



# BELLA VISTA

*A place to call home*

MEETING: **CITY COUNCIL WORK SESSION**

DATE AND TIME: **Monday, March 21, 2016 – 5:30 P.M.**

Location: City Hall Conference Room  
101 Town Center, Bella Vista, Arkansas

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with the Section 25-19-106 of the Freedom of Information Act, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
  
- II. **ROLL CALL:** Mayor Peter Christie, Aldermen Frank Anderson, John Flynn, Allen King, Becky Morgan, James Wozniak and Larry Wilson
  
- III. **NEW BUSINESS:**
  - A. **ORDINANCE NO-** AMENDING THE CITY OF BELLA VISTA ZONING ORDINANCE AND MAP BY REZONING CERTAIN LANDS COMMONLY KNOWN AS BENTON COUNTY PARCELS 16-70216-002 AND 16-70226-001 FROM R-1 (RESIDENTIAL SINGLE FAMILY) AND A PORTION OF BENTON COUNTY PARCEL 16-70222-000 FROM P-1 (OPEN SPACE) TO PZD (PLANNED ZONING DISTRICT) FOR THE COUNTRY CLUB VILLAS DEVELOPMENT, AND FOR OTHER PURPOSES.  
(Second Reading)
  - B. **ORDINANCE NO-** AN ORDINANCE AMENDING SECTION 18-20(b) OF THE MUNICIPAL CODE REGULATING THE DUMPING OF TREE CUTTINGS AND OTHER MATERIALS, AND FOR OTHER PURPOSES.
  - C. **ORDINANCE NO-** AMENDING SECTION 2-106 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO LIMIT THE SUBJECTS OF CALLED SPECIAL MEETINGS OF THE CITY COUNCIL.
  - D. **ORDINANCE NO-** AMENDING SECTION 103-48(c) OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA CONCERNING KEY BOX REQUIREMENTS.
  - E. **ORDINANCE NO-** AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 109-166 REGULATING ACCESSORY STRUCTURES AND SECTION 109-248 REGULATING FENCE LOCATION, AND FOR OTHER PURPOSES.
  - F. **RESOLUTION-** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH A&B CONSTRUCTION IN THE AMOUNT OF \$178,720.00, PLUS A THREE PERCENT

(3%) CONTINGENCY, FOR THE CONSTRUCTION OF A SAND/SALT STORAGE BUILDING AT THE NEW STREET DEPARTMENT FACILITY.

- G. RESOLUTION-** APPROVING APPOINTMENTS TO THE BELLA VISTA ARTS COUNCIL.
- H. RESOLUTION-** RENAMING NORTH RAMWORTH LANE TO WILMS LANE AND SOUTH RAMWORTH LANE TO HUTCHINSON LANE, AND FOR OTHER PURPOSES.
- I. RESOLUTION-** AMENDING THE 2016 CITY BUDGET TO TRANSFER \$6,333.34 IN UNRESTRICTED REVENUE FROM STREET DEPARTMENT ACCOUNT #50-50500 TO LIBRARY ACCOUNT #60-57400 TO FUND THE PURCHASE OF A TELEPHONE SYSTEM FOR THE BELLA VISTA PUBLIC LIBRARY.
- J. RESOLUTION-** APPROVING BELLA VISTA POLICE DEPARTMENT POLICIES REGARDING A SUSPECT IDENTIFICATION PROCESS AND NON-CONSENSUAL TOWING.

## **DISCUSSION-**

## **ADJOURNMENT**

\*\*\* Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the City Clerk at 479-876-1255.

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: February 22, 2016 – Regular Meeting

AGENDA ITEM:

ITEM TITLE: An Ordinance Amending the City of Bella Vista Zoning Ordinance and Map by Rezoning Certain Lands Commonly Known as Benton County Parcels 16-70216-002 and 16-70226-001 from R-1 (Residential Single Family) and a Portion of Benton County Parcel 16-70222-000 from P-1 (Open Space) to PZD (Planned Zoning District) for the Country Club Villas Development and for Other Purposes.

SUBMITTED BY: Christopher Suneson, PLA

SUMMARY EXPLANATION: On January 11, 2016, the Planning Commission held a public hearing to rezone the subject parcels from their current district classification to Planned Zoning District (PZD). Commonly known as the “Country Club Villas”, the development under consideration is the first to go through review under the City’s planned zoning district regulations. In this process, the development is required to provide for zoning regulations that run with the land as well as architectural elevations to capture what is envisioned for the built environment.

The January public hearing raised issues of concern from both residents and the Commission itself. In order to address those concerns, the Commission tabled the item until its February regular meeting, providing the developer the opportunity to address the raised concerns.

On February 8, 2016, the Planning Commission voted to recommend the rezoning and development of this property by a vote of 4-1, with two recusals.

ATTACHMENT: ORDINANCE  RESOLUTION  OTHER : Exhibits

RECOMMENDATION: Staff is recommending approval of the attached ordinance, and is recommending the waiving of the normal three (3) readings to expedite construction of the development.

ACTION REQUESTED:  
Motion to adopt

# MASTER DEVELOPMENT PLAN

# COUNTRY CLUB VILLAS

# DOGWOOD DRIVE

## BELLA VISTA, ARKANSAS

### GENERAL NOTES:

- A. TOPOGRAPHIC BOUNDARY SURVEY, INCLUDING PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY, AS A CONTRACTOR TO THE SELLER/OWNER:
- TOPOGRAPHY:  
CEI ENGINEERING  
3108 SW REGENCY PARKWAY, SUITE 2  
BENTONVILLE, AR 72712  
479-273-9472
- B. ALL PHASES OF SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE OWNER / DEVELOPER SITE WORK SPECIFICATIONS.
- C. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF EXISTING STRUCTURES, RELATED UTILITIES, PAVING, UNDERGROUND STORAGE TANKS AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED. SEE SITE WORK SPECIFICATIONS.
- D. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- E. THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- F. **WARRANTY/DISCLAIMER:** THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORANEOUS BASIS AT THE SITE.
- G. **SAFETY NOTICE TO CONTRACTOR:** IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.
- H. ALL CONSTRUCTION IN STATE HIGHWAY DEPARTMENT RIGHT-OF-WAY SHALL BE COORDINATED WITH THE HIGHWAY DEPARTMENT RESIDENT ENGINEER.
- I. **WETLANDS NOTE:** ANY DEVELOPMENT, EXCAVATION, CONSTRUCTION, OR FILLING IN A U.S. CORPS OF ENGINEERS DESIGNATED WETLAND IS SUBJECT TO LOCAL, STATE AND FEDERAL APPROVALS. THE CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS AND/OR RESTRICTIONS AND ANY VIOLATION WILL BE SUBJECT TO FEDERAL PENALTY. THE CONTRACTOR SHALL HOLD THE OWNER/DEVELOPER, THE ENGINEER AND THE LOCAL GOVERNING AGENCIES HARMLESS AGAINST SUCH VIOLATION.
- J. **RESIDENT ENGINEERING SERVICES:** WHEN REQUESTED BY THE OWNER, RESIDENT ENGINEERING SERVICES SHALL BE PROVIDED BY THE ENGINEERS (ON A TIME AND FREQUENCY BASIS) ACCEPTABLE TO THE CITY ENGINEER FOR IMPROVEMENTS TO PUBLIC WATER MAINS, PUBLIC SEWER, AND CITY STREETS. AT THE COMPLETION OF CONSTRUCTION, THE ENGINEER SHALL CERTIFY THE CONSTRUCTION TO BE IN COMPLIANCE WITH THE PLANS AND SPECIFICATIONS. THIS WORK WILL BE AT THE OWNER/DEVELOPER'S DIRECT EXPENSE AND SHALL BE COORDINATED WITH CEI ENGINEERING ASSOCIATES, INC. IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE RESIDENT ENGINEER OF ANY PRECONSTRUCTION / CONSTRUCTION CONFERENCES AND ANY PUBLIC CONSTRUCTION 24 HOURS PRIOR TO SAID ACTION.

### TOTAL PROJECT DESCRIPTION

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) AND THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 22 AND THE NORTHWEST QUARTER (NW1/4) AND THE SOUTHWEST QUARTER (SW1/4) OF SECTION 23 ALL BEING IN TOWNSHIP 21 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 PER PLAT BOOK L, PAGE 159; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 1,315.74 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 68.60 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352) AND THE POINT OF BEGINNING;

THENCE NORTH 08°41'32" WEST, A DISTANCE OF 531.57 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 41°56'30" WEST, A DISTANCE OF 455.24 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352);

THENCE NORTH 19° 11' 19" WEST A DISTANCE OF 191.91 FEET; THENCE NORTH 47° 01' 38" EAST A DISTANCE OF 172.33 FEET; THENCE NORTH 31°36'35" EAST A DISTANCE OF 189.14 FEET; THENCE NORTH 11°06'28" EAST A DISTANCE OF 67.07 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 06°35'33" EAST, A DISTANCE OF 538.59 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 48°51'54" EAST, CROSSING THE WEST RIGHT-OF-WAY OF AFOREMENTIONED DOGWOOD DRIVE AT A DISTANCE OF 96.46 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 136.71 FEET TO THE EAST RIGHT-OF-WAY OF AFOREMENTIONED DOGWOOD DRIVE;

THENCE ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING TWELVE (12) COURSES:

- ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 72.75 FEET, HAVING A RADIUS OF 661.61 FEET, THROUGH A CENTRAL ANGLE OF 06°18'01", AND HAVING A CHORD WHICH BEARS SOUTH 50°53'53" EAST, A DISTANCE OF 72.72 FEET;
  - ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 84.21 FEET, HAVING A RADIUS OF 416.74 FEET, THROUGH A CENTRAL ANGLE OF 11°34'42", AND HAVING A CHORD WHICH BEARS SOUTH 48°15'39" EAST, A DISTANCE OF 84.07 FEET;
  - SOUTH 40°00'56" EAST, A DISTANCE OF 22.35 FEET;
  - SOUTH 37°33'25" EAST, A DISTANCE OF 245.87 FEET;
  - ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 79.77 FEET, HAVING A RADIUS OF 432.83 FEET, THROUGH A CENTRAL ANGLE OF 10°33'37", AND HAVING A CHORD WHICH BEARS SOUTH 32°16'37" EAST, A DISTANCE OF 79.66 FEET;
  - SOUTH 28°59'48" EAST, A DISTANCE OF 30.62 FEET;
  - ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 500.21 FEET, HAVING A RADIUS OF 633.20 FEET, THROUGH A CENTRAL ANGLE OF 45°15'45", AND HAVING A CHORD WHICH BEARS SOUTH 04°21'56" EAST, A DISTANCE OF 487.31 FEET;
  - SOUTH 18°15'56" WEST, A DISTANCE OF 149.93 FEET;
  - ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 380.11 FEET, HAVING A RADIUS OF 722.24 FEET, THROUGH A CENTRAL ANGLE OF 30°09'16", AND HAVING A CHORD WHICH BEARS SOUTH 03°11'18" WEST, A DISTANCE OF 375.74 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352);
  - SOUTH 11°53'19" EAST, A DISTANCE OF 20.00 FEET;
  - ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 493.22 FEET, HAVING A RADIUS OF 475.18 FEET, THROUGH A CENTRAL ANGLE OF 59°28'18", AND HAVING A CHORD WHICH BEARS SOUTH 17°50'49" WEST, A DISTANCE OF 471.38 FEET;
  - ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 220.12 FEET, HAVING A RADIUS OF 249.05 FEET, THROUGH A CENTRAL ANGLE OF 50°38'20", AND HAVING A CHORD WHICH BEARS SOUTH 22°15'44" WEST, A DISTANCE OF 213.02 FEET;
- THENCE LEAVING SAID EAST RIGHT-OF-WAY NORTH 34°37'18" WEST, A DISTANCE OF 76.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 877,213 SQUARE FEET OR 20.14 ACRES, MORE OR LESS.

### 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.

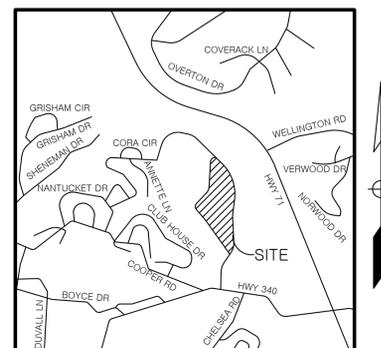
Date of Execution: \_\_\_\_\_

Signed: \_\_\_\_\_

Chairman, Bella Vista Planning Commission

Signed: \_\_\_\_\_

Mayor City of Bella Vista



Vicinity Map  
Not to Scale

### OWNER / DEVELOPER

COOPER HOMES  
903 NORTH 47TH STREET  
ROGERS, AR 72756  
PHONE: 479-246-6500  
JODY LATHAM

### CEI CONTACT

TOM OPPENHEIM  
PROJECT MANAGER  
TOPPENHEIM@CEIENG.COM  
PH# (479) 273-9472  
FAX# (479) 273-0844

**CEI Engineering Associates, Inc.**  
ENGINEERS • PLANNERS • SURVEYORS  
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS  
3108 S.W. REGENCY PARKWAY, SUITE 2 (479)273-9472  
Bentonville, AR 72712 FAX (479)273-0844

### GENERAL PROVISIONS:

**AUTHORITY:** THIS PLANNED ZONING DISTRICT (PZD) MASTER DEVELOPMENT PLAN IS AUTHORIZED BY THE CITY OF BELLA VISTA ZONING CODE. THE PROVISIONS OF THIS PZD MASTER DEVELOPMENT PLAN SHALL RUN WITH THE LAND. THE LANDOWNERS, THEIR SUCCESSORS, HEIRS, OR ASSIGNS SHALL BE BOUND BY THE MASTER DEVELOPMENT PLAN, AS AMENDED AND APPROVED BY THE CITY COUNCIL.

**ADDITION:** THE ADOPTION OF THIS PZD MASTER DEVELOPMENT PLAN SHALL EVIDENCE THE FINDINGS AND DECISION OF THE CITY COUNCIL THAT THIS PLANNED ZONING DISTRICT FOR (NAME OF DEVELOPMENT) IS IN GENERAL CONFORMITY WITH THE CITY'S FUTURE LAND USE PLAN, MASTER STREET PLAN, AND OTHER POLICY DOCUMENTS IN FORCE AT THE TIME OF ITS ADOPTION. THE PROVISIONS OF THIS PZD MASTER DEVELOPMENT PLAN SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF (NAME OF DEVELOPMENT), PROVIDED, HOWEVER, THAT WHERE THE PROVISIONS OF THIS MASTER DEVELOPMENT PLAN DO NOT ADDRESS A PARTICULAR SUBJECT, THE RELEVANT PROVISIONS OF THE CITY'S CODE, AS AMENDED, OR ANY OTHER APPLICABLE RESOLUTIONS OR REGULATIONS OF THE CITY OF BELLA VISTA, SHALL BE APPLICABLE.

**REVERSION:** IN THE EVENT THAT THE ZONING AND DEVELOPMENT STANDARDS DESCRIBED IN THE PLANNED ZONING DISTRICT'S ZONING DESCRIPTION(S), MASTER DEVELOPMENT PLAN, AND ARCHITECTURAL ELEVATIONS ARE NOT FULLY IMPLEMENTED WITHIN THREE (3) YEARS, THOSE UNDEVELOPED PORTIONS OF THE PARCEL(S) FOR WHICH THE PZD WAS PROPOSED SHALL REVERT TO ITS PRE-PROPOSAL ZONING DISTRICT.

**ENFORCEMENT:** TO FURTHER THE MUTUAL INTERESTS OF THE RESIDENTS, OCCUPANTS, AND OWNERS OF THE PZD MASTER DEVELOPMENT PLAN AND OF THE PUBLIC IN THE PRESERVATION AND INTEGRITY OF THE PLAN, THE PROVISIONS OF THIS PLAN RELATING TO THE USE OF LAND, STATEMENTS OF COMMITMENTS, DEVELOPMENT AND ARCHITECTURAL STANDARDS, AND THE LOCATION OF COMMON OPEN SPACE SHALL RUN IN FAVOR OF THE CITY OF BELLA VISTA AND SHALL BE ENFORCEABLE AT LAW OR IN EQUITY BY THE CITY WITHOUT LIMITATION ON ANY POWER OR REGULATION OTHERWISE GRANTED BY LAW.

**CONFLICT:** WHERE THERE IS MORE THAN ONE PROVISION WITHIN THE PZD MASTER DEVELOPMENT PLAN THAT COVERS THE SAME SUBJECT MATTER, THE PROVISION WHICH IS MOST RESTRICTIVE OR IMPOSES HIGHER STANDARDS OR REQUIREMENTS SHALL GOVERN. **MAXIMUM LEVEL OF DEVELOPMENT:** THE TOTAL NUMBER OF DWELLINGS OR THE TOTAL COMMERCIAL, BUSINESS, OR INDUSTRIAL INTENSITY APPROVED FOR DEVELOPMENT WITHIN THE LAND USE CATEGORIES IS THE MAXIMUM DEVELOPMENT REQUESTED FOR PLATTING OR CONSTRUCTION. THE ACTUAL NUMBER OF DWELLINGS OR LEVEL OF DEVELOPMENT FOR COMMERCIAL, BUSINESS, OR INDUSTRIAL PROPERTIES MAY BE LESS DUE TO SUBDIVISION OR SITE IMPROVEMENT PLAN REQUIREMENTS OR OTHER REQUIREMENTS OF THE CITY CODE.

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19. EROSION CONTROL PHASE II N	

### RESOURCE LIST:

<b>CITY HALL</b> 101 TOWN CENTER P.O. BOX 5655-72714 BELLA VISTA, AR 72712 (479) 876-1255 CHRISTOPHER SUNESON	<b>CARBOLL ELECTRIC COOPERATIVE CORPORATION</b> BENTONVILLE, AR 72712 (479) 273-2421 EXT. 2690 DEREK THURMAN DTHURMAN@CARROLLECC.COM	<b>SANITARY SEWER</b> VILLAGE WASTE WATER CO 380 BELLA VISTA WAY BELLA VISTA, AR 72714 (479) 855-7613 TOM WOOTERS
<b>CITY OF BELLA VISTA - DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES</b> 616 WEST LANCASTER BLVD. BELLA VISTA, AR 72715 (479) 855-8085	<b>BELLA VISTA FIRE DEPARTMENT</b> 103 TOWN CENTER BELLA VISTA, AR 72714 (479)-855-8248 CHIEF STEVE SIMS	<b>COX COMMUNICATIONS</b> 4901 S. 48TH STREET SPRINGDALE, AR 72762 (479) 717-3610 LEN HOGAN
<b>BELLA VISTA PDA</b> 51 HUNTLEY LANE BELLA VISTA, AR 72715 (479) 855-8085 MIKE TAGGART	<b>STREET DEPARTMENT</b> 101 TOWN CENTER P.O. BOX 5655-72714 BELLA VISTA, AR 72712 (479) 876-1255 MICHAEL BUTTON	<b>TELEPHONE</b> AT&T 627 WHITE ROAD SPRINGDALE, AR 72762 (479) 442-1967 SCOTT SEAMAN

### FLOOD CERTIFICATION:

THIS PROPERTY IS NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR THE CITY OF BELLA VISTA, AR, COMMUNITY PANEL NUMBER 05007C0060J EFFECTIVE DATE SEPTEMBER 28, 2007.

APPROVED \_\_\_\_\_

DATE \_\_\_\_\_

CITY OF BELLA VISTA

Arkansas \* California \* Georgia \* Minnesota \* Pennsylvania \* Texas



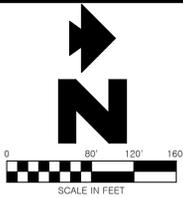
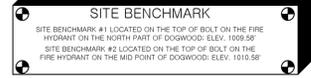
Know what's below.  
Call before you dig.

JOB NO.: 28621	SHEET NO.
DWG NAME: 28621 PROJ	1 of 37
DATE: 2/2/16	
3:03 PM	
REV-7	

Square Feet & Acreage				
	Street R-O-W	LOTS	Common Property	Limited Common Property
Square Feet	161,578	485,934	64,121	165,580
Acreage	3.71	11.16	1.47	3.80

SITE AREAS	
AREA 1 COMMON PROPERTY	+0.12 AC / 5,230 SF
AREA 2 COMMON PROPERTY	+1.00 AC / 40,602 SF
AREA 3 LIMITED COMMON PROPERTY	+3.80 AC / 165,580 SF
AREA 4 COMMON PROPERTY	+0.35 AC / 15,289 SF

SITE INFO						
TOTAL SITE AREA	+20.14 AC / 877,213 SF					
TOTAL COMMON PROPERTY AREA	+5.27 AC / 229,701 SF					
DENSITY						
ZONING DISTRICT	MAXIMUM DENSITY PERMITTED					
PZD	2.66 UNITS PER ACRE					
PZD BULK AND AREA STANDARDS (FEET)						
DISTRICT	STRUCTURE TYPE	MINIMUM LOT AREA (SQ. FT.)	MINIMUM STREET FRONTAGE	MINIMUM WIDTH	MINIMUM DEPTH	MINIMUM LOT COVERAGE
PZD	SINGLE-FAMILY	8,000	50	50	100	40 PERCENT
SETBACK REQUIREMENTS (FEET)						
DISTRICT	FRONT	SIDE	REAR			
PZD	20	8	20			



EXISTING LEGEND

- EAST OR ELECTRIC NORTH
  - OVERHEAD
  - SOUTH OR SEWER TELEPHONE
  - UNDERGROUND WEST OR WATER
  - PROPERTY LINE
  - RIGHT OF WAY LINE
  - STORM DRAIN
  - GAS
  - OVERHEAD ELECTRIC
  - OVERHEAD ELECTRIC AND TELEPHONE
  - OVERHEAD TELEPHONE
  - OVERHEAD TV
  - SANITARY SEWER
  - UNDERGROUND ELECTRIC
  - UNDERGROUND ELECTRIC AND TELEPHONE
  - UNDERGROUND TELEPHONE
  - UNDERGROUND TV
  - WATER
- 5-10-11 50.5  
.5 = DIAMETER OF TRUNK IN FEET  
10 = HEIGHT OF TREE IN FEET  
11 = CANOPY DIAMETER IN FEET  
50.5 = ELEVATION AT BASE OF TREE

PROPOSED LEGEND

- PROPERTY LINE/RIGHT OF WAY LINE
- CONCRETE CURB AND GUTTER
- UTILITY EASEMENT
- PAVEMENT WIDENING
- LIMITS OF SIDEWALKS
- LIMITS OF PUBLIC RIGHT OF WAY
- PA-1 LIMITS OF DEVELOPMENT LOTS
- PA-2 LIMITS OF COMMON PROPERTY/OPEN SPACE
- PA-3 LIMITS OF LIMITED COMMON PROPERTY

GENERAL DRAINAGE NOTES

- A. SEE PLAN FOR SIZE OF DRIVEWAY CULVERTS TO BE INSTALLED AT EACH DRIVEWAY DITCH LOCATION. CONTRACTOR TO COORDINATE EXACT LOCATION FOR EACH INSTALLATION WITH THE CITY AT THE TIME OF HOUSE CONSTRUCTION.



PLANNED ZONING DISTRICT (PZD) - COUNTRY CLUB VILLAS

I. GENERAL DESCRIPTION.  
A. THE GOAL OF THE COUNTRY CLUB VILLAS PZD IS TO PROVIDE SAFE, SOUND, ECONOMIC, AND INNOVATIVE HOUSING SOLUTIONS FOR ALL CITIZENS.  
SPECIFIC GOALS OF THE PZD INCLUDE:  
1. PROVISIONS OF ADEQUATE SPACE WITHIN THE PZD BOUNDARIES TO CREATE AN APPROPRIATE MIX OF HOUSING FLOORPLANS;  
2. CONTROL OF STRUCTURE HEIGHT TO PROVIDE LIGHT AND AIR MOVEMENT THROUGH WINDOWS AND BETWEEN UNITS;  
3. PROMOTION OF DESIRABLE LAND USE AND DEVELOPMENT IN ORDER TO PROTECT DISTRICT CHARACTER AND TO CONSERVE LAND AND BUILDING VALUE;  
4. PROVISIONS OF OPEN SPACE DEDICATION.

II. DISTRICT PURPOSES.  
A. PZD - COUNTRY CLUB VILLAS. THIS DISTRICT IS INTENDED TO CREATE A SUITABLE ENVIRONMENT FOR DEVELOPMENT OF QUALITY DETACHED SINGLE-FAMILY DWELLINGS WITH COMPARATIVE DENSITIES, AND RELATED FACILITIES NORMALLY REQUIRED FOR A BALANCED AND ATTRACTIVE RESIDENTIAL AREA WHILE ALSO PROVIDING DEDICATED OPEN SPACE. THE COUNTRY CLUB VILLAS PZD SHALL BE COMPRISED OF THREE DISTRICT AREAS:  
1. PLANNING AREA 1 (PA-1) RESIDENTIAL SINGLE FAMILY  
2. PLANNING AREA 2 (PA-2) COMMON SPACE  
3. PLANNING AREA 3 (PA-3) LIMITED COMMON SPACE

I. PLANNING AREA 1 (PA-1) RESIDENTIAL SINGLE FAMILY REQUIREMENTS  
A. PZD BULK AND AREA REQUIREMENTS.  
1. DENSITY. THE MAXIMUM DENSITY PERMITTED UNDER THIS DISTRICT IS 2.66 RESIDENTIAL UNITS PER ACRE.  
2. LOT AND AREA REQUIREMENTS:

District	Structure Type	Minimum Lot Area (sq. ft.)	Minimum Street Frontage	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Coverage
PZD	Single family	8,000	50	50	100	40 percent

3. MINIMUM SETBACK REQUIREMENTS:  
a) GARAGES. THE MINIMUM SETBACK FOR FRONT-LOADING GARAGES SHALL BE TEN (10) FEET FROM THE FRONT ELEVATION OF THE PRINCIPLE STRUCTURE AND SET BACK A MINIMUM OF THIRTY (30) FEET FROM THE FRONT PROPERTY LINE. SIDE-LOADING GARAGES SHALL BE SET BACK A MINIMUM OF TWENTY (20) FEET FROM ANY PROPERTY LINE.  
b) RESIDENCES. PRINCIPLE RESIDENTIAL STRUCTURES SHALL BE SET BACK NO LESS THAN: TWENTY (20) FEET FROM THE FRONT OF THE LOT, EIGHT (8) FEET FROM ANY SIDE LOT LINE, AND TWENTY (20) FEET FROM THE REAR OF ANY LOT.  
c) EASEMENTS. WHERE A UTILITY EASEMENT EXTENDS BEYOND THE REQUIRED SETBACK, THE EDGE OF THE UTILITY EASEMENT SHALL BE THE SETBACK.

B. SETBACKS. BUILDING SETBACKS SHOWN ON THE LOTS ARE ALSO TO SERVE AS UTILITY, ACCESS, AND DRAINAGE EASEMENTS.  
C. HEIGHT REQUIREMENTS. THE MAXIMUM HEIGHT PERMITTED IN THE PZD DISTRICT IS FORTY (40) FEET.  
D. PARKING. EACH INDIVIDUAL UNIT SHALL PROVIDE OFF-STREET PARKING WITHIN A TWO CAR GARAGE.  
E. FENCING. FENCING IN ANY FORM IS NOT PERMITTED WITHIN THE COUNTRY CLUB VILLAS PZD.  
F. LANDSCAPING. EACH INDIVIDUAL UNIT SHALL PROVIDE AT LEAST TWO TREES IN THE FRONT YARD AND ONE IN THE BACK YARD OF EACH LOT SELECTED FROM THE RECOMMENDED LANDSCAPING MATERIALS LISTED IN MUNICIPAL CODE SECTION 109-221.  
G. ARCHITECTURE. THROUGH ALL BUILDINGS AND STRUCTURES SHALL ADHERE TO A COMMON ARCHITECTURAL THEME OR STYLE. THE FOOTPRINT OF THE HOMES, MATERIAL UTILIZED TO CREATE THE FACADE OF THE HOME AND A NUMBER OF DIFFERENT CONSTRUCTION PLANS WILL BE UTILIZED SO AS TO CREATE A NON-STANDARDIZED STREET VIEW. NO TWO HOMES SHALL BE CONSTRUCTED IMMEDIATELY ADJACENT TO EACH OTHER THAT UTILIZE THE SAME THREE ELEMENTS (SET FORTH IN THE PREVIOUS SENTENCE) OF THE HOME IMMEDIATELY ADJACENT TO IT.

II. PLANNING AREA 1 - TABLE OF PERMITTED USES.  
A. LOCATION AND DESCRIPTION. THE TABLE OF PERMITTED USES IS LOCATED IN APPENDIX A OF THIS DOCUMENT.  
B. USES NOT LISTED.

