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Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting

TRACY L. GLEN
CLERK
BENTON COUNTY, ARK

June 21, 2017

6:00 p.m.

Benton County Administration Building
215 East Central Avenue, Bentonville AR 72712

Meeting MinutesPUBLIC HEARING:

Call to Order: The meeting was convened at 6 p.m. by the Planning Board Vice-Chair, Ron Homeyer.

Roll Call: Bob Bracy, Jim Cole, Sean Collyge, Ron Homeyer, Terry Maienschein and Rick Williams were present. Ashley Tucker was absent.

Staff present: Kevin Gambrill – Planning Director, Taylor Reamer – Planning Division Manager, Derek Linn – Senior County Planner, Tracy Backs – County Planner, Glenn Tracy – Building Official and Joshua Bryant – Planning Board Liaison were present.

Public Present: Twenty-two people signed the sign-in sheet.

Disposition of Minutes: June 7, 2017

Mr. Cole motioned to approve the June 7, 2017, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein. The motion carried 6-0.

General Public Comment: None

Old Business: None

- I. **Hawks Landing Estates Major Subdivision Preliminary Plat, #17-107, Hawks Landing Drive, Rogers; 18-04911-000, 18-04910-004, 18-04910-001, 18-04910-002, 18-04866-000, 18-04864-000**

Mr. Reamer: In the absence of Mr. Hawkins, he did submit formally a letter to the Board for an extension or tabling to the July 5th Public Hearing. Based on the engineering and surveying needs he has for the project, Crafton Tull, his consultant has not been able to get the information to me or to Mr. Hawkins. So, he has requested to the Board a tabling of the project until the July 5th Public Hearing.

Mr. Collyge motioned to approve the tabling. Mr. Cole seconded the motion. Motion approved 6 – 0.

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JUDICIAL DEPARTMENT
CLERK OF PROBATE
ST. LOUIS COUNTY, ARK.

7:07 p.m.: Mr. Hawkins arrives at the Planning Board meeting.

Mr. Homeyer: I think Mr. Hawkins is in the audience. In your absence, we tabled your item for two weeks.

Mr. Hawkins: Oh, you did. So, I was too late. I was hoping that Taylor (Reamer) would not have to go through that whole thing all over again.

Mr. Reamer: I didn't.

Mr. Hawkins: I do have a little update if you guys want it. I went through the outstanding items. The first one was survey plat review, a., b., c. and d. All of those have been complied with and addressed. Approved utility plan with AR Department of Health and Carroll Electric. AR Department of Health is the one that I still have outstanding there. They don't seem to be in quite the hurry that I am. The drainage report and all that stuff is all completed with engineering so all that stuff has all been ready to go. I think with not knowing where the AR Department of Health is, I think I would like to table until July 19.

Mr. Homeyer: Well, we have already tabled it to the 5th (of July) so, it will be on that agenda.

Mr. Hawkins: Okay, then I will be here.

Mr. Homeyer: If you get your approval between now and then, you are good to go. If not, then we will request another table. That will be fine.

New Business – Items for Public Hearing:

- I. Qualls Septic Waiver, #17-117, 12081, 12075 Carr Place, Hindsville; 18-00496-000

Representative: Linda Qualls, 12081 Carr Place Road, Hindsville.

Staff gave a presentation on the Qualls Septic Waiver, #17-117, 12081, 12075 Carr Place, Hindsville; 18-00496-000

Mr. Homeyer: Ms. Qualls, do you have any other comments you would like to offer at this point?

Ms. Qualls: No, sir.

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Board Comments: None.

Public Comments: None.

CLERK
GENERAL CLERK
BENTON COUNTY, ARK

Mr. Williams motioned to approve. Mr. Cole seconded the motion.
Motion approved 6 – 0.

II. **Garcia Site Plan Review, #17-119, 17182 North 59 Highway, Sulphur Springs;
18-15390-000 and 18-15404-000**

Representative: Cendy Garcia, 17182 North 59 Highway, Sulphur Springs

Staff gave a presentation on the Garcia Site Plan Review, #17-119, 17182 North 59 Highway, Sulphur Springs; 18-15390-000 and 18-15404-000

Mr. Homeyer: Ms. Garcia, do you have anything to add?

Ms. Garcia: No, sir.

Mr. Bracy: The buffering between the adjacent residence property, is that not included in the plan?

Ms. Garcia: There is a fence that divides both the properties on both sides of us.

Mr. Homeyer: What type of fence?

Ms. Garcia: It's just regular barbed wire.

Mr. Bracy: There are multiple lots there, I guess. This is overlapping two of them? Is there any concern about that? It's all under one ownership.

Mr. Reamer: Correct. The immediately adjacent single-family residence is this parcel here. *Showing graphic on the screen.*

Mr. Homeyer: It is across the highway so that would be really hard to buffer.

Mr. Bracy: I see trees down to the north and the south.

Mr. Gambrill: Is the 1,200-square foot building shown in this aerial the one that appears to split the property?

Mr. Reamer: That's just a concrete pad.

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CLERK
COUNTY CLERK
COUNTY CLERK

Mr. Gambrill: So, there is only one building there. There was one previously.

Mr. Homeyer: The one building is on a separate parcel by itself.

Mr. Cole: In the minutes from the TAC meeting, there was commentary that this had been a junkyard before. The Chair made a comment that this has been much improved. So, it is cleaned up considerably. It is my understanding.

Mr. Reamer: That is correct.

Mr. Homeyer: I remember that also.

Public Comment: None.

Staff Comment: None.

Mr. Cole motioned to approve the Garcia Site Plan. Mr. Collyge seconded the motion.

Motion approved: 6 - 0.

III. Alvarado Septic Waiver, #17-128, 22351 Davidson Road, Siloam Springs; 18-14055-001

Representative: Wilmer Alvarado, 22351 Davidson Road, Siloam Springs

Staff gave a presentation on the Alvarado Septic Waiver, #17-128, 22351 Davidson Road, Siloam Springs; 18-14055-001

Mr. Homeyer: Mr. Alvarado, do you have anything else you would like to discuss?

Mr. Alvarado: No.

Public Comment: None.

Mr. Cole motioned for approval. Mr. Maienschein seconded the motion.

Motion approved 6 - 0.

IV. Kelly Septic Waiver, #17-129, 15820 Patton Road, Pea Ridge; 18-05539-008

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Representative: Jack Kelly, 15820 Patton Road, Pea Ridge

TERRY W. HEN
CLERK OF PROBATE
BENTONVILLE, ARK

Staff gave a presentation on the Kelly Septic Waiver, #17-129, 15820 Patton Road, Pea Ridge; 18-05539-008

Mr. Homeyer: Do you have anything else you want to add Mr. Kelly?

Mr. Kelly: No.

Public Comment: None.

Mr. Cole motioned for approval. Mr. Collyge seconded the motion.

Motion approved 6 – 0.

TECHNICAL ADVISORY COMMITTEE

1. Call to Order:
2. Old Business / Ongoing Applications: None
3. New Business:
 - I. Driggs Septic Waiver, #17-116, 2105 McCollum Road, Bentonville; 18-07516-000

Representative: Larry Driggs, 2105 McCollum Drive, Bentonville

Staff gave a presentation on the Driggs Septic Waiver, #17-116, 2105 McCollum Road, Bentonville; 18-07516-000

Mr. Cole: This is for a family member?

Mr. Driggs: Yes. For my son. He wants to build there or put something there.

Mr. Homeyer: And it is too far away and too far down the hill to tie into the existing septic system?

Mr. Driggs: I would (prefer to) put a new one in because mine is just 1,000 for the three-bedroom house. That's what they proposed. I put another 1,000-gallon tank for another three-bedroom house.

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PLANNING CLERK
BENTON COUNTY, ARK

Mr. Homeyer: So, yours would not be adequate to add to it?

Mr. Driggs: I don't think so.

Mr. Homeyer: City sewer is not available?

Mr. Driggs: I don't know. I don't know for sure where the City sewer is.

II. Hill House Winery Site Plan Review, #17-138, 8497 & 8499 Larue Road, Rogers; 15-15839-000

Representative: Thomas Oppenheim with CEI Engineering, 3108 SW Regency Parkway #2, Bentonville and Derek Hileman (project manager) also present is the developer.

Staff gave a presentation on the Hill House Winery Site Plan Review, #17-138, 8497 & 8499 Larue Road, Rogers; 15-15839-000

Mr. Homeyer: Do you gentlemen have any other comments you would like to add at this point?

Mr. Oppenheim: No.

Mr. Homeyer: Can you explain why there is no buffering being proposed with this initial submittal?

Mr. Oppenheim: I will accept your offer to add additional comments. It was a late submittal based on timing of when we received comments. We have addressed the bulk of the comments that were listed on the screen. Planning Staff will need an opportunity to review those but they have been addressed. As far as the buffering goes, one of the comments related to additional setback, adjacent to existing family out there, we have addressed and exceeded the initial setback by an additional 20'. Our current separation from the building to the property line is 60'. On the other sides of the development, the existing tree cover is a very adequate buffer on all the other sides. All the setbacks have been met or exceeded on all the other sides.

Mr. Homeyer: So, between the existing residential structure and this house, there is existing landscaping that you are going to leave in place to provide a buffer. Is that what I am understanding? You said that you've got a 60' separation.

