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**COMMERCIAL/INDUSTRIAL LARGE SCALE DEVELOPMENT:
 PLANNER'S TECHNICAL REPORT**

10316 HIGHWAY 72 EAST, BENTONVILLE, AR

EXECUTIVE SUMMARY

The applicant Center Point Contractors is an existing business on Highway 72 near Pea Ridge, Arkansas. Center Point Contractors, owned by Shelli McDaniel, is a diverse construction company with experience ranging from basic maintenance to complete commercial construction. Currently the company offices are located on the southern edge of the property. The applicant proposes to build a new 7,500 sq. ft. building on adjacent property to the north to be acquired from New Life Fellowship Church in Pea Ridge. The facility will be used to store construction materials. The hours of operation are 7 to 5 pm. The submitted application contained a site plan, drainage plan, site development plan, site plan, and property line adjustment survey. Staff reviewed the submitted materials and found missing items. Staff has a number of issues that need to be addressed in regard to the application as follows;

1. Property Combination and current ownership
2. Use of proposed building
3. Legal access to both adjacent properties and HWY 72
4. Septic System design and capacity
5. Site plan modification

Staff expects these items to be addressed prior to Public Hearing. Should these items be addressed the applicant will be ready to move to the May 1st Public Hearing.

PROJECT INFORMATION

Applicant/Owner: Center Point Contractors, Shelli McDaniel
Municipal Planning Area: Pea Ridge, AR
Address of subject property: 10316 Highway 72 East
Parcel ID: 18-07165-001
Parcel Size: 1.10 (Current) 3.11(Proposed)
Current Land Use: Partially vacant, undeveloped.
 Commercial contracting business (Heavy Commercial)

Proposed Land Use: Proposed 7500 sq. ft. building to house commercial warehouse space and for Center Point Contractors.

Attachments: The following drawings and documents are attached:

1. Location Map- 10316 Highway 72 East
2. Proposed Site Plan
3. Proposed Drainage Plan
4. Appendix A- Applicant's written description of the proposal

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is municipally known as in 10316 Highway 72 East, Bentonville, AR and is located southwest of the Pea Ridge city limit.

The overall proposed project land area is 3.11 acres. The property with the existing building consists of an existing 1.1 acre parcel. Center Point Contractors administrative offices and storage are housed in the building on site. The applicant proposes to incorporate a portion of the adjacent parcel 18-07165-000 into the property currently owned by Center Point Contractors. The adjacent parcel to be incorporated into the existing parcel is currently undeveloped and vacant. There is very little existing tree cover on the property. The parcel topography is flat with frontage along AR Highway 72. The property slopes up to the north towards a small pond and the northern portion of the proposed incorporated parcel is heavily wooded with a small clearing to the south.

The site is situated among rural residential homes and agricultural operations. Neighboring properties in all directions consist of large parcels of rural agricultural land interspersed with barns and other agricultural buildings. The neighboring residence is approximately 600 feet to the west. Please see Location Map attached.

In accordance with the surveyors map note on the site plan the property does not lie within a flood zone and does not lie with in an MS4 stormwater area.

BACKGROUND

The Center Point Construction administrative offices are currently located on the subject property. The office building is 25 years old. Center Point Construction has utilized the building for four years. No previous large scale development approval was granted for the existing development on the property nor has staff been able to verify that the original business located on parcel 18-07165-001 was ever approved for a large scale development. The applicant states that the business has only been in existence since 2008. Therefore, the scope of review will include the existing building and parking as well as the addition of the proposed storage building. The applicant has been advised that the entire property will be subject to planning review. The square footage and use of the existing buildings should be noted.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of one 1.1 acres existing parcel the applicant proposes to incorporate two (2) acres of adjacent property to the north owned by New Life Fellowship Church into the existing parcel 18-07165-001. Therefore the combined project site shall be 3.1 acres.

Building Setback

Required: A 50' feet building setback measured from the center line of the fronting road or 25' feet from the fronting property line, whichever is greater shall be required.

Comment: Conforming building setbacks are shown on the site plan.

Parking Requirements

Required: Parking calculations are based on the Other Commercial Uses category which mandates one (1) space for every 200 sq. ft. of building area and the provision of adequate loading areas.

Comment: The proposed site plan included 12 gravel parking spaces and one (1) accessible space on-site for a total of 13 dedicated parking spaces on-site. Spaces will remain gravel but staff suggests that the spaces should be defined with railroad tiles or concrete stoppers. Staff feels that the site has adequate space for all parking and storage needs. However, staff is not yet able to determine the exact number of spaces needed as the square footage of the existing buildings has not been provided. The applicant shall provide staff the all building square footages on site both proposed and existing.

Following comments apply to parking, access, and loading zones:

1. All gravel parking areas should be labeled by use. Parking areas for equipment storage and loading and unloading should be labeled as such and dimensioned.
2. The applicant has indicated that trucks and heavy equipment will be loading and operating behind the proposed building. The applicant should indicate the location and dimensions of the proposed loading zones and loading bays on the site plan.
3. The applicant should indicate parking flow on the site plan.

Parking Buffer

Required: Adjoining incompatible uses should be screened with landscaping, walls, berms, or similar treatments.

Comment: The applicant does not propose any landscape or parking buffers on site. Staff feels that the existing tree cover on site may constitute adequate screening of parking areas to the west and north and has confirmed this with a site visit on April 11, 2013. The applicant should indicate which vegetation areas will remain undisturbed on the site plan in order for staff to properly assess the need for additional parking buffers.

If the gravel lot to the north located behind the proposed storage building is to be used for storage and use of heavy equipment it should be screened from adjacent properties. Should staff find that existing

vegetation on site provides adequate screening, a note should be included on the site plan indicating that all existing vegetation is to remain on site.

Access Driveways

Required: The design and construction shall of access driveways be in accord with the standards as presented in the Benton County Road Plan.

Comment: The existing driveway access ingress/egress is from Highway 72 to an existing unused highway ROW property to the southeast of the property. The driveway connecting the property to existing Highway 72 runs through this unused ROW. Staff contacted Bobby Keaton, ATHD permit officer, on April 10th in order to confirm that no permit is required to use the driveway within the ROW. Staff has received confirmation that no permitting is required to use the ROW as a driveway access.

The applicant proposes two additional access point to the property as follows;

1. A 20' future access is proposed from Highway 72 extending north and terminating at the proposed warehouse building. Comments were requested from Bobby Keaton, ATHD permit officer, in regard to the proposed access to existing Highway 72. Staff will require final approval of the proposed driveway from the Highway Department. Comments are as follows;
 - a. In order for AHTD to issue a permit for the 20' future drive onto Hwy 72, the radius for it and the radius for the existing drive will need to be separated by a minimum of 10'.
 - b. If the drives are to be used for a commercial situation, they must be hard surfaced (ACHM or Concrete) for a minimum distance of 20' from the existing edge of pavement of Hwy 72 or to the Right of Way line whichever is less.
 - c. A drainage structure may be needed under the future drive.
2. The applicant also proposes an additional access to the west at the property line. The access is serviced by an easement owned by the adjacent property owner Stephanie Torres. Staff has requested a copy of the easement agreement.
 - a. The Benton County Road Department and the Benton County 911 office have requested that the easement be dedicated as a private road ensuring proper addressing and access for all property owners' serviced by the easement.
 - b. These agencies would also like to the old Highway 72 ROW, if abandoned, to be dedicated as a private road. The applicant should contact the Benton County 911 office in order to request a private road dedication.

Further 911 office comments are as follows;

1. If applicant moves operations to the new building and vacate the existing building in the future, it appears that the address for this property would convey to the new structure as that would put the existing address better aligned with the existing structures in the area. .

Staff feels that the Board may wish to consider the applicant provide proof of access easement agreement in place of the dedication of a private road due to the extremely rural nature of the area and the limited number of property owners utilizing said easement. Staff will conduct further research into the

recommendation of the Road Department and the 911 office regarding the feasibility and reasonableness as well as whether the applicant can facilitate such a request.

Site Features-Lighting

The applicant has not indicated the type, location or intensity of lighting on the site. The applicant has indicated verbally to staff that site lighting includes only a building mounted light at the rear of the existing building. Any additional lighting should be detailed on the site plan.

Site Features-Landscape Buffers

No landscape buffers have been proposed on the site plan. The existing and proposed facilities are in a rural area. The nearest homes to the east and west are over 600 ft. from the buildings. Existing tree cover lines the western property boundary and the northern half of the subject property. The residence to the east is located across Highway 72. Staff feels that due to the rural nature of the property it may be acceptable for the existing vegetation on the site to provide adequate screening from parking areas and outdoor equipment storage and usage. Staff will require indications of vegetation to remain on site labeled on the site plan. Staff may determine that additional buffering or screening is required depending on the level of vegetation to remain on the property and what may be determined during further site visits.

Site Features- Outdoor Equipment Usage and Storage

The applicant has indicated to staff that large equipment may be stored or used in the outdoor gravel lot to the north behind the proposed storage building. Any outdoor equipment and the intensity of its usage should be described to staff in order to determine potential nuisances including noise and vibration. The location and hours of operation of any large outdoor equipment should be detailed on the site plan and described in a written narrative submitted to staff.

Additional buffering may be required at the far north of the property in order to screen residential properties to the north from the outdoor equipment usage areas. This shall be determined through additional details provided by the applicant.

Site Services - Drainage/ Stormwater Management Plan

Required: Applicant is required to indicate on plan storm drainage infrastructure and provide an off-site drainage study. If the study indicates an increase in peak flow discharge downstream, due to the development the developer shall construct a detention facility or an alternative LID methodology that shall control the peak runoff rate. The County also recommends minimizing impervious surface to limit the need for such facilities.

Comment: The subject property is not located in a MS4. The applicant has provided both a written drainage report as well as a drainage plan. Staff has requested that changes be made to the drainage plan including the removal of a proposed detention pond. Staff questioned the need for the two (2) ponds on-site and has requested details of the interconnection. Staff feels that the presence of the existing pond to the northeast located on the property line with the adjacent property to the north may meet drainage needs of the property. Staff has requested calculations for drainage of the existing pond for runoff detention from both the subject property and the adjacent property to the north. Staff has requested additional details, including a cross section of the proposed retention pond, and maintenance schedule.

At a recent Development Review Committee meeting the applicant noted that they will revise the proposal with the removal of a proposed detention pond. A revised Drainage Plan and Drainage Study is awaited.

Site Services - Sewage Disposal

Required: Regardless of development size, a state approved septic disposal method is required of all commercial and industrial developments. All disposal system criteria must meet or exceed septic requirements as established by the Arkansas Department of Health in accordance with Act 402 of 1977 as amended.

Comment: The applicant has indicated the location of the septic system for the existing building on the site plan. Approved Health Department permits have been provided for the existing system which is currently approved for five to six employees. The applicant has proposed to tie the existing septic system to the new building for the service of one restroom. Staff has received comments from Caroline Eastman from the Health Department as follows;

1. The existing system may not be adequate for more than five employees. A new system, an additional tank, or an alternate field may be required for Health Department approval of use of the new restroom.
2. Lateral fields should be flagged during construction

The applicant has not submitted approval of commercial septic system tie in from the Health Department. Staff will require an approved septic permit form the Health Department for the new bathrooms. Staff will also require that any additional lateral fields or tanks be marked on the site plan.

Site Services - Water Service

The applicant indicates that Pea Ridge Water supplies water on-site. The applicant has provided a letter indicting approval of service for the site.

Site Services - Electrical Power Supply

Carroll Electric provides electric services in the area of the proposed project. The applicant has provided a service agreement to staff.

