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Benton County Planning Board 2023 DEC 21 PM 2:11
Public Hearing
Technical Advisory Committee Meeting

December 6, 2023
6:00 p.m.

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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, Bob Bracy

Roll Call: Bob Bracy, Linda Lloyd, Theresa Neal, Ashley Tucker and Vernon Reams were present.

Staff present: Madison Kienzle – Planning Director, Tracy Backs – Senior Planner and Sandra Garza – County Planner

Public Present: See sign in sheet

Disposition of Minutes: November 15, 2023

Mr. Tucker motioned to approve the November 15, 2023, Planning Board Meeting minutes. The motion was seconded by Ms. Lloyd.

Motion to approved: 4 – 0, Mr. Reams Abstained, he was absent November 15, 2023.

General Public Comment:

Glenn Tracy, 14 Bosworth Circle, Bella Vista
Comments that he will not be available at the next meeting of December 20, 2023, where there will be a Public Hearing for a battery charging facility, his opinion is he would disapprove this project, it's too close to any cities and he wouldn't want it in his backyard; county fire marshal's opinion matters in this case.

Old Business: None

New Business:

- I. **Rapert Major Replat & Waiver, case no. 23-379 & 23-387, Railroad Cut Rd, Rogers; 15-03678-000**

Representative: Kevin Michael, 5311 West Village Parkway, Rogers

This is a replat of 10 lots and vacated right of way (Morgan Lane), being combined.

The Planning Board discussed the proposal with the applicant.

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Public Comment: None

Mr. Tucker motioned to approve, seconded by Dr. Neal.

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Motion to Approve: 5-0

II. Tackett & House Variance, case no. 23-380, Twin Cove Resort Rd, Rogers; 15-09044-000

Representative: Evan House, 6073 East Huntsville Rd, Fayetteville

To meet the Corps of Engineers requirement for shared access to a boat dock on Beaver Lake, the property owner is requesting a variance from the Benton County one-acre minimum lot size requirement by: reducing the size of 15-09044-000 from 3.77 acres to 3.72 acres, with a 0.50 tract split which will provide lake access to the boat dock for the Twin Coves Mobile Home Park. See Corps documentation and site plans attached.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Mr. Tucker motioned to approve, seconded by Ms. Lloyd.

Motion to approve: 5 – 0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

New Business:

I. Simrell Site Plan Review, case no. 23-381, 9484 Simrell Dr, Garfield; 18-00575-000

Representative: Jody Simrell, 9484 Simrell Dr, Garfield

The subject site was approved to construct 18 cabins in 2003 by the Benton County Planning Board: 16 2-bedroom 24' x 32' cabins, and 1 1-bedroom 24' x 24' units. The site improvements were not made at that time. Per Appendix K – Standard Conditions of Site Plan Review, "The owner shall complete all the proposed work shown on the approved site plan within two (2) years from the date of endorsement of the Site Plan unless an extension of time is granted by the Planning Board."

The subject application is to construct 8 1-bedroom units, demonstrated on the plans as cabins 5A, 5B, 6A, 6B.

The Planning Board discussed the proposal with the applicant, applicant mentions the water line does not go through any lateral lines, that goes behind the cabins

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which you have the revised system plans. We have reduced the number of cabins from 12 to 8, so we're going to have less water consumption and we're going to have less sewage developed.

Dr. Neal, is this improvement just on one parcel?

Mr. Simrell, it's on both parcels, four cabins will be on one parcel, the other four will be on the other.

Dr. Neal asks if they plan on doing any buffering?

Mr. Simrell explains there is existing mitigation and a huge cliff, mountain hill between the other property owners and them.

Mr. Reams asks if the pads and septic systems have been installed

Mr. Simrell states they were put in 20 years ago, they plan on expanding the pads a bit more to fit a 12x20.

Mr. Bracy mentions the only concern here is the septic system that was put in 20 years ago, there is undergrowth and all, as Mr. Reams mentioned it's very simple to put a camera down to the lateral lines and it doesn't take very long or is that costly, so you can contact a contractor with that equipment to get that done. One more thing, the existing lodge office, the septic line goes across the main road and in your statement, it stated by the board of health that no line, no roadways will go over the lateral lines, how do you get that? It's not a lateral line, but it's a septic line.

Mr. Simrell states there is a solid, very heavy pipe that is deep, there's tremendous base and it was all well protected when they did it, it's schedule 80, it's big, it's heavy duty.

Mr. Bracy comments the site plan should be revised to just show the cabins being proposed.

II. Vang Waiver, case no. 23-397, 23-397, 9711/9719 S AR 43 Hwy, Gentry; 18-16032-003

Representative: Yee Vang, 9713 S Hwy 43, Gentry

There are two family dwellings currently on this parcel, an existing house, and an existing mobile home. Property owner wishes to place a new mobile home on the parcel. These dwellings are and will be lived in by family members. An aerial view of structures on this property is on the next page. Proposed new mobile home, is highlighted in yellow. All other structures are barns, sheds, and a green house.

Mr. Tucker asks the property owner to tell the board a little more about what all is on the site, it looks like there are a few structures?

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Mr. Vang states he has a farm, mainly chicken houses, chicken and pigeon coops we have some pigs too, just animals.

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Mr. Tucker, just agricultural, it's not a business?

Mr. Vang states it is not, it's just his family farm.

Mr. Bracy asks the applicant to identify the homes, proposed trailer and the relationship of where the septic systems are for each one by the next meeting.

III. Oldham Site Plan Review, case no. 23-398, 2601 Aspen Ln, Rogers; 15-07186-000

Representative: Mike Oldham, 2600 Aspen Ln, Rogers; Addie Manzi, 7230 S Pleasant Ridge Dr

Applicant submitted an application for two new buildings. One building will be used as a maintenance shop, 6,000 sq. feet and the other building will be for storage, 1,500 sq. feet. The commercial use of the property is for equipment storage and a maintenance shop for lawn mower repair work in support of Red Leaf Lawn Service. Existing concrete pads within building site to be removed.

The Planning Board discussed the proposal with the applicant.

Ms. Lloyd comments that the lean-to structures are too close to the property lines, buffering shall be included for a commercial site.

Mr. Oldham asks how far back does it need to be.

Mrs. Kienzle states 40 feet from the property line.

Ms. Lloyd asks if the applicant has continued to operate there since the board advised that it was not a legal use of the property?

Mr. Oldham states he has still been parking on the property, but since Madison reached out and said we're not to be on the property we have since then looked for a new location and are renting at a storage facility.

Shannon Weathers, 5401 S 44TH Street, Rogers.

It needs to be added to the record that Mr. Oldham started his business in 1991, which I believe was before Benton County Planning regulations. So, his business has grown and that's where he is at this point.

Mr. Bracy asks if this was the same property, he started his business on.

Mr. Oldham states it is the property across the road at 2600 Aspen Lane, he purchased 2601 because he needed more room as his business has grown.

Mr. Bracy asks the applicant to label all structures and dimension from the structures to the property line, so that the board doesn't overcome this problem again.

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Steve Zaga, the Oldham's attorney, town of Business, Springdale, Arkansas. I was wondering besides the request the chairman made for distances between buildings and property lines, if the board has any other information requests that are not covered in the packet at this time?

Mr. Bracy mentions that the driveway needs to be widened, the turning radii for a commercial property is different than residential, there are also 15 outstanding items beyond what staff has already enumerated for us.

Mr. Tucker asks for the site plan to show and describe better what the landscaping would look like and what plantings will be added.

IV. Watts Site Plan Review, case no. 23-400, 12538 Peach Orchard Rd, Bentonville; 18-09612-002

Representative: Barry R. Williams, 901 N 47th, suite 400 Rogers; Jason Eldredge, 1602 SW Wisteria, Bentonville; Nora Coler, 12580 Peach Orchard, Bentonville.

Quarry and borrow pit excavation. Site originally serviced I-49 bypass, the subject application is to allow the operators to continue using the site as a quarry and borrow pit for other projects in Northwest Arkansas.

The Planning Board discussed the proposal with the applicant, applicant states they would like to go back in history, this started in 2014/2015 when the highway department approached the Watts Coler families about using their property as a potential fuel site and location to place fill for the interstate construction, they are currently using it for highway 340. All ADEQ permits are up to date on managing water runoff.

Mr. Tucker asks what the long-term plan is for the site.

Mr. Eldridge states they are not sure how long the site will be available for, depending on how many projects are happening in our area, for example highway 304, there's Peach Orchard that may or may not be improved in the near future. Our permit runs through 2026, we hope to be able to keep it open until then if there are more projects by 2026, we would possibly renew. This is not a quarry; it is a staging area there is no digging or nothing.

Mrs. Coler, when they came to us, they stated they would be using our property to stage fill then once everything was completed, they would grow the grass we wanted, our ultimate goal is to return it to its original state and have cattle on it.

Discussion Item: None

Staff Updates - Administrative Approvals:

- I. Kremer Minor Subdivision, case no. 23-313, Sloan Hollow Rd, Garfield; 18-01345-002
- II. Duhaime Property Line Adjustment, case no. 23-343, 12598 Mains Rd, Lowell; 18-02454-000
- III. Eddleman Property Line Adjustment & Minor Subdivision, case no. 23-353, 17197 W Hwy 12, Gentry; 18-10780-000

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- IV. Mathews Minor Subdivision, case no. 23-357, 12393 Shady Grove Rd, Gravette; 18-15088-001
- V. Coggins Property Line Adjustment & Minor Subdivision, case no. 23-366, 10906 Jaybird Rd, Gravette; 18-16293-000
- VI. CWH Minor Subdivision, case no. 23-369, 8830 Dock Rd, Rogers; 15-08941-000
- VII. Davis Lot Combination, case no. 23-373, 21318 Ridgeview Dr, Garfield; 15-04898-000

Meeting Adjourned: 8:12p.m.

Next Meeting: December 20, 2023

APPROVED THIS 20th DAY OF Dec, 2023.

ATTEST:

APPROVED:



 PLANNING DIRECTOR



 PLANNING BOARD CHAIR or
 VICE CHAIR

*Digital voice recording may be made available upon written request to the Planning Department. *

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