2016 NOV 11 PM 12:58

Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting

November 2, 2016
6:00 p.m.
Benton County Administration Building
215 East Central Avenue, Bentonville AR 72712

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6 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: Kevin Gambrill – Planning Director, Taylor Reamer – Planning Manager, Derek Linn – Senior County Planner and Tracy Backs – County Planner were present.

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

Disposition of Minutes: October 19, 2016

Mr. Cole motioned to approve the October 19, 2016, Planning Board Meeting minutes. The motion was seconded by Mr. Bracy. The motion carried 6-0.

General Public Comment: None

Old Business: None

New Business – Items for Public Hearing:

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

Representative: Craig Davis, Engineering Services (ESI), 1207 South Old Missouri Road, Springdale. 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: Do you have anything to add?

Mr. Davis/Mr. Wisener: No.

2016 5175

2016 NOV 11 PM 12: 58

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

Mr. Tucker: Just so that it is on the record, the reason that this is not an administrative subdivision, is because the highway came through creating two additional parcels: one for the highway and one for the south end of the parcel. That was three and four and you are creating five and six. Otherwise, this would have been administrative.

Public Comments:

Sarah Washaliski, 12661 Miller Church Road, Bentonville

My first question is, what will they actually be used for? How many buildings? What kind of buildings? Is it going to be agricultural? Is it going to be housing? I really just want in general what it is going to be used for. Once that is set in motion, can it be altered? What size of building are we looking at and what kind of building are we possibly looking at?

Mr. Tucker: That was described at the TAC but you weren't here because you just received notice. Could we have our applicant describe what you described for us at the Technical Advisory Committee?

Mr. Wisener: We have two tracks that are close to equal. One is under contract to be sold pending this approval. It's a long-time Bentonville family, husband, wife and four children all going to Bentonville schools. We are drawing up covenants for the other lot. We just got the legal descriptions so we will be inserting those into the covenants of 3,600 to 3,800 feet for the second lot. The house that is going to be built is 3,600 to 3,800. I just talked to the guy that has it under contract. He plans to put in a walk-out basement as well so it will be a total of close to 5,000. It will be a larger home.

As far as what can be changed, I don't know the exact answer to that. You guys might address that. The intention is to sell the 14.5-acre piece and then sell the other one as a whole. I don't think it's geographically possible to split the other piece which is why we decided to sell it in two pieces instead of even three. Once we sell this one half, I think we will be geographically locked in to having to wait on a buyer to buy the second half and build another home. So basically, two homes on two large tracts.

Mr. Tucker: So the purpose is residential. The size of the lots is consistent with the size of the lots surrounding it. The home sizes are consistent with the homes surrounding.

Mr. Wisener: Yes. There are bigger homes....6, 7, 8,000 feet homes to the west and there are much smaller homes. With the one that I know the family is going to build, this would be on the larger end. A big investment. Of course, the parcels

2016 5176

2016 NOV 11 PM 12:58

are probably bigger than the majority up and down the road that have been developed. The two big houses to the west are on ten acres each. There is a house that joins it to the east that is on seven or eight. There are several that are on five to six acre tracts. These will be nice, what I would call estate homes, on what I would call really large tracts in Bentonville these days.

This is all them telling me this; but I think they will be very nice gates and fences put up along Miller Church. From what I am hearing, ornament iron, electric entrance. I think it will be a positive development for the general area.

Mr. Tucker: From a Planning Board standpoint, it could not be subdivided into a small subdivision. It would have to come before the Board to do that. It could not be developed commercially. Currently in the proposed state, it could only be developed as two residential lots like the surrounding property. Hopefully that answers your questions.

Mr. Washaliski: Yes.

