



Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting

June 3, 2020
6:00 p.m.
Benton County Administration Building
215 East Central Avenue
Bentonville, AR 72712

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Tucker.

Roll Call: Bob Bracy, Sean Collyge, Ron Homeyer, Terry Maienschein, Stephen Torrez, Ashley Tucker and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzle – County Planner

Public Present: Two members of the public were in attendance.

Disposition of Minutes: May 6, 2020

Mr. Williams motioned to approve the May 6, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein.

Motion approved: 6 – 0

General Public Comment: None.

Old Business:

1. **Pepper Source Site Plan Review: Major Amendment, case no. 20-044, 11103 North Old Wire Rd, Rogers; 18-05017-000, 18-05017-001**

Representative: Dave Jorgensen 124 W. Sunbridge, Fayetteville, AR

Staff gave presentation.

Mr. Tucker: Mr. Reamer could you please provide a brief description of those items that we requested to be revised?

Mr. Reamer: There were multiple items related to drainage, onsite discharge points and offsite drainage. The project engineer provided a couple of analyses related to the development area and larger drainage area of 25 acres. The point of analysis at the discharge point of this small drainage basin was used to develop the graphic on the screen, showing that the majority of the development

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area is directed towards the detention facility. There is a portion is the undetained but does not affect the overall drainage basin. It is directed towards the frontage of North Old Wire, which is not towards the point of analysis which is the Southern portion of this graphic. That has substantiated some of the claims of Mr. Jorgensen regarding development and flow onsite.

The second request was in regard to landscaping. The project engineer has expanded the single tier landscaping along the Southern property line. I have not received any correspondence related to the noise of the refrigerated trucks.

Mr. Jorgensen: We tried to address all of the concerns. I do want to point out that the total drainage basin that drains to a shed or barn that is downstream about 1200 ft that consists of 25 acres of which our site contributes about 25% of that 25 acres. We want to point out that our 2017 runoff will not change with the 2020 proposal, we are planning to install detention for the new parking to limit the post development flow to pre-development.

Mr. Maienschein: What is being done to control the noise?

Mr. Jorgensen: One of the complaints we received were from Terry and Ron Shiery, his property is 13241 Moondance road. His house is about 1100 ft from this property through the trees, so I can't understand why the noise would be a problem, especially since it is fully wooded. The noise level at the trucks is roughly 70 decibels. We didn't take a reading at his house, however, the generally accepted levels according to the EPA ranges between 55-70. Therefore, I cannot imagine that it would be too loud at Mr. Shiery's home. To give you an idea, urban residential ranges from 55-70, and they gave an example of classroom chatter as close to 70 decibels, and a jet 130 decibels. Furthermore, this is an existing facility that has been there quite a while. I'm not sure what else could be done aside from enclosing the whole facility.

Mr. Tucker: A quick calculation, for sound decay would say it would lose about 9 decibels. Therefore, it would be about 62 decibels which should not be audible inside the building. What is the cumulative effect? Is the intent to park 15 trailers that are all running, or not? Is the intent to use this as an extension of cold storage, or will it be used as parking, and from time-to-time, there might be cold items stored in trucks to then be relocated in the building.

Mr. Jorgensen: I did talk to the management regarding this, and its more of a place to park trailers to get them out of the way and near the facility. Sometimes they are refrigerated and sometimes not. At any given time 50% of the trucks may be running, but most truck activity does shut down at 9 o'clock. The main concern is to get the trucks off of Old Wire Road, since there have been complaints about traffic on Old Wire Road.

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Mr. Torrez: I'm trying to understand what the trees are really buffering.

Mr. Jorgensen: We did add additional buffering. The wording on the site plan states "if required", our point being that there are existing trees in that vicinity. So, we're not sure what this additional buffering will do, but we will do it, but there are existing trees. However, we'd be glad to do it. Also, instead of Grape Myrtles this should be a full screen of coniferous trees like cedars.

Mr. Torrez: I agree, that coniferous are preferable.

An aerial image is shown depicting the existing tree line in relation to the proposed additional buffering.

Mr. Tucker: Should the buffering run North and South rather than East and West? It looks like there is a home that is not shown on this aerial, to the East. Is that correct? Yes. Therefore, that would be the most effective location for the buffering.

Mr. Bracy: On the noise level, I didn't understand clearly. Would the trucks that are being parked overnight be running the refrigerants all night long, or would they be turned off, because they're operations are stopping at 9 o'clock.

Mr. Jorgensen: The best information that I have is that most activity stops at 9 o'clock. The biggest purpose is to get these trucks off of Old Wire Road, and alleviate the parking going on, and back up of trailers. It's not intended for refrigerated parking, but rather finding a place to park the trailers. There could be a truck that runs all night occasionally, but that is not the purpose of the parking lot.

The other idea about installing tress North/South along the Eastern edge of the proposed parking, we're open to that. We just thought it might be more beneficial on the South boundary line.

Mr. Tucker: Is the property to the North the recycle center?

Mr. Reamer: I think it is automotive repair.

Mr. Jorgensen: The property to the South, I'm not sure what that operation is. I do believe there is a residence there off Old Wire Rd. There is some trucking that goes on, although I'm not sure what that is. The other neighbor, if you followed the southeast gravel road, leads to a house which is roughly 400 ft from the proposed new parking lot.

Terry Malenschein motions to allow public comment. Stephan Torrez seconded the motion.

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Motion approved: 7-0

Karen Masters: 11062 North Old Wire Rd. Our driveway goes through the parking lot, we pass all the trailers to get to our house. We're on the Southeast corner of the lot. Our house is 293 ft from the property line and 316 from the current lot. The next closest is 350 ft from the current lot. The existing trees are deciduous. They are very tall and have been there about 30 years. We can look right underneath them to see the Peppersource plant, therefore they are not creating any kind of buffer. They don't block any sound. We appreciate their willingness to add some Grape Myrtle buffing however the location of the buffering won't block anything from the new lot. The noise in the current lot has lasted as late as midnight, and it can be heard from inside the house, especially if the windows are open. There are roughly six trucks that run 24/7. Whether that is the intended use, they are being used for storage. We see the same trailers there all the time. They don't get switched out very often. Our concern is that with the new lot, I don't believe there will be enough of a buffer to cover the noise of backing up. The property that appears to have work equipment on it, that is a retired gravel mover, and he hardly ever uses that equipment, and that lot is pretty much just where he stores it.

Mr. Tucker: To reiterate the concerns, the backup beeping noise is disturbing. And the existing buffering is an upper story canopy, and can be seen underneath very easily. Those were the two largest concerns. We are now closing the public comment period.

Mr. Jorgensen: We did not realize, that these trees are such that they lose their leaves, however, we are willing to plant more cedars. Also if we need to plant them in a North/South direction East of the proposed parking we can definitely do that if it would be better. In that way we can try to address the concern about the noise. Instead of the South boundary we could go East of proposed lot.

Mr. Reamer: Based off some of the conversation, I think the supplemental extension along the Southern property line needs to be in place in relation to County regulation. The conversation also pivots to including additional North/South screening along the existing gravel truck parking area, as well as the proposed. So, there is a two-fold conversation, not only will landscape buffering be required along the Southern property line to supplement the upper canopy with some lower vegetation. Also, you must have a vegetative screening element running North/South. I think that's where the conversation is going.

Mr. Jorgensen: I agree. Speaking as the representative for Peppersource, I believe that's what ought to be done, if that's what pleases the board.

Mr. Tucker: Another thing that could be done is a berm. Will you have any spoils onsite? From the retention pond, or leveling the pad for your parking lot?

Mr. Jorgensen: Yes, all of the soil that is being removed could be used as a berm.

Mr. Tucker: Especially, one level sounds can be directed up with a berm, and then filtered through the vegetation. Although we don't have a noise ordinance in Benton County, we do have other means that would make it necessary to buffer sounds.

Mr. Jorgensen: I agree.

Mr. Tucker: Does the board have any other comments.

Mr. Torrez: I think the berm is a really good option.

Mr. Jorgensen: Are you suggesting a berm with landscaping on top?

Mr. Torrez: I think that trees on top of a berm would be appropriate.

Mr. Jorgensen: That sounds good.

Mr. Reamer: The conversation is for the existing and proposed parking lot.

Mr. Jorgensen: Yes, although I don't know how beneficial a berm and vegetative screen would be on the South boundary will be if we put a berm and vegetation on top of it on the East boundary of the existing and proposed.

Mr. Tucker: You could essentially buffer by making it an L-shape with a gap.

Mr. Jorgensen: A gap for the gravel drive to run through.

Mr. Reamer: Essentially you would be cupping the Southern portion of the berm.

Mr. Tucker: I think that would buffer and also draw in a little tighter on the site. I think that would go a long way to buffer this aspect of the development but also the existing facility across the road and the noise that it produces along the ground. If the board is satisfied with that, hours of operation along with drainage are the main things that are still on the table.

Mr. Bracy: I like the idea of the berm, they are very effective. Also, I'd like the language "if required" changed to "required".

Mr. Williams: I agree.

Mr. Tucker: The two outstanding items are drainage. It appears that the

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predevelopment has been consistent for a decade. Most of the runoff is coming from the site to the North, rather than this piece of property appears.

Mr. Jorgensen: That is correct. The 2017 plan and the 2020 plan are no different in runoff. The new parking lot will have a detention pond so that post development flow does not exceed predevelopment.

Mr. Tucker: You can see the flow line on the screen.

Mr. Reamer: Based on the conversations that you have had tonight, and at previous public hearings, any type of motion or consideration for this project would require an item number 3 requiring low canopy vegetation, as well as a minimum 5ft earthen berm to the East of the existing and proposed parking areas, as well as an evergreen on top of the earthen berm.

Mr. Williams: Is there any water discharge from the property outside of the detention ponds.

Mr. Jorgensen: There is discharge off of this property that goes to the East and to the Southeast. We tried to depict the runoff that goes to the Southeast and to the East by the exhibit that shows the flow line arrows. As you can see it drains to the East and there's the main drainage path that goes in the Southeasterly direction that we referred to as, taking in 25 and half acres which eventually gets to that red barn/shed at the bottom of the hill of which we contribute 20% of that drainage area. The drainage runoff that comes off this parking lot and also the one that was done in 2017 drain into a detention pond before they drain into a ditch on Old Wire Road.

Mr. Williams: I drove the property the day before yesterday, and on the Walnut Valley Road there is a lot of water running on both sides of the road. Do you know where that is coming from?

Mr. Jorgensen: I do not.

Mr. Tucker: Mr. Williams, is that road to the South?

Mr. Williams: It runs behind the property parallel. On the far East side.

Mr. Tucker: It does turn and go South as well. It runs East and then turns into Walnut Valley Road.

Mr. Williams: How does that have bearing on the Eastern side of the site?

Mr. Jorgensen: Our site plan addresses the existing 2017 parking lot and the proposed 2020 parking lot, of which drains into a ditch on Old Wire Road. There

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should not be any increase. So, I do not know where the water is coming from that is draining on that road.

Mr. Tucker: It looks like the highway comes across.

Ron Homeyer motioned to approve the Peppersource major amendment subject to the three conditions noted. Stephen Torrez seconded.

Motion approved: 7-0

New Business: None

TECHNICAL ADVISORY COMMITTEE

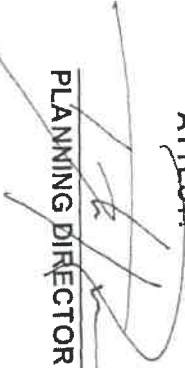
1. Call to Order
2. Old Business / Ongoing Applications: None
3. New Business: None
4. Other Business: None
5. Staff Updates - Administrative Approvals:
 - I. Gamble Minor Subdivision, case no. 20-008, 15811 Peterson Rd, Gentry; 18-11629-001
 - II. Calcon Lot Combination, case no. 20-047, 14723 HWY 62, Garfield; 18-04268-000
 - III. Boen Minor Subdivision, case no. 20-066, 61754 Smith Ridge Rd, Garfield; 18-04495-000
 - IV. Loyd Property Line Adjustment, case no. 20-073, 15904 Logan Rd, Siloam Springs; 18-10384-002
6. Discussion Item:


Meeting Adjourned: 7:00p.m.

Next Meeting: June 17, 2020

APPROVED THIS 17th DAY OF JUNE, 2020.

ATTEST:


PLANNING DIRECTOR


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR