



A G E N D A
SILOAM SPRINGS BOARD OF DIRECTORS
ADMINISTRATION BUILDING, 400 N. BROADWAY
NOVEMBER 1, 2016
WORKSHOP: BUDGET (CONT) DEPT. ONE-BY-ONE / 5:30 PM
BOARD MEETING / 6:30 PM

Workshop: Budget (cont) Dept. one-by-one 5:30 pm

Regular Board of Directors Meeting:

Opening of Regularly Scheduled Meeting

Call to Order

Roll Call

Prayer

Pledge of Allegiance

Approval of Minutes

Regular Meeting of October 18, 2016

I. Public Input

Items from the Public not on the Agenda (public may address any City business not listed on the agenda)

II. Regularly Scheduled Items

Contracts and Approvals

A. Budget Amendment / Dept Name / 2016 Capital / Sidewalks

Ordinances

B. 1st Reading / Ordinance 16-17 / Amend Section 102-21 of the City Municipal Code / rezone I-1 to C-2 / 3948 Hwy. 412 E.

C. 1st Reading / Ordinance 16-18 / Amending Chapter 2 of the Municipal Code / Compensation of the Mayor and Board

D. 1st Reading / Ordinance 16-19 / Amending Chapter 2 of the Municipal Code / Compensation of the Planning Commission

E. 1st Reading / Ordinance 16-20 / Amend Section 94-185 of the City Municipal Code / Prohibiting On-Street Parking / S. Dogwood St. and W. Jefferson St.

Resolutions

F. Resolution 34-16 / Extending the Authority of the City Administrator to Offer Economic Incentives for New and Expanding Industries

G. Resolution 36-16 / Significant Development Permit / The Plaza Shopping Center / 3300 Block of Hwy. 412 E.

H. Resolution 37-16 / Significant Development Permit / Arkansas Early Learning / 2011 & 2075 N. Mt. Olive St.

I. Resolution 38-16 / Final Plat Development Permit / Dogwood Meadows / 1218 W. Jefferson St.

Staff Reports

J. Solid Waste report

K. Administrator's Report

III. Directors Reports

IV. Adjournment

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD OCTOBER 18, 2016

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, on October 18, 2016.

The Meeting was called to order by Mayor Turner.

Roll Call: Burns, Smith, Cavness, Coleman, Johnson, Smiley – Present
Beers – Absent

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Judy Toler, Acting City Clerk; Jeremy Criner, Fire Chief; Jim Wilmeth, Police Chief; Don Clark, Community Services Director; Christina Petriches, Finance Director; Ben Rhoads, City Planner; present.

Opening prayer was led by Brad Burns.

Mayor John Turner led the Pledge of Allegiance.

A copy of the October 4, 2016 minutes of the regular meeting had previously been given to each Director. A Motion was made by Smiley and seconded by Smith to accept the minutes. Mayor called for a voice vote. Motion passed unanimously.

The first agenda item was the Open Hearing for Citizens Present.
None came forward.

The next item on the agenda: Bid Acceptance / Airport Precision Approach Path Indicator (PAPI) Lights Relocation / Broadway Electric / \$120,000.

Discussion: Don Clark, Community Services Director, briefed the item. Johnson commented on the importance of the PAPI lights. Smith asked why there was only one bidder. Clark said he thinks it may be due to the FAA Guidelines. A Motion to accept the PAPI Relocation bid from Broadway Electric for \$120,000 was made by Smiley and seconded by Johnson.

Roll Call:

Smith, Cavness, Coleman, Johnson, Smiley, Burns –Aye.

6 Ayes. No Nays. Motion passed.

The next item on the agenda: 2nd Reading / Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St.

Discussion: Ben Rhoads, Senior Planner, briefed the item. A Motion to Place Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St. on its second and third reading, suspending the rules and reading title only, was made by Smiley and seconded by Coleman.

Roll Call:

Cavness, Coleman, Johnson, Smiley, Burns, Smith –Aye.

6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-2 TO G-1) THE PROPERTY LOCATED AT 1405 WEST JEFFERSON STREET

Was read on its second and third reading.

A Motion to Adopt Ordinance 16-14 was then made by Smiley and seconded by Smith.

Roll Call:

Coleman, Johnson, Smiley, Burns, Smith, Cavness –Aye.

6 Ayes. No Nays. Motion passed.

The next item on the agenda: 2nd Reading / Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Hwy. 412 E.

Discussion: Ben Rhoads, Senior Planner, briefed the item. A Motion to Place Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Hwy. 412 E. on its second and third reading, suspending the rules and reading title only, was made by Johnson and seconded by Smiley.

Roll Call:

Johnson, Smiley, Burns, Smith, Cavness, Coleman –Aye.

6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-4 TO C-2) THE PROPERTY LOCATED AT THE 3300 BLOCK OF U.S. HWY. 412 EAST

Was read on its second and third reading.

A Motion to Adopt Ordinance 16-15 was then made by Johnson and seconded by Cavness.

Roll Call:

Smiley, Burns, Smith, Cavness, Coleman, Johnson –Aye.

6 Ayes. No Nays. Motion passed.

The next item on the agenda: Ordinance 16-16 / Waive Competitive Bidding for Defense Program / Arkansas Municipal League / Approximately \$52,636.50.

Discussion: Christina Petriches, Finance Director, briefed the item. Phillip Patterson, City Administrator, said they found out this does not need to have an emergency clause, and explained reasoning. Smiley asked how much the cost increase was. Petriches said it was about \$5,000, and is based on claims. Mayor explained this item only requires one reading. Smith pointed out that there is no other entity that provides this service, so they are the sole provider. A Motion to Place Ordinance 16-16 / Waive Competitive Bidding for Defense Program / Arkansas

Municipal League / Approximately \$52,636.50, suspending the rules and reading title only, was made by Burns and seconded by Smith.

Roll Call:

Burns, Smith, Cavness, Coleman, Johnson, Smiley –Aye.

6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE ARKANSAS
MUNICIPAL LEAGUE (AML) FOR THE CITY TO PARTICIPATE IN THEIR
MUNICIPAL LEGAL DEFENSE PROGRAM, WAIVING THE REQUIREMENT OF
COMPETITIVE BIDDING AND DECLARING AN EMERGENCY**

Was read on its only reading.

A Motion to Adopt Ordinance 16-16 was then made by Smiley and seconded by Smith.

Roll Call:

Cavness, Coleman, Johnson, Smiley, Burns, Smith –Aye.

6 Ayes. No Nays. Motion passed.

The next item on the agenda: Resolution 35-16 / Accepting Land Donation / Lot 3 & the E½ of Lot 2, Block 5, Beauchamp's Addition / Roy D. and Rebecca F. James.

Discussion: Don Clark, Community Service Directors, briefed the item. Smith expressed her appreciation of the donation. She asked what the cost will be to maintain. Clark said it won't cost anything additional, other than man hours, since the City already mows that section of trail.

Burns asked if there has been any communication with the property owner of the lot next to this. Clark said staff still needs to meet to discuss. A Motion to approve Resolution 35-16, authorizing the acceptance of property donation from Roy and Rebecca James was made by Smiley and seconded by Smith.

Roll Call:

Coleman, Johnson, Smiley, Burns, Smith, Cavness –Aye.

6 Ayes. No Nays. Motion passed.

The next item on the agenda: Staff Reports / Community Services / New City Entrance Sign Design.

Discussion: Don Clark, Community Services Director, showed a presentation on the new design. Karl Mounger, 110A Ravenwood, asked if the backlighting will be behind the sign. Clark said the sign will be backlit in a way so it does not detour traffic. Don Cundiff, 601 W. Tahlequah, said there was a similar design at the parks, and it did not last very long. Smiley thanked staffed for their hard work. Clark said this was version number four that they went with. He said the lights in the fountains will be similar to the ones already there. Burns expressed his appreciation for comments from the public and to staff for their hard work. Phillip Patterson, City Administrator, said once this sign is up, the sign at the airport will be taken down. Patterson asked Clark to elaborate on reasons why a variance is needed for the new sign. Clark said it's because of the size of it. Patterson said staff is looking to update the sign code. Clark confirmed this to be true. Smith asked where this falls in the budget. Clark said there was \$98,000 budgeted

for this project last year, money put in from Public Works, and they also received \$5,000 from a GI Beautification Grant. He said there is about \$110,000 budgeted, and estimated costs are right around \$106,000.

Administrator's Report: Phillip Patterson, City Administrator, stated the Sidewalk and Trails Master Plan will be taken to the public on October 25th at the Library from 5-6:30pm. He reported that after the public meeting, the Master Plan will be taken to the Board for their formal approval. He stated the contractors are starting to grind down for the overlay on Mount Olive. He stated the contract started on October 12th, and they have 20 days to finish. He then stated they are not proposing any street closures, and hope to have it completed by November 1st. He reported from October 26th through the following Wednesday or Thursday that staff will be temporarily striping angled parking on Broadway between Alpine and Central on the east side of the street. He stated they are going to see how tight of a squeeze it will be to determine if it will work. He said there has been discussion from both staff and the public about how difficult the striping is on Dogwood and Main Street. He said on Basin 5, the sewer is now tied in and connected. He said that Fall Clean-Up is scheduled for the week of October 24th and to ensure all citizens put the material out this weekend; no sooner than Saturday and no later than 7am on Monday. He then listed out the different acceptable and unacceptable items. He said the unacceptable items can be taken to the Benton County drop-off center at 1108 East Ashley on Tuesdays and Thursdays between 8am-3:30pm. He stated the City's sales tax is up 15% for the month; year to date is up 9%; and the County is up 8% for the month compared to last year. He stated there is the third quarter update for the Board Goals attached to his report; the goals are slowly being checked off the list.

Open Hearing of Directors: Mayor stated on October 29th, JBU will have their annual teepee basketball home game. He stated it was nice to beat Ole Miss one more time, and spoke to people that attend the game saying that was the loudest they've ever heard it. Smiley stated both the Homegrown Festival and Pickin' on 59 were a great success. She stated there was quite a crowd at both considering they were on the same day. She said Tailwaggers is having their bake auction on November 4th at the Community Building starting at 7pm and that Tailwaggers is also asking to donations of long-lasting chews for the dogs. She pointed out job openings posted on the city's website. She then congratulated the Museum on their Octoberfest Pub Crawl. Cavness stated the Genesis House had their annual event down at the City Park; One Night without a Home. He stated a little over 100 people came down for the program, and had people stay the night in boxes and whatnot. He said there has been confusion on the purpose of this event; it is a community event with not only homeless people. He stated he hopes to bring more awareness to the community. Mayor stated the general election is on November 8th and that he has several voter guides to hand out. Johnson expressed his appreciation to the City workers and staff for their hard work. Burns expressed his appreciation for the budget process, and for staff's hard work. He stated the Homegrown Festival was huge, and that the layout in the street was excellent. He said utilizing the City creek with kayaks is huge and looks forward to it expanding. He mentioned there was a big crowd at Pickin' on 59 as well. He said he also attended Octoberfest at the Museum and that was the most people the Museum has seen. He stated he doesn't think the three facilities that participated; Creekside Taproom, 28 Springs, and the Inn at the Springs; realized the volume of people that came out. He stated there is always something to do here in the corridor. He encouraged people to attend the Sidewalk and Trails Master Plan

meeting at the Library. Coleman stated he attended an HR Certification and Training Seminar in Little Rock hosted by the Arkansas Municipal League. He said about half way through the morning when he was feeling down about all the new laws and requirements, he felt there needed to be more people in HR to accommodate these needs. He stated after meeting with Adrienne Barr and Phillip Patterson that we already have most of this under control. He said the budget that Christina Petriches presented already has those features worked in. He said he is very thankful that they are on top of these things.

Coleman then made a motion to adjourn; seconded by Cavness. The Mayor called for a voice vote. All Ayes. Motion passed.

Meeting adjourned.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

{seal}



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STAFF REPORT

To: Phillip Patterson, City Administrator
From: Justin Bland, City Engineer
Cc: Don Clark - Community Service Director, Steve Gorszczyk - Public Works Director
Date: October 21, 2016
Subject: Budget Amendment / Street Department / 2016 Capital / Sidewalks

Recommendation: Approve the budget amendment to reallocate funding in the Street Department's 2016 Capital Budget for sidewalk construction in the amount of \$24,903 from Lake Francis Dr. to Maxwell St.

Background: In the 2016 Budget there is \$24,903 included for construction of a sidewalk along Lake Francis Dr. from Mt. Olive Street to the Chacon Memorial Park. Design for this project began in the late summer and several options were considered for the best placement of the sidewalk considering existing right of way, trees and existing utilities. Staff settled on placing the sidewalk just south of the existing roadway in the existing right-of-way. This location presents the least amount of obstacles for construction; however, there is an existing gas line in the way. Staff has consulted with Black Hills Energy and they will be unable to relocate this line until 2017.

There is \$90,000 in the proposed 2017 budget for construction of sidewalk along Maxwell St. from Alpine to University.

Fiscal Impact: Due to the delay for the gas line relocation on the Lake Francis project, staff is recommending reallocating the capital funding for the Lake Francis project to construct sidewalk along Maxwell in 2016. The Lake Francis project would then be completed in 2017 along with the remainder of the Maxwell project.

Attachments: None



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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: October 20, 2016
RE: Ordinance 16-17 / Amend Section 102-21 of the City Municipal Code / rezone I-1 to C-2 / 3948 Hwy. 412 E.

Recommendation: Place Ordinance No. 16-17 on its ____ (1st, 2nd or 3rd) reading, suspending the rules and reading by title only.

Background: The applicant, Steven Whitmire, requests to rezone their property at 3948 of Hwy. 412 East from I-1 (Industrial) to C-2 (Roadway Commercial).

The Planning Commission reviewed the rezoning application at the October 11, 2016 regular meeting. There were no comments from the public. The Commission recommended approving the rezoning permit by a 6-0 vote, with no abstentions. One Planning Commissioner was absent.

Project Analysis and Approval Criteria

The following is a detailed expansion of the Planning Commission staff report on the project review criteria and staff's findings for the proposal. Criteria I-II is a subsection of Sec. 102-53 of the Municipal Code; Criteria III & IV are not directly applicable to the Zoning Code; and Criterion V is Sec. 54-36.

I. ZONING USE UNIT CONSISTENCY

(a) Purpose

The district is established to protect the accessibility, efficiency, utility and value of intensive commercial enterprises located on major thoroughfares and patronized by businesses or by the general public.

(b) Planned uses

Staff has received indications that this property may be used as a storage building sales center. Storage building retail sales fall within Use Unit 9 (Small Impact Commercial). Use Unit 9 is permitted in the proposed C-2 District.

(c) Special uses

This does not apply to this project, as the proposed use is a planned use.

II. LOT STANDARDS CONSISTENCY

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

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Lot Area: 8,000 sq. ft.	4.5 acres
Lot Width: 80 ft.	Approx. 324 ft.
Maximum Lot Coverage: 85%	0 %
Maximum Floor to Area Ratio: 0.6 (60%)	N/A

III. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-1A and C-2.

IV. STAFF TECHNICAL REVIEW

City staff met to review the project. The proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

V. LAND USE CODE REQUIREMENTS

According to the Land Use Code, (1) no development permit providing zoning or rezoning shall issue except upon authorization of the board of directors, given the advice of the planning commission.

(2) *Planning commission advice.* The planning commission's advice shall reflect whether the applicant has convincingly demonstrated that the proposed zoning:

(a) Will not substantially interfere with other owners' reasonable peace and enjoyment of their neighboring properties:

Staff is aware of no evidence that the proposed rezoning to commercial will cause a consistent disturbance to the peace and enjoyment of the neighboring properties. Enforcement of the City Code's nuisance chapter will ensure that excessive noise, or unsightly debris, etc. is mitigated. These rules ensure that the proposal will not inherently decrease the quality of life standards already in place across the City.

(b) Will not substantially damage, without fair recompense, any property value in the neighborhood:

Commercial uses in this area are not anticipated to impact their property values.

(c) Will not, whether by the nature of the allowed uses in the proposed zone, or by the allowed siting, height, or design of structures or landscaping in the proposed zone, tend to burden the present or future use of neighboring properties in accordance with current zoning standards:

There is no evidence that the proposal will cause any substantial burden to the present uses around the area. Traffic will increase, but not beyond the design capacity of the highway or anticipated increases due to development in the area.

(d) Is adequately supported by infrastructure, including without limitation, water and sewage systems, streets, and drainage:

Water System

There is an existing 6" water main across the frontage of the property. This line would be adequate for typical highway frontage commercial development, however a water main extension could be required at the time of significant development if additional flow is needed.

Sanitary Sewer System

There is an existing 8" water across the frontage of the property. This line would be adequate for typical highway frontage commercial development, however a sewer main extension could be required at the time of significant development if additional capacity is needed.

Fiscal Impact: No fiscal impact is anticipated.

Attachments:

Staff Report with attachments

Ordinance No. 16-17



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STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: September 15, 2016
RE: Rezoning Development Permit, RZ16-09/ Rezone from I-1 to C-2.

Recommendation: Motion to approve RZ16-09 (Rezone Development Permit).

Background:

APPLICATION REVIEW DATES

Planning Commission review: October 11, 2016

Board of Directors review: November 1, 2016

APPLICANT AND AGENT

Applicant/Owner: Steven Whitmire

Agent: Steven Whitmire

SUBJECT PROPERTY ADDRESS

3948 Hwy. 412 E.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, 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://drive.google.com/open?id=1Bv5btWKXomob5g86Ua8yfyY3cPc&usp=sharing>

PROJECT INTENT

The applicant desires to rezone a 4.5 acre metes and bounds parcel from I-1 (Industrial) to C-2 District (Roadway Commercial).

