**Planning Commission**
**Agenda**
**February 17, 2015**

**I. Call to Order**

**II. Approval of Minutes**

**III. Consent Agenda**

1. **The PARC Apartments** — **Large Scale Development**
   Southwest Regional Airport Boulevard

2. **Tourmaline Urban Lofts** — **Large Scale Development**
   503 Southeast 'D' Street

3. **Pate Family Dentistry** — **Large Scale Development**
   1208 Southeast 28th Street

**IV. New Business**

1. **Pinkerton** — **Rezoning***
   **(R-1, Single Family Residential to R-C2, Central Residential – Moderate Density)**
   Southwest 'D' Street

2. **Jobe** — **Rezoning***
   **(R-3, Medium Density Residential to R-C2, Central Residential – Moderate Density)**
   706 Southeast 3rd Street

3. **Hargus** — **Rezoning***
   **(A-1, Agricultural to R-1, Single Residential)**
   4806 Town Vu Road

4. **Cindy Springs, LLC**
   **Rezoning***
   **(R-1, Single Family Residential to DE, Downtown Edge)**
   Northeast Blake Avenue

5. **Chad's Beverage Shop aka Gatsby's** — **Conditional Use***
   2501 East Central Avenue

**V. Other Business**

**VI. Planner's Report**

**VII. Adjournment**

***** Denotes public hearing.

Planning Commission
Minutes
February 3, 2015

Meeting called to order by Scott Eccleston, Chairperson

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

Absent: Lisa Bohn

Motion by Binns, seconded by Havner to approve the minutes of January 20, 2015 as written.
Approved 6-0

*Note- no recording of this session

New Business:

Item #1
Ft. Scott Property, LLC: (14-09000032) Rezoning Request A-1, to I-1, Light Industrial, 5808 Southwest Regional Airport Boulevard.

The applicant has requested a rezoning for the use of warehousing and other light industrial uses consistent with an I-1 zoning designation.
No public comment
Approved 6-0

Item #2
Picture Real Estate Development Corporation: (14-017000004) Rezoning Request from R-3, Medium Density Residential to, PRD, Planned Residential Development. Southwest Regional Airport Boulevard, Greenhouse Road & SW Morning Star Road. Tourmaline Urban Lofts.

The applicants have requested a zoning change from R-3, Medium Density Residential to PRD, Planned Residential Development. The PRD will consist of 5 clusters with 3 units in each cluster for a total of 15 single family semi-attached townhomes ranging in size from 19'0 to 2027 square feet and would be for individual sale.
No public comment
Approved 6-0

Item #3
T&J of NWA, LLC: (14-02000023) Conditional Use, 1000 Southeast 5th Street Industrial, Zoned I-2, Heavy Industrial.
The applicant has submitted a Conditional Use application for a microbrewery with associated tap/tasting room for property located at 1000 Southeast 5th Street. Hours of operation for the brewery are from 6:00am to 4:00pm, 7 days a week and the tap/tasting room 4:00pm to 12:00am Monday through Friday, Saturday from 1:00pm to12:00am and Sunday 2:00pm to10:00pm. No alcohol sales will be allowed for off-site consumption after the hour of 10:00pm on any given day. The existing parking lot will be restriped and will allow shared parking for at least 50 vehicles. A screen fence and landscape buffer will be installed for the proposed outdoor patio area to aid in screening from the nearby residential properties.

The applicant anticipates 30 to 40 patrons per day with 1 to 2 delivers per week and will have 2 full time and 2 to 4 part time employees.
No public comment
Approved 6-0

Planners Report:

John Gaber will be doing a presentation at the planning commission training.

Meeting adjourned

Diane Shastid

# Planning Commission Staff Report
# Large Scale Development: The PARC Apartments

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

## GENERAL INFORMATION:

**Project Number:** 15-06000001

**Applicant:** Apartment Development, SVCS

**Representative:** Phil Swope with SWOPE Consulting, LLC

**Requested Action:** Large Scale Development Approval

**Location:** Southwest Regional Airport Boulevard

**Existing Zoning:** PUD, Planned Unit Development

**Land Use Plan:** Industrial

## BACKGROUND:

The applicant has submitted Large Scale Development plans for a 3 phase Planned Unit Development to be known as the PARC Apartments. The Large Scale Development plans are for phase 1 of the project which consists of nine, 3-story apartment complexes containing 216 one and two bedroom units with an average of 939 square feet each. Three Hundred and Forty Nine parking spaces are required and 373 spaces are being provided. On-site storm water detention is being provided. Ten percent open space is required and 10% is being provided. Public water and sewer mains are being extend to the northern property line of the property. Turn lanes are being added to Southwest Regional Airport Boulevard. The exterior of the building is to be constructed of fiber cement siding (Hardie Board), stone veneer and stucco.

## PROJECT STATISTICS ARE AS FOLLOWS:

| Site / Building Requirements | Required / Allowed | Proposed |
|---|---|---|
| **Setbacks** | | |
| **Front:** With parking in front | 15’ | 15’ |
| **Front:** Without parking in front | - | - |
| **Side:** Adjacent to non-residential district | 10’ | 10 |
| **Side:** Adjacent to residential district | - | - |
| **Rear:** Adjacent to non-residential district | 10’ | 10’ |
| **Rear:** Adjacent to residential district | - | - |
| **Height** | 47’ | 47’ |
| **Landscape Coverage** | 10% | 10.10% |
| **Parking** | | |
| Standard Stalls | 340 | 347 |
| Handicap Stalls | 9 | 26 |
| **Total:** | **349** | **373** |

**SURROUNDING LAND USES AND ZONING:**

| Direction | Zoning | Land Use Plan Classification |
|---|---|---|
| **North** | I-1, Light Industrial | Industrial |
| **South** | Benton County | Agriculture & Office |
| **East** | Benton County | Commercial |
| **West** | Benton County | Agriculture |

**STREETS**:

| Direction | Name | Classification |
|---|---|---|
| **North** | - | - |
| **South** | Southwest Regional Airport Boulevard | Arterial |
| **East** | Southwest Regional Airport Boulevard | Arterial |
| **West** | - | - |

**TRAFFIC FINDINGS**

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

**STANDARD CONDITIONS OF APPROVAL**

**1.** A digital copy of the plat.

**2.** All technical review comments must be addressed before building permits will be issued.

**3.** All landscaping will be maintained in healthy living condition and all plant material that dies shall be replaced.

**4**. The building will be constructed with similar exterior materials of those submitted and approved by the planning commission.

**5**. The applicant must provide the City of Bentonville with an official ruling from the FAA in regards to the height of structure prior to building permit issuance.

**ISSUES / ANALYSIS:**

*Site Inspection:* A site inspection was completed; this site is currently a vacant in a developing industrial and commercial area.

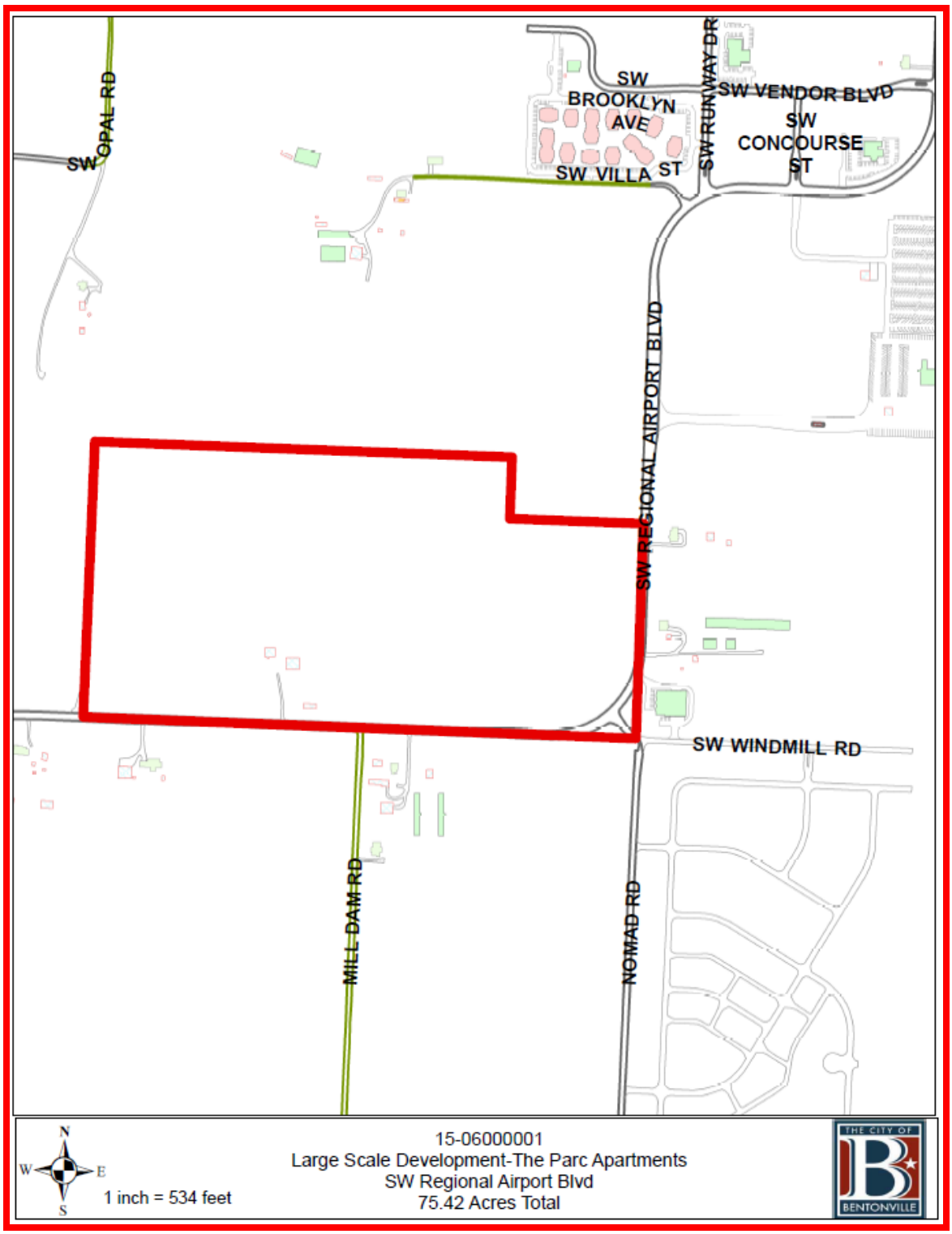
*Drainage Report:* A drainage report/letter was submitted and tentatively approved by the city engineer.

