

Benton County Planning Board
Ashley Tucker, Chairman
Mark Curtis, Vice Chairman
Jim Cole, Member
Ken Knight, Member
Starr Leyva, Member
Rick Williams, Member



**Planning &
Environmental Services
Planning Division**
905 NW 8th Street
Bentonville, AR 72712
Phone: (479) 271-1003
Fax: (479) 464-6170
Email: amber.beale@bentoncountyar.gov

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

15479 Highway 12 E, Rogers, AR

EXECUTIVE SUMMARY

The applicant, Bridge Store Liquor, proposes to operate a liquor store in an existing building on site. The proposal includes utilizing the existing building and RV park and associated parking. Initially there will be 3-5 employees, depending upon season and customer demand. The hours of operation will be from 10:00 a.m. to 9:00 p.m.

The site was previously used as a convenience store and gas station. There are three abandoned underground fuel tanks, and a canopy that houses two abandoned fuel pumps. The underground pumps meet ADEQ requirements for temporary underground tanks. ADEQ had inspected the tank in August 2013 and found them to be in compliance.

Three driveways allow access from Highway 12. One is to be utilized solely by the RV park, while the other two are for the proposed liquor store.

The submitted application contains a site plan, service agreements, and documentation regarding the underground storage tanks. Staff conducted a review of the application and the following item remains outstanding:

- Applicant to provide proof that notices to abutting property owners have been mailed.
- Applicant is to provide Health Department approval of the proposed septic system.
- Existing lighting is to be identified on the site plan.
- Applicant is required to submit an application for consolidation of the three parcels.
- Applicant to provide documentation from ABC regarding liquor license.
- Applicant to confirm that the existing ADA spaces comply with ADA requirements for size and maneuvering. Applicant to confirm the number of spaces for the RV park.
- The awning covering the gas pump only sits 18' from the edge of asphalt on the SW corner of the west driveway. Fire code requires a 20' lane for traffic and fire apparatus travel.
- No available fire hydrant within 1000' feet from property in any direction. Due to the conversion of this building a fire hydrant will be required.
- A knox box will be required for fire department access.
- Variance is required for the existing gas pumps and awning onsite.
- A portion of the RV Park and the dumpster are shown to be located on the adjacent property. The applicant may relocate them on-site or provide an encroachment agreement with the property owner to the north.

PROJECT INFORMATION

Owner: HWY 12 RV PARK LLC/ Elaine Fowler
Applicant: Thad Kelly, on behalf of applicant
Municipal Planning Area: Rogers, AR
Address of subject property: 15479 Highway 12 E, Rogers, AR
Parcel ID: 18-03392-000, 18-03393-000 & 18-03395-000
Applicant proposes to consolidate the three parcels.
Parcel Size: 1.03 acres
Current Land Use: Existing commercial structure (18-03393-000), single family house (18-03392-000), RV Park (18-03395-000)
Proposed Land Use: Liquor Store, RV Park

Attachments: The following drawings and documents are attached:

1. Location Map – 15479 Highway 12 E, Rogers, AR
2. Proposed Site Plan
3. Survey of existing site

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is municipally known as 15479 Highway 12 E, and is located east of the Rogers city limit.

The overall land area is 1.03 acres. The subject land is generally flat with a gentle slope to the south and west. Surrounding properties consist of boat and RV storage to the east, auto repair to the west and woodland to the south. Please see Location Map attached.

In accordance with FEMA FIRM data, the property is not located in a flood zone. According to staff research, the property is not located in a Benton County MS4 area.

Background information:

On August 28, 2013, applicant attended a Development Review Committee meeting. On November 18, 2013, applicant consulted with planning staff.

The scope of review for this proposal is a liquor store housed in a 28' X 60' square foot building with associated parking. The existing commercial structure was built in 1992. The business will have three employees, initially, and may increase based upon season, time of day, and/or customer demands. The hours of operation initially will be from 10:00 a.m. to 9:00 p.m., and may be tailored to customer demand. The hours of operation will comply with Arkansas state law.

