



**Planning Commission
Agenda
April 7, 2015**

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

- 1. Lots 9 & 10 Durham Place** **Lot Split**
Durham Place
- 2. Lot 26, Block 2, Clarks Second Addition** **Property Line Adjustment**
308 Southwest 3rd Street

IV. New Business

- 1. Wright** **Rezoning***
(R-1, Single Family Residential to R-C2, Central Residential Moderate Density)
305 Southwest 'C' Street
- 2. Burckart Construction Inc.** **Rezoning***
(R-1, Single Family Residential to A-1, Agricultural)
2303 Southwest Birch
- 3. Food Hub NWA, LLC** **Rezoning***
(I-2, Heavy Industrial to C-2, General Commercial)
801 Southeast 8th Street
- 4. Food Hub NWA Educational Facility** **Conditional Use***
(I-2, Heavy Industrial to C-2, General Commercial)
801 Southeast 8th Street
- 5. Wonder Balloon Tethered Rides** **Conditional Use***
South Walton Boulevard and Southeast Macy Road
- 6. Lots 198, 199 & 200 Stoneburrow Phase 1** **Lot Split**
Town Vu Road & Southwest River Rock Street
- 7. Hogwild Subdivision** **Lot Split**
Southwest Rainbow Farm Road and Southwest Morningstar Road
- 8. Rush Running** **Large Scale Development**
Southeast 'J' Street

- V. Other Business**
- VI. Planner's Report**
- VII. Adjournment**

Planning Commission
Minutes
March 17, 2015

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

Present: Joe Haynie, Scott Eccleston, Greg Matteri, Debie Havner and Richard Binns

Absent: James Stanley and Rod Sanders

Consent Agenda

- | | |
|---|--------------------------|
| 1. Lots 16 and 17 Lefor's Addition
606 and 608 West Central | Property Line Adjustment |
| 2. Lot 14, 15 and 16 Dunn & Davis Addition
Southwest B Street | Property Line Adjustment |
| 3. Cornerstone Ridge Subdivision Phase 5
Southwest Rainbow Farms Road and Southwest Morningstar Road | Preliminary Plat |
| 4. Cornerstone Ridge Subdivision Phase 6
Southwest Cornerstone Road | Preliminary Plat |

Approved 5-0

Old Business

Item #1

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

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.

No public comment

Motion by Matteri, seconded by Eccleston to table until April 7th meeting

Tabled 5-0

Item #2

Bentonville 12, Ltd. (15-09000005) Limestone Ranch) PUD, Planned Unit Development to R-4, High Density Residential.

The applicants are asking for a rezoning from PUD to R-4 in order to construct high density multi-family housing.

Opened public hearing:

Jerry Kelso with Crafton Tull-representative for the applicant. At the last meeting asked to investigate the effects of the property by the airport.

40 db or roof

60 db reduction or wall

Also checked on height requirements-all items have been satisfied.

Lois Elaine Yates-1500 S. Rainbow Road, which adjoins the property on the east- This property is a working cattle ranch. There are safety concerns if people cross thru the property, there are large steer, brush hogging and other equipment on the land. Concerned for safety of children and others. Also concerned about vehicle & foot traffic to the community center which is located across the street.

Chad Cox-3404 Cardinal Lane-Flight instructor, fly's airplanes & helicopters has question on how the project would affect approaches into airport and noise complaints.

James Crossland-ATP pilot from Little Rock-

Richard Binns- Does it comply with FAA Requirements.

Ben-Yes

Bill Burckart-5003 SW Blairmont-On the Airport Board, This property was previously zoned PUD and all the infrastructure is in place-for rezoning. Does not see why it can't be rezoned.

Jerry Kelso-we will address the safety concerns by fencing the entire property.

Approved 4-1

New Business

Item #1

Troy Link Enterprises LLC (15-09000009) Rezoning, C-2, General Commercial to C-3, Central Commercial, 805 South Walton Boulevard.

The applicant has requested a rezoning in order to construct a multi-story office, retail, and restaurant facility.

No public comment

Sammi May with Morrison Shipley was present to answer questions

Approved 5-0

Item #2

Louise Bishop Revocable Trust: (15-09000010) Rezoning, A-1, Agricultural to C-2, General Commercial, Southeast 'J' Street, north of the intersection with 28th Street.

Bill Watkins representative for applicant was present to answer any questions. There are no plans at this time.

No public comment

Approved 5-0

Item #3

Louise Bishop Revocable Trust(15-09000011)Rezoning, A-1,Agricultural to I-1, Light Industrial, Southeast 'J' Street, south of the intersection with 28th Street and due east of Phillips Park.

Bill Watkins c/o Rogers Warehouse LLC, representative for applicant. This is vacant property.

No public comment

Troy Galloway-When developed possibility of preserving the tree line adjacent to the park.

Approved 5-0

Item #4

Jeremy and Andrea Wilson: (15-0200003) Wilson Farm Animals, Conditional Use, 306 Northeast J Street, Zoned R-E, Residential Estate.

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.

Opened Public Hearings

Andrea Wilson-applicant will have 3-5 sheep, they will be confined during concerts.

Closed public hearing

Approved 5-0

Item #5

Peel House Foundation, Buster Properties LLC, Cedar Limited LLC, Cindy Springs LLC, Moro Development LLC: (15-02000004)Bentonville Film Festival, Conditional Use, 312 N. Main Street, 301 Northeast 'B' Street, 205 & 207 Northeast Blake Street & 207 & 210 Northeast 3rd Street, Zoned R-1, Single Family Residential, D-E, Downtown Edge and D-C, Downtown Core.

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

Opened public hearing

Jordan Garner-representative for film festival

John Skaggs-201 NE 3rd Street, the street and commercial office on this street, concerned over being able to their business and home. Also have tenants and clients will need to come to office.

Jordan-street will not affect their property.

Jerry Skaggs would like a name and contact number-

Closed public hearing

Approved 5-0

Item#6
2015 Community Development Block Grant-Resolution

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:

Salary and benefits of the Community Programs Coordinator
5-Year Consolidated Plan
Analysis of Impediments to Fair Housing Choice

One public facility and improvement project to address priority non-housing community development needs:

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:

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.

No public comment
Approved 5-0

Planners Report

April 2nd Smart Growth Workshop

Planning consultant interview-April 6th & April 8th-there are 5 firms that will be interviewing.

Motion by Haynie, seconded by Havner to adjourn

Meeting adjourned

Diane Shastid

Planning Commission Staff Report

Lot Split: Lots 9 and 10 Durham Place

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000007

Applicant: Habitat for Humanity of Benton County, Inc.

Representative: Tim Sorey (Sand Creek Engineering)

Requested Action: Lot Split Approval

Location: Durham Place

Existing Zoning: R-3, Medium Density Residential

Land Use Plan: Mixed Use

BACKGROUND:

The applicant is proposing a lot split that will create two lots from one existing lot to be known as Lot 10 (0.18 acres) and Lot 11 (0.38 acres) of Durham Place subdivision. The lot split shows the dedication of right-of-way along Durham Place per the master street plan. A variance was approved to the Lot & Area requirements by the Board of Adjustments on February 11, 2015 .

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-3, Medium Density Residential	Mixed Use
South	R-3, Medium Density Residential	Mixed Use
East	R-3, Medium Density Residential	Mixed Use
West	R-1, Single Family Residential	Mixed Use

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	Durham Place	Local Street
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 of a vacant lot within a multi and single family neighborhood located at the end of a cul-de-sac.