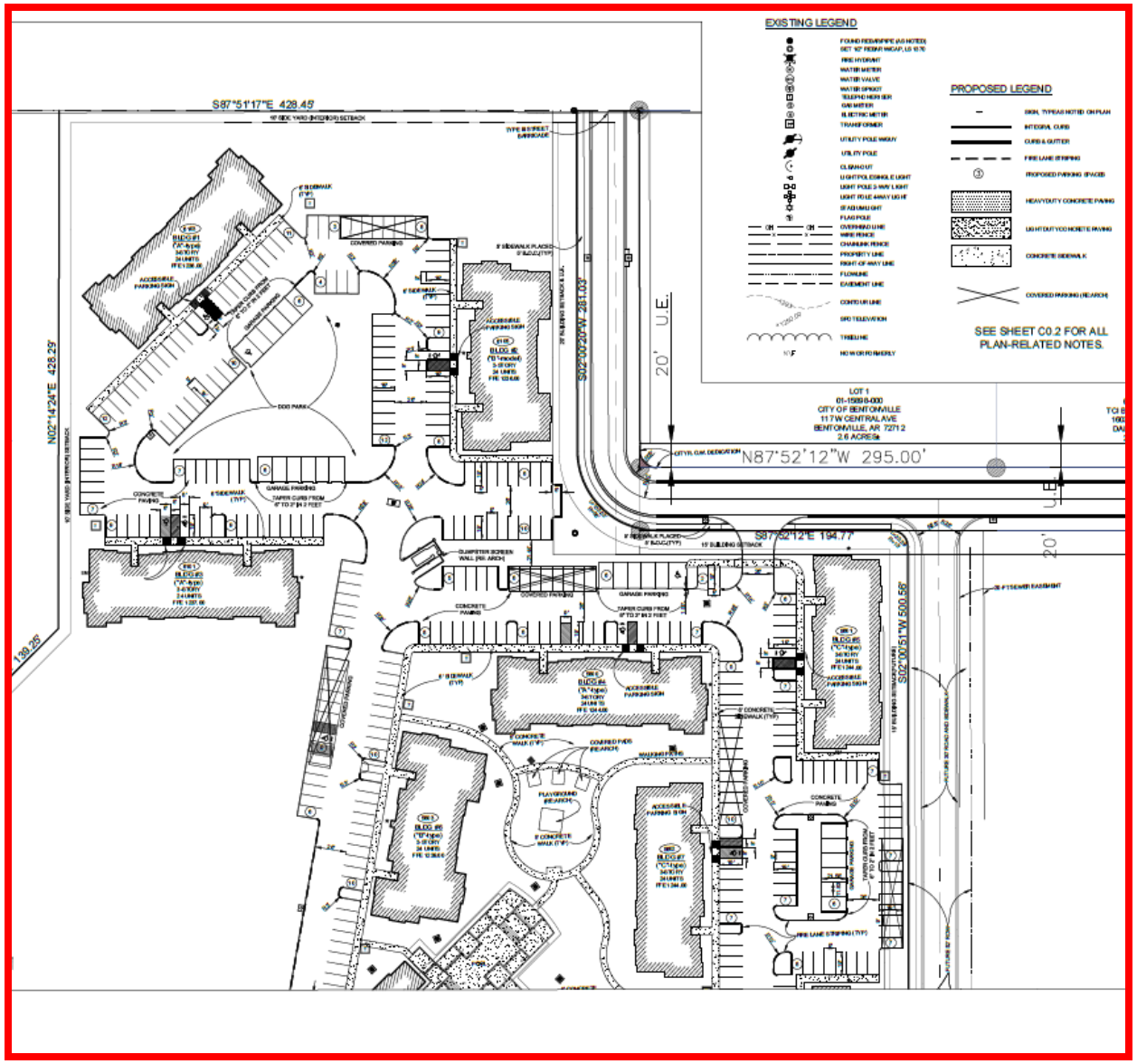
*Water / Sewer:* Per the G.I.S. site, water and sewer **ARE** available to this site.

*Analysis / Conclusion:* This large scale development **DOES** meet the minimum requirements of the subdivision regulations.

**RECOMMENDATION:**

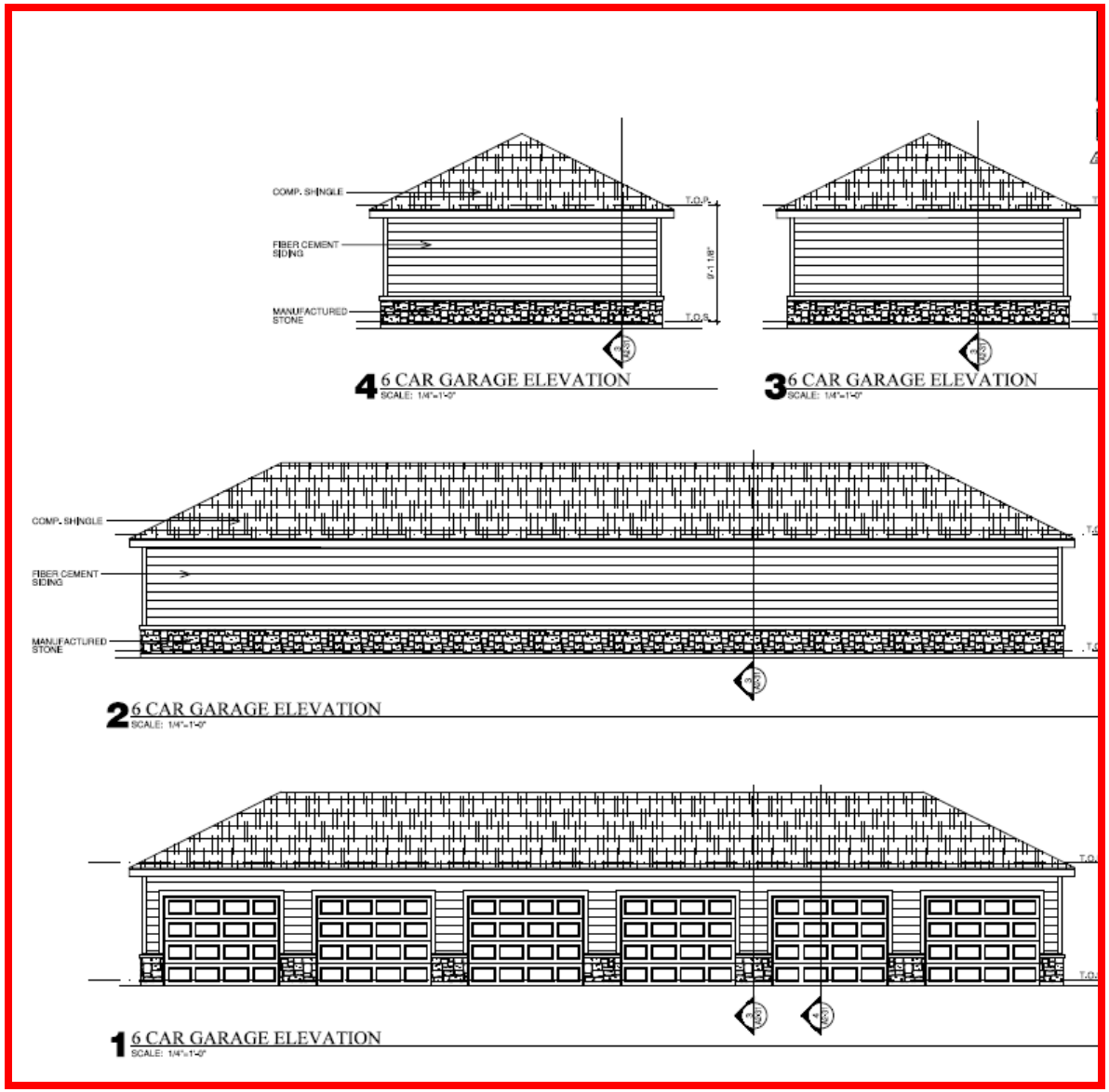
Staff has reviewed this application and recommends **APPROVAL**.

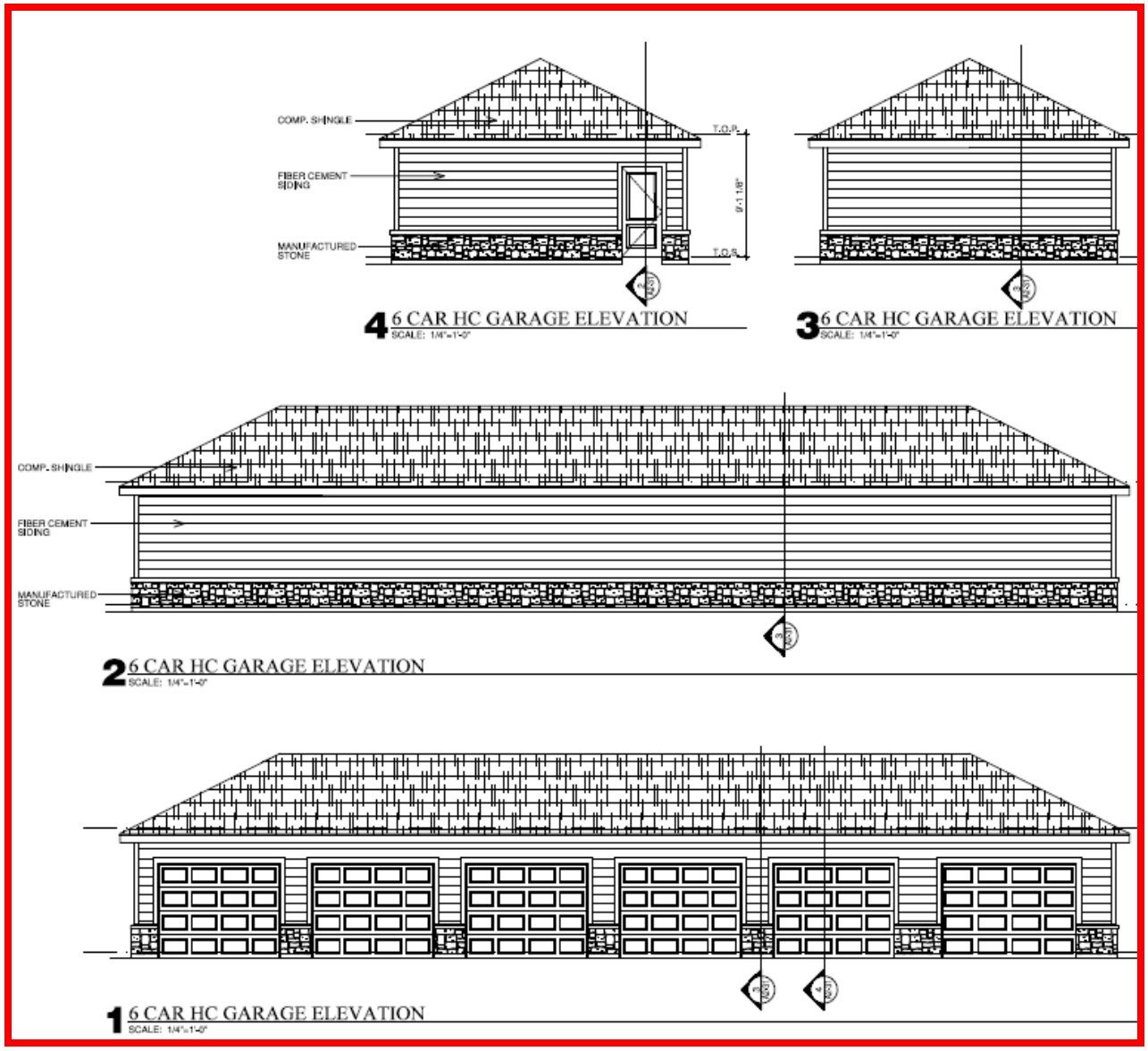

SW OPAL RD
SW BROOKLYN AVE
SW VILLA ST
SW RUNWAY DR
SW VENDOR BLVD
SW CONCOURSE ST
SW REGIONAL AIRPORT BLVD
SW WINDMILL RD
MILL DAM RD
NOMAD RD
N
W
E
S
1 inch = 534 feet
15-06000001
Large Scale Development-The Parc Apartments
SW Regional Airport Blvd
75.42 Acres Total
THE CITY OF
BENTONVILLE


EXISTING LEGEND
PROPOSED LEGEND
SEE SHEET C0.2 FOR ALL PLAN-RELATED NOTES.
S87°51'17"E 428.45'
N02°14'24"E 428.29'
S02°00'20"W 261.03'
20' U.E.
N87°52'12"W 295.00'
S87°52'12"E 194.77'
S02°00'51"W 500.58'
139.25'
LOT 1
01-1569-8-000
CITY OF BENTONVILLE
117 W CENTRAL AVE
BENTONVILLE, AR 72712
2.6 ACRES±

2 CLUBHOUSE REAR ELEVATION

1 CLUBHOUSE FRONT ELEVATION


COMP. SHINGLE
FIBER CEMENT SIDING
MANUFACTURED STONE
T.O.P.
T.O.S.
9'-1 1/8"
4 6 CAR GARAGE ELEVATION
SCALE: 1/4"=1'-0"
3 6 CAR GARAGE ELEVATION
SCALE: 1/4"=1'-0"
COMP. SHINGLE
FIBER CEMENT SIDING
MANUFACTURED STONE
2 6 CAR GARAGE ELEVATION
SCALE: 1/4"=1'-0"
1 6 CAR GARAGE ELEVATION
SCALE: 1/4"=1'-0"


COMP. SHINGLE
FIBER CEMENT SIDING
MANUFACTURED STONE
T.O.P.
9'-1 1/8"
T.O.P.
4 6 CAR HC GARAGE ELEVATION
SCALE: 1/4"=1'-0"
3 6 CAR HC GARAGE ELEVATION
SCALE: 1/4"=1'-0"
COMP. SHINGLE
FIBER CEMENT SIDING
MANUFACTURED STONE
2 6 CAR HC GARAGE ELEVATION
SCALE: 1/4"=1'-0"
1 6 CAR HC GARAGE ELEVATION
SCALE: 1/4"=1'-0"

B2(b) UNIT
B2(b) UNIT
B2(b) UNIT
A1(a) UNIT
A1(a) UNIT
A1(a) UNIT
A1(a) UNIT
A1(a) UNIT
A1(a) UNIT
B2(b) UNIT
B2(b) UNIT
B2(b) UNIT AT BLDG #1
C.L.
46'-9" ABOVE GRADE
COMPOSITION ROOF
FIBER CEMENT SIDING
FIBER CEMENT SIDING
MANUFACTURED STONE
FIBER CEMENT SIDING
HEEL
T.O.P.
T.O.D.
T.O.P.
T.O.D.
T.O.P.
FOUND.
2 BUILDING 'C' REAR ELEVATION
SCALE 1/8"=1'-0"
A2(a) UNIT
A2(a) UNIT
A2(a) UNIT
STAIR/BREEZWAY
STAIR/BREEZWAY
STAIR/BREEZWAY
A1(b) UNIT
A1(b) UNIT
A1(b) UNIT
A1(b) UNIT
A1(b) UNIT
A1(b) UNIT
STAIR/BREEZWAY
STAIR/BREEZWAY
STAIR/BREEZWAY
A2(a) UNIT
A2(a) UNIT
A2(a) UNIT
C.L.
46'-9" ABOVE GRADE
COMPOSITION ROOF
FIBER CEMENT SIDING
FIBER CEMENT SIDING
MANUFACTURED STONE
FIBER CEMENT SIDING
HEEL
T.O.P.
T.O.D.
T.O.P.
T.O.D.
T.O.P.
FOUND.
1 BUILDING 'C' FRONT ELEVATION
SCALE 1/8"=1'-0"

# Planning Commission Staff Report
# Large Scale Development: Tourmaline Urban Lofts

**TO:** Bentonville Planning Commission Members
**THRU:** Troy Galloway, AICP, Community Development Director
**FROM:** Beau Thompson, City Planner
**PC DATE:** February 17, 2015

## GENERAL INFORMATION:

**Project Number:**

**Applicant:** Picture Real Estate Development Corporation

**Representative:** Caitlin Kelly

**Requested Action:** Large Scale Development Approval

**Location:** 501 Southeast D Street

**Existing Zoning:** PRD, Planned Residential Development

**Land Use Plan:** Downtown Mixed Use Residential

## BACKGROUND:

The applicant has submitted a Large Scale Development located at 501 Southeast D Street to be known as Tourmaline Urban Lofts. The PRD would entail 0.86 acres and would consist of 5 clusters with 3units in each cluster for a total of 15 single family semi-attached townhomes ranging in size from 19`0 to 2027 square feet and would be for individual sale.

The majority of the exterior wall area for each building will be constructed of Board & Batten (Hardiepanel & Hardieplank) Siding, Rusted Corten Steel and Perforated Metal and fiberglass windows. Each home will share a common architectural theme and will comply with the City's Commercial Design Standards.

Access to the rear of the property will be achieved by the construction of a 20' alley along the north of the development that will then extend to the south and connect with Southeast 6th Street. Curb and Gutter will also be added to Southeast D Street.

Within the property 20% of the project area will be an "edible landscape" that will consist of fruits and nuts that are native to this region as well as a commons area that is accessible to the general public and a rainwater collection system that will be used to provide irrigation for the vast array of landscaped areas.

Underground Detention is being proposed with this development. Water stored in the detention basin will be used for irrigation when available.

**PROJECT STATISTICS ARE AS FOLLOWS:**

| Site / Building Requirements | Required / Allowed | Proposed |
|---|---|---|
| **Setbacks**<br>**Front:**<br>**Side Interior:**<br>**Side Exterior:**<br>**Rear:** | <br>0'<br>0'<br>7.5'<br>0' &4' | <br>0'<br>0'<br>7.5'<br>0' and 4' |
| **Height** | 40' | 40' |
| **Landscape Coverage** | 15% | 20% |
| **Parking**<br>Standard Stalls | <br>2 per Unit | <br>30 |

**SURROUNDING LAND USES AND ZONING:**

| Direction | Zoning | Land Use |
|---|---|---|
| **North** | Public & C-1, Neighborhood Commercial | Mixed Use |
| **South** | R-3, Medium Density Residential | Downtown Mixed Use Residential |
| **East** | R-3, Medium Density Residential | Downtown Mixed Use Residential |
| **West** | R-1, Single Family Residential | Downtown Mixed Use Residential |

**STREETS**

| Direction | Name | Classification |
|---|---|---|
| North | | |
| South | | |
| East | | |
| West | Southeast 'D' Street | Local Street |

**STANDARD CONDITIONS OF APPROVAL**

**1.** A digital copy of the plat.

**2.** All technical review comments must be addressed before building permits will be issued.

**3.** All landscaping shall be maintained in healthy living condition and all plant material that dies shall be replaced. (Sec 1400.5.C-10)

**4**. The building will be constructed with similar exterior materials of those submitted and approved by the planning commission.

**ISSUES / ANALYSIS:**

*Site Inspection:* A site inspection was completed; this site is currently the location of a 4plex in a redeveloping area of downtown.

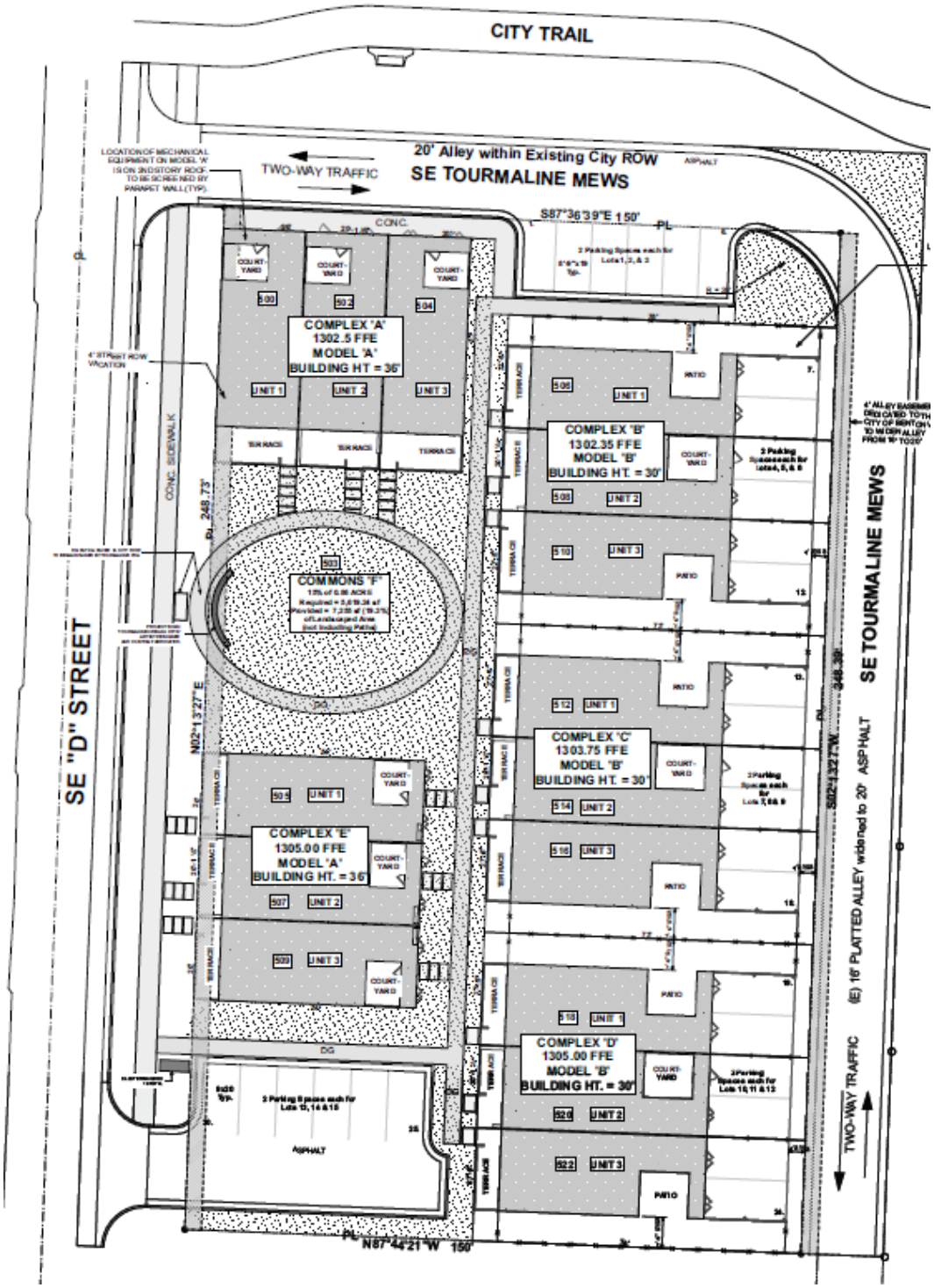
*Drainage Report:* A drainage report was submitted and tentatively approved by the city engineer.

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

*Analysis / Conclusion:* This large scale development DOES meet the minimum requirements of the subdivision regulations.

**RECOMMENDATION:**

Staff has reviewed this application and recommends APPROVAL.



FRONT ELEVATION MODEL 'A'

SCALE: 1/8" = 1'-0"

LEFT SIDE ELEVATION MODEL 'A'

SCALE: 1/8" = 1'-0"

HT SIDE ELEVATION MODEL 'A'

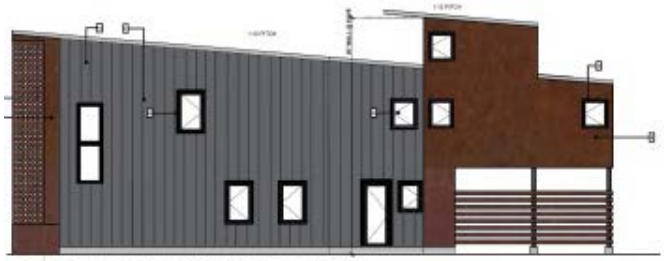
1/8" = 1'-0"

FRONT ELEVATION MODEL 'B'

SCALE: 1/8" = 1'-0"

LEFT SIDE ELEVATION MODEL 'B'

SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION MODEL 'B'

REAR ELEVATION MODEL 'B'

# Planning Commission Staff Report
# Large Scale Development: Pate Family Dentistry

**TO:** Bentonville Planning Commission Members
**THRU:** Troy Galloway, AICP, Community Development Director
**FROM:** Beau Thompson, City Planner
**PC DATE:** February 17, 2015

## GENERAL INFORMATION:

**Project Number:** 15-06000020

**Applicant:** Pate Real Estate Investments, LLC

**Representative:** Morrison Shipley Engineers

**Requested Action:** Large Scale Development Approval

**Location:** 1208 Southeast 28th Street

**Existing Zoning:** C-2, General Commercial

**Land Use Plan:** Commercial

## BACKGROUND:

The applicant has submitted a Large Scale Development for a 5,797 square foot Dentist Office. The office will house Pate Family Dentistry. Access to site will be through a shared curb cut onto Southeast 28th Street in the northwest corner. Detention will be onsite and was previously constructed for Mid Cities Crossing. Architectural elevations depict an asphalt shingled roof with a , split face block, stucco and brick façade.

## PROJECT STATISTICS ARE AS FOLLOWS:

| Site / Building Requirements | Required / Allowed | Proposed |
|---|---|---|
| **Setbacks** | | |
| **Front:** Parking in front | 50’ | 82’ |
| **Front:** Without parking in front | 20’ | - |
| **Side:** Adjacent to non-residential district | 7’ | 17.5’ |
| **Side:** Adjacent to residential district | 30’ | - |
| **Rear:** Adjacent to non-residential district | 20’ | 41.8’ |
| **Rear:** Adjacent to residential district | 30’ | - |
| **Height** | 40’ | 32’ |
| **Landscape Coverage** | 8% | 10% |
| **Parking** | | |
| Standard Stalls | 20 | 25 |
| Handicap Stalls | 1 | 2 |
| **Total:** | | |

**SURROUNDING LAND USES AND ZONING:**

| Direction | Zoning | Land Use |
|---|---|---|
| **North** | I-2, Heavy Industrial | Industrial |
| **South** | C-2, General Commercial | Commercial |
| **East** | C-2, General Commercial | Commercial |
| **West** | C-2, General Commercial | Commercial |

**STREETS**

| Direction | Name | Classification |
|---|---|---|
| North | Southeast 28th Street | Arterial |
| South | | |
| East | Southeast John Rollow Drive | Local |
| West | | |

**STANDARD CONDITIONS OF APPROVAL**

**1.** A digital copy of the plat.

**2.** All technical review comments must be addressed before building permits will be issued.

**3.** All landscaping will be guaranteed for 36 months.

**4**. The building will be constructed with similar exterior materials of those submitted and approved by the planning commission.

**ISSUES / ANALYSIS:**

*Site Inspection:* A site inspection was completed; this site is currently vacant in a developing commercial subdivision

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

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

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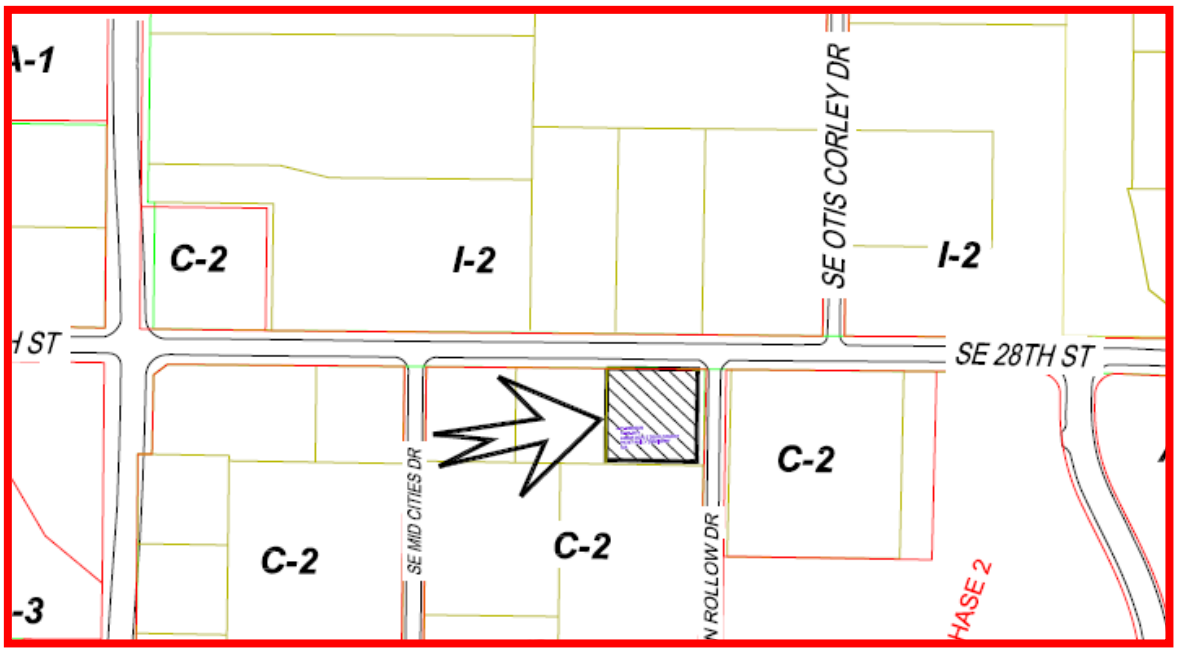
*Waiver(s):*

*Analysis / Conclusion:* This large scale development DOES meet the minimum requirements of the subdivision regulations.

**RECOMMENDATION:**

Staff has reviewed this application and recommends APPROVAL.


A-1
C-2
I-2
SE OTIS CORLEY DR
I-2
H ST
SE 28TH ST
C-2
C-2
SE MID CITIES DR
C-2
N ROLLOW DR
-3
HASE 2

**PC Meeting of: February 17, 2015**

**The City of Bentonville, Arkansas**

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

# REZONING: Pinkerton (Southwest 'D' Street) R-1, Single Family Residential to R-C2 Central Residential – Moderate Density

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

## GENERAL INFORMATION

**H.T.E. Project Number:** 15-09000001

**Applicant/Current Owner:** Allan & Stephanie Pinkerton

**Representative:** Allan & Stephanie Pinkerton

**Requested Action:** Rezoning

**Location:** Southwest 'D' Street

**Existing Zoning:** R-1, Single Family 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 vacant in a single family residential subdivision.

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

**Surrounding Land Uses & Zonings:**

| Direction | Current Land Use | Existing Zoning | Future Land Use Map Designation |
|---|---|---|---|
| North | Single Family Residence | R-1,Single Family Residential | Downtown Mixed Use Residential |
| South | Single Family Residence | R-C2, Central Residential – Moderate Density | Downtown Mixed Use Residential |
| East | Single Family Residence | R-1,Single Family Residential | Downtown Mixed Use Residential |
| West | Single Family Residence | R-C2, Central Residential – Moderate Density | Downtown Mixed Use Residential |

**Surrounding Streets & Classifications:**

| Direction | Name | Master Street Plan Classification | Current Condition |
|---|---|---|---|
| North | - | - | - |
| South | - | - | - |
| East | Southwest 'D' Street | Local | 2 lane asphalt |
| West | - | - | - |

## LEGAL NOTIFICATIONS

**Public Notice:** The property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site on **January 15, 2015** and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **January 17, 2015**. In addition, staff posted a notice of public hearing sign on the property on **February 2, 2015.** This **DOES** meet legal notification requirements due to the applicant failing to notify all property owners within 200 feet of said parcel.

## RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

**Finding(s) of Staff: The Master Land Use plan depicts this property as Downtown Mixed Use Residential. The Downtown Mixed Use Classification permits a range of residential types and densities surrounding the downtown core. Per the General Plan, Policy LU-23 Housing Types states "the City should encourage the development of a mix of housing types to the meet the needs of residents…". The proposed rezoning will meet the intent of both the Master Land Use plan and the General Plan therefore the request is consistent with good land use planning.**

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

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

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

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

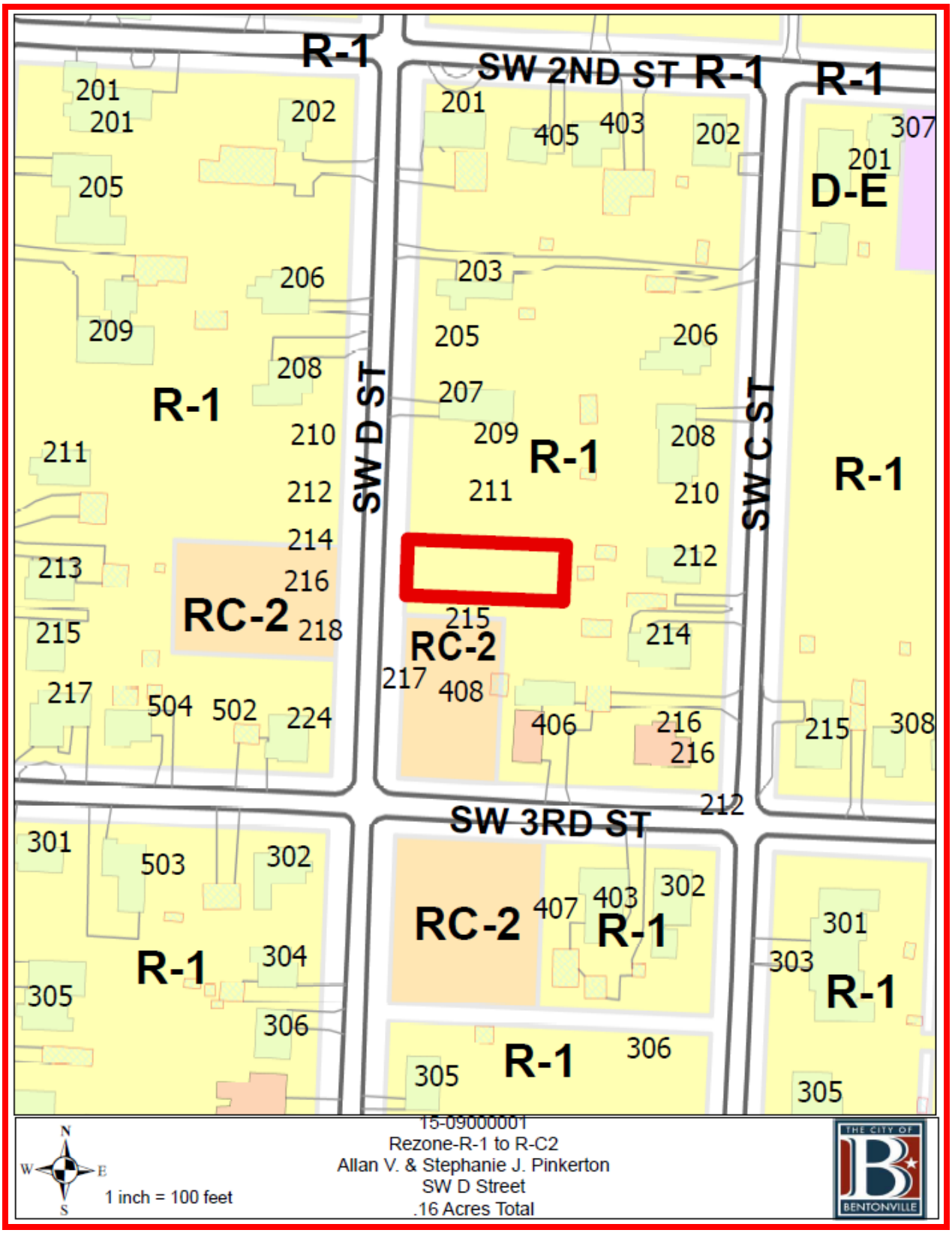
## ANALYSIS, CONCLUSION, & SUMMARY

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

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


R-1
SW 2ND ST
R-1
R-1
201
201
202
201
405
403
202
307
201
D-E
205
206
203
209
205
206
208
SW D ST
207
SW C ST
R-1
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209
R-1
208
R-1
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216
RC-2
215
218
215
RC-2
214
217
408
217
504
502
224
406
216
216
215
308
212
SW 3RD ST
301
503
302
RC-2
407
403
302
301
R-1
304
R-1
303
305
306
R-1
306
305
305
15-09000001
Rezone-R-1 to R-C2
Allan V. & Stephanie J. Pinkerton
SW D Street
.16 Acres Total
N
W
E
S
1 inch = 100 feet
THE CITY OF
BENTONVILLE

3103 SW Waterleaf
Bentonville, AR 72712

January 9, 2015

We currently own the property located at 213 SW D Street, Bentonville, Arkansas. The property is currently zoned as R-1. Our proposed rezoning for the property would be RC-2.

We are excited about the revitalization taking place in the downtown Bentonville area. We love the quaint style homes with porches located within walking distance of the restaurants and shops on the Bentonville Square. We request a rezoning in order to make better use of the entire property by taking advantage of the regulations and requirements associated with the RC-2 zoning.

Our plan is to build our personal home on the lot. Our house will be of similar size and style as the other existing residential homes in the area. The properties directly bordering our lot to the West and South are currently zoned as RC-2.

Water and sewer utilities are currently available on SW D Street. The alley to the south of the property is partially paved. We plan to complete the paving to allow access to a rear entry garage.

Thank you,

Allan & Stephanie Pinkerton

**PC Meeting of: February 17, 2015**

**The City of Bentonville, Arkansas**

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

**REZONING: Jobe (R-3, Medium Density Residential 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: | February 17, 2015 |

## GENERAL INFORMATION

**H.T.E. Project Number:** 15-09000002

**Applicant/Current Owner:** Lance & Andrea Jobe

**Representative:** Joseph Thompson

**Requested Action:** Rezoning

**Location:** 706 Southeast 3rd Street

**Existing Zoning:** R-3, Medium Density 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 rezoning requests for this property.

**Surrounding Land Uses & Zonings:**

| Direction | Current Land Use | Existing Zoning | Future Land Use Map Designation |
|---|---|---|---|
| North | Single Family Dwelling | R-1,Single Family Residential | Downtown Mixed Use Residential |
| South | Single Family Dwellings | R-C2, Central Residential – Moderate Density | Medium Density Residential |
| East | Single Family Dwelling | R-1,Single Family Residential | Medium Density Residential |
| West | Single Family Dwelling | R-3, Medium Density Residential | Medium Density Residential |

**Surrounding Streets & Classifications:**

| Direction | Name | Master Street Plan Classification | Current Condition |
|---|---|---|---|
| North | Southeast 3rd Street | Collector | 2 lane asphalt - Good |
| South | - | - | - |
| East | Southeast 'G' Street | Local | 2 lane asphalt - Good |
| West | - | - | - |

## LEGAL NOTIFICATIONS

**Public Notice:** On **January 14, 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 **January 17, 2015**. In addition, staff posted a notice of public hearing sign on the property on **February 2, 2015**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

## RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

**Finding(s) of Staff:** **According to Policy LU-15 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.**

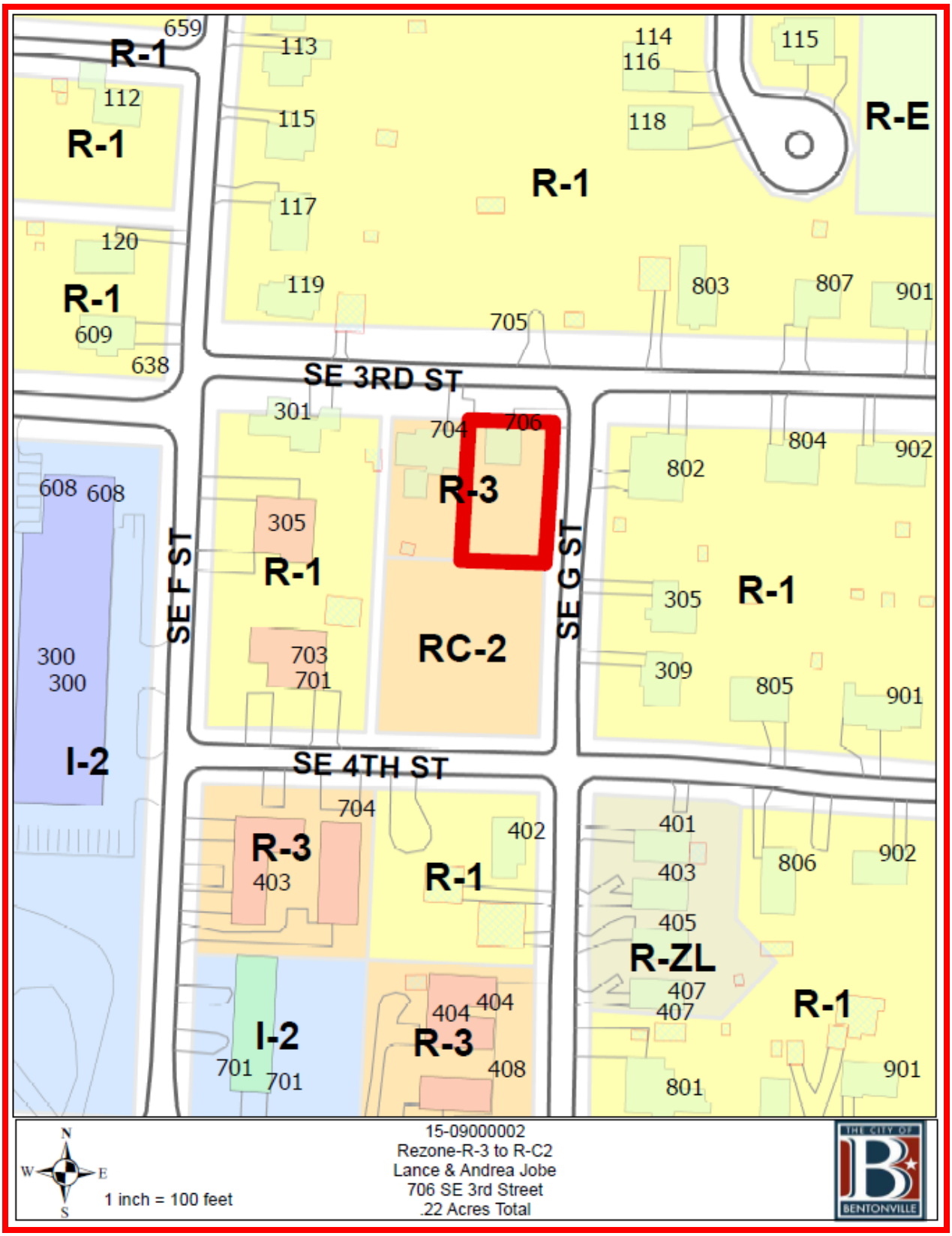
## ANALYSIS, CONCLUSION, & SUMMARY

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-3, Medium Density Residential** to **RC-2, Central Residential – Moderate Density.**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15-09000002
Rezone-R-3 to R-C2
Lance & Andrea Jobe
706 SE 3rd Street
.22 Acres Total
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1 inch = 100 feet
THE CITY OF
BENTONVILLE

Proposed Rezoning: 706 SE 3rd Street, Bentonville, AR

Joseph F. Thompson

The current zoning for the parcel is R-3 medium density residential.

My request is to change the zoning to R-C2 medium density residential to allow for reduced setback to enable the construction of four townhouse units. There would be no more units than allowed under current zoning; however, the proposed would be built for owner-occupancy rather than rental units. The proposed units will range from 1700 to 2000 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 because the number of proposed units is no more than could be built under 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: February 17, 2015**

**The City of Bentonville, Arkansas**

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

**REZONING: Hargus (A-1, Agricultural to R-1, Single Family 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: | February 17, 2015 |

## GENERAL INFORMATION

**H.T.E. Project Number:** 15-09000003

**Applicant/Current Owner:** Charles Hargus

**Representative:** Charles Hargus

**Requested Action:** Rezoning

**Location:** 4806 Town Vu Road

**Existing Zoning:** A-1, Agricultural

**Proposed Zoning:** R-1, Single Family Residential

**Future Land Use Map Designation:** Residential Estate

## BACKGROUND / HISTORY

**Property Description/Site Inspection:** A site inspection was completed; this property is currently an occupied single family home in a developing residential area.

**Previous Rezoning Requests for this Property:** There are no known rezoning's for this property.

**Surrounding Land Uses & Zonings:**

| Direction | Current Land Use | Existing Zoning | Future Land Use Map Designation |
|---|---|---|---|
| **North** | Vacant Agricultural Land | A-1, Agricultural | Residential Estate |
| **South** | Single Family Home | A-1, Agricultural | Residential Estate |
| **East** | Vacant Agricultural Land | A-1, Agricultural | Residential Estate |
| **West** | Vacant Agricultural Land | A-1, Agricultural | Residential Estate |

**Surrounding Streets & Classifications:**

| Direction | Name | Master Street Plan Classification | Current Condition |
|---|---|---|---|
| **North** | - | - | - |
| **South** | Town Vu Road | Collector | Unimproved 2 lane asphalt |
| **East** | - | - | - |
| **West** | - | - | - |

## LEGAL NOTIFICATIONS

**Public Notice:** On **January 6, 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 Edition on **January 17, 2015**. In addition, staff posted a notice of public hearing sign on the property on **February 2, 2015**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

## RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

**Finding(s) of Staff:** **Policy LU-23 Housing Types within the General Plan states "the City should encourage the development of a mix of housing types to the meet the needs of residents…". The rezoning request is consistent with good land use planning and the general plan and will meet the intent of the policy while allowing the property owner the ability to refinance his home.**

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.

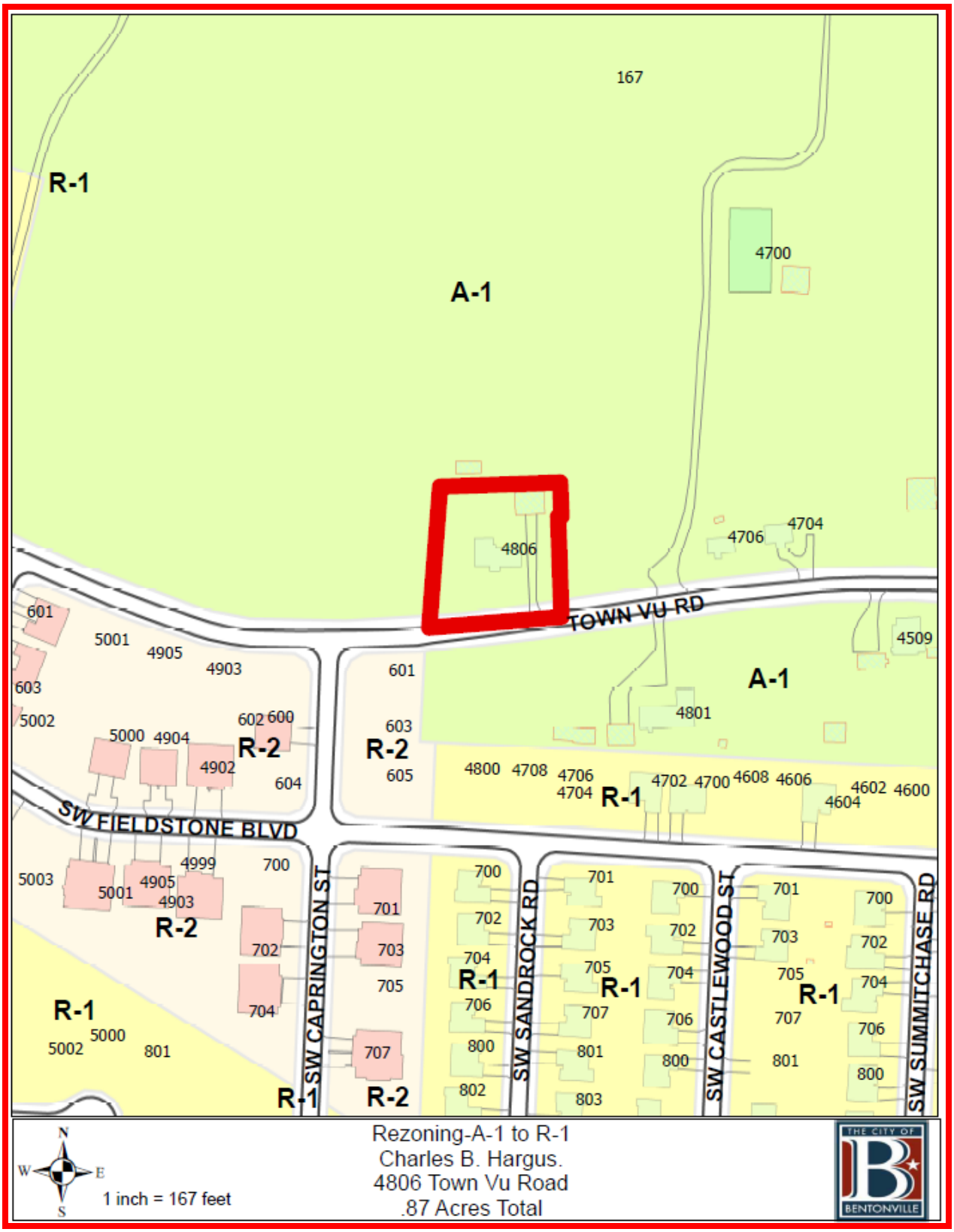
**Finding(s) of Staff:** **The proposed zoning will not adversely alter population density nor impact the public infrastructure. Water is available at this location, however sewer is not available at this time. Emergency services are adequate at this location.**

## ANALYSIS, CONCLUSION, & SUMMARY

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

## STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **A-1, Agricultural** to **R-1, Single Family Residential.**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1 inch = 167 feet
Rezoning-A-1 to R-1
Charles B. Hargus.
4806 Town Vu Road
.87 Acres Total
THE CITY OF
BENTONVILLE

5. Narrative

Current zoning designation-A-1, Agricultural

Proposed zoning designation- R-1, Single Family Residential

Explanation- Proposed change in zoning to comply with parcel size of .89 acre.

Current Owner-Charles B. and Jacque L. Hargus

Reason for change- Refinance of mortgage loan.

Property as related to surrounding properties will not change use, traffic, signage or appearance.

**PC Meeting of: February 17, 2015**

**The City of Bentonville, Arkansas**

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

**REZONING: Cindy Springs, LLC (R-1, Single Family Residential to DE, Downtown Edge)**
**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: | February 17, 2015 |

## GENERAL INFORMATION

**H.T.E. Project Number:** 15-09000004

**Applicant/Current Owner:** Cindy Springs, LLC

**Representative:** Jordan Garner

**Requested Action:** Rezoning

**Location:** Northeast Blake Avenue & Northeast 'C' Street

**Existing Zoning:** R-1, Single Family Residential

**Proposed Zoning:** DE, Downtown Edge

**Future Land Use Map Designation:** Downtown Mixed Use Residential

## BACKGROUND / HISTORY

**Property Description/Site Inspection:** A site inspection was completed; this property is currently a vacant parcel near in a transition area near the downtown square.

**Previous Rezoning Requests for this Property:** There are no known rezoning's for this property**.**

**Surrounding Land Uses & Zonings:**

| Direction | Current Land Use | Existing Zoning | Future Land Use Map Designation |
|---|---|---|---|
| **North** | Single Family Dwellings | R-1, Single Family | Downtown Mixed Use Residential |
| **South** | Commercial Offices | DE, Downtown Edge | Downtown Mixed Use Residential |
| **East** | Single Family Dwelling | R-1, Single Family Residential | Downtown Mixed Use Residential |
| **West** | Single Family Dwelling | DE, Downtown Edge | Downtown Mixed Use Residential |

**Surrounding Streets & Classifications:**

| Direction | Name | Master Street Plan Classification | Current Condition |
|---|---|---|---|
| **North** | Northeast 3rd Street | Local | Two lane asphalt - unimproved |
| **South** | Northeast Blake Street | Local | Two lane asphalt - unimproved |
| **East** | Northeast 'C' Street | Local | Two lane asphalt - unimproved |
| **West** | - | - | - |

## LEGAL NOTIFICATIONS

**Public Notice:** On **January 22, 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 Edition on **January 17, 2015**. In addition, staff posted a notice of public hearing sign on the property on **February 2, 2015**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

## RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

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

**Finding(s) of Staff:** **The property is currently designated as downtown mixed use residential. The D-E, Downtown Edge zoning classification is a recommended zoning for the designation. The Downtown edge zoning will act as a good transition zone between the high density mixed use to the south and west and the single family residential to the north and east.**

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

**Finding(s) of Staff:** **The D-E zoning classification will not cause an undesirable condition to the existing traffic situation. Street improvement and traffic flows will be assessed at time of Large Scale Development**

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.

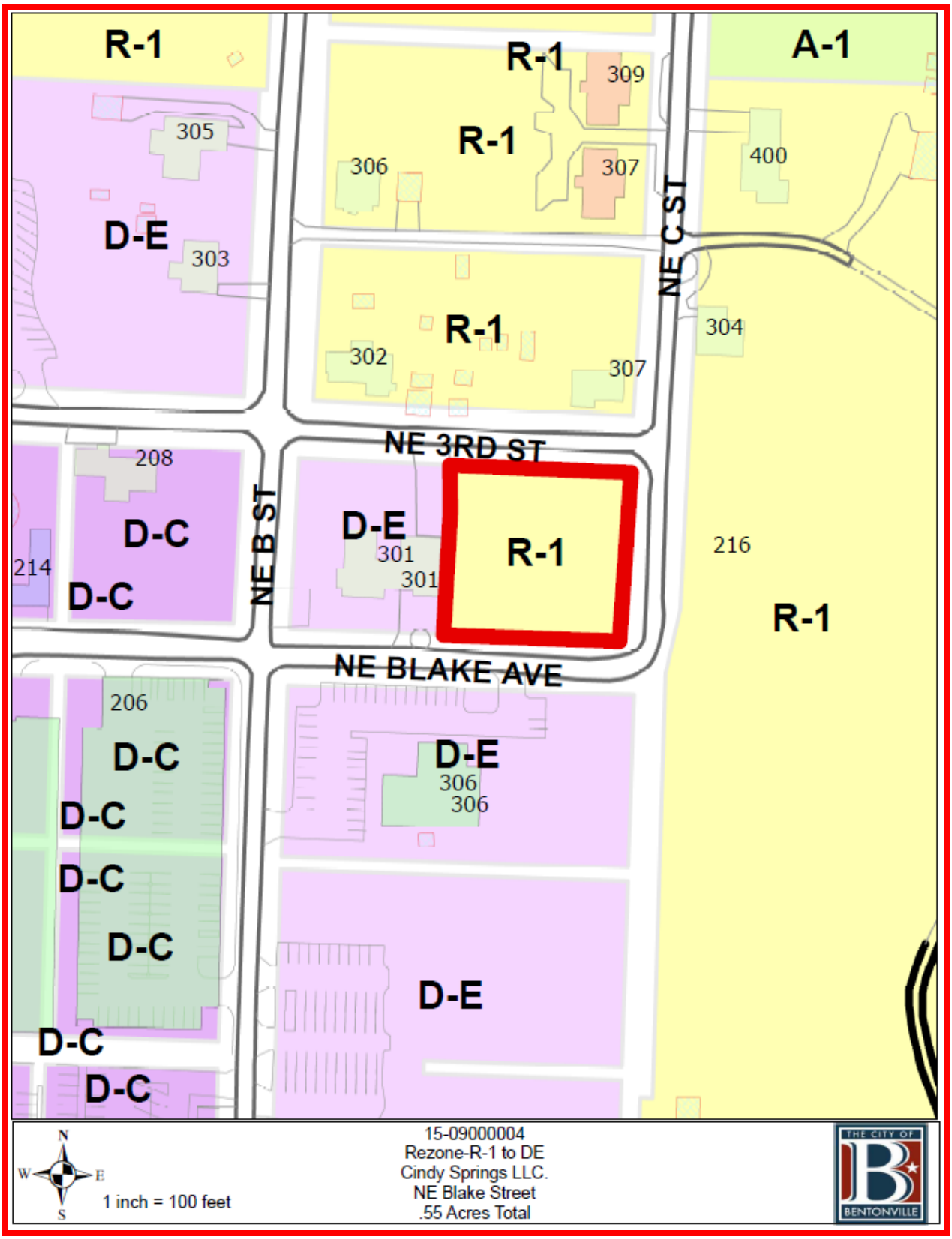
**Finding(s) of Staff:** **The proposed zoning will not adversely affect infrastructure in the area. Water and sewer availability and capacity are adequate at this location. Emergency services are also adequate in the area.**

## 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. The D-E Downtown Edge zoning designation will allow a mix of retail, office and residential within the city's core while allowing additional density to support such uses. The mix of uses within the Downtown Edge designation will reduce traffic congestion by allowing residents to work and shop within and close proximity to their neighborhood.

## 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 **DE, Downtown Edge.**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1 inch = 100 feet
15-09000004
Rezone-R-1 to DE
Cindy Springs LLC.
NE Blake Street
.55 Acres Total
THE CITY OF
BENTONVILLE

Rezoning Request Narrative
305 NE Blake Street
Parcel No. 01-08561-00

Currently zoned: Single Family Residential (R-1)
Proposed zoning designation: Downtown Edge (DE)
This proposed zoning change is to allow for commercial occupancy. The current owner is Cindy Springs, LLC P.O. Box 1860, Bentonville, AR 72712. There are no proposed sales.
Reason: The reason for rezoning change is to create adjacency with the parcel to the West, Lot 1, Blake Street Addition. This is to allow for the development of both properties as one development.
Relation to surrounding properties: The adjoining lot to the West, within the same block as the current request, is currently zoned Downtown Edge (DE), as is the South side of the southern street perimeter, NE Blake Street. The property to the East of NE C Street (the Eastern perimeter of the lot) and the property to the North are zoned Single Family Residential (R-1).
Use: The use is requested to be Downtown Mix Use.
Traffic: Traffic count reports for the dates Aug 18-24, 2014 for the 3rd Street block, the northern perimeter, and the NE Blake Street block, the southern perimeter seen below:
**3rd Street week average: 72 vehicles**
**NE Blake Street week average: 69 vehicles**
Signage: There is currently no signage on the parcel. There is only street name signage and one stop sign (#1 listed below) on the perimeter streets of the parcel. Within the Blake Street Addition block there are 5 stop sign locations. The stop sign locations are:

1) 1 stop sign on the corner of NE 3rd Street and NE C Street, facing East.
2) 2 stops signs on the corner of NE 3rd Street and NE B Street, facing North and South
3) 2 stop signs on the corner of NE Blake Street and NE B Street, facing North and South

Appearance: Currently the appearance of the parcel is without build. It is also without street improvements and no side walk. There are mature trees along the southern and northern perimeters. There is a runoff drainage ditch along the eastern perimeter.
Water and Sewer: There is a 2" water line along the eastern perimeter (NE C Street) of the parcel. There is at 12"+ sewer line along both the eastern perimeter (NE C Street) and the southern perimeter (NE Blake Street) of the parcel.

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

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

## GENERAL INFORMATION:

**Applicant:** Steve Turner with Petromark Inc.

**Representative:** Chad Smith

**Requested Action:** Conditional Use Permit Approval

**Location:** 2501 East Central Avenue

**Existing Zoning:** C-2, General Commercial

**Land Use Plan:** Commercial

**Proposed Use:** Package Liquor Store

## BACKGROUND:

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

## SURROUNDING LAND USES AND ZONING:

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

## STREETS

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

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

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

**CONDITIONS OF APPROVAL:**

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

**10.** The conditional use shall be allowed for a period not to exceed 2 years at which time the conditional use permit will be deemed expired unless renewed by the City of Bentonville Planning Commission.

**ISSUES / ANALYSIS:**

**SEC. 301.6. Planning Commission**
**E.** ***Standards for Approval.*** In carrying out the purpose of this section, the Commission's consideration shall include, but not be limited to, the following development standards and design specifics. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.

**1.** The proposed use shall be so designated, located and operated so that the public health, safety and welfare will be protected.

**2.** The proposed land use shall be compatible with other area properties located near it.

**3.** The proposed use shall be in compliance with the provision of "Conditional Uses" as set out in this Ordinance.

**4.** The proposed use shall be in conformance with all applicable provisions stated in this Ordinance for the district in which the use is to be located. The use shall facilitate public convenience at that location.

**5.** The proposed conditional use shall be in conformance with all off-street parking and loading requirements of this Ordinance and ingress and egress and pedestrian ways shall be adequate.

**6.** Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust and odor shall have been addressed in the proposed use application.

**7.** Landscaping and screening of the proposed use shall be in accordance with these Ordinance regulations and the City of Bentonville landscaping regulations.

**8.** Proposed use signage shall be in accordance with the provisions of this Ordinance.

**9.** Open space located on the proposed use shall be maintained by the owner/developer.

**10.** The size and shape of the site, including size, shape and arrangement of proposed structures shall be in keeping with the intent of this Ordinance.

**11.** The Planning Commission shall in no case authorize less than minimum requirements of the Ordinance relating to height, area, setbacks, parking or landscaping.

**12.** The Planning Commission shall not permit any use in a zone as a conditional use that is not permitted under the Zoning Ordinance.

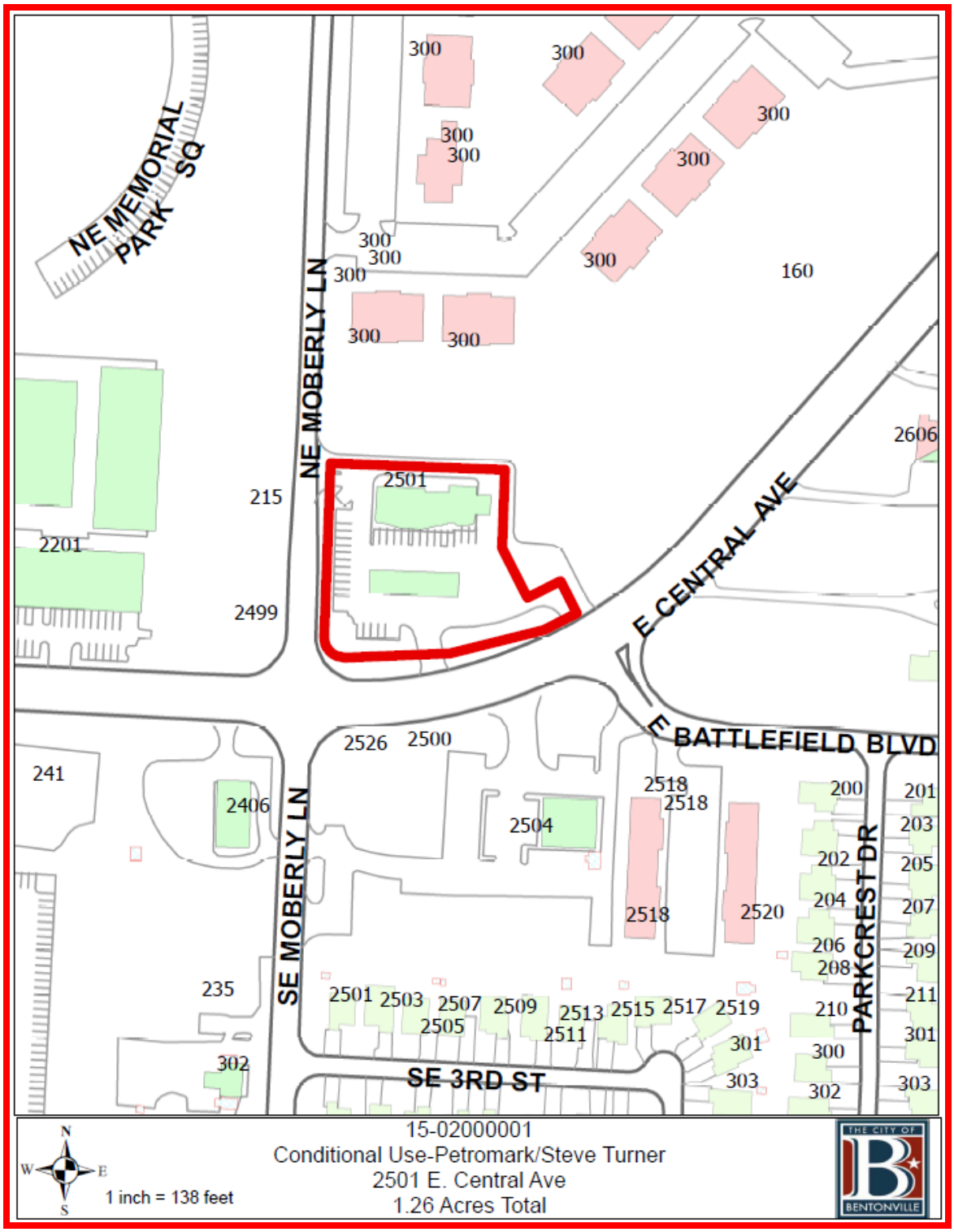
The conditional use is allowed on appeal in the (**C-2, General Commercial)** district.

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

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

**RECOMMENDATION:**

**Staff has reviewed this application and recommends this item be TABLED per the applicant's request in order to allow time for Police Department review and comment and to facilitate staff review with applicant's Landscape Architect and Engineer of Record.**




15-02000001
Conditional Use-Petromark/Steve Turner
2501 E. Central Ave
1.26 Acres Total

N W E S

1 inch = 138 feet

THE CITY OF BENTONVILLE

# Gatsby's Narrative

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

# Gatsby's Narrative

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

# Photographs of the Property