

**CITY OF GENTRY
PLANNING & ZONING COMMISSION**

THURSDAY, APRIL 16, 2020

**Public Hearing
Special Use Permit RLP Developments, LLC
For 1415 S.W. Gentry Blvd.**

PLANNING COMMISSION

- Roll Call
- Review of Minutes- March 26, 2020

*Special Use Permit RPL

*Ritter, Jerry & Sandra & Clark, Carl- Lot Split
(changes to access) Parcel# 18-13677-003

AFFIDAVIT OF PUBLICATION

I, Lisa Leamons, solemnly swear that I am the Accounting Manager on duty for the Northwest Arkansas Newspapers, LLC, and I do solemnly swear that the attached advertisement:

City of Gentry
Public Notice

was published in the following weekly paper(s):

- Bella Vista Weekly Vista
- Pea Ridge Times
- Siloam Springs Herald Leader
- Siloam Sunday (Section of Arkansas Democrat Gazette)
- Westside Eagle Observer

Of general and bona fide circulation in Benton County, Arkansas

Date(s) of Publication: March 25, 2020

Publication Charges: \$34.20

Lisa Leamons

Accounting Manager on Duty

Subscribed and sworn to before me
This 25th day of Mar, 2020.

Sandra G. Robinson

Notary Public

My Commission Expires: 3-16-25



****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

Public Notice
You are hereby notified that a public hearing will be held before the Gentry Planning & Zoning Appeals Board on April 16, 2020 at 7:00 p.m. at the Gentry Council Chambers, 104 E. Main St. Gentry, AR 72734. This hearing is to review a special use permit requested by RLP Developments, LLC, for 1415 S.W. Gentry Blvd.
For those unable to attend the meeting, you may phone 479-736-2555 ex. 2 with comments. Written comments may be submitted to the City of Gentry, 101 W. Main Street, Gentry, AR 72734.
75250818 Mar. 25, 2020

**CITY OF GENTRY
PLANNING & ZONING COMMISSION**

THURSDAY, MARCH 26, 2020

The Planning and Zoning Commission of the City of Gentry, Arkansas met on March 26, 2020 at 7:00 p.m. for regular meeting at the Gentry Court Chambers. Chairman Mike Parks called the meeting to order.

MEMBERS PRESENT

Jim Kooistra
Jay Williams
Wanda Meyer
Paul Church
Mike Parks
Tammie Runyan

MEMBERS ABSENT

Danny Feemster

Others in Attendance: City Clerk Jenny Trout, City Attorney Joel Kurtz, Mark Smithson and Fire Chief Vester Cripps.

Minutes of the February 20, 2020 Regular Meeting:

At this time, by request of Mayor Kevin Johnston, Mark Smithson asked to address the Commission Members in reference to the amendment of the January 16, 2020 meeting minutes. In reviewing the minutes of the February 21, 2020 meeting, it was noted that a request for an amendment to the January 16, 2020 minutes had been reviewed and, in referring to the recording of said minutes, it was found that the originally presented meeting minutes were correct and no amendment was needed.

Motion: Meyer- To accept the original January 16, 2020 minutes as presented

Second: Church

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-yes

Motion passed.

Motion: Church- To accept the February 20, 2020 minutes as presented, noting the change within the initial minutes reflects changes were to be made only to “lots adjacent to the drainage ditch” (relating to section 4-Phillips Park).

Second: Meyer

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-pass

Motion passed.

Minutes of the March 19, 2020 Regular Meeting:

Motion: Kooistra- to approve minutes of the March 19, 2020 meeting as presented

Second: Meyer

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-pass Meyer-yes Runyan-pass

Motion passed.

1) **Steven & Andrea Murphy- Tract Split- Old Springtown Rd. Parcel# 18-13295-000**

After review and consideration of the Tract Split presented:

Motion: Church- to approve the Tract Split as presented, contingent on dissolving the existing lot line on Tract 1 and, that the property is purchased by the adjacent property owners, The Parkers.

Second: Kooistra

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-pass Meyer-yes Runyan-yes

Motion passed.

2) **Ritter, Jerry & Sandra & Clark, Carl- Lot Split Parcel# 18-13677-003**

After review and consideration of the lot split presented:

Motion: Williams- to deny the lot split

Second: Kooistra

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-yes

Motion passed.

3) **England, Jason & Allison- Right-of-way Vacation Parcel# 10-00676-000**

After review and consideration of the right-of-way vacation:

Motion: Williams- to accept the move to vacate and present to City Council

Second: Kooistra

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-yes

Motion passed.

4) **Rustic Flats- Subdivision- 2 Preliminary Parcel# 10-00145-000**

After review and consideration of the Preliminary Plat:

Motion: Meyer- to approve as presented

Second: Runyan

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-yes

Motion passed.

At this time amended Gentry Planning Commission Bylaws were presented for review and consideration:

Motion: Williams- to approve the Bylaws as amended

Second: Meyer

Roll Call: Church-yes Kooistra-yes Parks-yes
Williams-yes Meyer-yes Runyan-yes

There being no further business, Chairman Mike Parks entertained a motion to adjourn.

Motion: Runyan- to adjourn this meeting

Second: Meyer

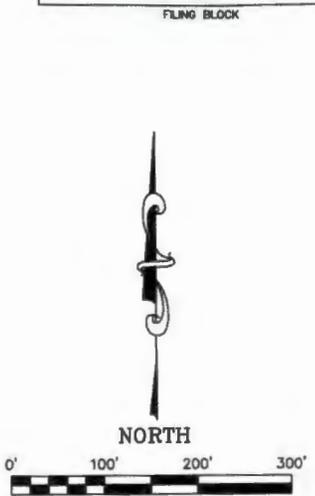
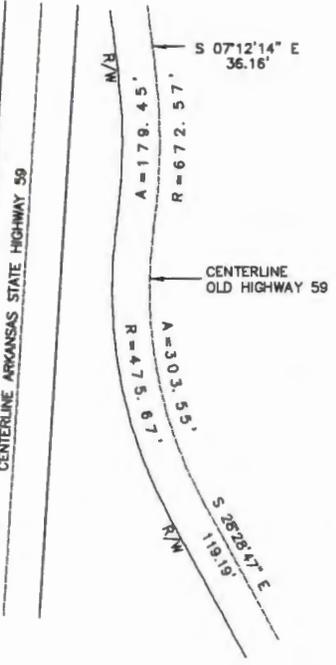
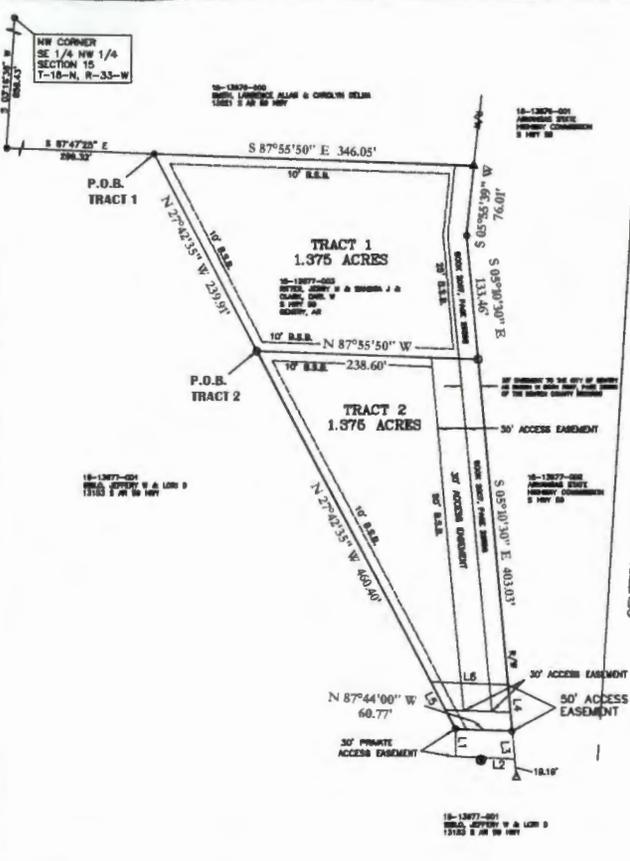
All in Favor- yes

NONE Opposed

Motion passed, meeting adjourned.

