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**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 driveways 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.

The following items remain outstanding:

- That applicant will consolidate the three parcels.
- That applicant will apply for a variance for the existing gas pumps and awning on site.
- That applicant will relocate the metal shed on site or provide an encroachment agreement with the property owner to the south.

The Planning Board may consider the following stipulations:

- **Standard Conditions:** That the applicant agrees to fulfill all the Standard Stipulations prior to undertaking any construction activity on-site;
- That applicant will provide Health Department approval of the existing septic systems for both the RV park and the proposed retail store prior to the issuance of a building permit.
- That applicant will consolidate the three parcels before the issuance of a decision letter.
- That applicant will apply for a variance for the existing gas pumps and awning on site before the issuance of a decision letter.
- That applicant will relocate the metal shed on site or provide an encroachment agreement with the property owner to the south.

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

Notices to abutting property owners were mailed November 27, 2013.

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 structures 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 a metal shed 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, 1 of which will be an ADA van accessible space. Applicant included dimensions of all the parking, maneuvering aisles, and verified that the ADA space will comply with ADA requirements for size and maneuvering. Applicant confirmed 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 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. Applicant is to apply for consolidation of the lots or provide an access easement document.

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 and 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 to utilize the existing septic system for the proposed business and the 1,250 gallon tank is identified on the site plan. The existing RV Park will remain on the other existing septic system, as indicated on the survey. Applicant is to provide Health Department approval of the existing septic systems. The proposed retail store will have an ADA compliant restroom.

The lateral lines under the pavement for the RV park are not working properly, and the issue must be addressed.

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. The revised site plan shows that, once the existing fence is removed, the required 20' lane will comply.
- 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 flow test will be required.
- A knox box will be required for fire department access.

Applicant has confirmed to comply with these requirements.

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.

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 a letter dated December 3, 2013 confirms that applicant is compliant with current reporting requirements.

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.

CONSIDERATIONS FOR THE PLANNING BOARD

The proposed Bridge Store Liquor business, with associated parking on-site, was reviewed by planning staff.

The following items remain outstanding:

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The Planning Board may consider the following stipulations:

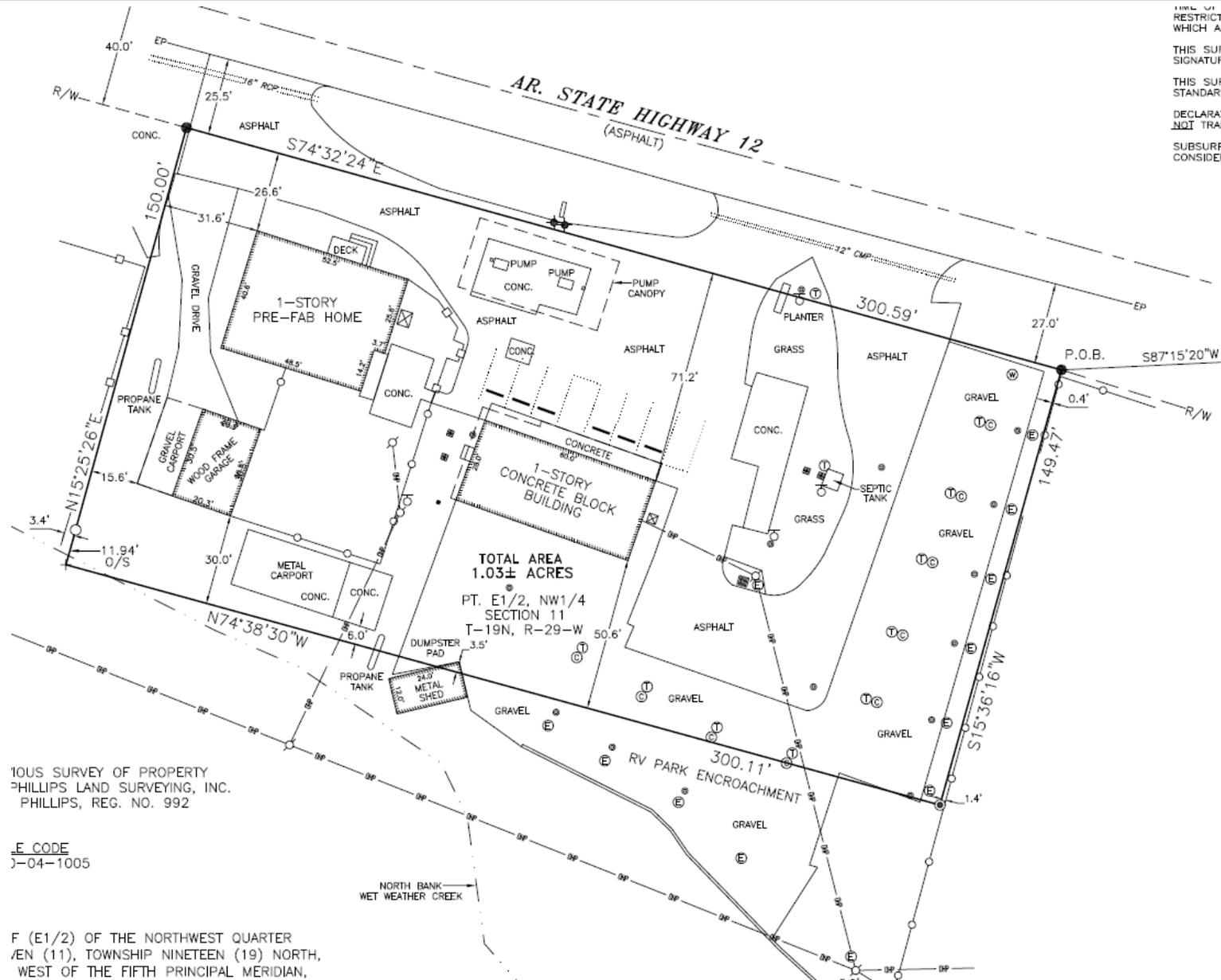
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Reviewed by: Amber Beale, Planning Coordinator

