



**Planning Commission
Agenda
January 17, 2017**

- I. Call to Order**
- II. Approval of Minutes**
- III. Consent Agenda**
 - 1. Lots 8 & 9 Loeshe Subdivision** **Property Line Adjustment**
701 Northwest 8th Street
- IV. New Business**
 - 1. Cate Family, LLC** **Rezoning***
(R-1, Single Family Residential to R-O Residential Office)
1303 Southwest 'B' Street
 - 2. Sanders** **Rezoning***
(A-1, Agricultural to R-1, Single Family Residential)
Northwest 3rd Street
 - 2. Honey Creek Land & Cattle, LLC** **Rezoning***
(C-2, General Commercial to R-4, High Density Residential)
Southeast 34th Street & Southeast 'C' Street
 - 3. MSB Holdings, LLC** **Rezoning***
(R-1, Single Family Residential to D-C, Downtown Core)
431 Southwest 'B' Street
 - 3. Dharmadhikari** **Rezoning***
(A-1, Agricultural to R-1, Single Family Residential)
1203 & 1205 Southeast 33rd Street
 - 4. Roth Family Partnership, LLLP, VGP, LLC & Cawthon** **Rezoning***
(R-1, Single Family Residential & R-C2, Central Residential Moderate Density
to DN-2, Downtown Medium Density Residential)
905, 907 & 909 North Main Street
 - 5. Dharmadhikari – Type B Home Occupation** **Conditional Use***
1203 & 1205 Southeast 33rd Street
- V. Other Business**
 - a) Public Art Advisory Committee – Developer's Art Kit presentation**
- VI. Planner's Report**
- VII. Adjournment**

Planning Commission
Minutes
January 3, 2017

Meeting called to order at 5:00 p.m. by Greg Matteri, Chairman.

Present: Richard Binns, Joe Haynie, Scott Eccleston, Greg Matteri, Tregg Brown, Jim Grider, and Rod Sanders
Staff: Troy Galloway, Brian Bahr, and Jon Stanley

Motion by Mr. Grider, seconded by Mr. Haynie to approve the minutes of December 6, 2016 as written
Approved 7-0

Consent Agenda

- | | |
|--|--------------------------|
| 1. Lots 25 & 26, 3 rd East Side Addition
Southeast 5 th Street | Lot Split |
| 2. Lots 14,15, 16, 17 & 18, Block 2, Railroad Addition
202, 204, 206, 208 & 210 Southeast 'A' Street | Lot Split |
| 3. Lots 20 & 21, Block 2, Dunn & Davis Addition
505 & 507 Southwest 'C' Street | Lot Split |
| 4. Lots 15 & 16, Block 6, Dunn & Davis Addition
Southwest 'B' Street & Southwest 7 th Street | Property Line Adjustment |
| 5. Chinatex Expansion
2501 Southeast Otis Corley Drive | Large Scale Development |
| 6. P.E. Livingston Square Subdivision
Southwest Parnell Drive | Preliminary Plat |
| 7. Providence Village Subdivision Phase 1
Southwest Nomad Road & Southwest Windmill Road | Final Plat |
| 8. Shelly Parson Insurance
Extension
2001 Southeast 'J' Street | Large Scale Development |

Approved 7-0

New Business

Item #1

Thadden School: Conditional Use, Southeast 8th Street & Southeast 'C' Street

Jon Stanley read staff report

Opened public hearing

Bill Watkins, attorney in Rogers, Arkansas, is representing two separate clients, Emerald Island, LLC and Kaitlyn Kelly. The clients do not oppose the Conditional Use permit; however, they are against closing Southeast 'C' Street once the Large Scale Development, which had been mentioned in the Staff Technical Review, is in process as they are homeowners along that street.

Lindsey Franklin of 803 Southeast 'C' Street is concerned with the drop-off location being right in front of residential areas. She feels there are other areas around that would be better.

Braum Driver, engineer on the project, addresses some concerns.

Closed public hearing

Rod Sanders addresses his concern for the lights out policy at 10pm. He motions that be taken out of the current Conditional Use, seconded by Mr. Haynie.

Approved 7-0

Vote for Conditional Use

Approved 6-1, Mr. Sanders against

Item #2

Buildup Development, LLC & Parker: Rezoning, 1111 Southwest Parnell Drive, R-2, Duplex & Patio Home to R-ZL, Zero Lot Line Residential

Jon Stanley read staff report

Opened public hearing

Jerry Goch of Bella Vista, speaks on behalf of his sister-in-law. He wants to know if street and sidewalk improvements will be made.

James, the engineer on the project, says the improvements to include the roads.

Closed public hearing

Approved 7-0

Item #3

Lamplighter Restorations, LLC: Rezoning, 408 & 410 Southwest Parnell Drive, R-1, Single Family Residential to DN-4, Downtown Mixed Use Residential

Jon Stanley read staff report

Mr. Matteri notes that this the first DN-4 rezoning.

Opened public hearing

Jonathon Berry of 409 Southeast 7th Street is for the DN-4 rezoning, but is curious about the screening and if any trees will be cut down.

Ken Booth of Sand Creek Engineering states that there is no Large Scale Development for this project yet.

Closed public hearing

Approved 7-0

Item #4

Lamplighter Restorations, LLC: Rezoning, 407 & 409 Southwest Parnell Drive, R-1, Single Family Residential to DN-4, Downtown Mixed Use Residential

Jon Stanley read staff report

Opened public hearing

No comments

Closed public hearing

Approved 7-0

Item #5

Osage Hills Subdivision Phase I-Waiver: Preliminary Plat, Southwest Adams Road & Southwest Anglin Road

Jon Stanley read staff report

Referencing Article 1100

Approved 7-0

Item #6

Osage Hills Subdivision Phase I: Preliminary Plat, Southwest Adams Road & Southwest Anglin Road

Jon Stanley read staff report

Southwest Adams Road will be paved.

The commissioners and staff discuss the balance of trade-offs of bringing this area back to life.

Approved 7-0

Other Business

Mr. Galloway discusses the annual report being on a digital copy.

He also discusses the home deconstruction along 8th Street.

Meeting adjourned

Ali Worley

*A full recording of this meeting can be obtained from the City of Bentonville Planning Department.



PROPERTY LINE ADJUSTMENT STAFF REPORT

Lots 8 & 9 Loeshe Subdivision

701 Northwest 8th Street

PC Date: 1/17/2017

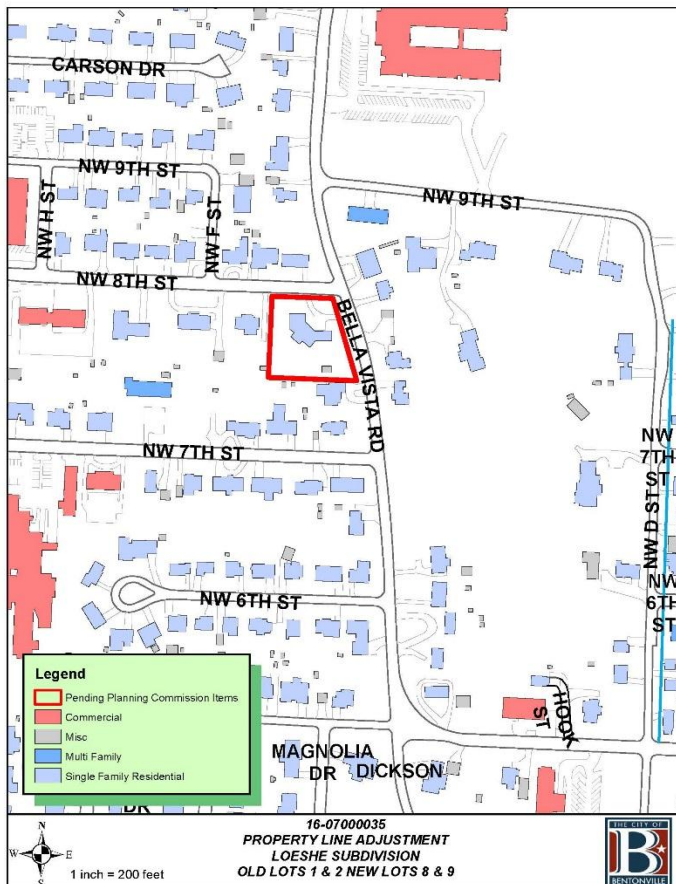
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-07000035
Applicant / Current Owner	Wedekind Properties, LLC 74 Eddleston Drive Bella Vista, AR 72715
Site Area	0.76 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Downtown Low-Density Residential (D-LDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

The property is the location of an existing single-family home in an established low-density single-family neighborhood.

Project Details

The applicant has submitted a property line adjustment creating two (2) new lots by adjusting the common lot line of two (2) existing lots. The new lots will be known as Lot 8 (0.43 acres) and Lot 9 (0.33 acres) of Loeshe Subdivision. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Northwest 8th Street and Bella Vista Road. Both new lots will have access to public utilities and a public street. No additional ingress/egress points shall be permitted onto Bella Vista Road.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required for this property line adjustment.

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.
3. No additional ingress/egress points (curb cuts) shall be permitted on Bella Vista Road.

Conclusion

This property line adjustment does meet the minimum requirements of the subdivision regulations.

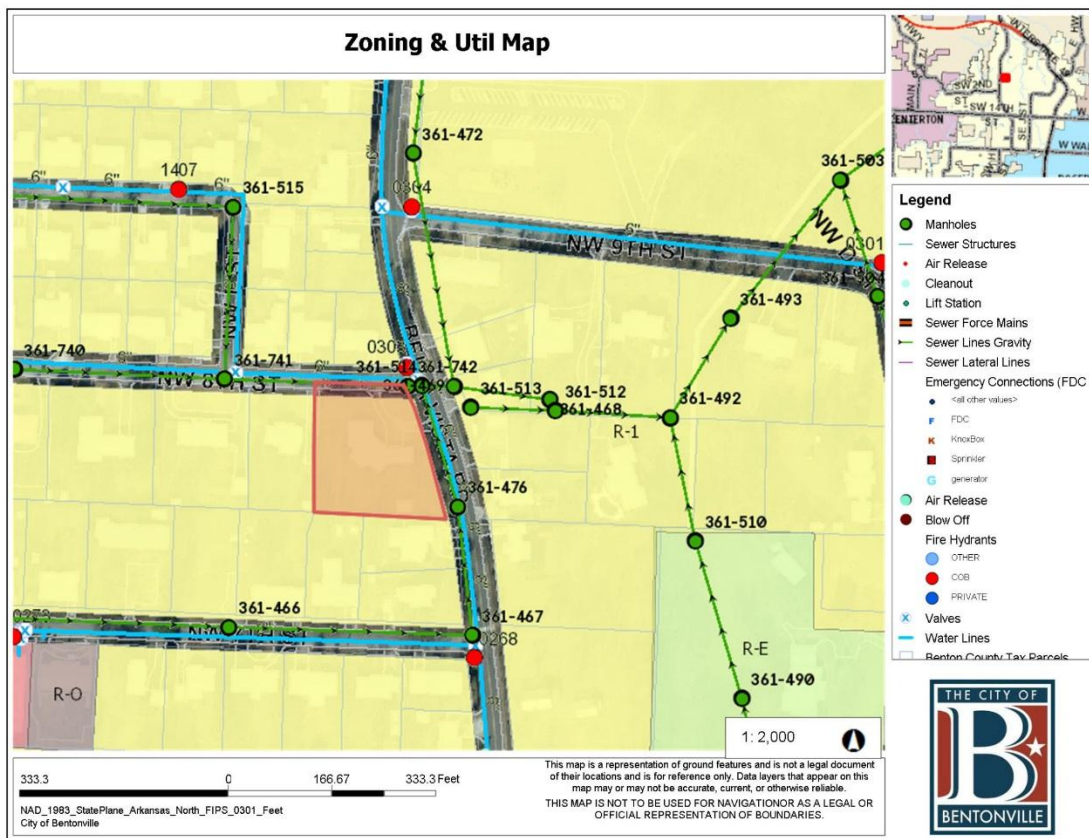
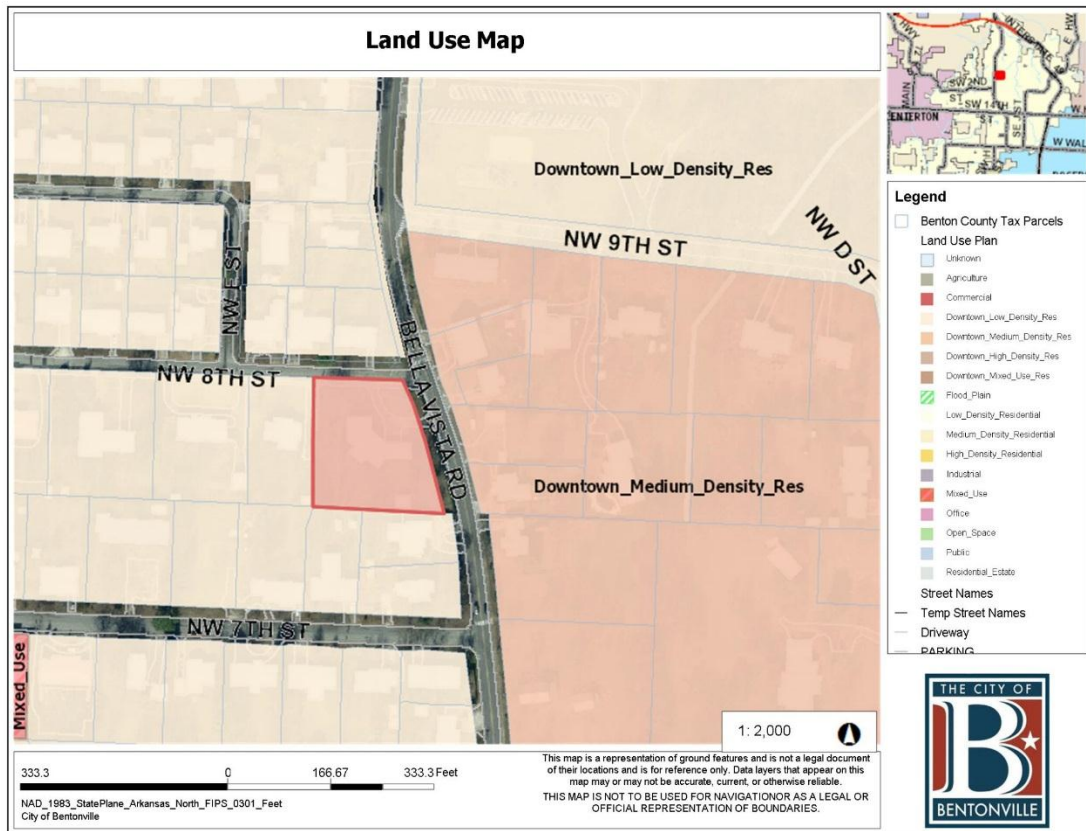
Recommendation

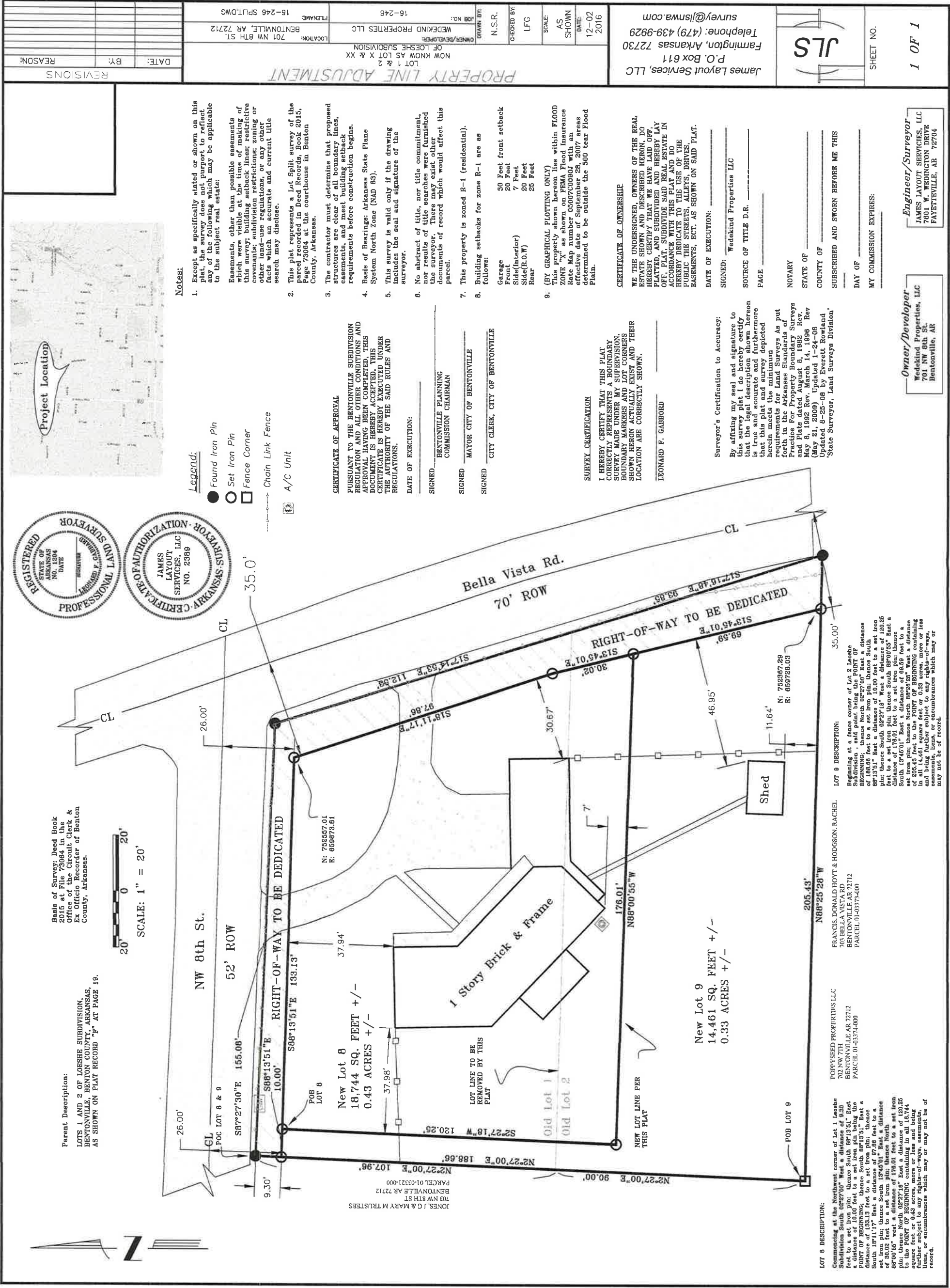
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

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

PROPERTY LINE ADJUSTMENT STAFF REPORT





REZONING STAFF REPORT



Cate Family, LLC

1303 Southwest 'B' Street

PC Date: 1/17/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-09000044
Applicant / Current Owner	Cate Family, LLC 1308 Rainbow Road Rogers, AR 72758
Site Area	0.18 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	R-O, Residential Office
Future Land Use Map Designation	Downtown Low-Density Residential (D-LDR)

Property Description

This property is the location of an existing single family home in an established single family neighborhood located adjacent to commercial property and near an arterial road.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has direct access to a local street and is situated near an arterial street. Both streets will provide adequate opportunities for ingress and egress to the property.

Utility Infrastructure

Per the city GIS website, public water and sewer is available at this location.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Low-Density Residential (D-LDR). The R-O, Residential Office zoning is an appropriate zoning district for this designation.

Conclusion

The R-O, Residential Office zoning designation will establish a transition area where the continuation of residential activities to the north is no longer practical nor compatible with the commercial uses to the south, east and west of the subject property.

