

CITY OF SILOAM SPRINGS PLANNING COMMISSION

Tuesday, January 12, 2016 at 4:00 p.m.
City Administration Building
400 N. Broadway

AGENDA

I. Planning Commission

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes of the Regular Meeting of December 08, 2015
- D. Elections
- E. Development Permit Approval
 - 1. Significant Development Permit, SD15-13
2500 Hwy 412 East
Owner: Quad SS, LLC/ Tim Clower
Agent: Blew and Associates, PA. – Jorge DuQuesne, PE
To the Board of Directors on February 2, 2016
- F. Adjourn the Planning Commission

MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD DECEMBER 8, 2015

The Planning Commission of the City of Siloam Springs, Benton County, Arkansas, met in regular session at the City Administration Building, Tuesday, December 8, 2015.

The meeting was called to order by Chairman Mounger.

Roll Call:

Colvin, Stewart, Blakely, Brown, Mounger, Williams, Smith – Present.

Acting City Clerk, Judy Toler; Senior Planner, Ben Rhoads; City Engineer, Justin Bland; City Attorney, Jay Williams; all present.

A copy of the November 10, 2015, regular minutes had previously been given to each Commissioner. A motion was made by Williams and seconded by Colvin to accept the minutes. Mounger called for a voice vote.

All Ayes. No Nays. Motion passed.

The first item on the agenda was a Significant Development Permit, SD15-11, 1100 Block of E. Ashely Street on behalf of Simmons Foods, remanded back to P&Z by the Board of Directors. Ben Rhoads, Senior Planner, gave an overview of the item, and explained why the Board of Directors remanded this item back to Planning and Zoning. Blakely stated he will be abstaining from discussion and voting due to the work Simmons bring in at the Adult Development Center. Ron Homeyer, Civil Engineering, explained the design team was changed mid-stream, and that is the reason for the revisions. Mounger asked if the design team is okay with the staff recommendations. Homeyer stated yes, they are. A Motion to approve with conditional staff recommendations was made by Williams and seconded by Stewart.

Roll Call:

Stewart, Brown, Mounger, Williams, Smith, Colvin – Aye.

Blakely – Abstained.

6 Ayes. 1 Nay. Motion passed.

Mounger stated this item will go to the Board of Directors meeting on December 15, 2015.

The next item on the agenda was Lot Split Request, LS15-06, 19836 Shinn Springs Road, Steve Butler, Ron Homeyer, PE – Civil Engineering, Inc. Ben Rhoads, Senior Planner, gave an overview of the item. Brenda Huss, 713 West University, asked if there is a plan for development on the 24 acres. Ron Homeyer, Civil Engineering, stated it is to keep it as farm land such as it is now. A Motion to approve with conditional staff recommendations was made by Blakely and seconded by Brown.

Roll Call:

Blakely, Brown, Mounger, Williams, Smith, Colvin, Stewart – Aye.

7 Ayes. No Nays. Motion passed.

The next item on the agenda was Lot Split Request, LS15-07, 21153 AR Highway 16, Ozark Management, LLC – Jonathan Barnett, Ron Homeyer, PE – Civil Engineering, Inc. Ben Rhoads, Senior Planner, gave an overview of the item. Ron Homeyer, Civil Engineering, stated the county planning staff will be fully involved with this project, including issuing the permit. Mounger expressed his feelings towards putting large buildings on this highway. Blakely stated

this property is outside of the City limits, so we don't have much say on what goes out there. A Motion to approve with conditional staff recommendations was made by Colvin and seconded by Blakely.

Roll Call:

Brown, Mounger, Williams, Smith, Colvin, Stewart, Blakely – Aye.

7 Ayes. No Nays. Motion passed.

The next item on the agenda was Lot Split Request, LS15-08, 25,000 Block of Bruce Rutherford Road; Geraldine McReynolds, owner; Ward Jones – Ward Jones Realtors. Ben Rhoads, Senior Planner, gave an overview of the item. Williams asked if there are any current development plans for this property. Ward Jones said he wasn't sure. A Motion to approve, with conditional staff recommendations, was made by Colvin and seconded by Brown.

Roll Call:

Mounger, Williams, Smith, Colvin, Stewart, Blakely, Brown – Aye.

7 Ayes. No Nays. Motion passed.

The next item on the agenda was a Significant Development Permit, SD15-12, 1240 Block of Valley Drive, John Brown University, Ron Homeyer, PE – Civil Engineering, Inc. Ben Rhoads, Senior Planner, gave an overview of the item. Williams stated he is glad to see additional parking. Mounger stated he would like to see more visitor parking spots. A Motion to approve was made by Colvin and seconded by Stewart.

Roll Call:

Williams, Smith, Colvin, Stewart, Blakely, Brown, Mounger– Aye.

7 Ayes. No Nays. Motion passed.

Mounger stated this item will go to the Board of Directors meeting on January 5, 2016.

Mounger asked if this would be the last meeting of the year. Ben Rhoads, Senior Planner, answered yes, this is will be the last Planning meeting in its current form; election will start next year. Mounger asked if the Board of Adjustments meeting has been cancelled. Rhoads answered yes, due to the holidays. He then stated there will be a Special Called Board of Adjustment meeting on January 12, and the regular Planning and Zoning meeting that same day. Mounger then thanked Stewart and Brown for serving as a commissioner.

A motion to adjourn the meeting was made by Stewart and seconded by Colvin.

There being no further business, Mounger adjourned the meeting.

{Seal}

APPROVED:

ATTEST:

Karl Mounger, Chairman

Renea Ellis, City Clerk



STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Cc: Don Clark, Community Services Director
DATE: January 7, 2016
RE: Significant Development Permit, SD15-13/ Significant Development/ 2400 Hwy 412 East, **Revised**

Recommendation: Approval of SD15-13 (Significant Development Permit), subject to the following conditions:

- 1.) The applicant must receive approval for all related variances associated with this request.

Background:

APPLICATION REVIEW DATES

Planning Commission review: January 12, 2016
Board of Directors review: February 2, 2016

APPLICANT AND AGENT

Applicant/Owner: Quad SS, LLC – Tim Clower, managing member.
Agent: Blew & Associates, PA – Jorge DuQuesne, PE

SUBJECT PROPERTY ADDRESS

2500 Hwy. 412 E.

PROJECT INTENT

The applicant requests to construct a 2,856.45 sq. ft. Burger King restaurant.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.
Attribution: Map data ©2015 Google Imagery ©2015, Arkansas GIS, DigitalGlobe, Landsat, State of Arkansas, USDA Farm Service Agency Washington County.

Please click on the following link to access. This link will only operate if reading this report digitally.

<https://www.google.com/maps/d/edit?mid=zHgGzzL4Wl4o.kK-zFe19ZM1U&usp=sharing>

REFERENCE APPLICATIONS

The following application is related to this request:
BOA15-10 (Variance Development Permit).

EXISTING LAND USES AND ZONING

EXISTING LAND USE	EXISTING ZONING
Retail / Portable Storage Building Sales	C-2 District (Roadway Commercial)
SURROUNDING LAND USE	SURROUNDING ZONING
North: Retail	North: C-2 District (Roadway Commercial)
South: Residential, multi-family	South: C-2 District (Roadway Commercial)
East: Retail	East: C-2 District (Roadway Commercial)
West: Retail – Shopping Center	West: C-1 District (General Commercial)

ZONING USE UNIT CONSISTENCY

The subject proposal is consistent with the medium impact commercial uses associated with Use Unit 15, which is permitted in C-2 District.

LOT STANDARDS CONSISTENCY

The minimum C-2 zones standards are compared with the subject property’s tracts below.

MINIMUM (C-2) ZONING REQUIREMENTS*	SUBJECT PROPERTY PROPOSAL
Lot Area: 8,000 sq. ft.	1.02 acres
Lot Width: 80 ft.	225 ft. (approx.)
Maximum Lot Coverage: 85 %	72.0 % (approx.)
Maximum Floor to Area Ratio: .60 (60%)	0.06 or 6%

*New zoning standards approved by the Board of Directors in Ord. 15-24 became effective on December 3, 2015 and therefore are used for this development review.

PARKING STANDARDS CONSISTENCY

According to Municipal Code Sec. 102-75(1)(a)(8), parking is calculated by the square footage of the proposed restaurant. The formula is 1 space for every 100 feet of floor area.

USE	REQUIRED PARKING	EXISTING PARKING	NET PROPOSED PARKING**	PARKING SURPLUS/ DEFICIT
Restaurant	28.56	21*	54	+25

*Accessible parking spaces at the current storage building sales business

**Includes ADA accessible spaces

STAFF DISCUSSION

The applicant is requesting the construction of a 2,856 sq. ft. Burger King fast food restaurant, south of the Casey’s General Store and west of Kenny’s Auto Services. The facility is proposed on a lot presently being used as a sales center for self-storage buildings and sheds. The existing retail use will likely be relocated elsewhere on Hwy. 412.

The lot presently contains two driveways located off of Hwy. 412, there is also a planned third exit only drive at the rear of the facility, abutting the southern property line. Because the two drives accessing Hwy. 412 are existing and not proposed, they are considered legal non-conforming with the driveway spacing requirements and do not require a variance. This, however, is not the case with the proposed rear driveway because it is proposed. The issue with the rear drive is that it is planned too close to the rear property line driveway setback. The drive will utilize an existing access easement that burdens Kenny's Auto Service, east of the subject property, located at 2690 Hwy 412 E. The location of this drive cannot be moved on account of this existing access easement. The south drive is needed as an alternative way westbound traffic may egress the site. It is marked as a one-way (exit only) drive. Traffic wishing to travel westbound on Hwy. 412 is encouraged use this drive and then make the left at the signalized intersection at Hwy. 412 and Hwy. 16. This proposed drive aligns with the existing drive for Arvest Bank, so traffic movement should not be an issue.

A second variance is needed for a driveway setback encroachment of an internal drive and parking lane to the right-of-way of Hwy. 412. The internal drive, which serves to connect the drive thru-lane to the main restaurant's parking area and drive, is essential to allow westbound vehicles to depart the site without forcing a U-turn at the Hwy. 16 and Hwy. 412 intersection—for safety reasons, left turn movements will not be permitted from the northeastern (drive-thru) drive. The drive is designed to prevent left turns. The location of the proposed connecting drive will not pose traffic stacking issues, as it is approximately 50 feet from the paved surface of Hwy. 412. Finally, three additional variances are needed relating to the one-way drive width, and the front and rear greenspace buffers.

The merits and reasoning for these variances are set to be reviewed and approved separately by the Board of Adjustment (BoA), the BoA is the final authority on variances. The BoA is scheduled to review these variances at a special-called meeting on January 12, 2016. A recommended condition is added to ensure that these variances are approved prior to the approval of this proposal.

The proposal is providing a sidewalk fronting on Hwy. 412 and sidewalks to connect to the restaurant to fully accommodate foot traffic. The proposal meets all requirements for parking lot development and is offering a surplus of 24 spaces. The applicant is reluctant to reduce parking due to the foreseen demand for the facility. Staff can attest that this was the case for Wendy's and The Panda Express restaurants. The parking lot will contain ample interior islands with trees and will be lit at night. Street fees are not applicable due to the impact occurring on two state maintained highways, Hwy. 412 and Hwy. 16. Drainage flow runs off site and will not be negatively impacted by the proposal because the existing site is already nearly 100 percent paved; in fact due to landscaping, off site drainage flows are projected to decrease. Drainage will flow to the east on the surface of the rear egress drive to Hwy. 16, there will be no need for drainage swales on either side of the drive. This arrangement will allow the drive to be entirely within the existing 20 ft. access easement.

The traffic study was ordered; however, by the time of the writing this report, it has not come back for review. Staff projects that the proposal will cause minimal traffic impacts to the area, however staff believes that the exit drive from the drive through window will need to be right out only in order to avoid issues with the main Hwy. 412 drive. Should any additional issues be raised in the traffic study, staff will verbally present these at the Planning Commission, along with any additional suggested conditions.

With the exception of the aforementioned variances, the proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

LEGAL NOTICE

Staff received no information that:

- the proposal interferes with the reasonable peace or enjoyment of the neighboring properties;
 - the property values will be substantially damaged;
 - the proposal is not adequately supported by infrastructure.
-
- Site posted: December 02, 2015.
 - Newspaper legal notification: December 27, 2015 (Herald-Leader).
 - Letter legal notification: December 22-26, 2015.
 - Staff received no phone calls and one e-mail correspondence on the request. The e-mail correspondence was from a local realtor on behalf of a surrounding property owner. The property owner has concerns over the use of the rear access easement and drainage. Staff referred the realtor to the project engineer to discuss these concerns, and gave the realtor access to the project plans and drainage report. Staff also suggested that the concerned party attend the Planning Commission meeting to voice their concerns to the Commission.

COMPREHENSIVE PLAN CONSISTENCY

The 2030 Land Use Map describes this area as commercial and office. The proposed use is consistent with the 2030 Land Use Map.

Fiscal Impact:

Street fees are not applicable for this project. No fiscal impact is anticipated.

Attachments:

- Site Specific Proposal (1 exhibit)
- General Area Map

Proposed Features:

Feature	Description
	Property Line
	Onsite Property Line
	Right-Of-Way Line
	Setback Line
	Easement Line
	Zoning Limits
	Street / Drive Centerline
	Curb And Gutter
	General Front Line
	General Side Line
	General Rear Line
	Chain Link Fence Line
	Board Fence Line
	Parking Counter
	Storm Catch Basin(s)
	Retaining Wall

- Note:**
- Site Survey For Existing Features Legend.
 - Site Cover Sheet For Administration Use.
- Grass Valve
 Fire Hydrant Assembly
 Water Water - Single
 Water Water - Double
 Sanitary Sewer Cleanout
 Utility Pole
 Light Pole

Site Information:

PROPERTY INFORMATION	
Gross Site Area:	44,537.53 sf
Proposed Dedicated R.O.W.:	0.00 acres
Net Site Area:	44,537.53 sf
Zoning:	C-2

ZONING REGULATIONS	
Front Setback:	30 ft
Side Setback:	10 ft
Rear Setback:	30 ft
Max Lot Coverage (85%):	37,856.00 sf
Max Building Height:	35 ft
Max Floor to Area Ratio (FAR):	0.60

SITE INFORMATION	
Total Parcel Area:	27,343.20 sf
Total Site Area:	1,859.34 sf
Total Building Area:	2,854.43 sf
Total Impervious Area:	32,058.99 sf
Total Pervious Area:	12,478.54 sf
Floor to Area Ratio (FAR):	0.06

PARKING REGULATIONS	
Required Spaces Ratio:	1 Space / 100 sf
Required Spaces (Total):	29
Required Accessible Spaces (Total):	51
Provided Accessible Spaces:	2

Site General Notes:

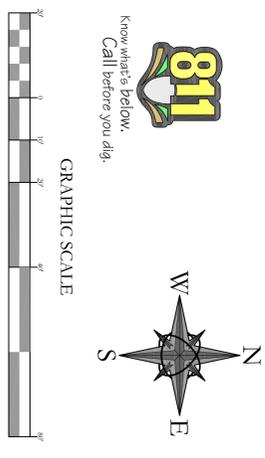
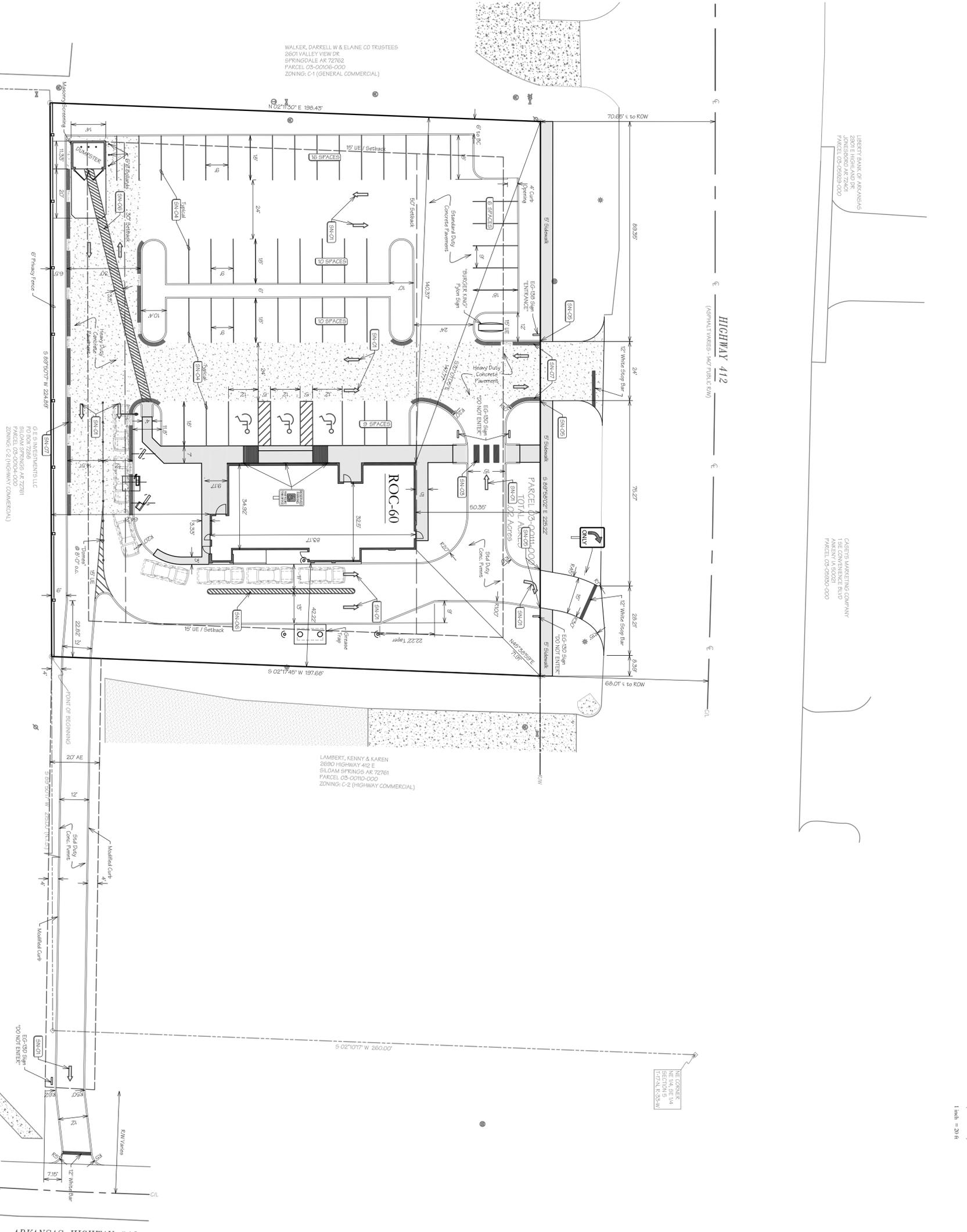
- Dimensions are measured from the Face of Curb, the Edge of Pavement, Centerline of Street, the Face/Corner of the Building(s) or the Centerline of Easement.
- All rail shall be 5 feet from Face of Curb unless otherwise specified.
- Layout of Site Plan is based on and limited to survey information.
- All Curb & Gutter shall be 24" wide per detail sheet.
- All Pavement Marking shall be applied in accordance with the requirements outlined in the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD).
- All Signs, Traffic Control Devices, etc. shall follow the guidelines of the Manual on Uniform Traffic Control Devices for Pavement.
- The Contractor shall refer to the Architectural drawings for Building Floor Plans and Dimensions, Wall Sections, Door Openings, Building Utility, Entrance Points, etc. The Contractor shall immediately notify the Architect and Engineer in the event that the Civil Site Plans Building Layout does not match the Architectural drawings.
- All handicap spaces shall be marked in accordance with the handikap striping detail.
- All pavement indicated shall be standard duty bituminous pavement unless otherwise noted on plan. The pavement shall be constructed in accordance with the most current edition of the Arkansas Department of Transportation Standard Specifications for Road and Bridge Construction.
- It is the Contractor's responsibility to calculate construction staking coordinates according to the dimensions shown on these plans. The Contractor shall verify the accuracy of the coordinates shown on the plans and notify the Engineer of any irregularities before construction starts.
- All ramps shall have detectable truncated dome panels per A.D.A. and City standards and the detail sheet.

Site Plan Notes:

- SN101 Painted Traffic Flow Arrows
- SN102 Street Light per Municipal Standards
- SN103 24" Painted White Crosswalk
- SN104 4" Painted Yellow Striping
- SN105 4" Wide Curbs from 6" to 8" in 2'-0"
- SN106 4" Wide Painted Stripes, 2'-0" o.c. @ 40'
- SN107 Fire Lane Striping
- SN108 Curb / Sidewalk Ramp per City / Highway Department Standards (Whichever is More Stringent)

Sign Legend

Symbol Code	Description	Size	Post Type
SN101	Handicap Sign	12 x 18	U-Channel
SN102	Right Turn Only Traffic Sign	24 x 30	U-Channel



REVISIONS:	PREP'D	INSTR'D	DATE:
No:			

Site Plan

Large Scale Development for:

Burger King of Siloam Springs
 US-412

Terry Clark; L.W. Clark, Inc
 1509 Wesley Boulevard
 Springdale, AR 72764

BLEW & ASSOCIATES, PA
 CIVIL ENGINEERS & LAND SURVEYORS
 524 W. SYCAMORE ST. SUITE 4
 FAYETTEVILLE, ARKANSAS 72703
 OFFICE: 479.443.4506
 FAX: 479.582.1883
 www.BLEWINC.com

Certificate of Authorization No. 1534

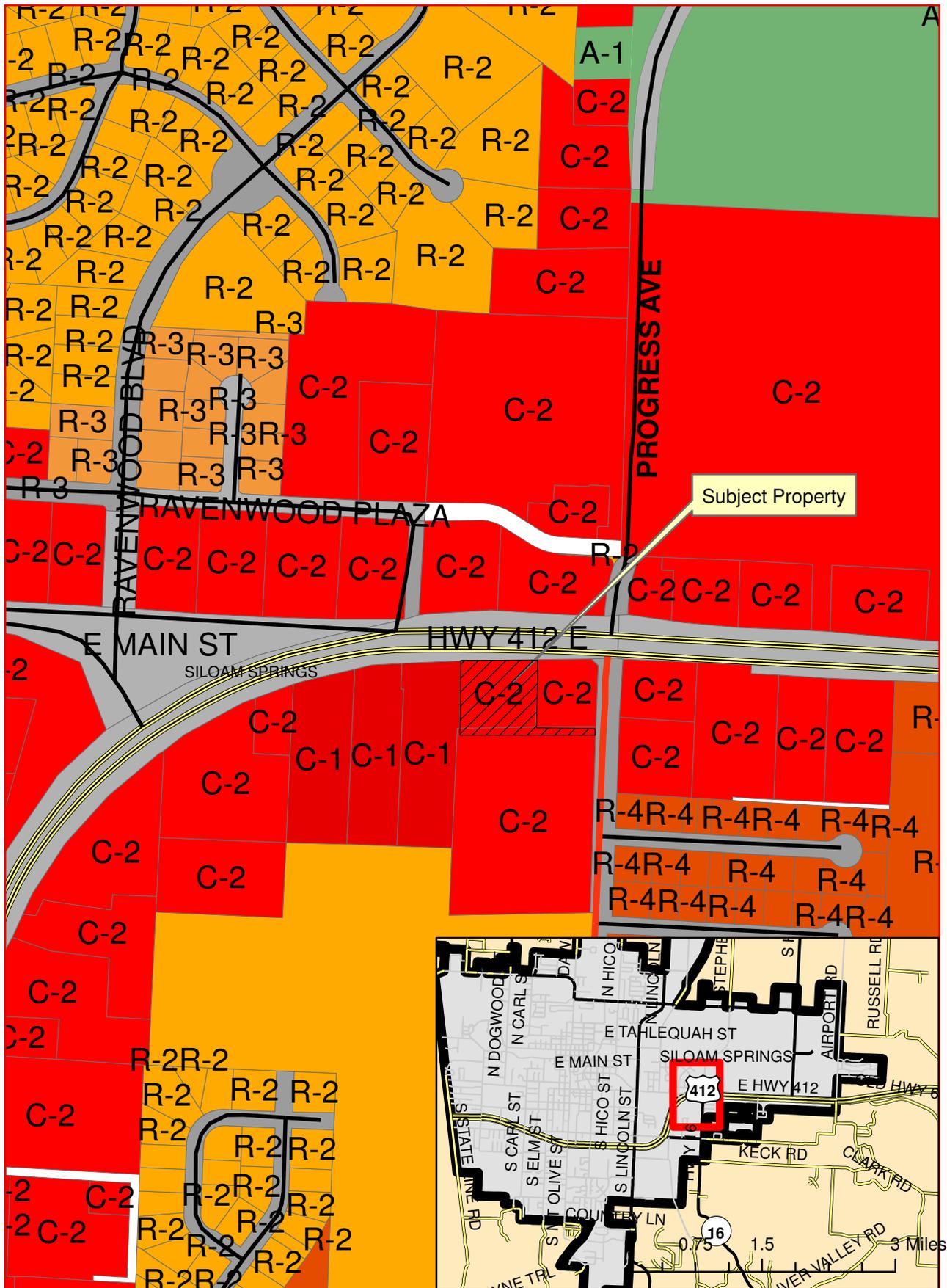
REGISTERED PROFESSIONAL ENGINEER
 STATE OF ARKANSAS
 No. 12006
 J. Du Quesne

DATE: 2016/01/07
 SCALE: As Shown
 SHEET NO: 15-1164
 PROJECT: 15-1164 Civil 006.dwg

C2

GENERAL AREA MAP

Significant Development
Permit SD 15-13



0 0.0425 0.085 0.17 Miles