



**Revised Agenda:
Item 7 - Memo added**

BENTONVILLE CITY COUNCIL AGENDA

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 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 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.

**Regular City Council Meeting
City Hall
Planning Commission Meeting Room**

**Tuesday, April 25, 2023 6:00 p.m.
305 S.W. “A” Street**

***If the public would like to attend virtually, please register at the following link by 4:00 p.m. on April 25, 2023:**

https://us02web.zoom.us/webinar/register/WN_6wwTbVhjQeuj6M7HTWLXWw

**Public Comments on Tonight’s Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from City Council Members on Tonight’s Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: April 11, 2023**

AGENDA

1. Planning:
- 1a. **Ordinance accepting a Lot Split of Lot 7 of Limestone Ranch Subdivision; creating new Lots 32, 33, & 34 of Limestone Ranch Subdivision to the City of Bentonville, Arkansas; and for other**

purposes (Project number: LS23-0014) Southwest H Street and Southwest 41st Street.

(Pages 15-18)

The Planning Commission voted 7-0, recommending approval.

A lot split of Lot 7 of Limestone Ranch Subdivision creating new Lots 32, 33, & 34 of Limestone Ranch Subdivision. The Plat dedicates one new utility easement, public right-of-way along SW H Street, and three new access easements; one along SW Ranch Road to serve new Lot 32, one along SW H Street to serve new Lots 33 and 34, and one along SW 4th Street to serve new Lots 32 and 33.

- 1b. **Ordinance accepting a Property Line Adjustment of Lot 2 of Hall Addition and a portion of previously unplatted land; creating new Lot 1 of Glasgows Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0002) 411 Southeast Walton Boulevard.**

(Pages 19-21)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of parts of existing Lot 2 of Hall Addition and a portion of previously unplatted land creating new Lot 1 of Hall Addition. The plat dedicates right-of-way along SE Walton Boulevard per the requirements of the Master Street Plan.

- 1c. **Ordinance accepting a Property Line Adjustment of Lots 13-16, Block 6, and part of vacated right-of-way of W. A. Burk's Addition; creating New Lot 33 of W. A. Burk's Addition to the City of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0003) 107 Northeast Park Street.**

(Pages 22-24)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 13-16, Block 6, and part of vacated right-of-way of W. A. Burk's Addition creating New Lot 33 of W. A. Burk's Addition. The plat has no dedications.

- 1d. **Ordinance accepting a Property Line Adjustment of Lots 1-4, Block 10, and part of vacated right-of-way of W. A. Burk's Addition; creating New Lot 32 of W. A. Burk's Addition to the city of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0007) 111 Northeast Park Street.**

(Pages 25-27)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 1-4, Block 10, and part of vacated right-of-way of W. A. Burk's Addition, creating new Lot 32 of W. A. Burk's Addition. The Plat dedicates a public utility easement adjacent to the right-of-way to serve the newly created lot. No variances or waivers are associated with this plat.

- 1e(1). **Resolution amending the City of Bentonville Future Land Use Map for a specific area from Low Density Residential to General Commercial; and for other purposes (Project Number: RZ22-0067) NW A St.**

(Pages 28-33)

The Planning Commission voted 4-3 recommending approval, with commissioners Davis, Sanders, and Kerr voting No, due to concerns around allowed uses in the General Commercial land use category which could be developed on this property in the future with C-2 zoning.

The Future Land Use Plan currently shows this property as Low Density Residential, in which the proposed rezoning is not compatible, however the applicant has requested a Future Land Use Map Amendment to General Commercial.

General commercial areas include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping. While the area is currently zoned consistently with the surrounding neighborhoods to the south, it is separated from said developments by forest and elevation. It is more adjacent both in optimal use and proximity to the C-2 districts off of Walton Blvd and the Slaughter Pen trail system, a new parking lot for which has recently been finished across the street. The intended use of the parcels is for a food truck park.

- 1e(2). **Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to C-1, Neighborhood Commercial; and for other purposes (Project Number: RZ22-0067) NW A St.**

(Pages 28-34)

The Planning Commission voted 7-0, recommending approval.

This request is not consistent with the Future Land Use Map without the approved amendment but is compatible with the neighboring commercial uses along Walton Blvd. The C-1 District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development. To this end, development in the C-1 District should harmonize in terms of form, bulk, height, materials, architecture, and overall design with surrounding residential areas. Signage and lighting should be subdued while landscaping and open space should be maximized. Parking areas should be as inconspicuous as possible as should loading and trash collection areas.

Another factor to consider is the impact this proposed use would have on traffic. The new development would create some new traffic, but the amount of congestion would be minimized because most patrons would be traveling via bicycle or on foot. Additionally, Northwest A Street is off Walton Blvd, an arterial roadway that would not have significantly more traffic because of this development.

- 1f(1). **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: RZ23-0023) 5578 SW Adams Rd.**

(Pages 35-39)

The Planning Commission voted 7-0 recommending approval.

The Future Land Use Plan depicts this property as Residential Estates (RE) and is surrounded by Agriculture, with a few Low-density residential to the south. Low-

density residential areas include detached single-family residential properties with a typical density of 3-8 units per acre. While lot size and overall density may vary from one part of the city to another, these areas represent the predominant form of residential development in Bentonville. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

- 1f(2). **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: RZ23-0023) 5578 SW Adams Rd.**

(Pages 35-40)

The Planning Commission voted 7-0, recommending approval.

The intent of the R-1 District is to serve low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on these lots.

The lots being split will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW Gunstock Road, and there is currently no access via SW Adamas Road, to which both lots have street frontage. The parcel is currently on septic for wastewater. While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.

- 1g(1). **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: RZ23-0024) 212 SW O St.**

(Pages 41-45)

The Planning Commission voted 7-0, recommending approval.

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

- 1g(2). **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: RZ23-0024) 212 SW O St.**

(Pages 41-46)

The Planning Commission voted 7-0, recommending approval.

The intent of the R-1 District is to serve low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on the lot. This lot has no way of being a Residential Estate zoning as it does not have enough land area to adhere to the R-E district.

The lot will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW 2nd Street, and there is currently no access via SW O Street. The parcel is currently on septic for wastewater. While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.

- 1h. **Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential; and for other purposes (Project Number: RZ23-0026) 1004 and 1006 NW A St.**

(Pages 47-51)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Medium-Density Residential. Medium-Density Residential areas typically include townhouses or duplex residential properties. These areas are found both near downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc. The property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Community Plan. This area highlights reinvestment in urban neighborhoods in and around Downtown Bentonville. The intent of the DN-2 district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development, and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density.

This rezoning request is consistent with the Bentonville Community Plan and the Future Land Use Plan. Additionally, this request is consistent with surrounding land-use patterns as there are existing DN-2 zoning districts in the immediate area. Staff recommends approval of the rezoning request.

- 1i(1). **Resolution amending the City of Bentonville Future Land Use Map for a specific area from Office to General Commercial; and for other purposes (Project Number: RZ23-0027) McKissic Creek Rd.**

(Pages 52-58)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Office. Office areas include properties primarily dedicated to professional employment/office uses, but

can accommodate accessory commercial uses such as restaurant, service, or convenience uses oriented to serving office tenants. These areas can include stand-alone office buildings or be designed as a multi-building office park or campus. These areas are considered lower intensity development, relative to other commercial areas. General commercial areas include uses that serve both nearby residents and those traveling from other parts of the city as well as the highway travelers.

- 1i(2). **Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to C-2, General Commercial; and for other purposes (Project Number: RZ23-0027) McKissic Creek Rd.**

(Pages 52-60)

The Planning Commission voted 7-0, recommending approval.

While the proposed zoning of C-2 is not consistent with the Future Land Use Plan, this property is surrounded by C-2 zoning and is proposed to develop into a Kum & Go fuel station/convenience store. C-2, General Commercial, areas should include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, and services such as medical offices, hospitals, and clinics. Staff recommends approval of the rezoning due to the property's location along a state highway that is identified as an arterial road on the city's adopted Master Street Plan and the proximity to the interstate may lend credence C-2, General Commercial Request. The allowable uses within the requested C-2 zoning district also harmonize with the surrounding developments as they too are designated and used as either commercial or industrial.

- 1j. **Ordinance accepting a Lot Split of Lot 2 of RSB Subdivision creating new Lots 3 and 4 of RSB Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project Number: LS23-0012) 5578 SW Adams Rd.**

(Pages 61-65)

The Planning Commission voted 7-0, recommending approval.

The applicant is proposing a split of an existing 2.08-acre lot into two roughly one-acre residential lots; Lot 3 of RSB Subdivision (1.0 acres) to the west and Lot 4 of RSB Subdivision (1.03 acres) to the east. The applicant has also made concurrent rezoning and future land use map amendment requests (RZ23-0023) for this property to be classified as Low-Density Residential future land use and rezoned from A-1, Agriculture to R-1, Low Density Single Family Residential.

The plat also dedicates a 20-foot-wide private ingress/egress easement along the southern edge of Lot 4, in addition to dedicating 2,343 Sq. Ft. or 0.05 Acres of right of way along the west of Southwest Adams Road for a total of 45 ft of right-of-way on the west side, as required per the Bentonville Master Street Plan. Staff recommends approval of the lot split, as adequate right of way is being proposed along Adams Road and all lots proposed would comply with zoning and subdivision specific code requirements, but only if the associated rezoning is approved before this plat is voted on by Planning Commission.

2. Utility Board:

- 2a. Resolution authorizing the Mayor and City Clerk to enter into an agreement with Carroll Electric Co-op to purchase facilities in the SW portion of Bentonville for \$354,677.61 and a budget adjustment to cover the costs. Approved by Utility Board 4-0. **(Pages 66-98)**
- 2b. Resolution to award IFB#23-28 for fiber cabinets to the lowest bidder as shown on the attached bid tabulation in the amount of \$50,290.00 plus applicable taxes. This is a 2023 budgeted item, and this is the lowest, most responsive bid. Approved by Utility Board 4-0. **(Pages 99-102)**
- 2c. Ordinance and Public Hearing to amend Section 98-637 of the City of Bentonville Municipal Code pertaining to wastewater rates and other matters relating thereto. Proposed rate adjustments align with the 5% increase effective July 1, 2023 and 5% increase effective January 1, 2024 as presented in the wastewater rate analysis prepared by Raftelis. Utility Board approved this item 4-0. **(Pages 103-110)**
3. Resolution authorizing a work order between City of Bentonville and Garver Engineering for professional services for Runway 18-36 Widening Project between Taxiway A1 and A3 to provide a full-length, 75-ft wide runway. Improvements will also include rehabilitation of the existing runway edge lighting circuit and installation of PAPIs and REILs for both runway ends. Amount not to exceed \$425,800.00 and funded through FAA grant. A Budget Adjustment is needed. **(Pages 111-128)**
4. Ordinance amending Ordinance No. 2014-103 adopting revised operating policies and procedures for the Airport Advisory Board. Approved by the AAB. No Budget Adjustment is needed. **(Pages 129-134)**
5. Ordinance approving a change to the pay plan for elected City Council Members from \$10,405.00 to \$14,600.00 annually. A budget adjustment will be needed for the annual pay increase. **(Pages 135-139)**
6. Ordinance approving a change to the pay plan for the addition of an "Add-Pay" for backflow testing in the Parks maintenance department. There is no additional headcount or budget requirements associated with this position. **(Pages 140-142)**
7. Public hearing and ordinance vacating Alley Right of Way requested for Block 28, Lot 15 of Demings 2nd Addition (VAC23-0006). Planning denied the request but City Council shall make the final determination on approval to vacate per City Code Sec 300.06. **(Pages 143-147)**
8. Public hearing and ordinance vacating Street Right of Way at Block F, Lot 9 of Orchard Addition (VAC23-0007). **(Pages 148-151)**
9. Resolution to award bid IFB-23-29 for a Tri-Axle Dump Truck to MHC Kenworth Volvo, the sole bidder, for the amount of \$301,840.00. This is a budgeted item. This was the only bid received. No budget adjustment is needed. **(Pages 152-155)**
10. Resolution authorizing a budget adjustment for a software maintenance agreement for the Siemens 360 Software. This software is used for traffic signal coordination for the signalized intersections. Please see attachments. A budget adjustment is needed. **(Pages 156-161)**

11. Resolution allowing the Mayor and City Clerk to authorize Agreement Amendment No. 1 with Olsson, Inc. for design services for East Battlefield Improvements (MUNIS# 21ST0001; PIIP22-0020). The cost of this amendment will be \$166,300.00, bringing the total agreement amount to \$1,601,356.00. This is being paid for with the 2021 Street Bond. No budget adjustment is needed. **(Pages 162-168)**
12. City Council approval of a resolution to amend contract with Crafton Tull, in the amount of \$23,500.00, for the design of additional sidewalks for construction along NW & NE 6th Street. No budget adjustment is needed. **(Pages 169-174)**



City Council Agenda Items
For the City Council Meeting of April 25, 2023
From the April 18, 2023 Planning Commission Meeting

1. **Ordinance accepting a Lot Split of Lot 7 of Limestone Ranch Subdivision; creating new Lots 32, 33, & 34 of Limestone Ranch Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project number: LS23-0014) Southwest H Street and Southwest 41st Street.**

The Planning Commission voted 7-0, recommending approval

A lot split of Lot 7 of Limestone Ranch Subdivision creating new Lots 32, 33, & 34 of Limestone Ranch Subdivision. The Plat dedicates one new utility easement, public right-of-way along SW H Street, and three new access easements; one along SW Ranch Road to serve new Lot 32, one along SW H Street to serve new Lots 33 and 34, and one along SW 4th Street to serve new Lots 32 and 33.

2. **Ordinance accepting a Property Line Adjustment of Lot 2 of Hall Addition and a portion of previously unplatted land; creating new Lot 1 of Glasgows Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0002) 411 Southeast Walton Boulevard.**

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of parts of existing Lot 2 of Hall Addition and a portion of previously unplatted land creating new Lot 1 of Hall Addition. The plat dedicates right-of-way along SE Walton Boulevard per the requirements of the Master Street Plan.

3. **Ordinance accepting a Property Line Adjustment of Lots 13-16, Block 6, and part of vacated right-of-way of W. A. Burk's Addition; creating New Lot 33 of W. A. Burk's Addition to the City of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0003) 107 Northeast Park Street.**

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 13-16, Block 6, and part of vacated right-of-way of W. A. Burk's Addition creating New Lot 33 of W. A. Burk's Addition. The plat has no dedications.

4. **Ordinance accepting a Property Line Adjustment of Lots 1-4, Block 10, and part of vacated right-of-way of W. A. Burk's Addition; creating New Lot 32 of W. A. Burk's Addition to the city of Bentonville, Arkansas; and for other purposes (Project Number: PLA23-0007) 111 Northeast Park Street.**

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 1-4, Block 10, and part of vacated right-of-way of W. A. Burk's Addition, creating new Lot 32 of W. A. Burk's Addition. The Plat dedicates a public utility easement adjacent to the right-of-way to serve the newly created lot. No variances or waivers are associated with this plat.

5a. Resolution amending the City of Bentonville Future Land Use Map for a specific area from Low Density Residential to General Commercial; and for other purposes (Project Number: RZ22-0067) NW A St.

The Planning Commission voted 4-3 recommending approval, with commissioners Davis, Sanders, and Kerr voting No, due to concerns around allowed uses in the General Commercial land use category which could be developed on this property in the future with C-2 zoning.

The Future Land Use Plan currently shows this property as Low Density Residential, in which the proposed rezoning is not compatible, however the applicant has requested a Future Land Use Map Amendment to General Commercial.

General commercial areas include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping. While the area is currently zoned consistently with the surrounding neighborhoods to the south, it is separated from said developments by forest and elevation. It is more adjacent both in optimal use and proximity to the C-2 districts off of Walton Blvd and the Slaughter Pen trail system, a new parking lot for which has recently been finished across the street. The intended use of the parcels is for a food truck park.

5b. Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to C-1, Neighborhood Commercial; and for other purposes (Project Number: RZ22-0067) NW A St.

The Planning Commission voted 7-0, recommending approval.

This request is not consistent with the Future Land Use Map without the approved amendment but is compatible with the neighboring commercial uses along Walton Blvd. The C-1 District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development. To this end, development in the C-1 District should harmonize in terms of form, bulk, height, materials, architecture, and overall design with surrounding residential areas. Signage and lighting should be subdued while landscaping and open space should be maximized. Parking areas should be as inconspicuous as possible as should loading and trash collection areas.

Another factor to consider is the impact this proposed use would have on traffic. The new development would create some new traffic, but the amount of congestion would be minimized because most patrons would be traveling via bicycle or on foot. Additionally, Northwest A Street is off Walton Blvd, an arterial roadway that would not have significantly more traffic because of this development.

6a. 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: RZ23-0023) 5578 SW Adams Rd.

The Planning Commission voted 7-0 recommending approval.

The Future Land Use Plan depicts this property as Residential Estates (RE) and is

surrounded by Agriculture, with a few Low-density residential to the south. Low-density residential areas include detached single-family residential properties with a typical density of 3-8 units per acre. While lot size and overall density may vary from one part of the city to another, these areas represent the predominant form of residential development in Bentonville. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

- 6b. 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: RZ23-0023) 5578 SW Adams Rd.**

The Planning Commission voted 7-0, recommending approval.

The intent of the R-1 District is to serve low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on these lots.

The lots being split will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW Gunstock Road, and there is currently no access via SW Adamas Road, to which both lots have street frontage. The parcel is currently on septic for wastewater. While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.

- 7a. 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: RZ23-0024) 212 SW O St.**

The Planning Commission voted 7-0, recommending approval.

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

- 7b. 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: RZ23-0024) 212 SW O St.**

The Planning Commission voted 7-0, recommending approval.

The intent of the R-1 District is to serve low density developments in which housing is

generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on the lot. This lot has no way of being a Residential Estate zoning as it does not have enough land area to adhere to the R-E district.

The lot will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW 2nd Street, and there is currently no access via SW O Street. The parcel is currently on septic for wastewater. While this request is not consistent with the Future Land Use Plan or surrounding zoning districts, it is consistent with the uses of the surrounding zoning districts and development patterns located in the vicinity.

8. Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-2, Downtown Medium Density Residential; and for other purposes (Project Number: RZ23-0026) 1004 and 1006 NW A St.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts this property as Medium-Density Residential. Medium-Density Residential areas typically include townhouses or duplex residential properties. These areas are found both near downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc. The property is located within Priority Area 1, Downtown Intensification, as identified in Chapter 4 of the Community Plan. This area highlights reinvestment in urban neighborhoods in and around Downtown Bentonville. The intent of the DN-2 district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development, and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density.

This rezoning request is consistent with the Bentonville Community Plan and the Future Land Use Plan. Additionally, this request is consistent with surrounding land-use patterns as there are existing DN-2 zoning districts in the immediate area. Staff recommends approval of the rezoning request.

9a. Resolution amending the City of Bentonville Future Land Use Map for a specific area from Office to General Commercial; and for other purposes (Project Number: RZ23-0027) McKissic Creek Rd.

The Planning Commission voted 7-0, recommending approval.

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

commercial areas include uses that serve both nearby residents and those traveling from other parts of the city as well as the highway travelers.

- 9b. Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to C-2, General Commercial; and for other purposes (Project Number: RZ23-0027) McKissic Creek Rd.**

The Planning Commission voted 7-0, recommending approval.

While the proposed zoning of C-2 is not consistent with the Future Land Use Plan, this property is surrounded by C-2 zoning and is proposed to develop into a Kum & Go fuel station/convenience store. C-2, General Commercial, areas should include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, and services such as medical offices, hospitals, and clinics. Staff recommends approval of the rezoning due to the property's location along a state highway that is identified as an arterial road on the city's adopted Master Street Plan and the proximity to the interstate may lend credence C-2, General Commercial Request. The allowable uses within the requested C-2 zoning district also harmonize with the surrounding developments as they too are designated and used as either commercial or industrial.

- 10. Ordinance accepting a Lot Split of Lot 2 of RSB Subdivision creating new Lots 3 and 4 of RSB Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project Number: LS23-0012) 5578 SW Adams Rd.**

The Planning Commission voted 7-0, recommending approval.

The applicant is proposing a split of an existing 2.08-acre lot into two roughly one-acre residential lots; Lot 3 of RSB Subdivision (1.0 acres) to the west and Lot 4 of RSB Subdivision (1.03 acres) to the east. The applicant has also made concurrent rezoning and future land use map amendment requests (RZ23-0023) for this property to be classified as Low-Density Residential future land use and rezoned from A-1, Agriculture to R-1, Low Density Single Family Residential.

The plat also dedicates a 20-foot-wide private ingress/egress easement along the southern edge of Lot 4, in addition to dedicating 2,343 Sq. Ft. or 0.05 Acres of right of way along the west of Southwest Adams Road for a total of 45 ft of right-of-way on the west side, as required per the Bentonville Master Street Plan. Staff recommends approval of the lot split, as adequate right of way is being proposed along Adams Road and all lots proposed would comply with zoning and subdivision specific code requirements, but only if the associated rezoning is approved before this plat is voted on by Planning Commission.



Consent Agenda Items

For the Planning Commission meeting on April 18, 2023

Reviewer: Jon Stanley, Senior Planner, ASLA, APA

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

Lot Split: Lots 32, 33, & 34 of Limestone Ranch Subdivision, Heritage Heights Eat LLC, Southwest H Street and Southwest 41st Street, PUD, Planned Unit Development, *LS23-0014*

A lot split of Lot 7 of Limestone Ranch Subdivision creating Lots 32, 33, and 34 of Limestone Ranch Subdivision. The plat dedicates right-of-way along the H Street side to meet Master Street Plan requirements, as well as access easements at lot line intersections with right-of-way for future cross-access. No variances or waivers are associated with this plat.

Property Line Adjustment: Lot 1 of Glasgows Subdivision, McCoy Investments LLC, 411 Southeast Walton Blvd., C-2, General Commercial, *PLA23-0002*

A property line adjustment of Lot 2 of Hall Addition and a portion of previously unplatted land into Lot 1 of Glasgows Subdivision. The Plat dedicates an approximately 5.28-foot strip of right-of-way along Southeast Walton as well as a cross access easement to the adjoining properties. No variances or waivers are associated with this lot split.

Property Line Adjustment: Lot 33 of W. A. Burk's Addition, Jared & Sonia Faciszewski, 107 Northeast Park Street, DN-2, Downtown Medium-Density Residential, *PLA23-0003*

A property line adjustment of Lots 13-16, Block 6 and part of vacated right-of-way of W. A. Burk's Addition, creating new Lot 33 of W. A. Burk's Addition. No variances or waivers are associated with this plat.

Property Line Adjustment: Lot 32 of W. A. Burk's Addition, D2 Investments LLC, 111 Northeast Park Street, DN-2, Downtown Medium-Density Residential, *PLA23-0007*

A property line adjustment of Lots 1-4, Block 10 and part of vacated right-of-way of W. A. Burk's Addition, creating new Lot 32 of W. A. Burk's Addition. The Plat dedicates a public utility easement adjacent to the right-of-way to serve the newly created lot. No variances or waivers are associated with this plat.



LS23-0014 4/4/23

LOT SPLIT

LIMESTONE RANCH SUBDIVISION

LOT 7 CREATING LOTS 32-34



CERTIFICATE OF OWNERSHIP:

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

DATE OF EXECUTION: _____

SIGNED: _____

NAME & ADDRESS: _____

PRINTED NAME: _____

SOURCE OF TITLE: WARRANTY DEED, DOCUMENT FILE NUMBER, L201860935

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

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

NOTES:

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

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

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

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

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

SURVEYOR'S NOTES:

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

PLAT CLOSURE DECLARATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 660,634 FEET.

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS NOT WITHIN A FLOOD PLAIN ZONE AS SHOWN ON THE F.I.R.M. MAP # 05007C0255K, PANEL 255 OF 560, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: JUNE 5, 2012.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, WAS OBSERVED BY THE SURVEYOR ON-SITE AND IS BASED ON ABOVE GROUND UTILITY FEATURES AND CITY OF BENTONVILLE G.I.S. ONLY.

THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

REFERENCES:

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

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

- A. **SPECIAL WARRANTY DEED:** HERITAGE HEIGHTS EAT LLC, RECORDED NOVEMBER 21, 2018, INSTRUMENT NO. L201860935.
- B. **FINAL PLAT OF LIMESTONE RANCH SUBDIVISION:** BY CEI ENGINEERING ASSOCIATES, INC, MARK A. MEADOR, AR PLS NO. 1304, RECORDED AUGUST 21, 2006, BOOK 2006 PAGES 992 AND 993.
- C. **LOT SPLIT:** BY CEI ENGINEERING ASSOCIATES, INC., KEVIN MICHAEL HALL, AR PLS NO. 1789, RECORDED DECEMBER 15, 2016, BOOK 2016 PAGE 925.
- D. **INCIDENTAL SUBDIVISION OF LOT 20 CREATING LOTS 23 & 24 OF LIMESTONE RANCH SUBDIVISION:** BY CEI ENGINEERING ASSOCIATES, INC., DUSTIN RILEY, AR PLS NO. 1618, RECORDED APRIL 6, 2020, INSTRUMENT NO. L202018589.

SURVEYOR'S DECLARATION:

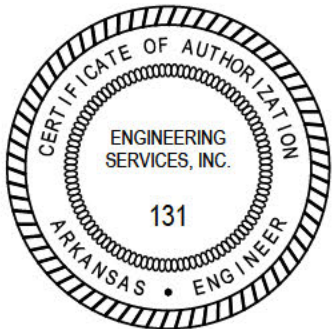
I HEREBY DECLARE THAT I HAVE THIS DAY COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN ON THIS PLAT. I FURTHER DECLARE THAT THIS SURVEY MEETS THE CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS", PER THE STATE OF ARKANSAS.

RODNEY WOODS, P.S. NO. 1559, AR.

DATE

LEGEND

	PROPERTY LINE	P.O.C.	POINT OF COMMENCEMENT
	SPLIT LINE	P.O.B.	POINT OF BEGINNING
	SECTION "40" LINE		IPF - IRON PIN FOUND (AS NOTED)
	ADJACENT OWNER		IRON PIN SET w/ CAP "PS 1559"
	EASEMENT (AS NOTED)		FOUND NAIL (AS NOTED)
	UTILITY EASEMENT (U.E.)		COMPUTED POINT
	RIGHT-OF-WAY		SANITARY SEWER MANHOLE
	ROAD CENTERLINE		POWER POLE (PP)
	FENCE LINE		LIGHT POLE (LP)
			FIRE HYDRANT (FH)
			WATER VALVE (WV)



BY
ENGINEERING SERVICES INC.



CONSULTING ENGINEERS

SPRINGDALE, ARKANSAS

PHONE: 479-751-8733

FAX: 479-751-8746

WWW.ENGINEERINGSERVICES.COM

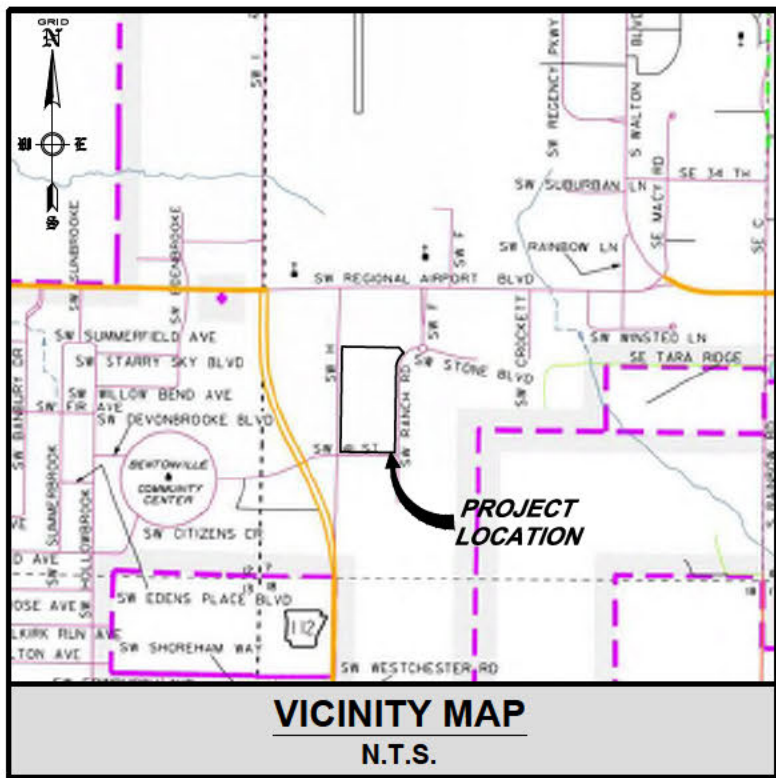
LOT SPLIT OF LOT 7 OF LIMESTONE RANCH SUBDIVISION CREATING LOTS 32, 33 AND 34

IN THE CITY OF

BENTONVILLE, ARKANSAS

WORK ORDER #

22321



LEGAL DESCRIPTION PER W.D. L201860935:

LOT 7, LIMESTONE RANCH SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 2006 AT PAGES 992 AND 993.

SURVEY DESCRIPTION PARENT LOT 7:

LOT 7, LIMESTONE RANCH SUBDIVISION, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 2006 AT PAGES 992 AND 993, AND ALSO BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG THE NORTH LINE OF SAID LOT 7, S88°00'00"E A DISTANCE OF 528.42 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S45°58'30"E A DISTANCE OF 48.08 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE EAST LINE OF SAID LOT 7; THENCE LEAVING SAID NORTH LINE AND ALONG SAID EAST LINE, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET, AN ARC LENGTH OF 164.43 FEET AND A CHORD BEARING AND DISTANCE OF S23°10'47"W - 160.83 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S02°20'10"W A DISTANCE OF 760.31 FEET TO A FOUND IRON PIN WITH CAP "PLS 1304"; THENCE LEAVING SAID EAST LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 37.66 FEET AND A CHORD BEARING AND DISTANCE OF S47°17'22"W - 33.91 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE SOUTH LINE OF SAID LOT 7; THENCE ALONG SAID SOUTH LINE, N87°45'43"W A DISTANCE OF 462.89 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID SOUTH LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.32 FEET AND A CHORD BEARING AND DISTANCE OF N42°42'16"W - 35.39 FEET TO THE WEST LINE OF SAID LOT 7; THENCE ALONG SAID WEST LINE, N02°39'05"E A DISTANCE OF 340.71 FEET; THENCE N02°35'01"E A DISTANCE OF 423.35 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N02°41'46"E A DISTANCE OF 175.23 FEET TO THE **POINT OF BEGINNING**, CONTAINING 11.38 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION LOT 32:

PART OF LOT 7, LIMESTONE RANCH SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 2006 AT PAGES 992 AND 993, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG THE NORTH LINE OF SAID LOT 7, S88°00'00"E A DISTANCE OF 249.94 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE CONTINUING S88°00'00"E A DISTANCE OF 278.48 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S45°58'30"E A DISTANCE OF 48.08 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE EAST LINE OF SAID LOT 7; THENCE LEAVING SAID NORTH LINE AND ALONG SAID EAST LINE, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 226.00 FEET, AN ARC LENGTH OF 164.43 FEET AND A CHORD BEARING AND DISTANCE OF S23°10'47"W - 160.83 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S02°20'10"W A DISTANCE OF 760.31 FEET TO A FOUND IRON PIN WITH CAP "PLS 1304"; THENCE LEAVING SAID EAST LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 24.00 FEET, AN ARC LENGTH OF 37.66 FEET AND A CHORD BEARING AND DISTANCE OF S47°17'22"W - 33.91 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE SOUTH LINE OF SAID LOT 7; THENCE ALONG SAID SOUTH LINE, N87°45'43"W A DISTANCE OF 462.89 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID SOUTH LINE, N02°39'05"E A DISTANCE OF 340.71 FEET TO THE **POINT OF BEGINNING**, CONTAINING 5.73 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION LOT 33:

PART OF LOT 7, LIMESTONE RANCH SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 2006 AT PAGES 992 AND 993, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG THE NORTH LINE OF SAID LOT 7, S88°00'00"E A DISTANCE OF 249.94 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID NORTH LINE, S02°00'00"W A DISTANCE OF 517.10 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N88°00'00"W A DISTANCE OF 254.96 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N02°22'39"E A DISTANCE OF 164.32 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE WEST LINE OF SAID LOT 7; THENCE ALONG SAID WEST LINE, N02°35'01"E A DISTANCE OF 177.58 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N02°41'46"E A DISTANCE OF 175.23 FEET TO THE **POINT OF BEGINNING**, CONTAINING 3.00 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION LOT 34:

PART OF LOT 7, LIMESTONE RANCH SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 2006 AT PAGES 992 AND 993, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE ALONG THE WEST LINE OF SAID LOT 7, S02°41'46"W A DISTANCE OF 175.23 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S02°35'01"W A DISTANCE OF 177.58 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID WEST LINE, S02°22'39"W A DISTANCE OF 164.32 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S88°00'00"E A DISTANCE OF 254.96 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE S02°00'00"W A DISTANCE OF 448.26 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559" ON THE SOUTH LINE OF SAID LOT 7; THENCE ALONG SAID SOUTH LINE, N87°45'43"W A DISTANCE OF 235.36 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE LEAVING SAID SOUTH LINE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 28.02 FEET AND A CHORD BEARING AND DISTANCE OF N55°39'01"W - 26.58 FEET TO A SET 1/2 INCH REBAR WITH CAP "PS 1559"; THENCE N02°22'39"E A DISTANCE OF 433.07 FEET TO THE **POINT OF BEGINNING**, CONTAINING 2.63 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

BENTONVILLE ELECTRIC NOTES:

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

CERTIFICATE OF APPROVAL:

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

DATE OF EXECUTION: _____

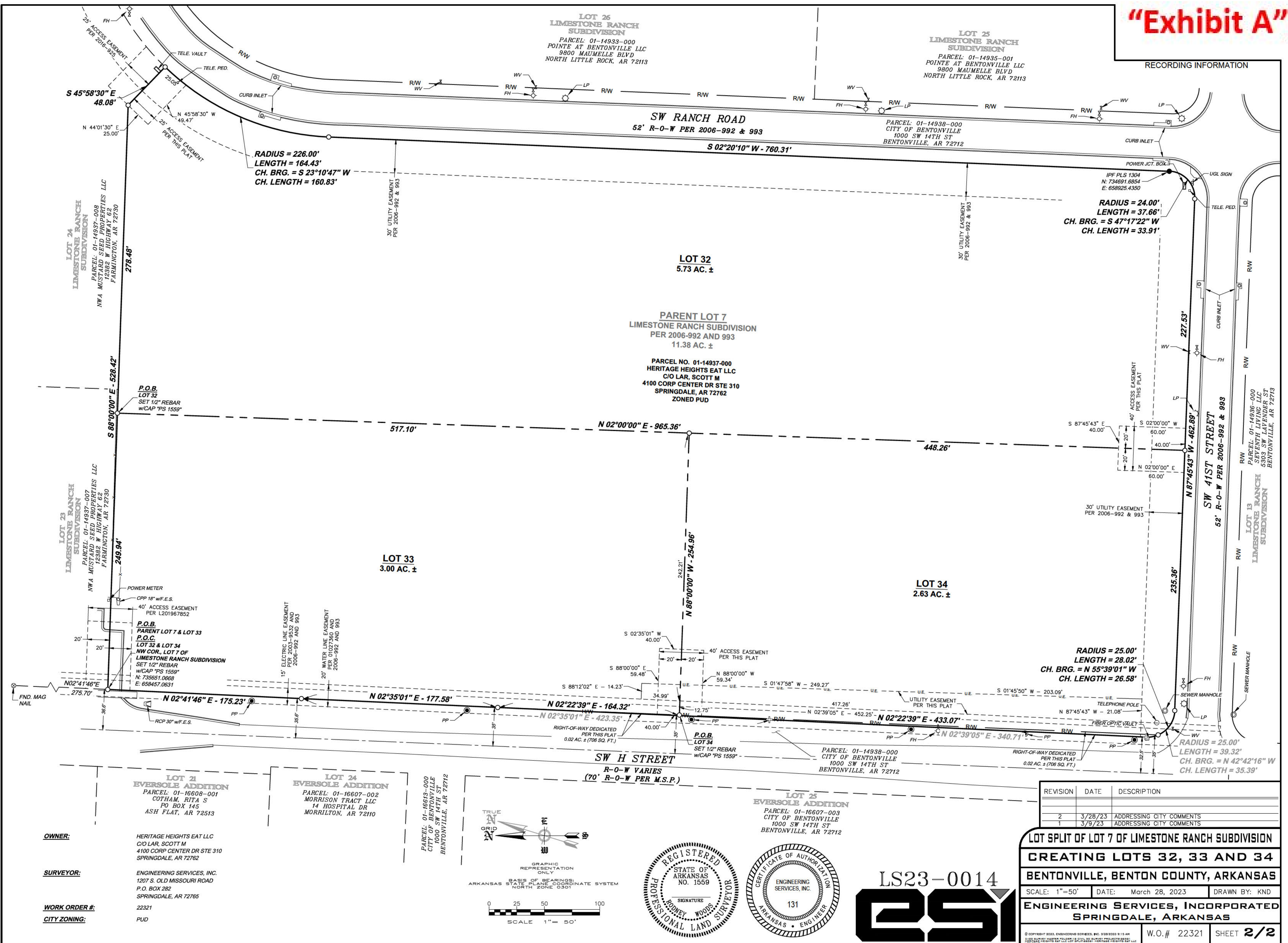
SIGNED: _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED: _____
MAYOR, CITY OF BENTONVILLE

SIGNED: _____
CITY CLERK, CITY OF BENTONVILLE

Exhibit A

RECORDING INFORMATION



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 7 OF LIMESTONE RANCH
SUBDIVISION; CREATING NEW LOTS 32, 33, & 34 OF LIMESTONE RANCH
SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER
PURPOSES.**

(PROJECT NUMBER: LS23-0014)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 7 OF LIMESTONE RANCH SUBDIVISION, creating new LOTS 32, 33, & 34 OF LIMESTONE RANCH SUBDIVISION, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on April 18, 2023;

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

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

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

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

Section 1: That the lot split of LOT 7 OF LIMESTONE RANCH SUBDIVISION creating new LOTS 32, 33, & 34 OF LIMESTONE RANCH SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

