



Planning Commission Work Session Agenda

Date: Thursday, April 2, 2026
Time: 4:30 PM

Location: Bella Vista District Court
2483 Forest Hills Blvd

Planning Commission regular meetings are live streamed and archived for your convenience. View the meeting at its scheduled time or after at:
<https://bit.ly/bvmeetingslive>.

I. Call to Order

II. Roll Call

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chairman; Gail Klesen, Secretary; Clayton Sedberry, JB Portillo; Jack Wagnon, and Linda Lloyd.

III. Consideration of Minutes

A. Regular Meeting Minutes - March 9, 2026

IV. Unfinished Business

V. New Business

- A. **PLA-2026-63839:** A minor plat for the purposes of vacating private easements and dedicating public access easements located at 2726 Bella Vista Way; Parcels 16-79400-000, 16-79402-000, 16-79401-000, 16-79399-004, 16-79399-005, 16-79399-007, and 16-79399-001; Applicant Crafton Tull; Presented by Trails Manager Workman
- B. **TUP-2026-63857:** A temporary use permit request for a temporary firework stand at 8862 W. McNelly Road; Parcel 16-40780-001; Applicant Meramec Specialty Group; Presented by Planner Hyatt
- C. **RZN-2026-63851:** A rezone request from Residential Estate to Agricultural Preservation located at 8206 Spanker Ridge Drive; Parcel 16-43201-000; Applicant Mark and Christy Pierce; Presented by Planner Jessica Grady

VI. Open Discussion

VII. Announcements

- A. The Board of Zoning Adjustment meeting will be on Monday, April 13, 2026 at 4:30 pm directly followed by the Planning Commission regular meeting.
- B. The City Council Work Session will be Monday, April 20, 2026 at 5:30 pm.
- C. The City Council Regular Meeting will be on Monday, April 27, 2026 at 6:00 pm.
- D. The Planning Commission Work Session will be Thursday, April 30, 2026 at 4:30 pm.

VIII. Adjournment



**Planning Commission
Regular Meeting Minutes**

March 9, 2026
2483 Forest Hills Blvd

I. CALL TO ORDER

Chairman Ellis called the meeting to order at 5:16 PM

II. ROLL CALL

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chairman; Gail Klesen, Secretary; Clayton Sedberry; JB Portillo; Jack Wagnon, and Linda Lloyd.

Member(s) Absent: Gail Klesen, JB Portillo.

III. CONSIDERATION OF MINUTES

A. *Regular Meeting Minutes – February 9, 2026*

On a motion by Mr. Farner and a second by Ms. Lloyd, the February 9, 2026 minutes were approved by a voice vote.

IV. PUBLIC INPUT

- A. Chairman Ellis opened the public input session.
- B. Chairman Ellis closed the public input session.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

A. Annual Election of Officers; Director Robertson

- 1. A discussion was held regarding the election.
- 2. A motion to retain all three previously elected officers was made by Ms. Lloyd and a second was made by Mr. Wagnon.

Jack Wagnon – Y
Linda Lloyd – Y
Gail Klesen –
Clayton Sedberry – Y
Doug Farner – Y
JB Portillo -
Daniel Ellis - Y

Motion approved with five yes votes. (5-0)

B. LSP-2026-63153: A lot split request near the intersection of Copinsay Drive and Kirkwall Drive; Parcel 16-72577-012; Applicant Cooper Communities Inc.; Presented by Planner Grady.

1. Planner Grady presented the staff report in the packet.
2. Jody Latham, representing Cooper Communities Inc. was present to answer questions and reiterate the request.
3. A discussion was held regarding the request.
4. A motion to approve the lot split was made by Mr. Farner and a second was made by Ms. Lloyd.

Linda Lloyd – Y
Gail Klesen -
Clayton Sedberry – Y
Doug Farner – Y
JB Portillo -
Jack Wagnon - Y
Daniel Ellis - Y

Motion approved with five yes votes. (5-0)

C. WVR-2026-63439: A waiver associated with SPR 63265 on pedestrian accommodation requirements for a proposed parking lot expansion for the Police Department impound lot located at 2471 Forest Hills Blvd: Parcel 16-70311-000; Applicant CEI Engineering; Presented by Senior Planner Hyatt.

1. Senior Planner Hyatt presented the staff report in the packet.
2. A discussion was held regarding the request.
3. Lt. Scott Vanetta, representing Bella Vista Police Department was present to reiterate the request and provided a handout, labeled herein as exhibit A.
4. An additional discussion was held regarding the request.
5. Attorney Kelley commented "It's very difficult when the city itself is seeking to waive its own requirements."
6. John Stanley, representing CEI Engineering was present to reiterate the hardship.
7. A motion to approve the waiver of the sidewalk along Forest Hills Blvd. was made by Mr. Sedberry and a second was made by Mr. Farner.

Gail Klesen -
Clayton Sedberry – N
Doug Farner – N
JB Portillo -
Jack Wagnon - N
Linda Lloyd – N
Daniel Ellis - N

Motion denied with five no votes. (0-5)

D. SPR-2026-63265: A site plan review request for a proposed parking lot expansion for the Police Department impound lot located at 2471 Forest Hills Blvd; Parcel 16-70311-000; Applicant CEI Engineering; Presented by Senior Planner Hyatt.

1. Senior Planner Hyatt presented the staff report in the packet.
2. A discussion was held regarding the request.
3. A motion to approve the site development plan on the condition staff allows issuance of a grading permit and therefore allows time for the determination of the sidewalk placement and construction was made by Mr. Sedberry and a second was made by Mr. Wagnon.

Doug Farner – Y
JB Portillo -
Jack Wagnon - Y

Linda Lloyd – Y
Gail Klesen –
Clayton Sedberry – Y
Daniel Ellis - Y

Motion approved with five yes votes. (5-0)

VII. COMMITTEE REPORTS

None.

VIII. OPEN DISCUSSION

- A. Director Robertson announced the audit of the new development code is coming in May.
- B. A discussion was held regarding the number of required votes for waivers. Staff recommended making the procedure match all other voting practices and require four affirmative votes. There were no objections.

IX. ANNOUNCEMENTS

A summary of upcoming meetings was announced.

IIX. ADJOURNMENT

Chairman Ellis adjourned the meeting at 5:49 pm.

SUBMITTED BY:

Sarah Costa, Office Manager
City of Bella Vista

APPROVED AND ACCEPTED THIS 13th DAY OF APRIL, 2026:

Daniel Ellis, P.E., Chairman
Bella Vista Planning Commission

Gail Klesen, Secretary
Bella Vista Planning Commission

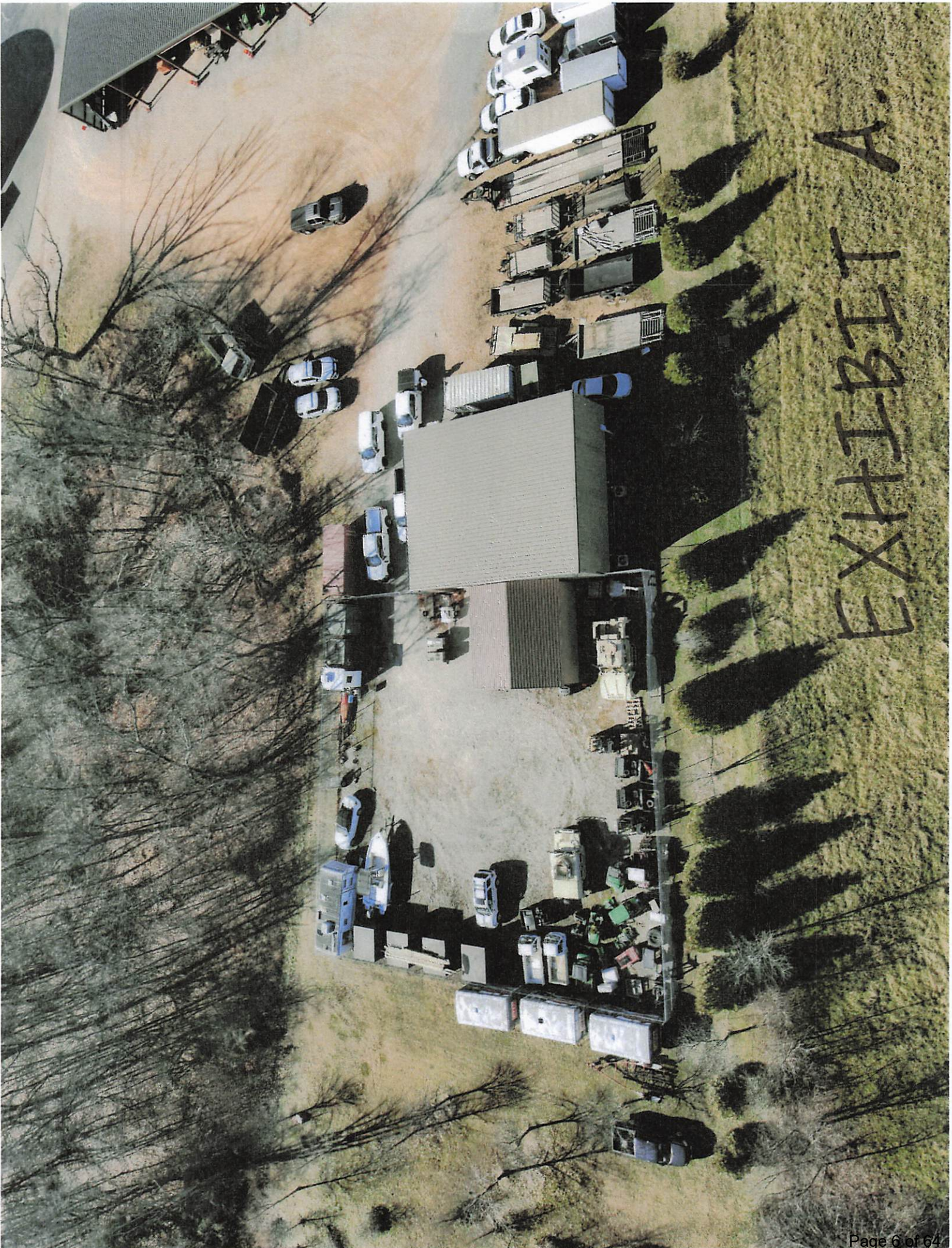


EXHIBIT A



Meeting Information:

2483 Forest Hills Blvd
 April 2, 2026, at 4:30 PM

Reviewer:

Megan Workman
 Trails & Active
 Transportation Manager

Property Description

The project site, Lots 1 and 4 of the Anderson Heights Subdivision, containing parcels 16-79400-000, 16-79402-000, 16-79401-000, 16-79399-004, 16-79399-005, 16-79399-007, and 16-79399-001, is centrally located within the Bella Vista city limits; situated south of the intersection of Oldham Drive and Bella Vista Way.

Request

The applicant proposes to vacate private easements and dedicate public access easements with this plat.

Background

The subject site is fronted by Oldham Dr., an identified Sub-Collector, and Bella Vista Way, an identified Major Arterial. Located adjacent to a Type 3 Community Destination node, the adopted future land use plan recommends Park/Open Space and Neighborhood Use in this area. Under approved LSD-2025-57483, also known as the OZ Trails Bike Park, a five-foot sidewalk was approved outside of public right-of-way of Bella Vista Way due to Arkansas Department of Transportation restrictions. Now, the applicant intends to dedicate public easements for the use of the approved pedestrian accommodation alignments, in addition to a public utility easement for facilities installed during the construction of the basecamp building. Public easement dedications on Lot 1 include one variable width utility easement containing 2,796 ± square feet, one seven-foot access easement containing 2,849 ± square feet, and one twenty six-foot wide access easement containing 8,401 ± square feet. Public easement dedications on Lot 4 includes one variable width access easement containing 9,049± square feet. Additionally, the applicant proposes vacations of previously dedicated private easements. Vacations include one ten-foot private ingress easement, containing 6,064 ± square feet, found under Benton County record Plat-2003-927 and one fifteen-foot private utility easement, containing 3,772 ± square feet, found under Benton County record Deed-2013-16496.

Public Comment

None at the time of this report.

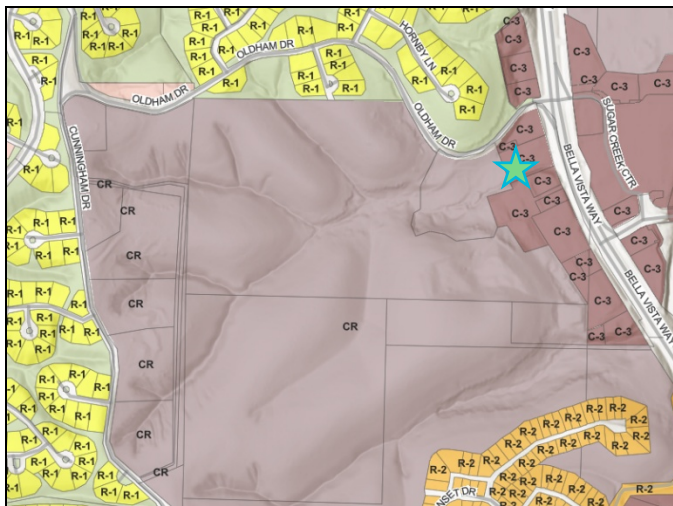
Outstanding Technical Comments

None at the time of this report.

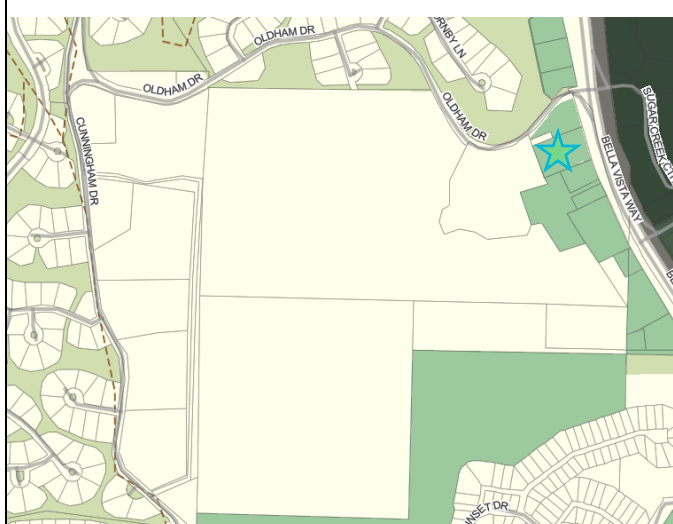
Recommendation

Based on the analysis above, staff recommends approval of this request.

Project Number	PLA-2026-63839
Applicant	Craigon Anderson
Address/Location	2726 Bella Vista Way
Current Zoning	C-3, Mixed Commercial; CR, Commercial Recreation
Site Area	171 ± acres
Nature of Request	Vacation of Private Easements; Dedication of Public Easements



Zoning Map



Future Land Use

Sec. 107-041(g) Minor Plat Review and Approval

Approval Criteria:

- (1) The Director shall approve the minor plat application if the following criteria are satisfied.
 - a. The proposed minor plat conforms to the requirements of these Subdivision Regulations, the applicable zoning district regulations and any other applicable provisions of the Code of Ordinances, subject only to acceptable rule exceptions.
 - b. The proposed development associated with the minor plat is consistent with the Engineering Design Standards, good traffic engineering design, and public safety considerations.
 - c. The proposed minor plat conforms to any existing, unexpired, and valid conditions of rezoning, special use permit, or site development plan approval.
 - d. All submission requirements are satisfied.

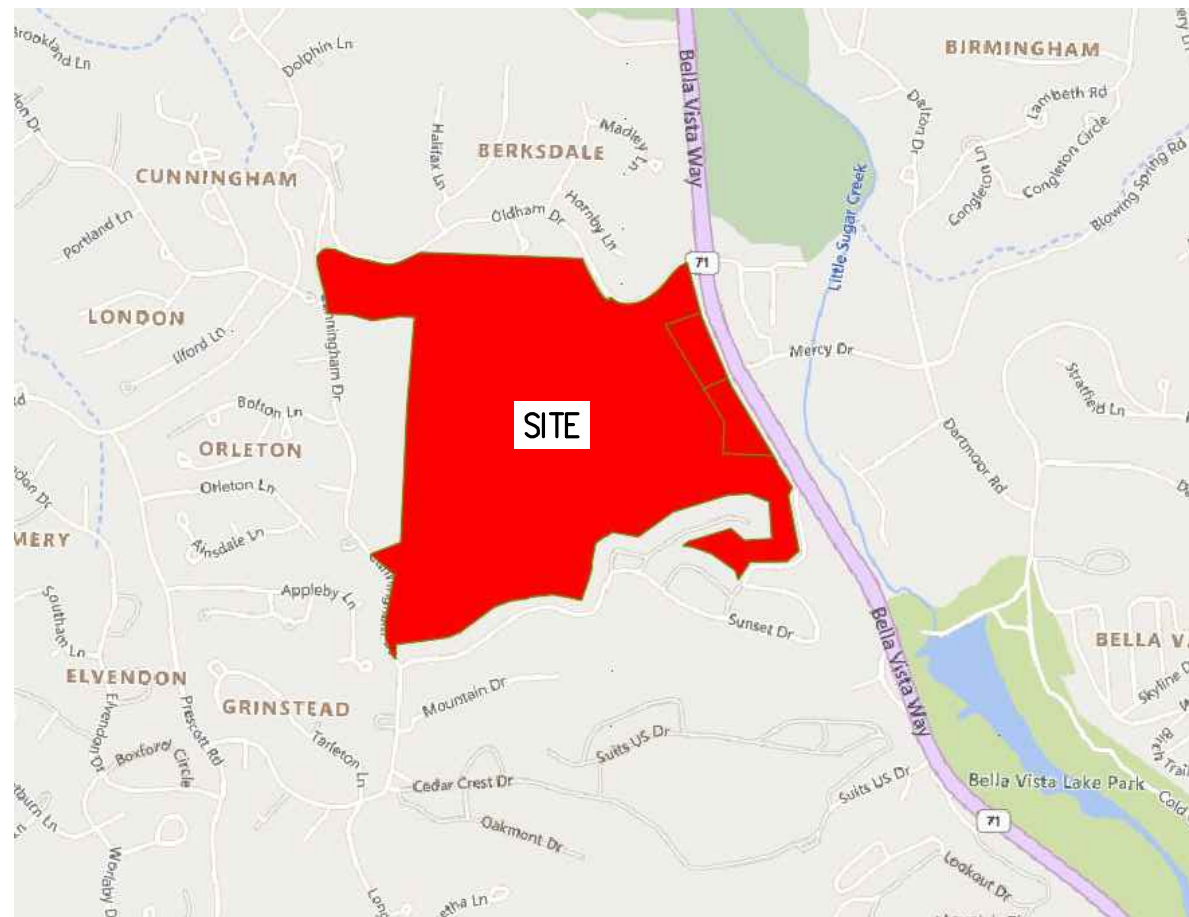
Sec. 107-041 Minor Plat Review Criteria

Scope of Approval and Recordation of minor plats shall be given based on the following threshold guidelines:

(i) Scope of Approval

- (1) The preliminary plat approval is valid for two (2) years from the original date of approval, and further development work will require approval of another preliminary plat.
- (2) A preliminary plat, conditioned upon the applicant completing a list of deficiencies, shall also be considered null and void should the list of deficiencies in its entirety not be completed within the twelve (12) months from the date of preliminary plat approval.
- (3) If a final plat is not submitted for approval within the validation period, the preliminary plat becomes void, unless an extension is approved by the Planning Commission, as described in Article IV. Division 2. Sec. 107-039(i)(4).
- (4) If, before the end of the validation time approved in Article IV. Division 2. Sec. 107-039(i) for the preliminary plat, the developer submits a written request for extension; the Planning Commission may grant an extension of up to twelve (12) additional months, provided, in the opinion of the Planning Commission, sufficient work has been completed with respect to the required improvements on the property. No more than one extension shall be granted.

(j) Recordation. The Director and the applicant shall maintain copies of the preliminary plat for purposes of inspection and final plat approval.



VICINITY MAP NTS

CASA AMERICANA II, LLC
5535 MEMORIAL DR STE F #908
HOUSTON TX 77007

PROPERTY ADDRESS:
3 OLDHAM DR
5 OLDHAM DR
1 CUNNINGHAM DR
2770 BELLA VISTA WAY
2790 BELLA VISTA WAY
2832 BELLA VISTA WAY
2840 BELLA VISTA WAY
2890 BELLA VISTA WAY

BENTON COUNTY PARCELS:
16-40236-005
16-79392-010
16-79399-001
16-79399-004
16-79399-005
16-79399-007
16-79407-000
16-79407-002
16-79399-000
16-79399-003
16-79400-000
16-79401-000
16-79402-000
16-79404-000
16-79404-010
16-79405-001
16-79405-002
16-79408-001
16-79408-003

RECORD INFORMATION

STATE PLAT CODE:
500-20N-31W-0-01-340-04-1460
500-20N-31W-0-02-124-04-1460

SEAL

DESCRIPTION:

LOT 1 AND LOT 4 OF ANDERSON HEIGHTS SUBDIVISION, AS PER PLAT RECORD L202529213 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

NOTES:

THE SURVEY SHOWN HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

THE PROPERTY SURVEYED IS WITHIN THE MUNICIPAL LIMITS OF BELLA VISTA, AR.

THE BOUNDARY DETERMINATION SHOWN HEREON WAS BASED UPON THE FOLLOWING DOCUMENTS AND NO OTHERS: PLAT RECORD L202529213.

THE PROPERTY IS ZONED C-3 AND CR. THE ZONING CLASSIFICATIONS SHOWN ON THIS PLAT WERE OBTAINED FROM THE CITY OF BELLA VISTA ZONING MAP, AND REPRESENT THE ZONING CLASSIFICATION AT THE TIME OF THIS SURVEY.

THERE MAY BE BUILDINGS AND OTHER IMPROVEMENTS ON THE PROPERTY THAT ARE NOT SHOWN ON THIS PLAT.

THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS, OR ANY OTHER FACTS WHICH AN ACCURATE AND COMPLETE TITLE SEARCH MAY DISCLOSE. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR IN THE COURSE OF HIS RESEARCH OF THE PROPERTY BOUNDARY. OTHER RECORD EASEMENTS, ENCUMBRANCES, OR COVENANTS MAY EXIST ON THE SURVEYED PROPERTY.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WAS MADE.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING THE EXISTENCE, OR LOCATION OF ANY UTILITIES OR SERVICE LINES. FOR INFORMATION REGARDING SUCH ITEMS, CONTACT THE APPROPRIATE AGENCIES.

A PART OF THIS PROPERTY IS IN FLOOD ZONE "A" OR "AE", AND IS INSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBERS 05007C0080J AND 05007C0090J, EFFECTIVE DATE SEPTEMBER 28, 2007.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY. THE FLOOD HAZARD ZONE BOUNDARIES SHOWN HEREON WERE SCALED FROM THE MAPS CITED AND ARE NOT THE RESULT OF INDEPENDENT COMPUTATION OR ANALYSIS.

SOURCE OF TITLE TABLE

DEED RECORD L202071880
DEED RECORD L202057360
DEED RECORD L202060466
DEED RECORD L202446381
DEED RECORD L202446383
DEED RECORD L202446385
DEED RECORD L202446386

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, AND EASEMENTS AS SHOWN ON SAID PLAT.

SIGNED: _____ DATE OF EXECUTION: _____
NAME & ADDRESS: _____ SOURCE OF TITLE: SEE TABLE
CASA AMERICANA II, LLC
5535 MEMORIAL DR STE F #908
HOUSTON TX 77007

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF _____)

ON THIS DAY BEFORE THE UNDERSIGNED, A NOTARY PUBLIC DULY QUALIFIED AND ACTING IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED _____, SATISFACTORILY PROVEN TO BE THE PERSON(S) WHOSE NAME(S) APPEAR(S) AS THE OWNER(S) IN THE FOREGOING INSTRUMENT, AND STATED THAT HE/SHE/THEY HAS/HAVE EXECUTED THE SAME FOR THE CONSIDERATION, USES AND PURPOSES THEREIN STATED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND ON THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

PURSUANT TO THE CITY OF BELLA VISTA SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS 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 CHAIRMAN

CERTIFICATE OF RECORDING

THIS DOCUMENT FILED FOR RECORD THIS _____ DAY OF _____, 2026, PLAT RECORD _____

SIGNED _____
BENTON COUNTY CIRCUIT CLERK

CERTIFICATE OF SURVEYING ACCURACY:

I HEREBY DECLARE THAT ON THE 18TH DAY OF MARCH, 2025 THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THE IRON PINS WERE FOUND OR SET, AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND BELIEF.



CRAFTON, TULL & ASSOCIATES, INC.
BY KEVIN J. MONTGOMERY (AGENT)

KEVIN J. MONTGOMERY PS 1460
PROFESSIONAL LAND SURVEYOR

ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

EASEMENT DEDICATION PLAT
LOT 1 AND LOT 4
ANDERSON HEIGHTS SUBDIVISION
PREPARED FOR:
CASA AMERICANA II, LLC
BELLA VISTA
ARKANSAS

DATE: 03/18/2026
PROJECT NO.: 24112200
CONTACT: K MONTGOMERY



CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

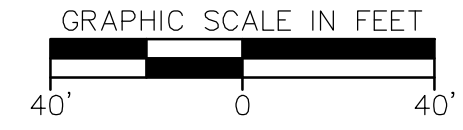
DELTA	DESCRIPTION	DATE

SHEET NO.: 1 OF 4

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LAST PLOTTED BY: KEVIN MONTGOMERY, 3/18/2026 8:55:47 AM (PLOTTED BY: VALID ON-HARD COPY ONLY)

LINE #	DIRECTION	LENGTH
L1	S74° 03' 01"W	38.39'
L2	S50° 53' 27"E	4.71'
L3	S39° 00' 56"W	30.81'
L4	N50° 59' 04"W	26.40'
L5	N39° 00' 20"E	25.53'
L6	N50° 15' 20"E	13.08'
L7	N74° 03' 01"E	43.66'
L8	S23° 06' 14"E	30.18'
L9	N23° 11' 40"W	21.17'
L10	S23° 14' 34"E	79.77'
L11	N0° 22' 19"W	23.76'
L12	S66° 37' 14"W	16.59'
L13	S74° 35' 17"W	26.47'

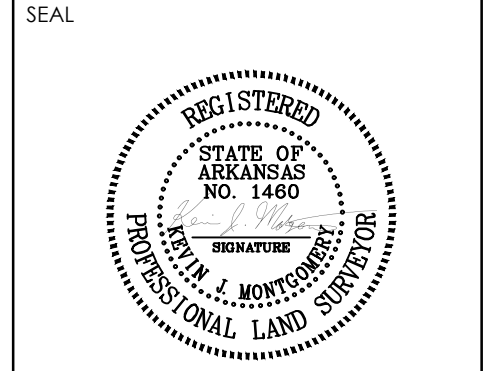
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	18.98'	24.00'	45°18'39"	S7° 42' 44"W	18.49'
C2	29.85'	19.00'	90°00'00"	S59° 56' 35"E	26.87'
C3	70.69'	45.00'	90°00'00"	N59° 56' 35"W	63.64'



BASIS OF BEARING: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83 HORIZONTAL DATUM AND NAVD 88 VERTICAL DATUM DETERMINED BY GPS OBSERVATION ON THE CITY OF BENTONVILLE CONTROL MONUMENTS USING THEIR PUBLISHED VALUES.
 BEARING: GRID
 DISTANCE: GRID
 CONVERGENCE ANGLE: -01°18'32.01"
 COMBINED SCALE FACTOR: 0.99998493
 VALUE CALCULATED AT THE FOLLOWING POINT:
 N 774705.889 E 650699.116 Z 1310.645

RECORD INFORMATION

STATE PLAT CODE:
 500-20N-31W-0-01-340-04-1460
 500-20N-31W-0-02-124-04-1460



EASEMENT DEDICATION PLAT
 LOT 1 AND LOT 4
 ANDERSON HEIGHTS SUBDIVISION
 PREPARED FOR:
 CASA AMERICANA II, LLC
 ARKANSAS
 BELLA VISTA

DATE: 03/18/2026
 PROJECT NO.: 24112200
 CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
 Rogers, Arkansas 72756
Crafton Tull
 479.636.4838 | www.craftontull.com

CERTIFICATE OF AUTHORIZATION

 © 2026 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE

SHEET NO.: **3 OF 4**

LEGEND
 ○ FOUND IRON PIN
 ● MAG NAIL OR CPS
 — PROPERTY LINE
 - - - RIGHT OF WAY LINE
 - - - EASEMENT PER THIS PLAT

LOT 1
 PR L202529213
 ±167.71 ACRES
 (SITE UNDER CONSTRUCTION)

25' STREET R/W
 PR 2003-927

UTILITY EASEMENT
 PER THIS PLAT
 10' INGRESS EGRESS
 EASEMENT
 PR 2003-927
 VACATED PER THIS PLAT

10' INGRESS EGRESS
 EASEMENT
 PR 2003-927
 VACATED PER THIS PLAT

26' ACCESS EASEMENT
 PER THIS PLAT

15' UTILITY EASEMENT
 DOC 2013-16496
 VACATED PER THIS PLAT

7' ACCESS EASEMENT
 PER THIS PLAT

30' INGRESS EGRESS
 EASEMENT
 DOC 698-682

30' INGRESS EGRESS
 EASEMENT
 DR 1990-21279

OLDHAM DR

BELLA VISTA WAY

DRAWING: G:\24112200-B\BRIK\BRIK\STRUCTURE\SURVEY\DWG\24112200_ESMT SHEET 3 & 4.DWG
 LAYOUT: LAYOUTS_LAST SAVED: KM76. 2/25/2026 11:02:28 AM
 LAST PLOTTED BY: KEVIN MONTGOMERY, 3/18/2026 8:06:45 AM (PLOTTED BY: VALID ON HARD COPY ONLY)

GRANTOR: CASA AMERICANA II LLC

GRANTEE: CITY OF BELLA VISTA ARKANSAS

UTILITY EASEMENT DESCRIPTION:

PART OF LOT 1 OF ANDERSON HEIGHTS SUBDIVISION, AS PER PLAT RECORD L202529213 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;
THENCE ALONG THE EAST LINE THEREOF S14°56'31"E 25.51 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID EAST LINE S14°56'31"E 149.96 FEET;
THENCE LEAVING SAID EAST LINE S74°35'17"W 26.47 FEET;
THENCE N14°38'38"W 54.19 FEET;
THENCE S74°03'01"W 38.39 FEET;
THENCE S50°53'27"E 4.71 FEET;
THENCE S39°00'56"W 30.81 FEET;
THENCE N50°59'04"W 26.40 FEET;
THENCE N39°00'20"E 25.53 FEET;
THENCE N50°15'20"E 13.08 FEET;
THENCE N74°03'01"E 43.66 FEET;
THENCE N14°38'38"W 70.50 FEET TO THE SOUTH LINE OF A 25 FOOT WIDE STREET RIGHT OF WAY AS PER PLAT RECORD 2003-927;
THENCE ALONG SAID RIGHT OF WAY N63°00'55"E 26.29 FEET TO THE POINT OF BEGINNING, CONTAINING 5552 SQUARE FEET, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

GRANTOR: CASA AMERICANA II LLC

GRANTEE: CITY OF BELLA VISTA ARKANSAS

ACCESS EASEMENT DESCRIPTION:

PART OF LOT 1 AND LOT 4 OF ANDERSON HEIGHTS SUBDIVISION, AS PER PLAT RECORD L202529213 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;
THENCE ALONG THE EAST LINE THEREOF S14°56'31"E 25.51 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID EAST LINE THE FOLLOWING SEVEN COURSES:
THENCE S14°56'31"E 209.06 FEET;
THENCE S14°56'47"E 199.04 FEET;
THENCE S15°18'32"E 39.52 FEET;
THENCE S23°11'40"E 94.07 FEET;
THENCE S23°06'14"E 30.18 FEET;
THENCE S23°14'34"E 79.77 FEET;
THENCE S23°17'30"E 349.05 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4;
THENCE ALONG THE SOUTH LINE THEREOF S66°37'14"W 16.59 FEET;
THENCE LEAVING SAID SOUTH LINE N23°13'16"W 510.53 FEET;
THENCE N00°22'19"W 23.76 FEET;
THENCE N23°11'40"W 21.17 FEET;
THENCE N15°18'32"W 40.03 FEET;
THENCE N14°56'47"W 199.06 FEET;
THENCE N14°56'31"W 207.57 FEET TO THE SOUTH LINE OF A 25 FOOT WIDE STREET RIGHT OF WAY AS PER PLAT RECORD 2003-927;
THENCE ALONG SAID RIGHT OF WAY N63°00'55"E 7.16 FEET TO THE POINT OF BEGINNING, CONTAINING 11857 SQUARE FEET, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

GRANTOR: CASA AMERICANA II LLC

GRANTEE: CITY OF BELLA VISTA ARKANSAS

ACCESS EASEMENT DESCRIPTION:

PART OF LOT 1 OF ANDERSON HEIGHTS SUBDIVISION, AS PER PLAT RECORD L202529213 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;
THENCE ALONG THE EAST LINE THEREOF S14°56'31"E 25.51 FEET TO THE SOUTH LINE OF A 25 FOOT WIDE STREET RIGHT OF WAY AS PER PLAT RECORD 2003-927;
THENCE ALONG SAID RIGHT OF WAY S63°00'55"W 12.14 FEET TO THE POINT OF BEGINNING;
THENCE LEAVING SAID RIGHT OF WAY 18.98 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 24.00 FEET AND A LONG CHORD OF S07°42'44"W 18.49 FEET;
THENCE S14°56'35"E 259.20 FEET;
THENCE 29.85 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 19.00 FEET AND A LONG CHORD OF S59°56'35"E 26.87 FEET TO THE EAST LINE OF SAID LOT 1;
THENCE ALONG SAID EAST LINE S14°56'47"E 26.00 FEET;
THENCE LEAVING SAID EAST LINE 70.69 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 45.00 FEET AND A LONG CHORD OF N59°56'39"W 63.64 FEET;
THENCE N14°56'35"W 269.20 FEET TO THE SOUTH LINE OF A 25 FOOT WIDE STREET RIGHT OF WAY AS PER PLAT RECORD 2003-927;
THENCE ALONG SAID RIGHT OF WAY N63°00'55"E 33.87 FEET TO THE POINT OF BEGINNING, CONTAINING 8411 SQUARE FEET, MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.



Meeting Information:

2483 Forest Hills Blvd
 April 2, 2026 at 4:30 pm

Reviewer:

Christopher Hyatt
 Senior Planner

Property Description

This property is located along the southern border of Bella Vista City Limits on Parcel# 16-40780-001. Lot 1, Block 1 of the Wishing Springs Commercial Subdivision.

Regulation

Zoning Code Sec. 109-38 establishes the standards and procedures for conditional uses that conform to the intent of the zoning district in which they are located, or the subdivision regulations for a specific area.

Request

The applicant is requesting a Temporary Use Permit to place a temporary firework stand near the Wishing Springs Art Gallery at 8862 W. McNelly Road operating from June 22, 2026 – July 5, 2026. The hours of operation will be from 7:00am to 12:00am.

Project Number	TUP-2026-63857
Applicant	Kevin Bailey, Meramec Specialty Group
Address/Location	8862 W. McNelly Road
Current Zoning	C-3, Mixed Commercial
Site Area	+/- 2.97 acres
Nature of Request	Temporary Use Permit for a temporary firework stand.

Background

The subject parcel is owned by the Village Art Club and serves as the permanent location of the Wishing Springs Art Gallery. It can be found near the intersection of McNelly Road and Bella Vista Way. The Master Street Plan lists McNelly Road and Bella Vista Way as Major Arterials. The Future Land Use lists the subject property for future park/open space. The applicant has requested and been granted a conditional use permit to operate a firework tent on this parcel since 2014. This year's tent operation mirrors the requests from previous years.

The proposed firework tent will occupy a total area 40 feet x 80 feet, will be no taller than 15 feet, and will maintain 20 feet of separation from the Wishing Springs Art Gallery, conforming to the height and setback requirements of the C-3 District. Standards have been met as mentioned on page 2 and 3 of this staff report.

Public Comment

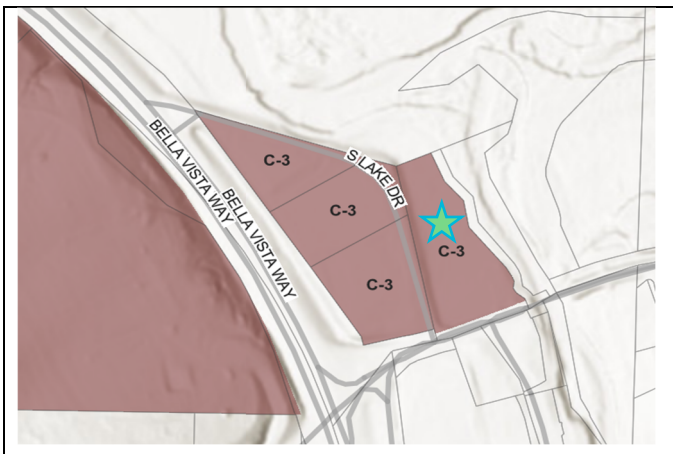
None at the time of this report.

Legal Notifications

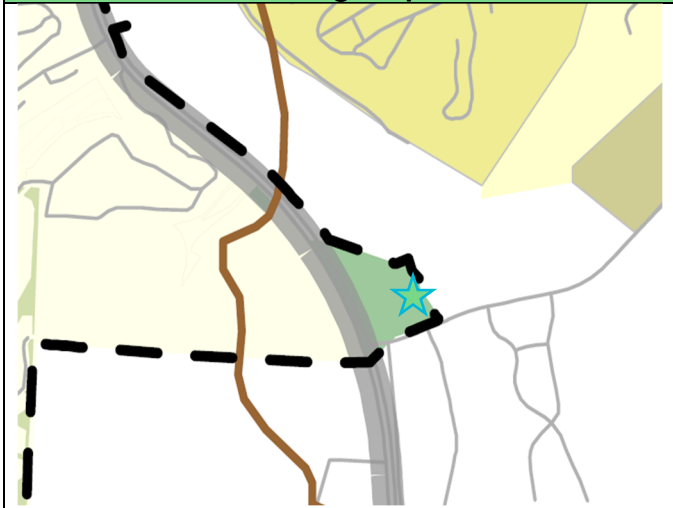
Staff published a legal ad notifying the public of this hearing in the *Democrat Gazette* on Sunday, March 29, 2026 and posted the public hearing sign on the subject property on Friday, March 27, 2026.

Recommendation

Due to the analysis above, Staff recommends approval of this request.



Zoning Map



Future Land Use Plan

Sec. 109-040. Approvals

(a) Temporary uses shall be approved according to the procedures outlined in Article V. Division 3. Sec. 109-138:

109-138(e) Decision.

(1) Type A Temporary Uses

a. Director Review and Decision. The Development Review Team shall review the temporary use permit, and the Director shall act to:

1. Approve the temporary use permit;
2. Deny the temporary use permit; or
3. Approve the temporary use permit with conditions.

(2) Type B Temporary Uses

a. Director Review. The Development Review Team shall review the temporary use permit, and the Director shall provide a recommendation to the Planning Commission to:

1. Approve the temporary use permit;
2. Deny the temporary use permit; or
3. Approve the temporary use permit with conditions.

b. Planning Commission Decision. The Planning Commission shall consider the temporary use permit after a recommendation has been provided by the Director. The Planning Commission shall act to:

1. Approve the temporary use permit;
2. Deny the temporary use permit; or
3. Approve the temporary use permit with conditions.

(3) Type C Temporary Uses

a. Director Review. The Development Review Team shall review the temporary use permit, and the Director shall provide a recommendation to the Planning Commission to:

1. Approve the temporary use permit;
2. Deny the temporary use permit; or
3. Approve the temporary use permit with conditions.

b. Planning Commission Decision. The Planning Commission shall consider the temporary use permit at a public hearing after a recommendation has been provided by the Director. After the hearing is closed, the Planning Commission shall act to:

1. Approve the temporary use permit;
2. Deny the temporary use permit; or
3. Approve the temporary use permit with conditions.

(f) Standards. A temporary use permit shall be approved only if the applicant demonstrates that:

(1) The temporary use shall be so designated, located, and operated so that the public health, safety, and welfare will be protected.

(2) The temporary use shall be compatible with other area properties located nearby.

(3) The temporary use shall comply with all applicable requirements and standards of this Chapter, including the standards for temporary uses provided in Table 039.1:

Temporary Use Type Standards.

(4) The temporary use shall be in conformance with all applicable provisions stated in this Chapter for the zoning district in which the use is to be located.

February 20, 2026

VIA EMAIL

City of Bella Vista
Development Review Team
Planning & Development Dept.
101 Town Center
P.O. Box 5655-72714
Bella Vista, AR 72714
planning@bellavistaar.gov

RE: Temporary Use Permit for Meramec Specialty Company

Dear Development Review Team:

Meramec Specialty Company (“Meramec”) desires to temporarily place a fireworks tent in Bella Vista this year on property owned by The Village Art Club of Bella Vista. The fireworks tent will be located next to the Wishing Spring Gallery at 8862 W. McNelly Road, Bentonville, Arkansas, 72712. The fireworks tent will be placed at the exact location that Meramec has placed a fireworks tent since 2014. This letter is intended to provide information in support of the application as outlined in the Temporary Use Permit Application form and in Bella Vista Code of Ordinances, Sections 109-039, 109-138, and Table 039.1.

Please find enclosed an application for a Temporary Use Permit from Meramec along with a check for \$100.00 for the application fee. You will also find enclosed a letter from the Village Art Club of Bella Vista granting Meramec permission to sell fireworks on its property. Finally, please find enclosed photographs of the proposed fireworks tent and signs included with the application for the conditional use permit.

As stated above, Meramec desires to temporarily place a fireworks tent in Bella Vista in 2026 at the same location as it has since 2014. The fireworks tent will be placed on the property next to Wishing Spring Gallery. The exact proposed location will be just north of the parking lot for the gallery. This location is close to the intersection of Highway 71 and Highway 40 which is a commercial retail area.

Per Table 039.1, it is not strictly necessary for the fireworks tent as a Type A use to require mitigation, parking, refuse facilities, or sanitary facilities. However, the proposed location has ample parking spots available that will not include parking on a street. Traffic can flow easily in and out of this location and will not create undue traffic problems. The fireworks tent is comparable in purpose to other establishments in the immediate vicinity such as the art gallery and Walgreens

ROGERS, AR

HALL BOOTH SMITH, P.C.

City of Bella Vista
February 20, 2026
Page 2

as previously mentioned as well as an insurance agency and a golf club business directly across the street.

Moreover, the proposed use will have safeguards that will limit noxious or offensive emissions. The proposed use will not create any additional noise that would disrupt the surrounding businesses. The use may require additional lighting at night for safety reasons but will not disrupt the adjacent businesses. It is my understanding that the proposed use is exempted from the landscaping and screening requirements in Sections 109-060 through 074 of the City of Bella Vista Code of Ordinances. Open spaces will be maintained by the owner of the property. The proposed use conforms to the height, area, and setback requirements of the zoning district.

The proposed fireworks tent this year will be similar in shape and color as the one used in previous years. The fireworks tent will be 40 feet by 80 feet. There will be ropes securing it which extend an additional 10 feet, 5 feet on each side for a total of 50 x 90 feet. The tent will be 15 feet high. The banners used are in conformity with the sign ordinance of Bella Vista limiting the banner to 32 square feet. Therefore, the banners will be 8 feet by 4 feet. The hours of operation for the fireworks tent will be 8:00 a.m. to 10:00 p.m. from June 22, 2026, to July 5, 2026, except on July 1-4, 2026, when the hours of operation will be from 7:00 a.m. to 12:00 a.m.

Meramec is aware of Section 20-4 of the City of Bella Vista Code of Ordinances regulating the sale, display, and storage of fireworks. Meramec intends to fully comply with all of the requirements contained in this ordinance which was adopted for the public's health and safety.

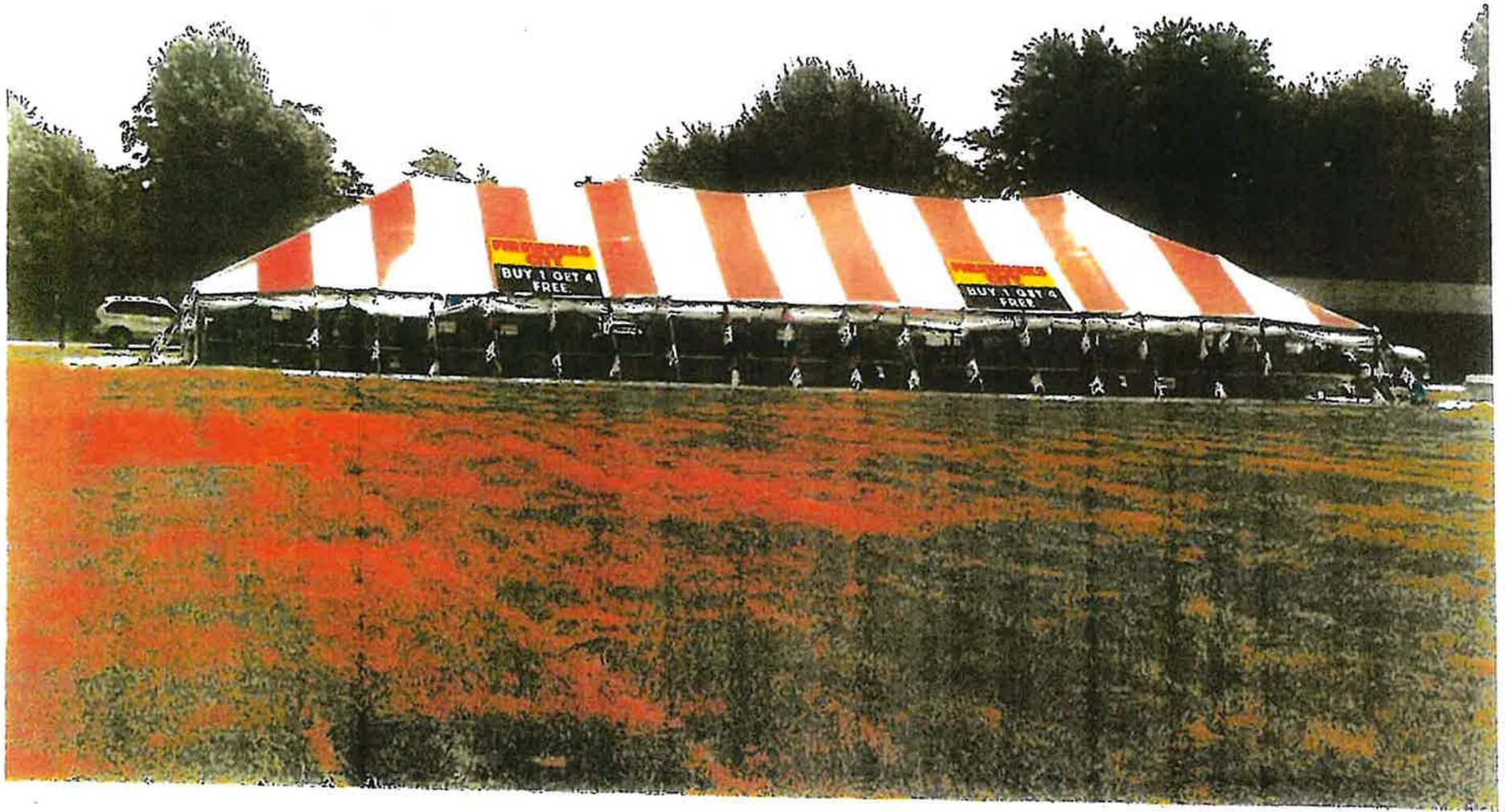
Meramec respectfully requests the City of Bella Vista approve its application for a Temporary Use Permit and Temporary Sign Permit for the purposes and reasons stated herein. If there is any additional information you require in order to approve this application please let me know so that I may submit such information. Thanks in advance for your consideration of this application.

Sincerely,



Ryan P. Blue
Attorney at Law

Enclosures



32 30 ft

8'-0"

**FIREWORKS
CITY.**

**BUY 1 GET 4
FREE**

520-1-025

4'-0"

VILLAGE ART CLUB OF BELLA VISTA, INC.
8862 W. McNELLY
BENTONVILLE, AR 72712

August 22, 2025

City of Bella Vista Fire & EMS:

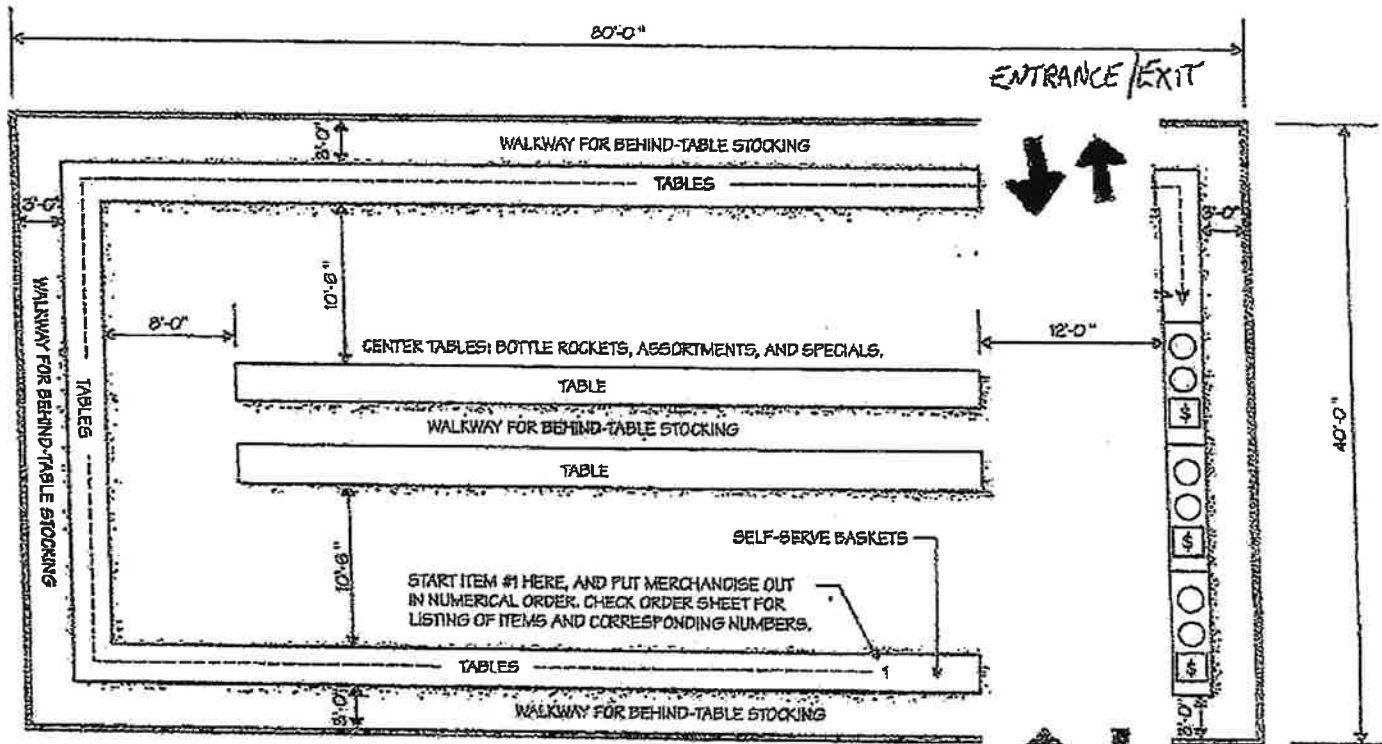
The purpose of this letter is to notify you that Meramec Specialty Company has permission to sell fireworks on my property during the period of June 22, 2026 through July 5, 2026. The physical address of the property is 8862 West McNelly Road in Bella Vista, Arkansas.

Sincerely,

VILLAGE ART CLUB OF BELLA VISTA, INC

By: Beverly Chambers

As its: President







- = ADDING MACHINES
- ☐ = CASH REGISTERS

BELLA VISTA TENT
 8862 W. McNELLY RD.

Fireworks Tent

8862 W. McNelly Rd.

Legend

-  Bella Vista Church of Christ
-  Feature 1
-  Line Measure
-  Wishing Spring Gallery

88'
TENT

Wishing Spring Gallery

W. McNelly Rd.

S Lake Dr

Google Earth

Image © 2025 Airbus

Pedal It Forward Nentor

2007





City of Bella Vista Fire & EMS
Division of Fire Inspections



Retail Fireworks Permit

Permit Expires: December 31, 2026

This permit certifies that the person named below is permitted to act as a retailer of fireworks under the provision of Act 224 of 1961, as amended, State of Arkansas.

Name: Meramec Specialty Company Phone: 901-409-1884

Stand Location: Village Art Club of Bella Vista

Address: 8862 W McNelly Rd, Bella Vista, 72714

This permit is issued to the person named above for use of making retail sales of **PERMISSABLE FIREWORKS** during the dates listed below:

6/22/2026 through 7/5/2026

This permit is non-transferrable and must be displayed at all time.

Vendor: Atomic Fireworks of Arkansas Issue Date: 2/19/2026

Phone: 870-735-1753 Permit #: FIRE-2026-63654

Steve Sims
Fire Chief
Bella Vista Fire & EMS
479-855-8248

NOTICE: This permit may be revoked by the State or Local Fire Marshal or his/her deputies for violation of any of the provisions of the above referenced law.



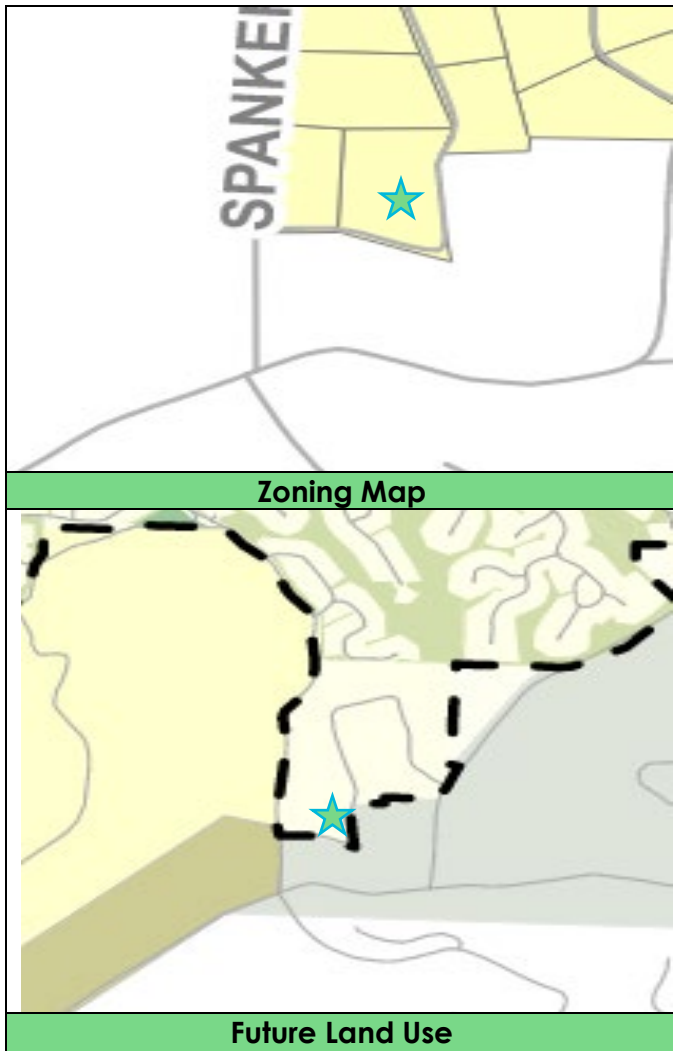
Meeting Information:

2483 Forest Hills Blvd
 April 2, 2026 at 4:30 pm

Reviewer:

Jessica Grady, CNU-A
 Planner

Project Number	RZN-2026-63851
Applicant	Mark & Christy Pierce
Address/Location	8206 Spanker Ridge Dr.
Current Zoning	R-E, Residential Estate
Site Area	3.4 acres
Nature of Request	Requesting to Rezone the parcel from R-E to AP



Property Description

This property is located in the southeast area of Bella Vista City Limits and is located on Parcel #16-43201-000. Lot 2, Block 1. Spanker Creek Estates Subdivision.

Request

Per Sec. 109-134, the applicant is requesting to rezone their property from R-E Residential Estate to Agricultural Preservation to better serve the existing land uses surrounding this parcel.

Background

Per the most recent adopted Zoning Map, the subject parcel is zoned Residential Estate and is currently surrounded by Residential Estate to the north and west with properties to the east and south falling outside the city limits and thus, city zoning regulations. However, surrounding uses include Residential Estates to the west, Residential Estates to the north, Residential to the east, and Residential to the south. The Future Land Use Map designates this area as future neighborhoods. The Master Street Plan classifies Spanker Ridge Drive as a non-classified.

In November 2025, the applicants submitted two variance requests for the property: one to allow placement of a movable chicken coop within the front yard due to topographical constraints, and another to permit a front-yard fence exceeding the 3' height limit. These requests were ultimately withdrawn by the applicant. Following discussion with the Planning Commission during the November 2025 meeting, as well as subsequent coordination with staff, the applicant elected to request a rezone to better align the property with surrounding land uses.

While the subject property does not fully meet the minimum five acres lot requirements for the requested Agricultural Preservation zoning district, staff finds that it generally meets the intent of the code, as the overall development pattern remains consistent with the surrounding area and maintains the character of low-density residential uses. Furthermore, the schedule of permitted uses within the requested zoning district supports the goals of the 2040 Comprehensive Plan, particularly as they relate to low-density residential development.

Public Comment

None at the time of this report.

Legal Notifications

The applicant sent the required certified mail on 3/02/26. Staff posted a public hearing notice in the Weekly Vista on 3/25/26. Staff posted a public hearing sign on site 3/27/25.

Recommendation

Based on the above analysis and the surrounding land uses, staff recommends Agricultural Preservation zoning at this time.

Article III Division 1 Sec. 109-026. Use Table 026.1

P = Use Allowed By-Right | C = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited

Residential Uses	RE	AP
Manufactured Home		P
Mobile Home		P
Modular Home	P	P
Single-Family	P	P
Emergency/Rehabilitation Housing		P
Commercial	RE	AP
Outdoor, Mobile, or Temporary Vending		P
Day Care	P	
Bed and Breakfast	C	
Short-Term Rental	P	C
Hospital		P
Campground		P
Outdoor Entertainment and Amusement Venue		C
Sport Shooting Range		P
Animal Boarding		P
Commercial Stables		P
Veterinary Services		P
Civic	RE	AP
Cemetery	C	P
Public Assembly	C	P
Religious Land Use	P	P
Sporting Venue		C
Public Parks and Recreational Facilities	P	P
Detention Facilities		C
Government Services	P	P
Natural Resources Preservation Area	P	P
Safety Services	P	P
Business or Trade School		P
School	P	
Library	C	
Agricultural	RE	AP
Animal Production		P
Confined Animal Feeding Operation		C
Crop Production		P
Horticulture		P
Livestock Sales		C

Industrial	RE	AP
Artisan Industry		P
Resource Extraction		C
Miscellaneous	RE	AP
Alternative Energy Production		P
Communication Tower	C	C
Utility Facilities	P	P
Medical Marijuana Cultivation Facilities		P
Accessory Uses	RE	AP
Accessory Dwelling Unit	P	P
Carport	P	P
Dock or Pier	P	P
Home Occupation	P	P
Private Stable	P	P
Hobby Chickens	P	P
Livestock	P	P
Personal Recreational Facilities	P	P
Accessory Alternative Energy Production	P	P
Accessory Building	P	P
EV Charging Station	P	P
Outdoor Storage		P

Sec. 109-134. Rezoning (Non-PZD)

(a) Applicability. This Section applies to the change in the zoning classification of individual properties excluding rezonings to a Planned Zoning District (PZD).

(b) Initiation. A rezoning may be initiated by:

- (1) City Council;
- (2) The Planning Commission;
- (3) City Staff; or
- (4) Request by the owner or agent of the subject property.

(c) Completeness.

- (1) Generally, see Sec. 109-125. (b).
- (2) In addition to the requirements of Sec. 109-125. (b), the applicant shall provide the following information:
 - a. The location, including parcel number and address (if no address is available, a description which is clear to the average lay person will suffice);
 - b. Both the current and requested zoning classification for the property; and
 - c. A statement explaining why the proposed changes will not conflict with the surrounding land uses.

(d) Notice and Hearing(s) Notice and hearings shall be conducted in accordance with applicable Arkansas state law.

(e) Decision

- (1) Director Review. The Director shall review the rezoning and shall provide a recommendation to the Planning Commission to:
 - a. Approve the rezoning;
 - b. Deny the rezoning; or
 - c. Approve the rezoning with modifications.
- (2) Planning Commission Recommendation. The Planning Commission shall conduct a public hearing on the rezoning. The Planning Commission shall submit its recommendation to the City Council to:
 - a. Approve the rezoning;
 - b. Deny the rezoning; or
 - c. Approve the rezoning with modifications.
- (3) City Council Decision. The City Council shall take action on the rezoning application after a recommendation has been provided by the Planning Commission. The approval of a rezoning application shall be by passing of an ordinance by the City Council.

(f) Standards. In its review of an application for rezoning, the City Council shall consider the following standards. No single factor is controlling. Instead, each is weighed in relation to the other standards.

PLANNING COMMISSION STAFF REPORT

(1) Consistency. The City Council does not redetermine the City's policy of comprehensive zoning. The City's zoning map shall not be altered for the special benefit of the landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.

(2) Adverse Impacts on Neighboring Lands. The City Council shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. Further, the City Council finds and determines that vast acreages of single-use zoning produce uniformity with adverse consequences such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings that promote mixed uses subject to a high degree of design control are not necessarily deemed to be inconsistent with neighboring lands and shall be considered.

(3) Suitability as Presently Zoned. The City Council shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need or substantially changed conditions in the neighborhood.

(4) Health, Safety, and Welfare. The rezoning must bear a substantial relationship to the public health, safety, morals, or general welfare, or protect and preserve historic and cultural places and areas. The rezoning may be justified, however, if a substantial public need exists, and this is so even if the private owner of the tract will also benefit.

(5) Public Policy. A strong public policy in favor of rezoning may be considered. Examples include a need for affordable housing, economic development, recreational activity, or mixed-use development, which functionally relates to the surrounding neighborhoods.

(6) Size of Tract. The City Council shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Proof that a small tract is unsuitable for use as zoned or that there have been substantial changes in the immediate area may justify a rezoning.

(7) Other Factors. The City Council may consider any other factors relevant to a rezoning application under state law.

(g) Subsequent Applications

(1) If the Planning Commission finds that a rezoning is inconsistent with the Comprehensive Plan, the application shall not be considered until a recommendation regarding a Comprehensive Plan amendment for the proposed rezoning is forwarded to the City Council, either prior to or concurrently with the proposed rezoning request. Additionally, the Planning Commission or City Council may prepare a work program and make studies, including the preparation of maps, to support its decisions regarding a rezoning request.

(2) The applicant shall not submit a rezoning application for the same zoning district request on the same property for at least one year. However, a rezoning application for the same property in a different zoning classification may be submitted without limitation.

(3) The above waiting period begins with the date of the City Council's denial of the prior application.

(h) Scope of Approval. The approval of a rezoning does not authorize the development of land. A rezoning allows the applicant to apply for a building permit or site plan, in the case of uses permitted as of right, or a conditional use permit, in the case of uses designated as special uses within the applicable zoning district.

(i) Recordation. The original record of the rezoning shall be kept and maintained in the City Clerk's Office. The applicant shall keep a copy of the rezoning decision.



March 2, 2026

Planning Commission and
City Council of the
City of Bella Vista, AR
101 Town Center
Bella Vista, AR 72714

RE: Rezoning Application for 8206 Spanker Ridge Dr by Mark and Christy Pierce

Dear Planning Commission and City Council:

1. Ownership and Intent

We, Mark and Christy Pierce, are the current owners of 8206 Spanker Ridge Dr, and this property is our residence. *See* attached Warranty Deed. We have no plans to sell our property. The purpose of this request is to align the property’s zoning with our intended use. We believe that our property’s location, acreage, our intended use, and the character of the surrounding properties weigh in favor of granting our application.

2. Need for Rezoning

Our property is 3.4 acres in area, currently zoned RE, and the restrictions imposed by the current residential estate designation leave the front acre of our property (the acre contiguous with Spanker Ridge Dr) largely unusable. We are requesting a rezoning from RE to AP to make fuller use of our property, including raising pasture-raised chickens for personal use and installing a new fence that matches neighboring properties. The location, length, and depiction of our intended fence is illustrated in the attached pictures and figures.

Rezoning for this purpose is needed because variances are not available. Ordinance § 109-077. Further, our proposed construction of the fence falls under Bella Vista Zoning and Development Ordinance Chapter 109, Article IV, Division 8 and no exemptions are applicable. *See* Ordinance § 109-076. Our proposed fence would be placed in the front yard and be four-foot (4’) tall, which exceeds the three-foot (3’) maximum height for RE zoned properties less than four (4) acres in area. Ordinance § 109-077(b)(1). A similar restriction does not exist for 4+ acre lots or nonresidential (i.e., agricultural) districts. Ordinance § 109-077(b)(2), (3).

We cannot increase the size of our lot or obtain a variance. Therefore, our only option is to rezone.

ROGERS, AR

3. Land Use Compatibility

We believe that granting our proposed rezoning to AP is consistent with the zoning code, the surrounding land use, and the comprehensive plan.

Regarding the zoning requirements, our property presently meets all the RE dimensional, parking, landscaping, and screening requirements. *See* attached Property Pictures. So rezoning our land to AP will satisfy many of the same requirements, with the exception that our property is 3.4 acres, not 5. However, we do not believe this is an insurmountable hurdle since our property is located outside the corporate limits, and about half of our boundary line touches county land. *See* Property Pictures.

Moreover, our intended fence complies with the fencing ordinances. It will not be placed in a right-of-way, will not conflict with intersection visibility triangle requirements, will not encroach on adjoining properties, will not attach to a neighbors fence, does not require a gate, will not exceed eight foot (8') in height, will not impede the flow of stormwater, will not cross drainage channel, is not located on a drainage easement, is not located on a public access easement, and is not located on a private emergency access easement. Further, the fence's posts and support beams are designed to be an integral part of the finished surface. And the fence is not razor wire, barbed wire, or electric. Furthermore, we do not believe that the screening provisions of Chapter IV Division 7 apply.

Further, our proposed rezoning is consistent with Bella Vista's comprehensive plan because our property is geographically insulated from the existing and desired major roads, community centers, activity areas, planned trails, city gateways, image streets, and planned parks/community spaces.

Finally, we believe our proposed rezoning is consistent with the surrounding land use. For example, our immediate neighbors keep horses, and adjacent properties to the south and east are in the county with fewer restrictions; therefore, our rezoning would have little to no impact to our county neighbors. Approximately half of our property is adjacent to property outside of the corporate limits. Our neighborhood's estate covenants permit agricultural use, so rezoning will not infringe upon established estate covenants. *See* attached Covenants. Although our property is under the minimum 5 acres (3.4 acres) there were several properties in Bella Vista that were zoned A-1 that are under 2 acres. In short, our intended use is consistent with the established character of the area and will not negatively impact any neighboring properties.

Thank you for your consideration.

Sincerely,

Mark and Christy Pierce

Rezoning Application

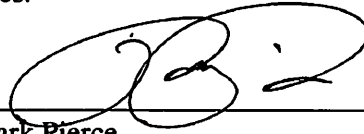
Mark and Christy Pierce – 8206 Spanker Ridge Dr. – Bella Vista, AR 72712

Legal Description:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

OWNERS' CERTIFICATION

We, Mark and Christy Pierce, certify by our signatures below that the map attached hereto shows all the properties within two hundred (200) feet of the above-described property and that the list below is a complete list of the owners of those properties.

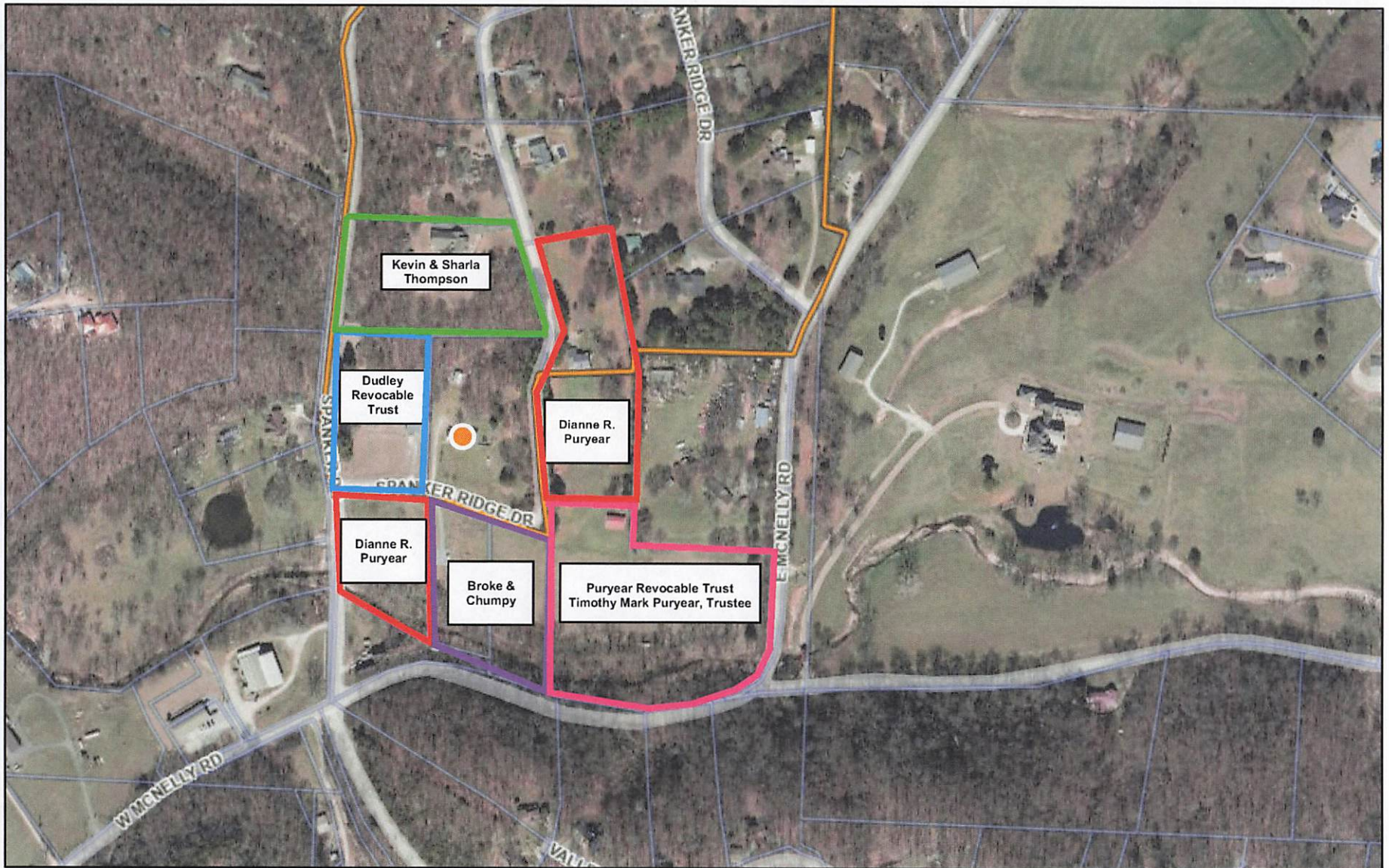


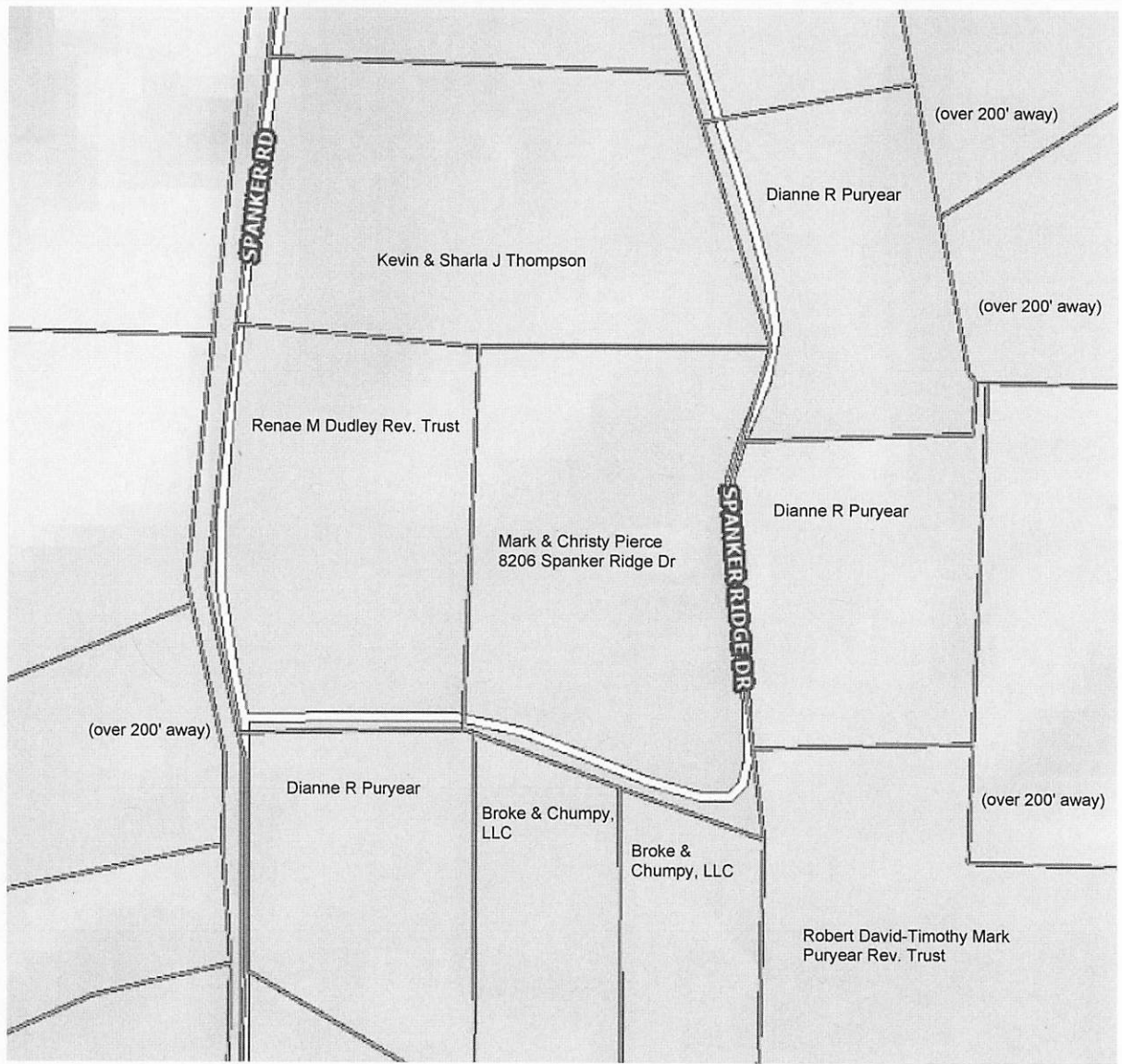
Mark Pierce,
Owner of 8206 Spanker Ridge Dr



Christy Pierce
Owner of 8206 Spanker Ridge Dr

8206 Spanker Ridge Road





List of Owners

Renae Dudley, Trustee
Dudley Revocable Trust
8280 Spanker Ridge Road
Bentonville, AR 72714

Dianne R. Puryear
8195 Spanker Ridge Road
Bentonville, AR 72714

Broke and Chumpy, LLC
c/o United States Corporation Agents, Inc.,
Registered Agent
600 S. 1st Street
Rogers, AR 72756

Cc: Broke and Chumpy, LLC
3500 NW Creekstone Cove
Bentonville, AR 72712

Timothy Mark Puryear, Trustee
Puryear Rvocable Trust
307 Razoback Drive
Bentonville, AR 72712
Collector's Mailing address (which appears
to be his business)
Cc: Timothy Mark Puryear, Trustee
Puryear Revocable Trust
904 SE 21st Street
Bentonville, AR 72712

Kevin & Sharla Thompson
8176 Spanker Ridge Road
Bentonville, AR 72712

Dear Property Owner:

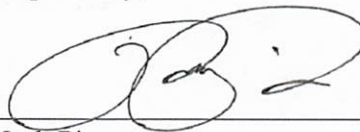
A public hearing will be held before the City of Bella Vista Planning Commission with a request for a rezoning of the property described as or located at **8206 Spanker Ridge Dr, Bentonville, AR 72172**, Parcel No.: **16-43201-000**, and legally described as:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

The request is an effort to rezone the above mentioned property from RE to AP under the City of Bella Vista's zoning ordinances. The public hearing will be held at the Bella Vista District Court at **2483 Forest Hills Blvd** on the **13 day of April 2026**, or as otherwise shown at bellavistaar.gov/publichearing.

You are being notified as a requirement of the City of Bella Vista's Municipal Code. This notification will allow you an opportunity to express your views or concerns regarding the above-described petition. If you have any questions or comments concerning this application, please forward your comments in writing to the Planning Division: PO Box 5655, Bella Vista, Arkansas 72714, or email planning@bellavistaar.gov.

Respectfully,

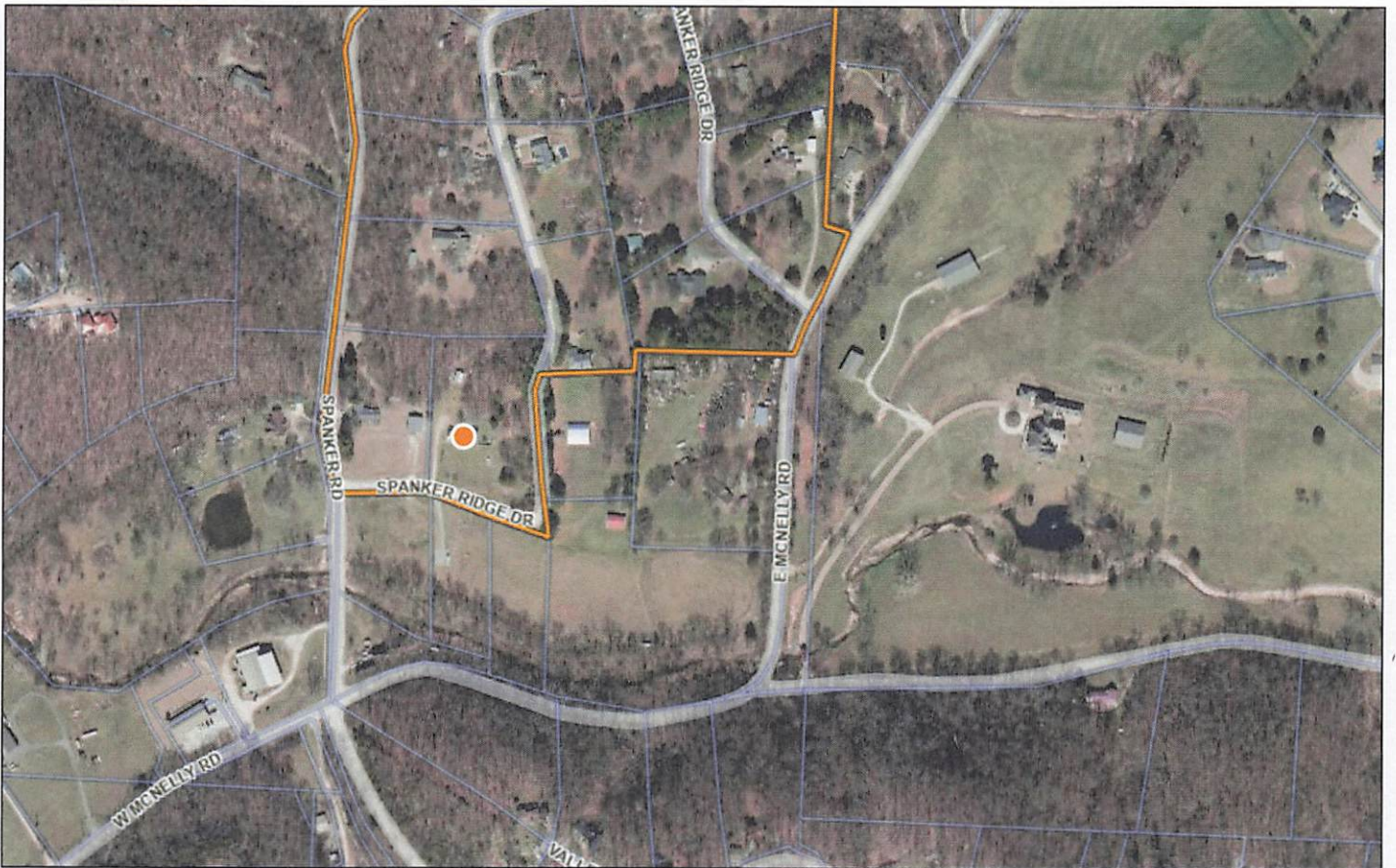


Mark Pierce,
Owner of 8206 Spanker Ridge Dr



Chrissy Pierce
Owner of 8206 Spanker Ridge Dr

8206 Spanker Ridge Road



WARRANTY DEED

KNOW ALL BY THESE PRESENTS:

704-01394

That we, Brian Clause, an unmarried person and Dana Clause, an unmarried person, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration to us in hand paid by Mark Pierce and Christy Pierce, husband and wife, herein referred to as GRANTEES, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the GRANTEES and unto their heirs and assigns forever the following described lands located in the County of Benton, State of Arkansas:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

SUBJECT TO RIGHT OF WAY/EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. SUBJECT ALSO TO ANY STATE OF FACTS WHICH AN ACCURATE SURVEY WOULD REVEAL. NO WARRANTY OR REPRESENTATION IS MADE HEREIN AS TO ANY MINERAL INTEREST ON THE AFOREMENTIONED PROPERTY.

To have and to hold unto the GRANTEES and unto their heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And we hereby covenant with GRANTEES that we will forever warrant and defend the title to said lands against all lawful claims whatsoever.

704-BEN21-01394

WITNESS my hand this 19 day of Oct 2021.

Brian Clause by Randall Wakefield, Attorney in Fact
Brian Clause by Randall Wakefield, Attorney in Fact

ACKNOWLEDGMENT

(Power of Attorney)

State of AR
County of Benton

On this the 19 day of Oct 2021, before me the undersigned officer, personally appeared Randall Wakefield, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for Brian Clause and acknowledged that he executed the same as the act of his principal for the consideration and purposes therein contained and that his principal is alive and of sound mind.

In witness whereof I hereunto set my hand and official seal.

Judy Allbritton
Notary Public

My commission expires: 4-20-24

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2024
COMMISSION NO. 12697489

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY
COMM. EXP. 4/20/2024
COMMISSION NO. 12697489

WITNESS my hand and seal this 19 day of October 2021.

Dana Clause
Dana Clause

ACKNOWLEDGMENT

STATE OF AR
COUNTY OF Benton

BE IT REMEMBERED, that on this day 19 of October 2021, came before me, the undersigned, a Notary Public, within and for the county aforesaid, personally appeared Dana Clause known to me (satisfactorily proven) to be the GRANTOR in the foregoing Deed and stated that she had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on the 19 day of October 2021.
Judy Britton
Notary Public

My commission expires: 4-20-24

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2028
COMMISSION NO. 12897489

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2028
COMMISSION NO. 12897489



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp
Proof of Tax Paid



File Number:
704-BEN21-01394

Grantee:
Mailing Address: MARK & CHRISTY PIERCE
8206 SPANKER RIDGE DR.
BENTONVILLE AR 727120000

Grantor:
Mailing Address: BRIAN CLAUSE & DANA CLAUSE
XX
BENTONVILLE AR 727120000

Property Purchase Price: \$290,000.00
Tax Amount: \$957.00

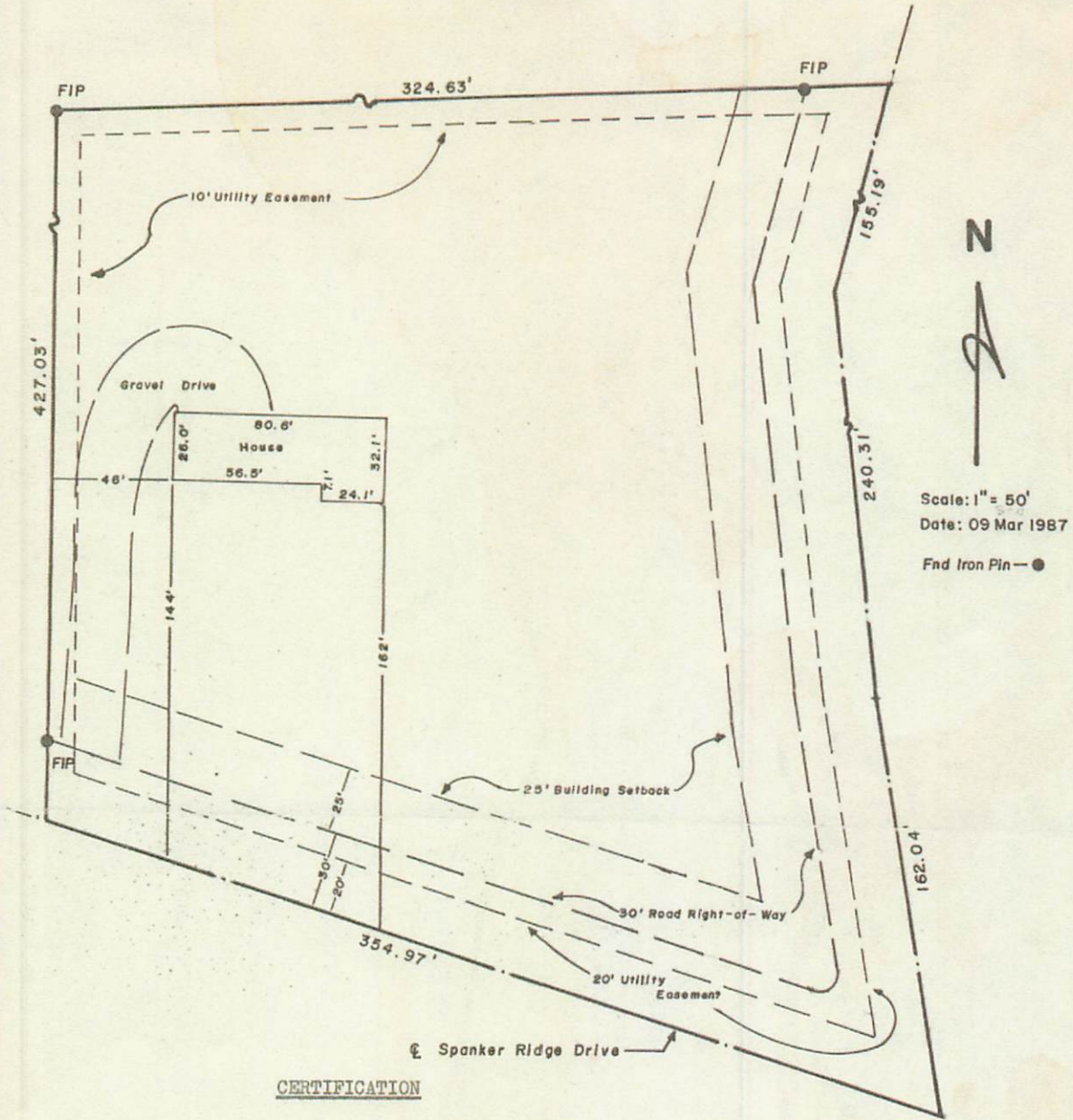
County: BENTON
Date Issued: 10/20/2021
Stamp ID: 105441280

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Teresa Champion
Grantee or Agent Name (signature): Teresa Champion Date: 10/20/21
Address: Prime Title
1280 East Stearns St.
City/State/Zip: Fayetteville, AR
72703-1106



CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
in Doc Num L202179012
10/20/2021 04:17:30 PM
Brenda DeShields
BENTON COUNTY Circuit Clerk & Recorder



CERTIFICATION

I hereby certify that this survey of Lot 2, Block 1, Spanker Creek Estates, Benton County, Arkansas, was completed under my supervision on the 9th day of March, 1987 in accordance with a Plat filed in Plat Book 6, Page 53 in the office of Ex-officio Recorder and Circuit Clerk of Benton County, Arkansas.

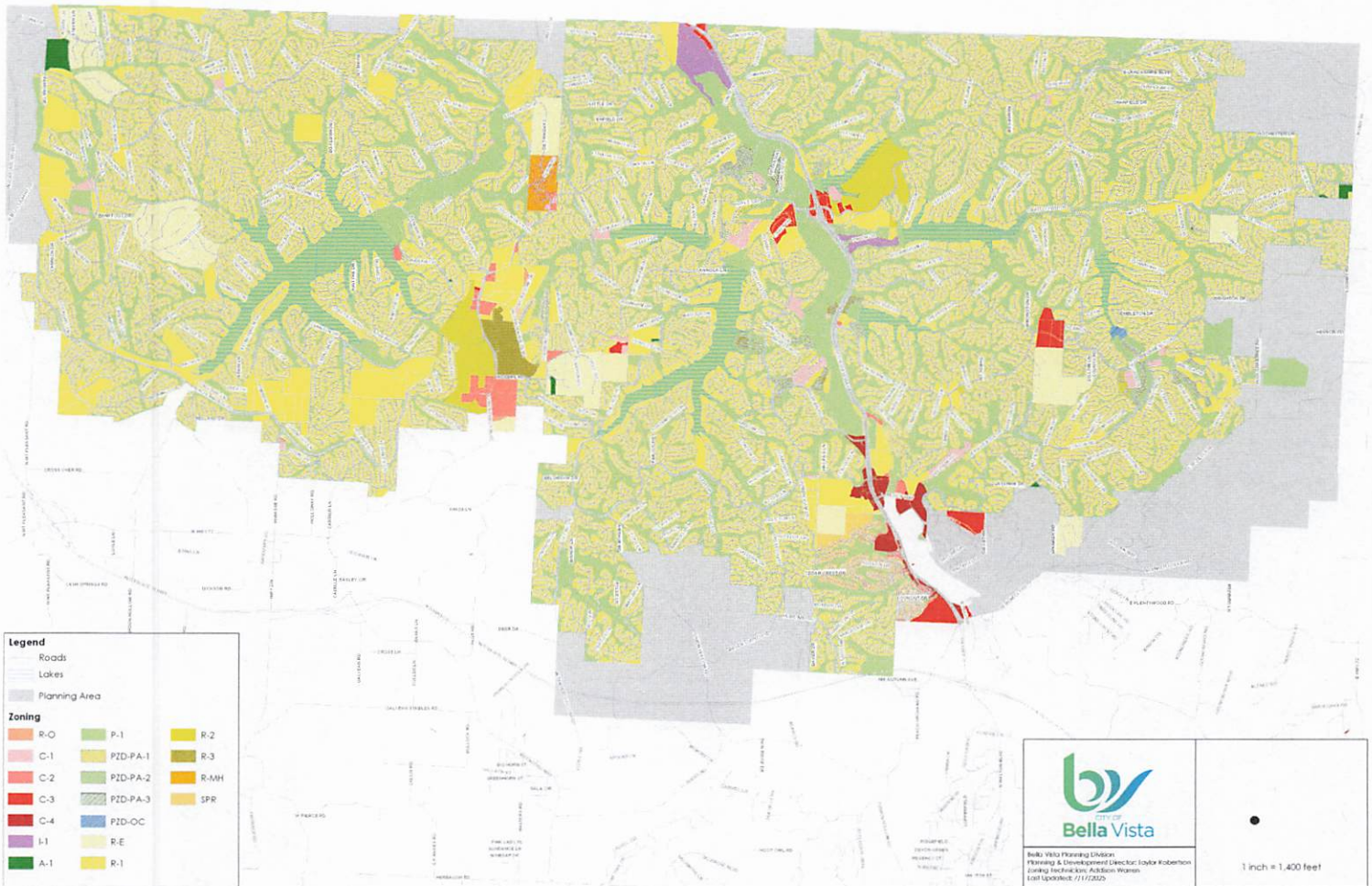
This survey and map is a true and accurate representation of the size and location of the property, its exterior boundaries, the location and dimension of visible structures thereon, boundary fences, apparent easements, roadways, and visible encroachments, if any at the time of this survey.

This survey and map is made for the exclusive use of the present owners of the property and also those who purchase, mortgage, or guarantee the title thereto within one year from the date hereof, and as to them I warrant the accuracy of said survey and map.

LOAN SURVEY FOR:
 Paul E. Carter

Lot 2, Block 1, Spanker
 Creek Estates

Bella Vista Zoning Map



FILED FOR RECORD

BILL OF ASSURANCES AND PROTECTIVE COVENANTS At 3:40 O'clock P.M.

STATE OF ARKANSAS)
)ss
COUNTY OF BENTON)

NOV 15 1984

JOSEPHINE R. HEYLAND
Clark and Recorder
BENTON COUNTY, ARK.

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the owner of the below described lands known as Spanker Creek Estates, situate in Benton County, Arkansas, do hereby enter the following covenants and restrictions with regard to said lands, as follows, to-wit:

Part of the SE¼ of Section 6, Township 20 North, Range 30 West, further described as beginning at the NE corner of the said SE¼; thence S 00°49'56" W 1217.27 feet; thence S 26°41'28" W 83.40 feet; thence S 20°50'29" W 91.21 feet; thence S 10°27'53" W 20.21 feet; thence West 431.17 feet; thence South 34.65 feet; thence S 86°25'29" W 250.93 feet; thence S 15°08'32" W 58.67 feet; thence S 06°32'28" E 240.31 feet; thence S 09°22'35" E 162.04 feet; thence N 72°01'28" W 358.33 feet; thence S 86°42'32" W 248.54 feet; thence N 14°04' W 171.39 feet; thence N 04°29' E 795.78 feet; thence N 09°15' W 255.30 feet; thence N 12°29' E 74.69 feet; thence N 38°15' E 271.22 feet; thence N 25°20' E 82.0 feet; thence N 02°50' E 231.43 feet; thence N 89°50' E 1113.30 feet to the point of beginning containing 46.08 acres.

1. All tracts in Spanker Creek Estates shall be used for residential purposes only.
2. No obnoxious or offensive activity shall be carried on upon any tract nor shall anything be done upon any tract or tracts which may be or may become a nuisance to the neighborhood
3. No inoperative, wrecked, abandoned or junk motor vehicles shall be permitted to remain upon any tract or on the common roadways of said subdivision.
4. All dwellings and structures constructed on said tracts shall be constructed in conformity with the building requirements established by Benton County, Arkansas.
5. No commercial poultry, hog production, dairy barns nor cattle feed lot operations shall be carried on at any time on any part of the above described lands. No hogs will be allowed under any circumstances. Livestock or poultry may be kept on said tracts for personal use only. Dogs, cats or other pets may be kept provided they are not kept, bred or maintained for commercial purposes and provided that same are not deemed a nuisance to the neighborhood. Dogs shall not be allowed to run loose.
6. Trash, garbage and other waste shall not be kept upon any tract except in sanitary containers. No tract shall be used or maintained for a dumping ground or storage area for rubbish, junk or trash.
7. Tracts shall not be subdivided nor shall more than one (1) residence be placed on any single tract.
8. No buildings shall be located on any tract within twenty-five (25) feet of the property lines.
9. No residential dwelling structures shall be constructed or placed upon the above described lands containing less than 1000 square feet of heated floor space, exclusive of open porches and garages or carports. Manufactured homes may be placed on any tract provided that such manufactured homes contain at least 1000 square feet of heated floor space. All buildings will be permanently attached to a concrete block or concrete slab foundation. No residences or out-buildings shall be constructed on any tract with used materials exposed and such outbuildings shall be so constructed as will not detract from the general appearance of the neighborhood.
10. These covenants and restrictions are to run with the land and apply to this subdivision and shall be binding upon all the parties, their heirs and

assigns, for a period of ten (10) years from the date hereof and shall be renewed for a like period unless revoked or amended by a majority of the party owners of total real estate as indicated by the official records of the Benton County Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas. At any time within six (6) months from the expiration period, a majority of the property owners of the total real estate by volume may express their intention in writing drafted so as to be recorded with the Registrar of deeds that they no longer care for these covenants to be effective, and the same shall then be terminated. In the event that no such action is taken, these covenants shall continue for periods of ten (10) years, and after any such ten (10) year period, said covenants may be terminated in accordance with the terms for the original termination. It is further provided that these protective covenants may be amended after the expiration time period as set forth in this paragraph, either by adding to or taking from said protective covenants in their present form, provided that said amendment or amendments shall be incorporated in a written instrument executed by not less than a majority of the property owners of the total real estate by volume and which instrument shall be capable of being recorded as above referred under the same terms and conditions thereof.

11. It is further provided that these covenants may be amended at any time by approval of such amendments by a majority vote of property owners of the total real estate by volume and remain in effect for an additional term unless revoked or amended by a majority vote of property owners of the total real estate by volume.

12. If the parties herein or any of them or their heirs or assigns or any other person shall violate or attempt to violate any of the covenants or restrictions herein while said covenants and restrictions are still in force, it shall be lawful for any person or persons owning an interest in any part of the above described lands to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate such covenants or restrictions and to either prevent him/her or them from such violations or to recover damages or other penalties for such violations.

13. Invalidation of any one of these covenants by judgment of any Court shall in no wise affect any of the other provisions contained herein.

EXECUTED THIS 1st day of November, 1984.

OSAGE PROPERTIES, INC.

BY: Gene L. Thrasher, President

Elmore B. Merwin, Secretary

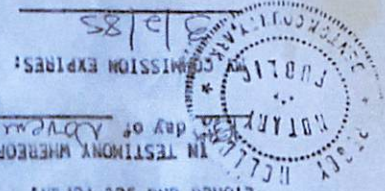
ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF BENTON) ss

Before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Gene L. Thrasher and Elmore B. Merwin, to me personally well known, who stated that they were the President and Secretary of Osage Properties, Inc., an Arkansas corporation, and was duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this _____ day of November, 1984.

Gene L. Thrasher
NOTARY PUBLIC



WARRANTY DEED

With Relinquishment of Dower and Curtesy

ALL MEN BY THESE PRESENTS

Gene L. Thrasher and George F. Merwin
/a Osage Properties

GRANTOR S for and in consideration of the sum of
\$ 100.00 DOLLARS
other Valuable Consideration in hand

Robert D. Puryear and Dianne Puryear,
and wife the receipt

is hereby acknowledged, do hereby grant, bargain, sell and convey unto
Robert D. Puryear and Dianne Puryear, husband and
hereinafter called

GRANTEES, and unto their heirs and assigns forever the following lands
Benton County, Arkansas, to-wit:

Part of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6, Township 20 North, Range 30 West,
further described as beginning 744.41 feet West and 1853.24 feet South
of the NE corner of the said E $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence S 88°57'14"E 226.32
feet; thence South 100.0 feet; thence N 89°28'30"E 417.0 feet to the
centerline of Benton County Road #40; thence with said centerline S 00°25'33"W
215.26 feet; thence S 09°24'53"W 102.70 feet; thence S 27°22'23"W 72.29
feet; thence S 54°42'34"W 63.35 feet; thence S 69°53'27"W 85.07 feet; thence
S 78°57'W 258.95 feet; thence N 74°32'W 195.0 feet; thence from said centerline
N 01°20'10"W 507.50 feet; thence N 09°22'28"W 37.71 feet to the point of
beginning containing 6.94 acres.

To have and to hold the same unto the said GRANTEE S, and unto their heirs and assigns forever, with all appurtenances thereunto
belonging.

And WE hereby covenant with said GRANTEE S that WE will forever warrant and defend the title to the said lands against all
claims whatever.

And we, the undersigned, do hereby release and relinquish to the said GRANTEE S all our right to dower and curtesy in the above described premises.

Witness my hand and seal as such Grantors this 27th day of July, 19 82

(L.S.) George F. Merwin (L.S.)
(L.S.) Gene L. Thrasher (L.S.)
(L.S.)

STATE OF ARKANSAS)
COUNTY OF BENTON)

ACKNOWLEDGMENT

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public
within and for the County aforesaid, duly commissioned and

acting Gene L. Thrasher and George F. Merwin d/b/a Osage Properties to me well known
as the Grantor S in the foregoing Deed, and stated that they had executed the same for the
consideration and purposes therein mentioned and set forth

Witness my hand and seal as such Notary Public this 27th day of July, 19 82

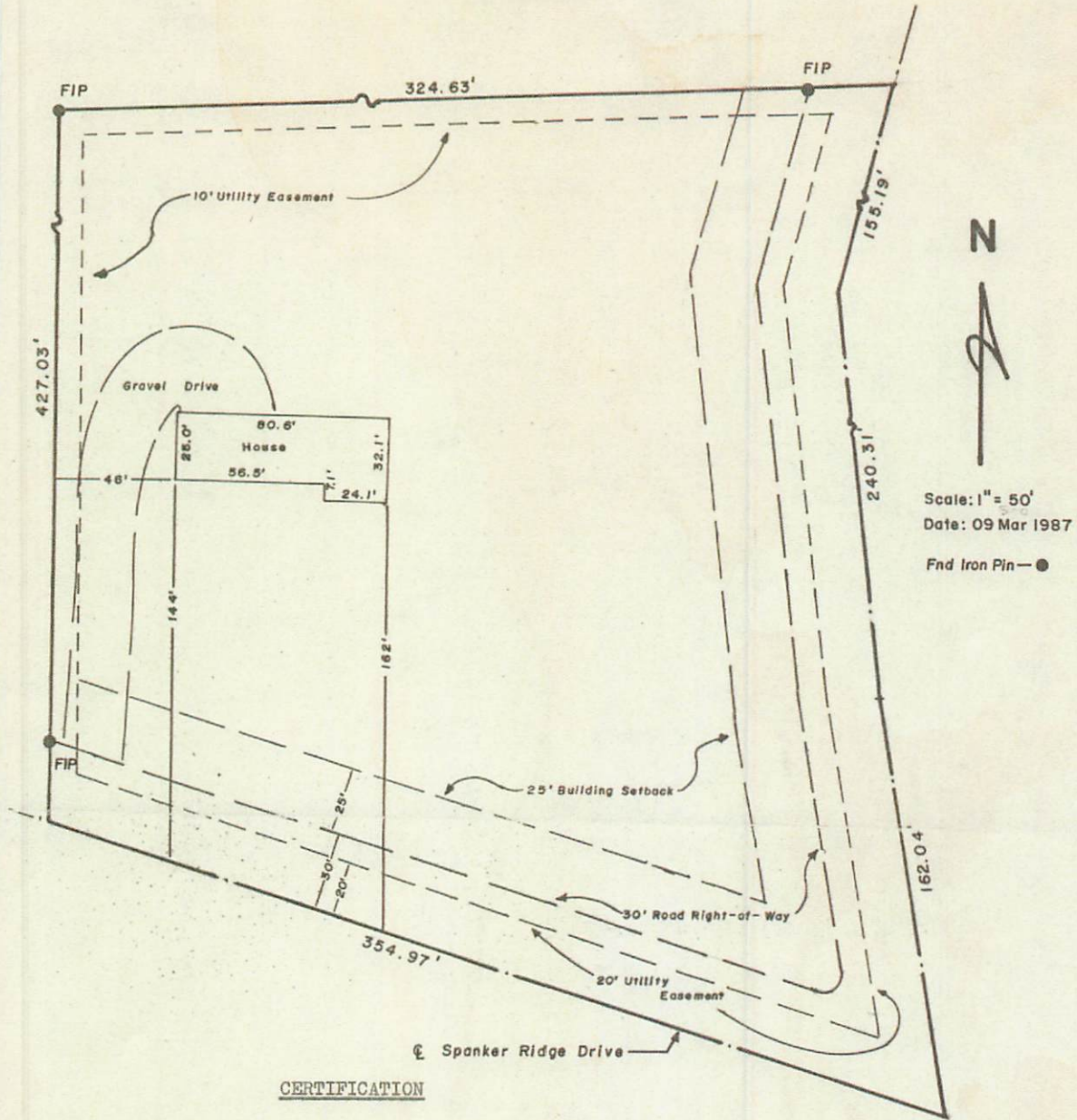
My Commission expires

February 13, 1985
Prepared by

Karen Pruitt
Notary Public

8206 Spanker Ridge Dr
Proposed Chicken Coop Location





CERTIFICATION

I hereby certify that this survey of Lot 2, Block 1, Spanker Creek Estates, Benton County, Arkansas, was completed under my supervision on the 9th day of March, 1987 in accordance with a Plat filed in Plat Book 6, Page 53 in the office of Ex-officio Recorder and Circuit Clerk of Benton County, Arkansas.

This survey and map is a true and accurate representation of the size and location of the property, its exterior boundaries, the location and dimension of visible structures thereon, boundary fences, apparent easements, roadways, and visible encroachments, if any at the time of this survey.

This survey and map is made for the exclusive use of the present owners of the property and also those who purchase, mortgage, or guarantee the title thereto within one year from the date hereof, and as to them I warrant the accuracy of said survey and map.

