



**Planning Commission
Agenda
March 17, 2015**

- I. Call to Order**
- II. Approval of Minutes**
- III. Consent Agenda**
 - 1. Lots 16 and 17 Lefor's Addition** **Property Line Adjustment**
606 and 608 West Central
 - 2. Lot 14, 15 and 16 Dunn & Davis Addition** **Property Line Adjustment**
Southwest B Street
 - 3. Cornerstone Ridge Subdivision Phase 5** **Preliminary Plat**
Southwest Rainbow Farms Road and Southwest Morningstar Road
 - 4. Cornerstone Ridge Subdivision Phase 6** **Preliminary Plat**
Southwest Cornerstone Road
- IV. Old Business**
 - 1. Chad's Beverage Shop aka Gatsby's** **Conditional Use***
2501 East Central Avenue
 - 2. Bentonville 12, Ltd. (PUD to R-4)** **Rezoning***
Southwest Ranch Road & Southwest Stone Boulevard – Lots 3, 4 & 5 of
Limestone Ranch Subdivision)
- V. New Business**
 - 1. Troy Link Enterprises LLC (C-2 to C-3)** **Rezoning***
Southwest 8th Street and South Walton Boulevard)
 - 2. Louise Bishop Revocable Trust (A-1 to C-2)** **Rezoning***
Southeast J Street and Phillip Park Entrance
 - 3. Louise Bishop Revocable Trust (A-1 to I-1)** **Rezoning***
Southeast 28th Street and Southeast J Street
 - 4. Wilson Farm Animals** **Conditional Use***
306 Northeast J Street
 - 5. Bentonville Film Festival** **Conditional Use***
312 North Main Street
 - 6. 2015 Community Development Block Grant** **Resolution***
- VI. Other Business**
- VII. Planner's Report**
- VIII. Adjournment**

Planning Commission
Minutes
March 3, 2015

Meeting called to order at 5:00 p.m. by Rod Sanders, Chairman.

Present: Joe Haynie, Scott Eccleston, Greg Matter, Joe Havner, James Stanley, Rod Sanders and Richard Binns.

City Staff: Beau Thompson and Jon Stanley

Motion by Binns, seconded by Haynie to approve the minutes of February 17, 2015.

Approved 7-0

Consent Agenda:

1. Lot 14 Laurel Acres(Children's Academy) Lot Split
1002 southwest 'I' Street
2. Lots 199 & 200 Bentonville Original Subdivision Lot Split
207 West Central Avenue
3. Vista 21 Large Scale Development
2200 Southeast 28th Street
4. Arkansas music Works Large Scale Development
2400 Southeast 'J' Street

Approved 7-0

Old Business:

Item #1

Chad's Beverage Shop aka Gatsby's: (15-02000001) Conditional Use, Chad's Beverage Shop aka Gatsby's, 2501 East Central Avenue, Zoned C-2.

The developer has requested that this item be tabled.

The applicant has submitted a Conditional Use permit for a Packaged Liquor Store within 500 feet

of a city owned & maintained park or trail for property located at 2501 East Central Avenue. The property is located in the C-2, General Commercial zoning district. The applicant is proposing no

additions or changes to the exterior of the existing building with exception to signage. Hours of operation are

Monday through Saturday 10:00am to 10:00pm, closed on Sundays. Total square feet of the development is 5,342 square feet which requires 21 parking spaces and 35 spaces are currently available. No outdoor lighting changes are being proposed. The applicant anticipates between

400

and 500 patrons per day on average and two deliveries per week with 5 to 6 full time employees.

If approved the conditions of approval shall apply:

CONDITIONS OF APPROVAL:

1. All technical review comments must be addressed before building permits are issued.
2. It shall be unlawful to sell, offer for sale or give away at wholesale or retail for the consumption off the premises, beer and/or light wine of every kind and type and/or packaged intoxicating liquors to include alcoholic beverages of every kind and type: Before the hour of 7:00 am and after the hour of 10:00 pm.
3. The conditional use is for the 3,832 square feet as provided by the applicant.
4. All licenses are obtained from the Alcoholic Beverage Control (ABC) and any other regulatory boards or committees that pertain to the sale of alcohol in the State of Arkansas.
5. All signage is in compliance with Article 801, Signs and Billboards of the Zoning code and is only permitted on the south facade of the existing building.
 - a. No signage oriented towards Memorial Park and city trail.
 - b. Maximum 100 square feet of signage on building.
6. No access onto Northeast Moberly Lane, further restricting access to surrounding non-compatible uses.
7. The landscaping for the entire development is brought into compliance with Article 1400, Landscaping, Screening and Buffering of the Subdivision Code.
 - a. Berm and landscaping installed to visually obstruct/screen from Memorial Park and city trail.
 - b. A continuous evergreen screen is provided to obstructed visibility from any location within Memorial Park and city trail.
 - c. The gravel within the planting islands along the north side of the building is removed and replaced with landscaping.
8. The refuse area (dumpster enclosure) is brought into compliance with Article 1100, Design Standards of the Subdivision Code.
9. The cardboard dumpster currently located on the north side of the building is relocated to the refuse area.
10. The conditional use shall be allowed for a period not to exceed 1 year at which time the conditional use permit will be deemed expired unless renewed by the City of Bentonville Planning Commission.
11. All items be installed per attached Exhibit 'A'. (Exhibit 'A') is still in design based on condition above.

Opened public hearing

Tara Fleming-16 Glenbrook, 10 year resident

-Pro small business

-Inappropriate location

- Family Friendly Park
- Research sites-stopalcholuse.com
- If approved I hope that there will be strict restrictions placed

Marcie Bayless-1622 NE Greenbrier

-Question to Chad Smith-what other locations have you considered. Chad-choose this location due to location, high traffic counts, traffic signal.

No other public comment

This will be on the 17th of March

Motion by Stanley, seconded by Havner to table

Tabled 7-0

New Business:

Item #1

Bentonville 12, Ltd: (15-09000005) Bentonville 12, Ltd. (Limestone Ranch) Rezoning, PUD, Planned Unit Development to R-4, High Density Residential, Southwest Ranch Road & Southwest Stone Boulevard.

The applicant has requested a rezoning to R-4 to allow for high density multi-family housing. The property is currently vacant.

Opened public hearing

Ben Peters, Engineer with the City of Bentonville, also the Airport Manager-oppose the rezoning, inappropriate landuse at this location.

Jerry Kelso, with Crafton Tull, representative for the applicant- per recent discussions we feel that we can resolve all of the issues related to the Zone A flight path, moving buildings around, parking lot in a more restrictive area, talked to architect about creating buffer to create a lower decibel reading.

Question-what are the hours of operation

Opened 24 hours.

Motion by Havner, seconded by Matteri to table, for further information.

Tabled 7-0

Item #2

Signature Bank of Arkansas: (15-09000006) Signature Bank of Arkansas, Rezoning, East Ford Springs Road, Zoned R-1, Single Family Residential.

The applicants have requested a rezoning from R-1, Single Family Residential to A-1, Agricultural, this property is current vacant red dirt mine. There are no plans to provide sewer service to the property.

Opened public hearing

Dawn Broadbank at 8050 Ford Springs Road,-her property is across the street from proposed rezoning. She asked what is A-1 Zoning

Beau-Farm Animals, one unit per 5 acres etc., any commercial properties listed on the A-1 will have to apply for a conditional use permit.

Approved 7-0

Item #3

Sky One Properties: (15-09000007)Sky One Properties, Rezoning, C-1, Neighborhood Commercial and R-3, Medium Density Residential to R-4, High Density Residential, Southwest Elm Tree Road.

The applicants have requested a rezoning to build an apartment complex.

Opened public Hearing

Chris Storley-at 2307 SW Morris, owns property on the corner of Elm Tree & 102, has concerns of flooding and sewer. No sidewalks, people walk across their property and , vandalism Beau as far as flooding issues and sidewalks they will be addressed at the large scale development. For vandalism, you might contact Capt. Smith at the Bentonville Police Department.

Joe Willey-1300 SW Elm Tree Road is concerns are no sidewalks.

Approved 7-0

Item #4

ATEX Investments, LLC: (15-09000008)Stoneburrow Subdivision Ph. 1, Rezoning, A-1, Agricultural to R-1, Single Family Residential.

The applicants have requested a rezoning in order to build single family homes.

No public comment

Item #5

WPC, LLC: (15-02000002)Children's Academy, Conditional Use, 1002 SW 'I' Street, Zoned C-1, Neighborhood Commercial

The applicant has submitted a Conditional Use application for a 14,980 square feet educational and child care facility located at 1002 Southwest 'I' Street which resides in a C-1, Neighborhood Commercial zoning district. Child care will be provided for infants and toddlers and an after school program for 5 to 12 year olds will also be available. Hours of operation will be 6:30am to 6:00pm Monday through Friday. The greenspace located west and south sides of the building will be fenced to provide area for outdoor play and sports activities. Fifty-two parking spaces area being provided and 20 of these spaces are designated for pick-up and drop-off traffic only. The school utilizes a "ramp-up" schedule for pick-up and drop-off times therefore the times for these will vary. Average daily attendance will range from 120 to 160 per day. There is no pole lighting being proposed on site however wall packs will be utilized. There will be one food truck delivery each week and office supplies will be delivered bi-monthly.

No public comment

Approved 7-0

Item #6

40 Rivercliff, LLC(Steve Patton)(15-06000007)Patton Hanger, Large Scale Development, 2400 Southwest Aviation Street, Zoned A-1.

The applicant is seeking Large Scale Development approval for a 4,200 square feet airplane hangar located at 2400 Southwest Aviation Street. The plans as provide by the applicant also indicate that access to the site will be from a single curb cut along Southwest Aviation. The plans also included the construction of sidewalk along Southwest Aviation Street and the installation of 5 street trees. The exterior of the building will be constructed of Metal R-Panel and a stone veneer wainscoting along the

street facing side of the structure. On-site detention is not required and storm water will be released into an existing roadside ditch.

The applicants have requested a waiver request-

- Ordinance requires that the primary material constitute at least 75% of the wall area excluding glass and that that primary exterior material shall consist of a combination of brick, textured concrete block, or natural stone. The applicant is requesting this requirement be waived based on the statements in the attached waiver letter. The architecture is consistent with previously approved hangars and terminals. New elevations show 25% masonry wainscot along east side facing Southwest Aviation Street.

Motion by Havner, seconded by Eccleston to approve the waiver request.

Approved 7-0

Motion to approve large scale development

Approved 7-0

Planners Report

None

Meeting adjourned

Diane Shastid

Planning Commission Staff Report

Property Line Adjustment: Lots 16 & 17 Lefor's Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Project Number: 15-07000002

Applicant/Owner: Mark Hornbaker

Representative: Mark Hornbaker

Requested Action: Property Line Adjustment Approval

Location: 606 & 608 West Central Avenue

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Property Line Adjustment for two existing lots that will create two new lots to be known as Lot 16 (0.42 acres) and Lot 17 (0.46 acres) of Lefor's Addition. Additional right-of-way is being dedicated along West Central Avenue to meet the current Master Street Plan requirements. All public utilities are available to these lots.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Residential
South	R-1, Single Family Residential	Residential
East	R-1, Single Family Residential	Residential
West	R-1, Single Family Residential	Residential

STREETS

Direction	Name	Classification
North	-	-
South	West Central Avenue	Collector
East	-	-
West	-	-

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; these lots currently developed in an established single family neighborhood.

