



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, February 28, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, February 28, 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: February 14, 2017**

AGENDA

1. Planning:

1a. **Lot Split: Lots 37 & 38 Commerce Center Subdivision, RT Western Missouri Franchise, LLC, 1402 South Walton Boulevard, C-2, General Commercial.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 37 (0.51 acres) and Lot 38 (1.05 acres) of Commerce Centre Subdivision. A 20' wide public utility easement is being dedicated to allow for the future construction of a public sewer main.

1b. **Property Line Adjustment: Lots 1 & 2, Henry C. Browne Addition, Henry C. Brown Limited Partnership, 1004 Phyllis Street, C-2, General Commercial.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that adjusts the common lot line between two existing lots creating two new lots. The new lots will be known as Lot 1 (4.65 acres) and Lot 2 (5.20 acres) of Henry C. Browne

Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Phyllis Street. Public utility easements are also being dedicated with the plat. The new lots will have access to public utilities and a public street.

- 1c. **Property Line Adjustment: Lots 1 & 2, Oscar Deckard Subdivision, Kristen L. Martin , 3 Lindy Lane, R-1, Single Family Residential.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment creating two new lots from un-platted section land. The new lots will be known as Lot 1 (0.79 acres) and Lot 2 (5.51 acres) of Oscar Deckard Subdivision. Per the requirements of the current Master Street Plan, adequate right-of-way exists along Southwest 14th Street. Public utility easements are being dedicated with the plat. Both new lots will have access to public utilities and a public street.

- 1d. **Property Line Adjustment: Lot 19, Block 1, Smartt's Addition, Main Street Co-Op Property, LLC, 409 & 501 Southwest 'A' Street & 500 South Main Street, DC, Downtown Core.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will remove the common lot line between three existing lots, creating one new lot. The new lot will be known as Lot 19 (2.30 acres), Block 1, of Smartt's Addition. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along Southwest 'A' Street. Adequate right-of-way exists along South Main Street. A public utility easement is being dedicated with the plat. A portion of the public alley in the northwest corner of the site will be vacated by a separate document and listed on the plat once complete. The new lot will have access to public utilities and a public street.

- 1e. **Final Plat: Lots 17-32, Block J Orchard Addition, Tourmaline Urban Lofts, LLC, 503 Southeast D Street, PRD, Planned Residential Development.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a final plat for 0.86 acres located at 503 Southeast 'D' Street to be known as Lots 17 through 32, Block J of Orchard Addition. Fifteen attached townhome lots and one common area lot will be created with this final plat.

- 1f. **Rezoning: Lonesome Tree Properties, LLC, Southwest 'I' Street, From A-1, Agricultural to C-3, Central Commercial.**

The Planning Commission voted 6-0, recommending approval.

The C-3, Central Commercial zoning district adjacent to the Bentonville Municipal Airport will allow for the construction of a new Flight Center and the request is consistent with the current Airport Master Plan and the Airport Advisory Board's goals and objectives.

- 1g. **Rezoning: Abraham Harvey & JBJ Properties, LLC, 112 Northeast Park Street, Northeast 'A' Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 4-2, recommending approval.

The Future Land Use Plan depicts these properties as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1h. **Rezoning: JBJ Properties, LLC, Northeast 'A' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1i. **Rezoning: Clifford & Lori Vanderpool, 601 Northwest 'B' Street, From R-1, Single Family Residential to DN-2, Downtown Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 1j. **Rezoning: Hung T. Nguyen, James K. Smith, David Fredrickson, Daryl Stroud, Kenneth Smith, Scott Rampy, Lisa M. Hall, Larry Vandevor, Doug True, & Angel Floro, 901, 903, 907, 1001, 1005, 1009 Southeast 3rd Street, 112 Southeast 'J' Street, & 900 East Central Avenue, From R-1, Single Family Residential, R-O, Residential Office, R-E, Residential Estate, R-3, Medium Density Residential to PUD, Planned Unit Development.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown High-Density Residential (D-HDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation. The proposed multi-family housing will help the community achieve several objectives, providing a greater

variety of housing, increasing the amount of people living close to jobs and commerce and enhancing access to the downtown.

2. Public hearing and ordinance vacating a Public Access Easement located at 1302 Melissa, Hardcastle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
3. Public hearing and ordinance vacating a Utility Easement located at multiple parcels at Kerelaw Castle Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
4. A resolution authorizing the Mayor and City Clerk to enter into an Enterprise License Agreement with ESRI in the amount of \$35,000.00. This is a 2017 budgeted item.
5. Approve a resolution to amend the contract with G-Squared to update 261 Maps – Ortho Photography and Planimetric features collection for GIS. This budgeted project will update the map features where change has occurred in our 261 map tiles from new 3-D imagery. This will result in 1"=50' map accuracy with 1-foot contour lines. This highly accurate and detailed mapping is needed by our City departments to update and replace our current maps.
6. Fire Department Staff is asking for Council's approval to the Bentonville Fire Department Standard Operating Guidelines (SOG'S).
7. Fire Department Staff recommends Council approve a resolution accepting the Emergency Medical Services (EMS) Agreement with Benton County. Benton County will pay the City of Bentonville \$80,000.00 to provide EMS to the unincorporated area of Benton County.
8. Fire Department Staff recommends Council allow the Mayor and City Clerk to enter in to a contract with Emergency Services Group International (ESGI) for continuing education for Active Shooter and Rescue Task Force (RTF) training.
9. This is a request to declare certain city properties as surplus items. A complete description of the property is attached and includes (1) out of service police vehicles, (2) aging service weapons, and (3) retired ballistic vests. Included in this attached property description is the proposed disposition for each item. (1) It is important to note that these vehicles can be transferred intact with blue lights or light bar, siren, console, gun rack and other law enforcement specific items still attached. These items would ordinarily require removal prior to any transfer of ownership. Transferring ownership to another law enforcement agency represents a responsible and safe disposition of police equipped vehicles. It also saves the city the costs associated with the removal and proper disposal of law enforcement only equipment that cannot be transferred to another vehicle. Transferring these vehicles also saves the costs associated with prolonged storage while awaiting auction. Additionally, this transfer encourages local partnerships, supports law enforcement and public safety in Northwest Arkansas and provides assistance to our law enforcement training academy (ALETA) and also our neighboring cities. (2) The trade in of aging service weapons promotes officer and public safety, results in further cost savings to

the city, and provides for a responsible disposition of firearms through a federally licensed firearm arms dealer. (3) The transfer of the retired ballistic vests also provides assistance to ALETA. The training academy has a new standard requiring vest protection on the shooting range, and this vest transfer will increase the safety for our own officers and other officers undergoing state mandated firearms training. It is likewise a responsible disposition of these law enforcement specific items. See attached memos and proposals for each receiving party.

10. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an amended and restated land lease agreement with Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, for a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. Said lease amends and restates a lease previously approved by City Council in October 2014. Total leased area is 11,862.75. The Airport Advisory Board unanimously recommended this lease.
11. Staff recommends City Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an assignment and assumption agreement by and between Toney Steele and Carolyn Grimsley, as Trustee of the Grimsley Family Revocable Trust dated March 24, 2012, (assignors) and VBT, LLC (assignee) for a land lease associated with a hangar identified as 2420 SW Aviation Street located at the Bentonville Municipal Airport. The Airport Advisory Board unanimously recommended this assignment.
12. City Council approval of a resolution, authorizing the Mayor and City Clerk to enter into an agreement with Morrison Shipley, for the design, bidding and construction observation of a new parking lot, pavilion and amphitheater stage at Citizens Park.
13. Parks and Recreation is requesting approval to enter into an agreement with Challenger Sports facilitate the Camp Soccer summer camp at Citizens Park. The agreement is a one year agreement for 2017 and may be renewed for two additional years in 2018 and 2019.
14. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with First Employment Staffing to provide temporary staff for Parks and Recreation and Public Works Maintenance Staff.
15. Resolution establishing procedures with regard to meetings.