



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, October 23, 2018 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from City Council Members on Tonight's
Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: October 9, 2018**

AGENDA

1. A proclamation designating October 2018 as Community Planning Month in the City of Bentonville. **(Pages 4-6)**
2. 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. (Luttrell Annexation; Luttrell Family Trust, et al, Petitioner) **(Pages 7-31)**
3. Planning:
 - 3a. **Property Line Adjustment: Lot 21 of Amber Ridge North at Woods Creek Subdivision, Michele DiPalma, 500 NE Saddle Ridge Road, R-1, Single Family Residential.**
(Pages 34-36)
The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 19 & 20, Amber Ridge North at Woods Creek Subdivision, creating new Lot 21 (+/-1.07 acres). Adequate utility easements currently exist on the subject property. The plat dedicates an additional 5-feet of right-of-way along Woods Creek Road to meet the requirements of the Master Street Plan.
 - 3b. **Rezoning: Brown, 9801 Gaston Road, From A-1, Agricultural to R-E, Residential Estate.**
(Pages 37-39)
The Planning Commission voted 7-0, recommending approval.

Although the subject property is not currently included on the Future Land Use Plan, the property's compatibility with adjacent uses, and low risk of impacting traffic, may justify a rezoning to R-E, Residential Estate.

- 3c. **Rezoning: Simon, 206 SE B Street, From R-1, Single Family Residential to DE, Downtown Edge.**

(Pages 40-42)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts the property as Mixed-Use. The Mixed-Use Land Use category encourages unique land use with a mix of uses and densities. The Downtown Edge zoning district is generally compatible with this land use category.

- 3d. **Lot Split: Lots 1-3 of D & S Subdivision, Brown, 9801 Gaston Road, A-1, Agricultural.**

(Pages 43-45)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a lot split of previously unplatted land creating Lots 1 through 3 of D & S Subdivision. The plat dedicates 20-foot utility easements along all external lot lines and 15-foot utility easements along all internal lot lines. Adequate right-of-way currently exists along Gaston Road.

- 3e. **Resolution: Community Plan Adoption.**

(Pages 46-47)

The Planning Commission voted 7-0, recommending approval.

The proposed Bentonville Community Plan is the City of Bentonville's most basic statement of public policy that serves as a guide describing how the city can achieve its desired future and providing direction to city leaders as they make decisions. It includes the Future Land Use Map that shows the desired location for each land use as the city continues to grow and develop; serving as a guide for land use and development decisions. A three-year long process guided by a steering committee and involving public workshops, public hearings, interactive maps and community surveys provided the direction for plan development.

4. Recognition by City Council of Ronald and Jean Ann Gilbert who reside at 113 Somerset. The property's landscaping was nominated by a Bentonville resident and is the October Residential Landscaping of the Month award winner.

(Pages 48-50)

5. Appointment of Dylan Turk to position 2 of the Public Art Advisory Committee (PAAC). Mr. Turk has a degree in Art History and Architecture History. His application is attached. This is Mr. Turk's first term of a three-year term beginning 11/01/2018 and expiring 10/31/2021.

(Pages 51-53)

6. Appointment of Brittany Braithwaite to position 4 of the Public Art Advisory Committee (PAAC). Mrs. Braithwaite has a degree in Interior Design. Her application is attached. This is Mrs. Braithwaite's first term of a three-year term beginning 11/01/2018 and expiring 10/31/2021.

(Pages 54-56)

7. Request that City Council approve the transfer of a 2008 Ford F150 regular cab, LWB, 2WD pickup from Building Inspection to the Police Department. This vehicle is currently awaiting surplus auction. See attached Disposal or Transfer of Asset Form. This 2008 Ford F150 would replace an existing 2005 Chevy extended cab, LWB, 4WD pickup that is currently being used by animal services. The aforementioned 2005 Chevy was obtained by the Police Department, via transfer from Engineering in 2015. This Chevy truck was initially used as a police department and SWAT support vehicle. Upon the addition of our third animal services position in early 2018, the truck was adapted for animal services use. Transferring the 2008 Ford from Building Inspection to the Police Department will result in a newer vehicle that is better suited for the needs of the animal services group. Upon council approval and the completion of this vehicle transfer, the 2005 Chevy can then be disposed as a surplus vehicle and thereby result in no increase in our fleet numbers. This transfer represents both a cost savings and a responsible use of city equipment.
(Pages 57-58)
8. Staff recommends City Council approval of a resolution authorizing the Mayor to enter into an agreement with Traffic Engineering Consultants, Inc., for the traffic signal timing study of 30 intersections. These traffic studies will be used to improve the signal operation at each intersection. This is a lump sum agreement in the amount of \$45,000.00.
(Pages 59-66)
9. Staff recommends City Council approval of a resolution authorizing the transfer of ownership of Hwy 71B (Walton Blvd.) and a portion of Hwy 12 (SW Regional Airport Blvd.) to the City of Bentonville street system from the Arkansas Department of Transportation System, upon completion of ARDOT improvements. Attached is the request letter from the City along with the ARDOT response, minute order, and exhibit.
(Pages 67-74)
10. The Street Department requests a budget adjustment in the amount of \$16,441.95 for a road improvement project for Allen Road. Please see attachments.
(Pages 75-79)



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-3122

ACTION REQUIRED:

A proclamation designating October 2018 as Community Planning Month in the City of Bentonville.

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

Community Planning Month Proclamation

TO: City Council
FROM: Shelli Kerr, Interim Community & Economic Development Director
CC DATE: October 23, 2018
RE: Community Planning Month Proclamation and Artwork Unveiling

The American Planning Association and its members participate in Community Planning Month to raise the visibility of the important role of city planners and community planning across the United States. Community Planning Month is held annually in October. This year's theme is Housing as Community Infrastructure.

To celebrate, the City of Bentonville held a poster contest for junior high and high school students. The goal is to provide students the opportunity to visually express their ideas and experiences of housing as community infrastructure, which underscores the important role planning plays to ensure that all residents in a community have safe and affordable housing options.

Planning Commission selected the winning artwork, which was created by Claire Brown, an eighth grader who attends Fulbright Junior High School. Her art teacher is Jerris Palmer.

Claire will be congratulated at the poster unveiling, held before City Council at 5:45 pm on Tuesday, October 23rd. The poster will be displayed on the south side of the Community Development building for one year.

To round out the activities, staff is respectfully requesting the Mayor and City Council to proclaim October as Community Planning Month in the City of Bentonville. The proclamation is attached.

PROCLAMATION

- WHEREAS:** Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and
- WHEREAS:** Community planning and plans can help manage this change in a way that provides better choices for how people work and live; and
- WHEREAS:** Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and
- WHEREAS:** The full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and
- WHEREAS:** The month of October is designated as National Community Planning Month throughout the United States of America and its territories, and
- WHEREAS:** The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and
- WHEREAS:** The celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Bentonville, Arkansas; and
- WHEREAS:** We recognize the many valuable contributions made by professional community and regional planners of the City of Bentonville, Arkansas and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, I Bob McCaslin, Mayor of the City of Bentonville do hereby proclaim the month of October 2018 as **"Community Planning Month"** in the City of Bentonville, Arkansas in conjunction with the celebration of National Community Planning Month and I further urge all citizens of the community, all civic and fraternal groups, all news media, and other community organizations to join in this recognition of our community and regional planners.

Given this twenty-third day of October, 2018, in Bentonville, in the great State of Arkansas, in the United States of America.

Bob McCaslin, Mayor
City of Bentonville





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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

City Hall

Department

Phone

271-3112

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. (Luttrell Annexation; Luttrell Family Trust, et al, Petitioner)

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



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 all of the owners of the hereinafter described territory, said owners being listed in Exhibit “A” to this ordinance, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 4 day of **October**, **2018**, the County Court of Benton County, Arkansas, entered an order authorizing annexation pursuant to § 14-40-609 of the Arkansas Code, finding that the petition met the requirements for annexation under that provision and directed the Clerk to forward the order to the Mayor of the City of Bentonville; and

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

Section 1. That the land described on the attached Exhibit “B,” which includes both the territory sought to be annexed by the petitioners and the dedicated public roads and rights of way abutting or traversing the property proposed to be annexed, is territory contiguous to and adjoining the City of Bentonville, Arkansas, and the petition to annex that property is hereby granted and the property described in Exhibit “B” 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 2 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.

Section 4: That this ordinance shall become effective 30 days from its passage and approval.

PASSED AND APPROVED THIS _____ **DAY OF** _____, **2018.**

APPROVED: _____
HON. BOB McCASLIN, Mayor

ATTEST: _____
HON. LINDA SPENCE, City Clerk

Luttrell/Alexander Annexation
EXHIBIT "A"

Luttrell Family Trust-Arnold L. & Jeannie K. 01-00231-000

Alexander, Kimberly K. 01-00231-001

Luttrell/Alexander
Exhibit "B"

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 North, Range 30 West, Benton County, Arkansas, and more particularly described as follows:

Beginning at the SW Corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

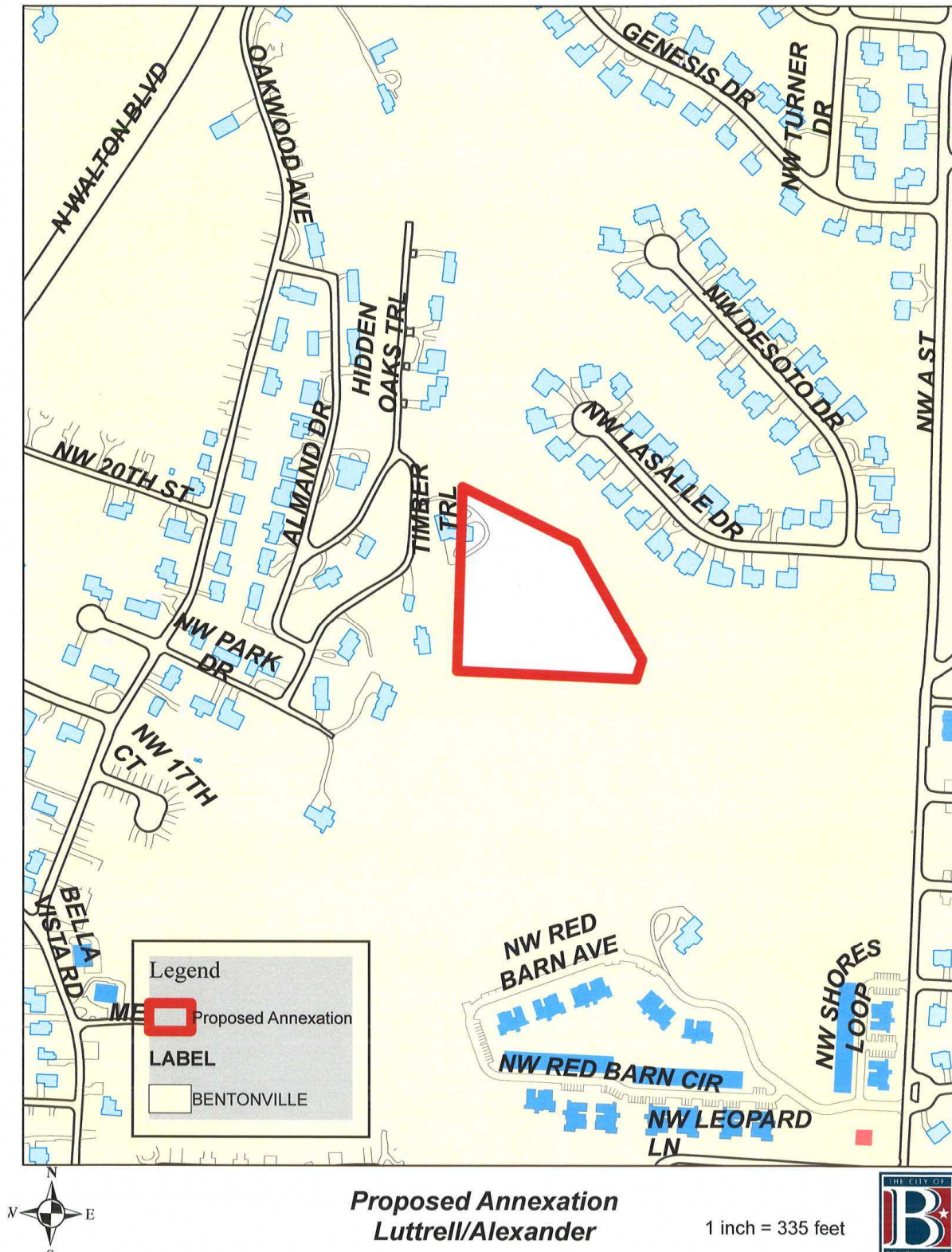
Thence N $00^{\circ} 06' 00''$ E, 500.00';