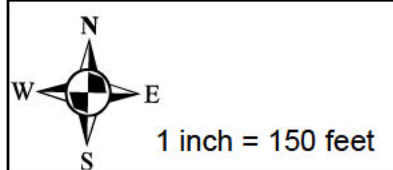
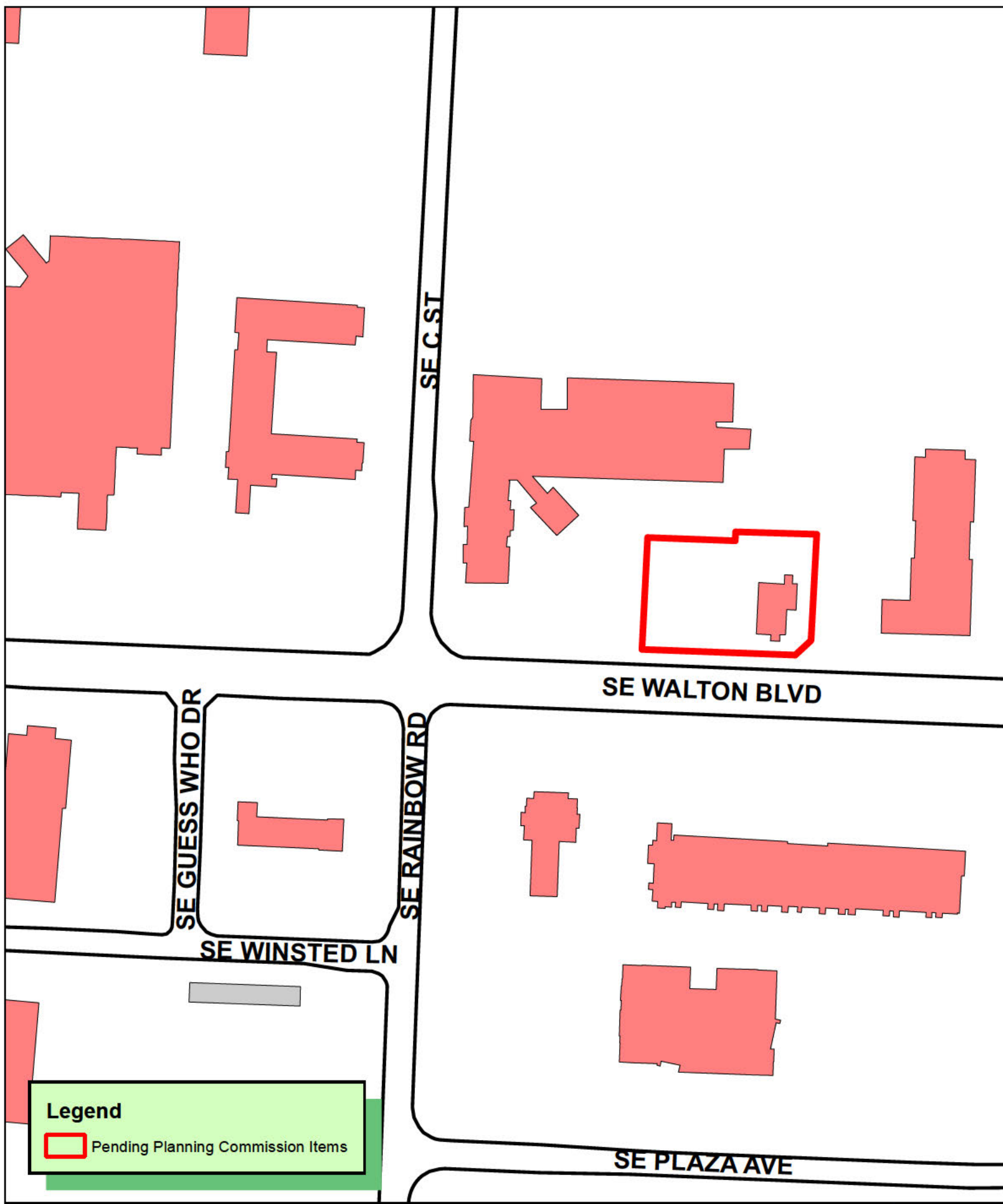
PASSED AND APPROVED this _____ day of _____, 2023

APPROVED:

ATTEST:

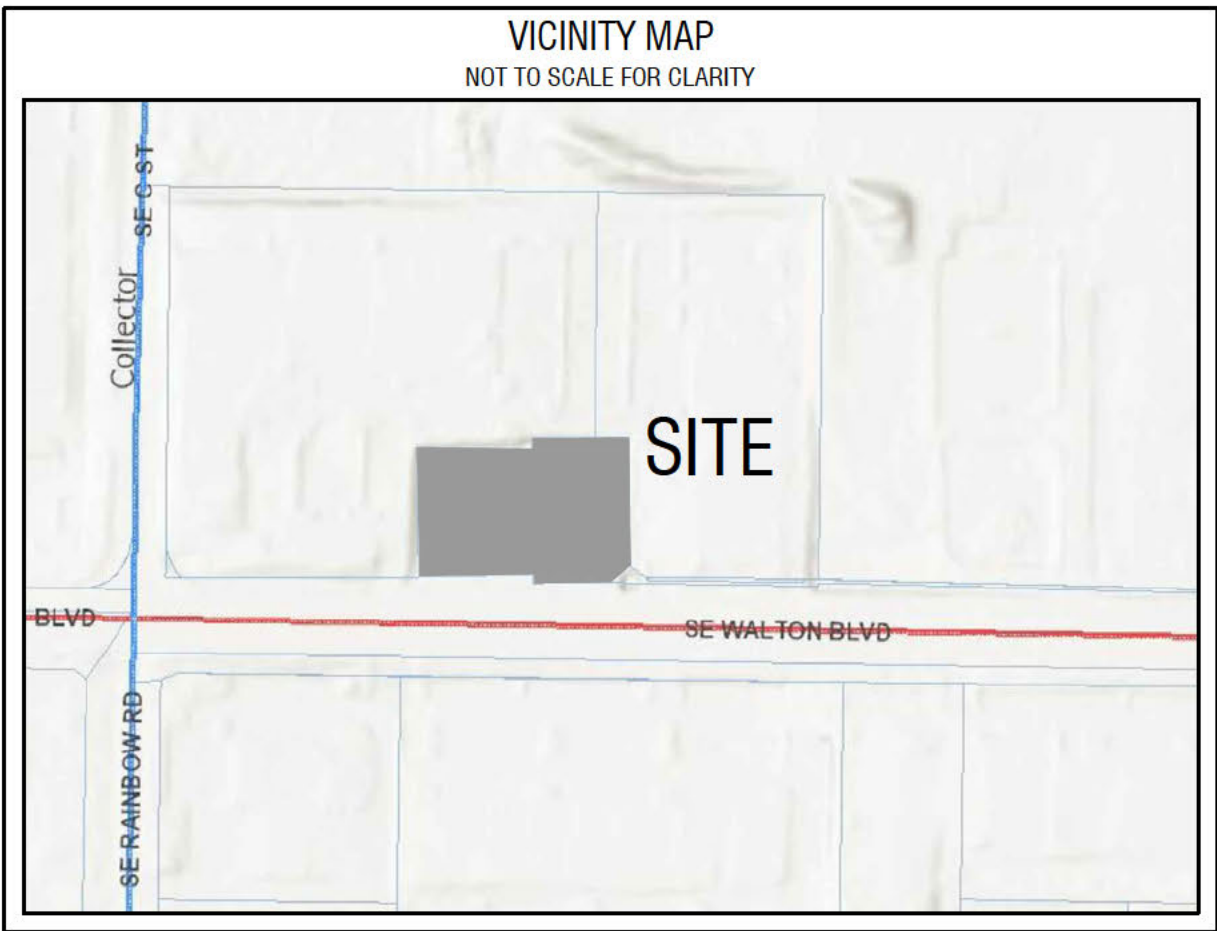
Stephanie Orman, Mayor

Kirby Romines, City Clerk



PLA23-00022/21/23
PROPERTY LINE ADJUSTMENT
7 BREW





NOTES:
1. PARCELS #01-05136-000 & #01-00172-000
2. ROTATION BASED ON ARKANSAS STATE PLANE, NORTH ZONE, NAD83
3. BOUNDARY BASED ON:
I. WARRANTY DEED, BOOK 700, PAGE 400
II. PERSONAL REPRESENTATIVES DEED, BOOK 2014, PAGE 27744
III. PLAT RECORD 14, PAGE 224
4. PER GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X" AS SHOWN ON FEMA FIRM PANEL #05007C0255K, BEARING AN EFFECTIVE DATE OF JUNE 5, 2012 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE.
5. 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.
6. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
7. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
8. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

WAIVERS & VARIANCES REQUESTED:
1. WAIVER REQUESTED FROM 1100.02(A)(6) - DISTANCE BETWEEN CURB CUTS
2. WAIVER REQUESTED FROM 1100.21 - BUILDING MATERIAL

ZONING & SETBACKS:
ZONED: C-2, GENERAL COMMERCIAL

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.

OWNER / DEVELOPER:
MCCOY INVESTMENTS, LLC
SHERRY MCCOY
1111 SE 34TH STREET
BENTONVILLE, AR 72712

EXISTING TRACT 2 OF HALL ADDITION (PARCEL #01-05136-000):
TRACT 2 IN HALL ADDITION TO BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING A SUBDIVISION OF PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, AS SHOWN IN PLAT RECORD 14 AT PAGE 224, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, AND RUNNING N02°59'17"E 35.00 FEET AND S87°46'15"E 308.09 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING LOCATED ON THE NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING THENCE N02°55'30"E 138.00 FEET; THENCE S87°52'15"E 108.32 FEET; THENCE S03°45'17"W 138.23 FEET TO THE NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING ALONG SAID RIGHT OF WAY N87°46'15"W 106.32 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.34 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHT OF WAY OF RECORD.

PARCEL #01-00172-000:
A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID FORTY ACRE TRACT, AND RUNNING N02°59'17"E 35.00 FEET AND S87°46'15"E 414.41 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING LOCATED ON THE NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING THENCE N03°45'17"E 149.33 FEET; THENCE S88°07'17"E 99.76 FEET; THENCE S02°53'26"W 131.22 FEET TO THE NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING ALONG SAID RIGHT OF WAY S48°00'57"W 26.79 FEET AND N87°46'15"W 83.02 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.34 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

NEW LOT 1 (PARCELS #01-05136-000 & #01-00172-000):
A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID FORTY ACRE TRACT, AND RUNNING N02°59'17"E 35.00 FEET; S87°46'15"E 308.09 FEET AND N02°55'30"E 5.28 FEET TO THE TRUE POINT OF BEGINNING, AND RUNNING THENCE N02°55'30"E 132.73 FEET; THENCE S87°52'15"E 108.32 FEET; THENCE N03°45'17"E 11.10 FEET; THENCE S88°07'17"E 99.76 FEET; THENCE S02°53'26"W 131.22 FEET; THENCE S48°00'57"W 19.24 FEET; THENCE N87°45'57"W 194.68 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.66 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

SOUTHEAST WALTON BOULEVARD RIGHT OF WAY DEDICATION:
A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SAID FORTY ACRE TRACT, AND RUNNING N02°59'17"E 35.00 FEET AND S87°46'15"E 308.09 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING LOCATED ON THE EXISTING NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING THENCE N02°55'30"E 5.28 FEET; THENCE S87°45'57"E 194.68 FEET TO THE NORTHERN RIGHT OF WAY OF SOUTHEAST WALTON BOULEVARD, AND RUNNING ALONG SAID RIGHT OF WAY THENCE S48°00'58"W 7.55 FEET; THENCE N87°46'15"W 189.34 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 0.02 ACRES OR 1,012 SQUARE FEET, MORE OR LESS.

SURVEYORS CERTIFICATION:
THIS IS TO CERTIFY THAT THE ABOVE SURVEY WAS PERFORMED UNDER MY SUPERVISION AND ALL CORNERS WERE SET AS SHOWN ON THE PLAT AND TO THE BEST OF MY KNOWLEDGE ARE CORRECT.

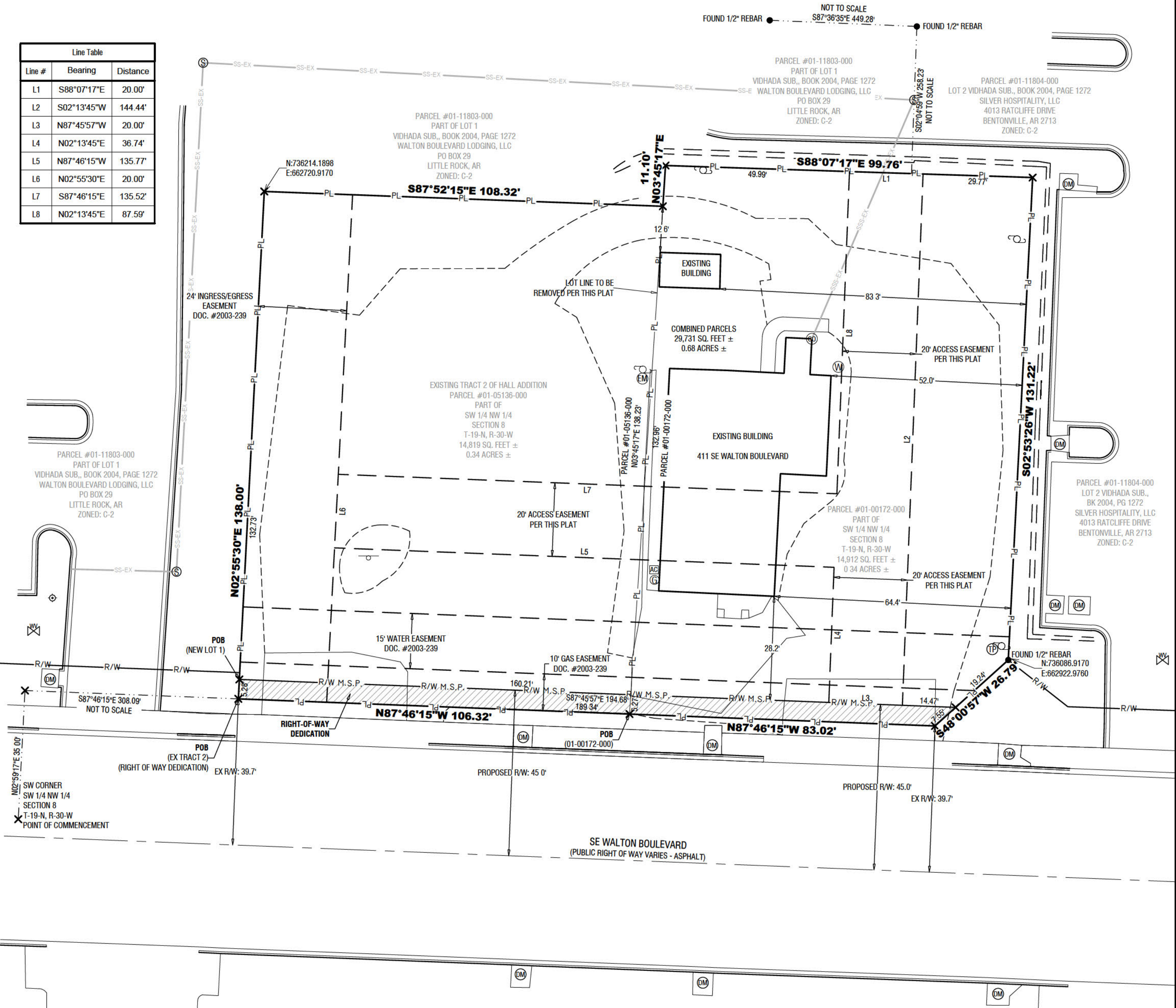
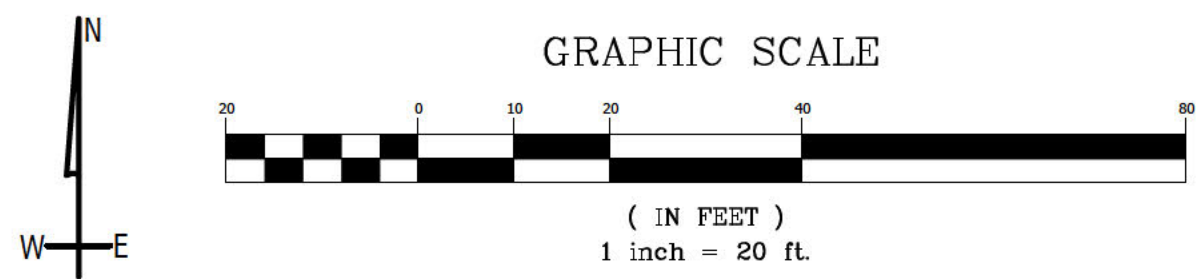
DAVID L. JORGENSEN, ARLS #1118

DATE



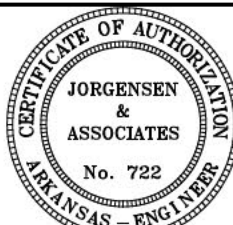
Line Table		
Line #	Bearing	Distance
L1	S88°07'17"E	20.00'
L2	S02°13'45"W	144.44'
L3	N87°45'57"W	20.00'
L4	N02°13'45"E	36.74'
L5	N87°46'15"W	135.77'
L6	N02°55'30"E	20.00'
L7	S87°46'15"E	135.52'
L8	N02°13'45"E	87.59'

PROPERTY LINE ADJUSTMENT FOR
LOT 2 OF HALL ADDITION AND
PARCEL 01-05136-000
CREATING "GLASGOWS SUBDIVISION" LOT 1



LEGEND	FOUND MONUMENT AS NOTED	FIRE HYDRANT	POWER POLE	PROPERTY LINE
	SET IRON PIN WITH CAP	SEWER MANHOLE	SANITARY CLEAN OUT	40 LINE / PROPERTY TIE LINE
	CALCULATED POINT	STORM DRAIN MANHOLE	AC UNIT ON PAD	ADJOINING PROPERTY LINE
	WATER METER	ELECTRIC METER		CENTERLINE OF ROAD
	WATER VALVE	GAS METER		EASEMENT LINE
	TELEPHONE PEDESTAL	BILLBOARD		

JORGENSEN + ASSOCIATES
Civil Engineering + Surveying
124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985



PROJECT TITLE: PLA FOR LOT 2 HALL ADDITION
LOCATION: ROGERS, AR
SHEET TITLE: LOT COMBINATION
DRAWN BY: JH
SHEET SCALE: 1" = 20'
DATE: 01/30/2023
PROJECT FILE: Z:\LSD\2022092 - 7BREW\DWG\2022-092-7BREW (LOT COMBO).dwg

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 2 OF
HALL ADDITION AND A PORTION OF PREVIOUSLY UNPLATTED LAND;
CREATING NEW LOT 1 OF GLASGOWS SUBDIVISION TO THE CITY OF
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: PLA23-0002)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 2 OF HALL ADDITION AND A PORTION OF PREVIOUSLY UNPLATTED LAND; creating new LOT 1 OF GLASGOWS SUBDIVISION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on April 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of LOT 2 OF HALL ADDITION AND A PORTION OF PREVIOUSLY UNPLATTED LAND creating new LOT 1 OF GLASGOWS SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

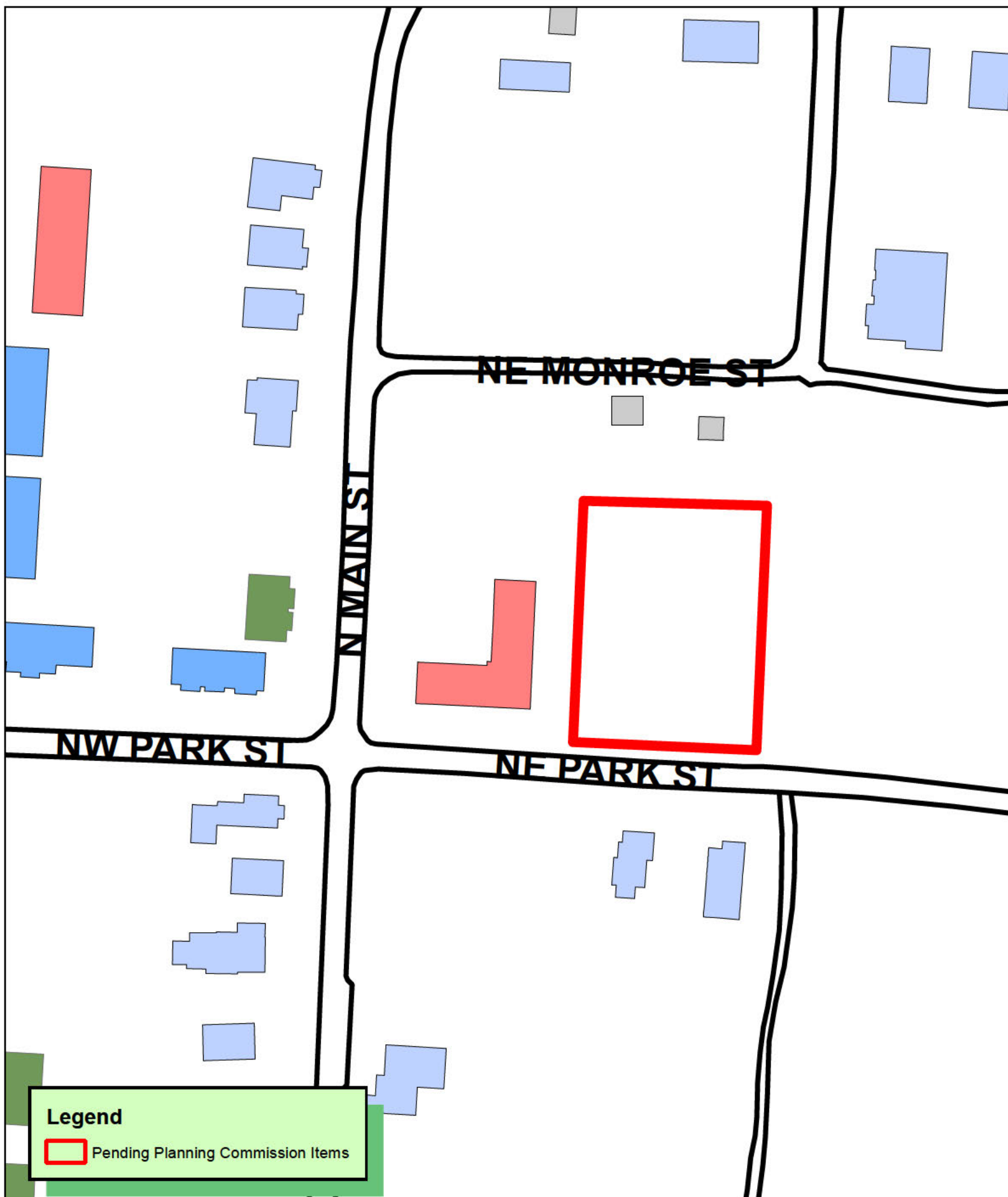
PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



Legend

 Pending Planning Commission Items



1 inch = 100 feet

PLA23-0003 3/21/23
PROPERTY LINE ADJUSTMENT
W A BURKS ADDITION
LOTS 13-16 BLK 6 CREATING LOT 33



NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
5. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT (479) 271-3122.
6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
7. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
8. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
9. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
10. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
11. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
12. ALL TREES WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE PRESERVED UNLESS APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT PURSUANT TO ARTICLE 1300.07 OF THE MUNICIPAL CODE.

PARENT TRACT:

LOTS 13, 14, 15, 16, BLOCK 6 OF W A BURK'S ADDITION, AS SHOWN ON PLAT BOOK "A", PAGE 81, AND PART OF VACATED RIGHT OF WAY PER ORDINANCE NO. 2023-9 RECORDED IN THE BENTON COUNTY RECORDS.

NEW LOT 33 SURVEY DESCRIPTION:

LOTS 13, 14, 15, 16, BLOCK 6 OF W A BURK'S ADDITION, AS SHOWN ON PLAT BOOK "A", PAGE 81, AND PART OF VACATED RIGHT OF WAY PER ORDINANCE NO. 2023-9, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SW CORNER OF SAID LOT 13; THENCE N 02°56'50" E A DISTANCE OF 200.10 FEET; THENCE S 86°47'09" E A DISTANCE OF 150.28 FEET; THENCE S 86°55'40" E A DISTANCE OF 25.07 FEET; THENCE S 02°58'35" W A DISTANCE OF 199.79 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NE PARK STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N 86°49'18" W A DISTANCE OF 25.02 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE N 86°55'24" W A DISTANCE OF 150.23 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 35,043.21 SQUARE FEET, OR 0.80 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. 05007/C0090J (EFFECTIVE DATE SEPTEMBER 28, 2007) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

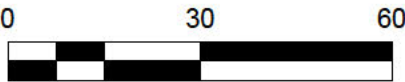
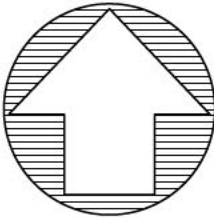
CERTIFICATE OF SURVEY ACCURACY:

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

DATE OF EXECUTION _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049



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: _____
SIGNED: _____
NAME & ADDRESS: _____
PRINT NAME: _____
SOURCE OF TITLE: D.R. _____
PAGE _____

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

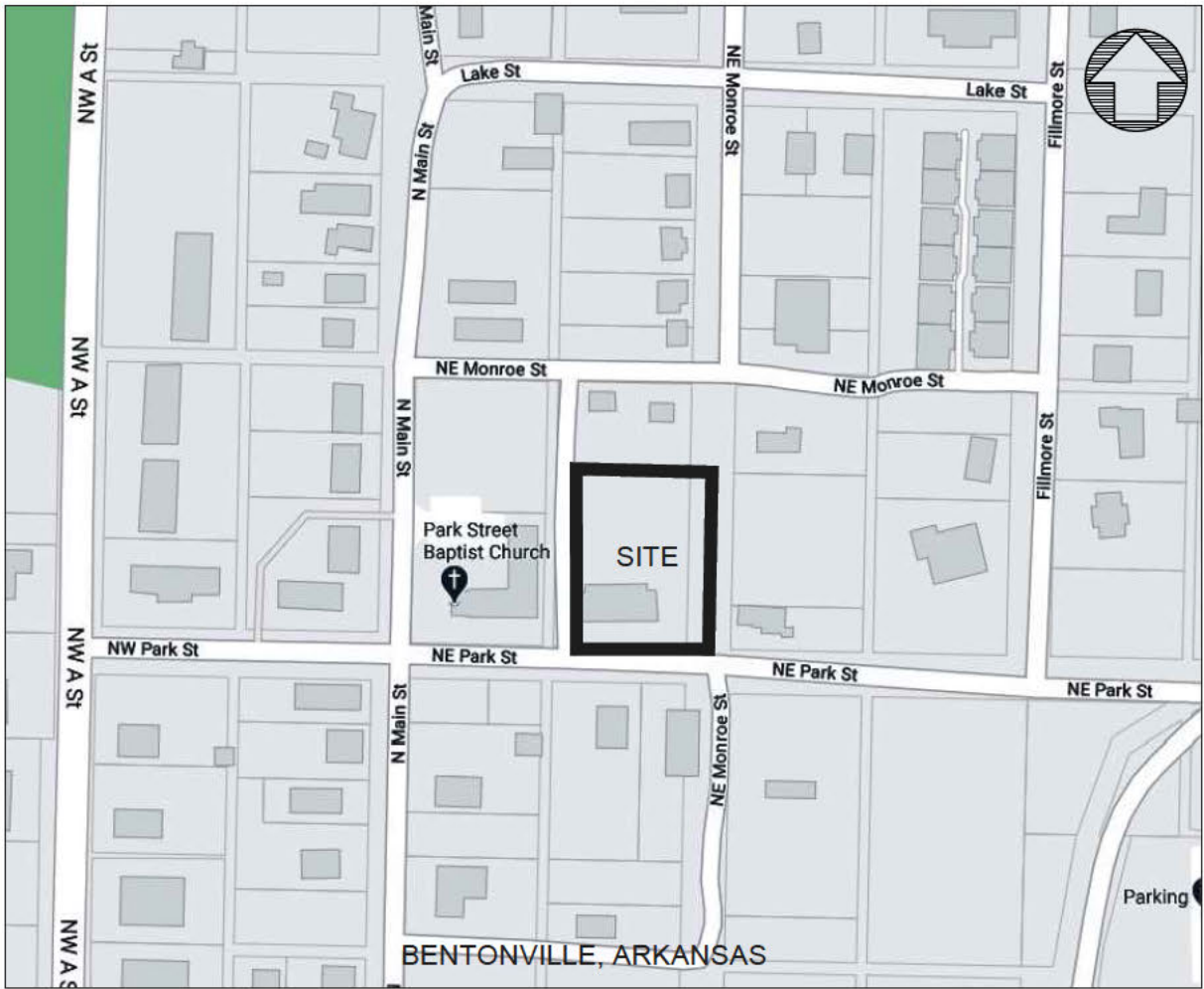
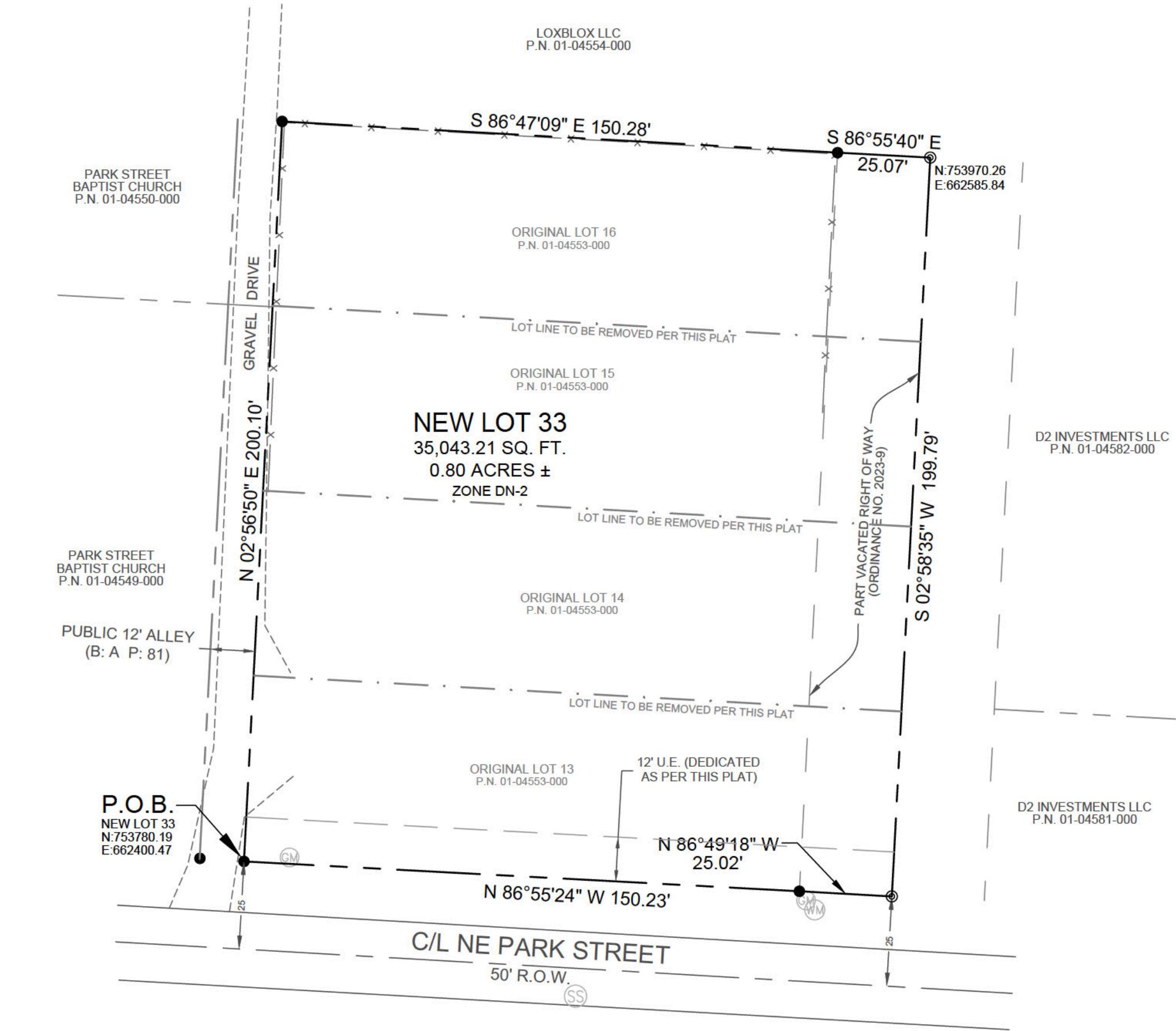
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

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

PLA23-0003



VICINITY MAP
N.T.S.

OWNERSHIP INFORMATION:
FACISZEWSKI, JARED & SONIA
1241 NE MONROE ST
BENTONVILLE AR 72712

LEGEND

- FOUND REBAR
- ⊙ SET 1/2" REBAR W/CAP
- — — — — PROPERTY LINE
- - - - - RIGHT-OF-WAY
- - - - - CENTERLINE
- x - x - WIRE FENCE
- WM WATER METER
- GM GAS METER
- SS SANITARY/SEWER MANHOLE

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS 13-16,
BLOCK 6 AND PART OF VACATED RIGHT-OF-WAY OF W. A. BURK'S
ADDITION; CREATING NEW LOT 33 OF W. A. BURK'S ADDITION TO THE CITY
OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: PLA23-0003)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment LOTS 13-16, BLOCK 6 AND PART OF VACATED RIGHT-OF-WAY OF W. A. BURK'S ADDITION ; creating new LOT 33 OF W. A. BURK'S ADDITION to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on April 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of LOTS 13-16, BLOCK 6 AND PART OF VACATED RIGHT-OF-WAY OF W. A. BURK'S ADDITION; creating new LOT 33 OF W. A. BURK'S ADDITION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

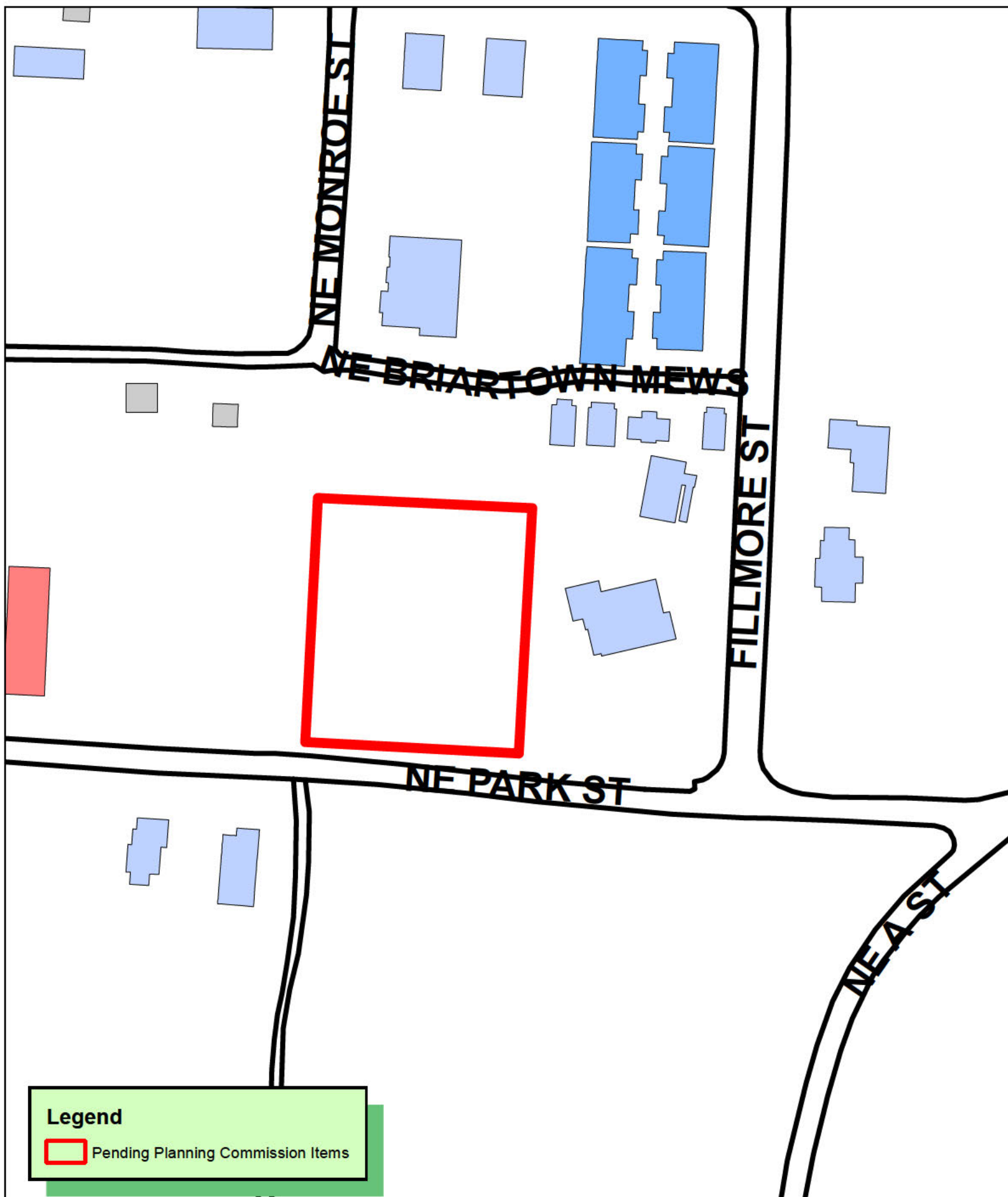
PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