Jenny Trout: Planning Commission Secretary/City Clerk

Mike Parks, Planning Committee Chairman



SURVEY DESCRIPTION TRACT 1:
 A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING WEST OF ARKANSAS STATE HIGHWAY 59 IN SECTION 15, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT S 03°16'36" W 656.43' AND S 87°47'25" E 299.32' FROM THE NW CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 15; THENCE S 87°55'50" E 346.05' TO THE WESTERLY RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 59; THENCE FOLLOWING SAID RIGHT OF WAY S 05°10'30" E 403.03'; THENCE LEAVING SAID RIGHT OF WAY N 87°44'00" W 80.77'; THENCE N 27°42'35" W 460.40' TO THE POINT OF BEGINNING AND CONTAINING 1.375 ACRES. PROPERTY IS SUBJECT TO ANY EASEMENT OF RECORD.

SURVEY DESCRIPTION TRACT 2:
 A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING WEST OF ARKANSAS STATE HIGHWAY 59 IN SECTION 15, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT S 03°16'36" W 656.43' AND S 87°47'25" E 299.32' AND S 27°42'35" E 239.91' TO THE POINT OF BEGINNING; THENCE S 87°55'50" E 238.60' TO THE WESTERLY RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 59; THENCE FOLLOWING SAID RIGHT OF WAY S 05°10'30" E 403.03'; THENCE LEAVING SAID RIGHT OF WAY N 87°44'00" W 80.77'; THENCE N 27°42'35" W 460.40' TO THE POINT OF BEGINNING AND CONTAINING 1.373 ACRES. PROPERTY IS SUBJECT TO ANY EASEMENT OF RECORD.

SURVEY DESCRIPTION OF 50' ACCESS AND UTILITY EASEMENT:
 A 50' ACCESS AND UTILITY EASEMENT THROUGH PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING WEST OF ARKANSAS STATE HIGHWAY 59 IN SECTION 15, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NW CORNER OF THE SE 1/4 NW 1/4 OF SAID SECTION 15; THENCE RUN S 03°16'36" W 656.43'; THENCE S 87°47'25" E 299.32'; THENCE S 27°42'35" E 642.56' TO THE TRUE POINT OF BEGINNING; THENCE S 87°44'00" E 83.07'; THENCE S 05°10'30" E 90.42'; THENCE N 87°44'00" W 60.77'; THENCE N 27°42'35" W 57.72'; TO THE POINT OF BEGINNING AND CONTAINING 0.083 ACRES.

SURVEY DESCRIPTION OF 30' ACCESS AND UTILITY EASEMENT PER THIS PLAT:
 A 30' ACCESS AND UTILITY EASEMENT THROUGH PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING WEST OF ARKANSAS STATE HIGHWAY 59 IN SECTION 15, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NW CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 15; THENCE RUN S 03°16'36" W 656.43'; THENCE S 87°47'25" E 299.32'; THENCE S 27°42'35" E 877.23'; THENCE S 87°44'00" E 18.26' TO THE TRUE POINT OF BEGINNING; THENCE N 05°10'30" W 382.69'; THENCE S 87°55'50" E 30.24'; THENCE S 05°10'30" E 382.79'; THENCE N 87°44'00" W 30.25'; TO THE POINT OF BEGINNING AND CONTAINING 0.284 ACRES.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 05°00'00" E	30.02'
L2	N 87°44'00" W	63.56'
L3	S 05°10'30" E	30.25'
L4	S 05°10'30" E	50.42'
L5	N 27°42'35" W	57.72'
L6	S 87°44'00" E	83.07'

- NOTES:**
- THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
 - BASES OF BEARINGS: ARKANSAS STATE PLANE COORDINATES-NORTH ZONE PER GPS OBSERVATION
 - THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLATS FOR THE STATE OF ARKANSAS.
 - 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.
 - APPROVAL OF THIS PLAT CARRIES NO ASSURANCE THAT THESE TRACTS WILL QUALIFY FOR SEPTIC PERMITS FROM THE ARKANSAS DEPARTMENT OF HEALTH.
 - APPROVAL OF THIS PLAT DOES NOT IN ANY WAY INDICATE THAT ANY OF THE LOTS ON THIS PLAT ARE BUILDABLE ACCORDING TO THE PLANNING REGULATIONS OF BENTON COUNTY, ARKANSAS, NOR AN ENDORSEMENT BY THE PLANNING BOARD OF SAID BUILDABILITY OF SAID LOTS.
 - THE APPROXIMATE LOCATION OF THE SEPTIC AREA, IF APPLICABLE, IS SHOWN AS INDICATED BY OWNER. APPROVAL OF THIS PLAT DOES NOT IN ANY WAY INDICATE THE TRUE LOCATION OF ANY PART OF THE SEPTIC SYSTEM, NOR SHOULD IT BE RELIED UPON FOR ANY FUTURE EXCAVATION, BUILDING OR CONSTRUCTION PROJECTS OR PROCEDURE.

