

2016 NOV -3 PM 2: 08



**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

October 19, 2016

6:00 p.m.

Benton County Administration Building
215 East Central Avenue, Bentonville AR 72712

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

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Ashley Tucker

Roll Call: Bob Bracy, Jim Cole, Ron Homeyer, Terry Maienschein, Ashley Tucker and Rick Williams were present. Sean Collyge was absent.

Staff present: John Sudduth-General Administrator; Kevin Gambrill – Planning Director, Taylor Reamer – Planning Manager, Glenn Tracy – Building Official, Derek Linn – Senior County Planner, Tracy Backs – County Planner and Susan Grove – Staff Assistant were present.

Public Present: Eleven people signed the sign-in sheet.

Disposition of Minutes: October 5, 2016

Mr. Cole motioned to approve the October 5, 2016, Planning Board Meeting minutes. The motion was seconded by Mr. Williams. The motion carried 6-0.

General Public Comment: None

Old Business: None

New Business – Items for Public Hearing:

I. Hall Setback Variance, #16-217, 10310 Red Bluff Road, Garfield, 15-10482-000

Applicant: Steven Hall, 10310 Red Bluff Road, Garfield

Staff gave a presentation on the Hall Setback Variance, #16-217, 10310 Red Bluff Road, Garfield, 15-10482-000

Mr. Tucker: Mr. Hall, do you have any other comments?

2016 NOV -3 PM 2: 08

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

Mr. Hall: No, I plan on building the garage either way. It just makes it a little easier and a little less expensive to build because of the grade falling off so fast. That was the reason for the variance.

Board Comments:

Mr. Cole: What would be the reason for the variance or the hardship? Is it topography?

Mr. Hall: Mainly topography, yes. There are also some trees that will have to be removed if we set it all the way back. A job that I didn't want.

Mr. Bracy: Mr. Chair, I believe also at TAC, was there not a comment that you made or that was made, that the overhang could be adjusted to minimize that setback?

Mr. Hall: I would have to put the foundation for this garage far enough back that the overhang wouldn't extend into the setback. There is plenty of room for the garage. It's just that the back foundation wall will be 7 feet high. If we move it up 10 feet, it might be 5-1/2 or 6 feet high. We are talking about a really big wall back there to level the garage. The foundation guys are the ones that actually said I should try to get a variance just to get it up on flatter ground.

Mr. Bracy: I am understanding that the overhang is in the front of the garage, closest to the road?

Mr. Hall: There is overhang all the way around the building.

Mr. Maienschein: Is the 36-foot side parallel in the road?

Mr. Hall: No, the 32-foot side is.

Mr. Maienschein: So you could turn the thing 90 degrees.

Mr. Hall: I have a 32-foot long boat/trailer that I want to park in there out of the weather. So that's the reason. The closer to the road, the easier that gets. The drive to this building starts going downhill pretty fast.

Mr. Maienschein: Got you.

Mr. Tucker: What will the drop to the entrance of the garage from the road be at the distance you are asking for now?

2016 4849

2016 NOV -3 PM 2: 08

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

Mr. Hall: You know I can't accurately answer that because I haven't actually done any surveying of my own on this thing. I would estimate it's going to be a 1-1/2-foot difference between putting it back the full 10 feet. I've done a few sketches on it and that's all I could come up with. It's hard to get the lay of the land into a sketch to figure out how high the wall has to be.

Mr. Tucker: So if you pushed it all the way back, it might be as much as six feet down based on what we are seeing here.

Mr. Hall: Are you talking about the wall height?

Mr. Tucker: The front entrance to the garage.

Mr. Hall: The front entrance will be just slightly above grade.

Mr. Tucker: So you would build up the front entrance to the garage so that it was level with the road no matter what? You wouldn't try to slope down to it?

Mr. Hall: The front wall will be basically a footing with a concrete cap on it. You would step downhill from there to the back. We will make it high enough for drainage.

Mr. Tucker: What I was getting at is, if you push it 10 feet back, you would have to drop the front a foot. You would wind up having to either fill a foot over 10 feet or raise it up.

Mr. Homeyer: The reason you can't enter the garage from the north or south side is what?

Mr. Hall: There is a clearing put there for trailer turn around. We call it our parking lot. We keep it mowed. Guests park there on the side of the road as it is.

Mr. Homeyer: If you rotated the building 90 degrees to get the trailer that you are wanting to get in there, you would have to enter from one side or the other instead of straight from the street. What I am trying to understand, is the lot not wide enough north/south for you to do that or is there some other reason you would rather not do that.

Mr. Hall: *Requested that Mr. Reamer show his sketch again.* The door to this building needs to be 13' high to get this big boat, a cabin cruiser, in. If I put the door on the south side, I don't have clearance to get a driveway around there without starting to tear out trees again. I would like to put it in the clearing rather than moving it north.

2016 NOV -3 PM 2: 08

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

Mr. Homeyer: You are trying to stay and work within that clearing that is already there rather than having to take out more trees.

Mr. Hall: Yes.

Mr. Homeyer: Okay.

Public Comments: None.

Staff Comments: None.

Mr. Cole motioned that the Board approve the requested variance.
Mr. Williams seconded the motion.

Motion carried: 6 - 0

II. Murray Septic Waiver, #16-218, 20545/20549 Russell Corner Road, Gravette; 18-14950-001

Applicant: Beverly Murray, 63320 East 189 Road, Fairland, Oklahoma

Staff gave a presentation on the Murray Septic Waiver, #16-218, 20545/20549 Russell Corner Road, Gravette; 18-14950-001

Mr. Tucker: Mrs. Murray, do you have anything to add?

Mrs. Murray: No, sir.

Board Comment: None

Staff Comment: None

Public Comment: None

Mr. Williams motioned that the Board approve the requested variance.
Mr. Maienschein seconded the motion.

Motion carried: 6 - 0

III. Springtown SDA Church Site Plan Review, #16-224, 12444 Fairmount Road, Gentry, 18-10773-005

Applicant: Jason Williams, 644 Red Oak Street, Gentry

Staff gave a presentation on the Springtown SDA Church Site Plan Review, #16-224, 12444 Fairmount Road, Gentry, 18-10773-005

2016 NOV -3 PM 2: 08

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

Mr. Tucker: Do you have any comments to add?

Mr. Williams: We have revised our plan in working with the Fire Marshal in terms of the sprinklers needed for the building. The square footage remains the same but we have reduced the actual size of the balcony thus reducing the occupancy to less than 300. We provided a fire escape for the balcony area. We will be working with the Fire Marshal to see what else he would like to see in terms of gaining his approval going forward.

Mr. Tucker: If for some reason you had to build a sprinkler system, where would you get water?

Mr. Williams: Right now we are on Gentry water so it would require running a new fire line from the county road. I have already began consulting a fire sprinkler company regarding everything that is involved with that. So I began that process in case we have to resort to that. Again we will wait for the Fire Marshal to see what his comments are regarding the sprinkler system.

Mr. Tucker: Okay. Your water would probably come from the loop that goes down Springtown Road.

Mr. Williams: That is correct.

Mr. Tucker: Do you remember if that line is more than a 3"? I think it is but I don't remember.

Mr. Williams: If not, then we would have to go out to Highway 12 because I think that is the Gentry one-ton expansion.

Mr. Tucker: Yes. Okay. I thought that one-ton expansion improved that line on Springtown Road but I can't remember. It has been too long. That was more curiosity than anything. Any questions from the Board?

Mr. Cole: Would there need to be a waiver from the buffering part?

Mr. Tucker: We could discuss that. Could you go back to the site plan graphic? The question was, would we need to offer a waiver from the buffering requirement? I guess we would have a couple of options. We could have to accept the existing vegetation as buffering or process it as a waiver, your choice. How far from the actual property line is the parking area?

Mr. Williams: From the north, we are about 100 to 150 feet from the north property line. The topography falls off pretty good. On the permit it says 9.4 acres. That is the one parcel. The actual facility is on 38

2016 4852

acres. Then to the south, probably about 500 feet. Then to the east and west it is substantially more than that.