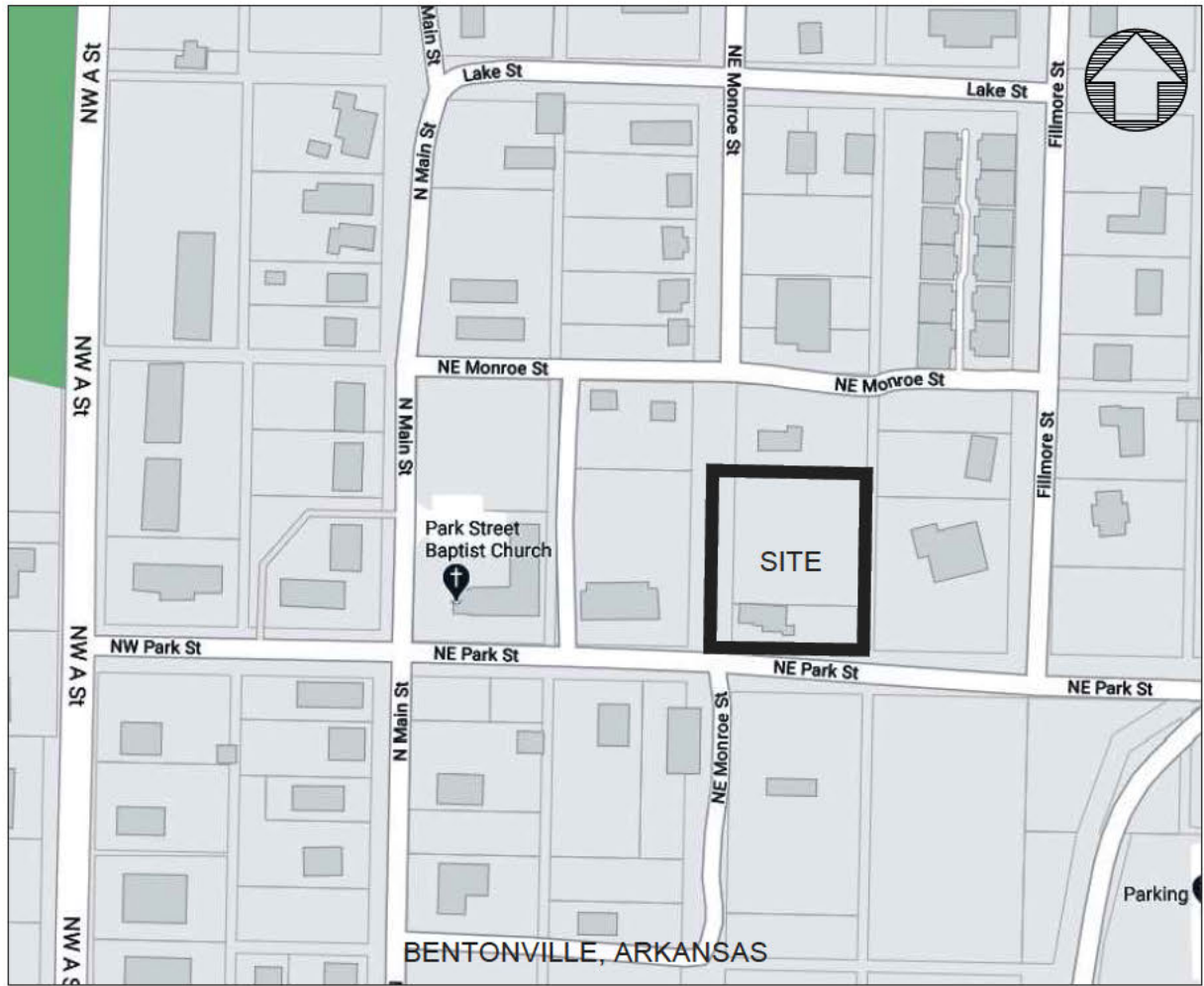
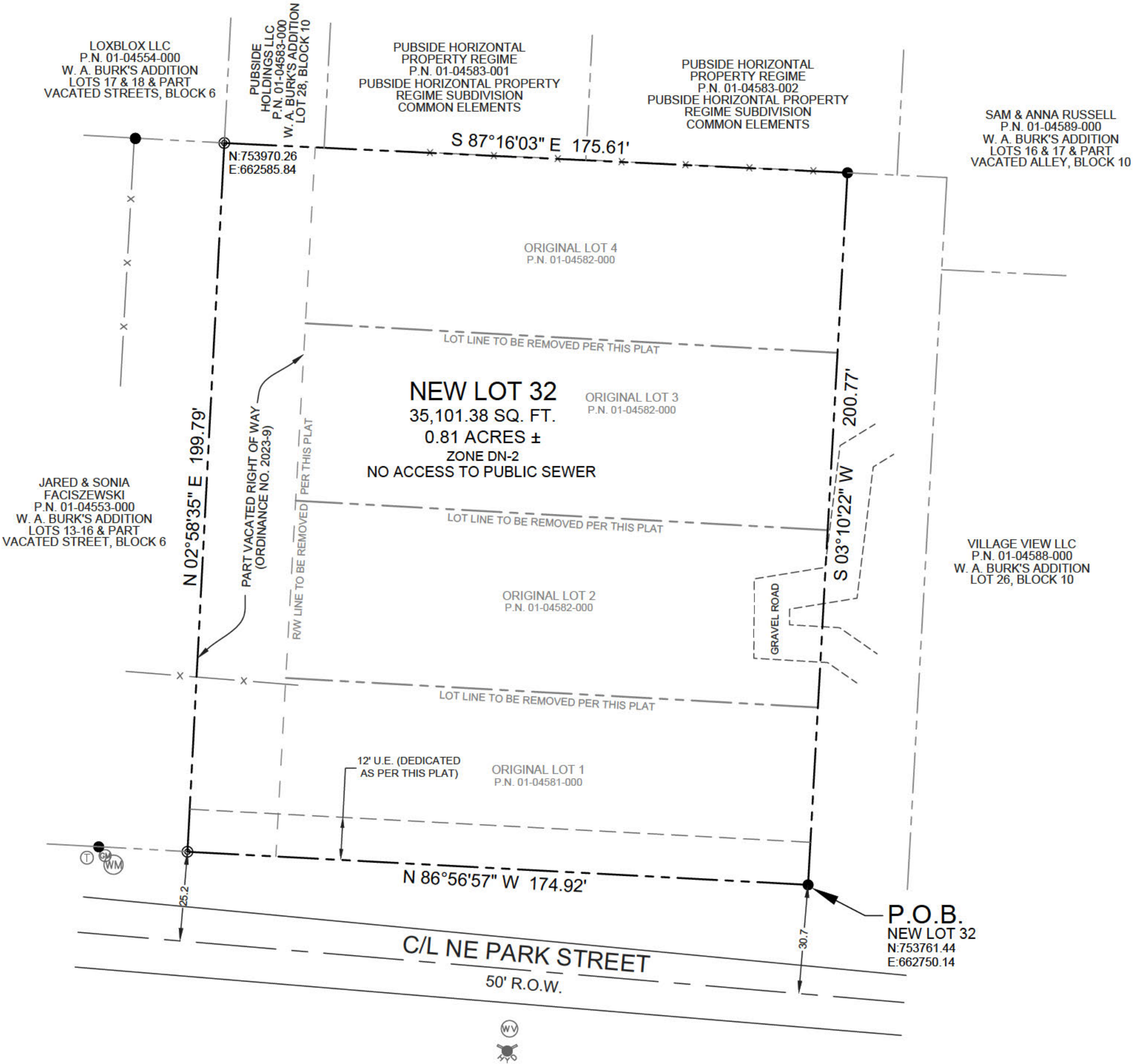
Legend

 Pending Planning Commission Items


1 inch = 100 feet

PLA23-0007 4/18/23
PROPERTY LINE ADJUSTMENT
W A BURKS ADDITION
LOTS 1-4 BLOCK 10 CREATING LOT 32





OWNERSHIP INFORMATION
DE INVESTMENTS LLC
PO BOX 17674
LITTLE ROCK, AR 72222

LEGEND

- FOUND REBAR
- ⊙ SET 1/2" REBAR W/CAP
- PROPERTY LINE
- - - RIGHT-OF-WAY
- - - CENTERLINE
- - - WIRE FENCE
- ⊗ WATER METER
- ⊕ GAS METER
- ⊕ TELEPHONE VAULT
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT

NOTES:

- 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.
- BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
- DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
- SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT (479) 271-3122.
- 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.
- 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.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- 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.
- ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

PARENT TRACT:

LOTS 1, 2, 3, 4, BLOCK 10 OF W A BURK'S ADDITION, AS SHOWN ON PLAT BOOK "A", PAGE 81, AND PART OF VACATED RIGHT OF WAY PER ORDINANCE NO. 2023-9 RECORDED IN THE BENTON COUNTY RECORDS.

NEW LOT 32 SURVEY DESCRIPTION:

LOTS 1, 2, 3, 4, BLOCK 10 OF W A BURK'S ADDITION, AS SHOWN ON PLAT BOOK "A", PAGE 81, AND PART OF VACATED RIGHT OF WAY PER ORDINANCE NO. 2023-9, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SE CORNER OF SAID LOT 1; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF NE PARK STREET N 86°56'57" W A DISTANCE OF 174.92 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE N 02°58'35" E A DISTANCE OF 199.79 FEET; THENCE S 87°16'03" E A DISTANCE OF 175.61 FEET; THENCE S 03°10'22" W A DISTANCE OF 200.77 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 35,101.38 SQUARE FEET, OR 0.81 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. 05007/C0090J (EFFECTIVE DATE SEPTEMBER 28, 2007) AND FOUND IN THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

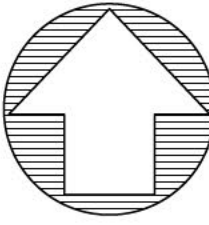
CERTIFICATE OF SURVEY ACCURACY:

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

DATE OF EXECUTION _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049



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: _____

SIGNED: _____

NAME & ADDRESS: _____

PRINT NAME: _____

SOURCE OF TITLE: D.R. _____

PAGE _____

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: _____

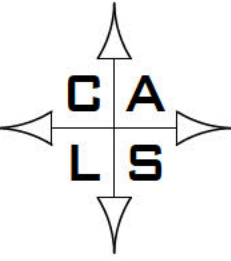
SIGNED: _____
MAYOR, CITY OF BENTONVILLE

SIGNED: _____
CITY CLERK, CITY OF BENTONVILLE

PLA23-0007

CASTER & ASSOCIATES
LAND SURVEYING, INC.

2715 SE "I" Street, Suite 5
Bentonville, AR 72712
(479) 268-4464



SCALE: 1" = 30' DATE: 2-22-23

PROPERTY LINE ADJUSTMENT
LOTS 1-4, BLOCK 10 AND
PART VACATED RIGHT OF WAY
CREATING LOT 32, W. A. BURK'S ADD.

111 NE PARK STREET
BENTONVILLE, BENTON CO., AR

JOB #	DRAWN BY:	CHK'D BY:	PAGE
23-048	ASD	RJC	1 OF 1

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS 1-4,
BLOCK 10 AND PART OF VACATED RIGHT-OF-WAY OF W. A. BURK'S
ADDITION; CREATING NEW LOT 32 OF W. A. BURK'S ADDITION TO THE CITY
OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: PLA23-0007)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of Lots 1-4, Block 10 and part of vacated right-of-way of W. A. Burk's Addition; creating new Lot 32 of W. A. Burk's Addition to the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on April 18, 2023;

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

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

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

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

Section 1: That the property line adjustment of Lots 1-4, Block 10 and part of vacated right-of-way of W. A. Burk's Addition; creating new Lot 32 of W. A. Burk's Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

FUTURE LAND USE MAP AMENDMENT & REZONING STAFF REPORT



Bentonville/Bella Vista Trailblazers Assoc. Inc.

NW A St

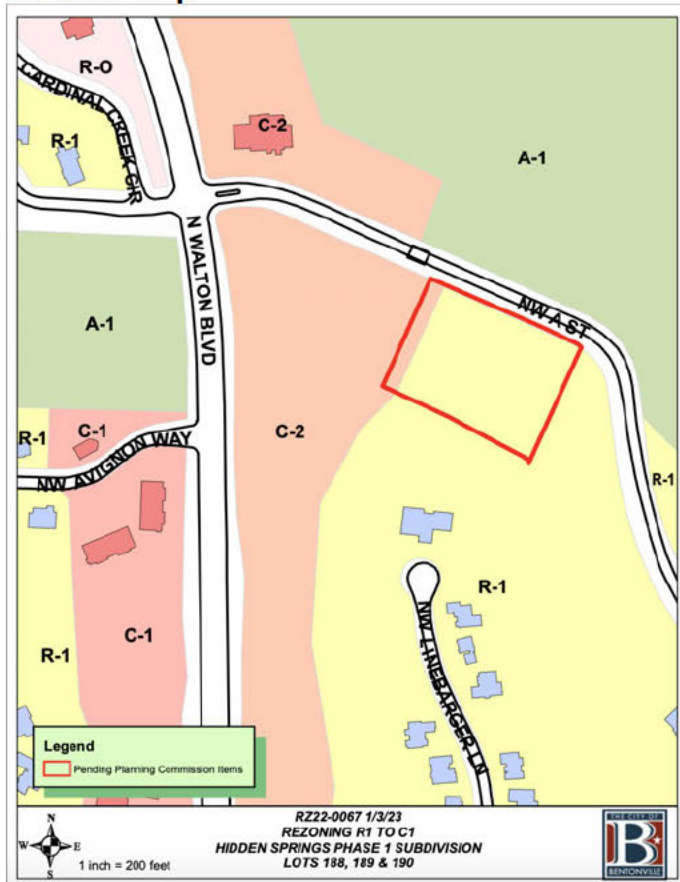
PC Date: 4/18/2023

Reviewer: Owen Pickett, Planning Intern

Project Number	RZ22-0067
Applicant / Current Owner	Bentonville/Bella Vista Trailblazers Assoc. Inc.
Site Area	+/- 1.76 Acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	C-1, Neighborhood Commercial
Future Land Use Map Designation	Low-Density Residential (LDR)
Requested Future Land Use Map Designation	General Commercial (C)

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

Location Map



Property Description

The property in question is located along Northwest A Street, just south of the Bella Vista Interchange at the intersection of the Slaughter Pen trail system and the Razorback Regional Greenway. Adjacent zoning districts are R-1, Single Family Residential to the southeast, C-2, General Commercial to the west, and A-1 Agriculture to the north.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently shows this property as R-1 Low Density Residential, in which the proposed rezoning is not compatible, however the applicant has requested a Future Land Use Map Amendment to General Commercial.

While the area is currently zoned consistently with the surrounding neighborhoods to the south, it is separated from said developments by forest and elevation. It is more adjacent both in optimal use and proximity to the C-2 districts off of Walton Blvd and the Slaughter Pen trail system, a new parking lot for which has recently been finished across the street. The intended use of the parcels is for a food truck park.

This request would see the parcel rezoned to C-1, General Commercial. General commercial areas include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, services, and offices. Vertical mixed-use developments are encouraged but are not as high a priority as in mixed-use or downtown commercial areas. General commercial uses should balance access between pedestrians and vehicles, though the impacts of parking should be minimized through site design and landscaping.

Public Comment

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

Analysis

This area was recently requested to be rezoned to C-1, Neighborhood Commercial (RZ22-0067), the C-1 District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas while maintaining a character in harmony with residential development. To this end, development in the C-1 District should harmonize in terms of form, bulk, height, materials, architecture, and overall design with surrounding residential areas. Signage and lighting should be subdued while landscaping and open space should be maximized. Parking areas should be as inconspicuous as possible as should loading and trash collection areas.

Another factor to consider is the impact the project would have on traffic. The new development would create some new traffic, but the amount of congestion would be minimized because some of the traffic would be traveling via bicycle or would walk. Additionally, Northwest A Street is off of Walton Blvd., an arterial that wouldn't have significantly more traffic as a result of this

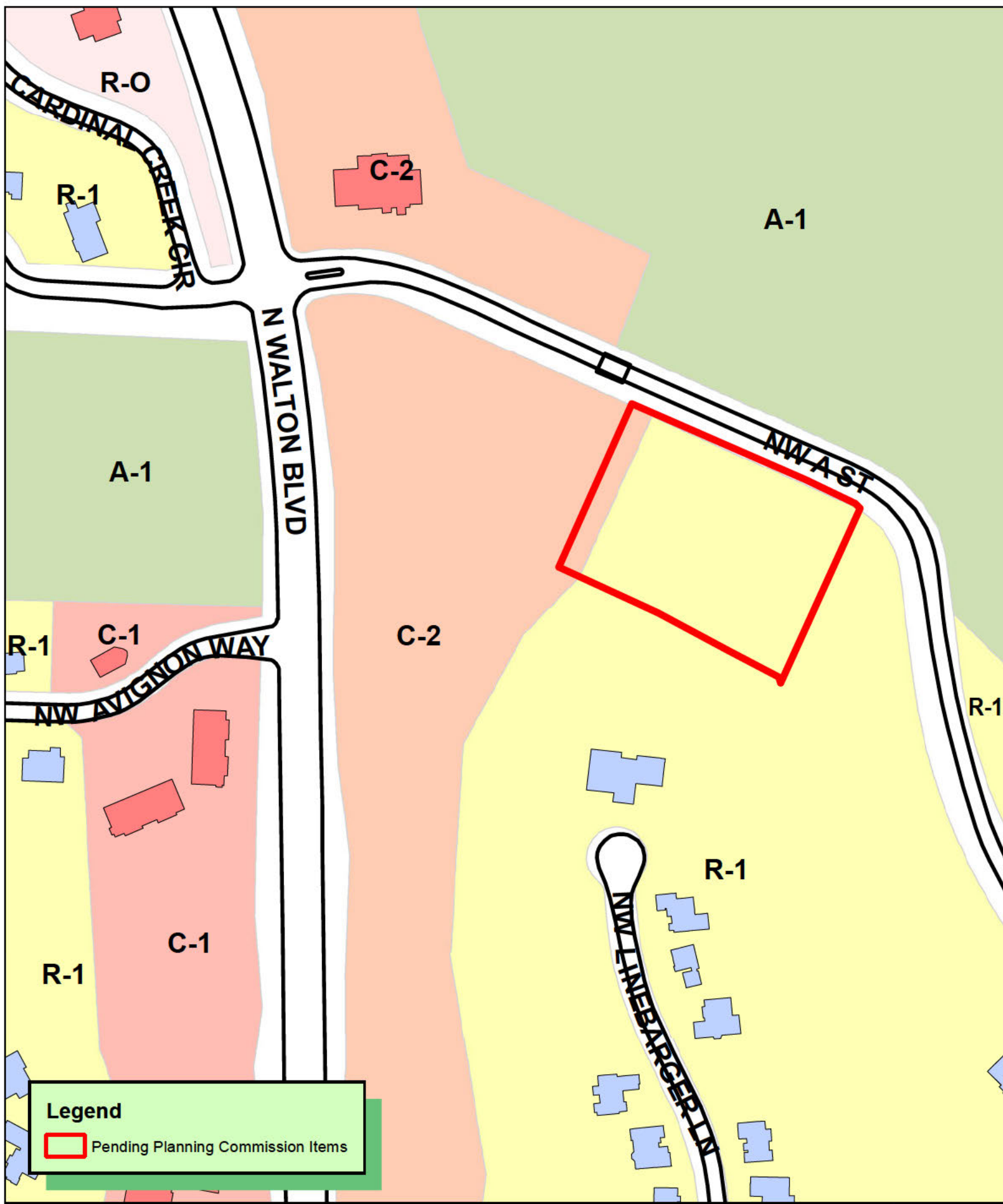
development.

Conclusion

This request is not consistent with the Future Land Use Map without the approved amendment but is compatible with the neighboring commercial uses.

This development would be well suited for the floodplain

the parcels occupy, as a food truck park is raised and secure from most water damage and somewhat mobile by nature. This park intends to provide an area of congregation for those using the trails - something like the Airship Cafe at Coler, which Slaughter Pen doesn't have currently.



December 8, 2022

City of Bentonville
Attn: Planning Commission
1000 SW 14th Street
Bentonville, AR 72712

**RE: Rezone Request
NW A Street
01-03067-000**

Dear Planning Commission:

Please accept this letter as a formal request by Bentonville/Bella Vista Trailblazers Association Inc to rezone approximately 0.85 acres from R-1 to C-1. The property is located 675 feet east of N Walton Blvd.

This land is being proposed to develop into a future Food Truck Court.

The traffic generated from this site will be routed onto NW "A" Street and over to N Walton Blvd.

The said land is currently undeveloped and within the floodway and floodplain. The surrounding land uses are: City of Bentonville Park property to the north, east, and southwest. There is a doctors office to the northwest and residential to the south.

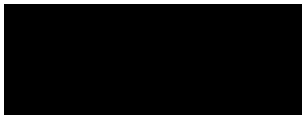
There is a commercial businesses in the area and adjacent to this property.

The land use is currently Low Density Single Family Residential. We would like to amend this to Office land use.

The signage, architectural appearance and lighting have not been proposed at this time.

Public water is currently available along the north side of NW "A" street from a 8" water line. There is an 6" public sewer main in the middle of the property. Public electric is available from NW "A" Street. Any additional utility ties will be proposed to extend to said property by virtue of the Large Scale Development plans for the Food Truck Court.

Thank you for your time and consideration in this matter. Should you have any questions, please do not hesitate to call.



R. Erin Rushing, RLA
CEO
Trailblazers

NOTICE OF INTENT TO REZONE

Bentonville/Bella Vista Trailblazers Association Inc. has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Low Density Single-Family Residential to C-1, Neighborhood Commercial

The legal description of the property is as follows:

Lots 188, 189 & 190, of Hidden Springs Phase 1 Subdivision to Bentonville, Benton County, ,

The common description of the property is: North end of NW A Street by new parking lot

The public hearing will be held April 18, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

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

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

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

☐ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ22-0067)

WHEREAS, Bentonville/Bella Vista Trailblazers Assoc Inc, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of LOW-DENSITY RESIDENTIAL to GENERAL COMMERCIAL, which property is described as follows:

LOT'S 188, 189 & 190, OF HIDDEN SPRINGS PHASE 1 SUBDIVISION TO BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED UNDER BOOK W AND PAGE 174, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ22-0067)

WHEREAS, Bentonville/Bella Vista Trailblazers Assoc Inc, duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to C-1, NEIGHBORHOOD COMMERCIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT'S 188, 189 & 190, OF HIDDEN SPRINGS PHASE 1 SUBDIVISION TO BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED UNDER BOOK W AND PAGE 174, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Baker Family Trust

5578 SW Adams Road

PC Date: 4/18/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0023
Applicant / Current Owner	Sand Creek Engineering / Sharon Baker Trustee
Site Area	+/- 2.08 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Current Future Land Use Map Designation	Residential Estates (RE)
Requested Future Land Use Map Designation	Low Density Residential (LDR)
Related projects	LS23-0012

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

Location Map



Property Description

This property is located at 5578 SW Adams Road. It is currently zoned A-1, Agricultural. It contains an existing single-family home with multiple out structures. Adjacent zonings are mostly Agriculture with a cluster of Low-density residential to the south. The applicant is requesting the rezone to follow the lot size requirements for the two lots that are being split off via LS23-0012.

Relationship to the General Plan

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

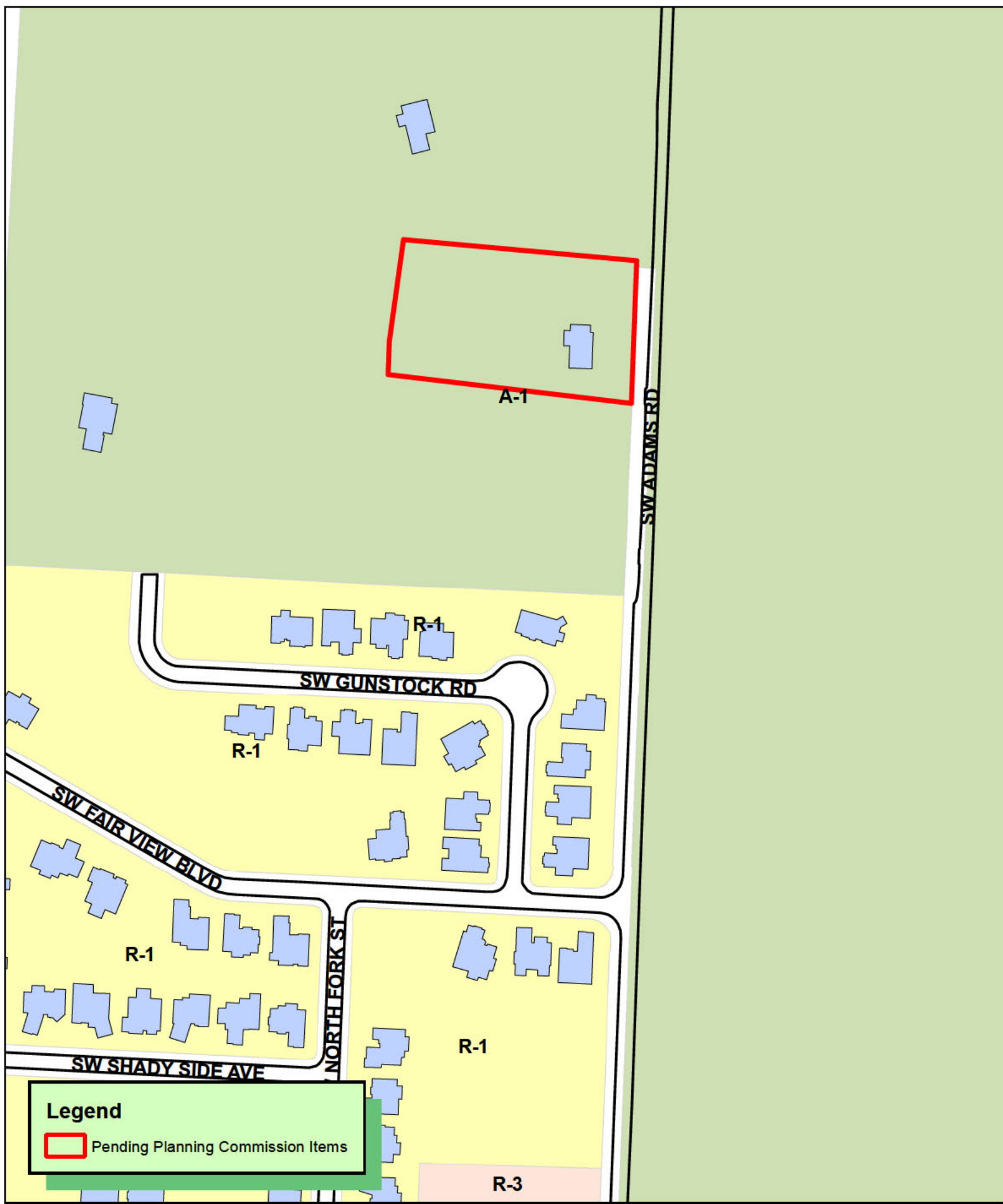
The intent of the R-1 District is to serve low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on these lots.

The lots being split will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW Gunstock Road, and there is currently no access via SW Adams Road, to which both lots have street frontage. The parcel is currently on septic for wastewater.

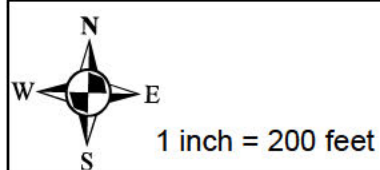
Conclusion

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



Legend

 Pending Planning Commission Items



RZ23-0023 4/18/23
REZONING A1 TO R1
RSB SUBDIVISION
LOT 2
36



Rezone Narrative

Owner: SHARON BAKER

**Address: 5578 SW Adams Rd.
Bentonville, AR 72713**

Current Zoning: A-1, Agricultural

Proposed Zoning: R-1, Single Family Residential

Owner: LAMPLIGHTER RESTORATIONS, LLC

Reason for rezone: To split property into two 1 acre lots.

How will property relate to surrounding properties: The current surrounding properties are all zoned A-1, Agricultural.

Proposed Use: Single Family Residential

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

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

Appearance: Property will remain as is. No improvements are proposed.

Water and Sewer Availability: Water mains and Septic system is available to serve the property.

NOTICE OF INTENT TO REZONE

Sharon Baker

has requested the Bentonville Planning

Commission to set a public hearing date to consider rezoning the following property from

A-1, Agricultural

to

R-1, Single Family Residential

The legal description of the property is as follows:

PART OF THE NW/4 OF THE SE/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID NW/4 OF THE SE/4, SAID POINT ALSO BEING A FOUND IRON PIN IN THE WEST SIDE OF SW ADAMS ROAD, THENCE LEAVING SAID ROAD N 87°08'57" W 30.19 FEET TO THE WEST RIGHT OF WAY OF SAID ROAD, THENCE ALONG SAID RIGHT OF WAY N 02°05'07" E 316.84 FEET TO THE POINT OF BEGINNING, THENCE LEAVING SAID RIGHT OF WAY N 83°15'04" W 405.34 FEET, THENCE N 04°48'44" E 57.36 FEET, THENCE N 08°04'54" E 166.31 FEET, THENCE S 84°50'12" E 384.37 FEET TO THE WEST RIGHT OF WAY OF SAID ROAD, THENCE ALONG SAID RIGHT OF WAY S 02°03'38" W 235.01 FEET TO THE POINT OF BEGINNING, CONTAINING 2.08 ACRES AND SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

The common description of the property is: 5578 SW Adams Rd

Proposed land use: Single Family Residential

The public hearing will be held April 18, 20²³ at 5:00 p.m. It will be held at 305 SW A Street.

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

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

For more information, you may call the Planning Department at (479)271-3122 extension 2.

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

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

Signature

Printed Name

Physical Address

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: RZ23-0023)

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

LOT 2, OF RSB SUBDIVISION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED UNDER BOOK 2015 AT PAGE 234, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0023)

WHEREAS, Sharon K Baker Trustee, 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:

LOT 2, OF RSB SUBDIVISION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS,
AS SHOWN ON PLAT FILED UNDER BOOK 2015 AT PAGE 234, RECORDED IN THE BENTON
COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Johnston

212 SW O Street

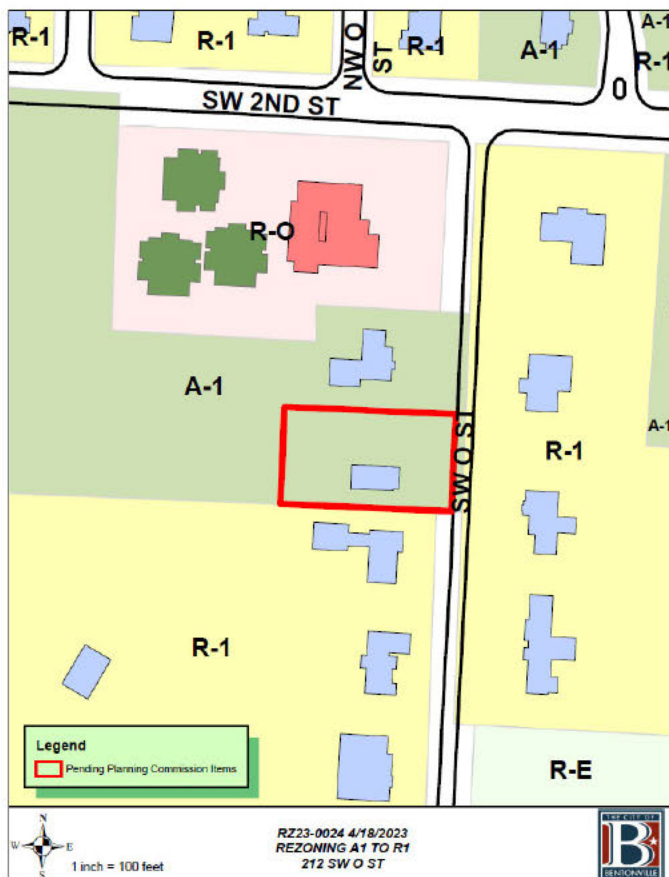
PC Date: 4/18/2023

Reviewer: Bradley Gavrielides, Planning Technician

Project Number	RZ23-0024
Applicant / Current Owner	Robert & Susan Johnston
Site Area	+/- 0.58 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Current Future Land Use Map Designation	Residential Estates (RE)
Requested Future Land Use Map Designation	Low Density Residential (LDR)
Related projects	N/A

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

Location Map



Property Description

This property is located at 212 SW O Street. It is currently zoned A-1, Agricultural. It contains an existing single-family home with a detached garage. Adjacent zonings are mostly Agriculture to the north and west and Low-density residential to the south and east.

Relationship to the General Plan

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

Public Comment

Staff has NOT received public comment regarding this request.

Analysis

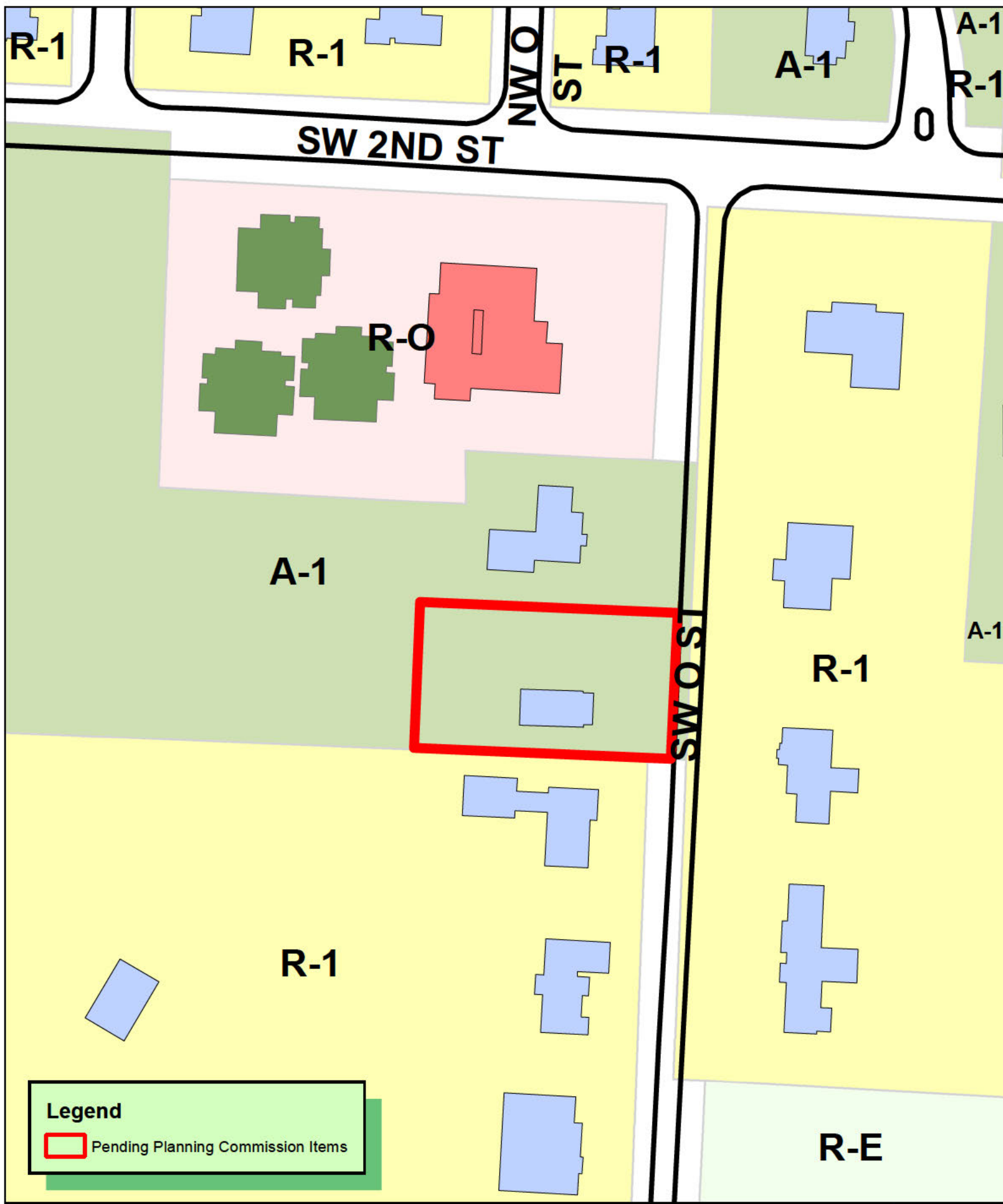
The intent of the R-1 District is to serve low density developments in which housing is generally of the highest value and where strict separation of land uses is desired. Since R-1 Districts are separated from all commercial and industrial activity, access to connecting traffic arteries is essential. The R-1 district is to allow for an increased neighborhood density through the development of small-lot single-family housing and townhouses throughout the district. These areas tend to be adjacent to downtown commercial uses. In some instances, such as at the ends of blocks, multi-family apartment buildings may be an appropriate use in this district.

The proposed zoning of R-1 is not consistent with the Future Land Use Plan. R-1 is a smaller lot size residential zoning district but would likely create a similar dwelling unit to one in Residential Estate with ease of setbacks and lot size on the lot. This lot has no way of being a Residential Estate zoning as it does not have enough land area to adhere to the R-E district.

The lot will have difficulty obtaining access to sewer without a sewer line extension. The closest sewer is along SW 2nd Street, and there is currently no access via SW O Street. The parcel is currently on septic for wastewater.

Conclusion

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



March 7, 2023

We, Robert Scott Johnston and Susan Johnston, property owners, are asking to rezone our property at 212 SW O street to bring it up to the city of Bentonville's appropriate land use and zoning. The current land use of our property, at 212 SW O Street, Bentonville, AR, is Residential Estate and the existing zoning district is A1. We are requesting a rezoning to low density, R1 single family and that a land use amendment also be filed from Residential Estate to low density, single family, residential.

The current land use is Residential Estate, the property no longer fits this description, as property is only half an acre NOT 2 acres and should be rezoned as R1 Single family. We are the current owners and would like for the property to be rezoned to R1 in order to complete renovations on this home that does not currently fall within the setbacks of Residential Estate, but does as R1, single family, Low density.

The current footprint of the house will remain basically the same, but the interior and exterior will be updated to better reflect the neighborhood. It will be an improvement to the neighborhood when renovations are complete.

The house will be used as a residence or a rental property once renovations are completed.

We do not expect traffic to be different than other residential homes in the area. We are located next to a business/museum which has a much higher traffic flow than our property would ever have.

We are not planning any signage for the property. Possibly an address marker on the front porch is all we would consider.

We expect the appearance and structural changes to be a benefit to the existing structure and the neighborhood.

The house is on septic as there is no sewer line available to connect to. Per the city, the nearest sewer is on SW 2nd street and the city water line to the property is a 6" line.

NOTICE OF INTENT TO REZONE

Robert Scott and Susan Johnston has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from A1 to R1

The legal description of the property is as follows:

PART OF THE NE1/4 OF THE NW1/4 OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 375 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NE1/4 OF THE NW1/4; THENCE SOUTH 120 FEET; THENCE WEST 212 FEET; THENCE NORTH 120 FEET; THENCE EAST 212 FEET TO THE POINT OF BEGINNING. SUBJECT TO STREET ON THE EAST SIDE THEREOF.