1. WHEN A USE IS PROPOSED THAT IS NOT LISTED IN THE TABLE OF PERMITTED USES, THE MAYOR OR HIS DESIGNEE SHALL RECOMMEND THE APPROPRIATE DISTRICTS THAT THE USE MAY BE LOCATED IN, BASED ON LAND USES THAT ARE SIMILAR IN SIZE, BULK, AND TRAFFIC GENERATION. IF THE APPLICANT DOES NOT AGREE WITH THIS INTERPRETATION, HE MAY APPEAL THE INTERPRETATION TO THE BOARD OF ZONING ADJUSTMENT.  
2. IF THE MAYOR OR HIS DESIGNEE FAILS TO MAKE AN INTERPRETATION FOR THE USE IN QUESTION, THEN THE APPLICATION SHALL BE HANDLED AS A PROPOSED AMENDMENT TO THIS DOCUMENT AND SHALL BE PROCESSED IN ACCORDANCE WITH CITY OF BELLA VISTA REQUIREMENTS.

III. PLANNING AREA 2 (PA-2) COMMON SPACE REQUIREMENTS  
A. DEFINITION: COMMON SPACE IN THE COUNTRY CLUB VILLAS PZD IS LAND DEVOTED TO CONSERVATION OR RECREATIONAL PURPOSES AND/OR LAND DESIGNATED TO REMAIN UNDEVELOPED.

IV. PLANNING AREA 2 (PA-2) - TABLE OF PERMITTED USES.  
A. LOCATION AND DESCRIPTION. THE TABLE OF PERMITTED USES IS LOCATED IN APPENDIX A OF THIS DOCUMENT.  
B. USES NOT LISTED.

1. WHEN A USE IS PROPOSED THAT IS NOT LISTED IN THE TABLE OF PERMITTED USES, THE MAYOR OR HIS DESIGNEE SHALL RECOMMEND THE APPROPRIATE DISTRICTS THAT THE USE MAY BE LOCATED IN, BASED ON LAND USES THAT ARE SIMILAR IN SIZE, BULK, AND TRAFFIC GENERATION. IF THE APPLICANT DOES NOT AGREE WITH THIS INTERPRETATION, HE MAY APPEAL THE INTERPRETATION TO THE BOARD OF ZONING ADJUSTMENT.  
2. IF THE MAYOR OR HIS DESIGNEE FAILS TO MAKE AN INTERPRETATION FOR THE USE IN QUESTION, THEN THE APPLICATION SHALL BE HANDLED AS A PROPOSED AMENDMENT TO THIS DOCUMENT AND SHALL BE PROCESSED IN ACCORDANCE WITH CITY OF BELLA VISTA REQUIREMENTS.

V. PLANNING AREA 3 (PA-3) LIMITED COMMON SPACE REQUIREMENTS  
A. DEFINITION: LIMITED COMMON SPACE IN THE COUNTRY CLUB VILLAS PZD IS LAND DEVOTED TO CONSERVATION OR RECREATIONAL PURPOSES AND/OR LAND DESIGNATED TO REMAIN UNDEVELOPED.

VI. PLANNING AREA 3 (PA-3) - TABLE OF PERMITTED USES.  
A. LOCATION AND DESCRIPTION. THE TABLE OF PERMITTED USES IS LOCATED IN APPENDIX A OF THIS DOCUMENT.  
B. USES NOT LISTED.

1. WHEN A USE IS PROPOSED THAT IS NOT LISTED IN THE TABLE OF PERMITTED USES, THE MAYOR OR HIS DESIGNEE SHALL RECOMMEND THE APPROPRIATE DISTRICTS THAT THE USE MAY BE LOCATED IN, BASED ON LAND USES THAT ARE SIMILAR IN SIZE, BULK, AND TRAFFIC GENERATION. IF THE APPLICANT DOES NOT AGREE WITH THIS INTERPRETATION, HE MAY APPEAL THE INTERPRETATION TO THE BOARD OF ZONING ADJUSTMENT.  
2. IF THE MAYOR OR HIS DESIGNEE FAILS TO MAKE AN INTERPRETATION FOR THE USE IN QUESTION, THEN THE APPLICATION SHALL BE HANDLED AS A PROPOSED AMENDMENT TO THIS DOCUMENT AND SHALL BE PROCESSED IN ACCORDANCE WITH CITY OF BELLA VISTA REQUIREMENTS.

VII. COUNTRY CLUB VILLAS PZD - PERMANENT SIGNS.  
A. PERMIT REQUIRED. PERMANENT SIGNS MUST OBTAIN A SIGN PERMIT AS OUTLINED IN THE CITY OF BELLA VISTA CODE OF ORDINANCES SECTION 109-46, SUBJECT TO THE REGULATIONS SPECIFIED IN THIS SECTION.  
B. ATTACHED SIGNAGE. PERMANENT SIGNAGE ATTACHED TO OR INTEGRAL TO A BUILDING OR STRUCTURE IS NOT PERMITTED WITHIN THE PZD.  
C. MONUMENT SIGNAGE. MONUMENT SIGNAGE IS SUBJECT TO THE FOLLOWING REGULATIONS:

1. MAXIMUM HEIGHT. MONUMENT SIGNS SHALL BE LIMITED TO SEVEN (7) FEET IN HEIGHT.
2. MAXIMUM AREA. MONUMENT SIGNS SHALL BE LIMITED TO THIRTY-TWO (32) SQUARE FEET OF SIGN AREA PER SIDE.
3. LANDSCAPING. DECORATIVE STONES, CRUSHED GRANITE, OR RIVER STONE SHALL BE REQUIRED AROUND THE SIGN.
4. ILLUMINATION.
  1. SOURCE. SIGNS MAY BE ILLUMINATED FROM WITHIN OR FROM AN EXTERNAL SOURCE, BUT SUCH ILLUMINATION SHALL BE IN A MANNER WHICH AVOIDS GLARE OR REFLECTION WHICH IN ANY WAY INTERFERES WITH TRAFFIC SAFETY OR INFRINGES ON NEIGHBORING RESIDENTIAL DISTRICTS.
  2. INTERNAL ILLUMINATION. INTERNALLY ILLUMINATED SIGNS SHALL HAVE AN OPAQUE BACKGROUND AND TRANSLUCENT COPY.
  3. EXTERNAL ILLUMINATION. EXTERNAL ILLUMINATION SHALL BE SELECTED, LOCATED, AIMED AND SHIELDED SO THAT DIRECT ILLUMINATION IS FOCUSED SOLELY ON THE SIGN FACE, AWAY FROM ADJOINING PROPERTIES AND THE PUBLIC STREET RIGHT-OF-WAY.
  4. STRING LIGHTS. SIGNS SHALL NOT BE ILLUMINATED BY A STRING OF LIGHTS PLACED AROUND THE SIGN.
  5. LIGHTING ADJACENT TO RESIDENTIAL AREAS. SIGN LIGHTING SHALL NOT BE A NUISANCE TO ADJACENT NEIGHBORING RESIDENTIAL AREAS.

APPENDIX A - TABLE OF PERMITTED USES

Key to Uses: P = Permitted Use C = Conditional Use	Zoning District: Country Club Villas PZD		
	PA-1, Residential Single-family	PA-2, Common Space	PA-3, Limited Common Space
TYPE OF USE	PA-1	PA-2	PA-3
Accessory building, nonresidential	P	P	P
Accessory building, residential	P		
Animal - domestic or household	P		
Art gallery, museum or similar public use	C		
Community center: public	P		
Detention Pond		P	P
Golf courses, clubhouse	C	P	
Park, public or private	P	P	P
Public buildings, government services	C		
Public utilities facilities	C		
Recreational facilities, outdoor		P	P
Temporary uses	P		

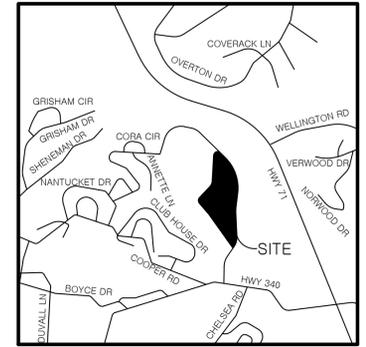
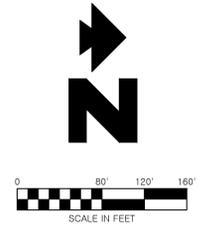
(Country Club Villas PZD, app. A)

Page 1



28621	2/2/16	TCO	TCO	DKH	DKH
CEI PROJECT NO.	INITIAL DATE	DPOR	PM	DES	DRW
<b>CEI Engineering Associates, Inc.</b>					
ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS					
3108 S.W. REGENCY PARKWAY, SUITE 2 Bentonville, AR 72712				(479)273-9472 FAX (479)273-0844	
<b>COUNTRY CLUB VILLAS</b>					
<b>DOGWOOD DRIVE</b>					
<b>BELLA VISTA, ARKANSAS</b>					
<b>MASTER DEVELOPMENT PLAN</b>				REV DATE 2/2/16 REV-7	SHEET NO. 2 OF 37

**SITE BENCHMARK**  
 SITE BENCHMARK #1 LOCATED ON THE TOP OF BOLT ON THE FIRE HYDRANT ON THE NORTH PART OF DOGWOOD ELEV. 1008.59  
 SITE BENCHMARK #2 LOCATED ON THE TOP OF BOLT ON THE FIRE HYDRANT ON THE MID POINT OF DOGWOOD ELEV. 1010.59



**Vicinity Map**  
 Not to Scale

**EXISTING LEGEND**

—	EAST OR ELECTRIC
—	NORTH
—	OVERHEAD
—	SOUTH OR SEWER
—	TELEPHONE
—	UNDERGROUND
—	WEST OR WATER
—	PROPERTY LINE
—	RIGHT OF WAY LINE
—	STORM DRAIN
—	X"Ø GAS
—	OVERHEAD ELECTRIC
—	OVERHEAD ELECTRIC AND TELEPHONE
—	OVERHEAD TELEPHONE
—	OVERHEAD TV
—	SANITARY SEWER
—	UNDERGROUND ELECTRIC
—	UNDERGROUND ELECTRIC AND TELEPHONE
—	UNDERGROUND TELEPHONE
—	UNDERGROUND TV
—	WATER
—	TREE INFO
5-10	5" DIAMETER OF TRUNK IN FEET
10	HEIGHT OF TREE IN FEET
11	CANOPY DIAMETER IN FEET
50.5	ELEVATION AT BASE OF TREE

**LEGEND**

—	Boundary Line
—	Lot/Deed Line
—	Adjoining Boundary Line
—	Right-of-Way Line
—	Easement/Setback Line
—	Centerline
—	Limits of Detention Pond
—	Found Rebar (As Noted)
—	Set Rebar (LS#1337)
—	Limited Common Property
◆	L.C.P.

Square Feet & Acreage				
	Street R-O-W	LOTS	Common Property	Limited Common Property
Square Feet	161,578	485,934	64,121	165,580
Acreage	3.71	11.16	1.47	3.80

**Certificate of Preliminary Survey Accuracy.**

I, \_\_\_\_\_, hereby certify that this plan correctly represents a boundary survey made by me and all monuments shown herein actually exist and their location, size, type and material are correctly shown.  
 Date of Execution: \_\_\_\_\_  
 Registered Land Surveyor  
 State of Arkansas  
 Registration No. \_\_\_\_\_

**CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY**  
 I, THOMAS OPPENHEIM, HEREBY CERTIFY THAT THIS PLAN CORRECTLY REPRESENTS A PLAN PREPARED UNDER MY DIRECTION AND ENGINEERING REQUIREMENTS OF THE BELLA VISTA SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.  
 SIGNED: \_\_\_\_\_ DATE OF EXECUTION: \_\_\_\_\_  
 REGISTERED REGISTERED ENGINEER  
 STATE OF ARKANSAS REGISTRATION NO. \_\_\_\_\_

**CERTIFICATE OF PRELIMINARY PLAT APPROVAL**  
 THIS PLAT HAS BEEN GIVEN PRELIMINARY PLAT APPROVAL ONLY AND HAS NOT BEEN APPROVED FOR RECORDING PURPOSES AS A PUBLIC RECORD. THIS CERTIFICATE EXPIRES ON \_\_\_\_\_ (DATE)  
 DATE OF EXECUTION: \_\_\_\_\_  
 CHAIRMAN, CITY OF BELLA VISTA PLANNING COMMISSION



Know what's below.  
 Call before you dig.



**CEI Engineering Associates, Inc.**  
 ENGINEERS • PLANNERS • SURVEYORS  
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 Bentonville, AR 72712 FAX (479) 273-0844

38621	2/2/16	TCO	TCO	DKH	DKH
CEI PROJECT NO.	INITIAL DATE	DPOR	PM	DES	DRW
<b>COUNTRY CLUB VILLAS</b>					
<b>DOGWOOD DRIVE</b>					
<b>BELLA VISTA, ARKANSAS</b>					
<b>PRELIMINARY PLAT</b>					
REV DATE	2/2/16	SHEET NO.		3 OF 37	
REV-7					



THE FOLLOWING NOTES CONSTITUTE A PART OF THIS PLAT AND ARE TO BE READ IN CONNECTION WITH THE PLAT AND ALL PROPERTY REFLECTED THEREON

- AT 10:00 O'CLOCK A.M. ON THE 18TH DAY OF MAY, 1965, THE DEVELOPER, JOINED BY BELLA VISTA COUNTRY CLUB (NOW BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION) A NON-PROFIT CORPORATION, FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER IN AND FOR BENTON COUNTY, ARKANSAS, A SEQ. THIS PLAT IS FILED CONTEMPORANEOUSLY WITH THE FILING OF THE SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS, EXECUTED BY THE DEVELOPER WHICH HAS THE EFFECT OF BRINGING THE LANDS REFLECTED UPON THIS PLAT WITHIN THE PROVISIONS OF THE DECLARATION AFORESAID FILED FOR RECORD ON MAY 18, 1965, WHICH IN ITS ENTIRETY, IS BY REFERENCE MADE A PART OF THIS PLAT. THE PROVISIONS OF THE DECLARATION AND SUPPLEMENTAL DECLARATION AFORESAID SHALL CONTROL AS TO THE PLAT EXCEPT ONLY AS TO THE PROVISIONS HEREIN CONTAINED.
- ALL ROADS AND STREETS REFLECTED UPON THE PLAT ARE DEDICATED TO THE GENERAL PUBLIC, AS WELL AS TO THE OWNERS, PRESENT AND FUTURE, OF LAND REFLECTED UPON SAID PLAT
- THE COMMON PROPERTIES REFLECTED UPON THE PLAT ARE INTENDED TO BE DEVOTED TO THE COMMON USE AND ENJOYMENT OF THE OWNERS OF THE LOTS REFLECTED UPON SAID PLAT AS WELL AS THE OWNERS OF ALL OF THE PROPERTIES AS SO DEFINED IN THE DECLARATION AFORESAID AND SHALL IN NOWISE BE CONSIDERED AS DEDICATED FOR USE TO THE GENERAL PUBLIC.
- THE LIMITED COMMON PROPERTIES REFLECTED UPON THIS PLAT ARE INTENDED TO BE DEVOTED TO THE COMMON USE AND ENJOYMENT OF THE OWNERS OF LOTS IN THE COUNTRY CLUB VILLAS SUBDIVISION ONLY AS REFLECTED UPON THIS PLAT AND AS DEFINED IN THE ACCOMPANYING SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS, RECORDED HERewith, AND THE SAID LIMITED COMMON PROPERTIES SHALL IN NOWISE BE CONSIDERED AS DEDICATED FOR USE OF ANY OTHER PERSON. THE USE OF THE LIMITED COMMON PROPERTY IS SUBJECT, HOWEVER, TO ARTICLE VII AND ARTICLE IX OF THE DECLARATION.
- UTILITY AND DRAINAGE EASEMENTS ARE RESERVED BY THE DEVELOPER UPON ALL PROPERTY COVERED BY THE PLAT PURSUANT TO ARTICLE IV OF THE DECLARATION AFORESAID UNLESS SPECIFICALLY DESIGNATED OTHERWISE ON THE PLAT OR IN THE NOTES.

- ALL LOTS REFLECTED UPON THE PLAT ARE RESIDENTIAL LOTS, AND ONLY SINGLE FAMILY DETACHED STRUCTURES MAY BE BUILT AND CONSTRUCTED THEREON PURSUANT TO THE PROVISIONS, RESTRICTIONS AND PROTECTIVE COVENANTS AS CONTAINED IN THE DECLARATION AFORESAID. NO SINGLE FAMILY DETACHED STRUCTURE SHALL BE CONSTRUCTED WHICH SHALL HAVE A FLOOR SPACE OF LESS THAN 1,600 SQUARE FEET.
- SET BACK LINES AS INDICATED UPON THE PLAT SHALL CONTROL AS TO CONSTRUCTION OF A STRUCTURE UPON THE LOTS REFLECTED THEREON SUBJECT, HOWEVER, TO THE PROVISIONS OF THE DECLARATION AFORESAID.
- OWNERS SHALL COMPLY WITH THE PROVISIONS OF PARAGRAPH 16 OF THE PROTECTIVE COVENANTS WHICH COVENANTS ARE EXHIBIT 1 OF THE DECLARATION AFORESAID, AS TO ALL AREAS INDICATED AS PROTECTIVE SCREENING AREAS UPON THE PLAT.
- DEVELOPER, ITS SUCCESSORS AND ASSIGNS, HEREBY RESERVES A PERPETUAL BLANKET EASEMENT, PRIVILEGE AND RIGHT IN, UPON OVER AND ACROSS THE COMMON PROPERTIES REFLECTED HEREON, IF ANY, FOR PURPOSES OF CONSTRUCTING AND MAINTAINING SUCH ROADS, STREETS OR HIGHWAYS AS IT SHALL DETERMINE TO BE NECESSARY OR DESIRABLE IN ITS SOLE DISCRETION, INCLUDING SUCH CUTS, GRADING, LEVELING, FILLING, DRAINING, PAVING, BRIDGES, CULVERTS, RAMPS AND ANY AND ALL OTHER ACTIONS OR INSTALLATIONS WHICH IT DEEMS NECESSARY OR DESIRABLE FOR SUCH ROADS, STREETS OR HIGHWAYS TO BE SUFFICIENT FOR ALL PURPOSES OF TRANSPORTATION AND TRAVEL. THE WIDTH AND LOCATION OF THE RIGHT OF WAY FOR SUCH ROADS, STREETS OR HIGHWAYS SHALL BE WITHIN THE SOLE DISCRETION OF DEVELOPER, ITS SUCCESSORS AND ASSIGNS, PROVIDED, HOWEVER, THAT DEVELOPER, ITS SUCCESSORS AND ASSIGNS, FURTHER RESERVES THE UNRESTRICTED AND SOLE RIGHT AND POWER OF DESIGNATING SUCH ROADS, STREETS OR HIGHWAYS AS PUBLIC OR PRIVATE AND OF ALIENATING AND RELEASING THE PRIVILEGES, EASEMENTS AND RIGHTS RESERVED HEREIN.
- IN THE EVENT IT BECOMES NECESSARY TO AMEND THIS PLAT SUBSEQUENT TO THE RECORDATION HEREOF FOR CORRECTION OF SCRIBER ERRORS HEREON, THE DEVELOPER HEREBY RESERVES THE RIGHT TO DO SO, UNILATERALLY, PROVIDED, HOWEVER, THAT ANY AMENDMENT WHICH MAY AFFECT THE OWNERSHIP INTEREST OF ANY THIRD PARTY SHALL NOT BE EFFECTIVE WITHOUT THE WRITTEN CONSENT OF SAID THIRD PARTY TO THE AMENDMENT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 COOPER HOMES INC.  
 BY \_\_\_\_\_  
 TITLE \_\_\_\_\_

**NOTES:**

- 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.
- THE CONTRACTOR MUST DETERMINE THAT PROPOSED STRUCTURES ARE CLEAR OF ALL BOUNDARY LINES, EASEMENTS, AND MEET BUILDING SETBACK REQUIREMENTS BEFORE CONSTRUCTION BEGINS.
- BASIS OF BEARINGS NAD83 STATE PLANE COORDINATE SYSTEM (AR NORTH ZONE).
- THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
- BUILDING SETBACKS ARE AS FOLLOWS:  
 FRONT: 20 FEET  
 SIDE: 8 FEET  
 REAR: 20 FEET
- BY SCALED MAP LOCATION AND GRAPHICAL PLOTTING ONLY. THIS PROPERTY IS LOCATED IN ZONE "X" WHICH ARE AREA OF 0.2% CHANCE FLOOD AND NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOODPLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS.  
 MAP NUMBER: 05007C006J  
 MAP REVISED: SEPTEMBER 28, 2007
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED NOR CONSIDERED A PART OF THIS SURVEY.
- ALL EASEMENTS ARE 20.0' UTILITY EASEMENTS UNLESS OTHERWISE NOTED.
- ALL SETBACK AREAS ARE RESERVED AS UTILITY, ACCESS, AND DRAINAGE EASEMENTS.

JOB # 28621 DRAWING: 28621 PROJ.DWG LAST SAVED BY: DPHELMAN LOCATION: G:\WORK\2006\28621.DWG DRAWING: 28621 PROJ.DWG

Line #	Length	Direction
L1	87.07	N35° 01' 54.94"W
L2	105.06	S55° 30' 58.26"W
L3	87.96	S37° 33' 32.68"E
L4	101.18	N55° 05' 04.84"E
L5	85.76	S34° 39' 35.21"E
L6	105.06	S55° 30' 58.26"W
L7	66.79	N37° 33' 32.68"W
L8	109.02	N57° 37' 37.37"E
L9	85.09	S32° 07' 36.06"E
L10	109.02	S57° 37' 37.37"W
L11	30.61	N27° 00' 09.39"W
L12	103.86	S62° 21' 52.22"E
L13	81.73	S20° 03' 48.86"E
L14	103.86	S62° 21' 52.22"W
L15	104.37	N76° 33' 42.94"E
L16	82.96	S7° 21' 35.29"E
L17	104.37	S76° 33' 42.94"W
L18	109.30	N86° 17' 30.99"E
L19	83.04	S1° 46' 12.46"W
L20	109.30	S86° 17' 30.99"W

Line #	Length	Direction
L21	113.20	S85° 25' 41.25"E
L22	80.73	S9° 23' 53.92"W
L23	113.20	N85° 25' 41.25"W
L24	114.36	S75° 07' 52.08"E
L25	83.93	S17° 24' 17.25"W
L26	114.36	N75° 07' 52.08"W
L27	46.38	N18° 20' 07.78"E
L28	114.77	S71° 18' 01.60"E
L29	90.37	S17° 24' 17.25"W
L30	114.77	N71° 18' 01.60"W
L31	84.17	N18° 20' 07.78"E
L32	113.43	S74° 25' 26.62"E
L33	91.59	S12° 43' 25.80"W
L34	113.43	N74° 25' 26.62"W
L35	19.25	N18° 20' 07.78"E
L36	107.83	S78° 17' 21.79"E
L37	91.46	S12° 43' 25.80"W
L38	107.83	N78° 17' 21.79"W
L39	111.77	S82° 09' 37.92"E
L40	95.98	S2° 37' 03.79"W

Line #	Length	Direction
L41	111.77	N82° 09' 37.92"W
L42	109.31	S88° 47' 14.03"E
L43	95.80	S2° 32' 25.11"E
L44	109.31	N88° 47' 14.03"W
L45	108.78	N84° 10' 24.84"E
L46	90.56	S7° 29' 20.25"E
L47	108.78	S84° 10' 24.84"W
L48	110.20	N80° 27' 49.60"E
L49	86.58	S11° 54' 45.15"E
L50	110.20	S80° 27' 49.60"W
L51	105.52	N79° 57' 27.29"E
L52	109.04	S83° 32' 31.24"E
L53	111.98	N85° 40' 59.15"W
L54	86.74	S4° 02' 18.57"W
L55	111.98	S85° 40' 59.15"E
L56	109.98	N85° 44' 30.23"W
L57	85.68	S4° 02' 18.57"W
L58	109.98	S85° 44' 30.23"E
L59	111.37	N80° 30' 48.56"W
L60	92.77	S4° 02' 18.57"W

Line #	Length	Direction
L61	111.37	S80° 30' 48.56"E
L62	117.02	N69° 17' 48.47"W
L63	99.53	S16° 09' 09.87"W
L64	117.02	S69° 17' 48.47"E
L65	74.02	N30° 47' 47.51"E
L66	121.86	N61° 01' 21.82"W
L67	96.61	S26° 52' 56.18"W
L68	121.86	S61° 01' 21.82"E
L69	85.85	N30° 47' 47.51"E
L70	119.90	N59° 31' 31.69"W
L71	89.07	S32° 01' 07.73"W
L72	119.90	S59° 31' 31.69"E
L73	58.53	N30° 47' 47.51"E
L74	134.28	N80° 20' 32.36"W
L75	70.80	S17° 30' 37.30"W
L76	134.28	S80° 20' 32.36"E
L77	12.99	N41° 35' 31.03"W
L78	122.09	S53° 48' 23.67"W
L79	48.87	S14° 51' 00.05"E
L80	122.09	N53° 48' 23.67"E

Line #	Length	Direction
L81	94.34	N41° 35' 31.03"W
L82	112.26	S48° 24' 28.93"W
L83	83.37	S35° 11' 36.95"E
L84	112.26	N48° 24' 28.93"E
L85	85.69	N41° 35' 31.03"W
L86	112.26	S48° 24' 28.93"W
L87	85.69	S41° 35' 31.03"E
L88	85.32	S38° 01' 13.83"E
L89	112.26	N48° 24' 28.93"E
L90	87.03	N41° 35' 31.03"W
L91	107.28	S44° 23' 09.20"W
L92	94.09	N54° 58' 19.54"E
L93	121.54	N55° 05' 54.55"W
L94	55.43	S48° 52' 02.49"W
L95	106.47	S50° 39' 20.55"E
L96	115.55	N18° 17' 38.06"E
L97	114.52	N80° 32' 30.57"W
L98	10.38	S10° 34' 33.58"W
L99	121.54	S55° 05' 54.55"E
L100	86.08	N8° 48' 06.69"E

Line #	Length	Direction
L101	111.87	N80° 44' 25.03"W
L102	81.57	S10° 34' 33.58"W
L103	114.52	S80° 32' 30.57"E
L104	90.18	N8° 48' 06.69"E
L105	112.02	N83° 29' 08.85"W
L106	111.87	S80° 44' 25.03"E
L107	93.16	N5° 47' 14.03"E
L108	112.73	N87° 55' 45.26"W
L109	112.02	S83° 29' 08.85"E
L110	84.26	N1° 41' 01.54"E
L111	111.53	N84° 47' 55.09"W
L112	112.73	S87° 55' 45.26"E
L113	74.40	N12° 48' 34.45"E
L114	117.30	N64° 35' 38.94"W
L115	38.98	S3° 07' 38.64"W
L116	111.53	S84° 47' 55.09"E
L117	49.20	N31° 36' 34.95"E
L118	117.91	N60° 00' 11.68"W
L119	74.14	S30° 47' 47.51"W
L120	117.30	S64° 35' 38.94"E

Line #	Length	Direction
L121	85.63	N31° 36' 34.95"E
L122	119.13	N60° 00' 11.68"W
L123	85.61	S30° 47' 47.51"W
L124	117.91	S60° 00' 11.68"E
L125	44.69	N30° 36' 21.74"E
L126	122.70	N69° 30' 00.28"W
L127	58.89	S30° 47' 47.51"W
L128	119.13	S60° 00' 11.68"E
L129	109.34	N13° 20' 02.72"E
L130	121.98	N85° 24' 43.71"W
L131	122.70	S69° 30' 00.28"E
L132	140.27	N4° 21' 35.55"W
L133	136.09	S58° 48' 32.81"W
L134	121.98	S85° 24' 43.71"E
L135	103.21	N41° 44' 53.85"W
L136	111.00	S49° 40' 24.53"W
L137	136.09	N58° 48' 32.81"E
L138	87.58	N41° 44' 53.85"W
L139	110.39	S48° 54' 32.82"W
L140	74.16	S41° 35' 31.03"E

TOTAL PROJECT DESCRIPTION

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 22 ALL BEING IN TOWNSHIP 21 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 PER PLAT BOOK L, PAGE 159; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 1,315.74 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 68.60 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352) AND THE POINT OF BEGINNING:

THENCE NORTH 08°41'32" WEST, A DISTANCE OF 531.57 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 41°56'30" WEST, A DISTANCE OF 455.24 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 19° 11' 19" WEST A DISTANCE OF 191.91 FEET; THENCE NORTH 47° 01' 38" EAST A DISTANCE OF 172.33 FEET; THENCE NORTH 31°36'35" EAST A DISTANCE OF 189.14 FEET; THENCE NORTH 11°06'28" EAST A DISTANCE OF 67.07 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 06°35'33" EAST, A DISTANCE OF 538.59 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352); THENCE NORTH 48°51'54" EAST, CROSSING THE WEST RIGHT-OF-WAY OF AFOREMENTIONED DOGWOOD DRIVE AT A DISTANCE OF 96.46 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 136.71 FEET TO THE EAST RIGHT-OF-WAY OF AFOREMENTIONED DOGWOOD DRIVE;

THENCE ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING TWELVE (12) CURVES:

- (1) ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 72.75 FEET, HAVING A RADIUS OF 661.61 FEET, THROUGH A CENTRAL ANGLE OF 06°18'01", AND HAVING A CHORD WHICH BEARS SOUTH 50°53'53" EAST, A DISTANCE OF 72.72 FEET;
- (2) ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 84.21 FEET, HAVING A RADIUS OF 416.74 FEET, THROUGH A CENTRAL ANGLE OF 11°34'42", AND HAVING A CHORD WHICH BEARS SOUTH 48°15'39" EAST, A DISTANCE OF 84.07 FEET;
- (3) SOUTH 40°00'56" EAST, A DISTANCE OF 22.35 FEET;
- (4) SOUTH 37°33'25" EAST, A DISTANCE OF 245.87 FEET;
- (5) ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 79.77 FEET, HAVING A RADIUS OF 432.83 FEET, THROUGH A CENTRAL ANGLE OF 10°33'37", AND HAVING A CHORD WHICH BEARS SOUTH 32°16'37" EAST, A DISTANCE OF 79.66 FEET;
- (6) SOUTH 26°59'48" EAST, A DISTANCE OF 30.62 FEET;
- (7) ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 500.21 FEET, HAVING A RADIUS OF 633.20 FEET, THROUGH A CENTRAL ANGLE OF 45°15'45", AND HAVING A CHORD WHICH BEARS SOUTH 04°21'56" EAST, A DISTANCE OF 487.31 FEET;
- (8) SOUTH 18°15'56" WEST, A DISTANCE OF 149.93 FEET;
- (9) ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 380.11 FEET, HAVING A RADIUS OF 722.24 FEET, THROUGH A CENTRAL ANGLE OF 30°09'16", AND HAVING A CHORD WHICH BEARS SOUTH 03°11'18" WEST, A DISTANCE OF 375.74 FEET TO A FOUND 1/2" REBAR WITH CAP (LS#352);
- (10) SOUTH 11°53'19" EAST, A DISTANCE OF 20.00 FEET;
- (11) ALONG A CURVE TO THE RIGHT, WITH A LENGTH OF 493.22 FEET, HAVING A RADIUS OF 475.18 FEET, THROUGH A CENTRAL ANGLE OF 59°28'18", AND HAVING A CHORD WHICH BEARS SOUTH 17°50'49" WEST, A DISTANCE OF 471.38 FEET;
- (12) ALONG A CURVE TO THE LEFT, WITH A LENGTH OF 220.12 FEET, HAVING A RADIUS OF 249.05 FEET, THROUGH A CENTRAL ANGLE OF 50°38'20", AND HAVING A CHORD WHICH BEARS SOUTH 22°15'44" WEST, A DISTANCE OF 213.02 FEET;

THENCE LEAVING SAID EAST RIGHT-OF-WAY NORTH 34°37'18" WEST, A DISTANCE OF 76.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 877,213 SQUARE FEET OR 20.14 ACRES, MORE OR LESS.

