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

July 5, 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: June 21, 2023

Mr. Williams motioned to approve the June 21, 2023, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein

Motion to approved: 5 – 0

General Public Comment: None

Old Business:

- I. **Sycamore Hills RV Park Site Plan Review, case no. 23-135, Sheffield Rd, Siloam Springs; 18-10352-002- Rescinded**

New Business:

- I. **Brown Waiver, case no. 23-182, 12662 Miller Church Rd, Bentonville; 18-09650-003**

Representative: Blake & Kim Strickland, 12662 Miller Church Rd, Bentonville

Staff gave presentation

Public Comment: None

Ms. Lloyd asks the applicant what the structure in the middle of the property, is.



Mr. Strickland states that is a shed.

Mr. Williams motioned to approve, seconded by Mr. Maienschein.

Motion to Approve: 6 – 0

II. Benton County Wilderness Site Plan Review, 14232 E Hwy 12, Rogers; 18-03334-004

Representative: Jason Ingalls, 9200 Suits Us Dr. Bella Vista

Staff gave presentation

Dr. Neal asks if there is anything the applicant would like to add.

Mr. Ingalls states, they are still working with the department of health for septic approval letter, which has been submitted, just haven't received an approval yet.

Ms. Lloyd asks if there was ARDOT approval for both the driveways.

Mr. Ingalls states that they have not gotten ARDOT approval yet, once they get approval for the Site Plan Review, they will go after those permits.

Ms. Lloyd mentions the board got number of emails regarding the driveway at the cur, do you anticipate any issues.

Mr. Ingalls, not that I know of, I know that they'll guarantee at least one because they have to provide one to any parcel, given the distance between those two drives, I don't see any issues.

Mr. Bracy asks what the hardship for the two drives?

John Mullen, Property Owner

The reason for the drives is for customers, but the one on the curb I guess someone is concerned about, is the easiest and best to not restrict traffic as much for turning trailers in, that would be the most important drive to have for that business.

Public Comment:

Steve Long, 8615 Par Ln, Rogers

My back property line abuts the south side of the proposed development, I sent a number of questions through email yesterday and hope you all had a chance to look at that, I will not try to recap all of that but I will try to highlight a couple of the questions and concerns I have, assuming that you looked at the email, my concerns are primarily with noise and light pollution, storm run-off that is going to be created, the detention pond that is planned is basically on the property line down in the ravine and most detention ponds and rip-rap that I have seen end up being a trash accumulator of the ponds then are breeding grounds for mosquitoes and other vermin. I am worried about that in my backyard with my grandchildren and us using that yard and our pool. The noise I'm concerned about just from the

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size and the scope of this development, it's huge. I realize that the highway commercial frontage is desirable. This is a residential area that has been there for 50 plus years, while we want more development, we have to respect residential areas. I am requesting additional screening in the form of solid fencing across the south property line more than a six-foot fence, perhaps an eight-foot. Even with full cutoff lighting there will be glare as long as the property and those lights are mounted higher than my property and my house, we already suffer from this from Lefty's Liquor, Dollar General and Wolf Boats Storage and Supply, perhaps consider a motion activated lights.

Sheila Gallagher, 8570 Par Ln, Rogers

If part of your duty is to plan for the future, I suggest that your planning regulations should have some protections for densely populated, what are referred to as census designated places.

Tony Garinger, 8704 Par Ln, Rogers

I am across the street from this proposal, the noise level for this development will be quite disruptive to the wildlife that is existing there and you know quite frankly one of the reasons I like living out there is because of the natural area, the beauty and the peace out there. I would like to ask that you not let these people take our little piece of paradise just to put up a parking lot.

Ms. Lloyd makes a comment for the route to the proposal to be revised, from Highway 112 to Highway 12, it is wrong on all the plans.

Mr. Ingalls states he will get that corrected.

Mr. Bracy comments that there are number of comments about lighting.

Mr. Ingalls states Benton County Code requires us to do shielding on all of our lighting is as required by code.

Mr. Bracy asks for the hours of operation

Mr. Mullens states the normal 8-5pm.

Dr. Neal asks how much of the existing trees will be took down

Mr. Ingalls states that they will get to the required 40-feet as required per code

Mr. Williams asks for the height of the buildings

Mr. Ingalls states these are approximately 16-feet.

Mr. Bracy asks if there will be a gate

Mr. Ingalls states there will be, we may be putting up a gate on both drives just in case people come in during after-hours.

Mr. Bracy states that most storage places do have people coming in at night.

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Mr. Mullens mentions that the gate would be open during business hours.

Mr. Williams asks about signage

Mr. Ingalls states there will be signage on the front of the building.

Mr. Bracy proposes that they approve this project based on the stipulations to have an access gated area to be 50-plus feet away from the roadway, proper screening to the residential and the business hours to be from 8-6:30 from Monday through Saturday.

Mr. Bracy motioned to approve, seconded by Mr. Maienschein.

Motion to Approve: 6-0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

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.

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.

III. Stone RV Park Site Plan Review, case no. 23-195, 5633 Ervin McGarran 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.

The Planning Board discussed the proposal with the applicant.

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.

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.

VI. ARCO Site Plan Review, 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.

Discussion Items:

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- I. Data Center Ordinance – Proposed Change to the Planning and Development Regulations

Mrs. Kienzle and the board discuss the proposed changes to the regulations.

Staff Updates - Administrative Approvals:

- I. Petty Minor Subdivision, case no. 22-461, 17006 O D Clark Dr, Siloam Springs; 18-12844-000
- II. Wilson Property Line Adjustment & Minor Subdivision, case no. 22-472, 12908 Fairmount Rd, Gentry; 18-13606-000
- III. Douglas Minor Subdivision, case no. 23-056, 14280 N Mt Olive Rd, Gravette; 18-12245-004
- IV. Petryszak Minor Subdivision, case no. 23-151, 11058 AR 279 Hwy 279, Bentonville; 18-09985-003
- V. Copp-Calderon Property Line Adjustment, case no. 23-158, 14034 Beaty Rd, Gravette; 18-14836-000
- VI. Horn Minor Subdivision, case no. 23-162, 15876 Battlefield Rd, Garfield; 15-11754-000
- VII. Addington Minor Subdivision, case no. 23-171, 18125 W Hwy 102, Decatur; 18-11265-000
- VIII. Quintana Minor Subdivision, case no. 23-176, Blueberry Ln, Lowell; 15-01683-001
- IX. Wagner Property Line Adjustment, case no. 23-184, 15447 Mystic Warrior Rd, Garfield; 15-10519-000
- X. Harvey Minor Subdivision, case no. 23-189, 19606 Shady Grove Rd, Gentry; 18-13927-001
- XI. Barker Minor Subdivision, case no. 23-190, 11244 Leonard Rd, Gravette; 18-15147-000
- XII. Bell Minor Subdivision, case no. 23-196, Hubbard Rd, Decatur; 18-11449-003

Meeting Adjourned: 7:55 p.m.

Next Meeting: July 19, 2023

APPROVED THIS 19 DAY OF July, 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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