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

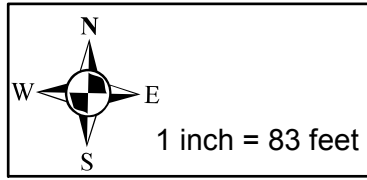
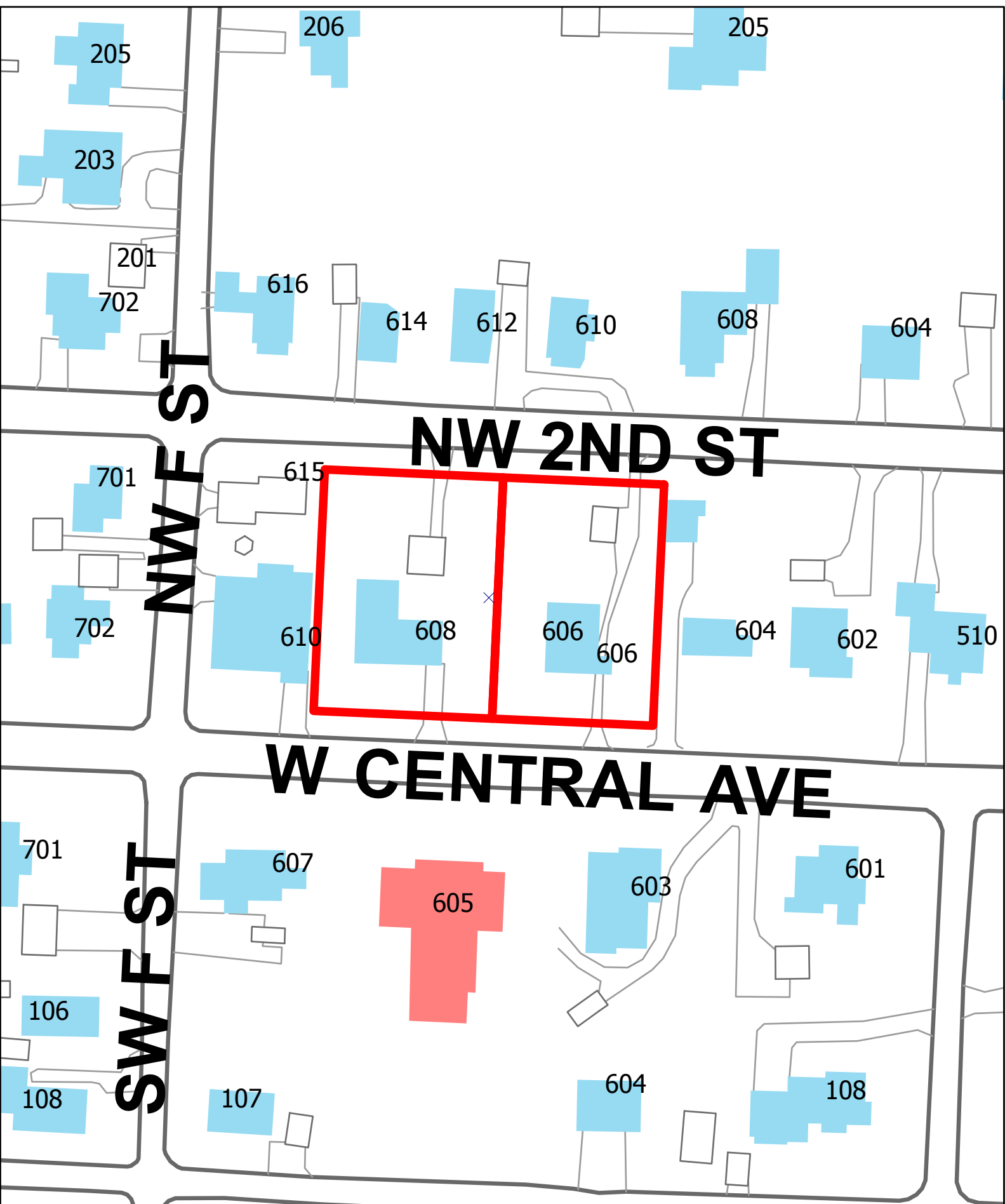
Water / Sewer: Per the G.I.S. site, water and sewer currently in use on site.

Waiver(s): N/A

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **Approval**.



15-0700002
Property Line Adjustment
Mark Hornbaker
606 & 608 W. Central Ave
.42 Acres (Lot 16) .46 Acres (Lot 17)



Planning Commission Staff Report

Property Line Adjustment: Lots 14, 15 & 16 Dunn & Davis Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Project Number: 15-07000003

Applicant/Owner: Bike Rack Redevelopment

Representative: Jake Newell

Requested Action: Property Line Adjustment Approval

Location: Southwest 6th Street and Southwest B Street

Existing Zoning: Downtown Edge

Land Use Plan: Downtown Mixed Use Residential

BACKGROUND:

The applicant has submitted a Property Line Adjustment for lots 4 and 5 Dunn and Davis Addition. The Property Line Adjustment will create three new lots to be known as Lot 14 (0.12 acres), Lot 15 (0.10 acres) and Lot 16 (.10 acre) of Dunn and Davis Addition. Additional right-of-way is being dedicated along Southwest B Street to meet the current Master Street Plan requirements. All public utilities are available to these lots.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	D-E, Downtown Edge	Downtown Mixed Use Residential
South	D-E, Downtown Edge	Downtown Mixed Use Residential
East	D-E, Downtown Edge	Downtown Mixed Use Residential
West	D-E, Downtown Edge	Downtown Mixed Use Residential

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	Southwest B Street	Local Street
West	-	-

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; these lots are currently vacant in a mixed use area of the downtown.

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

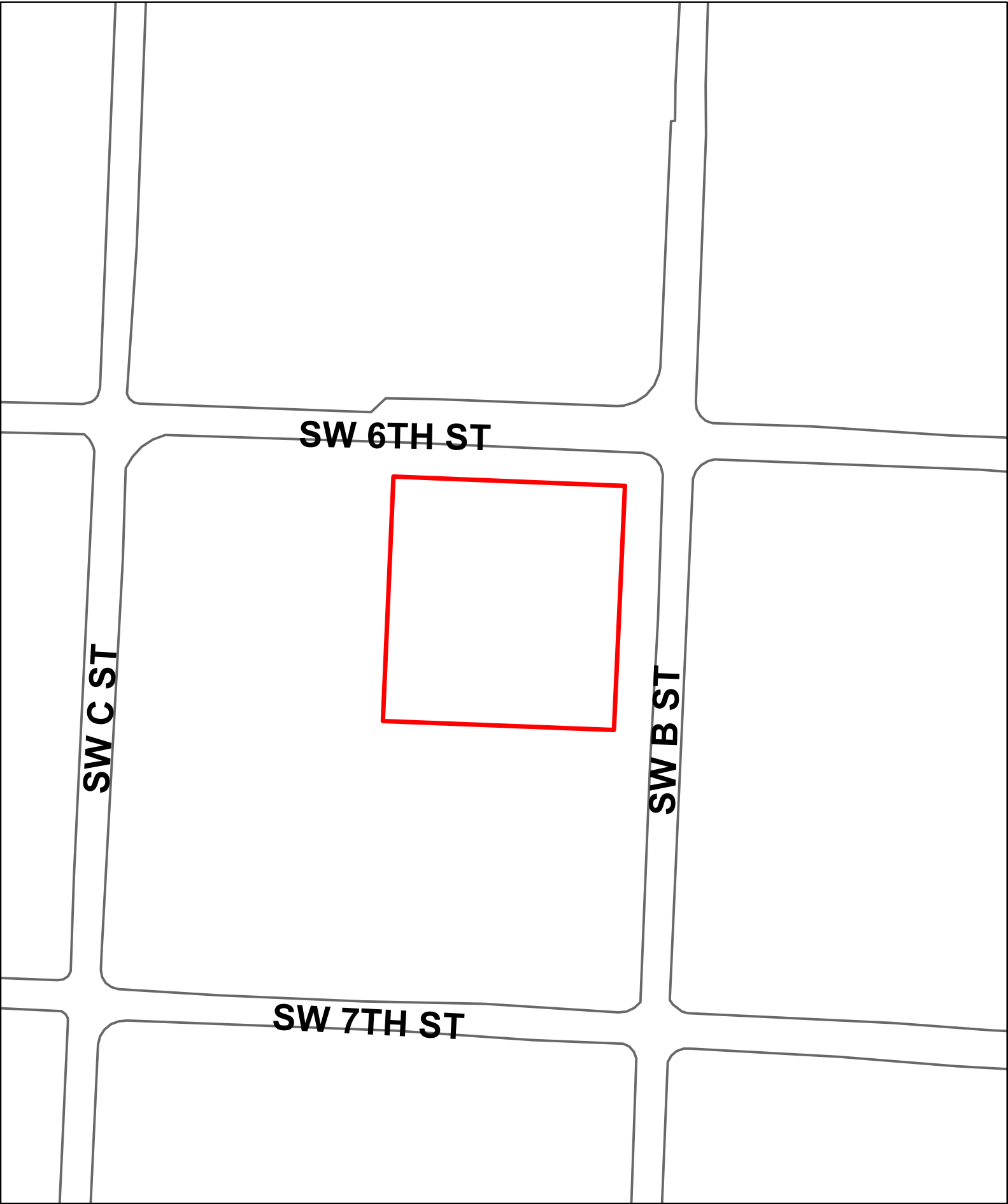
Water / Sewer: Per the G.I.S. site, water and sewer currently in use on site.

Waiver(s): N/A

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **Approval**.



1 inch = 75 feet

15-07000003
PROPERTY LINE ADJUSTMENT
DUNN & DAVIS ADDITION
LOTS 4 & 5 BLOCK 5
ZONE D-E



Planning Commission Staff Report

Preliminary Plat: Cornerstone Ridge Phase V

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Project Number: 15-08000002

Applicant: Cornerstone Ridge, LLC

Representative: Jorgensen and Associates (Dave Jorgensen)

Requested Action: Preliminary Plat Approval

Location: Southwest Rainbow Farm Road & Southwest Morningstar Road

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Preliminary plat for 18 acres located along Southwest Rainbow Farm Road & Southwest Morningstar Road. The single family subdivision will consist of 66 buildable lots and 1 lot for a neighborhood park for a total of 67 lots and will be known as Cornerstone Ridge Phase V. Lot sizes range from 6,900 square feet to 15,000 square feet. Public streets with traffic calming devices, water and sewer are being installed with this development. Stormwater detention is being addressed through the use of the existing detention basins located on Phase I of Cornerstone Ridge.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	A-1, Agricultural & Benton County	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	Southwest Gemstone Boulevard	Local
South	Southwest Rainbow Farm Road	Arterial
East	Southwest Morningstar Road	Arterial
West	Southwest Cornerstone Road	Local

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently vacant in a developing single family residential subdivision.

Street Names: All street names are preliminary and are for planning purposes only. Street names are not finalized until Final Plat approval.

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

Water / Sewer: Per the G.I.S. site, water and sewer ARE currently available to this site.
Water and Sewer to this site was installed with Cornerstone Ph I and will be extended throughout the proposed phase.

Drainage: A drainage report was submitted and tentatively approved by the city engineer.

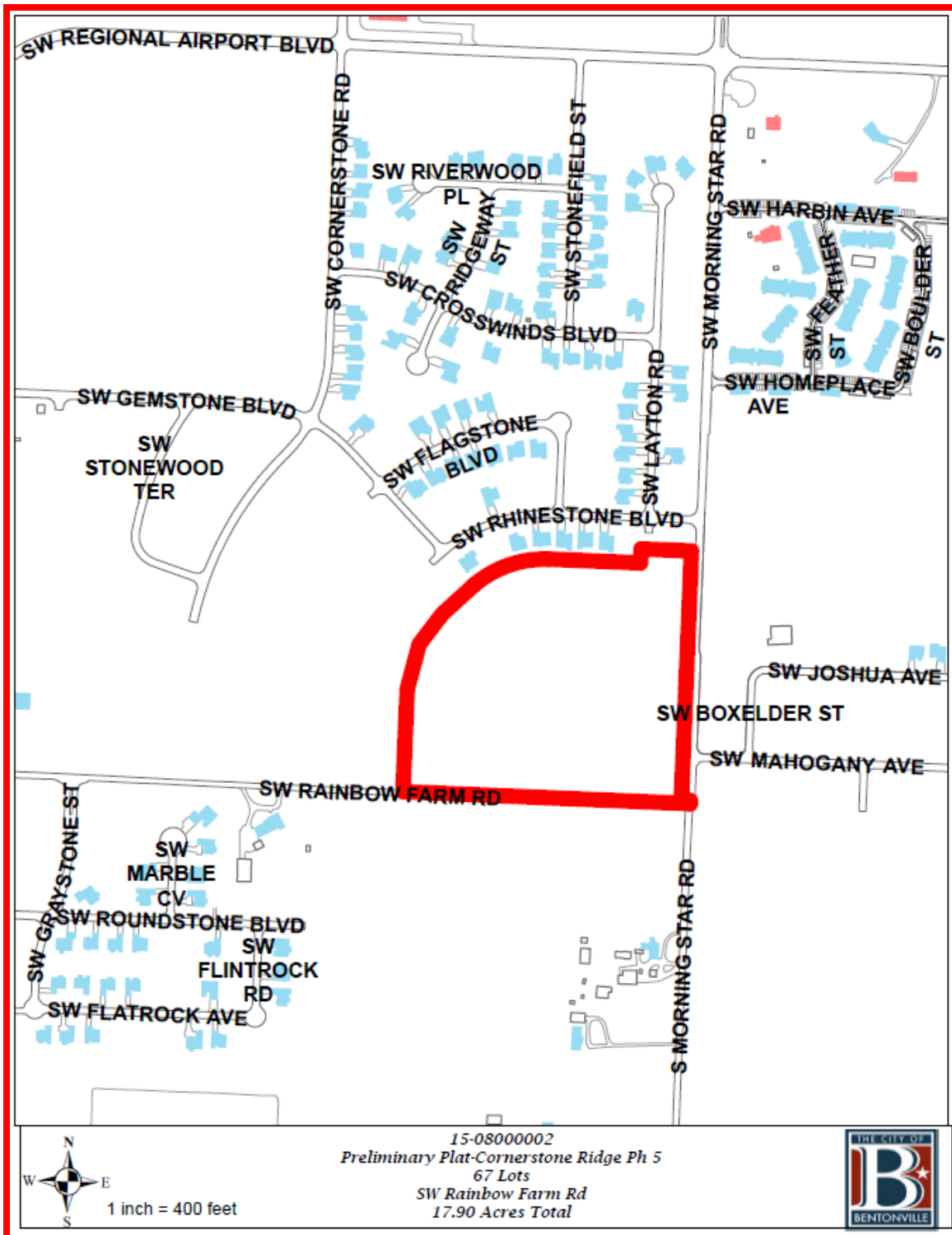
Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, and streets. The information submitted for the plat review process was reviewed for general concept only.

