



**Planning Commission
Agenda
May 5, 2015**

- I. Call to Order**
- II. Approval of Minutes**
- III. Consent Agenda**

- 1. Lots 1 & 2 of O'Dell Subdivision** **Lot Split**
7555 Hutchens Road

IV. New Business

- 1. Mathias Shopping Centers** **Rezoning***
(R- 1, Single Family Residential to I-1, Light Industrial)
7647 Southwest Regional Airport Boulevard
- 2. O'Dell** **Rezoning***
(A-1, Agricultural to R-1, Single Family Residential)
7555 Hutchens Road
- 3. Nunnally Tent Sales**
Conditional Use*
2700 Southeast Moberly Lane
- 4. Lot 17, Block 1 of Hollands Addition** **Property Line Adjustment**
400 Southwest 'A' Street
- 5. First National Bank** **Large Scale Development**
400 Southwest 'A' Street

Planning Commission
Minutes
April 21, 2015

Meeting called to order at 5:00 p.m. by Richard Binns, Chairman.

Present: Richard Binns, James Stanley, Debi Havner, Greg Matteri, Scott Eccleston and Joe Haynie.

Absent: Rod Sanders

Motion by Havner, seconded by Binns to approve the minutes of April 7, 2015 as written.
Approved 6-0

No tape available for this meeting

Consent Agenda

1. Lots 1 & 2 of RSB Subdivision Lot Split
5578 Southwest Adams Road
2. Lot 36 of Oakbrooke Subdivision Phase II Property Line Adjustment
Northeast Oakview Cove

Approved 6-0

New Business

Item #1

Bentonville 12, Ltd:(15-06000010)The Pointe@Bentonville, Large Scale Development, Southwest Ranch Road&Southwest Stone Boulevard, Zoned R-4, High Density Residential.

The applicant has submitted Large Scale Development plans for a 22.57 acre, two phase apartment development to be known as The Pointe @ Bentonville. The project is located along Southwest Ranch Road and Southwest Stone Boulevard and will consist of 19 two and three story apartment buildings that range in size from 10,106 square feet to 11,385 square feet and have a total of 452 units. The development will also include a club house that will be 3 stories and 11,024 square feet. Seven hundred and fifteen parking spaces are being provided and of these some spaces will be covered. The exterior of the building will be constructed of brick, Hardie Board siding, stone and EFIS. On-site stormwater detention is being provided and both water and sewer are available to this location.

The applicants have requested a waiver to the Interior Greenspace Requirements.
Motion by Stanley, seconded by Haynie to approve the waiver request to the Interior Greenspace Requirements.
Approved 6-0

Motion by Havner seconded by Eccleston to approved the waiver request with the standard conditions of approval.
Approved 6-0

Item #2
Street Light Standards Amendment-Ordinance

Approve

M E M O R A N D U M

DATE: April 28, 2015

TO: Planning Commission, City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

**RE: Subdivision Code Revision – Article 1100,
Section H & I – Lighting standards**

The City of Bentonville Electric Department recommends revising the residential/commercial lighting standards in order to clear up some ambiguity with the requirements on when/where the City of Bentonville standard light is placed.

Under Section “H” and “I”, the existing Subdivision Code allows for two options, a “standard” option and an “upgraded” option. The City Of Bentonville no longer offers two options. Any new subdivision (residential or commercial) or LSD is required to install the decorative, Holophane light unless there are existing overhead power lines that would interfere with the placement of the light.

Also, under Section “I” – Commercial Street Lights, the existing Subdivision Code does not address Large Scale Developments or public street extensions. It only states “commercial subdivision”. The revision addresses the possible types of developments that could occur in the City Of Bentonville.

This revision articulates the current practice within the City Of Bentonville concerning any new residential/commercial development or expansion of an existing development.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15,
SUBDIVISION CODE TO REVISE STREET
LIGHT STANDARDS FOR RESIDENTIAL
SUBDIVISIONS, COMMERCIAL SUBDIVISIONS,
AND
LARGE SCALE DEVELOPMENTS**

WHEREAS, it is necessary for the City to rationally and reasonably furnish lighting fixtures in commercial subdivisions, residential subdivisions, and large scale developments; and,

WHEREAS, it is economical to have an inventory of street light luminaires and poles that are compatible to reduce maintenance costs; and,

WHEREAS, the City of Bentonville desires to protect the health, safety and welfare of the general public and to protect the night sky that adds to the quality of life of the City;

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

Section 1: That Ordinance No. 2004-15 and Ordinance No. 2004-201 are herein repealed.

Section 2: That the Bentonville Municipal Code, Chapter 15, Subdivision Code, Article 1100 Design Standards, Sec. 1100.5 (H) Residential Street Lights, be deleted and replaced with the following:

H. Residential Street Lights.

- 1. *Public Streets.*** *Developers of all new residential subdivisions with public streets shall install standard decorative street lighting along all public streets.*
 - a. *Description.*** *The residential decorative street lights are 100 Watt, High Pressure Sodium acorn style fixtures installed on a cast iron/steel pole that meets the IESNA definition of a “cutoff” fixture. The decorative street light is serviced by underground power lines. Specifications for residential street light luminaires and poles, as amended, are on file at the BEUD.*
 - b. *Developer Responsibility.*** *The developer shall contribute the cost of the residential street light and pole; provide the surface mount foundation and anchor system; and provide the 2” conduit raceway, as specified by the Bentonville Electric Utilities Department (BEUD).*

c. **City Responsibility.** The City shall pull wire in the provided 2” conduit raceway, install luminaires and poles in conjunction with installation of the electric infrastructure for the subdivision. The City shall provide electrical power services and maintain street lights at no cost to the developer or property owners association.

d. **Note.** The cost and availability of luminaires and poles are subject to change from year to year

2. **Private streets.** The developer of new commercial subdivisions that have private streets shall have the option of installing street light fixtures as described in H(1)(a) and installing a metering pedestal, per a BEUD approved design, or setting up a rent light service through Utility Billing. The developer and/or property owners association shall be responsible for the cost of the electrical power service. The City shall preform all maintenance on any metered light or rent light (but not the meter pedestal). If neither of these options is selected, the developer and/or property owners association shall be responsible for the cost of the electrical power service and ongoing maintenance and upkeep of the fixtures installed in the development. The City will bear no responsibility for any lights installed by the developer and/or property owners association.

3. **Gas street light fixtures.** Gas operated residential street light fixtures are prohibited in the City Of Bentonville.

4. **Existing non-standard street light fixtures.** Non-standard street light fixtures existing prior to adoption of this Ordinance may continue. If the non-standard street light is damaged, two options are available:

a. **Repair.** To use the same fixture, the homeowner’s association shall provide the replacement parts to the City and the City shall repair the fixture at no charge.

b. **Replacement.** When a property owner’s association does not provide the replacement parts, the City shall remove the existing fixture and replace it with a street light fixture that is available in existing inventory.

5. **Location and placement.** BEUD shall provide the location and placement of all types of street light fixtures.