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

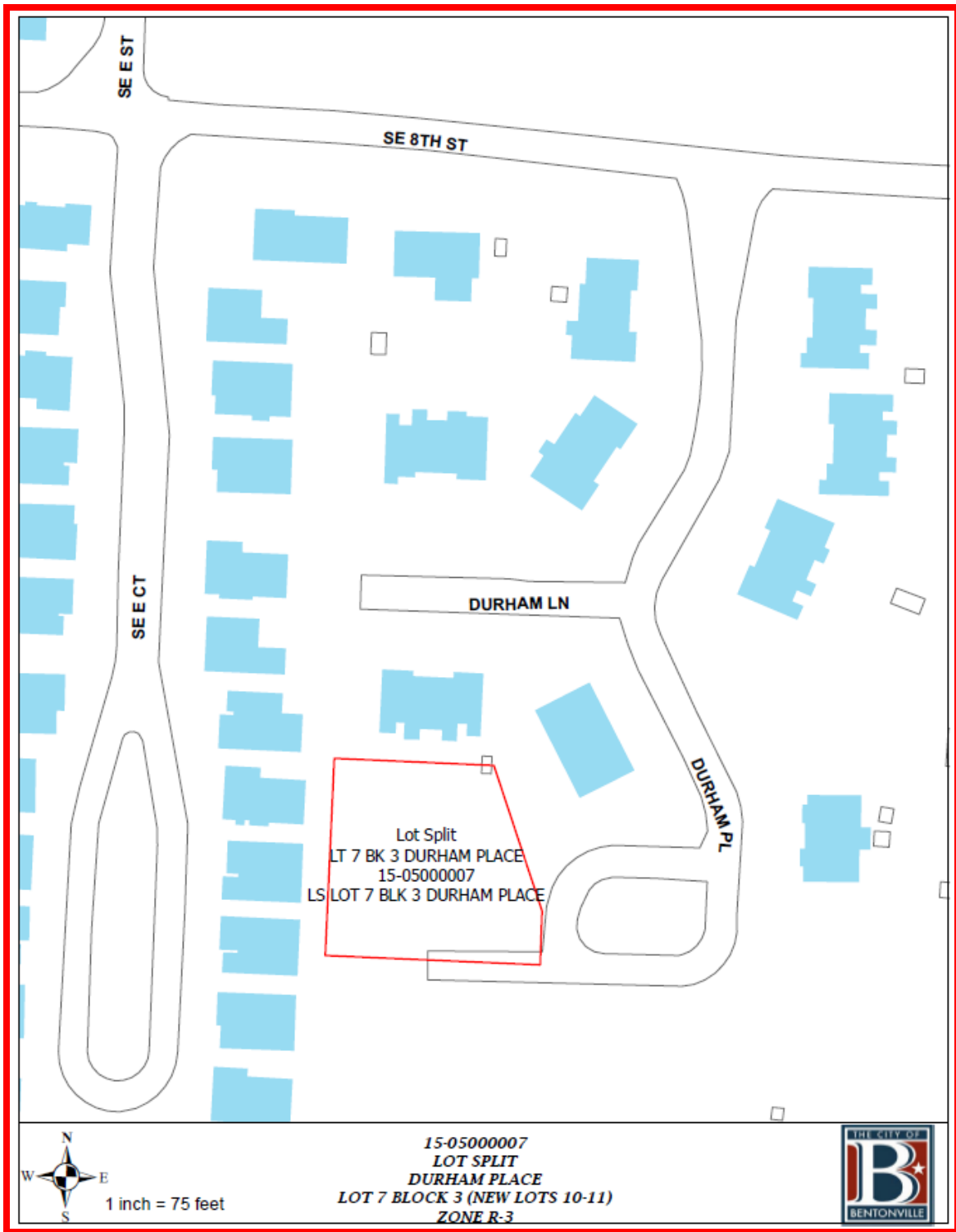
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

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**.



Planning Commission Staff Report

Property Line Adjustment: Lot 26 Block 2 Clark's Second Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000001

Applicant: Rod Sanders

Representative: Rod Sanders

Requested Action: Property Line Adjustment Approval

Location: 308 Southwest 3rd Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Downtown Mixed Use Residential

BACKGROUND:

The applicant has submitted a Property Line Adjustment for Lot 20 and the west half of lot 21 Clark's Second addition. The new lot will be known as Lot 26 Block 2 Clark's Second Addition and will consist of .21 acres. A 20' utility easement is being dedicated along Southwest 3rd Street. One foot of right of way is dedicated to the Master Street Plan requirements for a local street.

SURROUNDING LAND USES AND ZONING:

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

STREETS

Direction	Name	Classification
North		
South	Southwest 3 rd Street	Local Street
East		
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 of an existing single family residential home with the downtown area.

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

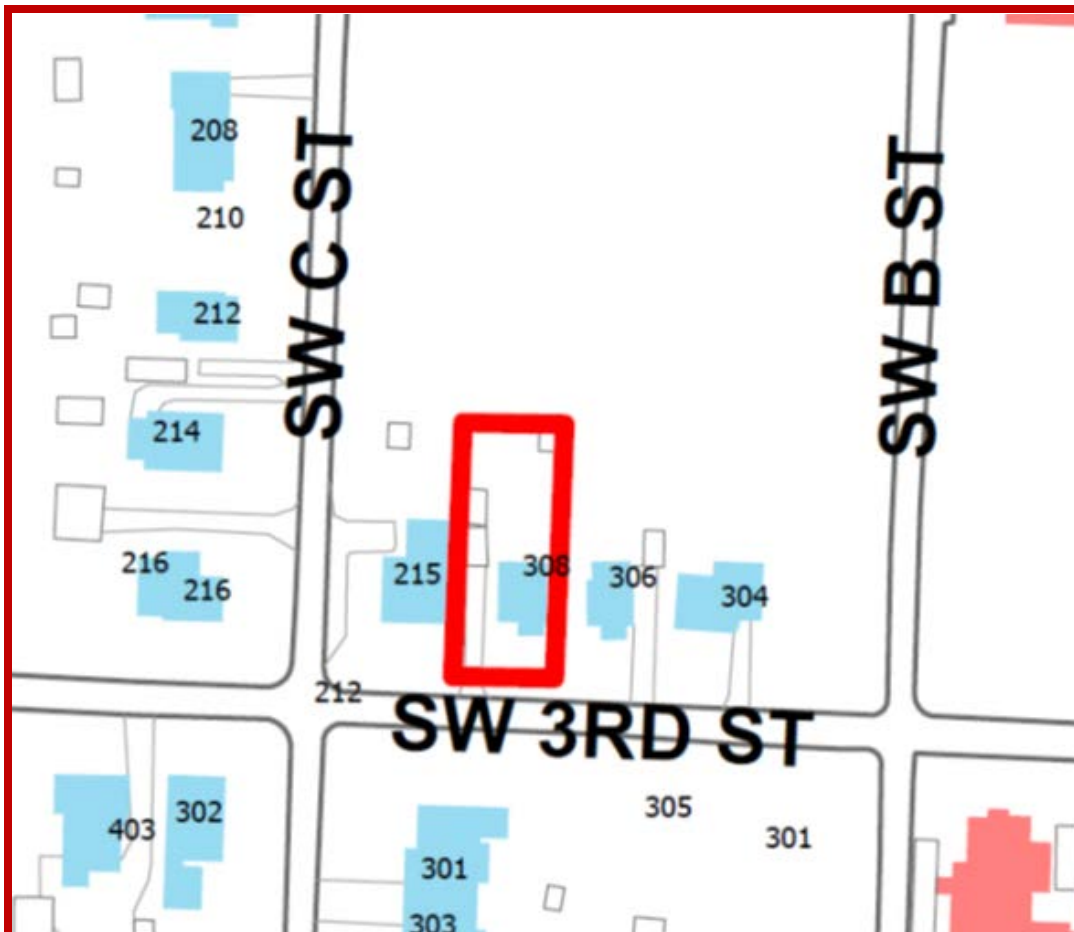
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s):

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

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.





PC Meeting of: April 7, 2015

The City of Bentonville, Arkansas

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

**REZONING: Wright, R-1, Single Family Residential to RC-2, Central Residential
Moderate Density**

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: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number:

Applicant/Current Owner:

Representative:

Requested Action: Rezoning

Location: 305 Southwest C Street

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: RC-2, Central Residential – Moderate Density

Future Land Use Map Designation: Downtown Mixed Use Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of an existing occupied single family home.

Previous Rezoning Requests for this Property: There is no known rezoning for this property.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Residential Duplex	R-1, Single Family Residential	Downtown Mixed Use Residential
South	Single Family Residence	R-1, Single Family Residential	Downtown Mixed Use Residential
East	Single Family Residence	R-1, Single Family Residential	Downtown Mixed Use Residential
West	Single Family Residence	R-1, Single Family Residential	Downtown Mixed Use Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Alley	Alley	Asphalt Paved
East			
West	Southwest C Street	Local Street	2 lane, no curb or gutter

LEGAL NOTIFICATIONS

Public Notice: On **March 4, 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 **March 4, 2015**. In addition, staff posted a notice of public hearing sign on the property on **March 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 Master Land Use plan depicts this property as Downtown Mixed Use Residential. The Downtown Mixed Use Classification permits a range of residential types and densities surrounding the downtown core. Per the General Plan, Policy LU-23 Housing Types states “the City should encourage the development of a mix of housing types to the meet the needs of residents...”. The proposed rezoning will meet the intent of both the Master Land Use plan and the General Plan therefore the request is consistent with good land use planning.

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.

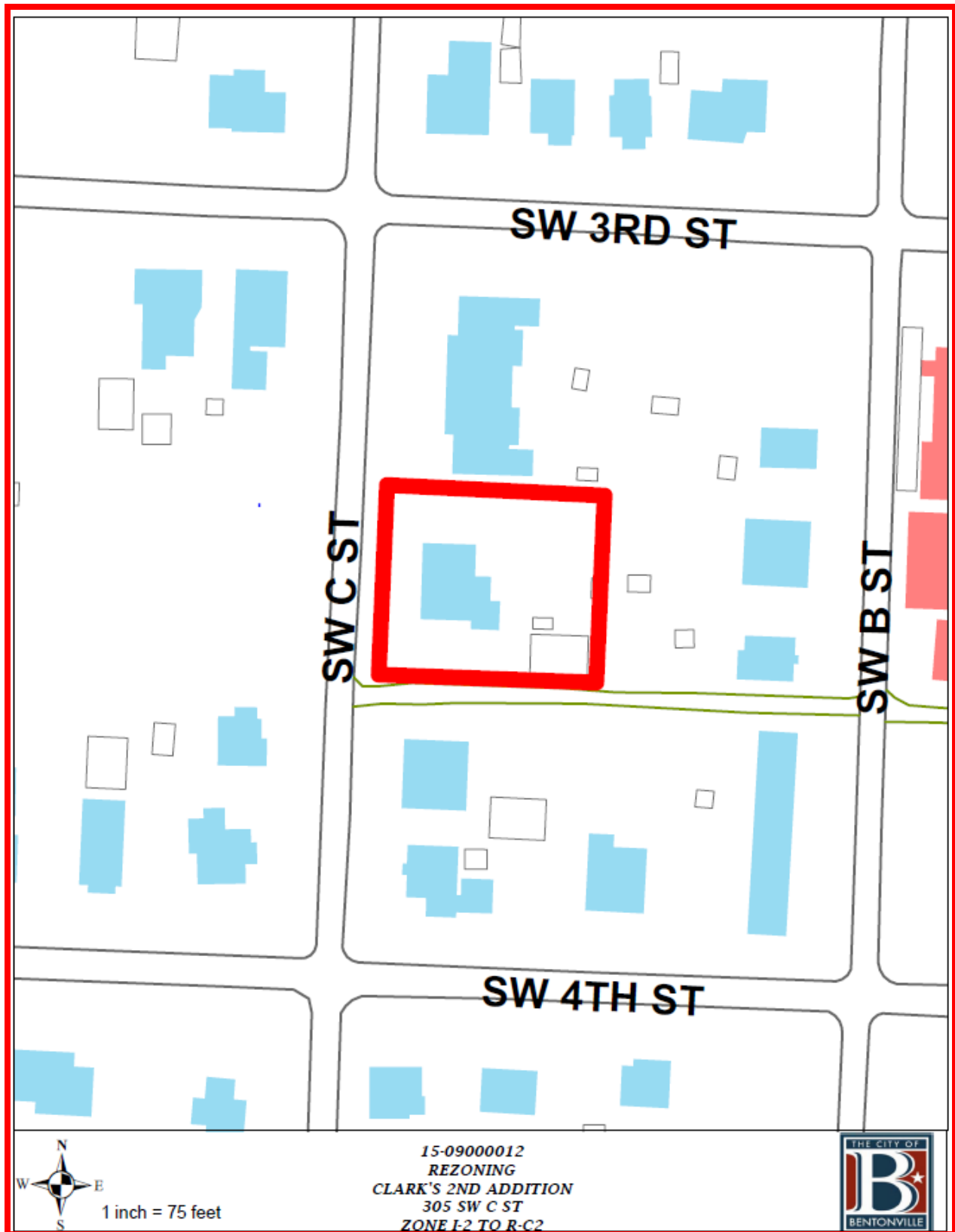
ANALYSIS, CONCLUSION, & SUMMARY

The RC-2 zoning district will help to establish moderate residential density in downtown that will provide a choice of housing types for a variety of lifestyles and economic levels and encourage urban design while providing consistent housing types with adjoining property.

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

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from R-1, Single Family Residential to RC-2, Moderate Density Residential.



March 2, 2015

City of Bentonville
305 SW A Street
Bentonville, Arkansas 72712

Dear Mr. Stanley,

In keeping with Bentonville Downtown Master Plan to increase residential housing and to have a vibrant downtown, we are requesting that the property located at 305 SW C Street which is currently zoned R-1 to be rezoned to R-C2. This zoning change will allow for new single family homes to be built on this property later this year. This rezoning will only help to stabilize the neighborhood and improve the SW "C" street scape. In addition, this rezoning will allow us to build single family homes for individuals who do not want to be 100% car dependent and are looking for housing in the downtown area.

The property will only be used for single family homes which will be alley load to limit the impact that vehicles have on the streetscape. Traffic increase is expected, however will have a minimal impact on SW C street and no signage is proposed for the infill homes. The new houses will be served by existing water and sewer which are located along SW C Street

Todd Jacobs

A handwritten signature in blue ink, appearing to read 'TJ', with a long horizontal stroke extending to the right.



PC Meeting of: April 7, 2015

The City of Bentonville, Arkansas

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

REZONING: Burkhart Construction, Inc. R-1, Single Family Residential to A-1, Agricultural

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: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000013

Applicant/Current Owner: Burckart Construction, Inc.

Representative: Bill Burkhart

Requested Action: Rezoning

Location: 2303 Southwest Birch

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: A-1, Agricultural

Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of

Previous Rezoning Requests for this Property: The property was

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Subdivision	R-1, Single Family Residential	Low Density Residential
South	Agricultural Land	R-1, Single Family Residential	Low Density Residential
East	Agricultural Land	Benton County	Low Density Residential
West	Single Family Subdivision	R-1, Single Family Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Birch Street	Local	2 lane curb and gutter
South	-	-	-
East	-	-	-
West	Southwest Ellington Street	Local	2 lane curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On March 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 March 20, 2015. In addition, staff posted a notice of public hearing sign on the property on March 4, 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 master land use plan depicts this property has low density residential. The A-1, Agricultural zoning designation requires 5 acres per unit therefore it is recommended as a suitable zoning district for the Low Density Residential classification by the City of Bentonville General Plan.

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

Finding(s) of Staff: No traffic data exist for Ford Springs Road at this time. Based on the current uses allowed by right in the A-1, Agricultural zoning designation the transportation infrastructure is adequate.

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. Both water and sewer service are available at this location. Emergency services are adequate at this location.

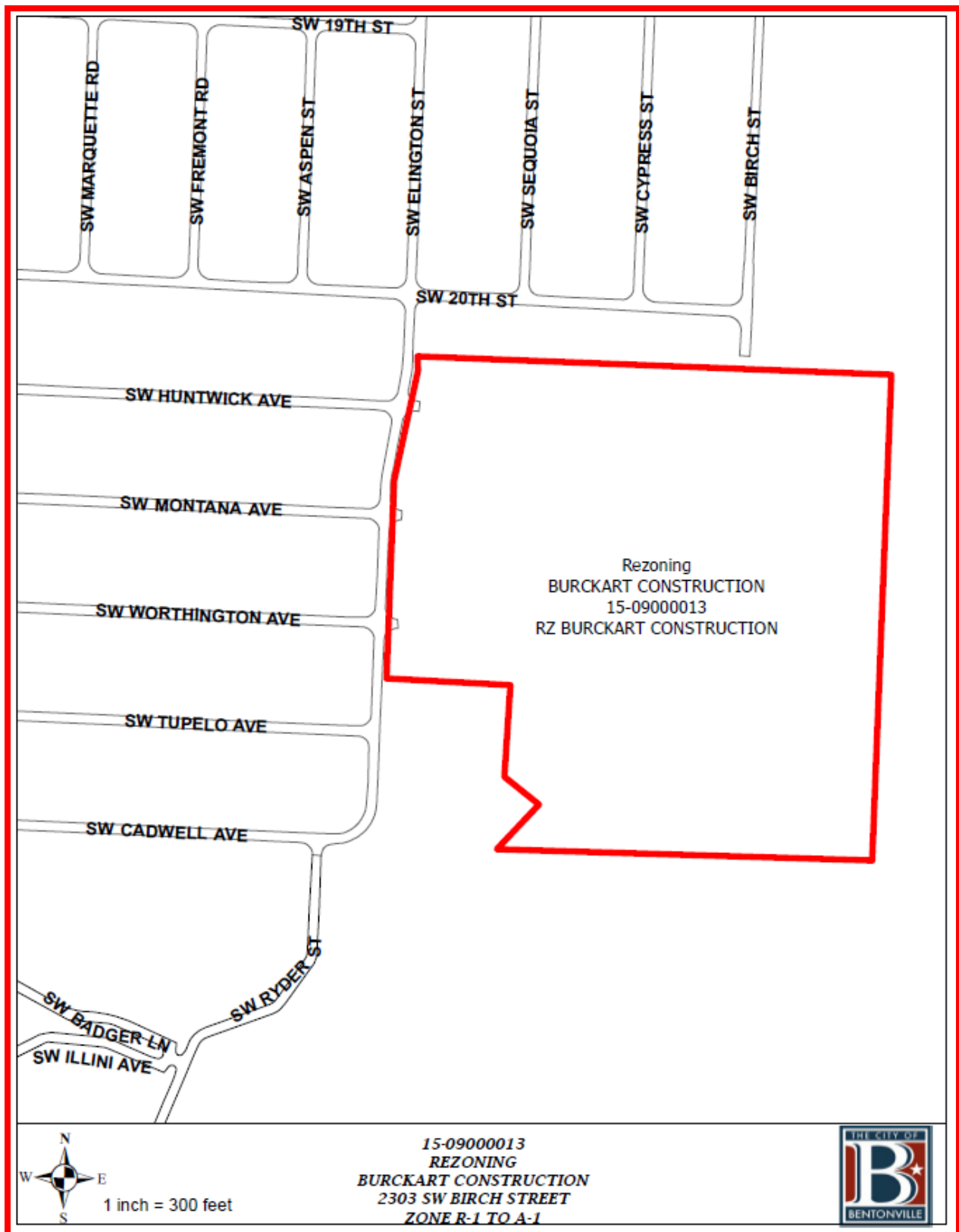
ANALYSIS, CONCLUSION, & SUMMARY

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

property as Low Density Residential.

STAFF RECOMMENDATION

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



022415

City of Bentonville Planning Department
305 SW A Street
Bentonville, Ar. 72712

RE: Rezoning of 36.471 +- Acres @ 2303 SW Birch

Dear Planning Staff and Commission Members,

I am writing to request the rezoning of parcel# 01-00823, otherwise commonly know as 2303 SW Birch. Burckart Construction, Inc. requests the parcel to be rezoned to A-1 from its current zoning of R-1.

The property is intended to be a private residence and the owner intends on using the acres for general livestock and hay production. The home is being built on the east side of the creek, see pad location note on the map provided.

Sewer is available near but water is over 800 lf away. The owner intends on drilling a well and providing private septic service due to the hardship in providing all services to the residence. Owner has discussed in general with staff regarding this matter and staff had no objections with their plans.

We greatly appreciate your review and hope you approve of our rezoning request.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.P. Burckart', with a long horizontal flourish extending to the right.

W.P. Burckart
Burckart Construction, Inc.



PC Meeting of: April 7, 2015

The City of Bentonville, Arkansas

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

**REZONING: Food Hub NWA LLC, I-2, Heavy Industrial to C-2, General 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: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000014

Applicant/Current Owner: Food Hub NWA, LLC

Representative: CEI Engineering (Tom Oppenheim)

Requested Action: Rezoning

Location: 801 Southeast 8th Street

Existing Zoning: I-2, Heavy Industrial

Proposed Zoning: C-2, General Commercial

Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of the closed Tyson Plant on Southeast 8th Street

Previous Rezoning Requests for this Property: There is no record of a rezoning at this location.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Railroad R/W and Office	I-2, Heavy Industrial	Mixed Use
South	Single Family Residential	R-1, Single Family Residential and R-3, Medium Density Residential	Mixed Use
East	Vacant	I-2, Heavy Industrial	Mixed Use
West	Bentonville Castings/Manufacturer	I-2, Heavy Industrial	Mixed Use

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	Southeast 8 th street	Arterial	2 lane no curb or gutter
East	-	-	-
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On **March 10, 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 **March 4, 2015**. In addition, staff posted a notice of public hearing sign on the property on **March 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 future land use plan depicts this property as Mixed Use. Southeast 8th Street will soon become a major arterial street that the subject property will front. The proposed zoning designation would allow for future redevelopment along a corridor that will contain a variety of mixed use.

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 does have the potential to cause an adverse effect on current traffic danger and congestion. The scheduled improvements to Southeast 8th Street will help to alleviate any concerns. The impact on traffic conditions will be assessed at the time of development and improvements will be provided as needed.

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.

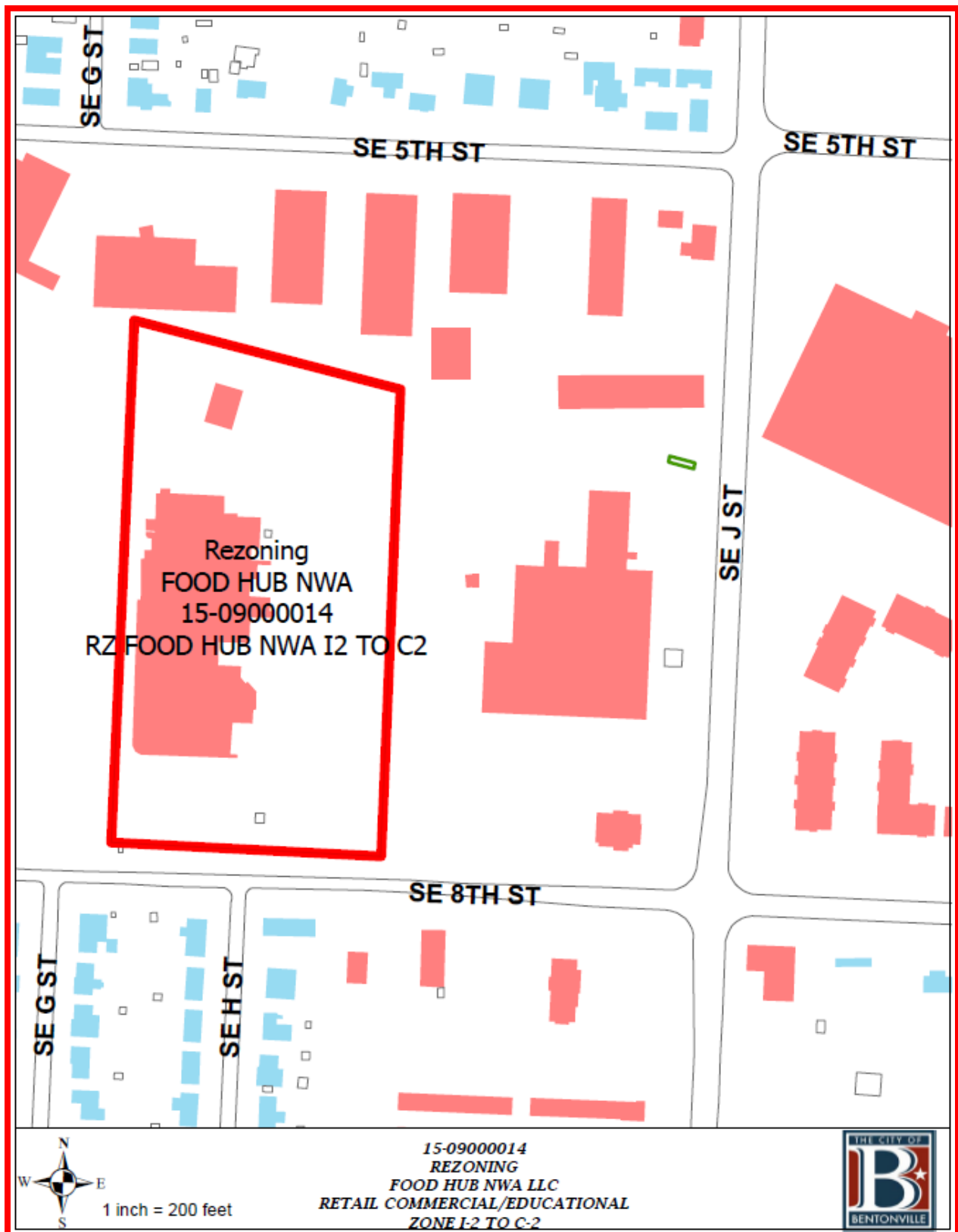
Finding(s) of Staff: Water and sewer are available at this location. Pressure and capacity is adequate for the scope of the project.

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 I-2, Heavy Industrial to C-2, General Commercial.





