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BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

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

April 15, 2020

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 6:00 p.m. by the Planning Board Chair, Mr. Tucker.

Mr. Tucker: Good Evening and welcome to an unusual meeting of the Benton County Planning Board. Due to health concern related to COVID-19 and Federal recommendations regarding gatherings of 10 or more people, some of the planning board members and planning staff are attending by phone and other remote means. There are provisions to allow the public to attend the meeting electronically, but the Benton County Administration Building will be open for the public to attend as well. We do not have anyone here as this time other than Taylor, IT staff, and myself.

Roll Call: Bob Bracy, Sean Collyge, Ron Homeyer, Terry Maienschein, Stephen Torrez, Ashley Tucker and Rick Tucker were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzle – County Planner

Public Present: No members of the public were in attendance.

Disposition of Minutes: March 4, 2020

Mr. Williams motioned to approve the March 4, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Collyge.

Motion approved: 6 – 0

General Public Comment: None.

Old Business: None

New Business:

- I. ***Martyn Site Plan Review, case no. 20-024, 8389 Campground Circle, Rogers; 18-00843-000***

Representative: Phil Swope 3511 SE J Street, Bentonville, AR

Staff gave presentation on the Martyn Site Plan Review, case no. 20-024, 8389

Campground Circle, Rogers; 18-00843-000

Mr. Swope: I have a couple of clarifications. We require an opaque screen around our solid waste bin; however, we are looking for an option that is greener than just fencing around the bin. I think we can still achieve hiding that. Also, we are required to provide 2 handicap parking spaces, however, we showed more than that to fill up the front of the building. If the requirement is only two, we may reduce the number of handicap spaces.

Mr. Tucker: I wouldn't reduce the number of spaces. I believe the total number should be four.

Mr. Reamer: The requirement is 44 spaces total, including 2 ADA. Based on the parking table provided on the parking table on the Site Plan there are over 140 spaces, requiring additional ADA.

Mr. Tucker: It's based on the total number, not the addition.

Mr. Swope: I understand. My only remaining question is about the opaque screening.

Mr. Tucker: From an ordinance standpoint screening is acceptable method of screening. You can use landscaping, a fence, a block wall. They are all acceptable.

Public comment: None

Mr. Williams motioned to approve the Martyn Site Plan review case no. 20-024 with stipulations. The motion was seconded by Mr. Homeyer.

Motion approved 6-0

II. Tillery Subdivision, case no. 20-030, Ventris Road, Garfield; 18-01600-006

Representative: David Platz P.O. Box 223, Bentonville

Staff gave presentation of Tillery Subdivision, case no. 20-030 Ventris Road, Garfield; 18-01600-006

Mr. Tucker: Will infrastructure be available to all of the other parcel, or will it need to cross this new parcel? I ask because you've created an "L" shape that cuts off Tract 1 from the main utility source. Will that be an issue, or do you have easements provided to tract 1?

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Mr. Plats: Tract 1 should have frontage on Ventris Road, about 300 ft on the East Side.

Mr. Tucker: The plat shows that tract 4 and 5 have access to Ventris Road, and the other tracts have access to Knabenschuh Road. From a utility standpoint they usually go in a straight line.

Mr. Platz: Any utility should be able to go down Knabenschuh Road to get to those back tracts. There was an existing power line back there.

Mr. Tucker: There is no water along Ventris Road.

Mr. Platz: No. Those are wells.

Mr. Torrez: I believe we reached an agreement regarding access in February, but I can't totally recall.

Public comment: None

Mr. Homeyer motioned to approve the Tillery preliminary plat waiver. The motioned was seconded by Mr. Collyge.

Motion approved: 7-0

Mr. Homeyer motioned to approve the Tillery subdivision. The motion was seconded by Mr. Williams.

Motion approved: 7-0

III. Lohrengel Setback Variance, case no. 20-039, 21559 Indian Creek Drive, Garfield; 15-10311-000

Representative: Ron Hefty 14255 Arrowhead Lane Garfield, AR

Staff gave presentation on Lohrengel Setback Variance, case no. 20-039, 21559 Indian Creek Drive, Garfield; 15-10311-000

Mr. Hefty: The distance from the property line to the street edge is 30 ft. On the other side the County maintains approximately 40 ft of easements if the road were to be widened.

Mr. Tucker: That 30 ft is the widest point where the driveway connects

Mr. Hefty: I believe so, yes. Also, there doesn't appear to be any obstruction from the proposed building at the corner of Indian Creek dr.

Mr. Reamer: There was some emailed correspondence to the board, and a written comment on the proposed variance, if you'd like to reference it.

Mr. Tucker: (reading the comment) "We understand the owners desire to have a residential garage, we do not think this is in the best interest for safety of traffic in the area. The road around this property is already dangerous and very difficult to see oncoming vehicles and/or oncoming traffic, and it is not a good location for an additional structure to be erected or lessen the setback requirements less than 25 ft. Unfortunately, we as property owners close to this property do not approve of this request" – submitted by Sherry Corwin, Patrick Stoner.

Public comment: None

Mr. Torrez: I am concerned about the comments by the nearby residents. It is a tall structure and a significant addition. Recognizing that the site has a lot of existing constraints around the property line and the layout of the parcel, I understand the difficulty. But I also understand the resident's concern. So this is a difficult one for me.

Mr. Ashely: This is a very unique parcel which fronts on three sides. It is 54ft from the centerline to the structure. Under normal circumstances, that is what we would expect, but given the unique nature of this property, it's a little odd.

Mr. Bracy: The corner of the proposed structure is how many feet from the centerline of the roadway?

Mr. Reamer: 54 feet.

Mr. Williams: Can you please explain the construction of the garage?

Mr. Hefty: It is a two-car garage, with a living space above it. It is a tall structure but the elevation will not be any taller than the existing house.

Mr. Reamer: Will the proposed garage structure going to be connected to the existing home?

Mr. Hefty: No, it will not.

Mr. Williams: Will the structure go in between the two trees, or will they be removed.

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Mr. Hefty: The tree that it overlays will be removed. The tree in the corner will remain. Also the tree that will remain will block the majority of the view of the structure, and the tree does not block the view of traffic.

Mr. Williams: The pickup show on this image, all of the structure would be in front of that pickup. Correct?

Mr. Hefty: Correct.

Mr. Williams motioned to approve the Lohrengel Setback Variance with stipulations. Mr. Homeyer seconded the motion.

Motion approved: 6-1

Mr. Torrez dissented due to the belief that reducing the setback could create a safety concern.

TECHNICAL ADVISORY COMMITTEE

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

- I. Rocky Branch Baptist Church Site Plan Review, case no. 20-045, 19956 Rocky Branch Rd, Rogers, 15-11227-001***

Representative: Dick Kelsey (19956 Rocky Branch Road)

Staff gave presentation on Rocky Branch Baptist Church Site Plan Review, case no. 20-045, 19956 Rocky Branch Rd, Rogers, 15-11227-001

Mr. Kelsey: The signs are up. A solid waste container is not necessary, we just have a couple bags of trash a week, and they are picked up.

Mr. Tucker: How many occupants are in the building?

Mr. Kelsey: We're hoping to seat 120-130 people.

Mr. Tucker: As long as you're below 300 that doesn't trigger an automatic sprinkler system.

Mr. Homeyer: I don't see an adjacent property that isn't already screened, so I'm okay with the fact that they are not proposing additional screening.

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Mr. Kelsey: Yes, we have a lot of trees.

No further comment.

II. *Pepper Source Site Plan Review: Major Amendment, case no. 20-044, 11103 North Old Wire Rd, Rogers; 18-05017-000, 18-05017-001*

Representative: Dave Jorgensen 124 W. Sunbridge, Fayetteville, AR

Staff gave presentation on the Pepper Source Site Plan Review: Major Amendment, case no. 20-044, 11103 North Old Wire Rd, Rogers; 18-05017-000

Mr. Jorgensen: I have reviewed the comment, and we will address these items. Everything is understood.

Mr. Tucker: You may or may not be aware but we have been inundated with comments from three of the neighbors with videos. We can send those to you, but the comments about drainage, buffering, and blocking the road will need to be addressed by your client prior to the public hearing.

Mr. Bracy: The parking addition is on the edge of the property but there is a large space between the employee parking and the truck parking. Why isn't that area being used for additional parking.

Mr. Jorgensen: I don't know. Are you implying that the trailer parking should go there?

Mr. Bracy: The trailer parking is a long distance from the plant. There seems to be a lot of space that is not so close to your property borders, which could be utilized and make it closer to your operation.

Mr. Jorgensen: I understand, and I will ask the client.

Mr. Tucker: That also relates to some the comments we've received. As Pepper Source is building closer and closer to the existing house, that is down in a hole behind the property.

Mr. Jorgensen: I will ask the client if it is possible to build North of the existing trailer parking and get it away from the residential.

Mr. Tucker: Could you talk a little bit about the drainage. It looks like its flowing Northeast to Southwest and then flows either into the hole in the Southeast or into Old Wire Road. Are you draining the pad to the West or Southeast?

Mr. Jorgensen: There is a small detention pond that was sized for the parking lot

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constructed in 2017 along Old Wire Road. So, the runoff from that parking lot was going into the detention pond. For the proposed lot we were planning to draining in the Southwest direction. However, we are going to make sure that happens. I do believe that it starts draining in a southeasterly direction, if it does we may need a sedimentation basin or a detention pond constructed in the Southeast area before it goes down that drainage path in a southeast direction.

Mr. Tucker: It would be preferable to route it to the South or back to Old Wire Road, instead of to the Southeast.

Mr. Jorgensen: I see what you mean.

No further comments.

III. Stuckey Variance, case no. 20-052, 14491 E AR Hwy 12, Rogers; 18-03229-014

Representative: Ken Stuckey 3357 N. Southridge Dr. Fayetteville, AR

Staff gave presentation on the Stuckey Variance, case no. 20-052, 14491 E AR Hwy 12, Rogers: 18-03229-014

Mr. Stuckey: Where we originally placed the ice vending machine, I believe was a safety hazard, due to boats coming in the access area. Then Carrol Electric told us that the machine did not meet their requirements since it was not mobile or didn't have wheels. However, I think that the new proposed location would be safer, it meets the Carrol Electric 15 ft requirement, and its almost 57 ft off the highway.

Mr. Homeyer: Why can't you put it 15 ft South of the powerline?

Mr. Stuckey: It is still on the concrete pad area which is used for turning boats around. Therefore, it would be in the way. I am afraid that children around the ice machine could be endangered by the boats being turned around and backed in. I could move it to the West and get more than the 10ft on the edge if that were needed.

Mr. Tucker: Could you put it in the Southwest, in the tapered corner?

Mr. Stuckey: There is concrete there that I would need to remove and then replace.

Mr. Tucker: Or you could reutilize, you would need to trench in your water line.

Mr. Stuckey: That location would still be in the traffic flow of the boats. I prefer to

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put it up in the corner out of the way. But if you require that I put it down on the pad, that's what we'll do. I don't believe it's a safe location, but if its needed that's what we'll do.

Mr. Tucker: These structures are ephemeral; they get built and then taken down 15 years later.

Mr. Stuckey: The actual structure is 6x8'. The pad is 10x12' because it has a plastic overhead protection area. But the building is a 6x8' ice machine.

Mr. Reamer: What may be useful, would be photographs of what the ice machine would look like.

Mr. Stuckey: I will send them in the morning.

No further Comments.

4. Other Business: None

5. Staff Updates - Administrative Approvals:

- I. Todd Minor Subdivision, case no. 20-006, 11511 Fishback Road, Bentonville; 18-12233-001
- II. Przbysz Minor Subdivision, case no. 20-037, 10252 Joyland Drive, Rogers; 15-10370-000
- III. Holt Minor Subdivision, case no. 20-014, Highway 62, Avoca; 18-04264-000
- IV. Mills Minor Subdivision, case no. 20-032, 15011 Woods Lodge Road, Garfield; 18-04610-005
- V. Lavery Minor Subdivision, case no. 20-041, Mount Olive Road, Decatur; 18-15341-002
- VI. Gamble Minor Subdivision, case no. 20-008, 15811 Peterson Road, Gentry; 18-11629-001

6. Discussion Item: Staff explained to the Board the continuity of department operations.

Meeting Adjourned: 7:30 p.m.

Next Meeting: May 6, 2020

APPROVED THIS SIXTH DAY OF MAY, 2020.

ATTEST:



PLANNING DIRECTOR

APPROVED:



PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR