



**Planning Commission
Agenda
December 15, 2015**

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

- 1. Lot 1 Naples Subdivision** **Lot Split**
Southwest Regional Airport Boulevard & Southwest Eden Brooke Street
- 2. Lot 27, Block 10, W.A. Burks Addition** **Property Line Adjustment**
1114 Northeast Monroe Street
- 3. Lot 13, Block 3, Lincoln & Rice's Addition** **Property Line Adjustment**
Northeast 2nd Street & Northeast 'H' Street

IV. New Business

- 1. Collingsworth** **Rezoning***
(R-1, Single Family Residential to R-C2, Central Residential – Moderate Density)
402 Southeast 'G' Street
- 2. Hope Church of NWA** **Rezoning***
(R-1 Single Family Residential to C-2, General Commercial)
1700 Southeast Moberly Lane
- 3. Wegner Christmas Tree 2015 Tent Sales** **Conditional Use***
1100 Northeast 'J' Street

V. Other Business

- 1. Election of Officers**
 - **Chairperson**
 - **Vice Chairperson**
 - **Secretary**

- VI. Planner's Report**
- VII. Adjournment**

Planning Commission
Minutes
December 1, 2105

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

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

Motion by Grider, seconded by Binns to approve the minutes of November 17, 2015 as written.
Approved 7-0

New Business:

Item #1

CHP, LLC: (15-09000040)CHP, LLC, Rezoning, 502 Southeast D Street, Zoned R-1, Single Family Residential.

The applicants have requested a rezoning from R-1, Single Family Residential to RC-2, Central Residential Moderate Density, in order to build two residences on 2 lots.

Opened public comment

No public comment

Approved 7-0

Item #2

Bike Rack Group LLC: (15-09000041)Bike Rack Group, LLC, Rezoning, Southwest 7th Street and Southwest 'B' Street, Zoned D-E.

The applicants have requested a rezoning from D-E, Downtown Edge to D-C, Downtown Core, for future multifamily project.

Opened public hearing

No public comment

Approved 7-0

Item #3

Advanced notice for Electrical Service-Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15 SUBDIVISION CODE TO REQUIRE
ADVANCED WRITTEN NOTICE TO THE BENTONVILLE ELECTRIC UTILITIES
DEPARTMENT (BEUD) OF THE NEED FOR PERMANENT ELECTRIC SERVICE**

WHEREAS, the Bentonville Electric Utilities Department (BEUD) provides certain materials for electric service that must be ordered and purchased in advance; and,

WHEREAS, to provide timely service to contractors, BEUD needs to be notified of the timeframe for when those materials are needed;

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

Section 1. That Chapter 15 Subdivision Code, Article 1100 Design Standards, Section 1100.2 Utilities be hereby amended by adding the following:

E. Advanced Notice for Permanent Electric Service.

1. Large Scale Developments. *Formal written notice shall be provided to the Bentonville Electric Utilities Department (BEUD) requesting permanent electric service a minimum of sixty (60) calendar days in advance of the date to begin permanent electric service to a large scale development.*

2. Final Plats. *Formal written notice shall be provided to BEUD requesting permanent electric service a minimum of thirty (30) calendar days prior to submitting the Final Plat. If the development is phased, each phase shall require a separate thirty (30) calendar day notice. If the development becomes phased after BEUD approval, it is the developer's responsibility to notify BEUD. Failure to do so may cause delays in the electric installation.*

3. Change in Date of Service. *If the date when permanent electric services is needed changes, formal written notice shall be provided to BEUD a minimum of thirty (30) calendar days prior to the new date. A maximum of two (2) extensions are allowed.*

4. Failure to Notify. *Failure to notify BEUD as required in this section may result in a delay of the installation of permanent electric service. The request will be placed in the construction queue and installed as time permits.*

5. Delayed Installation. *If BEUD is notified ninety (90) or more calendar days in advance and BEUD orders and receives materials but the project is not ready at the designated time frame as provided in the written advanced notice, BEUD will charge the contractor a restocking fee equal to 20% of material costs or \$2,000, whichever is higher.*

Section 2. This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____, 2015.

APPROVED:

ATTEST:

City Clerk

Mayor Bob McCaslin

Opened public Hearing

No public comment

Greg Matteri and Scott Eccleston have concerns with becoming an 'Ordinance' are ok with a policy etc.

Beau stated that this will be inserted into the subdivision code and the developer can request a waiver of the ordinance.

Jim Grider stated that it would be extreme cast that the ordinance will be forced and that the city has always worked with them to achieve the task at hand.

Motion by Havner seconded by Grider to approve the ordinance.

Approved 5-2

Planners Report:

- Election of officers will be at next planning commission meeting.
- Troy stated that there have been many new businesses opening downtown and that they not all require a large scale development.
Peddlers PUB might present opportunity to do some improvements to original building once the west side is redeveloped.

Motion by Sanders, seconded by Haynie to adjourn

Meeting adjourned

Diane Shastid

Planning Commission Staff Report

Lot Split: Lot 1 Naples Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: December 15, 2015

GENERAL INFORMATION:

Project Number: 15-05000044

Applicant: Cabe Ranch Leasing, LLC

Representative: Bates & Associates (Geoff Bates)

Requested Action: Lot Split Approval

Location: Southwest Regional Airport Boulevard

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a lot split for property situation along the south side of Southwest Regional Airport Boulevard. The plat provided by the applicant shows the creation of one new lot from one existing parcel. The new lot will be known as Lot 1 (1.62 acres) of Naples Subdivision. The plat shows the dedication of two cross access easements, one along the southern property line and the other in the northeast corner of the property. Water and sewer services are available to this location.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial	Mixed Use
South	R-1, Single Family Residential	Low Density Residential
East	A-1, Agricultural	Mixed Use
West	C-1, Neighborhood Commercial	Office

STREETS

Direction	Name	Classification
North	Southwest Regional Airport Boulevard	Arterial
South	-	-
East	-	-
West	Southwest Eden Brooke 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 site is vacant along a developing commercial corridor.

