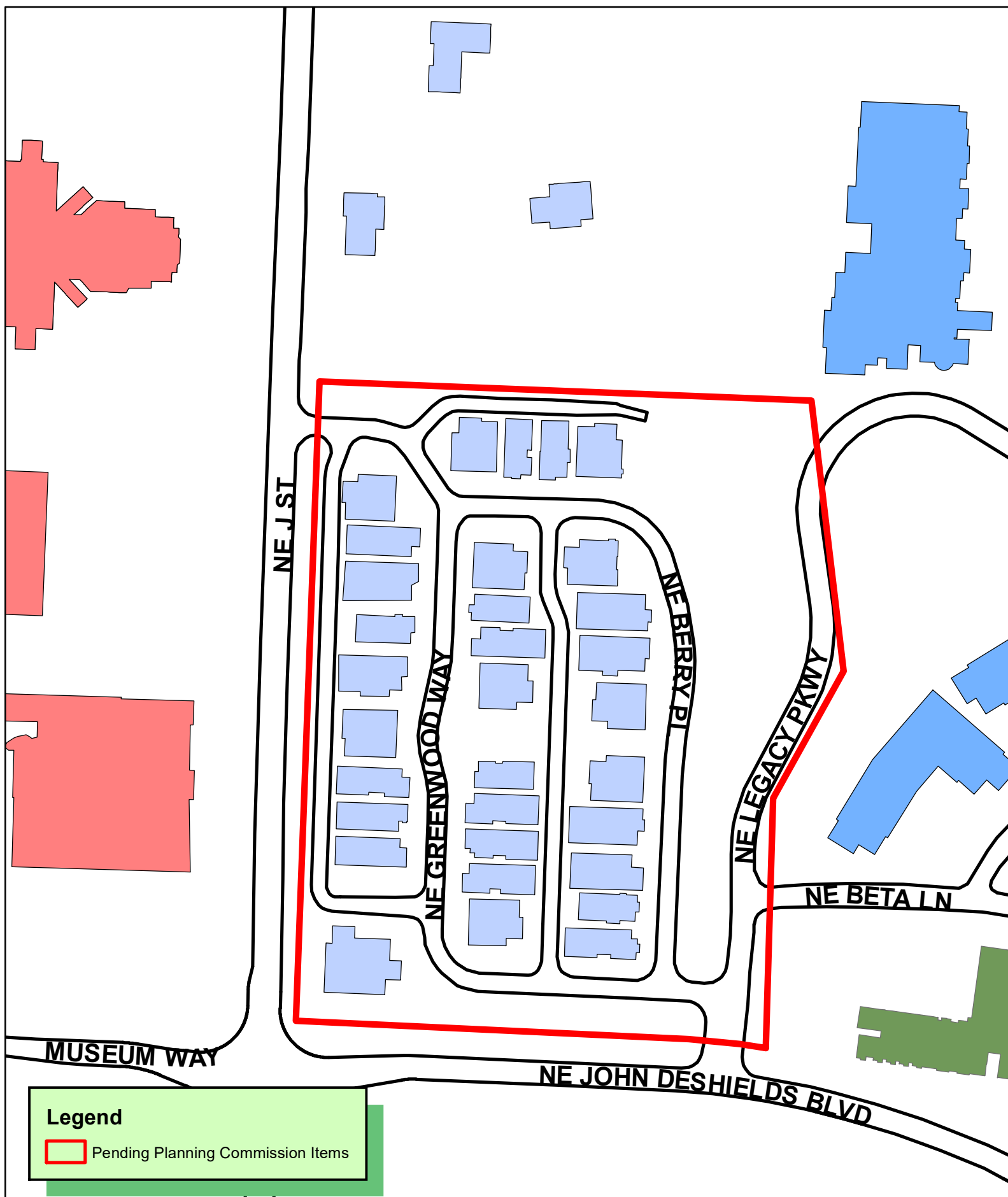
Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

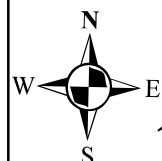
Proposed conditions of approval: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville, and all City approvals must be secured within 1 year of the City Council Approval of the ordinance approving the Lot Split.

Additional Details



Legend

 Pending Planning Commission Items



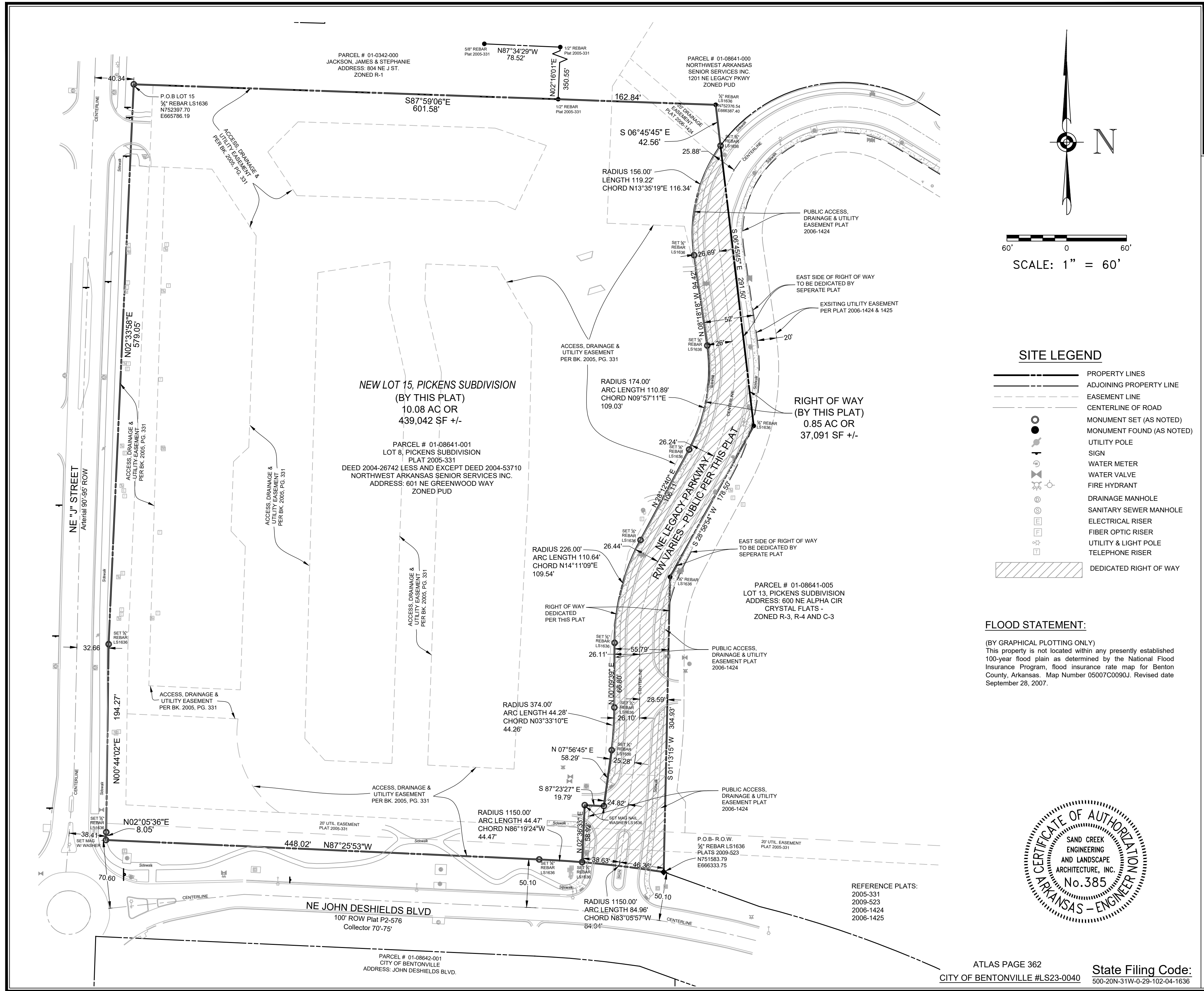
1 inch = 150 feet

**LS23-0040
LOT SPLIT
PICKENS SUBDIVISION
LOT 8 CREATING LOT 15**



OWNER: *NWASS, Inc dba
Legacy Village Garden Homes, L.L.C.
601 NE Greenway Way
Bentonville, AR. 72712
(479) 271-0350
rhboehmmler@gmail.com*

age 22 of 309



SCALE: 1" = 60'

SITE LEGEND

---	PROPERTY LINES
---	ADJOINING PROPERTY LINE
---	EASEMENT LINE
---	CENTERLINE OF ROAD
○	MONUMENT SET (AS NOTED)
○	MONUMENT FOUND (AS NOTED)
○	UTILITY POLE
○	SIGN
○	WATER METER
○	WATER VALVE
○	FIRE HYDRANT
○	DRAINAGE MANHOLE
○	SANITARY SEWER MANHOLE
○	ELECTRICAL RISER
○	FIBER OPTIC RISER
○	UTILITY & LIGHT POLE
○	TELEPHONE RISER
▨	DEDICATED RIGHT OF WAY

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



REFERENCE PLATS:
2005-331
2009-523
2006-1424
2006-1425

ATLAS PAGE 362
CITY OF BENTONVILLE #LS23-0040
State Filing Code:
500-20N-31W-0-29-102-04-1636

CLIENT: NWASS, Inc dba
Legacy Village Garden Homes, L.L.C.
601 NE Greenway Way
Bentonville, AR. 72712
(479) 271-0350
rhboehmiller@gmail.com

LOT SPLIT / ROW DEDICATION

PROJECT: Lot 8, Pickens Subdivision
Creating Lot 15, Pickens Subdivision
Bentonville, AR

PRELIMINARY

SAND CREEK Engineering and Land Surveying Bentonville, Arkansas (479) 464-9282	
PLS:	GN
CAD:	KB
FIELD:	GN/MH
SCE PROJECT #:	20038.1
DATE:	07/07/2023
SHEET:	2 OF 2

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 8 OF PICKENS SUBDIVISION
CREATING NEW LOT 15 OF PICKENS SUBDIVISION TO THE CITY OF
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: LS23-0040)**

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 8 OF PICKENS SUBDIVISION **Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.**creating new LOT 15 OF PICKENS SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

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

WHEREAS, at the time of construction of Legacy Village Phase I, the roadway Legacy Parkway was generally built to the City of Bentonville Standard Specifications for Streets, and the applicant for this Lot Split has committed to making the repairs and modifications necessary to meet the City’s currently adopted Street Specifications; 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 8 OF PICKENS SUBDIVISION creating new LOT 15 OF PICKENS 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 lot split by certifying said acceptance on the approved lot split;

Section 3: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville. If the roadway modifications are not completed within one year of the date of this ordinance, this ordinance shall be considered void;

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Lot 16 of Pickens Subdivision

Northeast John Deshields Boulevard

PC Date: 11/7/2023

Staff Report Details

Property Description

Lot Split: Lot 16 of Pickens Subdivision, Crystal Pickens, LLC, Northeast John DeShields Boulevard and Northeast Legacy Parkway, C-3, Central Commercial, R-3, Medium Density Residential, R-4, High-Density Residential and PUD, Planned Unit Development, *LS23-0041*

A lot split of existing Lot 13 Pickens Subdivision, creating new Lot 16 of Pickens Subdivision and dedicating a portion of ROW for Northeast Legacy Parkway to become a public street. A second plat, LS23-0040, on behalf of Legacy Village is going through review that will dedicate the remainder of the necessary ROW for all of Legacy Parkway to be public. The plat would dedicate utility easements to serve the newly created lots. All requirements of the zoning and Land Development code are being met.

Project Details

There are portions of NE Legacy Parkway, a previously private road, that will be converted to public road with the approval of this Lot Split. This road was built with Legacy Village Phase I, and generally built to City Standards. The applicant for this Lot Split has committed to making the repairs and modifications necessary to bring the road up to current City standards within 1 year.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Conclusion

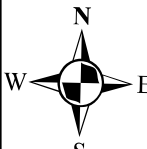
Proposed conditions of approval: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville, and all City approvals must be secured within 1 year of the City Council Approval of the ordinance approving the Lot Split.

Additional Details



Legend

 Pending Planning Commission Items



1 inch = 200 feet

LS23-0041
LOT SPLIT
PICKENS SUBDIVISION
LOT 13 CREATING LOT 16



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Lot Split for Lot 13 of Pickens Subdivision

Creating Lot 16 of Pickens Subdivision

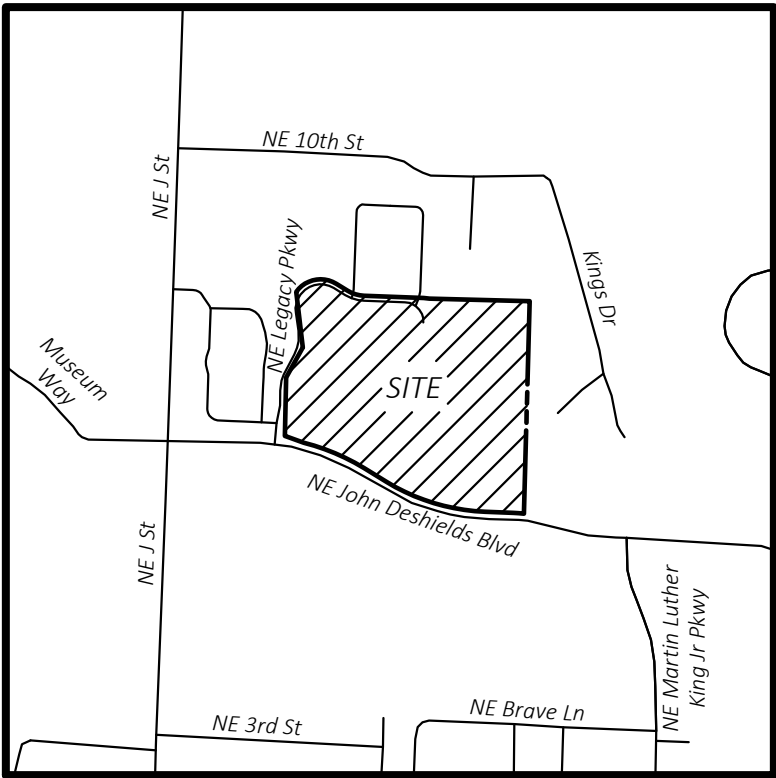
Crystal Pickens, LLC

NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

REVISION		
NO.	DESCRIPTION	DATE
Δ	City Comments	07/18/2023
Δ	City Comments	08/02/2023

GENERAL NOTES:

- This survey does not purport to be a proposed tract split or replat, or any other subdivision plat as may be defined by city, county, or state law. The land owner is encouraged to check with the local planning/development authorities for proper platting procedures before proceeding with the development.
- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which were visible at the time of making of this survey; building setback lines, restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- This plat represents an Lot Split for Lot 13 of Pickens Subdivision as recorded in Plat Book 2009, Page 523 in the public records of Benton County, Arkansas.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- A title search was not conducted by a certified title company. No abstract of title, nor title commitment, nor results of title searches were furnished to the surveyor. All documents were provided by the client/clients and/or researched by CEI Engineering Associates, Inc., and may be subject to record/unrecorded: easements, rights of way, covenants, building setback lines, subdivision restrictions, zoning, land regulations or other facts which an accurate and current title search may reveal. There may exist other documents of record which would affect this parcel.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through OPUS.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- No attempt has been made as a part of this boundary survey to obtain or shown data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey. No excavations were made during the progress of this survey to locate underground utilities/structures.
- The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.
Map Number: 05007C0090J
Map Revised: September 28, 2007
- No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.
- No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the City of Bentonville GIS map. This property is zoned C-3 (Mixed Use Commercial), R-4 (High Density Residential) and R-3 (Medium Density Residential). Setbacks shall be per the current zoning district as stated in the most recent city of Bentonville zoning code. For more info visit www.bentonvilleplanning.com or call the Planning Department & 479-271-3122.
- There are no waivers, variances and/or conditional uses at the time of preparing this plat.
- No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.
- 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.
- There may not be fences or any other structures built in any drainage easements.



VICINITY MAP

NOT TO SCALE
Latitude: 36°22'44"N
Longitude: 94°11'33"W

Owner / Developer
Parcel Number #01-08641-005 Name: Crystal Pickens, L.L.C. Property Address: 600 NE Alpha Circle Address: PO Box 668 Bentonville, AR 72712 Contact Name: Madeline Taylor



CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____ Signed: _____

Name & Address: Crystal Pickens, L.L.C. (Madeline Taylor)

600 NE Alpha Circle (PO Box 668) Bentonville, AR 72712

Print Name: _____

Source of Title: Inst. No. L201810307

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

Notary Public _____ My Commission Expires _____

CERTIFICATE OF APPROVAL:

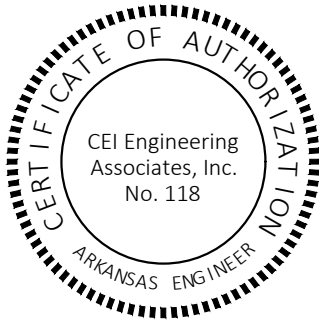
Pursuant to the Bentonville Land Development Code and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville



CERTIFICATE OF SURVEYING ACCURACY:

I James Barnett, 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. The field work was completed on [M], [D], [Year].

Date of Execution: _____

Signed: _____
Registered Land Surveyor
No.1666
State of Arkansas

City of Bentonville Project #LS23-0041

ATLAS PAGE: 362

State Survey Code: 500-20N-30W-0-29-102-04-1666



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

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split for Lot 13 of Pickens Subdivision
Creating Lot 16
Crystal Pickens, LLC
NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

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

PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Cover Sheet

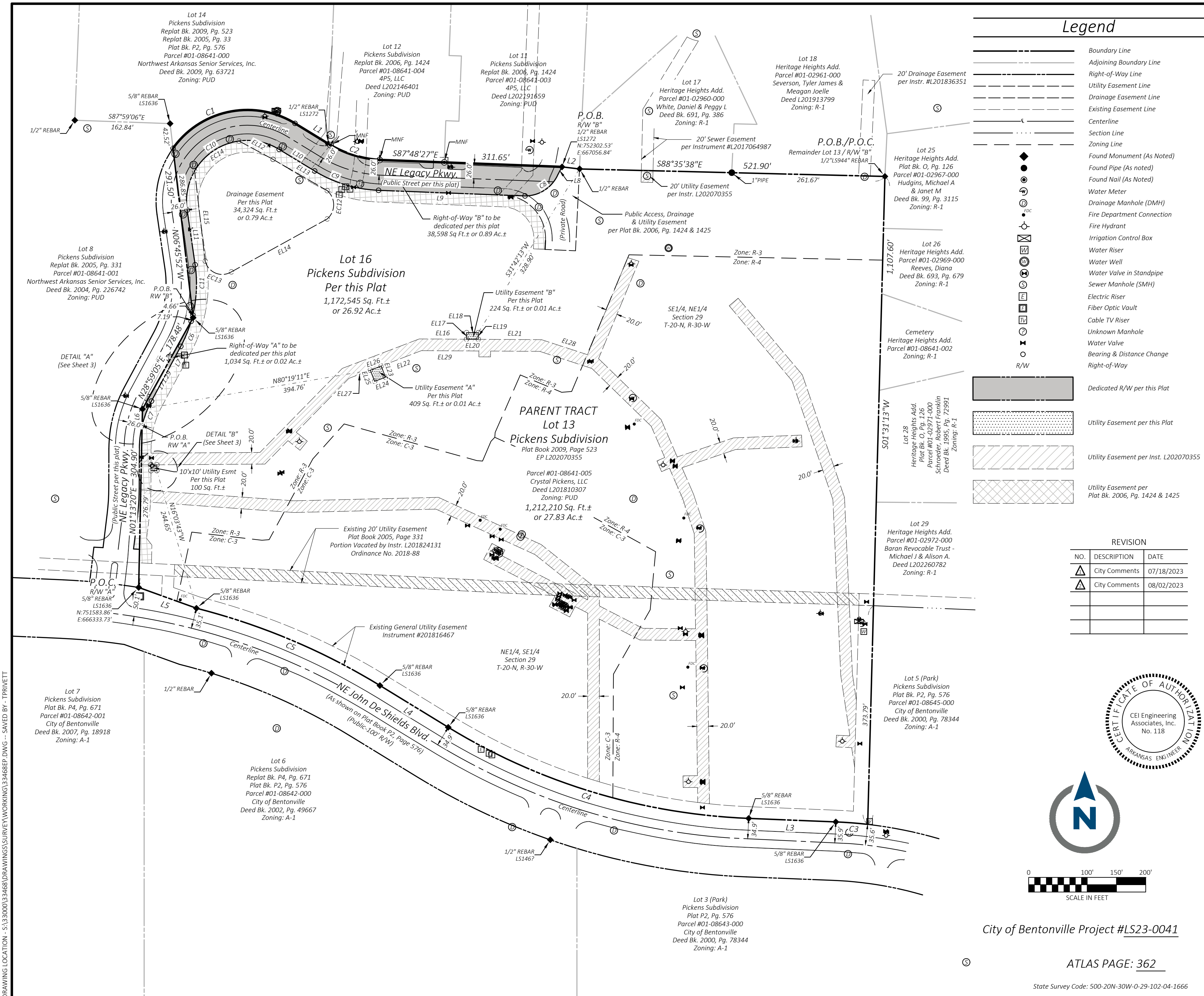
SHEET TITLE

SHEET NUMBER

1 OF 3

DRAWING LOCATION - S:\33000\33468\DRAWINGS\WORKING\33468EP.DWG - SAVED BY - TPRIVETT

© 2023 CEI ENGINEERING ASSOCIATES, INC.



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PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Easement & RW
Dedication Sheet

SHEET TITLE

SHEET NUMBER

2 OF 3

DRAWING LOCATION - S:\33000\33468\DRAWINGS\SURVEY\WORKING\33468EP.DWG -- SAVED BY - TPRIVETT

Property Line Table		
Line #	Direction	Length
L1	S58°34'45"E	71.03'
L2	S83°16'18"E	30.07'
L3	N87°42'15"W	148.95'
L4	N58°32'29"W	136.89'
L5	N70°11'40"W	104.91'

Property Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C1	156.00'	234.00'	85°56'37"	N78°26'56"E	212.67'
C2	174.00'	88.76'	29°13'42"	S73°11'36"E	87.80'
C3	735.00'	54.67'	4°15'42"	N85°34'32"W	54.66'
C4	1065.00'	542.07'	29°09'46"	N73°07'22"W	536.24'
C5	1135.00'	341.33'	17°13'50"	N67°09'24"W	340.05'

Lot Line Table		
Line #	Direction	Length
L6	N01°13'20"E	28.12'
L7	S28°12'40"W	106.11'
L8	N28°01'44"E	14.52'
L9	S87°48'08"E	250.41'
L10	N58°34'26"W	71.03'
L11	S08°18'18"E	94.42'

Lot Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C6	226.00'	46.26'	11°43'38"	N22°20'51"E	46.18'
C7	174.00'	44.78'	14°44'42"	S20°50'19"W	44.66'
C8	61.25'	71.29'	66°41'02"	N56°49'42"E	67.33'
C9	226.00'	115.29'	29°13'42"	S73°11'17"E	114.04'
C10	104.00'	235.48'	129°43'52"	S56°33'38"W	188.31'
C11	226.00'	86.48'	21°55'29"	N2°39'26"E	85.95'

Easement Line Table		
LINE	BEARING	DISTANCE
EL16	S89°37'46"E	80.87'
EL17	N00°06'04"E	11.22'
EL18	S89°53'56"E	20.00'
EL19	S00°06'04"W	11.22'
EL20	N89°53'56"W	20.00'
EL21	N89°38'13"W	108.13'
EL22	S69°01'52"W	73.42'
EL23	N21°00'56"W	20.47'
EL24	N69°01'52"E	20.00'

Easement Line Table		
LINE	BEARING	DISTANCE
EL25	S21°00'56"E	20.47'
EL26	S69°01'52"W	20.00'
EL27	N69°01'52"E	39.22'
EL28	N71°50'40"W	82.60'
EL29	S89°39'32"E	98.24'
EL30	N89°36'55"E	10.00'
EL31	S00°09'39"W	10.00'
EL32	S89°36'55"W	10.00'
EL33	N00°09'39"E	10.00'

REVISION		
NO.	DESCRIPTION	DATE
△	City Comments	07/18/2023
△	City Comments	08/02/2023

Parent Tract Description:

Lot 13 of Pickens Subdivisions to the City of Bentonville, according to Plat Book 2009, Page 523 of the public records of Benton County, Arkansas.

Lot 16 Description:

A 26.92-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

BEGINNING at a 1/2-inch rebar with cap stamped LS944 found at the northeast corner of said Lot 13;
THENCE with the east boundary of said Lot 13, South 01°31'13" West, 1,107.60 feet to the southeast corner of said Lot 13, being a point on a non-tangent curve to the left;
THENCE with the south boundary of said Lot 13, also being the north right-of-way of NE John De Shields Blvd. the following six (6) courses:
1. Westerly along the arc of said non-tangent curve 54.67 feet, having a radius of 735.00 feet, through a central angle of 04°15'42", and having a chord bearing and distance of North 85°34'32" West, 54.66 feet to a found 5/8-inch rebar with cap stamped LS1636;
2. North 87°42'15" West, 148.95 feet to a found 5/8-inch rebar with cap stamped LS1636;
3. Westerly along the arc of a non-tangent curve to the right 542.07 feet, having a radius of 1,065.00 feet, through a central angle of 29°09'46", and having a chord bearing and distance of North 73°07'22" West, 536.24 feet to a found 5/8-inch rebar with cap stamped LS1636;
4. North 58°32'29" West, 136.89 feet to a found 5/8-inch rebar with cap stamped LS1636;
5. Westerly along the arc of a non-tangent curve to the left 341.33 feet, having a radius of 1,135.00 feet, through a central angle of 17°13'50", and having a chord bearing and distance of North 67°09'24" West, 340.05 feet to a found 5/8-inch rebar with cap stamped LS1636;
6. North 70°11'40" West, 104.91 feet to a found 5/8-inch rebar with cap stamped LS1636 on the west boundary of said Lot 13;
THENCE with the said west boundary North 01°13'20" East, 276.79 feet;
THENCE leaving said west boundary, northerly along the arc of a non-tangent curve to the right 44.78 feet, having a radius of 174.00 feet, through a central angle of 14°44'42", and having a chord bearing and distance of North 20°50'19" East, 44.66 feet;
THENCE North 28°12'40" East, 106.11 feet;
THENCE northerly along the arc of a curve to the left 46.26 feet, having a radius of 226.00 feet, through a central angle of 11°43'38", and having a chord bearing and distance of North 22°20'51" East, 46.18 feet to the aforementioned west boundary of said Lot 13;
THENCE along said west boundary North 28°59'05" East, 7.19 feet;
THENCE North 06°45'52" West, 4.66 feet;
THENCE leaving said west boundary, northerly along the arc of a nontanget curve to the left 86.48 feet, having a radius of 226.00 feet, through a central angle of 21°55'29", and having a chord bearing and distance of North 02°39'26" East, 85.95 feet;
THENCE North 08°18'18" West, 94.42 feet;
THENCE northeasterly along the arc of a curve to the left 235.48 feet, having a radius of 104.00 feet, through a central angle of 129°43'52", and having a chord bearing and distance of North 56°33'38" East, 188.31 feet;
THENCE South 58°34'26" East, 71.03 feet;
THENCE easterly along the arc of a curve to the left 115.29 feet, having a radius of 226.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of South 73°11'17" East, 114.04 feet;
THENCE South 87°48'08" East, 255.26 feet;
THENCE northeasterly along the arc of a curve to the left 70.36 feet, having a radius of 50.00 feet, through a central angle of 80°37'34", and having a chord bearing and distance of North 51°53'05" East, 64.70 feet;
THENCE North 11°34'19" East, 10.32 feet to the north boundary of aforementioned Lot 13;
THENCE along said north boundary the following three (3) courses:
1. South 87°48'27" East, 5.37 feet to a found 1/2-inch rebar with cap stamped LS1272;
2. South 83°16'18" East, 30.07 feet to a found 1/2-inch rebar;
3. South 88°35'38" East, passing a 1-inch pipe at 260.23 feet, continuing for a total distance of 521.90 feet to the POINT OF BEGINNING containing 1,172,545 square feet or 26.92 acres, more or less.

Dedicated Right-of-Way "A" Description:

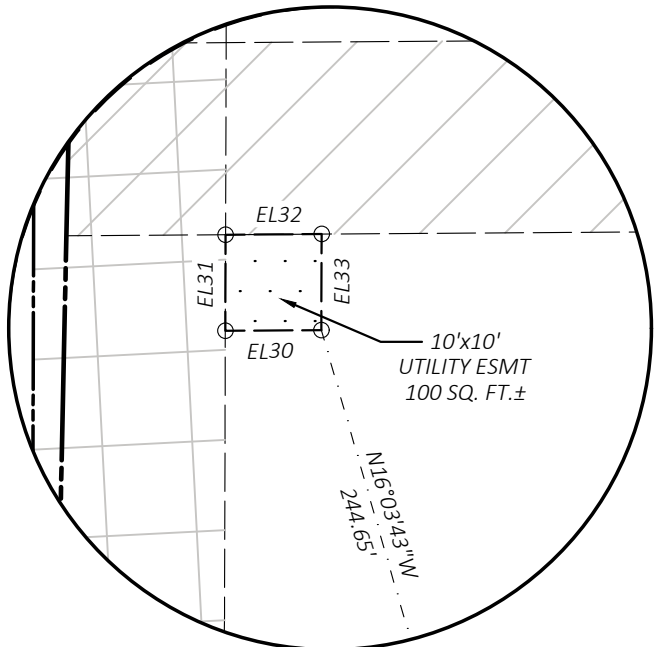
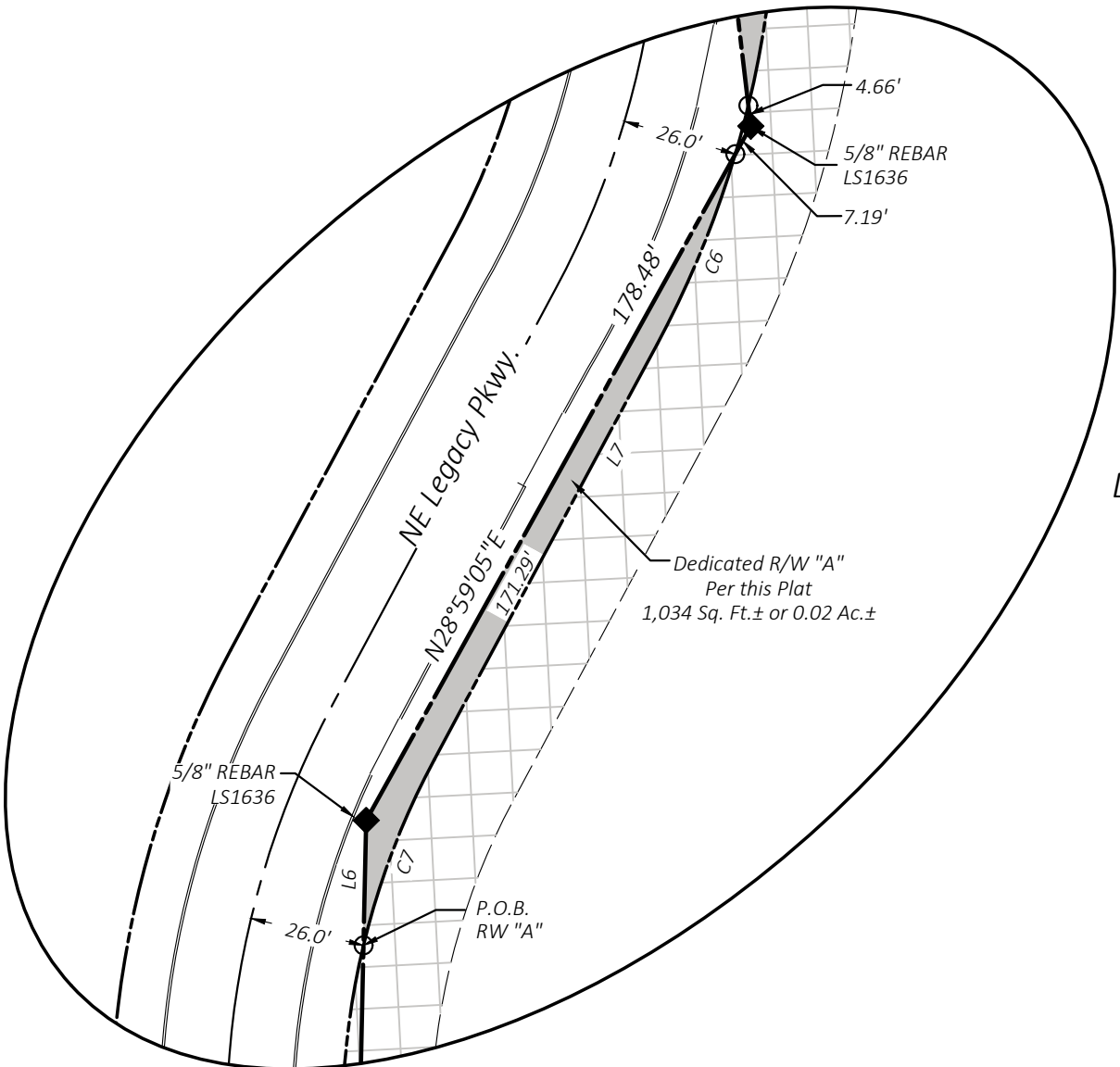
A 0.02-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a 5/8-inch rebar with cap stamped LS1636 found at the southwest corner of said Lot 13;
THENCE along the west boundary of said Lot 13 North 01°13'20" East, 276.79 feet to the POINT OF BEGINNING;
THENCE North 01°13'20" East, 28.12 feet to a found 5/8-inch rebar with a cap stamped LS1636;
THENCE North 28°59'05" East, 171.29 feet to the beginning of a non-tangent curve to the right;
THENCE leaving aforementioned west boundary, southerly along the arc of said curve 46.26 feet, having a radius of 226.00 feet, through a central angle of 11°43'38", and having a chord bearing and distance of South 22°20'51" West, 46.18 feet;
THENCE South 28°12'40" West, 106.11 feet to the beginning of a curve to the left;
THENCE southerly along the arc of a said curve 44.78 feet, having a radius of 174.00 feet, through a central angle of 14°44'42", and having a chord bearing and distance of South 20°50'19" West, 44.66 feet to the POINT OF BEGINNING containing 1,034 square feet or 0.02 acres, more or less.

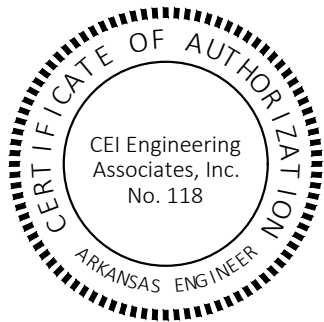
Dedicated Right-of-Way "B" Description:

A 0.02-acre tract of land being a part of Lot 13 of Pickens Subdivisions as shown on Plat Book 2009, Page 523 and being the tract of land conveyed to Crystal Pickens, LLC described in Deed L201810307 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a 1/2-inch rebar with cap stamped LS944 found at the northeast corner of said Lot 13;
THENCE with the north boundary of said Lot 13 the following two (2) courses:
1. North 88°35'38" West, passing a 1-inch pipe at 261.67 feet and continuing for a total distance of 521.90 feet
2. North 83°16'18" West, 30.07 feet to a found 1/2" rebar with cap stamped LS1272 to the POINT OF BEGINNING;
THENCE leaving said north boundary, South 28°01'44" West, 14.52 feet to the beginning of a curve to the right;
THENCE southwesterly along the arc of said curve 71.29 feet, having a radius of 61.25 feet, through a central angle of 66°41'02", and having a chord bearing and distance of South 56°49'42" West, 67.33 feet;
THENCE North 87°48'08" West, 250.41 feet to the beginning of a curve to the right;
THENCE westerly along the arc of said curve 115.29 feet, having a radius of 226.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of North 73°11'17" West, 114.04 feet;
THENCE North 58°34'26" West, 71.03 feet to the beginning of a curve to the left;
THENCE southwesterly along the arc of said curve 235.48 feet, having a radius of 104.00 feet, through a central angle of 129°43'52", and having a chord bearing and distance of South 56°33'38" West, 188.31 feet;
THENCE South 08°18'18" East, 94.42 feet to the beginning of a curve to the right;
THENCE southerly along the arc of said curve to the right 86.48 feet, having a radius of 226.00 feet, through a central angle of 21°55'29", and having a chord bearing and distance of South 02°39'26" West, 85.95 feet to the west boundary of aforementioned Lot 13;
THENCE with the west boundary of said Lot 13 the following five (5) courses:
1. North 06°45'52" West, 286.85 feet;
2. Easterly along the arc of a non-tangent curve to the left 234.00 feet, having a radius of 156.00 feet, through a central angle of 85°56'37", and having a chord bearing and distance of North 78°26'56" East, 212.67 feet;
3. South 58°34'45" East, 71.03 feet to a found MagNail;
4. Easterly along the arc of a non-tangent curve to the left 88.76 feet, having a radius of 174.00 feet, through a central angle of 29°13'42", and having a chord bearing and distance of South 73°11'36" East, 87.80 feet to a found MagNail;
5. South 87°48'27" East, passing a found MagNail and continuing for a total of 311.65 feet to the POINT OF BEGINNING containing 38,598 square feet or 0.89 acres, more or less.



DETAIL "B"
Scale: 1" = 20'



City of Bentonville Project #LS23-0041

ATLAS PAGE: 362

State Survey Code: 500-20N-30W-0-29-102-04-1666



CEI ENGINEERING ASSOCIATES, INC.
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Lot Split for Lot 13 of Pickens Subdivision
Creating Lot 16
Crystal Pickens, LLC
NE John De Shields Blvd.
City of Bentonville, Benton County, Arkansas

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

PROFESSIONAL OF RECORD	JKB
DESIGNER	TLP
FIELD WORK	KTC
CEI PROJECT NUMBER	33468
DATE	8/3/2023
REVISION	REV-2

Description-Tables-Details
Sheet

SHEET TITLE

SHEET NUMBER

3 OF 3

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF EXISTING
LOT 13 OF PICKENS ADDITION; CREATING NEW LOT 16 OF PICKENS
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER
PURPOSES.**

(PROJECT NUMBER: LS23-0041)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of EXISTING LOT 13 OF PICKENS SUBDIVISION creating new LOT 16 OF PICKENS SUBDIVISION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on November 7, 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;

WHEREAS, at the time of construction of Legacy Village Phase I, the roadway Legacy Parkway was generally built to the City of Bentonville Standard Specifications for Streets, and the applicant for this Lot Split has committed to making the repairs and modifications necessary to meet the City’s currently adopted Street Specifications; 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 EXISTING LOT 13 OF PICKENS SUBDIVISION, creating new LOT 16 OF PICKENS SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes; ~~and~~

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; ~~and~~

Section 3: This plat shall not be filed, nor the roadway Legacy Parkway accepted, until all required modifications to Legacy Parkway are inspected and approved by the City of Bentonville. If the roadway modifications are not completed within one year of the date of this ordinance, this ordinance shall be considered void; ~~and~~

Section 4 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



Consent Agenda Item

For the Planning Commission meeting on November 7, 2023

Details

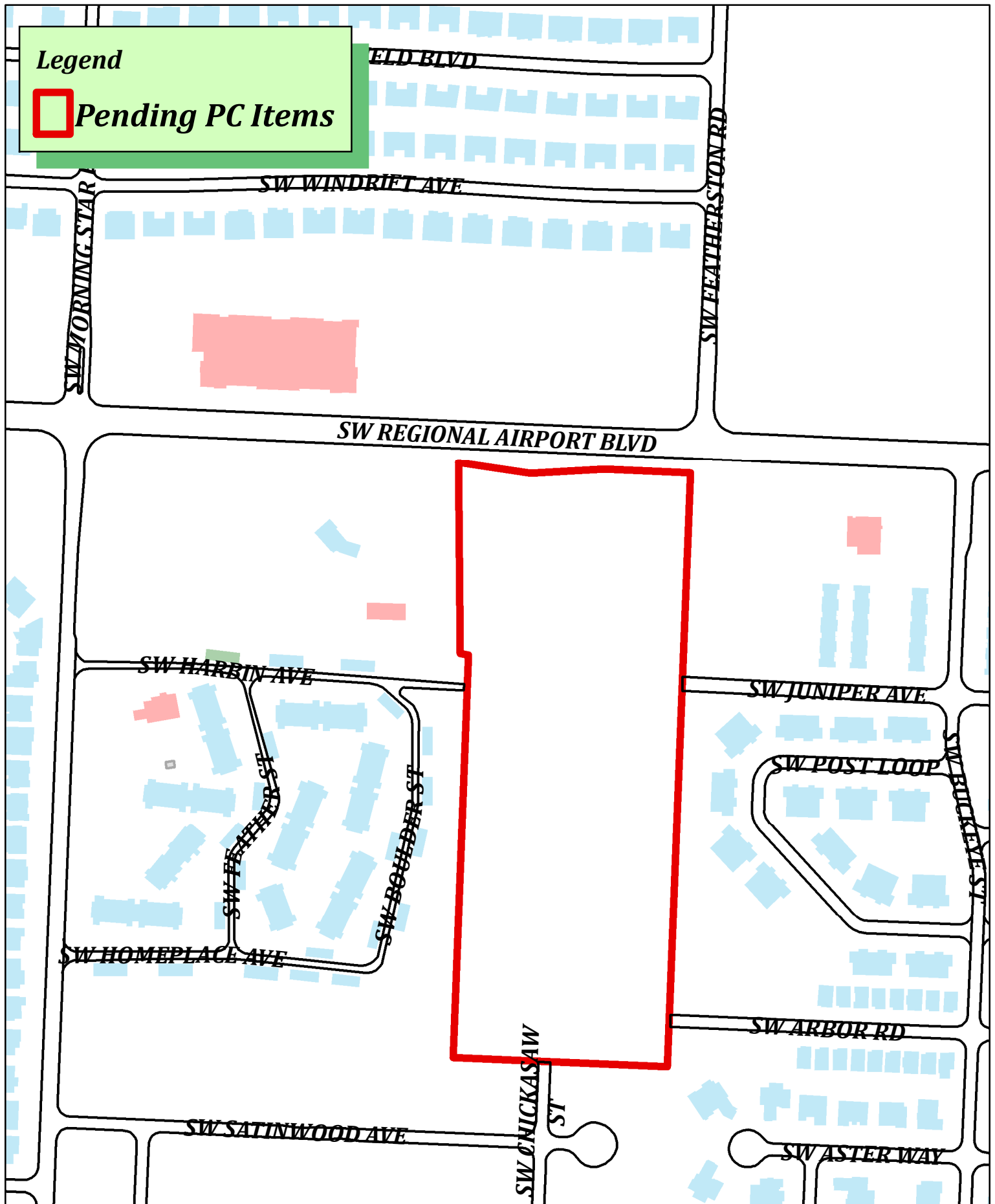
Lot Split: Lots 5 and 6 of Harbin Pointe Addition, Doaba Investment LLC, Southwest Regional Airport Boulevard, PUD, Planned Unit Development, *LS23-0049*

A lot split of existing Lot 3 of Harbin Pointe Addition, creating new Lots 5 (+/- 2.25 acres) and Lot 6 (+/- 11.08 acres) of Harbin Pointe Addition. The plat dedicates various electric easements along with an access easement along Southwest Regional Airport Boulevard to serve the newly created lots.

Legend



Pending PC Items



LS23-0049
Doaba Investment LLC
Creating Lot 3



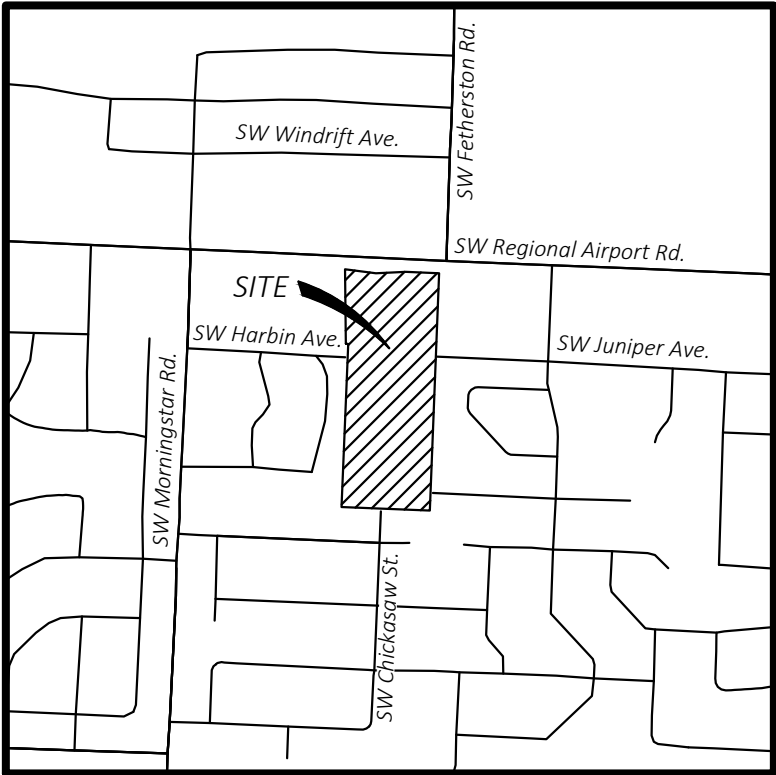
Lot Split of Lot 3, Harbin Pointe Addition, Creating Lots 5 & 6 of Harbin Pointe Addition

SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

GENERAL NOTES:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than those shown on this plat; building setback lines, restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- This plat represents a Lot Split of Lot 3 of a Lot Split of Lots 1-4 of Harbin Pointe Addition as recorded in Plat Book 2005, Page 349 in the public records of Benton County, Arkansas.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- This survey is based on a limited title search from January 1, 1973 through June 19, 2023 provided by City Title & Closing, LLC, File No.: 23-3592, Effective Date: June 19, 2023.
- Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through Trimble RTX.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
- The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.
Map Number: 05007C0255K
Map Revised: June 05, 2012
- No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.
- No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the Bentonville GIS map. This property is zoned PUD (Planned Unit Development).
Building setbacks for zone PUD are as follows:

Front: per PUD
Side: per PUD
Rear: per PUD
- No current zoning report or letter regarding zoning classification was provided to the Surveyor. Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
- Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.
- There may not be fences or any other structures built in any drainage easements.
- Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.
- Owner is to contact New Service coordinator (479-271-3139) to discuss electric service prior to beginning any construction. Failure to contact BEUD prior to construction will result in delays to get electric service.
- All structures must maintain minimum of 20' clearances from all electric lines.
- BEUD's standard practice is to place underground equipment (transformers, secondary pedestals, junction boxes, etc.) on the lot line of a development. Any adjustments to the property line that result in our equipment not being on the lot line require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.
- It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and elbows) and labor and material to move the equipment to the new lot line.
- Relocation of any existing electrical facilities shall be at the owner's expense.
- Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.
- It is the responsibility of the developer to coordinate with the New Service Coordinator @ 479 271-3139 to determine if equipment is in conflict.
- No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.
- There are no waivers, variances and/or conditional uses at the time of preparing this plat.



VICINITY MAP

NOT TO SCALE

Latitude: 36°20'03"N
Longitude: 94°14'45"W

Owner

Parcel Number #01-12833-000
Doaba Investment, LLC
3502 SW Champagne Avenue
Bentonville, Arkansas 72712
Phone: (479) 295-0000

Surveyor:

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



CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____ Signed: _____

Name & Address: Doaba Investment, LLC, 3502 SW Champagne Avenue, Bentonville, Arkansas, 72712

Print Name: _____

Source of Title: Deed Instrument No. L202305245

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

Notary Public

My Commission Expires

CERTIFICATE OF APPROVAL:

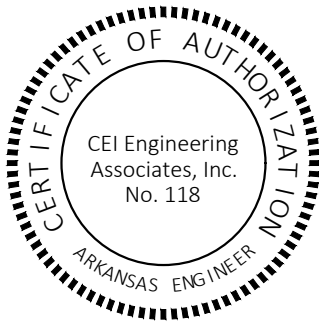
Pursuant to the Bentonville Land Development Code and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville



CERTIFICATE OF SURVEYING ACCURACY:

I, Dustin Riley, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met. The field work was completed on July 13, 2023.

Date of Execution: _____

Signed: _____
Registered Land Surveyor
No. 1618
State of Arkansas

ATLAS PAGE: 483

City of Bentonville Project # LS23-0049

State Survey Code: 500-19N-31W-0-11-140-04-1618



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

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split of Part of Lot 3
SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

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

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/27/2023
REVISION	REV-0

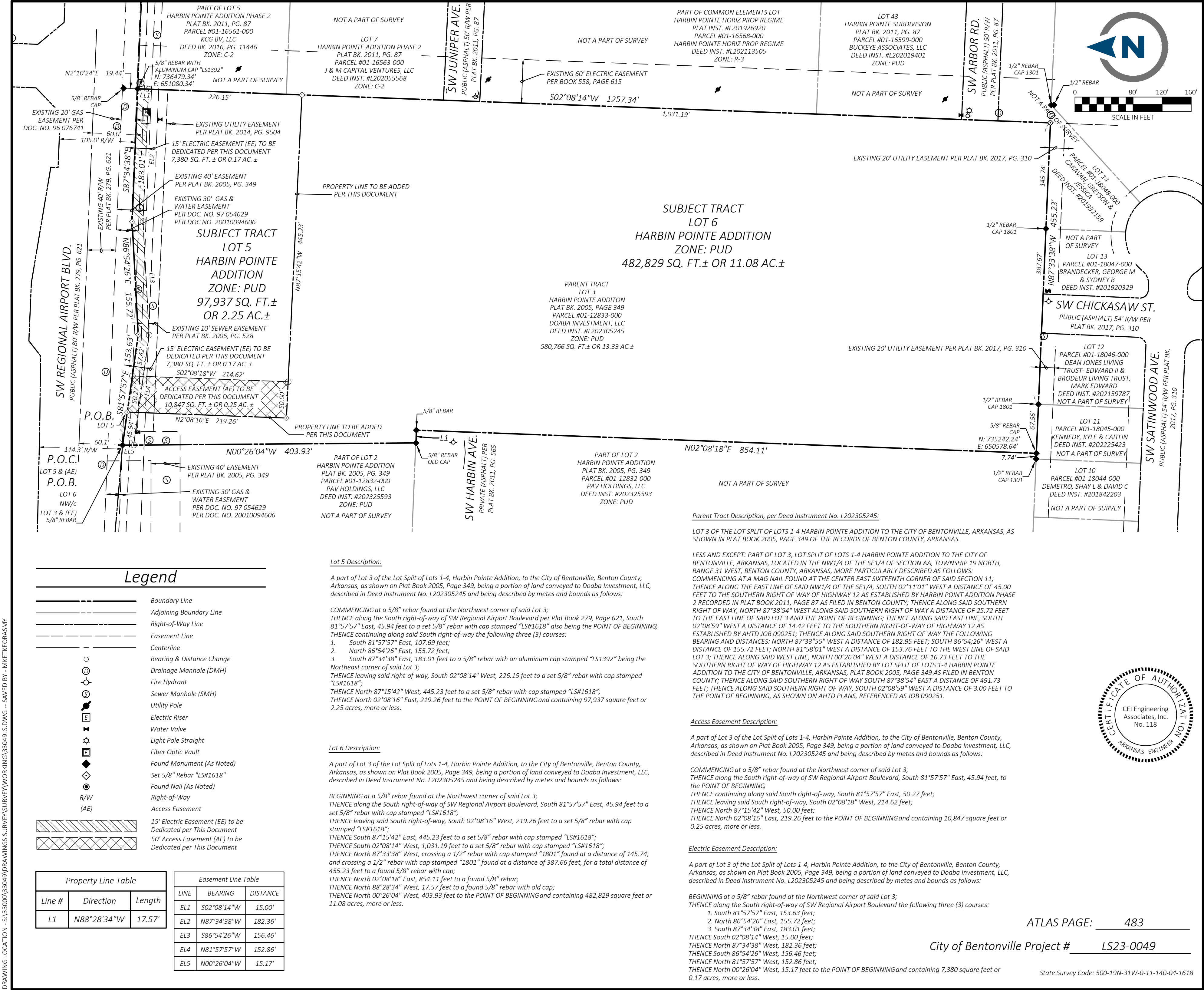
Cover Sheet

SHEET TITLE

SHEET NUMBER

1 OF 2

DRAWING LOCATION - S:\33000133049\DRAWINGS\SURVEY\WORKING\33049\LS.DWG -- SAVED BY - MKETKEORASMY



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

3030 LBJ FREEWAY, SUITE 920
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PHONE: (972) 488-3737
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Lot Split of Part of Lot 3

SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

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

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/27/2023
REVISION	REV-0

Lot Split Sheet

SHEET TITLE
SHEET NUMBER

2 OF 2

ATLAS PAGE: 483

City of Bentonville Project # LS23-0049

State Survey Code: 500-19N-31W-0-11-140-04-1618

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 3 OF HARIBN POINT
ADDITION CREATING NEW LOTS 5 & 6 OF HARBON POINTE ADDITION TO
THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: LS23-0049)**

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 3 OF HARIBN POINT ADDITION **Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.**creating new LOTS 5 & 6 OF HARBON POINTE ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

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

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

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

Section 1: That the lot split of LOT 3 OF HARIBN POINT ADDITION creating new LOTS 5 & 6 OF HARBON POINTE 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 lot split by certifying said acceptance on the approved lot split;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Consent Agenda Item

For the Planning Commission meeting on November 7, 2023

Details

Lot Split: Lots 1 and 2 of Pinnacle Villas LLC Subdivision, Pinnacle Villas LLC, 208 Northwest G Street, DN-1, Downtown Low Density Residential, *LS23-0051*

A lot split of Previously Unplatted Land creating Lots 1 and 2 of Pinnacle Villas LLC Subdivision. The plat dedicates a 15-foot utility easement along the western property boundary to provide access to public utilities for the new lots, and a 14-foot-wide private access easement is proposed, to be dedicated per separate document, allowing a shared driveway to serve both lots. The plat is compliant with all requirements of the land development code and adequate right of way exists along NW G Street to satisfy the requirements of the Master Street Plan. Staff recommends approval of this lot split. No variances or waivers are associated with this plat

Legend



Pending PC Item

NW G ST

JEFFERSON ST

NW 2ND ST



LS23-0051
Pinnacle Villas LLC.
Lots 1 and 2 Pinnacle Villas Sub



LOT SPLIT CREATING NEW LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION

ADJACENT LAND OWNERS

1) KUYKENDALL, THELMA O
210 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00524-000
NOT PLATTED
ZONED: R-1
2) GOCIO REVOCABLE TRUST, MARY J
485 N VINSON AVE
FAYETTEVILLE, AR 72701
PARCEL #01-00522-000
NOT PLATTED
ZONED: R-1
3) CLUBINE FAMILY REVOCABLE TRUST
CLUBINE, SCOTT & CLUBINE KATRIN
708 NW 2ND ST
BENTONVILLE, AR 72712
PARCEL #01-02384-000
LOT 22 DICKSONS ADDN.
ZONED: R-1
4) ARAGON, ANA M
206 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00526-000
LOT 21 DICKSONS ADDN.
ZONED: R-1
5) STARKEY, SHELIA DIANN
205 NW G ST
BENTONVILLE, AR 72712
PARCEL #01-00519-000
NOT PLATTED
ZONED: R-1
6) SH&S PARTNERSHIP
% SIMPSON, PAT
210 N WALTON BLVD STE 30
BENTONVILLE, AR 72712
PARCEL #01-03493-000
LOT A, NEALS CENTER
ZONED: R-O

CONTACT INFO:
BOB BURCKART
bob@burckartcompanies.com
479-273-3339

PROPERTY OWNER / DEVELOPER:
PINNACLE VILLAS LLC
203 SE 22ND ST UNIT 15
BENTONVILLE, AR 72712

FIELD WORK:
JUNE 19-21, 2023

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

REFERENCE DOCUMENTS:

- 1) PLAT OF SURVEY FILED IN BOOK 2015 AT PAGE 465
- 2) FINAL PLAT OF DICKSON'S ADDITION FILED IN BOOK Q AT PAGE 22
- 3) PLAT OF SURVEY FILED IN BOOK P3 AT PAGE 249
- 4) PLAT OF SURVEY FILED IN BOOK 2002 AT PAGE 235
- 5) PLAT OF SURVEY FILED IN BOOK 8 AT PAGE 138
- 6) PLAT OF SURVEY FILED IN BOOK 2008 AT PAGE 183
- 7) PLAT OF SURVEY FILED IN BOOK 24 AT PAGE 297
- 8) EXECUTOR'S DEED FILED IN BOOK 2005 AT PAGE 53128

PROPERTY ZONED:
DN-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

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 EXECUTOR'S DEED 2005-53128.
7. THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT.

SURVEY DESCRIPTIONS:

PARENT TRACT:

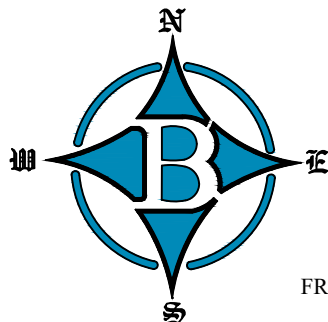
A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S 86°56'15"E 731.78' AND S 02°08'59"W 429.86' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S 87°52'55"E 147.50' TO AN EXISTING REBAR, THENCE S 02°08'58"W 102.42' TO AN EXISTING REBAR, THENCE N 87°39'43"W 147.50' TO AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N 02°08'59"E 101.86' TO THE POINT OF BEGINNING, CONTAINING 0.34 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 1:

A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S 86°56'15"E 731.78' AND S 02°08'59"W 429.86' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S 87°52'55"E 147.50' TO AN EXISTING REBAR, THENCE S 02°08'58"W 102.42' TO AN EXISTING REBAR, THENCE N 87°39'43"W 147.50' TO THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N 02°08'59"E 50.93' TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

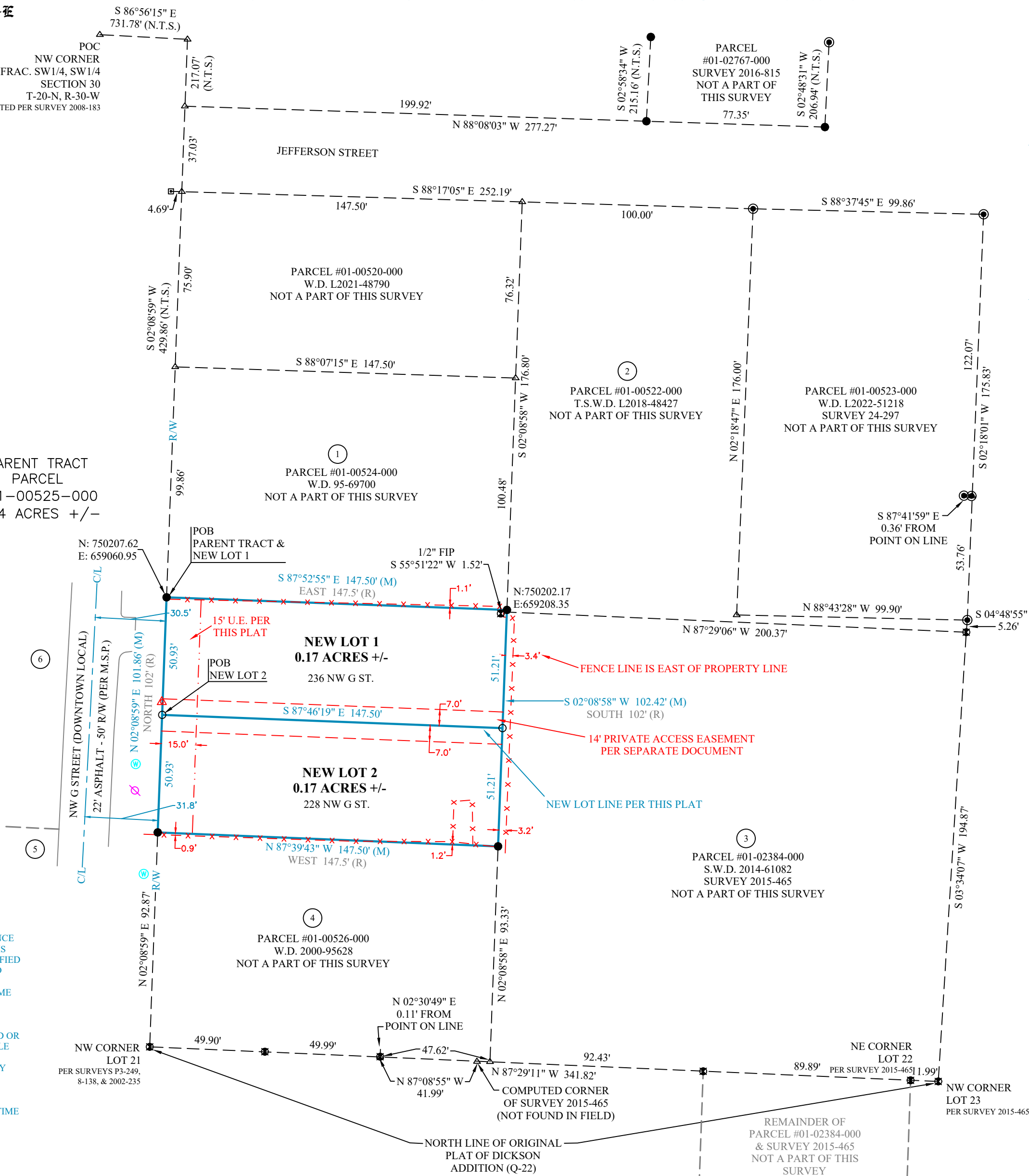
NEW LOT 2:

A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET WHICH IS S 86°56'15"E 731.78' AND S 02°08'59"W 480.79' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S 87°46'19"E 147.50', THENCE S 02°08'58"W 51.21' TO AN EXISTING REBAR, THENCE N 87°39'43"W 147.50' TO AN EXISTING REBAR ON THE EAST RIGHT-OF-WAY OF NORTHWEST G STREET, THENCE ALONG SAID RIGHT-OF-WAY N 02°08'59"E 50.93' TO THE POINT OF BEGINNING, CONTAINING 0.17 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



POC
NW CORNER
FRAC. SW 1/4, SW 1/4
SECTION 30
T-20-N, R-30-W
COMPUTED PER SURVEY 2008-183

PARENT TRACT
PARCEL
#01-00525-000
0.34 ACRES +/-



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)

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.
5. 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.

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

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: _____

BOB BURCKART - OWNER PINNACLE VILLAS LLC

SOURCE OF TITLE: [DEED BOOK L2023, PAGE 33160](#)

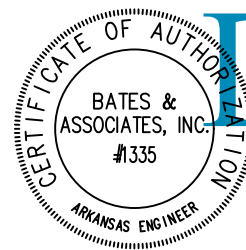
SUBSCRIBED AND SWORN BEFORE ME, THIS ____ DAY OF ____, 2023.

NOTARY PUBLIC _____



STATE RECORDING NUMBER:
500-20N-30W-0-30-330-04-1642

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 21ST DAY OF JUNE, 2023.



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.

VICINITY MAP



VICINITY MAP NOT TO SCALE
CITY OF BENTONVILLE PROJECT #LS23-0051

RECORDING NUMBER/DATE

DATE	REVISION	REVISED PER 1ST SUBMITTAL COMMENTS	REVISED PER 2ND SUBMITTAL COMMENTS
10-11-23			
10-27-23			

BOUNDARY LINE (MEASURED)	PARCEL LOT LINE	TIE LINE	CENTERLINE OF ROAD	FENCE
POWER POLE	GAS METER			

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
○ FOUND NAIL
○ SET 5/8" REBAR/CAP
○ COMPUTED POINT
○ WATER METER

Location Map:
R-30-W
T-20-N

		30		

BATES
Engineers - Surveyors

7230 S. Pleasant Ridge Dr. • Fayetteville, Arkansas 72704 • 479.442.9550

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FOR USE AND BENEFIT OF: PINNACLE VILLAS, LLC.	DATE: 10/27/23	SCALE: 1"=40'	SURVEYED: RS	DRAFTED: AH	REVIEWED: DT	COA #1335
ADDRESS: 208 NW G STREET BENTONVILLE, ARKANSAS	LOCATION: SECTION: 30 NORTH	TOWNSHIP: 20 NORTH	RANGE: 30 WEST			
DRAWING #23-145 SPLIT						

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF UNPLATTED SECTION LAND
CREATING NEW LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION TO THE
CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: LS23-0051)**

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of UNPLATTED SECTION LAND **Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.**creating new LOTS 1 & 2 OF PINNACLE VILLAS LLC SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 7, 2023;

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

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

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

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

Section 1: That the lot split of UNPLATTED SECTION LAND creating new LOTS 1 & 2 OF PINNACLE VILLAS LLC 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 lot split by certifying said acceptance on the approved lot split;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Market District II LLC

1003 Southeast 4th Street

PC Date: 11/7/2023

Staff Report Details

Project Number	PUD23-0001
Applicant / Current Owner	Modus Studio/Market District II LLC
Site Area	+/- 1.39 Acres
Current Zoning	R-1, Low-Density Single-Family Residential
Requested Zoning	Planned Unit Development (PUD)
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	High Density Residential (HDR)
Development Type / Use	Mixed-Use
Related projects	

Property Description

This project is located on Southeast 4th Street, just west of Southeast J Street. The property is currently zoned R-1, Low-Density Single-Family Residential and has a Land Use designation of Low Density Residential (LDR). Adjacent zoning designations include DN-3, Downtown High Density Residential to the West and North, and R-1, Low-Density Single-Family Residential to the North, East, and South. The property has direct access to Southeast 4th Street.

Project Details

The applicant is proposing a Planned Unit Development that consists of 160 multi-family units, of which 15% are studio, 35% are 1-bed, and 50% are 2-bed. Additional commercial space will be incorporated on the ground floor. The narrative states this space would be limited to office, retail, food & beverage, and general commercial uses, including sale of beer, light wine, and spirits. Elevated courtyards are proposed to serve the 20% open space requirement. The applicant states these will be ADA accessible and will be open to customers and tenants 24/7.

The applicant is proposing 139 parking spaces at a ratio of 0.87 parking spaces per unit. In addition, 1 secured bicycle parking space will be provided per unit. Parking will be provided both on-street and below

Project Details

the structure. The applicant asserts, based on previous development in Bentonville including the G at Market development just west of this proposal, that this parking ratio will be sufficient for a multi-use project in Downtown Bentonville. The applicant is providing a higher ratio of parking than at G at Market.

One structure is proposed on this site, and the applicant states that they will follow all LSD design requirements. Setbacks are proposed at a 0' front, 10' side, and 10' rear. The building is proposed to be 72 feet high, a total of 6 stories. For reference, the City U project was 50 feet high with a distance for 56' from the R-1 residential to the north. The principal materials include brick, wood rainscreen, architectural metal panel, fiber cement panel, and concrete. Screening is proposed on the North and East sides of the site.

Relationship to the General Plan / Projected Traffic Impact

The Future Land Use Plan depicts this area as Low Density Residential (LDR). The applicant has requested a land use of High Density Residential (HDR). While this land use amendment is not consistent with the alignment policy, it is compatible with the existing land uses of the neighborhood and the proposed development is similar in scale and use to G at Market which holds the HDR land use as well. The proposed development meets several intents of Priority Area 1: Downtown Intensification including providing multi-family and mixed-use housing that allows developers to offset high property costs through market-driven means, providing a variety of housing options to allow people to live close to jobs and commerce, and capitalizing on existing physical infrastructure.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

The proposed PUD is a mixed-use development that would provide neighborhood level housing and commercial opportunities. This type of development, coupled with the recent and on-going redevelopment to higher densities in this neighborhood, serves to provide a development pattern that promotes alternative transportation - including walking and bicycling - and bringing people closer to jobs, in this case Walmart's new campus and other Downtown opportunities. The proposal meets the intent of Priority Area 1 of the Comprehensive Plan, and the land use change that is requested is appropriate for the development, as it is mixed use, but primarily residential, and appropriate for the neighborhood as well.

The applicant has stated that the subsequent Large Scale Development will meet the design criteria of Sec. 1100. The proposed materials and architectural features appear to be consistent with existing and under construction projects in this area. Parking is provided at a lower rate of 0.87 spaces per unit, but this is offset by the inclusion of dedicated bicycle parking for each unit as well as commercial space located on the ground floor. The location being only a block to the new Walmart campus and close proximity to other commercial and employment destinations Downtown also prioritizes alternative transportation options such as walking and bicycling over vehicle trips. The design of the development, coupled with its location and neighborhood, provide residents an opportunity to choose housing where car ownership is not necessary. If possible, the sidewalk between the building and the diagonal parking would be increased from 7' to 12' to provide additional area for the vehicle overhang and street trees while providing an enhanced

Analysis / Waivers

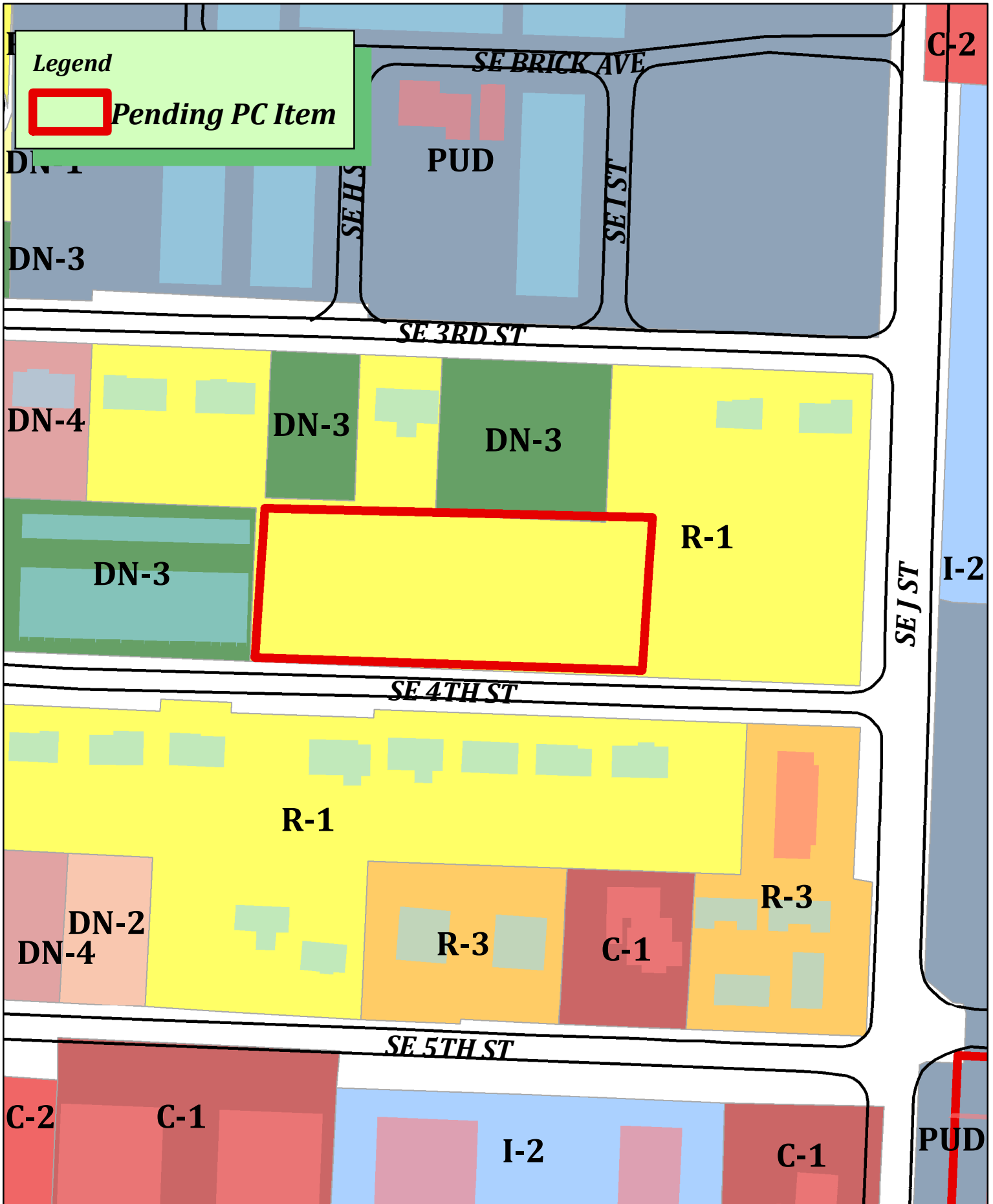
pedestrian experience.

Conclusion

Ideally, the planning effort for the future land use map update would be completed for this neighborhood in transition to better define the vision for this area before consideration of a project of this magnitude.

Given the ways in which this proposal meets the intents of the Comprehensive Plan, coupled with the proximity of this development to jobs, commerce, and recreation, staff recommends approval of this PUD request.

Additional Details



PUD23-0001
SE 4th St
1003 SE 4TH ST



PUD SUBMISSION #3

October 30, 2023
PUD23-0001

Developer:
Randall Hinton Development
Bill Butler bill@randallhintondev.com

Architect:
modus studio
Chris Baribeau, AIA chris@modusstudio.com
Kiara Gilmore, AIA kiara@modusstudio.com

Civil Engineer + Landscape Architect:
Ecological Design Group
Brahm Driver, PE bdriver@ecologicaldg.com
Tanner Weeks tweeks@ecologicaldg.com



NARRATIVE

1
Planned Unit Development Intent.

This project seeks to address the ongoing housing crisis in Northwest Arkansas by occupying a formerly suburban, but increasingly urban infill site in a swiftly transitioning neighborhood near the new Walmart Headquarters. The Planned Unit Development approach allows stakeholders to understand the intent, qualities, and merits of the proposed project.

The PUD encompasses a 1.38 acre site that is bound by SE 4th Street along the southern edge. There has been ample transition along this corridor into appropriate housing typologies for increased density in a very walkable and bikable area of Bentonville. This will be the third development along 4th Street by Randall Hinton Development with G at Market completed last year and Downtown Haven currently under construction to the west.

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

2
Description of Land Uses.

This PUD includes the following mixed-use allocations:

Neighborhood Commercial.
Approximately 5,000 square feet located along SE 4th Street will be allocated for office, retail, food + beverage or other general commercial uses including the packaged sale of beer, light wine and/or spirits. We envision a restaurant with a bar or a neighborhood bodega in this space.

Housing.
Approximately **160** units of new multifamily housing, with the following mix:

studio units: **15%**
1 bedroom units: **35%**
2 bedroom units: **50%**

Parking.
The project will be properly parked with a combination of street parking and structured parking within a podium at ground level. Angled street parking will be provided for shared commercial and residential uses. Ample covered parking and secured storage for bicycles will also be provided for both customers and tenants within this highly walkable and bikable area. One covered and secured bike storage space will be provided per unit.

Elevated Courtyards.
Elevated courtyards will be provided to meet or exceed minimum open space requirements. Secure 24 hour keycard access will be provided for customers and tenants. Elevated courtyards will be ADA accessible and will meet all applicable code requirements.

3
Structural Design.

This project will consist of 5 stories of wood framed structure for the housing units built on top of a concrete podium that will contain the screened parking, entry lobby, and the Neighborhood Commercial Retail space.

4
Development Criteria.

The proposed project seeks to adhere to all materiality and articulation requirements of the city design and approval process and will be confirmed through the LSD process.

The entire project will be constructed in one phase.

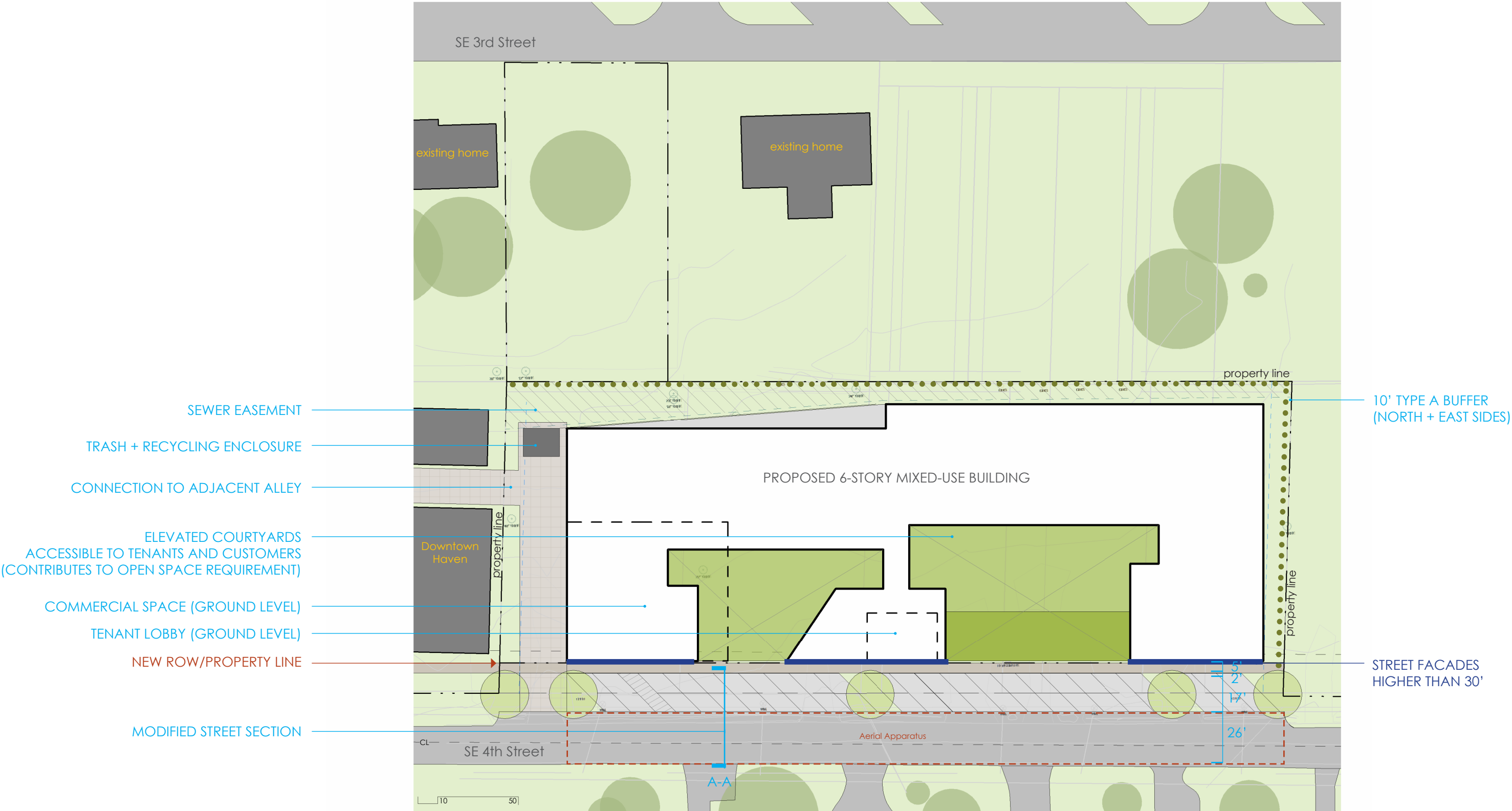
The project will include a sewer capacity study to be submitted as part of the LSD process.

A preliminary Traffic Impact Report will be conducted prior to completion of the PUD phase of the project.

PUD Summary.			
SITE.		BUILDING.	
Site Area:	1.38 acres	Neighborhood Commercial:	5,250 SF +/-
Open Space Required:	.28 acres 20%	Amenities + Housing:	155,300 SF +/-
Open Space Provided:	.40 acres 28%	Units:	160
Setbacks:		Density:	116
Front:	0'	Parking:	35,300 SF +/-
Side:	10'	Structured Spaces:	115
Rear:	10'	Street Spaces:	24
Building height:	75'*	Total Spaces:	139
		Parking Ratio:	.87
		Secured bike storage:	1 per unit
*elevator bulkhead, mechanical screens and other code required items may add to building height as the design progresses.			

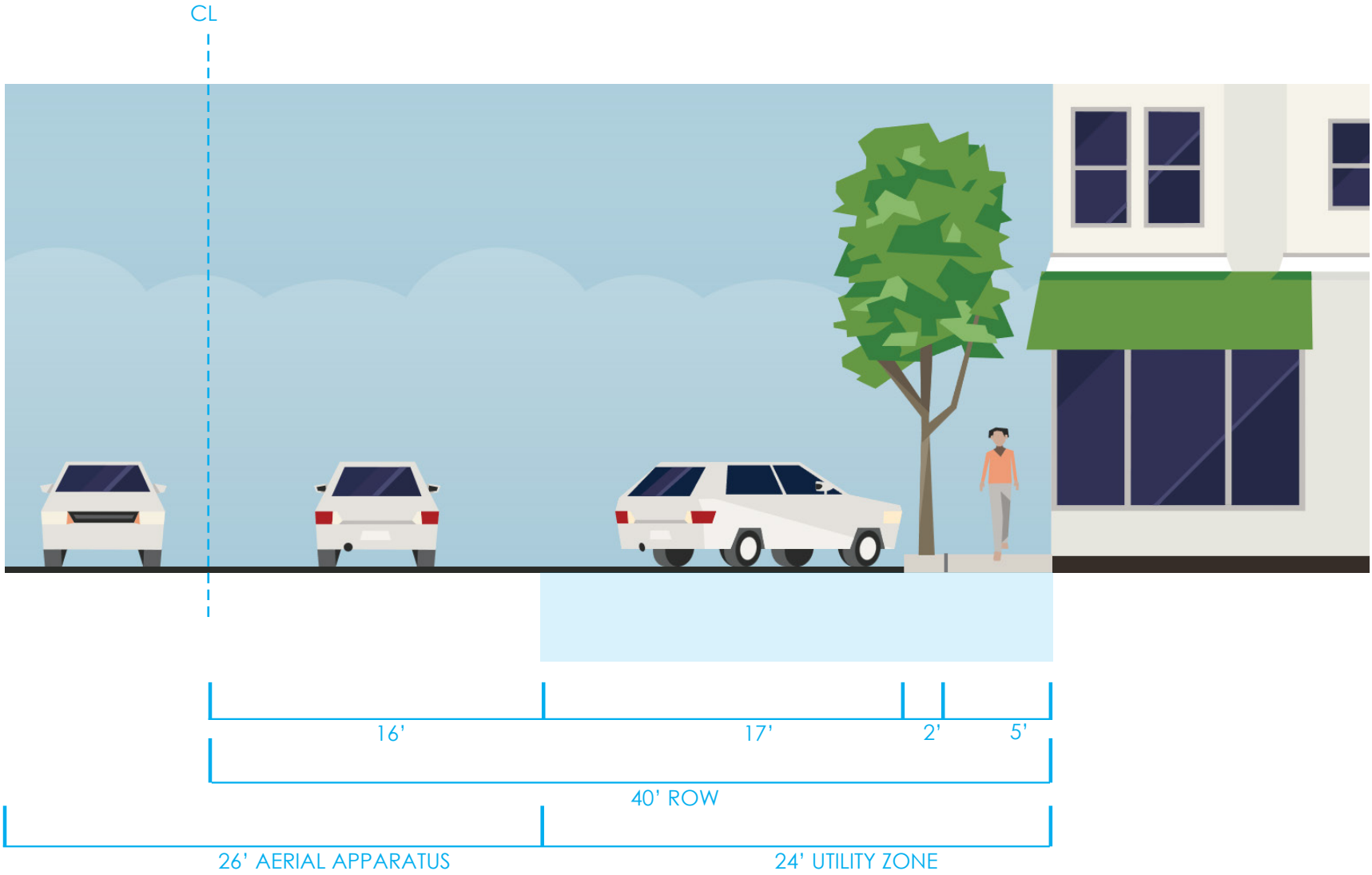
PLAN SET

concept plan



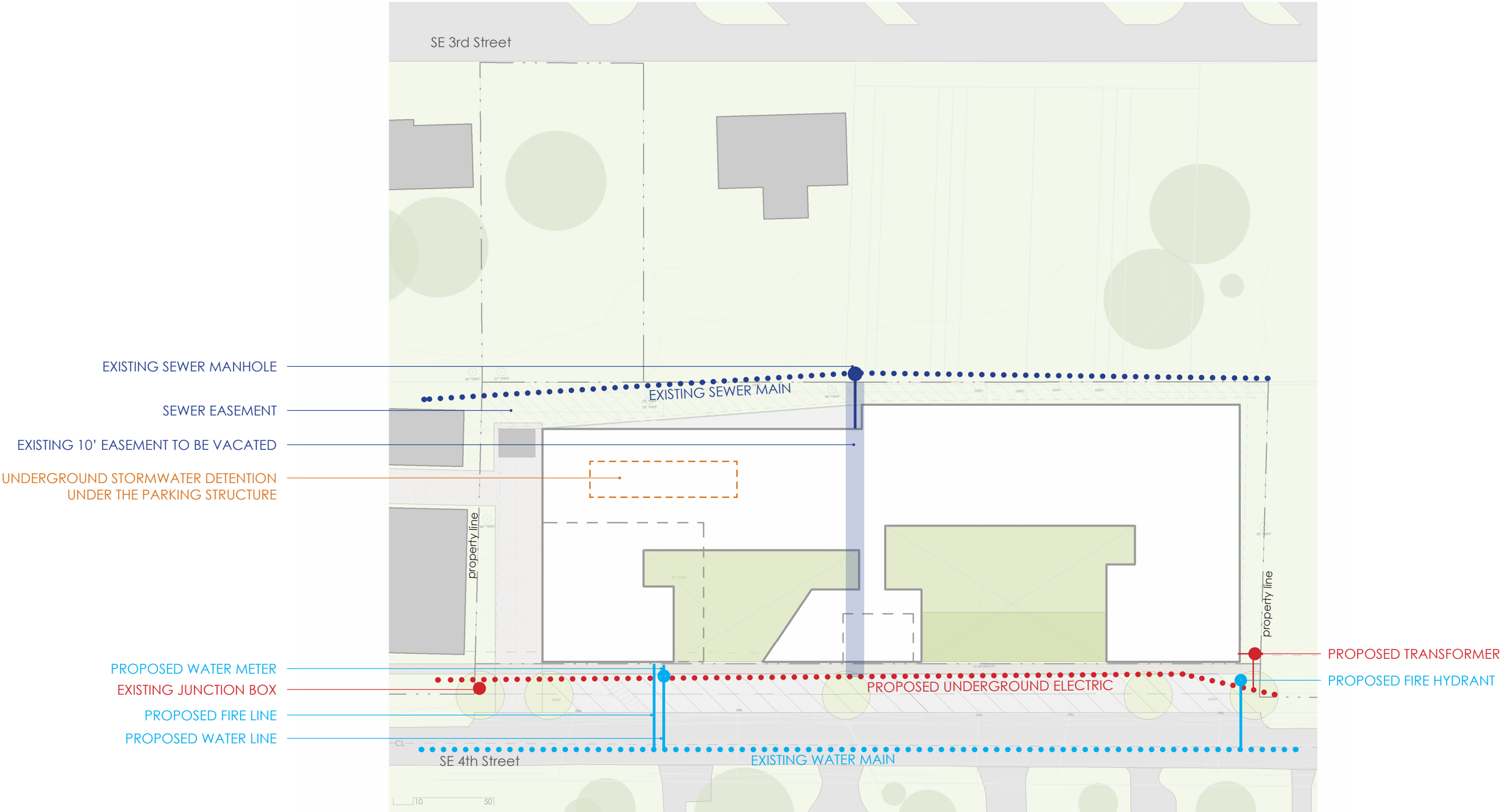
PLAN SET

modified street section A-A



PLAN SET

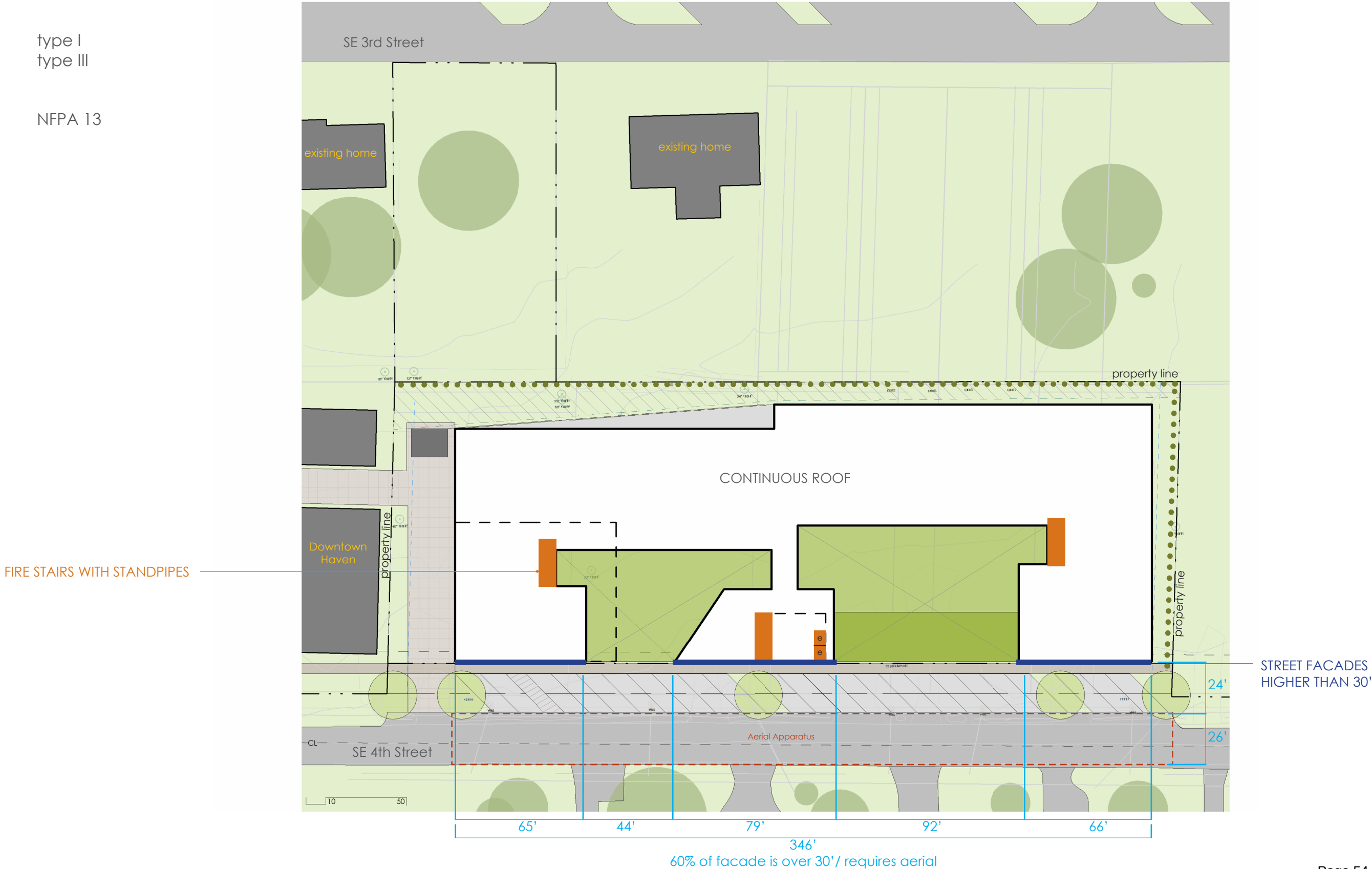
concept plan : utility diagram



PLAN SET

concept plan : fire access

Construction Type.	
Podium:	type I
Residential Floors:	type III
Fire Protection.	
Sprinklers:	NFPA 13



PLAN SET

concept plan : open space diagram

Site Area:1.38 acres

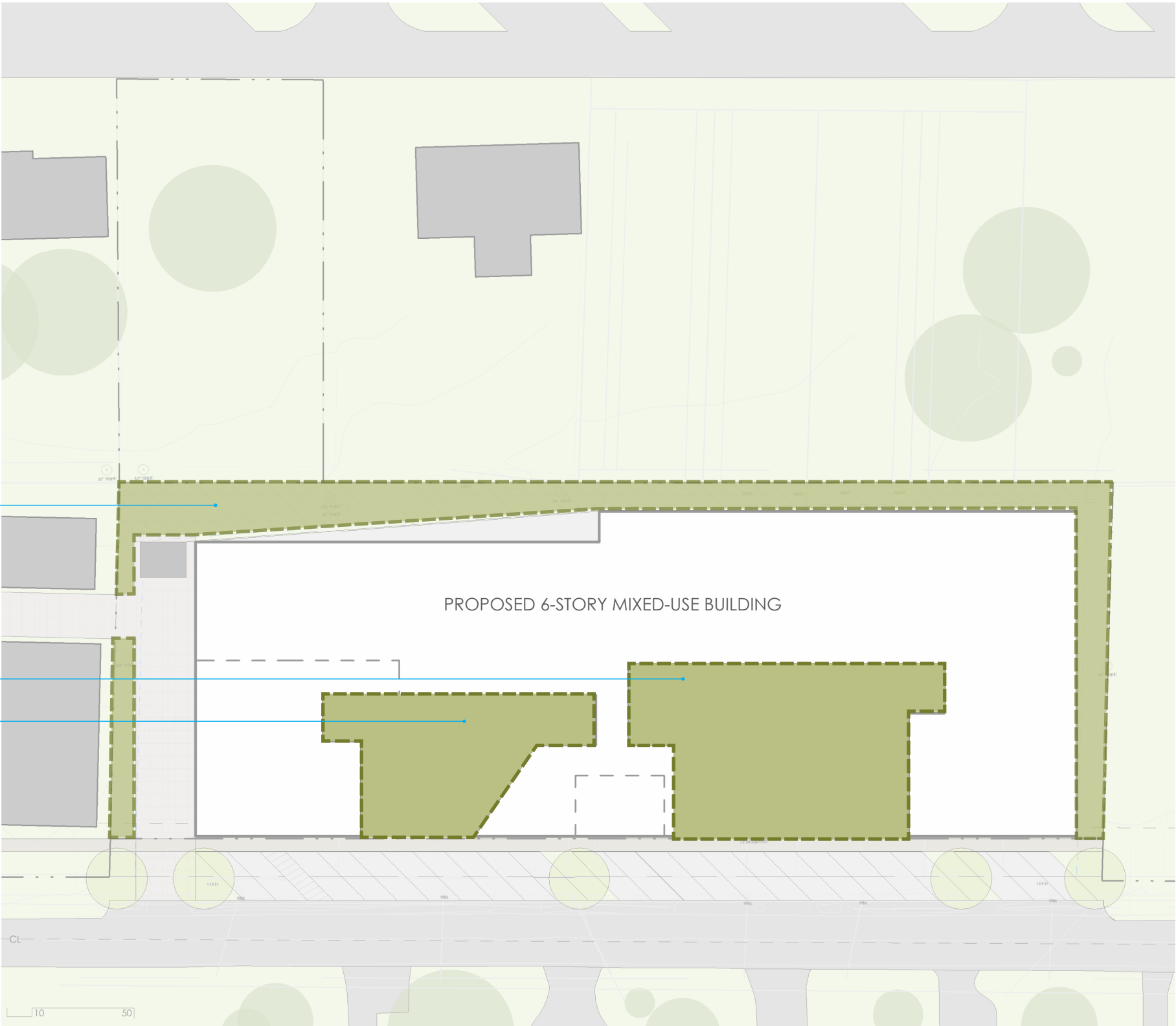
Open Space Required:.28 acres | 20%

Open Space Provided:**.40 acres | 28%**

GROUND LEVEL (.16 ACRES)

EAST COURTYARD (.15 ACRES)

WEST COURTYARD (.09 ACRES)



PLAN SET

context diagram

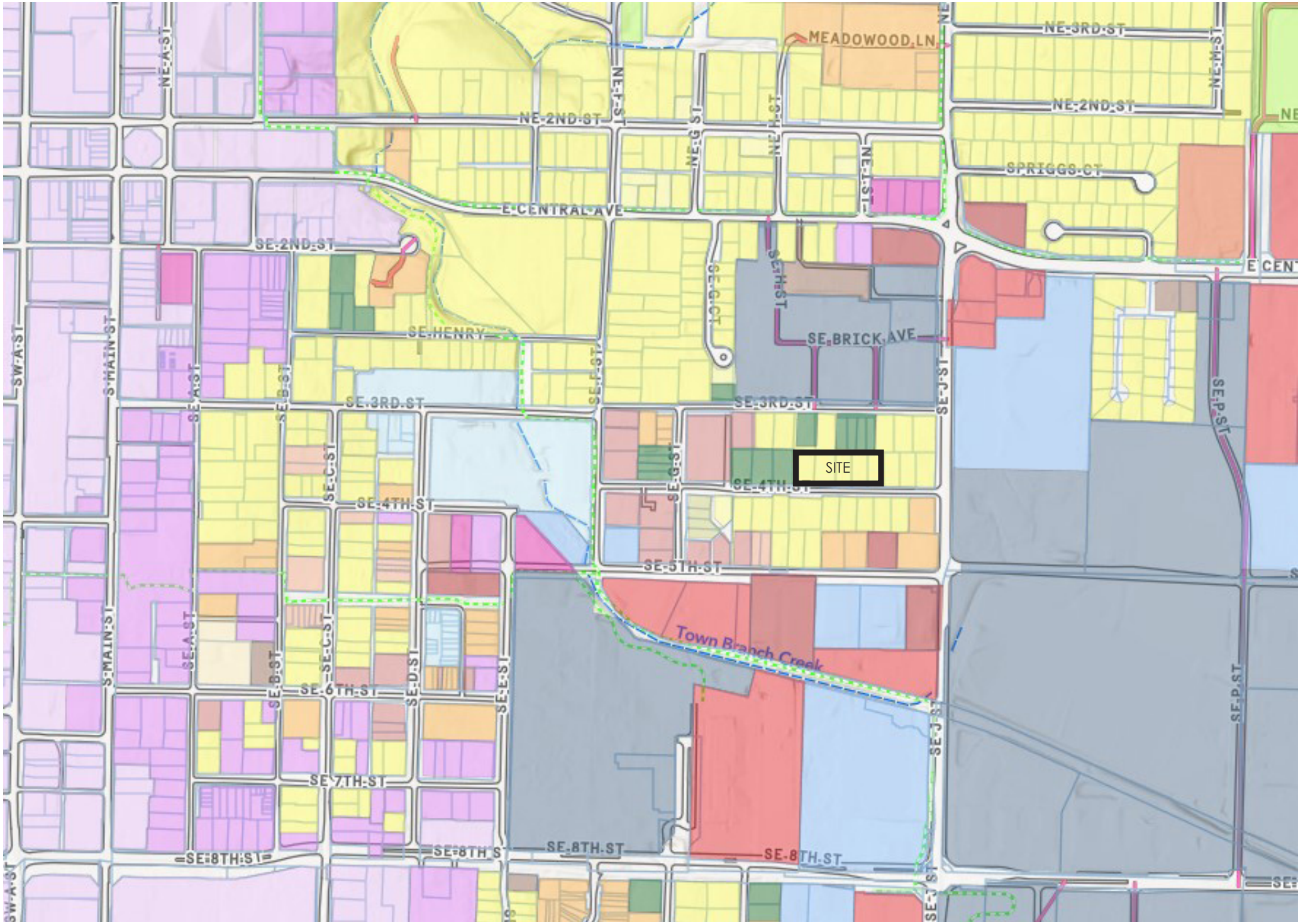


Context.

The proposed mixed-use project is located on SE 4th street in a swiftly transitioning neighborhood near the new Walmart Headquarters. The site is located within walking distance of The Momentary, 8th St. Market and the Downtown Square.

PLAN SET

current zoning



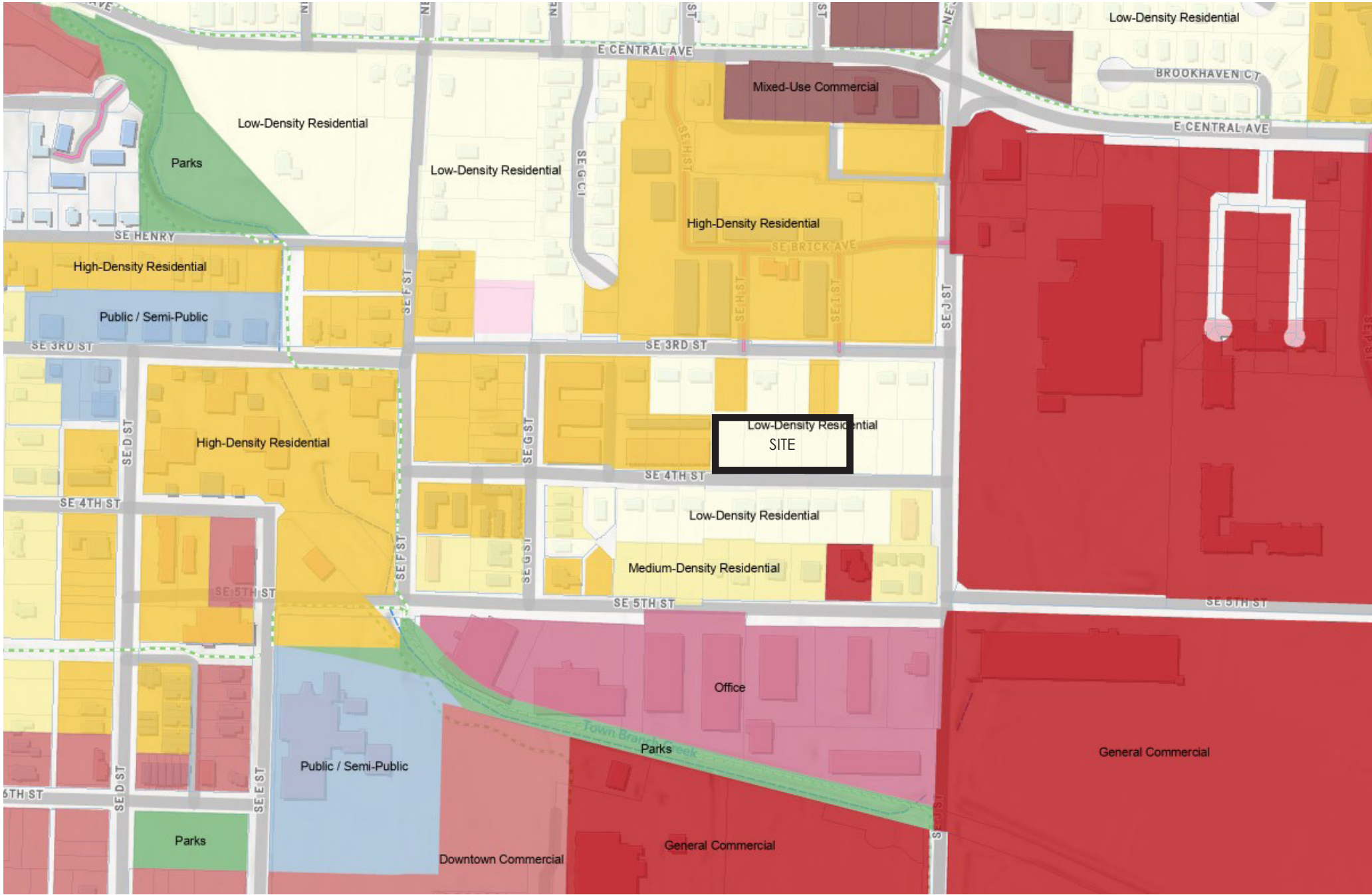
Zoning Intent.

The PUD encompasses a 1.38 acre site that is bound by SE 4th Street along the southern edge. There has been ample transition along this corridor into appropriate housing typologies for increased density in a very walkable and bikable area of Bentonville. This will be the third development along 4th Street by Randall Hinton Development with G at Market completed last year and Downtown Haven currently under construction to the west.

- | | |
|------------------------------|---|
| A-1 Agricultural District | PRD |
| C-1 Neighborhood Commercial | PUD |
| C-2 General Commercial | R-1 Single Family Residential |
| C-3 Central Commercial | R-2 Duplex & Patio Home |
| D-C Downtown Core | R-3 Medium Density Residential |
| D-E Downtown Edge | R-4 High Density Residential |
| DN-1 Downtown Neighborhood 1 | R-E Residential Estate |
| DN-2 Downtown Neighborhood 2 | R-MHP Manufactured Home Residential |
| DN-3 | R-O Residential Office |
| DN-4 Downtown Neighborhood 4 | R-ZL Zero Lot Line Residential |
| I-1 Light Industrial | RC-2 Central Residential - Moderate |
| I-2 Heavy Industrial | RC-3 Central Residential - High Density |

PLAN SET

future land use

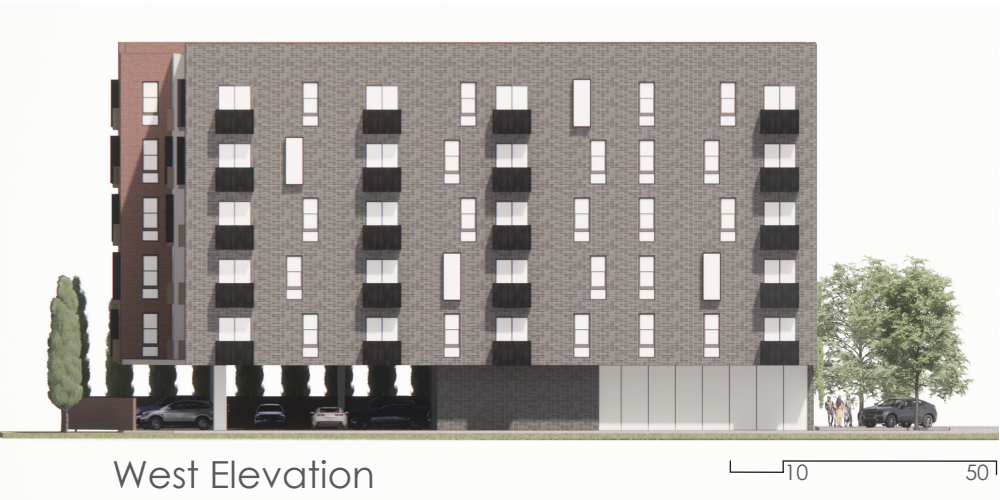


Land Use Intent.

The proposed mixed-use project will address the need for high-density housing in a rapidly growing area of Bentonville.

PLAN SET

street elevations



Primary Materials



masonry (brick / brick screen)
glass
other code permitted materials

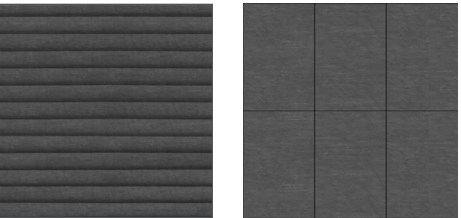
Special Use Materials



wood rainscreen (vertical / horizontal)



architectural metal panel



fiber cement board (lap / panel)



architectural concrete

Bradley Gavrielides

From: Enrique ACUÑA TAM <enriqueacuna@yahoo.com>
Sent: Thursday, November 2, 2023 6:02 PM
To: Tyler Overstreet; Luke Aitken
Cc: danddtownsend918@gmail.com; c.m.v.72712@hotmail.com; Bradley Gavrielides
Subject: Re: Request for Information on Five Vacant Lots on SE 4th St

You don't often get email from enriqueacuna@yahoo.com. [Learn why this is important](#)

Dear Luke, Tyler.

Can you kindly send the link to the meeting as I am out of country these days.. As a neighbor, I don't support and I am against approving this PUD, I believe you have been involved and aware of my issues with this Builder before. I own 904, 906 and 1002 SE 4th St., all within distance of this PUD to be able to voice my position and concerns as follow:

- In the past, Builder has been negligent on controlling vehicles speed of contractors and subcontractors.
- In the past, Builder has been negligent on maintaining the street clean.
- In the past, Builder has been negligent on noise Db levels before the ordinance times.
- In the past, the Builder has tried to use its size to take advantage of the neighbors in the street to relocate Utilities for their benefit at our disadvantage. This is an important topic as it is ongoing and affects all neighbors on the South side of 4th St.
- I don't support this massive PUD and I am AGAINST it because of my previous experience with the Builder, and traffic that is and will be generated in such a small street, and all damage being done to the neighborhood.
- I don't support this PUD because past approvals don't mean the City should continue approving this out of control intense concentration of properties in this area. 3, 4 and 5 street are not able to handle all the significant increase of residences / apartments that have been built in the last three years and approving this PUD will only make things critically bad.
- I don't support this PUD because it originally, and is still is, SE 4th was zoned as Residential, but this Builder has been smart enough to get the City to approve massive construction starting from the corner and convincing the City every time to continue expanding because into the street because his own previous construction has already been rezoned, so at the end all the Street will be rezoned while this was never in the original Master Plan and the City went along with approvals because of a "nearby building" (being his own) has already been approved.
- I don't support this PUD because is simply horrible and massive. It is exactly what Bentonville should not be about. I know the current plans are just renderings for rezoning purposes and they will be improved, but general idea and size will be the same.

If this rezoning gets approved to PUD SE 4th St will be basically come an Apartment / Commercial street for all intent and purposes hence sentencing the remaining residences to become as well in an already extremely crowded area with no room for expanding streets, parking or sidewalks.

Thank you,
Enrique A Acuna. (Property owner of 904, 906 and 1002 SE 4th St.)
T. 479 888 2571
enriqueacuna@yahoo.com

On Thursday, October 19, 2023 at 09:30:32 PM GMT+8, Luke Aitken <laitken@bentonvillear.com> wrote:

Hey Enrique,

**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 PUD, PLANNED UNIT
DEVELOPMENT; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: PUD23-0001)**

WHEREAS, Market District II, 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 PUD, PLANNED UNIT DEVELOPMENT to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOTS 9 AND 10 AND A PART OF LOT 8 OF EAST SIDE FIRST ADDITION, AND ALSO LOTS 11 AND 12 OF SECOND EAST SIDE ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 12 OF SECOND EAST SIDE ADDITION AND RUNNING THENCE ALONG THE NORTH LINE OF SAID SECOND EAST SIDE ADDITION S88°05'29"E 180.12' TO AN EXISTING REBAR MARKING THE NORTHWEST CORNER OF SAID LOT 10 OF EAST SIDE FIRST ADDITION, THENCE ALONG THE NORTH LINE OF SAID EAST SIDE FIRST ADDITION S88°06'20"E 209.97', THENCE LEAVING SAID NORTH LINE S03°45'20"W 154.46' TO THE NORTH RIGHT-OF-WAY OF SOUTHEAST 4TH STREET, THENCE ALONG SAID RIGHT-OF-WAY N87°56'44"W 210.02', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N88°18'56"W 179.86', THENCE LEAVING SAID RIGHT-OF-WAY N03°40'50"E 154.57' TO THE POINT OF BEGINNING, CONTAINING 1.38 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.;

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Yellow Brick Road, LLC

503 Southeast A Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0075
Applicant / Current Owner	Yellow Brick Road, LLC
Site Area	+/- [0.39] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DE, Downtown Edge
Current Future Land Use Map Designation	High Density Residential (HDR)
Requested Future Land Use Map Designation	Downtown Commercial
Development Type / Use	Unknown at the time of this report
Related projects	N/A

Property Description

This property is located at 503 Southeast A Street. It is currently zoned R-3, Medium-High Density Multifamily Residential, and is classified as High Density Residential (HDR) on the Future Land Use Plan. Adjacent properties to the north, east, and west are all currently zoned DE, Downtown Edge, and the property to the south is zoned R-2, Medium Density Two Family, and Townhome Residential. Surrounding Land Use Plan designations are all Downtown Commercial with the exception of the Bentonville Public Library which is designated as Public/Semi-Public.

Project Details

The Future Land Use Plan currently shows this property as High Density Residential (HDR). High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

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

Project Details

Downtown Bentonville.

Relationship to the General Plan / Projected Traffic Impact

N/A

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

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

Conclusion

This request is not consistent with the Future Land Use Plan. However, in the context of the property - considering all adjacent properties being zoned DE, Downtown Edge, and classified as Downtown Commercial on the Land Use Plan, along with the goals of the Community Plan to reinvest in urban neighborhoods in and around Downtown Bentonville, an amendment to the Future Land Use Plan to Downtown Commercial and a rezoning to DE, Downtown Edge would be appropriate.

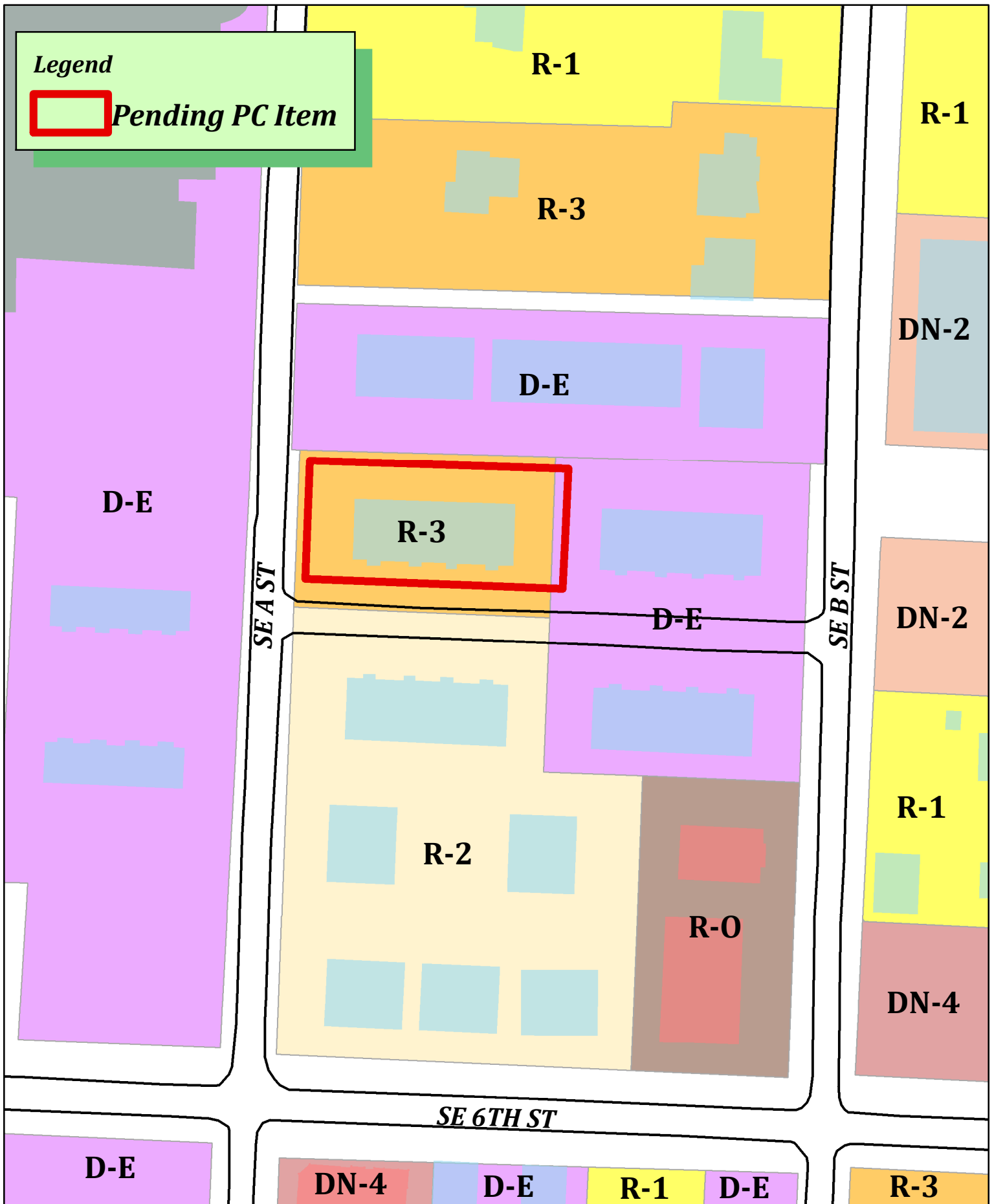
Should the Planning Commission approve the Future Land Use Plan Amendment, planning staff recommends approval of the rezoning request. Should the Planning Commission deny the Future Land Use Plan Amendment, planning staff recommends denial of the rezoning or the applicant make a request to table the item.

