



**Planning Commission
Agenda
March 2, 2010**

I. Call to Order

II. Approval of Minutes

III. Consent Agenda

- 1. Arvest Bank #109 Addition** **Lot Split**
1404 Southeast 'J' Street

IV. Old Business

- 1. January 19, 2010 Minutes**
- 2. Jannett's Tiny Tots** **Conditional Use Extension**
4400 Southwest Lilly Lane

V. New Business

- 1. Arvest Bank (Drive Thru)** **Large Scale Development**
1404 Southeast 'J' Street

VI. Planner's Report

VII. Adjournment

City of Bentonville
Minutes
February 16, 2010

Meeting called to order at 5:00 p.m. by Richard Binns, Chairman

Present: Patrick Carroll, Lisa Bohn, Joe Thompson, James Stanley, Richard Binns and Miguel Rivera.

Absent: Matt Hewitt

Others: Troy Galloway, Brian Bahr, Travis Matlock, City Staff

February 2nd Planning Commission cancelled-no items for agenda

No tape available for February 16th meeting.

Consent Agenda

Lot 18 Howards Addition
Southeast 'G' Court and East Central Avenue

Lot Split

Woods Creek South Phase III
Woods Creek Drive

Final Plat

Approved 6-0

New Business:

Jannett's Tiny Tots: (08-02000012) *Conditional Use Permit*, 4400 Southwest Lilly Lane, Zoned R-1.

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. This would be for a 3 year extension.

Tabled 6-0

Meeting adjourned

Diane Shastid

**Planning Commission Staff Report
 Lot Split: Arvest Bank #109 Addition**

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP Community Development Director
FROM: Beau Thompson, Planner
PC DATE: March 2, 2010

GENERAL INFORMATION:

Project Number: 10-05000001
Applicant: Arvest Bank
Representative: Grayrock Consulting
Requested Action: Lot Split Approval
Location: 1404 Southeast 'J' Street
Existing Zoning: C-2, General Commercial
Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a Lot Split for .99 acres located at the southwest corner of Southeast 'J' Street and Southeast 14th Street. The lot split will create a one lot subdivision known as Arvest Bank #109 Addition. All required right of way and easements are being dedicated with this plat.

SURROUNDING LAND USES AND ZONING:

| Direction | Zoning | Land Use |
|-----------|-------------------------|------------|
| North | C-2, General Commercial | Commercial |
| South | C-2, General Commercial | Commercial |
| East | C-2, General Commercial | Commercial |
| West | C-2, General Commercial | Commercial |

STREETS

| Direction | Name | Classification |
|-----------|-----------------------------------|----------------|
| North | Southeast 14 th Street | Arterial |
| South | | |
| East | Southeast 'J' Street | Arterial |
| West | | |

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 the site of a Arvest bank drive through.

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

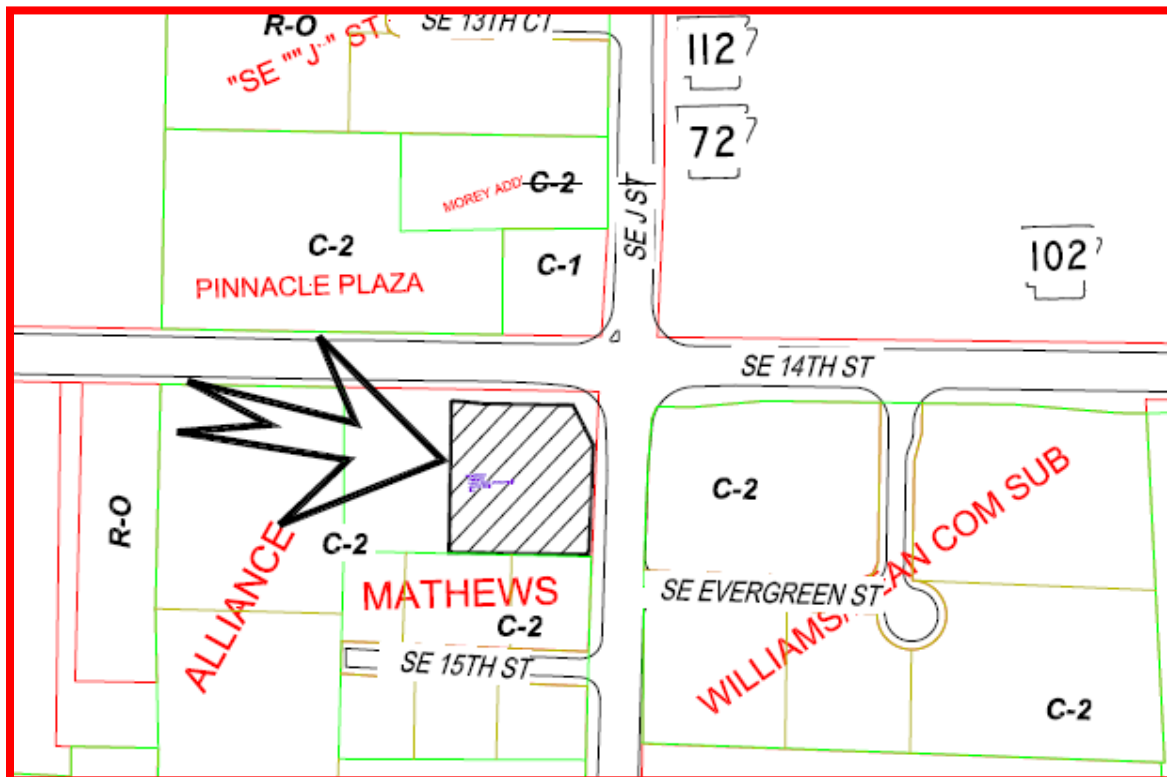
Water / Sewer: Water and Sewer are both currently in use on the site.

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
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: March 2, 2010, February 16, 2010 and August 19, 2008 (Original)

GENERAL INFORMATION:

Applicant: Janett Self
Representative: Janett Self
Requested Action: Conditional Use Permit Approval
Location: 4400 Southwest Lilly Street
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 Edition* 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

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 **(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 contingent upon the Applicant producing an approval letter from the Wildwood Property Owner Association President.

Planning Commission Staff Report
Large Scale Development: Arvest Bank Drive-Thru #109

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP Community Development Director
FROM: Beau Thompson, Planner
PC DATE: March 2, 2010

GENERAL INFORMATION:

Project Number: 10-06000001

Applicant: Arvest Bank

Representative: Dirk Thibodaux w/ Gray Rock

Requested Action: Large Scale Development Approval

Location: 1404 Southeast 'J' Street

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a Large Scale Development for the replacement of an existing Arvest Drive Thru Bank located at 1404 Southeast 'J' Street. The existing drive thru will be demolished and replaced with more efficient drive thru. A drainage report is not required for this development due to the fact that the developer is not increasing the impervious surface just replacing what is currently existing. The proposed façade will be constructed of brick veneer and stucco trim. The elevations will be consistent with existing Arvest Banks.

PROJECT STATISTICS ARE AS FOLLOWS:

| Site / Building Requirements | Required / Allowed | Proposed |
|---|---------------------------|-----------------|
| Setbacks | | |
| Front: Parking in front | 50' | |
| Front: Without parking in front | 20' | |
| Side: Adjacent to non-residential district | 7' | |
| Side: Adjacent to residential district | - | |
| Rear: Adjacent to non-residential district | 20' | |
| Rear: Adjacent to residential district | - | |
| Height | 60' | |
| Landscape Coverage | 8% | |
| Parking | | |
| Standard Stalls | | |
| Handicap Stalls | | |
| Total: | | |

SURROUNDING LAND USES AND ZONING:

| Direction | Zoning | Land Use |
|------------------|-------------------------|-----------------|
| North | C-2, General Commercial | Commercial |
| South | C-2, General Commercial | Commercial |
| East | C-2, General Commercial | Commercial |
| West | C-2, General Commercial | Commercial |

STREETS

| Direction | Name | Classification |
|------------------|-----------------------------------|-----------------------|
| North | Southeast 14 th Street | Arterial |
| South | | |
| East | Southeast 'J' Street | Arterial |
| West | | |

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.
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 property is currently the site of a Arvest bank drive through.

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

Water / Sewer: Water and Sewer are both currently in use on the site.

Waiver(s): Section 1100.13.E.8, Commercial Design Standards, Entrances. Per the applicant they would like to request a waiver to the entrance articulation due to the fact that will not have a customer entrance.

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

RECOMMENDATION:

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