In addition to the proposed liquor store, applicant proposes to remove the mobile home on the western parcel. Part of the privacy fence to the east of this existing home will be removed as well. (See survey and site plan.) The existing RV park is proposed to remain on the eastern parcel.

Applicant is proposing to consolidate the 3 existing parcels into one parcel. An application for lot consolidation is required to be submitted to Benton County Planning Department.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of 3 existing parcels totaling 1.03 acres, which applicant proposes to consolidate. Consolidation would result in not requiring an access easement across the properties. No additional development of the land is proposed.

Noticing Requirements

Applicant to provide proof that notices to abutting property owners have been mailed.

Building Setback

Required: A fifty (50) feet setback measured from the center line of the fronting road or twenty-five (25) feet from the fronting property line, whichever is greater is required.

Comment: Applicant to confirm setbacks. The gas pump and canopy are existing and may be located within the required setback. Considering the proposed reuse of the subject property, applicant will need to obtain a variance from the Planning Board. Please note comments received from Benton County Fire Marshal that requires a 20' lane for traffic and fire apparatus travel in accordance with the Fire code. The pumps are not in compliance with the Fire Code.

A portion of the RV Park and the dumpster are shown to be located on the adjacent property. The applicant may relocate them on-site or provide an encroachment agreement with the property owner to the north.

Parking Requirements

Required: Parking calculations are based on Commercial Uses, which stipulates one space for every 200 s.f.

Comment: The existing structure is 1,680 s.f., which requires 8 parking spaces. Applicant is proposing to maintain the existing 8 paved parking spaces, 2 of which are ADA spaces. Applicant to include dimensions of all the parking, maneuvering aisles, and verify that the ADA spaces comply with ADA requirements for size and maneuvering. Applicant to confirm the number of spaces for the RV Park.

Site Features – Lighting

No new lighting is proposed on site. Existing lighting to remain include: lights under the canopy; at the front canopy over the entry walk; and lights installed for a proposed sign on the roof of the building have been adjusted to shine only down on the sign. Existing lighting is to be identified on the site plan.

Parking Buffer

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

Comment: A wooden fence exists to the west property line, and a wrought-iron fence exists to the east and south property lines. The site plan indicates no additional buffering. The height of the fence needs to be identified on the site plan. Due to the commercial nature of the area, additional buffering may not be warranted.

Access Driveways

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

Comment: There is an existing 26' paved driveway, with two driveway entrances fronting Highway 12. A third driveway entrance exists along the eastern parcel, that is used to access the RV Park. According to AHTD, a driveway permit will not be required for any of the driveways as long as no development will occur in the right of way. Applicant has confirmed that signage will be placed along the eastern driveway so as to keep retail customers from driving into the RV Park.

Site Services - Drainage/ Stormwater Management Plan

Required: Applicant is required to indicate on plan storm drainage infrastructure and to provide an off-site drainage study. If study indicates an increase in peak flow discharge downstream, 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: Applicant is required to provide an engineer's statement confirming the Stormwater management for the overall site, the applicant may seek a waiver from this requirement. The subject property is not located in an MS4 area. No new construction is being proposed. The residential structure is being removed and grass is proposed to be reinstated, which will allow for adequate onsite drainage.

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: Applicant is proposing a new septic system for the proposed business and the proposed tank is identified on the site plan. The existing RV Park will remain on the existing septic system, as indicated on the survey. Applicant is to provide Health Department approval of the proposed septic system. Comments from the Health Department are awaited.

Site Services - Water Service

Water service is provided by Rogers city water, as outlined in a service agreement provided by applicant dated November 18, 2013.

Site Services - Electrical Power Supply

Carroll Electric provides electrical service to the existing structure, as outlined in a service agreement provided by applicant dated, November 18, 2013.

Site Services - Firefighting Provision

Fire and EMS services will be provided by Beaver Lake Fire Department as outlined in a service agreement provided by applicant dated, November 18, 2013.

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

- The awning covering the gas pump only sits 18' from the edge of asphalt on the SW corner of the west driveway. Fire code requires a 20' lane for traffic and fire apparatus travel.
- No available fire hydrant within 1000' feet from property in any direction. Due to the conversion of this building a fire hydrant will be required.
- A knox box will be required for fire department access.

Site Services - Solid Waste Disposal

Dumpsters will be located on site, and will be serviced weekly by Waste Management of Springdale Hauling, according to a letter dated November 19, 2013. Dumpsters will be located behind the commercial structure, and no additional screening may be required. Currently the dumpster is located outside the property line. The applicant may either relocate it on-site or provide an encroachment agreement with the property owner to the north.

Environmental Compliance

Applicant indicates that no hazardous chemicals will be stored on site. The Hazardous Chemical Compliance form has been submitted to the Department of Emergency Management, and comments are awaited.

Distance from other Uses

The proposed use has obtained initial permit from the Department of Finance, ABC. Further, staff has verified that no schools or churches are within 1,000 feet of the proposed liquor store business.

Underground Tank Storage

The three 4,000 gallon existing underground tanks currently comply with ADEQ regulations, and are current with ADEQ tank registration. The tanks have been emptied of half of the petroleum products, to prevent the tanks from floating. They were serviced by Tank Techs, per a letter dated December 20, 2007, indicating the tanks had been lined to prevent leakage. ADEQ conducts inspections every three years, and the tanks must be inspected by a verified professional every five years. Staff consulted with ADEQ Inspector, Sara Powell, and she confirmed that the tanks were inspected in August, 2013, and were in compliance and the owner has remained current with the tank fee of \$225.00 per year to ADEQ.

OUTSTANDING ISSUES

The following outstanding items need to be addressed:

- Applicant to provide proof that notices to abutting property owners have been mailed.
- Applicant is to provide Health Department approval of the proposed septic system.
- Existing lighting is to be identified on the site plan.

- Applicant to confirm consolidation of the three parcels.
- Applicant to provide documentation from ABC regarding liquor license.
- Applicant to confirm that the existing ADA spaces comply with ADA requirements for size and maneuvering. Applicant to confirm the number of spaces for the RV park.
- The awning covering the gas pump only sits 18' from the edge of asphalt on the SW corner of the west driveway. Fire code requires a 20' lane for traffic and fire apparatus travel.
- No available fire hydrant within 1000' feet from property in any direction. Due to the conversion of this building a fire hydrant will be required.
- A knox box will be required for fire department access.
- Variance is required for the existing gas pumps and awning onsite.
- A portion of the RV Park and the dumpster are shown to be located on the adjacent property. The applicant may relocate them on-site or provide an encroachment agreement with the property owner to the north.

CONCLUSION

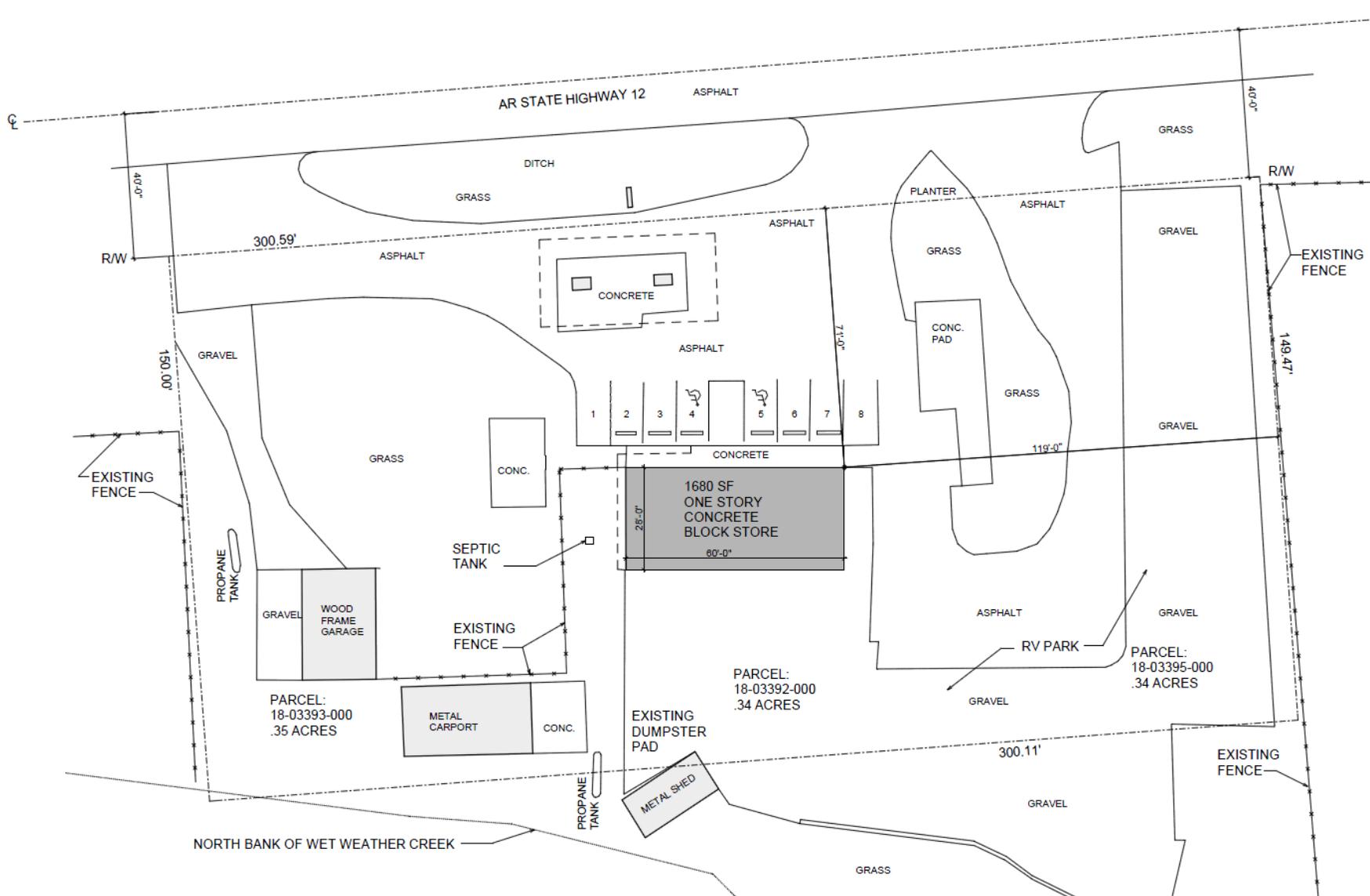
The proposed Bridge Store Liquor business, with associated parking on-site, was reviewed by planning staff. Applicant is required to address the outstanding issue as noted above and submit the required documents to staff by noon on December 13, 2013 to be able to attend the Planning Board meeting scheduled on December 18, 2013.

Reviewed by: Amber Beale, Planning Coordinator

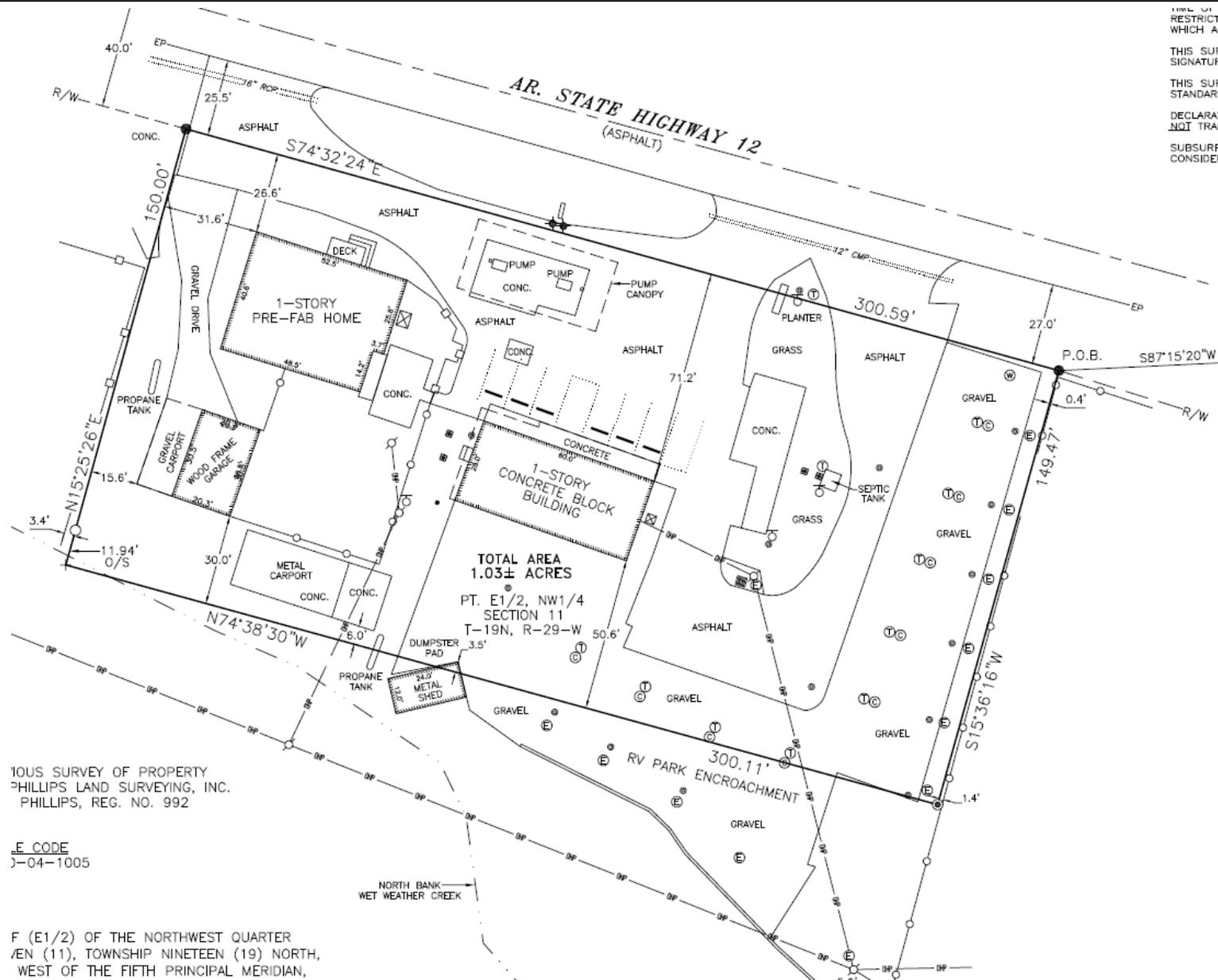
Rinkey Singh, AICP



LOCATION MAP – 15479 Highway 12 E, Rogers



SITE PLAN - 15479 Highway 12 E, Rogers



THIS SUR
RESTRICT
WHICH AT
THIS SUR
SIGNATUR
THIS SUR
STANDAR
DECLARAT
NOI TRAI
SUBSURF
CONSIDER

100S SURVEY OF PROPERTY
PHILLIPS LAND SURVEYING, INC.
PHILLIPS, REG. NO. 992

E CODE
104-1005

F (E1/2) OF THE NORTHWEST QUARTER
/EN (11), TOWNSHIP NINETEEN (19) NORTH,
WEST OF THE FIFTH PRINCIPAL MERIDIAN,

SURVEY - 15479 Highway 12 E, Rogers