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BENTON COUNTY, AR

Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting

December 21, 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, Sean Collyge, Ron Homeyer, Terry Maienschein, Ashley Tucker and Rick Williams were present.

Staff present: Kevin Gambrill – Planning Director, Taylor Reamer – Planning Manager, Derek Linn – Senior County Planner, Tracy Backs – County Planner and Eric Smith, Deputy Fire Marshal were present.

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

Disposition of Minutes: December 7, 2016

Mr. Williams motioned to approve the December 7, 2016, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein. The motion carried 7-0.

General Public Comment: None

Old Business:

I. **McClain Minor Subdivision, #16-258, 20843 West Mountain Road, Gravette; 18-15237-000**

Staff gave a presentation on the McClain Minor Subdivision, #16-258, 20843 West Mountain Road, Gravette; 18-15237-000

Mr. Tucker: Do you have anything to add?

Mr. McClain: I do not.

Mr. Tucker: Can you tell us a little bit about what has transpired since you did the first one?

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Mr. McClain: Back in the spring, I split the parcel into two tracts. If I'd had the foresight then to go ahead and split it into three, that is what I should have done. So, of the 30 acres, someone wants to buy the pasture, and then I am keeping the 7.36 acres.

Mr. Tucker: So, it essentially is the north side of the creek.

Mr. McClain: I am keeping the north. I am selling everything south to W. Mountain Road.

Mr. Tucker: Alright. Any questions for the Board?

Board Comments: None.

Staff Comments: None.

Public Comment: None.

Mr. Maienschein motioned to approve. Mr. Bracy seconded the motion. The motion carried 7 – 0.

New Business – Items for Public Hearing:

I. **Straightline Automotive – Site Plan Review - Major Amendment #16-283 9141 Greenhouse Road, Bentonville; 18-08679-004**

Representative: Ross Bull, 9143 Greenhouse Road, Bentonville

Staff gave a presentation on the Straightline Automotive – Site Plan Review - Major Amendment, #16-283, 9141 Greenhouse Road, Bentonville; 18-08679-004

Mr. Tucker: Do you have anything else to add, Mr. Bull?

Mr. Bull: Only that we have been trying to get these revisions for the past two weeks from Planning, since the TAC meeting, but only received E-mails this morning, nor did we have that specific of information.

Mr. Tucker: One of the things we can do, if you able to make these revisions, and if the Board allows, you can address these items before receiving a decision letter.

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Mr. Bracy: Is the 'personal storage' located on the commercial property there for financial reasons? Is it simply verbiage that it will only be used as a 'non-commercial' building, for personal use?

Mr. Bull: The storage building was existing, and was used to align the newer (expanded) portion. I only use it to keep my race cars in, and some Christmas stuff in.

Mr. Homeyer: I'd like to piggy-back on that [Mr. Bracy's comment], obviously, that is your personal stuff now, but, we have to consider what that use may be in the future, if it is ever sold. Perhaps as commercial storage. In the long-term, we need to consider it as part of the commercial operation.

Mr. Tucker: We have the option to have the plan note it as personal storage, but, [if the space were ever converted to commercial, that…] would be an expansion of a 'non-conforming use'.

Mr. Homeyer: I just keep thinking of the parking Variance request. If we grant a Variance for the removal of two spaces from the original plan, based on non-commercial/personal space, I don't think it needs to be tied to the personal use, because it could convert to commercial. If that did happen, the site would be short two spaces.

Mr. Bull: Would it be simpler to have it [storage space] all commercial? There is four to five cars there now. Employees park in the gravel area already, so I would have no problem with that.

Mr. Tucker: Approvals in the County and State, run with the tract of land and not the building. What I am hearing from the Board is that it [the storage space] is all commercial. Personally, if the space is there, that all of the parking 'area' be considered. If the allotment is there, then the Variance is not necessary. So, the request would go from 23 parking spaces provided and 29 required?

Mr. Gambrill: To be clear, there would now be 29 parking spaces required, and it would up to the applicant to tell us how many parking spaces he would provide.

Mr. Cole: You said a second ago, 1260 sf. +/-, now we are adding in 576 sf?

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Mr. Gambrill: Sorry, it is not clear on the graphic. The 1,260 sf. *includes* the 576 sf of additional storage space.

Mr. Tucker: What we are saying is 2,580 + 1,260 is the GSF on-site?

Mr. Gambrill: If you want to break it down; General Commercial is 1,260 sf, Heavy Commercial is 2,580 sf., and Office/Admin is 750 sf. Staff needed to depict the additional square footage of the storage area because the applicant 'red-lined' the existing building, but not what was added, so Staff needed to find a way to show the added area more clearly.

Mr. Tucker: To reframe that again; 29 would be required. Is there room for 29 parking spaces on that property?

Mr. Bull: Yes, if you look back at some of those pictures, there is more [area] just to the left of that picture.

Mr. Tucker: To the left of the Power Pole?

Mr. Bull: Yes. You can see the entrance to my garage [personal residence], if you follow that area [in front of the personal garage] straight and to the south; If that picture was one-more frame over, you would see where everyone parks currently.

Mr. Homeyer: There is a trailer, and the old Nissan in the photo. Are you saying that and to the left?

Mr. Bull: No, you'd be coming back to the east. So, Kevin can you come back one more picture?

Mr. Homeyer: So is the power pole on the property line between the commercial and the residence?

Mr. Bull: Pretty much.

Mr. Homeyer: So any parking between the power pole and the residence would not be considered with parking on this site, because that [north of the power pole] is off-site parking, even though you own both properties?

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Mr. Bull: Right. Kevin, can you click on another slide[1]. So, the north side of the hard surface parking, that is not the north side of the property, as far as that 0.48 acres goes, you can still park on the north side; that's where the gravel parking would be; We can also park at the end of this little structure [existing storage building].

Mr. Gambrill brings up an image from 'Google StreetView' as a visual aid to the discussion'[2]

So, the south side of the gravel driveway; from there to the end of the hard surface, where the end of the bumpers [in the image] are, and to the area [in the presentation slide] where the Nissan was parked… I think the question is, if I understand it correctly, 'is there room for six more parking spaces', the answer would clearly, easily be 'yes', and still stay out of the right-of-way, on the front.

Mr. Gambrill: We need to have that shown, on a plan (internal circulation), we don't have that shown, yet.

Mr. Tucker: You can't 'dead end' a car.

Mr. Bull: I have a duly Dodge, with a trailer, it can move in and out of the site.

Mr. Tucker: Because there is space available, there would be no hardship, and therefore, no need for a variance. If there is a hardship (shape, size of lot, grading, undue hardship), those are the kinds of things that would trigger the need for a variance. If it demonstrates that you have the space, there is no need to have the variance out of convenience, because there is no 'undue burden' that no one else in the County has. Variances are not tools to indiscriminately reduce parking. If you demonstrate that the space [for parking] is there, it is not a requirement that you use them [required parking spaces] but, there is a requirement that you show them [required parking].

Mr. Bull: So, if I understand this correctly, we should be able to take the footprint [of the needed parking space], outlined based on 9 x 19, and show that space within the 0.40 [*0.49 acres by deed*] acres?

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[1] See with site photo; StraightlineAuto_12052016_looking WNW from interior of site.jpg
[2] See with graphic; StraightlineAuto_16_283_GoogleStreetView_082016.jpg

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Mr. Tucker: [to Mr. Homeyer] Does that satisfy that question?

Mr. Homeyer: *visual nod.*

Mr. Tucker: The open issue of the variance request seems to be addressed, the issue of commercial versus residential seems to be addressed; Can you revise the parking table [to Mr. Bull]? – *visual nod, from Mr. Bull.*

Mr. Gambrill: For the record, 1,260 square feet of 'general commercial' will be added to the parking table?

Mr. Homeyer: Yes.

Mr. Bull: So, we will change that on the site plan.

Mr. Tucker: *To Mr. Homeyer*... Do we need to show the 1,260 sf on the site plan as commercial?

Mr. Homeyer: Staff can verify if the required parking for it ['general commercial'], if Staff is comfortable with that.

Mr. Tucker: If its not, then we can get [come] back in January. Of the list of [outstanding] items, Item 1 we have dealt with, and can be removed. Item 2 can be removed. Item 3, removal of the landscaping should now be discussed.

Mr. Gambrill: At the last meeting (TAC) the Board asked what our regulations for landscaping were 'buffering' and/or 'screening'. Is it the use inside the building, the building itself... what are you [the Board] supposed to be considering? Staff took it upon themselves to provide a number of references; ACA section 14-56-306 – compatible land use; Sections of the County Planning & Development Regulations – general goals (preserve value of land, minimize conflicts); existing use (heavy commercial), table 6.4 – how we define 'heavy commercial' for automotive repair shops, and what the landscaping requirements should be to reach 'optimum compatibility'.

Mr. Tucker: The land next to you is vacant?

Mr. Gambrill: It is a platted subdivision, platted prior to the project being submitted.

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Mr. Tucker: Compatibility begins to 'crumble' where we don't have the density to create dense commercial corridors. Do not have consistent commercial entities along Greenhouse Road. There are other non-residential uses (carpet shop), nearby, off Greenhouse Road.

Mr. Gambrill: Some of these uses (in the City) could be non-conforming, prior to annexation?

Mr. Tucker: Landscaping, and the 'use' being buffered. How does the Board feel about the removal of the proposed landscaping, in light of the existing fence, the existing vegetation?

Mr. Bracy: The landscaping was proposed before the 6-foot privacy fence was installed. Now that it is installed, the landscaping would be removed, and the fence would replace it. The only question now, is that the fence is not owned by the property owner. So, if we have the fence, and the existing trees, by definition [we have the buffering].

Mr. Tucker: So, I guess you are asking is a fence up to a fence 'unreasonable'… yes, that would be.

Mr. Bracy: Yes

Mr. Maienschein: Yes, unreasonable.

Mr. Tucker: Then, there is the requirement that three (3) tiers are needed. The Board could decide that the fence is intended to be 'mitigation', and the fence, they [the developer] thought was adequate enough to screen the property.

Mr. Gambrill: I am not sure, but the installation of the fence may have been a subdivision requirement.

Mr. Bracy: The fence serves that purpose; You don't want to hide the business, nor its access point, from the highway frontage.

Mr. Cole: Is the fence shown on the plan?

Mr. Gambrill: There is a note (note number 6) on the plan, and the fence is shown.

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Mr. Bracy: Does this mean that if the City required the fence, the maintenance is up to the developer?

Mr. Gambrill: Typically, once a developer builds out a certain number of lots, they will divest and leave maintenance up to the individual property owner or the established POA, depending on how the by-laws are written.

Mr. Tucker: Maintenance of the fence could be the property owners, or, the developer, depending on how the City deems it.

Mr. Gambrill: However they see fit.

Mr. Tucker: I was just reading through our Ordinance, it says 'wall fence AND planting'. The question now is 'are the existing plantings significant enough to satisfy both the intent of 'wall fence and planting'? The answer appears to be yes, from the Board, that the scale of the existing vegetation is such that it would equal 'mitigation'.

Mr. Gambrill: Site plan describes the prior landscaping as '14x, 5 gal. thuja's and 16x, 1 gal. red-tips. The actual plan describes their height.

Mr. Homeyer: I can see the fence replacing the 'red tips', but, what is the purpose of the 5 gal. thujas? Was it to complement the existing pine trees?

Mr. Gambrill: I believe the purpose of the 5 gal thujas was to screen the site, and fill in from the ground to the lower rung of the existing pine tree canopy. This was prior to construction [of the fence]. If you remove the fence, and you think of it as a screening element (visual screen), the red-tips…

Mr. Homeyer: What is the height of the height of the 'thujas'? I am interested in the height of the thujas; I am familiar with red-tips, and am used to seeing them as a hedge-row. But, I am not familiar with the other [thujas].

Mr. Gambrill: Mr. Linn, would you please comment on the thujas and their height for Mr. Homeyer.

Mr. Linn: The species form is a 'tree', 30 to 40 feet in height; there are so many cultivars; there is a thuja for most situations.

Mr. Homeyer: Would the thuja serve as a 'evergreen' [in this application]?

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Mr. Linn: I wasn't here in 2014, but, my feeling, based on where they are on the plan, they are filling in between the existing pines, and in the southwest corner, in place of pines outright.

Mr. Homeyer: So, the south and southwest, were just red-tips on the plan?

Mr. Gambrill: The symbology on the plan shows the darker circles (not the larger ones) as the '5 gal. thujas', then you have '16x 'red-tips'.

Mr. Tucker: They appear to be over-planted.

Mr. Gambrill: We have seen this in the past. I believe Mr. Homeyer is familiar with one of those plans, where the applicant needed to amend the landscaping plan due to the approved one being too dense, and, the slope of the site too great to implement.

Mr. Tucker: From a density standpoint, three (3) thujas would almost completely cover the corner. Still up for discussion; is the existing vegetation sufficient enough?

Mr. Williams: Seems like the [proposed landscaping] would be do more harm than accomplish anything. It would be hard to maintain, is redundant, and serve no purpose.

Mr. Maienschein: I agree.

Mr. Tucker: We've discussed the non-commercial storage building, modified the parking calculations, and now on to the dumpster screening. What is the material.

Mr. Bull: It is the same material to screen the big building going up by the Walmart Home Office; Has fine holes in it; wind should pass through.

Mr. Tucker: There may be better, long-term options. I don't think the intent of our regulations is that you can't see it [the dumpster], but that you remove its visual impact.

Mr. Maienschein: He's got is set up so that the dumpster service [company] can move it easily.

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Mr. Bull: Correct. It needs to be accessible. The gates [wooden] can sag over time; Need to ensure the company can access it without moving it a bunch. I tried to consider screening, but also that it continues to be accessible. I did go to other sites; those other sites are what gave me the idea to use this.

Mr. Tucker: Is there room for some small evergreen screening to the left? Adjacent to the sidewalk. To me it's still visible.

Mr. Bull: What are we trying to screen it from?

Mr. Tucker: Passing traffic.

Mr. Bull: They [traffic] already misses our driveway, I am not sure if traffic would see the dumpster anyhow.

Mr. Tucker: Noted; now that I see this other angle, it [changing the dumpster screening from what is proposed currently] would appear less relevant.

Mr. Bracy: Does the trash company have to move the currently proposed screen?

Mr. Bull: Yes, it's in our contract, but yes.

Mr. Tucker: The last item is to show the 'existing Right-of-Way', as a plan note. Anything else from the Board, or Staff?

Mr. Gambrill: December 14th, files for the TAC report, and the Public Hearing Report, were uploaded, and were available for several days before the Public Hearing.