Mr. Homeyer: I drove that Highway 12 coming over here tonight and I intentionally looked that direction. This time of year, you cannot see that facility from Highway 12. The only time you get a glimpse of it is when the foliage is completely off during the winter time. I cannot see any of those homes that you can see in the aerial from Highway 12.

Mr. Williams: When you are up on the church property, the homes to the east are not visible.

Mr. Tucker: So we have greater than 20 feet of buffering? We have approximately 100 feet and it appears to be densely vegetated on your own property.

Mr. Williams: It is. We are surrounded by the trees bordering the east perimeter of the property and then also to the west. The property owner to the south is a church member. If that land was ever to change hands, there is still a substantial buffer to the south. It's at least 500 to 600 feet to the southern property line.

Mr. Cole: I am satisfied that there is adequate buffering.

Mr. Gambrill: I am looking at page 6-21, section 6.7, land use compatibility, items a, b and then c, c being the basic compatibility score. I think that's where this matrix sort of comes to bear. Being questionably compatible means the compatibility can be achieved but some mitigation will be required. It does use the word 'will.' In the table it says, 'may require'. I don't know if this has ever been interpreted this way; but based on the setting, you could almost incorporate the existing vegetation and landscape into meeting that basic compatibility score. I don't know that you necessarily have to add the things that are presented in the table in addition to what is there. My interpretation would be, what is on the ground now may very well serve as some of the elements that we see in the compatibility chart. I have not been to the site.

Mr. Tucker: To the north there are trees that have been planted along the drive, along the north side of the property line. It's been more than a few years since I have been out to this particular piece. Maybe four or five years. I imagine those trees are getting fairly large at this point. The only area that I don't remember if there is any buffering would be to the south, but it's 500 feet away.

Mr. Gambrill: The Board has the ability to contextualize the setting on the property under review. If the Board feels that existing vegetation

2016 NOV -3 PM 2: 08

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

satisfies the intent of the regs, I don't know that it is presumed that you always have to add landscaping as a buffer, per the table, for every single site review.

Mr. Tucker: It would almost be like interpreting the Clean Water Act to say that you have to remove naturally occurring elements from a stream.

Mr. Cole: So bottom line, we don't have to add anything when voting on this application.

Mr. Tucker: I would agree with that. Any other questions or comments from the Board?

Public Comment: None.

Mr. Cole motioned for approval. Mr. Bracy seconded the motion.

Mr. Tucker: I will note that the conditions would be as written in the overhead, not as written in the planning manual. So it would be ADH septic, adherence to the Fire Marshal's comments and standard conditions, not the full list that was in the binder.

Motion carried: 6 - 0

**IV. Smith Setback Variance, #16-228, 14049 Pyramid Drive, Rogers
15-06305-000**

Representative: Jason Winchester, 48 York Drive, Bella Vista

Staff gave a presentation on the Smith Setback Variance, #16-228, 14049 Pyramid Drive, Rogers; 15-06305-000

Mr. Tucker: Do you have anything to add?

Mr. Winchester: Just on one of the first points of the initial statement that it was a bedroom. It's not going to be a bedroom. There are no closets in that space. It's creating a playroom for the homeowner's grandchildren so that when they visit, they can have a playroom.

Board Comments:

Mr. Cole: My recollection from the TAC and presentation, is that the reason for the variance request, or the hardship, is the pie-shaped lot. Is it also the topography here too?

Mr. Winchester: Not as much the topography but it is literally the location. There is nowhere to expand in the opposite directions that

2016 NOV -3 PM 2: 08

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

would allow to maintain the existing driveway spaces. So it was one side or the other as the homeowner owns technically both properties. The variance is pushing it toward his other lot.

Mr. Bracy: From the picture shown there, the subject property is the reddish-colored building?

Mr. Winchester: Yes, sir.

Mr. Bracy: With that being so close to the retaining wall and that topography going down, is there any issue again or do you have to modify the drainage?

Mr. Winchester: Drainage is covered with existing. On the upper property, or the property to the left in that original drawing, we have two 24" catch basins that we previously installed when we built the first property, or the one we are adding to. When we built that, we created a 12" drain line that goes from that upper parking space and carried it on down past the homes. On the home that we are adding to, we have an additional 24" catch basin there with a 10" pipe going down that maintains all the water. We have existing drainage in place for everything that flows in that general direction. None of that will change.

Mr. Tucker: Any other questions from the Board? None.

Public Comment: None

Mr. Tucker: Usually we have an adjacent property owner come, especially when it is a 1 foot setback variance. Have you talked to the adjacent property owners?

Mr. Winchester: The adjacent property owner is himself.

Mr. Tucker: I know it is the same guy.

Mr. Winchester: One is in his name and the other is in the Smith Family Trust.

Mr. Tucker: So that's why it shows two different names on the parcel?

Mr. Winchester: Yes, sir.

Mr. Tucker: For the future, one parcel or the other would likely sell. Our job is essentially to protect whoever would buy one parcel or the other. I don't know that the view from this location actually changes from the house either way. It's going down the side of the house.

2016 NOV -3 PM 2: 08

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

Mr. Cole motioned that the variance be approved. Mr. Homeyer seconded the motion.

Motion approved 6 – 0.

V. Ozark Management Company Site Plan Review, #16-229, 21153 Highway 16, Siloam Springs, 18-12741-000

Mr. Homeyer recuses himself.

Applicant: Ron Homeyer, Civil Engineering, 701 South Mt. Olive, Siloam Springs

Staff gave a presentation on the Ozark Management Company Site Plan Review, #16-229, 21153 Highway 16, Siloam Springs, 18-12741-000

Mr. Homeyer: Anything to add?

Mr. Homeyer: No, I think he (*Taylor Reamer*) covered it quite well.

Board Comments:

Mr. Cole: The parking variance that is being requested, would that be consistent with our past decisions when we considered a warehouse?

Mr. Tucker: Yes, the original intent around the warehouse parking, was to consider long rows of truck bays similar to like an Allen Canning or Wal-Mart warehouse would have. I don't know if it has ever been used that way except by Allen Canning and the Wal-Mart warehouse. That's one of the things that we are considering taking to the Quorum Court.

Mr. Cole: How do we handle that? A vote for the variance and then a vote on the setback?

Mr. Tucker: Yes, we would actually have to consider the variance first to validate the site plan. Any other questions on the variance? How about the site plan?

Mr. Cole: My recollection from the TAC meeting is that we felt the berm to the south was an adequate buffer there.

Mr. Tucker: I believe that is correct. The construction berm considered future development in both the scale and size. Could you (*Taylor Reamer*) go to the macro scale view of the area?

Mr. Gambrill: Keep in mind as well, the way we write the reports, is that it is still the subject property. So even though we technically have

2016 NOV -3 PM 2: 08

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

to look at it with respect to its compatibility, we also know that there is now a large building between the subject property and the new building and this berm.

Mr. Tucker: So to a certain extent, you are buffering a building from a building but you are buffering the building on the south.

Mr. Cole: Looking back at the earlier approval, the berm met the requirements.

Mr. Tucker: I guess that's a good question for the Board. Does the Board feel that the existing mitigation is adequate in its current state to also deal with the new application? The scale of it definitely was large enough to shield the larger building. The scale of the additional building doesn't by any means dwarf the Dayspring warehouse. Also from a compatibility standpoint, I wanted to point out that at a macro scale, this is within a larger group of heavy/light industrial buildings. Back in the day when Siloam Springs controlled this, this whole area was to be an industrial zone. It's been envisioned for a long time to be an industrial area. The infrastructure and the development is consistent with that. This application would be consistent with the development that's already gone on in here with the exception of the five houses to the south.

Public Comment: None

Mr. Tucker: I would also like to ask, did we have any calls on this? I know the previous application was quite controversial. No, okay. It looks like we have satisfied all the lighting and landscape requirements from the previous application.

Mr. Cole motioned that the parking variance be approved. Mr. Williams seconded the motion.

Motion approved 6 – 0.

Mr. Tucker: Now we will consider a motion on the application.

Mr. Cole motions that the site plan be approved with the two conditions mentioned concerning the Benton County Fire Marshal and the adherence to standard conditions. Mr. Williams seconded the motion.

Motion approved 6 – 0.

Mr. Tucker: One point of order is if that had been a waiver request, because we had two people absent, we would have required five....?

2016 4857

2016 NOV -3 PM 2: 08

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

Mr. Gambrill: Actually, it is the variance that requires two-thirds vote of the sitting Board.

Mr. Tucker: It is the sitting Board, not the present Board.

Mr. Gambrill: If two people were absent tonight, and somebody voted nay to the variance request, it would not have passed.

VI. Humane Society Site Plan Review, #16-230, 407 East Nursery Road, Rogers, 18-03578-000

Applicant: Diego Garcia, Crafton-Tull, 901 North 47th Street, Suite 200, Rogers

Staff gave a presentation on the Humane Society Site Plan Review, #16-230, 407 East Nursery Road, Rogers, 18-03578-000

Mr. Tucker: Do you have anything to add?

Mr. Garcia: Just one thing. On the revised site plan, the driveways are supposed to be gravel, not asphalt. I think the lighting is going to be wall mounted. They do not want light poles in the parking lot. There is a note for the lighting to be wall mounted with full cut off, as they requested in the last meeting that we had.

Mr. Tucker: Let's take this in order. Any questions from the Board on the variance?

Mr. Maienschein: How many people will work there?

Mr. Garcia: One full-time, three part-time. Four people total.

Mr. Cole: So 15 spaces should be adequate for employees and anybody visiting the site?

Mr. Garcia: Yes, any volunteers or visitors.

Mr. Tucker: It appears that the facility will have residents (animals) who cannot drive. The vast majority of the building is taken up by animals, not people. So, in this case, it would be a deterrent or a hardship to provide that many parking spaces. Any other questions on the variance? Any questions on the site plan?

Mr. Maienschein: Is all of this going into the sewer system of the City of Rogers? You would have a lot of solid waste. They are okay with that?

2016 4858

2016 NOV -3 PM 2: 09

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

Mr. Garcia: Yes, we talked to them. We would have to extend the service line all the way to the manhole on the west side to the corner.

Mr. Tucker: Having seen several large kennels and worked on several large kennels, is there a solid waste or animal waste disposal plan for this location other than burying large quantities of fecal matter?

Mr. Garcia: I am not sure.

Mr. Tucker: You are welcome to come to the podium.

Ms. Becky Featherston, secretary-treasurer for the Humane Society comes to the podium.

Ms. Featherston: I am not sure what the question is.

Mr. Tucker: A disposal plan for the animal waste?

Ms. Featherston: Other than the city sewer system? Like burying it or something?

Mr. Tucker: Do you put it into a pit? Do you put it in a dumpster? Do you run all of it down the sewer?

Ms. Featherston: Limited amounts go into the dumpster but most of it goes into the sewer or into our septic system.

Mr. Tucker: Okay so there is no plan to bury it on site or burn it on site?

Ms. Featherston: Not that I know of. How do you do that?

Mr. Maienschein: I thought the septic system was being done away with.

Mr. Garcia: Yes, there is a grid chamber called out on the site plan. It comes from the grid chamber to the sewer line.

Mr. Homeyer: Is the current facility on septic though?

Mr. Garcia: Yes, sir.

Mr. Tucker: Any other questions from the Board? None. How about from Staff? None.

Public Comment: None.

2016 NOV -3 PM 2: 09

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

Mr. Cole motioned that the parking variance be approved. Mr. Williams seconded the motion.

Motion approved 6-0.

Mr. Cole motioned that the site plan be approved with the five conditions that were noted. Mr. Williams seconded the motion.

Motion approved 6-0.

