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

### **1978 SLACK STREET, PEA RIDGE, AR 72751**

#### **EXECUTIVE SUMMARY**

The applicant/owner, John Dye Junior, proposes to establish a fitness center in an existing building located at 1978 Slack Street in Pea Ridge. The existing residential on-site will remain, however, the applicant intends to apply for a Replat to split the commercial and residential uses on-site. A separate application and associated fees will be required for the requested RePlat. The applicant is requesting the following waivers:

1. Waiver from the requirement of engineered drawings
2. Waiver from detailed Stormwater management Plan.

The fitness center will remain open 24x7 and will be operated by the owner. Applicant has confirmed that one (1) employee will be on-site and approximately ten (10) customers are expected at any given time. The applicant intends to use the existing compacted gravel area in front of the building for parking. In staff's estimation the existing 3, 200 sq. ft. building will require 16 spaces on-site including one accessible ADA complaint parking space.

An initial review by staff notes that the existing parking area may be deficient in width to accommodate parking spaces aligned at 90-degree angle. However, sufficient room is available to accommodate the additional width on-site. Applicant is required to provide a drawing showing the dimensions of typical parking space, accessible parking space and maneuvering aisles.

The commercial use is accessed by an existing driveway from Highway 72. The residential dwelling is accessed by a separate driveway from a right-of-way to the east.

Based on information from the County assessor's database, the owner is delinquent of taxes since 2010. Applicant has verified with their bank that the taxes have been paid. Applicant will contact the County assessor's office to update this information.

On January 29, 2014, the applicant attended the Development Review Committee Meeting.

Based on staff's initial review, the following comments need to be submitted to staff on or before February 10, 2014:

1. Applicant to provide a sketch plan, if allowed by the Planning Board, including access driveway, location of refuse enclosure, screening details.
2. Comments received from the inter departmental review

Applicant is required to provide a sketch site plan by February 10, 2014 to be able to attend the public meeting on February 19, 2014. Additional comments may arise in review of the revised site plan. Building permit was issued on January 27, 2014.

## **PROJECT INFORMATION**

**Applicant/Owner:** DYE, JOHN RAY JR

**Address of subject property:** 1978 SLACK STREET, PEA RIDGE, AR 72751

**Parcel ID:** 15-11947-000

**Parcel Size:** 5.05 acres; 3 acres (commercial area)

**Current Land Use:** vacant building and a residential use on-site

**Proposed Land Use:** To establish a fitness center in an existing 3,216 sq. ft. building on-site that was previously used as service repair garage. In accordance with the assessor's database, the building was constructed in 1999. There is no record of approval by the Planning Board. The applicant intends to use the existing gravel parking area and existing access from Highway 72.

The commercial use is accessed by an existing driveway from Highway 72. The residential dwelling is accessed by a separate driveway from a right-of-way to the east.

The facility will be open 24x7 and customers will have card access. The applicant is requesting the following waivers:

1. Waiver from the requirement of engineered drawings
2. Waiver from detailed stormwater management plan.

**Attachments:** The following drawings and documents are attached:

1. Location Map

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## **PLANNING ANALYSIS**

### **Description of Property and Surrounding Area**

The subject property is located on the north side of Highway 72, whereas, the corporate limits of City of Pea Ridge is to the south of the highway.

The overall land area is 5.05 acres. The subject land is bound by Highway 72 on the south side and is part of K-D-Ranch subdivision. Please see Location Map attached.

According to staff research, the property is not located in a Benton County MS4 area.

### **Background information:**

On January 27, 2014, the Building permit was issued.

On January 29, 2014, applicant attended a Development Review Committee meeting. Based on information from the County Assessor's database, the owner is delinquent of taxes. Typically, subdivision

applications are not accepted for processing until the taxes arrears are addressed. In the case of Large Scale Developments, this is the first application where taxes are delinquent and staff has accepted this for processing. The Board may wish to address this with the applicant. Applicant has verified with their bank that the taxes have been paid. Applicant will contact the County Assessor's office to update this information.

## **TECHNICAL REVIEW OF SITE PLAN**

### **Parcel Information**

The proposed project area consists of a 5.05 acre parcel accommodating a commercial building and a residential dwelling.

### **Noticing Requirements**

On February 5, 2014, the applicant provided the proof of notice to abutting property owners by certified mail. Staff has verified that this is adequate.

### **Building Setback**

Required: A fifty (50) foot 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.

Based on staff's estimation the building setbacks are in compliance.

### **Parking Requirements**

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

Comment: The proposed structure with a GFA of 3,216 s.f. would require 16 parking spaces including one (1) accessible space on-site.

The surface material needs to be added to the site plan.

Notwithstanding the requirement of the planning regulations, the Applicant has confirmed that one (1) employee will be on-site and approximately ten (10) customers are expected at any given time. Future expansion on-site will require review and approval by the Planning Board.

### **Site Features- Loading area**

None are proposed on-site.

### **Site Features – Lighting**

Applicant has confirmed that one (1) wall sconce exterior light fixture exists on-site. No additional lights are proposed.

### **Parking Buffer**

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

Comment: Applicant has noted that a row of Sugar Maples (*Acer saccharum*) will be installed to separate the commercial use from the residential use along the east property line. Applicant is required to confirm the gallon size of the trees to be installed and their spacing to verify adequacy of screening on-site. Further, staff has noted that currently the abutting properties to the north are vacant. Future residential development is expected in the subdivision, therefore additional buffering may be warranted. Applicant is encouraged to use native vegetation on-site. Details of landscaping and maintenance need to be noted on the site plan.

### **Access Driveways**

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

Comment: An access driveway from Highway 72 is existing. Benton County Road Department has indicated no comments as the access is from Highway 72. Bobby Keeton of AHTD has no comments on this proposal.

### **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: The subject property is not located in an MS4 area. The applicant has requested a waiver from a Stormwater Management Plan as no development is proposed on-site and the applicant intends to use the existing building and parking area.

### **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: On February 5, 2014, Building Official, Mr. Glenn Tracy, confirmed that all accessibility provisions have been satisfied as part of the building permit review. The location of the ADA restroom needs to be shown on the site plan. The applicant has noted that the combined septic facility will be separated such that the commercial use will be on a system than the residential on-site. Health Department officials have visited the site and submitted a design for approval. Two systems are being designed, one for the residence and another separate system for the proposed fitness center.

### **Site Services - Water Service**

Water service is provided by Pea Ridge Water Utilities dated January 30, 2014. Applicant provided this information on dated February 5, 2014.

### **Site Services - Electrical Power Supply**

Carroll Electric has provided a letter dated January 30, 2014, noting that they will provide electric power to the site.

### **Site Services - Firefighting Provision**

**Benton County Fire Marshall**, Marc Trollinger, attended the DRC.

On February 5, 2014, Building Official, Mr. Glenn Tracy, confirmed that all Fire requirements have been satisfied as part of the building permit review. On February 5, 2014, Marc Trollinger confirmed that he had no further no comments.

On February 5, 2014 the applicant provided a service agreement from Pea Ridge Fire Department.

### **Site Services - Solid Waste Disposal**

Applicant is to confirm the location of dumpsters on the site plan. On February 5, 2014 the applicant provided a service agreement from Republic Services regarding trash service on-site.

### **Environmental Compliance**

Applicant has indicated that no chemicals will be stored on-site. Benton County Emergency Management Agency provided a letter dated February 14<sup>th</sup>, 2014 stating that Mr. Dye is in compliance with SARA Title III and Tier II.

### **OUTSTANDING ISSUES**

As discussed at DRC, the applicant has provided information on an aerial photo. Based on staff's initial review, the following comments need to be submitted to staff on or before February 10, 2014:

1. Applicant to provide a sketch plan, if allowed by the Planning Board, including dimensions of the access driveway, location of refuse enclosure, screening spacing details.
2. Status of Health Department approval.

**Considerations for the Planning Board**

The proposed use of an existing building for a fitness center is under review by planning staff to ensure compliance with the Planning Ordinance. The applicant is also seeking a waiver from engineered drawings and Stormwater management plan.

The Planning Board may consider the following in their decision:

- I. Waivers
  - a. Waiver from Engineered Drawings
  - b. Waiver from Stormwater Management Plan
- II. The Planning Board may consider the following stipulations:
  1. Standard Conditions – that applicant agrees to the standard conditions;
  2. That Applicant shall provide a sketch plan, illustrating dimensions of the access driveway, location of refuse enclosure, and screening spacing details before the issuance of a decision letter.
  3. That Applicant shall provide Health Department approval before the issuance of a certificate of occupancy.



**LOCATION MAP**



AERIAL PHOTO