COMMON AREA NO. 3

A PORTION OF AREA NO. 2, OF BELLA VISTA GOLF COURSE SUBDIVISION, BELLA VISTA, BENTON COUNTY, ARKANSAS, AS FILED IN PLAT L, PAGE 157 BEING DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 31 WEST; THENCE NORTH 00° 00' 00" EAST A DISTANCE OF 1,992.78 FEET; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 47.38 FEET TO THE SOUTHWEST CORNER OF LOT 23 OF SAID SUBDIVISION AND THE POINT OF BEGINNING:

THENCE NORTH 44° 23' 09" EAST A DISTANCE OF 107.28 FEET; THENCE NORTH 38° 01' 14" WEST A DISTANCE OF 85.32 FEET; THENCE NORTH 41° 35' 31" WEST A DISTANCE OF 85.69 FEET; THENCE NORTH 35° 11' 37" WEST A DISTANCE OF 83.37 FEET; THENCE NORTH 14° 51' 00" WEST A DISTANCE OF 48.87 FEET; THENCE NORTH 17° 38' 51" EAST A DISTANCE OF 70.80 FEET; THENCE NORTH 32° 01' 08" EAST A DISTANCE OF 69.07 FEET; THENCE NORTH 28° 52' 56" EAST A DISTANCE OF 96.61 FEET; THENCE NORTH 16° 09' 10" EAST A DISTANCE OF 95.53 FEET; THENCE NORTH 04° 02' 19" EAST A DISTANCE OF 265.18 FEET; THENCE NORTH 63° 32' 31" WEST A DISTANCE OF 109.04 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 69.83 FEET, HAVING A RADIUS OF 1,429.91 FEET, THROUGH A CENTRAL ANGLE OF 02°47'59", AND HAVING A CHORD WHICH BEARS NORTH 09°10'34" EAST, A DISTANCE OF 69.82 FEET; THENCE NORTH 10° 34' 34" EAST A DISTANCE OF 91.96 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 53.46 FEET, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 38° 17' 29", AND HAVING A CHORD WHICH BEARS NORTH 29° 43' 18" EAST, A DISTANCE OF 52.48 FEET; THENCE NORTH 48° 52' 02" EAST A DISTANCE OF 46.77 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 15.91 FEET, HAVING A RADIUS OF 10.00 FEET, THROUGH A CENTRAL ANGLE OF 91° 10' 56", AND HAVING A CHORD WHICH BEARS SOUTH 85° 32' 29" EAST, A DISTANCE OF 14.29 FEET; THENCE SOUTH 39° 57' 01" EAST A DISTANCE OF 10.00 FEET; THENCE NORTH 50° 00' 50" EAST A DISTANCE OF 2.66 FEET; THENCE SOUTH 37° 32' 58" EAST A DISTANCE OF 39.75 FEET; THENCE SOUTH 55° 05' 05" WEST A DISTANCE OF 101.20 FEET; THENCE SOUTH 35° 01' 55" EAST A DISTANCE OF 87.07 FEET; THENCE SOUTH 34° 39' 35" EAST A DISTANCE OF 85.76 FEET; THENCE SOUTH 32° 07' 36" EAST A DISTANCE OF 85.09 FEET; THENCE SOUTH 20° 09' 40" EAST A DISTANCE OF 61.73 FEET; THENCE SOUTH 07° 21' 35" EAST A DISTANCE OF 82.96 FEET; THENCE SOUTH 01° 46' 12" WEST A DISTANCE OF 83.04 FEET; THENCE SOUTH 09° 23' 54" WEST A DISTANCE OF 80.73 FEET; THENCE SOUTH 17° 24' 17" WEST A DISTANCE OF 174.30 FEET; THENCE SOUTH 12° 48' 26" WEST A DISTANCE OF 183.04 FEET; THENCE SOUTH 02° 37' 04" WEST A DISTANCE OF 85.88 FEET; THENCE SOUTH 02° 32' 25" EAST A DISTANCE OF 95.80 FEET; THENCE SOUTH 07° 29' 20" EAST A DISTANCE OF 90.56 FEET; THENCE SOUTH 11° 54' 45" EAST A DISTANCE OF 86.58 FEET; THENCE NORTH 79° 57' 27" EAST A DISTANCE OF 105.52 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 151.81 FEET, HAVING A RADIUS OF 435.18 FEET, THROUGH A CENTRAL ANGLE OF 19° 59' 17", AND HAVING A CHORD WHICH BEARS SOUTH 06° 20' 28" WEST, A DISTANCE OF 151.05 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 7.17 FEET, HAVING A RADIUS OF 10.00 FEET, THROUGH A CENTRAL ANGLE OF 41° 06' 16", AND HAVING A CHORD WHICH BEARS SOUTH 87° 16' 10" WEST, A DISTANCE OF 7.02 FEET; THENCE NORTH 72° 10' 42" WEST A DISTANCE OF 70.35 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, WITH A LENGTH OF 87.82 FEET, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 82° 53' 40", AND HAVING A CHORD WHICH BEARS NORTH 40° 43' 52" WEST, A DISTANCE OF 83.47 FEET; THENCE NORTH 09° 17' 02" WEST A DISTANCE OF 125.21 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, WITH A LENGTH OF 119.09 FEET, HAVING A RADIUS OF 235.72 FEET, THROUGH A CENTRAL ANGLE OF 28° 56' 44", AND HAVING A CHORD WHICH BEARS NORTH 25° 44' 47" WEST, A DISTANCE OF 117.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 165,580 SQUARE FEET OR 3.80 ACRES, MORE OR LESS.

Line #	Length	Direction
L141	111.00	N49° 40' 24.53"E
L142	85.74	N41° 44' 53.85"W
L143	110.15	S48° 54' 32.82"W
L144	85.74	S41° 35' 31.03"E
L145	110.39	N48° 54' 32.82"E
L146	81.74	N41° 44' 53.85"W
L147	111.59	S58° 18' 17.34"W
L148	99.96	S41° 35' 31.03"E
L149	110.15	N48° 54' 32.82"E
L150	79.58	N30° 43' 14.70"W
L151	114.92	S72° 10' 20.37"W
L152	19.58	S41° 35' 31.03"E
L153	111.59	N58° 18' 17.34"E
L154	83.39	N11° 20' 16.53"W
L155	111.76	S78° 57' 35.09"W
L156	82.82	S9° 17' 02.05"E
L157	114.92	N72° 10' 20.37"E
L158	41.66	N9° 17' 02.05"W
L159	117.76	N65° 39' 39.10"E
L160	105.74	S11° 20' 16.53"E

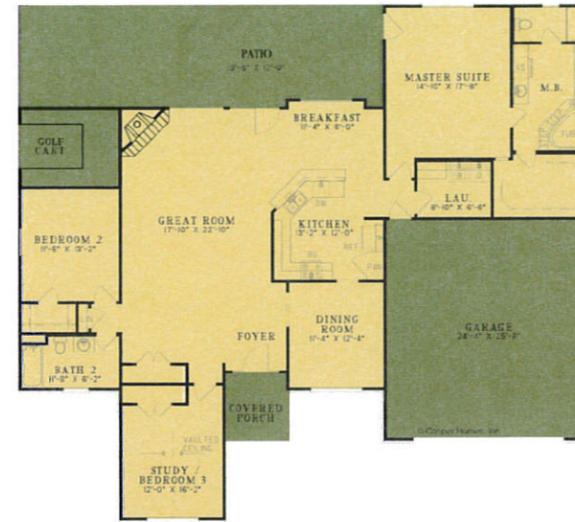
Line #	Length	Direction
L161	111.76	S78° 57' 35.09"W
L162	117.76	N65° 39' 39.10"E
L163	18.90	N11° 20' 16.53"W
L164	105.89	N47° 10' 01.25"W
L165	117.23	S42° 30' 36.48"W
L166	102.78	N46° 46' 59.77"W
L167	100.49	S46° 46' 59.77"E
L168	82.83	N43° 13' 00.23"W
L169	11.53	N8° 41' 13.22"W
L170	98.64	N46° 46' 59.77"W
L171	102.78	S46° 46' 59.77"E
L172	76.21	N43° 13' 00.23"E
L173	34.45	N30° 22' 33.11"E
L174	54.31	N31° 36' 34.95"E
L175	245.97	S37° 33' 32.68"E
L176	30.61	S27° 00' 09.42"E
L177	149.80	S18° 20' 07.78"W
L178	20.00	S11° 49' 11.01"E
L179	65.60	S17° 21' 27.13"W
L180	10.08	N34° 37' 18.27"W

Line #	Length	Direction
L181	531.57	N8° 41' 32.27"W
L182	455.24	N41° 56' 30.27"W
L183	191.91	N19° 11' 18.90"W
L184	172.33	N47° 01' 37.83"E
L185	189.14	N31° 36' 34.95"E
L186	67.07	N11° 06' 27.73"E
L187	538.59	N6° 35' 32.73"E
L188	96.43	N48° 51' 53.73"E
L189	18.86	S40° 00' 50.32"E
L190	40.00	N42° 37' 16.13"E
L193	20.56	S40° 00' 50.32"E
L194	128.44	S37° 37' 37.76"E
L195	118.21	S37° 32' 44.34"E
L197	30.70	S26° 59' 07.34"E
L199	149.92	S18° 20' 07.99"W
L200	68.51	S1



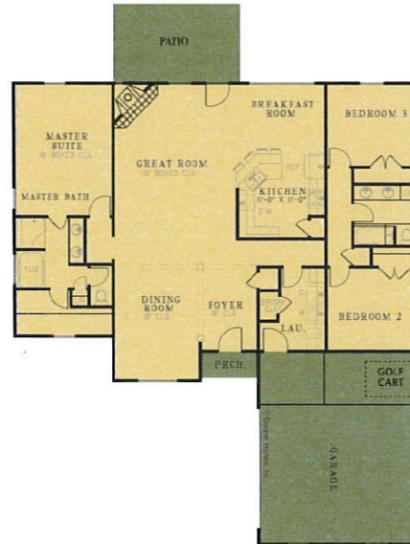
1,833 sq. ft • 3 Bedroom • 2 Bath • Front Covered Porch • Patio

*The Stillwater*



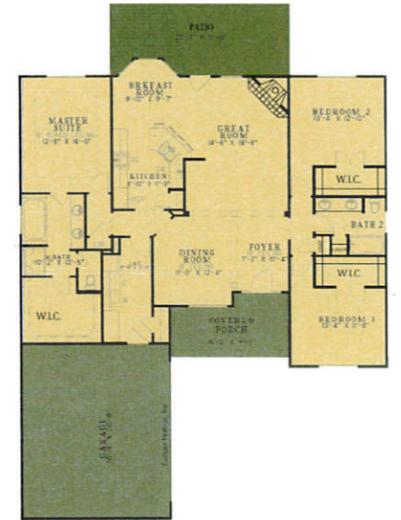
2,097 sq. ft • 3 Bedroom • 2 Bath • Front Covered Porch • Patio

*The Poncewood*



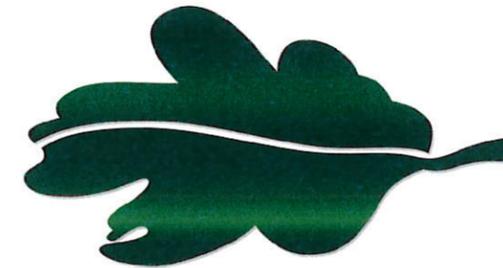
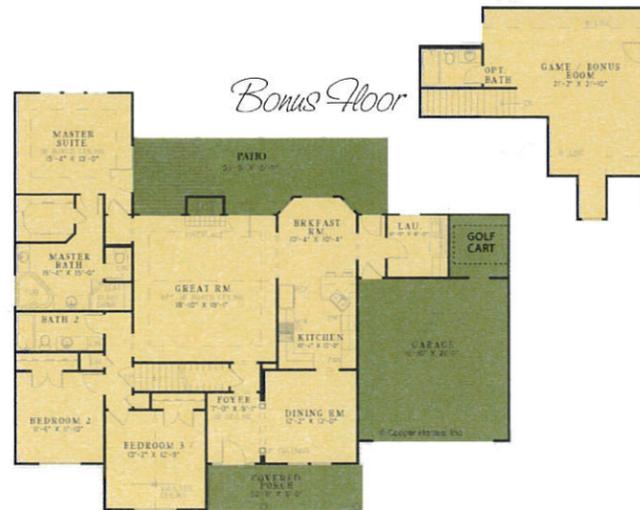
*The Lincoln*

1,931 sq. ft • 3 Bedroom • 2 Bath • Front Covered Porch • Patio



*The Grandview*

1,930 sq. ft • 4 Bedroom • 2 Bath • Front Covered Porch • Patio



COUNTRY CLUB VILLAS  
BY COOPER HOMES

*Main Floor*

1,957 sq. ft • 3 Bedroom • 2 Bath • Front Covered Porch • Patio

*The Evergreen*

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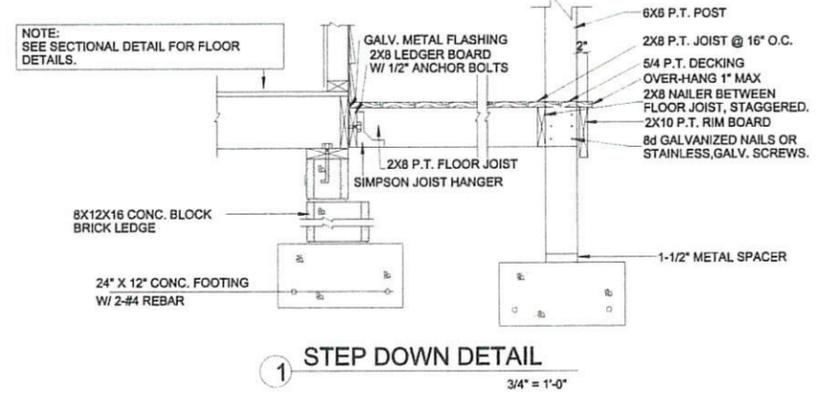
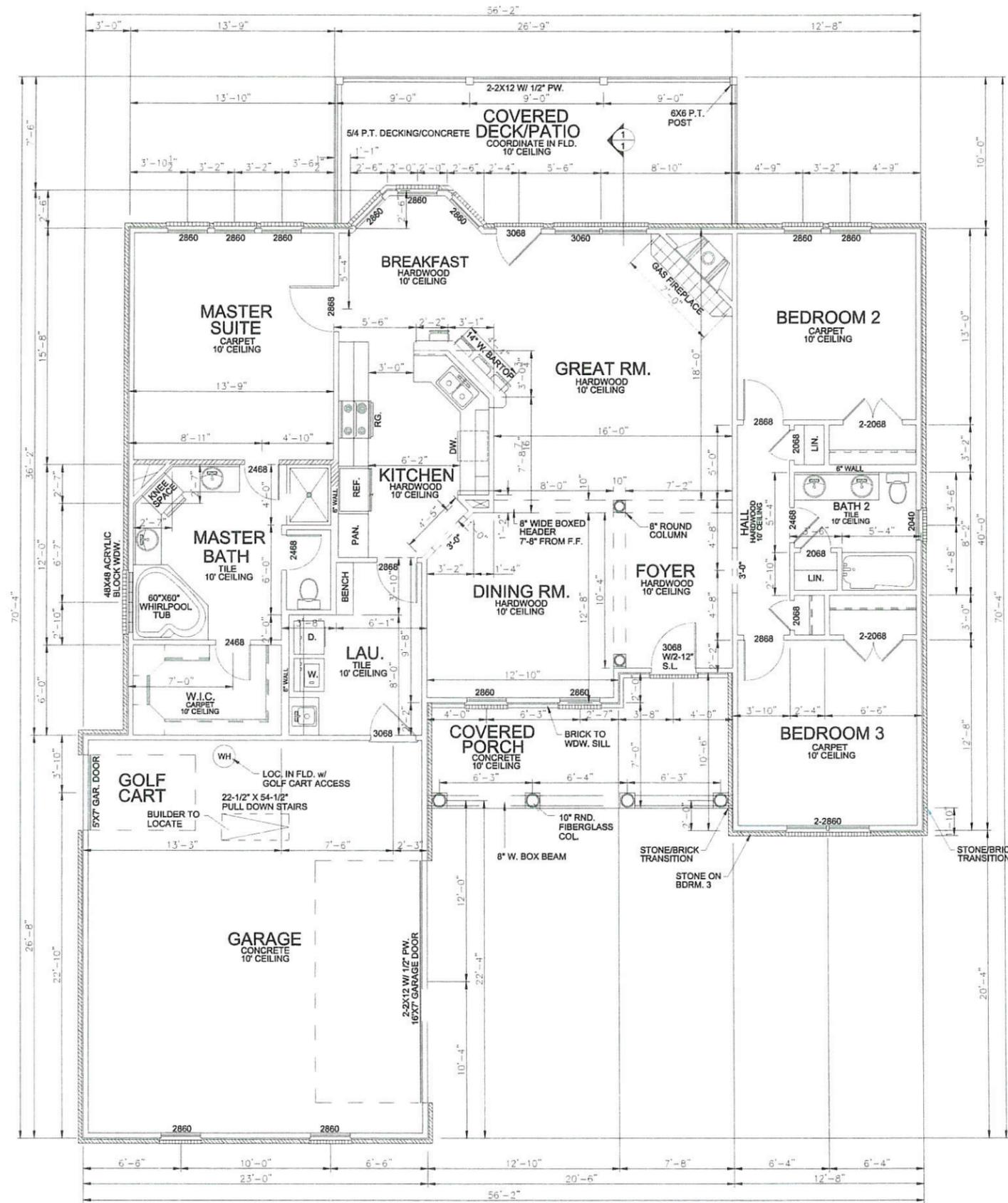
*The Evergreen*

*The Poncewood*

*The Lincoln*



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**FLOOR PLAN SPECIFICATIONS**

HEAT/COOLED MAIN FLOOR SQ. FT.:	1,833 frame / 1,893 brick
GARAGE & GOLF CART SQ. FT.:	607 frame / 633 brick

**NOTE:**

1. ALL CEILINGS TO BE 10'-0" UNLESS NOTED.
2. VERIFY ALL PLANS W/ LOCAL BUILDING CODES.
3. ALL STRUCTURAL REQUIREMENTS TO BE DETERMINED BY OTHERS.
4. HVAC TO BE IN ATTIC UNLESS NOTED OTHERWISE.

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PRELIMINARY	PRINTS ISSUED FOR	REV #	DATE
		11/14/15	

903 N. 47th Street  
 Rogers Arkansas 72756  
 800-648-6401

**COOPER HOMES**

Contractor Information:

**COOPER HOMES**  
 Conner Custom Homes

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Project Information:

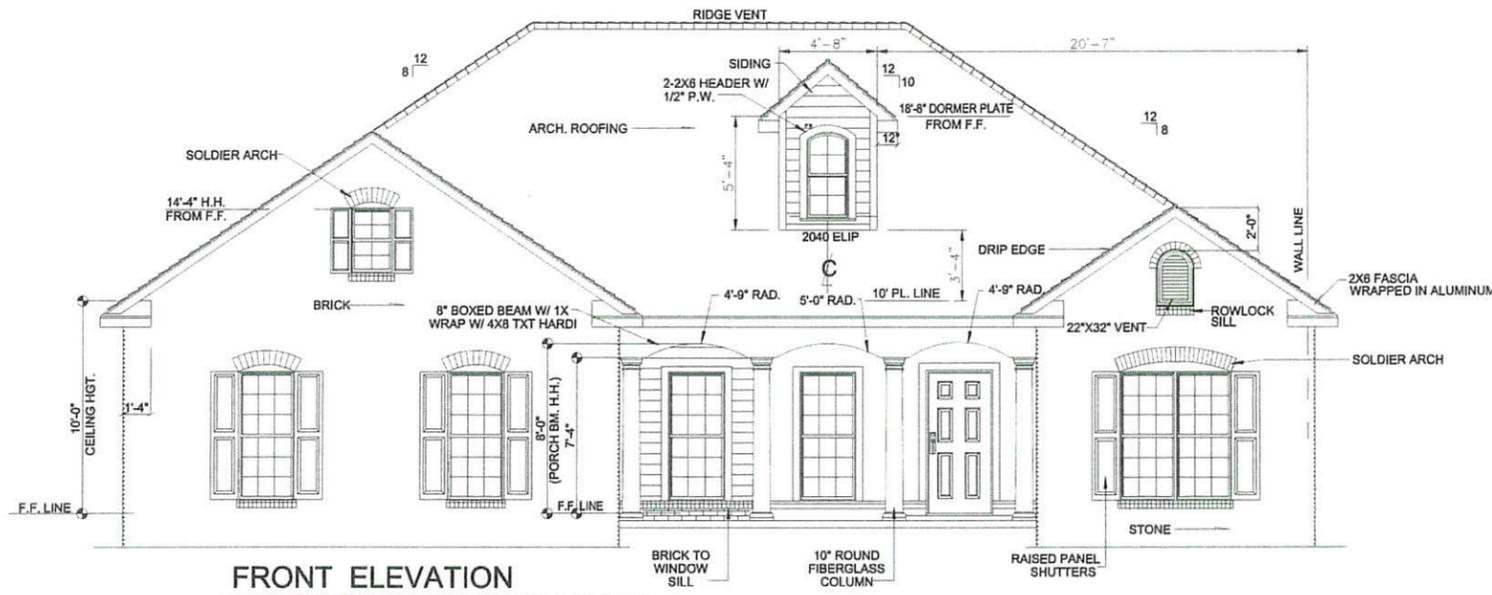
Floor Plan  
 Plan Name: "The Stillwater"

**CADesign**  
 Drafting Service, Inc.

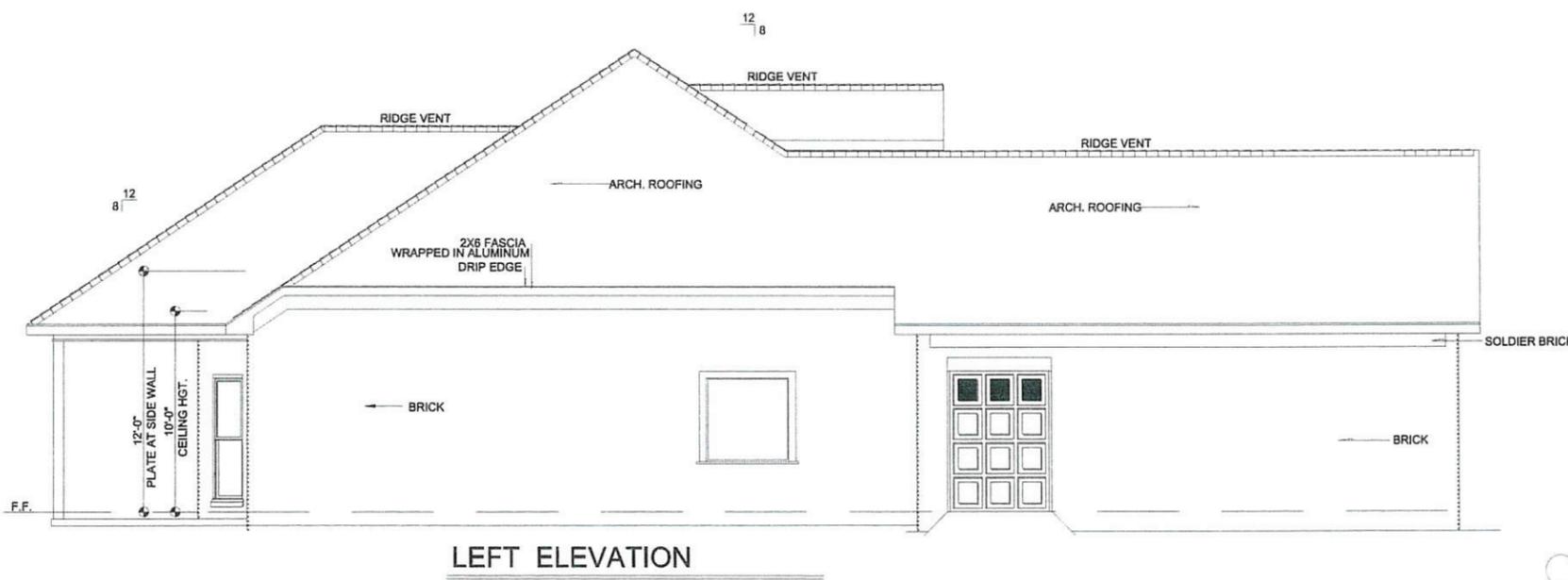
2049 Reed Avenue  
 Springdale, Arkansas 72764  
 Call (479) 530-7424  
 e-mail - cadesign@cox.net

Drawing Number  
**CAD-6002**

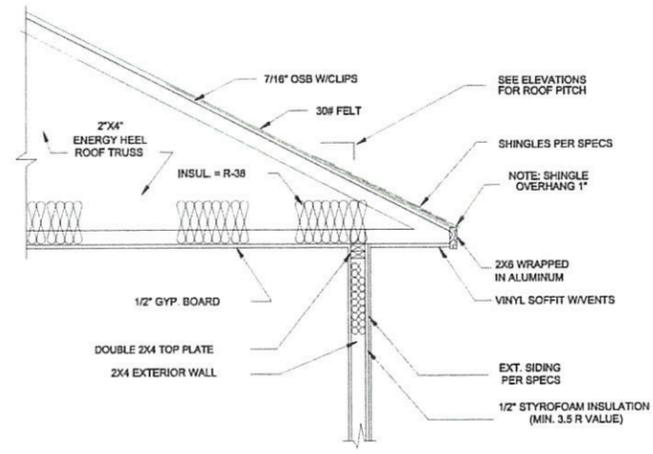
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**1 of 3**



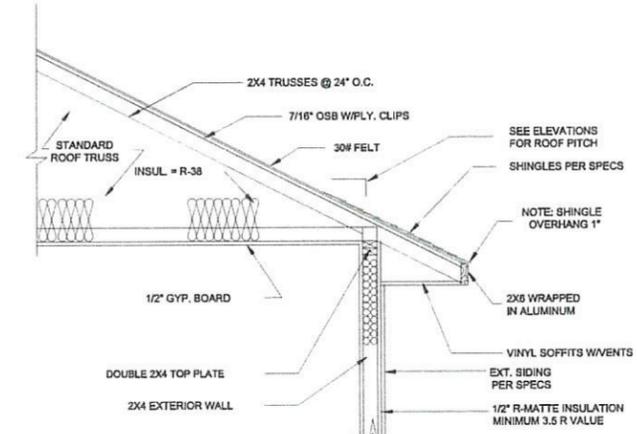
FRONT ELEVATION



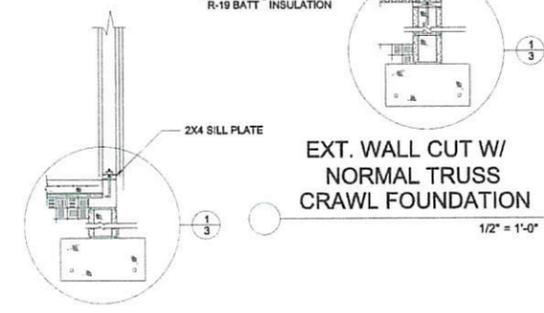
LEFT ELEVATION



EXT. WALL CUT W/ ENERGY TRUSS



EXT. WALL CUT W/ NORMAL TRUSS CRAWL FOUNDATION



SLAB FOUNDATION SECTIONAL DETAIL

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PRELIMINARY	REV.#	DATE
		11/14/15

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Contractor Information:  
**COOPER**  
 Conner Custom Homes  
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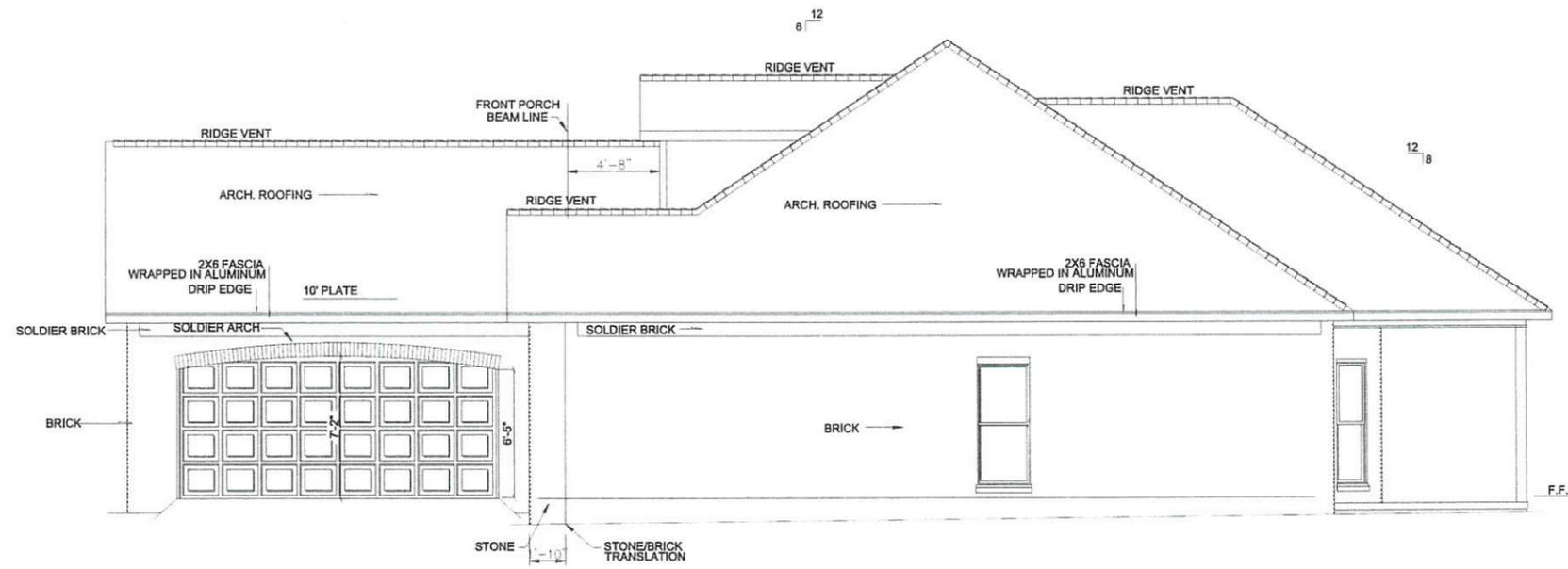
Project Information:  
 Exterior Elevations  
 Plan Name:  
 "The Stillwater"

**CADesign**  
 Drafting Service, Inc.  
 2049 Reed Avenue  
 Springdale, Arkansas 72764  
 Cell (479) 530-7424  
 e-mail - cadesign@cox.net

Drawing Number  
**CAD-6002**  
 Sheet Number  
 2 of 3



REAR ELEVATION



RIGHT ELEVATION

ELEVATION NOTES:

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS, FOR EXAMPLE, FRONT WALL OF HOUSE, BESIDE PORCH COLUMNS, ETC. GENERAL CONTRACTOR SHALL VERIFY EXISTING GRADES AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
2. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE.
3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.
4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATIONS / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PAINT TO MATCH ROOF. PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.

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			11/14/15

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**COOPER HOMES**

Contractor Information:

**COOPER**  
 Corner Custom Homes

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Project Information:

Exterior Elevations

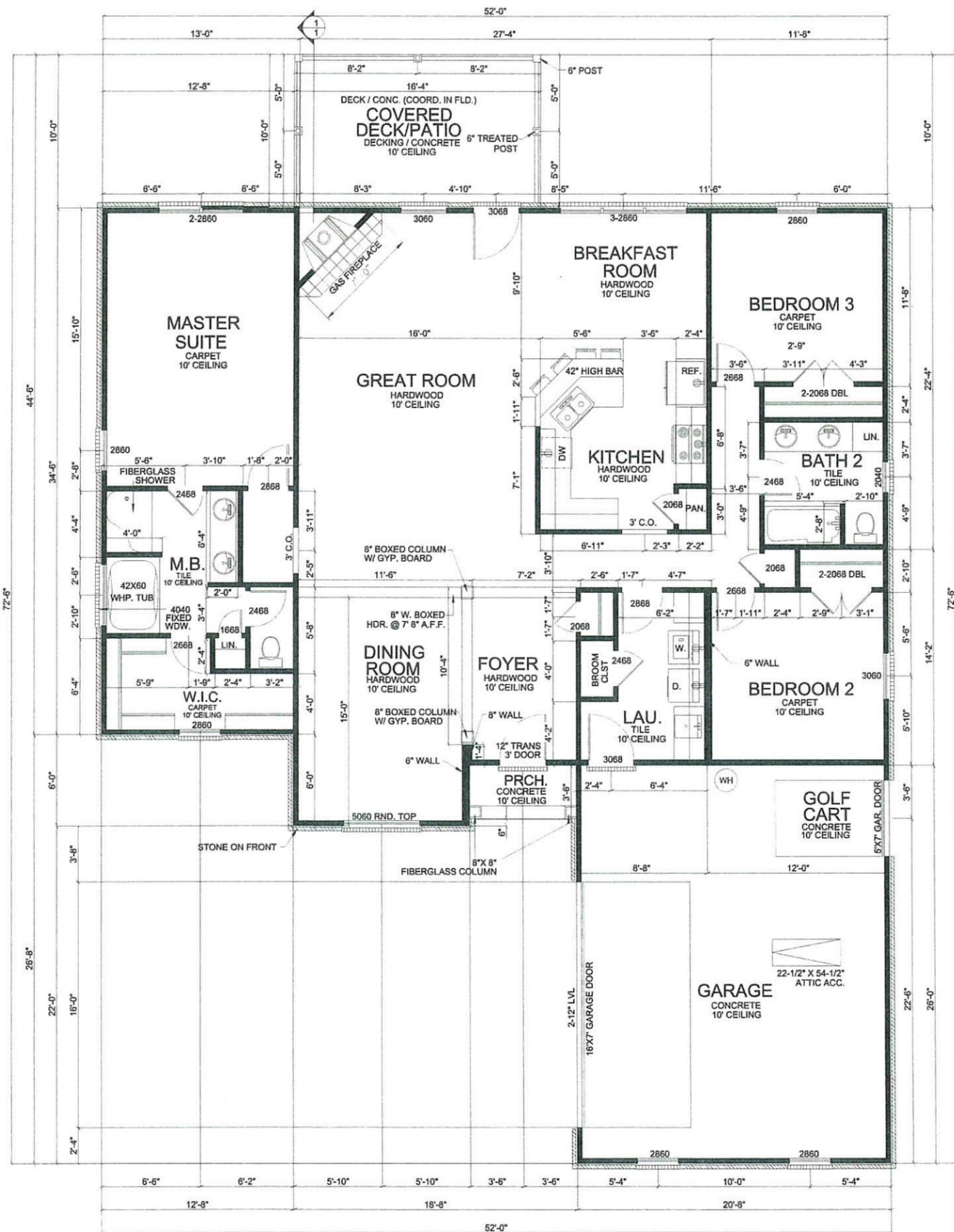
Plan Name:  
 "The Stillwater"

**CADesign**  
 Drafting Service, Inc.

2049 Reed Avenue  
 Springdale, Arkansas 72764  
 Cell (479) 530-7424  
 e-mail: cadesign@cox.net

Drawing Number  
 CAD-6002

Sheet Number  
 3 of 3



**FLOOR PLAN NOTES:**

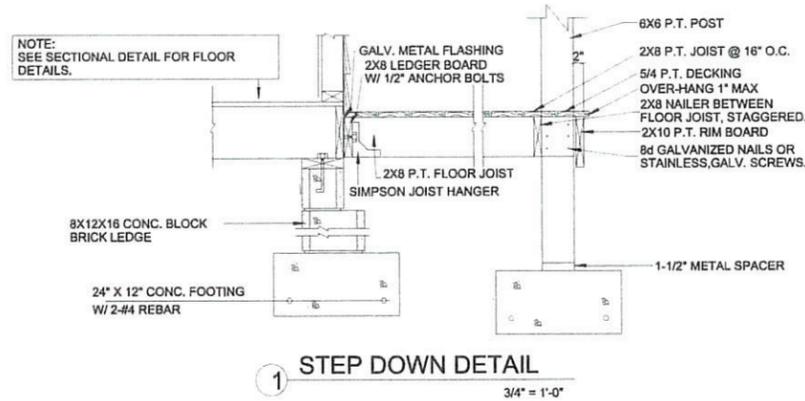
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5. PREFABRICATED FIREPLACE CONSTRUCTION SHALL MEET OR EXCEED ALL APPLICABLE CODES REGARDING USE OF FIRE SEPARATIONS, CLEARANCES, ETC. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL ITEMS AND CONSTRUCTION MEET OR EXCEED CODE. OVERALL FLUE HEIGHT SHALL BE COORDINATED TO MATCH HEIGHT SHOWN ON PLANS AND SHALL NOT EXCEED THE TOP OF CHIMNEY CHASE AS CONSTRUCTED.
6. CONTRACTOR SHALL COORDINATE ALL CLOSET SHELVING REQUIREMENTS.
7. DO NOT SCALE DRAWINGS, FOLLOW DIMENSIONS ONLY.
8. CONTRACTOR SHALL FIELD VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.
9. BEDROOM WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQ.FT. A MINIMUM NET CLEAR OPENABLE WIDTH OF 20", A MINIMUM NET CLEAR OPENABLE HEIGHT OF 24" AND HAVE A MAXIMUM FINISH SILL HEIGHT OF 43" FROM FINISH FLOOR.
10. ALL GLASS LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 60" OF FLOOR AT BATHTUBS, WHIRLPOOLS, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.
11. ALL EXPOSED INSULATION SHALL HAVE A FLAME SPREAD RATING OF LESS THAN 25 AND A SMOKE DENSITY RATING OF LESS THAN 450.
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15. ALL WALLS AND CEILINGS IN GARAGE AND GARAGE STORAGE AREAS TO HAVE 1/2" TYPE-X GYP. BOARD W/ 1-HOUR FIRE RATING. ALL EXT. DOORS IN GARAGE TO BE METAL OR SOLID CORE DOORS INCLUDING DOORS ENTERING HEAT/COOLED PORTION OF RESIDENCE.
16. ALL FIREPLACE CHASE WALLS SHALL BE INSULATED INSIDE AND OUTSIDE. PROVIDE HORIZONTAL 'DRAFT STOPS' AT EACH FLOOR LEVEL BY PACKING 6" (R-19) INSULATION BETWEEN 2X4 JOISTS.
17. ALL INTERIOR WALLS SHALL BE COVERED WITH 1/2" GYPSUM BOARD, WITH METAL CORNER REINFORCING, TAPE FLOAT AND SAND. (3 COATS) USE 1/2" GYPSUM BOARD ON CEILINGS WHEN SUPPORTING MEMBERS ARE 24" O.C. OR GREATER. USE 1/2" GYPSUM BOARD ON CEILING MEMBERS LESS THAN 24" O.C.
18. ALL BATH AND TOILET AREA WALLS SHALL HAVE WATER RESISTANT GYPSUM BOARD.

**INSULATION NOTES:**

1. PROVIDE R-19 BATT INSULATION IN 2X6 WALLS, R-13 IN 2X4 WALLS, MINIMUM R-38 INSULATION IN FLAT CEILINGS AND R-38 MINIMUM BLANKET INSULATION IN VAULTED CEILINGS. ALLOW 1/2" MINIMUM AIRSPACE BETWEEN SHEATHING AND INSULATION, FACE FOIL DOWN TO WARM SIDE.
2. INSTALL SIDE WALL AND CEILING INSULATION IN CONTINUOUS BLANKETS WITHOUT HOLES FOR ELECTRICAL BOXES, LIGHT FIXTURES OR HEATING DUCTWORK. CAULK ALL OPENINGS IN EXTERIOR WALL CONSTRUCTION.
3. FLOORS OVER UNHEATED SPACE SHALL HAVE R-19 PAPER BACK INSULATION BETWEEN JOISTS.
4. SLAB EDGE INSULATION R-5.
5. HVAC DUCTS LOCATED IN UNHEATED SPACES SHALL BE INSULATED WITH R-8.

**PLUMBING NOTES:**

1. PLUMBING SHALL MEET ALL LOCAL CODES.
2. IF WATER HEATER IS LOCATED ANYWHERE, EXCEPT GARAGE OR BASEMENT, PROVIDE METAL DRAIN PAN WITH AUXILIARY DRAIN TO EXTERIOR.
3. ALL GAS WATER HEATERS SHALL BE VENTED AT TOP/OUT.
4. PROVIDE INSIDE MAIN WATER CUT-OFF.
5. PROVIDE BLOCKING IF WALL PLATES OR JOISTS ARE CUT INTO.



**FLOOR PLAN SPECIFICATIONS**

HEAT/COOLED MAIN FLOOR SQ. FT.: 1,919 frame / 1,971 brick  
 GARAGE & GOLF CART SQ. FT.: 537 frame / 561 brick

**NOTE:**

1. ALL CEILINGS TO BE 10'-0" UNLESS NOTED.
2. VERIFY ALL PLANS W/ LOCAL BUILDING CODES.
3. ALL STRUCTURAL REQUIREMENTS TO BE DETERMINED BY OTHERS.
4. HVAC TO BE IN ATTIC UNLESS NOTED OTHERWISE.

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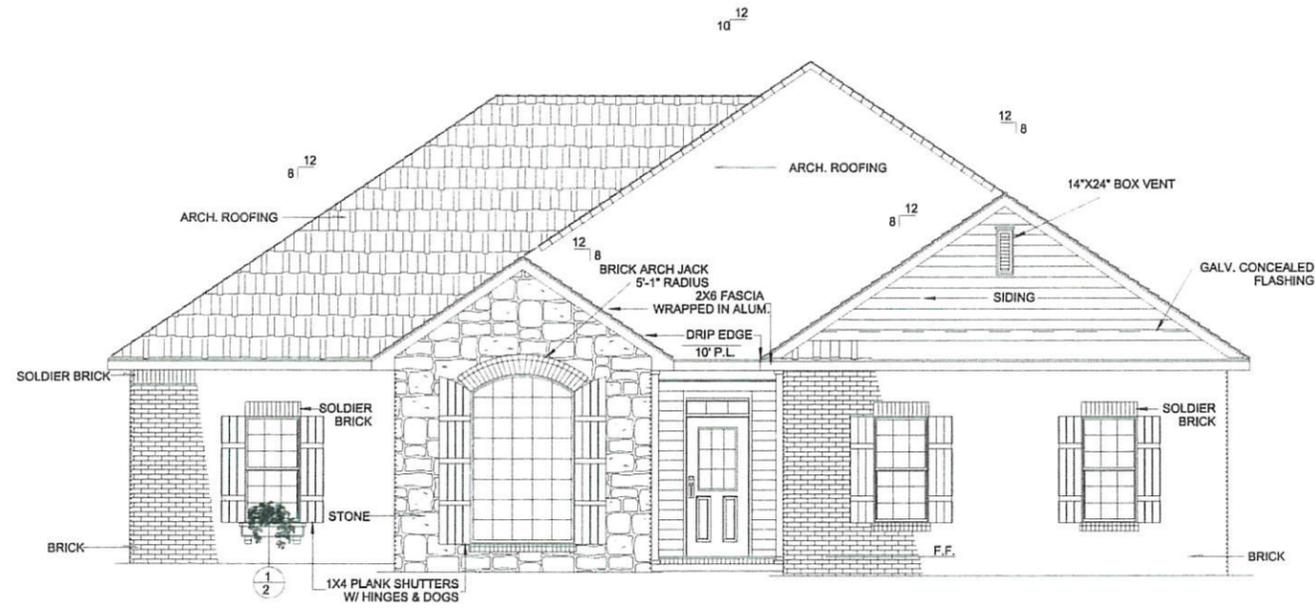
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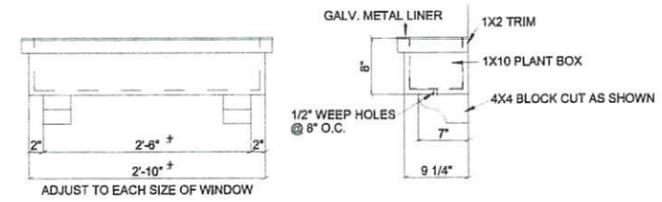
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Contractor Information:  
**COOPER HOMES**  
 Conner Custom Homes  
 903 N. 47th Street  
 Rogers Arkansas 72756  
 800-648-6401

Project Information:  
 Floor Plan  
 Plan Name: "The Lincoln"



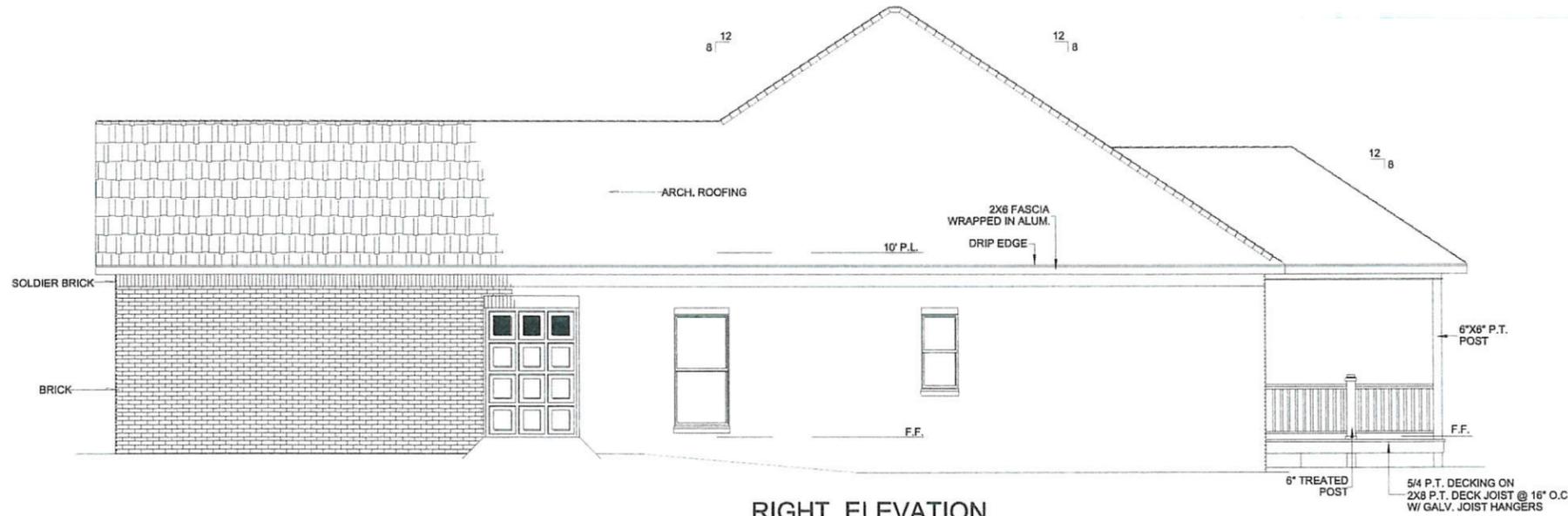
FRONT ELEVATION



1 OPT. PLANT BOX DETAIL  
1" = 1'-0"

ELEVATION NOTES:

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RIGHT ELEVATION

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**COOPER HOMES**

Contractor Information:  
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Comer Custom Homes  
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Project Information:  
Exterior Elevations  
Plan Name:  
"The Lincoln"

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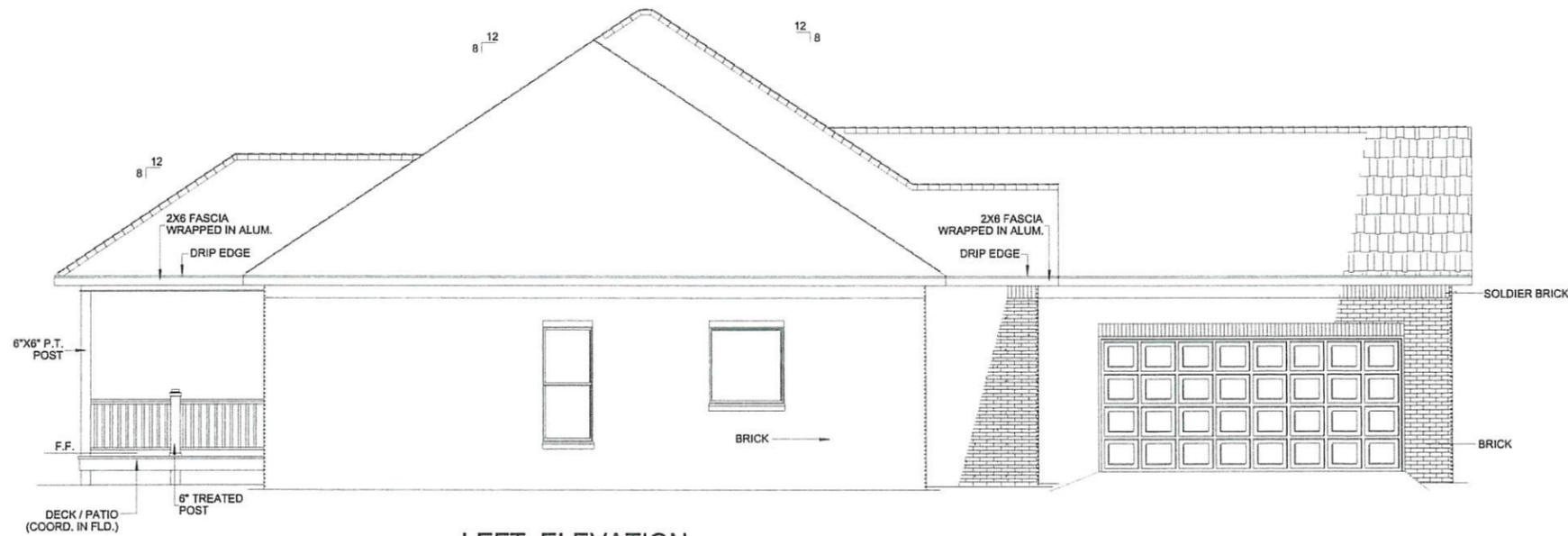
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Sheet Number  
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REAR ELEVATION

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LEFT ELEVATION

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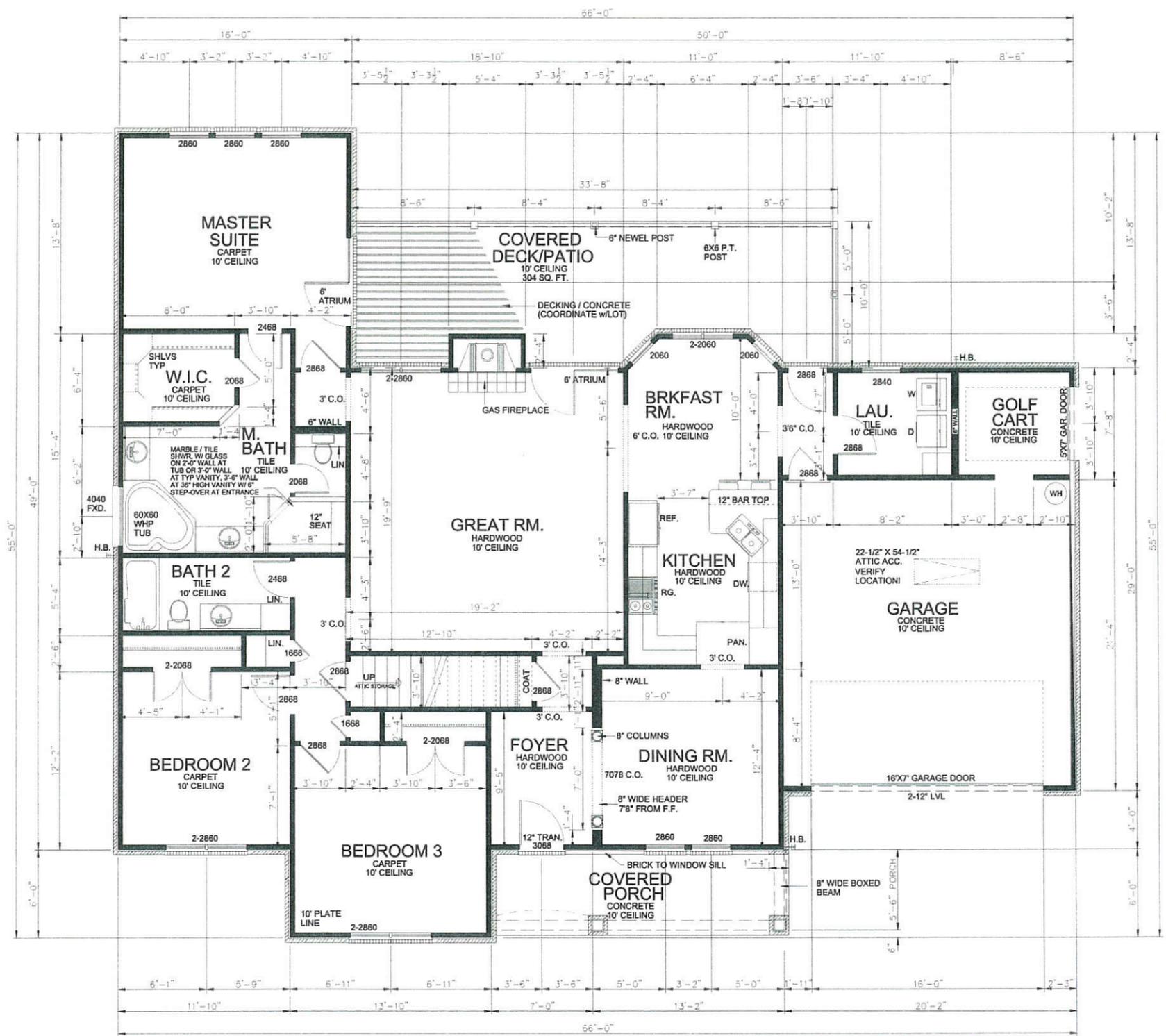
**COOPER**  
HOMES

Contractor Information:  
**COOPER**  
Conner Custom Homes  
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Project Information:  
Exterior Elevations  
Plan Name:  
"The Lincoln"

**CADesign**  
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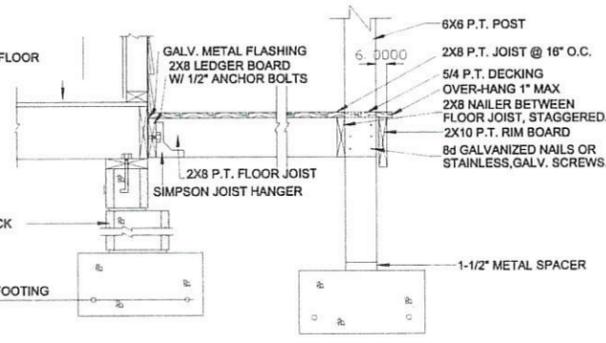
Drawing Number  
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Sheet Number  
3 of 3



**FLOOR PLAN NOTES:**

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NOTE: SEE SECTIONAL DETAIL FOR FLOOR DETAILS.