TECHNICAL ADVISORY COMMITTEE

1. Call to Order:

2. Old Business / Ongoing Applications: None

3. New Business:

- I. Wisener Minor Subdivision, #16-243, Miller Church Road, Bentonville: 18-09646-001

Representative: Craig Davis, Engineering Services, 1207 South Old Missouri Road, Springdale, AR, representing Dr. Jeff Wisener. Also attending was Jeff Wisener, 100 Devon Green, Bentonville

Staff gave a presentation on the Wisener Minor Subdivision, #16-243, Miller Church Road, Bentonville; 18-09646-001

Mr. Tucker: Was one of those splits caused by the expansion of the highway?

Mr. Reamer: I believe so, yes.

Mr. Tucker: Alright. Do you have anything to add?

Mr. Davis: No sir.

Board Comments: None.

Mr. Tucker: It looks like it was split four times before. Then it was split by the highway that made the fifth.

Mr. Reamer: I believe one of these tracts that would be created, would be the sixth. So, it exceeds that total of five splits from a parent parcel.

Mr. Tucker: Unfortunately, the highway is the guiding factor here. Tell us about what you are doing. Are you selling it? Subdividing it to develop?

2016 NOV -3 PM 2: 09

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

Mr. Wisener: My wife and I and her parents bought a 60-acre parcel, I think it was in 2006, with the intention of building out there. The Bella Vista bypass ending up acquiring the middle piece, I think 12-1/2 acres four or five years ago. That kind of put us on hold as far as building out there. We finally decided to sell the property. I have looked at multiple options. We have looked at splitting it into up to nine, three-acre tracts and developing it. Five, five-acre tracts. We ultimately decided just to try to be easy and simple, may be break it into two, maybe three pieces and we settled on two. At this point, our goal is simple. We have owned it ten years and our goal is to just create these two tracts. We didn't realize that the back tract, or the road, or the state buying the 12-1/2 acres out of the middle of it, would create any other issues. Our goal now is just to create these two tracts. We had one of the tracts under contract. A long-term family here in Bentonville, a family of six, four kids, are wanting to buy the 14-1/2-acre tract and build a single-family home. Our ultimate goal then is to sell the other half and have two nice, estate lots or home sites out there. Did that answer your question?

Mr. Tucker: It did. We were wondering if the intent was to split it and then split each piece, try to do it in stages.

Mr. Wisener: No. Of course, once we sell the 14-1/2-acre piece that will be theirs. I can't speak for what their intentions are. They already have a house plan. They have already perked it and this and that. Based on where they are putting their house and this and that, I don't think there will be any other splitting. Just based off what I have seen. I definitely don't intent to split the other side because geographically you really can't do that. Three quarters of the remaining parcel is wooded in a ravine. We will sell the second piece to a single owner. I just don't think it could be split by anybody. I think at this point since we have committed to these two pieces, we will end up with two nice homes. The area is surrounded by five to twelve-acre, really big million-dollar homes. I think these two pieces will probably follow suit with that. Two really nice estate lots with nice homes. I don't think there will be any more division, definitely not by me and I don't think geographically it could be done by either of the property owners. Definitely not the remaining piece to the west.

Mr. Tucker: Will it result in two lots that are developable?

Mr. Wisener: Yes. That played a little bit into why we decided to just go with two pieces. Three pieces left one of the remainders kind of iffy. Plus you would have to go through three transactions versus two. I like the idea of splitting it down the middle because it makes the two pieces that you have very developable. We looked at five pieces and then truly doing a subdivision. The neighbors weren't for that. I know every property owner that touches it well. They are all patients of mine or friends of mine. That's another reason we wanted to go with just a two-piece split because it follows

2016 NOV -3 PM 2: 09

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

what is already out there versus doing nine lots, twelve lots or really getting into true development. I've been a dentist for 20 years and I'm just now figuring out that I need to stick to dentistry and not development. Even though I could make more money by busting it into more lots, we truly tried to listen to our neighbors, friends and patients to come up with these two lots. We have a great buyer for one pending we get approval on this. We are going to try to find a great buyer for the second. If I can talk my wife into building, we could even be the second builder out there. Truly an attempt to keep it simple. Maybe we could get more per acre or per lot if we split it more times. We are trying to keep it simple with the neighbors in mind.