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March 2, 2015

Mr. Beau Thompson
City of Bentonville
Planning Department
Community Development Building
305 SW A St.
Bentonville, AR 72712

**Re: Food Hub NWA, LLC – Tyson Plant Conversion
Rezoning Application**
801 SE 8th Street
CEI #28259.0

Mr. Thompson,

Food Hub NWA LLC submits its request for rezoning approval for parcels 01-00704-000, 01-00704-001, and 01-00705-000. Information required for this submittal follows:

- The 9.55-acre property includes the existing vacant Tyson Foods Krispy Kitchen building and wastewater treatment structures and is zoned I-2 for the former industrial use. The facility is proposed to be converted to a mixed commercial and educational use conforming to a C-2 General Commercial zoning. The educational component is a planned Northwest Arkansas Community College Culinary Arts school within a dedicated portion of the building and a Conditional Use application is submitted by separate application with this rezoning request. The remainder of the building is tentatively planned for commercial use, including retail and food service occupancy. The building will be set up as a commercial condominium with the Community College space owned by a non-profit corporation. The remaining commercial portions of the building will be owned by a limited liability corporation established for that purpose by the current property owner.
- This rezoning request is necessary because the current I-2 zoning does not allow a number of the potential commercial uses, including artisan shop, bakery, bar, lounge, or tavern, restaurant, or retail sales. This property lies within the Market District established by the City of Bentonville and the requested zoning will more closely match the uses proposed within the Market District.
- Uses among the surrounding properties include residential to the south of 8th street; industrial to the east, commercial office to the north, and undeveloped to the west. The C-2 zoning is more compatible to both the properties lying north and south of the site. The existing manufacturing facility to the east of the site has been in place for several decades and its operations do not result in negative impacts, such as noise, odors, or

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heavy traffic to the site. The property to the west is undeveloped and is therefore not impacted by nor does it currently impact the site.

- The rehabilitated facility proposed use is educational, retail commercial, and food service.
- Access to the facility is currently by driveways onto 8th Street at the southeast and southwest corners of the site and is expected to provide adequate access and circulation as presently configured. The facility owner is evaluating potential additional access off of 6th Street and reconfiguration of the southwest driveway.
- Signage shall conform to City of Bentonville requirements
- The exterior façade of the existing building is to be upgraded from its current all-block construction. Additional entry points and windows are to be added to the building.
- Water and sewer infrastructure on the site is more than adequate due to the former use of this facility for prepared chicken processing. Sanitary sewer is located along the west side and the north side of the site and will provided adequate service to the facility. Water located on 8th Street will serve the facility with either existing water services or new water services to the building.

Please find enclosed submittal materials as specified on the Conditional Use Checklist. Should you have any questions, feel free to contact me at your convenience (479) 273-9472.

Sincerely,
CEI Engineering Associates, Inc.



Thomas C. Oppenheim, P.E., CPESC
Project Manager

Planning Commission Staff Report
Conditional Use: Food Hub NWA, LLC
Project Number: 15-02000006

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Applicant/Owner: Food Hub NWA, LLC

Representative: CEI Engineering Associates (Tom Oppenheim)

Requested Action: Conditional Use Permit Approval

Location: 801 Southeast 8th Street

Existing Zoning: I-2, Heavy Industrial

Land Use Plan: Mixed Use

Proposed Use: Educational Facility/Culinary School

BACKGROUND:

The applicant has submitted a Conditional Use application for property located at 801 southeast 8th Street that resides in an I-2 Heavy Industrial zoning district. The site is home to an existing 81,036 square feet building that will be re-purposed. Approximately 27,600 square feet of the existing building will be used for educational purposes and will be home to the NWACC culinary school. The remaining portion of the existing building is tentatively planned for small retail, café, restaurant and business incubator. See attached floor plan for additional detail. Up to 300 students are anticipated for the educational portion of the facility. Two hundred and sixty six total parking spaces are being provided and of those 92 will be utilized for the culinary school. See attached Parking Requirement tabulation. In addition the developer is placing considerable focus on trail connectivity for both pedestrian and bicycle access. Expected hours of operation are from 6:00am to 10:00pm Monday through Saturday with Sunday hours being similar or slightly less. The culinary school is expected to employ 15 to 25 people.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	I-2, Heavy Industrial & C-1, Neighborhood Commercial	Mixed Use
South	I-2, Heavy Industrial, R-3, Medium Density Residential and R-1, Single Family Residential	Mixed Use
East	I-2, Heavy Industrial	Mixed Use
West	I-2, Heavy Industrial	Mixed Use

STREETS

Direction	Name	Classification
North	-	-
South	Southeast 8 th Street	Arterial
East	-	-
West	-	-

Site Inspection: A site inspection was completed; this site is currently consist of an abandoned building within a rapidly developing part of the downtown area.

Public Notice: On **March 4, 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 20, 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 stacking associated with pick up and drop off traffic must be located on-site.

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 **(I-2, Heavy Industrial)** district.

Allowed under the Protective Covenants of the subdivision. Not applicable

To date staff **HAS NOT** received public comment regarding this request.

RECOMMENDATION:

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





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March 2, 2015

Mr. Beau Thompson
City of Bentonville
Planning Department
Community Development Building
305 SW A St.
Bentonville, AR 72712

**Re: Food Hub NWA, LLC – Tyson Plant Conversion
Conditional Use Application**
801 SE 8th Street
CEI #28259.0

Mr. Thompson,

Food Hub NWA LLC submits its request for Conditional Use approval within parcel 01-00704-000. In conjunction with the Conditional Use request, a request for rezoning from I-2 to C-2 General Commercial is to be filed under a separate rezoning application. Information required for this submittal follows:

- A. The existing vacant building, formerly a Tyson Foods Krispy Chicken facility, is planned for redevelopment into commercial and educational uses. The education component is a planned Northwest Arkansas Community College Culinary Arts school within a dedicated portion of the building. The remainder of the building is tentatively planned for commercial use, including retail and food service occupancy.
- B. A Site Plan is attached depicting the property boundary and existing buildings on the site. No new or additional buildings are planned at this time.
- C. Hours of operation have not been determined at this time but the school can be expected to operate at Monday through Saturday from early morning (6:00 a.m.) into the night (10:00 p.m.). Sunday hours may be similar or slightly less. The Community College portion of the facility may be idle during certain periods of the academic calendar year.
- D. Approximately 25 to 35 percent of the building will be dedicated to the Community College and will primarily occupy the northeastern quadrant of the building. An area located off of the northeast corner of the building is planned to be dedicated as demonstration gardens and greenhouse in conjunction with the culinary school.
- E. An In-House Large Scale Development application will be submitted at a later date and will identify the planned demolition of limited portions of the existing building with no added square footage planned. The building footprint is to be slightly reduced in area,

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primarily through the demolition of spaces along the western side of the building. However, these alterations are not associated with the reconfiguration of the building interior for the culinary school within the northeast portion of the building. The building façade will be upgrading with significant additions of glass, architectural features, and building entry locations. Preliminary plans include an open courtyard/corridor oriented north and south within a portion of the building.

- F. Re-construction of parking areas surrounding the building is to include landscaped islands and storm water collection improvements in conformance with City design standards. Parking for faculty, staff, and students of the school is planned to be located primarily along the eastern side of the property with additional parking on the south, west, and north sides intended to serve the commercial components of the rehabilitated facility. Parking is to be provided in accordance with the City of Bentonville zoning ordinance for college, university, business college, or trade school, for general business and retail sales, and for restaurants based on the building areas dedicated to these uses.
- G. Driveways and parking areas will include area lighting in conformance with City of Bentonville requirements. Exterior lighting has been removed from the existing building, so it is not possible to determine how lighting is changed from the former use.
- H. The school is expected to serve up to 150 students daily during school sessions. Classes will be scheduled throughout the day so the daily attendance will be spread over the operating hours of the school. A restaurant may serve from 100 to 300 patrons per day depending on the day of the week, with daytime utilization expected to include many patrons on site for other business and higher utilization during the evening. Commercial/retail uses are likely to generate an additional 100 to 300 patrons daily.
- I. The school is expected to have 15 to 25 employees working a varied schedule throughout the work week and school year. Restaurant and retail space in the building may be expected to employ between 30 and 50 persons.
- J. Photographs are attached to this submittal.

Please find enclosed submittal materials as specified on the Conditional Use Checklist. Should you have any questions, feel free to contact me at your convenience (479) 273-9472.

Sincerely,
CEI Engineering Associates, Inc.



Thomas C. Oppenheim, P.E., CPESC
Project Manager



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April 2, 2015

Mr. Beau Thompson
City of Bentonville
Planning Department
Community Development Building
305 SW A St.
Bentonville, AR 72712

Re: Food Hub NWA, LLC – Tyson Plant Conversion
Supplemental Information
801 SE 8th Street
CEI #28259.0

Mr. Thompson,

In response to questions and request for additional information related to the referenced project, I offer the following:

General Description

The building is proposed to be set up as a condominium with 2 primary owners. The Northwest Arkansas Community College Culinary Arts School will occupy approximately 27,600 square feet and approximately 47,340 square feet occupies the remainder within the existing building. Planned uses for 12 units within the 47,340 square feet include small retail space, café, sit-down restaurant, and business incubator. The site will also provide accommodations for food truck service. Since the purchase of the building, the original square footage has been reduced; no additions are planned for the footprint as it currently exists and the final total net area is approximately 74,930 square feet.

Culinary Arts School

The school facilities will be designed for a projected enrollment of up to 300 students at maximum capacity. A layout of the building, including the NWACC space is attached.

Floorplan

A building space plan is attached depicting the preliminary layout.

Parking

An analysis of parking requirements in compliance with City of Bentonville Code for the various uses has been completed and tabulated below. The parking requirements have been met as will be demonstrated at the time of LSD submittal although the developer has placed considerable focus on trail connectivity for both pedestrian and bicycle access with the ultimate goal of reducing reliance on motor vehicle access. This tabulation will also provide additional details regarding use and square footage in the building.

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NAME	AREA SF	PARKING REQUIREMENTS	PARKING REQUIRED
BLDG COMMON	1,235	N/A	0
BLDG COMMON	389	N/A	0
BLDG COMMON	3,011	N/A	0
COURTYARD	4,794	N/A	0
	9,429		0

NAME	AREA SF	PARKING REQUIREMENTS	PARKING REQUIRED
COFFEE SHOP	1,429	1 space/4 occupants + 1 space per employee at max shift; 20 seats/3 employees maximum	8
TENANT A Grocer	5,765	1 space/200 s.f.	29
TENANT B Retail	8,808	1 space/250 s.f.	35
TENANT C Retail	1,734	1 space/250 s.f.	7
TENANT D Retail	1,568	1 space/250 s.f.	6
TENANT E Retail	1,757	1 space/250 s.f.	7
TENANT F Pub	1,601	1 space/4 occupants + 1 space per employee at max shift; 20 seats/3 employees maximum	15
TENANT G Retail	1,623	1 space/250 s.f.	6
TENANT H Retail	2,062	1 space/250 s.f.	8
TENANT I Retail	1,622	1 space/250 s.f.	6
	27,969	SUBTOTAL	129

NAME	AREA SF	PARKING REQUIREMENTS	PARKING REQUIRED
INCUBATOR	5,248	1 space/300 s.f.	17
NWACC	27,587	1 space/300 s.f.	92
RESTAURANT	4,696	1 space/4 occupants + 1 space per employee at max shift; 20 seats/3 employees maximum	28
	37,531	SUBTOTAL	137

TOTAL SPACE	74,929	TOTAL	266
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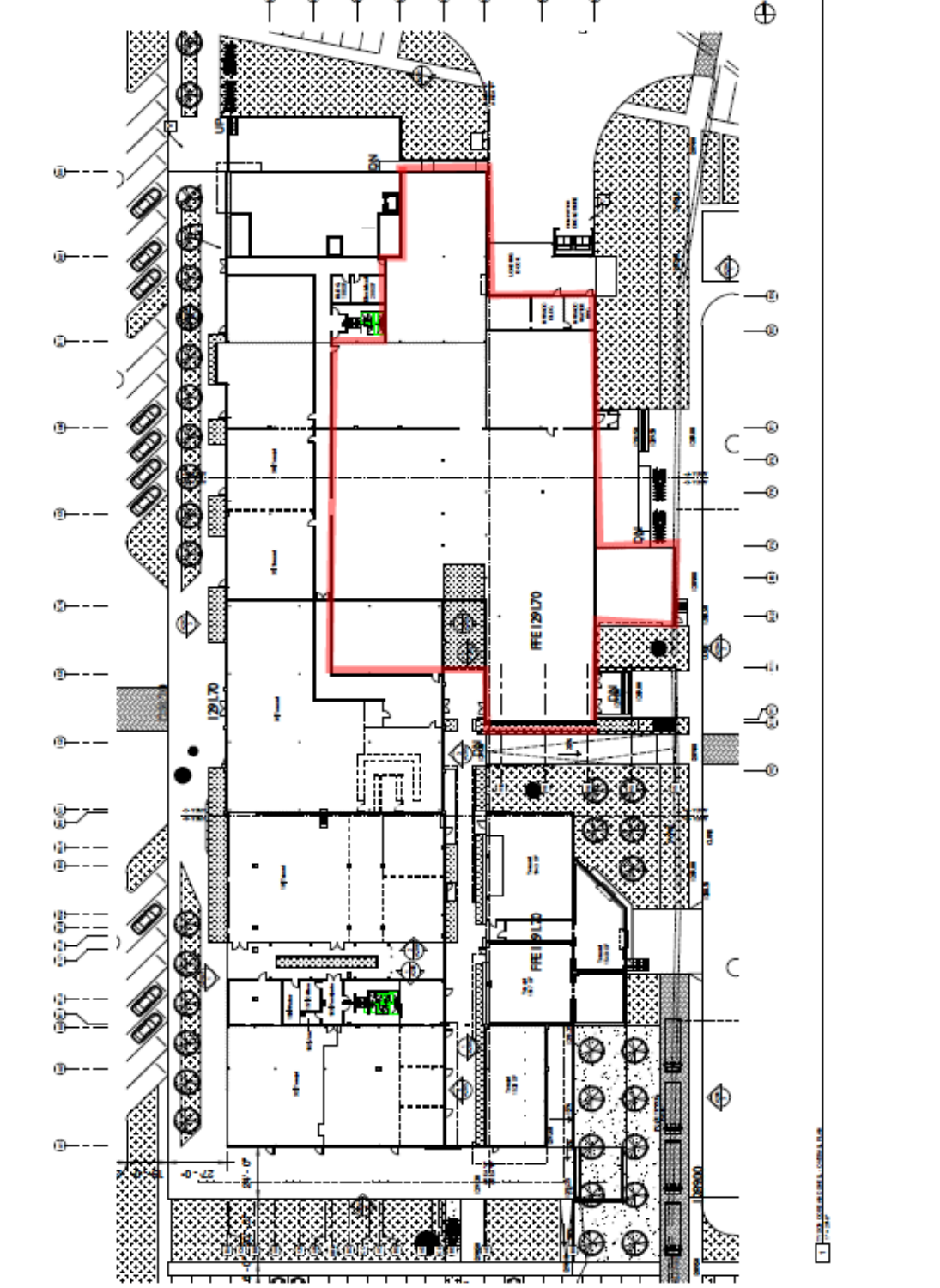
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Tyson Facility – North and East Sides



Tyson Facility – South and East Sides



Tyson Facility – West Side



Tyson Facility – Wastewater Treatment Plant

Planning Commission Staff Report
Conditional Use: Wonder Balloon Tethered Rides
Project Number: 15-02000005

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Applicant: Rainbow Holdings II

Representative: Mike Palmer

Requested Action: Conditional Use Permit Approval

Location: South Walton Boulevard and Southeast Macy Road

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

Proposed Use: Temporary tethered balloon rides

BACKGROUND:

The applicant has submitted a conditional use permit application for Property Located at the intersection of South Walton Boulevard and Southeast Macy Road and resides in the C-2 General Commercial zoning district. The Wonder hot air balloon which is 90' wide by 120' tall when inflated will be use to provide tethered rides to Flowers employees and their guest for employee appreciation. The event will be temporary and will take place for June 2, 2015 to June 4, 2015. No structural changes are being prosed and no structures currently exist on this site. No site lighting is being proposed. Employees and guest will park in the Flowers parking lot and walk to the event. Approximately 10 Flowers employees and their guest are anticipated each day of the event.

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	-	-
East	-	-
West	Southeast Macy Road	Local Street

Site Inspection: A site inspection was completed; this property is currently a vacant lot within a developing commercial subdivision.

Public Notice: On **March 4, 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 20, 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.

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.

