Planning Commission
Agenda
August 16, 2016

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

1. **Lot 17, Block H of Orchards Addition** — **Lot Split**
   407 Southeast 'C' Street

2. **Lochmoor Club II** — **Preliminary Plat**
   Southwest Edinburgh Avenue

3. **Windmill Farms Subdivision** — **Preliminary Plat**
   Southwest 'H' Street & Windmill Road

IV. New Business

1. **Lamplighter Restoration, LLC (*west*)** — **Rezoning***
   (R-3, Medium Density Residential to R-C2, Central Residential-Moderate Density)
   Southeast 6th Street & Southeast 'D' Street

2. **Lamplighter Restoration, LLC (*east*)** — **Rezoning***
   (R-3, Medium Density Residential to R-C2, Central Residential-Moderate Density)
   Southeast 6th Street

3. **Aurora Properties, LLC** — **General Plan Amendment***
   (Office & Agriculture to Low Density Residential)
   South Morningstar Road

4. **Annoor Academy of Bentonville** — **Conditional Use***
   1110 & 1112 North Walton Boulevard

V. Other Business
VI. Planner's Report
   a. **Proposed Downtown Residential Zoning Districts Open House August 31st, 4:30pm to 6:30pm @ the Bentonville Public Library.**
VII. Adjournment

*Denotes Public Hearing

Planning Commission
Agenda
August 2, 2016

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

Present: Greg Matteri, Jim Grider,Rod, Sanders, Richard Binns, Debi Havner and Joe Haynie

Absent: Scott Eccleston,

Motion by Grider, seconded by Havner to approved the minutes of July 19, 2016 as written
Approved 6-0

Old Business

Item #1
Eversole Revocable Trust(16-09000019)Rezoning A-1, Agricultural to C-3 Central Commercial & R-4 High Density Residential, Southwest 'I' Street & Southwest Regional Airport Boulevard.
The applicant have requested a rezoning on a vacant 15.95 acres The master land use plan depicts this property as mixed use. The rezoning request is consistent with the General Plan/Land Use Plan which depicts this property as Mixed Use, The parcels have direct access to city water and city sewer services.
Opened public hearing
No public comment
Approved 6-0

New Business

Item #1
Havermeyer Holdings, LLC: (16-09000020)Rezoning, C-1 Neighborhood Commercial & R-4, High Density Residential to I-1, Light Industrial.
The applicants have requested a rezoning on vacant property located on Southeast 'J' Street. The request is consistent with the General Plan/Land Use Plan which depicts this property as Industrial. The parcels have direct access to city water and city sewer services.
Opened public hearing
No public comment
Approved 6-0

Item #2
Little Osage Farms, LLC: (16-01000012)Lot Split, Southwest Elington Street, Zoned A-1, Agricultural & R-ZL, Zero Lot Line Residential.
The applicant has submitted a lot split for property located along Southwest Elington Street that resides in the A-1, Agricultural & R-ZL, Zero Lot Line Residential zoning districts. The plat as provided by the applicant indicates the creation of two new lots that will be known as Lot 1(27.74 acres) and Lot 2 (8.73 acres) of Little Osage Farms Addition. A private access easement is indicated on the plat to maintain the existing driveway to the new Lot 1. A 20' public utility easement is being dedicated along Southwest Elington Street. Both of the new lots have access to public water and sewer services.
Approved 6-0

Item #3
Rolling Acres Properties, LLC: (16-03000005)Final Plat, Southwest Rainbow Farms Road & Southwest Morningstar Road, Zoned R-1, Single Family Residential.
Cornerstone Ridge Phase 5 Subdivision consists 17.90 acres and 57 total lots, 66 of these lots are buildable. The property exists in a rapidly developing residential area in the southwest section of the city with two access points, one from Southwest Rainbow Farms Road to the south and the other along Southwest Morningstar Road to the east. All lots will have adequate access onto a public street. Regional detention exists and will address stormwater runoff from the subdivision. Drainage easements were also dedicated within the subdivision to aid in stormwater conveyance. Lots within this subdivision range from 0.16 acres to 0.34 acres. Traffic calming devices have been installed along Southwest Layton Road and Southwest Mistletoe Avenue. A 6' wide sidewalk was constructed along Southwest Rainbow Farms Road and connects to the existing sidewalk along Southwest Morningstar Road. Right-of-way was dedicated along Southwest Rainbow Farms Road per the current Master Street Plan. Utility easements were dedicated in various locations to serve each lot. All non-bondable items have been completed and tentatively approved by the city engineer.
Approved 6-0

Item #4
Adan Soto Rivera & Carlos Arreguin:(16-06000029)Large Scale Development, King Burrito, 2000 South Walton Boulevard, Zoned C-2.
The applicant has submitted a Large Scale Development for a 2,868 sq. ft. restaurant with drive through window located at 2000 South Walton Boulevard in the C-2, General Commercial zoning district. Twenty Nice parking spaces are being provided. Ingress/egress to the site will be form a single curb cut onto Southwest 20th street, no access is being proposed onto South Walton Boulevard. A 6' wide sidewalk will be constructed along South Walton Boulevard and a 5' wide sidewalk will be constructed along Southwest 20th Street. All stormwater will be detained on-site. The proposed material along the exterior of the building are Hardie Panel, stone, brick, split faced CMU and store front glass.
The applicant has request 2 waiver requests:

- The applicant has request a waiver to the Article 1400, Section 1400.6.A.1, Street Frontage Buffer, Minimum Width. Ordinance states that "The Landscaped street frontage buffer shall be a minimum of twenty (20) feet. The applicant is requesting 15' of street frontage buffer be allowed to accommodate a pass through lane around the drive-through window along the southern property line.

Motion Grider, seconded by Haynie to approve the waiver request for the Landscape Street Frontage.
Approved 6-0

- The applicant has also submitted a waiver request to Article 1200, Section 1200.2.B, Direct Access to Substandard Streets. Ordinance states that "When a proposed subdivision has direct access to, or front on, an existing road or street which is below current standards, the sub-divider shall be responsible for contributing his proportionate share of the cost of improving said street or road to current city standards. The applicant is request a wavier to any street improvements within the public r/w along the western property line.

Motion by Havner, seconded by Haynie to approve the waiver for the Street Improvements
Approved 6-0

Motion to approve the Large Scale Development for King Burrito
Approved 6-0

Item #5
Gild Corporation☹16-06000022)Waiver Request, Macadoodle's Plaza, 3600 Southeast Guess Who, 3600 Southeast Guess Who Drive, Zoned C-2, General Commercial.
The applicant has submitted a waiver request to Article 1100, Section 1100.13.E.1, Building Design-Materials of the Subdivision code, for property located at 3600 Southeast Guess Who Drive. Ordinance states that the primary material shall constitute at least 75% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, or natural stone. The standards shall apply to all sides of any building. The applicant is proposing 19% Hardie Panel, 21% Haride Siding and 60% Architectural Metal Panel along the western façade.
Approved 5-0-1 abstain

Item #6
Ordinance: Amendment of Sign Code-Shelli Kerr, presented power point showing sign changes.

Background:
United States Supreme Court Ruling. In early 2015, the U.S. Supreme Court considered the case of Reed v. Gilbert Arizona and issued an important ruling regarding municipal sign law regulation, particularly with regard to content-based sign regulations. As a result of that case, municipalities throughout the United States are reviewing their sign ordinances in order to ensure compliance with this ruling.
Professional Guidance. In August 2015, the city contracted with Randal Morrison to review our sign code in light of the Reed v Gilbert Supreme Court case findings. Mr. Morrison is an attorney specializing in sign regulations, with expertise in this field generally and the Reed case specifically. Over the last several months, we have worked with Mr. Morrison to make the necessary changes to our sign code to bring it into compliance with the court ruling. To help explain the legal framework, Mr. Morrison attended the April 26 Planning Commission and City Council meetings to discuss sign law, Reed v Gilbert and its impact on local sign codes and the changes proposed to Bentonville's sign code.
Purpose:
The purpose of the proposed amendment ot the sign ordinance is to ensure compliance with the U.S. Supreme Court ruling in the case of Reed v. Gilbert, Arizona.
Proposed Changes:
GENERALLY

- •Separate chapters for signs on private property and signs on public property.
- •Replace "business" with "establishment" throughout code.
- •Replace "permitted" with "allowed" throughout code.
- •Add sections establishing the title, authority to regulate, applicability and intent. (801.01-801.04)
- •Add to the existing purpose section. (801.05)
- •The Director has the authority to approve common signage plans and any changes in sign location. Add that the purpose of the ordinance must be used as criteria in making that decision. (801.09.D & 801.09.F)

• Add a "message neutrality policy" and "message substitution policy" to avoid favoring commercial speech over non-commercial speech. (801.11.A.)

• Add an artwork policy. (801.11.C)

• Distinguish onsite and offsite regulations as applicable only to commercial messages. (801.11.D)

• Add illumination measurement criteria for electronic message boards, based on footcandles measured at a certain distance from the sign. (801.12.G.4)

• Add clarification for "nonconforming sign" to include signs that are in a state of disrepair that is beyond 50% of the current repair or replacement cost or the sign is proposed for major alteration or replacement, thereby requiring that the sign be brought into conformance with the code. (801.12.H)

• A banner sign is currently required to be attached to a building or existing sign. Add that if no building or sign is available, the Director may authorize another method of installation that creates a frame around the banner. (801.12.I)

TEMPORARY SIGNS

• Remove regulations for the following temporary signs allowed without a permit: (content-based) (801.13)

- Construction signs
- Farm signage
- Flags
- Historic markers
- Holiday decorations
- Identification signs
- Non-legible signs
- Non-profit announcements
- Political signs
- Real estate signs
- Religious institution direction signs (this was at the heart of the Reed v. Gilbert, AZ case.)
- Stadium signage
- Traffic control signs
- Vending machines, ATMs, gas pumps
- Yard sale signs

 Create one section to cover all of these temporary signs: (801.13.A.4)

Temporary Signs.

- Residential Uses. *Each legal dwelling unit may have a total display area (cumulative of all temporary signs on the lot) of 24 square feet at all times. Such signage may be used to display any protected noncommercial message but may not be used for general advertising for hire.*
- Non-residential Uses. *Each non-residential establishment may have a total display area (cumulative of all temporary signs on the lot) of 36 square feet at all times. Such signage may be used to display any protected noncommercial message but may not be used for general advertising for hire.*

• Add that additional signs are allowed when certain conditions apply to the property: (801.13.B)

Property Condition	Land Use		Max. No. Allowed	Max. Area	Max. Height
	Residential	Nonresidential			
1. Property Under Construction	•		1 /street frontage of the lot	16 sq. ft.	6 ft.
		•	1/street frontage of the neighborhood or subdivision	32 sq. ft.	12 ft.
2. Subdivision Under Construction	•	•	1 /street frontage of the lot or development	32 sq. ft.	12 ft.
3. Property for Sale or Lease	•		1 freestanding / street frontage and 1 wall/dwelling unit	8 sq. ft.	6 ft.
		•	1 freestanding / street frontage and 1 wall / lease space	32 sq. ft.	8 ft.

- Add the specific sign types that will be allowed on nonresidential property with an approved temporary sign permit as banners, wall signs, commercial mascots, yard signs, and projected images. (801.14.A)
- Add that a maximum of 32 square feet (cumulative of all temporary signs) are allowed with a temporary sign permit. (801.14.B)
- Change the number of temporary signs allowed per year based on the calendar year, rather than the issuance of the first permit. (801.14.D)

PERMANENT SIGNS

- Create new table format for signs allowed with a permanent sign permit. (801.15.A)
- Change height of subdivision signs from 5' to 6', consistent with other monument sign heights. (801.15.A)
- Add that wall signs cannot exceed 1 ft. above the roof peak. (801.15.A)
- Remove all definitions into a separate section at the end of the chapter. (801.18)
- Combine the regulations for signs on awnings and canopies. (801.15.B)
- For signs adjacent to I49, add a clarification that the use must cater to travelers, justifying the taller and larger sign to be seen from the highway and are allowed up to 100 square feet in sign area. (801.15.C.5)
- Combine the regulations for marquee, projecting and suspended signs. (801.15.F)

ELECTRONIC BILLBOARDS

- Changed the replacement ratio from 4 sign faces of existing billboard for 1 digital billboard to 2 ½ square feet of existing billboard for 1 square foot of digital billboard. (801.17.A)
- Add requirements for dimming capabilities. (801.17.F.2)

Opened public hearing
Closed public hearing
Motion to approve Sign Code Amendment
Approved 6-0
This item will go to the City Council Agenda on August 23, 2016 meeting

Other Business:
*Microphone at front podium does not work

Downtown Residential Zoning Code work session on Tuesday, August 9, @ 2:30 p.m. at the Community Development Building.

August 31st from 4-6 open house at the Bentonville Public Library.

Motion by Haynie, seconded by Grider to adjourn

Adjourned

Diane Shastid

Planning Commission Staff Report
Lot Split: Lot 17 Block H Orchard's Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 16, 2016

GENERAL INFORMATION:

Project Number: 16-05000028

Applicant: Rita Gail & Michael David Smith

Representative: Grant Nevill

Requested Action: Lot Split Approval

Location: 407 Southeast 'C' Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a lot split for property located at 407 Southeast 'C' Street in a R-1, Single Family Residential zoning district. The plat as provided by the applicant indicates the creation of one new lot that will be known as Lot 17 (0.23 acres), Block H of Orchards Addition. Five feet of additional right-of-way is being dedicated along Southeast 'C' Street per the current master street plan. Public water and sewer access is available along Southeast 'C' Street.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-C2, Central Residential Moderate Density	Downtown Mixed Use Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	-	-
West	Southeast 'C' Street	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 an existing single family residential home and a detached two car garage within a developed residential subdivision.

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

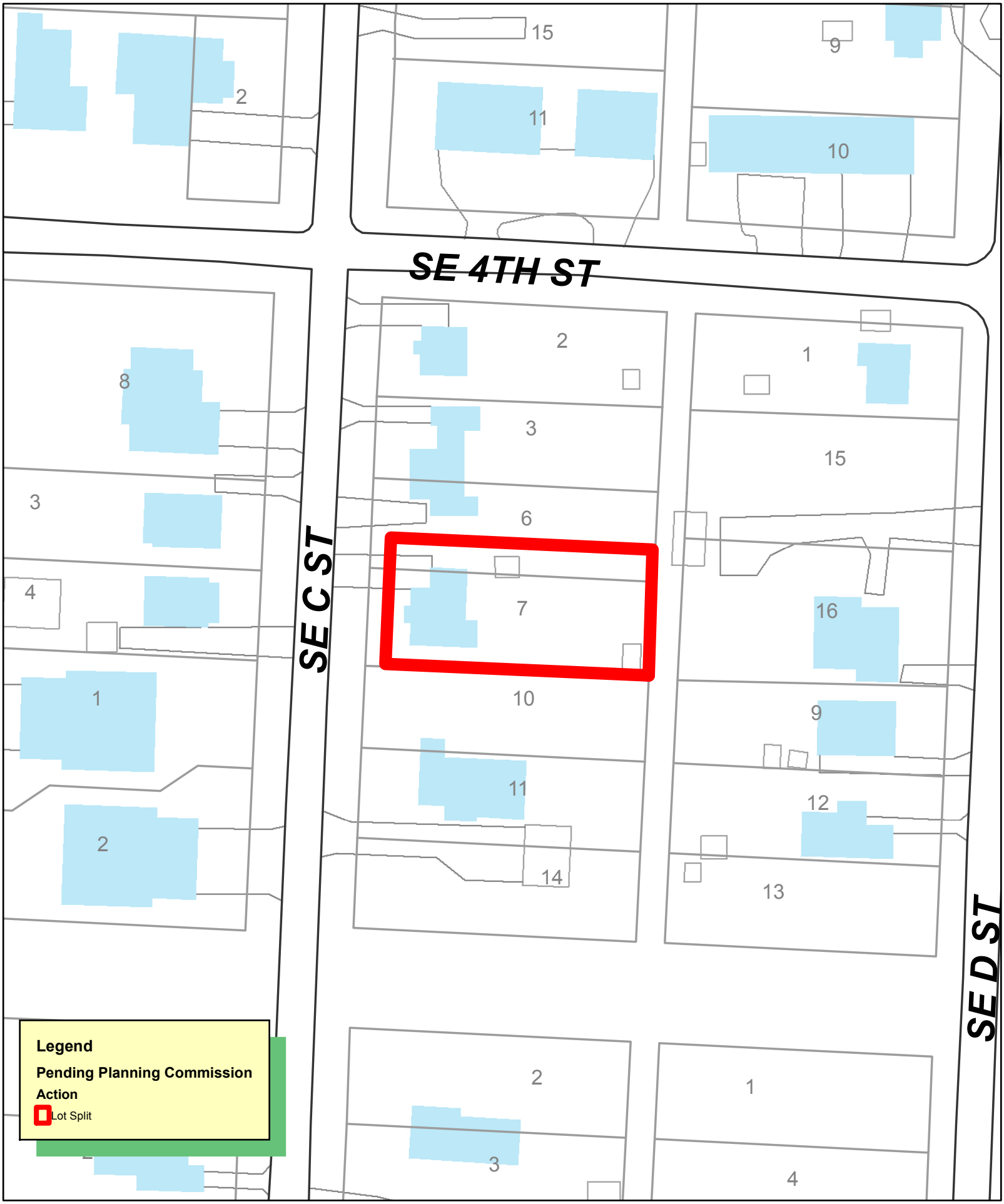
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s): 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.

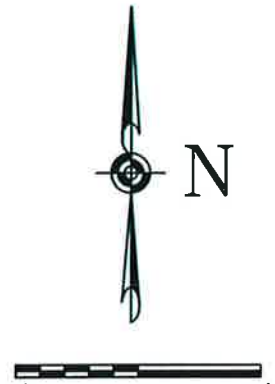


N
W E
S

1 inch = 67 feet

16-05000028
Lot Split-Rita Gail & Michael David Smith
407 SE C Street
.23 Acres Total

THE CITY OF BENTONVILLE



SCALE: 1" = 20'

LEGEND

- MONUMENT FOUND (AS NOTED)
- SET 5/8" REBAR W/CAP (PLS #1750) UNLESS OTHERWISE NOTED
- UTILITY POLE
- GAS METER
- SANITARY SEWER MANHOLE
- WATER METER
- WOOD FENCE LINE
- CHAIN LINK FENCE LINE
- CENTERLINE
- OFFSITE LOT LINES
- LOT LINES
- RECORD DATA PLAT A-89 AND B-27

(xxx.xx')

NOTE: THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

NOTE: OWNER/DEVELOPER SHALL NOTIFY THE CITY OF BENTONVILLE ENGINEERING DEPARTMENT AND STREET DEPARTMENT IN WRITING PRIOR TO ANY WORK BEING DONE IN THE PUBLIC RIGHT-OF-WAY.

NOTE: SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE

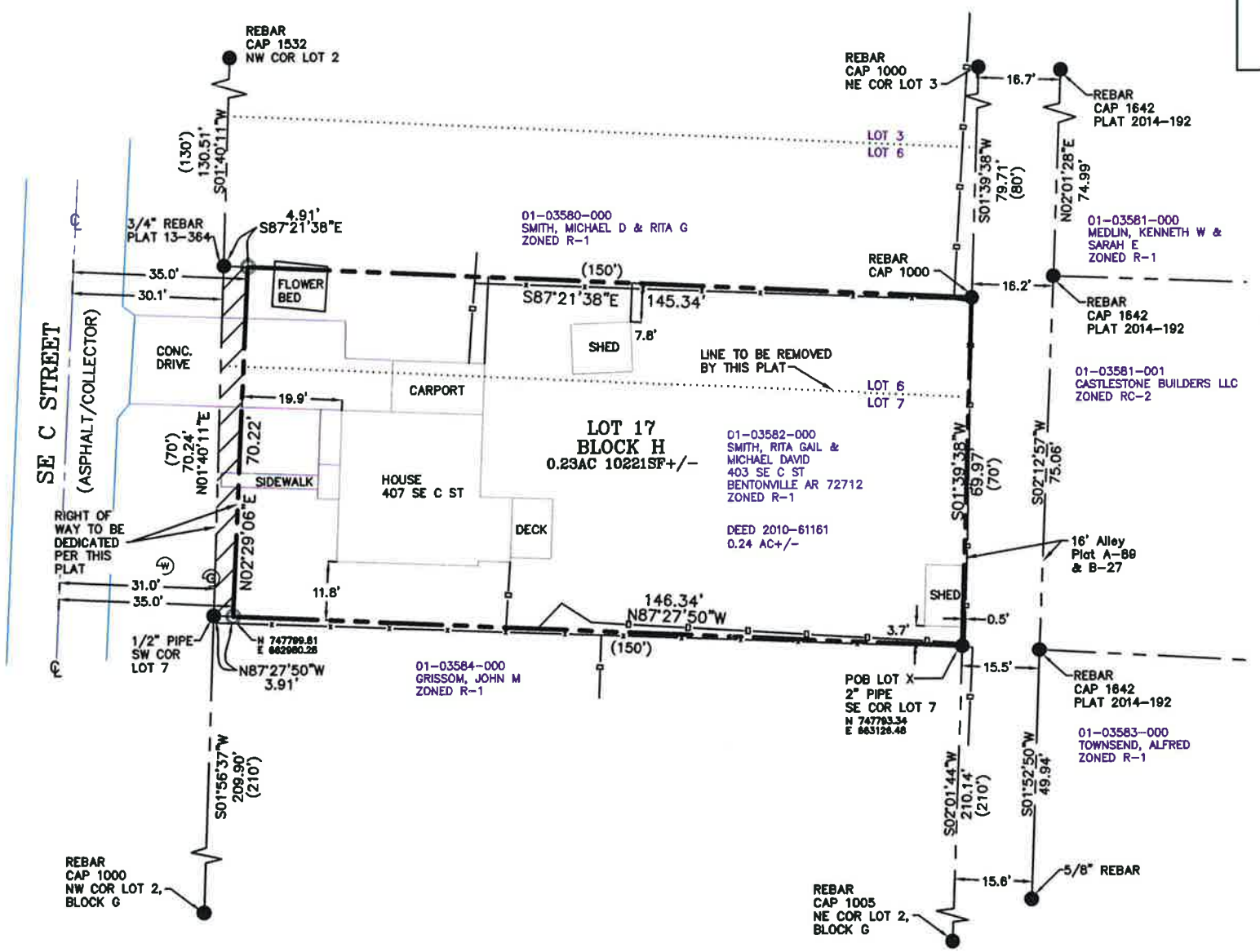
NOTE: OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

