



# Benton County Planning Board

## Public Hearing

### Technical Advisory Committee Meeting

March 7, 2012

## Meeting Summary

### **PUBLIC HEARING**

**Roll Call:** Lane Gurel, Starr Leyva, Ken Knight, Mark Curtis, Cindy Jones, Jim Cole, John Pate

**Disposition of Minutes:** 2/15/2012—Mr. Curtis noted a typographical error in the minutes. Minutes as amended were approved unanimously.

### **General Public Comment:**

- Preston Newbill of Gravette, AR—discussed concerns about the Quarry: vibrations, air quality, noise, water lines, timeframe for improvements.
- Ruby Turnipseed of Rogers, AR—stated her objection to the Quarry for the same reasons stated by Mr. Newbill.

### **New Business:**

#### **A. Centerton Quarry—LSD, Project #Project #11-134, JP District 11, 15271 Burgin Valley Road**

##### **Staff Report:**

##### Description of Property and Surrounding Area

The subject property is an existing inactive farm and wooded site. Applicant is seeking to obtain approval for construction of a new quarry. The property is surrounded by other small farm properties. To the east is an existing red dirt mining pit.

##### Description and Contents of Plan

Plan was presented as a new Large Scale Development application in October, 2011. A new application was the stipulation of the time extension granted by the Planning Board from March, 2009 to December 31, 2011. No work has been started on the site as of this date.

##### Conditions of Original Approval

Staff reviewed the Centerton Quarry project file to ascertain the conditions of approval at the July, 2006 Planning Board meeting. Conditions of approval are listed below with notes and the present Status.

1. Water Authority approval of mitigation plan (blasting criteria) to protect water line (30" transmission water main operated by Benton Washington Regional Public Works Authority) *(Received approval of mitigation plan to protect water line. Received letter of agreement between Tim Gorman, VP for The Rogers Group and Scott Borman, General Manager, Benton Washington Regional public Water Authority. (Letter attached)*

STATUS: Completed. We have received confirmation from Scott Borman that the agreement had been taken before their Board prior to signing.

##### The agreement should become a stipulation of Planning Board Approval.

1. AHTD acceptance for improvements to intersection at Bethlehem & Hwy 102, to include adding left turn lane on Bethlehem.

*(Letters were written regarding "truck turning signage" placement north and south of the intersection along Hwy 102. A general approval of the work was given by Ralph Fulton, District Engineer for District Nine, AHTD. Crafton Tull Engineers has produced plans for the improvements along Bethlehem Road.)*

STATUS: The AHTD approval has not been given for the plans produced by Crafton Tull.

**This item is still OUTSTANDING.**

1. Decatur School Board approval for hours of operation.  
*(Approval has been written by the school board dated 9/19/11 and signed by Dr. Larry Ben, Superintendent)*  
STATUS: Completed.
2. Agreement that hours of operation are as follows: M-F, 6AM-6PM, Sat. 7AM-12PM. Blasting to occur between 9AM-5PM only.  
*(Rogers Group agreed to the hours of operation in a letter dated December 20, 2006, signed by Terry Sossong.)*  
STATUS: Completed
3. Benton County Road Dept. approval for paving of Bethlehem Road.  
*(Tentative approval of the Crafton Tull plans has been given after review of them by Richard McKeehan, Sr Planner, and Road Superintendent Randy Randolph and others. A letter from Judge Clinard has been received from our office stating the agreement between Judge Black and Rogers Group is still in effect.)*  
STATUS: Approved by County Road Dept. road improvement plans.
4. ADEQ air and water permits.  
*(Copies of permits received.)*  
STATUS: Completed. Permits were received in 2008. All permits which are about to expire must be renewed by ADEQ. New copies of the permit renewals have been received.
5. Rogers Group agrees to pave Burgin Valley Road if trucks cannot be controlled on this avenue. *(Rogers Group agreed to monitor truck traffic to ensure trucks did NOT use Burgin Valley Road.)*  
STATUS: Completed
6. Ensure a 200-foot buffer around quarry site.  
*(Perimeter buffer has been indicated on the 1:=200' Site Drainage & Layout Plan received 9/21/11.)*  
STATUS: Completed
7. Agreement that no asphalt or concrete plant will be located at site.  
*(Rogers Group agreed with this in the letter signed by Terry Sossong noted above.)*
8. All improvements made to site must be complete before blasting begins.  
*(Agreed to in letter by Terry Sossong noted above.)*
9. Meet ADEQ requirement of submittal of a bond for reclamation.  
*(Copy of Surety Bond in the amount of \$44,000 was received 2/23/07 by Planning Staff.)*  
STATUS: Completed
10. Submission of complete Large Scale Development package. Rogers Group was asked to put together a site plan, grading plan and other documents as per county regulations. A site plan and grading plan and a drainage study for Areas A and C were produced by Bates & Associates and submitted.
  - a. Comment answered: Crushing plant to be located in Area C.
  - b. **Comments: Area B is a future reserves area. Prior to development of this area, a revision to the Large Scale Development must be submitted to Planning Staff for review. This should be a stipulation of approval.**
  - c. Existing water main easement for Centerton Water Dept. is now shown.