The common description of the property is: 212 SW O Street

The public hearing will be held April 18, 2023 at **5:00 p.m.** It will be held at **305 S.W. "A" Street.**

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

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

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

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

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

Signature and Physical Address

Signature and Physical Address

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) §
COUNTY OF BENTON)

On this ____ day of _____, _____, before me, the undersigned notary public in and for said County and State, personally appeared _____ to me personally known, who, being by me duly sworn, did say that he/she executed the foregoing document for the reasons stated therein.

WITNESS MY HAND and seal subscribed and affixed in said County and State the ____ day of _____, _____.

My Commission Expires:

NOTARY PUBLIC

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: RZ23-0024)

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

PART OF THE NE1/4 OF THE NW1/4 OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 375 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NE1/4 OF THE NW1/4; THENCE SOUTH 120 FEET; THENCE WEST 212 FEET; THENCE NORTH 120 FEET; THENCE EAST 212 FEET TO THE POINT OF BEGINNING. SUBJECT TO STREET ON THE EAST SIDE THEREOF.

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0024)

WHEREAS, Robert and Susan Johnston, 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:

PART OF THE NE1/4 OF THE NW1/4 OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 375 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NE1/4 OF THE NW1/4; THENCE SOUTH 120 FEET; THENCE WEST 212 FEET; THENCE NORTH 120 FEET; THENCE EAST 212 FEET TO THE POINT OF BEGINNING. SUBJECT TO STREET ON THE EAST SIDE THEREOF.

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Kirby Romines, City Clerk

Stephanie Orman, Mayor

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



Haney Enterprises LLC

1004/1006 NW A Street

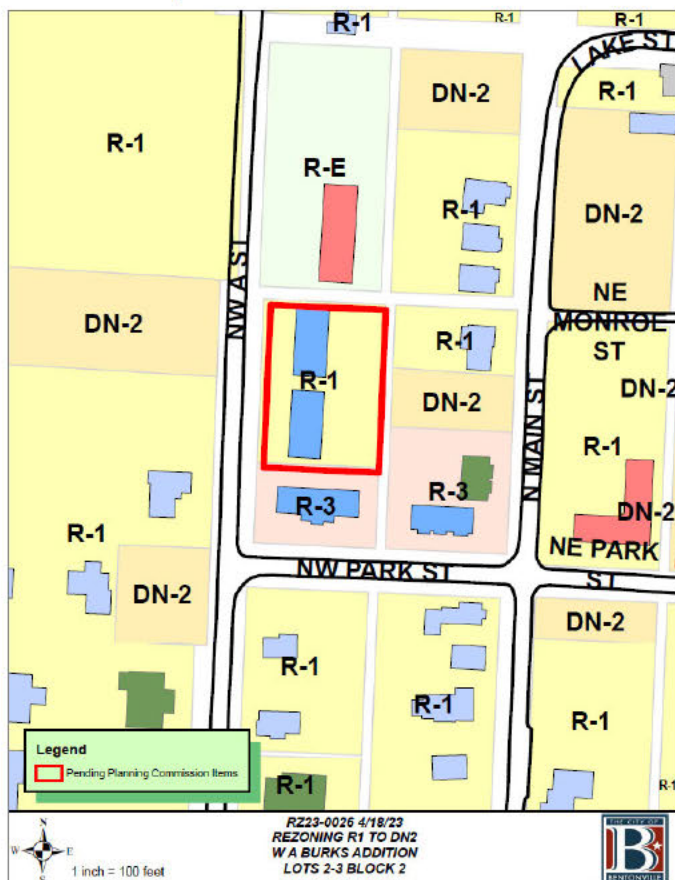
PC Date: 4/18/2023

Reviewer: Bradley Gavrielides - Planning Technician

Project Number	RZ23-0026
Applicant / Current Owner	Mark Haney / Haney Enterprises LLC
Site Area	+/- 0.69 acres
Current Zoning	R-1, Low Density Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Medium Density Residential (MDR)

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

Location Map



Property Description

This property is located at 1004/1006 NW A Street. The property is currently zoned R-1, Low Density Single Family Residential. Surrounding zoning districts are R-1, Low Density Single-Family Residential, R-3, Medium-high Density residential, DN-2, Downtown Medium Density Residential, and R-E, Residential Estate.

Relationship to the Bentonville Community Plan

The Future Land Use Plan currently depicts this property as Medium-Density Residential. Medium-Density Residential areas typically include townhouses or duplex residential properties. These areas are found both near downtown and in some recent growth areas. These areas may also include local amenities for residents, including neighborhood parks, places of worship, etc.

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

Public Comment

Staff has not received public comments regarding this rezoning request.

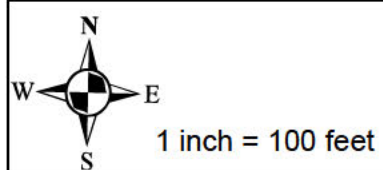
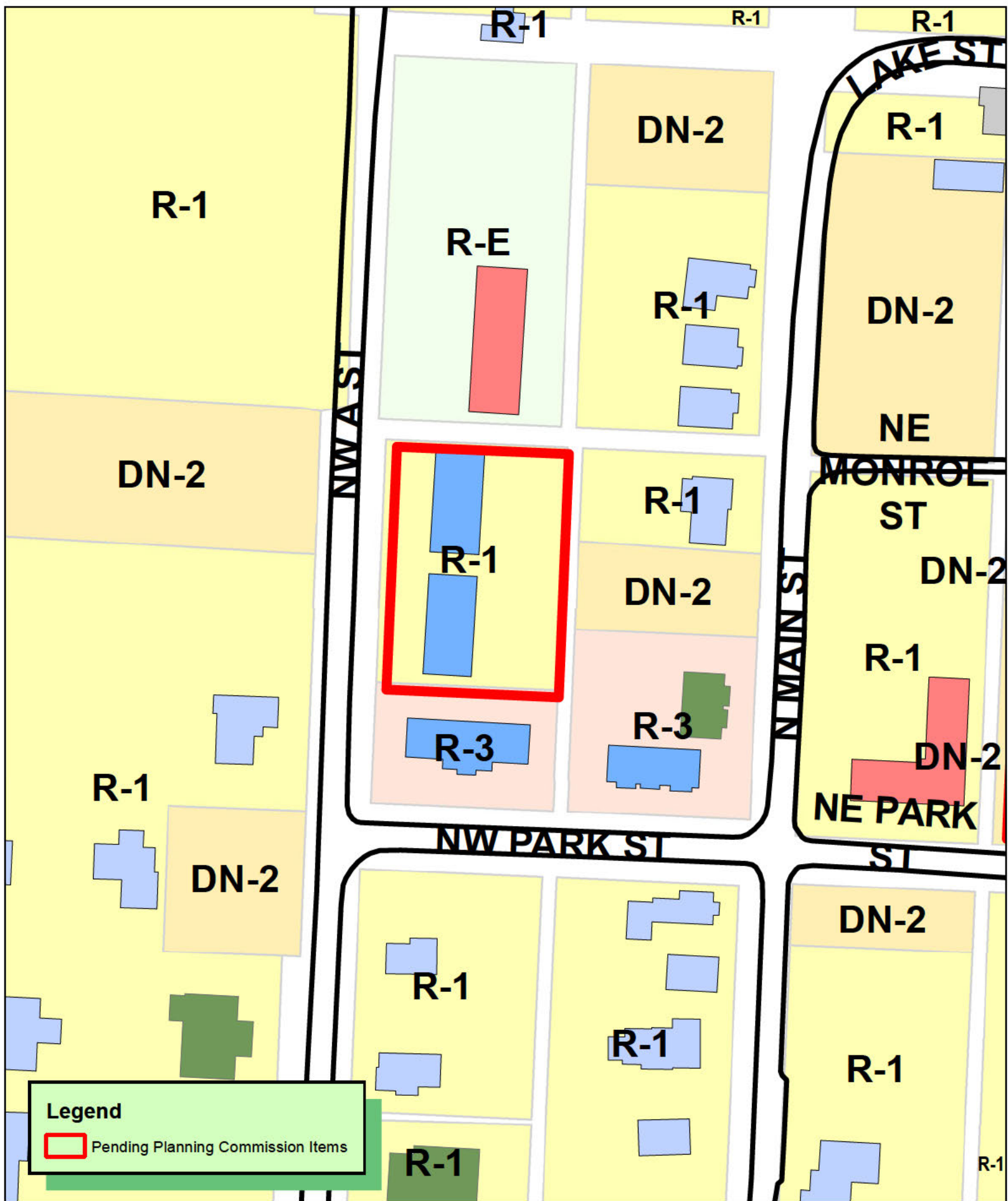
Analysis

The intent of the DN-2 district is to allow for an increased single-family density through small lot widths where alleys and infrastructure support such development, and where small-lot single-family development provides an appropriate transition between large-lot residential areas and those of higher density.

This rezoning request is consistent with the Bentonville Community Plan and the Future Land Use Plan. Additionally, this request is consistent with surrounding land-use patterns as there are existing DN-2 zoning districts in the immediate area.

Conclusion

This rezoning request is consistent with the Future Land Use Plan and is compatible with surrounding land uses. Staff recommends approval of the rezoning request.



RZ23-0026 4/18/23
REZONING R1 TO DN2
W A BURKS ADDITION
LOTS 2-3 BLOCK 2





March 10, 2023

To Whom It May Concern:

We are requesting a rezone from R-1 to DN-2 at 1004 and 1006 NW A in line with the Bentonville land use plan for medium density residential in this area. The current land use is already medium density residential with two triplex buildings (6 units total), and this rezone just reflects the current usage. Neighboring parcels are a mix of single family and small multifamily zoned R-1, R-3, and DN-2.

We may consider residential development in the future, in line with the existing density and land use. Along NW A and the neighboring blocks in Briartown, there have been many developments of single family homes with alley access, and our future development plans will most likely include single family homes with alley access. We expect the traffic impact of future development to be neutral or even an improvement as we would likely activate the alley which is not currently in use.

Respectfully,
Mark Haney
479-381-1648

NOTICE OF INTENT TO REZONE

Mark Russell LLC

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

R-1

to

DN-2

The legal description of the property is as follows:

Lots 2 and 3 of the replat of Lots 1 through 6, Block 2 of W.A. Burks Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat Record 5 at Page 121

1004 and 1006 NW A St Bentonville, Parcel 01-04516-0001004

The common description of the property is: _____

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

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

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

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

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

☐ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

ORDINANCE NO. _____

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

(PROJECT NUMBER: RZ23-0026)

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

LOTS 2 AND 3 OF THE REPLAT OF LOTS 1 THROUGH 6, BLOCK 2 OF W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD 5 AT PAGE 121.

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

REZONING AND LAND USE MAP AMENDMENT STAFF REPORT



McKissic Creek Center LLC

4 McKissic Creek Road

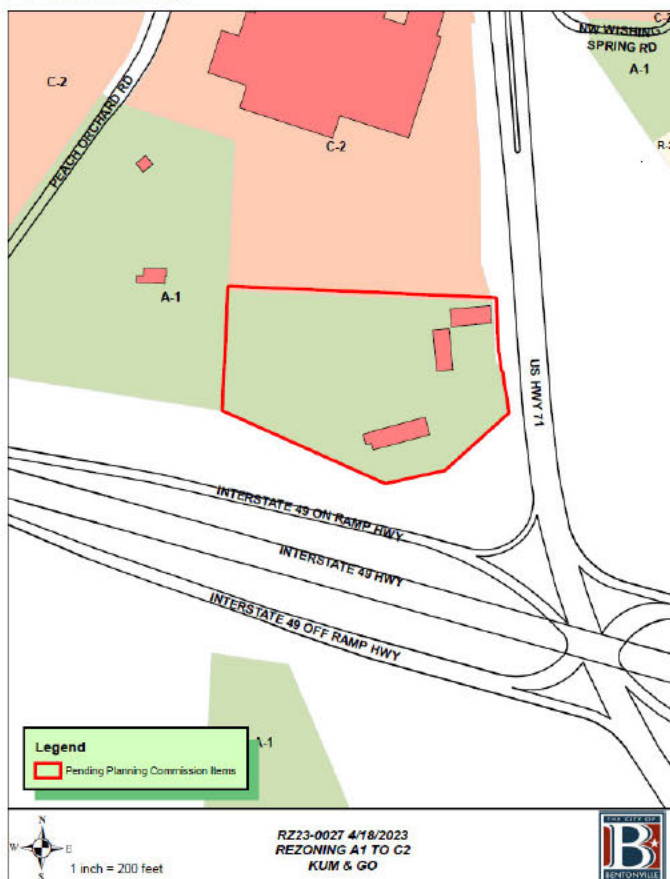
PC Date: 4/18/2023

Reviewer: Bradley Gavrielides, Planning Technician and Jon Stanley, Senior Planner, ASLA, APA

Project Number	RZ23-0027
Applicant / Current Owner	Ozark Civil Engineering / McKissic Creek Center LLC
Site Area	+/- 6.223 acres
Current Zoning	A-1, Agricultural
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	Office (O)
Future Land Use Map Requested	General Commercial (C)

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

Location Map



Property Description

This property is located at 4 McKissic Creek Road. Adjacent zonings are A-1, Agriculture and C-2, General Commercial. It is located along an exit to I-49.

Relationship to the General Plan

The Future Land Use Plan currently depicts this property as Office. Office areas include properties primarily dedicated to professional employment/office uses, but can accommodate accessory commercial uses such as restaurant, service, or convenience uses oriented to serving office tenants. These areas can include stand-alone office buildings or be designed as a multi-building office park or campus. These areas are considered lower intensity development, relative to other commercial areas. General commercial areas include uses that serve both nearby residents and those traveling from other parts of the city as well as the highway travelers.

Public Comment

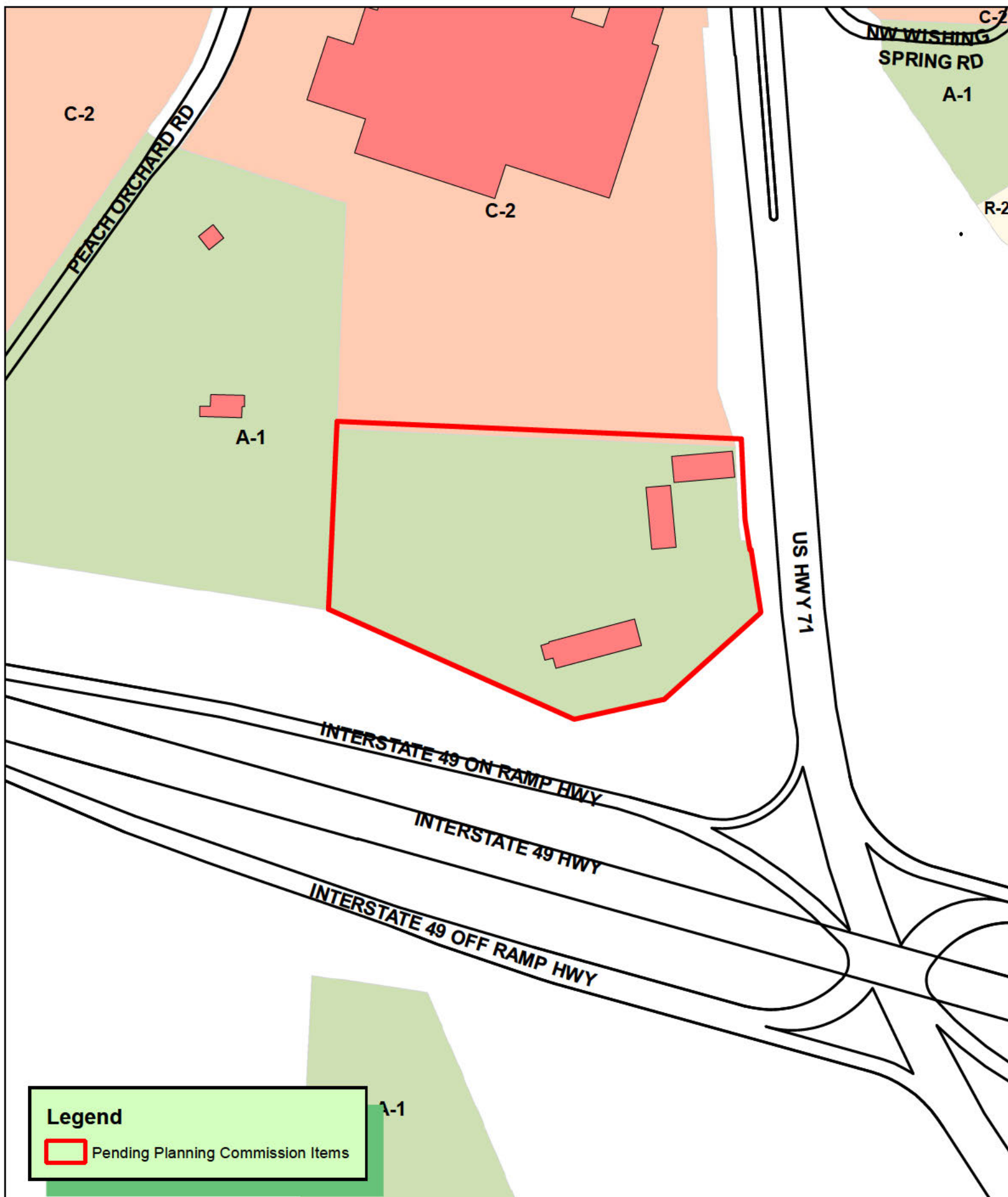
Staff has not received public comment regarding this request.

Analysis

While the proposed zoning of C-2 is not consistent with the Future Land Use Plan, this property is surrounded by C-2 zoning and is proposed to develop into a Kum & Go fuel station/convenience store. C-2, General Commercial, areas should include uses that serve both nearby residents and those coming from other parts of the city or region. Appropriate uses in these areas include retail, restaurants, and services such as medical offices, hospitals and clinics.

Conclusion

Staff recommends approval of the rezoning due to the property's location along a state highway that is identified as an arterial road on the city's adopted Master Street Plan and the proximity to the interstate may lend credence C-2, General Commercial Request. The allowable uses within the requested C-2 zoning district also harmonizes with the surrounding developments as they too are designated and used as either commercial or industrial.



Legend

 Pending Planning Commission Items

 1 inch = 200 feet

RZ23-0027 4/18/2023
REZONING A1 TO C2
KUM & GO





March 7, 2023
Sent Via Email

City Planning Department
City of Bentonville
301 W Chestnut St.
Rogers, AR 72756

**Re: Kum & Go, 2426 – Bentonville, Benton County, AR
Rezone Request**

To Whom it May Concern,

Please accept our formal submittal for a rezone request. As such, Ozark Civil Engineering, Inc. would respectfully request to be placed on the upcoming Planning Commission meeting scheduled for Tuesday April 18, 2023.

Kum & Go is proposing a convenience store and fueling station to be located along the west side of Highway-71 and south of Lowe's (see attached Vicinity Map). The proposed improvements will consist of a 3,968 square foot convenience store, 6 fuel pumps with a canopy, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking for the proposed development.

Due to the proposed Kum & Go development, we would request that the existing A-1, Agricultural District, be rezoned to C-2, General Commercial. The two parcels that we are requesting to be rezoned to C-2 are as follows.

- Parcel 01-08102-000 (McKissic Creek Center, LLC.)
- Parcel 01-08103-000 (Gorgas Revocable Trust – John & Anna Marie)

The proposed rezone request to C-2 falls in line with the surrounding properties. Furthermore, the C-2 zoning was suggested by the city planning department and will allow for a convenience store and fueling station at this location.

There is a 12-inch public water main located along Peach Orchard Road. A public water main extension will be required from Peach Orchard Road to the new development. There is an 18-inch public sanitary sewer main that crosses the property along the north portion of the site. The public sewer main is available to serve the future development at this location. Signage, along with other requirements for C-2 zoning will follow the city's code of ordinance, including drainage, landscaping and city utilities.

There should not be a significant increase in traffic generated by the development of a Kum & Go convenience store and fueling station. Kum & Go convenience stores are meant to be a

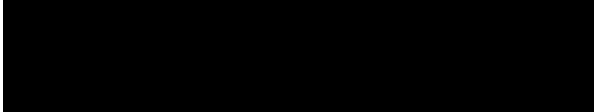
Kum & Go, 2426 – Bentonville, AR
March 7, 2023

convenience to the surrounding area and are not considered a point of interest for people not living in the general vicinity.

We appreciate your consideration in this matter and if you should have any questions, please feel free to contact Ozark Civil Engineering, Inc. at your convenience.

Sincerely,

Ozark Civil Engineering, Inc.



Michael Clotfelter, Project Manager



NOTICE OF INTENT TO REZONE

Bentonville/Bella Vista Trailblazers Association Inc. has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-1, Low Density Single-Family Residential to C-1, Neighborhood Commercial

The legal description of the property is as follows:

Lots 188, 189 & 190, of Hidden Springs Phase 1 Subdivision to Bentonville, Benton County, ,

The common description of the property is: North end of NW A Street by new parking lot

The public hearing will be held April 18, 2023 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

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

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

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

☐ I / we have no objections to the rezoning.

☐ I / we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

RESOLUTION NO. _____

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

(PROJECT NUMBER: RZ23-0027)

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

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN AT THE SW CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 12; THENCE NORTH 2°42'16" EAST, 325.76 FEET ALONG THE WEST LINE OF SAID SE 1/4 OF THE SE 1/4 TO A SET IRON PIN ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 2°42'16" EAST, 307.74 FEET ALONG SAID WEST LINE TO SET IRON PIN; THENCE SOUTH 87°32'52" EAST, 662.00 FEET TO A FOUND ALUMINUM MONUMENT ON THE WESTERLY RIGHT OF WAY OF US HIGHWAY BUSINESS 71; THENCE ALONG SAID RIGHT OF WAY SOUTH 2°26'51" EAST, 131.93 FEET TO A SET IRON PIN; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 9°00'49" EAST, 50.53 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT OF WAY, NORTH 83°36'50" WEST 52.80; THENCE SOUTH 61°28'29" WEST, 127.01 FEET; THENCE SOUTH 6°29'36" EAST, 191.53 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY SOUTH 77°30'44" WEST, 148.00 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY NORTH 65°56'29" WEST, 440.86 FEET TO THE POINT OF BEGINNING.

AND

TRACT 2 IN A SURVEY OF PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AS RECORDED IN PLAT RECORD 14 AT PAGE 214, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN AT THE SW CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 12; THENCE SOUTH 87°26'49" EAST, 553.96 FEET ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4; THENCE NORTH 2°33'11" EAST, 202.55 FEET TO A FOUND IRON PIN ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 6°29'36" WEST, 191.53 FEET TO SET IRON PIN; THENCE NORTH 61°28'29" EAST, 127.01 FEET TO A FOUND IRON PIN; THENCE SOUTH 83°36'50" EAST, 52.80 FEET TO A FOUND IRON PIN ON THE WESTERLY RIGHT OF WAY OF US HIGHWAY BUSINESS 71; THENCE ALONG SAID RIGHT OF WAY SOUTH 9°07'18" EAST, 103.83 FEET TO A FOUND IRON PIN; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID INTERSTATE HIGHWAY 49, SOUTH 48°05'42" WEST 213.45 FEET TO THE POINT OF BEGINNING.

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

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

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

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

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

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

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

PASSED AND APPROVED this ____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING
CLASSIFICATION OF A-1, AGRICULTURAL TO C-2, GENERAL
COMMERCIAL; AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ23-0027)**

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

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN AT THE SW CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 12; THENCE NORTH 2°42'16" EAST, 325.76 FEET ALONG THE WEST LINE OF SAID SE 1/4 OF THE SE 1/4 TO A SET IRON PIN ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 2°42'16" EAST, 307.74 FEET ALONG SAID WEST LINE TO SET IRON PIN; THENCE SOUTH 87°32'52" EAST, 662.00 FEET TO A FOUND ALUMINUM MONUMENT ON THE WESTERLY RIGHT OF WAY OF US HIGHWAY BUSINESS 71; THENCE ALONG SAID RIGHT OF WAY SOUTH 2°26'51" EAST, 131.93 FEET TO A SET IRON PIN; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 9°00'49" EAST, 50.53 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT OF WAY, NORTH 83°36'50" WEST 52.80; THENCE SOUTH 61°28'29" WEST, 127.01 FEET; THENCE SOUTH 6°29'36" EAST, 191.53 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY SOUTH 77°30'44" WEST, 148.00 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY NORTH 65°56'29" WEST, 440.86 FEET TO THE POINT OF BEGINNING.

AND

TRACT 2 IN A SURVEY OF PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AS RECORDED IN PLAT RECORD 14 AT PAGE 214, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN AT THE SW CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 12; THENCE SOUTH 87°26'49" EAST, 553.96 FEET ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4; THENCE NORTH 2°33'11" EAST, 202.55 FEET TO A FOUND IRON PIN ON THE NORTHERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 49, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 6°29'36" WEST, 191.53 FEET TO SET IRON PIN; THENCE NORTH 61°28'29" EAST, 127.01 FEET TO A FOUND IRON PIN; THENCE SOUTH 83°36'50" EAST, 52.80 FEET TO A FOUND IRON PIN ON THE WESTERLY RIGHT OF WAY OF US HIGHWAY BUSINESS 71; THENCE ALONG SAID RIGHT OF WAY SOUTH 9°07'18" EAST, 103.83 FEET TO A FOUND IRON PIN; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID INTERSTATE HIGHWAY 49, SOUTH 48°05'42" WEST 213.45 FEET TO THE POINT OF BEGINNING.

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

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of A-1, AGRICULTURAL to C-2, GENERAL COMMERCIAL.

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Mike Huey - RSB Subdivision

Southwest Adams Road

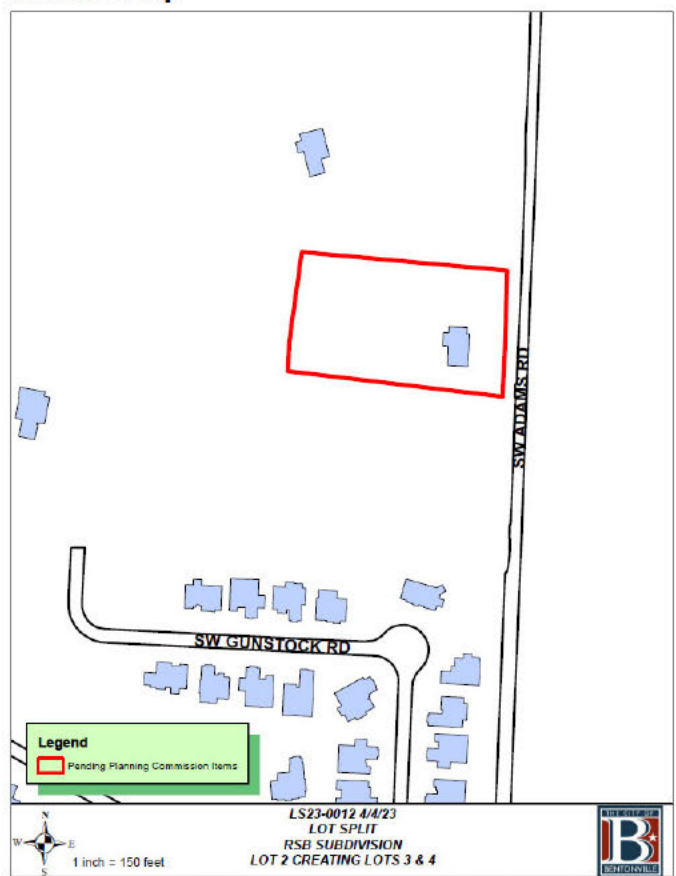
PC Date: 4/18/2023

Reviewer: Luke Aitken, Planning Technician

Project Number	LS23-0012
Applicant / Current Owner	Mike Huey
Site Area	+/- 2.08 Acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	Residential Estate (RE)
Related Projects	RZ23-0023

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

Location Map



Property Description

This property is located on the west side of Southwest Adams Road, 0.15 miles southwest of the intersection of Southwest Opal Road and Southwest Adams Road. It is currently zoned A-1, Agriculture, with a Future Land Use Map classification of RE, Residential Estate.

Project Details

The applicant is proposing a split of an existing 2.08-acre lot into two roughly one-acre residential lots; Lot 3 of RSB Subdivision (1.0 acres) to the west and Lot 4 of RSB Subdivision (1.03 acres) to the east. The applicant has also made concurrent rezoning and future land use map amendment requests (RZ23-0023) for this property to be classified as Low Density Residential future land use and rezoned from A-1, Agriculture to R-1, Low Density Single Family Residential.

The plat also dedicates a 20-foot-wide private ingress/egress easement along the southern edge of Lot 4, in addition to dedicating 2,343 Sq. Ft. or 0.05 Acres of right of way along the west of Southwest Adams Road for a total of 45 ft of right-of-way on the west side, as required per the Bentonville Master Street Plan.

Waivers

There are no waiver requests associated with this project.

Analysis and Recommendation

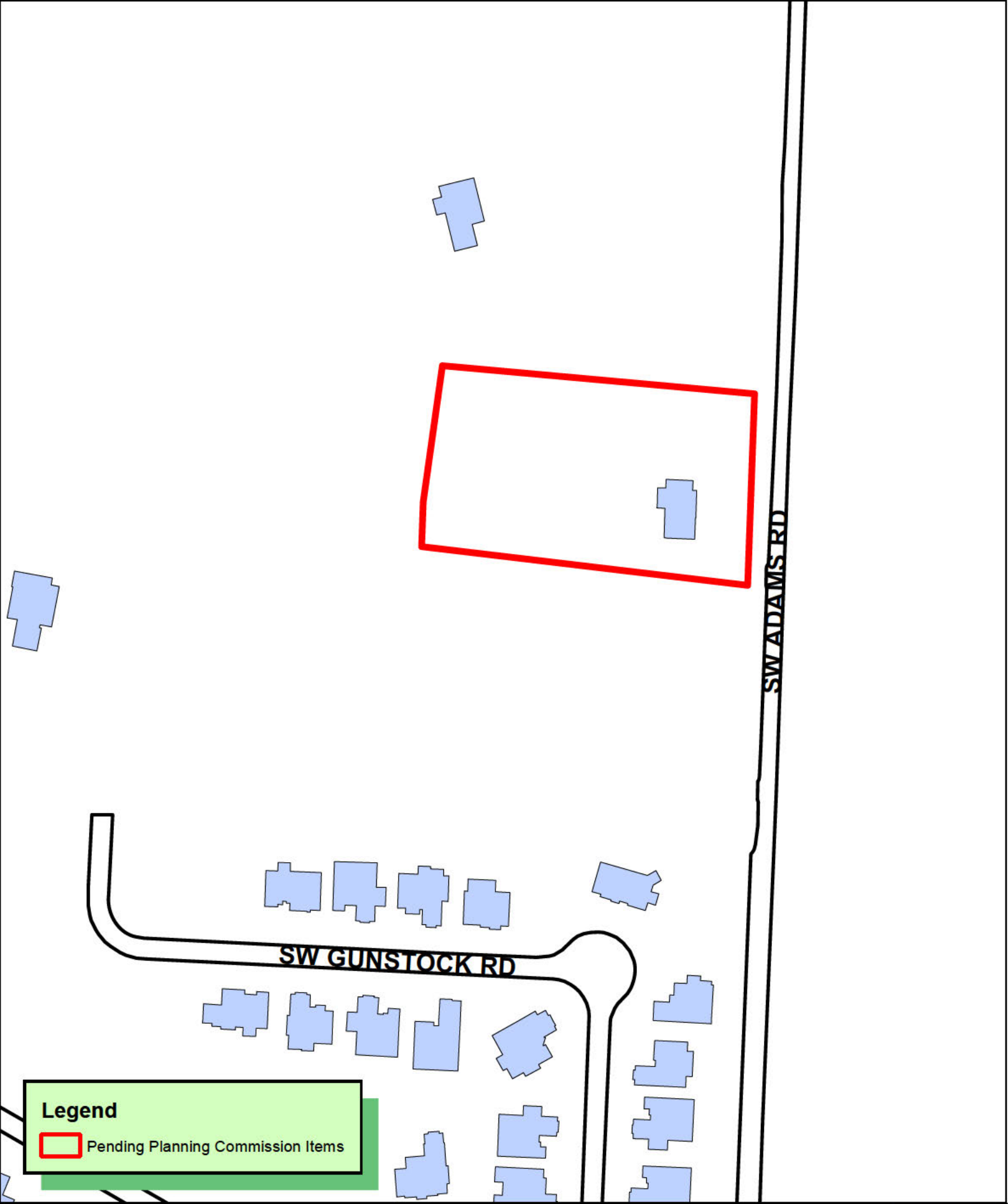
Staff recommends approval of the lot split, as adequate right of way is being proposed along Adams Road and all lots proposed would comply with zoning and subdivision specific code requirements, but only if the associated rezoning is approved before this plat is voted on by Planning Commission.

Standard Conditions of Approval

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

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit issuance.



LOT SPLIT

CREATING LOTS 3 & 4

RSB SUBDIVISION

BENTONVILLE, ARKANSAS

“Exhibit A”

CLIENT: Guy Cable
5500 SW Gunstock Rd.
Bentonville, AR 72713
(479) 220-8365
gcable@grandsavingsbank.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, Instrument #L202011844 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 referencing Bentonville City Control Monument Number 15.
5. Basis of Elevation: NAVD88, referencing Bentonville City Control Monument Number 15.
6. This survey is valid only if the drawing includes the seal and signature of the surveyor.
7. This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats".
8. 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.
9. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
10. This property is currently zoned R-1, Low Density Single Family Residential. Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.
11. 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.
12. Subsurface and environmental conditions were not examined nor considered a part of this survey.
13. 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.
14. 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.
15. Sidewalks shall be the responsibility of the builder/owner at the time of building permit issuance.
16. Before any work in the Right-of-Way commences, contractor and owner is to obtain Right-of-Way permit from the City of Bentonville Transportation Department.
17. There may not be any fences or any other structures built in any drainage easement.
18. All structures must maintain minimum 20' clearances from all electric lines.
19. Owner/Developer shall coordinate with all local utilities to ensure that each lot has water, sewer and electric service.



VICINITY MAP

Scale: 1" = 2,000'

ATLAS PAGE # 522

PARENT DESCRIPTION LOT 2:

Part of the NW1/4 of the SE1/4 of Section 16, Township 19 North, Range 31 West, Benton County, Arkansas. Being more particularly descr bed by follows:

COMMENCING at SE Corner of said NW1/4 of the SE1/4, said point also being a Found Iron Pin in the West side of SW Adams Road, Thence leaving said road N87°08'57"W 30.19 feet to the West Right of Way of said road, Thence along said Right of Way N02°05'07"E 316.84 feet to the Point of Beginning, Thence leaving said Right of Way N83°15'04"W 405.34 feet, Thence N04°48'44"E 57.36 feet, Thence N08°04'54"E 166.31 feet, Thence S84°50'12"E 384.37 feet to the West Right of Way of said road, Thence along said Right of Way S02°03'38"W 235.01 feet to the Point of Beginning, Containing 2.08 Acres and subject to any Easements of Record or Fact.

SURVEY DESCRIPTION LOT 3:

Part of the NW1/4 of the SE1/4 of Section 16, Township 19 North, Range 31 West, Benton County, Arkansas. Being more particularly descr bed by follows:

COMMENCING at SE Corner of said NW1/4 of the SE1/4, said point also being a Found Iron Rod in the West side of SW Adams Road, Thence leaving said road N87°08'57"W 30.19 feet to the West Right of Way of said SW Adams Road; Thence along said West Right of Way N02°05'07"E 316.84 feet to a Found 3/4" Rebar w/Cap (PLS1181); Thence leaving said West Right of Way N83°15'05"W 240.27 feet to a Set 3/4" Rebar w/Cap (PLS1002) for the Point of Beginning;

Thence N83°15'05"E 162.68 feet to a Found 3/4" Rebar w/Cap (PLS1181); Thence N04°46'39"E 57.39 feet to a Found 3/4" Rebar; Thence N08°05'57"E 166.28 feet to a Found 3/4" Rebar; Thence S84°50'27"E 374.34 feet to a Set 3/4" Rebar w/Cap (AR1002) on the West Right of Way of said SW Adams Road; Thence along said West Right of Way S02°03'49"W 30.00 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence leaving said West Right of Way N84°51'06"W 202.31 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence S17°47'35"W 93.63 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence S03°11'33"W 106.73 feet to the Point of Beginning, Containing 43,560 Sq. Ft. or 1.00 Acres and subject to any Easements of Record or Fact.

SURVEY DESCRIPTION LOT 4:

Part of the NW1/4 of the SE1/4 of Section 16, Township 19 North, Range 31 West, Benton County, Arkansas. Being more particularly descr bed by follows:

COMMENCING at SE Corner of said NW1/4 of the SE1/4, said point also being a Found Iron Rod in the West side of SW Adams Road, Thence leaving said road N87°08'57"W 30.19 feet to the West Right of Way of said SW Adams Road; Thence along said West Right of Way N02°05'07"E 316.84 feet to a Found 3/4" Rebar w/Cap (PLS1181); Thence N83°15'05"W 10.00 feet to a Set 3/4" Rebar w/Cap (PLS1002) on the West right of Way line of SW Adams Road for the Point of Beginning;

Thence leaving said West Right of Way N83°15'05"E 230.27 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence N03°11'33"E 106.73 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence N17°47'35"E 93.63 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence S84°51'06"E 202.31 feet to a Set 3/4" Rebar w/Cap (AR1002) on the West Right of Way of said SW Adams Road; Thence along said Right of Way S02°03'49"W 204.76 feet to the Point of Beginning, Containing 44,787 Sq. Ft. or 1.03 Acres and subject to any Easements of Record or Fact.

R.O.W. DEDICATION:

Part of the NW1/4 of the SE1/4 of Section 16, Township 19 North, Range 31 West, Benton County, Arkansas. Being more particularly descr bed by follows:

COMMENCING at SE Corner of said NW1/4 of the SE1/4, said point also being a Found Iron Rod in the West side of SW Adams Road, Thence leaving said road N87°08'57"W 30.19 feet to the West Right of Way of said SW Adams Road; Thence along said West Right of Way N02°05'07"E 316.84 feet to a Found 3/4" Rebar w/Cap (PLS1181) for the Point of Beginning; Thence leaving the said existing West Right of Way line of SW Adams Road N83°15'05"W 10.00 feet to a Set 3/4" Rebar w/Cap (PLS1002); Thence N02°03'49"E 234.76 feet to a Set 3/4" Rebar w/Cap (AR1002); Thence S84°50'27"E 10.00 feet to a Found 3/4" Rebar (PLS1181) on the existing West Right of Way line of SW Adams Road; Thence continuing along said West Right of Way line of SW Adams Road S02°04'05"W 235.04 feet to the Point of Beginning, Containing 2,343 Sq. Ft. or 0.05 Acres and subject to any Easements of Record or Fact.

