



**City Council  
Meeting Agenda  
November 28, 2023  
6:00 PM  
Bentonville City Hall**

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Public comments can be submitted by email submitted to [cc.comments@bentonvillear.com](mailto:cc.comments@bentonvillear.com) by at least 4:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot attend the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to [cc.comments@bentonvillear.com](mailto:cc.comments@bentonvillear.com) by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

\*If you would like to attend virtually, please register at the following link by 4:00 p.m. on November 28, 2023:

[https://us02web.zoom.us/webinar/register/WN\\_8NzA8zE2RASyT3FvIO-8fA](https://us02web.zoom.us/webinar/register/WN_8NzA8zE2RASyT3FvIO-8fA)

**Call to Order**

**Pledge of Allegiance**

**Moment of Silence**

**Roll Call**

**Approval of Minutes: November 14, 2023**

**I. Old Business**

**1. Adopting 2024 New Positions and Pay Plan Changes**

**Ordinance\***

Ordinance adopting new positions that are being requested for 2024 along with some position upgrades. All have been included in the 2024 budget. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.

## **II. New Business**

1. **2024 Pay Plan Changes - Police & Water Departments** **Ordinance\***  
Ordinance amending the City of Bentonville Police and Water Department 2024 Pay Plans. Amendments are on the attached documents. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.
2. **Personnel Policy Amendment - Merit Pay Elected Officials** **Ordinance\***  
Ordinance to amend the 2024 personnel policy defining merit requirements for elected officials. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.
3. **Reappointment of Kevin Butler to the Bentonville Utility Board** **Board Appointment**  
Recommending reappointment of Kevin Butler to a second term in Position 5 on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026.
4. **Reappointment of Octavio Sanchez as Ex-Officio Member of the Bentonville Utility Board** **Board Appointment**  
Recommending reappointment of City Council Member Octavio Sanchez to a second term as Ex-Officio on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026.
5. **Public Hearing and Ordinance Vacating Utility Easement (VAC23-0019)** **Ordinance\***  
Public hearing and approval of an ordinance vacating a Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019).
6. **Public Hearing and Ordinance Vacating a Right of Way (VAC23-0020)** **Ordinance\***  
Public hearing and approval of an ordinance vacating a Right of Way located at Lot 2 of Groundhog Addition (VAC23-0020).
7. **Setting Public Hearing for a Utility Easement Vacation (VAC23-0021)** **Resolution**  
Resolution to set a public hearing for December 12, 2023 for a Utility Easement Vacation located at Block 9, Lot 2 of Dogwood Place Subdivision (VAC23-0021).
8. **ARDOT State Aid Program for Street Reconstruction/Resurfacing** **Resolution**  
Resolution allowing the Mayor and City Clerk to enter into an agreement for project CO4026 through the ARDOT State Aid Program for Street Reconstruction/Resurfacing. No Budget Adjustment is required at this time.
9. **Ordinance Establishing 2024 Recreation Fees** **Ordinance\***  
Ordinance establishing fees for recreation programs, facilities, and events for 2024. Parks and Recreation Advisory Board reviewed and approved these fees at the October meeting. No Budget Adjustment is needed.
10. **Resolution Accepting a Grant for Quilt of Parks** **Resolution**  
Resolution authorizing the acceptance of a \$3,500,000.00 grant for the Quilt of Parks Project.



11. **McAuley Place Impact Fee Request** **Resolution**  
Resolution for the City Council payment of the Fire, Library, Parks, and Police impact fees on behalf of Housing Partners III Limited Partnership for the McAuley Place Development. A budget adjustment is needed.

**III. Utility Board - There were no items for the November 21, 2023, Utility Board Meeting**

**IV. Planning**

1. **Lot Split - Lots 1-3 of Town Vu Subdivision (LS22-0042) - Town Vu Road and Southwest Tater Black Road** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of previously unplatted land creating new Lots 1-3 of Town Vu Subdivision to the City of Bentonville, Arkansas; and for other purposes.
2. **Lot Split - Lot 26, Block 6 of Clark's 2nd Addition (LS22-0068) - 402 Southwest 4th Street** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of part of Lots 15 and 16, Block 6 of Clark's Second Addition, creating new Lot 26, Block 6 of Clark's Second Addition to the City of Bentonville, Arkansas; and for other purposes.
3. **Lot Split - Lots 17 and 18 of Osage Hills Subdivision (LS23-0032) -Ginn Road and Brookside Road** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of Lot 16 of Osage Hills Subdivision, creating new Lots 17 and 18, of Osage Hills Subdivision to the City of Bentonville, Arkansas; and for other purposes.
4. **Lot Split - Lots 1 and 2 of Max Alley Addition (LS23-0048) -801 Southeast Walton Boulevard** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of previously unplatted land creating new Lots 1 and 2 of Max Alley Addition to the City of Bentonville, Arkansas; and for other purposes.
5. **Lot Split - Lot 17, Block 16 of Deming's 2nd Addition (LS23-0052) -513 Northwest B Street** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of parts of Lots 10-12, Block 16 of Demings 2nd Addition to the City of Bentonville, Arkansas; and for other purposes.
6. **Lot Split - Lots 4 and 5 McKeehan's Third Addition (LS23-0056) -911 Northwest 7th Street** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

- An Ordinance accepting a lot split of Lots 1A and 2 of Mckeehan's Third Addition creating new Lots 4 and 5 of Mckeehan's Third Addition to the City of Bentonville, Arkansas; and for other purposes.
7. **Property Line Adjustment - Lot 9, Block A of Orchard Addition (PLA23-0027) - 404 Southeast C Street** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a property line adjustment of Lot 3 and part of Lot 2, Block A of Orchard Addition creating new Lot 9, Block A or Orchard Addition to the City of Bentonville, Arkansas; and for other purposes.
8. **Final Plat - Poigai Estates - Phase 2 (FP23-0010) -1400 Southwest Casuarina Drive** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a final plat of Poigai Estates Phase 2 to the City of Bentonville, Arkansas; and for other purposes.
9. **Land Use Map Amendment - Adventure Church - Agriculture to Low Density Residential (RZ23-0080) 4508 Town Vu Road** **Resolution**  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
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.
10. **Rezone - Adventure Church - A-1, Agriculture to R-1, Low-Density Single-Family Residential (RZ23-0080)-4508 Town Vu Road** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agriculture to R-1, Low Density Single Family Residential; and for other purposes.
11. **Lot Split - Lots 1, 2, and 3 of Adventure Subdivision (LS22-0028) -4508 Town Vu Road** **Ordinance\***  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.  
An Ordinance accepting a lot split of previously unplanted land creating new Lots 1-3 of Adventure Subdivision to the City of Bentonville, Arkansas; and for other purposes.
12. **Land Use Map Amendment - PBR Holdings LLC- High Density Residential to Downtown Commercial (RZ23-0082) 405 Southeast A Street, 406 and 408 Southeast B Street. -** **Resolution**  
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

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.

13. **Rezone - PBR Holdings LLC - R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge (RZ23-0082) -405 Southeast A Street and 406 and 408 Southeast B Street** **Ordinance\***

**The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.**

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 D-E, Downtown Edge; and for other purposes.

**Public Comments on Tonight's Agenda Items (Limited Public Forum)**



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                          |                           |               |
|------------------------------|--------------------------|---------------------------|---------------|
| <b>Council Meeting Date:</b> | 11/28/2023               | <b>Submitted By:</b>      | Machele Bowen |
| <b>Phone:</b>                | 479-271-3117             | <b>For Department(s):</b> |               |
| <b>Email:</b>                | mbowen@bentonvillear.com |                           |               |

#### Item Type (Check all that apply)

|                                               |                                            |                                                  |                                                      |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order                |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input checked="" type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                                      |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Adopting 2024 New Positions and Pay Plan Changes                                                                                                                                                                                                                       |
| <b>Action Recommendation &amp; Justification:</b>        | Ordinance adopting new positions that are being requested for 2024 along with some position upgrades. All have been included in the 2024 budget. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed. |
| <b>Additional Comments for Consideration (Optional):</b> |                                                                                                                                                                                                                                                                        |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                                                                     |

#### Budget Impact

Is this Item Budgeted? ☒ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

Please Recycle!

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING THE 2024 PAY PLAN FOR THE CITY OF BENTONVILLE;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the next year’s pay plan is presented to City Council annually in November of each year;

**WHEREAS**, the 2024 pay plan is a compilation of changes in the following pay and personnel items:

1. New Positions that were approved as part of the 2024 budget;
2. Additions and modification to “Job Families” that are in the current pay plan;
3. Position upgrades; and
4. Changes in department/cost center assignments.

**WHEREAS**, an amendment to the pay plan reflecting the 2024 budget will enable these changes to take effect; and

**WHEREAS**, the pay ranges in the current pay plan remain unchanged for the 2024 year.

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

Section 1: The 2024 Pay Plan for the City of Bentonville should be and the same is hereby amended to include the following as attached in Exhibit “A”;

Section 2 - Emergency Clause: The need to make this change is immediate, so as not to affect the implementation of the 2024 budget or position amendments, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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 this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
**STEPHANIE ORMAN, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KIRBY ROMINES, City Clerk**

Exhibit A

| STATUS  | DEPARTMENT      | POSITION TITLE                                                                         | QTY | GRADE   | FUND    |
|---------|-----------------|----------------------------------------------------------------------------------------|-----|---------|---------|
| Add     | Finance         | Accountant                                                                             | 1   | 33      | General |
| Add     | Fire            | Captain                                                                                | 1   | 55B     | General |
| Add     | Fire            | Division Chief                                                                         | 1   | 56B     | General |
| Add     | Library         | Librarian                                                                              | 1   | 21      | General |
| Add     | Library         | Library Specialist II                                                                  | 1   | 17      | General |
| Add     | Library         | Part Time Library Clerk IV                                                             | 2   | 87      | General |
| Add     | Parks & Rec     | Maintenance Foreman                                                                    | 1   | 21      | General |
| Add     | Parks & Rec     | Parks Maintenance Worker I                                                             | 2   | 14      | General |
| Add     | Parks & Rec     | Parks Maintenance Worker II                                                            | 2   | 15      | General |
| Add     | Planning        | Planning Technician                                                                    | 1   | 20      | General |
| Add     | Police          | Police Clerk II                                                                        | 1   | 17      | General |
| Add     | Police          | Police Officer II (CID)                                                                | 1   | 41      | General |
| Add     | Police          | Police Office II (Patrol)                                                              | 2   | 41      | General |
| Add     | Public Works    | Custodian II                                                                           | 1   | 15      | General |
| Add     | Public Works    | Facilities Maintenance Tech III                                                        | 1   | 22      | General |
| Add     | Street          | Heavy Equipment Operator II                                                            | 4   | 18      | Street  |
|         |                 |                                                                                        |     |         |         |
| New     | Parks & Rec     | Recreation Facilities Manager                                                          | 1   | 34      | General |
| New     | Police          | Telecommunicator Assistant Manager                                                     | 1   | 62      | General |
| New     | Street          | Asphalt Supervisor                                                                     | 1   | 25      | Street  |
| New     | Street          | Construction Supervisor                                                                | 1   | 25      | Street  |
| New     | Sewer           | Operations/Maintenance Assistant Manager                                               | 1   | 205     | Utility |
| New     | Water           | Technical Services Assistant Manager Capital Construction                              | 1   | 205     | Utility |
|         |                 |                                                                                        |     |         |         |
| Upgrade | Court           | Part Time Court Clerk to Deputy Court Clerk                                            | 1   | 84-15   | General |
| Upgrade | Human Resources | Human Resources Manager to Human Resources Director                                    | 1   | 36-37   | General |
| Upgrade | Planning        | Administrative Assistant II to Planning Projects Coordinator                           | 1   | 17-20   | General |
| Upgrade | Electric        | Administrative Assistant II to Apprentice Engineering Tech                             | 1   | 17-91   | Utility |
| Upgrade | Electric        | Administrative Assistant II to Field Operations Coordinator                            | 1   | 17-91   | Utility |
| Upgrade | Sewer           | Technical Services Supervisor to Technical Services Assistant Manager Land Development | 1   | 110-205 | Utility |
| Upgrade | Library         | Librarian to Librarian II                                                              | 1   | 21-23   | General |



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                          |                           |                |
|------------------------------|--------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023               | <b>Submitted By:</b>      | Machele Bowen  |
| <b>Phone:</b>                | 479-271-3117             | <b>For Department(s):</b> | Police & Water |
| <b>Email:</b>                | mbowen@bentonvillear.com |                           |                |

#### Item Type (Check all that apply)

|                                               |                                            |                                                  |                                                      |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order                |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input checked="" type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                                      |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                                                        |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | 2024 Pay Plan Changes - Police & Water Departments                                                                                                                                                                                                     |
| <b>Action Recommendation &amp; Justification:</b>        | Ordinance amending the City of Bentonville Police and Water Department 2024 Pay Plans. Amendments are on the attached documents. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed. |
| <b>Additional Comments for Consideration (Optional):</b> | Associated costs were included and passed in the 2024 budget.                                                                                                                                                                                          |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                                                     |

#### Budget Impact

Is this Item Budgeted? ☒ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING THE 2024 PAY PLAN FOR THE CITY OF BENTONVILLE  
POLICE AND WATER DEPARTMENTS; DECLARING AN EMERGENCY; AND FOR  
OTHER PURPOSES.**

**WHEREAS**, the next years pay plan is presented to City Council annually in November of each year;

**WHEREAS**, an amendment to the pay plans, for the City's Police and Water Departments, reflecting the 2024 budget will enable these changes to take effect; and

**WHEREAS**, the pay ranges in the current pay plan remain unchanged for the 2024 year.

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

Section 1: The 2024 Pay Plan for the City of Bentonville Police and Water Departments should be and the same is hereby amended to include the following as attached in Exhibit "A";

Section 2 - Emergency Clause: The need to make this change is immediate, so as not to affect the implementation of the 2024 budget or position amendments, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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 this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
**STEPHANIE ORMAN, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KIRBY ROMINES, City Clerk**



|              |                    |  |                                 |        |  |            |  |            |  |            |
|--------------|--------------------|--|---------------------------------|--------|--|------------|--|------------|--|------------|
|              |                    |  | Exhibit "A"                     |        |  |            |  |            |  |            |
|              |                    |  | 2024 POLICE DEPARTMENT PAY PLAN |        |  |            |  |            |  |            |
| <u>GRADE</u> | <u>FLSA STATUS</u> |  | <u>JOB TITLE</u>                |        |  | <u>MIN</u> |  | <u>MID</u> |  | <u>MAX</u> |
| 62           | N                  |  | TELECOMMUNICATIONS ASST. MANA   | HOURLY |  | 27.51      |  | 35.23      |  | 42.94      |
|              |                    |  |                                 | ANNUAL |  | 57,221     |  | 73,268     |  | 89,315     |
|              |                    |  |                                 |        |  |            |  |            |  |            |
| 63           | E                  |  | TELECOMMUNICATIONS MANAGER      | HOURLY |  | 31.64      |  | 43.99      |  | 56.34      |
|              |                    |  |                                 | ANNUAL |  | 65,811     |  | 91,499     |  | 117,187    |

|              |                    |  |                                                    |        |  |            |  |            |  |            |
|--------------|--------------------|--|----------------------------------------------------|--------|--|------------|--|------------|--|------------|
|              |                    |  | 2024 WATER EXEMPT PLAN                             |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| <u>GRADE</u> | <u>FLSA STATUS</u> |  | <u>JOB TITLE</u>                                   |        |  | <u>MIN</u> |  | <u>MID</u> |  | <u>MAX</u> |
| 203          | E                  |  |                                                    | HOURLY |  | 28.99      |  | 37.47      |  | 45.94      |
|              |                    |  |                                                    | ANNUAL |  | 60,299     |  | 77,927     |  | 95,555     |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| 204          | E                  |  | WATER UTILITIES STAFF ENGINEER                     | HOURLY |  | 30.12      |  | 40.70      |  | 51.28      |
| 204          | E                  |  | PROJECT MANAGER                                    | ANNUAL |  | 62,650     |  | 84,656     |  | 106,662    |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| 205          | E                  |  | WRRF ASSISTANT MANAGER                             | HOURLY |  | 33.26      |  | 44.95      |  | 56.83      |
| 205          | E                  |  | OPERATIONS/MAINTENANCE ASSIST                      | ANNUAL |  | 69,181     |  | 93,486     |  | 117,790    |
| 205          | E                  |  | TECHNICAL SERVICES ASSIST MANAGER LAND DEVELOPMENT |        |  |            |  |            |  |            |
| 205          | E                  |  | TECHNICAL SERVICES ASSIST MANAGER CAPITAL CONST.   |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| 206          | E                  |  | TECHNICAL SERVICES MANAGER                         | HOURLY |  | 36.40      |  | 49.19      |  | 61.98      |
| 206          | E                  |  | OPERATIONS/MAINTENANCE MANA                        | ANNUAL |  | 75,712     |  | 102,315    |  | 128,918    |
| 206          | E                  |  | WRRF MANAGER                                       |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| 207          | E                  |  | DEPUTY DIRECTOR WATER UTILITY                      | HOURLY |  | 39.54      |  | 53.44      |  | 67.33      |
|              |                    |  |                                                    | ANNUAL |  | 82,243     |  | 111,155    |  | 140,046    |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
|              |                    |  |                                                    |        |  |            |  |            |  |            |
| 209          | E                  |  | DIRECTOR WATER UTILITY                             | HOURLY |  | 45.82      |  | 61.92      |  | 78.02      |
|              |                    |  |                                                    | ANNUAL |  | 95,306     |  | 128,794    |  | 162,282    |



# City of Bentonville, Arkansas Agenda Item Form

## Item Details

|                              |                          |                           |                 |
|------------------------------|--------------------------|---------------------------|-----------------|
| <b>Council Meeting Date:</b> | 11/28/2023               | <b>Submitted By:</b>      | Machele Bowen   |
| <b>Phone:</b>                | 479-271-3117             | <b>For Department(s):</b> | Human Resources |
| <b>Email:</b>                | mbowen@bentonvillear.com |                           |                 |

## Item Type (Check all that apply)

|                                               |                                            |                                                  |                                                      |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order                |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input checked="" type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                                      |

## Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                       |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Personnel Policy Amendment - Merit Pay Elected Officials                                                                                                                                                              |
| <b>Action Recommendation &amp; Justification:</b>        | Ordinance to amend the 2024 personnel policy defining merit requirements for elected officials. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed. |
| <b>Additional Comments for Consideration (Optional):</b> | Associated costs were included and passed in the 2024 budget. This incorporates the merit pay eligibility, passed by City Council in Ordinance 2023-108, into the City's Personnel Policy.                            |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                    |

## Budget Impact

Is this Item Budgeted? ☒ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

## Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

## Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

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Page 12 of 189

**ORDINANCE NO. 2023-108**

**AN ORDINANCE AMENDING PAY FOR CITY COUNCIL MEMBERS; PROVIDING  
FOR A MERIT BASED SYSTEM; AND FOR OTHER PURPOSES.**

**WHEREAS**, periodically Bentonville City Council asks the Human Resources Department to survey other Cities to ensure pay is comparable and in alignment with neighboring elected officials pay;

**WHEREAS**, based on the information presented, the City Council recommended using an average to increase pay from ten thousand four hundred five dollars (\$10,405.00) to fourteen thousand six hundred dollars (\$14,600.00) annually;

**WHEREAS**, City Council recommends using a merit based system going forward; and

**WHEREAS**, a budget adjustment is needed for this increase.

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

Section 1: The annual pay for Bentonville City Council members shall be increased from ten thousand four hundred five dollars (\$10,405.00) to fourteen thousand six hundred dollars (\$14,600.00);

Section 2: The 2023 Budget is adjusted to appropriate monies from General Fund Reserves as shown below:

| Org (Department) | Object | Account Description         | Revenue + ( - ) | Expense + ( - ) |
|------------------|--------|-----------------------------|-----------------|-----------------|
| 101010           | 41120  | PT Elected Officials/Boards |                 | \$ 21,943.07    |
| 101010           | 41510  | FICA and Medicare Expense   |                 | \$ 1,678.64     |
|                  |        |                             |                 |                 |
|                  |        |                             |                 |                 |
|                  |        |                             |                 |                 |
|                  |        |                             |                 |                 |
|                  |        | Totals                      | \$ -            | \$ 23,621.71    |
|                  |        | Net Impact on Fund Balance  | \$ (23,621.71)  |                 |

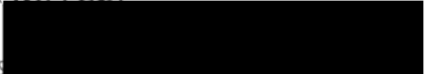
Section 3: City Council will move to a merit-based pay increase conditioned upon not being absent from more than five (5) meetings, including Committee of the Whole and City Council meetings;

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

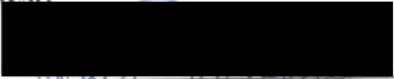
Section 5 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this 25 day of APRIL, 2023.

APPROVED:

  
STEPHANIE ORMAN, Mayor

Attest:

  
KIRBY ROMINES, City Clerk



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING AMENDMENTS TO THE PERSONNEL POLICY FOR THE CITY OF BENTONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Human Resources Department reviewed the Personnel Policy and recommends changes for the 2024 year;

**WHEREAS**, this change has been reviewed by City staff as part of the Policy Manual Review Committee;

**WHEREAS**, this change brings the Personnel Policy in alignment with Ordinance No. 2023-108, which City Council passed on April 25, 2023; and

**WHEREAS**, any cost changes resulting from this amendment are included in the 2024 budget.

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

Section 1: The City of Bentonville Personnel Policy, should be and the same is hereby amended as shown in the attached Exhibit “A”, with updated language shown in blue;

Section 2 - Emergency Clause: The need to make this change is immediate, so as not to affect the timing of annual review merit pay increases to City employees, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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 this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
**STEPHANIE ORMAN, Mayor**

\_\_\_\_\_  
**KIRBY ROMINES, City Clerk**

## Exhibit “A”

### 2024 Policy Manual Changes – DRAFT

#### Section 7. SALARY ADMINISTRATION

**10.2.5.2 Merit Increases.** Once the performance evaluation is complete, the manager can now consider a “merit increase”. Each year the Mayor and Finance Director, with the approval of the City Council, determine an “Average” salary increase percentage that is used in the preparation of the annual budget. That percentage amount is distributed to each department. The department head/manager is then responsible for determining which employees, based solely on goal achievement, will receive which percentage of increase. There MUST be a direct correlation between the percentage of raise given and the employee’s achievement of established goals. Employees whose goal achievement and performance is consistently below average, should only be considered for a “below average” raise, or no raise at all. Consequently, those employees whose goal achievement and performance is evaluated as above average may receive an “above average” increase.

Each department is given a budget for merit increases as part of the annual budget process approved by the City Council. Employees who are at the maximum of their salary range are not eligible for a merit pay increase using this process. Once necessary levels of approval have been obtained, the employee shall be told the amount of the raise and will receive that amount at the beginning of the year.

**Elected officials are eligible to receive merit increases conditioned upon not being absent from more than five (5) meetings, including Committee of the Whole and City Council Meetings.**

**\*\*Blue denotes revision\*\***



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                            |                           |                |
|------------------------------|----------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023                 | <b>Submitted By:</b>      | Travis Matlock |
| <b>Phone:</b>                | 479-271-5941               | <b>For Department(s):</b> | Electric       |
| <b>Email:</b>                | tmatlock@bentonvillear.com |                           |                |

#### Item Type (Check all that apply)

|                                                   |                                            |                                                   |                                           |
|---------------------------------------------------|--------------------------------------------|---------------------------------------------------|-------------------------------------------|
| <input checked="" type="checkbox"/> Informational | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement  | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds        | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid            | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance                | <input type="checkbox"/> Resolution        | <input checked="" type="checkbox"/> Informational |                                           |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                       |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Reappointment of Kevin Butler to the Bentonville Utility Board                                                                                                                                        |
| <b>Action Recommendation &amp; Justification:</b>        | Recommending reappointment of Kevin Butler to a second term in Position 5 on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026. |
| <b>Additional Comments for Consideration (Optional):</b> | Mr. Butler was one of the original members of the Utility Board and this will be his second term as allowed by the Utility Board ordinance. Memo request of reappointment attached.                   |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                    |

#### Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

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November 28, 2023

**To:** City Council Members & City Clerk  
**From:** Mayor Stephanie Orman  
**Subject:** Appointment of Kevin Butler to the City of Bentonville's  
Utility Board

---

I recommend Kevin Butler for reappointment to the City of Bentonville's Utility Board. Mr. Butler's term will begin January 1, 2024 and expire December 31, 2026.

Stephanie Orman





# City of Bentonville, Arkansas Agenda Item Form

## Item Details

|                              |                            |                           |                |
|------------------------------|----------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023                 | <b>Submitted By:</b>      | Travis Matlock |
| <b>Phone:</b>                | 479-271-5941               | <b>For Department(s):</b> | Electric       |
| <b>Email:</b>                | tmatlock@bentonvillear.com |                           |                |

## Item Type (Check all that apply)

|                                                   |                                            |                                                   |                                           |
|---------------------------------------------------|--------------------------------------------|---------------------------------------------------|-------------------------------------------|
| <input checked="" type="checkbox"/> Informational | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement  | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds        | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid            | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance                | <input type="checkbox"/> Resolution        | <input checked="" type="checkbox"/> Informational |                                           |

## Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                              |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Reappointment of Octavio Sanchez as Ex-Officio Member of the Bentonville Utility Board                                                                                                                                       |
| <b>Action Recommendation &amp; Justification:</b>        | Recommending reappointment of City Council Member Octavio Sanchez to a second term as Ex-Officio on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026. |
| <b>Additional Comments for Consideration (Optional):</b> | Council Member Sanchez was the original Ex-Officio of the Utility Board and this will be his second term as allowed by the Utility Board ordinance. Memo request of reappointment attached.                                  |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                           |

## Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

## Budget Adjustment (to be completed by Finance when applicable)

|                             |                     |         |         |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
|                             |                     | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
|                             |                     | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
|                             |                     | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
|                             |                     | Expense | Revenue |

## Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

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November 28, 2023

**To:** City Council Members & City Clerk  
**From:** Mayor Stephanie Orman  
**Subject:** Reappointment of Octavio Sanchez to the City of Bentonville's Utility Board

---

I recommend Octavio Sanchez for reappointment to the City of Bentonville's Utility Board as the Ex-Officio member. Mr. Sanchez's term will run from January 1, 2024 through December 31, 2026.

Stephanie Orman

**From:** Octavio Sanchez  
**Sent:** Thursday, November 16, 2023 9:43 AM  
**To:** Travis Matlock  
**Subject:** Re: Utility Board - City Council Rep

Thank you for the notification, Travis.

Yes, I'd like to continue on the Utility Board.

Thank you.

Octavio.

On Nov 16, 2023, at 7:06 AM, Travis Matlock wrote:

Octavio, I just found out your term on the Utility Board is up this December. Would you like to continue for a second 3-yr term? We would be in favor of you continuing your tenure.

Thanks.

Travis Matlock, PE  
Electric Utility Director  
City of Bentonville  
3200 Municipal Drive  
Bentonville, AR 72712



# City of Bentonville, Arkansas Agenda Item Form

## Item Details

|                              |                             |                           |                |
|------------------------------|-----------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023                  | <b>Submitted By:</b>      | Tracy Billings |
| <b>Phone:</b>                | 479-696-0229                | <b>For Department(s):</b> | Transportation |
| <b>Email:</b>                | tbillings@bentonvillear.com |                           |                |

## Item Type (Check all that apply)

|                                               |                                            |                                                  |                                           |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                           |

## Title, Recommendation & Justification

|                                                          |                                                                                                                                                     |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Public Hearing and Ordinance Vacating Utility Easement (VAC23-0019)                                                                                 |
| <b>Action Recommendation &amp; Justification:</b>        | Public hearing and approval of an ordinance vacating Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019). |
| <b>Additional Comments for Consideration (Optional):</b> | Resolution and GIS Vicinity Map                                                                                                                     |
| <b>Amount for Approval:</b>                              | \$ 0                                                                                                                                                |

## Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

## Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | \$      | \$      |

## Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

**Legend**

**Easement Vacations**

**Representation: THECAN.DBO.Easement\_Vacations\_Rep**



**Easement Vacation**



**SE 6TH ST**

**SE YALE ST**

**34**

**32**

**31**

**30**

**29**



**Proposed Easement Vacation  
Newell-4205 SE 6th Street**



**ORDINANCE NO \_\_\_\_\_**

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED AT LOT 32  
OF COLLEGE PLACE SUBDIVISION PHASE 8 OF THE CITY OF BENTONVILLE,  
ARKANSAS, BENTON COUNTY ARKANSAS (VAC23-0019).**

**WHEREAS,** a petition was filed with the City Council of the City of Bentonville, Arkansas, by Tamara Newell asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

The South 8' of a 20' Utility Easement located on the North Side of Lot 32, College Place, Phase 8 and filed for record in Book 2007, Page 83 at the Benton County Courthouse, Bentonville, Arkansas.

**WHEREAS,** after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

**NOW THEREFORE BE IT ORDAINED,** by the City Council of the City of Bentonville, Arkansas:

**Section 1:** The City of Bentonville Arkansas releases, vacates, and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

The South 8' of a 20' Utility Easement located on the North Side of Lot 32, College Place, Phase 8 and filed for record in Book 2007, Page 83 at the Benton County Courthouse, Bentonville, Arkansas.

**Section 2:** A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

**Section 3:** This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2023 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

\_\_\_\_\_  
**Kirby Romines, City Clerk**  
Bentonville, Arkansas

\_\_\_\_\_  
**Stephanie Orman, Mayor**  
City of Bentonville, Arkansas



# City of Bentonville, Arkansas Agenda Item Form

## Item Details

|                              |                             |                           |                |
|------------------------------|-----------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023                  | <b>Submitted By:</b>      | Tracy Billings |
| <b>Phone:</b>                | 479-696-0229                | <b>For Department(s):</b> | Transportation |
| <b>Email:</b>                | tbillings@bentonvillear.com |                           |                |

## Item Type (Check all that apply)

|                                               |                                            |                                                  |                                           |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                           |

## Title, Recommendation & Justification

|                                                          |                                                                                                                          |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Public Hearing and Ordinance Vacating a Right of Way (VAC23-0020)                                                        |
| <b>Action Recommendation &amp; Justification:</b>        | Public hearing and approval of an ordinance vacating a Right of Way located at Lot 2 of Groundhog Addition (VAC23-0020). |
| <b>Additional Comments for Consideration (Optional):</b> | Resolution and GIS Vicinity Map                                                                                          |

|                             |      |
|-----------------------------|------|
| <b>Amount for Approval:</b> | \$ 0 |
|-----------------------------|------|

## Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

## Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

## Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

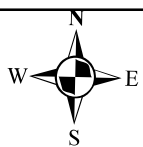
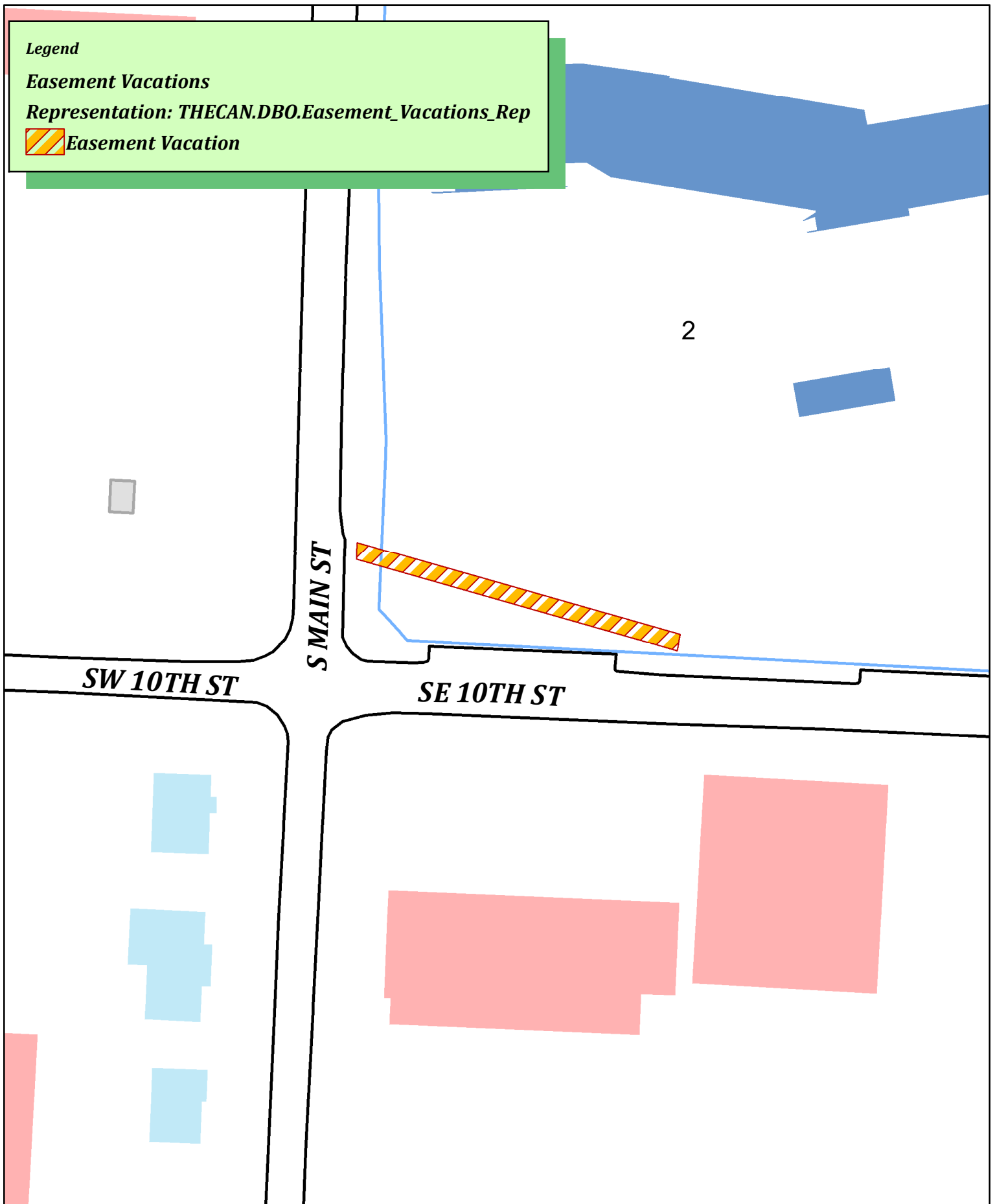
**Legend**

**Easement Vacations**

**Representation: THECAN.DBO.Easement\_Vacations\_Rep**



**Easement Vacation**



**VAC23-0020**  
**Thaden School Easement Vacation**  
**201 SE 10th St**





**ORDINANCE NO \_\_\_\_\_**

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED AT LOT 2  
OF GROUNDHOG ADDITION OF THE CITY OF BENTONVILLE, ARKANSAS,  
BENTON COUNTY ARKANSAS (VAC23-0020).**

**WHEREAS,** a petition was filed with the City Council of the City of Bentonville, Arkansas, by Thaden School asking the City Council to vacate a right of way located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

A 10' right-of-way grant in favor of the City of Bentonville per Deed Book 569, Page 739, being a part of Lot 2, Groundhog Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2017, Page 672, being a portion of land conveyed to Thaden School, and being described by metes and bounds as follows:

COMMENCING at a mag nail with washer stamped "LS 1616" found at the previous east right-of-way of South Main Street per Plat Book 3, Page 258 and Deed Book 2012, Page 27629 and north right-of-way of SE 10th Street, as shown on said Plat Book 2017, Page 672;

THENCE with previous east right-of-way, North 02°17'12" East, 44.86 feet to the POINT OF BEGINNING;

THENCE continuing with said east right-of-way, North 02°17'12" East, 10.29 feet;

THENCE leaving said east right-of-way, South 74°06'27" East, 202.31 feet to the north line of an existing 10-foot right-of-way grant in favor of City of Bentonville per Deed Book 569, Page 739;

THENCE South 09°26'44" West, 10.06 feet to the previous north right-of-way of SW 10th Street;

THENCE leaving said previous north right-of-way, North 74°06'27" West, 201.02 feet to the POINT OF BEGINNING and containing 2,017 square feet or 0.05 acres, more or less.

**WHEREAS,** after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described right of way.

**NOW THEREFORE BE IT ORDAINED,** by the City Council of the City of Bentonville, Arkansas:

**Section 1:** The City of Bentonville Arkansas releases, vacates, and abandons all of its rights together with the rights of the public generally, in and to a right of way designated as follows:

A 10' right-of-way grant in favor of the City of Bentonville per Deed Book 569, Page 739, being a part of Lot 2, Groundhog Addition, to the City of Bentonville, Benton County, Arkansas, as shown on Plat Book 2017, Page 672, being a portion of land conveyed to Thaden School, and being described by metes and bounds as follows:

COMMENCING at a mag nail with washer stamped "LS 1616" found at the previous east right-of-way of South Main Street per Plat Book 3, Page 258 and Deed Book 2012, Page 27629 and north right-of-way of SE 10th Street, as shown on said Plat Book 2017, Page 672;

THENCE with previous east right-of-way, North 02°17'12" East, 44.86 feet to the POINT OF BEGINNING;

THENCE continuing with said east right-of-way, North 02°17'12" East, 10.29 feet;

THENCE leaving said east right-of-way, South 74°06'27" East, 202.31 feet to the north line of an existing 10-foot right-of-way grant in favor of City of Bentonville per Deed Book 569, Page 739;

THENCE South 09°26'44" West, 10.06 feet to the previous north right-of-way of SW 10th Street;

THENCE leaving said previous north right-of-way, North 74°06'27" West, 201.02 feet to the POINT OF BEGINNING and containing 2,017 square feet or 0.05 acres, more or less.

**Section 2:** A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

**Section 3:** This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2023 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

---

**Kirby Romines, City Clerk**  
**Bentonville, Arkansas**

---

**Stephanie Orman, Mayor**  
**City of Bentonville, Arkansas**



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                             |                           |                |
|------------------------------|-----------------------------|---------------------------|----------------|
| <b>Council Meeting Date:</b> | 11/28/2023                  | <b>Submitted By:</b>      | Tracy Billings |
| <b>Phone:</b>                | 479-696-0229                | <b>For Department(s):</b> | Transportation |
| <b>Email:</b>                | tbillings@bentonvillear.com |                           |                |

#### Item Type (Check all that apply)

|                                            |                                                |                                                  |                                           |
|--------------------------------------------|------------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational     | <input type="checkbox"/> Bid Award             | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds | <input type="checkbox"/> Budget Adjustment     | <input type="checkbox"/> Waiver of Bid           | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance         | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Informational           |                                           |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                               |
|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Setting Public Hearing for Utility Easement Vacation (VAC23-0021)                                                                                             |
| <b>Action Recommendation &amp; Justification:</b>        | Resolution to set a public hearing for December 12, 2023 for a Utility Easement Vacation located at Block 9, Lot 2 of Dogwood Place Subdivision (VAC23-0021). |
| <b>Additional Comments for Consideration (Optional):</b> | Resolution and GIS Vicinity Map attached.                                                                                                                     |
| <b>Amount for Approval:</b>                              | \$ 0                                                                                                                                                          |

#### Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

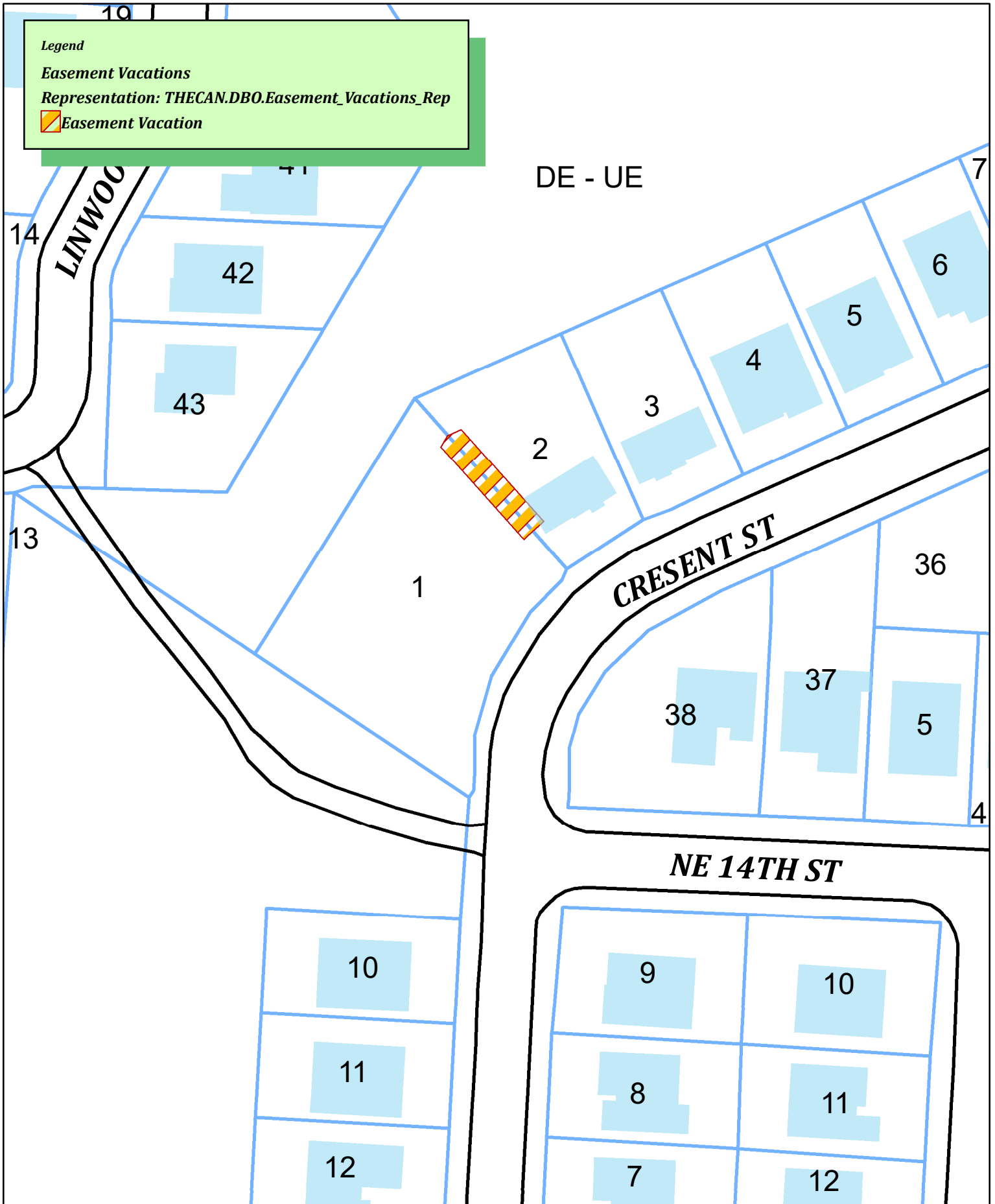
Please Recycle!

**Legend**

**Easement Vacations**

Representation: THECAN.DBO.Easement\_Vacations\_Rep

 Easement Vacation



**VAC23-0021**

**Crossmar House Renovations, LLC Easement Vacation**

**1403 CRESENT ST**



**RESOLUTION NO. \_\_\_\_\_**

**IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:**

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Crossmar House Renovations, LLC requesting a utility easement vacation (VAC23-0021) within the City of Bentonville, Arkansas be vacated, which said utility easements is described as follows:

A UTILITY AND DRAINAGE EASEMENT, LYING IN PARTS OF LOT 1 AND LOT 2, BLOCK 9, DOGWOOD PLACE, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID LOT 2; THENCE S 42°02'05" E A DISTANCE OF 26.26 FEET TO THE POINT OF BEGINNING; THENCE N 65°47'23" E A DISTANCE OF 7.35 FEET; THENCE S 42°02'05" E A DISTANCE OF 64.76 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 180.55 FEET, A CENTRAL ANGLE OF 04°26'38", AN ARC LENGTH OF 14.00 FEET, AND A CHORD BEARING AND DISTANCE OF S 47°57'54" W, 14.00 FEET; THENCE N 42°02'05" W A DISTANCE OF 65.18 FEET; THENCE N 31°41'07" E A DISTANCE OF 7.29 FEET; THENCE S 42°02'05" E A DISTANCE OF 0.22 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 923.39 SQUARE FEET, OR 0.021 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close the above described utility easement is set for a hearing December 12, 2023 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved, and adopted the \_\_\_\_\_ day of \_\_\_\_\_ 2023, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

\_\_\_\_\_  
**Kirby Romines, City Clerk**  
**Bentonville, Arkansas**

\_\_\_\_\_  
**Stephanie Orman, Mayor**  
**City of Bentonville, Arkansas**



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                          |                           |                         |
|------------------------------|--------------------------|---------------------------|-------------------------|
| <b>Council Meeting Date:</b> | 11/28/2023               | <b>Submitted By:</b>      | Dennis Birge            |
| <b>Phone:</b>                | 479-271-5964             | <b>For Department(s):</b> | Transportation Division |
| <b>Email:</b>                | dbirge@bentonvillear.com |                           |                         |

#### Item Type (Check all that apply)

|                                            |                                                |                                                             |                                           |
|--------------------------------------------|------------------------------------------------|-------------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational     | <input type="checkbox"/> Bid Award             | <input checked="" type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds | <input type="checkbox"/> Budget Adjustment     | <input type="checkbox"/> Waiver of Bid                      | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance         | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Informational                      |                                           |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                      |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | ARDOT State Aid Program for Street Reconstruction/Resurfacing                                                                                                                                                        |
| <b>Action Recommendation &amp; Justification:</b>        | Resolution allowing the Mayor and City Clerk to enter into an agreement for project CO4026 through the ARDOT State Aid Program for Street Reconstruction/Resurfacing. No Budget Adjustment is required at this time. |
| <b>Additional Comments for Consideration (Optional):</b> | The project is funded with 100% State Aid City Street funds up to the maximum amount. These funds are available for application every five years.                                                                    |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                   |

#### Budget Impact

Is this Item Budgeted? ☐ YES ☒ NO ☒ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☒ Street Fund ☐ Other(s): \_\_\_\_\_

#### Budget Impact Notes for Consideration (Optional):

100% ARDOT State Aid Funds for Job C04026 Bentonville Overlay Project

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

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ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

STATE AID DIVISION

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2346 | Fax: 501.569.2348

November 16, 2023

The Honorable Stephanie Orman  
Mayor of Bentonville  
305 SW "A" St.  
Bentonville, Arkansas 72712

Job C04026  
Bentonville Overlay (S)  
Various City Streets  
Benton County

Dear Mayor Orman:

We are enclosing one set of plans on the above subject job.

These plans have been prepared generally in accordance with the items discussed and agreements reached. After review of these plans, please advise as soon as possible if you have any comments or suggestions. Your approval is requested.

This project is funded with 100% State Aid City Street funds up to the maximum amount. In order to proceed, a resolution (sample enclosed) is required to be on file with the State Aid Division. Please return this resolution as soon as possible.

Sincerely,



Bryan Freeling  
State Aid Engineer

BEF:JC:pfk  
Enclosures

Arkansas Department of Transportation  
Supplemental Specifications and Special Provisions Listing  
State Job Number C04026

The following supplemental specifications and special provisions for this project supplement the standard specifications, edition of 2014. In case of conflict, the supplemental specifications and special provisions shall govern.

|          |                                                                                |
|----------|--------------------------------------------------------------------------------|
| ERRATA   | ERRATA FOR THE BOOK OF STANDARD SPECIFICATIONS                                 |
| JOB SP   | BIDDING REQUIREMENTS AND CONDITIONS                                            |
| JOB SP   | MANDATORY ELECTRONIC CONTRACT                                                  |
| JOB SP   | MANDATORY ELECTRONIC DOCUMENT SUBMITTAL                                        |
| JOB SP   | ADJUSTMENT OF QUANTITIES FOR STATE-AID STREET PROJECTS                         |
| JOB SP   | LIQUIDATED DAMAGES PROCEDURE FOR BID LETTINGS                                  |
| JOB SP   | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES                                 |
| JOB SP   | SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS                 |
| JOB SP   | DESIGN OF ASPHALT MIXTURES - AGGREGATES                                        |
| JOB SP   | BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT                          |
| JOB SP   | WARM MIX ASPHALT                                                               |
| JOB SP   | DENSITIES FOR ACHM SURFACE COURSE                                              |
| JOB SP   | RECYCLED ASPHALT SHINGLES                                                      |
| JOB SP   | TOTAL SOLAR ECLIPSE                                                            |
| SP 108-1 | LIQUIDATED DAMAGES                                                             |
| SS 100-3 | CONTRACTOR'S LICENSE                                                           |
| SS 100-4 | DEPARTMENT NAME CHANGE                                                         |
| SS 102-2 | ISSUANCE OF PROPOSALS                                                          |
| SS 103-2 | CONTACT INFORMATION FOR MOTORIST DAMAGE CLAIMS                                 |
| SS 105-4 | MAINTENANCE DURING CONSTRUCTION                                                |
| SS 107-2 | RESTRAINING CONDITIONS                                                         |
| SS 108-2 | WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER                                   |
| SS 108-3 | WORK ORDER FOR FIXED COMPLETION DATE CONTRACTS                                 |
| SS 306-1 | QUALITY CONTROL AND ACCEPTANCE                                                 |
| SS 400-1 | TACK COATS                                                                     |
| SS 400-4 | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES                                 |
| SS 400-5 | PERCENT AIR VOIDS FOR ACHM MIX DESIGNS                                         |
| SS 400-6 | LIQUID ANTI-STRIP ADDITIVE                                                     |
| SS 400-7 | TRACKLESS TACK                                                                 |
| SS 404-3 | DESIGN OF ASPHALT MIXTURES                                                     |
| SS 409-2 | ASPHALT LABORATORY FACILITY                                                    |
| SS 410-1 | CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES |
| SS 410-2 | DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS                             |
| SS 410-4 | EVALUATION OF ACHM SUBLOT REPLACEMENT MATERIAL                                 |
| SS 416-1 | RECYCLED ASPHALT PAVEMENT                                                      |
| SS 604-1 | RETROREFLECTIVE SHEETING FOR TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES     |



Arkansas Department of Transportation  
Supplemental Specifications and Special Provisions Listing  
State Job Number C04026

The following supplemental specifications and special provisions for this project supplement the standard specifications, edition of 2014. In case of conflict, the supplemental specifications and special provisions shall govern.

|          |                                                      |
|----------|------------------------------------------------------|
| SS 604-3 | TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES (MASH) |
|----------|------------------------------------------------------|

## ARKANSAS DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

JOB NO. C04026

### BIDDING REQUIREMENTS AND CONDITIONS

**Section 102** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The fourth sentence of the second paragraph of **Subsection 102.01** is hereby deleted, and the following substituted therefore:

Prospective bidders may file a questionnaire at any time; however, prospective bidders will not be given authorization to submit a proposal unless a rating has been extended based on an acceptable questionnaire.

The last paragraph of **Subsection 102.01** is hereby deleted.

The second sentence of **Subsection 102.02** is hereby deleted, and the following substituted therefore:

The Notice to Contractors will contain a description of the proposed work, and information regarding access to proposal documents, plans, specifications, and the amount and nature of the proposal guaranty.

**Subsection 102.03** is hereby deleted, renamed **Contents of Proposal Documents**, and the following substituted therefore:

The proposal documents will state the location and description of the contemplated construction and will show the estimate of the various quantities and kinds of work to be performed or materials to be furnished, and will have a schedule of items. The proposal documents will state the time in which the work must be completed, the amount of the proposal guaranty, and the date and time of the letting of work. The documents will also include any special provisions or requirements that vary from or are not contained in the standard specifications.

All forms included in the proposal documents are considered a part thereof. The plans, specifications, and other documents designated in the proposal documents will be considered a part of the proposal whether included or not.

The first through fourth paragraphs of **Subsection 102.04** are hereby deleted, and the following substituted therefore:

To become an eligible bidder, prospective bidders must be registered to bid in Arkansas with Bid Express. Prospective bidders must also contact the Program Management Division at (501) 569-2261 during regular business hours between the date the project is advertised and 4:30 p.m. on the day prior to the scheduled bid opening to request to become eligible to bid specific projects. Only prequalified contractors or their authorized representative may request to become an eligible bidder.

## ARKANSAS DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

#### JOB NO. C04026

#### BIDDING REQUIREMENTS AND CONDITIONS

If the prospective bidder's prequalification rating is not "unlimited", the bidder shall file a certification with the Department citing all contracts in force and the unfinished value of such work. A prospective bidder will not be allowed to submit a proposal until a certification for the current bidding period is on file and the amount of work the contractor may be allowed to undertake is determined. The contractor's prequalification rating, less the unfinished value of all contracts in force, will determine the amount of additional work that the contractor may be allowed to undertake. A contractor will not be allowed to submit a proposal on an individual project for which the estimated cost is more than the amount that the contractor may be allowed to undertake, but the contractor will be allowed to submit a proposal on more than one project, providing that the estimated cost of each project is not more than the amount that the contractor may be allowed to undertake. In the event a contractor submits a low bid on more than one project and the aggregate amount is greater than the amount the contractor may be allowed to undertake, the Commission will exercise its discretion in the award of a particular project or projects.

A charge will be assessed for authorization to submit a proposal, paper copies of the proposal documents, and plans issued. These services are provided during regular business hours until 4:30 p.m. on the day prior to the scheduled bid opening at the Arkansas Department of Transportation, 10324 Interstate 30, Little Rock, Arkansas 72209, (501) 569-2261. Payment shall be made at the time services are provided or upon receipt of statement therefore. No refund will be allowed for bids not submitted or for plans or proposal documents returned.

The second sentence of the first paragraph of **Subsection 102.06** is hereby deleted, and the following substituted therefore:

The bidder is expected to examine carefully the site of the proposed work, the proposal documents, plans, specifications, supplemental specifications, and special provisions before submitting a proposal.

The first paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The proposal shall only be submitted through the internet bidding service, Bid Express. The bidder shall specify a unit price in figures for each pay item for which a quantity is given. A unit price of "zero" (\$0.00) is a valid price and will be considered. A blank unit price is not considered valid. The unit bid price should not be carried beyond 1 cent (\$0.01). Any figures on the unit bid price beyond 1 cent will be dropped.

The second and third paragraphs of **Subsection 102.07** are hereby deleted.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**BIDDING REQUIREMENTS AND CONDITIONS**

The fifth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The bidder's proposal must be submitted with a digital signature containing the name of the individual, one or more members of the partnership, one or more members or officers of each firm representing a joint venture, or one or more officers of a corporation, or by an agent of the Contractor legally qualified and acceptable to the Department.

The sixth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

If the proposal is submitted with a digital signature of any person who is not listed in the bidder's Prequalification Questionnaire (Questionnaire Form) as the individual, as a partner of a partnership, or as an officer of a corporation, authorization for such submittal should be on file with the Department prior to the download of bids. This authorization shall be made before the downloading of bids and be in the form of a Power of Attorney duly executed and signed by an official with power to constitute such authority.

The last sentence of the seventh paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

Those items of Asphalt Binder that are subject to a minimum bid price will bear the note "(Minimum bid price is \$120.00 per ton)" within the Schedule of Items of the proposal documents.

The first sentence of the ninth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The proposal documents for all federal aid projects will contain a bidders list.

The last sentence of the ninth paragraph of **Subsection 102.07** is hereby deleted, and the following substituted therefore:

The information provided will not be used for contract awarding purposes but must be provided before the Contractor will be given authorization to submit proposals for future lettings.

**Subsection 102.08 Irregular Proposals** is hereby deleted, and the following substituted therefore:

(a) Proposals will be considered irregular and will be rejected for the following reasons:

(1) If the proposal does not contain a unit price for each pay item listed except in the case of authorized alternate pay items.

(2) If the proposal is not digitally signed by an authorized representative of the firm.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**BIDDING REQUIREMENTS AND CONDITIONS**

- (3) If the proposal is not accompanied by the proper proposal guaranty.
- (4) If a proposal is received from an individual, firm, partnership, or corporation with an interest, as principal, in another proposal for the same project.
- (5) If the proposal is not accompanied by the Certification to Submit DBE Participation.
- (b) Proposals will be considered irregular and may be rejected for the following reasons:
  - (1) If the proposal is not accompanied by a bid schedule and bid schedule narrative as required in the proposal documents.
  - (2) Unbalanced proposals in which the prices for some items are out of proportion to the reasonable costs representative of those items.
  - (3) If there are irregularities of any kind that may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.

The first sentence of **Subsection 102.09** is hereby deleted and the following substituted therefore:

No proposal will be considered by the Commission unless a guaranty in the form of a bank draft, certified check, or cashier's check drawn on a solvent bank or trust company, or a bidder's paper bond executed by an approved surety company has been received by the Program Management Division prior to the download of bids.

The following paragraph is hereby added after the first paragraph of **Subsection 102.09**:

Electronic bid bonds are allowed. The prospective bidder should verify their bid bond in their proposal prior to submission.

**Subsection 102.10** is hereby deleted and the following substituted therefore:

The proposal shall only be submitted through the internet bidding service, Bid Express.

**Subsection 102.11** is hereby deleted, and the following substituted therefore:

A bidder may withdraw or modify a proposal after it has been submitted to Bid Express, up to the time set for the deadline for proposals to be received. A proposal may also be withdrawn if the Commission fails to make an award within 40 calendar days after the date of downloading.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**BIDDING REQUIREMENTS AND CONDITIONS**

**Subsection 102.12** is hereby deleted, renamed **Downloading of Proposals**, and the following substituted therefore:

Proposals will be downloaded and then posted on the Department's website at the time and place indicated in the Notice to Contractors.

The last sentence of **Subsection 102.15** is hereby deleted, and the following substituted therefore:

In any case, the prospective bidders will be contacted prior to the download of bids.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**MANDATORY ELECTRONIC CONTRACT**

**Paper Contract Documents and Forms will not be accepted.**

The Department will only accept and execute an electronic contract for this project through Doc Express, a paperless contracting system. Prospective bidders will need to contact Doc Express to set up an account prior to the bid opening date. The toll-free phone number for Doc Express is 1-888-352-2439 and their website address is [www.docexpress.com](http://www.docexpress.com).

**Section 103** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows.

The first sentence of **Subsection 103.06(a)** is hereby deleted, and the following substituted therefore:

The Contract shall be electronically signed by the successful bidder and electronically submitted to the Program Management Division, Construction Contract Procurement Section, together with the required bonds and proof of liability insurance, within 10 business days after the notice of award has been issued.

**Subsection 103.08(d)(3)d.** is hereby deleted, and the following substituted therefore:

Documentation of the bidder's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and

**Subsection 103.08(d)(3)e.** is hereby deleted, and the following substituted therefore:

Document confirmation from the DBE that it is participating in the contract as provided in the Contractor's commitment.

**Subsection 103.08(d)(5)** is hereby deleted, and the following substituted therefore:

The preceding information shall be submitted directly to the Arkansas Department of Transportation, Program Management Division, via Doc Express.

## ARKANSAS DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

JOB NO. C04026

### MANDATORY ELECTRONIC DOCUMENT SUBMITTAL

#### **Paper Document Submittals will not be accepted.**

The Department will only accept electronically-submitted documents for consideration on this project. All correspondence and submittals to the Department shall be submitted through Doc Express, a paperless contracting system. When signed originals are required, the original shall be the document uploaded to Doc Express and the signature shall be the electronic signature applied through Doc Express. The Contractor shall use the same organizational account for project documentation as used to fulfill the requirements of the Mandatory Electronic Contract Special Provision. The toll-free phone number for Doc Express is 1-888-352-2439 and their website address is [www.docexpress.com](http://www.docexpress.com).