## CONCLUSION

A. Item 2 must be finalized with confirmation that right-of-way has been obtained for right turn lane along Bethlehem Road at Hwy 102. Approval of the improvements at the highway must be obtained from AHTD.

B. Drawings have been revised to show existing Centerton water line easement.

C. Stipulations identified in Items 1 and 12 should be part of the written approval of this Large Scale Development.

D. Applicant has notified all adjacent property owners of the March 2, 2012 Public Hearing.

**STAFF RECOMMENDATION:** Staff recommends approval of the Large Scale Development plans for a time period of two years per ordinance.

### **Board Discussion:**

--Ken Knight asked who would follow up on the stipulations. Elizabeth Bowen stated that the Planning Staff would follow up on all stipulations required for approval.

--Mark Curtis asked about the details of the agreement with the Water Authority. Rogers Group has agreed to be responsible for any financial damages.

--John Pate asked what kind of insurance the Rogers Group has for mitigation of damages. They responded they had over 37 million dollars of coverage per incident.

--Board was concerned about any plans to build a turn lane on 102 at the intersection with Bethlehem because of heavy traffic. The highest sales volume expected would require about 70 trucks per day entering and leaving the Quarry.

### **Public Comment:**

- Preston Newbill of Gravette, AR—Asked the Rogers Group to provide a construction schedule for the project to their neighbors (adjoining property owners)
- John Turnipseed of Rogers, AR—would like a schedule provided to neighbors. Mr. Turnipseed reminded the Board that the Rogers Group made a commitment to pave Bethlehem Road prior to operating the Quarry.
- Bill Edwards, Mayor of Centerton was concerned about the rural fire substation located in the vicinity. Because there is not a turn lane on 102 entering and exiting the Quarry, he questioned whether or not the fire trucks could not get past a truck turning into or out of the Quarry. Additionally, he wanted to be sure the Centerton Water District was protected from any damage by Quarry blasting.
- Chris Wiley—wanted to be sure the Rogers Group was held to the initial stipulations which he thought included the commitment of the Rogers Group to reimburse the County if they (the County) paved Bethlehem Road before the Rogers Group. He would like to see a deadline, perhaps August 2012 for the Rogers Group to pave Bethlehem Road. The paving of the road has been “on hold” since 2006 when this project was first approved, because the Rogers Group has not started work on the paving and the County is waiting on them to pay for the paving. A one year deadline for paving would be a positive step for the property owners on Bethlehem road.
- The Rogers Group could not commit to a one-year time frame for paving Bethlehem Road because of the state of the economy.

### **Board Discussion:**

- The Board felt they needed time to contact the Road Department to discuss the paving issue prior to voting on the project.

- Ken Knight moved that this project be tabled for two weeks pending communication with the Road Department as to how the paving of Bethlehem Road will be managed or funded. Cindy Jones seconded the motion. Lane Gurel thought there would be time before the next meeting to discuss the State Highway traffic study on 102 and investigate the needs of the Centerton Water Authority as it relates to any damages caused by the Quarry.
- The vote was 6 for; 1 against, Mark Curtis was the dissenting vote.