Mr. Bull: We received an E-mail, but no attachments.

Mr. Tucker: The site [County Dashboard] can be difficult to navigate, but, that is how we [the Planning Board] access documents. Is there anyone in the audience that has signed up to speak on this project? Seeing none, we will close the public comment period on this project, and move it back to the Board for a motion.

Mr. Williams: Motion for approval [conditioned upon] the stipulations be met, satisfying Staff, prior to letter of approval [Decision Letter].

Mr. Maienschein: Second.

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Mr. Tucker: We have a motion, and a second.

Mr. Gambrill: So, we are not concerned with parking variance. What is the motion again?

Mr. Tucker: Motion for approval based on the stipulations that the applicant would [revise the site plan] to show (1) all required parking spaces, (2) elimination of the landscaping requirements, (3) approval of the currently proposed dumpster screening element, (4) removal of the word 'non-commercial' from the expansion of the storage building, (5) showing the right-of-way, as existing right-of-way.

Mr. Maienschein: That [the new Plan] would go back to Staff [for review]?

Mr. Tucker: That is correct.

Mr. Maienschein: Then back to here [the Board]?

Mr. Tucker: Correct. [To qualify], now, if you [to Mr. Bull] cannot come to an agreement with Staff, you would have to come back here [the Board]. I have only had that happen once since I have been here [serving on the Planning Board].

Mr. Gambrill: Staff has worked well with the applicant up to this point, so we don't see a problem.

Mr. Tucker: Any other discussion on the motion? Alright, seeing none, Ms. Backs [call for vote]…

Ms. Backs: Call for vote on motion to approve with conditions as stipulated. Motion passes 7-0.

II. Buffer Site Plan Review, #16-285, 8950 South Highway 59, Decatur; 15-07447-000

Representative: Bobby Hubbard, 17610 Hubbard Road, Decatur

Staff gave a presentation on the Buffer Site Plan Review, #16-285, 8950 South Highway 59, Decatur; 15-07447-000

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Mr. Tucker: Could you *(Mr. Reamer)* confirm that between Friday [December 16, 2016] when I got the e-mail and today, we got all the conditions?

Mr. Reamer: Correct. It was today.

Board Comments: None.

Mr. Tucker: My only question is, I noticed where the proposed leach field is, it looks like it is currently parking.

Mr. Hubbard: No, that's just an open field that right now they have cattle running in it.

Mr. Tucker: So that's more of a cattle track or a tractor turn around?

Mr. Hubbard: Yes. Currently, right now, there is a fence that goes up there with a set of gates. During the sale barn operations on Tuesdays, the gates are open. That is actually where they load-out. Their load-out area is just east of the blue proposed area. You see that's kind of a traffic area? That's actually where they pull their trucks in and back up. That's why we slid the septic field down. That's why we slid it west, actually grading downhill. We slid it down there to get it away from the traffic area so they are not driving on a septic field. That's why it's slid so far and not closer to the building. We figured that it wouldn't be a very big expense to just run a line down there and get it out of the way. Other than sale day, there's not really traffic in there. It's just where they put their stock. Sometimes they keep cows from sale-to-sale, or, have stuff come in during the week. It just overflows in that pasture.

Mr. Tucker: Okay. Excellent. That's what we needed to know.

Mr. Hubbard: I think I said this last time…with the Fire Marshal, we kind of had a long discussion. The only thing that we talked about that affected this site plan was the 10'. That's why we put the footnote in there. We will maintain the 10'. The other thing we talked about was occupancy. We made that standard with our septic design. We are under the occupancy for sprinklers. Other things we talked about was emergency lighting, exit signs, and stuff I felt like we could address when we actually present the Planning Department with the plan of the building.

Mr. Tucker: All that sounds like it will be addressed with the building permit application.

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Mr. Hubbard: Yes.

Mr. Tucker: No sprinkler required?
Mr. Hubbard: No.

Mr. Smith: No, he is under the square footage.

Mr. Tucker: And under the total occupant load for a sprinkler?

Mr. Smith: I have not seen that. Mark *(Trollinger)* has looked at it. I don't know what the total occupancy is.

Mr. Hubbard: I haven't gone into design yet. I wanted to get this out of the way before we spent.... It will require an engineer on the buildings and an engineer on the footings. I didn't want to spend a lot of money on design before we got through the planning stage. Basically this 40' x 80' will be split in half. We will have sixth grade and under on one side. Sixth grade and up. It is more of a kid's building. They will be separated. Each side will have a few classrooms. The separation pulls down the square footages. The total occupancies, we were looking at 80 and I think it is 300 is what the code is before you require....

Mr. Smith: 10,000 square feet or above requires...

Mr. Hubbard: 10,000 square feet or 300 or more people is what is required for sprinkler systems. When I talked to him [Mr. Trollinger], I told him that we were going to split the building in half. That would eliminate getting more than 300 people.

Mr. Tucker: It gets kind of tricky when you are doing just chairs.

Mr. Hubbard: Yes because a 40' x 80' might hold 300 people with just chairs but when we split it in half, and throw a few classrooms in there, that kind of eliminates that possibility of reaching that load.

Mr. Tucker: Exactly. We don't want you to paint yourself into a corner then have to come back.

Mr. Hubbard: Sure. No, I don't want to come back.

Board Comments: None.

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Staff Comments: None.

Public Comments: None.

Mr. Cole motioned to approve the septic waiver.

Mr. Homeyer seconded the motion.

The motion carried 7 – 0.

Mr. Williams motioned to approve the Site Plan Review, subject to conditions. Mr. Cole seconded the motion. The motion carried 7 – 0.

TECHNICAL ADVISORY COMMITTEE

1. **Call to Order:**
2. **Old Business / Ongoing Applications:** None
3. **New Business:**

   I. **Gentry Rural Fire Station – Site Plan Review, #16-293, 23115 Cripps West Road, Gentry; 18-13797-000**

Representative: Mr. Vestor Cripps, 23777 Cripps Road, Gentry.

Staff gave a presentation on the Gentry Rural Fire Station – Site Plan Review, #16-293, 23115 Cripps West Road, Gentry; 18-13797-000

Mr. Tucker: Do you have anything to add?

Mr. Cripps: I will answer whatever you want to know but, it is there…

Mr. Tucker: Tell us about the building that has no power, no water and no sewer.

Mr. Cripps: Actually this will be the second one of this type of buildings that we have constructed. The other one was in the city limits. It is a storage building for fire trucks. It is not occupied so it does not need electric or water there. We run a propane heat system in it that doesn't require electricity to operate it so that we can maintain the trucks above freezing level. Otherwise, it's a free-standing storage building. It puts fire trucks in strategic areas to cover the County. This is part of a

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bigger County plan to eliminate Class 10 (or no coverage areas) throughout the County. Placing these in certain spots greatly reduces insurance premiums for land/home owners in those areas where they consider you beyond five miles of a fire station or a fire truck.

Mr. Tucker: There is no requirement under NFPA to provide power?

Mr. Cripps: Absolutely not. You have to maintain and certify that your trucks are working and in pumping order every year. It doesn't say anything about electricity on a building.

Mr. Homeyer: My only question was going to be how you kept them from freezing, but you answered that, so I'm good.

Mr. Collyge: How many are on a crew? I assume this is volunteer run?

Mr. Cripps: It's a volunteer crew. You would have one, maybe two guys actually respond to pick up an apparatus. The other guys will go straight to the location.

Mr. Collyge: That's what I thought. If they all show up there, where do they park?

Mr. Cripps: You can't park them all there but they are not all going to go there.

Mr. Bracy: Is that why there are three parking spaces, because there are three vehicles?

Mr. Cripps: Three apparatus there and it would be very uncommon that you would put more than three guys there.

Mr. Homeyer: So where do those guys park when they come to get the apparatus? You only show a drive out in front of the three trucks.

Mr. Cripps: That 'pie-shaped' wedge would be parking area to the east side of the proposed building.

Mr. Homeyer: They will just park on the grass. Is that what you are saying?
Mr. Cripps: No, it will be gravel.

Mr. Homeyer: They need to add that to this layout then.

Mr. Cripps: Okay.

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Mr. Tucker: So you need to show the parking spaces. We have a letter from Mark Trollinger about the donation of the property. Only the portion of the property that was needed to build the building was donated, not a full acre. Given the prices of the worst rural property in Benton County, would have been a substantial investment. That goes to why the parcel is less than one acre.

Mr. Cripps: Correct. With no septic, there isn't the need for the extra space.

Mr. Cole: So we will have a variance for the lot size?

Mr. Tucker: Yes, there is a variance for the lot size.

Mr. Cole: What other variances do we have down?

Mr. Reamer: Parking.

Mr. Tucker: You could actually show five spaces and not need a variance.

Mr. Cripps: Sure. There is ample room there to be able to do that. We just didn't have a plan to build a big, huge parking lot that would be more likely used by fishermen going to the lake than by firemen.

Mr. Tucker: What other outstanding issues do we have?

Mr. Reamer: The one of main concern is number six here.

Mr. Tucker: Has public notice been issued?

Mr. Cripps: There has not been any written thing that I am aware of. I have talked to every person in that area within a mile of that site as well as surrounding.

Mr. Tucker: Yes but the statutory requirement in the state of Arkansas is that they receive a letter. The way that you guarantee that in the state is postal read receipt. I don't think it's an actual read receipt, it is just a delivery.

Mr. Reamer: USPS certified mail receipt.

Mr. Homeyer: You can get a certificate of mailing that satisfies that requirement.

Mr. Tucker: Certificate of mailing. Which would just be a list of who you sent them to.

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CORPORATE CLERK
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Mr. Reamer: Just as a point of clarification, I did send an e-mail with two attachments, as I usually do for site plan reviews, a Form G, the template of the letter to send as well as the list of addresses. I think there were three. As well as a public hearing signage template similar to ones for other site plan review to Mr. Kevin Johnston, the mayor for the city of Gentry as well as Mr. Cripps. That was sent on the 12th of December stating that by the 21st [of December] all notice would have to be required.

Mr. Homeyer: So we don't have proof of notification.

Mr. Reamer: Correct.

Mr. Tucker: So that will delay the hearing. We can't hear it. That would violate state statute. Until those receipts are provided, January 18th would be the first week that we could hear it.

Mr. Reamer: How would we handle the meeting on the 4th [of January]? Would there need to be an applicant or a representative?

Mr. Tucker: I don't think so. It would show up as old business under Technical Advisory Committee for the 4th [of January]. Unless you have something new to present on the 4th, I would say that we could skip it. Does that make sense to you?

Mr. Cripps: Yes.

Mr. Tucker: Sorry but the state says that we have to do public notice so we do public notice.

Mr. Reamer: For the applicant, I can resend the e-mail to you as well if you would like.

Mr. Tucker: It's a fairly simple form letter.

Mr. Cripps: Okay.
Mr. Reamer: But other than that, the other items can be satisfied. It's just number six that was the main concern.

Mr. Tucker: From what our County attorney has told us, anything we do without public notice is immediately void so we prefer not to do that and have to do it again. Save you time and save you money.

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Board Comments: None.

Mr. Gambrill: Taylor *(Reamer)* do you want to mention the floodplain?

Mr. Reamer: I was going to do that at public hearing, but I can do it now. Just as a note since Kevin *(Gambrill)* brought it up; based on new modeling from ANRC, there is a study underway that may propose an expansion of the special flood hazard area (SFHA), which would result in the SFHA actually extending onto this property. This being a critical facility, Staff thought it would be a good idea to at least bring up the fact that based on proposed new studies for this area, a portion of this property would be contained on the FEMA flood plain.

Mr. Tucker: So that would be the 100-year floodplain?

Mr. Reamer: Correct.

Mr. Gambrill: It would still be an approximate 'A' zone but the State and the Feds are allowing for the RiskMap program with FEMA to serve as a way to update these approximate 'A' zones.

Mr. Tucker: Do you know what the FIRM line would be?

Mr. Gambrill: We don't have it with us. We could supply that. Again, it is not regulatory at this point. The SFHA is not on the parcel right now. There is first order of approximation of data that has a very good chance of being utilized in the future as a way to update the 'A' zone. This is a critical facility; so, Planning Staff felt it prudent to at least mention this to the Board.

Mr. Tucker: I think it would be good to know what the proposed FIRM line is. It's pretty simple to raise the building.

Mr. Reamer: We could have a detailed graphic, proposed or approximate 'A' zone with the new study in relation to topo on the ground now easily enough.

Mr. Tucker: Okay.

Mr. Gambrill: It doesn't encroach on the building's envelope but it goes into that sloping edge, eastern front of that wedge.

Mr. Tucker: If it's not in the building envelope, I think that makes it a lot easier as

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well. It sounds like that may not be as much of an issue as we thought it was going to be. We just need to verify it or suddenly a facility would be rendered useless by FEMA.

Mr. Gambrill: Mother Nature never reads maps anyway. It's just what you regulate for.

Mr. Bracy: So the yellow line on the topo there, that's not anything but topo.

Mr. Gambrill: We regulate for the 100-year flood, the 1 percent annual.

Mr. Tucker: The line on the map is not the 100-year. It's the even tens…

Mr. Reamer: This is just part of the topo. Yes, tens…

Mr. Gambrill: The topography you are seeing there is two-foot contouring intervals which is based on the LiDAR detected topography that the model the State has uses. It's technically more finer tuned than what you see there.

Mr. Linn: So a 10-foot drop between the orange.

Mr. Tucker: Four weeks? Okay, we will see you again on the 18th.

II. Camp War Eagle – Site Plan Review | Major Amendment, #16-295, 14323 Camp War Eagle Road, Rogers; 18-00536-692 and 18-00536-701

Representatives: Pete Day, 14323 Camp War Eagle Road, Rogers; Rob Whorten 14199 Day War Eagle Road, Rogers.

Staff gave a presentation on the Camp War Eagle – Site Plan Review | Major Amendment, #16-295, 14323 Camp War Eagle Road, Rogers; 18-00536-692 and 18-00536-701

Mr. Tucker: Anything else you would like to add?

Mr. Day: No. Just the purpose of this is that we have been operating as a summer camp serving four counties in northwest Arkansas since 2006. Our goal is just to serve more kids. Actually, we are really only going to increase the residential component of our camp. We are actually doing day camps now in Rogers and

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Springdale. We do have instances where we are bringing those kids out to camp now. We actually have that many people at camp already. Mainly, we initially designed the camp with this in mind. There is very little tweaking that we feel needs to be done to accommodate that. This is just our next phase of what we want to do to serve more kids. I am happy to entertain any questions.

Mr. Tucker: How many kids and adults do you plan to have on site at one time?

Mr. Day: Right now, our residential capacity is 550 kids with about 300 Staff so we are at about 850. Now there are times when we are up over 1,000 with kids that we bring out from the day camp. Ultimately, we will be at about 1,100 for kids and Staff. That would be our ceiling with where we would be with this proposed addition. It's just that those 1,100 would actually all sleep there. That's giving us plenty of buffer.

Mr. Tucker: So the proposal for the 1,100 kids and adults, my concern would be that the water and sewer system would be designed to the capacity of 1,100.

Mr. Day: Yes, certainly. Those are areas we fall under the oversight of ADEQ for our waste water. We have Hawkins and Weir (sp) as our engineers who are working through both the expansion of our water system and some minor expansion on our waste water system. That would more than accommodate any foreseeable needs. They would be happy to present whatever you would need.

We have our water storage expansion is in process and has been approved by the Health Department already. We are building an additional water storage tower that will be 65,000 additional gallons stored on site for use.

Mr. Tucker: Taylor *(Reamer)* we may need something from them that says the capacity is available to dispose of waste water. Our charge is to protect Beaver Lake and the ground water supply.

Mr. Day: Absolutely. We are right there with you.

Mr. Tucker: You guys have always done a great job. One of the few that doesn't get regular waste water treatment plant violations that we see notices for.

Mr. Day: In reality, our system is designed for 12 months of use and we use it for 3 months a year so we are very comfortably designed for what we have and any additional expansions. Our engineers can verify that. ADEQ can verify that. Health Department can certainly verify all of those numbers.

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Mr. Tucker: Okay.

Mr. Bracy: Being that this is encompassed by the Corps of Engineers, does the Corps have anything that we need to be documenting?

Mr. Day: We sent them a letter of notice as well. Our lake use won't change in any way, shape or form. They are one of our neighbors and notified as such.

Mr. Tucker: It is my understanding that you are several hundred feet from the nearest property line as well.

Mr. Day: We want to be good neighbors but we technically don't have any neighbors. We do border the Corps of Engineers. They were notified in our certified letter.

Mr. Gambrill: All your improvements are above the take line, right?

Mr. Day: Right. We have a lease from the Corps of Engineers for that. It's an ongoing resort lease. That is a separate deal but it is below the take line.

Mr. Tucker: See you the first Wednesday in January.

III. Other Business: None

IV. Staff Updates:

I. **Administrative Approvals:**

i. Rubes Minor Subdivision, #16-222, 18607 Coppermine Road, Rogers, 18-00760-000.

ii. Browning-Wagner Minor Subdivision, #16-263, 12556 Timberline Drive, Garfield, 15-05519-000, 15-05520-000, 15-05521-000

iii. Krugler Minor Subdivision, #16-278, 16027 Wilson Court, Rogers, 18-04872-000

iv. Harvest Baptist Minor Subdivision, #16-282, 11032 and 11036 North Arkansas Highway 59, Gravette, 18-15190-005

v. Hawkins Minor Subdivision, #16-284, near 11102 Guyll Ridge Road, Avoca, 18-04916-000

V. Discussion Items: None

Meeting Adjourned: 8:03 p.m.

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Next Meeting: Wednesday, January 4, 2017

APPROVED THIS 4th **DAY OF** January **, 2017**

ATTEST:

PLANNING DIRECTOR or
~~PLANNING MANAGER~~

APPROVED:

PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR

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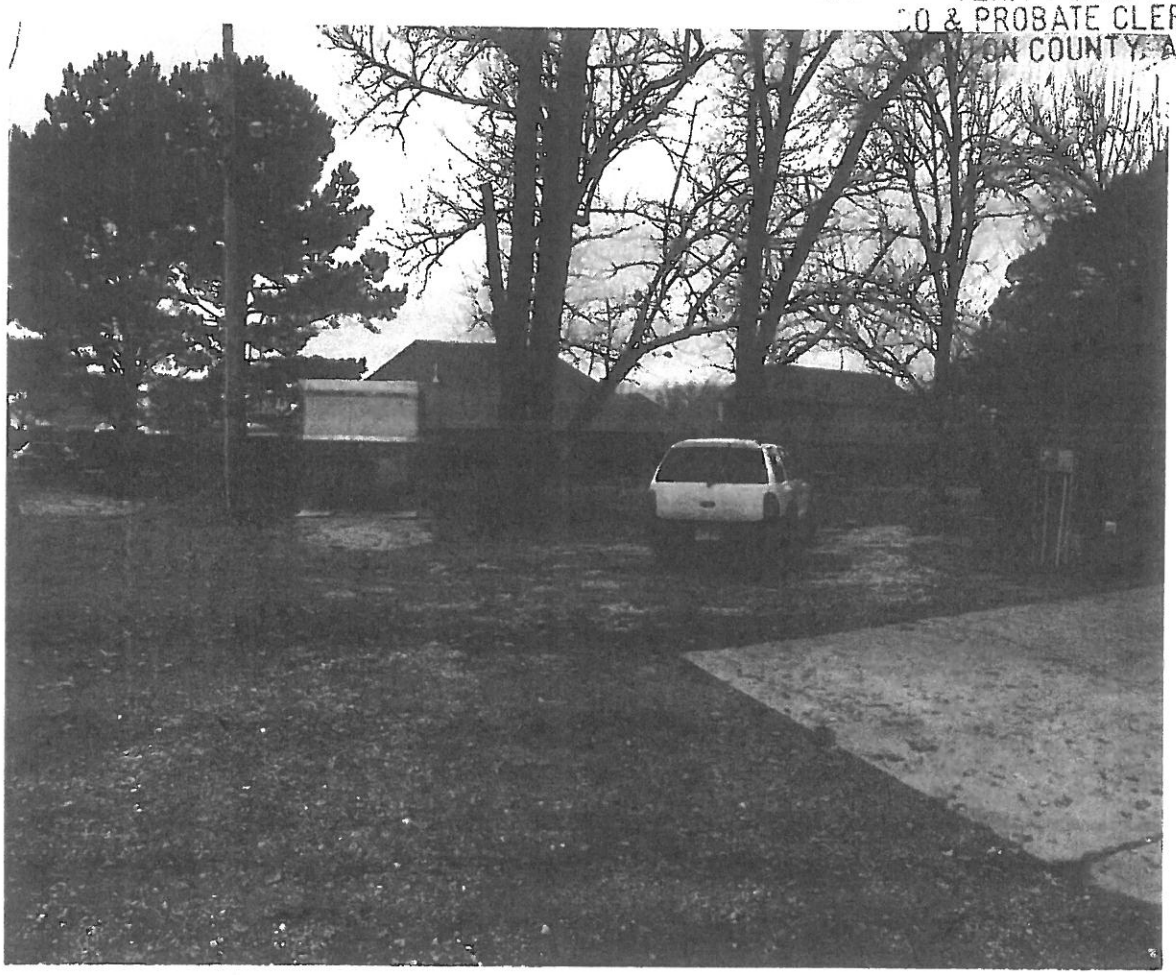
PUBLIC HEARING REFERENCE [1] – CASE #16-283
StraightlineAuto_12 05 2016_looking WNW from interior of site.jpg



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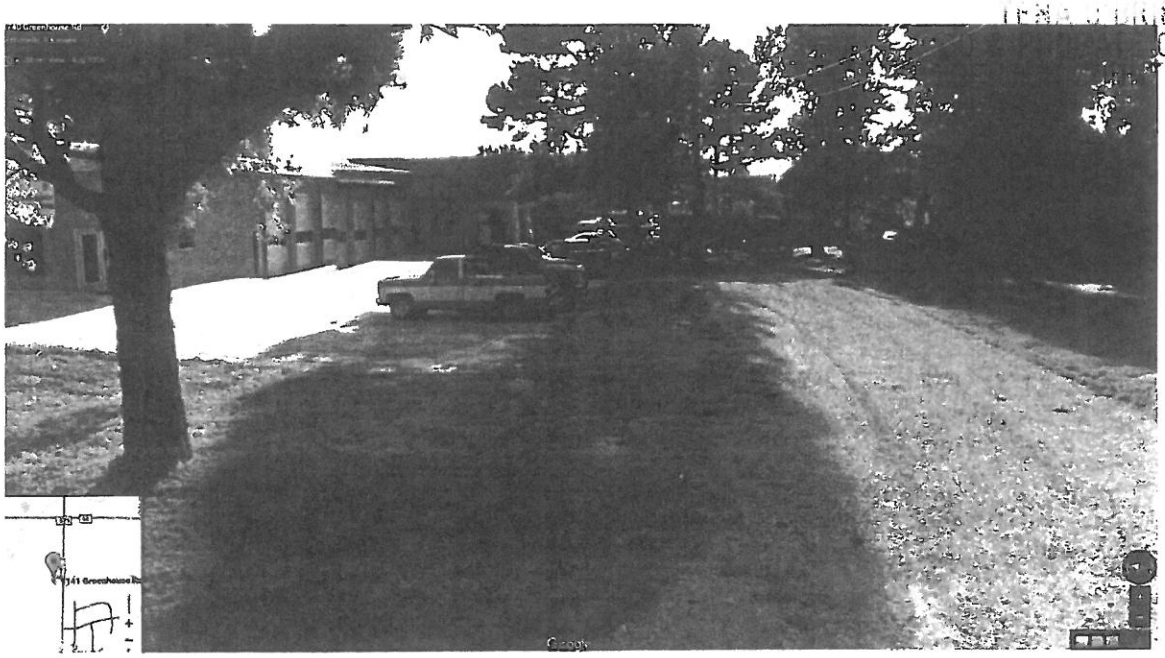
PUBLIC HEARING REFERENCE [2] – CASE #16-283
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