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>	<i>EXISTING ZONING</i>
Vacant	I-1 District (Industrial)
<i>PROPOSED LAND USE</i>	<i>PROPOSED ZONING</i>
Commercial—Retail	C-2 District (Roadway Commercial)
<i>SURROUNDING LAND USE</i>	<i>SURROUNDING ZONING</i>
North: Vacant/ Agriculture	North: A-1 District (Agriculture)
South: Vacant/ Agriculture	South: Benton County – No Zoning
East: Commercial—Retail/Wholesale	East: A-1 District (Agriculture)
West: Vacant	West: C-2 District (Roadway Commercial)

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

- I. ZONING USE UNIT CONSISTENCY
Storage building retail sales fall within Use Unit 9 (Small Impact Commercial). Use Unit 9 is permitted in the proposed C-2 District.
- II. LOT STANDARDS CONSISTENCY
The minimum C-2 zone standards are compared with the subject property’s tracts below.

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Lot Area: 8,000 sq. ft.	4.5 acres
Lot Width: 80 ft.	Approx. 324 ft.
Maximum Lot Coverage: 85%	0 %
Maximum Floor to Area Ratio: 0.6 (60%)	N/A

- III. COMPREHENSIVE PLAN CONSISTENCY
The 2030 future land use map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-1A and C-2.
- IV. LAND USE CODE REQUIREMENTS
Staff received no information that:
 - the proposal interferes with the reasonable peace or enjoyment of the neighboring properties;
 - the property values may be substantially damaged;
 - the proposal may impact the present or future uses of neighboring properties;
 - the proposal is not adequately supported by infrastructure.

STAFF DISCUSSION

The applicant is requesting to rezone 3948 Hwy. 412 E. from I-1 to C-2. The site is vacant and undeveloped tract located west of RJ Tractor & Equipment and approximately 1000 feet east of the Benton County Sale Barn. The property is rezoning to allow for a future self-storage shed sales center. Staff has received no information as to when the property will be developed.

LEGAL NOTICE

- Site posted: September 2, 2016.
- Newspaper legal notification: September 18, 2016 (Herald-Leader).
- Letter legal notification: September 15-18, 2016.
- Staff received a call of a questioning nature on the purpose of the rezone. Staff answered the caller's question to his satisfaction. Staff received no correspondence on the request.

Fiscal Impact:

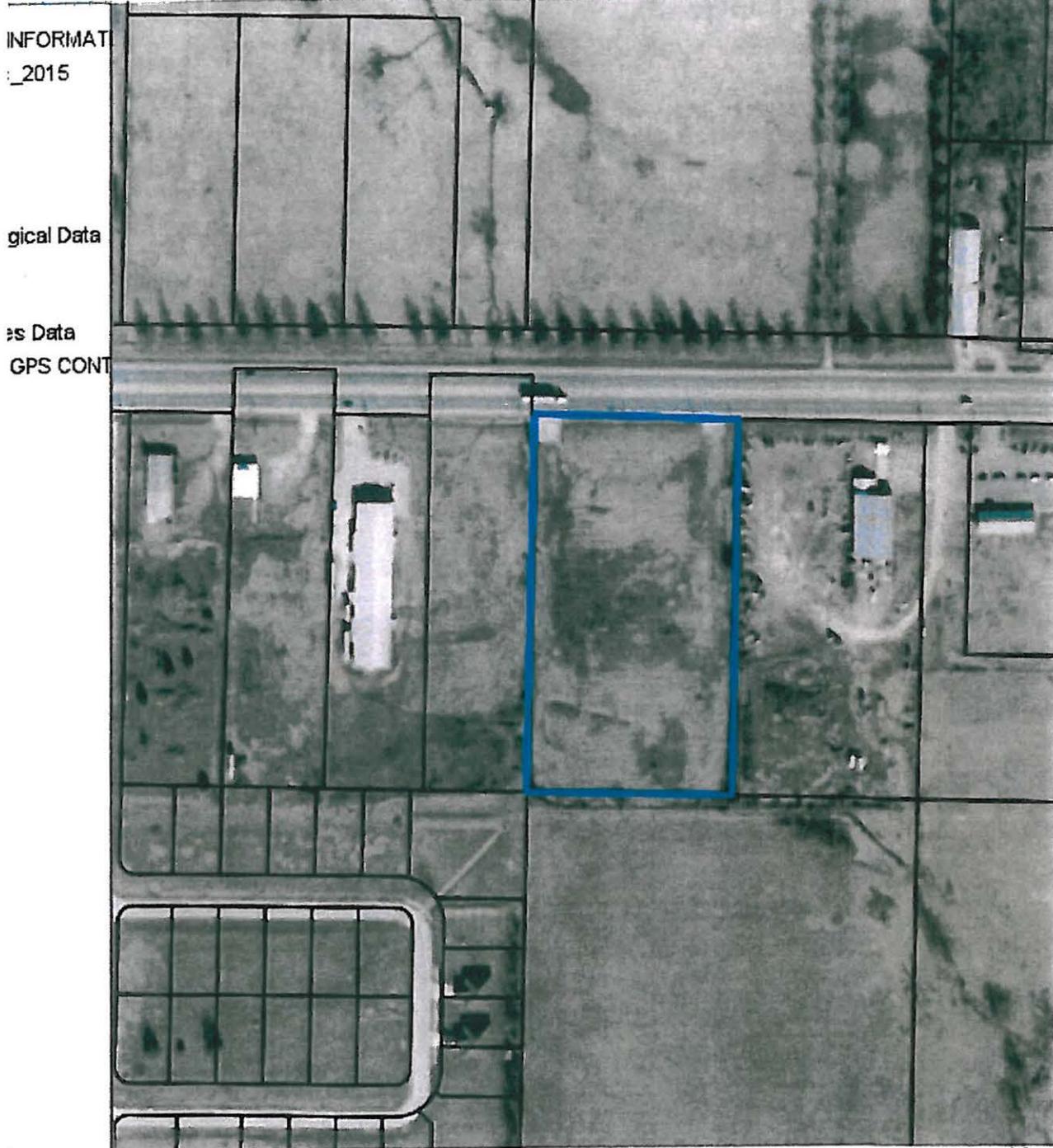
No impact is anticipated.

Attachments:

Site Plan
Bird's Eye View
General Area Map

RZ16-09 (Whitmire)

RZ16-09 (Whitmire)



INFORMAT
2015

gical Data

es Data
GPS CONT



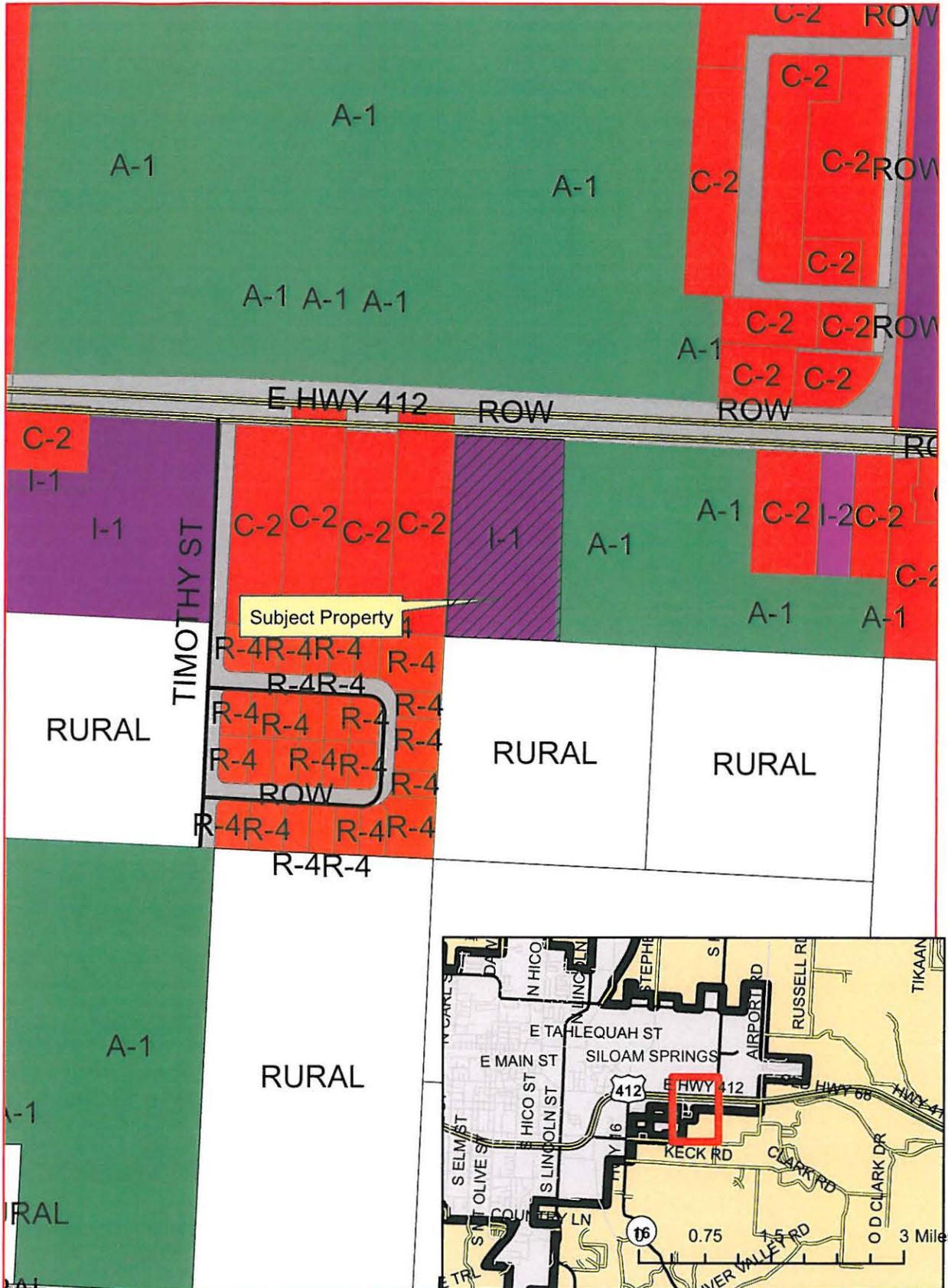
RZ16-09 - Whitmire

Bird's Eye View- Looking South



GENERAL AREA MAP

Rezone Development RZ 16-09



0 0.0425 0.085 0.17 Miles

ORDINANCE NO. 16-17

**AN ORDINANCE AMENDING SECTION 102-21 OF THE
SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING
MAP); REZONING (FROM I-1 TO C-2) THE PROPERTY
LOCATED AT 3948 HWY. 412 E**

Whereas, the landowner, the Steven Keith Whitmire, et al., has requested that the below-described land be changed from the present zoning district of I-1 (Industrial) to C-2 (Roadway Commercial); and

Whereas, a public hearing on the proposed change was held on the 11th day of October 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, no objections were registered at said hearing, and a motion approving the rezone was passed by the Planning Commission; and

Whereas, the proposal is consistent with the City's comprehensive land use plan; and

Whereas, upon review and deliberation it appears that the zoning change is in the best interest of the City of Siloam Springs; **Now Therefore:**

Be It Enacted by the Siloam Springs Board of Directors, as follows:

The zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the C-2 zoning district the property located at the 3948 Hwy. 412 E., and described as:

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Ordinance No. 16 - 17, page 2.

Part of the NE¼ of the SE¼ of Section 4, Township 17 North, Range 33 West, described as beginning North 89° 49' 53" West 1320 feet, and North 661.64 feet from the SE corner of the said NE¼ of the SE¼; thence North 660 feet to the centerline of Arkansas State Highways 59 & 68; thence North

89°55'40" East 330 feet along said centerline; thence South 660 feet; thence South 89°55'40" West 330 feet to the place of beginning.

LESS AND EXCEPT:

Part of the Northeast Quarter of the Southeast Quarter of Section 4, Township 17 North, Range 33 West, Benton County, Arkansas, more particularly described as follows:

Starting at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 4; thence North 02°37' East along the East line thereof a distance of 1288.1 feet to a point on the existing Southerly right of way line of State Highway 68; thence North 87°35' West along said existing right of way line a distance of 990.1 feet to the point of beginning; thence South 02° 33' West a distance of 27.3 feet to a point on the proposed Southerly right of way line of said Highway; thence North 86° 09' West along said proposed right of way line a distance of 291.8 feet to a point; thence South 86° 42' West along said proposed right of way line a distance of 38.3 feet to a point on the West line of the Northeast Quarter of the Southeast Quarter of Section 4; thence North 02 ° 33' East along said West line a distance of 23.8 feet to a point on the existing Southerly right of way line of said Highway; thence South 87° 35 ' East along said existing right of way line a distance of 329.8 feet to the point of beginning and containing 0.18 acre, more or less.

Ordained and Enacted this _____ day of _____ 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)



CITY OF
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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Christina Petriches, Finance Director
DATE: 10/26/2016
RE: Ordinance 16-18 / Amending Chapter 2 of the Municipal Code / Compensation of the Mayor and Board

Recommendation: Place ordinance 16-18 on its ____ (1st, 2nd, or 3rd) reading, suspending the rules and reading by title only.

Background: A survey of eight surrounding municipalities of varying sizes was recently conducted to determine average pay for board members. The average pay was found to be approximately \$324 per meeting. Current pay for board members at the City of Siloam Springs is \$220 per meeting, according to Ord. No. 04-41, adopted 12/22/2004, and has not been increased since 2005. Current pay for the Mayor is set at \$10,000 per year according to Ord. No. 96-54, adopted 12/17/96, and has not been increased since 1997. Therefore, it is recommended that board member compensation increase from \$220 to \$264 per meeting, and the mayor's compensation increase from \$10,000 to \$12,000 annually, beginning in 2017.

As a general rule, A.C.A. Sec. 14-42-113 provides that the salary of an official of a city of the first class "may be increased during the term for which the official has been elected." As for the mayor's salary, Sec. 14-48-111 provides that "once fixed, the salary shall not be increased or diminished during the term for which he or she has been elected."

Fiscal Impact: The increases which are included in the 2017 budget will cost the city approximately \$9,392 per year for both Board and Mayor, assuming full attendance of board members.

Attachments: Ordinance No. 16-18

ORDINANCE NO. 16 – 18

AN ORDINANCE AMENDING ARTICLES II AND III OF CHAPTER 2 OF THE MUNICIPAL CODE, ESTABLISHING COMPENSATION FOR THE OFFICE OF MAYOR AND OFFICE OF DIRECTOR OF THE CITY OF SILOAM SPRINGS, ARKANSAS

WHEREAS, it is in the city's best interests to attract and retain qualified candidates to the offices of mayor and city director; and

WHEREAS, compensation for city board members has not increased since 2005; and

WHEREAS, compensation for the office of mayor has not increased since 1997; and

WHEREAS, in order to continue to attract and retain qualified candidates, to encourage attendance at meetings and to recognize the time and dedication contributed by the members of the city's governing body, additional compensation is appropriate.

Now Therefore:

SECTION I. That Article II of Chapter 2 of the Siloam Springs City Code is hereby amended to read as follows:

Sec. 2-44. Compensation of directors.

Each director of the city shall be compensated in the amount of \$264.00 per regular meeting attended.

SECTION II. That Article III of Chapter 2 of the Siloam Springs City Code is hereby amended to read as follows:

Sec. 2-72. Compensation of mayor.

The compensation for the office of mayor for the city shall be set at \$12,0000.00 annually.

SECTION III. Repealer and severability.

Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

ORDINANCE NO. 16 – 18, PAGE 2

ORDAINED AND ENACTED this _____ day of _____ 2016.

APPROVED:

ATTEST:

Renea Ellis, City Clerk

John Mark Turner, Mayor

(SEAL)



CITY OF
Siloam Springs
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STAFF REPORT

To: Phillip Patterson, City Administrator
From: Don Clark, Community Services Director
Date: October 25, 2016
Subject: Ordinance 16-19 / Amend Chapter 2 of the City Municipal Code / Compensation for Members of the Planning Commission

Recommendation: Place Ordinance No. 16-19 on its _____ (1st, 2nd or 3rd) reading, suspending the rules and reading by title only.

Background: The City of Siloam Springs currently maintains a Planning Commission consisting of seven appointed members. A survey completed by the Northwest Arkansas Regional Planning Commission in February of 2016 shows that Siloam Springs is one of very few municipalities in Northwest Arkansas that does not compensate Planning Commissioners.

City staff feels it appropriate to compensate the Planning Commissioners in the amount of \$100.00 per regular attended Planning Commission meeting, this does not include special-called meetings or meetings of the Board of Adjustment. Compensation would not only encourage attendance at meetings, but also go to recognize the time and dedication contributed by the Planning Commission Members.

Fiscal Impact: The fiscal impact would be an average of \$8,400 annually and will come from line item 01-01-500400-000.

Attachments: Planning Commissioner Pay Survey
Ordinance 16-19

**PLANNING COMMISSION COMPENSATION SURVEY
NWA JURISDICTIONS THAT RESPONDED
FEBRUARY 22, 2016**

JURISDICTION	COMPENSATION	# OF MEETINGS/MONTH	NOTES
BENTON COUNTY			
BELLA VISTA	None	One	
BENTONVILLE	\$3,910/year	Four	Two Technical Review; Two PC
BETHEL HEIGHTS	\$100/month	One	
CAVE SPRINGS	\$100/meeting attended	Two	
CENTERTON	\$100/month	One	
GARFIELD	\$75/month	One	PC Chair paid \$35 for reporting to CC
GATEWAY	None	One	
GENTRY	\$120/meeting	One	Special meetings are paid
LOWELL	\$100/meeting	Two	Special meetings are not paid
PEA RIDGE	\$100/meeting attended	One	Receive one check at the end of the year for all meetings attended
ROGERS	\$350/month	Two	
SILOAM SPRINGS	None	One	
WASHINGTON COUNTY			
ELM SPRINGS	\$75/meeting	One	Chair receives \$350/meeting
FARMINGTON	\$150/regular meeting	One	Meet monthly for work session – not paid
FAYETTEVILLE	\$375/month	Two	
GREENLAND	\$25/meeting		\$25 for any meeting the PC has
JOHNSON	\$25/meeting	One	
SPRINGDALE	\$400/month	Two	

ORDINANCE NO. 16 – 19

**AN ORDINANCE AMENDING SECTION 78 - 38 OF THE
MUNICIPAL CODE, ESTABLISHING COMPENSATION
FOR MEMBERS OF THE PLANNING COMMISSION.**

WHEREAS, the City of Siloam Springs maintains a Planning Commission consisting of seven appointed members, as provided by law; and

WHEREAS, the overwhelming majority of municipalities in northwest Arkansas compensate Planning Commission members for attendance at meetings; and

WHEREAS, in order to encourage attendance at meetings and to recognize the time and dedication contributed by Commission members, compensation for meeting attendance by members of the Siloam Springs Planning Commission is appropriate.

Now Therefore:

SECTION I. Amendment.

That Article II of Chapter 78 of the Siloam Springs City Code is hereby amended by the addition of Section 78-38, as indicated below:

Sec. 78-38. Compensation of Planning Commissioners.

Each member of the Commission shall be compensated in the amount of \$100.00 per regular meeting attended, not to exceed two meetings per month, and excluding special meetings and meetings of the Board of Adjustment.

SECTION II. Repealer and severability.

Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

ORDAINED AND ENACTED this ____ day of _____, 2016.

APPROVED:

ATTEST:

Renea Ellis, City Clerk

(SEAL)

John Mark Turner, Mayor



CITY OF
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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: October 20, 2016
RE: Ordinance 16-20/ Amend Section 94-185 of the City Municipal Code / Prohibiting On-Street Parking / S. Dogwood St. and W. Jefferson St.

Recommendation: Place Ordinance No. 16-20 on its ____ (1st, 2nd or 3rd) reading, suspending the rules and reading by title only.

Background:

Upon the Planning Commission review the of a final plat development permit for the Dogwood Meadows Addition at the October 11, 2016 regular meeting, the Planning Commission requested that a condition be added to prohibit any on-street parking abutting the addition. The precise areas impacted include the south side of W. Jefferson St. between S. Prospect St. and S. Dogwood St. and on the east side of S. Dogwood St. between W. Jefferson St. and the Dogwood Springs Walking Path. The Commission's justification for closing off on-street parking is that it will improve safety in the area. The Commission's concern was that there are shared driveways proposed, and it is believed that there will not be much available parking on the lots, so it is assumed that there is a higher demand for on-street parking than usual. Furthermore, it is believed that a safety issue may exist with busing and the Middle School across the street. This condition was recommended by the Commission by a 6-0 vote, with no abstentions. One Planning Commissioner was absent. The attached ordinance formally will prohibit on-street parking per the Planning Commission's recommended condition.

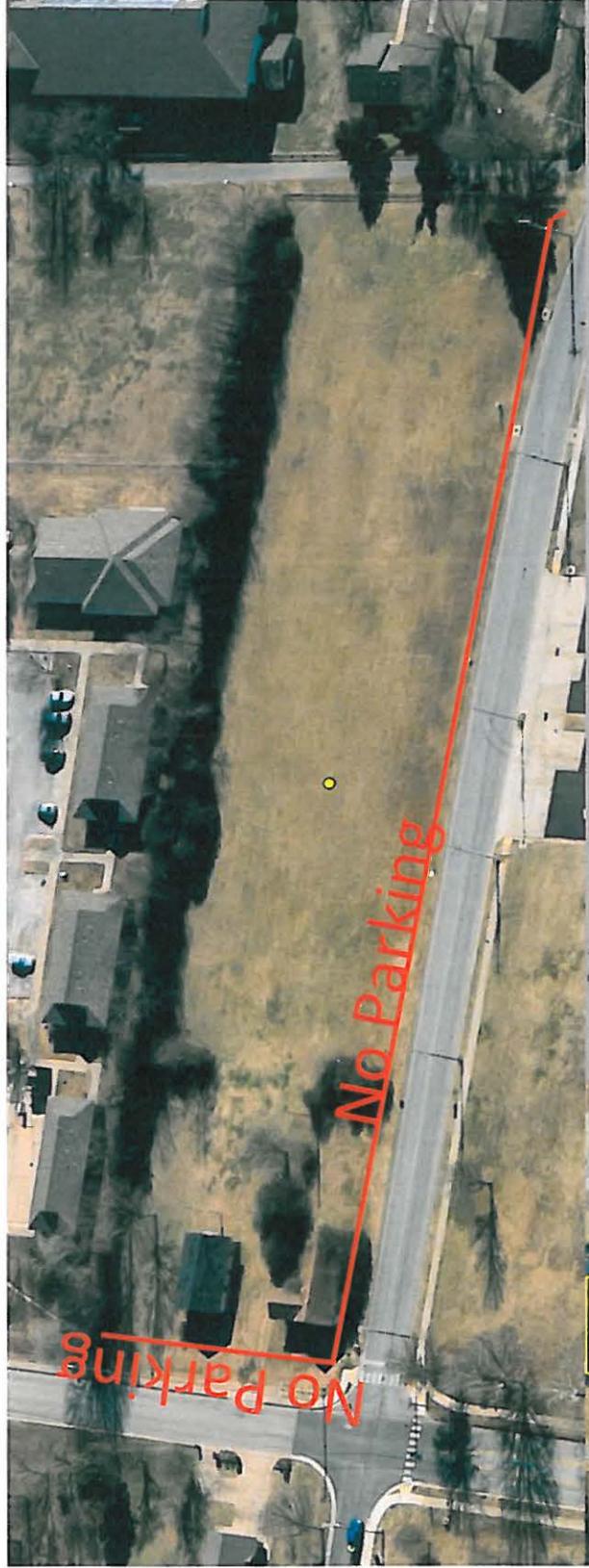
Fiscal Impact: Cost of adding 4 no parking signs, approximately \$120.00

Attachments:

Map Showing Affected Areas
Ordinance No. 16-20

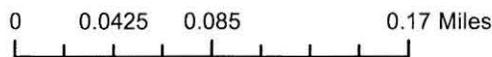
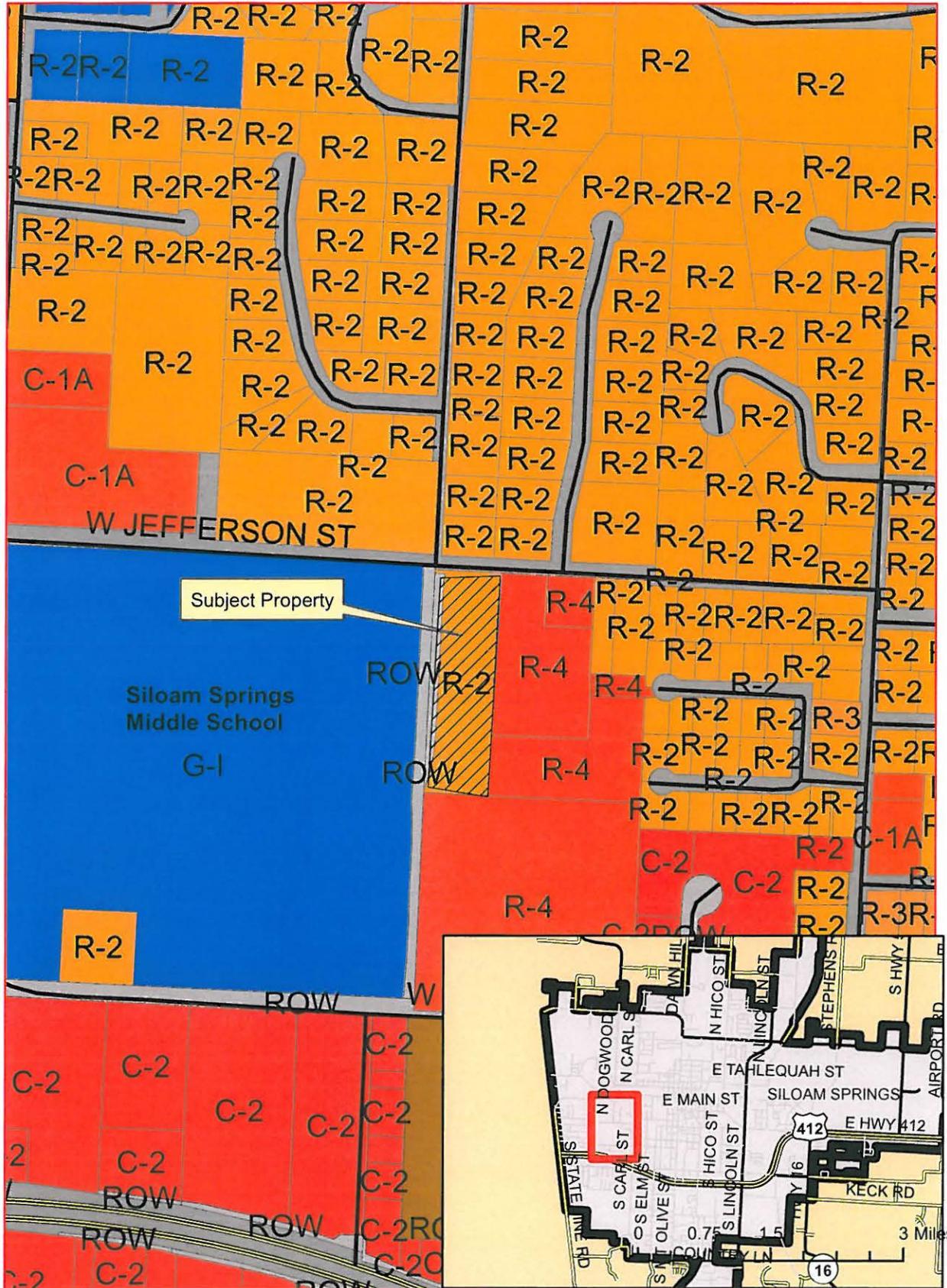
On Street Parking Prohibition - Dogwood Meadows

Bird's Eye View - Looking East



GENERAL AREA MAP

On Street Parking
Ord 16-20



ORDINANCE NO. 16-20

**AN ORDINANCE AMENDING CODE SECTION 94-185
PROHIBITING PUBLIC ON STREET PARKING ON THE
SOUTH SIDE OF W JEFFERSON ST. BETWEEN S. PROSPECT
STREET AND S DOGWOOD ST., AND ON THE EAST SIDE OF
S. DOGWOOD ST., BETWEEN W. JEFFERSON ST., AND THE
DOGWOOD SPRINGS WALKING PATH.**

Whereas, the City of Siloam Springs Planning Commission reviewed a final plat development permit for the Dogwood Meadows Addition at their regular meeting held on the 11th day of October 2016; and

Whereas, City of Siloam Springs Planning Commission, raised concerns over on street parking on E. Jefferson St. and S. Dogwood St., directly abutting the proposed final plat development permit; and

Whereas, the City of Siloam Springs Planning Commission recommended adding a condition on the final plat approval stating that on street parking shall be prohibited on the public streets directly abutting the proposed addition; and

Whereas, the proposed condition appears to be consistent with the City's comprehensive land use plan; and

Whereas, upon review and deliberation it appears that the condition is in the best interest of the City of Siloam Springs; **Now Therefore:**

Be It Enacted by the Siloam Springs Board of Directors, as follows:

Section I: Municipal Code Section 94-185 (a) "Parking prohibited at all times on certain streets." is hereby amended by adding the following provisions:

- (21) The south side of West Jefferson St. from South Dogwood St. to South Prospect St.
- (22) The east side of S. Dogwood St. between W. Jefferson St. to the Dogwood Springs Walking Path.

Section II: The City Administrator is authorized and directed to designate said areas with appropriate signage and/or pavement markings.

Section III: Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Ordinance No. 16-20, page 2.

Ordained and Enacted this _____ day of _____ 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)



STAFF REPORT

TO: Mayor and Board of Directors
FROM: Phillip Patterson, City Administrator
DATE: October 21, 2016
RE: Resolution 34-16 / Extending the Authority of the City Administrator to Offer Economic Development Incentives to New and Expanding Industries

Recommendation: Approve Resolution No. 34-16 extending the economic development incentives for new and expanding industries for a 2-year term.

Background: The current economic development incentive resolution is due to expire on November 18, 2016. The proposed resolution will be the third 2-year extension of this program, which has proved to be very successful in retaining industries within the City.

The proposed resolution remains the same as the previous; however, staff has proposed to remove the last paragraph of Exhibit A to the resolution, which reads as follows:

“Qualifying customers shall also be eligible for a reduction in water and wastewater utility fees as follows: 9% during the first contract year, 6% during the second contract year, and 3% during the third contract year. After the third contract year, this incentive provision shall cease. All other billing schedules and related provisions and future rate increases shall remain in effect.”

Staff is proposing to remove this incentive because we do not believe that our margins allow for that amount of incentives. Staff will be reviewing the issue and may propose to amend the resolution and add back some amount of incentives in the future.

Fiscal Impact: The Economic Development Incentive Program has been included in the budgets since 2010. The incentives have assisted the City Administrator in retaining industrial customers and are used to attract new industries.

Attachments:
Resolution No. 34-16

RESOLUTION 34 - 16

A RESOLUTION EXTENDING THE AUTHORITY OF THE CITY ADMINISTRATOR TO OFFER ECONOMIC DEVELOPMENT INCENTIVES FOR NEW AND EXPANDING INDUSTRIES, AND PROVIDING FOR SUSPENSION OF PRIOR INCONSISTENT RESOLUTIONS OR ORDINANCES.

WHEREAS, Siloam Springs' industrial and manufacturing base is an essential component of the local economy; and

WHEREAS, national and regional economic downturns have negatively affected the industrial and manufacturing sector, reducing local jobs and payrolls; and

WHEREAS, local control of electrical and other city utilities permits flexibility in rates and fees in furtherance of public policy goals; and

WHEREAS, the existing incentive program has demonstrated that temporary reductions in utility service fees, for new and expanding industrial and manufacturing firms that increase their net jobs available will diversify the tax base and encourage valuable economic activity of benefit to the entire community; and

WHEREAS, extending the Administrator's authority to offer targeted economic development incentives is in the best interests of the public health, safety, and welfare of the citizens of Siloam Springs;

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Siloam Springs, as follows:

That subject to final Board approval, the City Administrator is authorized to offer and negotiate, on behalf of the City, incentives to encourage significant capital investment, increased electrical demand, and/or net job growth. Incentives may be offered to customers or potential

customers who are eligible, or may become eligible, for the City's large power rate 80, (Siloam Springs Municipal Code §98-60).

That any economic incentives offered shall be for a fixed and determinate period of time, not to exceed five years. Incentives that would, either individually or in cumulative effect, reduce overall revenue to a degree that would impair the City's ability to provide essential services shall not be offered.

That this resolution shall become effective upon expiration of the current incentive program and shall remain in effect for a period of two (2) years, subject to the right of the Board of Directors to modify, terminate or extend its provisions, as economic conditions may require.

That any resolution or ordinance in conflict with these provisions shall be suspended, to the extent of such conflict only, so long as this resolution, or any incentives approved thereunder, shall remain in effect.

The attached Exhibit "A" is provided as an example, but not a limitation or requirement, of the type of incentives that may be offered.

Done and Resolved this 1st day of November 2016.

Attest:

Approved:

Renea Ellis, City Clerk

John Mark Turner, Mayor

(SEAL)

Exhibit “A” to Resolution 34-16 –incentive and eligibility example.

Eligibility:

- 1) The customer is a large power customer, qualifying for service under City’s large power rate 80, (Siloam Springs Municipal Code §98-60) and either:
 - (a) a new manufacturing or industrial facility/an expansion of an existing facility, with a new capital investment of at least five (5) million dollars; or
 - (b) the facility will provide a net increase of at least fifty (50) jobs within one year.
- 2) The facility must maintain the increased net number of jobs for at least five (5) years.
- 3) That new customers create peak electrical demand reasonably projected to be at least 250 KW within two years of the addition of the new customer or metered facilities, or negotiated net load increases.
- 4) That expansion facilities create peak electrical demand reasonably projected to be at least 150 KW within two years of the addition of the new additional metered facilities, or negotiated net load increases.
- 5) Request for service under the rider shall be accompanied by sufficient information to enable the City Administrator to determine whether the customer’s job creation, additional facilities and increased electrical demand meets the above requirements or provides equivalent economic benefit. If granted a rider, customer shall periodically supply such additional information as the City may require to determine continued eligibility for the program. Failure to supply necessary information as requested by the Administrator, or to maintain the required number of new jobs, shall be grounds for immediate termination of the incentives.

Performance Based Incentive Schedule:

The rates under this performance based incentive rider shall be on the base charge for the entire metered KW demand of the new/expanded facility’s interconnection point, exclusive of any of the adjustments in the monthly billing. The credit shall be 25% during the first contract year, 20% during the second contract year, 15% during the third contract year, 10% during the fourth contract year and 5% during the fifth contract year. After the fifth contact year, this incentive provision shall cease. Performance will be calculated or triggered from the Customer monthly kilowatt-hours. To receive the full annual allotted incentives on demand charges the customer’s kilowatt-hours must be 25% greater than used/purchased in 2014. Performance based incentives will be calculated monthly for the customers kilowatt-hours for that months energy usage from table below.

All other billing schedules and related provisions and future rate increases shall remain in effect.

Table for incentive reduction to customers kilowatt-demand charges by %

kW hrs above 2014 Usage	Performance Incentives for EDI 1st Year	Performance Incentives for EDI 2nd Year	Performance Incentives for EDI 3rd Year	Performance Incentives for EDI 4th Year	Performance Incentives for EDI 5th Year
25%	25%	20%	15%	10%	5%
20%	20%	15%	10%	5%	3%
15%	15%	10%	5%	3%	2%
10%	10%	5%	4%	3%	2%
5%	5%	4%	3%	2%	1%



CITY OF
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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Justin Bland, PE, City Engineer
Cc: Don Clark, Community Services Director
DATE: October 20, 2016
RE: Resolution 36-16 / Significant Development Permit / The Plaza Shopping Center / 3300 Block of Hwy. 412 E.

Recommendation: Approve Resolution 36-16, authorizing a significant development permit, including a 30 percent parking space reduction, for 3300 Block of Hwy. 412 E., subject to the following conditions:

- 1.) The applicant must file an access easement by separate instrument, burdening Spring Valley Apartments, for the use of the eastern driveway, prior to building permit issuance.
- 2.) The applicant must file an access easement by separate instrument to allow for the general public to cross north east corner of lot on sidewalk, prior to building permit issuance.
- 3.) The applicant must successfully rezone the property to C-2, prior to building permit issuance.

Background: The applicant, William and Kerri Low / LP Retail, LLC, requests to 11,200 sq. ft. retail shopping center, containing two drive-thru restaurants. The Planning Commission reviewed the Significant Development Permit application at the October 11, 2016 regular meeting. There were no comments from the public. After discussion, the Commission recommended approval of the significant development permit, with conditions, by a 6-0 vote, with no abstentions. One Commissioner was absent.

Project Analysis and Approval Criteria

The following is a detailed expansion of the Planning Commission staff report on the project review criteria and staff's findings for the proposal. Criteria I-II is a subsection of Sec. 102-53 of the Municipal Code; Criterion III is Sec. 102-74; Criterion IV is Sec. 102-75; Criterion V is Sec. 102-76; Criterion VI is Sec. 102-77 thru 102-78; Criteria VII & VIII are not directly applicable to the Zoning Code; and Criterion IX is Sec. 54-33.

I. ZONING USE UNIT CONSISTENCY

(a) Purpose

The district is established to protect the accessibility, efficiency, utility and value of intensive commercial enterprises located on major thoroughfares and patronized by businesses or by the general public.

(b) Planned uses

Large Impact Retail commercial uses fall within Use Unit 16 (Large Impact Commercial or Office). Use Unit 16 is permitted in the C-2 District.

(c) Special uses

This does not apply to this project, as the proposed use is a planned use.

II. LOT STANDARDS AND ZONING CONSISTENCY

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

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<i>(d) lot dimensions</i>	
(1) Lot Area: 8,000 sq. ft.	1.08 acres
(2) Lot Width: 80 ft.	253 ft. (approx.)
(3) Maximum Lot Coverage: 85%	62%
<i>(e) Building limits</i>	Front: 59.7 ft.
(1) Setback required	
c. 1. Front: 50 feet**	
a. 2. Side: ten feet	Side: 32.6 ft.
a. 3. Side on corner: 15 feet	Side on corner: 61.74 ft.
b. 3. Rear: 35 feet*	Rear: 51.5 ft.
(2) Height limited: 35 feet maximum	18.5 ***
(3) Floor to Area Ratio: Maximum Three-fifths (60%)	22 %
(4) Maximum lot coverage. 85%	62 %
<i>(f) Open Space</i>	North: 13.6 ft. (abuts principal arterial)
(1) Landscape buffer not less than six feet wide along property lines and a 6 ft. opaque screen. 12 ft. landscape buffer along a principal arterial street.	South: 6.5 ft. East: 10 ft. West: 9.6 ft. 6' tall opaque fencing shown on south side of the lot
(2) Minimum percent of open space: 15% 20% must be visible from front or sides of the lot from addressing right-of-way	38 % Over 20% visible from Hwy. 412.

*Used section b for setbacks required from boundaries abutting or facing any "R" zoning district.

**Used section c for setbacks required from boundaries abutting an arterial street or larger.

*** Height is measured using the standard in the International building Code, which is the average between the roof eave and the peak, as required in Sec. 102-73 of the Municipal Code.

III. PARKING SPACE DESIGN CONSISTENCY

<i>PARKING SPACE REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
(1) At least 9 ft. wide x 18 ft. long	Spaces comply
(2) Graded for effective drainage	Spaces comply
(3) Surfaced with asphalt or concrete	All parking spaces will be paved with heavy duty concrete.
(4) Sited to not block emergency vehicle access	Parking complies per FD review
(5) Minimum parking lane width: 20 ft.*	Parking lane width is 20 ft.
(6) Curbed if 8 feet from sidewalk	Parking lot is curbed
(7) Lot striping	Parking lot is striped

* Parking lane may be reduced down to 20 feet if parking spaces are perpendicular.

Note: Other parking space provisions are either not applicable or comply with the proposal.

IV. PARKING STANDARDS CONSISTENCY

According to the Municipal Code, parking is calculated by the square footage of retail space and restaurant space. The formula is 1 spaces for every 200 square feet of retail and 1 space for every 100 square feet for restaurants.

<i>USE</i>	<i>REQUIRED PARKING</i>	<i>EXISTING PARKING</i>	<i>NET PROPOSED PARKING*</i>	<i>PARKING SURPLUS/ DEFICIT</i>
Retail	38	0	22*	-16**
Restaurant	36	0	36*	0

* Includes ADA accessible spaces

**Applicant is requesting a 30% parking reduction pursuant of §102-75(6)(d).

V. PARKING AREA DESIGN STANDARDS CONSISTENCY

<i>CONDITION FOR NUMBER OF PARKING SPACES</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
(1) 5 or more spaces: shall be continuous lit at night.	All outdoor lighting shall be full “cut-off” light fixtures. All parking areas to be lit.
(2) 8 or more spaces: adequate turn around.	The Fire Department reviewed the proposal and determined that it allows for adequate vehicular turn around on all proposed parking areas.
(3) 10 or more: shall be paved with asphalt or concrete.	All parking areas will be paved with concrete paving.
(4) 12 or more: Shall be landscaped with 5% green space.	5.16%
(5) No parking allowed along easements, except as specifically shown	The parking area encroachment into the easement is typical and has been approved by all public and private utilities.

VI. DRIVEWAY DESIGN STANDARDS CONSISTENCY

<i>MINIMUM DRIVEWAY STANDARDS REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<p><i>(1) Surface</i></p> <p>Surface must be paved with asphalt, concrete or paver stones</p>	<p>All driveways will be paved with heavy duty concrete paving.</p>
<p><i>(2) Width</i></p> <p>1. Width shall not exceed 36 ft. 2. Width shall not be less than 25 ft.</p>	<p>Southeast Drive: 25 ft. Northeast Drive: 34 ft.*</p>
<p><i>(3) Curbs, lane markings.</i> Curbing and markings shall effectively delineate traffic lanes.</p>	<p>All drives and parking areas have curbs and appropriate lane markings.</p>
<p><i>(4) Interior drive setbacks.</i></p> <p>a. No driveway which serves <u>more than 30</u> spaces, and connects with a public streets, shall itself be intersected by an interior driveway or parking land within 75 ft. of R/W.</p>	<p>86 ft. to the first parking stall.</p>
<p><i>(a) Spacing. Minimum Drive intersection with the street.*</i></p> <p><i>(1) Arterial streets:</i></p> <p>a. 100 ft. from the center line of any other driveway b. 100 feet from the boundary of the of an intersection street's right-of-way. c. 50 feet from all boundaries of the lot.</p>	<p>Not Applicable, no new drive connections are proposed.</p>
<p><i>(b) Number</i></p> <p>(1) Minimum number: One (2) Maximum number: One per 150 ft.</p> <p><i>(c) Location</i></p> <p>Driveway location: Not over easements; must align with facing driveways</p> <p><i>(d) Angle:</i> Right angle (90 degrees) <i>(e) Grade:</i> Must not exceed 5% grade.</p>	<p>All proposed driveways meet or exceed these requirements.</p>

* The northwestern drive is a shared access drive with the property to the west.

VII. COMPREHENSIVE PLAN CONSISTENCY

The 2030 Land Use Map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-2 and C-1A. The proposed use is compliant with the C-2 zone.

VIII. STAFF TECHNICAL REVIEW

City staff met to review the project. With the exception of the stated staff suggested conditions, the proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

IX. LAND USE CODE REQUIREMENTS

According to the Land Use Code, a significant development permit shall only be authorized when the applicant has convincingly demonstrated that the proposed significant protect:

- (1) Will not interfere with other owners' reasonable peace and enjoyment of their neighboring properties:

The applicant's proposal is a commercial shopping center. Staff is aware of no evidence that the proposed development will cause a consistent disturbance to the peace and enjoyment of the neighboring properties. Enforcement of the City Code's nuisance chapter will ensure that excessive noise, or unsightly debris, etc. is mitigated. These rules ensure that the proposal will not inherently decrease the quality of life standards already in place across the City.

- (2) Will not substantially damage, without fair recompense, any property value in the neighborhood:

Shopping centers, at this location, are generally not anticipated to impact neighboring property values.

- (3) Will not, whether by the nature of the use, or by the siting, height, or design of structures or landscaping, tend to burden the present or future use of neighboring properties in accordance with current zoning standards:

There is no evidence that the proposal will cause any substantial burden to the present uses around the area. Traffic will increase, but not beyond the design capacity of the highway or anticipated increases due to development in the area. If traffic is not exceeding posted speed limits, the addition of new vehicles will not increase the safety risk.

- (4) Is adequately supported by infrastructure, including without limitation, water and sewage systems, streets, and drainage:

Water System

An 8" water main exists on the north side of the property and a 6" water main runs along the east side of the property. Staff finds this existing infrastructure to be adequate for fire and domestic water needs.

Sanitary Sewer System

A 10" sewer main exists north of the property, along Hwy. 412. Staff finds this to be adequate to provide service for this project.

Storm Sewer System

An underground storm water detention basin is proposed beneath the parking lot. This detention basin ensures that the peak runoff rates from the property are not increased.

The proposed underground storm water detention basin system includes “isolator rows” which act as a water quality feature. The “first flush” rain events will be directed to these “isolator rows” which will slowly release the water and allow suspended solids, oil, etc. to be deposited. Periodic vacuuming of these areas will be necessary when substantial sediment build up is noted.

Traffic Capacity

The Master Street Plan classifies Hwy. 412 as a Principal Arterial Street with an intended capacity of 35,000 vehicles per day (vpd). This capacity will increase with the future widening of the highway to six lanes. Currently, the average traffic on the roadway is 24,000 vpd.

According to the Institute of Transportation Engineer’s Trip Generation Manual, the site could generate an additional 1,219 vpd. However, this could vary substantially depending on what actual businesses lease the space.

Intersection and Stopping Sight Distances

The speed limit in this area on Hwy. 412 is 45 mph in both directions. The stopping and intersection sight distances for this speed are listed below.

MINIMUM SITE DISTANCES REQUIRED ALONG HWY. 412	
<u>Stopping Sight Distance</u>	360 ft
<u>Intersection Sight Distance</u>	
Left Turn from Stop	500 ft
Right Turn from Stop	430 ft

The actual sight distance from the site is at least 900’ in each direction and is adequate.

- (5) Is consistent with sound planning of the city’s growth in terms of health, safety, and convenience within the neighborhood and affected vicinity:
There is nothing in the proposal which would indicate unsound city planning. Commercial development is anticipated along Hwy. 412 E. due to the existing C-2 zoning.
- (6) Promotes economic conditions or public welfare within the city.
The new shopping areas will provide additional retail services to the residents in the community and will increase sales tax revenues.

Fiscal Impact: Street fees are not applicable for this project.

Attachments:

- Staff Report with attachments
- Resolution 36-16



CITY OF
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STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Cc: Don Clark, Community Services Director
DATE: September 16, 2016
RE: Significant Development Permit, SD16-10

Recommendation: Motion to approve SD16-10 (Significant Development Permit), subject to the following conditions:

- 1.) The applicant must file an access easement by separate instrument, burdening Spring Valley Apartments, for the use of the eastern driveway, prior to building permit issuance.
- 2.) The applicant must file an access easement by separate instrument to allow for the general public to cross north east corner of lot on sidewalk, prior to building permit issuance.
- 3.) The applicant must successfully rezone the property to C-2, prior to building permit issuance.
- 4.) The applicant must successfully receive a parking reduction in the amount of 30% from the board of directors, prior to building permit issuance.

Background:

APPLICATION REVIEW DATES

Planning Commission review: October 11, 2016

Board of Directors review: November 1, 2016

APPLICANT AND AGENT

Applicant/Owner: William and Kerri Low / LP Retail, LLC – Jason Pullman

Agent: CEI Engineering – Nate Bachelor, PE

SUBJECT PROPERTY ADDRESSES

3300 Block of Hwy. 412 E.

PROJECT INTENT

The applicant requests to construct 11,200 sq. ft. retail shopping center, containing two drive-thru restaurants.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, 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://drive.google.com/open?id=1Bv5btWKXomob5g86Ua8yfyY3cPc&usp=sharing>

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>		<i>EXISTING ZONING</i>	
Vacant		R-4 District (Residential, multi-family)*	
<i>PROPOSED LAND USE</i>		<i>PROPOSED ZONING</i>	
Commercial—Retail/Restaurants		C-2 District (Roadway Commercial)	
<i>SURROUNDING LAND USE</i>		<i>SURROUNDING ZONING</i>	
North:	Commercial—Retail	North:	C-2 District (Roadway commercial)
South:	Residential—Multi-Family	South:	R-4 District (Res., multi-family)
East:	Commercial—Retail (liquor)	East:	C-2 District (Roadway commercial)
West:	Commercial—Retail (under development)	West:	C-2 District (Roadway commercial)

*The rezoning to C-2 was reviewed by the Planning Commission on 9-13-16 and by the Board of Directors on 10-4-16.

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

I. ZONING USE UNIT CONSISTENCY

Large Impact Retail commercial uses fall within Use Unit 16 (Large Impact Commercial or Office). Use Unit 16 is permitted in the proposed C-2 District.

II. LOT STANDARDS CONSISTENCY

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

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Lot Area: 8,000 sq. ft.	1.08 acres
Lot Width: 80 ft.	Approx. 253 ft.
Maximum Lot Coverage: 85%	62%
Maximum Floor to Area Ratio: 0.6 (60%)	22%

* Subject to rezoning, see staff suggested condition no. 2

III. PARKING STANDARDS CONSISTENCY

According to the Municipal Code, parking is calculated by the square footage of retail space and restaurant space. The formula is 1 spaces for every 200 square feet of retail and 1 space for every 100 square feet for restaurants.

<i>USE</i>	<i>REQUIRED PARKING</i>	<i>EXISTING PARKING</i>	<i>NET PROPOSED PARKING*</i>	<i>PARKING SURPLUS/ DEFICIT</i>
Retail	38	0	22*	-16**
Restaurant	36	0	36*	0

* Includes ADA accessible spaces

**Applicant is requesting a 30% parking reduction pursuant of §102-75(6)(d).

IV. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-2 and C-1A.

V. STAFF TECHNICAL REVIEW

City staff met to review the project. With the exception of the stated staff suggested conditions, the proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

VI. LAND USE CODE REQUIREMENTS

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.

STAFF DISCUSSION

The applicant is requesting approval to construct a 11,200 sq. ft. retail shopping center, branded as The Plaza at the Springs, containing two drive-thru restaurants. The site is located east of the Shoppes at Siloam shopping center (under construction) and west of Stock Tank Liquor, at the 3300 Block of Hwy. 412 E. The site was recommended for approval by the Planning Commission for rezoning from R-4 to C-2 on September 13th. The proposal takes up the majority of the site, storm water detention is handled through an underground capture system, similar to what is in place at the Times Square Shopping Center at Mt. Olive and Hwy. 412. The site will make use of a shared drive on the far western corner. This drive was dedicated for shared access by the developer of the Shoppes at Siloam. The second drive will connect to an existing driveway being used by the Spring Valley Apartments. Therefore, no part of the proposed design is adding driveways directly onto Hwy. 412. The applicant will need to file a cross access easement to gain permission to use the Spring Valley driveway. This will be filed by separate instrument and is an added suggested condition on the staff recommendation. Sidewalks are included along Hwy. 412, but not along the private driveway. Due to the limited area available on the site, the applicant is requesting a 30 percent parking reduction for only the retail portions of the site. The retail section requires 38 spaces, however 22 are provided. Staff is supportive of this reduction due to the limited size of the site; the restaurant parking is unaffected. Underground utilities are available on the north and east sides of the site.

LEGAL NOTICE

- Site posted: September 01, 2016.
- Newspaper legal notification: September 25, 2016 (Herald-Leader).
- Letter legal notification: September 20-23, 2016.
- Staff received no phone calls and one letter of concern on the request.

Fiscal Impact:

Street fees are not applicable for this request.

Attachments:

- Site Specific Proposal
- Citizen Letter
- Bird's Eye View
- Plan Aerial Overlay
- General Area Map

9-14-16
23827 E. 560 Rd
Colorado, Ok 74338

Att Nate Bachelor

Dear Sir:

My Name is Mary Gasley - I own the two story triplex with address of 2919 Dawn Court, that backs up to the 3300 Block property that you are attempting to rezone.

My concern is that my renters are already complaining about noise from the Hwy and loss of privacy. One is moving at the end of this month -

What kind of barriers do you plan to install that will protect my business. Please let me know.