Thence S $64^{\circ} 21' 41''$ E, 364.19';

Thence S $31^{\circ} 15' 58''$ E, 376.46';

Thence S $01^{\circ} 56' 26''$ W, 38.38';

Thence N $88^{\circ} 03' 34''$ W, 523.59' to the point of beginning.



BENTON COUNTY

STATE OF ARKANSAS

RECEIVED OCT 09 2018

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR
215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373

October 4, 2018

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

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

Re: In the Matter of Annexing to the City of Bentonville, Arkansas Certain
Territory Contiguous To Said City of Bentonville, Arkansas

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.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

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

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

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

2018 OCT -4 PM 12: 29

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

TERESA W. BROWN
CLERK OF THE COUNTY CLERK
BENTONVILLE, ARKANSAS

COUNTY COURT ORDER NO. CC 2018-16

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 that the petition:

- 1) is in writing;
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town – additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

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

10/4/18

2018 3786

FILED

2018 OCT -4 AM 9:38

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

TEMA O'BRIEN
CLERK OF BENTON COUNTY
BENTONVILLE, ARKANSAS

CC 2018-16

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Tena O'Brien, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.


HON. TENA O'BRIEN, County Clerk


HON. RODERICK GRIEVE, County Assessor

FILED

2018 OCT -4 AM 9:38



Date: September 26, 2018
Subject: Proposed Annexation Checklist
CC 2018-16 Bentonville, AR

✓ (A) is in writing;

✓ (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;

✓ (C) contains an accurate description of the relevant property or properties;

✓ (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;

✓ (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and

✓ (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

N/A [Additionally, we note that the legal description in (C) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

Please contact me if you have any questions.

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

(FILED

2018 SEP 25 PM 12:03

TERA SULLIVAN
COUNTY CLERK
BENTON COUNTY, AR

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

NO. CC02018-16

PETITION FOR ANNEXATION – 100 % OF OWNERS PETITIONING

DATE: 9-14-2018

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. §14-40-609, the City Council of Bentonville, Arkansas, to annex the following lands to the City of Bentonville, Arkansas.

Refer to Exhibit "A"

2. We further state that this petition is signed by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

3. That said property description herein is contiguous to and adjoining the present City of Bentonville city limits, as shown on the map attached hereto as Exhibit "B".

4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Bentonville.

5. That the following schedule of services shall be extended to the area by the City of Bentonville within three (3) years after the date the annexation becomes final:

All properties annexed into the City of Bentonville are provided with Police, Fire and EMS services.

Additional services such as water and sewer may be provided if readily available. Such services are provided in accordance with existing ordinances and terms of service, including but not limited to the payment of required fees, the necessary permits, inspections and approvals.

FILED
2018 SEP 25 PM 12:03

6. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties is attached hereto as Exhibit "C" and is made part of this petition as if set out word for word herein.

7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the City of Bentonville and that no enclaves will be created if the property or properties are accepted by the City of Bentonville is attached hereto as Exhibit "D" and is made part of this petition as if set out word for word herein.

8. That each of the undersigned persons executing this petition has confirmed by their signature a desire that their property, which is included in the property described above, be annexed into the City of Bentonville.

Arnold

2018 SEP 25 PM 12:03

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

7
[Redacted Signature]
Signature of Property Owner or
Legal Representative of Property Owner,
Petitioner

Title, if applicable (i.e. Trustee,
(Managing Member, President,
Secretary)

01-00231-000
Parcel number of property to be annexed

ACKNOWLEDGMENT

State of Arkansas)
) ss.
County of Benton)

SURVEYOR
TERRY GING
621-3592

On this the 11th day of September, 2018, before me, the undersigned officer, personally appeared Arnold Luttrell, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

[Redacted Notary Signature]
NOTARY PUBLIC

My Commission Expires:

11/23/2027

STEFANIE LYNN HERRICK
NOTARY PUBLIC
BENTON COUNTY, ARKANSAS
COMM. EXP. 11-23-2027
COMMISSION NO. 12702842

Kimberly
FILED

2018 SEP 25 PM 12:03

I confirm my desire that property owned by me, which is to be included in a petition to annex property, be annexed into the City of Bentonville.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust, or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity I attest either that I have the authority to sign this confirmation on behalf of the entity, or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

Signature of Property Owner or
Legal Representative of Property Owner,
Petitioner

Title, if applicable (i.e. Trustee,
(Managing Member, President,
Secretary)

KIMBERLY ALEXANDER
2002 TIMBER TRAIL BENTONVILLE, AR. 72712

01-00231-001

Parcel number of property to be annexed

ACKNOWLEDGMENT

State of Arkansas)
) ss.
County of Benton)

On this the 12th day of September, 2018, before me, the undersigned officer, personally appeared Kimberly K. Alexander, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

My Commission Expires:

May 27, 2021



FILED

2010 SEP 25 PM 12: 03

Luttrell/Alexander
Exhibit "A"

JENA O'BRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, ARK.

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 North, Range 30 West, Benton County, Arkansas, and more particularly described as follows:

Beginning at the SW Corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

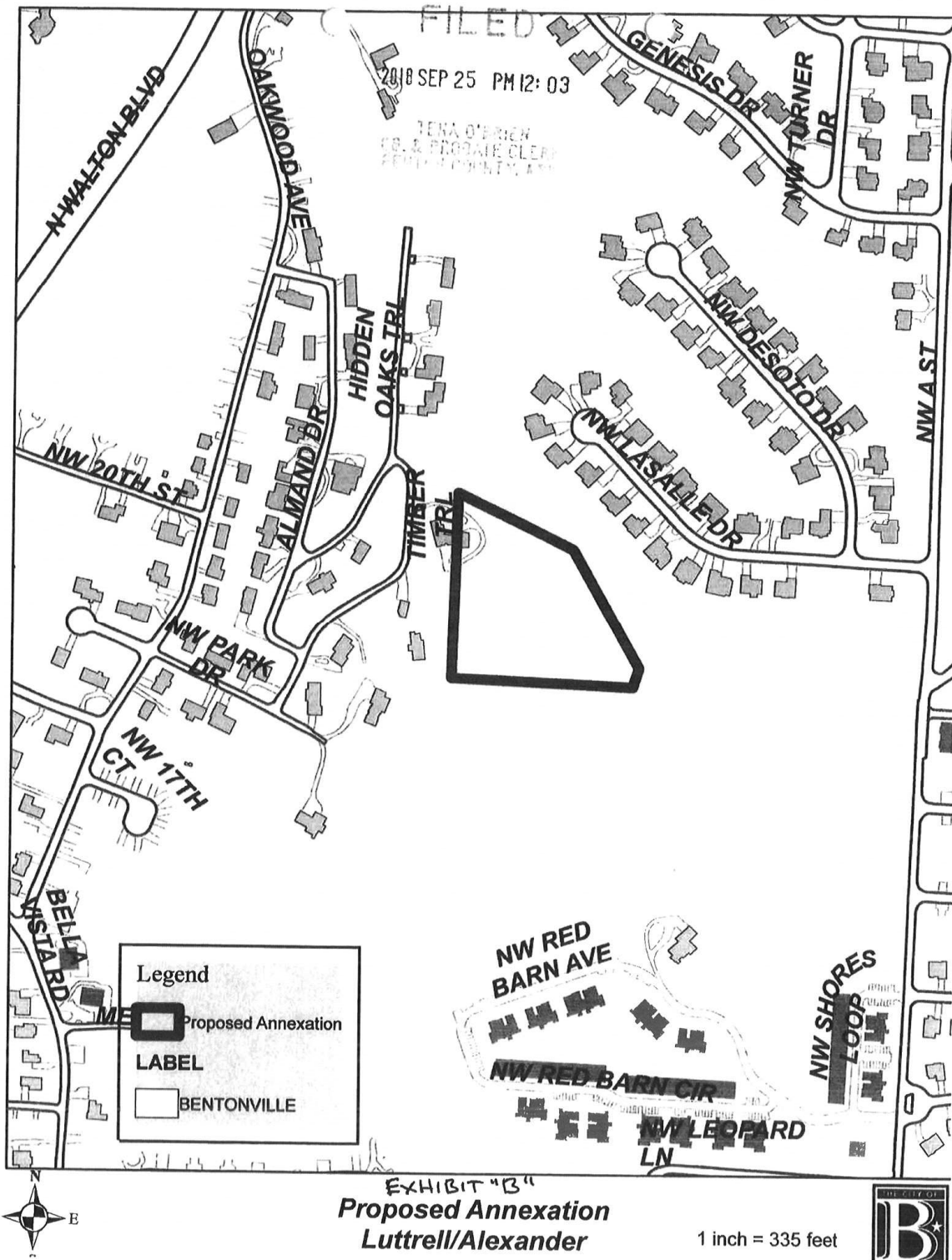
Thence N 00° 06' 00" E, 500.00';

Thence S 64° 21' 41" E, 364.19';

Thence S 31° 15' 58" E, 376.46';

Thence S 01° 56' 26" W, 38.38';

Thence N 88° 03' 34" W, 523.59' to the point of beginning.



Benton
216 W Sevier Street
Benton, AR 72015

Bentonville
300 SW 28th Street
Bentonville, AR 72712

Eureka Springs
70 S. Main Street, Suite 2
Eureka Springs, AR 72632

Fayetteville
1420 Augustine Lane, Suite 1
Fayetteville, AR 72703

Sheridan
206 N Rose Street
Sheridan, AR 72150



EXHIBIT C-1

2018 SEP 25 12:03

Faulkner County Title Company
A Division of
First National Title Company
Conway, AR 72034
211 Locust Street
Conway, AR 72034

Little Rock Title Company
A Division of
First National Title Company
Little Rock
1001 W. Markham Street #100
Little Rock, AR 72201

First National
Title Company

Headquarters
First National Title Company
Little Rock
415 N McKinley Street Suite 1200
Little Rock, AR 72205

Greenbrier
8 Wilson Farm Road, Suite A
Greenbrier, AR 72058

September 20, 2018

Greetings,

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Bentonville. Based on our review, we verify that the persons listed in Exhibit C-1 to this letter are all the owners of record of the real property described in Exhibit C-2 to this letter.

Sincerely,

Steve Pangie

Benton County Manager

First National Title

www.firstnationaltitle.net

FILED

2018 SEP 25 PM 12:03

Luttrell/Alexander Annexation
EXHIBIT "C-1"

TERA O'BRIEN
CLERK & PROBATE CLERK
HITCH COUNTY, ARK

Luttrell Family Trust-Arnold L. & Jeannie K. 01-00231-000

Alexander, Kimberly K. 01-00231-001

FILED

2018 SEP 25 PM 12:03

**Luttrell/Alexander Annexation
Exhibit "C-2"**

RECEIVED
CLERK OF COURT
BENTON COUNTY
ARKANSAS

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 North, Range 30 West, Benton County, Arkansas, and more particularly described as follows:

Beginning at the SW Corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

Thence N 00° 06' 00" E, 500.00';
Thence S 64° 21' 41" E, 364.19';
Thence S 31° 15' 58" E, 376.46';
Thence S 01° 56' 26" W, 38.38';
Thence N 88° 03' 34" W, 523.59' to the point of beginning.

(EXHIBIT "D")

(FILED)

2018 SEP 25 PM 12: 03

Greetings:

TERA PIEREN
CLERK OF PROBATE COURT
CENTRAL COUNTY, ARK.

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property (LUTTRELL/ALEXANDER Annexation) into the City of Bentonville. I am a licensed Professional Engineer in the State of Arkansas. Based on my review, I verify that the real property described in Exhibit D-1 to this letter is contiguous with the City of Bentonville and that no enclaves will be created if the described property is accepted by the City of Bentonville.

Sincerely,

Travis Matlock, P.E.



FILED

2018 SEP 25 PM 12:03

**Luttrell/Alexander Annexation
Exhibit "D-1"**

TONA D'ERICH
CLERK OF COURT
BENTON COUNTY, ARK.

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 North, Range 30 West, Benton County, Arkansas, and more particularly described as follows:

Beginning at the SW Corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

Thence N 00° 06' 00" E, 500.00';

Thence S 64° 21' 41" E, 364.19';

Thence S 31° 15' 58" E, 376.46';

Thence S 01° 56' 26" W, 38.38';

Thence N 88° 03' 34" W, 523.59' to the point of beginning.

FILED

2018 SEP 25 PM 12: 03

JENNIFER WHEELER
CLERK & FEDERAL CLERK
CLERK OF COUNTY, ARK.



**ARKANSAS
GIS OFFICE**

September 19, 2018

Mr. Jim Wheelless
GIS Coordinator- City of Bentonville
305 SW A Street
Bentonville, AR 72712

RE: City of Bentonville Annexation Coordination Requirement

Mr. Wheelless,

Thank you for coordinating with our office as you seek to annex property into the City of Bentonville, AR described as the "Luttrell/Alexander" annexation located in Section 19, Township 20 North, Range 30 West. This letter represents confirmation that you have properly coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst
/jjw

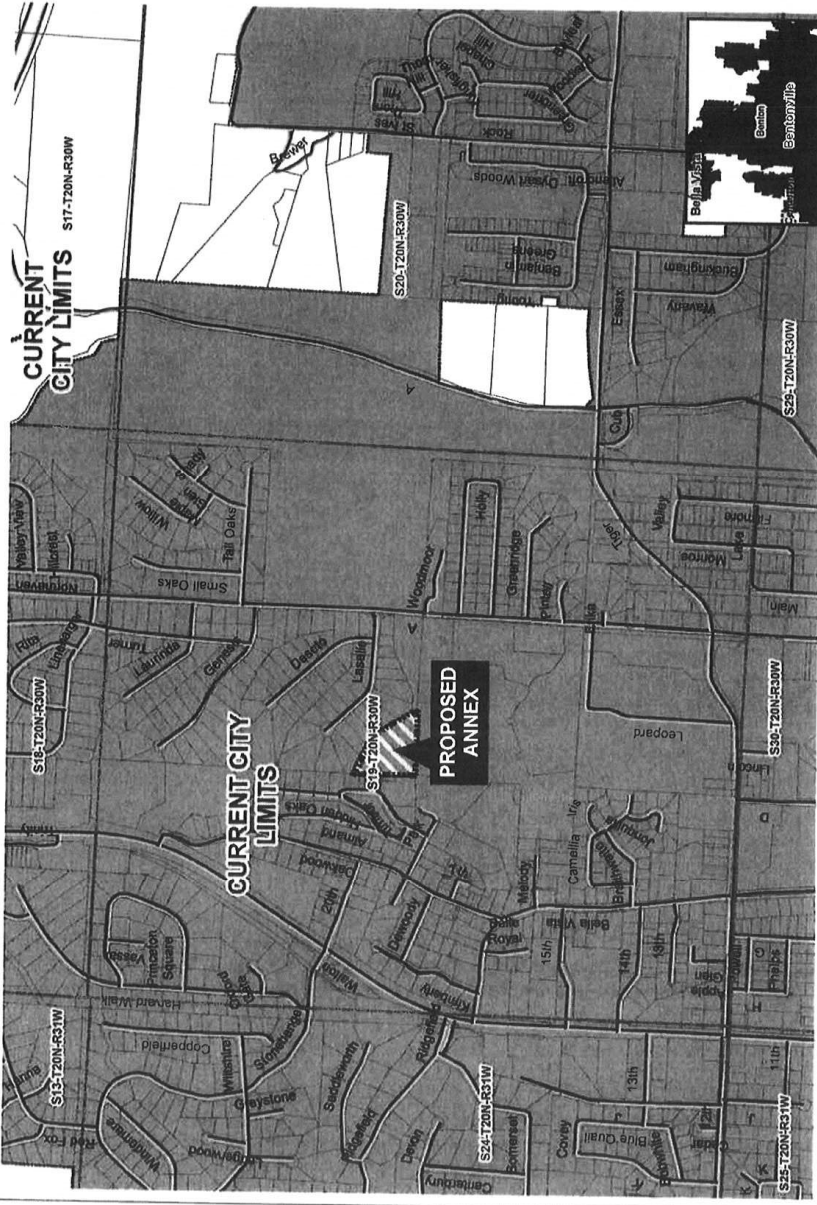
Attachments:
GIS Office Map of Proposed Annexation
Legal Description
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Bentonville\20180919\Doc\20180919_Bentonville_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE • 1 CAPITOL MALL SUITE 6D • LITTLE ROCK • ARKANSAS • 72201
PHONE (501) 682-2767 • www.gis.arkansas.gov • FAX (501) 682-6077

Proposed "Luttrell/Alexander" Annex: City of Bentonville
September 2018

City: Bentonville
Mayor: Bob McCaslin



2018 SEP 25 PM 2:52



0 0.045009 0.18
Miles



H:\City_Annexes\Proposed\Bentonville\20180918

FILED

2010 SEP 25 PM 3: 05

**Luttrell/Alexander
Exhibit "A"**

TENA O'BRIEN
C.D. & PROBATE CLERK
BENTON COUNTY, ARK.

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 North, Range 30 West, Benton County,
Arkansas, and more particularly described as follows:

Beginning at the SW Corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

Thence N 00° 06' 00" E, 500.00';

Thence S 64° 21' 41" E, 364.19';

Thence S 31° 15' 58" E, 376.46';

Thence S 01° 56' 26" W, 38.38';

Thence N 88° 03' 34" W, 523.59' to the point of beginning.

FILED

2010 SEP 25 PM 12:03

TENA O'BRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, AR

September 25th, 2018

Hon. Tena O'Brien, County Clerk
Benton County Administration Building
215 East Central
Bentonville, AR 72712

Re: Luttrell/Alexander Annexation

Dear Mrs. O'Brien:

This letter accompanies the voluntary annexation petition being filed today by me on behalf of the City of Bentonville. In addition to the petition, accompanying this letter, please find:

- 1) a copy of the Arkansas GIS Office approval of the legal description as provided for in § 14-40-101 of the Arkansas Code.

Item 1) is not required by the 100% annexation statute, but does show up elsewhere in the Code so we thought it appropriate to provide it.

I am aware the County Judge has authority to require adjoining road right-of-way be added to this annexation. My review indicates there is no adjoining road right-of-way with respect to this proposed annexation.

Sincerely,


Jim Wheelless, GIS Coordinator
City of Bentonville

enc



City Council Agenda Items

For City Council Meeting of October 23, 2018

From the October 16, 2018 Planning Commission Meeting

Property Line Adjustment: Lot 21 of Amber Ridge North at Woods Creek Subdivision, Michele DiPalma, 500 NE Saddle Ridge Road, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 19 & 20, Amber Ridge North at Woods Creek Subdivision, creating new Lot 21 (+/-1.07 acres). Adequate utility easements currently exist on the subject property. The plat dedicates an additional 5-feet of right-of-way along Woods Creek Road to meet the requirements of the Master Street Plan.

Rezoning: Brown, 9801 Gaston Road, From A-1, Agricultural to R-E, Residential Estate.

The Planning Commission voted 7-0, recommending approval.

Although the subject property is not currently included on the Future Land Use Plan, the property's compatibility with adjacent uses, and low risk of impacting traffic, may justify a rezoning to R-E, Residential Estate.

Rezoning: Simon, 206 SE B Street, From R-1, Single Family Residential to DE, Downtown Edge.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan currently depicts the property as Mixed-Use. The Mixed-Use Land Use category encourages unique land use with a mix of uses and densities. The Downtown Edge zoning district is generally compatible with this land use category.

Lot Split: Lots 1-3 of D & S Subdivision, Brown, 9801 Gaston Road, A-1, Agricultural.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a lot split of previously unplatted land creating Lots 1 through 3 of D & S Subdivision. The plat dedicates 20-foot utility easements along all external lot lines and 15-foot utility easements along all internal lot lines. Adequate right-of-way currently exists along Gaston Road.

Resolution: Community Plan Adoption.

The Planning Commission voted 7-0, recommending approval.

The proposed Bentonville Community Plan is the City of Bentonville's most basic statement of public policy that serves as a guide describing how the city can achieve its desired future and providing direction to city leaders as they make decisions. It includes the Future Land Use Map that shows the desired location for each land use as the city continues to grow and develop; serving as a guide for land use and development decisions. A three-year long process guided by a steering committee and involving public workshops, public hearings, interactive maps and community surveys provided the direction for plan development.