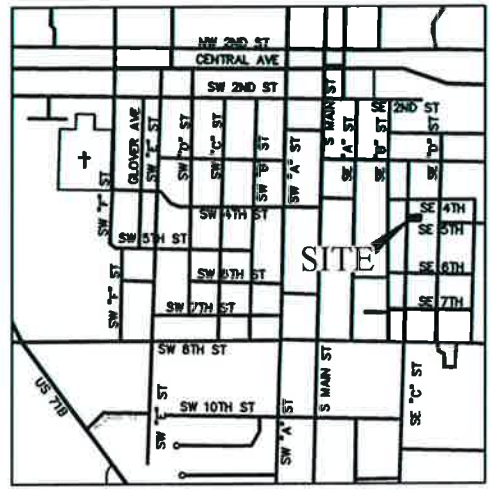
SETBACKS ZONE R-1:

FRONT (GARAGE)	30'
FRONT	20'
SIDE (INTERIOR)	7'
SIDE (ROW)	20'
REAR	25'

Notes:

1. Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which are visible at the time of making this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
2. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
3. Basis of Bearings: Arkansas State Plane Coordinate system Arkansas-North: Bentonville GPS #1, Convergence -01°17'10.54".
4. This survey is valid only if the drawing includes the seal and signature of the surveyor.
5. Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
6. The hereon described property is classed Urban.
7. Subsurface and environmental conditions were not examined nor considered a part of this survey.
8. No attempt has been made as a part of this boundary survey to obtain or show data concerning existance, size, depth, condition, capacity, or location of any utility or facilities.
9. Flood Hazard Certification: This is to certify that by graphic plotting only, this property (the subject property surveyed) is within Zone X, areas determined to be outside the 0.2% annual chance floodplain, as per FEMA FIRM Map Community Map Number 05007C0255K, effective date, June 5, 2012 based upon our interpretation of the location of the flood hazard boundary limits in relation to the property lines.





VICINITY MAP
N.T.S.

PARENT TRACT: 01-17265-000 Tract Description, Deed Book 2010, Page 61161

Lot 7 and 20 feet of equal and uniform width off the South side of Lot 6, Block H, Orchard Addition to the City of Bentonville, Benton County, Arkansas.

Subject to easements, right-of-ways, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases.

LOT X (BY THIS PLAT):

Lot 7 and Part of Lot 6, Block H, Orchard Addition to the town of Bentonville as shown in Plat Record "A" at Page 89 and Plat Record "B" at Page 27 and more particularly described as follows:

Begining at the Southeast corner of Lot 6, Block H of said Orchard Addition; thence N 87°27'50" W 146.34 feet; thence N 02°29'06" E 70.22 feet; thence S 87°21'38" E 145.34 feet; thence S 01°39'38" W 69.97 feet, to the Point of Beginning and containing 0.23 acres more or less and subject to any and all easements of record or fact.

CERTIFICATE OF APPROVAL

PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION_____

_____
BENTONVILLE PLANNING COMMISSION CHAIR

_____
MAYOR, CITY OF BENTONVILLE

_____
CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION:_____

SIGNED:_____

_____

PRINTED OWNER NAME:_____

SOURCE OF TITLE: W.D. BOOK 2010, PAGE 61161

STATE OF ARKANSAS

COUNTY OF _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS____DAY OF_____ 2016.

_____
NOTARY PUBLIC SIGNATURE

CERTIFICATE OF SURVEYING ACCURACY

I, GRANT NEVILL, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE:

SIGNED:_____
ARKANSAS LS NO.1636

CERTIFICATE OF AUTHORIZATION NEVILL SURVEYING, LLC. No. 2383 ARKANSAS

CITY ATLAS PAGE 404

500-20N-30W-0-32-400-04-1636

REVISIONS

NO.	DATE	DESCRIPTION
1.	8/1/16	1ST SUB COMMENTS

CLIENT:
NALLEY, BROOKE & CHARLES
509 NE GREEN CREEK RD
BENTONVILLE AR 72712
501-412-3901

LOT SPLIT

ORCHARD ADDITION
AS LOT 17, BLOCK H OF
ORCHARD ADDITION
BENTONVILLE, ARKANSAS

LOT 7 & PT LOT 6 TO BE KNOWN

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1636
GRANT NEVILL

SURVEYOR
Nevill Surveying, LLC
705 NW D Street
Bentonville, AR 72712
479-790-7264
nevill.survey@gmail.com
edagen@sbcglobal.net

PLS: GEN
CAD: GEN
FIELD: GEN
FIELD:
DWG: 2016-0023 SE C Split
DATE: July 11, 2016
SHEET: 1 OF 1

Planning Commission Staff Report
Preliminary Plat: Lochmoor Club Subdivision Phase II

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 16, 2016

GENERAL INFORMATION:

Project Number: 16-08000001

Applicant: Lochmoor Club III, LLC

Representative: Tim Sorey with Sandcreek Engineering

Requested Action: Preliminary Plat Approval

Location: Southwest Edinburgh Avenue

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a preliminary plat for a 40.21 acre, 105 lot, (102 of these are buildable) single family subdivision located along Southwest Edinburgh Avenue that will be known as Lochmoor Club Subdivision Phase II. The subdivision will be constructed in a single phase. The average lot size within the subdivision is 0.30 acres. This phase will connect to the original Lochmoor Club Subdivision to the southeast, Edgar Estates Subdivision to the west and Oxford Ridge Subdivision to the north. A street stubs is being provided to allow for future connection to the south. A 5' wide sidewalk will be installed by the developer along all non-buildable lots. Traffic calming devices (chokers) will be constructed on all roads without curves greater than 600 feet in length. Stormwater will be detained on site. Public water and sewer extensions will be constructed to serve each lot within the subdivision.

SURROUNDING LAND USES AND ZONING:

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

STREETS

Direction	Name	Classification
North	Southwest Hollowbrook Street	Residential
South	-	-
East	Southwest Edinburgh Avenue	Local Street
West	Southwest Edinburgh Avenue	Local Street

TRAFFIC FINDINGS

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

(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 are issues.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently vacant in a developing single family subdivision in the southwest part of the city.

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

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

Water / Sewer: Per the G.I.S. site, water and sewer ARE currently available to this site. Water and sewer are both available at street stubs to the north, west and east.

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

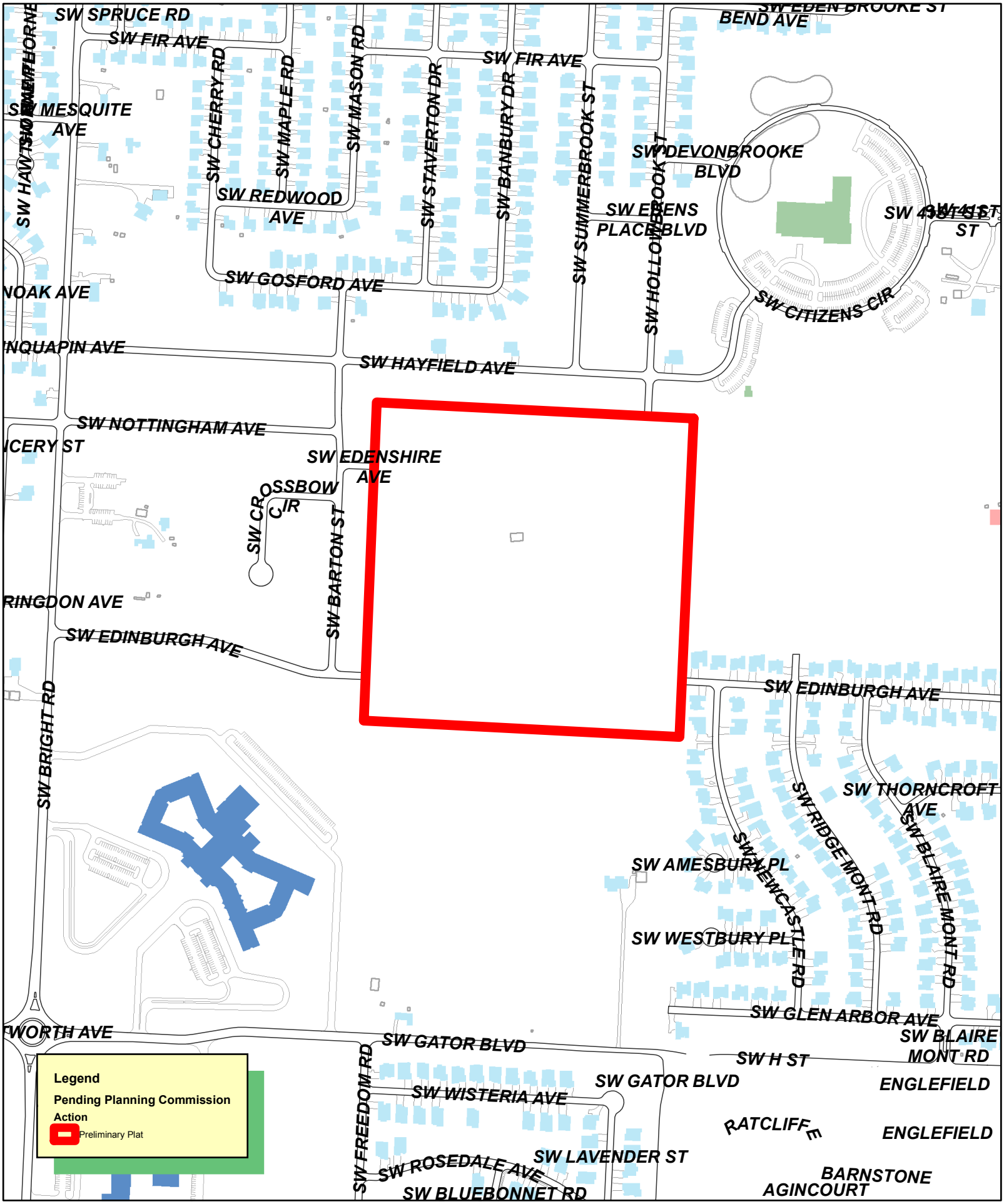
Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, and streets. The information submitted for the plat review process was reviewed for general concept only.

Waiver(s): N/A

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

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



N
W E
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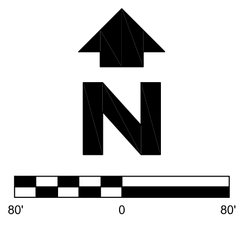
1 inch = 500 feet

16-08000001
Preliminary Plat-Lochmoor Club II
101 Lots Total
40.13 Acres

THE CITY OF BENTONVILLE



SCALE: 1" = 80'

SITE DATA

ZONING - R-1 SINGLE FAMILY RESIDENTIAL

SETBACKS (NOT SHOWN) - FRONT 25' OR GARAGE FACE 30'
REAR - 25'
SIDE INTERIOR - 7'
SIDE EXTERIOR - 25'

LOT COUNT: 1 - 102 (BUILDABLE)
103, 104, & 105 (NON-BUILDABLE)
(TOTAL - 105 LOTS)

SITE LEGEND

- PROPERTY LINE
- MONUMENT FOUND (AS NOTED)
- UTILITY EASEMENT
- CURB AND GUTTER
- STREET CENTERLINE
- CONCRETE SIDEWALK
- PROPOSED STOP SIGN

SITE NOTES:

1. ALL DIMENSIONS ARE TO THE BACK OF CURB UNLESS NOTED OTHERWISE.
2. ALL CURBS SHALL BE CONCRETE CURB & GUTTER UNLESS NOTED OTHERWISE. SEE DETAIL SHEET.
3. TRANSITION CURB FROM 6" TO 0" IN TWO FEET.
4. THE FINAL PLAT SHALL REFLECT THE CITY'S REQUIREMENT THAT THE HOME BUILDER OR LOT OWNER CONSTRUCT A 5' SIDEWALK, 5' FROM BACK OF CURB ON THEIR RESPECTIVE LOT ALONG ALL STREET RIGHTS-OF-WAY.
5. TIE PROPOSED CURB AND GUTTER TO EXISTING CURB AND GUTTER. TRANSITION THE LAST 10' (FEET) TO MATCH IN GRADE AND ALIGNMENT.
6. STUB STREETS TO ADJACENT PROPERTIES OR FUTURE PHASES SHALL HAVE THREE WARNING SIGNS INSTALLED, (SEE DETAIL)
7. ALL SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
8. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING LOTS.
9. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENTS AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF WORK THAT WILL TAKE PLACE WITHIN THE RIGHT-OF-WAY.
10. ITEMS BETWEEN 30" AND 60" IN HEIGHT SHALL BE PROHIBITED WITHIN SHADED SITE TRIANGLES.
11. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
12. ALL SIDEWALKS ABUTTING LOTS 103, 104, 105, OR ANY COMMON AREA WILL BE REQUIRED TO BE CONSTRUCTED BY THE DEVELOPER.

LEGAL DESCRIPTION:

THE NORTHWEST ¼ OF THE NE ¼ OF SECTION 13, TOWNSHIP 19 NORTH OF RANGE 31 WEST, CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NW ¼ OF THE NE ¼, THENCE N87°05'56"W 1319.87 FEET, THENCE S02°20'56"W 1326.40 FEET, THENCE S87°04'33"E 1315.61', THENCE N02°32'14"E 1326.89 FEET TPO THE POINT OF BEGINNING.

FLOOD STATEMENT:

(BY GRAPHICAL PLOTTING ONLY)
THE ABOVE DESCRIBED PROPERTY IS NOT LOCATED WITHIN A PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS, MAP NUMBER 05007C0255J, REVISED DATE SEPTEMBER 20, 2007.

REVISIONS

NO.	DATE:	DESCRIPTION
0	05-16-16	INITIAL SUBMITTAL
1	08-01-16	RESUBMITTAL/REVISED LAYOUT

DEVELOPER:
LOCHMOOR CLUB III
5500 PINNACLE POINT DRIVE
SUITE 201
ROGERS, AR 72758
(479) 629-5430

PRELIMINARY PLAT

LOCHMOOR CLUB II
RESIDENTIAL SUBDIVISION
BENTONVILLE, ARKANSAS

SHEET:
PROJECT:

PRELIMINARY NOT FOR CONSTRUCTION

SAND CREEK
Engineering and Landscape Architecture, Inc.
110 West Walnut
Bentonville, Arkansas 72712
Phone (479) 464-9266 Fax (479) 464-9264

MANAGER: JOEY INGLE
DESIGNED BY: JBI
DRAWN BY: JBI
CHECKED BY: TRS
SCE PROJECT #: 16007
DATE: 08-01-16
SHEET: 2 OF 23

Planning Commission Staff Report
Preliminary Plat: Windmill Farms Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 16, 2016

GENERAL INFORMATION:

Project Number: 16-08000005

Applicant: DP Development

Representative: Terri Parsley

Requested Action: Preliminary Plat Approval

Location: Southwest 'H' Street and Windmill Road

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a preliminary plat for a 3.89 acre, 10 lots, (9 of these lots are buildable) single family subdivision located on the north side of the intersection of South 'H' Street and Windmill Road that will be known as Windmill Farms Subdivision. This subdivision will be construed in a single phase. The average lot size within the subdivision is 0.35 acres. There will be no direct connection to the existing Central Park Phase 5 Subdivision to the north and no future street stubs being proposed. The only point of ingress/egress to the subdivision will be from a single curb cut onto Windmill Road. No lot will have direct access onto Southwest 'H' Street or Windmill Road. The developer will construct a 6' wide sidewalk along Southwest 'H' Street and Windmill Road. A 5' wide sidewalk will be constructed by the developer along all non-buildable lots. Stormwater will be detained on site. A public water main extension will be constructed to serve each lot within the subdivision. Sewer service exist in the rear of each lot.

SURROUNDING LAND USES AND ZONING:

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

STREETS

Direction	Name	Classification
North	-	-
South	Windmill Road	Arterial
East	Southwest 'H' Street	Arterial
West	-	-

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat

2. All technical review comments must be addressed before building permits are issues.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently vacant in a developing low density residential area.

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

Sidewalks: Sidewalk installation will be the responsibility of individual lot owners at the time of building permit with the exception of the sidewalk along common space or streets classified as a collector or above.

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

a. Water available in an 8" line approximately 500' to west. Water will be extended to
the site with the development of the subdivision.
b. Sewer is available in the rear of each lot.

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

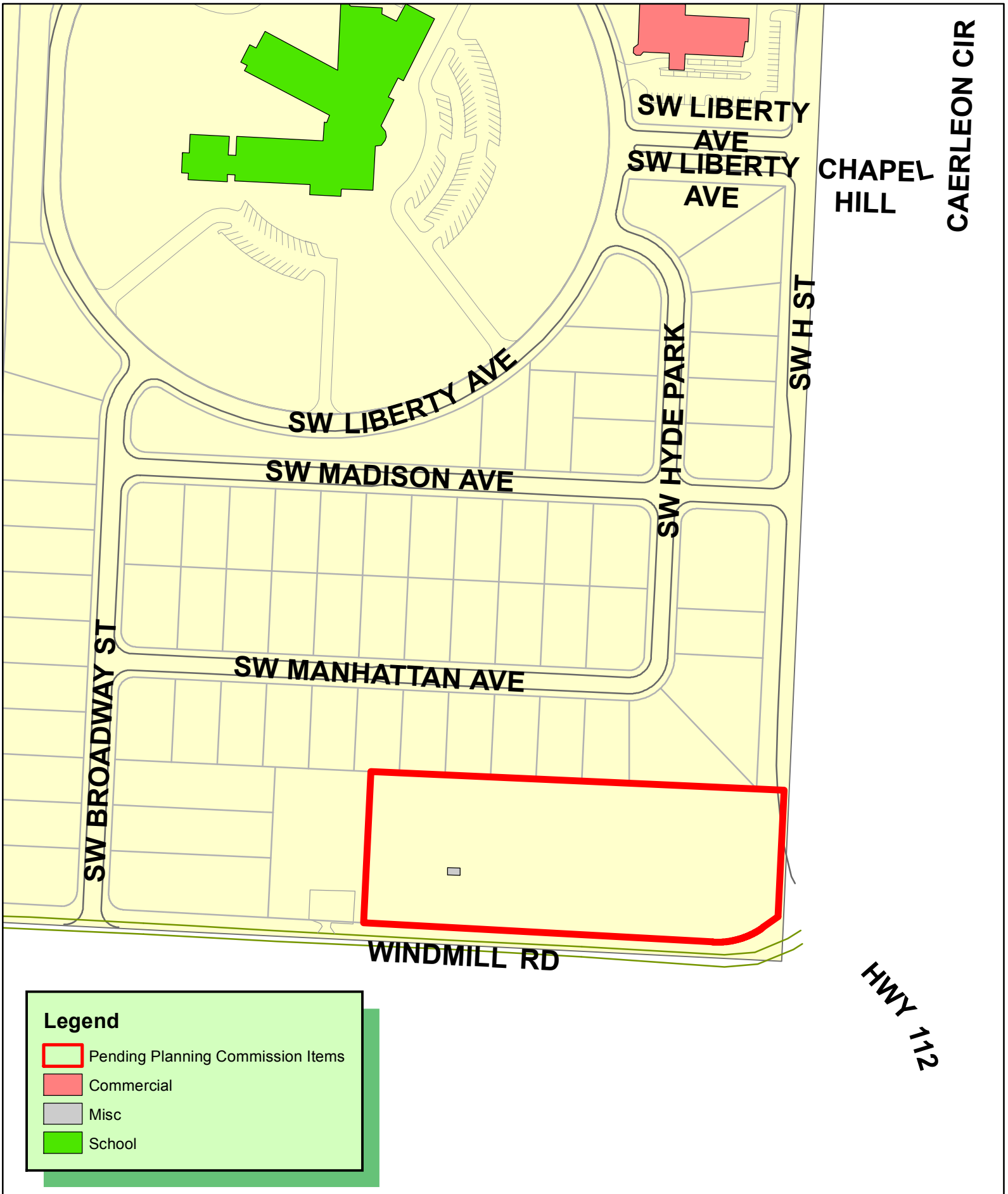
Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, and streets. The information submitted for the plat review process was reviewed for general concept only.