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

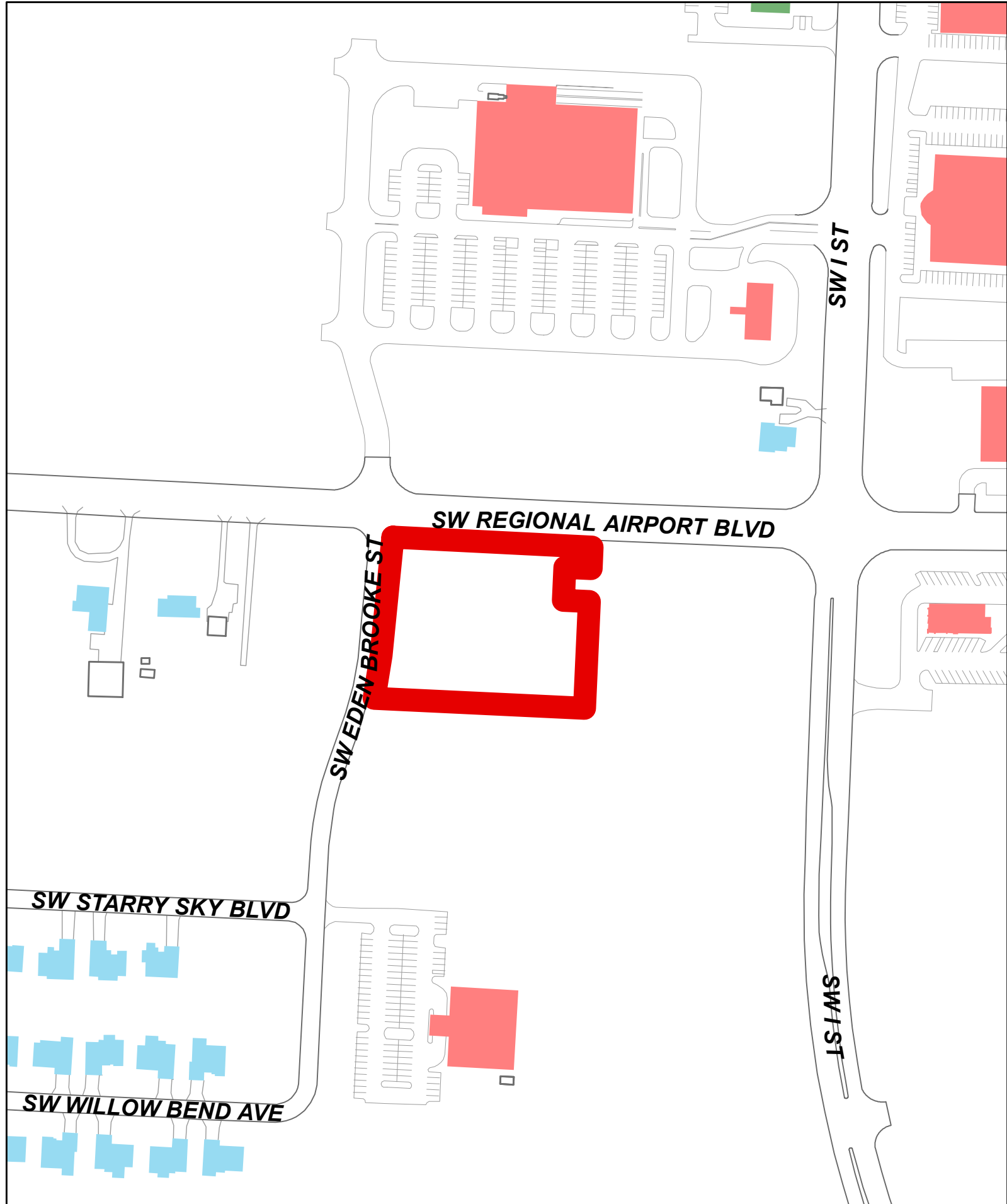
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

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 27, Block 10, W.A. Burks Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: December 15, 2015

GENERAL INFORMATION:

Project Number: 15-07000021

Applicant: Stephen & Teri Brewer

Representative: Derrick Thomas (Bates & Associates)

Requested Action: Property Line Adjustment Approval

Location: 1114 Northeast Monroe Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a property line adjustment for property located at 1114 Northeast Monroe Street. The plat as provided by the applicant shows the interior common lot line of the three original lots to be removed, creating one new lot to be known as Lot 27 (0.37 acres), Block 10 of W.A. Burks Addition. Right-of-way is being dedicated along Northeast Monroe Street per the Master Street Plan. Utility Easements are also being dedicated along Northeast Monroe Street and the southern property line. Water and sewer services are available to this location.

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-4, High Density Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	-	-
West	Northeast Monroe Street	Local

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 will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is vacant in a redeveloping low density residential neighborhood. .

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

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

Waiver(s): N/A

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

RECOMMENDATION:

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

ADJACENT LAND OWNERS

- 1) TERRELL, THOMAS L. JR. & JUDITH L.
BENTONVILLE, AR 72712
PARCEL #01-04555-000
ZONED: R-1
- 2) BAKER PROPERTY MANAGEMENT, INC.
BENTONVILLE, AR 72712-4417
PARCEL #01-04556-000
ZONED: R-1
- 3) TERRELL, THOMAS L. JR. & JUDITH L.
BENTONVILLE, AR 72712
PARCEL #01-04557-000
ZONED: R-1
- 4) BREWER, BRYAN
910 N. MAIN STREET
BENTONVILLE, AR 72712-4823
PARCEL #01-04586-000
ZONED: R-1
- 5) COMMUNITY DEV. CORP. OF BENTONVILLE BELLA VISTA
808 N. MAIN STREET
BENTONVILLE, AR 72712-4834
PARCEL #01-04595-001
ZONED: R-1
- 6) COMMUNITY DEV. CORP. OF BENTONVILLE BELLA VISTA
808 N. MAIN STREET
BENTONVILLE, AR 72712-4834
PARCEL #01-04590-000
ZONED: R-4
- 7) DYAS, CARLY
1110 NE MONROE
BENTONVILLE, AR 72712-4437
PARCEL #01-04583-000
ZONED: R-1
- 8) NWA A-1 PROPERTY CONSULTANTS, LLC
1109 NE A ST.
BENTONVILLE, AR 72712
PARCEL #01-04554-000
ZONED: R-1

FIELD WORK:
NOVEMBER 5-6, 2015

BASIS OF BEARING:
GPS OBSERVATION - ARKANSAS NORTH ZONE

REFERENCE DOCUMENTS:

- 1) WARRANTY DEED FILED FOR RECORD IN BOOK 2014 AT PAGE 11805, RECORDS OF BENTON COUNTY, ARKANSAS.
- 2) LOT SPLIT FILED FOR RECORD IN BOOK 16 AT PAGE 242, RECORDS OF BENTON COUNTY, ARKANSAS.
- 3) REPLAT OF LOTS 19-24 OF BLOCK 10, W.A. BURKS ADDITION, FILED FOR RECORD IN BOOK 20 AT PAGE 109, RECORDS OF BENTON COUNTY, ARKANSAS.
- 4) PLAT OF SURVEY OF LOT 11, BLOCK 10, W.A. BURKS ADDITION, FILED FOR RECORD IN BOOK 22 AT PAGE 272, RECORDS OF BENTON COUNTY, ARKANSAS.
- 5) ORIGINAL PLAT FOR W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS AS SHOWN IN BOOK 81 AT PAGE 119, RECORDS OF BENTON COUNTY, ARKANSAS.

PROPERTY ZONED:
R-1

BUILDING SETBACKS:

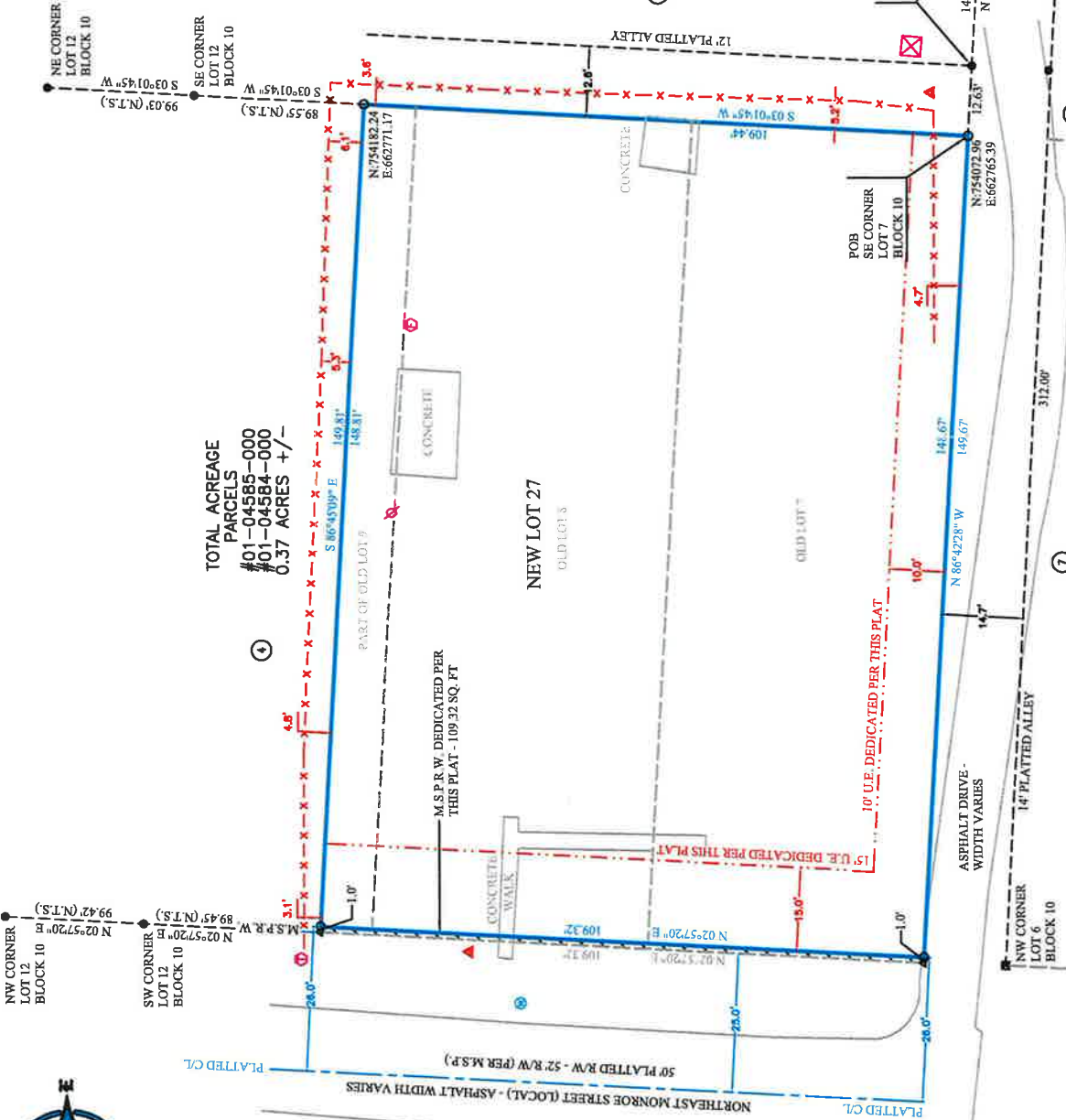
- FRONT 20R
REAR 25R
SIDE (GARAGE FACING) 30R
SIDE (INTERIOR) 07R
SIDE (EXTERIOR) 20R

SURVEY DESCRIPTIONS:

PREVIOUS DEED DESCRIPTION:
LOTS 7, 8 AND THE SOUTH 10 FEET OF LOT 9 IN BLOCK 10 OF W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "A" AT PAGE 119, SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY, SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES.

COMBINED PARCELS #01-04584-000 & #01-04585-000:
LOTS 7, 8, AND THE SOUTH 10 FEET OF LOT 9 IN BLOCK 10 OF W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A THE SOUTHEAST CORNER OF SAID LOT 7 AND RUNNING THENCE N86°42'28" W 148.67' TO THE EAST RIGHT-OF-WAY OF MONROE STREET; MONROE STREET, THENCE ALONG SAID RIGHT-OF-WAY N02°57'20" E 109.32' TO THE SAID RIGHT-OF-WAY SHOWN 4509' E 148.81', THENCE S00°00'00" E 00.44' TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PROPERTY LINE ADJUSTMENT, W A BURKS ADDITION, NEW LOT 27 BLOCK 10



TOTAL ACREAGE
PARCELS
#01-04585-000
#01-04584-000
0.37 ACRES +/-

NEW LOT 27

M.S.P.R.W. DEDICATED PER
THIS PLAT - 109'32 SQ. FT.

15' U.E. DEDICATED PER THIS PLAT

10' U.E. DEDICATED PER THIS PLAT

ASPHALT DRIVE -
WIDTH VARIES

14' PLATTED ALLEY

12' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

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14' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

14' PLATTED ALLEY

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: _____
NAME & ADDRESS

SOURCE OF TITLE: D.R. DEED BOOK 2014

PAGE: 11805

CERTIFICATE OF SURVEYING ACCURACY:
TERRICK THOMAS 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.

PLANNING COMMISSION CHAIRMAN

THIS PLAT IS HEREBY ACCEPTED BY THE BENTONVILLE CITY COUNCIL THIS DAY OF _____, 2015.

MAYOR _____ CITY CLERK

CERTIFICATE OF SURVEYING ACCURACY:
TERRICK THOMAS 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. 1642
STATE OF ARKANSAS

ATLAS PAGE:
361

PROPERTY OWNER/DEVELOPER:
BREWER, STEPHEN & THERESA
904 NW 11TH ST
BENTONVILLE AR 72712 4205

PROPOSED USE:
RESIDENTIAL

VICINITY MAP



VICINITY MAP NOT TO SCALE

GRAPHIC SCALE (IN FEET)
1 inch = 200 feet

1. HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS DAY, NOVEMBER 5, 2015.



IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION IS VALID ONLY IF THE SEAL IS NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

FLOOD CERTIFICATION:
NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS (FIRM PANEL #05007C00901, DATED 09/28/2007).

Planning Commission Staff Report

Property Line Adjustment: Lot 13, Bock 3, Lincoln & Rice Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: December 15, 2015

GENERAL INFORMATION:

Project Number: 15-01500005

Applicant: Craig Hull

Representative: Gene Buescher

Requested Action: Property Line Adjustment Approval

Location: Northeast 2nd Street & Northeast 'H' Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a property line adjustment for property located on the southeast corner of Northeast 2nd Street and Northeast 'H' Street. The plat as provided indicates the remove of the interior common lot lines and the creation of 1 new lot from a portion of 3 existing lots to be known as Lot 13 (0.30 acres), Block 3, Lincoln & Rice Addition. A 20 feet utility easement is being dedicated along Northeast 'H' Street. Water and sewer service are available to this location.

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	Northeast 2 nd Street	Collector
South	-	
East	Northeast 'H' Street	Local
West	-	

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 will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is the location of a 3 vacant lots in a single family neighborhood.

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

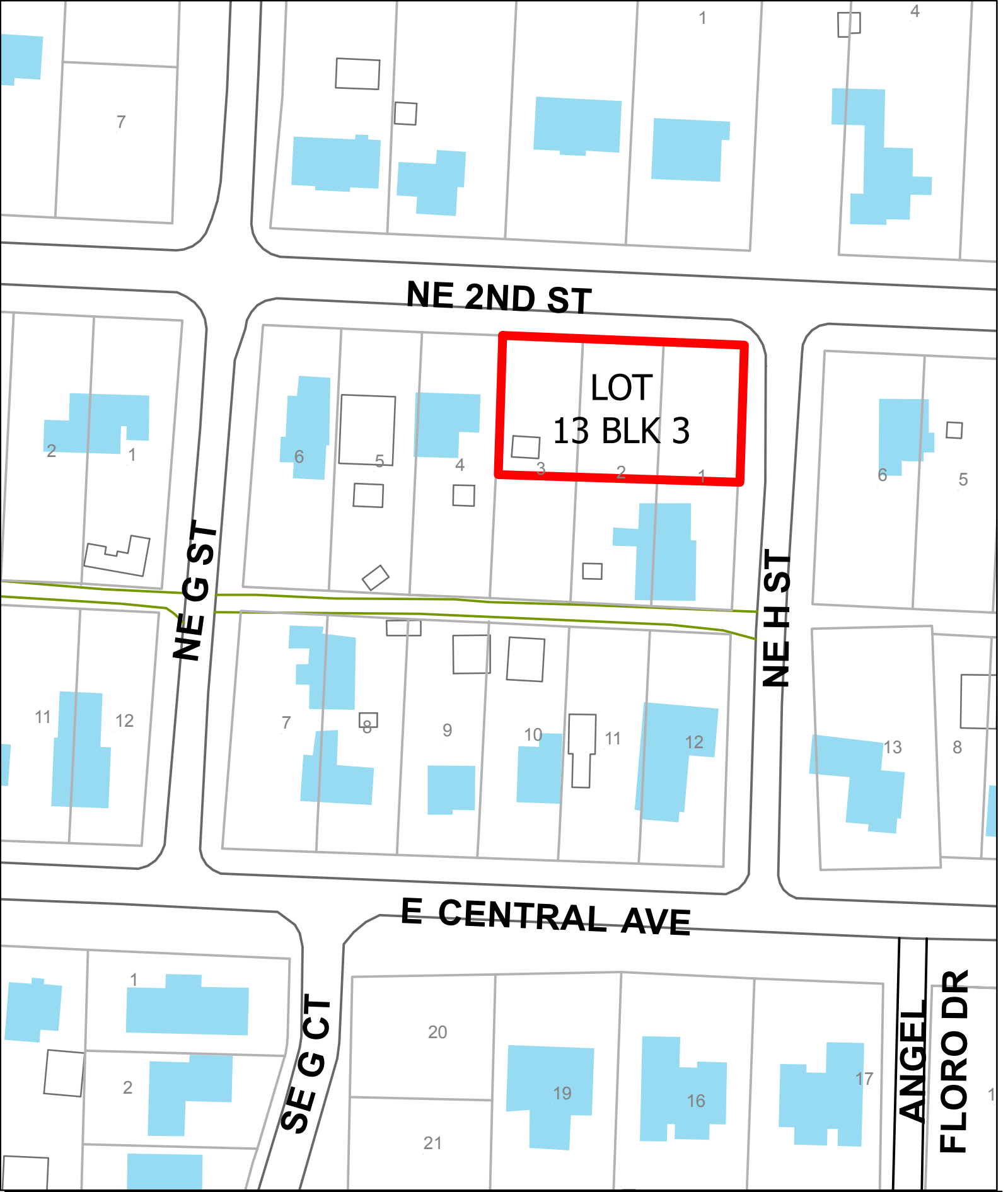
Water / Sewer: Per the G.I.S. site, water and sewer are available to this location.

Waiver(s): N/A

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

RECOMMENDATION:

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



Legend:

- **Approved From Pin**
- **Not From Pin**
- **Approved From**

—X— **From**

① **Security Stamp Marked**

② **Security Stamp**

③ **Gas Meter**

④ **Gas Appliance**

R/R **R/R**

Property Line

Ordinance

Assessment

OWNER (CRAIG HULL)

CRAIG HULL

STATE OF ARKANSAS
COUNTY OF BENTON

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2018.

NOTARY PUBLIC

MY COMMISSION EXPIRES

NOTES:

THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENT.

BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENT'S AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF THE WORK THAT WILL TAKE PLACE IN THE RIGHT-OF-WAY.

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

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

ORIGINAL DESCRIPTION

THE NORTH 80 FEET OF LOTS 1, 2 AND 3, BLOCK 3 OF LINCOLN AND RICE'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS; SAID SUBDIVISION SHOWN ON PLAT RECORD "B", PAGE 101 ON FILE IN THE BENTON COUNTY CIRCUIT CLERK'S OFFICE.

SURVEY DESCRIPTION - NEW LOT 13

PART OF LOTS 1, 2 & 3 OF LINCOLN & RICE'S ADDITION TO BENTONVILLE, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NE CORNER OF SAID LOT 3, THENCE S 87°45'48" E 160.01 FEET TO THE NE CORNER OF SAID LOT 1, THENCE S 1°21'02" W 85.17 FEET ALONG THE EAST LINE OF SAID LOT 1, THENCE N 89°09'54" W 149.89 FEET, THENCE N 1°17'17" E 98.22 FEET ALONG THE WEST LINE OF SAID LOT 3 TO THE POINT OF BEGINNING.

CERTIFICATE OF SURVEYING ACCURACY

I, GENE BUESCHER, 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: _____

THIS PROPERTY IS NOT IN THE 100 YEAR FLOOD ZONE ACCORDING TO F.E.M.A. MAP 08007C0255A DATED SEPTEMBER 28, 2007.

THIS SURVEY WAS COMPLETED OCTOBER 21, 2015 AND MEETS THE MINIMUM STANDARD REQUIREMENTS OF THE STATE OF ARKANSAS.



ATLAS PAGE 382

PROPERTY LINE ADJUSTMENT SURVEY

THE NORTH PART OF LOTS 1 THRU 3, BLOCK 3,
LINCOLN & RICE'S ADDITION, BENTONVILLE, ARKANSAS
REPLATTED AS LOT 13, BLOCK 3, LINCOLN & RICE'S ADDITION
BENTONVILLE, ARKANSAS

SURVEY 1, INC.

2620 Melody Lane, Springdale, Arkansas 72762
TEL 479-750-1608 FAX 479-750-1629

Gene E. Buescher R.L.S. #1181

W.O. 15236

DRAWN BY: GEB

DATE: NOV. 24, 2015

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 EXPIRATION

THE UNIVERSITY OF CHICAGO

WATON. CITY OF BENTONVILLE

CITY CLERK: CITY OF HANNOVERVILLE



PC Meeting of: December 15, 2015

The City of Bentonville, Arkansas

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

REZONING: Collingsworth LLC (R-1, Single Family Residential to R-C2, Central Residential – Moderate Density)

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, AICP, Senior Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: December 15, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000042

Applicant/Current Owner: Lavee Collingsworth

Representative: Joseph Thompson

Requested Action: Rezoning

Location: 402 Southeast G Street

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: R-C2, Central Residential – Moderate Density

Future Land Use Map Designation: Medium Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently the site of a single family dwelling in a medium density residential area.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Dwelling	RC-2, Central Residential Moderate Density	Medium Density Residential
South	Residential Four Plex	R-3, Medium Density Residential	Medium Density Residential
East	Zero lot line Single Family Dwellings	RZ-L, Zero Lot Line Residential	Medium Density Residential
West	Two Duplexes and a Triplex	R-3, Medium Density Residential	Medium Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southeast 4 th Street	Local	2 lane asphalt – Good
South			
East	Southeast ‘G’ Street	Local	2 lane asphalt - Good
West			

LEGAL NOTIFICATIONS

Public Notice: On **November 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 **November 12, 2015**. In addition, staff posted a notice of public hearing sign on the property on **November 31, 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: According to Policy LU-16 Infill Development of the General Plan “The City shall encourage the development of mixed-use and residential projects with in the downtown area to increase the community’s housing stock and to enhance the vitality of downtown businesses. 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 policies therefore the request is consistent with good land use planning and the general plan.

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

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic 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. Water and sewer are available at this location. Emergency services are adequate at this location.

ANALYSIS, CONCLUSION, & SUMMARY

The RC-2 zoning district will increase density to the downtown while providing consistent housing types with adjoining property. The additional density will further increase the validity of downtown businesses without adversely impacting city infrastructure.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Medium 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 **RC-2, Central Residential- Moderate Density**.

Proposed Rezoning: 402 SE "G" Street, Bentonville, AR

Bentonville RE Development, LLC

The current zoning for the parcel is R-1 single family residential.

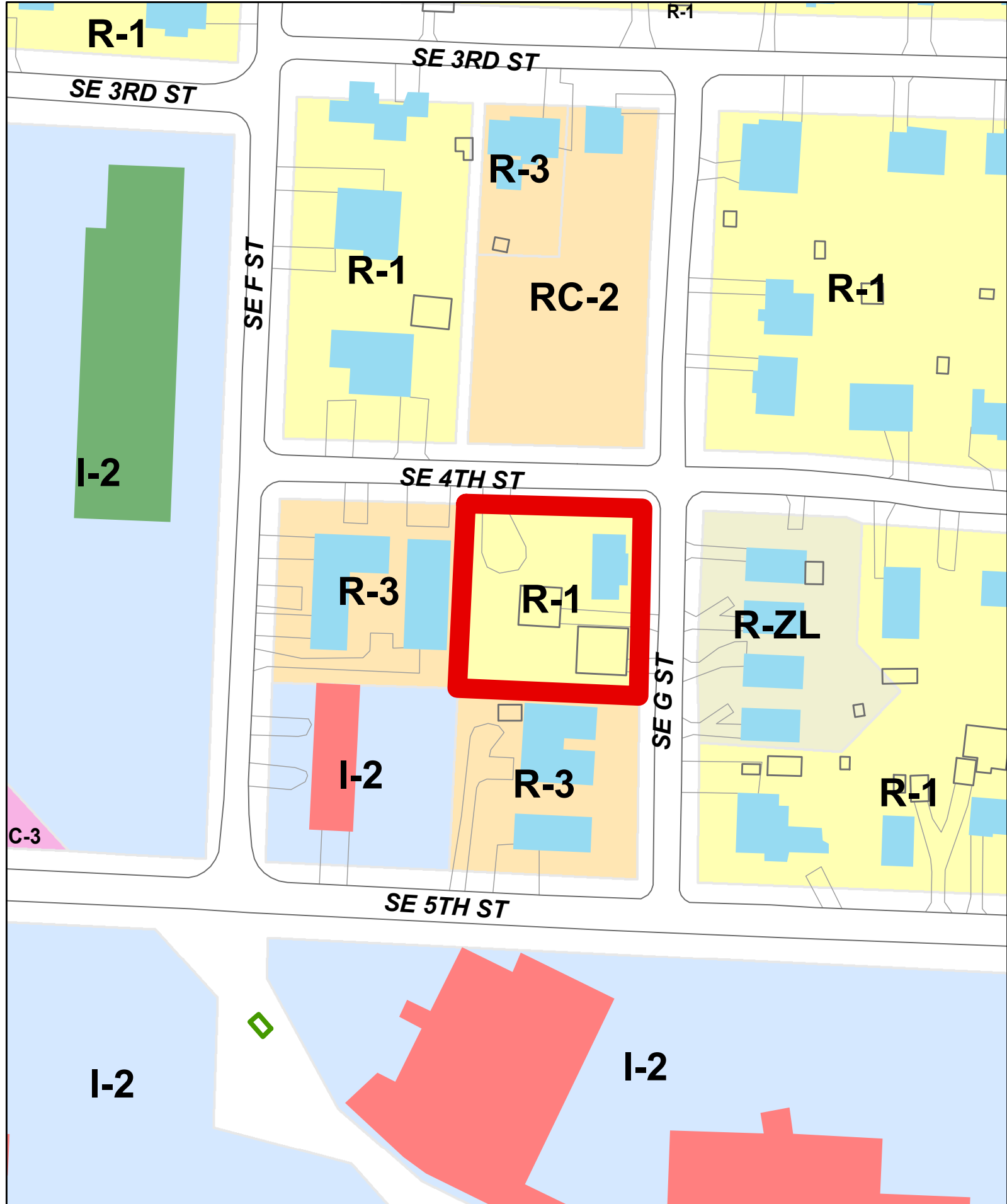
My request is to change the zoning to R-C2 medium density residential to allow for reduced lot size and setbacks to enable the construction of four single family residences. The proposed units will range from 1800 to 2400 square feet with rear loaded garages.

The property would be compatible with the surrounding properties which consist of single-family, multifamily, and industrial.

Traffic should not be an issue as number of proposed units is only three additional units being added to the current zoning.

I will request to have a temporary four by eight foot sign for marketing the units.

All utilities are available to the sight and sidewalks will be added to the property.





PC Meeting of: December 15, 2015

The City of Bentonville, Arkansas

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

**REZONING: Hope Church of NWA
R-1, Single Family Residential to C-2, General Commercial
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, AICP, Senior Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: December 15, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000043

Applicant/Current Owner: Hope Church of NWA

Representative: Engineering Services, Inc. (Craig Davis)

Requested Action: Rezoning

Location: 1700 Southeast Moberly Lane

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: C-2, General Commercial

Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this site is the location of an existing religious facility in an established commercial area.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Residences	R-1, Single Family Residential	Low Density Residential
South	Religious Facility	R-1, Single Family Residential	Commercial
East	Commercial and Apartments	C-2, General Commercial and R-4, High Density Residential	Commercial and High Density Residential
West	Church	R-1, Single Family Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	-	-	-
East	Southeast Moberly Lane	Arterial	Improved two lane with center turn lane.
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On November 12, 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 November 20, 2015. In addition, staff posted a notice of public hearing sign on the property on November 21, 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 commercial. The C-2, General Commercial zoning designation is a recommended zoning for this classification according to the current City of Bentonville General Plan. The C-2 zoning designation will provide goods and services to the multi residential dwellings within close proximity to the commercial corridor.

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

Finding(s) of Staff: The property is located along a commercial corridor that will be sufficient for the uses allowed within the C-2 zoning district. Current traffic conditions should not be altered by the proposed zoning. Southeast Moberly Lane provides a north to south connection between two major arterials that serve the majority of Bentonville.

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. Sewer is available on site and water is available on the west side of Moberly Lane in a 12" line. There is no adverse impact to public services or emergency services 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 commercial. The property is located along a major arterial road and is in close proximity to similar existing uses. The proposed uses in the C-2, General Commercial zoning district will provide goods and services to the highly populated area of the city. The City of Bentonville subdivision regulations will help facilitate the development of the property so that is in keeping with adjacent uses while requiring separation and screening from those non-compatible uses.

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 C-2, General Commercial.

Hope Church Land Rezoning Request

Hope Church of Northwest Arkansas is the landowner of approximately 9.45 acres located at 1700 SE Moberly Lane. This property has been owned by Hope Church for over 15 years and has since been operated exclusively as their Church. They have determined that the size of their property is significantly larger than what they will ever require.

This property has been recently approved for a lot split separating the eastern most 3+ acres of the land fronting SE Moberly Lane. Hope Church intends to retain all the property to the west and the south to maintain a substantial buffer between the surrounding residential neighborhood and the proposed new development of the Buyers. The Church will continue to use as all their retained property for their exclusive use as their sanctuary and related church uses.

Hope Church as the Seller, is under contract to sell to the Buyer, Chelsea Slone Brown and Michael David Slone II, Co-Trustees of the Michael David Slone and Ramah Sue Slone Grandchildren's Trust, the 3+ acres of the land located on the eastern most portion of their land know as Schulz Addition lot 4.

Presently, all of the 9.45+/- acres owned by Hope Church is zoned R-1. The City of Bentonville's Master Land Use Plan indicates that all of this property is planned as COMMERCIAL.

The Seller and Buyer are requesting a rezoning of the Moberly frontage property to C-2. The buyer is intending on constructing a high-end automobile dealership on the property. The buyer has four other automobile dealerships along Moberly which are indicative of the quality of his auto dealerships and his attention to detail and respect for surrounding neighbors.

This area is considered "Automobile Row" in Northwest Arkansas. There are presently 14 dealerships fronting SE Moberly lane within one half a mile of this property. The rezoning of this property to C-2 is highly consistent with the dominant use of similar properties fronting SE Moberly Lane.

Auto Dealerships are not known to create high traffic and road congestion. High-end dealerships, like the buyer is intending, are especially exclusive and very low in customer traffic.

The Buyer's owns dealerships along SE Moberly Lane that clearly illustrate the appearance, quality and concern for the neighborhoods in the area. He is intent that this dealership equal or surpass the quality of his existing dealerships.

All utility services are on site requiring no infrastructure improvements by the City.

Area residents should be relieved that the Church, as Seller, has created deed restrictions in this sale that will forever prohibit the use of this property to be contrary to church like uses.