Any reference in the Standard Specifications to document submittal in writing or by U.S. Mail, facsimile, or in person is hereby amended to require that such documents be submitted using Doc Express with the following exceptions:

- Material delivery tickets which are used for payment or for field verification shall be submitted on paper as required by the Standard Specifications for Highway Construction, Edition of 2014.
- Any document with specific submittal requirements in state and/or federal law or federal regulations that conflict with the requirements of this Special Provision shall be submitted in accordance with such state and/or federal law or federal regulations.

A user guide is available on the Department's web page to assist Contractors with the use of Doc Express. The "Contractor Guide to Using Doc Express" is available on the Department's web page at <https://ardot.gov/divisions/construction/doc-express/>.

The Contractor may provide access for subcontractors to view and submit items in Doc Express by following the instructions provided in the "Contractor Guide to Using Doc Express". Once an organizational account is activated and the Contractor provides access to the contract, a subcontractor may submit documents to the Contractor in Doc Express by uploading the electronic documents as directed in the User Guide. Any documents uploaded by the subcontractor must be then retrieved and published by the Contractor within Doc Express for further action by the Engineer. The Engineer will not review or take any actions on any documents submitted by the subcontractor until the document has been appropriately submitted by the Contractor.

Any submittals, documents, subcontracts, proposals, working drawings, or any other items submitted by the Contractor within Doc Express are not considered approved by the Engineer until written notification of the approval is published by the Engineer in the "CON-Correspondence-From Department to Contractor" drawer in Doc Express. Any action taken by the Contractor prior to this notification is taken at the Contractor's own risk.

The Department's System Administration team has no authority to take action on any documents submitted to the system. Access for this team is for management of the application only. Knowledge of any document submitted is not imputed to the Department by the knowledge of Systems Administration.

The requirements of this Special Provision shall supersede the requirements of all other Special Provisions unless such Special Provision includes a stated exception to this Special Provision.



**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**ADJUSTMENT OF QUANTITIES FOR STATE-AID STREET PROJECTS**

**Section 104** of the Standard Specifications for Highways Construction, Edition of 2014, is hereby amended as follows:

The following is added as the last paragraph of **Subsection 104.02**:

On State-Aid Street Projects, funding amounts are limited for each city. The Commission reserves the right to increase or decrease the quantities on a project at the time of the award in order to utilize all funds that are available or to ensure that funds are available to pay for the work performed. For projects which include more than one city, each city may have a different funding limit. On those projects the Commission reserves the right to increase or decrease the quantities placed within each city in order to utilize all funds that are available or to ensure that funds are available to pay for the work performed. The Contractor shall perform the work as increased or decreased in each city and no allowance will be made for anticipated profits on increases or decreases so incurred.

**ARKANSAS DEPARTMENT OF TRANSPORTATION****SPECIAL PROVISION****JOB NO. C04026****LIQUIDATED DAMAGES PROCEDURE FOR BID LETTINGS**

Department Standard Specification **Section 102.04 and Supplemental Specification 102-2** state that the Department reserves the right to refuse to issue, accept, or consider a proposal:

“If the prospective bidder is the Contractor on a current Contract with the Commission on which Liquidated Damages are being assessed, and there are no pending time extensions warranted to remove the project from Liquidated Damages.”

If the prospective bidder goes into liquidated damages on a current Contract with the Commission during the advertisement period for a letting, the Contractor will be notified seven business days prior to the letting that they will not be allowed to bid in the upcoming letting. This notification will be officially transmitted through Doc Express for the project in liquidated damages and via email.

Upon notification that they will not be allowed to bid in the upcoming letting, the Contractor will be provided an opportunity to request a reconsideration of this decision. This request must be transmitted in the form of a letter through Doc Express and via email to the Department for review within two (2) business days of receipt. The Department will review the reconsideration request and render a decision no later than the Friday prior to the letting.

Please note, a bid may be withdrawn at any time prior to the time specified for the bid letting. If a Contractor has been notified that they will not be allowed to bid, and they do not withdraw their bid, the bid will be considered invalid and rejected.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES**

**Section 400** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The eighth (8<sup>th</sup>) and tenth (10<sup>th</sup>) bullet within the first paragraph of **Subsection 404.01, Design of Asphalt Mixtures. (a) General** is hereby deleted and the following added:

- A one-gallon sample of performance grade asphalt binder to be used in all Section 405 Asphalt Concrete Hot Mix Base Course and Section 406 Asphalt Concrete Hot Mix Binder Course mix designs.
- Nine (9) blended aggregate samples for all Section 405 Asphalt Concrete Hot Mix Base Course and Section 406 Asphalt Concrete Hot Mix Binder Course mix designs.
- A two-gallon sample of performance grade asphalt binder to be used in all Section 407 Asphalt Concrete Hot Mix Surface Course mix designs.
- Fourteen (14) blended aggregate samples for all Section 407 Asphalt Concrete Hot Mix Surface Course mix designs.

The last sentence of the last paragraph of **Subsection 404.01 Design of Asphalt Mixtures. (a) General** is hereby deleted and the following substituted therefor:

At least fifteen (15) business days shall be allowed for the review of the mix design.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS**

Division 106 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added to **Subsection 106.04, Acceptance of Materials**:

All ACHM Contractor Acceptance Tests shall be submitted electronically by use of the ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers and on paper.

The ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers can be downloaded from the following website:

<https://www.ardot.gov/divisions/construction/construction-information/contractor-achm-workbook/>.

To download this file and the supporting documentation, follow the instructions on the page linked above.

Use of this file requires Microsoft Excel 2000, 2003, or 2007.

The preferred method of transmitting the file is to e-mail the completed ACHM Microsoft Excel Spreadsheet for Contractors/Suppliers to the Department's ACHM Plant Inspector assigned to the project. It is also acceptable to transmit the file by Compact Disk (CD) or other electronic device. Regardless of the method of transmission used, the signed paper acceptance tests must be provided to the Resident Engineer via the required Document Submission system required by the Contract (Doc Express or eBuilder).

Any questions or issues arising from the use of this file should be referred to the Resident Engineer.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**DESIGN OF ASPHALT MIXTURES-AGGREGATES**

**Section 400** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added to the fifth sentence of the first paragraph in the bulleted section of **Subsection 404.01 Design of Asphalt Mixtures. (b) Design Requirements:**

- Limestone aggregate will be required as a part of the mix design for this project. The minimum requirement for limestone in the coarse aggregate shall be 20% by weight of the overall amount of the cold feed.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT**

**Section 409.03(h)** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following bullet is added under detailed requirements:

- Broadband Internet Service shall be provided.

The Broadband Internet Service shall be provided with an Internet Protocol (IP) address which is reachable on the global Internet (public) and which is permanently assigned (static). The Contractor is not required to provide this service if an IP address which is both static and public is not available.

If this service is not available at the beginning of a project but becomes available during the life of the project, the Contractor shall provide the service immediately from the date of availability.

The data transfer rate shall be 3 megabits per second (Mbps) download and 500 kilobits per second (kbps) upload, or higher, with latency not to exceed 150 milliseconds. If the Broadband Internet Service meets all of the requirements of this specification except for the data transfer rate and/or latency, then the best performing available connection shall be provided.

Prior to the selection of the Broadband Internet Service provider, the Contractor shall submit to the Resident Engineer, in writing, the proposed method for providing Broadband Internet Service. The Resident Engineer shall review this submittal and respond in writing regarding the acceptability of the proposed method.

The Broadband Internet Service shall be provided with equipment providing one Ethernet port.

## ARKANSAS DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

JOB NO. C04026

### WARM MIX ASPHALT

**DESCRIPTION:** The Department will allow the use of Warm Mix Asphalt (WMA). All provisions for the production and placement of conventional HMA mixtures as stipulated in Section 410 Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses of the Standard Specifications for Highway Construction, Edition 2014, are applicable except as noted below.

**Section 410 Construction Requirements and Acceptance of Asphalt Concrete Plant Mix Courses** of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

**Section 410.03:** Replace the third sentence with "WMA production temperatures at the plant shall be according to the Contractor's approved mix design but may be adjusted based on recommendations of the WMA additive/process manufacturer."

Add the following paragraph: "Implementation of best management practices in the control of aggregate moisture content prior to introduction to the drying or mixing drum is highly recommended in order to achieve the maximum benefit of WMA technology."

**Section 410.07:** Replace the last sentence of the first paragraph with "Spreading and finishing temperatures shall be according to the Contractor's approved mix design, but in no case shall the WMA be placed at a temperature less than 220° F."

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

**JOB NO. C04026**

**DENSITIES FOR ACHM SURFACE COURSE**

Division 400 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is hereby added as the second paragraph of **Subsection 407.04, Construction Requirements and Acceptance:**

On city street projects, the Engineer may reduce the required minimum density of the ACHM Surface Course to 90% of the maximum theoretical density based on actual field conditions which would either prevent obtaining 92.0% of the maximum theoretical density or when damage to underlying utilities and/or subgrade is imminent. However, no reduction from the specified density of 92.0% will be permitted on ACHM placed on a subgrade, an underlying base course, or layers of ACHM constructed by the Contractor under this same contract.



## ARKANSAS DEPARTMENT OF TRANSPORTATION

### SPECIAL PROVISION

JOB NO. C04026

### RECYCLED ASPHALT SHINGLES

**DESCRIPTION:** This specification covers the use of Recycled Asphalt Shingles (RAS) in Asphalt Concrete Hot Mix (ACHM).

**MATERIALS:** ACHM utilizing RAS shall meet all of the requirements of Sections 404, 409, 410, and 416 and the requirements of Section 405, 406, or 407 for the mixture type specified on the plans. The mix design will follow AASHTO MP 23-14 and AASHTO PP 78-14 except as follows:

- (1) A maximum of three (3) percent RAS by total mix weight will be allowed in any mix design. The amount of RAS will be included in the total Recycled Asphalt Pavement (RAP) percentage if RAP is used.
- (2) Shingle material shall be processed so that 100 percent passes the 3/8" (9.5 mm) sieve and ninety-five (95) percent passes the No. 4 (4.75 mm) sieve.
- (3) Pre-consumer, or manufacturer waste, shingles may be used in mix designs requiring PG 64-22 binder only.
- (4) Post-consumer, or tear-off, shingles may be used in mix designs requiring PG 64-22 binder only.
- (5) Pre- and post-consumer shingles may not be combined in mix designs.
- (6) Tear-off shingles shall be acquired from residential sources only and shall have been produced after 1980. In no case shall a roofing material containing rubber or rubber-like polymer components be used as RAS in asphalt mixes.
- (7) When using tear-off shingles, one stockpile test per lot of mix shall be conducted to confirm the binder content and gradation of the RAS product, and the sample shall be representative of the RAS material entering the production process for the lot tested. Binder content and gradation shall be determined using ARDOT 450 or AASHTO T 308. If AASHTO T 308 is used, the sample size shall be 400 grams, and the sample shall be oven dried to a constant mass (at a temperature not exceeding 140°F) prior to testing. Shingle fibers shall be removed from the extracted sample prior to gradation testing.

**ARKANSAS DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION**

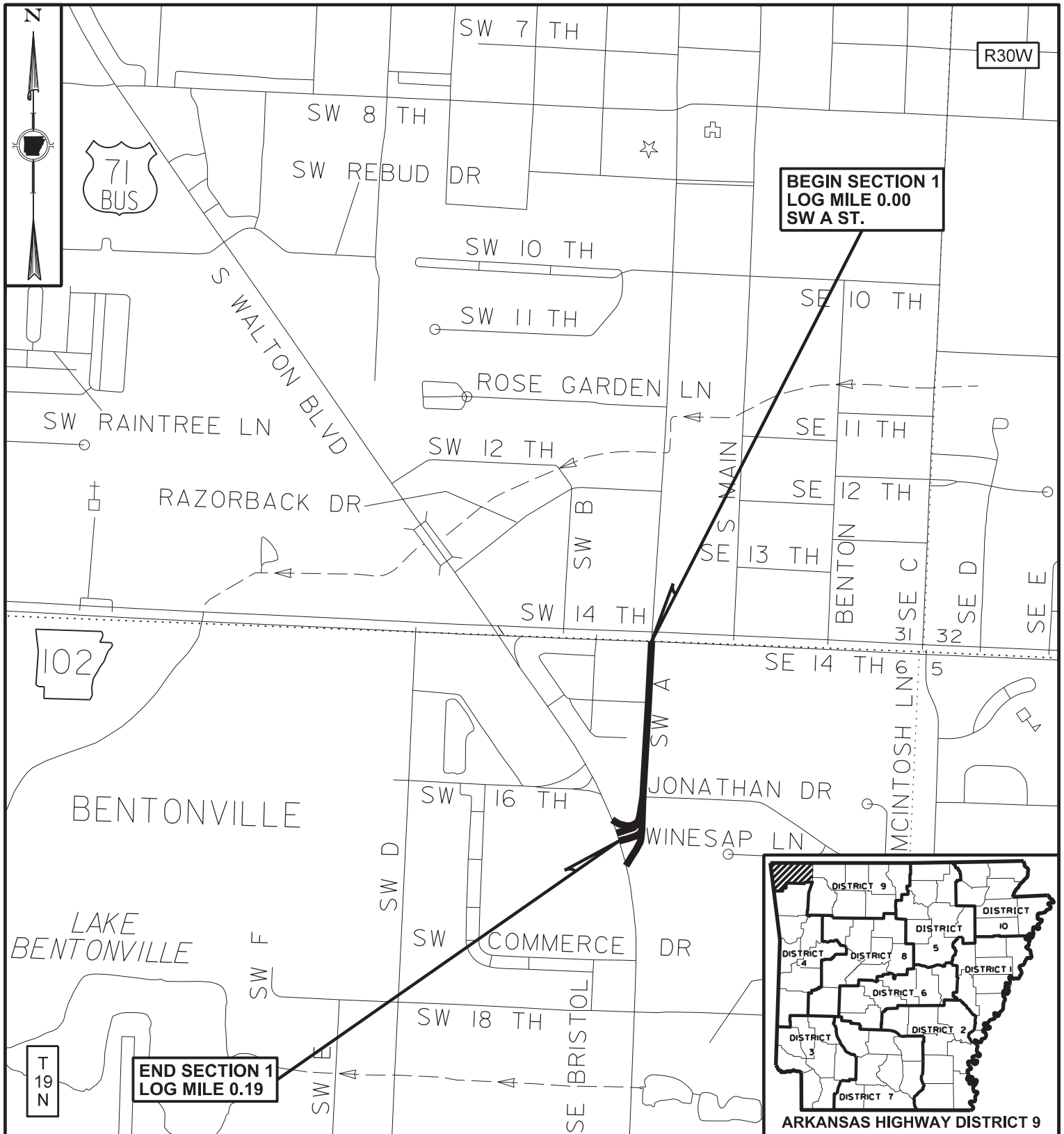
**JOB NO. C04026**

**TOTAL SOLAR ECLIPSE**

**Section 603 Maintenance of Traffic and Temporary Structures** of the Standard Specifications, Edition of 2014, is hereby expanded as follows:

The Contractor shall schedule his work so that no main lane closures exist and no work requiring main lane closures will be performed for the time period of Friday, April 5, 2024 through Tuesday, April 9, 2024 for the event of a total solar eclipse expected on Monday, April 8, 2024.

**BASIS OF PAYMENT:** There shall be no direct payment for fulfilling the requirements of the Special Provision, but compensation shall be considered included in the price bid for Maintenance of Traffic.



# JOB C04026

## BENTONVILLE OVERLAY (S)

### VARIOUS CITY STREETS

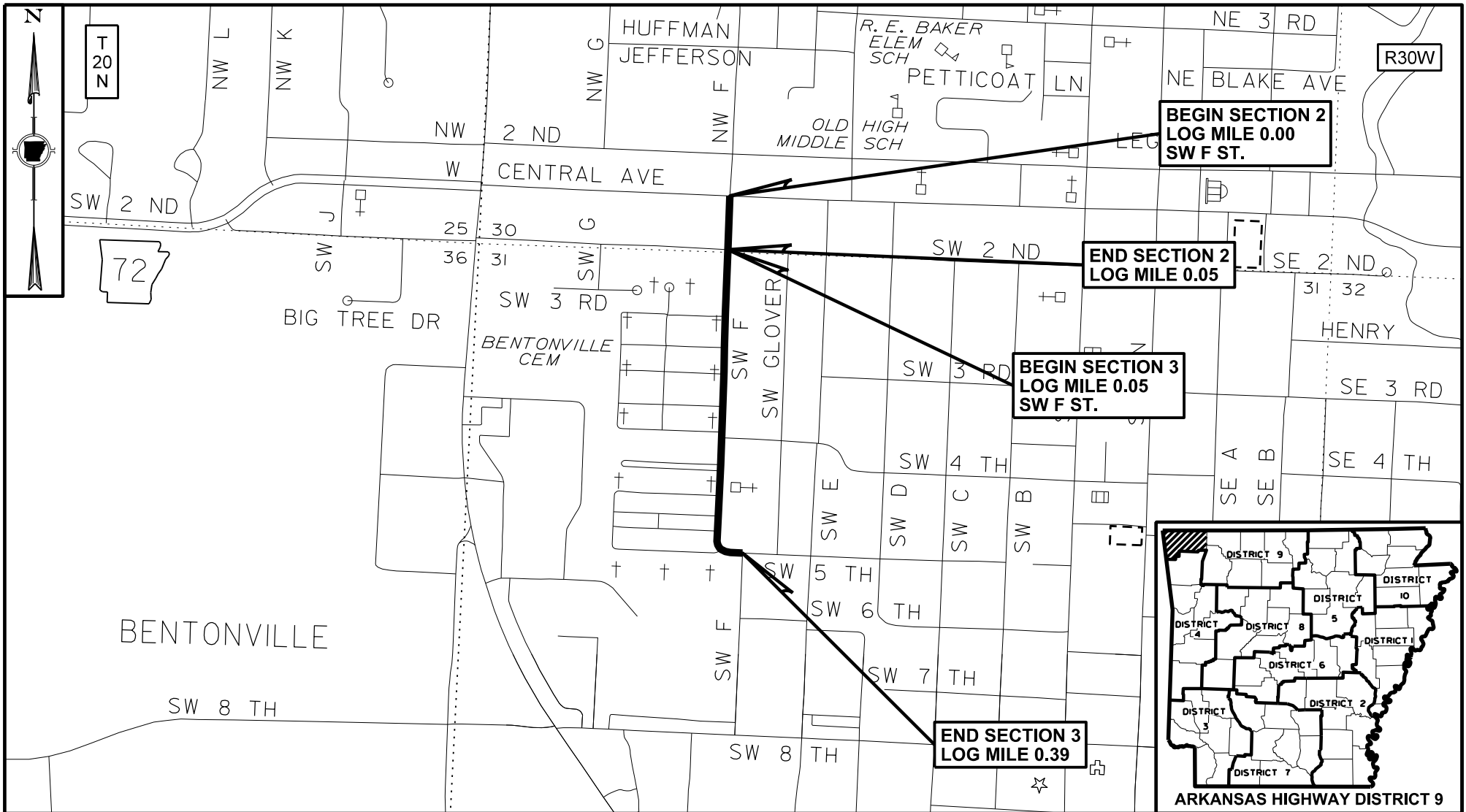
### BENTON COUNTY



APPROXIMATE CENTER OF SECTION 1  
LATITUDE: N 36° 21' 20"  
LONGITUDE: W 94° 12' 38"

Digitally signed by  
Freeling, Bryan E.  
Date: 2023.11.16  
09:51:43-06'00'

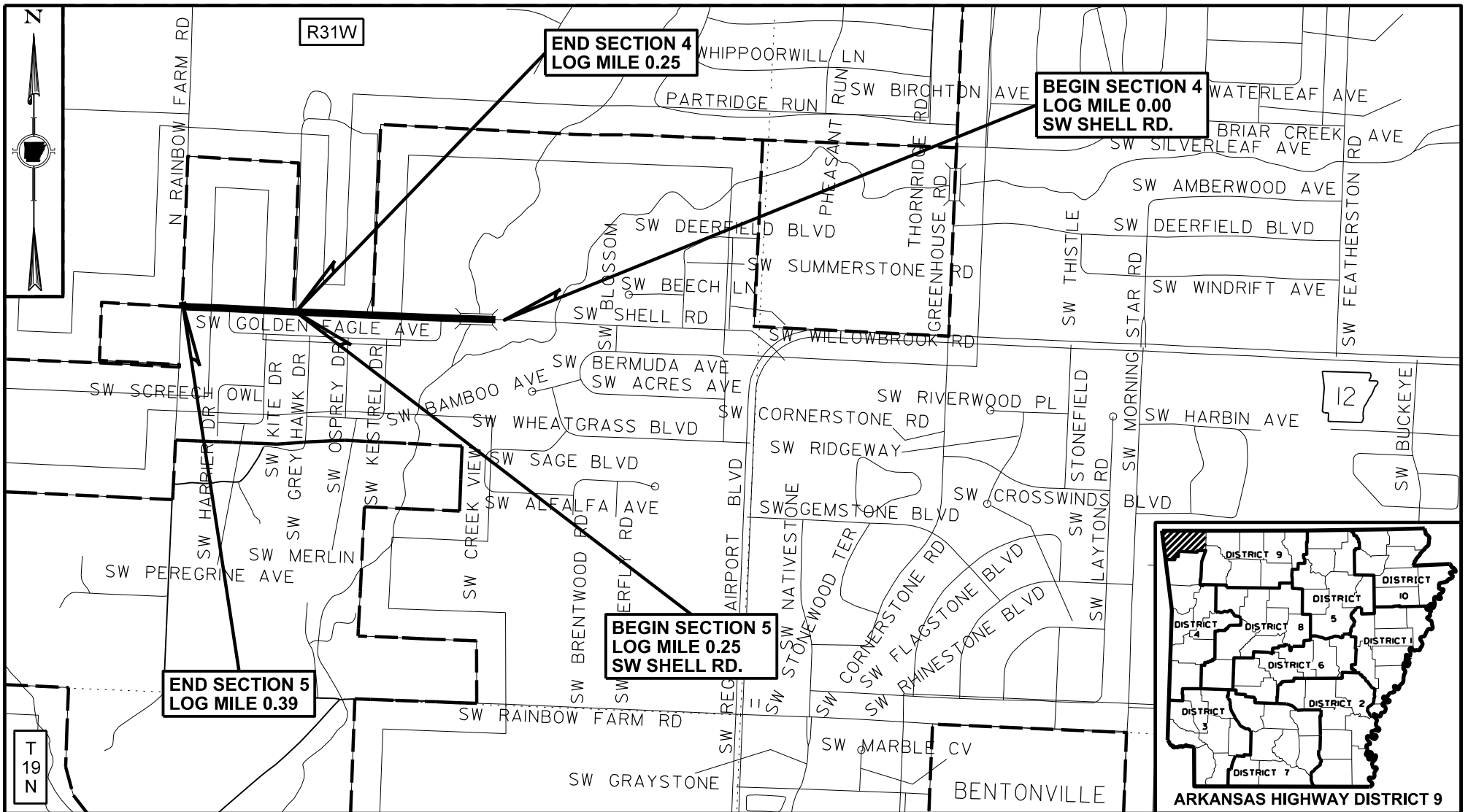
SHEET 1 OF 17



# **JOB C04026** **BENTONVILLE OVERLAY (S)** **VARIOUS CITY STREETS** **BENTON COUNTY**



APPROXIMATE CENTER OF SECTION 2  
 LATITUDE: N 36° 22' 19"  
 LONGITUDE: W 94° 13' 01"



# **JOB C04026** **BENTONVILLE OVERLAY (S)** **VARIOUS CITY STREETS** **BENTON COUNTY**

**APPROXIMATE CENTER OF SECTION 4**  
**LATITUDE: N 36° 20' 11"**  
**LONGITUDE: W 94° 15' 57"**



**SHEET 3 OF 17**

## INDEX OF SHEETS

| SHEET NO. | TITLE                                 |
|-----------|---------------------------------------|
| 1 - 3     | TITLE SHEETS                          |
| 4         | INDEX OF SHEETS AND STANDARD DRAWINGS |
| 5 - 6     | GOVERNING SPECIFICATIONS              |
| 7         | GENERAL NOTES                         |
| 8 - 12    | TYPICAL SECTIONS OF IMPROVEMENT       |
| 13 - 16   | QUANTITIES                            |
| 17        | SUMMARY OF QUANTITIES AND REVISIONS   |

## ROADWAY STANDARD DRAWINGS

| DRWG. NO. | TITLE                                              | DATE     |
|-----------|----------------------------------------------------|----------|
| PM-1      | PAVEMENT MARKING DETAILS                           | 02-27-20 |
| TC-1      | STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION | 11-07-19 |
| TC-2      | STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION | 05-20-21 |
| TC-3      | STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION | 08-12-21 |

## GOVERNING SPECIFICATIONS (SHEET 1 OF 2)

ARKANSAS STATE HIGHWAY COMMISSION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION,  
EDITION OF 2014, AND THE FOLLOWING SPECIAL PROVISIONS AND SUPPLEMENTAL SPECIFICATIONS.

| NUMBER      | TITLE                                                                          |
|-------------|--------------------------------------------------------------------------------|
| ERRATA_____ | ERRATA FOR THE BOOK OF STANDARD SPECIFICATIONS                                 |
| 100-3_____  | CONTRACTOR'S LICENSE                                                           |
| 100-4_____  | DEPARTMENT NAME CHANGE                                                         |
| 102-2_____  | ISSUANCE OF PROPOSALS                                                          |
| 103-2_____  | CONTACT INFORMATION FOR MOTORIST DAMAGE CLAIMS                                 |
| 105-4_____  | MAINTENANCE DURING CONSTRUCTION                                                |
| 107-2_____  | RESTRAINING CONDITIONS                                                         |
| 108-1_____  | LIQUIDATED DAMAGES                                                             |
| 108-2_____  | WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER                                   |
| 108-3_____  | WORK ORDER FOR FIXED COMPLETION DATE CONTRACTS                                 |
| 306-1_____  | QUALITY CONTROL AND ACCEPTANCE                                                 |
| 400-1_____  | TACK COATS                                                                     |
| 400-4_____  | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES                                 |
| 400-5_____  | PERCENT AIR VOIDS FOR ACHM MIX DESIGNS                                         |
| 400-6_____  | LIQUID ANTI-STRIP ADDITIVE                                                     |
| 400-7_____  | TRACKLESS TACK                                                                 |
| 404-3_____  | DESIGN OF ASPHALT MIXTURES                                                     |
| 409-2_____  | ASPHALT LABORATORY FACILITY                                                    |
| 410-1_____  | CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES |
| 410-2_____  | DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS                             |
| 410-4_____  | EVALUATION OF ACHM SUBLOT REPLACEMENT MATERIAL                                 |
| 416-1_____  | RECYCLED ASPHALT PAVEMENT                                                      |
| 604-1_____  | RETROREFLECTIVE SHEETING FOR TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES     |
| 604-3_____  | TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES (MASH)                           |

JOB C04026

SHEET 5 OF 17

## GOVERNING SPECIFICATIONS (SHEET 2 OF 2)

ARKANSAS STATE HIGHWAY COMMISSION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION,  
EDITION OF 2014, AND THE FOLLOWING SPECIAL PROVISIONS AND SUPPLEMENTAL SPECIFICATIONS.

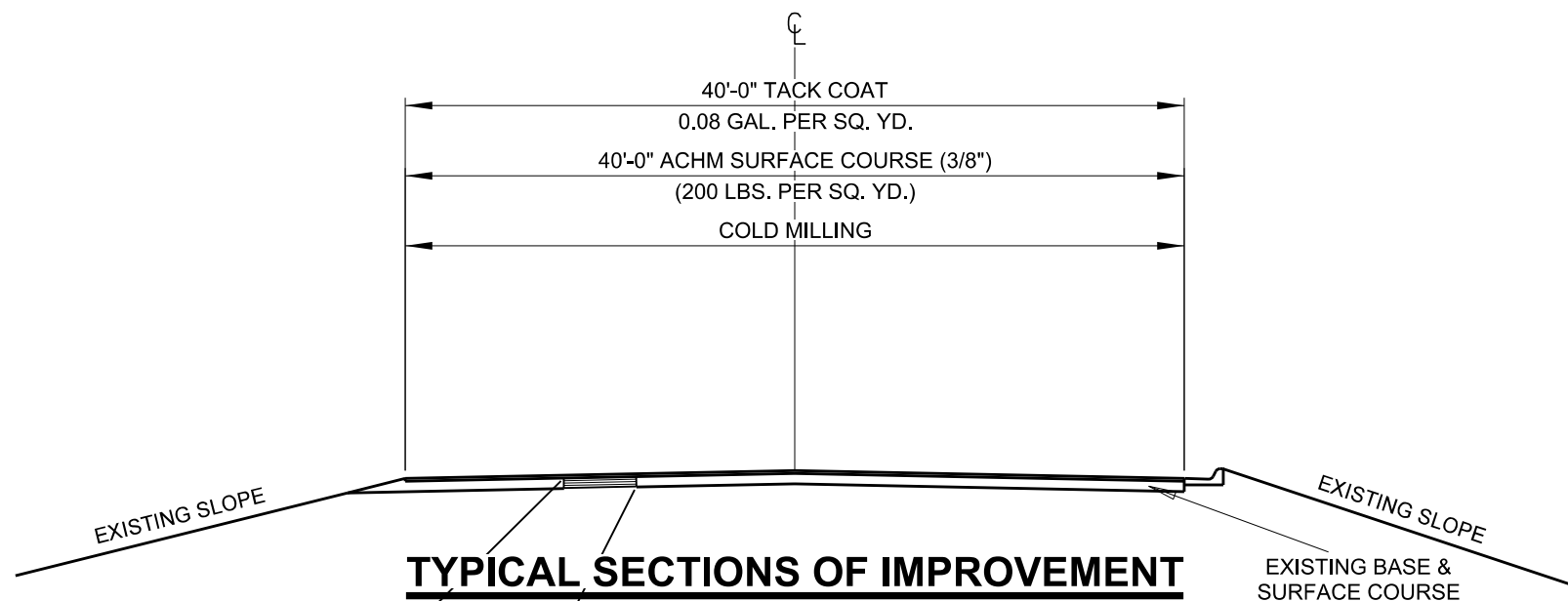
| NUMBER          | TITLE                                                          |
|-----------------|----------------------------------------------------------------|
| JOB C04026_____ | ADJUSTMENT OF QUANTITIES FOR STATE-AID STREET PROJECTS         |
| JOB C04026_____ | BIDDING REQUIREMENTS AND CONDITIONS                            |
| JOB C04026_____ | BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT          |
| JOB C04026_____ | DENSITIES FOR ACHM SURFACE COURSE                              |
| JOB C04026_____ | DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES                 |
| JOB C04026_____ | DESIGN OF ASPHALT MIXTURES - AGGREGATES                        |
| JOB C04026_____ | LIQUIDATED DAMAGES PROCEDURE FOR BID LETTINGS                  |
| JOB C04026_____ | MANDATORY ELECTRONIC CONTRACT                                  |
| JOB C04026_____ | MANDATORY ELECTRONIC DOCUMENT SUBMITTAL                        |
| JOB C04026_____ | RECYCLED ASPHALT SHINGLES                                      |
| JOB C04026_____ | SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS |
| JOB C04026_____ | TOTAL SOLAR ECLIPSE                                            |
| JOB C04026_____ | WARM MIX ASPHALT                                               |



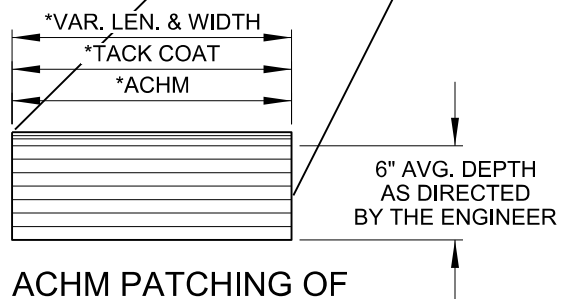
### **GENERAL NOTES**

1. THE SEQUENCE AS SHOWN ON THE MAINTENANCE OF TRAFFIC PLANS IS A GENERAL OUTLINE FOR THE CONSTRUCTION OF THIS PROJECT, AND IN NO WAY IS IT INTENDED TO COVER EVERY ITEM IN THE PROJECT. ITEMS NOT CRITICAL TO THE CONSTRUCTION SEQUENCE MAY BE CONSTRUCTED IN ANY STAGE AS APPROVED BY THE RESIDENT ENGINEER.
2. CONTRACTOR TO COORDINATE WITH THE CITY OF BENTONVILLE FOR THE ADJUSTMENT OF MANHOLES AND WATER VALVE COVERS.
3. THE CONTRACTOR SHALL CLIP GRASS AND DEBRIS FROM THE EDGE OF THE EXISTING ROADWAY. THESE "CLIPPINGS" SHALL BE PULLED UP TO THE EDGE OF THE NEW PAVEMENT IN SECTIONS WHERE THE SHOULDERS ARE NOT BEING REBUILT WITH AGGREGATE OR BORROW. NO DIRECT PAYMENT WILL BE MADE FOR THIS WORK.
4. SUPPLYING UTILITY RISERS AND INSTALLATION OF PERMANENT TRAFFIC SAFETY SIGNS NOT SHOWN IN THE PLANS ARE THE RESPONSIBILITIES OF THE CITY OF BENTONVILLE.

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



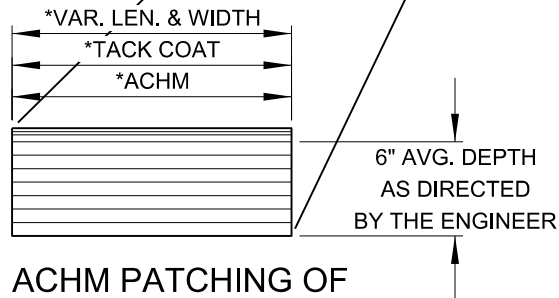
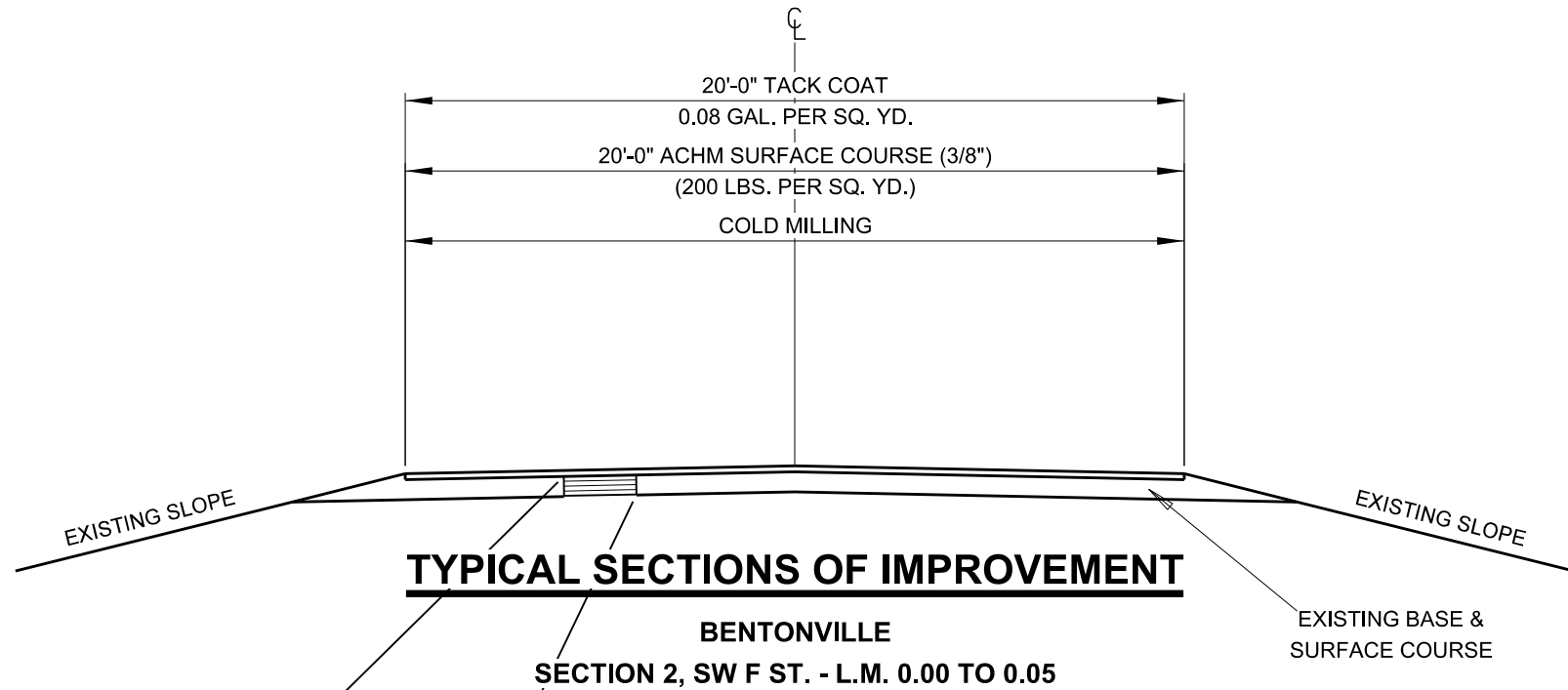
**BENTONVILLE**  
**SECTION 1, SW A ST. - L.M. 0.00 TO 0.19**



**ACHM PATCHING OF  
EXISTING ROADWAY**  
PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

\* LOCATION AND  
APPLICATION RATES  
ARE AT THE  
DIRECTION OF THE  
ENGINEER. SEE  
QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

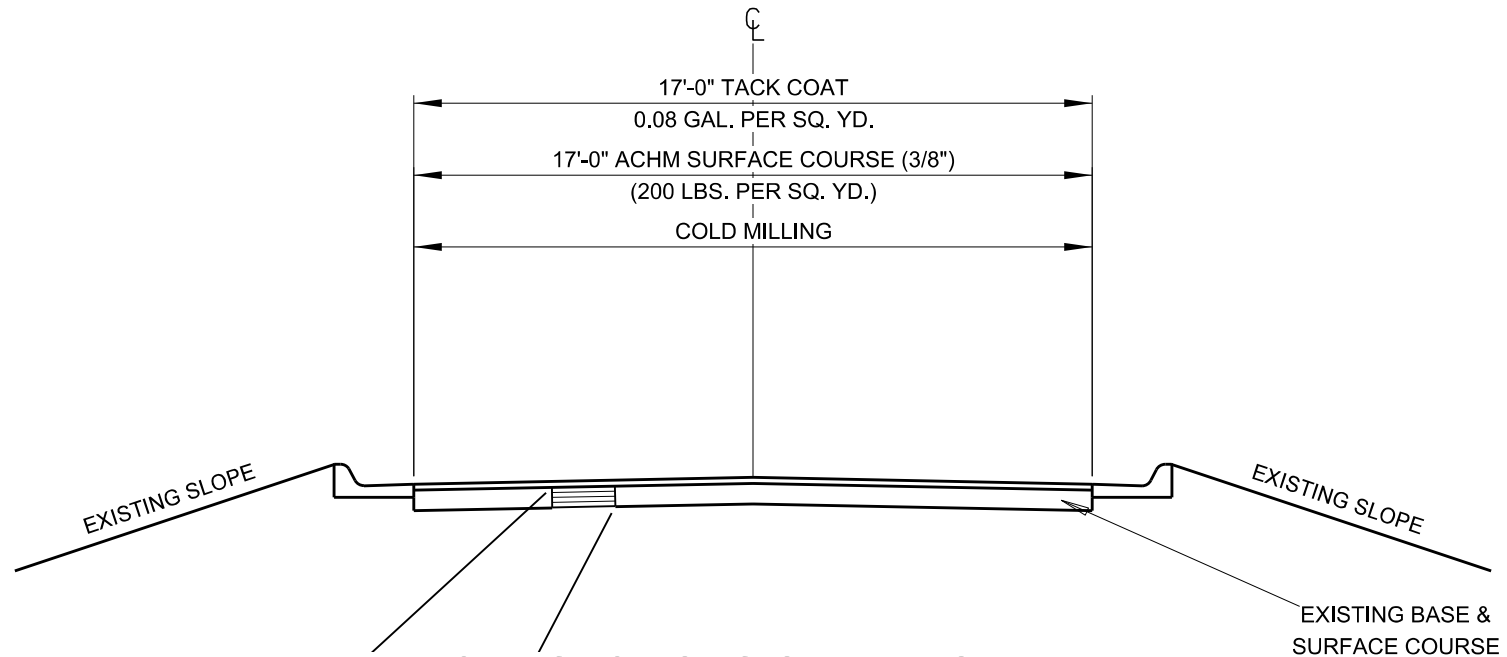
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



**ACHM PATCHING OF  
EXISTING ROADWAY**  
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CONSTRUCTION.

\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

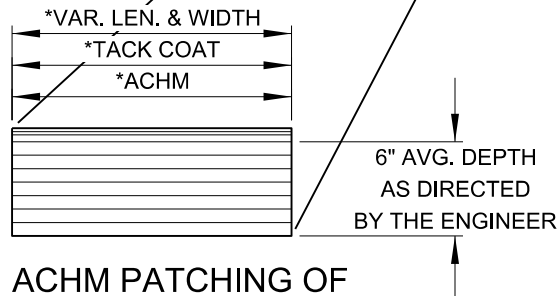
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



## **TYPICAL SECTIONS OF IMPROVEMENT**

**BENTONVILLE**

**SECTION 3, SW F ST. - L.M. 0.05 TO 0.39**



### **ACHM PATCHING OF EXISTING ROADWAY**

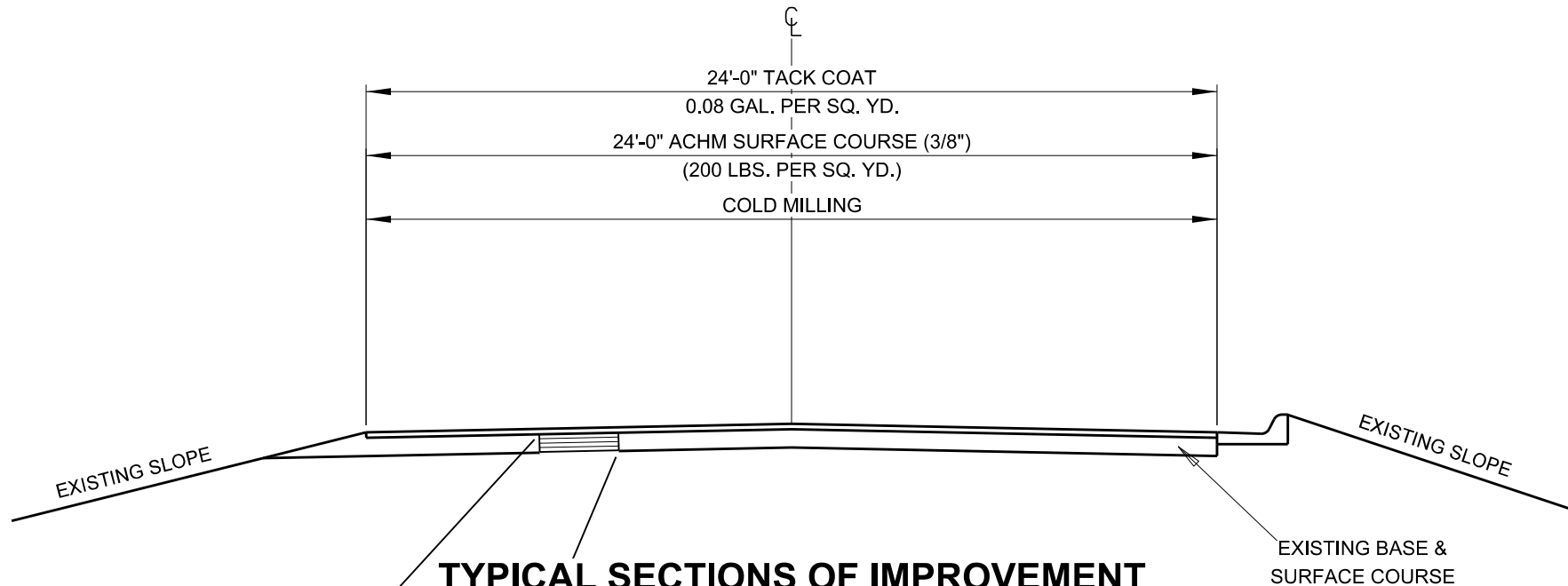
PAY ITEMS AND CONSTRUCTION  
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CONSTRUCTION.

\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

**JOB C04026**

**SHEET 10 OF 17**

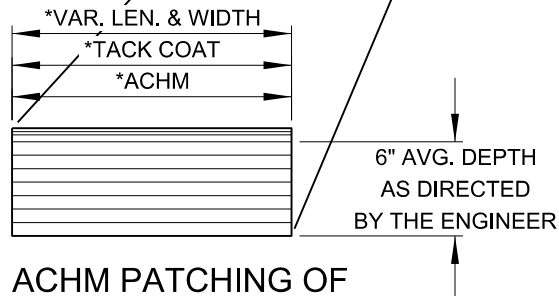
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



## **TYPICAL SECTIONS OF IMPROVEMENT**

**BENTONVILLE**

**SECTION 4, SW SHELL RD. - L.M. 0.00 TO 0.25**



### **ACHM PATCHING OF EXISTING ROADWAY**

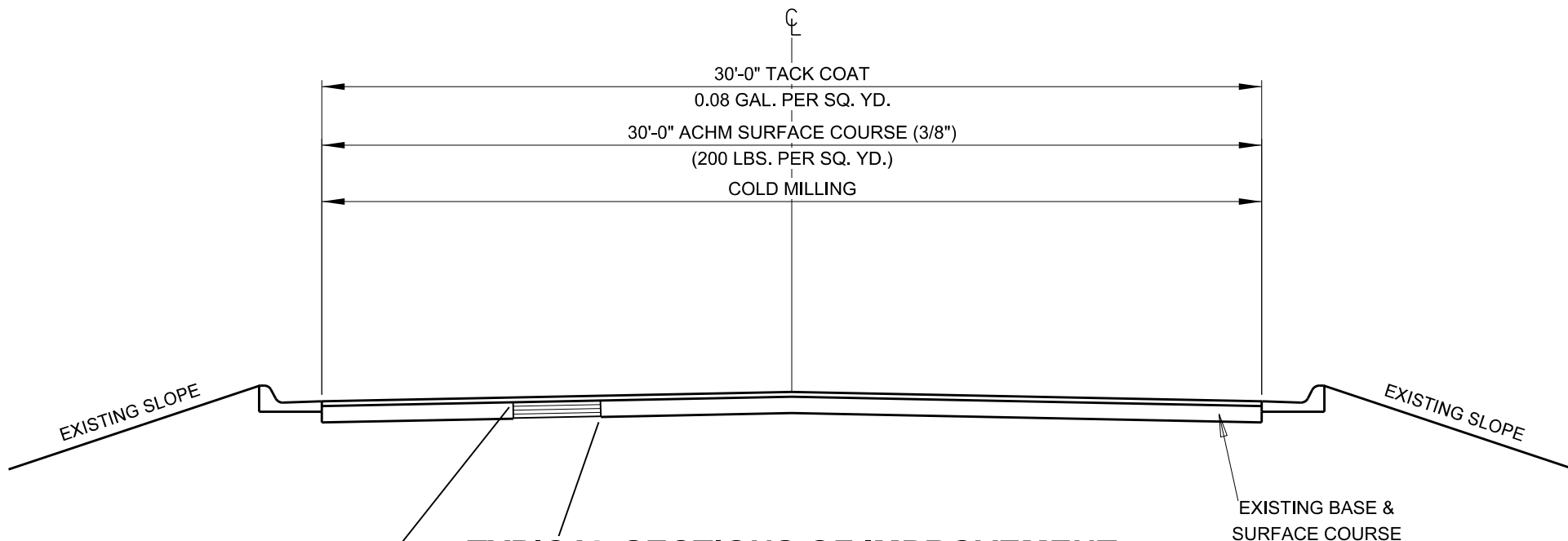
PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

**JOB C04026**

**SHEET 11 OF 17**

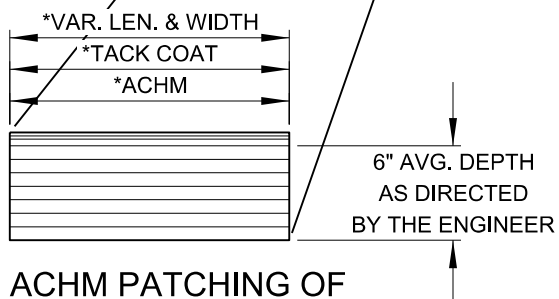
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



## **TYPICAL SECTIONS OF IMPROVEMENT**

**BENTONVILLE**

**SECTION 5, SW SHELL RD. - L.M. 0.25 TO 0.39**



### **ACHM PATCHING OF EXISTING ROADWAY**

PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

**JOB C04026**

**SHEET 12 OF 17**

## PATCHING AND SURFACING

| DESCRIPTION                     | LOG MILE |      | LENGTH   | ACHM<br>PATCHING OF<br>EXISTING<br>ROADWAY** | TACK COAT |         |               | ACHM SURFACE<br>COURSE (3/8")* |         |               |
|---------------------------------|----------|------|----------|----------------------------------------------|-----------|---------|---------------|--------------------------------|---------|---------------|
|                                 | FROM     | TO   | LIN. FT. | TON                                          | WIDTH     | SQ. YD. | GAL.          | WIDTH                          | SQ. YD. | TON           |
| <b>SECTION 1 - SW A ST.</b>     |          |      |          |                                              |           |         |               |                                |         |               |
| MAIN LANES                      | 0.00     | 0.19 | 1003     | 15.0                                         | 40.00     | 4600.0  | 368.0         | 40.00                          | 4600.0  | 460.0         |
| <b>SECTION 2 - SW F ST.</b>     |          |      |          |                                              |           |         |               |                                |         |               |
| MAIN LANES                      | 0.00     | 0.05 | 264      | 15.0                                         | 20.00     | 586.7   | 46.9          | 20.00                          | 586.7   | 58.7          |
| <b>SECTION 3 - SW F ST.</b>     |          |      |          |                                              |           |         |               |                                |         |               |
| MAIN LANES                      | 0.05     | 0.39 | 1795     | 15.0                                         | 17.00     | 3390.6  | 271.2         | 17.00                          | 3390.6  | 339.1         |
| <b>SECTION 4 - SW SHELL RD.</b> |          |      |          |                                              |           |         |               |                                |         |               |
| MAIN LANES                      | 0.00     | 0.25 | 1320     | 15.0                                         | 24.00     | 3520.0  | 281.6         | 24.00                          | 3520.0  | 352.0         |
| <b>SECTION 5 - SW SHELL RD.</b> |          |      |          |                                              |           |         |               |                                |         |               |
| MAIN LANES                      | 0.25     | 0.39 | 739      | 15.0                                         | 30.00     | 2463.3  | 197.1         | 30.00                          | 2463.3  | 246.3         |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
|                                 |          |      |          |                                              |           |         |               |                                |         |               |
| <b>TOTALS:</b>                  |          |      |          | <b>75.0</b>                                  |           |         | <b>1164.8</b> |                                |         | <b>1456.1</b> |

USE: 75 1165 1456

### BASIS OF ESTIMATE:

TACK COAT \_\_\_\_\_ 0.08 GAL. PER SQ. YD.  
 ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 200 POUND PER SQ. YD.

**\*Nmax=115**

### VOLUME CONTROL:

ASPHALT BINDER (PG 64-22) IN ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 5.7%  
 MINERAL AGGREGATE IN ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 94.3%

\*\*QUANTITY ESTIMATED. TO BE USED IF AND WHERE DIRECTED BY THE ENGINEER. SEE SECTION 104.03 OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

JOB C04026

SHEET 13 OF 17

## COLD MILLING ASPHALT PAVEMENT

| DESCRIPTION                     | LOG MILE |      | LENGTH   | COLD MILLING ASPHALT PAVEMENT |                |
|---------------------------------|----------|------|----------|-------------------------------|----------------|
|                                 | FROM     | TO   | LIN. FT. | WIDTH                         | SQ. YD.        |
| <b>SECTION 1 - SW A ST.</b>     |          |      |          |                               |                |
| ENTIRE SECTION                  | 0.00     | 0.19 | 1003     | 40.00                         | 4600.0         |
| <b>SECTION 2 - SW F ST.</b>     |          |      |          |                               |                |
| ENTIRE SECTION                  | 0.00     | 0.05 | 264      | 20.00                         | 586.7          |
| <b>SECTION 3 - SW F ST.</b>     |          |      |          |                               |                |
| ENTIRE SECTION                  | 0.05     | 0.39 | 1795     | 17.00                         | 3390.6         |
| <b>SECTION 4 - SW SHELL RD.</b> |          |      |          |                               |                |
| ENTIRE SECTION                  | 0.00     | 0.25 | 1320     | 24.00                         | 3520.0         |
| <b>SECTION 5 - SW SHELL RD.</b> |          |      |          |                               |                |
| ENTIRE SECTION                  | 0.25     | 0.39 | 739      | 30.00                         | 2463.3         |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
|                                 |          |      |          |                               |                |
| <b>TOTAL:</b>                   |          |      |          |                               | <b>14560.6</b> |

USE:

14561



## REFLECTORIZED PAINT PAVEMENT MARKING

| DESCRIPTION              | LOG MILE |      | YELLOW MARKING | WHITE MARKING |      |       |      |
|--------------------------|----------|------|----------------|---------------|------|-------|------|
|                          |          |      | 4"             | 12"           | 4"   | ARROW | WORD |
|                          | FROM     | TO   | LIN. FT.       |               |      | EACH  |      |
| SECTION 1 - SW A ST.     |          |      |                |               |      |       |      |
| CENTERLINE - DOUBLE      | 0.00     | 0.19 | 2006           |               |      | 1     |      |
| EDGE LINE                | 0.00     | 0.19 |                | 28            | 1073 |       | 1    |
| SECTION 4 - SW SHELL RD. |          |      |                |               |      |       |      |
| CENTERLINE - DOUBLE      | 0.00     | 0.25 | 2640           |               |      |       |      |
| EDGE LINE                | 0.00     | 0.25 |                |               | 1320 |       |      |
| SECTION 5 - SW SHELL RD. |          |      |                |               |      |       |      |
| CENTERLINE - DOUBLE      | 0.25     | 0.39 | 1478           |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
|                          |          |      |                |               |      |       |      |
| TOTALS:                  |          |      | 6124           | 28            | 2393 | 1     | 1    |

THIS IS A HIGH VOLUME ROAD AS DEFINED IN SECTION 604.03 OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

## TRAFFIC CONTROL DEVICES

| LOCATION                        | W20-1<br>(AHEAD) |              | G20-2    |               |
|---------------------------------|------------------|--------------|----------|---------------|
|                                 | NO.              | SQ. FT.      | NO.      | SQ. FT.       |
| <b>SECTION 1 - SW A ST.</b>     |                  |              |          |               |
| BEGIN SECTION                   | 1                | 16.00        | 1        | 8.00          |
| END SECTION                     | 1                | 16.00        | 1        | 8.00          |
| <b>SECTION 2 - SW F ST.</b>     |                  |              |          |               |
| BEGIN SECTION                   | 1                | 16.00        | 1        | 8.00          |
| <b>SECTION 3 - SW F ST.</b>     |                  |              |          |               |
| END SECTION                     | 1                | 16.00        | 1        | 8.00          |
| <b>SECTION 4 - SW SHELL RD.</b> |                  |              |          |               |
| BEGIN SECTION                   | 1                | 16.00        | 1        | 8.00          |
| <b>SECTION 5 - SW SHELL RD.</b> |                  |              |          |               |
| END SECTION                     | 1                | 16.00        | 1        | 8.00          |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
|                                 |                  |              |          |               |
| <b>SUBTOTALS:</b>               | <b>6</b>         | <b>96.00</b> | <b>6</b> | <b>48.00</b>  |
| <b>TOTAL:</b>                   |                  |              |          | <b>144.00</b> |

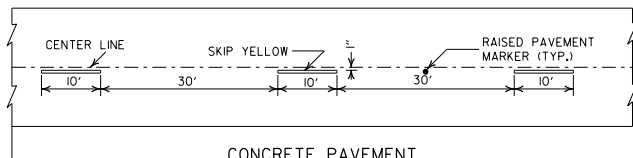
## SUMMARY OF QUANTITIES

[illegible]

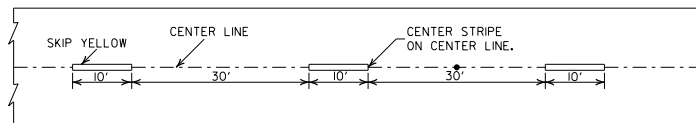
## REVISIONS

[illegible]**JOB C04026**

**SHEET 17 OF 17**

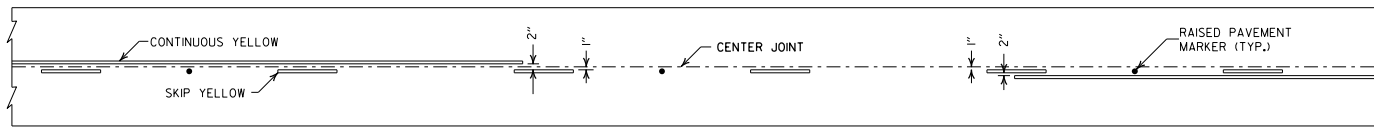


CONCRETE PAVEMENT

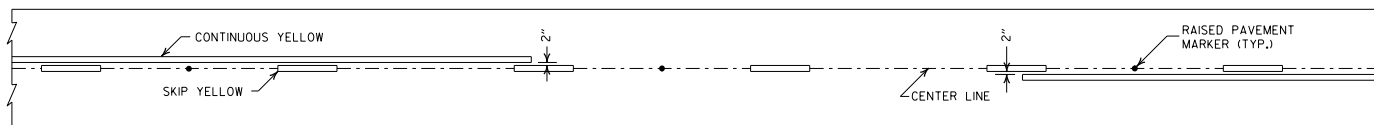


ASPHALT PAVEMENT

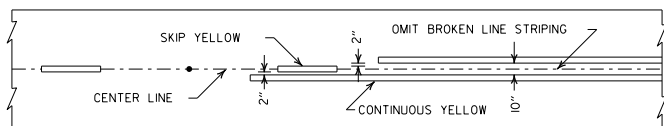
### BROKEN LINE STRIPING



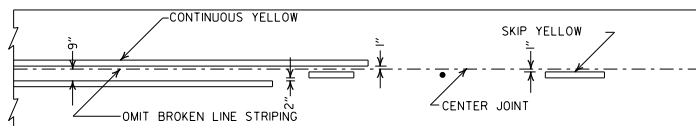
SOLID LINE STRIPING ON CONCRETE PAVEMENT



SOLID LINE STRIPING ON ASPHALT PAVEMENT

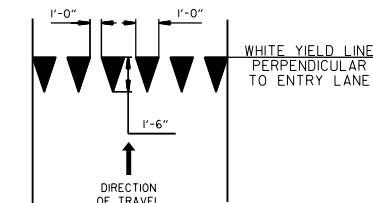


ASPHALT PAVEMENT

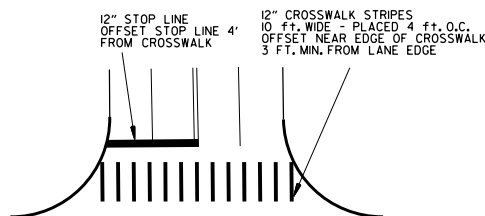


CONCRETE PAVEMENT

### STRIPING AT ADJACENT NO PASSING LANES



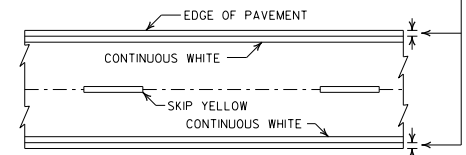
YIELD LINE DETAIL



CROSSWALK AND STOP LINE DETAILS

- NOTES:
1. REFER TO THE STRIPING DETAILS FOR PAVEMENT MARKING LINE WIDTHS.
  2. THIS DRAWING SHALL BE USED IN CONJUNCTION WITH THE LATEST REVISED ADDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."
  3. RAISED PAVEMENT MARKERS SHALL BE PLACED ON AN 80 FEET SPACING UNLESS OTHERWISE SHOWN IN THE PLANS.