Rinkey Singh, AICP

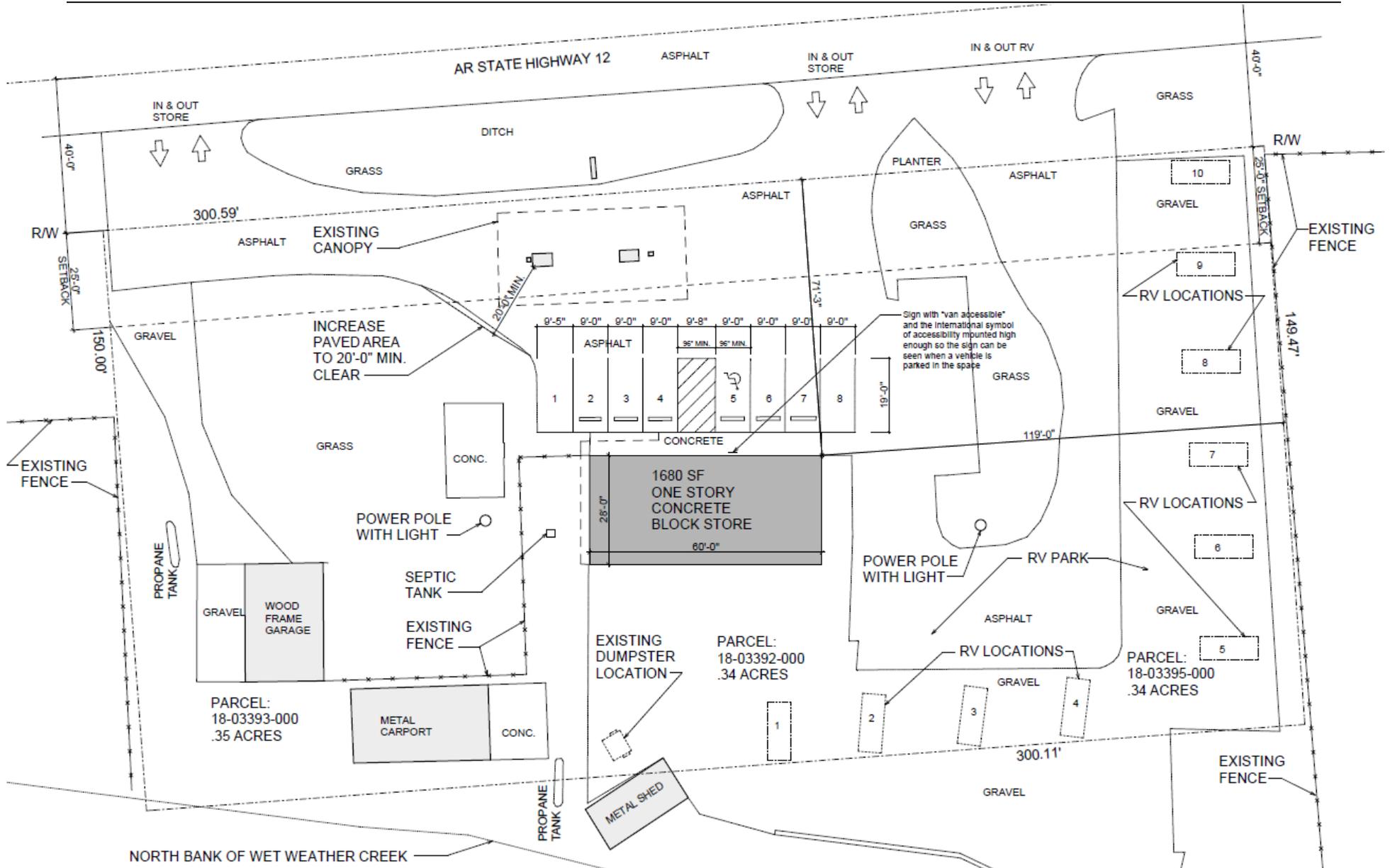


LOCATION MAP – 15479 Highway 12 E, Rogers



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SURVEY - 15479 Highway 12 E, Rogers



UPDATED SITE PLAN - 15479 Highway 12 E, Rogers