

2021 DEC 16 AM 8:30

BESSY HARRELL  
CC & PROSATE CLERK  
BENTON COUNTY, AR



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

December 1, 2021  
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. Bracy.

**Roll Call:** Bob Bracy, Sean Collyge, Theresa Neal, Terry Maienschein, Stephen Torrez, Bethany Rosenbaum and Rick Williams were present.

**Staff present:** Taylor Reamer – Director of Planning, Madison Kienzle – Senior Planner, Sandra Garza – County Planner

**Public Present:** See sign in sheet

**Disposition of Minutes:** November 17, 2021

Mr. Williams motioned to approve the November 17, 2021, Planning Board Meeting minutes. The motion was seconded by Dr. Neal.

Motion approved: 7 – 0

**General Public Comment:** None

**Old Business:**

- I. **JHSV LLC – Dutchmans Drive Major Subdivision Preliminary Plat, case no. 21-359, Dutchmans Drive, Rogers, 18-03122-010**

Representative: Jason Ingalls, 9200 Suits US Dr, Bella Vista

Staff gave presentation

Public Comment: None

Mr. Williams Motions to approve, Mr. Maienschein seconded the motion.

Motion To Approve: 7-0

2021 DEC 16 AM 8:30

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II. **Bedrock Self-Storage Site Plan Review, case no. 21-363, 12002 W AR Hwy 72, Bentonville, 18-09659-002**

Representative: Jason Ingalls, 9200 Suits US Dr, Bella Vista

Staff gave presentation

Public Comment:

Olivia Upton, 11996 W Hwy 72, Bentonville

Comments that her and her family need their safety and privacy respected, they would like to have the view obstructed and not have to see the storage units from their property. Mentions she would like to see the proposal move a little further back into the property, since the owner has more acreage in the back.

Mr. Torrez comments that he wants to deny the variance request because there is no need to encroach that setback when there is room for them on the opposite side to push the buildings back over to the western property line or make the buildings a bit smaller, states the property owner is wanting to do too much on just a small area.

Mr. Bracy clarifies to the board that if this variance gets denied the whole project will get denied.

Mr. Reamer states that is correct.

Dr. Rosenbaum asks if the board can give the applicant another option.

Mr. Torrez comments that his main concern on this project is still the entry way to the storage unit, with Hwy 72 being so busy and may get expanded, there will be issues there.

Dr. Rosenbaum comments that The City of Centerton provided comment for the ingress/egress to be on Bedrock Ln. Why can't the applicant propose that?

Mr. Ingalls states that they may be able to work with that, if that's what the board requests.

Mr. Torrez comments that if you look at the proposal you can see that something is missing on the west side of the proposal and that, an exit may be feasible there.

Mr. Ingalls states he will work on that exit on Bedrock Ln.

2021 DEC 16 AM 8:30

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Mr. Williams motions to table the project two weeks, Mr. Maienschein seconded the motion.

Motion To Table to December 15, 2021: 7-0

**III. Rural Propane Site Plan Review, case no. 21-379, 12141 S AR Hwy 73, Gentry, 18-15772-000**

Representative: Denny Hardbarger

Staff gave presentation.

Public Comment: None

Mr. Maienschein motioned to approve; Mr. Williams seconded the motion.

Motion To Approve: 6-0

**New Business:**

**IV. Legacy Ranch at Dry Creek Site Plan Review, case no. 21-363, 16168 AR Hwy 102, Decatur, 18-11247-000**

Representative: Brahm Driver & Grant Garrett

Staff gave presentation.

Public Comment:

Fred Overstreet, comments that he already hears noise when people hold there events out at the venue and he wouldn't want to hear gun shots every so often. He also would like to know what kind of birds and wild life will be out there, will it be birds and deer?

Mr. Bracy asks if the representative can clarify hours of operation as well as the type of species that will be out at the property.

Mr. Garrett Clarifies that the birds that will be out on the property will be quail and pheasants and that the existing venue is to be utilized for corporate retreats, to do customer entertainment, this will just be a new activity along with others such as trails for hiking, mountain bike trails etcetera. This activity will be limited and only accessible

2021 DEC 16 AM 8:30

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CENTRAL COUNTY, AR

during hunting season, which is October to about March, that is what the Arkansas Game and Fish allowed.

Dr. Rosenbaum comments to the applicant that in the case there will be other wild life in the future, the applicant must get approval from the Arkansas Game and Fish, as well as permits, if required.

Mr. Garrett states that is correct, but they have no intention on anything other than just the quail and pheasants. He states that his family and neighbors may possibly use this entertainment during the weekends on hunting season for themselves while the event venue is closed. Comments that the sound study shows the traffic noise is actually louder than the shooting that will be held on the property. The shooting will not be an ongoing sound, there will be appointments and hours of operation.

Mr. Torrez motions to approve, Mr. Williams seconded the motion.

Motion To Approve: 6-0

#### **TECHNICAL ADVISORY COMMITTEE**

##### **Call to Order**

**Old Business / Ongoing Applications: None**

##### **New Business:**

- I. **Oliver Telecommunications Tower, case no. 21-379, 15986 Railroad Cut Rd, Rogers; 18-02202-000**

Representative: David McGehee, 121 Village Blvd, Madison, Mississippi, Patton Hahn, 420 20<sup>th</sup> Street North, Birmingham, Alabama

Staff gave presentation.

Mr. Bracy states that the variance being requested is grater than the others that have been approved in the past.

Mr. Torrez expressed concern over whether the variance met the threshold of a hardship as well as the site choice, he thinks there are more appropriate locations other than a 5-acre tract with a house on it.

The board requests documentation of the variance justification and site location narrative, graphics detailing the improvement of the reception in the area and an affidavit signed by the onsite residents stating that they do not object to the

2021 DEC 16 AM 8:30

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BENTON COUNTY, AR

setback variance, by the public hearing date.

II. **Medina Variance, case no. 21-395, 12544 W. Tucks Chapel Rd, Rogers; 15-15679-000**

Representative: Patrick Wheelless, 313 Bridgeford Dr, Pea Ridge

Staff gave presentation.

III. **Moore Subdivision and Waiver, case no. 21-397 + 21-398, Ervin McGarran Rd, Lowell; 18-02502-010**

Representative: Joshua Bembenek

Staff gave presentation.

IV. **Mireles Variance, case no. 21-402, 1324 Frisco Cemetery Rd, Lowell; 18-02325-001**

Representative: Luis Mireles, 1324 Frisco Cemetery Rd, Lowell

Staff gave presentation.

Mr. Torrez asks the applicant, why his shed can't be shifted over to the right.

Mr. Mireles states the septic system is there.

Mr. Bracy asks if there is existing concrete where the shed will be.

Mr. Mireles states there is, he is wanting to rebuild the shed on the same slab that has been existing there so there will not be anymore theft on his personal belongings.

Mr. Bracy asks if there will be any electric or water.

Mr. Mireles states there will not be.

V. **Myers Site Plan Review, case no. 21-407, 20502S. AR 59 Hwy, Siloam Springs; 18-13209-000**

Representative: Jacqueline Myers, 20500 S Hwy 59, Siloam Springs

Staff gave presentation.

2021 DEC 16 AM 8:30

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DEWATER COUNTY, AR

Mr. Torrez states that he recalls a few months back the proposal did not state they were going to be selling alcohol.

Mrs. Myers states they had proposed but did not go along with the proposal because they thought the approval to do so was going to take longer than expected, so that is why they didn't include it at the time because they were wanting to open the general store right away.

Mr. Torrez asks what kind of alcohol beverages; will they be glass or cans?

Mrs. Myers states that they will sell both but during kayaking and camping times, they will just sell cans, so there won't be glass out on the property and the river. She states the community is happy to know they will not have to drive all the way to town just for alcohol.

Mr. Torrez asks if her store signage will have lighting to it.

Mrs. Myers states they actually already have the sign and there are no lighting requirements the state asks for.

Mr. Bracy asks if there are restrooms in the store.

Mrs. Myers states that there are, a septic system was installed and she is happy to be able to have a restroom in her store.

**Other Business:** None

**Staff Updates - Administrative Approvals:**

- VI. Hunt Property Line Adjustment, case no. 21-286, 8557 & 8559 Tanglewood Rd, Rogers, 15-09961-000
- VII. Steenblock Lot Combination, case no. 21-401, Hwy 127, Garfield, 15-02061-001
- VIII. Comer Minor Subdivision, case no. 21-268, 14111 Fairmount Rd, Siloam Springs; 18-13939-003
- IX. Northstar Lot Combination, case no. 21-326, Castleberry Way, Rogers; 18-00548-006

**Discussion Item:** None

**Meeting Adjourned:** 8:30 p.m.

**Next Meeting:** December 15, 2021

APPROVED THIS 15 DAY OF December, 2021.


ATTEST:

APPROVED:

FILED

2021 DEC 16 AM 8:30

  
PLANNING DIRECTOR

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR  
  
PLANNING BOARD CHAIR or  
PLANNING BOARD VICE CHAIR