Additional Details

Legend



Pending PC Item



RZ23-0075
Don Marley R-3 to DE
503 SE A Street





September 25, 2023

Bentonville Planning
305 SW A Street
Bentonville, AR 72712

RE: Project RZ 23-0075, 503 SE A Street Rezoning Application / Narrative

Planning Staff,

Our clients currently own this property, and they have requested that we move forward with a rezoning application on this parcel. The site is currently Zoned R-3, Medium-High Density Multifamily Residential. The request would be to change this current zoning to D-E, Downtown Edge. However, for this to move forward, we would also need to modify the Land Use Plan to achieve the D-E zoning desired. Currently the subject property is High-Density Residential, and we would like to modify this to Downtown Commercial in keeping with many of the surrounding properties. Thus, we would be able to move forward with a rezone to D-E, also in keeping with many of our neighboring parcels.

At this time, we do not have any specifics for the development other than it will be residential in nature.

Please let us know if you have any questions or need additional information. We look forward to working with staff to accomplish our desired goals, and bring a new asset to the City of Bentonville.

Thank you,

Barry R. Williams, RLA
V.P. Landscape Architecture

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE
MAP FOR A SPECIFIC AREA FROM HIGH-DENSITY RESIDENTIAL TO
DOWNTOWN COMMERCIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0075)**

WHEREAS, YELLOW BRICK ROAD 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 HIGH-DENSITY RESIDENTIAL to DOWNTOWN COMMERCIAL, which property is described as follows:

LOT 7A IN A REPLAT OF THE NORTH 200 FEET OF THE LOT 7, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 19 AT PAGE 164;

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-
HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DE, DOWNTOWN EDGE; AND
FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0075)

WHEREAS, Yellow Brick Road LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DE, DOWNTOWN EDGE to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 7A IN A REPLAT OF THE NORTH 200 FEET OF THE LOT 7, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 19 AT PAGE 164;

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

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DE, DOWNTOWN EDGE.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



REO Plateau Properties

Northwest Deer Run Avenue

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0076
Applicant / Current Owner	REO Plateau Properties LLC
Site Area	+/- 9.78 Acres
Current Zoning	A-1, Agriculture
Requested Zoning	R-1, Low-Density Single-Family Residential
Current Future Land Use Map Designation	Unassigned
Requested Future Land Use Map Designation	Low Density Residential (LDR)
Development Type / Use	
Related projects	

Property Description

This property is located west of the stub of Northwest Deer Run Avenue and is presently zoned A-1, Agriculture. Adjacent zoning districts include R-1, Low-Density Single-Family Residential to the East and A-1, Agriculture and R-3, Medium-High Density Multifamily Residential to the South. To the North and West are unincorporated county. The applicant has assured that access will be maintained through the property to the landlocked property owner to the north.

Project Details

The applicant is proposing this property be rezoned to R-1, Low-Density Single-Family Residential and have a Land Use Amendment to Low Density Residential (LDR). The applicant has stated an intent to subdivide the property some time in the future.

Relationship to the General Plan / Projected Traffic Impact

While this property is not identified in any Priority Area, it is directly adjacent to Priority Area 3: Edge Growth, and would be best considered in that context. The proposed rezoning would meet a couple of the

Relationship to the General Plan / Projected Traffic Impact

intents of Priority Area 3 including being near to existing utilities and infrastructure and maintaining a desirable neighborhood character.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

The proposed rezoning would meet the intent of Priority Area 3 of the Comprehensive Plan. The property is near to existing utilities and would maintain the neighborhood character and development fabric that exists presently.

Conclusion

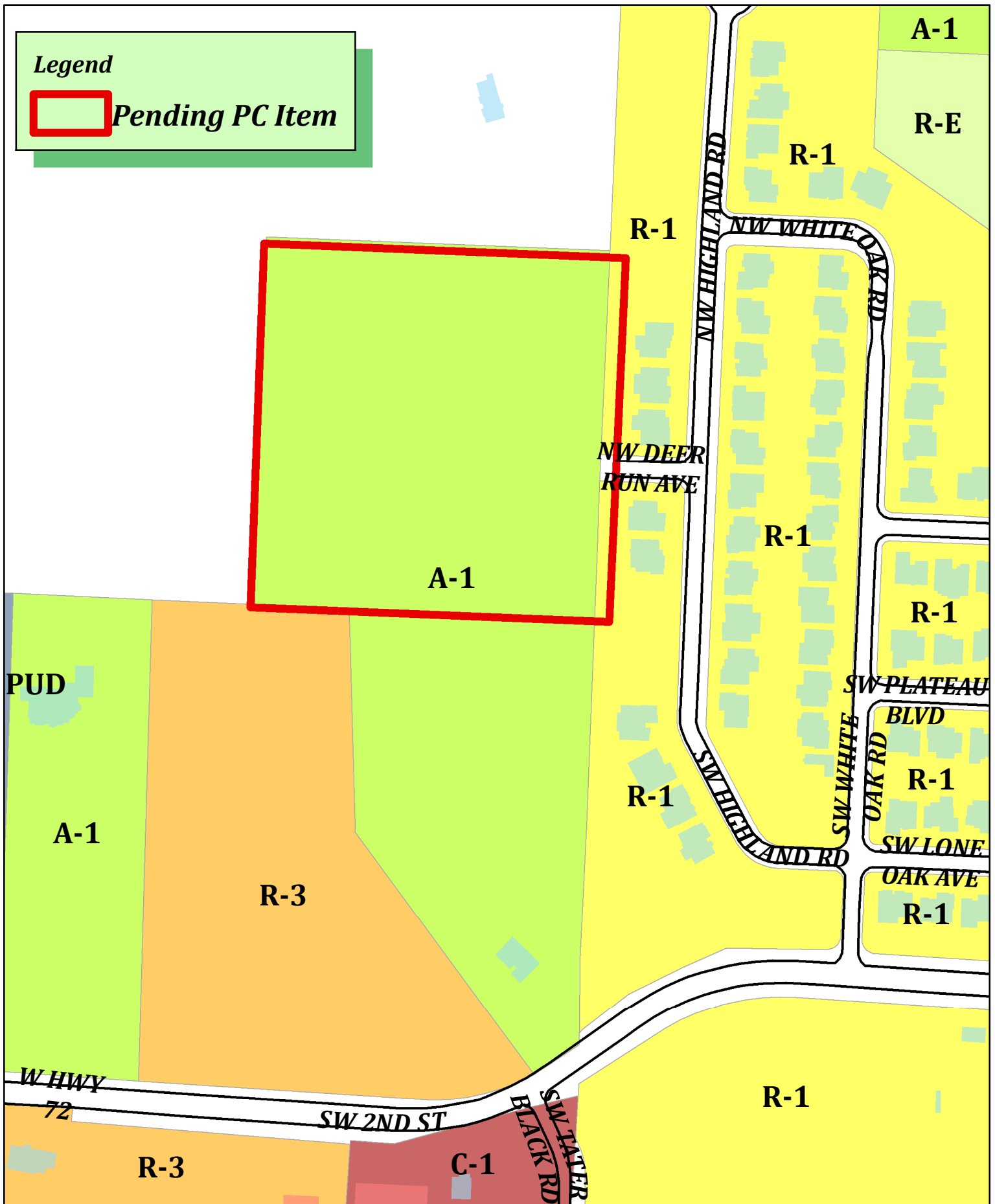
Staff recommends approval of the rezoning request as it generally meets the intent of the Comprehensive Plan and maintains the character of the immediate area.

Additional Details

Legend



Pending PC Item



RZ23-0076
Reo Plateau Properties LLC.
A-1 to R-1



NW Deer Run Ave Narrative

Current zoning is A1 and proposed zoning is R1. Current owner, Reo Plateau Properties LLC, desires to extend Deer Run Ave with a turn-around area (for fire code) and subdivide into 3-6 lots, preserving much of the wooded beauty of the land and complementing the adjacent White Oak Trails subdivision. Lot sizes would range from 1 -3 acres so the request is for R1 zoning since some lots would be less than 2 acres and not qualify for RE zoning.

Traffic would be limited to the residences on the 3-6 proposed lots plus the current residence of Michael Smith to the North.

Water (8" line) is available at the Eastern property edge along NW Deer Run Ave and sewer (8" line) is located on Highland Rd. The plan is to utilize city water and set the houses back at least 300 ft. from Highland and be on septic.

R213-0076
①

NOTICE OF INTENT TO REZONE

Reo Plateau Properties LLC

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

A-1, Agricultural

to R-1, Low Density Single-Family Residential

The legal description of the property is as follows:

A part of the South Half of the Southeast Quarter of Section 27, Township 20 North, Range 31 West, Benton County, Arkansas, being more particularly described as follows, to-wit: Beginning at the SE corner of said eighty acre tract; Thence North 87°38'21" West, 646.18 feet; Thence North 02°06'40" East, 656.16 feet to a found 1/2" Iron pin; Thence South 87°38'22" East, 651.94 feet; Thence South 02°36'50" West, 656.16 feet to the point of beginning, containing 9.78 Acres, more or less. Subject to easements and right-of-ways of record, also being know as Tract 1 on Survey filed in/as Document No. L201818332.

The common description of the property is: NW Deer Run Ave

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

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

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

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

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

☒ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

If treeline remains mostly intact.

Signature and Physical Address

Signature and Physical Address

Cindy M. Shell

109 NW
Highland Rd

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE
MAP FOR A SPECIFIC AREA FROM PREVIOUSLY UNASSIGNED LAND TO LOW-
DENSITY RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0076)**

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

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID EIGHTY ACRE TRACT; THENCE NORTH 87°38'21" WEST, 646.18 FEET; THENCE NORTH 02°06'40" EAST, 656.16 FEET TO A FOUND 1/2" IRON PIN; THENCE SOUTH 87°38'22" EAST, 651.94 FEET; THENCE SOUTH 02°36'50" WEST, 656.16 FEET TO THE POINT OF BEGINNING, CONTAINING 9.78 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD, ALSO BEING KNOWN AS TRACT 1 ON SURVEY FILED IN/AS DOCUMENT NO. L201818332;

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1,
AGRICULTURAL TO R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL; AND
FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0076)**

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

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID EIGHTY ACRE TRACT; THENCE NORTH 87°38'21" WEST, 646.18 FEET; THENCE NORTH 02°06'40" EAST, 656.16 FEET TO A FOUND 1/2" IRON PIN; THENCE SOUTH 87°38'22" EAST, 651.94 FEET; THENCE SOUTH 02°36'50" WEST, 656.16 FEET TO THE POINT OF BEGINNING, CONTAINING 9.78 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD, ALSO BEING KNOW AS TRACT 1 ON SURVEY FILED IN/AS DOCUMENT NO. L201818332;

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Bentonville/Bella Vista Trailblazers Association Inc.

Southwest 8th Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0077
Applicant / Current Owner	Bentonville/Bella Vista Trailblazers Association Inc
Site Area	+/- [52.55] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential, and Planned Unit Development (PUD)
Requested Zoning	A-1, Agricultural
Current Future Land Use Map Designation	R-E, Residential Estate, and Office
Requested Future Land Use Map Designation	Agriculture
Development Type / Use	Public Park/Open Space
Related projects	LSD23-0043

Property Description

Four properties are proposed to be rezoned to A-1 Agricultural in this application. These properties are located south of Southwest 8th Street and west of I Street. They are currently zoned R-3, Medium-High Density Multifamily Residential and Planned Unit Development (PUD), and are classified as R-E, Residential Estate, and Office on the Future Land Use Plan. Adjacent properties to the north are currently zoned A-1, Agriculture and Planned Unit Development (PUD). West of the project are County lands and some R-1 and R-3 properties. Both A-1, Agriculture, and Planned Unit Development (PUD) are easterly adjacent. To the the south is A-1, Agriculture, R-3, and R-O. Surrounding Land Use Plan designations are R-E, Residential Estate, Low Density Residential (LDR), Public/Semi-Public and Office.

Project Details

The Future Land Use Plan currently shows these properties as Residential Estate, Office, and Light Industrial.

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.

Project Details

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

Light industrial areas include low-impact manufacturing and assembly, large-scale storage, distribution, and warehousing facilities. Light industrial activities are typically characterized as having little or no environmental impact on surrounding properties.

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

Relationship to the General Plan / Projected Traffic Impact

N/A

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

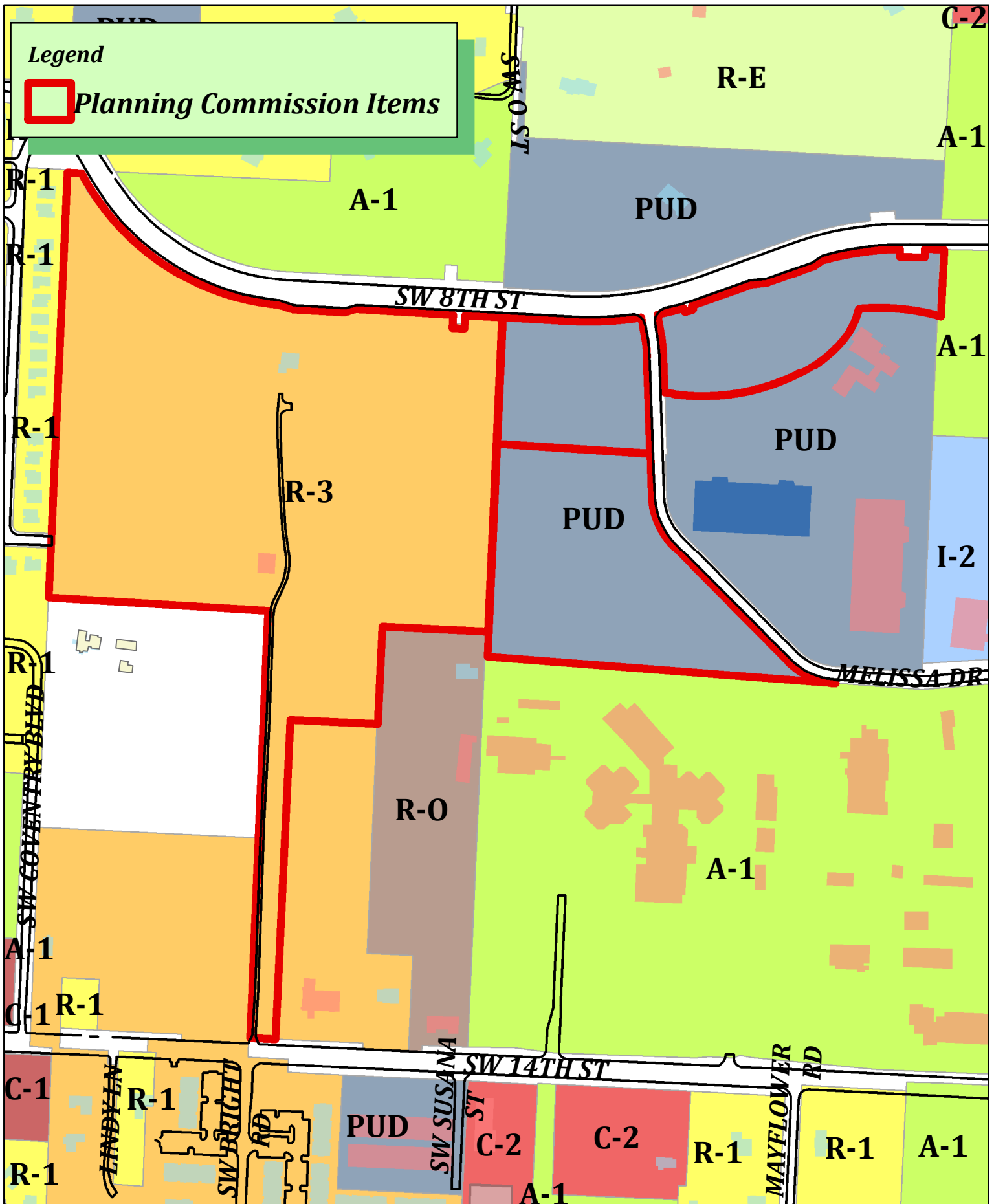
Analysis / Waivers

Community Parks are allowed in the following districts: agricultural, residential estates, commercial and industrial districts. The proposed rezone would allow for a community park to serve the surrounding neighborhoods and community.

Conclusion

The regulations for the A-1, Agricultural District are designed to preserve and protect prime agricultural lands and to protect undeveloped areas from intensive uses and allows for community parks. It has been the City's pattern and practise to locate larger parks in the A-1 zone and therefore staff recommends approval.

Additional Details



RZ23-0077

**8th Street Gateway Park
 Allen Subdivision South**





September 26, 2023

City of Bentonville Planning Commission
Community Development Building
305 SW "A" Street
Bentonville, Arkansas 72712

Re: **8th St. Gateway Rezoning Request**

To the City of Bentonville Planning Commission:

On behalf of City of Bentonville Parks and Recreation, Ecological Design Group (EDG) is submitting this rezone request for parcels ID: 01-17301-000, 01-05068-002, 01-05068-010, and 01-19577-000.

Parcel ID 01-17301-000 is currently zoned R3: Medium-High Density Multifamily Residential and parcel ID 01-05068-002, 01-05068-010, 01-19577-000 is zoned as PUD: Planned Unit Development. The requested change in zoning for these parcels is to be zoned as an A-1: Agricultural District to allow the property to be developed as a community park. This park will service the surrounding neighborhoods and community. The Bella Vista Trailblazers Association Inc. currently owns all the parcels and will be transferring ownership to the City of Bentonville once the park design is completed.

The community park will span along SW 8th St. from SW I St. to the edge of the neighboring properties along SW Arrowhead Drive for a total of 85.22 acres. The park consists of three main areas: West Park, Park Core, and East Park. The West Park is oriented to the existing neighborhood and will include a small playground, rest station, and running/jogging paths. The Park Core will include a primary pavilion, destination playground, skate park, and park drive off of Melissia Drive and associate parking. The East Park will include a small parking area, small comfort station, asphalt pump track, multi-paths and bridge over 8th Street, and a large stormwater facility area.

Signage

At this time, no signage is planned beyond signage as allowed by City Code. The design teams will be working with the City of Bentonville to ensure that adequate signage is provided for pedestrian crossings.

Traffic

The properties have access to SW 8th St. which has the capacity to accommodate the traffic generated by the proposed development. In addition, the proposed park will have two parking areas to allow the public easy access to the different areas of the park.

Availability of Water and Sewer

Water mains are located in both Melissa Drive and SW I St. Additionally, this project is proposing a 12" water main from Melissa Drive connecting to an existing 12" water main in SW Arrowhead Drive. The site has an existing sewer main located east of Melissia Drive and another located in SW I St. This project will be adding a sanitary sewer main extension of approximately 730 LF to serve the West Park, sewer main extension of approximately 1017 LF to serve the Park Core, and a sewer main extension of approximately 496 LF to serve the East Park.

Respectfully submitted,

ECOLOGICAL DESIGN GROUP, INC.

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

Brahm Driver, PE

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE
MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE AND OFFICE TO
AGRICULTURE; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0077)**

WHEREAS, Bentonville/Bella Vista Trailblazers Association Inc. duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of RESIDENTIAL ESTATE and OFFICE to AGRICULTURE, which property is described as follows:

TRACT 12, BEING A LOT SPLIT OF TRACT 9, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING FILED FOR RECORD SEPTEMBER 17, 1987 AS PLAT RECORD 11 AT PAGE 266 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID TRACT 9, THENCE N 02°34'08" E 642.87 FEET ALONG THE WEST LINE OF SAID TRACT 9; THENCE S 86°23'39" E 462.14 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MELISSA DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES: S 01°55'36" E 126.66 FEET; 168.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 23°L7'L4" E AND A DISTANCE OF 164.63 FEET; S 44°38'52" E 490.78 FEET; 161.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 65°07'55" E AND A DISTANCE OF 158.18 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 9; THENCE N 85°36'58" W 1050.87 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 9.54 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD OR FACT. AND LOT 19, BEING A LOT SPLIT OF TRACT 10 AND 14, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, FILED IN PLAT RECORD 2016 AT PAGES 878 AND 879. AND A PORTION OF TRACT 10 OF HARDCASTLE ESTATES ACCORDING TO PLAT BOOK 2005, PAGE 1256 & 1257 AND SITUATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF TRACT 12, HARDCASTLE ESTATES, PLAT BOOK 2005, PAGE 1256 & 1257;

THENCE ALONG THE WEST BOUNDARY LINE OF SAID HARDCASTLE ESTATES, NORTH 02°36'03" EAST, A DISTANCE OF 642.52 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" TO THE SOUTHWEST COMER OF SAID TRACT 10 FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY OF SAID TRACT 10, NORTH 02°36'03" EAST, A DISTANCE OF 381.38 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE SOUTH RIGHT-OF-WAY OF SW 8TH STREET ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID SOUTH-RIGHT-OF-WAY THE FOLLOWING (2) COURSES; SOUTH 86°47'29" EAST, A DISTANCE OF 200.18 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 217.98 FEET, HAVING A RADIUS OF 1,045.00 FEET, THROUGH A CENTRAL ANGLE OF 11°57'05", AND HAVING A CHORD WHICH BEARS NORTH 87°13'16" EAST, A DISTANCE OF 217.59 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE WEST RIGHT-OF-WAY OF MELISSA DRIVE ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: SOUTH 10°03'48" EAST, A DISTANCE OF 63.29 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 57.15 FEET, HAVING A RADIUS OF 473.76 FEET, THROUGH A CENTRAL ANGLE OF 06°54'41", AND HAVING A CHORD WHICH BEARS SOUTH 05°25'47" EAST, A DISTANCE OF 57.11 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; SOUTH 01°52'38" EAST, A DISTANCE OF 289.97 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 86°26'17" WEST, A DISTANCE OF 461.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 172,171 SQUARE FEET OR 3.95 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT;

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-
HIGH DENSITY MULTIFAMILY RESIDENTIAL AND PUD, PLANNED UNIT
DEVELOPMENT TO A-1, AGRICULTURAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: RZ23-0077)

WHEREAS, Bentonville/Bella Vista Trailblazers Association, Inc. duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

TRACT 12, BEING A LOT SPLIT OF TRACT 9, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING FILED FOR RECORD SEPTEMBER 17, 1987 AS PLAT RECORD 11 AT PAGE 266 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID TRACT 9, THENCE N 02°34'08" E 642.87 FEET ALONG THE WEST LINE OF SAID TRACT 9; THENCE S 86°23'39" E 462.14 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MELISSA DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES: S 01°55'36" E 126.66 FEET; 168.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 23°L7'L4" E AND A DISTANCE OF 164.63 FEET; S 44°38'52" E 490.78 FEET; 161.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING OF S 65°07'55" E AND A DISTANCE OF 158.18 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 9; THENCE N 85°36'58" W 1050.87 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 9.54 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD OR FACT. AND LOT 19, BEING A LOT SPLIT OF TRACT 10 AND 14, HARDCASTLE ESTATES, AN ADDITION TO THE CITY OF BENTONVILLE, FILED IN PLAT RECORD 2016 AT PAGES 878 AND 879. AND A PORTION OF TRACT 10 OF HARDCASTLE ESTATES ACCORDING TO PLAT BOOK 2005, PAGE 1256 & 1257 AND SITUATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF TRACT 12, HARDCASTLE ESTATES, PLAT BOOK 2005, PAGE 1256 & 1257; THENCE ALONG THE WEST BOUNDARY LINE OF SAID HARDCASTLE ESTATES,

NORTH 02°36'03" EAST, A DISTANCE OF 642.52 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" TO THE SOUTHWEST COMER OF SAID TRACT 10 FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY OF SAID TRACT 10, NORTH 02°36'03" EAST, A DISTANCE OF 381.38 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE SOUTH RIGHT-OF-WAY OF SW 8TH STREET ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID SOUTH-RIGHT-OF-WAY THE FOLLOWING (2) COURSES; SOUTH 86°47'29" EAST, A DISTANCE OF 200.18 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 217.98 FEET, HAVING A RADIUS OF 1,045.00 FEET, THROUGH A CENTRAL ANGLE OF 11°57'05", AND HAVING A CHORD WHICH BEARS NORTH 87°13'16" EAST, A DISTANCE OF 217.59 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759" ON THE WEST RIGHT-OF-WAY OF MELISSA DRIVE ACCORDING TO DEED BOOK 2008, PAGE 50480; THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: SOUTH 10°03'48" EAST, A DISTANCE OF 63.29 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 57.15 FEET, HAVING A RADIUS OF 473.76 FEET, THROUGH A CENTRAL ANGLE OF 06°54'41", AND HAVING A CHORD WHICH BEARS SOUTH 05°25'47" EAST, A DISTANCE OF 57.11 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; SOUTH 01°52'38" EAST, A DISTANCE OF 289.97 FEET TO A SET 5/8" REBAR WITH CAP "LS#1759"; THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 86°26'17" WEST, A DISTANCE OF 461.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 172,171 SQUARE FEET OR 3.95 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT;

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

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL and PUD, PLANNED UNIT DEVELOPMENT to A-1, AGRICULTURAL 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



Sanders Properties LLLP

205 Northwest 4th Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0078
Applicant / Current Owner	Watkins, Boyer, Gray & Curry PLLC / Sanders Properties LLLP
Site Area	+/- 0.37 Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential
Requested Future Land Use Map Designation	N/A
Development Type / Use	High Density Residential / Mixed Use
Related projects	N/A

Property Description

This property is located in Downtown Bentonville at 205 Northwest 4th Street, and is currently zoned R-3, Medium-High Density Multifamily Residential. Adjacent zoning districts include R-1, Low Density Single Family Residential to the north and south, in addition to D-E, Downtown Edge to the south, as well as R-3 to the east and west. A four-unit, single story, apartment building and a small storage shed exist on the property today.

Project Details

The applicant has requested to rezone the property from R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential, to align with its Future Land Use Map designation of High Density Residential and to maximize its potential uses granted its proximity to the Downtown core. The intent of the DN-4 district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures. These areas tend to be located in areas of unique activity due to the surrounding context and resulting levels of activity and housing demand. The property in question has access to all public utilities, including water, sewer and electric service, and sits just to the north of many commercially zoned properties in the downtown core, making this an appropriate and feasible location for high-density mixed-use development.

Relationship to the General Plan / Projected Traffic Impact

This property is located in Priority Area 1: Downtown Intensification, with a future land use map designation of High Density Residential. Chapter 4 of the Bentonville Community Plan (2018) recommends that development within this priority area highlights reinvestment in existing urban neighborhoods in and around Downtown Bentonville. The Bentonville Community Plan describes areas designated for High Density Residential Future Land Use as including: "apartments, condominium buildings, senior housing, and special types of group living." These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses. According to the Future Land Use Map and Zoning District Alignment Policy, DN-4 is the most compatible zoning district for this property given its future land use designation and its location within Priority Area 1. Development of this property under the proposed DN-4 zoning would allow a higher density of dwelling units to be constructed which could increase the amount of vehicular traffic on nearby local streets. These impacts may be mitigated by the property's close proximity to downtown services and amenities, such as a grocery store and pharmacy, which can be accessed by bicycle or on foot via the adjacent sidewalk network.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

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

Conclusion

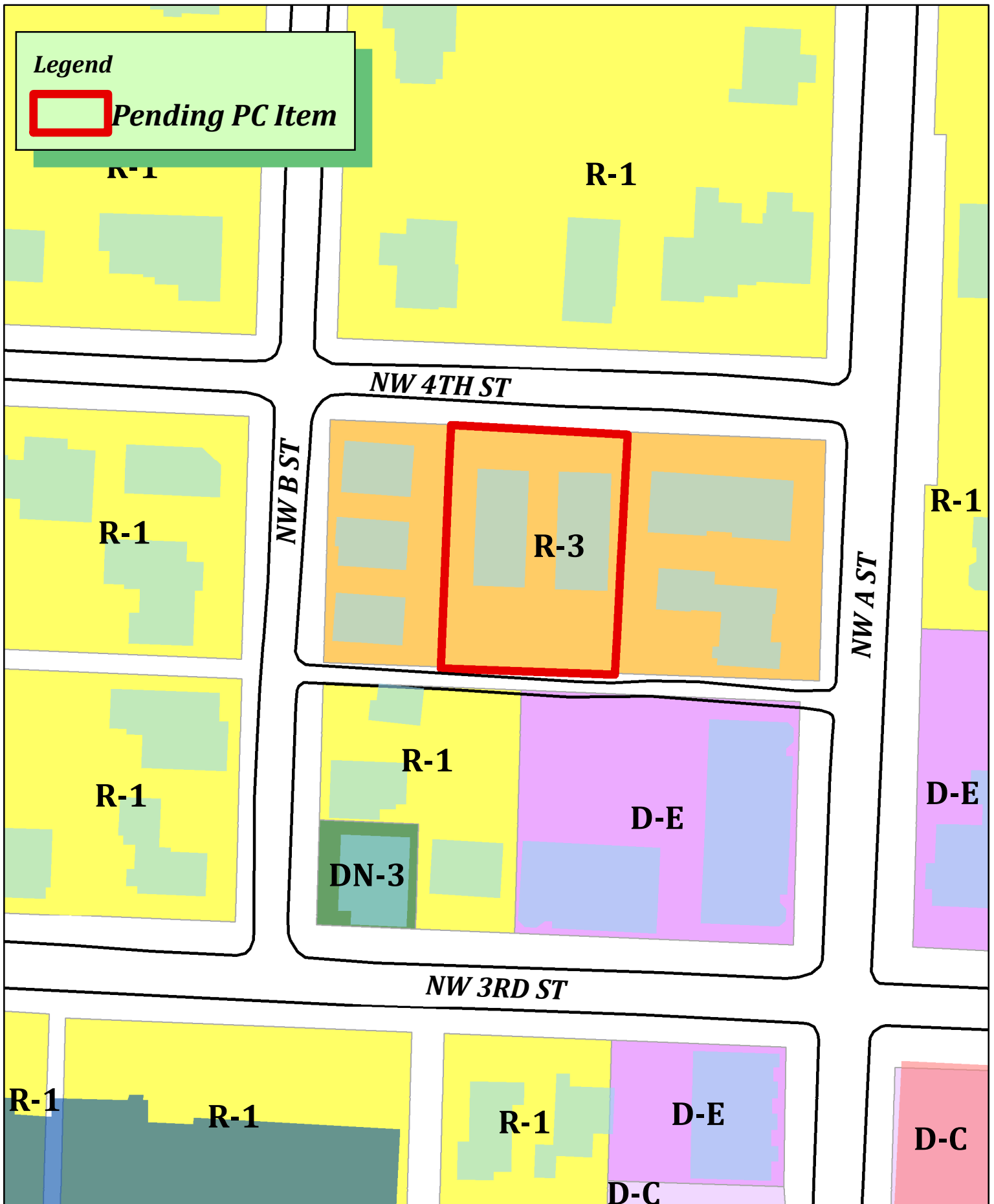
The requested rezoning is compatible with the property's Future Land Use Map designation of High Density Residential and supports the goals for Priority Area 1 outlined in chapter 4 of the 2018 Bentonville Community Plan. The close proximity of this property to Downtown Bentonville also lends support to the requested DN-4 zoning. For these reasons staff recommends approval of the rezoning request.

Additional Details

Legend



Pending PC Item



RZ23-0078
Sanders Properties LLP R-3 to DN4
205 NW 4th St



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

ATTORNEYS AT LAW

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

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

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

September 29, 2023

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

RE: Rezoning Parcel No. 01-02174-000 from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Sanders Properties, LLLP with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-02174-000 (hereinafter "the Property"), be rezoned from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential.

The applicant would like to rezone the property to align it with the Bentonville Future Land Use Map, and to maximize its potential uses granted its proximity to the core of Downtown Bentonville. The Property is adjacent to R-3, to the East and West, R-1 to the North and, D-E to the South. The Future Land Use Map designates this property as "High Density Residential" which allows for both DN-3 and DN-4 zoning. Notably, this property is right on the fringes of the downtown square, which is largely designated as "Downtown Commercial" on the Future Land Use Map. Because of this Property's proximity to downtown, it is logical that this Property would be a prime candidate for being rezoned to DN-4 under its current Future Land Use Designation instead of DN-3. Rezoning this property to DN-4 would serve as a logical transition from Downtown Edge-zoned properties to DN-3-zoned properties which are more interior to the neighborhood.

The applicant is not contemplating any particular project for this property at the current time. Traffic generated would be similar to other DN-4-zoned properties nearby—and likely less, due to the relatively small size of the Property. Lastly, there is an eight inch (8") water line available at the street frontage, and an eight inch (8") sewer line available in the alley.

Sanders Properties, LLLP
Page 2

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

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

RZB-008
①

NOTICE OF INTENT TO REZONE

Sanders Properties, LLLP _____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-3, Medium-High Density Multifamily Residential _____ to DN-4, Downtown Mixed-Use Residential _____

The legal description of the property is as follows:

See attached.

The common description of the property is: 205 NW 4th St. _____
The public hearing will be held November 7th _____, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

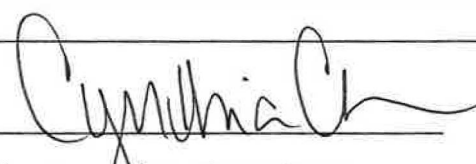
- 1. Attend the public hearing and express your views.
- 2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
- 3. Use the bottom of this form to express your opinion by checking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

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

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

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


Signature and Physical Address


Signature and Physical Address

Scott & Cynthia Cooper
405 NW A St.
Bentonville AR 72712

NOTICE OF INTENT TO REZONE

Sanders Properties, LLLP has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached.

The common description of the property is: 205 NW 4th St.

The public hearing will be held November 7th, 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:

Chris W. Sooter

Signature and Physical Address

Chris W. Sooter
106 NE 3rd St.

 Signature and Physical Address

NOTICE OF INTENT TO REZONE

Esterer Investments, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential

The legal description of the property is as follows:

See attached

The common description of the property is: 337 NW A St.

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

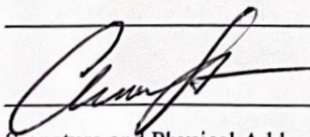
This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

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

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

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

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


 Signature and Physical Address

Chris W. Sooter
106 NE 3rd. 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-3, MEDIUM-
HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DN-4, DOWNTOWN MIXED-
USE RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER:RZ23-0078)

WHEREAS, Sanders Properties, LLLP duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 3 AND ALL OF LOT 4 EXCEPT 14 FEET OF THE WEST SIDE THEREOF IN BLOCK
9, DEMING’S ADDITION TO BENTONVILLE, ARKANSAS.;

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

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

Jon Stanley

From: Connie Bruns <conniejbo@gmail.com>
Sent: Saturday, November 4, 2023 1:37 PM
To: Tyler Overstreet; Jon Stanley
Subject: Rezone of Property 337 NW A Street, Esterer Investments, LLC

Some people who received this message don't often get email from conniejbo@gmail.com. [Learn why this is important](#)

Regarding the rezoning of 337 NW A Street, Esterer Investments, LLC , Bentonville, Arkansas

Rezone request from R-3, Medium High Density Multifamily Residential to DN-4, Downtown Mixed Use Residential

I object to the rezoning because:

N.W. 4th Street and NW A Street have many beautiful expensive homes in this immediate area. To rezone the property in question to DN-4, Downtown Mixed Use Residential which I understand would allow businesses/shopping stores, and eateries(?) , would disrupt the peace and quiet of the now residential area. At the present time there is much traffic along NW4th Street, to rezone this area which allows commercial shops would bring even more traffic and noise. Then, let's consider parking areas. At present uninvited vehicles are parking in private parking areas. As owner of the property at 201 N.W. 4th Street, I have to keep vigilance on the parking area due to folks randomly parking in the tenant's parking area.

I am concerned that the change in rezoning which allows commercial shops or eateries would adversely affect the area. My understanding is that Bars and Eateries could be established under the requested zoning. Such establishments have no noise restrictions or closing hours. This is a residential area, We have a quiet area related to families and residential living. Don't want this disrupted.

In this area of NW, 4th Street and Northwest A Street have little street parking to accommodate commercial parking. ,

I understand the DN-4 type zoning could bring 12 units per acre which could bring 4-5 units for a .37 acre and 2-3 units for the .21 acre. Both letters to staff/planning commission said there wouldn't be much of a traffic change but it could have a small impact due to more people potentially living on the block and any traffic for the potential commercial space that would eventually be on the property. The parking for the units/any commercial space would be a challenge, please think that through.

I have another building concern. My property at 201 N.W. 4th Street has an easement for the sewer line which connects at the alley. (My understanding it runs beneath or along the Sanders Property.) I purchased the property from Conley Austin and this was related to me by Mr. Austin)

Respectively submitted,

Connie J. Bruns, Ower of 201 N.W. 4th Street, Bentonville AR
Cell: 479-381-3707



Esterer Investments, LLC

337 Northwest A Street

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0079
Applicant / Current Owner	Esterer Investments, LLC
Site Area	+/- [0.21] Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	DN-4, Downtown Mixed-Use Residential
Current Future Land Use Map Designation	High Density Residential (HDR)
Requested Future Land Use Map Designation	N/A
Development Type / Use	Unknown at the time of this report
Related projects	N/A

Property Description

This property is located at 337 Northwest A Street. It is currently zoned R-3, Medium-High Density Multifamily Residential, and is classified as High Density Residential (HDR) on the Future Land Use Plan. Adjacent properties to the north and west are both currently zoned R-3, Medium-High Density Multifamily Residential, while the property to the south is zoned DE, Downtown Edge, and the properties to the east are zoned DE, Downtown Edge, and R-1, Low-Density Single-Family Residential. The surrounding Land Use Plan designations are all High Density Residential (HDR) with the exception of the property to the south which is designated as Downtown Commercial.

Project Details

The Future Land Use Plan currently shows this property as High Density Residential (HDR). High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

This property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the

Project Details

Bentonville Community Plan. This area highlights reinvestment in urban neighborhoods in and around Downtown Bentonville.

Relationship to the General Plan / Projected Traffic Impact

This property is located in Priority Area 1: Downtown Intensification, with a future land use map designation of High Density Residential. Chapter 4 of the Bentonville Community Plan (2018) recommends that development within this priority area highlights reinvestment in existing urban neighborhoods in and around Downtown Bentonville. The Bentonville Community Plan describes areas designated for High Density Residential Future Land Use as including: "apartments, condominium buildings, senior housing, and special types of group living." These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses. According to the Future Land Use Map and Zoning District Alignment Policy, DN-4 is the most compatible zoning district for this property given its future land use designation and its location within Priority Area 1. Development of this property under the proposed DN-4 zoning would allow a higher density of dwelling units to be constructed which could increase the amount of vehicular traffic on nearby local streets. These impacts may be mitigated by the property's close proximity to downtown services and amenities, such as a grocery store and pharmacy, which can be accessed by bicycle or on foot via the adjacent sidewalk network.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

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

Conclusion

The requested rezoning is compatible with the property's Future Land Use Map designation of High Density Residential and supports the goals for Priority Area 1 outlined in chapter 4 of the 2018 Bentonville Community Plan. The close proximity of this property to Downtown Bentonville also lends support to the requested DN-4 zoning. For these reasons staff recommends approval of the rezoning request.

Additional Details

Legend



Pending PC Item

NW 4TH ST

NW A ST

NW 3RD ST



RZ23-0079
Esterer Investments Inc R-3 to DN4
537 NW A St.



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

ATTORNEYS AT LAW

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

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

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

September 29, 2023

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

**RE: Rezoning Parcel No. 01-02173-000 from R-3, Medium-High Density
Residential, to DN-4, Downtown High Density Residential**

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Esterer Investments, LLC with respect to this rezoning request. The applicant is requesting that the property, Parcel No. 01-02173-000 (hereinafter "the Property"), be rezoned from R-3, Medium-High Density Residential, to DN-4, Downtown High Density Residential.

The applicant would like to rezone the property to align it with the Bentonville Future Land Use Map, and to maximize its potential uses granted its proximity to the core of Downtown Bentonville. The Property is adjacent to R-3 to the West and North, R-1 and D-E to the East, and D-E to the South. The Future Land Use Map designates this property as "High Density Residential" which allows for both DN-3 and DN-4 zoning. Notably, this property is right on the fringes of the downtown square, which is largely designated as "Downtown Commercial" on the Future Land Use Map. Because of this Property's proximity to downtown, it is logical that this Property would be a prime candidate for being rezoned to DN-4 under its current Future Land Use Designation instead of DN-3. Rezoning this property to DN-4 would serve as a logical transition from Downtown Edge-zoned properties to DN-3-zoned properties which are more interior to the neighborhood.

The applicant is not contemplating any particular project for this property at the current time. Traffic generated would be similar to other DN-4-zoned properties nearby—and likely less, due to the relatively small size of the Property. Lastly, there is an eight inch (8") water line available at the street frontage, and an eight inch (8") sewer line available in the alley.

Esterer Investments, LLC
Page 2

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

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:
pc:

R223-0019
①

NOTICE OF INTENT TO REZONE

Esterer Investments, LLC _____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-3, Medium-High Density Multifamily Residential _____ to DN-4, Downtown Mixed-Use Residential _____

The legal description of the property is as follows:

See attached

The common description of the property is: 337 NW A St. _____
The public hearing will be held November 7th _____, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

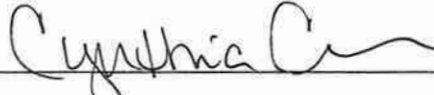
- 1. Attend the public hearing and express your views.
- 2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
- 3. Use the bottom of this form to express your opinion by checking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

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

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

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


Signature and Physical Address


Signature and Physical Address

Scott & Cynthia Cooper
405 NW A St.
Bentonville, AR 72712

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-3, MEDIUM-
HIGH DENSITY MULTIFAMILY RESIDENTIAL TO DN-4, DOWNTOWN MIXED-
USE RESIDENTIAL; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER:RZ23-0079)

WHEREAS, Esterer Investments, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 12, BLOCK 9 OF THE REPLAT OF LOTS 1 AND 2 OF BLOCK 9, DEMINGS ADDITION,
BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT RECORD 8, PAGE 73.;

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

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL.

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

Section 1: That the above described real property is hereby changed from its present zoning classification of R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to DN-4, DOWNTOWN MIXED-USE RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Positronic Retail LLC

210 Prairie Lane

PC Date: 11/7/2023

Staff Report Details

Project Number	CU23-0030
Applicant / Current Owner	Heather Wegner/Positronic Retail LLC
Site Area	+/- 5.58 Acres
Current Zoning	A-1, Agriculture
Requested Zoning	N/A
Current Future Land Use Map Designation	R-E, Residential Estate
Requested Future Land Use Map Designation	
Development Type / Use	Long-term temporary use of shipping containers for storage.
Related projects	

Property Description

This property is located at 210 Prairie Lane and is presently zoned A-1, Agriculture. Adjacent zoning districts include A-1, Agriculture to the North, East, and South, and R-1, Low-Density Single-Family Residential to the West. The property has direct access to Prairie Lane and Blueberry Lane.

Project Details

The applicant is requesting a conditional use of long-term temporary shipping containers to be used for storage purposes on site. As a secondary benefit, the applicant states that the containers would provide a barrier and visual screen between different parts of the site and business. Please see the applicants' narrative for more information.

This request arises from a code violation case. The applicant had placed the containers prior to receiving authorization to do so.

Relationship to the General Plan / Projected Traffic Impact

Relationship to the General Plan / Projected Traffic Impact

The Bentonville Community Plan includes recommended actions, strategies, concepts, and policies *aimed at improving the community* over the next 10-20 years. There should be no traffic impacts due to the temporary storage containers.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

The applicant has placed 2 storage containers along the South property line and 2 more on the East edge of the parking lot. Presently, the property to the East and South are undeveloped, and single-family homes are across both Prairie and Blueberry. The applicant has requested this CUP be permanent.

Conclusion

Additional Details

Property Owner Consent Form. A signed Property Owner Consent Form is required. This form must be signed by the property owner. If one property has multiple owners, then a separate form is required for each property owner.

Attached

- Warranty Deed. Attached

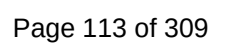
- Legal Description

PART OF THE SE 1/4 OF SECTION 28, TOWNSHIP 20 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, FURTHER DESCRIBED AS BEGINNING ON THE EAST SIDE OF THE COUNTY ROAD AT A POINT ON THE NORTH LINE OF THE SW1/4 OF THE SE1/4 OF SAID SECTION 28, AS SHOWN IN PLAT RECORD "A" AT PAGE 110: THENCE SOUTH 88°28'47" EAST 4.54 FEET; THENCE NORTH 02°00'43" EAST 23.74 FEET; THENCE SOUTH 87°05'34" EAST 203.50 FEET; THENCE NORTH 02°09'28" EAST 208.00 FEET; THENCE NORTH 87°05'34" WEST 203.79 FEET; THENCE NORTH 02°09'28" EAST 0.63 FEET; THENCE NORTH 83°39'06" EAST 552.87 FEET; THENCE SOUTH 02°09'28" WEST 566.50 FEET; THENCE NORTH 87°10'39" WEST 546.15 FEET; THENCE NORTH 02°04'35" EAST 246.02 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF PRAIRIE LANE AND BLUEBERRY LANE, CONTAINING 5.58 ACRES MORE OR LESS, ACCORDING TO A LOT SPLIT SURVEY RECORDED IN PLAT BOOK 2017 PAGE 162, IN THE RECORDS OF BENTON COUNTY, ARKANSAS.

- Narrative.

The use for the 40' shipping containers is to use as storage. The reason that we need them is because we need more storage for food for the animals, dog sports equipment and office and cleaning supplies.

Property:



The hours of operation of the existing business is 6:30am-7pm M-F and Weekends from 9-5 except for when we have events which can start at 7am. We will not be modifying our business hours with the addition of the containers. Only outdoor areas will be used. The container will not be inside. There will be no structural changes. There will be no additional parking needed. There will be no additional traffic, although we will have access to the containers off of the parking lot and by foot. There will be no lighting changes. Clients, patrons, deliveries and customer count will not change as a result of these storage containers. Employee count will not change due to these storage containers being used.

Photographs:

The first photograph is of the two 40' containers next to our Lobby. We will be painting these containers white.

The second is of the two 40' containers (painted black on one side. The other side will also be painted) on the South West corner of the property.





- Protective Covenants.

Not applicable. There are no protective covenants.

PROJECT ENGINEER

- 1 inch = 40 feet

118

what's below.
Call before you dig.

Cool Wag
Large-Scale Development
210 Prairie Lane
Bentonville, AR

SWOPE ENGINEERING
Civil Engineering
Construction Management
Municipal Engineering
Land Planning
Lead Surveying

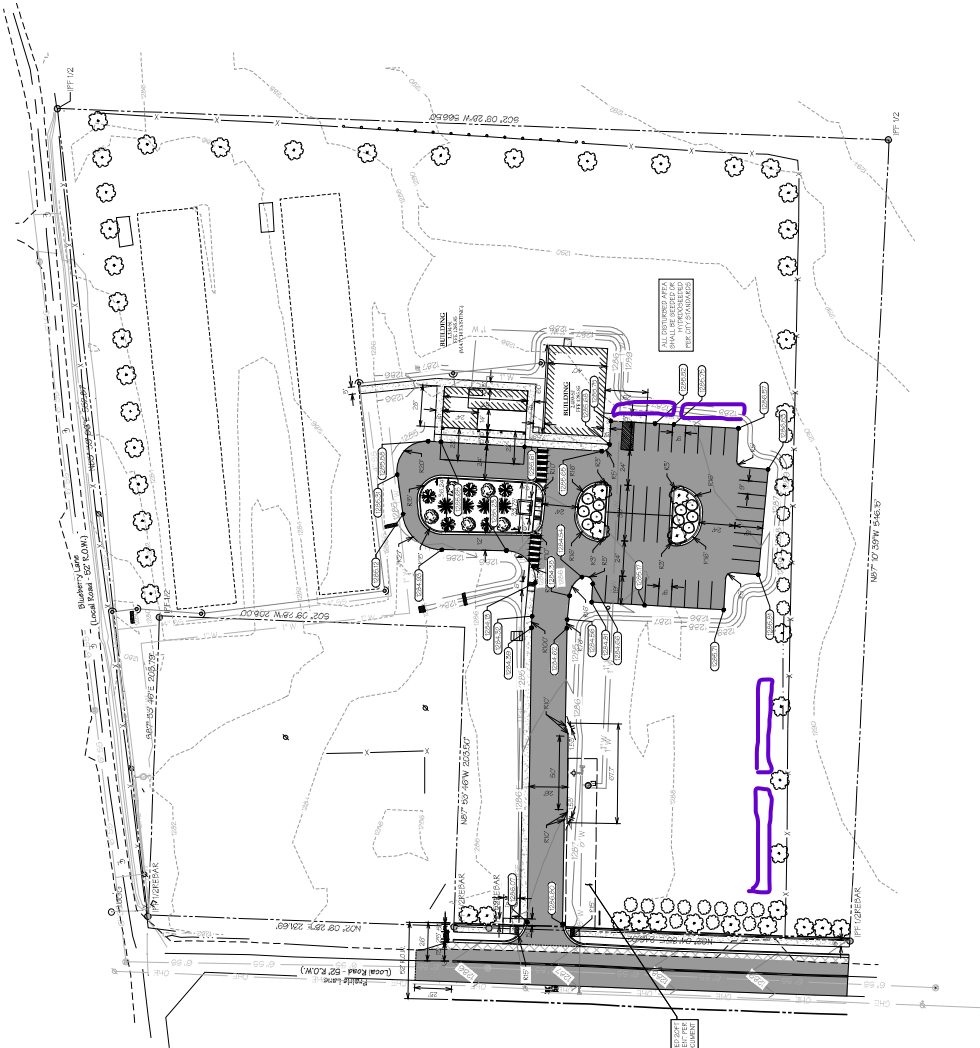
7 Highland Circle
Suite #210
Rogers, Arkansas 72756
479.685.8399 office
479.250.4285 fax



IDENTIFICATION	XXX	JOHN DOE	XX-XXXX
SUBJECT'S DATE	03/15/2019	SCORE	1 st = XX
03-25-2019			

C4.0

LSD19-0034



Note: See Survey For Existing Features Legend.
 * See Cover Sheet For Abbreviation List.

Grading Notes:

- Pre-construction:** Prior to start of site grading, erosion control measures shall be installed in accordance to the erosion control plan. These erosion control measures, at a minimum, shall include all of the following: temporary siltation ponds, sediment traps, erosion control blankets, and other measures as necessary to ensure that sediment does not leave the site.
- C. Contractor shall verify the appropriate utility Companies and the State One-Call System a minimum of 48 hours prior to any excavation for the location of all underground utility lines that will be affected by the proposed excavation. The contractor shall verify the location of all utility lines located within all available information and their exact location of utility lines may not be accurate.**
- D. A pre-construction meeting shall be held on site once All Erosion Control Measures have been installed and prior to any site grading / construction /**

GENERAL:

- safety standards defined by OSHA (Federal, State, and local). Contractor shall coordinate with appropriate DHS Company as well as local law enforcement for all jobs. Contractor shall be responsible for all costs incurred for any and all equipment, materials, and labor required for the work. Contractor shall be responsible for all costs incurred for any and all equipment, materials, and labor required for the work. Contractor shall be responsible for all costs incurred for any and all equipment, materials, and labor required for the work.

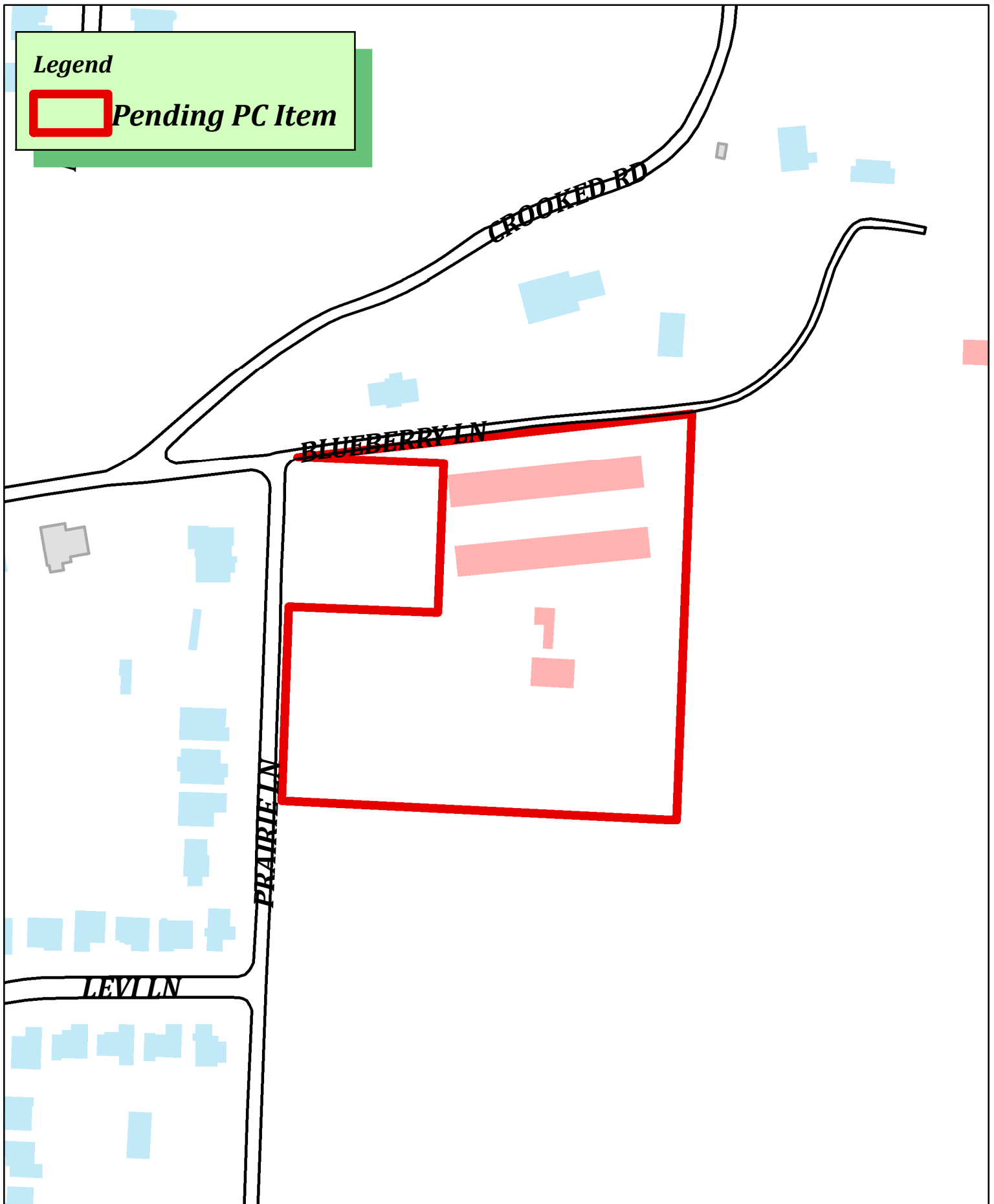
STORM SYSTEM:

- TORM SYSTEM:** All drainage structures under planned, minor and / or areas expecting heavy rainfall shall be designed to meet AS/NZS 1600 Duty 1 (2005) storming loading.
- 50mm pipe will be installed in accordance with the loading details in accordance with the specifications of AS/NZS 1600 (2005) (latest edition available at <http://www.asnzs.com.au>).
- The structure shall be located from the center of the box and from the end of the barrel and sections.
- Drainage structures shall be constructed so that the appropriate section of the box, such as the gutter or cut-off infra, the grate or drop head, is in accordance with the specifications of AS/NZS 1600 (2005) (latest edition available at <http://www.asnzs.com.au>).
- The contractor shall notify the engineer of record in the event of a discrepancy.
- All drainage structures are located within the State or Local Water of the appropriate governing agency.

Legend



Pending PC Item



CU23-0030
Positronic Retail LLC
210 Prairie Ln



RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0080)

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

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT A SET 5/8" REBAR MARKING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 87°21'22" WEST 337.80 FEET TO A SET 5/8" REBAR MARKING THE TRUE POINT OF BEGINNING; THENCE SOUTH 22°49'20" WEST 577.94 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°21'22" WEST 197.32 FEET TO A SET 5/8" REBAR; THENCE SOUTH 02°34'33" WEST 261.99 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°20'51" EAST 275.79 FEET TO A SET 5/8" REBAR; THENCE SOUTH 02°34'33" WEST 223.00 FEET TO A SET 5/8" REBAR ON THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 84°16'07" WEST 40.06 FEET TO A SET 5/8" REBAR; THENCE DEPARTING FROM THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 02°34'33" EAST 200.85 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°20'51" WEST 259.67 FEET TO A SET 5/8" REBAR; THENCE NORTH 02°34'33" EAST 824.45 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 87°21'22" EAST 421.20 FEET TO THE POINT OF BEGINNING. CONTAINING 4.467 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD. A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT A SET 5/8" REBAR MARKING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 87°21'22" WEST 337.80 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°21'22" WEST 421.20 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 02°34'33" WEST 824.45 FEET TO A SET 5/8" REBAR MARKING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 87°20'51" EAST 259.67 FEET TO A SET 5/8" REBAR; THENCE SOUTH 02°34'33" WEST 200.85 FEET TO A SET 5/8" REBAR ON THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 87°07'38" WEST 102.74 FEET TO A SET 5/8" REBAR; THENCE SOUTH 89°35'17" WEST 107.54 FEET TO A SET 5/8" REBAR; THENCE SOUTH 86°18'50" WEST 49.84 FEET TO A SET 5/8" REBAR; THENCE DEPARTING FROM THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 02°34'33" EAST 211.70 FEET TO THE POINT OF BEGINNING. CONTAINING 1.212 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD;

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1,
AGRICULTURAL TO R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL; AND
FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0080)**

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

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT A SET 5/8" REBAR MARKING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 87°21'22" WEST 337.80 FEET TO A SET 5/8" REBAR MARKING THE TRUE POINT OF BEGINNING; THENCE SOUTH 22°49'20" WEST 577.94 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°21'22" WEST 197.32 FEET TO A SET 5/8" REBAR; THENCE SOUTH 02°34'33" WEST 261.99 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°20'51" EAST 275.79 FEET TO A SET 5/8" REBAR; THENCE SOUTH 02°34'33" WEST 223.00 FEET TO A SET 5/8" REBAR ON THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 84°16'07" WEST 40.06 FEET TO A SET 5/8" REBAR; THENCE DEPARTING FROM THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 02°34'33" EAST 200.85 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°20'51" WEST 259.67 FEET TO A SET 5/8" REBAR; THENCE NORTH 02°34'33" EAST 824.45 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 87°21'22" EAST 421.20 FEET TO THE POINT OF BEGINNING. CONTAINING 4.467 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

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NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 87°07'38" WEST 102.74 FEET TO A SET 5/8" REBAR; THENCE SOUTH 89°35'17" WEST 107.54 FEET TO A SET 5/8" REBAR; THENCE SOUTH 86°18'50" WEST 49.84 FEET TO A SET 5/8" REBAR; THENCE DEPARTING FROM THE NORTH RIGHT-OF-WAY LINE OF TOWN VU ROAD, NORTH 02°34'33" EAST 211.70 FEET TO THE POINT OF BEGINNING. CONTAINING 1.212 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD;

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



The Bike Inn

3400 South Walton Boulevard

PC Date: 11/7/2023

Staff Report Details

Project Number	CU23-0031
Applicant / Current Owner	Bike Inn, LLC (Jeremy Rose)
Site Area	+/- 1.07 Acres
Current Zoning	C-2, General Commercial
Requested Zoning	N/A
Current Future Land Use Map Designation	General Commercial
Requested Future Land Use Map Designation	N/A
Development Type / Use	Lodging - Motel/Hotel
Related projects	CU21-0021 and CU22-0005, both previously approved by the Planning Commission

Property Description

The subject property is located at 3400 South Walton Boulevard and is zoned C-2, General Commercial. Long-term temporary uses require a Conditional Use Permit and are only allowed in non-residential zoning districts.

Project Details

The applicant is requesting an extension to their current Conditional Use Permit.

The applicant has previously installed seven Mega Sleeper Pod mini cabins at this location. The seven 16-foot-long x 10-foot-five-inch-wide cabins have been placed on existing 35-foot-long x 11-foot-wide gravel parking pads located behind the primary structure. These parking pads were permitted through a separate conditional use permit (CU21-0021) on Oct 5th, 2021. A second CUP (CU22-0005) was approved on April 22, 2022, for the sleeper pods to be placed on the gravel pads.

Project Details

The proposed pods have parking for one vehicle at each pad and each pod contains a queen bed, a two-person dinette, and a coffee bar. Electrical service is provided by the existing 30 amp circuits at each parking pad and no plumbing is required for any of the proposed pods.

The first CUP (CU21-0021) conditions of approval were:

- 1. This Conditional Use Permit shall be valid for a period of one year at which time the gravel must be removed and the parking paved.*
- 2. No RVs will be allowed to park at this location at any time.*
- 3. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a public hearing on or revoke the Conditional Use at any time.*

The second CUP (CU22-0005) conditions of approval were:

- 1. This Conditional Use Permit shall be valid for a period of time determined by the Planning Commission.*
- 2. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission can hold a public hearing to reconsider the Conditional Use at any time.*
- 3. Units shall meet all relevant building and fire code requirements including but not limited to, having/installing emergency egress windows. Contact the Building and Fire Safety Department for more information.*
- 4. No additional connections to the public water and sewer system are permitted. The existing backflow device must be tested yearly to remain in compliance. Contact the Water and Sewer Department for more information.*
- 5. Runoff mitigation shall be provided due to increases in impervious areas on the site in question. Contact the Engineering Department for more information.*

Relationship to the General Plan / Projected Traffic Impact

There should be little to no traffic impact from the temporary use.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

This project provides a unique type of lodging within the city. There has been enough time to understand how the project functions and now may be a good time to place conditions to determine the path to compliance. The proposed bond improvements to Rainbow curve extend along the frontage of the project. Staff recommends that this CUP be reviewed independently from the bond project as the pods and the gravel access roads are on private property.

Conclusion

Proposed conditions of approval for this Conditional Use Permit (CU23-0031) for both the use of the pods and the temporary gravel access roadways:

- 1. This Conditional Use Permit shall be valid for a period of 1 year..*
- 2. No RVs will be allowed to park at this location at any time.*
- 3. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the*

Conclusion

Planning Commission can hold a public hearing to reconsider the Conditional Use at any time.

4. Units shall meet all relevant building and fire code requirements including, but not limited to, having/installing emergency egress windows. Contact the Building and Fire Safety Department for more information.

5. No additional connections to the public water and sewer system are permitted. The existing backflow device must be tested yearly to remain in compliance. Contact the Water and Sewer Department for more information.

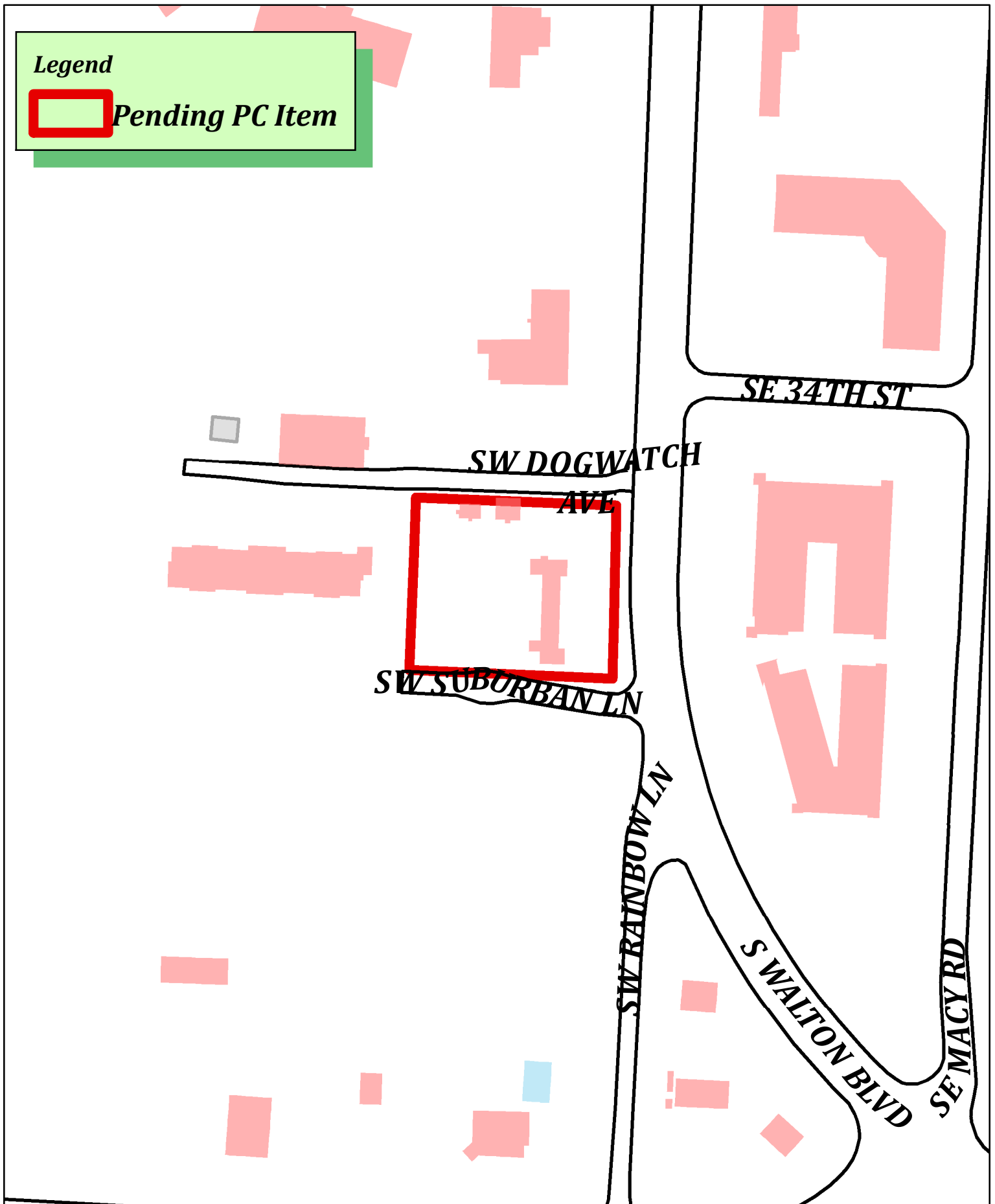
6. The City's Runoff mitigation spreadsheet shall be resubmitted for verification of adequacy and approval within 30 days of the approval of the CUP. Contact the Engineering Department for more information.

Additional Details

Legend



Pending PC Item



CU23-0031
The Bike Inn-J. Rose
3400 S. Walton Blvd



The Bike Inn, Bentonville
Conditional Use Permit Narrative

Sept 29, 2023

- Proposed use and reason for proposed use;
 - The former Pines Motel has been remodeled & Reopened as The Bike Inn. A Cycling Centric motel catering to the growing needs of cycling & Outdoor recreation tourism industry in Bentonville & NW Arkansas.
 - I would like to propose extending our current conditional use permit out to coincide with the construction & rework of the Walton & Regional Airport Intersection as well as the upcoming changes to Rainbow Curve.
- No new changes or updates are being requested at this time
- Site Plan Drawn to scale
 - Please see attached, no new additions
- Hours of operation
 - 24/7 minus scheduled full motel closings. Currently none are scheduled.
- Indoor & Outdoor areas to be utilized
 - Indoor: Existing 8 motel rooms and 2 “cottages” on rear of property
 - Indoor: 4 Mega Sleeper Dry Pods
 - Outdoor: 4 Van Parking Pads
- Planned Indoor & outdoor structural changes
 - No planned indoor or outdoor structural changes
- Parking needs requirement
 - The motel currently has 8 parking spots to support the 8 motel rooms in the front parking lot
 - The 2 existing cottages have existing gravel parking pads
 - The 4 Mega Sleeper Pods have 1 parking spot per Pod,
 - 4 Van Parking Pads
- Planned outdoor lighting changes
 - No planned outdoor lighting changes
- Anticipated patrons, clients, deliveries, &/or Customers
 - At 100% occupancy we expect 40 patrons at the property.
- Proposed number of employees
 - The Bike Inn will be solely operated by the owner, Jeremy Rose
- Photographs of the property.
 - Please see attached

We have become a Staple for this community and what visitors to this community are looking for. We offer a very unique green space in the heart of Bentonville that allows visitors and locals to enjoy what makes Bentonville & the Ozarks such a special place. Our quality and attention to detail are unparalleled. We have removed an eyesore from the Bentonville inventory & have worked tirelessly for over 2 years to help the overall

equity of Bentonville improve with both our business model and our constant give-back to this community.

- To Date, we have not had any issues regarding run-off, gravel being pulled onto Walton, or traffic incidents with guest of The Bike Inn entering or exiting Walton Blvd.
- We have taken a former nuisance property and transformed it into a Boutique Motel that this community is proud of & has catered to visitors from all 50 states, Canada, Mexico, Belgium, Philippines, South Africa and many more countries.
- Our demographics: Median age: 55. Gender: 50/50, average income: > \$100,000

Jeremy Rose
The Bike Inn, Bentonville
Jeremy@TheBikeInn.com
www.TheBikeInn.com
479-339-9401



Low impact development practices

Click the link above for documentation.

Approved on 2020-12-08.

Rainfall mitigation worksheet

Fill the highlighted cells, as in the example below:

Address: 3400 S walton Blvd, Bentonville
Parcel Number: 10012000

Impervious areas are parts of the property where water cannot soak into the ground.
These areas are typically roofs, concrete, or asphalt.

Pre-existing impervious area		Notes	Proposed impervious area		Notes
House:	3,850 sq. feet.		House:		
driveway & parking	4,500 sq. feet.		Garage:		
Pumphouse	120 sq. feet.		Driveway:		
Gazebo	168 sq. feet.		Sidewalk:		
gazebo	240 sq. feet.		Other:		Pool and deck.
Total:	8,878 sq. feet.		Total:	- sq. feet.	

Increase = (8,878) Sq. feet.

Mitigation required: 0.2 cubic feet of storage for each square feet of impervious area.
(1,776) cubic feet.
(13,282) gallons. (Cubic feet = 7.48052 gallons.)

Mitigation credits:

	Roof area SF:	Credit:			
Redirect downspouts:	3,850 sq. feet	0.05 sq. feet roof.	193	cubic feet credit.	
Rain barrels:	Size		Credit:		
Cistern:	gallons.		100%	- cubic feet credit.	
	cubic feet.		100%	- cubic feet credit.	
Rain gardens:	Length	Width	Height	Volume	Credit:
(Dimensions in ft.)				-	20%
					- cubic feet credit.
Porous pavers:	Size	Thickness of rock		Credit:	
	sq. feet.	3 Inches	(See below)	- cubic feet credit.	
Green roofs:	Size	Credit:			
	sq. feet.	0.20 cubic feet per sq. ft. of roof.		- cubic feet credit.	
Terraced landscape:	Length	Width	Height	Volume	Credit:
(Dimensions in ft.)				-	40%
					- cubic feet credit.

Total credits: 193 cubic feet.
Congratulations

Credit for porous pavers is 40% of volume of rock,
plus 0.10 cubic ft. per square ft. of pavers.



Cilp Realty LLC / United Industries - Material Storage Extension

Southeast 5th Street

PC Date: 11/7/2023

Staff Report Details

Project Number	CU23-0032
Applicant / Current Owner	Halff Associates/Cilp Realty LLC
Site Area	+/- 4.17 Acres
Current Zoning	I-2, Heavy Industrial
Requested Zoning	
Current Future Land Use Map Designation	General Commercial
Requested Future Land Use Map Designation	
Development Type / Use	Bulk Storage of Highly Flammable Material
Related projects	CU20-0018, CU21-0017, CU22-0030

Property Description

This property is located along Southeast 5th Street, just west of the intersection with Southeast Martin Luther King Jr. Parkway. It is directly west of the United Industries facility. The property is presently zoned I-2, Heavy Industrial with a land use of General Commercial. Adjacent zoning districts include I-2, Heavy Industrial to the North, East, and West, Planned Unit Development (PUD) - the Walmart Campus - to the South, as well as C-2, General Commercial to the Northwest. This property has direct access to Southeast 5th Street, and indirect access to Martin Luther King Jr. Parkway through the United Industries property.

Project Details

The applicant is requesting a 5-year extension to the previously approved CUP granted in Oct. 2022. The applicant is proposing to plant an evergreen screen along the portion of the storage area visible from 5th Street. Hours of operation are anticipated to be on an as-needed basis. Please see the applicant's submittal materials for more information on this request.

Relationship to the General Plan / Projected Traffic Impact

Relationship to the General Plan / Projected Traffic Impact

Traffic impact is projected to be minimal considering this is a private storage area that will only be accessed infrequently by transport vehicles.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

The applicant has shown good faith with their proposed streetscape enhancement. There are other concerns pertaining to the storage of the highly flammable materials in close proximity to the structure which can be mitigated with better business operations (addressed with proposed Conditions of Approval numbers 2 and 3).

Conclusion

The applicant has requested a 5-year extension to the previously approved CUP, which itself had been renewed twice (2021 & 2022) following the original request in 2020. Staff recommends a 2 year extension of this conditional use permit.

Conditions of approval:

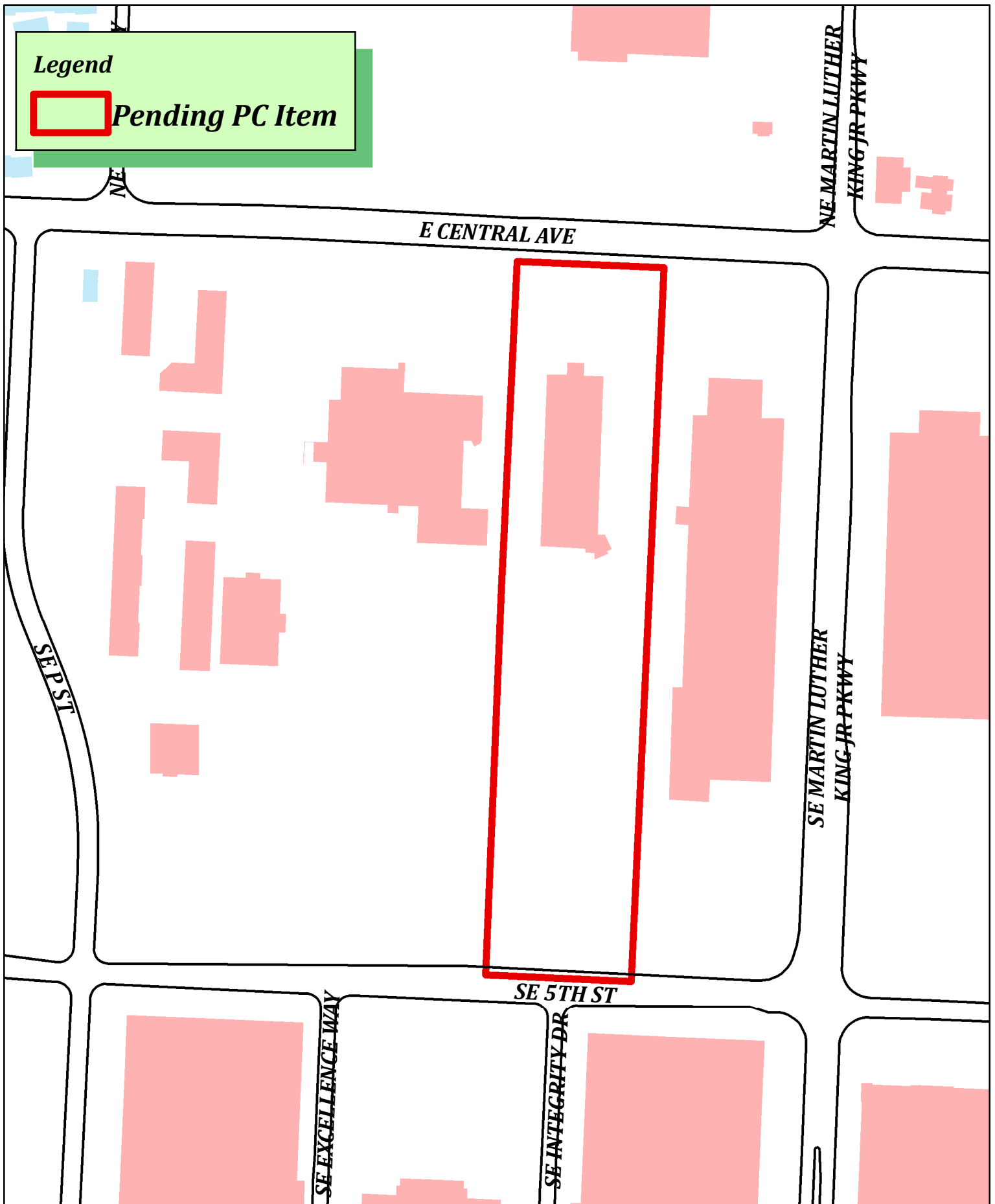
1. A tree screening shall be installed to effectively screen the storage area from view of 5th Street.
2. Applicant shall provide a visual delineation around the building, acceptable to the fire marshal, beyond which no materials shall be stored.
3. Applicant shall keep the rear dock clear as shown on Exhibit 1. All other storage areas shall be kept tidy and orderly and in compliance with all applicable public safety codes and standards.

Additional Details

Legend



Pending PC Item



CU23-0032
Clip Realty LLC-United Industries
SE 5th St





September 25, 2023

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

RE: *United Industries*
Proposed Material Storage Lot

Planning Commission,

Halff Associates, on behalf of United Industries, is respectfully requesting the City of Bentonville's approval of a 5-year extension on the conditional use permit 22-0030 previously granted for Parcel 01-08426-000 in Bentonville. The current use of the area is a storage yard utilized by United Industries for storage of palletized material, located in I-2, Heavy Industrial. The lot is approximately 1 acre in size and is currently accessed by a gravel drive from United Industries' storage lot to the east. The subject area is primarily used for storage purposes, so there are no parking or lighting needs at this time. United Industries will plan to plant evergreen trees per the attached plan with the approval of the renewal. The hours of operation will be on an as needed basis for operation by United Industries. Please see the attached exhibit for the location of the existing site.

Please let me know if you have any questions or concerns.

Sincerely,
Halff Associates, Inc.

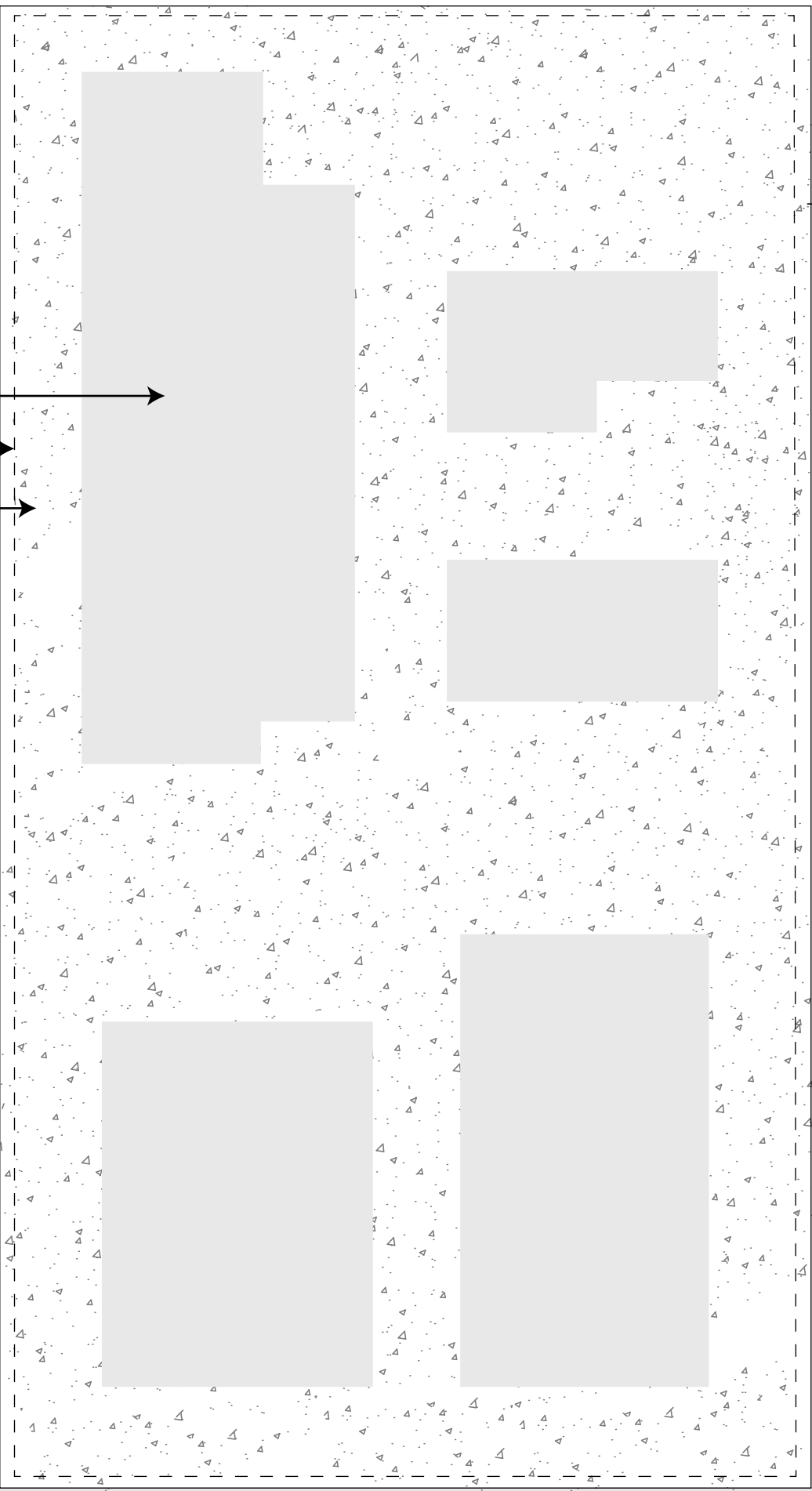
A handwritten signature in blue ink, appearing to read "Patrick Foy", written over a horizontal line.

Patrick Foy, P.E.
Project Manager

EXISTING FOAM PALLETES
EXISTING FENCE
EXISTING GRAVEL LOT

DRIP IRRIGATION SYSTEM; ROUTED
BACK TO SUPPLY

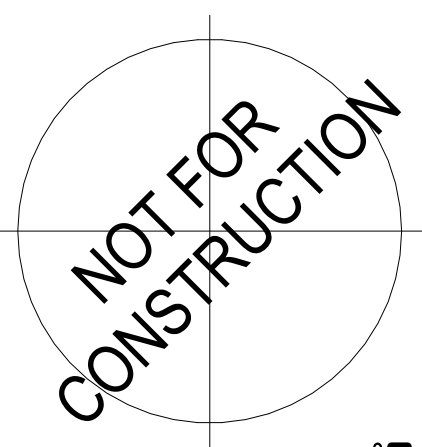
9-4" CALIPER ARBORVITAE (MIN 6'
TALL AT TIME OF PLANTING); GREEN
GIANT VARIETY TO BE PLANTED



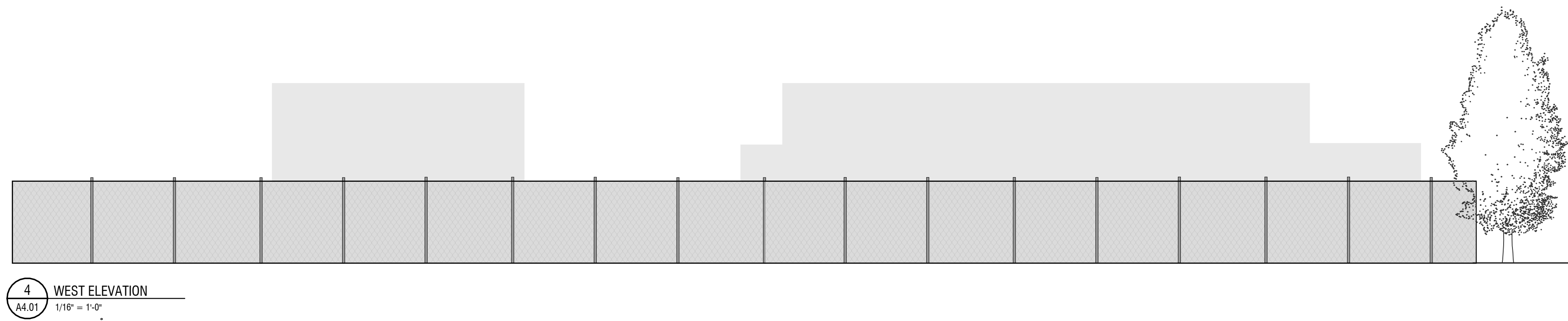
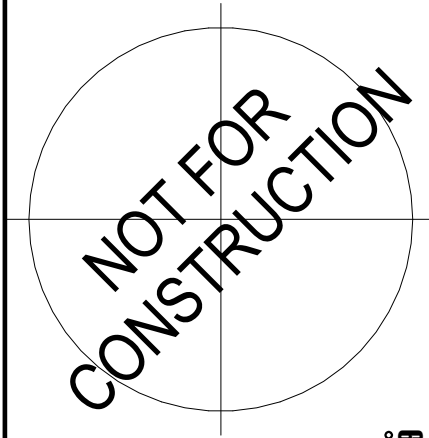
SOUTHERN PROPERTY LINE

SE 5TH STREET

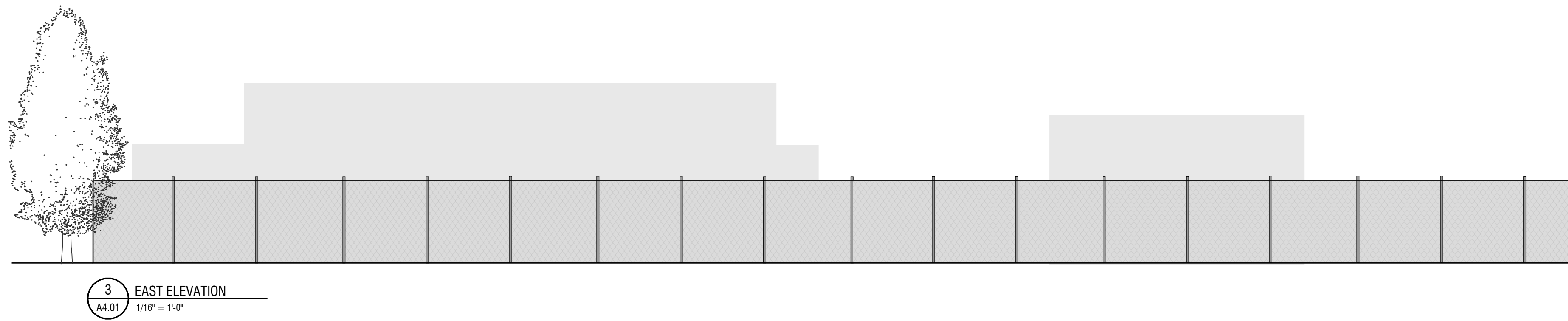
UNITED INDUSTRIES; EXISTING BUILDING



OUTDOOR EXTERIOR SCREEN STRATEGY FOR
UNITED INDUSTRIES
1900 E CENTRAL AVE BENTONVILLE, AR 72712



4 WEST ELEVATION
A4.01 1/16" = 1'-0"

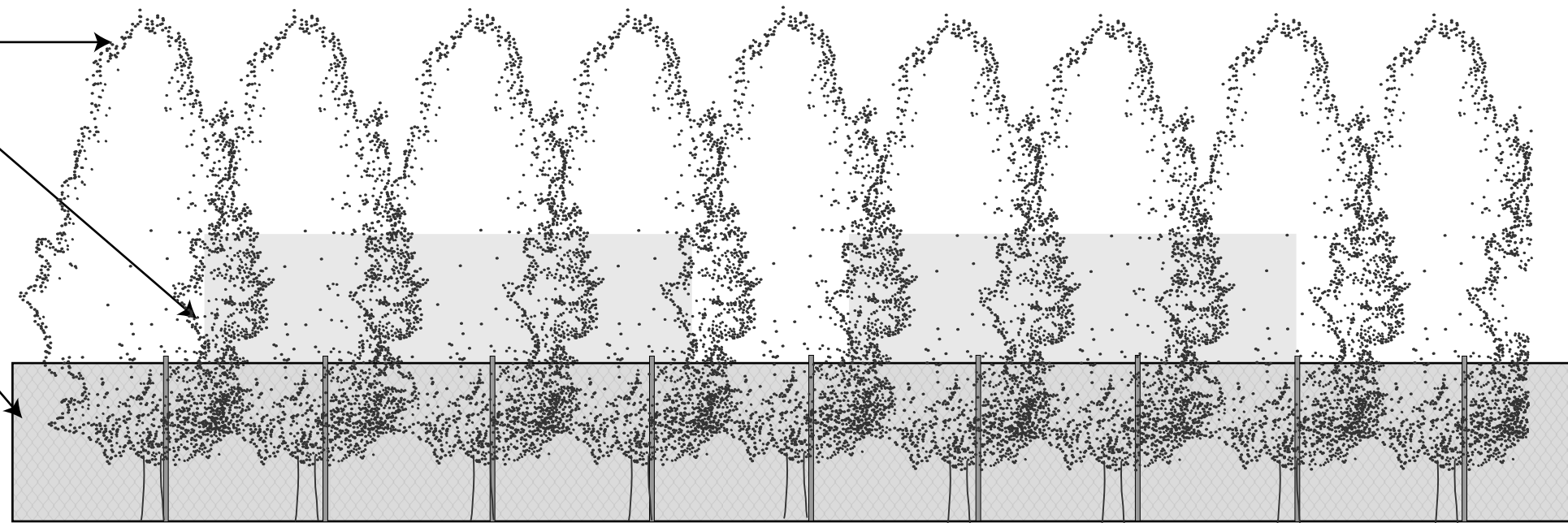


3 EAST ELEVATION
A4.01 1/16" = 1'-0"

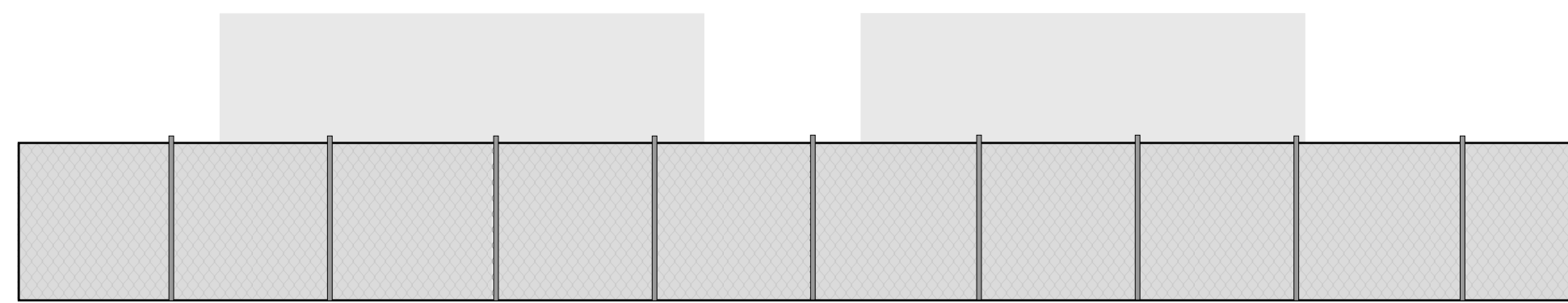
9-4" CALIPER ARBORVITAE (MIN 6"
TALL AT TIME OF PLANTING); GREEN
GIANT VARIETY TO BE PLANTED

EXISTING FOAM PALLETES

EXISTING FENCE



2 SOUTH ELEVATION
A4.01 1/16" = 1'-0"



1 NORTH ELEVATION
A4.01 1/16" = 1'-0"

OUTDOOR EXTERIOR SCREEN STRATEGY FOR
UNITED INDUSTRIES
1900 E CENTRAL AVE BENTONVILLE, AR 72712

08/28/23

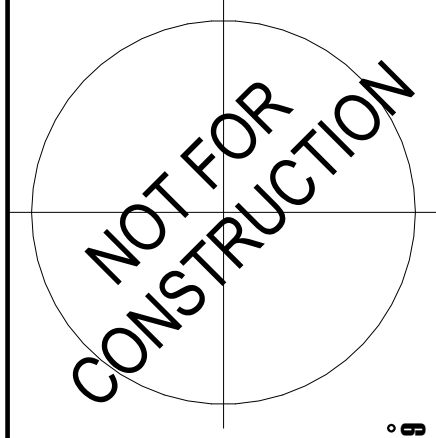
SITE ELEVATIONS

A4.01

08/28/23



1
A4.02 PERSPECTIVE LOOKING NORTH FROM 5TH STREET



OUTDOOR EXTERIOR SCREEN STRATEGY FOR
UNITED INDUSTRIES
1900 E CENTRAL AVE BENTONVILLE, AR 72712

08/28/23
SITE PERSPECTIVE

A4.02

08/28/23



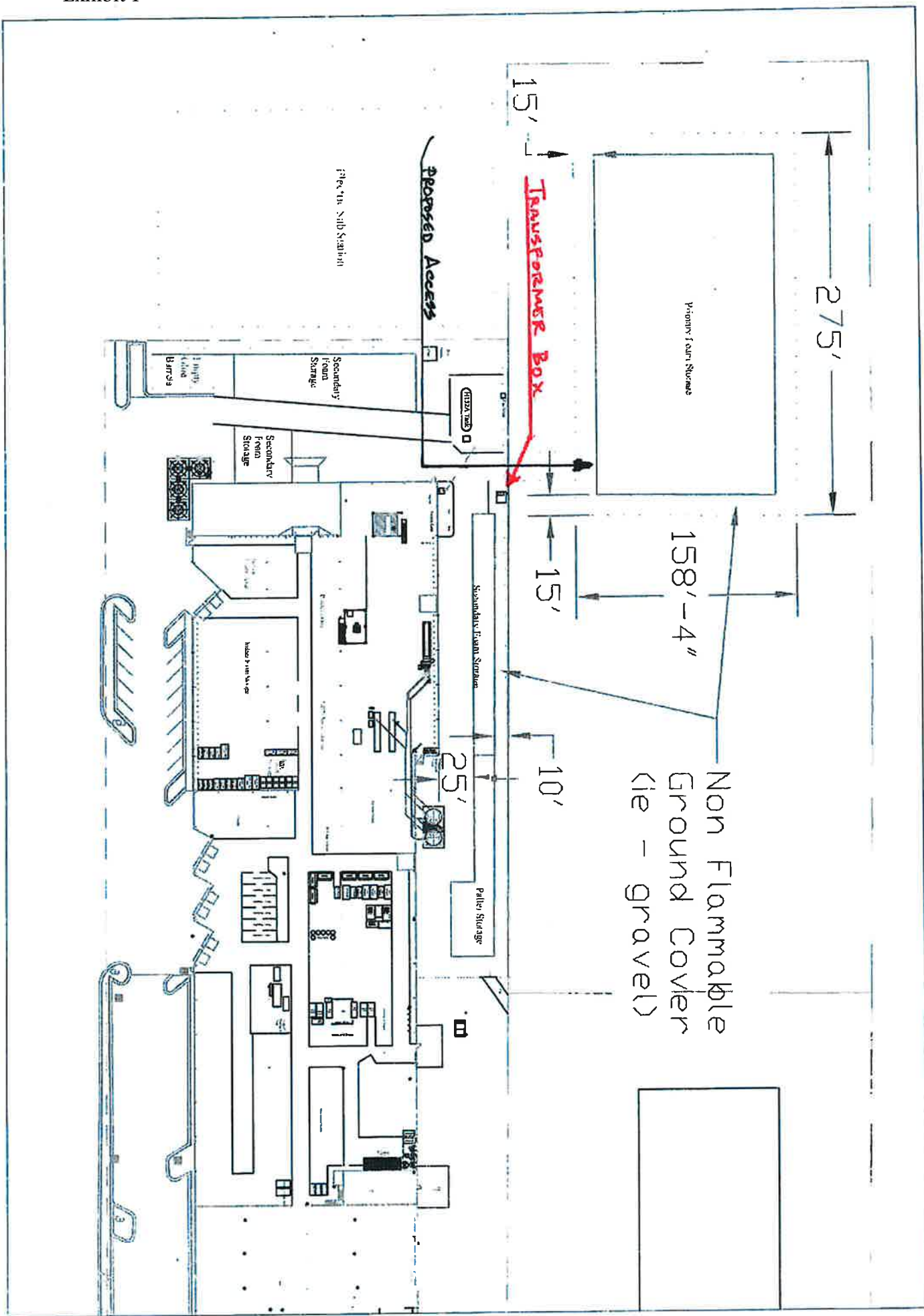






Outside Storage Area

Rev - 5/26/20





Sam's Club Office Mobile Recycling

2102 Southeast Simple Savings Drive

PC Date: 11/7/2023

Staff Report Details

Project Number	CU23-0033
Applicant / Current Owner	Sam's West, Inc
Site Area	+/- 6.38 Acres
Current Zoning	C-2, General Commercial
Requested Zoning	N/A
Current Future Land Use Map Designation	Office
Requested Future Land Use Map Designation	N/A
Development Type / Use	Long Term Temporary Use Mobile Recycling Center
Related projects	

Property Description

This property is located at 2101 Southeast Simple Savings Drive and is home to the Sam's Club Home Office. The property is currently zoned C-2, General Commercial. The applicant is requesting a conditional use permit for a long-term temporary use of a mobile recycling unit.

Project Details

The applicant states the proposal for the conditional use permit is to allow for a self-serve recycling unit. It is to be approximately 10 feet by 20 feet and occupy 4 existing parking spaces. The unit is proposed to be located in the Southeastern portion of the northernmost parking lot. The unit would be available to employees and the community 24/7 and is stated that it will remain locked except for 30 seconds when activated by a user. The applicant anticipates the unit will be emptied on a weekly schedule.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

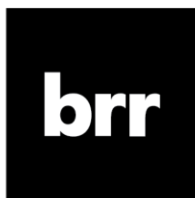
Analysis / Waivers

Conclusion

Proposed conditions of approval:

1. This Conditional Use Permit shall be valid for 2 years from the date of issuance.
2. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a public hearing on or revoke the Conditional Use at any time.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.

Additional Details



September 27, 2023

Mr. Bradley Gavrielides
Bentonville Planning Dept.
305 SW A Street
Bentonville, AR 72712
479.254.2068

Re: **Sam's Club Home Office – Proposed Recycling Container**

Mr. Gavrielides,

On behalf of Sam's Club., BRR Architecture, Inc. is requesting approval of a Conditional Use Permit for placement of a prefabricated community recycling container on the existing Sam's Club Home Office parking lot. Site is located at 2101 SE Simple Savings Drive.. The container is roughly 10 foot x 20 foot in dimension; the footprint and placement of which would use approximately (4) existing parking spaces. The proposed location for the container is in the north parking lot. A site plan is enclosed for reference.

The unit will be locked at all times, only access to the door is through the QR code and will unlock for 30 seconds. There aren't set operation hours, it's available to the community throughout the day and week. It will also be emptied up on a weekly schedule.

We hope that this submittal package contains all necessary information in consideration of the request. Thank you for your time.

Sincerely,

Dennis Wilson, AIA
BRR Architecture, Inc.

www.brrarch.com

700 SE 5th Street, Suite 104, Bentonville, AR 72712 MAIN 479.286.2900
Kansas City – Bentonville – Phoenix – San Francisco – Philadelphia – Atlanta – Austin – Seattle – Dallas – Los Angeles



PROPOSED 10' x 20'
PREFABRICATED
RECYCLING
CONTAINER

NOTE: THIS SHEET IS A COPY OF THE AVAILABLE AS-BUILT SITE PLAN FOR THIS SITE. THIS SHEET IS PROVIDED FOR ADDITIONAL INFORMATION ON THE ASSUMED EXISTING CONDITIONS AT THE PROJECT SITE. THE ARCHITECT OF RECORD HAS MADE NO MODIFICATIONS TO THIS SHEET OR THE INFORMATION CONTAINED WITHIN THEM AND CANNOT BE HELD RESPONSIBLE FOR THE ACCURACY OF THE CONDITIONS ILLUSTRATED.

PLACE PREFABRICATED RECYCLING CONTAINER ON EXISTING PARKING LOT. CONTAINER SIZE IS 10' x 20' AND WILL TEMPORARILY COVER APPROXIMATELY (4) PARKING SPACES ON THE EXISTING SAM'S CLUB HOME OFFICE LOT.

10' x 20' RECYCLING CONTAINER



ARCHITECT OF RECORD:
BRR ARCHITECTURE, INC.
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204
www.brrarch.com
TEL: 913-262-9095
FAX: 913-262-9044

STIPULATION FOR REUSE

THIS DRAWING WAS PREPARED FOR
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CONCIU TANTO

**RECYCLING
CONTAINER**
SAM'S CLUB HOME OFFICE
BENTONVILLE, AR
2101 SE Simple Savings Dr

1503

ISSUE BLOCK

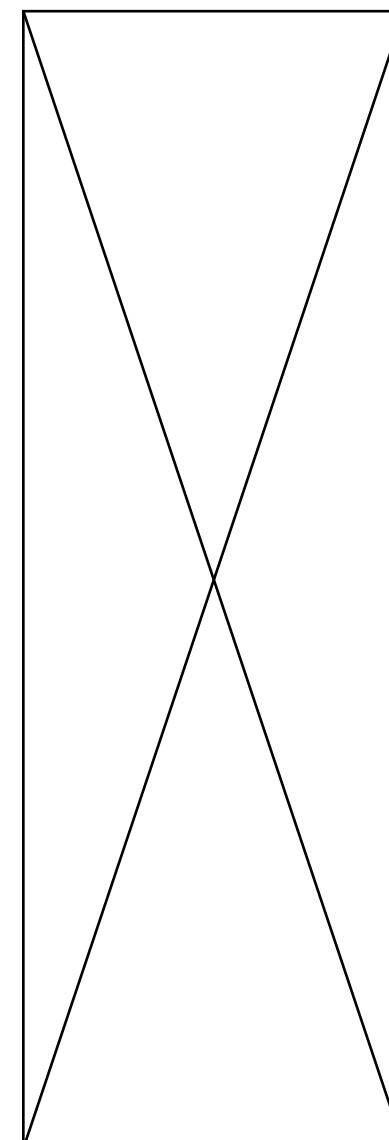
[illegible]

CHECKED BY:

DRAWN BY: KH

PROTO CYCLE: 08/26/22

DOCUMENT DATE: 11/15/22



**FOR PERMITTING
PURPOSES ONLY**

SITE PLAN

SHEET:

SP1



Palmer Violin School

3404 Southeast Macy Road Suite 2

PC Date: 11/7/2023

Staff Report Details

Project Number	CU23-0034
Applicant / Current Owner	Palmer Violins / Colonnade I, LLC
Site Area	+/- 1.65 Acres
Current Zoning	C-1, Neighborhood Commercial
Requested Zoning	N/A
Current Future Land Use Map Designation	General Commercial
Requested Future Land Use Map Designation	
Development Type / Use	Educational Facility / Retail
Related projects	

Property Description

The property in question is located just north of the intersection of SE Walton Blvd and SW Regional Airport Blvd at 3404 SE Macy Rd, Suite 2. This property is currently zoned C-2, General Commercial. A 7-unit commercial building exists on the property with current tenants mainly comprised of locally owned restaurants and small food markets.

Project Details

The applicant has requested a conditional use permit to allow the operation of an Education Facility, which is a use allowed conditionally in the C-2 zoning district. It should be noted that the use of this space for musical instruction is permitted under the definition of a "cultural studio" which is allowed by right in this zoning district. The applicants' plans to provide multiple spaces for instruction necessitates this request. The applicants' intent is to open a multi-purpose violin studio in suite 2 of the existing building, a 3,800 sq-foot space. The business model of this location is stated as equal parts instruction and retail sales, with a musical instrument store in the front of the space and private or group musical lessons occurring in the rear. This would include six rooms for individual instruction, one larger room for group instruction of up to 12 students, and a 1,200 sq-foot retail area.

Project Details

The business plans to operate from 8AM-8PM Monday-Saturday and expects to hire six staff members to serve ~30 patrons throughout each day. Ample parking for this use currently exists on site. No structural or exterior changes are planned for the building beyond possible updates to exterior signage, which would be allowed with a separate permit.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conditions of Approval:

1. This Conditional Use Permit shall be valid in perpetuity, for the life of the business.
2. Any changes in scope, use, or ownership, may require a new Conditional Use Permit. In addition, the Planning Commission has the ability to hold a public hearing on or revoke the Conditional Use at any time.
3. The applicant shall coordinate with the Bentonville Building and Fire Safety Department for any additional permitting requirements.

Conclusion

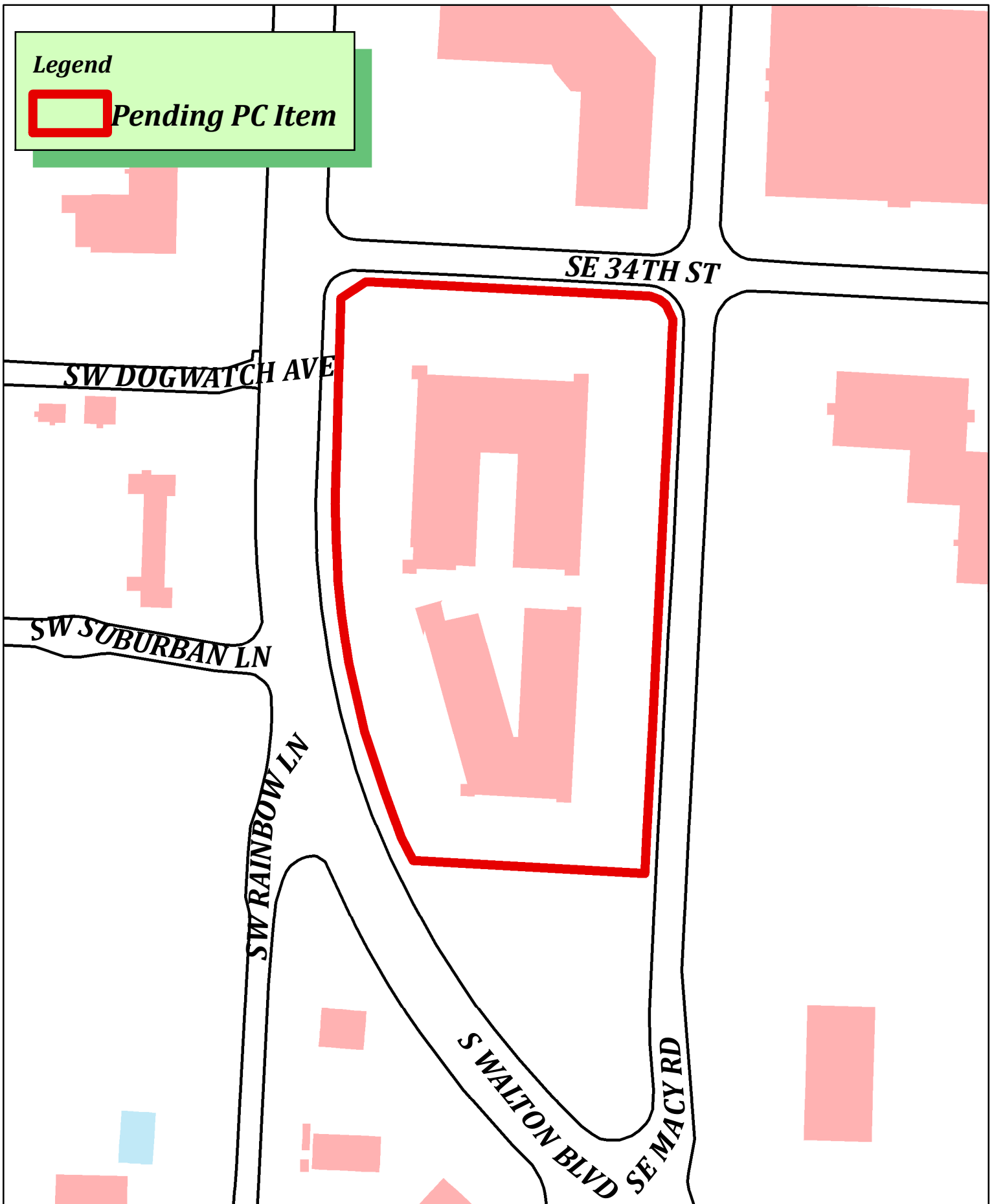
The large rental suite provides ample room for the applicant to serve their customers diverse needs. The proposed use is generally compatible with the site, its existing building and parking lot, as well as the current uses of surrounding suites in the same building. The planning staff does not propose any additional conditions and recommends approval of the request.

Additional Details

Legend



Pending PC Item



CU23-0034
Colonnade 1 LLC.
3404 SE Macy Rd STE 2



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

ATTORNEYS AT LAW

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

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

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

September 29, 2023

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

RE: Conditional Use Permit for Educational Facility on Parcel No. 01-10854-000

Dear Planning Staff:

My name is Will Kellstrom and I have been retained to assist the applicant, Palmer Violins, with respect to this conditional use permit application. The applicant is requesting a conditional use permit for the property, Parcel No. 01-10854-000, for Educational Facility, which is allowed by condition under the current zoning of C-2. Specifically, the applicant intends to lease 3404 SE Macy Road, Suite 2 in the above described property ("the Property").

The applicant is requesting this conditional use permit so that the Property may be used as a violin studio. The applicant intends to open a violin retail store in the Property. The rented space is around 3800 sq ft. There will be six (6) rooms for one-on-one instruction, and one larger room for groups of students of up to eight to twelve (8-12). The retail component will comprise about 1200 sq ft. The business model will be more or less equal parts instruction and retail. It is essentially a musical instrument store with lessons occurring in the back portions of the space.

Hours of operation will be 8am to 8pm, Monday through Saturday. The applicant anticipates that the use will require ten (10) parking spaces during peak times. There is ample parking already present at the site. The average number of patrons will be around thirty (30) per day, and the number of employees will be around six (6). No structural or exterior changes are planned. A picture of the exterior of the unit has been submitted herewith. Generally speaking, the use will be a retail use at its core—the applicant has requested a CUP merely because it exceeds the limitation under "Cultural Studio", which is allowed by right under C-2, due to having more than one instructional space. It is a low-intensity use overall and will have little to no impact on the existing development around it.

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

Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/s/ Will A. Kellstrom

Will A. Kellstrom

WK:

pc:



Unlicensed Vehicles

PC Date: 11/7/2023

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Zoning Code, Sec. 501.12 Parking and Storage of Certain Vehicles
Recommendation	APPROVAL

Issue Statement

Zoning Code *Sec. 501.12 Parking and Storage of Certain Vehicles* states "Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in complete enclosed buildings or carport." Legal staff has advised staff that this regulation is unenforceable as it pertains to private property. The licensing of a vehicle is a purview of the state and the police department enforces unlicensed vehicle when traveling or parking on a public street.

Consequently, upon adoption of the new Property Maintenance Code last year with Ord. No. 2022-23, an "unlicensed vehicle" was specifically removed as one of the criteria for an "inoperative motor vehicle." Below is the amendment adopted with Ord. No. 2022-23:

8. *Motor vehicles.* Except as provided for in other regulations, inoperative ~~or unlicensed~~ motor vehicle shall not be parked, kept or stored on any premises ~~other than in a carport or enclosed building,~~ and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Zoning Code Sec. 501.12 is in now in conflict with the Property Maintenance Code. Since the storage of vehicles on private property is not a land use matter but rather a property maintenance matter, the Property Maintenance Code prevails.

Proposed Changes

- Delete Zoning Code, Sec. 501.12 Parking and Storage of Certain Vehicles.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX A ZONING
CODE TO DELETE SEC. 501.12 PARKING AND STORAGE OF
CERTAIN VEHICLES; AND FOR OTHER PURPOSES.**

WHEREAS, Zoning Code Sec. 501.12 Parking and Storage of Certain Vehicles states
*“Automotive vehicles or trailers of any kind or type without current license plates shall not be
parked or stored on any residentially zoned property other than in complete enclosed buildings or
carport.”*;

WHEREAS, upon adoption of the new Property Maintenance Code with Ord. No. 2022-
23, an “unlicensed vehicle” is no longer considered an “inoperative motor vehicle;”

WHEREAS, Zoning Code Sec. 501.12 is in now in conflict with the Property Maintenance
Code; and

WHEREAS, regulation of storage of vehicles is a property maintenance issue and not a
zoning issue and, therefore, the Property Maintenance Code should prevail;

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

Section 1: That Bentonville Municipal Code, Appendix A Zoning Code shall be and is
hereby amended by deleting Sec. 501.12 Parking and Storage of Certain Vehicles.

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



Amended 2023-2027 Consolidated Plan

PC Date: 11/7/2023

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	2023-2027 Consolidated Plan and Annual Action Plan
Recommendation	APPROVAL

Issue Statement

The City of Bentonville adopted the 2023-2027 Consolidated Plan and Annual Action Plan on July 11, 2023. This plan was then submitted to HUD to re-enter the Community Development Block Grant (CDBG) Program. A letter from HUD dated September 1, 2023, identified several deficiencies in the Consolidated Plan and Annual Action Plan. Staff has amended the plan to address the deficiencies.

Amendments

Below is a description of the deficiencies and how they have been addressed.

2023-2027 Consolidated Plan	
Deficiency	Correction/Amended
AD-25. Missing proof of publication of public notification of comment period.	Submitted proof of publication in IDIS*.
AD-25. Ineligible time period – the “overall benefit period” cannot exceed three years.	Changed the “overall benefit period” from five-years to three-years. Submitted in IDIS*.
SP-35. The city did not include the expected amount available for the remainder of the Consolidated Plan.	Provided the remaining funding as requested. See plan, pg. 74.
SP-45/SP48. Each goal does not have an outcome indicator, quality, or unit of measure selected.	Added outcome indicator for all projects. See plan, pg. 79.
SP-65. The City did not provide a summary of its lead-based paint policies and procedures – specific to CDBG, to ensure that its program and partners are operating in compliance with regulations.	Provided greater detail on how lead-based paint will be addressed. See plan, pg. 87.
Tables NA-10 – MA-50. Missing data in tables.	Identified missing data or clearly stated that the data is not available. See plan, pgs. 17-42.

**IDIS is the software system for documentation and compliance for the CDBG program.*

ORDINANCE STAFF REPORT

2023 Annual Action Plan	
Deficiency	Correction/Amended
AP-20/AP-23. Proposed program to replacement manhole covers in a low-to-moderate income area is an ineligible activity.	The city classified this as an infrastructure project but HUD determined it as maintenance, which is not allowed. Removed the manhole cover project and replaced it with a down payment and closing assistance program. See plan, pg. 91.
AP-20/AP-23. Funding in the Annual Plan doesn't match that on the federal form.	Revised to ensure the total project amounts are equal to the funding amount of \$320,831.00. See plan, pg. 91.
AP-35. Each project does not include an estimate of the number and type of families that will benefit.	Added estimates for the number and type of families that will benefit each project. See plan, pgs. 95-100.
AP-35. The total amount planned for public services is greater than 15% maximum allowable.	Contacted HUD and they determined they incorrectly calculated the public service amount. Based on Bentonville's allocation of \$320,831, the maximum for public service (15%) is \$48,124.65. The original plan had a total public service of \$47,500, below the public service cap. We have since removed the eBike Voucher Program (details below) and are well-below the cap in the amended budget. Pg. 91.

Revised Budget

The revised budget for the 2023 Annual Action Plan is below.

Annual Budget	2023
Amount Awarded/Expected	\$ 320,831.00
Max Public Service (15% cap)	\$ 48,124.65
Max Admin (20% cap)	\$ 64,166.20
Project Allocations	2023
Helen Walton (childcare)	\$ 10,000.00
Boys and Girls Club (childcare)	\$ 10,000.00
Coc (homeless)	\$ 12,500.00
Bike Voucher (was \$15,00))	\$ -
Total Public Service	\$ 32,500.00
Infrastructure (manhole covers) Home Ownership Assistance	\$ 231,331.00
Housing (Habitat)	\$ 25,000.00
Administration	\$ 32,000.00
Totals	\$ 320,831.00

Program Changes

Added the Home Ownership Assistance Program. Since the replacement of manholes was deemed an ineligible project, those funds need to be reallocated to a different project. Since the city has been discussing housing affordability and accessibility, offering a home ownership assistance program provides one tool for addressing this issue.

This project is designed to assist qualified low-to-moderate income households purchase a home by providing assistance with downpayments and closing costs. Downpayment assistance cannot exceed 50% of the lender required down payment amount. The city will promote the program, accept, evaluate applications and award assistance. Qualified applicants are those that meet the most recently published [HUD income guidelines](#) based on persons per household. Homebuyers will be required to take a homebuyer education class and provide the final certificate as proof of completion.

Removed the eBike Voucher Program. The eBike Voucher Program proposed in the original plan would have required substantial time to establish and manage. Since the Home Ownership Assistance Program has now been added, staff time requires focusing on establishing and managing that program, which is a higher priority. Therefore, the eBike Voucher Program was removed from the 2023 Annual Action Plan.

No other changes. No other programs proposed in the original plan have changed.

Recommendation

In accordance with the city's adopted Citizen Participation Plan, a notice for a 30-day review period of the amended plan was published October 15, 2023. To-date, staff has received no comments on the plan. Staff recommends approval of the proposed amendments.

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE ADOPTED 2023-2027 CONSOLIDATED PLAN
FOR COMPLIANCE WITH PARTICIPATION IN THE HUD COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Bentonville adopted the 2023-2027 Consolidate Plan and Annual Action Plan on July 11, 2023 and submitted to HUD for review;

WHEREAS, a letter from HUD dated September 1, 2023, identified several deficiencies in the plan;

WHEREAS, staff has amended the plan to address the deficiencies and published notice for a thirty-day review period in accordance with the City of Bentonville Citizen Participation Plan;

WHEREAS, the Planning Commission voted to recommend to the City Council that the Consolidated Plan as amended be approved and that said amended plan be adopted.

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

Section 1: That the 2023-2027 Consolidated Plan as amended, attached as Exhibit “A”, is herein established by the Planning Commission and City Council and is hereby adopted by reference as though it were copied herein fully in compliance for participation in the Community Development Block Grant (CDBG) Program;

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

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; 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 Resolution are repealed to the extent of such conflict.

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



**Community Development Block Grant
(CDBG) Program**

2023-2027 Consolidated Plan | 2023 Annual Action Plan

As Amended November 2023

**Prepared by:
City of Bentonville**

**Submitted to:
United States Department of Housing and Urban Development
Little Rock Field Office**

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Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting and citizen participation processes for four formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA). The new single-planning process was intended to more comprehensively fulfill three basic goals: to provide decent housing, to provide a suitable living environment and to expand economic opportunities. It was termed the *Consolidated Plan for Housing and Community Development*.

According to HUD, the Consolidated Plan is designed to be a collaborative process whereby a community establishes a unified vision for housing and community development actions. It offers entitlements the opportunity to shape these housing and community development programs into effective, coordinated neighborhood and community development strategies. It also allows for strategic planning and citizen participation to occur in a comprehensive context, thereby reducing duplication of effort.

As the lead agency for the Consolidated Plan, the Bentonville Planning Department, hereby follows HUD's guidelines for citizen and community involvement. Furthermore, it is responsible for overseeing these citizen participation requirements, those that accompany the Consolidated Plan and HUD programs, as well as those that complement the planning processes already at work in the city.

The 2023-2027 Consolidated Plan for Housing and Community Development for the City of Bentonville, Arkansas is the comprehensive five-year planning document identifying the needs and respective resource investments in satisfying the City's housing, homeless, non-homeless special populations, community development and economic development needs.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment

Overview

The goals of Bentonville Planning are to provide decent housing, a suitable living environment and expanded economic opportunities for the city's low to moderate income residents. Bentonville Planning strives to accomplish these goals by maximizing and utilizing available funding resources to conduct housing and community development activities that serve our economically disadvantaged residents. By addressing need and creating opportunity at the individual and neighborhood levels, Bentonville Planning hopes to improve the quality of life for all residents. These goals are further explained as follows:

- Providing decent housing means helping homeless persons obtain appropriate housing and assisting those at risk of homelessness; preserving affordable housing stock; increasing availability of permanent housing that is affordable to low and moderate-income persons without discrimination; and increasing supply of supportive housing.
- Providing a suitable living environment entails improving safety and livability of neighborhoods; increasing access to quality facilities and services; and reducing isolation of income groups within an area through de-concentration of low-income housing opportunities.
- Expanding economic opportunities involves creating jobs that are accessible to low- and moderate-income persons; making mortgage financing available for low- and moderate-income persons at reasonable rates; providing access to credit for development activities that promote long-term economic and social viability of the community; and empowering low-income persons to achieve self-sufficiency to reduce generational poverty in federally-assisted and public housing.

These objectives are:

Decent Housing - Assisting homeless persons obtain affordable housing; assisting persons at risk of becoming homeless; retention of affordable housing stock; increasing the availability of affordable permanent housing in standard condition to low-income to moderate income families; particularly those of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability; increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS to live in dignity and independence); and providing affordable housing that is accessible to job opportunities. The City will continue to improve the infrastructure in CDBG target neighborhoods determined to contain a significant population of low to moderate income households. In the past the City has used some of their CDBG funding for infrastructure improvements, add sidewalks along City streets, rebuild sidewalks, and improve water, sewer, and drainage to City street standards in target low- income neighborhoods. The City will also assist public service agencies who serve the City's youth, seniors, special needs persons, veterans, persons and families in crisis and disabled persons who are deemed low to moderate-income. These services include transportation assistance programs, and child- care assistance to enable parents to continue working, as well as other services requested that meet a very specific need of the low income. The City will also look to improve public facilities that will address the needs of the homeless, disabled, elderly, children, or low income citizens.

Expanding Economic Opportunities - availability of mortgage financing for low-income persons at reasonable rates using non-discriminatory lending practices; access to capital and credit for development activities that promote the long-term economic and social viability of the community; generational poverty in federally assisted housing and public housing. The three outcomes for these objectives are availability/accessibility, affordability, and sustainability.

3. Evaluation of past performance

The City of Bentonville's last Five-Year Consolidated Plan was 2011-2015, completed in 2010. However, city administration opted to remove the city from the CDBG Entitlement Program effective January 1, 2016. The City now working to re-enter the program. Previous activities implemented have met or exceeded the goals established in the last Consolidated Plan. These activities have been very successful. Funds were spent in a timely manner. Activities completed in the most recent participating year are as follows:

In previous participating years, the City of Bentonville used \$7,000 in CDBG funds to remove and replace 500-linear feet of existing 4-foot-wide deteriorating asphalt sidewalk with concrete along the west side of SE J Street between SE 10th and SE 12th Streets.

On June 16, 2015, the city entered into an agreement with Crafton, Tull & Associates, Inc. to provide engineering services including surveying, design, bidding and negotiation, and construction administration. On June 21, 2016, Bentonville City Council approved an amendment to this project, increasing the funding for this project by \$30,000 to City of Bentonville, Arkansas Community Development Block Grant 3 2017 CAPER \$138,168 to fully fund design and partially fund project construction. On October 13, 2016, the city entered into an agreement with Diamond C Construction to make the drainage improvements. A total of \$138,1368 in CDBG funds were used to fully fund design and partially fund construction of the SE 10th Street Drainage Project. The project consisted of hiring an engineering firm to redesign the storm drain system and a construction firm to complete the project under SE 10th Street between SE C and SE J Streets. The improvements now prevent flooding in a once prone area.

4. Summary of citizen participation process and consultation process

The City uses many individuals and agencies in the development of the Consolidated Plan, as well as the Annual Action Plan. Resident participation starts at the development of the plan. We take all input we receive to help us analyze and measure to determine housing, facility, and service needs with an emphasis on low-moderate income, elderly, disabled, and homelessness. We look at resources in the City to meet these needs as well as gaps that might not be met by other resources. A Public Hearing is held where the public is invited to offer comments and identify housing and community needs. The public is notified of this Public Hearing by a display ad placed in the local newspaper and social media posts. The City encourages the residents of Bentonville to provide input into the Consolidated and Annual Action Plans by attending the Public Hearings or sending in their comments.

Once completed, another Public Hearing along with a notice will be published advising these Plans are ready for review. The final Plans will consider and/or implement concerns and suggestions from residents, public agencies, and other interested parties. Beginning with the first program year, 2023-2024, final review and approval to the Consolidated Plan and Annual Action Plans will be made by the Mayor of Bentonville and the Bentonville City Council.

Every five years the City will submit their Affirmatively Furthering Fair Housing Report. That process involves surveys, stakeholder meetings, focus groups, meeting with our low-income citizens, our disabled and our residents in public housing. Public Hearings will be held along with a comment period to get input on housing needs, access to housing and services, as well as challenges facing our City and Region.

The public will also be given an opportunity to review the Consolidated Annual Performance and Evaluation Report (CAPER). This contains a summary of accomplishments and evaluation of progress made during the year. All Public Hearings and meetings will be held in buildings that have access for persons with disabilities. Hearings will be scheduled with providing working individuals and families a greater opportunity to attend in mind. Technical assistance will be provided to those requesting assistance in developing a proposal under the Consolidated or Action Plan submission. Resident participation process is also involved in the submission of the Consolidated Plan, Annual Action Plan, CAPER, and AFFH Report.

5. Summary of public comments

Various needs were brought up during the first public input meeting that detailed housing affordability, utility bill costs, childcare costs, and infrastructure needs. Cost burden became a main topic in regard to overall cost of living in the area. Furthermore, a public input survey was made available to city residents. The results of this survey showed that and received 99 responses over a three week period. Responses pointed to infrastructure being recognized as the number one need with public facilities second and housing and economic development being third. Within the breakout of infrastructure section, mobility initiatives such as sidewalk improvements and mass transit were regarded as in high need. Lack of affordable housing and overall cost burden were also highlighted within the survey results. No comments specific to the plan were received during the pre-planning resident participation section of the Consolidated Plan or the resident participation section of the final plan review held 30 days prior to submission to Department of Housing and Urban Development. There were 21 attendees for the first public input meeting and seven attendees for the second and final public input meeting.

6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments not accepted.

7. Summary

The goal of the City of Bentonville in using their Community Development Block Grant funding is to improve the quality of life for low to moderate-income families, seniors, persons with special needs by funding public services that stabilize and enhance living conditions, and provide affordable home ownership opportunities, and provide home repairs to maintain decent housing.

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BENTONVILLE	Bentonville Planning

Table 1 – Responsible Agencies

Narrative

The Consolidated Plan is prepared by the CDBG Administrator. The CDBG Administrator reports to the City's Planning Director. The CDBG Administrator is also responsible for administering the programs covered in the Consolidated Plan. This includes the development, implementation, monitoring and activities reporting. The CDBG Administrator uses City Staff, residents, community and neighborhood organizations, and non-profits for their insight and expertise on housing, service, and facility projects. The Planning Director and his staff evaluate all CDBG infrastructure projects. The CDBG Administrator also conducts meetings and public hearings to encourage public comments and to receive resident views to establish priorities. The following agencies were invited to a public input meeting to discuss and help prepare the 2023-2027 Consolidated Plan: Boys and Girls Club, Habitat for Humanity of Benton County, Community Development Corporation, For the Love Food Truck, Helen R. Walton Children's Enrichment Center, St. Stephens, and Northwest Arkansas Continuum of Care.

Consolidated Plan Public Contact Information

Shelli Kerr, Comprehensive Planning Manager, 479-271-3122, skerr@bentonvillear.com

Tyler Overstreet, Planning Director, 479-271-3122, toverstreet@bentonvillear.com

Stephanie Orman, Mayor, 479-271-5966, sorman@bentonvillear.com

PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(I) and 91.315(I)

1. Introduction

The City of Bentonville's consultation process is an on-going year-round effort. The CDBG Administrator meets with government officials, those who deal with housing, service areas, and with nonprofits that are active in this area. During this development period, the City was able to get resident input through surveys, public hearings, and stakeholder meetings. These organizations consisted of representatives of non-profits, fair housing providers, community-based organizations, service providers, educational institutions, and a range of government agencies. Working with data provided by HUD, locally developed, and resident input we will be able to identify goals and strategies and use this information in the development of the Consolidated and Annual Action Plans.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

The City encourages all residents, especially minorities, persons with disabilities, residents of public and assisted housing developments, residents living in slum and blighted areas, residents in predominately low-to-moderate income neighborhoods, agencies that provide assisted housing, health and social services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and homeless persons) to participate in the development of this Plan. These agencies are asked to provide data on current and future needs in housing and services. Public Hearings were held. The City is also becoming a member of the Northwest Arkansas Continuum of Care which is made up of housing providers and service and government agencies.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Bentonville is re-establishing its relationship with the Northwest Arkansas Continuum of Care. The NWA Continuum of Care coordinates community resources to build a collaborative system that addresses core issues of homelessness and poverty. Their mission is coordinating a community response to end homelessness in Northwest Arkansas. The coalition consists of homeless housing and shelter providers, consumers, advocates, government representatives and stakeholders working together to address the homeless situation in Northwest Arkansas. The Continuum of Care is governed by a board and committees and works to implement practices to meet the needs of our area's homeless and to make sure that no person discharged from an institution becomes homeless. We will work to coordinate needs by addressing capacity, occupancy, future housing needs, support services needed, chronic homelessness, numbers turned away from shelters/services, and the number of homeless on waiting lists for housing/services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City receives no ESG funds.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Boys and Girls Club of Benton County
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Services for school age children and families
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey; and submitted a proposal as a potential subrecipient.
2	Agency/Group/Organization	HABITAT FOR HUMANITY OF BENTON COUNTY
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Rehabilitation
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
3	Agency/Group/Organization	Community Development Corporation
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
4	Agency/Group/Organization	For The Love
	Agency/Group/Organization Type	Food Services
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting and responded to survey.
5	Agency/Group/Organization	Helen Walton Children's Enrichment Center
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Childcare Assistance

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.
6	Agency/Group/Organization	St Stephens Catholic Church
	Agency/Group/Organization Type	Faith Based Organization
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting and responded to survey.
7	Agency/Group/Organization	NWA Continuum of Care
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended public meeting, responded to survey, and submitted a proposal as a potential subrecipient.

Identify any Agency Types not consulted and provide rationale for not consulting

The City of Bentonville did not have any agencies that reached out not be consulted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care		The City of Bentonville is working to re-establish its relationship as a member of the Northwest Arkansas Continuum of Care. A continuum that has established a system to prevent and eradicate homelessness in this region. Their number one priority is keeping people housed. The City's Strategic Plan also has these goals.
Master Street Plan	City of Bentonville	The City's Master Street Plan works to establish a plan that provides appropriate transportation infrastructure to support the needs of the community as a whole.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Bentonville Community Plan	City of Bentonville	The Bentonville Community Plan is the official comprehensive plan for the City of Bentonville. It is intended to serve as a roadmap for the community as it evolves, grows and changes over time. The plan serves to identify key areas of focus, define a vision for future growth and development, and provide guidance for city actions and investments over the next 10 to 20 years. The City's Strategic Plan also serves to define a vision for the future that benefits all income levels.

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

City Staff and Bentonville elected officials are all involved in the planning of the City's Consolidated Plan and provide a key role in the formulation of the projects and integrating the City's goals and objectives into the program development. We also ensure that all residents have an opportunity to provide input into the planning and participation of the City's Five-Year Consolidated Plan, as well as the annual Action Plans. The City continues to coordinate with the Department of Housing and Urban Development's Little Rock Field Office to build relationships and ensure proper compliance with the program. The City of Bentonville is establishing a partnership with the City of Springdale for guidance with building our program and associated Consolidated and Action Plans.

Narrative (optional):

PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Bentonville was responsible for the development of its Citizen Participation Plan. The city utilized this plan to provide a framework of policies and procedures to guide Bentonville's efforts to encourage citizen participation in the CDBG process. It is a primary goal of the City to provide for and encourage participation in all phases of the development of the Consolidated Plan by low- and moderate-income persons and any organizations that assist with those individual persons or families. The Bentonville Planning Department took several steps for citizen outreach and public input: a survey of city residents and stakeholders, and a public input meeting. Additional public review activities were also conducted following development of the draft Consolidated Plan for public review. In keeping with the Citizen Participation Plan, the public was provided significant opportunities to provide input to the initial development of the Consolidated Plan and to its data and needs assessments. For feedback from the community, the City elected to use a survey instrument for collecting resident input on needs associated with the Consolidated Plan. The survey comprised a series of questions, in which the respondent was asked to rank the desirability of the particular housing or community development need. The levels of the ranking were listed as "no need," "low need," "medium need" or "high need." Topics included community services, community facilities, infrastructure, neighborhood services, the needs of special populations, housing and economic development needs. Selected questions were then posed under each topic area. The survey was distributed via an e-mail containing a link to a Web-based survey. Additionally, flyers were posted around public spaces and social media posts were made that included a link and QR code to access the survey. The survey generated 98 responses.

The City is aware that increased outreach efforts enhance public input to the planning, development, performance, implementation and modification of the Consolidated Plan. This process also allows the City to receive requests each year and to more adequately address the needs of the Community. The City holds a minimum of two public hearings each year. These public hearings provide an opportunity for all residents to communicate their views and needs to the City. The first Public Hearing was held March 6, 2023 at City Hall to solicit input into the City's 2023-2027 Consolidated Plan and the 2023 Annual Action Plan. At this public hearing, residents were able to see past accomplishments with our CDBG funding and to talk about future needs of our community. Public Hearing notices were published in the Arkansas Democrat Gazette. The second Public Hearing was held on July 7, 2023 to review the final 2023-2027 Consolidated Plan and the final 2023 Annual Action Plan. A 30-day comment period is provided prior to submitting the Consolidated and Annual Action Plan.

The proposed 2023-2027 Consolidated Plan was posted on the City's website and was available at four other locations within the City of Bentonville City Hall, Bentonville Public Library, Downtown Activity Center and the Bentonville Community Center. All public comments received are included in the Consolidated Plan. The City of Bentonville did an online survey for residents and service providers in

March 2023. This survey allowed the City to identify needs and rate our performance of meeting those needs. The CDBG Administrator was available to assist anyone in completing the surveys. The online survey was available from March 15, 2023 to March 31, 2023 and generated 99 responses. The 2023-2027 Consolidated Plan was developed using data obtained from surveys and public hearings.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of Comments received	Summary of comments not accepted and reasons	URL If applicable
1	News-paper Ad	Non-targeted/ broad community	No responses or comments, prompting no response from the City of Bentonville	No comments received	N/A	
2	Public Meeting	Non-targeted/ broad community	A public meeting was held on March 6, 2023. The purpose of this meeting was to discuss the City's plan for re-entry into the CDBG program, past performance of previous years in the program, and discussion of community needs that are being seen by those who attended.	19 individuals in attendance. Items discussed were needs for housing support, income support, public facilities and infrastructure improvements, social services, utility costs, and public transit.	No comments not accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of Comments received	Summary of comments not accepted and reasons	URL If applicable
3	Internet Outreach	Non-targeted/broad community	An internet survey was distributed via email, social media, and flyers with a link to the survey were displayed in City Hall, the Bentonville Public Library, Downtown Activity Center, and Bentonville Community Center.	98 survey responses received. No additional comments were received outside of the responses to the specific survey questions. Survey results ranked our needs in the following order: 1. Infrastructure 2. Public Facilities 3. Housing and Economic Development 4. Human Services 5. Other	No comments not accepted.	https://forms.gle/pJypKQJrY8owMJsF8
4	Newspaper Ad	Non-targeted/broad community	No responses or comments, prompting no response from the City of Bentonville	No comments received	N/A	

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

The City of Bentonville takes multiple steps in identifying and assigning priority needs within our community. HUD provides tools to identify low/mod income persons based on census tract data. Neighborhoods are then targeted for public improvements located in eligible census tracts and block groups where the highest percentages of low/mod residents are located. Statistically, these areas define a concentration of residents in need of both programs and services. The CDBG administrator works closely with organizations that provide services to the low/mod income persons. Through these organizations, the city can identify service needs of special population groups. Through both public comments, via the Citizen Participation Plan, and a needs assessment survey distributed to city residents, the city also received valuable insight into community needs.

According to 2021 census estimates, 7.1% of the population of Bentonville live at or below the poverty level. As the following tables will show, those below 50% of Median Family Income are more likely to be renters and renters are more likely to have a cost burden or housing problem. Households with at least one severe housing problem come out to 11%, however 75% of those are renters.

NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

Listed below are demographic and household tables. Because these figures have already been supplied by HUD and cannot be changed, we have decided to update this information when available to a more current set of numbers. Median household income continues to grow in Bentonville. 2021 ACS data currently estimates median household income at \$89,653. Median household income for Benton County was \$78,691 in 2021, up from \$62,600 in 2016. Households at the lowest income levels and renter households are most affected by housing problems. In 2020 the population estimate for Bentonville was 54,164 or a 53% increase from 2010. There were 21,385 households for a 25% increase from 2017.

Demographics	Base Year: 2010	Most Recent Year: 2020	% Change
Population	35,301	54,164	53%
Households	13,253	20,476	55%
Median Income	\$51,305.00	\$84,340.00	64%

Table 5 - Housing Needs Assessment Demographics

Data Source Comments: 2010 Decennial Census; 2020 ACS

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	1,090	1,060	2,035	1,175	10,580
Small Family Households	0	0	0	0	
Large Family Households	0	0	0	0	
Household contains at least one person 62-74 years of age	0	0	0	0	
Household contains at least one person age 75 or older	0	0	0	0	
Households with one or more children 6 years old or younger	0	0	0	0	

Table 6 - Total Households Table

Data Source Comments: This table did not auto populate and we have been unable to identify this detailed data.

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	0	0	0	0	0	0	0	0	0	0
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	0	0	0	0	0	0	0	0	0	0
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Housing cost burden greater than 50% of income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Housing cost burden greater than 30% of income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0
Zero/negative Income (and none of the above problems)	0	0	0	0	0	0	0	0	0	0

Table 7 – Housing Problems Table

Data Source

Comments: This table did not auto populate and we have been unable to identify this detailed data.

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	750	630	475	40	1,895	135	220	320	105	780
Having none of four housing problems	75	85	720	530	1,410	55	125	525	500	1,205
Household has negative income, but none of the other housing problems	75	0	0	0	75	30	0	0	0	30

Table 8 – Housing Problems 2

Data Source

Comments:

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	0	0	0	0	0	0	0	0
Large Related	0	0	0	0	0	0	0	0
Elderly	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0

Table 9 – Cost Burden > 30%

Data Source

Comments: This table did not auto populate and we have been unable to identify this detailed data.

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	0	0	0	0	0	0	0	0
Large Related	0	0	0	0	0	0	0	0
Elderly	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0

Table 10 – Cost Burden > 50%

Data Source

Comments: This table did not auto populate and we have been unable to identify this detailed data.

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	0	0	0	0	0	0	0	0	0	0
Multiple, unrelated family households	0	0	0	0	0	0	0	0	0	0
Other, non-family households	0	0	0	0	0	0	0	0	0	0
Total need by income	0	0	0	0	0	0	0	0	0	0

Table 11 – Crowding Information – 1/2

Data Source Comments:

This table did not auto populate and we have been unable to identify this detailed data.

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	0	0	0	0	0	0	0	0

Table 12 – Crowding Information – 2/2

Data Source

Comments:

This table did not auto populate and we have been unable to identify this detailed data.

Describe the number and type of single person households in need of housing assistance.

According to the 2013-2017 ACS, there are 15,936 households in Bentonville with 3,282 being single person households, 20.6% of all households. Of those, nearly 30% are age 65 years and over. The most significant housing issue facing single householders is cost burden. The median monthly housing cost for renters is \$883 and \$1,475 for owners.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

According to the 2013-2017 ACS, the number of persons with a disability is 3,191. Nearly 40% of those are age 65 years and over.

What are the most common housing problems?

Housing cost burden is the most prevalent problem facing Bentonville residents. As income decreases, the percentage that own homes decreases, with 40% of households being below 100% of the median family income. Of our residents with a cost burden over 50%, 73% of those are renters. Similarly, those with a cost burden over 30%, roughly 62% are renters. Affordable housing is one of the Bentonville's biggest needs.

Are any populations/household types more affected than others by these problems?

Renters tend to be more affected by these problems than homeowners. The largest percent of renters are households below 50% median family income. And, nearly 70% of households with at least one housing problem are renters. And, while only 11% of households have several housing problems, those predominately fall on renters, consisting of 75% of all the households with severe problems.

Furthermore, lower income households are more likely to have a housing problem. Nearly all renter households with incomes between 30-50% MFI have at least one housing problem (94%). Similarly, over half of the owner-occupied households with incomes between 30-50% median family income have a housing problem.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The number one characteristic of low-income individuals and families with children are an imminent risk of being homeless is lack of income. Unemployment and underemployment can be related to their lack of education, obtaining a decent paying job or just not be employable for whatever the reason to include losing their job. Many suffer with substance abuse, mental health issues, and chronic medical problems. Another characteristic that affects children is separation and/or divorce. During the Northwest Arkansas Point-in-Time Count, most of those contacted said they needed housing, work, benefits, and mental health, drug/alcohol, medical treatments, and transportation. The biggest need of formerly housing families and individuals is additional permanent affordable housing with support services and jobs. The Northwest Arkansas Continuum of Care is committed to making homelessness rare for all populations and providing permanent housing as soon as possible.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

The profile of the population at risk of homelessness is based on the Northwest Arkansas Point-in-Time Count done in 2022. Data collection occurred in various locations in Benton and Washington Counties. A master list was developed of shelters and facilities serving homeless persons in Northwest Arkansas. These facilities ranged from emergency shelters to transitional facilities, domestic violence shelters, and special needs facilities for homeless persons. Shelters and facilities provided advanced updated information including contact persons, telephone numbers, email addresses, physical addresses, and an inventory of services provided. Street homeless were south primarily in areas noted as places where homeless had been seen. The local police departments were a big help in making this information available. Experienced interviewers (social workers) were chosen as teen captains. The remaining volunteers included service providers and community residents. All volunteers were trained prior to the homeless count. The event was heavily advertised and places where homeless come for foods and help were manned by volunteers in hopes of talking to most of our homeless population. Several quality control procedures were in place to eliminate duplicate responses. The Point-in-Time Count was not broken down by cities. Numbers provided do not just reflect the City of Bentonville or Benton County. We do know that 38% of the homeless population in Benton County were in emergency shelters, five percent in transitional shelters, and 18% were unsheltered.

Breakdown by race was Caucasian 78% with 9% of that being Hispanic, Black/African American were at 12%; multiple races made up five percent, American Indian/American Native/Indigenous made-up three percent, and Asian and Pacific Islanders were both at one percent. There were 49 chronic homeless and 30 of the homeless were veterans.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

Household income and housing costs are a definite link to increased risk of homelessness.

Discussion

As stated earlier, housing cost burden is the most significant housing need facing low-to-moderate-income owners and renters. The elderly, disabled and households with children also experience a higher cost burden. The City will prioritize our projects in the 2023-2027 Consolidated Plan, as well as the 2023-2027 Annual Action Plans, to do whatever we can to meet our most urgent housing and community development needs. Maintaining and improving the existing affordable housing stock is also a priority for the City of Bentonville.

NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

According to HUD, a disproportionately greater need exists when the members of a racial or ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the income level as a whole. In this section we will look at whether racial or ethnic groups are disproportionately impacted by housing problems.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	815	95	105
White	640	80	29
Black / African American	0	10	30
Asian	0	0	30
American Indian, Alaska Native	0	4	0
Pacific Islander	100	0	0
Hispanic	40	0	15

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	850	435	0
White	705	415	0
Black / African American	25	0	0
Asian	4	20	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	70	0	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	734	1,090	0
White	655	885	0
Black / African American	40	0	0
Asian	0	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	24	185	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	115	1,080	0
White	110	845	0
Black / African American	0	95	0
Asian	0	75	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	4	45	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2013-2017 CHAS

*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

Discussion

The tables above show the number of households with and without housing problems and each racial or ethnic group at the different area median income (AMI) levels. Of the 1,015 households earning 0-30% of AMI, 76% report one or more housing problems. The greatest ethnic group with problems is White with 78% followed by Pacific Islander with 12%. Of the 1,285 households earning 30-50% of AMI, 64% report one or more housing problems. Again, the greatest ethnic group with reported problems is White at 83% followed by Hispanic at 8%. Of the 1,824 households earning 50-80% of AMI, 40% reported one or more housing problems. Whites make up 89% followed by Black/African American households at 5%. Of the households earning 80-100% of AMI, 10% reported one or more housing problems. Whites make up 96% followed by Hispanics at 4%.

NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

HUD defines "disproportionately greater need" as existing when the members of a racial or ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the income level as a whole. Charts below show the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category as a whole.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	680	230	105
White	510	210	29
Black / African American	0	10	30
Asian	0	0	30
American Indian, Alaska Native	0	4	0
Pacific Islander	100	0	0
Hispanic	40	0	15

Table 17 – Severe Housing Problems 0 - 30% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	330	955	0
White	250	870	0
Black / African American	0	25	0
Asian	4	20	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	30	40	0

Table 18 – Severe Housing Problems 30 - 50% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	105	1,709	0
White	90	1,450	0
Black / African American	0	40	0
Asian	0	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	20	189	0

Table 19 – Severe Housing Problems 50 - 80% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	50	1,145	0
White	50	900	0
Black / African American	0	95	0
Asian	0	75	0
American Indian, Alaska Native	0	15	0
Pacific Islander	0	0	0
Hispanic	0	49	0

Table 20 – Severe Housing Problems 80 - 100% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

Discussion

The above tables show the number of households with severe housing problems at various levels of AMI. Of the 680 households in the 0-30% of Median Income, 510 White households reported one or more of the four housing problems. This is followed by 100 Pacific Islander households. In the 30-50% of Median Income bracket, white households reported 250 of the 330 households with one or more of the four housing problems followed by Hispanic households with 30 households. In the 50-80% of Median Income bracket, white households reported 90 of the 105 households with one or more of the four housing problems followed by Hispanic households with 0 households.

NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

According to HUD, disproportionately greater need exists when the members of a racial or ethnic group experience housing cost burden at a greater rate (10 percentage points or more) than the population as a whole. Cost burden is the highest housing problem in Bentonville. More affordable housing is needed, as well as, additional older homes undergoing energy rehabs to help with utility costs that can incur costs as high as rent or house payments.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	10,330	1,769	1,140	105
White	8,235	1,585	905	29
Black / African American	400	65	0	30
Asian	845	0	4	30
American Indian, Alaska Native	110	10	15	0
Pacific Islander	0	0	100	0
Hispanic	454	88	60	15

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2013-2017 CHAS

Discussion:

The table shows the number of households with and without housing cost burden as well as number of households with no or negative income by race or ethnicity. Households spending 30%-50% of their income are considered moderately cost burdened. Those over 50% are considered severely cost burdened. Disproportionate impact among households with no or negative income is also considered. According to 2013-2017 CHAS estimates, there were 1,769 households that spent 30-50% of their income on housing related costs. There is one census tracts with a percent of owner-occupied housing units below 20%, Tract 205.03.

NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

Are there any income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

The data does not indicate that there is a racial or ethnic group that has a disproportionately great need. Of the white population, 6% have a housing cost burden over 30%. For the Asian and Black populations, that percentage is lower. Approximately 4% of the black population has a cost burden over 30% and the cost burden for the Asian population is negligible.

If they have needs not identified above, what are those needs?

Additional needs have not been identified.

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

Bentonville does have pockets of concentration for our Asian population. There are several Census Tracts around the city that fall into the 10%-19%, however Census Tracts 205.03 and 206.07 exceed 20%. Western Bentonville does show some small concentrations of Black or African American concentration with Census Tracts 206.08 and 209.03 exceeding 5% per the 2020 Census Demographic Data Map Viewer.

NA-35 Public Housing – 91.205(b)

Introduction

The needs of public housing residents are the same needs of the population. They need access to employment opportunities along with transportation to reach those employment opportunities. They also need education opportunities as well as homes that accommodate disabilities for our public housing disabled residents. However, Bentonville does not have public housing in the city limits.

Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	0	0	434	0	434	0	0	0

Table 22 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	
Average Annual Income	0	0	0	10,893	0	10,893	0	0	
Average length of stay	0	0	0	4	0	4	0	0	
Average Household size	0	0	0	2	0	2	0	0	
# Homeless at admission	0	0	0	0	0	0	0	0	
# of Elderly Program Participants (>62)	0	0	0	127	0	127	0	0	

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers				
				Total	Project-based	Tenant-based	Special Purpose Voucher	
							Veterans Affairs Supportive Housing	Family Unification Program
# of Disabled Families	0	0	0	159	0	159	0	0
# of Families requesting accessibility features	0	0	0	434	0	434	0	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Tables did not auto-populate due to lack of public housing in Bentonville.

Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	0	0	402	0	402	0	0	0
Black/African American	0	0	0	20	0	20	0	0	0
Asian	0	0	0	1	0	1	0	0	0
American Indian/Alaska Native	0	0	0	9	0	9	0	0	0
Pacific Islander	0	0	0	2	0	2	0	0	0
Other	0	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Ethnicity	Certificate	Mod-Rehab	Public Housing	Program Type					
				Vouchers			Special Purpose Voucher		
				Total	Project-based	Tenant-based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	0	0	18	0	18	0	0	0
Not Hispanic	0	0	0	416	0	416	0	0	0

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

The City of Bentonville does not oversee public housing. At the time of researching to complete the Consolidated Plan, we were unable to find data on waiting lists for accessible units. We are currently working with our local organizations to obtain this information for future use.

The biggest needs of public housing tenants and applicants are available units and accessibility. They also need access to quality education as this will influence their children's future health, career progression and economic potential. While significant percentages of public housing residents and voucher holders are elderly persons or persons with disabilities who are out of the workforce, there is still a need for jobs and training opportunities for workable adults. Removing barriers to employment through childcare, education, skills training and creating jobs within commuting distances of public housing could provide opportunities for public housing residents. The City of Bentonville only has one low cost of public transportation and that is Ozark Regional Transportation; however, their service level to public housing residents is not always available. Ozark Regional's On-Demand Service requires a smart phone. Many of those in public housing cannot afford to pay the cost for a smart phone and apps needed to use the On-Demand Service.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

The most immediate need would be more available housing for individuals and families. It should be noted that the Siloam Springs Housing Authority is 30 miles from the City of Bentonville, which could make it difficult for the Housing Authority to remain aware of the needs and accessibility to the residents of Bentonville. Residents in Bentonville also have a transportation cost trying to get from Bentonville to Siloam Springs. There is no direct bus route. The demand for affordable housing in Bentonville continues to outweigh the supply.

How do these needs compare to the housing needs of the population at large

Relative to the population at large, the need for access to improved education, job opportunities and transportation options is assumed to be a much higher for public housing residents than for the population at large due to the effects of poverty and lack of affordable housing in many of our neighborhoods.

Discussion

To be eligible for low-income housing, an applicant must meet the income criteria. Selections are based on the date the application was received and the availability of a unit appropriate for the applicant's household size. The City of Bentonville needs more housing for the low-to-moderate-income.

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

A Point-In-Time count was done in March 2022. In that study, 343 people were experiencing homelessness in the Northwest Arkansas region. Because the count breakdown is done regionally, we don't have the breakdown for Bentonville. With that said, the numbers for the breakdown will be based on the region which includes Benton County, Washington County, and Carroll County. Of the 343 reported, 123 were female, 216 were male, and 4 were transgender. A breakdown of race showed 266 Caucasian, 42 African-American, 32 Hispanic, and 35 were classified as other ethnic groups. The count also broke down our homeless by veterans. A total of 30 veterans were included in that number with 28 being male and 2 being female. Emergency shelters housed 20 veterans, while 1 was in transitional housing, and 9 were unsheltered.

Homeless definition according to the McKinney-Vento Act is different from HUD's definition. The schools in Northwest Arkansas count children as homeless if they are in shared housing due to economic hardship, migratory children, nighttime residence was a place not meant for human habitation, emergency shelters, or transitional housing. During the Point-In-Time count, we were able to get a count from the schools based on their definition of homeless, and that number was 2,268. A breakdown of that number is as follows: 104 children sheltered, 1,788 children doubled-up, 97 children unaccompanied, 257 children in hotels, and 22 children unsheltered.

The breakdown below will be based on numbers for Northwest Arkansas as we did not get a complete breakdown for the City of Bentonville. We will not have numbers for each of the blanks as those were not available. We will work with the Point-In-Time group to get a count reflecting a better breakdown for Bentonville with the next releases.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	239	27
Black or African American	41	1
Asian	4	0
American Indian or Alaska Native	9	1
Pacific Islander	2	1
Ethnicity:	Sheltered:	Unsheltered (optional)
Hispanic	31	2
Not Hispanic	208	26

Data Source

Comments:

<https://nwacoc.com/point-in-time-count/>

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Although Northwest Arkansas has several shelters for men, women, and children, we still do not have enough to house our homeless population. At the time of the 2022 Point-in-Time Count, there were 41 people not sheltered. Of the adults interviewed for the Point in Time Count, serious mental illnesses, substance use disorders, domestic violence victims, and those with physical disabilities were encountered. Many of these were receiving help and making strides to overcome, but without available housing to place them, their time in shelters get longer and longer and it becomes harder for them to get in a position to rid themselves of homelessness. It was discovered through these interviews that even if housing is found, many don't have transportation to get them to and from a job or even get their children to and from school. The Northwest Arkansas Continuum of Care is working diligently to not only provide housing assistance for our homeless families, individuals and veterans, but to provide services needed to help these folks back on their feet and out of the homeless count.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

The largest racial and ethnic group consisted of Whites, which made up 78%. Black/African American accounted for 12%, Hispanic accounted for 9%, with Asian, Pacific Islander, AI/AN/Indigenous and multiple races accounting for 1%, 1%, 3%, and 5% respectively.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

There were more individuals in emergency shelters and unsheltered than transitional housing. The data shows we have a need to get our homeless out of shelters and off the homeless roles. We also understand that there are still individuals that did not get counted in the 2022 Point-In-Time-Count.

Discussion:

The City of Bentonville will work to re-establish its relationship as a member of the Northwest Arkansas Continuum of Care and work to end homelessness in the community. Through reaching out to our local organizations, plans are in place that are improving the transition for individuals to get them the services needed.

NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

Introduction:

As already discussed, cost burden is the most significant barrier to affordable housing. Our special needs populations to include persons with mental health challenges, intellectual disabilities, the elderly and persons with HIV/AIDs have additional challenges that require a range of supportive services to enable them to live in affordable housing.

Describe the characteristics of special needs populations in your community:

Elderly. HUD provides a definition of “elderly” as persons age 62 or older. The U.S. National Center for Health Statistics (NCHS) notes that a number of older citizens have limitations caused by chronic conditions that constrain Activities of Daily Living (ADLs). ADLs are divided into three levels, from basic to advanced. Basic ADLs involve personal care and include tasks such as eating, bathing, dressing, using the toilet, and getting in or out of bed or a chair. Intermediate, or instrumental, Activities of Daily Living (IADLs) are tasks necessary for independent functioning in the community. These include cooking, cleaning, laundry, shopping, using the telephone, using or accessing transportation, taking medicines, and managing money. Social, recreational and occupational activities that greatly affect the individual's quality of life are Advanced Activities of Daily Living (AADL). Playing bridge, bowling, doing crafts, or volunteering for one's church are examples of advanced ADLs. “Frail elderly” is defined as persons who are unable to perform three or more activities of daily living. In Bentonville, the total population over the age of 65 is 3,431, approximately 8% of the total population.

Persons with Disabilities. According to HUD, physical or mental disabilities include “hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS related complex, and mental retardation that substantially limits one or more major life activities. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for oneself.” HUD defers to Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 for the definition of developmental disability: “a severe, chronic disability of an individual that is attributable to a mental or physical impairment or combination of mental and physical impairments.”

Many disabled persons require support services in order to maintain healthy lifestyles. The services that are required often depend on the individual and the type of disability. For example, a mentally disabled person may require medication assistance, weekly counseling sessions or job placement assistance. Specialized transport services and physical therapy sessions are services that might be required for a physically disabled person.

In Bentonville, 34.7% of the population over age 65 have a disability, with a total of 910 persons over age 65 with a disability. This is 40% of all the people with a disability, which is 3,191. Just 2.3% of children under age 18 have a disability. (Source:2021 ACS)

People with Alcohol or Drug Addictions. According to the National Coalition for the Homeless, “for those . . . just one step away from homelessness, the onset or exacerbation of an addictive disorder may provide just the catalyst to plunge them into residential instability.” For persons suffering from addictions to drugs and alcohol, housing is complicated. Persons who have stable housing are much better able to treat their addictions. However, obtaining stable housing while suffering from addiction can be quite difficult, and the frustrations caused by a lack of housing options may only exacerbate addictions.

What are the housing and supportive service needs of these populations and how are these needs determined?

According to HUD, special needs populations are “not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify.”

The following is a program list, addressing the needs of older persons in the state.

- *The Ombudsman Program* advocates the rights of long-term care residents
- *Adult Protective Services* functions to protect those endangered and unable to comprehend their danger
- *Assisted Living* is a Medicaid home and community-based waiver program that provides 24-hour supervision and supportive services
- *ElderChoices* provides in-homes services to people 65 and over. This program is for individuals seeking to prevent or delay institutionalism by developing, strengthening or restoring the clients function in his or her living situation
- *IndependentChoices* allows Medicaid clients to exchange services for a monthly cash allowance to spend on personal care needs
- *Alternatives* serves people between the ages of 18 and 64 who require intermediate nursing home care. Clients who meet financial need criteria are provided with attendant care and environment modification services

DHS also provides a service directory offering information on a variety of services including adult day care, foster care, case management, chore services, legal assistance, home repair, and socialization.

As the Baby Boomer generation grows older, needs of this population are expected to multiply and require increased funding. The priority need of this population, especially the frail elderly population, is assisted or long-term care housing/services. The Baby Boomer generation is more likely to want to remain independent and physically and mentally active. Thus, there is a need for a greater focus on in-home care or expanded home health services for elderly persons who are essentially independent but may benefit from meal services or housekeeping assistance as well as for families who do provide home care but still require additional medical or financial assistance. Because most elderly persons are on a fixed budget and the costs of services increase as people live longer, the burden of cost may lie heavily on state-funded programs.

The following highlights a few of the programs listed on the DHS service directory.

- *Alternative Community Services* provides waivers for Medicaid patients for an array of services in their home and community
- *The Early Childhood Program* assists children ages three to six years with a diagnosis of developmental disability or developmental delay
- *Integrated Supports* strives to keep people with disabilities in their communities and out of institutions by offering a variety of services to adults and children, based on individual needs
- *State Operated Residential Services* has multiple locations throughout the state, providing services including residential, medical, occupational, physical and speech therapies, and community development and outreach services

The Arkansas Disability Rights Center made a list of issues including community integration, institutions, housing, juvenile justice, abuse, education, employment, voting access, ADA access, public policy, and restraint, seclusion, and corporal punishment in schools.

The Arkansas Disability Coalition (ADC) focuses on children with disabilities. Families with disabled children can use the ADC to learn about their child's rights and receive help networking and forming support group in their communities.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

The size of the population with HIV/AIDS in Bentonville is unclear with limited data available.

If the PJ will establish a preference for a HOME TBRA activity for persons with a specific category of disabilities (e.g., persons with HIV/AIDS or chronic mental illness), describe their unmet need for housing and services needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2) (ii))

Discussion:

As described above, the City of Bentonville special needs households require diverse supportive services to gain access to affordable opportunities that might be available to them. The City will work with agencies that provide services to non-homeless special needs people. We will work to support agencies to enhance programs for special needs adults and children. We help keep our elderly and disabled in their homes. We will continue to support opportunities for accessible infrastructure and/or facility improvements to meet ADA requirements.

NA-50 Non-Housing Community Development Needs – 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

Community serving public facilities such as libraries, health centers, parks and fire and police stations provide vitally needed services to improve the health, safety and well-being of Bentonville residents. The City of Bentonville recognizes these public facilities are an asset to our city and that they strengthen and improve neighborhoods. The city uses their capital investments and leverage of public and private resources to keep these facilities in a good state of repair while ensuring that these facilities are provided for all our residents.

How were these needs determined?

The city determines its needs for public facilities and improvements based largely on the planning processes, facility assessments, and master plans. Needs are also determined through public input.

Describe the jurisdiction's need for Public Improvements:

Bentonville is developing rapidly and at such a pace that there are areas where the infrastructure is older and needs to be repaired and improved or no longer serving the needs of the number of residents that now inhabit the area. The city regularly evaluates areas to determine our most critical needs. The city will work to upgrade our low-to-moderate-income areas through street, sidewalk, and drainage improvements.

How were these needs determined?

The city determines its needs for public facilities and improvements based largely on the planning processes, facility assessments, and master plans. Needs are also determined through public input. Our public input survey and public meetings helped determine infrastructure needs for our area, which we will work to apply in census tracts and block groups where the highest percentages of low-to-moderate income residents live.

Describe the jurisdiction's need for Public Services:

The City of Bentonville has a need for a wide range of public services. Some of these needs are early childhood and youth educational programs, mental and physical health resources, services for elderly, disabled, homeless, housing counseling, public transportation, as well as many more not listed. The City will make every effort to make these services available to all our residents and has previously spent some of our Community Development Block Grant funds on these services. We plan to continue supporting these needs using Community Development Block Grant funding for low-to-moderate-income families.

How were these needs determined?

Data gathered through research and public outreach helped inform the city what public services are needed. Online surveys were available to the public. Community stakeholder meetings were conducted with our non-profits, working professionals, and City department heads, as well as other entities. Needs were also determined by surveys conducted by Bentonville Planning. The needs for public services gathered from this process were used in preparing the 2023-2027 Consolidated Plan.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

In 2022, the City of Bentonville organized an Affordable Housing Work Group. The group identified three target markets, gathered data, identified barriers to affordable housing, and developed recommendations. Below is a summary of their findings.

The housing crisis is decades old, stemming from the region’s explosive growth that began in the 1990s. But more recent developments—such as the impact of the COVID-19 pandemic on the local economy, interest rates being raised repeatedly by the Federal Reserve to curb inflation, and major employers like Walmart and Tyson Foods recruiting ever more new employees to the region or relocating existing ones to their home offices—have elevated the problem to historic heights. Recent analyses show that Fayetteville, AR (and, by extension, the rest of the region) is the most competitive small rental market in the United States and that home prices in Northwest Arkansas are climbing faster than anywhere else in the country.

According to the findings of the Bentonville Affordable Housing Work Group in early 2023, the construction of single-family homes is not keeping pace with city growth. Single-family construction, for example, has been relatively flat over the last seven years, even though the population has seen dramatic increases. The reasonable priced homes that are built, are not being accessed by our target three sectors. While more and more multifamily units are being constructed, they are prices above what our two lower target sectors can attain. Pressure is mounting financially on our two lower target sectors causing out-migration of our workforce, as they seek affordable housing elsewhere.

Multi-family and single-family housing is in critically short supply for the target population, due to shared issues:

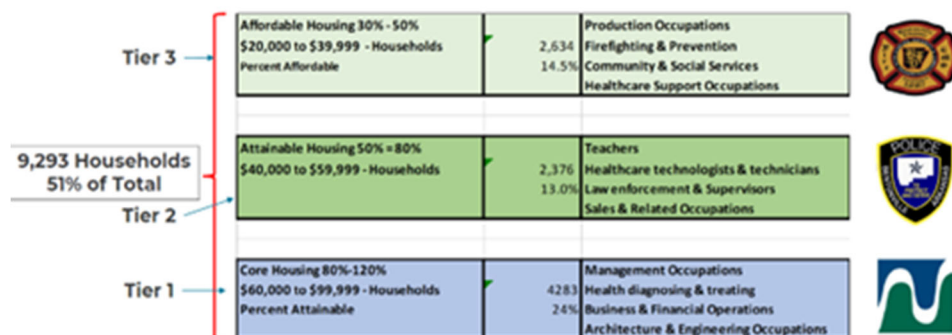
1. Construction of these units, especially for the lower two income tiers, has stagnated over the last decade.
2. The units being built at affordable price points for the target population are often rented or purchased for occupation or as investment properties by families with higher annual incomes.
3. As a result, the target population must either rent or purchase (though the latter is less feasible) housing in the city that is unaffordable (greater than 30% of their income) or they must leave Bentonville.
4. The overall development cycle time—from concept to completion—can be more than three years, which can jeopardize millions of dollars of funding for affordable developments that are participating in federal programs that have strict timelines for completion and habitation, such as the Low-Income Housing Tax Credit (LIHTC).

Without innovative solutions, roughly two thirds of the target income bands will only be able to afford multi-family rental units, which is borne out by the current occupation rates. The higher third should be able to afford single-family home purchases if developers offer the right products and the right processes are in place.

FEBRUARY RECAP - POPULATION ANALYSIS



Target sectors were identified and typical jobs are illustrated



Source: 2019 Census Data - EF Analysis

3

Affordable Housing Tiers

MA-10 Number of Housing Units – 91.210(a)&(b)(2)

Introduction

Based on the most recent ACS (2017-2021), there are 21,385 housing units in Bentonville. 68.9% of all units are single family homes. The next largest property type is multifamily units with nearly 17% of all housing types. Small scale multifamily (2-4 units) makes up only 8.1% of the housing types. The tenure is divided nearly equally between owner and renter occupied. Total number of owner-occupied units is 9,968 (50.9%) and renter occupied is 9,605 (49.1%). (Source: 2017-2021 ACS).

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	13,212	64%
1-unit, attached structure	1,215	6%
2-4 units	1,779	9%
5-19 units	3,343	16%
20 or more units	1,149	6%
Mobile Home, boat, RV, van, etc	66	0%
Total	20,764	100%

Table 26 – Residential Properties by Unit Number

Data Source Comments: 2016-2020 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	0	0%	515	5%
1 bedroom	66	1%	2,184	23%
2 bedrooms	4,366	46%	5,854	62%
3 or more bedrooms	5,106	54%	820	9%
Total	9,538	101%	9,373	99%

Table 27 – Unit Size by Tenure

Data Source Comments: 2016-2020 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

There are 47 affordable housing units provided by the Community Development Corporation.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

The only potential loss for affordable housing inventory could be due to a significant increase in existing affordable housing being purchased for investment purposes, primarily for use as short-term rentals. In Bentonville, particularly in the downtown area, there are approximately 500-700 units listed on short term rental websites. However, we do not have access to data that makes a correlation between the those listed and their affordability. The City of Bentonville does not have any Section 8 contracts or housing.

Does the availability of housing units meet the needs of the population?

Between 2018 and 2022, an average of 1,595 housing units have been completed each year, with more multifamily unit being developed each year than single family each year, except 2021. While the number of units appears to be keeping pace with the growth, the cost for those homes is increasingly significantly. The average value of a single-family homes in 2022 was \$412,786, up 43% from 2018 when it was \$289,317. With the increasing values and costs, the available units may not meet the needs of lower incomes.

Describe the need for specific types of housing:

A greater variety of housing type is needed. Single Family and Multifamily are the predominant housing types. The city is working to revise zoning regulations to better accommodate what is considered “missing middle” housing, such as triplex, fourplex and six plex.

Discussion

One of the best means of addressing affordable housing is to provide adequate supply of housing with a variety of housing types at various price points. The city feels that one area that they can focus on is making it easier to build that “missing middle” as well as improve the review time to get more housing on the market quicker.

MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

Introduction

Cost of Housing

	Base Year: 2010	Most Recent Year: 2020	% Change
Median Home Value	169,400	258,300	52%
Median Contract Rent	691	978	42%

Table 28 – Cost of Housing

Data Source Comments: 2010 ACS (Base Year), 2020 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	260	0.0%
\$500-999	4,556	0.0%
\$1,000-1,499	3,311	0.0%
\$1,500-1,999	832	0.0%
\$2,000 or more	239	0.0%
Total	9,198	0.0%

Table 29 - Rent Paid

Data Source Comments: 2020 ACS

Housing Affordability

Number of Units affordable to Households earning	Renter	Owner
30% HAMFI	1,140	No Data
50% HAMFI	930	370
80% HAMFI	1,330	910
100% HAMFI	No Data	905
Total	3,400	2,185

Table 30 – Housing Affordability

Data Source Comments: 2020 ACS 100% HAMFI for Renters is 1245; 30% HAMFI for Owners is 270

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	720	764	930	1,322	1,582
High HOME Rent	720	764	930	1,322	1,582
Low HOME Rent	720	764	930	1,151	1,285

Table 31 – Monthly Rent

Data Source Comments: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

Affordable housing in Bentonville, at all income levels, is not adequately available. According to a study completed by the NWA Council in 2020, they found the following:

0–30% AMI: 27 affordable and available units for every 100 extremely low-income households

0–50% AMI: 62 affordable and available units for every 100 very low-income households

0–80% AMI: 92 affordable and available units for every 100 low-income households

0–120% AMI: 104 affordable and available units for every 100 moderate-income households

How is affordability of housing likely to change considering changes to home values and/or rents?

Affordability of housing may become more challenging if the recent trend of increasing rents and housing continue. The median rent between 2011 and 2016 increased 14% and the median for-sale price increased 16%. (Source: Bentonville Housing Summary).

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Median rent in Bentonville is \$1,055 (2018-2021 ACS). The Fair Market Rent for the 2023 Fayetteville – Springdale-Rogers MSA for a two-bedroom is \$930, suggesting that Bentonville’s median rent is significantly higher than the rest of the area, at approximately 13%.

(https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/2023summary.odn)

Discussion

With over a quarter of the rental units costing the households more than 30% of their income, rental assistance would likely be a benefit to these households.

MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

Introduction

U. S. Department of Housing and urban Development (HUD) defines substandard housing using conditions similar to those in the Needs Assessment. Housing units are considered substandard if they have one or more of the following conditions: 1) lack of complete plumbing facilities; 2) lack of complete kitchen facilities, 3) more than one person per room; or 4) a housing cost burden greater than 30%. The chart below shows the number of units in Bentonville with one or more of these conditions, and therefore substandard.

The majority of the houses in Bentonville were built between 2000 and 2021; however, the City does have 2,685 houses built prior to 1980 (12.5%). Some of the homes have lead paint that has not been remediated in accordance with national lead-based regulations leading to children exposed to lead that can cause developmental delays, learning and behavioral difficulties, as well as physical ailments. Low-income individuals and families often reside in the older units with higher maintenance needs as well as un-remediated lead-based paint.

There are a small number of units that could be eligible for home repairs, considering 47 units (less than 1% of all units) lack complete plumbing facilities. Similarly, 123 (less than 1%) lack complete kitchen facilities. We did not have access to data by tenure.

Definitions

The City of Bentonville has building codes for ventilation, plumbing, mechanical, electrical, and fire protection systems. The code also provides for structural conditions of a dwelling such as foundations, exterior walls, roof, interior walls and ceilings, floors, windows, doors, and stairs. The City also has occupancy limits for structures.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	0	0%	0	0%
With two selected Conditions	0	0%	0	0%
With three selected Conditions	0	0%	0	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	0	0%	0	0%
Total	0	0%	0	0%

Table 32 - Condition of Units

Data Source: 2013-2017 ACS

	Owner Occupied	Renter Occupied
	Number	
With at least one selected condition	990	2095
No selected conditions	7625	5120

Table 33 - Condition of Units

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	6,123	62%	4,531	48%
1980-1999	2,385	24%	3,390	36%
1950-1979	1,023	10%	1,311	14%
Before 1950	274	3%	141	2%
Total	9,805	99%	9,373	100%

Table 34 – Year Unit Built

Alternate Data Source Name:

2020 ACS

Data Source Comments:

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	1,297	13%	1,452	15%
Housing Units build before 1980 with children present	0	0%	0	0%

Table 35 – Risk of Lead-Based Paint

Alternate Data Source Name:

2020 ACS

Data Source Comments: Data did not self-populate and was not found in the ACS or CHAS data.

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	0	0	0
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 36 - Vacant Units

Data Source: 2005-2009 CHAS

Need for Owner and Rental Rehabilitation

Since nearly 13% of the housing units in Bentonville were built prior to 1980, there are likely homes that may require rehabilitation. However, the trend has been that these older homes are purchased and torn down to build new homes. Indicating that they are not necessarily owned by low-to-moderate income families.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

Since nearly 13% of the housing units in Bentonville were built prior to 1980, there are likely homes that could have lead-based-paint hazards. Data was not available to determine whether or not these units are occupied by low-to-moderate income families. Primarily, because these older homes would be located downtown where homeowners are rehabbing or tearing down and rebuilding on their own.

Discussion

Based on the estimated number of older housing units, but lack of data to determine those that are owned or rented by LMI, the need for housing rehabilitation is limited.

MA-25 Public and Assisted Housing – 91.210(b)

Introduction

There are no public housing facilities in the city limits of Bentonville. The City does not have current plans of seeking public housing within the Jurisdiction. Although, the City will distribute CDBG assistance to those organizations that serve the needs of the extremely low- income, low-income, and moderate-income families residing in the jurisdiction. This includes the Housing Authority, which provides Section 8 tenant vouchers and other organizations.

A Community Development Corporation (CDC) is located within Bentonville. The CDC focuses on the HOME program and has developed, owns and manages over 200 units which focus on senior housing within the area. The CDC was formed in 1991 by the Bentonville / Bella Vista Chamber of Commerce. The City and the CDC are two separate entities, although the City fully supports the CDC and accommodates the organization.

The Community Development Corporation (CDC) in Bentonville provides affordable housing (non-senior) in Bentonville with rents trending below market rate and they accept Section 8 vouchers. There are three properties that provide permanent housing with 47 units: Briarwood, 816 A Street Apartments, Meadowglade.

Briarwood includes 24 one and two-bedroom apartments furnished with major appliances and central heat/air. Income qualification is required. Residents only pay for electricity. The deposit equals one month's rent.

The 816 A Street Apartments includes 9, one, two and three bedroom units that come fully furnished with all major appliances central heat/air, a full-size washer /dryer, and a covered front porch. Income qualification is required, and residents pay all utilities. The deposit is equal to one month's rent.

Meadowglade Townhomes have 14 three-bedroom units, all furnished with most appliances, central heat/air, porches, and well-maintained grounds. Residents pay all utilities. The deposit is equal to one month's rent.

Havenwood, also operated by the CDC, is a two-year program designed to help single mothers overcome the barriers in their lives that lead to homelessness while providing transitional housing for them and their children in a supportive environment so they may become economically self-sufficient and transition into permanent housing.

The City will support the management and operation of all organizations that address the revitalization and restoration needs of low- to moderate-income housing. Collectively, all organizations will offer support and guidance and will work together to improve the living environment of extremely low-income, low-income, and moderate-income families residing in Bentonville.

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available				493			0	0	0
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 37 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 38 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

N/A

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

N/A

Discussion:

N/A

MA-30 Homeless Facilities and Services – 91.210(c)

Introduction

According to HUD, a national focus on homeless rights during the Reagan administration helped to form much of the way homeless needs are addressed today. It was during the early 1980s that the administration determined that the needs of the homeless were best handled on a state or local level rather than a national level. In 1983, a federal task force was created to aid local and regional agencies in their attempts to resolve homeless needs, and in 1986, the Urgent Relief for the Homeless Act was introduced, which chiefly established basic emergency supplies for homeless persons such as food, healthcare and shelter. The act was later renamed the McKinney-Vento Act, after the death of one of its chief legislative sponsors, and was signed into law in 1987.

HUD defines the term “homeless” according to the McKinney-Vento Act, which states that a person is considered homeless if he/she lacks a fixed, regular and adequate night-time residence. A person is also considered homeless if he/she has a primary nighttime residence that is:

- A supervised publicly or privately operated shelter designed to provide temporary living accommodations,
- An institution that provides a temporary residence for individuals intended to be institutionalized,
- A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.[1]

Therefore, homelessness can be defined as the absence of a safe, decent, stable place to live. A person who has no such place to live stays wherever he or she can find space—an emergency shelter, an abandoned building, a car, an alley or any other such place not meant for human habitation.

Homeless sub-populations tend to include those with substance abuse and dependency issues, those with serious mental illness, persons living with HIV/AIDS, women and other victims of domestic violence, emancipated youth, and veterans.

Reversing declines in personal incomes, reducing the lack of affordable housing for precariously housed families and individuals who may be only a paycheck or two away from eviction, increasing and promoting help available from welfare agencies are all significant policy challenges today. It takes only one additional personal setback to precipitate a crisis that would cause homelessness for those at risk. Deinstitutionalization of patients from psychiatric hospitals without adequate community clinic and affordable housing support only propagates more people in search of affordable housing. Personal vulnerabilities also have increased, with more people facing substance abuse problems, diminished job prospects because of poor education or health difficulties while lacking medical coverage.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	0	0	0	0	0
Households with Only Adults	0	0	0	0	0
Chronically Homeless Households	0	0	0	0	0
Veterans	0	0	0	0	0
Unaccompanied Youth	0	0	0	0	0

Table 39 - Facilities and Housing Targeted to Homeless Households

Data Source

Comments:

Data did not auto-populate. Point in Time Homeless count available is for all of Northwest Arkansas, not specific to Bentonville.

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

A network of public and private agencies in Northwest Arkansas provides a variety of services to the homeless ranging from prevention and outreach to comprehensive supportive services. Homelessness represents a complex personal and social problem that requires multiple resources to eventually gain permanent housing. Planning and effective continuum of care means engagement of a wide spectrum of local agencies. Along with agencies providing homeless services the following mainstream agencies are engaged in planning and implementation: Northwest Arkansas Continuum of Care, Benton County Public Health Department, local health care providers, local police departments, employment service providers, local employers, local substance abuse programs, Veteran's Affairs, Mayor's Office, Community Development Block Grant (CDBG) Office, other local government officials, local welfare departments, housing authorities, neighborhood and community associations, as well as non-profit agencies.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

Many of the outreach components listed above assist the individuals with accessing mainstream mental health and chemical dependence services. They provide emergency assistance for those teetering on the brink of homelessness. These emergency services include food, rent, mortgage, and utility assistance as well as case management, mentoring, and landlord/lender intervention. These organizations also provide housing and/or a range of services for those assessed through screening and/or referral as having a specific problem that could result in homelessness.

Helping homeless persons find emergency housing, safe havens, transitional housing, rapid rehousing, and permanent supportive housing is a priority as all of these not only provide housing facilities, but supportive services. For our homeless living on the street, there are day programs and soup kitchens for our homeless to go during daytime hours.

MA-35 Special Needs Facilities and Services – 91.210(d)

Introduction

The City of Bentonville is in a region that has several agencies that provide housing or supportive services to our special need populations. These agencies include Open Avenues, Sunshine School and Development Center, Souls Harbor, Saving Grace, Northwest Arkansas Women's Shelter as well as numerous other agencies that provide services to the elderly, disabled, persons dealing with addictions, HIV/AIDS, mental and physical health organization and agencies dealing with domestic or dating violence, sexual assault, and stalking.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Adults over the age of 65 make up 8% of the City's total population. Elderly persons need various types and levels of affordable, supportive housing opportunities. Several factors impact the senior population when making housing and/or supportive service choices. Among these are the ability to function independently with supportive services, level of care and comprehensive medical and living support required, limited ability to pay for required housing choice and supportive services, and limited availability of affordable supportive housing opportunities. Seniors tend to fall in between income eligibility guidelines for state and federal assistance programs. Many of our seniors live alone leading to a greater reliance on care systems.

An estimated 7.5% of our population in Bentonville lives with one or more disabilities. Those rates tend to move upward for our low-income residents.

There is a growing need for safe and affordable residential care for high risk/need persons with mental illness. Additional housing options for individuals with chemical dependency remain a need in the community. Access to safe, decent, affordable housing for individuals and families is important in assisting individuals to remain in recovery. There are various levels of residential services available on a limited basis for individuals with chemical dependency; however, finding one that is both safe and affordable is not as easy.

The projected needs of the HIV/AIDS population include increased supportive services and the need for adequate, accessible, affordable, safe housing for families living with someone infected with AIDS or who has been diagnosed as HIV positive.

Domestic violence survivors need health care, services, and housing supports to help them repair their lives.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

Adult care facilities are housing options for individuals who cannot live independently or semi-independently. Residential programs are available for those with chemical dependency, homelessness, HIV/AIDS. Programs available provide safe havens and high-quality care and hope for the future to children who have been abandoned, abused, or neglected. There are programs to end family violence by empowering victims to survive and then promote healthy relationships. Programs exist to help people with disabilities achieve the skills and confidence they need to live as independently as possible. Emergency shelters, mental health services, physical health services, alcohol and drug recovery programs, and various other programs help provide the necessities of life--food, clothing, and shelter.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

The City of Bentonville will continue to have annual goals to provide decent housing by continuing to provide funding for organizations and programs that benefit low-to-moderate-income individuals and families. The City will also provide funding for supportive services by helping with the cost of low-income children to attend an early childhood education facility for children with developmental disabilities. This will provide these children with an extensive kindergarten transition program that eases these children and their families into the public schools. Occupational, speech and physical therapists along with trained nurses are also available to these children so they not only have an opportunity to thrive and develop in their future academic years, but also get the therapy they need and help them overcome their disabilities. The City will also provide funding for after school and summer care for children where the cost of childcare would be a huge financial burden on their parent and/or parents. These children will receive a safe, developmentally place to stay while their parents are at work. These children are nurtured and given opportunities that they might not receive without this abuse. Their parents will maintain their employment or similar or better employment because they don't have the burden of childcare and leaving their children home alone. The City will also provide funding for opportunities that reduce transportation cost burdens for the low-to-moderate-income population, greatly improving the mobility of income-eligible residents in Bentonville. The City will also help in providing supportive agencies with funding to be more energy efficient and reduce their utility costs.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

The City of Bentonville will continue to work with agencies to assist in however we can help to provide housing and supportive services to our special need residents.

MA-40 Barriers to Affordable Housing – 91.210(e)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

Using the Affordable Housing Workgroup members, City staff, developers, and the public, six major barriers preventing affordable housing were identified:

Total development cycle time. An analysis of development and approval cycle times was provided by City staff to the workgroup. When shared with developers, the Pre-Approval Conference and the Pre-Construction periods were identified as the biggest pain points, leading to a complete cycle time of four years for both single-family and multi-family units (Fig. 14). Developers have risked losing millions of federal dollars by not being able to finish within the federally mandated time period of two years. Other developers choose not to bring projects to Bentonville. These issues point to looking at a redesign of the development cycle with staff, planning commission, and local developers to reduce time.

Figure 14: Average Development Cycle Time (Bentonville Planning Department)

Zoning limitations. Zoning options enacted in other cities are currently unavailable in Bentonville. These options would allow for the creation of “Missing Middle” housing, allowing for higher density, single-family owned and occupied options. These options will be important for the City-managed process of affordable housing developments and can also be used for other developments.

Additionally, while the number of units allowed per acre provides a developer a great deal of density (e.g. R4 allows for 52 units/acre), the actual number of units that can go on a piece of land is much lower due to City restrictions and requirements (e.g. in reality, R4 is actually closer to 20 units/acre). These factors include parking requirements, right of way and easement dedications, height limits, etc.

Regulatory infrastructure, permit costs, and fees. Impact/permit fees, combined with limited cost sharing by the City all add costs to development projects. Fair market rate projects face significant hurdles in this area, but adding these costs to projects that are attempting to be affordable only pass these costs on to the potential buyers. Affordable developments are being assessed under the same guidelines as fair market rate projects, de-incentivizes the creation of the former.

Land costs. Affordable developments are less likely to be pursued due to the higher initial investment developers must make on simply acquiring land. This is due, in part, to the limited number of financing options available to developers.

Lack of access to affordable options. As discussed, many affluent households are renting or purchasing housing below their means (i.e. significantly less than 30% of income, including utilities). This squeezes out workforce households in the three targeted income tiers, who have to choose between becoming rent/mortgage burdened with housing above their means or leaving the City to find more affordable housing elsewhere.

Participation in government programs. A significant amount of federal housing subsidies (e.g. Community Development Block Grants) that could be used to address some of the financial hurdles mentioned above have not been used for many years since Bentonville stopped participating in the program in 2016. There is also lack of education for developers on the existence of this funding and ways in which to access it.

A few key themes emerged from the discussion that were prioritized when developing solutions:

1. Solutions to these barriers should be bundled together so that they are dealt with comprehensively.
2. A tiered system of incentives and barrier removal should be put in place that aligns with the tiered income bands of the target population.
3. Affordable price points, duration of price points, and renter/buyer eligibility should be codified, ensuring that the people who most need affordable housing are able to obtain it.

	"Phase 0"	Phase 1			Phase 2	Phase 3	Phase 4	Phase 5		Phase 6 (SF only)	Years
	Finance / RE Contract / Zoning	Site Concept	Engineering	Pre-App Conference	Planning App/ Approval	Pre-Construction	Construction	Site Final	Final Plat Approval/Title	Home Construction	
Current Days											
Single Family	60	90	120	60	60	251	325	125		245	8.7
Multi-Family	60	90	120	90	60	203	365	125		0	8.0

MA-45 Non-Housing Community Development Assets – 91.215 (f)

Introduction

This report provides an overview of the business activity, labor force, education, and infrastructure needs in the jurisdiction of Bentonville. It highlights the major employment sectors, emphasizing the significance of retail trade and professional, scientific, and management services. The workforce and infrastructure needs of the business community are discussed, with a focus on ongoing efforts to improve workforce skills and address infrastructure requirements. Furthermore, the economic impact of planned investments, such as Walmart's new campus, is explored. The alignment between the current workforce's skills and employment opportunities in Bentonville is examined, and the role of educational institutions in providing workforce training is emphasized. Finally, the report touches upon economic development initiatives and target sectors, as well as the impact of tourism on the need for affordable housing and service industry workers.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	58	0	0	0	0
Arts, Entertainment, Accommodations	2,216	0	8	0	-8
Construction	742	0	3	0	-3
Education and Health Care Services	4,086	0	15	0	-15
Finance, Insurance, and Real Estate	1,166	0	4	0	-4
Information	224	0	1	0	-1
Manufacturing	2,287	0	9	0	-9
Other Services	987	0	4	0	-4
Professional, Scientific, Management Services	4,359	0	16	0	-16
Public Administration	518	0	2	0	-2
Retail Trade	8,260	0	31	0	-31
Transportation and Warehousing	1,245	0	5	0	-5
Wholesale Trade	628	0	2	0	-2
Total	26,776	0	--	--	--

Table 40 - Business Activity

Data Source 2020 ACS
Comments:

Labor Force

Total Population in the Civilian Labor Force	27,459
Civilian Employed Population 16 years and over	27,776
Unemployment Rate	2.50
Unemployment Rate for Ages 16-24	0.00
Unemployment Rate for Ages 25-65	0.00

Table 41 - Labor Force

Data Source Comments: 2020 ACS, unable to determine unemployment rate for provided age ranges.

Occupations by Sector	Number of People
Management, business and financial	13,464
Farming, fisheries and forestry occupations	0
Service	3,125
Sales and office	6,542
Construction, extraction, maintenance and repair	1,063
Production, transportation and material moving	2,582

Table 42 – Occupations by Sector

Data Source Comments: 2020 ACS; Farming, fisheries and forestry occupations included in the construction category as a natural resource industry.

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	23,219	87%
30-59 Minutes	3,141	12%
60 or More Minutes	225	1%
Total	26,585	100%

Table 43 - Travel Time

Data Source Comments: 2020 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	639	48	521
High school graduate (includes equivalency)	4,218	62	1,197
Some college or Associate's degree	4,853	17	1,544
Bachelor's degree or higher	13,435	240	2,270

Table 44 - Educational Attainment by Employment Status

Data Source Comments: 2020 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	0	0	0	0	0
9th to 12th grade, no diploma	475	0	0	0	0
High school graduate, GED, or alternative	1,151	9,914	8,505	9,597	3,655
Some college, no degree	0	0	0	0	0
Associate's degree	1,669	0	0	0	0
Bachelor's degree	637	5,717	5,288	5,288	1,281
Graduate or professional degree	0	0	0	0	0

Table 45 - Educational Attainment by Age

Data Source Comments: 2020 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	26,534
High school graduate (includes equivalency)	34,227
Some college or Associate's degree	44,523
Bachelor's degree	71,486
Graduate or professional degree	95,457

Table 46 – Median Earnings in the Past 12 Months

Data Source Comments: 2020 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Retail trade (31.3%) is the major employment sector with Bentonville being the location of the Walmart Home Office. The next major sector is professional, scientific and management services at 15%.

Describe the workforce and infrastructure needs of the business community:

The necessary skills for good performance in entry level jobs are an ongoing struggle for employers. We are seeing more coordination between our educational institutes and skill training institutes in preparing this type of worker to support businesses. The rest of the workforce meets the needs of the community, however, like every place in America, some sectors in Bentonville are still struggling to keep employees in place for longer periods of time.

Bentonville is in good shape with their infrastructure needs in most of the City. There are some areas where infrastructure is still needed and are addressed in the City's Master Plan. The finances for the City are in great shape and these funds have been used and will continue to be used to get the infrastructure in place. The City's downtown area has experienced a rapid revitalization and tremendous growth with new businesses moving in over the last decade. What areas are still in need of infrastructure updates will be address in the years ahead.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Walmart is building a new campus. Exact numbers of those being employed there are unclear, yet this will have a significant impact on our need to house those employees locally so as not to have significant impact to the local transportation system.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Local colleges and universities provide educational opportunities geared toward the needs of the major employers. Such programs include logistics and supply chain management.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

As mentioned above, Northwest Arkansas Community College is located in Bentonville and provides workforce training programs as needed in Bentonville. The University of Arkansas in Fayetteville provide degree programs that benefit our major employers.

The Bentonville Area Chamber of Commerce supports economic development and is the lead agency for economic development for the City of Bentonville. Private investments and developers provide millions of dollars towards economic development in this area. The City supports and works with community organizations that engage in research, planning activities, and perform marketing studies.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

Yes

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The City of Bentonville adopted a Strategic Economic Development Plan in 2014 called the Bentonville Blueprint.

Since Bentonville is unique, its target sector opportunities will differ from a typical city of its size. Seven main target sector opportunities, along with specific focus areas for each have been identified as priorities for Bentonville to focus its efforts over the next five years. The selection of these targets involved the review of: the current targeted sectors of Northwest Arkansas; the current business/industry base in Bentonville and the region, along with location quotients and projected growth rates for such sectors, as applicable; and recent project activity in Bentonville and the region. The key strengths and advantages of Bentonville related to each target was also a significant determinant of whether the sector was a fit. It is important to note that Bentonville may have successes in sectors outside of these identified sectors.

Target Sector Opportunities: Digital Media, Entrepreneurship and Innovation, Hospitality and Culture and Entertainment, Light Advanced Manufacturing, Retail Supplier Regional Offices, Retail Technology, Specialty Retail, and Transportation and Warehousing.

Discussion

The increase in the amount of bike trails and the increasing cultural options are having a significant impact on the tourism industry. Because of this, there is a need for service industry workers. The challenge is that the cost of housing is an impediment for many to find housing in the city limits. The goals of the CDBG program to address affordable housing will assist in providing the necessary workforce for the tourism industry.

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

We defined concentration as more than 50% of a census tract with housing problems. Based on current data and analysis, we do not find there to be a concentration of households with multiple housing problems.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

We define concentration as a census tract with higher proportions of minorities and low-income families than other tracts in the city. Ethnic minorities and low-income families are spread relatively evenly throughout the city.

What are the characteristics of the market in these areas/neighborhoods?

Not applicable.

Are there any community assets in these areas/neighborhoods?

Not applicable.

Are there other strategic opportunities in any of these areas?

Not applicable.

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

There are several agencies that provides high speed internet, but the cost of that is sometimes not affordable for our most vulnerable. Basic internet is the cheapest and that sometimes comes with interruptions and slower internet. Bentonville offers free digital access and literacy in our downtown area, government buildings, public library and community buildings. The school system provides chrome books for students and charging services are available at all the schools.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

Bentonville has good competition for broadband internet services. Some of our bigger providers are AT&T, T-Mobile, and Cox Communications.

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

The local climate hazards associated with climate change in Bentonville would be extreme heat, shorter winters, intense storms, drought, threats to water quality and the instability of energy prices. These climate changes can cause infrastructure stress, flooding, air pollution and continued deterioration of housing stock especially with older homes which are more affordable in Bentonville than newer homes. Additionally, rapid development has caused a strain on our drainage systems as more intense storms roll through, having a detrimental impact on our Census Tracts determined to be low-to-moderate-income areas. We realize that climate change tends to have the most impact on our most vulnerable. Higher utility bills, flooding, higher food costs are all financial stresses that can have the most impact on our low-income. The City takes a proactive approach to protecting our community's most vulnerable.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

The City has not participated in any studies on climate change, but we know there are impacts. We will work to research data, findings, and methods to understand our local climate data and to make sure we address those needs as soon as possible.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The mission of the Strategic Plan is to improve the quality of life for low to moderate-income individuals and families, to include seniors and persons with special needs, in the City of Bentonville by providing affordable rental and homeownership opportunities, repairing and conserving existing housing, providing funding for facilities and infrastructure improvements, creating and retaining jobs, funding public services that stabilize and enhance living conditions, working on reducing homelessness, fostering access to all housing and community resources, addressing economic, education, and income needs, strengthening community assets, working to eliminate blight, reduce crime and improving quality of life for our residents, promoting fair housing and access to opportunities for all Bentonville residents.

The City of Bentonville is 21,920 acres (34.25 square miles). The City is still mostly surrounded by Agriculturally zoned land, but with our rapid development, we are starting to see zoning requests extend further into those zones. With our latest counts, the City has 85 miles of trail around the City that are part of the connection to the Razorback Greenway which connects to the other major hubs of Northwest Arkansas. This enables residents of Northwest Arkansas to travel from one city to the next by walking or biking.

The unemployment rate for Northwest Arkansas is 2.4% and falls well below the State of Arkansas unemployment rate of 2.7% and National unemployment rate of 3.7% as of May 2023. With the number of local and nationally known companies headquartered in or having a presence in Northwest Arkansas, coupled with the population growth rate, we expect the need for employment to continue making Northwest Arkansas a great job market. Northwest Arkansas is still growing rapidly at a pace of around 45 people a day.

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

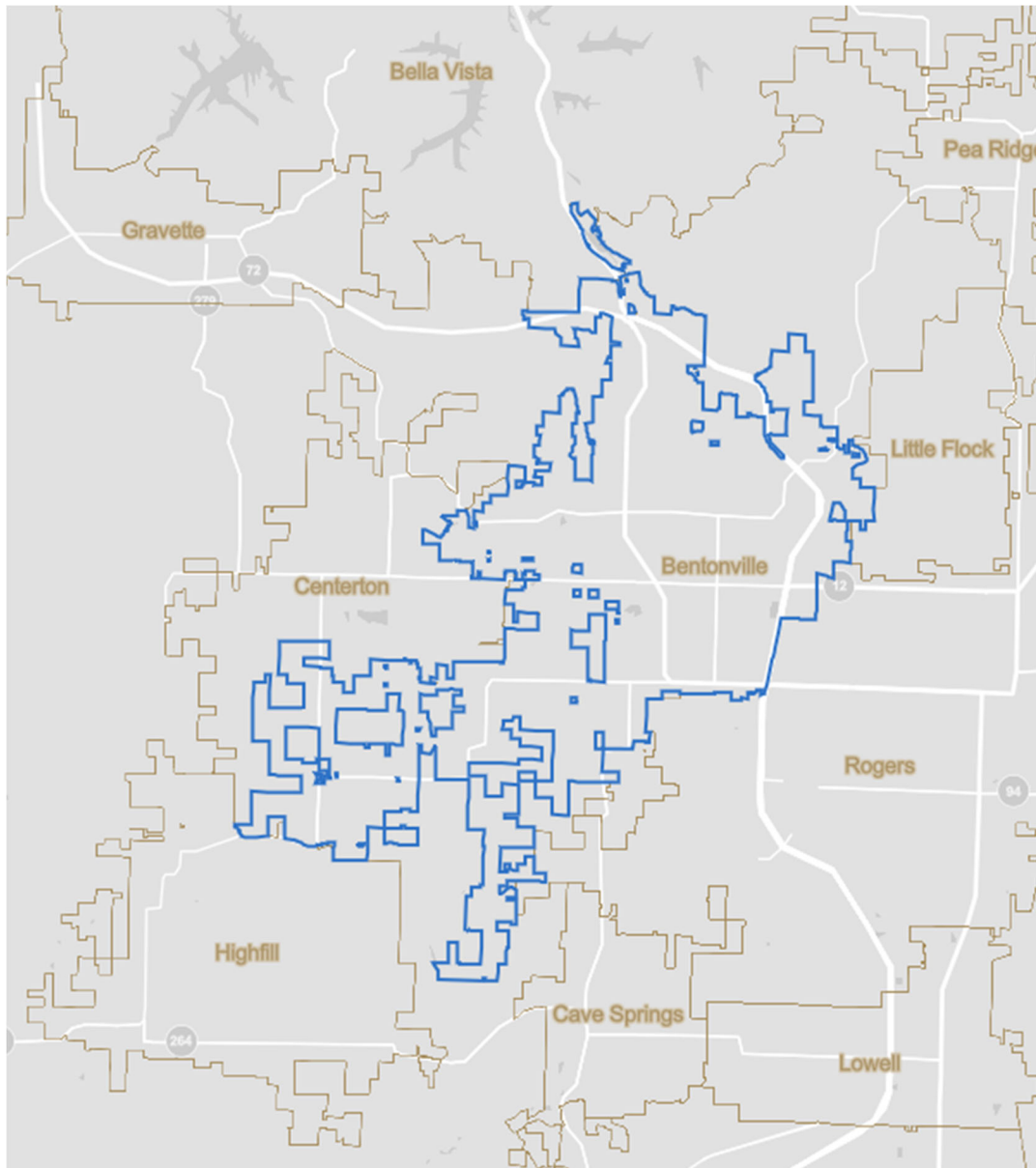
Table 47 - Geographic Priority Areas

1	Area Name:	Census Tracts (205.04 and 206.04)
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	Other
	Other Revital Description:	Infrastructure
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	
2	Area Name:	City of Bentonville
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	Other
	Other Revital Description:	For Public Service Projects targeting LMI individuals/families
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The City of Bentonville utilizes CDBG funding to allocate to activities that invest in our neighborhoods and benefit low-to-moderate-income households and individuals. Areas of the city will benefit from this funding, allowing residents to remain and prosper in their homes. Whether through an area benefit or a service provided directly to a low-to-moderate-income person or household, 100% of our CDBG funding will go to CDBG eligible households and/or census tracts.



SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 48 – Priority Needs Summary

1	Priority Need Name	Home Ownership Assistance
	Priority Level	High
	Population	Low, Moderate, Middle, Large Familie, Families with Children, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Home Ownership Assistance
	Description	Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of \$691 in 2010 to \$978 in 2020, a 42% increase. Nearly 50% of renters are paying more than \$1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs. The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and the required 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they end up paying for private mortgage insurance which ultimately increases their overall housing costs. In 2010, the median home value was \$169,400. By 2020, that increased by 52% to \$258,300. A snapshot of the market in October 2023 indicated the lowest home price on the market was \$300,000. High rents making it difficult to save to purchase a home combined with the significantly increasing cost of a home, make it difficult for low- and moderate-income families to own homes. Offering a down payment assistance program would help encourage long-term investment in Bentonville and helps low-to-moderate-income families lower their housing costs.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan, as well as feedback and data gathered from the Affordable Housing Work Group. Information is gathered from these meetings suggesting a strong need to address affordable housing.

2	Priority Need Name	Public Services
	Priority Level	High
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS. Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Public Services
	Description	Public Services are one of the City of Bentonville's greatest needs. Public hearings, consultations, and survey results supported this sentiment. Childcare was a high priority in this area. The cost of childcare makes it very difficult for some of our people to come out ahead by working as childcare costs are getting higher and higher. The need for more mental and physical services for our residents that have no means to pay for these services was also identified. Additional service ideas were related to bill pay assistance for low-income residents. All these service ideas potentially reduce the cost burden on households and setup low-to-moderate-income individuals/families for success via various support services.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan. Information is gathered from these meetings suggesting a strong need to provide for public services to meet current demand.

3	Priority Need Name	Housing Rehabilitation
	Priority Level	High
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Chronic Homelessness, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS, Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Decent Housing
	Description	The City has a need for affordable housing for our low-income residents. There is a gap between income and availability of housing. Housing cost burden is the most prevalent housing problem facing Bentonville owners and renters. We have severely cost-burdened owners that are extremely low-income. We also see a housing cost burden and lack of available units with our special needs and disabled residents. Age and condition of housing is another barrier to maintaining housing stability. The City is working to provide funding for local organizations to address this need, allowing us to provide rehabilitation on our low-income owner single-family homes and get the repairs done to not only increase the value of our housing stock, but provide energy efficient repairs that will put money back into resident's pockets with lower utility bills.
	Basis for Relative Priority	Resident and stakeholder input via public hearings and meetings held in the planning process of the Five-Year Consolidated Plan and Annual Action Plan. Information gathered from these meetings pointing to a need to provide for rehabilitation projects to meet current demand.

4	Priority Need Name	Administration
	Priority Level	Low
	Population	Extremely Low, Low, Moderate, Large Families, Families with Children, Elderly, Public Housing Residents, Chronic Homelessness, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, veterans, Persons with HIV/AIDS, Victims of Domestic Violence, Unaccompanied Youth, Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence, Non-housing Community Development
	Geographic Areas Affected	City of Bentonville
	Associated Goals	Administration
	Description	The CDBG Program requires administration costs to gather input, prepare plans, and oversee the grants with the bid processes, inspections, and close-outs. It is an integral part to an effective CDBG Program for the City.
	Basis for Relative Priority	Administration has to exist. Basis for relative priority is that you can't operate the program without administration costs necessary to operate the program.

Narrative (Optional)

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	The City does not plan to use CDBG funds for Tenant Based Rental Assistance.
TBRA for Non-Homeless Special Needs	The City does not plan to use CDBG funds for Tenant Based Rental Assistance.
New Unit Production	The City does not plan to use CDBG funds for new production. We do plan to use CDBG funds on land and infrastructure improvements, however.
Rehabilitation	Cost burden is a major housing problem within the City of Bentonville. We are looking holistically at this issue to provide services for which the cost burden can be reduced on our low-to-moderate income individuals, freeing up budget for them along with supporting local organizations with plans to rehabilitate their facilities.
Acquisition, including preservation	The City does not plan to use CDBG funds for acquisition, including preservation.

Table 49 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

The following table shows the Community Development Block Grant (CDBG) Program resources expected to be available in Year One of the Consolidated Plan to address priority needs and specific objectives identified in the Strategic Plan. The table also includes prior year resources the City will use to implement our identified priority needs. Expected amount available during the remainder of the Consolidated Plan are future estimates that will be amended as those year's funding is identified.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	320,831	0	0	320,831	1,283,324	All funds will be used to improve public infrastructure and provide public services to low-to-moderate-income individuals. All expected CDBG funds in the Consolidated Plan will come from CDBG funding.

Table 50 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the non-profits applying for CDBG funding receive funding from other areas to make their programs work. The City and its partners leverage local, state, foundation and private resources. The City will use its projected \$320,831 from the United States Department of Housing & Urban Development's (HUD) CDBG Program to address the needs listed in the Action Plan. The City funds the salary for the administrative position and will partner with local organizations and non-profits on its service projects.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There is no known land available for acquisition at this time; however, the City will work with banks to make vacant property available for affordable housing, economic development, and open space use.

Discussion

The amount of available funding through CDBG will not be adequate to meet the housing and/or public service needs in Bentonville. The City continues to work with our partners to leverage all available resources to meet our needs.

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
City of Bentonville	Government	Home Ownership Assistance	Jurisdiction
Habitat for Humanity of Benton County	Non-profit organizations	Homelessness Non-homeless special needs public services	Jurisdiction
NWA Continuum of Care	Continuum of care	Homelessness	Jurisdiction
Boys and Girls Club of Benton County	Non-profit organizations	Non-homeless special needs public services	Jurisdiction
Helen Walton Children's Enrichment Center	Non-profit organizations	Non-homeless special needs public services	Jurisdiction

Table 51 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

Our strength is the ability of the City and local agencies to work together to address the needs of the City. The biggest gap would be the lack of funding available to meet all the needs.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X	X	
Mortgage Assistance	X	X	
Rental Assistance	X	X	
Utilities Assistance	X	X	
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X	X	
Education	X	X	
Employment and Employment Training	X	X	
Healthcare	X	X	
HIV/AIDS	X	X	
Life Skills	X	X	
Mental Health Counseling	X	X	
Transportation	X	X	
Other			

Table 52 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The Community Development Block Grant (CDBG) Administrator will continue to work closely with entities to further enhance the needs of our community and to improve CDBG Program delivery. We are working to become a member of the Northwest Arkansas Continuum of Care which helps keep us aware of the many needs of our community. We are fortunate in this area that we have many non-housing services available to address basic and essential needs of people experiencing homelessness.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The City of Bentonville is working to strengthen and expand its existing public, private, and non-profit sectors and identify and build partnerships to provide for the City's special population groups. The City's existing public and private sectors provide a great service in providing for the economic development in the City. We continue to pursue funding opportunities to assist with children who are dealing with physical, mental, and developmental problems.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Home Ownership Assistance	2023	2024	Affordable Housing	City of Bentonville	Home Ownership Assistance	CDBG: \$1,115,331	Direct Financial Assistance to Homebuyers: 25 Households Assisted
2	Public Services	2023	2027	Public Services	City of Bentonville	Public Services	CDBG: \$203,824	Public service activities other than Low/Moderate Income Housing Benefit: 945 Persons Assisted
3	Decent Housing	2023	2027	Affordable Housing	City of Bentonville	Housing Rehabilitation	CDBG: \$125,000	Homeowner Housing Rehabilitated: 20 Household Housing Unit
4	Administration	2023	2027	Administration	City of Bentonville	Administration	CDBG: \$160,000	Public service activities for Low/Moderate Income Housing Benefit: 10 Households Assisted

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	Home Ownership Assistance
	Goal Description	The City will use CDBG funding to address high priority home ownership assistance needs with a Home Ownership Assistance Program to help with down payment and closing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing costs assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning.
2	Goal Name	Public Services
	Goal Description	The City will use its public services funding to several of our local organizations to assist in childcare via tuition assistance, as well as, outreach and assessment services for our homeless population. We will provide funding to Helen R. Walton Children's Enrichment Center, which will allow for free, high-quality, early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child. Funding for the Northwest Arkansas Continuum of Care will assist with outreach and focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be distributed. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities. Funding will be used for the Boys and Girls Club After School and Summer Scholarship Program for low-income children and their families. This allows their parent(s) to work and not have to worry about where their children are or how they are going to pay for childcare. This program provides to all member bases for males and females ages 6-18 and racial and ethnic demographics closely match that of the Bentonville population.

3	Goal Name	Decent Housing
	Goal Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is decent, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
4	Goal Name	Administration
	Goal Description	The project funding will be used to pay for marketing/promotional materials about each program/project being funded, display ads for future Action Plans, CAPER, and Consolidated Plans. It will also cover any membership fees associated with the CDBG Program.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The City does not receive HOME funds. Community Development Block Grant funds can be used for housing rehabilitation and purchase of property to build affordable housing. The City will continue to work with local organizations to research housing rehabilitation opportunities. At this time, there is no land available the City could purchase with their CDBG funds for building affordable housing.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The City of Bentonville does not handle public housing for Bentonville. That is all done through the Public Housing Authority at Siloam Springs, Arkansas.

Activities to Increase Resident Involvements

As stated earlier, the City does not have public housing, but is committed to address the housing needs of our citizens and to provide supporting involvement where we can. The closest public housing authority is Siloam Springs, Arkansas.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the ‘troubled’ designation

N/A

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

Using the Affordable Housing Workgroup members, City staff, developers, and the public, six major barriers preventing affordable housing were identified:

Total development cycle time. An analysis of development and approval cycle times was provided by City staff to the workgroup. When shared with developers, the Pre-Approval Conference and the Pre-Construction periods were identified as the biggest pain points, leading to a complete cycle time of four years for both single-family and multi-family units (Fig. 14). Developers have risked losing millions of federal dollars by not being able to finish within the federally mandated time period of two years. Other developers choose not to bring projects to Bentonville. These issues point to looking at a redesign of the development cycle with staff, planning commission, and local developers to reduce time.

Figure 14: Average Development Cycle Time (Bentonville Planning Department)

Zoning limitations. Zoning options enacted in other cities are currently unavailable in Bentonville. These options would allow for the creation of “Missing Middle” housing, allowing for higher density, single-family owned and occupied options. These options will be important for the City-managed process of affordable housing developments and can also be used for other developments.

Additionally, while the number of units allowed per acre provides a developer a great deal of density (e.g. R4 allows for 52 units/acre), the actual number of units that can go on a piece of land is much lower due City restrictions and requirements (e.g. in reality, R4 is actually closer to 20 units/acre). These factors include parking requirements, right of way and easement dedications, height limits, etc.

Regulatory infrastructure, permit costs, and fees. Impact/permit fees, combined with limited cost sharing by the City all add costs to development projects. Fair market rate projects face significant hurdles in this area, but adding these costs to projects that are attempting to be affordable only pass these costs on to the potential buyers. Affordable developments are being assessed under the same guidelines as fair market rate projects, de-incentivizes the creation of the former.

Land costs. Affordable developments are less likely to be pursued due to the higher initial investment developers must make on simply acquiring land. This is due, in part, to the limited number of financing options available to developers.

Lack of access to affordable options. As discussed, many affluent households are renting or purchasing housing below their means (i.e. significantly less than 30% of income, including utilities). This squeezes out workforce households in the three targeted income tiers, who have to choose between becoming rent/mortgage burdened with housing above their means or leaving the City to find more affordable housing elsewhere.

Participation in government programs. A significant amount of federal housing subsidies (e.g. Community Development Block Grants) that could be used to address some of the financial hurdles mentioned above have not been used for many years since Bentonville stopped participating in the

program in 2016. There is also lack of education for developers on the existence of this funding and ways in which to access it.

A few key themes emerged from the discussion that were prioritized when developing solutions:

1. Solutions to these barriers should be bundled together so that they are dealt with comprehensively.
2. A tiered system of incentives and barrier removal should be put in place that aligns with the tiered income bands of the target population.
3. Affordable price points, duration of price points, and renter/buyer eligibility should be codified, ensuring that the people who most need affordable housing are able to obtain it.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Another barrier includes the out-of-pocket costs in order to purchase a home. The city plans to use CDBG funds to establish a Home Ownership Assistance Program which addresses the out-of-pocket expenses that is often a barrier to affordable housing. benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment.

To address the total development cycle time, the City will work to investigate and adopt ordinances to allow vertical construction to homes sooner in the single-family construction process, consider creating an administrative approval process for preliminary plats, as well as, work to create a small-scale development cycle. To address zoning limiting affordable development, the City will work to amend existing residential zoning districts to allow for greater mix of housing types and site flexibility by defining and regulating cottage court, stacked duplex, triplex, fourplex and live-work units.

Additional Barrier: Home Purchase Expenses

Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of \$691 in 201 to \$978 in 2020, a 42% increase. Nearly 50% of renters are paying more than \$1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs.

The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they end up paying for PMI which ultimately increases their overall housing costs.

In 2010, the median home value was \$169,400. By 2020, that increased by 52% to \$258,300. A snapshot of the market in October 2023, had \$300,000 as the lowest listed home price in Bentonville. The combination of high rents making it difficult to save for a home, combine with the significantly increase costs to purchase home, make it difficult for low- and moderate-income families to own homes.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

A Point-In-Time homeless count was conducted in January 2017 to assist in the strategic planning process to end homelessness. Department of Housing & Urban Development (HUD) strongly encourages communities to develop a strategic plan that are expected to not simply propose better ways to manage the problem, but to make serious attempts to end it. We must build better linkages between those who provide services to the homeless and government decision makers. We must redefine organizational successes and make sure the goal is getting people into permanent housing as soon as feasible and keeping them there. We must assist people with restoring and repairing social capital. An essential safety net of emergency and systems prevention must be put in place. We must provide risk prevention services, target areas, provide permanent housing, and reduce chronic homelessness.

The Northwest Arkansas Continuum of Care has taken over the task of homelessness in this region. They will continue to work with public and private stakeholders to address and support development of a coordinated effort to prevent and end homelessness. Their efforts will make a significant impact to identify, provide outreach prevention, have access to shelter, a good working coordinated entry process that will help our homeless move into housing options.

Addressing the emergency and transitional housing needs of homeless persons

Northwest Arkansas has made some significant investments in shelter expansions and support programs, but we do have some gaps in services and housing. Emergency shelter is housing in which a homeless person can access shelter immediately and reside for up to 30 days. An emergency shelter's primary function is to assist individuals in identifying causes of homelessness, accessing mainstream services and securing the next appropriate level of housing. The functioning, structure, rules and support services provided can vary greatly from shelter to shelter. Transitional housing is housing in which homeless persons live for up to 24 months and receive supportive services that enable them to live more independently. The services must include housing placement assistance. The supportive services may be provided by the organization managing the housing or coordinated by them and provided by other public or private agencies. Northwest Arkansas provides both emergency shelters and transitional housing. The Northwest Arkansas Continuum of Care emergency and transitional housing system will accept all populations of individuals and families that are experiencing homelessness because of domestic violence or substance abuse as well as youth and veterans.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Chronic homelessness communities are most often the result of serious mental illness and/or chronic substance abuse. These individuals are often difficult to engage in programs, may be non-compliant with treatment and/or medications and often have an underlying distrust of systems. Their mental illness is often the cause of inappropriate behaviors which, coupled with their inability to comply with rules or program requirements, makes them inappropriate for placement in any existing shelter as well as in more traditional mental health or substance abuse residential programs. These individuals are usually those that fall through the cracks of all mainstream services. As a result, the same group of chronic individuals frequently sleeps on the streets, in the parks, and become involved with the criminal justice system and other institutions. These individuals are often released back to the community with inadequate discharge plans. Emergency prevention and outreach efforts are essential to helping homeless persons. The Northwest Arkansas Continuum of Care continues to work hard to ensure our most vulnerable residents are able to stabilize their lives. We know we need more permanent housing. The Continuum of Care is establishing a coordinated entry and referral system that will match people to their housing needs. They are eliminating the multiple application processes. The Continuum of Care Board is resolving many problems that hindered developing name lists, providing case conferencing and compiling housing resources and referral sources. They are using the Vi-SPDAT assessment tool with a goal to target those homeless the longest and most in need. The Continuum of Care will also continue to meet the needs of our veterans experiencing homelessness.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

Homelessness cannot be seriously addressed without developing a comprehensive strategy to prevent homelessness. The City of Bentonville will work to establish membership in the Northwest Arkansas Continuum of Care and provide services and housing rehabilitation funding to help keep people from becoming homeless. The Northwest Arkansas Continuum of Care will continue to consider strategies to improve discharge planning by healthcare institutions, correctional facilities, and mental health treatment programs to reduce the frequency of discharges into homelessness.

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

The City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead-safe.

The City of Bentonville will ensure that all single-family dwellings built before 1979 that qualify for rehabilitation will be tested for the presence of lead-based paint before any work is performed. Any material inside the dwelling identified as having lead-based paint will be removed. Material containing deteriorated lead-paint will be removed if feasible. Material not feasible to be removed will either be covered or treated. All lead-based paint work is required to be performed by a contractor certified in lead-paint-safe-work practices. All homes rehabbed with federal funds will have a lead-paint clearance test performed after the rehabilitation work is completed to ensure no lead-paint dust was left behind.

How are the actions listed above related to the extent of lead poisoning and hazards?

The City of Bentonville will meet with our local organizations involved in housing rehabilitation projects funded by CDBG dollars to ensure any projects deemed a hazard are addressed in accordance with State and Federal requirements, creating a safe environment for our residents.

Dust from lead-based paint and deteriorated lead-based paint is hazardous to children especially those under the age of seven. The primary goal of the actions above is to identify materials containing lead-paint that are above the Department of Housing and Urban Development's regulated level of 1.0mg/cm² and remove those materials to reduce exposure to lead based paint.

How are the actions listed above integrated into housing policies and procedures?

As stated previously, the City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead-safe.

All single-family dwellings built before 1978 and qualified for housing rehabilitation will be tested for the presence of lead-based paint. Any home identified as having lead-paint will require a contractor to be certified in lead-paint-safe-work practices. The Description of Work prepared for each single-family dwelling will have a copy of the Lead-based Paint Inspection Report attached. The report will identify all material and locations of lead-paint.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City's approach to addressing poverty among families involves various jurisdiction goals, programs, and policies. The focus is on stabilizing living conditions through essential public services, infrastructure enhancements, and financial tools. The strategy outlined in the five-year Consolidated Plan and the 2023 Action Plan aims to uplift poverty-stricken residents by ensuring access to public benefits, enhancing educational opportunities for children, offering education on affordable housing opportunities, and bolstering economic security within the community. Through these measures, the City endeavors to empower families in poverty to achieve greater stability and move towards a more secure future.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The City's strategies and programs for those living in poverty are designed to provide a means to stabilize their living conditions. Supportive essential public services and improvements to surrounding infrastructure may also help poverty level families. There are an array of financial tools and services available that can improve living conditions, housing availability, and employment opportunities.

This five-year Consolidated Plan and the 2023 Action Plan have been developed with goals and strategies to help our poverty stricken residents move out of poverty. This can be done with job creation and workforce development, providing essential services to make sure these residents have access to public benefits, to make sure children in these homes reach educational outcomes, provide affordable housing to make our residents secure in their housing, and to assure our community has economic security.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The following table shows the Community Development Block Grant (CDBG) Program resources expected to be available in Year One of the Consolidated Plan to address priority needs and specific objectives identified in the Strategic Plan. The table also includes prior year resources the City will use to implement our identified priority needs. Expected amount available during the remainder of the Consolidated Plan are future estimates that will be amended as those year's funding is identified.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	320,831	0	0	320,831	1,283,324	All funds will be used to provide public services and Home Ownership Assistance to low-to-moderate-income individuals. All expected CDBG funds in the Consolidated Plan will come from CDBG funding.

Table 54 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the non-profits applying for CDBG funding receive funding from other areas to make their programs work. The City and its partners leverage local, state, foundation and private resources. The City will use its projected \$320,831 from the United States Department of Housing & Urban Development's (HUD) CDBG Program to address the needs listed in the Action Plan. The City funds the salary for the administrative position and will partner with local organizations and non-profits on its service projects.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There is no known land available for acquisition at this time; however, the City will work with banks to make vacant property available for affordable housing, economic development, and open space use.

Discussion

The amount of available funding through CDBG will not be adequate to meet the housing and/or public service needs in Bentonville. The City continues to work with our partners to leverage all available resources to meet our needs.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Home Ownership Assistance	2023	2024	Affordable Housing	City of Bentonville	Home Ownership Assistance	CDBG: \$231,331	Direct Financial Assistance to Homebuyers: 5 Households Assisted
2	Public Services	2023	2027	Public Services	City of Bentonville	Public Services	CDBG: \$32,500	Public service activities other than Low/Moderate Income Housing Benefit: 189 Persons Assisted
3	Decent Housing	2023	2027	Affordable Housing	City of Bentonville	Housing Rehabilitation	CDBG: \$25,000	Household Housing Unit Homeowner Housing Rehabilitated: 4
4	Administration	2023	2027	Administration	City of Bentonville	Administration	CDBG: \$32,000	

Table 55 – Goals Summary

Goal Descriptions

1	Goal Name	Home Ownership Assistance
	Goal Description	Funding will be used to establish a Home Ownership Assistance Program. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning.
2	Goal Name	Public Services
	Goal Description	The City will use its public services funding to several of our local organizations to assist in childcare via tuition assistance, as well as, outreach and assessment services for our homeless population. We will provide funding to Helen R. Walton Children's Enrichment Center, which will allow for free, high-quality, early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child.) Funding for the Northwest Arkansas Continuum of Care will assist with outreach will focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities. Funding will be used for the Boys and Girls Club After School and Summer Scholarship Program for low-income children and their families. This allows their parent(s) to work and not have to worry about where their children are or how they are going to pay for childcare. This program provides to all member bases for males and females ages 6-18 and racial and ethnic demographics closely match that of the Bentonville population.

3	Goal Name	Decent Housing
	Goal Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is decent, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
4	Goal Name	Administration
	Goal Description	Funding will be used to cover costs associated with administering the Community Development Block Grant Program. These costs include supplies, training, educational/promotional materials about the program, as well as, advertisements required in the newspaper.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Bentonville makes their funding allocation decisions based on an application process. Funds are awarded to eligible activities that support the goals, as well as, addressing the priority needs stated in the Consolidated Plan. All allocations awarded to activities are contingent upon the City's receipt of Community Development Block Grant (CDBG) funding in the Program Year. Projects for 2023 and reasons for allocation priorities and obstacles addressing these needs are listed below:

Projects

#	Project Name
2	2023-2 Boy's and Girl's Club
3	2023-3 Helen R. Walton Children's Enrichment Center
4	2023-4 Northwest Arkansas Continuum of Care
6	2023-6 Habitat for Humanity of Benton County
7	2023-7 Administration
8	2023-8 Home Ownership Assistance Program

Table 56 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocation of funds for those activities listed in the 2023 Action Plan are closely aligned with the needs identified in the public hearing and needs assessment survey in the City's 2023-2027 Consolidated Plan via input contributed by stakeholders and citizens who participated in the development of the 2023 Action Plan.

The primary national objective of the CDBG Program is to benefit low-to-moderate-income residents, therefore, the City of Bentonville's CDBG program funds will be targeted to individuals and families that qualify as low-to-moderate-income, as well as, census tracts that meet the 51% threshold of low-to-moderate-income population. Funds will also be targeted to include special needs populations, such as elderly and the homeless. By targeting these groups, we not only provide a benefit to these individuals and families, but we benefit the City as well. The City's objective is to fund programs and services to the greatest extent possible, keeping in mind that service projects are subject to a 15% cap of total funding received. The major obstacle to meeting all of the identified needs is the lack of funding resources. With our 15% cap, we are really limited to the amount we can fund. Services is one of our biggest needs in Northwest Arkansas. There are more opportunities that fall into the services category, potentially serving many more people each year if the service cap was lifted on CDBG funding. The City will continue to identify opportunities to leverage funding to better benefit service opportunities.

AP-38 Project Summary

Project Summary Information

1	Project Name	2023-2 Boy's and Girl's Club
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$10,000
	Description	This project will provide scholarships for youth in low-to-moderate-income families living in Bentonville who need access to affordable, quality afterschool/summer programming.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	92 individuals from low-to-moderate-income households.
	Location Description	2801 Walker Street Bentonville, AR 72712 is the address of Boys and Girls Club of Benton County (Bentonville Unit). Addresses of the families are not known at this time.
	Planned Activities	Afterschool/summer childcare and programming.

2	Project Name	2023-3 Helen R. Walton Children's Enrichment Center
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$10,000
	Description	CDBG funding will allow Helen R. Walton Children Enrichment Center to provide free high-quality early childhood education, access to therapy, case management, and support services to mobilize the family to move out of poverty, creating a foundation for multi-generational change by impacting both the parent (or grandparent/guardian) and the young child.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	42 individuals from extremely low to low incomes
	Location Description	309 NE J Street Bentonville, AR 72712 is the address of Helen R. Walton Children's Enrichment Center. Addresses of the families are not known at this time.
	Planned Activities	HWCEC's Family Services Coordinator connects STP ONE parents to resources such as job placement, financial support, counseling, food assistance, household supplies, clothing, housing, and more to meet the individual needs of the family. STP ONE families also have access to other programs and services offered at HWCEC.

3	Project Name	2023-4 Northwest Arkansas Continuum of Care
	Target Area	City of Bentonville
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: \$12,500
	Description	The NWA Continuum of Care will contract with Diva & Dudes to do community outreach for this grant. Outreach for this grant will begin October 1, 2023 and will run through September 30, 2024. When utilizing these funds, the outreach will focus on the individuals/families who are experiencing homelessness within the city limits of Bentonville. Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	45 individuals from extremely low to very low incomes
	Location Description	PO Box 3643 Fayetteville, AR 72701 is the address for the NWA Continuum of Care.
	Planned Activities	Outreach staff will connect with individuals through word of mouth, identification through area partners including Salvation Army & the Bentonville Police Department. Staff will connect in person or via the phone (if a number was given), fill out an intake to determine income (zero) and homelessness status. Outreach will also determine immediate needs and assist people in getting into some type of emergency shelter. Resources will be connected, and immediate need supplies will be handed out. Outreach will also complete the assessment to get individuals on the By-Name list and to connect them with coordinated entry for potential housing opportunities.

4	Project Name	2023-6 Habitat for Humanity of Benton County
	Target Area	City of Bentonville
	Goals Supported	Decent Housing
	Needs Addressed	Housing Rehabilitation
	Funding	CDBG: \$25,000
	Description	Funding will be provided to Habitat for Humanity of Benton County to assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is decent, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	Estimate approximately 3 -4 LMI families will benefit from these activities.
	Location Description	1212 N. Walton Boulevard Bentonville, AR 72712 is the address for Habitat for Humanity of Benton County. Addresses of the families are not known at this time.
	Planned Activities	Habitat for Humanity of Benton County will assist low-to-moderate-income households in need of repair or accessibility modifications. The work focuses on critical repairs (permanent, essential rehabilitation to ensure the home is deemed, safe, and sanitary) for safe entry (wheelchair ramps) and improved bathroom accessibility (replacing bathtubs with showers) and other ADA safety standards. Families must live in safe and well-maintained homes.

5	Project Name	2023-7 Administration
	Target Area	City of Bentonville
	Goals Supported	Administration
	Needs Addressed	Administration
	Funding	CDBG: \$32,000
	Description	Administration costs to administer the CDBG Program
	Target Date	8/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	Is it estimated that 282 low to moderate income families will receive a benefit from administration of 2023 CDBG funds.
	Location Description	City Hall, where the CDBG Administrator has an office, located at 305 SW A St, Bentonville, AR 72712
	Planned Activities	The project funding will be used to pay for marketing/promotional materials about each program/project being funded, display ads for future Action Plans, CAPER, and Consolidated Plans. It will also cover any membership fees associated with the CDBG Program.