Section 3: That the Bentonville Municipal Code, Chapter 15, Subdivision Code, Article 1100 Design Standards, Sec. 1100.5 be deleted and replaced with the following:

I. Commercial Street Lights.

- 1. Public Streets.** *Developers of all new commercial subdivisions that contain public streets within the development or Large Scale Developments (LSD) that front a public street or public street extensions shall place commercial street lights at the location designated by Bentonville Electric Utility Department (BEUD), unless location of Overhead Wires create an unsafe condition.*

a. Standard Commercial Street Light

- i. **Description.** *The commercial street lights are 250 Watt, High Pressure Sodium acorn style fixtures installed on a cast iron/steel pole that meets the IESNA definition of a “cutoff” fixture. The commercial street light is serviced by underground power lines. Specifications for commercial street light luminaires and poles, as amended, are on file at the BEUD.*
- ii. **Developer Responsibility.** *The developer shall contribute the cost of the commercial street light and pole; provide the surface mount foundation and anchor system; and provide the 2” conduit raceway, as specified by the BEUD.*
- iii. **City Responsibility.** *The City shall pull wire in the provided 2” conduit raceway, install luminaires and poles in conjunction with installation of the electric infrastructure for the subdivision or LSD. The City shall provide electrical power services and maintain street lights at no cost to the developer or property owners association.*
- iv. **Note.** *The cost and availability of luminaires and poles are subject to change from year to year*

b. Commercial Street Light Option near Overhead (OH) Electric

- i. **Description.** *The commercial street light is a 400 Watt, High Pressure Sodium Cobra head style installed on an existing wood pole. The*

commercial street light is serviced by overhead power lines and shall not be installed in developments where all utilities are located underground.

- ii. **Developer Responsibility.** *The developer shall bear no responsibility for this street light option.*
 - iii. **City Responsibility.** *The City shall contribute all costs and installation of the commercial street light fixture. The City shall provide electrical power service and maintain the commercial street light fixture at no cost to the developer or property owners association.*
 - iv. **Note.** *The option of placing the commercial street light on an existing wood pole will lie solely within BEUD's discretion once the overall safety is analyzed.*
2. **Private streets.** *The developer of new commercial subdivisions that have private streets shall have the option of installing street light fixtures as described in I(1)(a)(i) and installing a metering pedestal, per a BEUD approved design, or setting up a rent light service through Utility Billing. The developer and/or property owners association shall be responsible for the cost of the electrical power service. The City shall preform all maintenance on any metered light or rent light (but not the meter pedestal). If neither of these options is selected, the developer and/or property owners association shall be responsible for the cost of the electrical power service and ongoing maintenance and upkeep of the fixtures installed in the development. The City will bear no responsibility for any lights installed by the developer and/or property owners association.*
3. **Gas street light fixtures.** *Gas operated commercial street light fixtures are prohibited in the City Of Bentonville.*
4. **Location and placement.** *BEUD shall provide the location and placement of all types of street light fixtures.*

Section 4: This ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____, 2015.

APPROVED:

Mayor Bob McCaslin

ATTEST:

City Clerk

Approved 6-0

Planners Report:

None

Meeting adjourned

Diane Shastid

Planning Commission Staff Report

Lot Split: Lots 1 and 2 of O'Dell Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: May 5, 2015

GENERAL INFORMATION:

Project Number: 15-05000013

Applicant: Terry & Linda O'Dell

Representative: Jason Appel

Requested Action: Lot Split Approval

Location: 7555 Hutchens Road

Existing Zoning: A-1, Agricultural

Land Use Plan: Agriculture

BACKGROUND:

The applicant is proposing a lot split creating two lots from one existing tract that will be known as Lot 1 (3.34 acres) and Lot 2 (1.32 acres) of O'Dell Subdivision. Both lots are being rezoned from A-1, Agriculture to R-1, Single Family Residential. The lot split shows the dedication of right-of-way along Hutchens Road per the master street plan. Both water and sewer services are not available to these lots. A soil pit analysis for a septic system has been preliminarily approved by the Benton County Health Department.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	City of Centerton	-
South	City of Highfill	-
East	A-1, Agricultural	-
West	City of Highfill	Agriculture

STREETS

Direction	Name	Classification
North	-	-
South	West Highway 12	Arterial
East	-	-
West	Hutchens Road	Local

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (b) Traffic summary software predicts the additional traffic for this project is: N/A.

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; this is the location of a single family home in a rural area.

Drainage Report: A drainage report is not required for this lot split.

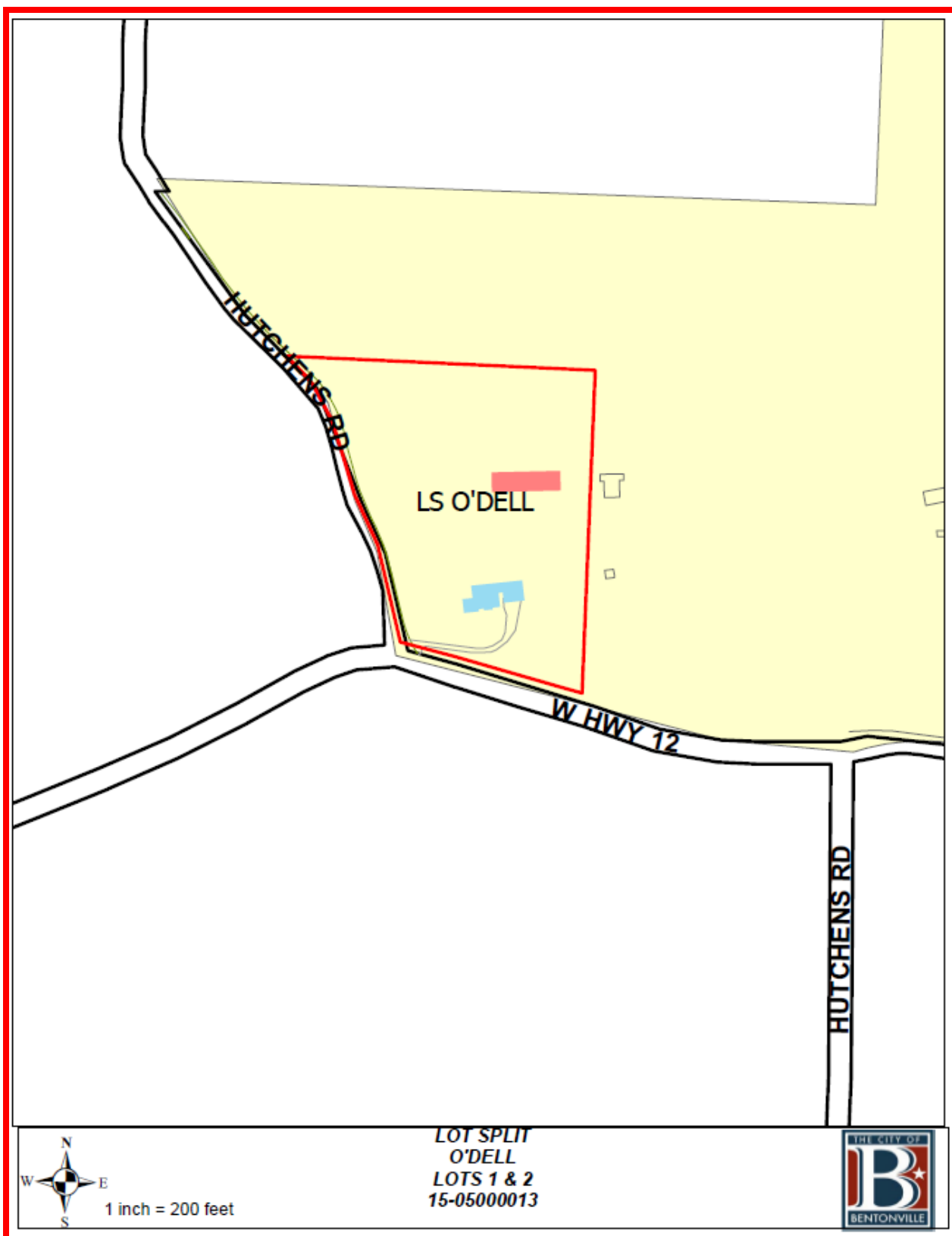
Water / Sewer: Per the G.I.S. site, water and sewer are not available at this location. A soil pit analysis for a septic system has been preliminarily approved by the Benton County Health Department.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

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



ENGINEERING SERVICES INC

1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72765-0282

Ph: 479-751-8733 • Fax: 479-751-8746

March 27, 2015

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

RE: Lot Split and Rezoning Application - Parcel Number 01-08203-265

Dear Sir or Ma'am,

This letter is intended to serve as a narrative to accompany the application for the rezoning of a property within the City of Bentonville. The intent of this submittal is to create and rezone 2 tracts to the R-1 Zone.

