

City of Cave Springs, Arkansas

Planning Commission & Board of Zoning Adjustment Meeting

January 3, 2022, at 6:30 PM

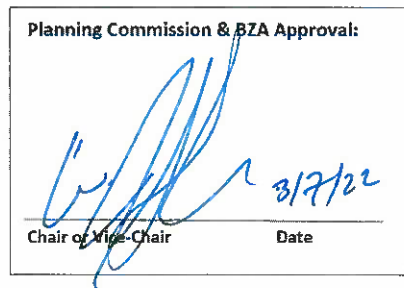
American Legion Building / 168 Glenwood Ave. Cave Springs, Ar. 72718

Board of Zoning Adjustments Business

Planning Commission BZA Meeting was called to order by Chairman Jason Strecker.

Members:

Jason Strecker	Present
Fallon Henry	Present
Nancy Jay	Present
Mark Smittle	Present
Tal Hudson	Present
Kayleigh Barnes	Absent



Approval of Meeting Minutes:

Motion was made by Fallon Henry to table the November 1, 2021, and December 6, 2021, meeting minutes awaiting receipt of the minutes.

Motion was seconded by Nancy Jay and passed unanimously.

Other Business:

None

Adjournment:

Motion was made by Jason Strecker to adjourn the January 3, 2022, BZA meeting.

Motion was seconded by Fallon Henry and passed unanimously.

Official Meeting:

Planning Commission Meeting was called to order by Chairman Jason Strecker.

Members:

Jason Strecker	Present
Fallon Henry	Present
Nancy Jay	Present
Mark Smittle	Present
Tal Hudson	Present
Kayleigh Barnes	Absent

Approval of Agenda:

Motion was made by Nancy Jay to approve the agenda as submitted.

Motion was seconded by Fallon Henry and passed unanimously.

Approval of Meeting Minutes:

Motion was made by Mark Smittle to table the November 1, 2021, and December 6, 2021, meeting minutes awaiting receipt of the minutes.

Motion was seconded by Fallon Henry and passed unanimously.

Public Hearing – Conditional Use Permit Karst Groundwater Recharge Zone – in support of a proposed self-storage business – Wallis Neighborhood Storage / Moser property:

Applicants for the request are Jack and Michael Moser (property owners).

The property is located along the 2000 block of W. Wallis Road. Property is addressed as 2050 W. Wallis Road. Benton County Parcels – 05-10073-003 and 05-10073-004. The property is located at the northeast corner of West Wallis Road and South Liberty Bell Road, approximately one-half mile west of the South Pinnacle Hills Parkway Intersection.

The property is located within the Karst Groundwater Recharge Zone, and as required under section 7.1.2, the applicant is requesting approval for a Conditional Use for development within the Karst Groundwater Recharge Zone.

Planning Commission unanimously recommended that the PZD be forwarded to the City Council with a recommendation for approval. On November 29, staff discovered that public notification to all surrounding property owners was not properly served, and therefore the City Council tabled the PZD at the November 29, 2021, City Council meeting. Notifications have now been properly served in accordance with city zoning code. This is a re-hearing.

Staff report was presented by Juliet Richey.

Public Hearing opened.

Comments made are as follows:

June Misenhimer

1802 S. Liberty Blee Road

Who will enforce condition recommendation by staff?

(Jason Strecker replied – City Code Enforcement).

Public hearing closed.

Request – Karst Conditional Use Permit for the 21-18 acre +/- property located at 2050 W. Wallis Rd.– Wallis Neighborhood Storage / Moser property:

Applicants for the request are Jack and Michael Moser (property owners).

The property is located along the 2000 block of W. Wallis Road. Property is addressed as 2050 W. Wallis Road. Benton County Parcels – 05-10073-003 and 05-10073-004. The property is located at the northeast corner of West Wallis Road and South Liberty Bell Road, approximately one-half mile west of the South Pinnacle Hills Parkway Intersection.

The property is located within the Karst Groundwater Recharge Zone, and as required under section 7.1.2, the applicant is requesting approval for a Conditional Use for development within the Karst Groundwater Recharge Zone.

Motion was made by Nancy Jay to recommend approval to city council based on staff recommendations as detailed in staff report, items 1,2, and 3 (copy attached)

Motion was seconded by Fallon Henry and passed unanimously.

Public Hearing – Rezoning / PZD –Jack and Michael Moser – 2050 W. Wallis Road – Wallis Neighborhood Storage:

Request – Applicant request to rezone 21.18 acres +/- property to a Planned Zoning District (PZD).

Applicant is requesting PZD designation to facilitate the development of the site into a mini-warehouse storage business.

The property is located along the 2000 block of W. Wallis Road. Property is addressed as 2050 W. Wallis Road. Benton County Parcels – 05-10073-003 and 05-10073-004. The property is located at the northeast corner of West Wallis Road and South Liberty Bell Road, approximately one-half mile west of the South Pinnacle Hills Parkway Intersection.

Staff report was presented by Juliet Richey.

Public hearing opened.

Suzanne Clark, attorney for Richardson Investment Irrevocable Trust presented opposition to Wallis Neighborhood Storage Application.

Clark's client is developing the property across the street on Hebron Road in Rogers. The development plan includes a 1200-unit apartment complex on the 75-acre tract with a planned investment of roughly \$250 million dollars.

Clark's client has no philosophical objections to self-storage facilities and, in fact, includes storage units as part of its development portfolio. However, this self-storage unit, immediately adjacent to client's property, will have a severe negative impact on the client's property and its ability to lease the residential units overlooking the proposed storage facility. (Refer to letter dated January 3, 2022, from Clark Law Firm)

Several members of the general public were present with some of the following concerns:

- Compatibility to surrounding properties with the use and hours of operations
- Shortfalls in existing road infrastructure on Liberty Bell and Wallis Road
- Impact on home values and safety for surrounding property owners
- Lighting
- Landscaping
- Fencing – screening
- Drainage
- Entrance location

Kael Bowling, attorney for developers of the real estate located at 2050 W. Wallis Road was present and stated that the passage by Planning Commission in November 2021, was right. He requested that the Planning Commission approve and recommends passage to city council.

(Letter from Kael K. Bowling, attorney for Wallis Neighborhood Storage, dated December 9, 2021, is attached).

Public comments closed.

Rezoning / PZD – Jack and Michael Moser – 2050 W. Wallis Road – Wallis Neighborhood Storage:

Request – Applicant request to rezone 21.18 acres +/- property to a Planned Zoning District (PZD).

Applicant is requesting PZD designation to facilitate the development of the site into a mini-warehouse storage business.

The property is located along the 2000 block of W. Wallis Road. Property is addressed as 2050 W. Wallis Road. Benton County Parcels – 05-10073-003 and 05-10073-004. The property is located at the northeast corner of West Wallis Road and South Liberty Bell Road, approximately one-half mile west of the South Pinnacle Hills Parkway Intersection.

(Copy of staff report is attached.)

Motion was made by Fallon Henry to approve as recently done at prior Planning Commission meeting and recommend to city council, approval, with recommended staff conditions stated in staff report.

Motion was seconded by Nancy Jay and passed unanimously.

Other Business:

None

Adjournment:

Motion was made by Jason Strecker to adjourn the October 4, 2021, Planning Commission meeting.

Motion was seconded by Fallon Henry and passed unanimously.

Submitted by: 

Grace Fielding, City of Cave Springs

Approved by: 

Jason Strecker, Planning Commission Chairman