Waiver(s): N/A

Analysis / Conclusion: This preliminary plat **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



Planning Commission Staff Report

Preliminary Plat: Cornerstone Ridge Phase VI

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Project Number: 15-08000001

Applicant: Cornerstone Ridge, LLC

Representative: Jorgensen and Associates (Dave Jorgensen)

Requested Action: Preliminary Plat Approval

Location: Southwest Cornerstone Road

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Preliminary plat for 7 acres located along Southwest Cornerstone Road. The single family subdivision will consist of 21 buildable lots and will be known as Cornerstone Ridge Phase VI. Lot sizes will range from 18,000 square feet to 7,740 square feet. Public streets along with water and sewer are being installed with this development. Stormwater detention is being addressed through the use of the existing detention basins located on Phase I of Cornerstone Ridge.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial & R-1, Single Family Residential	Commercial
South	A-1, Agricultural & Benton County	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	Southwest Gemstone Boulevard	Local
South	Southwest Rainbow Farm Road	Arterial
East	Southwest Morningstar Road	Arterial
West	Southwest Cornerstone Road	Local

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently vacant in a developing single family residential subdivision.

Street Names: All street names are preliminary and are for planning purposes only. Street names are not finalized until Final Plat approval.

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

Water / Sewer: Per the G.I.S. site, water and sewer **ARE** currently available to this site.
Water and Sewer to this site was installed with Cornerstone Ph I and will be extended throughout the proposed phase.

Drainage: A drainage report was submitted and tentatively approved by the city engineer.

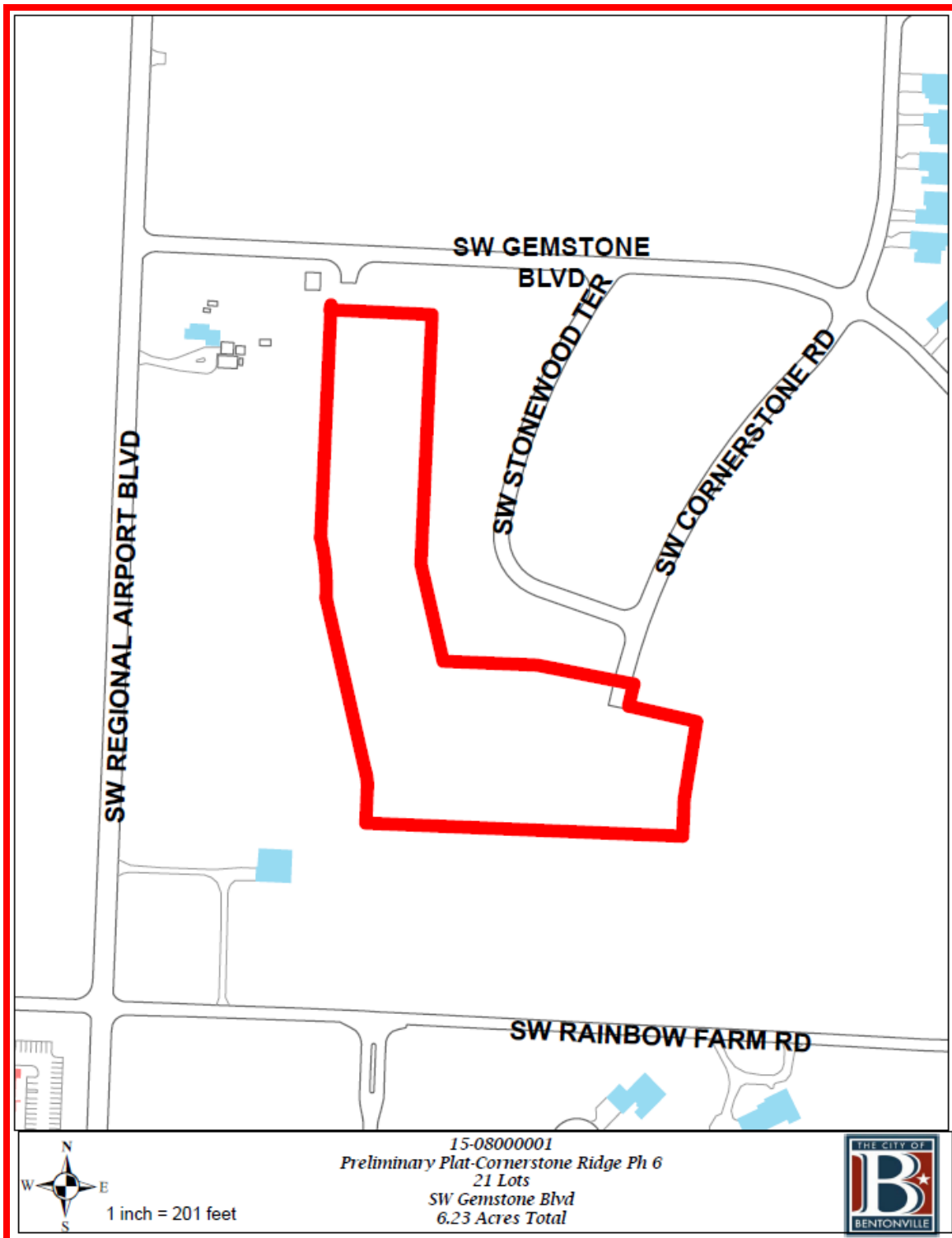
Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, and streets. The information submitted for the plat review process was reviewed for general concept only.

Waiver(s): N/A

Analysis / Conclusion: This preliminary plat **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

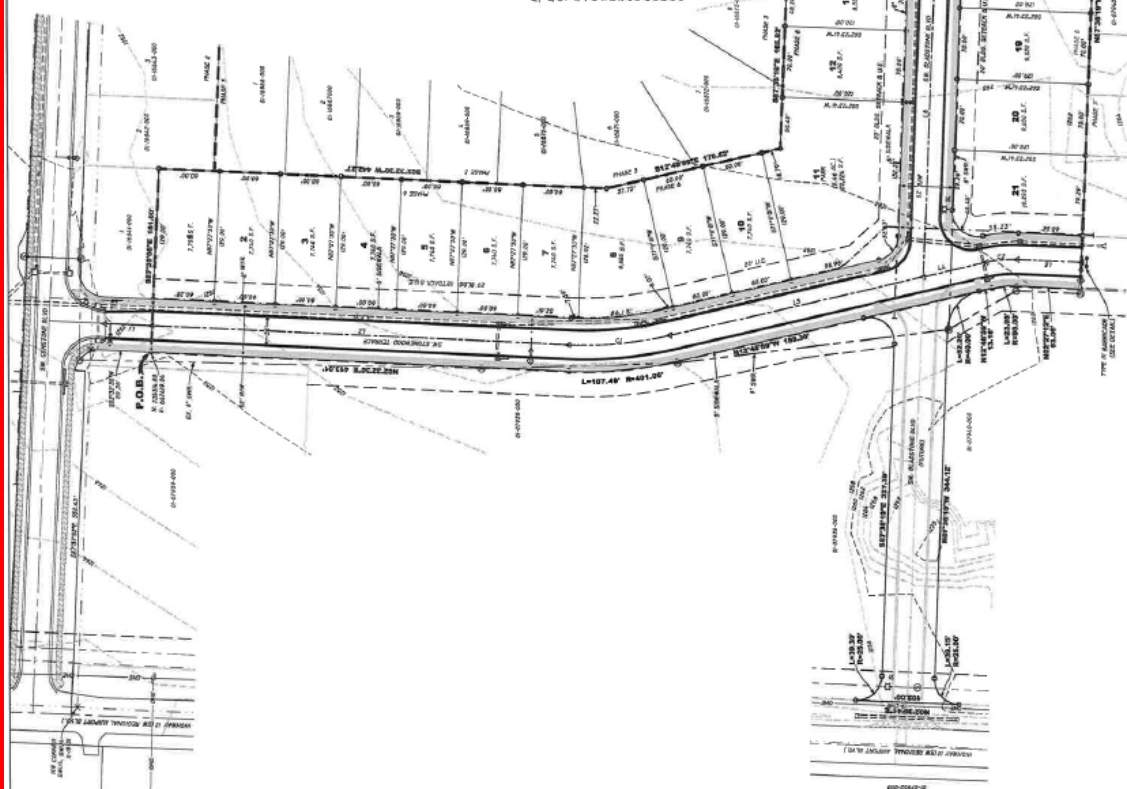
Staff has reviewed this application and recommends **APPROVAL**.



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LEGAL DESCRIPTION

[illegible]

Planning Commission Staff Report
Conditional Use: Chad's Beverage Shop aka Gatsby's
Project Number: 15-02000001

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, ACIP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: March 17, 2015, March 3, 2015 and February 17, 2015 (original)

GENERAL INFORMATION:

Applicant: Steve Turner with Petromark Inc.

Representative: Chad Smith

Requested Action: Conditional Use Permit Approval

Location: 2501 East Central Avenue

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

Proposed Use: Package Liquor Store

BACKGROUND:

The applicant has submitted a Conditional Use permit for a Packaged Liquor Store within 500 feet of a city owned & maintained park or trail for property located at 2501 East Central Avenue. The property is located in the C-2, General Commercial zoning district. The applicant is proposing no additions or changes to the exterior of the existing building with exception to signage. Hours of operation are Monday through Saturday 10:00am to 10:00pm, closed on Sundays. Total square feet of the development is 5,342 square feet which requires 21 parking spaces and 35 spaces are currently available. No outdoor lighting changes are being proposed. The applicant anticipates between 400 and 500 patrons per day on average and two deliveries per week with 5 to 6 full time employees.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial	Vacant
South	C-2, General Commercial	Restaurant
East	C-2, General Commercial	Vacant
West	A-1, Agricultural	City Owned Park (Memorial Park)

STREETS

Direction	Name	Classification
North	-	-
South	East Central Avenue	Arterial
East	-	-
West	Northeast Moberly Lane	Collector

Site Inspection: A site inspection was completed; this property is a vacant convenience store suite in an otherwise occupied retail center.

Public Notice: On **January 17, 2015** a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on **February 6, 2015**. This meets legal noticing requirements and is adequate for the scope of this project.

CONDITIONS OF APPROVAL:

1. All technical review comments must be addressed before building permits are issued.
2. It shall be unlawful to sell, offer for sale or give away at wholesale or retail for the consumption off the premises, beer and/or light wine of every kind and type and/or packaged intoxicating liquors to include alcoholic beverages of every kind and type: Before the hour of 7:00 am and after the hour of 10:00 pm.
3. The conditional use is for the 3,832 square feet as provided by the applicant.
4. All licenses are obtained from the Alcoholic Beverage Control (ABC) and any other regulatory boards or committees that pertain to the sale of alcohol in the State of Arkansas.
5. All signage is in compliance with Article 801, Signs and Billboards of the Zoning code and is only permitted on the south facade of the existing building per the provided signage plan. (See exhibit A)
 - a. No signage oriented towards Memorial Park and city trail.
 - b. Maximum 100 square feet of signage on building.
 - c. No self-illuminated advertising for beer, wine or liquor shall be located on buildings or windows of establishments
6. No access onto Northeast Moberly Lane, further restricting access to surrounding non-compatible uses.
7. The landscaping for the entire development is brought into compliance with Article 1400, Landscaping, Screening and Buffering of the Subdivision Code.
 - a. Berm and landscaping installed to visually obstruct/screen from Memorial Park and city trail.
 - b. A continuous evergreen screen is provided to obstructed visibility from any location within Memorial Park and city trail.
 - c. The gravel within the planting islands along the north side of the building is removed and replaced with landscaping.
8. The refuse area (dumpster enclosure) is brought into compliance with Article 1100, Design Standards of the Subdivision Code.

9. The cardboard dumpster currently located on the north side of the building is relocated to the refuse area.
10. The applicant may not sell any product besides liquor, products or materials included by the manufacturer in the package and nonalcoholic malt beverages and soft drinks.
11. Beer, malt beverages, and wine coolers in container of sixteen (16) ounces or less cannot be sold as single items, but must instead be sold in manufacturer prepackaged multi unit quantities.
12. A security camera shall be installed. Said camera must be capable of producing a retrievable image on film or tape that can be made a permanent record and that can be enlarged through projection or other means. Cameras meeting the requirements of this section shall be maintained in proper working order at all times.
13. May not provide any entertainment, including arcade and pinball machines
14. A copy of the conditions of approval must be kept on premises and available upon request; If any of conditions are found to be disregarded, the use permit may be reviewed by the Planning Commission, and the business may be subject to immediate revocation of the conditional use permit.
15. The conditional use shall be allowed for a period not to exceed 1 year at which time the conditional use permit will be deemed expired unless renewed by the City of Bentonville Planning Commission.
16. All items shall be installed per attached Exhibit 'B'. (Exhibit 'B') is still in design based on condition above.
17. A final certificate of occupancy shall not be issued until all conditions have been met and approved by Bentonville Planning Department.

ISSUES / ANALYSIS:

SEC. 301.6. Planning Commission

E. *Standards for Approval.* In carrying out the purpose of this section, the Commission's consideration shall include, but not be limited to, the following development standards and design specifics. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.

1. The proposed use shall be so designated, located and operated so that the public health, safety and welfare will be protected.
2. The proposed land use shall be compatible with other area properties located near it.
3. The proposed use shall be in compliance with the provision of "Conditional Uses" as set out in this Ordinance.

4. The proposed use shall be in conformance with all applicable provisions stated in this Ordinance for the district in which the use is to be located. The use shall facilitate public convenience at that location.
5. The proposed conditional use shall be in conformance with all off-street parking and loading requirements of this Ordinance and ingress and egress and pedestrian ways shall be adequate.
6. Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust and odor shall have been addressed in the proposed use application.
7. Landscaping and screening of the proposed use shall be in accordance with these Ordinance regulations and the City of Bentonville landscaping regulations.
8. Proposed use signage shall be in accordance with the provisions of this Ordinance.
9. Open space located on the proposed use shall be maintained by the owner/developer.
10. The size and shape of the site, including size, shape and arrangement of proposed structures shall be in keeping with the intent of this Ordinance.
11. The Planning Commission shall in no case authorize less than minimum requirements of the Ordinance relating to height, area, setbacks, parking or landscaping.
12. The Planning Commission shall not permit any use in a zone as a conditional use that is not permitted under the Zoning Ordinance.

The use is allowed as a conditional use on appeal in the **(C-2, General Commercial)** district.

A conditional is defined as a use permitted in one or more districts as defined by this ordinance upon approval by the Planning Commission, but which use, because of characteristics peculiar to it, or because of size, technological processes or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible with other existing or permissible uses in the same district or districts, and to assure that such uses shall not be inimical to the public interest.

Allowed under the Protective Covenants of the subdivision. **Not applicable**

To date staff **HAS** been contacted regarding this request. All correspondence has been provided to the planning commission.

RECOMMENDATION:

Staff has reviewed this application and recommends this item be **TABLED** to the April 7th Planning Commission meeting per the applicant's request in order to allow time for applicant's Landscape Architect and Engineer to finalize plans that reflect the conditions of the use.



Gatsby's Narrative

- A. Gatsby's Fine Wine, Beer, & Spirits will be an upscale retail liquor store - focused on providing the residents of Benton County with unique product offerings combined with a prohibition era art deco shopping experience.
- B. Please see the site plan that has been submitted with the conditional use permit request for review.
- C. Hours of operation will be 10:00 AM to 10:00 PM six days a week – unless otherwise dictated by the ABC of the State of Arkansas. We adhere to all rules and regulations set forth by the state Alcohol Beverage Control Department.
- D. The indoor area will be used for my companies retail sales – the outdoor area for parking.
- E. The current property at 2501 E. Central will be renovated on the inside to reflect the retail theme and provide a pleasant shopping experience. A new veneer will be placed over the old White Oak Station sign as a calling card for the new business on the front of the establishment. No other changes will be made to the outside.
- F. Parking is already established with approximately 35 lined spaces for consumers easy access.

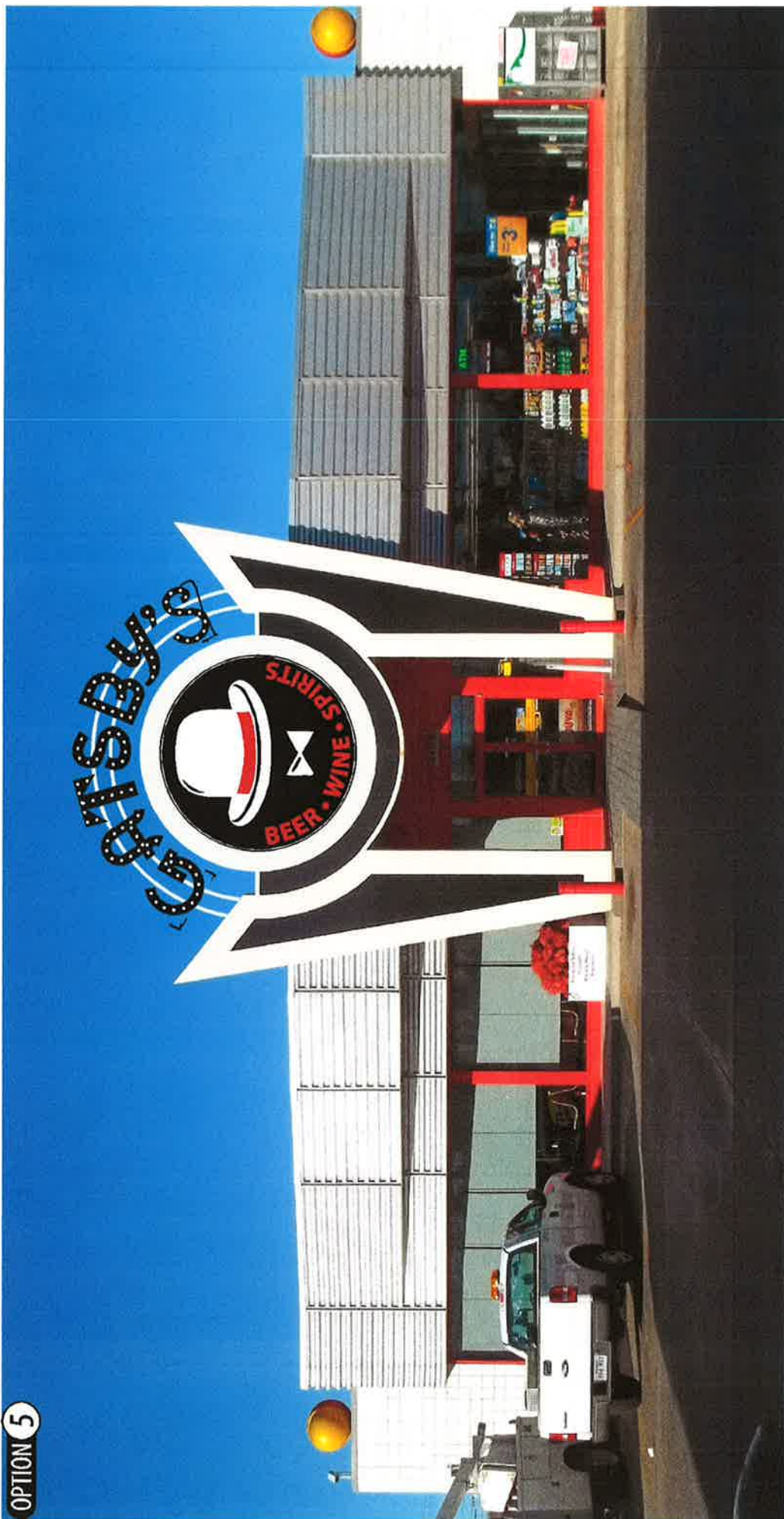
Gatsby's Narrative

- G. There are no plans for outdoor lighting changes at this time.
- H. We are planning for between 400 and 500 patrons per day on average – and deliveries of goods approximately twice a week.
- I. We will have a staff of 5 to 6 full time employees.

Photographs of the Property



OPTION 5



Ken's Signs
INCORPORATED
AND AWNINGS

Job #
Customer:
Phone:

Designer: Fermin Hurtado

Start Date:
City: Bentonville
Fax:

Company: Gatsby's
State: AR
E-mail:
Signature:

Zip:

© COPYRIGHT 2015, BY KEN'S SIGNS.
DESIGNS PRESENTED ARE THE SOLE PROPERTY OF
KEN'S SIGNS, AND MAY NOT BE REPRODUCED IN
PART OR WHOLE WITHOUT WRITTEN PERMISSION
FROM KEN'S SIGNS.

Phone: 1-888-809-1810

Phone: 479-756-1810

Fax: 479-750-2674

2100 S. Powell St. Springdale, AR 72764



PC Meeting of: March 17, 2015

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Bentonville 12, Ltd. (Limestone Ranch) PUD, Planned Unit Development to R-4, High Density Residential

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: March 17, 2015 and March 3, 2015 (Original)

GENERAL INFORMATION

H.T.E. Project Number: 15-09000005

Applicant/Current Owner: Bentonville 12, Ltd.

Representative: Jerry Kelso with Crafton Tull

Requested Action: Rezoning

Location: Southwest Ranch Road & Southwest Stone Boulevard (Limestone Ranch Subdivision)

Existing Zoning: PUD, Planned Unit Development

Proposed Zoning: R-4, High Density Residential

Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; the property is vacant in a developing mixed use area.

Previous Rezoning Requests for this Property: This property was rezoned to PUD, Planned Unit Development on May 4, 2004.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant PUD	PUD, Planned Unit Development	Mixed Use
South	Agricultural	A-1, Agricultural	Mixed Use
East	Large Estate Residence	A-1, Agricultural	Commercial & Medium Density Residential & City of Rogers & Benton County
West	Vacant Commercial	PUD, Planned Unit Development	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Stone Boulevard	Local	Improved 2 lane asphalt
South	-	-	-
East	-	-	-
West	Southwest Ranch Road	Local	Improved 2 lane asphalt

LEGAL NOTIFICATIONS

Public Notice: The property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site on **January 28, 2015** and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **January 31, 2015**. In addition, staff posted a notice of public hearing sign on the property on **February 13, 2015**. This **DOES** meet legal notification requirements due to the applicant failing to notify all property owners within 200 feet of said parcel.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The Master Land Use plan depicts this property as Mixed Use. Policy LU-23 Housing Types within the General Plan suggest multi-family housing with close proximity to activity nodes. The mix of uses and housing types will help to reduce the impact on city infrastructure will providing a variety of housing options.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed development will not create an increase to traffic danger in the area.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

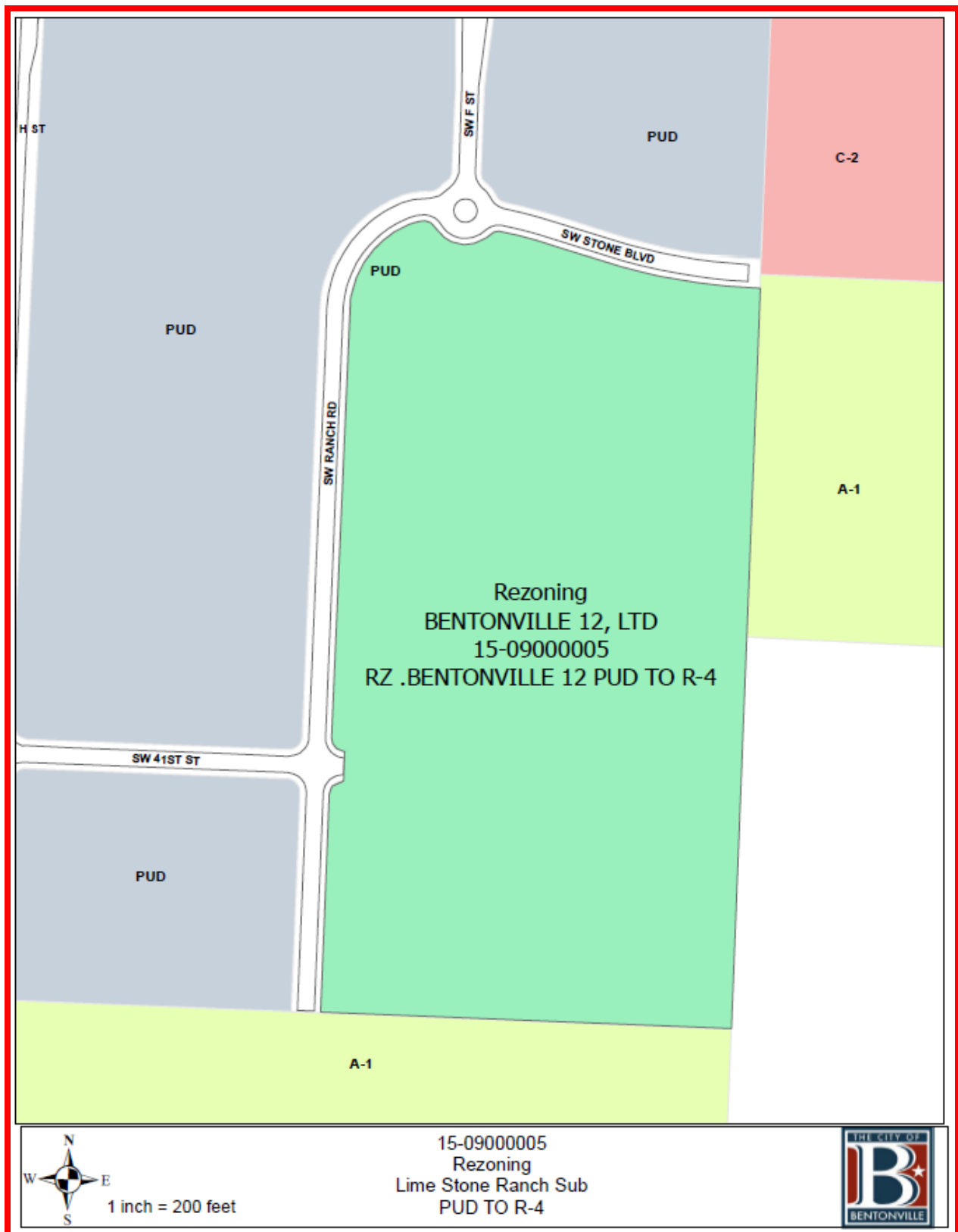
Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Emergency services are adequate at this location.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Mixed Use.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **PUD, Planned Unit Development** to **R-4, High Density Residential**.



January 26, 2015

Mr. Beau Thompson
City of Bentonville
Department of Planning
305 Southwest A Street
Bentonville, AR 72712

Re: Rezoning Application
Lime Stone Ranch Subdivision Lots 3,4,5
Narrative

Dear Mr. Thompson:

Lime Stone Ranch Subdivision was originally constructed to accommodate the needs of a mixed-use development. The existing zoning is PUD, allowing a master plan of multi-family as well as office space. With Lots 3, 4, and 5, which total approximately 22.5 acres combined, currently vacant, the intent is to rezone the property to R-4 allowing for high density multi-family housing.

The property is currently under contract to developer Richsmith Development, LLC whose office is located in Central Arkansas. Richsmith Development has a similar property located in Little Rock called Brodie Point that they would like to duplicate on this parcel in Bentonville. Please see the attached pictures of the recently constructed project in Little Rock.

Surrounding streets, water, and sewer were all constructed at the time of the subdivision's development. Infrastructure was built to meet city standards and have the capacity needed to accommodate a development of this type.

Surrounding properties are currently zoned commercial, mixed use, and office. High density residential (R-4) is compatible with the surrounding properties, as well as, the master land use plan implemented by the City.

Please feel free to contact me should you need any additional information concerning this application.

Sincerely,
Crafton Tull



Jerry Kelso, P.E.



PC Meeting of: March 17, 2015

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Troy Link Enterprises LLC. C-2, General Commercial to C-3, Central Commercial

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: March 17, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000009

Applicant/Current Owner: Troy Link Enterprises LLC

Representative: Sammi May with Morrison Shipley

Requested Action: Rezoning

Location: 805 South Walton Boulevard

Existing Zoning: C-2, General Commercial

Proposed Zoning: C-3, Central Commercial

Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of 5 townhomes with in a development mixed use area.

Previous Rezoning Requests for this Property: The property was rezoned from A-1, Agricultural to R-3 Medium Density Residential and C-1, Neighborhood Commercial on May 1' 2007.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Wal-Mart Home Office	C-2, General Commercial	Commercial
South	Bank ATM	C-2, General Commercial	Commercial
East	Wal-Mart HO parking lot	C-2, General Commercial	Commercial
West	Bank	C-2, General Commercial	Commercial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest 8 th Street	Arterial	2 lanes striped with curb through portions
South			
East			
West	South Walton Boulevard	Arterial	4 lanes with turning lane. Curb and Gutter

LEGAL NOTIFICATIONS

Public Notice: On February 18, 2015 , the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on February 13, 2015. In addition, staff posted a notice of public hearing sign on the property on March 2, 2015. This DOES meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The C-3, Central Commercial zoning classification is a recommended zoning district with the Commercial designation on the future land use map. Per the City of Bentonville General plan a mixed of uses should be encouraged at intersection of arterial streets to encourage activity nodes.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The property is currently located with close proximity to the intersection of two arterial streets. Current traffic conditions should not be altered by the proposed zoning. The expansion and extension of Southwest 8th Street should further facilitate traffic movements within the proximity.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

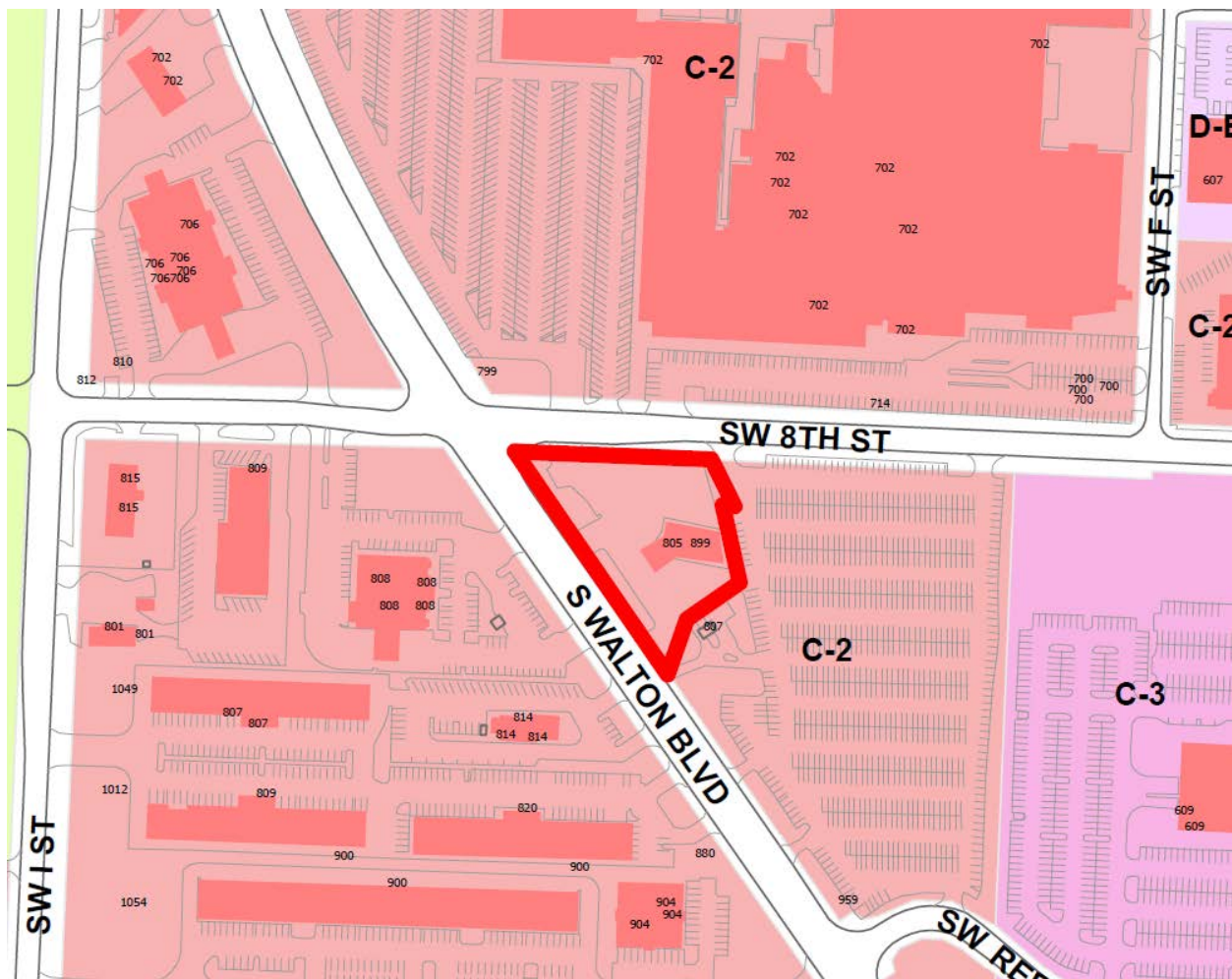
Finding(s) of Staff: City services are adequate at this location. Water and sewer is located on site. Bentonville Fire Station #1 is located close to the site.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as commercial. The property is located within a commercial activity node based on the land use map. The general plan encourages a mix of uses in those centers and specifically encourages the C-3 district which will help densify development while allowing compatible uses with horizontal and vertical separation.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends APPROVAL of this rezoning from C-2, General Commercial to C-3, Central Commercial.



Planning Department
City of Bentonville
315 S.W. "A" St.
Bentonville, AR 72712

**Re: 805 S. Walton Boulevard, Bentonville, AR
Rezoning Request**

We are representing a request by Troy Link Enterprises, LLC to rezone the property located at 805 S. Walton Boulevard. This property is at the southeast corner of the intersection of SW 8th Street and S. Walton Boulevard and currently houses Jimmy John's restaurant. A proposed multi-story office, retail, and restaurant facility will be constructed on the lot. Please find below the narrative addressing the required items under the Rezoning Request Checklist.

- The property is currently zoned C-2, General Commercial; the proposed zoning would be C-3, Central Commercial.
- The rezone is requested in order to reduce setbacks and to accommodate the proposed height of building. The plan for the site is to build a five story office, retail, and restaurant facility.
- This facility will have office space, retail stores, and restaurants that will serve the area. The Wal-Mart General Offices (zoned C-2) is located north across SW 8th Street; Wal-Mart General Offices Parking (zoned C-2) is located along the south and east sides of the property; Belmont Business Center and Wendy's (zoned D-3) are located west across S. Walton Boulevard; Bank of America (zoned C-2) is located west across S. Walton Boulevard, and Iberia Bank (zoned D-2) is located Northwest across S. Walton Boulevard. The current site plan proposes shared entrances with the Walmart parking at the northeast corner and the Arvest ATM at the southwest corner.
- The proposed use of the property is a multi-story office, retail/restaurant, and parking facility. There will be retail/restaurant on the first floor, parking on the second and third

floors and offices on the fourth and fifth floors. Parking will also be provided in a basement level.

- The proposed building contains 15,000 square feet of planned retail/restaurant space and 48,000 square feet of planned office space. There are 205 planned parking spaces located on the basement, and second and third levels.
- Signage is preliminarily anticipated to be located on the building.
- The planned exterior for the facility is shown on the attached drawings.
- Sewer to the site is currently served utilizing a lift station; a new lift station may be used to serve the site. Gravity options for sewer including utilizing an existing 8" sewer across Walton or a proposed sewer to be completed with the 8th Street Project are also being pursued. There is currently an existing 8" water main running along the west side of the property along S. Walton Boulevard. With the proposed 8th Street improvements, the existing 8" will be upsized to a 12", and there will be a new 8" along the south side of 8th Street that will be available to be tied into.



PC Meeting of: March 17, 2015

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Louise Bishop Revocable Trust, A-1, Agricultural to C-2, General Commercial

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: March 17, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000010

Applicant/Current Owner: Louise Bishop Revocable Trust

Representative: Bill Watkins

Requested Action: Rezoning

Location: Southeast 'J' Street, north of the intersection with 28th Street

Existing Zoning: A-1, Agricultural

Proposed Zoning: C-2, General Commercial

Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is vacant in a commercial area.

Previous Rezoning Requests for this Property: There are no known previous rezoning's at this location.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Multi-Family and Vacant Property	A-1, Agricultural	Office & Commercial
South	Vacant	C-2, General Commercial and A-1, Agricultural	Office
East	Commercial Subdivision	A-1, Agricultural	High Density Residential
West	City Park	A-1, Agricultural	Open space

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South		r	
East	Southeast 'J' Street	Arterial	5 lanes including turn lane
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: The property owner and/or representative did mail certified public notices to property owners within a 200 foot radius of the subject site on February 23, 2015. Staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition February 13, 2015. In addition, staff posted a notice of public hearing sign on the property on March 2, 2015. This **DOES** meet legal notification requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The future land use plan depicts this property as office. The c-2, General Commercial zoning designation is a recommended zoning for this classification. This location will provide good and services along the commercial corridor.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

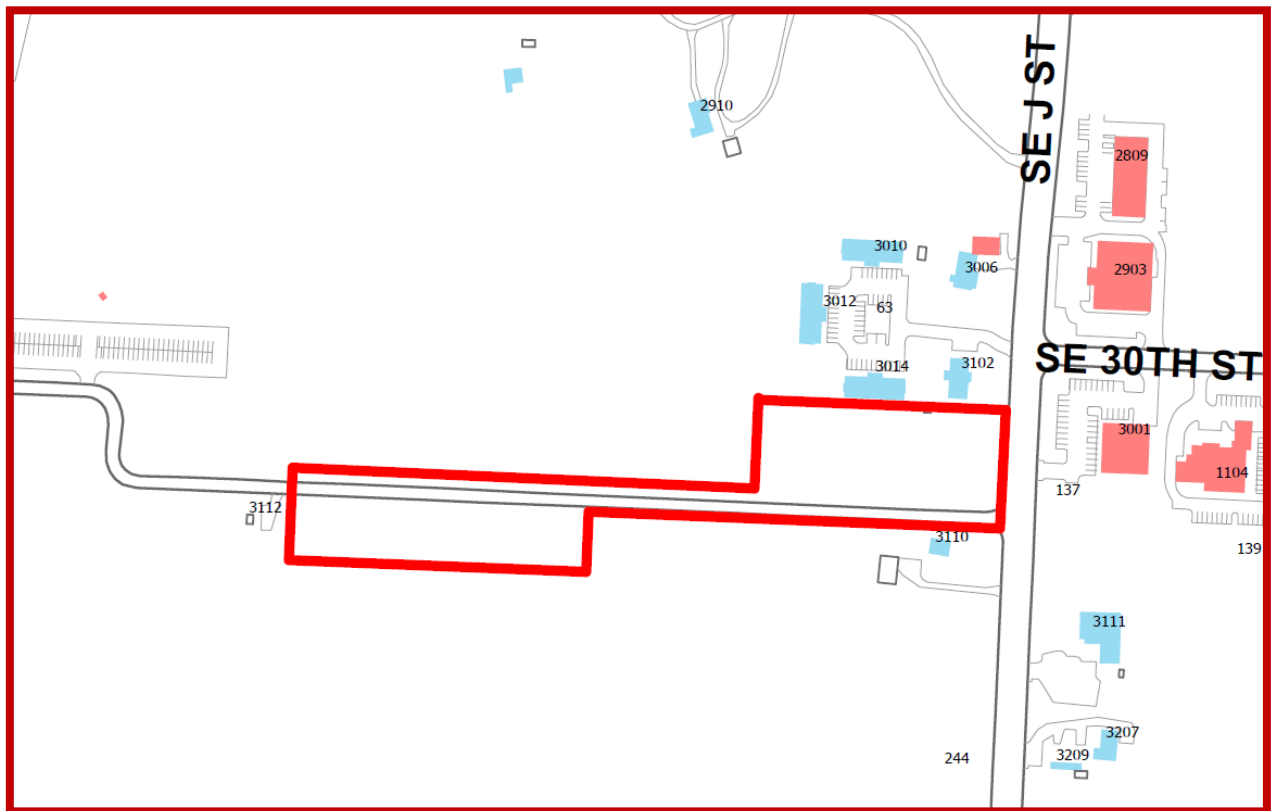
Finding(s) of Staff: The property is located along a commercial corridor that will be sufficient for the uses allowed within the C-2 zoning district. The property is located near the intersection of two arterial streets. The traffic signal located at Southeast J Street and Southeast 28th Street will help facilitate turning movements for the proposed uses.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Water and sewer is adequate at this location. There is no foreseen adverse impact to public services or emergency services at this location.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends APPROVAL of this rezoning from A-1, Agricultural to C-2, General Commercial.





PC Meeting of: January 7, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Louise Bishop Revocable Trust, A-1, Agricultural to I-1, Light Industrial

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: March 17, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000011

Applicant/Current Owner: Louise Bishop Revocable Trust

Representative: Bill Watkins c/o Rogers Warehouse LLC

Requested Action: Rezoning

Location: Southeast 'J' Street, south of the intersection with 28th Street and due east of Phillips Park

Existing Zoning: A-1, Agricultural

Proposed Zoning: I-1, Light Industrial

Future Land Use Map Designation: Office & Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is vacant in a commercial and industrial area.

Previous Rezoning Requests for this Property: There are no known previous rezoning's at this location.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Residential & Agricultural	C-1, Neighborhood Commercial & A-1, Agricultural	Commercial
South	Vacant Agricultural	A-1, Agricultural & C-2, General Commercial	Office
East	Residential & Commercial	R-3, Medium Density Residential & I-2, Heavy Industrial	Office & Commercial
West	Phillips Park	A-1, Agricultural	Open Space & Commercial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southeast 28 th Street	Arterial	Improved 3 lanes including turn lane
South	-	-	-
East	-	-	-
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: The property owner and/or representative did mail certified public notices to property owners within a 200 foot radius of the subject site on February 12, 2015. Staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on February 13, 2015. In addition, staff posted a notice of public hearing sign on the property on March 2, 2015. This **DOES** meet legal notification requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: According to the General Plan Policy ED-12: “As major development occurs, the city should re-evaluate the supply of industrial land designated in the future land use map to ensure that there is an adequate supply of vacant land that can readily be served by adequate public facilities”. The supply of viable industrial land has diminished within the city’s core. This property will add to the industrial designation in an area where public utilities are adequate and transportation infrastructure will support large vehicle traffic.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

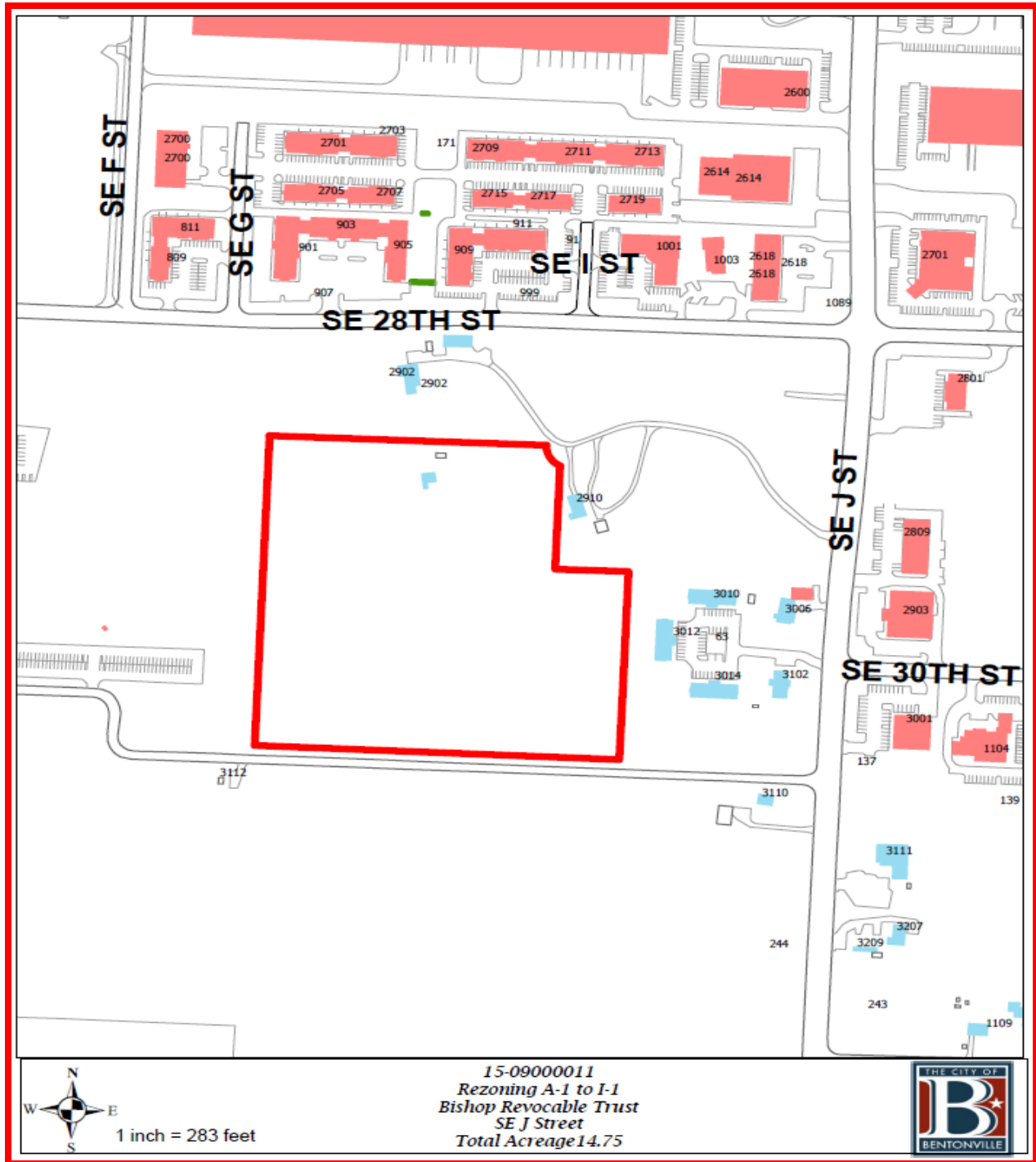
Finding(s) of Staff: The property is located near the intersection of two arterial street. The traffic signal located at Southeast J Street and Southeast 28th Street will help facilitate turning movements for the proposed uses. In order to minimize traffic congestion and danger on this property it is imperative that the property be connected to local street infrastructure located north of the site.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Water and sewer is adequate at this location. There is no foreseen adverse impact to public services or emergency services at this location.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from A-1, Agricultural to I-1, Light Industrial.



Rezoning Application narrative for 15.11 acres on 28th Street in Bentonville, Arkansas

The subject property on 28th and J Streets has never been developed. The current zoning via the City of Bentonville's website is A-1. The requested zoning is I-1 (light industrial). The buyers wish to build a concrete tilt-wall office/warehouse similar to the one now under construction just to the north on J Street. We hope the City of Bentonville is pleased with the new J Street development as we have used earth tones in our construction trying to make the building as pleasing to the eye as possible. The developers will be Rogers Warehouse Development LLC or one of its assigns.