Thank you
Mary Gasley

918-314-5385

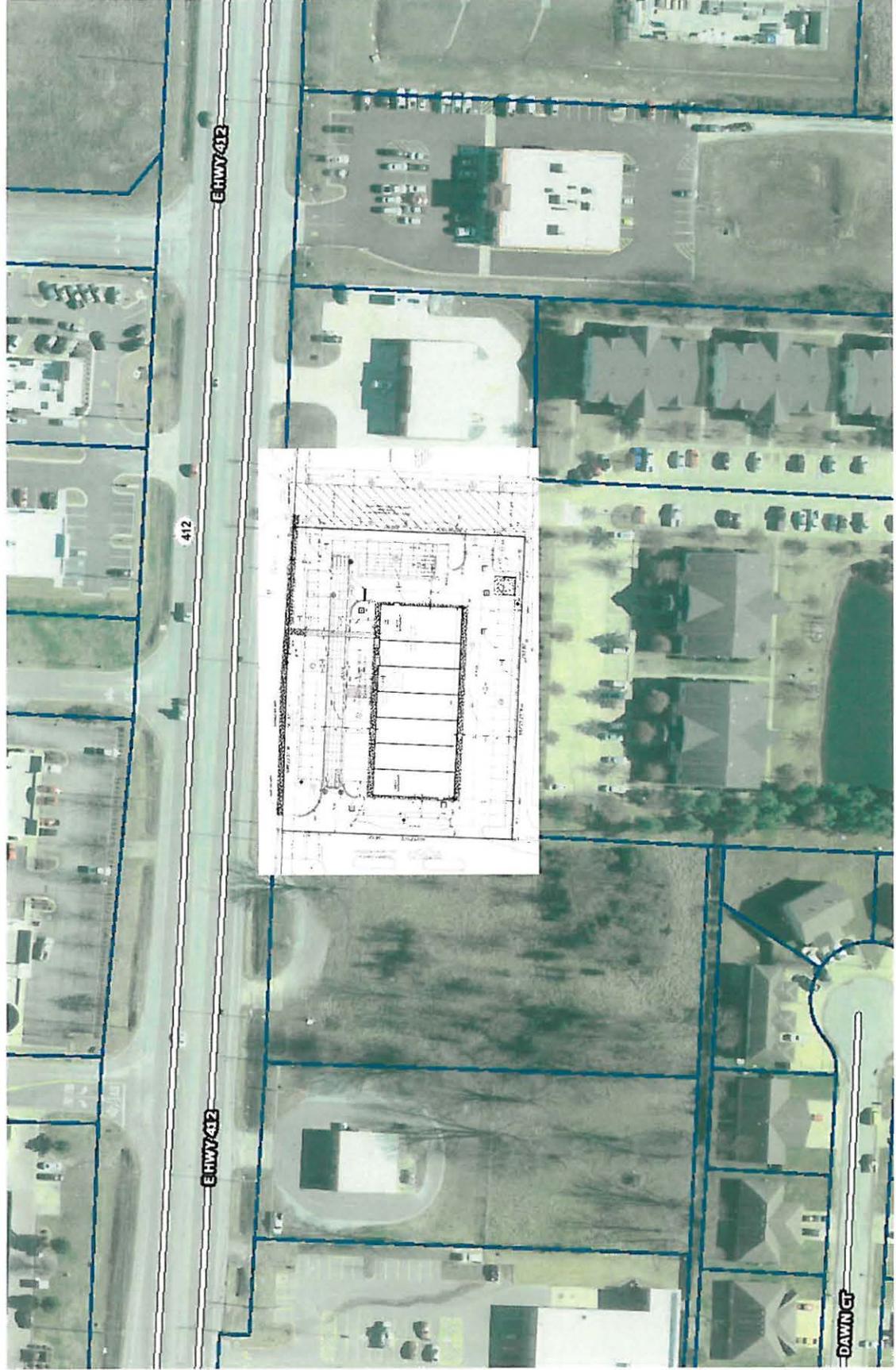
SD16-10 – Plaza

Bird's Eye View



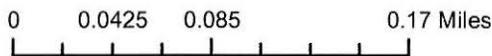
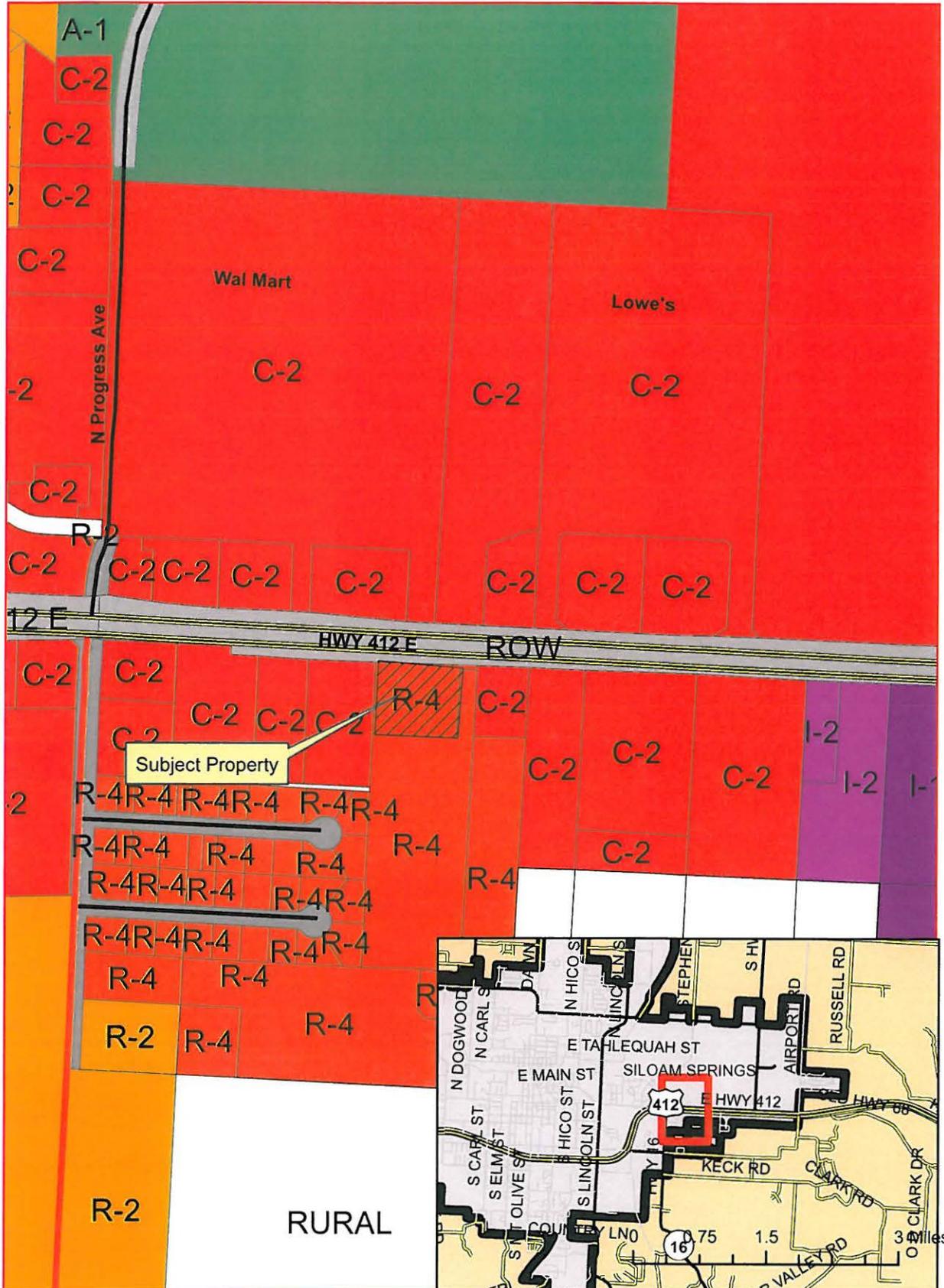
SD16-10 - Plaza

Plan Aerial Overlay



GENERAL AREA MAP

Significant Development Permit
SD16-10



RESOLUTION NO. 36 - 16

**A RESOLUTION AUTHORIZING A SIGNIFICANT
DEVELOPMENT PERMIT FOR PROPERTY LOCATED AT
THE 3300 BLOCK OF HIGHWAY 412 EAST.**

Whereas, a public hearing on the proposed significant development permit was held on the 11th day of October 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, after receiving multiple concerns and comments from the public, a report and statements from staff verifying compliance with applicable rules and regulations, and testimony from the project engineer, a motion recommending the issuance of said permit was approved by the Planning Commission; and

Whereas, it appears that the significant development permit is in the public interest; **Now Therefore:**

Be It Resolved by the Siloam Springs Board of Directors as follows:

- I. A significant development permit for property located at the 3300 Block of Hwy. 412 E., as set forth on Exhibit "A" attached hereto, is hereby granted with the following conditions:
 1. The applicant must file an access easement by separate instrument, burdening Spring Valley Apartments, for the use of the eastern driveway, prior to building permit issuance;
 2. The applicant must file an access easement by separate instrument to allow for the general public to cross north east corner of lot on sidewalk, prior to building permit issuance;
 3. The applicant must fully rezone the property to C-2, prior to building permit issuance; and
 4. The applicant must successfully receive a parking reduction in the amount of 30% from the Board of Directors, prior to building permit issuance.

- II. Adoption of this resolution has been materially induced by the applicant's offer to abide by the aforesaid conditions. Upon the Board of Directors' determination that there has been a substantial failure in performance of the terms, the permit shall be deemed void from the beginning.

RESOLUTION NO. 36- 16, PAGE 2.

Done and Resolved this 1st day of November 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)



CITY OF
Siloam Springs
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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Justin Bland, PE, City Engineer
Cc: Don Clark, Community Services Director
DATE: October 20, 2016
RE: Resolution 37-16 / Significant Development Permit / Arkansas Early Learning / 2011 & 2075 N. Mt. Olive St.

Recommendation: Approve Resolution 37-16, authorizing a significant development permit for 2011 & 2075 N. Mt. Olive St., subject to the following condition:

- 1.) The applicant must file the associated lot consolidation permit for the subject property, prior to building permit issuance.

Background: The applicant, Arkansas Early Learning, requests to construct an 8,324-sq. ft. child care facility. The Planning Commission reviewed the Significant Development Permit application at the October 11, 2016 regular meeting. There was one comment from the public in opposition to the request. After discussion, the Commission recommended approval of the significant development permit, with condition, by a 5-1 vote, with no abstentions. One Commissioner was absent.

Project Analysis and Approval Criteria

The following is a detailed expansion of the Planning Commission staff report on the project review criteria and staff's findings for the proposal. Criteria I-II is a subsection of Sec. 102-53 of the Municipal Code; Criterion III is Sec. 102-74; Criterion IV is Sec. 102-75; Criterion V is Sec. 102-76; Criterion VI is Sec. 102-77 thru 102-78; Criteria VII & VIII are not directly applicable to the Zoning Code; and Criterion IX is Sec. 54-33.

I. ZONING USE UNIT CONSISTENCY

(a) Purpose

The district is established to protect the accessibility, efficiency, utility and value of intensive commercial enterprises located on major thoroughfares and patronized by businesses or by the general public.

(b) Planned uses

Large day care/ private school facilities fall within Use Unit 14 (Large institution) and/or Use Unit 15 (Medium impact commercial or office facility, retail beverages). Use Units 14 and 15 are permitted in the C-2 District.

(c) Special uses

This does not apply to this project, as the proposed use is a planned use.

II. LOT STANDARDS AND ZONING CONSISTENCY

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

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<i>(d) lot dimensions</i> (1) Lot Area: 8,000 sq. ft.	Lot 189-A: 1.72 acres*
(2) Lot Width: 80 ft.	Lot 189-A: 456 ft. (approx.)
(3) Maximum Lot Coverage: 85%	37.3 %
<i>(e) Building limits</i> (1) Setback required c. 1. Front: 50 feet***	Front: 59.7 ft.
a. 2. Side: ten feet	Side: 128.88 ft.
a. 3. Side on corner: 15 feet	Side on corner: 128.81 ft.
b. 3. Rear: 35 feet**	Rear: 35.51 ft.
(2) Height limited: 35 feet maximum	18.5 ****
(3) Floor to Area Ratio: Maximum Three-fifths (60%)	11 %
(4) Maximum lot coverage. 85%	37.3%
<i>(f) Open Space</i> (1) Landscape buffer not less than six feet wide along property lines and a 6 ft. opaque screen	North: 16.3 ft. South: 11 ft. East: 55.4 ft. West: 128.88 ft. 6' tall opaque fencing shown on north side of the lot
(2) Minimum percent of open space: 15% 20% must be visible from front or sides of the lot from addressing right-of-way	62.7 % Over 20% visible from N. Mt. Olive St.

* Lot 189 and Lot 190 of Autumn Glen to be consolidated through a separate lot consolidation request.

**Used section b for setbacks required from boundaries abutting or facing any "R" zoning district.

***Used section c for setbacks required from boundaries abutting an arterial street or larger.

**** Height is measured using the standard in the International building Code, which is the average between the roof eave and the peak, as required in Sec. 102-73 of the Municipal Code.

III. PARKING SPACE DESIGN CONSISTENCY

<i>PARKING SPACE REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
(1) At least 9 ft. wide x 18 ft. long	Spaces comply
(2) Graded for effective drainage	Spaces comply
(3) Surfaced with asphalt or concrete	All parking spaces will be paved with asphalt paving.
(4) Sited to not block emergency vehicle access	Parking complies per FD review
(5) Minimum parking lane width: 24 ft.	Parking lane width is 24 ft.
(6) Curbed if 8 feet from sidewalk	Parking lot is curbed
(7) Lot striping	Parking lot is striped

Note: Other parking space provisions are either not applicable or comply with the proposal.

IV. PARKING STANDARDS CONSISTENCY

According to Municipal Code, parking is calculated by the size of the facility. The formula is 1 space for every 300 square feet.

<i>USE</i>	<i>REQUIRED PARKING</i>	<i>EXISTING PARKING</i>	<i>NET PROPOSED PARKING*</i>	<i>PARKING SURPLUS/ DEFICIT</i>
School	28	0	30*	+2

* Includes ADA accessible spaces

V. PARKING AREA DESIGN STANDARDS CONSISTENCY

<i>CONDITION FOR NUMBER OF PARKING SPACES</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
(1) 5 or more spaces: shall be continuous lit at night.	All outdoor lighting shall be full “cut-off” light fixtures. All parking areas to be lit.*
(2) 8 or more spaces: adequate turn around.	The Fire Department reviewed the proposal and determined that it allows for adequate vehicular turn around on all proposed parking areas.
(3) 10 or more: shall be paved with asphalt or concrete.	All parking areas will be paved with asphalt paving.
(4) 12 or more: Shall be landscaped* with 5% green space.	10.22 %
(5) No parking allowed along easements, except as specifically shown	The parking area encroachment into the easement is typical and has been approved by all public and private utilities.

*Final lighting and landscaping plan shall be shown on the architectural plan set, building permit will be issued when compliance is verified.

VI. DRIVEWAY DESIGN STANDARDS CONSISTENCY

<i>MINIMUM DRIVEWAY STANDARDS REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<p><i>(1) Surface</i></p> <p>Surface must be paved with asphalt, concrete or paver stones</p>	<p>All driveways will be paved with light duty asphalt paving.</p>
<p><i>(2) Width</i></p> <p>1. Width shall not exceed 36 ft. 2. Width shall not be less than 25 ft.</p>	<p>Southwest Drive: 21 ft. Northeast Drive: 25 ft.</p>
<p><i>(3) Curbs, lane markings.</i> Curbing and markings shall effectively delineate traffic lanes.</p>	<p>All drives and parking areas have curbs and appropriate lane markings.</p>
<p><i>(4) Interior drive setbacks.</i></p> <p>a. No driveway which serves <u>more than</u> 30 spaces, and connects with a public streets, shall itself be intersected by an interior driveway or parking land within 75 ft. of R/W.</p>	<p>The parking lot has less than 31 spaces, so this regulation is not applicable to the subject proposal.</p>
<p><i>(a) Spacing. Minimum Drive intersection with the street.*</i></p> <p><i>(1) Arterial streets:</i></p> <p>a. 100 ft. from the center line of any other driveway b. 100 feet from the boundary of the of an intersection street's right-of-way. c. 50 feet from all boundaries of the lot.</p>	<p>Southwest Drive: a. n/a; b. 351.7 feet; c. 130.09 feet</p>
<p><i>(2) Collector streets:</i></p> <p>a. 75 ft. from the center line of any other driveway b. 75 feet from the boundary of the of an intersection street's right-of-way. c. 25 feet from all boundaries of the lot.</p>	<p>Northeast Drive: a. n/a; b. 172.15 feet; c. 28.49 feet</p>
<p><i>(b) Number</i></p> <p>(1) Minimum number: One (2) Maximum number: One per 150 ft.</p> <p><i>(c) Location</i> Driveway location: Not over easements; must align with facing driveways</p> <p><i>(d) Angle:</i> Right angle (90 degrees) <i>(e) Grade:</i> Must not exceed 5% grade.</p>	<p>All proposed driveways meet or exceed these requirements.</p>

VII. COMPREHENSIVE PLAN CONSISTENCY

The 2030 Land Use Map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-2 and C-1A. The proposed use is compliant with the C-2 zone.

VIII. STAFF TECHNICAL REVIEW

City staff met to review the project. With the exception of the stated staff suggested conditions, the proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

IX. LAND USE CODE REQUIREMENTS

According to the Land Use Code, a significant development permit shall only be authorized when the applicant has convincingly demonstrated that the proposed significant project:

- (1) Will not interfere with other owners' reasonable peace and enjoyment of their neighboring properties:

The applicant's proposal is a day care center. Staff is aware of no evidence that the proposed development will cause a consistent disturbance to the peace and enjoyment of the neighboring properties. Enforcement of the City Code's nuisance chapter will ensure that excessive noise, or unsightly debris, etc. is mitigated. These rules ensure that the proposal will not inherently decrease the quality of life standards already in place across the City.

- (2) Will not substantially damage, without fair recompense, any property value in the neighborhood:

Day care centers are generally not anticipated to impact their property values.

- (3) Will not, whether by the nature of the use, or by the siting, height, or design of structures or landscaping, tend to burden the present or future use of neighboring properties in accordance with current zoning standards:

There is no evidence that the proposal will cause any substantial burden to the present uses around the area. Traffic will increase, but not beyond the design capacity of the highway or anticipated increases due to development in the area. If traffic is not exceeding posted speed limits, the addition of new vehicles will not increase the safety risk. That being said, additional law enforcement may be needed in this area to ensure traffic will remain at or below the posted speed limits.

- (4) Is adequately supported by infrastructure, including without limitation, water and sewage systems, streets, and drainage:

Water System

A 6" water main exists across the southern and eastern sides of the property. Staff finds this existing infrastructure to be adequate for fire and domestic water needs.

Sanitary Sewer System

An 8" sewer main exists across the southern side of the property. Staff finds this existing infrastructure to be adequate for fire and domestic water needs.

Storm Sewer System

A storm water detention basin is proposed in the southeast corner of the site. This basin will ensure that the peak storm water runoff rates from the site will not be increased. The outlet structure within the detention basin will improve water quality by detaining the "first flush" rainfalls longer and allowing suspended sediments, oil, etc. to settle out of the storm water.

Traffic Capacity

The Master Street Plan classifies Hwy. 43 as a Minor Arterial Street with an intended future capacity of 22,000 vehicles per day (vpd) based upon future buildout. Currently, the average traffic on the roadway is approximately 3,500 vpd. The proposed development is intended to have up to 24 infants/toddler in total. This is expected to generate an additional 108 vpd along Hwy. 43 or an increase of approximately 3%.

Intersection and Stopping Sight Distances

The speed limit in this area on Hwy. 43 is 45 mph in both directions. The stopping and intersection sight distances for this speed are listed below.

<i>MINIMUM SITE DISTANCES REQUIRED ALONG HWY. 43</i>	
<u>Stopping Sight Distance</u>	360 ft
<u>Intersection Sight Distance</u>	
Left Turn from Stop	500 ft
Right Turn from Stop	430 ft

The actual sight distance from the site is at least 800' in each direction and is adequate.

- (5) Is consistent with sound planning of the city's growth in terms of health, safety, and convenience within the neighborhood and affected vicinity:

There is nothing in the proposal which would indicate unsound city planning. Commercial development is anticipated along N. Mt. Olive due to the existing C-2 zoning.

- (6) Promotes economic conditions or public welfare within the city.

The new day care learning center will provide invaluable services to the residents and families in the community and will by a result increase economic activity by adding new jobs and making the area more attractive to potential new residents.

Fiscal Impact: Street fees are not applicable for this project.

Attachments:

- Staff Report with attachments
- Resolution 37-16



CITY OF
Siloam Springs
It's a natural

STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Cc: Don Clark, Community Services Director
DATE: September 16, 2016
RE: Significant Development Permit, SD16-11

Recommendation: Motion to approve SD16-11 (Significant Development Permit), subject to the following conditions:

- 1.) The applicant must file the associated lot consolidation permit for the subject property, prior to building permit issuance.

Background:

APPLICATION REVIEW DATES

Planning Commission review: October 11, 2016

Board of Directors review: November 1, 2016

APPLICANT AND AGENT

Applicant/Owner: Arkansas Early Learning, Inc.

Agent: Civil Engineering Inc., - Ron Homeyer, PE

SUBJECT PROPERTY ADDRESSES

2011 & 2075 N. Mt. Olive St.

PROJECT INTENT

The applicant requests to construct a 8,324 sq. ft. child care facility.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, 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://drive.google.com/open?id=1Bv5btWKXomob5g86Ua8yfyY3cPc&usp=sharing>

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>		<i>EXISTING ZONING</i>	
Vacant		C-2 District (Roadway Commercial)	
<i>PROPOSED LAND USE</i>		<i>PROPOSED ZONING</i>	
Institutional/Commercial—Child care learning center		N/A	
<i>SURROUNDING LAND USE</i>		<i>SURROUNDING ZONING</i>	
North:	Residential—Two-Family	North:	R-3 District (Residential, 2-family)
South:	Vacant/ Residential—Single-Family/ Institutional—School	South:	R-2 District (Residential, medium)/ G-I District (General Institutional)
East:	Vacant	East:	C-2 District (Roadway commercial)
West:	Vacant	West:	C-2 District (Roadway commercial)

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

I. ZONING USE UNIT CONSISTENCY

Large day care/ private school facilities fall within Use Unit 14 (Large institution) and/or Use Unit 15 (Medium impact commercial or office facility, retail beverages). Use Units 14 and 15 are permitted in the C-2 District.

II. LOT STANDARDS CONSISTENCY

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

<i>MINIMUM (C-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Lot Area: 8,000 sq. ft.	1.72 acres*
Lot Width: 80 ft.	Approx. 482 ft.
Maximum Lot Coverage: 85%	37.3%
Maximum Floor to Area Ratio: 0.6 (60%)	11%

*After lot consolidation, see staff suggested condition no. 1

III. PARKING STANDARDS CONSISTENCY

According to Municipal Code, parking is calculated by the size of the facility. The formula is 1 space for every 300 square feet.

<i>USE</i>	<i>REQUIRED PARKING</i>	<i>EXISTING PARKING</i>	<i>NET PROPOSED PARKING*</i>	<i>PARKING SURPLUS/ DEFICIT</i>
School	28	0	30*	+2

* Includes ADA accessible spaces

IV. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-2 and C-1A. The proposed use is compliant with the C-2 zone.

V. STAFF TECHNICAL REVIEW

City staff met to review the project. With the exception of the stated staff suggested condition, the proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

VI. LAND USE CODE REQUIREMENTS

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.

STAFF DISCUSSION

The applicant is requesting approval to construct a 8,324 sq. ft. child care/ early learning school facility. The site is located north of Allen Elementary school, at the northeast corner of N. Lexington and N. Mt. Olive St. (where Mt. Olive runs east/west) on two vacant commercial lots in front of the Autumn Glen Addition. The site was recently reviewed for a proposed lot consolidation to create the single 1.72 acre lot. This consolidation is needed to allow for the proposed building and parking area to sit on one lot. Storm water detention is handled through a proposed basin located at the southeast corner of the site. The detained water will exit into a pipe onto the existing drainage ditch on the north side of Mt. Olive St. The site will make use of two driveways, the southern drive is an ingress only, one-way drive, the eastern drive will access onto N. Lexington St. Both drives meet required spacing criteria. Child drop off will be via the Mt. Olive Dr. Students will be accompanied to the building by a caregiver, so there is no drive-thru styled portico planned. Sidewalks are included along N. Mt. Olive and Lexington St. Underground utilities are available to the south side of the site.

LEGAL NOTICE

- Site posted: September 01, 2016.
- Newspaper legal notification: September 25, 2016 (Herald-Leader).
- Letter legal notification: September 21-24, 2016.
- Staff received no phone calls or correspondence on the request.

Fiscal Impact:

Street fees are not applicable for this request.

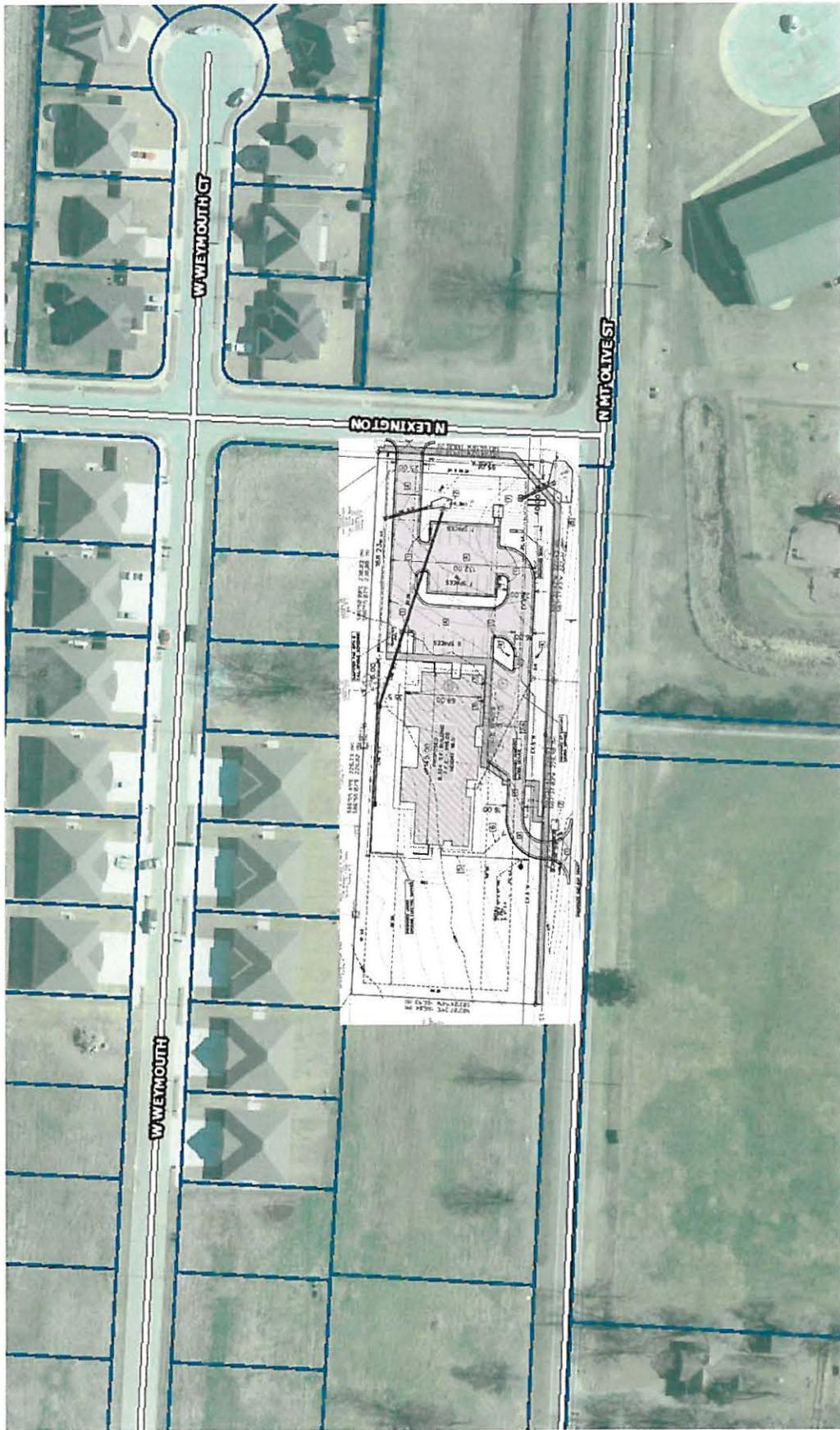
Attachments:

- Site Specific Proposal
- Bird's Eye View
- Plan Aerial Overlay
- General Area Map

SD16-11 – Ark. Early Learning Bird's Eye View

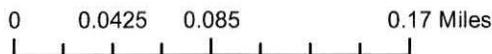
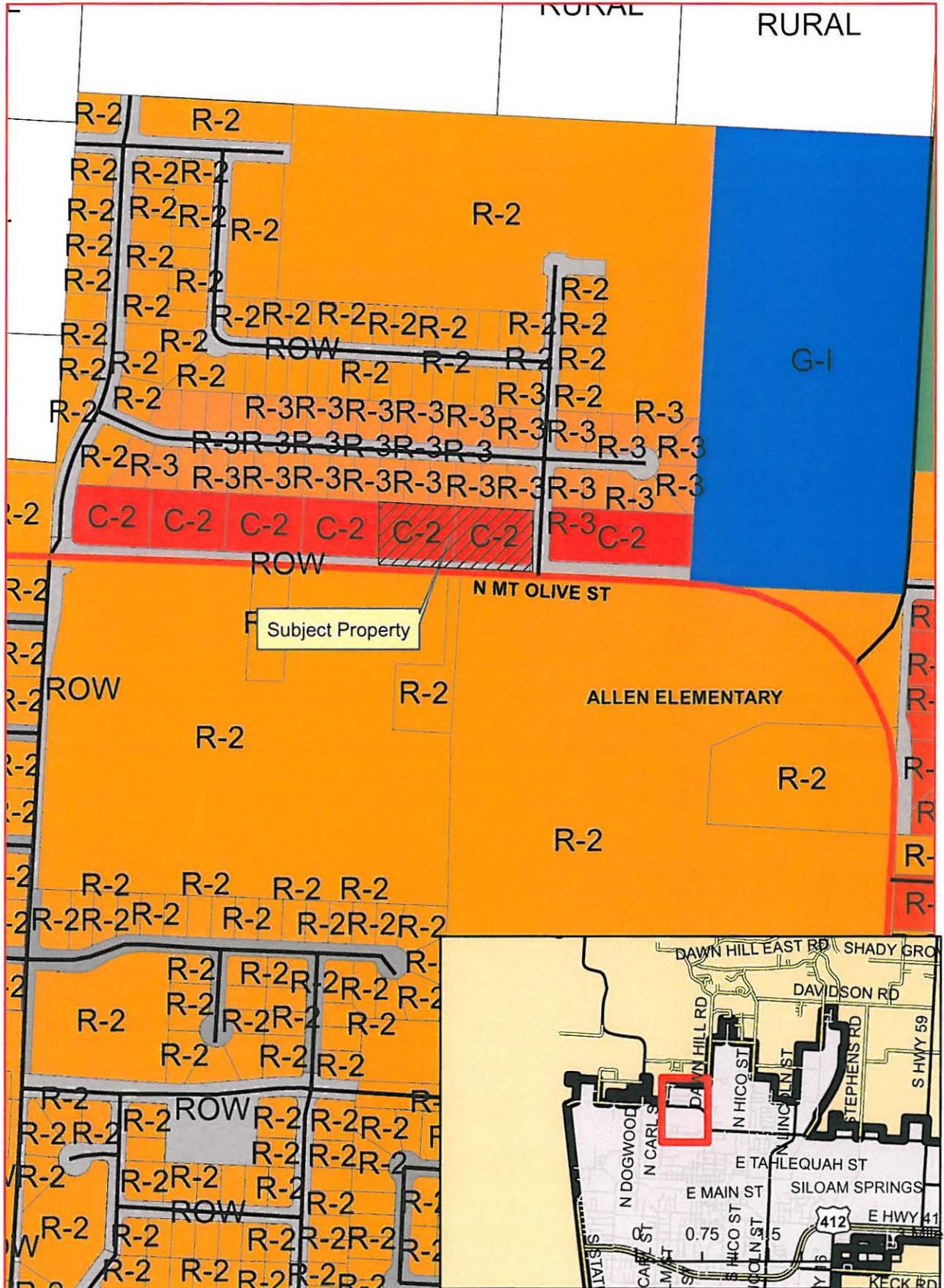


SD16-11 Ark. Early Learning Plan Aerial Overlay



GENERAL AREA MAP

Significant Development Permit
SD16-11



RESOLUTION NO. 37 - 16

**A RESOLUTION AUTHORIZING A SIGNIFICANT
DEVELOPMENT PERMIT FOR PROPERTY LOCATED AT
2011 AND 2075 NORTH MT. OLIVE**

Whereas, a public hearing on the proposed significant development permit was held on the 11th day of October 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, after receiving multiple concerns and comments from the public, a report and statements from staff verifying compliance with applicable rules and regulations, and testimony from the project engineer, a motion recommending the issuance of said permit was approved by the Planning Commission; and

Whereas, it appears that the significant development permit is in the public interest; **Now Therefore:**

Be It Resolved by the Siloam Springs Board of Directors as follows:

- I. A significant development permit for property located at 2011 and 2075 N. Mt. Olive, as set forth on Exhibit "A" attached hereto, is hereby granted with the following condition:

The applicant must file the associated lot consolidation permit for the subject property, prior to building permit issuance.

- II. Adoption of this resolution has been materially induced by the applicant's offer to abide by the aforesaid condition. Upon the Board of Directors' determination that there has been a substantial failure in performance of the terms, the permit shall be deemed void from the beginning.

Done and Resolved this 1st day of November 2016.

APPROVED:

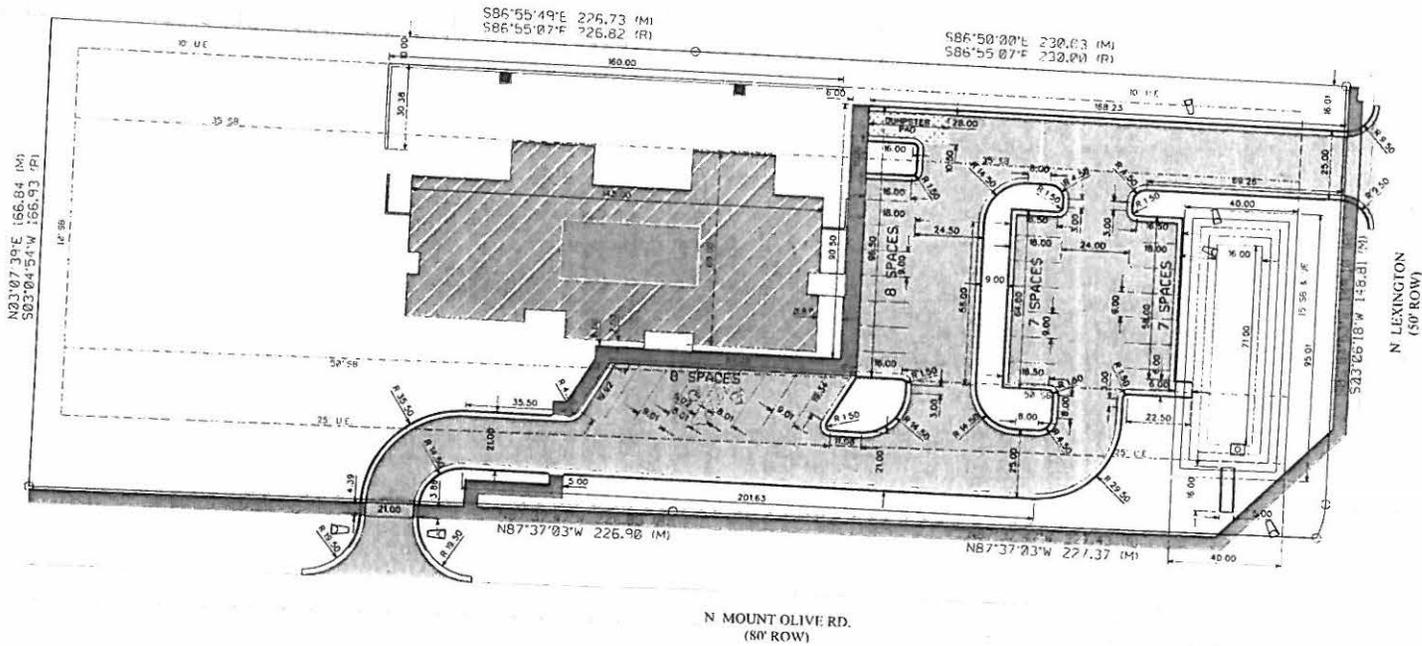
ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)

RES 37-16 Exhibit A, Page 3 of 8



- LEGEND**
- EXISTING INDEX CONTOUR 15'
 - EXISTING INTERMEDIATE CONTOUR 17'
 - PROPOSED INDEX CONTOUR 15'
 - PROPOSED INTERMEDIATE CONTOUR 17'
 - PROPOSED BREAKLINE
 - EXISTING FENCE LINE
 - PROPOSED FENCE LINE
 - FOUND IRON PIN
 - ▭ PROPOSED BUILDING
 - ▭ PROPOSED CONCRETE DUMPSTER PAD
 - ▭ PROPOSED LIGHT DUTY ASPHALT PAVING
 - ▭ PROPOSED CONCRETE SIDEWALK
 - ▭ PROPOSED PARKING LOT LIGHTING
 - ⊕ EX FIRE HYDRANT ASSEMBLY
 - ⊕ EX WATER VALVE
 - ⊕ EX WATER METER
 - ⊕ EX SANITARY SEWER MANHOLE
 - ⊕ EX NATURAL GAS SIGN/METER
 - ⊕ EX POWER/UTILITY POLE
 - ⊕ EX UTILITY POLE ANCHOR
 - ⊕ EX ELECTRIC BOX
 - ⊕ EX TELEPHONE PEDESTAL
 - ⊕ EX FREEZE OPTIC PEDESTAL
 - ⊕ EX LIGHT POLE
 - ⊕ EX SIGN
 - ⊕ PROPOSED SIGN
 - ⊕ EXISTING TREE
 - ⊕ PROPOSED TREE

SEE CORRECTION SHEET FOR THE LATEST REVISIONS TO THIS PLAN.

These drawings and the design shall be used by the contractor for information and not for construction purposes. The contractor shall be responsible for obtaining all necessary permits and for obtaining all necessary approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.

NO.	DATE	BY	DATE
1	08/01/2016	JEM	08/01/2016

	CIVIL ENGINEERING, INC. 1015 S. 12th St., Suite 100, Fayetteville, AR 72701 (479) 781-1111 www.civilenginc.com		
	DEVELOPMENT PLANS FOR ARKANSAS EARLY LEARNING, INC SLOAN SPRINGS, ARKANSAS		
DIMENSION PLAN			
DRAWN BY JEM	DESIGNED BY JEM	CHECKED BY JEM	SHEET NO. 3 OF 5
JOB NUMBER 158	DATE AUGUST 2016	SCALE AS SHOWN	

SITE INFORMATION
 APPROXIMATE AREA: 2.50 ACRES
 PARTIAL NUMBER: 01-00000-000

CORRECTION
 0-2

OWNER
 ARKANSAS EARLY LEARNING, INC
 1015 S. 12th St., Suite 100
 Fayetteville, AR 72701
 (479) 781-1111

PROJECT NO.
 158

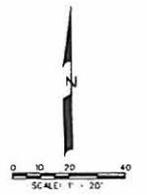
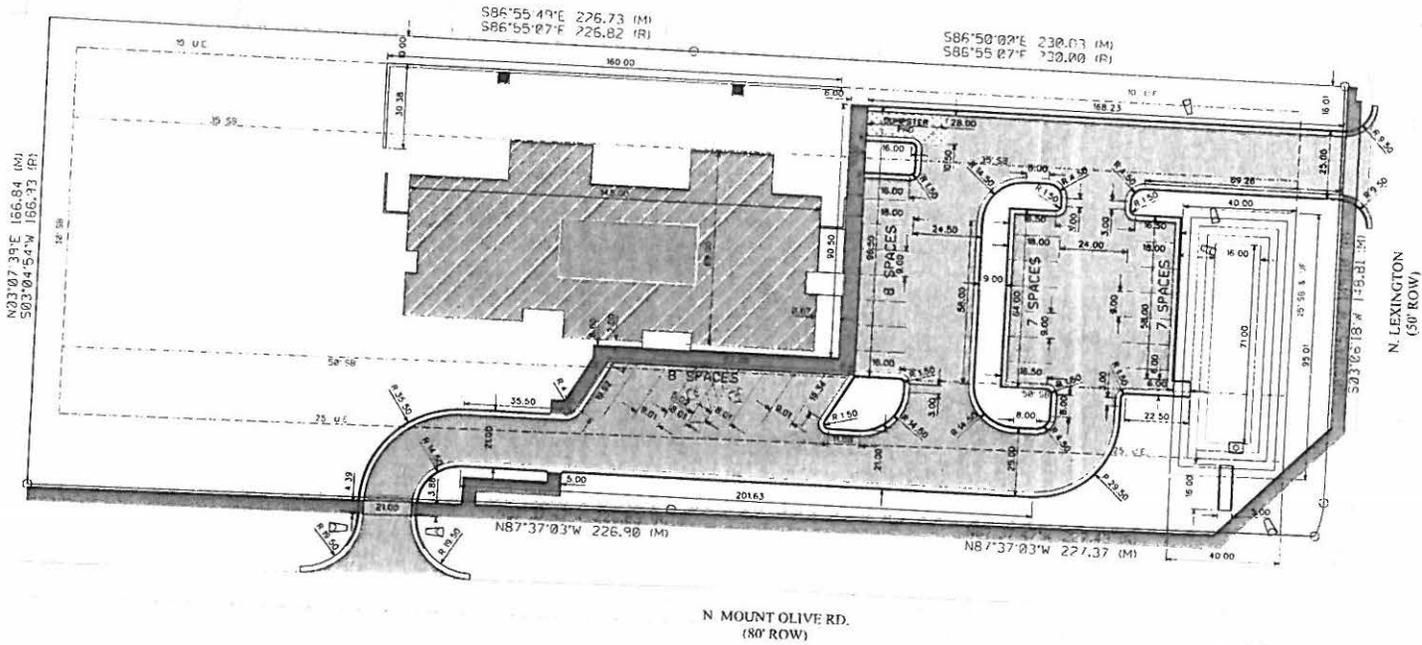
DATE
 AUGUST 2016

NOTES

- 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- 6. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
- 7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- 8. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.
- 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.

JEM: 08/01/2016, 10:00 AM
 JEM: 08/01/2016, 10:00 AM
 JEM: 08/01/2016, 10:00 AM

RES 37-16 Exhibit A, Page 4 of 8



LEGEND

- EXISTING INDEX CONTOUR 151'
- EXISTING INTERMEDIATE CONTOUR 173'
- PROPOSED INDEX CONTOUR 151'
- PROPOSED INTERMEDIATE CONTOUR 173'
- PROPOSED BREAKLINE
- EXISTING FENCE LINE
- PROPOSED FENCE LINE
- FOUND IRON PIN
- ▨ PROPOSED BUILDING
- ▨ PROPOSED CONCRETE DUMPSTER PAD
- ▨ PROPOSED LIGHT DUTY ASPHALT PAVING
- ▨ PROPOSED CONCRETE SIDEWALK
- PROPOSED PARKING LOT LIGHTING
- ⊕ EX FIRE HYDRANT ASSEMBLY
- ⊕ EX WATER VALVE
- ⊕ EX WATER METER
- ⊕ EX SANITARY SEWER MANHOLE
- ⊕ EX NATURAL GAS SIGN/VALVE
- ⊕ EX POWER/UTILITY POLE
- ⊕ EX UTILITY POLE ANCHOR
- ⊕ EX ELECTRIC BOX
- ⊕ EX TELEPHONE PEDESTAL
- ⊕ EX FIBER OPTIC PEDESTAL
- ⊕ EX LIGHT POLE
- ⊕ EX SIGN
- PROPOSED SIGN
- EXISTING TREE
- PROPOSED TREE

SEE SHEET 37-16 FOR THE REMAINING PORTION OF THE DEVELOPMENT PLANS FOR THE EARLY LEARNING CENTER. THIS SHEET IS TO BE USED IN CONJUNCTION WITH SHEET 37-16.

These drawings and the design information contained hereon are prepared for the use of the owner and are not to be used for any other purpose without the written consent of the engineer. The engineer assumes no responsibility for the construction of the project or for the safety of the project.

NO.	DATE	REVISIONS



CIVIL ENGINEERING, INC.
 1015 West 12th Street, Suite 100, Little Rock, Arkansas 72202
 (501) 375-1111
 CIVIL ENGINEERS

**DEVELOPMENT PLANS FOR
 ARKANSAS EARLY LEARNING, INC.
 SEAWARD SPRINGS, ARKANSAS**

DIMENSION PLAN

DRAWN BY	DESIGNED BY	CHECKED BY	SHEET NO.
JOB NUMBER	DATE	SCALE	

SITE INFORMATION
 APPROXIMATE AREA: 1.30 ACRES
 PARCEL NUMBER: 01-0000-000

OWNER
 EARLY LEARNING, INC.
 1015 WEST 12TH STREET, SUITE 100
 LITTLE ROCK, AR 72202

PROJECT ADDRESS
 1015 WEST 12TH STREET
 SEAWARD SPRINGS, AR 72158

DEFINITIONS
 P.B.L. = PROPERTY OF RECORD
 U.E. = UTILITY EASEMENT
 B.L. = BLOCKING LINE
 D.L. = DRAINAGE EASEMENT
 F.L. = FLOOD LINE
 P.E.L. = POWER EASEMENT
 T.O.W. = TOWN OF WARREN
 R. = RAILROAD
 E.A. = EXISTING
 R.O.W. = RIGHT OF WAY
 F.H.A. = FIRE HYDRANT ASSEMBLY
 P.W. = SANITARY SEWER MANHOLE
 G.P. = GAS SIGN/VALVE

DATE PLOTTED: 08/21/2008 10:53:38 AM
 PLOTTER: HPGL-ET
 PLOT SCALE: 1"=40'



CITY OF
Siloam Springs
It's a natural

STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Justin Bland, PE, City Engineer
Cc: Don Clark, Community Services Director
DATE: October 20, 2016
RE: Resolution 38-16 / Final Plat Development Permit / Dogwood Meadows / 1218 W. Jefferson St.

Recommendation: Approve Resolution 38-16, authorizing a final plat development permit for 1218 W. Jefferson St., subject to the following condition:
On-street parking on W. Jefferson St. and S. Dogwood St., abutting the addition, shall be prohibited.

Background: The applicant, Pine Ridge Contracting, Inc. / Dan Mallory, to establish a final plat for the Dogwood Meadows addition plat, consisting of ten platted lots on the southeast corner of W. Jefferson and S. Dogwood St. The Planning Commission reviewed the Final Plat application at the October 11, 2016 regular meeting. There were no comments from the public. The Planning Commission voiced concerns over the parking on W. Jefferson St. and S. Dogwood St. As a result they requested that a condition be added prohibiting on-street parking on these streets. After discussion, the Commission recommended approval of the final plat, with the added condition, by a 6-0 vote, with no abstentions. One Commissioner was absent.

Project Analysis and Approval Criteria

The following is a detailed expansion of the Planning Commission staff report on the project review criteria and staff's findings for the proposal. Criteria I-II is a subsection of Sec. 102-45 of the Municipal Code; Criterion III is Sec. 102-77 thru 102-78; Criteria IV & V are not directly applicable to the Zoning Code.

I. ZONING USE UNIT CONSISTENCY

(a) Purpose

The district is established to protect the enjoyment, privacy, and value of single-family dwellings with yards on medium –sized lots.

(b) Planned uses

Residential, single-family, falls within Use Unit 3 (single-family dwelling detached). Use Unit 3 is permitted in the R-2 District.

(c) Special uses

This does not apply to this project, as the proposed use is a planned use.

II. LOT STANDARDS AND ZONING CONSISTENCY

The minimum R-2 zones standards are compared with the subject property's tracts below:

<i>MINIMUM (R-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<i>(d) lot dimensions</i>	
(1) Lot Area: 7,000 sq. ft.	10,280 sq. ft. and higher
(2) Lot Width: 60 ft.	60 ft. (approx.)
(3) Maximum Lot Coverage: 40%	N/A*

* Other aspects of the Zoning Code are not applicable for this project.

III. DRIVEWAY DESIGN STANDARDS CONSISTENCY

<i>MINIMUM DRIVEWAY STANDARDS REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
<i>(1) Surface</i> Surface must be paved with asphalt, concrete or paver stones	N/A
<i>(2) Width</i> 1. Width shall not exceed 30 ft. 2. Width shall not be less than 12 ft.	N/A
<i>(a) Spacing. Minimum Drive intersection with the street.</i> <i>(1) Collector streets:</i> a. 75 ft. from the center line of any other driveway b. 75 feet from the boundary of the of an intersection street's right-of-way. c. 25 feet from all boundaries of the lot.	Every other lot, with the exception of Lot 1 and 2, have shared access easements, which are 150 ft. apart.

IV. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as high density family. The following zone(s) are appropriate according to the designation: R-2; R-3, R-4. The proposed land use is compliant with the R-2 zone.

V. STAFF TECHNICAL REVIEW

City staff met to review the project. The proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

VI. UTILITY REQUIREMENTS

(Note: The proposal is not applicable to the Land Use Code)

Water System

An 8" water main exists across the western side of the property. Staff finds this existing infrastructure to be adequate for fire and domestic water needs.

Sanitary Sewer System

A 12" sewer main exists across the property on the west side of Dogwood St. In addition, the applicant is proposing to build a 8" sewer main across the western side of the property in order to avoid having to bore all the services across the roadway. Staff finds this existing infrastructure and the proposed sewer main extension to be adequate for fire and domestic water needs.

Storm Sewer System

The applicant is not proposing any storm water detention for this project. Instead they intend to implement Low Impact Development (LID) techniques to keep the peak runoff rate from increasing as outlined in section 13.8 of the drainage manual. The LID techniques called for in particular are:

- the addition of 3 trees to each lot;
- the addition of 1,000 square feet of amended landscaping to each lot;
- a routed swale across the lots that is designed to slow the travel time of the runoff off of the site.

The result of these three LID techniques is that the peak runoff rates from the site are not increases after the lots have been built on.

Traffic Capacity and Level of Service (LOS)

The Master Street Plan classifies Dogwood St. as a Collector Street with an intended capacity of 6,000 vehicles per day (vpd). Currently, the average traffic on the roadway is 1,600 vpd.

The proposed development will increase traffic in the area. The Institute of Transportation Engineer's Trip Generation Manual was utilized to calculate the volume and rate of traffic increase for the site. Per this manual, each single family lot will create an additional 9.57 trips for a total of 67 additional trips per day. The resulting traffic count per day is calculated to be 1,667 vpd.

Intersection and Stopping Sight Distances

The speed limit in this area is 30 mph as set by the Siloam Spring's Municipal Code. The stopping and intersection sight distances for this speed are listed below.

<i>MINIMUM SITE DISTANCES REQUIRED ALONG HWY. 43</i>	
<u>Stopping Sight Distance</u>	200 ft
<u>Intersection Sight Distance</u>	
Left Turn from Stop	335 ft
Right Turn from Stop	290 ft

The actual sight distance from the site along Dogwood St. is at least 500' in each direction or to the intersection depending on which particular lot you are on. Staff finds this to be adequate.

Fiscal Impact: Street fees are not applicable for this project.

Attachments:

- Staff Report with attachments
- Resolution 38-16



Siloam Springs
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STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: September 26, 2016
RE: Final Plat Development Permit, FP16-02

Recommendation: Motion to approve FP16-02 (Final Plat Development Permit), subject to the following conditions:

- 1.) The applicant must furnish a drainage report prior to Planning Commission review.

Background:

APPLICATION REVIEW DATES

Planning Commission review: October 11, 2016

Board of Directors review: November 1, 2016

APPLICANT AND AGENT

Applicant/Owner: Pine Ridge Contracting, Inc. – Dan Mallory

Agent: Civil Engineering Inc., – Ron Homeyer, PE

SUBJECT PROPERTY ADDRESSES

1218 W. Jefferson Street

PROJECT INTENT

The applicant requests to establish a final plat for the Dogwood Meadows addition plat, consisting of ten platted lots on the southeast corner of W. Jefferson and S. Dogwood St.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, 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://drive.google.com/open?id=1Bv5btWKXomob5g86Ua8yfyY3cPc&usp=sharing>

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>		<i>EXISTING ZONING</i>	
Vacant/ Residential		R-2 District (Residential, medium)	
<i>PROPOSED LAND USE</i>		<i>PROPOSED ZONING</i>	
Residential—Single-Family		N/A	
<i>SURROUNDING LAND USE</i>		<i>SURROUNDING ZONING</i>	
North:	Residential— Single-Family	North:	R-2 District (Residential, medium)
South:	Residential— Multi-Family	South:	R-4 District (Residential, multi-family)
East:	Residential—Multi-Family/ Vacant	East:	R-4 District (Residential, multi-family)
West:	Institutional—School	West:	G-I District (General Institutional)

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

I. ZONING USE UNIT CONSISTENCY

Single-family uses fall within Use Unit 3 (Single-Family). Unit 3 uses are permitted in the R-2 District.

