



**Planning Commission
Agenda
March 16, 2010**

I. Call to Order

II. Approval of Minutes

III. New Business

- | | |
|---|--------------------------------|
| 1. Bentonville Islamic Center
1801 Southwest 2 nd Street | Conditional Use* |
| 2. Thaden Addition
2500 Southwest Aviation Street | Final Plat |
| 3. K and K Motors
1103 Southeast 35 th Street | Large Scale Development |

IV. Planner's Report

V. Adjournment

Planning Commission
Minutes
March 2, 2010

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

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

Others: Brian Bahr and Joe Thompson

Carroll motioned to approve minutes of February 16, 2010, seconded by Thompson
Approved as written.

No tape available for the March 2, 2010 meeting.

Consent Agenda

Item #1
(10-05000001)
Arvest Bank #109 Addition Lot Split
1404 Southeast 'J' Street
Approved 5-0-2

Old Business

Item #1
Minutes of January 19, 2010.
Motion by Stanley, seconded by Carroll to approve minutes of January 19, 2010
Approved 6-0-1.

Item #2
Janett Self: (08-02000012) Conditional Use Permit, 4400 Southwest Lilly Street, Zoned R-1, Single Family Residential.
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.
If approved this will be for 3 years.
Approved 7-0

New Business:

Item #1
Arvest Bank: (10-06000001)Arvest Bank Drive-Thru #109, Large Scale Development, 1404 Southeast 'J' Street, Zoned C-2, General Commercial.
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.

The applicants are requesting a waiver to the entrance articulation due to the fact that will not have a customer entrance. (Section 1100.13.E.8, Commercial Design Standards, Entrances.)

Motion by Rivera, seconded by Stanley to approve the waiver request.
Approved 5-0-2

Motion by Rivera, seconded by Bohn to approve the Large Scale Development for Arvest Bank, with the standard conditions of approval and waiver request.
Approved 5-0-2

Note: Miguel Rivera will be out on the 3/15/10 PC meeting.

Meeting adjourned

Diane Shastid

Planning Commission Staff Report
Conditional Use: Bentonville Islamic Center
Project Number: 10-02000001

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

GENERAL INFORMATION:

Applicant: Bentonville Islamic Center
Representative: Mohammed N. Khan
Requested Action: Conditional Use Permit Approval
Location: 1801 Southwest 2nd Street
Existing Zoning: R-O, Residential Office
Land Use Plan: Mixed Use
Proposed Use: Religious Facility

BACKGROUND:

The applicant has submitted a conditional use permit for the Bentonville Islamic Center to be located at 1801 Southwest 2nd Street. Per the applicant the residential office will be converted solely to a religious facility with worship services 7 days a week lasting 10 to 20 minutes. The attendance is expected to be between 5 and 10 people except on Fridays which could reach 40 people. The applicant plans to install a gravel parking area consisting of approximately 6000 square feet of parking.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-E, Residential Estate	Low Density Residential
South	A-1, Agricultural	Low Density Residential
East	A-1, Agricultural	Low Density Residential
West	A-1, Agricultural	Low Density Residential

STREETS

Direction	Name	Classification
North	Southwest 2 nd Street	Arterial
South		
East		
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:

Site Inspection: A site inspection was completed; this property is currently vacant in a developing mixed use area.

Public Notice: On February 25, 2010 a notice was published in the *Arkansas Democrat-Gazette, Northwest Arkansas Addition* and a public hearing notice sign was posted on the property on February 26, 2010. This meets legal noticing requirements and is adequate for the scope of this project.

STANDARD CONDITIONS OF APPROVAL:

1. The conditional use shall only be valid for 1 year at which time the gravel parking must be remediated and the conditional use permit reviewed by the Planning Commission.

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.

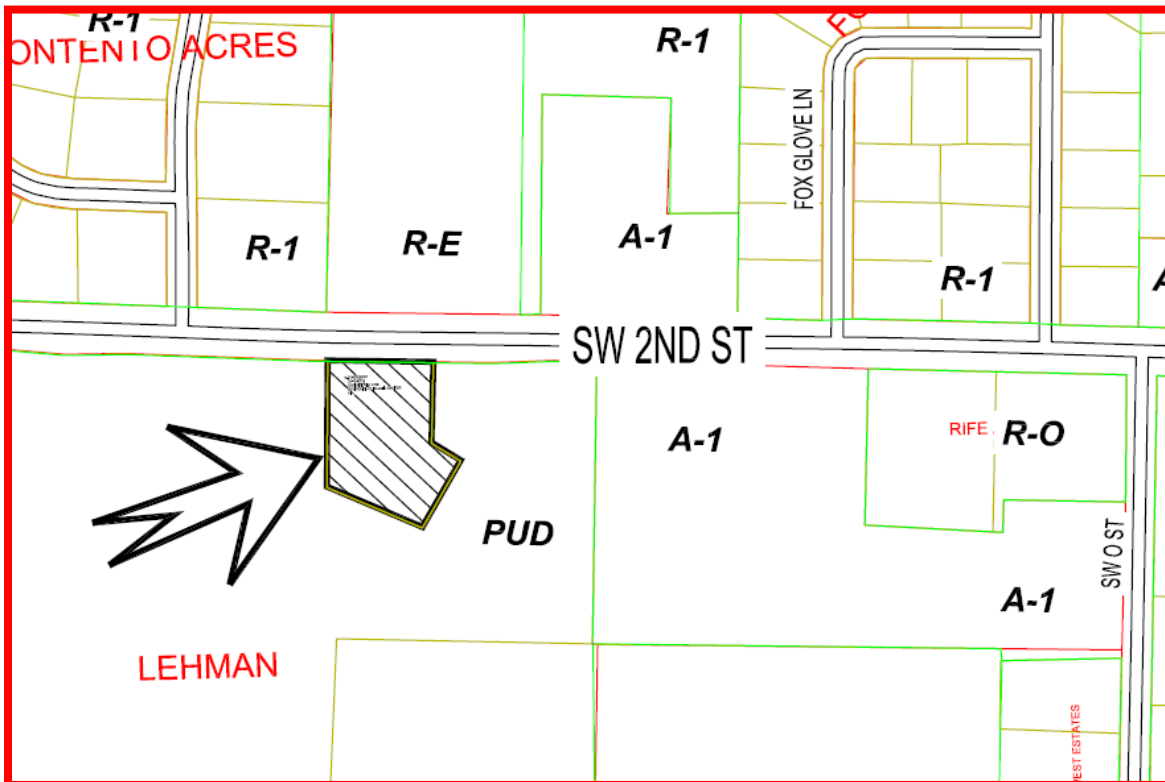
The conditional use is allowed on appeal in the **(R-O, Residential Estate)** district.

Allowed under the Protective Covenants of the subdivision. Not applicable

To date staff **HAS** been contacted regarding this request.

RECOMMENDATION:

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



Planning Commission Staff Report

Final Plat: Thaden Addition

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

GENERAL INFORMATION:

Project Number: 10-03000003

Applicant: City of Bentonville

Representative: Mike Bender

Requested Action: Final Plat Approval

Location: Southwest Aviation Street

Existing Zoning: A-1, Agricultural

Land Use Plan: Public

BACKGROUND:

The applicant has submitted a final plat for 140 acres located east of Southwest 'T' Street. The Final plat will be known as Thaden Addition. The City of Bentonville is platting the property to dedicate additional right of way and easements for local road improvements. Due to the fact that the property was combined from many different parcels several discrepancies have risen. The intent of this plat is clear any discrepancies and create one lot encompassing they entirety of Thaden Field.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	Agriculture
South	I-1, Light Industrial	Commercial/ Office
East	C-2, General Commercial and R-3, Medium Density Residential	Commercial
West	A-1, Agricultural	Mixed Use

STREETS

Direction	Name	Classification
North		
South	Southwest Regional Airport Boulevard	Arterial
East	Southwest Aviation Street	Local
West	Southwest 'T' Street	Arterial

STANDARD CONDITIONS OF APPROVAL:

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

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently the site of the City of Bentonville Municipal Airport.

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

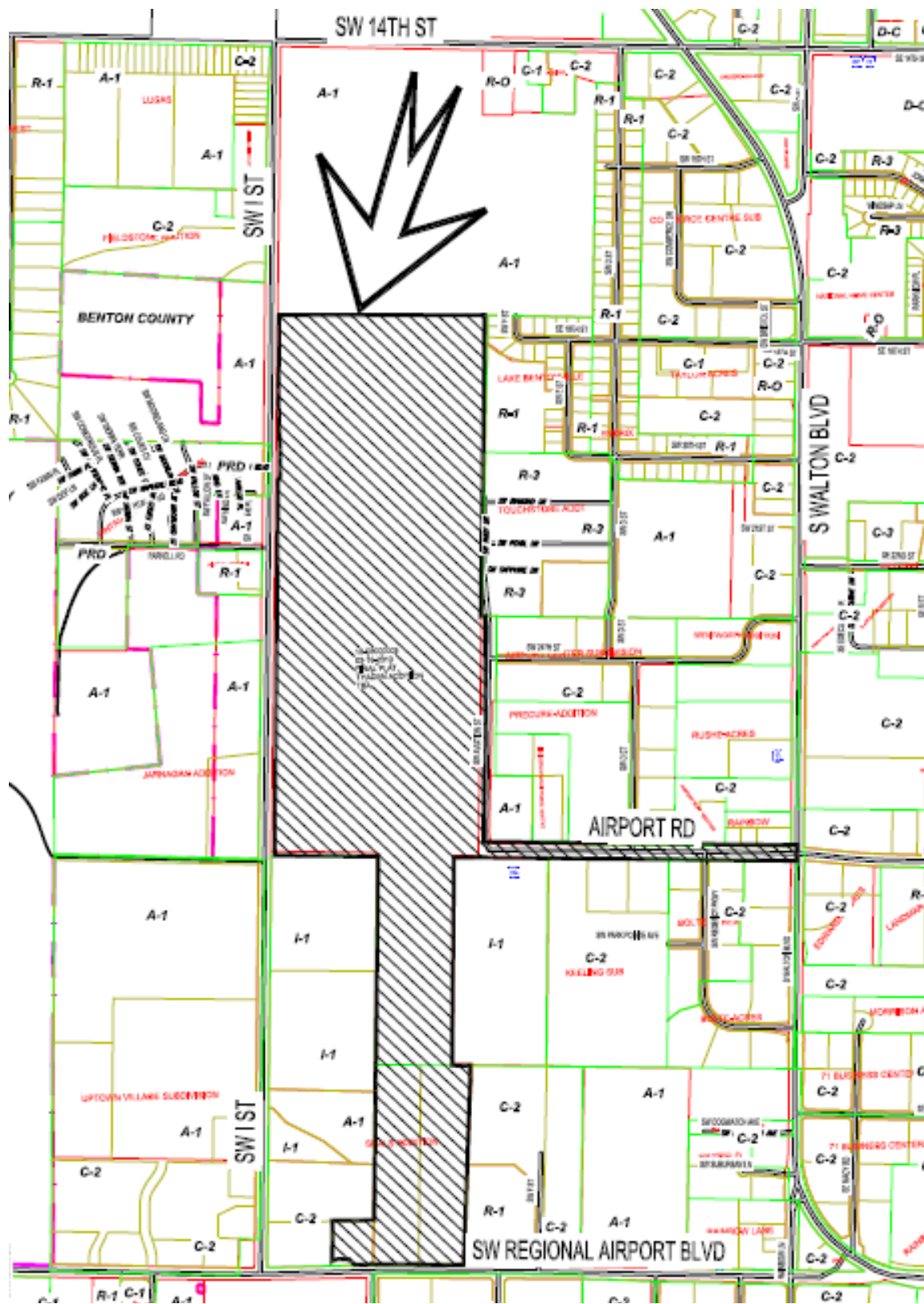
Water / Sewer: Per the G.I.S. site, water and sewer are currently located and in use on the site.

Waiver(s):

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

Large Scale Development: K and K Motors

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

GENERAL INFORMATION:

Project Number: 10-06000002

Applicant: Oscar Matthews

Representative: Glenn Carter

Requested Action: Large Scale Development Approval

Location: 1103 Southeast 35th street

Existing Zoning: C-2, General Commercial

Land Use Plan: Commercial

BACKGROUND:

The applicant has submitted a Large Scale Development plan for a commercial project which was recently constructed at 1103 Southeast 35th Street. The applicant demolished a portion of the existing building and constructed a 15,500 square foot parking area for K and K Motors. The applicant is proposing no drainage or infrastructure improvements to the site.

PROJECT STATISTICS ARE AS FOLLOWS:

Site / Building Requirements	Required / Allowed	Proposed
Setbacks		
Front: Parking in front	50'	57'
Front: Without parking in front	20'	-
Side: Adjacent to non-residential district	7'	50'
Side: Adjacent to residential district	30'	25'
Rear: Adjacent to non-residential district	20'	-
Rear: Adjacent to residential district	30'	25'
Height	60'	12'
Landscape Coverage	8%	.15% 24 square feet of Green space
Parking		
Standard Stalls	8.5	4
Handicap Stalls	1	1
Total:		

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-2, General Commercial	Commercial
South	C-2, General Commercial	Commercial
East	R-1, Single Family Residential	R-3, Medium Density Residential
West	C-2, General Commercial	Commercial

STREETS

Direction	Name	Classification
North		
South	Southeast 35 th Street	Local Street
East		
West	Southeast 'J' Street	Arterial

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 site was recently developed without the approval of the Bentonville Planning Commission.

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

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

Waiver(s):

Street Improvements- The applicant is requesting a waiver for 116' of street improvements to Southeast 35th Street.

Curb Cut Separation- The applicant is requesting a waiver for the distance a curb cut shall be from the intersection of an arterial street. City ordinances require 150' of separation and the applicant is requesting 65' from the right of way line to the centerline of the curb cut.

Interior Green space- Per section 1400, developments with of than 50,000 square are required to provide 8% green space in the interior parking lot. The applicant has not provided parking islands with the exception of a 4' by 6' area surrounding an existing large oak tree. The interior green space calculation is approximately .12% of 15,500 square feet of impervious surface.

Adjacent Use Screen- Per section 1400 a Type A screen must be installed between commercial and residential uses. A Type A screen consist of a 6' opaque screen and a 20' vegetated broken screen. The applicant is requesting the commission waive the 6' opaque screen requirement and allow only the use of the evergreen screen.

Street Frontage Buffer- A 10' street frontage buffer must be installed according to landscaping ordinance for the entire length of Southeast 'J' Street and Southeast 35th Street. Due to the developer installing the parking lot prior to approval adequate green space was not provided along the frontages. Due to the fact the developer will have to tear out asphalt to meet the requirement he is requesting a waiver for the street frontage buffer.

Analysis / Conclusion: This large scale development DOES NOT meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL contingent upon approval of all requested waivers.