Mr. Wisener: I mentioned before as well, we literally drew out and looked at several schemes of putting nine, three-acre lots in there or five, five-acre lots. We ultimately came to the conclusion that we wanted to make it simple and keep it as two parcels. I think it's the cleanest way to do that. I think it's the most positive way as far as any impact on the neighbors. I can't see any negatives with it. I have talked to many of the neighbors, most of which I know as friends some are patients at my practice. That is ultimately what led to going with two large tracts. That's what they really wanted and I didn't want to be a developer. This has been more of a process than what I was hoping for but I respect it and appreciate the diligence in making sure it's done right. Trying to make it simple.

Mr. Tucker: Are there any other questions from the audience?

Mr. Wisener: We do have a second lot available if anyone is interested.

Mr. Tucker: From a consistent macro-scale consistency, I think this is consistent with the development surrounding it. That's what we look for, is....are you doing something consistent?

Mr. Cole motions that we approve the minor subdivision. Mr. Bracy seconds the motion.

Motion carried: 6 – 0.

Mr. Wisener: I would like to add that these two gentlemen *(Mr. Linn and Mr. Reamer)* have been great assets in helping us figure out this process. Thank you for your help.

Mr. Tucker: We have great Staff and we appreciate the comment.

2016 5177

2016 NOV 11 PM 12: 58

TECHNICAL ADVISORY COMMITTEE

1. **Call to Order:**

2. **Old Business / Ongoing Applications:** None

3. **New Business:**

I. White Septic Waiver, #16-254, 21648 and 21650 Highway 62, Garfield; 18-01726-001

Representative: Jeff White, 12400 Ventris Road, Garfield

Staff gave a presentation on the White Septic Waiver, #16-254, 21648 and 21650 Highway 62, Garfield; 18-01726-001

Mr. Tucker: Could you tell us a little bit about what you are doing?

Mr. White: The original intent was to put in two RV pads for an investment. My first percolation specialist said that a two-bedroom septic system would not fit because of the disturbed soil on the back side. There are full-sized trees in this disturbed soil so it had to have been a long time ago. My second septic system specialist said that it actually would have fit. It is hard for me to accept that from the first one after I built it on the higher end. At this point, with the first one built at a higher point, the only thing to do is to put a second system down below which is just barely downhill from it for the two pads which will pay for this investment property.

Mr. Tucker: One thing that I like is, if you were to ever subdivide this, it looks like it would be pretty neat and clean to make two one-acre lots out of it. This is helpful for us from a planning perspective. You could easily get two minimum sized lots at some point in the future. Any questions from the Board?

Mr. Maienschein: Do we actually have the septic design?

Mr. White distributes the septic design to the Board.

Mr. Tucker: Who did your septic design?

2016 5178

FILED

2016 NOV 11 PM 12: 58

Mr. White: Glen Laurent.

Mr. Maienschein: You got it signed off by the County Health Department?

Mr. White: Yes, sir. The state approved it already.

Mr. Maienschein: Small lines for a two-bedroom.

Mr. White: They are both single bedroom. For an RV, it has to be a single so it is just two 50's.

Mr. Maienschein: Two 50 foot lines. Okay. Thank you.

Mr. Tucker: I am assuming the alternate field is just next to the primary field.

Mr. White: It is just right below it.

Mr. Tucker: Anything from Staff? None.

Mr. Tucker: See you in two weeks. Thank you.

II. Crawford Minor Subdivision, #16-255, 15080 Haynes Road, Rogers; 18-03516-000

Representative: Larry Crawford, 15080 Haynes Road, Rogers

Staff gave a presentation on the Crawford Minor Subdivision, #16-255, 15080 Haynes Road, Rogers; 18-03516-000

Mr. Tucker: Do you have anything to add?

Mr. Crawford: No.

Mr. Tucker: Will those two parcels be added to the Whippoorwill subdivision?

Mr. Crawford: They connect right to the end of it. The reason I am doing this is that I bought this in 1990 for my retirement income. As I need it, I sell it. That is just two lots I want to add to that for income. I

2016 5179

2016 NOV 11 PM 12:58

would like to ask a question. These guys in Benton County have been super nice. They tried to explain it. The splits he was talking about before 2013, shouldn't be considered in this five-split thing, should it?

Mr. Tucker: They all would if they end in a 00X and some number. Those all count toward the…

Mr. Crawford: I just assumed they would be grandfathered in when they changed the rules. I think they explained it to me the best they could. These are just for resident's houses like everything else out there. There's no apartments or high rises or anything like that.

Mr. Tucker: Okay. Essentially, it's a subdivision. If you were to do it all at once way back when you did it, you would have still had to come before the Board. I think this is fairly consistent with that.

Mr. Crawford: Okay.

Mt. Tucker: Any questions from the Board? None.

Mr. Tucker: Anything to add from staff? None.

Mr. Tucker: I think this is a fairly simple matter. We look forward to seeing you in two weeks.

III. Ho Septic Waiver, #16-257, 12844 Graves Road, Gentry; 18-13629-000

Representative: Tony Ho, 12822 Graves Road, Gentry

Staff gave a presentation on the Ho Septic Waiver, #16-257, 12844 Graves Road, Gentry; 18-13629-000

Mr. Tucker: Could you tell us a little bit about what you intend to do? Are you building a home for yourself?

Mr. Ho: Yes, we are building a home for our family.

Mr. Tucker: No one lives in the building on site now, it's just an office. Is that right?

2016 5180

2016 NOV 11 PM 12: 58

Mr. Ho: Yes sir, it's just a break room for our workers.

Mr. Tucker: Okay, I think I remember where this is now that you say it's a business not a house.

Any questions from the Board? None.

Okay we look forward to seeing you in two weeks. Thank you.

4. **Other Business:** None

5. **Staff Updates:**

I. **Administrative Approvals:**

i. Burner Minor Subdivision, #16-221, 19033 Highway 303, Rogers; 18-00937-000

ii. Wise Minor Subdivision, #16-236, 16694 Posey Mountain Road, Rogers; 18-04870-011

Mr. Tucker: And this is not in Garfield's planning area?

Mr. Reamer: No.

iii. Long Property Line Adjustment, #16-245, 14304 Pleasant Ridge Road, Rogers; 18-03534-000, 18-03535-001

Mr. Homeyer: What are they doing with that existing mobile home? It is being moved?

Mr. Reamer: They are removing it and building a single-family dwelling.

Mr. Tucker: Do you know if it is gone?

Mr. Reamer: The note here is "to be removed."

Mr. Tucker: Okay. So, it is an encroachment.

Mr. Homeyer: That caught my eye too.

iv. Schwerin Minor Subdivision, #16-246, 11731 South Highway 43, Gentry; 18-15766-000

v. Utter Minor Subdivision, #16-249, 11411 Sallie Drive, Rogers; 18-04880-002

vi. Hawkins Minor Subdivision, #16-251, 15565 Hawks Landing Drive, Rogers, 18-04864-000, 18-04866-000, 18-04910-002, 18-04910-001,

2016 5181

2016 NOV 11 PM 12: 58

18-04911-000

Mr. Tucker: So the condos are officially dead.

Mr. Reamer: Yes, they don't even own the property anymore.

Mr. Tucker: Excellent.

6. Discussion Items:

Mr. Gambrill: We will have our first meeting of the newly appointed Board of Appeals next Thursday at the Development Department. Because it is administrative in nature and no formal appeal, they are literally coming to adopt their bylaws, to elect a chair and vice-chair and get acquainted with the development regulations.

Mr. Tucker: Hopefully you know several people on that Board, but I guess their position is to determine if we make reasonable decisions so hopefully we will continue to do that in the future. I think they will be as tough, hopefully as the Quorum Court. I know several of them well.

Mr. Gambrill: It's a very good cross section representation.

Meeting Adjourned: 6:34 p.m.

Next Meeting: Wednesday, November 16, 2016

APPROVED THIS 16th **DAY OF** November, **2016**

ATTEST:

PLANNING DIRECTOR or
~~**PLANNING MANAGER**~~

APPROVED:

PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR

2016 5182