Waiver(s): N/A

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

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



N
W E
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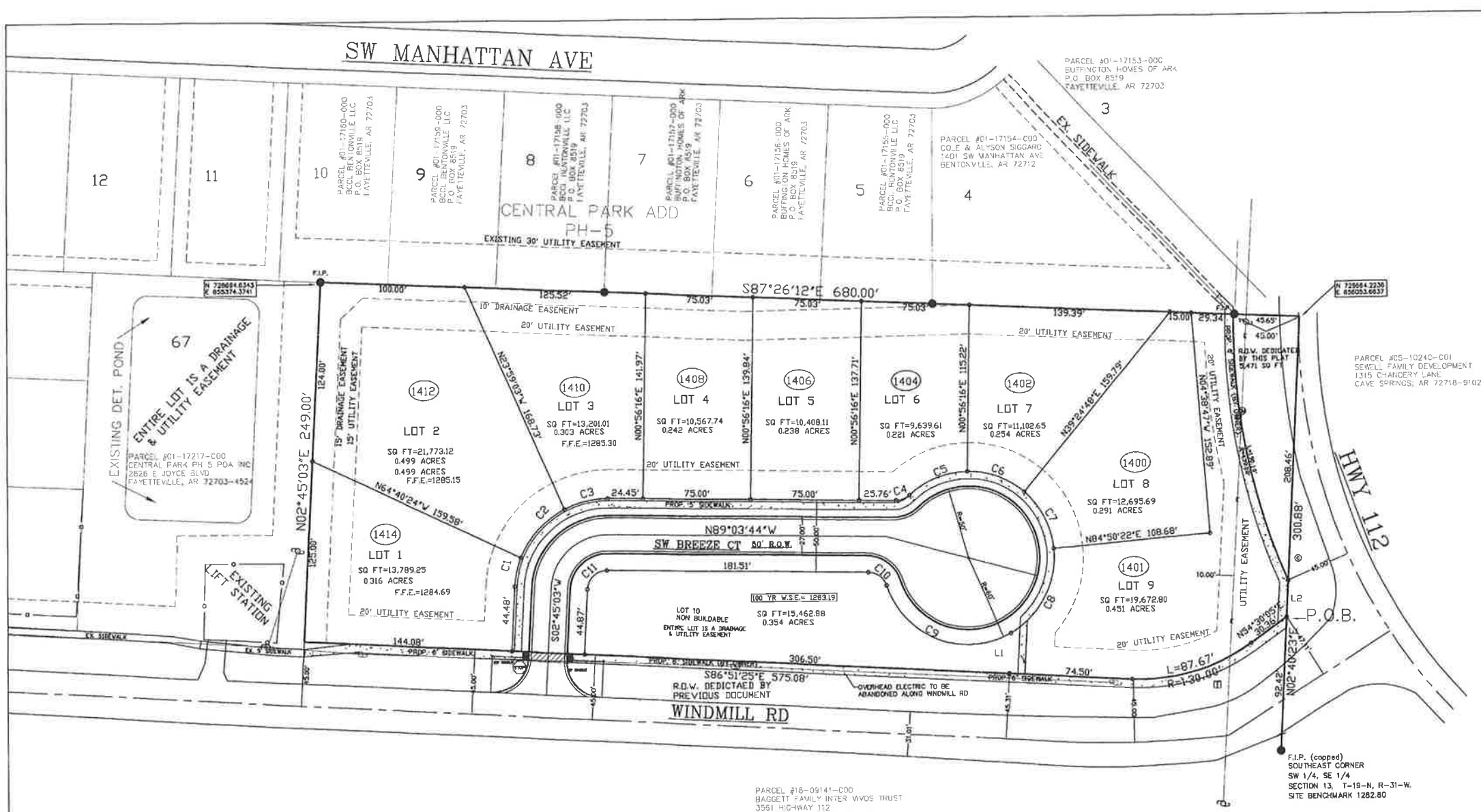
1 inch = 200 feet

16-08000005
PRELIMINARY PLAT
WINDMILL FARMS SUBDIVISION

THE CITY OF BENTONVILLE



LEGEND

- ○ S.I.P. SET IRON PIN
- ● F.I.P. FOUND IRON PIN
- PROPERTY LINE
- RIGHT-OF-WAY
- CENTERLINE
- EASEMENT
- PREVIOUS OR ADJ. PROP. LINE
- OHE OVERHEAD ELECTRIC
- EXISTING WATER SOURCE
- TRANSFORMER
- POWER POLE
- EXISTING GAS METER
- FIBER OPTIC RISER
- TELEPHONE
- STOP SIGN

SETBACK CHART, R-1 ZONING

FRONT SETBACK	20'
GARAGE	30'
REAR SETBACK	25'
SIDE SETBACK	7'

REGISTERED STATE OF ARKANSAS NO. 1553 PROFESSIONAL LAND SURVEYOR DAVID B. PLATZ

PROPERTY DESCRIPTION

PART OF THE SW ¼ OF THE SE ¼ OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN FOR THE SE CORNER OF THE SAID SW ¼ OF THE SE ¼, NORTH 02°40'23" EAST 92.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 54°30'05" WEST 30.36 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 130.00 AND AN ARC LENGTH OF 87.67 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 73°49'20" WEST 86.02 FEET; THENCE NORTH 86°51'25" WEST 575.08 FEET; THENCE NORTH 02°45'03" EAST 249.00 FEET TO A FOUND IRON PIN; THENCE SOUTH 87°26'12" EAST 680.00 FEET TO A POINT IN THE RIGHT OF WAY OF HIGHWAY 112 AND THE EAST LINE OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 13; THENCE ALONG SAID EAST LINE, SOUTH 02°40'23" WEST 208.46 FEET TO THE POINT OF BEGINNING, SAID PROPERTY CONTAINING 3.89 ACRES.

GENERAL NOTES:

1. MINIMUM FINISH FLOOR ELEVATION FOR LOTS SHALL BE AT LEAST ONE FOOT (1') ABOVE THE CURB OR THE ELEVATION WILL BE LISTED ABOVE.
2. OVERHEAD ELECTRIC TO BE ABANDONED ALONG WINDMILL RD.
3. RIGHT OF WAY WAS DEDICATED PER SEPERATE DOCUMENT, FOUND AT BOOK 2013, PAGE 18275.

FLOOD CERTIFICATE

THIS PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FEMA PANEL #05007C0255 K, DATED JUNE 5, 2012.

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD LENGTH
C1	24.17'	63.50'	N11°57'03"E	20.51'
C2	46.74'	63.50'	N42°02'17"E	45.09'
C3	26.72'	63.50'	N76°53'08"E	30.84'
C4	10.30'	13.50'	N69°04'25"E	10.06'
C5	42.97'	60.00'	N68°19'25"E	43.23'
C6	47.01'	60.00'	S69°56'52"E	42.25'
C7	43.64'	60.00'	S27°35'56"E	44.44'
C8	65.34'	60.00'	S20°39'14"W	53.58'
C9	109.71'	60.00'	N75°25'40"W	101.09'
C10	16.74'	13.50'	N53°32'42"W	15.69'
C11	20.83'	13.50'	S46°44'14"W	18.82'

LINE	BEARING	DISTANCE
L1	N02°45'03"E	36.84'
L2	N 02°40'23" E	25.36'

CERTIFICATE OF ACCURACY

I, DAVID B. PLATZ, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1553
STATE OF ARKANSAS

WINDMILL FARMS SUBD.

PRELIMINARY PLAT

REVISIONS		
No.:	BY:	DATE:
#1	W/R	8/1/16

OWNER CONTACT INFO:
DP DEVELOPMENT
P.O. BOX 739
LOWELL, AR 72745

273-7989 OR 386-7989

CONSULTING INC.
P.O. BOX 223
BENTONVILLE, AR 72712

DRAWN BY: DP/ZS	DATE: 6/27/16
CHECKED BY:	JOB No.: 2015147
SCALE: 1"=40'	SHEET: 1

PC Meeting of: August 16, 2016

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3122
Fax: (479) 271-5906

REZONING: Lamplighter Restoration, LLC (West) from R-3 Medium Density to R-C2, Central Residential – Moderate Density
Current Planning Division Correspondence: Planning Commission Staff Report

TO:	City of Bentonville, Arkansas Planning Commission
FROM:	Jon Stanley, Planner
THRU:	Troy Galloway, AICP, Community Development Director
DATE:	August 16, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-09000022

Applicant/Current Owner: Lamplighter Restoration, LLC

Representative: Tim Sorey with Sand Creek Engineering

Requested Action: Rezoning

Location: Southeast 'D' Street and Southeast 6th Street

Existing Zoning: R-3, Medium Density Residential

Proposed Zoning: R-C2, 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 currently vacant is a mixed use area along an urban corridor.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Townhomes (under Construction)	Planned Residential Development	Downtown Mixed Use Residential
South	Public Park	R-3, Medium Density Residential	Downtown Mixed Use Residential
East	Single Family Residence	R-3, Medium Density Residential	Downtown Mixed Use Residential
West		R-1, Single Family	Downtown Mixed Use

		Residential	Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Southeast 6th Street	Local Street	2 lane no curb or gutter
East			
West	Southeast D Street	Local Street	2 lane no curb or gutter

LEGAL NOTIFICATIONS

Public Notice: On July 13, 2016 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 July 16, 2016. In addition, staff posted a notice of public hearing sign on the property on August 1, 2016. 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 intent of the R-C2 zoning designation to allow for the redevelopment within the downtown area. The R-C2 district allows for a variety of housing types and lifestyles while encouraging traditional design. The area is appropriate for a transitional zone between single family residential and higher density residential or commercial and industrial zones. The property is west of a redeveloping commercial and industrial area, bordered on the west side by a low density single family neighborhood, a PUD to the north and a public park to the south. The R-C2 designation is appropriate for this location and is consistent with all land use principles and policies.

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

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic in the area. The property is located within the downtown area and the existing street grid network is adequate in this 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.