## **TECHNICAL ADVISORY COMMITTEE**

### **New Business:**

#### **A. Easy Beaver Lake Boat Storage--LSD, Project # 12-170—JP District 01, Hwy 12 East, Rogers**

**Project Information:** Address: 14986 Hwy 12 East, Rogers, AR Parcel Number: 18-03351-000 And 18-03354-000 Applicant: Johnson Infinity Investments, LLC Owner: Johnson Infinity Investments, LLC, Mr. Jeremy Johnson  
 Owners Address: 602 SW 18th Street, Bentonville, AR, Owner Affidavit: Yes, Engineer/Surveyor: Nicholas Griffin, PE Reg No. 13837, Parcel Size: 4.02 acres in two parcels Current Use: residence not occupied, wooded area.

**Proposed Land Use:** Large boat storage, one building in Phase 1, future bldg. in Phase 2

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

The subject property located on the north side of Highway 12 about ½ mile west of the Highway 12 bridge in the Prairie Creek area. A boat repair facility sets to the west. Single family on large tracts set to the east and north. Property south of the highway is woods. Area is generally wooded.

#### **Description and Contents of Plan**

This application has been submitted for the first phase of a commercial development. Site plan and an Erosion Control Plan showing finish grading, riprap lined ditch line and erosion control measures and details. A Boundary and Topographic Survey indicates the Vicinity Map and property lines and legal description of the two parcels which make up this project site. Site access is via Arkansas State Highway 12. The existing driveway is to be abandoned and left in place. A new 20' wide concrete access drive is to be built near the southwest corner of the site. A large amount of grading shall widen the narrow valley to create the building and vehicle maneuvering areas. Parking shall consist of crushed stone taken from limestone mined from the site. Stone depth is expected to be a minimum of six inches deep. The only utility required for the site is electrical for lighting of the buildings and security lighting. No offices or bathrooms are planned. NOTE: Existing structures to be removed from site.

Planning staff has reviewed the plan for compliance with chapter X, entitled "Commercial and Industrial Large Scale Development" of the Benton County Subdivision Regulations. Plans have been revised to indicate all requirements listed on letters and correspondence.

#### **Comments:**

1. No parking is planned for this project.
2. Not existing culvert inverts.
3. Increase radii of new driveway.
4. Obtain AHTD permit for drive.
5. Revise grading east of entrance drive.
6. If existing drive is NOT removed, block it off per AHTD guidelines.

7. Note all existing wooded areas to remain. Include the area along highway frontage.
8. Remove existing water service and pit; and existing power to house which is to be demolished.
9. NOTE ALL DEMOLITION MATERIALS MUST BE TRANSFERRED TO APPROVE LANDFILL OR BURNED ON-SITE PER BEAVER LAKE FIRE DEPT.
10. Show landscape buffer along front where there will be new fill slope.
11. Show location of any signage visible from the highway.
12. Modify ditch slope and limits of riprap in southeast corner.

**Dimensional Criteria Comments:**

1. No Parking calculations are required as there are no offices or show rooms.
2. Landscaping Existing vegetation of trees and woods is being used for buffering of the east, north and west sides of the site. Full buffering of the highway frontage must be added.

Planning staff has completed the technical review and met with applicant.

Conclusion and Recommendations

**Staff recommends the project be moved to the next Public Hearing.**

Reviewed by: Richard McKeehan, Sr Planner

Date: 02/27 and 03/01/2012

**Board Discussion:**

- Board was concerned about the grade of the hillside noted on the site plan and how the hillside would be stabilized, once it is cut. The slope of the hillside is 1:1.
- The Board was concerned about drainage on the roadway with the clearing of the grass from the site.
- The Board was concerned about the narrow driveway and the effect it might have on traffic as vehicles with large boat trailers try to clear the turn by moving into oncoming traffic.
- Applicants have presented two phases; Chris Ryan asked that they fill in the details of the phase two building so it can all be approved at the same time.
- Board suggested the applicants remedy all of the issues discussed in the TAC meeting and, if they can do that, appear at the Public Hearing meeting in two weeks.
- Staff will determine if applicant is ready to be listed on the Agenda in two weeks.

**Adjournment:** The meeting was adjourned at 8:10 PM