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WILLIAMS  
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BENTON COUNTY, AR



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

December 2, 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. Torrez.

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

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

**Public Present:** See meeting sign in sheet.

**Disposition of Minutes:** November 18, 2020

Mr. Williams motioned to approve the November 18, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein.

Motion approved: 7 – 0

**General Public Comment:**

**Old Business: None**

**New Business:**

1. Straightline Automotive Site Plan Review: Major Amendment, case no. 20-255, 9145 Greenhouse Rd, Bentonville; 18-08679-000

Representative: Ross Bull

Staff gave presentation.

Mr. Bracy: The property adjacent to this, is that a separate property or will it be considered one property so that we don't have to buffer.

Mr. Reamer: They will be two adjacent commercial (compatible) properties with one owner.

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J. T. SWELL  
COUNTY CLERK  
BENTON COUNTY, AR

without blocking the road, they'll be able to pull in and take care of their business and safely pull out.

Mr. Torrez: The existing trees, are coniferous, it concerns me that if you are getting light through them know you will get light through them always. As you are upgrading the building, maybe you should upgrade the landscaping between you and the residents. It is a slightly sensitive area, since you are such a different use than the residential use adjacent to you, so it might be fair to say that some additional landscaping should be placed in that area to be a respectful neighbor and create a barricade.

To your other point regarding traffic, Green house road in general is not your responsibility. Although, you are a business on Greenhouse road that is driving the traffic up. I appreciate your stance on what you are trying to do to reduce traffic. So, my only concern is probably landscaping. It would help with the light; it would help with a green barrier.

Mr. Homeyer: It looks as though they're proposing a row of shrubs, but I can't tell how big they'll be. If they're going to be taller shrubs, they may provide that additional buffering, but I can't tell what they're proposing.

Mr. Reamer: It looks like Mayberry and Holly.

Mr. Homeyer: Do you know how tall that will get?

Mr. Reamer: No.

Mr. Torrez: 18 in at the time of planting.

Mr. Homeyer: So. they'll probably be 3-4 ft tall. That may no do too much good.

Mr. Bracy: That was my concern, you've got a six-foot fence, and you've got mature trees so you've got an opening above six foot and below the bottom of the tree. I think we need some better buffering, it's in our regulation to buffer between businesses and residential and I think that would be a request from the Board.

Dr. Rosenbaum: There are two separate parcels. This parcel is someone's home, and the other parcel is a business but it's owned by the same person. The reason this is moving from proposed residential use because they want to extend their business to where their home is and they want to build a building. The service is the same, they just want to move their business onto this parcel where their home is. Would the applicant need to return to the Board for any additional services or any additional buildings or anything that is right here which is an additional building?

Mr. Reamer: The property owner would not need to approach the Board to offer any additional services. Additional improvements, offices, building to contain another aspect of the business, yes.

Dr. Rosenbaum: Which that is kind of out of our control because anyone could expand their business and increase revenue and therefore increase traffic, that is just the nature of business development. What are the parameters of heavy commercial, are

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J. S. HANELL  
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Mr. Bull: Yes, I understand that is the discussion. We had the same discussion when we built the building that we're in now on the south side. What is the definition of a buffer? I'm okay with adding that, I just need to know exactly what I'm supposed to do.

Mr. Bracy: On the other parcel you had a building with covered from ground level up to 10-11 ft. The existing tree level went above that. On the north side there is only a fence. So, what we're saying is that on the north side it is complete buffered so you would plant vegetation that has a canopy that is at least 8 – 12 ft to cover the existing space between the fence and the bottom of the tree canopy.

Mr. Bull: I hear what you're saying and I can appreciate that.

Mr. Homeyer motioned to approve contingent upon outstanding items 1-3 as well as an extra tier of landscape buffer. Mr. Maienschein seconded the motion.

Motion approved: 7 – 0

Recorder Time: 34.33

II. Schroeder Site Plan Review, case no. 20-227, Coppermine Rd, Rogers; 18-00920-000

Representative: Adam and Nicolette Schroeder

Staff gave presentation.

Mr. Bracy: When I first saw this proposal, I thought there was a lot of property on the backside, but when I drove by, I realized that is a pretty steep hill. There is nowhere to build. It is my understanding that the power lines are in front between the road way and the building. That is a utility easement. You are proposing to have parking in a utility easement, I'm not sure how that will work out. I'm really concerned about buffering, I don't see any buffering to the north, to the road way, I know it's not going to buffer to your house. How would you plan to buffer to the north and stay out of the easement? Looking at your property the space for parking is pretty limited.

Mr. Schroeder: I wasn't aware there was a utility easement there.

Mr. Bracy: The powerlines go right across the top of the...

Mrs. Schroeder: Not in front of the building. It goes along the side and drops back.

Mr. Bracy: I noticed on the north side you have some storage there. Where does your property line stop, because I noticed a boat there?

Mrs. Schroeder: That is a neighbor's boat.

Mr. Torrez: How much property do you have behind the shop?

Mr. Schroeder: Its about 13 or 14 ft I believe.