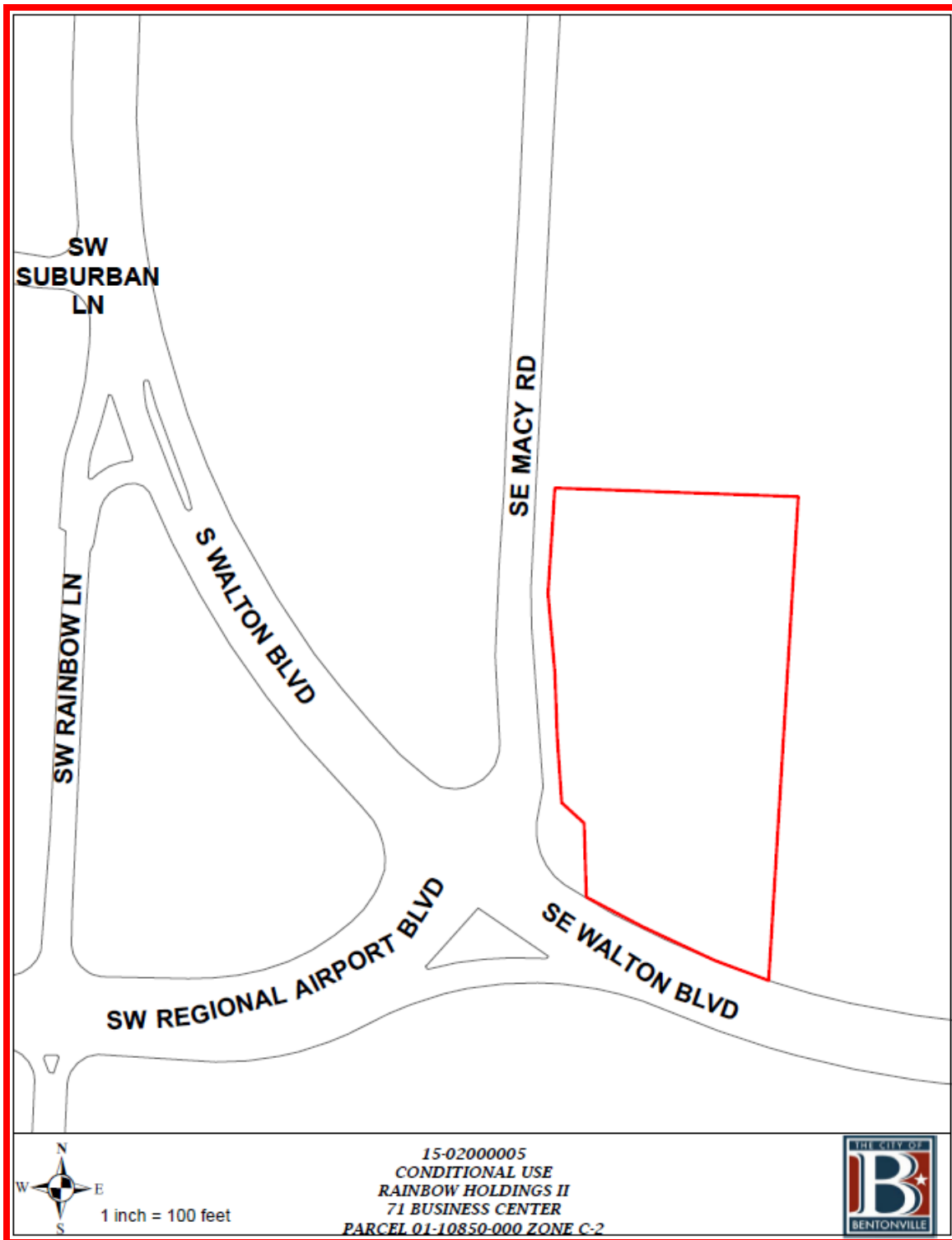
The conditional use is allowed on appeal in the **(C-2, General Commercial)** district.

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**.





FlowersFoods



To: City of Bentonville Planning Commission
From: Haley McCormick
Date: February 27, 2015
Subject: Conditional Use Permit Narrative

- A. Company Hot Air Balloon (Inflated 90 ft wide and 120 ft tall) brought in to provide tethered rides to Flowers Employees and their guests for employee appreciation
- B. See Attached
- C. June 2 – June 4, 2015 Between the hours of 8 AM and 5 PM
- D. Outdoor Area open lot to be utilized. Lot 17 SE Macy Road Bentonville, AR
- E. No structural changes – no structure on property
- F. Employees and guests will park in the Flowers Parking Lot and walk over
- G. No lighting needed
- H. Approximately 10 Flowers Employees and their guests each day
- I. 1 – the Balloon Pilot
- J. See attached





Planning Commission Staff Report

Lot Split: Lots 198, 199 and 200 Stoneburrow Subdivision Phase 1

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2017

GENERAL INFORMATION:

Project Number: 15-05000003

Applicant: ATEX Investments

Representative: Larry Matlock

Requested Action: Lot Split Approval

Location: Town Vu Road

Existing Zoning: R-1, Single family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Lot Spit of Lot 197 Stoneburrow Subdivision Phase 1 at Town Vu Road and Southwest River Rock Street. Lot 197 will be split into three lots to be known as Lot 198 (.36 acres), Lot 199 (.25 acres) and Lot 200 (.33 acres). Lot 200 will have access to Southwest River Rock street only. The applicant is proposing Lots 199 and 198 have shared access to Town Vu Road. All utility and right of way exist for these lot.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	Residential Estate
South	A-1, Agricultural	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	Town Vu Road	Collector
South		
East		
West	Southwest River Rock Street	Local Street

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 vacant lot with a developing single family residential subdivision.

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

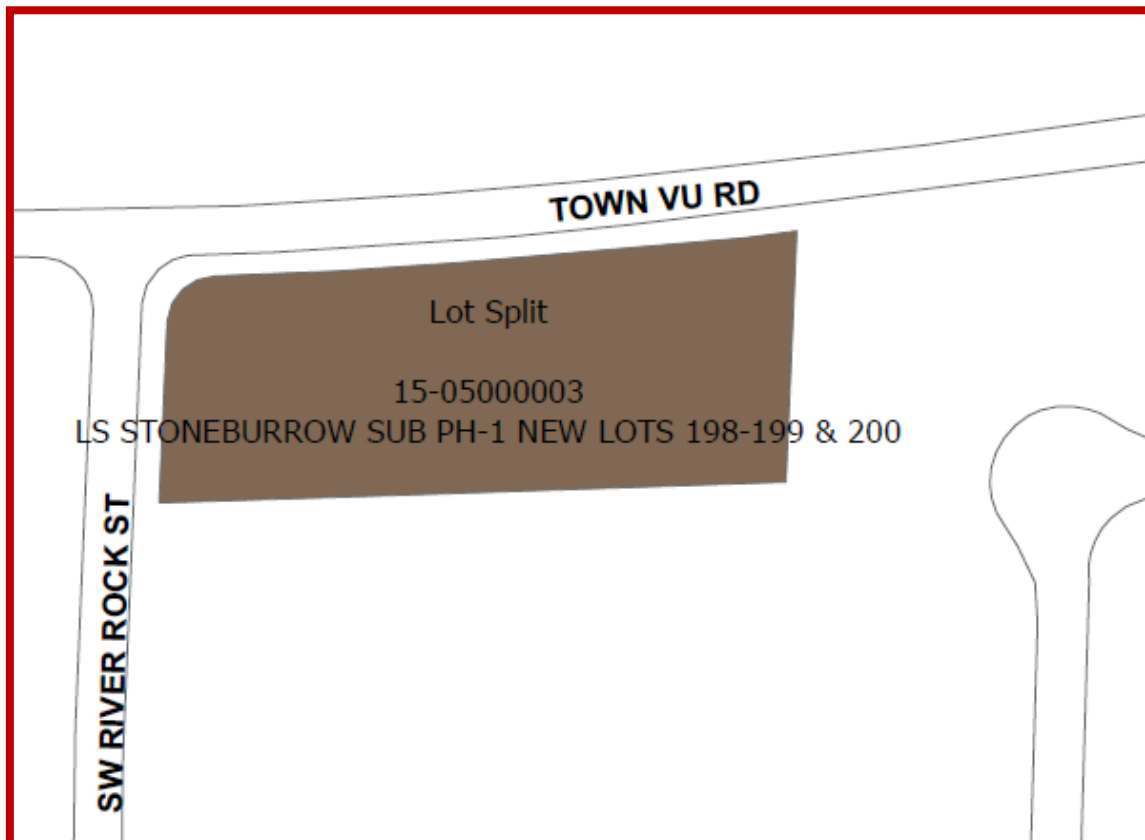
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s): The applicant has submitted a waiver to the access requirements as it relates to Residential and Subdivision access. No residential lot shall have direct access to a collector street. The applicant is proposing a shared driveway between lots 198 and 199 that would provide a turn around on each lot and facilitate safer egress onto Town Vu Road.

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.



We respectfully request a waiver for the following development ordinances as specified by the City of Bentonville Subdivision Regulations, Section 1100.9.C, Residential and Subdivision Access.