GENTRY PLANNING COMMISSION:
 This plot is hereby approved by the Gentry Planning Commission this ___ day of _____

 Secretary

OWNER'S CERTIFICATION
 As owners, we hereby certify that we have caused the land to be surveyed, divided, platted, dedicated and access rights reserved as represented on this plat and attachments.
 _____ Date _____
 _____ Date _____
 _____ Date _____

STATE OF ARKANSAS
 COUNTY OF BENTON
 CITY OF GENTRY
 Subscribed and sworn before me this ___ day of _____
 My commission expires _____

 Notary Public

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: 0500700380 & EFFECTIVE DATE: SEPTEMBER 26, 2007.

SURVEYOR'S CERTIFICATION:
 I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED AND MONUMENTS WERE FOUND OR SET AS SHOWN ON FEBRUARY 17, 2020.

PROPERTY ADDRESS: S HWY 59, GENTRY, AR. 72734 PARCEL #18-13677-003

REVISION #1: 3/1/20
 REVISION #2: 3/18/20
 REVISION #3: 3/31/20
 DRAWN BY: KEJ
 CHECKED BY: MEJ

STATE OF ARKANSAS
 REGISTERED SURVEYOR
 MICHAEL E. JAMES, PLS #985
 BENTON COUNTY SURVEYOR

300-18N-33W-D-15-420-04-08B5

**TRACT SPLIT FOR
 CARL CLARK &
 JERRY & SANDRA RITTER**

PART OF THE SE 1/4 OF THE NW 1/4
 SECTION 15, TOWNSHIP 18 NORTH, RANGE 33 WEST
 GENTRY, ARKANSAS

James Surveying
 P.O. Box 617
 Gentry, Arkansas 72734
 (479)736-8416 Fax (479)736-8838

DATE: FEBRUARY 17, 2020.
 SCALE: 1" = 100'
 JOB NUMBER: JS18027A
 FILE NAME: JS18027A.DWG

ZONING: NONE

ORDINANCE NO. 15-730

AN ORDINANCE CONCERNING ACCESS REQUIREMENTS RELATED TO A TRACT SPLIT, REPLAT OR OTHER PROPERTY DIVISION WITHIN THE CITY OF GENTRY, ARKANSAS OR WITHIN ITS PLANNING AREA AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Gentry has determined that it is appropriate to address situations typically related to a residential tract split, replat or other property division within the City of Gentry, Arkansas or within its Planning Area.

NOW, therefore, be it ordained by the City Council of the City of Gentry, Arkansas;

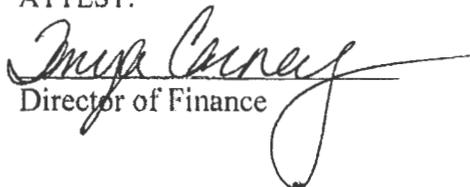
Section 1: Access: Each tract resulting from such split, replat or other property division shall have:

- a. Deeded access not less than 30 feet in width from a public street or road; or
- b. A deeded combination access easement and utility easement not less than 40 feet in width from a public street or road; or
- c. A Separate deeded access easement not less than 30 feet in width from a public street or road; together with a deeded utility easement not less than 25 feet in width from a public street or road or from an existing utility easement.

Section 2: Applicability: The provisions of this Ordinance are applicable to splits, replats or other property division only when the resulting tracts will be used for single family residential purposes. These access provisions and requirements are not applicable in instances where any of the resulting tracts will be used for multifamily dwellings, multiple lots, commercial use or other non-residential use.

PASSED AND APPROVED THIS 3rd day of August, 2015.

ATTEST:


Director of Finance


Kevin D. Johnston, Mayor