Mr. Reamer: 12.6 ft by this graphic.

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CO. CLERK  
DENTON COUNTY, AR

skis parked along the property adjacent to the road, some were right in front of their front door. It looked bad. It looks like a commercial property. Many times, when I passed by in the afternoon there would be a boat or jet ski in the road and I'd have to go around it into the oncoming traffic lane. I wouldn't mind if they wanted to have their business anywhere else but I want them to take their commercial property to a commercial area. I have 36 signatures on a petition that are against having this here.

Betty Miller 19112 Coppermine Rd: If we get a commercial property put in our area, how much is that going to devalue all of our property, all of the neighbors around. I have a lot of neighbors that have been there twice as long as me and they've kept up their property. Their yards look nice. I'm not against this couple, because I've heard that he's a wonderful mechanic, but I want to know what our part is going to be. It says here 500 ft from the edge of the property, will all of our area also be classified as commercial?

Donald Werner 8150 Tanglewood Rd: I'm not a member of this community that drives past this facility every day, but I have driven past it this summer and saw what was spoken to about excessive equipment and vehicles parked in and around the roadway. I would like to ask staff, regarding parking requirements, how many are required?

Mr. Reamer: Seven.

Mr. Werner: Standard parking slips at 18 ft with spacing with ADA cross slope requirements in this property would be impossible. I think the ownership would need to draw a plan to show where those parking spaces will be put in.

Lynda Lopac 19042 Pinecrest Ln: This business which has been in operation for quite some time now, we already know what its about we experienced everything. We experienced the traffic, the boats and jet skis in the road, we've had trouble going through. I at one point counted the boats and jet skis and there were 14. This is at the top of the hill and there are three tiers. There is a tier below there, I'm below that, and there's another one below that. So, I'm three tiers down and I hear the noise all day and even into the evening. Loud music, I hear machinery, shouting and profanity at times. There is a family with five children that live below, Christians who are listening to that and they commented on that. I have a gentleman who does work on my property, landscaping and yard work and he's commented to me about the noise. The excessive noise is a problem. The traffic is a problem, parking, I don't know where they could park. They've been parking in the grass and on the road. I don't know about this building that used to be a garage. Pollution is another thing. I'm sure they use gas and oil. I don't know what they're going to do with it, but I live downhill and we already have some problems with water so our health could be in jeopardy. There is no room for expansion. There are houses on both sides, they live on a hill so I don't see any room for as business grows, they could expand. Property values, that is a concern of mine. They have several people working there, and I believe only one is allowed to work there unless they live on the property. With all of the people talking and hammering I think there is more than a couple of people there for sure. I'm very against have this type of business, it's not suited to residential environments. We have a lot of seniors who appreciate their peace and quiet and have moved there for that reason.

Joseph Culp 18960 Coppermine Rd: We have lived there for 30 years, we moved in 1990. It has always been a quiet residential area; a lot of people live out there now.



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maintenance business. I submitted material prior to this meeting via email to the Board showing that sales are being done from this location, and a kayak, paddle board, and jet ski rental is on the horizon. Questions that I have, are where will these customers park that are renting these things? Will this permit cover more services like that being added? And what is the method of enforcement that we have, if this does get approved? I hope the board will take all of these things into consideration and come to the right conclusion. I personally do not feel this is the right place and setup for this type of business. Thank you for your time.

Brandon Fernandez: My wife and I are here to support our whole community. Probably 90% of the residential community all are against it. Nothing personal to the couple but I don't want this business in our community. Thank you.

Unnamed Commenter: I want to join, because I think almost everyone here is in opposition to this that lives in this neighborhood. This was a true disaster last summer. I have a friend who counted 16 jet skis on the property at one time. There were jet skis parked on the property just this last weekend. This is a residential area on the lake, where people go to retire, to relax, to enjoy life. To bring in this kind of commercial property, particularly at the front gate, where you have to go past it to get to your house every single day is just not right. I had this young gentleman work on my jet skis when his father operated a jet ski repair close to the bridge. If any of you drove by there you saw the condition of that place. He's a great mechanic. He did a good job. I don't have anything against him at all. But I don't want this operation in our neighborhood.

Bryan Novak 18910 Coppermine Rd: We just purchased our house in August, believing that it was a residential only neighborhood. We've worked for the last 24 years to buy our retirement home on the lake and I would have never purchased that home in that area if I knew there was commercial buildings and activity going on. Had I known that I would have gone to some other part of the lake. To find our retirement home. With that being said, nothing against the young couple trying to get started, I wish them all the best, but we are definitely against it. We don't want to be in a commercial area.