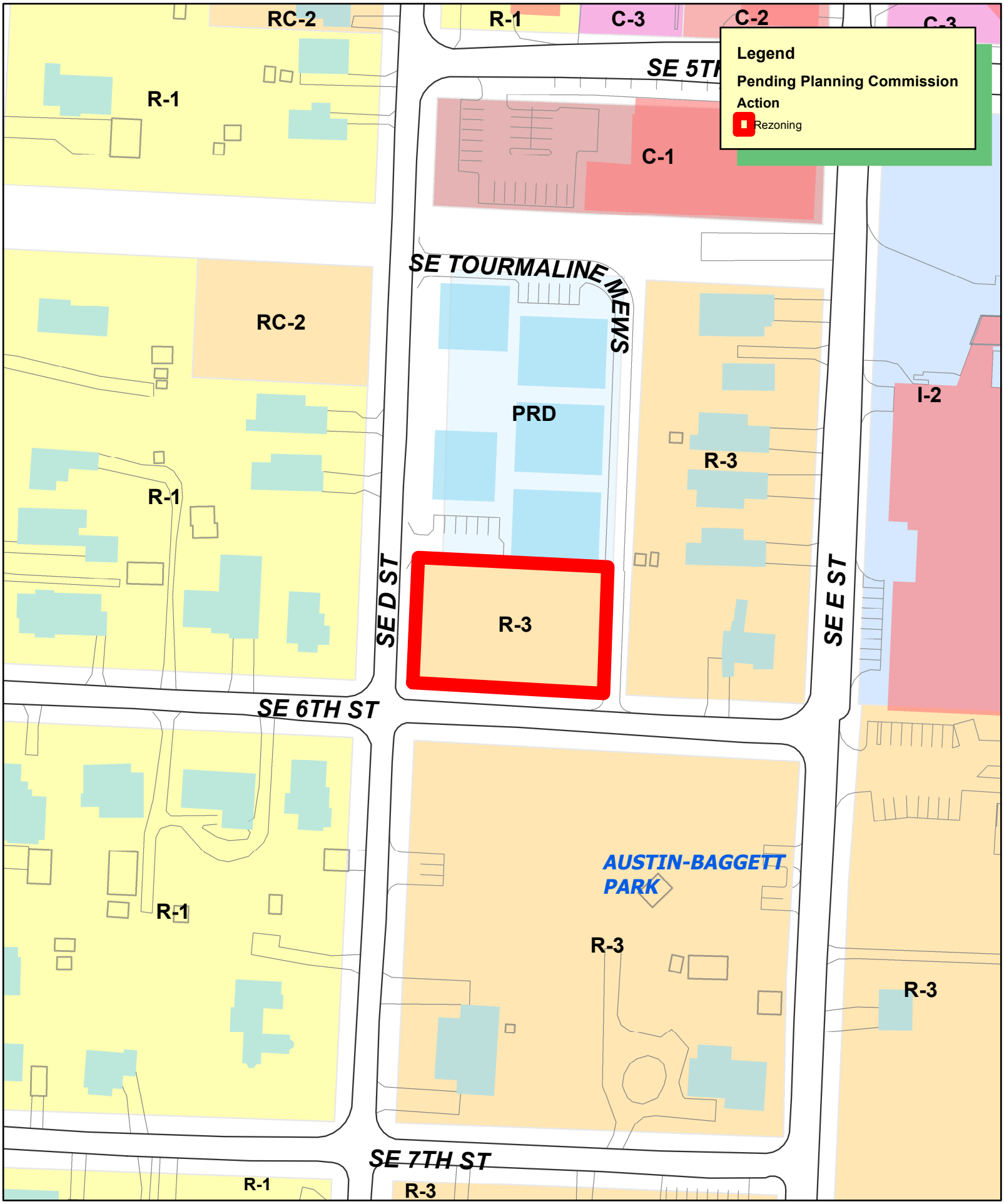
Finding(s) of Staff: City services are adequate at this location. Water and sewer are both available in Southeast 'D' Street.

ANALYSIS, CONCLUSION, & SUMMARY

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-3, Medium Density Residential to R-C2, Central Residential-Moderate Density.



1 inch = 104 feet

16-09000022
Lamplighter Restoration LLC.
511 SE D Street
R-3 to R-C2
.41 Acres Total

SAND CREEK
Engineering and Landscape Architecture, Inc.

Date: July 11, 2016 Job # 16033

RE: **Lamplighter West**
Rezone Request
511 SE "D" Street (West)
Bentonville, AR. 72712

Planning,
In response to Item # 5 of the rezone application this written statement is submitted.

- Current Zoning R-3
- Proposed Zoning R-C2.
- The site is at the Northeast corner of SE D and SE 6th Street.
- Use for property will be residential single-family attached.
- Property fronts SE D Street on the west and SE 6th Street on the south. Property lies less than 200' from the former Kraft building and is in the vicinity of the Market District. Traffic at present is light with expected increase in traffic as the use of the Kraft building is revised and open, and the Market District continues to flourish.
- No Signage is planned.
- Site is vacant at this time.
- 8" water main runs north/south within SE D Street, 6" water main runs within SE 6th Street. 8" sewer main runs north within SE D Street and another within SE E Street to the East of the site.

Sincerely,

Ken Booth, Project Manager
Sand Creek Engineering

1610 NW 12th Street Bentonville, AR 72712 Phone: (479) 464-9282

PC Meeting of: August 16, 2016

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3122
Fax: (479) 271-5906

REZONING: Lamplighter Restoration, LLC (East)
Current Planning Division Correspondence: Planning Commission Staff Report

TO:	City of Bentonville, Arkansas Planning Commission
FROM:	Jon Stanley, Planner
THRU:	Troy Galloway, AICP, Community Development Director
DATE:	August 16, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-09000023

Applicant/Current Owner: Lamplighter Restoration, LLC

Representative: Tim Sorey with Sand creek Engineering

Requested Action: Rezoning

Location: Southeast 'D' Street and Southeast 6th Street

Existing Zoning: R-3, Medium Density Residential

Proposed Zoning: R-C2, 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 currently vacant in a mixed use area along an urban corridor.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Residence	R-3, Medium Density Residential	Downtown Mixed Use Residential
South	Public Park	R-3, Medium Density Residential	Downtown Mixed Use Residential
East	Single Family Residence	R-3, Medium Density Residential	Downtown Mixed Use Residential
West	Vacant parcel	R-1, Single Family Residential	Downtown Mixed Use Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Southeast 6th Street	Local Street	2 lane no curb or gutter
East			
West	Southeast Tourmaline Mews	Alley	Under construction

LEGAL NOTIFICATIONS

Public Notice: On July 13, 2016 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 July 16, 2016. In addition, staff posted a notice of public hearing sign on the property on August 1, 2016. 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 intent of the R-C2 zoning designation to allow for the redevelopment within the downtown area. The RC-2 district allows for a variety of housing types and lifestyles while encouraging traditional design. The area is appropriate for a transitional zone between single family residential and higher density residential or commercial and industrial zones. The property is west of a redeveloping commercial and industrial area, bordered on the west and north sides by a low density single family neighborhood and a public park to the south. The R-C2 designation is appropriate for this location and is consistent with all land use principles and policies.

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

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic in the area. The property is located within the downtown area and the existing street grid network is adequate in this 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.

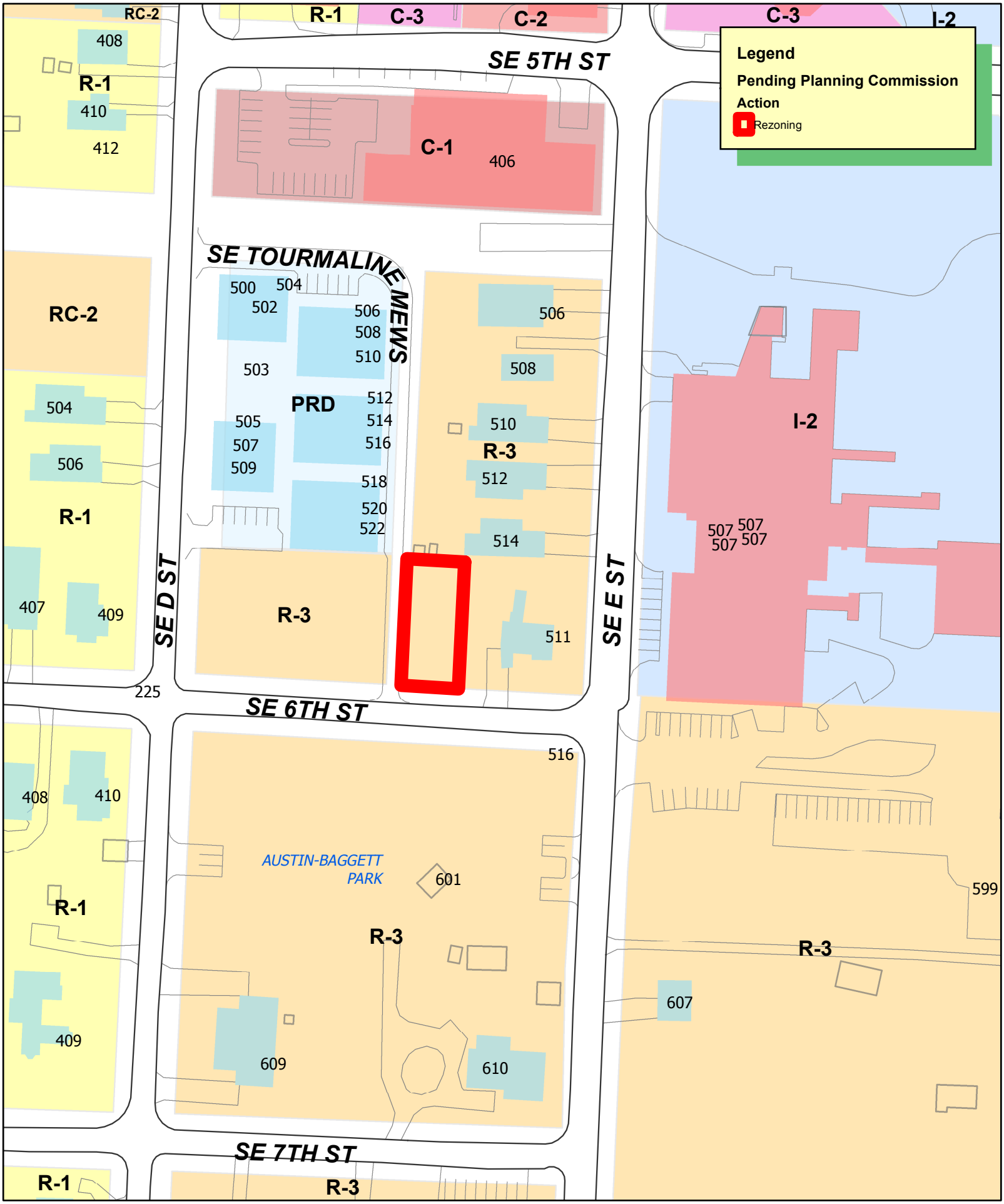
Finding(s) of Staff: City services are adequate at this location. Water is available in Southeast 6th Street and sewer is available in Southeast 'D' Street and Southeast 'E' Street.

ANALYSIS, CONCLUSION, & SUMMARY

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-3, Medium Density Residential to R-C2, Central Residential-Moderate Density.



