

2021 DEC -2 AM 9: 12

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CO & PROBATE CLERK
BENTON COUNTY, AR



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

November 17, 2021
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, Sean Collyge, 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: November 3, 2021

Mr. Williams motioned to approve the November 3, 2021, Planning Board Meeting minutes. The motion was seconded by Dr. Neal.

Motion approved: 7 – 0

General Public Comment: None

Old Business: None

New Business:

- I. **JHSV LLC – Dutchmans Drive Major Subdivision Preliminary Plat, case no. 21-359, Dutchmans Drive, Rogers, 18-03122-010**

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

Staff gave presentation

Mr. Ingalls questions Mr. Reamer on whether those revisions are from other parties

Mr. Reamer states that the items can be conditioned upon a decision tonight prior to execution and submittal of the final plat.

2021 DEC -2 AM 9: 12

BETSY HARRELL
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BENTON COUNTY, AR

Mr. Torrez asks Mr. Ingalls why all the outstanding items were not satisfied

Mr. Ingalls mentions he is quite busy and didn't get enough time to get things done, also most of the revisions that are left are from third party companies for example the Arkansas Department of Health, they wouldn't have their revisions complete in under two weeks.

Public Comments:

Ronald Stern, 8889 Old Dutch Elbow

My concern is the entrance to these lots, where exactly is that entrance?

Mr. Reamer points out where it will be.

Mary Gardner, 15036 Dutchmans Drive

Comments that the proposal states commercial and single-family homes, what is the commercial?

Mr. Reamer clarifies that is the property against Highway 12, not on the subdivision proposal

Jon Wolfe, 15005 Dutchmans Drive

Comments if there has been any kind of traffic study on Dutchmans Drive?

Mr. Ingalls clarifies that traffic for six homes does not require a study

Mr. Reamer clarifies that any road coming off of an existing County Road, will need the review by the Benton County Road Department and need to meet standards within their guidelines.

Dr. Rosenbaum questions number 11, Applicant shall submit proposed protective covenants of the Dutchman's Drive Subdivision, would this be something that can get approve administratively?

Mr. Reamer replies that they can be approved administratively.

Mr. Ingalls comments that the property owner is the construction company owner and he builds pretty nice homes, he plans on building houses that are over the two thousand square foot, up to three thousand square foot homes.

Mr. Bracy asks why they are going to take an 8-inch main line off of a 6-inch and if that is even approved by the city.

Mr. Ingalls clarifies that the department of health does not allow 6-inch lines to be installed anymore and actually requires for water line extensions to be 8-inch. He

2021 DEC -2 AM 9:12

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

also clarifies that the covenants have been created but not submitted yet due to some verbiage that needs addressed.

Mr. Bracy asks if any work has been done to the property yet.

Mr. Ingalls states there has not, only the perk test has been done.

Dr. Rosenbaum asks if the road will be within the setbacks.

Mr. Ingalls states that they submitted a proposal for a 50 foot right of way and it will not affect the other parcel.

Mr. Torrez comments that he would like to table this project for two weeks.

Dr. Rosenbaum states that the proposal can probably be approved with conditions.

Mr. Torrez motions to table for two weeks, Mr. Collyge seconded the motion.

Motion To Table to December 1st: 4-3

II. Bedrock Self-Storage Site Plan Review, case no. 21-363, 12002 W AR Hwy 72, Bentonville, 18-09659-002

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

Staff gave presentation

Mr. Ingalls comments that he is requesting variances because the board suggested them, he would also like to add that the fire department requested three fire hydrants and they also included that on the plat.

Mr. Torrez asks what kind of fencing is all the way around

Mr. Ingalls clarifies that there is wood fencing only on the north and north east property line, it is rot iron fencing for the looks, and there is black chain link fence on the East and West property lines.

Dr. Rosenbaum asks Mr. Reamer if there were any comments by Centerton on the access to this proposal.

Mr. Reamer states Centerton commented for the access to be off of Bedrock Ln.

Dr. Rosenbaum asks how many units the facility will have, that will determine how many parking spots will be needed, 1 per every 30 units.

