

FILED

2022 FEB 17 AM 9:03



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

ETSY HARRELL,
COURT & PROBATE CLERK
BENTON COUNTY, AR

December 15, 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: December 1, 2021

Mr. Williams motioned to approve the December 1, 2021, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein.

Motion approved: 7 – 0

General Public Comment: None

Old Business:

- I. **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

Mr. Ingalls comments that they will be increasing the size on one of the buildings and there will not be access through Bedrock Lane because it is a very narrow road, they will also be pushing the access gate back so there is more frontage.

Mr. Bracy lets the board know that they need to motion to open this project up for public comment.

2022 0988

FILED

2022 FEB 17 AM 9:03

Dr. Rosenbaum motions to open the project for public comment, Mr. Torrez seconded the motion.

CO & PROBATE CLERK
BENTON COUNTY, AR

Public Comment: None

Mr. Torrez asks if comments for from the City of Centerton have been satisfied.

Mr. Reamer states all comments have been satisfied.

Dr. Neal asks how will a vehicle turn around if they are not able to get into the facility, is there enough room for a turn around?

Mr. Ingalls states there is an 8-10-ft shoulder and the driveway is 24-feet wide, there should be enough room to turn around.

Mr. Maienschein asks Mr. Taylor, who ran the 8-inch water-line.

Mr. Taylor replies that's a Centerton water-line.

Mr. Ingalls states the Centerton Fire Department requested that for the hydrants.

Mr. Bracy asks Mr. Reamer for clarity, we are only approving the Site Plan for this property to be ran as a commercial business, is that correct?

Mr. Reamer states that is correct, that is the only vote there is.

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

Motion approved: 7-0

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

Representative: Patton Hahn, 420 20th Street North, Birmingham, Alabama

Staff gave presentation.

Mr. Bracy asks if the owner has submitted a letter of acceptance for this tower on the property.

Mr. Hahn states that he has submitted an affidavit that consents to the variance.

Mr. Bracy asks if the affidavit will also state that this tower is part of the property if in the future the property owners decide to sell.

FILED

2022 FEB 17 AM 9:03

BETSY HARRELL
CLERK

Mr. Hahn states it will state that and the lease will continue with any future property owner at this location. Comments that the board requested to maybe drop the height on the tower, although they were to reduce the height, they will still need a variance as requested.

Dr. Rosenbaum comments that she has reviewed the letter provided by the engineer and would like to know if there is any area on the map that does not have coverage.

Mr. Hahn states there are no absolute dead areas.

Dr. Rosenbaum states that what she understands is that they are trying to satisfy the need to improve the service in the area. Are you saying that you guys are willing to lower the height of the proposed tower, which would still require a variance? Will that work to satisfy the goal of getting better coverage

Mr. Hahn states that is correct and it would also provide another benefit, the tower would no longer need to be lit.

Mr. Williams asks if reducing the tower's height will require another tower later on.

Mr. Hahn replies that he believes they will need another tower later on regardless of the height as Arkansas continues to grow.

Public Comment:

William Cantrell, 15810 Railroad Cut Rd, Rogers

Comments his concern is that they will have to see the tower and that is not what they want. There will be 5-6 families that will be impacted by the view. Arkansas is known for the natural beauty and with this tower it will not be that way for the immediate families surrounding the tower. Mentions he never received a letter on the public hearing.

Daniel Pelletier, 15933 Railroad Cut Rd, Rogers

Comments he just built his home across the street and he wouldn't want to see a huge tower with a glowing light in front of his house. There are other properties with no surrounding homes where they can put this tower on.

Mellissa Cantrell, 15810 Railroad Cut Rd, Rogers

Comments she feels like they do not need another tower, nor does she want it next to her house.

The Planning Board motions to approve the Variance of the 141.3-ft from

2022 FEB 17 AM 9: 03

residence in lieu of the required 300-ft, the board amended the tower proposal to 175-ft, changing the required setback to 225-ft.

Dr. Rosenbaum motions to approve, Mr. Williams seconded the motion.

Motion approved: 7-0

Mr. Williams motions to approve the project, Mr. Maienschein seconded the motion.

Motion approved: 7-0

New Business:

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

Representative: Patrick Wheeless, 313 Bridgeford Dr, Pea Ridge

Staff gave presentation.

Public Comment: None

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

Motion approved: 7-0

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

Representative: Pete Melnilki, 16194 Pin Oak Rd, Fayetteville

Staff gave presentation.

Public Comment: None

Dr. Rosenbaum motions to approve, Dr. Neal seconded the motion.

Motion approved: 7-0

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

FILED

2022 FEB 17 AM 9:03

Representative: Luis Mireles, 1324 Frisco Cemetery Rd, Lowell

Staff gave presentation.

Public Comment: None

Mr. Williams motions to approve, Dr. Rosenbaum seconded the motion.

Motion approved: 7-0

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

Representative: Bill Watkins, 1106 W. Poplar St. Rogers

Staff gave presentation.

Mr. Watkins states that the only approval they are requesting is to be able to sell beer only on the premises.

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

Motion approved: 7-0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

New Business:

I. Vang Waiver, case no. 21-406, 19408 Chamber Springs Rd, Siloam Springs; 18-10596-000

Representative: Long Vang, 19404 Chamber Springs Rd, Siloam Springs

Staff gave presentation.

Mr. Torrez asks if there was any way to avoid getting a waiver if there was a lot split?

Mr. Reamer states most people choose that route.

Mr. Torrez asks if the chicken coops still exist on the property.

Mr. Vang states that they do exist, they are used for storage and hay.

FILED

2022 FEB 17 AM 9:03

BETSY HARRELL
CO & PROBATE CLERK

Mr. Torrez asks if there are three septic tanks.

Mr. Reamer states there is one servicing the other two homes, and there is a new one going in and will be permitted through the Arkansas Department of Health.

Dr. Rosenbaum asks how the two existing houses accessed.

Mr. Reamer replies that there is access through the property to Chamber Springs Rd.

Dr. Rosenbaum asks for clarity on how everything works, does the person who owns the 18-acre parcel name the road?

Mr. Reamer states it is an access easement on the property.

Dr. Rosenbaum asks how will it work if in the future there is a sale? How will other property owners access their property.

Mr. Reamer states there will be a legal wrote up when surveyed and that will go with the property, to be accessed.

Mr. Bracy asks if one septic is being utilized for the two homes.

Mr. Vang states that each house has their own septic.

Mr. Reamer states then this would be the third septic on the property.

II. Meinhardt Variance, case no. 21-414, 8691 Rambo North Rd, Rogers; 15-08933-000

Representative: Michael Meinhardt, 8691 Rambo North Rd, Rogers

Staff gave presentation.

Mr. Bracy asks if the garage will be attached and aligned with the house.

Mr. Meinhardt replies it will be.

Mr. Torrez asks why there is an extension if a garage is about 25 feet long normally.

Mr. Meinhardt states he would like a little extra room to park two cars as well as add a bathroom for his house because he has one with just a toilet in and would like a new bathroom.

III. House Variance, case no. 21-417, 8698 Spruce Drive, Rogers; 15-01176-000

Representative: John House, 18921 Blackwalnut Street, Omaha, NE

FILED

2022 FEB 17 AM 9:03

Staff gave presentation.

Mr. House states that the septic has been installed and it is taking up a lot of his buildable lot, including the 10-foot setback they require. The septic area took 5 thousand sq ft from his 10 thousand and now has to build a smaller home.

Mr. Torrez asks if he is requesting this variance to be able to build a little bigger.

Mr. House states that if his variance got approved, it would allow him to build something that is livable and not too small. The neighbor is his best friend and he does not mind him being at a zero-foot setback.

Mr. Torrez asks if he can just buy property off of his friend.

Mr. House states that he does not want to sell at the moment.

Dr. Rosenbaum asks about the 10-foot setback the Arkansas Department of Health has for the septic system. If they have a 10-foot and Benton County has a 10-foot, is there any negotiation with them on that?

Mr. Reamer states that has never been brought up before, we recommend he contacts ADH to figure that part out.

Dr. Rosenbaum asks if it is normal for property owners to install a septic system before building

Mr. Reamer states that it is very common for people to do that, specially now with all the scheduling ADH has, they try to have it done before hand.

Dr. Neal suggests that Mr. House should ask ADH about getting the waiver on the 10-foot setback.

Dr. Rosenbaum asks if there has been any thought about having the house go upward as a two-story home instead of to the sides?

Mr. House states, that his plan is to have a two-story home, he is just trying to get as much variance as possible so that he doesn't just have a 20-foot-wide house.

Mr. Bracy suggests to the board to consider a 5-foot setback.

Other Business: None

Staff Updates - Administrative Approvals:

- I. Harper Minor Subdivision, case no. 21-376, 12141 S AR 43 Hwy, Gentry, 18-15772-000
- II. Clark Property Line Adjustment, case no. 21-391, Floyd Moore Rd, Gentry, 18-14688-001
- III. Turner Minor Subdivision, case no. 21-392, 8707 Bradehoeft Rd, Decatur, 18-14394-001

FILED

2022 FEB 17 AM 9:03

RELL
CLERK
AR

- IV. Paul Lot Combination, case no. 21-403, White Oak Rd, Rogers, 15-09939-000
- V. Summerfield Minor Subdivision, case no. 21-404, Timlake Rd, Gravette, 18-16501-003
- VI. Scoville Minor Subdivision, case no. 21-408, 11034 Lakeside Dr, Rogers, 18-01629-010
- VII. Mountain View Minor Subdivision, case no. 21-412, 8787 Falls Hollow Rd, Rogers, 15-18595-000

Discussion Item: None

Meeting Adjourned: 8:10 p.m.

Next Meeting: January 5, 2022

APPROVED THIS 15th 16th DAY OF FEB, 2021.

ATTEST:

APPROVED:



 PLANNING DIRECTOR



 PLANNING BOARD CHAIR or
 PLANNING BOARD VICE CHAIR