The property to be developed is Benton County Parcel Number 01-08203-2650, which is an approximately 5.00 acre tract located north of Highway 12 and east of Hutchens Road.

The property being developed is owned by Terry and Linda Odell at 7555 Hutchens Rd., Bentonville, AR. The property is currently zoned A-1 (Agricultural) and the proposed zoning is R-1 (Single Family Residential). This zoning will allow the property owner to divide the property into 2 tracts, one being 3.33 Acres and the other being 1.33 Acres.

There are currently no existing water or sewer mains to this property within the City of Bentonville City Limits. The Existing house is on a well and on a septic system. The proposed lot split will allow the existing house to be sold with the shop building located on the 3.33 Acre Tract. The 1.33 Acre tract will be developed with a single family home with a proposed well and septic system.

The following supporting materials to accompany the rezoning and lot split application are enclosed with this letter:

- Completed, Signed Rezoning and Lot Split Applications
- \$400 Check to City of Bentonville for the Review Fees (\$275 for Rezoning, \$125 for Incidental Subdivision)
- 15 (Fifteen) Folded Copies of the Proposed Lot Split
- One electronic copy (Word File on enclosed CD) of the Legal Description
- Copy of the Warranty Deed
- Certified List of Adjacent Property Owners within 200 feet of the Property
- Certified Mail Receipts with a copy of the notification letter

Please do not hesitate to contact me if you have any questions regarding this application or need anything further.

Thank you,



Jason Appel, P.E.
Project Engineer

Enclosures



Jerry W. Martin, P.E.
Chairman of the Board

Philip C. Hubbard, P.E., P.L.S.
President

Brian J. Moore, P.E.
Vice President

Tim J. Mays, P.E.
Secretary / Treasurer

Consulting Engineers and Surveyors

www.engineeringservices.com



PC Meeting of: May 5, 2015

The City of Bentonville, Arkansas

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

REZONING: Mathias Shopping Centers, R-1, Single Family Residential to I-1, Light Industrial

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: May 5, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000015

Applicant/Current Owner: Mathias Shopping Centers Inc.

Representative: Josh Hite with Kutak Rock LLP

Requested Action: Rezoning

Location: Southwest Regional Airport Boulevard and Southwest Barron Road

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: I-1, Light Industrial

Future Land Use Map Designation: Commercial and Industrial

BACKGROUND / HISTORY

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

Previous Rezoning Requests for this Property: The property was rezoned from A-1, Agricultural to R-1, Single Family Residential on July 20, 2004. A single family subdivision was approved on November 2, 2004 but never constructed.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Benton County Fairgrounds	A-1, Agricultural	Public
South	Agricultural	Benton County	Low Density Residential
East	Fueling Station and Agricultural	C-2, General Commercial and Agricultural	Agricultural and Mixed Use
West	Agricultural	R-4, High Density Residential and A-1, Agricultural	Industrial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Regional Airport Boulevard	Arterial	2 lane no curb or gutter
South			
East	Southwest Barron Road	Collector Street	Asphalt no curb or gutter
West			

LEGAL NOTIFICATIONS

Public Notice: On March 25, 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 April 3, 2015. In addition, staff posted a notice of public hearing sign on the property on April 20, 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 property is currently designated as commercial and industrial however it is zoned as single family residential at this time. According to Economic Development policy 12 within the City of Bentonville General plan, the city should re-evaluate the supply of industrial property to ensure there is an adequate supply. Currently there is 117.6 acres of industrial zoned property located within 1 mile and 274 acres is located within 2 miles. At this time based on the availability of industrial zoned property the proposed zoning amendment does not reflect good land use planning or meet the objectives within the general plan.

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

Finding(s) of Staff:

The proposed zoning request is located at the intersection of Southwest Regional Airport Boulevard and Southwest Barron Road. This is the intersection of an arterial street and a collector street. Neither road is constructed or improved to facilitate the traffic that they are intended to carry. Improvements to Southwest Regional Airport Boulevard will end 3.25 miles for this site. Southwest Barron road is designated as a collector street however the arterial street network has not be constructed to allow Barron Road to function appropriately. A zoning change to I-1, Light industrial at this location will further add additional heavy and light traffic to an already under built street network.

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.

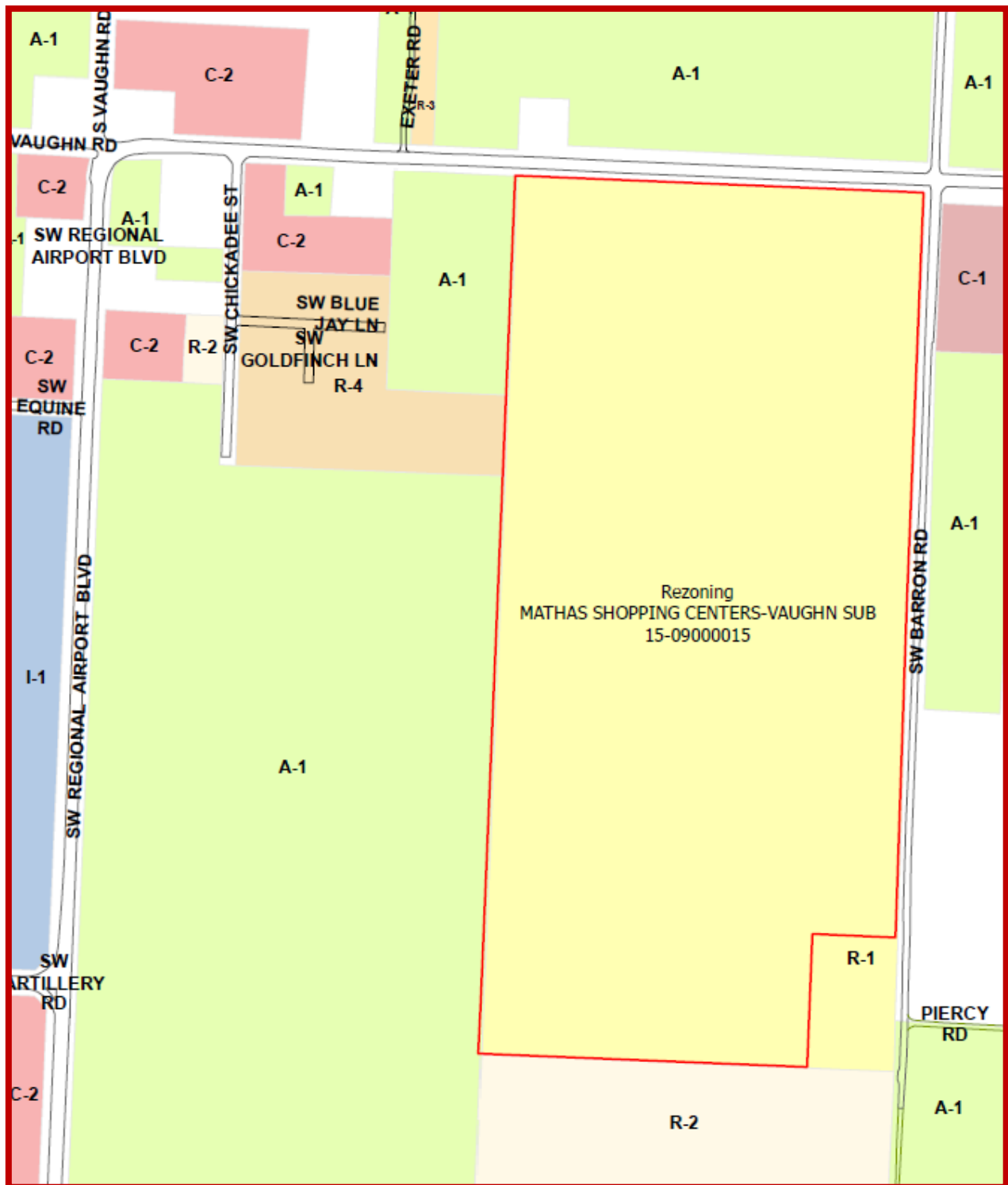
Finding(s) of Staff: City utility services are adequate at this location. Water and sewer is available on the north side of Southwest Regional Airport Boulevard. The emergency services for this area are currently underserved. Fire station #6 on Southwest 1 Street is the closet station to this location and it is located approximately 5.5 miles from the site.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is not consistent with the City of Bentonville's Future Land Use Map, which depicts this property as commercial and industrial. The property is located in an area of Bentonville that currently has a surplus of industrial zoned property and lacks the transportation system to adequately serve additional industrial uses.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends DENIAL of this rezoning from r-1, Single Family Residential to I-1, Light Industrial.





PC Meeting of: May 5, 2015

The City of Bentonville, Arkansas

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

REZONING: O'Dell A-1, Agricultural to R-1, Single Family Residential

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: May 5, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000016

Applicant/Current Owner: Terry & Linda O'Dell

Representative: Jason Appel (Engineer Service (ESI))

Requested Action: Rezoning

Location: 7555 Hutchens Road

Existing Zoning: A-1, Agricultural

Proposed Zoning: R-1, Single Family Residential

Future Land Use Map Designation: Agricultural

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; the property is the site of a single family home in a agriculture area.

Previous Rezoning Requests for this Property: There are no known rezonings at this location.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Agriculture	City of Centerton	City of Centerton
South	Agriculture	City of Highfill	City of Highfill
East	Agriculture	A-1, Agricultural	Agriculture
West	Agriculture	City of Highfill	City of Highfill

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Town Vu Road	-	-
South	-	West Highway 12	2 lane asphalt state highway
East	-	-	-
West	Hutchens Road	Local	Gravel

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 **March 27, 2015** and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **April 3, 2015**. In addition, staff posted a notice of public hearing sign on the property on **April 20, 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 Low Density Residential. Policy LU-23 Housing Types within the General Plan states “the City should encourage the development of a mix of housing types to the meet the needs of residents...”. The rezoning request is consistent with good land use planning and the general plan and will meet the intent of the policy.

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.

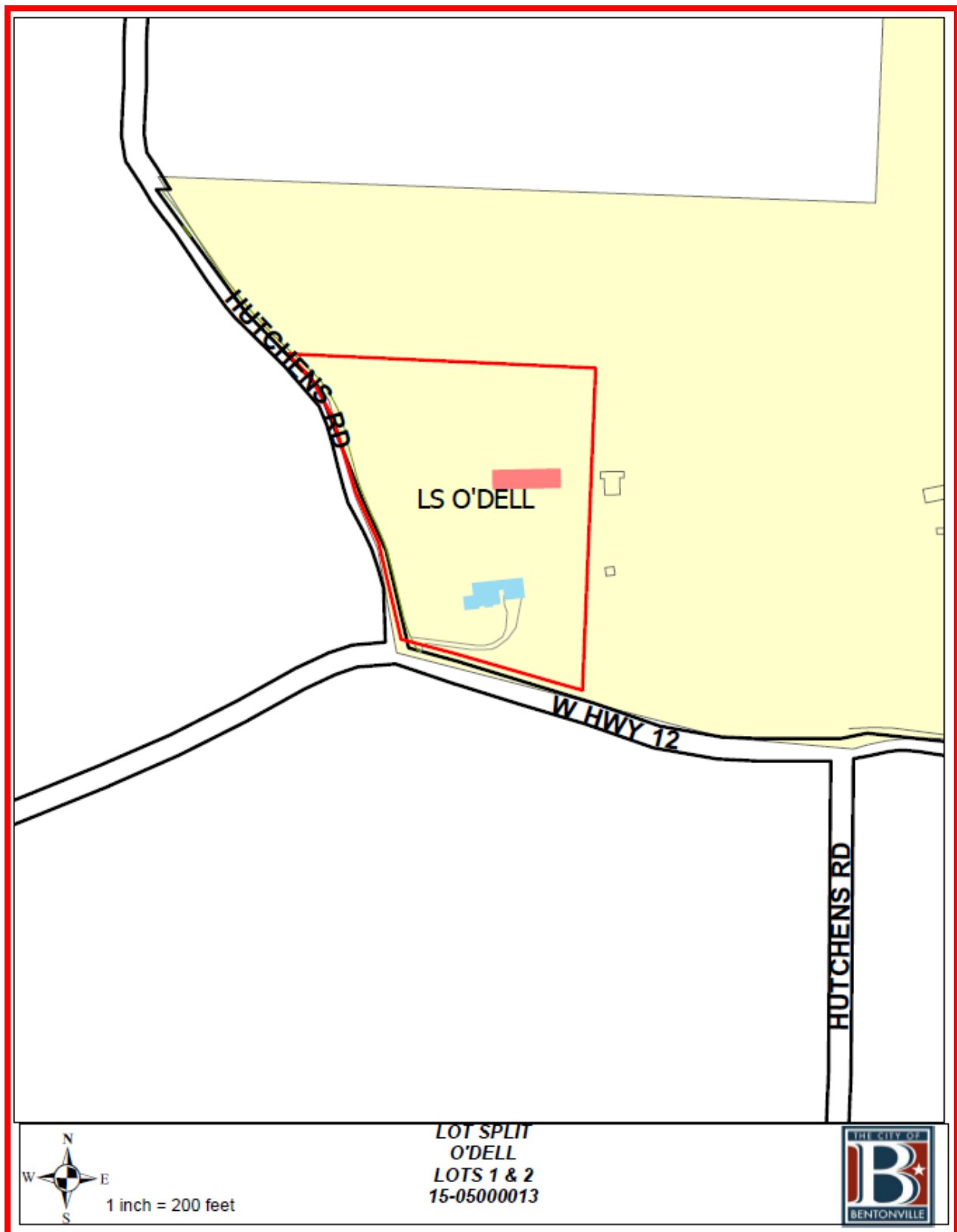
Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Emergency services are adequate at this location however water and sewer are not available to the property at this time. Lot one has an existing septic system and a soil pit analysis for a septic system has been preliminary approved by Benton County Health Department for the newly created lot 2.

ANALYSIS, CONCLUSION, & SUMMARY

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

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 **R-1, Single Family Residential**.



ENGINEERING SERVICES INC

1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72765-0282

Ph: 479-751-8733 • Fax: 479-751-8746

March 27, 2015

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

RE: Lot Split and Rezoning Application - Parcel Number 01-08203-265

Dear Sir or Ma'am,

This letter is intended to serve as a narrative to accompany the application for the rezoning of a property within the City of Bentonville. The intent of this submittal is to create and rezone 2 tracts to the R-1 Zone.

The property to be developed is Benton County Parcel Number 01-08203-2650, which is an approximately 5.00 acre tract located north of Highway 12 and east of Hutchens Road.

The property being developed is owned by Terry and Linda Odell at 7555 Hutchens Rd., Bentonville, AR. The property is currently zoned A-1 (Agricultural) and the proposed zoning is R-1 (Single Family Residential). This zoning will allow the property owner to divide the property into 2 tracts, one being 3.33 Acres and the other being 1.33 Acres.

There are currently no existing water or sewer mains to this property within the City of Bentonville City Limits. The Existing house is on a well and on a septic system. The proposed lot split will allow the existing house to be sold with the shop building located on the 3.33 Acre Tract. The 1.33 Acre tract will be developed with a single family home with a proposed well and septic system.

The following supporting materials to accompany the rezoning and lot split application are enclosed with this letter:

- Completed, Signed Rezoning and Lot Split Applications
- \$400 Check to City of Bentonville for the Review Fees (\$275 for Rezoning, \$125 for Incidental Subdivision)
- 15 (Fifteen) Folded Copies of the Proposed Lot Split
- One electronic copy (Word File on enclosed CD) of the Legal Description
- Copy of the Warranty Deed
- Certified List of Adjacent Property Owners within 200 feet of the Property
- Certified Mail Receipts with a copy of the notification letter

Please do not hesitate to contact me if you have any questions regarding this application or need anything further.

Thank you,



Jason Appel, P.E.
Project Engineer

Enclosures



Jerry W. Martin, P.E.
Chairman of the Board

Philip C. Humbard, P.E., P.L.S.
President

Brian J. Moore, P.E.
Vice President

Tim J. Mays, P.E.
Secretary / Treasurer

Consulting Engineers and Surveyors

www.engineeringservices.com

Planning Commission Staff Report
Conditional Use: Nunnally Tent Sales
Project Number: 15-02000007

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: May 5, 2015

GENERAL INFORMATION:

Applicant: George Nunnally Chevrolet

Representative: Gan Nunnally

Requested Action: Conditional Use Permit Approval

Location: 2700 Southeast Moberly Lane

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

Proposed Use: Tent sales

BACKGROUND:

The applicant has submitted a conditional use for a temporary use located at 2700 Southeast Moberly Lane. Nunnally Chevrolet is requesting 4 tents be used for General Motors events 4 times a year for two weeks each time. The applicant states that due to the short notice given by General Motors the applicant does not have adequate time to request the conditional use for each event. No balloons or banners shall be permitted with this conditional use permit. Hours of operation will be 7:30 am to 8:00pm for the duration of each event with the potential for some events to last until midnight. No structural or site changes are being proposed nor will there be any changes to the parking or traffic flow patterns that currently exist within the property. No outdoor lighting changes are anticipated.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial	Commercial
South	C-2, General Commercial	Commercial
East	C-2, General Commercial	Commercial
West	C-2, General Commercial	Commercial

STREETS

Direction	Name	Classification
North		
South	Southeast 28 th Street	Arterial
East	Southeast Moberly Lane	Arterial
West		

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows:
- (b) Traffic summary software predicts the additional traffic for this project is:

Site Inspection: A site inspection was completed; this property is currently **Nunnally Chevrolet** in a developing **Commercial** area.

Public Notice: On **July 20, 2012** a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on **July 23, 2012**. 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 applicant may place up to 4, 20' x 20' tents four times a year for 2 weeks each time.

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.
13. The conditional use shall be allowed for perpetuity and shall not expire unless revoked by the City of Bentonville Planning Commission.

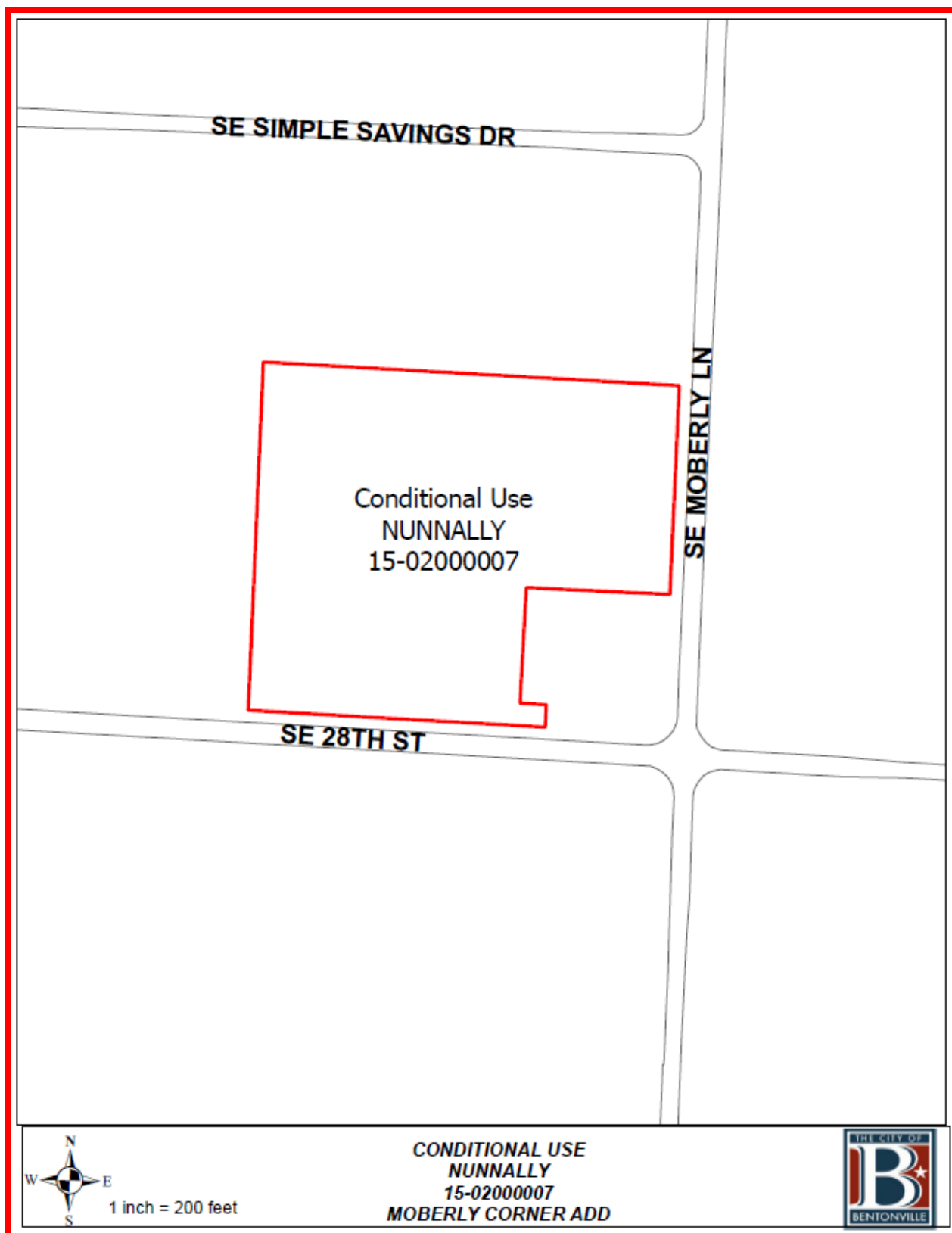
The conditional use is allowed on appeal in the (C-2, General Commercial) district.

