



**Planning Commission
Agenda
February 16, 2010**

I. Call to Order

II. Approval of Minutes

III. Consent Agenda

- | | |
|---|-------------------|
| 1. Lots 18 Howards Addition | Lot Split |
| Southeast 'G' Court and East Central Avenue | |
| 2. Woods Creek South Phase III | Final Plat |
| Woods Creek Drive | |

IV. New Business

- | | |
|-------------------------------|----------------------------------|
| 1. Jannett's Tiny Tots | Conditional Use Extension |
| 4400 Southwest Lilly Lane | |

V. Planner's Report

VI. Adjournment

Planning Commission Staff Report

Lot Split: Lot 18 Howards Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP Community Development Director
FROM: Beau Thompson, Planner
PC DATE: February 16, 2010

GENERAL INFORMATION:

Project Number: 10-0416000001

Applicant: Raymond Barrett

Representative: Jake Newell

Requested Action: Lot Split Approval

Location: Southeast 'G' Court and East Central Avenue

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Lot Split for Lot 18 of Howard's Addition. The lot split will create two new lots to be known as Lot 20 and Lot 21. No access will be allowed from Lot 20 to East Central Avenue. All required right of way is existing while additional utility easements are being dedicated with this plat.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	East Central Avenue	Collector
South		
East		
West	Southeast 'G' Court	Local Street

TRAFFIC FINDINGS

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

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently vacant in a developed residential subdivision.

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

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

- a. Water is available in a 6 inch pipe along the frontage to Southeast "G" Court.
- b. Sewer is available at a man hole located direct across Southeast 'G' Court.

Waiver(s): N/A.

Analysis / Conclusion: This lot split DOES meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



Planning Commission Staff Report

Final Plat: WOODS CREEK SOUTH PHASE 3

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: February 16, 2010

GENERAL INFORMATION:

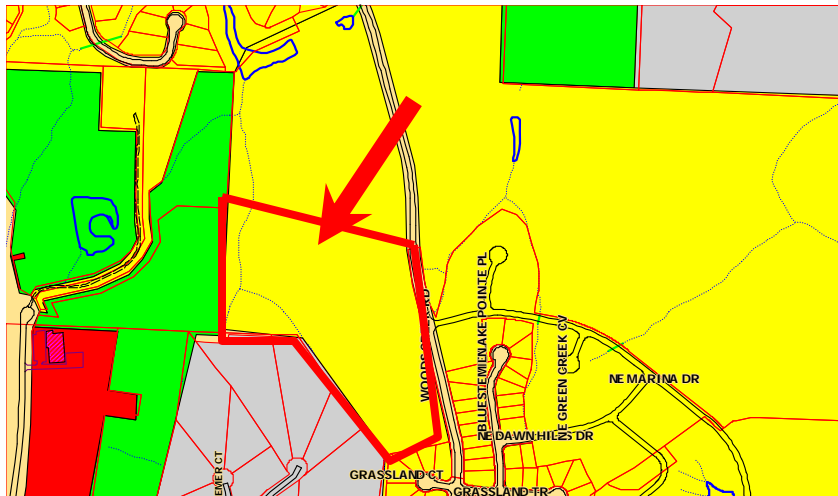
Project Number: 10-03000003
Applicant: Bauer Development
Representative: Bart Bauer
Requested Action: Final Plat Approval
Location: North of Woods Creek Drive
Existing Zoning: R-1, Single Family Residential
Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Final Plat application for Woods Creek South Phase III. The R-1, Single Family Residential subdivision will consist of 25 buildable lots. Access to the subdivision will be achieved through a single curb cut on to Woods Creek Road. The double frontage lots within the subdivision will not be allowed access directly onto Woods Creek Road. Easements and Right-of-Way are being dedicated with this plat.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Benton County
East	R-1, Single Family Residential	Low Density Residential
West	A-1, Agricultural	Low Density Residential



STREETS

Direction	Name	Classification
North		
South	East Central Avenue	Collector
East	Woods Creek Drive	Collector
West		

TRAFFIC FINDINGS

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

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently a completed and vacant subdivision with public improvements.

Drainage Report: A drainage report is not required at the time of final platting.

Water / Sewer: Per the G.I.S. site, water and sewer are available to this site.
a. Water is available on site in an 8 inch PVC pipe.
b. Sewer is available on site in an 8 inch PVC pipe.

Waiver(s): N/A

Analysis / Conclusion: This final plat does meet the minimum requirements of the subdivision regulations.

Recommendation: Staff has reviewed this application and recommends approval.

Planning Commission Staff Report
Conditional Use: JANNETT'S TINY TOTS
Project Number: 08-02000012

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Current Planning Technician
PC DATE: February 16, 2010 and August 19, 2008 (Original)

GENERAL INFORMATION:

Applicant: Janett Self (254-0298)
Representative: Janett Self
Requested Action: Conditional Use Permit Approval
Location: 4400 Southwest Lilly Lane
Existing Zoning: R-1, Single Family Residential
Land Use Plan: Low Density Residential
Proposed Use: Large Childcare, Type B Home Occupation

BACKGROUND:

The applicant has submitted a conditional use permit extension for a Large Child Care Facility located in an R-1, Single Family Residential zoning designation. According to the Supplemental Regulations 8 children maximum are allowed under a Home Based Large Child Care Facility. The proposed hours of operation are from 7:00 am to 5:30 pm. The applicant plans to utilize an existing 4th bedroom as a play room and the fenced in back yard for Outside Play. The original Conditional Use Permit was issued on August 19, 2008. Since that date staff has not received any comments concerning the permit.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North		
South		
East	Southwest Lilly Street	Residential Street
West		

TRAFFIC FINDINGS

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

Site Inspection: A site inspection was completed; this property is a single family residence in a developing residential subdivision.

Public Notice: On July 21, 2008 a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on August 11, 2008. This meets legal noticing requirements and is adequate for the scope of this project.

STANDARD CONDITIONS OF APPROVAL:

1. All technical review comments must be addressed before building permits are issued.
2. The conditional use permit will expire three years from the date of approval. The expiration date shall be February 16, 2013.

ISSUES / ANALYSIS:

SEC. 301.6. Planning Commission

A. 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 **(R-1)** district.

Allowed under the Protective Covenants of the subdivision. The protective covenants do not allow for commercial businesses.

To date staff has not been contacted regarding this request.

RECOMMENDATION:

Staff has reviewed this application and recommends approval.