



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, August 26, 2014 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, August 26, 2014 6:00 p.m.
305 SW "A" Street**

**Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: August 12, 2014**

AGENDA

1. Budget Award Presentation by Mayor Bob McCaslin.
2. Planning:
 - 2a. **Scott Clubine: Property Line Adjustment, Lot 25 Dickson's Addition, 710 Northwest 2nd Street, Zoned R-1, Single Family Residential.**

(Pages 6-9)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Property Line Adjustment to create one lot to be known as Lot 25 (1.24 acres) of the Dickson's Addition. The plat also indicates the dedication of right-of-way along Northwest 2nd Street per the city's current master street plan.

- 2b. **Landmarc Custom Homes: Final Plat, Northwest Angel Falls Road, Zoned R-1.**

(Pages 10-14)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a final plat for a 46 lot single family residential subdivision on 31.21 acres. The subdivision will be known as Angel Falls North. No storm water detention was required due to the steep topography of the area. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street

Specifications. All non-bondable and final inspection items have been completed.

- 2c. **James Dale Flowers: Rezoning Request from A-1, Agricultural to R-E, Residential Estate, 2415 Southwest Regional Airport Boulevard.**
(Pages 15-20)

The planning commission voted 6-0 recommending approval.

The applicants are requesting a rezoning from A-1 to R-E. The R-E, Residential Estate zoning district is an extremely low density residential district that will expand and promote residential alternative in the southwest part of the city. The property meets the minimum bulk and area requirements of 2 acres set forth in the R-E zoning designation.

- 2d. **James Dale Flowers: Rezoning Request from A-1, Agricultural to PRD, Planned Residential Development, Southwest Regional Airport Boulevard & Southwest Juniper Avenue.**

(Pages 21-29)

The planning commission voted 6-0 recommending approval.

The applicant has proposed a Planned Residential Development at this location to be known as Arbor Lane II. The single family subdivision is proposing 6.6 units per acre. The applicant plans to create 47 single family lots and 2 common areas. The common area will serve as a gathering place where members of the community can interact. The proposed floor plans of 1,300 to 1,500 square feet are consistent in size with the home in Arbor Lane I and each will have 3 bedrooms and 2 baths. The applicant is proposing a variation of setback as depicted on the site plan.. The average lot size will be 0.09 acres (38'x100'). All lots will have rear loaded garages with the exception of lots 41-48. A 16' alley will be installed to serve the rear loaded garages. To protect the privacy of the surrounding neighbors, no rear windows are being proposed on the second story for lots along the southern and eastern property lines.

- 2e. **James Dale Flowers: Lot Split, Lots 1 & 2 Arbor Lane II Addition, 2415 Southwest Regional Airport Boulevard, Zoned A-1, Agricultural.**

(Pages 30-33)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot split Application for property located at 2415 Southwest Regional Airport Boulevard. The proposed plat as provided indicates the creation of two lots from one existing lot to be known as Lot 1 (2.58 acres) and Lot 2 (6.67 acres) of Arbor Lane II Addition. The proposed plat also shows the dedication of right-of-way to provide for the connection of Southwest Juniper Avenue and the construction of Peachwood Drive as well as the dedication of utility easements to serve future development.

3. The City of Bentonville's Tree and Landscape Advisory Committee partnered with the Arkansas Forestry Commission to initiate a Tree Canopy Assessment to determine the current percentage of tree canopy within the City limits of Bentonville. This project is part of the "Canopy in the Mid-South" grant

comprised of 16 cities throughout Arkansas, Tennessee, and Mississippi. The City hired Plan-it Geo, LLC based out of Denver, Colorado to conduct the assessment. Ian Hanou, Plan-it Geo's Founder, Owner and Director of Business Development will provide a brief overview of Tree Canopy Assessment findings at the August 26th City Council meeting. **(Pages 34-35)**

4. Appointment by City Council of Scott Eccleston to the Tree and Landscape Advisory Committee. (Term expires on 8/26/2017) **(Pages 36-38)**
5. An ordinance vacating a drainage easement located in Lot Stone Meadow Addition, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 39-42)**
6. An ordinance vacating a utility easement located in Lot 6 Halifax Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 43-46)**
7. A resolution setting a public hearing for September 9, 2014 for utility easement vacations requested by Homes by Roth located in Lot 26 and Lot 27, Virginia's Grove Subdivision. **(Pages 47-50)**
8. South East "C" Street Sidewalk Improvements are now complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$387.66 less than the currently contracted amount of \$44,444.00. **(Pages 51-53)**
9. Approval of a resolution accepting a grant in the amount of \$150,000.00 from the FAA for funding of the Airport Master Plan Update. Total cost of the Master Plan Update is \$162,187.00. The difference is anticipated to be reimbursed by the Arkansas Department of Aeronautics upon completion of the update. **(Pages 54-56)**
10. Ordinance amending operating policies and procedures for the Airport Advisory Board. **(Pages 57-63)**

**City Council
August 26, 2014
PC Agenda**

Scott Clubine: Property Line Adjustment, Lot 25 Dickson's Addition, 710 Northwest 2nd Street, Zoned R-1, Single Family Residential.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Property Line Adjustment to create one lot to be known as Lot 25 (1.24 acres) of the Dickson's Addition. The plat also indicates the dedication of right-of-way along Northwest 2nd Street per the city's current master street plan.

Landmarc Custom Homes: Final Plat, Northwest Angel Falls Road, Zoned R-1.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a final plat for a 46 lot single family residential subdivision on 31.21 acres. The subdivision will be known as Angel Falls North. No stormwater detention was required due to the steep topography of the area. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications. All non-bondable and final inspection items have been completed.

James Dale Flowers: Rezoning Request from A-1, Agricultural to R-E, Residential Estate, 2415 Southwest Regional Airport Boulevard.

The planning commission voted 6-0 recommending approval.

The applicants are requesting a rezoning from A-1 to R-E. The R-E, Residential Estate zoning district is an extremely low density residential district that will expand and promote residential alternative in the southwest part of the city. The property meets the minimum bulk and area requirements of 2 acres set forth in the R-E zoning designation.

James Dale Flowers: Rezoning Request from A-1, Agricultural to PRD, Planned Residential Development, Southwest Regional Airport Boulevard & Southwest Juniper Avenue.

The planning commission voted 6-0 recommending approval.

The applicant has proposed a Planned Residential Development at this location to be known as Arbor Lane II. The single family subdivision is proposing 6.6 units per acre. The applicant plans to create 47 single family lots and 2 common areas. The common area will serve as a gathering place where members of the community can interact. The proposed floor plans of 1,300 to 1,500 square feet are consistent in size with the home in Arbor Lane I and each will have 3 bedrooms and 2 baths. The applicant is proposing a variation of setback as depicted on the site plan.. The average lot size will

be 0.09 acres (38'x100'). All lots will have rear loaded garages with the exception of lots 41-48. A 16' alley will be installed to serve the rear loaded garages. To protect the privacy of the surrounding neighbors, no rear windows are being proposed on the second story for lots along the southern and eastern property lines.

James Dale Flowers: Lot Split, Lots 1 & 2 Arbor Lane II Addition, 2415 Southwest Regional Airport Boulevard, Zoned A-1, Agricultural.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot split Application for property located at 2415 Southwest Regional Airport Boulevard. The proposed plat as provided indicates the creation of two lots from one existing lot to be known as Lot 1 (2.58 acres) and Lot 2 (6.67 acres) of Arbor Lane II Addition. The proposed plat also shows the dedication of right-of-way to provide for the connection of Southwest Juniper Avenue and the construction of Peachwood Drive as well as the dedication of utility easements to serve future development.

Planning Commission Staff Report
Property Line Adjustment: Lot 25 Dickson's Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 19, 2014

GENERAL INFORMATION:

H.T.E. Project Number: 14-07000027

Applicant/Current Owner: Scott Clubine

Representative: Robert Caster

Requested Action: Property Line Adjustment Approval

Location: 710 Northwest 2nd Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Property Line Adjustment to create one lot to be known as Lot 25 (1.24 acres) of the Dickson's Addition. The plat also indicates the dedication of right-of-way along Northwest 2nd Street per the city's current master street plan.

URROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North		
South	Northwest 2nd Street	Collector
East		
West		

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: N/A.
(b) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.

2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently the site of the old bowling alley and is unoccupied.

Drainage Report: A drainage report is not required for this property line adjustment.

Water / Sewer: Per the G.I.S. site, water and sewer are available at this location.

Waiver(s): There are no waiver requests for this project.

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends this item be **APPROVED** at the request of the applicant.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 25 DICKSON'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 25 Dickson's Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 19th day of August, 2014 and

WHEREAS, said plat is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the property line adjustment of Lot 25 Dickson's Addition, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report

Final Plat: Angel Falls North

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 19, 2014

GENERAL INFORMATION:

Project Number: 14-03000003

Applicant: Landmarc Custom Homes

Representative: Sand Creek Engineering

Requested Action: Final Plat Approval

Location: Northwest Angel Falls Road

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a final plat for a 46 lot single family residential subdivision on 31.21 acres. The subdivision will be known as Angel Falls North. No stormwater detention was required due to the steep topography of the area. All lots are sized to meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications. All non-bondable and final inspection items have been completed.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Residential Estate

STREETS

Direction	Name	Classification
North	Northwest Angel Falls Road	2 lane curb & gutter
South	Northwest Angel Falls Road	2 lane curb & gutter
East		
West		

TRAFFIC FINDINGS

(c) Traffic data for the nearest intersections are as follows: N/A

(b) Traffic summary software predicts the additional traffic for this project is: N/A

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is comprised of vacant lots in a developing residential subdivision.

Drainage Report: A drainage report is not required at the time of final platting.

