



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, January 10, 2017 6:00 p.m.
305 SW "A" Street**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, January 10, 2017 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: December 13, 2016**

AGENDA

1. An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (Kyle and Melissa Sanders)
2. Planning:
 - 2a. **Lot Split: Lot 14, 15, 16, 17 & 18, Block 2, Railroad Addition, 202, 204, 2016, 208 & 210 Southeast 'A' Street, Kathleen Motheral.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create five (5) new lots from one (1) existing lot. The new lots will be known as Lots 14, 15, 16, 17 & 18, Block 2, Railroad Addition. Right-of-way is being dedicated along Southeast 'A' Street per the current Master Street Plan requirements. A 20' wide public utility and cross access easement along the southern portion of the property is also being dedicated with the plat. Each of the new lots will have access to public utilities and a public street.

- 2b. **Lot Split: Lots 20 & 21, Block 2, Dunn & Davis Addition, 505 & 507 Southwest 'C' Street, CalCon, Inc.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two (2) new lots from one (1) existing lot. The new lots will be known as Lot 20 (0.12 acres) and Lot 21 (0.12 acres), Block 2, Dunn & Davis Addition. Right-of-way is being dedicated along Southwest 'C' Street per the current Master Street Plan. Each of the new lots will have access to public utilities and a public street.

- 2c. **Lot Split: Lots 25 & 26, 3rd East Side Addition, Southeast 5th Street, Kerry Laman.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two (2) new lots from one (1) existing lot. The new lots will be known as Lot 25 (0.14 acres) and Lot 26 (0.14 acres) of the 3rd East Side Addition. Per the current Master Street Plan, adequate right-of-way exists along Southeast 5th Street. A 10' wide public utility easement is being dedicated along the western property line of the new Lot 25 for an existing public sewer main. Each of the new lots will have access to public utilities and a public street.

- 2d. **Property Line Adjustment: Lots 15 & 16, Block 6, Dunn & Davis Addition, Southwest 'B' Street & Southwest 7th Street, Village at B Street, LLC.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment creating two (2) new lots by adjusting the common lot line of two (2) existing lots. The new lots will be known as Lot 15 (0.18 acres) and Lot 16 (0.29 acres), Block 6, Dunn & Davis Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'B' Street. A public drainage easement and public utility easements are also being dedicated. Both new lots will have access to public utilities and a public street. A private cross access easement was dedicated by a separate document.

- 2e. **Final Plat: Providence Village, Phase 1, Southwest Nomad Road & Southwest Windmill Road, Providence 2016, LLC.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat for 56 acres located at the intersection of Southwest Nomad Road and Southwest Windmill Road to be known as Providence Village, Phase 1. One hundred eighty five (185) single family lots will be created with the platting of the first phase of the subdivision. Right-of-way and easements will be dedicated with the plat. All public infrastructure has been inspected and accepted by the city utility departments.

- 2f. **Rezoning: Buildup Development, LLC & Jamal & Stephanie Parker, 1111 Southwest Parnell Drive, From R-2, Duplex and Patio Home Residential to R-ZL, Zero Lot Line.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Medium Density Residential (MDR). The R-ZL, Zero Lot Line zoning is an appropriate zoning district for this designation.

- 2g. **Rezoning: Lamplighter Restorations, LLC, 407 & 409 Southeast 6th Street, From R-1, Single Family Residential to DN-4, Downtown Mixed-Use Residential.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR). The DN-4, Downtown Mixed-Use Residential zoning is an appropriate zoning district for this designation.

- 2h. **Rezoning: Lamplighter Restorations, LLC, 408 & 410 Southeast 6th Street, From R-1, Single Family Residential to DN-4, Downtown Mixed-Use Residential.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR). The DN-4, Downtown Mixed-Use Residential zoning is an appropriate zoning district for this designation.

3. City Council approval of an ordinance authorizing the Mayor and City Clerk to enter into an agreement with Ozark Regional Transit (ORT), a public transit authority, in the fixed amount of \$127,757.00 to provide transit services within the City of Bentonville and waiving the requirement for competitive bidding.
4. Public hearing and ordinance vacating a Utility Easement located at 4001 NE Kensington Avenue, Kensington Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
5. A resolution authorizing the Mayor and city Clerk to enter into a Memorandum of Understanding with NWA Regional Planning for storm water education in 2017, total cost \$22,400.10.
6. Council approval of a resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas Highway and Transportation Department (AHTD Project #CA0902) and budget adjustment to upgrade the proposed new traffic signal poles, mast arms, and luminaires from the standard galvanized to the decorative associated with the interchange improvements at Hwy 72/I-49 and Hwy 102/I-49 in the amount of \$91,073.01.
7. Parks and Recreation recommends City Council to award bid No. 2016-59 to Jet Custom Screen Printing for participant shirts for the Run Bentonville Half Marathon.

8. City Council approval of an ordinance to waive competitive bidding bid award to Steam Explorers for operation of recreational camps and programs for Bentonville Parks and Recreation.
9. Staff recommends City Council approve Amendment #3 to the Agreement for Engineering Services with McClelland Consulting Engineers, Inc. for an increase of \$15,261.41 for additional construction services and associated expenses associated with utility relocations for AHTD's Bella Vista Bypass project. Increase in cost will be covered by liquidated damages collected from Rosetta Construction, LLC due to project overrun. This amendment increases contract amount to \$254,677.73.
10. Staff recommends approval of Change Order #4 and Final Reconciliation for Rosetta Construction, LLC for a total decrease of \$205,623.71 for the Water, Sewer and Electric Utilities Relocation project associated with AHTD's Bella Vista Bypass project. This final change order reduces the contract amount from \$4,736,386.00 to \$4,530,762.29. Of this reduction, \$15,261.41 is liquidated damages and will be used to fund costs incurred by McClelland Consulting Engineers, Inc. for construction services due to time overage. The remaining reduction is from final quantity measurements.
11. Resolution authorizing the offering of sales and use tax bonds to finance capital improvements; and prescribing other matters relating thereto.