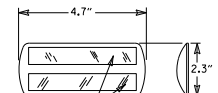
2" FOR ASPHALT OR CONCRETE PAVEMENT  
6" FOR BITUMINOUS SURFACE TREATMENT



PAVEMENT EDGE LINE MARKING

NOTE:  
THE RED LENS OF THE  
TYPE II R.P.M. SHALL  
FACE THE INCORRECT  
TRAFFIC MOVEMENT.

TYPE II  
RED/CLEAR OR  
YELLOW/YELLOW



PRISMATIC REFLECTOR

NOTE:  
DIMENSIONS SHOWN FOR RAISED PAVEMENT  
MARKERS ARE TYPICAL. THE CONTRACTOR  
MAY SUBSTITUTE SIMILAR MARKERS WITH  
THE APPROVAL OF THE ENGINEER, REQUESTING  
APPROVAL FOR SIMILAR MARKERS MAY BE  
MADE BY REFERRING TO THE ADOT QUALIFIED  
PRODUCTS LIST.



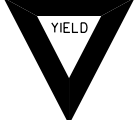
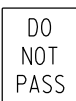
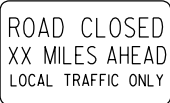
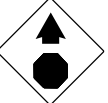
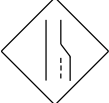
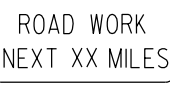
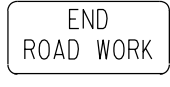
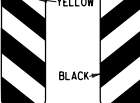
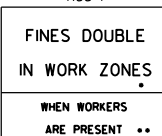
DETAIL OF STANDARD  
RAISED PAVEMENT MARKERS

|          |                                                     |           |
|----------|-----------------------------------------------------|-----------|
| 2-27-20  | REVISED STOP LINE DETAILS                           |           |
| 6-1-17   | ADDED YIELD LINE DETAIL                             |           |
| 5-12-16  | REVISED LINE WIDTHS, SPACING, & NOTES               |           |
| 9-12-13  | REVISED DETAIL OF STANDARD RAISED PAVEMENT MARKERS  |           |
| 11-17-10 | REVISED GENERAL NOTES & REMOVED PLOWABLE PVMT MRKRS |           |
| 11-18-04 | REVISED NOTE 2 & GENERAL NOTES                      |           |
| 8-22-02  | ADDED CROSSWALK & STOPBAR DTLs.                     |           |
| 7-02-98  | ADDED DETAILS OF STD. RAISED PAV'T. MARKERS         |           |
| 4-26-96  | REV. NOTES 3&4; ADDED R.P.M.                        |           |
| 9-30-80  | DRAWN                                               | 1-9-30-80 |
| DATE     | REVISION                                            | FILMED    |

ARKANSAS STATE HIGHWAY COMMISSION

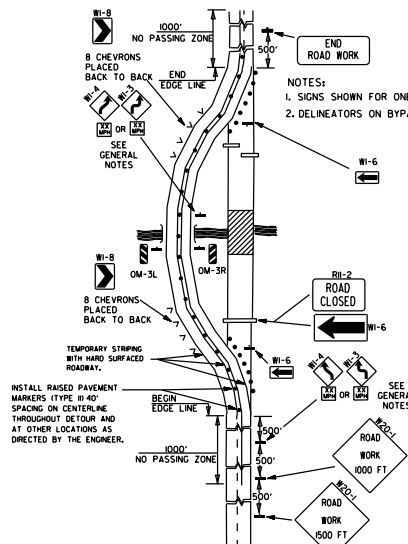
PAVEMENT MARKING DETAILS

STANDARD DRAWING PM-1

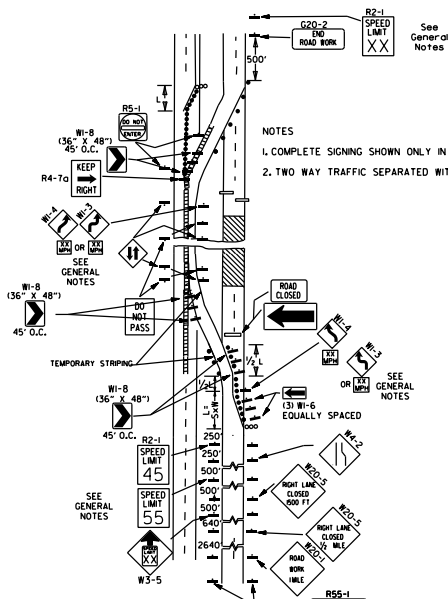
|                                                                                                                                                              |                                                                                                                                                           |                                                                                                                                                       |                                                                                                                                                                           |                                                                                                                                                         |                                                                                                                                                               |                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>RI-1</p>  <p>STANDARD 30"x30"<br/>EXPWAY 36"x36"<br/>SPECIAL 48"x48"</p> | <p>RI-2</p>  <p>STD. 36"x36"<br/>EXPWAY 48"x48"<br/>FWY. 60"x60"x60"</p> | <p>R2-1</p>  <p>STD. 24"x30"<br/>EXPWAY 36"x48"<br/>FWY. 48"x60"</p> | <p>W3-5</p>  <p>STD. 36"x36"<br/>EXPWAY 48"x48"<br/>FWY. 48"x48"</p>                     | <p>W3-5a</p>  <p>STD. 36"x36"<br/>EXPWAY 36"x48"<br/>FWY. 48"x48"</p> | <p>R4-1</p>  <p>STD. 24"x30"<br/>EXPWAY 36"x48"<br/>FWY. 48"x60"</p>       | <p>R4-2</p>  <p>STD. 24"x30"<br/>EXPWAY 36"x48"<br/>FWY. 48"x60"</p> | <p>ADVANCE DISTANCES (XXXX)</p> <p>500 FT 1/2 MILE<br/>1000 FT 3/4 MILE<br/>1500 FT 1 MILE<br/>AHEAD</p> <p>GENERAL NOTES:</p> <ol style="list-style-type: none"> <li>ALL TRAFFIC CONTROL DEVICES USED ON ROAD CONSTRUCTION SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION, AND TO THE STANDARD HIGHWAY SIGNS, LATEST EDITION, OR AS APPROVED BY THE FEDERAL HIGHWAY ADMINISTRATION.</li> <li>TRAFFIC CONTROL DEVICES SHALL BE SET UP JUST BEFORE THE START OF CONSTRUCTION OPERATIONS AND SHALL BE PROPERLY MAINTAINED DURING THE TIME SUCH CONDITIONS EXIST. THEY SHALL REMAIN IN PLACE ONLY AS LONG AS NEEDED AND REMOVED THEREAFTER.</li> <li>EXISTING SIGNS AND CONSTRUCTION SIGNS SHALL BE KEPT IN PROPER POSITION, AND BE CLEAN AND LEGIBLE AT ALL TIMES. SIGNS THAT DO NOT APPLY TO EXISTING CONDITIONS SHALL BE REMOVED. SIGNS THAT ARE DAMAGED, DEFACED, OR THAT ACCUMULATE DIRT DURING CONSTRUCTION SHALL BE CLEANED, REPAIRED, OR REPLACED.</li> <li>SIGNS ARE USUALLY MOUNTED ON A SINGLE POST, ALTHOUGH THOSE WIDER THAN 36" OR LARGER THAN 10 SQ. FT. SHALL BE MOUNTED ON TWO POSTS OR ABOVE A TYPE III BARRICADE.</li> <li>SIGN POSTS DIRECT BURIED IN SOIL SHALL BE 2 LB. MINIMUM CHANNEL POST OR 4"x4" WOOD POSTS. CHANNEL POSTS SHALL BE PAINTED GREEN. WOOD POSTS SHALL BE PAINTED WHITE. ALL POSTS SHALL BE NEATLY CONSTRUCTED AND SHALL BE REPLUMBED, CLEANED, OR REPAIRED AS NEEDED FOR THE DURATION OF THE JOB. THERE SHALL NOT BE MORE THAN 2 POSTS IN A 7' PATH FOR WOOD OR CHANNEL POSTS. ANY CHANNEL POST SPLICE SHALL BE IN ACCORDANCE WITH STANDARD DRAWING TC-3.</li> <li>POST MOUNTED SIGNS IN RURAL AREAS SHALL BE CONSTRUCTED WITH THE NEAR EDGE OF THE SIGN FROM 6 TO 12 FEET FROM THE PAVEMENT EDGE. SIGNS IN URBAN AREAS AND BARRICADE MOUNTED SIGNS SHALL BE MOUNTED A MINIMUM OF 2 FEET FROM THE PAVEMENT EDGE.</li> <li>ALL POST AND BARRICADE MOUNTED SIGNS MOUNTED IN URBAN AREAS SHALL BE MOUNTED A MINIMUM DISTANCE OF 7' FROM THE BOTTOM OF THE SIGN TO THE ROADWAY SURFACE. ALL POST AND BARRICADE MOUNTED SIGNS MOUNTED IN RURAL AREAS SHALL BE MOUNTED A MINIMUM DISTANCE OF 7' FROM THE BOTTOM OF THE SIGN TO THE ROADWAY SURFACE. EXCEPT A MINIMUM OF 6" SHALL BE USED WHEN MOUNTING AN ADVISORY SIGN BELOW A WARNING SIGN. TEMPORARY SIGNS MAY BE MOUNTED ON PORTABLE SUPPORTS FOR INTERMEDIATE TERM STATIONARY WORK CONDITIONS. THE SIGNS MINIMUM MOUNTING HEIGHT SHALL BE 5'. RETROREFLECTIVE DEVICES SHALL BE USED. TEMPORARY SIGNS MAY BE MOUNTED ON PORTABLE SUPPORTS FOR SHORT-TERM, SHORT DURATION, AND MOBILE CONDITIONS. THEY SHALL BE NO LESS THAN ONE (1) FOOT ABOVE THE TRAVELED WAY. LONG-TERM STATIONARY SIGNS SHALL BE DIRECT BURIED IN SOIL, UNLESS CONDITIONS NECESSITATE THE USE OF PORTABLE SIGNS, OR AS APPROVED BY THE ENGINEER. CONCRETE PADS, CONCRETE OR ROCK BALLAST, OR OTHER SOLID MATERIALS SHALL NOT BE UTILIZED WITH PORTABLE SIGN SUPPORTS.</li> <li>FLAGGERS SHALL USE REFLECTORIZED STOP-SLOW PADDLES. FLAGS MAY BE USED ONLY FOR EMERGENCY SITUATIONS.</li> <li>MOST OF THE SIGNS SHOWN ARE ORIENTED TO THE RIGHT. HOWEVER, THIS DOES NOT PRECLUDE THE USE OF MIRROR IMAGES OF THESE SIGNS WHERE THE REVERSE ORIENTATION MIGHT BETTER CONVEY TO MOTORISTS THE PROPER DIRECTION OF MOVEMENT.</li> <li>R55-1 SIGNS SHALL BE PLACED AT LEAST 1500' BUT NOT MORE THAN 1 MILE IN ADVANCE OF THE WORK ZONE. IF A SPEED LIMIT REDUCTION IS IN EFFECT, THE SIGN SHALL BE PLACED A MINIMUM OF 500' IN ADVANCE OF THE "REDUCED SPEED AHEAD" SIGN.</li> </ol> <p>• NOTE: SUPPORTS FOR SIGNS, BARRICADES, AND VERTICAL PANELS THAT ARE DIFFERENT FROM THE REQUIREMENTS SHOWN IN NOTES 4 &amp; 5, BUT MEET THE REQUIREMENTS OF MANUAL FOR ASSESSING SAFETY HARDWARE (MASH), WILL BE ACCEPTED. COMPLIANCE WITH THE REQUIREMENTS OF MANUAL FOR ASSESSING SAFETY HARDWARE (MASH) IS REQUIRED FOR ALL PROJECTS.</p> |
| <p>R5-1</p>  <p>STD. 30"x30"<br/>EXPWAY 36"x36"<br/>SPECIAL 48"x48"</p>     | <p>R11-2</p>  <p>48"x30"</p>                                             | <p>R11-3A</p>  <p>60"x30"</p>                                        | <p>R11-4</p>  <p>60"x30"</p>                                                             | <p>W21-5a</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                   | <p>W1-1</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                          | <p>W1-2</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>W1-3</p>  <p>STD. 48"x48"</p>                                            | <p>W1-4</p>  <p>STD. 48"x48"</p>                                         | <p>W1-6</p>  <p>STD. 48"x24"<br/>SPECIAL 60"x30"</p>                 | <p>W1-8</p>  <p>STD. 18"x24"<br/>SPECIAL 24"x30"<br/>EXPWAY 30"x36"<br/>FWY. 36"x48"</p> | <p>W3-1</p>  <p>STD. 36"x36"<br/>SPECIAL 48"x48"</p>                  | <p>W3-2</p>  <p>STD. 36"x36"<br/>SPECIAL 48"x48"</p>                       | <p>W4-2</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>W5-1</p>  <p>STD. 36"x36"<br/>SPECIAL 48"x48"</p>                        | <p>W6-3</p>  <p>EXPWAY 36"x36"<br/>SPECIAL 48"x48"</p>                   | <p>W8-7</p>  <p>EXPWAY 36"x36"<br/>FWY. 48"x48"</p>                  | <p>W9-2</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                                        | <p>W13-1</p>  <p>STD. 24"x24"</p>                                     | <p>W20-1</p>  <p>STD. 48"x48"</p>                                          | <p>W20-2</p>  <p>STD. 48"x48"</p>                                    | <p>W20-3</p>  <p>STD. 48"x48"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>W20-4</p>  <p>STD. 48"x48"</p>                                         | <p>W20-5</p>  <p>STD. 48"x48"</p>                                      | <p>W20-7a</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                | <p>W21-2</p>  <p>STD. 30"x30"<br/>SPECIAL 36"x36"</p>                                  | <p>W21-5</p>  <p>STD. 30"x30"<br/>SPECIAL 36"x36"</p>               | <p>W24-1</p>  <p>STD. 36"x36"</p>                                        | <p>W1-4b</p>  <p>STD. 48"x48"</p>                                  | <p>R56-1</p>  <p>STD. 18"x18"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>W8-11</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                        | <p>W8-9</p>  <p>STD. 36"x36"<br/>FWY. 48"x48"</p>                      | <p>G20-1</p>  <p>60"x24"</p>                                       | <p>G20-2</p>  <p>48"x24"</p>                                                           | <p>OM-3L OM-3R</p>  <p>12"x36"</p>                                  | <p>M4-9</p>  <p>STD. 30"x24"<br/>SPECIAL 48"x36"<br/>SPECIAL 60"x48"</p> | <p>M4-10</p>  <p>48"x18"</p>                                       | <p>R55-1</p>  <p>36"x60"</p> <p>• USE 6" C LETTERS<br/>•• USE 4" D LETTERS</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|          |                                               |        |
|----------|-----------------------------------------------|--------|
| 4-07-97  | REVISED FOR MASH                              |        |
| 4-13-97  | DELETED RSP-1 & ADDED W21-5a                  |        |
| 9-2-95   | REVISED REDUCED SPEED LIMIT AHEAD SIGNS       |        |
| 9-2-95   | REVISED ROAD WORK NEXT XX MILES               |        |
| 10-6-11  | REVISED W24-1                                 |        |
| 10-17-10 | DELETED W8-9a & ADDED W8-9                    |        |
| 10-5-09  | ADDED REFERENCE TO MASH & ADDED SIGN W24-1    |        |
| 4-17-08  | REVISED SIGN DESIGNATIONS                     |        |
| 1-18-04  | REVISED NOTES                                 |        |
| 10-9-03  | REVISED NOTE 1                                |        |
| 1-6-06   | REVISED NOTE 7                                |        |
| 9-28-00  | REVISED NOTE                                  |        |
| 1-18-98  | ADDED NOTE                                    |        |
| 6-26-97  | REVISED NOTE 5                                |        |
| 4-03-97  | REVISED NOTE 5                                |        |
| 10-8-96  | ADDED CONTROLLED ACCESS HWY. SIGN & TO NOTE 7 |        |
| 10-9-95  | ADDED R55-1                                   |        |
| 6-8-95   | REVISED TO CORRECT SIGN ILLUSTRATIONS         | 6-8-95 |
| 2-2-95   | REVISED PER PART VI, MUTCD SEPT. 3, 1993      |        |
| 8-5-99   | DRAWN AND PLACED IN USE                       |        |
| DATE     | REVISION                                      | FILMED |

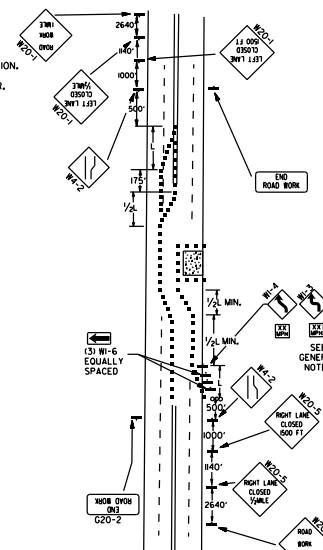
ARKANSAS STATE HIGHWAY COMMISSION  
STANDARD TRAFFIC CONTROLS  
FOR HIGHWAY CONSTRUCTION  
STANDARD DRAWING TC-1



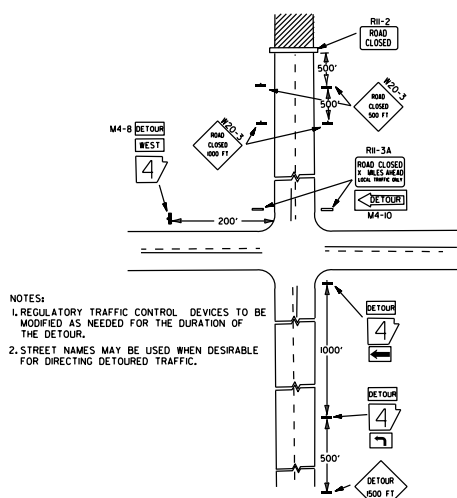
(A) TYPICAL APPLICATION OF TRAFFIC CONTROL DEVICES ON A 2-LANE HIGHWAY WHERE THE ENTIRE ROADWAY IS CLOSED AND A BYPASS DETOUR IS PROVIDED.



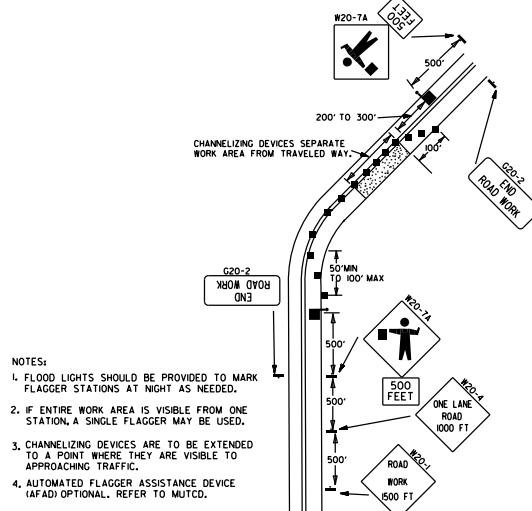
(B) TYPICAL APPLICATION - 4-LANE DIVIDED ROADWAY WHERE ONE ROADWAY IS CLOSED.



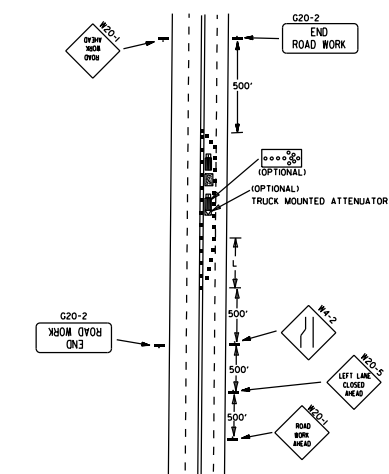
(C) TYPICAL APPLICATION - 4-LANE UNDIVIDED ROADWAY WHERE HALF OF THE ROADWAY IS CLOSED.



(D) TYPICAL APPLICATION - ROADWAY CLOSED BEYOND DETOUR POINT.

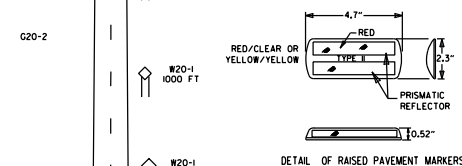


(E) TYPICAL APPLICATION OF TRAFFIC CONTROL DEVICES ON 2-LANE HIGHWAY WHERE ONE LANE IS CLOSED AND FLAGGING IS PROVIDED.



(F) TYPICAL APPLICATION - 4-LANE UNDIVIDED ROADWAY WITH INSIDE LANE CLOSED.

- KEY:
- FLAGGER
  - POSITIVE BARRIER
  - ARROW PANEL (IF REQUIRED)
  - TYPE III BARRICADE
  - CHANNELIZING DEVICE
  - TRAFFIC DRUM
  - RAISED PAVEMENT MARKER



TYPICAL ADVANCE WARNING SIGN PLACEMENT

TAPER FORMULAE:

$L = 5XW$  FOR SPEEDS OF 45MPH OR MORE.

$L = \frac{WS^2}{60}$  FOR SPEEDS OF 40MPH OR LESS.

WHERE:

L = MINIMUM LENGTH OF TAPER.

S = NUMERICAL VALUE OF POSTED SPEED LIMIT PRIOR TO WORK OR 85TH PERCENTILE SPEED.

W = WIDTH OF OFFSET.

GENERAL NOTES:

- THE MAINTENANCE DIVISION SHALL CONDUCT A BALL BANK STUDY TO DETERMINE THE ADVISORY SPEED LIMIT PRIOR TO OPENING TO TRAFFIC. THE ADVISORY SPEED WILL BE POSTED ON W1-3 OR W1-4 CURVE WARNING SIGNS. USE W1-4 WHEN SPEED IS GREATER THAN 30MPH AND W1-3 WHEN 30MPH OR LESS.
- WHEN THE EXISTING SPEED LIMIT IS 55MPH AND THE PLANS REQUIRE A SPEED LIMIT OF 45MPH, THE R2-155 SHALL BE OMITTED AND THE W3-5 SHALL BE INSTALLED AT THAT LOCATION. ADDITIONAL R2-145MPH SPEED LIMIT SIGNS SHALL BE INSTALLED AT A MAXIMUM OF 1/4 MILE INTERVALS. AT THE END OF THE WORK AREA A R2-1XXI SHALL BE INSTALLED TO MATCH ORIGINAL SPEED LIMIT.
- WHEN THE EXISTING SPEED LIMIT IS 65MPH AND THE PLANS REQUIRE A SPEED LIMIT OF 55MPH, THE R2-145 SHALL BE OMITTED. ADDITIONAL R2-155MPH SPEED LIMIT SIGNS SHALL BE INSTALLED AT A MAXIMUM OF 1/4 MILE INTERVALS. AT THE END OF THE WORK AREA A R2-1XXI SHALL BE INSTALLED TO MATCH ORIGINAL SPEED LIMIT.
- THE MAXIMUM SPACING BETWEEN CHANNELIZING DEVICES IN A TAPER SHOULD BE APPROXIMATELY EQUAL IN FEET TO THE SPEED LIMIT. BEYOND THE TAPER, MAXIMUM SPACING SHALL BE TWO TIMES THE SPEED LIMIT, OR AS DIRECTED BY THE ENGINEER.
- WARNING LIGHTS AND/OR FLAGS MAY BE MOUNTED TO SIGNS OR CHANNELIZING DEVICES AT NIGHT AS NEEDED.
- PAVEMENT MARKINGS NO LONGER APPLICABLE WHICH MIGHT CREATE CONFUSION IN THE MINDS OF VEHICLE OPERATORS SHALL BE REMOVED OR OBLITERATED AS SOON AS PRACTICABLE.
- TRAILER MOUNTED DEVICES SUCH AS ARROW PANELS AND PORTABLE CHANGEABLE MESSAGE SIGNS SHALL BE DELINEATED BY AFFIXING CONSPICUOUS MATERIAL IN A CONTINUOUS LINE ON THE FACE OF THE TRAILER. WHEN PLACED ON OR ADJACENT TO THE SHOULDER AND NOT BEHIND A POSITIVE BARRIER, THESE DEVICES SHALL BE DELINEATED BY PLACING FIVE (5) TRAFFIC DRUMS, EQUALLY SPACED ALONG THE TRAFFIC SIDE OF THE DEVICE. PAYMENT FOR TRAFFIC DRUMS SHALL BE CONSIDERED INCLUDED IN THE PRICE BID FOR VARIOUS TRAILER MOUNTED DEVICES.
- DIMENSIONS SHOWN FOR RAISED PAVEMENT MARKERS ARE TYPICAL. THE CONTRACTOR MAY SUBSTITUTE SIMILAR MARKERS WITH THE APPROVAL OF THE ENGINEER, REQUESTING APPROVAL FOR SIMILAR MARKERS MAY BE MADE BY REFERRING TO THE ADOPTED QUALIFIED PRODUCTS LIST.
- ALL TRAILER MOUNTED DEVICES SUCH AS ARROW PANELS AND PORTABLE CHANGEABLE MESSAGE SIGNS SHALL MEET THE REQUIREMENTS OF THE MANUAL FOR ASSESSING SAFETY HARDWARE (MASH).

|          |                                                                              |        |
|----------|------------------------------------------------------------------------------|--------|
| 05-20-21 | REVISED NOTE 7                                                               |        |
| 11-07-19 | REVISED NOTE 2, ADDED NOTE 9                                                 |        |
| 9-2-15   | REVISED NOTE 2, ADDED NOTE 6, REVISED DRAWING (A) & REPLACED R2-3A WITH W3-5 |        |
| 9-12-13  | REVISED DETAIL OF RAISED PAVEMENT MARKERS                                    |        |
| 3-8-10   | ADDED (AFAD)                                                                 |        |
| 8-20-08  | REVISED SIGN DESIGNATIONS                                                    |        |
| 11-18-04 | ADDED GENERAL NOTE                                                           |        |
| 10-18-96 | ADDED R55-1                                                                  |        |
| 4-26-96  | CORRECTED 10' BEHIND G20-2                                                   |        |
| 6-8-95   | CORRECTED SIGN IDENT. ON W1-4A                                               | 6-8-95 |
| 2-2-95   | REVISED PER PART VI, MUTCD, SEPT. 3, 1993                                    |        |
| 8-15-91  | DRAWN AND PLACED IN USE                                                      |        |
| DATE     | REVISION                                                                     | FILED  |

ARKANSAS STATE HIGHWAY COMMISSION  
STANDARD TRAFFIC CONTROLS  
FOR HIGHWAY CONSTRUCTION

STANDARD DRAWING TC-2



Arkansas Department of Transportation  
Schedule of Items

State Job No.: C04026  
Job Name: BENTONVILLE OVERLAY (S)  
Federal Aid Project: 9971C04026

Date Estimated: 9/18/2023  
Date Revised:

| Line<br>Number              | Item Code and Description                                                                      | Estimated<br>Quantity | Unit Bid<br>Price | Price<br>Extension |
|-----------------------------|------------------------------------------------------------------------------------------------|-----------------------|-------------------|--------------------|
| Section 01 - PROPOSAL ITEMS |                                                                                                |                       |                   |                    |
| 0001                        | SS&401 - TACK COAT                                                                             | 1,165.000 GAL         |                   |                    |
| 0002                        | SPSS407 - MINERAL AGGREGATE IN ACHM<br>SURFACE COURSE (3/8")                                   | 1,373.000 TON         |                   |                    |
| 0003                        | SPSS407 - ASPHALT BINDER (PG 64-22) IN<br>ACHM SURFACE COURSE (3/8") (MINIMUM<br>BID \$120.00) | 83.000 TON            |                   |                    |
| 0004                        | 412 - COLD MILLING ASPHALT PAVEMENT                                                            | 14,561.000 SQYD       |                   |                    |
| 0005                        | SPSS415 - ACHM PATCHING OF EXISTING<br>ROADWAY                                                 | 75.000 TON            |                   |                    |
| 0006                        | 603 - MAINTENANCE OF TRAFFIC                                                                   | 1.000 L.S.            |                   |                    |
| 0007                        | SS&604 - SIGNS                                                                                 | 144.000 SQFT          |                   |                    |
| 0008                        | 718 - REFLECTORIZED PAINT PAVEMENT<br>MARKING WHITE (4")                                       | 2,393.000 LF          |                   |                    |
| 0009                        | 718 - REFLECTORIZED PAINT PAVEMENT<br>MARKING WHITE (12")                                      | 28.000 LF             |                   |                    |
| 0010                        | 718 - REFLECTORIZED PAINT PAVEMENT<br>MARKING YELLOW (4")                                      | 6,124.000 LF          |                   |                    |
| 0011                        | 718 - REFLECTORIZED PAINT PAVEMENT<br>MARKING (WORDS)                                          | 1.000 EACH            |                   |                    |
| 0012                        | 718 - REFLECTORIZED PAINT PAVEMENT<br>MARKING (ARROWS)                                         | 1.000 EACH            |                   |                    |
| Section 01 Total:           |                                                                                                |                       |                   |                    |
| Subtotal:                   |                                                                                                |                       |                   |                    |
| 0013                        | 601 - MOBILIZATION (UNIT BID AMOUNT<br>MAY NOT EXCEED 5% OF SUBTOTAL)                          | 1.000 L.S.            |                   |                    |
| Bid Total:                  |                                                                                                |                       |                   |                    |



**STATE AID CITY STREET PROGRAM PROJECT RESOLUTION**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION EXPRESSING THE WILLINGNESS OF  
THE CITY OF BENTONVILLE  
TO UTILIZE STATE AID STREET MONIES  
FOR THE FOLLOWING CITY PROJECT:**

**Bentonville Overlay (S)**

**WHEREAS**, the City of Bentonville understands that State Aid Street Program funds are available for certain city projects at the following participating ratios:

|                                                             | <u>Work Phase</u>                                     | <u>State Aid %</u> | <u>City %</u> |
|-------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------|
| Reconstruction/Resurfacing<br>Construction of City Projects | Preliminary Engineering &<br>Construction Engineering | 100%               | -0-           |
|                                                             | Right-of-Way                                          | -0-                | 100%          |
|                                                             | Utilities                                             | -0-                | 100%          |
|                                                             | Construction                                          | 100% (Max. \$300K) | -0-(Balance)  |
| City projects programmed<br>but not let to contract         | All Phases                                            | -0-                | 100%          |

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

**SECTION I:** The City will participate in accordance with its designated responsibilities in this project.

**SECTION II:** The Mayor, or her designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

**SECTION III:** The City agrees upon completion of the project to assume the maintenance of the right-of-way by City Forces and/or others including utilities and individuals in accordance with the prevailing Arkansas Department of Transportation regulations.

**SECTION IV:** The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

**THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**Mayor Stephanie Orman**

**ATTEST:** \_\_\_\_\_  
(SEAL) **Kirby Romines, City Clerk**



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                           |                           |                      |
|------------------------------|---------------------------|---------------------------|----------------------|
| <b>Council Meeting Date:</b> | 11/28/2023                | <b>Submitted By:</b>      | Josh Stacey          |
| <b>Phone:</b>                | 479-696-0204              | <b>For Department(s):</b> | Parks and Recreation |
| <b>Email:</b>                | jstacey@bentonvillear.com |                           |                      |

#### Item Type (Check all that apply)

|                                               |                                            |                                                  |                                           |
|-----------------------------------------------|--------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational        | <input type="checkbox"/> Bid Award         | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds    | <input type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input type="checkbox"/> Emergency Clause |
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                           |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                          |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Ordinance Establishing 2024 Recreation Fees                                                                                                                                                                              |
| <b>Action Recommendation &amp; Justification:</b>        | Ordinance establishing fees for recreation programs, facilities, and events for 2024. Parks and Recreation Advisory Board reviewed and approved these fees at the October meeting. No Budget Adjustment is needed.       |
| <b>Additional Comments for Consideration (Optional):</b> | Please see the attachment for the full list of 2024 fees. The highlighted fees indicate an adjustment from 2023 to 2024. Fees are based on approved 2024 budget and approved by the Parks and Recreation Advisory Board. |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                       |

#### Budget Impact

Is this Item Budgeted? ☐ YES ☐ NO ☒ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☐ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

Please Recycle!

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE 2024 BENTONVILLE PARKS AND RECREATION FEES; AND FOR OTHER PURPOSES.**

**WHEREAS**, fees for recreation programs, facilities, and events are reviewed annually as part of the budget process;

**WHEREAS**, staff analyzes each expense to ensure that proper fees are established; and

**WHEREAS**, the Parks and Recreation Advisory Board reviewed and approved the 2024 fees, at its October 11, 2023 meeting.

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

Section 1: The Bentonville Community Center daily usage and membership fees are amended as attached in "Attachment A" beginning January 1, 2024;

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 this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
**STEPHANIE ORMAN, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KIRBY ROMINES, City Clerk**

# "Attachment A"



## Bentonville Parks and Recreation 2024 Recreation Programs - Fee Schedule

| Outdoor Recreation Programs                         |                    | 2023 Fees              |                         |                        | 2024 Fees            |                         |  |
|-----------------------------------------------------|--------------------|------------------------|-------------------------|------------------------|----------------------|-------------------------|--|
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Melvin Ford Aquatic Center                          | 2023 Member Fees   | 2023 Non-Member Fees   | 2023 Non- Resident Fees | 2024 Member Fees       | 2024 Non-Member Fees | 2024 Non- Resident Fees |  |
| MFAC - Adult Admission                              | N/A                | \$3                    | N/A                     | N/A                    | \$3                  | N/A                     |  |
| MFAC - Youth Admission                              | N/A                | \$2                    | N/A                     | N/A                    | \$2                  | N/A                     |  |
| MFAC - Swim Lesson- Group                           | \$36/\$54/\$72     | \$40/\$60/\$80         | N/A                     | \$36/\$54/\$72         | \$40/\$60/\$80       | N/A                     |  |
| MFAC- Pool Rental                                   | \$300-\$550        | \$350-\$600            | N/A                     | \$300-\$550            | \$350-\$600          | N/A                     |  |
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Downtown Activity Center                            | 2023 Member Fees   | 2023 Non-Member Fees   | 2023 Non- Resident Fees | 2024 Member Fees       | 2024 Non-Member Fees | 2024 Non- Resident Fees |  |
| DAC Drop-In Day Pass                                | N/A                | \$7                    | \$10                    | N/A                    | \$7                  | \$10                    |  |
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Lawrence Plaza                                      | 2023 Member Fees   | 2023 Resident          | 2023 Non- Resident Fees | 2024 Member Fees       | 2024 Resident        | 2024 Non- Resident Fees |  |
| Lawrence Plaza Skate Session                        | N/A                | \$7                    | N/A                     | N/A                    | \$7                  | N/A                     |  |
| Lawrence Plaza 20 Punch Pass                        | N/A                | \$100                  | N/A                     | N/A                    | \$100                | N/A                     |  |
| Lawrence Plaza Facility Rental                      | N/A                | \$250                  | N/A                     | N/A                    | \$250                | N/A                     |  |
| Lawrence Plaza Skate Lessons                        | N/A                | \$65                   | \$90                    | N/A                    | \$65                 | \$90                    |  |
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Running Programs                                    | 2023 Member Fees   | 2023 Fees              | 2023 Non- Resident Fees | 2024 Member Fees       | 2024 Fees            | 2024 Non- Resident Fees |  |
| Half Marathon                                       | N/A                | \$85/\$105/\$120       | N/A                     | N/A                    | \$85/\$105/\$120     | N/A                     |  |
| Half Marathon Training Program                      | N/A                | \$250                  | N/A                     | N/A                    | \$250                | N/A                     |  |
| Half Marathon 5K                                    | N/A                | \$35/\$40/\$45         | N/A                     | N/A                    | \$35/\$40/\$45       | N/A                     |  |
| Half Marathon Relay                                 | N/A                | \$60/\$70/\$85         | N/A                     | N/A                    | \$60/\$70/\$85       | N/A                     |  |
| Valentines 4K/8K                                    | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
| Irish 5K                                            | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
| Glow Run                                            | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
| Worst Race 5K                                       | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
| Goblin 5K                                           | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
| Frosty 5K                                           | N/A                | \$30                   | N/A                     | N/A                    | \$35/\$45            | N/A                     |  |
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Cycling Programs                                    | 2023 Member Fees   | 2023 Fees              | 2023 Non- Resident Fees | 2024 Member Fees       | 2024 Fees            | 2024 Non- Resident Fees |  |
| Square 2 Square Adult                               | N/A                | \$35                   | N/A                     | N/A                    | \$35                 | N/A                     |  |
| Square 2 Square Youth                               | N/A                | \$25                   | N/A                     | N/A                    | \$25                 | N/A                     |  |
|                                                     |                    |                        |                         |                        |                      |                         |  |
| Sports Programs                                     | 2023 Resident Fees | 2023 Non-Resident Fees | 2024 Resident Fees      | 2024 Non-Resident Fees |                      |                         |  |
| Adult Sand Volleyball 4v4                           | \$150              | N/A                    | \$150                   | N/A                    |                      |                         |  |
| Adult Sand Volleyball 6v6                           | \$200              | N/A                    | \$200                   | N/A                    |                      |                         |  |
| Adult Soccer                                        | \$525              | N/A                    | \$525                   | N/A                    |                      |                         |  |
| Adult Tennis Drill                                  | \$120              | \$160                  | \$120                   | \$160                  |                      |                         |  |
| Adult Rec Pickleball                                | \$120              | \$160                  | \$120                   | \$160                  |                      |                         |  |
| Adult Advanced Pickleball                           | \$120              | \$160                  | \$120                   | \$160                  |                      |                         |  |
| Adult Pickleball League                             | N/A                | N/A                    | \$120                   | \$160                  |                      |                         |  |
| Youth Pickleball Drills                             | \$120              | \$160                  | \$120                   | \$160                  |                      |                         |  |
| Pickleball 1hr                                      | \$50               | \$54                   | \$60                    | \$64                   |                      |                         |  |
| Pickleball Semi                                     | \$35               | \$39                   | \$35                    | \$39                   |                      |                         |  |
| Pickleball Group                                    | \$30               | \$34                   | \$30                    | \$34                   |                      |                         |  |
| Bentonville Outdoors- Individual Monthly Membership | \$15               | \$21                   | \$15                    | \$21                   |                      |                         |  |
| Bentonville Outdoors- Individual Annual Membership  | \$165              | \$231                  | \$165                   | \$231                  |                      |                         |  |
| Bentonville Outdoors- Family Monthly Membership     | \$30               | \$37                   | \$30                    | \$37                   |                      |                         |  |
| Bentonville Outdoors- Family Annual Membership      | \$330              | \$407                  | \$330                   | \$407                  |                      |                         |  |
| Bentonville Outdoors- Special Event                 | \$10 - \$50        | \$10 - \$50            | \$10 - \$50             | \$10 - \$50            |                      |                         |  |
| Cricket                                             | \$300              | N/A                    | \$300                   | N/A                    |                      |                         |  |
| Fall Baseball 6U                                    | \$85               | \$125                  | \$85                    | \$125                  |                      |                         |  |
| Fall Baseball 7U-16U                                | \$100              | \$140                  | \$100                   | \$140                  |                      |                         |  |
| Fall Softball Fees                                  | \$100              | \$140                  | \$100                   | \$140                  |                      |                         |  |
| Fall Baseball (Spring Season Addition)              | N/A                | N/A                    | N/A                     | N/A                    |                      |                         |  |
| Fall Softball (Spring Season Addition)              | N/A                | N/A                    | N/A                     | N/A                    |                      |                         |  |
| Junior Tennis Drills- Recreation                    | \$110              | \$150                  | \$120                   | \$160                  |                      |                         |  |
| Kickball Team Fees                                  | \$325              | N/A                    | \$400                   | N/A                    |                      |                         |  |
| Little Toes                                         | \$110              | \$150                  | \$149                   | \$189                  |                      |                         |  |
| Little Kicksters                                    | \$110              | \$150                  | \$149                   | \$189                  |                      |                         |  |
| Future Legends                                      | \$155              | \$195                  | \$169                   | \$209                  |                      |                         |  |
| Spring Baseball 4U-6U                               | \$85               | \$125                  | \$100                   | \$140                  |                      |                         |  |
| Spring Baseball 7U-16U                              | \$100              | \$140                  | \$115                   | \$155                  |                      |                         |  |
| Spring Softball 6U                                  | \$85               | \$125                  | \$100                   | \$140                  |                      |                         |  |

|                                         |         |         |         |         |
|-----------------------------------------|---------|---------|---------|---------|
| Spring Softball 8U-16U                  | \$100   | \$140   | \$115   | \$155   |
| Youth Academy Tennis - Red/Orange/Crush | \$160   | \$200   | \$160   | \$200   |
| Youth Academy Tennis - White            | \$280   | \$320   | \$280   | \$320   |
| Youth Academy Tennis - Black            | \$320   | \$360   | \$295   | \$335   |
| Youth Academy Tennis - Elite            | \$480   | \$520   | \$480   | \$520   |
| Classical Academy Tennis                | \$120   | \$160   | \$120   | \$160   |
| Youth Rec Tennis                        | \$120   | \$160   | \$120   | \$160   |
| Tennis 10pack - 1h                      | \$600   | \$640   | \$600   | \$640   |
| Tennis 25pack                           | \$1,500 | \$1,540 | \$1,500 | \$1,540 |
| Tennis 5pack                            | \$300   | \$340   | \$300   | \$340   |
| Tennis Lesson - 60min                   | \$60    | \$64    | \$60    | \$64    |
| Tennis Lesson - Private Group           | \$30    | \$34    | \$30    | \$34    |
| Tennis Lesson - Semi Private            | \$35    | \$39    | \$35    | \$39    |
| Tennis Lesson- 30min                    | \$35    | \$39    | \$35    | \$39    |
| Youth Soccer 5U - 8U                    | \$85    | \$125   | \$85    | \$125   |
| Youth Soccer 9U - Jr. High              | \$100   | \$140   | \$100   | \$140   |
| Youth Soccer (Spring Season Addition)   | \$25    | N/A     | \$25    | N/A     |
| Youth Triathlon Team                    | \$215   | \$255   | \$250   | \$290   |

| Facility Rental Fees                             | 2023 Resident Fees | 2023 Non-Resident Fees | 2024 Resident Fees | 2024 Non-Resident Fees |
|--------------------------------------------------|--------------------|------------------------|--------------------|------------------------|
| Field Reservation                                | \$20/hr            | N/A                    | \$25/hr            | N/A                    |
| Field Reservation w/ Lights                      | \$35/hr            | N/A                    | \$40/hr            | N/A                    |
| Field Rental - Memorial Park (Baseball/Softball) | \$200              | N/A                    | \$250              | N/A                    |
| Field Rental - Memorial Park (Soccer)            | \$135              | N/A                    | \$250              | N/A                    |
| Field Rental - Phillips Park (Baseball)          | \$200              | N/A                    | \$250              | N/A                    |
| Field Rental - Merchants Park (Baseball)         | \$200              | N/A                    | \$250              | N/A                    |
| Field Rental - Citizens Park (Soccer)            | \$135              | N/A                    | \$75               | N/A                    |
| Field Rental - Old Tiger Track Field             | \$250              | N/A                    | \$250              | N/A                    |
| Court Rental - Citizens Tennis                   | \$75               | N/A                    | \$75               | N/A                    |
| Court Rental - Memorial Tennis                   | \$75               | N/A                    | \$75               | N/A                    |
| Court Rental - Wildwood Tennis                   | \$75               | N/A                    | \$75               | N/A                    |
| Court Rental - Memorial Volleyball               | \$75               | N/A                    | \$75               | N/A                    |
| Court Rental - Memorial Basketball               | \$75               | N/A                    | \$75               | N/A                    |
| Court Rental - Creekside Pickleball              | N/A                | N/A                    | \$75               | N/A                    |
| Field Rental - Creekside Park (Cricket)          | N/A                | N/A                    | \$250              | N/A                    |

| Community Center Memberships | 2023 Resident Fees | 2023 Non-Resident Fees | 2024 Resident Fees | 2024 Non-Resident Fees |
|------------------------------|--------------------|------------------------|--------------------|------------------------|
| Adult Annual Membership      | \$224              | \$298                  | \$224              | \$298                  |
| Adult Monthly Membership     | \$21               | \$27                   | \$21               | \$27                   |
| Family Annual Membership     | \$449              | \$513                  | \$449              | \$513                  |
| Family Monthly Membership    | \$40               | \$47                   | \$40               | \$47                   |
| Multi-Pack Pass (20 Entries) | \$105              | \$150                  | \$105              | \$150                  |
| Senior Annual Membership     | \$149              | \$208                  | \$149              | \$208                  |
| Senior Monthly Membership    | \$15               | \$19                   | \$15               | \$19                   |
| Youth Annual Membership      | \$149              | \$208                  | \$149              | \$208                  |
| Youth Monthly Membership     | \$15               | \$19                   | \$15               | \$19                   |
| Day Pass                     | \$7                | \$10                   | \$7                | \$10                   |

| Community Center Rentals            | 2023 Member Fees | 2023 Non-Member Fees | 2024 Member Fees | 2024 Non-Member Fees |
|-------------------------------------|------------------|----------------------|------------------|----------------------|
| Community Room - 1 Room/hr          | \$50             | \$75                 | \$50             | \$75                 |
| Community Room - 2 Rooms/hr.        | \$75             | \$100                | \$75             | \$100                |
| Community Room- 3 Rooms/hr          | \$100            | \$125                | \$100            | \$125                |
| Community Room- 4 Rooms/hr          | \$125            | \$150                | \$125            | \$150                |
| Community Rooms Rental - Kitchen/hr | \$25             | \$50                 | \$25             | \$50                 |
| Community Center Rental- Lock-In    | \$1,400          | \$1,750              | \$1,400          | \$1,750              |
| After Hours Rental Additional/hr    | \$40             | \$40                 | \$40             | \$40                 |
| Dinning Utilities Fee               | \$75             | \$75                 | \$75             | \$75                 |
| Pool Party Room                     | \$150            | \$175                | \$175            | \$200                |

| Community Center Recreation Programs | 2023 Member/Resident Fees | 2023 Non-Member Fees | 2023 Non-Resident Fees | 2024 Member/Resident Fees | 2024 Non-Member Fees | 2024 Non-Resident Fees |
|--------------------------------------|---------------------------|----------------------|------------------------|---------------------------|----------------------|------------------------|
| Camp Adventure                       | \$135                     | N/A                  | \$145                  | \$150                     | N/A                  | \$160                  |
| Camp Amazeum                         | \$135                     | \$145                | N/A                    | \$150                     | \$160                | N/A                    |
| Camp Art                             | \$135                     | \$145                | N/A                    | \$130                     | \$140                | N/A                    |
| Camp Basketball                      | \$100                     | \$110                | N/A                    | \$100                     | \$110                | N/A                    |
| Camp Baseball                        | \$125   \$140             | N/A                  | \$135   \$150          | \$135   \$150             | N/A                  | \$145   \$160          |
| Camp Buddy Pegs                      | \$180                     | N/A                  | \$190                  | \$180                     | N/A                  | \$190                  |
| Camp Diving                          | \$120                     | \$130                | N/A                    | \$130                     | \$140                | N/A                    |
| Camp esports                         | \$125                     | \$135                | N/A                    | \$135                     | \$145                | N/A                    |
| Camp Flag Football                   | \$125   \$140             | N/A                  | \$135   \$150          | \$135   \$150             | N/A                  | \$145   \$160          |
| Camp Lego                            | \$125                     | \$135                | N/A                    | \$135                     | \$145                | N/A                    |
| Camp Magic                           | \$200                     | \$210                | N/A                    | \$200                     | \$210                | N/A                    |
| Camp Memorial                        | \$125                     | N/A                  | \$135                  | \$135                     | N/A                  | \$145                  |
| Camp Mountain Bike                   | \$80                      | N/A                  | \$90                   | \$80                      | N/A                  | \$90                   |
| Camp Musical Theatre                 | \$135                     | \$145                | N/A                    | \$145                     | \$155                | N/A                    |
| Camp Run                             | \$80                      | \$90                 | N/A                    | \$80                      | \$90                 | N/A                    |

|                                    |       |     |       |       |     |       |
|------------------------------------|-------|-----|-------|-------|-----|-------|
| Camp Skateboard                    | \$125 | N/A | \$135 | \$135 | N/A | \$145 |
| Camp Soccer- Tiny Tykes            | \$115 | N/A | \$125 | \$125 | N/A | \$135 |
| Camp Soccer - Next Level, full day | \$260 | N/A | \$270 | \$270 | N/A | \$280 |
| Camp Soccer - Half Day             | \$160 | N/A | \$170 | \$170 | N/A | \$180 |

|                                                  |                 |                 |             |                 |                 |               |
|--------------------------------------------------|-----------------|-----------------|-------------|-----------------|-----------------|---------------|
| Camp Soccer - Goal Keeper   Next Level, half day | \$190           | N/A             | \$200       | \$200           | N/A             | \$210         |
| Camp Softball                                    | \$125/\$140     | N/A             | \$135/\$150 | \$135   \$150   | N/A             | \$145   \$160 |
| Camp Stand Up Paddle Board                       | \$100           | N/A             | \$110       | \$115           | N/A             | \$125         |
| Camp STEAM                                       | \$140           | \$150           | N/A         | \$140           | \$150           | N/A           |
| Camp Technology                                  | \$165           | \$175           | N/A         | \$175           | \$185           | N/A           |
| Camp Tennis                                      | \$125           | N/A             | \$135       | \$135           | N/A             | \$145         |
| Camp Triathlon                                   | \$90            | N/A             | \$100       | \$100           | N/A             | \$110         |
| Camp Volleyball                                  | \$100           | \$110           | N/A         | \$100           | \$110           | N/A           |
| Babysitting / CPR Certification Class            | \$110           | \$120           | N/A         | \$140           | \$150           | N/A           |
| Daddy Daughter Dance                             | \$45            | \$50            | N/A         | \$55            | \$60            | N/A           |
| Fall Triathlon                                   | \$25            | \$30            | N/A         | \$25            | \$30            | N/A           |
| Group Swim Lesson                                | \$36/\$54/\$72  | \$40/\$60/\$80  | N/A         | \$80            | \$88            | N/A           |
| Inbody Fitness Evaluation                        | \$20            | \$25            | N/A         | \$25            | \$35            | N/A           |
| Lifeguard Certification Class                    | \$285           | \$285           | N/A         | \$285           | \$285           | N/A           |
| Lifeguard Recertification Class                  | \$150           | \$150           | N/A         | \$150           | \$150           | N/A           |
| Masters Swim Team                                | \$32            | \$38            | N/A         | \$32            | \$38            | N/A           |
| Mommy & Me Party                                 | \$45            | \$50            | N/A         | \$50            | \$55            | N/A           |
| Personal Training Group- 30 Min                  | \$20 per person | \$30 per person | N/A         | \$20 per person | \$30 per person | N/A           |
| Personal Training Individual- 30 Min             | \$35            | \$45            | N/A         | \$35            | \$45            | N/A           |
| Private Diving Lesson                            | \$40            | \$45            | N/A         | \$40            | \$45            | N/A           |
| Private Fitness Party                            | \$100           | \$110           | N/A         | \$100           | \$110           | N/A           |
| Private Swim Lesson                              | \$35/\$335      | \$40/\$385      | N/A         | \$35/\$335      | \$40/\$385      | N/A           |
| Self Defense                                     | \$155           | \$165           | N/A         | \$155           | \$165           | N/A           |
| School of Fitness                                | N/A             | N/A             | N/A         | \$55            | \$60            | N/A           |
| Swim Team- Barracudas                            | \$150           | \$160           | N/A         | \$150           | \$160           | N/A           |
| Volleyball Lessons                               | \$110/\$120     | \$120/\$130     | N/A         | \$125   \$135   | \$135   \$145   | N/A           |
| Youth Triathlon Swim Conditioning                | \$80            | \$90            | N/A         | \$80            | \$90            | N/A           |
| Zumbathon / Special Spin                         | \$0             | \$7/\$10        | N/A         | \$0             | \$7/\$10        | N/A           |
| Sports Nutrition Class                           | \$30            | \$40            | N/A         | \$30            | \$40            | N/A           |
| Junior Lifeguarding                              | \$160           | \$175           | N/A         | \$175           | \$190           | N/A           |

**No-Cost Community Events**  
**Evening at Orchards Park- Independence Day Celebration**  
**Lighting of the Square**



## City of Bentonville, Arkansas Agenda Item Form

### Item Details

|                              |                           |                           |                                             |
|------------------------------|---------------------------|---------------------------|---------------------------------------------|
| <b>Council Meeting Date:</b> | 11/14/2023                | <b>Submitted By:</b>      | David Wright, Parks and Recreation Director |
| <b>Phone:</b>                | 479.271.6813              | <b>For Department(s):</b> | Parks and Recreation                        |
| <b>Email:</b>                | dwright@bentonvillear.com |                           |                                             |

### Item Type (Check all that apply)

|                                            |                                                |                                                             |                                           |
|--------------------------------------------|------------------------------------------------|-------------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational     | <input type="checkbox"/> Bid Award             | <input checked="" type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds | <input type="checkbox"/> Budget Adjustment     | <input type="checkbox"/> Waiver of Bid                      | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance         | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Informational                      |                                           |

### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                        |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | Resolution accepting a grant for the Quilt of Parks                                                                                                                    |
| <b>Action Recommendation &amp; Justification:</b>        | Resolution authorizing the acceptance of a \$3,500,000.00 grant for the Quilt of Parks Project. No budget adjustment is needed.                                        |
| <b>Additional Comments for Consideration (Optional):</b> | Funds will be held in an escrow account and a budget adjustment will be brought forth at a later date to recognize the revenue and expense associated with this grant. |
| <b>Amount for Approval:</b>                              | \$ 3,500,000.00                                                                                                                                                        |

### Budget Impact

Is this Item Budgeted? ☐ YES ☒ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

### Budget Adjustment (to be completed by Finance when applicable)

| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|-----------------------------|---------------------|---------|---------|
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |
|                             |                     | \$      | \$      |
| Account Number (ORG-OBJECT) | Account Description | Expense | Revenue |

#### Fund(s) Impacted

(check all that apply)

☒ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

Budget Impact Notes for Consideration (Optional):

# Memo



To: City Council, Mayor Orman  
From: David Wright, Parks and Recreation Director  
Date: November 16, 2023  
Re: City Council approval of a resolution authorizing the acceptance of a grant, in the amount of \$3,500,000.00 for the parks and public spaces projects associated with the Quilt of Parks Projects.

---

With construction beginning recently on the A Street Promenade, we have turned our design efforts to the public park spaces associated with the Quilt of Parks. These two parks have been titled Dave Peel Park and The Commons in the past. However, as the project has moved forward, we believe the best thing moving forward will be to call the entire area Dave Peel Park.

As you are aware, we currently have \$6MM total for these two projects. As we continue to work with Flintco (our Construction Manager) to price out all design options, we continue to come back to a higher price tag than what we currently have. With the significant investments taking place in Downtown Bentonville, we want to ensure the set two projects are of the quality of all the investments that surround it. So instead of going straight to a value engineering exercise, we requested a meeting with the Walton Family Foundation. The Foundation Staff agreed that we want to build out the entire projects instead of having to cut items. The current price tag of these two projects are consistently coming in around a \$10MM figure. So, the Walton Family Foundation offered us a grant in the amount of \$3.5MM.

This brings our current total for these two projects to \$9.5MM. We will start with trying to make up this difference in the competitive bidding phase. If we are not successful in bidding, we will look for other funding to complete the projects. We anticipated bidding this project towards the end of Q1 2024 with construction beginning sometime later in the year.

If you have questions concerning this item, please email [dwright@bentonvillear.com](mailto:dwright@bentonvillear.com) or call 479.217.6813.



WALTON FAMILY  
F O U N D A T I O N



November 9, 2023

Stephanie Orman  
City of Bentonville  
305 SW A Street  
Bentonville, AR, 72712

RE: Grant 00110031

Dear Mayor Orman,

At the Walton Family Foundation, we work to tackle tough social and environmental problems with urgency and a long-term approach to create access to opportunity for people and communities. To do this, we know we must work with individuals and groups closest to these challenges because they often have the most thoughtful, insightful solutions.

As we support efforts to improve education, protect our rivers and oceans and the livelihoods they support, and promote quality of life in our Home Region, we look to groups like yours. I am pleased to inform you that your grant request has been approved in the amount of \$3,500,000.00 to provide construction funding support for Dave Peel Park and The Commons, both part of the Quilt of Parks in Bentonville. The attached grant agreement outlines the details.

On behalf of the Walton Family Foundation, I express my appreciation for what your organization has accomplished so far and my optimism for your future success. Together, we can have an impact that improves lives today and that will last to benefit future generations.

Sincerely,

Stephanie Cornell  
Executive Director

## Grant Agreement

November 9, 2023

Grant 00110031

The Walton Family Foundation, Inc. ("Foundation" or "WFF") has approved a grant in the amount of \$3,500,000.00 to City of Bentonville ("Grantee"). The project term will be December 1, 2023 to December 31, 2026. This grant is subject to the following terms and conditions:

1. **Purpose:** The purpose of the grant is to provide construction funding support for Dave Peel Park and The Commons, both part of the Quilt of Parks in Bentonville as more fully described in Appendix A. Grantee agrees to use all grant funds exclusively for the grant's purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.
2. **Amount: \$3,500,000.00 USD**

Grant payments will be made as follows:

| Installment | Amount         | Requirement                                                                                          | Date                          |
|-------------|----------------|------------------------------------------------------------------------------------------------------|-------------------------------|
| 1           | \$2,000,000.00 | Signed Grant Agreement and confirmation of City funding commitment for remainder of project expenses | January 2024                  |
| 2           | \$1,500,000.00 | Approval of progress report                                                                          | On or around January 10, 2025 |

3. **Payable:** Initial installment of \$2,000,000.00 shall be initiated upon receipt of this completed agreement from Grantee acknowledging the terms and conditions set forth herein as well as the confirmation of City funding commitment for remainder of project expenses. Grantee should receive the initial installment electronically within 14 business days of completion.

Further installments shall be contingent upon the Foundation's approval of the Grantee's activities of the grant as evidenced by the reports described in the Reporting and Evaluation paragraph below and other information the Foundation may gather.

1. **Accounting:**
  - a. The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this agreement, the term "grant funds" includes the grant and any income earned thereon.
  - b. Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee's reporting obligations specified in the Reporting and Evaluation paragraph and for at least four years thereafter ("Maintenance Period"). Grantee will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the Foundation may request at any time during the Maintenance Period.

2. **Reporting and Evaluation:** Grantee will provide the Foundation with reports by the due dates listed in the report schedule below. Each report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

| Report Type     | Report Date       |
|-----------------|-------------------|
| Progress Report | December 31, 2024 |
| Final Report    | December 31, 2026 |

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be submitted electronically using the Foundation's online grants management system. Any questions regarding this process should be addressed to your contact listed in the Contact paragraph of this document, or by emailing [smartsimplehelp@wffmail.com](mailto:smartsimplehelp@wffmail.com). Please reference Grant 00110031 on all communication.

Grantee payments are always contingent upon the Foundation's approval of Grantee's operations based on the above reports and the Foundation's satisfaction with such information as it chooses to obtain from other sources.

3. **Representations:** Grantee represents and warrants to the Foundation that:
- Grantee is an organization in good standing, is either an organization described in section 501(c) (3) of the Internal Revenue Code ("Code" or "IRC") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.
  - In no event will Grantee use any grant funds:
    - to carry on propaganda, or otherwise to attempt, to influence legislation;
    - to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or
    - to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.
  - Grantee will comply with all applicable laws and regulations.
  - Grantee does not support, directly or indirectly, terrorist activities or violence of any kind, and takes reasonable steps to ensure that:
    - Grantee's board, staff and volunteers have no dealings with, and do not support, terrorist activities or violence of any kind, and
    - grant funds will not ultimately be used to support terrorist activities or violence of any kind.
4. **Anti-Discrimination:** It is the Foundation's expectation that, in the application of Foundation's funds, Grantee will encourage equal opportunities for all and will not use the Foundation's funds to promote or engage in: exploitation, abuse, bullying, harassment, criminal acts of violence, terrorism, hate crimes, or any behavior which would be considered a violation of federal anti-discrimination laws, which prohibit discrimination on the basis of age, race, national origin, religious beliefs, sex (including gender, pregnancy, sexual orientation, and gender identity), disability, and veteran

status. It is also the Foundation's expectation that Grantee has established appropriate policies and procedures for training staff and receiving and addressing complaints regarding violence, exploitation, abuse, harassment, and discrimination, and other forms of misconduct.

5. **Repayment, Rescission, and/or Termination:** The Foundation, in its sole discretion, may discontinue or suspend funding, rescind payments made, require the return of any unspent funds, or terminate this agreement if any of the following events occur:
- a. Grantee ceases to maintain its tax-exempt status as described in paragraph 3(a) above;
  - b. Grantee fails to comply with the terms of this agreement, including, but not limited to, failure to submit any required reports on a timely basis;
  - c. There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant;
  - d. Grantee does not use funds for the purpose of this grant;
  - e. The Foundation determines that Grantee will be unable to achieve the purposes for which the grant was made;
  - f. The Foundation becomes aware of actual or alleged acts or omissions to act by Grantee or one or more of Grantee's directors, officers, employees, volunteers, sub-grantees or contractors which the Foundation believes pose a reputational risk to the Foundation, and for which the Foundation determines Grantee has not taken immediate and effective remedial measures;
  - g. There is an investigation or allegation of unlawful action or gross misconduct by Grantee, any officer, director, trustee, employee, or agent of Grantee, or any organization affiliated with Grantee, and the Foundation, in its sole discretion, determines such investigation or allegation to be credible; or
  - h. The Foundation determines that making any payment, in the judgment of the Foundation, might expose the Foundation to liability, adverse tax consequences, or constitute a taxable expenditure.

The Foundation will provide notice of any determinations made under this paragraph and, in its sole discretion, may provide Grantee up to 30 days to respond to and resolve the issues identified in the Foundation's notice. However, the determination to suspend funding, terminate, or continue the grant will remain in the Foundation's sole discretion.

6. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in the Contact paragraph of this document. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted. If publicized or recognized, the grant should be listed as from the "Walton Family Foundation."

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone

acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

7. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.
8. **Contact:** For all communications regarding this grant, please contact the Foundation by email at [HomeRegion@wffmail.com](mailto:HomeRegion@wffmail.com). Please reference Grant 00110031 in your communication.

By electronically signing this agreement the Grantee acknowledges and agrees to the terms and conditions herein. A copy of the completed document will be emailed to the Grantee through DocuSign.

**Walton Family Foundation, Inc.**

By:

Stephanie Cornell  
Executive Director

**City of Bentonville**

By:

Stephanie Orman  
Mayor

## Appendix A: City of Bentonville

**Description of Grant Project:** The purpose of this grant is to provide construction funding support to the City of Bentonville for the construction of Dave Peel Park and the Commons as public space projects within the Quilt of Parks. The Quilt of Parks is a public space improvements project in Downtown Bentonville with the goal of taking six public spaces and connecting them via the A Street Promenade. Public spaces include: Town Branch Park, Dave Peel Park, Bentonville Commons (current parking lot to be converted into public plaza), the Downtown Square, Lawrence Plaza and the Bentonville Green (current undeveloped greenspace adjacent to the Bentonville City Hall and future Adult Recreation Center). Dave Peel Park is reimagined with enhanced play features and family gathering space, while the Commons plaza area replaces much of an existing parking lot and will functionally be an extension of the Downtown Square to provide passive recreation space and expanded public events. Both spaces are envisioned to allow restaurants to expand outdoors and provide outdoor dining and shopping experiences.

### Performance Measures

| Goal: The City of Bentonville will move forward with construction of two of the major public parks spaces associated with the Quilt of Parks - Dave Peel Park and The Commons. |                                                                                                                                                                                                                                                                                 |            |                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------|
| Outputs And Outcomes                                                                                                                                                           |                                                                                                                                                                                                                                                                                 |            |                                                                             |
| Category                                                                                                                                                                       | Who will do what and how much?                                                                                                                                                                                                                                                  | By when?   | Measured or evaluated by?                                                   |
| Output                                                                                                                                                                         | The grantee will independently select and execute a contract with a qualified contractor and construct Dave Peel Park and the Commons as specified in the Design Excellence grant-supported design documents. City will celebrate completion with a ribbon cutting celebration. | 12/31/2025 | Project completion walk through; invitations to ribbon cutting celebration. |
| Output                                                                                                                                                                         | Bentonville Parks and Recreation will develop a programming plan for Dave Peel Park and the Commons in collaboration with Downtown Bentonville Inc and Visit Bentonville that incorporates community input from diverse stakeholders.                                           | 12/31/2025 | Programming plan                                                            |
| Outcome                                                                                                                                                                        | The percentage of park visitors who visit the park(s) daily will increase over the baseline of 15%.                                                                                                                                                                             | 12/31/2026 | Intercept survey                                                            |
| Outcome                                                                                                                                                                        | The percentage of park visitors who are sitting/staying will increase over the baseline (100% of visitors standing).                                                                                                                                                            | 12/31/2026 | Intercept survey                                                            |
| Outcome                                                                                                                                                                        | The racial demographics of visitors at the park will reflect the diversity of the community at large (2020 Baseline: The share of visitors who identified as White was 82%; the City of Bentonville at the most recent census was 80% White).                                   | 12/31/2026 | Intercept survey                                                            |

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ACCEPTING A GRANT FROM THE WALTON FAMILY  
FOUNDATION IN THE AMOUNT OF THREE MILLION FIVE HUNDRED  
THOUSAND DOLLARS (\$3,500,000.00) FOR THE QUILT OF PARKS PROJECT;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, Bentonville Parks and Recreation requests the acceptance of this grant which will fund the additional costs of the Quilt of Parks project; and

**WHEREAS**, there is no matching portion for this grant.

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

Section 1: The Mayor and City Clerk are authorized to accept a grant from the Walton Family Foundation, in the amount of three million five hundred thousand dollars (\$3,500,000.00), for the Quilt of Parks project;

Section 2: The funds will be held in escrow and a budget adjustment will be brought forward at a later time;

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 Resolutions: 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 this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
**STEPHANIE ORMAN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KIRBY ROMINES, CITY CLERK**



### City of Bentonville, Arkansas Agenda Item Form

#### Item Details

|                              |                               |                           |                  |
|------------------------------|-------------------------------|---------------------------|------------------|
| <b>Council Meeting Date:</b> | 11/28/2023                    | <b>Submitted By:</b>      | Tyler Overstreet |
| <b>Phone:</b>                | (479) 271-3144                | <b>For Department(s):</b> | Planning         |
| <b>Email:</b>                | toverstreet@bentonvillear.com |                           |                  |

#### Item Type (Check all that apply)

|                                            |                                                       |                                                  |                                           |
|--------------------------------------------|-------------------------------------------------------|--------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Informational     | <input type="checkbox"/> Bid Award                    | <input type="checkbox"/> Enter into an Agreement | <input type="checkbox"/> Change Order     |
| <input type="checkbox"/> Recognizing Funds | <input checked="" type="checkbox"/> Budget Adjustment | <input type="checkbox"/> Waiver of Bid           | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Ordinance         | <input checked="" type="checkbox"/> Resolution        | <input type="checkbox"/> Informational           |                                           |

#### Title, Recommendation & Justification

|                                                          |                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title:</b>                                            | McAuley Place Impact Fee Payment Request                                                                                                                                                                                                                                                                                                                                                 |
| <b>Action Recommendation &amp; Justification:</b>        | Resolution for the City Council payment of the Fire, Library, Parks, and Police impact fees on behalf of Housing Partners III Limited Partnership for the McAuley Place Development. A budget adjustment is needed.                                                                                                                                                                      |
| <b>Additional Comments for Consideration (Optional):</b> | The Planning Commission approved the large scale development for McAuley Place at their September 19 meeting. The applicant is requesting that City Council pay impact fees for 192 multi-family units, which will be maintained as affordable as required by the Arkansas Development Finance Authority. This is pursuant to Code sections 46-29(h), 46-57(h), 46-96(h), and 46-131(h). |
| <b>Amount for Approval:</b>                              | \$                                                                                                                                                                                                                                                                                                                                                                                       |

#### Budget Impact

Is this Item Budgeted? ☐ YES ☒ NO ☐ ITEM HAS NO COST ☐ OTHER: \_\_\_\_\_

#### Budget Adjustment (to be completed by Finance when applicable)

|                             |                                |               |               |
|-----------------------------|--------------------------------|---------------|---------------|
| 101610-49125                | Transfer Out - Impact/Capacity | \$ 178,920.00 | \$            |
| Account Number (ORG-OBJECT) | Account Description            | Expense       | Revenue       |
| 252010-39110                | Transfer In - General          | \$            | \$ 16,296.00  |
| Account Number (ORG-OBJECT) | Account Description            | Expense       | Revenue       |
| 252020-39110                | Transfer In - General          | \$            | \$ 24,780.00  |
| Account Number (ORG-OBJECT) | Account Description            | Expense       | Revenue       |
| 255020-39110                | Transfer In - General          | \$            | \$ 117,264.00 |
| Account Number (ORG-OBJECT) | Account Description            | Expense       | Revenue       |
| 255050-39110                | Transfer In - General          | \$            | \$ 20,580.00  |
| Account Number (ORG-OBJECT) | Account Description            | Expense       | Revenue       |

**Fund(s) Impacted**  
(check all that apply)

☒ General Fund ☐ Utility Fund ☐ Street Fund ☐ Other(s): \_\_\_\_\_

#### Budget Impact Notes for Consideration (Optional):

Chapter 46, Impact Fees, of the Bentonville Municipal Code allows for the City Council to pay impact fees on behalf of fee payers to promote economic development and the provision of affordable housing in the City.

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712





November 6, 2023

Mr. Tyler Overstreet  
Planning Division  
305 SW A Street  
Bentonville, AR 72712

Dear Mr. Overstreet,

Please accept this letter as a formal request by Strategic Realty as developer/owner for Bentonville Housing Partners III Limited Partnership to waive the impact fees associated with the development known as "McAuley Place" at 41<sup>st</sup> and "I" Street in the City of Bentonville. This request is in accordance with a) the discussion with Mayor Orman and the Planning Department on February 24, 2023 regarding what could be submitted to the Arkansas Development Finance Authority (ADFA) for state funding, b) what was subsequently submitted to ADFA on March 6, 2023, and c) what was approved by ADFA in August 2023. Documentation for all the above has been submitted to the city attorney.

The waiver of impact fees, as accounted for in the ADFA application, is a key to the feasibility of the project and the City's goal of creating affordable housing for Bentonville's workforce, as affirmed by the City Council's resolution in January 2023. It helps unlock the millions of dollars that are being brought to the development by ADFA, as well as helps ensure affordable rents that are approximately \$700 lower than the current market rate for a two-bedroom unit. Over the 35-year term of the project, this will mean approximately \$21M in rent savings for these hardworking families, who will now be able to live in the community they serve.

Based on calculations from the National Association of Home Builders local area impact model, the City will also see approximately \$11M in local economic activity from the project, including new income and jobs for residents and additional revenue for local government.

Thank you so much for your consideration of this request.

Sincerely,

  
Jim C. Petty  
President & CEO

812 Main Street  
Van Buren, AR 72956  
(479) 262-6655

|                                                                                   |                                              |
|-----------------------------------------------------------------------------------|----------------------------------------------|
|  | <b>McAuley Place</b>                         |
|                                                                                   | Southwest 41st Street and Southwest I Street |
|                                                                                   | <b>PC Date:</b> 9/19/2023                    |
|                                                                                   | <b>Reviewer:</b> Jon Stanley, Senior Planner |

| Staff Report Details                             |                                                  |
|--------------------------------------------------|--------------------------------------------------|
| <b>Project Number</b>                            | LSD22-0066                                       |
| <b>Applicant / Current Owner</b>                 | Bentonville Housing Partners III                 |
| <b>Site Area</b>                                 | +/- 11.46 Acres                                  |
| <b>Current Zoning</b>                            | R-3, Medium-High Density Multifamily Residential |
| <b>Requested Zoning</b>                          | N/A                                              |
| <b>Current Future Land Use Map Designation</b>   | High Density Residential (HDR)                   |
| <b>Requested Future Land Use Map Designation</b> | N/A                                              |
| <b>Development Type / Use</b>                    | Multi Family                                     |
| <b>Related projects</b>                          | N/A                                              |

| Property Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This property is located near the intersection of Southwest 41st Street and Southwest I Street, on the east side of the City of Bentonville Community Center, and is currently zoned R-3, Medium-High Density Multifamily Residential with a Future Land Use Map designation of High Density Residential (HDR). The adjacent zonings are A-1, Agricultural to the west and south, C-2, General Commercial to the east, and R-4, High Density Multifamily Residential to the north.</p> |

| Project Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This project is a large-scale development that consists of a multi-family apartment complex comprised of twenty-six (26) separate structures on 11 acres, totaling 92 multi-family units and offering one-two- and three-bedroom options. The maximum proposed height of any structure is +/- 42 feet. The development requires 288 parking spaces and will provide 315 spaces.</p> <p>Two means of access are proposed, one on Southwest 41st Street and another on Southwest I Street. The proposal provides a pedestrian connection via a proposed sidewalk to the public way along both the aforementioned street frontages. Landscaping and stormwater management are both in compliance with the Land Development and Stormwater codes.</p> |

### Project Details

The proposed Primary Building Materials are brick and stone, and the proposed Special Use Primary Materials are architectural metal panels (24 ga min), engineered wood board and batten siding.

### Relationship to the General Plan / Projected Traffic Impact

The proposed development will constitute an increase in vehicular intensity generated from the currently vacant property, although the traffic study conducted by Traffic Engineering Consultants, Inc. (TEC) found any impact will likely be minimal.

However, the city is trying to be proactive in its approach to traffic impacts at certain intersections and the intersection of Southwest 41st Street and Southwest I Street is one of the intersections where the city has approved a bond project for the installation of a traffic signal to help manage increases in traffic as development such as the proposed, occurs within and near the area.

Currently, adequate cross access with neighboring properties and connectivity to existing sidewalk infrastructure as well as direct access to an arterial and collector street should mitigate some effects of additional traffic. This project is near the existing trail and Greenway network, both of which would afford residents the opportunity to replace vehicle trips with bicycle or walking trips.

### Public Comment

Has Staff Received Public Comment regarding this request? : No

### Analysis / Waivers

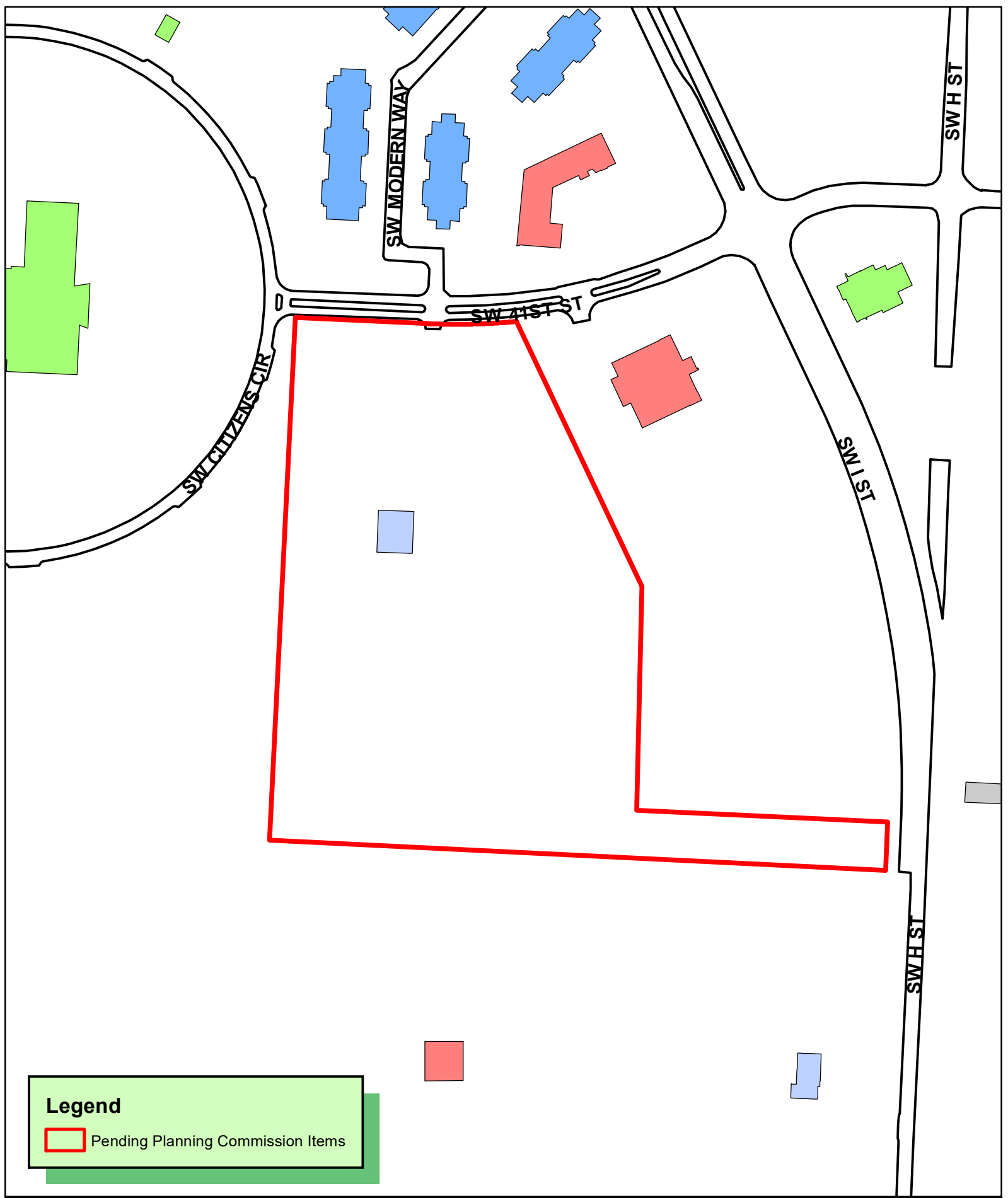
N/A

### Conclusion

The proposed large-scale development does meet the minimum requirements of the Land Development Code. staff recommends approval.

### Additional Details

N/A



**Legend**

 Pending Planning Commission Items

 1 inch = 200 feet

**LSD22-0066 1/17/23**  
**LARGE SCALE DEVELOPMENT**  
**MCAULEY PLACE APARTMENTS**

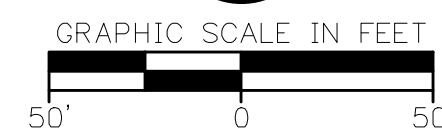
 Page 7 of 109







CRAFTON, TULL & ASSOCIATES, INC.  
No. 109  
ARKANSAS ENGINEER



MCAULEY PLACE  
BENTONVILLE, AR

[illegible]

PROJECT NO: 20112100  
ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY  
GC BY: \_\_\_\_\_  
GC Date: \_\_\_\_\_

PRELIMINARY  
PLANS

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LS22--0066

C-002

PROPERTY LINE

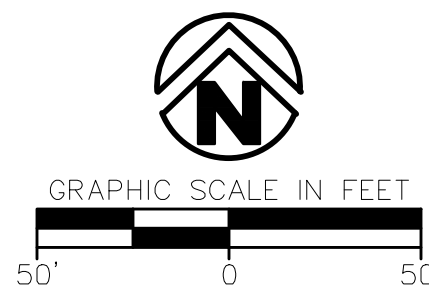
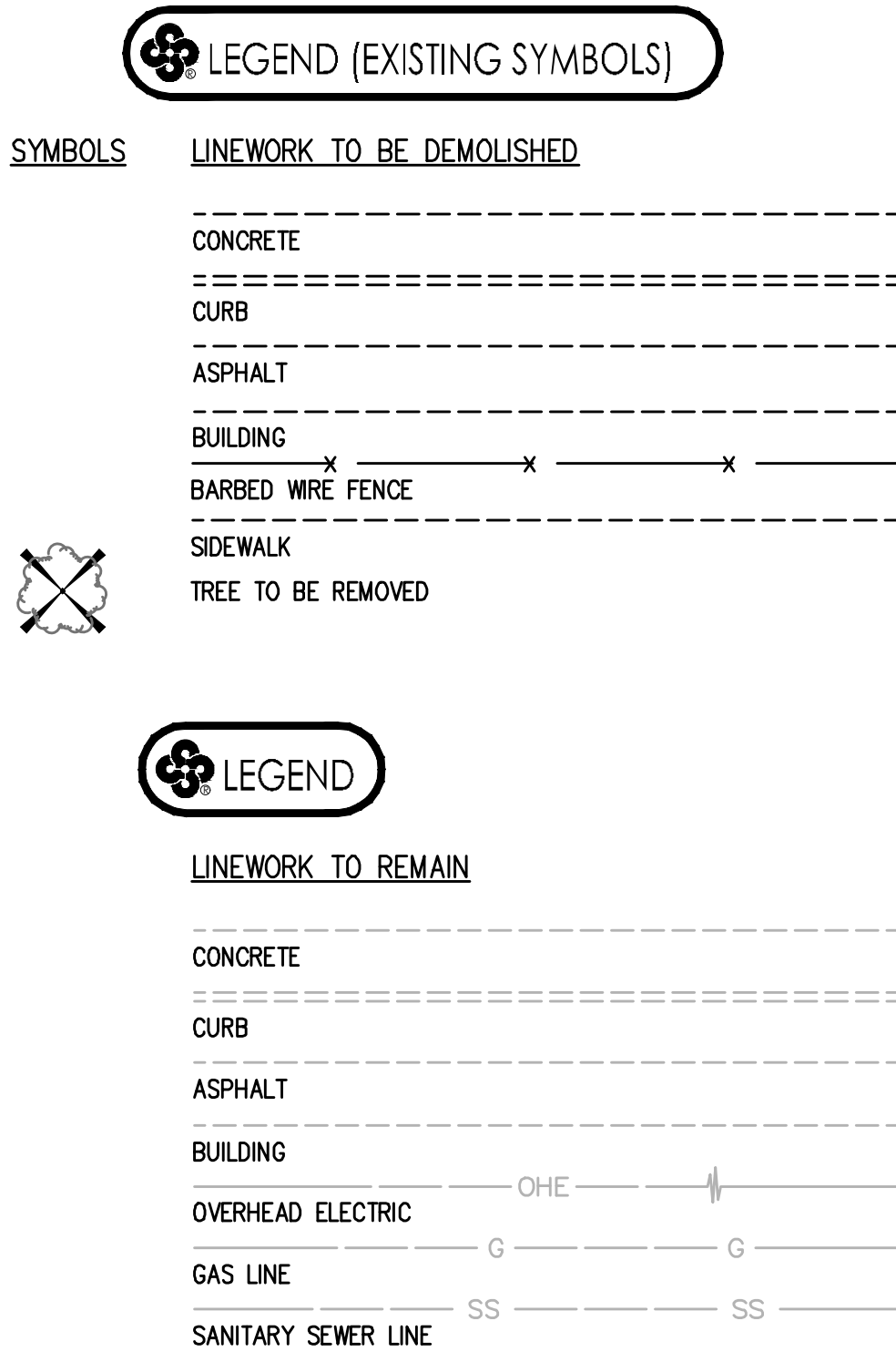
ONLY THE CONTROL POINTS, COORDINATE VALUES, AND ELEVATIONS SHOWN ON THIS SHEET SHALL BE USED ON THIS PROJECT. CRAFTON, TULL & ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES OF USING CONTROL POINTS, COORDINATE VALUES OR ELEVATIONS ESTABLISHED OR DERIVED FROM OTHER SOURCES. CRAFTON, TULL & ASSOCIATES, AT ITS SOLE DISCRETION, MAY ALLOW THE USE OF ALTERNATIVE OR ADDITIONAL CONTROL, BY A WRITTEN AMENDMENT TO THIS SHEET SEALED BY THE RESPONSIBLE SURVEYOR. USERS OF THIS SHEET MUST BE AWARE THAT THE COORDINATE VALUES AND ELEVATIONS PRACTICE, AND IMMEDIATELY NOTIFY THE CRAFTON, TULL & ASSOCIATES PROJECT ENGINEER OF ANY INCONSISTENCIES IN THE OBSERVED COORDINATE VALUES, ELEVATIONS AND DESCRIPTIONS FOR CONTROL POINTS SHOWN ON THIS SHEET.

| CONTROL POINT TABLE |           |           |           |             |
|---------------------|-----------|-----------|-----------|-------------|
| POINT #             | NORTHING  | EASTING   | ELEVATION | DESCRIPTION |
| 1                   | 734385.44 | 658355.42 | 1298.60   | MAG SPIKE   |
| 2                   | 734880.25 | 658372.53 | 1299.07   | MAG SPIKE   |
| 10                  | 734409.50 | 657697.04 | 1303.62   | MAG SPIKE   |
| 11                  | 734103.56 | 657995.67 | 1305.68   | MAG SPIKE   |



DRAWING: C:\120121001\_STRUTTAL\INSTRUTR\08A\_CIVIL.DWG, PROJECT CONTROL SHEET.DWG  
 LAYOUT: LAYOUT1 LAST SAVED: 7/25/2023 4:25 PM  
 NOTES: 00: CRANCON AND PSON 8/10/2023 1:40 PM, 08: ONLY VALID ON 11/14/2023, 00:00





MCAULEY PLACE  
BENTONVILLE, AR

Key Plan[illegible]

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PROJECT NO: 20112100  
ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY  
QC by:  
QC Date:

PRELIMINARY  
PLANS

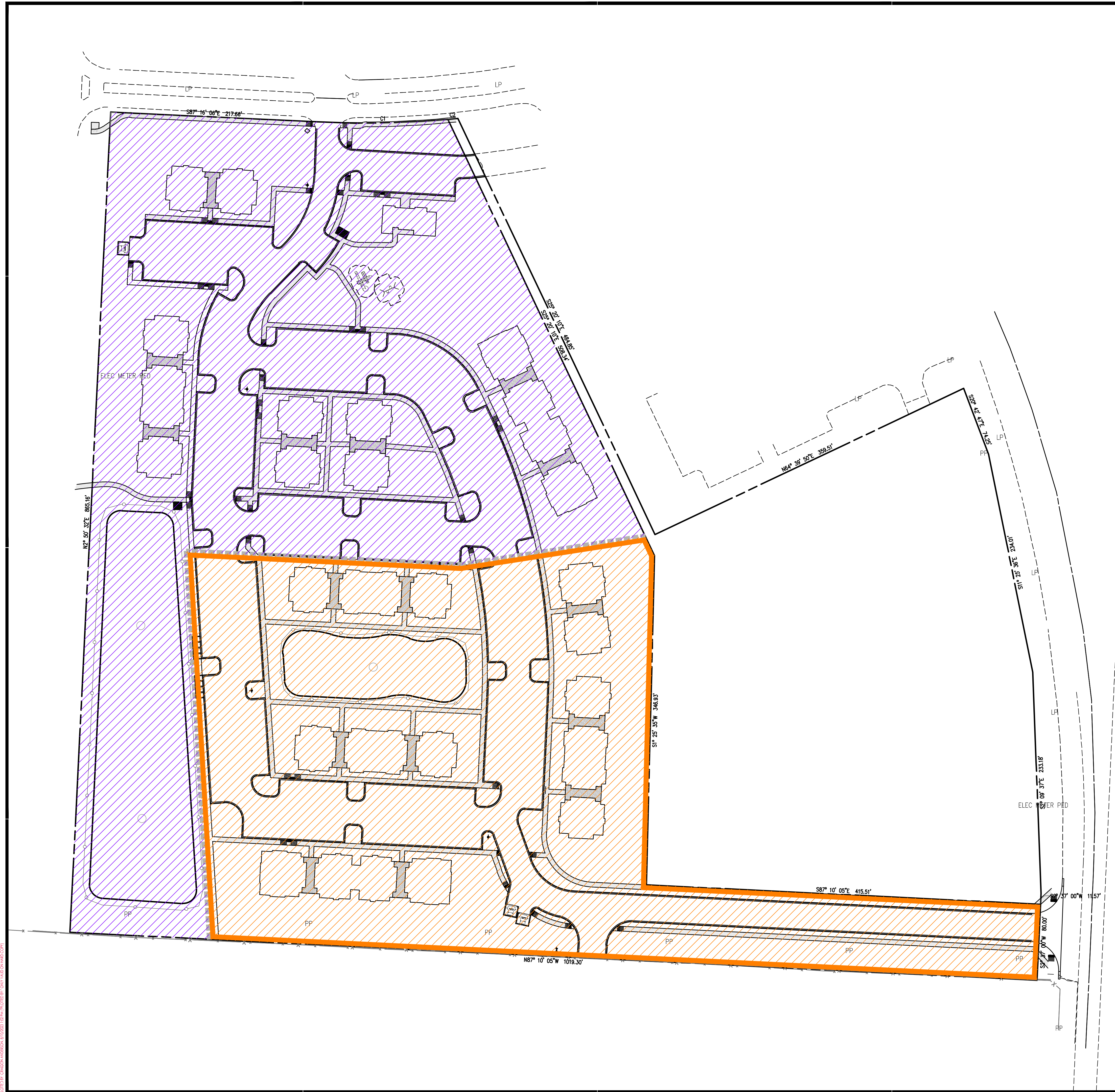
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DOCUMENT IS  
PRELIMINARY IN  
NATURE AND IS NOT  
A FINAL, SIGNED  
AND SEALED  
DOCUMENT

SD22-0066

DEMOLITION PLAN

C-003



 PHASE LEGEND

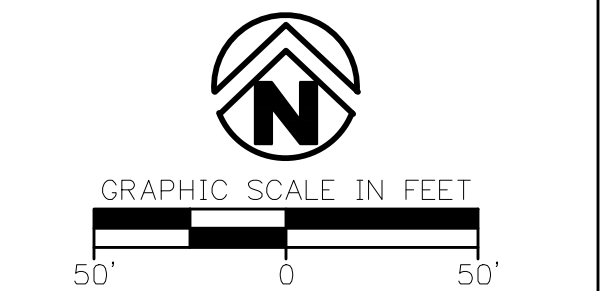
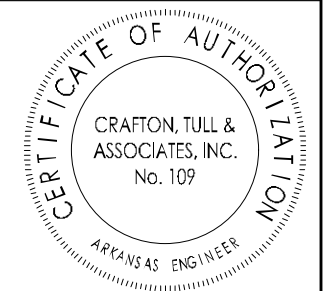
PHASE I  
BUILDING 1, BUILDING 5,  
BUILDING 6, BUILDING 7,  
CLUBHOUSE, DETENTION POND 2,  
ALL UTILITIES AND PUBLIC  
IMPROVEMENTS ASSOCIATED WITH  
THIS DEVELOPMENT SHALL BE  
CONSTRUCTED AS PART OF PHASE I.



PHASE II  
BUILDING 2, BUILDING 3,  
BUILDING 4, BUILDING 8,  
BUILDING 9, DETENTION POND 1



CERTIFICATE OF AUTHORIZATION:



MCAULEY PLACE  
BENTONVILLE, AR

### Key Plan

[illegible]

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CONTACT: T.LINDLEY

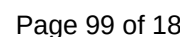
## PRELIMINARY PLANS

SD22-0066

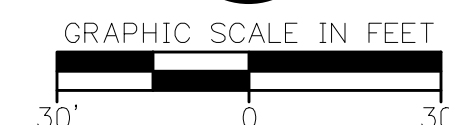
PHASING PLAN (C)

C-004









## Key Plan

[illegible]

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ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY  
QC by:  
QC Date:

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PLANS

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NATURE AND IS NOT  
A FINAL, SIGNED  
AND SEALED  
DOCUMENT

C-102

## SYMBOLS

-  FOUND IRON PIN  
 LIGHT POLE

## LINEWORK

- EASEMENT  
= = = = =  
CURB  
\_\_\_\_\_  
RIGHT OF WAY  
\_\_\_\_\_  
ROAD CENTERLINE

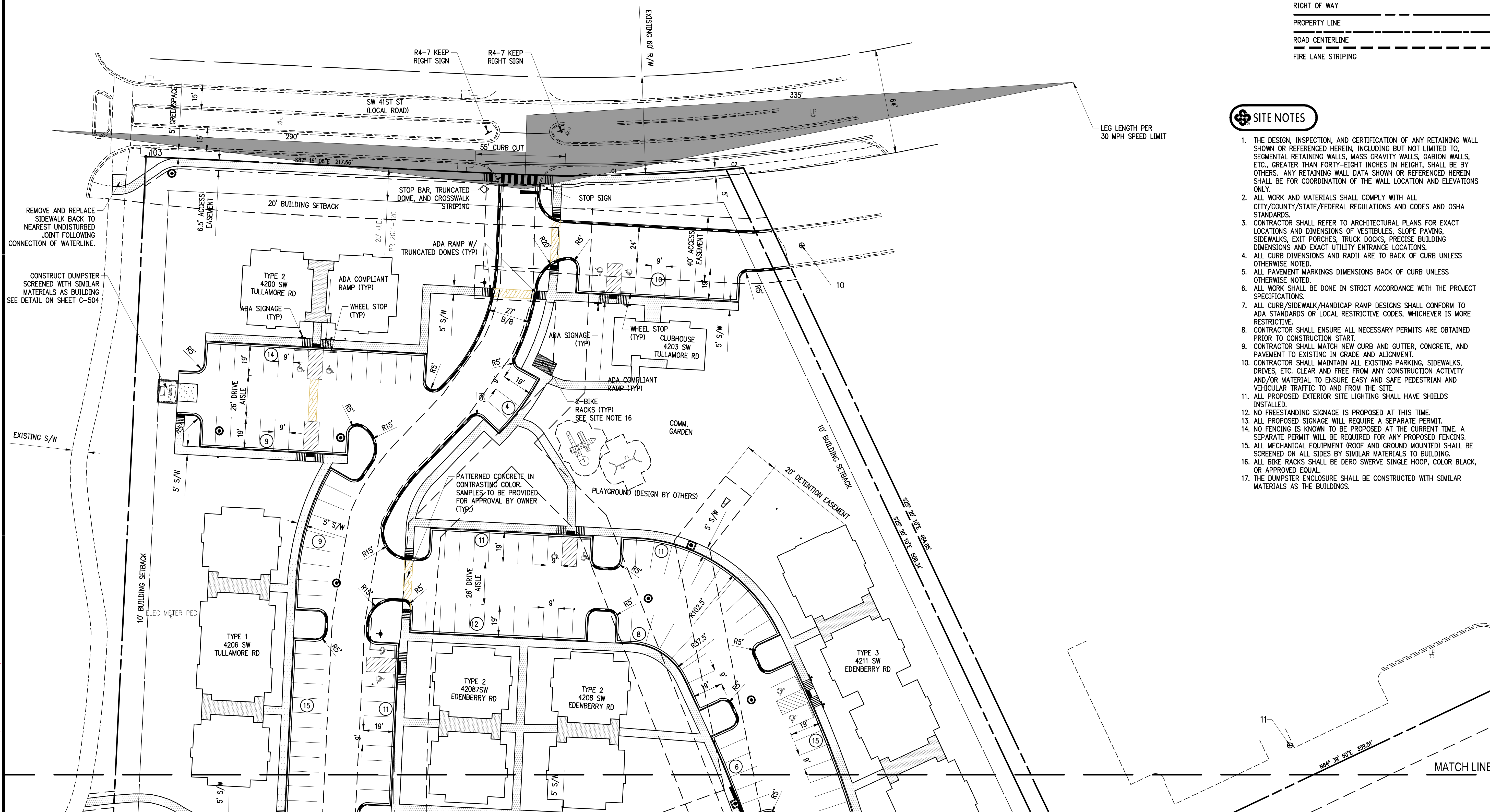
## SYMBOLS

- SET IRON PIN
- ☀ LIGHT POLE

LINEWORK

- 
- The diagram illustrates various road markings and their corresponding line styles:
- EASEMENT**: Represented by a solid black line.
  - CURB**: Represented by a solid black line.
  - CHAIN LINK FENCE**: Represented by a dashed line with oval shapes at intervals.
  - WOOD FENCE**: Represented by a dashed line with vertical tick marks at intervals.
  - BUILDING SET BACK**: Represented by a solid black line.
  - RIGHT OF WAY**: Represented by a solid black line.
  - PROPERTY LINE**: Represented by a solid black line.
  - ROAD CENTERLINE**: Represented by a dashed black line.
  - FIRE LANE STRIPING**: Represented by a dashed black line with wider spacing.

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL CURB DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL PAVEMENT MARKINGS DIMENSIONS BACK OF CURB UNLESS OTHERWISE NOTED.
6. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
7. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
8. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
9. CONTRACTOR SHALL MATCH NEW CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
10. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
11. ALL PROPOSED EXTERIOR SITE LIGHTING SHALL HAVE SHIELDS INSTALLED.
12. NO FREESTANDING SIGNAGE IS PROPOSED AT THIS TIME.
13. ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
14. NO FENCING IS KNOWN TO BE PROPOSED AT THE CURRENT TIME. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY PROPOSED FENCING.
15. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) SHALL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS TO BUILDING.
16. ALL BIKE RACKS SHALL BE DERO SMERVE SINGLE HOOP, COLOR BLACK, OR POLYWOOD ALLOY.
17. THE DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED WITH SIMILAR MATERIALS AS THE BUILDINGS.

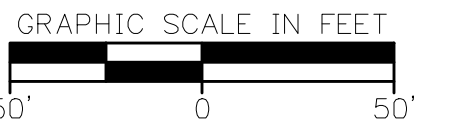


DRAWING: G:\2011\2100\_5TRIMTUM INFRASCTURE\CIVIL\DWG\SITE PLAN.DWG  
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MCAULEY PLACE  
BENTONVILLE, AR

### Key Plan

[illegible]

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PROJECT NO: 20112100

CONTACT: T.LINDLEY

QC Date:

PRELIMINARY

## PLANS

## PLANNING

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SITE PLAN C

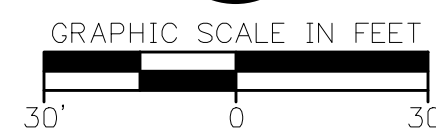
C-104

NOTE: ALL WATER MAIN VALVES & FIRE HYDRANTS ARE SHOWN SCHEMATICALLY. CONTRACTOR SHALL SECURE VALVES TO A TEE PER THE DETAILS WHEN POSSIBLE. FIRE HYDRANTS SHALL BE A MINIMUM OF 4' FROM THE CURB. AT NO TIME MAY A VALVE BE INSTALLED TO CONFLICT WITH CURB OR HANDICAP RAMPS.









Key Play

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## PLANS

UTILITY PLAN A (C)

C-106

1. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES WITHIN THE WORK ZONE.
2. THE CITY OF BENTONVILLE SHALL MAKE ALL TIE-INS/CONNECTIONS TO LIVE WATER AND SEWER. CONTRACTOR SHALL COORDINATE AND SCHEDULE TIE-INS/CONNECTIONS WITH ALL UTILITY COMPANIES.
3. ALL UNDERGROUND LINES SHALL BE INSTALLED, INSPECTED, AND APPROVED PRIOR TO BACKFILLING.
4. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SEWER.
5. GENERAL CONTRACTOR IS TO COORDINATE WITH APPROPRIATE UTILITY COMPANIES PRIOR TO CONSTRUCTION, ADJUSTMENT, OR RELOCATION OF EXISTING UTILITIES.
6. THRUST BLOCKING SHALL BE PROVIDED AT ALL BENDS, TEES, AND FIRE HYDRANTS.
7. DIMENSIONS SHOWN ARE TO CENTERLINE OF PIPE OR FITTING.
8. MINIMUM HORIZONTAL SEPARATION BETWEEN THE OUTSIDE WALL OF THE WATERLINE AND THE OUTSIDE WALL OF THE SANITARY SEWER LINE OR SANITARY SEWER MANHOLE SHALL BE AT LEAST TEN FEET. WHERE WATERLINES CROSS SANITARY SEWERS THE WATERLINE SHALL BE PLACED ABOVE THE SEWER WITH A MINIMUM VERTICAL SEPARATION, FROM OUTSIDE-TO-OUTSIDE, OF 18" IF IT IS NOT POSSIBLE TO CONFORM TO THESE DIMENSIONS OR DEFINED PLACEMENT, THE WATERLINE SHALL BE ENCASED IN WATER-TIGHT PIPE WITH SEALED WATER-TIGHT ENDS EXTENDING AT LEAST TEN FEET EITHER SIDE OF THE CROSSING.

9. THE CONTRACTOR SHALL INCLUDE IN THE BID PRICE ALL MATERIAL AND LABOR ASSOCIATED WITH THE TESTING OF THE WATER AND SEWER LINES REQUIRED BY THE LOCAL AND/OR STATE AGENCIES.
10. TOPS OF EXISTING MANHOLES SHALL BE RAISED AS NECESSARY TO BE FLUSH WITH FINISHED PAVEMENT ELEVATIONS, AND MANHOLES IN UNPAVED AREAS TO BE 4" ABOVE FINISHED GROUND ELEVATIONS WITH WATER TIGHT LIDS.
11. ALL TRENCHING, PIPE LAYING, AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL REGULATIONS.
12. REFER TO BUILDING PLANS FOR SITE LIGHTING AND ELECTRICAL PLAN.
13. ALL TRENCHES, STRUCTURES, AND INSPECTION FOR WATER AND SANITARY SEWER LINES SHALL BE PER THE SPECIFICATIONS OF BWL.
14. THE CONTRACTOR SHALL COORDINATE WITH THE FIRE DEPARTMENT AND THE WATER COMPANY TO PLAN THE IMPROVEMENTS TO THE WATER MAINS AND TO ENSURE ADEQUATE FIRE PROTECTION IS CONSTANTLY AVAILABLE TO THE SITE THROUGHOUT THE PROJECT. CONTRACTOR WILL BE RESPONSIBLE FOR ARRANGING ANY REQUIRED WATER MAIN SHUT-OFFS WITH THE WATER COMPANY DURING CONSTRUCTION. ALL COSTS ASSOCIATED WITH WATERMAIN SHUT-OFFS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR; NO ADDITIONAL COMPENSATION WILL BE PROVIDED.
15. DAMAGE TO ALL EXISTING FACILITIES DESIGNATED TO REMAIN WILL BE REPLACED AT CONTRACTOR'S EXPENSE.
16. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, AND EXACT UTILITY ENTRANCE LOCATIONS.
17. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TAP AND TIE ON FEES REQUIRED AS WELL AS COSTS OF UNDERGROUND SERVICE CONNECTIONS TO THE BUILDING.
18. GENERAL CONTRACTOR SHALL PROVIDE ALL CONDUITS AS SHOWN ON THE PLANS, VERIFY LOCATION OF UTILITY TIE-INS, AND PROVIDE NYLON PULP CORDS INSIDE THE CONDUIT.

19. THE CONTRACTOR SHALL INCLUDE IN BID PRICE THE DAILY RECORD KEEPING OF THE RECORD CONDITION OF ALL OF THE UNDERGROUND UTILITIES, CONSTRUCTION TAKE-OUT, PREPARATION OF THE NECESSARY/REQUIRED WATER AND SEWER RECORD DRAWINGS TO BE SUBMITTED, AND ALL OTHER INFORMATION REQUIRED FOR OBTAINING PERMITS AND RELEASE OF BONDS.
20. ENERGIZED ELECTRICAL LINE SAFETY, WARNINGS, AND ADVANCED NOTICES: ALL OWNERS, GENERAL CONTRACTORS, AND SUBCONTRACTORS ASSOCIATED WITH THIS PROJECT SHALL BE RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH, COMPLYING WITH, AND THE ENFORCEMENT OF ARKANSAS CODES AR ST 11-5-307 AND 5 AR ST 11-5-308 AND ANY OTHER CURRENT STATE CODES PERTAINING TO ADVANCE NOTICE REQUIREMENTS AND FOR SAFETY OF ALL PERSONNEL, INCLUDING THE GENERAL PUBLIC, PERTAINING TO ANY WORK, MOVEMENT, AND ACTIVITY IN CLOSE PROXIMITY TO ANY ENERGIZED ELECTRICAL LINE.
21. CONTRACT BEUD AT 479-271-3135 BEFORE PERFORMING ANY GRADING WITHIN 5' OF EXISTING OR PROPOSED POWER POLES.
22. BEUD DESIGN LAYOUT DRAWING TAKES PRECEDENCE OVER ANY ELECTRIC INFORMATION SHOWN ON THE SITE UTILITY PLAN.
23. ALL ELECTRICAL FACILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST REVISION OF THE ELECTRIC SPECIFICATIONS FOUND ON THE WEBSITE. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THIS DOCUMENT.
24. RELOCATION OF ANY EXISTING ELECTRICAL FACILITIES SHALL BE AT THE OWNERS EXPENSE.
25. ALL PROPOSED EXTERIOR SITE LIGHTING SHALL HAVE SHIELDS INSTALLED.
26. ALL WATER AND SEWER CONSTRUCTION SHALL BE COMPLETED PER BEAUMONTVILLE WATER UTILITIES DEPARTMENT SPECIFICATIONS DATED 6/22/2021.
27. ALL CONDENSATE IS PROHIBITED FROM DISCHARGING TO THE SANITARY SEWER SYSTEM.

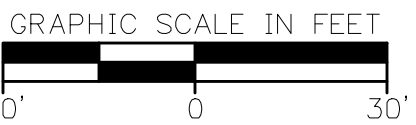
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DATE: 8/1/2023 TIME: 4:42 PM  
USER: JEFFREY.B. CARROLL ANDERSON 8/1/2023 4:42 AM PLOTTER: HP ONLY PLANNER (VIA USB) (C:\001\







CRAFTON, TULL &  
ASSOCIATES, INC.  
No. 109  
ARKANSAS ENGINEER



MCAULEY PLACE  
BENTONVILLE, AR

### Key Plan

[illegible]

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PROJECT NO: 20112100  
ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY  
QC by:  
QC Date:

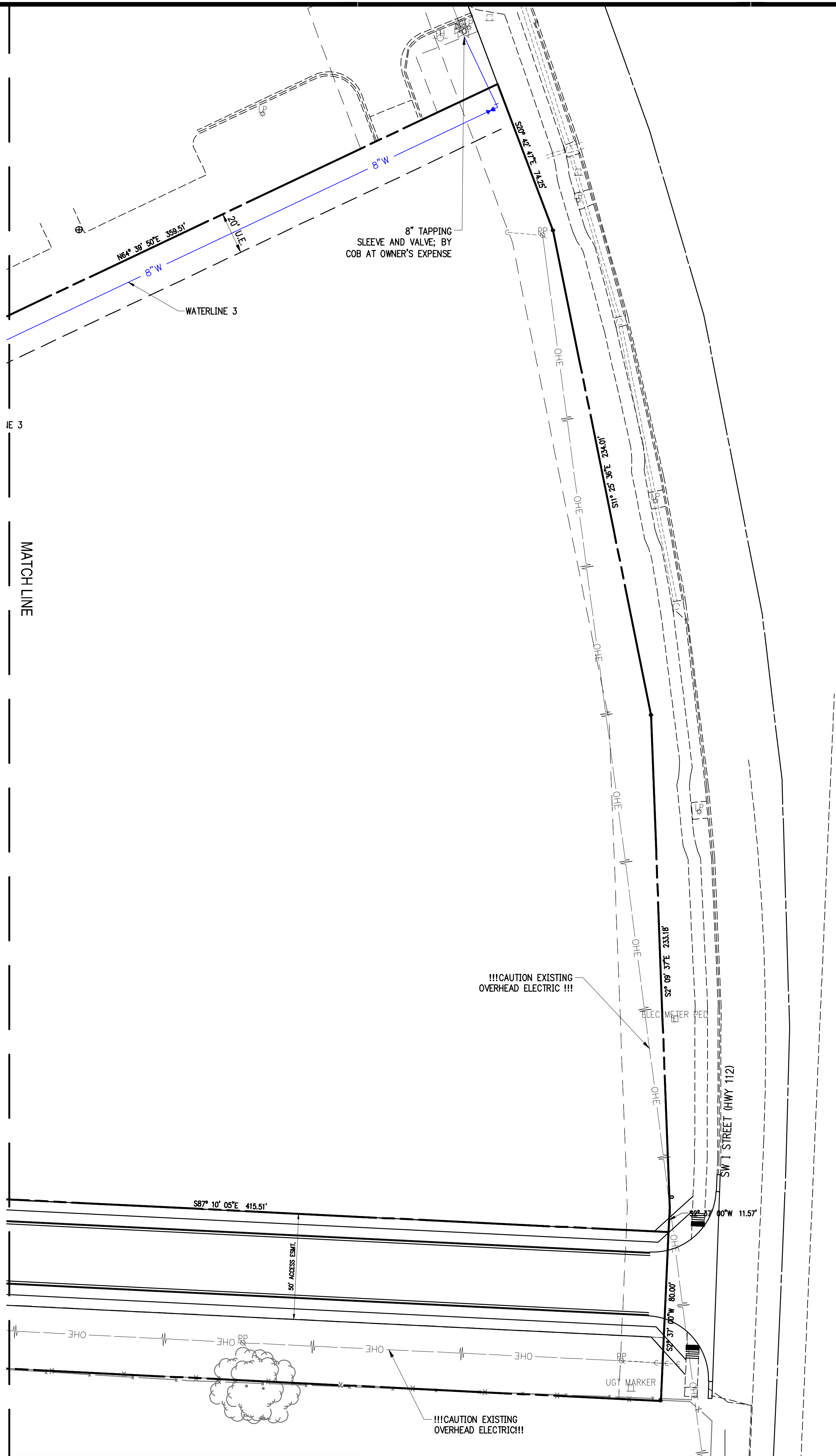
PRELIMINARY  
PLANS

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SD22-0066

UTILITY PLAN C (C)

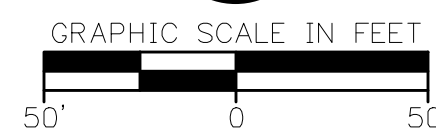
C-108



NOTE: ALL WATER MAIN VALVES & FIRE HYDRANTS ARE SHOWN SCHEMATICALLY. CONTRACTOR SHALL SECURE VALVES TO A TEE PER THE DETAILS WHEN POSSIBLE.

FIRE HYDRANTS SHALL BE 3'-9" FROM BACK OF CURB OR NEAREST DRIVING SURFACE. AT NO TIME MAY A VALVE BE INSTALLED TO CONFLICT WITH CURB OR HANDICAP RAMPS.





Key Plan

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LSD22-0066

C-109

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. THE OWNER/CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING AND PROVIDING SEPARATE AND INDEPENDENT RETAINING WALL DESIGNS, INSPECTIONS, AND CERTIFICATIONS BY A REGISTERED PROFESSIONAL ENGINEER OTHER THAN CRAFTON TULL. THIS SHALL ALSO APPLY TO ANY ASSOCIATED AND NECESSARY PUBLIC SAFETY DEVICES INCLUDING, BUT NOT LIMITED TO, PEDESTRIAN SAFETY RAILS.
3. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY. ALL UTILITIES MUST BE LOCATED PRIOR TO GRADING START.
4. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
5. ALL EXISTING FIELD SLOPES SHALL BE A MAX 3:1 SLOPE OR FLATTER UNLESS OTHERWISE NOTED.
6. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO

7. ALL STORM SEWER PIPE CONNECTIONS TO STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT. ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
8. ALL MANHOLE AND STRUCTURE STORM SEWER PIPES SHALL MEET HEAVY DUTY TRAFFIC (H20) LOADING AND BE INSTALLED ACCORDING WHEN IN PAVED AND TRAFFIC AREAS.
9. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING RINGS AND COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 1" ABOVE FINISH GRADE. LIDS SHALL BE LABELED PER JURISDICTIONAL SPECIFICATIONS.
10. SITE GRADING SHALL BE ACCORDING TO THE CITY OF HOUSTON AND SOIL EROSION CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL NPDES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
11. ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE A INCHES OF TOPSOIL TO FINAL GRADE. REFER TO THE ATTACHED PLAN SHEET.
12. TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON PLANS, CONTRACT ENGINEER IMMEDIATELY.
13. THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
14. THE CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING

15. THE EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS.
16. EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS.
17. CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.
18. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
19. IF ANY WEETS ARE ENCOUNTERED ON-SITE THE CONTRACTOR SHALL COORDINATE WITH THE CITY ENGINEER FOR THE DESIGN AND REPLACEMENT OF FRENCH DRAIN SYSTEM.
20. CRAFTON, TULLY & ASSOCIATES, INC. (CTA) HAS NOT NECESSARILY ESTABLISHED MINIMUM FINISH FLOOR ELEVATIONS FOR EACH INDIVIDUAL BUILDING OR LOT IN THIS SUBDIVISION. WHEN A MINIMUM BUILDING FLOOR ELEVATION IS NOT ESTABLISHED AND NOTED, THE ULTIMATE RESPONSIBILITY FOR THE PROPER GRADING OF EACH INDIVIDUAL LOT OR PARCEL SHALL REST WITH THE LOT'S OWNER.
21. TYPICALLY, THE MINIMUM FINISH FLOOR ELEVATION SHOULD BE AT LEAST TWELVE INCHES ABOVE THE FINISHED TOP OF STREET CURB ELEVATION ASSOCIATED WITH EACH INDIVIDUAL LOT OR PARCEL, OR AS REQUIRED BY LOCAL AND STATE CODES.

## SYMBOLS

○ FOUND IRON PIN

## LINEWORK

EASEMENT

**CURB**

INTERMEDIATE CONTOUR

INDEX CONTOUR

## RIGHT OF WAY

## SYMBOLS

- SET IRON PIN

STORM SEWER PIPE  
STRUCTURE NUMBER

 RECTANGULAR DROP INLET,  
GRATED INLET OR JUNCTION  
BOX (SPECIFY ON PLAN  
SHEET)



CIRCULAR DROP INLET,  
GRATED INLET OR JUNCTION  
BOX (SPECIFY ON PLAN  
SHEET)

TC XX.XX TOP OF CURE

TP XX.XX TOP OF PAVEMENT

HP XX.XX HIGH POINT

LP XX XX LOW POINT

FG XX.XX      FINISH GRADE

 INDICATES ACCESSIBLE ROUTE

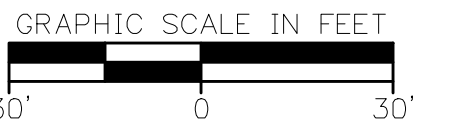
1. THE AREAS ON THIS SHEET INDICATED BY THIS HATCH PATTERN ARE CONSIDERED AN ACCESSIBLE ROUTE AND SHALL MEET THE LATEST EDITIONS AND GUIDELINES PROVIDED BY THE FAIR HOUSING ACT (FHA) AND/OR THE AMERICANS WITH DISABILITIES ACT (ADA).
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONSTRUCT THE ACCESSIBLE ROUTES PER THESE PLANS AND THE FHA/ADA GUIDELINES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCY IN THE DETAILS AND CONDITIONS PROVIDED ON THE GRADING PLAN PRIOR TO PLACING ANY CONCRETE.
3. THE MAXIMUM CROSS SLOPE SHALL NOT EXCEED 2% FOR ANY ACCESSIBLE ROUTE.
4. THE MAXIMUM RUNNING SLOPE SHALL NOT EXCEED 5% FOR AN ACCESSIBLE ROUTE UNLESS A RAMP IS PROVIDED THAT MEETS THE REQUIREMENTS OF AN ACCESSIBLE ROUTE (SEE DETAILS).
5. THE MAXIMUM SLOPE OF AN ACCESSIBLE PARKING STALL NOT EXCEED 2% DIRECTLY TO THE ACCESSIBLE ROUTE.
6. ACCESSIBLE ROUTE DETAILS FOR SIDEWALKS, CROSSWALKS, RAMPS, HANDRAILS, AND HANDICAP PARKING STALLS ARE PROVIDED ON SHEETS C-501 AND C-502.
7. NEITHER THE OWNER NOR THE ENGINEER WILL MAKE EXHAUSTIVE CHECKS OF THE CONTRACTOR'S WORK ON THE ACCESSIBLE ROUTES. RATHER, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONSTRUCT THE ACCESSIBLE ROUTES PER THE PLANS AND DETAILS TO ENSURE COMPLIANCE WITH THE FHA AND ADA.
8. AT HIS OWN EXPENSE, THE CONTRACTOR SHALL REMOVE AND REPLACE ANY SECTIONS OF AN ACCESSIBLE ROUTE THAT EXCEED THE MAXIMUM GRADES. THIS SHALL BE STRICTLY ENFORCED.

CRAFTON TULL CANNOT CERTIFY THE SITE AS COMPLETE IN ORDER TO OBTAIN THE CERTIFICATE OF OCCUPANCY UNTIL ALL DISTURBED AREAS RELATED TO THE CONSTRUCTION OF THE PROJECT, BOTH ONSITE AND OFFSITE, HAVE BEEN STABILIZED PER THE PLANS AND SPECIFICATIONS AND ALL REQUIREMENTS SPELLED OUT IN PERMITS ISSUED BY THE STATE AND LOCAL AUTHORITIES HAVE BEEN MET.









MCAULEY PLACE  
BENTONVILLE, AR

[illegible]

PROJECT NO: 20112100  
ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY  
QC by:  
QC Date:

## PRELIMINARY PLANS

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C-111





## BENTONVILLE, AR

### Key Plan

[illegible]

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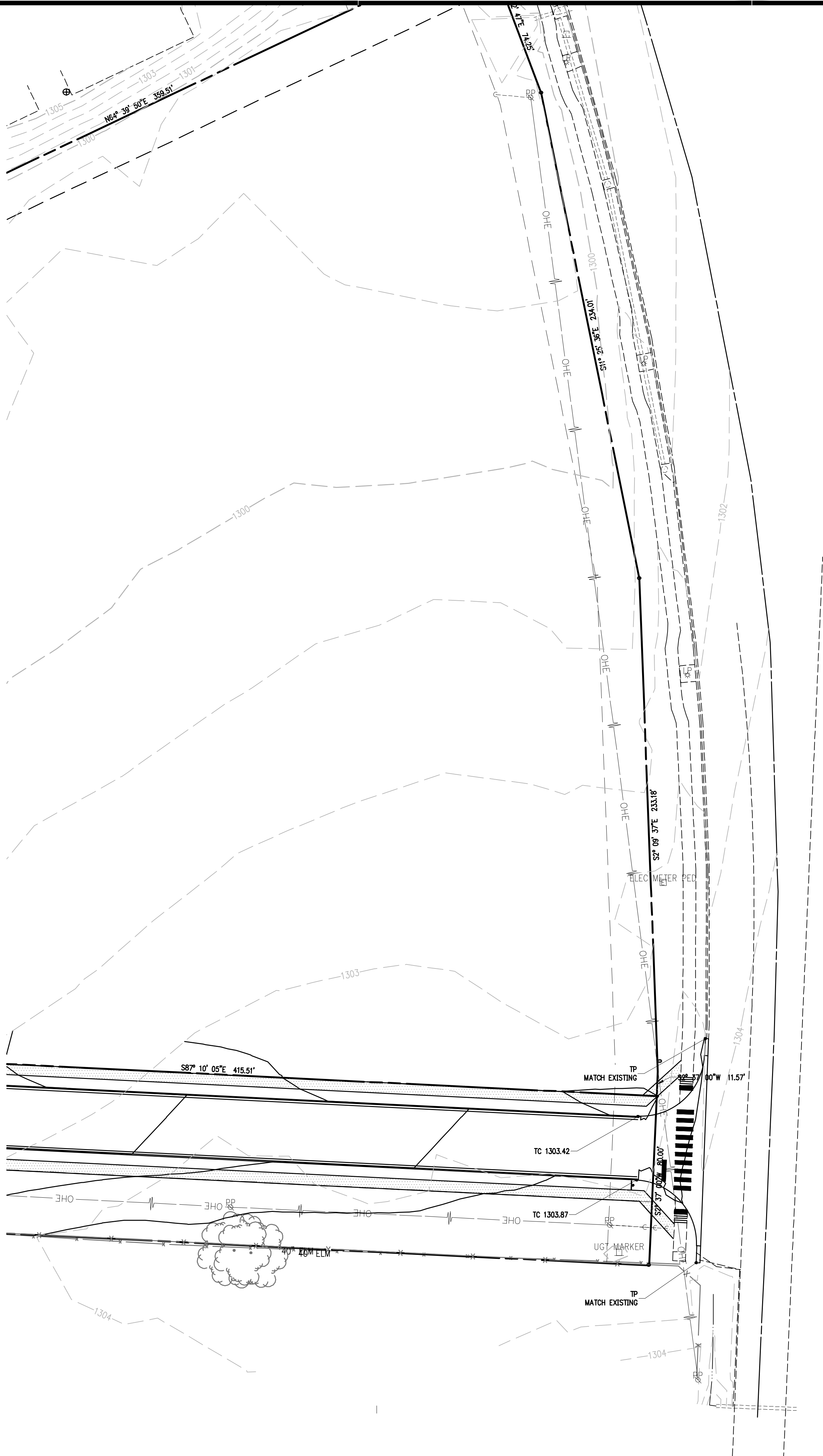
QC Date:

## PRELIMINARY PLANS

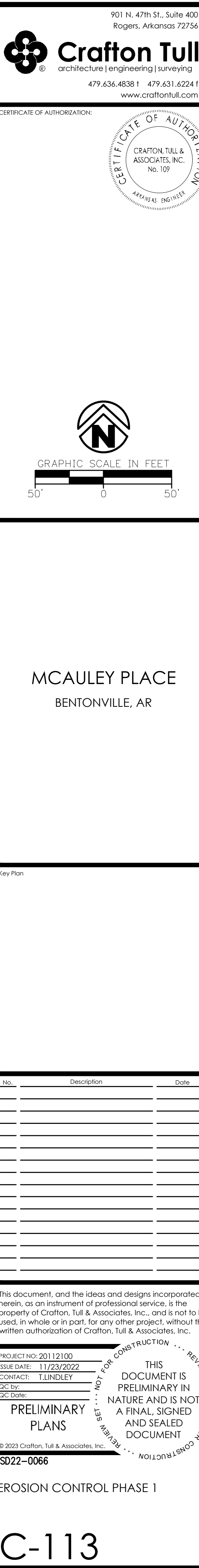
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GRADING PLAN C

C-112



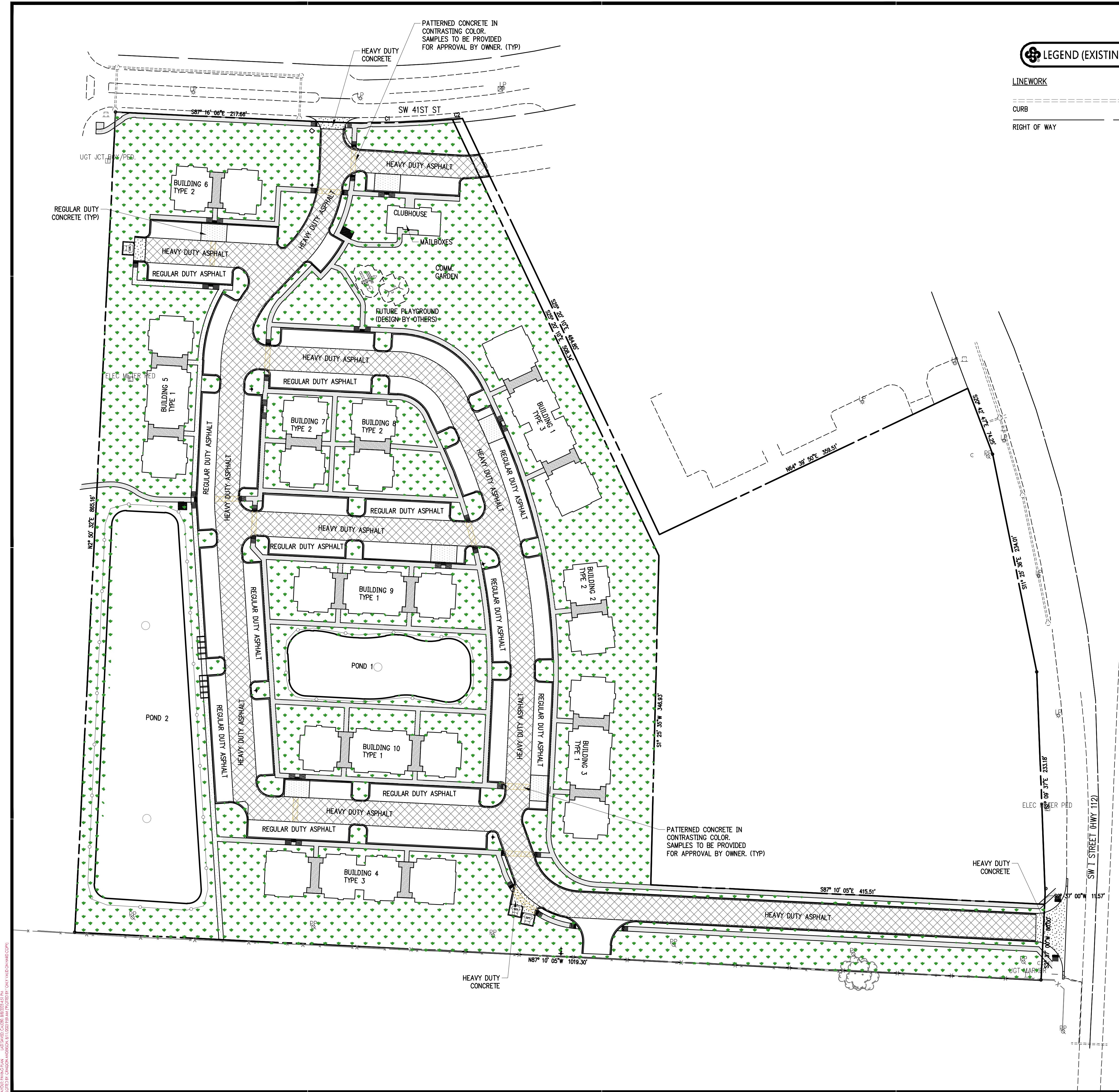




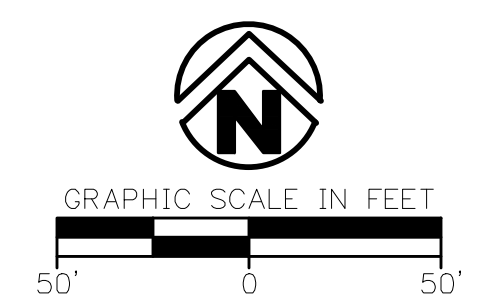
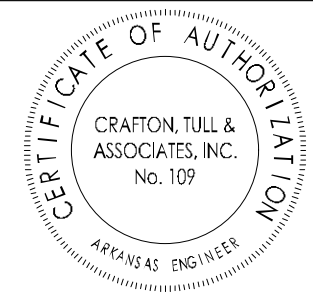








LEGEND (EXISTING)



MCAULEY PLACE  
BENTONVILLE, AR

[illegible]

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PROJECT No: 20112100  
ISSUE DATE: 11/23/2022  
CONTRACT: T.LINDLEY  
GC by: \_\_\_\_\_  
GC Date: \_\_\_\_\_

**PRELIMINARY  
PLANS**

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**LSD2-0066**

PAVING PLAN

C-115



 LEGEND (EXISTING SYMBOLS)

## Arkansas One Call



**Call** before you dig.

1. CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO STARTING ANY WORK BY CONTACTING THE ONE-CALL SYSTEM. ALL UTILITY LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND ARE BASED ON SURVEY INFORMATION, SITE DEVELOPMENT PLANS, UTILITY RECORDS, ETC.
2. CONTRACTOR SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF WORK. ANY DAMAGES TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF LANDSCAPE CONSTRUCTION ARE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE REPAIRED AT NO COST TO OWNER.
3. ALL PLANT MATERIALS SHALL BE NURSERY GROWN (CONTAINER OR BALLED & BURLAPPED) AND SHALL MEET OR EXCEED THE SIZE AND GRADING REQUIREMENTS ESTABLISHED BY THE LATEST EDITION OF "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
4. ALL PLANT MATERIALS MUST BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND/OR DISEASE.
5. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER CONSTRUCTION.
6. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS PRIOR TO PRICING THE WORK.
7. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT OR QUANTITY DISCREPANCIES PRIOR TO BEGINNING CONSTRUCTION.
8. NO CHANGES TO THE PLANT SCHEDULE ARE ALLOWED WITHOUT APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT, AND CITY. APPROVED ALTERNATE MATERIALS SHALL MEET THE SAME CRITERIA FOR TYPE, SIZE, AND FUNCTION AS THOSE SHOWN ON LANDSCAPE PLAN.
9. PLANTINGS IN EXCESS OF MINIMUM REQUIREMENTS MAY NOT BE REDUCED ONCE APPROVED BY THE PLANNING COMMISSION.
10. ALL PLANT MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS PROVIDED.
11. ALL LAWN AREAS SHALL RECEIVE 4" OF TOPSOIL TO MEET FINAL GRADE IN ACCORDANCE WITH GRADING PLAN.
12. ALL PLANTING BED AREAS SHALL BE PREPARED BY REMOVING EXISTING SOO AND WEEDS. PLANTING BED AREAS SHALL RECEIVE 6" OF TOPSOIL AMENDED TO ENHANCE FAVORABLE GROWING CONDITIONS. SOIL MIX SHALL BE FILLED INTO BED AREA TO A MINIMUM DEPTH OF 12".
13. PLANTING BEDS SHALL RECEIVE A MINIMUM OF 3" SHREDDED HARDWOOD MULCH. ALL TREES NOT LOCATED IN PLANTING BEDS SHALL RECEIVE A MULCH SAUCER PER DETAIL.
14. CONTRACTOR TO FIELD VERIFY THE LAYOUT DISTURBANCE. ALL DISTURBED AREAS MUST BE STABILIZED PER CITY CODE PRIOR TO PROJECT CLOSE-OUT.
15. TURF AREAS SHALL BE SEEDED OR SODDED PER PLANTING PLAN. REFER TO PLANT SCHEDULE, LANDSCAPE NOTES, AND HYDROSEEDING NOTES FOR SPECIES AND INSTALLATION REQUIREMENTS.
16. ALL SLOPES 3:1 AND GREATER SHALL RECEIVE SOO. ON SLOPES OF 4:1 OR GREATER, SOO SHALL BE STAPLED IN PLACE.
17. ALL ENTRANCE/EXIT PLANTINGS SHALL BE INSTALLED AND MAINTAINED TO PROVIDE CLEAR SIGHT DISTANCE FROM THE STREETS AND ALL SITE ENTRANCES/EXITS PER CITY CODE.
18. LANDSCAPE IRRIGATION SYSTEM SHALL BE CONSTRUCTED, LANDSCAPE CONTRACTOR SHALL CONFIRM LOCATION OF PLANNED IRRIGATION LINE WITH THE IRRIGATION CONTRACTOR PRIOR TO PLANTING BED CONSTRUCTION AND PLANT INSTALLATION.
19. CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING MATERIAL. (INCLUDING BUT NOT LIMITED TO WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) IN ALL PLANTING AREAS AND LAWN AREAS UNTIL THE WORK IS APPROVED AND ACCEPTED IN TOTAL BY OWNER.
20. LIVING MATERIALS, SUCH AS LAWN, GRASS, OR HERBACEOUS COVERCROPS LIKE JUNIPER OR LIRIOPE, ETC., SHALL COVER A MINIMUM OF EIGHTY PERCENT (80%OF THE PLANTING ISLANDS. ONE HUNDRED PERCENT (100%) OF LIVING MATERIALS SHALL BE STAGED AND COVERED WITH MULCH.
21. ALL TREES PLANTED IN THE PUBLIC RIGHT-OF-WAY SHALL BE 4" CALIPER AND THE LOWEST LIMB SHALL BE 96" OR HIGHER FROM FINAL GRADE AT TIME OF PLANTING.
22. THERE SHALL BE NO PLANTINGS WITHIN SHADED AREA OF SIGHT TRIANGLE BETWEEN THE SIZE OF 3' TO 8' TALL.
23. ALL TREES SHALL BE PRESERVED UNLESS APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT PURSUANT TO ARTICLE 1300.07 OF THE MUNICIPAL CODE.

1. CONTRACTOR SHALL PROVIDE A WARRANTY ON ALL PLANT MATERIALS FOR A MINIMUM OF ONE YEAR FROM PROJECT COMPLETION AND ACCEPTANCE BY OWNER. ANY PLANT MATERIAL THAT DIES, TURNS BROWN, OR DEFOLIATES PRIOR TO WARRANTY EXPIRATION SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
2. AFTER THE REQUIRED WARRANTY PERIOD, LANDSCAPING SHALL BE MAINTAINED IN A LIVING CONDITION BY THE OWNER OF THE PROPERTY. ALL PLANTS THAT DIE SHALL BE REPLACED BY THE OWNER OF THE PROPERTY.
3. HEALTHY TREES SHALL NOT BE REMOVED AT ANY TIME.
4. TREES SHALL NOT BE TOPPED AT ANY TIME.
5. WHEN PRUNING IS NECESSARY TO MAINTAIN THE HEALTH OF THE TREE OR FOR PUBLIC SAFETY, PROPER PRUNING TECHNIQUES AS ESTABLISHED BY THE LATEST EDITION OF ANSI A300 "STANDARDS FOR TREE CARE OPERATIONS" SHALL BE UTILIZED.

1. CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF UTILITIES PRIOR TO LANDSCAPE INSTALLATION AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS.
2. TREES AND LANDSCAPING SHALL NOT BE PLACED WHERE THEY INTERFERE WITH SITE DRAINAGE CHANNELS, LINES, OR STRUCTURES, NOR WHERE THEY IMPEDE DETENTION/RETENTION FUNCTIONS.
3. TREES WITH A MATURE HEIGHT GREATER THAN 25' SHALL NOT BE PLANTED WITHIN 25' OF OVERHEAD UTILITIES.
4. PROPOSED TREES SHALL NOT BE PLACED WITHIN 5' OF PUBLIC UTILITIES.
5. TREES SHALL NOT BE PLACED WITHIN 3' OF ANY ABOVEGROUND ELECTRICAL EQUIPMENT, NOR WITHIN 10' FROM DOORS OF ABOVEGROUND ELECTRIC EQUIPMENT.
6. TREES AND LANDSCAPING THAT OBSCURE VISIBILITY SHALL NOT BE PLACED WITHIN 3' OF A FIRE HYDRANT. ALL OTHER LANDSCAPING MUST BE MAINTAINED TO ENSURE VISIBILITY OF FIRE HYDRANT.
7. CITY RESERVES THE RIGHT TO REMOVE LANDSCAPING THAT BLOCKS ACCESS TO UTILITIES OR FAILS TO MEET THE REQUIREMENTS SET FORTH HEREIN.

**STREET TREES/ SCREENING:** 1 TREE PER 20LF  
SW 41ST ST = 340 LF = 17 TREES REQUIRED; 17 PROVIDED  
SW 1 ST = 50 LF = 3 TREES REQUIRED; 3 PROVIDED

**PERIMETER TREES/ SCREENING:** 1 TREE PER 50LF; MIN 50% SHADE  
EAST = 1270 LF = 25 TREES REQUIRED; 25 PROVIDED AND TYPE B SCREEN  
SOUTH = 1,019 LF = 20 TREES REQUIRED; 20 PROVIDED AND TYPE A SCREEN  
WEST = 865 LF = 17 TREES REQUIRED; 17 PROVIDED

**PARKING INTERIOR GREENSPACE:** 10% REQUIRED; 1 SHADE TREE PER INTERNAL ISLAND  
TOTAL PARKING SF = 95,588.3 SF  
INTERIOR GREENSPACE REQUIRED = 9,558.8 SF  
INTERIOR GREENSPACE PROVIDED = 14,436.8 SF; 15.1%  
PARKING ISLAND TREES = 34 REQUIRED; 34 PROVIDED  
\*8% OF IMPERVIOUS MATERIAL, AND AT LEAST 80% WILL BE LIVING MATERIALS FOR PARKING ISLANDS

MCAULEY PLACE  
BENTONVILLE, AR

### Key Plan

[illegible]

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PROJECT NO: 20112100

ISSUE DATE: 11/23/2022  
CONTACT: T.LINDLEY

QC by: \_\_\_\_\_  
QC Date: \_\_\_\_\_

PRELIMINARY

## PLANS

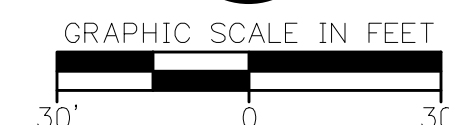
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SD22-0066

OVERALL PLANTING PLAN A (C)

L-101





**Key Player**



 PLANTING REQUIREMENTS

**PARKING INTERIOR GREENSPACE:** 10% REQUIRED; 1 SHADE TREE PER INTERNAL ISLAND

|                                |                          |
|--------------------------------|--------------------------|
| TOTAL PARKING SF =             | 95,588.3 SF              |
| INTERIOR GREENSPACE REQUIRED = | 9,558.8 SF               |
| INTERIOR GREENSPACE PROVIDED = | 15,014.4 SF; 15.7%       |
| PARKING ISLAND TREES =         | 34 REQUIRED; 34 PROVIDED |

\*8% OF IMPERVIOUS MATERIAL, AND AT LEAST 80% WILL BE LIVING MATERIALS FOR PARKING ISLANDS

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LSD22-0066

L-102


**PLANT SCHEDULE**

## LINEWORK

### LINEWORK

## PARKING LOT TREES

BOTANICAL / COMMON NAME

CONT

CAL

**HEIGHT**

TYPE

## SITE TREES

QTY

BOTANICAL / COMMON NAME

CONT

CAL

HEIGHT

TYPE

## STREET TREES

QTY

BOTANICAL / COMMON NAME

CONT

CAL

HEIGHT

TYPE

SHRUBS

QTY

BOTANICAL / COMMON NAME

SIZE

HEIG

SPREAD

SOD/SEED

QTY

BOTANICAL / COMMON NAME

CONT

498,825 SF CYNODON DACTYLON 'TIFWAY 419' / TIFWAY 419 BERMUDA GRASS S.F.  
\*CONTRACTOR TO FIELD VERIFY LIMITS OF DISTURBANCE AND SEED OR SOD  
ALL AREAS NOT OTHERWISE NOTED





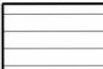
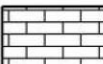




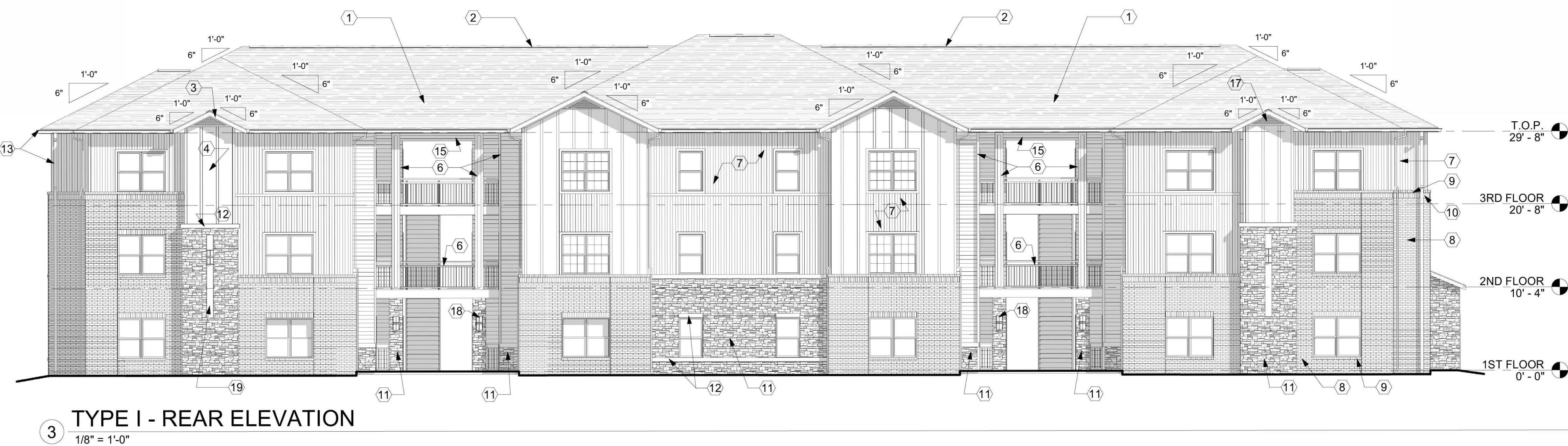
| LEGEND (EXISTING SYMBOLS)                                                           |                                  |
|-------------------------------------------------------------------------------------|----------------------------------|
| <u>SYMBOLS</u>                                                                      | <u>LINEWORK</u>                  |
|    | EASEMENT                         |
|    | =====                            |
|    | CURB                             |
|    | _____ W _____ W _____            |
|    | WATER LINE (SPECIFY SIZE & TYPE) |
|    | _____ OHE _____                  |
|    | OVERHEAD ELECTRIC                |
|    | _____                            |
|    | RIGHT OF WAY                     |
|    | _____                            |
|    | ROAD CENTERLINE                  |
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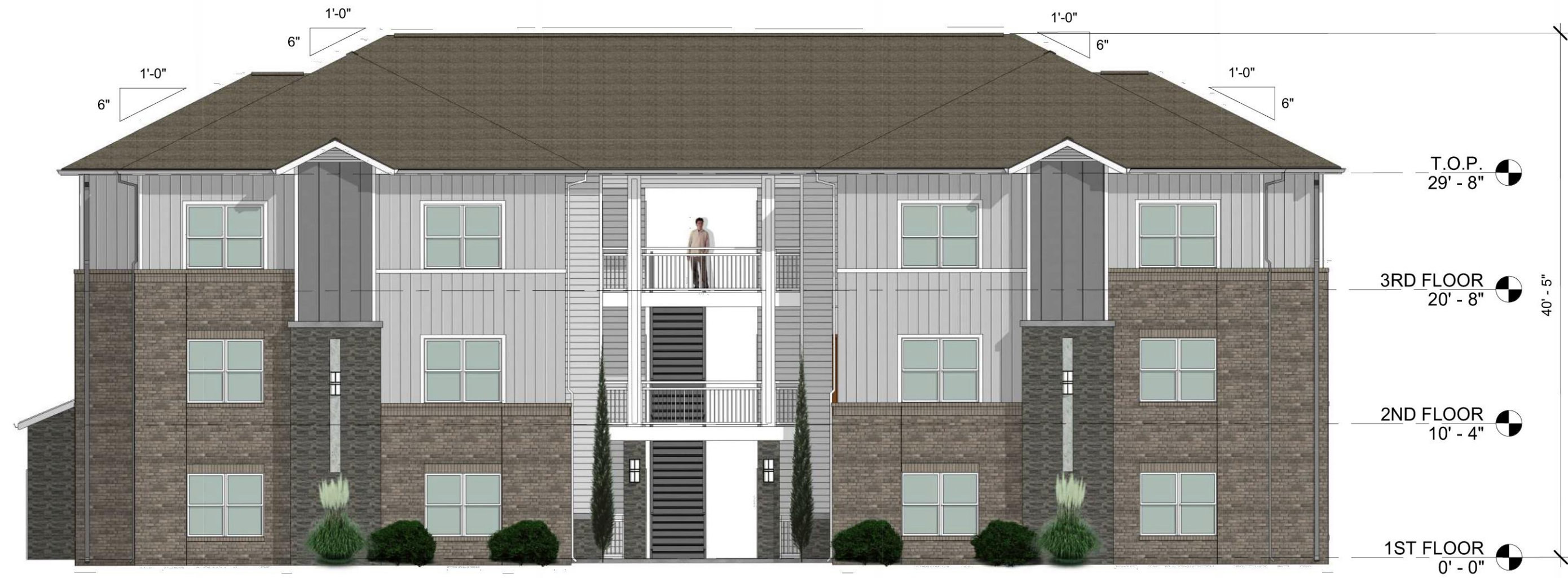


| LEGEND                      |                                                                                     |
|-----------------------------|-------------------------------------------------------------------------------------|
| SIDING - PANEL              |   |
| SIDING - HORIZ.             |  |
| BRICK                       |  |
| STONE                       |  |
| MTL. PANEL<br>(24 GA. MIN.) |  |

- 1 COMPOSITION SHINGLES
- 2 RIDGE VENT
- 3 ENGINEERED WOOD FASCIA
- 4 ENGINEERED WOOD BOARD AND BATTEN
- 5 ENGINEERED WOOD SIDING
- 6 ENGINEERED WOOD TRIM
- 7 PRE-FINISHED ARCHITECTURAL METAL PANEL (24 GAUGE MIN.)
- 8 MASONRY BRICK
- 9 BRICK ROWLOCK
- 10 BRICK SOLDIER COURSE
- 11 STONE
- 12 PRECAST CAPS / SILL
- 13 GUTTER AND DOWNSPOUT (COLOR MATCH ABUTTING WALL)
- 14 CONCRETE SPLASH BLOCK
- 15 BEAMS
- 16 GUARD RAIL
- 17 DECORATIVE GABLE VENT
- 18 WALL SCOFF (SEE ELEC.)
- 19 DECORATIVE TILE REVEAL



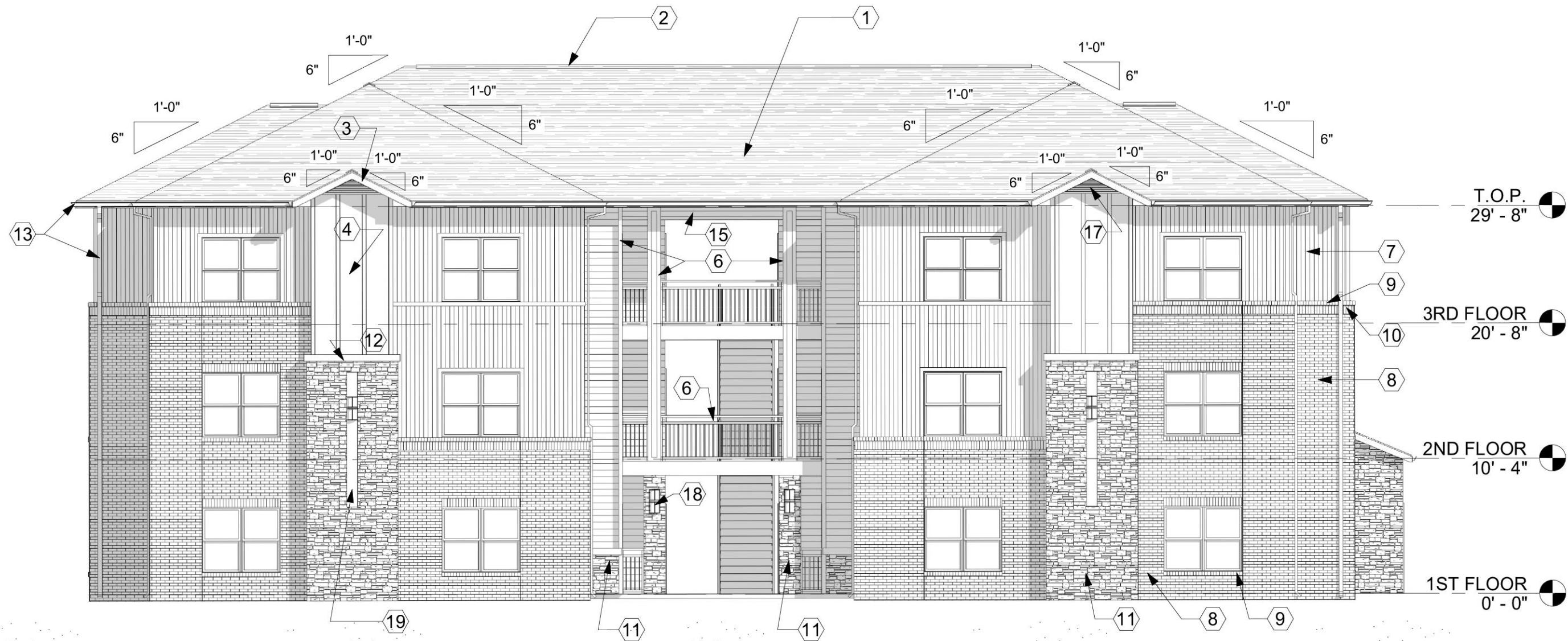




1 TYPE II - FRONT ELEVATION  
1/8" = 1'-0"



3 TYPE II - SIDE(S) ELEVATION  
1/8" = 1'-0"



2 TYPE II - REAR ELEVATION  
1/8" = 1'-0"



5 AXON - TYPE II

NOTE: IMAGE SHOWN FOR REPRESENTATIONAL PURPOSES ONLY

| TYPE I - FRONT & REAR ELEV.<br>EXT. MATERIAL % |     |
|------------------------------------------------|-----|
| PRIMARY MATERIALS: 85% TOTAL                   |     |
| - BRICK                                        | 43% |
| - STONE                                        | 16% |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)          | 26% |
| TRIM MATERIALS: 15% TOTAL                      |     |
| - SIDING                                       | 6%  |
| - BOARD & BATTEN                               | 9%  |

| LEGEND                      |  |
|-----------------------------|--|
| SIDING - PANEL              |  |
| SIDING - HORIZ.             |  |
| BRICK                       |  |
| STONE                       |  |
| MTL. PANEL<br>(24 GA. MIN.) |  |

| TYPE I - SIDE(S) ELEV.<br>EXT. MATERIAL % |     |
|-------------------------------------------|-----|
| PRIMARY MATERIALS: 100% TOTAL             |     |
| - BRICK                                   | 66% |
| - STONE                                   | 9%  |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)     | 25% |

|       |                                                                |
|-------|----------------------------------------------------------------|
| NOTE: |                                                                |
| •     | FINISH FLOOR @ +6" ABOVE GRADE                                 |
| •     | VENT - SEE MECH. (R.R EXHAUST @ 3' MIN. FROM / ABOVE OPENINGS) |
| •     | COORD. GRADING WITH CIVIL                                      |

- COMPOSITION SHINGLES
- RIDGE VENT
- ENGINEERED WOOD FASCIA
- ENGINEERED WOOD BOARD AND BATTEN
- ENGINEERED WOOD SIDING
- ENGINEERED WOOD TRIM
- PRE-FINISHED ARCHITECTURAL METAL PANEL (24 GAUGE MIN.)
- MASONRY BRICK
- BRICK ROWLOCK
- BRICK SOLDIER COURSE
- STONE
- PRECAST CAPS / SILL
- GUTTER AND DOWNSPOUT (COLOR MATCH ABUTTING WALL)
- CONCRETE SPLASH BLOCK
- BEAMS
- GUARD RAIL
- DECORATIVE GABLE VENT
- WALL SCOFF (SEE ELEC.)
- DECORATIVE TILE REVEAL

THE HILL FIRM  
Architect  
9003 OLD GREENWOOD RD, SUITE D - FT SMITH, AR 72903  
PH: 479.494.1888 - WWW.HILLFIRM.NET

| COMMENTS | DATE | # |
|----------|------|---|
|          |      |   |
|          |      |   |
|          |      |   |

McAuley Place Apts.  
TBD SW 41st Street  
Bentonville, AR 72713

PRELIMINARY - NOT FOR CONSTRUCTION

REGISTERED ARCHITECT  
KEY  
PRELIMINARY  
NOT FOR CONSTRUCTION  
STATE OF ARKANSAS

OVERALL BUILDING ELEVATIONS - TYPE II

DATE: 08/18/22 JOB NO. 2020-24

SHEET: A2.1b



| TYPE I - FRONT & REAR ELEV.<br>EXT. MATERIAL % |     |
|------------------------------------------------|-----|
| PRIMARY MATERIALS: 81% TOTAL                   |     |
| - BRICK                                        | 35% |
| - STONE                                        | 21% |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)          | 25% |
| TRIM MATERIALS: 19% TOTAL                      |     |
| - SIDING                                       | 13% |
| - BOARD & BATTEN                               | 6%  |

| TYPE I - SIDE(S) ELEV.<br>EXT. MATERIAL % |     |
|-------------------------------------------|-----|
| PRIMARY MATERIALS: 100% TOTAL             |     |
| - BRICK                                   | 66% |
| - STONE                                   | 9%  |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)     | 25% |

| NOTE: |                                                                      |
|-------|----------------------------------------------------------------------|
| •     | FINISH FLOOR @ +6"<br>ABOVE GRADE                                    |
| •     | VENT - SEE MECH. (R.R<br>EXHAUST @ 3' MIN.<br>FROM / ABOVE OPENINGS) |
| •     | COORD. GRADING<br>WITH CIVIL                                         |

| LEGEND                      |  |
|-----------------------------|--|
| SIDING - PANEL              |  |
| SIDING - HORIZ.             |  |
| BRICK                       |  |
| STONE                       |  |
| MTL. PANEL<br>(24 GA. MIN.) |  |



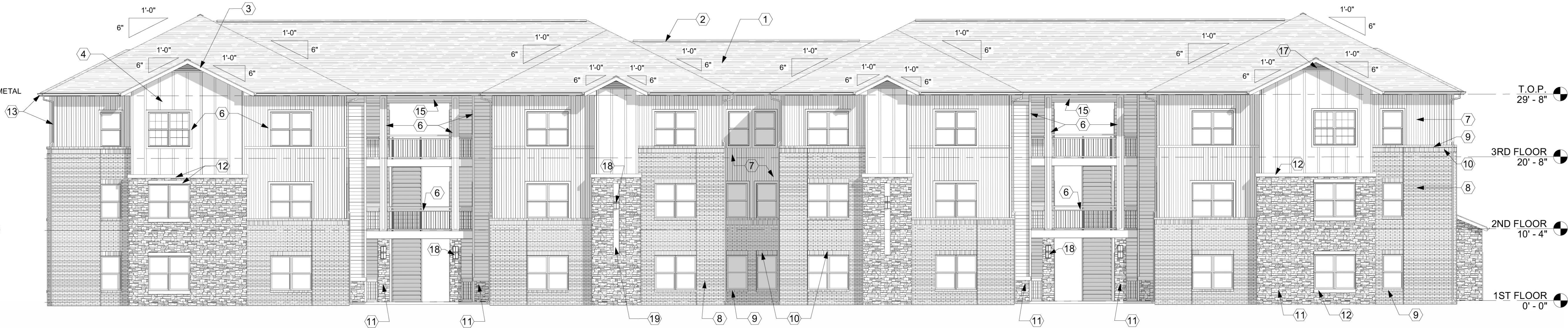
1 TYPE III - FRONT ELEVATION  
1/8" = 1'-0"



3 TYPE III - SIDE(S) ELEVATION  
1/8" = 1'-0"



4 AXON - TYPE III



2 TYPE III - REAR ELEVATION  
1/8" = 1'-0"

- COMPOSITION SHINGLES
- RIDGE VENT
- ENGINEERED WOOD FASCIA
- ENGINEERED WOOD BOARD AND BATTEN
- ENGINEERED WOOD SIDING
- ENGINEERED WOOD TRIM
- PRE-FINISHED ARCHITECTURAL METAL PANEL (24 GAUGE MIN.)
- MASONRY BRICK
- BRICK ROWLOCK
- BRICK SOLDIER COURSE
- STONE
- PRECAST CAPS / SILL
- GUTTER AND DOWNSPOUT (COLOR MATCH ABUTTING WALL)
- CONCRETE SPLASH BLOCK
- BEAMS
- GUARD RAIL
- DECORATIVE GABLE VENT
- WALL SCOSNE (SEE ELEC.)
- DECORATIVE TILE REVEAL

| COMMENTS |      |
|----------|------|
| #        | DATE |

**McAuley Place Apts.**  
TBD SW 41st Street  
Bentonville, AR 72713

**PRELIMINARY - NOT FOR CONSTRUCTION**



OVERALL  
BUILDING  
ELEVATIONS -  
TYPE III

DATE: 08/18/22 JOB NO. 2020-24

SHEET:  
**A2.1c**





- 1 COMPOSITION SHINGLES
- 2 RIDGE VENT
- 3 ENGINEERED WOOD FASCIA
- 4 ENGINEERED WOOD BOARD AND BATTEN
- 5 ENGINEERED WOOD SIDING
- 6 ENGINEERED WOOD TRIM
- 7 PRE-FINISHED ARCHITECTURAL METAL PANEL (24 GAUGE MIN.)
- 8 MASONRY BRICK
- 9 BRICK ROWLOCK
- 10 BRICK SOLDIER COURSE
- 11 STONE
- 12 PRECAST CAPS / SILL
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- 14 CONCRETE SPLASH BLOCK
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- 16 GUARD RAIL
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- 18 WALL SCOFF (SEE ELEC.)
- 19 DECORATIVE TILE REVEAL

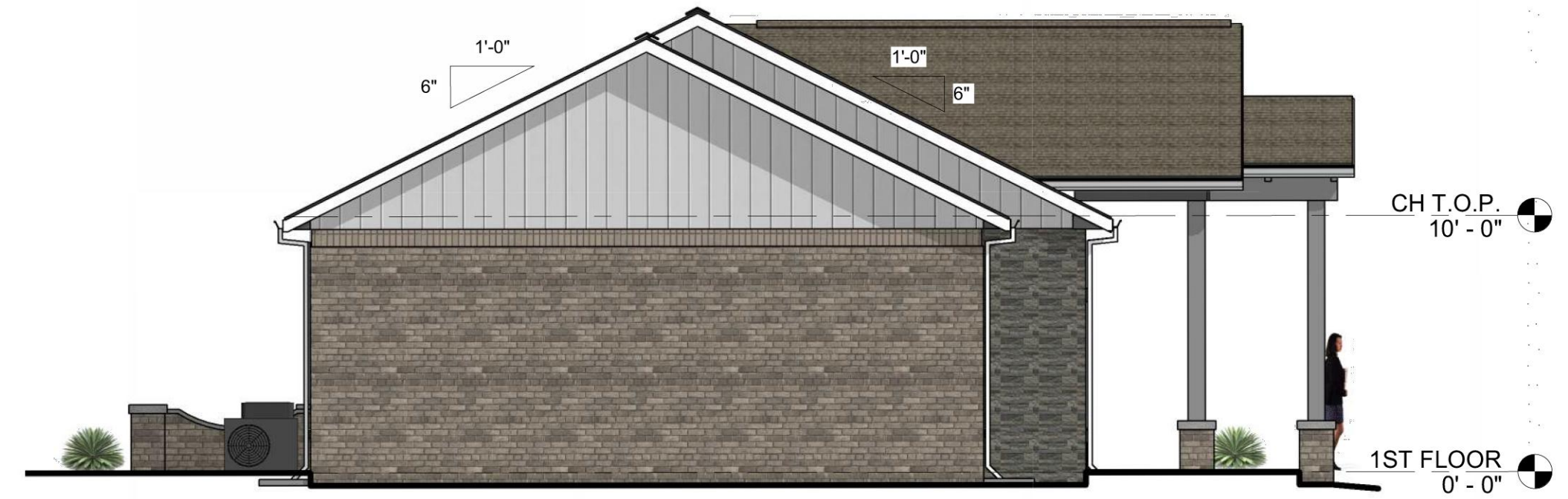
**NOTE:**

- FINISH FLOOR @ +6"  
ABOVE GRADE
- VENT - SEE MECH. (R.R  
EXHAUST @ 3' MIN.  
FROM / ABOVE OPENINGS)
- COORD. GRADING  
WITH CIVIL





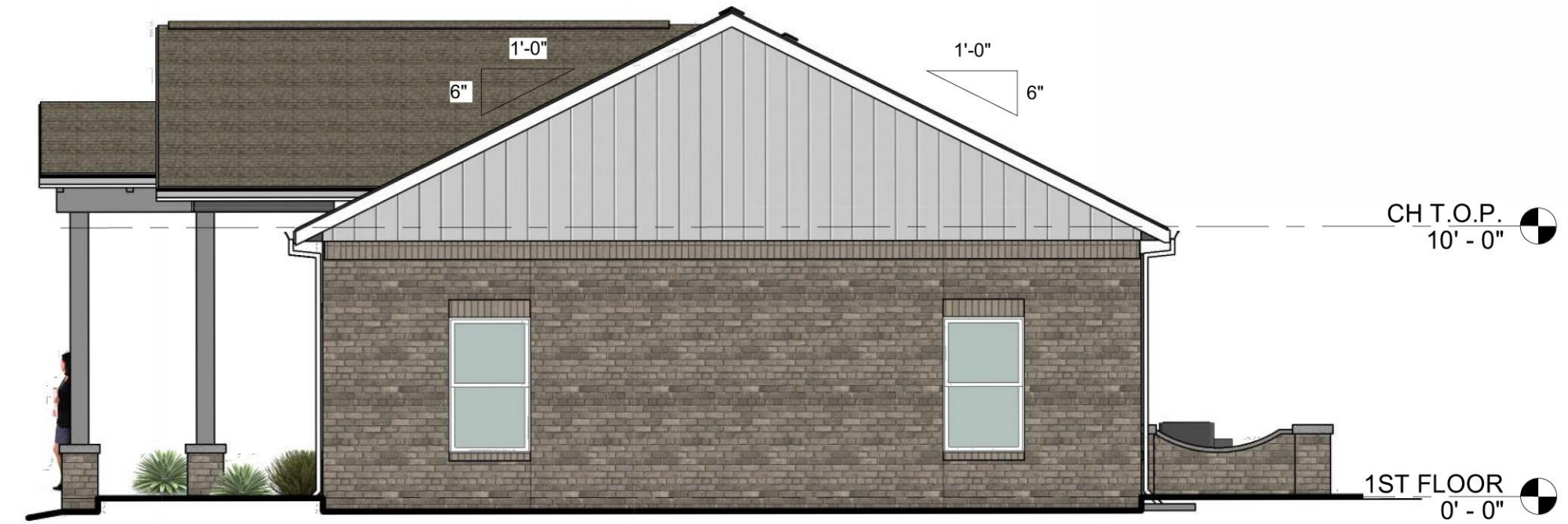
1 CLUBHOUSE - FRONT ELEVATION  
3/16" = 1'-0"



2 CLUBHOUSE - LEFT ELEVATION  
3/16" = 1'-0"



3 CLUBHOUSE - REAR ELEVATION  
3/16" = 1'-0"



4 CLUBHOUSE - RIGHT ELEVATION  
3/16" = 1'-0"

| TYPE I - FRONT<br>EXT. MATERIAL %     |     |
|---------------------------------------|-----|
| PRIMARY MATERIALS: 79% TOTAL          |     |
| - BRICK                               | 35% |
| - STONE                               | 30% |
| - ARCH. METAL PANELS<br>(24 GA. MIN.) | 14% |
| TRIM MATERIALS: 21% TOTAL             |     |
| - SIDING                              | 21% |

| TYPE I - REAR<br>EXT. MATERIAL % |     |
|----------------------------------|-----|
| PRIMARY MATERIALS: 76% TOTAL     |     |
| - BRICK                          | 76% |
| TRIM MATERIALS: 24% TOTAL        |     |
| - SIDING                         | 24% |

- NOTE:**
- FINISH FLOOR @ +6" ABOVE GRADE
  - VENT - SEE MECH. (R.R EXHAUST @ 3' MIN. FROM / ABOVE OPENINGS)
  - COORD. GRADING WITH CIVIL

| TYPE I - LEFT ELEV.<br>EXT. MATERIAL % |     |
|----------------------------------------|-----|
| PRIMARY MATERIALS: 100% TOTAL          |     |
| - BRICK                                | 62% |
| - STONE                                | 9%  |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)  | 29% |

| TYPE I - RIGHT ELEV.<br>EXT. MATERIAL % |     |
|-----------------------------------------|-----|
| PRIMARY MATERIALS: 100% TOTAL           |     |
| - BRICK                                 | 68% |
| - ARCH. METAL PANELS<br>(24 GA. MIN.)   | 32% |

| LEGEND                      |  |
|-----------------------------|--|
| SIDING - PANEL              |  |
| SIDING - HORIZ.             |  |
| BRICK                       |  |
| STONE                       |  |
| MTL. PANEL<br>(24 GA. MIN.) |  |

- COMPOSITION SHINGLES
- RIDGE VENT
- ENGINEERED WOOD FASCIA
- ENGINEERED WOOD BOARD AND BATTEN
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- PRE-FINISHED ARCHITECTURAL METAL PANEL (24 GAUGE MIN.)
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- DECORATIVE GABLE VENT
- WALL SCENCE (SEE ELEC.)
- DECORATIVE TILE REVEAL



A AXON - CLUBHOUSE - FRONT



B AXON - CLUBHOUSE - REAR



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION FOR THE CITY COUNCIL PAYMENT OF THE FIRE, LIBRARY,  
PARKS, AND POLICE IMPACT FEES ON BEHALF OF HOUSING PARTNERS III  
LIMITED PARTNERSHIP, FOR THE MCAULEY PLACE DEVELOPMENT, IN THE  
TOTAL AMOUNT OF ONE HUNDRED SEVENTY-EIGHT THOUSAND NINE  
HUNDRED TWENTY DOLLARS (\$178,920.00); ADJUSTING THE 2023 BUDGET; AND  
FOR OTHER PURPOSES.**

**WHEREAS**, the Planning Commission duly met, considered, and approved the McAuley Place Large Scale Development at the September 19, 2023 Planning Commission Meeting;

**WHEREAS**, McAuley Place, a 192-unit multi-family development, received approval from the Arkansas Development Finance Authority to proceed as an affordable housing development;

**WHEREAS**, Housing Partners III Limited Partnership submitted a letter to the Bentonville Planning Department requesting the City Council pay impact fees associated with the development, for the provision of affordable housing, as promoting economic development; and

**WHEREAS**, Bentonville City Council may pay impact fees to promote economic development pursuant to Bentonville Municipal Code sections 46-29(h), 46-57(h), 46-96(h), and 46-131(h).

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

Section 1: That the City Council hereby agrees to pay Fire, Library, Parks, and Police impact fees, in the total amount of one hundred seventy-eight thousand nine hundred twenty dollars (\$178,920.00), for the McAuley Place development for the provision of affordable housing in Bentonville, finding this promotes economic development;

Section 2: The 2023 budget is adjusted to appropriate one hundred seventy-eight thousand nine hundred twenty dollars (\$178,920.00) from General Fund Account #252020-39110 in to various impact fee accounts as follows:

-Police Impact Fees in the amount of sixteen thousand two hundred ninety-six dollars (\$16,296.00) to Account #252010-39110 – Transfer in General;

-Fire Impact Fees in the amount of twenty-four thousand seven hundred eighty dollars (\$24,780.00) to Account #252020-39110 – Transfer in General;

-Parks Impact Fees in the amount of one hundred seventeen thousand two hundred sixty-four dollars (\$117,264.00) to Account #255020-39110 – Transfer in General; and

-Library Impact Fees in the amount of twenty thousand five hundred eighty dollars (\$20,580.00) to Account #255050-39110 – Transfer in General.

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**





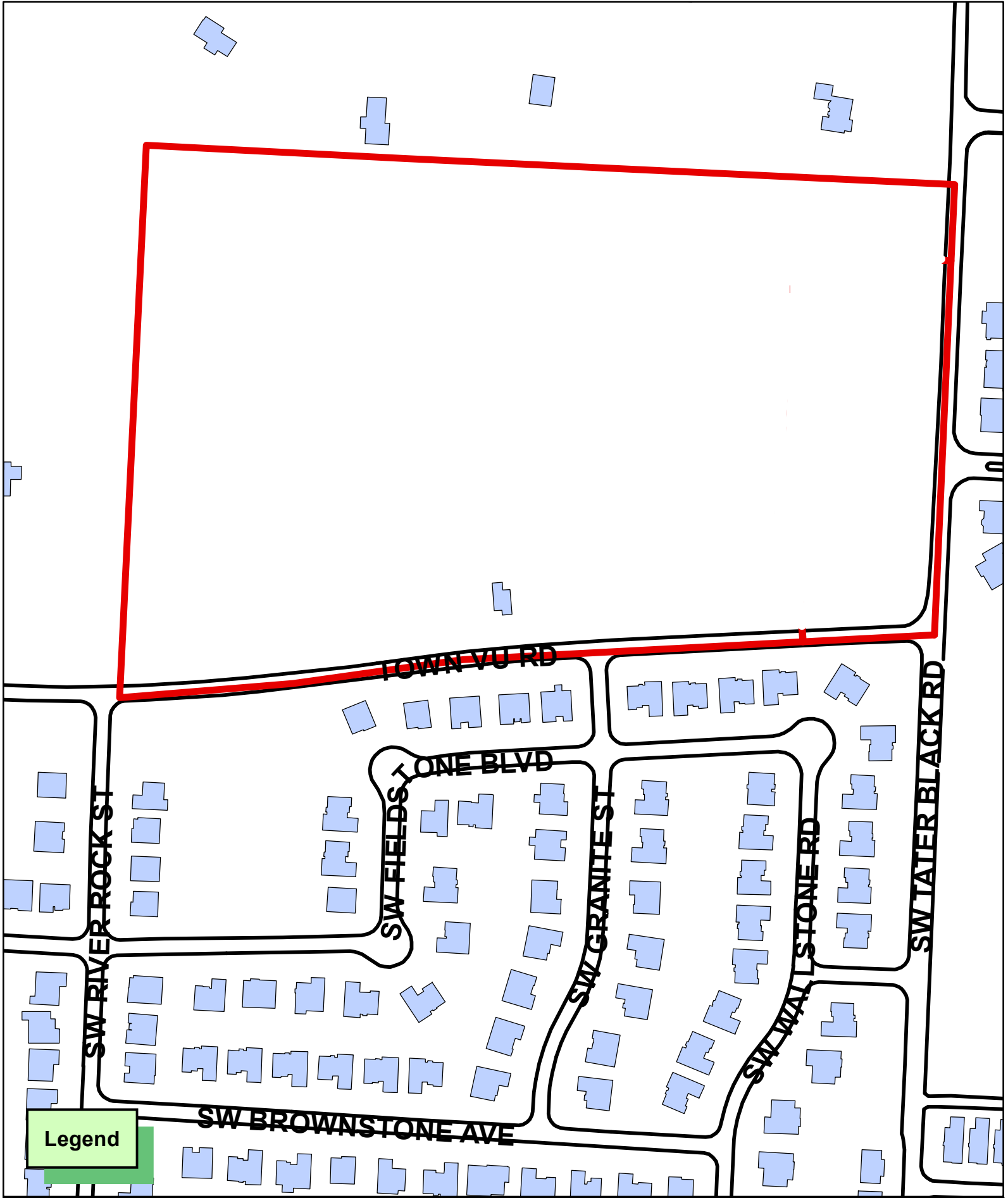
## Consent Agenda Item

For the Planning Commission meeting on November 28, 2023

### Details

**Lot Split: Lots 1-3 of Town Vu Subdivision, AADHIRA PROPERTIES LLC, Town Vu Road & Southwest Tater Black Road, R-1, Low-Density Single-Family Residential, R-2, Medium Density Two Family and Townhome Residential, LS22-0042**

A lot split of previously unplanted land, creating new Lots 1-3 of Town Vu Subdivision. The plat dedicates right-of-way along both Town Vu Road and Southwest Tater Black Road per Master Street Plan requirements. Utility easements are dedicated along right-of-way frontages per utility requirements. No waivers or variances are associated with this plat.



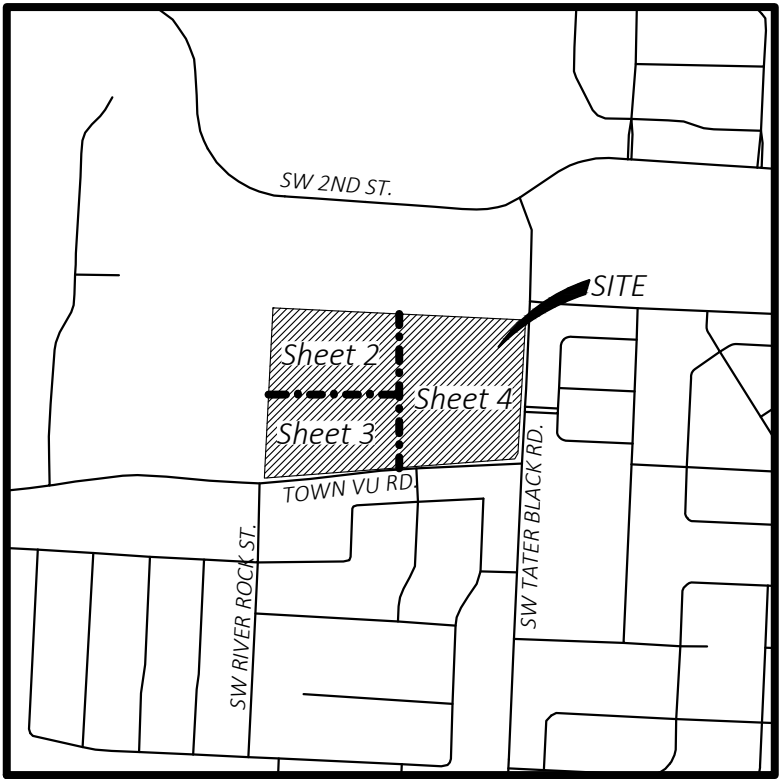


# Lot Split of Parcel #01-00942-580 creating Lots 1-3 of Town Vu Subdivision AADHIRA PROPERTIES LLC

4300 Town Vu Rd.  
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 possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- This plat represents an Lot Split of parcel #01-00942-580 recorded in Deed Records, DEED INSTR. #L202218033 in the public records of Benton County, Arkansas.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- Basis of Bearings: All bearings shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current Arkansas State Standards of Practice for Property Boundary Surveys and Plats.
- This survey is based on a limited title search from August 26, 1932 through March 22, 2022 provided by City Title & Closing, LLC, File No. 22-2768, Effective Date: March 22, 2022.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- No attempt was made to show 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 attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- Underground utilities were located by visible above ground markings as marked by utility locators and shown hereon as located by CEI Engineering Associates, Inc. survey field crews. All utility locations shown hereon are approximate. All utilities may not have been marked/located by the appropriate locators. No excavation has taken place as of this date to determine the exact location of existing underground utilities shown on this survey.
- The contractor is advised to contact 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 contact all non-members as well as the One-Call System.
- By scaled map location and graphical plotting only. This property is located in 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: 05007C0235K  
Map Revised: June 5, 2012
- 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](http://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' clearance from all electric lines.
- BEUD's standard practice is to place underground equipment (transformers, secondary pedestals, junction boxes, etc.) on the lot line of a development. Any adjustments to the property line that result in our equipment not being on the lot line require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.
- It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and elbows) and labor and material to move the equipment to the new lot line.
- Relocation of any existing electrical facilities shall be at the owner's expense.
- Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.
- All structures must maintain a minimum of 20' clearances from all electric lines.



VICINITY MAP

NOT TO SCALE  
Latitude: 36°22'02"N  
Longitude: 94°15'36"W

Owner:

Parcel #01-00942-580  
Aadhira Properties LLC  
1404 SW Edinburgh Ave.  
Bentonville, Arkansas, 72713

Surveyors:

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



CERTIFICATE OF OWNERSHIP:

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

Date of Execution: \_\_\_\_\_ Signed: \_\_\_\_\_

Name & Address: \_\_\_\_\_

Print Name: \_\_\_\_\_

Source of Title: D.R. Inst. No. L202218033

Subscribed and sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Notary Public

My Commission Expires

REVISION

| NO. | DESCRIPTION       | DATE       |
|-----|-------------------|------------|
| Δ   | 1st Sub. Comments | 10/03/2023 |
|     |                   |            |
|     |                   |            |
|     |                   |            |
|     |                   |            |

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.

Date of Execution: \_\_\_\_\_

Signed: \_\_\_\_\_  
Registered Land Surveyor  
No. 1618  
State of Arkansas

CERTIFICATE OF APPROVAL:

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

Date of Execution: \_\_\_\_\_

Signed: \_\_\_\_\_  
Bentonville Planning Commission Chairman

Signed: \_\_\_\_\_  
Mayor, City of Bentonville

Signed: \_\_\_\_\_  
City Clerk, City of Bentonville

ATLAS PAGE: 400

City of Bentonville Project # LS22-0042

SHEET INDEX:

- Cover Sheet
- Lot Split Northwest
- Lot Split Southwest
- Lot Split East
- Descriptions & Overview



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

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

Lot Split  
AADHIRA PROPERTIES LLC  
4300 Town Vu Rd.  
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

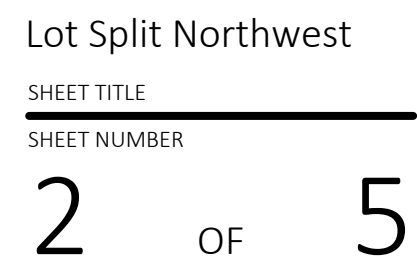
|                        |           |
|------------------------|-----------|
| PROFESSIONAL OF RECORD | DGR       |
| DESIGNER               | WAP       |
| FIELD WORK             | KDM       |
| CEI PROJECT NUMBER     | 32621     |
| DATE                   | 10/3/2023 |
| REVISION               | REV-3     |

Cover Sheet

SHEET TITLE

SHEET NUMBER

1 OF 5







Lot Split  
AADHIRA PROPERTIES LLC  
4300 Town Vu Rd.  
Bentonville, Benton County, Arkansas

|                        |           |
|------------------------|-----------|
| PROFESSIONAL OF RECORD | DGR       |
| DESIGNER               | WAP       |
| FIELD WORK             | KDM       |
| CEI PROJECT NUMBER     | 32621     |
| DATE                   | 10/3/2023 |
| REVISION               | REV-3     |

Lot Split Southwest

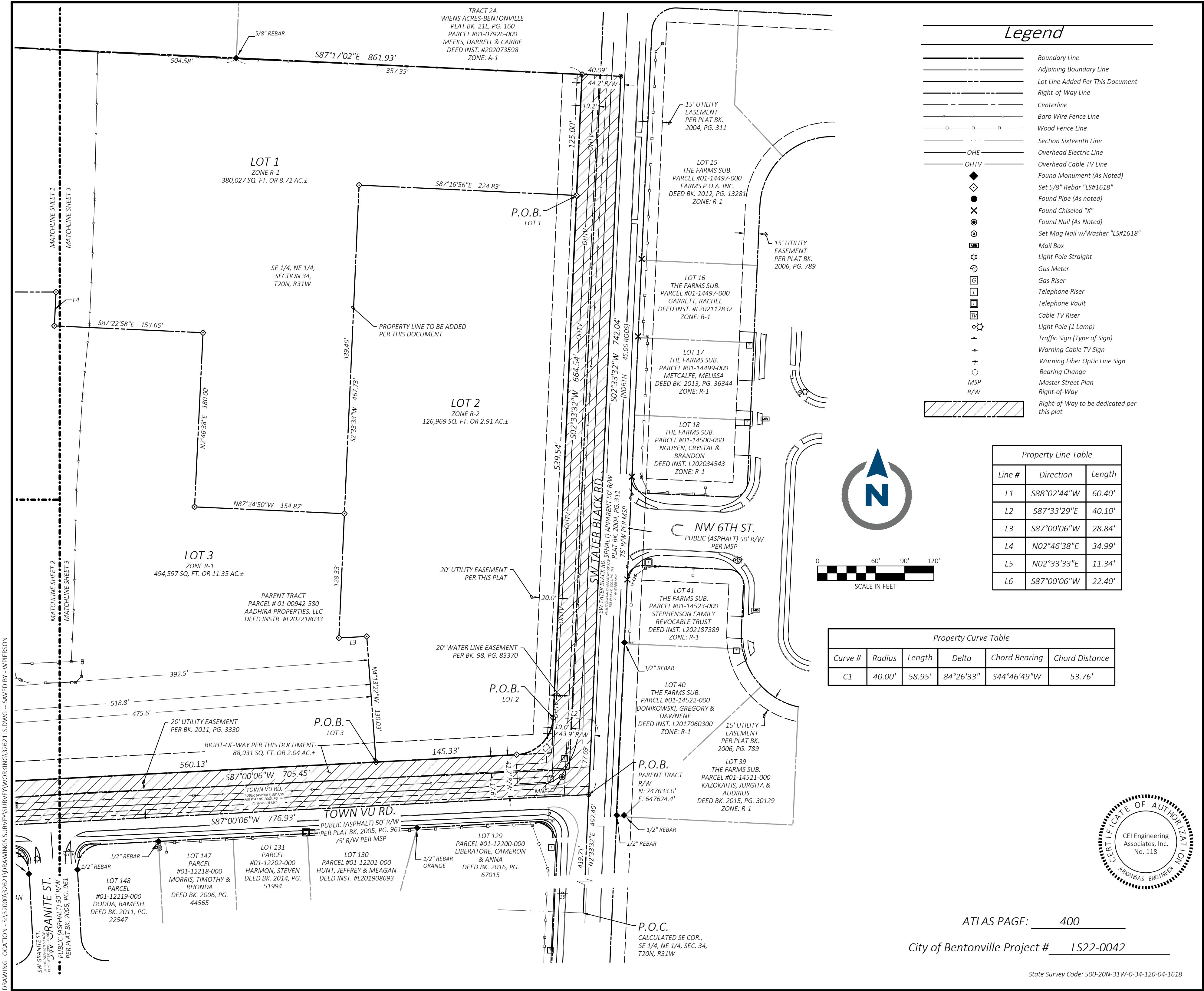
SHEET TITLE

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SHEET NUMBER

3 OF 5

DRAWING LOCATION - S:\32000\32621\DRAWINGS\SURVEY\WORKING\32621.DWG - SAVED BY - WPIERSON



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

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

**Lot Split**  
**AADHIRA PROPERTIES LLC**  
4300 Town Vu Rd.  
Bentonville, Benton County, Arkansas

**Preliminary**  
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PROFESSIONAL OF RECORD DGR  
DESIGNER WAP  
FIELD WORK KDM  
CEI PROJECT NUMBER 32621  
DATE 10/3/2023  
REVISION REV-3

**Lot Split East**

SHEET TITLE  
SHEET NUMBER

4 OF 5



DRAWING LOCATION - S:\32000\32621\DRAWINGS\SURVEY\WORKING\32621LS.DWG -- SAVED BY - WPIERSON

PARENT TRACT LEGAL DESCRIPTION PER DEED INSTR. #L202218033

Part of the SE 1/4 of the NE 1/4 of Section 34 Township 20 North of Range 31 West, Benton County, Arkansas described as follows:  
BEGINNING on the east line of said 40 acre tract where the public road crosses said line, which point is about 25 rods north of the Southeast corner of said forty acres, and running THENCE North 45 rods, THENCE West 80 rods to the west line of said forty acres, THENCE South 55 rods to said public road, THENCE in an easterly direction with said road to the place of beginning, containing 25 acres, more or less

LOT 1 LEGAL DESCRIPTION:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 34, Township 20 North, Range 31 West and being a portion of the tract of land conveyed to AADHIRA Properties, LLC described at Deed Instrument #L202218033 in the public records of Benton County, Arkansas being more particularly described by metes and bounds as follows:

COMMENCING at the calculated Southeast Corner of the SE 1/4 of the NE 1/4 of said Section 34;  
THENCE along the east boundary of said Section 34, North 02°33'32" East, passing through a mag nail with washer LS1618 at a distance of 419.71 feet and continuing for a total distance of 497.40 feet;  
THENCE departing said east boundary, North 87°33'29" West, 40.10 feet to a 5/8-inch rebar with cap LS1618 set along the proposed west right-of-way line of SW Tater Black Road;  
THENCE along said west right-of-way line, North 02°33'32" East, 539.54 feet to a 5/8-inch rebar with cap LS1618 and the POINT OF BEGINNING;  
THENCE departing said west right-of-way line, North 87°16'56" West, 224.83 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°33'33" West, 339.40 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°24'50" West, 154.87 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 02°46'38" East, 180.00 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°22'58" West, 153.65 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 02°46'38" East, 34.99 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 89°54'59" West, 372.82 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 02°33'33" East, 11.34 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°11'16" West, 150.00 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°33'33" West, 169.04 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°00'06" West, 22.40 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°14'55" West, 216.27 feet to a 5/8-inch rebar with cap LS1618 set on the west boundary line of said parcel of land;  
THENCE along said west boundary line, North 02°45'05" East, 428.36 feet to a 3/4-inch pipe found at the northwest corner of said parcel of land;  
THENCE along the north boundary line of said parcel of land, South 87°03'40" East, 430.20 feet to a 5/8-inch rebar with cap LS992;  
THENCE continuing along said north boundary line, South 87°17'02" East, passing through a 5/8-inch rebar at a distance of 504.58 feet and continuing for a total distance of 861.93 feet to a 5/8-inch rebar with cap LS1618 set on said proposed west right-of-way line;  
THENCE along said proposed west right-of-way line, South 02°33'32" West, 125.00 feet to the POINT OF BEGINNING containing 380,027 square feet or 8.72 acres, more or less.

LOT 2 LEGAL DESCRIPTION:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 34, Township 20 North, Range 31 West and being a portion of the tract of land conveyed to AADHIRA Properties, LLC described at Deed Instrument #L202218033 in the public records of Benton County, Arkansas being more particularly described by metes and bounds as follows:

COMMENCING at the calculated Southeast Corner of the SE 1/4 of the NE 1/4 of said Section 34;  
THENCE along the east boundary of said Section 34, North 02°33'32" East, passing through a mag nail with washer LS1618 at a distance of 419.71 feet and continuing for a total distance of 497.40 feet;  
THENCE departing said east boundary, North 87°33'29" West, 40.10 feet to a 5/8-inch rebar with cap LS1618 set along the proposed west right-of-way line of SW Tater Black Road and the POINT OF BEGINNING;  
THENCE along said proposed west right-of-way line, Southwesterly along the arc of a curve to the right 58.95 feet to a 5/8-inch rebar with cap LS1618 set along the proposed north right-of-way line of Town Vu Road, having a radius of 40.00 feet, through a central angle of 84°26'33", having a chord bearing and distance of South 44°46'49" West, 53.76 feet;  
THENCE continuing along said proposed north right-of-way line, South 87°00'06" West, 145.33 feet to a 5/8-inch rebar with cap LS1618;  
THENCE departing said proposed north right-of-way line, North 04°13'22" West, 130.03 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°00'06" West, 28.84 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 02°33'33" East, passing through a 5/8-inch rebar with cap LS1618 at a distance of 128.33 feet and continuing for a total distance of 467.73 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°16'56" East, 224.83 feet to a 5/8-inch rebar with cap LS1618 set on said proposed west right-of-way line;  
THENCE along said proposed west right-of-way line, South 02°33'32" West, 539.54 feet to the POINT OF BEGINNING containing 126,969 square feet or 2.91 acres, more or less.

LOT 3 LEGAL DESCRIPTION:

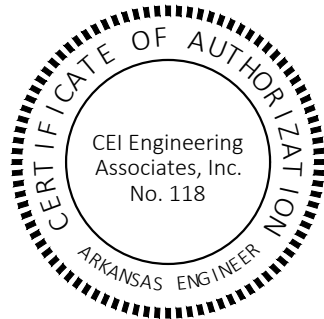
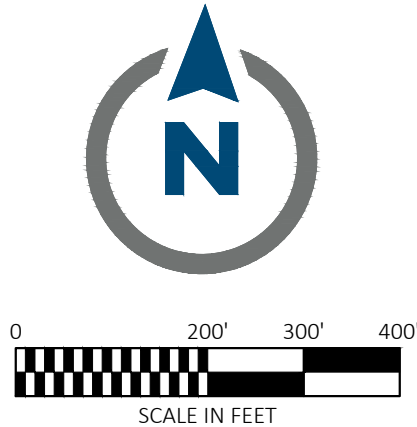
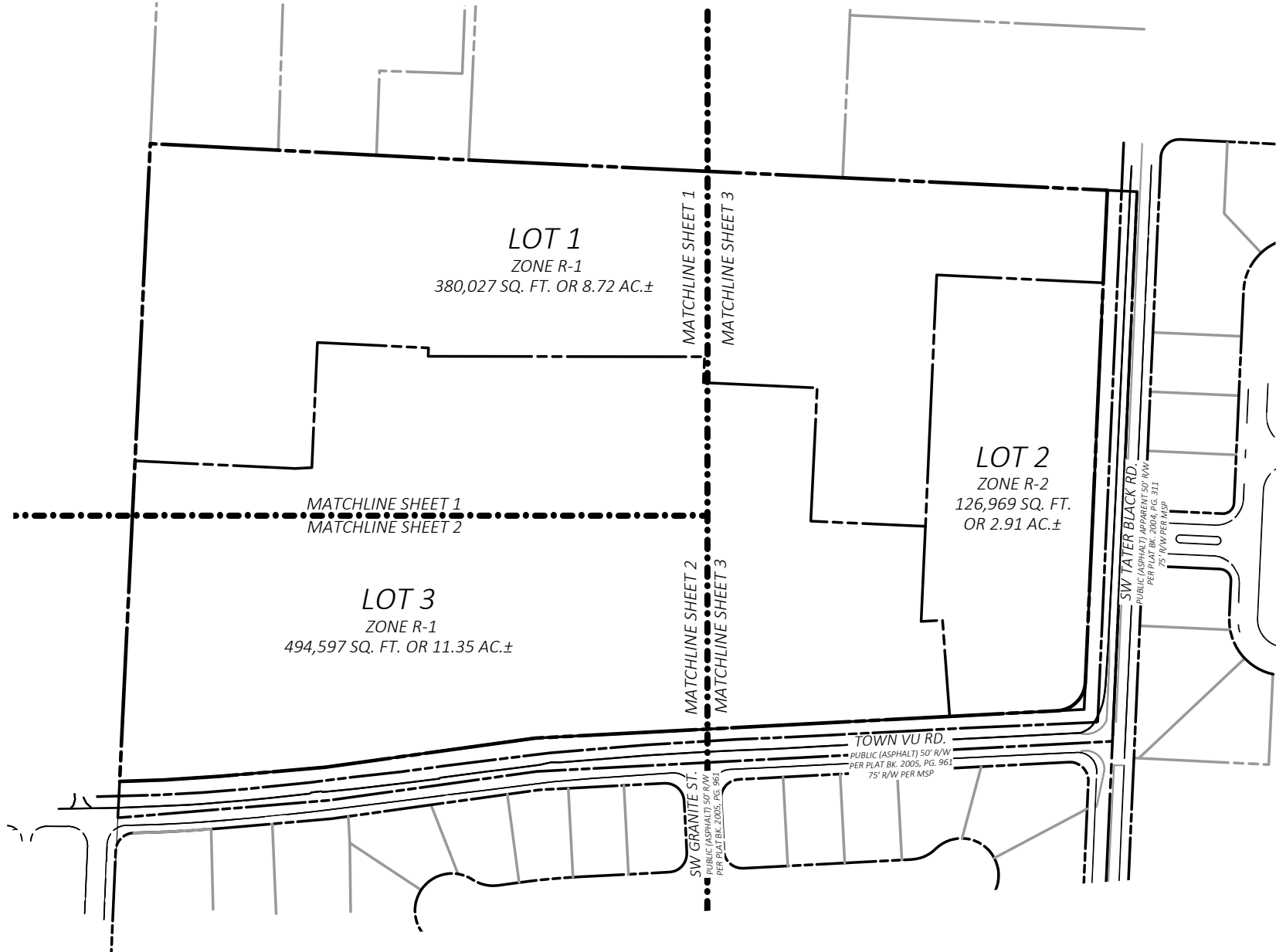
A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 34, Township 20 North, Range 31 West and being a portion of the tract of land conveyed to AADHIRA Properties, LLC described at Deed Instrument #L202218033 in the public records of Benton County, Arkansas being more particularly described by metes and bounds as follows:

COMMENCING at the calculated Southeast Corner of the SE 1/4 of the NE 1/4 of said Section 34;  
THENCE along the east boundary of said Section 34, North 02°33'32" East, passing through a mag nail with washer LS1618 at a distance of 419.71 feet and continuing for a total distance of 497.40 feet;  
THENCE departing said east boundary, North 87°33'29" West, 40.10 feet to a 5/8-inch rebar with cap LS1618 set along the proposed west right-of-way line of SW Tater Black Road;  
THENCE along said proposed west right-of-way line, Southwesterly along the arc of a curve to the right 58.95 feet to a 5/8-inch rebar with cap LS1618 set on the proposed north right-of-way line of Town Vu Road, having a radius of 40.00 feet, through a central angle of 84°26'33", having a chord bearing and distance of South 44°46'49" West, 53.76 feet;  
THENCE along said proposed north right-of-way line, South 87°00'06" West, 145.33 feet to a 5/8-inch rebar with cap LS1618 and the POINT OF BEGINNING;  
THENCE continuing along said proposed north right-of-way line the following five (5) courses:  
1. South 87°00'06" West, 560.13 feet to a 5/8-inch rebar with cap LS1618;  
2. South 82°06'07" West, 285.09 feet to a 5/8-inch rebar with cap LS1618;  
3. South 85°01'40" West, 141.91 feet to a 5/8-inch rebar with cap LS1618;  
4. South 86°17'22" West, 75.94 feet to a 5/8-inch rebar with cap LS1618;  
5. South 88°02'44" West, 60.40 feet to a 5/8-inch rebar with cap LS1618 set at the intersection of said proposed north right-of-way line and the west boundary line of said parcel of land;  
THENCE along said west boundary line, North 02°45'05" East, 432.93 feet to a 5/8-inch rebar with cap LS1618;  
THENCE departing said west boundary line, South 87°14'55" East, 216.27 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°00'06" East, 22.40 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 02°33'33" East, 169.04 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°11'16" East, 150.00 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°33'33" West, 11.34 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 89°54'59" East, 372.82 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°46'38" West, 34.99 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°22'58" East, 153.65 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°46'38" West, 180.00 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°24'50" East, 154.87 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 02°33'33" West, 128.33 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°00'06" East, 28.84 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 04°13'22" East, 130.03 feet to the POINT OF BEGINNING containing 494,597 square feet or 11.35 acres, more or less.

RIGHT-OF-WAY LEGAL DESCRIPTION:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 34, Township 20 North, Range 31 West and being a portion of the tract of land conveyed to AADHIRA Properties, LLC described at Deed Instrument #L202218033 in the public records of Benton County, Arkansas being more particularly described by metes and bounds as follows:

COMMENCING at the calculated Southeast Corner of the SE 1/4 of the NE 1/4 of said Section 34;  
THENCE along the east boundary of said Section 34, North 02°33'32" East 419.71 feet to a magnail with washer LS1618 found at the southeast corner of said parcel of land and the POINT OF BEGINNING;  
THENCE along the south boundary line of said parcel, South 87°00'06" West, 776.93 feet to a magnail with washer LS1618;  
THENCE South 82°04'53" West, 283.11 feet to a magnail with washer LS1618;  
THENCE South 85°16'45" West, 285.91 feet to a magnail with washer LS1618 found at the southwest corner of said parcel of land;  
THENCE along the west boundary line of said parcel of land, North 02°45'05" East, 49.04 feet to a 5/8-inch rebar with cap LS1618;  
THENCE departing said west boundary line, North 88°02'44" East, 60.40 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 86°17'22" East, 75.94 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 85°01'40" East, 141.91 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 82°06'07" East, 285.09 feet to a 5/8-inch rebar with cap LS1618;  
THENCE North 87°00'06" East, 705.45 feet to a 5/8-inch rebar with cap LS1618;  
THENCE Northeasterly along the arc of a curve to the left 58.95 feet to a 5/8-inch rebar with cap LS1618, having a radius of 40.00 feet, through a central angle of 84°26'33", having a chord bearing and distance of North 44°46'49" East, 53.76 feet;  
THENCE North 02°33'33" East, 664.54 feet to a 5/8-inch rebar with cap LS1618;  
THENCE South 87°17'02" East, 40.09 feet a magnail with washer LS1618 found at the northeast corner of said parcel of land;  
THENCE along the east boundary line of said parcel of land, South 02°33'32" West, 742.04 feet to the POINT OF BEGINNING containing 88,931 square feet or 2.04 acres, more or less.



ATLAS PAGE: 400  
City of Bentonville Project # LS22-0042

State Survey Code: 500-20N-31W-0-34-120-04-1618



**CEI**  
**Solutions for**  
**Land and Life**

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

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

Lot Split  
AADHIRA PROPERTIES LLC  
4300 Town Vu Rd.  
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               | WAP       |
| FIELD WORK             | KDM       |
| CEI PROJECT NUMBER     | 32621     |
| DATE                   | 10/3/2023 |
| REVISION               | REV-3     |

Descriptions &  
Overview  
SHEET TITLE  
SHEET NUMBER

5 OF 5

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF PREVIOUSLY UNPLATTED LAND  
CREATING NEW LOTS 1-3 OF TOWN VU SUBDIVISION TO THE CITY OF  
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: LS22-0042)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1-3 OF TOWN VU SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 2023;

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

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

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

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

Section 1: That the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1-3 OF TOWN VU 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:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kirby Romines, City Clerk**





## **Consent Agenda Item**

**For the Planning Commission meeting on November 28, 2023**

### **Details**

**Property Line Adjustment: A portion of Lots 15 and 16, Block 6, of Clarks Second Addition, Ovation Homes / Craig & Kimberly Woodworth, 402 Southwest 4th Street, R-1, Low Density Single Family Residential, LS22-0068**

A property line adjustment of a portion of Lots 15 and 16, Block 6, of Clarks Second Addition, creating new Lot 26, Block 6 of Clarks Second Addition. This plat removes an existing lot line which remained from the originally platted Clarks Second Addition, combining the southern portion of two existing lots into one new lot. The existing lot line runs through the middle of the home on the property. This needs to be remedied in order for the applicant to complete a renovation and addition to the existing home. A variance was granted for this property (VAR22-0043) by the Board of Adjustments, to allow a 7' rear setback along the northern property boundary. The plat also dedicates a 15' wide utility easement along both SW 4th and SW C Streets frontages, and dedicates a 6" portion of right of way along SW C St to meet the requirements of the Master Street Plan. The new lot has existing access to public utilities and no waivers are requested with this plat.



**Legend**

 Pending Planning Commission Items



1 inch = 100 feet

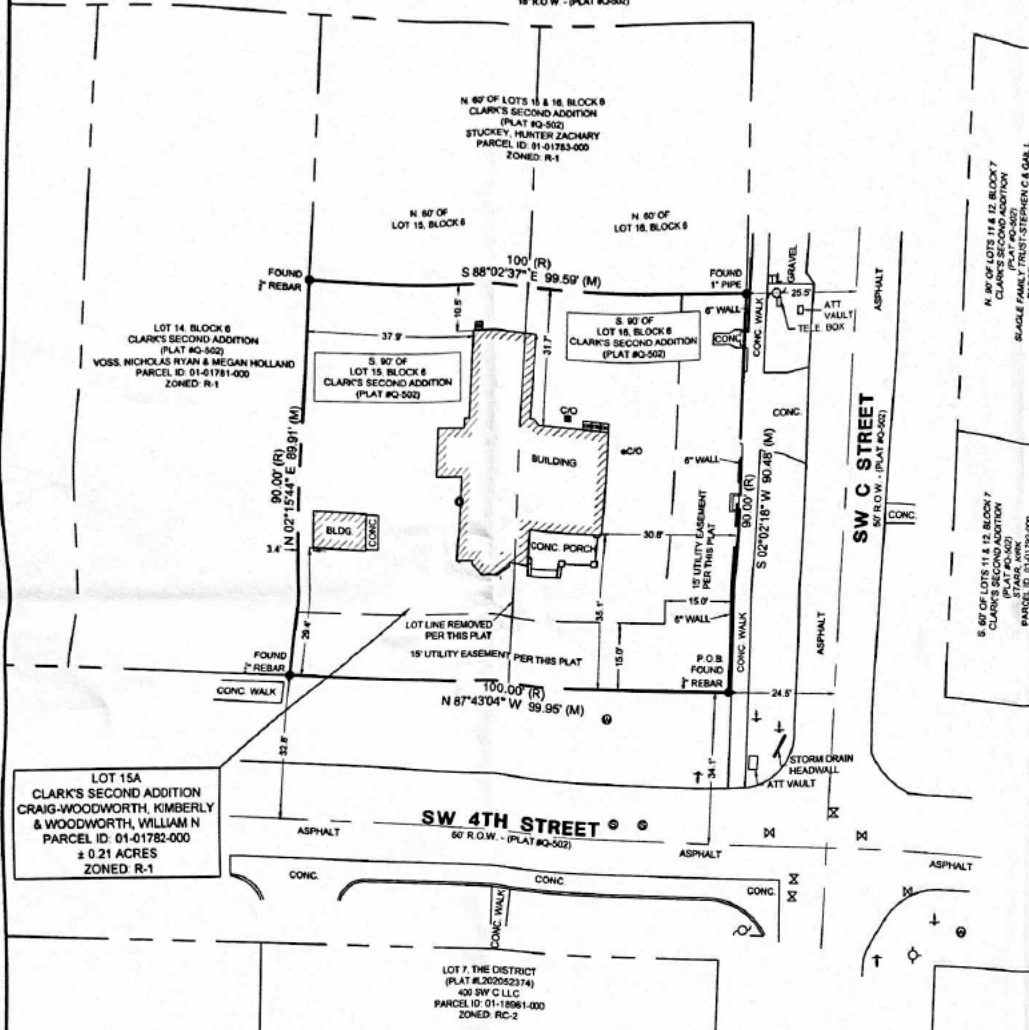
**LS22-0068 2/7/23**  
**LOT SPLIT**  
**CLARKS 2ND ADDITION**  
**PART OF LOTS 15-16 BLOCK 6 CREATING LOT 26**



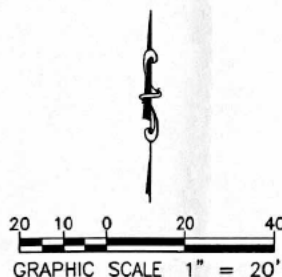


# PROPERTY LINE ADJUSTMENT - LOT 15A, BLOCK 6, CLARK'S SECOND ADDITION BEING A LOT COMBINATION OF THE SOUTH 90' OF LOTS 15 & 16, BLOCK 6 OF CLARK'S SECOND ADDITION (PLAT #Q-502), BENTONVILLE, BENTON COUNTY, ARKANSAS.

**PLATTED ALLEY**  
16' R.O.W. - (PLAT #Q-502)



| LEGEND |                        |
|--------|------------------------|
| ●      | FOUND MONUMENT         |
| ⊕      | FIRE HYDRANT           |
| W      | WATER VALVE            |
| ●      | WATER METER            |
| ●      | GAS METER              |
| ⚡      | POWER POLE             |
| ■      | TELEPHONE PEDESTAL     |
| ■      | ELECTRIC METER         |
| ●      | SANITARY SEWER MANHOLE |
| +      | SIGN                   |



## Certificate of Approval

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

Date of Execution: \_\_\_\_\_  
Signed: \_\_\_\_\_  
Bentonville Planning Commission Chairman  
Signed: \_\_\_\_\_  
Mayor City of Bentonville  
Signed: \_\_\_\_\_  
City Clerk, City of Bentonville

## 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

Source of Title: Warranty Deed: Book L2021 Page 36350.



## Certificate of Surveying Accuracy

I, Allen Jay Young, 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: 10-17-22  
Signed: \_\_\_\_\_  
Registered Professional Land Surveyor  
State of Arkansas

## Property Description (W.D. L2021-36350)

Lots 15 and 16, Block 6, Clark's Second Addition, Bentonville, Benton County, Arkansas, as shown on plat in Deed Record Q at page 502, LESS AND EXCEPT 80 feet squarely off the North side.

## Lot 15A - Property Description

Part of Lots 15 and 16, Block 6 of Clark's Second Addition, City of Bentonville, Benton County, Arkansas, being more particularly described as follows:

Beginning at a found 1" rebar at the Southeast corner of said Lot 16; Thence N 87°43'04" W along the South line of said Lots 16 and 15, a distance of 99.95 feet to a found 1" rebar at the Southwest corner of said Lot 15; Thence N 02°15'44" E along the West line of said Lot 15, a distance of 89.91 feet to a found 1" rebar; Thence S 88°02'37" E, a distance of 99.59 feet to a found 1" pipe lying on the East line of said Lot 16; Thence S 02°02'18" W along the East line of said Lot 16, a distance of 90.48 feet to the Point of Beginning, containing 0.21 Acres more or less.

## NOTES

Based on scaled map location and graphic plotting only, the subject property is in Flood Zone X, which is an area determined to be outside the 0.2% Annual Chance Floodplain, according to Flood Insurance Rate Map, Benton County, Arkansas, Map Number 05007C0255K, map revised June 05, 2012.

Bearings are based on Arkansas State Plane Coordinates - North Zone, NAD83 (NRS2011), per GPS observation.

Contour interval = 1'. Elevation basis is NAVD88, per GPS observation.

Rights of way and Easements are shown hereon as per documents provided to the surveyor. Additional Rights of way and Easements recorded or not a part of the public record, may or may not exist that affect the subject property.

The locations of utilities as shown hereon are based on aboveground structures and record documents. Locations of underground utilities may vary from locations shown hereon. Additional buried utilities/structures may be encountered. No excavations were made during the progress of the survey to locate buried utilities/structures.

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.

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](http://www.bentonvilleplanning.com) or call the Planning Department at 479-271-3122.

Variance VAR22-0043 (Ordinance No. xx-xxx) Adjusted the rear setback line along the north side of subject property to 7.00 feet.

Owner:  
William N Woodworth & Kimberly Craig-Woodworth  
402 SW 4TH ST  
Bentonville, AR 72712  
Phone: (484) 875-9569

COB PROJECT #LS22-0068

INCORPORATED

CONSULTANTS

DEVELOPMENT

LOT 15A, BLOCK 6, CLARK'S SECOND ADDITION

402 SW 4TH ST, BENTONVILLE, ARKANSAS

PROPERTY LINE ADJUSTMENT PLAT

22-195

PLA

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF PART OF LOTS 15 AND 16, BLOCK 6 OF CLARK’S SECOND ADDITION CREATING NEW LOT 26, BLOCK 6 OF CLARK’S SECOND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

**(PROJECT NUMBER: LS22-0068)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PART OF LOTS 15 AND 16, BLOCK 6 OF CLARK’S SECOND ADDITION creating new LOT 26, BLOCK 6 OF CLARK’S SECOND ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 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 PART OF LOTS 15 AND 16, BLOCK 6 OF CLARK’S SECOND ADDITION creating new LOT 26, BLOCK 6 OF CLARK’S SECOND 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:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kirby Romines, City Clerk**





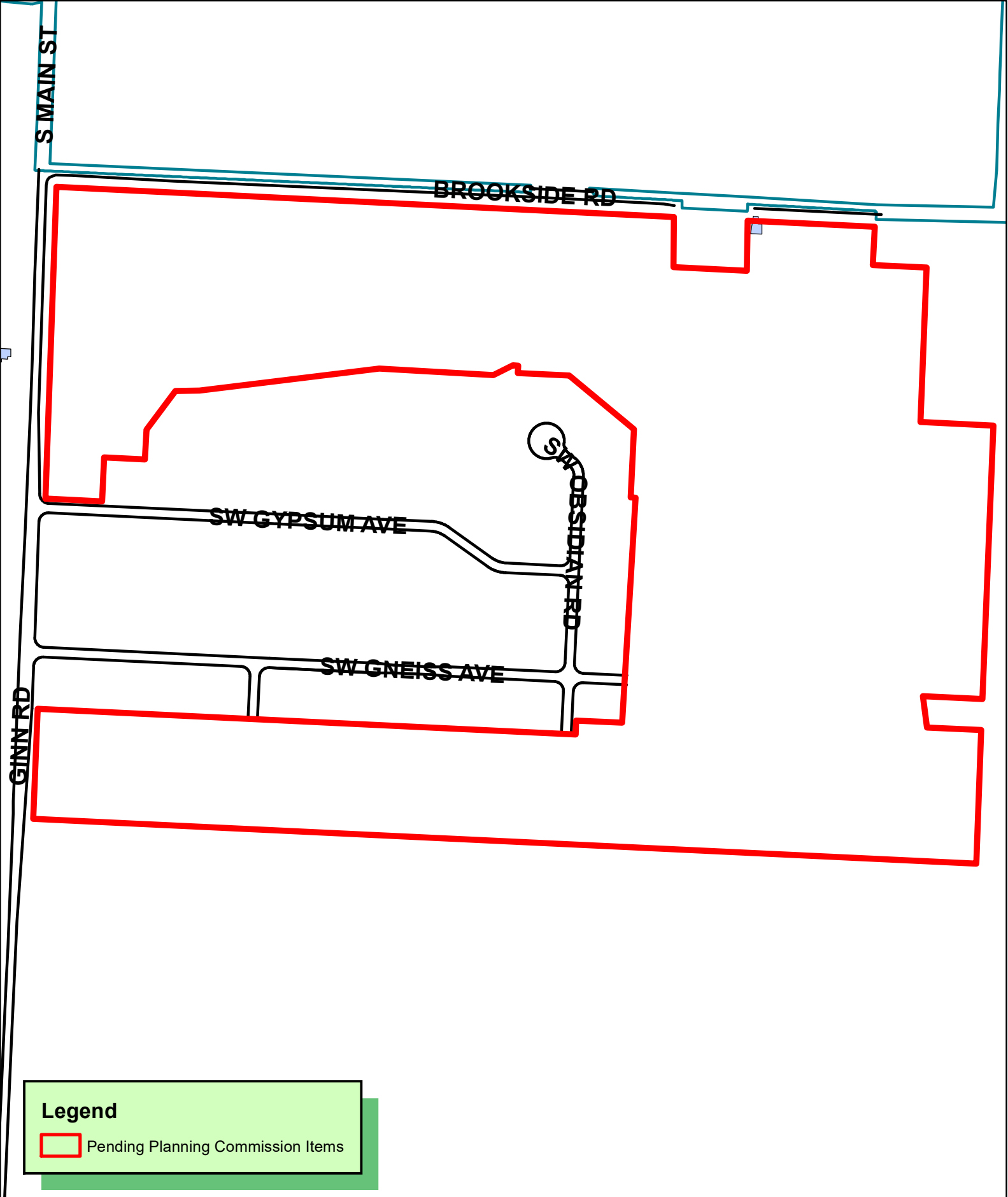
## Consent Agenda Item

For the Planning Commission meeting on November 28, 2023

### Details

#### **Lot Split: Lot 17 and 18 of Osage Hills Subdivision, West Osage Holdings, LLC, R-2, Medium Density Two Family and Townhome Residential, LS23-0032**

A lot split of existing Lot 16 of Osage Hills Subdivision creating new Lots 17 and 18 of Osage Hills Subdivision. The plat dedicates utility easements to serve the newly created lots. No variances or waivers are requested with this plat.



1 inch = 333 feet

**LS23-0032  
LOT SPLIT  
OSAGE HILLS SUBDIVISION  
LOT 16 CREATING LOTS 17-18**



DWG: F:\2023\01001-01500\023-01229\40-Design\Survey\SRV\Sheets\V\_PLTS\_02301229.dwg  
DATE: Nov 13, 2023 8:00am  
USER: dchance  
V\_XBNDY\_02301229  
XREFS: V\_XBNDY\_02301229

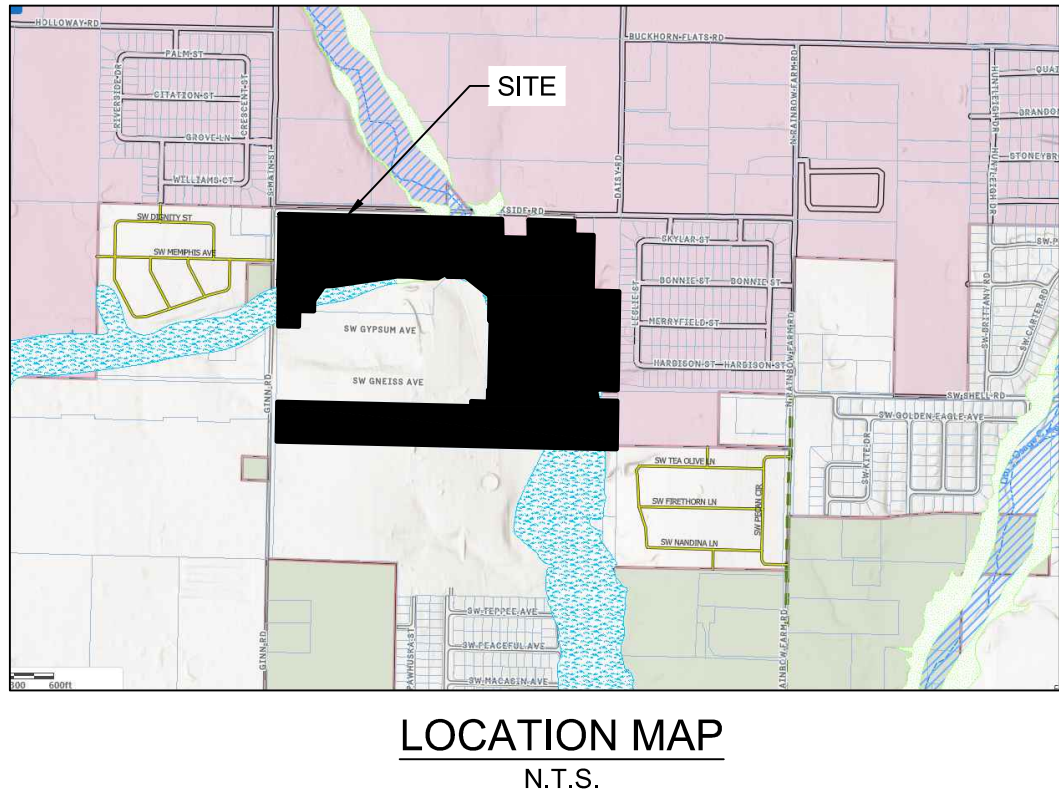
**DEVELOPER**  
Flyaway Ventures  
202 SE 6th, Suite 202  
Bentonville, AR 72712  
Contact: Chris Woodard  
Phone: 800-631-9506  
Email: chris@flyawayventures.net

**PREPARED BY**  
Olsson, Inc.  
302 E. Millsp Road  
Fayetteville, AR 72703

**OWNER**  
Route 71 Construction Company, LLC  
10819 Kennesaw Drive  
Bentonville, AR 72712

**OWNER**  
West Osage Holdings, LLC  
6529 E. Autumn Ridge Drive  
Fayetteville, AR 72701

LOT SPLIT FOR ALL OF LOT 16 OF OSAGE SUBDIVISION CREATING LOTS 17 & 18  
FOR PRISM DESIGN STUDIO, LLC  
A PART OF THE S½ OF THE NE ¼ & N½ of the SE¼  
SECTION 9, TOWNSHIP 19 NORTH, RANGE 31 WEST  
CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS  
CITY ATLAS PAGE 481



**PARENT TRACT DESCRIPTION**

All of Lot 16, of the Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, in the City of Bentonville, Benton County, Arkansas and as shown on plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906.

**LOT 17 DESCRIPTION**

A part of Lot 16, of the Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, in the City of Bentonville, Benton County, Arkansas and as shown on plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906, being more particularly described as follows:

COMMENCING at a found railroad spike marking the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 9, Township 19 North, Range 31 West, Benton County, Arkansas; thence S87°12'58"E along the North line of said Quarter Quarter, a distance of 45.01 feet; thence departing said North line S02°00'07"W, a distance of 45.01 feet to the point of intersection of the South Right-of-Way line of Brookside Road, as now established, and the East Right of Way line of Ginn Road, as now established, said point being the Northwest corner of Lot 16, of the Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, a plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906, for a POINT OF BEGINNING; thence departing said East Right-of-Way line S87°12'16"E along said South Right-of-Way line, a distance of 1037.50 feet; thence departing said South Right-of-Way line S52°45'29"W, a distance of 281.45 feet; thence S00°00'00"E, a distance of 61.07 feet; thence S77°50'46"E, a distance of 105.96 feet; thence S07°03'39"W, a distance of 149.86 feet; thence N87°46'59"W, a distance of 166.39 feet; thence S79°01'44"W, a distance of 281.86 feet; thence S84°08'04"W, a distance of 476.08 feet to said East Right-of-Way line; thence N02°00'07"E along said East Right-of-Way line, a distance of 549.23 feet to the POINT OF BEGINNING.  
Containing 429,756 square feet or 9.87 acres, more or less. Subject to any covenants, easements or right-of-ways of record.

**LOT 18 DESCRIPTION**

A part of Lot 16, of the Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, in the City of Bentonville, Benton County, Arkansas and as shown on plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906, being more particularly described as follows:

COMMENCING at a found railroad spike marking the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 9, Township 19 North, Range 31 West, Benton County, Arkansas; thence S87°12'58"E along the North line of said Quarter Quarter, a distance of 45.01 feet; thence departing said North line S02°00'07"W, a distance of 45.01 feet to the point of intersection of the South Right-of-Way line of Brookside Road, as now established, and the East Right of Way line of S. Main Street, as now established, said point being the Northwest corner of Lot 16, of the Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, a plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906; thence departing said East Right-of-Way line S87°12'16"E along said South Right-of-Way line, a distance of 1037.50 feet for a POINT OF BEGINNING; thence continuing along said South Right-of-Way line S87°12'16"E, a distance of 648.11 feet to the Northwest corner of the tract of land duly recorded in the Benton County Circuit Clerk's Office in Book 2017, at Page 23449; thence departing said South Right-of-Way S00°31'56"W along the West line of said tract of land, a distance of 136.59 feet to a found ½" rebar marking the Southwest corner thereof; thence departing said West line S87°16'31"E along the South line of said tract of land, a distance of 201.10 feet to a found 5/8" rebar with an illegible cap marking the Southeast corner thereof; thence departing said South line N00°32'28"E along the East line of said tract of land, a distance of 136.54 feet to said South Right-of-Way line; thence departing said East line S87°13'23"E along said South Right-of-Way line, a distance of 347.46 feet to the East line of said Lot 16; thence departing said South Right-of-Way line, along the East line of said Lot 16 the following nine (9) courses: S02°42'11"W, a distance of 104.74 feet; thence S87°31'34"E, a distance of 146.49 feet; thence S02°18'23"W, a distance of 421.84 feet to a found rebar with cap, "RLS 1181 Buescher"; thence S87°11'02"E, a distance of 199.92 feet to a found rebar with cap, "RLS 1181 Buescher"; thence S02°20'39"W, a distance of 745.65 feet to a found 12"x6" limestone marking the Southeast corner of the Southeast Quarter of the Northeast Quarter of said Section 9, Township 19 North, Range 31 West; thence N87°22'51"W, a distance of 162.82 feet; thence S07°32'02"E, a distance of 86.41 feet; thence S87°37'36"E, a distance of 148.26 feet; thence S02°10'56"W, a distance of 365.35 feet to the Southeast corner of said Lot 16; thence departing said East line N87°16'22"W along the South line of said Lot 16, a distance of 2,574.18 feet to the East Right-of-Way line of said Ginn Road; thence departing said South line N02°22'47"E along said East Right-of-Way line, a distance of 300.02 feet to the Southwest corner of the Final Plat Mountainbrook Subdivision, a plat duly recorded in the Benton County Circuit Clerk's Office in Instrument L202341280; thence departing said East Right-of-Way line, along said Mountainbrook Subdivision, being the West line of said Lot 16 the following twenty-four (24) courses: S87°16'04"E, 1,468.15 feet; thence N02°44'05"E, a distance of 39.00 feet; thence S87°15'59"E, a distance of 126.01 feet; thence N02°44'05"E, a distance of 92.00 feet; thence S87°15'55"E, a distance of 7.00 feet; thence N02°44'05"E, a distance of 523.25 feet; thence N87°15'55"W, a distance of 13.01 feet; thence N02°44'05"E, a distance of 186.04 feet; thence N50°29'36"W, a distance of 230.21 feet; thence N87°15'55"W, a distance of 139.60 feet; thence N02°44'05"E, a distance of 20.00 feet; thence N87°15'55"W, a distance of 14.77 feet; thence S63°24'17"W, a distance of 66.72 feet; thence N88°48'34"W, a distance of 76.54 feet; thence N82°53'25"W, a distance of 126.01 feet; thence N87°23'05"W, a distance of 103.22 feet; thence S83°40'08"W, a distance of 141.49 feet; thence S82°37'31"W, a distance of 352.92 feet; thence S89°14'13"W, a distance of 65.27 feet; thence S36°49'49"W, a distance of 132.10 feet; thence S02°44'05"W, a distance of 80.75 feet; thence N87°15'55"W, a distance of 111.58 feet; thence S02°44'05"W, a distance of 120.00 feet; thence N87°15'55"W, a distance of 154.24 feet to a point in said East Right-of-Way line, being the Northwest corner of said Mountainbrook Subdivision; thence away from said Mountainbrook Subdivision and continuing along said West line of Lot 16 and said East Right-of-Way line N02°00'07"E, a distance of 301.35 feet; thence departing said East Right-of-Way line and said West line, N84°08'04"E, a distance of 476.08 feet; thence N79°01'44"E, a distance of 281.86 feet; thence S87°46'59"E, a distance of 166.39 feet; thence N07°03'39"E, a distance of 149.86 feet; thence N77°50'46"W, a distance of 105.96 feet; thence N00°00'00"W, a distance of 61.07 feet; thence N52°45'29"E, a distance of 281.45 feet to the POINT OF BEGINNING.  
Containing 2,435,473 square feet or 55.911 acres, more or less. Subject to any covenants, easements or right-of-ways of record.

**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: \_\_\_\_\_ Print Name: \_\_\_\_\_

**ACKNOWLEDGMENT**

**CERTIFICATE OF APPROVAL**

Persuant 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 of Bentonville

**SURVEY NOTES**

- 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 ansure 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.
- Upon development of Lot 17 or Lot 18, developer shall construct their proportionate share of Road Improvements along all Ginn Road and Brookside Road frontage for their specific lot as requested by the Planning Commission.
- Waiver # WAV23-0014 was approved and dated 09/05/2023.

**INFORMATION OF FACT**

- This survey and plan is based upon the following data and/or exceptions:

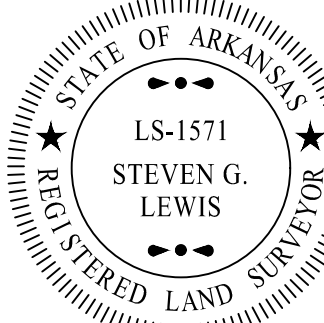
|                        | Yes      | No    | Item                                                                                                                                                                                                                                     |
|------------------------|----------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) Deed of Record      | <u>X</u> | _____ | Instrument Number L202277562, L202310658 & L202333929                                                                                                                                                                                    |
| b) Filed Maps          | <u>X</u> | _____ | Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16, duly recorded as Instrument Number L202275906 & a Property Description Plat not signed or filed by Swope Engineering, dated 11/18/2022, job number 21-139 |
| c) Title Search/Binder | <u>X</u> | _____ | City Title & Closing LLC, agent for Fidelity National Title Insurance Company, File No." 23-1582, Effective Date of February 23, 2023 at 7:00 am                                                                                         |
- Certified To:** Prism Design Studio, LLC  
This is to certify that, to the best of my knowledge and belief, this map or plan is the result of a field survey performed on March 27, 2023, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the "State Board of Professional Engineers and Land Surveyors". The information depicted hereon, to the best of my knowledge and belief, represents the conditions found at, and as of the date of the field survey, except such improvements or easements, if any below the surface and not visible. Accordingly the undersigned professional is not responsible for the presence of underground utilities or structures, if same are not visible or otherwise disclosed by any aforementioned data listed above.
- This survey or plan is made for and certified to the parties named hereon for the purpose(s) stated. No other purpose is intended nor implied. The undersigned professional is neither responsible nor liable for the use of this plan beyond its intended purpose.
- The use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the undersigned professional's knowledge, information and belief, and in accordance with the commonly accepted procedure consistent with the applicable standards of practice, and does not constitute a warranty or guarantee either expressed or implied.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more information visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122
- The Flood Insurance Rate Map (FIRM) from the Federal Emergency Management Agency (FEMA) Community Panel No. 05007C0235K, Effective Date June 6, 2012 shows a portion of this property is located in Zone "A" and "AE" (Special Flood Hazard Areas subject to inundation by the 1% annual chance flood. Base Flood Elevations determined) and is inside the 100 year Flood Plain.
- Olsson and the surveyor of record make no guarantees that the underground utilities shown hereon comprise all such utilities in the area, either in service or abandoned. Olsson and the surveyor of record further does not warrant that the underground utilities shown are in the exact location indicated. Olsson and the surveyor of record have not physically located the underground utilities. If any underground utility locations are required, they will have to be verified by field potholing the utilities as utility depths will not be indicated on the topographic survey. Olsson and the surveyor of record shall not be liable for the location of or the failure to note the location of non-visible utilities. Utilities were ordered to be located per one-call ticket numbers 230307-1689 and 230307-1911. The companies listed on the ticket are Entergy, AT&T Arkansas, Pfeiffer Water Association, Summit Utilities Arkansas, Hiltibilly Wireless Internet, Brightspeed, Carroll Electric Cooperative, Cox Communications, Black Hills Corporations, Centerton Utilities and Centurylink Fiber.
- Plan References:**  
A plat entitled, "Lot Split for Part of Lot 12 of Osage Hills Subdivision Creating Lots 15 & 16", signed on November 28, 2022, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202275906.  
A plat entitled, "Property Line Adjustment of Lot 6 and Lot 10 of Osage Hills Subdivision Creating Lot 11 and Lot 12", signed on October 7, 2021, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202193281.  
A plat entitled, "Final Plat: Osage Hills Subdivision Phase 1", signed on August 4, 2021, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202158715.  
A plat entitled, "Informal Plat for Lot 3 in Osage Hills Subdivision Creating Lots 6 & 7", signed on April 15, 2020, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202022287.  
A plat entitled, "Osage Hills Lots 1-5", signed on January 4, 2019, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L201901294.  
A plat entitled, "Brookside Estate Subdivision", signed on January 12, 2022, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202211412.  
A plat entitled, "Final Plat Mountainbrook Subdivision", signed on August 8, 2023, and duly recorded in the Benton County Circuit Clerk's Office in Instrument L202341280.

**CERTIFICATE OF SURVEY AND ACCURACY**

Know all men by these presents:

That I, Steven G. Lewis , AR PLS 1571, 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 locations, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Property Boundary Surveys and Plats have been met.

Date of Execution: 11/13/2023  
Signed: \_\_\_\_\_  
Registered Land Surveyor No.: 1571  
State of Arkansas



drawn by: DRC  
checked by: WBW  
approved by: SGL  
project no.: 023-01229  
drawing no.: V\_PLTS\_02301229  
date: 11.09.2023

SHEET  
1 of 2

City of Bentonville Project Number: LS23-0032

olsson

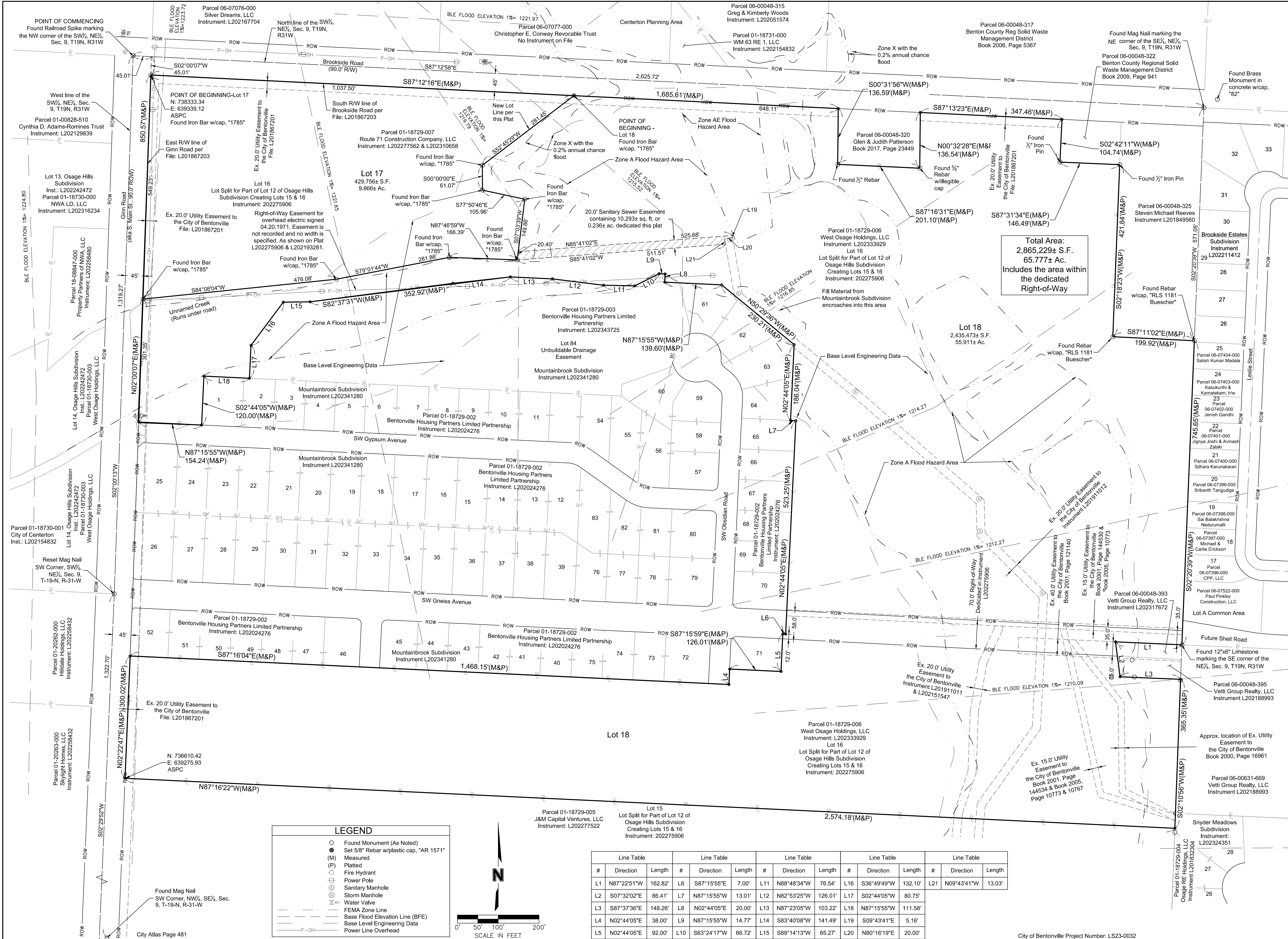
302 East Millsp Road  
Fayetteville, AR 72703  
TEL 479.443.3404  
www.olsson.com

| REV. | NO.      | DATE | REVISIONS DESCRIPTION     |
|------|----------|------|---------------------------|
| 1    | 10/24/23 |      | Revised per City Comments |

2023

LOT SPLIT  
FOR PRISM DESIGN STUDIO, LLC  
A PART OF THE S½ OF THE NE ¼ & N½ of the SE¼  
SECTION 9, TOWNSHIP 19 NORTH, RANGE 31 WEST  
STATE SURVEYOR'S CODE: 500-15N-31W-0-09-102-04-1785  
BENTONVILLE, BENTON COUNTY, ARKANSAS





| Line Table |             |         | Line Table |             |        | Line Table |             |         | Line Table |             |         | Line Table |             |        |
|------------|-------------|---------|------------|-------------|--------|------------|-------------|---------|------------|-------------|---------|------------|-------------|--------|
| #          | Direction   | Length  | #          | Direction   | Length | #          | Direction   | Length  | #          | Direction   | Length  | #          | Direction   | Length |
| L1         | N87°22'51"W | 162.82' | L6         | S87°15'55"E | 7.00'  | L11        | N88°48'34"W | 76.54'  | L16        | S36°49'49"W | 132.10' | L21        | N09°43'41"W | 13.03' |
| L2         | S07°32'02"E | 86.41'  | L7         | N87°15'55"W | 13.01' | L12        | N82°53'25"W | 126.01' | L17        | S02°44'05"W | 80.75'  |            |             |        |
| L3         | S87°37'36"E | 148.26' | L8         | N02°44'05"E | 20.00' | L13        | N87°23'05"W | 103.22' | L18        | N87°15'55"W | 111.58' |            |             |        |
| L4         | N02°44'05"E | 38.00'  | L9         | N87°15'55"W | 14.77' | L14        | S83°40'08"W | 141.49' | L19        | S09°43'41"E | 5.16'   |            |             |        |
| L5         | N02°44'05"E | 92.00'  | L10        | S63°24'17"W | 66.72' | L15        | S89°14'13"W | 65.27'  | L20        | N80°16'19"E | 20.00'  |            |             |        |

olsson

302 East Millap Road  
Fayetteville, AR 72703  
TEL 479.443.3404  
www.olsson.com

REVISIONS

| REV. NO. | DATE     | REVISIONS DESCRIPTION     |
|----------|----------|---------------------------|
| 1        | 10/24/23 | Revised per City Comments |

LOT SPLIT  
FOR PRISM DESIGN STUDIO, LLC

A PART OF THE S½, OF THE NE¼ & N½ OF THE SE¼  
SECTION 9, TOWNSHIP 19 NORTH, RANGE 31 WEST  
STATE SURVEYOR'S CODE: 500-19N-31W-0-09-102-04-1785

2023

drawn by: DRC  
checked by: WBW  
approved by: SGL  
project no.: 023-01229  
drawing no.: V\_PLTS\_02301229  
date: 11.09.2023

SHEET  
2 of 2



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 16 OF OSAGE HILLS  
SUBDIVISION CREATING NEW LOTS 17 AND 18 OF OSAGE HILLS SUBDIVISION  
TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: LS23-0032)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 16 OF OSAGE HILLS SUBDIVISION creating new LOTS 17 AND 18 OF OSAGE HILLS SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 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 16 OF OSAGE HILLS SUBDIVISION creating new LOTS 17 AND 18 OF OSAGE HILLS 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**



## Consent Agenda Item

For the Planning Commission meeting on November 28, 2023

### Details

**Lot Split: Lots 1 and 2 of Max Alley Addition, GX15 Bentonville Walton LLC, 807 SE Walton Boulevard, C-2, General Commercial, LS23-0048**

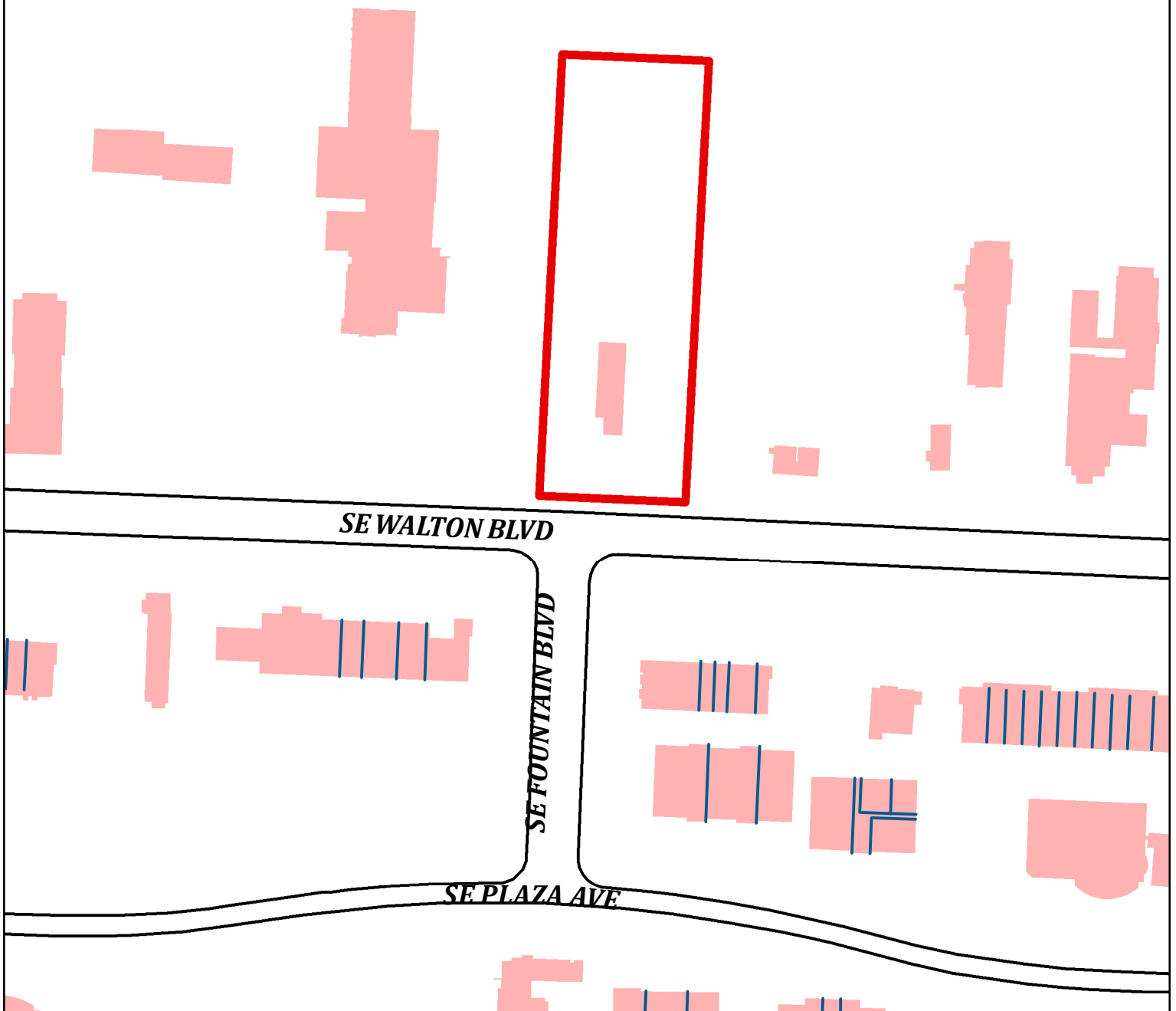
A lot split of previously unplanted land, creating new Lots 1 and 2 of Max Alley Addition. The plat dedicates a 30' wide utility easement along Southwest Walton Boulevard as well as additional right of way per the Master Street Plan. No variances or waivers are requested with this plat.