6	Project Name	2023-8 Home Ownership Assistance Program
	Target Area	City of Bentonville
	Goals Supported	Home ownership assistance
	Needs Addressed	Home ownership assistance
	Funding	\$231,331
	Description	Funds will be used to establish a Home Ownership Assistance Program that will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. The program will be administered by Bentonville Planning. Funding is provided by entitlement grants from the Community Development Block Grant (CDBG) program and is subject to U.S Department of Housing and Urban Development (HUD) guidelines.
	Target Date	10/31/2024
	Estimate the number and type of families that will benefit from the proposed activities	We anticipate we can assist five households with down payment and closing cost assistance.
	Location Description	Homes purchased with the Home Ownership Assistance Program will be located within the city limits of Bentonville, Arkansas. The homes must be single-family, condominium, or townhome and meet HUD Minimum Housing Quality Standards. The home cannot be located in a flood zone. Actual locations will be determined based on staff review of home buyer applications.
	Planned Activities	The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Qualifying for the program begins by making an appointment with the Community and Economic Development Planner and completing the Home Ownership Assistance Program application. The applicant and the home must meet all of the qualification criteria provided below. Applicants may use any licensed real estate professional of choice to find a home. Grant assistance for the buyers' out-of-pocket expenses of closing cost/down payment will be paid directly to the title company. At closing, a lien must be signed stating the buyer will reside in the home and not change title for five years. At the end of the five years, the lien is released, and no funds are owed. Throughout the process, the City's Community and Economic Development Planner works closely with the purchasing realtor, the lender, and the applicant. Funding is limited and will be awarded on a first-come, first-qualified basis.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Bentonville is part of one of the fastest growing regions in America, Northwest Arkansas. Northwest Arkansas is home to three Fortune 500 companies: Wal-Mart, Tyson Foods, and JB Hunt Trucking. It is also home to the University of Arkansas, a recognized research institution of academic excellence. Beaver Lake provides swimming, boating, kayaking/canoeing, fishing, water sports, and hunting amenities with 487 miles of shoreline. Northwest Arkansas is also home to the Ozark Mountains and is becoming a global destination for bike riding.

The City has a well-developed community, expanding employment opportunities, supporting new and existing businesses, and enhancing neighborhood vitality, however, providing affordable housing is still a major need for Bentonville.

The Community Development Block Grant (CDBG) projects proposed for 2023 will have an impact on many residents and families of Bentonville. The service projects and home ownership assistance will benefit low-moderate-income persons/families. The housing rehabilitation projects will benefit low-to-moderate-income individuals/families, as well as, disabled/handicapped persons. It is estimated that almost 100% of our CDBG funds will be allocated to benefit persons who are deemed low-to-moderate-income.

Geographic Distribution

Target Area	Percentage of Funds
Census Tracts (205.04 and 206.04)	
City of Bentonville	

Table 57 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The rationale for the priorities for allocating investments geographically is to meet the primary objective of the CDBG Program which is to benefit low-income and moderate-income residents per the Department of Urban and Housing Development's (HUD) standards. All activities funded will primarily benefit low- and moderate-income persons or household as a direct service, through housing rehabilitation, which helps the low-income homeowner stay in their home, or through infrastructure improvements that benefit low-to-moderate-income census tracts.

Discussion

The City of Bentonville will allocate all funding to our low- and moderate-income residents as well as to our special need individuals.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Affordable housing is one of the most significant needs in Bentonville. The challenge is that new construction is targeting the high-end market homes. The average value of a single-family home permitted in 2022 was \$412,798. This is a 39% increase in the home value from 2021. The average size of a new single-family home in 2022 was nearly 3,000 sq. ft. The increasing cost of land prices, the impact of supply chain issues and increasing material costs have only exacerbated the situation. Without some incentives, developers do not choose to provide affordable housing in Bentonville.

Expanding home ownership opportunities to our low- and moderate-income residents will help us move toward that goal. Establishing a Home Ownership Assistance Program benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs. The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville. Assistance comes in the form of a grant of up to 50 percent of the lender required down payment. Supporting Habitat for Humanity's efforts at housing rehabilitation also assist with allowing low-to-moderate income households to stay in decent, affordable homes.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 58 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	5
Total	5

Table 59 - One Year Goals for Affordable Housing by Support Type

Discussion

The City does not receive funds that can be used for new construction, so we feel the Home Ownership Assistance Program can help address affordable housing by providing some of the out-pocket expenses required to purchase a home.

The City continues to work on zoning reforms and incentives to provide an easier process to get more units built. However, it is difficult to control the affordability of those built. The City will use Community Development Block Grant (CDBG) to support those agencies that help keep our low-income residents in structurally sound homes that are warm, safe, and dry.

AP-60 Public Housing – 91.220(h)

Introduction

There are no public housing facilities or a public housing office in the city limits of Bentonville. The City does not have current plans of seeking public housing within the Jurisdiction. Although, the City will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction. This includes the Housing Authority, which provides Section 8 tenant vouchers and other organizations.

A Community Development Corporation (CDC) is located within Bentonville. The CDC focuses on the HOME program and focuses on senior housing within the area. The CDC was formed in 1991 by the Bentonville / Bella Vista Chamber of Commerce. The City and the CDC are two separate entities, although the City fully supports the CDC and accommodates the organization.

Actions planned during the next year to address the needs to public housing

The City will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The City will look for opportunities to support existing programs that provide education on homebuying and home owners and other programs that support homeownership.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Without a PHA, there is no designation of being troubled. However, the City will continue to support the needs of the CDC.

Discussion

While the City does not have current plans of seeking public housing within the Jurisdiction, we will distribute CDBG assistance to those organizations that serve the needs of the extremely low-income, low-income, and moderate-income families residing in the jurisdiction.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Bentonville is beginning its partnership with the Northwest Arkansas Continuum of Care to address the needs of the homeless. The purpose of this coalition is to reduce and/or end homelessness in Northwest Arkansas. There are several organizations in this area that serve families or persons who are homeless or at risk of becoming homeless. The University of Arkansas conducted the point-in-time count in January 2023. This headcount provides specific information regarding the various services and programs, a listing of the number of beds available, and the number, reasons and costs-involved in housing the homeless as well as placement of the homeless. Specific subpopulations targeted include individuals and families who are chronically homeless, individuals and families at risk of homelessness, veterans and their families, individuals and families who are experiencing domestic violence, individuals living with HIV/AIDS and unaccompanied youth 18-24 years old.

Currently, the Continuum of Care provides emergency shelters, transitional shelters and safe havens in Northwest Arkansas to meet the needs of our homeless. The Continuum of Care provides the leadership, coordination, planning, and mobilization of resources to make homelessness rare, brief and non-reoccurring in Northwest Arkansas. They will provide homelessness prevention and diversion, emergency, transitional and rapid rehousing, permanent supportive housing, case management, supportive services, and emergency response. The Continuum of Care has adopted a Coordinated Entry and Assessment-Based Housing Referral System that will maximize the housing resources by matching people to housing based on needs. They will continue to locate and engage individuals living on the streets and encourage them to accept services, treatment, and housing.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Bentonville will work with the Northwest Arkansas Continuum of Care and other local nonprofit organizations to assist in identifying needs. One of the key strategies is to address chronic homelessness and provide outreach in this prevention. The Northwest Arkansas Continuum of Care is represented by agencies that specifically target the homeless and assist individuals with accessing mainstream mental health and chemical dependency services. Part of this outreach is education of both the service providers and the communities to assist in eradicating homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

There is a continuing need for additional emergency shelters and transitional housing with support services in Bentonville. Safe havens are also needed in this area. The City will continue to be involved with and support agencies that provide this service. We want to make sure the needs of individuals and families experiencing homelessness, including women and families fleeing domestic violence and unaccompanied youth are met. The City receives no emergency shelter grants, but we are aware that emergency housing provides short-term accommodations for individuals and families that have immediate housing needs, assess level of need, and provide case management assistance in obtaining appropriate housing. Transitional housing helps households move toward self-sufficiency by providing supported semi-independent living for a period of up to 24 hours.

Northwest Arkansas has emergency and transitional housing programs specifically designated for survivors of domestic violence as well as housing programs dedicated to youth experiencing homelessness. Veterans also have options for emergency shelters and transitional housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

City staff does not have the necessary resources to address these issues, therefore, will rely on the expertise and experience of the Northwest Arkansas Continuum of Care to meet these needs. The City will provide CDBG funding to the Continuum of Care and other agencies that assist in these areas. The Continuum of Care is committed to identifying and prioritizing the most vulnerable for housing placement.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City of Bentonville will continue to work through the recommendations of the Affordable Housing Work Group to increase the number of affordable housing units in Bentonville. Our Continuum of Care has developed and implemented policies around discharge planning from healthcare institutions to keep anyone being discharged to become homeless. We will continue to provide service funding for agencies who provide much needed services, beyond housing, for the homeless.

Discussion

The Northwest Arkansas Continuum of Care is the primary agency for addressing the needs surrounding homelessness. The mission of the Continuum of Care is to coordinate resources to build a collaborative system that addresses core issues of homelessness and poverty. The Continuum of Care is designed to assist individuals (including unaccompanied youth) and families experiencing homelessness and to provide the services needed to help such individuals move into transitional and permanent housing, with the goal of long-term stability. More broadly, the program is designed to promote community-wide planning and strategic use of resources to address homelessness; improve coordination and integration with mainstream resources and other programs targeted to people experiencing homelessness; improve data collection and performance measurement tailoring its program to the particular strengths and challenges within the community. Membership in the organization is open to homeless persons or formerly homeless persons, service providers, governmental representatives, civic organizations, and others committed to increasing the availability and quality of services to persons or families who are experiencing or who are near homelessness. The Northwest Arkansas Continuum of Care is governed by a Board of Directors who formulates, implements, and monitors the policies of the organization in order to carry out its purpose. It is the policy of the Board to comply with all municipal, state, and federal regulations regarding the operations of the Northwest Arkansas Continuum of Care and the Board.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Barriers to affordable housing can lie in several things, displacement of residents due to economic pressures, lack of public investment in specific neighborhoods, including services and amenities, deteriorated vacant structures and land, location and type of affordable housing, inability to access existing housing, location and access to proficient schools, lack of income, lack of savings for down payment and closing costs, availability of affordable units in a range of sizes, lack of communication between residents and those who develop, residential foreclosures, residential evictions, age and condition of housing, and lack of fair housing outreach and enforcement. All of these things are due to banking, finance and industry regulations, socio-economic situations, neighborhood conditions, and policy legislation and enforcement.

One specific issue is the out-of-pocket expenses required to purchase a home. Bentonville is made up of 45% of renter-occupied housing. Rents in Bentonville have increased from a median rent of \$691 in 201 to \$978 in 2020, a 42% increase. Nearly 50% of renters are paying more than \$1,000 for rent and more than 25% of households are paying more than 30% of their income to rental costs.

The high rents in Bentonville create a challenge for renters to be able to save up for closing costs and 20% down payment to purchase a home. And, if they are unable to meet the 20% down payment, they are required to pay for private mortgage insurance which ultimately increases their overall housing costs.

In 2010, the median home value was \$169,400. By 2020, that increased 52% to \$258,300. A snapshot of the market in October 2023 had \$300,000 as the lowest listed home price in Bentonville. High rents making it difficult to save up to buy a home combined with the significant increasing cost of a home make it difficult for low- and moderate-income families to own homes.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Offering a down payment assistance program encourages long-term investment in Bentonville and helps low to moderate income families lower their housing costs. Using CDBG funds, the city will establish a Home Ownership Assistance Program. Establishing this program benefits the community by encouraging a long-term investment in Bentonville and helps low to moderate income families lower their housing costs.

The Home Ownership Assistance Program will provide income-eligible first-time homebuyers with down-payment and closing cost assistance to purchase residential property in the City of Bentonville.

Assistance comes in the form of a grant of up to 50 percent of the lender required down payment.

From a policy perspective, the City of Bentonville created a housing affordability workgroup to identify possible solutions to remediate barriers to affordable housing that were identified. Two of these barriers for the City to address are total development cycle time and zoning that limits affordable development. To address the total development cycle time, the City will work to investigate and adopt ordinances to allow vertical construction to homes sooner in the single-family construction process, consider creating an administrative approval process for preliminary plats, as well as, work to create a small-scale development cycle. To address zoning limiting affordable development, the City will work to amend existing residential zoning districts to allow for greater mix of housing types and site flexibility by defining and regulating cottage court, stacked duplex, triplex, fourplex and live-work units.

Discussion:

The City of Bentonville supports provisions for affordable housing and the Home Ownership Assistance Program is one approach to beginning to address this issue. We have established an Affordable Housing Work Group to explore solutions that will address housing inventory for low-to-moderate-income persons and households. Additionally, we will work with agencies that provide solutions for supportive housing.

AP-85 Other Actions – 91.220(k)

Introduction:

Using the identified priorities determined for the City of Bentonville, strategies will be implemented to meet underserved needs, foster and maintain affordable housing, reduce the cost burden placed on low-to-moderate-income residents, and enhance coordination between public and private housing initiatives. The City will partner with other city agencies, regional and state agencies, fair housing advocates, service providers, lender, funders, and investors.

Actions planned to address obstacles to meeting underserved needs

One of the biggest obstacles to meeting underserved needs is the 15% cap on service projects. Due to the development pattern of Bentonville over the last decade, rents and home prices have increased dramatically, which has in turn increased the cost burden all around. Items that fall under services have a large impact on reducing the overall cost burden on families that fall in the low-to-moderate-income bracket. We have to be very careful on who we can provide a service to as our cap eliminates us from helping everyone that applies and qualifies for help. Even raising the cap to 20% would give us the additional funds we need to provide a larger scope of underserved needs of our community. The City will plan to, when feasible, work with area non-profits to leverage the City's Community Development Block Grant (CDBG) funding. We also know where other agencies might have funds available where we can send people to those agencies to seek help when funding is not available through the City of Bentonville.

Actions planned to foster and maintain affordable housing

The City is taking action to foster new affordable rental and homeownership housing opportunities in Bentonville. The Community Development Block Grant (CDBG) Administrator is working with the Planning Department and the finding from the City's Affordable Housing Workgroup on ways we can make it easier for the development of affordable homes through partnerships and offering incentives for the developer to be profitable in building affordable housing.

Actions planned to reduce lead-based paint hazards

The City of Bentonville does not currently have its own housing rehabilitation program. We will work with our local organizations to ensure that any rehabilitation projects they pursue meet the State and Federal requirements, making houses lead safe.

Actions planned to reduce the number of poverty-level families

The City of Bentonville knows that to reduce the number of poverty-level individuals and families, we must increase the opportunities for the low-to-moderate-income by creating jobs and workforce development as well as providing essential services, educational outcomes, housing security and

affordability, and economic security. Using our CDBG funding we will work to build programs that promote a stable living environment and reduce dependency. We know housing is a significant financial burden. We will work to provide assistance to help the low-to-moderate-income remain in their homes through various means. The City will continue to work to maximize program dollars and opportunities in neighborhoods with the greatest number of low-to-moderate-income residents. The City will also work to provide services such as transportation assistance, and child care to our low-income individuals and families.

Actions planned to develop institutional structure

The City of Bentonville is the lead administrative agency for the CDBG Program. The Mayor, Finance Department, and CDBG Administrator provide fiscal and regulatory oversight of all CDBG funding sources and their federal grant. The Administrator is responsible to see that all reports are submitted timely. These reports include HUD-272, Federal Cash Transaction Report, HUD-2516 and 2516-A, Contract and Subcontract Activity, HUD-471, Semi-Annual Labor Standards Enforcement Report, and Section 3, Summary Report. The Section 3 is submitted with the Consolidated Annual Performance Review (CAPER) each year. The City of Bentonville also acts as the final authority for the appropriation of funds for Annual Action Plan activities following recommendations to the Bentonville City Council. Within each of the funding areas where the City is partnered with a non-profit agency, all activities will be completed and managed with those agencies involved.

Actions planned to enhance coordination between public and private housing and social service agencies

Public and private agencies are collaborated with in developing the City's Consolidated Plan. City department heads, Mayor, and City Council are also involved in the Consolidated Plan development. The City of Bentonville is limited in resources to address all the priorities identified. Because of this collaboration will be important to be most efficient in meeting the needs of our citizens. The City will continue to build on and leverage partnerships for future program years.

Discussion:

The City is committed to continuing its participation with Federal, State, and local agencies, as well as local organizations to reach the needs of low-to-moderate-income individuals and families in the City of Bentonville. The City will continue to work to support improvements and services for our low-to-moderate-income residents.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Attachments

DRAFT

Citizen Participation Comments

Form v1.17



A WEHCO MEDIA COMPANY

Account #: NWCL5337126
Company: CITY OF BENTONVILLE-LEGALS
Client: CITY OF BENTONVILLE-LEGALS/ JASON MARTHERS
Ad number #: 293659
PO #:
Matter of: CDBG Consolidated & AAP

AFFIDAVIT • STATE OF ARKANSAS • COUNTY OF WASHINGTON

I, Carla Gardner, do solemnly swear that I am the Finance Director of the **Northwest Arkansas Democrat Gazette**, a daily newspaper printed and published in said county, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement in the matter of:

CDBG Consolidated & AAP

Pending in the court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County, that said newspaper had been regularly printed and published in said county, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

And that there is due or has been paid the **Northwest Arkansas Democrat Gazette** for publication the sum of \$85.12. (Includes \$0.00 Affidavit Charge).

NWA Democrat Gazette 06/04/23; NWA nwaonline.com 06/04/23

Finance Director

NOTARY PUBLIC



City of Bentonville
Notice of Publication of CDBG
Consolidated and Annual Action
Plan

In accordance with the City of Bentonville's Citizen Participation Plan and the requirements of the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program (CDBG), the following notice is to provide the public an opportunity to review and comment on the proposed draft of the 2023-2027 Consolidated Plan and 2023 Annual Action Plan.

The Consolidated Plan and Annual Action Plan will be available for citizen review on our website

at www.bentonvillear.com and at the City Hall building located at 305 SW "A" Street between the hours of 8:00 AM and 4:30 PM Monday through Friday.

The public has thirty (30) days to comment on the proposed, draft, Consolidated and Annual Action Plans. All comments received for the report submission by any individual, group, or agency, in writing or orally by July 4, 2023 will be considered by the City of Bentonville before the submission to the Consolidated and Annual Action Plan to HUD. Submit comments to Christopher Hyatt, Planner, 305 SW "A" Street, Bentonville, AR 72712. Phone: (479) 271-3122. Email: chyatt@bentonvillear.com. June 4, 2023 293659

Appendix - Alternate/Local Data Sources

1	Data Source Name 2020 ACS
	List the name of the organization or individual who originated the data set. U.S. Census Bureau
	Provide a brief summary of the data set.
	What was the purpose for developing this data set?
	Provide the year (and optionally month, or month and day) for when the data was collected.
	Briefly describe the methodology for the data collection.
	Describe the total population from which the sample was taken.
	Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed.



Cottages at Simpson Farm

Arkansas Highway 112

PC Date: 11/7/2023

Staff Report Details

Project Number	LSD23-0041
Applicant / Current Owner	Simpson Family Revocable Trust and Simpson Exempt Trust
Site Area	+/- 50.21 Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Requested Zoning	N/A
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	N/A
Development Type / Use	Multi-Family simulating single-family dwellings
Related projects	N/A

Property Description

Project Details

A large-scale development proposing the development of 322 single-family residences that will all be located on a single lot and will be leased individually. There are one, two, and three-bedroom options, varying throughout the development. All units are proposed to be single-story structures. The development requires 483 parking spaces but is providing almost double that number at 724 parking spaces. There are no garages included with any of the units, only surface parking is provided. Landscaping, grading/drainage, site amenities, and Maser Street Plan improvements are all in compliance with the requirements of the Land Development Code. There are three means of access proposed: two entrances off Scroggins Road and one entrance from Arkansas State Hwy 112. The applicant has chosen to utilize the Special Use Primary Material of fiber cement siding. See attached 3-D renderings, cut sheets, and warranty information regarding the fiber cement siding selected by the applicant.

Additionally, for reference and clarity, the applicant has shown the future proposed alignment of Arkansas Highway 112 and how it will traverse through this development.

Relationship to the General Plan / Projected Traffic Impact

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

The proposed large-scale development meets the minimum requirements of the Land Development Code therefore staff recommends approval of the large-scale development.

Additional Details

This development shall utilize the International Residential Code (IRC) and shall use construction Type VB. The structures proposed within the development shall be classified as single-family dwellings and shall be assessed Impacts as single-family dwellings as follows:

Fire/EMS = \$318.00 per unit
Parks = \$2,192.00 per unit
Library = \$178.00 per unit
Police = \$546.00 per unit
Total Impact Fee = \$3,234.00 per unit

Legend



Pending PC Item

BENTONVILLE

**OZARK
ACRES DR**

AVERIE LN

**CHATTIN
CIR**

W SCOGGINS RD

N MAIN ST HWY 112



LSD23-0041
Cottages at Simpson Farms
AR Highway 112 (SW H St)



NOTES:

1. INSTALL EROSION AND SEDIMENT CONTROL DEVICES AS SOON AS CLEARING AND GRUBBING OPERATIONS ARE BEGUN. SEE EROSION CONTROL PLANS. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND PROTECTED DURING CONSTRUCTION.
2. CONTRACTOR SHALL STRICTLY ADHERE TO CLEARING AND GRUBBING LIMITS UNLESS OTHERWISE INSTRUCTED BY THE ENGINEER. DO NOT PARK VEHICLES OR STOCKPILE MATERIALS WITHIN THE DRIP LINES OF TREES TO REMAIN.
3. ALL DISTURBED AREAS SHALL BE GRASSED AND MULCHED IMMEDIATELY AFTER CONSTRUCTION IS COMPLETED.
4. DIMENSIONS ARE TO FACE OF CURB, RIGHT OF WAY, OR ROADWAY CENTERLINE UNLESS OTHERWISE NOTED.
5. ON SITE PAVEMENT MARKINGS SHALL BE REFLECTIVE PAINT IN ACCORDANCE WITH ARKANSAS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS AND CITY OF BENTONVILLE REGULATIONS. HANDICAP MARKINGS ON PUBLIC RIGHT OF WAY SHALL BE REFLECTIVE THERMOPLASTIC IN ACCORDANCE WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AND CITY OF BENTONVILLE REGULATIONS.
6. PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES. ALSO, PRIOR TO CONSTRUCTION THE CONSTRUCTOR SHALL FILED VERIFY INVERTS OF ALL EXISTING SANITARY SEWER AND STORM SEWER STRUCTURES.
7. DO NOT PERFORM ANY WORK WITHIN HIGHWAY 112 RIGHT OF WAY WITHOUT APPROVED PERMITS FROM THE ARKANSAS DEPARTMENT OF TRANSPORTATION
8. BASED ON THE CITY OF BENTONVILLE GIS MAP, THIS SITE IS LOCATED IN AIRPORT ZONE D (4) TRAFFIC PATTERN ZONE (TP2). THIS PROJECT MEETS THE REQUIREMENTS OF SECTION 2.9 OF THE BENTONVILLE MUNICIPAL AIRPORT MASTER PLAN.
9. ALL SITE LIGHTING SHALL BE "OUT-OFF" OR B-U-G AND HAVE A U RATING OF 0. ALL FIXTURES SHALL HAVE SHIELDS INSTALLED TO DIRECT LIGHTING DOWNWARD AND PREVENT LIGHT TRESPASS. ALL SITE LIGHTING MUST BE APPROVED BY THE PLANNING DEPARTMENT.
10. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNT) SHALL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS THE BUILDING.
11. NO UNIT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL DEVELOPMENTS CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS. ALL ON SITE STREETS AND PARKING AREAS SHALL BE PRIVATE.
12. THE DUMPSTER ENCLOSURES SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDINGS. A DUMPSTER ENCLOSURE DETAIL MUST BE APPROVED BY THE PLANNING DEPARTMENT BEFORE CONSTRUCTION.
13. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
14. NO STRUCTURES SHALL BE CONSTRUCTED IN ANY DRAINAGE EASEMENTS.

ZONING DATA (ZONING: R-3)

LAND USE: MULTI-FAMILY RESIDENTIAL
(UNITS TO BE LEASED)

ZONING REQUIREMENTS:

MINIMUM FRONT SETBACK (20 FEET)
MINIMUM SIDE SETBACK (INTERIOR) (10 FEET)
MINIMUM SIDE SETBACK (EXTERIOR) (20 FEET)
MINIMUM REAR SETBACK (25 FEET)
OFF-STREET PARKING SPACES (3 SPACES FOR EACH TWO DWELLING UNITS)

SITE DATA

UNITS (TOTAL) = 322
A UNITS = 111
B UNITS = 81
C UNITS = 81
D UNITS = 49
SELF SERVICE CAR WASHES = 3 CAR WASHES
TOTAL PARKING SPACES REQUIRED = 483
TOTAL PARKING SPACES PROVIDED = 724
HANDICAP SPACES PROVIDED = 19
TOTAL PROJECT PROPERTY AREA = 49.92 AC.
PROJECT DISTURBED AREA = 41.09 AC.

PROVIDED:

= 20 FEET
= NA
= 10 FEET
= 25 FEET
= 4.50 SPACES FOR EACH TWO DWELLING UNITS

SITE AMENITIES

CENTRALLY LOCATED PARK
DOG PARK
CLUBHOUSE
POOL
WALKING PATH AROUND SITE

LEGEND

- | | |
|----------|---|
| FH | EXISTING FIRE HYDRANT |
| PP | POWER POLE |
| LP | LIGHT POLE |
| UP | UTILITY POLE |
| WV | WATER VALVE |
| ICV | IRRIGATION CONTROL VALVE |
| WM | WATER METER |
| GM | GAS METER |
| GV | GAS VALVE |
| SSMH | SANITARY SEWER MANHOLE |
| CO | SANITARY CLEANOUT |
| SMH | DRAINAGE MANHOLE |
| TR | TELEPHONE RISER SIGN |
| ECM | EXISTING CONCRETE MONUMENT |
| EIP | EXISTING IRON PIN |
| MB | MAILBOX |
| GW | GUY WIRE |
| CR | CABLE RISER |
| FOR | FIBER OPTIC RISER |
| EM | ELECTRIC METER |
| SCM | SET CONCRETE MONUMENT |
| SIP | SET IRON PIN |
| --- | EXISTING GAS MAIN |
| UT | UNDERGROUND TELEPHONE |
| UC | UNDERGROUND CABLE |
| O/E | OVERHEAD CABLE |
| O/E | OVERHEAD ELECTRIC |
| OEC | OVERHEAD ELECTRIC AND CABLE LINE |
| F/O | UNDERGROUND FIBRE OPTIC |
| SS | EXIST. SANITARY SEWER LINE |
| FM | EXIST. SANITARY SEWER FORCE MAIN |
| W | EXIST. WATER MAIN |
| SD | EXIST. STORM DRAIN LINE |
| X | EXISTING TREE LINE/LANDSCAPING |
| X | EXISTING FENCE (WIRE) |
| X | PROPOSED FENCE |
| X | EXISTING FENCE (CHAIN LINK) |
| 325 | EXISTING CONTOUR |
| 325 | PROPOSED CONTOUR |
| PRO W | PROPOSED WATER LINE |
| PRO SS | PROPOSED FIRE HYDRANT ASSEMBLY |
| PRO SS | PROPOSED SANITARY SEWER LINE |
| FM | PROPOSED SANITARY SEWER FORCE MAIN |
| MBL | MINIMUM BUILDING LINE |
| UE | UNDERGROUND ELECTRIC |
| --- | PROPERTY LINE |
| --- | EXISTING EASEMENT LINE |
| --- | PROPOSED EASEMENT LINE |
| --- | EXISTING 48" WATER MAIN |
| --- | CENTERLINE OF ROAD |
| --- | MATCHLINE |
| --- | PROPOSED RIGHT OF WAY |
| --- | PROPOSED SIDEWALK |
| --- | PROPOSED CONCRETE |
| --- | PROPOSED ASPHALT (ON SITE) |
| --- | PROPOSED ASPHALT (IN RIGHT OF WAY) |
| --- | PROPOSED GRAVEL |
| --- | PROPOSED CROSSWALK (SEE DETAILS) |
| --- | FIRE LANE SIGNAGE (COORDINATE SIGN TYPE AND EXACT LOCATIONS WITH FIRE MARSHALL) |
| N.I.C.L. | NOT IN CITY LIMITS |
| C.O.C.S. | CITY OF CAVE SPRINGS |
| C.O.R. | CITY OF ROGERS |

PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: 1"=100'

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:

COB COMMENTS
10/16/23

SITE CONSTRUCTION PLANS FOR
COTTAGES AT SIMPSON FARMS
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS
OVERALL LAYOUT PLAN

NORTHSTAR
ENGINEERING SERVICES
(P)334-673.9895 (F)334-673.1846
2431 Hartford Hwy Dothan, AL. 36305
web: www.northstarengineering.com

AL CERT. OF AUTH.
CA-1896E, CA-0621LS
FL CERT. OF AUTH.
26312-L, 7868-S
GA CERT. OF AUTH.
003129, LSF001156
MS CERT. OF AUTH.
E-00001825
AR CERT. OF AUTH.
4261

**100% PLANS
FOR REVIEW
ONLY**

SHEET **14**
OF **84**

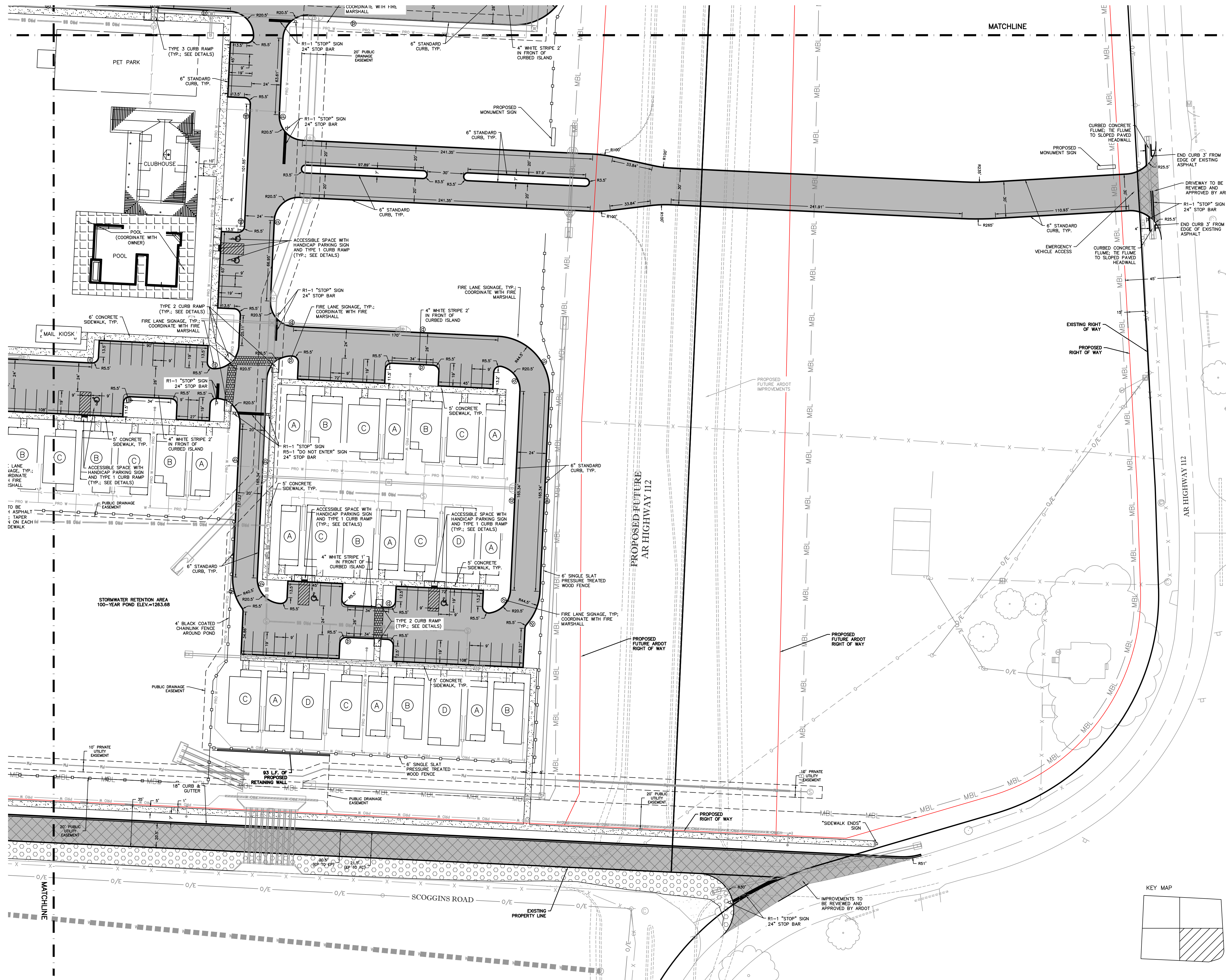
LSD23-0041

TBM #1

AN EXISTING IRON PIN (EIP, 5/8 REBAR, PLS 1439) LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY
N = 727036.0750
E = 656272.9100
ELEV = 1270.955

TBM #2

AN EXISTING IRON PIN (EIP, 5/8 REBAR, PLS 1439) LOCATED ALONG THE NORTH PROPERTY LINE
N = 727053.4360
E = 655983.4950
ELEV = 1273.223



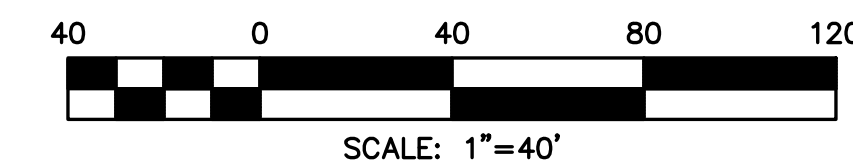
LEGEND

EH	EXISTING FIRE HYDRANT
PP-O	POWER POLE
LP	LIGHT POLE
UP	UTILITY POLE
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
WM	WATER METER
GM	GAS METER
GV	GAS VALVE
SSMH	SANITARY SEWER MANHOLE
CO	SANITARY CLEANOUT
SMH	DRAINAGE MANHOLE
TR	TELEPHONE RISER SIGN
ECM	EXISTING CONCRETE MONUMENT
EIP	EXISTING IRON PIN
MB	MAILBOX
GW	GUY WIRE
CR	CABLE RISER
FOR	FIBER OPTIC RISER
EM	ELECTRIC METER
SCM	SET CONCRETE MONUMENT
SIP	SET IRON PIN
---	EXISTING GAS MAIN
UT	UNDERGROUND TELEPHONE
UC	UNDERGROUND CABLE
O/C	OVERHEAD CABLE
O/E	OVERHEAD ELECTRIC
OEC	OVERHEAD ELECTRIC AND CABLE LINE
F/O	UNDERGROUND FIBER OPTIC
SS	EXIST. SANITARY SEWER LINE
FM	EXIST. SANITARY SEWER FORCE MAIN
W	EXIST. WATER MAIN
SD	EXIST. STORM DRAIN LINE
X	EXISTING TREE LINE/LANDSCAPING
X	EXISTING FENCE (WIRE)
X	PROPOSED FENCE
X	EXISTING FENCE (CHAIN LINK)
325	EXISTING CONTOUR
325	PROPOSED CONTOUR
PRO W	PROPOSED WATER LINE
PRO SS	PROPOSED FIRE HYDRANT ASSEMBLY
PRO SS	PROPOSED SANITARY SEWER LINE
FM	PROPOSED SANITARY SEWER FORCE MAIN
MBL	MINIMUM BUILDING LINE
UE	UNDERGROUND ELECTRIC
---	PROPERTY LINE
---	EXISTING EASEMENT LINE
---	PROPOSED EASEMENT LINE
---	EXISTING 48" WATER MAIN
---	CENTERLINE OF ROAD
---	MATCHLINE
---	PROPOSED RIGHT OF WAY
---	PROPOSED SIDEWALK
---	PROPOSED CONCRETE
---	PROPOSED ASPHALT (ON SITE)
---	PROPOSED ASPHALT (IN RIGHT OF WAY)
---	PROPOSED GRAVEL
---	PROPOSED CROSSWALK (SEE DETAILS)
---	FIRE LANE SIGNAGE (COORDINATE SIGN TYPE AND EXACT LOCATIONS WITH FIRE MARSHALL)

NOTES:

1. INSTALL EROSION AND SEDIMENT CONTROL DEVICES AS SOON AS CLEARING AND GRUBBING OPERATIONS ARE BEGUN. SEE EROSION CONTROL PLANS. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND PROTECTED DURING CONSTRUCTION.
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7. DO NOT PERFORM ANY WORK WITHIN HIGHWAY 112 RIGHT OF WAY WITHOUT APPROVED PERMITS FROM THE ARKANSAS DEPARTMENT OF TRANSPORTATION.

GRID NORTH BASED ON THE ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.



PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: 1"=40'

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:
COB COMMENTS
10/16/23

COTTAGES AT SIMPSON FARMS
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS
LAYOUT PLAN (1 OF 4)

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SHEET 15
OF 84

LSD23-0041

NOTES:

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TBM #1

AN EXISTING IRON PIN (EIP, 5/8 REBAR, PLS 1439) LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY
N = 727036.0750
E = 656272.9100
ELEV = 1270.955

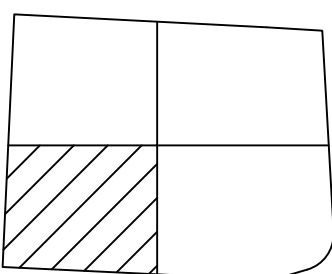
TBM #2

AN EXISTING IRON PIN (EIP, 5/8 REBAR, PLS 1439) LOCATED ALONG THE NORTH PROPERTY LINE
N = 727053.4360
E = 655983.4950
ELEV = 1273.223

LEGEND

- | | |
|--------|---|
| FH | EXISTING FIRE HYDRANT |
| PP | POWER POLE |
| LP | LIGHT POLE |
| UP | UTILITY POLE |
| WV | WATER VALVE |
| ICV | IRRIGATION CONTROL VALVE |
| WM | WATER METER |
| GM | GAS METER |
| GV | GAS VALVE |
| SSMH | SANITARY SEWER MANHOLE |
| CO | SANITARY CLEANOUT |
| SMH | DRAINAGE MANHOLE |
| TR | TELEPHONE RISER SIGN |
| ECM | EXISTING CONCRETE MONUMENT |
| EIP | EXISTING IRON PIN |
| MB | MAILBOX |
| GW | GUY WIRE |
| CR | CABLE RISER |
| FOR | FIBER OPTIC RISER |
| EM | ELECTRIC METER |
| SCM | SET CONCRETE MONUMENT |
| SIP | SET IRON PIN |
| --- | EXISTING GAS MAIN |
| UT | UNDERGROUND TELEPHONE |
| UC | UNDERGROUND CABLE |
| O/C | OVERHEAD CABLE |
| O/E | OVERHEAD ELECTRIC |
| OEC | OVERHEAD ELECTRIC AND CABLE LINE |
| --- | UNDERGROUND FIBRE OPTIC |
| SS | EXIST. SANITARY SEWER LINE |
| FM | EXIST. SANITARY SEWER FORCE MAIN |
| W | EXIST. WATER MAIN |
| SD | EXIST. STORM DRAIN LINE |
| X | EXISTING TREE LINE/LANDSCAPING |
| X | EXISTING FENCE (WIRE) |
| X | PROPOSED FENCE |
| X | EXISTING FENCE (CHAIN LINK) |
| 325 | EXISTING CONTOUR |
| 325 | PROPOSED CONTOUR |
| PRO W | PROPOSED WATER LINE |
| PRO SS | PROPOSED FIRE HYDRANT ASSEMBLY |
| PRO SS | PROPOSED SANITARY SEWER LINE |
| FM | PROPOSED SANITARY SEWER FORCE MAIN |
| MEL | MINIMUM BUILDING LINE |
| UE | UNDERGROUND ELECTRIC |
| --- | PROPERTY LINE |
| --- | EXISTING EASEMENT LINE |
| --- | PROPOSED EASEMENT LINE |
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| --- | PROPOSED ASPHALT (IN RIGHT OF WAY) |
| --- | PROPOSED GRAVEL |
| --- | PROPOSED CROSOWALK (SEE DETAILS) |
| --- | FIRE LANE SIGNAGE (COORDINATE SIGN TYPE AND EXACT LOCATIONS WITH FIRE MARSHALL) |

KEY MAP



GRID NORTH BASED ON THE ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

40 0 40 80 120

SCALE: 1"=40'

PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: 1"=40'

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:
COB COMMENTS
10/16/23

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TBM #1

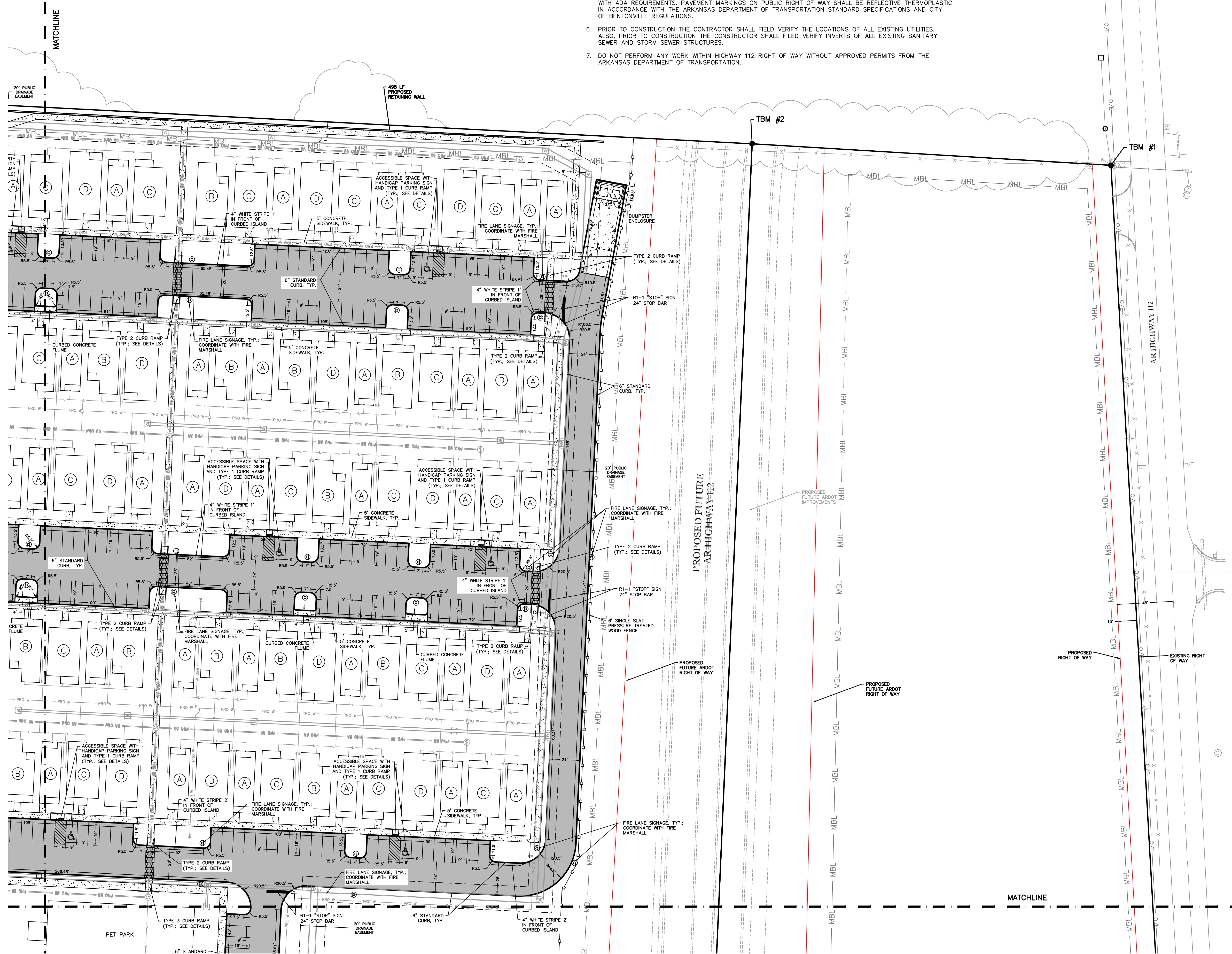
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N = 727036.0750
E = 656272.9100
ELEV = 1270.955

TBM #2

AN EXISTING IRON PIN (EIP, 5/8 REBAR, PLS 1439) LOCATED ALONG THE NORTH PROPERTY LINE
N = 727053.4360
E = 655983.4950
ELEV = 1273.223

NOTES:

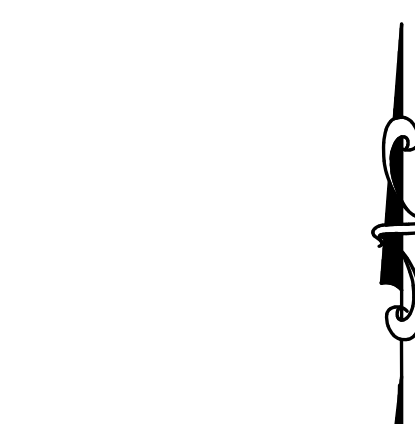
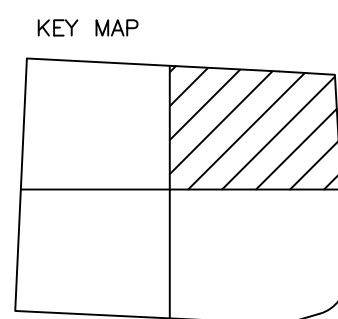
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LEGEND

- FH EXISTING FIRE HYDRANT
- PP POWER POLE
- LP LIGHT POLE
- UP UTILITY POLE
- WV WATER VALVE
- ICV IRRIGATION CONTROL VALVE
- WM WATER METER
- GM GAS METER
- GV GAS VALVE
- SSMH SANITARY SEWER MANHOLE
- CO SANITARY CLEANOUT
- SMH DRAINAGE MANHOLE
- TR TELEPHONE RISER SIGN
- ECM EXISTING CONCRETE MONUMENT
- EIP EXISTING IRON PIN
- MB MAILBOX
- GW GUY WIRE
- CR CABLE RISER
- FOR FIBER OPTIC RISER
- EM ELECTRIC METER
- SCM SET CONCRETE MONUMENT
- SIP SET IRON PIN
- UT UNDERGROUND TELEPHONE
- UC UNDERGROUND CABLE
- O/C OVERHEAD CABLE
- O/E OVERHEAD ELECTRIC
- OEC OVERHEAD ELECTRIC AND CABLE LINE
- UFO UNDERGROUND FIBRE OPTIC
- SS EXIST. SANITARY SEWER LINE
- FM EXIST. SANITARY SEWER FORCE MAIN
- W EXIST. WATER MAIN
- SD EXIST. STORM DRAIN LINE
- ETL EXISTING TREE LINE/LANDSCAPING
- EF EXISTING FENCE (WIRE)
- P PROPOSED FENCE
- EL EXISTING FENCE (CHAIN LINK)
- 325 EXISTING CONTOUR
- 325 PROPOSED CONTOUR
- PRO W PROPOSED WATER LINE
- PRO FH PROPOSED FIRE HYDRANT ASSEMBLY
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- FM PROPOSED SANITARY SEWER FORCE MAIN
- MBL MINIMUM BUILDING LINE
- UE UNDERGROUND ELECTRIC
- PL PROPERTY LINE
- EEL EXISTING EASEMENT LINE
- PEL PROPOSED EASEMENT LINE
- 48 EXISTING 48" WATER MAIN
- CR CENTERLINE OF ROAD
- ML MATCHLINE
- PRO RW PROPOSED RIGHT OF WAY

- PROPOSED SIDEWALK
- PROPOSED CONCRETE
- PROPOSED ASPHALT (ON SITE)
- PROPOSED ASPHALT (IN RIGHT OF WAY)
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- PROPOSED CROSSWALK (SEE DETAILS)
- FIRE LANE SIGNAGE (COORDINATE SIGN TYPE AND EXACT LOCATIONS WITH FIRE MARSHALL)



GRID NORTH BASED ON THE ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
40 0 40 80 120
SCALE: 1"=40'

PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: 1"=40'

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:
COB COMMENTS
10/16/23

COTTAGES AT SIMPSON FARMS
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS
LAYOUT PLAN (3 OF 4)

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NOTES:

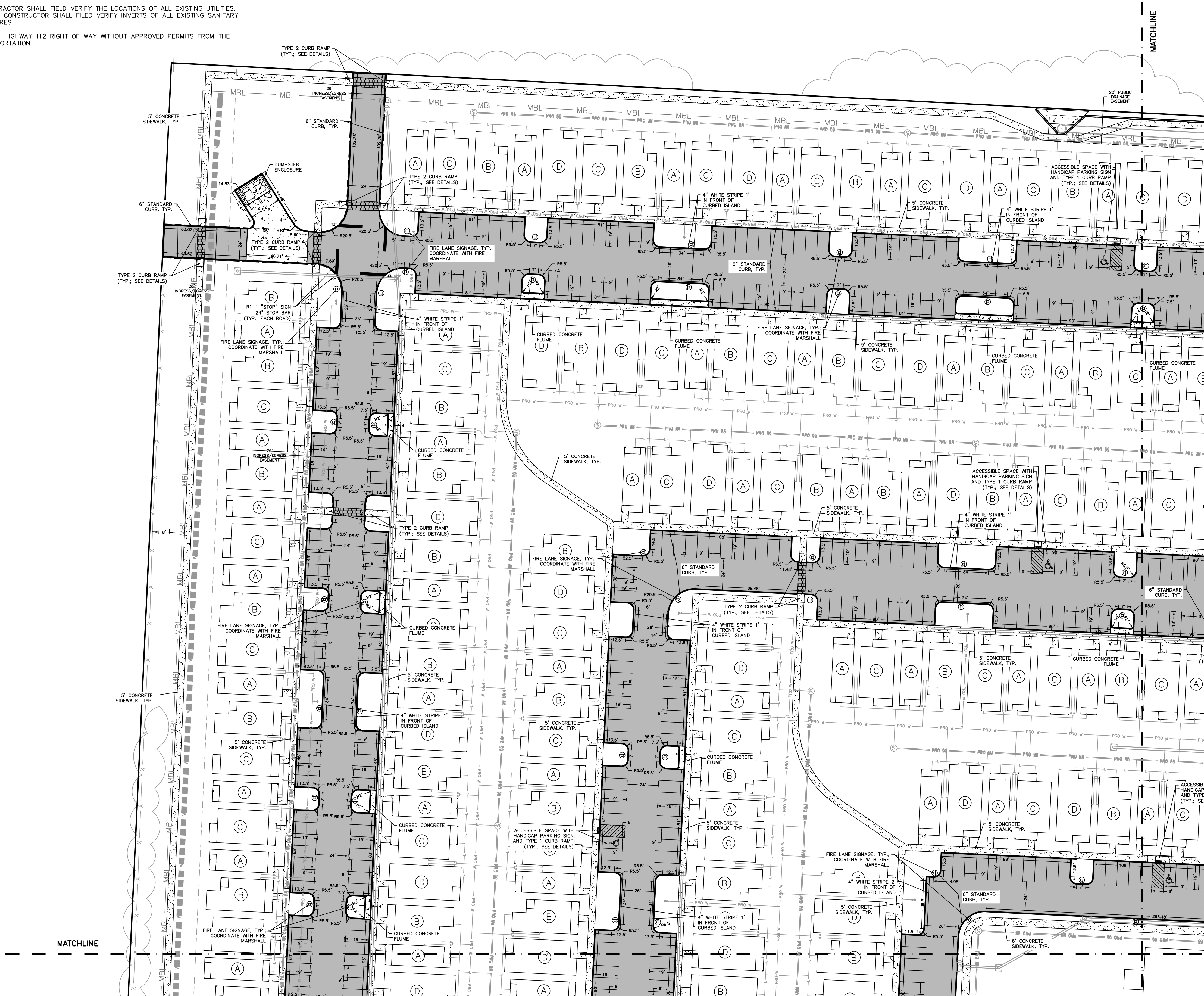
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ELEV = 1270.955

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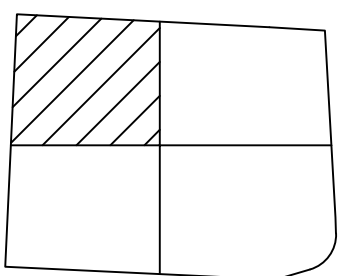


LEGEND

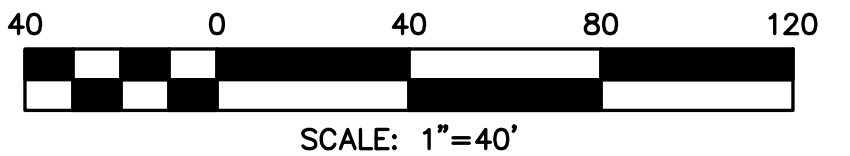
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KEY MAP



GRID NORTH BASED ON THE ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.



PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: 1"=40'

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:

COB COMMENTS
10/16/23

COTTAGES AT SIMPSON FARMS
CITY OF BENTONVILLE
BENTON COUNTY, ARKANSAS
LAYOUT PLAN (4 OF 4)

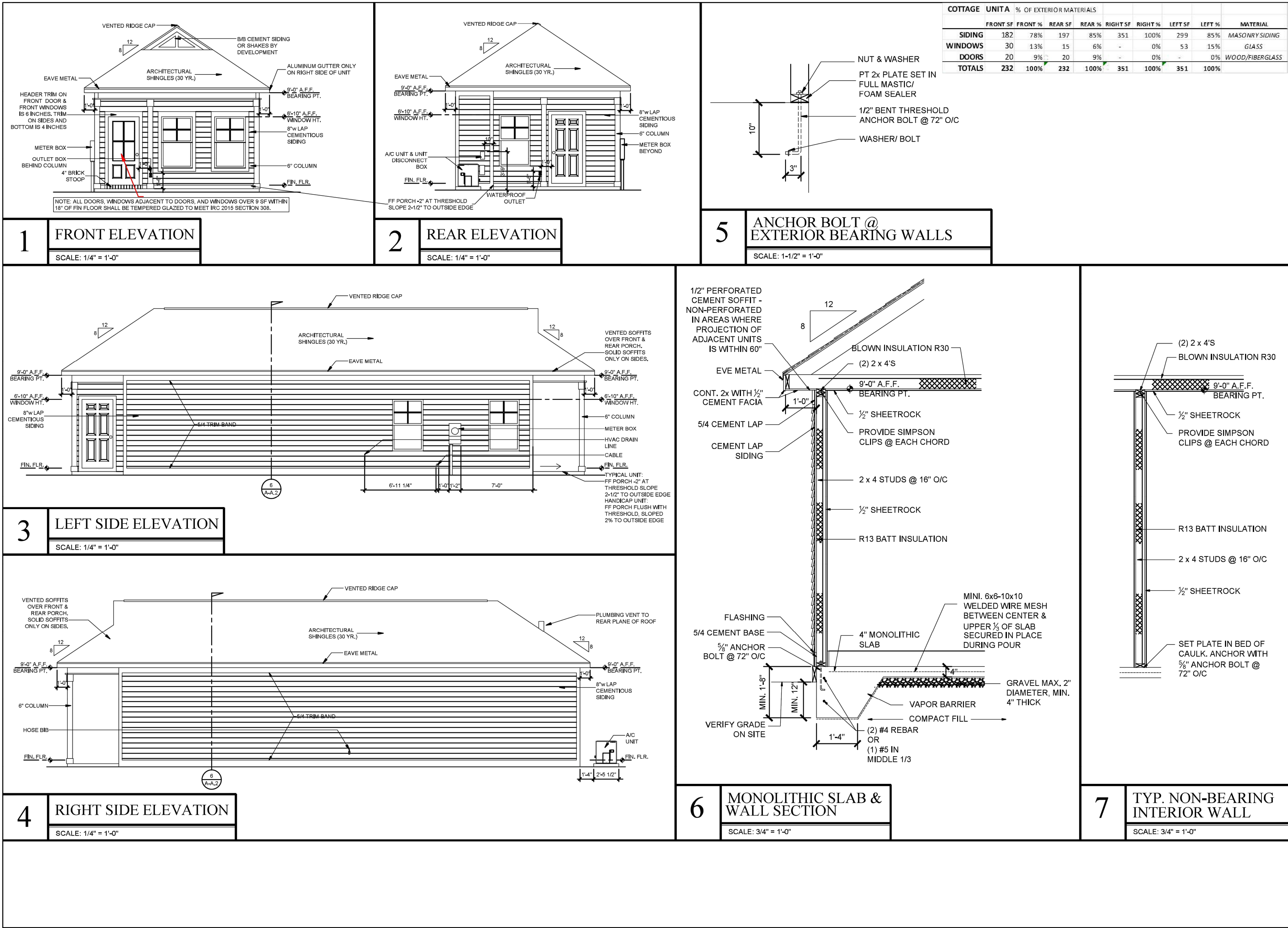
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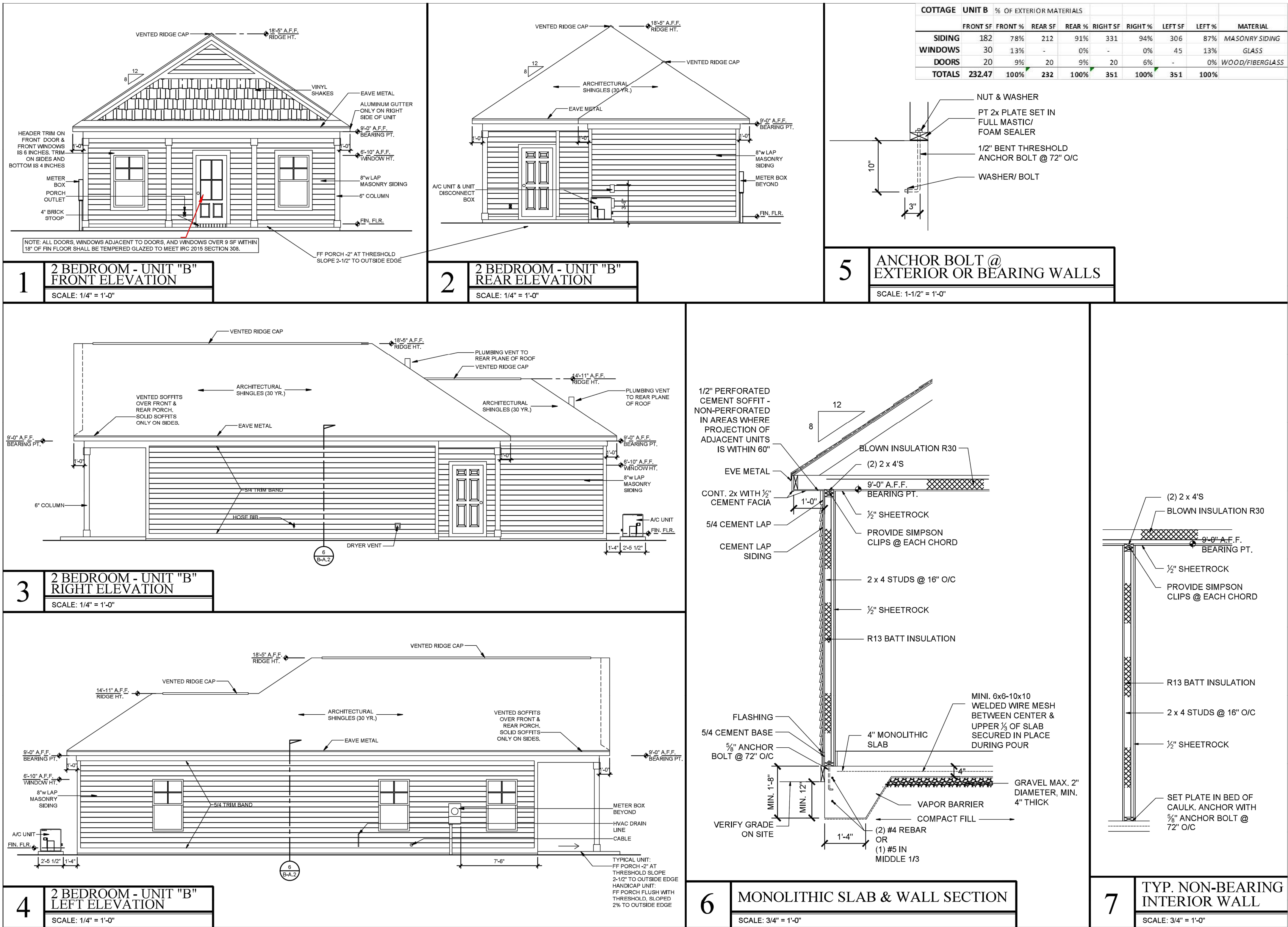
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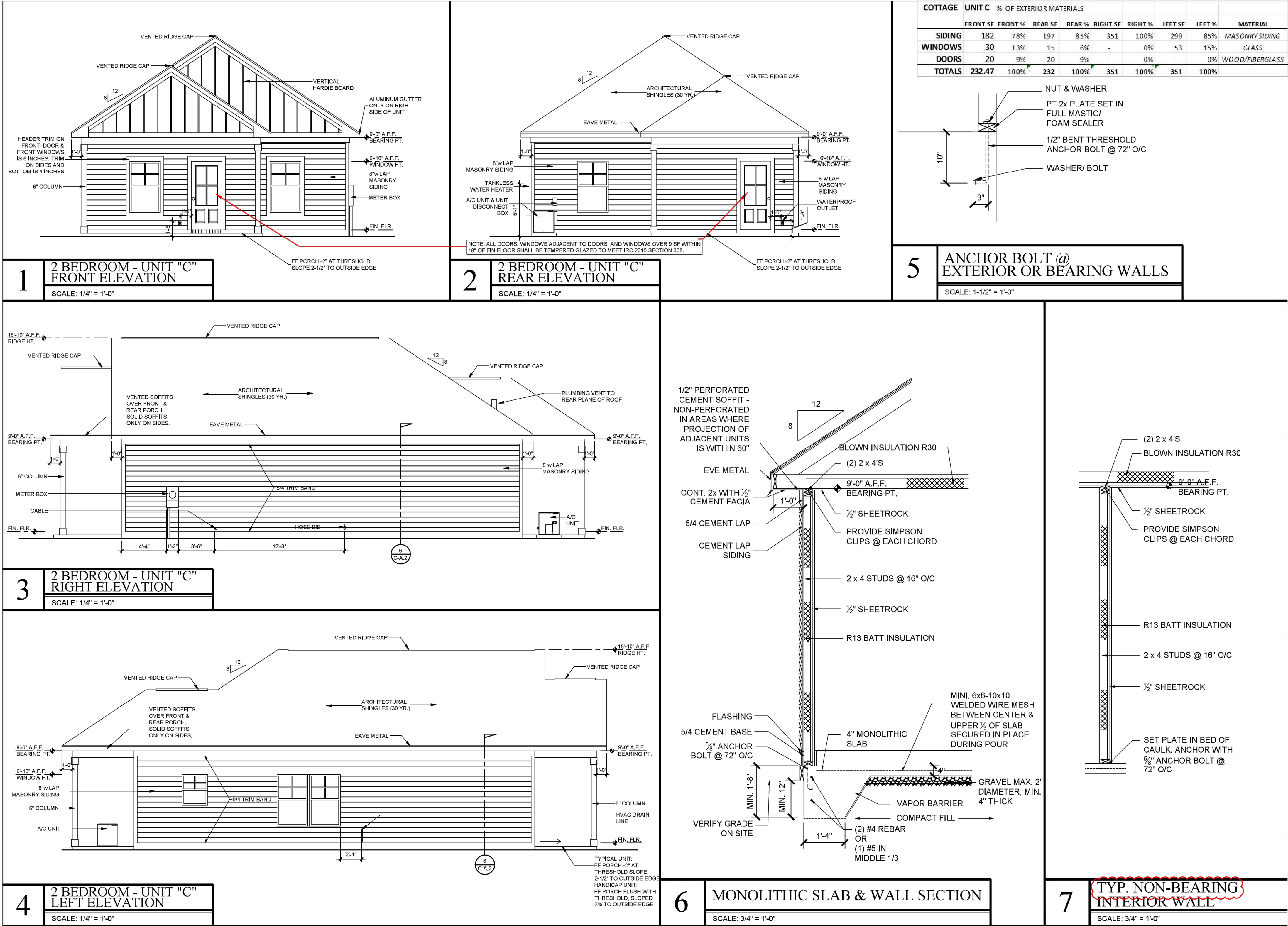
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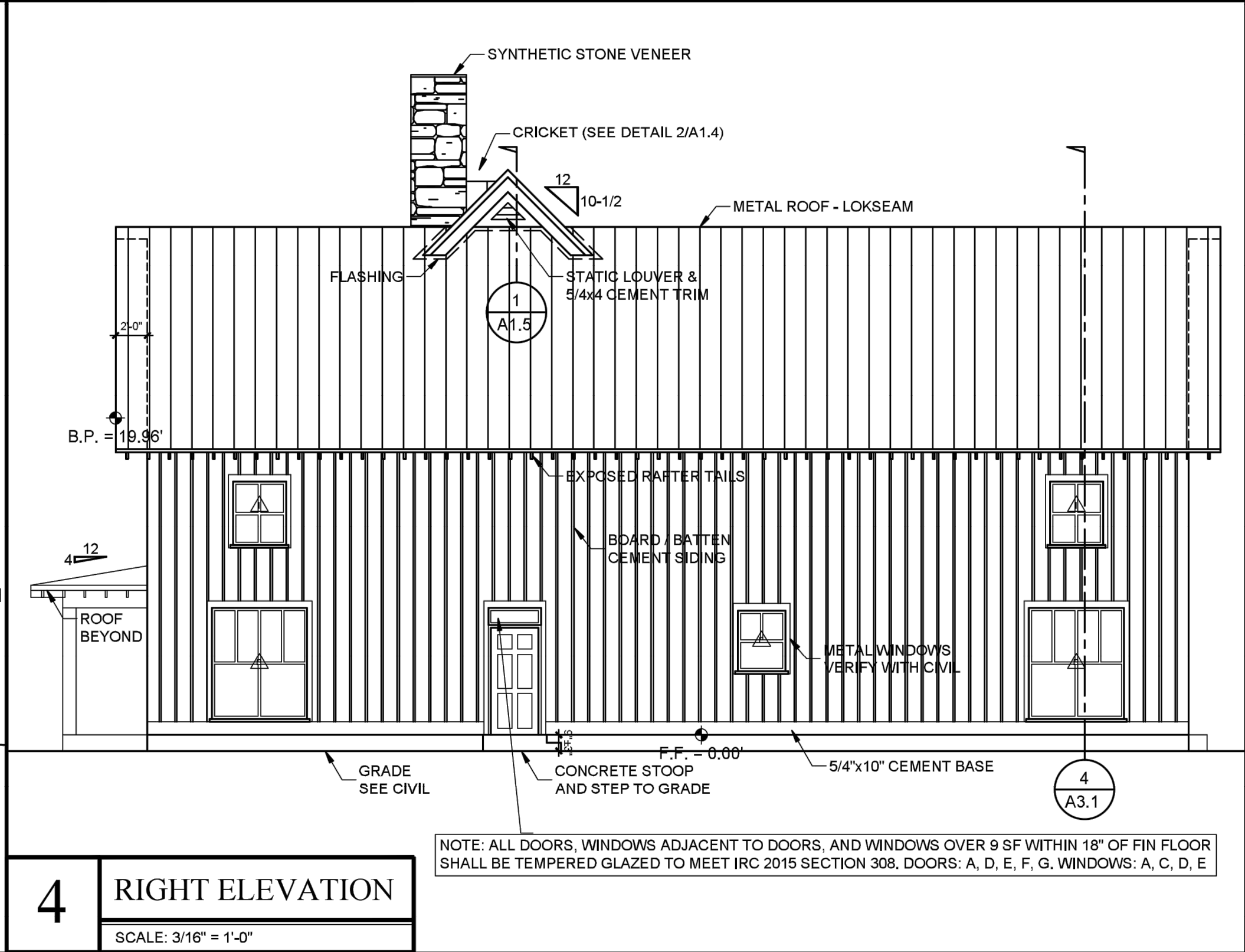
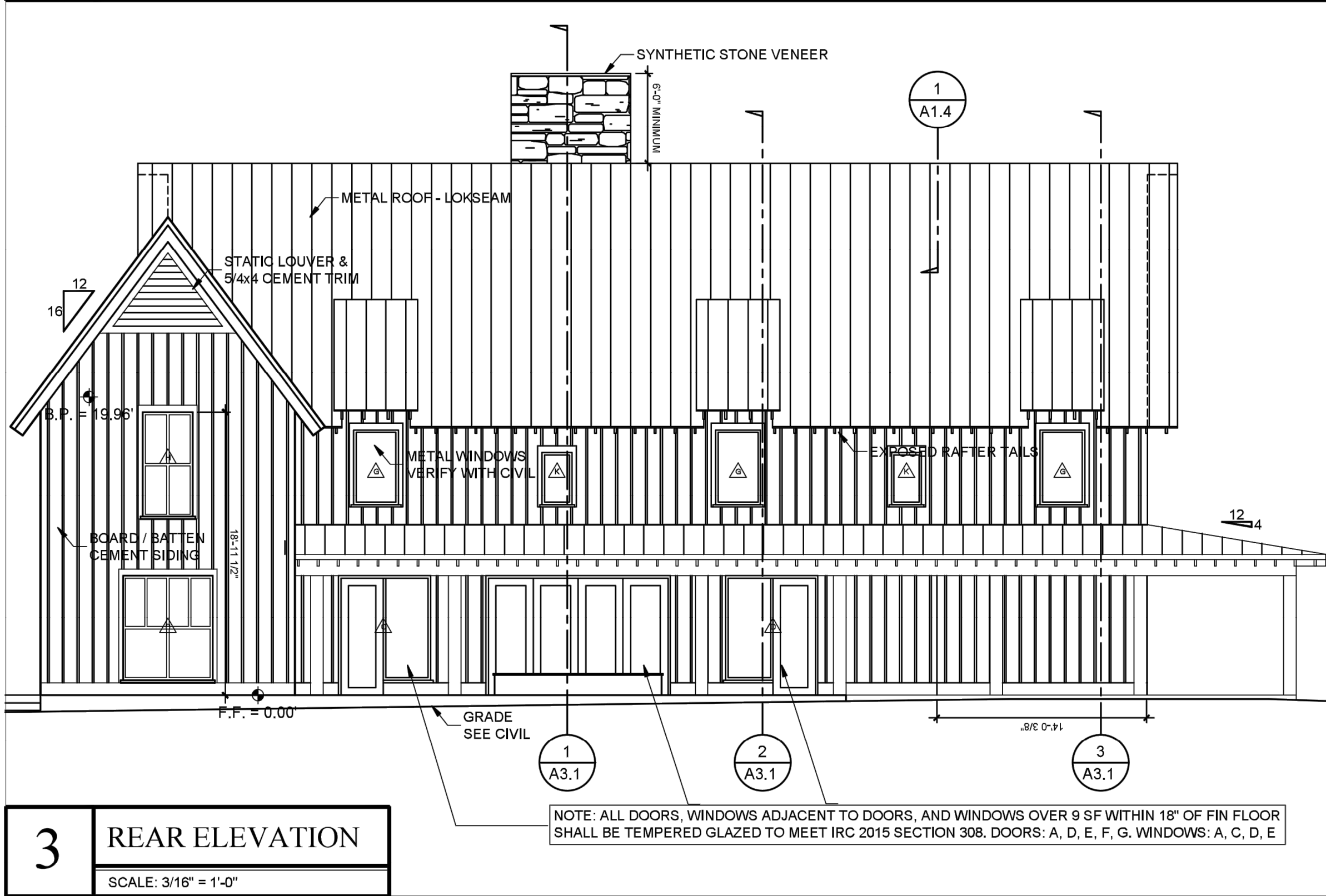
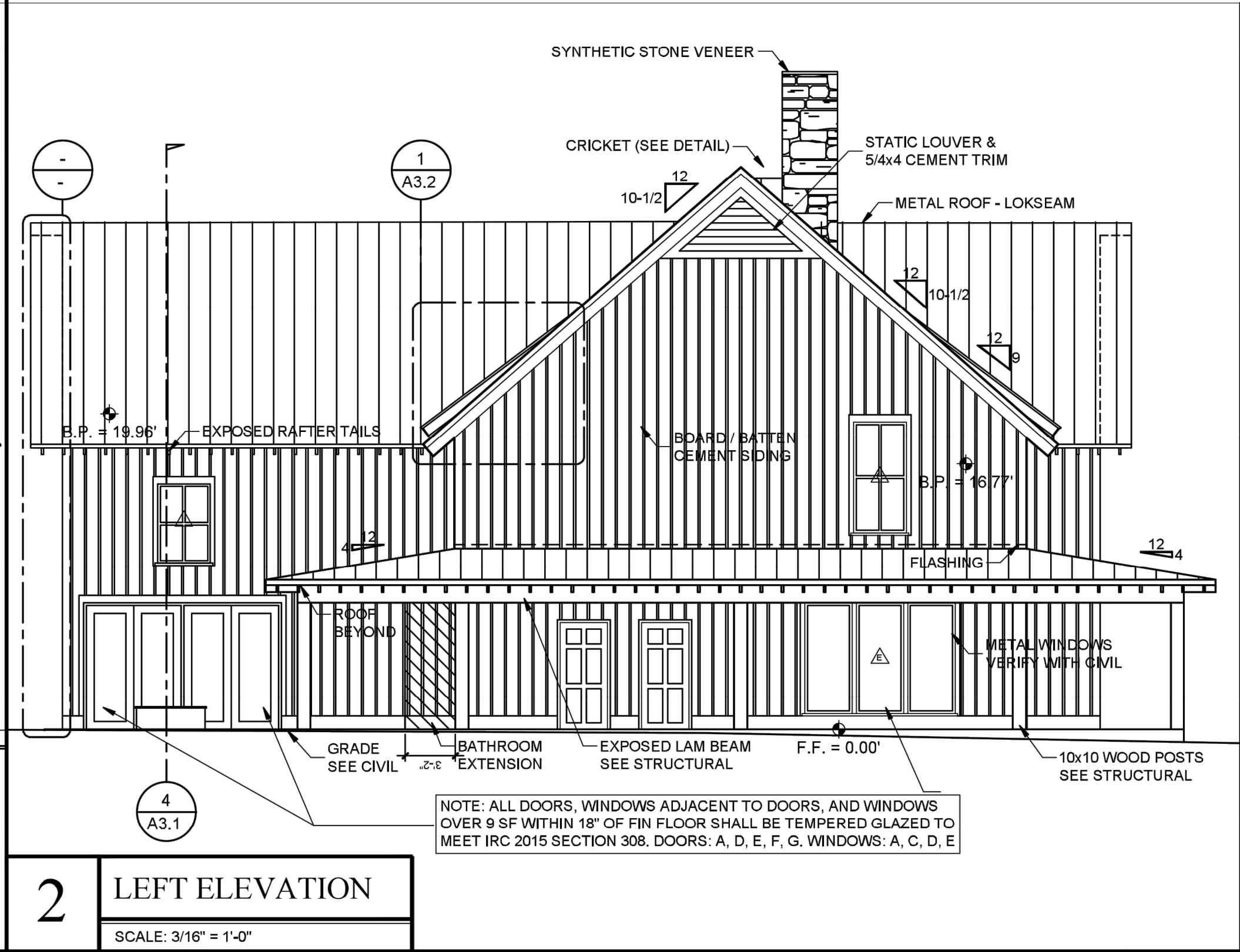
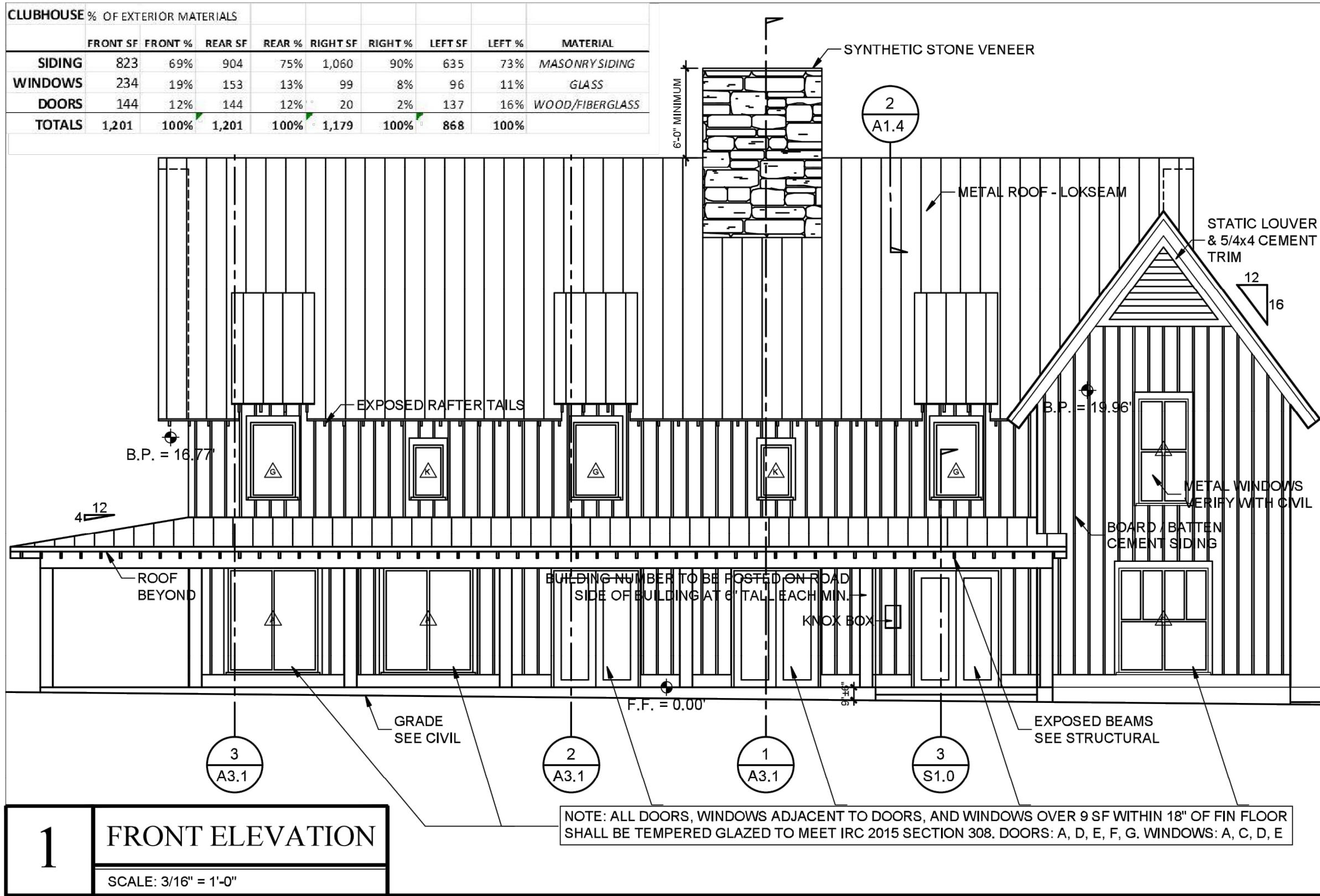


COTTAGE B

NOTE: THESE ARCHITECTURAL DRAWINGS ARE STRICTLY FOR LARGE SCALE DEVELOPMENT APPROVAL AND ARE NOT INTENDED FOR ACTUAL CONSTRUCTION. ALL DRAWINGS ON THIS SHEET ARE NOT TO A SCALE.



CLUBHOUSE % OF EXTERIOR MATERIALS									
	FRONT SF	FRONT %	REAR SF	REAR %	RIGHT SF	RIGHT %	LEFT SF	LEFT %	MATERIAL
SIDING	823	69%	904	75%	1,050	90%	635	73%	MASONRY SIDING
WINDOWS	234	19%	153	13%	99	8%	96	11%	GLASS
DOORS	144	12%	144	12%	20	2%	137	16%	WOOD/FIBERGLASS
TOTALS	1,201	100%	1,201	100%	1,179	100%	868	100%	



CLUBHOUSE

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PROJECT No.
14-2212

DATE: SEPT., 2023
SCALE: N.T.S.

DRAWN BY:
T. SCARBOROUGH

APPROVED BY:
P. SANTORA

REVISIONS:
COB COMMENTS
10/16/23

COTTAGES AT SIMPSON FARMS
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STRUCTURES
ELEVATIONS/RENDERINGS (6 OF 7)

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LSD23-0041



Doaba Investment, LLC

Southwest Regional Airport Boulevard

PC Date: 11/7/2023

Staff Report Details

Project Number	RZ23-0073
Applicant / Current Owner	Doaba Investment, LLC
Site Area	+/- 13.35 Acres
Current Zoning	Planned Unit Development (PUD) Expired
Requested Zoning	R-3, Medium-High Density Multifamily Residential
Current Future Land Use Map Designation	R-E, Residential Estate
Requested Future Land Use Map Designation	High Density Residential
Development Type / Use	Multi Family Residential
Related projects	RZ23-0074 and LS23-0049

Property Description

This property is located along Southwest Regional Airport Blvd. It is currently zoned PUD, Planned Unit Development. The property is presently undeveloped. Adjacent zonings are PUD, Planned Unit Development to the West and North, R-1, Low-density Single-family Residential to the South, and C-2, Commercial and R-3, Medium-High Density Multifamily Residential to the East.

Project Details

Relationship to the General Plan / Projected Traffic Impact

The Future Land Use Plan depicts this property as RE, Residential Estate. Residential estate areas include large detached single-family residential properties at least one acre in size. These areas may also include public uses that support residents. Surrounding Land Use designations include General Commercial, High-Density Residential, Residential Estate, and Low-Density Residential.

Relationship to the General Plan / Projected Traffic Impact

The applicant has requested that this property be amended from Residential Estate to High-Density Residential. High-density residential areas include apartments, condominium buildings, senior housing, and special types of group living. These areas vary greatly in terms of density depending on scale, but typically have at least 12 units per acre. These areas may also have integrated amenities for residents, including local parks, community centers, and resident-oriented commercial uses.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

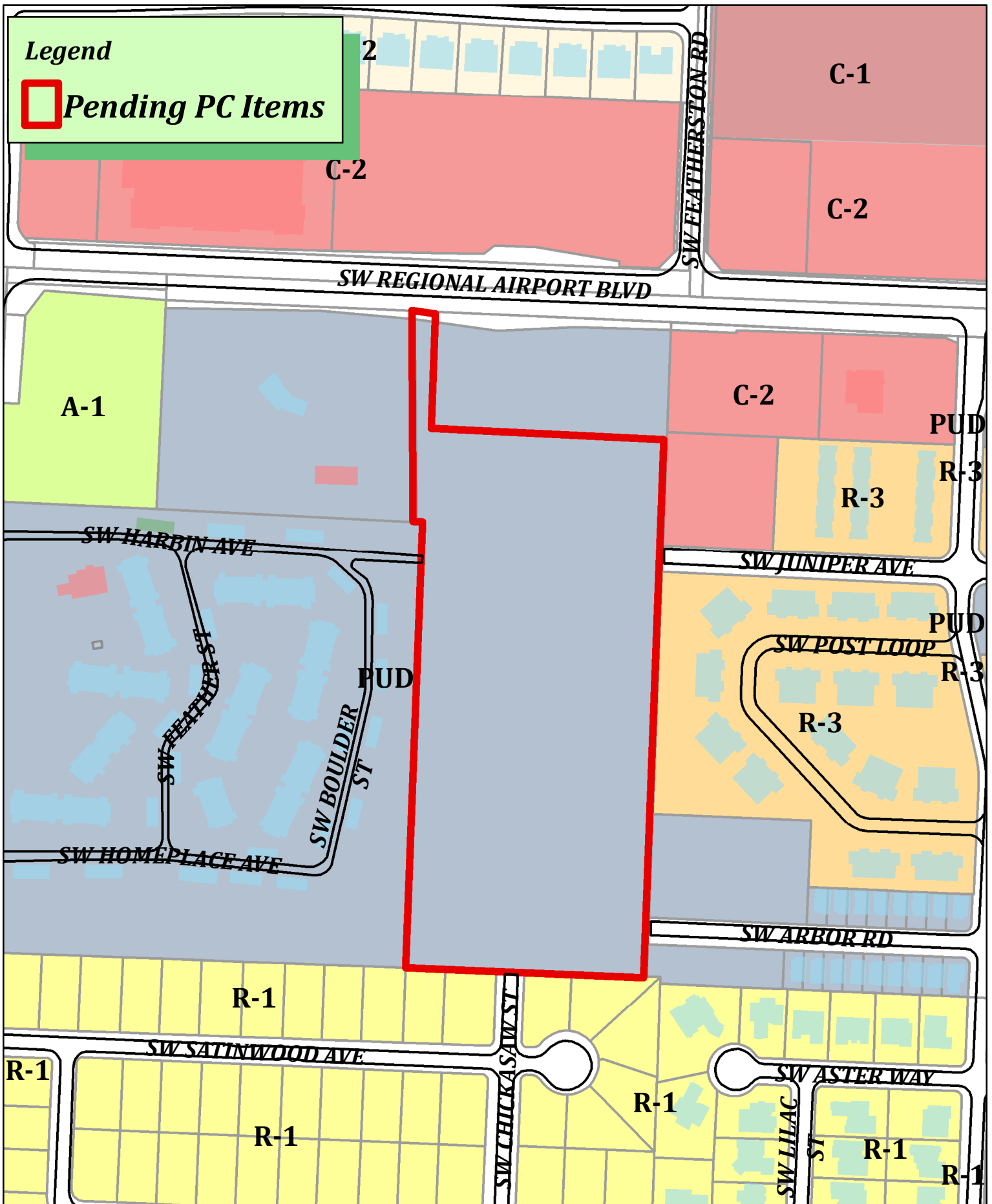
This request is half of a two-part request to rezone all of a single parcel to two separate zoning districts. The Commercial portion of the rezone was approved by the Planning Commission on October 17, 2023. The Planning Commission held the public hearing for the original request for R-4 then tabled the item. The applicant has subsequently modified their application to request a rezone for R-3, Medium-High Density Multifamily Residential.

The proposed zoning is not consistent with the Future Land Use Plan without the approval of the accompanying Land Use Amendment. The proposed zoning and Land Use amendment are both consistent with the existing developed fabric of this corridor, its proximity to both Regional Airport Blvd. and Morningstar Road, both of which are classified as arterials, and the existing density of the east and west neighborhoods.

Conclusion

Given the context of the built environment around this proposal, staff recommends approval of both the Land Use amendment and rezoning request.

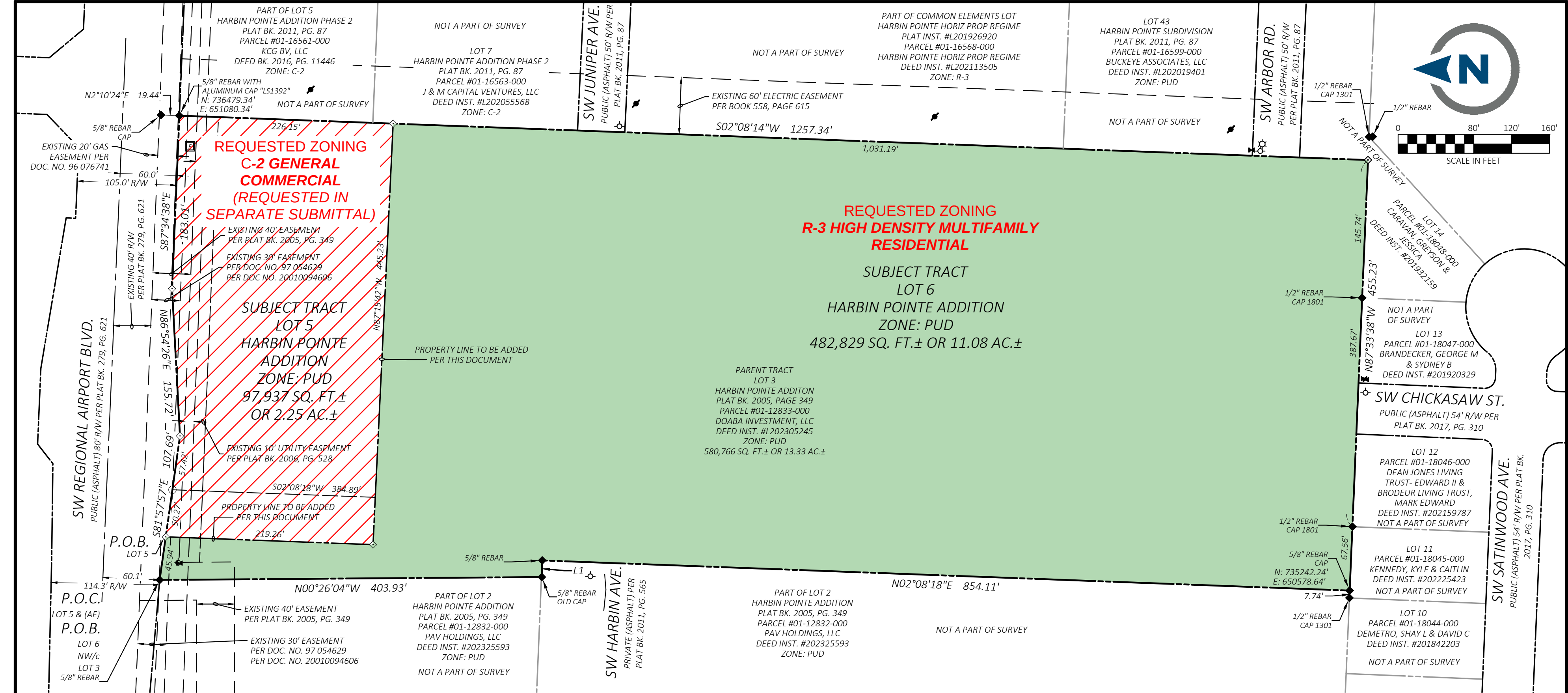
Additional Details



RZ23-0073
Doaba Investment LLC.
PUD to R-3



DRAWING LOCATION - S:\33000\33049\DRAWINGS\SURVEY\WORKING\33049\LS.DWG -- SAVED BY - MKETKEORASMY



Legend

- Boundary Line
- Adjoining Boundary Line
- Right-of-Way Line
- Easement Line
- Centerline
- Bearing & Distance Change
- Drainage Manhole (DMH)
- Fire Hydrant
- Sewer Manhole (SMH)
- Utility Pole
- Electric Riser
- Water Valve
- Light Pole Straight
- Fiber Optic Vault
- Found Monument (As Noted)
- Set 5/8" Rebar "LS#1618"
- Found Nail (As Noted)
- Right-of-Way
- Access Easement

Property Line Table		
Line #	Direction	Length
L1	N88°28'34"W	17.57'

Easement Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
EC1	25.00'	39.01'	89°24'00"	S42°33'42"E	35.17'

Parent Tract Description, per Deed Instrument No. L202305245:

LOT 3 OF THE LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN IN PLAT BOOK 2005, PAGE 349 OF THE RECORDS OF BENTON COUNTY, ARKANSAS.

LESS AND EXCEPT: PART OF LOT 3, LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION AA, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL FOUND AT THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 11; THENCE ALONG THE EAST LINE OF SAID NW1/4 OF THE SE1/4, SOUTH 02°11'01" WEST A DISTANCE OF 45.00 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY HARBIN POINT ADDITION PHASE 2 RECORDED IN PLAT BOOK 2011, PAGE 87 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, NORTH 87°38'54" WEST ALONG SAID SOUTHERN RIGHT OF WAY A DISTANCE OF 25.72 FEET TO THE EAST LINE OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE, SOUTH 02°08'59" WEST A DISTANCE OF 14.42 FEET TO THE SOUTHERN RIGHT-OF-WAY OF HIGHWAY 12 AS ESTABLISHED BY AHTD JOB 090251; THENCE ALONG SAID SOUTHERN RIGHT OF WAY THE FOLLOWING BEARING AND DISTANCES: NORTH 87°33'55" WEST A DISTANCE OF 182.95 FEET; SOUTH 86°54;26" WEST A DISTANCE OF 155.72 FEET; NORTH 81°58'01" WEST A DISTANCE OF 153.76 FEET TO THE WEST LINE OF SAID LOT 3; THENCE ALONG SAID WEST LINE, NORTH 00°26'04" WEST A DISTANCE OF 16.73 FEET TO THE SOUTHERN RIGHT OF WAY OF HIGHWAY 12 AS ESTABLISHED BY LOT SPLIT OF LOTS 1-4 HARBIN POINTE ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, PLAT BOOK 2005, PAGE 349 AS FILED IN BENTON COUNTY; THENCE ALONG SAID SOUTHERN RIGHT OF WAY SOUTH 87°38'54" EAST A DISTANCE OF 491.73 FEET; THENCE ALONG SAID SOUTHERN RIGHT OF WAY, SOUTH 02°08'59" WEST A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING, AS SHOWN ON AHTD PLANS, REFERENCED AS JOB 090251.



ATLAS PAGE: 483

City of Bentonville Project #

State Survey Code: 500-19N-31W-0-11-140-04-1618



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

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Lot Split of Part of Lot 3
SW Regional Airport Boulevard
Bentonville, Benton County, Arkansas

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

PROFESSIONAL OF RECORD	DGR
DESIGNER	MEK
FIELD WORK	KTC
CEI PROJECT NUMBER	33049
DATE	9/8/2023
REVISION	REV-0

Lot Split Sheet

SHEET TITLE
SHEET NUMBER

2 OF 2

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

PUD, Planned Unit Development

to

R-4 High Density Multifamily Residential

The legal description of the property is as follows:

See attached

The common description of the property is: Rear Lot of SW Regional Airport Blvd (Southwest of Featherston Rd)

Proposed land use: High Density Residential

The public hearing will be held October 17, 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 and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

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

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

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

3004 SW
Satinwood Ave
Bentonville, AR 72713

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC

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

PUD, Planned Unit Development

to

R-4 High Density Multifamily Residential

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

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

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

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

① Safety due to increased traffic from high density housing. ② Privacy & Quiet Enjoyment - A 25ft setback on a building up to 50ft is not sufficient to maintain privacy. All of our patios back up to property line and were not designed to mitigate against R4 zoning to the rear. ③ Property Value Impacts ④ Water Flow Disruptions ⑤ Utilities strain

J. L. Lam 2902 SW Satinwood Cv, Bentonville, AR 72713
Signature and Physical Address

J. L. Lam 2902 SW Satinwood
Signature and Physical Address CV

Bentonville AR
72713



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

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

October 26, 2023

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

RE: Bentonville Parcel 01-12833-000 Rezoning Application

Dear Planning Commission:

Please accept this narrative letter to accompany a request by Doaba Investment LLC, owner of real property located in the City of Bentonville, Benton County parcel 01-12833-000 (13.35± acres). The requested rezone is for the southern 11.08± acres of the aforementioned parent tract from PUD *Planned Unit Development* to R-3, *Medium-High Density Multifamily Residential* (See pdf of Rezone Map for proposed lot area). The parcel is on the southwest corner of SW Regional Airport Blvd and SW Featherston Rd. Development of the property is anticipated by the current owner.

Pending approval of this rezoning request, a proposed development plan will be submitted to address details of construction. It will be consistent with the allowable uses under the current city of Bentonville zoning code for the proposed district. Zoning of the subject tract as R-3 uses will be compatible with the surrounding neighborhood as a buffer from C-2 to the north (RZ23-0074) and east along SW Regional Airport Blvd, R-3 townhomes to the east, R-1 subdivision to the south, and a PUD with multifamily to the west. The multifamily development intends to provide a transition between the commercial frontage along Airport Blvd and the single family to the south. Multifamily exists on both the east and west sides of the proposed R-3.

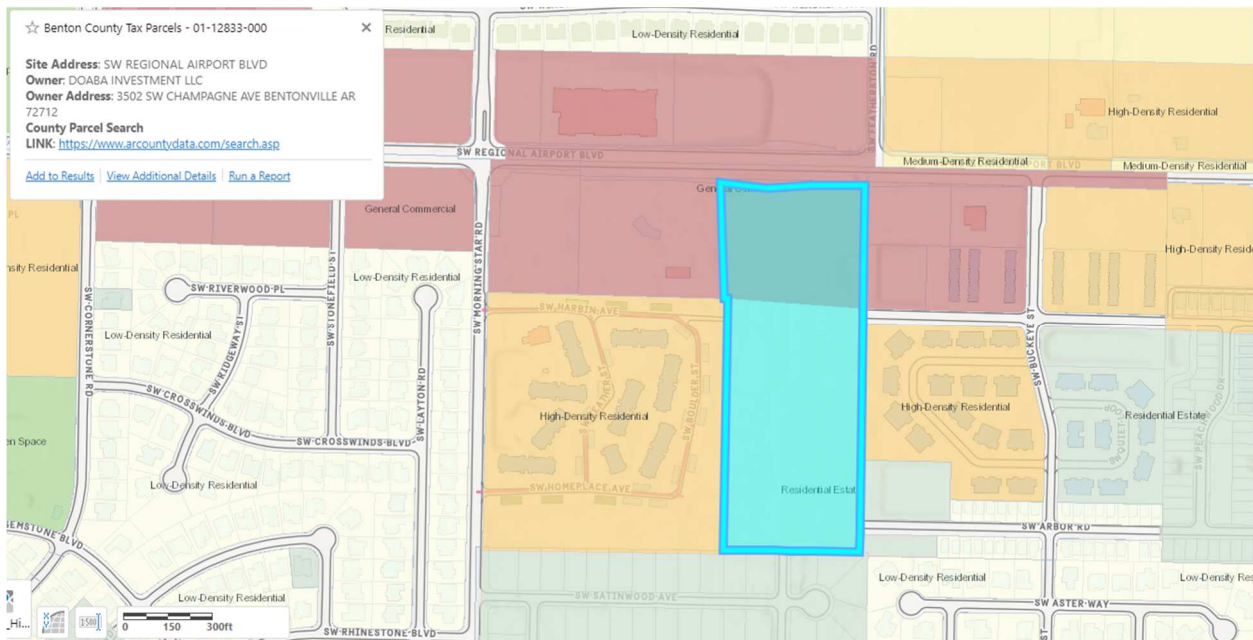
Access to this development will be provided by the existing street network (public connections are available at SW Regional Airport Blvd, SW Juniper Ave, SW Arbor Rd, SW Chickasaw St; private connection at SW Harbin Ave) with parking counts to meet code requirements. An increase of traffic can be expected from the development of the commercial property and apartments, which is being analyzed in a traffic study. All necessary utilities for the proposed development are available with an 18" water line and 12" gravity sewer along Airport Blvd or by existing connections adjacent to the subject tract (four 8" water connections and two 8" gravity sewer connections); a sewer capacity study is also anticipated for the forthcoming development plans. Signage is anticipated for the development.

(See next page for Land Use Amendment)

RE: Bentonville Parcel 01-12833-000 Rezoning Application: Land Use Amendment

Dear Planning Commission:

Please accept this narrative letter to satisfy the requirements of Ordinance 2021-94 regarding rezoning requests when such request is inconsistent with the future land use plan map. On behalf of Doaba Investment LLC, CEI has submitted a request for rezoning of parcel 01-12833-000 requesting R-3 Zoning with *High Density Residential* land use where the future land use plan map shows *General Commercial* frontage with *Residential Estate* land use to the south (See pdf of Rezone Map for proposed R-3 / High Density Residential land use area). The property is planned for development by the current owner with commercial frontage along SW Regional Airport Blvd and multifamily to the south – more information is provided in the Rezoning Narrative. If the commission finds the rezoning request in keeping with the highest and best use of the land, we also ask for the land use plan to be amended as noted for consistency with that zoning.



Thank you for your time and consideration in this matter.

Respectfully submitted,
CEI Engineering Associates, Inc.

Chad Caletka, Project Manager

R223-0073
(3)

NOTICE OF INTENT TO REZONE

CEI Engineering on behalf of Doaba Investment, LLC

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

PUD, Planned Unit Development

to

R-4 High Density Multifamily Residential

The legal description of the property is as follows:

See attached

The common description of the property is: Rear Lot of SW Regional Airport Blvd (Southwest of Featherston Rd)

Proposed land use: High Density Residential

The public hearing will be held October 17, 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 and deliver it to the City of Bentonville Planning Department, 305 S.W. A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.).

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

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

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Concerned specifically with rezoning to "high density" because of (1) lack of privacy given potential height of building and proximity to my home, (2) increased traffic and noise, and (3) potential storm water runoff risk with paved streets (property already has significant runoff)

Andres Contreras
Signature and Physical Address

2900 SW Satinwood Cr, Bentonville, AR 72713
Signature and Physical Address

* Note: Would be more open to lower density zoning, as long as there is some separation (eg, street) between that property and my fence.

RESOLUTION NO. _____

**A RESOLUTION AMENDING THE CITY OF BENTONVILLE FUTURE LAND USE
MAP FOR A SPECIFIC AREA FROM RESIDENTIAL ESTATE TO HIGH-DENSITY
RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0073)**

WHEREAS, Doaba Investment, 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 RESIDENTIAL ESTATE to HIGH-DENSITY RESIDENTIAL, which property is described as follows:

A PART OF LOT 3 OF THE LOT SPLIT OF LOTS 1-4, HARBIN POINTE ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2005, PAGE 349, BEING A PORTION OF LAND CONVEYED TO DOABA INVESTMENT, LLC, DESCRIBED IN DEED INSTRUMENT NO. L202305245 AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 5/8" REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 3;THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SW REGIONAL AIRPORT BOULEVARD, SOUTH 81°57'57" EAST, 45.94 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°08'16" WEST, 219.26 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE SOUTH 87°15'42" EAST, 445.23 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE SOUTH 02°08'14" WEST, 1,031.19 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE NORTH 87°33'38" WEST, CROSSING A 1/2" REBAR WITH CAP STAMPED "1801" FOUND AT A DISTANCE OF 145.74, AND CROSSING A 1/2" REBAR WITH CAP STAMPED "1801" FOUND AT A DISTANCE OF 387.66 FEET, FOR A TOTAL DISTANCE OF 455.23 FEET TO A FOUND 5/8" REBAR WITH CAP;THENCE NORTH 02°08'18" EAST, 854.11 FEET TO A FOUND 5/8" REBAR;THENCE NORTH 88°28'34" WEST, 17.57 FEET TO A FOUND 5/8" REBAR WITH OLD CAP;THENCE NORTH 00°26'04" WEST, 403.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 482,829 SQUARE FEET OR 11.08 ACRES, MORE OR LESS.;

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF PUD, PLANNED
UNIT DEVELOPMENT TO R-3, MEDIUM-HIGH DENSITY MULTIFAMILY
RESIDENTIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER:RZ23-0073)**

WHEREAS, Doaba Investment, 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 PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

A PART OF LOT 3 OF THE LOT SPLIT OF LOTS 1-4, HARBIN POINTE ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 2005, PAGE 349, BEING A PORTION OF LAND CONVEYED TO DOABA INVESTMENT, LLC, DESCRIBED IN DEED INSTRUMENT NO. L202305245 AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 5/8" REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 3;THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SW REGIONAL AIRPORT BOULEVARD, SOUTH 81°57'57" EAST, 45.94 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 02°08'16" WEST, 219.26 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE SOUTH 87°15'42" EAST, 445.23 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE SOUTH 02°08'14" WEST, 1,031.19 FEET TO A SET 5/8" REBAR WITH CAP STAMPED "LS#1618";THENCE NORTH 87°33'38" WEST, CROSSING A 1/2" REBAR WITH CAP STAMPED "1801" FOUND AT A DISTANCE OF 145.74, AND CROSSING A 1/2" REBAR WITH CAP STAMPED "1801" FOUND AT A DISTANCE OF 387.66 FEET, FOR A TOTAL DISTANCE OF 455.23 FEET TO A FOUND 5/8" REBAR WITH CAP;THENCE NORTH 02°08'18" EAST, 854.11 FEET TO A FOUND 5/8" REBAR;THENCE NORTH 88°28'34" WEST, 17.57 FEET TO A FOUND 5/8" REBAR WITH OLD CAP;THENCE NORTH 00°26'04" WEST, 403.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 482,829 SQUARE FEET OR 11.08 ACRES, MORE OR LESS.;

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

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY 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 PUD, PLANNED UNIT DEVELOPMENT to R-3, MEDIUM-HIGH DENSITY MULTIFAMILY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Consent Agenda Item

For the Planning Commission meeting on November 7, 2023

Details

Upon review of the ETJ Ordinance, the Code Review Committee recommends the ordinance be adopted as presented for the following considerations:

1. Large-scale developments that would be at a scale to warrant design standards will likely need access to public infrastructure. Should any proposed large-scale development in the ETJ gain access to City infrastructure, through either annexation or out-of-town service agreements, needed design standards may be enforced.
2. Building typologies and uses commonly found in the County, including barns, chicken coops, and other agricultural uses; campgrounds and other recreational uses; sawmills, concrete plants, and other industrial uses; and home-based or small businesses; among other buildings and uses, would be overly burdened by design standards considering their practical designs, intended societal function, and appropriateness in being located in rural and undeveloped areas.
3. As evidenced by the large number of remnant properties that are surrounded by the City of Bentonville but not yet annexed in, there is no inevitability that any of the properties in the ETJ will subsequently become part of the City in the near term. Some existing remnant properties have been surrounded by the City's boundary for decades.
4. Lastly, consider what benefit or service, or lack thereof, that property owners in the ETJ are receiving back from the City for providing structures at the same design standards and cost as structures within the City limits, which benefit from City infrastructure and are located in highly developed areas.

While the committee agrees that it is important to plan for the future development of the City into the ETJ, this can adequately be accomplished through the enforcement of subdivision regulations and other site criteria such as access and stormwater management in addition to utilizing out-of-town service agreements to add in design standards where necessary. This ordinance would be codifying our existing practices and would support planning efforts at a broader, rather than granular, scale in the ETJ.



Development in Planning Boundary

PC Date: 9/5/2023

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Type	Amendment
Code Impacted	Land Development Code
Section(s)	Sec. 700; Sec. 1100.21
Recommendation	APPROVAL

Issue Statement

Bentonville Municipal Code Appendix B Land Development Code does not specify the review process for large-scale development in the planning boundary. Clear delineation of when and what process is applied to development in the planning boundary is necessary for enforcement purposes.

History

Arkansas State Statute 14-56-413 Territorial Jurisdiction authorizes municipalities to designate areas within its territorial jurisdiction for which it will prepare plans, ordinances and regulations. This area is known as the Planning Boundary. Bentonville's most recent Planning Boundary was adopted on July 12, 2022 with Resolution No. 2-12-22A and the attached Planning Area Map which is on file with the Benton County Clerk's Office.

The applicability regarding subdivision is clear within the Land Development Code but is not clearly stated regarding large scale development.

Proposed Changes

In the Land Development Code the following amendments are proposed:

- Require a large-scale development in the Planning Boundary.
- Allow administrative approvals for all development types in the Planning Boundary.
- Development in the Planning Boundary must meet Benton County requirements for a building permit.
- Exempt large-scale developments in the Planning Boundary from Sec. 1100.21 Large-scale Development Design Standards.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE
APPENDIX B LAND DEVELOPMENT CODE, SEC. 700 AND 1100
TO IDENTIFY REGULATIONS APPLICABLE IN THE
CITY'S PLANNING AREA; AND FOR OTHER PURPOSES.**

WHEREAS, Arkansas State Statute 14-56-413 Territorial Jurisdiction authorizes municipalities to designate areas within its territorial jurisdiction for which it will prepare plans, ordinances and regulations; this area is known as the Planning Boundary;

WHEREAS, the statute requires the planning commission to designate this Planning Boundary and file with the city clerk and county clerk;

WHEREAS, Bentonville's most recent Planning Boundary was adopted on July 12, 2022 with Resolution No. 2-12-22A and the attached Planning Area Map which is on file with the Benton County Clerk's Office; and

WHEREAS, Bentonville Municipal Code Appendix B Land Development Code does not specify the review process for large-scale development in the planning boundary.

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 should be and is hereby amended with *Att. A: Development in Planning Boundary*, an electronic copy and hard copy of which is on file with the City Clerk and is hereby adopted by reference as though it were copied herein fully.

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

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders, or parts thereof, which are in conflict herewith, are hereby repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2023.

APPROVED:

Attachment A: Development in
Planning Boundary

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

Attachment A: Development in
Planning Boundary

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

Any section(s) not included in this attachment remain as currently approved.

Sec 700.01 Applicability Of Large-Scale Development Regulations

- (a) Plan required. In the city limits and within the planning area, Aa large scale development plan shall be submitted to the planning commission for all developments, building construction, parking lots, and trail construction regardless of zone and for all additions and improvements to existing developments, buildings, parking lots or trails regardless of zone. Single-family and duplex residential construction is specifically exempted from this requirement. Trails and parking lots constructed as part of an approved large-scale development or preliminary plat shall not be required to submit separate large-scale development application. This shall not apply to interior remodels or general upkeep and maintenance of an existing structure.
- (b) Approval required. No building permit shall be issued and no temporary or permanent connection to city utilities shall be allowed until the development plan has been approved as set forth in this article. No permanent connection to city utilities shall be allowed until the chief building inspector has certified compliance with the approved development plan.

Sec 700.04 Review And Approval Of Large-Scale Developments

- (a) *Administrative approval.*
- (1) *Applicability.* The director may administratively approve:
- a. *Residential.* Any residential development not exceeding four (4) family units; ~~or~~
 - b. *Nonresidential.* Any nonresidential alteration or extension not exceeding 50% of the gross floor area of the existing structure. Only one (1) such alteration or extension to a structure may be approved by the director.
 - c. *Trails.* Any trail proposed to be constructed that is not part of an existing large-scale development.
 - d. *Parking lots.* Any parking lot proposed to be constructed or existing gravel parking lots to be paved.
 - e. Planning Boundary. Any residential development exceeding four (4) units or nonresidential development within the Planning Boundary.
- (2) *Staff action.* Within ten (10) days of receipt of the complete development, landscape and construction plans, the Director shall approve, disapprove or approve with conditions said plans, after all reviewing departments have approved the plans.

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- a. *Approved.* If the director approves the plans, the applicant may apply for a building permit. If the project is located within the Planning Boundary, the applicant may apply for necessary permits with Benton County.
 - b. *Approved with conditions.* If the plans are approved with conditions, the conditions shall be set forth in written form to the developer. The signature of the developer on the form setting forth the conditions of approval shall be deemed his agreement to comply with said conditions.
 - c. *Disapproved.* If the plans are disapproved, the reasons for such action shall be reduced to written form and supplied to the developer.
- (3) *Additional review.* If the director determines that there is a necessity of transmitting the plans to outside sources for additional comment or in-depth study, he shall notify the developer in writing within the ten-day period that a decision will not be made within the ten-day period, what the reasons are for the delay and the date at which a decision can be expected. A copy of said letter shall be sent the chairman of the planning commission. If the developer objects to such an extension, said objection shall be heard as a priority item at the next regular planning commission meeting.
- (4) *Approval signatures.* All staff approvals to any development plan shall be signified by the signature of said staff member upon the development plan.

Sec 700.07 Expiration Of Large-Scale Development Approval

- (a) *Expiration.* The approved development plan is conditioned upon the applicant accomplishing the following tasks within one year from the date of approval:
- (1) Receive a building permit;
 - (2) Pour footing; and
 - (3) Receive all permits and approvals required by city, county, state, and federal regulations to start construction of the development or project.

(b) Extension.

~~(b)(1)~~ Originally approved by Planning Commission. For large-scale development plans originally approved by the Planning Commission Prior to expiration, an applicant may request the planning commission extend the period to accomplish the task by up to six (6) additional months. The request for an extension must be made -prior to expiration. The applicant has the burden to show good cause why the task could not be reasonably completed with in the normal time limit.

~~(e)(2)~~ Planning Boundary Originally approved administratively. For development plans originally approved administratively, Prior to expiration, an applicant may request the Planning Director extend the period to accomplish the task by up to six (6) additional months. The request for an

extension must be made prior to expiration. The applicant has the burden to show good cause why the task could not be reasonably completed within the normal time limit.

Sec 700.09 Requirements For Building Permit Application

Upon approval or conditional approval of the large-scale development plan, the applicant may submit an application for a building permit. The applicant shall provide the following documents prior to issuance of the building permit.

- (a) Grant of all dedications proposed;
- (b) A 36-month replacement guarantee from the supplier or property owner on all live plant material used in the landscape plan; and
- (c) Any Large-Scale Development that has over \$20,000.00 of sewer infrastructure, as determine by the engineer of record that is to be dedicated to the City of Bentonville shall provide a maintenance letter of credit in accordance with the requirements in Section 300.09, Maintenance letter of credit and a warranty in accordance with the requirements in Section 300.10, Guarantee of installation.
- (d) For projects in the Planning Boundary, the applicant must meet all requirements of Benton County for a building permit.

Sec 1100.21 Large-Scale Development Design Standards

- (a) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for commercial and multifamily development as set forth in the city's Community Plan. The intent of these standards is to improve the overall quality of development with surrounding land uses and enhance pedestrian safety and walkability.
- (b) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval. Agriculture and industrial zoned properties shall only be required to meet the standards for the side(s) facing a street frontage or clearly visible from a public right-of-way. The standards in this section and in Sec. 1100.23 Downtown (D) districts design standards shall apply in the DC, Downtown Core and DE, Downtown Edge zoning districts.
- (c) *Exemptions.*
 - (1) *Downtown Neighborhood (DN) districts.* Development that is subject to the design standards for the Downtown Neighborhood (DN-1, DN-2, DN-3, and DN-4) zoning districts, which have specific site and architectural design standards established in Section 1100.22, Downtown Neighborhood (DN) districts design standards, shall be exempt from this section.
 - (2) *Downtown (DC and DE) districts.* Development that is subject to the design standards for the Downtown Core and Downtown Edge zoning districts, which

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have specific site and architectural design standards established in Section 1100.23 Downtown (D) districts design standards, shall be exempt from the site amenities requirement in subsection (r).

- (3) *Municipal airport.* Development subject to the design standards for the Bentonville Municipal Airport, which have specific site and architectural design standards established in Section 1100.24, Municipal Airport design standards, shall be exempt from this section.
- (4) *Existing structures.* When a large-scale development is only an addition to an existing structure, the design standards shall only apply to the addition itself.
- (5) *Planning Boundary. All development requiring large scale development approval within the Planning Boundary shall be exempt from this section.*