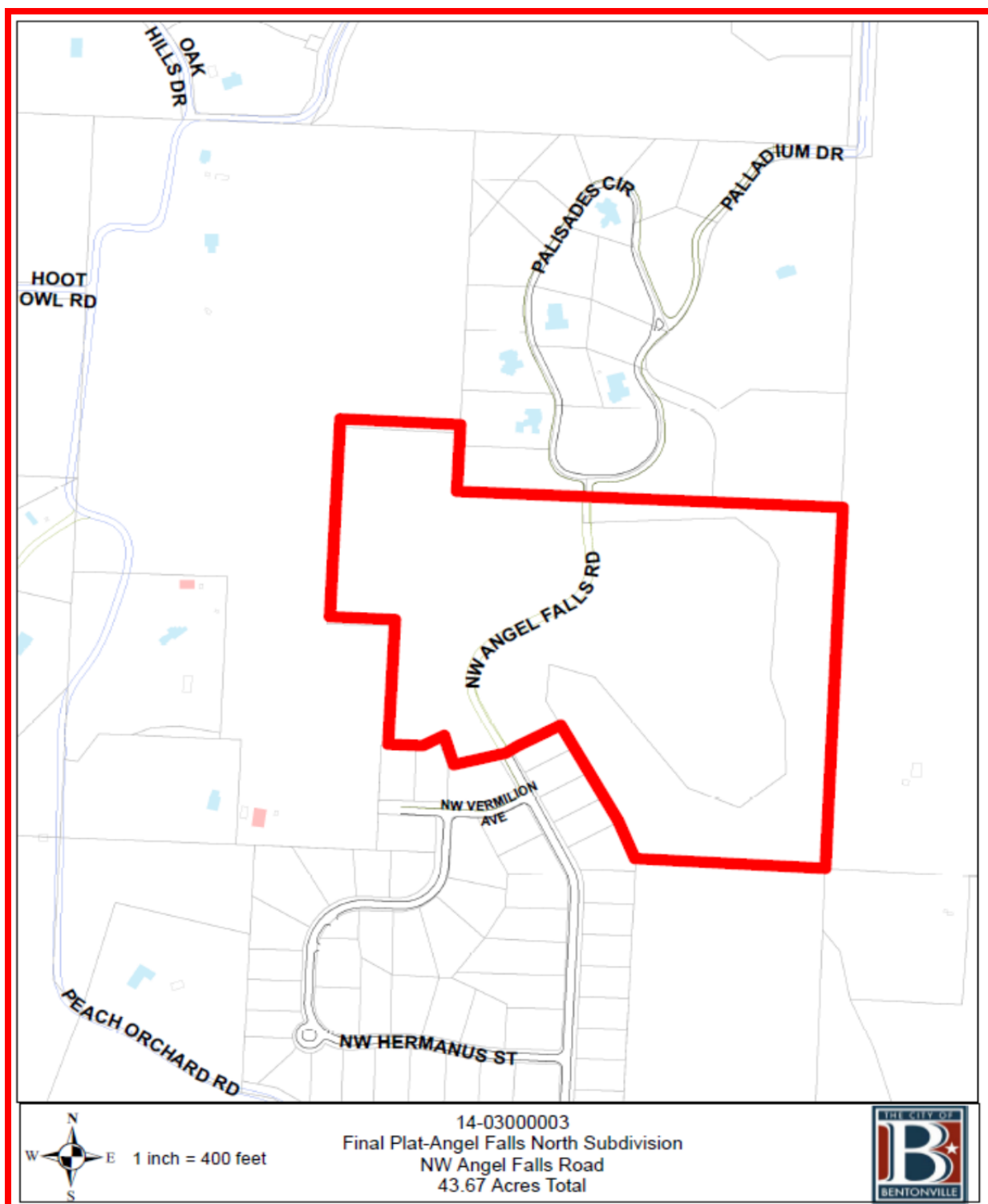
Water / Sewer: Per the G.I.S. site, water and sewer **ARE** available to this subdivision.

Waiver(s): N/A

Analysis / Conclusion: This final plat **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF ANGEL FALLS NORTH, TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the final plat of Angel Falls North, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 19th day of August, 2014 and

WHEREAS, said final plat is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said final plat on the date stated and at other times, and voted to recommend the approval of said final plat to the City Council; and

WHEREAS, the final plat of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said final plat should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the final plat of Angel Falls North, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: August 19, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Flowers (A-1, Agricultural to R-E, Residential Estate)
Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: August 19, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000020
Applicant/Current Owner: James Dale Flowers
Representative: Blew & Associates, PA
Requested Action: Rezoning
Location: 2415 Southwest Regional Airport Boulevard
Existing Zoning: A-1, Agricultural
Proposed Zoning: R-E, Residential Estate
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently the site of a single family dwelling in a low density residential area.

Previous Rezoning Requests for this Property: There are no known rezoning's for his property.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Agriculture	A-1, Agricultural	Commercial
South	Single Family Dwellings	R-1, Single Family Residential	Low Density Residential
East	Single Family Dwellings	R-1, Single Family Residential and R-O, Residential Office	Low Density Residential and Office
West	Vacant PUD and Single Family Dwellings	PUD, Planned Unit Development	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Regional Airport Boulevard	Arterial	2 lanes state highway currently undergoing widening improvements
South			
East	Southwest Juniper Avenue	Local	2 lane curb and gutter
West	Southwest Juniper Avenue/Southwest Arbor Road	Local/Local	2 lane curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **July 16, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **July 19, 2014**. In addition, staff posted a notice of public hearing sign on the property on **August 4, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: Policy LU-23 Housing Types within the General Plan states “the City should encourage the development of a mix of housing types to the meet the needs of residents...”. The rezoning request is consistent with good land use planning and the general plan and will meet the intent of the policy while allowing the property owner the ability to keep animals specifically approved by the planning commission.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic in the area.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: The proposed zoning will not adversely alter population density nor impact the public infrastructure. Water and sewer are available at this location. Emergency services are adequate at this location.

ANALYSIS, CONCLUSION, & SUMMARY

The R-E, Residential Estate zoning district is an extremely low density residential district that will expand and promote residential alternative in the southwest part of the city. The property meets the minimum bulk and area requirements of 2 acres set forth in the R-E zoning designation.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Low Density Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **A-1, Agricultural** to **R-E, Residential Estate**

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

Jorge Du Quesne
Blew & Associates, P.A.
524 West Sycamore, Suite 4
Fayetteville, Arkansas 72703

City of Bentonville
Planning Department
315 SW A Street
Bentonville, AR 72712

SUBJECT: 14-423 Arbor Lane II

April 14, 2014

To Whom It May Concern:

The Residence of James Dale Flowers, 2415 SW Regional Airport Blvd, is currently zoned A-1 Agricultural. With the proposed Arbor Lane II Preliminary Plat, Mr. Flowers would have 2.58 acres remaining for his residence. Since the smallest lot size is 5.0 acres in A-1, a more appropriate zoning for the property on which the residence resides is R-E, Residential Estate. In R-E, the maximum density permitted is 1 dwelling unit per 2 acres. The applicant would therefore like to rezone the property to R-E.

The surrounding properties have a mixture of zoning including: A-1 Agricultural to the North; R-O Residential Office to the Northeast and East; R-1 Single Family to the East and South; and PUD to the West.

Residential Office, R-E, would be an appropriate use for the property. Per the Zoning Code: "The R-E District is an extremely low density residential district designed to provide for maximum privacy through the use of open spaces, permit the keeping of animals, specifically approved by the Planning Commission, promote scenic attraction, expand and promote residential alternatives and encourage the development of residential area" This property seems to fit that description very well.

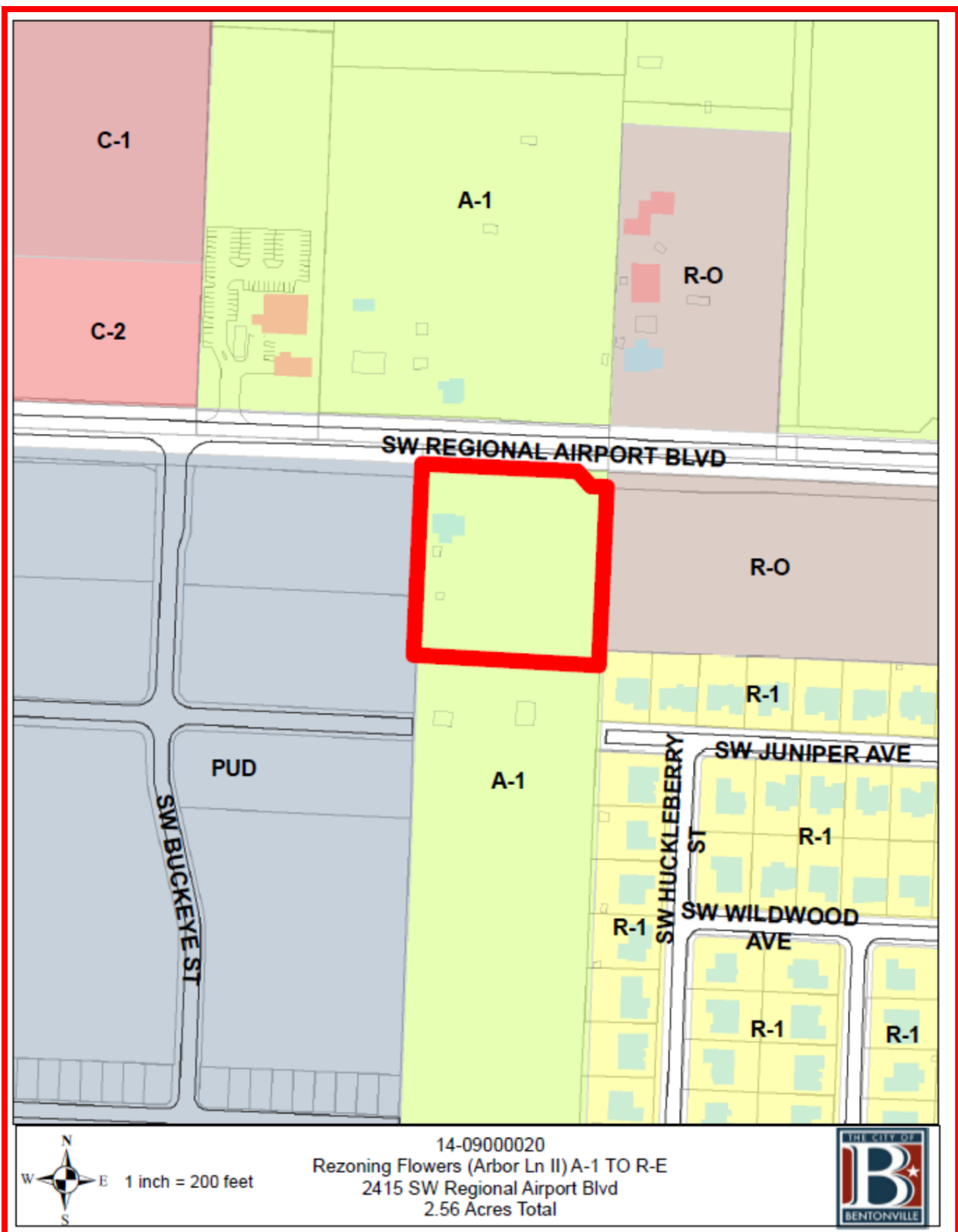
Traffic from this property would not see any increase. No Signage would be installed for the residence.

Water and Sewer from the property are currently served from SW Regional Airport Blvd.

Sincerely,



Jorge Du Quesne
Blew & Associates, P.A.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-E, RESIDENTIAL ESTATE.

WHEREAS, James Dale Flowers, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-E property to be used in accordance with city zoning laws and state laws; which property is described as follows:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N02°12'33"E 928.72' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, SAID POINT BEING A SET IRON PIN, AND RUNNING THENCE N87°09'14"W 330.89' TO A SET IRON PIN, THENCE N02°09'45"E 340.96' TO A SET IRON PIN ON THE SOUTH RIGHT-OF-WAY OF SOUTHWEST REGIONAL AIRPORT BOULEVARD, THENCE RUNNING ALONG SAID RIGHT-OF-WAY THE FOLLOWING 3 COURSES: S87°34'00"E 277.58' TO A SET IRON PIN, THENCE S42°34'00"E 35.36' TO A SET IRON PIN, THENCE S87°34'00"E 28.67' TO A SET IRON PIN, THENCE S02°12'33"W 318.34' TO THE POINT OF BEGINNING. CONTAINING 2.58 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

More commonly described as 2415 Southwest Regional Airport Boulevard.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 19th day of August 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-E property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-E property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: August 19, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

Planning Commission Staff Report

REZONING: Arbor Lane II, (Flowers) A-1, Agricultural to PRD, Planned Residential Development

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: August 19, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-017000003

Applicant/Current Owner: James Dale Flowers

Representative: Blew & Associates, PA

Requested Action: Rezoning

Location: Southwest Regional Airport Boulevard & Southwest Juniper Avenue

Existing Zoning: A-1, Agricultural

Proposed Zoning: PRD, Planned Residential Development

Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

The applicant has proposed a Planned Residential Development at this location to be known as Arbor Lane II. The single family subdivision is proposing 6.6 units per acre. The applicant plans to create 47 single family lots and 2 common areas. The common area will serve as a gathering place where members of the community can interact. The proposed floor plans of 1,300 to 1,500 square feet are consistent in size with the home in Arbor Lane I and each will have 3 bedrooms and 2 baths. The applicant is proposing a variation of setback as depicted on the site plan. The average lot size will be 0.09 acres (38'x100'). All lots will have rear loaded garages with the exception of lots 41-48. A 16' alley will be installed to serve the rear loaded garages. To protect the privacy of the surrounding neighbors, no rear windows are being proposed on the second story for lots along the southern and eastern property lines.

Property Description/Site Inspection: A site inspection was completed; this property is currently vacant adjacent to low density subdivision to the east and a mixed use development to the west.

Previous Rezoning Requests for this Property: There are no known rezonings for this property.

SURROUNDING LAND USES & ZONINGS:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Agriculture	A-1, Agricultural	Commercial
South	Single Family Dwellings	R-1, Single Family Residential	Low Density Residential
East	Single Family Dwellings	R-1, Single Family Residential	Low Density Residential and

		and R-O, Residential Office	Office
West	Vacant PUD and Single Family Dwellings	PUD, Planned Unit Development	Low Density Residential

SURROUNDING STREETS AND CLASSIFICATIONS:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Regional Airport Boulevard	Arterial	2 lanes state highway currently undergoing widening improvements
South			
East	Southwest Juniper Avenue	Local	2 lane curb and gutter
West	Southwest Juniper Avenue/Southwest Arbor Road	Local/Local	2 lane curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **July 16, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **July 19, 2014**. In addition, staff posted a notice of public hearing sign on the property on **August 4, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: Through the use of the correct zoning designation the mix of housing types can be compatible. The use of the Planned Residential Development district allows for innovative design and atypical arrangement of structures consistent with public health safety and welfare of the community. According to the zoning code, planned residential development should “Foster walkable, “close-knit” neighborhoods and promote distinctive, attractive communities with a strong “sense of place”. The applicant has provided an interconnecting sidewalk system to promote walkability while providing open space to foster a close knit neighborhood. At 6.6 dwelling units per acre, this proposed development is only slightly denser than what is allowed in R-1, Single Family Residential (6 dwelling units per acre).

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The Institute of Transportation Engineers estimates 450 trips per day for 47 single family detached units. Currently the State of Arkansas is widening Southwest Regional Airport Boulevard to accommodate the current traffic volume and projected increases in traffic associated with the potential growth along the corridor. The proposed PRD is located and connected to an existing local street network to the west that will directly connect to SW Regional Airport Boulevard to the north. The proposed traffic light at Bright road will help facilitate turning movements from Southwest Buckeye to SW Regional Airport. The proposed development will directly connect Wildwood Phase I to the arterial street. The widening of SW Regional Airport is currently underway and is estimated to reach

completion before build out of the proposed subdivision is reached. Staff has determined that the proposed zoning will not significantly impact the current traffic situation at the time of subdivision completion.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Public services area adequate for the increase in density. Water and sewer is readily available and emergency services area located within close proximity.

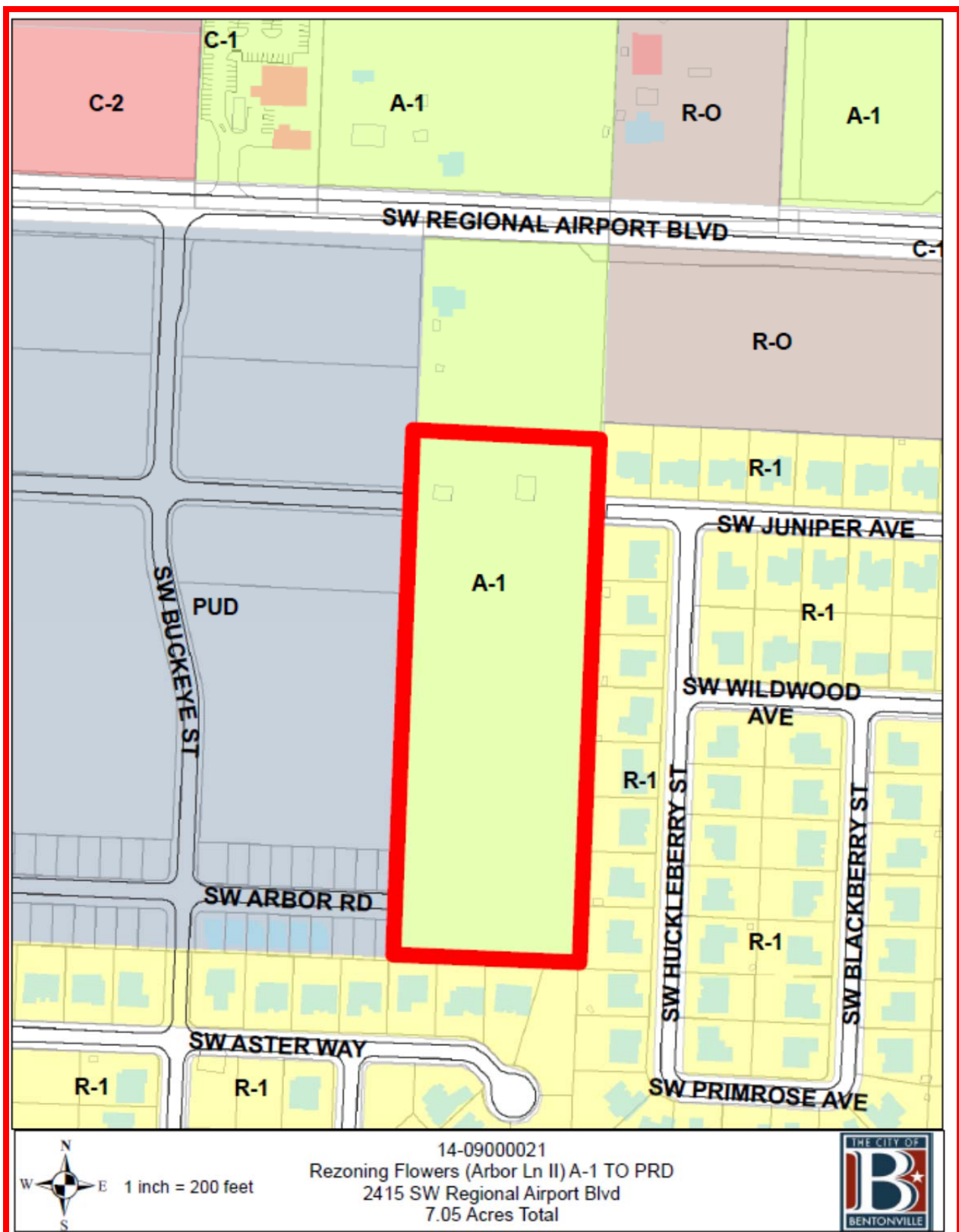
ANALYSIS, CONCLUSION, & SUMMARY

The intent of the PRD zoning designation is to encourage the use of Smart Growth principals and Traditional Neighborhood Design, to provide a variety of housing types and densities available to the general public, and to promote high quality residential developments while allowing greater flexibility in the design of such developments.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Low Density Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of the rezoning from A-1, Agricultural to PRD, Planned Residential Development as submitted by the applicant.



ARBOR LANE PHASE II DEVELOPMENT, BENTONVILLE, AR. (REVISED 07/30/2014)

LOCATION

ARBOR LANE PHASE II DEVELOPMENT IS LOCATED ON A 7 ACRE TRACT WEST OF RAINBOW CURVE ON THE SOUTH SIDE OF HIWAY 12 IN BENTONVILLE, AR. THE DEVELOPMENT CONSISTS OF 47 SINGLE FAMILY DETACHED, "ZERO-LOT-LINE" RESIDENTIAL LOTS WITH APPROXIMATELY 1.2 ACRES IN OPEN COMMON USE AREA.

HISTORY

THIS DEVELOPMENT FOLLOWS ON THE HEELS OF ARBOR LANE PHASE I DEVELOPMENT LOCATED ADJACENT TO THE SUBJECT PROPERTY ON THE WEST SIDE. THE PHASE I DEVELOPMENT WAS ORIGINALLY A DUPLEX SUBDIVISION THAT WAS REPLATTED INTO 35 "ZERO-LOT-LINE" FRONT LOAD HOMES. AFTER A SLOW START THE FINAL 29 HOMES WERE ALL CONSTRUCTED AND SOLD WITHIN AN 18 MONTH TIME FRAME. THE NEED AND ACCEPTANCE OF THIS TYPE HOUSING PRODUCT WAS PROVEN WORTHY IN THE PHASE I EXPERIENCE. WITH THE LESSONS LEARNED FROM THE PHASE I EXPERIENCE WE HAVE TWEAKED THE MODEL, SLIGHTLY REVISED THE PLAN, ADDED STRONGER LANGUAGE TO THE COVENANTS, REFINED COSTS AND PROCEDURES AND PRODUCED A MUCH BETTER OVERALL PRODUCT. APPROXIMATELY 30% OF THE HOMES IN PHASE I WERE SOLD TO INVESTORS WHO UNDERSTAND AND APPRECIATE THE BENEFITS OF INCOME PRODUCING PROPERTIES. THESE HOMES ARE ALL CURRENTLY LEASED AT RATES OF BETWEEN \$1000-\$1200/mo. THE REMAINING HOMES ARE OWNER OCCUPIED WITH A VARIED PROFILE BUT PRIMARILY YOUNG, MIDDLE CLASS, UPWARD MOVING FIRST TIME HOME OWNERS.

SITE DESIGN

THE SUBDIVISION IS DESIGNED TO CREATE A STRONG SENSE OF COMMUNITY AND "PLACE" AS THE MAJORITY OF THE HOMES HAVE "REAR ENTRY" GARAGES AND THUS CREATE A TRADITIONAL "MAYBERRY" TYPE NEIGHBORHOOD. THE HOMES ARE ALL DESIGNED IN A TRADITIONAL STYLE WITH COVERED PORCHES OR TWO STORY VERANDAS PUSHED TO WITHIN 20' OF THE STREET ROW TO MAXIMIZE THE LANDSCAPING AT THE STREET. NONE OF THE HOUSES ON LOTS 21-30, 41-48 NOR 50-56 WILL HAVE SECOND STORY WINDOWS THAT OPEN UP DIRECTLY TO THE EXISTING BACK YARDS OF THE NEIGHBORS TO THE SOUTH OR EAST.

A 1.2 ACRE COMMON USE OPEN SPACE IS DEDICATED TO REMAIN OPEN AND FOR THE USE OF THE RESIDENTS. IT IS CENTRALLY LOCATED AND WILL SERVE AS A "PARK" AMENITY FOR THE RESIDENTS. THE MAIN NORTH/SOUTH STREET IS CURVED TO ADD VISUAL INTEREST AND SLOW TRAFFIC.

LANDSCAPING

EACH PHASE OF THE DEVELOPMENT WILL BE LANDSCAPED AS CONSTRUCTED. EACH BUILDING LOT WILL BE LANDSCAPED WITH BURMUDA SOD, A 2.5 CALIPER SHADE TREE, 6 "KNOCK-OUT" ROSE BUSHES AND 4 DAY LILLIES IN THE SMALL FRONT YARDS. THE SIDE YARD AND REAR YARD AREAS WILL BE SEEDED IN FESCUE AND LANDSCAPED PER THE OWNERS DESIRE. THE REAR YARD AND SIDE YARD WILL BE HIDDEN FROM PUBLIC STREET VIEW VIA A 6' WOOD PRIVACY FENCE BETWEEN BUILDINGS. AN ADDITIONAL 18-2.5 CALIPER SHADE TREES WILL BE PLANTED IN THE COMMON AREAS AS INDICATED ON THE PLANS WHEN THE PHASE IS DEVELOPED. THE FRONT YARDS AND COMMON AREAS (LOTS 32 AND 33) WILL ALSO HAVE AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM PAID BY POA DUES TO INSURE UNIFORMITY IN QUALITY OF THE LANDSCAPED AREAS.

PARKING

EACH NEW HOME WILL HAVE A 2 CAR GARAGE AND POA COVENANTS THAT REQUIRE THE GARAGES BE USED FOR THE PARKING OF THE OCCUPANTS VEHICLES AND NOT USED AS STORAGE UNITS. ONE GUEST PARALLEL PARKING SPACE IS AVAILABLE AT THE DRIVE FROM THE ACCESS ALLEY TO THE OWNERS GARAGE AND THERE WILL BE GUEST PARKING MADE AVAILABLE ON THE STREET. THE 27' WIDE STREET SECTION ALLOWS PARKING ON ONE SIDE PER CITY REGULATION AND THE SOUTH SECTION OF "PEACHWOOD DRIVE" IS EXPANDED TO 32' TO ALLOW PARKING ON BOTH SIDES PER CITY REGULATIONS. AS THE MAJORITY OF THE LOTS ARE "REAR LOADED", THE MAJORITY OF THE STREET CURB SECTION IS AVAILABLE FOR PARKING WITHOUT CONFLICT.

HOME DESIGN

THE HOMES WILL RANGE IN SIZE FROM 1350-1450 SF AND IN PRICE FROM \$143,000 TO \$153,000. THE PLANS ARE SIMILAR TO TAKE ADVANTAGE OF THE ECONOMIES OF SCALE IN CONSTRUCTION YET VARIED ENOUGH EXTERNALLY TO CREATE AN INDIVIDUAL AND PERSONAL IDENTITY. THE HOUSES ARE ALL 3 BEDROOM, 2.5 BATH, 2 CAR GARAGE WITH GRANITE COUNTER TOPS, WALK-IN CLOSETS, WOOD FLOORS AND STAINLESS STEEL APPLIANCES. THE MASTER BEDROOM IS LOCATED ON THE GROUND FLOOR AND TWO BEDROOMS AND A BATH ARE LOCATED ON THE SECOND. AS

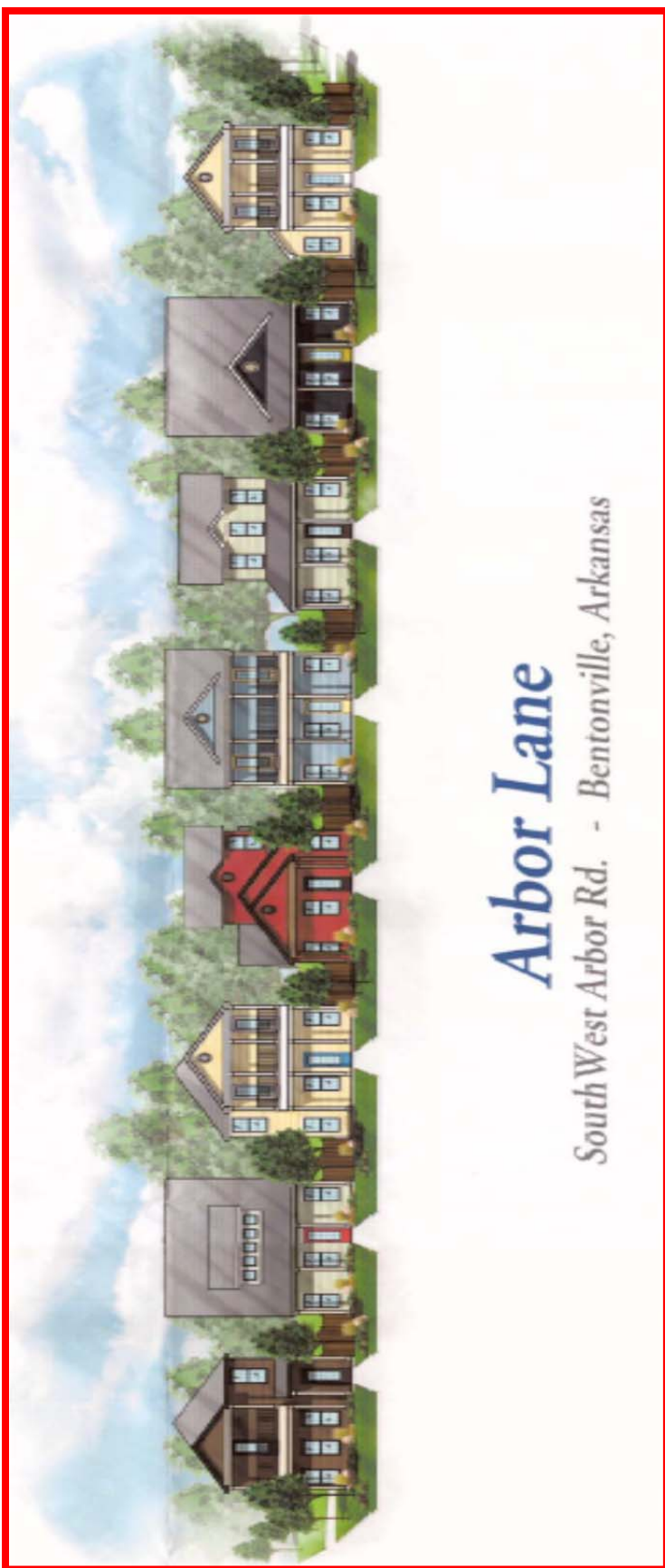
THE HOMES ARE DESIGNED IN A "ZERO-LOT-LINE" ARRANGEMENT, A PRIVATE, FENCED SIDE YARD ACTS AS PRIVATE GREENSPACE BETWEEN THE HOUSES.

COVENANTS

A POA WILL BE ESTABLISHED WITH STRONG AND DOCUMENTED COVENANTS AND BYLAWS TO PROTECT THE INDIVIDUAL HOMEOWNER OR INVESTOR. THE POA WILL COLLECT DUES (INITIALLY SET AT \$50/MO.) EACH MONTH FROM EACH PROPERTY OWNER TO PAY FOR THE LANDSCAPE MAINTENANCE AND IRRIGATION OF THE FRONT YARDS. THIS INSURES THAT EACH PROPERTY OWNER WILL BE PROTECTED FROM THE SITUATIONS THAT CAN NEGATIVELY AFFECT PROPERTY VALUES DUE TO LACK OF MAINTENANCE OR MISUSE BY A WELL INTENTIONED NEIGHBOR.

STRATEGY

IT IS THE DEVELOPER'S INTENT TO BEGIN THE NORTH PHASE, CONSISTING OF FIRST 25 LOTS, IMMEDIATELY UPON RECEIVING FINANCING. THE DEVELOPMENT HAS BEEN DESIGNED IN 2 PHASES AS A CONSERVATIVE MANUEVER TO INSURE OUR BELIEF THAT THE MARKET IS STILL STRONG FOR THIS PRODUCT BEFORE COMMITTING TO THE ENTIRE 47 LOT SUBDIVISION. THE SECOND PHASE OF THE DEVELOPMENT WILL OCCUR AS SOON AS THE FIRST PHASE HAS PROVEN POSITIVE AND MARKET FORCES ARE APPROPRIATE. THE COMMON AREAS INDICATED IN PHASE I WILL BE DEVELOPED WITH PHASE I AND THE COMMON AREA DESIGNATED IN PHASE II WILL BE DEVELOPED DURING THE PHASE II CONSTRUCTION.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO PRD, PLANNED RESIDENTIAL DEVELOPMENT

WHEREAS, James Dale Flowers, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to PRD property to be used in accordance with city zoning laws and state laws; which property is described as follows:

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, SAID POINT BEING A FOUND IRON PIN, AND RUNNING THENCE N87°29'40"W 330.12' TO A FOUND IRON PIN, THENCE N02°09'45"E 930.69' TO A SET IRON PIN, THENCE S87°09'14"E 330.89' TO A SET IRON PIN, THENCE S02°12'33"W 928.72' TO THE POINT OF BEGINNING. CONTAINING 7.05 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 19th day of August 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to PRD property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to PRD property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR

Planning Commission Staff Report
Lot Split: Lots 1 & 2 Arbor Lane II Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: August 19, 2014

GENERAL INFORMATION:

Project Number: 14-05000022

Applicant: James Dale Flowers

Representative: Blew & Associates, P.A.

Requested Action: Lot Split Approval

Location: 2415 Southwest Regional Airport Boulevard

Existing Zoning: A-1, Agricultural

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Lot split Application for property located at 2415 Southwest Regional Airport Boulevard. The proposed plat as provided indicates the creation of two lots from one existing lot to be known as Lot 1 (2.58 acres) and Lot 2 (6.67 acres) of Arbor Lane II Addition. The proposed plat also shows the dedication of right-of-way to provide for the connection of Southwest Juniper Avenue and the construction of Peachwood Drive as well as the dedication of utility easements to serve future development.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	Commercial
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential and R-O, Residential Office	Low Density Residential and Office
West	PUD, Planned Unit Development	Low Density Residential

STREETS

Direction	Name	Classification
North	Southwest Regional Airport Boulevard	Arterial
South		
East	Southwest Juniper Avenue	Local
West	Southwest Juniper Avenue/Southwest Arbor Road	Local/Local

TRAFFIC FINDINGS

- (d) Traffic data for the nearest intersections are as follows: N/A
- (e) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is currently occupied by a single family residence in a low density residential area.

Drainage Report: A drainage report is not required for this lot split.

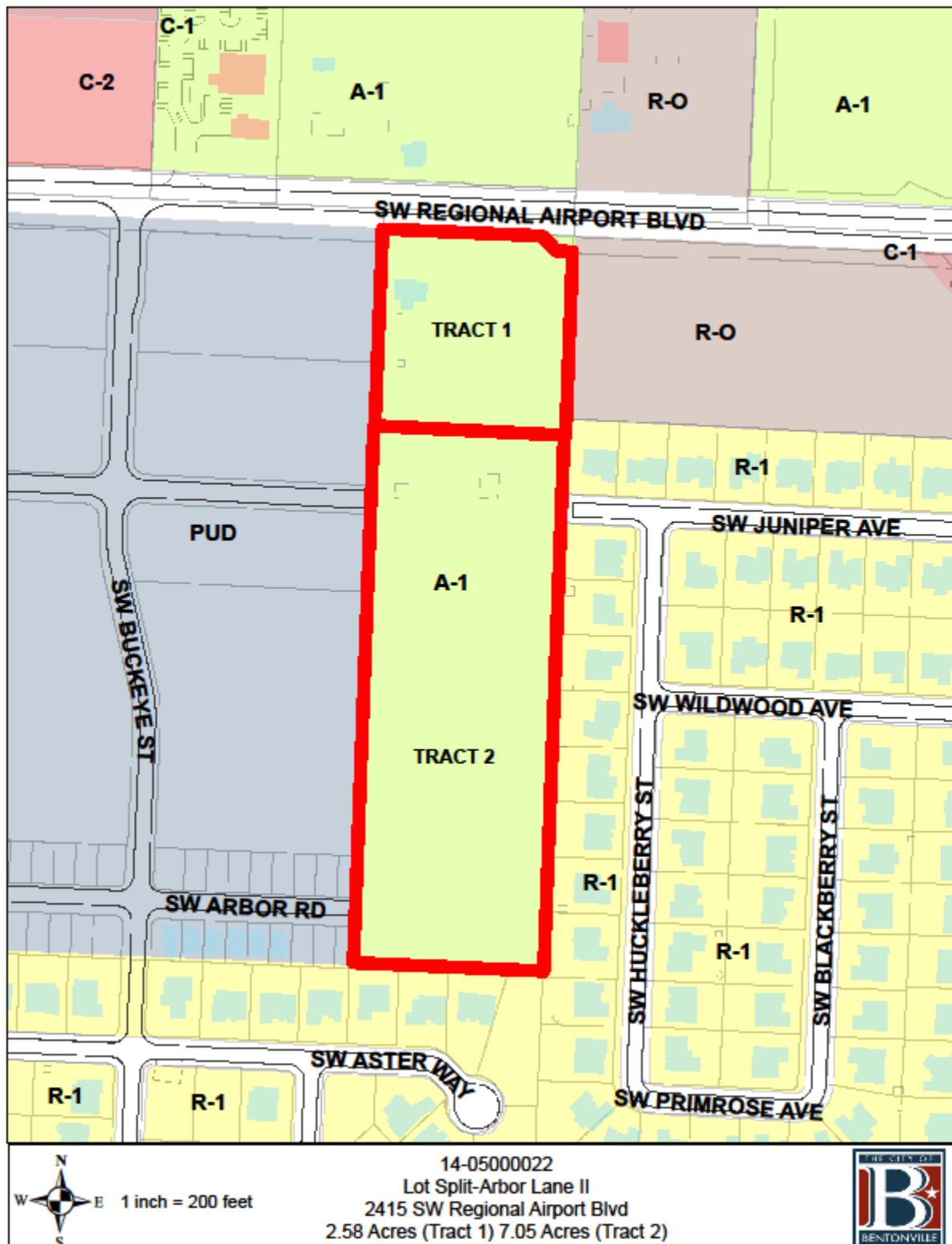
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use at this location.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1 & 2 ARBOR LANE II ADDITION
TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split plat of Lots 1 & 2 Arbor Lane II Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 19th day of August, 2014 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:**

Section 1: That the lot split of Lots 1 & 2 Arbor Lane II Addition, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said plat by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
X	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Troy Galloway

Department

Community Development

Phone

(479) 271-3122

ACTION REQUIRED:

The City of Bentonville's Tree & Landscape Advisory Committee partnered with the Arkansas Forestry Commission to initiate a Tree Canopy Assessment to determine the current percentage of tree canopy within the city limits of Bentonville. This project is part of the "Canopy in the Mid-South" grant comprised of 16 cities throughout Arkansas, Tennessee, and Mississippi. The city hired Plan-It Geo, LLC based out of Denver, Colorado to conduct the assessment. Ian Hanou, Plan-It Geo's Founder, Owner and Director of Business Development will provide a brief overview of Tree Canopy Assessment findings at the August 26th City Council meeting.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

Date

Purchasing Agent

Date

Finance Director

Date

Staff Attorney

Date

Mayor

Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE





MEMO

DATE: August 26, 2014

TO: Bentonville City Council

FROM: Troy Galloway, Community & Economic Development Director 
Danielle Shasteen, Community Programs Coordinator

RE: Tree Canopy Assessment Results Presentation

The City of Bentonville's Tree & Landscape Advisory Committee partnered with the Arkansas Forestry Commission to initiate a Tree Canopy Assessment to determine the current percentage of tree canopy within the city limits of Bentonville. This project is part of the "Canopy in the Mid-South" grant comprised of 16 cities throughout Arkansas, Tennessee, and Mississippi.

The City hired Plan-It Geo, LLC based out of Denver, Colorado to conduct the assessment. Plan-It, Geo is a geospatial analysis, software development, technology consulting, and planning firm specializing in natural resource management and related fields.

Using Geographic Information Systems (GIS), the process measures existing canopy cover, provides a baseline of information for increasing environmental services from the urban forest, strengthens local/state partnerships, builds awareness of urban forest benefits, and enables Bentonville and the State of Arkansas to establish tree canopy goals and strategies.

The city's urban forest is comprised of trees, forests, gardens, green spaces and other natural areas. Urban forests reduce costs associated with storm water storage and processing, energy used for heating and cooling, and medical expenditures on physical and mental health. Evidence also suggests that healthy urban forests are associated with higher property values, increased consumer spending, and reduced crime.

Ian Hanou, Plan-It Geo's Founder, Owner and Director of Business Development will provide a brief overview of Tree Canopy Assessment findings at the August 26th City Council meeting.



CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
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Informational	
Ordinance	
Resolution	
X Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Troy Galloway

Department

Community Development

Phone

(479) 271-3122

ACTION REQUIRED:

Appointment by City Council of Scott Eccleston to the Tree and Landscape Advisory Committee. Term to expire on August 26, 2017.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head BT Date 8/26/14

Staff Attorney CT Date 8/21/14

Purchasing Agent DL Date 8/20/14

Mayor POM Date 8/20/14

Finance Director DL Date 8/20/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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PLEASE RECYCLE





August 20, 2014

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Appointment of Scott Eccleston to the City of Bentonville's Tree and Landscape Advisory Committee.

I recommend Scott Eccleston for appointment to the City of Bentonville's Tree and Landscape Advisory Committee.

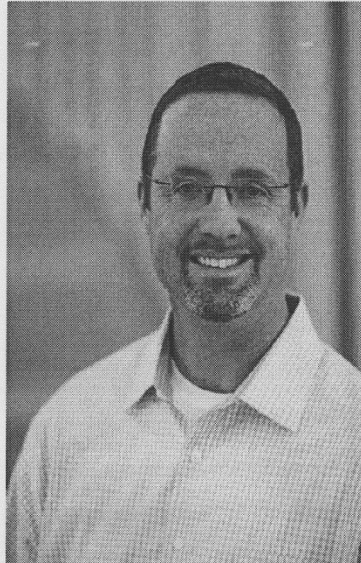
A handwritten signature in black ink, appearing to read 'Bob McCaslin', with a horizontal line extending from the end of the signature.

Bob McCaslin



CRYSTAL BRIDGES
MUSEUM OF AMERICAN ART

Scott Eccleston, Director of Facilities and Grounds



Born in Bartlesville, Oklahoma, **Scott Eccleston** began a career in landscape at age 14. By age 17, he became the youngest manager of grounds responsible for maintaining the Phillips Petroleum campus located in Bartlesville. By 1993, he had received a Bachelor of Landscape Architecture from Oklahoma State University and completed an internship with the National Park Service at Indiana Dunes National Lakeshore.

After moving to Northwest Arkansas, Scott owned and operated a landscape design company from 1994 to 2008. In May of 2008, Scott became a consultant for Crystal Bridges Museum of American Art. In January 2009, he was hired as full-time manager of parks and grounds for the museum, later becoming director of trails and grounds. In 2012, he was promoted to his current position.

At Crystal Bridges, Scott has played a key role in the master planning, implementation and ongoing care/maintenance of the museum's 120-acre Ozark woodland site, featuring native plants and wildlife habitat as well as interactive areas geared toward educational and event programming. Scott was also instrumental in the creation of the more than 3.5 miles of trails that provide guests with access to the beautiful Ozark setting. Designed to spark the imagination, the trails help guests form connections to the land and its history, as well as enjoy outdoor artworks.

In addition to overseeing the trails and grounds division, Scott manages the facilities team responsible for operations and maintenance of the 201,000-square-foot museum.



CHECK ALL THAT APPLY	
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Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a drainage easement located in Lot 221 Stone Meadow Addition, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: [Signature] Date: 8-19-14

Staff Attorney: CT Date: 8/21/14

Purchasing Agent: [Signature] Date: [Blank]

Mayor: ROM Date: 8/20/14

Finance Director: [Signature] Date: 8/20/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



ORDINANCE NO. _____

**AN ORDINANCE VACATING A DRAINAGE EASEMENT LOCATED IN LOT 221
STONE MEADOW ADDITION, TO THE CITY OF BENTONVILLE, ARKANSAS,
BENTON COUNTY ARKANSAS.**

WHEREAS, a petition was filed by Mike Rudzik, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a drainage easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

Lot 221 Stone Meadow Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat 2006 at Pages 954-956. Requested drainage easement vacation is for the 10ft. on the far most west edge of Lot 221.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a drainage easement designated as follows:

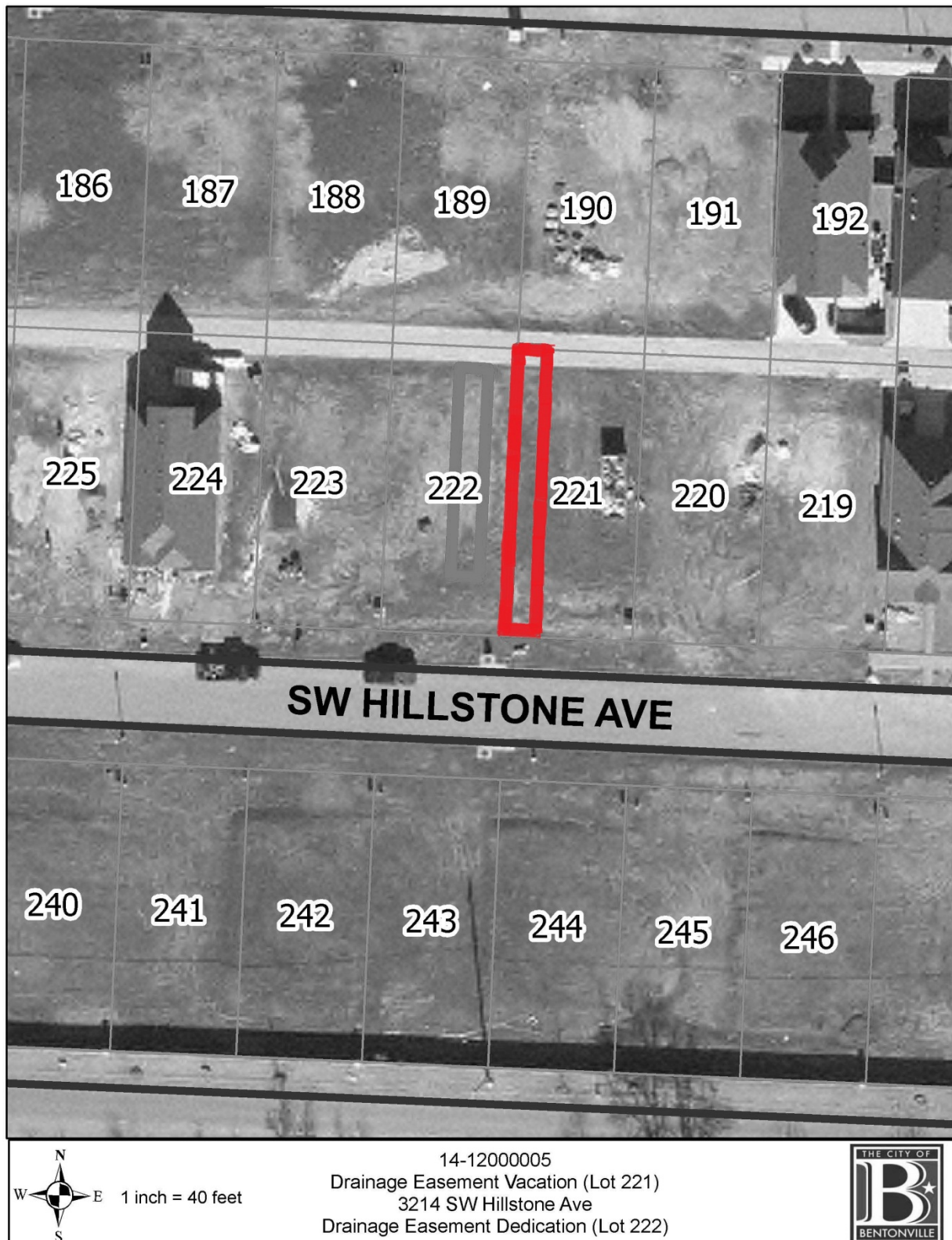
Lot 221 Stone Meadow Addition to the City of Bentonville, Benton County, Arkansas, as shown on Plat 2006 at Pages 954-956. Requested drainage easement vacation is for the 10ft. on the far most west edge of Lot 221.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**





CHECK ALL THAT APPLY		
Bid Award	Bid #	
Budget Adjustment		
Change Order		
Informational		
Ordinance		
Resolution		
Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

An ordinance vacating a utility easement located in Lot 6 Halifax Subdivision, to the City of Bentonville, Arkansas, Benton County, Arkansas.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

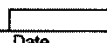
☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head:  Date: 8-14-14

Staff Attorney: CT Date: 8/21/14

Purchasing Agent:  Date: 

Mayor: PBM Date: 8/20/14

Finance Director:  Date: 8/20/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



ORDINANCE NO. _____

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED IN LOT 6
HALIFAX SUBDIVISION, TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON
COUNTY ARKANSAS.**

WHEREAS, a petition was filed by Alan Cole, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

Commencing at the NE corner of Lot 6 of Halifax Subdivision, thence S2°22'37"W 10.00 feet, thence N86°36'7"W 7.00 feet to the Point of Beginning. Thence N86°36'7"W 34.00 feet, thence S2°22'37"W 10.00 feet, thence S86°36'7"E 34.00 feet, thence N2°22'37"E 10.00 feet to the Point of Beginning.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

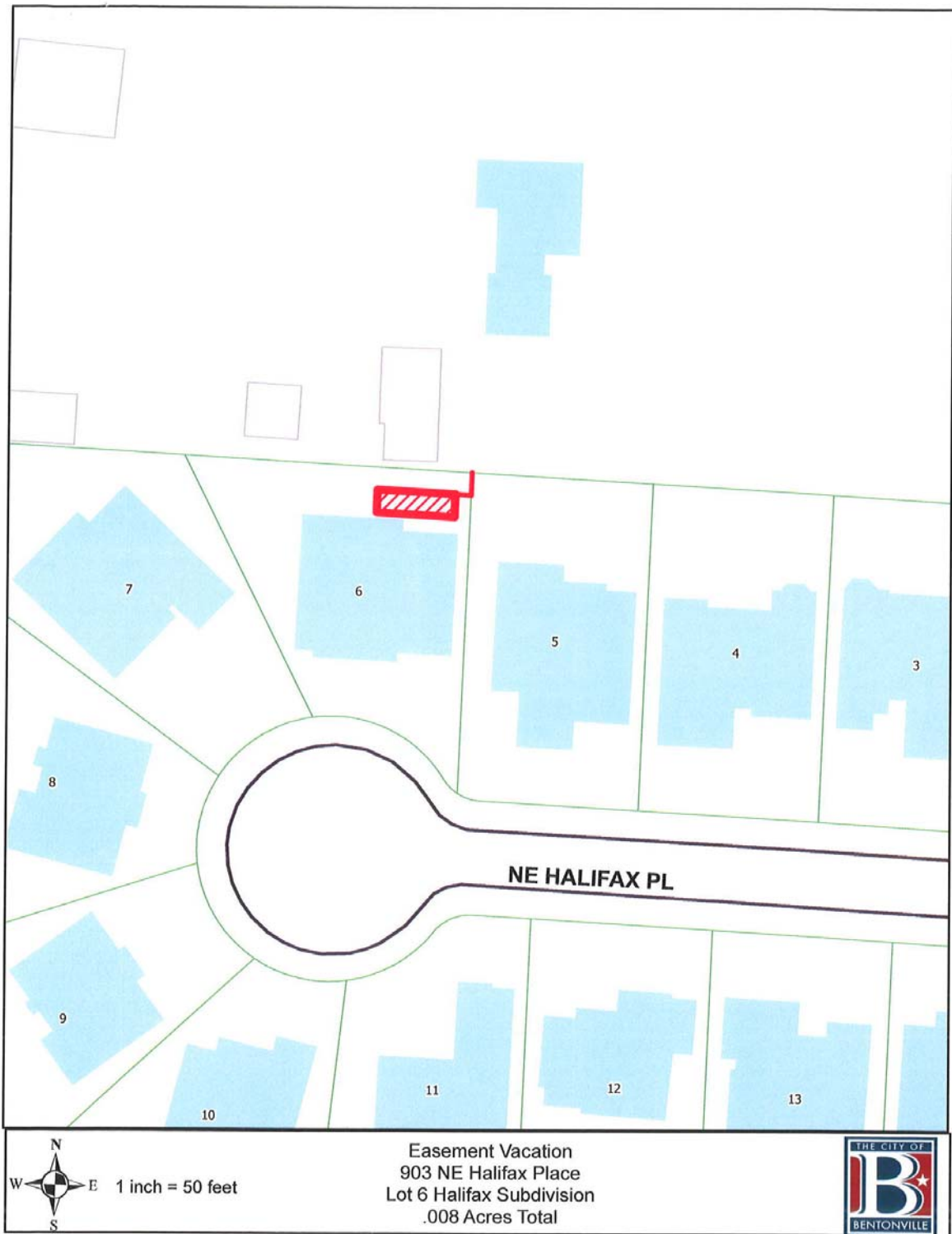
Commencing at the NE corner of Lot 6 of Halifax Subdivision, thence S2°22'37"W 10.00 feet, thence N86°36'7"W 7.00 feet to the Point of Beginning. Thence N86°36'7"W 34.00 feet, thence S2°22'37"W 10.00 feet, thence S86°36'7"E 34.00 feet, thence N2°22'37"E 10.00 feet to the Point of Beginning.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2014, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

A resolution setting a public hearing for Sept. 9, 2014 for utility easement vacations requested by Homes by Roth located in Lot 26 and Lot 27, Virginia's Grove Subdivision.

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: [Signature] Date: 8-7-14

Purchasing Agent: [Signature] Date: [Blank]

Finance Director: [Signature] Date: 8/20/14

Staff Attorney: CT Date: 8/21/14

Mayor: [Signature] Date: 8/20/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Homes by Roth, requesting a utility easement vacations within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

LOT 26, VIRGINIA'S GROVE SUBDIVISION

PORTION OF UTILITY EASEMENT TO BE VACATED:

LOCATED IN LOT 26, VIRGINIA'S GROVE SUBDIVISION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 26 WHICH IS N87°37'06"W 24.00' FROM THE SOUTHEAST CORNER THEREOF AND RUNNING THENCE ALONG SAID SOUTH LINE N87°37'06"W 9.40', THENCE LEAVING SAID SOUTH LINE N02°28'03"E 48.00' TO THE SOUTH LINE OF AN EXISTING 15' UTILITY EASEMENT, THENCE ALONG SAID SOUTH LINE S87°37'06"E 9.40', THENCE LEAVING SAID SOUTH LINE S02°28'03"W 48.00' TO THE POINT OF BEGINNING.

LOT 27, VIRGINIA'S GROVE SUBDIVISION

PORTION OF UTILITY EASEMENT TO BE VACATED:

LOCATED IN LOT 27, VIRGINIA'S GROVE SUBDIVISION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 27 WHICH IS N87°37'06"W 24.00' FROM THE SOUTHEAST CORNER THEREOF AND RUNNING THENCE ALONG SAID SOUTH LINE N87°37'06"W 9.40', THENCE LEAVING SAID SOUTH LINE N02°28'03"E 63.00' TO THE NORTH LINE OF SAID LOT 27, THENCE ALONG SAID NORTH LINE S87°37'06"E 9.40', THENCE LEAVING SAID NORTH LINE S02°28'03"W 63.00' TO THE POINT OF BEGINNING.

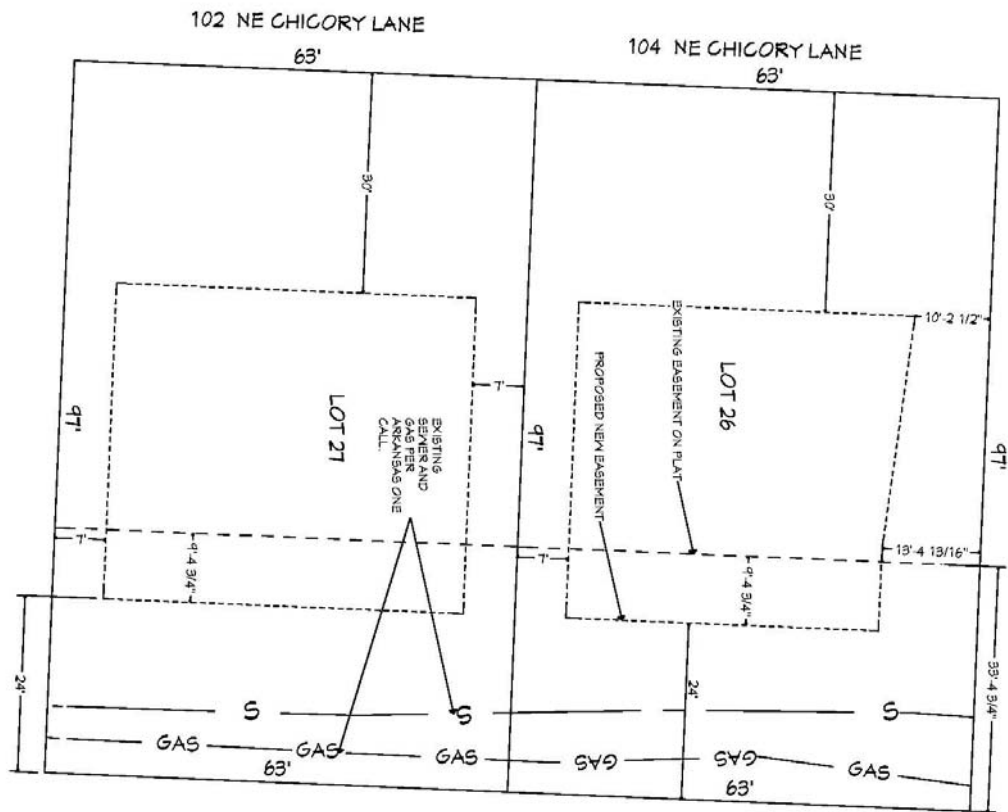
WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close and vacate a utility easement at the above described property is set for hearing on September 9, 2014, at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2014 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Linda Spence, City Clerk
Bentonville, Arkansas

Bob McCaslin, Mayor
City of Bentonville, Arkansas





CHECK ALL THAT APPLY	
	Bid Award
	Budget Adjustment
x	Change Order
	Informational
	Ordinance
	Resolution
	Other

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department: Engineering

Phone: (479) 271-3168

ACTION REQUIRED:

SE C Street Sidewalk Improvements is now complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$387.66 less than the currently contracted amount of \$44,444.00

COST TO CITY:

Cost of this Request: (\$387.66)

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 44,444.00
Funds Expended to Date	37,384.87
Remaining Budget	7,059.13
Budget Adjustment	(387.66)
Remaining After Adjustment	\$ 6,671.47

Department Head

8-18-14
Date

Purchasing Agent

Date

Finance Director

8/20/14
Date

CT
Staff Attorney

8/21/14
Date

RAM
Mayor

8/20/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



**FINAL PAYMENT APP AND CHANGE ORDER RECONCILIATION
CITY OF BENTONVILLE
SE C STREET SIDEWALK IMPROVEMENTS
BID NO. 14-38**

NTP Issued:	7/28/2014
Final Completion Date:	8/20/2014
Final Completion Deadline:	8/26/2014
Final Acceptance:	8/20/2014

79% Contract Time Used
100% Work Complete

Submitted By: General Construction Solutions, Inc.
1951 Electric Ave.
Springdale, AR 72764

The contractor certifies that (1) title to all work, materials, and equipment incorporated in the work, or otherwise listed in or covered by this and all previous Pay Estimates will pass to the Owner at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as are covered by Bond acceptable to Owner indemnifying Owner against any such lien, claim, security interest or encumbrance), and (2) all Work covered by this Pay Estimate is in accordance with the Contract Documents and is not defective.

P. Velazquez 8/18/14
Signature and Date

Recommended By: Sandcreek Engineering

Signature and Date

Final Payment Approved By: City of Bentonville

Signature and Date (Owner)

Original Contract Amount:	\$	44,444.00
Approved C.O.:		
Reconciliation Change Order:	\$	(387.66)
Final Contract Amount	\$	44,056.34
Total Work to Date:	\$	44,056.34
Materials on Hand:	\$	-
Less Materials Used:	\$	-
Subtotal:	\$	-
Less Retainage (0%):	\$	-
Incentive \$300/day	\$	-
Disincentive \$300/day	\$	-
Amount Due:	\$	44,056.34
Less Previous Payments:	\$	37,384.87
Due and Payable This Period:	\$	6,671.47

FINAL PAYMENT APP AND CHANGE ORDER RECONCILIATION
CITY OF BENTONVILLE
SE C STREET SIDEWALK IMPROVEMENTS
BID NO. 14-38

ITEM #	ITEM DESCRIPTION	UNITS	UNIT PRICE	PLAN QTY	FINAL QTY	CHANGE	DIFFERENCE	EARNED TO DATE
1	Construction Control	LS	\$ 3,510.00	1	1	0.00	\$ -	\$ 3,510.00
2	5' Concrete Sidewalk	LF	\$ 28.31	605	599	(6.00)	\$ (169.86)	\$ 16,957.69
3	6' Concrete Sidewalk	LF	\$ 30.46	325	315	(10.00)	\$ (304.60)	\$ 9,594.90
4	Seeding and Mulching	AC	\$ 11,813.00	0.1	0.1	0.00	\$ -	\$ 1,181.30
5	Additional Watering	MG	\$ 848.95	2	2	0.00	\$ -	\$ 1,697.90
6	Crosswalks (Thermoplastic)	LF	\$ 20.98	100	120	20.00	\$ 419.60	\$ 2,517.60
7	Erosion Control	LS	\$ 1,578.25	1	1	0.00	\$ -	\$ 1,578.25
8	Traffic Control and Maintenance	LS	\$ 1,364.00	1	1	0.00	\$ -	\$ 1,364.00
9	Mobilization (5% MAX)	LS	\$ 1,950.00	1	1	0.00	\$ -	\$ 1,950.00
10	Concrete Handicap Ramp	SY	\$ 53.17	30	30	0.00	\$ -	\$ 1,595.10
11	Cast-in-place Tactile Panel	SF	\$ 81.80	8	8	0.00	\$ -	\$ 654.40
12	Adjust Existing Water Valve	EA	\$ 650.00	2	1	(1.00)	\$ (650.00)	\$ 650.00
13	Standing Curb	LF	\$ 24.40	20	33	13.00	\$ 317.20	\$ 805.20
SUBTOTAL								\$ 4,355.44



CHECK ALL THAT APPLY		
	Bid Award	Bid #
X	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
X	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

Approval of a Resolution accepting a grant in the amount of \$150,000 from the FAA for funding of the Airport Master Plan Update. Total cost of the Master Plan Update is \$162,187. The difference of is anticipated to be reimbursed by the Arkansas Department of Aeronautics upon completion of the update.

COST TO CITY:

Cost of this Request: \$162,187

Additional Budget Amount: \$162,187

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	-
Funds Expended to Date		-
Remaining Budget		-
Budget Adjustment		162,187
Remaining After Adjustment	\$	162,187

Department Head

8-15-14
Date

Purchasing Agent

Date

Finance Director

8/20/14
Date

Staff Attorney

CT
8/21/14
Date

Mayor

ROM
8/20/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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PLEASE RECYCLE



BUDGET ADJUSTMENT REQUEST FORM

Budget Adjustment #
(Assigned by Admin)

Department: Accounting/Purchasing

Date of Request: August 18, 2014

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
010-1650-331.10-00	Federal Direct Grant	\$150,000.00		\$ 150,000.00
010-1650-334.10-00	State Direct Grant	\$ 16,219.00		\$ 16,219.00
010-1650465.73-90	Other Services		\$ 166,219.00	\$ (166,219.00)
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ 166,219.00	\$ 166,219.00	\$ -

Justification:

FAA has overmatched a direct grant for 90% of the Master Plan Update with up to \$150,000. The contract amount is for \$162,187, 90% of which is \$145,971. The remaining 10% (\$16219) will be reimbursed in the form of a state grant at the completion of the project.

✓

FOR ACTING USE ONLY

Council Action: **Approved** **Disapproved** **Other** _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

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PLEASE RECYCLE



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND
CITY CLERK TO ENTER INTO AN AGREEMENT
WITH THE FAA FOR AN AIRPORT IMPROVEMENT
PROGRAM GRANT FOR PARTIAL FUNDING OF
THE AIRPORT MASTER PLAN UPDATE PROJECT
AT BENTONVILLE MUNICIPAL AIRPORT

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter
into an agreement with the Federal Aviation Administration for Airport Improvement
Program Grant.

Section 2: This resolution shall be in full force and effect from and after the date
of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY		
Bid Award	Bid #	
Budget Adjustment		
Change Order		
Informational		
X Ordinance		
Resolution		
Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

August 26, 2014

Submitted by: Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

Ordinance amending operating policies and procedures for the Airport Advisory Board.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

8-18-14
Date

Staff Attorney

CT
8/21/14
Date

Purchasing Agent

Date

Mayor

POM
8/20/14
Date

Finance Director

10/2
8/20/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Ben Peters
CC:
Date: August 18, 2014
Re: Amended Operating Policies and Procedures for Airport Advisory Board

The Airport Advisory Board was created in 2005 by Ordinance 2005-40. Said Ordinance was modified by Ordinance 2010-27 outlining operating policies and procedures for the advisory board. At the request of the Airport Advisory Board the proposed ordinance revises the operating policies and procedures to clarify acceptable Board Member relationships with the City and also permits Board Members to serve for two full terms in succession. Following is a summary of changes. Section numbers refer to those in the revised policies and procedures. New language is underlined.

Article 1. COMPOSITION:

(C) Other than the ex-officio position, no member of the Board shall hold any elective or other appointive office under the municipal, county, state, or federal government deemed to be in direct conflict with this Board, while a member of the Board, neither shall any such member be a candidate for any elective office while a member of the Board. No member of the Board shall have a financial interest in any aeronautical enterprise located at the airport while a member of the Board. No member shall have a personal interest in any business of the Board or any contract with the Board or the City pertaining to the Airport. However, in no instance shall a member be prohibited from using airport facilities or services as a customer of an aeronautical enterprise at the Airport, or from entering into a ground lease or hangar lease with the City.

Article 2:: TERMS OF OFFICE

- (b) Upon expiration of their respective terms, their successors shall be appointed by the City Council for a term of three (3) years. No Board member shall be eligible to serve more than two full terms in succession.

The Board feels that these changes will expand the pool of Board candidates by allowing citizens that base their aircraft at the airport in a private hangar or the leasing of a City owned hangar to be Board members. Additionally, the terms of office will be helpful when filling an unexpired term. For example under the current bylaws, an appointee filling an unexpired term with three months remaining would only be eligible to serve for one term and three months. The new language will allow a candidate to serve two full terms after completing the partial term.

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ARTICLES 1 AND 2 OF
ORDINANCE NO. 2010-27 AND ADOPTING REVISED
OPERATING POLICIES AND PROCEDURES FOR THE
AIRPORT ADVISORY BOARD**

WHEREAS, Ordinance No. 2005-40 created the Airport Advisory Board and established operating policies and procedures for said board and,

WHEREAS, Ordinance No. 2010-27 amended Ordinance No. 2005-40

WHEREAS, the operating policies and procedures need to be updated and amended;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF BENTONVILLE, ARKANSAS:**

Section 1: That Articles 1 and 2 of Ordinance No. 2010-27 shall be and the same are hereby repealed.

Section 2: That the Operating Policies and Procedures for the Airport Advisory Board in the following Attachment "A", three copies of which are on file with the City Clerk, and which is hereby adopted by reference as though it were copied herein fully.

Section 3: This ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this _____ day of _____, 2010

APPROVED:

Mayor

ATTEST:

City Clerk

ATTACHMENT A
ORDINANCE NO. _____

OPERATING POLICIES AND PROCEDURES
AIRPORT ADVISORY BOARD

ARTICLE 1. COMPOSITION: The Board shall be composed of five members. All members shall be qualified electors of the City of Bentonville.

- a. A City Council member shall be an ex-officio member of the Board.
- b. At least two (2) of the five members shall be experienced in aviation, preferably holding some type of pilot aeronautical rating, provided, however, that if there is not any citizen experienced in aviation holding some type of pilot's aeronautical rating who is available or willing to serve on such board, then the Mayor may waive this requirement.
- c. Other than the ex-officio position, no member of the Board shall hold any elective or other appointive office under the municipal, county, state, or federal government deemed to be in direct conflict with this Board, while a member of the Board, neither shall any such member be a candidate for any elective office while a member of the Board. No member of the board shall have a financial interest in any aeronautical enterprise located at the airport while a member of the Board. No member shall have a personal interest in any business of the Board or any contract with the Board or the City pertaining to the Airport. However, in no instance shall a member be prohibited from using airport facilities or services as a customer of an aeronautical enterprise at the Airport, or from entering into a ground lease or hangar lease with the City.

ARTICLE 2: TERMS OF OFFICE. Board members shall be appointed by the City Council in accordance with the following:

- a. The Board first appointed and confirmed, shall serve for terms of one (1), two (2), three (3), four (4), and five (5) years each, to be designated by the Mayor.
- b. Upon expiration of their respective terms, their successors shall be appointed by the City Council for a term of three (3) years. No Board member shall be eligible to serve more than two full terms in succession.

ARTICLE 3: REMOVAL. Any Board member appointed by the City Council may be removed at any time by a majority of the elected members of the City Council. The Mayor may also remove from office any Board member upon approval by the City Council.

ARTICLE 4: OFFICERS. At the first meeting following the appointment of members, the Board shall elect from among its membership a chair, vice-chair, and secretary. The officers shall serve two-year terms. No member shall serve more than two consecutive two-year terms as chairperson without interruption of at least a two-year period.

- a. The chairperson is the principal officer and will preside at all meetings and shall rule on all matters of procedure regarding the order of business, motion, voting, etc. He or she shall appoint the necessary committees to establish the goals and meet the objectives of the Board. The chairperson shall have a vote in all matters of business.
- b. The vice-chairperson will serve in the same capacity as the chairman in the event the chairman is absent or in the event of his or her inability or refusal to act.
- c. The secretary shall serve in the same capacity as the chairperson in the event that both the chairperson and vice-chairperson are absent or unable to refuse to act. The secretary shall insure the official minutes of the Board meetings are taken and properly maintained in one or more books provided for that purpose. He or she shall insure that all notices are given as required by law, and shall be the official custodian of the records of the Board. The secretary shall perform the duties ordinarily performed by the secretary of a corporation and such other duties as may be delegated by the Board. The secretary shall also insure the Board's regular meeting agendas are properly distributed to the Board members and the Mayor at least seven days prior to the meeting. Routine matters will normally be delegated to regular City staff.

ARTICLE 5: DUTIES. The Airport Advisory Board shall:

- a. Annually submit a five-year Capital Improvements Plan (CIP) to the Mayor by May 1st.
- b. Prepare and submit a five-year Airport Improvement Plan (AIP) to the FAA by March 1 and September 1 of each year updating as necessary to properly reflect airport grant program.

- c. Prepare an annual budget for submission to the Mayor by August 1st.
- d. Submit bi-annual report to the Mayor and City Council concerning airport performance, revenues and expenditures, and customer service.
- e. Prepare and render such other reports as may be determined by the Mayor or City Council.

ARTICLE 6: MEETINGS.

- a. The Board shall meet once each month at a location in the City of Bentonville designated by the Board.
- b. Special meetings may be called by the chairman or any three of the Board members at any time after 24 hours' prior written notice designating the time and place of such meeting.
- c. All requirements of the laws of the State of Arkansas concerning open meetings and notice shall be met.
- d. A quorum shall consist of any three Board members. All actions of the Board shall be upon a vote of not less than a majority of the members present. All Board members except the ex-officio member shall be entitled to vote upon all matters. No member may vote by proxy.

ARTICLE 7: AUTHORITY OF THE BOARD. All decisions of such Board are subject to final consideration by the City Council or Mayor as appropriate or required by resolution, ordinance or statute. Provided, however, it is the intention of the City Council that all items within the scope of authority of the Board be submitted to the Board for consideration and recommendation prior to submission to the City Council for those matters which require Council action. The Mayor is authorized to provide available staff to administer the airport and to assist the Board, as approved through City budget and expenditure processes.

ARTICLE 8: LIMITATIONS OF AUTHORITY. The authority of the Board is expressly limited to the specific responsibilities and duties contained herein and nothing herein shall be construed or interpreted to:

- a. Grant the Board authority over the operation of any department, division, office, officer, or employee of the City except as may be requested by the Mayor or City Council in special circumstances.

- b. Diminish the responsibility of the Mayor in resolving conflicts which may arise over what specific items may be within the scope of authority of the Board.
- c. Diminish the authority of the City Council over funding, operations, fixed assets, indebtedness, budget, and other areas as applicable under Arkansas law.
- d. Create a commission under any state law regarding the creation of autonomous committees or commissions.