2021 DEC -2 AM 9:12

BETSY HARRELL
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BENTON COUNTY, AR

Mr. Ingalls states the most will be 306 units, making that 10 parking spaces. We are currently showing 5 and are asking for the variance to keep it at that because the thought process like in every storage facility, clients always park at the storage unit to load and unload. The reason for them being by the climate control is because it is easy access to the climate control building.

Mr. Bracy asks where the ADA parking spot is located.

Mr. Ingalls states that the ADA parking spot isn't with the rest because typically they unload from the passenger side.

Mr. Torrez asks for clarification on the variances and why they are needed if the property owner has so much more land for this proposal.

Mr. Ingalls states the property owner is planning to use that land to create a subdivision in the future.

Dr. Rosenbaum asks Mr. Reamer if there is a future proposal to expand Hwy 72, if that happens will this proposal not be in the middle of the road by then.

Mr. Reamer states there is an 80 foot right of way designated for future expansion proposals, so the buildings do accommodate the future proposals.

Dr. Neal questions the green space on the east side, will that be part of the setbacks and your landscaping buffer?

Mr. Ingalls states that where the trees are at, there is a wooded ravine.

Dr. Neal asks how wide that ravine is

Mr. Ingalls states it is approximately 40-50 feet wide.

Mr. Torrez asks if there have been any comments or concerns from the property owner to the east.

Public Comment:

Ryan Foster, 11848 Lakenheath Dr, Bentonville

Comments that the sign was very hard to see because it was behind the fence, you can see it from one direction but not the other. Hwy 72 is becoming busier every day; his concern was that the proposal would be in the right of way when it comes to the road being widened. His other concern is the buffering space, the trees lose their leaves and when they do people will be able to see right past them. People paid all this money to live in an area like this, it would be respectful to

2021 DEC -2 AM 9:12

BETSY HARRELL
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CENTERTON, AR

accommodate the view. Another concern is the management of this proposal. I'm afraid that, down the road some this storage facility will look like most"

Jeremy Upton, 11996 W Hwy 72, Bentonville

Comments he is the property owner just east of the proposal. He states that it would be much better for this proposal to be on the property owner's other lot where he can build something bigger and have more profit. His other concern is their privacy, from his front and back yard he can see right through the ravine specially with the dirt work that has been done to level up the property. On the northern side they are proposing a wooden fence and trees to disguise the facility, I would like to have the same proposal for my property as curtesy for privacy and security.

Mr. Bracy comments that if at one point the trees get cut down by the property owner to the east, then there will be no buffer.

Mr. Reamer states that they are proposing vegetation and a chain link fence, we have stated to try to get a more opaque fence to protect that property line.

Mr. Ingalls states he does not see the property owner having an issue to put up a different fence.

Mr. Bracy asks for clarification on the turn around for a fire truck and if it has been approved by the Centerton Fire Department

Mr. Reamer states there was no comment on that and the proposal was reviewed by the department, the only comment they provided was to add in the fire hydrants as done so.

Mr. Torrez asks about lighting for this proposal

Mr. Ingalls states they are proposing wall packs that reflect downwards, they will probably be photometric lights where they can turn on and off automatically.

Dr. Rosenbaum asks about the hours that they are proposing for the facility to be opened.

Mr. Ingalls states there is nothing set but he believes it may be the usual closing like other facilities that close at 10pm.

Dr. Rosenbaum asks if the property owner ever took in consideration of putting this storage facility on the bigger parcel he owns, also if they ever thought about the ingress/egress to be off of Bedrock Lane.

Mr. Ingalls states that they are better located off of highways since it is a

DETSY HARRELL
CO. & PROBATE CLERK
BENTON COUNTY, AR

commercial business, you wouldn't want for it to be in the back with residential use. As far as the other lot the property owner has, he overheard that the property owner may put in a small subdivision there, that is why the proposal is off of Hwy 72. Bedrock Lane is a dirt road and it wouldn't be great access to the facility, they graded and there is a very steep slope and wouldn't accommodate any. The proposal from the property owner for that subdivision will have Bedrock Lane paved. That cost will come from the property owner for that subdivision for the road being paved, no funds will come from Benton County.