II. LOT STANDARDS CONSISTENCY

The minimum R-2 zone standards are compared with the subject property’s lot below.

<i>MINIMUM (R-2) ZONING REQUIREMENTS</i>	<i>SUBJECT PROPERTY PROPOSAL</i>
Lot Area: 7,000 sq. ft.	10,280 sq. ft. and higher
Lot Width: 60 ft.	60 ft.
Maximum Lot Coverage: 40%	N/A
Maximum Floor to Area Ratio: 0.6 (60%)	N/A

III. COMPREHENSIVE PLAN CONSISTENCY

The 2030 future land use map describes this area as high density family. The following zone(s) are appropriate according to the designation: R-2; R-3, R-4. The proposed land use is compliant with the R-2 zone.

IV. STAFF TECHNICAL REVIEW

City staff met to review the project. The proposal meets or exceeds all City standards and all technical comments have been addressed by the applicant.

V. LAND USE CODE REQUIREMENTS

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.

STAFF DISCUSSION

The applicant is requesting approval to subdivide a 2.604 acre parcel into ten residential lots. A preliminary plat is not needed because no improvements are being dedicated to the City. A preliminary plat permit shows all intended infrastructure improvements. The zoning permits single family residences, one dwelling unit per lot. This density is consistent with housing in the area and the present property zoning. Access to each lot will be off of S. Dogwood St., with several lots sharing access in order to cut down on the number of driveways needed on the street. The northern-most lot, Lot 1, will have vehicular access off of W. Jefferson St. An existing house is located on this lot. With the exception of Lot 1, the houses will front onto S. Dogwood St. Underground utilities exist along Dogwood.

A drainage analysis of the site has not been provided by applicant at the time of issuing this report. This has been added as a condition of approval.

LEGAL NOTICE

- Site posted: September 01, 2016.
- Newspaper legal notification: September 25, 2016 (Herald-Leader).
- Letter legal notification: September 21-24, 2016.
- Staff received no phone calls or correspondence on the request.

Fiscal Impact:

Street fees are not applicable for this request.

Attachments:

- Site Specific Proposal
- Bird's Eye View
- Plan Aerial Overlay
- General Area Map

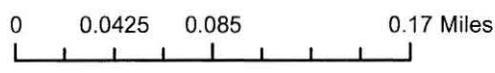
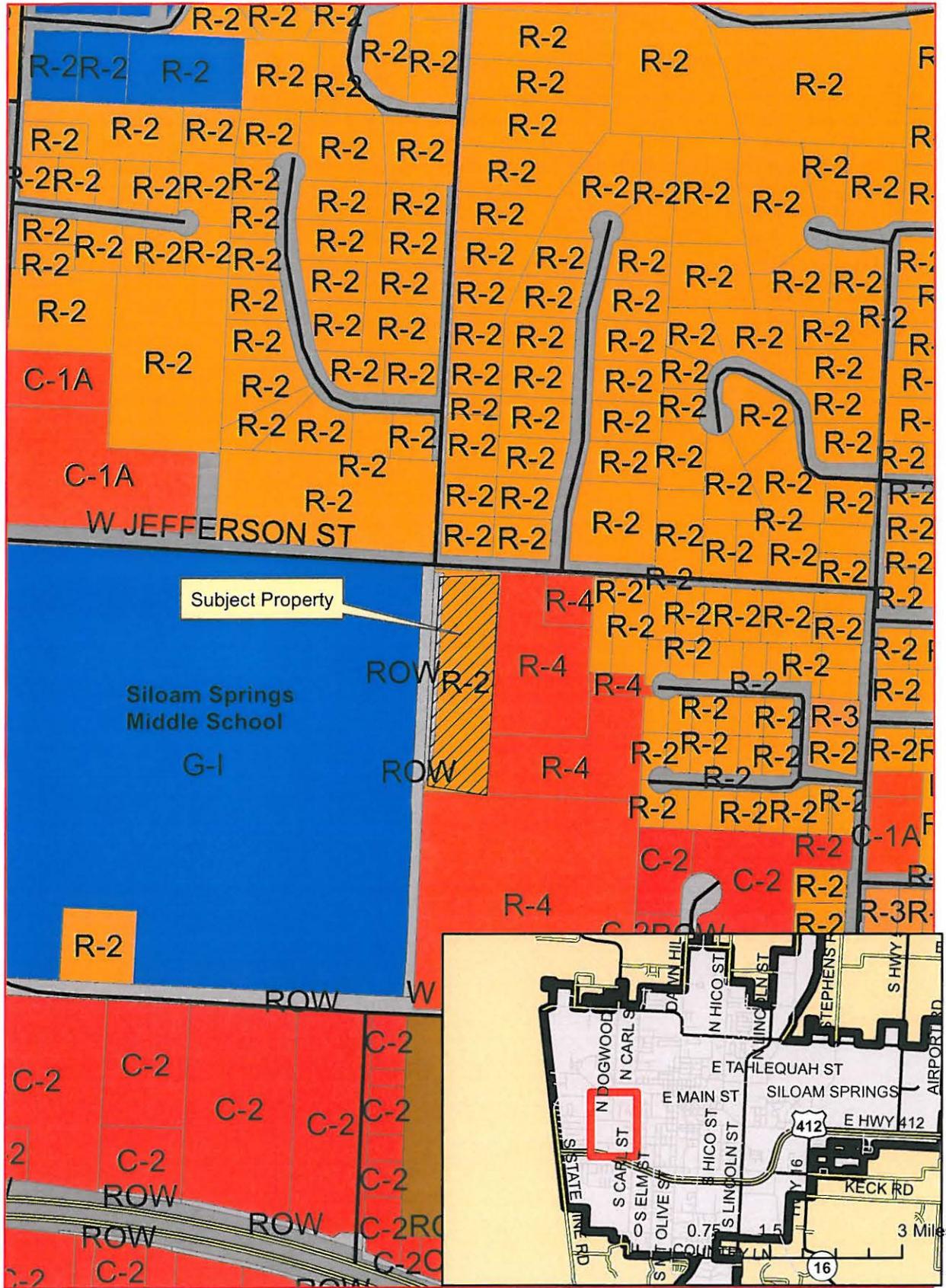
FP16-02 – Dogwood Meadows

Bird's Eye View- Looking East



GENERAL AREA MAP

Final Plat Development
FP16-02



RESOLUTION NO. 38-16

**A RESOLUTION AUTHORIZING A FINAL PLAT
DEVELOPMENT PERMIT FOR PROPERTY LOCATED AT
1218 WEST JEFFERSON STREET**

Whereas, a public hearing on the proposed final plat development permit was held on the 11th day of October 2016, before the City of Siloam Springs Planning Commission after proper notice required by law; and

Whereas, no objections were registered at said hearing, and a motion approving issuance of said permit was passed by the Planning Commission; and

Whereas, it appears that the final plat development permit is in the public interest; **Now Therefore:**

Be It Resolved by the Siloam Springs Board of Directors as follows:

A final plat development permit for the property located at 1218 West Jefferson Street, as set forth on Exhibit "A" attached hereto, is hereby granted subject to the following condition:

On-street parking on W. Jefferson St. and S. Dogwood St., abutting the addition, shall be prohibited;

Done and Resolved this 1st day of November 2016.

APPROVED:

ATTEST:

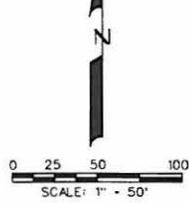
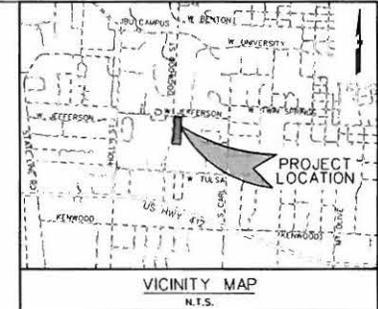
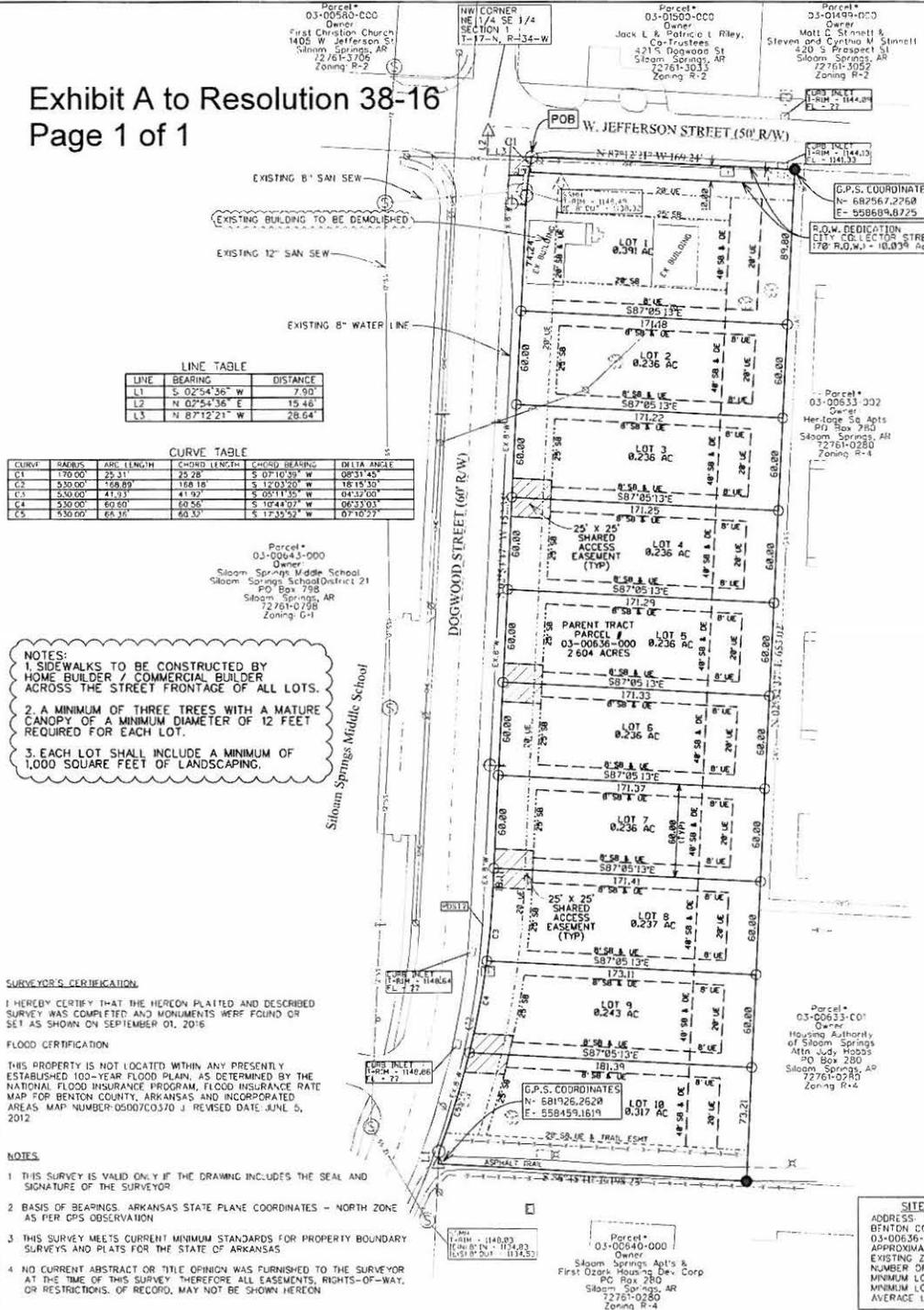
John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)

Exhibit A to Resolution 38-16

Page 1 of 1



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 02°54'36" W	7.90'
L2	N 02°54'36" E	19.46'
L3	N 87°12'21" W	28.64'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	170.00'	25.31'	25.28'	S 07°16'39" W	08°51'45"
C2	530.00'	159.89'	159.18'	S 12°03'20" W	18°15'30"
C3	530.00'	41.93'	41.92'	S 05°11'30" W	04°32'00"
C4	530.00'	60.90'	60.86'	S 10°44'07" W	06°32'03"
C5	530.00'	68.39'	68.35'	S 17°33'52" W	07°40'27"

NOTES:

1. SIDEWALKS TO BE CONSTRUCTED BY HOME BUILDER / COMMERCIAL BUILDER ACROSS THE STREET FRONTAGE OF ALL LOTS.
2. A MINIMUM OF THREE TREES WITH A MATURE CANOPY OF A MINIMUM DIAMETER OF 12 FEET REQUIRED FOR EACH LOT.
3. EACH LOT SHALL INCLUDE A MINIMUM OF 1,000 SQUARE FEET OF LANDSCAPING.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED AND MONUMENTS WERE FOUND OR SET AS SHOWN ON SEPTEMBER 01, 2016.

FLOOD CERTIFICATION

THIS PROPERTY IS NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS, AND INCORPORATED AREAS MAP NUMBER 05007C0370 J REVISED DATE: JUNE 5, 2012.

NOTES:

1. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATES - NORTH ZONE AS PER GPS OBSERVATION.
3. THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS FOR THE STATE OF ARKANSAS.
4. NO CURRENT ABSTRACT OR TITLE OPINION WAS FURNISHED TO THE SURVEYOR AT THE TIME OF THIS SURVEY. THEREFORE ALL EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIONS, OF RECORD, MAY NOT BE SHOWN HEREON.

OWNER'S CERTIFICATION AND DEDICATION We, the undersigned, do hereby certify that we are the sole owners of the hereon platted and described property, and do hereby dedicate streets, detention basins, and easements, if any, for the installation of utilities and use of the general public.

State of _____ County of _____

On this the _____ day of _____, 2016, before me, _____ (name of notary public), the undersigned officer, personally appeared _____ (name of persons who signed document) known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public

Title Company's Certificate

I, _____, representing _____, certify that I have examined title to the described land dedication to the City of Siloam Springs, Arkansas, and that the parties executing the dedication are the owners thereof in fee simple, and the dedicated land is free and clear of all liens and encumbrances.

Name: _____
Title: _____
I executed this _____ day of _____, 2016.

PLANNING COMMISSION APPROVAL This Final Plat is hereby approved this _____ day of _____, 2016, by the City of Siloam Springs Planning Commission.

Chairman

BOARD OF DIRECTORS APPROVAL This Final Plat is hereby approved this _____ day of _____, 2016, by the City of Siloam Springs Board of Directors.

City Clerk

LEGAL DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 42 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 02°54'36" W 15.46' AND S 87°12'21" E 28.64' FROM THE NW CORNER OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 1; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 25.31', WITH A RADIUS OF 170.00', WITH A CHORD BEARING OF S 07°16'39" W, WITH A CHORD LENGTH OF 25.28'; THENCE S 02°54'36" W 452.35'; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 168.89', WITH A RADIUS OF 530.00', WITH A CHORD BEARING OF S 12°03'20" W, WITH A CHORD LENGTH OF 168.18'; THENCE S 02°54'36" W 7.90'; THENCE S 86°45'11" E 198.25'; THENCE N 02°52'37" E 653.02'; THENCE N 87°12'21" W 169.24' TO THE POINT OF BEGINNING AND CONTAINING 2.60 ACRES.

SITE INFORMATION:

ADDRESS: 1918 W JEFFERSON
BENTON COUNTY APPRAISAL DISTRICT PARCEL
03-00636-000
APPROXIMATE AREA: 2.604 ACRES
EXISTING ZONING: R-2 MEDIUM RESIDENTIAL
NUMBER OF LOTS: 10
MINIMUM LOT WIDTH: 60.00'
MINIMUM LOT AREA: 10,281 S.F.
AVERAGE LOT AREA: 13,399 S.F.

FINAL PLAT: DOGWOOD MEADOW

Plat Prepared By CIVIL ENGINEERING, INC. P.O. Box 12 Siloam Springs, AR 72761 (479) 524-9956	Survey By JAMES S. RUYING P.O. Box 617 Gearty, AR 72734 (479) 736-8416	Owner/Developer PINE RIDGE CONTRACTING, INC. P.O. Box 1173 Siloam Springs, AR 72761-1173 (479) 215-9163	Plat Code 506-17N-34W-01-210-0-449-5	Date September 01, 2016	Job # 1619
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- LEGEND**
- EXISTING INDEX CONTOUR (5')
 - EXISTING INTERMEDIATE CONTOUR (1')
 - EXISTING FENCE LINE
 - EXISTING BUILDING SETBACK LINE
 - EXISTING EASEMENT LINE
 - PROPOSED BUILDING SETBACK LINE
 - PROPOSED EASEMENT LINE
 - SET IRON PIN
 - FOUND IRON PIN
 - FOUND PK NAIL
 - ⊕ EX FIRE HYDRANT ASSEMBLY
 - ⊕ EX WATER VALVE
 - ⊕ EX WATER METER
 - ⊕ EX SANITARY SEWER MANHOLE
 - ⊕ EX NATURAL GAS SIGN/METER
 - ⊕ EX POWER/UTILITY POLE
 - ⊕ EX UTILITY POLE ANCHOR
 - ⊕ EX ELECTRIC BOX
 - ⊕ EX TELEPHONE PEDESTAL
 - ⊕ EX LIGHT POLE
 - ⊕ EX SIGN
 - EXISTING TREE