**Legend**



**Planning Commission Items**



**LS23-0048**  
**Max Alley Addition**  
**801 SE Walton Blvd**



SURVEY DESCRIPTION OF PARENT TRACT

PART OF THE S 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH OF RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE NW 1/4; THENCE N03°00'27"E 35.00 FEET; THENCE S87°31'00"E 25.00 FEET TO THE POINT OF BEGINNING;

THENCE N03°00'27"E, CROSSING A FOUND 5/8-INCH REBAR WITH CAP PLS 1118 AT A DISTANCE OF 6.57 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 625.11 FEET TO A FOUND 5/8-INCH REBAR; THENCE S87°23'36"E 207.94 FEET TO A FOUND 5/8-INCH REBAR; THENCE S03°01'21"W 624.67 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N87°31'00"W 207.78 FEET TO THE POINT OF BEGINNING, CONTAINING 129,884 SQUARE FEET OR 2.98 ACRES, MORE OR LESS, SUBJECT TO A RIGHT OF WAY OF SE WALTON BLVD, AND A SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION LOT 1

(BY THIS PLAT)

PART OF THE S 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH OF RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE NW 1/4; THENCE N03°00'27"E 35.00 FEET; THENCE S87°31'00"E 25.00 FEET; THENCE N03°00'27"E 6.11 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759 FOR THE POINT OF BEGINNING;

THENCE N03°00'27"E 368.27 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE S86°58'39"E 176.87 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE S03°01'21"W 366.63 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N87°30'27"W 176.78 FEET TO THE POINT OF BEGINNING, CONTAINING 64,972 SQUARE FEET OR 1.49 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

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 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 \_\_\_\_\_  
:

OWNER  
NAME: \_\_\_\_\_

OWNER  
ADDRESS: \_\_\_\_\_

\_\_\_\_\_

SOURCE OF TITLE: INSTR. NO. L202239164

SURVEYOR  
OWN, INC.  
5311 W VILLAGE PKWY.  
ROGERS, AR 72758  
(479) 286-8181

DEVELOPER  
MAX ALLEY INVESTMENTS LLC  
6500 SUMMERHILL RD., STE. 2E  
TEXARKANA, TX 75503  
PH. 903-223-8000

OWNER:  
GX15 BENTONVILLE WALTON LLC  
6500 SUMMERHILL RD., STE. 2E  
TEXARKANA, TX 75503  
PH. 903-223-8000

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT IS IN ZONE X, AN AREA OF MINIMAL FLOOD HAZARD, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 05007C0255K, WHICH BEARS AN EFFECTIVE DATE OF JUNE 05, 2012. THE SUBJECT TRACT IS NOT IN A FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.

SURVEY DESCRIPTION PUBLIC RIGHT OF WAY

(BY THIS PLAT)

PART OF THE S 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH OF RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE NW 1/4; THENCE N03°00'27"E 35.00 FEET; THENCE S87°31'00"E 25.00 FEET TO THE POINT OF BEGINNING;

THENCE N03°00'27"E, A DISTANCE OF 6.11 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE S87°30'27"E 207.78 FEET TO A SET 5/8-INCH REBAR; THENCE S03°01'21"W 6.08 FEET; THENCE N87°31'00"W 207.78 FEET TO THE POINT OF BEGINNING, CONTAINING 1,267 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

SURVEY DESCRIPTION LOT 2

(BY THIS PLAT)

PART OF THE S 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH OF RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE NW 1/4; THENCE N03°00'27"E 35.00 FEET; THENCE S87°31'00"E 25.00 FEET; THENCE N03°00'27"E 6.11 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N03°00'27"E 368.27 FEET TO A SET 5/8-INCH REBAR WITH CAP PLS 1759 FOR THE POINT OF BEGINNING;

THENCE N03°00'27"E 250.73 FEET TO A FOUND 5/8-INCH REBAR; THENCE S87°23'36"E 207.94 FEET TO A FOUND 5/8-INCH REBAR; THENCE S03°01'21"W 618.59 FEET TO SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N87°30'27"W 31.00 FEET TO SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N03°01'21"E 366.63 FEET TO SET 5/8-INCH REBAR WITH CAP PLS 1759; THENCE N86°58'39"W 176.87 FEET TO THE POINT OF BEGINNING, CONTAINING 63,645 SQUARE FEET OR 1.46 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

NOTES

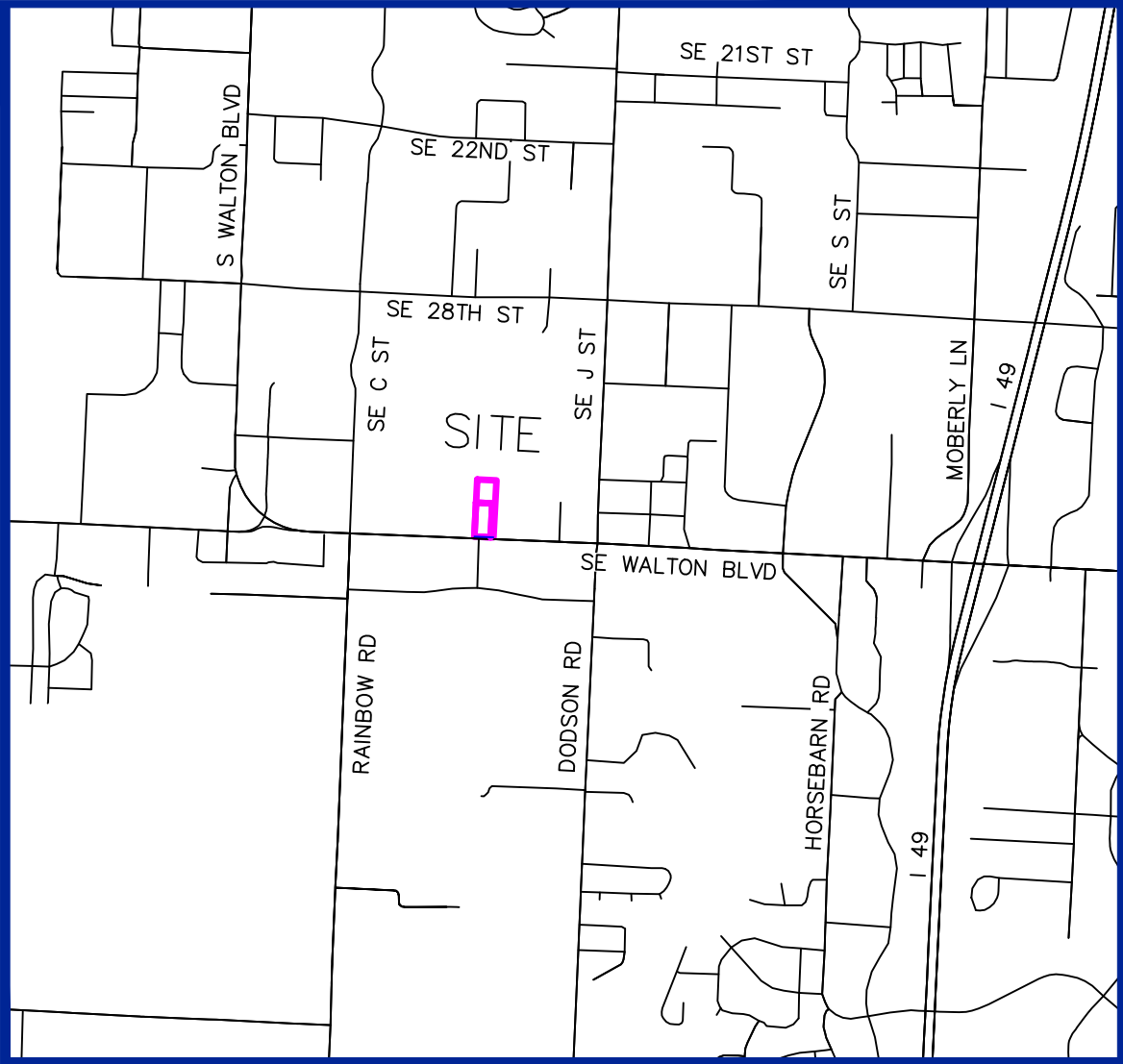
- BASIS OF BEARINGS: GRID NORTH OF THE ARKANSAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE ESTABLISHED BY OPUS REFERENCE FRAME: (2011)(EPOCH:2010.0000).
- BASIS OF ELEVATIONS: NAVD88 (GEOID18) ESTABLISHED BY OPUS REFERENCE FRAME: (2011)(EPOCH:2010.0000).
- ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
- SUBJECT TRACT IS LOCATED WITHIN THE CITY LIMITS OF BENTONVILLE, BENTON COUNTY, ARKANSAS.
- THIS PLAT REPRESENTS A LOT SPLIT PLAT OF A TRACT OF LAND DESCRIBED IN INSTR NO L202239164, RECORDED AT BENTON COUNTY ARKANSAS CIRCUIT CLERK'S OFFICE.
- THIS SURVEY MEETS THE 2020 "ARKANSAS STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS AND PLATS", WHICH IS ALSO KNOWN AS "STANDARDS OF PRACTICE NO. 1".
- ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS PART OF THIS SURVEY.
- DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY AND IS NOT TRANSFERABLE.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR PRESENT.
- 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.
- 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.
- 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.

CERTIFICATE OF SURVEYING ACCURACY

I, NIKOLAY NEDKOV, 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. 1759  
STATE OF ARKANSAS



VICINITY MAP

SE1/4 NW1/4, SECTION 08, T19N, R30W  
SCALE: 1"=2000'

LEGEND

- PROPERTY LINE
- PREVIOUS PROPERTY LINE
- ROAD CENTERLINE
- EASEMENT LINE
- ARDOT RIGHT-OF-WAY LINE
- FENCE
- EDGE OF ASPHALT
- EDGE OF CONCRETE
- BACK OF CURB
- GUTTER LINE
- EDGE OF GRAVEL
- STRUCTURE, AS NOTED
- FOUND MONUMENT, AS NOTED
- SET 5/8" REBAR WITH CAP "PLS 1759"
- COMPUTED POINT
- SIGN
- WATER VALVE
- FIRE HYDRANT
- POWER POLE
- GUY WIRE
- LIGHT POLE
- TELEPHONE RISER
- CABLE RISER
- FIBER OPTIC MARKER POST/SIGN
- SANITARY SEWER CLEANOUT
- SANITARY SEWER MANHOLE (SMH)
- STORMWATER/DRAINAGE MANHOLE (DMH)
- GAS METER
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- WATER METER
- GRATE INLET
- REBAR
- CENTERLINE
- FLOW LINE
- REINFORCED CONCRETE PIPE
- SANITARY SEWER MANHOLE
- STORMWATER/DRAINAGE MANHOLE
- ARKANSAS DEPT. OF TRANSPORTATION
- BENCHMARK
- BACK OF CURB

CITY OF BENTONVILLE PROJECT  
NUMBER: LS23-0048

STATE PLAT CODE: 500-19N-30W-0-08-420-04-1759

DRAWING NO.  
NWA-100-0288  
SHEET NUMBER  
**1**  
OF **2**

MAX ALLEY INVESTMENTS, LLC  
TRACT SPLIT  
SECTION 8, T19N, R30W  
CREATING LOT 1 AND LOT 2  
MAX ALLEY ADDITION  
801 SE WALTON BLVD  
CITY OF BENTONVILLE  
BENTON COUNTY, ARKANSAS

| REVISIONS                |             |    |      | DRAWING INFO. |           |
|--------------------------|-------------|----|------|---------------|-----------|
| NO.                      | DESCRIPTION | BY | DATE | FIELD BY:     | KP        |
|                          |             |    |      | DRAWN BY:     | NKN       |
|                          |             |    |      | CHECK BY:     | NKN       |
|                          |             |    |      | DATE:         | 7/5/23    |
|                          |             |    |      | FIELD BOOK:   |           |
|                          |             |    |      | JOB NUMBER:   | 22R010020 |
| COPYRIGHT OWN, INC. 2023 |             |    |      |               |           |

5311 W. VILLAGE  
PKWY  
ROGERS, AR 72758  
479.286.8181  
WEAREOWN.COM  
FORMERLY ANDERSON  
ENGINEERING







**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF PREVIOUSLY UNPLATTED LAND  
CREATING NEW LOTS 1 AND 2 OF MAX ALLEY ADDITION TO THE CITY OF  
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: LS23-0048)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1 AND 2 OF MAX ALLEY ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 2023;

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

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

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

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

Section 1: That the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1 AND 2 OF MAX ALLEY 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 28, 2023

### Details

**Property Line Adjustment: Lot 17, Block 16 of Demings 2nd Addition, John Smothers, 513 Northwest B Street, R-1, Low Density Residential, LS23-0052**

A property line adjustment of part of Lots 10-12, Block 16 of Demings 2nd Addition, creating new Lot 17, Block 16 of Demings 2nd Addition. The plat dedicates a 3' wide utility easement along the northern property line as well as a 15' Utility easement along Northwest B Street. No variances or waivers are requested with this plat.

**Legend**



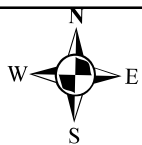
**Pending PC Item**

**NW 6TH ST**

**NW C ST**

**NW B ST**

**NW 5TH ST**



**LS23-0052**  
**John Smothers**  
**Lot 17, Block 16 Demings 2nd Addt**





NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
3. DEED REFERENCE: WARRANTY DEED BOOK L2021, PAGE 70361.
4. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
5. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
6. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT (479) 271-3122.
7. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
8. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
9. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
10. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
11. 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.
12. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

LEGEND

- FOUND REBAR
- ⊙ SET 1/2" REBAR W/CAP (LS #1370)
- SS SANITARY SEWER MANHOLE
- WM WATER METER
- GM GAS METER
- — — — — PROPERTY LINE
- . - . - . - . - RIGHT OF WAY LINE
- — — — — CENTERLINE
- - - - - EASEMENT LINE

PARENT TRACT:

PART OF LOTS 10, 11 AND 12, BLOCK 16 OF DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 9, PAGE 157 OF THE BENTON COUNTY RECORDS.

NEW LOT 17 DESCRIPTION:

PART OF PART LOTS 10, 11 AND 12, BLOCK 16 OF DEMINGS 2ND ADDITION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT BOOK 9, PAGE 157 OF THE BENTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NE CORNER OF SAID LOT 12; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF NW "B" STREET S 01°45'40" W A DISTANCE OF 63.00 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE N 87°20'49" W A DISTANCE OF 143.56 FEET; THENCE N 02°58'29" E A DISTANCE OF 63.00 FEET; THENCE S 87°20'40" E A DISTANCE OF 142.22 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 9,001.47 SQUARE FEET, OR 0.21 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0090J (EFFECTIVE DATE SEPTEMBER 28, 2007) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

CERTIFICATE OF OWNERSHIP AND DEDICATION:

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

DATE OF EXECUTION: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

CERTIFICATE OF APPROVAL:

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

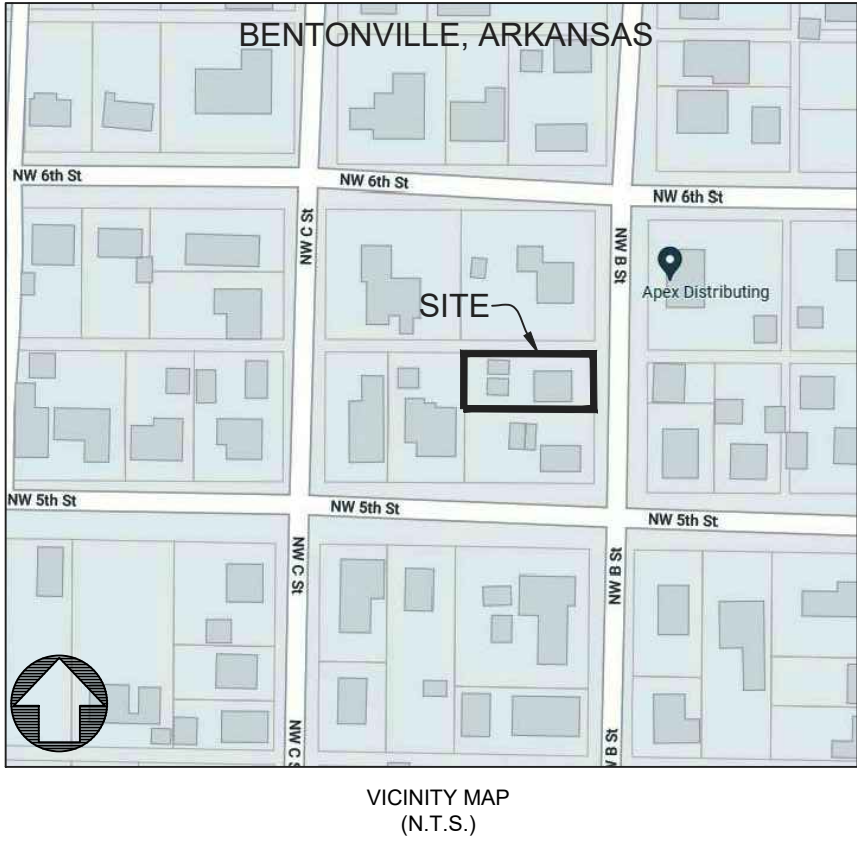
DATE OF EXECUTION: \_\_\_\_\_

SIGNED \_\_\_\_\_  
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: \_\_\_\_\_

SIGNED \_\_\_\_\_  
MAYOR, CITY OF BENTONVILLE

SIGNED \_\_\_\_\_  
CITY CLERK, CITY OF BENTONVILLE



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF PARTS OF LOTS 10-12, BLOCK 16 OF DEMINGS 2ND ADDITION CREATING NEW LOT 17, BLOCK 16 OF DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

**(PROJECT NUMBER: LS23-0052)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PARTS OF LOTS 10-12, BLOCK 16 OF DEMINGS 2ND ADDITION creating new LOT 17, BLOCK 16 OF DEMINGS 2ND ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 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 PARTS OF LOTS 10-12, BLOCK 16 OF DEMINGS 2ND ADDITION creating new LOT 17, BLOCK 16 OF DEMINGS 2ND ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said 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 28, 2023

### Details

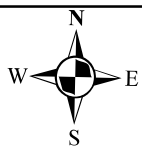
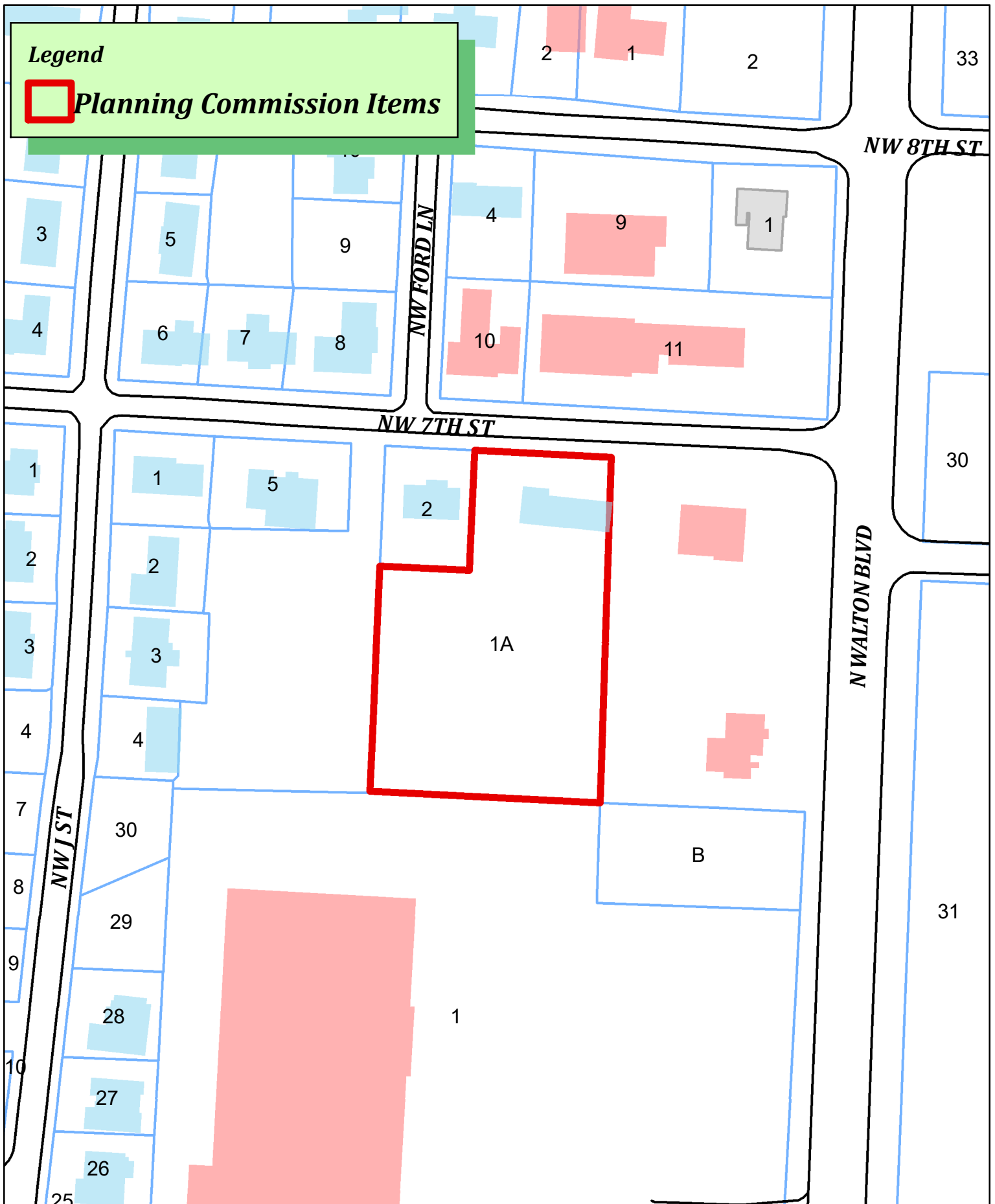
#### **Lot Split: Lots 4 & 5 of McKeehan's 3rd Addition, Bill Oldham, 911 & 915 Northwest 7th Street, RO, Residential Office, LS23-0056**

A lot split of Lots 1A and 2 of McKeehan's 3rd Addition, creating lots 4 & 5 of McKeehan's 3rd Addition. The plat dedicates a 15' wide utility easement along the Northwest 7th Street frontage. No waivers or variances are requested with this plat.

**Legend**



**Planning Commission Items**



**LS23-0056**  
**Oldham**  
**911 NW 7th St**



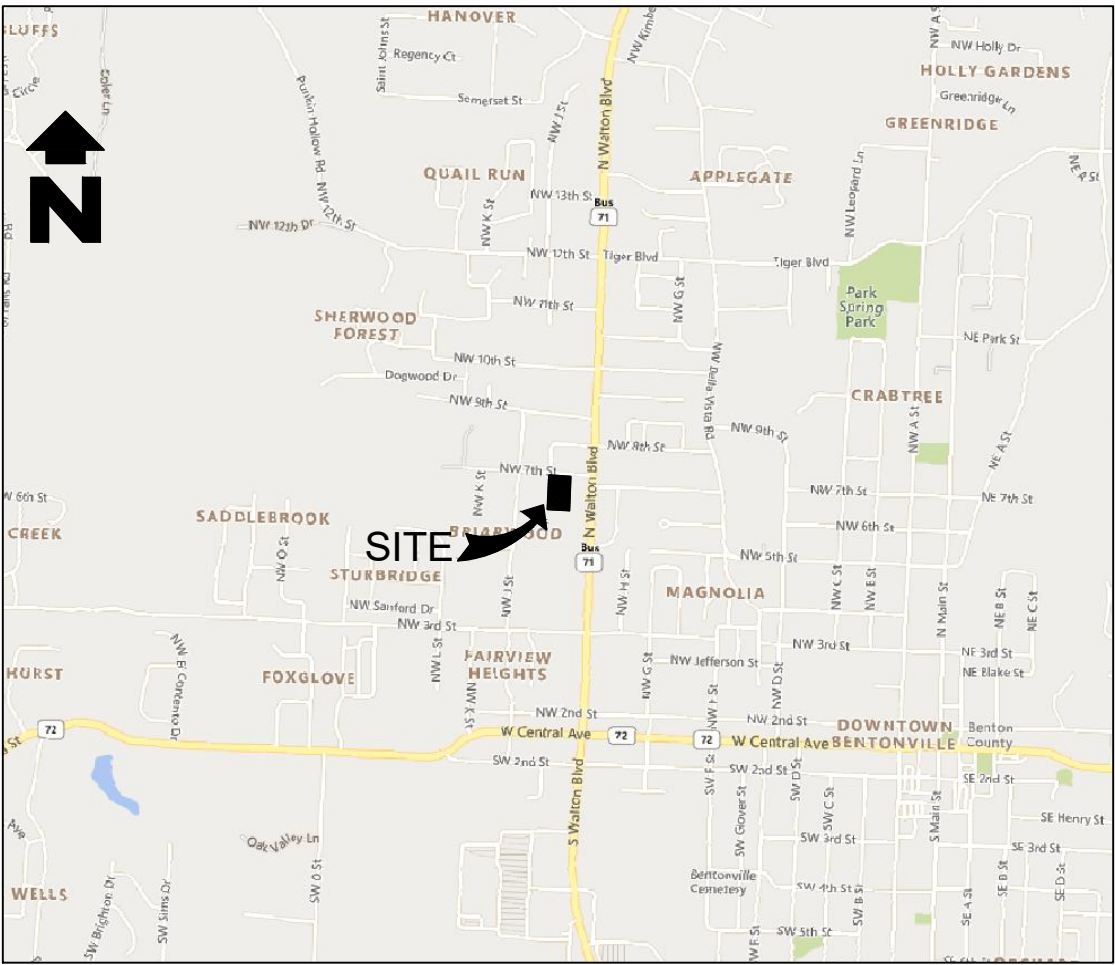


LOT SPLIT
CREATING LOTS 4 AND 5
MCKEEHAN'S THIRD ADDITION
BENTONVILLE, ARKANSAS

PROPERTY OWNER/CLIENT:
Suite Spaces, LLC
Bill Oldham
701 N. Walton Blvd.
(479) 957-4576
bill@nwcounseling.com

SURVEY NOTES:

- 1. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
2. This plat represents a boundary survey of the parcel recorded in Deed Records, Instruments #L202329813 and #L201925209 at the courthouse in Benton County, Arkansas.
3. The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
4. Basis of Bearings: NAD83, State Plane Grid Coordinates, Arkansas North Zone (301) referencing Bentonville City Control Monument Number 50.
5. Basis of Elevation: NAVD88, referencing Bentonville City Control Monument Number 50.
6. Record Book and Page shown are per Plat "S"-361 and Plat 23-236.
7. This survey is valid only if the drawing includes the seal and signature of the surveyor.
8. This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats".
9. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record which would affect this parcel.
10. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
11. This property is zoned R-0 (Residential Office Purposes). 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.
12. No attempt was made to show building setback lines graphically on the survey. Setback dimensions are based on the orientation of the building(s) to be constructed.
13. Subsurface and environmental conditions were not examined nor considered a part of this survey.
14. The locations of underground utilities as shown hereon are based on such above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
15. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
16. Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
17. 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.
18. Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.
19. 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.
20. All structures must maintain a minimum of 20' clearances from all electric lines.
21. 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 results 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.
22. It is the responsibility of the developer to coordinate with the New Service Coordinator @479-271-3139 to determine if equipment is in conflict.
23. It is the responsibility of the developer to pay 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 materials to move the equipment to the new lot line.
24. There may not be any fences or any other structures built in any drainage easement.



VICINITY MAP
Scale: 1" = 2,000'

ATLAS PAGE # 360

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 OWNERSHIP:

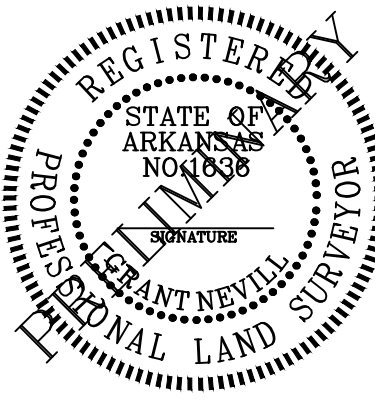
We the Undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives,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

Date of Execution: Signed:
Print Name and Address:
State of Arkansas
County of Benton
Subscribed and sworn before me this day of 2023.
Notary Public Print
My commission expires:



SURVEYOR
Sand Creek Engineering and Surveying
1610 NW 12th St
Bentonville, AR. 72712
(479) 464-9282

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



SURVEYOR'S CERTIFICATE:

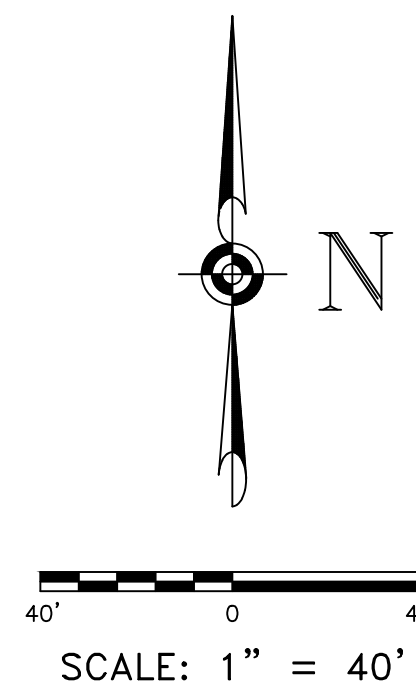
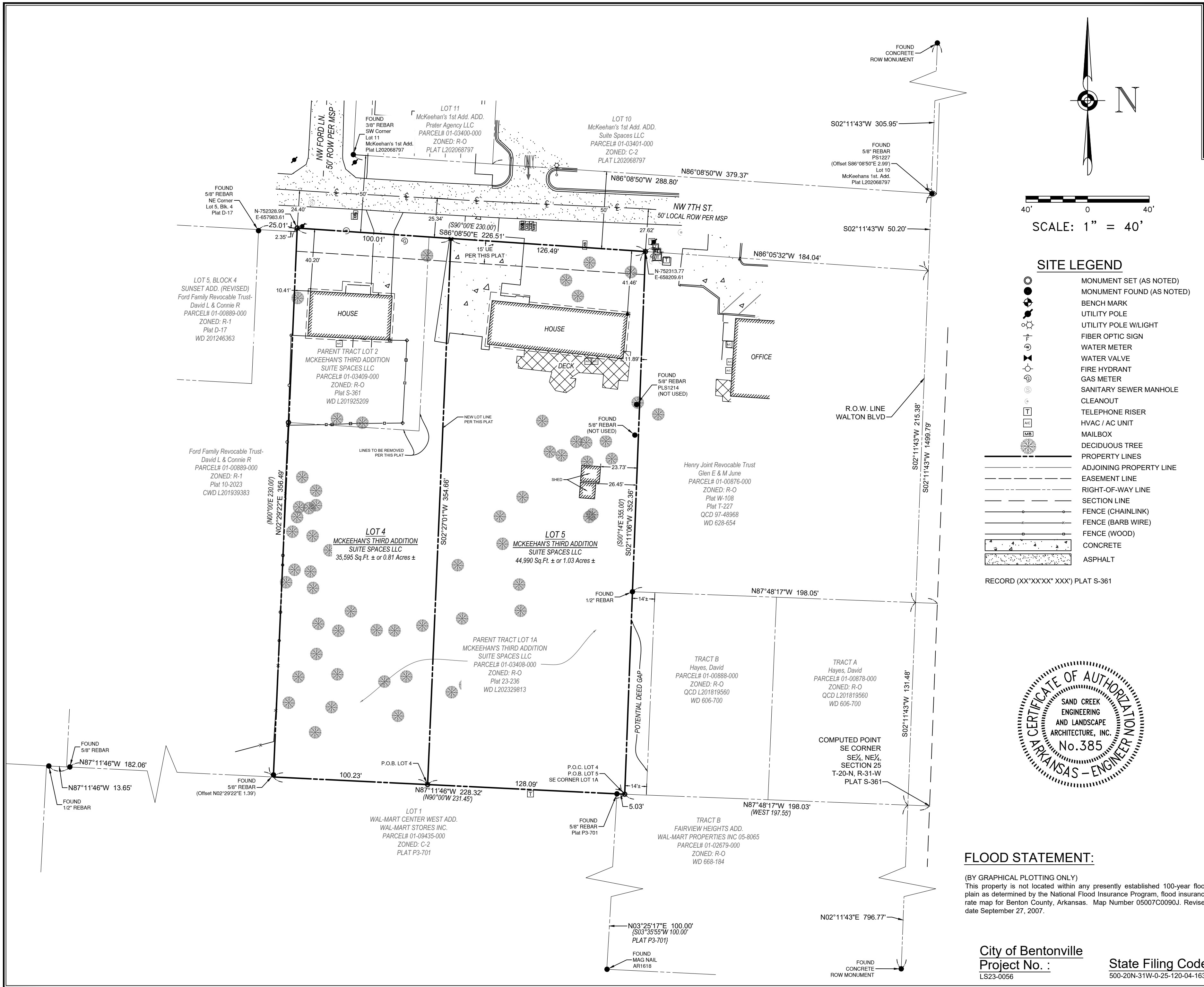
I, Grant E. Nevill, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Property Boundary Surveys and Plans have been met.

Date of Execution:
Grant E. Nevill
Registered Land Surveyor
State of Arkansas
Registration No. 1636

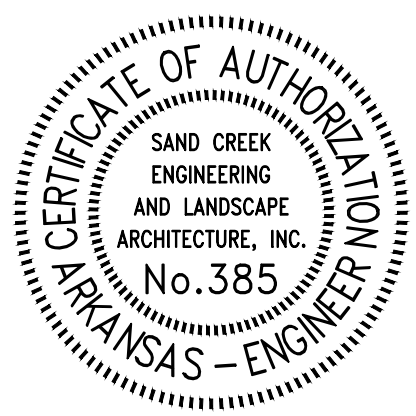
City of Bentonville
Project No. :
LS23-0056

SCE PROJECT #: 23029
DATE: 10-13-2023
SHEET: 1 OF 2

State Filing Code:
500-20N-31W-0-25-120-04-1636



- SITE LEGEND**
- MONUMENT SET (AS NOTED)
  - MONUMENT FOUND (AS NOTED)
  - BENCH MARK
  - UTILITY POLE
  - UTILITY POLE W/LIGHT
  - FIBER OPTIC SIGN
  - WATER METER
  - WATER VALVE
  - FIRE HYDRANT
  - GAS METER
  - SANITARY SEWER MANHOLE
  - CLEANOUT
  - TELEPHONE RISER
  - HVAC / AC UNIT
  - MAILBOX
  - DECIDUOUS TREE
  - PROPERTY LINES
  - ADJOINING PROPERTY LINE
  - EASEMENT LINE
  - RIGHT-OF-WAY LINE
  - SECTION LINE
  - FENCE (CHAINLINK)
  - FENCE (BARB WIRE)
  - FENCE (WOOD)
  - CONCRETE
  - ASPHALT
- RECORD (XX'XX'XX" XXX') PLAT S-361



**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 27, 2007.

City of Bentonville  
Project No. :  
LS23-0056

State Filing Code:  
500-20N-31W-0-25-120-04-1636

PROPERTY OWNER/CLIENT:  
Suite Spaces, LLC  
Bill Oldham  
701 N. Walton Blvd.  
(479) 957-4576  
bill@nwacounseling.com

**LOT SPLIT**

**CREATING LOTS 4 AND 5  
MCKEEHAN'S THIRD ADDITION  
BENTONVILLE, ARKANSAS**

SHEET: \_\_\_\_\_

PROJECT: \_\_\_\_\_

REGISTERED  
STATE OF ARKANSAS  
NO. 1636  
PROFESSIONAL LAND SURVEYOR  
PRINT NEVILL  
SIGNATURE

**SAND CREEK**  
Engineering and Landscape Architecture, Inc.  
Bentonville, Arkansas (479) 464-9262

PLS: GEN

CAD: MJH

FIELD: MJH/MS

SCE PROJECT #: 23029

DATE: 10/11/2023

SHEET: 2 OF 2

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1A AND 2 OF MCKEEHAN'S  
THIRD ADDITION CREATING NEW LOTS 4 AND 5 OF MCKEEHAN'S THIRD  
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER  
PURPOSES.**

**(PROJECT NUMBER: LS23-0056)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOTS 1A AND 2 OF MCKEEHAN'S THIRD ADDITION creating new LOTS 4 AND 5 OF MCKEEHAN'S THIRD ADDITION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 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 LOTS 1A AND 2 OF MCKEEHAN'S THIRD ADDITION creating new LOTS 4 AND 5 OF MCKEEHAN'S THIRD 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 28, 2023

### Details

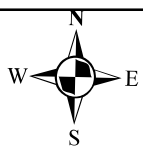
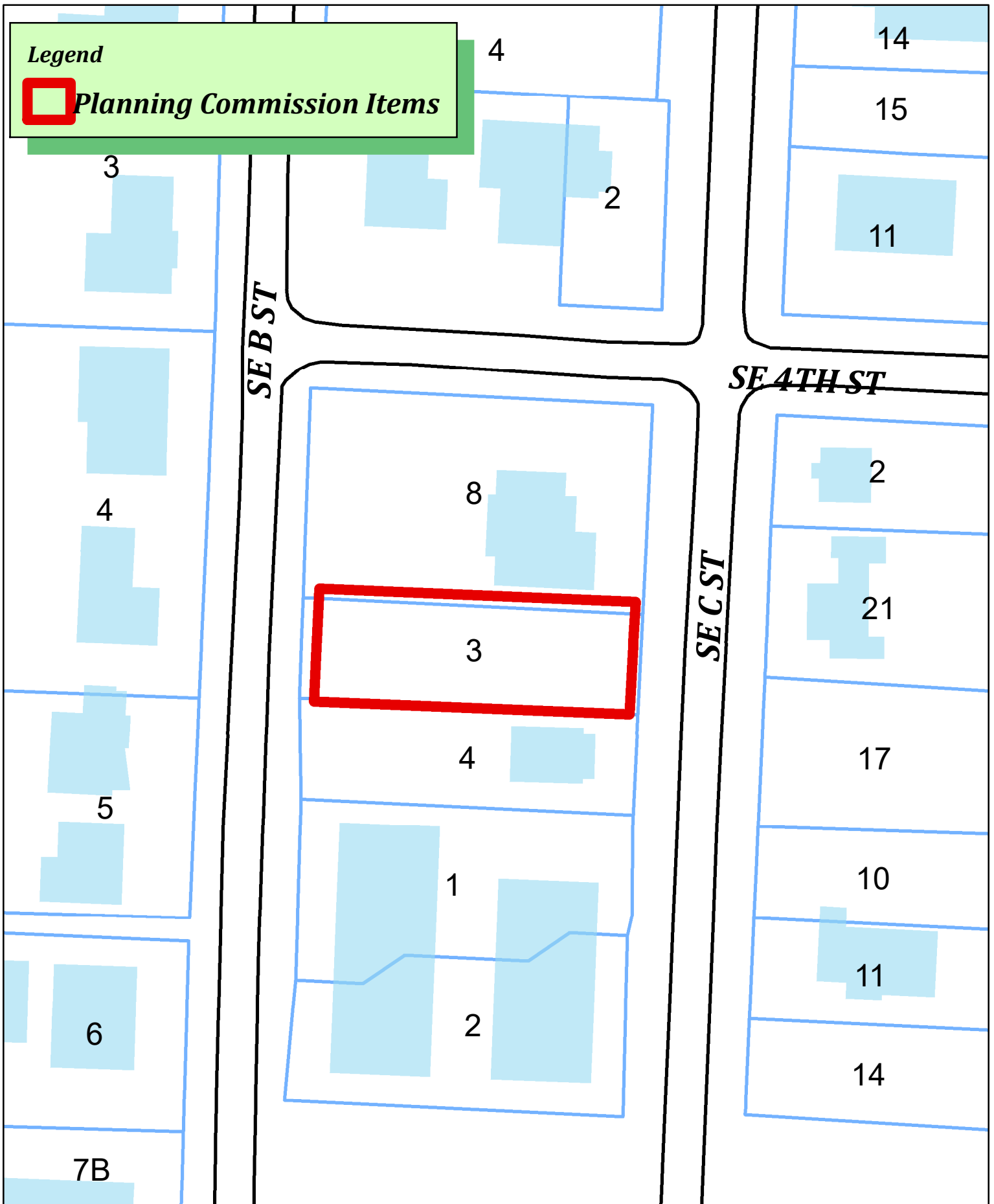
**Property Line Adjustment: Lot 9, Block A of Orchard Addition, Tammy L Crabtree Revocable Trust, 404 Southeast C Street, R-1, Low Density Residential, PLA23-0027**

A property line adjustment of Lot 3 and part of Lot 2, Block A of Orchard Addition, creating new Lot 9, Block A of Orchard Addition. The plat dedicates a 15' wide utility easement as well as additional right of way along Southeast C Street per the Master Street Plan. No variances or waivers are requested with this plat.

**Legend**



**Planning Commission Items**



**PLA23-0027**  
**Orchard Addition**  
**Replat of Lot 3 Block A Orchard Addition**







ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 3 AND  
PART OF LOT 2, BLOCK A OF ORCHARD ADDITION CREATING NEW LOT 9,  
BLOCK A OF ORCHARD ADDITION TO THE CITY OF BENTONVILLE,  
ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: PLA23-0027)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 3 AND PART OF LOT 2, BLOCK A OF ORCHARD ADDITION creating new LOT 9, BLOCK A OF ORCHARD ADDITION the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on November 21, 2023;

**WHEREAS**, said property line adjustment is attached hereto as Exhibit “A”;

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

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

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

Section 1: That the property line adjustment of LOT 3 AND PART OF LOT 2, BLOCK A OF ORCHARD ADDITION creating new LOT 9, BLOCK A OF ORCHARD ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kirby Romines, City Clerk**



## Consent Agenda Item

For the Planning Commission meeting on November 28, 2023

### Details

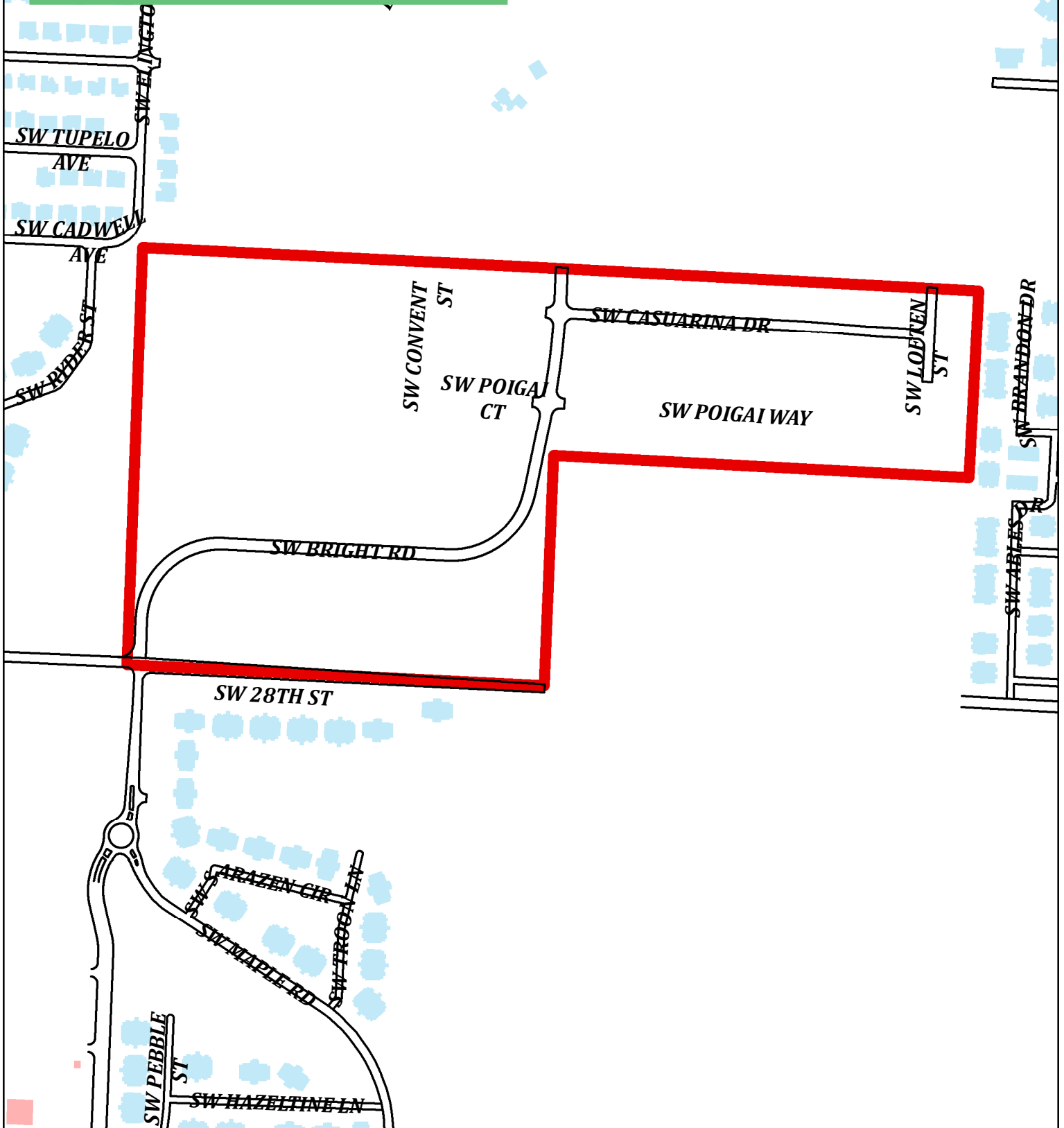
**Final Plat: Creating new Lots 1 and 37, Phase 2, of Poigai Estates, Pagan Incorporation, 1400 Southwest Casuarina Drive, R-3, Medium-High Density Multifamily Residential, FP23-0010**

A Final Plat of Phase 2 of Poigai Estates Subdivision, creating new Lots 1-37. This housing development features a mix of both two-family attached and townhome-style dwellings. All non-bondable items and guarantees of improvements must be complete, and a final inspection performed and approved prior to recording the final plat. The plat dedicates for public use all the internal streets: SW Casuarina Drive, Southwest Loften Street, Southwest Poigai Way, and Southwest Lombardy St. The plat also dedicates adequate utility and drainage easements to serve the subdivision. Access to the development is provided from both SW Bright Road which was constructed with Phase 1 of the subdivision and has already been final platted. No variances or waivers are associated with this final plat.

**Legend**



**Planning Commission Items**



**FP23-0010**  
**Poigai Estates**





GENERAL NOTES:

- Basis of Bearings: Grid North, state Plane coordinate System, Arkansas North Zone (), NAD 83 (2001)(Epoch:2010.0000), based on Real time Kinematic (RTK) GNSS Observations derived from a Static GNSS Base and OPUS post-processing solution, having published values of; Latitude 36°20'43.58828" N, Longitude 94°14'07.35000" W; Convergence Angle = 1.30075°; and a Combined Scale Factor (Grid to Ground) of 1.000031611.
- Grid North Convergence: At the Southeast corner of Section 1, T19N, R31W, rotate from Grid North 01°17'37" to the left for True North.
- Vertical Datum: NAVD88 (Geoid 18). Orthometric heights and contours are derived from Terrestrial and RT Kinematic GNSS Observations derived from a Static GNSS Base and OPUS post-processing solution, having an ellipsoidal height of 1164.319 feet and a computed orthometric height of 1256.662 feet.
- Flood Information: Based upon review of NFIP FIRM, Benton County, Arkansas and Incorporated Areas, Map Number 05007C0255K, Map Revised June 5, 2012, and by graphic plotting only, the subject property lies within: Zone X-Other Areas, areas determined to be outside the 0.2% annual chance floodplain. Surveyor assumes no liability for the correctness of cited map.
- Title Instruments: Every recorded document reviewed and considered as a part of this survey is noted hereon. Surveyor has not made a thorough investigation or independent search for any easements or other encumbrances or facts that an accurate, complete and current title search and/or title commitment would disclose. Other documents of record, rights, or facts may exist and affect this subject property.
- 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, minor, or major arterial street. All residential subdivision development contiguous to a collector, minor, or major arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.

CITY OF BENTONVILLE DEVELOPMENT NOTES:

- Before any work in the street right-of-way commences, contractor and/or owner is to contact the City of Bentonville Engineering and Transportation Departments and notify said departments of the intent and type of work that will take place within the right-of-way.
- Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
- There may not be fences or any other structures built in any drainage easements.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit [www.bentonvilleplanning.com](http://www.bentonvilleplanning.com) or call the Planning Department @ 479-271-3122.

REFERENCE DOCUMENTS:

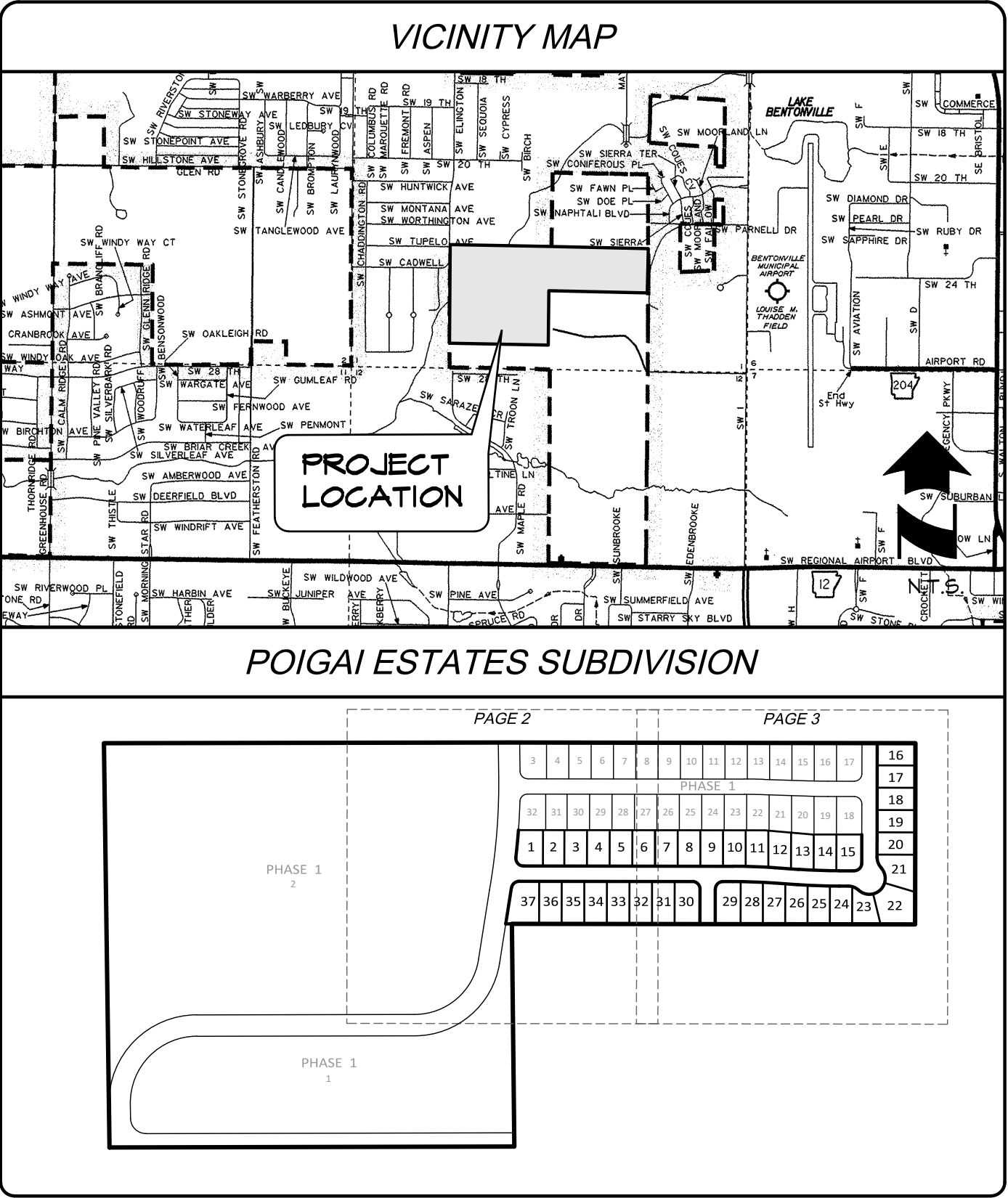
1. Trustee Warranty Deed to Pagan Incorporation recorded in Deed Document No. L202050454.
2. Trustee Warranty Deed to Pagan Incorporation recorded in Deed Document No. L202050435.
3. Warranty Deed to James C. Harmon recorded in Book 92, Page 25555 with the Benton County Clerk.
4. Warranty Deed to "The Edna M. Harmon Revocable Trust" recorded in Warranty Deed Document No. 99046532 with the Benton County Clerk.
5. Warranty Deed to Rodney D. Harmon and Jane E. Harmon recorded in Book 92, Page 25558 with the Benton County Clerk.
6. Quit Claim Deed to Dennis D. Harmon and Barbara J. Harmon recorded in Deed Document No. 99106053 with the Benton County Clerk.
7. Warranty Deed to Pagan Incorporation recorded in Deed Document No. L202081885 with the Benton County Clerk.
8. Warranty Deed to Dennis D. Harmon and Barbra J. Harmon recorded in Deed Document No. L202081884 with the Benton County Clerk.
9. Boundary Survey conducted by Copelin Land Surveying recorded in Book 2004, Page 898 with the Benton County Circuit Clerk.
10. Lot Split of Jarnagan Addition conducted by Crafton Tull and Associates, Inc., recorded in Book 2017, Page 404 with the Benton County Circuit Clerk.
11. Lot Split of Jarnagan Addition conducted by Copelin Land Surveying recorded, P3-865 with the Benton County Clerk.
12. Replat of Jarnagan Addition conducted by Clifford W. Bass, recorded in Book 2011, Page 372 with the Benton County Circuit Clerk.
13. The Links at Rainbow Curve Subdivision Plat filed 09/06/2011.
14. The Trails at Rainbow Curve Subdivision Plat filed 07/27/2015.
15. Little Osage Farm Subdivision Plat filed 08/15/2016.

LEGAL DESCRIPTION:

The Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) and a part of the North Half (N/2) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4), Section 1, Township 19 North, Range 31 West, Benton County, Arkansas being more particularly described as follows:  
Beginning at the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section 1, thence along the north line thereof, South 86° 57' 12" East, 1,326.72 feet to the Northeast Corner of the Southwest Quarter of the Southeast Quarter of said Section 1; Thence South 03° 04' 53" West, 593.34 feet; Thence North 86° 57' 12" West, 1,319.27 feet to the west line of the Southwest Quarter of the Southeast Quarter of said Section 1; Thence South 02° 21' 43" West, 729.30 feet to the Southeast Corner of the Southeast Quarter of the Southwest Quarter of said Section 1; Thence along the south line thereof, North 87° 09' 32" West, 1,324.75 feet to the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 1; Thence along the west line of the Southeast Quarter of the Southwest Quarter of said Section 1, North 02° 09' 47" East, 1,323.51 feet to the Northwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 1; Thence along the north line thereof, South 87° 07' 31" East, 1,329.35 feet to the Point of Beginning, containing 58.33 acres more or less.

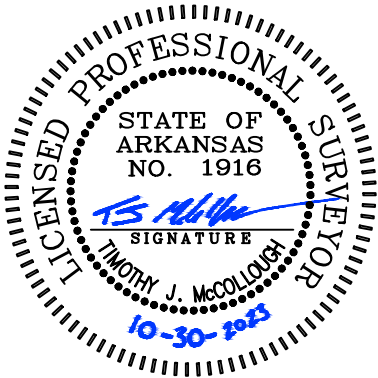
# FINAL PLAT POIGAI ESTATES PHASE 2

*Lots 1 thru 37, Part of the SE1/4, SE1/4  
Section 1, Township 19 North, Range 31 West  
Bentonville, Benton County, Arkansas*



CERTIFICATE OF SURVEYING ACCURACY

I, Timothy James McCollough, hereby certify that this plat correctly represents a boundary survey made by me, or under my direct supervision, and boundary markers and lot corners shown hereon actually exist and their location type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.



Registered Land Surveyor  
Registration No. 1916  
State of Arkansas

CERTIFICATE OF OWNERSHIP

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, 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.