**1 STEP DOWN DETAIL**  
3/4" = 1'-0"

**FLOOR PLAN SPECIFICATIONS**

HEAT/COOLED MAIN FLOOR SQ. FT.:	1,965 frame / 2,028 brick
GARAGE & GOLF CART SQ. FT.:	492 frame / 511 brick

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Contractor Information:

**COOPER HOMES**  
Conner Custom Homes  
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903 N. 47th Street  
Rogers, Arkansas 72756  
800-648-6401

Project Information:

Floor Plan  
Plan Name: "The Evergreen"

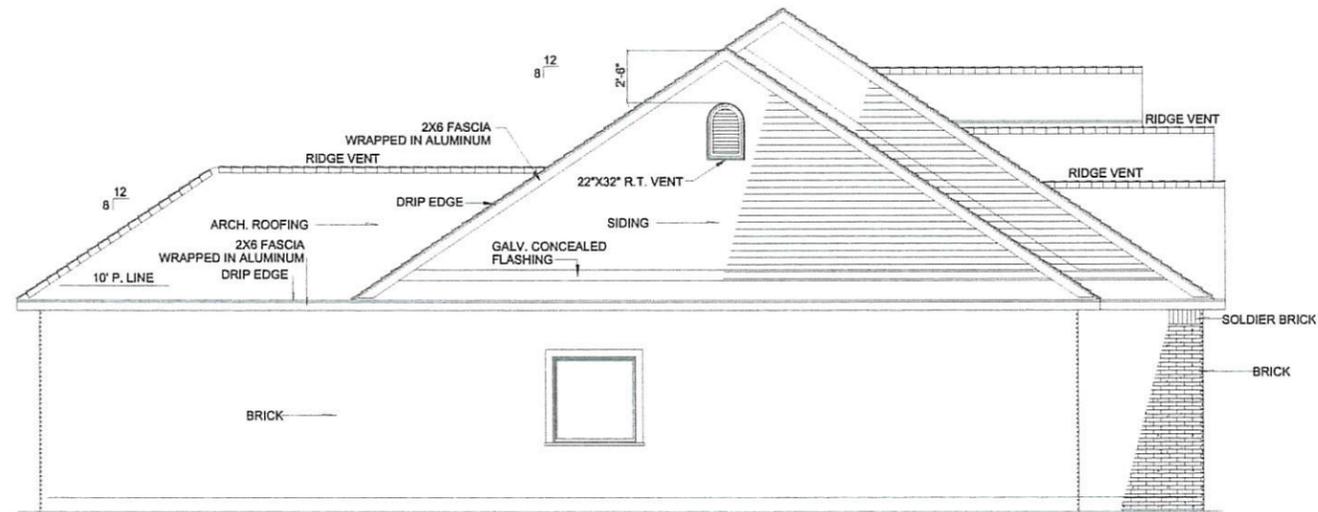
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e-mail - cadesign@cov.net

Drawing Number  
**CAD-6001**

Sheet Number  
**1 of 4**



**FRONT ELEVATION**



**LEFT ELEVATION**

**ELEVATION NOTES:**

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**COOPER HOMES**

Contractor Information:

**COOPER HOMES**  
Conner Custom Homes

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Project Information:

Exterior Elevations

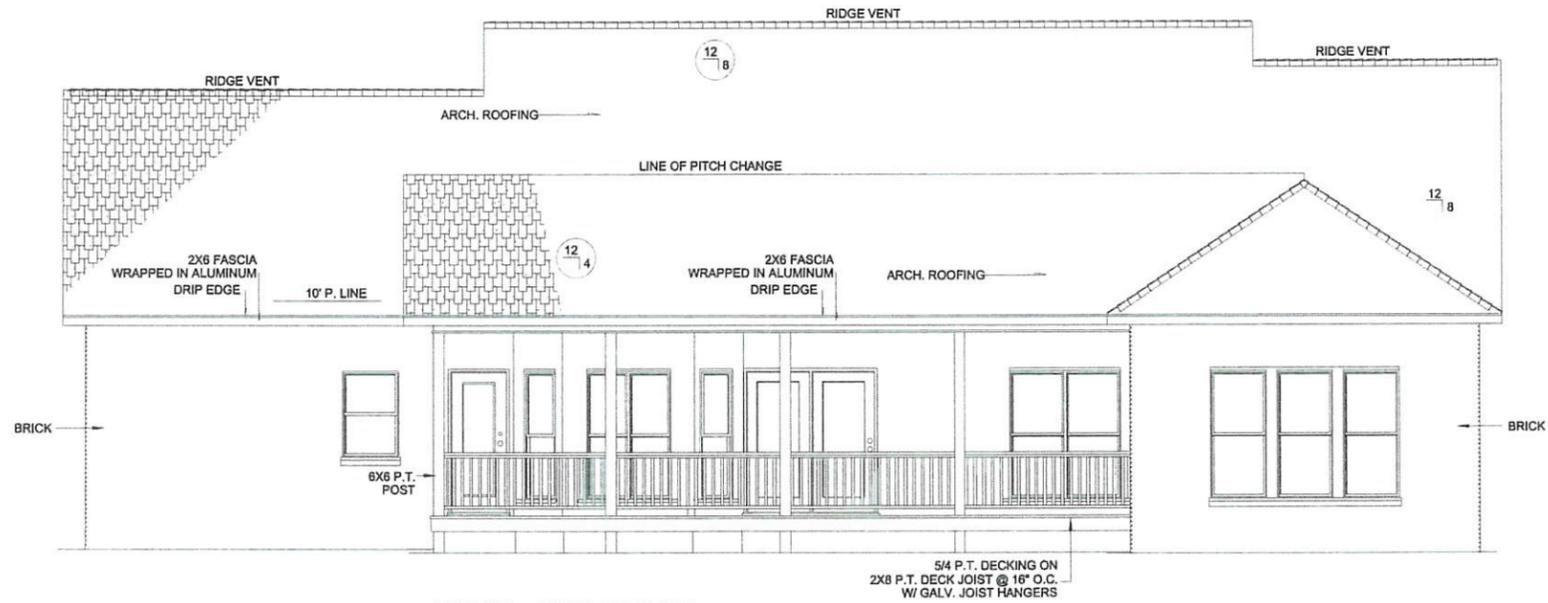
Plan Name: "The Evergreen"

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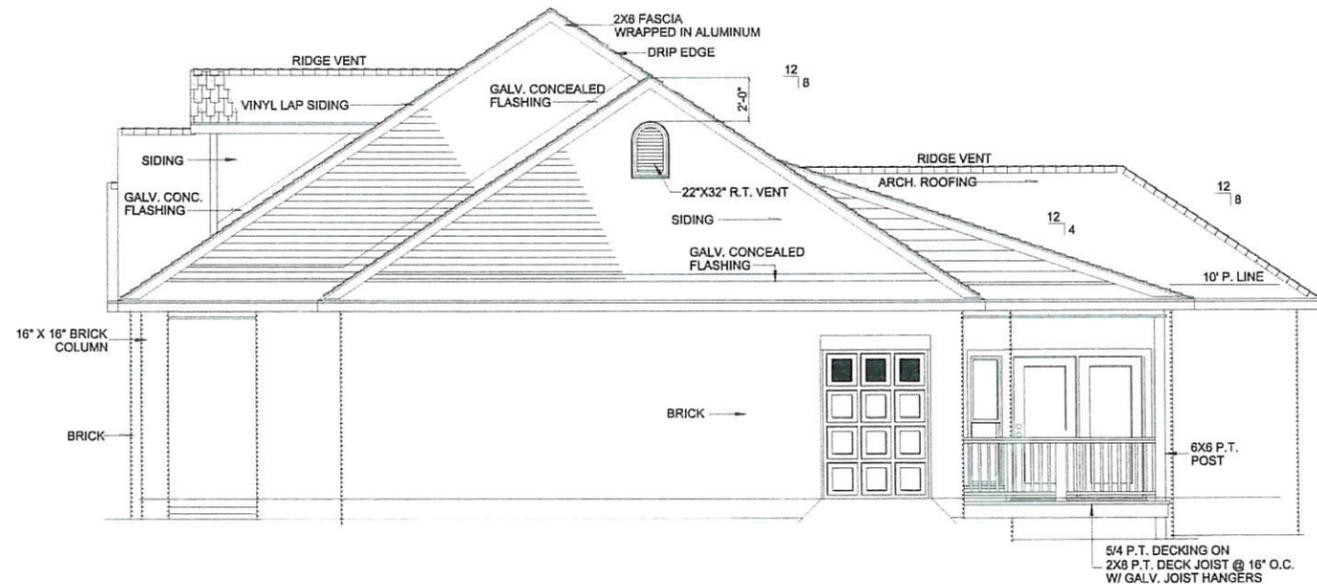
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Springdale, Arkansas 72764  
Cell (479) 536-7424  
e-mail - cadesign@cox.net

Drawing Number  
**CAD-6001**

Sheet Number  
**2 of 4**



**REAR ELEVATION**



**RIGHT ELEVATION**

**ELEVATION NOTES:**

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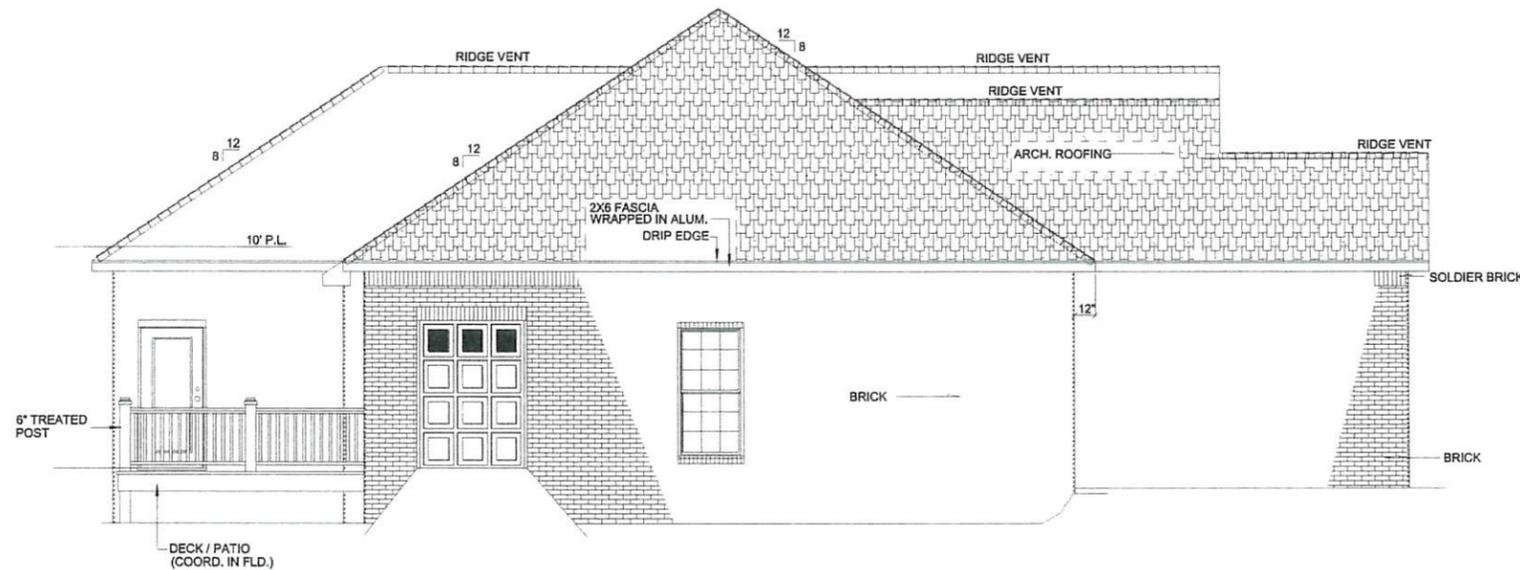
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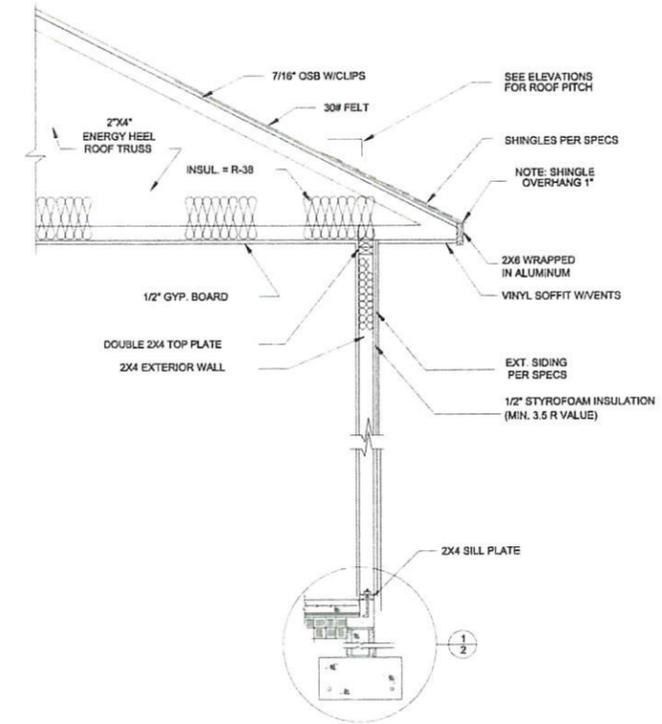




FRONT ELEVATION



LEFT ELEVATION



EXT. WALL CUT W/  
ENERGY TRUSS  
SLAB FOUNDATION

1/2" = 1'-0"

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4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATIONS / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PAINT TO MATCH ROOF. PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.

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CUSTOMER / CONTRACTOR NOTE

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PRELIMINARY	REV.#	DATE

903 N. 47th Street  
Rogers, Arkansas 72756  
800-648-6401

**COOPER**  
HOMES

Contractor Information:  
**CHI**  
Conner Custom Homes  
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Project Information:  
Exterior Elevations  
Plan Name:  
"The Poncewood"

**CADesign**  
Drafting Service, Inc.  
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Springdale, Arkansas 72764  
Call (479) 530-7424  
e-mail - cadesign@coi.net

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CAD-6003

Sheet Number  
2 of 3



**REAR ELEVATION**

**INSULATION NOTES:**

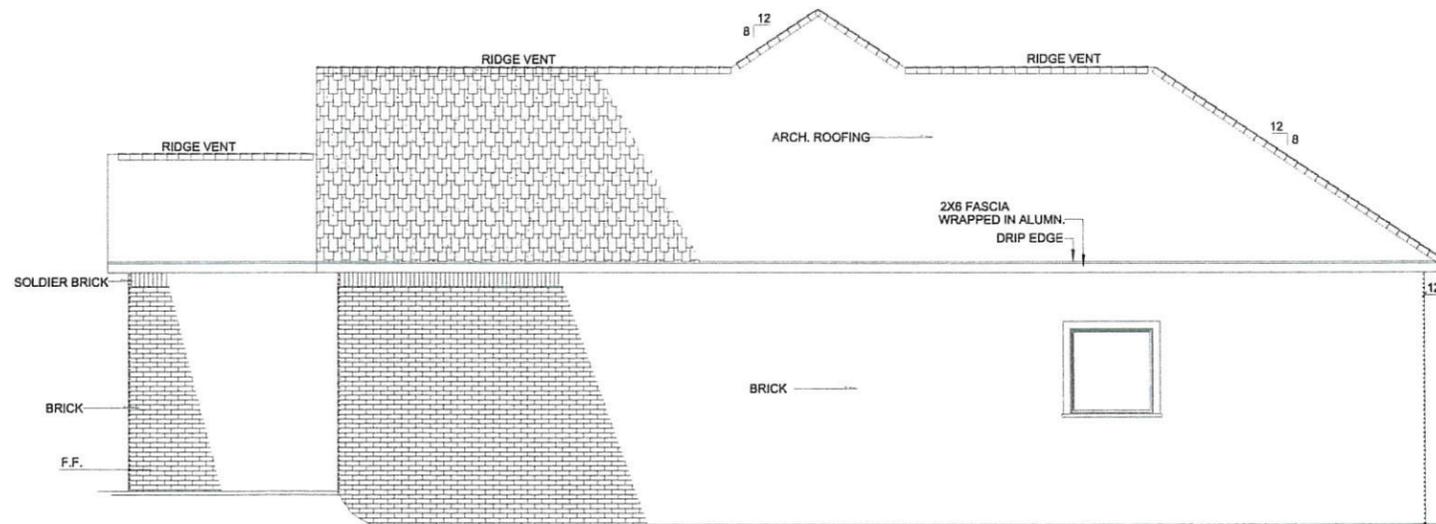
1. PROVIDE R-19 BATT INSULATION IN 2X6 WALLS, R-13 IN 2X4 WALLS, MINIMUM R-38 INSULATION IN FLAT CEILINGS AND R-38 MINIMUM BLANKET INSULATION IN VAULTED CEILINGS, ALLOW 1/2" MINIMUM AIRSPACE BETWEEN SHEATHING AND INSULATION, FACE FOIL DOWN TO WARM SIDE.
2. INSTALL SIDE WALL AND CEILING INSULATION IN CONTINUOUS BLANKETS WITHOUT HOLES FOR ELECTRICAL BOXES, LIGHT FIXTURES OR HEATING DUCTWORK. CAULK ALL OPENINGS IN EXTERIOR WALL CONSTRUCTION.
3. FLOORS OVER UNHEATED SPACE SHALL HAVE R-19 PAPER BACK INSULATION BETWEEN JOISTS.
4. SLAB EDGE INSULATION R-5.
5. HVAC DUCTS LOCATED IN UNHEATED SPACES SHALL BE INSULATED WITH R-8.

**PLUMBING NOTES:**

1. PLUMBING SHALL MEET ALL LOCAL CODES.
2. IF WATER HEATER IS LOCATED ANYWHERE, EXCEPT GARAGE OR BASEMENT, PROVIDE METAL DRAIN PAN WITH AUXILIARY DRAIN TO EXTERIOR.
3. ALL GAS WATER HEATERS SHALL BE VENTED AT TOP/OUT.
4. PROVIDE INSIDE MAIN WATER CUT-OFF.
5. PROVIDE BLOCKING IF WALL PLATES OR JOISTS ARE CUT INTO.

**ELEVATION NOTES:**

1. GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TOWARDS THE FRONT AND REAR OF THE HOUSE. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS, FOR EXAMPLE, FRONT WALL OF HOUSE, BESIDE PORCH COLUMNS, ETC. GENERAL CONTRACTOR SHALL VERIFY EXISTING GRADES AND COORDINATE ANY NECESSARY ADJUSTMENTS TO HOUSE WITH OWNER.
2. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE.
3. PROVIDE ATTIC VENTILATION PER LOCAL CODE REQUIREMENTS.
4. EXTERIOR FLASHING SHALL BE CORRECTLY INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, CHIMNEYS, PROJECTIONS AND PENETRATIONS AS REQUIRED BY APPROVED CONSTRUCTION PRACTICES.
5. CONTRACTOR SHALL PROVIDE ADEQUATE ATTIC VENTILATIONS / ROOF VENTS PER LOCAL GOVERNING CODE. INSTALL CONTINUOUS RIDGE VENTILATION AND PAINT TO MATCH ROOF. PROVIDE APPROPRIATE SOFFIT VENTILATION AT OVERHANGS.



**RIGHT ELEVATION**

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**COOPER HOMES**

Contractor Information:

**CHI**  
Comer Custom Homes

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Project Information:

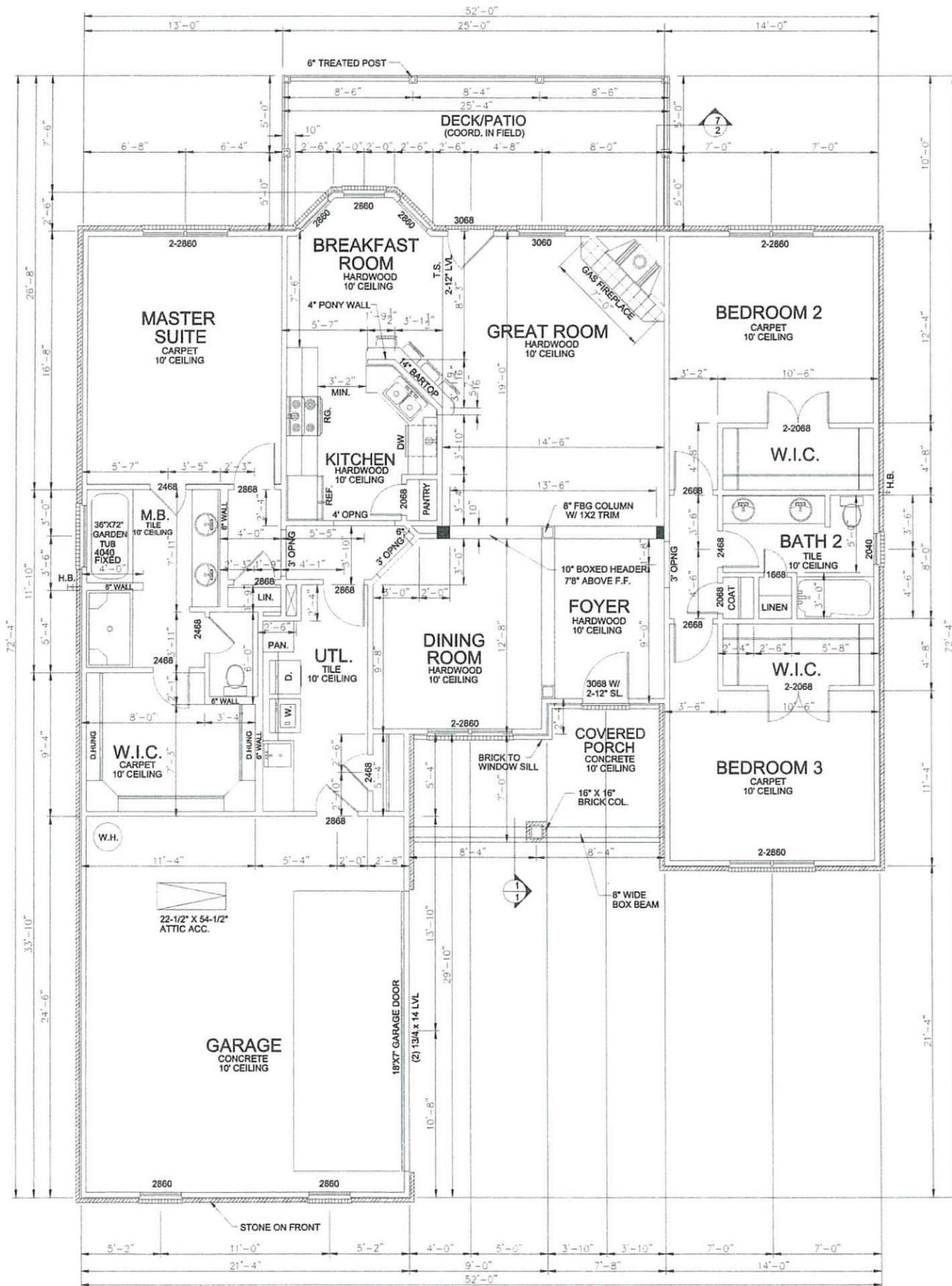
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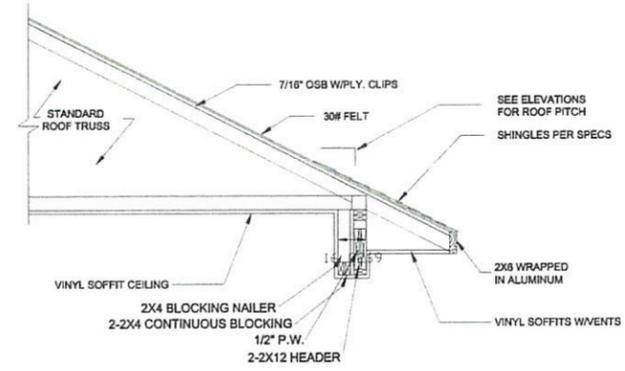
Drawing Number  
**CAD-6003**

Sheet Number  
**3 of 3**



**FLOOR PLAN NOTES:**

1. ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD UNLESS NOTED OTHERWISE.
2. WINDOW SIZES INDICATED ON PLANS ARE CALL SIZE ONLY. SEE MANUFACTURERS INSTALLATION GUIDE FOR ROUGH OPENING. REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
3. COORDINATE LOCATION OF UTILITY METERS WITH SITE PLAN AND LOCATE AWAY FROM PUBLIC VIEW, IF POSSIBLE.
4. DO NOT SCALE DRAWINGS, FOLLOW DIMENSIONS ONLY.
5. CONTRACTOR SHALL FIELD VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.
6. BEDROOM WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQ.FT., A MINIMUM NET CLEAR OPENABLE WIDTH OF 20", A MINIMUM NET CLEAR OPENABLE HEIGHT OF 24" AND HAVE A MAXIMUM FINISH SILL HEIGHT OF 43" FROM FINISH FLOOR.
7. ALL GLASS LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 60" OF FLOOR AT BATHTUBS, WHIRLPOOLS, SHOWERS, SAUNA, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.
8. ATTIC HVAC UNITS SHALL BE LOCATED WITHIN 20' OF ITS SERVICE OPENING. RETURN AIR GRILLES SHALL NOT BE LOCATED WITHIN 10 FEET OF A GAS FIRED APPLIANCE OR KITCHEN RANGE.
9. ALL BATH AND TOILET AREA WALLS SHALL HAVE WATER RESISTANT GYPSUM BOARD.



**1 BOX BEAM SECTIONAL DETAIL**  
1/2" = 1'-0"

**PLUMBING NOTES:**

1. PLUMBING SHALL MEET ALL LOCAL CODES.
2. PROVIDE DRAIN PAN FOR ANY WATER HEATER, EXCEPT IN A CRAWL SPACE.
3. PROVIDE INSIDE MAIN WATER CUT-OFF.
4. NO I-JOISTS ARE CUT IN TO.

**INSULATION NOTES:**

1. PROVIDE INSULATION BAFFLES/BARRIERS AT EAVE VENTS BETWEEN RAFTERS/TRUSSES.
2. PROVIDED R-19 BATT INSULATION IN 2X6 WALLS, R-13 IN 2X4 WALLS, MINIMUM R-38 INSULATION IN FLAT CEILINGS AND R-38 MINIMUM BLANKET INSULATION IN VAULTED CEILINGS. ALLOW 1/2" MINIMUM AIRSPACE BETWEEN SHEATHING AND INSULATION, FACE PAPER DOWN TO WARM SIDE.
3. INSTALL SIDE WALL AND CEILING INSULATION IN CONTINUOUS BLANKETS WITHOUT HOLES FOR ELECTRICAL BOXES, LIGHT FIXTURES OR HEATING DUCTWORK. SEAL ALL OPENINGS IN EXTERIOR WALL CONSTRUCTION.
4. FLOORS OVER UNHEATED SPACE SHALL HAVE R-19 PAPER BACK INSULATION BETWEEN JOISTS.
5. HVAC DUCTS LOCATED IN UNHEATED SPACES SHALL BE INSULATED WITH R-6 OR GREATER.

**FLOOR PLAN SPECIFICATIONS**

HEAT/COOLED MAIN FLOOR SQ. FT.: 1,924 frame / 1,984 brick  
GARAGE & GOLF CART SQ. FT.: 523 frame / 546 brick

**NOTE:**

1. ALL CEILINGS TO BE 10'-0" UNLESS NOTED.
2. VERIFY ALL PLANS W/ LOCAL BUILDING CODES.
3. ALL STRUCTURAL REQUIREMENTS TO BE DETERMINED BY OTHERS.
4. HVAC TO BE IN ATTIC UNLESS NOTED OTHERWISE.

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**COOPER**  
HOMES

Contractor Information:

**COOPER**  
Conner Custom Homes  
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Project Information:

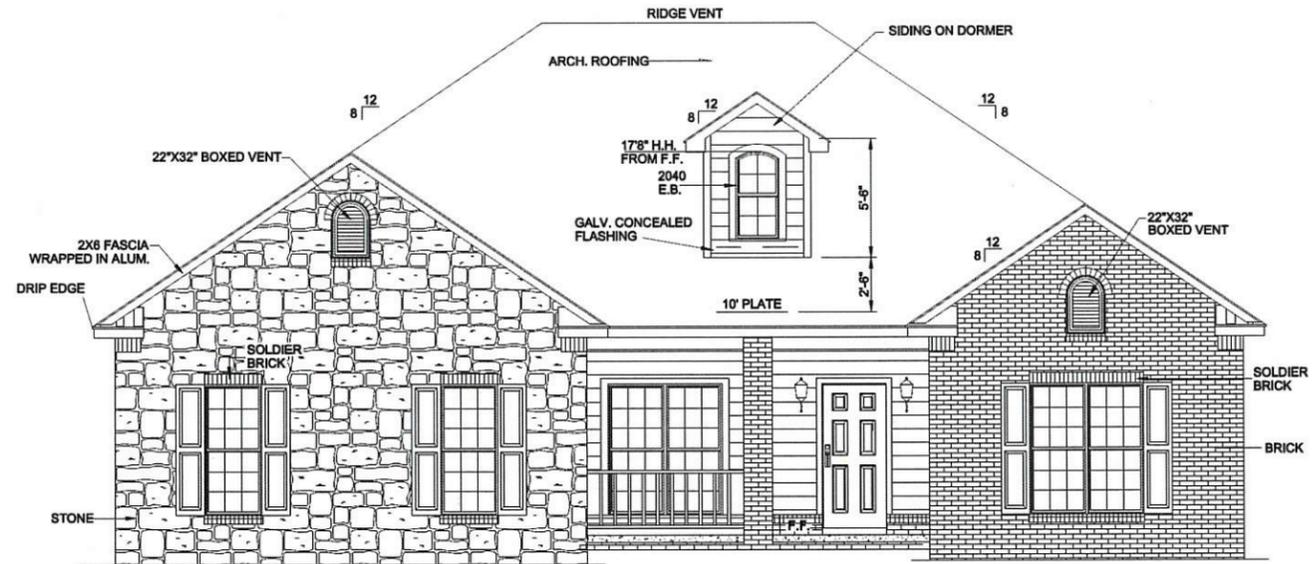
Floor Plan  
Plan Name:  
"The Grandview"

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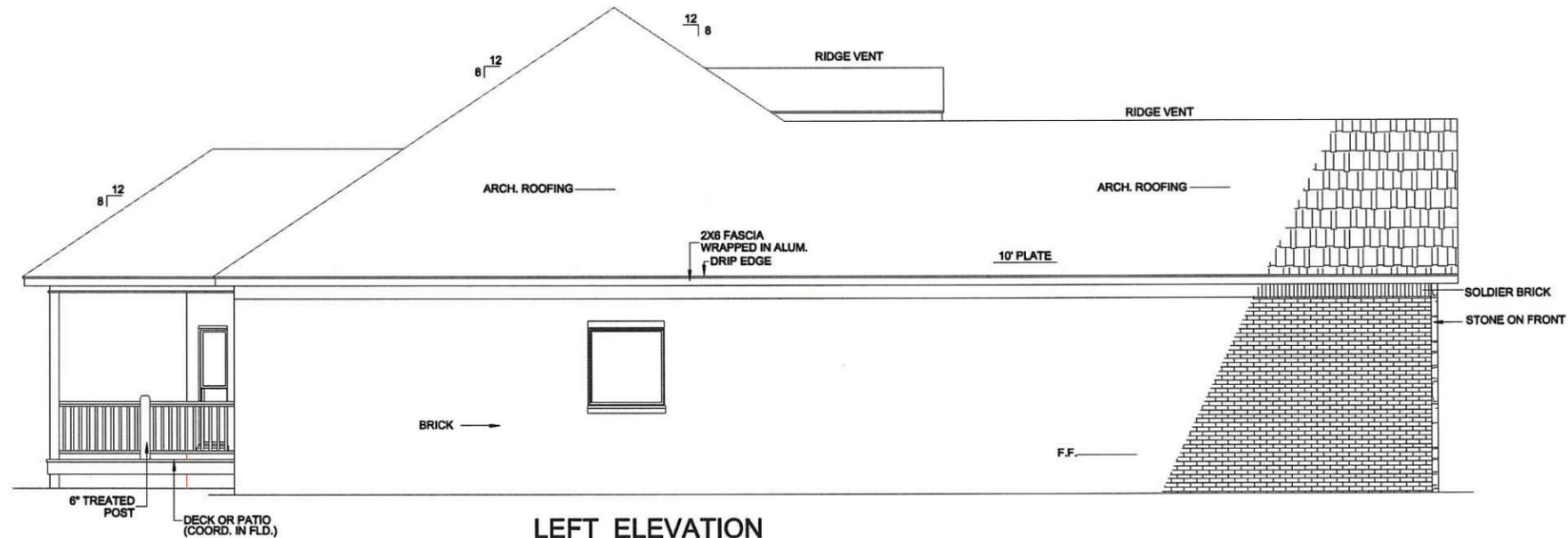
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Drawing Number  
CAD-6003

Sheet Number  
1 of 3



**FRONT ELEVATION**



**LEFT ELEVATION**

**ELEVATION NOTES:**

1. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE.

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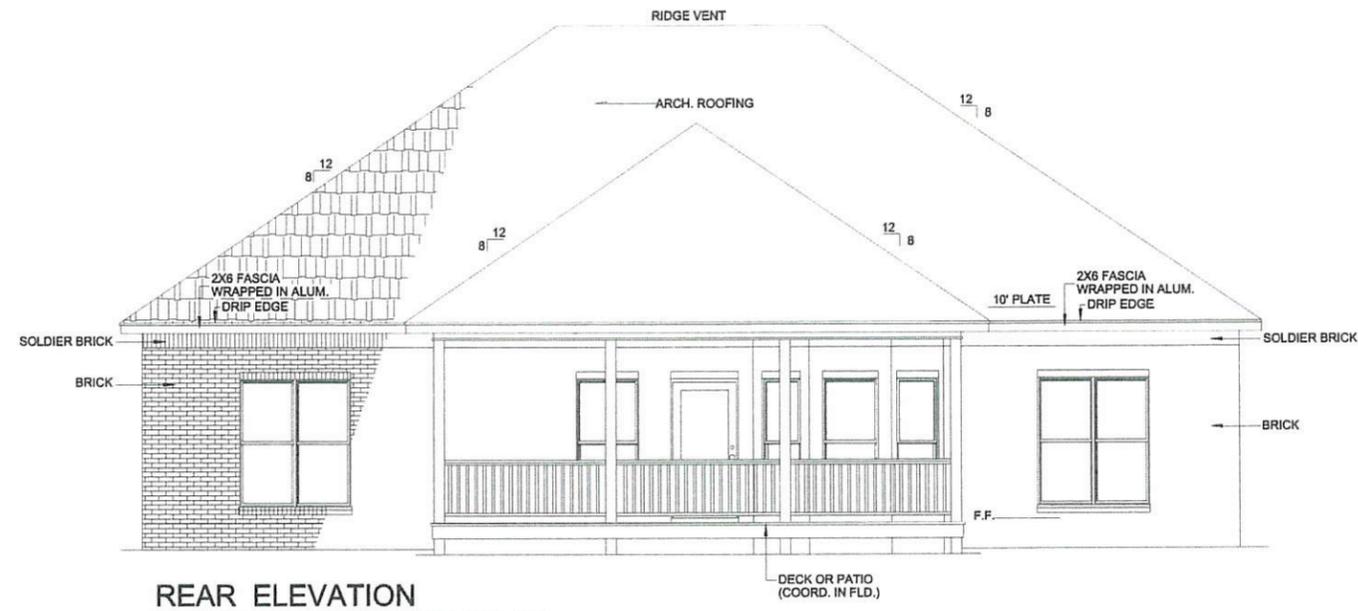
Project Information:  
Exterior Elevations  
Plan Name:  
"The Grandview"

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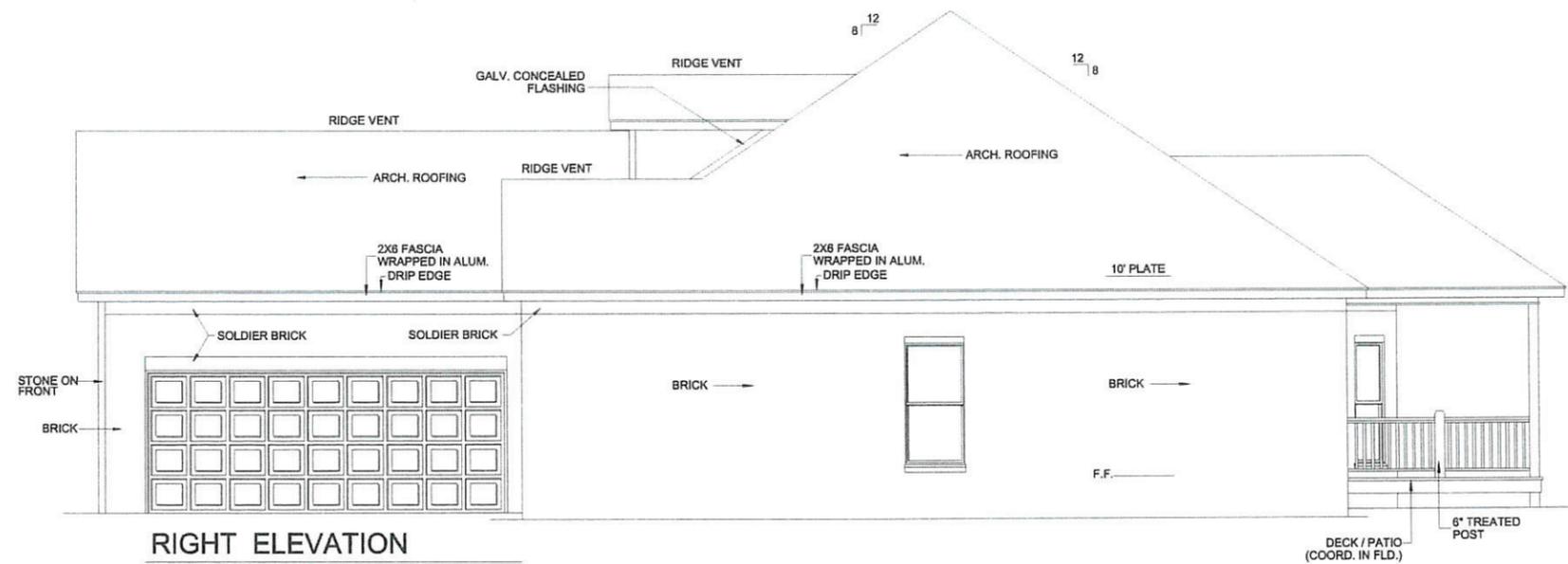
Drawing Number  
**CAD-6003**  
Sheet Number  
**2 of 3**

**ELEVATION NOTES:**

1. PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT ROOF PENETRATIONS AND TO BE LOCATED AWAY FROM PUBLIC VIEW, I.E. AT THE REAR OF THE HOUSE.



**REAR ELEVATION**



**RIGHT ELEVATION**

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Drawing Number  
**CAD-6003**  
Sheet Number  
**3 of 3**

**ORDINANCE NO. 2016- \_\_**

**City of Bella Vista, Arkansas**

**AN ORDINANCE AMENDING THE CITY OF BELLA VISTA ZONING ORDINANCE AND MAP BY REZONING CERTAIN LANDS COMMONLY KNOWN AS BENTON COUNTY PARCELS 16-70216-002 AND 16-70226-001 FROM R-1 (RESIDENTIAL SINGLE FAMILY) AND A PORTION OF BENTON COUNTY PARCEL 16-70222-000 FROM P-1 (OPEN SPACE) TO PZD (PLANNED ZONING DISTRICT) FOR THE COUNTRY CLUB VILLAS DEVELOPMENT, AND FOR OTHER PURPOSES**

---

**WHEREAS**, pursuant to the provisions of the City of Bella Vista Zoning Ordinances, the City Council has found that certain hereinafter described lands are better suited for PZD (Planned Zoning District) than R-1 (Residential Single Family) or P-1 (Open Space) zoning; and

**WHEREAS**, the City Council has determined that the public interest and welfare will be enhanced by the requested rezoning; and

**WHEREAS**, the City of Bella Vista Planning Commission conducted a public hearing on January 11, 2016, to hear all interested parties and subsequently recommended approval of the rezoning request on February 8, 2016.

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

**Section 1:** That the City of Bella Vista Zoning Ordinances and Map should be amended as provided herein for the Country Club Villas Planned Zoning District.

**Section 2:** That the following land hereinafter described should be zoned PZD-PA-3 and that said land, located in the City of Bella Vista, is described as follows:

A portion of Area No. 2, of Bella Vista Golf Course Subdivision, Bella Vista, Benton County, Arkansas, as filed in Plat L, Page 157 being described more particularly by metes and bounds as follows:

COMMENCING at the Southeast corner of Section 22, Township 21 North, Range 31 West; THENCE North 00° 00' 00" East a distance of 1,992.78 feet; THENCE North 90° 00' 00" West a distance of 47.38 feet to the Southwest corner of Lot 23 of said subdivision and the POINT OF BEGINNING;

THENCE North 44° 23' 09" East a distance of 107.28 feet; THENCE North 38° 01' 14" West a distance of 85.32 feet; THENCE North 41° 35' 31" West a distance of 85.69 feet; THENCE North 35° 11' 37" West a distance of 83.37 feet; THENCE North 14° 51' 00" West a distance of 48.87 feet; THENCE North 17° 30' 37" East a distance of 70.80 feet; THENCE North 32° 01' 08" East a distance of 89.07 feet; THENCE North 26° 52' 56" East a distance of 96.61 feet; THENCE North 16° 09' 10" East a distance of 99.53 feet; THENCE North 04° 02' 19" East a distance of 265.18 feet; THENCE North 83° 32' 31" West a distance of 109.04 feet; THENCE along a non-tangent curve to the right, with a length of 69.83 feet, having a radius of 1,429.01 feet, through a central angle of 02°47'59", and having a chord which bears North 09°10'34" East, a distance of 69.82 feet; THENCE North 10° 34' 34" East a distance of 91.96 feet; THENCE along a non-tangent curve to the right, with a length of 53.46 feet, having a radius of 80.00 feet, through a central angle of 38° 17' 29", and having a chord which bears North 29° 43' 18" East, a distance of 52.48 feet; THENCE North 48° 52' 02" East a distance of 46.77 feet; THENCE along a tangent curve to the right, with a length of 15.91 feet, having a radius of 10.00 feet, through a central angle of 91° 10' 56", and having a chord which bears South 85° 32' 29" East, a distance of 14.29 feet; THENCE South 39° 57' 01" East a distance of 10.00 feet; THENCE North 50° 02' 59" East a distance of 2.66 feet; THENCE South 37° 33' 25" East a distance of 39.75 feet; THENCE South 55° 05' 05" West a distance of 101.20 feet; THENCE South 35° 01' 55" East a distance of 87.07 feet; THENCE South 34° 39' 35" East a distance of 85.76 feet; THENCE South 32° 07' 36" East a distance of 85.09 feet; THENCE South 20° 03' 49" East a distance of

81.73 feet; THENCE South 07° 21' 35" East a distance of 82.96 feet; THENCE South 01° 46' 12" West a distance of 83.04 feet; THENCE South 09° 23' 54" West a distance of 80.73 feet; THENCE South 17° 24' 17" West a distance of 174.30 feet; THENCE South 12° 43' 26" West a distance of 183.04 feet; THENCE South 02° 37' 04" West a distance of 95.98 feet; THENCE South 02° 32' 25" East a distance of 95.80 feet; THENCE South 07° 29' 20" East a distance of 90.56 feet; THENCE South 11° 54' 45" East a distance of 86.58 feet; THENCE North 79° 57' 27" East a distance of 105.52 feet; THENCE along a non-tangent curve to the right, with a length of 151.81 feet, having a radius of 435.18 feet, through a central angle of 19° 59' 17", and having a chord which bears South 06° 20' 28" West, a distance of 151.05 feet; THENCE along a non-tangent compound curve to the right, with a length of 7.17 feet, having a radius of 10.00 feet, through a central angle of 41° 06' 16", and having a chord which bears South 87° 16' 10" West, a distance of 7.02 feet; THENCE North 72° 10' 42" West a distance of 70.35 feet; THENCE along a tangent curve to the right, with a length of 87.82 feet, having a radius of 80.00 feet, through a central angle of 62° 53' 40", and having a chord which bears North 40° 43' 52" West, a distance of 83.47 feet; THENCE North 09° 17' 02" West a distance of 125.21 feet; THENCE along a non-tangent curve to the left, with a length of 119.09 feet, having a radius of 235.72 feet, through a central angle of 28° 56' 44", and having a chord which bears North 25° 44' 47" West, a distance of 117.82 feet to the POINT OF BEGINNING and containing 165,580 square feet or 3.80 acres, more or less.

**Section 3:** That the following land hereinafter described should be zoned PZD-PA-2 and that said land, located in the City of Bella Vista, is described as follows:

A portion of Area No. 2, of Bella Vista Golf Course Subdivision, Bella Vista, Benton County, Arkansas, as filed in Plat L, Page 157 being described more particularly by metes and bounds as follows:

COMMENCING at the Southeast corner of Section 22, Township 21 North, Range 31 West; THENCE North 00° 00' 00" East a distance of 1,315.74 feet; THENCE North 90° 00' 00" West a distance of 68.60 feet to a found 1/2" rebar (LS#352) and the POINT OF BEGINNING;

THENCE North 08° 41' 32" West a distance of 171.71 feet; THENCE South 46° 43' 52" East a distance of 98.57 feet; THENCE along a non-tangent curve to the left, with a length of 118.45 feet, having a radius of 289.05 feet, through a central angle of 23° 28' 43", and having a chord which bears South 19° 52' 58" West, a distance of 117.62 feet to a non-tangent line; THENCE North 34° 37' 18" West a distance of 10.25 feet to the POINT OF BEGINNING and containing 5,230 square feet or 0.12 acres, more or less.

AND

A portion of Area No. 2, of Bella Vista Golf Course Subdivision, Bella Vista, Benton County, Arkansas, as filed in Plat L, Page 157 being described more particularly by metes and bounds as follows:

COMMENCING at the Southeast corner of Section 22, Township 21 North, Range 31 West; THENCE North 00° 00' 00" East a distance of 1,496.88 feet; THENCE North 90° 00' 00" West a distance of 96.29 feet to the Northwest corner of Lot 1 of said subdivision and the POINT OF BEGINNING;

THENCE North 08° 41' 32" West a distance of 348.33 feet to a found 1/2" rebar with cap (LS#352); THENCE North 41° 56' 30" West a distance of 455.24 feet to a found 1/2" rebar with cap (LS#352); THENCE North 19° 11' 19" West a distance of 191.91 feet; THENCE North 47° 01' 38" East a distance of 172.33 feet; THENCE South 30° 36' 22" West a distance of 44.69 feet; THENCE South 13° 20' 03" West a distance of 109.34 feet; THENCE South 04° 21' 36" East a distance of 140.27 feet; THENCE South 41° 44' 54" East a distance of 358.28 feet; THENCE South 30° 43' 15" East a distance of 79.58 feet; THENCE South 11° 20' 17" East a distance of 208.03 feet; THENCE South 47° 10' 01" East a distance of 105.89 feet; THENCE North 42° 30' 36" East a distance of 117.23 feet; THENCE along a non-tangent curve to the left, with a length of 18.09 feet, having a radius of 120.00 feet, through a central angle of 08° 38' 17", and having a chord which bears South 67° 51' 34" East, a distance of 18.07 feet; THENCE South 72° 10' 42" East a distance of 69.02 feet; THENCE along a tangent curve to the right, with a length of 7.40 feet, having a radius of 10.00 feet, through a central angle of 42° 23' 54", and having a chord which bears South 50° 58' 45" East, a distance of 7.23 feet; THENCE along a non-tangent compound curve to the right, with a length of 106.00 feet, having a radius of 435.18 feet, through a central angle of 13° 57' 23", and having a chord

which bears South 29° 15' 12" West, a distance of 105.74 feet to a non-tangent line; THENCE North 46° 47' 00" West a distance of 100.69 feet; THENCE South 43° 13' 00" West a distance of 82.83 feet; THENCE South 43°09'51" West a distance of 76.12 feet to the POINT OF BEGINNING and containing 43,602 square feet and 1.00 acres, more or less.

AND

A portion of Area No. 2, of Bella Vista Golf Course Subdivision, Bella Vista, Benton County, Arkansas, as filed in Plat L, Page 157 being described more particularly by metes and bounds as follows:

COMMENCING at the Southeast corner of Section 22, Township 21 North, Range 31 West; THENCE North 00° 00' 00" East a distance of 2,639.62 feet; THENCE North 90° 00' 00" West a distance of 291.06 feet to the Southerly Northwest corner of Lot 15 of said subdivision and the POINT OF BEGINNING;

THENCE North 11° 06' 28" East a distance of 67.07 feet to a found 1/2" rebar with cap (LS#352); THENCE North 06° 35' 33" East a distance of 538.59 feet to a found 1/2" rebar with cap (LS#352); THENCE North 48° 51' 54" East a distance of 96.46 feet; THENCE along a non-tangent curve to the left, with a length of 81.79 feet, having a radius of 701.61 feet, through a central angle of 06° 40' 44", and having a chord which bears South 50° 42' 32" East, a distance of 81.74 feet; THENCE along a non-tangent compound curve to the right, with a length of 54.55 feet, having a radius of 376.74 feet, through a central angle of 08° 17' 47", and having a chord which bears South 49° 54' 08" East, a distance of 54.50 feet to a non-tangent line; THENCE South 40° 48' 26" West a distance of 10.23 feet; THENCE North 51° 30' 48" West a distance of 76.15 feet; THENCE South 54° 58' 20" West a distance of 94.09 feet; THENCE South 18° 17' 38" West a distance of 115.55 feet; THENCE South 08° 48' 07" West a distance of 176.26 feet; THENCE South 05° 47' 14" West a distance of 93.16 feet; THENCE South 01° 41' 02" West a distance of 84.26 feet; THENCE South 12° 48' 34" West a distance of 74.40 feet; THENCE South 30° 22' 33" West a distance of 34.45 feet to the POINT OF BEGINNING and containing 15,289 square feet and 0.35 acres, more or less.

**Section 4:** That the following land hereinafter described should be zoned PZD-PA-1 and that said land, located in the City of Bella Vista, is described as follows:

A tract of land situated in the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) and the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) and the Southeast (SE1/4) of the Northeast (NE1/4) of Section 22 and the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) and the Southwest (SW1/4) of the Northwest (NW1/4) of Section 23 all being in Township 21 North, Range 31 West, Benton County, Arkansas, being more particularly described as follows;

COMMENCING at the Southeast corner of said Section 22 per Plat Book L, Page 159; Thence North 00°00'00" West, a distance of 1,315.74 feet; Thence North 90°00'00" West, a distance of 68.60 feet to a found 1/2" rebar with cap (LS#352) and the POINT of BEGINNING;

Thence North 08°41'32" West, a distance of 531.57 feet to a found 1/2" rebar with cap (LS#352); Thence North 41°56'30" West, a distance of 455.24 feet to a found 1/2" rebar with cap (LS#352); Thence North 19° 11' 19" West a distance of 191.91 feet; Thence North 47° 01' 38" East a distance of 172.33 feet; Thence North 31°36'35" East a distance of 189.14 feet; Thence North 11°06'28" East a distance of 67.07 feet to a found 1/2" rebar with cap (LS#352); Thence North 06°35'33" East, a distance of 538.59 feet to a found 1/2" rebar with cap (LS#352); Thence North 48°51'54" East, crossing the West Right-of-Way of aforementioned Dogwood Drive at a distance of 96.46 feet and continuing for a total distance of 136.71 feet to the East Right-of-Way of aforementioned Dogwood Drive; Thence along said East Right-of-Way the following twelve (12) courses; (1) Along a curve to the left, with a length of 72.75 feet, having a radius of 661.61 feet, through a central angle of 06°18'01", and having a chord which bears South 50°53'53" East, a distance of 72.72 feet; (2) Along a curve to the right, with a length of 84.21 feet, having a radius of 416.74 feet, through a central angle of 11°34'42", and having a chord which bears South 48°15'39" East, a distance of 84.07 feet; (3) South 40°00'56" East, a distance of 22.35 feet; (4) South 37°33'25" East, a distance of 245.87 feet; (5) Along a curve to the right, with a length of 79.77 feet, having a radius of 432.83 feet, through a central angle of 10°33'37", and having a chord which bears South

32°16'37" East, a distance of 79.66 feet; (6) South 26°59'48" East, a distance of 30.62 feet; (7) along a curve to the right, with a length of 500.21 feet, having a radius of 633.20 feet, through a central angle of 45°15'45", and having a chord which bears South 04°21'56" East, a distance of 487.31 feet; (8) South 18°15'56" West, a distance of 149.93 feet; (9) along a curve to the left, with a length of 380.11 feet, having a radius of 722.24 feet, through a central angle of 30°09'16", and having a chord which bears South 03°11'18" West, a distance of 375.74 feet to a found 1/2" rebar with cap (LS#352); (10) South 11°53'19" East, a distance of 20.00 feet; (11) along a curve to the right, with a length of 493.22 feet, having a radius of 475.18 feet, through a central angle of 59°28'18", and having a chord which bears South 17°50'49" West, a distance of 471.38 feet; (12) along a curve to the left, with a length of 220.12 feet, having a radius of 249.05 feet, through a central angle of 50°38'20", and having a chord which bears South 22°15'44" West, a distance of 213.02 feet; Thence leaving said East Right-of-Way North 34°37'18" West, a distance of 76.14 feet to the POINT of BEGINNING and containing 877,213 square feet or 20.14 acres, more or less. LESS AND EXPECT those portions of land described in Section 2 and Section 3.

**Section 5: General Description:** The goal of the Country Club Villas PZD is to provide safe, sound, economical, and innovative housing solutions for all citizens. Specific goals of the PZD include:

- A. Provisions of adequate space within the PZD boundaries to create an appropriate mix of housing floorplans;
- B. Control of structure height to provide light and air movement through windows and between units.
- C. Promotion of desirable land use and development in order to protect district character and to conserve land and building value.
- D. Provisions of open space dedication.

**Section 6: District Purposes: Planned Zoning District – Country Club Villas.** This district is intended to create a suitable environment for development of quality detached single-family dwellings with comparative densities, and related facilities normally required for a balanced and attractive residential area while also providing dedicated open space. The Country Club Villas Planned Zoning District shall be comprised of three distinct areas:

- A. Planning Area 1 (PA-1) Residential Single Family
- B. Planning Area 2 (PA-2) Common Space
- C. Planning Area 3 (PA-3) Limited Common Space

**Section 7: Permitted Uses:** The following shall govern the type of uses for each of the Planning Areas described herein:

- A. Lands zoned Planning Area 2 (PA-2) Common Space shall be designated as common space in the Country Club Villas PZD is land devoted to conservation or recreational purposes and/or land designated to remain undeveloped, subject to the uses allowed in the following Table of Permitted Uses.
- B. Lands zoned Planning Area 3 (PA-3) Limited Common Space Requirements shall be designated as limited common space in the Country Club Villas PZD; land devoted to conservation or recreational purposes and/or land designated to remain undeveloped, subject to the uses allowed in the following Table of Permitted Uses.
- C. *Table of Permitted Uses:*

Key to Uses:	Zoning District: Country Club Villas PZD		
P = Permitted Use C = Conditional Use	PA-1, Residential Single-family	PA-2, Common Space	PA-3, Limited Common Space
TYPE OF USE	PA-1	PA-2	PA-3
Accessory building, nonresidential	P	P	P
Accessory building, residential	P		

TYPE OF USE	PA-1	PA-2	PA-3
Animal - domestic or household	P		
Detention Pond		P	P
Golf courses, clubhouse		P	
Park, public or private		P	P
Public utilities facilities		C	
Recreational facilities, outdoor		P	P
Temporary uses	P		

D. *Uses not listed.*

1. When a use is proposed that is not listed in the table of permitted uses, the mayor or his designee shall recommend the appropriate districts that the use may be located in, based on land uses that are similar in size, bulk, and traffic generation. If the applicant does not agree with this interpretation, he may appeal the interpretation to the board of zoning adjustment.
2. If the mayor or his designee fails to make an interpretation for the use in question, then the application shall be handled as a proposed amendment to this document and shall be processed in accordance with City of Bella Vista requirements.

**Section 7: Planning Area 1 (PA-1) Residential Single Family Requirements.**

A. *Bulk and area requirements.*

1. *Density.* The maximum density permitted under this district is 2.66 residential units per acre.
2. *Lot and area requirements:*

Structure Type	Minimum Lot Area (sq. ft.)	Minimum Street Frontage	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage
Single-family	8,000	50	50	100	40 percent

3. *Minimum setback requirements:*

- a. *Garages.* The minimum setback for front-loading garages shall be ten (10) feet from the front elevation of the principle structure and set back a minimum of thirty (30) feet from the front property line. Side-loading garages shall be set back a minimum of twenty (20) feet from any property line.
- b. *Residences:* Principle residential structures shall be set back no less than: twenty (20) feet from the front of the lot, eight (8) feet from any side lot line, and twenty (20) feet from the rear of any lot.

B. *Easements.* Where a utility easement extends beyond the required setback, the edge of the utility easement shall be the setback.

C. *Setbacks.* Building setbacks shown on the lots are also to serve as utility, access, and drainage easements.

D. *Height requirements.* The maximum height permitted in the PZD district is forty (40) feet.

E. *Parking.* Each individual unit shall provide off-street parking within a two car garage.

F. *Fencing.* Fencing in any form is not permitted within the Country Club Villas PZD.

G. *Landscaping.* Each individual unit shall provide at least two trees in the front yard and one in the back yard of each lot selected from the recommended landscaping materials listed in Municipal Code Section 109-221.

H. *Architecture.*

1. The architecture to be erected as part of this ordinance shall substantially adhere to those examples provided in Attachment "A".

2. Though all buildings and structures shall adhere to a common architectural theme or style as provided in Attachment "A", the footprint of the homes, material utilized to create the facade of the home and a number of different construction plans will be utilized so as to create a non-standardized street view.
3. No two homes shall be constructed immediately adjacent to each other that utilize the same three elements (set forth in the previous sentence) of the home immediately adjacent to it.

**Section 8: Signage.**

- A. *Permit required.* Permanent signs must obtain a sign permit as outlined in the City of Bella Vista code of ordinances section 109-46, subject to the regulations specified in this section.
- B. *Attached signage.* Permanent signage attached to or integral to a building or structure is not permitted within the PZD.
- C. *Monument signage.* Monument signage is subject to the following regulations:
  1. *Maximum height.* Monument signs shall be limited to seven (7) feet in height.
  2. *Maximum area.* Monument signs shall be limited to thirty-two (32) square feet of sign area per side.
  3. *Landscaping.* Decorative stones, crushed granite, or river stone shall be required around the sign.
- D. *Illumination.*
  1. *Source.* Signs may be illuminated from within or from an external source, but such illumination shall be in a manner which avoids glare or reflection which in any way interferes with traffic safety or infringes on neighboring residential districts.
  2. *Internal illumination.* Internally illuminated signs shall have an opaque background and translucent copy.
  3. *External illumination.* External illumination shall be selected, located, aimed and shielded so that direct illumination is focused solely on the sign face, away from adjoining properties and the public street right-of-way.
  4. *Strung lights.* Signs shall not be illuminated by a string of lights placed around the sign.
  5. *Lighting adjacent to residential areas.* Sign lighting shall not be a nuisance to adjacent neighboring residential areas.

**Section 9:** Attachment "A", consisting of twenty-two (22) pages is hereby incorporated into this ordinance as if spelled out word for word.

**Section 10: Conflicts.** Where there is more than one provision within the Planned Zoning District Master Development Plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.

**Section 11: Enforcement.** To further the mutual interests of the residents, occupants, and owners of the PZD Master Development Plan and of the public in the preservation and integrity of the Plan, the provisions of this Plan relating to the use of land, statements of commitments, development and architectural standards, and the location of common open space shall run in favor of the City of Bella Vista and shall be enforceable at law or in equity by the city without limitation on any power or regulation otherwise granted by law.

**Section 12: Reversion.** In the event that the zoning and development standards described in the planned zoning district's Zoning Description(s), Master Development Plan, and architectural elevations are not fully implemented within three (3) years, those undeveloped portions of the parcel(s) for which the Planned Zoning District was proposed shall revert to its pre-proposal zoning district.

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PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion:

APPROVED:

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Mayor Peter Christie

ATTEST:

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Wayne Jertson  
City Clerk

APPROVED AS TO FORM:

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Jason B. Kelley, Staff Attorney

*Requested by: Mayor Christie*

*Prepared by: Christopher Suneson, PLA, Director of Community Development Services*

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: March 28, 2016 – Regular Meeting

AGENDA ITEM:

ITEM TITLE: An Ordinance Amending Section 18-20(b) of the Municipal Code Regulating the Dumping of Tree Cuttings and Other Materials, and For Other Purposes

SUBMITTED BY: Christopher Suneson, PLA

SUMMARY EXPLANATION: Under Ordinance 2008-03, the City adopted several provisions regulating nuisances including allowing the dumping of tree cuttings, tree trunks, fill dirt, and other materials to reclaim gullies and ravines. This ordinance was later codified in section 18-20(b) of the municipal code. The current language of this section reads:

*“The dumping of tree cuttings, tree trunks, fill dirt and other appropriate fill material may be permitted to reclaim gullies and ravines upon application to, and approval by, the city planning commission under the following conditions:*

- (1) Written certification by the applicant that he is the legal owner of the property or that he has the written permission of the property owner.*
- (2) Access must be completely restricted to the applicant only.*
- (3) All material must be covered by fill dirt and smoothed over at intervals not to exceed two weeks.*
- (4) Compliance with any drainage ordinance passed by the city.*

*Failure to comply with the above conditions will be grounds for revocation of the permit and may result in the issuance of a citation pursuant to subsection (a) of this section. Any area currently used as a location for the dumping of stumps, vegetation waste or dirt at the time of the adoption of the ordinance from which this article is derived shall be exempt from the requirements of this subsection.”*

The City later adopted Ordinance 2011-14, which regulated land alteration activities including the filling activities that would allow the reclamation of ravines and gullies upon permit issuance from the Department.

The legislation that follows would strike most portions of this section of code to eliminate potential confusion of 1) whether the planning commission or staff issues permits for these activities and 2) methods to obtain a permit to perform these activities.

ATTACHMENT: ORDINANCE  RESOLUTION  OTHER

RECOMMENDATION: Staff recommends approval of this ordinance.

ACTION REQUESTED:  
Motion to adopt

ORDINANCE NO. 2016- \_\_

City of Bella Vista, Arkansas

**AN ORDINANCE AMENDING SECTION 18-20(b) OF THE MUNICIPAL CODE REGULATING THE DUMPING OF TREE CUTTINGS AND OTHER MATERIALS, AND FOR OTHER PURPOSES**

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**WHEREAS**, the City Council adopted Ordinance 2008-03, regulating the dumping of tree cuttings, trunks, dirt, and other materials, which was latter codified to Section 18-20(b) of the municipal code; and

**WHEREAS**, the section provides for residents to apply for a permit to reclaim gullies and ravines upon approval by the Planning Commission; and

**WHEREAS**, the City Council subsequently adopted legislation under Ordinance 2011-14, which similarly and more completely regulates filling activities, which was later codified to Sections 107-373 through 107-388; and

**WHEREAS**, there is a conflict between the two referenced sections with regard to permitting authority regulating land alteration activities.

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

**Section 1:** That Section 18-20(b) of the municipal code shall be amended to read as follows:

“(b) The dumping of tree cuttings, tree trunks, fill dirt and other appropriate fill material may be allowed to reclaim gullies and ravines upon obtaining a permit pursuant Sections 107-373 through 107-388 of the municipal code. Failure to comply with the above conditions will be grounds for revocation of the permit and may result in the issuance of a citation pursuant to subsection (a) of this section. Any area currently used as a location for the dumping of stumps, vegetation waste or dirt at the time of the adoption of the ordinance from which this article is derived shall be exempt from the requirements of this subsection.”

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PASSED THIS \_\_\_ DAY OF \_\_\_\_\_, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion:

APPROVED:

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Mayor Peter Christie

ATTEST:

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Wayne Jertson  
City Clerk

APPROVED AS TO FORM:

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Jason B. Kelley, Staff Attorney

*Prepared by: Christopher Suneson, PLA, Director of Community Development Services*

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

**CITY OF BELLA VISTA, ARKANSAS**

**AMENDING SECTION 2-106 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO LIMIT THE SUBJECTS OF CALLED SPECIAL MEETINGS OF THE CITY COUNCIL**

**WHEREAS**, it is important for both the Mayor and Aldermen to have the ability to call special meetings of the City Council to conduct business that cannot be timely handled by waiting until a regularly scheduled meeting without risk to the public or additional financial expense to the City; and

**WHEREAS**, Ark. Code Ann. § 14-43-502 provides that the Mayor or any three (3) aldermen of any city may call special meetings of the City Council in a manner as may be provided by ordinance; and

**WHEREAS**, a special meeting of the City Council should not be used to conduct business of the City Council which may wait until the next regularly scheduled meeting without placing the public at risk or causing additional financial expense to the City;

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

SECTION 1: Section 2-106 of the Code of Ordinances of the City of Bella Vista, Arkansas is hereby amended so that after amendment, the Section shall read as follows:

**“Sec. 2-106. Special meetings.**

- (a) *Call.* When in the best interests of the City, the Mayor may call a special meeting of the City Council. In addition, any three (3) aldermen may call a special meeting of the City Council by signing and providing a notice to the City Clerk announcing a special meeting, and stating in the notice the agenda, date, time and location of the meeting. Notification of special meetings, including the agenda, shall be made at least two (2) hours prior to the meeting. Such notification shall be made by personal service or by telephone to each member specifying the time, place and agenda of the meeting.
- (b) *Purpose.* No special meeting shall be called for agenda items which may be considered at the next regularly scheduled meeting of the City Council without placing risk to the public or additional financial expense to the City. At any special meeting, no business other than that stated in the agenda for the special meeting shall be considered.
- (c) *Cancellation.* Only the Mayor, or the three (3) alderman calling a special meeting, may cancel a special meeting.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

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PETER CHRISTIE  
MAYOR

ATTEST:

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WAYNE JERTSON  
CITY CLERK

Requested by: Alderman Anderson  
Prepared by: Jason Kelley, Staff Attorney

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: March 28, 2016

AGENDA ITEM: Resolution-2016-\_\_\_\_\_

ITEM TITLE: Revising Municipal Code §103-48(c): Key Box Required

SUBMITTED BY: Jennifer Bonner, Senior Planner

SUMMARY: To replace and codify language in order to standardize references to the type of key box required in the supplemental provisions of the fire code located in Municipal Code §103-48(c)

ATTACHMENT: Ordinance  Resolution  Other

RECOMMENDATION: Staff recommends approval of this resolution.

ACTION REQUESTED: Motion to adopt

**PART II - LAND DEVELOPMENT ORDINANCES**  
**Chapter 103 - BUILDINGS AND BUILDING REGULATIONS**  
**ARTICLE II. - CONSTRUCTION STANDARDS**  
**DIVISION 2. - FIRE PREVENTION CODE**

Sec. 103-48. - Supplemental provisions of the fire code.

- (a) *Fire protection sprinkler systems.* In addition to the requirements of Volume I and Volume II of the Arkansas Fire Prevention Code, 2012 edition, the following shall regulate the installation of fire protection sprinkler systems in the city: Any existing building which has an automatic sprinkler system installed shall have a water flow detection device on the riser of a wet pipe system or a low air detection device installed on the riser of a dry pipe system. These devices shall be electronically supervised and be monitored at all times by an approved fire alarm monitoring agency regardless of the number of sprinkler heads served.
- (b) *Remote fire department connections (FDCs).*
- (1) In all new construction where an automatic sprinkler system is required, the fire department connection shall be freestanding and remote from the building, equal to 150 percent of the height of the exterior wall as approved by the fire chief or his duly authorized designee.
  - (2) All FDCs shall be equipped with a five-inch thread-less Storz brand connection and shall have a 30- to 45-degree downward deflection.
  - (3) Underground piping serving an FDC shall be equipped with a ball drip valve to ensure there is no standing water in the connection and that the piping does not freeze.
  - (4) When, in the opinion of the fire chief or his duly authorized designee, an FDC is subject to vehicular damage, the FDC shall be protected as required by the Arkansas Fire Prevention Code.
  - (5) All FDCs shall be marked by signage approved by the fire chief or his duly authorized designee.
- (c) *Key box required.*
- (1) *Purpose.* The purpose of this ~~key box~~ requirement is to provide access to or within a structure or an area where it is unduly difficult because of secured openings, or where immediate access is necessary for lifesaving or firefighting purposes, or when hazardous materials data are required to be provided to the fire department by occupants of the structure.
  - (2) *Type of system.* The Knox Box vault system is hereby adopted for use in the city.
  - (3) *Where required.* A Knox Box shall be installed in all existing buildings which have an automatic alarm system which is monitored or has an automatic sprinkler system. The ~~key box~~ **Knox Box** shall contain those keys ~~found~~ necessary to provide emergency access and any other information as required by the fire chief, or ~~a his~~ duly authorized designee.
  - (4) *Location.* The Knox Box shall be compatible with other key boxes located within the city so that the fire department shall have access to all key boxes through the use of only one key.
  - (5) *Responsibilities of property owner.* The property owner is responsible to ensure that keys maintained within a ~~key box~~ **Knox Box** are those of the current type. When a change of locks within the building is necessary, the fire department shall be notified for appropriate placement of new keys in the ~~key box~~ **Knox Box**.
  - (6) *Expense.* The Knox Box shall be installed at the owner's or occupant's expense.

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

CITY OF BELLA VISTA, ARKANSAS

AMENDING SECTION 103-48(c) OF THE CODE OF ORDINANCES OF  
THE CITY OF BELLA VISTA CONCERNING KEY BOX  
REQUIREMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA,  
ARKANSAS:

SECTION 1: Subsection (c) of Section 103-48 of the Code of Ordinances of the City of Bella Vista, Arkansas is hereby amended so that after amendment, the subsection shall read as follows:

“(c) *Key box required.*

- (1) *Purpose.* The purpose of this requirement is to provide access to or within a structure or an area where it is unduly difficult because of secured openings, or where immediate access is necessary for lifesaving or firefighting purposes, or when hazardous materials data are required to be provided to the fire department by occupants of the structure.
- (2) *Type of system.* The Knox Box vault system is hereby adopted for use in the city.
- (3) *Where required.* A Knox Box shall be installed in all existing buildings which have an automatic alarm system which is monitored or has an automatic sprinkler system. The Knox Box shall contain those keys necessary to provide emergency access and any other information as required by the fire chief, or a duly authorized designee.
- (4) *Location.* The Knox Box shall be compatible with other key boxes located within the city so that the fire department shall have access to all key boxes through the use of only one key.
- (5) *Responsibilities of property owner.* The property owner is responsible to ensure that keys maintained within a Knox Box are those of the current type. When a change of locks within the building is necessary, the fire department shall be notified for appropriate placement of new keys in the Knox Box.
- (6) *Expense.* The Knox Box shall be installed at the owner’s or occupant’s expense.”

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
PETER CHRISTIE  
MAYOR

ATTEST:

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WAYNE JERTSON  
CITY CLERK

Requested by: Mayor  
Prepared by: Jason Kelley, Staff Attorney

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: March 28, 2016 – Regular Meeting

AGENDA ITEM:

ITEM TITLE: An Ordinance Amending Code Section 109-166 Regulating Accessory Structures and Section 109-248 Regulating Fence Location, and For Other Purposes

SUBMITTED BY: Christopher Suneson, PLA

SUMMARY EXPLANATION: Upon referral from the City Council, the Planning Commission has discussed and recommended several changes to Section 109-166 of the municipal code regulating accessory structures. The current language of this code section follows, with deletions contained in ~~strikeout~~ text and additions in **bold, underline** text:

**Sec. 109-166. - Accessory buildings.**

(a) *Nonresidential buildings.* An accessory nonresidential building may be erected detached from the principal building, or, except when a stable, may be erected as an integral part of the principal building.

(1) *Attached accessory.* An accessory building attached to a main building shall be made structurally a part and have a common wall with the main building and shall comply in all respects with the requirements of this article applicable to the principal building.

~~(2) *Size.* An accessory building shall be no larger than 720 square feet and shall have a similar architecture to that of the main structure.~~

(3) **2) Setbacks.** Detached accessory nonresidential buildings shall meet all setbacks for the zone as designated, **and shall not extend beyond the front plane of the house. In the case of corner lots, accessory structures must not be placed between a street right-of-way and the side plan of the house unless the structure is located behind the rear plane of the house.**

(4) **3) Height.** Accessory buildings shall not exceed the maximum height ~~as allowed by the zoning district in which it is located~~ **of twenty-five (25) feet nor the highest elevation of the primary structure whichever is less.**

(5) **4) Barns and stables.** Barns and stables shall not be considered nonresidential accessory structures and shall meet the setback requirements as set forth in the zoning district in which they are located.

The Planning Commission has also discussed and recommended several changes to Section 109-248 of the municipal code regulating fence placement. The current language of this code section follows, with deletions contained in ~~strikeout~~ text and additions in **bold, underline** text:

**Sec. 109-248. - Fence location. Modified**

(a) *Private property.* All fences shall be located on private property and shall be built with the consent of the property owner. The fence installer and/or property owner shall be responsible to correctly locate property boundaries. Fences shall not encroach onto adjoining property or rights-of-way. ~~Fences shall be located on the common property line between adjacent lots or be located a minimum of five feet away from the common property line.~~

(b) *Front yard.*

(1) A fence ~~over 36 inches in height~~ shall not be located in the front yard ~~or be~~ **but may be** positioned ~~any closer to the front property line than the front surface of the building for a typical residential lot~~ **in compliance with other regulations of this section.**

(2) For corner lots, only one side **street right-of-way** shall be considered the front **of the lot. For purposes of this section, the front shall be defined by the orientation of the primary pedestrian entry to the structure.**

(c) *Rear and side yards.* A fence may be located in the rear or side yard, but shall be in compliance with other regulations of this section.

**(1) A fence that does not cross any portion of the front yard may begin on a rear or side property line at the full height of the fence, but shall not exceed eight feet (8') in height from the ground below the fence.**

**(2) When placed along a side property line, a fence shall not be placed any closer to a street right-of-way than the front building setback of the parcel on which it is located or the adjacent parcel, whichever is less restrictive.**

**(3) A fence may be located in the rear or side yard, but shall be in compliance with other regulations of this section.**

(d) *Adjacent to right of way.* Fences adjacent to a public right of way shall be placed no closer than five feet to the right of way.

(e ~~d~~) *Sight triangle.* Fences constructed near **driveways and** street intersections shall stay clear of **all** the sight triangle(s) in order to provide a reasonable degree of traffic visibility. **See Section §109-3 for the definition and reference dimensions of a sight triangle.**

(f ~~e~~) *Easements.*

(1) *Utility easements.* Construction of fences in utility easements is permitted, but the fence installer and/or property owner assumes some risk by doing so. The fence enclosing utility easement shall have a gate installed to permit access to the easement.

(2) *Drainage easements.* Fences shall not impede the normal flow of stormwater and shall not cross an open drainage channel. Fences proposed in drainage easements shall be approved on a case by case basis.

(3) *Access easement.* Fences shall not be constructed over a public access easement. Fences proposed over private emergency access easements must be approved by the fire department to ensure adequate access for emergency vehicles and equipment at all times.

The Planning Commission conducted public hearings on both of the foregoing changes on Monday, March 14, 2016, to hear comments from the public. The language of both as presented here and in the accompanying ordinance were recommended to the City Council.

ATTACHMENT:      ORDINANCE  RESOLUTION  OTHER

RECOMMENDATION: Staff recommends approval of this ordinance.

ACTION REQUESTED:  
Motion to adopt

**ORDINANCE NO. 2016- \_\_**

**City of Bella Vista, Arkansas**

**AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 109-166 REGULATING ACCESSORY STRUCTURES AND SECTION 109-248 REGULATING FENCE LOCATION, AND FOR OTHER PURPOSES**

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**WHEREAS**, the City Council has determined that current regulations affecting the placement and height of accessory structures are in need of revision and referred the question of how best to do so to the Planning Commission; and

**WHEREAS**, the Planning Commission held several work sessions to determine how to best regulate the placement and height of accessory structures; and

**WHEREAS**, the Planning Commission held several work sessions to determine how to best regulate fencing; and

**WHEREAS**, the Planning Commission held separate public hearings for accessory structure regulations and fence regulations on Monday, March 14, 2016, where it heard comments from the public on the proposed regulations and recommended approval of the both sets of amendments.

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

**Section 1:** That Section 109-166 of the municipal code shall be amended to read as follows:

Sec. 109-166. - Accessory buildings.

- (a) *Nonresidential buildings.* An accessory nonresidential building may be erected detached from the principal building, or, except when a stable, may be erected as an integral part of the principal building.
  - (1) *Attached accessory.* An accessory building attached to a main building shall be made structurally a part and have a common wall with the main building and shall comply in all respects with the requirements of this article applicable to the principal building.
  - (2) *Setbacks.* Detached accessory nonresidential buildings shall meet all setbacks for the zone as designated, and shall not extend beyond the front plane of the house. In the case of corner lots, accessory structures must not be placed between a street right-of-way and the side plane of the house unless the structure is located behind the rear plane of the house.
  - (3) *Height.* Accessory buildings shall not exceed the maximum height of twenty-five (25) feet nor the highest elevation of the primary structure whichever is less.
  - (4) *Barns and stables.* Barns and stables shall be considered nonresidential accessory structures and shall meet the setback requirements as set forth in the zoning district in which they are located.

**Section 2:** That Section 109-248 of the municipal code shall be amended to read as follows:

Sec. 109-248. - Fence location.

- (a) *Private property.* All fences shall be located on private property and shall be built with the consent of the property owner. The fence installer and/or property owner shall be

responsible to correctly locate property boundaries. Fences shall not encroach onto adjoining property or rights-of-way.

- (b) *Front yard.*
  - (1) A fence shall not be located in the front yard but may be positioned in compliance with other regulations of this section.
  - (2) For corner lots, only one street right-of-way shall be considered the front of the lot. For purposes of this section, the front shall be defined by the orientation of the primary pedestrian entry to the structure.
- (c) *Rear and side yards.*
  - (1) A fence that does not cross any portion of the front yard may begin on a rear or side property line at the full height of the fence, but shall not exceed eight feet (8') in height from the ground below the fence.
  - (2) When placed along a side property line, a fence shall not be placed any closer to a street right-of-way than the front building setback of the parcel on which it is located or the adjacent parcel, whichever is less restrictive.
  - (3) A fence may be located in the rear or side yard, but shall be in compliance with other regulations of this section.
- (d) *Sight triangle.* Fences constructed near driveways and street intersections shall stay clear of all sight triangles in order to provide a reasonable degree of traffic visibility. See Section §109-3 for the definition and reference dimensions of a sight triangle.
- (e) *Easements.*
  - (1) *Utility easements.* Construction of fences in utility easements is permitted, but the fence installer and/or property owner assumes some risk by doing so. The fence enclosing utility easement shall have a gate installed to permit access to the easement.
  - (2) *Drainage easements.* Fences shall not impede the normal flow of stormwater and shall not cross an open drainage channel. Fences proposed in drainage easements shall be approved on a case by case basis.
  - (3) *Access easement.* Fences shall not be constructed over a public access easement. Fences proposed over private emergency access easements must be approved by the fire department to ensure adequate access for emergency vehicles and equipment at all times.

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PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion:

APPROVED:

---

Mayor Peter Christie

ATTEST:

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Wayne Jertson  
City Clerk

APPROVED AS TO FORM:

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Jason B. Kelley, Staff Attorney

*Prepared by: Christopher Suneson, PLA, Director of Community Development Services*

# Memorandum

March 10, 2016

To: Mayor Peter Christie and Bella Vista City Council

From: Mike Button, City of Bella Vista Street Superintendent

RE: Request for Bid, Sand/Salt Storage Building

Requests for Bid were sent out to ten different vendors for the construction of a Sand/Salt Storage Building located at the new Street Department Facility. Five bids were received, with A&B Construction being the low bidder at \$178,720.00. This Vendor meets all specifications provided in the bid packet for the construction of a 72 x 100-foot structure comprised of 8-foot-tall concrete stem walls with a clear span truss system and membrane fabric roof system. The budgeted amount for the entire project was in the amount of \$246,000.00, which included a paved floor as well as hard surface paving in front and one side of this structure which will ultimately be part of another contract.

With that being said, I recommend that Bella Vista City Council award bid to A&B Construction in an amount not exceed \$184,000 (includes a 3% contingency to cover a potential rock clause) for the construction of a Sand/Salt Storage Building at the new Bella Vista Street Department Facility.

Respectfully Submitted,

Mike Button

City of Bella Vista Street Superintendent,

# City of Hartford Dept. of Public Works



Hartford, CT

**Challenge** – Replacement of a wood structure

**Solution** – Hercules Truss Arch Building

**Size** – 72' wide x 108' long

**Application** – Salt storage

Established in 1784 and appointed the sole capital city of Connecticut in 1875, the city of Hartford covers 17.3 square miles and has a population of 125,000, making it the fourth largest city in the Constitution State. As winters become longer and more crippling, the city must quickly respond to snow and ice removal for its residents, commuters and workers that account for a general metropolitan area of over 1.2 million people.

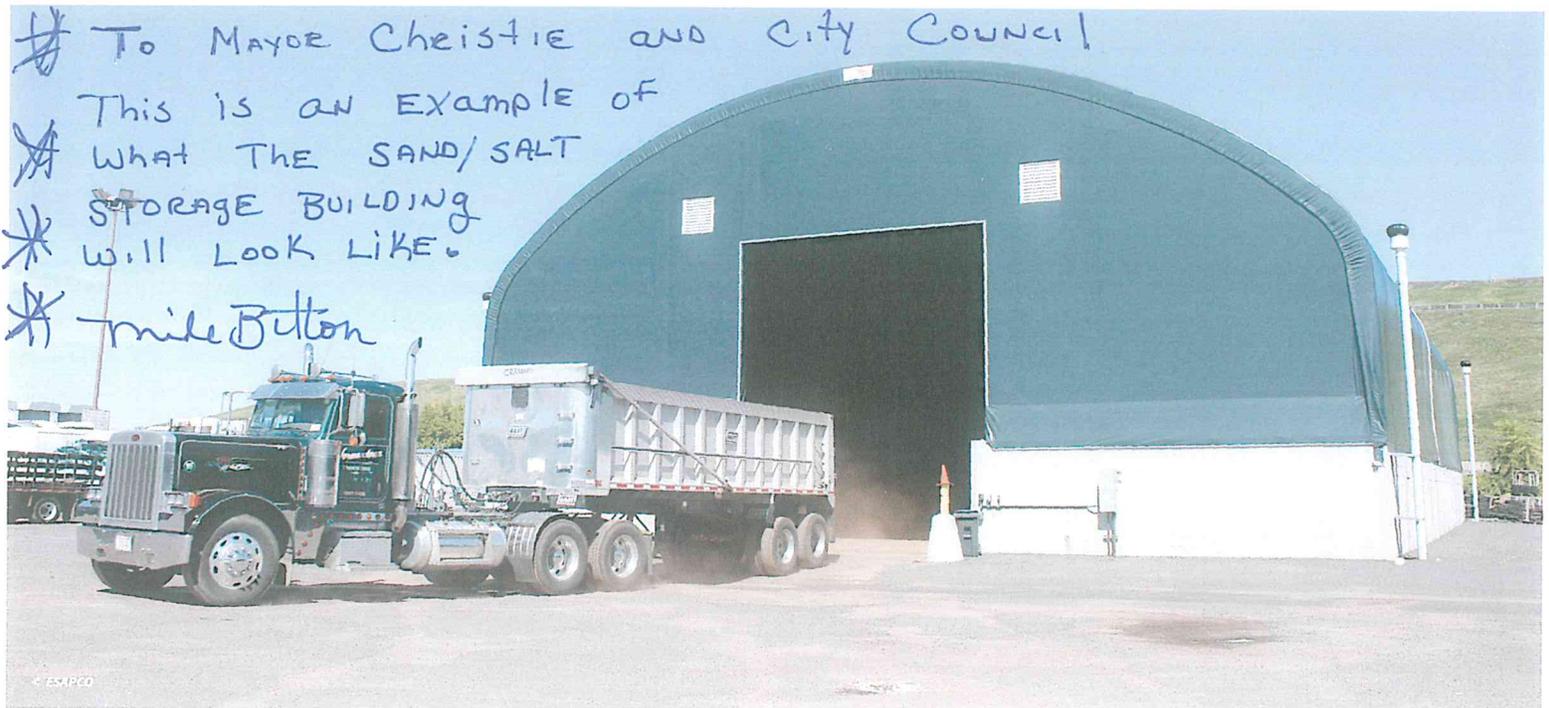
Bob Umashankar has been the city's civil engineer and project manager since 2005, and recently concluded that instead of replacing a roof on the city's wooden salt shed, they would replace the building with a more sustainable solution. "Not only did the roof need to be replaced on the old structure, but we were looking for a larger area to store more material," Umashankar said.

