



**Planning Commission  
Agenda  
April 6, 2010**

**I. Call to Order**

**II. Approval of Minutes**

**III. Consent Agenda**

- |  |                  |
|--|------------------|
| <b>1. Lot 20 Block 3 Railroad Addition</b> | <b>Lot Split</b> |
| 301 South Main Street                      |                  |

**IV. New Business**

- |                                    |                         |
|------------------------------------|-------------------------|
| <b>1. Temporary Concrete Plant</b> | <b>Conditional Use*</b> |
| Southwest Melissa Drive            |                         |

**V. Planner's Report**

**VI. Adjournment**

Planning Commission  
Minutes  
March 16, 2010

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

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

Absent: Matt Hewitt and Miguel Rivera

Others: Beau Thompson, Brian Bahr and Troy Davis

Motion by Stanley, seconded by Thompson to approve the minutes of March 2, 2010. Approved as written.  
No tape available for March 16<sup>th</sup> meeting.

New Business:

Item #1

Mohammed N. Khan: (10-02000001) Bentonville Islamic Center, *Conditional Use*, 1801 Southwest 2<sup>nd</sup> Street, Zoned RO, Residential Office.

The applicant has submitted a conditional use permit for the Bentonville Islamic Center to be located at 1801 Southwest 2<sup>nd</sup> 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.

Opened public hearing

No comments

Closed public hearing

Motion by Stanley, seconded by Carroll to add the contingency that 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.

Approved 5-0

Motion to approve the conditional use with the standard conditions of approval.

Approved 5-0

Item #2

City of Bentonville: (10-03000003) Thaden Addition, *Final Plat*, Southwest Aviation Street, Zoned A-1, Agricultural.

The applicant has submitted a final plat for 140 acres located east of Southwest 'I' 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.

Approved 5-0

Item #3

Oscar Matthews: (10-06000002) K and K Motors, *Large Scale Development*, 1103 SE 35<sup>th</sup> Street, Zoned C-2, General Commercial.

The applicant has submitted a Large Scale Development plan for a commercial project which was recently constructed at 1103 Southeast 35<sup>th</sup> 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.

The applicant has requested 5 waivers:

Street Improvement- The applicant is requesting a waiver for 116' of street improvements to Southeast 35<sup>th</sup> Street. Motion by Carroll seconded by Stanley to approve the street improvement waiver.  
Approved 5-0

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.  
Motion by Binns, seconded by Carroll to approve the curb cut separation.  
Approved 5-0

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, 5000 square feet of impervious surface.  
Motion by Bohn, seconded by Carroll to approve the Interior Green Space waiver.  
Approved 5-0

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.  
Motion by Carroll seconded by Stanley to approve the waiver for the adjacent use screen.  
Approved 5-0

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 35<sup>th</sup> 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.  
Motion by Bohn seconded by Carroll to approve the street frontage buffer 7' vs 10'  
Approved 5-0

Motion to approve large scale development including waiver request and standard conditions of approval.  
Approved 5-0

Planners Report:  
Reminder: Developers Conference April 15<sup>th</sup> at the Clarion.

Meeting adjourned  
*Diane Shastid*

# Planning Commission Staff Report

## Lot Split: Lot 20 Block 3 Railroad Addition

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**TO:** Bentonville Planning Commission Members  
**THRU:** Troy Galloway, AICP Community Development Director  
**FROM:** Beau Thompson, Planner  
**PC DATE:** April 6, 2010

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### **GENERAL INFORMATION:**

**Project Number:** 10-05000002  
**Applicant:** Charles and Susan Chambers  
**Representative:** Northstar Engineering  
**Requested Action:** Lot Split Approval  
**Location:** 301 South Main Street  
**Existing Zoning:** Downtown Edge  
**Land Use Plan:** Mixed Use

### **BACKGROUND:**

The applicant has submitted a lot split for lot 10 Block 3 Railroad Addition. After the dedication of right of way along South Main Street and Southeast 3<sup>rd</sup> Street the lot will be known as Lot 20 Block 3 Railroad Addition. The lot split is needed for the applicant to progress the redevelopment of the lot.

### **SURROUNDING LAND USES AND ZONING:**

Direction	Zoning	Land Use
North	Downtown Core	Mixed Use
South	Downtown Edge	Mixed Use
East	Downtown Edge	Mixed Use
West	Downtown Core	Mixed Use

### **STREETS**

Direction	Name	Classification
North	Southeast 3 <sup>rd</sup> Street	Collector
South		
East		
West	South Main Street	Collector

### **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 will be issued.

**ISSUES / ANALYSIS:**

**Site Inspection:** A site inspection was completed; this property is currently the site of a vacant single family dwelling in a developing downtown mixed use area.

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

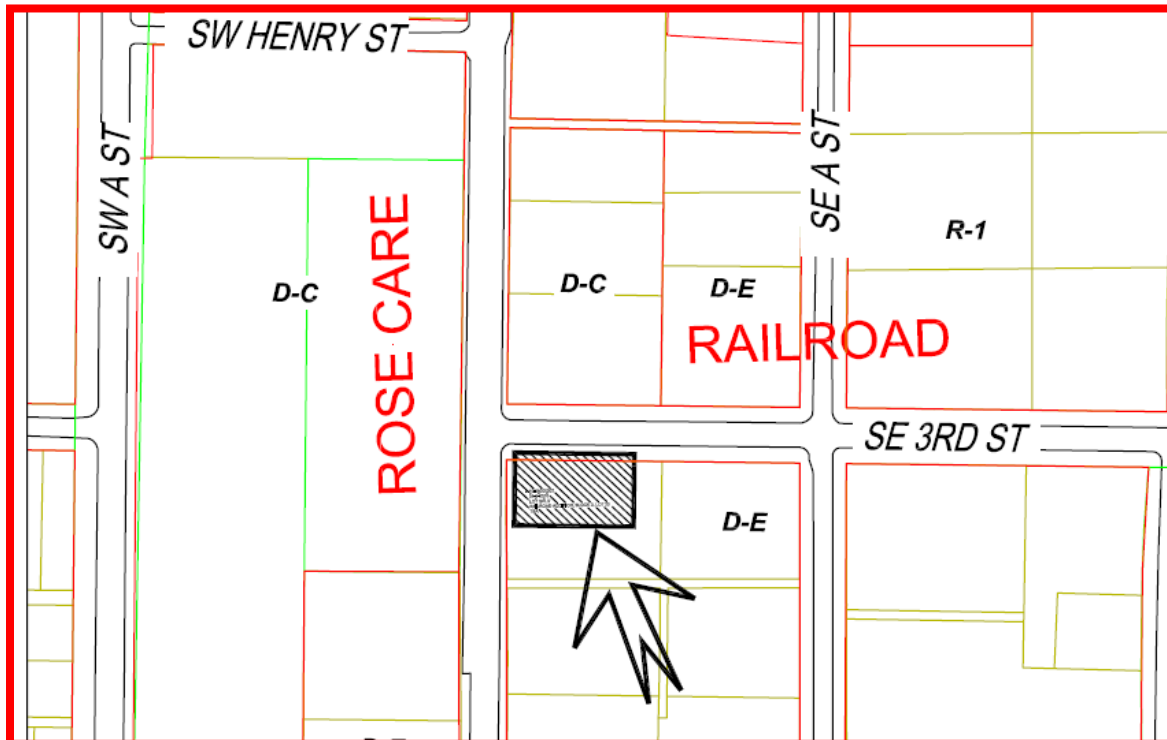
**Water / Sewer:** Per the G.I.S. site, water and sewer are currently in use on the site.

**Waiver(s):** N/A.

**Analysis / Conclusion:** This lot split DOES NOT meet the minimum requirements of the subdivision regulations.

**RECOMMENDATION:**

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



**Planning Commission Staff Report**  
**Conditional Use: Temporary Concrete Plant**  
**Project Number: 10-0200002**

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**TO:** Bentonville Planning Commission Members  
**THRU:** Troy Galloway, AICP Community Development Director  
**FROM:** Beau Thompson, Planner  
**PC DATE:** April 6, 2010

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**GENERAL INFORMATION:**

**Applicant:** Phillip Lee Trust  
**Representative:** Gray Rock Consulting  
**Requested Action:** Conditional Use Permit Approval  
**Location:** Southwest Melissa Drive  
**Existing Zoning:** I-2, Heavy Industrial  
**Land Use Plan:** Industrial  
**Proposed Use:** Temporary Concrete Plant

**BACKGROUND:**

The applicant has submitted a Conditional Use request for a Temporary Concrete Plant along Southwest Melissa Drive. The concrete plant is needed to provide adequate concrete for the Southwest 14<sup>th</sup> Street widening project. The hours of operation shall be from 8:00 am to 6:00pm seven days a week and shall expire once the widening project is completed. The temporary plant will employ two full time workers. The Conditions listed below shall apply due to the fact that Melissa Drive is currently sub standard for the type of traffic the concrete plant could potential produce.

**SURROUNDING LAND USES AND ZONING:**

Direction	Zoning	Land Use
North	Planned Unit Development	Industrial
South	County	Public (county)
East	Planned Unit Development	Industrial
West	County	Mixed Use

**STREETS**

Direction	Name	Classification
North	Southwest 8 <sup>th</sup> Street	Arterial
South		
East	Southwest Melissa Drive	Local Street
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 Industrial area.

**Public Notice:** On **March 16, 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 March 19, 2010. This meets legal noticing requirements and is adequate for the scope of this project.

## **CONDITIONS OF APPROVAL:**

1. All technical review comments must be addressed before building permits are issued.
2. A Letter of Credit must be provided to the Engineering Department for 150% of the cost of replacement for Melissa Drive from Southwest T Street to Southwest 8<sup>th</sup> Street. The letter of Credit shall be for a period of two years.
3. The contractor shall schedule a pre-construction meeting with the Engineering Department.
4. No traffic generated from the concrete plant shall use Southwest 8<sup>th</sup> Street for ingress or egress to or from the site.

## **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 I-2, Heavy Industrial district.

Allowed under the Protective Covenants of the subdivision. Not applicable

To date staff **has not** been contacted regarding this request.

**RECOMMENDATION:**

Staff has reviewed this application and recommends **APPROVAL** if the aforementioned conditions are met.