We are planning to divide Lot 197, Stoneburrow Addition into three (3) single family lots along Town Vu Road in Bentonville. Our desire is to access Lot 200 (see attached exhibit) off of SW River Road and share an access for Lots 198 and 199 off of Town Vu Road. Per the regulation noted above, access for residential lots is not permitted off of a collector street. Other options for accessing Lots 198 and 199 is to plat a public alley along the south side of Lots 199 and 200, 15' in width and construct a public paved alley. Currently the rear setback on these lots is 25'. If we dedicate a public alley as noted, the building setback will be 25' from the public alley, effectively reducing the buildable lot depth from approximately 70' to approximately 55'. Additionally, the cost to construct the alley will make developing the lots not cost effective. Further, our research has shown that rear access lots are very difficult to sell in this area. Highpointe Addition was subdivided in 2006, and 56 of the 138 lots, or over 40%, still remain unsold and owned by the original developer. The last five lots sold were to Behr, LLC in 2014, and of the five homes they built, only two have sold. Finally, the location of these lots are just a few hundred feet from the City limits, therefore access would not affect traffic along Town Vu Road. In order to address any concerns about cars backing out onto Town Vu Road, builders will be required to build a turn-around for each driveway accessing Lots 198 and 199 and we have added a note to the plat stating "A turn-around shall be provided for driveway accesses to Town Vu Road".

In conclusion, it is our opinion that not allowing a single access to Lots 198 and 199 would cause the sale and development of these lots to be cost prohibitive.

Please consider this waiver requests on the ordinances described. If you have any questions or need additional information, please call.

Sincerely,



Larry J. Matlock

Agent for ATEX Investment, LLC

Planning Commission Staff Report

Lot Split: Lots 1, 2, and 3 Hogwild Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000004

Applicant: Louise Bishop Revocable Trust

Representative: Bill Watkins and Alan Reid

Requested Action: Lot Split Approval

Location: Southeast 28th Street and Southeast J Street

Existing Zoning: I-1, Light Industrial, C-2, General Commercial, and A-1, Agricultural

Land Use Plan: Commercial and Office

BACKGROUND:

The applicant has submitted a lot split for 19.41 acres located southwest of Southeast J Street and Southeast 28th Street. The 3 lot subdivision will be known as Hog Wild Subdivision. Lot 1 will consist of 14.75 acres, Lot 2 will consist of 4.60 acres while lot 3 will encompass 5.13 acres. Right of way is being dedicated along Southeast 28th street and Southeast J Street. Right of way for a 250' cul-de-sac is also being dedicated from Southeast 28th Street. Water and sewer are available along both frontages.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-1, Neighborhood Commercial	Commercial
South	A-1, Agricultural	Office
East	R-3, Medium Density Residential	Commercial
West	A-1, Agricultural	Open Space

STREETS

Direction	Name	Classification
North	Southeast 28 th Street	Arterial
South		
East	Southeast J Street	Arterial
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.
3. A bond must be submitted and approved by the City Engineer for the construction of a 250' cul-de-sac prior to filing of the plat.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of an existing single family residential home within a large vacant parcel.

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

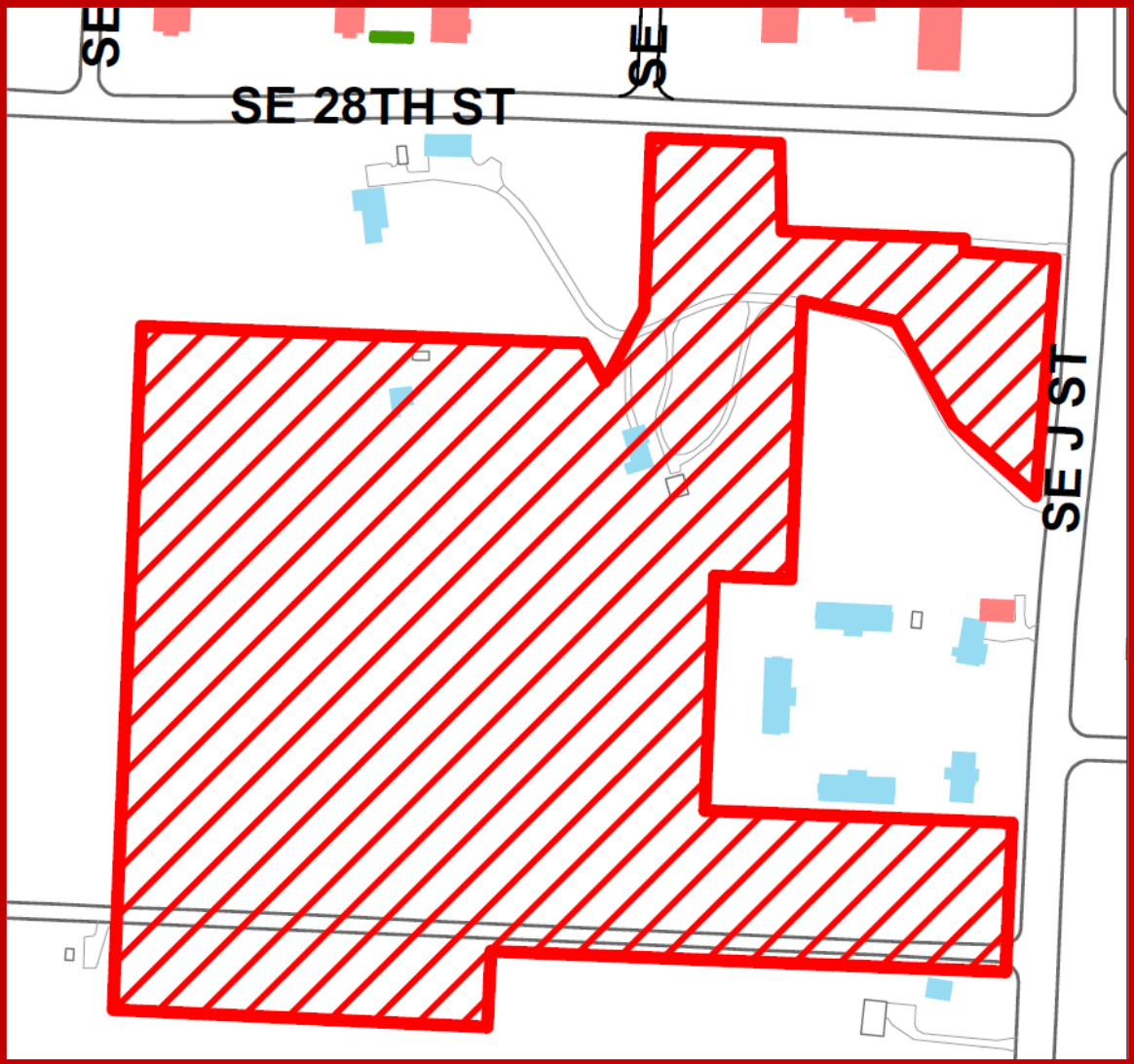
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s):

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

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



Planning Commission Staff Report

Large Scale Development: Rush Running

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, City Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-06000009

Applicant: Rush Running Enterprises LLC

Representative: Patrick Foy with MSE

Requested Action: Large Scale Development Approval

Location: Southeast J Street

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a Large Scale Development for a 7,433 square foot retail and medical center to be known Rush Running. The site will be access by a shared curb cut onto Southeast J Street. Thirty Six parking spaces are being provided. Stormwater detention is being provided for the site on the west side of the parking lot. The architectural elevations depict a brick building with architectural metal and stained pine accents along the south and east façades. All landscaping requirement has been met per section 1400.

PROJECT STATISTICS ARE AS FOLLOWS:

Site / Building Requirements	Required / Allowed	Proposed
Setbacks		
Front: Parking in front	50'	-
Front: Without parking in front	20'	20'
Side: Adjacent to non-residential district	7'	7'
Side: Adjacent to residential district	30'	-
Rear: Adjacent to non-residential district	20'	220'
Rear: Adjacent to residential district	30'	-
Height	60'	25'
Landscape Coverage	8%	9%
Parking		
Standard Stalls	30	34
Handicap Stalls	2	2
Total:		

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		
East	Southeast J Street	Arterial
West		

TRAFFIC FINDINGS

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

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 shall be maintained in healthy living condition and all plant material that dies shall be replaced. (Sec 1400.5.C-10)
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 the location of a vacant structure that was once White's TV repair.

Drainage Report: A drainage report 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 a waiver to the Commercial Design Standards as it relates to secondary materials. Secondary material including architectural metal panels may not constitute more than 25% of a building façade unless approved specifically by the planning commission. The south façade of Rush Running as it is proposed will consist of approximately 31% designer panel. Per the waiver request the metal is a vertical smooth architectural metal. Samples will be provided.

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.



