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Department**

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**TRULOVE CONSTRUCTION SITE PLAN REVIEW
PLANNERS PUBLIC HEARING REPORT
3901 S. 1st Street, Rogers AR 72756**

EXECUTIVE SUMMARY

The applicant, Cindy Jones, for the property owners proposes to utilize the subject property as heavy equipment storage and dispatch center for a local construction company. The eastern portion (rear) of the property will be developed into a gravel parking area for the heavy equipment storage. The on-site office will be housed within the existing mobile home and be used as a dispatch center where one (1) employee will notify equipment operators as to the daily work schedule and project site locations. The site will contain one (1) above ground fuel tank in the equipment storage area. The hours of operation will be 7:00am to 3:30pm, Monday through Friday (as stated by the applicant).

To date, the following items are outstanding:

1. The applicant shall submit a Stormwater Permit (SWP) application and detailed site plan no larger than 1:60 scale, showing full extent of all areas of disturbance, detailing exact square feet and/or acres of disturbance, and the precise location of all Best Management Practices (BMPs) to be used to further stabilize the site. All materials shall be submitted and a SWP must be approved prior to any further land disturbance or issuance of Planning Board decision letter.
2. The applicant shall submit documentation detailing the inspection conducted by Rogers Fire Department with regard to the fuel storage tanker placed on site.
3. Applicant schedule inspection with Benton County Fire Marshal or Benton County Building Official to verify exit lighting and fire extinguishers installed.

PROJECT INFORMATION

Applicant: Cindy Jones – Trulove Construction
Owner: Jay and Mary Trulove
Agent: Tim Sorey – Sand Creek Engineering – Engineer
Address of subject property: 3901 S 1st Street, Rogers AR 72756
Subject Parcel IDs: 15-01351-000 (4 +/- acres) & 15-01353-000 (4 +/- acres)
Subject Parcels Size: 7.94 +/- acres (total)
Current Land Use: Heavy Equipment Storage / Office
Proposed Land Use: Heavy Commercial - *Equipment storage and associated business office*

Attachments: The following drawings and documents are attached:

1. Location Map
 2. Ci. of Rogers Letter to Benton Co. – 05/26/2015
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PLANNING ANALYSIS

Description of Property and Surrounding Area:

The 7.94 +/- acre subject properties are located on the east side of S. 1st Street. Presently, the subject property is improved with a 1,100 sf +/- mobile home (containing the business office) and a 2,400 sf accessory shop building. The site is accessed from S. 1st Street via an existing paved drive. The site is currently served by public water and private septic. The proposed change in land use would allow the property owner to utilize the existing improvements as a primary office, accessory shop, and heavy equipment storage area. Land uses for surrounding properties is residential (single-family detached) on north and south with Timber/Agriculture/Pasture land use to the east, west, and north sides of the property. The property is located in the Urbanized MS4 area. The property is not located in a FEMA designated 100 year floodplain.

Background information:

The project site is the subject of a citizen complaint, filed on 04/29/2015, regarding commercial utilization of the property without proper approvals. Upon property research, Planning Staff determined the subject property is within the City of Rogers Planning Area. After discussion with City of Rogers Planning Department, the Site Plan Review was deferred by the City of Rogers to Benton County Planning Division in a letter dated 05/26/2015 (see attached).

Site visits to the property were conducted by Staff on 05/13/2015 as part of a follow up from a citizen complaint of an unapproved commercial business.

On 05/29/2015, applicant met with Staff to review the project and application requirements. On June 10th, 2015 the applicant attended the Development Review Committee meeting to further discuss required elements to be detailed on site plan for this proposal. On 07/01/2015, the applicant consulted with planning Staff and submitted the application for official Site Plan Review. An interdepartmental review form was sent

on 07/02/2015 to the following: Planning Division, Health Dept., Road Dept., Building Dept., Fire Marshal, Administrator of General Services, Benton County 911 Administration, City of Rogers Planning Department, and Benton County Assessor's Office – GIS Mapping Manager.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information:

Site inspection and research against State assessment records, the property is occupied by two enclosed structures. Two of the enclosed structures are non-residential (directly related to the business) one enclosed structure is a manufactured home (office), and one enclosed structure is an accessory garage.

Noticing Requirements:

On July 1st, 2015, the applicant submitted USPS certified mail receipts showing that written notice was sent to surrounding property owners regarding the August 5th Public Hearing.

On July 8th, 2015, the applicant submitted the required photographs verifying that the required public hearing notice signage along the properties frontage with S. 1st Street had been conspicuously posted on site.

Building Setback:

Required: A sixty (60) 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; A side and rear yard setback of ten (10) feet.

Comment: Revised site plan dated July 2015 graphically shows building setback lines.

Parking Requirements:

Required: Parking calculations for the site are based on 'Warehouse and Storage Facility' for the proposed utilization of the existing 1,100+/- sf mobile home (business office), 2,400 sf accessory shop building, and proposed 2.37 +/- acre heavy equipment gravel parking area. 'Warehouse and Storage Facility' requires 1 parking space per employee, plus 1 space per employee owned vehicle.

Comment: Applicant shows one (1) standard parking space and one (1) ADA compliant parking space on the current site plan. The applicant also shows a 350 ft. by 295 ft. 6 inch class 7 aggregate gravel parking area for the heavy construction equipment. The applicant has stated that there is one (1) on-site employee at all times during regular business hours.

The revised July 2015 site plan contains note #5 "Equipment to be parked overnight and weekends: approx. 6 dump trucks. Occasional equipment: water truck, roller, motor graders, flatbed trailer"

Site Features- Loading area:

The revised July 2015 site plan shows the required 10ft. by 25ft. loading area.

Site Features – Lighting:

The applicant has indicated on the current site plan one (1) outdoor 'security light' on the southwest corner of the mobile home (office). The revised July 2015 site plan includes the 'All current and future outdoor lighting shall be full cut-off' note.

Parking / Landscape Buffer:

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

Comment: This land use is classified as 'Heavy Commercial' and is designated as #9 in Table 6.5 – Land Use Compatibility Matrix. The surrounding land uses are classified as Low to Medium Density Residential and Agriculture. Based on Table 6.5, the subject land use is Incompatible with Low and Medium Density Residential Land Uses and Questionably Compatible - Significantly with Agricultural Land Uses. As such the applicant shall demonstrate extraordinary measures in mitigating the subject Land Use from existing uses adjacent to the development. Per regulations, incompatible uses shall abide by the following criteria for compatibility mitigation:

1. Greater than 20 ft. additional setback, between storage uses and nearest residential property line.
2. Buffering shall be at least 40 ft. in depth, may require a wall/fence AND 3 tier plantings

The revised July 2015 site plan shows a series of seven (7) new Bradford Pear trees, six (6) Burford Holly, and an earthen berm three (3) foot tall - eight (8) foot wide - 300 ft. in length along the southern property line.

The proposed Bradford Pear trees are shown to match the height of the existing trees on site (approximately 25 ft. in height) as detailed on page 2 of the July 2015 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: The site fronts along a County maintained roadway. The Benton County Roads Dept. provided 'no comment' as part of their portion of the inter-agency review for this project.

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 located in an MS4 area. The site is not located in a FEMA floodplain.

The applicant provided a drainage report and cover letter prepared by a State licensed professional engineer who attested that the stormwater runoff would be managed on-site and not adversely impact surrounding properties. Based on the recommendation from the Registered Professional Engineer, the applicant is to install a 24 inch CMP outfall pipe at a 2% slope that has a maximum discharge of 18.90 cfs to the rear (east) of the 'Equipment Storage Area'.

The applicant submitted a copy of the ADEQ Notice of (Automatic) Coverage on July 1st. The applicant shows perimeter erosion controls via straw wattles, detailed on site plan.

ADEQ Notice of (Automatic) Coverage (for sites clearing between 1 and 5 acres of land) and accompanying SWPPP (Benton Co. Stormwater Regulations) shall be posted and available for inspection on site.

The applicant shall submit a Stormwater Permit application and detailed site plan no larger than 1:60 scale, showing full extent of all areas of disturbance, detailing exact square feet and/or acres of disturbance, and the precise location of all Best Management Practices (BMPs) to be used to further stabilize the site. All

materials shall be submitted and contingently approved prior to any land disturbance or issuance of Planning Board decision letter.

Site Services - Solid Waste Disposal:

The applicant submitted a letter stating all solid waste generated on site will be disposed of at the dumpster at the company's headquarters.

Site Services - Electrical Power Supply:

Service confirmation from Carroll Electric Cooperative for electrical service was received from the applicant on 07/01/2015.

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 (ADH) in accordance with Act 402 of 1977 as amended.

Comment: The applicant provided documentation of the existing septic system on site. The septic system was approved and installed in 1979 with a 750 gallon tank and two (2) fifty ft. lateral lines. The office located within the existing mobile home is connected to the septic system; the current system is rated for 120 gallons per day. ADH provided comment on this project stating 'the system is an older small system so if and when the system begins to show signs or surfacing it will need to be enlarged or replaced.'

Site Services - Water Service:

The subject property is served by two (2) wells on site. The applicant shall outline how drinking water will be provided on site.

Site Services - Fire & EMS:

Benton County E-911 Administration verified the existing structures as 3901 S. 1st Street, Rogers.

Based on the comments provided by the Benton County Fire Marshall, the applicant has met all requirements.

The applicant has stated the Rogers Fire Department will inspect the fuel tanker trailer upon placement on the property. Proper documentation shall be provided to Staff verifying the inspection by Rogers Fire Department.

Site Services – Hazardous Materials Storage

In accordance with §4.6.B #5, all proposed commercial and industrial developments must submit written confirmation of hazardous materials to be used and stored on-site. Documentation is to be forwarded to the County Office of Emergency Services.

The applicant shows one (1) fuel storage tanker on the revised July 2015 site plan.

The applicant has stated the Rogers Fire Department will inspect the fuel tanker trailer upon placement on the property. Proper documentation shall be provided to Staff verifying a passing inspection by Rogers Fire Department.

OUTSTANDING ITEMS:

1. The applicant shall submit a Stormwater Permit (SWP) application and detailed site plan no larger than 1:60 scale, showing full extent of all areas of disturbance, detailing exact square feet and/or acres of disturbance, and the precise location of all Best Management Practices (BMPs) to be used to further stabilize the site. All materials shall be submitted and a SWP must be approved prior to any further land disturbance or issuance of Planning Board decision letter.
2. The applicant shall submit documentation detailing the inspection conducted by Rogers Fire Department with regard to the fuel storage tanker placed on site.
3. Applicant schedule inspection with Benton County Fire Marshal or Benton County Building Official to verify exit lighting and fire extinguishers installed.

CONSIDERATIONS FOR THE BOARD:

1. Approval of the Trulove Construction Site Plan Review, case #15-110 conditioned upon the following:
 - a. Benton County Stormwater Permit (SWP) submitted and contingently approved prior to any further land disturbance or issuance of Planning Board decision letter.
 - b. Applicant provide to Staff proper documentation of the inspection conducted by Rogers Fire Department with regard to the fuel storage tanker on site.
 - c. Schedule an inspection to verify emergency exit lighting and fire extinguishers installed prior to issuance of Planning Board decision letter.

Prepared by: Taylor Reamer, Planning Mngr.

Reviewed by: Kevin M. Gambrill, AICP – Planning Director