Recommendation

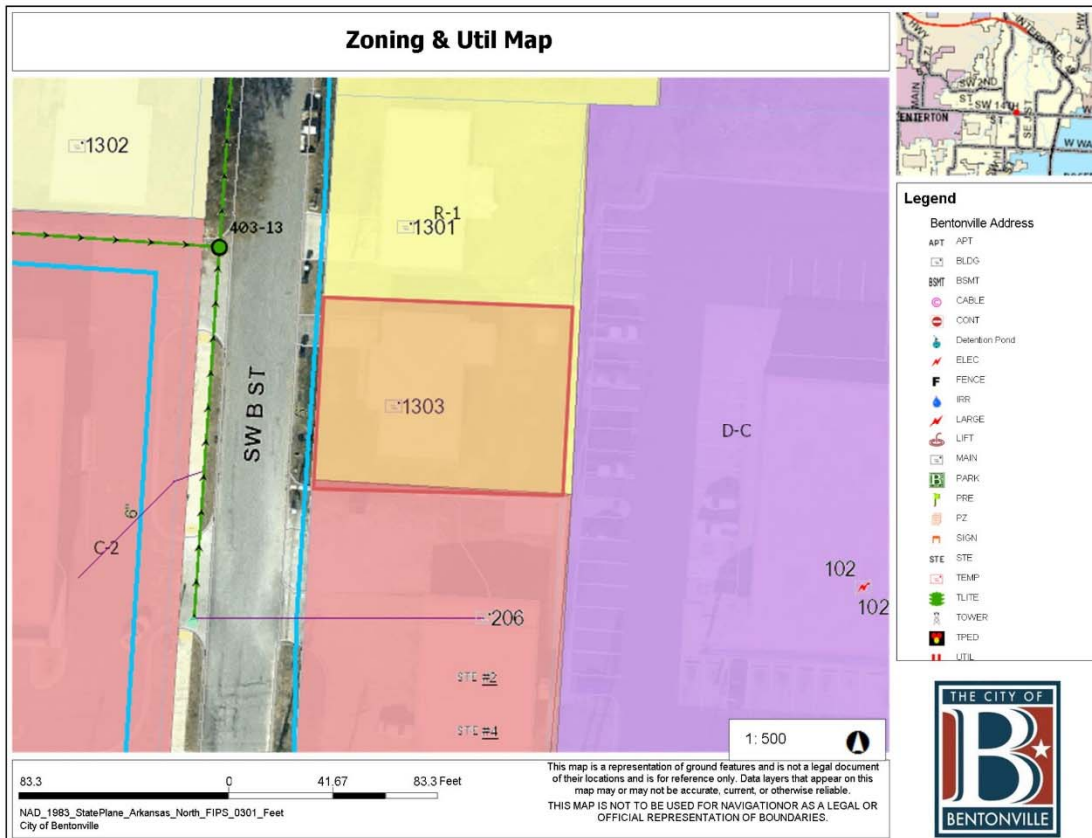
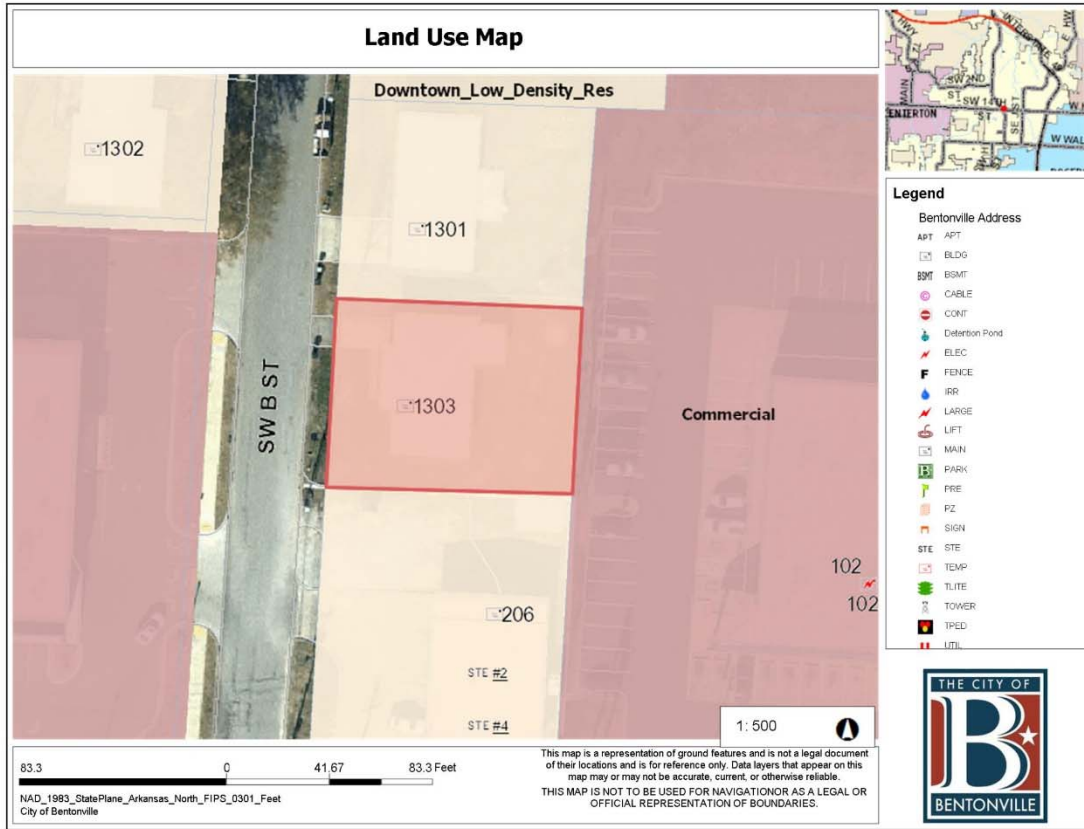
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to R-O, Residential Office.

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



REZONING STAFF REPORT



Narrative:

- It is currently residential and we would like to have it rezoned to R-O. We own the house and have been renting it for about \$800 a month. We have had a bad experience with renters and are having to do a lot of work on it after they move out because they tear it up. We are going to update it, so we can rent as Office Space or be able to increase the rent and hopefully get better quality renters.
- Reason to rezone it - would like to have the option for Office Space or a rental house
- How it relates to surrounding properties - It is surrounded by commercial on 3 sides and residential on one. It will still look like a house, but could be rented as a house or office space
- Use – Rental property
- Traffic – Moderate
- Signage – Monument sign
- Appearance – Updating and remodeling to be a more appealing structure
- City Water and Sewer are available

NOTICE OF INTENT TO REZONE

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

Residential to Residential Office

The legal description of the property is as follows:

Lot 3, Block 4, Razorback Addition, Bentonville, Benton County, Arkansas, as shown on Plat Record "D" at page 1 and in Plat record "G" at page 187

The common description of the property is: Single Family Home 1303 SW "B"

Proposed land use: Office Space / Rental House

The public hearing will be held January 17th, 2017 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

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

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

For more information, you may call the Planning Department at (479) 271-3122 or ~~(479) 271-3126~~.

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

☐ I / we have no objections to the rezoning.

☒ I / we object to the rezoning because:

Prefer that the neighborhood stay strictly residential.

Shirley S. Fields
Signature and Physical Address
1302 SW "B" St.
Bentonville, Ar 72712

Piper Skaggs FKA Piper D. Fields
Signature and Physical Address
258 Water Ave.
Springdale, Ar 72762

REZONING STAFF REPORT



Sanders

Northwest 3rd Street

PC Date: 1/17/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-09000045
Applicant / Current Owner	Kyle & Melissa Sanders 403 Northwest 'O' Street Bentonville, AR 72712
Site Area	4.02 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Residential Estates (RE)

Property Description

This property is the location of a vacant undeveloped parcel in an area designated for low-density residential development.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has direct access to a collector street that will provide adequate opportunities for ingress and egress to the property.

Utility Infrastructure

Per the city GIS website, public water is available at this location. Public sewer is not available at the time of this report.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Residential Estates (RE). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

Conclusion

The R-1, Single Family Residential zoning designation supports Policy LU-23, Housing Types, within the General Plan, which states "the City should encourage the development of a mix of housing types to meet the needs of its residents...". This rezoning request is consistent with good land use planning, the General Plan and the Future Land Use Map and will meet the intent of the policy.

Recommendation

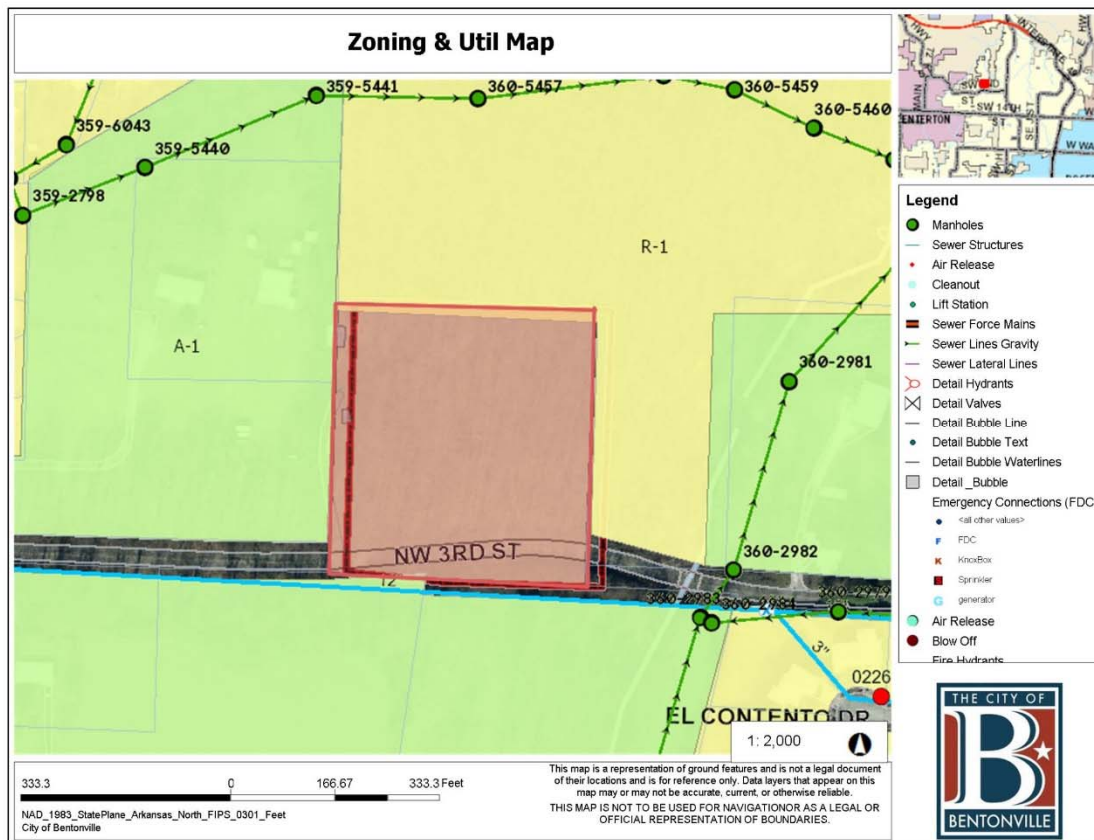
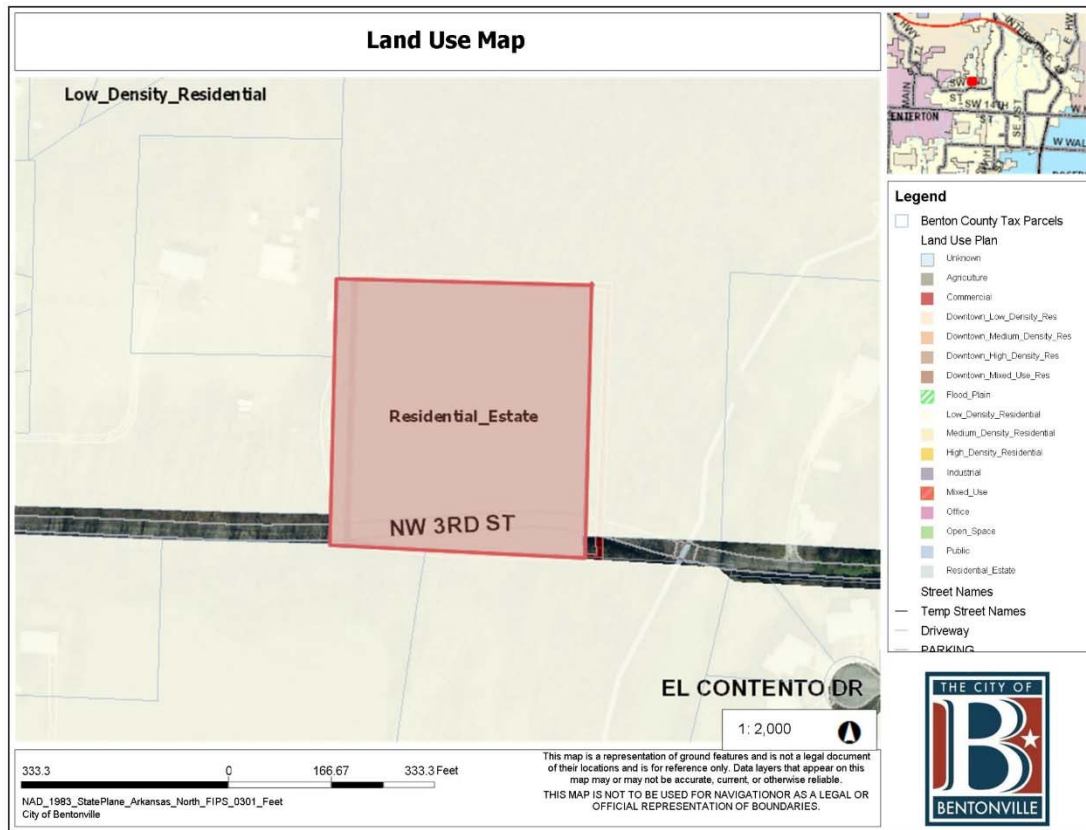
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from A-1, Agricultural to R-1, Single Family Residential.

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



REZONING STAFF REPORT



PSanders Re-Zoning Submittal

5.) Narrative:

This property is currently zoned A-1 Agricultural and we are requesting re-zoning to R-1 Single Family. This request is being made due to the desire of current owners Kyle & Melissa Sanders to split the 4 acres so that there may be 2 single family homes. 1.5 acres is being proposed to sell for 2nd family home in 2017. Both of these properties will be used as single family homes. Both properties will be accessed by paved asphalt road from NW 3rd St. and will share the same street name with street sign at NW 3rd St. City water is available and septic is proposed for use. Nearest water line is on south side of NW 3rd and is 12" main.

REZONING STAFF REPORT



Honey Creek Land & Cattle, LLC

Southeast 34th Street & Southeast 'C' Street

PC Date: 1/17/2017

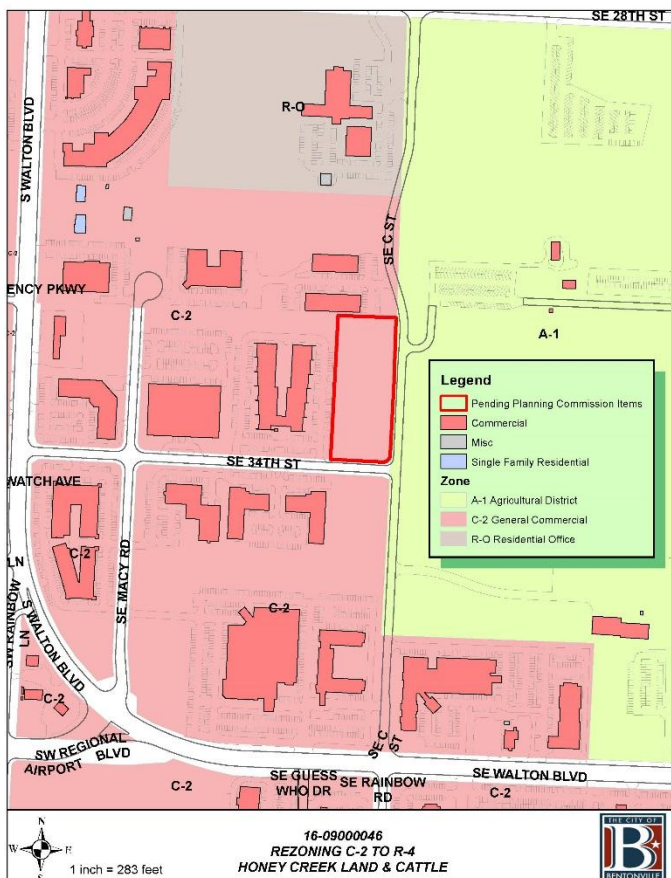
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-09000046
Applicant / Current Owner	Honey Creek Land & Cattle, LLC PO Box 304 Bentonville, AR 72712
Site Area	2.04 acres
Current Zoning	C-2, General Commercial
Requested Zoning	R-4, High Density Residential
Future Land Use Map Designation	High Density Residential (HDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is vacant and adjacent to an established commercial subdivision and near Phillips Park.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is situated on a corner and is bordered by a local street to the south and a collector street to the west. These two streets will provide adequate options for ingress and egress. The close proximity to employment centers will further reduce the impact on the city's transportation network.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The Future Land Use Plan depicts this property as High Density Residential (HDR). The R-4, High Density Residential zoning is an appropriate zoning district for this designation. Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed high density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

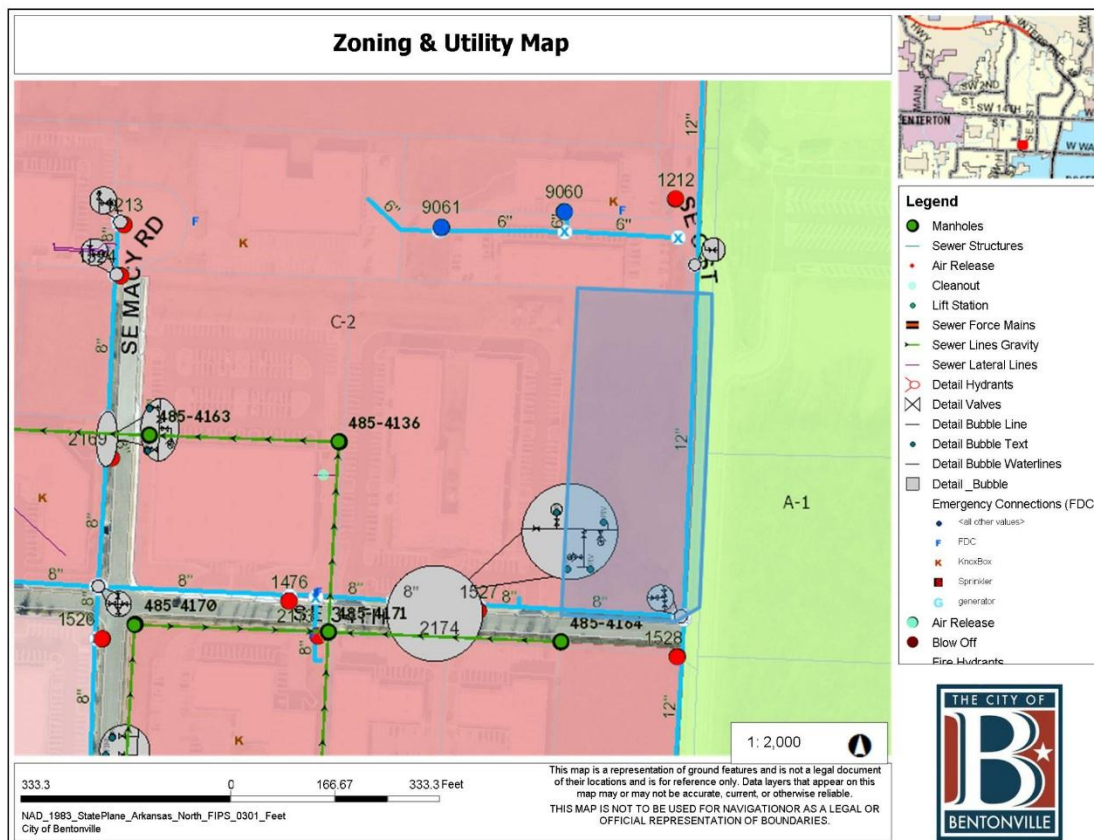
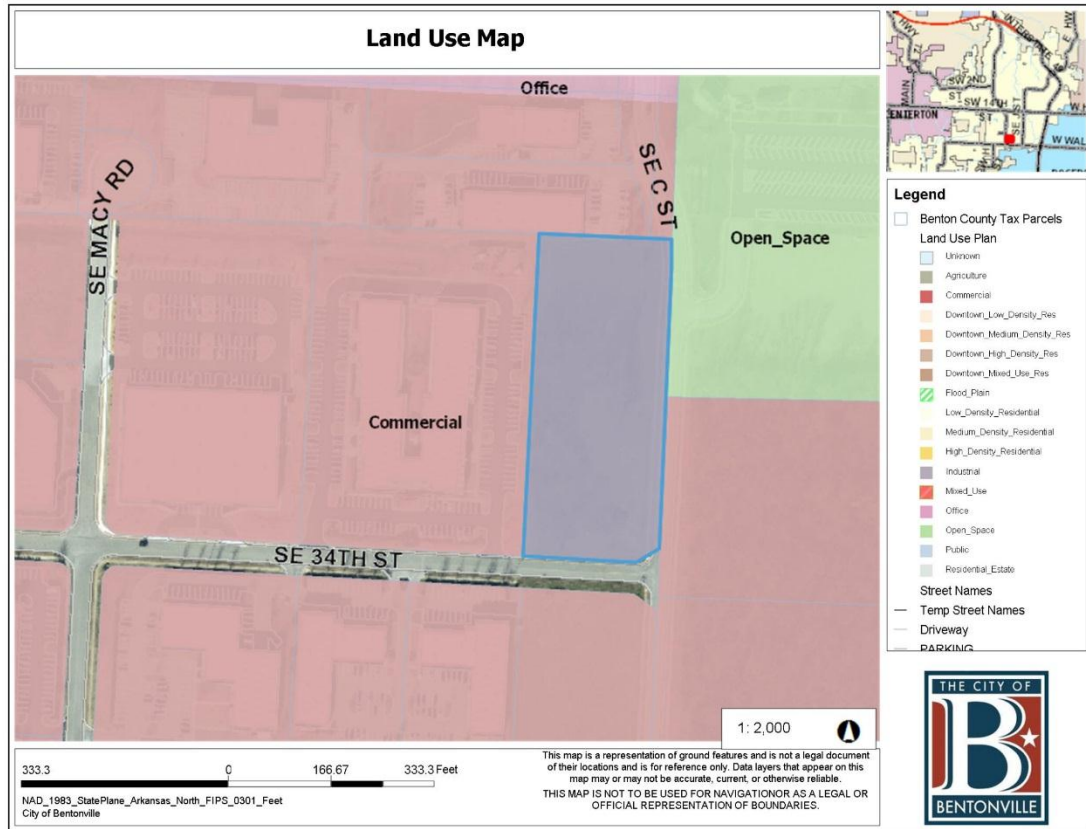
Conclusion

The requested zoning designation of R-4, High Density Residential is located where a local street and a collector street intersect. Additional residential units in the area will provide an opportunity for residents to live and work within the same area of the city. There are several ingress/egress opportunities that can be utilized in the development of the property that will help to facilitate traffic flow and reduce traffic congestion. Public utilities are readily available to the property.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from C-2, General Commercial to R-4, High Density Residential.

REZONING STAFF REPORT





CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

December 12, 2016

City of Bentonville
Beau Thompson / Planning Dept.
305 SW A St.
Bentonville, AR 72712

RE: Honey Creek rezoning application

Dear Planning Commission:

Please accept this letter as a formal request by Dan Dykema, owner of Honey Creek Land & Cattle, LLC., to rezone approximately 2.4 acres of property along the west side of SW "C" Street north of SW 34th Street. The property is currently zoned C-2 Commercial with a requested zoning of R-4 High Density Residential. The rezoning request is consistent with the proposed amendment to the city's master plan for this area which promotes pockets of high density residential areas near commercial areas to encourage living and working in proximity. See the attached exhibit and legal descriptions for depiction of the property.

The applicant proposes to rezone the property for the purpose of constructing new living units fronting SW "C" Street, opposite Phillips Park. The proposed development will add driveways on SW "C" Street and SW 34th Street based on the access management standards to serve the development. Public water and sewer are available to the property and will be extended through the interior of the property as needed to serve the proposed development.

Traffic generated by this development will utilize the existing city infrastructure which has been constructed to the master street plan standard. Signage, architectural appearance and site lighting will be provided with the upcoming Large Scale Development plan for this project.

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

Respectfully submitted,
CEI Engineering Associates, Inc.

Nate Bachelor, PE
Project Manager

Providing Consolidated Land Development Services

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ PENNSYLVANIA

REZONING STAFF REPORT



MSB Holdings, LLC

431 Southwest 'B' Street

PC Date: 1/17/2017

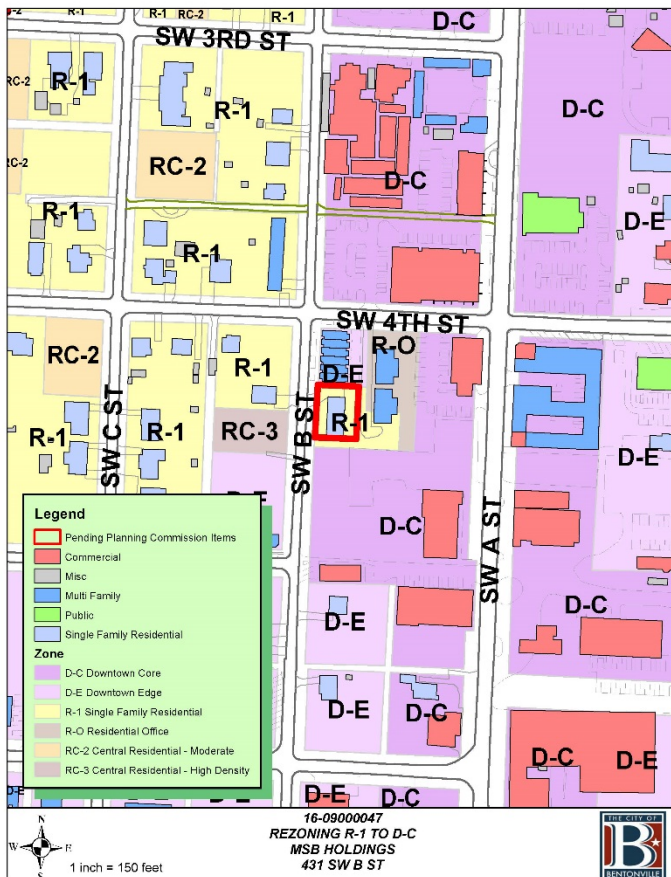
Recommendation: In Report

Reviewer: Jon Stanley, Planner

Project Number	16-09000047
Applicant / Current Owner	MSB Holdings, LLC 224 North Main Street Bentonville, AR 72712
Site Area	0.17 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DC, Downtown Core
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location an existing single family home in a rapidly redeveloping mixed-use and medium density residential neighborhood in the downtown area.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has adequate access to a public street.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The intent of the Downtown Core zoning district is to expand the pedestrian oriented character of the town square while providing retail and entertainment venues. Small and large office and commercial uses should be provided to support the medium and high-density residential uses. The DC, Downtown Core zoning district promotes a mix of commercial and residential uses that are separated both horizontally and vertically. The rezoning request is consistent with the policies and objectives of the Land Use plan.

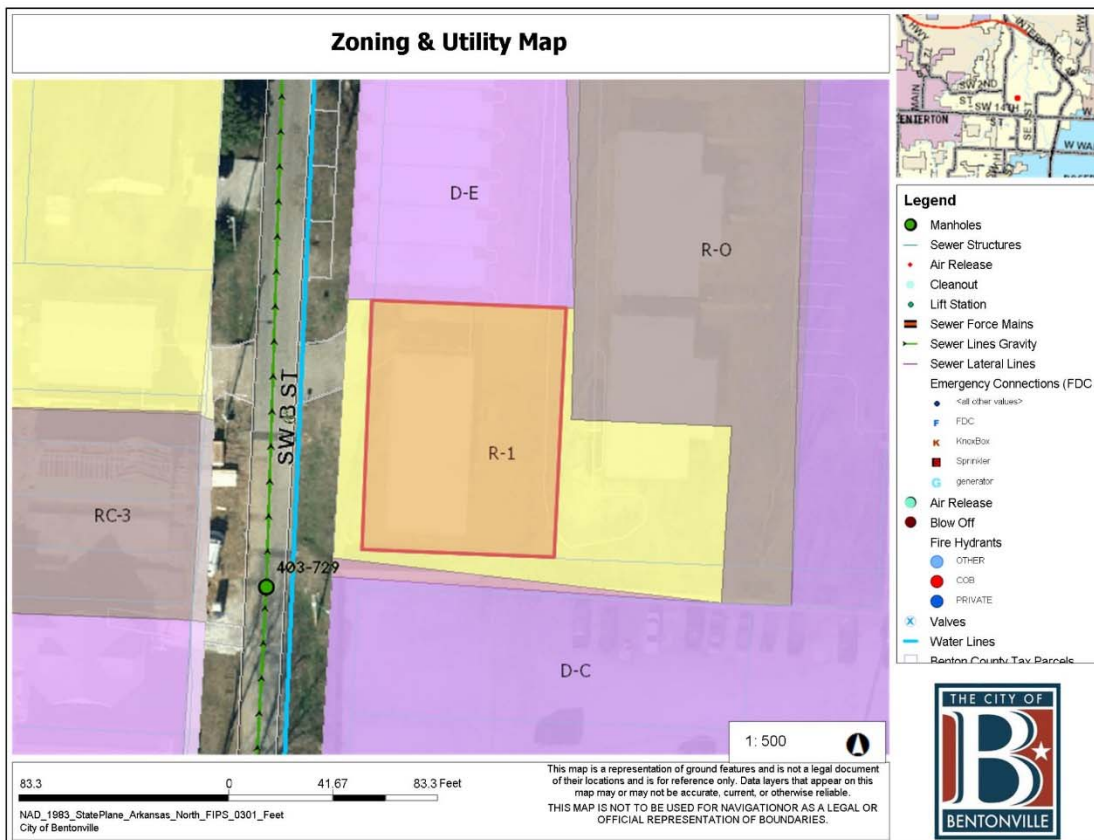
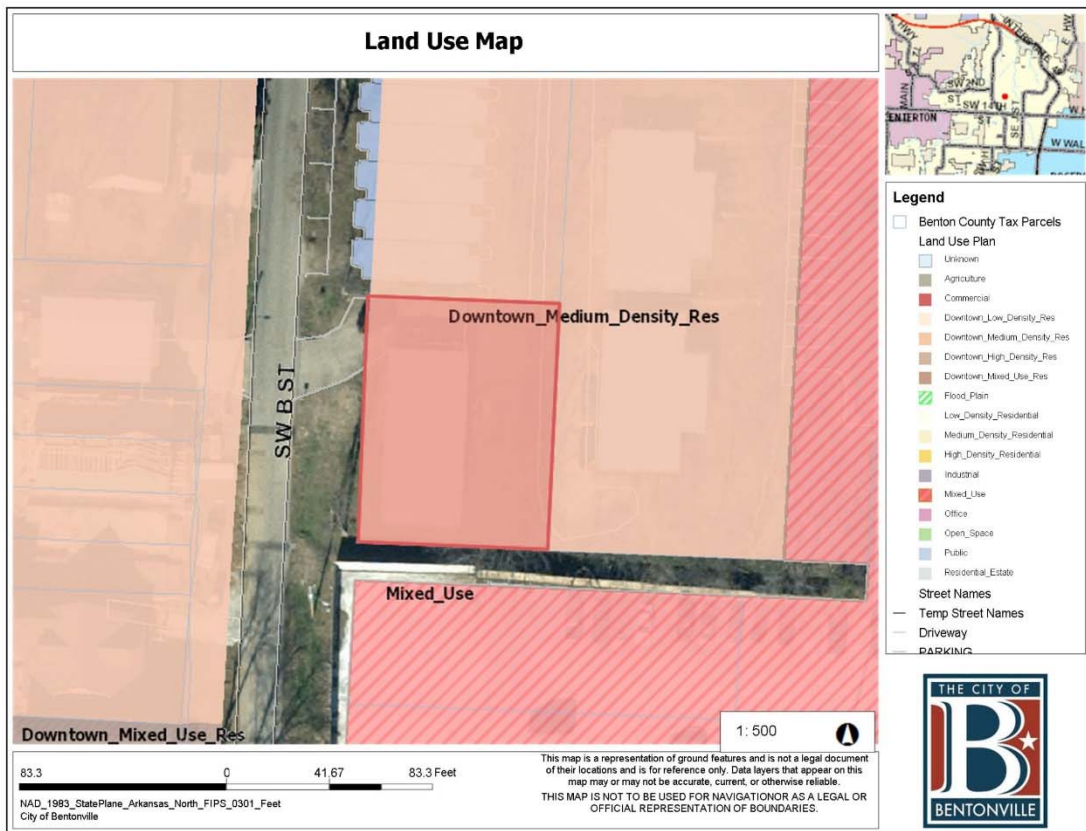
Conclusion

The DC, Downtown Core zoning designation is consistent with adjacent properties in this area of downtown. The General Plan encourages a mix of uses in the downtown area and specifically encourages a variety of residential, office and commercial uses in close proximity to the downtown square.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends this item be tabled after the public hearing is held, due to inadequate public notification.

REZONING STAFF REPORT



December 2, 2016

**Planning Department
City of Bentonville
305 SW A Street
Bentonville, AR 72712**

RE: Rezoning 431 SW B Street

The current zoning at 431 B Street is R-1 and this is a request to rezone to D-C in accordance with the existing land use plan for the property. The proposed rezone will allow for denser multifamily development. No signage is proposed for the property. The water, sewer and electric utilities along SW B Street will be used for service.

431 SW B will be a part of the ongoing redevelopment by Newell Development.

Newell Development focuses on developing a walkable lifestyle for all demographics, in hopes of fostering a generous and healthy quality of life. Newell Development is focused on downtown Bentonville because it is where and what many family, friends, and neighbors call "Home". We are committed to making this home a great place and community.

Jake Newell

Jake@newelldevelopment.com

479 225 3997

REZONING STAFF REPORT



Dharmadhikari

1203 & 1205 Southeast 33rd Street

PC Date: 1/17/2017

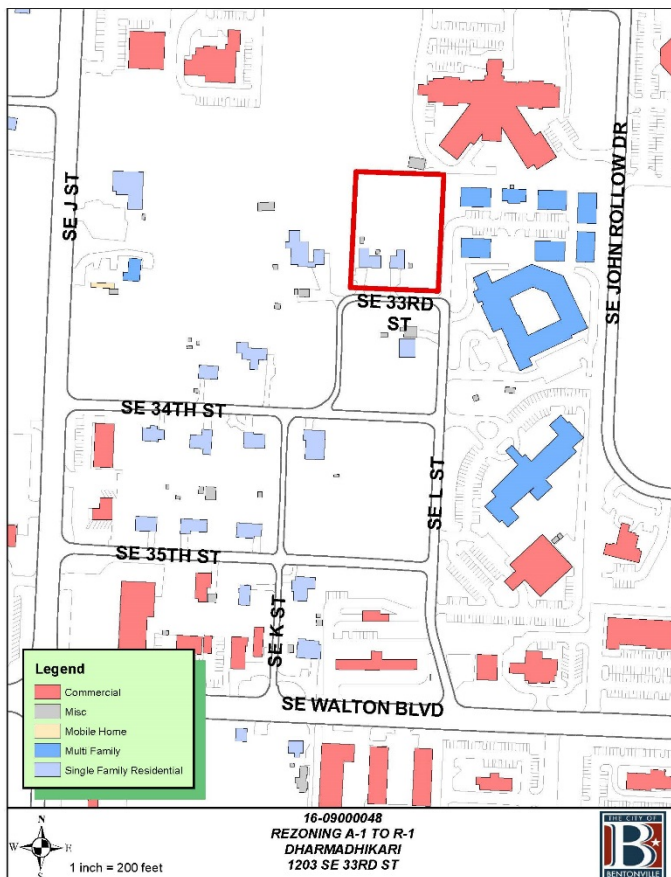
Recommendation: In Report

Reviewer: Jon Stanley, Planner

Project Number	16-09000048
Applicant / Current Owner	Rohit Dharmadhikari 2308 Southwest Penny Lane Bentonville, AR 72712
Site Area	1.41 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	High Density Residential (HDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a vacant undeveloped parcel in an established medium and high-density residential neighborhood.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has direct access to a local street that will provide adequate opportunities for ingress and egress to the property.

Utility Infrastructure

Per the city GIS website, public water and sewer are both available at this location.

Relationship to the General Plan

The Future Land Use Plan depicts this property as High Density Residential (HDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

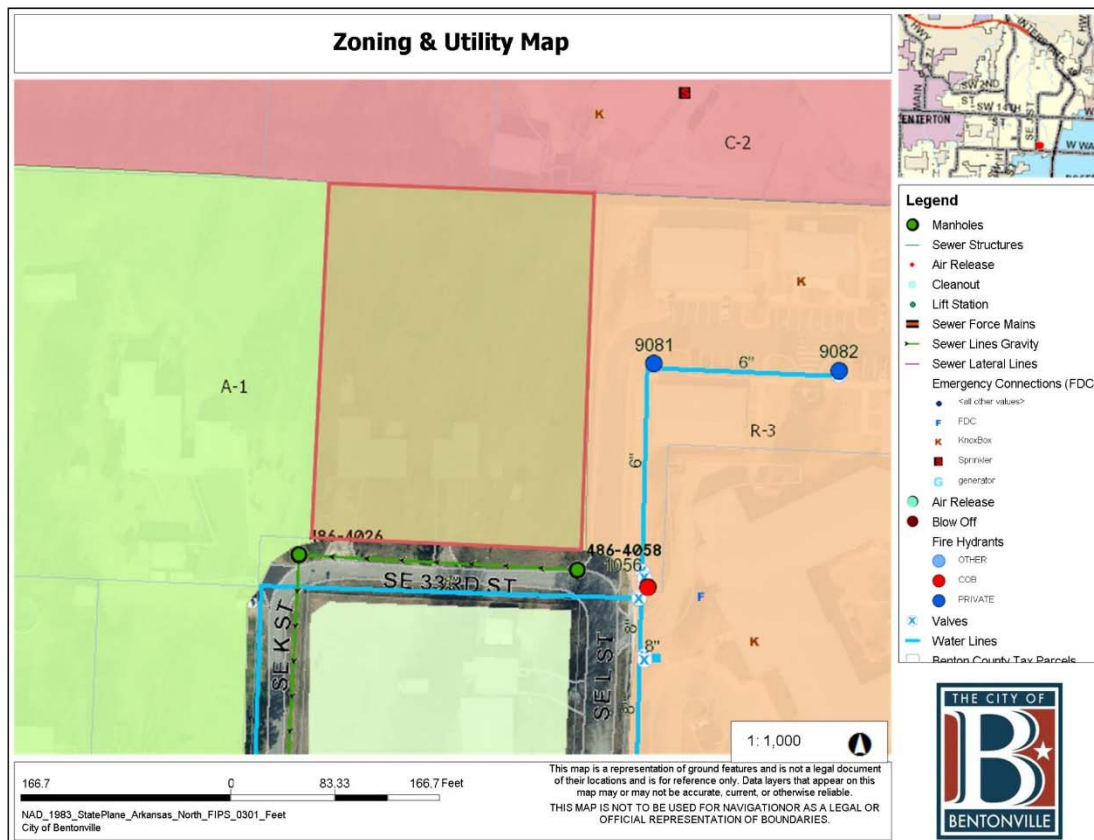
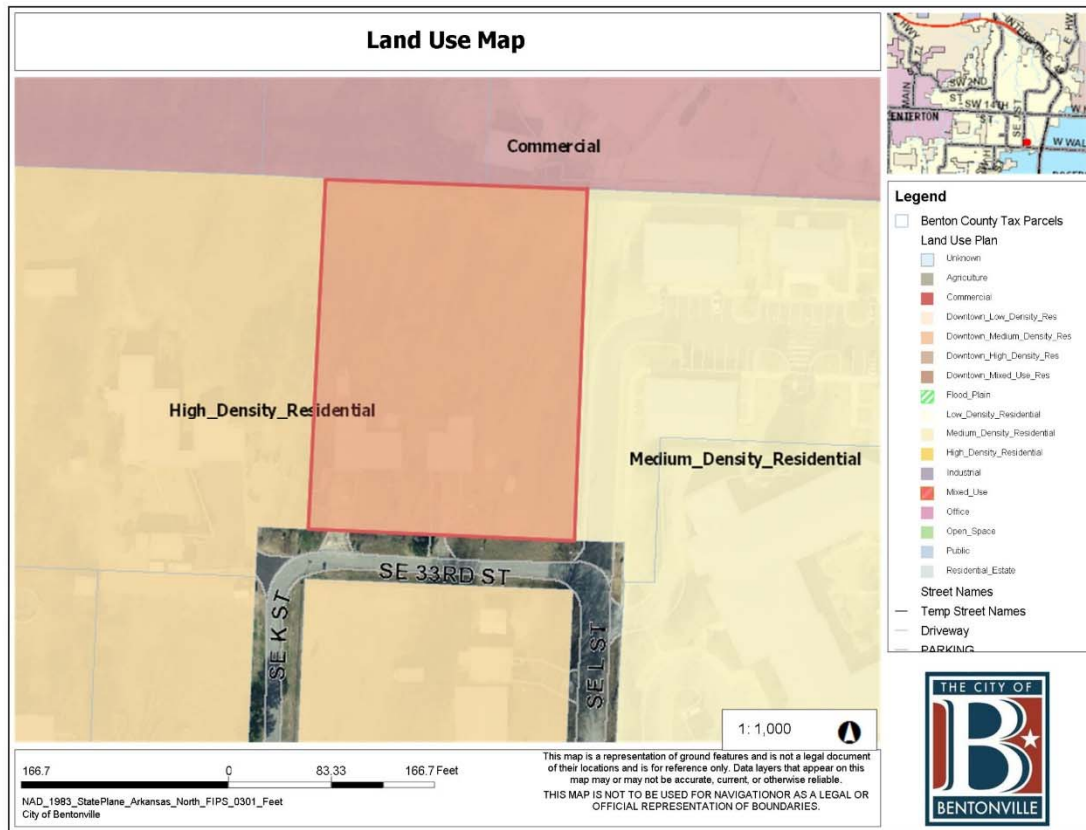
Conclusion

The R-1, Single Family Residential zoning designation supports Policy LU-23, Housing Types, within the General Plan, which states "the City should encourage the development of a mix of housing types to the meet the needs of its residents...". This rezoning request is consistent with good land use planning, the General Plan and the Future Land Use Map and will meet the intent of the policy.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends this item be tabled after the public hearing is held, due to inadequate public notification.

REZONING STAFF REPORT



To: Planning Commission

Re: Rezoning request

Owner: Rohit Dharmadhikari

Request to rezone property, 1203 SE 33rd Street Bentonville, Arkansas.
Parcel No 01-00146-000.

We are requesting the property to be rezoned from A-1 Agricultural to R-1 Single Family Residential.

Zoning change requested to allow for conditional use permit for home occupational business.

The Property that joins to the West and South is zoned A-1, Property to the North is zoned C-2 and Property to the East is zoned R-3.

If approved for the rezone and conditional use application, the property will be a single-family residence with a home occupational business.

Traffic would be minimal, based on zoning ordinances and maximum occupancy.

Signage will conform to the ordinance for home occupation conditional use.

The appearance of the new home will be aesthetically the same as new homes within area.

Water and sewer will be connected to the city water and sewer as per the development plans.

