



**BOARD OF ADJUSTMENT
AGENDA
February 27, 2019**

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Thaden School

800 SE C Street ([VAR19-0003](#))

- Freestanding signs in DC & DE Zoning Districts

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
February 13, 2019

Meeting called to order by Rick Rogers, Chairman

Present: Joe Haynie, Rick Rogers, Jan Holland, Sam Pearson, and Rustin Chrisco
Staff: Tyler Overstreet and Ali Worley

Motion by Mr. Pearson, seconded by Ms. Holland to approve the minutes of January 9, 2019 as written.
Approved 5-0

New Business

Item #1

Hurricane WA, LLC, Variance Request for 729 and 733 NE A Street, Fence height requirements in R-1 zoning district, VAR19-0002

Ali Worley reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Todd Jacobs, applicant, explains the request to the Board. There is some discussion amongst staff and Board members on an upcoming update to the Subdivision Code changing the fence height requirements to 8 feet within DN districts downtown. Mr. Jacobs requests to amend his request to a variance of 2 feet, allowing the fence to be 8 feet. Mr. Rogers wants it on record that the 8 feet will also include the portion of the fence facing the street.

Approved 5-0

Other Business

Mr. Chrisco discusses the variance approval for a fence at 308 SW E Street that was amended and did not follow the agreements made at that Board of Adjustment meeting. There is discussion amongst Board members and staff on steps taken to ensure what was agreed upon is reflected on permits.

Motion by Mr. Pearson, seconded by Ms. Holland to adjourn.

Meeting adjourned

Ali Worley

*A copy of this recording can be obtained from the Bentonville Planning Department.

BOA STAFF REPORT

VAR19-0003, Thaden School, Freestanding Signage

TO: Bentonville Board of Adjustment
THRU: Ellen Norvell, Community Development Director
FROM: Tyler Overstreet, Planner
BOA DATE: February 27, 2019

GENERAL INFORMATION:

Representative: David Swain

Applicant: Thaden School

Location: 800 SE C Street

Existing Zoning: DC, Downtown Core

Existing Land Use: Public/Semi-Public

REQUEST: Variance(s)

Side Interior Yard Fence Height Variance		
	Regulation	Request
Article 801, Section 801.15, Signs allowed with a sign permit.	Freestanding signs are not permitted within DC & DE zoning districts.	Request of: four, 12-foot tall, 25 square feet freestanding, monument signs Variance of: Four non-permitted signs

SURROUNDING ZONING:

Direction	Zoning
North	DC, Downtown Core & DE, Downtown Edge
South	DC, Downtown Core, DE, Downtown Edge, R-3, Medium-Density Residential, & R-O, Residential Office
East	A-1, Agricultural & DE, Downtown Edge
West	DC, Downtown Core

BACKGROUND:

The applicant has submitted a variance request to allow four, 12-foot tall, 25-square feet, freestanding, monument signs at 800 SE C Street. The signs shall be located at each of the four corners of the site. Freestanding signs are not permitted within the Downtown Edge or Downtown Core zoning districts. According to the applicant's narrative, these signs should be allowed to provide visibility at their entrances; consistent with other local schools. In addition, this site was previously granted setback variances due to its educational use.

For additional information, please reference the attached documents.

PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

If approved, the following condition(s) shall apply:

1. The approved variance shall be for the proposed height, location and materials of the signs as provided by the applicant within their application
2. The applicant shall obtain approved sign permits prior to constructing the fence.

30 January 2019

Via email Board of Adjustments
City of Bentonville
305 Southwest 'A' Street
Bentonville, AR 72712

Re Request for Signage Zoning Variance on behalf of Thaden School

The Thaden School is a new independent middle and high school in Bentonville, Arkansas. Its "whole student / whole body" pedagogy will feature learning opportunities both indoors and outdoors. The school's main campus will occupy a 15-acre site adjacent to the emerging 'Arts' and 'Market' districts at the corner of 8th Street and Main Street and is based on a college campus organizational model. The four main campus buildings (averaging around 30,000 sf each) and orchard at the drop-off lane form a boundary between the public perimeter of the site and the interior quad.

The site is zoned **Downtown Core (DC)**, and we are requesting a zoning variance for freestanding signage on the campus as outlined in this letter, from the following requirements:

Section 801.15 – per table, freestanding signs are not permitted in DC zone

Point 1 The campus should have freestanding signage.

The campus is currently under construction. Setback variances were granted to allow the location and organization of buildings to deviate from the zero lot line development pattern defined by the DC requirements in acknowledgement of the unique functions of a school campus, which are not consistent with the building types and land uses anticipated by the DC zoning. The current Proposed Land Use Plan recognizes the shift in use showing the site change from "Mixed Use" to "Public/Semi-Public", which is a typical land use designation for school campuses in the area. Most school campuses are zoned either A-1 or R-1, allowing them to have freestanding signs for non-residential uses at each street entrance. We request that a variance be granted to allow freestanding signs so that the Thaden school may construct signage in a manner consistent with the Proposed Land Use Plan and other local schools.

Point 2 The proposed design of 12' tall, 25sf freestanding signs meets the intent of the size and area limitations in the code.

In accordance with the provisions of 801.15.6, the signs are designed to complement the architectural style of the new Thaden school buildings while also reinforcing the visual brand of the school. The size and area limitations described in the code assume that signs are large, planar displays set near the road, and so it limits their dimension to minimize visual obstruction and distraction to passerby. The proposed Thaden signs are not conventional planar signs but rather slender 3-dimensional objects with open edges. These forms relate to the roof forms of the architecture while minimally obstructing views. The front and back faces of the proposed signs are 12' tall and 4' wide inverted triangles with approximately 25sf of area so they are taller than the code would permit in A-1 or R-1, but they are significantly smaller in area than the code allows. The signs are set back deep into the campus to integrate them in the landscape and ensure they are sensitive to neighboring properties and passing. Given that approach, the signs are tall to maintain legibility from the street.

Proposed Locations

The Thaden school is a pedestrian campus containing a variety of outdoor landscapes for both students and the community. As such, limited parking is provided on the west campus – the primary parking lot is located across C street on the east campus. Since Thaden's west campus will be primarily accessed on foot or seen from cars in passing, we propose one freestanding sign per each of the four main buildings located on the site's corners in lieu of one per vehicular entrance. The proposed signs are set back generously from the street at 20' from all property lines. At the southeast corner, the sign will be set the minimum 25' from the south property line acknowledging the residential zone across the street.

The requested variance will allow Thaden School to outfit its campus with signage that provides legible identification while maintaining open edges to the site and unobstructed views. The slender, sculptural objects set back within the landscape extend a message of invitation rather than boundary supporting Thaden's mission as a community-inclusive campus. We appreciate your consideration of the above requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christian Rodriguez', with a stylized flourish at the end.

Christian Rodriguez, Project Architect EDR

30 January 2019

Thaden School Sign Variance Request

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Cc Amanda Rivera *EDR*, Z Smith *EDR*, Bradford Payne Marlon Blackwell Architects, Josh Matthews Marlon Blackwell Architects, Brahm Driver Ecological Design Group, Ben Monette Andropogon, David Swain *WEI*, Ian Stanley Thaden School, Clayton Marsh Thaden School

Encl application form, plan drawings, survey of the property

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