Mr. Bracy: There is a trail or some activity going through the center of this and curving off to the right. What is that?

Mr. Wisener: Yes, sir. Are you talking about the lighter tan that goes to the west or the darker tan?

Mr. Davis: It's just a barn trail.

Mr. Wisener: When we bought the property, the previous owner had a trail all the way from Miller Church to the back of the property. That's just the existing trail that's always been in the property.

Mr. Bracy: So the split will follow that trail or most of that trail?

Mr. Wisener: Pretty closely. We tried to keep the frontage as even as possible so the property division will be a little bit to the west.

Mr. Davis: A little bit to the west on the north end and about even with that trail on the south end where it hits the north right of way, the highway.

Mr. Bracy: My point being it gives both properties good access to the road.

Mr. Wisener: Yes. When they paved Miller Church, if you see the darker grey or tan trail that comes out quite a bit to the east, we had them move the gate from there to almost right across from that house across Miller Church. At that point I knew that I was going to sell this property and even then, I was thinking about just splitting it down the middle versus try to divide it. A big way in which we drew the line was to try to give both properties equal frontage on Miller Church. I even told the potential owner, he might want to scoot it over a little more and gain more. He has less than the other side. He started out buying 9 acres and we worked him up to 14. The other issue is we had to draw the line because that little finger of trees on the east side comes out almost to the middle of the property. We had to make sure that he had adequate room to pass by that in order to get to, what I call, the back

2016 NOV -3 PM 2: 09

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

pasture there on the southeast. Both pieces I think have phenomenal frontage and are almost equal at this point.

Mr. Davis: Between five to six feet of being equal with an equal frontage on Miller Church Road.

Mr. Wisener: The potential buyer plans to put in a nice, automatic, big ornamental gate. Obviously, whoever buys and builds on the other side would have plenty of room to do the same or whatever.

Mr. Tucker: Any other questions? We are assuming that the parcel on the other side of the highway is not accessed through either of these pieces. It does not look like it would have access except from the south.

Mr. Wisener and Mr. Davis: Right.

Mr. Tucker: Anything from Staff? None. Alright, we will see you in two weeks.

4. Other Business: None

5. Staff Updates:

I. Administrative Approvals:

- i. Tackett Minor Subdivision, #16-240, 20976 Twin Cove Resort Road, Rogers, 15-09044-000

Mr. Tucker: This is the septic system conversation.

Mr. Reamer: Yes. This was the difficult part because the septic system aspect because there just wasn't record.

Mr. Tucker: This is exactly what we had a lot of when we were crafting the septic system and subdivision regulations.

Mr. Reamer: At least we had the septic system for the existing single family residential to the south to be split off. We did have record of that.

6. Discussion Items:

Mr. Sudduth: I would like to just take a moment to introduce our new Staff Assistant if she will come up here. This is Susan Grove. She is our new Staff Assistant. She works directly out of my office. She assists all five of our divisions. She's come here from Missouri. I am very happy to have her on board. She comes from a really extensive construction background working for the CCC Group. They build nuclear power plants all over the world. Her husband and she both worked for that company.

2016 NOV -3 PM 2: 09

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

She has four grand kids and they all live in Arkansas. She put her foot down and her husband agreed. That's kind of how I got here too. My wife put her foot down and I put my foot down and followed her to Arkansas. We are very happy to have her here; and I appreciate all our new Board members and everything you all do for us. I wanted to introduce her to you all because there may be times you will need something and she will be assisting in any way possible. I appreciate that.

Mr. Gambrell: Welcome Ms. Grove.

Ms. Grove: Thank you.

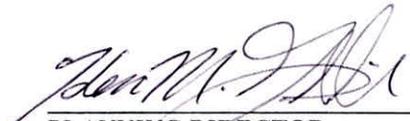
Meeting Adjourned: 7:30 p.m.

Next Meeting: Wednesday, November 2, 2016

APPROVED THIS 2nd DAY OF November, 2016

ATTEST:

APPROVED:



PLANNING DIRECTOR or
PLANNING MANAGER



PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR

2016 4864