



**Revised Agenda:  
Adding item 10**

## **BENTONVILLE CITY COUNCIL AGENDA**

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

**Tuesday, September 12, 2017 6:00 p.m.  
305 SW "A" Street**

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

**Tuesday, September 12, 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: August 22, 2017**

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### **AGENDA**

1. Planning:
  - 1a. **Lot Split: Lots 1-5 Norman Park Subdivision, Bowser Shattuck Group, LLC, Northwest 'A' Street, DN-2, Downtown Medium-Density Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a proposal for a lot split that will create 5 new lots from two un-platted parcels. The new lots will be known as Lot 1 (0.18 acres), Lot 2 (0.16 acres), Lot 3 (0.19 acres), Lot 4 (0.23 acres) and Lot 5 (0.18 acres) of Norman Park Subdivision. Pre the requirements of the Master Street Plan, right-of-way will be dedicated along NW 'A' Street. A private cross access easement will be provided for each lot to access NW 'A' Street at a single location, none of the new lots shall have direct access to NW 'A' Street. All lots have access to public utilities and a public street.

- 1b. **Lot Split: Lots 10-13 Dogwood Acres Subdivision, C Street Properties, Northwest 'A' Street, PRD, Planned Residential Development.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a proposal for a lot split that will create 4 new lots from one existing lot and three un-platted parcels. The new lots will be known as Lot 10 (2.21 acres), Lot 11 (26 acres), Lot 12 (6 acres) and Lot 13 (8.76 acres) of Dogwood Acres Subdivision. Pre the requirements of the Master Street Plan, right-of-way will be dedicated along NW 'A' Street. Right-of-way will also be dedicated for the construction of a new public street that will provide access to the interior of the property. There are various utility easements being dedicated with the plat to serve each of the new lots. All lots have access to public utilities and a public street.

- 1c. **Property Line Adjustment: Lots 20 & 21 Medlin Meadows Subdivision, Bathke Investments, LLLP (Ann Standley), 2300 Southeast 28<sup>th</sup> Street, C-1, Neighborhood Commercial & R-3, Medium Density Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a property line adjustment that will adjust the common lot of existing lots 12 & 14 to remove the floodway from the existing lot 12. The new lots will be known as Lot 20 (4.29 acres) and Lot 21 (3.55 acres) of Medlin Meadows Subdivision. Per the Master Street plan requirements, additional right-of-way will be dedicated along SE 28<sup>th</sup> Street. Both of the new lots will have access to public utilities and a public street.

- 1d. **Property Line Adjustment: Lots 9 & 10, Block 3, McClain Ridge at Woods Creek Phase I Subdivision, Alfred Dall Sacco , 7 Churchwell Drive, R-1, Single Family Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a property line adjustment that will adjust the lot lines between existing lot 4 and the adjacent common property lot. The new lots will be known as Lot 9 (0.33 acres) and Lot 10 (0.75 acres), Block 3 of McClain Ridge @ Woods Creek Phase 1. A 20' wide public utility easement is being dedicated along Churchwell Drive, existing right-of-way is adequate. Both of the new lots will have access to public utilities and a public street. The Woods Creek POA has approved this proposed property line adjustment.

- 1e. **Final Plat: Lot 7 Prime Parc Subdivision.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a final plat for Phase 1 of the Prime Parc Apartments project that will create Lot 7 of Prime Parc Subdivision (13.26+/- acres). This final plat dedicates right-of-way for the three public streets (SE Parc St., SW Prime Ave. & SW Lakewood Rd.) that will serve the new development. Various utility and drainage easements are also being dedicated to serve the

new lot. The sections of sidewalk the developer are responsible for have been installed. A stub out for future connection has been constructed per the approved plan. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

- 1f. **Resolution, General Plan Amendment: Chambers Bank, Ginn Road & Brookside Road, From Agricultural to Medium Density Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The Future Land Use Plan depicts this property as Agricultural (A). 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 resident's throughout their lives. As utilities are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed subdivision will help to reduce the impact on city infrastructure by the extension of public utilities that will be required with the development of this land, all helping to meet the intent of the policy.

- 1g. **Resolution, General Plan Amendment: Chambers Bank & FH&G LLC, Ginn Road & North Rainbow Farm Road, From Agricultural to Low Density Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The Future Land Use Plan depicts this property as Agricultural (A). 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 resident's throughout their lives. As utilities are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed subdivision will help to reduce the impact on city infrastructure by the extension of public utilities that will be required with the development of this land, all helping to meet the intent of the policy.

- 1h. **Rezoning: Virginia Carol King, 228 Southeast 7<sup>th</sup> Street, From R-1, Single Family Residential to DE, Downtown Edge.**

**The Planning Commission voted 6-0, recommending approval.**

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR). The intent of the Downtown Mixed-Use Residential district is to allow for increased neighborhood density and increased local commerce through the development of multi-family housing and mixed-use structures.

- 1i. **Rezoning: First Baptist Church of Bentonville, 200 Southwest 'A' Street, From DE, Downtown Edge & DN-2, Downtown Medium-Density Residential to DC, Downtown Core.**

**The Planning Commission voted 6-0, recommending approval.**

The Future Land Use Plan depicts this property as Mixed Use (MU). The DC, Downtown Core zoning district is an appropriate zoning district for this land use designation.

- 1j. **Lot Split: Lots 23, 24, & 25 Huffman Addition, Ryan Hardin, 211 Northwest 'D' Street, R-1, Single Family Residential.**

**The Planning Commission voted 6-0, recommending approval.**

The applicant has submitted a proposal for a lot split that will create 3 new lots from one existing lot. The new lots will be known as Lot 23 (0.14 acres), Lot 24 (0.14 acres) and Lot 25 (0.14 acres) of Huffman Addition. Per the requirements of the Master Street Plan, right-of-way will be dedicated along Jefferson Street and NW 'D' Street. A private cross access easement will be provided to allow rear access to each of the new lots. All lots have access to public utilities and a public street.

- 1k. **Ordinance: Zoning Amendment for Medical Marijuana Dispensaries & Cultivation Facilities.**

**The Planning Commission voted 6-0, recommending approval.**

Approval of an amendment to the Zoning Code to bring the City of Bentonville zoning regulations into compliance with Amendment 98 of the Arkansas Constitution regarding zoning for medical marijuana dispensaries and cultivation facilities.

2. City Council approval of a budget adjustment recognizing revenue and allocating future expenses, in the amount of \$731,000.00, for the Memorial Park Ballfield Improvements.
3. City Council approval of a budget adjustment, in the amount of \$10,124.00, to fund a new entry kiosk at the Bentonville Community Center.
4. City Council approval of a budget adjustment, in the amount of \$30,350.00, to fund the emergency repair needed for damaged ballfield lights at Phillips Park.
5. An ordinance authorizing the Mayor and City Council to waive the requirements of competitive bidding and enter into an agreement with Siemens Industry, Inc. for the purchase of hook stick operated switches for the 8th Street Widening Project in the amount of \$36,000.00 plus tax.
6. City council approval of a Resolution allowing the Mayor to enter into an agreement with Grubbs, Hoskyn, Barton & Wyatt Consulting Engineers for geotechnical services for the NW 3rd Street Phase 3 Improvements project. The cost of this agreement is \$30,000.00 which will come from bond.
7. Staff requests approval to waive the requirement of competitive bidding and authorize the purchase of the SnowEx Brine Pro. This is a specialized type of machine that produces salt brine which is what the Street Department uses to pretreat and de-ice the roadways with in a snow/ice event.

8. Staff requests approval to waive the requirement of competitive bidding and authorize the purchase of road salt from Oakley Fertilizer which is the sole source for this material in bulk quantity in the state of Arkansas.
- 9a. Staff recommends City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with NWA Trailblazers, to accept the additional funding of \$576,504.83 required to complete the relocation of utilities and construction of the pedestrian tunnel located at the intersection of SE 8th St./SE J St. The original Walton Family Foundation grant that the City of Bentonville has received for \$1,650,000.00 is less than the cost to fully fund the project. NWA Trailblazers has agreed to complete the funding of the pedestrian tunnel project.
- 9b. City Council approval of a budget adjustment accepting additional funding from the NWA Trailblazers organization in the amount of \$576,504.83 for the construction of the pedestrian tunnel and relocation of utilities at the intersection of SE 8th/SE "J". See attached budget adjustment form and developer agreement. This funding will be additional to the Walton Family Foundation grant that the City of Bentonville received for \$1,650,000.00.
10. 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. (Voluntary Annexation - Norton et al)