CERTIFICATE OF OWNERSHIP:

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

Date of Execution: _____

Signed: _____

Name and Address: _____

Print Name: _____

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



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



SURVEYOR'S CERTIFICATE:

I, C. Ed Gray, 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.

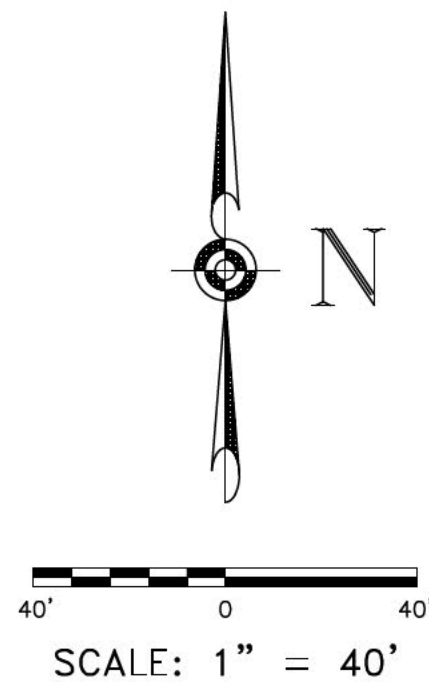
Date of Execution: _____

C. Ed Gray
Registered Land Surveyor
State of Arkansas
Registration No. 1002

State Filing Code:
500-19N-31W-0-16-240-04-1002

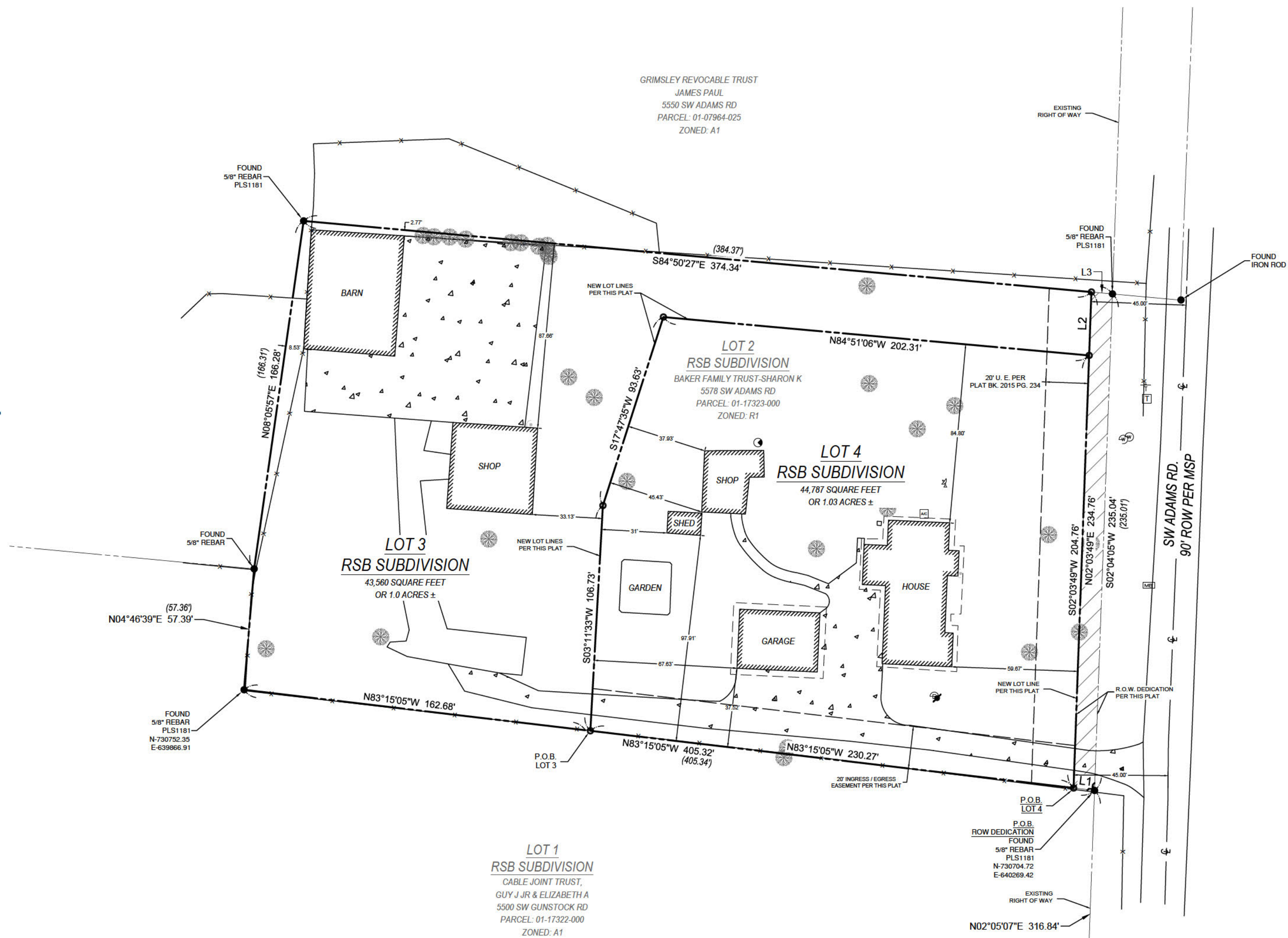
C.O.B. Project No.
LS23-0012

22057 GUY CABLE



SITE LEGEND

- MONUMENT SET (5/8" REBAR w/CAP "PLS1002")
- MONUMENT FOUND (AS NOTED)
- BENCH MARK
- UTILITY POLE
- SIGN
- GAS SIGN
- TELEPHONE SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- HOSE BIB
- DRAINAGE MANHOLE
- ELECTRIC METER
- CLEANOUT
- HVAC / AC UNIT
- CABLE RISER
- TELEPHONE RISER
- MAILBOX
- DECIDUOUS TREE
- PROPERTY LINES
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- OHE
- OVERHEAD ELECTRIC LINE
- FENCE (CHAINLINK)
- FENCE (BARB WIRE)
- FLOW LINE
- DRAINAGE PIPE



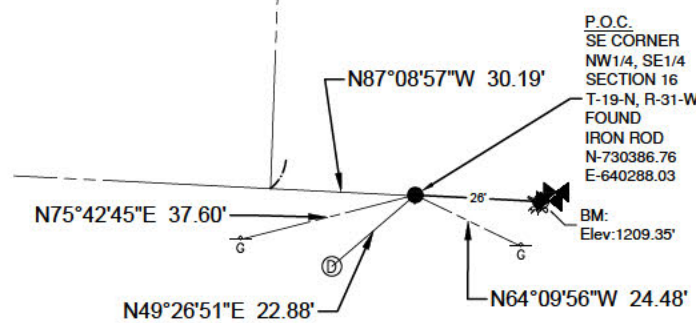
Parcel Line Table		
Line #	Direction	Length
L1	N83°15'05"W	10.00
L2	S2°03'49"W	30.00
L3	S84°50'27"E	10.00

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 05007C0235K. Revised date June 04, 2012.

BENCHMARK:

Bolt between the Letters "E" and "L" in the word "MUELLER" on fire hydrant approx. 26' East of the SE Corner of the NW¼ of the SE¼.
Northing: 730385.40
Easting: 640314.26
Elev: 1209.35'



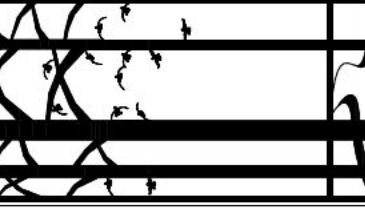
CLIENT: Guy Cable
5500 SW Gunstock Rd.
Bentonville, AR 72713
(479) 220-8365
gcable@grandsavingsbank.com

LOT SPLIT

CREATING LOTS 3 & 4
RSB SUBDIVISION
BENTONVILLE, ARKANSAS



SAND CREEK
Engineering and Land Surveying
Bentonville, Arkansas (479) 464-9262



PLS:	CEG
CAD:	MJH
FIELD:	MS
SCE PROJECT #:	22057
DATE:	02/13/2023
SHEET:	2 OF 2

State Filing Code: C.O.B. Project No.
500-19N-31W-0-16-240-04-1002 LS23-0012

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 2 OF RSB SUBDIVISION
CREATING NEW LOTS 3 AND 4 OF RSB SUBDIVISION TO THE CITY OF
BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

(PROJECT NUMBER: LS23-0012)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of LOT 2 OF RSB SUBDIVISION creating new LOTS 3 AND 4 OF RSB SUBDIVISION, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on April 18, 2023;

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

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

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

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

Section 1: That the lot split of LOT 2 OF RSB SUBDIVISION creating new LOTS 3 AND 4 OF RSB 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 _____, 2022.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Kirby Romines, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Electric
Submitted by	Travis Matlock, PE
Phone	479-271-5941

Item Type: (Check Applicable Item Type)					
☒ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution authorizing the Mayor and City Clerk to enter into an agreement with Carroll Electric Co-op to purchase facilities in the SW portion of Bentonville for \$354,677.61 and a budget adjustment to cover the costs. Approved by Utility Board 4-0.					

Estimated Cost	\$354,677.61
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	
BEUD has \$50,000.00 budgeted to cover smaller CECC purchases. To make up the difference a budget adjustment will move \$304,677.61 from UG Primary to Improvements Other.	





Budget Adjustment Request

Date of City Council Meeting	4/25/2023
Department	Electric
Submitted by	Travis Matlock, PE
Phone	479-271-5941

Purpose of Budget Adjustment <i>(Enter purpose in space below):</i>
Budget adjustment to move \$304,677.61 from UG Primary to Improvements Other than Electric to cover CECC account/infrastructure purchases. Approved by Utility Board 4-0.

General Ledger Account Information*				
Org (Department)	Object	Account Description	Revenue + (-)	Expense + (-)
503010	47313	UG Primary		\$ 304,677.61
503010	47310	Improvements Other than Electric		\$ 304,677.61
		Totals	\$ -	\$ 609,355.22
		Net Impact on Fund Balance	\$ (609,355.22)	

*Final Account Number will be determined by Accounting Department after approval and purchase



www.bentonvillear.com

PLEASE RECYCLE



MEMORANDUM

DATE: April 25, 2023

TO: City Council, Mayor Orman

FROM: Travis Matlock, Electric Utility Director

RE: CECC Purchases – SW Portion of Bentonville.

Electric Dept. staff recommends entering into an agreement with Carroll Electric Co-op to purchase various accounts in the SW portion of town, totaling \$354,677.61.

There are 3 different sections involved in this purchase as listed below with their associated costs:

- Morningstar Rd (from Scoggins to Sears) - \$183,738.30
- Piercy Rd/Lee Harris Rd (from Piercy to Sears) - \$169,376.35
- 3810 N Rainbow Farms Rd - \$1,562.96

These purchases are required to continue and extend BEUD service further south, and to enable Bentonville to serve future developments that are currently in various stages of discussion.

BEUD has \$50,000 budgeted for CECC purchases every year. But with this grouping, the \$50,000 plus a budget adjustment to move money from UG Primary to Improvements Other will be used to cover the costs. \$304,677.61 will be moved between accounts to cover the total \$354,677.61.

Approved by Utility Board 4-0.



**Carroll Electric
Cooperative Corporation**

Reliable | Affordable | Local

800-432-9720
carrollecc.com

March 30, 2023

The Honorable Stephanie Orman
Mayor, City of Bentonville
117 W. Central Avenue
Bentonville, AR 72712

RE: Sale of Facilities

Dear Mayor Orman:

We have completed our inventory and appraisal of the cooperative properties for the facilities currently serving 10 consumers in Southwest Bentonville, per the letter dated October 1, 2020, stating your intent to provide service to this area. For practical purposes, we have designated this cutover project as Morningstar (Scoggins to Sears). Pursuant to Arkansas law and the Mediation Settlement Agreement dated September 13, 2010, the following amounts have been determined as the proper valuation:

Present-day reproduction cost, new, of the properties and facilities being acquired, less depreciation computed on a straight-line basis	\$ 80,531.91
Cost of construction of necessary facilities to reintegrate the system after detaching the portion to be sold	11,719.59
Stranded Costs - The book value, net of depreciation, of all properties and facilities not being acquired or portions thereof, which were constructed or purchased in good faith by the electric public utility in order to serve customers in the annexed area	21,310.62
Administrative, engineering and accounting expenses associated with establishing valuation	3,808.58
Three hundred fifty-five percent (355%) of gross revenues less gross receipts taxes received for the 12-month period	66,367.60
Demand cost	<u>0</u>
Total	\$ 183,738.30

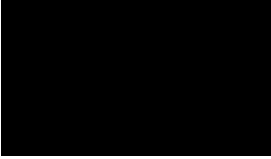
A billing statement and tabulations are included for your convenience.

After receipt of payment in full, please contact Mr. Mike Dodge, Vice President of our Bentonville District to coordinate this cutover. All Carroll Electric facilities in the area are included in the above amounts.

City of Bentonville
Page 2

Carroll Electric Cooperative is in full agreement of the release of these facilities and accounts to the City of Bentonville and will coordinate the exchange with your personnel in order to cause minimum inconvenience. Please contact me concerning this information should any questions arise.

Sincerely,



Rob Boaz
President, CEO

RB/tg
Enclosures

cc: Mike Dodge, Bentonville District
Derek Thurman, Bentonville District
Travis Matlock, City of Bentonville

Carroll Electric Cooperative Corporation

707 SE Walton Blvd.
PO Box 329
Bentonville, AR 72712

Phone: (479) 273-2421
Fax: (479) 273-1231

Statement

Date: March 30, 2023

Bill To: City of Bentonville
117 W. Central Ave
Bentonville, AR 72712

Date	Type	Description	Amount	Payment	Balance
3/30/2023	Facility Sale	Morningstar (Scoggins to Sears)	183,738.30		183,738.30
				Total	\$ 183,738.30

REMITTANCE	
Customer Name:	City of Bentonville
Customer ID:	
Statement #:	033023
Date:	
Amount Due:	183,738.30
Amount Enclosed:	

Carroll Electric Cooperative Corp.

2023 Facilities Sold to City of Bentonville - Morningstar (Scoggins to Sears)
RET 037266

SUMMARY:

Depreciated Value	\$	80,531.91
Reintegration Value	\$	11,719.59
Stranded Costs	\$	21,310.62
Engineering & Accounting	\$	3,808.58
12 months revenue X 355%	\$	\$66,367.61
Demand Cost	\$	-

TOTAL COST	\$	183,738.30
-------------------	-----------	-------------------

Acct Location	Meter No	Member Sep
316023546	64657927	105585002
3162373002	92568339	202401245
316023565	78768036	978094001
316023564	45285138	978094002
316023561	39000949	998759001
316023550	53183066	982222001
316023661	66675835	987105002
316023760	46741434	9428440004
316023634	42403419	9433938006
316023650	45286493	9412242001

Carroll Electric Cooperative Corp.

Project Morningstar (Scoggins to Sears)
Reintegration Value

Unit	Construction Unit Cost	Retirement Unit Cost	27	Construction 28	XX	Construction Quantity	0.1	Retirement 27	XX	Retirement Quantity	Total Cost
Poles											
24 FP	\$ 1,242.23					0				0	\$ -
30-5	\$ 1,181.92					0				0	\$ -
35-4	\$ 1,336.36					0				0	\$ -
40-2	\$ 1,652.26					0				0	\$ -
40-4	\$ 1,525.18			1		1				0	\$ 1,525.18
45-3	\$ 1,730.28					0				0	\$ -
50-1	\$ 2,231.04					0				0	\$ -
55-1	\$ 2,497.40					0				0	\$ -
60-1	\$ 2,809.07					0				0	\$ -
65-1	\$ 3,071.45					0				0	\$ -
70-1	\$ 4,038.90					0				0	\$ -
75-1	\$ 5,216.96					0				0	\$ -
80-1	\$ 6,598.08					0				0	\$ -
85-1	\$ 7,706.36					0				0	\$ -
Conductor											
#6 DUPLEX	\$ 1.10					0				0	\$ -
#4 ACSR	\$ 0.95	\$ 0.62				0	548			548	\$ 339.76
#2 ACSR	\$ 1.01					0				0	\$ -
#2 TR PLEX	\$ 1.75					0				0	\$ -
#1/0 ACSR	\$ 1.34					0				0	\$ -
#1/0 TRIPLEX	\$ 2.31					0				0	\$ -
#1/0 QUAD	\$ 3.00					0				0	\$ -
#3/0 TRIPLEX	\$ 3.17					0				0	\$ -
#350 URD Triplex	\$ 9.39					0				0	\$ -
#4/0 ACSR	\$ 1.86					0				0	\$ -
#4/0 QUAD	\$ 4.24					0				0	\$ -
#477 ACSR	\$ 2.87					0				0	\$ -
#12-2 UF	\$ 2.91					0				0	\$ -
#1/0 URD Triplex	\$ 3.20					0				0	\$ -
#4/0 URD Triplex	\$ 5.76					0				0	\$ -
#1/0 URD Quad	\$ 4.11					0				0	\$ -
#4/0 URD Quad	\$ 7.29					0				0	\$ -
#1/0 25kV 260mill	\$ 6.35					0				0	\$ -
#4/0 25kV 260mill	\$ 6.35					0				0	\$ -
OH Pri. Units											
VA1.01	\$ 95.84					0				0	\$ -
VA1.014	\$ 90.97					0				0	\$ -
VA1.011	\$ 93.29			3		3				0	\$ 279.87
VA1.011L	\$ 110.87					0				0	\$ -
VA1.1	\$ 145.66					0				0	\$ -
VA1.2	\$ 163.34					0				0	\$ -
VA1.1DP	\$ 188.90					0				0	\$ -
VA1.11	\$ 307.27					0				0	\$ -
VA1.21	\$ 447.54					0				0	\$ -
VA2.01	\$ 147.83					0				0	\$ -
VA2.021	\$ 141.30					0				0	\$ -
VA2.021L	\$ 213.19					0				0	\$ -
VA2.1	\$ 201.42					0				0	\$ -
VA2.21	\$ 614.75					0				0	\$ -
VA3.2	\$ 216.43					0				0	\$ -
VA4.1	\$ 451.85					0				0	\$ -
VA5.1S	\$ 173.02					0				0	\$ -
VA5.1	\$ 192.17					0				0	\$ -
VA5.3	\$ 193.29					0				0	\$ -
VA5.31	\$ 917.49					0				0	\$ -
VA5.3B	\$ 239.91	\$ 176.95				0	1			1	\$ 176.95
VA5.3S	\$ 237.27					0				0	\$ -
VA5.4	\$ 229.14					0				0	\$ -
VA5.4S	\$ 229.14					0				0	\$ -
VA6.2	\$ 366.50					0				0	\$ -
VA6.21	\$ 796.10					0				0	\$ -
VC1.11	\$ 463.74					0				0	\$ -
VC1.11F	\$ 518.67	\$ 158.37				0		1		1	\$ 158.37
VC1.12	\$ 518.67					0				0	\$ -
VC1.12L	\$ 556.57					0				0	\$ -
VC1.11L	\$ 524.52					0				0	\$ -
VC1.41	\$ 468.24					0				0	\$ -
VC1.41L	\$ 554.08					0				0	\$ -
VC1.9N	\$ 702.16					0				0	\$ -
VC1.91N	\$ 702.16					0				0	\$ -
VC1.92N	\$ 716.14					0				0	\$ -
VC2.21	\$ 872.94					0				0	\$ -
VC2.21L	\$ 949.53					0				0	\$ -
VC2.51	\$ 1,033.40					0				0	\$ -
VC2.51L	\$ 1,152.81					0				0	\$ -
VC2.52	\$ 909.65					0				0	\$ -
VC2.52L	\$ 845.85					0				0	\$ -
VC3.1L	\$ 850.28					0				0	\$ -
VC3.2L	\$ 1,309.67					0				0	\$ -
VC4.2L	\$ 1,247.57					0				0	\$ -
VC5.2L	\$ 834.72					0				0	\$ -
VC5.21	\$ 1,192.61					0				0	\$ -
VC5.31	\$ 1,242.22					0				0	\$ -

Carroll Electric Cooperative Corp.

VC5.51	\$ 1,120.94				0			0	\$ -
VC5.71L	\$ 1,558.94	1			1			0	\$ 1,558.94
VC6.31	\$ 1,733.59				0			0	\$ -
VC6.51	\$ 1,611.04				0			0	\$ -
VC6.71	\$ 1,875.54		1		1			0	\$ 1,875.54
VD1.81L	\$ 2,039.94				0			0	\$ -
VD2.91L	\$ 3,682.45				0			0	\$ -
OH Misc Units									
E2.01	\$ 236.90				0			0	\$ -
E2.01L	\$ 307.15				0			0	\$ -
E2.1	\$ 203.01		2		2			0	\$ 406.02
E2.1E X	\$ 256.11		2		2			0	\$ 512.22
E2.1EL X	\$ 283.05				0			0	\$ -
E3.10	\$ 24.50				0			0	\$ -
E5.10.X	\$ 219.90				0			0	\$ -
F2.10	\$ 492.38		2		2			0	\$ 984.76
F5.3 XX	\$ 603.15				0			0	\$ -
F1.10	\$ 515.53				0			0	\$ -
F1.12	\$ 562.76				0			0	\$ -
F1.14	\$ 685.29				0			0	\$ -
VG1.4.X	\$ 281.56				0			0	\$ -
VG1.5.X	\$ 281.56				0			0	\$ -
VG3.1	\$ 2,762.13				0			0	\$ -
VG3.3	\$ 2,762.13				0			0	\$ -
VG3.4	\$ 2,849.15				0			0	\$ -
G3.1	\$ 2,508.77				0			0	\$ -
G3.3	\$ 2,508.77				0			0	\$ -
G3.4	\$ 2,706.67				0			0	\$ -
H1.1	\$ 88.84				0			0	\$ -
H1.1X	\$ 90.01		1		1			0	\$ 90.01
J1.1	\$ 65.64				0			0	\$ -
J2.1	\$ 67.34				0			0	\$ -
J3.1	\$ 83.61				0			0	\$ -
K1.3	\$ 66.15				0			0	\$ -
K2.1	\$ 66.15				0			0	\$ -
K2.2	\$ 62.44				0			0	\$ -
K2.3	\$ 66.15				0			0	\$ -
K3.2	\$ 72.81				0			0	\$ -
P2.1	\$ 122.87		1		1			0	\$ 122.87
P1.1	\$ 223.95				0			0	\$ -
P1.01	\$ 182.95				0			0	\$ -
P1.1A	\$ 249.88				0			0	\$ -
P1.3	\$ 405.78				0			0	\$ -
P1.3A	\$ 758.45				0			0	\$ -
VP1.1	\$ 244.13				0			0	\$ -
VP1.01	\$ 203.12				0			0	\$ -
VP1.1A	\$ 213.10				0			0	\$ -
VP1.3	\$ 573.93				0			0	\$ -
VP1.3A	\$ 648.14				0			0	\$ -
Q2.1	\$ 444.55				0			0	\$ -
R1.1	\$ 673.64				0			0	\$ -
R1.2	\$ 867.12				0			0	\$ -
R3.1	\$ 2,428.53				0			0	\$ -
R3.2	\$ 3,894.62				0			0	\$ -
VR1.1	\$ 729.73				0			0	\$ -
VR1.2	\$ 931.28				0			0	\$ -
VR3.1	\$ 2,534.97				0			0	\$ -
VR3.2	\$ 3,957.65				0			0	\$ -
VS1.01	\$ 376.06				0			0	\$ -
VS1.02	\$ 471.21				0			0	\$ -
VS1.02	\$ 471.21				0			0	\$ -
VS2.01	\$ 384.66				0			0	\$ -
VS2.02	\$ 628.85				0			0	\$ -
VS2.31	\$ 2,568.29				0			0	\$ -
VS2.32A	\$ 6,060.71				0			0	\$ -
Y1.1	\$ 2,879.83				0			0	\$ -
Y1.3	\$ 13,496.82				0			0	\$ -
Y2.3	\$ 9,486.05				0			0	\$ -
Y3.1	\$ 1,392.51				0			0	\$ -
Y3.3	\$ 3,836.33				0			0	\$ -
VY1.1	\$ 2,930.97				0			0	\$ -
VY1.3	\$ 13,533.32				0			0	\$ -
VY2.1A	\$ 1,920.74				0			0	\$ -
VY2.1	\$ 2,181.38				0			0	\$ -
VY2.3	\$ 9,676.62				0			0	\$ -
VY3.1	\$ 1,437.24				0			0	\$ -
VY3.3	\$ 3,963.66				0			0	\$ -
M101	\$ 779.85				0			0	\$ -
M26.1000	\$ 1,148.97				0			0	\$ -
M26.70	\$ 596.79				0			0	\$ -
M26.70C	\$ 937.28				0			0	\$ -
M26.70D	\$ 596.79				0			0	\$ -
M5.CONEXT	\$ 195.94				0			0	\$ -
M.RX.EX	\$ 280.08				0			0	\$ -
UG Units									
UK5	\$ 505.77				0			0	\$ -
UA1	\$ 1,955.35				0			0	\$ -
UA2	\$ 2,094.13				0			0	\$ -
UA3	\$ 2,165.27				0			0	\$ -
UC1	\$ 4,722.84				0			0	\$ -

Carroll Electric Cooperative Corp.

UC2	\$	5,108.35								0						0	\$	-
UC5.1	\$	6,649.55								0						0	\$	-
UM1.5C	\$	265.53								0						0	\$	-
UM1.66C	\$	9,703.03								0						0	\$	-
UM1.7NC	\$	673.49								0						0	\$	-
UM3.14	\$	828.18								0						0	\$	-
UM5	\$	1,386.03								0						0	\$	-
UM6.1	\$	418.25								0						0	\$	-
UM6.5	\$	223.73								0						0	\$	-
UM6.6	\$	153.74								0						0	\$	-
UM6.10	\$	72.22								0						0	\$	-
UM6.13	\$	68.33								0						0	\$	-
UM6.15	\$	79.38								0						0	\$	-
UM6.19	\$	151.75								0						0	\$	-
UM6.22.200	\$	321.14								0						0	\$	-
UM6.24	\$	931.47								0						0	\$	-
UM6.33	\$	148.56								0						0	\$	-
UM6.34	\$	192.66								0						0	\$	-
UM33.200	\$	1,249.34								0						0	\$	-
UM33.600	\$	2,202.69								0						0	\$	-
UM48.2	\$	325.75								0						0	\$	-
UM48.1	\$	157.26								0						0	\$	-
UM50.P.SWP	\$	52.87								0						0	\$	-
UJ2.6	\$	83.23								0						0	\$	-
UJ2.8	\$	95.43								0						0	\$	-
UQ2.1.200	\$	533.21								0						0	\$	-
UQ2.1.400	\$	1,517.45								0						0	\$	-
UQ2.MBM	\$	588.26								0						0	\$	-
UR2.12.40	\$	7.67								0						0	\$	-
UR2.12LR	\$	10.45								0						0	\$	-
UR6.12	\$	44.37								0						0	\$	-
UR6.32	\$	74.07								0						0	\$	-
UR6.13	\$	50.97								0						0	\$	-
UR6.33	\$	90.20								0						0	\$	-
UR6.34	\$	98.27								0						0	\$	-
UR6.64	\$	162.80								0						0	\$	-
UR6.12R	\$	137.50								0						0	\$	-
UR6.32R	\$	165.00								0						0	\$	-
UR6.13R	\$	141.17								0						0	\$	-
UR6.33R	\$	192.50								0						0	\$	-

SUBTOTAL	\$	8,030.49
TRANSFORMER TESTING & RESTOCK NG	\$	3,103.20
METER REMOVAL & TEST NG	\$	585.90

TOTAL	\$ 11,719.59
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[illegible]

Meter Removal	Current Value	Qty			
meter CL200 Disconnect	\$ 196 00	9	\$	58.80	\$ 529.20
meter CL200 Non-Disconnect	\$ 126 00		\$	37.80	\$ -
meter CL320	\$ 189 00	1	\$	56.70	\$ 56.70
				Total	\$ 585.90

Morningstar (Scoggins to Sears)

Customer Name	Physical Address	Mailing Address	Meter Number	HPS Light	Type of Light
SIMPSON, JAMES D OR LINDA	9217 S MORNING STAR RD, BENTONVILLE AR 72712	9217 S MORNING STAR RD, BENTONVILLE AR 72712	64657927	NO	
DAVID HARRIS CONSTRUCTION	9253 S MORNING STAR RD, BENTONVILLE AR 72712	809 S 52ND ST, ROGERS AR 72758	92568339	NO	
FELLOWS, RYAN	9911 SCOGGINS RD, BENTONVILLE AR 72713	9911 SCOGGINS RD, BENTONVILLE AR 72713	78768036	YES	70 LED Dark Skies
FELLOWS, RYAN	9911 SCOGGINS RD (SHOP), BENTONVILLE AR 72713	9911 SCOGGINS RD, BENTONVILLE AR 72713	45285138	NO	
POORE, MICHAEL A OR MARIANNE	9933 SCOGGINS RD, BENTONVILLE AR 72712	9933 SCOGGINS RD, BENTONVILLE AR 72712	39000949	NO	
MERFELD, PAMELA A	9218 S MORNING STAR RD, BENTONVILLE AR 72712	9218 S MORNING STAR RD, BENTONVILLE AR 72712	53183066	NO	
KEETH, ADAM B	9300 S MORNING STAR RD (SHOP), BENTONVILLE AR 72712	9300 S MORNING STAR RD, BENTONVILLE AR 72712	66675835	YES	HPS100 (X3)
KEETH, ADAM B	9300 S MORNING STAR RD, BENTONVILLE AR 72712	9300 S MORNING STAR RD, BENTONVILLE AR 72712	46741434	NO	
DANIEL, RUSSELL OR JAMIE	9253 S MORNING STAR RD, BENTONVILLE AR 72712	4010 ENGLEFIELD DR, BENTONVILLE AR 72712	42403419	NO	
WAGNER, DAN OR JANICE	9240 S MORNING STAR RD, BENTONVILLE AR 72712	PO BOX 52, BENTONVILLE AR 72712	45286493	NO	



**Carroll Electric
Cooperative Corporation**

Reliable | Affordable | Local

800-432-9720
carrollecc.com

March 30, 2023

The Honorable Stephanie Orman
Mayor, City of Bentonville
117 W. Central Avenue
Bentonville, AR 72712

RE: Sale of Facilities

Dear Mayor Orman:

We have completed our inventory and appraisal of the cooperative properties for the facilities currently serving 14 consumers in Southwest Bentonville, per the letter dated September 27, 2019, stating your intent to provide service to this area. For practical purposes, we have designated this cutover project as Piercy Road. Pursuant to Arkansas law and the Mediation Settlement Agreement dated September 13, 2010, the following amounts have been determined as the proper valuation:

Present-day reproduction cost, new, of the properties and facilities being acquired, less depreciation computed on a straight-line basis	\$ 107,702.46
Cost of construction of necessary facilities to reintegrate the system after detaching the portion to be sold	3,362.52
Stranded Costs - The book value, net of depreciation, of all properties and facilities not being acquired or portions thereof, which were constructed or purchased in good faith by the electric public utility in order to serve customers in the annexed area	14,356.11
Administrative, engineering and accounting expenses associated with establishing valuation	1,323.29
Three hundred fifty-five percent (355%) of gross revenues less gross receipts taxes received for the 12-month period.	42,631.97
Demand cost	<u>0</u>
Total	\$ 169,376.35

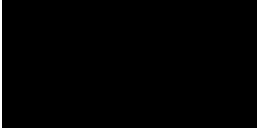
A billing statement and tabulations are included for your convenience.

After receipt of payment in full, please contact Mr. Mike Dodge, Vice President of our Bentonville District to coordinate this cutover. All Carroll Electric facilities in the area are included in the above amounts.

City of Bentonville
Page 2

Carroll Electric Cooperative is in full agreement of the release of these facilities and accounts to the City of Bentonville and will coordinate the exchange with your personnel in order to cause minimum inconvenience. Please contact me concerning this information should any questions arise.

Sincerely,



Rob Boaz
President, CEO

RB/tg
Enclosures

cc: Mike Dodge, Bentonville District
Derek Thurman, Bentonville District
Travis Matlock, City of Bentonville

Carroll Electric Cooperative Corporation

707 SE Walton Blvd.
PO Box 329
Bentonville, AR 72712

Phone: (479) 273-2421
Fax: (479) 273-1231

Statement

Date: March 30, 2023

Bill To: City of Bentonville
117 W. Central Ave
Bentonville, AR 72712

Date	Type	Description	Amount	Payment	Balance
3/30/2023	Facility Sale	Piercy Road	169,376.35		169,376.35
				Total	\$ 169,376.35

REMITTANCE	
Customer Name:	City of Bentonville
Customer ID:	
Statement #:	033023 - P
Date:	
Amount Due:	169,376.35
Amount Enclosed:	

Carroll Electric Cooperative Corp.

2023 Facilities Sold to City of Bentonville - Piercy Road
RET 051222

SUMMARY:

Depreciated Value	\$	107,702.46
Reintegration Value	\$	3,362.52
Stranded Costs	\$	14,356.11
Engineering & Accounting	\$	1,323.29
12 months revenue X 355%	\$	42,631.97
Demand Cost	\$	-

TOTAL COST	\$	169,376.35
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Acct Location	Meter No	Member Sep
316021561	78768052	9226253001
316021562	51163796	9230743004
316021563	56789330	9490469001
316021564	51163795	9230743003
316021674	51163784	1006483001
316021677	51163785	80746001
316021680	51163783	1016958001
316021771	93876197	9222216003
316021871	51163819	82947008
3162177007	97931256	1014652001
3162187015	95420877	1005031001
3162187017	52464999	1013523002
3162188004	169483845	989347003
3162188009	92355837	989347004

Project: Piery Road Depreciated Value				Unit Cost \$	Total Quantity	Total Cost	1 2015 Area 1	2 2021	2.1 2021	2.2 2022	2.2A 2022	2.3 2021	2.4 2021	2.5 2021	2.6 2021	2.6A 2021	2.6B 2022	3 2015	3.1 1985	3.1A 1985	4 2022	4A 2022	5 2014	5A 1963	5B 1983	6 2015	6A 2022	7 2002	7.1 2002	7.1A 2002	7.1B 2002	8 1985	9 2000	10 1985	10.1 1981	10.2 1981	10.2A 1981	11 1985	12 1972	12A 1985	12B 1994	12C 1985	13 1985	14 1979	14X 1985	14.1 1986 Area 1		
Poles							\$ 1,525.18	\$ 1,525.18	\$ 1,525.18	\$ 1,525.18	\$ -	\$ 1,525.18	\$ 1,525.18	\$ -	\$ -	\$ -	\$ -	\$ 1,525.18	\$ 1,336.36	\$ 1,181.92	\$ 1,525.18	\$ -	\$ 1,525.18	\$ 1,181.92	\$ 1,181.92	\$ 1,525.18	\$ -	\$ 1,336.36	\$ 1,336.36	\$ 1,181.92	\$ -	\$ 1,336.36	\$ 1,336.36	\$ 1,336.36	\$ 1,336.36	\$ 1,336.36	\$ 1,336.36	\$ 1,181.92	\$ 1,181.92	\$ 1,336.36	\$ 1,181.92	\$ 1,181.92	\$ 1,181.92	\$ 1,336.36	\$ 1,525.18	\$ 1,181.92	\$ 1,336.36	
24FP	\$ 1,242.23	0	\$ -																																													
30-5	\$ 1,181.92	10	\$ 11,819.20																																													
35-4	\$ 1,336.36	11	\$ 14,699.96																																													
40-2	\$ 1,652.26	0	\$ -																																													
40-4	\$ 1,525.18	11	\$ 16,776.98																																													
45-3	\$ 1,730.28	0	\$ -																																													
50-1	\$ 2,231.04	0	\$ -																																													
55-1	\$ 2,497.40	0	\$ -																																													
60-1	\$ 2,809.07	0	\$ -																																													
65-1	\$ 3,071.45	0	\$ -																																													
70-1	\$ 4,038.90	0	\$ -																																													
75-1	\$ 5,216.96	0	\$ -																																													
80-1	\$ 6,598.08	0	\$ -																																													
85-1	\$ 7,706.36	0	\$ -																																													
Conductor							\$ 712.50	\$ 450.30	\$ 69.68	\$ 761.12	\$ 34.56	\$ 753.08	\$ 750.40	\$ 63.50	\$ 1,143.00	\$ 37.56	\$ 37.56	\$ 421.80	\$ 228.00	\$ 110.25	\$ 408.50	\$ 1,117.41	\$ 159.60	\$ 124.74	\$ 159.39	\$ 250.80	\$ 65.73	\$ 849.30	\$ 125.40	\$ 277.20	\$ 544.00	\$ 1,179.90	\$ 461.70	\$ 433.20	\$ 79.80	\$ 250.80	\$ 90.09	\$ 193.80	\$ 792.30	\$ 141.75	\$ 83.16	\$ 311.85	\$ 946.20	\$ 1,048.80	\$ -	\$ 946.20		
#6 DUPLEX	\$ 1.10	0	\$ -																																													
#4 ACSR	\$ 0.95	10462	\$ 9,938.90		750	474													444	240		430			168																							
#2 ACSR	\$ 1.01	0	\$ -																																													
#2 TRIPLEX	\$ 1.75	144	\$ 252.00																																													
#1/0 ACSR	\$ 1.34	1742	\$ 2,334.28																																													
#1/0 TRIPLEX	\$ 2.31	453	\$ 1,046.43																																													
#1/0 QUAD	\$ 3.00	0	\$ -																																													
#3/0 TRIPLEX	\$ 3.17	0	\$ -																																													

[illegible]

Carroll Electric Cooperative Corp.

**Project Piercy Road
Reintegration Value**

Unit	Construction Unit Cost	Retirement Unit Cost	Construction XX	Construction Quantity	13	Retirement XX	Retirement Quantity	Total Cost
Poles								
24.FP	\$ 1,242.23			0			0	\$ -
30-5	\$ 1,181.92			0			0	\$ -
35-4	\$ 1,336.36	\$ 306.58		0			0	\$ -
40-2	\$ 1,652.26			0			0	\$ -
40-4	\$ 1,525.18			0			0	\$ -
45-3	\$ 1,730.28			0			0	\$ -
50-1	\$ 2,231.04			0			0	\$ -
55-1	\$ 2,497.40			0			0	\$ -
60-1	\$ 2,809.07			0			0	\$ -
65-1	\$ 3,071.45			0			0	\$ -
70-1	\$ 4,038.90			0			0	\$ -
75-1	\$ 5,216.96			0			0	\$ -
80-1	\$ 6,598.08			0			0	\$ -
85-1	\$ 7,706.36			0			0	\$ -
Conductor								
#6 DUPLEX	\$ 1.10			0			0	\$ -
#4 ACSR	\$ 0.95	\$ 0.53		0			0	\$ -
#2 ACSR	\$ 1.01			0			0	\$ -
#2 TR PLEX	\$ 1.75			0			0	\$ -
#1/0 ACSR	\$ 1.34	\$ 0.62		0			0	\$ -
#1/0 TRIPLEX	\$ 2.31			0			0	\$ -
#1/0 QUAD	\$ 3.00			0			0	\$ -
#3/0 TRIPLEX	\$ 3.17			0			0	\$ -
#350 URD Triplex	\$ 9.39			0			0	\$ -
#4/0 ACSR	\$ 1.86			0			0	\$ -
#4/0 QUAD	\$ 4.24			0			0	\$ -
#477 ACSR	\$ 2.87			0			0	\$ -
#12-2 UF	\$ 2.91			0			0	\$ -
#1/0 URD Triplex	\$ 3.20			0			0	\$ -
#4/0 URD Triplex	\$ 5.76			0			0	\$ -
#1/0 URD Quad	\$ 4.11			0			0	\$ -
#4/0 URD Quad	\$ 7.29			0			0	\$ -
#1/0 25kV 260mill	\$ 6.35			0			0	\$ -
#4/0 25kV 260mill	\$ 6.35			0			0	\$ -
OH Pri. Units								
VA1 01	\$ 95.84			0			0	\$ -
VA1 014	\$ 90.97			0			0	\$ -
VA1 011	\$ 93.29			0			0	\$ -
VA1 011L	\$ 110.87			0			0	\$ -
VA1.1	\$ 145.66	\$ 56.76		0			0	\$ -
VA1 2	\$ 163.34			0			0	\$ -
VA1.1DP	\$ 188.90			0			0	\$ -
VA1.11	\$ 307.27			0			0	\$ -
VA1 21	\$ 447.54			0			0	\$ -
VA2 01	\$ 147.83			0			0	\$ -
VA2 021	\$ 141.30			0			0	\$ -
VA2 021L	\$ 213.19			0			0	\$ -
VA2.1	\$ 201.42			0			0	\$ -
VA2 21	\$ 614.75			0			0	\$ -
VA3 2	\$ 216.43	\$ 118.73		0			0	\$ -
VA4.1	\$ 451.85			0			0	\$ -
VA5.1S	\$ 173.02			0			0	\$ -
VA5.1	\$ 192.17	\$ 121.66		0			0	\$ -
VA5 3	\$ 193.29	\$ 80.17		0	1		1	\$ 80.17
VA5 31	\$ 917.49			0			0	\$ -
VA5 3B	\$ 239.91			0			0	\$ -
VA5 3S	\$ 237.27			0			0	\$ -
VA5.4	\$ 229.14			0			0	\$ -
VA5.4S	\$ 229.14			0			0	\$ -
VA6 2	\$ 366.50			0			0	\$ -
VA6 21	\$ 796.10			0			0	\$ -
VC1.11	\$ 463.74			0			0	\$ -
VC1.12	\$ 518.67			0			0	\$ -
VC1.12L	\$ 556.57			0			0	\$ -
VC1.11L	\$ 524.52			0			0	\$ -
VC1.41	\$ 468.24			0			0	\$ -
VC1.41L	\$ 554.08			0			0	\$ -
VC1.9N	\$ 702.16			0			0	\$ -
VC1.91N	\$ 702.16			0			0	\$ -
VC1.92N	\$ 716.14			0			0	\$ -
VC2.21	\$ 872.94			0			0	\$ -
VC2.21L	\$ 949.53			0			0	\$ -
VC2.51	\$ 1,033.40			0			0	\$ -
VC2.51L	\$ 1,152.81			0			0	\$ -
VC2.52	\$ 909.65			0			0	\$ -
VC2.52L	\$ 845.85			0			0	\$ -
VC3.1L	\$ 850.28			0			0	\$ -
VC3.2L	\$ 1,309.67			0			0	\$ -

Carroll Electric Cooperative Corp.

VC4.2L	\$	1,247.57				0				0	\$	-
VC5.2L	\$	834.72				0				0	\$	-
VC5.21	\$	1,192.61				0				0	\$	-
VC5.31	\$	1,242.22				0				0	\$	-
VC5.51	\$	1,120.94				0				0	\$	-
VC5.71L	\$	1,558.94				0				0	\$	-
VC6.31	\$	1,733.59				0				0	\$	-
VC6.51	\$	1,611.04				0				0	\$	-
VD1.81L	\$	2,039.94				0				0	\$	-
VD2.91L	\$	3,682.45				0				0	\$	-
OH Misc Units												
E2.01	\$	236.90				0				0	\$	-
E2.01L	\$	307.15				0				0	\$	-
E2.1	\$	203.01	\$	125.60		0	1			1	\$	125.60
E2.1E.X	\$	256.11				0				0	\$	-
E2.1EL.X	\$	283.05				0				0	\$	-
E3.10	\$	24.50	\$	-		0	1			1	\$	-
E5.10.X	\$	219.90				0				0	\$	-
F2.10	\$	492.38	\$	96.34		0				0	\$	-
F5.3.XX	\$	603.15				0				0	\$	-
F1.10	\$	515.53	\$	68.57		0	1			1	\$	68.57
F1.12	\$	562.76				0				0	\$	-
F1.14	\$	685.29				0				0	\$	-
VG1.4.X	\$	281.56				0				0	\$	-
VG1.5.X	\$	281.56				0				0	\$	-
VG3.1	\$	2,762.13				0				0	\$	-
VG3.3	\$	2,762.13				0				0	\$	-
VG3.4	\$	2,849.15				0				0	\$	-
G3.1	\$	2,508.77				0				0	\$	-
G3.3	\$	2,508.77				0				0	\$	-
G3.4	\$	2,706.67				0				0	\$	-
H1.1	\$	88.84				0				0	\$	-
H1.1X	\$	90.01				0				0	\$	-
J1.1	\$	65.64				0				0	\$	-
J2.1	\$	67.34				0				0	\$	-
J3.1	\$	83.61	\$	42.35		0				0	\$	-
K1.3	\$	66.15				0				0	\$	-
K2.1	\$	66.15				0				0	\$	-
K2.2	\$	62.44				0				0	\$	-
K2.3	\$	66.15				0				0	\$	-
K3.2	\$	72.81				0				0	\$	-
P2.1	\$	122.87	\$	-		0				0	\$	-
P1.1	\$	223.95				0				0	\$	-
P1.01	\$	182.95				0				0	\$	-
P1.1A	\$	249.88				0				0	\$	-
P1.3	\$	405.78				0				0	\$	-
P1.3A	\$	758.45				0				0	\$	-
VP1.1	\$	244.13				0				0	\$	-
VP1.01	\$	203.12				0				0	\$	-
VP1.1A	\$	213.10				0				0	\$	-
VP1.3	\$	573.93				0				0	\$	-
VP1.3A	\$	648.14				0				0	\$	-
Q2.1	\$	444.55				0				0	\$	-
R1.1	\$	673.64				0				0	\$	-
R1.2	\$	867.12				0				0	\$	-
R3.1	\$	2,428.53				0				0	\$	-
R3.2	\$	3,894.62				0				0	\$	-
VR1.1	\$	729.73				0				0	\$	-
VR1.2	\$	931.28				0				0	\$	-
VR3.1	\$	2,534.97				0				0	\$	-
VR3.2	\$	3,957.65				0				0	\$	-
VS1.01	\$	376.06				0				0	\$	-
VS1.02	\$	471.21	\$	105.58		0	1			1	\$	105.58
VS1.02	\$	471.21				0				0	\$	-
VS2.01	\$	384.66				0				0	\$	-
VS2.02	\$	628.85				0				0	\$	-
VS2.31	\$	2,568.29				0				0	\$	-
VS2.32A	\$	6,060.71				0				0	\$	-
Y1.1	\$	2,879.83				0				0	\$	-
Y1.3	\$	13,496.82				0				0	\$	-
Y2.3	\$	9,486.05				0				0	\$	-
Y3.1	\$	1,392.51				0				0	\$	-
Y3.3	\$	3,836.33				0				0	\$	-
VY1.1	\$	2,930.97				0				0	\$	-
VY1.3	\$	13,533.32				0				0	\$	-
VY2.1A	\$	1,920.74				0				0	\$	-
VY2.1	\$	2,181.38				0				0	\$	-
VY2.3	\$	9,676.62				0				0	\$	-
VY3.1	\$	1,437.24				0				0	\$	-
VY3.3	\$	3,963.66				0				0	\$	-
M101	\$	779.85				0				0	\$	-
M26.1000	\$	1,148.97				0				0	\$	-
M26.70	\$	596.79				0				0	\$	-
M26.70C	\$	937.28				0				0	\$	-
M26.70D	\$	596.79				0				0	\$	-
M5.CONEXT	\$	195.94				0				0	\$	-
M.RX.EX	\$	280.08				0				0	\$	-

Carroll Electric Cooperative Corp.

UG Units												
UK5	\$	505.77				0				0	\$	-
UA1	\$	1,955.35				0				0	\$	-
UA2	\$	2,094.13				0				0	\$	-
UA3	\$	2,165.27				0				0	\$	-
UC1	\$	4,722.84				0				0	\$	-
UC2	\$	5,108.35				0				0	\$	-
UC5.1	\$	6,649.55				0				0	\$	-
UM1.5C	\$	265.53				0				0	\$	-
UM1.66C	\$	9,703.03				0				0	\$	-
UM1.7NC	\$	673.49				0				0	\$	-
UM3.14	\$	828.18				0				0	\$	-
UM5	\$	1,386.03				0				0	\$	-
UM6.1	\$	418.25				0				0	\$	-
UM6.5	\$	223.73				0				0	\$	-
UM6.6	\$	153.74				0				0	\$	-
UM6.10	\$	72.22				0				0	\$	-
UM6.13	\$	68.33				0				0	\$	-
UM6.15	\$	79.38				0				0	\$	-
UM6.19	\$	151.75				0				0	\$	-
UM6.22.200	\$	321.14				0				0	\$	-
UM6.24	\$	931.47				0				0	\$	-
UM6.33	\$	148.56				0				0	\$	-
UM6.34	\$	192.66				0				0	\$	-
UM33.200	\$	1,249.34				0				0	\$	-
UM33.600	\$	2,202.69				0				0	\$	-
UM48.2	\$	325.75				0				0	\$	-
UM48.1	\$	157.26				0				0	\$	-
UM50.P.SWP	\$	52.87				0				0	\$	-
UJ2.6	\$	83.23				0				0	\$	-
UJ2.8	\$	95.43				0				0	\$	-
UQ2.1.200	\$	533.21				0				0	\$	-
UQ2.1.400	\$	1,517.45				0				0	\$	-
UQ2.MBM	\$	588.26				0				0	\$	-
UR2.12.40	\$	7.67				0				0	\$	-
UR2.12LR	\$	10.45				0				0	\$	-
UR6.12	\$	44.37				0				0	\$	-
UR6.32	\$	74.07				0				0	\$	-
UR6.13	\$	50.97				0				0	\$	-
UR6.33	\$	90.20				0				0	\$	-
UR6.34	\$	98.27				0				0	\$	-
UR6.64	\$	162.80				0				0	\$	-
UR6.12R	\$	137.50				0				0	\$	-
UR6.32R	\$	165.00				0				0	\$	-
UR6.13R	\$	141.17				0				0	\$	-
UR6.33R	\$	192.50				0				0	\$	-

	SUBTOTAL	\$ 379.92
TRANSFORMER TESTING & RESTOCKING	\$	2,268.60
METER REMOVAL & TESTING	\$	714.00
TOTAL	\$	3,362.52

[illegible]

Meter Removal	Current Value	Qty	30% Testing & Restocking	Total
meter CL200 Disconnect	\$ 196 00	7	\$ 58.80	\$ 411 60
meter CL200 Non-Disconnect	\$ 126 00	2	\$ 37.80	\$ 75 60
meter CL320	\$ 189 00	4	\$ 56.70	\$ 226 80
			Total	\$ 714.00

Piercy Road (Area 1)

Customer Name	Physical Address	Mailing Address	Meter Number	Peak Demand (kW)	HPS Light	Type of Light
Razo, Enrique	11463 Piercy Rd, Bentonville AR 72712	11463 Piercy Rd, Bentonville AR 72712	78768052		Yes	70 LED Dark Skies
Wayne Alexander Trust	11475 Piercy Rd, Bentonville AR 72712	PO Box 698, Pineville, MO 64856	51163796		No	
NOT ACTIVE	11451 Piercy Rd, Bentonville AR 72713		56789330		No	
Wayne Alexander Trust	11507 Piercy Rd, Bentonville AR 72712	PO Box 698, Pineville, MO 64856	51163795		No	
Sanchez, Walter Israel	9245 Lee Harris Rd, Bentonville, AR 72712	9245 Lee Harris Rd, Bentonville, AR 72712	51163784		No	
Lovell, Tony or Lugene	SVC ADDRESS IS BLANK	9317 Lee Harris Rd, Bentonville, AR 72712	51163785		No	
Sanchez, Yessica	9248 Lee Harris Rd, Bentonville, AR 72712	9248 Lee Harris Rd, Bentonville, AR 72712	51163783		No	
NOT ACTIVE	7376 SW Lee Harris Rd, Bentonville, AR 72713		93876197		No	
NOT ACTIVE	7446 Well SW Lee Harris Rd, Bentonville AR 72713		51163819		No	
Flohr, Eric K	7355 SW Lee Harris Rd, Bentonville AR 72713	2716 SW Livingston Sq, Bentonville, AR 72713	97931256		No	
Hubbard, Brandon	7431 SW Lee Harris Rd, Bentonville AR 72713	13074 Tall Oaks Ct, Springdale, AR 72762	95420877		No	
Frischknecht, Seth	7447 SW Lee Harris Rd, Bentonville AR 72712	4000 SW Chase Cir, Apt 108, Bentonville, AR 72713	52464999		No	
Bean, Tyna J or Jeffrey D	6830 Sears Rd, Bentonville AR 72712	6830 Sears Rd, Bentonville AR 72712	169483845		No	
Bean, Tyna J or Jeffrey D	6830 Sears Rd, Bentonville AR 72712	6830 Sears Rd, Bentonville AR 72712	92355837		No	



**Carroll Electric
Cooperative Corporation**

Reliable | Affordable | Local

800-432-9720
carrollecc.com

March 30, 2023

The Honorable Stephanie Orman
Mayor, City of Bentonville
117 W. Central Avenue
Bentonville, AR 72712

RE: Sale of Facilities

Dear Mayor Orman:

We have completed our inventory and appraisal of the cooperative properties for the facilities currently serving one consumer in Southwest Bentonville, per the letter dated February 24, 2021, stating your intent to provide service to this area. For practical purposes, we have designated this cutover project as 3810 N. Rainbow Farm Road. Pursuant to Arkansas law and the Mediation Settlement Agreement dated September 13, 2010, the following amounts have been determined as the proper valuation:

Present-day reproduction cost, new, of the properties and facilities being acquired, less depreciation computed on a straight-line basis	\$ 5,898.25
Cost of construction of necessary facilities to reintegrate the system after detaching the portion to be sold	398.19
Reintegration Credit	(14,539.66)
Stranded Costs - The book value, net of depreciation, of all properties and facilities not being acquired or portions thereof, which were constructed or purchased in good faith by the electric public utility in order to serve customers in the annexed area	185.63
Administrative, engineering and accounting expenses associated with establishing valuation	494.18
Three hundred fifty-five percent (355%) of gross revenues less gross receipts taxes received for the 12-month period.	9,126.37
Demand cost	<u>0</u>
Total	\$ 1,562.96

A billing statement and tabulations are included for your convenience.

After receipt of payment in full, please contact Mr. Mike Dodge, Vice President of our Bentonville District to coordinate this cutover. All Carroll Electric facilities in the area are included in the above amounts.

City of Bentonville
Page 2

Carroll Electric Cooperative is in full agreement of the release of these facilities and accounts to the City of Bentonville and will coordinate the exchange with your personnel in order to cause minimum inconvenience. Please contact me concerning this information should any questions arise.

Sincerely,



Rob Boaz
President, CEO

RB/tg
Enclosures

cc: Mike Dodge, Bentonville District
Derek Thurman, Bentonville District
Travis Matlock, City of Bentonville

707 SE Walton Blvd.
PO Box 329
Bentonville, AR 72712

Fax:

Date: March 30, 2023

Bill To:

Total

REMITTANCE

Customer Name: City of Bentonville

Customer ID:

Statement #: 033023 - NRF

Date:

Amount Due:	1,562.96
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Amount Enclosed:

Carroll Electric Cooperative Corp.

2023 Facilities Sold to City of Bentonville - 3810 N Rainbow Farm Rd
RET 034927

SUMMARY:

Depreciated Value	\$	5,898.25
Reintegration Value	\$	398.19
Reintegration Credit	\$	(14,539.66)
Stranded Costs	\$	185.63
Engineering & Accounting	\$	494.18
12 months revenue X 355%	\$	\$9,126.38
Demand Cost	\$	-

TOTAL COST	\$	1,562.96
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Acct Location	Meter No	Member Sep
316010500	82862509	1006647001

Carroll Electric Cooperative Corp.

Project 3810 N Rainbow Farm Rd											
Depreciated Value											
	Unit Cost	Total	Total	1	7	8	9	10	11	12	0.5
Unit	\$	Quantity	Cost	2022	1986	1986	2020	1986	2006	1986	2022
WP #'s for WO #031414 -->				WP #27							WP #26
Poles				\$ 1,525.18	\$ 1,336.36	\$ 1,336.36	\$ 1,336.36	\$ 1,181.92	\$ 1,181.92	\$ -	\$ 1,730.28
30-5	\$ 1,181.92	2	\$ 2,363.84					1	1		
35-4	\$ 1,336.36	3	\$ 4,009.08		1	1	1				
40-2	\$ 1,652.26	0	\$ -								
40-4	\$ 1,525.18	1	\$ 1,525.18	1							
45-3	\$ 1,730.28	1	\$ 1,730.28								1
50-1	\$ 2,231.04	0	\$ -								
55-1	\$ 2,497.40	0	\$ -								
60-1	\$ 2,809.07	0	\$ -								
65-1	\$ 3,071.45	0	\$ -								
70-1	\$ 4,038.90	0	\$ -								
75-1	\$ 5,216.96	0	\$ -								
80-1	\$ 6,598.08	0	\$ -								
85-1	\$ 7,706.36	0	\$ -								
Conductor				\$ 203.68	\$ 543.40	\$ 653.60	\$ 642.20	\$ 157.08	\$ 152.46	\$ 85.47	\$ 76.38
#6 DUPLEX	\$ 1.10	0	\$ -								
#4 ACSR	\$ 0.95	1936	\$ 1,839.20		572	688	676				
#2 ACSR	\$ 1.01	0	\$ -								
#2 TRIPLEX	\$ 1.75	0	\$ -								
#1/0 ACSR	\$ 1.34	209	\$ 280.06	152							57
#1/0 TRIPLEX	\$ 2.31	171	\$ 395.01					68	66	37	
#1/0 QUAD	\$ 3.00	0	\$ -								
#3/0 TRIPLEX	\$ 3.17	0	\$ -								
#350 URD Triplex	\$ 9.39	0	\$ -								
#4/0 ACSR	\$ 1.86	0	\$ -								
#4/0 QUAD	\$ 4.24	0	\$ -								
#477 ACSR	\$ 2.87	0	\$ -								
#12-2 UF	\$ 2.91	0	\$ -								
#1/0 URD Triplex	\$ 3.20	0	\$ -								
#4/0 URD Triplex	\$ 5.76	0	\$ -								
#1/0 URD Quad	\$ 4.11	0	\$ -								
#4/0 URD Quad	\$ 7.29	0	\$ -								
#1/0 25kV 260mill	\$ 6.35	0	\$ -								
OH Pri. Units				\$ 462.15	\$ 216.43	\$ 145.66	\$ 192.17	\$ -	\$ -	\$ -	\$ 506.13
VA1.01	\$ 95.84	2	\$ 191.68	1							1
VA1.014	\$ 90.97	0	\$ -								
VA1.011	\$ 93.29	0	\$ -								
VA1.011L	\$ 110.87	0	\$ -								
VA1.1	\$ 145.66	1	\$ 145.66			1					
VA1.2	\$ 163.34	0	\$ -								
VA1.1DP	\$ 188.90	0	\$ -								
VA1.11	\$ 307.27	0	\$ -								
VA1.21	\$ 447.54	0	\$ -								
VA2.01	\$ 147.83	0	\$ -								
VA2.021	\$ 141.30	0	\$ -								
VA2.021L	\$ 213.19	0	\$ -								
VA2.1	\$ 201.42	0	\$ -								
VA2.21	\$ 614.75	0	\$ -								
VA3.2	\$ 216.43	1	\$ 216.43		1						
VA4.1	\$ 451.85	0	\$ -								
VA5.1S	\$ 173.02	2	\$ 346.04	1							1
VA5.1	\$ 192.17	1	\$ 192.17				1				
VA5.3	\$ 193.29	1	\$ 193.29	1							
VA5.31	\$ 917.49	0	\$ -								
VA5.3B	\$ 239.91	0	\$ -								
VA5.3S	\$ 237.27	1	\$ 237.27								1
VA5.4	\$ 229.14	0	\$ -								
VA5.4S	\$ 229.14	0	\$ -								
VA6.2	\$ 366.50	0	\$ -								
VA6.21	\$ 796.10	0	\$ -								
VC1.11	\$ 463.74	0	\$ -								
VC1.12	\$ 518.67	0	\$ -								
VC1.12L	\$ 556.57	0	\$ -								
VC1.11L	\$ 524.52	0	\$ -								
VC1.41	\$ 468.24	0	\$ -								
VC1.41L	\$ 554.08	0	\$ -								
VC1.9N	\$ 702.16	0	\$ -								
VC1.91N	\$ 702.16	0	\$ -								
VC1.92N	\$ 716.14	0	\$ -								
VC2.21	\$ 872.94	0	\$ -								
VC2.21L	\$ 949.53	0	\$ -								
VC2.51	\$ 1,033.40	0	\$ -								
VC2.51L	\$ 1,152.81	0	\$ -								
VC2.52	\$ 909.65	0	\$ -								
VC2.52L	\$ 845.85	0	\$ -								

Carroll Electric Cooperative Corp.

Project 3810 N Rainbow Farm Rd												
Depreciated Value												
	Unit Cost	Total	Total	1	7	8	9	10	11	12	0.5	
	\$	Quantity	Cost	2022	1986	1986	2020	1986	2006	1986	2022	
WP #s for WO #031414 -->				WP #27							WP #26	
VC3.1L	\$ 850.28	0	\$ -									
VC3.2L	\$ 1,309.67	0	\$ -									
VC4.2L	\$ 1,247.57	0	\$ -									
VC5.2L	\$ 834.72	0	\$ -									
VC5.21	\$ 1,192.61	0	\$ -									
VC5.31	\$ 1,242.22	0	\$ -									
VC5.51	\$ 1,120.94	0	\$ -									
VC5.71L	\$ 1,558.94	0	\$ -									
VC6.31	\$ 1,733.59	0	\$ -									
VC6.51	\$ 1,611.04	0	\$ -									
VD1.81L	\$ 2,039.94	0	\$ -									
VD2.91L	\$ 3,682.45	0	\$ -									
OH Misc Units				\$ 908.27	\$ 818.26	\$ 122.87	\$ 1,687.27	\$ 188.51	\$ 885.60	\$ -	\$ 212.88	
E2.01	\$ 236.90	0	\$ -									
E2.01L	\$ 307.15	0	\$ -									
E2.1	\$ 203.01	5	\$ 1,015.05	1	1		2		1			
E2.1E.X	\$ 256.11	0	\$ -									
E2.1EL.X	\$ 283.05	0	\$ -									
E3.10	\$ 24.50	0	\$ -									
E5.10.X	\$ 219.90	0	\$ -									
F2.10	\$ 492.38	5	\$ 2,461.90	1	1		2		1			
F5.3.XX	\$ 603.15	0	\$ -									
F1.10	\$ 515.53	0	\$ -									
F1.12	\$ 562.76	0	\$ -									
F1.14	\$ 685.29	0	\$ -									
VG1.4.X	\$ 281.56	0	\$ -									
VG1.5.X	\$ 281.56	0	\$ -									
VG3.1	\$ 2,762.13	0	\$ -									
VG3.3	\$ 2,762.13	0	\$ -									
VG3.4	\$ 2,849.15	0	\$ -									
G3.1	\$ 2,508.77	0	\$ -									
G3.3	\$ 2,508.77	0	\$ -									
G3.4	\$ 2,706.67	0	\$ -									
H1.1	\$ 88.84	0	\$ -									
H1.1X	\$ 90.01	3	\$ 270.03	1			1					1
J1.1	\$ 65.64	1	\$ 65.64					1				
J2.1	\$ 67.34	1	\$ 67.34						1			
J3.1	\$ 83.61	1	\$ 83.61				1					
K1.3	\$ 66.15	0	\$ -									
K2.1	\$ 66.15	0	\$ -									
K2.2	\$ 62.44	0	\$ -									
K2.3	\$ 66.15	0	\$ -									
K3.2	\$ 72.81	0	\$ -									
P2.1	\$ 122.87	7	\$ 860.09	1	1	1	1	1	1			1
P1.1	\$ 223.95	0	\$ -									
P1.01	\$ 182.95	0	\$ -									
P1.1A	\$ 249.88	0	\$ -									
P1.3	\$ 405.78	0	\$ -									
P1.3A	\$ 758.45	0	\$ -									
VP1.1	\$ 244.13	0	\$ -									
VP1.01	\$ 203.12	0	\$ -									
VP1.1A	\$ 213.10	0	\$ -									
VP1.3	\$ 573.93	0	\$ -									
VP1.3A	\$ 648.14	0	\$ -									
Q2.1	\$ 444.55	0	\$ -									
R1.1	\$ 673.64	0	\$ -									
R1.2	\$ 867.12	0	\$ -									
R3.1	\$ 2,428.53	0	\$ -									
R3.2	\$ 3,894.62	0	\$ -									
VR1.1	\$ 729.73	0	\$ -									
VR1.2	\$ 931.28	0	\$ -									
VR3.1	\$ 2,534.97	0	\$ -									
VR3.2	\$ 3,957.65	0	\$ -									
VS1.01	\$ 376.06	0	\$ -									
S1.02	\$ 466.80	0	\$ -									
VS1.02	\$ 471.21	0	\$ -									
VS2.01	\$ 384.66	0	\$ -									
VS2.02	\$ 628.85	0	\$ -									
VS2.31	\$ 2,568.29	0	\$ -									
VS2.32A	\$ 6,060.71	0	\$ -									
Y1.1	\$ 2,879.83	0	\$ -									
Y1.3	\$ 13,496.82	0	\$ -									
Y2.3	\$ 9,486.05	0	\$ -									
Y3.1	\$ 1,392.51	0	\$ -									
Y3.3	\$ 3,836.33	0	\$ -									
VY1.1	\$ 2,930.97	0	\$ -									
VY1.3	\$ 13,533.32	0	\$ -									
VY2.1A	\$ 1,920.74	0	\$ -									
VY2.1	\$ 2,181.38	0	\$ -									
VY2.3	\$ 9,676.62	0	\$ -									

Carroll Electric Cooperative Corp.[illegible]

Unit	Construction Unit Cost	Retirement Unit Cost	Pole 1	Pole 3	Pole 3a	Construction Pole 9	Stn 9a	Stn 9b	Stn 9c	Construction Quantity	Pole 1	Pole 3	Retirement Pole 7	Pole 8	Pole 9	WP #25	Retirement Quantity	Total Cost
Poles																		
30-5	\$ 1,181.92									0							0	\$ -
35-4	\$ 1,336.36	\$ 306.58								0							0	\$ -
Conductor																		
#4 ACSR	\$ 0.95	\$ 0.53								0							0	\$ -
#1/0 URD Triplex	\$ 3.20									0							0	\$ -
#1/0 25kV 260mill	\$ 6.35									0							0	\$ -
OH Pri. Units																		
VA1.1	\$ 145.66	\$ 56.76								0							0	\$ -
VA3.2	\$ 216.43	\$ 118.73								0							0	\$ -
VA5.1	\$ 192.17	\$ 121.66								0							0	\$ -
VA5.3	\$ 193.29									0							0	\$ -
VA5.31	\$ 917.49									0							0	\$ -
VA5.3B	\$ 239.91									0							0	\$ -
VA5.3S	\$ 237.27									0							0	\$ -
VA5.4	\$ 229.14									0							0	\$ -
VA5.4S	\$ 229.14	\$ 134.79								0						1	1	\$ 134.79
OH Misc Units																		
E2.01	\$ 236.90									0							0	\$ -
E2.1	\$ 203.01	\$ 104.84								0							0	\$ -
F2.10	\$ 492.38	\$ 96.34								0							0	\$ -
J3.1	\$ 83.61	\$ 42.35								0							0	\$ -
UG Units																		
UG7.15	\$ 280.50									0							0	\$ -
UM1.5C	\$ 265.53									0							0	\$ -
UM1.7NC	\$ 673.49									0							0	\$ -
UM3.14	\$ 828.18									0							0	\$ -
UM5	\$ 1,386.03									0							0	\$ -
UM6.1	\$ 418.25									0							0	\$ -
UM6.10	\$ 72.22									0							0	\$ -
UM6.22.200	\$ 321.14									0							0	\$ -
UM6.34	\$ 192.66									0							0	\$ -
UM48.1	\$ 157.26									0							0	\$ -
UM50.P.2	\$ 6.77									0							0	\$ -
UM50.P.SWP	\$ 52.87									0							0	\$ -
UJ2.6	\$ 83.23									0							0	\$ -
UR2.12.40	\$ 7.67									0							0	\$ -
UR2.12LR	\$ 10.45									0							0	\$ -

	SUBTOTAL	\$ 134.79
TRANSFORMER TESTING & RESTOCKING	\$ 204.60	
METER REMOVAL & TESTING	58.80	
TOTAL	\$ 398.19	

Transformer	Current Value from UPN	Qty	30% Testing & Restocking	Total
10 KVA	\$ 615.00	1	\$ 184.50	\$ -
15 KVA	\$ 682.00		\$ 204.60	\$ 204.60
25 KVA	\$ 780.00		\$ 234.00	\$ -
UG15	\$ 1,150.00		\$ 345.00	\$ -
UG25	\$ 1,197.00		\$ 359.10	\$ -
			Total	\$ 204.60

Meter Removal:	Current Value	Qty	30% Testing & Restocking	Total
meter CL200 Disconnect	\$ 196.00	1	\$ 58.80	\$ 58.80
meter CL200 Non-Disconnect	\$ 126.00		\$ 37.80	\$ -
meter CL320	\$ 189.00		\$ 56.70	\$ -
			Total	\$ 58.80

North Rainbow Farms - Additional Account

Customer Name	Physical Address	Mailing Address	Meter Number	HPS Light
DODSON, DEANDRE P	3810 N RAINBOW FARM RD, BENTONVILLE AR 72713	3810 N RAINBOW FARM RD, BENTONVILLE AR 72713	82862509	NO

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CARROLL ELECTRIC CO-OP TO PURCHASE FACILITIES IN THE SW PORTION OF BENTONVILLE; ADJUSTING THE 2023 BUDGET IN THE AMOUNT OF THREE HUNDRED FIFTY-FOUR THOUSAND SIX HUNDRED SEVENTY-SEVEN DOLLARS AND SIXTY-ONE CENTS (\$354,677.61); AND FOR OTHER PURPOSES.

WHEREAS, the Electric Department requests to enter into agreement to purchase various facilities in the SW portion of town;

WHEREAS, this purchase is required to continue and extend BEUD service further south and enable the ability to serve future developments; and

WHEREAS, this agreement will be funded by budgeted funds as well as a budget adjustment from the UG Primary to Improvement Other account.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement with Carroll Electric Co-op, in the amount of three hundred fifty-four thousand six hundred seventy-seven dollars and sixty-one cents (\$354,677.61), to purchase facilities in the SW portion of Bentonville;

Section 2: The 2023 Budget is adjusted to appropriate monies from utility fund UG Primary to Improvements Other as shown below:

General Ledger Account Information*				
	Object	Account Description	Revenue + (-)	Expense + (-)
503010	47313	UG Primary		\$ 304,677.61
503010	47310	Improvements Other than Electric		\$ 304,677.61
			\$ -	\$
			\$	

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 this _____ day of _____, 2023

APPROVED:

Attest:

STEPHANIE ORMAN, Mayor

KIRBY ROMINES, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Electric
Submitted by	Travis Matlock, PE
Phone	479-271-5941

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☒ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution to award IFB#23-28 for fiber cabinets to the lowest bidder as shown on the attached bid tabulation in the amount of \$50,290.00 plus applicable taxes. This is a 2023 budgeted item and this is the lowest, most responsive bid. Approved by Utility Board 4-0.					

Estimated Cost	\$50,290.00
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	



MEMORANDUM

DATE: 4/25/23

TO: City Council, Mayor Orman

FROM: Travis Matlock, Electric Utility Director

RE: Fiber Material Formal Bid # IFB-23-28

The City of Bentonville recommends awarding the bid for fiber cabinets to the lowest bidders.

Graybar in the amount of \$50,290.00 plus applicable taxes.

This is a 2023 budgeted item.

Approved by Utility Board 4-0.

Material Description	Unit	QTY	Supplier	Part Number	BEUD Part Number	Description	Price - Graybar	Lead Time	Technology International *does not meet spec	Stuart Irby
DOUBLE DOOR CABINET	Ea	5	DDB	20D-50DXC	2245	FIBER CABINET ACTIVE, DUAL BAY, 50" TALL X 25" WIDE X 25" DEEP, CUTOUT IN FLOOR OF ENCLOSURE LEAVING 3" LIP ON BOTH SIDES, 4000BTU/HR COOLING SYSTEM INSTALLED ON LEFT FRONT DOOR, INSULATION INSTALLED, 200A SIEMENS LOAD CENTER WITH 2 QUAD RECEPITS ON SEPARATE 20A BREAKERS, LED LIGHTS INSTALLED OVER ALL DOORS, GROUND BAR INSTALLED ON EACH SIDE OF EACH BAY, TWO SETS OF 19"EIA RACKING RAILS, DDB UNLIMITED PART #20D-50DXC WITH ZP-BTMCUTOUT, ACP-4000-N28-110, 20D-INS, LC-200, ZZ-LEDLIGHTBAR, VAB-GRDBR, RR-2-50, 2 PAIR OF ZZZ-507-AMS-39-X03 ALARM CONTACTS	\$10,058.00	8-10 weeks	\$7,330.00	\$12,005.00
\$50,290.00										

RESOLUTION NO. _____

A RESOLUTION AWARDDING BID IFB-23-28 TO GRAYBAR, FOR THE PURCHASE OF FIBER CABINETS, IN THE AMOUNT OF FIFTY THOUSAND TWO HUNDRED NINETY DOLLARS (\$50,290.00) PLUS APPLICABLE TAXES; AND FOR OTHER PURPOSES.

WHEREAS, the Electric Department recommends awarding the bid, IFB-23-28, to purchase fiber cabinets from Graybar for fifty thousand two hundred ninety dollars (\$50,290.00) plus applicable taxes; and

WHEREAS, this purchase will be made utilizing budgeted funds.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement with Graybar, in the amount of fifty thousand two hundred ninety dollars (\$50,290.00), for the purchase of fiber cabinets;

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 this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, Mayor

Attest:

KIRBY ROMINES, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Water Utilities
Submitted by	Mike Bender
Phone	(479) 271-6873, (479) 271-3140

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance and Public Hearing to amend Section 98-637 of the City of Bentonville Municipal Code pertaining to wastewater rates and other matters relating thereto. Proposed rate adjustments align with the 5% increase effective July 1, 2023 and 5% increase effective January 1, 2024 as presented in the wastewater rate analysis prepared by Raftelis. Utility Board approved this item 4-0.					

Estimated Cost	
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	



Memo



To: City Council, Mayor Orman
From: Mike Bender
CC:
Date: April 18, 2023
Re: Wastewater Rate Ordinance

Ordinance amending Section 98-637 of the City of Bentonville Municipal Code pertaining to wastewater rates and other matters relating thereto. Proposed rate adjustments align with the 5% increase effective July 1, 2023, and 5% increase effective January 1, 2024, as presented in the wastewater rate analysis prepared by Raftelis. The increase is 5% on all classes and aspects. Facility charges were added for 8" and 10" meter sizes to accommodate large facilities.

The City conducted wastewater rate studies in 2009, 2012, and 2015. The 2009 rate study resulted in rate increases of 15%, 25%, and 25% in 2010, 2011 and 2012, respectively. The 2012 study resulted in increases of 15% and 10% in 2013 and 2014, respectively. The 2015 study did not result in any adjustments, and current rates have been in effect since the 2014 adjustment. The previous large adjustments were needed primarily to cover costs associated with the initial construction of the NACA plant and associated line. The current rate increases are also primarily driven by large projects including the NACA line replacement, NACA plant expansion, and Bentonville's plant rehab and expansion.

In addition to the rate changes presented in the ordinance, there are a couple of corrections in the surcharges section which do not affect rates or any charges.

Thank you for your consideration of this request.

ORDINANCE NO. _____
AN ORDINANCE AMENDING SECTION 98-637 OF THE CITY OF
BENTONVILLE MUNICIPAL CODE PERTAINING TO WASTEWATER
RATES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Sewer Department has conducted a sewer rate study that identified necessary sewer rate changes.

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

Section 1 - Amendment: That Bentonville Municipal Code Sec. 98-637 should be and the same is hereby amended with Attachment “A”, an electronic copy and paper copy of which is on file with the City Clerk, is hereby referred to, adopted, and made a part hereof as though it were copied herein fully;

Section 2 - Severability Provision: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid; and

Section 3 - Repeal of Conflicting Provisions: All ordinances or resolutions or parts thereof which are in conflict herewith, are hereby repealed.

PASSED and APPROVED this ____ day of _____, 2023.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

ATTACHMENT "A"
SEWER RATES AMENDMENT

Sec 98-637 Rates To Be For Services Rendered And Benefits Received [Edit](#)

The following rates be, and they are hereby fixed as rates to be charged for services to be rendered and benefits to be received from the sewage treatment works, to wit:

- (a) All bills for sewage collection and treatment shall be rendered to the user monthly, such statements to be rendered and collected by the city, and shall cover the same period as corresponding water bills. All bills shall be rendered in the net amount due.
- (b) For residential, commercial and industrial users, monthly user charges will be based on actual water usage. If a residential, commercial or industrial user has a consumptive use of water, or, in some other manner, uses water which is not discharged into the wastewater collection system, the user charge for that contributor may be based on readings of a wastewater meter(s) or separate water meter(s) installed and maintained at the user's expense. Should the customer's water meter be determined by the waterworks system manager to be inoperative or faulty, the customer's usage shall be the same as set forth and defined by the existing water rate ordinance for such meter failures.
- (c) Commencing with bills due on or after ~~March~~ July 1, 201~~3~~23, the following shall be the schedule of rates to be applied to the water consumption of users (determined as herein set forth):

SEWER RATE STRUCTURE

The charges for sewage collection and treatment for each customer shall be determined each month and shall be the sum of 1) a service charge based on the customer's classification and water meter size in accordance with the rates of Schedule A below, and 2) a user charge based on the customer's metered water usage and computed using the rates of Schedule B below.

- (1) **Schedule A - Monthly Service Rates.** The monthly service charge will be billed according to the customer's usage classification and size of water meter. This charge will be in addition to the monthly usage and will be at the following rates:

- a. *Customers inside city limits.*

Residential Customer	
5/8" x 3/4" meter	\$ <u>14.08</u> 12.19
1" meter	<u>46.37</u> 40.14

1-1/2" meter	<u>172.25</u> 149.13
2" meter	<u>183.91</u> 159.22
3" meter	<u>270.17</u> 233.89
4" meter	<u>757.39</u> 655.70
6" meter	<u>1,631.58</u> 1,412.53
<u>8" meter</u>	<u>3,282.18</u>
<u>10" meter</u>	<u>4,923.26</u>
Commercial Customer	
5/8" x 3/4" meter	\$ <u>15.05</u> 13.03
1" meter	<u>49.55</u> 42.91
1-1/2" meter	<u>184.08</u> 159.40
2" meter	<u>196.53</u> 170.19
3" meter	<u>288.70</u> 250.01
4" meter	<u>809.35</u> 700.88
6" meter	<u>1,743.53</u> 1,500.86
<u>8" meter</u>	<u>3,505.85</u>
<u>10" meter</u>	<u>5,258.76</u>

- b. *Customers outside city limits.* All customers outside the city limits receiving electric and water and sewer services, or any of them, from the city, shall be charged an additional monthly service charge of \$4.20~~00~~.

(2) **Schedule B - Usage Rates.** In addition to the monthly service charge, each customer shall be billed for sewage collection and treatment based on water usage and the following schedule of rates:

- a. *Customers inside city limits.*

Residential Customer

All consumption: \$8.07~~6.99~~ per 1,000 gallons

Commercial Customer

All consumption: \$8.63~~7.48~~ per 1,000 gallons

- b. *Customers outside city limits.*

Residential Customer

All consumption: \$9.69~~8.39~~ per 1,000 gallons

Commercial Customer

All consumption: \$10.35~~8.98~~ per 1,000 gallons

- (d) Commencing with bills due on or after January 1, 2024~~14~~, the following shall be the schedule of rates to be applied to the water consumption of users (determined as herein set forth):

SEWER RATE STRUCTURE

The charges for sewage collection and treatment for each customer shall be determined each month and shall be the sum of 1) a service charge based on the customer's classification and water meter size in accordance with the rates of Schedule C below, and 2) a user charge based on the customer's metered water usage and computed using the rates of Schedule D below.

- (1) **Schedule C - Monthly Service Rates.** The monthly service charge will be billed according to the customer's usage classification and size of water meter. This charge will be in addition to the monthly usage and will be at the following rates:
- a. Customers inside city limits.*

Residential Customer	
5/8" x 3/4" meter	\$ <u>14.78</u> 13.41
1" meter	<u>48.69</u> 44.16
1-1/2" meter	<u>180.87</u> 164.05
2" meter	<u>193.10</u> 175.15
3" meter	<u>283.67</u> 257.30
4" meter	<u>795.26</u> 721.32
6" meter	<u>1,713.16</u> 1,553.89
<u>8" meter</u>	<u>3,446.29</u>
<u>10" meter</u>	<u>5,169.42</u>
Commercial Customer	
5/8" x 3/4" meter	<u>15.80</u> 14.33
1" meter	<u>52.03</u> 47.19
1-1/2" meter	<u>193.28</u> 175.31
2" meter	<u>206.35</u> 187.17
3" meter	<u>303.13</u> 274.95
4" meter	<u>849.82</u> 770.81
6" meter	<u>1,830.70</u> 1,660.50

<u>8" meter</u>	<u>3,681.14</u>
<u>10" meter</u>	<u>5,521.70</u>

- b. *Customers outside city limits.* All customers outside the city limits receiving electric and water and sewer services, or any of them, from the city, shall be charged an additional monthly service charge of \$4.~~41~~00.

(2) **Schedule D - Usage Rates.** In addition to the monthly service charge, each customer shall be billed for sewage collection and treatment based on water consumption and the following schedule of rates:

- a. *Customers inside city limits.*

Residential Customer

All consumption: \$~~8.48~~7.69 per 1,000 gallons

Commercial Customer

All consumption \$~~9.06~~8.22 per 1,000 gallons

- b. *Customers outside city limits.*

Residential Customer

All consumption: \$~~10.18~~9.23 per 1,000 gallons

Commercial Customer

All consumption: \$~~10.87~~9.86 per 1,000 gallons

(e) *Surcharges:* Users generating sewage of unusually high strength may discharge such sewage into the sewage treatment works provided:

1. The city has agreed to treat the waste as specified in the wastewater discharge permit issued to the user;
 2. The waste will not cause damage to the collection system;
 3. The waste will not impair the wastewater treatment process; and
 4. The user discharging such waste pays a monthly surcharge to the City of Bentonville in addition to the usual monthly sewer user charges.
- Computation of such surcharges shall be based on the following formula:

$$S = Vw \times 8.34[y(ss - 300) + z(BOD - 300)]$$

Where

S = Surcharge in dollars

Vw = Volume of wastewater in million gallons

8.34 = Weight of a gallon of water in pounds

ss = Suspended solids concentration of wastewater in milligrams per liter (if greater than 300 mg/l)

BOD = Five-day biochemical oxygen demand concentration of wastewater in milligrams per liter (if greater than 300mg/l)

y = Unit charge for suspended solids in dollars per pound

300 = Allowable strength or suspended solids and BOD in mg/l ~~Normal suspended solids and BOD in dollars per pound~~

z = Unit charge for BOD in dollars per pound

Surcharges may be determined daily, weekly, or other such periods as deemed appropriate by the city. Surcharge bills shall be the sum of the surcharges determined during the billing period.

The sewage treatment works manager shall review annually, according to the city's fiscal year, the actual and projected cost of treating excess solids and BOD and shall increase or decrease the unit charges (y and z) in accordance with such review.

- (f) None of the facilities or services afforded by the sewage treatment works shall be furnished without a charge being made therefore. Any vacant, unoccupied property attached to the sewer system having an in-service water meter shall be considered to be a contributor to the sewer system at such time as a sewer tap is completed and as such is subject to the monthly usages and services set forth in the above mentioned rate structure.
- (g) Any municipality or wholesale customer desiring the City of Bentonville to accept and treat its wastewater shall be required to enter into a written contract with the City of Bentonville concerning the acceptance and treatment of its wastewater. Said contract shall establish the rates to be paid by said municipality or wholesale customer to the City of Bentonville for the treatment of said wastewater and the conditions under which said wastewater will be accepted by the City of Bentonville. Said contract shall also establish the method for adjusting said rates on a periodic basis. For purposes of this ordinance, a wholesale customer shall be defined as an entity having a collection system and a customer base.



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Airport
Submitted by	Debbie Griffin
Phone	479 254-2028

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution authorizing a work order between City of Bentonville and Garver Engineering for professional services for Runway 18-36 Widening Project between Taxiway A1 and A3 to provide a full-length, 75-ft wide runway. Improvements will also include rehabilitation of the existing runway edge lighting circuit and installation of PAPIs and REILs for both runway ends. Amount not to exceed \$425,800.00 and funded through FAA grant. A Budget Adjustment is needed.					

Estimated Cost	\$425,800.00
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below):	
Reimbursable FAA Grant funding will be utilized for this project. Construction was previously awarded. This is engineering professional fees for the widening project.	





Budget Adjustment Request

Date of City Council Meeting	4/25/2023
Department	Airport
Submitted by	Debbie Griffin
Phone	479 254-2028

Purpose of Budget Adjustment <i>(Enter purpose in space below):</i>
To adjust for Garver Engineering professional services agreement on Runway Widening project funded by FAA grant.

General Ledger Account Information*				
Org (Department)	Object	Account Description	Revenue + (-)	Expense + (-)
101650	47390	Improv Other than Bldg / Other		\$ 425,800.00
		Totals	\$ -	\$ 425,800.00
		Net Impact on Fund Balance	\$ (425,800.00)	
*Final Account Number will be determined by Accounting Department after approval and purchase				





**WORK ORDER NO. 02
CITY OF BENTONVILLE
RUNWAY 18-36 WIDENING
CONSTRUCTION PHASE SERVICES
Garver Project No. 22A13191**

This WORK ORDER ("Work Order") is made by and between the **City of Bentonville** (hereinafter referred to as "**Owner**") and **Garver, LLC**, (hereinafter referred to as "**Garver**" or "**Engineer**") in accordance with the provisions of the MASTER AGREEMENT FOR PROFESSIONAL SERVICES executed on October 14, 2021 (the "Agreement").

Under this Work Order, the Owner intends to make the following improvements at Bentonville Municipal Airport (VBT):

Widen Runway 18-36 between Taxiway A1 and A3 to provide a full-length, 75-ft wide runway. Improvements will also include rehabilitation of the existing runway edge lighting circuit and installation of PAPIs and REILs for both runway ends.

Garver will provide professional services related to these improvements as described herein. Terms not defined herein shall have the meaning assigned to them in the Agreement.

SECTION 1 - SCOPE OF SERVICES

1.1 Garver shall provide the following Services:

1.1.1 See Exhibit A-02, attached.

1.2 In addition to those obligations set forth in the Agreement, Owner shall:

1.2.1 Give thorough consideration to all documents and other information presented by Garver and informing Garver of all decisions within a reasonable time so as not to delay the Services.

1.2.2 Make provision for the Personnel of Garver to enter public and private lands as required for Garver to perform necessary preliminary surveys and other investigations required under the applicable Work Order.

1.2.3 Obtain the necessary lands, easements and right-of-way for the construction of the work. All costs associated with securing the necessary land interests, including property acquisition and/or easement document preparation, surveys, appraisals, and abstract work, shall be borne by the Owner outside of this Agreement, except as otherwise described in the Services under Section 1.1.

1.2.4 Furnish Garver such plans and records of construction and operation of existing facilities, available aerial photography, reports, surveys, or copies of the same, related to or bearing on the proposed work as may be in the possession of Owner. Such documents or data will be returned upon completion of the Services or at the request of Owner.

1.2.5 Furnish Garver a current boundary survey with easements of record plotted for the project property.

1.2.6 Pay all plan review and advertising costs in connection with the project.

1.2.7 Provide legal, accounting, and insurance counseling services necessary for the project and such auditing services as Owner may require.

1.2.8 Furnish permits, permit fees, and approvals from all governmental authorities having jurisdiction over the project and others as may be necessary for completion of the project.



SECTION 2 – PAYMENT

For the Services set forth above, Owner will pay Garver on a lump sum or cost-plus fixed fee basis as shown in the following table. The Owner represents that funding sources are in place with the available funds necessary to pay Garver.

The table below presents a summary of the fee amounts and fee types for this Work Order.

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Surveying Services	\$102,600	LUMP SUM
Construction Administration Services	\$94,200	LUMP SUM
On-Site Resident Project Representative Services	\$185,500	COST+FF
Materials Testing Services	\$35,900	COST + FF
Project Closeout Services	\$7,600	LUMP SUM
TOTAL FEE	\$425,800	

The lump sum amount to be paid under this Work Order is **\$204,400**. For informational purposes, a breakdown of Garver's estimated costs is included herein with approximate current hourly rates for each employee classification.

For cost plus fixed fee services, the Owner will pay Garver, for time spent on the project, at the unburdened hourly payroll rate of each of Garver's personnel during the performance of these Services, plus payroll and general overhead costs of 183.49% of the unburdened hourly rate, plus direct reimbursable expenses normal and necessary for the completion of the Services, plus a fixed fee. Estimated cost of these Services, including the fixed fee is **\$221,400**. The actual total fee may not exceed this estimate without prior written approval from the Owner. For informational purposes, a breakdown of Garver's estimated costs is included herein with approximate current hourly rates for each employee classification. Notwithstanding the foregoing, Garver shall be entitled, in its sole discretion, to substitute a more qualified person (e.g., C-4) with a less qualified person (e.g., C-1); provided however, in such event Garver shall only be entitled to payment at the lesser rate.

Expenses other than salary costs that are directly attributable to performance of our Services will be billed as follows:

1. Direct cost for travel, long distance and wireless communications, outside reproduction and presentation material preparation, and mail/courier expenses.
2. Direct cost plus ten percent (10%) for subcontract/subconsultant fees.
3. Charges similar to commercial rates for reports, plan sheets, presentation materials, etc.
4. The amount allowed by the federal government for mileage with an additional \$0.05 for survey trucks/vans.

Additional Services (Extra Work). For services not described or included in Section 2, but requested by the Owner in writing, the Owner will pay Garver, for time spent on the project, as expressly set forth in the applicable Amendment.



SECTION 3 – EXHIBITS

3.1 The following Exhibits are attached to and made a part of this Work Order:

3.1.1 Exhibit A-02 - Scope of Services

3.1.2 Exhibit B-02 – Manhour Tables

This Work Order may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Approval and acceptance of this Work Order, including attachments listed in SECTION 3 – EXHIBITS, shall incorporate this document as part of the Agreement. Garver is authorized to begin performance upon receipt of a copy of this Work Order signed by the Owner. The effective date of this Work Order shall be the last date written below.

CITY OF BENTONVILLE

GARVER LLC

By: _____
Signature

By: _____


Name: _____
Printed Name

Name: Adam T White, P.E.
Printed Name

Title: _____

Title: Vice President

Date: _____

Attest: 4/13/2023

Attest: _____



EXHIBIT A-02 (SCOPE OF SERVICES)

Generally, the Scope of Services includes the following professional services for improvements to Runway 18-36 including the runway pavement, runway lighting system, and NAVAIDs at Bentonville Municipal Airport. Improvements will consist primarily of runway pavement widening, runway lighting rehabilitation, and NAVAID improvements. More specifically, this Scope of Services includes the following professional engineering services:

- Survey Services
- Construction Administration Services
- On-Site Resident Project Representative Services
- Materials Testing Services
- Project Closeout Services

1. SURVEYING SERVICES

- 1.1. At the conclusion of the project, NV5 Geospatial, as a subconsultant to Garver, will be conduct field surveys in accordance with FAA AC 150/5300-18 (General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards, latest edition) to document alterations to the existing runway infrastructure. An FAA Airport Airspace Analysis Survey will be completed for all surfaces defined by FAA AC 150/5300-18B Section 2.7.1.1 Runways with Vertical Guidance. An as-built survey will also be completed in accordance with FAA AC 150/5300-18. All survey data will be uploaded to the FAA's Airport Data and Information Portal (ADIP) for review and approval.

2. CONSTRUCTION ADMINISTRATION SERVICES

- 2.1. During the construction phase of work, Garver will accomplish the tasks below.

- 2.2. Issued for Construction (IFC) Documents

- 2.2.1. Garver will compile bid addendums and any other necessary plan changes due to post-bid project updates and/or funding changes into a final Issued for Construction (IFC) set of plans and specifications.

- 2.3. Construction Management Plan

- 2.3.1. Garver will prepare a "Construction Management Plan" to be submitted to the Federal Aviation Administration (FAA) for approval. At a minimum, the plan shall list key construction personnel, qualifications of construction management personnel, and materials quality assurance information. The plan will be reviewed by the FAA project manager and must be approved along with the final plans and specifications for construction.

- 2.4. Submittals

- 2.4.1. Garver will evaluate and respond to construction material submittals and shop drawings. Corrections or comments made by Garver on the shop drawings during this review will not relieve Contractor from compliance with requirements of the drawings and specifications. The check will be for review of general conformance with the design



concept of the project and general compliance with the information given in the contract documents. The Contractor will be responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating his work with that of all other trades, and performing his work in a safe and satisfactory manner. Garver's review shall not constitute approval of safety precautions or constitute approval of construction means, methods, techniques, sequences, procedures, or assembly of various components. When certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, either directly or implied for a complete and workable system, Garver shall be entitled to rely upon such submittal or implied certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents.

2.5. Notice to Proceed & Preconstruction Meeting

2.5.1. Garver will issue a Notice to Proceed letter to the Contractor and attend preconstruction meeting. Garver will provide meeting minutes for submission to all parties at the conclusion of the meeting.

2.6. Progress Meetings

2.6.1. As a minimum, Garver's Project Manager, Project Engineer, and Resident Project Representative (RPR) will attend weekly progress meetings with the Owner and Contractor. It is expected that 6 meetings will be held on-site. To the extent possible, progress meetings and visits to the site of the work should be scheduled to coincide with each new phase of construction, scheduled FAA inspections, and other times when Garver's presence is desirable. Garver's project engineer or his qualified representative will be available at all times work is in progress for telephone contact by the RPR. Garver's project engineer shall direct, supervise, advise, and counsel the Resident Project Representative and construction observation personnel in the accomplishment of Garver's duties. Garver will prepare for and attend any utility pre-construction meetings as required.

2.7. Owner Coordination

2.7.1. Garver will consult with and advise the Owner during the construction period. Garver will submit, when requested by the Owner, written reports to the Owner on the progress of the construction including any problem areas that have developed or are anticipated to develop. In addition, Garver shall supply to Owner such periodic reports and information as may be required by the FAA, including FAA Form 5370-1, Construction Progress and Inspection Report, or equivalent form to the Owner on a weekly basis.

2.8. RFIs

2.8.1. Garver will issue instructions to the Contractor on behalf of the Owner and issue necessary clarifications (respond to RFIs) regarding the construction contract documents.

2.9. Flight Check Coordination

2.9.1. Garver will coordinate with the Owner, Contractor and FAA Flight Inspection Operations Group for all PAPI and REIL flight checks.



2.10. Progress Payments

- 2.10.1. Garver will prepare Contractor's progress payment requests based on the actual quantities of contract items completed and accepted and will make a recommendation to the Owner regarding payment. Garver's recommendation for payment shall not be a representation that Garver has made exhaustive or continuous inspections to (1) check the quality or exact quantities of the Work; (2) to review billings from Subcontractors and material suppliers to substantiate the Contractor's right to payment; or (3) to ascertain how the Contractor has used money previously paid to the Contractor.

2.11. Payroll Reviews

- 2.11.1. Garver will assist the Owner in the observation of the Contractor's operations for proper classification of workers, review of the Contractor's payroll as necessary to determine compliance with Davis Bacon requirements, and conduct contractor employee interviews to determine compliance with Davis Bacon requirements. Garver will keep the Contractor's payroll records on file demonstrating compliance with the Davis Bacon requirements. In addition, Garver will monitor the contractor's posting of the required EEO notice and provide general oversight of any obvious instance of a segregated workplace. Garver will submit Contractor's certified payroll records to Owner at the completion of the project.

2.12. DBE Compliance

- 2.12.1. Garver will assist the Owner in the review of the Contractor's compliance with the DBE goals established during bidding including preparing the monthly DBE payment log.
- 2.12.2. Garver will coordinate with the FAA's Office of Civil Rights to update the Airport's existing DBE Program to meet the current requirements of 49 CFR Part 26.

2.13. Record Drawings

- 2.13.1. Garver will maintain a set of working drawings and provide information for preparation of record drawings of the completed project. This information will be incorporated into final record drawings completed as part of Closeout Services and final record drawings will be provided to the Owner after project completion.

2.14. Change Orders

- 2.14.1. When authorized by the Owner, Garver will prepare change orders or supplemental agreements for changes in the work from that originally provided for in the construction contract documents. If redesign or substantial engineering or surveying is required in the preparation of these change order documents, the Owner will pay Garver an additional fee to be agreed upon by the Owner and Garver.

2.15. Final Inspection

- 2.15.1. Garver will participate in a pre-final walkthrough with the Owner. Garver will also participate in a final project inspection with the Owner and Contractor, prepare a punch list, review final project closeout documents, and submit the final pay request.



3. ON-SITE RESIDENT PROJECT REPRESENTATIVE SERVICES

3.1. Garver will provide full-time Resident Project Representative (RPR) services for the 73-calendar-day construction contract performance time. The proposed fee is based on observation services by a Senior Construction Observer (C-3) at approximately 55 hours per week and a Construction Observer (C-2) at approximately 55 hours per week during the daytime construction contract performance time for the RPR. Garver will provide additional observation services by a Senior Construction Observer (C-3) at approximately 50 hours per week during the nighttime construction contract performance time for the RPR. If the construction time extends beyond the time established in this agreement or if the Owner wishes to increase the time or frequency of the observation, the Owner will pay Garver an additional fee agreed to by the Owner and Garver. All RPR personnel shall have the appropriate experience and qualifications. Garver will provide additional observation services for post-construction City inspections and punch list reviews (approximately 80 hours).

3.2. During the construction period, Garver's RPR will provide or accomplish the following:

- Consult with and advise the Owner during the construction period. Garver will submit, when requested by the Owner, written reports to the Owner on the progress of the construction including any problem areas that have developed or are anticipated to develop. In addition, Garver shall supply to the Owner such periodic reports and information as may be required by the FAA
- As necessary, conduct safety meetings with the Contractor.
- Coordinate with the firm providing construction materials quality assurance testing. Coordinate with this firm to ensure that all material tests required for construction are scheduled and accomplished in a manner that will not delay the Contractor unnecessarily and will meet specification requirements as to location and frequency.
- Perform intermediate inspections in advance of the final inspection.
- Maintain a file of quantities incorporated into the work, test reports, certifications, shop drawings and submittals, and other appropriate information.
- In accordance with FAA AC 150/5370-12A, maintain a project diary which will contain information pertinent to each site visit.
- Administer the "Construction Management Plan" prepared by Garver.
- Monitor the contractor's conformance to the approved construction safety and phasing plan.
- Prepare a Construction Materials Quality Control Summary. At a minimum, the summary shall include a list of all tests performed showing the date, location, pass or fail, results of retests, and whether the test is eligible or ineligible under the A.I.P. program. The Summary will include a certification that all testing was completed in accordance with the "Construction Management Plan."

3.3. In performing construction observation services, Garver will endeavor to protect the Owner against defects and deficiencies in the work of the Contractor(s); but Garver does not guarantee the performance of the Contractor(s), nor is Garver responsible for the actual supervision of construction operations. Garver does not guarantee the performance of the contracts by the Contractors nor assume any duty to supervise safety procedures followed by any Contractor or subcontractor or their respective employees or by any other person at the job site. However, if at any time during construction Garver observes that the Contractor's work does not comply with the construction contract documents, Garver will notify the Contractor of such non-compliance and instruct him to correct the deficiency and/or stop work, as appropriate for the situation. Garver will also record the observance, the discussion, and the actions taken. If the Contractor continues without satisfactory corrective action, Garver will



notify the Owner immediately, so that appropriate action under the Owner's contract with the Contractor can be taken.

4. MATERIALS TESTING SERVICES

- 4.1. Through a Subconsultant, Garver shall provide the quality assurance testing for the project as required by the Plans and Specifications in accordance with FAA and the Owner's requirements.

5. PROJECT CLOSEOUT SERVICES

- 5.1. At the conclusion of construction, Garver will assist the Owner with project closeout by providing a final project report which will include all necessary documents required for FAA grant closeout. Closeout documentation will be provided within 90 days of the final payment to the Contractor. Garver will also update the airport's ALD to show the completed project as "existing" and coordinate the submission of the updated ALD through OE/AAA.

6. PROJECT DELIVERABLES

- 6.1. The following deliverables will be submitted to the parties identified below. Unless otherwise noted below, all deliverables shall be electronic.
- Issued for Construction Plans and Specifications to the Owner, Contractor, and FAA.
 - Three hard copies to the Contractor
 - One copy to the FAA
 - Construction Management Plan to the Owner and FAA
 - Approved submittals to the Contractor.
 - Record Plans and Specifications to the Owner and FAA.
 - One hard copy to the Owner.
 - Runway Survey Data (18B) – Design and As-Built
 - Uploaded to ADIP
 - Other electronic files as requested.

7. ADDITIONAL SERVICES

- 7.1. The following items are not included under this agreement but will be considered as additional services to be added under Amendment if requested by the Owner.
- Redesign for the Owner's convenience or due to changed conditions after previous alternate direction and/or approval.
 - Deliverables beyond those listed herein.
 - Design of any utility relocation.
 - Engineering, architectural, or other professional services beyond those listed herein.
 - Retaining walls or other significant structural design.
 - Environmental Handling and Documentation, including wetlands identification or mitigation plans or other work related to environmentally or historically (culturally) significant items.
 - Coordination with FEMA and preparation/submittal of a CLOMR and/or LOMR.
 - Services after construction, such as warranty follow-up, and operations support.



8. SCHEDULE

- 8.1. Garver shall begin work under this Agreement upon execution of this Agreement and shall complete the work within a mutually agreeable schedule with the Owner.

Exhibit B-02**Bentonville Municipal Airport
Runway 18-36 Widening Construction Phase Services****Surveying Services (Subconsultant)**

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-2	T-2	C-3	C-2
	\$83.53	\$68.47	\$58.57	\$48.43	\$38.53	\$57.86	\$47.26
	hr	hr	hr	hr	hr	hr	hr
1. Surveys - Topographic							
Coordination with Survey Subconsultant	2			12			
Survey Layout				1	2		
Subtotal - Surveys - Topographic	2	0	0	13	2	0	0

Hours	2	0	0	13	2	0	0
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Salary Costs	\$167.06	\$0.00	\$0.00	\$629.59	\$77.06	\$0.00	\$0.00
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SUBTOTAL - SALARIES:	\$873.71
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LABOR AND GENERAL ADMINISTRATIVE OVERHEAD:	\$1,603.17
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$1.59
Postage/Freight/Courier	\$40.00
Travel Costs (1 trip @ 12mi/trip)	\$10.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$51.59
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SUBTOTAL:	\$2,528.47
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SUBCONSULTANTS FEE (NV5 GEOSPATIAL):	\$99,700.00
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PROFESSIONAL FEE	\$371.53
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TOTAL FEE:	\$102,600.00
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Exhibit B-02**Bentonville Municipal Airport
Runway 18-36 Widening Construction Phase Services****Construction Administration**

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-2	T-2	C-3	C-2
	\$83.53	\$68.47	\$58.57	\$48.43	\$38.53	\$57.86	\$47.26
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Prepare IFC Plans and Specs and submit to Contractor, Owner, and FAA	1			4	6		
Prepare and Distribute Notice To Proceed	1			2			
Prepare for Preconstruction Meeting	1			4			
Develop Construction Management Plan	2			4	16		
Attend Preconstruction Meeting (4 people, on-site)	2			6			
Prepare and Distribute Preconstruction meeting minutes				2			
Prepare Contractor Pay Application (2 applications)	3			6			
Coordination with Inspector (20 hr/week)	20			100			
Develop Submittal Log	1			2	4		
Prepare Change Orders	2			4			
Response to Contractor and RPR Inquiries	8			32			
FAA Flight Check Coordination	2			10			
Certified Payroll Reviews				2	8		
DBE Compliance	1			2	4		
DBE Program Update				4	8		
Prepare for and Attend (On-Site) Progress Meetings (5 people, 6 meetings)	12			24		12	12
Site Visits (3 people, 4 trips)	12			24			
Shop Drawings/Submittal Review & Responses	2			4	24		
Final Inspection and Punchlist	2			4	8		
Punchlist Coordination	1			8			
Final Walkthrough	2			4	4		
Develop and Distribute Record Documents	1			4	16		
Subtotal - Civil Engineering	76	0	0	256	98	12	12

2. Electrical Engineering							
Prepare IFC Plans and Specs and submit to Contractor, Owner, and FAA		2		2			
Construction Management Plan		1					
Attend Preconstruction Meeting (1 person, on-site)		2					
Response to Contractor and RPR Inquiries		2		6			
Flight Check Coordination		4					
Prepare for and Attend (On-Site) Progress Meetings (1 person, 6 meetings)		12					
Site Visits (1 person, 2 trips)		6					
Shop Drawings/Submittal Review & Responses		2		4	16		
Final Inspection and Punchlist		2		2	2		
Punchlist Coordination		1		4			
Final Walkthrough		2		2	2		
Develop Record Documents		1		4	8		
Coordinate Spare Parts and O&M Manuals		1		4			
Subtotal - Electrical Engineering	0	38	0	28	28	0	0

Hours	76	38	0	284	126	12	12
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Salary Costs	\$6,348.28	\$2,601.86	\$0.00	\$13,754.12	\$4,854.78	\$694.32	\$567.12
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SUBTOTAL - SALARIES: \$28,820.48

LABOR AND GENERAL

ADMINISTRATIVE OVERHEAD: \$52,882.70

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$26.34
Postage/Freight/Courier	\$75.00
Travel Costs (20 trips @ 12mi/trip)	\$140.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$241.34

SUBTOTAL: \$81,944.52

SUBCONSULTANTS FEE: \$0.00

PROFESSIONAL FEE \$12,255.48

TOTAL FEE: \$94,200.00

Exhibit B-02**Bentonville Municipal Airport
Runway 18-36 Widening Construction Phase Services****On-Site Resident Project Representative Services**

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-2	D-2	C-3	C-2
	\$83.53	\$68.47	\$58.57	\$48.43	\$45.48	\$57.86	\$47.26
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Review IFC Plans and Specifications						20	20
Attend Preconstruction Meeting (2 people, on-site)						2	2
Review Construction Management Plan						10	10
Resident Project Representative Services (6 weeks of daytime work @ 55 hr/week)						330	330
Resident Project Representative Services (5 weeks of night work @ 50 hr/week)						250	
City Inspections and Punchlist Coordination						40	40
Subtotal - Civil Engineering	0	0	0	0	0	652	402

Hours	0	0	0	0	0	652	402
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Salary Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,724.72	\$18,998.52
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SUBTOTAL - SALARIES:	\$56,723.24
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LABOR AND GENERAL ADMINISTRATIVE OVERHEAD:	\$104,081.47
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$4.58
Postage/Freight/Courier	\$100.00
Travel Costs (63 trips @ 12 mi/ trip)	\$470.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$574.58
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SUBTOTAL:	\$161,379.29
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SUBCONSULTANTS FEE:	\$0.00
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PROFESSIONAL FEE	\$24,120.71
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TOTAL FEE:	\$185,500.00
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Exhibit B-02**Bentonville Municipal Airport
Runway 18-36 Widening Construction Phase Services****Materials Testing Services**

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-2	T-2	C-3	C-2
	\$83.53	\$68.47	\$58.57	\$48.43	\$38.53	\$57.86	\$47.26
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Coordination with Materials testing Firm	5			10			
Review Test Results	5			10			
Subtotal - Civil Engineering	10	0	0	20	0	0	0

Hours	10	0	0	20	0	0	0
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Salary Costs	\$835.30	\$0.00	\$0.00	\$968.60	\$0.00	\$0.00	\$0.00
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SUBTOTAL - SALARIES:	\$1,803.90
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LABOR AND GENERAL ADMINISTRATIVE OVERHEAD:	\$3,309.98
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$19.04
Postage/Freight/Courier	\$0.00
Travel Costs	\$0.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$19.04
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SUBTOTAL:	\$5,132.92
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SUBCONSULTANTS FEE (GHBW):	\$30,000.00
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PROFESSIONAL FEE	\$767.08
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TOTAL FEE:	\$35,900.00
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Exhibit B-02**Bentonville Municipal Airport
Runway 18-36 Widening Construction Phase Services****Project Closeout Services**

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-2	T-2	C-3	C-2
	\$83.53	\$68.47	\$58.57	\$48.43	\$38.53	\$57.86	\$47.26
	hr	hr	hr	hr	hr	hr	hr
1. Civil Engineering							
Review and Submit Final Construction Pay Application	1			2			
Prepare and Submit Final Reconciliation Change Order	1			2			
Assemble and Review Summary of Project Costs	1			2			
ALD Drafting	1			2	4		
ALD Upload to OEAAA				2			
Draft Final Construction Report and Submit to FAA, State, Owner	2			8			
FAA Closeout Documents	2			8			
Subtotal - Civil Engineering	8	0	0	26	4	0	0
2. Electrical Engineering							
Draft Final Construction Report and Submit to FAA, State, Owner		2		2			
Subtotal - Electrical Engineering	0	2	0	2	0	0	0

Hours	8	2	0	28	4	0	0
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Salary Costs	\$668.24	\$136.94	\$0.00	\$1,356.04	\$154.12	\$0.00	\$0.00
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SUBTOTAL - SALARIES:	\$2,315.34
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LABOR AND GENERAL ADMINISTRATIVE OVERHEAD:	\$4,248.42
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$26.68
Postage/Freight/Courier	\$25.00
Travel Costs	\$0.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$51.68
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SUBTOTAL:	\$6,615.44
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SUBCONSULTANTS FEE:	\$0.00
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PROFESSIONAL FEE	\$984.56
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TOTAL FEE:	\$7,600.00
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RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO WORK ORDER NO. 2 WITH GARVER ENGINEERING; ADJUSTING THE 2023 BUDGET TO APPROPRIATE FOUR HUNDRED TWENTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$425,800.00) FROM GENERAL FUND RESERVES TO ACCOUNT #101650-47390 – IMPROVEMENT OTHER THAN BUILDING/OTHER; AND FOR OTHER PURPOSES.

WHEREAS, at its January 24, 2023 meeting, City Council approved the Runway 18-36 Widening Project between Taxiway A1 and A3;

WHEREAS, this work order allows Garver Engineering to provide professional services administering this project; and

WHEREAS, a budget adjustment from general fund reserves is needed cover front end costs which will be replenished with reimbursable FAA grant monies.

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

Section 1: The Mayor and City Clerk be and are hereby authorized to enter into Work Order No.2 with Garver Engineering, for professional services administering the “Runway 18-36 Widening Project”, in the amount of four hundred twenty-five thousand eight hundred dollars (\$425,800.00);

Section 2: The 2023 Budget should be adjusted to appropriate four hundred twenty-five thousand eight hundred dollars (\$425,800.00) from General Fund Reserves to Account #101650-47390 – Improvements other than Building/Other, which will be replenished with reimbursable FAA grant monies;

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 and APPROVED this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, Mayor

ATTEST:

KIRBY ROMINES, City Clerk



ORDINANCE NO. _____

**AN ORDINANCE ADOPTING REVISED OPERATING POLICIES AND PROCEDURES
FOR THE AIRPORT ADVISORY BOARD; AND FOR OTHER PURPOSES.**

WHEREAS, Ordinance No. 2005-40 created the Airport Advisory Board and established operating policies and procedures for said board;

WHEREAS, Ordinance No. 2010-27 amended Ordinance No. 2005-14;

WHEREAS, Ordinance No. 2014-103 amended Ordinance no. 2010-27;

WHEREAS, the operating policies and procedures need to be updated and amended as shown in Attachment “A”; and

WHEREAS, the Airport Advisory Board unanimously voted to approve Attachment “A” at its January 5, 2023 meeting.

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

Section 1: The Operating Policies and Procedures for the Airport Advisory Board, in the following Attachment “A”, three copies of which are on file with the City Clerk, is hereby adopted by reference as though it were copied herein fully;

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

Section 3 - Repeal of Conflicting Resolutions: 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

ATTATCHMENT “A”

OPERATING POLICIES AND PROCEDURES AIRPORT ADVISORY BOARD

ARTICLE 1. COMPOSITION: The Board shall be composed of five members. All members shall be qualified electors of the City of Bentonville.

- a. A City Council member shall be an ex-officio member of the Board.
- b. At least two (2) of the five members shall be experienced in aviation, preferably holding some type of pilot aeronautical rating, provided, however, that if there is not any citizen experienced in aviation holding some type of pilot's aeronautical rating who is available or willing to serve on such board, then the Mayor may waive this requirement.
- c. Other than the ex-officio position, no member of the Board shall hold any elective or other appointive office under the municipal, county, state, or federal government deemed to be in direct conflict with this Board, while a member of the Board, neither shall any such member be a candidate for any elective office while a member of the Board. No member of the board shall have a financial interest in any aeronautical enterprise located at the airport while a member of the Board. No member shall have a personal interest in any business of the Board or any contract with the Board or the City pertaining to the Airport. However, in no instance shall a member be prohibited from using airport facilities or services as a customer of an aeronautical enterprise at the Airport, or from having a pre-existing ground lease or hangar lease with the City.

ARTICLE 2: TERMS OF OFFICE. Board members shall be appointed by the Mayor and affirmed by the City Council in accordance with the following:

- a. The Board first appointed and confirmed, shall serve for terms of one (1), two (2), three (3), four (4), and five (5) years each, to be designated by the Mayor.
- b. Upon expiration of their respective terms, their successors shall be appointed by the Mayor and affirmed by the City Council for a term of three (3) years. No Board member shall be eligible to serve more than two full terms in succession.

ARTICLE 3: REMOVAL. Any Board member may be removed at any time by a majority of the elected members of the City Council. The Mayor may also remove from office any Board member upon approval by the City Council.

ARTICLE 4: OFFICERS. At the first meeting following the appointment of members, the Board shall elect from among its membership a chair and vice- chair. City staff will provide secretarial support such as minute taking, agenda publishing, scheduling meetings, etc. The officers shall serve two-year terms. No member shall serve more than two consecutive two-year terms as chairperson without interruption of at least a two-year period.

- a. The chairperson is the principal officer and will preside at all meetings and shall rule on all matters of procedure regarding the order of business, motion, voting, etc. He or she shall appoint the necessary sub-committees to establish the goals and meet the objectives of the Board. The chairperson shall have a vote in all matters of business.
- b. The vice-chairperson will serve in the same capacity as the chairman in the event the chairman is absent or in the event of his or her inability or refusal to act.
- c. The secretary shall serve in the same capacity as the chairperson in the event that both the chairperson and vice-chairperson are absent or unable to refuse to act. Secretarial support, provided by the City, shall ensure the official minutes of the Board meetings are taken and properly maintained in one or more books provided for that purpose. He or she shall ensure that all notices are given as required by law, and shall be the official custodian of the records of the Board. The secretarial support provided by the City shall also ensure the Board's regular meeting agendas are properly distributed to the Board members and the Mayor at least seven days prior to the meeting. Routine matters may also be delegated to regular City staff.

ARTICLE 5: DUTIES. The Airport Advisory Board shall:

- a. Review the City staff prepared five-year Capital Improvement Plan (CIP) plan, as needed, and recommend for City Council approval/amendments.
- b. Review the City staff prepared five-year Airport Improvement Plan (AIP), and recommend for approval, to the FAA by March 1 and September 1 of each year updating as necessary to properly reflect airport grant programs.

- c. Review the City staff prepared annual budget and recommend for approval to the Mayor by August 1st.
- d. Review the City staff prepared bi-annual report, concerning airport performance, revenues and expenditures, and customer service, and submit to the Mayor and City Council for approval. The Chair will present to the City Council, annually, an update on all Airport functions.
- e. Review such other City staff prepared reports as may be determined by the Mayor or City Council.

ARTICLE 6: MEETINGS.

- a. The Board shall meet once each month at a location in the City of Bentonville designated by the Board.
- b. Special meetings may be called by the chairman or any three of the Board members at any time after 24 hours' prior written notice designating the time and place of such meeting.
- c. All requirements of the laws of the State of Arkansas concerning open meetings and notice shall be met.
- d. A quorum shall consist of any three Board members. All actions of the Board shall be upon a vote of not less than a majority of the members present. All Board members except the ex-officio member shall be entitled to vote upon all matters. No member may vote by proxy.
- e. The chairperson may, as needed from time to time, form sub-committees to research projects and make recommendations to the Board.

ARTICLE 7: AUTHORITY OF THE BOARD. All decisions of such Board are subject to final consideration by the City Council or Mayor as appropriate or required by resolution, ordinance, or statute. Provided; however, it is the intention of the City Council that all items within the scope of authority of the Board be submitted to the Board for consideration and recommendation prior to submission to the City Council for those matters which require Council action. The Mayor is authorized to provide available staff to administer the airport and to assist the Board, as approved through City budget and expenditure processes.

ARTICLE 8: LIMITATIONS OF AUTHORITY. The authority of the Board is expressly limited to the specific responsibilities and duties contained herein and nothing herein shall be construed or interpreted to:

- a. Grant the Board authority over the operation of any department, division, office, officer, or employee of the City except as may be requested by the Mayor or City Council in special circumstances.

- b. Diminish the responsibility of the Mayor in resolving conflicts which may arise over what specific items may be within the scope of authority of the Board.
- c. Diminish the authority of the City Council over funding, operations, fixed assets, indebtedness, budget, and other areas as applicable under Arkansas law.
- d. Create a commission under any state law regarding the creation of autonomous committees or commissi



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Human Resources
Submitted by	Machele Bowen
Phone	(479) 271-3191

Item Type: (Check Applicable Item Type)					
☒ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance approving a change to the pay plan for elected City Council Members from \$10,405.00 to \$14,600.00 annually. A budget adjustment will be needed for the annual pay increase.					

Estimated Cost	\$23,621.71
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below) :	
General Fund Reserves	





Budget Adjustment Request

Date of City Council Meeting	4/25/2023
Department	Administration
Submitted by	Machele Bowen
Phone	479-271-3117

Purpose of Budget Adjustment (Enter purpose in space below): To adjust for increase in City Council Member pay.
--

General Ledger Account Information*				
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)	

*Final Account Number will be determined by Accounting Department after approval and purchase



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Memorandum

To: City Council, Mayor Orman

From: Machele Bowen, Human Resource Manager

Date: April 25, 2023

Subject: Recommend Approval for Pay Plan Change – Elected Council Members

1. Periodically the Council asks the City of Bentonville Human Resource Department to survey other City's to ensure pay is comparable and in alignment with other elected official's pay.
2. City of Bentonville Human Resources conducted a survey and presented the information to Council. Based on that information the Council decided to adjust the pay for council members from \$10,405.00 annually to \$14,600.00 annually.
3. Council has also agreed to move to a merit-based increase going forward and to receive future increases council member must meet the following criteria:
 - a. Must not be absent from more than 5 meetings, including Committee of the Whole and Council meetings.

ORDINANCE NO. _____

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 ____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, Mayor

Attest:

KIRBY ROMINES, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Human Resources
Submitted by	Machele Bowen
Phone	(479) 271-3191

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance approving a change to the pay plan for the addition of an "Add-Pay" for backflow testing in the Parks maintenance department. There is no additional headcount or budget requirements associated with this position.					

Estimated Cost	\$5,200.00 annually
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	





Memorandum

To: City Council

From: Machele Bowen, Human Resource Manager

Date: April 25, 2023

Subject: Recommend Approval for Additional Pay (Add-Pay) for Backflow Tester Duties in the Parks Maintenance Department

1. The Parks Maintenance department is requesting approval for the addition of an Add-Pay of \$100 per pay period for performing “Backflow Testing” duties.
2. The Parks Maintenance department currently has two (2) employees who are certified to perform backflow testing for 50+ backflow devices, and that number of devices is increasing every year. This duty is required by state law and performing this testing is only an “additional duty” for these employees, who are primarily engaged in a wide variety of other parks maintenance responsibilities. 30+% of these devices are connected directly to drinking water sources and 60+% are connected to irrigation units that are connected to drinking water lines.
3. With the ever-increasing number of backflow devices being installed the department would like to attract other staff members to go through the rigorous testing and certification to be able to perform this vital service. There is a significant amount of training and education required to become certified, but no incentive exists to attract employees to get this vital credential. The potential turnover of either or both of these 2 staff members would create a public safety and financial situation for the City, where we would be forced to outsource these duties at over \$10k+ annually.
4. The creation of the Add-Pay would help improve retention of existing staff and incentivize other employees to go out and get this certification at an annual cost significantly lower than outsourcing. The Parks department has the money for certification training in their training budget and the payroll budget dollars to cover the cost of this add pay (appx \$5,200.00 for the remainder of 2023) without requiring a budget adjustment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2023 PAY PLAN FOR THE CITY OF BENTONVILLE; ADDING ADDITIONAL PAY TO COMPENSATE EMPLOYEES WHO ARE CERTIFIED TO PERFORM BACKFLOW TESTING; AND FOR OTHER PURPOSES.

WHEREAS, the Parks Maintenance Department has an ever-increasing number of backflow devices being installed which require State mandated testing;

WHEREAS, the Department currently has two (2) employees certified in this area and would like to incentivize other staff to go through the rigorous testing and certification process;

WHEREAS, outsourcing this service would cost the City in excess of ten thousand dollars (\$10,000.00) annually; and

WHEREAS, no budget adjustment is needed.

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

Section 1: The Pay Plan for the City of Bentonville should be and is hereby amended to include Additional Pay for Backflow Testing certification;

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



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	ENGINEERING
Submitted by	TRACY BILLINGS
Phone	(479) 696-0229

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Public hearing and ordinance vacating Alley Right of Way requested for Block 28, Lot 15 of Demings 2nd Addition (VAC23-0006). Planning denied the request but City Council shall make the final determination on approval to vacate per City Code Sec 300.06.					

Estimated Cost	
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	





Memorandum

To: City Council
From: Tyler Overstreet, Bentonville Planning Director, AICP
Date: April 24, 2023
RE: Alley Vacation for Block 28, Lot 15 of Deming's 2nd Addition

I am writing on behalf of the Bentonville Planning Department to recommend that the City Council deny the alley vacation request at Block 28, Lot 15 of Deming's 2nd Addition due to its incompatibility with the Bentonville Community Plan.

The Bentonville Community Plan outlines a vision for the future of our city, including policies and strategies for land use, transportation, economic development, and sustainability. The Plan emphasizes the importance of maintaining a connected and livable community, with safe and convenient access to parks, trails, schools, and other public amenities.

The Plan also contains specific recommendations and language referencing alleys. In the downtown area, alleys were used as part of the justification for the creation of the Downtown Neighborhood Land Use Categories and Zoning Districts. The Implementation chapter of the Community Plan references alleys in several locations, citing their importance to maintaining an interconnected street grid and the convenience they provide for pedestrian, bicycle, or vehicular access to properties. The Neighborhoods and Housing Chapter of the Plan specifically recommends that the City should encourage the development of public alleys to access individual residential properties.

It is for these reasons that I recommend that the Bentonville City Council deny this alley vacation request and uphold the Bentonville Community Plan. Thank you for your attention to this matter.

Regards,

Tyler Overstreet
Bentonville Planning Director, AICP

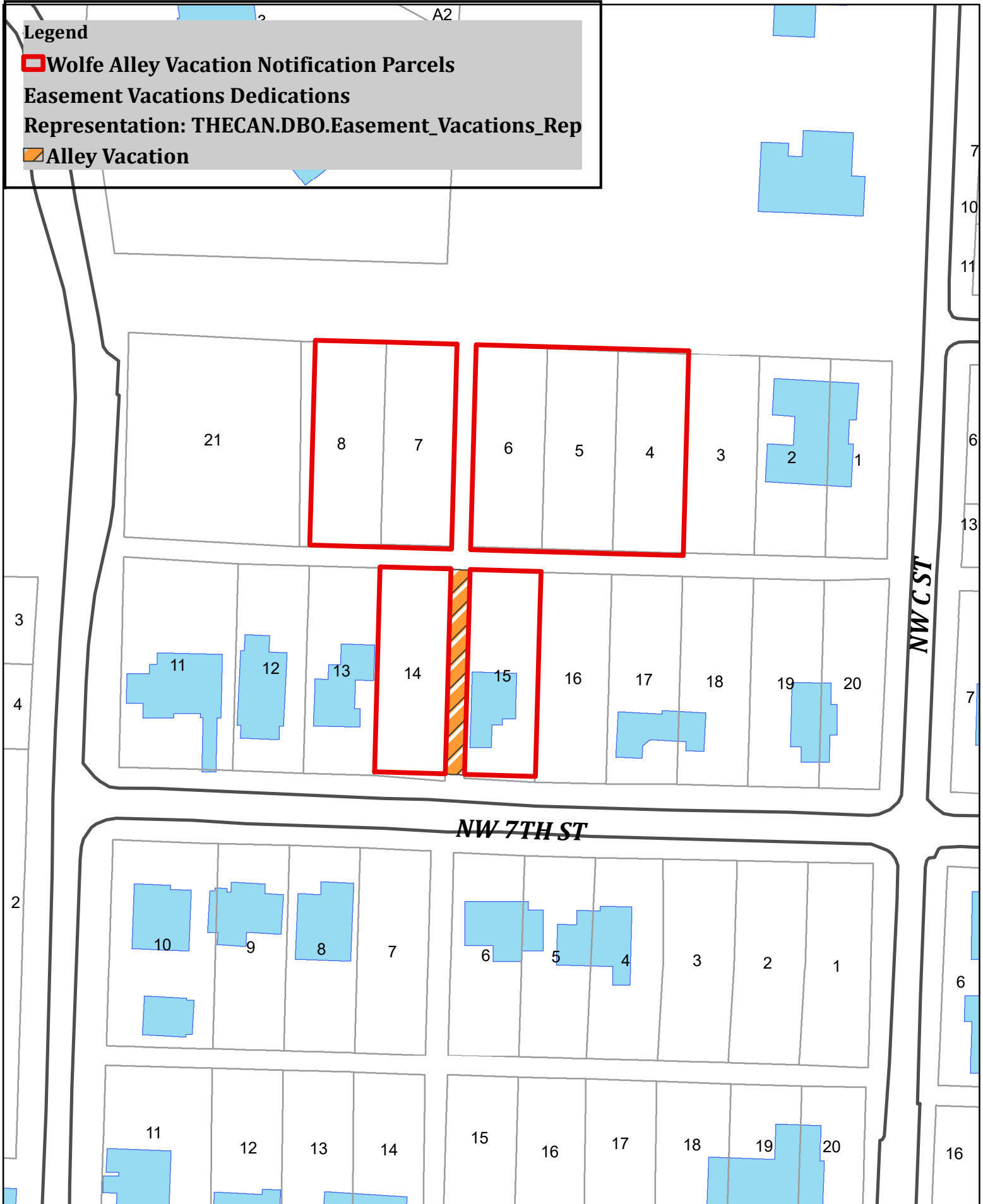
Legend

 **Wolfe Alley Vacation Notification Parcels**

Easement Vacations Dedications

Representation: THECAN.DBO.Easement_Vacations_Rep

 **Alley Vacation**



Proposed Alley Vacation

1 inch = 86 feet

ORDINANCE NO _____

**AN ORDINANCE VACATING ALLEY RIGHT OF WAY AT BLOCK 28, LOT 15 OF
DEMINGS 2ND ADDITION OF BENTONVILLE TO THE CITY OF BENTONVILLE,
ARKANSAS, BENTON COUNTY ARKANSAS (VAC23-0006).**

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

The alley between Lots 14 and 15 of Block 28 of Deming's Second Addition as Recorded in Plat "B" at page 24, Benton County Arkansas, more particularly described as,

Beginning at the Southeast Corner of Lot 14, Block 28, of said Deming's Second Addition, point being on the North Right-of-Way of NW 7th/ St.; Thence leaving said North Right-of-Way, N02°59'11"E a distance of 145.00 feet to the Northeast of said Lot 14; Thence S87°00'49"E a distance of 13.50 feet to the Northwest corner of Lot 15, said Block 28; Thence S02°59'11"W a distance of 145.00 feet to the Southwest corner of said Lot 15, Block 28 being on the North Right-of-Way of NW 7th/ St.; Thence along said Right-of-Way, N87°00'49"W a distance of 13.50 feet to the Point of Beginning. Containing 1,957 sqft or 0.04 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 easements 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 alley right of way 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 an alley right of way designated as follows:

The alley between Lots 14 and 15 of Block 28 of Deming's Second Addition as Recorded in Plat "B" at page 24, Benton County Arkansas, more particularly described as,

Beginning at the Southeast Corner of Lot 14, Block 28, of said Deming's Second Addition, point being on the North Right-of-Way of NW 7th/ St.; Thence leaving said North Right-of-Way, N02°59'11"E a distance of 145.00 feet to the Northeast of said Lot 14; Thence S87°00'49"E a distance of 13.50 feet to the Northwest corner of Lot 15, said Block 28; Thence S02°59'11"W a distance of 145.00 feet to the Southwest corner of said Lot 15, Block 28 being on the North Right-of-Way of NW 7th/ St.; Thence along said Right-of-Way, N87°00'49"W a distance of 13.50 feet to the Point of Beginning. Containing 1,957 sqft or 0.04 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
and Recorder
City of Bentonville, Arkansas**

STEPHANIE ORMAN, Mayor



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	ENGINEERING
Submitted by	TRACY BILLINGS
Phone	(479) 696-0229

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Public hearing and ordinance vacating Street Right of Way at Block F, Lot 9 of Orchard Addition (VAC23-0007).					

Estimated Cost	
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	





VAC23-0007

William & Rebecca White-ROW Vacation
604 SE D Street

1 inch = 83 feet



ORDINANCE NO _____

AN ORDINANCE VACATING STREET RIGHT OF WAY LOCATED AT BLOCK F, LOT 9 OF ORCHARD ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS (VAC23-0007).

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

Being a Part of Lot 1, Block F Orchard Addition, Per Plat Record A, at Page 89 and in Plat Record B at Page 27. Same Being Part of the SW 1/4, NW1/4, Section 32, T-20-N, R-30-W, Fifth Principal Meridian, in the City of Bentonville, County of Benton, State of Arkansas, Being more particularly described by Metes and Bounds as follows:

Beginning at a Found 5/8" Rebar w/Cap (AR1002) at the Northwest Corner of Lot 9; Thence N02°34'50"E distance of 10.13 feet; Thence N82°05'14"E distance of 8.67 feet; Thence S87°26'53"E distance of 133.59 feet; Thence S56°19'02"E distance of 7.10 feet; Thence S02°22'35"W distance of 87.17 feet; Thence N87°30'42"W distance of 7.51 feet to a Found 5/8" Rebar w/Cap (AR1002) at the Southeast Corner of Lot 9; Thence along the East line of said Lot 9 N02°34'49"E distance of 79.08 to a Found 5/8" Rebar w/Cap (AR1002) at the Northeast Corner of said Lot 9; Thence leaving said East line and along the North Line of said Lot 9 N87°25'14"W distance of 141.00 feet to the Point of Beginning, Containing 2,304 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 street 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 street right of way designated as follows:

Being a Part of Lot 1, Block F Orchard Addition, Per Plat Record A, at Page 89 and in Plat Record B at Page 27. Same Being Part of the SW 1/4, NW1/4, Section 32, T-20-N, R-30-W, Fifth Principal Meridian, in the City of Bentonville, County of Benton, State of Arkansas, Being more particularly described by Metes and Bounds as follows:

Beginning at a Found 5/8" Rebar w/Cap (AR1002) at the Northwest Corner of Lot 9; Thence N02°34'50"E distance of 10.13 feet; Thence N82°05'14"E distance of 8.67 feet; Thence S87°26'53"E distance of 133.59 feet; Thence S56°19'02"E distance of 7.10 feet; Thence S02°22'35"W distance of 87.17 feet; Thence N87°30'42"W distance of 7.51 feet to a Found 5/8" Rebar w/Cap (AR1002) at the Southeast Corner of Lot 9; Thence along the East line of said Lot 9 N02°34'49"E distance of 79.08 to a Found 5/8" Rebar w/Cap (AR1002) at the Northeast Corner of said Lot 9; Thence leaving said East line and along the North Line of said Lot 9 N87°25'14"W distance of 141.00 feet to the Point of Beginning, Containing 2,304 Square Feet or 0.05 Acres, More or Less.

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
City of Bentonville, Arkansas

STEPHANIE ORMAN, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Street
Submitted by	Tony Davis
Phone	(479) 271-3130

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☒ Bid Award

Recommendation/Suggested Action (Enter recommendation in space below):

Resolution to award bid IFB-23-29 for a Tri-Axle Dump Truck to MHC Kenworth Volvo, the sole bidder, for the amount of \$301,840.00. This is a budgeted item. This was the only bid received. No budget adjustment is needed.

Estimated Cost	\$301,840.00
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Is this Item Budgeted?	☒ Yes ☐ No
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If no, please explain how item will be funded (briefly explain in space below) :

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Memorandum



To: City Council, Mayor Orman

From: Tony Davis, Street Manager

Date: April 25, 2023

Re: Bid IFB-23-29 2023 Tri-Axle Dump Truck

On April 4, 2023 the City opened bid IFB-23-29 for a 2023 Tri-Axle Dump Truck. Only one bid was received by MHC Kenworth Volvo in the amount of \$301,840.00, since this is a tagged vehicle, no sales tax will be incurred. The 2023 budget for this is \$325,000.

The Street Department is recommending awarding bid IFB-23-29 to MHC Kenworth Volo for the amount of \$301,840.00.

Thanks for your consideration, please contact me with any questions. I can be reached by phone at 479-271-3130 or email at todayavis@bentonvillear.com.

**CITY OF BENTONVILLE, ARKANSAS PURCHASING DEPARTMENT****FORMAL SEALED BID TABULATION**

Date of Bid Opening:	4/4/23	Time of Bid Opening:	2:00 PM	Solicitation ID Number:	IFB-23-29
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Solicitation Title: Tri-Axle Dump Truck, As Specified, Or Equivalent Unit

Bidder:			MHC Kenworth Volvo
Line Item	Quantity (Unit of Measure = EA)	Description	Unit Price
1	1	2023 or Newer Year Model Kenworth T880 Tri-Axle Cab and Chassis with Henderson Mark – E Asphalt Rear End Dump Body and Hydraulics, as specified	\$301,840.00
Total Bid Price			\$301,840.00

purchasing@bentonvillear.com - (479) 271-3115

RESOLUTION NO. _____

A RESOLUTION AWARDDING BID IFB 23-29 TO MHC KENWORTH VOLVO, FOR THE PURCHASE OF A TRI-AXLE DUMP TRUCK, IN THE AMOUNT OF THREE HUNDRED ONE THOUSAND EIGHT HUNDRED FORTY DOLLARS (\$301,840.00); AND FOR OTHER PURPOSES.

WHEREAS, MHC Kenworth Volvo is the sole bidder for bid IFB-23-29;

WHEREAS, this contract covers the purchase of a Tri-Axle Dump Truck for the City of Bentonville Street Department; and

WHEREAS, this will be paid with budgeted funds.

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with MHC Kenworth Volvo for the purchase of a Tri-Axle Dump Truck for the City of Bentonville Street Department;

Section 2: The estimated contract cost is three hundred one thousand eight hundred forty dollars (\$301,840.00);

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 and APPROVED this _____ day of _____, 2023.

APPROVED:

STEPHANIE ORMAN, Mayor

ATTEST:

KIRBY ROMINES, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Street
Submitted by	Tony Davis
Phone	(479) 271-3130

Item Type: (Check Applicable Item Type)					
☒ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution authorizing a budget adjustment for a software maintenance agreement for the Siemens 360 Software. This software is used for traffic signal coordination for the signalized intersections. Please see attachments. A budget adjustment is needed.					

Estimated Cost	\$13,125
Is this Item Budgeted?	☒ Yes ☐ No \$625 budget adjustment needed.
If no, please explain how item will be funded (briefly explain in space below) :	
While this is a budgeted item, a \$625 budget adjustment will be needed for the maintenance agreement. The budget adjustment will come from the Street Reserve Funds.	





Budget Adjustment Request

Date of City Council Meeting	4/25/2023
Department	Street
Submitted by	Tony Davis
Phone	(479) 236-3899

Purpose of Budget Adjustment <i>(Enter purpose in space below):</i> Agreement for software manitenance renewal for Siemens 360 Software.

General Ledger Account Information*				
Org (Department)	Object	Account Description	Revenue + (-)	Expense + (-)
203810	43310	Technical/Data Processing		\$ 625.00
		Totals	\$ -	\$ 625.00
		Net Impact on Fund Balance	\$ (625.00)	

*Final Account Number will be determined by Accounting Department after approval and purchase



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PLEASE RECYCLE



Memorandum



To: City Council, Mayor Orman

From: Tony Davis, Street Manager

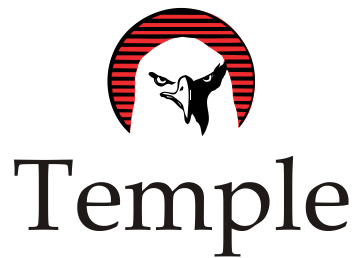
Date: April 25, 2023

Re: Budget Adjustment for Siemens 360 software maintenance

A renewal for the software maintenance agreement for the Siemens 360 software is needed. This item has a 2023 budget of \$12,500, however there has been a price increase for this. The total amount for the annual maintenance agreement is now \$13,125.00. A budget adjustment of \$625.00 is needed now due to the price increase.

The Siemens 360 software is used in the City's traffic signal coordination and Temple is the sole source provider of the software.

Thanks for your consideration, please contact me with any questions. I can be reached by phone at 479-271-3130 or email at todayis@bentonvillear.com.



January 5th, 2023

Brad Conley and Rob Kintz
City of Bentonville, AR
Traffic Signal Maintenance

RE: Sole Source Supplier

Dear Sirs:

This letter is to inform you that Temple, Inc. is the only authorized exclusive dealer in the State of Arkansas for the following manufactured equipment:

Carmanah Clary Dialight Iteris Eberle Design, Inc (EDI)

Mobotrex Polara Yunex ITS Applied Information

Temple, Inc *(to include all Temple made products and services)*

Any order, service or repair for any of the above-mentioned manufactured equipment must be purchased through Temple, Inc.

Temple, Inc. does handle the repairs for the products we sell, whether we are sole source or not, which includes Pelco Products.

Thank you for your interest and the opportunity to be of service. Should you require additional information, please call Temple, Inc. at 800-633-3221

Sincerely,

Forrest Temple
President

Temple, Inc.

P.O. Box 2066
Decatur, Alabama 35602-2066
Phone 1-800-633-3221
Fax (256) 353-4578

*Serving the South Since 1954!*

Yunex 360 Software Services Renewal
Bentonville, AR
attn: Brad Conley

DATE**March 28, 2023****TERMS****NET 30****DELIVERY****2 - 6 Weeks A.R.O.****SALESMAN****Brad White**

CONDITIONS: The prices and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by **Temple, Inc.** All quotations and agreements are contingent upon strikes, accidents, fires, availability of materials and all other causes beyond our control. Prices are based on costs and conditions existing on date of quotation and are subject to change by **Temple, Inc.** before final acceptance. Freight will be prepaid and allowed unless otherwise noted on this quotation.

Quantity	Description	Price	Amount
			\$ -
1	Siemens 360 Software Services Renewal 51-100 intersections	\$ 13,125.00	\$ 13,125.00

NOTES:

- 1) Temple, Inc. reserves the right to charge 4% on all credit card purchases
- 2) Tax will be added if applicable.
- 3) Freight not included unless noted on quote

Quote Valid For 30 Days.

SALESMAN

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH TEMPLE INC. TO RENEW THE SOFTWARE MAINTENANCE AGREEMENT FOR THE SIEMENS 360 SOFTWARE; AMENDING THE 2023 BUDGET IN THE AMOUNT OF THIRTEEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$13,125.00); AND FOR OTHER PURPOSES.

WHEREAS, the Bentonville Street Department has an existing agreement with Temple Inc.;

WHEREAS, the Bentonville Street Department request to renew the software maintenance agreement used for the traffic signal coordination for the signalized intersections; and

WHEREAS, this agreement will be funded by budgeted funds as well as a budget adjustment from the Technical/Data Processing account.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement with Temple Inc., in the amount of thirteen thousand one hundred twenty-five dollars (\$13,125.00), to renew the software maintenance agreement for the Siemens 360 Software;

Section 2: The 2023 Budget is amended as shown below:

General Ledger Account Information*				
Org (Department)	Object	Account Description	Revenue + (-)	Expense + (-)
203810	43310	Technical/Data Processing		\$ 625.00
		Totals	\$ -	\$ 625.00
		Net Impact on Fund Balance	\$ (625.00)	

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 this _____ day of _____, 2023

APPROVED:

Attest:

STEPHANIE ORMAN, Mayor

KIRBY ROMINES, City Clerk



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Engineering
Submitted by	Dan Weese
Phone	(479) 254-2024

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☒ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution allowing the Mayor and City Clerk to authorize Agreement Amendment No. 1 with Olsson, Inc. for design services for East Battlefield Improvements (MUNIS# 21ST0001; PIIP22-0020). The cost of this amendment will be \$166,300.00, bringing the total agreement amount to \$1,601,356.00. This is being paid for with the 2021 Street Bond. No budget adjustment is needed.					

Estimated Cost	\$166,300.00
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below) :	
This project is part of the 2021 Street Bond program.	



Memorandum



To: Mayor and City Council

From: Dan Weese, Deputy Director of Transportation

Date: Tuesday, April 25, 2023

Re: Agreement Amendment No. 1 for East Battlefield Improvements (MUNIS# 21ST0001; PIIP22-0020)

Staff requests approval of a resolution allowing the Mayor and City Clerk to authorize Agreement Amendment No. 1 with Olsson, Inc. for East Battlefield Improvements (MUNIS# 21ST0001; PIIP22-0020).

This amendment is to provide funding for water line relocation design; changes in the bridge design; detention pond analysis; and redesign of stormwater systems due to previously mentioned changes.

This amendment will increase the agreement price by an amount of \$166,300.00, bringing the total agreement price to \$1,601,356.00. This is being paid for with the 2021 Street Bond.

Please contact me with any questions or concerns regarding this Agreement Amendment or the project as a whole. My email is dweese@bentonvillear.com and my telephone number is (479) 254-2024.

CONTRACT AMENDMENT 1

EAST BATTLEFIELD IMPROVEMENTS (MUNIS# 21ST0001)

Date: April 13, 2023

This AMENDMENT ("Amendment") shall amend and become a part of the Professional Services Agreement dated July 15, 2021 between City of Bentonville ("Client") and Olsson, Inc. ("Olsson") providing for professional services. Olsson's Scope of Services for the Agreement is as indicated below.

SCOPE OF SERVICES

Olsson shall provide the following additional services (Scope of Services) to Client for the project:

1.0 Project Management, Meetings, Utility Coordination, Permit Coordination

Coordination and meetings with the City, internal team coordination, utility coordination, coordination with permit agencies, and general PM tasks such as invoicing, progress reports, budget and schedule reviews, for a period of 10 months.

Fee: \$72,700

2.0 Water & Sanitary Sewer Relocation Design Services

Relocation of water line and sanitary sewer line as shown in the attached Exhibit.

Fee: \$21,840

3.0 Detention Pond Analysis & Inlet Design

Recalculate drainage areas with 25-year storm criteria from the previous drainage study. Detention ponds along Battlefield had to be resized and intlets redesigned because improvements to Battlefield impacted the existing ponds.

\$14,260

4.0 Bridge Design

- Design of bridge maintenance repairs, bridge overlay and coordination with ArDOT.
- Rocker bearing design and coordination with ArDOT, since existing bearing seat areas were too small.
- Substantial wall and barrier modification design in median of Interstate and coordination with ArDOT.
- Difficulty reaching reasonable structural solutions for the substructure widenings due to the existing shallow foundations that are founded on soil.

- Drilled shaft designs/rock sockets for abutment foundation designs in lieu of piles.
- Additional coordination required with geotechnical engineers & ArDOT to vet viable options for the substructure widening designs.

\$57,500

COMPENSATION

Time and Expenses Not to Exceed (TENTE) Client shall pay Olsson for the performance of the Scope of Services, the actual time of personnel performing such services in accordance with the Labor Billing Rate Schedule and all actual reimbursable expenses in accordance with the Reimbursable Expense Schedule in the Professional Services Agreement dated July 15, 2021. Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date. Olsson's Scope of Service will be provided on a time and expense basis not to exceed **\$166,300**.

TERMS AND CONDITIONS OF SERVICE

All provisions of the original Agreement not specifically amended herein shall remain unchanged.

If this Contract Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of maximum 30 days from the date set forth above, unless changed by us in writing.

OLSSON, INC.

By _____
Richard Herrick, Vice President

By _____
Andrew Brewer, Technical Leader

By signing below, you acknowledge that you have full authority to bind Client to the terms of this Amendment. If you accept this Amendment, please sign:

CITY OF BENTONVILLE

By _____
Stephanie Orman

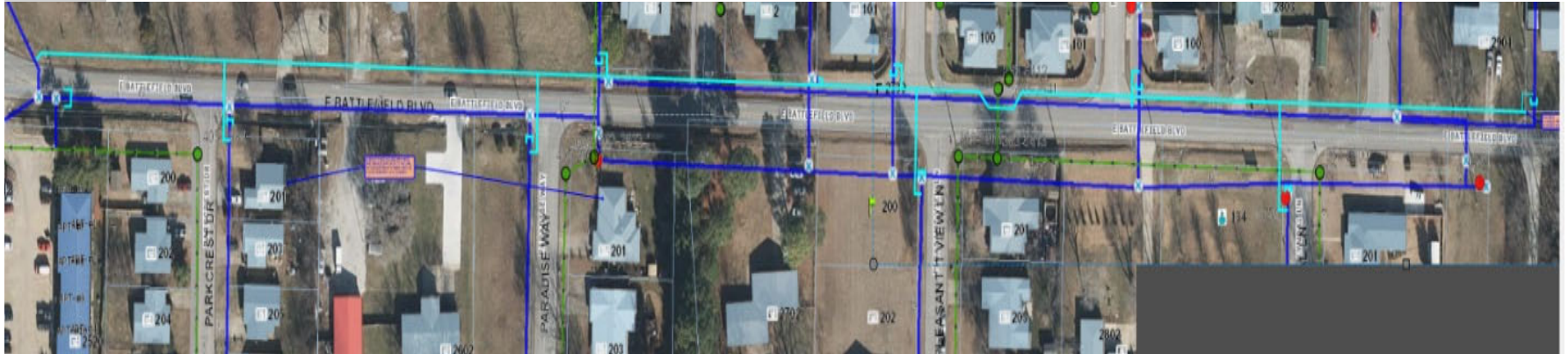
Title _____ Mayor _____

Dated: _____

Attachments

Proposed Waterline Relocation Exhibit

EXHIBIT



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO
AMEND THE AGREEMENT WITH OLSSON, FOR DESIGN SERVICES FOR
THE EAST BATTLEFIELD PROJECT (PIIP22-0020; MUNIS21ST0001); IN THE
AMOUNT OF ONE HUNDRED SIXTY-SIX THOUSAND THREE HUNDRED
DOLLARS (\$166,300.00); AND FOR OTHER PURPOSES.**

WHEREAS, the City of Bentonville previously entered into an agreement with Olsson, Inc., for professional services related to the East Battlefield Improvements;

WHEREAS, the City is requesting Olsson to provide water line relocation design, changes in the bridge design, detention pond analysis, and redesign of stormwater systems; and

WHEREAS, this amendment will be paid from 2021 Street Bond Funds.

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to amend the agreement with Olsson for design services for the East Battlefield Project (PIIP22-0020; MUNIS 21ST0001) as set forth in Amendment No. 1 to increase the agreement price by an amount of one hundred sixty-six thousand three hundred dollars (\$166,300.00);

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 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 and APPROVED this _____ day of _____, 2023.

APPROVED:

Stephanie Orman, MAYOR

ATTEST:

Kirby Romines, CITY CLERK



Agenda Item Form

Date of City Council Meeting	4/25/2023
Department	Parks and Recreation
Submitted by	Hunter Garrison, Bike and Pedestrian Planner
Phone	479-254-2063

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
City Council approval of a resolution to amend contract with Crafton Tull, in the amount of \$23,500.00, for the design of additional sidewalks for construction along NW & NE 6th Street. No budget adjustment is needed.					

Estimated Cost	\$23,500.00
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	



Memo



To: City Council, Mayor Orman
Thru: David Wright, Parks and Recreation Director
From: Hunter Garrison, Bike and Pedestrian Planner
Date: April, 25th 2023
Re: City Council approval of a contract amendment with Crafton-Tull for the design of additional sidewalk segments along NW 6th St & NE 6th St.

Parks and Recreation Staff is requesting Council's approval of a contract amendment with Crafton Tull Engineering for additional design services for sidewalk segments along NW 6th St & NE 6th St. The original contract, which included designs for 2022 sidewalk segments was for \$59,280. During design work performed last year, we identified these areas as possible projects. But once we started projecting costs, we removed from design due our construction budget.

This addendum add \$23,500 in additional engineering design services, surveying, and construction phase services bringing the total contract to \$82,780. This reserves \$276,500 for sidewalk construction expenses for 2023.

The proposed sidewalk additions along NW 6 will fill in considerable gaps in the sidewalk network along that street, connecting more homes safely to parks, schools, and other critical destinations.

If you have questions concerning this item, please email me at hgarrison@bentonvillear.com or call 479.217.3190.

AMENDMENT NO. 1 TO OWNER-ENGINEER AGREEMENT

Subject of Amendment: Modification of Services

1. Background Data:

- a. Effective Date of OWNER-ENGINEER Agreement: 6/20/2022
- b. OWNER: City of Bentonville, Arkansas
- c. ENGINEER: Crafton, Tull & Associates, Inc.
- d. Project: 2022 Parks Department Sidewalk Funds

2. Nature of Amendment

The scope of services is being updated to include additional design services for a modified scope of additional portions of sidewalks along NW 6th Street and NE 3rd Street/NE M Street, as well as construction phase services.

3. Description of Modifications

See Attachment 1, "Modifications"

OWNER and ENGINEER hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is 4/12/23.

OWNER:

CITY OF FAYETTEVILLE

By: _____
Stephanie Orman

Title: Mayor

Date Signed: _____

ENGINEER:

CRAFTON, TULL & ASSOCIATES, INC.



Title: Vice President

Date Signed: _____

ATTACHMENT 1

MODIFICATIONS

- Additional Services to be performed by ENGINEER:
 - Sidewalk along NW 6th Street: Survey and Design of Sidewalk on the South side of 6th Street between NW C and NW B Street. Then continuing from NW A to NE A Street, with a potential crossing to run on the North Side of NE 6th between Main Street and NE A Street. See Exhibit C.
 - Construction phase consultation:
 - Includes periodic site visits and field change engineering as requested by the City of Bentonville. Fee includes 20 hours of project manager/project engineer time.
 - Additional effort for the production of ROW documents.
- Modifications to Payment to ENGINEER:
 - Modification to Surveying Services: \$7,500
 - Modification to Engineering Design Services: \$10,000
 - Addition of construction phase services: \$4,000
 - Additional reimbursable expenses: \$2,000

Fee Summary:

Primary Contract	\$ <u>59,280</u>
Addendum #1	\$ <u>23,500</u>
Revised Total Compensation	\$ <u>82,780</u>

EXHIBIT "C-2"

SURVEY SITE



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER
INTO A CONTRACT AMENDMENT WITH CRAFTON TULL ENGINEERING
FOR ADDITIONAL SIDEWALK DESIGN SERVICES; AND FOR OTHER
PURPOSES.**

WHEREAS, Bentonville Parks and Recreation requests approval of a contract amendment with Crafton Tull Engineering for additional design services for sidewalk segments along NW 6th St. and NE 6th St;

WHEREAS, this amendment increases the original contract price by twenty-three thousand five hundred dollars (\$23,500.00); and

WHEREAS, no budget adjustment is needed.

**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 enter into a contract amendment with Crafton Tull Engineering, for sidewalk design services for sidewalk segments along NW 6th St. and NE 6th St., in the additional amount of twenty-three thousand five hundred dollars (\$23,500.00);

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 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:

ATTEST:

STEPHANIE ORMAN, MAYOR

KIRBY ROMINES, CITY CLERK