Filing Block

Date of Execution: \_\_\_\_\_

Signed: \_\_\_\_\_

Name & Address: Pagan Incorporated  
4502 Swinton Drive  
Bentonville, AR 72712

Print Name: \_\_\_\_\_

Source of Title: Deed Doc. No. L202050435  
Deed Doc. No. L202050454

State Of Arkansas )  
County Of Benton ) SS

Sworn And Subscribed Before Me This Day \_\_\_\_ Of \_\_\_\_\_, 2023.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

CERTIFICATE OF APPROVAL:

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

Date Of Execution: \_\_\_\_\_

Signed \_\_\_\_\_  
Bentonville Planning Commission Chairman

Signed \_\_\_\_\_  
Mayor, City Of Bentonville

Signed \_\_\_\_\_  
City Clerk, City Of Bentonville

CITY ATLAS PAGE #446

FINAL PLAT

POIGAI ESTATES - PHASE 2

City of Bentonville Project #FP23-0010

Project No. SIG-01

Drawn By DRC  
Checked By TJM

Date: 10.30.2023

Sheet 1 of 3

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REF. DOC. #15

Parcel #  
01-17765-000

ZONE A-1

Little Osage Farms LLC  
2303 SW Birch Street  
Bentonville, AR 72713

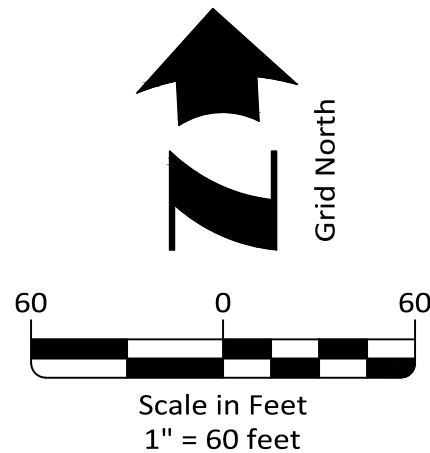
POINT OF BEGINNING  
NW Corner  
SW/4 of The SE/4  
Sec. 1, T-19-N, R-31-W  
Existing 5/8" Rebar  
N: 740309.18  
E: 655243.03

S87° 07' 31"E 1329.35'

Button Family Trust Michael J.  
& Dorothy L.  
1904 Mayflower Road  
Bentonville, AR 72713  
Parcel #: 18-08645-000

ZONE PRD

S86° 57' 12"E 1326.72'

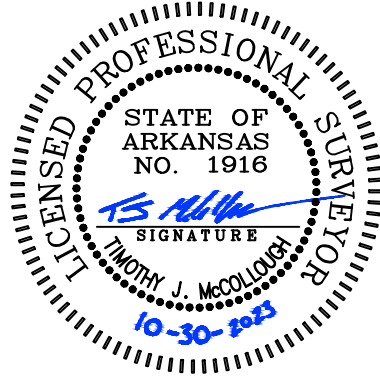


### LEGEND

|  |                                 |
|--|---------------------------------|
|  | Ex. Section Line                |
|  | Ex. Boundary Line               |
|  | Ex. Adjacent Boundary Line      |
|  | Ex. Right of Way Line           |
|  | Ex. Road Centerline             |
|  | Ex. Easement Line               |
|  | Proposed Lot Line               |
|  | Proposed Right of Way Line      |
|  | Proposed Road Centerline        |
|  | Proposed Easement Line          |
|  | Approximate Zoning Line         |
|  | Current Zoning Designation      |
|  | Ex. Rebar                       |
|  | Ex. Nail                        |
|  | Set 1/2" Rebar w/ PS# 1916 Cap  |
|  | Set Mag Nail w/ PS# 1916 Washer |
|  | Set Mag Spike                   |
|  | Set 1" Brass Monument           |
|  | Sanitary Sewer Manhole          |
|  | Fire Hydrant                    |
|  | Water Valve                     |

### CURVE TABLE

| CURVE # | LENGTH | RADIUS   | DELTA     | TANGENT | CHORD               |
|---------|--------|----------|-----------|---------|---------------------|
| C1      | 35.39' | 25.00'   | 81°06'10" | 21.39'  | S52°29'08"W, 32.51' |
| C2      | 42.19' | 25.00'   | 96°41'22" | 28.10'  | N38°37'06"W, 37.36' |
| C3      | 90.25' | 2031.50' | 2°32'43"  | 45.13'  | N8°27'13"E, 90.24'  |



CITY ATLAS PAGE #446

### FINAL PLAT

## POIGAI ESTATES - PHASE 2

City of Bentonville Project #FP23-0010

Project No. SIG-01

Drawn By DRC  
Checked By TJM

Date: 10.30.2023

Sheet 2 of 3



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REF. DOC. #1

POIGAI  
ESTATES  
PHASE 1

SW BRIGHT ROAD

ZONE R-3

ZONE N/A

SW/4, SE/4, SEC. 1  
T-19-N, R-31-W

Parcel #: 18-08648-000  
Harmon, Dennis D. & Barbara J.  
1662 SW Regional Airport BLVD.  
Bentonville, AR 72713

ZONE N/A

REF. DOC. #3

Existing  
5/8" Rebar

POIGAI  
ESTATES  
PHASE 1

SW CASUARINA DRIVE

SW POIGAI WAY

SW BRIGHT ROAD

L=314.14', R=2000.00'  
Ch B=N06° 51' 42"E Ch L=313.82'  
D=008°59'58" T=157.40'

Existing 20' Utility Esmt.  
(Per Plat 2023-156,  
Filed June 27th 2023)

Existing 20' Drainage Esmt.  
(Per Plat 2023-156, Filed  
June 27th 2023)

DETENTION  
POND  
WSE = 1266.68

21' Utility Esmt.  
Per This Plat

21' Utility Esmt.  
Per This Plat

Exist, 26' Utility &  
Drainage Easement  
(Per Plat 2023-156,  
Filed June 27th 2023)

Existing 20' Utility Esmt.  
(Per Plat 2023-156,  
Filed June 27th 2023)

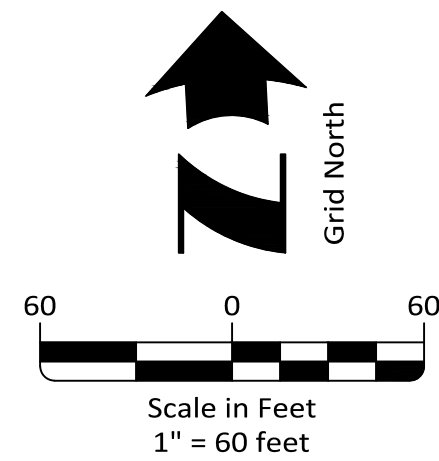
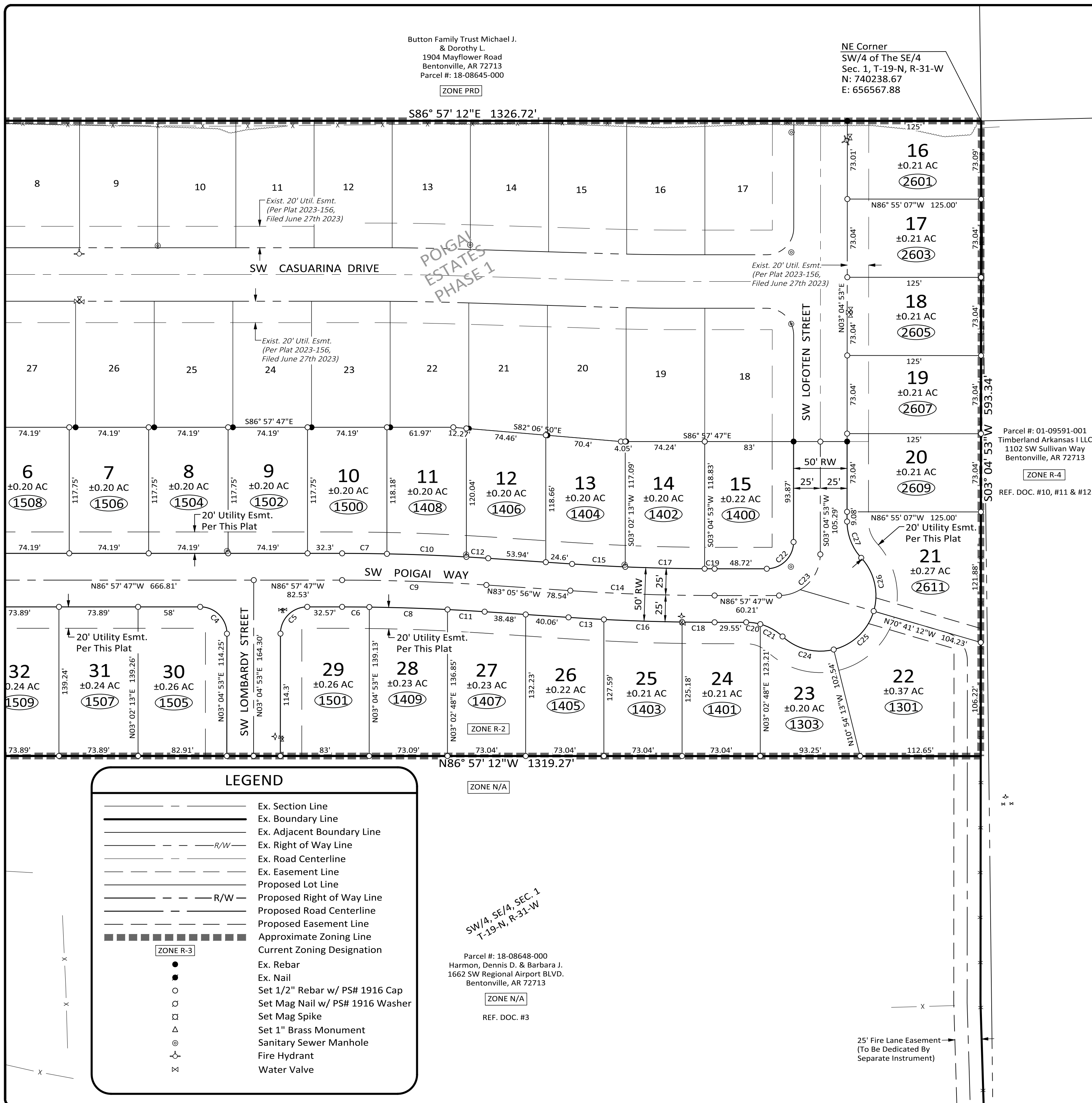
Existing 20' Drainage Esmt.  
(Per Plat 2023-156, Filed  
June 27th 2023)

Exist, 20' Util. Esmt.  
(Per Plat 2023-156,  
Filed June 27th 2023)

Exist, 20' Util. Esmt.  
(Per Plat 2023-156,  
Filed June 27th 2023)

20' Utility Esmt.  
Per This Plat

20' Utility Esmt.  
Per This Plat



| CURVE TABLE |         |          |           |         |                      |
|-------------|---------|----------|-----------|---------|----------------------|
| CURVE #     | LENGTH  | RADIUS   | DELTA     | TANGENT | CHORD                |
| C4          | 39.29'  | 25.00'   | 90°02'40" | 25.02'  | S41°56'27"E, 35.37'  |
| C5          | 39.25'  | 25.00'   | 89°57'20" | 24.98'  | N48°03'33"E, 35.34'  |
| C6          | 25.45'  | 1975.00' | 0°44'18"  | 12.72'  | S86°35'38"E, 25.45'  |
| C7          | 41.90'  | 2025.00' | 1°11'08"  | 20.95'  | N86°22'13"W, 41.90'  |
| C8          | 73.04'  | 1975.00' | 2°07'08"  | 36.53'  | S85°09'55"E, 73.04'  |
| C9          | 134.88' | 2000.00' | 3°51'51"  | 67.47'  | N85°01'52"W, 134.86' |
| C10         | 74.26'  | 2025.00' | 2°06'04"  | 37.13'  | N84°43'38"W, 74.25'  |
| C11         | 34.71'  | 1975.00' | 1°00'25"  | 17.35'  | S83°36'09"E, 34.71'  |
| C12         | 20.42'  | 2025.00' | 0°34'39"  | 10.21'  | N83°23'16"W, 20.42'  |
| C13         | 33.12'  | 2025.00' | 0°56'14"  | 16.56'  | N83°34'03"W, 33.12'  |
| C14         | 134.88' | 2000.00' | 3°51'51"  | 67.47'  | N85°01'52"W, 134.86' |
| C15         | 49.72'  | 1975.00' | 1°26'33"  | 24.86'  | N83°49'13"W, 49.72'  |
| C16         | 73.08'  | 2025.00' | 2°04'04"  | 36.55'  | N85°04'12"W, 73.08'  |
| C17         | 74.17'  | 1975.00' | 2°09'06"  | 37.09'  | N85°37'02"W, 74.16'  |
| C18         | 30.36'  | 2025.00' | 0°51'33"  | 15.18'  | N86°32'01"W, 30.36'  |
| C19         | 9.30'   | 1975.00' | 0°16'12"  | 4.65'   | N86°49'41"W, 9.30'   |
| C20         | 13.29'  | 50.00'   | 15°13'30" | 6.68'   | S79°21'02"E, 13.25'  |
| C21         | 23.95'  | 50.00'   | 27°26'35" | 12.21'  | S58°01'00"E, 23.72'  |
| C22         | 39.25'  | 25.00'   | 89°57'20" | 24.98'  | S48°03'33"W, 35.34'  |
| C23         | 60.45'  | 38.50'   | 89°57'20" | 38.47'  | S48°03'33"W, 54.43'  |
| C24         | 51.38'  | 52.00'   | 56°36'31" | 28.00'  | S72°35'58"E, 49.31'  |
| C25         | 54.26'  | 52.00'   | 59°46'59" | 29.89'  | N49°12'17"E, 51.83'  |
| C26         | 53.46'  | 52.00'   | 58°53'59" | 29.36'  | N10°08'12"W, 51.13'  |
| C27         | 37.23'  | 50.00'   | 42°40'05" | 19.53'  | N18°15'09"W, 36.38'  |



CITY ATLAS PAGE #446

|                                                                                                                                                                   |                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <p align="center"><i>FINAL PLAT</i></p> <p align="center"><i>POIGAI ESTATES - PHASE 2</i></p> <p align="center"><i>City of Bentonville Project #FP23-0010</i></p> |                                                      |
| <p><i>Project No. SIG-01</i></p>                                                                                                                                  | <p><i>Drawn By DRC</i><br/><i>Checked By TJM</i></p> |
| <p><i>Date: 10.30.2023</i></p>                                                                                                                                    | <p><i>Sheet 3 of 3</i></p>                           |



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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A FINAL PLAT OF POIGAI ESTATES PHASE 2  
TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: FP23-0010)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of POIGAI ESTATES PHASE 2, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 2023;

**WHEREAS**, said final plat is attached hereto as Exhibit “A”;

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

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

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

Section 1: That the final plat of POIGAI ESTATES PHASE 2 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 final plat by certifying said acceptance on the approved final plat;

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

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

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

\_\_\_\_\_  
**Kirby Romines, City Clerk**



## Adventure Church

4508 Town Vu Road

**PC Date:** 11/7/2023

### Staff Report Details

|                                                  |                                                             |
|--------------------------------------------------|-------------------------------------------------------------|
| <b>Project Number</b>                            | RZ23-0080                                                   |
| <b>Applicant / Current Owner</b>                 | Blew & Associates P.A.                                      |
| <b>Site Area</b>                                 | +/- 17.83 Acres                                             |
| <b>Current Zoning</b>                            | A-1, Agriculture                                            |
| <b>Requested Zoning</b>                          | R-1, Low-Density Single-Family Residential                  |
| <b>Current Future Land Use Map Designation</b>   | Residential Estate                                          |
| <b>Requested Future Land Use Map Designation</b> | Low Density Residential                                     |
| <b>Development Type / Use</b>                    | Residential                                                 |
| <b>Related projects</b>                          | LSD23-0042 (Sewer Extension for new), LS22-0028 (Lot Split) |

### Property Description

The subject property is located at 4508 Town Vu Rd, just northeast of the intersection of Town Vu Rd and SW River Rock St. It is currently zoned A-1 Agriculture with a Future Land Use Map designation of Residential Estate. Adjacent properties include Benton County to the north and residential property zoned A-1, Agriculture and R-1, Low Density Single Family Residential to the east, south, and west. This site remains mostly undeveloped aside from a driveway and one single family home with a detached garage located in the southeastern corner.

### Project Details

The applicant has requested an amendment to a portion of the property's Future Land Use Map designation from Residential Estate to Low Density Residential, as well as a rezoning for the same portion of property from A-1, Agriculture to R-1, Low Density Single Family Residential. The applicant wishes to split the 17.83 Acre property into three lots, two of which, Lot 1 & Lot 3(4.5 & 1.2 Acres respectively) are requested for rezoning to R-1. The remaining 12.3 Acre Lot 2 to be created by LS22-0028 will remain zoned A-1. Lot 1 would not have access to public sewer as currently proposed. The applicant has submitted plans for a sewer extension (LSD23-0042) to serve new Lot 1 and will need to obtain administrative approvals for this plan from the City of Bentonville and the Arkansas Dept of Health prior to

## Project Details

approval of the associated lot split. The proposed lot layout is shown in the attached plat. The applicant intends to sell Lots 1 & 3 as residential lots after completion of this rezoning request and the associated lot split.

## Relationship to the General Plan / Projected Traffic Impact

The subject property is located within Priority Area 3 - Edge Growth, as identified in Chapter 4 of the 2018 Bentonville Community Plan. Development in this area should be in proximity to existing infrastructure in order to capitalize on municipal investment which has already taken place. Development in this area should accomplish three primary goals; 1. Accommodate anticipated long-term population growth; 2. Maintain a desirable neighborhood character; and 3. Minimize the need for additional below grade and surface infrastructure to accommodate growth. The sewer extension proposed in LSD23-0042 is small in size compared to other proposals of the same kind regularly reviewed by city staff, which supports the goals of the Bentonville Community Plan outlined above. The large lot sizes proposed in LS22-0028, in combination with the requested low density land use designation, should help to minimize increases in vehicle traffic along Town Vu Rd.

## Public Comment

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

## Analysis / Waivers

## Conclusion

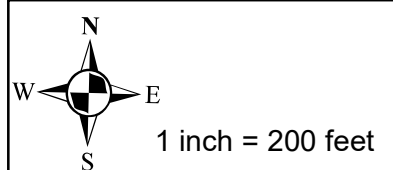
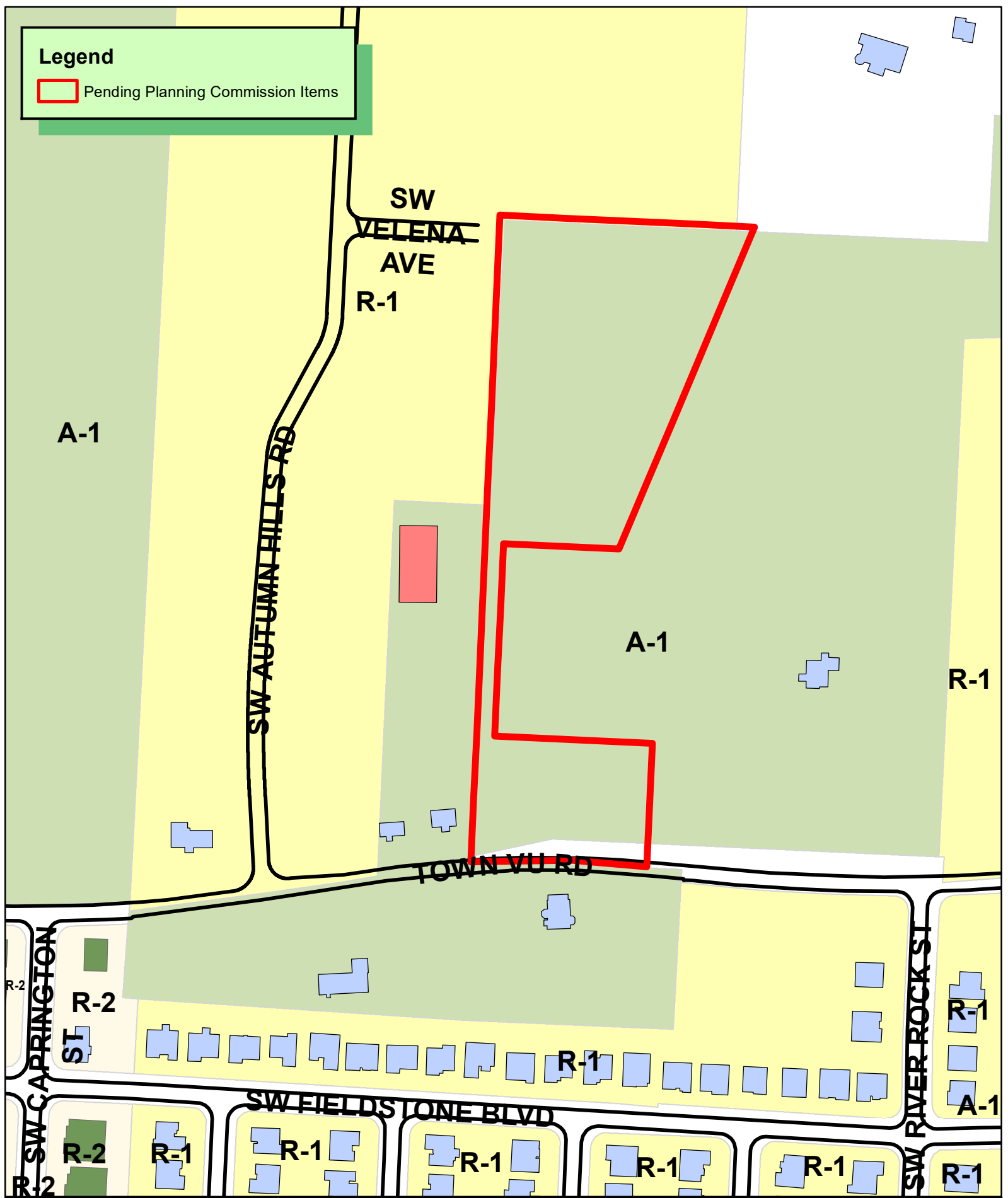
The proposed rezoning request is compatible with nearby development patterns in this area of the City, but is not in alignment with the future land use plan which necessitates the applicants accompanying land use map amendment. Staff concludes that this request supports the overall goals of priority area 3 - edge growth, outlined in the Bentonville Community Plan, and recommends approval of both the rezoning request and future land use map amendment.

## Additional Details



**Legend**

 Pending Planning Commission Items



**RZ23-0080 11/7/2023**  
**REZONING A1 TO R1**  
**4508 TOWN VU RD**  
**PARCEL 01-00942-530**



**Blew & Associates, P.A.**

Civil Engineers

Professional Land Surveyors

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

September 29, 2023

To Whom It May Concern,

Rezone

My client, Adventure Church is requesting a rezone for part of their property at 4508 Town Vu Road in Bentonville. The property is currently zoned A-1. We are requesting that Tracts 1 & 3 be rezoned to R-1 and leave the rest in the Agricultural zone. We are requesting an amendment to the future land use to Low-Density Residential. They are hoping to sell tracts 1 and 3 if this project is approved. The zoning change is required because proposed tracts 1 and 3 do not meet the minimum acreage requirement of 5 acres. We believe that the proposed zoning will be in keeping with the current developments in the area. There are multiple residential neighborhoods in the area. The use of these lots would be to sell them initially but residential use. This will not cause an increase in traffic, there are no signs proposed for these properties and the appearance will remain as is until the properties are sold. There is water and sewer access on Southwest Autumn Hills Road and on Town Vu Road. The water lines are 8". We kindly ask for your approval to have a portion of my client's property rezoned. The rezone will affect a part of parcel 01-00942-530.

Sincerely,

Nathan Crouch  
NWA Planning Manager  
Blew & Associates, P.A.

**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 and 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 21, 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:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kirby Romines, City Clerk**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,  
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1,  
AGRICULTURAL TO R-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.

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 21, 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:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kirby Romines, City Clerk**





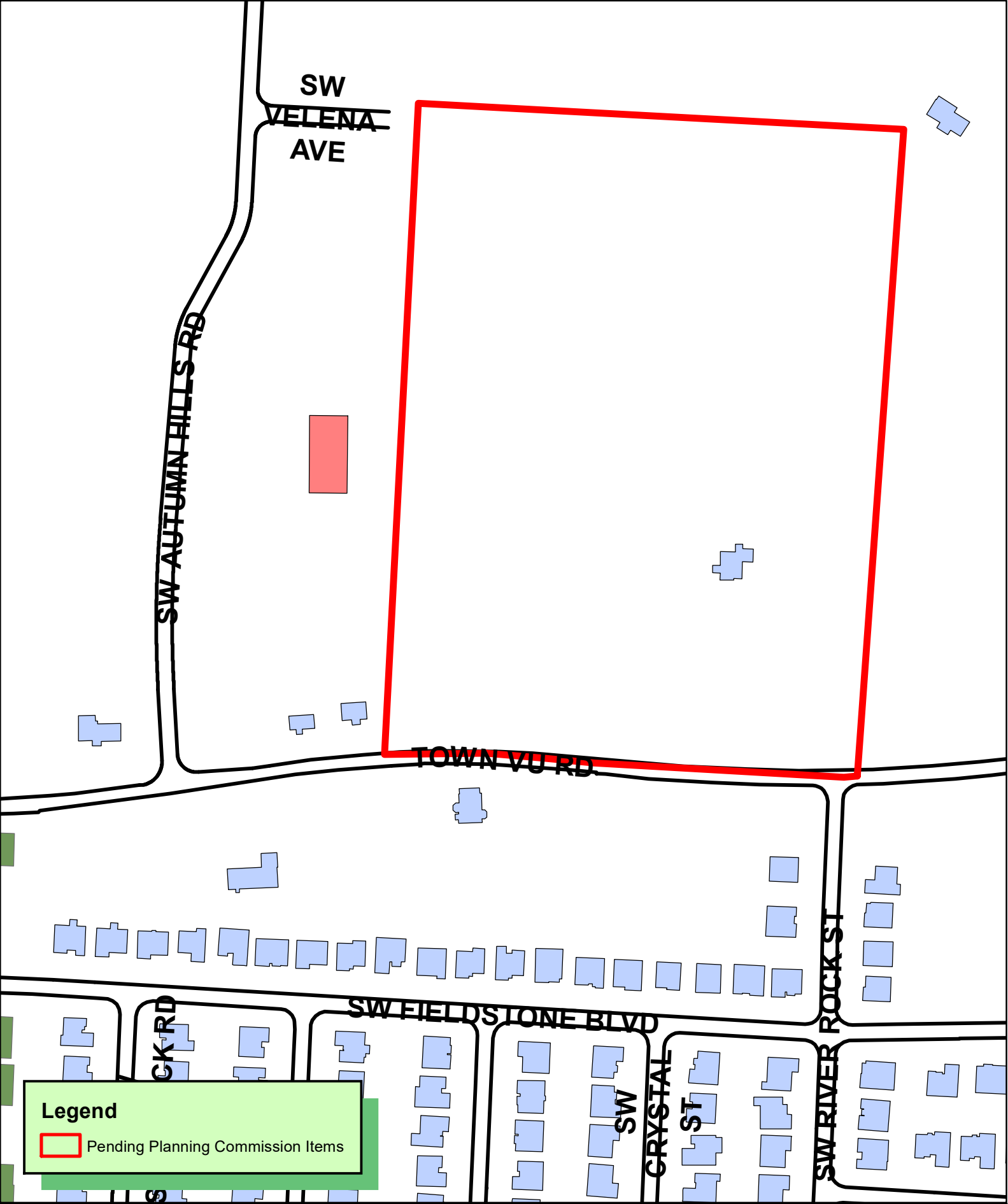
## Consent Agenda Item

For the Planning Commission meeting on November 28, 2023

### Details

**Lot Split: Lots 1, 2, and 3 of Adventure Subdivision, Adventure Church, 4508 Town Vu Rd, A-1, Agriculture (Rezoning request to R-1, Low Density Single Family Residential), LS22-0028**

A lot split of previously unplatted land, creating new Lots 1, 2, and 3 of Adventure Subdivision. The plat dedicates 20' wide utility easements along both the southern and eastern property boundaries to serve lots 1 and 3. Lot 2 to the northwest will be provided access to public water and sewer via a public sewer extension approved by Bentonville Water Utilities and the Arkansas Dept of Health (LSD23-0042). The plat also dedicates 15' of right of way along the frontage of Town Vu Rd to meet the requirements of the Master Street Plan. No variances or waivers are requested with this plat. This item is under New Business as the Lot Split is predicated on the passage of the rezoning in RZ23-0080.



**Legend**

 Pending Planning Commission Items



1 inch = 200 feet

LS22-0028 7/19/22  
LOT SPLIT  
ADVENTURE CHURCH  
4508 TOWN VU RD



# LOT SPLIT FOR PARCEL 01-00942-530 CREATING "ADVENTURE SUBDIVISION" LOTS 1, 2, & 3

4508 TOWN VU ROAD  
BENTONVILLE, AR 72712  
BENTON COUNTY

## MISCELLANEOUS NOTES

STATE RECORDING NUMBER:  
500-20N-31W-0-34-130-04-1826

COMPLETED FIELD WORK:  
FEBRUARY 1, 2022

REFERENCE DOCUMENTS:

1. WARRANTY DEED FILED IN FILE NO. 202113792.

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

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

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

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

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 THE BUILDING PERMIT ISSUANCE.

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

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

NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

LOT 3 DOES NOT HAVE DIRECT ACCESS TO PUBLIC SEWER.

APPROVED CONDITIONAL USE, PROJECT #CU21-0031.

NO WAIVERS, VARIANCES, AND/OR CONDITIONAL USES TO BE OBTAINED AT THE TIME OF THE SURVEY.

## SIGNATURE BLOCKS

CERTIFICATE OF OWNER:

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

SOURCE OF TITLE: D.R. \_\_\_\_\_ PAGE \_\_\_\_\_

CERTIFICATE OF SURVEYING ACCURACY:

I, HEATH A. MYERS, 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

HEATH A. MYERS  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. AR 1826  
STATE OF ARKANSAS

CERTIFICATE OF FINAL APPROVAL:

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

DATE OF EXECUTION: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
BENTONVILLE PLANNING  
COMMISSION CHAIRMAN

SIGNED: \_\_\_\_\_  
MAYOR CITY OF BENTONVILLE

SIGNED: \_\_\_\_\_  
CITY CLERK, CITY OF BENTONVILLE

STATE OF ARKANSAS  
COUNTY OF \_\_\_\_\_  
SUBSCRIBED AND SWORN BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

## SURVEY DESCRIPTION

PARENT TRACT (PER FILE NO. 202113792)

PART OF THE SW1/4 OF THE NE1/4 OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF THE SAID SW1/4 OF THE NE1/4; THENCE SOUTH 00°00'00" EAST 1067.92 FEET; THENCE SOUTH 88°00'43" WEST 200.21 FEET; THENCE NORTH 87°43'43" WEST 392.69 FEET; 1069.91 FEET; THENCE SOUTH 86°38'33" WEST 166.81 FEET; THENCE NORTH 00°00'00" WEST 1069.91 FEET; THENCE SOUTH 89°55'55" EAST 759.00 FEET TO THE POINT OF BEGINNING.

LOT 1

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.

LOT 2

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:

BEGINNING AT A SET 5/8" REBAR MARKING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 02°34'34" WEST 1029.48 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, SOUTH 89°55'48" WEST 135.85 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°22'55" WEST 109.13 FEET TO A SET 5/8" REBAR; THENCE NORTH 85°39'00" WEST 133.95 FEET TO A SET 5/8" REBAR; THENCE NORTH 84°10'38" WEST 80.74 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 223.00 FEET TO A SET 5/8" REBAR; THENCE NORTH 87°20'51" WEST 275.79 FEET TO A SET 5/8" REBAR; THENCE NORTH 02°34'33" EAST 261.99 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°21'22" EAST 197.32 FEET TO A SET 5/8" REBAR; THENCE NORTH 22°49'20" EAST 577.94 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°21'22" EAST 337.80 FEET TO THE POINT OF BEGINNING. CONTAINING 12.287 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

LOT 3

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.

## RIGHT-OF-WAY DEDICATION

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 SOUTH 02°34'34" WEST 1029.48 FEET TO A SET 5/8" REBAR MARKING THE TRUE POINT OF BEGINNING; THENCE SOUTH 02°34'34" WEST 38.44 FEET TO A SET MAG-NAIL; THENCE NORTH 89°25'20" WEST 200.21 FEET TO A SET MAG-NAIL; THENCE NORTH 85°08'45" WEST 268.45 FEET TO A SET MAG-NAIL; THENCE NORTH 85°09'52" WEST 124.22 FEET TO A SET MAG-NAIL; THENCE SOUTH 89°13'41" WEST 166.83 FEET TO A SET MAG-NAIL; THENCE NORTH 02°34'33" EAST 33.81 FEET TO A SET 5/8" REBAR; THENCE NORTH 86°18'50" EAST 49.84 FEET TO A SET 5/8" REBAR; THENCE NORTH 89°35'17" EAST 107.54 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°07'38" EAST 102.74 FEET TO A SET 5/8" REBAR; THENCE SOUTH 84°16'07" EAST 40.06 FEET TO A SET 5/8" REBAR; THENCE SOUTH 84°10'38" EAST 80.74 FEET TO A SET 5/8" REBAR; THENCE SOUTH 85°39'00" EAST 133.95 FEET TO A SET 5/8" REBAR; THENCE SOUTH 87°22'55" EAST 109.13 FEET TO A SET 5/8" REBAR; THENCE NORTH 89°55'48" EAST 135.85 FEET TO THE POINT OF BEGINNING. CONTAINING 0.644 ACRES MORE OR LESS.

## OWNER INFORMATION

OWNER: ADVENTURE CHURCH  
ADDRESS: 509 OLD FORGE DR. BENTONVILLE, AR 72712  
PHONE NUMBER: (918) 724-6998

## ZONING INFORMATION

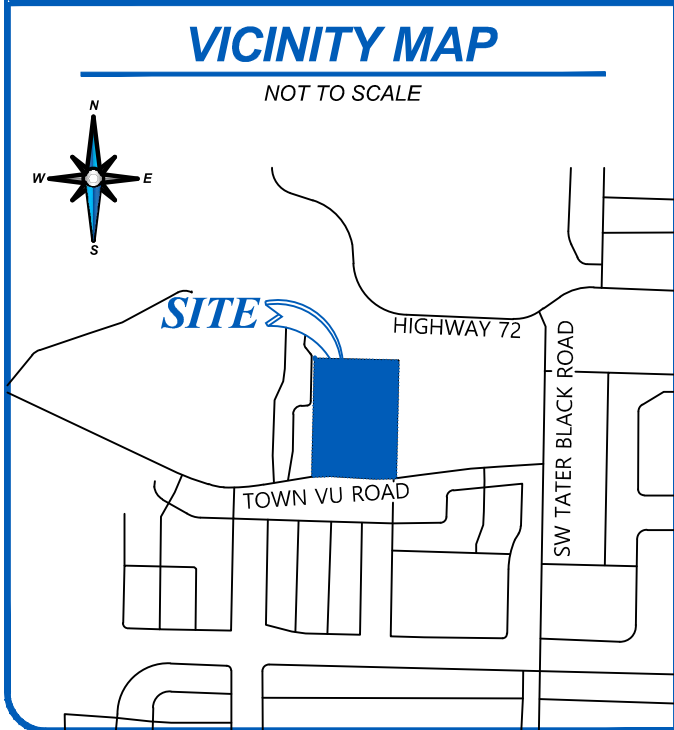
SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.

## FLOOD ZONE INFORMATION

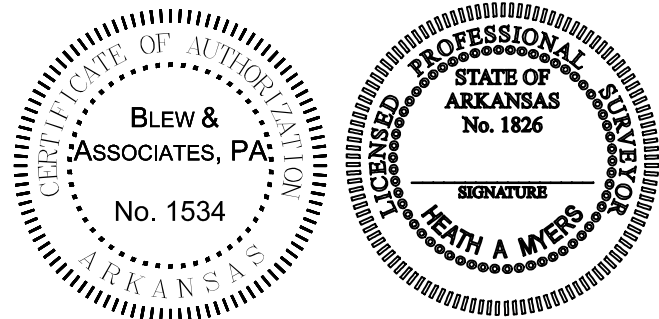
BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0235K, WHICH BEARS AN EFFECTIVE DATE OF 06/05/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

## UTILITY INFORMATION

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



I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 14TH DAY OF SEPTEMBER, 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.

Surveying  
Engineering  
Mapping

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703  
EMAIL: SURVEY@BLEWINC.COM  
OFFICE: 479.443.4506 · FAX: 479.582.1883  
EMAIL: SURVEY@BLEWINC.COM-WWW.BLEWINC.COM

|                                                        |                                           |
|--------------------------------------------------------|-------------------------------------------|
| <b>SURVEYOR JOB NUMBER:</b><br>22-3413                 | <b>SURVEY DRAWN BY:</b><br>JDC - 2/3/2022 |
| <b>SURVEY REVIEWED BY:</b><br>TPN                      | <b>SCALE:</b><br>1" = 100'                |
| <b>FOR THE USE AND BENEFIT OF:</b><br>ADVENTURE CHURCH |                                           |

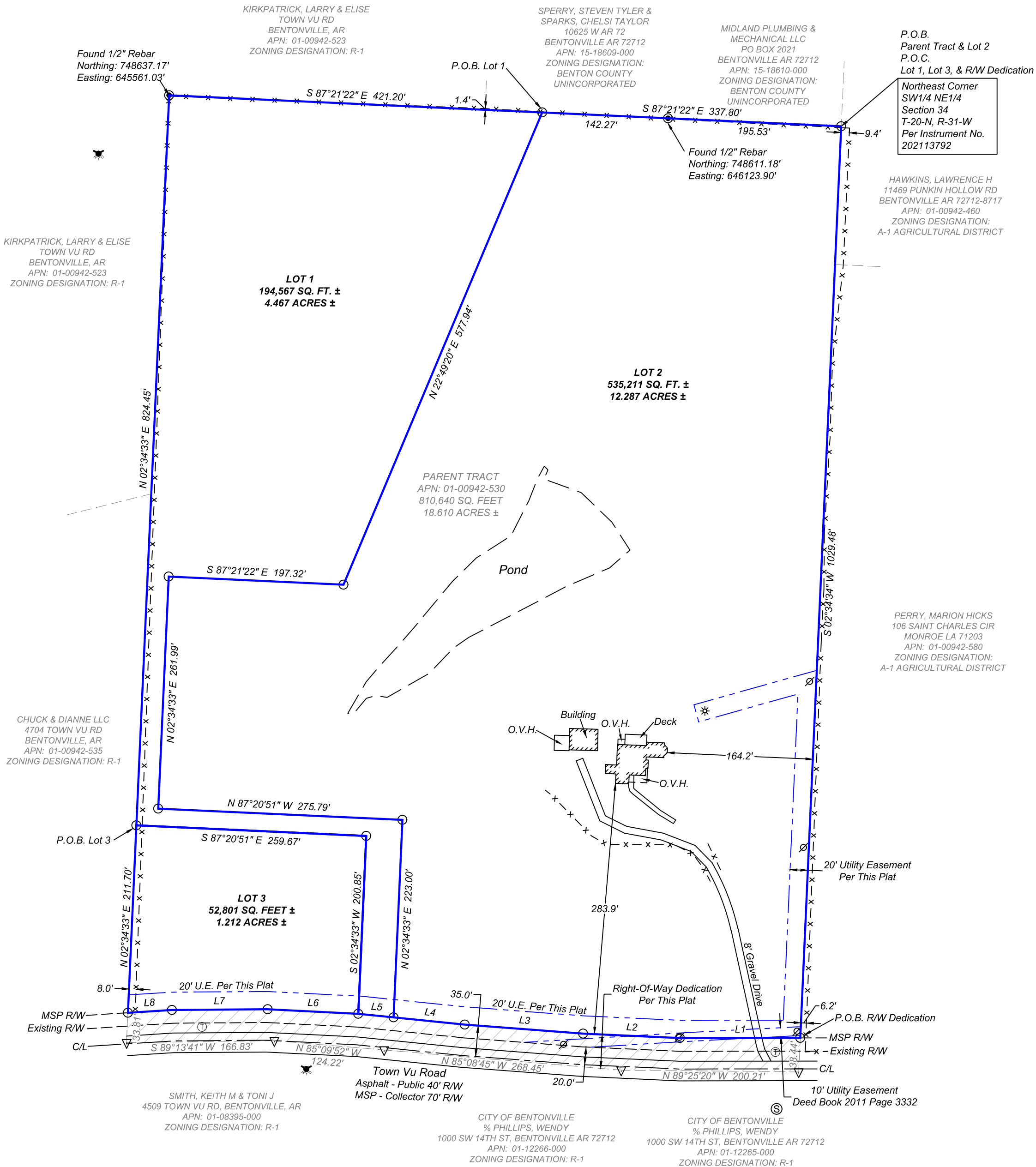
SHEET 1 OF 2

COB PROJECT NO. LS22-0028



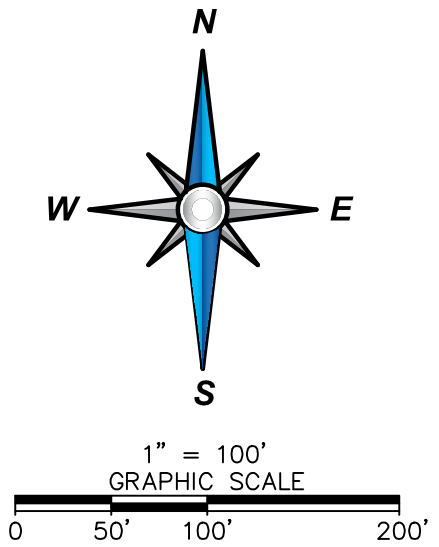
## ***"ADVENTURE SUBDIVISION" LOTS 1, 2, & 3***

4508 TOWN VU ROAD, BENTONVILLE,  
BENTON COUNTY, AR 72712



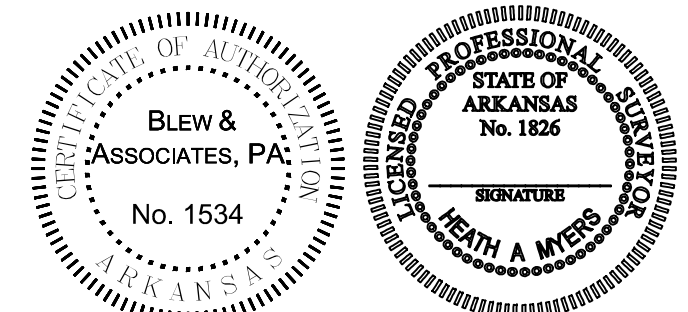
## LEGEND & SYMBOLS

- |                                                                                     |                                       |
|-------------------------------------------------------------------------------------|---------------------------------------|
|  | FOUND MONUMENT (AS NOTED)             |
|  | SET 5/8" REBAR WITH CAP "AR PLS 1826" |
|  | SET MAG-NAIL                          |
|  | POWER POLE                            |
|  | LIGHT                                 |
|  | TELEPHONE PEDESTAL                    |
|  | FIRE HYDRANT                          |
|  | SANITARY MANHOLE                      |
| O.V.H.                                                                              | OVERHANG                              |
| U.E.                                                                                | UTILITY EASEMENT                      |
| C/L                                                                                 | CENTERLINE                            |
| R/W                                                                                 | RIGHT-OF-WAY                          |
| P.O.B.                                                                              | POINT OF BEGINNING                    |
| P.O.C.                                                                              | POINT OF COMMENCEMENT                 |
|  | BOUNDARY LINE                         |
|  | RIGHT-OF-WAY LINE                     |
|  | CENTERLINE                            |
|  | FENCE LINE                            |
|  | EASEMENT LINE                         |
|  | R/W DEDICATION AREA                   |



| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 89°55'48" W | 135.85'  |
| L2   | N 87°22'55" W | 109.13'  |
| L3   | S 85°39'00" E | 133.95'  |
| L4   | S 84°10'38" E | 80.74'   |
| L5   | S 84°16'07" E | 40.06'   |
| L6   | S 87°07'38" E | 102.74'  |
| L7   | N 89°35'17" E | 107.54'  |
| L8   | N 86°18'50" E | 49.84'   |

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF  
ON THIS THE 14TH DAY OF SEPTEMBER, 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.

|                                                                                                                                                                                                                                                          |                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|  <div style="float: right; text-align: right;"> <p>Surveying</p> <p>Engineering</p> <p>Mapping</p> </div>                                                           |                                                   |
| <p><b>BLEW</b><br/>&amp; ASSOCIATES, P.A.</p> <p>3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703<br/>         EMAIL: SURVEY@BLEWINC.COM<br/>         OFFICE: 479.443.4506 - FAX: 479.582.1883<br/>         EMAIL: SURVEY@BLEWINC.COM - WWW.BLEWINC.COM</p> |                                                   |
| <p><b>SURVEYOR JOB NUMBER:</b><br/>22-3413</p>                                                                                                                                                                                                           | <p><b>SURVEY DRAWN BY:</b><br/>JDC - 2/3/2022</p> |
| <p><b>SURVEY REVIEWED BY:</b><br/>TPN</p>                                                                                                                                                                                                                | <p><b>SCALE:</b><br/>1" = 100'</p>                |
| <p><b>FOR THE USE AND BENEFIT OF:</b><br/>ADVENTURE CHURCH</p>                                                                                                                                                                                           |                                                   |

***SHEET 2 OF 2***

**COB PROJECT NO. LS22-0028**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ACCEPTING A LOT SPLIT OF PREVIOUSLY UNPLATTED LAND  
CREATING NEW LOTS 1-3 OF ADVENTURE SUBDIVISION TO THE CITY OF  
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: LS22-0028)**

**WHEREAS**, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1-3 OF ADVENTURE SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on November 21, 2023;

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

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

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

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

Section 1: That the lot split of PREVIOUSLY UNPLATTED LAND creating new LOTS 1-3 OF ADVENTURE 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**



## PBR Holdings LLC

405 Southeast A Street and 406 and 408 Southeast B Street

**PC Date:** 11/21/2023

## Staff Report Details

|                                                  |                                                  |
|--------------------------------------------------|--------------------------------------------------|
| <b>Project Number</b>                            | RZ23-0082                                        |
| <b>Applicant / Current Owner</b>                 | PBR Holdings, LLC                                |
| <b>Site Area</b>                                 | +/- 0.72 Acres                                   |
| <b>Current Zoning</b>                            | R-3, Medium-High Density Multifamily Residential |
| <b>Requested Zoning</b>                          | DE, Downtown Edge                                |
| <b>Current Future Land Use Map Designation</b>   | High Density Residential (HDR)                   |
| <b>Requested Future Land Use Map Designation</b> | Downtown Commercial                              |
| <b>Development Type / Use</b>                    | Townhomes                                        |
| <b>Related projects</b>                          | N/A                                              |

## Property Description

This property is located at 405 Southeast A Street and 406 and 408 Southeast B 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 south and west are both currently zoned DE, Downtown Edge, while the property to the north is zoned R-1, Low-Density Single-Family Residential, and the property to the east is zoned DN-2, Downtown Medium Density 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



### 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

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.

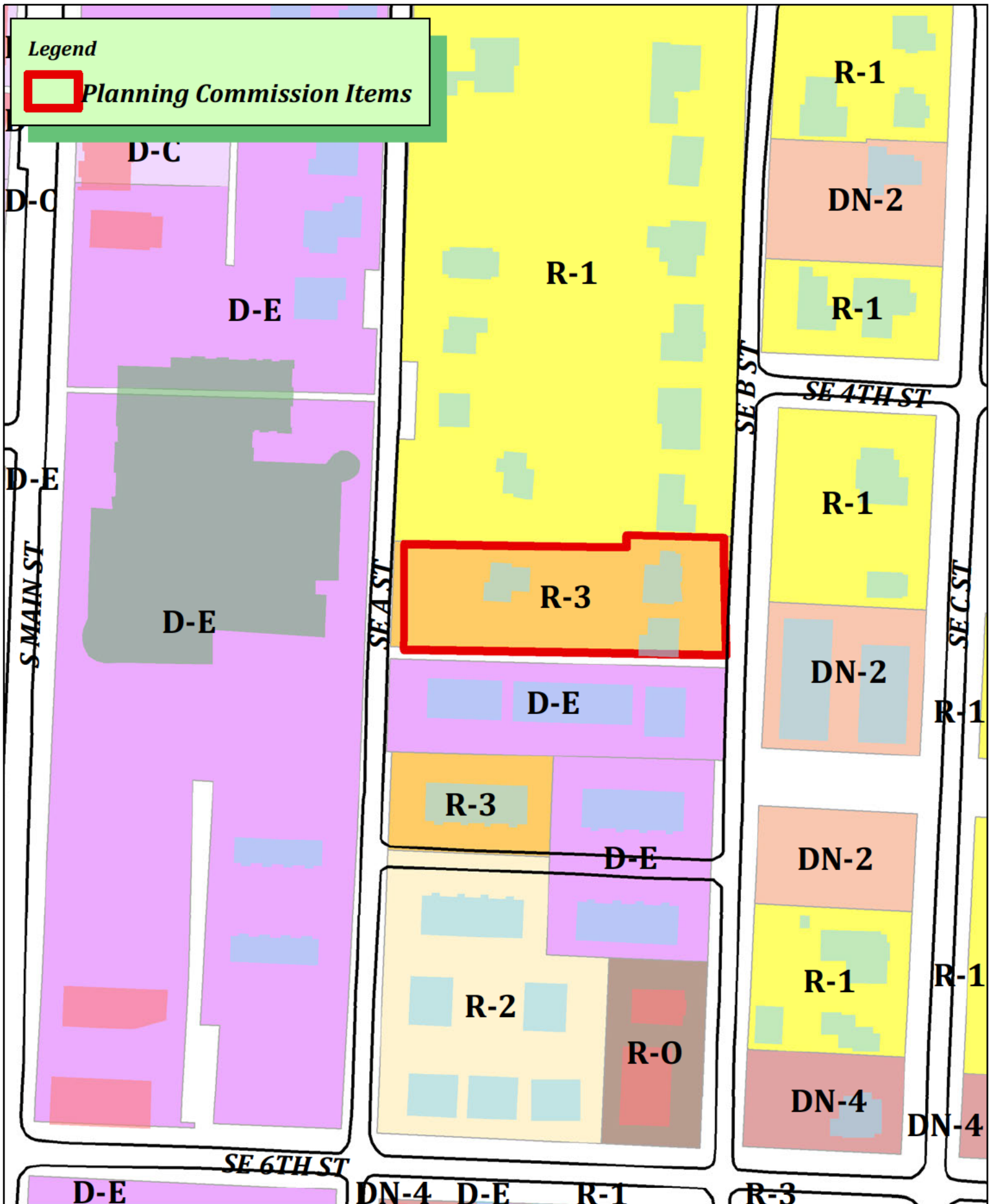
Should the Planning Commission approve the Future Land Use Plan Amendment, planning staff recommends approval of the rezoning request. Should the Planning Commission deny the Future Land Use Plan Amendment, planning staff recommends denial of the rezoning or the applicant makes a request to table the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

### Additional Details

**Legend**



**Planning Commission Items**



**RZ23-0082**  
**PBR Holding LLC**  
**R-E to D-E**



October 23, 2023

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

## Rezoning Narrative

**Current Zoning Designation:** R-3

**Proposed Zoning Designation:** Downtown Edge (DE)

**Explanation:** Sun Group LLC proposes to rezone the property at 405 SE A St, 406 and 408 SE B St, Bentonville AR 72712 (Parcel # 01-03826-000, 01-03825-000) from R-3 to Downtown Edge (DE) in order to develop a real estate project that brings smaller for-sale residential products to market, with potential for boutique commercial spaces on the ground level.

**Reason to Rezone:** The current R-3 zoning is medium-high density. The property has a current future land use of High Density Residential.

**Change of Future Land Use Map:** In order to achieve the desired development project, the applicant respectfully requests to change the future land use from High Density Residential to Downtown Commercial.

**Statement of how the property will relate to surrounding properties:** The rezone is consistent with the proposed future development of the general area.

**Use:** The residential development will fit into the DE development plan

**Traffic:** The flow of traffic will be in accordance with the expectations of the future land use map and development character of the general area. By creating more housing in the downtown core area, the development would encourage and allow for greater walkability to work and downtown attractions, instead of increased traffic via urban sprawl.

**Signage:** None proposed at this time.

**Appearance:** Classical façade, similar to the architecture of 212 SE A St, American Flats



**Utilities:** 4" water line is available on SE A St and 8" water line is available on SE B St. 8" sewer is available on SE A and SE B St.

**Respectfully,**



Alexandra Tirado  
President/COO  
Sun Group LLC  
479-367-1634

**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: RZ23-0082)**

**WHEREAS**, The Sun Group 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 and to DOWNTOWN COMMERCIAL, which property is described as follows:

LOT 5B, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING PART OF LOT 5 AND PART OF LOT 4, ALL IN BLOCK 5 OF RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT A AT PAGE 38, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE EAST LINE OF SAID LOT 5, N 1°43'19" W 55.11 FEET TO AN IRON PIN FOR THE POINT OF BEGINNING; THENCE N 89°37'19" W 141.00 FEET TO AN IRON PIN; THENCE N 1°43'19" W 53.89 FEET TO AN IRON PIN ON THE COMMON LINE OF SAID LOTS 4 AND 5, SAID POINT ALSO BEING ON THE SOUTH LINE OF PLAT N AT PAGE 204; THENCE ALONG THE COMMON LINE OF SAID LOTS 4 AND 5, BEING THE SOUTH LINE OF PLAT N AT PAGE 204, S 89°39'58" E 41.00 FEET TO AN IRON PIN; THENCE N 0°58'15" W 12.86 FEET TO A FOUND IRON PIN; THENCE S 89°06'53" E 100.23 FEET TO A FOUND PIPE ON THE EAST LINE OF SAID LOT 4, BEING THE EAST LINE OF PLAT N AT PAGE 204; THENCE ALONG THE EAST LINE OF SAID LOT 4, BEING THE EAST LINE OF PLAT N AT PAGE 204, S 0°00'51" W 11.89 FEET TO A P-K NAIL IN CONCRETE AT THE EAST COMMON CORNER OF SAID LOTS 4 AND 5, BEING THE SE CORNER OF PLAT N AT PAGE 204; THENCE ALONG THE EAST LINE OF SAID LOT 5, S 1°43'19" E 54.00 FEET TO THE POINT OF BEGINNING , CONTAINING 0.20 ACRES, MORE OR LESS. LOT 5C, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING PART OF LOT 5, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE SOUTH LINE OF SAID LOT 5, N 89°37'19" W 141.00 FEET TO AN

IRON PIN FOR THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID LOT 5, N 89°37'19" W 189.45 FEET TO AN IRON PIN AT THE SW CORNER OF SAID LOT 5, THENCE ALONG THE WEST LINE OF SAID LOT 5, N 0°26'49" W 108.79 FEET TO AN IRON PIN AT THE NW CORNER OF SAID LOT 5, SAID POINT BEING THE WEST COMMON CORNER OF SAID LOTS 4 AND 5, ALSO BEING THE SW CORNER OF PLAT N AT PAGE 204; THENCE ALONG THE COMMON LINE OF SAID LOTS 4 AND 5, BEING THE SOUTH LINE OF PLAT N AT PAGE 204, S 89°39'58" E 187.02 FEET TO AN IRON PIN; THENCE S 1° 43'19" E 108.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.47 ACRES, MORE OR LESS. TRACT 5: LOT 5A. BLOCK 5, RAILROAD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD P2-797, BEING PART OF LOT 5, BLOCK 5, RAILROAD ADDITION; BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD A AT PAGE 38 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE SOUTH LINE OF SAID LOT 5, NORTH 89 DEGREES 37 MINUTES 19 SECONDS WEST 141.00 FEET TO AN IRON PIN; THENCE NORTH 1 DEGREE 43 MINUTES 19 SECONDS WEST 55.11 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 37 MINUTES 19 SECONDS EAST 141.00 FEET TO AN IRON PIN ON THE EAST LINE OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, SOUTH 1 DEGREE 43 MINUTES 19 SECONDS EAST 55.11 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS OF RECORD OR FACT;

**WHEREAS**, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 21, 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**

**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 DE, DOWNTOWN EDGE; AND FOR OTHER PURPOSES.  
(PROJECT NUMBER: RZ23-0082)**

**WHEREAS**, The Sun Group 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 5B, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING PART OF LOT 5 AND PART OF LOT 4, ALL IN BLOCK 5 OF RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS, AS SHOWN ON PLAT A AT PAGE 38, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE EAST LINE OF SAID LOT 5, N 1°43'19" W 55.11 FEET TO AN IRON PIN FOR THE POINT OF BEGINNING; THENCE N 89°37'19" W 141.00 FEET TO AN IRON PIN; THENCE N 1°43'19" W 53.89 FEET TO AN IRON PIN ON THE COMMON LINE OF SAID LOTS 4 AND 5, SAID POINT ALSO BEING ON THE SOUTH LINE OF PLAT N AT PAGE 204; THENCE ALONG THE COMMON LINE OF SAID LOTS 4 AND 5, BEING THE SOUTH LINE OF PLAT N AT PAGE 204, S 89°39'58" E 41.00 FEET TO AN IRON PIN; THENCE N 0°58'15" W 12.86 FEET TO A FOUND IRON PIN; THENCE S 89°06'53" E 100.23 FEET TO A FOUND PIPE ON THE EAST LINE OF SAID LOT 4, BEING THE EAST LINE OF PLAT N AT PAGE 204; THENCE ALONG THE EAST LINE OF SAID LOT 4, BEING THE EAST LINE OF PLAT N AT PAGE 204, S 0°00'51" W 11.89 FEET TO A P-K NAIL IN CONCRETE AT THE EAST COMMON CORNER OF SAID LOTS 4 AND 5, BEING THE SE CORNER OF PLAT N AT PAGE 204; THENCE ALONG THE EAST LINE OF SAID LOT 5, S 1°43'19" E 54.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.20 ACRES, MORE OR LESS. LOT 5C, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING PART OF LOT 5, BLOCK 5, RAILROAD ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE SOUTH LINE OF

SAID LOT 5, N 89°37'19" W 141.00 FEET TO AN IRON PIN FOR THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID LOT 5, N 89°37'19" W 189.45 FEET TO AN IRON PIN AT THE SW CORNER OF SAID LOT 5, THENCE ALONG THE WEST LINE OF SAID LOT 5, N 0°26'49" W 108.79 FEET TO AN IRON PIN AT THE NW CORNER OF SAID LOT 5, SAID POINT BEING THE WEST COMMON CORNER OF SAID LOTS 4 AND 5, ALSO BEING THE SW CORNER OF PLAT N AT PAGE 204; THENCE ALONG THE COMMON LINE OF SAID LOTS 4 AND 5, BEING THE SOUTH LINE OF PLAT N AT PAGE 204, S 89°39'58" E 187.02 FEET TO AN IRON PIN; THENCE S 1° 43'19" E 108.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.47 ACRES, MORE OR LESS. TRACT 5: LOT 5A. BLOCK 5, RAILROAD ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD P2-797, BEING PART OF LOT 5, BLOCK 5, RAILROAD ADDITION; BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD A AT PAGE 38 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID LOT 5, SAID POINT BEING AN IRON PIN; THENCE ALONG THE SOUTH LINE OF SAID LOT 5, NORTH 89 DEGREES 37 MINUTES 19 SECONDS WEST 141.00 FEET TO AN IRON PIN; THENCE NORTH 1 DEGREE 43 MINUTES 19 SECONDS WEST 55.11 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 37 MINUTES 19 SECONDS EAST 141.00 FEET TO AN IRON PIN ON THE EAST LINE OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, SOUTH 1 DEGREE 43 MINUTES 19 SECONDS EAST 55.11 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS OF RECORD OR FACT;

**WHEREAS**, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held November 21, 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:**

**ATTEST:**

\_\_\_\_\_  
**Stephanie Orman, Mayor**

\_\_\_\_\_  
**Kirby Romines, City Clerk**