REZONING STAFF REPORT



Roth Family Partnership, LLLP, VGP, LLC & Cawthon

905, 907 & 909 North Main Street

PC Date: 1/17/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-09000049
Applicant / Current Owner	Roth Family Partnership, LLLP 6044 Southwest Regional Airport Blvd. Bentonville, AR 72712 VGP, LLC 6077 Southwest Regional Airport Blvd. Bentonville, AR 72712 Marvin & Becky Cawthon 907 North Main Street Bentonville, AR 72712
Site Area	0.60 acres
Current Zoning	R-1, Single Family Residential & R-C2, Central Residential-Moderate Density
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

Property Description

This property is the location of 3 existing single-family homes in an established single-family neighborhood in the downtown area where infill development is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area. The properties are located within the downtown area and the existing street grid and alley network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at these locations.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Conclusion

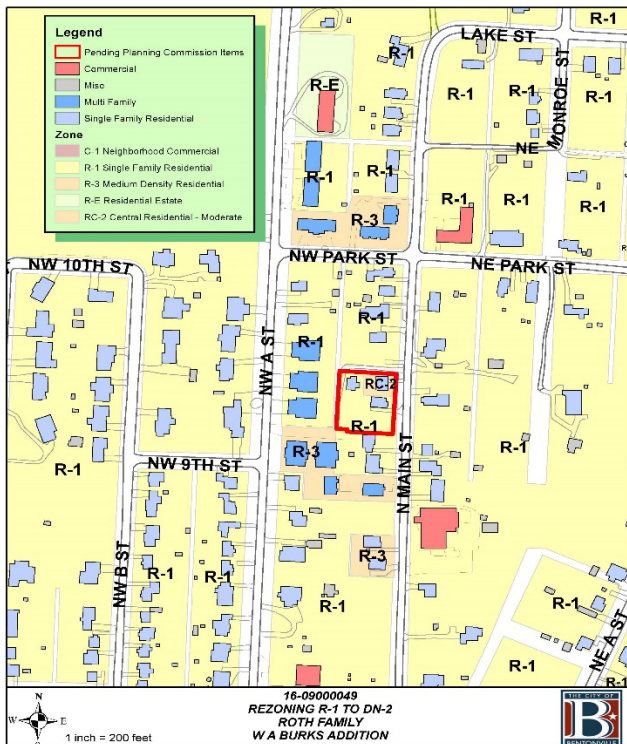
The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional single-family density in an established downtown neighborhood. The existing infrastructure in this area can support the slight increase in density and will allow small-lot single-family developments to occur.

Recommendation

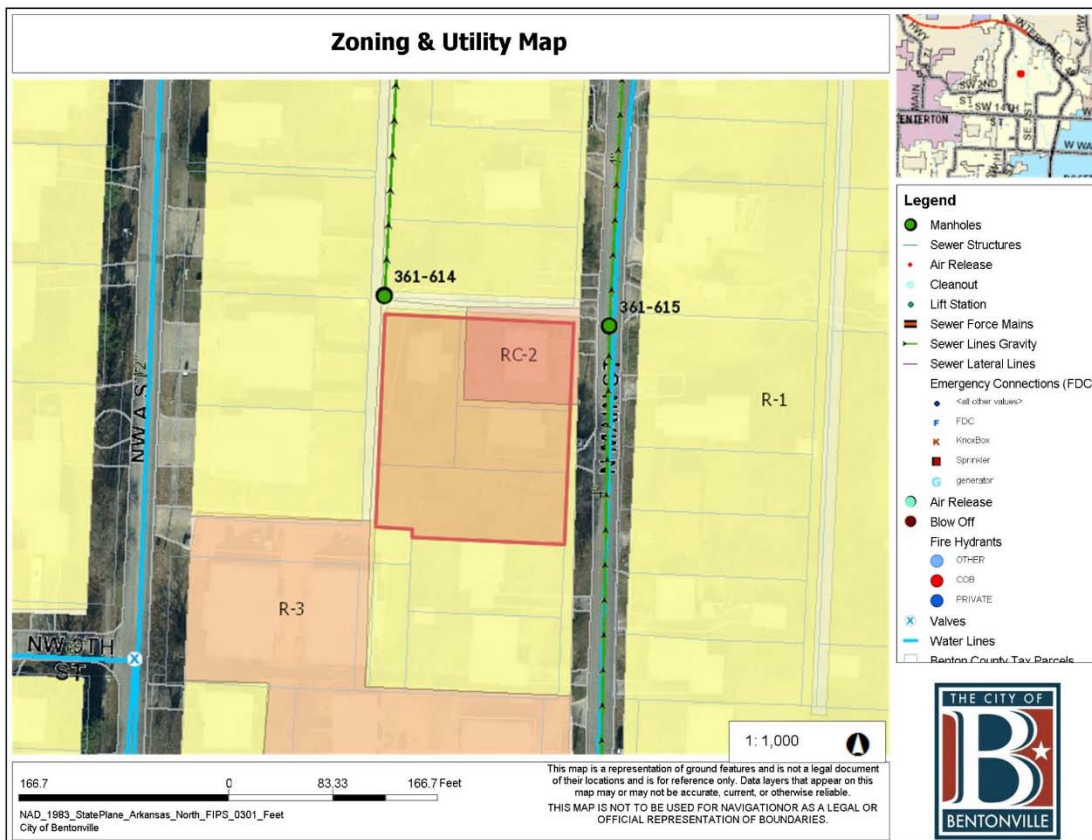
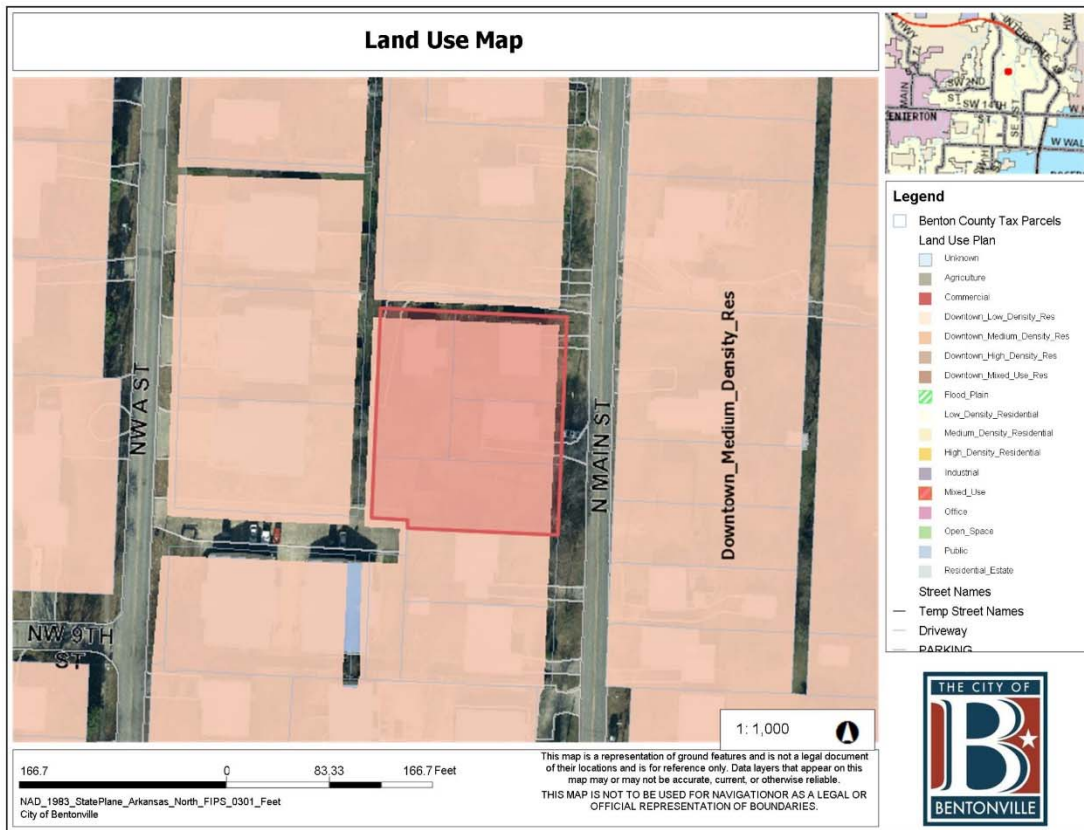
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2 Downtown Medium-Density Residential.

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



REZONING STAFF REPORT





Bates & Associates, Inc.

Civil Engineering & Surveying

7230 S Pleasant Ridge Dr. / Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

www.batesnwa.com

DECEMBER 7, 2016

PLANNING COMMISSION
CITY OF BENTONVILLE

Dear Commissioners,

Our client, Randy Roth, is requesting a rezoning on properties he owns at 905, 909, 909A North Main Street, and 907 North Main Street owned by Marvin and Becky Cawthon in Bentonville. The current zoning of 909A, 907, and 905 is R-1. The current zoning of 909 is RC-2. He would like to rezone all 4 parcels to DN-2 for the purpose of future single family development. If the rezoning request is approved, a property line adjustment survey would follow, adjusting 909, 909A, and 907 to all have street frontage along North Main Street. Currently, 909A is non-conforming, as it is accessed by a platted alley, and has no street frontage. 905 N. Main already has a new house on it, and the other 3 lots would eventually have new single family residences also, and be sold. Currently 909A, 909, and 907 have existing houses that would be demolished.

If rezoned, these properties would continue to be similar to the surrounding properties, which are a mix of single family and multifamily homes. There would not be a significant increase in traffic, as we are not proposing creating any new lots, and the properties would continue to be single family residences, as they are currently. No signage is proposed on these properties. As Mr. Roth has proven with other properties he has developed around the Bentonville area, very nice looking homes would be built that would improve the overall look of the neighborhood.

Water and sewer is available to all of these properties along North Main Street. There is a 6" PVC sewer main, and a 4" cast iron water main that would service any new developments.

Please see the attached Rezoning Exhibit for further information regarding this request, and contact Bates & Associates with any questions or concerns.

Sincerely,

Justin Reid

Bates & Associates, Inc.

CONDITIONAL USE STAFF REPORT



Dharmadhikari - Type B Home Occupation

1203 & 1205 Southeast 33rd Street

PC Date: 1/17/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	16-02000012
Applicant / Current Owner	Rohit Dharmadhikari 2308 Southwest Penny Lane Bentonville, AR 72712
Site Area	1.41 acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	High Density Residential (HDR)
Requested Use	Type B Home Occupation – Yoga Studio
Protective Covenants	N/A

Property Description

This property is the location of a vacant undeveloped parcel in an established medium and high-density residential neighborhood.

Proposed Use Description

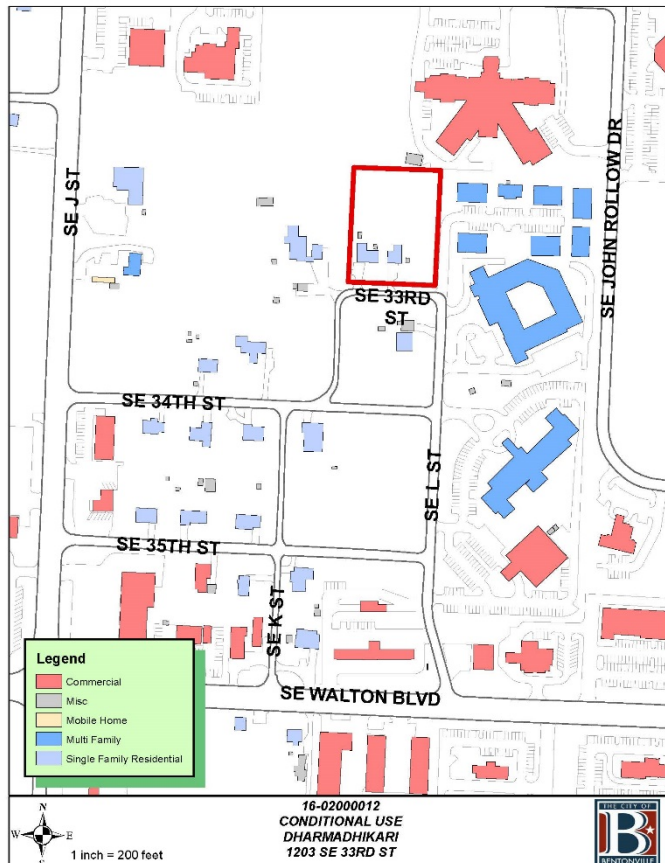
The applicant is requesting a conditional use permit for a Type B Home Occupations to operate a yoga studio. The studio will be a 2400 sq. ft. non-residential accessory structure. Hours of operation will be Monday through Thursday from 7:00pm to 8:30pm, Saturday and Sunday from 9:00am to 10:30 and 4:30pm to 6:30pm. The applicant intends to provide hard surface parking for all patrons. All exterior wall pack lightings will comply with the city's Dark Sky ordinance. Eight patrons per day is anticipated and there will be no outside employees. The owner's primary residence will be located in the single-family dwelling that is to be constructed at this location.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has direct access to a local street that will provide adequate opportunities for ingress and egress to the property.

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Public Notice

On 12/19/2016, a notice was published in the Arkansas Democrat Gazette, Northwest Arkansas Edition and a public hearing notice sign was posted on the property on 1/30/2017. This meets legal noticing requirements and is adequate for the scope of this project.

Staff has not been contacted regarding this request.

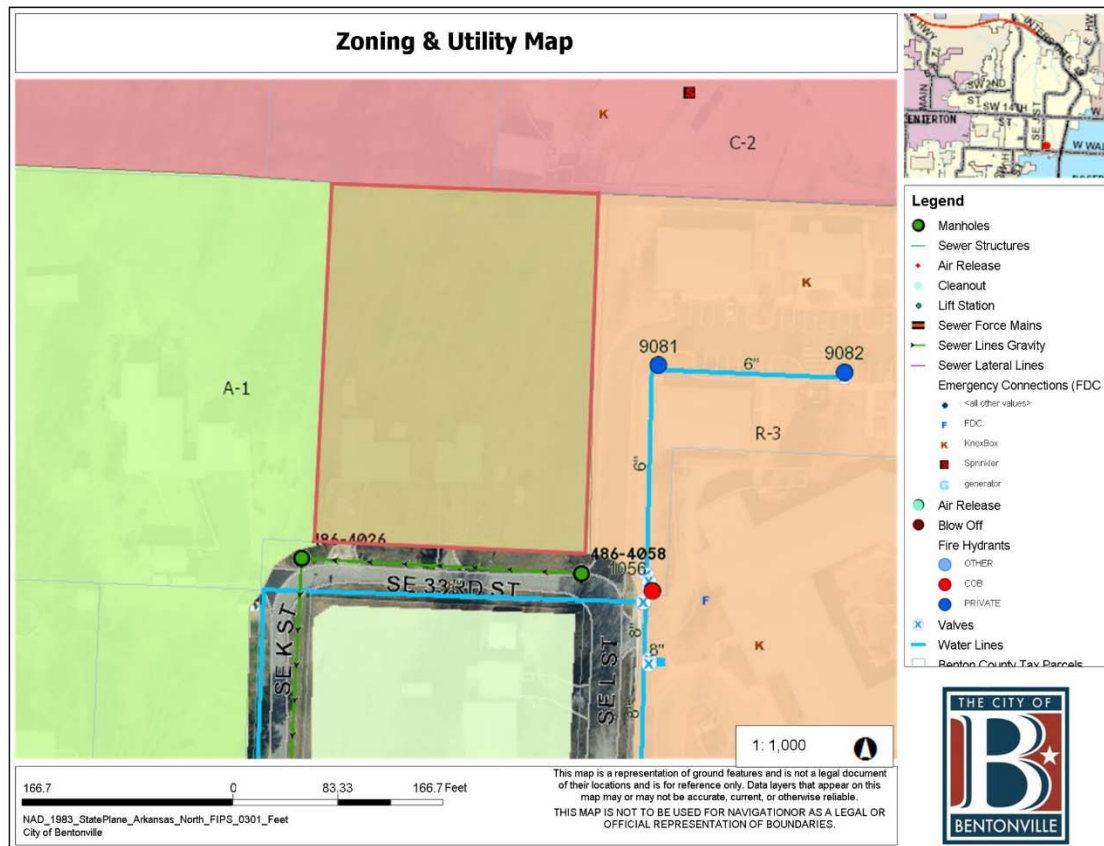
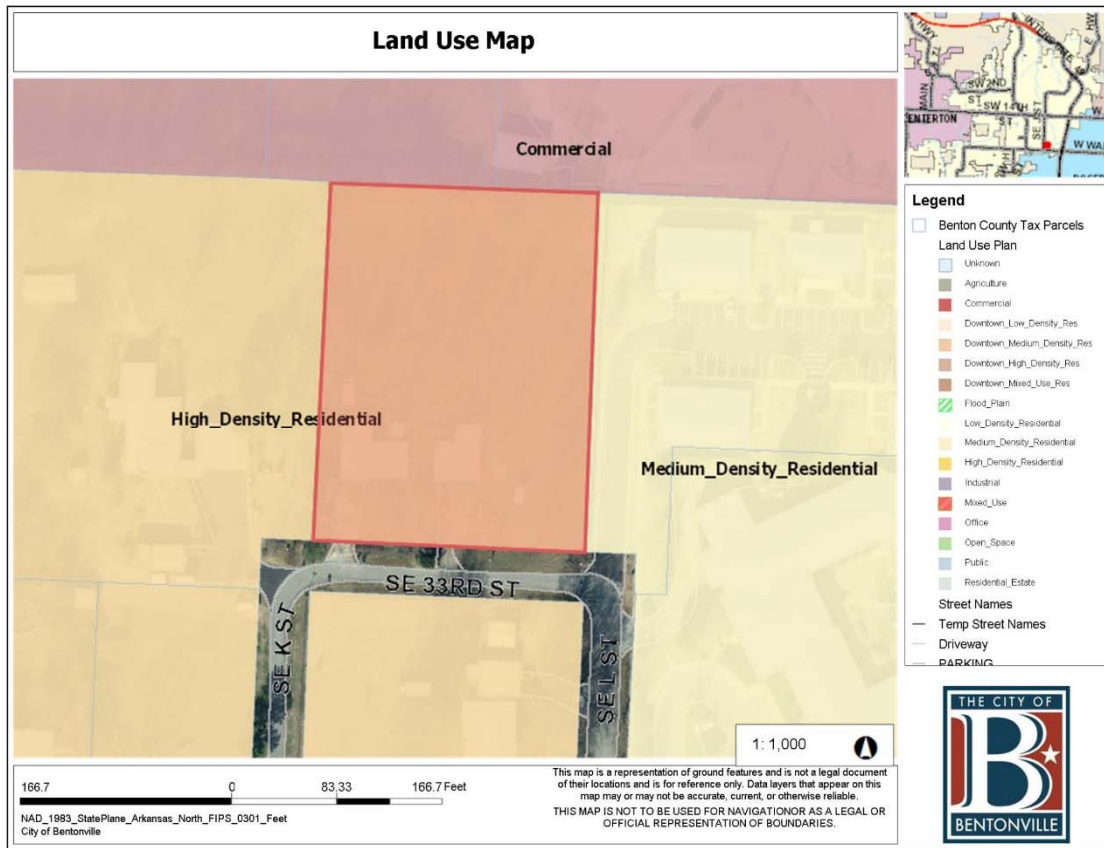
Conditions of Approval

1. All technical review comments must be addressed before a building permit will be issued.
2. All patrons shall park on a hard surface. Parking on grass or gravel shall be prohibited.
3. This conditional use permit is valid for a period of two years from the date of approval, at which time the conditional use permit will expire and must be renewed by the applicant.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

CONDITIONAL USE STAFF REPORT



NARRATIVE FOR THE PROPOSED BUILDINGS AT 1203 AND 1205 SE 33RD ST

A. PROPOSED USE AND REASON

1. **1203** – Build a primary residence – about 2,600 square feet, single story house. *Plan attached.*
2. **1205** – Build a large shed that will serve as a Yoga practice hall. Yoga is a hobby of ours and we get together with friends a few days a week to practice it. There will be a very nominal fee charged for mainly the facility use. This is not a large scale commercial venture. More of hobby and practice with friends.

B. SITE PLAN

A survey is done for the entire property 1203 and 1205 – *Attached. Also attached* is proposed placement of buildings and the parking space is denoted with an annotation [in yellow] on the survey. I have also attached a bird's eye view [a picture] of the site. It also depicts some details of the neighborhood.

C. HOURS OF OPERATION AND DAYS OF WEEK

1. **1203** – Residential building – Primary residence - will be occupied 24 x 7 x 365
2. **1205** – Yoga shed.
 - a. Mondays and Thursdays – 7 PM to 8:30 PM
 - b. Weekend mornings – 9 AM to 10:30 AM
 - c. Weekend afternoons – 4:30 PM to 6 PM

D. INDOOR AND OUTDOOR AREAS TO BE UTILIZED

1. **1203** – Residential building - Both indoor and outdoor areas will used to dwell
2. **1205** – Yoga shed – Only indoor area will be used for Yoga practice.

E. PLANNED INDOOR AND OUTDOOR STRUCTURAL CHANGES

1. **1203** – Residential building – New structure – *plan attached*
2. **1205** – Yoga shed – New Structure – *plan attached*

F. PARKING NEEDS

1. **1203** – Residential building – 2.5 car parking garage or a car port
2. **1205** – Yoga shed – A hard surface [asphalt] parking is planned with more than 6 spaces.

G. PLANNED OUTDOOR LIGHTING CHANGES

1. **1203** – Residential building – Walkway marker and accent lights.
2. **1205** – Yoga shed – Basic lighting to illuminate the outdoors and parking spaces. Any lighting installed would be in compliance with the city code – level of luminance and dark skies etc.

H. ANTICIPATED PATRONS/ CLIENTS PER DAY

1. **1203** – Residential building – N/A
2. **1205** – Yoga shed – 7-8 people on average on the days mentioned in section C above. Many of them car pool. So we'll ensure that there are not more than 6 cars on the 1205 premises for this purpose.

I. PROPOSED NUMBER OF EMPLOYEES

1. **1203** – Residential building – N/A
2. **1205** – Yoga shed – Zero

J. PHOTOGRAPHS OF THE PROPERTY

Attached is a bird's eye view of the site. The existing structures that are shown in the picture are demolished. Proposed placement is shown in the site plan – *attached*.