Allowed under the Protective Covenants of the subdivision. Not applicable

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

RECOMMENDATION:

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

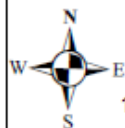


SE SIMPLE SAVINGS DR

SE MOBERLY LN

Conditional Use
NUNNALLY
15-02000007

SE 28TH ST



1 inch = 200 feet

CONDITIONAL USE
NUNNALLY
15-02000007
MOBERLY CORNER ADD



George Nunnally Chevrolet would like to request a conditional use permit for placing a tent,⁴ on our retail automobile lot. We would like approval to do this for the maximum amount to time each year.

The reason is that GM notifies us the day a promotion starts and that does not always give us the time to get approval from the planning commission.

Our hours of operation are normally 7:30a-8p. During special events we may stay open until midnight.

We are only requesting this for outdoor areas.

No structural changes will take place.

This will not change parking or traffic flow patterns on or around the lot.

This will not change any of our outdoor lighting.

Anticipated patrons, clients, deliveries, and/or customers will be confined to the capacity of our lot.

Planning Commission Staff Report

Property Line Adjustment: Lots 17, Block 1 of Hollands Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: May 5, 2015

GENERAL INFORMATION:

Project Number: 15-07000001

Applicant: First National Bank of Fort Smith

Representative: Sammi May (Morrison Shipley Engineers)

Requested Action: Property Line Adjustment

Location: 402 Southwest 'A' Street

Existing Zoning: DC, Downtown Core

Land Use Plan: Mixed Use

BACKGROUND:

The applicant has submitted a property line adjustment for property located at 402 Southwest 'A' Street. The proposed plat indicates the creation of one lot from portions of four existing lots to be known as Lot 17, Block 1 of Hollands Addition (0.5 acres). Thirty feet of right-of way is being dedicated along SW 'A' Street. Both water and sewer services are available to this location.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	City of Centerton	-
South	City of Highfill	-
East	A-1, Agricultural	-
West	City of Highfill	Agriculture

STREETS

Direction	Name	Classification
North	Southwest 4 th Street	Local
South	-	-
East	Southwest 'A' Street	Collector
West	-	-

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (b) Traffic summary software predicts the additional traffic for this project is: N/A.

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; this is the location is vacant in a developing mixed use area of downtown.

Drainage Report: A drainage report is not required for this lot split.

Water / Sewer: Per the G.I.S. site, water and sewer are available at this location.

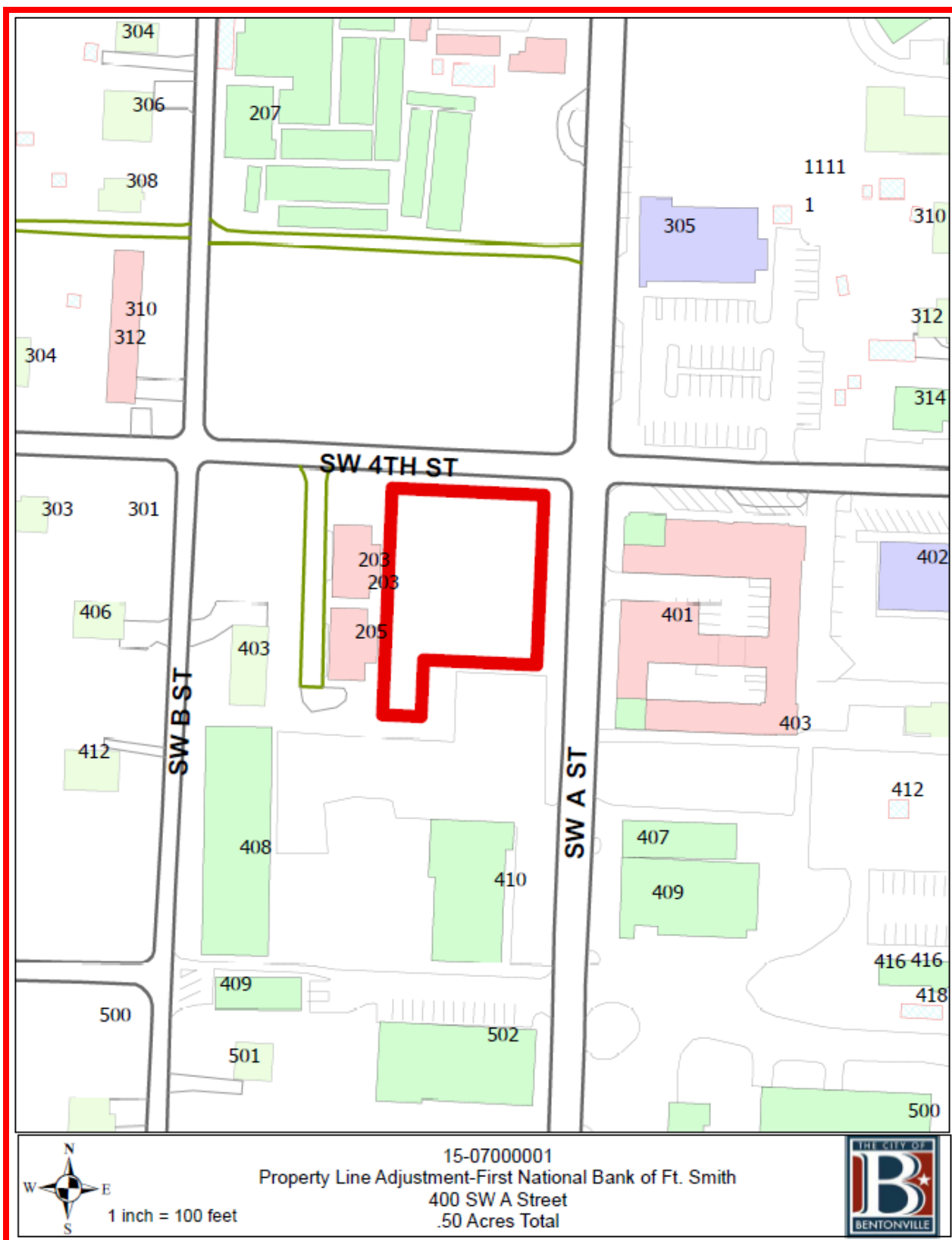
Waiver(s): The applicant has submitted a waiver request to the following:

- o Right-of Way Dedication – Art1100, Sec 1100.5.B states that subdivision and large-scale developments shall dedicate sufficient right-of-way to bring those streets which the Master Street Plan shows to abut or intersect the development into conformance with right-of-way requirements of the most recently adopted Master Street Plan for said street.
The applicant is requesting 30' feet of right-of-way be allowed from the 35 feet required by ordinance.

Analysis / Conclusion: This lot split **DOES NOT** meet the minimum requirements of the subdivision regulations due to the waiver request.

RECOMMENDATION:

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





MORRISON SHIPLEY

ENGINEERS • SURVEYORS

April 27, 2015

Planning Commission
City of Bentonville
305 S.W. "A" Street
Bentonville, AR 72712

Re: Waiver Request – Right-of-Way Width for SW "A" Street
Property Line Adjustment for FNB Bank

Dear Commission:

We request a waiver to vary the required right-of-way width of SW "A" Street from 35' to 30' measured from the centerline. The resulting overall right-of-way width for SW "A" Street at this property would be 60'. We have spoken with staff, and they feel that this width is adequate for the planned SW "A" street improvements and does allow for the wider sidewalk section to be constructed.

