

1. Agenda

Documents:

[APRIL 11, 2017 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[APRIL 11, 2017 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, April 11, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, April 11, 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: March 28, 2017**

AGENDA

1. 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. (PMD Enterprises, Phillip & Dayna Martz)
(Pages 4-13)
2. Planning:
 - 2a. **Lot Split: Lot 209 Bentonville Original Subdivision, Rustin Chrisco, 224 North Main Street, R-1, Single Family Residential.**
(Pages 16-19)
The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from one existing parcel. The new lot will be known as Lot 209 (0.32 acres) of Bentonville Original Subdivision. Per the current Master Street Plan, additional right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.
 - 2b. **Lot Split: Lots 19 & 20, Block 4, Railroad Addition, TNG Properties, LLC, 222 & 224 Southeast 2nd Street, DE, Downtown Edge.**
(Pages 20-23)
The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 19 (0.12 acres) and Lot 20 (0.11 acres) of Block 4, Railroad Addition. The plat shows the dedication of a public drainage, utility and access easement along the southern portion of the new Lot 20. Each of the new lots will have access to public utilities and a public street.

- 2c. **Lot Split: Lots 26, 27, & 28, Block 5, Dunn & Davis Addition, 6th & C, LLC, 601 Southwest 6th Street, DE, Downtown Edge.**

(Pages 24-27)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create three new lots from one existing lot. The new lots will be known as Lot 26 (0.05 acres), Lot 27 (0.05 acres) and Lot 28 (0.05 acres) of Block 5, Dunn & Davis Addition. The plat shows the dedication of right-of-way along SW C Street and SW 6th Street per the current Master Street Plan requirements. Each of the new lots will have access to public utilities and a public street.

- 2d. **Final Plat: Wildwood Subdivision, Phase 6, Dream Structure Residential, LLC, Southwest Morning Star Road, R-1, Single Family Residential.**

(Pages 28-31)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat for 21.52 acres consisting of 32 single-family residential lots that will be known as Wildwood Subdivision, 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 Wildwood Phase 4 located to the east and will have direct access to SW Morningstar Road. Public drainage and utility easements are being dedicated with the plat. Right-of-way is also being dedicated along SW Morningstar Road per the current requirements of the Master Street Plan. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

- 2e. **Rezoning: Riggins Commercial Construction & Development, Southwest Rainbow Farms Road, From R-O, Residential Office to R-1, Single Family Residential.**

(Pages 32-36)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

- 2f. **Rezoning: Jared & Sonia Faciszewski, Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

(Pages 37-40)

The Planning Commission voted 7-0, 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.

- 2g. **Rezoning: Central Investments, LLC, 1602 East Central Avenue, From I-2, Heavy Industrial to C-2, General Commercial.**

(Pages 41-45)

The Planning Commission voted 7-0, recommending approval.

The property is currently occupied with a mix of office and general commercial uses. The C-2, General Commercial zoning district will allow uses that are consistent with the exiting use occurring in the building and with other uses in the near vicinity. The proximity to an arterial street is keeping with good land use planning and the General Plan.

3. Appointment of Johnetta Dexter, a local artist and small business owner, to the Public Art Advisory Committee to fill the term vacated by Chad Alligood that expires October 28, 2017. **(Pages 46-49)**
4. **Tabled from the March 14, 2017 City Council Meeting:** City Council approval of an ordinance amending the local amendments to the National Electric Code, as adopted by Ordinance No. 2014-30, to improve safety for exterior electric disconnects. **(Pages 50-53)**
5. City Council approval of a change order and budget adjustment, in the amount of \$9,664.00, for the Melvin Ford Aquatic Center renovation project. **(Pages 54-56)**
6. Staff recommends approval of Change Order #3 for TriStar Contractors, LLC for an increase of \$22,911.97 for Phase I of the 8th Street Water and Sewer Relocations, Contract Section I (SW I Street to SE D Street) project associated with the widening of 8th Street. This change order is necessary to address conflict between sanitary sewer and storm sewer and replace a section of clay sanitary sewer in poor condition. This change order will also adjust contract times to add the time extensions already approved for Phase I of the project to the overall project schedule moving the completion of the overall project from December 5, 2017 to January 31, 2018. Increased cost will be covered by funds from the 8th Street Escrow account. **(Pages 57-61)**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 11, 2017

Submitted by:

Camille Thompson

Department

Staff Attorney

Phone

271-5914

ACTION REQUIRED:

ACTION REQUIRED: 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. (PMD Enterprises, Phillip & Dayna Martz)

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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



FILED

2017 FEB 21 PM 1:40

CLERK
CO. & PROBATE CLERK
BENTON COUNTY, AR

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO
THE CITY OF BENTONVILLE,
ARKANSAS, CERTAIN PROPERTY
CONTIGUOUS TO SAID CITY IN
BENTON COUNTY, ARKANSAS
CC 2017-04

CASE NO.

PMD ENTERPRISES

PETITIONER(S)

PETITION FOR ANNEXATION BY 100% PETITION

Comes now the undersigned petitioner(s), and state as follows:

1. That we, as property owners of the following described area, do hereby petition the County Court of Benton County, Arkansas, to annex the following lands to the City of Bentonville:

SEE ATTACHED LEGAL DESCRIPTION

2. We further state that this petition is signed by 100% of the real estate owners owning the property described.

3. We do further by this Petition appoint Camille Thompson, Staff Attorney, City of Bentonville, to act on behalf of the petitioners herein in presenting this matter to the Court.

4. That said property described herein is contiguous to and adjoining the present city limits of the City of Bentonville, as shown by the attached by the attached map.

5. That a description of services to be provided is attached hereto.

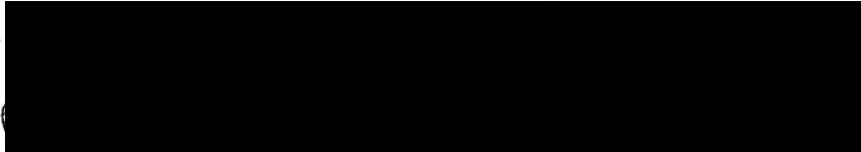
6. That the petitioners request that the Court enter an Order granting this Petition

and annexing the territory described herein.

WHEREFORE, petitioner(s) pray that the lands described herein be annexed to the City of Bentonville, Arkansas.

Petitioner(s)

Address:



And

Camille Thompson, City of Bentonville

Their Agent



Date: February 14, 2017

Subject: Proposed Annexation Review

Parcel Numbers and owners:

PDM Enterprises LLC 18-07558-001 (2004-27623)

I have reviewed the preliminary annexation information of territory into the City of Bentonville, AR and find the following:

1. The property to be annexed is contiguous with the existing city boundary of Bentonville, AR.
2. The submitted description substantially conforms to the size and location of the property.
3. The submitted description closes mathematically and generally conforms to the deed of record noted above.
4. The party that that requested annexation match the owners of record.
5. The proposed annexation does not appear to create any enclaves.

Please contact me if you have any questions.

Michael D. Million
Manager – Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037, ext. 7004
Email: michael.million@bentoncountyar.gov

BENTON COUNTY

STATE OF ARKANSAS

RECEIVED MAR 20 2017

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373

March 15, 2017

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350

Hon. Bob McCaslin
City of Bentonville
117 W. Central Ave
Bentonville, AR 72712

Re: Bentonville – CC 2017-04 – PMD Enterprises, Phillip & Dayna
Martz
Pursuant to ACA §14-40-609

Dear Mayor McCaslin:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Bentonville City Council. The County's process has confirmed the property is contiguous and that 100% of the owners of the property proposed to be annexed have signed the petition.

If your council and you approve the annexation, please ask your clerk or recorder to send me certified copies of the following items so that I can send those on to the Secretary of State and the Director of the Tax Division of the Public Service Commission as required by the statute:

- Ordinance or resolution approving the annexation
- Plat of the annexed property
- Certification letter from Arkansas GIS
- Proof of publication for all legal notices
- Completed Municipal Boundary Change Form

Please feel free to contact me if you have questions.

Sincerely,


TENA O'BRIEN, County Clerk

By: T. Underwood

enc

COUNTY CLERK
(479) 271-1013
FAX (479) 271-1019

VOTER REGISTRAR
(479) 271-5704

BENTONVILLE
(479) 271-1013
FAX (479) 271-1019

SILAM SPRINGS
(479) 238-0120
FAX (479) 524-8534

PROBATE COURT CLERK
(479) 271-5727
FAX (479) 271-1712

ROGERS
(479) 636-3727
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

FILED

2017 MAR 15 PM 12:03

JOHN O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF
BENTONVILLE, ARKANSAS CERTAIN TERRITORY
CONTIGUOUS TO SAID CITY OF BENTONVILLE, ARKANSAS

PMD ENTERPRISES
Phillip & Dayna Martz

COUNTY COURT NO. CC 2017-04

PETITIONER(S)

ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

- (1) That the petition and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation; and
- (3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Bentonville.



HON. BARRY MOEHRING, County Judge

Date

March 15, 2017

2017 1003

ORDINANCE NO. _____

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.

WHEREAS, petition was filed with the County Clerk of Benton County, Arkansas by **PMD Enterprises, Phillip & Dayna Martz**, owner(s) of the hereinafter described territory, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 15th day of **March, 2017**, the County Court of Benton County, Arkansas, found that the petition was signed by the owners of said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Bentonville, Arkansas; that an accurate plat or map of said territory had been filed with, and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and a part of the City of Bentonville, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

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

Section 1. That the lands described on the attached Exhibit A is territory contiguous to and adjoining the City of Bentonville, Arkansas be and the same is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

Section 2. That the above described territory shall be annexed to and made a part of **Ward 1** of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. That the above described territory shall be zoned A-1, to be used in accordance with City zoning laws and the laws of the State of Arkansas.

PASSED AND APPROVED THIS _____ DAY OF _____, 20167.

APPROVED:_____

Mayor

ATTEST:_____

Clerk

Legal Description – Annexation:

Tract 2 of a survey of a part of the SE 1/4 of the SW 1/4 and a part of the SW 1/4 of the SW 1/4, all in Section 21, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Book 2004 at page 522, more particularly described as follows:

Commencing at a stone found at the NE corner of the NE 1/4 of the SW 1/4, Section 21; Thence South 01°58'43" West 1326.33 feet to the SE corner of the NE 1/4 of the SW 1/4 and the Point of Beginning; Thence along the east line of said SE 1/4 of the SW 1/4, South 01°58'43" West 1293.33 feet; Thence departing said east line, North 87°00'02" West 206.02 feet; Thence South 02°23'07" West 33.00 feet to the south line of said SE 1/4 of the SW 1/4; Thence along said south line, North 87°00'02" West 293.14 feet to the east right-of-way line of U.S. Highway 540 (r/w varies); Thence along said east right-of-way line the following five (5) courses; North 46°53'53" West 410.09 feet; North 43°36'23" West 328.06 feet; North 29°46'36" West 284.79 feet; North 25°02'42" West 376.83 feet; North 16°20'48" West 278.02 feet to the north line of said SW 1/4 of the SW 1/4; thence along said north line South 87°05'17" East 116.68 feet to the NW corner of said SE 1/4 of the SW 1/4; Thence along the north line of the said SE 1/4 of the SW 1/4 South 87°05' 17" East 1334.59 feet to the Point of Beginning, containing 33.02 acres, more or less.



City Council Agenda Items
For City Council Meeting of April 11, 2017
From the April 4, 2017 Planning Commission Meeting

Lot Split: Lot 209 Bentonville Original Subdivision, Rustin Chrisco, 224 North Main Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from one existing parcel. The new lot will be known as Lot 209 (0.32 acres) of Bentonville Original Subdivision. Per the current Master Street Plan, additional right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

Lot Split: Lots 19 & 20, Block 4, Railroad Addition, TNG Properties, LLC, 222 & 224 Southeast 2nd Street, DE, Downtown Edge.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 19 (0.12 acres) and Lot 20 (0.11 acres) of Block 4, Railroad Addition. The plat shows the dedication of a public drainage, utility and access easement along the southern portion of the new Lot 20. Each of the new lots will have access to public utilities and a public street.

Lot Split: Lots 26, 27, & 28, Block 5, Dunn & Davis Addition, 6th & C, LLC, 601 Southwest 6th Street, DE, Downtown Edge.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create three new lots from one existing lot. The new lots will be known as Lot 26 (0.05 acres), Lot 27 (0.05 acres) and Lot 28 (0.05 acres) of Block 5, Dunn & Davis Addition. The plat shows the dedication of right-of-way along SW C Street and SW 6th Street per the current Master Street Plan requirements. Each of the new lots will have access to public utilities and a public street.

Final Plat: Wildwood Subdivision, Phase 6, Dream Structure Residential, LLC, Southwest Morning Star Road, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat for 21.52 acres consisting of 32 single-family residential lots that will be known as Wildwood Subdivision, 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 Wildwood Phase 4 located to the east and will have direct access to SW Morningstar Road. Public drainage and utility easements are being dedicated with the plat. Right-of-way is also being dedicated along SW Morningstar Road per the current requirements of the Master Street Plan. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

Rezoning: Riggins Commercial Construction & Development, Southwest Rainbow Farms Road, From R-O, Residential Office to R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

Rezoning: Jared & Sonia Faciszewski, Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.

The Planning Commission voted 7-0, recommending approval.

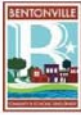
The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Rezoning: Central Investments, LLC, 1602 East Central Avenue, From I-2, Heavy Industrial to C-2, General Commercial.

The Planning Commission voted 7-0, recommending approval.

The property is currently occupied with a mix of office and general commercial uses. The C-2, General Commercial zoning district will allow uses that are consistent with the exiting use occurring in the building and with other uses in the near vicinity. The proximity to an arterial street is keeping with good land use planning and the General Plan.

LOT SPLIT STAFF REPORT



Lot 209 Bentonville Original Subdivision

224 North Main Street

PC Date: 4/4/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-05000006
Applicant / Current Owner	Rustin Chrisko 224 North Main Street Bentonville, AR 72712
Site Area	0.32 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	High Density Residential (HDR)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is the location of a single-family home in an established Downtown Mixed Use Residential neighborhood 1 block north of the downtown square.

Project Details

The applicant has submitted a proposal for a lot split that will create one new lot from one existing parcel. The new lot will be known as Lot 209 (0.32 acres) of Bentonville Original Subdivision. Per the current Master Street Plan, additional right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split will not adversely affect traffic in the area. The existing downtown street grid provides adequate options for ingress and egress to the new lot.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

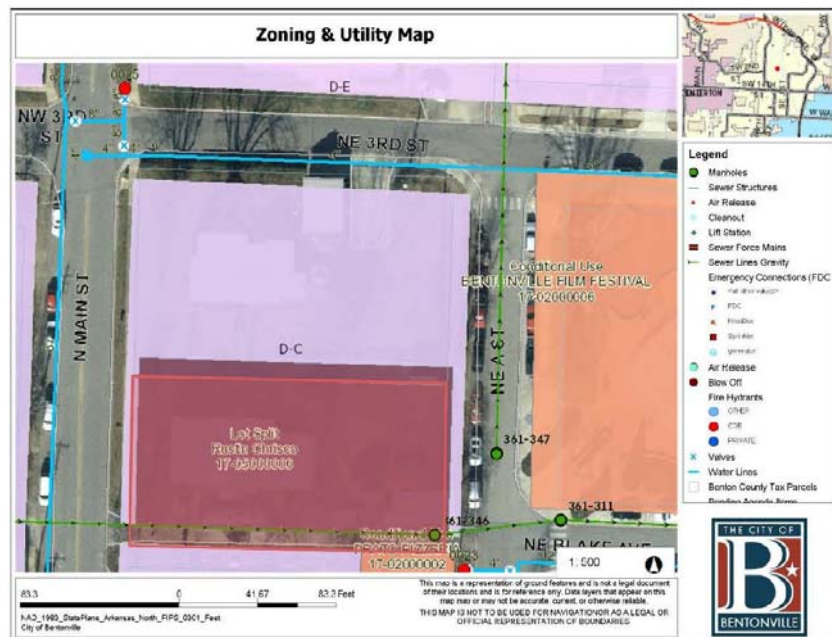
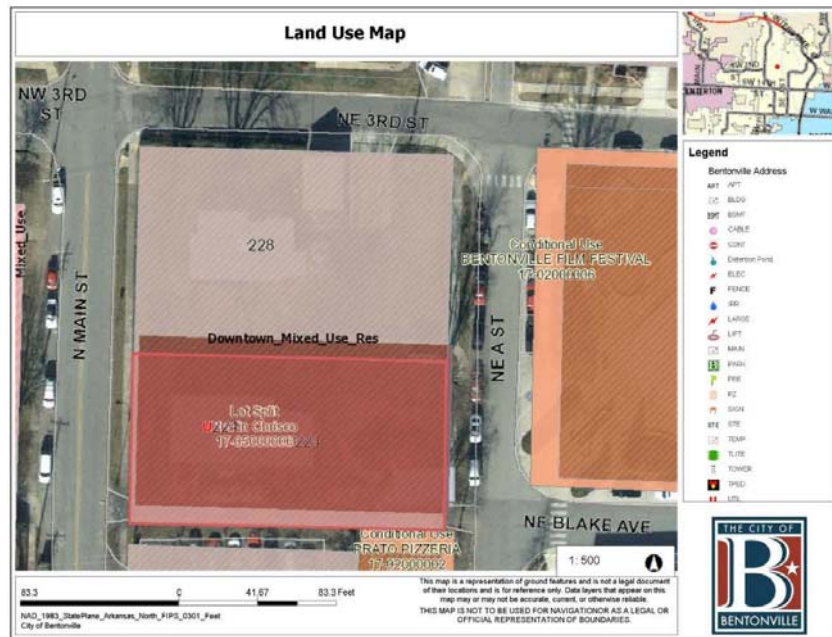
1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

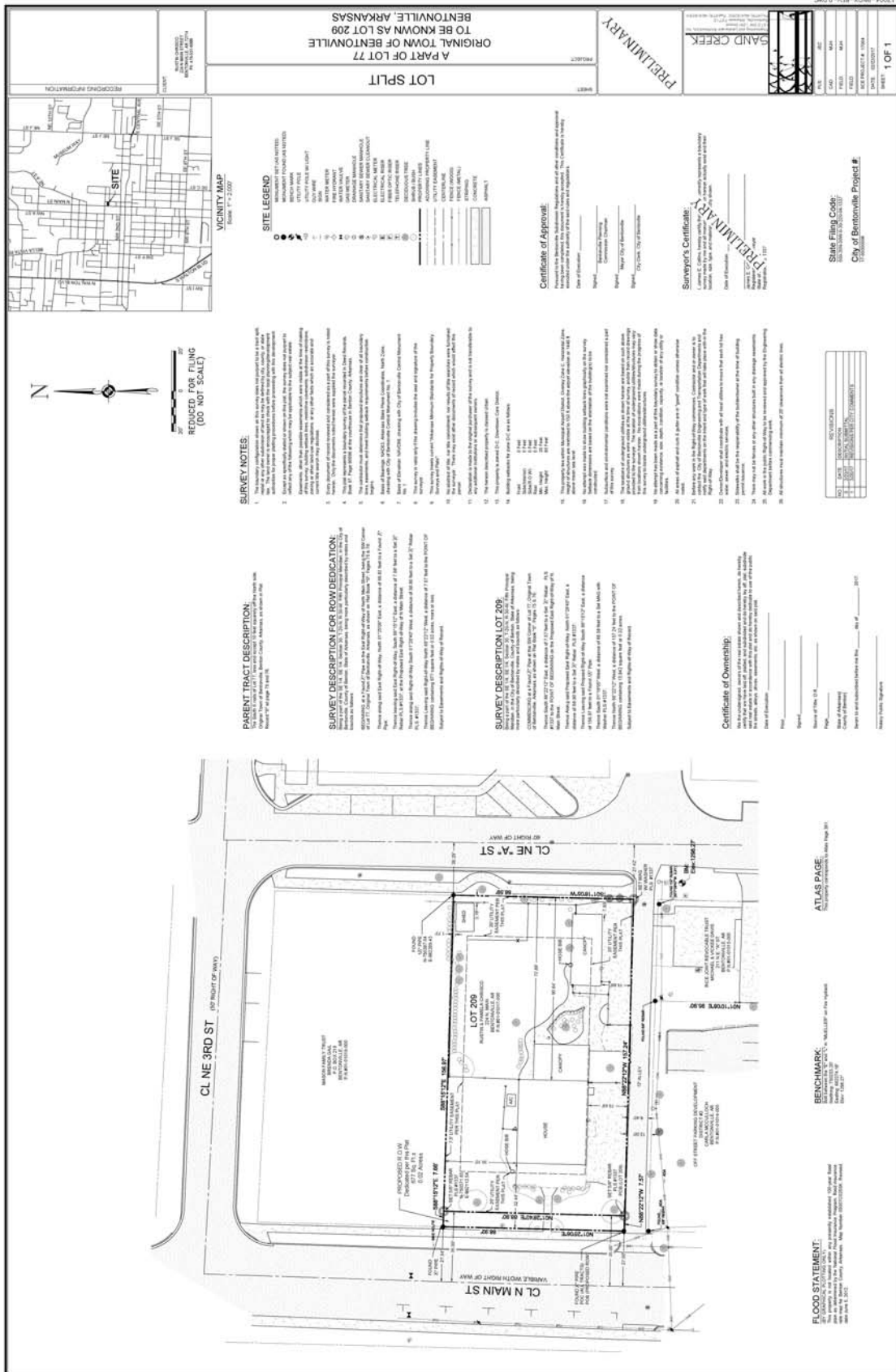
Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.





ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 209 BENTONVILLE
ORIGINAL SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lot 209 Bentonville Original Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on April 4, 2017; 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 Lot 209 Bentonville Original Subdivision 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 lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

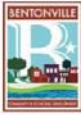
APPROVED:

MAYOR

ATTEST:

CITY CLERK

LOT SPLIT STAFF REPORT



Lots 19 & 20, Block 4, Railroad Addition

222 & 224 SE 2nd Street

PC Date: 4/4/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-05000007
Applicant / Current Owner	TNG Properties, LLC (Neal Greenhaw) PO Box 692 Bentonville, AR 72712
Site Area	0.23 acres
Current Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown High-Density Residential (D-HDR)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is the location of an occupied mixed-use building and a vacant parcel in an established Downtown High Density Residential area, one block southeast of the downtown square.

Project Details

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 19 (0.12 acres) and Lot 20 (0.11 acres) of Block 4, Railroad Addition. The plat shows the dedication of a public drainage, utility and access easement along the southern portion of the new Lot 20. Each of the new lots will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split will not adversely affect traffic in the area. The existing downtown street grid accompanied by the proposed public access easement provides adequate options for ingress and egress to the new lot.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

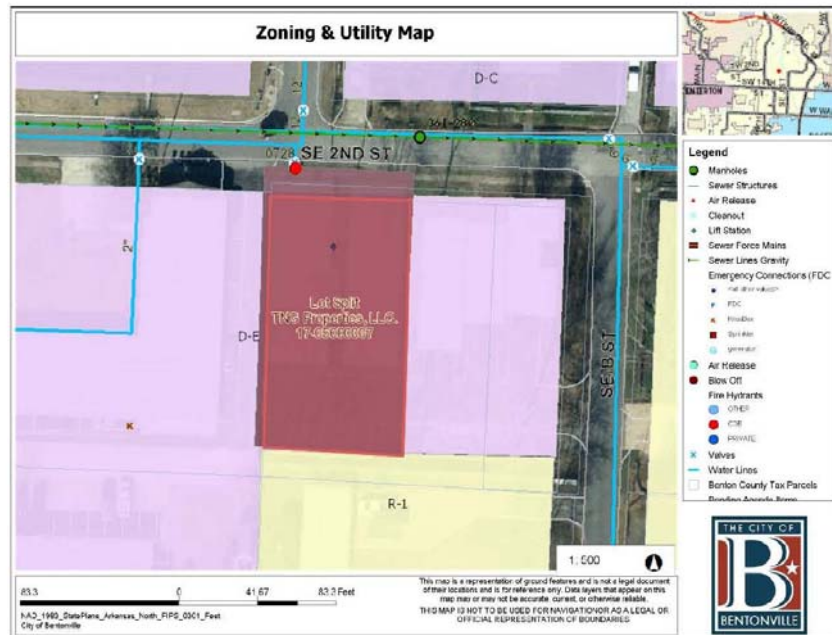
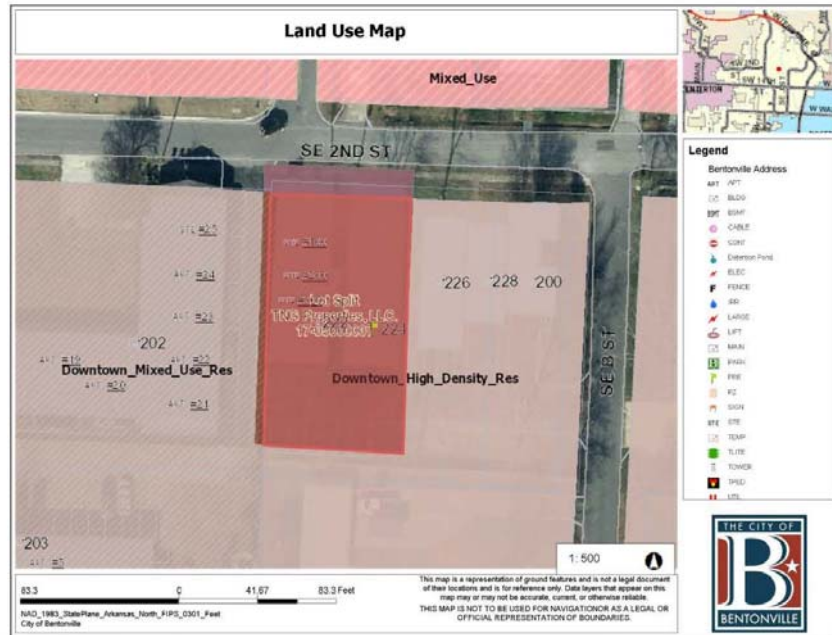
1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

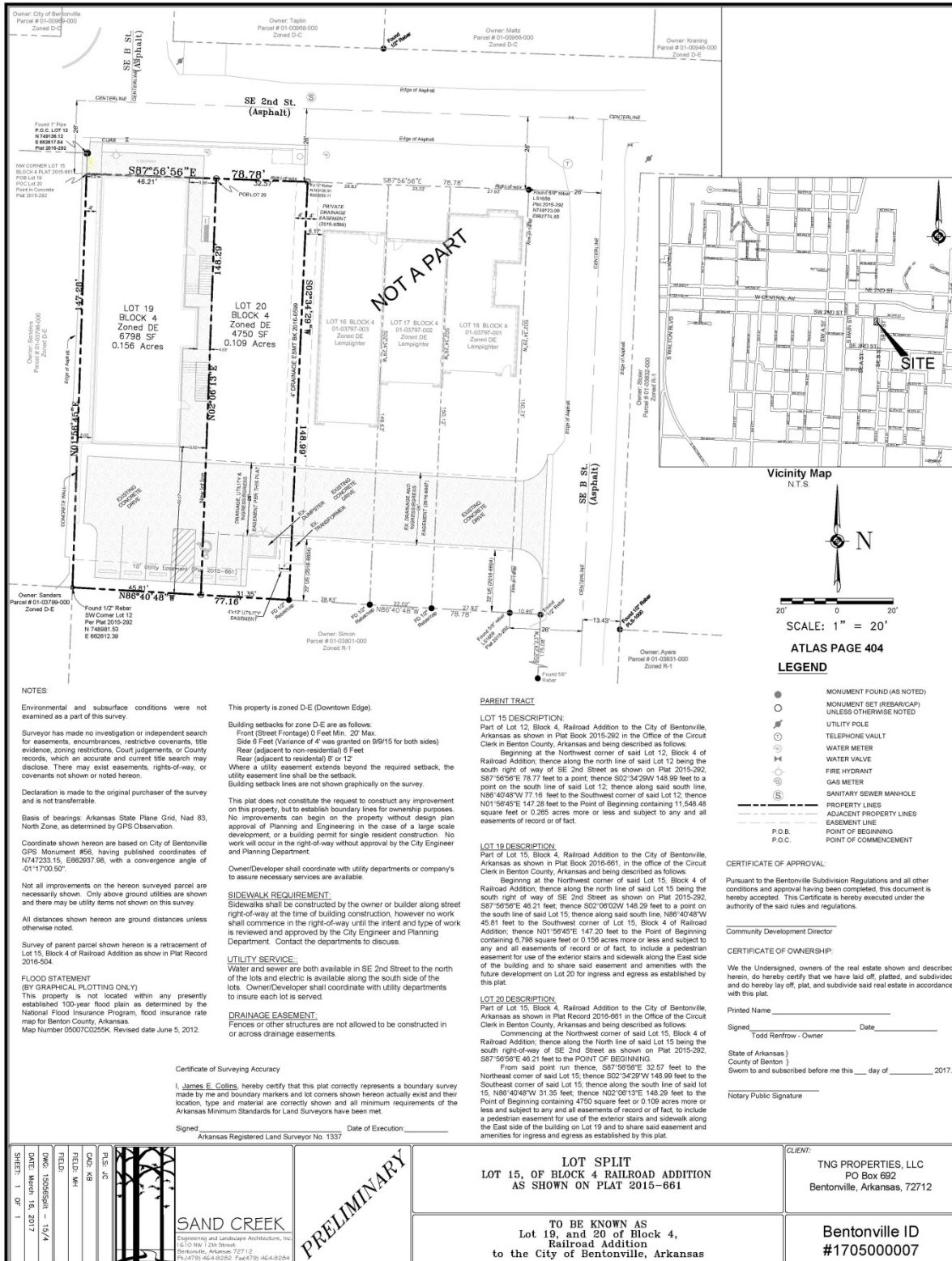
Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.





ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 19 & 20, BLOCK 4,
RAILROAD ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 19 & 20, Block 4, Railroad Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on April 4, 2017; 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 19 & 20, Block 4, Railroad 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 lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

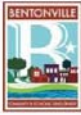
APPROVED:

MAYOR

ATTEST:

CITY CLERK

LOT SPLIT STAFF REPORT



Lots 26, 27 & 28, Block 5, Dunn & Davis Addition

601 SW 6th Street

PC Date: 4/4/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-05000008
Applicant / Current Owner	6 th & C, LLC 101 SE G Court Bentonville, AR 72712
Site Area	0.15 acres
Current Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown Mixed Use Residential (DMUR)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is vacant in a Downtown Mixed-use Residential area where infill and redevelopment is occurring.

Project Details

The applicant has submitted a proposal for a lot split that will create three new lots from one existing lot. The new lots will be known as Lot 26 (0.05 acres), Lot 27 (0.05 acres) and Lot 28 (0.05 acres) of Block 5, Dunn & Davis Addition. The plat shows the dedication of right-of-way along SW C Street and SW 6th Street per the current Master Street Plan requirements. Each of the new lots will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split will not adversely affect traffic in the area. The existing downtown street grid will provide adequate options for ingress and egress to each of the new lots.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

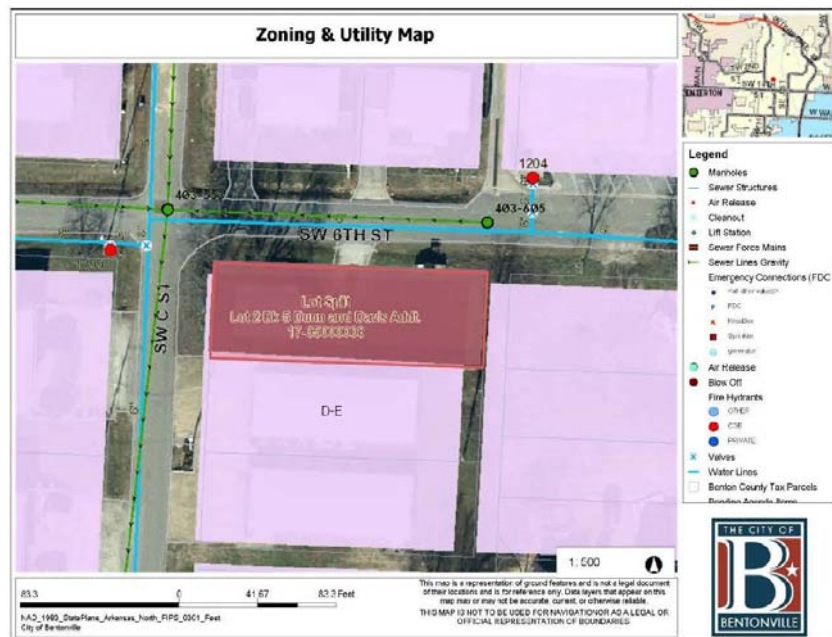
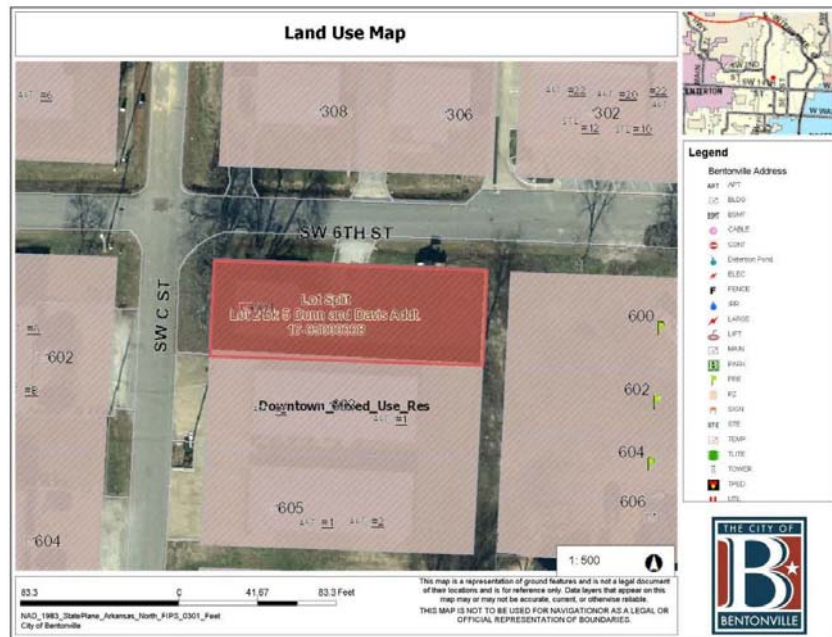
1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

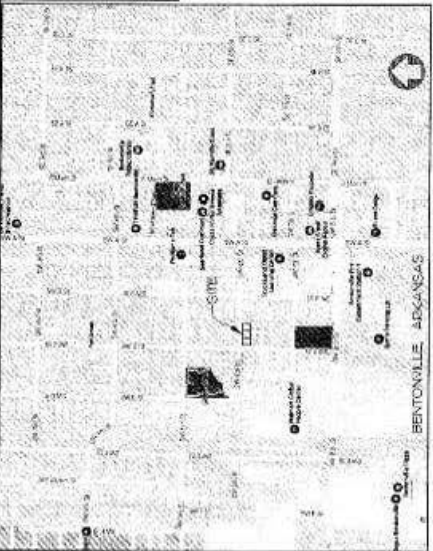
NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.



MISSING INFORMATION

2nd SUBMITTAL
P.C. DATE
APR 04 2011
COMMENTS DUE
MAY 17 2011



NOTES:

1. THE PROPERTY IS LOCATED IN THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
2. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
3. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
4. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
5. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
6. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
7. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
8. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
9. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.
10. THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.

LEGEND

- 1. LOT 10, BLOCK 5, CREATING LOTS 1 & 2, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 2. LOT 11, BLOCK 5, CREATING LOTS 3 & 4, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 3. LOT 12, BLOCK 5, CREATING LOTS 5 & 6, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 4. LOT 13, BLOCK 5, CREATING LOTS 7 & 8, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 5. LOT 14, BLOCK 5, CREATING LOTS 9 & 10, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 6. LOT 15, BLOCK 5, CREATING LOTS 11 & 12, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 7. LOT 16, BLOCK 5, CREATING LOTS 13 & 14, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 8. LOT 17, BLOCK 5, CREATING LOTS 15 & 16, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 9. LOT 18, BLOCK 5, CREATING LOTS 17 & 18, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS
- 10. LOT 19, BLOCK 5, CREATING LOTS 19 & 20, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS



SCALE 1" = 20' 0"

CASTER & ASSOCIATES
LAND SURVEYING, INC.
275 S. STATE ST. SUITE 100
BENTONVILLE, ARKANSAS 72716-4444
PHONE: 479-273-4444
FAX: 479-273-4444



DATE OF SURVEY: 04/04/2011
BY: [Signature]
STATE OF ARKANSAS
BENTON COUNTY
BENTONVILLE
DAVIS ADDITION
LOT 10, BLOCK 5, CREATING LOTS 1 & 2, DAVIS ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS



NOTE: THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.

NOTE: THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.

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NOTE: THE PROPERTY IS A 10.00 AC. LOT, MORE OR LESS, BEING THE NORTH 1/4 OF SECTION 36, T12N, R12E, S12W, BENTON COUNTY, ARKANSAS.

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 26, 27, & 28, BLOCK 5,
DUNN & DAVIS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 26, 27, & 28, Block 5, Dunn & Davis Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on April 4, 2017; 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 26, 27, & 28, Block 5, Dunn & Davis 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 lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

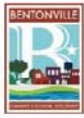
APPROVED:

MAYOR

ATTEST:

CITY CLERK

FINAL PLAT STAFF REPORT



Wildwood Subdivision, Phase 6

SW Morning Star Road

PC Date: 4/4/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-03000002
Applicant / Current Owner	Steve Fisher Dream Structure Residential, LLC PO Box 39 Lowell AR 72745
Site Area	21.52 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)
No. of Lots	32
Subdivision Name	Wildwood Subdivision, Phase 6

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

The property is vacant and lies north of Wildwood Subdivision, Phase 5 and west of Wildwood Subdivision, Phase 4 and is adjacent to SW Morningstar Road.

Project Details

The applicant has submitted a final plat for 21.52 acres consisting of 32 single-family residential lots that will be known as Wildwood Subdivision, 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 Wildwood Phase 4 located to the east and will have direct access to SW Morningstar Road. Public drainage and utility easements are being dedicated with the plat. Right-of-way is also being dedicated along SW Morningstar Road per the current requirements of the Master Street Plan. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

Utility Infrastructure

Per the GIS website, water and sewer are available. Additionally the water, sewer, electric, streets and storm drainage infrastructure were constructed to City of Bentonville standards and will be dedicated with this plat.

Drainage Report

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

Waivers

No waivers requested.

Conclusion

This final plat does meet the minimum requirements of the subdivision regulations.

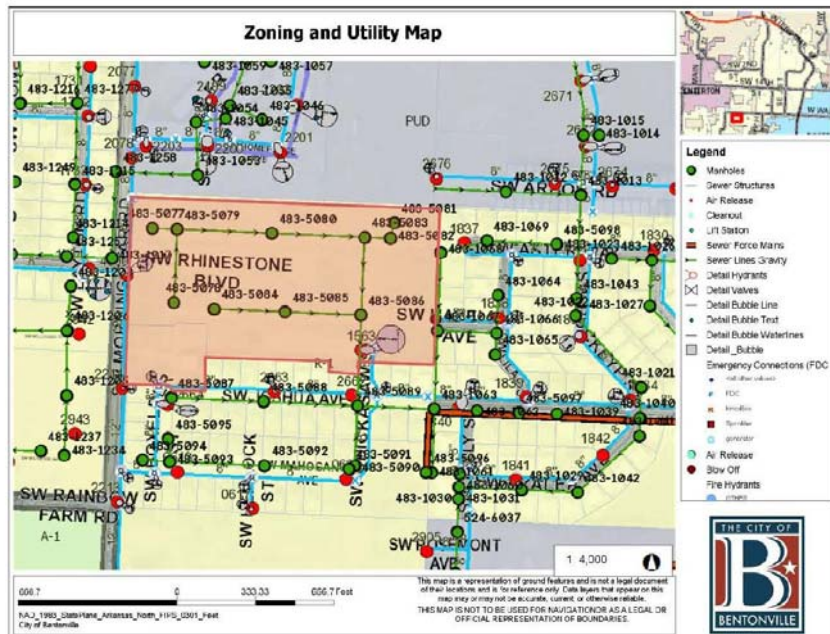
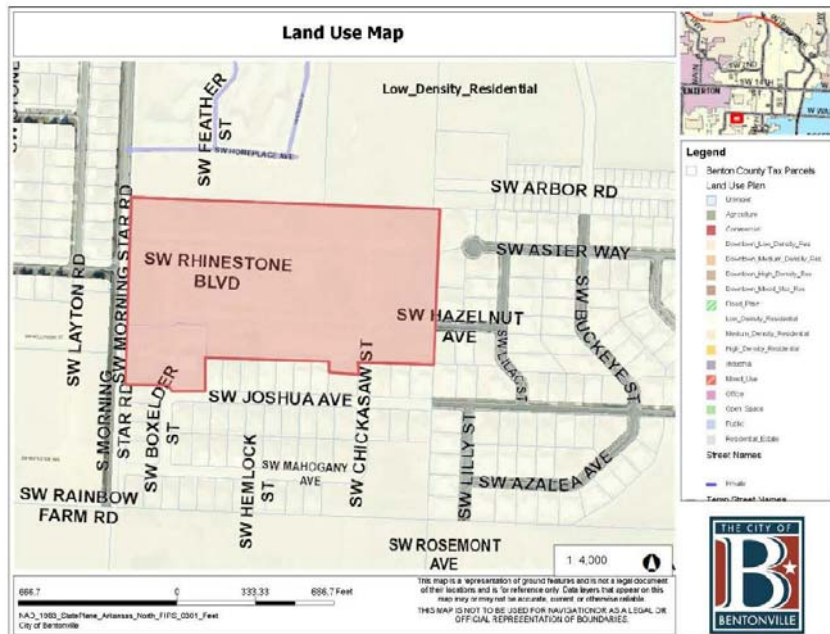
Standard Conditions of Approval

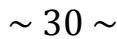
1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

FINAL PLAT STAFF REPORT





ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF WILDWOOD
SUBDIVISION, PHASE 6 TO THE CITY OF BENTONVILLE,
ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code,
the final plat of Wildwood Subdivision, Phase 6, to the City of Bentonville, Benton County,
Arkansas, was submitted to the Bentonville Planning Commission on April 4, 2017; 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 Wildwood Subdivision, Phase 6 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 _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Riggins Commercial Construction & Development, LLC

3702 East Central Avenue

PC Date: 3/21/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000015
Applicant / Current Owner	Riggins Commercial Construction & Development, LLC 1204 E. Joyce Boulevard Fayetteville, AR 72703
Site Area	3.0 acres
Current Zoning	R-O, Residential Office
Requested Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is vacant and bordered by Cornerstone Phase 1, 2 & 3 to the north and Phase 5 to the east and is situated between SW Gemstone Boulevard and SW Rainbow Farms Road.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area.

Utility Infrastructure

Per the city GIS website, public water and sewer are available to this site.

Relationship to the General Plan

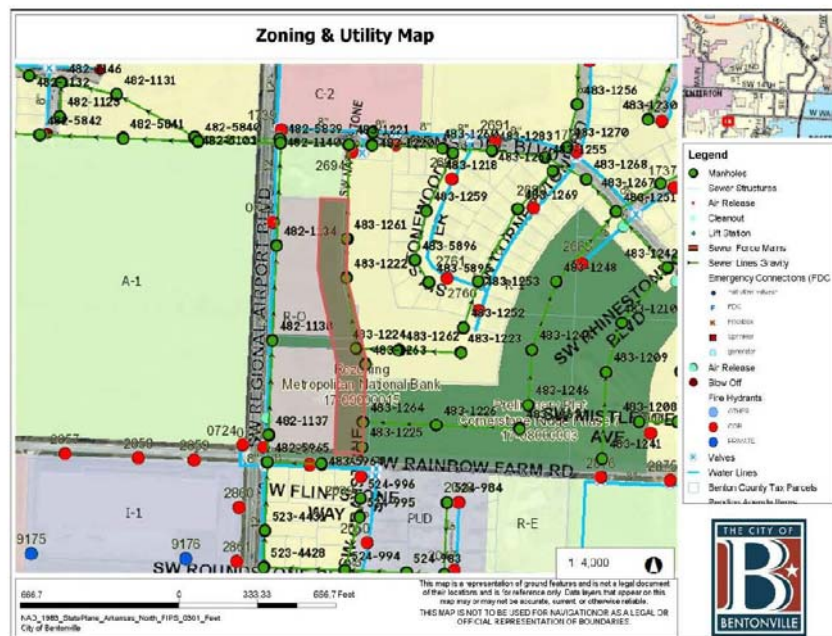
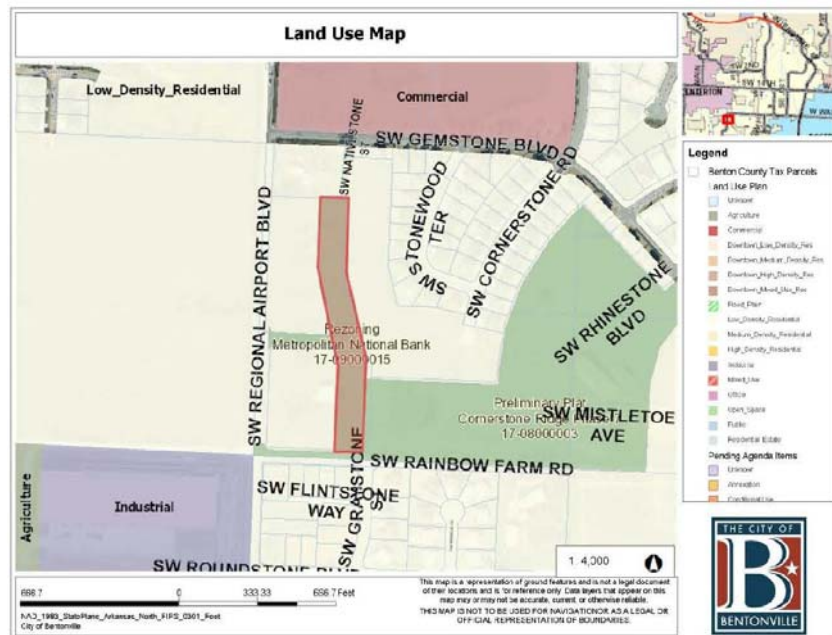
The Future Land Use Plan depicts this property as Low Density Residential (LDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

Conclusion

The R-1, Single Family Residential zoning designation is compatible with the surrounding land uses at this location and is consistent with the Future Land Use Map and the General Plan. The property is bordered by single-family residences on three sides.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-O, Residential Office to R-1, Single Family Residential.





124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
Fax: 479.582.4807
www.jorgensenassoc.com

City of Bentonville
305 SW A Street
Bentonville, AR. 72712

1/15/17

At: Beau Thompson
RE: Preliminary Plat and Rezoning for
Cornerstone Ph 7

Attached please find information pertaining to the preliminary plat and rezoning for Cornerstone Ph 7. This is for a total of 81 lots which is the remainder of the single family residential in this area. The rezoning request is to rezone a portion of property from R-0 to R-1 for a row of lots on the West side of SW Nativestone Street (15 single family homes).

These additional 15 lots will be compatible with the lots across the street. Water and sewer (8") will be on Nativestone Street.

Please call concerning any questions you may have.

Thank you.

Sincerely;

David L. Jorgensen, P.E.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF R-O, RESIDENTIAL OFFICE TO R-1, SINGLE FAMILY RESIDENTIAL.

WHEREAS, Riggins Commercial Construction & Development duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-O, Residential Office to R-1, Single Family Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

A part of the SW1/4 of the SW1/4 of Section 11, T19N, R31W in Benton County, Arkansas, and being described as follows: Commencing at the SW Corner of said SW1/4, SW1/4, thence N02°39'41"E 51.30 feet, thence S87°20'19"E 42.01 feet, thence along a non tangent curve to the left 39.37 feet, said curve having a radius of 25.00 feet and chord bearing and distance of S42°28'04"E 35.43 feet, thence S87°36'19"E 270.78 feet to the POINT OF BEGINNING, thence N02°27'12"E 373.15 feet, thence N12°48'59"W 315.63 feet, thence along a non tangent curve to the right 139.66 feet, said curve having a radius of 521.00 feet and chord bearing and distance of N05°08'15"W 139.24 feet, thence N02°32'30"E 257.01 feet, thence S87°26'08"E 120.00 feet, thence S02°32'30"W 256.96 feet, thence along a non tangent curve to the left 107.49 feet, said curve having a radius of 401.00 feet and chord bearing and distance of S05°08'15"E 107.17 feet, thence S12°48'59"E 319.64 feet, thence along a non tangent curve to the right 23.98 feet, said curve having a radius of 90.00 feet and chord bearing and distance of S05°11'25"E 23.91 feet, thence S02°27'12"W 352.09 feet, thence along a non tangent curve to the right 39.25 feet, said curve having a radius of 25.00 feet and chord bearing and distance of S47°25'26"W 35.34 feet, thence N87°36'19"W 95.02 feet to the POINT OF BEGINNING: Containing 2.99 acres more or less subject to easements and right of way of record.
;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held April 4, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public 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 Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-O, Residential Office to R-1, Single Family Residential.

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 of R-O, Residential Office to R-1, Single Family Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Faciszewski

Northeast Monroe Street

PC Date: 4/4/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000016
Applicant / Current Owner	Jared & Sonia Faciszewski 1210 NE Monroe Street Bentonville, AR 72712
Site Area	0.55 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of 4 existing single-family lots in a single-family neighborhood in the downtown area where infill development is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely affect traffic in the area. The properties are located within the downtown area and the existing street grid and alley network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at these locations.

Relationship to the General Plan

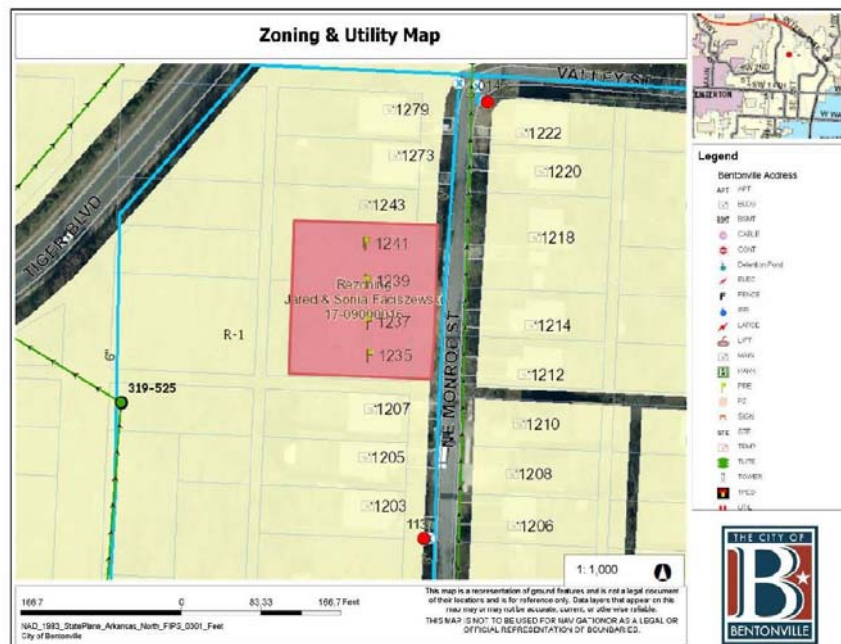
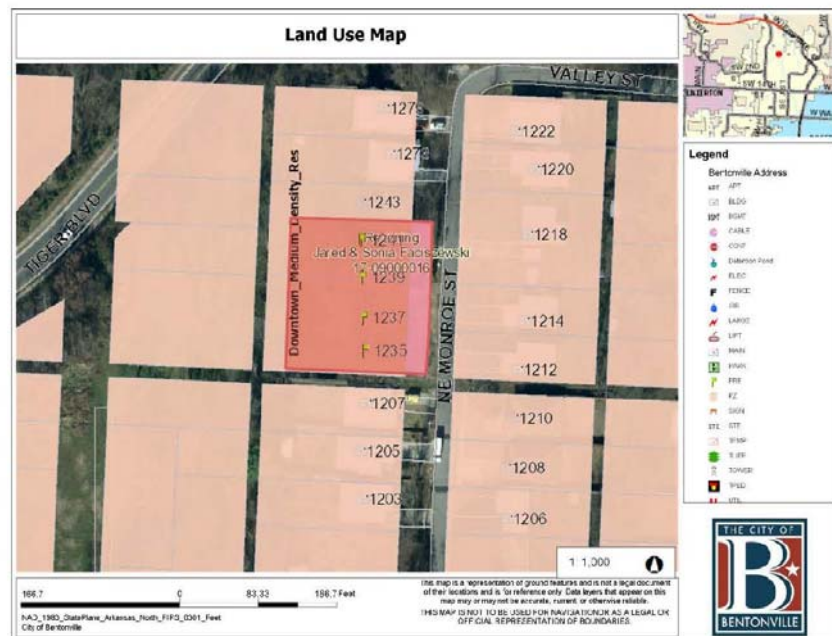
The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Conclusion

The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional single-family density in an established downtown neighborhood. The existing infrastructure in this area can support the slight increase in density and will allow small-lot single-family developments to occur.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2 Downtown Medium-Density Residential.



Legal Description for Parcels #: 01-04571-000, 01-04571-001, 01-04572-000

01-04571-000

Lot/Block: 25/7

Subdivision: W A BURK'S ADD-BENTONVILLE

Legal Description: REPLAT 1/29/2016 2016-69 SURVEY 2012-116

01-04571-001

Lot/Block: 26, SPT 27/7

Subdivision: W A BURK'S ADD-BENTONVILLE

Legal Description: REPLAT 1/29/2016 2016-69

01-04572-000

Lot/Block: 28, NPT 27/7

Subdivision: W A BURK'S ADD-BENTONVILLE

Legal Description: REPLAT 1/29/2016 2016-69

Addresses of Lots affected:

- 1235 NE Monroe Street
- 1237 NE Monroe Street
- 1239 NE Monroe Street
- 1241 NE Monroe Street

Narrative

The current zoning of these parcels is R-1. Per the Master Plan for downtown rezoning, this is a proposal to adopt the new zone of DN-2. It is the intention of the owners, Jared & Sonia Faciszewski to build a residential home on Parcel # 01-04572-000.

The reason for this rezone request is due to the new downtown Master plan and to allow for the use of updated setbacks.

This neighborhood "Briartown" is a residential area comprised of single and multi-family units. Many of the houses in the neighborhood have fallen into disrepair and are in need of demolition or intense remodeling. (As was the case with the previous home on this property, 1211 NE Monroe Street.) The new home will be an improvement to the neighborhood and feature custom architecture influenced by the lot grade and existing mature trees.

This home/building should not change the use, traffic, or signage needs of the neighborhood. The garage will be accessed via the existing alley that runs parallel and West of NE Monroe Street.

Electricity Pole #427

Water Line 8"

Fire Hydrant 1137

Sewer 6"

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
**R-1, SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN MEDIUM-
DENSITY RESIDENTIAL.**

WHEREAS, Jared & Sonia Faciszewski duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lots 25, 26, 27 and 28, Block 7 of W.A. Burk's Addition, City of Bentonville, Benton
County, Arkansas as shown in Plat Book, 2016 Page 69 of the Benton County Records.

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held April 4, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public 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 Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.

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 of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



Central Investments, LLC

1602 East Central Avenue

PC Date: 4/4/17

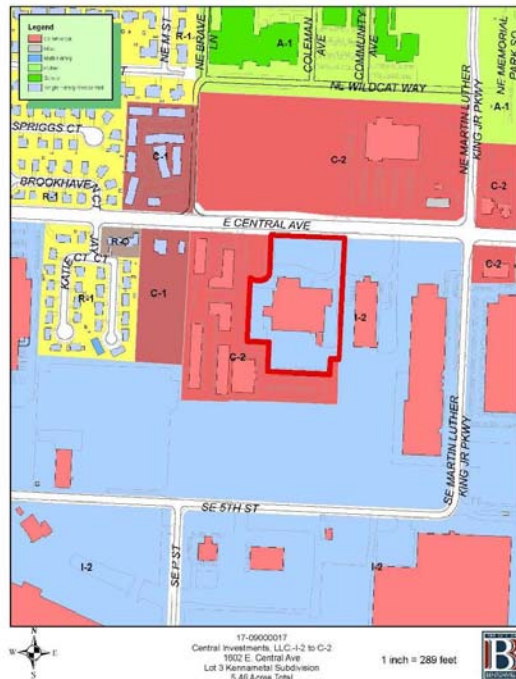
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000017
Applicant / Current Owner	Central Investments, LLC 1500 East Central Avenue Bentonville, AR 72712
Site Area	5.46 acres
Current Zoning	I-2, Heavy Industrial
Requested Zoning	C-2, General Commercial
Future Land Use Map Designation	Industrial (I)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of an existing office building adjacent to East Central Avenue.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property has adequate access to East Central Avenue which is designated as an arterial street on the current Master Street Plan.

Utility Infrastructure

Per the city GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The property is currently occupied with a mix of office and general commercial uses. The C-2, General Commercial zoning district will allow uses that are consistent with the exiting use occurring in the building and with other uses in the near vicinity. The proximity to an arterial street is keeping with good land use planning and the General Plan.

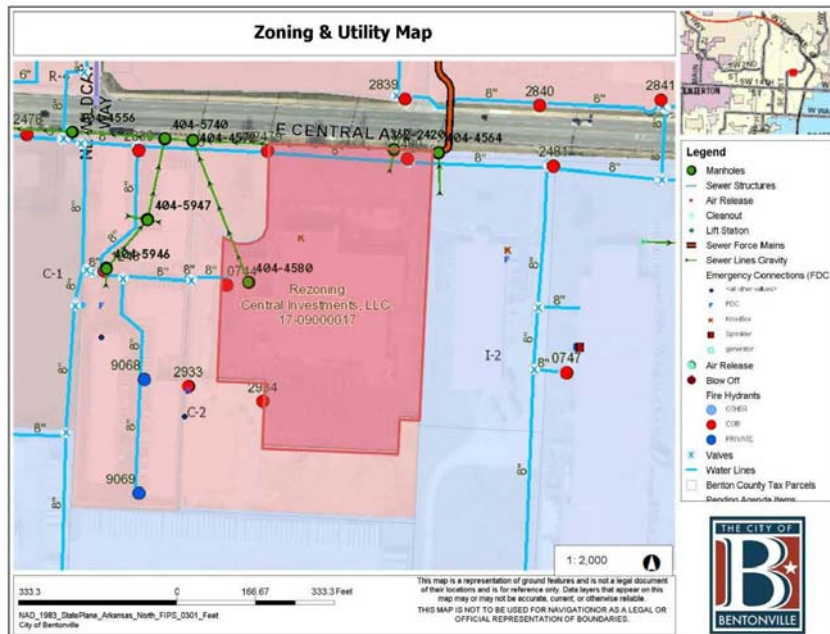
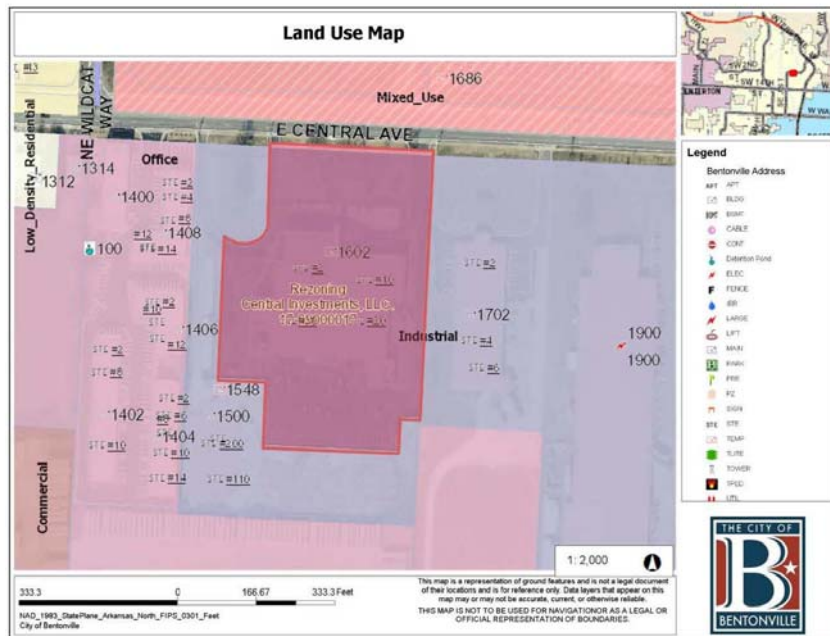
Conclusion

The C-2, General Commercial zoning district is an appropriate zoning designation for this property. It is consistent with existing and adjacent uses.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from I-2, Heavy Industrial to C-2, General Commercial.

REZONING STAFF REPORT





February 27, 2017
Planning Department
City of Bentonville
315 S.W. "A" St.
Bentonville, AR 72712

**Re: 1602 Central Ave
Bentonville, AR 72712
Rezoning Request**

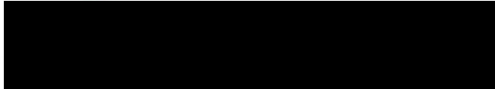
We are representing a request by CrossMar Investments to rezone the property located at 1602 Central Ave. This property currently has an office building with associated parking. Please find below the narrative addressing the required items under the Rezoning Request Checklist.

- The property is currently I-2, Heavy Industrial. The proposed zoning is C-2, General Commercial.
- This zoning change will allow Crossmar Investments to expand the current building. There is currently an approx. 1800 square feet building that they plan to expand to be approx. 7900 square feet. Crossmar is trying to utilize the surrounding drives and therefore would like to expand east. The I-2 zoning requires a 50' side setback and will not allow the expansion where it would be most ideal.
- This zone change would relate to the property to the west that is also zoned for commercial. This location has no residential property around, but does have commercial and industrial zones surrounding it.
- The proposed use of the property is currently office space and the owner would like to expand the office space for a client to keep them in the building.
- The site would have the required amount of parking and the expansion is expected to have minimal impact to the traffic on Central Ave.

- Signage is already onsite and no additional signage is anticipated.
- The planned exterior for the expansion will match the existing building. A final design will be submitted in the LSD process.
- All utilities to serve the expansion will be extended from the existing building. There is however a 6" Sewer line is on the north side of the property as well as an 8" water line.

Sincerely,

Morrison Shipley Engineers, Inc.



Patrick Foy, E.I.
Project Manager

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
I-2, HEAVY INDUSTRIAL TO C-2, GENERAL COMMERCIAL.

WHEREAS, Central Investments, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of I-2, Heavy Industrial to C-2, General Commercial to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lot 3, of the Property Line Adjustment of Lots 1 and 2, Kennametal Subdivision
to the City of Bentonville, as shown in Plat filed for record in Plat Book 2015 at
Pages 538 and 539, Benton County, Arkansas.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held April 4, 2017 in the Council Chambers of the City of Bentonville;
and,

WHEREAS, public 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 Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of I-2, Heavy Industrial to C-2, General Commercial.

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 of I-2, Heavy Industrial to C-2, General Commercial to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 11, 2017

Submitted by:

Shelll Kerr

Department

Planning Services

Phone

(479) 271-6826

ACTION REQUIRED:

Appointment of Johnetta Dexter, a local artist and small business owner, to the Public Art Advisory Committee to fill the term vacated by Chad Alligood that expires October 28, 2017.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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





April 6, 2017

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Appointment of Johnetta Dexter to Bentonville's Public Art Advisory Committee.

I recommend Johnetta Dexter for appointment to Bentonville's Public Art Advisory Committee filling Chad Alligood's unexpired term. Mrs. Dexter's term expires on October 28, 2017.

Bob McCaslin

RECEIVED AUG 24 2015



APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name Johnetta J. Dexter

If married, spouse's name: Brad N. Dexter

Home Address [REDACTED]

City Bentonville Zip Code 72712

Home/Cell Phone [REDACTED]

Business Phone [REDACTED]

Email Address [REDACTED]

Occupation Artist / small business owner

Employer Masterpieces, Inc.

Length of Residency in Bentonville 47 years, born & raised

* Must be a Bentonville resident to serve on a Bentonville Board or Commission.

REFERENCES

Name Lonnie Hunt

Phone [REDACTED]

Email [REDACTED]

Name Terri Mittermier

Phone [REDACTED]

Email [REDACTED]

Please select all commissions / boards for which you would like to be considered:

- | | |
|---|--|
| ☐ Advertising & Promotion Commission | ☐ Fireman's Pension Board |
| ☐ Airport Advisory Board | ☐ Library Advisory Board |
| ☐ Bentonville Facility Board | ☐ Ozark Regional Transit Authority (Bentonville representative) |
| ☐ Board of Adjustment | ☐ Parks & Recreation Advisory Board |
| ☐ Bentonville Housing Authority | ☐ Planning Commission |
| ☐ Criminal Nuisance Abatement Board | ☒ Public Art Advisory Committee |
| ☐ Community Development Block Grant Advisory Committee | ☐ Tree & Landscape Advisory Committee |

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?

2 years ATU, fine arts.
12 years private mentoring with fabulous well-known artists.
17 years as owner of Masterpieces, Inc. - which consists of buying and selling art, (hand drawn, & oil painting originals), art placement, repair and restoration of oils and frames.

2. Why would you like to be considered for appointment to this commission or board?

Art IS my life.
I would be honored to be part of Bentonville Art Advisory Committee.
It sounds to be a position perfectly suited for me.

RETURN THIS APPLICATION TO: Submit by E-mail to Janice Hopkins, jhopkins@bentonvillear.com or deliver to the Mayor's Office, 117 West Central, Bentonville, AR 72712. If you have any questions, call 271-3112.

If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply.

2004

MASTERPIECES, INC

Johnetta
artist / owner

603 west central avenue
bentonville, ar 72712
for appt call (479) 366-0868
masterpiecesofnwa@gmail.com



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 11, 2017

Submitted by:

Brent Boydston

Department

Fire

Phone

271-5927

ACTION REQUIRED:

City Council approval of an ordinance amending the local amendments to the National Electric Code, as adopted by Ordinance No. 2014-30, to improve safety for exterior electric disconnects.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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



MEMO



To: Mayor Bob McCaslin, City Council
From: Travis Matlock, Engineering Director
CC Date: March 1, 2017
Re: Ordinance Amending the Local Amendments to the National Electric Code

Bentonville City Council adopted the 2011 National Electric Code, or latest edition, with Ordinance No. 2014-30 on February 25, 2014. Section 2 of the Ordinance adopts the City of Bentonville's local amendments to the National Electric Code. Item 1 under that section states: "All newly constructed structures within the City Limits of Bentonville, AR shall have an exterior means of electrical disconnect."

The Bentonville Electric Utility Department and the Bentonville Fire Department have determined that additional requirements are necessary to provide for safe and efficient exterior electric disconnects. Each department is recommending approval of the attached ordinance that deletes Item 1 under Section 2 of Ord. No. 2014-59 and replaces it with detailed requirements.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE LOCAL AMENDMENTS TO THE
NATIONAL ELECTRIC CODE, AS ADOPTED BY ORDINANCE NO.
2014-30, TO IMPROVE SAFETY FOR EXTERIOR ELECTRIC
DISCONNECTS.**

WHEREAS, the City of Bentonville adopted the 2011 National Electric Code, or latest edition, and City of Bentonville local amendments with Ordinance No. 2014-30; and,

WHEREAS, the Bentonville Electric Utility Department and the Bentonville Fire Department have determined that additional requirements are necessary to provide for safe and efficient exterior electric disconnects.

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

Section 1: That Ordinance No. 2014-30, Section 2, Item 1 of the City of Bentonville Local Amendments to the 2011 National Electric Code (NEC), or latest edition, should be and the same is hereby deleted and replaced with the following:

1. The means of service disconnection, either manual or a shunt trip with a locking device properly labeled on the supply breaker, for each metered tenant or metering location shall be installed at a readily accessible location outside the building or structure and within a line of sight of the source device.
 - (a) The service equipment shall be labeled with the correct address using an engraved phenolic label.
 - (b) Where a building or structure has multiple tenants, either residential or commercial, the meters and service disconnects shall be grouped together in one location on the same exterior wall.
 - (c) On commercial buildings with multiple tenants, all meters shall be located in the same location, unless both the Bentonville Fire Department and the Bentonville Electric Utility Department agree that the development would be better served by separating the metering locations.
 - (d) An emergency generator must have a separate external disconnect, either manual or a shunt trip with a locking device properly labeled on the supply breaker, grouped with all other external disconnects.
 - (e) A fire pump must have a separate non-fused external disconnect, either manual or a shunt trip with a locking device properly labeled on the supply breaker, per NFPA 20.

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 3: That 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 ____, 2017.

APPROVED:

Mayor Bob McCaslin

ATTEST:

City Clerk



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

AGENDA FORM

CITY COUNCIL MEETING OF:

March 14, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a change order and budget adjustment, in the amount of \$9,664, for the Melvin Ford Aquatic Center renovation project.

COST TO CITY:

Cost of this Request:	\$9,664
Additional Budget Amount	\$9,664

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	9,664
Remaining After Adjustment	\$ 9,664

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



BUDGET ADJUSTMENT REQUEST FORM

Budget Adjustment #
(Assigned by Admin)

Department: Parks

Date of Request: April 5, 2017

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
010-5030-452.73-90	Capital - Other		\$ 9,664.00	\$ (9,664.00)
	Fund Balance	\$ 9,664.00		\$ 9,664.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ 9,664.00	\$ 9,664.00	\$ -

Justification:

Budget adjustment is for change order for the MFAC Renovation Project. The 25+ year old building has eroded metal bracings in place around exhaust fans and door frames. This change order is to replace these metal pieces.

FOR ACTING USE ONLY

Council Action: Approved Disapproved Other _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

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



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: April 3, 2017
Re: City Council approval of a change order and budget adjustment for \$9,664, to the Melvin Ford Aquatic Center renovation project.

Parks and Recreation Staff is asking City Council to approve Changer Order #2, for \$9,664, to the Melvin Ford Aquatic Center renovation project.

As renovations continue at Melvin Ford Aquatic Center, our team discovered another issue within the building that should be addressed. There are structural frames, primarily in the chemical storage area, corroding because of the chlorine. A structural engineer reviewed the areas and stated these frames should be replaced soon. With the improvements occurring now, the most efficient and least expensive time to make these is now.

This change order will replace metal door frames, overhead door frames and frames for exhaust fans. It will increase the project cost by \$9,664 to the overall contract amount of \$527,864. It will not add additional time to the project.

If you have any questions regarding this item, please call me at 479.464.7275 or email dwright@bentonvillear.com.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 11, 2017

Submitted by:

Mike Bender

Department

Public Works Dir

Phone

271-6873

ACTION REQUIRED:

Staff recommends approval of Change Order #3 for TriStar Contractors, LLC for an increase of \$22,911.97 for Phase I of the 8th Street Water and Sewer Relocations, Contract Section I (SW I Street to SE D Street) project associated with the widening of 8th Street. This change order is necessary to address conflict between sanitary sewer and storm sewer and replace a section of clay sanitary sewer in poor condition. This change order will also adjust contract times to add the time extensions already approved for Phase I of the project to the overall project schedule moving the completion of the overall project from December 5, 2017 to January 31, 2018. Increased cost will be covered by funds from the 8th Street Escrow account.

COST TO CITY:

Cost of this Request: \$22,912

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 8th Street Escrow
Funds Expended to Date	
Remaining Budget	
Budget Adjustment	
Remaining After Adjustment	\$ -

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



Memo



To: City Council, Mayor McCaslin

From: Mike Bender

CC:

Date: April 3, 2017

Re: Change Order #3, 8th Street Water and Sewer Relocations, Contract Section I (SW I Street to SE D Street) – TriStar Contractors, LLC

Staff recommends approval of Change Order #3 for TriStar Contractors, LLC for an increase of \$22,911.97 for Phase I of the 8th Street Water and Sewer Relocations, Contract Section I (SW I Street to SE D Street) project associated with the widening of 8th Street. This change order is necessary to address conflict with sanitary sewer and storm sewer lines at SW 8th and SW F Street. Storm sewer was designed after utility contract let. Storm sewer grade is dictated by drainage grades in the field and conflict with the existing sanitary sewer which can be lowered. A section of the sanitary sewer was being relocated as part of the original design. To accommodate the proposed storm sewer, additional sewer line needs relocated (lowered). Given poor condition of the clay sewer line, it is being relocated/replaced to the northern extents of the 8th Street project. Increased cost will be covered by funds from the 8th Street Escrow account.

This change order will also adjust contract times to add the time extensions already approved for Phase I of the project to the overall project schedule moving the completion of the overall project from December 5, 2017 to January 31, 2018.

Thank you for your consideration of this request.

CHANGE ORDER

No. 3

PROJECT 8th Street Water & Sewer Relocations Contract Section 1 (SW I Street to SE D Street)

DATE OF ISSUANCE April 3, 2017

EFFECTIVE DATE April 3, 2017

OWNER City of Bentonville

OWNER's Contract No. USI Project No. 1009022 Contract Section 1

CONTRACTOR Tri Star Contractors, LLC ENGINEER USI Consulting Engineers, Inc. & Burns & McDonnell

You are directed to make the following changes in the Contract Documents.

Description:

- Replace Plan Sheet SL-006.
- Modifying Contract Times for All Work to reflect new final completion dates from previous change orders for Phase I Work.

Reason for Change Order:

- Revise design of Sewer Line 1-D to remove a manhole within 8th Street and to simplify the sewer main tie-over.
- The Contract Times previously approved for Phase I work applied to All Work.

Attachments: Revised Plan Sheet SL-006. Attachment A – Cost Breakdown of Change Order No. 3

CHANGE IN CONTRACT PRICE:		CHANGE IN CONTRACT TIMES:	
Original Contract Price		Original Contract Times	Phase I All Work
\$ 2,639,232.75		Substantial Completion:	Feb. 3, 2017 Nov. 5, 2017
		Ready for final Payment:	March 5, 2017 Dec. 5, 2017
			days or dates
Net changes from previous Change Orders No. <u>1</u> to No. <u>3</u>		Net changes from previous Change Orders No. <u>1</u> to No. <u>3</u>	
\$ 33,444.00		57 Contract Days (Phase I)	
Contract Price prior to this Change Order		Contract Times prior to this Change Order	
\$ 2,672,676.75		Substantial Completion:	April 1, 2017 Nov. 5, 2017
		Ready for final Payment:	May 1, 2017 Dec. 5, 2017
			days or dates
Net Increase of this Change Order		Net Increase for this Change Order	
\$ 22,911.97		57 Contract Days (All Work)	
Contract Price with all approved Change Orders		Contract Times for with all approved Change Orders	
\$ 2,695,588.72		Substantial Completion:	January 1, 2018
		Ready for final Payment:	January 31, 2018
			days or dates



Engineer (Authorized Signature)

Owner (Authorized Signature)

Date: 4/3/17

Date: _____

ACCEPTED:

By: _____

Contractor (Authorized Signature)

Date: _____

EJCDC No: 1910-8-B (1990 Edition)

Attachment A - Cost Breakdown for Change Order No. 3

Bid Item	Description	Unit	Unit Cost	Deduction	Addition	Difference	Additional Cost
5	8-inch Gravity Sewer (PVC SDR-26)	LF	\$ 37.00	73	141	68	\$ 2,516.00
7	6-ft. to 10-ft. Extra Depth Sewer Trench	LF	\$ 12.00	50	141	91	\$ 1,092.00
9	4-ft. Dia. Cast-in-Place Manhole	EA	\$ 2,500.00	0	3	3	\$ 7,500.00
10	4-ft. Dia. Manhole Barrel Extension	VF	\$ 279.00	0	3.43	3.43	\$ 956.97
12	Plug and Abandon Existing Gravity Sewer Lines (8" & 12" diameters)	EA	\$ 9.00	0	98	98	\$ 882.00
14	Abandon Existing Manhole	EA	\$ 600.00	0	1	1	\$ 600.00
37	Full Depth Class 7 Backfill	LF	\$ 70.00	55	125	70	\$ 4,900.00
47	*Asphalt Pavement Repair	SY	\$ 95.00	17	64	47	\$ 4,465.00
Total							\$ 22,911.97



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, April 11, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, April 11, 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: March 28, 2017**

AGENDA

1. 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. (PMD Enterprises, Phillip & Dayna Martz)
2. Planning:
- 2a. **Lot Split: Lot 209 Bentonville Original Subdivision, Rustin Chrisco, 224 North Main Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from one existing parcel. The new lot will be known as Lot 209 (0.32 acres) of Bentonville Original Subdivision. Per the current Master Street Plan, additional right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

- 2b. **Lot Split: Lots 19 & 20, Block 4, Railroad Addition, TNG Properties, LLC, 222 & 224 Southeast 2nd Street, DE, Downtown Edge.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 19 (0.12 acres) and Lot 20 (0.11 acres) of Block 4, Railroad Addition. The plat shows the dedication of a public drainage, utility and access easement along the southern portion of the new Lot 20. Each of the new lots will have access to public utilities and a public street.

- 2c. **Lot Split: Lots 26, 27, & 28, Block 5, Dunn & Davis Addition, 6th & C, LLC, 601 Southwest 6th Street, DE, Downtown Edge.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create three new lots from one existing lot. The new lots will be known as Lot 26 (0.05 acres), Lot 27 (0.05 acres) and Lot 28 (0.05 acres) of Block 5, Dunn & Davis Addition. The plat shows the dedication of right-of-way along SW C Street and SW 6th Street per the current Master Street Plan requirements. Each of the new lots will have access to public utilities and a public street.

- 2d. **Final Plat: Wildwood Subdivision, Phase 6, Dream Structure Residential, LLC, Southwest Morning Star Road, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat for 21.52 acres consisting of 32 single-family residential lots that will be known as Wildwood Subdivision, 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 Wildwood Phase 4 located to the east and will have direct access to SW Morningstar Road. Public drainage and utility easements are being dedicated with the plat. Right-of-way is also being dedicated along SW Morningstar Road per the current requirements of the Master Street Plan. All public infrastructure has been inspected and accepted by the utility departments and all non-bondable items have been completed.

- 2e. **Rezoning: Riggins Commercial Construction & Development, Southwest Rainbow Farms Road, From R-O, Residential Office to R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). The R-1, Single Family Residential zoning is an appropriate zoning district for this designation.

- 2f. **Rezoning: Jared & Sonia Faciszewski, Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 7-0, 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.

- 2g. **Rezoning: Central Investments, LLC, 1602 East Central Avenue, From I-2, Heavy Industrial to C-2, General Commercial.**

The Planning Commission voted 7-0, recommending approval.

The property is currently occupied with a mix of office and general commercial uses. The C-2, General Commercial zoning district will allow uses that are consistent with the exiting use occurring in the building and with other uses in the near vicinity. The proximity to an arterial street is keeping with good land use planning and the General Plan.

3. Appointment of Johnetta Dexter, a local artist and small business owner, to the Public Art Advisory Committee to fill the term vacated by Chad Alligood that expires October 28, 2017.
4. **Tabled from the March 14, 2017 City Council Meeting:** City Council approval of an ordinance amending the local amendments to the National Electric Code, as adopted by Ordinance No. 2014-30, to improve safety for exterior electric disconnects.
5. City Council approval of a change order and budget adjustment, in the amount of \$9,664.00, for the Melvin Ford Aquatic Center renovation project.
6. Staff recommends approval of Change Order #3 for TriStar Contractors, LLC for an increase of \$22,911.97 for Phase I of the 8th Street Water and Sewer Relocations, Contract Section I (SW I Street to SE D Street) project associated with the widening of 8th Street. This change order is necessary to address conflict between sanitary sewer and storm sewer and replace a section of clay sanitary sewer in poor condition. This change order will also adjust contract times to add the time extensions already approved for Phase I of the project to the overall project schedule moving the completion of the overall project from December 5, 2017 to January 31, 2018. Increased cost will be covered by funds from the 8th Street Escrow account.