LOAN SURVEY FOR:
 Paul E. Carter

Lot 2, Block 1, Spanker
 Creek Estates

8206 Spanker Ridge Dr



Looking North from Spanker Ridge Drive



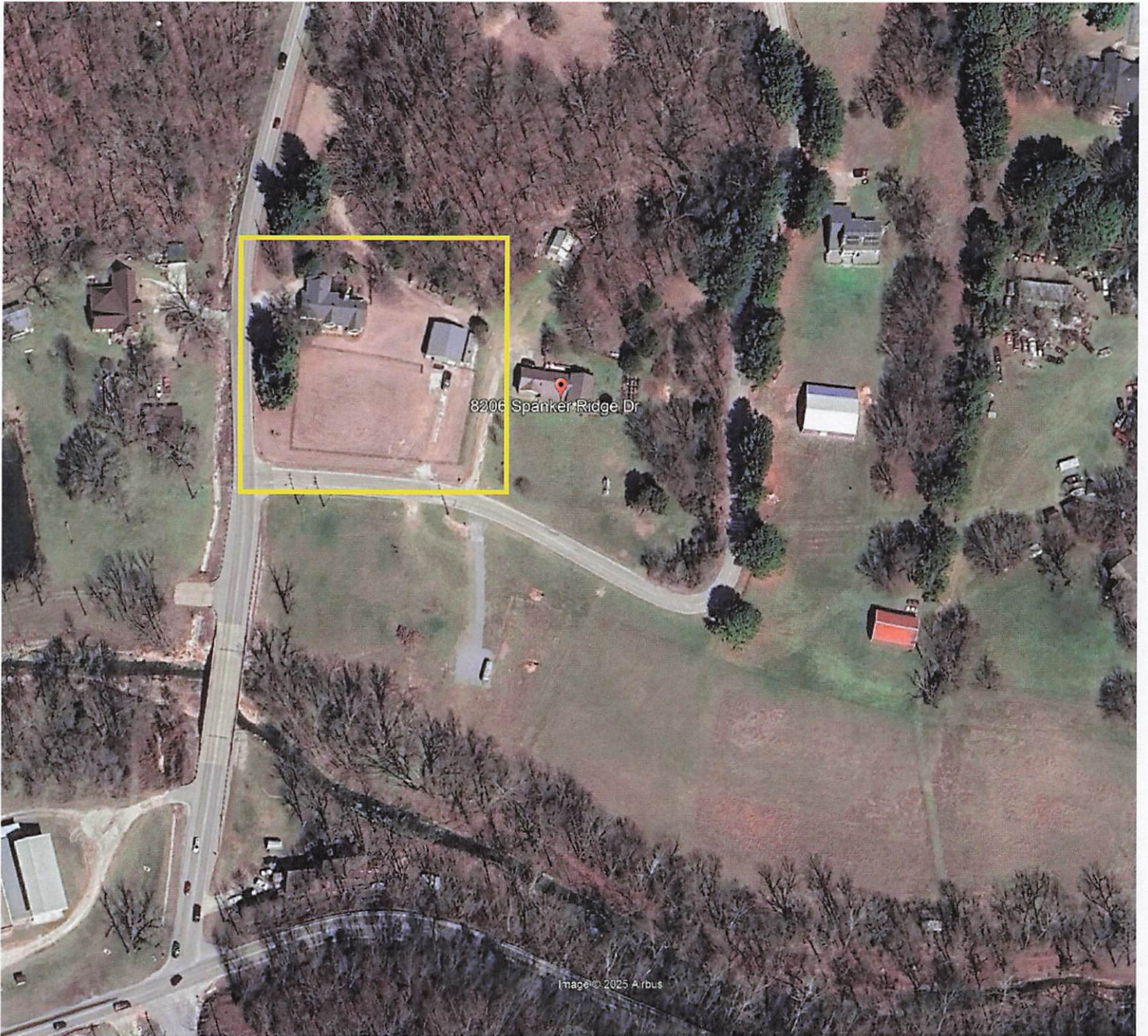
Proposed Fence to match neighborhood aesthetics



MATCHES NEIGHBORHOOD AESTHETICS

Neighboring homes in Spanker Creek Estates- Fence will match the existing aesthetic of the neighborhood

8280 Spanker Ridge Dr. - Neighbor west of property



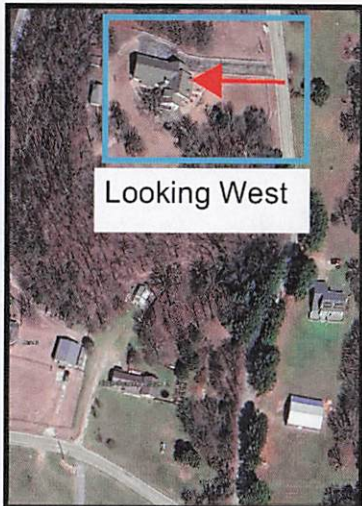
West Neighbor - Looking North from Spanker Ridge Drive



8170 Spanker Ridge Dr. - Neighbor north of property



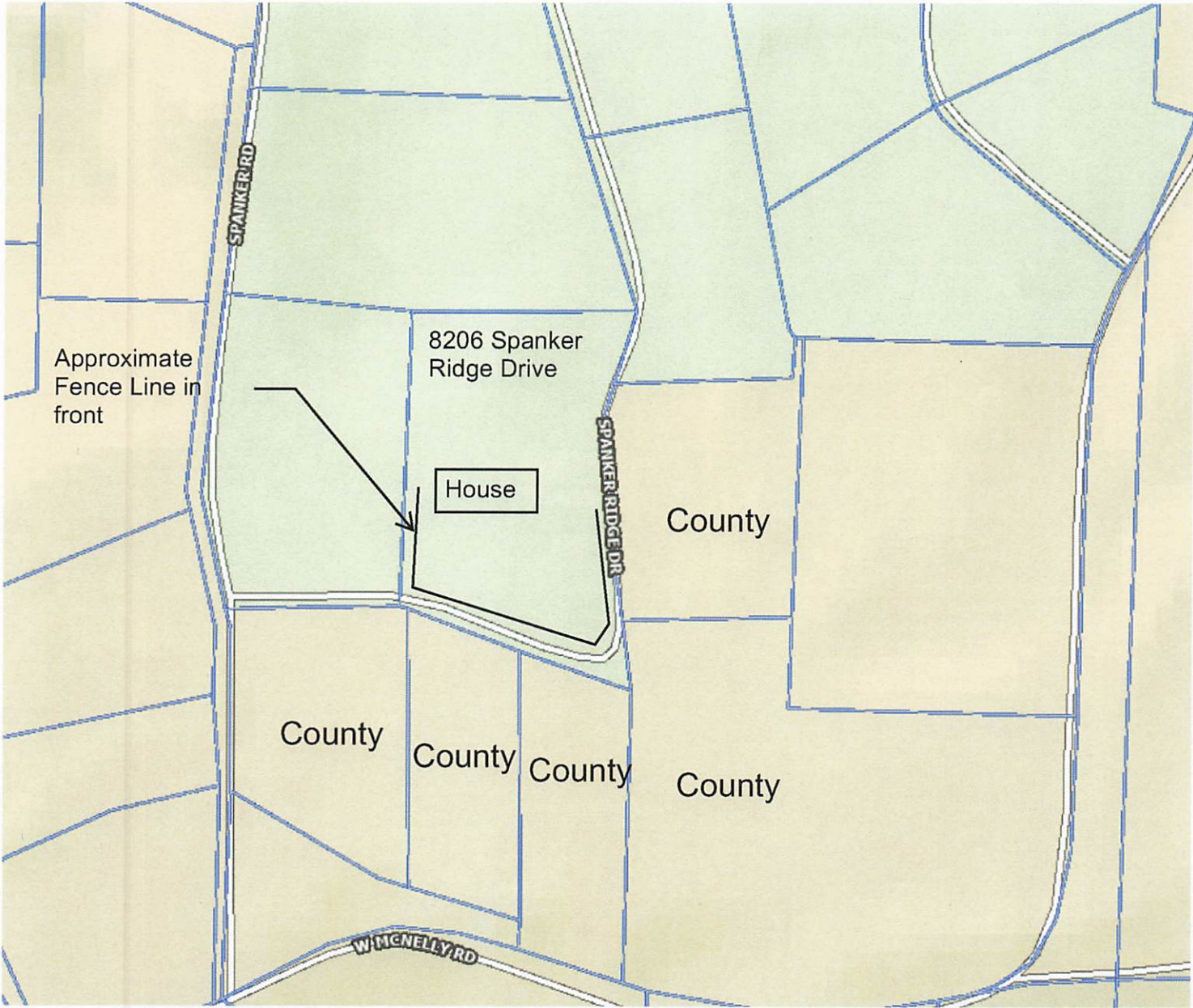
Looking west - Front of house



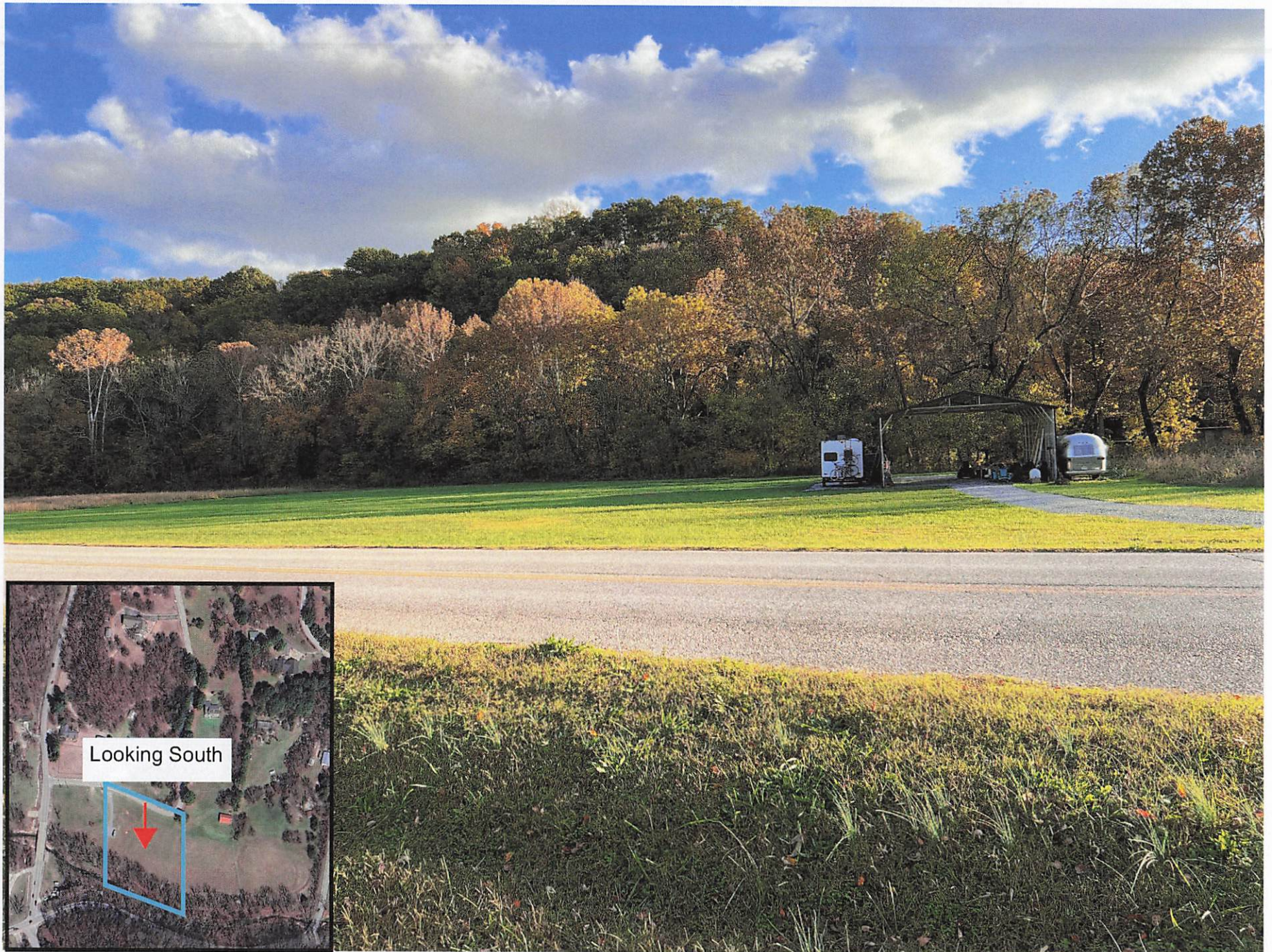
Properties in front of home and east of home are out side of city limits



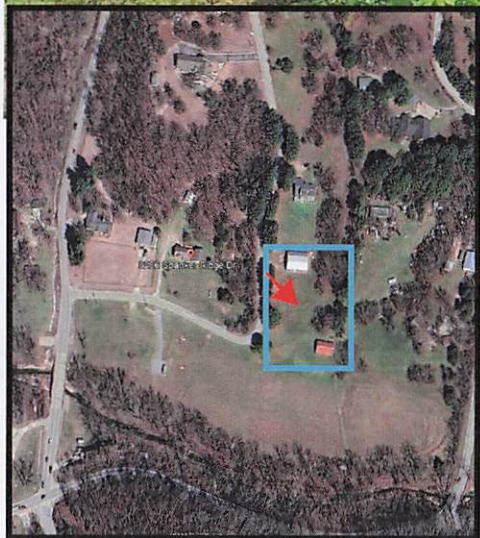
ARC GIS County Map

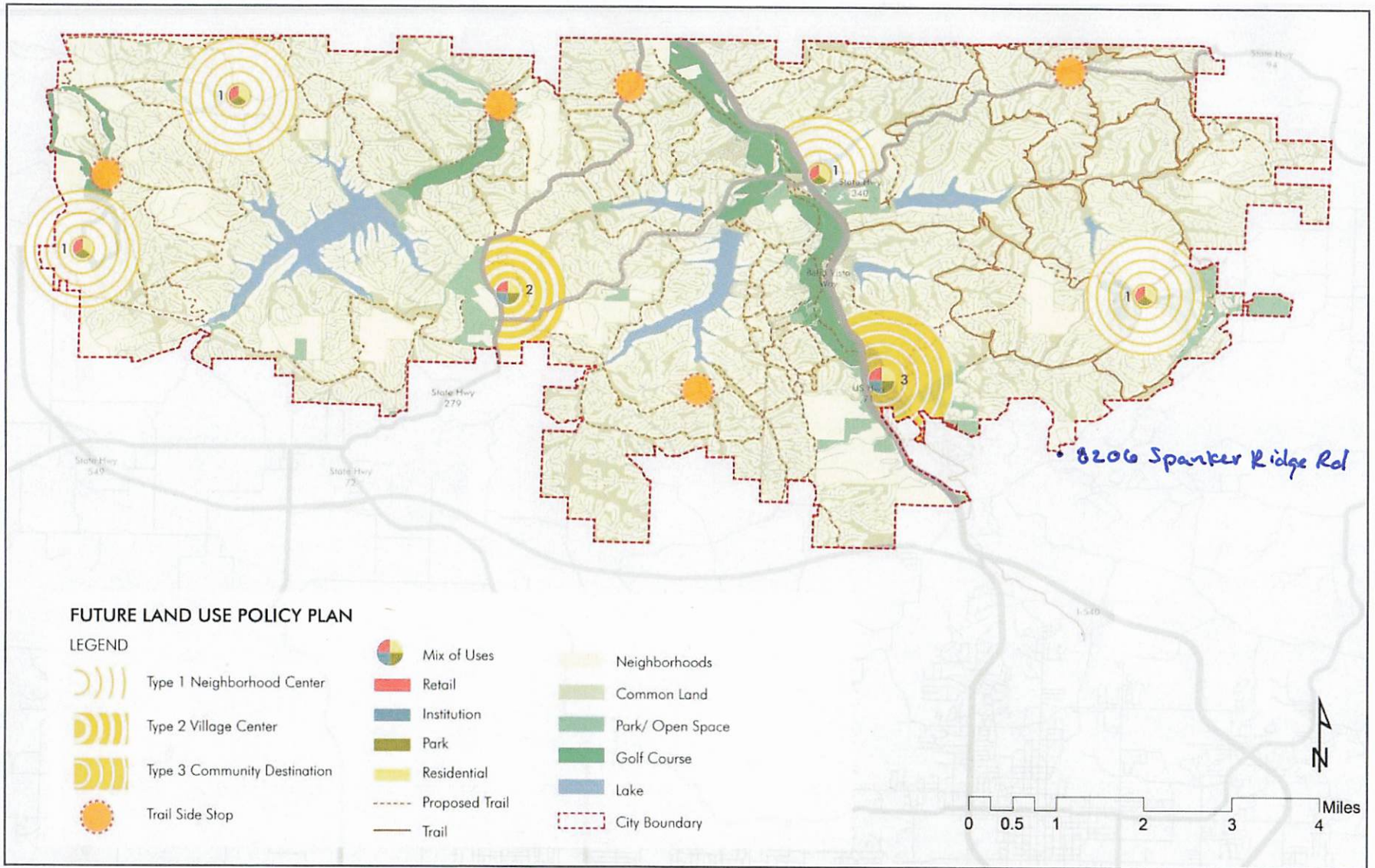


Looking south from Spanker Ridge Drive .



Looking east from Spanker Ridge Drive .





FUTURE LAND USE PLAN