Thank you for consideration of this waiver request; please let me know if you need any additional information.

Thank you,

Sammi May, P.E.
Project Manager

Planning Commission Staff Report

Large Scale Development: First National Bank

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, City Planner
PC DATE: May 5, 2015

GENERAL INFORMATION:

Project Number: 15-06000003

Applicant: First National Bank of Fort Smith

Representative: Travis Brisendine (Morrison Shipley Engineers)

Requested Action: Large Scale Development Approval

Location: 402 Southwest 'A' Street

Existing Zoning: DC, Downtown Core

Land Use Plan: Mixed Use

BACKGROUND:

The applicant has submitted Large Scale Development plans for a 0.5 acre project located at 402 Southwest 'A' Street. The submitted plans propose a 6,400 square feet, two story, mixed use office building to be known as First National Bank. The building will include a drive thru tell window and will be constructed of brick, cut stone, precast concrete, glass and wood. Seventeen parking spaces are required and 30 spaces are being provided. On-site storm water detention is included and will be located in the southwest corner of the property.

PROJECT STATISTICS ARE AS FOLLOWS:

Site / Building Requirements	Required / Allowed	Proposed
Setbacks		
Front Nonresidential:	0' Max.	0' on both frontages
Front Residential:	20' Max.	-
Side	0' Min.	61'
Rear adjacent to nonresidential:	0' Min.	-
Rear adjacent to residential <20':	0' Min.	-
Rear adjacent to residential >20':	0' Min.	72'
Height	80'	42'
Landscape Coverage	8%	2.3%
Parking		
Standard Stalls	15	28
Handicap Stalls	2	2
Total:	17	30

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use Plan Classification
North	DC, Downtown Core	Mixed Use
South	DC, Downtown Core	Mixed Use
East	DC, Downtown Core	Mixed Use
West	R-O, Residential Office	Mixed Use

STREETS:

Direction	Name	Classification
North	-	-
South	-	-
East	Southwest 'A' Street	Collector
West	-	-

TRAFFIC FINDINGS

(a) Traffic data for the nearest intersections are as follows: N/A

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.
3. All landscaping will be maintained in healthy living condition and all plant material that dies shall be replaced.
4. The building will be constructed with similar exterior materials of those submitted and approved by the planning commission.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently vacant in a developing mixed use area of downtown.

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

Water / Sewer: Per the G.I.S. site, water and sewer **ARE** available to this site.

Waiver(s): The applicant has submitted 3 waiver request:

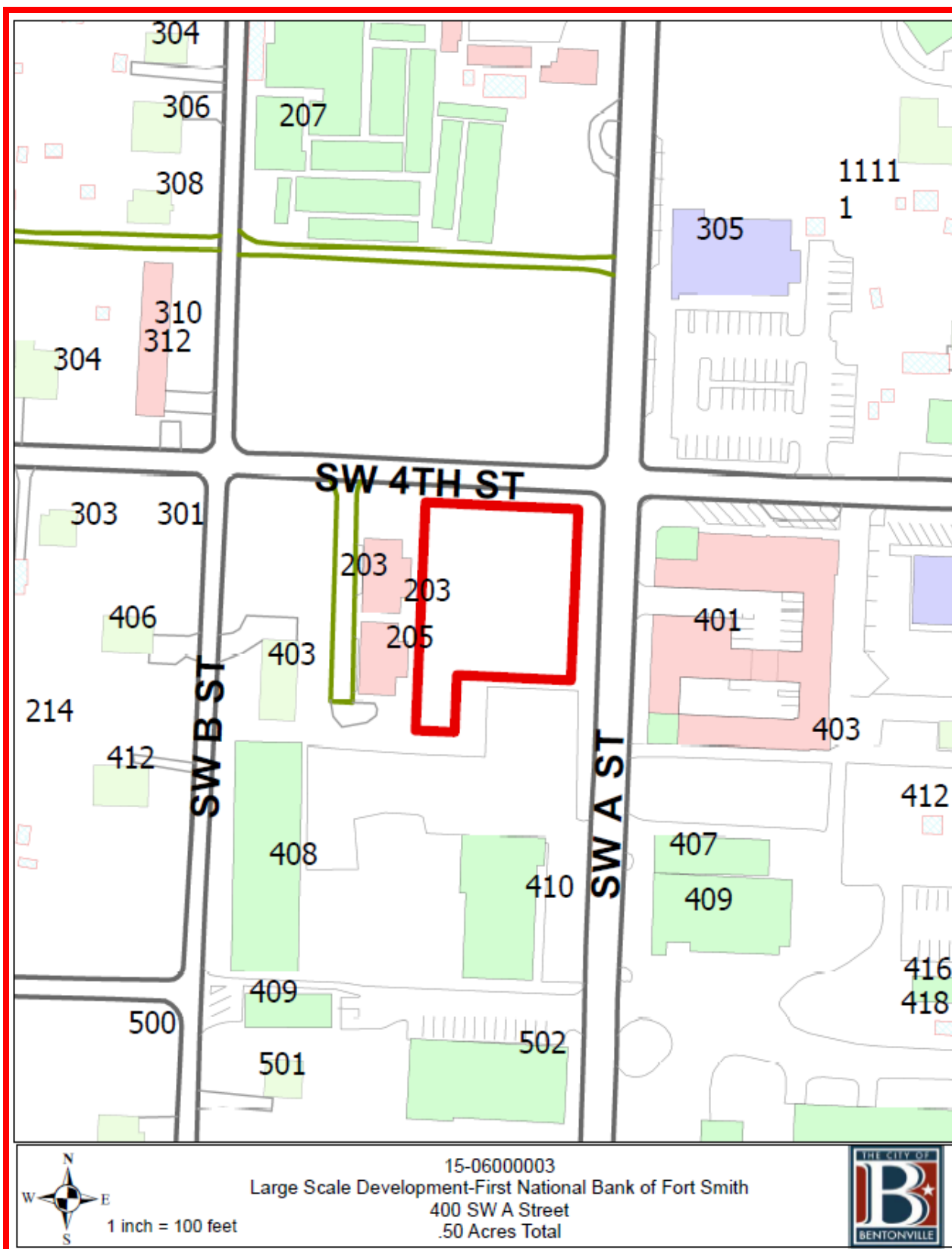
- o **Waiver to the Interior Greenspace Requirements:** (Art 1400, Sec 1400.8.c.1) Ordinance states that parking lots less than 50,000 square feet shall have a minimum of 8% interior greenspace. The applicant is requesting that 2.3% of interior greenspace be allowed.

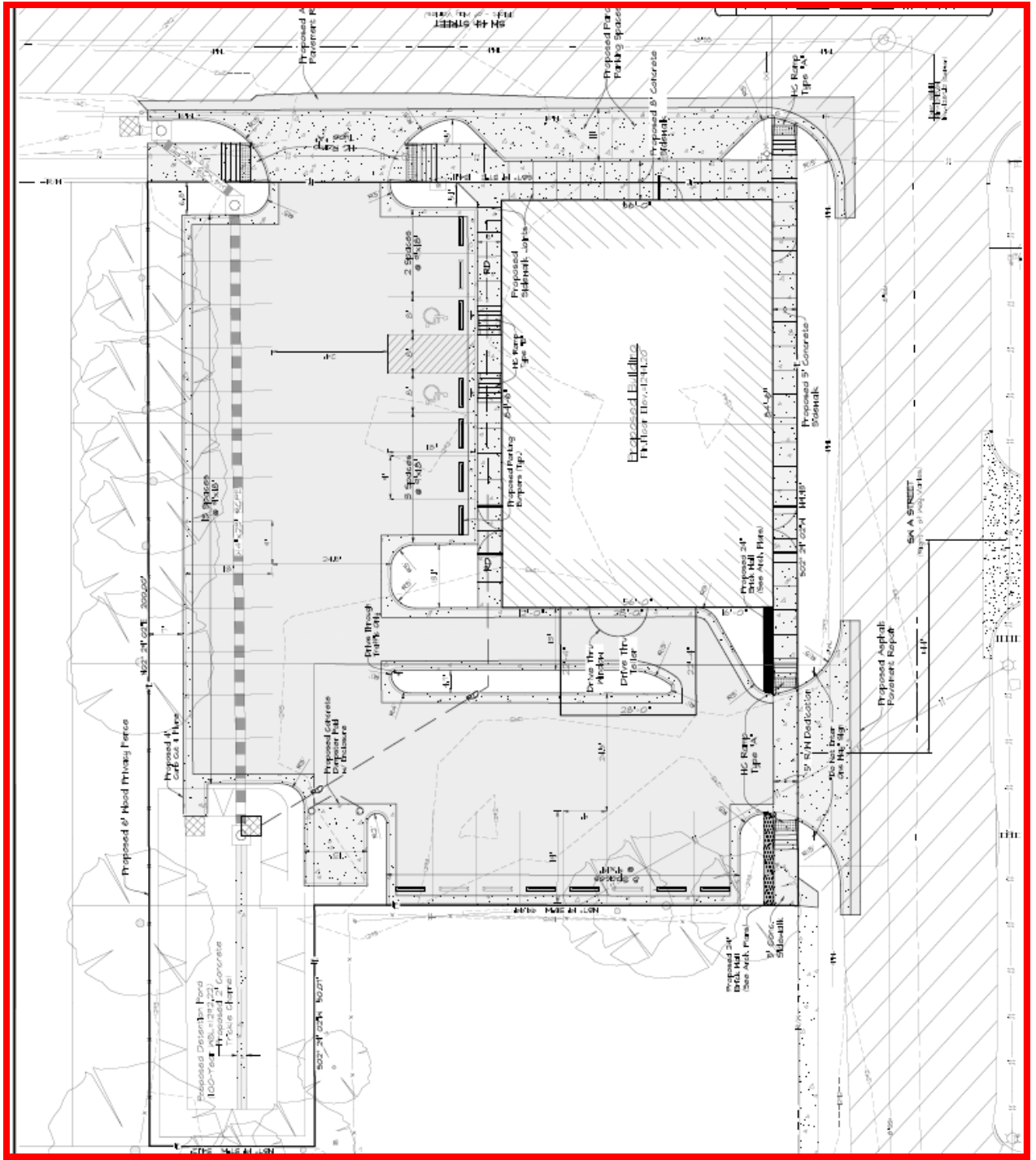
- o Waiver to Internal Planting Island Width: (Art 1400, Sec 1400.g.3.a) Ordinance requires a minimum width of 18 feet for internal planting islands. He applicant is requesting that 13 feet be allowed for the one interior island.
- o Waiver to Access Requirements/Offset: (Art 1100, Sec 1100.0.a.4) Ordinance requires 75 feet of separation between opposing drives. The applicant is requesting that 44 feet be allowed which is a difference of 31 feet.

Analysis / Conclusion: This large scale development **DOES NOT** meet the minimum requirements of the subdivision regulations due to the waiver request.

RECOMMENDATION:

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





BUILDING SIZE

- FIRST FLOOR:
APPROXIMATELY 84'-6"x56' (84'-6"
ALONG "A" STREET/EAST ELEVATION)
- SECOND FLOOR:
APPROXIMATELY 84'-6"x48'

BUILDING MATERIALS

- SOUTH ELEVATION:
BRICK: 6%
CUT STONE: 26%
PRECAST CONC.: 4%
ALUM. FRAMES & GLASS: 58%
WOOD: 4%
ALUM. TRIM: 1%
(GLASS RAILING: 1%)
- EAST ELEVATION:
BRICK: 4%
CUT STONE: 22%
PRECAST CONC.: 3%
ALUM. FRAMES & GLASS: 68%
WOOD: 2%
ALUM. TRIM: 1%
(GLASS RAILING: 2%)



PRELIMINARY / SCHEMATIC VIEW FROM 4TH & "A" STREET - LOOKING NORTH
NATIVE STONE IN ASHLAR PATTERN SCHEME

JAN. 2015



BUILDING SIZE

- FIRST FLOOR:
APPROXIMATELY 84'-6"x56' (84'-6"
ALONG "A" STREET/EAST ELEVATION)
- SECOND FLOOR:
APPROXIMATELY 84'-6"x48'

BUILDING MATERIALS

- EAST ELEVATION:
BRICK: 4%
CUT STONE: 22%
PRECAST CONC.: 3%
ALUM. FRAMES & GLASS: 68%
WOOD: 2%
ALUM. TRIM: 1%
(GLASS RAILING: 2%)
- NORTH ELEVATION:
BRICK: 4%
CUT STONE: 31%
PRECAST CONC.: 4%
ALUM. FRAMES & GLASS: 57%
WOOD: 3%
ALUM. TRIM: 1%
(GLASS RAILING: 1%)



PRELIMINARY / SCHEMATIC VIEW FROM 4TH & "A" STREET - LOOKING SOUTH
NATIVE STONE IN ASHLAR PATTERN SCHEME

JAN. 2015



BUILDING SIZE

- FIRST FLOOR:
APPROXIMATELY 84'-6"x56' (84'-6"
ALONG "A" STREET/EAST ELEVATION)
- SECOND FLOOR:
APPROXIMATELY 84'-6"x48'

BUILDING MATERIALS

- WEST ELEVATION:
BRICK: 6%
CUT STONE: 26%
PRECAST CONC.: 4%
ALUM. FRAMES & GLASS: 58%
WOOD: 4%
ALUM. TRIM: 2%
- SOUTH ELEVATION:
BRICK: 4%
CUT STONE: 31%
PRECAST CONC.: 4%
ALUM. FRAMES & GLASS: 57%
WOOD: 3%
ALUM. TRIM: 1%
(GLASS RAILING: 1%)



PRELIMINARY / SCHEMATIC VIEW FROM PARKING LOT - LOOKING NORTH
NATIVE STONE IN ASHLAR PATTERN SCHEME

JAN. 2015





MORRISON SHIPLEY

ENGINEERS • SURVEYORS

April 27, 2015

Planning Commission
City of Bentonville
305 S.W. "A" Street
Bentonville, AR 72712

Re: Waiver Request
First National Bank, 400 SW A Street

Dear Commission:

We request the following waivers for the proposed First National Bank site to be located at 400 SW A street and is located in the downtown core zoning district.

- A waiver from the required minimum interior planting island width of 18-feet to 13.1-feet. The limited size of the site and its location allow very little parking. As such we are requesting the waiver to provide the needed site parking. You will note we are also adding two parallel parking spaces along 4th street for use by the public.
- A waiver from the minimum 8% interior landscape minimum to approximately 2.3% as shown. Although we are not providing the minimum "interior" landscape we will be providing additional landscape around the site including trees along 4th street.
- A waiver from the required 75-foot drive separation to the planned 44-feet from the existing driveway on A Street to the "Thrive" development. Due to the limited size of the site a 75-foot separation is not possible.

Thank you for consideration of this waiver request; please let me know if you need any additional information.

Thank you,

Travis Brisendine, P.E.