



## **BENTONVILLE CITY COUNCIL AGENDA**

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

**Tuesday, April 26, 2016 6:00 p.m.  
305 SW "A" Street**

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

**Tuesday, April 26, 2016 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: April 12, 2016**

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### **AGENDA**

1. Presentation by Randal Morrison, an attorney specializing in sign regulations, to discuss the ruling in the Reed v. Gilbert Arizona U.S. Supreme Court case regarding municipal sign law and its impact on local sign codes and the changes proposed to Bentonville's sign code.

2. Planning:

2a. **Lot Split: Josh Mattingly, Lot 1 Mattingly Subdivision, 2902 Northwest 3<sup>rd</sup> Street, Zoned R-1, Single Family Residential.**

**The planning commission voted 6-0 recommending approval.**

The applicant has submitted a Lot Split for .62 of an acre to be known as Lot 1 Mattingly Subdivision. Right of way is being dedicated 35' from the centerline of Northwest 3<sup>rd</sup> Street consistent with Master Street plan for a Collector street. Water and sewer are both available on the south side of the street.

2b. **Lot Split: Mt. Carmel Community in Bentonville, LLC: Lot 1 Mount Carmel Community Subdivision, Southwest Regional Airport Boulevard and Shell Road, Zoned C-2, General Commercial.**

**The planning commission voted 6-0 recommending approval.**

The applicant has submitted a lot split for 18.71 acres located on the South side of Southwest Regional Airport Boulevard and west of Greenhouse road. The property will be known as Lot 1 of Mount Carmel Community Subdivision. The plat reflects the access easements needed to navigate the project. Utility easements are being dedicated to facilitate the expansion of the public water, sewer and electric internal to the site. The Right of way reflects the current improvements that are underway on Southwest Regional Airport Boulevard.

- 2c. **Property Line Adjustment: SW A Building, LLC, Lots 17 & 18 Block 8 Clark's Second Addition, Southwest A Street and Southwest 4<sup>th</sup> Street, Zoned D-C, Downtown Core.**

**The planning commission voted 6-0 recommending approval.**

The applicant has submitted a Property Line Adjustment for lots 8 through 16 of Clark's Second addition located at the northwest corner of Southwest A Street and Southwest 4<sup>th</sup> Street. The owner intends to combine the lots into two lots to be known as Lot 17 (.42 acres) and Lot 18 (.97 acres) Block 8 Clark's Second Addition. The property line adjustment is needed to facilitate the development of Clark's Second Commercial Development. All required utility easements are being dedicated with this plat. Right of way is being dedicated along Southwest A Street per the Master Street Plan. The applicant is requesting the east to west alley be relocated south and right of way is being dedicated to accommodate the new alley location. Drainage easements are being dedicated for the storm water infrastructure.

- 2d. **Rezoning: Mount Carmel Community in Bentonville, LLC, Southwest Regional Airport Road and Southwest Cornerstone Road, Zoned R-1.**

**The planning commission voted 6-0 recommending approval.**

The applicants have requested a rezoning from R-1, Single Family Residential to C-2, General Commercial. The property is currently vacant, city services are adequate at this location. The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as commercial.

- 2e. **Rezoning: SW A Building, LLC, Southwest 4<sup>th</sup> Street and Southwest A Street, Zoned R-1.**

**The planning commission voted 6-0 recommending approval.**

The applicant has requested a rezoning from R-1, Single Family Residential to D-C, Downtown Core. The property is vacant along an urban mixed use corridor. A Large Scale Development has been submitted for this property. During the review of that document it has been determined that all city services are adequate. This rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as mixed use.

- 2f. **Rezoning: Bentonville Child Care and Development Center, Inc., Northeast J Street, Zoned R-1, R-E, and A-1.**

**The planning commission voted 6-0 recommending approval.**

The applicants have requested a rezoning from R-1, Single Family Residential, R-E, Residential Estate and A-1, Agricultural to R-O, Residential Office. The property is currently vacant, Water and Electric services are adequate at this location. Sanitary Sewer will need to be extended to the site before development can occur. This rezoning is consistent with the City of Bentonville's Future Land Use Map.

3. Public hearing and ordinance vacating a street right-of-way located at 200 NE "A" Street by 21C, LLC, to the City of Bentonville, Arkansas, Benton County, Arkansas.
4. Approval of a resolution and setting a public hearing for the City of Bentonville City Council meeting scheduled for June 28, 2016 regarding the condemnation of structures located at 1405 Crescent Street, parcel #01-08510-000, 1407 Crescent Street, parcel #01-08511-000 and 1409 Crescent Street, parcel #01-08512-000.
5. Extend the contract for year two of three to Pyro Shows for the annual fourth of July pyrotechnic display. Budget amount \$30,000.00.
6. A resolution authorizing the Mayor and City Council to enter into a contract with Osmose to provide pole testing to the City of Bentonville Electric Department for an amount not to exceed \$26,600.00.
- 7a. Staff recommends Council approval of a Resolution authorizing the Mayor and City Clerk to enter into an Revised Utility Agreement with the Arkansas State Highway Commission for additional engineering services performed by Garver, LLC associated with the AHTD Project No. CA0902 - Interstate 49 Improvements, Hwy 62/102 - Hwy 72. The additional work includes the cost of the engineering services through the bidding phase.
- 7b. Budget Adjustment to front additional costs as a result of the amended agreement for preliminary engineering associated with the Utility Agreement with the Arkansas State Highway Commission for AHTD Project No. CA0902 - Interstate 49 Improvements, Hwy 62/102 - Hwy 72.
8. Staff recommends Council approval of a Resolution authorizing the Mayor and City Clerk to enter into a revised professional services agreement with Garver in an amount not to exceed \$16,150.00 for preliminary engineering services associated with the Utility Agreement with the Arkansas State Highway Commission for AHTD Project No. CA0902 - Interstate 49 Improvements, Hwy 62/102 - Hwy 72. This amendment increases Garver's engineering contract to \$40,050.00 This contract will qualify for reimbursement per AHTD's Utility Accommodation Policy.
9. Parks and Recreation Staff seeks City Council's approval of a bid award to Challenger Teamwear in an amount not to exceed \$47,000.00 for the purchase of uniforms for the 2016-2017 Youth Soccer Season.