



**Planning Commission
Agenda
December 1, 2015**

- I. Call to Order**
- II. Approval of Minutes**
- III. New Business**
 - 1. CHP, LLC** **Rezoning***
(R-1 Single Family Residential to RC-2, Downtown Mixed Use Residential)
502 Southeast D Street
 - 2. Bike Rack Group, LLC** **Rezoning***
(D-E, Downtown Edge to D-C, Downtown Core)
Southwest 7th Street and Southwest B Street
 - 3. Advanced Notice for Electrical Service** **Ordinance***
- IV. Planner's Report**
- V. Adjournment**

Planning Commission
Minutes
November 17, 2015

City of Bentonville Planning Commission was 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.

City Staff: Troy Galloway and Beau Thompson

Motion by Haynie, seconded by Grider to approve the minutes of November 3, 2015 as written.

Approved 7-0

New Business:

Item #1

Chambers Bank: (15-01700001) Rezoning, Providence Village Subdivision, Southwest Windmill Road and Southwest Nomad Road, R-1, Single Family Residential to PRD Planned Residential Development.

The applicant has proposed a Planned Residential Development at this location to be known as Providence Village Subdivision. The single family subdivision is proposing 5.26 units per acre. The applicant plans to create 184 single family lots and 4 non buildable lots. The common area for those living in the community is being provided. Planning area 1 will consist of 139 lots approximately 60' wide. Planning area 2 will consist of 44 lots and will range in width from 45' to 50' wide. The homes in area 2 will be rear loaded from an existing alley. The applicant has proposed a 5' side, 20' front, 25' rear setback for all the lots in the subdivision. The average lots size is 6,000 square feet in area 1 and 4,000 square feet in area 2. All homes within the subdivision will consist of a minimum of 50% brick on all front facades.

Opened public hearing

Melvin James-8809 S Morningstar Road, would like to know what the difference is between what they are proposing from R-1 to PRD and will it be multi-family. TG- they are proposing single family residential, they are asking for PRD so that they can have smaller lot sizes and to meet setback requirements. Mr. James is concerned over traffic(they have run through his fence 3 times.)would like to see an agriculture fence placed around the development for safety of cattle.

Closed public hearings

Approved 7-0

Consent Agenda

1. Providence Village Phase 1 Preliminary Plat
Nomad Road & Southwest Windmill Road

2. Lot 1 Foy Addition Lot Split
610 Southwest 'O' Street

Approved 7-0

Other Business:

- Visionary Workshop tonight at 7:00 p.m. at the Community Center

- Troy spoke to John Houseal- about downtown residential standards, Mr. Houseal will be back in early January after the holidays, will engage builders, developers, stakeholders, than he will be back late January-February will have a PC training, Public, City Council
- March—adoption of new downtown regulations

Meeting adjourned

Diane Shastid



PC Meeting of: December 1, 2015

The City of Bentonville, Arkansas

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

REZONING: CHP, LLC (R-1, Single Family Residential to RC-2, Central Residential-Moderate Density)

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, AICP, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: December 1, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000040
Applicant/Current Owner: CHP, LLC
Representative: Terry Ging
Requested Action: Rezoning
Location: 502 Southeast D Street
Existing Zoning: R-1, Single Family Residential
Proposed Zoning: RC-2, Central Residential-Moderate Density
Future Land Use Map Designation: Downtown Mixed Use Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is vacant in a mixed use area of the downtown.

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 | City Trail | | Downtown Mixed Use Residential |
| South | Single Family Residential | | Downtown Mixed Use Residential |
| East | Vacant Multi family | | Downtown Mixed Use Residential |
| West | Vacant Single Family | | Low Density Residential |

Surrounding Streets & Classifications:

| Direction | Name | Master Street Plan Classification | Current Condition |
|------------------|--------------------|--|----------------------------------|
| North | | | |
| South | | | |
| East | Southeast D Street | Local Street | 19' of asphalt no curb or gutter |
| 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 2, 2015. In addition, staff posted a notice of public hearing sign on the property on November 16, 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 intent of the RC-2 zoning designation to the allow for the redevelopment within the downtown area. The RC-r district allows for a variety of housing types for a variety of lifestyles while encouraging traditional design. The area is appropriate for a transitional zone between sign family residential and higher density residential or commercial The property is currently across D Street from moderate density residential property and is bordered on the west side by a low density traditional neighborhood. The RC-2 designation is appropriate for this location and is consistent with all land use principles and policies.

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

Finding(s) of Staff: The property is located within a completed downtown street network. The proposed use will not increase traffic congestion due to the adequate and existing street network.

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

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

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is consistent with the City of Bentonville’s Future Land Use Map, which depicts this property as downtown mixed use residential.

STAFF RECOMMENDATION

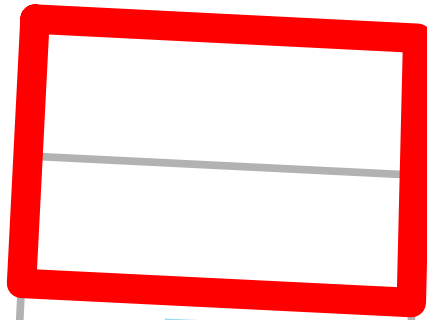
Staff has reviewed this application and based on the findings presented in this staff report, staff recommends APPROVAL of this rezoning from R-1, Single Family Residential to RC-2, Central Residential- Moderate Density.

SE C ST

**SE 5TH
ST**

SE D ST

SE 6TH ST



1 inch = 75 feet

**REZONING
CHP LLC
500 & 502 SE D ST LOTS 1 & 4
15-09000040 ZONE R-1 TO RC-2**



NARRATIVE

502 SE D STREET IS 2 LOTS (LOTS 1 AND 4) OF BLOCK G ORCHARD SUBDIVISION IN BENTONVILLE, ARKANSAS ZONED AS R-1. THESE LOTS ARE ONLY 50 FEET WIDE , THEREFORE, IT TAKES 2 LOTS TO SATISFY THE R-1 ZONING TO BUILD A RESIDENCE. THEREFORE IT IS REQUESTED TO REZONE TO RC-2 ALLOWING TWO RESIDENCES ON 2 LOTS AS ORIGINALLY PLANNED.

THESE LOTS ARE ON A FRINGE OF RESIDENTIAL AND COMMERCIAL AREAS,ALL LOTS SURROUNDING THEM ARE RESIDENTIAL AND HAVE THE RESIDENTIAL FEEL.

ALL UTILITIES ARE AVAILABLE ONSITE , BUT WILL PROBABLY REQUIRE ADDITIONAL TAPS TO WATER AND SEWER TO FOR A SECOND RESIDENCE.



PC Meeting of: December 1, 2015

The City of Bentonville, Arkansas

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

**REZONING: Bike Rack Group, LLC (D-E, Downtown Edge to D-C, Downtown Core)
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 1, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000041
Applicant/Current Owner: Bike Rack Group LLC
Representative: Jake Newell
Requested Action: Rezoning
Location: Southwest 7th Street and Southwest 'B' Street
Existing Zoning: D-E, Downtown Edge
Proposed Zoning: D-C, Downtown Core
Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is vacant in a downtown mixed use area.

Previous Rezoning Requests for this Property: The property was rezoned from C-3, Central Commercial to D-E, Downtown Edge on November 10, 2009 at the same time the downtown zoning districts were adopted.

Surrounding Land Uses & Zonings:

| Direction | Current Land Use | Existing Zoning | Future Land Use Map Designation |
|------------------|--------------------------------|------------------------|--|
| North | Private Auto Body Shop | Downtown Edge | Mixed Use |
| South | Duplex | Downtown Core | Mixed Use |
| East | Child Care Facility | Downtown Core | Mixed Use |
| West | Duplex and Single Family Homes | Downtown Edge | Downtown Mixed Use Residential |

Surrounding Streets & Classifications:

| Direction | Name | Master Street Plan Classification | Current Condition |
|-----------|----------------------------------|-----------------------------------|-------------------------------|
| North | | | |
| South | Southwest 7 th Street | Local Street | 22' asphalt no curb or gutter |
| East | | | |
| West | Southwest B Street | Local Street | 18' asphalt no curb or gutter |

LEGAL NOTIFICATIONS

Public Notice: On November 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 Addition on November 2, 2015. In addition, staff posted a notice of public hearing sign on the property on November 16, 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 intent of the Downtown Core zoning district is to expand the pedestrian oriented character of the town square while providing retail and entertainment venues. Medium to High density residential should also be provided to support the commercial uses. The Downtown Core zoning district promotes a mix of residential and commercial uses that are separated both horizontally and vertically. This rezoning request is consistent with the policies and objective of the land use plan and zoning plans.

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 currently located within close proximity to a major employment center and entertainment district. The residents of the proposed units should have multiple options for transportation in the downtown. The downtown area is comprised of a completed street grid system that will provide options to motorist further reducing congestion on major arteries.

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

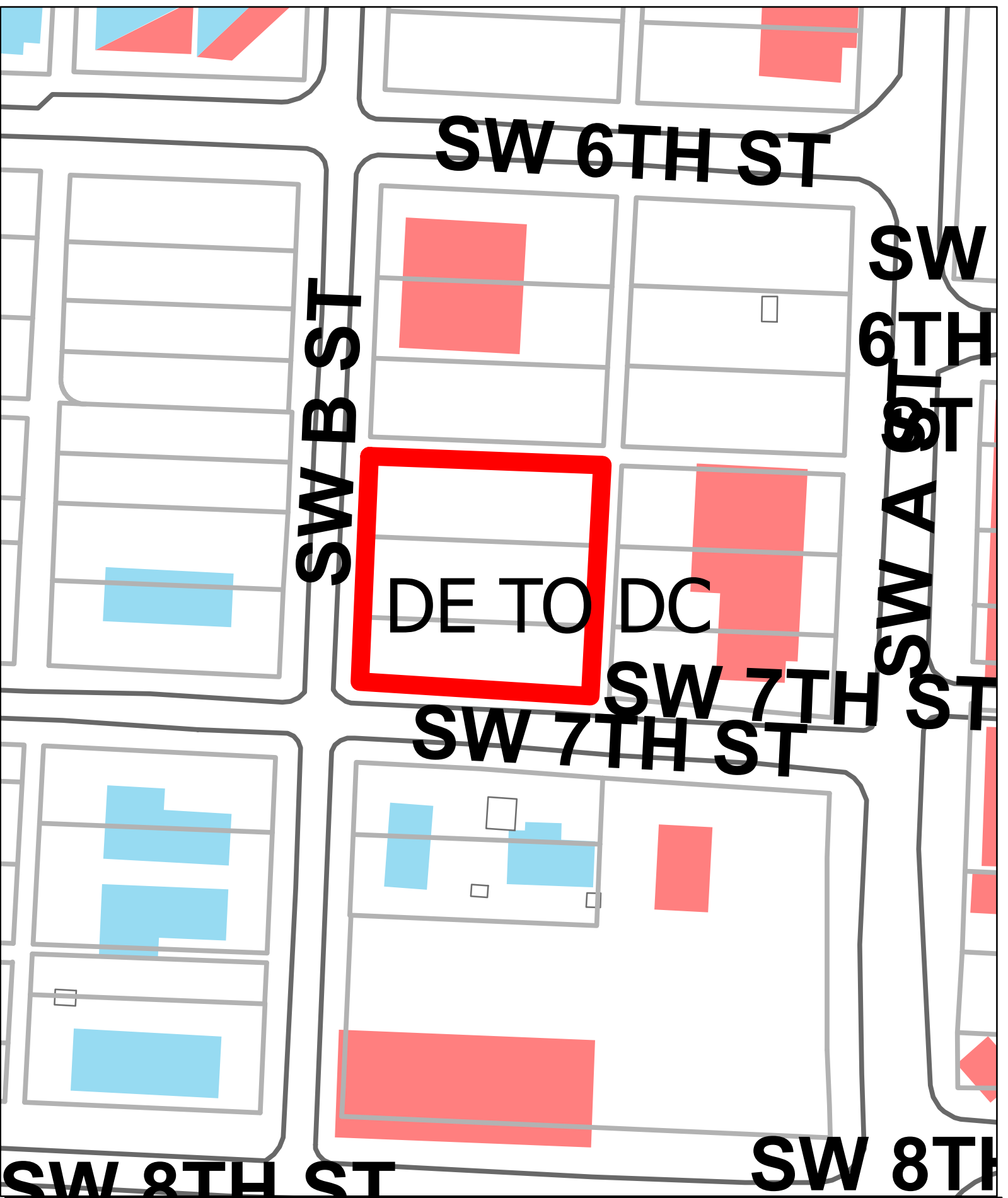
Finding(s) of Staff: City services are adequate at this location. Water and sewer are both available within the right of way adjacent to the development.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as mixed use. The general plan encourages a mixed of uses in the downtown and specifically encourages high density residential within close proximity to large employment and retail establishments.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends APPROVAL of this rezoning from D-E, Downtown Edge to D-C, Downtown Core.



SW 6TH ST

SW B ST

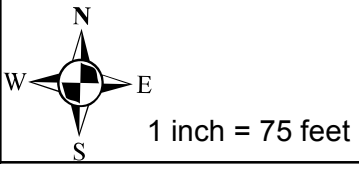
SW 6TH ST
SW A ST

DE TO DC

SW 7TH ST

SW 8TH ST

SW 8TH ST



REZONING
BIKE RACK GROUP
LOTS 7, 10 & 11 BLK 6 IN DUNN & DAVIS ADD
15-0900041 ZONE DE TO DC



October 26, 2015

Newell Development
101 SE G Ct
Bentonville, AR 72712

RE: ReZone Request

Newell Development desired to rezone SW 7th & B from Downtown Edge to Downtown Core.

Three of the surrounding sides of the property are already zoned Downtown Core and the property to the West is zoned Downtown Edge. The rezone will help maximize the use of this property for a future multifamily project. The future multifamily project will promote community as those living there will enjoy the walk-able and ride-able proximity to the Hub area as well as the downtown square and many offices. Newell Development seeks to create multifamily projects close to the core of downtown Bentonville to give our clients the ability to live, work and play.

MEMORANDUM

DATE: November 16, 2015

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: 60-Day Notice for Electric Materials

Bentonville Electric Utility Department recommends establishing a 60-day requirement for contractors coordinating the permanent electric service for Large Scale Developments and a 30-day notice for Final Plats.

The reason for this advanced notification is so BEUD can ensure it has all the materials required to provide permanent power to development and the construction side of BEUD has everything scheduled and won't hold up the development. With all the new development in the City Of Bentonville, plus the maintenance/upgrading of existing facilities, it is imperative that BEUD has a schedule that everyone can easily follow.

There is a penalty clause within the ordinance. If the contractor notifies BEUD they will be ready on X-date and misses the date (without notifying BEUD and requesting an extension), the contractor will be charged 20% of the material cost or \$2,000 whichever is higher. The reason for the penalty clause is to keep the material in the City Of Bentonville Inventory Warehouse at a reasonable level and not take up unnecessary space.

We believe this is a viable option after much internal discussion and feedback from contractors.

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:

Mayor Bob McCaslin

City Clerk