Site Services - Firefighting Provision

Pea Ridge Fire Department- Frank S. Rizzio Jr., Fire Chief. Letter dated April 6, 2013 confirmed that the Pea Ridge Fire Department will furnish fire protection for the proposed building.

Benton County Fire Marshall: Marc Trollinger, Benton County Fire Marshall, submitted the following comments.

1. A Knox Box is required to be installed on the building for fire access. It may be stored on either the existing or prosed building as long as the box holds access keys for both buildings.

Site Services - Solid Waste Disposal

Applicant has not provided staff with a solid waste disposal contract. A solid waste receptacle has not been located on the site plan. Staff will require a copy of a solid waste removal contact and the location and screening of the solid waste receptacle.

Environmental Compliance

Applicant indicates that no hazardous chemicals will be stored or used on site.

OUTSTANDING ISSUES

The application is deficient in certain items which need to be addressed in order to complete a comprehensive review. In addition, the proposed site plan is missing essential information. It is expected that the applicant identify all proposed aspects of the site on the site plan. Some of the deficiencies identified by staff include the following:

Site Plan deficiencies:

1. Site lighting location and type to be identified
2. Traffic flow to be indicated on site
3. Outdoor equipment usage and storage areas should be labeled and dimensions added
4. Loading zone location and dimensions to be identified
5. Square footage of existing buildings to be noted
6. Dimensions of all access driveways to be noted
7. Outdoor equipment usage location
8. Any proposed landscaping or vegetation to be used as buffering to be labeled

Access: A highway driveway access permit will be required. A final copy of the approved permit will be required before the issuance of a certificate of occupancy should the project be approved. Approval of private road name and recordation with the Benton County 911 office should be provided to staff by applicant.

Health Department Approval: Final Health Department approval will be required.

Parking: Numerous parking area changes should be made:

1. All gravel parking areas should be labeled for use. Parking areas for equipment storage and loading and unloading should be labeled as such and dimensioned.
2. Concrete Bumpers and or railroad ties should be indicated on site plan to define location of parking area.
3. The applicant has indicated that trucks of various sizes will be loading and unloading product components and finished product at the proposed building. The applicant should indicate the location and dimensions of the proposed loading zones and loading bays on the site plan.
4. The applicant should indicate parking flow on the site plan.

Outdoor Equipment Usage: The type and use of outdoor equipment should be noted on the site plan and defined to staff in a narrative. Staff needs to determine if the proposed outdoor equipment may pose a nuisance to surrounding properties. If so staff will propose nuisance mitigation.

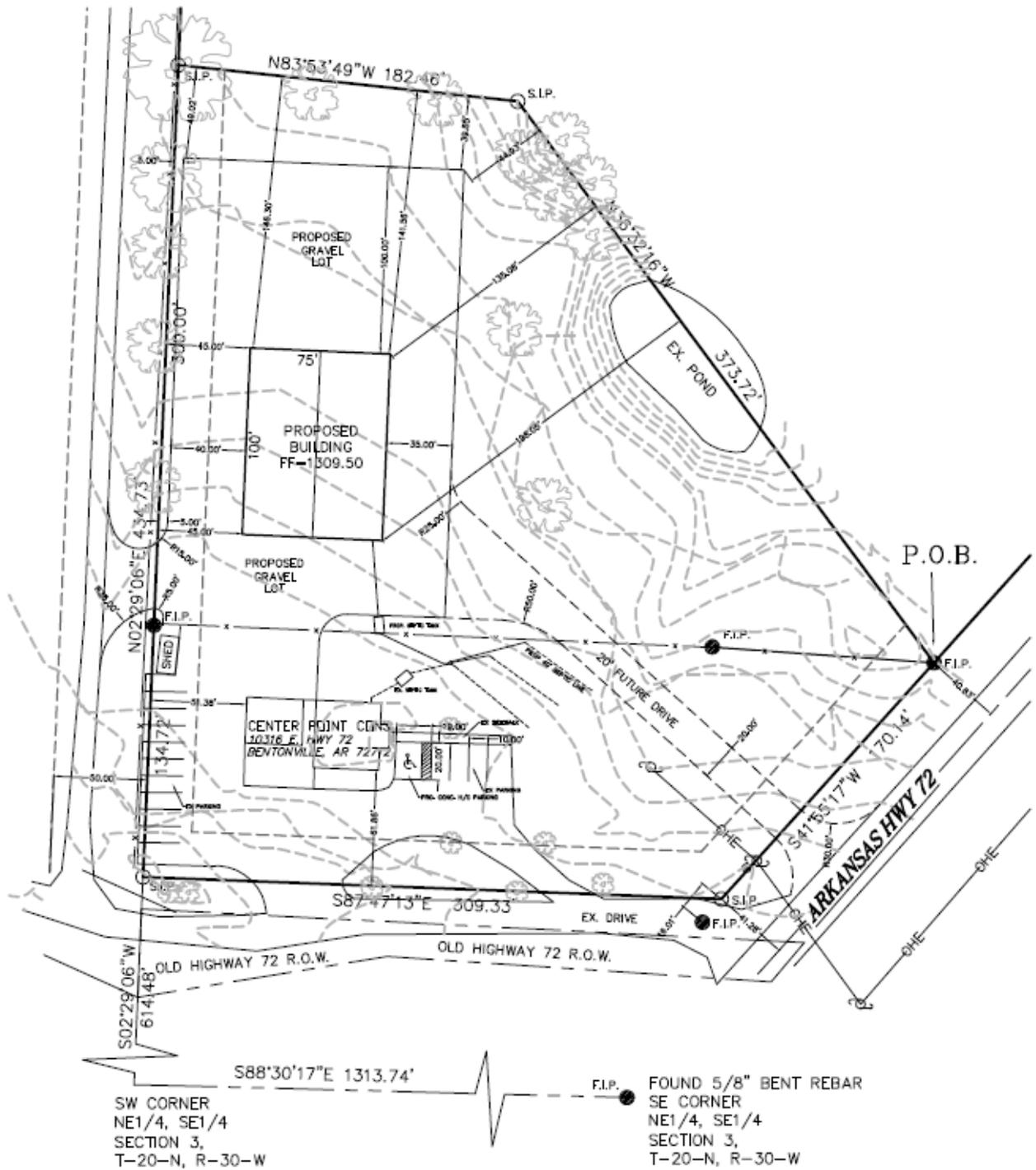
CONCLUSION

Upon completion of this application review staff feels that there are outstanding issues to be addressed. Staff feels that the key issues surround access approvals, usage of gravel lots, and drainage. Staff feels that a number of issues could be addressed with an updated site and drainage plan. Staff feels that these issues should be addressed prior to Public Hearing. It is staffs opinion that should the applicant continue to work diligently with staff to clarify the outstanding issues surrounding the application it should be ready for the April 6, 2013 Public hearing Meeting.

DRAFT



LOCATION MAP - 10316 Highway 72 East



OVERALL SITE PLAN -15704 East Hwy 12, Rogers, AR 72756



April 5, 2013

Rinkey Singh
Planning Division Manager
Benton County Planning Office
905 N.W. 8th Street
Bentonville, Ark 72712

Re: Center Point Contractors
Highway 72, Bentonville

Dear Ms. McGetrick;

Please find enclosed copies of the proposed Large Scale Development Plan and supporting letters for the above referenced project. The owner has already submitted the fee to your office.

The owner is proposing to build a 7,500 storage building on property behind their existing business. All drives will be gravel. No trucks will be left outside of the building as they for delivery only. The buildings purpose will be used to store materials.

If you have any questions and/or need additional information, please don't hesitate to contact me.

Sincerely;

David B. Platz, L.S.
W/R Consulting, Inc.

cc:2013016
Shelli McDaniel

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