The reason for rezoning: There is no demand for agricultural property at this time in the core of the City of Bentonville. There remains a void in the market for high quality flex buildings. Buildings of this type are the industry's highest standard for flex space. Bentonville is growing and buildings of this type can be used for offices, layout rooms, warehousing or repacking to suit a distributor's fulfillment needs.

The two major roads that will be impacted by a development of this type are SE 28th Street and SE J Streets, both roads are five lane arterial roads designed to handle over the road trucks and high traffic capacity for autos. Depending on the final use of the buildings there should be a nominal impact on the highways. The property will have an access directly to 28th via a drive way to the property (see attached drawing). The land borders Phillips on the south. The developers would be interested in having discussions on the development using Phillips. It would appear the use of Phillips as it is currently would not typically be the time this type of development would access the road. It is normal practice industrial user's access properties from 7:00 am to 3:30 pm, then business to the site slows. Typically the lessees in developments of this type are closed after 5:00 pm on weekdays, and all day on Saturday and Sundays. This should allow both the Cities Park users of this type to use the road with minimal impediment and the new development to have access to Phillips Road as well.

This use next to the park in our opinion is very compatible. This development will be professionally maintained and cleaned. The buildings while large are attractive. This use creates business professionals as the neighbor to the baseball parks. With this use this development will not complain about lighting late at night or complain regarding noise coming from the park area. The buildings themselves will block noise and light from the future uses to the east. The property to the north is zoned Commercial. The land to the south and the east is to be developed and is currently zoned agricultural. There are similar buildings in the general area to the north. This is a property which again typically does not create heavy traffic as compared to other uses like retail.

Signage will be kept to the City of Bentonville codes.

In reference to water lines, (see attached map), as provided by Bentonville's Community Development Site is showing by a 12' and an 8" water line (great for ESFR sprinkler systems).

In reference to the sewer lines, there is a 12 'sewer line on J Street and will be accessible by and easement from the seller of the property.

Respectfully,

Rogers Warehouse Development LLC

Planning Commission Staff Report
Conditional Use: WILSON FARM ANIMALS
Project Number: 15-02000003

TO: Bentonville Planning Commission Members
THRU: Brian Bahr, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Applicant: Jeremy and Andrea Wilson
Representative: Jeremy and Andrea Wilson
Requested Action: Conditional Use Permit Approval
Location: 306 Northeast J Street
Existing Zoning: R-E, Residential Estate
Land Use Plan: Mixed Use
Proposed Use: Farm Animals

BACKGROUND:

The applicant has submitted a Conditional Use application for Farm Animals to be located at 306 Northeast J Street. The applicant plans to use the 3 acres of their property located on eastern most portion of the lot. The applicant is requesting the commission allow 7sheep, 2 ponies and 1 llama.

Agricultural fencing will divide the eastern portion of the property along the north east and west while an existing 6' privacy fence is located on the south side adjacent to single family residential.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	High Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	A-1, Agricultural	Parks/ Open Space
West	R-1, Single Family Residential	Low and High Density Residential

STREETS

Direction	Name	Classification
North		
South		
East		
West	Northeast J Street	Arterial Boulevard

Site Inspection: A site inspection was completed; this property is currently the site of a large agricultural barn in a developing mixed use area.

Public Notice: On **February 13, 2015** a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on **March 2, 2015**. This meets legal noticing requirements and is adequate for the scope of this project.

STANDARD CONDITIONS OF APPROVAL:

1. All technical review comments must be addressed before building permits are issued.
2. The conditional use application shall expire 2 years from the date of approval. Prior to expiration the applicant must renew and/ modify the conditional use request.
3. The number of farm animals shall not exceed the amount approved by the Planning Commission.
4. Any changes to the numbers or species must be approved by the Planning Commission.

ISSUES / ANALYSIS:

SEC. 301.6. Planning Commission

E. Standards for Approval. In carrying out the purpose of this section, the Commission's consideration shall include, but not be limited to, the following development standards and design specifics. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.

1. The proposed use shall be so designated, located and operated so that the public health, safety and welfare will be protected.
2. The proposed land use shall be compatible with other area properties located near it.
3. The proposed use shall be in compliance with the provision of "Conditional Uses" as set out in this Ordinance.
4. The proposed use shall be in conformance with all applicable provisions stated in this Ordinance for the district in which the use is to be located. The use shall facilitate public convenience at that location.
5. The proposed conditional use shall be in conformance with all off-street parking and loading requirements of this Ordinance and ingress and egress and pedestrian ways shall be adequate.
6. Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust and odor shall have been addressed in the proposed use application.
7. Landscaping and screening of the proposed use shall be in accordance with these Ordinance regulations and the City of Bentonville landscaping regulations.
8. Proposed use signage shall be in accordance with the provisions of this Ordinance.
9. Open space located on the proposed use shall be maintained by the owner/developer.

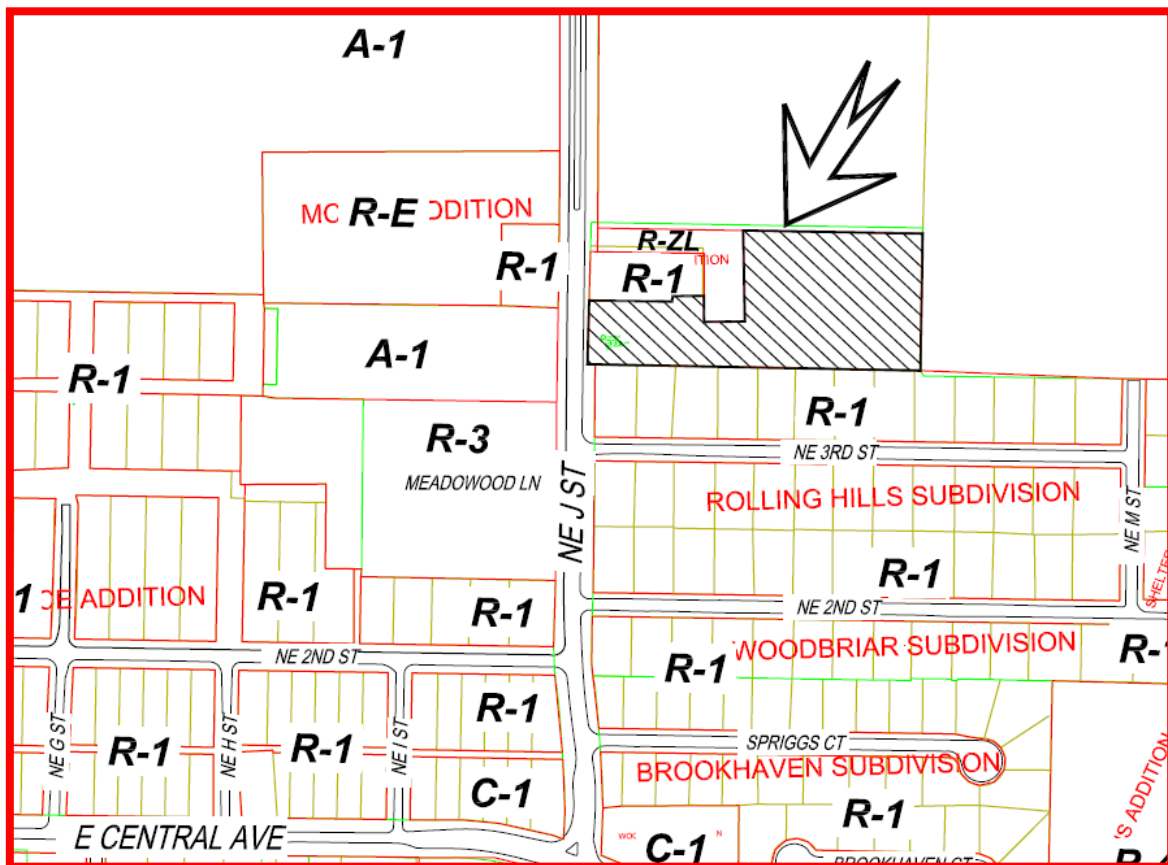
10. The size and shape of the site, including size, shape and arrangement of proposed structures shall be in keeping with the intent of this Ordinance.
11. The Planning Commission shall in no case authorize less than minimum requirements of the Ordinance relating to height, area, setbacks, parking or landscaping.
12. The Planning Commission shall not permit any use in a zone as a conditional use that is not permitted under the Zoning Ordinance.

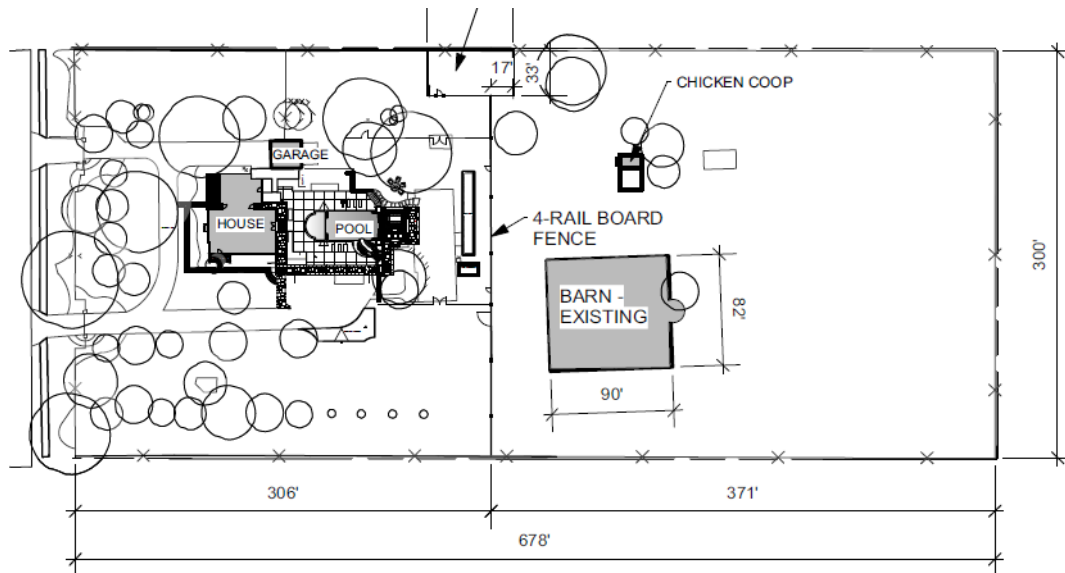
The conditional use is allowed on appeal in the **(R-E, Residential Estate)** district.

To date staff **HAS NOT** been contacted regarding this request.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL** of the proposed Conditional Use Permit. .





NOTE: DIMENSIONS ARE
APPROXIMATE - ROUNDED TO
THE NEAREST FOOT



To Whom this May Concern:

We are interested in adding 5-7 sheep to our property on 306 NE J St, Bentonville. They would live on the back 3 acres and have farm fencing on the west, north and east sides and privacy fencing on the south side. The sheep should not bother the neighbors adjacent to us on our south side where the privacy fence is. And, sheep are odorless, quiet and mild tempered animals. The ratio is usually 7 sheep per 1 acre, but we are only looking at 5-7 to join our family on the back 3 acres. They would not only help eat the grass but make great pets and help our kids to learn responsibility.

In addition, we are interested in getting 2 ponies and 1 llama on our conditional permit for the *future* that would reside on the same 3 acres with the sheep. The ponies and llamas are herd animals so they will naturally pair. Sheep, ponies and llamas are mild mannered animals and can live together harmoniously. These would be pets along with an experience for our children.

We truly want to make our property the 'modern farm' and have our children experience things we did when we were children and even more so- along with gaining knowledge of how to produce farm to table. Please consider our proposal.

Thank you for your time,
Jeremy & Andrea Wilson
306 NE J St, Bentonville

Planning Commission Staff Report
Conditional Use: WILSON FARM ANIMALS
Project Number: 15-02000003

TO: Bentonville Planning Commission Members
THRU: Brian Bahr, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: March 17, 2015

GENERAL INFORMATION:

Applicant: Peel House Foundation

Buster Properties, LLC

Cedar Limited, LLC

Cindy Springs, LLC

Moro Development, LLC

Representative: Jordan Garner

Requested Action: Conditional Use Permit Approval

Location: o 312 N. Main Street
301 Northeast 'B' Street
205 & 207 Northeast Blake Street
207 & 210 Northeast 3rd Street

Existing Zoning: R-1, Single Family Residential, D-E, Downtown Edge and D-C, Downtown Core

Land Use Plan: Downtown Mixed Use Residential

Proposed Use: Temporary Use for Bentonville Film Festival

BACKGROUND:

The applicant has submitted a Conditional Use application for a Film Festival to be located at the address above and depicted in the site plan below. The Film Festival is intended to provide ongoing mass distribution opportunities for women and minority owned production companies, independent filmmakers and distributors while celebrating the town of Bentonville, including cultural and outdoor activities. The proposed conditional use is to allow the property to be used as a sponsor village for the festival. The Bentonville Film Festival sponsors will setup temporary structures to activate with products, technology and services for the community and visitors to explore and enjoy.

The applicant is request the temporary use from May 2nd to May 12th. The period includes time for setup and takedown. The actual festival activities will begin Tuesday, May 5th and end Sunday May 9th. The hours of operation will be 10:00 am to 7:00 p.m. with the exception of Friday May 8 with will conclude at 9:00pm. Northeast 3rd Street will be closed during the event to facilitate pedestrian traffic. The street closure has been approved by the Traffic Safety and Signage Committee.

Roll-Off trash receptacles will also be placed on the two lots south of Compton Garden's maintenance office on Northeast B Street. No outdoor lighting changes are being proposed. Attendee & visitor numbers are anticipated to be 1500 dispersed throughout the event each day with Saturday be the highest attendance day. Employee & Volunteer numbers are expected to reach 750 for the entire event

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Downtown Mixed Use Residential
South	D-C, Downtown Core	Downtown Mixed Use Residential
East	D-E, Downtown Edge and R-1, Single Family Residential	Downtown Mixed Use Residential
West	D-E, Downtown Edge and R-1, Single Family Residential	Downtown Mixed Use Residential

STREETS

Direction	Name	Classification
North		
South	Northeast 3 rd Street	Local Street
East	Northeast B Street	Local Street
West	North Main Street	Collector

Site Inspection: A site inspection was completed; this property is currently the site of a large agricultural barn in a developing mixed use area.

Public Notice: On **February 14, 2015** a notice was published in the *Arkansas Democrat-Gazette*, *Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on **March 9, 2015**. This meets legal noticing requirements and is adequate for the scope of this project.

STANDARD CONDITIONS OF APPROVAL:

1. All technical review comments must be addressed before building permits are issued.
2. All conditions within the background narrative provided above shall apply to the conditional use permit.
3. The conditional use application shall expire May 13, 2015.
4. Any changes to the conditional use must be approved by the Planning Commission.

ISSUES / ANALYSIS:

SEC. 301.6. Planning Commission

E. Standards for Approval. In carrying out the purpose of this section, the Commission's consideration shall include, but not be limited to, the following development standards and design specifics. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.

1. The proposed use shall be so designated, located and operated so that the public health, safety and welfare will be protected.
2. The proposed land use shall be compatible with other area properties located near it.
3. The proposed use shall be in compliance with the provision of "Conditional Uses" as set out in this Ordinance.

4. The proposed use shall be in conformance with all applicable provisions stated in this Ordinance for the district in which the use is to be located. The use shall facilitate public convenience at that location.
5. The proposed conditional use shall be in conformance with all off-street parking and loading requirements of this Ordinance and ingress and egress and pedestrian ways shall be adequate.
6. Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust and odor shall have been addressed in the proposed use application.
7. Landscaping and screening of the proposed use shall be in accordance with these Ordinance regulations and the City of Bentonville landscaping regulations.
8. Proposed use signage shall be in accordance with the provisions of this Ordinance.
9. Open space located on the proposed use shall be maintained by the owner/developer.
10. The size and shape of the site, including size, shape and arrangement of proposed structures shall be in keeping with the intent of this Ordinance.
11. The Planning Commission shall in no case authorize less than minimum requirements of the Ordinance relating to height, area, setbacks, parking or landscaping.
12. The Planning Commission shall not permit any use in a zone as a conditional use that is not permitted under the Zoning Ordinance.

The use is allowed as a conditional use on appeal in the **(D-E, Downtown Edge and D-C, Downtown Core)** district.

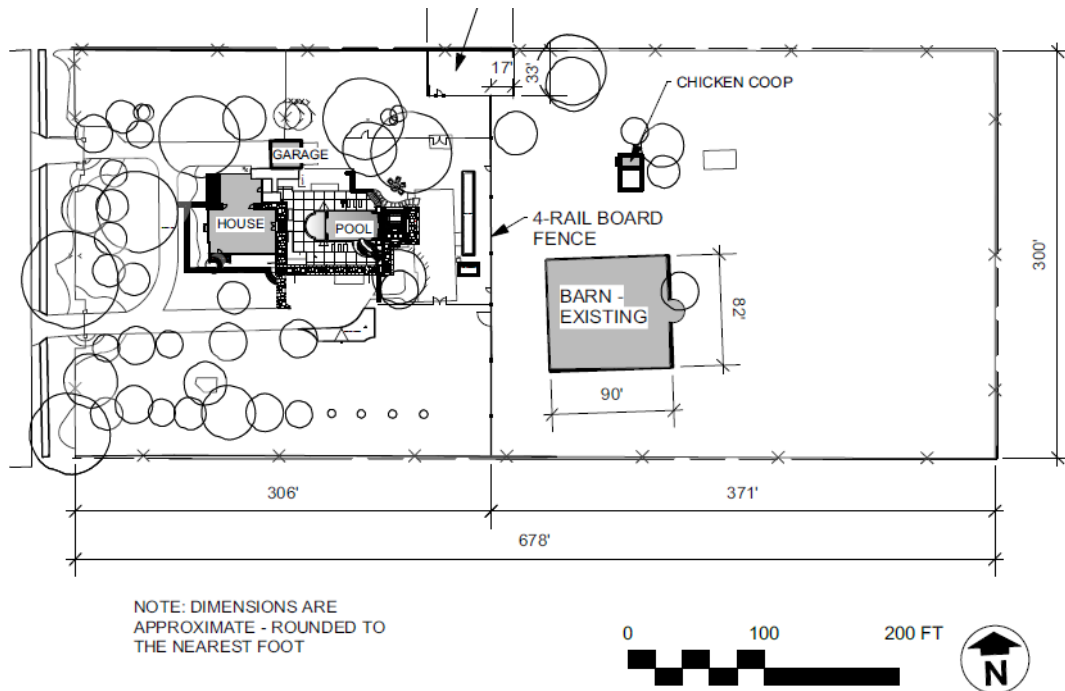
A conditional is defined as a use permitted in one or more districts as defined by this ordinance upon approval by the Planning Commission, but which use, because of characteristics peculiar to it, or because of size, technological processes or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible with other existing or permissible uses in the same district or districts, and to assure that such uses shall not be inimical to the public interest.

To date staff **HAS NOT** been contacted regarding this request.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL of the proposed Conditional Use Permit. .





BENTONVILLE FILM FESTIVAL: **SPONSOR VILLAGE CONDITIONAL USE PERMIT APPLICATION MAY 5-9, 2015**

- Shewmaker Center: Peterson Auditorium
- NWACC: Student Center meeting room
- Shewmaker Center: Walmart Room

FESTIVAL SPONSOR VILLAGE

Utilizing Downtown core and Downtown edge zoned properties (with current usages of Downtown Mixed-Use Residential) owned by Peel-Compton Foundation, Cindy Springs, LLC, Moro Development, Cedar Limited, LLC, and Buster Properties, as well as Lawrence Plaza a City of Bentonville Parks and Rec property, the Bentonville Film Festival (BFF) will host a free, public sponsor village. One exception is the use of Compton Garden's building that is R-1 built is used for offices and is open for public access. This sponsor village will be a place where BFF sponsors setup temporary structures to activate with products, technology and services for the community and visitors to explore and enjoy. BFF is currently in the process of requesting the closure of segments of NE 3rd Street (for foot traffic only) and NE A Street (for sponsor tents and foot traffic) with Traffic Signs and Safety Commission, a vote to be requested Monday March 2nd. All venues as well as the sponsor village have been approved by Captain Mike Smith, BPD and Fire Marshal Rod Hughes, BFD. The sponsor village plan has been presented to the Traffic Signs and Safety Commission.

BFF Sponsor Village will be in operation Tuesday May 5th through Saturday May 9th. From 10AM to 7:00PM each day, with vendor load-in proposed to begin May 1st and load-out and clean up to end May 12th.

Planning Commission Staff Report

2015 Community Development Block Grant (CDBG) Action Plan

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, Community & Economic Development Director
FROM: Danielle Shasteen, Community Programs Coordinator
PC DATE: March 17, 2015

Bentonville became an “entitlement city”, eligible to receive Community Development Block Grant (CDBG) funds in June 2003. For the 2015 Program Year, the city will receive \$160,210 in CDBG funds to help fund the following:

- Direct program administration activities as follows:
 1. Salary and benefits of the Community Programs Coordinator
 2. 5-Year Consolidated Plan
 3. Analysis of Impediments to Fair Housing Choice
- One public facility and improvement project to address priority non-housing community development needs:
 1. SE 10th Street Drainage Improvement Project
- One activity to reach one of the primary objectives of the CDBG program which is to provide decent housing and a suitable living environment principally for low and moderate income persons:
 1. Habitat for Humanity of Benton County – Land Acquisition

Community Development Block Grant 2015 Action Plan Budget	
Category & Activity	Amount Budgeted
Direct Program Administration	
Salary & Benefits	\$11,042
5-Year Consolidated Plan	\$14,000
Analysis of Impediments to Fair Housing Choice	\$7,000
Housing & Homeless – Land Acquisition	
Habitat for Humanity of Benton County – Land Acquisition	\$20,000
Public Facilities & Improvements	
SE 10 th Street Drainage Improvement Project	\$108,168
TOTAL	
	\$160,210

- **Direct Program Administration:**
 - ✓ **Salary and Benefits.** \$11,042 in CDBG funds will be used to help pay for up to 50% of the Community Programs Coordinator’s salary and benefits, travel and training, professional membership dues and fees associated with public hearing notices.

- ✓ **5-Year Consolidated Plan.** \$14,000 in CDBG funds will be used to hire a consultant to prepare the city's next 5-Year Consolidated Plan for Housing and Community Development, covering the 2016 - 2020 CDBG program years. In order to receive federal funds, the city is required by HUD to complete a consolidated plan every five years. It is a planning document that identifies the needs and respective resource investments in satisfying the city's housing, homeless, non-homeless special populations, community development and economic development needs. The city plans to enter into a consortium with other Arkansas entitlement communities in order to receive a lower price on the 5-Year Consolidated Plan.
- ✓ **Analysis of Impediments to Fair Housing Choice.** \$7,000 in CDBG funds will be used to hire a consultant to prepare the city's next Analysis of Impediments to Fair Housing Choice (AI). In order to receive federal funds, the city is required by HUD to conduct this study. The purpose of the AI is to examine how state and local laws, private, public and non-profit sector regulations, administrative policies, procedures, and practices impact the location, availability, and accessibility of housing in Bentonville. The AI is not a fair housing plan, but rather an analysis of the current state of fair housing choice in Bentonville. It identifies specific barriers that need to be addressed if future fair housing initiatives are to be successful. The city plans to enter into a consortium with other Arkansas entitlement communities in order to receive a lower price on the AI.
- **Habitat for Humanity of Benton County (Housing & Homeless):** \$20,000 in CDBG funds will be allocated to Habitat for Humanity of Benton County to help the organization purchase land for the future location of a Habitat for Humanity home. The new home will house a low income family at imminent risk of becoming homeless.
- **SE 10th Street Drainage Improvement Project (Public Facility & Improvement):** \$108,168 in 2015 CDBG funds will be used to fully fund design and partially fund construction of the SE 10th Street Drainage Project. The project will consist of hiring an engineering firm to redesign the storm drain system under SE 10th Street between SE "C" and SE "J" Streets. This area is prone to flooding and a storm drain system will prevent future flooding.

Recommendation:

Planning Commission recommends approval of the 2015 CDBG Action Plan and Resolution to City Council.