

NOTICE OF PUBLIC HEARING
BEFORE THE CENTERTON PLANNING COMMISSION
ON AN APPLICATION TO REZONE PROPERTY

To All Owners of land lying adjacent to the property at:

Location: 974 Main St, Centerton, AR (PID 06-00059-013)

Owned By: Victoria Peak, LLC, Evan Bergam

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the City of Centerton, AR Planning Commission on **June 06, 2023 at 6:00 PM** at the Centerton Municipal Complex, 210 Municipal Dr, Centerton, AR 72719, to hear public comment on the application (REZ23-02) submitted by CEI Engineering on behalf of property owners, Victoria Peak LLC, to rezone 9.82± Ac from Agricultural (A-1) to 6.29 Ac of Residential Townhouse Multi-Family (RTH-MF12) and 3.53 Ac of Neighborhood Commercial (C-3).

Residential Town House Multi-Family (RTH-MF12) This area is intended for multi-family structures containing single-family dwellings which are attached to one or more similar dwellings by a common fire wall or fire walls which, in combination with other attached dwellings, constitute an architectural whole on a separate lot. (25 ft min. front setback, 25 ft min. side and street side setback and 25 ft min. rear setback) (14.04.04)

Neighborhood Commercial (C-3) This zone is primarily for convenience shopping and services, such as grocery stores, barber and beauty shops, laundromats, drugstores, taverns, professional offices, and similar uses. They provide convenient shopping for the surrounding area. (25 ft min. front setback, 10 ft min. side and street side setback and 25 ft min. rear setback) (14.04.04)

Said lands are located in Benton County, Arkansas and are described as follows, to-wit:

SURVEY DESCRIPTIONS:
SEE ATTACHED EXHIBIT A

The purpose of this request is to: ① Build ② Develop ③ Sell after rezoning.

Explanation: Two zoning areas consisting of C-3 (Neighborhood Commercial) RTH-MF12 (Residential Townhouse Multifamily). Owner intends to sell to the developer, and they will sell commercial lots, and construct townhomes.

If approved, the rezoning will occur only upon the property described above. It will not change the zoning or permitted uses on neighboring properties.

All parties interested in this matter may appear and be heard at said time and place or may notify the Planning Commission of their views on this matter by letter or email. All persons wishing to learn further details about the request may call, visit, or email the Planning Office to review the application, Centerton City Hall, 200 Municipal Dr, (479) 795-2750 Ext 302, planning@centertonar.us.

Dianne Morrison Lloyd

Dianne Morrison-Lloyd, Senior Planner
City of Centerton

Legal Description

974 N MAIN ST, Centerton, AR 72719

Parcel 06-00059-013

Subject Area Description

A part of the northwest quarter (NW 1/4), of the northeast quarter (NE 1/4) of Section 33, Township 20 North, Range 31 West, also being the parcel described in Deed Instrument #L202262023 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at the northwest (NW) corner of said NW 1/4 of the NE 1/4 of Section 33, being a found railroad spike in the intersection of North Main Street and Town Vu Road;

THENCE along the west 1/16 line of said NW 1/4, South 02°17'59" West, 417.29 feet, to the north property line described in Deed Instrument #L202262023;

THENCE along said north line, South 87°25'29" East, 41.98 feet, to a ARDOT aluminum cap #LS1108 found at the northern most NW corner and being the **POINT OF BEGINNING**;

THENCE along the north line of aforementioned parcel, South 87°25'29" East, 618.01 feet, to a 5/8" rebar found at the NE corner of said parcel;

THENCE along the east line of Tarah Knolls Subdivision as described in Plat Book 2005, Page 1093, South 02°17'58" West, passing through a 1/2" rebar found at 12.67', and passing another 1/2" rebar found at a distance of 159.98', continuing for a total distance 660.17 feet, to a 1/2" rebar found at the SE corner of said parcel;

THENCE along said south line, North 87°24'27" West, passing through a 5/8" rebar with cap #LS1618 set at a distance of 617.36, continuing for a total distance of 659.93 feet, to the aforementioned west 1/16 line;

THENCE North 02°17'32" East, 476.71 feet, to the south line of the Less and Except described in Deed Instrument #L202262023;

THENCE along the said south line, South 87°45'36" East, 42.15 feet, to a ARDOT aluminum cap #1108 found at the SE corner of said Less and Except;

THENCE North 02°14'42" East, 183.02 feet, to the **POINT OF BEGINNING** containing **427,917** square feet or **9.83** acres, more or less.

C-3 Rezone Description

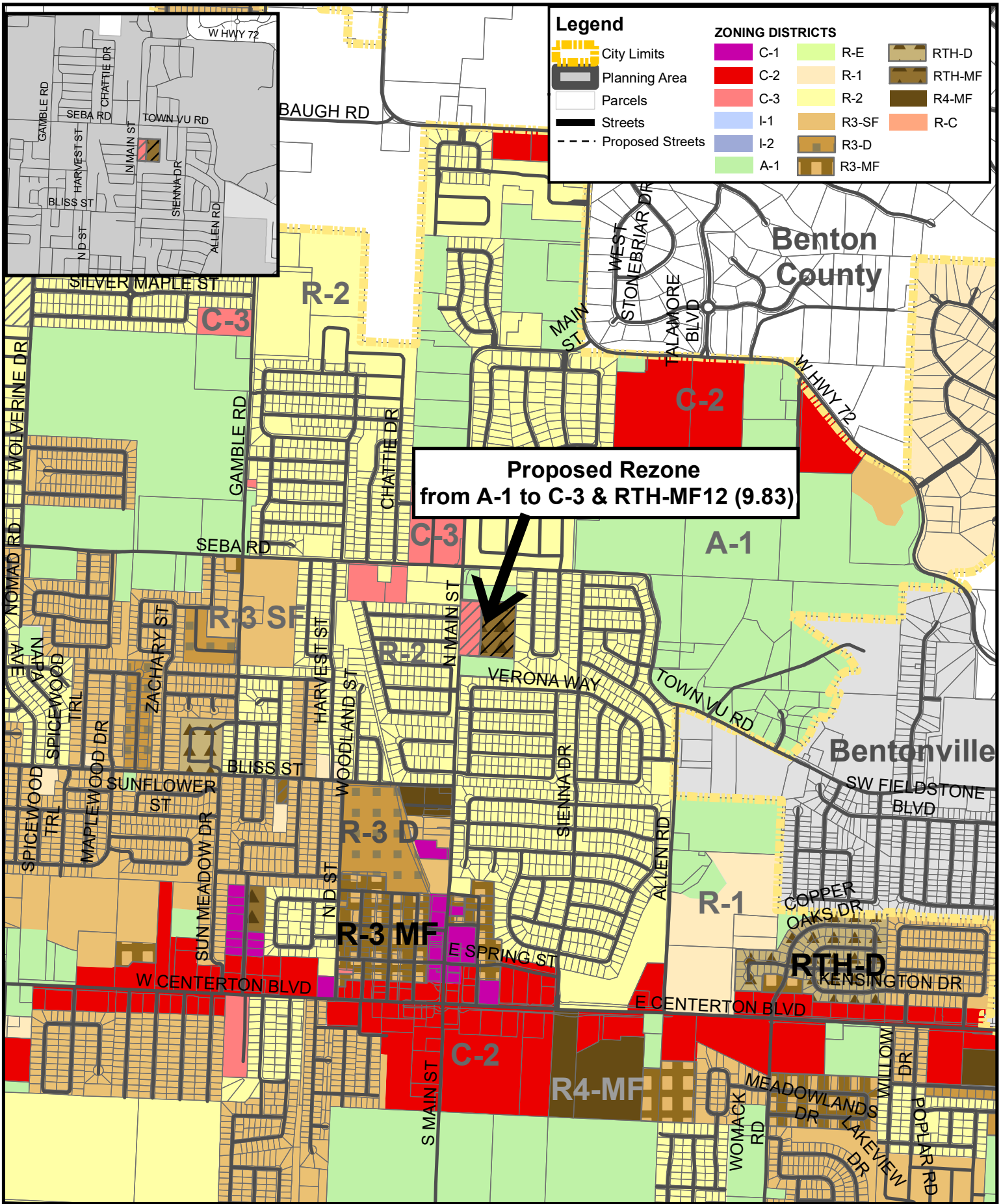
A part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 33, Township 20 North, Range 31 West, and a part of the parcel described at Deed Instrument #L202262023 in the public records of Benton County, Arkansas and being more particularly described by metes and bounds as follows:

COMMENCING at a railroad spike found at the northwest corner of said NW 1/4 of the NE 1/4;
THENCE along the west boundary line of said NW 1/4 of the NE 1/4, South 02°17'32" West, 600.56 feet to the **POINT OF BEGINNING**;
THENCE leaving the west boundary line of the aforementioned parcel, South 87°45'36" East, 42.15 feet to an ARDOT aluminum cap #1108;
THENCE North 02°14'42" East, 183.02 feet to an ARDOT aluminum cap #1108 on the northern northwest corner of the property;
THENCE along the north property line, South 87°25'29" East, 203.00 feet;
THENCE leaving said north line, South 02°17'32" West, 660.05 feet to the south property line;
THENCE along said south line, North 87°24'27" West, 245.00 feet to aforementioned west boundary line;
THENCE along said west boundary line, North 02°17'32" East, 476.71 feet to the **POINT OF BEGINNING** and containing 153,996 square feet or 3.54 acres, more or less.

R-TH-MF12 Rezone Description

A part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 33, Township 20 North, Range 31 West, and a part of the parcel described at Deed Instrument #L202262023 in the public records of Benton County, Arkansas and being more particularly described by metes and bounds as follows:

COMMENCING at a railroad spike found at the northwest corner of said NW 1/4 of the NE 1/4;
THENCE along the west boundary line of said NW 1/4 of the NE 1/4, South 02°17'32" West, 417.29 feet;
THENCE departing said west boundary line, South 87°25'29" East, 41.98 feet to a rebar with aluminum cap LS1108 found at the northwest corner of the aforementioned parcel described at Deed Instrument #L202262023;
THENCE along the north boundary line of said parcel, South 87°25'29" East, 203.00 feet to the **POINT OF BEGINNING**;
THENCE continuing along said North boundary line, South 87°25'29" East, 415.01 feet to a 5/8" rebar at the Northeast corner of said parcel;
THENCE along the east boundary line of said parcel, South 02°17'58" West, passing through a 1/2-inch rebar at a distance of 12.67 feet, passing through a 1/2-inch rebar at a distance of 172.75 feet and continuing for a total distance of 660.17 feet to a 1/2-inch rebar found at the southeast corner of said parcel;
THENCE along the south boundary line of said parcel, North 87°24'27" West, 414.93 feet;
THENCE leaving said south boundary, North 02°17'32" East, 660.05 feet to the **POINT OF BEGINNING** containing 273,920 square feet or 6.29 acres, more or less.



Disclaimer: The data represented in this map is a graphical representation. This map has been developed from the best available sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the City or any other entity be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on the data. The City or any other entity is in no way responsible for or liable for misrepresentation or re-use of this map. Distribution of this map is intended for information purposes and should not be considered authoritative for engineering, legal and other site-specific uses.

REZONING REQUEST - REZ23-02
 Agricultural (A-1)
 to Residential Townhouse - Multi Family (RTH-MF12)
 & Neighborhood Commercial (C-3)
 Parcels 06-00059-013
 974 Main St

0 750 1,500 Feet
 1 inch = 1,500 feet



January 26, 2023