Consent Agenda Items

For Planning Commission meeting of October 16, 2018

Reviewer: Tyler Overstreet, Planner

- ❖ At the Technical Review meeting held on October 9, 2018 the Planning Commission requested these items be placed on the consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Property Line Adjustment: Lot 21, Amber Ridge North at Woods Creek Subdivision, Michele DiPalma, 500 NE Saddle Ridge Road, R-1, Single-Family Residential (PLA18-0032)

A property line adjustment of Lots 19 & 20, Amber Ridge North at Woods Creek Subdivision, creating new Lot 21 (+/-1.07 acres). Adequate utility easements currently exist on the subject property. The plat dedicates an additional 5-feet of right-of-way along Woods Creek Road to meet the requirements of the Master Street Plan.

(Please click on this link to access the vicinity map for this item: <http://geo.bentonvillear.com/mgweb/PZpending/>)



PLA18-0032
 Amber Ridge North at Woods Creek
 500 NE Saddle Ridge Road
 Michelle DiPalma

1 inch = 156 feet



Certificate of Ownership

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____

Owner: _____
Name & Address _____

Signed: _____

Source of Title: D.R. _____

Page _____

Certificate of Approval

Pursuant to the Bentonville Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.

Date of Execution: _____

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor City of Bentonville

Signed: _____
City Clerk, City of Bentonville

Certificate of Surveying Accuracy

I, _____ hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Date of Execution: _____

Signed: _____
Registered Land Surveyor
No. _____
State of Arkansas

TOTAL ACREAGE: 1.06 ACRES

(46,350.31 SQ. FT.)

R-1 SETBACKS:

FRONT SETBACK: 25'

SIDE SETBACK: 7'

REAR SETBACK: 20'

LEGEND

● - E.R.B. - EXISTING REBAR

○ - S.R.B. - SET REBAR IN PLACE

■ - C.P. - COMPUTED POINT

□ - W.V. - WATER VALVE

□ - W.M. - WATER METER

□ - T.E. - TELEPHONE RISER

□ - E.B. - ELECTRIC BOX

□ - S.S.M. - SANITARY SEWER MANHOLE

□ - M. - MANHOLE

■ - BUILDING

■ - COVER

■ - PAVEMENT

■ - CONC. - CONCRETE

■ - BUILDING

■ - BOUNDARY

■ - CONC. - CONCRETE

■ - EASEMENT

■ - ADDITIONAL PROPERTY OWNER & LOT LINE

■ - EDGE OF PAVEMENT OR GRAVEL

VICINITY MAP

NOT TO SCALE

PROPERTY LOCATION

ADDITIONAL NOTES:

THERE MAY NOT BE FENCES OR ANY OTHER

STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

OWNER/DEVELOPER SHALL COORDINATE WITH ALL

LOCAL UTILITIES TO INSURE THAT EACH LOT HAS

WATER, SEWER AND ELECTRIC SERVICE.

OWNER/DEVELOPER SHALL NOTIFY THE CITY OF

BENTONVILLE ENGINEERING DEPARTMENT & STREET

DEPARTMENT IN WRITING PRIOR TO ANY WORK

BEING DONE IN THE PUBLIC RIGHT-OF-WAY.

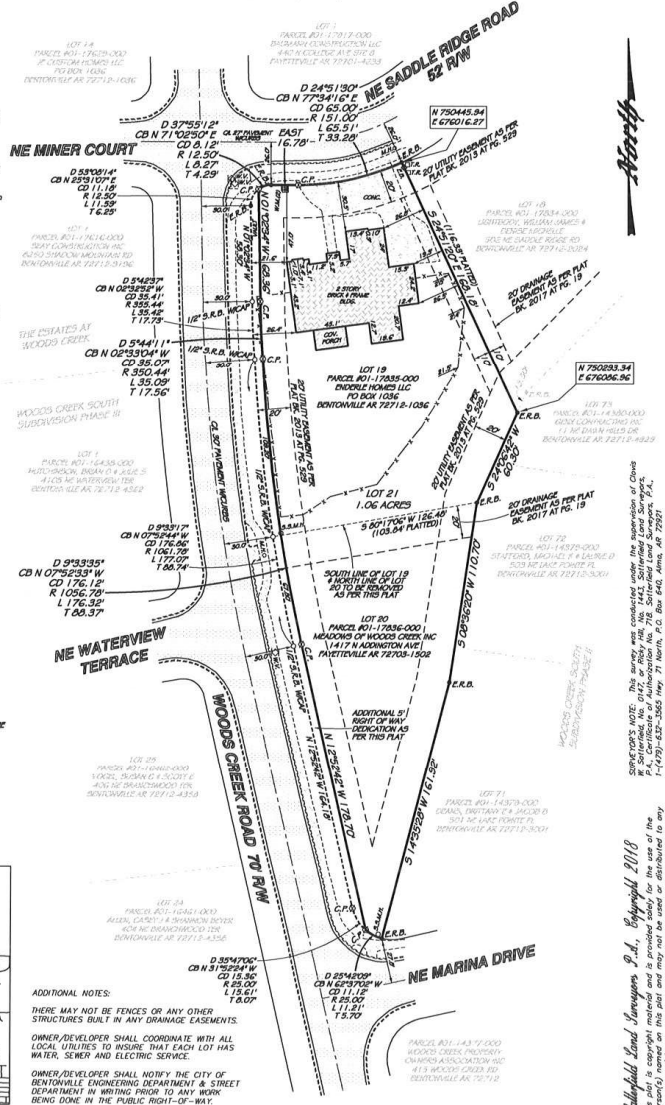
AMBER RIDGE NORTH AT WOODS CREEK SUBDIVISION - LOT 21

BEING A PROPERTY LINE ADJUSTMENT OF LOTS 19 & 20, AMBER RIDGE NORTH AT WOODS CREEK SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS

PARENT TRACT DESCRIPTION

Lots 19 and 20, Amber Ridge North at Woods Creek Subdivision, Bentonville, Benton County, Arkansas being more particularly described as follows:

Beginning at an existing rebar marking the Northeast Corner of Lot 19. Thence along the East line of said Lot 19 the following bearings and distances: South 24 degrees 51 minutes 20 seconds East, 168.18 feet to an existing rebar. South 24 degrees 06 minutes 42 seconds West, 60.30 feet to an existing rebar marking the Northwest Corner of Lot 20. Thence along the East line of said Lot 20 the following bearings and distances: South 08 degrees 36 minutes 20 seconds West, 110.70 feet to an existing rebar. South 14 degrees 35 minutes 28 seconds West, 161.92 feet to an existing rebar marking the Southeast Corner of Lot 20, said point being on the intersection of the North Right of Way line of Northeast Marina Drive and the East Right of Way line of Woods Creek Road. Thence along the South line of Lot 20 and along said Right of Way, around a curve to the right having a radius of 25.00 feet and subtended by a chord bearing and distance of North 44 degrees 43 minutes 29 seconds West, 25.56 feet to the Southwest Corner of Lot 20. Thence leaving said North Right of Way line of Northeast Marina Drive and continue along the East Right of Way line of Woods Creek Road and along the East lines of Lot 20 and 19 the following bearings and distances: North 12 degrees 52 minutes 42 seconds West, 164.18 feet to a set rebar with cap. Around a curve to the right having a radius of 1,061.78 feet and subtended by a chord bearing and distance of North 07 degrees 52 minutes 44 seconds West, 176.86 feet to a set rebar with cap. Around a curve to the right having a radius of 355.44 feet and subtended by a chord bearing and distance of North 02 degrees 32 minutes 52 seconds West, 35.41 feet to a set rebar with cap. North 01 degree 02 minutes 34 seconds West, 58.30 feet to an existing rebar on the intersection of the East Right of Way line of Woods Creek Road and the South Right of Way line of Northeast Marina Court. Thence along said Right of Way around a curve to the right having a radius of 12.50 feet and subtended by a chord bearing and distance of North 44 degrees 28 minutes 43 seconds East, 17.84 feet to an existing rebar on the North line of Lot 19. Thence leaving the East Right of Way line of Woods Creek Road, and continue along the South Right of Way line of Northeast Marina Court and the North line of Lot 20 the following bearings and distances: East, 16.78 feet. Around a curve to the left having a radius of 151.00 feet and subtended by a chord bearing and distance of North 77 degrees 34 minutes 16 seconds East, 65.00 feet to the Point of Beginning containing 1.06 acres and subject to Road Rights of Way and any Easements of Record.



CITY OF BENTONVILLE
PROJECT NO. PLA 18-0032

CONTACT: MICHELLE DIPALMA
500 NE SADDLE RIDGE ROAD
BENTONVILLE, AR 72712
PHONE: (303) 919-9469
J.D. Callender Land Surveyors, P.A.
1929 Highway 107 North, Suite 100, Bentonville, AR 72712
PHONE: (479) 632-3605
FAX: (479) 632-3606

SURVEYOR'S DISCLAIMER AND STATE OF USE

This survey was conducted by the written or verbal authorization of the person named as the surveyor and/or use of the data or legal description from this survey except those named or their agents and the survey is only certified to the accuracy of the data and the survey is not to be relied upon and any person other than those named using or relying upon this survey does so at their own risk. The surveyor, J.D. Callender Land Surveyors, P.A., and not be responsible or have any liability to any other person or company who uses this plat without written consent of the surveyor. The surveyor is not responsible for any errors or omissions that may occur in the future. The surveyor is not responsible for any errors or omissions that may occur in the future. The surveyor is not responsible for any errors or omissions that may occur in the future.

LEGEND

ADDITIONAL NOTES:

THERE MAY NOT BE FENCES OR ANY OTHER

STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

OWNER/DEVELOPER SHALL COORDINATE WITH ALL

LOCAL UTILITIES TO INSURE THAT EACH LOT HAS

WATER, SEWER AND ELECTRIC SERVICE.

OWNER/DEVELOPER SHALL NOTIFY THE CITY OF

BENTONVILLE ENGINEERING DEPARTMENT & STREET

DEPARTMENT IN WRITING PRIOR TO ANY WORK

BEING DONE IN THE PUBLIC RIGHT-OF-WAY.

VICINITY MAP

NOT TO SCALE

PROPERTY LOCATION

ADDITIONAL NOTES:

THERE MAY NOT BE FENCES OR ANY OTHER

STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

OWNER/DEVELOPER SHALL COORDINATE WITH ALL

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BENTONVILLE ENGINEERING DEPARTMENT & STREET

DEPARTMENT IN WRITING PRIOR TO ANY WORK

BEING DONE IN THE PUBLIC RIGHT-OF-WAY.

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 21
OF AMBER RIDGE NORTH AT WOODS CREEK SUBDIVISION TO THE CITY
OF BENTONVILLE, ARKANSAS (PROJECT NUMBER: PLA18-0032).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 21 of Amber Ridge North at Woods Creek Subdivision of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on October 16, 2018; and,

WHEREAS, said property line adjustment 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 for 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 21 of Amber Ridge North at Woods Creek 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 property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Brown

9801 Gaston Road

PC Date: 10/16/2018

Reviewer: Tyler Overstreet, Planner

Project Number	RZ18-0029
Applicant / Current Owner	Derek and Shellie Brown 30 SW Pinnacle Drive Rogers, AR 72758
Site Area	+/- 10 acres
Current Zoning	A-1, Agricultural
Requested Zoning	R-E, Residential Estate
Future Land Use Map Designation	N/A

Property Description

This approximately 10-acre property is located on Gaston Road, north of Haxton Road, in a recently annexed area of the city. Adjacent zonings are county land to the north, east, and west, and A-1 to the south.

Projected Traffic Impact

The proposed rezoning does not have the potential to impact traffic in the area.

Relationship to the General Plan

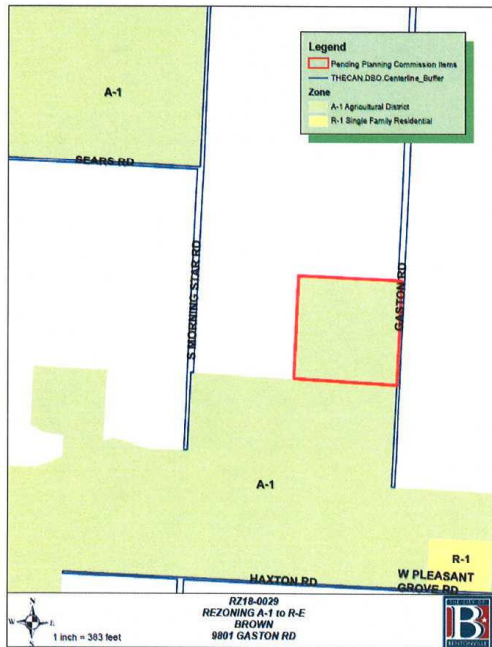
The subject property is not currently included on the Future Land Use Plan.

Conclusion

Although the subject property is not currently included on the Future Land Use Plan, the property's compatibility with adjacent uses, and low risk of impacting traffic, may justify a rezoning to R-E, Residential Estate.

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

Location Map





September 7, 2018

Jon Stanley
Planning Department
City of Bentonville

RE: Brown/Gaston Road Rezone Narrative

Jon,

Derek and Shellie Brown are requesting to rezone their property at 9801 Gaston Road in Bentonville from A-1 to R-E. The owner is wanting to rezone the property, then split it into three lots. Once the lot is split, the owner plans to develop single family residences on each of the newly created lots. The rezone will allow for the construction of the houses and will not negatively affect traffic or the appearance of the area. In contrast, the development will be a welcome addition to the neighborhood. Water, sewer, and all other utilities are already in place to support the development.

Respectfully submitted,

A solid black rectangular box used to redact the signature of M. Dirk Thibodaux.

M. Dirk Thibodaux, ASLA, PLA
Gray Rock, LLC

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF A-1, AGRICULTURAL TO R-E, RESIDENTIAL ESTATE (PROJECT NUMBER: RZ18-0029).

WHEREAS, Derek and Shellie Brown duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of A-1, Agricultural to R-E, Residential Estate to be used in accordance with city zoning laws and state laws, which property is described as follows:

PART OF THE NW ¼ OF THE NE ¼ OF SECTION 26 TOWNSHIP 19 NORTH, RANGE WEST, BENTONV COUNTY, ARKANSAS, MORE PARTICULARL DESCRIBED AS BEGINNING AT THE SE CORNMER OF SAID 40 ACRES TRACT, RUN THENCE NORTH 660 FEET; THENCE WEST 660 FEET; THENCE SOUTH 660 DEET; THENCE EAST 660 FEET TO THE POINT OF BEGINNING. SUBJECT TO GASTON ROAD ALONG THE EAST SIDE THEREOF; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held October 16, 2018 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 A-1, Agricultural to R-E, Residential Estate.

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 zoning classification of A-1, Agricultural to R-E, Residential Estate to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Simon

206 SE B Street

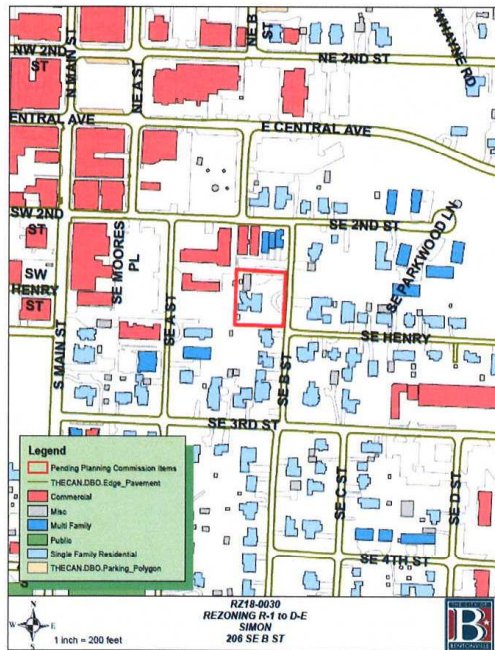
PC Date: 10/16/2018

Reviewer: Tyler Overstreet, Planner

Project Number	RZ18-0030
Applicant / Current Owner	Jay Simon 2666 SE Willoughby Boulevard Stuart, Florida 34994
Site Area	+/- .66 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DE, Downtown Edge
Future Land Use Map Designation	Mixed Use (MU)

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

Location Map



Property Description

This property is located south of the southwest corner of SE 2nd Street and SE B Street. Adjacent zonings are DE to the north and west, and R-1 to the east and south.

Projected Traffic Impact

The proposed lot split has the potential to impact traffic in the area. However, the existing downtown street grid should be adequate to handle any increase in traffic or density caused by the rezoning.

Relationship to the General Plan

The Future Land Use Plan currently depicts the property as Mixed-Use. The Mixed-Use Land Use category encourages unique land use with a mix of uses and densities. The Downtown Edge zoning district is generally compatible with this land use category.

Conclusion

The proposed zoning district's general compatibility with the Future Land Use Plan and adjacent uses and zoning designations may justify a rezoning to DE, Downtown Edge.

Rezone Narrative

Parcel #01-03801-000
Owner: Jay Simon
Address: 206 SE "B" St.
Bentonville, AR 72712
Lot 4, Block 4, Railroad Addition
Acreage: 0.66 Acres +/-

Current Zoning: R-1, Single Family Residential

Proposed Zoning: D-E, Downtown Edge

Current owner & Sales info: The current owner, Jay Simon, is selling the property but will retain on of the single family lots to be created. The proposed use includes a total of four lots for single family detached homes. In addition to the lots, a parking area is proposed for the use of the Haxton Buildings. The parking area will be hidden from view by the future single family homes.

Reason for rezone: The current zoning does not allow for the desired density of single family homes. A rezone would allow for the additional single family home desired on this property when split.

How will property relate to surrounding properties: The Adjoining properties to the North and West are all currently zoned D-E, Downtown Edge. The adjoining property to the South is currently R-1, Single Family Residential, as are the properties across SE B Street. By rezoning to D-E, Downtown Edge, the density would not be out of line with other properties in the same block, and with the proposed single family detached housing intended for this property, the change in zoning will still be complementary with the surrounding properties currently zoned R-1, Single Family Residential.

Proposed Use: The use would be higher density single family residential.

Traffic: The current city infrastructure is adequate to accommodate the use.

Signage: No signage is currently expected. Should that change however, it must comply with city ordinances and regulations.

Appearance: Proposed improvements will complement the surrounding area, and provide a good transition in density.

Water and Sewer Availability: Water and Sewer is currently available to serve the property. An extension of the sewer main along SE "B" Street will be needed in conjunction with the creation of the lots.

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

Lot 4, Block 4, Railroad Addition to the City of Bentonville, Benton County, Arkansas, as shown in Plat Record "A" at Page 38 in the Official Public Records of Benton County, Arkansas.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL TO DE, DOWNTOWN EDGE (PROJECT NUMBER: RZ18-0030).

WHEREAS, Jay Simon duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 4 BLOCK 4 RAILROAD ADDITION TO BENTONVILLE, BENTON COUNTY,
AR AS SHOWN ON PLAT RECORD BOOK "A" PAGE 66, RECORDED IN THE
BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held October 16, 2018 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 DE, Downtown Edge.

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 zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

LOT SPLIT STAFF REPORT



Lots 1-3, D & S Subdivision

9801 Gaston Road

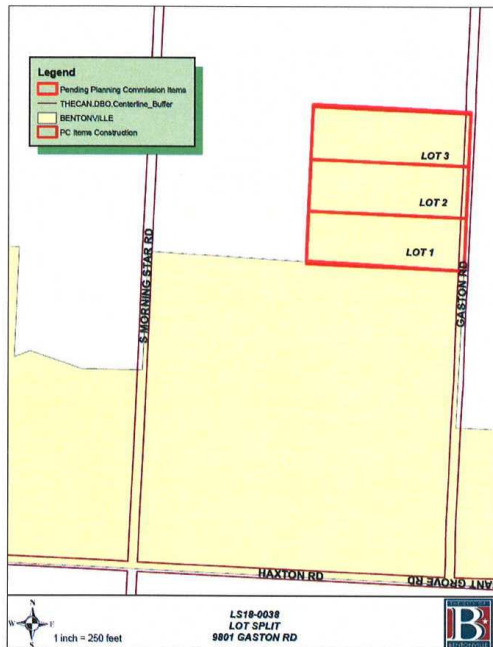
PC Date: 10/16/2018

Reviewer: Tyler Overstreet, Planner

Project Number	LS18-0038
Applicant / Current Owner	Derek and Shellie Brown 30 SW Pinnacle Drive Rogers, AR 72758
Site Area	+/- 10 acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	N/A

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

Location Map



Property Description

This property is located on Gaston Road, north of Haxton Road. This 10-acre property is currently zoned A-1, Agricultural, but is pending rezoning to R-E, Residential Estate.

Project Details

The applicant has submitted a lot split of previously unplatted land creating Lots 1 through 3 of D & S Subdivision. The plat dedicates 20-foot utility easements along all external lot lines and 15-foot utility easements along all internal lot lines. Adequate right-of-way currently exists along Gaston Road.

Projected Traffic Impact

The proposed lot split does not have the potential to impact traffic in the area. Considering the current zoning and size of the proposed lots, there should be little impact to traffic in the area.

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.

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 1-3 OF D & S
SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT
NUMBER: LS18-0038).

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 1-3 of D & S Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 16, 2018; 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 1-3 of D & S 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 _____, 2018.

APPROVED:

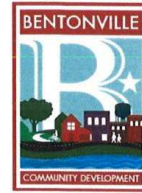
ATTEST:

MAYOR

CITY CLERK

MEMO

To: Mayor Bob McCaslin, City Council
From: Shelli Kerr, AICP, Interim Community Development Director
CC Date: October 23, 2018
Re: Resolution to adopt the Bentonville Community Plan



Staff is requesting approval of a resolution to adopt the Bentonville Community Plan.

The proposed Bentonville Community Plan is the City of Bentonville's most basic statement of public policy that serves as a guide describing how the city can achieve its desired future and providing direction to city leaders as they make decisions. It includes the Future Land Use Map that shows the desired location for each land use as the city continues to grow and develop; serving as a guide for land use and development decisions. A three-year long process guided by a steering committee and involving public workshops, public hearings, interactive maps and community surveys provided the direction for plan development.

Planning Commission held two public hearings; one on October 2 and the other on October 16. At the October 16 meeting, with a vote of 7-0, Planning Commission recommended adoption of the plan.

The Bentonville Community Plan is online at <http://www.bentonvillear.com/259/Bentonville-Community-Plan>. Staff will provide City Council members an official printed copy after adoption.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING THE BENTONVILLE COMMUNITY PLAN AND
FUTURE LAND USE MAP OF THE CITY OF BENTONVILLE, ARKANSAS
PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-414**

WHEREAS, the Bentonville Community Plan is the City of Bentonville's most basic statement of public policy describing how the city can achieve its desired future and providing direction to city leaders as they make decisions; and,

WHEREAS, the Bentonville Community Plan includes the Future Land Use Map that shows the desired location for each land use as the city continues to grow and develop; serving as a guide for land use and development decisions; and,

WHEREAS, a three year-long process guided by a steering committee, involving public workshops, public hearings, and community surveys provided the direction for plan development;

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

Section 1. That the Bentonville Community Plan and Future Land Use Map of the City of Bentonville, Arkansas is herein established by the Planning Commission and the City Council pursuant to Ark. Code Ann. §14-56-414, 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 2. That a copy of this resolution, Bentonville Community Plan and Future Land Use Map of the City of Bentonville shall be filed with the City Clerk and the County Recorder.

Section 3. That this resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2018.

APPROVED:

Mayor Bob McCaslin

ATTEST:

City Clerk



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-3122

ACTION REQUIRED:

Recognition by City Council of Ronald and Jean Ann Gilbert who reside at 113 Somerset. The property's landscaping was nominated by a Bentonville resident and is the October Residential Landscaping of the Month award winner.

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



MEMO

Date: October 23, 2018
To: Bentonville City Council
From: Danielle Semsrott, AICP, Senior Planner
RE: Residential Landscaping of the Month Award

Dear Bentonville City Council,

The Residential Landscaping of the Month Award recognizes the hard work and pride exhibited by Bentonville residents because we are proud to have a community that strives to beautify their homes, neighborhoods, and the City of Bentonville.

The Residential Landscaping of the Month Award was created to recognize Bentonville residents who have improved and maintained the exterior landscaping of their homes. The award is intended to inspire others to take pride in their home, improve their landscaping, pick up litter, and to improve the quality of life in the City of Bentonville.

The evaluation criteria are based on five categories: consistent maintenance, tasteful and creative landscaping, lawn accents, good use of seasonal color, and overall appearance.

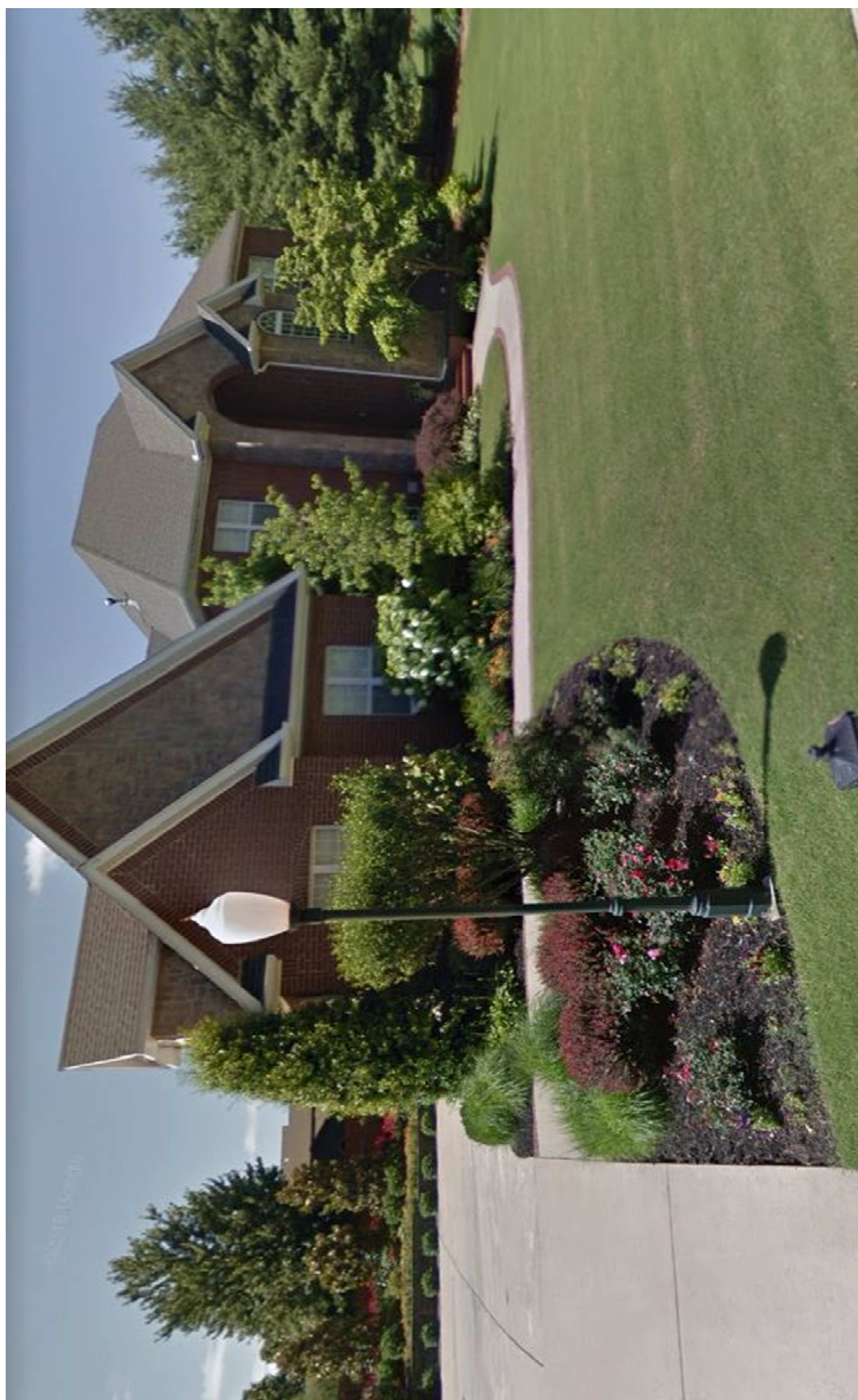
Bentonville residents can nominate themselves or others for the award. Ronald and Jean Ann Gilbert, who reside at 113 Somerset are the winners for the month of October in the residential category. The property was nominated by a Bentonville resident.

Award winners are honored by the Mayor at a City Council meeting and are presented with a decorative yard sign designating their landscaping as a winner. A photograph of the award winning landscaping will be placed in the next edition of the City of Bentonville's newsletter, the "Bentonville Focus".

Respectfully,

Danielle

Danielle Semsrott, AICP
Senior Planner





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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-6822

ACTION REQUIRED:

Appointment of Dylan Turk to position 2 of the Public Art Advisory Committee (PAAC). Mr. Turk has a degree in Art History and Architecture History. His application is attached. This is Mr. Turk's first term of a three-year term beginning 11/01/2018 and expiring 10/31/2021.

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	\$ -

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 Members and City Clerk
From: Bob McCaslin, Mayor
CC Date: October 23, 2018
Re: Appointment of Dylan Turk to the Public Art Advisory Committee

I recommend Dylan Turk for appointment to position 2 of the City of Bentonville's Public Art Advisory Committee. This will be his first three-year term that will expire 10/31/2021.

A handwritten signature in blue ink, appearing to read 'BM', is written over the printed name of the Mayor.

Bob McCaslin, Mayor

Received 10-03-18



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

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

If married, spouse's name:

Home Address

City

Zip Code

Home/Cell Phone

Business Phone

Email Address

Occupation

Employer

Length of Residency in Bentonville

REFERENCES

Name

Phone

Email

Name

Phone

Email

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

- ☐ Advertising & Promotion Commission
- ☐ Airport Advisory Board
- ☐ Bentonville Facility Board
- ☐ Board of Adjustment
- ☐ Bentonville Housing Authority
- ☐ Criminal Nuisance Abatement Board

- ☐ Library Advisory Board
- ☐ Ozark Regional Transit Authority (Bentonville representative)
- ☐ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☒ Public Art 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?

I have a degree in Art History and Architecture History from the University of Arkansas. I began employment as a curator at Crystal Bridges Museum of American Art 4 years ago. Recently my employment shifted to be a part time advisor for architecture projects at the Museum. With this change, I formed my own company KIN, which works with organizations like Runway Group and private individuals, inside and outside of Bentonville, to curate collections, engage the public through public works, and understand art. My professional career has been built on the public

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

Art can serve as a tool for making people feel like they belong. As Bentonville continues to grow as a permanent residence for many people from all over the world, the art should reflect those people. As Bentonville continues to grow as a destination for art tourism, the public spaces should reflect the highest quality of artistic achievement possible in America. As Bentonville continues to be a global hub for business and economic achievement, art should be a guiding force for making guests feel that they belong. I think that I can bring a youthful, energetic, and

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.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-6822

ACTION REQUIRED:

Appointment of Brittany Braithwaite to position 4 of the Public Art Advisory Committee (PAAC). Mrs. Braithwaite has a degree in Interior Design. Her application is attached. This is Mrs. Braithwaite's first term of a three-year term beginning 11/01/2018 and expiring 10/31/2021.

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	\$ -

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 Members and City Clerk
From: Bob McCaslin, Mayor
CC Date: October 23, 2018
Re: Appointment of Brittany Braithwaite to the Public Art Advisory Committee

I recommend Brittany Braithwaite for appointment to position 4 of the City of Bentonville's Public Art Advisory Committee. This will be her first three-year term that will expire 10/31/2021.

Bob

Bob McCaslin, Mayor



Received 10-01-18

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 **BRITTANY BRAITHWAITE**

If married, spouse's name: **ANDREW BRAITHWAITE**

Home Address [REDACTED]

City **Bentonville** Zip Code **72712**

Home/Cell Phone [REDACTED]

Business Phone [REDACTED]

Email Address [REDACTED]

Occupation **INTERIOR + GRAPHIC DESIGNER**

Employer **Bliss Design Studio - self employed**

Length of Residency in Bentonville **6 years**

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

REFERENCES

Name **KELLEY GRANDY**

Phone [REDACTED]

Email [REDACTED]

Name **ELIZABETH MISKIN**

Phone [REDACTED]

Email [REDACTED]

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

- ☐ Advertising & Promotion Commission
- ☐ Airport Advisory Board
- ☐ Bentonville Facility Board
- ☐ Board of Adjustment
- ☐ Bentonville Housing Authority
- ☐ Criminal Nuisance Abatement Board

- ☐ Library Advisory Board
- ☐ Ozark Regional Transit Authority (Bentonville representative)
- ☐ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☒ Public Art 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?

I earned a Bachelor of Fine Arts Degree in Interior Design from Brigham Young University in 2003. I spent 6 years working as a Store Designer for Del Sol, the last 3 of which I was the Director of Store Design. Since leaving that position, I have worked periodically as a freelance designer while I stayed at home with my 3 children, who are now all in school. I am constantly trying to stay on top of art trends as it pertains to home decor, for my clients. I am active on social media (Pinterest + Instagram: @blissdesignstudios) and I am constantly looking for unique artistic talent.

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

I love the visual arts and I love our charming town of Bentonville! This is the perfect way to combine those two interests. I appreciate the ways Bentonville has continually improved over the past 6 years that I have lived here. The emphasis on the arts in many forms is very apparent. I would love to be a part of the team that continues with this tradition of emphasizing and growing the arts in the area.

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.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by: Jon Simpson

Department: Police

Phone: 271-3172

ACTION REQUIRED:

Request that City Council approve the transfer of a 2008 Ford F150 regular cab, LWB, 2WD pickup from Building Inspection to the Police Department. This vehicle is currently awaiting surplus auction. See attached Disposal or Transfer of Asset Form. This 2008 Ford F150 would replace an existing 2005 Chevy extended cab, LWB, 4WD pickup that is currently being used by animal services. The aforementioned 2005 Chevy was obtained by the Police Department, via transfer from Engineering in 2015. This Chevy truck was initially used as a police department and SWAT support vehicle. Upon the addition of our third animal services position in early 2018, the truck was adapted for animal services use. Transferring the 2008 Ford from Building Inspection to the Police Department will result in a newer vehicle that is better suited for the needs of the animal services group. Upon council approval and the completion of this vehicle transfer, the 2005 Chevy can then be disposed as a surplus vehicle and thereby result in no increase in our fleet numbers. This transfer represents both a cost savings and a responsible use of city equipment.

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





City of Bentonville

Disposal or Transfer of Asset

Date of Transaction: 10-23-18

Department Disposing of Asset: Building Inspection

Department Head Signature: _____

Department Receiving Asset: Police Dept. (if applicable)

Department Head Signature: _____

Assigned Asset Number: 161002

Serial or VIN #: 1FTRF12208KD79401

Description of Asset:

2008 Ford F150
White
(AR) 796NBR

Condition of Asset: Good: X Fair: _____ Poor: _____



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Dennis Birge

Department

Transportation

Phone

271-6840

ACTION REQUIRED:

Staff recommends City Council approval of a resolution authorizing the Mayor to enter into an agreement with Traffic Engineering Consultants, Inc., for the traffic signal timing study of 30 intersections. These traffic studies will be used to improve the signal operation at each intersection. This is a lump sum agreement in the amount of \$45,000.00.

COST TO CITY:

Cost of this Request: \$45,000

Additional Budget Amount \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	45,000
Funds Expended to Date		-
Remaining Budget		45,000
Budget Adjustment		-
Remaining After Adjustment	\$	45,000

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



Memorandum

To: City Council, Mayor McCaslin
From: Dennis Birge, Transportation Engineer
Date: Monday, October 15, 2018
Re: Agreement with Traffic Engineering Consultants, Inc.



Staff recommends City Council approval of the Resolution authorizing an agreement with Traffic Engineering Consultants, Inc. for the annual study of 30 traffic signals throughout the City.

This agreement of \$45,000.00 is for costs associated with the study of 30 traffic signals. These studies will establish new timing data that will be used to improve the traffic signal operations.

Funds for this study have been budgeted within the 010-3810-430.32-10 street fund account.

Thank you for your consideration of this request.



September 17, 2018

Mr. Brad Conley
City of Bentonville
117 W. Central
Bentonville, AR 72712

Dear Brad,

Please accept this letter as a proposal to provide traffic signal timing for 30 traffic signal locations in the City of Bentonville. The signal locations are shown on the attached list. They include the traffic signals on the City's Siemens Tactics system along U.S. 71B (Walton) from Medical Center Drive to Tiger Boulevard, along S.H. 102 (14th Street) from Greenhouse Road to Bekaert Road, along Highway 12 from Greenhouse Road to SE "I" Street, and Central from Moberly to MLK.

The project includes the retiming of the 30 intersections. Traffic counts will be taken at each of the intersections which will include peak hour turning movement counts and 24 hour counts at selected locations. The attached list summarizes the traffic counts to be taken. The traffic counts will be conducted when school is in session.

The traffic model will be updated using the new counts. Timing plans will be developed where necessary. The existing plans will be reviewed and updated.

All timing data will be input into the Siemens Tactics system. The timing plans will be downloaded to the signal equipment in the field and adjusted for the traffic patterns. The goal of the timing plans will be to reduce travel delay.

All collected data and analysis results will be documented in a report provided to the City upon completion of the project. The project should be completed by December 31, 2018.

The cost to complete the retiming of the traffic signals is \$45,000 lump sum. Work completed to date will be invoiced on a monthly basis.

Traffic Engineering Consultants, Inc.

6000 S. Western Avenue, Ste. 300 | Oklahoma City, Oklahoma 73139 | Ph. 405-720-7721
6931 S. 66th E. Avenue, Ste. 100, | Tulsa, Oklahoma 74133 | Ph. 918-481-8484
Website: www.tecok.com

If you agree with these terms, please sign below and return a copy of the letter to us. A signed returned copy will be considered notice to proceed.

Sincerely,



Steven D. Hofener, P.E., PTOE
Principal

SDH/tm

Enclosure

APPROVED

City of Bentonville

Date

Table 1 Intersection and Tube Count Locations List

Walton (US-71B) and (Walton North)

Node	Intersection	Peak Hour Time
1	Tiger	(7 a.m.-9 a.m.) (4 p.m-6 p.m.)
23	Wal-Mart Transp. Center	(7 a.m.-9 a.m.) (4 p.m-6 p.m.)
2	Central (SH-72)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
6	Supercenter	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m-6 p.m.)
7	SW 8 th Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m-6 p.m.)
37	SW 8 th Street and I Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m-6 p.m.)
23	Redbud	(7 a.m.-9 a.m.) (4 p.m-6 p.m.)

(Walton South)

26	SW 18 th Street	(7 a.m.-9 a.m.) (4 p.m-6 p.m.)
22	SW 28 th Street	(7 a.m.-9 a.m.) (4 p.m-6 p.m.)
32	SH-12 (Regional Airport)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (3 p.m-6 p.m.)
16	SW J Street	(7 a.m.-9 a.m.) (11:30 a.m. to 1:30 p.m.) (4:00 p.m.-6:00 p.m.)
31	Medical Center Drive	(7 a.m.-9 a.m.) (11:30 a.m. to 1:30 p.m.) (4:00 p.m.-6:00 p.m.)

Hwy 12 (Reg. Airport) and

43	Greenhouse	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
42	Bright Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
35	SE "I" Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)

14th Street and (Hwy 102 West)

40	Greenhouse	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.)
----	------------	--

		(4 p.m.-6 p.m.)
39	Elm Tree	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
38	Been Road	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
Hwy 102		
30	SE "I" Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
10	Walton (SH-102)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
11	SE "A" Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
27	SE "C" Street	(7 a.m.-9 a.m.) (3 p.m.-6 p.m.)
12	SE "J" Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) p.m.-6 p.m.)
13	SE "P" Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
14	Moberly	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
15	I-540 SB Ramps (west side)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
1015	I-540 NB Ramps (east side)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
20	Bekaert Drive	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
Central		
10	Moberly	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
19	MLK	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)

24-Hour Count List

Walton	Between Supercenter & Central
SW 8 th	West of "I" Street
"I" Street	South of SW 8 th Street
Walton	Between Redbud and 14 th Street
Walton	South of 28 th Street
Walton	Between SW J Street and Medical Center
14 th St.	West of Walton.
14 th St.	East of "J" Street
14 th St.	Between Moberly and I-540
I-540 NB off ramp	at 14 th Street.
I-540 SB off ramp	at 14 th Street
Hwy 12	East of SE "I" Street
Central	Between Moberly and MLK

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
TRAFFIC ENGINEERING CONSULTANTS FOR A
TRAFFIC SIGNAL TIMING STUDY AND
COORDINATION PLAN.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an agreement with Traffic Engineering Consultants for the annual traffic signal timing study and coordination plan at 30 signalized intersections for a lump sum amount of \$45,000.00 as per the proposal attached hereto as Exhibit "A".

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 _____, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Dennis Birge

Department

Transportation

Phone

271-6840

ACTION REQUIRED:

Staff recommends City Council approval of a resolution authorizing the transfer of ownership of Hwy 71B (Walton Blvd.) and a portion of Hwy 12 (SW Regional Airport Blvd.) to the City of Bentonville street system from the Arkansas Department of Transportation System, upon completion of ARDOT improvements. Attached is the request letter from the City along with the ARDOT response, minute order, and exhibit.

COST TO CITY:

Cost of this Request: N/A

Additional Budget Amount \$0

☐ 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



Memorandum



To: City Council, Mayor McCaslin
From: Dennis Birge, Transportation Engineer
Date: Wednesday, October 17, 2018
Re: Resolution request to accept transfer of property ownership

Staff recommends City Council approval of the Resolution authorizing the transfer of ownership of Hwy 71B (Walton) from Rainbow curve north to the roundabout and Hwy 12 (SW Regional Airport Blvd.) from rainbow curve west to Hwy 112 intersection upon completion of the ARDOT improvements. These two sections officially described within the Highway system as:

- Highway 71, Section 19B from Highway 12 north to Interstate 49.
- Highway 12, Section 2 from Highway 112 to Highway 71B.

The requested improvements include a mill and overlay of these areas with curb recovery and replacement of existing asphalt sidewalks. Please see attached ARDOT response letter and exhibit for map of the area.

The acceptance of the right of way system would allow the City to respond to the maintenance needs of the area, as well as allow City planners to incorporate their plans without the need of State approvals.

Thank you for your consideration of this request. If you have any question, please do not hesitate to contact me at 479-271-5964 or dbirge@bentonvillear.com.



August 13, 2018

Mr. Scott Bennett, Director
Arkansas Department of Transportation
P.O. Box 2261
Little Rock, AR 72203-2261

RE: Transfer of Ownership Request
Hwy 71B and Hwy 12 Right-of-Way

Dear Mr. Bennett,

The City of Bentonville leadership would like to officially request the demapping and transfer of ownership for a portion of Hwy 71B and a portion of Hwy 12 from ARDOT to The City Of Bentonville, contingent upon the approval of City Council. The City has experienced a great deal of growth over the last decade. We feel that with the continued growth, it would be beneficial to both the City and ARDOT when dealing with development projects, permits and maintenance issues to allow the City Of Bentonville ownership of these areas. The requested transfer of ownership locations are detailed on the included highlighted map.

Previously it was agreed that Hwy 71B (SE Walton Blvd) from Hwy 12 extending approximately 1.5 miles South to I49, would become the City Of Bentonville's after the completion of project #BB0903. This new request would extend the City's ownership an additional 6.1 miles from the Hwy 12 intersection north to I49.

We also request a portion of Hwy 12 that would extend east from the Hwy 112 / Hwy 12 intersection to the Hwy 12 / Hwy 71B intersection. This portion is approximately 0.71 miles of highway.

Total, the City Of Bentonville is requesting transfer of 6.81 miles of ARDOT routes into the ownership of the City. Due to the upcoming need for maintenance on the 6.1-mile portion of Hwy 71B, we ask that before transfer of ownership ARDOT would consider implementing the following improvements to Hwy 71B:

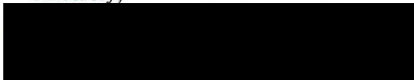
- Mill and inlay/overlay of Superpave asphalt for entire width of roadway
- Curb recovery and cross slope recovery during milling process
- Replacement of striping with thermoplastic material
- Replace any existing asphalt sidewalk with 4' wide concrete walks

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• www.bentonvillear.com •

The City has enjoyed being partners on many projects with ARDOT and some of the projects have been along these specific corridors. We look forward to this opportunity to transfer ownership.

Thank you in advance for your consideration. If you have any questions or comments please call or e-mail Dennis Birge, Transportation Engineer, at 479-271-5964 or dbirge@bentonvillear.com.

Sincerely,



Bob McCaslin
Mayor
City Of Bentonville

Cc: Steve Lawrence, ARDOT District 9 Engineer
Dennis Birge, City Transportation Engineer



RECEIVED SEP 25 2018

ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Scott E. Bennett, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261
Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

Dear Mayor:

Enclosed please find copies of Minute Orders relating to your City which were adopted by the Commission at their last meeting.

Should you have questions or comments regarding these or other matters, please advise.

Sincerely,



Scott E. Bennett
Director of Highways
and Transportation

Enclosures

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Nine

Page 1 of 1 Page

County: Benton

Category: Improvement Project-Arkansas Primary Highway Network (APHN)

WHEREAS, IN BENTON COUNTY, IN THE CITY OF BENTONVILLE, Commission Minute Order 2017-008 authorized the Department to partner with the City to improve the Interstate 49 and Highway 71B interchange in exchange for the City providing additional funding and accepting ownership of Highway 71B between Highway 12 and Interstate 49 upon completion of the project; and

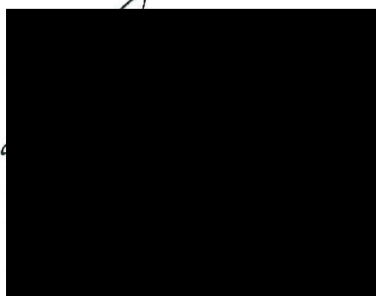
WHEREAS, the City now requests that the Department overlay Highway 71B from Highway 12 north to Interstate 49 and Highway 12 from Highway 112 to Highway 71B; and

WHEREAS, the City has expressed their willingness to assume ownership of Highway 71B from Highway 12 north to Interstate 49 and Highway 12 from Highway 112 to Highway 71B upon completion of these improvements.

NOW THEREFORE, the Director is authorized to enter into the necessary partnering agreements with the City and to proceed with these improvements upon receipt of a resolution from the City.

FURTHERMORE, upon completion of these improvements and official notification by the Deputy Director and Chief Engineer, the following segments will be removed from the State Highway System:

- Highway 71, Section 19B from Highway 12 north to Interstate 49.
- Highway 12, Section 2 from Highway 112 to Highway 71B.



Chairman

Vice-Chairman

Member

Member

Member

PM



Assistant Chief Engineer - Planning

Approved:

Director

Minute Order No. 2018 087

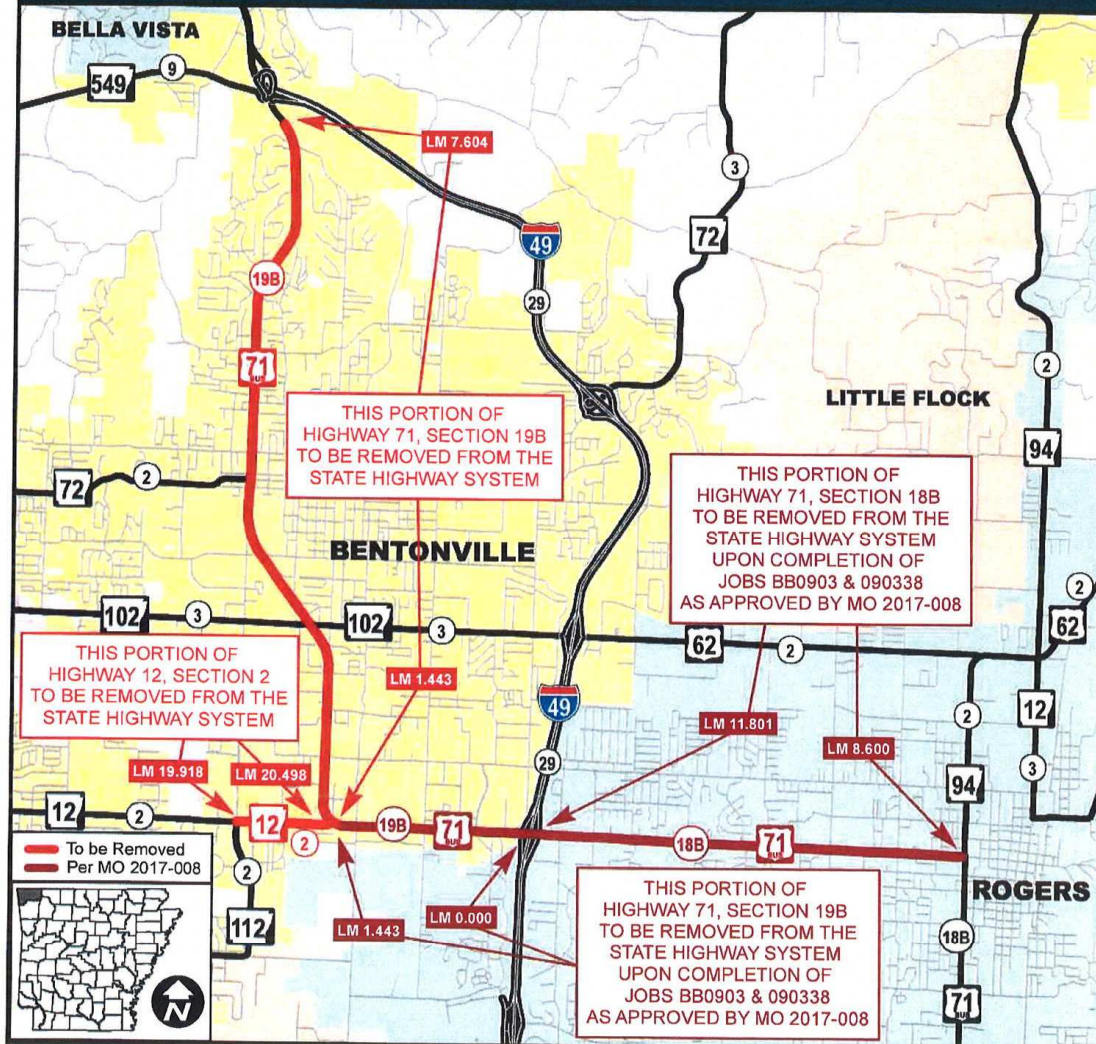
Date Passed AUG 29 2018

Form 19-456

Rev. 1/13/2016

R:\P&C-DIV_LFPA\Programs\Partnering\Minute Orders\Bentonville_Hwy71BAdditionalDrop.MO.docx

CHANGES TO THE STATE HIGHWAY SYSTEM CITY OF BENTONVILLE BENTON COUNTY



ROUTE & SECTION	MILES	
	OLD	NEW
U.S. 71 BUS, SECTION 18B	11.801	8.600
U.S. 71 BUS, SECTION 19B	6.930	0.674
S.H. 12, SECTION 2	20.498	19.918
TOTAL CHANGE		-10.037



0 0.75 1.5 Mile

SYSTEM INFORMATION & RESEARCH DIVISION 8-16-2018

AUTHORIZED BY ACTION OF
ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER NO. _____

DATE _____

EFFECTIVE DATE _____

APPROVED _____

RESOLUTION NO. _____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF BENTONVILLE
TO PARTNER WITH THE ARKANSAS DEPARTMENT OF
TRANSPORTATION FOR THE FOLLOWING PROJECT:**

Highway 71B Improvements

WHEREAS, the City of Bentonville (City) has expressed interest in partnering with the Arkansas Department of Transportation (Department) to improve Highway 71B from Highway 12 north to Interstate 49; and

WHEREAS, improvements will include a mill and inlay/overlay for the entire roadway width, curb recovery and cross slope recovery during the milling process, replacement of striping with thermoplastic material, and replacement of any existing asphalt sidewalk with 4-foot wide concrete sidewalks; and

WHEREAS, in exchange for these improvements the City hereby agrees to accept ownership of the following sections of highway upon completion of the improvements:

- Highway 71B from Highway 12 north to Interstate 49,
- Highway 12 between Highway 112 and Highway 71B; and

WHEREAS, the Department has agreed to this arrangement and will provide all funding necessary and will handle all phases of the project.

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

SECTION I: The City will participate in accordance with its designated responsibilities as described above.

SECTION II: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION III: The City pledges its full support and hereby requests that the Arkansas Department of Transportation initiate action to implement this project.

THIS RESOLUTION adopted this _____ day of _____, 2018.

Bob McCaslin
Mayor

ATTEST: _____
Linda Spence
City Clerk



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 23, 2018

Submitted by:

Tony Davis

Department

Street

Phone

271-3130

ACTION REQUIRED:

The Street Department requests a budget adjustment in the amount of \$16,441.95 for a road improvement project for Allen Road. Please see attachments.

COST TO CITY:

Cost of this Request: 16,441.95

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





Department: Street

Date of Request: October 23, 2018

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
020-3810-430-44-50	Repair/Maintance		\$ 16,441.95	\$ (16,441.95)
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ -	\$ 16,441.95	\$ (16,441.95)

Justification:

City of Bentonville's portion of the overlay on Allen Road.

FOR ACTING USE ONLY

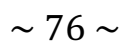
Council Action: Approved Disapproved Other_____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com





Bentonville Street Department
3200 SW Municipal Dr.
Bentonville, AR 72712
Phone: (479) 271-3130

MEMORANDUM

DATE: 10-15-2018
TO: City Council, Mayor McCaslin
FROM: Tony Davis, Street Manager
RE: Budget Adjustment for Allen Road

The Street Department is requesting a budget adjustment for \$16,441.95 for the City's portion of the overlay on Allen Road. Upon approval of the budget adjustment, the Mayor will enter into a memorandum of understanding with the City of Centerton for a cost share agreement.

Sincerely,

Tony Davis
Street Manager

Centerton Public Works



Streets, Parks and Code Compliance Divisions

11509 Hwy. 72 West
Centerton, Arkansas 72719

City Council Report October, 2018

Rick Hudson, Public Works Director

rhudson@centerton.us

479-721-1475

Tony Davis

3200 SW Municipal Drive
Bentonville, AR 72712

Tony Davis,

As you and I have discussed, we would like to complete the paving of Allen Road this year. As you know it is a shared road between the two entities Bentonville and Centerton. Your portion is small 1113 Lin. Ft. located along the north on the east side of Allen Road. We are prepared to construct the subgrade but would like Bentonville to participate in the cost of placing half of the asphalt along our shared boundaries. We are proposing to build 24 Ft. wide roadway section. Your obligation would for 1,484 S.Y. @ 330 Lbs. Per S.Y. which would be 245 tons @ \$67.11 per ton. Your portion of this improvement would cost \$16,441.95 and we would cover cost of construction and Aggregate Base CI-7 for this project.

We are hoping to start on this project soon. We do appreciate the partnership and cooperation we have developed and are hoping to continue to work together in the future.

Best Regards

Rick Hudson

Public Works Director