After conducting some online research, Umashankar learned that a fabric structure had several benefits aside from bulk material storage, and ultimately chose ClearSpan Fabric Structures, which has its home offices just 10 miles away. "We went with a fabric building due to its fast construction timeline and low cost," added Umashankar. "We needed a new building quickly, and ClearSpan presented a good plan and was very helpful."

The 72' wide by 108' long Hercules Truss Arch Building has been performing very well, allowing the city's public works department to store an abundant supply of salt ahead of the winter season. "We've found that for operational and functionality purposes, the fabric building from ClearSpan has been working out much better than the wood structure," concluded Umashankar. "It's also very nice looking!"



*To learn more about the City of Hartford Department of Public Works and their ClearSpan structure, call Bob Umashankar at 860.757.9985 or visit, [www.hartford.gov/dpw](http://www.hartford.gov/dpw).*



**Salt/Sand Storage Building 3/8/16 9:30am**

<b>Company Name</b>	<b>Contact</b>	<b>Bid Amount</b>
A&B Construction	Ben Striegel	\$ 178,720.00
Arnold Luttrell	Arnold	
B Electric	Cody Bailey	
Beck Construction	Larry Beck	
Center Point Contractors	Bonnie	\$ 338,639.00
Diamond C Construction	Rome	\$ 305,000.00
General Construction	Kelly Freeman	
LCB Construction		\$ 213,427.00
Marathon Metal of Gravette	Brent	2/24 They will not be bidding.
Weather Port Shelter Systems		\$ 180,226.00

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

**CITY OF BELLA VISTA, ARKANSAS**

**AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH A&B CONSTRUCTION IN THE AMOUNT OF \$178,720.00, PLUS A THREE PERCENT (3%) CONTINGENCY, FOR THE CONSTRUCTION OF A SAND/SALT STORAGE BUILDING AT THE NEW STREET DEPARTMENT FACILITY**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The Mayor and City Clerk are hereby authorized to enter into a contract with A&B Construction in the amount of \$178,720.00, plus a three percent (3%) contingency, for the construction of a sand/salt storage building at the new Street Department facility.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
PETER CHRISTIE  
MAYOR

ATTEST:

\_\_\_\_\_  
WAYNE JERTSON  
CITY CLERK

Requested by: Mayor  
Prepared by: Jason Kelley, Staff Attorney

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

**CITY OF BELLA VISTA, ARKANSAS**

**APPROVING APPOINTMENTS TO THE BELLA VISTA ARTS COUNCIL**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The City Council of the City of Bella Vista, Arkansas hereby approves the following Mayor's appointments to the Bella Vista Arts Council, for the positions and terms specified:

- Position 1: Ben Edwards, initial three (3) year term
- Position 2: Janelle Redlaczyk, initial two (2) year term
- Position 3: Janet Horan, initial one (1) year term

**SECTION 2:** Terms for the appointments approved herein shall commence on the effective date of Sections 5-1 through 5-3 of the Code of Ordinances of the City of Bella Vista.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor Peter Christie

Attest:

\_\_\_\_\_  
City Clerk Wayne Jertson

Approved as to Form:

\_\_\_\_\_  
Jason B. Kelley  
Staff Attorney

Requested by Mayor Christie  
Prepared by Jason Kelley, Staff Attorney

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: March 28, 2016 – Regular Meeting

AGENDA ITEM:

ITEM TITLE: A Resolution Renaming North Ramworth Lane to Wilms Lane and South Ramworth Lane to Hutchinson Lane, and For Other Purposes

SUBMITTED BY: Christopher Suneson, PLA

SUMMARY EXPLANATION: The street naming conventions has always been unusual. There are often several streets with the same name, but different suffixes: London Lane, London Circle, London Drive.

Currently, there are three streets that are named “Ramworth”: Ramworth Lane, North Ramworth Lane, and South Ramworth Lane. Until recently only Ramworth Lane was the only one of the three that had housing built and addressed. The Department recently issued a house permit for South Ramworth Lane, and the owner recently reported that deliveries for her address attempt to go to Ramworth Lane.

To provide clarity for future house addressing on North and South Ramworth Lane, the administration is recommending renaming these two streets. We are recommending that these streets be renamed after Jane Wilms and Arline Hutchinson to recognize these early governmental leaders in our community.

ATTACHMENT: ORDINANCE  RESOLUTION  OTHER

RECOMMENDATION: Staff recommends approval on the resolution.

ACTION REQUESTED:  
Motion to adopt

RESOLUTION NO. 2016-\_\_\_\_

**RENAMING NORTH RAMWORTH LANE TO WILMS LANE AND SOUTH RAMWORTH LANE TO HUTCHINSON LANE, AND FOR OTHER PURPOSES**

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**WHEREAS**, there currently exists streets named Ramworth Lane, North Ramworth Lane, and South Ramworth Lane within the City; and

**WHEREAS**, until recently, North and South Ramworth Lane have been undeveloped with houses needing address; and

**WHEREAS**, such naming conventions could lead to confusion for the delivery of goods and services to houses constructed on North and South Ramworth Lane; and

**WHEREAS**, the City would like to recognize the efforts of early governmental leaders in the community.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Bella Vista:

**Section 1:** The street currently known as North Ramworth Lane shall be renamed to Wilms Lane.

**Section 2:** The street currently known as South Ramworth Lane shall be renamed to Hutchinson Lane.

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PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion:

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Peter Christie

\_\_\_\_\_  
Wayne Jertson  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jason B. Kelley, Staff Attorney



207 S Main Street, Bentonville, AR 72712  
 www.telecomp.com | 479.271.2200 | 1.888.831.9400

# Quote

Date	Quote #
3/3/2016	6127

## Telecommunications | Networking | Managed Services | Visual Solutions

Customer:
Ken Farmer City of Bella Vista 105 Town Center Bella Vista, AR 72714

Ship To:
Ken Farmer City of Bella Vista Library 11 Dickens Place Bella Vista, AR 72714

<b>Project</b>		<b>Terms</b>	Net 20
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Qty	Description	Cost	Total
1	Voice Switch SG-50 - 1U half width, Max Capacities: 50 IP phones, 2 Analog exts, 4 LS trunks, 0 Universal ports.	1,695.75	1,695.75T
1	Rack Mount Tray Kit for SG switch 1U half width, holds two 1U half width voice switches	65.00	65.00T
6	IP Phone IP 480 - Requires ShoreTel 14 or later	254.15	1,524.90T
2	Extension & Mailbox License	170.00	340.00
4	Extension-only License	140.00	560.00
1	Additional Site License	420.75	420.75
1	Partner Support (1 Year, No Phones)	348.00	348.00
10	Technical Support	129.00	1,290.00T
	Quote based on assumption that all networking is complete prior to ShoreTel install. Including but not limited too: watchguard configuration, PoE switching, etc.		0.00
	Sales Tax	388.94	388.94

		<b>Total</b>	<b>\$6,633.34</b>
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Customer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<b>80% Due</b>
<b>5306.67</b>

Unless otherwise noted, quoted labor costs are estimates only and do not include additional time necessary for issues not previously known. Labor estimates are based on customer provided information at the time of the quote.

This quotation proposal is valid for 30 days unless specified otherwise.

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

CITY OF BELLA VISTA, ARKANSAS

**AMENDING THE 2016 CITY BUDGET TO TRANSFER \$6,333.34 IN UNRESTRICTED REVENUE FROM STREET DEPARTMENT ACCOUNT #50-50500 TO LIBRARY ACCOUNT #60-57400 TO FUND THE PURCHASE OF A TELEPHONE SYSTEM FOR THE BELLA VISTA PUBLIC LIBRARY**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The City Council of the City of Bella Vista, Arkansas hereby amends the 2016 City Budget to transfer \$6,333.34 in unrestricted revenue from Street Department Account #50-50500 to Library Account #60-57400 to fund the purchase of a telephone system for the Bella Vista Public Library.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor Peter Christie

Attest:

\_\_\_\_\_  
City Clerk Wayne Jertson

Approved as to Form:

\_\_\_\_\_  
Jason B. Kelley  
Staff Attorney

Requested by Mayor Christie  
Prepared by Jason Kelley, Staff Attorney

**BUSINESS OF THE CITY COUNCIL  
BELLA VISTA, AR**

MEETING DATE: March 28, 2016

AGENDA ITEM: Policy Changes

ITEM TITLE: Police Department Policy Changes

SUBMITTED BY: Ken Farmer Bella Vista Police Department

SUMMARY EXPLANATION: The following policies of the Police Department need to be changed:

**Identification Process** – Section IV – C has changed to reflect federal court rulings in other areas of the country. Section IV – E has change to reflect best practices as recommended by professional organizations and The Innocence Project.

Both changes have been approved by the Arkansas Association of Chiefs of Police ALEAP Committee and have been reviewed by Staff Attorney Jason Kelley.

**Wrecker Use** – Section III – C added to define Abandoned Vehicle. Section IV – B added to authorize towing of vehicles from roadways and publicly owned parking lots. This change was made to comply with A.C.A. 12-50-1207. This change has been reviewed and approved by Staff Attorney Jason Kelley.

ATTACHMENT: ORDINANCE  RESOLUTION  OTHER



# Bella Vista Police Department



		<b>Identification Process</b>
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>		
Applicable Arkansas Statutes:		
CALEA Standard:		
ALEAP Standard:		
Date Implemented:		Authority
Date Revised:	<b>March 28, 2016</b>	Chief Ken Farmer
Date Reviewed:		City Council Resolution #

- I. **Purpose:** The purpose of this policy is to outline the manner in which criminal suspects will be subjected to identification proceedings.
- II. **Policy:** It is the policy of this department to respect the rights of all persons during any law enforcement operation in which witness identification will be conducted.
- III. **Definitions:**
  - A. **Show-Up/Drive-by:** The process by which a complainant or witness is driven to a suspect who has been stopped in the area of a crime for purposes of excluding or verifying the suspect as the person responsible.
  - B. **Photo-Array:** The process by which a complainant or witness is shown a series of photographs which may contain a suspect in a crime for purposes of excluding or verifying the suspect as the person responsible.
  - C. **Single Photo Verification:** The process by which a complainant or witness is shown a single photograph due to the fact that they have thorough familiarity with the person who is suspected in the criminal activity and law enforcement is simply verifying that the suspect identified by the police is the same subject known to the witness.
  - D. **Line-up:** The process by which a complainant or witness is allowed to view a group of individuals, in person, for purposes of excluding or verifying the suspect as the person responsible for the crime.

**IV. Procedure:** In all identification procedures, officers should take steps to ensure that the procedure is not suggestive by the manner in which it is carried out. Thus, officers should use caution as to the manner in which suspects are presented so that a suspect may not later claim that the officer influenced the witness' identification of the suspect. Each eyewitness who views a lineup or photo spread shall sign a form containing the following information:

- The suspect might not be in the lineup or photo spread and the eyewitness is not obligated to make an identification.
- The eyewitness should not assume that the person administering the lineup or photo spread knows which person is the suspect in the case.

**A. The Validity of Identification Procedures Rests on the Following Considerations:**

1. Witness' opportunity to view suspect at the time of the crime;
2. Witness' focus of attention at time of crime;
3. Accuracy of witness' description of suspect prior to identification procedure;
4. Level of certainty exhibited by the witness in making the identification; and
5. The length of time that has passed between the crime and the identification.
  - a. Note: Police should document the existence/lack of existence of these points when compiling reports on identification procedures.

**B. Show-Up/Drive-by Identification:** Although the United States Supreme Court has not affixed a duration of time within which these procedures are to be conducted, generally this type of identification occurs within a short period of the crime and within a reasonable proximity (geographically) from the crime.

1. Unless an extreme emergency exists, the complainant or witness shall be taken to the location where the suspect has been stopped. The movement of the suspect to the witness' location may constitute an arrest for which probable cause is required. To the extent that probable cause is lacking without identification, movement may be determined to have been an unlawful arrest.
2. To the extent that an officer may safely do so, the officer should take steps to minimize the suggestiveness of the identification. The following should be considered:
  - a. Have suspect standing outside of any law enforcement vehicle rather than in the vehicle;
  - b. Have the suspect standing without handcuffs or with handcuffs not visible to the witness;
  - c. The appearance that the suspect maintains his or her freedom will undercut suggestiveness;

- d. If items taken or used in the crime have been recovered, do not allow the witness to view or become aware of the recovery until after the identification proceeding is complete; and
- e. The witness' failure to recognize the subject stopped must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor. Additionally, if the witness identifies a suspect in the future, this failure to identify the first subject presented to them may add credibility to their identification.

**C. Photo-Array/Photo-Pack:** In composing a photo lineup:

1. Officers shall complete the eyewitness identification form prior to the identification procedure.
2. Include only one suspect in each identification procedure;
3. Select fillers who generally fit the witness' description of the perpetrator;
4. If multiple photos of the suspect are reasonably available to the investigator, select a photo that resembles the suspect description or appearance at the time of the incident;
5. Include a minimum of five fillers (non-suspects) per identification procedure;
6. Consider that complete uniformity of features is not required. Avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers;
7. Create a consistent appearance between the suspect and fillers with respect to any unique or unusual feature (i.e. scars, tattoos, etc.) used to describe the perpetrator by artificially adding or concealing that feature;
8. Consider placing suspects in different positions in each lineup, both across cases and with multiple witnesses in the same case. Position the suspect randomly in the lineup;
9. When showing a new suspect, avoid reusing fillers in lineups shown to the same witness;
10. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness;
11. View the spread, once completed, to ensure that the suspect does not unduly stand out;
12. Preserve the presentation order of the photo lineup. In addition, the photos themselves should be preserved in their original condition;
13. All photos must include persons of the same race and sex as the suspect;

14. Photos should be presented in a way that does not suggest that the subjects in the photos are criminals (i.e. mug-shot with numbers (Mug shots may be used, but portions of photo that would indicate that photo is a mug-shot should be cropped or hidden from the witness));
15. Sequential Presentation: Photos will not be shown at the same time as an array or six-pack, instead the photos will be shown from a stack, held by the presenter who shall present the photographs one at a time as if dealing a deck of cards to the witness;
16. Double-blind Presentation: The officer who conducts the photo-array should be someone who is not aware of which photo in the array is that of the suspect in the case. The witness should be told the officer conducting the photo-array does not know who the suspect is;
17. Witness instruction. The person viewing the photo-array should be told that the perpetrator may or may not be in the photo-array and that the investigation will continue regardless of whether identification is made or not;
18. Witnesses should be segregated before, during and after the procedure and instructed not to discuss the identification process with each other;
19. During the identification process, officers shall not, in any way, prompt the witness toward a particular photo;
20. At the time of the identification, the eyewitness should provide a statement in his/her own words indicating their level of confidence in the identification;
21. The presentation/order of presentation must be documented. The witness who selects a photo as the suspect should sign and date the photo they have selected with a full signature and initial and date the other photos presented to them; and
22. The witness' selection of a photo that is not the suspect, must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such it must be forwarded to the prosecutor.
23. If an independent administrator is not available, the investigative officer shall follow the following procedures:
  - a. Place the suspect photo and filler photos in separate folders. Include four (4) blank folders that contain no photograph for a total of ten (10).
  - b. Shuffle the folders before giving them to the witness.
  - c. The officer administering the array should position himself or herself so that he or she cannot see inside the folders.
  - d. Allow the eyewitness to open the folders one at a time to view the single photograph.

**D. Single-Photo Verification:** This process shall only be used where the witness is thoroughly familiar with the suspect and the officer is merely attempting to ensure that the witness and the officer are both referring to the same person.

**E. Line-Ups:**

1. Officers shall complete the eye witness identification form prior to the identification procedure.
2. A line-up must be conducted with at least six persons and include at least some persons who are similar in appearance to the suspect i.e. facial hair, glasses, general age etc.
3. All persons in the line-up must be of the same race and sex of the suspect.
4. Double-blind presentation: The officer who conducts the line-up shall be someone who is not aware of which person in the line-up is the suspect in the case. The witness should be told the officer conducting the Line-up does not know who the suspect is.
5. Because line-ups will be administered by an officer who does not know the identity of the suspect, the fillers selected should not be known to the officer administering the line-up. In selecting line-up fillers, abide by the guidelines for photo array fillers as described above.
6. All persons in the line-up should carry cards that identify them only by number and should be referred to only by their number. As with photo arrays, each witness must view the line-up independently, out of the presence and hearing of the other witnesses.
7. The investigating officer should explain to the witness that a second officer (the line-up administrator) will be conducting the line-up, and that he/she does not know the identity of the people in the photographs.
8. The investigating officer should carefully instruct the witness by reading from a departmental Line-up Instruction Form, and the witness should be asked to sign the form indicating that he/she understands the instructions. The officer should also sign and date the form.
9. The investigating officer should leave the room while the line-up administrator conducts the line-up.
10. The line-up should be conducted so that the suspect and fillers do not actually line up, but rather so that they are displayed to the witness one at a time. This can be accomplished either by having them stand with their back to the witness and then face the witness one at a time, or by having them enter the room individually and leave before the next one enters.
11. The procedure for showing the participants to the witness and for obtaining a statement of certainty is the same as for photo arrays. If practicable, the officer should record the procedure through the use of audio and video.

12. During the process officers/deputies in any way, shall not, prompt the witness toward a particular subject in the line-up.
13. Although suspects do not have a right to refuse to stand in a line-up, a line-up should not be conducted where the suspect's resistant conduct will set him or her apart from the other participants in the line-up.
14. Suspects may be required to speak during a line-up for comparison purposes only. If officers/deputies are going to require a suspect to speak, they must require all persons participating to speak the same words in turn.
15. Suspects may be required to put on clothing recovered from the crime for identification purposes. If officers/deputies are going to require the suspect to put on the recovered clothing, they must require all persons participating in the line-up to put on the clothing in turn.
16. All line-ups must be documented by photographing or video-taping the line-up as presented to the witness. The photo will document positions of the participants as well as the inclusion of the participants.
17. At the time of the identification, the eyewitness should provide a statement in his/her own words indicating their level of confidence in the identification.
18. The witness' selection of a person that is not the suspect must be documented and included in any materials forwarded to the prosecutor who ultimately handles the case. Such evidence may be exculpatory to the suspect who is charged with the crime. As such, it must be forwarded to the prosecutor.

**F. Attorneys:**

1. A suspect does not have a right to counsel at a line-up which is conducted before the suspect has reached a "critical stage" in the justice process. A critical stage is reached when the suspect is arraigned, indicted or otherwise formally charged with a crime.
2. A suspect has the right to counsel at a line-up if the suspect has reached a critical stage in the justice process.
3. If the suspect has an attorney, but has not yet reached a critical stage, officers should consider allowing the attorney's presence at the identification proceeding. The presence of an attorney undercuts later claims that the process was somehow suggestive with respect to the suspect.



# Bella Vista Police Department



## Wrecker Use Policy

*This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.*

Applicable Arkansas Statutes:

CALEA Standard:

ALEAP Standard:

Date Implemented:		Authority
Date Revised:	<b>March 28, 2016</b>	Ken Farmer, Chief
Date Reviewed:		City Council Resolution #

**I. Purpose:** The purpose of this policy is to establish guidelines governing the use of towing services needed during the daily operations of the department.

**II. Policy:** It is the policy of this department to utilize qualified local towing services on a rotational basis to provide the services needed by the department and citizens of the community.

**III. Definitions:**

**A.** Towing Rotation List is a list of approved tow services for call by members of this department.

**B.** Owner Preference is the privilege of the owner or operator of a disabled or inoperative vehicle to request some responsible and reasonable person, gratuitous bailee, or bailee for hire of his or her choosing to take charge and care of said vehicle.

**C.** Abandoned Vehicle is a vehicle left unattended on a road way or publicly owned parking lot for 48 hours or more for which the owner is unknown or cannot be located with reasonable effort.

**IV. Procedure**

**A. MINIMUM REQUIREMENTS FOR PLACEMENT ON ROTATION LISTS**

1. Any towing business that wishes to be placed on a Towing Rotation List shall meet the following requirements before being placed on a Towing Rotation List:

1. Each towing business shall be approved by the Arkansas Towing and Recovery Board and be licensed to engage in the non-consent towing business. Each tow vehicle must have a current "Tow Vehicle Safety Permit" (decal issued by the Arkansas Towing and Recovery Board) affixed to the windshield.
2. Each tow vehicle shall display a current vehicle license plate indicating the vehicle is properly registered for gross weight as set forth under Arkansas law.
3. The towing business shall be willing to provide towing, storage, or other related services at all hours.
4. The towing business shall have a phone number listed in the name of the towing business, and in addition, have a phone number at which the towing business can be contacted after business hours. During normal business hours, Monday through Friday, the towing business shall have someone at the business that will be available for administrative matters, and for the release of motor vehicles or other related items stored at the request of the department. After normal business hours, a person shall be on-call to provide said services.
5. The towing business shall provide the department a complete schedule of all fees for the services it performs or may perform related to the towing and storage of any vehicle for the department. The fee schedule should be on the form provided by the police department and signed by a representative of the towing business. The towing business shall be responsible for updating the list before fees change by submitting a new fee schedule which contains the date when new fees will take effect. The fee schedule should be updated a minimum of once per year. The towing business shall not exceed the fees on file with the department for services performed at the request of the department. A separate fee schedule should be submitted for Medium Duty and Heavy Duty Tow Vehicles.
6. The towing business understands these prices will be provided to citizens needing a tow service, and will be subject to public release under the Arkansas Freedom of Information Act.
7. The towing business shall provide reasonable accommodations for after-hour release of stored vehicles or the release of personal property in stored vehicles or other related storage. Once the police department releases any hold on personal property not affixed to the towed vehicle, the towing company, unless they can show just cause, shall release personal property to the rightful owner. Nothing herein shall be construed to require a towing business to forfeit or relinquish its possessory lien as established under Arkansas law.
8. The towing business shall maintain a reasonably secure area for the safe storage of motor vehicles or other items stored at the request of the department. Storage facilities shall be clearly marked as belonging to that particular towing business.
9. Each storage facility must have adequate lighting to illuminate the fenced-in area.

10. Fencing shall be adequate to reasonably secure the storage facility and prevent unauthorized entrance. The towing business shall maintain a sufficient amount of insurance to cover loss or damage to stored vehicles or property.
11. Any tow vehicle being utilized by the towing business shall have the name of the towing business permanently affixed to the vehicle. Magnetic signs shall not be used.
12. Each towing business shall maintain tow and hook, liability, and garage-keepers insurance in an amount not less than that designated under Arkansas law. In addition, each towing business on the Heavy Duty Towing rotation shall maintain adequate tow and hook, liability, and garage-keepers insurance to cover any substantiated claim involving a large vehicle or cargo. A copy of a certificate of insurance must be provided to the department annually. When a new tow vehicle is put in service, an amended certificate of insurance shall be provided to the department, prior to use of that vehicle.
13. Towing operators that respond to the department calls shall not have a felony conviction; or a theft related Misdemeanor within the last (3) three years. Prior convictions will be considered on a case-by-case basis. The Chief of Police or their designee will have complete discretion when weighing the desire of the towing company to be placed on the list against public confidence in the police department's tow list.
14. Towing businesses should remove any glass, vehicle parts, or other substances dropped or spilled prior to leaving the incident scene.
15. Towing businesses will not operate satellite stations on the Towing Rotation List. The towing business will only be placed on a rotation list once, unless the satellite station is a separate independent business and meets all the requirements set forth in these rules.
16. If a towing business becomes unavailable to take calls for any period of time, it should notify the Bella Vista Dispatch Center. That towing business should be removed from the rotation list for the requested period of time.
17. Towing businesses will cooperate with the police department and allow the inspection of records or equipment associated with compliance of this policy.
18. Towing businesses shall be located in such proximity to the city of Bella Vista that allows for reasonable response to calls for service and convenience to the residents of Bella Vista.
19. A towing business shall accept calls on a 24 hour a day basis.
20. Towing businesses on a Towing Rotation List should not respond to the scene of an accident unless requested by the department or a person in control of a vehicle involved in the accident.

21. If a towing business is unable to provide the equipment required for a particular call, or provided such equipment in a timely manner, the next available towing business having such equipment should be called and the towing business not providing such equipment should forfeit that particular call rotation.
22. The owner, or owners, and any employee of the towing business who operate a tow vehicle, shall comply with all federal and state laws.
23. If the towing operator requires additional response vehicles, they should be approved by the owner of the vehicle or the department.
24. The towing operator shall notify Department within three (3) business days of any complaint to the Towing and Recovery Board that results in a formal hearing being set or any disciplinary action against that company by the Towing and Recovery Board.
25. Towing businesses on a Towing Rotation List shall use an invoice for each vehicle towed, each invoice should explain how all charges were calculated, separately itemizing all fees and charges to owner(s) and lien holders pursuant to A.C.A. 27-50-1208(b)(2) and should furnish, upon request, the owner of the towed vehicle, lien-holder, and/or their agent(s) with a duplicate of the itemized statement, bill, or invoice of all charges incurred.
26. Before utilizing the Towing Rotation List, "owner's preference," should be offered by Department to the registered owner, driver, or any competent occupant, if available, of any disabled or inoperative vehicle, except in those circumstances when an emergency exists or where the immediate clearing of a public thoroughfare mandates that a tow operator be requested on an expedited basis, or when the occupant(s) have been physically arrested. A list of currently approved wreckers along with fee schedule will be available when asking for owner's preference. Note that this list does not limit the owner's preference.

## 2. RATES AND CHARGES REQUIREMENTS

1. Towing businesses receiving calls from Department shall not charge fees in excess of those provided in writing by the towing business to the police department, nor shall a towing business charge for the use of equipment and/or personnel not reasonably necessary to perform the requested services in a timely and professional manner.
2. Storage fees should be reasonable, as determined by industry standards. A list of fees and how those fees are calculated shall be given to the department in accordance with Section IV, subsection A (1) (v) of this policy. Consumer charges shall not deviate from the list provided.
3. Any towing business found to have exceeded its posted prices, using unnecessary services to increase its fee, or engaging in unethical business practices will be subject to removal from the Towing Rotation List by the Chief of Police or their designee.

### 3. COMPLAINT AGAINST TOWING BUSINESS AND LIST REMOVAL GROUNDS

1. Complaints made against a towing business on a Towing Rotation List should be handled as any other complaint for a service provided by the department. The complaint may be referred to the Arkansas Towing and Recovery Board when it is a complaint relating to licensing.
2. Any towing business receiving calls from a Towing Rotation List maintained by Department shall be subject to removal for:
  - i. Failing to follow the requirements of this policy.
  - ii. Failing to meet the rules established for non-consent towing by the Arkansas Towing and Recovery Board;
  - iii. Substantiated complaint; or
  - iv. Dishonest, fraudulent or false statements made to the department.

#### B. Towing of abandoned vehicles

1. Abandoned vehicles may be towed from road ways or publicly owned parking lots after:
  - i. Making a reasonable effort to locate the owner of the vehicle and require removal and
  - ii. Marking the vehicle with a brightly colored notice that the vehicle will be towed in 24 hours if it is not moved.
  - iii. Removal of the vehicle will be done by a wrecker from the rotation list maintained by the department and the information provided to the registered owner or their representative upon request.
2. Vehicles abandoned on private property may be towed by the owner or person in control of the property. Upon request, the department may provide the owner or person in control of the property with contact information for wrecker services on the department rotation list.
3. Vehicles causing a traffic hazard may be towed immediately.

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

**CITY OF BELLA VISTA, ARKANSAS**

**APPROVING BELLA VISTA POLICE DEPARTMENT POLICIES  
REGARDING A SUSPECT IDENTIFICATION PROCESS AND NON-  
CONSENSUAL TOWING**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA,  
ARKANSAS:**

**SECTION 1:** The City Council of the City of Bella Vista, Arkansas hereby approves Bella Vista Police Department policies regarding a suspect identification process and non-consensual towing. Copies of the revised polices are attached to this Resolution and incorporated herein as if set out word for word.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor Peter Christie

Attest:

\_\_\_\_\_  
City Clerk Wayne Jertson

Approved as to Form:

\_\_\_\_\_  
Jason B. Kelley  
Staff Attorney

Requested by Mayor Christie  
Prepared by Jason Kelley, Staff Attorney