



## **BENTONVILLE CITY COUNCIL AGENDA**

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

**Tuesday, July 25, 2017 6:00 p.m.  
305 SW "A" Street**

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

**Tuesday, July 25, 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: July 11, 2017**

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### **AGENDA**

1. Planning:

1a. **Rezoning: PMD Enterprises, LLC, Rice Lane & Rice Road, From A-1, Agricultural to C-2, General Commercial.**

**The Planning Commission voted 7-0, recommending approval. (Item approved by PC 4-4-17)**

The Future Land Use Plan depicts this property as commercial. The C-2, General Commercial zoning designation is a recommended zoning for this classification. This location will provide goods and services to the surrounding single-family developments, act as a buffer between the low and medium density residential located to the north and east and the expressway located to the west.

1b. **Lot Split: Lots 7, 8, & 9 Lehman Addition, Affordable Arkansas Homes, LLC, Northeast 'A' Street & Northeast 7<sup>th</sup> Street, PUD, Planned Unit Development.**

**The Planning Commission voted 5-0, recommending approval.**

The applicant has submitted a proposal for a lot split that will create three new lots from two existing lot and a small un-platted parcel. The new lots will be

known as Lot 7 (13.44 acres), Lot 8 (8.78 acres) and Lot 9 (31.30 acres) of Lehman Addition. Per the requirements of the current Master Street Plan, right-of-way will be dedicated along SW 2<sup>nd</sup> Street. A public access easement will be dedicated along the southwestern property line to provide access to and existing sewer main. Each of the new lots will have access to public utilities and a public street.

- 1c. **Lot Split: Lot 77 Kristyl Heights Addition Phase 2, Michael & Sandra Fitzgerald, Southwest Tunbridge Drive, R-1, Single Family Residential.**

**The Planning Commission voted 5-0, recommending approval.**

The applicant has submitted a proposal for a lot split that will create one new lot from one existing lot. The existing lot contains a utility and drainage easement, of which a portion will be vacated by a separate document, to create the new buildable lot known as Lot 77 (0.63 acres) of Kristyl Heights Addition, Phase 2. Per the requirements of the current Master Street Plan, right-of-way will be dedicated along SW 2<sup>nd</sup> Street. A public access easement will be dedicated along the southwestern property line to provide access to an existing sewer main. Each of the new lots will have access to public utilities and a public street.

- 1d. **Property Line Adjustment: Lot 1 Torrell Creek Addition Phase 2, Pen Spaces Forever, Northwest 3<sup>rd</sup> Street, Peach Orchard Road, Punkin Hollow Road, A-1, Agricultural & R-1, Single Family Residential.**

**The Planning Commission voted 5-0, recommending approval.**

The applicant has submitted a property line adjustment that will create one new lot. The new lot will be known as Lot 1 (293.60 acres) of Torrell Creek Addition, Phase 2. Right-of-way will be dedicated per the requirements of the current Master Street Plan. Utility easements are also being dedicated to serve the new lot. The new lot will have access to public utilities and a public street.

- 1e. **Lot Split: Lots 28 & 29 Deming's 2<sup>nd</sup> Addition, Nancy Chandler, Northeast 'A' Street & Northeast 7<sup>th</sup> Street, DN-2, Downtown Medium-Density Residential.**

**The Planning Commission voted 5-0, 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 28 (0.18 acres) and Lot 29 (0.17 acres) of Deming's 2<sup>nd</sup> Addition. Per the requirements of the current Master Street Plan, right-of-way will be dedicated along NE 7<sup>th</sup> Street. A private access easement will be dedicated to provide rear and /or side access to both of the new lots. Direct access to NE A Street will not be permitted. Both of the new lot will have access to public utilities and a public street.

1f. **Final Plat: Cornerstone Ridge Subdivision Phase 6.**

**The Planning Commission voted 5-0, recommending approval.**

The applicant has submitted a final plat for 6.85 acres consisting of 22 single-family residential lots that will be known as Cornerstone Ridge, Phase 6. The homes that will be constructed in this phase will be consistent with previous phases of the subdivision. This phase will connect to Cornerstone Ridge Phase 3 located to the northwest and will have direct access to SW Cornerstone Ridge Road and SW Gemstone Boulevard. This final plat dedicates right-of-way and utility and drainage easements that will serve the subdivision. The sections of sidewalk the developer is responsible for have been installed. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

1g. **Rezoning: C Street Properties LLC, Northwest 'A' Street, From A-1, Agricultural to PRD, Planned Residential Development.**

**The Planning Commission voted 5-0, recommending approval.**

The Future Land Use Plan depicts this property as Low Density Residential (LDR). The PUD, Planned Unit Development zoning is an appropriate zoning district for this designation and is recommended by the current Future Land Use Plan. The proposed single and multi-family housing incorporated with the proposed agricultural uses will help the community achieve several objectives. These include, but are not limited to, providing a greater variety of housing options, increasing the amount of people living close to their work place, enhancing access to the downtown, providing a variety of transportation options, reducing sprawl and helping to protect and preserve watersheds and agricultural lands.

1h. **Rezoning: Mayadventures Inc., North Main Street & Northeast Park Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

**The Planning Commission voted 5-0, 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 and is compatible with the existing and adjacent uses.

1i. **Rezoning: Nancy Chandler, 702 Northeast 'A' Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

**The Planning Commission voted 5-0, 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 and is consistent with the Future Land Use Plan. The new DN-2 zoning designation will allow for single-family or block-end townhomes to be built.

- 1j. **Rezoning: Real Assets Inc., 2415 Southwest Regional Airport Boulevard, From A-1, Agricultural to C-1, Neighborhood Commercial.**

**The Planning Commission voted 5-0, recommending approval.**

The Future Land Use Plan depicts this property as Office (O). The C-1, Neighborhood Commercial zoning is an appropriate zoning district for this designation as it is consistent with the Future Land Use Plan and adjacent properties. Policy LU-18 of the General Plan states that the City should provide greater flexibility in its development regulations to facilitate efficient and appropriate residential, office and commercial uses.

- 1k. **Rezoning: First Federal Bank, Southwest 2<sup>nd</sup> Street & Northwest Elm Tree Road, From A-1, Agricultural to R-3, Medium Density Residential.**

**The Planning Commission voted 5-0, recommending approval.**

The Future Land Use Plan depicts this property as Medium Density Residential (MDR). The R-3, Medium Density Residential zoning is an appropriate zoning district for this designation. Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The applicant is proposing a medium density residential development that will help to create additional density and housing options while reducing the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

11. **Rezoning: CrossMar Industrial IV, LLC, Southwest Vendor Boulevard & Southwest Regional Airport Boulevard, From R-1, Single Family Residential, A-1, Agricultural, C-1, Neighborhood Commercial, C-2, General Commercial to I-1, Light Industrial.**

**The Planning Commission voted 5-0, recommending approval.**

According to the General Plan Policy ED-12: "As major development occurs, the city should re-evaluate the supply of industrial land designated in the Future Land Use Plan to ensure that there is an adequate supply of vacant land that can readily be served by adequate public facilities." This property will add to the industrial designation in an area where public utilities are adequate and transportation infrastructure will support large vehicle traffic. The property is located within close proximity of similar uses.

2. Appointment of Nathan Lembke to a three year term on the Tree and Landscape Advisory Committee. The term will expire on July 25, 2020.

3. A public hearing and ordinance vacating a utility easement located at 901 SE 3rd Street in the East Acres Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
4. A public hearing and ordinance vacating a utility easement located at 903 SE 3rd Street in the East Acres Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
5. A public hearing and ordinance vacating a utility easement located at 907 SE 3rd Street in the East Acres Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
6. A public hearing and ordinance vacating a utility easement located 1040 Tunbridge, Kristyl Heights Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.
7. A public hearing and ordinance vacating a drainage easement located at 1040 Tunbridge by Mike Fitzgerald, to the City of Bentonville, Arkansas, Benton County, Arkansas.
8. A public hearing and ordinance vacating a right-of-way and establishing a utility easement located at SW B Street, First Baptist Church Addition to the City of Bentonville, Arkansas, Benton County, Arkansas.
9. Staff recommends City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Garver, LLC, for the design and inspection of the NW 3rd widening, which includes the addition of a signalized designated left turn lane. This agreement would be funded by bond money and has a total maximum not to exceed amount of \$93,350.00.
10. A resolution accepting a grant in the maximum amount of \$2,272,603 from the FAA for funding of the West Side Taxiway Project at the Bentonville Municipal Airport. Total construction cost of the Runway Improvement Project is \$2,543,210.67 including engineering inspection fees and material testing services. See attached memo for additional information.
11. A resolution authorizing the Mayor and City Council to enter into an agreement with Garver for the Construction Services for the West Side Taxiway project in the amount of \$290,100.00.
12. Recommend Mayor and City Council award the bid for the West Side Taxiway construction to Tri Star Construction in the amount of \$2,250,610.67. This construction cost will be covered by the FAA grant recently awarded to the City.
13. A resolution authorizing the Mayor and City Council to enter into an agreement with Charles R. Chadwick to act as the Airport Manager for the Bentonville Municipal Airport beginning in August 2017 and ending July 2018 in the amount of \$5,000.00 per month.
14. Recommend Mayor and City Council award the bid for the 8th St. overhead electric relocation to BBC Electric in the amount of \$2,603,010.60.

15. Council approval of a budget adjustment in the amount of \$15,000.00 for replacement of the library's lighting control panel.
16. Council approval of a resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with WER Architects and Planners to provide professional services related to the design and construction of a Police/Fire/EMS Communications Center located on the existing grounds of the main police department facility at 908 SE 14th Street, in an amount equal to 8.5% of construction costs. See attached Memo for additional details.
17. Request City Council approve the addition of one (1) Police Captain position in the police department. The City has not added a command staff position in the police department since 1983 and with the significantly increased responsibilities of the Operations Division the need for a command staff position to oversee these operations has become paramount. The maximum cost (high-side estimate) for this position for 2017 would be \$82,035.00. The actual cost could come in significantly lower depending on who is actually selected for this position. This estimate also factors in the one-time cost for an additional police vehicle. Attached is a detailed breakdown of the history of the command staff structure and a copy of the current police department organizational chart.
18. Staff requests City Council waive the requirement of competitive bidding and authorize the Mayor and City Clerk to enter into a contract with Arkansas Valley Communications in the amount of \$90,222.53 for installation of radio communication equipment and associated software at the new City maintenance facility. Funds for this item will come from anticipated savings realized from the construction contract of the facility.
19. City Council approval of Mayor McCaslin's recommendation to appoint Whitney Sutherland to the Parks and Recreation Advisory Board.
20. Parks and Recreation Staff seeks City Council's approval of a bid award to 81 Construction, in the amount of \$248,910.00, for the construction of the Community Center (Citizens Park) Fitness Trail.