Mr. Oppenheim: There is 60' of separation. Unfortunately, due to the site topography, we graded along to the property line at that location. The existing tree cover against the adjacent residential, will not be able to be retained.

Mr. Homeyer: Is there a proposal to replace that vegetation?

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Mr. Oppenheim: Derek (*Mr. Hielman*) has discussed this with the client. Do you want to share....

DOUGLAS W. BISH
PUBLIC CLERK
PULASKI COUNTY, ARK

Mr. Hielman: They have not currently proposed but they are open to suggestions.

Mr. Homeyer: Typically when a business like this is directly adjacent to residential, we like to see not only the additional separation but some type of screening, preferably vegetative screening.

Mr. Oppenheim: Our client is agreeable. We will be happy to add that.

Mr. Homeyer: Okay.

Mr. Bracy: The leach field is not in the contract. What does that mean?

Mr. Oppenheim: It's been designed so it's not in our contract. It's already been approved.

Mr. Reamer: Staff does have on file the approved AR Department of Health septic system with capacity to handle both the single-family residence as well as the restaurant inclusive of the full-service kitchen.

Mr. Homeyer: It probably just means the site contractor will not be responsible for installing the septic system. It will be installed by a properly licensed septic installer. This mostly likely is the intent of that note.

Mr. Oppenheim: Exactly. CEI did not produce that design so it's not in our design contract.

Mr. Williams: Is this cold food? What type of food is served?

Mr. Oppenheim: We will have a full, commercial kitchen. I believe the intent is to have a very small restaurant operation and a very small line production that correlates with this food service.

Mr. Gambrill: I noticed that you had this as Hill House Restaurant and Winery. Are you actually going to be growing wine grapes on the premises? Is the client anticipating doing that?

Mr. Oppenheim: My understanding is that fruit juices will be brought in and the wine will be made on site from juices from grapes grown at other locations. A vineyard is not proposed.

Mr. Gambrill: So, you will be bottling the product there but not growing it?

Mr. Oppenheim: Right. The intent is that there be a small tasting area. Essentially, wine will be served to go with the food service.

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Mr. Cole: With the information you've got on the restaurant, can you tell if the parking ratio is adequate?

CLERK
COUNTY, ARK

Mr. Reamer: Based on the revised site plan, I believe there is a total of 20 fixed seats that were proposed. Number of employees on site, based on the Project Manager, would essentially be the residents as the employees. No additional employees on site other than, I believe, two at a max. Based on the current floor plan of the structure, I did notice there is now a retail area. That may have to be factored into the parking calculation now based on that as being a separate use rather than just the full-service restaurant. That may be the only change that Staff may have to research some is the proposed retail area. But, based on 20 fixed seating and two employees, we currently have 35 standard parking spaces. It's within the realm of possibility that 35 would satisfy the parking requirements. Obviously, a formal parking analysis will be required.

Mr. Cole: You would be able to revise the parking table if you had to?

Mr. Gambrill: Yes, Staff is going to want the parking table revised. Just so I am clear, I am looking at the commercial diagram you provided, the little squares we see around the large, common eating table, each one of those is one seat? Am I looking at that right?

Mr. Reamer: There is a revised plan. I will pull it up.

Mr. Gambrill: It may explain why my hand scratch parking calculations are different than what is being presented so I just wanted to take a look at that. We will address this between now and the Public Hearing.

III. **Barnard Waiver, #17-141, 11503 & 11511 Canoe Lane, Siloam Springs; 18-04608-000**

Representative: Tim Barnard, 11503 Canoe Lane, Rogers

Staff gave a presentation on the Barnard Waiver, #17-141, 11503 & 11511 Canoe Lane, Siloam Springs; 18-04608-000

Mr. Homeyer: Mr. Barnard, do you have anything you want to add to that?

Mr. Barnard: No, sir.

Mr. Homeyer: Did we not get a statement of hardship?

Mr. Reamer shows the statement from the applicant on the screen.

Mr. Homeyer: Is this dwelling for you?

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T. J. HARRIS
COUNTY CLERK
COURT HOUSE
SPRINGDALE, ARK

Mr. Barnard: For my wife and I.

Mr. Homeyer: Who is occupying it currently?

Mr. Barnard: My parents.

Board Comments: None

Staff Comments: None

IV. **Lowell Storage LLC Site Plan Review, #17-143, 907 Jennifer Lane, Lowell;
18-02359-002**

Representatives: J. Strain, Engineer Services, Inc., 1207 South Old Missouri Road,
Springdale and Dean Bitner, 309 Valley Drive, Lowell

Staff gave a presentation on the Lowell Storage, LLC Site Plan Review, #17-143,
907 Jennifer Lane, Lowell; 18-02359-002

Mr. Homeyer: Mr. Strain, do you have anything you want to add?

