



**Planning Commission
Admin Meeting Agenda
December 10, 2024
Bentonville City Hall
Public Meeting: 3:00 PM**

Registration Link: <https://us06web.zoom.us/j/83516796658>

I. Call to Order

II. Approval of Minutes

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| 1. 12-3-24 Planning Commission Meeting Minutes | Approval of Meeting Minutes |
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III. New Business

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| 1. Review of By-laws | Discussion |
| 2. Adopt the 2025 and 1QTR 2026 Planning Commission Calendar | Admin |
| 3. Suggestions for code amendments | Admin |

IV. Adjournment



**Planning Commission
Meeting Minutes
December 3rd, 2024
Bentonville City Hall
Tech Review: 4:30 PM
Public Hearing: 5:00 PM**

Meeting Recording: https://us06web.zoom.us/rec/share/S3uxanGKAj-55C58m0gzASI3TQhkfOF0sQ2kuy6C2dkLLJ--dwD7YLw9eKRm7OFN.pdHyhW-ceVok_Fpo?startTime=1733264993000

Commissioners Present: Reginald Wright (Chair), Elaine Kerr, Ifeoma Ibekwe, Danny Bennett, Dana Davis, Eric Hipp, Doug Bryant

Commissioners Absent:

Staff Present: Tyler Overstreet, Tom Adler, Bradley Gavrielides, Brittany Chue, Dan Weese, Bonnie Bridges, Keegan Stanton via Zoom, Jon Stanley via Zoom

I. Call to Order

- Commissioner Wright calls the meeting to order at 5:00 pm.

II. Approval of Minutes

1. November 19th Meeting Minutes

Approval of Meeting Minutes

- Motion to approve by Hipp, second by Davis.
- Minutes are approved 7-0.

Commissioner Kerr requests that Items 1 and 2, with the accompanying waivers and conditions, under Other New Business be moved to the Consent Agenda.

No objections heard.

III. Consent Agenda

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|---|---------------------------------|
| 1. Lot 28, Block 17 of Deming's Second Addition
414 Northwest 5 th Street (LS24-0042) | Lot Split |
| 2. Lot 57 & 58 of Skyview Acres Subdivision
1204 Lockheed Street (LS24-0041) | Lot Split |
| 3. Lot 14, Block 3 of Railroad Addition
Creating Lot 28
311 South Main Street (PLA24-0029) | Property Line Adjustment |
| 4. Walmart Welcome Center Street Naming
1301 Southeast 8 th Street (WAV24-0014)
<i>A waiver from Article 1600 Addressing.</i> | Waiver |

5. J Street Apartments

Large Scale Development

3110 Southeast J Street ([LSD24-0012](#))

Waiver 1: *Off-Street parking requirements.*

Waiver 2: *Compact parking spaces.*

Condition 1: *Developer shall install and maintain a private road within the existing right of way of SE Koala Rd - please work with staff for an encroachment agreement.*

Condition 2: *Developer shall install SE Koala Rd with 26' pavement and 6' sidewalk within the existing 35' right of way. (Please see the attached exhibit.)*

- During the Technical Review meeting, the applicant discusses a 1.4 parking ratio to balance parking and green space.
- Commissioners and staff discuss the maintenance of Koala Street Drive.
- Ms. Bridges states the developers would need to have an encroachment agreement for the applicant to have a private drive on City of Bentonville property.
- The applicant wants to provide a pedestrian connection west to Phillips Park and agrees to maintain the drive.
- The commissioners set the above modified conditions in place of the first waiver.

Mr. Adler provides an overview of the items on the Consent Agenda.

Consent Agenda is approved 7-0.

IV. New Business

Advertised Public Hearings

1. Kelley

Rezoning*

716 West Central Avenue ([RZ24-0047](#))

Rezoning: R-1, Low-Density Single-Family Residential to DN-1, Downtown Low Density Residential

- Mr. Adler provides an overview of the staff report.
- The applicant has requested for the item to be tabled.
- Commissioner Wright opens the public hearing.
- Commissioner Wright closes the public hearing.
- Ibekwe motions to table the item, Davis seconds.
- Rezoning is tabled 7-0.

Commissioner Davis requests that Item 2 of New Business, Plan Bentonville, be moved to Item 2 of Other Business.

No objections heard.

V. Other New Business

VI. Old Business

1. GREENHOUSE-HIGHWAY 12 LLC

Rezoning*

Greenhouse Road ([RZ24-0042](#))

Future Land Use Map Amendment: Open Space to General Commercial

Rezoning: A-1, Agriculture to C-1, Neighborhood Commercial and C-2, General Commercial

- Mr. Adler provides an overview of the staff report.
- Chairman Wright opens the public hearing.

- The applicant, Dillon Bennett, is here for any questions.
- Chairman Wright closes the public hearing.
- Future land use map amendment is approved 7-0.
- Rezoning is approved 7-0.

VII. Other Business

1. Central and Battlefield - Planned Unit Development Amendment* 2516 East Central Avenue (PUD22-0002)

Rezoning: Planned Unit Development (PUD) to Planned Unit Development (PUD)

THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT. NO VOTE WILL BE HELD ON THIS ITEM.

- Mr. Overstreet states that withdrawal notice letters were sent for Central and Battlefield.
- Public comment will be taken tonight at the end of the agenda but there will be no vote.

2. Plan Bentonville

***Informational**

- Commissioner Wright opens the public hearing.
- Mr. Overstreet provides an updated revision of the land use map and the Community Plan Ch.2 and 4. There will not be a vote tonight; the Planning Commission will vote on January 21st, 2025. Mr. Overstreet recommends gathering public feedback at least two weeks prior to January 21st.
- A Bentonville resident asks about Central and Battlefield and G Street.
- Mr. Overstreet states the project was tabled and will follow up with him afterwards.
- Chairman Wright closes the public hearing.
- Commissioners and staff discuss E Central as Suburban or Walkable Neighborhood/Walkable Corridor. Commissioner Davis believes it would be good to have a mix with Walkable Corridor being further west but also providing residential protection. Commissioner Bryant asks about the intersection light. Mr. Weese clarifies partnering with ARDOT to improve the road and intersections.

3. Setting of the 2025 Calendar

Discussion

- Mr. Adler discusses developers preferring to have the first meeting on January 7th.
- The Commissioners agreed to hold the first Planning Commission meeting on January 7th, 2025.

VIII. Adjournment

- Motion to adjourn by Davis, second by Bryant.
- Meeting is adjourned.

**BY-LAWS
BENTONVILLE PLANNING COMMISSION**

Article 1 Member, Term, Attending to Duties

- 1.1 The Members and term of office shall be as stipulated by the most recent city ordinances or as amended.
- 1.2 When a new member is appointed to the commission the position number he or she is filling will be so designated at the time of appointment.
- 1.3 Missing three (3) consecutive regularly scheduled meetings, or a total of six (6) meetings combined in a calendar year, except in extraordinary cases, may, at the recommendation of the Mayor, constitute cause for removal by the city council.
- 1.4 Members should advise the secretary or planning staff before the meeting date if they expect to be absent or late.

Article 2 Officers, Election and Term, Duties, Chairing the Meeting, Signing for the Commission.

- 2.1 The members shall elect a chairman, vice-chairman and a secretary at the administrative meeting in December, and the term of office shall be two years or until the next officers have been elected.
- 2.2 The chairman shall preside at meetings and hearings and shall decide points of order or procedure, following Robert's Rules of Order. The chair may designate a parliamentarian to keep the meeting running in an orderly fashion.
- 2.3 In case the chairman is absent, the vice-chairman shall assume the duties as chair; next comes the secretary. If all three are absent and a quorum is present, those members shall elect from among themselves a chairman and secretary and proceed.
- 2.4 The secretary shall be responsible for the following tasks; however, (s) he may delegate authority for performing them to another member or employee of the planning department;
 - 2.4.1 Bring an up-to-date copy of the by-laws and appointing orders (names, addresses, term dates, and committee lists) to every meeting.
 - 2.4.2 Prepare the minutes of meetings and public hearings.
 - 2.4.3 Distribute minutes of regular meetings, special meetings and public hearings to all Commission members prior to next regularly scheduled meeting.
 - 2.4.4 Hand deliver, mail, email or otherwise digitally notify the proposed order of business items and notice of regular meetings, and the purpose and notice of special meetings.
 - 2.4.5 Keep up with priority correspondence and inspect the files; complete filings with city officials as required. Routine matters will normally be delegated to the employee (s) of the planning department.
 - 2.4.6 Place notices of public hearing and legal advertising.
- 2.5 When adopting all or a part of the comprehensive city plan for all or any part of the incorporated territory which takes the certifying signature of the chairman, the material shall be signed by the appointed chairman or the acting chairman.
 - 2.5.1 In lesser matters and when agreed to by the members, the chair shall delegate the authority for certifying specific commission actions to another officer. Routine matters will normally be the duty of the planning department.
 - 2.5.2 In the event the planning commission takes action accompanied by restrictions or conditions that must be met before that action is to be certified and carried into effect, the planning staff will assure satisfaction of these conditions.

Article 3 Meeting scheduling, Quorum, Majority, Order of Business, Public Hearings

- 3.1 Commission meetings shall be open to the public as provided by the Arkansas Freedom of Information Act.
- 3.1.1. The regular meetings of the planning commission shall be on the first and third Tuesday of each month at 4:00 p.m. for the Technical Review and at 5:00pm for the Planning Commission Meeting in the Planning Commission Chambers of the Bentonville Community Development Building located at 305 SW A Street.
- 3.1.2. Special meetings may be called at any time by the chairman or any three members.
- 3.2. No formal business shall be conducted without a quorum and no member may vote by proxy.
- 3.2.1 A quorum shall exist when a majority of the appointive members are present.
- 3.2.2 The affirmative vote of a simple majority of those members present shall carry any motion or resolution, except as otherwise stated. The chairman may make or second motions, and shall have a vote at all times.
- 3.2.3 The mayor shall be an ex-officio member (or any ex-officio member) and shall not be counted in arriving at quorum.
- 3.3 The order of business shall follow the distributed agenda unless otherwise agreed to by the members.
- 3.4 Public hearings shall be conducted (formally), and the chair shall make all rulings and determinations regarding the scope of the inquiry, the admissibility of evidence, the order in which evidence, objections and arguments will be heard, and other like matters, except that other members shall be privileged to make inquires personally and to call for a vote on any ruling of the chair, whereupon the vote shall determine the rule. It shall be the purpose of the chair to entertain the presentation of sufficient matter to do substantial justice to all concerned parties to the proceedings. It is not the intent in the public hearing to limit the members and their responsibilities as spokesmen for the public view on public issues, but rather to develop them in this role. Final or official action shall be taken only in regular meetings unless the public hearing is continued to a special session of the planning commission after the hearing.
- 3.5 A rehearing shall be called if there is substantial information indicating a factual error, omission or oversight in the first consideration or at the request of city council. A request for a rehearing must be made in writing and must state the factual error, omission or oversight asserted as the basis for a rehearing. A request of a rehearing must be filed with the Planning Director within 30 days from the date of final action on the matter by planning commission.
- 3.6 The Planning Commission shall hold an annual administrative meeting on the 2nd Tuesday of December. No development items will be heard at this meeting.
- 3.7 In April of each year, Planning Commission and Planning Staff will hold a special meeting to review the previous year's Zoning and General Plan Amendments and evaluate the need for changes to the Future Land Use Plan.

Article 4 Consent Agenda

- 4.1 The Planning Director or his/her designee is authorized to prepare for each meeting a consent agenda for consideration by the planning commission.
- 4.2 Items may be placed on the consent agenda if it is non-controversial, the item does not require a public hearing and staff and applicant agree on the findings and conditions of approval.
- 4.3 The following procedure will generally be followed by the planning commission when considering consent agenda items:
 - 4.3.1 Introduction of the consent agenda items by the chair.
 - 4.3.2 Any commissioner or member of the public may request that an item be removed from the consent agenda. The reason for the request shall be stated. Such request need not be seconded.

- 4.3.3 The chair shall determine if the item removed from the consent agenda can be expeditiously resolved or be placed at the end of the regular agenda. The public hearing on each item, which has been removed from consent, shall be limited to the issues raised by those requesting removal.
- 4.3.4 After any item(s) has been removed from the consent agenda, the chair may call for a motion to approve the item(s) remaining on the consent agenda.
- 4.3.5 Only one motion is required for all consent items. After being duly seconded, the consent agenda shall be voted on by a roll call vote of the commissioners.

Article 5 Committees

- 5.1 The chairman may establish standing, special, or advisory committees. Committee members may be persons other than member of the planning commission, but a commission member shall be named as either active or ex officio chairman of each committee. The chairman shall be obliged to follow Robert's Rules of Order.
- 5.2 Meetings shall be called by the chairman of the committee, or a majority of the membership of the committee, notifying the others.

Article 6 Records, Action, Studies, Recommendations, Public Access

- 6.1 The planning department shall keep a file including, among other things, studies, plans, reports and recommendations made by the commission members and planning department staff in the discharge of its duties and responsibilities.
- 6.2 Records shall be kept open to the public, available without fees or delays, subject only to the necessity for good order and discipline in the office of the planning department.

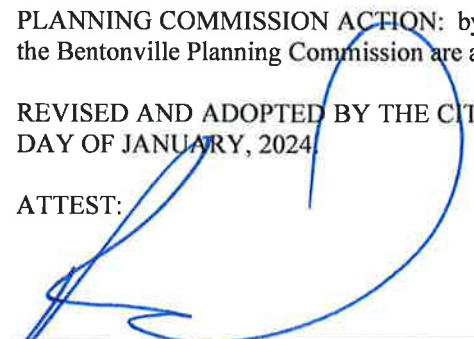
Article 7 Changes to These By-Laws, Timing, 2/3 Majority

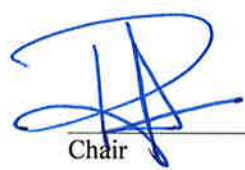
- 7.1 These by-laws shall be adopted, and later suspended, changed, or canceled only after an affirmative vote of 2/3rds of the membership of the planning commission. Amendments shall be proposed in writing at a regular meeting and moved for action at a following meeting, unless ten days notice and the written amendment itself have been given to all members, in which case motion may be made at a special meeting ten days after all the members have received the proposed change to these by-laws.

PLANNING COMMISSION ACTION: by majority of the appointed members so voting, these by-laws for the Bentonville Planning Commission are approved.

REVISED AND ADOPTED BY THE CITY OF BENTONVILLE PLANNING COMMISSION THIS 2nd DAY OF JANUARY, 2024.

ATTEST:


Secretary


Chair

Amended 02/11/77
 05/19/98
 02/03/04
 12/28/05
 03/20/07
 03/6/18
 08/18/20
 11/17/20
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2025

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2026

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