Dr. Rosenbaum states that they should be considerate with the east property owners like they are with the northern property owners, if we were to approve this project, we would require proper buffering and 8-foot wooden fence plus the trees.

Mr. Reamer clarifies that the board should vote on the two variances as well as the proposal all separately.

Mr. Torrez motions to table to two weeks, seconded by Mr. Maienschein.

Motion To Table to December 1st: 7-0

I. **Bedrock Self-Storage Variance, case no. 21-363, commercial greenspace buffer requirement:**

Subject to Revisions

1. Eastern property line variance: Eastern property line greenspace buffer and commercial building setback of 15.56-ft. in lieu of the required 40-ft.
2. Northeastern property line variance: Northeastern property line greenspace buffer of 16-ft. in lieu of 40-ft.

Mr. Williams Motions to approve, seconded by Dr. Neal.

Motion to Approve: 5-2

II. **Bedrock Self-Storage Variance, case no. 21-363, standard parking space requirement:**

1. The development to provide 4 parking spaces and one ADA compliant space in lieu of the County required spaces.

Mr. Torrez motions to approve, seconded by Dr. Rosenbaum

Motion to Approve: 7-0

2021 DEC -2 AM 9: 13

DETSY HARRELL
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III. **Rural Propane Site Plan Review, case no. 21-379, 12141 Gentry, 18-15772-000**

Representative: Denny Hardbarger

Staff gave presentation.

Mr. Hardbarger states that everything that was left to be satisfied, has been updated. He thought that he sent it in on time.

Mr. Reamer states that it was not received.

Mr. Bracy clarifies to Mr. Hardbarger that we can only go by what they have in front of them. To be able to approve on a property everything needs to be submitted with time, on this case this project will have to be tabled for two weeks.

Mr. Maienschein motions to table to two weeks, seconded by Mr. Williams.

Mr. Reamer clarifies to the applicant that the board has decided to table this project for the applicant to come back December 1st, are you, Mr. Hardbarger okay with that?

Mr. Hardbarger states that he is on the list to get his tank delivered to the property this upcoming Monday, if he has postponed the delivery, that will be an extension of 90 days. He would hate to lose 90 days of sales and service to his customers.

Dr. Rosenbaum asks if they can have another option.

Mr. Hardbarger states he wouldn't be doing anything on the property other than placing the tank at the moment.

Mr. Maienschein asks if he can resend his motion

Mr. Reamer asks if it is okay with the second.

Mr. Williams approves to resend the motion.

Mr. Maienschein motions to table the project for two weeks with the exception of the property owner placing the tank on the property, Mr. Torrez seconds the motion, also stating that if in all case, the board denies the application, the tank will have to be removed and that would have to be at the expense of the owner.

Public Comment: None

Motion To Table to December 1st with Exception to get tank placed on property: 7-0

IV. Vandiver Subdivision and Waiver, case no. 21-336 + 21-384, Leonard Ranch and Beaty Road, Gravette, 18-14840-003

Representative: Adam Vandiver

Staff gave presentation.

Public Comments: None

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

Motion to Approve: 7-0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

New Business:

- I. Legacy Ranch at Dry Creek Site Plan Review, case no. 21-363, 16168 AR Hwy 102, Decatur, 18-11247-000**

Representative: Brahm Driver & Sean O'Keane

Staff gave presentation.

Mr. Torrez asks if this shooting indoors or outdoors.

Mr. Driver states it will be outdoors.

Mr. Torrez asks why not do it indoors to be less intrusive to the surrounding neighbors.

Mr. Driver states that it is because these are game birds.

Mr. Reamer states he did include the revised site plan, it shows the shooting station locations in relation to the proposed shot load that will be utilized onsite in the extent of which a maximum distance of 700 feet, which is to be contained on the 80-acre parcel.

2021 DEC -2 AM 9:13

DETSY HARRELL
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SEBASTIAN COUNTY, AR

Mr. Torrez asks if there has been any feed back from any surrounding property neighbors.

Mr. Driver states there has only been one person that commented they are in support of this project.

Mr. Reamer asks Mr. Driver how many non-occupied homes there are in the surrounding area.

Mr. Driver states there are two.

Mr. Bracy asks if they will only require certain weapons that only shoot at the maximum 700-feet.

Mr. Driver states they will only have bird shot guns.

Mr. Bracy asks if this shooting range will be available to the public.

Mr. Driver states this is private, this is an existing event venue and by appointment only to the clients.

Mr. Williams asks how they define the boundaries.

Mr. Driver states they are defined by where the shooting blinds will be placed, they will concentrate the activity at the north end of the property.

Mr. O'Keane, 8900 Tahoe Dr, live to the north of the shooting area. States that to determine the boundaries they went through a study with the Arkansas Game and Fish, met with biologist as well as the one that approves the wild life shooting and imports of the wild life birds, a study that took about 3 months to complete. The requirements they suggested we have is signage at every several feet, stating the shooting around the property.

Mr. Bracy asks how the shots will be picked up due to the lead flow.

Mr. O'Keane states there was base line study performed by an environmental services company in Springdale and will abide to the lead testing, but all of the lead will be contained within that field.

Dr. Rosenbaum asks for clarification on the distance of the shot, she mentions birds fly everywhere, how do they determine where they will shoot.

2021 DEC -2 AM 9:13

BETSY HARRELL
CO. & PROBATE CLERK
BENTON COUNTY, AR

Mr. O'Keane states the birds they will habitat will be quail and pheasants. These birds will habitat in the field and they only fly for certain number of feet and land. Clarifies to the board that the existing venue is to be utilized for corporate retreats, to do customer entertainment, this will just be a new activity along with others such as trails for hiking, mountain bike trails etcetera. This activity will be limited and only accessible during hunting season, which is from November 1st to the end of February, that is what the Arkansas Game and Fish allowed us to do.

Other Business: None

Staff Updates - Administrative Approvals:

- II. Key Minor Subdivision, case no. 21-257, Bethel Rd, Gravette, 18-12316-000
- III. Cox Property Line Adjustment, case no. 21-303, Pleasant Ridge Rd, Rogers, 18-03456-003
- IV. Kelsheimer Minor Subdivision, case no. 21-324, Colony Dr, Sulphur Springs, 18-15538-000
- V. Williamson Minor Subdivision, case no. 21-325, 17356 Gann Ridge Rd, Garfield, 18-01838-180
- VI. Medina Lot Combination, case no. 21-335, Gum Ln, Rogers, 15-01124-000
- VII. Hasty Minor Subdivision, case no. 21-357, 13839 N Old Wire Rd, Garfield, 18-04281-000
- VIII. Miller Minor Subdivision, case no. 21-368, 11800 Clyde Edwards Rd, Gentry, 18-10751-000
- IX. Pierce Minor Subdivision, case no. 21-370, 18401 Bethel Rd, Gravette, 18-12330-004
- X. Storms Minor Subdivision & Property Line Adjustment, case no. 21-373, Sheffield Rd, Siloam Springs, 18-10351-000
- XI. Whitney Minor Subdivision, case no. 21-375, 16080 Smith Ridge Rd, Garfield, 29-04508-000
- XII. Gibbens Minor Subdivision, case no. 21-390, Bethlehem & Kelly R, Decatur, 18-11248-001

Discussion Item:

I. Parking Lot operated as a Business

The intent is to put in a 60 x 60 parking lot with signage, with the intent to be ran as a business and does require review from the board.

Mr. Bracy asks if there will be any buildings on the property

Mr. Reamer states there will not be, at this time.

Mr. Maienschein asks if this will be a paved entrance.

2021 DEC -2 AM 9: 13

BETSY HARRELL
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Mr. Reamer states they will be getting access to the property from the existing asphalt commercial parking lot.

Mr. Bracy asks what kind of business will be taking place on the parking lot.

Mr. Reamer states that it is for the proposal to advertise boats even though the transactions may or may not occur onsite.

Mr. Torrez asks how the Planning Department found out about this proposal.

Mr. Reamer states the department was approached by the property owner to grant clarity from the planning board. States he will relay the information to the property owner.


Meeting Adjourned: 8:50 p.m.

Next Meeting: December 1, 2021

APPROVED THIS 15th DAY OF Dec, 2021.

ATTEST:

PLANNING DIRECTOR

APPROVED:

PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR