

2022 MAR -3 AM 8:14

BETSY HARRELL  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

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

February 16, 2022

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, 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:** January 19, 2022

Mr. Williams motioned to approve the January 19, 2021, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein.

Motion approved: 6 – 0

**General Public Comment:** None

**Old Business:** None

**New Business:**

- I. Fry Major Replat & Waiver, case no. 22-074 & 22-075, Robinwood Rd, Rogers; 15-17539-000

Representative: Ethan Thomas, 310 s 11<sup>th</sup> Pl. Rogers

Staff gave presentation.

Mr. Thomas clarifies the reason for the new drainage easement is so there won't be any runoff to the proposed house.

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. Smith Variance, case no. 22-062, Lakeside Rd, Lowell; 15-10154-002**  
Representative: Jim Smith, 10657 Sycamore Rd, Lowell

Staff gave presentation.

Mr. Torrez asks what the reason for the split is.

Mr. Smith states he is just wanting to keep the shop and sell the rest to a family to build a two-bedroom home.

Mr. Torrez questions if there are other lots in the subdivision that comply with the rest of the homes in the area.

Mr. Smith states there are other lots that size, there are homes that are 4-thousand square feet, he has never seen a lot not perk for a septic system.

Mr. Torrez clarifies that there is a one-acre minimum.

Mr. Smith states that the subdivision was created back in the 60s and they have those size lots grandfathered in. They have also had the property perk for a septic.

Mr. Torrez asks why could he not just sell the .52-acre lot and move his storage unit elsewhere.

Mr. Smith states that the lot is always going to be a .52-acre lot.

Mr. Torrez clarifies if it will be under another owner

Mr. Smith states it will, and they would be the only ones to buy the storage unit lot.

Mr. Bracy states that Benton County does not enforce covenants, but the covenants do state that each lot shall be used for residential purposes that being a single-family dwelling and a detached garage.

Mr. Smith states he did not see that on the covenants

Mr. Reamer clarifies that the covenants do state that and it was made aware by other residents that reside in the same subdivision.

Dr. Neal clarifies that this lot just has a garage and is already under violation.

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Mr. Bracy states that the board will not enforce the covenants but they will abide by the current regulations.

Mr. Reamer states that is correct, that being a one-acre minimum by county regulations, this lot can keep its lot size but cannot go any smaller than what it currently is.

**II. Lost Bridge Storage Site Plan Review - Major Amendment, case no. 22-083, 20054 AR 127 Hwy; 15-16329-000**

Representative: Zach Willhite, 3214 NW Avignon Way, Suite 4

Staff gave presentation.

Mr. Willhite asks if there is any way make an agreement between the two property owners that as long as they own the properties the screening doesn't need to be installed.

Mr. Bracy mentions there is a residential house just west of the property.

Doug Sperbur, 1202 Moberly Ln, Bentonville. Owner of Lost Bridge Storage, the mobile home is being used as commercial, where they use it as a real estate office for people to go pick up their keys when renting from them.

Mr. Torrez comments about the lighting, what is the photometric study looking like?

Mr. Willhite states that the lighting would be as if they were porch lights, instead of putting obstacles in the middle of a gravel parking lot.

Mr. Torrez states that he is curious to know how that will turn out due to the lighting that we request specially after hearing that from the last approval, the landscaping that was approved wasn't done. I say that if we approve this project, all of the things that get approved must be completed.

Mr. Sperbur states there is no standard requirement for lighting in parking lots, so we put wall packs.

Mr. Reamer states that existing and proposed lighting must be brought up to date as our current regulations do have standard requirements for lighting.

Dr. Rosenbaum asks if we are viewing this as an addition we can't go back and say you need to fix this, this and this. We can just comment on the new proposal.

Mr. Reamer states that in 2017 when approved, had to get implemented and installed per the current ordinance. In 2017 and today's proposals would be under our ordinance.

Dr. Rosenbaum states if she understands correctly, some things were not done when the project was approved.

Mr. Reamer states that is correct, landscaping was not done.

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Mr. Bracy asks the property owner why this was not done

Mr. Sperbur states that between him and the other property owner, they made an agreement to not put the landscaping in so they can save time and a mess with maintenance of the landscaping between the two.

Mr. Bracy states that since that was approved by the board it had to be done or they would be in violation. The regulations haven't changed since 2017, they have been the same since 2014. I suggest you comply with everything the board is requesting for you to do moving forward.

Mr. Torrez suggests putting a bond to the proposal so the requirements are met.

Mr. Sperbur states they will comply and put the landscaping in.

Mr. Bracy asks if the access to the property is going to change since it is now separated by the house that is adjoining to the property in question.

Mr. Reamer states that property was part of the proposal back in 2017 and will still be the access, it is still under common ownership.

Mr. Torrez asks when they are going to start construction once approved.

Mr. Sperbur states it would be the next day, after getting building permits.

**III. Pitts Variance, case no. 22-091, 13775 Pitts Rd, Garfield; 18-01257-001**

Representative: James Pitts, 13775 Pitts Rd, Garfield

Staff gave presentation.

Mr. Pitts comments that he owns the property surrounding his home, when his grandfather built his house, he had two leaching ponds and they are now having to revise that for septic systems, he also planted two trees for him and his brother in front of the house and he wouldn't want to cut them down if he doesn't have to.

Mr. Torrez asks for the size of the shop; can it be smaller to help with the setback?

Mr. Pitts states it is a 50 by 50 with two tall lean-tos, to park all his farm equipment.

**IV. Dav-Chu Site Plan Review, case no. 22-094, E Hwy 94 & Panorama Rd; 18-03723-005**

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

Staff gave presentation.

The Planning Board discussed the proposal with the applicant.

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The application is to be represented at the upcoming Public Hearing on March 2, 2022.

**V. CKJ Site Plan Review, case no. 22-095, 14012 Monica Dr, Gravette; 15-15991-000**

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

Staff gave presentation.

The Planning Board discussed the proposal with the applicant and property owner.

The application is to be represented at the upcoming Public Hearing on March 2, 2022.

**VI. Sossamon Major Subdivision and Waiver, case no. 22-100, 8068 Tiny Hill Rd, Decatur; 18-11443-007**

Representative: James Sossamon

Staff gave presentation.

The application is to be represented at the upcoming Public Hearing on March 2, 2022.

**Other Business: None**

**Staff Updates - Administrative Approvals:**

- I. Henry Minor Subdivision, case no. 20-245, 9797 N AR Hwy, Decatur; 18-15367-000
- II. Seely Lot Combination, case no. 21-295, Sunrise Cove Rd, Garfield; 15-03837-000
- III. Dement Property Line Adjustment, case no. 21-299, 8746 Woods Rd, Rogers; 18-03466-000
- IV. Cripps Minor Subdivision, case no. 21-388, 11997 Cripps Rd, Gentry; 18-13421-002
- V. Wright Minor Subdivision, case no. 21-450, Chicken Dr, Decatur; 18-14255-000
- VI. Latham Minor Subdivision, case no. 21-454, 21854 US 62 Hwy, Garfield; 18-00314-002
- VII. Moore Lot Combination, case no. 22-071, 22391 Dam Site Rd, Garfield; 15-00177-000
- VIII. Smith Minor Subdivision, case no. 22-076, 18812 N Mt Olive Rd, Gravette; 18-15194-000
- IX. Greenback Minor Subdivision, case no. 22-081, 17820 Bethlehem Rd, Decatur; 18-12342-004

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- X. Summerfield Property Line Adjustment, case no. 22-087, 24928  
Hunters Rd, Gravette; 18-16501-000
- XI. MVP Properties Minor Subdivision, case no. 22-090, 21435 AR 102  
Hwy, Decatur; 18-14275-000
- XII. Perry Minor Subdivision & Property Line Adjustment, case no. 22-096,  
16280 Patton Rd, Pea Ridge; 18-05421-005

**Discussion Item:**

- I. **Prairie Creek PUD, N Park Rd, Rogers, 18-03097-000, 18-03102-000 & 18-03113-000**
  - i. Planned Unit Development near the Prairie Creek Marina that will include, family gardens and play area, community pool and sun area, community building and shade pavilion.
- II. **Mobile Home Park Clarification**
  - i. Staff received clarification regarding the definition and applicability of 'Mobile Home Park'

Meeting Adjourned: 8:32 p.m.

Next Meeting: March 2, 2022

APPROVED THIS 2<sup>nd</sup> DAY OF MARCH, 2022.

ATTEST:

  
 \_\_\_\_\_  
 PLANNING DIRECTOR

APPROVED:

  
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 PLANNING BOARD CHAIR or  
 VICE CHAIR

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