Mr. Strain: No, sir.

Mr. Bracy: There is a note here on page 2 that the water and sewer service is being
extended to the property during construction of the residential development to the
south. That is not part of this project?

Mr. Strain: Yes, sir. That was the original plan for water/sewer service for this
property. Dean Bitner, the owner, has an agreement with the property owner to the
south, who is planning to do a residential development there. Basically, he had an
agreement that once the thing is made, he would be able to extend that water/sewer
service to his property. Basically, the timing isn't quite right. Mr. Bitner wants to
get going on his building on his storage facility. We are going with a septic system
and also tying to an 8" City of Rogers water line on the north side of Jennifer Lane.
I spoke with Steve Ponder there this afternoon. He seemed to be pretty receptive
and seemed to think that that wouldn't be a problem to tie on to their 8" line there.
It's technically in the Springdale water service area so there will be some
coordination with the Springdale water. I actually talked with Rick Pulvirenti with
Springdale water today as well. So, those discussions are ongoing.

Mr. Bracy: And the septic system will be shown somewhere near the office
apartment?

Mr. Strain: Yes, sir. I think right now, we are probably going to put it behind, on
the south side of the apartment complex or office building and basically shift
everything to the east. He's (*Dean Bitner*) got some additional land to the east there

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that we are showing as an out parcel right now. We will revise those plans and show the septic system.

DEAN BITNER
PUBLIC CLERK
BENTON COUNTY, ARK

Mr. Bracy: The timing could be great before that subdivision to the south is developed.

Mr. Strain: Exactly. Yes. Mr. Bitner wants to get going as soon as possible.

Mr. Cole: How much parking are you going to provide?

Mr. Strain: It is likely that we will request a waiver on that requirement. We are just showing four spaces on the right side of the apartment complex/office right now. Like I said, it is likely that we will request a waiver being that it is a self-storage facility. We don't want to provide that amount of parking if we don't have to.

Mr. Cole: I am just looking for a justification of a waiver.

Mr. Strain: Yes. Basically, we feel like it is not needed and we don't have room for it. The client would like to utilize as much of his property for his business as he can. He would rather put some storage buildings and long-term parking there for his business.

Mr. Homeyer: So basically for this type of business, the customers will park in front of their unit. They are not going to park and walk back to it.

Mr. Strain: Yes, sir. You said it better than me. Basically, there is a parking space in front of every storage unit. The northwest corner of the property is where the customers will come in, park, talk to them about getting a storage facility or talk to Dean (*Bitner*) about something else. The actual parking and loading will happen to the south there.

Mr. Homeyer: There's not any internal storage units where they would have to park outside and walk into a building to get to it. They are all accessed from the exterior?

Mr. Strain: Yes, sir.

Mr. Gambrell: This is not unlike Area Lake Boat and Mini-Storage.

Mr. Homeyer: I just want to clarify that so that we can see that there is justification.

Mr. Bitner: If I may, my wife and I own the property and are hoping to do this development. There will be a number of gates throughout the facility. Fire access, emergency access will be plentiful. There will actually be a manual gate on the

northeast side with a Knox lock that will access Jennifer Lane. We will have a siren activated, stay open gate for fire fighters. That's what I do for a living so I know how important that is. There will also be a gate in the bottom, southwest corner for the neighbor to the west there. We have taken the time to speak to every neighbor in the subdivision save one who I could never catch at home. He must work a lot. Everyone is on board. We have not met any resistance. We are actually going to put a gate at the bottom, southwest corner for our neighbor to the west there. We will give him a gate code at no charge. He will be able to circle through our development to access a gate that only he and I will have a key to. He will be able to pull his RV onto his parking space there at his home. Right now, the way Old Wire is situated, we wouldn't have any means of backing a 35' trailer off the roadway. So, we have been in touch with all of them screening everything. We are in good shape. I don't think we will have much grief from the neighbors.

4. Other Business: None

5. Staff Updates - Administrative Approvals:

- I. McKenzie Minor Subdivision, 17-110, 10059 West High Meadows Drive, Rogers; 18-05212-000
- II. Douglas Minor Subdivision, 17-136, Fishback Road, Gravette; 18-12242-002
- III. Manos Minor Subdivision, #17-137, 9210 Mt. Zion Road, Decatur; 18-14268-000, 18-15321-000

6. Discussion Items: None


Meeting Adjourned: 7:09 p.m.


Next Meeting: Wednesday, July 5, 2017

APPROVED THIS 5th DAY OF July, 2017

ATTEST:

APPROVED:


PLANNING DIRECTOR or
PLANNING MANAGER


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR