



## CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.  
479-361-2700  
planning@tontitownar.gov

Meeting: **June 25, 2019**  
Project: **7 Brew Coffee**  
Planner: Courtney McNair

### AGENDA ITEM

## D

### i. PRELIMINARY LARGE-SCALE DEVELOPMENT PLAN REQUEST

#### ii. WAIVER REQUEST

1359 E. Henri de Tonti  
Parcel # 830-38880-001

**SUMMARY:** Preliminary Large-Scale development request in order to begin construction of the proposed 480 SF "7 Brew" coffee shop building.

**CURRENT ZONING:** C2- General Commercial

**CITY WARD:** 1-Gene McCartney, Henry Piazza

**FLOODPLAIN:** No

**MS4 AREA:** YES

#### **INFRASTRUCTURE SERVICE AREAS** (not a guarantee of service availability):

**Water:** Tontitown Water, existing 8-inch line

**Electric:** Ozarks Electric

**Sewer/Septic:** Septic

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

#### **PROJECT SYNOPSIS:**

7 Brew is requesting Preliminary Large-Scale Development approval in order to construct a 480 SF coffee shop building, related parking (10 regular, 1 accessible) and drive through lanes.

This property is owned by Peyton Properties, LLC, and located within the City Limits of Tontitown.

There is some realignment of access easements that is in process. Staff is expecting a replat of this area to clarify the easement issues. This must be completed prior to construction of the Large-Scale Development.

#### **TECHNICAL INFORMATION:**

##### **Utilities:**

**Water:** Tontitown Water, according to the Water System information, there is an existing 2-inch water line along E. Henri de Tonti. There is also an 8-inch line that has been extended on this property.

**Electric:** Ozarks Electric – No comments were submitted.

**Sewer/Septic:** Sewer- connection is available

**Phone:** AT&T No concerns were submitted.

**Natural Gas:** Black Hills Energy No concerns were submitted.

**Cable:** Cox Communications No concerns were submitted.

It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.

**Roads/Parking/Sidewalks:**

This property has access onto E. Henri de Tonti Blvd. and a private drive on the east side. E. Henri de Tonti is an Arterial Road which requires a minimum 100' ROW with trails on both sides.

Currently, there is one access point onto E. Henri de Tonti, and one access point on the private drive located on the east side of the property. The applicant is also showing access easements for future shared access. This access must be clarified prior to construction. A permit from ARDOT (Arkansas Department of Transportation) is required for the connection to E. Henri de Tonti.

Entrance Drives are both approx. 30 feet wide to back of curb. The interior drives have a 15-foot wide drive-through lane and pass lane adjacent that is 14 feet wide. Additionally, the drive with parking is 28 feet wide.

There is adequate parking proposed (10 regular, 1 accessible) and drive through lanes.

**Stormwater Pollution Prevention Plan (SWPPP):**

The applicant has provided and grading a drainage plan. A SWPPP must be completed and posted on site prior to construction.

**Fire:**

There are two fire hydrants across E. Henri de Tonti Blvd, and one on the adjacent property to the east. The GPM is 1023, Static Pressure 80, and Residual Pressure 50. This hydrant is approximately 140 feet from the property line, and approx. 220' to the furthest point of the proposed structure. There are no additional fire hydrants required for this project.

Life safety plans were submitted. They did not show exit lights/fire extinguisher locations, or provide the type of hardware to be included on the exit door. Full architect plans must be submitted prior to issuing building permits. All remaining life safety information will be reviewed at that time.

Standard requirements regarding exit lights/emergency lights, fire extinguishers, road compaction, and required knox box system shall apply.

Fire Lane striping is shown on the plans and will be verified on site during construction by the Fire Marshal. All interior drives must meet the required compaction rating to support emergency vehicles.

**Police:**

No concerns were submitted.

**Drainage:**

There is a detention pond shown for this site. The applicant's engineer submitted a drainage report for review. The City Engineer reviewed and made comments. The City Engineer has provided additional comments on the resubmitted information.

All remaining comments from the City Engineer must be addressed prior to Construction Plan approval.

**Planning:****Architectural Façade-**

Architectural plans were submitted. The plans submitted do not meet the 75% masonry requirement.

The applicant is requesting a waiver from the required architectural elements. WAIVER-ARCHITECTURAL DESIGN STANDARDS

**Setbacks-** The applicant is showing the proper setbacks: 25' front, 10' sides, 25' rear.

**Landscaping-** A landscape plan was submitted for review. ARDOT has stated that they will not allow individual developers to place trees within the ROW, so no street trees are required on this site. Additionally, due to the limited width of the building, the applicant is providing trees around the dumpster and within an island instead of at the front of the building as it would not be feasible in that location.

**Signage-** Any signage requested shall be permitted separately. This includes signage to be placed on the building and freestanding signs.

**STAFF RECOMMENDATION:** There are a few technical details that remain to be addressed at the Construction Plan phase of plan review, and a replat must be completed, but the overall design should not change significantly.

Therefore, staff recommends approval of 7 Brew Large-Scale Development with conditions.

**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
2. The SWPPP shall be completed and posted on site prior to construction.
3. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
4. If any signage is desired, it must be permitted separately and shall comply with all current sign codes.
5. "No Parking" signs / fire lane striping shall be placed per the Fire Marshal.
6. Approval for the entrance drive will be required by the Arkansas Department of Transportation (ARDOT).
7. Full architect plans shall be submitted prior to issuing building permits.
8. All Life Safety information shall be submitted prior to a building permit being issued. Must show exit lights/fire extinguisher locations and provide the type of hardware to be included on the exit door.
9. A knox box is required.
10. All interior drives shall meet the required compaction rating to support emergency vehicles.

11. Correct all comments from the City Engineer prior to Construction Plan approval.
  12. The Landscaping and Buffering must be installed generally as proposed.
  13. The applicant shall apply for all required permits prior to construction.
    - a. Pre-Construction Meeting must be held and plans approved.
    - b. SWPPP BMPs must be inspected and approved.
    - c. Building permits must be submitted and approved.
  14. Once all Engineering Statements are received by the City, any additional charges will be sent to the developer in an invoice to be paid prior to the issuance of a Certificate of Occupancy.
  15. Final Large-Scale Development plans, fees, inspections, and approval is required prior to the issuance of a Certificate of Occupancy.
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#### **Waiver Requests-**

##### **"152.026 WAIVERS.**

###### **(A) General.**

(1) When, by the strict interpretation of these regulations, an applicant incurs undue restrictions on the physical property to be subdivided, a waiver for such requirements may be granted by the Planning Commission.

(2) Under no circumstance should a waiver be granted because of a personal hardship or for personal or emotional reasons. Waivers shall not be granted based strictly on financial hardship.

(3) A waiver is determined by the strict interpretation and enforcement of the rules and regulations upon a given piece of property to be subdivided.

###### **(B) Procedures.**

(1) No waiver shall be granted except upon written petition by the applicant when the application is filed. The petition shall state fully the grounds for the waiver and all the facts upon which the petition is made.

(2) In granting the waiver, the Planning Commission shall prescribe any conditions that it deems necessary to or desirable in the public interest.

(3) In considering the petition for a waiver, the Planning Commission shall take into account the nature of the proposed use of land involved, existing uses of land in the area, proximity to public utilities, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety and general welfare in the vicinity.

(4) The findings of the Planning Commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the Planning Commission meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of these regulations.

(5) No waiver shall be granted unless the Planning Commission finds all of the following:

(a) That there are special circumstances or conditions affecting the land involved such that the strict application of the provision of these regulations would deprive the applicant of the reasonable use of this land.

(b) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

(c) That the granting of the waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area.

(d) That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations."

#### **WAIVER-ARCHITECTURAL DESIGN STANDARDS:**

Architectural plans were submitted. The plans submitted do not meet the 75% masonry requirement.

According to the applicant's architect "7 Brew Coffee has gone through a rigorous branding and



architectural design development process to create national roll-out program... Out creative architectural language is paramount to distinguish our self from other regional and national competitors... Our current building envelope is predominantly Morin Architectural Panels with two distinct profiles. These panels are not common metal building panels. These panels provide a unique texture and architectural vernacular not readily achievable with brick and stone."

*STAFF ANALYSIS: As this is a brand specific design, and the materials are of the same quality, while not specifically as enumerated, as those stated in code, requiring strict adherence would deprive the owner of the reasonable use. The applicant has provided samples of the materials requested, and they will be available at the meeting for the Board to evaluate.*

*Granting this waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area, and will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations.*

**STAFF RECOMMENDATION:** Staff recommends approval of the waiver allowing less than 75% masonry façade.

**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. This building must generally develop as proposed.
2. The materials used shall be as presented.



# Bates & Associates, Inc.

Civil Engineering - Land Surveying - Landscape Architecture

7230 S. Pleasant Ridge Dr. Fayetteville, AR 72704

PH: 479-442-9350 \* FAX: 479-521-9350

[www.batesnwa.com](http://www.batesnwa.com)

June 4, 2019

**RE: 7 BREW COFFEE**

To the City of Tontitown Planning Department,

We are proposing a large scale development on behalf of our client, Ron Crume. The subject parcel is 830-38880-001 with acreage totaling 0.93 acres, more or less. The property is zoned C-2. Our client is proposing a 480 sf building with related parking and drive through lanes.

There are 10 parking spaces proposed along the west side of the proposed building. Off-street loading space will be located on the south side of the building and within the striped area. Deliveries will be during non-business hours; however, should deliveries be needed during business hours the loading and unloading will be within this striped area.

There will be no proposed parking lot lights or building lights. An exterior emergency light will be provided over the back door. Currently, there are existing parking lot lights located along the private drive of the east adjacent property owner.

Ingress and egress is proposed from highway 412 as well as the private drive to the east. Ingress and egress easement documents will be provided prior to the certificate of occupancy.

Architecture plans are provided for your review.

Please contact me if you have any questions.

Sincerely,

Tina Ford

Project Manager

Bates and Associates, Inc.

June 21, 2019,

Re: Design Waiver – *7 Brew Coffee – Tontitown, Arkansas*



RESOURCE DESIGN | redefining retail  
316 South First Street | Rogers, AR 72756  
Ph: 479.633.8181 | Fx: 479.633.9204

architecture | retail design | fixture design  
visual communications | brand strategy  
package design | product design | pop display

[www.rede5150.com](http://www.rede5150.com)

Presented to:  
Ms. Courtney McNair – Panning Official  
City of Toni Town Planning Department  
201 East Henri De Tonti  
Tontitown, Arkansas 72770

Ms. McNair,

We have the good fortune to have 7 Brew Coffee Company (an exciting new national chain) to plant its Corporate roots in Northwest Arkansas. Over the past 3 years, 7 Brew Coffee has been developing a new architectural national proto-type to start its launch in Benton and Washington County. A new corporate office building and warehouses are in the planning stage now on a 54 acre site in Benton County. We have already permitted and broken ground on the sixth location in Northwest Arkansas and as you know, we are currently into large scale planning on our first Tontitown location.

7 Brew Coffee has gone through a rigorous branding and architectural design development process to create a national roll-out program. Using a holistic approach to combine brand, identity and architecture, 7 Brew Coffee has made a great investment to achieve a successful national launch. Our creative architectural language is paramount to distinguish our self from other regional and national competitors. 7 Brew Coffee's values, branding, colors, materials, textures and architectural language will formulate our distinction for national recognition.

Following the City of Tontitown's commercial design standards, our design appears to be in-line with the city's design intent, with the one exception of the "brick and stone as predominant materials". To address this issue (and to not disregard our own design and consistency of brand/architectural recognition on our second location), we would like to request a minor design variance.

Our current building envelope is predominantly **Morin** Architectural panels with two distinct profiles. These panels are not common metal building panels (i.e.; typical R-panels or corrugate panels). These panels are architectural skins for many award-winning modern designs nationwide. These panels provide a unique texture and architectural vernacular not readily achievable with brick and stone. We do however, believe that a combination of brick and architectural panels (with our architectural panels holding a dominant percentage, approximately 40% architectural panels, 28% aluminum storefront/awnings/other and 32% brick – see attached sq. ft. breakdown) can still consistently communicate our brand and design intent to maintain our recognition. Therefore, we request a minor variance in the percentage of brick currently required in the Commercial Design Standards.

Thank you for your time and consideration,

Ron Hudnall – CEO / Director of Design  
Resource Design

### **SIDE ELEVATION**

204 SF METAL = 49%  
110 SF BRICK = 27%  
101 SF OTHER = 24%  
415 SF TOTAL

### **SIDE ELEVATION**

192 SF METAL = 46%  
110 SF BRICK = 27%  
113 SF OTHER = 27%  
415 SF TOTAL

### **FRONT**

96 SF METAL = 41%  
41 SF BRICK = 18%  
95 SF OTHER = 41%  
232 SF TOTAL

### **REAR**

130 SF BRICK = 79%  
35 SF OTHER = 21%  
165 SF TOTAL

### **ENTIRE BUILDING**

492 SF METAL = 40%  
391 SF BRICK = 32%  
344 SF OTHER = 28%  
1227 SF TOTAL

### **Final Percentage of Exterior Finishes:**

492 sf (metal)\*  
391 sf (brick)  
344 sf (aluminum storefront, awnings, other)

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1227 sf TOTAL

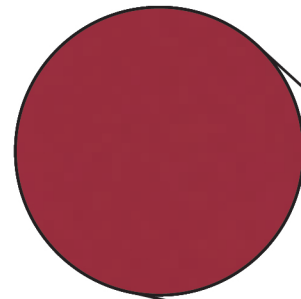
40% Metal  
32% Brick  
28% Other

**Metal Panels**

MORIN

Color: Colonial Red

Finish: Smooth



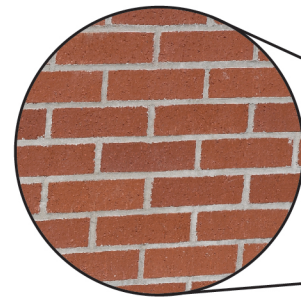
**Brick Facade**

Acme Brick

Finish: Crimson

Texture : Velour

Size: Modular DTP156

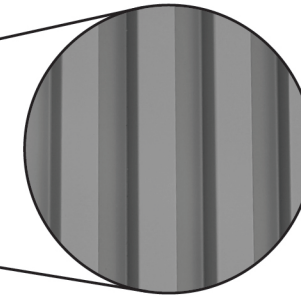


**Metal Panels**

MORIN

Color: Zinc Grey

Finish: Smooth

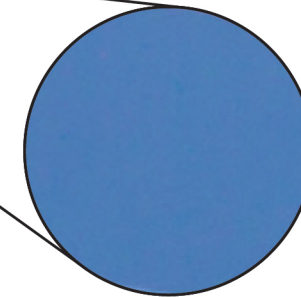


**Metal Panels**

MORIN

Color: Regal Blue

Finish: Smooth





Elevations (Front and Rear)  
7 Brew Coffee Company







Prototype Photograph  
7 Brew Coffee Company



7 Brew Preliminary LSD Vicinity





7 Brew Preliminary LSD Site

E HENRI DE TONTI BLVD

WESTSIDE

79

1261

1279

1359

41

1347

1006