The Purchaser intends to locate the building structure of the dealership toward the northeast portion of the land, close to the existing fire station. This will provide the greatest separation from any residential structures.

The purchaser intends to provide visual screening of the property on the north, west and south sides of the property.

Directional lighting specifically designed to isolate lighting on to the dealership and not the surrounding property will be used.

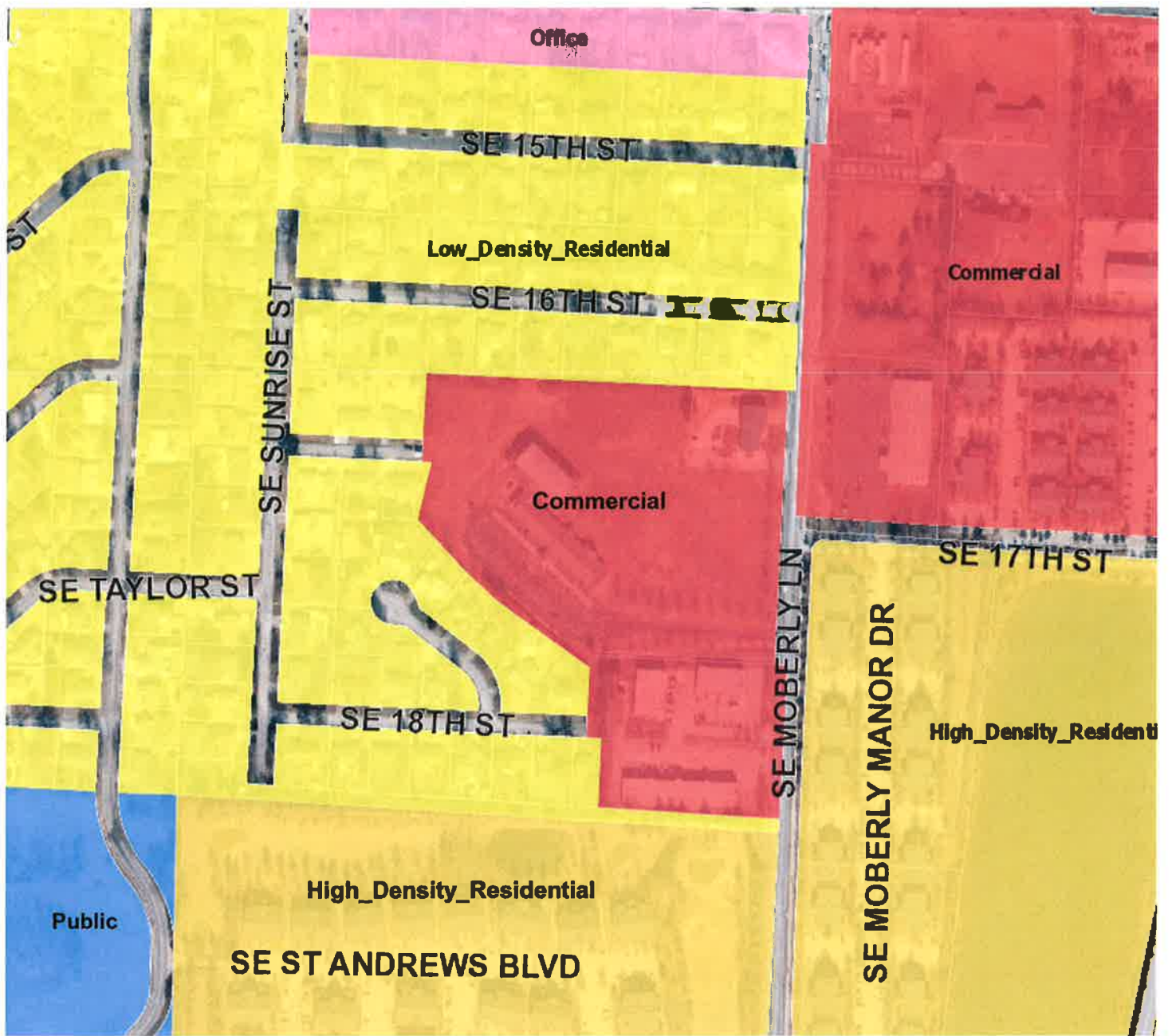
Buyer's other dealerships on McElrath Lane

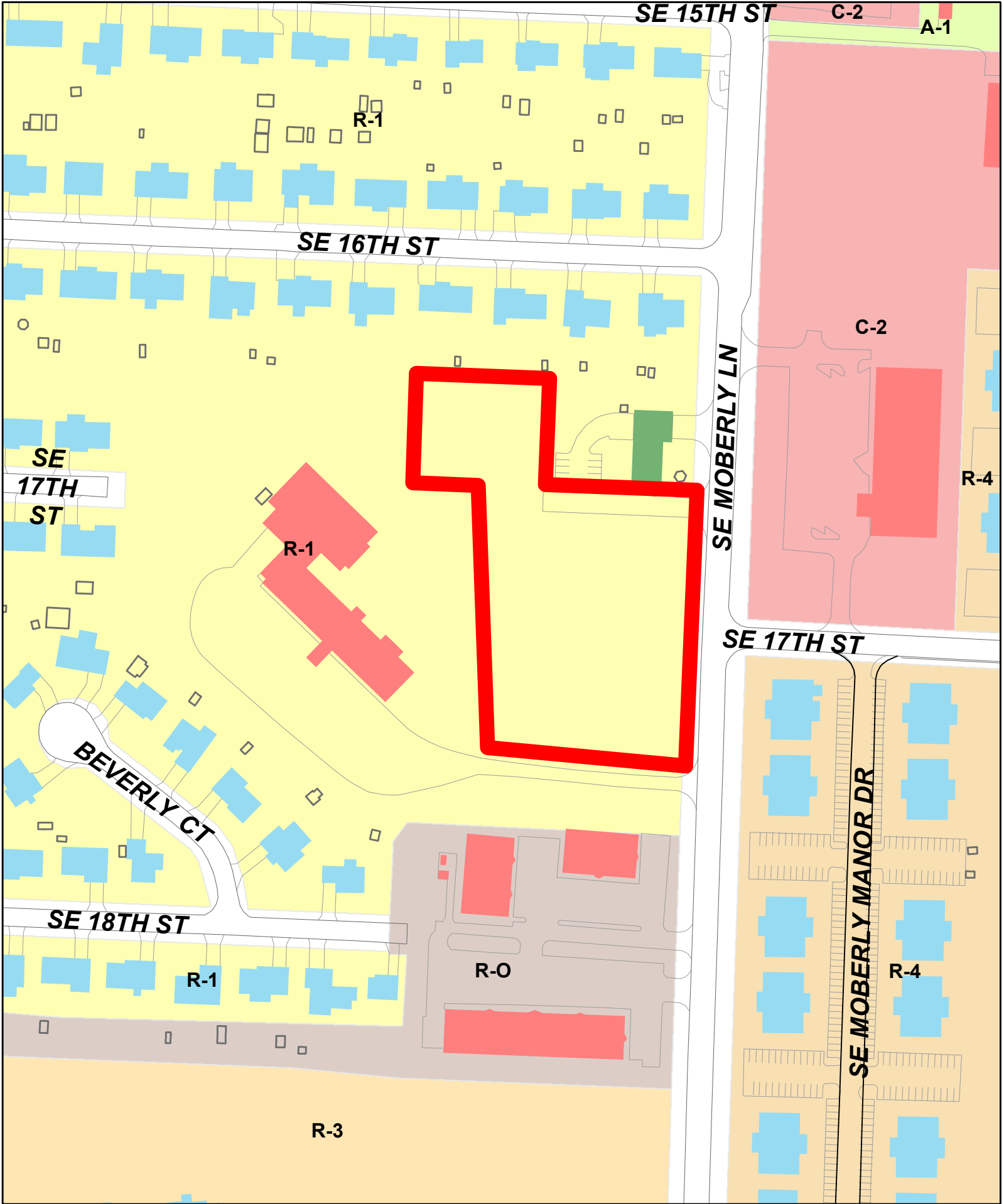


View from houses on 18th Street toward subject property and SE Moberly Lane



Future Land Use Plan Map





Planning Commission Staff Report
Conditional Use: Wegner Christmas Tree Stand
Project Number: 15-02000017

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, AICP, Senior Planner
PC DATE: December 15, 2015

GENERAL INFORMATION:

Applicant: Heather Wagner

Representative: Heather Wegner

Requested Action: Conditional Use Permit Approval

Location: 1100 Northeast J Street

Existing Zoning: A-1, Agricultural

Land Use Plan: Low Density Residential

Proposed Use: Temporary Christmas tree retail lot

BACKGROUND:

The applicant has requested a conditional use permit approval for property located at 1100 Northeast J Street. The applicant is seeking to operate a temporary Christmas tree and wreath retail lot until December 31, 2015. Proposed operating hours are from 3:00pm to 6:00 pm Monday through Friday, 10:00am to 6:00pm on Saturday and 1:00pm to 6:00pm on Sundays..

The applicant plans to utilize a 13' by 26' tent for sales and 165' by 300' of the field along J Street for the tree display/ sales area.

The applicants anticipate 10 customers per day during the week and 20 customers per day on the weekend. No outside employee will be hired. Customers will park on the lawn and along the driveway.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Future Land Use Map Designation
North	A-1, Agricultural	Low Density Residential
South	R-1, Single Family Residential and A-1, Agricultural	Low Density Residential
East	A-1, Agricultural	Low Density Residential
West	A-1, Agricultural	Low Density Residential

STREETS

Direction	Name	Classification
North		
South		
East		
West	Northeast J Street	Arterial

TRAFFIC FINDINGS

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

Site Inspection: A site inspection was completed; this property is a vacant lot with a shed structure and a single family dwelling in a developing mixed use area.

Public Notice: On **November 20, 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 **December 7, 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 requirements listed in the background shall be considered a condition of approval.
3. The conditional use will expire December 31, 2015.

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 A-1, Agricultural zoning district.

Allowed under the Protective Covenants of the subdivision: N/A

To date staff **HAS** been contacted regarding this request.

RECOMMENDATION:

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

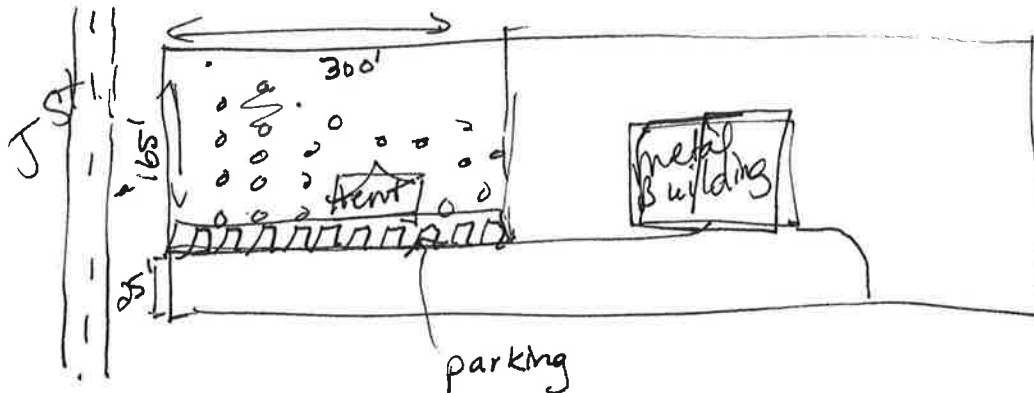
1100 NE J ST

Christmas 2015 Narrative

- A. Proposed use and reason for the proposed use;

To sell Christmas trees and ornaments and wreaths & Christmas "stuff."

- B. Site plan drawn to scale designating the property lines, existing structure(s), proposed structure(s), and indoor and outdoor areas to be utilized;



- C. Hours of operation, including days of the week;
M-F 3-6, Saturday 10-6, Sunday 1-6 or by appointment
- D. Indoor and outdoor areas to be utilized;

Outdoor in front of the big metal building closer to J Street. "Indoor" in a tent.

- E. Planned indoor and outdoor structural changes;
None
- F. Parking needs required for the proposed use including existing and proposed - provide a sketch of the traffic flow pattern (if applicable);
Parking will be on the grass during this temporary time. If muddy, cars can park on one side of the gravel driveway which is 24' wide.
- G. Planned outdoor lighting changes;
Christmas tree lights and small solar lights to illuminate the nativity scene/petting zoo/sign which will be affixed to it.
- H. Anticipated patrons, clients, deliveries, and / or customers (average per day);
Weekdays we should have 5-10 customers per day. Weekends we are hoping for 20 per day.
- I. Proposed number of employees;
No employees- family run.
- J. Photographs of the property
Photographs emailed separately.

