

2023 AUG -3 PM 4: 00

LESLIE S. ARRELL
COUNTY CLERK
BENTON COUNTY, AR



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

July 19, 2023
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, Dr. Neal

Roll Call: Bob Bracy, Sean Collyge, Rachel Kitterman, Linda Lloyd, Theresa Neal and Terry Maienschein and Rick Williams 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: July 5, 2023

Mr. Williams motioned to approve the July 5, 2023, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein

Motion to approved: 6– 0

General Public Comment: None

Judge Berry Moehring presented an appreciation award of service to Mr. Collyge and Mr. Williams.

Old Business: None

Mr. Bracy motions to add the Board Chairman and Vice Chairman Selection for the August 2023 – July 2024 Term to the agenda, seconded by Mr. Williams.

Mr. Williams motions to select Mr. Bracy as Chairman, seconded by Mr. Maienschein.

Motion to approve: 6-0

Mr. Williams motions to select Ms. Lloyd as Vice Chair, seconded by Dr. Neal.

Motion to approve: 6-0

New Business:

I. Pitts Variance, case no. 23-166, 13775 Pitts Rd, Garfield; 18-01257-001

Representative: JR Pitts, 13775 Pitts Rd, Garfield

Staff gave presentation, The property owner is requesting a setback variance from the 50-ft. front setback requirement as follows: Proposed structure is to be located 24-ft. from the centerline of Pitts Road in lieu of the required 50-ft. standard building setback.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Mr. Collyge motions to approve, seconded by Mr. Williams

Motion to approve: 7-0

II. Samich Variance, case no. 23-186, 21398 Lakeview Dr, Garfield; 15-04866-000

Representative: Tom Wishman, 17366 N Hwy 94, Pea Ridge

Staff gave presentation, The property owner is requesting a setback variance from the 50-foot front setback requirement as follows: Proposed structure is to be located 23-feet. from the centerline of Lakeview Drive in lieu of the required 50-foot standard building setback. Lakeview Drive is about 30-feet wide. Therefore, this setback variance would result in the structure being about 8-feet from the property line. This setback variance is due to solid limestone existing at the rear of the property.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Ms. Lloyd comments that the building is out of character for the area, the structure is bigger than the house.

Mr. Bracy asks what the building will be used for.

Mr. Wishman states the owner is wanting to store two of his boats there.

Mr. Collyge motions to approve, seconded by Mrs. Kitterman.

2023 AUG -3 PM 4: 00

Ms. Lloyd motioned to deny because the hardship is being created by the applicant for the size of the structure.

Motion to approve: 6-1

III. Stone RV Park Site Plan Review, case no. 23-195, 5633 Ervin McGarrah Rd, Lowell; 18-02823-004

Representative: David Gilbert, 5714 Walden St, Lowell

Staff gave presentation, The subject application is for a seven (7) space RV Park, office, and sanitary station. The site is serviced by Springdale Water Utilities, Carroll Electric, and an onsite septic system.

Public Comment:

April Pelkey, 5467 Ervin McGarrah Rd, Lowell

As a concerned mother, homeowner and business owner I'd like to express my strong opposition to the opposed RV Park. Back in 2018, I reported to the health department that the property owners were filling five-gallon buckets from their septic tank from their camper and dumping them in the tree line, this goes directly against the rules and regulation of onsite waste water systems in Arkansas. It is alarming to see that a leach field is positioned less than 200 ft from livestock ponds and the adjacent property has lines running directly through a freshwater stream, I brought photos to show that the septic tank is less than 10-ft from the property line, this is a violation of the regulations and poses a significant risk to the health and safety of wildlife, livestock, plant life, and members of this community. I urge Benton County Planning Board to consider the gravity of the violations committed by the property owners. The risks posed to our water resources and the potential legal and health consequences.

Robert Pelke, 5467 Ervin McGarrah Rd, Lowell

I'm here to express my opposition to the RV Park for several compelling reasons that directly affect the wellbeing of our families and the integrity of our neighborhood. Firstly, Ervin McGarrah Road has never been designated for commercial development, nor does it offer any recreational amenities such as lakes, hiking trails or biking paths. Introducing an RV Park into this area would disrupt the residential and agricultural harmony that has existed for over a century. We already have Hickory Creek campground about 4 miles away with great amenities. Additionally, the current road conditions present a serious hazard with no turnaround available, this RV Park would have a detrimental impact on property value. I urge you to reject the Stone RV Park and protect the interest of the residents who call this area, home.

Diana Main, 5615 Ervin McGarrah Rd, Lowell

2023 AUG -3 PM 4: 00

An RV Park is a commercial business per the state of Arkansas, it's a business that charges sales tax. The ADH regulations that are in place to protect the public like bathrooms, distance from sanitation, upkeep, maintenance, etcetera. An RV Park easily falls into commercial business, which falls into Heavy Commercial. The public noticing sign has been buried in 4-5 ft weeds, days after it was put up, no one on either direction can even see the sign. The plan with the trees doesn't look feasible. I turned in a petition it has 204 signatures and 83 comments to deny this project. Please vote no to the Stone RV Park and protect the rights of all Benton County residents.

Dennis Main, 5615 Ervin McGarrah Rd, Lowell

I have several concerns about the proposed RV park plans being shown on the north side of my home. I would like to point out Springdale water utilities conducted a flow test on the fire hydrant and close proximity to the proposed park and installed a pressure logger on the fire hydrant to monitor it for six days. Water pressure dropped dangerously low on a few occasions. Springdale water utilities will only allow one 5/8s meter to service this project. Please reject this project.

The Planning Board discussed the proposal with the applicant, there is a number of outstanding items.

Mr. Bracy motions to table to August 2, 2023, seconded by Mr. Maienschein.

Motion to table to August 2, 2023: 7-0

IV. Barbee Waiver, case no. 23-197, 12811 S AR 43 Hwy, Siloam Springs; 18-15769-000

Representative: Gracie Barbie, 1744 Park Dr, Siloam Springs

Staff gave presentation, The property owner is requesting the placement of a third dwelling, a mobile home, on their 199-acres which already contains two existing homes.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Mr. Collyge motions to approve, seconded by Ms. Lloyd.

Motion to approve: 7-0

V. Reams Waiver, case no. 23-198, 12739 Reams Rd, Gentry; 18-08467-000

Representative: Bill Reams, 12735 Reams Rd, Gentry

Staff gave presentation, The property owner is requesting the placement of a third dwelling, a mobile home, on their 51.75 acres which already contains two existing homes.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Mr. Collyge motions to approve, seconded by Mr. Williams

Motion to approve: 7-0

VI. ARCO Site Plan Review and Variance, case no. 23-209, 10287 E AR 72 Hwy, Bentonville; 18-07171-000

Representative: Chris McDaniel, 9904 Spanker Creek Rd, Bentonville & Addie Munsey, 7230 S Pleasant Ridge Dr, Fayetteville

Staff gave presentation, The subject application is to construct a new 4,000 square foot structure at the existing ARCO Excavation and Paving Shop site.

The Planning Board discussed the proposal with the applicant.

Public Comment: None

Mrs. Kitterman motions to approve the variance request for proposed structure to be located 10 feet from the property line in lieu of the required 25-foot building setback and greenspace buffer, seconded by Mr. Maienschein.

Motion to approve: 7-0

Mr. Collyge motions to approve the project, seconded by Mrs. Kitterman.

Motion to approve: 7-0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

New Business:

CLERK
COUNTY, AR

I. Beck Variance, case no. 23-215, 14147 Ozark Dr, Garfield; 15-02225-000

Staff gave presentation, the property owner is requesting a setback variance from the 50-foot rear setback requirement as follows: Proposed new dwelling to be 35.49' from the center of Dam Site Loop in lieu of the required 50' building setback. Note that the new dwelling will be 52.06' from the center of Ozark Drive at the front.

The Planning Board discussed the proposal with the applicant.

II. CKJ Site Plan Review Major Amendment, case no. 23-222, 14012 Monica Dr, Gravette; 15-15991-000

Staff gave presentation, The current application is for a modification of the proposed parking layout at the front of the building. The original site plan details only two ADA compliant spaces in front of the building. The current proposal details eight parking spaces in front of the building inclusive of two ADA compliant spaces. Fewer parking spaces are provided in the large parking area, due to the average width of each space being increased from 9 feet to 11 feet. The large parking area is proposed to have 27 parking spaces in lieu of the originally proposed 34. Therefore, there is a net decrease of one onsite parking space with the current proposal.

In addition, the proposed building addition on the west side of the existing building will increase in size from the originally proposed 1,000 square feet to 1,250 square feet.

The Planning Board discussed the proposal with the applicant.

III. Envision Site Plan Review, case no. 23-223, 14492 Logan Cave Rd, Siloam Springs; 18-11134-000

Staff gave presentation, the subject application is for a poultry litter digester facility. The site will consist of the digester, an oil separator, two litter sheds, and a gas/administration building.

The Planning Board discussed the proposal with the applicant.

Discussion Items: None

Staff Updates - Administrative Approvals:

- I. Shrum Minor Subdivision, case no. 23-179, 20707 Shady Grove Rd, Siloam Springs; 18-13910-000
- II. Philpott Minor Subdivision, case no. 23-204, 16962 W Brigance Rd, Gentry; 18-11490-000
- III. Insko Minor Subdivision, case no. 23-206, 13716 Chamberlain Dr, Gentry; 18-13902-000
- IV. McChristian Minor Subdivision, case no. 23-216, 21592 Floyd Moore Rd, Gentry; 18-14618-000
- V. Barnes Minor Subdivision, case no. 23-217, 18124 Railroad Cut Rd, Rogers; 18-01068-000

2023 AUG -3 PM 4: 01

B. J. MURRELL
CO. & CLERK
BENTON COUNTY, AR

Meeting Adjourned: 8:25 p.m.

Next Meeting: August 2, 2023

APPROVED THIS 2nd DAY OF Aug, 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. *