N W E S

1 inch = 104 feet

16-09000023
Lamplighter Restoration, LLC.
511 SE D Street
R-3 to R-C2
.13 Acres Total

THE CITY OF BENTONVILLE

SAND CREEK
Engineering and Landscape Architecture, Inc.

Date: July 11, 2016 Job # 16033

RE: **Lamplighter East**
Rezone Request
511 SE "D" Street (East)
Bentonville, AR. 72712

Planning,
In response to Item # 5 of the rezone application this written statement is submitted.

- Current Zoning R-3
- Proposed Zoning R-C2.
- The site lies on the East side of an existing alley and faces SE 6th Street.
- The use planned for the property is a single family residence with the lower floor being an Education classroom for teaching music on a small scale.
- Property lies less than 200' from the former Kraft building and is in the vicinity of the Market District. Traffic at present is light, with expected increase in traffic as the use of the Kraft building is revised and open and the Market District continues to flourish.
- No Signage is presently planned.
- Site is vacant at this time.
- 8" water main runs north/south within SE D Street, 6" water main runs within SE 6th Street. 8" sewer main runs north within SE D Street and another within SE E Street to the East of the site. A sewer main will need to be installed along SE 6th Street to serve this lot.

Sincerely,

Ken Booth, Project Manager
Sand Creek Engineering
1610 NW 12th Street Bentonville, AR 72712 Phone: (479) 464-9282

PC Meeting of: August 16, 2016

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3122
Fax: (479) 271-5906

LAND USE MAP AMENDMENT: Aurora Partners, LLC – Agriculture & Office to Low Density Residential
Current Planning Division Correspondence: Planning Commission Staff Report

TO:	City of Bentonville, Arkansas Planning Commission
FROM:	Jon Stanley, Planner
THRU:	Troy Galloway, AICP, Community Development Director
DATE:	August 16, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-01800004

Applicant/Current Owner: Aurora Properties, LLC

Representative: Swope Consulting, LLC (Phil Swope)

Requested Action: Land Use Map Amendment

Location: South Morningstar Road

Existing Zoning: Benton County (City of Bentonville Planning Boundary)

Future Land Use Map Designation: Agriculture

Proposed Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is vacant in the Southwest section of the city and is situated near the intersection of two future arterial streets, South Morningstar Road & Southwest Windmill Road.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Agriculture	Benton County	Agriculture
South	Agriculture	Benton County	Agriculture
East	Agriculture	Benton County	Agriculture
West	Agriculture	Benton County	Agriculture

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	-	-	-
East	South Morningstar Road	Arterial	Unimproved 2 lane asphalt
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: Staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on July 16, 2016. In addition, staff posted a notice of public hearing sign on the property on August 1, 2016. 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 how the proposed change impacts the overall intent of the General Plan or the land use mix on the Future Land Use Map, how the proposed change affects other land uses.

Finding(s) of Staff: Policy LU-23 Housing Types within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of resident's throughout their lives. As utilities are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed subdivision will help to reduce the impact on city infrastructure by the extension of public utilities that will be required with the development of this land, all helping to 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 land use modification is near the intersection of a proposed east to west and north to south corridor. The proposed use will not adversely impact the transportation infrastructure. The proximity to a major employment center will further reduce the impact on the city wide transportation network.

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

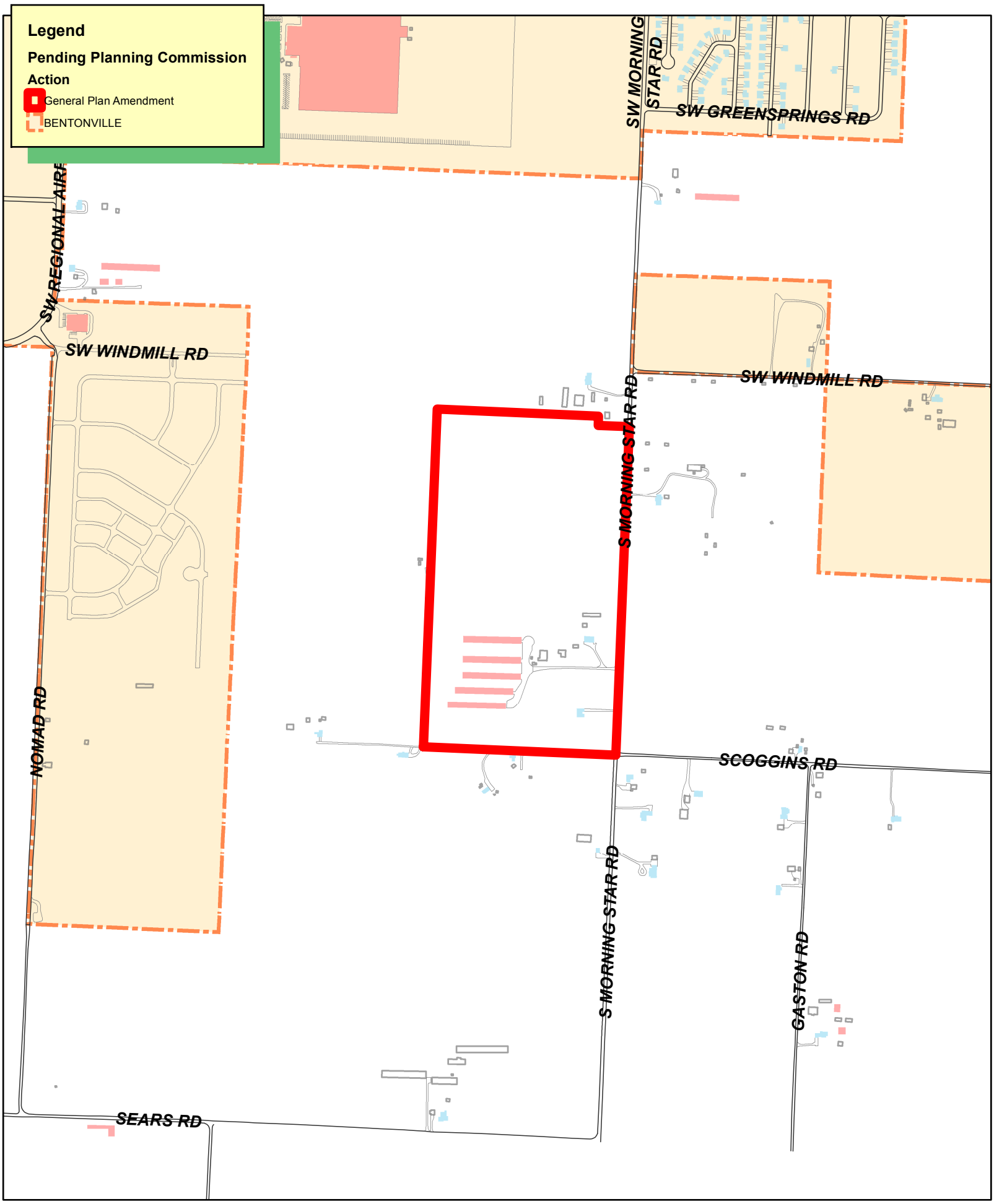
Finding(s) of Staff: Through the required public utilities extensions that will be associated with the development of this land, water and sewer availability and capacity in this area will be adequate. Through the use of Impact Fees collected during the construction of the single family subdivision the city will further increase the availability of emergency service in the Southeast part of Bentonville. Emergency services are also adequate at the proposed location.

ANALYSIS, CONCLUSION, & SUMMARY

The proposed land use map amendment is located where two proposed arterial street intersects. Additional residential units in this area will provide an opportunity for residents to live and work in the same sector of the city. There are several ingress/egress opportunities that can be utilized in the development of the property that will help to facility traffic flow and reduce traffic congestion. The proposed subdivision is located within the city's planning boundary. Public utilities will be extended with the development. As public utilities are extended the land use and residential densities should be adjusted to utilize the existing utility infrastructure. A petition to annex has been submitted and is currently in review.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this Land Use Map Amendment from Agriculture and Office to Low Density Residential.



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1 inch = 814 feet

16-01800004
Aurora Partners, LLC.
General Plan Amendment
Agriculture to Single Family Residential
69.72 Acres Total

THE CITY OF BENTONVILLE

July 10, 2016

City of Bentonville Planning Department
Attn: Jon Stanley
305 SW "A" Street
Bentonville, AR 72712

Re: **Request Narrative**
General Plan Amendment- DEB Farm Adventures Inc
(parcels 18-09127-001 & 18-09127-002)

Dear Jon:

Please accept this narrative, as required, for the subject properties. Listed below are the application-required questions, each of which is followed by our response.

1. Reasons for initiation of this proposal. Has information become available that was not available at the time of adoption of the Future Land Use Map? Or, since the adoption of the map has land use in the area changed?

The owner is proposing to annex (process is already initiated) and develop the subject property to single-family residential. As you know, the General Plan shows the future land use of this property as office on the north end, and agricultural for the south remaining property.

This is a two-fold request:

1. Reduce the planned office depth south of future Windmill Road from 1,320 ft to 300 ft (or, to Melvin James' parcel only), and change the remaining 1,020 ft to single-family residential.
2. Change all of the remaining subject lands from agricultural to single-family residential.'

Information has changed since adoption of the map, and that consists of a growing demand for more affordable single-family housing. At the time this map was adopted, the provisions for future single-family land seemed sufficient. Now, despite a brief economic downturn, those lands have been quickly used up. More land is needed to keep up with the demand.

2. How will this change impact the land use and character of the property in question and surrounding areas?

The character of the property will change in that it will become a part of the city limits, and will receive water, sewer and electric extensions that future residents on this land will then pay in utility bills to the city.

The map amendment would allow more surrounding properties to develop and also provide improvements to Morning Star Road- which would benefit the city's overall infrastructure.

3. How is the property more suitable for the proposed land use designation than for the current land use classification presented on the Future Land Use Map?

The proposed single-family designation is more suitable because development on this land would provide a greater benefit to more people than if it is left agricultural. The benefits come in the way of more housing, and revenue for construction workers and city employees (taxes, utility bills, etc).

4. Would the uses permitted by the proposed change be detrimental in any way to the surrounding property?

The only two negatives are that the land won't be left empty as it is, and the traffic count would increase. However, the proposed improvements on Morning Star Road will help mitigate the increased traffic load.

5. What are the alternative courses of action if the proposed land use change is not approved?

If the land use is not changed, other lands will be found to develop single-family, and the extra-wide office depth will go for years before offices are built (if ever).

6. What are your plans for the property if the proposed land use change is approved?

The current proposal is a single-family residential subdivision that will comply with all city zoning and development requirements.

7. What alternatives other than changing the land use designation have been discussed?

There is no alternative to this request other than to do nothing, and leave the property in the county.

8. Additional information that is pertinent to support this request.

Regarding the request to convert land to single-family, please keep in mind the natural pressures of housing that the city encounters now in this time of growth. While the current economic cycle has seen a focus on apartment construction, the supply of single-family housing is not keeping up.

The market needs to provide for this demand. Your support of this request will bring needed housing to an area that is a great fit.

Please let me know if you have any questions or concerns.

Sincerely,

Bob David

Planning Commission Staff Report
Conditional Use: Annoor Academy of Bentonville
Project Number: 16-02000008

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 16, 2016

GENERAL INFORMATION:

Applicant: Tiger Street Properties, LLC

Representative: Amreen Musani

Requested Action: Conditional Use Permit Approval

Location: 1110 & 1112 North Walton Boulevard

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

Proposed Use: Pre-K & Private School Educational Facility

BACKGROUND:

The applicant has submitted a Conditional Use application for a Pre-K & Private School Educational facility located at 1110 & 1112 North Walton Boulevard in the C-2 General Commercial zoning district. The educational facility shall be allowed a maximum of 20 children. Hours of operation will Monday through Friday from 7:30am to 3:30pm. Four (4) designated parking spaces will be provided on the southern end of the existing parking lot for drop-off and pick-up, these spaces will have signs specific to school parking. Parents will be required to escort their children into and out of the facility. If necessary, drop-off and pick-up times can be staggered. Employee parking will be in non-designated spots within the existing parking lot. Classroom walls will be constructed in the interior of the existing building and a fence will be installed in the outdoor area on the rear (east side) of the building to allow for an outdoor play area. The front of the facility will not be accessible to children except during drop-off and pick-up times. The school intends to have 4 employees, No additional outdoor lighting is planned. Both the fire department and ADH have completed preliminary inspections.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	Commercial	Commercial Offices and Retail
South	Commercial	Community Thrift Store
East	R-3, Medium Density Residential	Two Family Residences
West	Commercial	Commercial Offices and Retail

STREETS

Direction	Name	Classification
North	-	
South	-	
East	-	
West	North Walton Boulevard	Arterial

Site Inspection: A site inspection was completed; this location is currently two vacant suites within an existing commercial shopping center.

Public Notice: On **July 21, 2016** a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on **August 9, 2016**. 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. A fence permit will be required to be obtained and approved before the construction of any fence.
3. City of Bentonville Fire Department approval shall be obtained by the applicant.
4. Arkansas Department or Health/Benton County Department of Health approval(s) shall be obtained by the applicant.
5. Four (4) designated parking spaces shall be provided for drop-off and pick-up, these spaces must have signage specific to school parking only. Parent will be required to escort their children into and out of the facility. If necessary, drop-off and pick-up times will be staggered.
6. The Conditional Use permit shall be allowed for a period of 1 year or up to 20 children at which time the applicant must renew the conditional Use permit.

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.

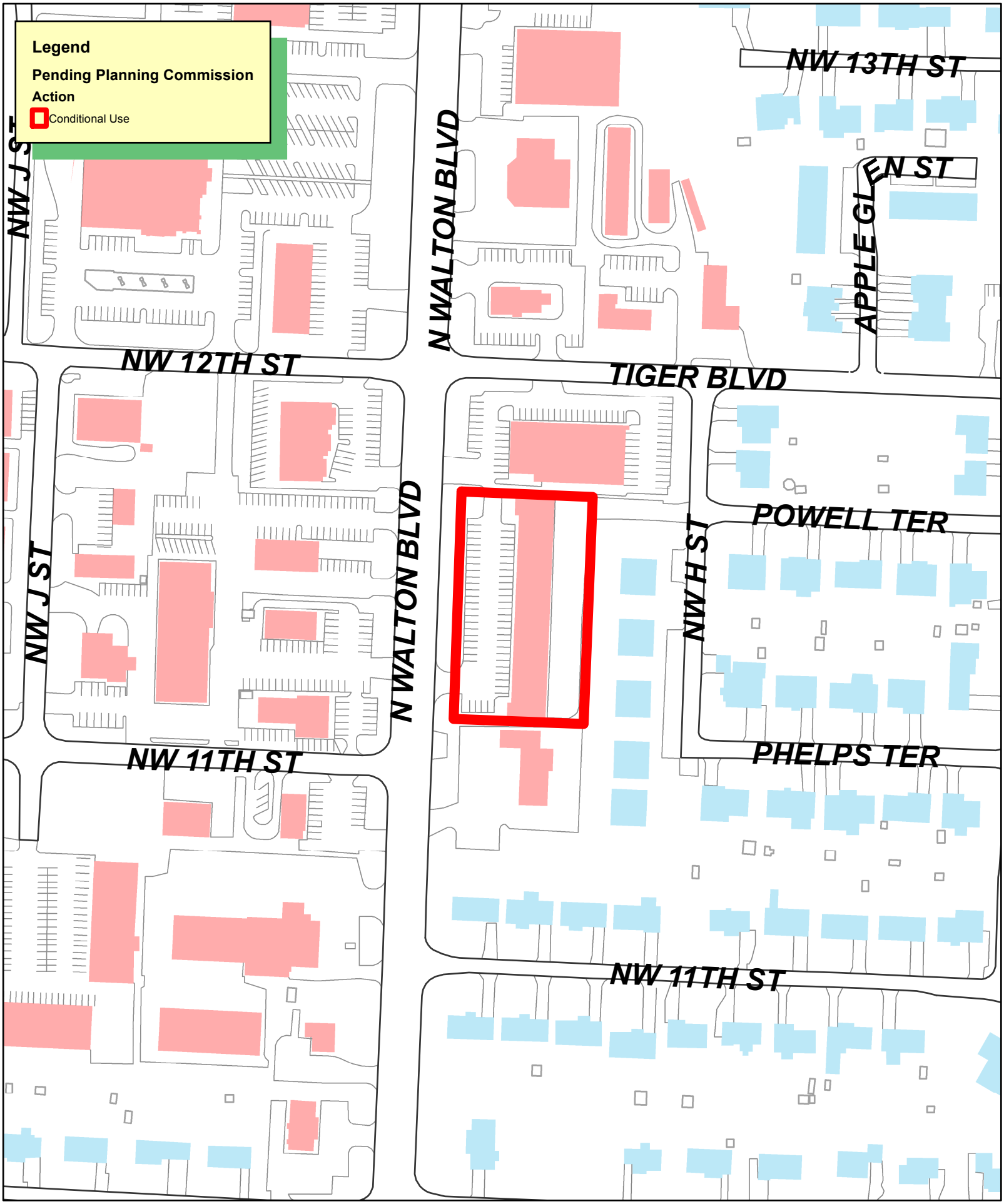
A Conditional Use is defined as a use permitted in one or more districts as defined by this ordinance upon approval by the Planning Commission, but which use, because of characteristics peculiar to it, or because of size, technological processes or type of equipment, or because of the exact location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

Allowed under the Protective Covenants of the subdivision. Not applicable

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

RECOMMENDATION:

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



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1 inch = 167 feet

16-02000008
Conditional Use-Tiger Street Properties
1110/1112 N. Walton Blvd.
Annoor Academy of Bentonville
Private Elementary School

THE CITY OF BENTONVILLE

- **Proposed use and reason for the proposed use**

Purpose is to open a full time private Prek and Elementary school for a Brighter Future of our kids. Goal is to provide a strong & structured elementary education that focuses on academics as well as morals to provide an adequate framework for our children's success.

- **Hours of operation**
  Monday through Friday 7:30 am to 3:30pm
  We are starting with 10 students initially which we hope to grow over a period of time.

- **Indoor and outdoor areas to be utilized-**
  We will be using the last empty suite on the right of the property for this purpose. It is almost 2300 sq ft of space with additional area outside to be used as the play area.

- **Planned indoor and outdoor structural changes**
  - Build a fenced back yard for the kids to play
  - Build a 2 hour fire wall per the instruction from the Fire marshall
  - Build rooms inside for different classrooms

- **Parking needs required for the proposed use including existing and proposed - provide a Sketch of the traffic flow pattern (if applicable):**
  - We will be 3-4 employees parked in the open spots in front of the strip mall
  - The Parents will come and drop their kids after parking for couple of minutes
- **Planned outdoor lighting changes;**
  -None
- **Anticipated patrons, clients, deliveries, and / or customers (average per day)**
  -None
- **Proposed number of employees;**
  - four
- **Photographs of the property.**
  - Attached with the application
- The place is already inspected once by the Fire marshall(Rod Hughes) and DHS inspector (Melissa Myers) who have liked the property. They have suggested a few changes which we are working for final walk through.

Arkansas Department of Human Services
Division of Child Care & Early Childhood Education
Licensing Compliance Record

Facility Name _____ Person in Charge Amreen Musani
Address 1110 Walton Blvd / 1801 SW 2nd St. Phone 404-1662-8528
Licensing Specialist Melissa Myers Phone 273-9011 x176
Address 900 SE 13th Ct. B'ville Page 1 of 1 Date of Visit 7/13/16
Time: From 11:30 AM To _____ Type: CCC Purpose: Consultations

STANDARD REVIEWED	DISCUSSION/OBSERVATION	COMPLIANCE DATE	DATE CORRECTED
	CCLS went to two locations on this date. Both locations will need fire & health approvals. CCLS will do a final walkthrough for approval once a location is chosen. 1110 N Walton - T/S discussed hours of operation & number of children that would require a license.		

COMMENTS: _____

RIGHT TO APPEAL – for information on how to appeal items cited on this form or other licensing actions, refer to **Section 103** in the **"Minimum Licensing Requirements"**.

Amreen 7/13/16 mSmyers 7/13/16
PERSON SIGNING AS RECEIVING DATE CHILD CARE LICENSING SPECIALIST DATE

DCC 521 R(9/99)

Child Drop and Parking plans for Annoor Academy of Bentonville

- The Landlord has agreed to allot 4 designated parking spots on the right side of the building for Annoor Academy. These Parking spots will only be utilized for kids drop off (7:45 am to 8:00am) and Kids pickup (3pm -3:30pm). These spots will also be utilized for other parent teacher meetings during other times.
- The school will put a signs on these spots so no one else parks in these spaces.
- Parents will be responsible to park their cars and walk the kids inside the building. Same will be applicable at the time of the pickup.
- The teachers and staff (employees) of Annoor Academy will parking their cars in the other open spots on the front side of the strip mall

N Walton
NWA Gold & Silver
Ozark Computer Works
Professional Insurance Group
B Star Nails
Style Revolution
4 Designated Parking Spots
Annoor Academy
Fenced backyard
Penn St
Debut Boutique
Larry Kelly & Associates Realty
Google
Community Thrift Store
Imagery ©2016 Google, Map data

N. WALTON BLVD.
NORTHWEST PLAZA
MARKET SQUARE
TIGER BLVD.