Mrs. Schroeder: I do want to give an explanation why it was the way that it was, in the beginning. Adam has worked with his father for 15 years on Hwy 12. It did look like a jet ski graveyard. It did not look good, I agree. We do not operate that way. The way it was the way that it was, Adam's father had a massive stroke and is dying of cancer stage 7 aggressive cancer, when he had this massive heart attack, he had all of these projects going. We took those to finish them for the customers. We brought them to our property to get them taken care of, so that he could close his business. That is what was backed up. In doing that we realized what we can and cannot do, as the summer went on it did slow way down. As far as the parking goes, we are by appointment only. The person doesn't need to park, they only pull in, back down, drop off. As they do, I'm doing their invoice, I'm getting their signature. It's the same when they pick up. They pull in, back up, I do their paperwork, and they pull out. There is really no need for people to park. We do not have employees. My son came home for COVID-19 reasons and there was a couple of extra vehicles. My son was asked to leave because he didn't respect that I told him he couldn't have two vehicles there. My son is no longer there because of this, and because I was trying to be respectful to the neighbors. As far as the tent, that goes up something that we are working on for

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drawing, and there are powerlines there. There is an easement. So, there are a limited number of things you can do in an easement. You can put vegetation there; you technically can't designate it as a parking area. You can park there but you can't designate it as permanent parking. With similar activities I see people try to use the right-of-way and the road way as parking. You can do that, but it couldn't be permanent parking. We couldn't approve that. Before I saw the site, my recommendation was put the parking behind you, but unfortunately, it's on a hill.

Mr. Schroeder: I do have one question of the on-site parking standards. It does say boat service and repair 1 space per 1000 sq ft. Would that apply in our case instead of the 7 just to have 3?

Mr. Reamer: I have one space per employee plus 3 spaces per bay. County Ordinance you're saying is different than that?

Mr. Homeyer: I think those standards are considered to be additive, if you have sales in the front and repair in the back you still have to have parking for the sales as well as the repair.

Mr. Reamer: The parking is additive in the sense that if you had a showroom floor that had a gross floor area of 4,000 sq feet you would need enough parking space to accommodate that, but if you had 15 bays in the back that you are doing marine repair you need spaces to accommodate that as well. In that case, there are repairs occurring in bays therefore the parking standard for bays is going to apply?

Mr. Schroeder: Would we be able to get a waiver or a variance on the number of parking spaces?

Mr. Reamer: That would be up to the Board.

Mrs. Schroeder: We are by appointment only. We are a closed shop. Nobody stops in. We do not advertise. We don't have a sign up. It's his work that he's done with his dad all of his life. He is a master mechanic and yes, he is very good. People want him to continue to work on their stuff. So, he's earned it. I realize that where we're at isn't ideal, but if we adjust things to where it is appointment only, they are just backing in, dropping off, and pulling out, and same on the pickup. Could we possibly get a waiver on the parking?

Mr. Reamer: I would add that if there is any consideration for a parking variance to provide limited parking and/or ADA only parking due to the nature of the business, there would be greenspace preservation along Coppermine Rd as well as on the northside adjacent to the existing single-family dwelling there could be an additive of vegetation and screening that could be utilized in those greenspace areas.

Dr. Rosenbaum: If the variance was approved for the parking and the permit was approved for this type of use at the existing facility, to what extent is there any enforcement or accountability besides just word of mouth? In a year if it is approved heavy commercial, can it be expanded?

Mr. Reamer: I think it would be a reactive sort of environment for staff and the County to pursue. What is approved tonight and is it being executed in 24 months, 4 months,

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Mr. Homeyer: I think he's saying that the proposal as submitted is not something he could vote for.

Mr. Torrez: So, your recommendation at this time, if to contact an engineer of your choice and have them help you work through a plan that is presentable as it relates to buffering, parking, and the need to request a variance. We do need more information. I think if we get that we can have a more reasonable and in-depth dialogue.

Mr. Maienschein: It's going to require some variances to get around the parking.

Mr. Reamer: There would have to be a consideration regarding parking.

Mr. Maienschein: Is Coppermine a platted subdivision?

Mr. Reamer: This particular property is not. There are subdivisions in that area, but this specific property is not within a platted subdivision.

Mr. Bracy: I would like you to know, that I live on the lake also. I go by a large building similar to this but the landowner has landscaped it, and when you go by that it is off the road, he parks his pickup truck out there, sometimes his trailer. It aesthetically blends in with the neighborhood. I would recommend that we table this for further discussion and let Taylor and them work out some detail.

Mr. Reamer: Can we set a definitive date, taking into account the time of year and the difficulty of securing services and design in two weeks?

Mr. Torrez: Lets table until January 20<sup>th</sup>.

Mr. Bracy motioned to table. Mr. Maienschein seconded the motion.

Motion approved: 7 - 0

#### TECHNICAL ADVISORY COMMITTEE

1. **Call to Order**
2. **Old Business / Ongoing Applications: None**
3. **New Business: None**
4. **Other Business: None**
5. **Staff Updates - Administrative Approvals:**
  - I. Brothers Property Line Adjustment, case no. 20-184, 16262 Tomahawk Trl, Roger; 18-05260-008
  - II. Edwards Minor Subdivision, case no. 20-250, 16832 Robinson Rd; 18-10361-000
  - III. Burris Minor Subdivision, case no. 20-215, 21118 Bettis Hill Rd; 18-01116-000
6. **Discussion Item: None**