



**Benton County Planning Board  
Public Hearing  
Technical Advisory Committee Meeting**

August 7, 2013

6:00 PM

Benton County Administration Building  
215 East Central Avenue

**Meeting Minutes**

**PUBLIC HEARING:**

**Call to Order:** The meeting was convened at 6:00 PM by Planning Board Chair Ashley Tucker.

**Roll Call:** Mark Curtis, Jim Cole, Starr Leyva, Ashley Tucker, Ken Knight, John Pate, and Rick Williams were present.

**Staff present:** Administrator of General Services John Sudduth, Chief Building Inspector Glenn Tracy, Planning Division Manager Rinkey Singh, Planning Coordinator Amber Beale, and Planning Assistant Matt Benton.

**Public:** Five (5) members of the public were present.

**Disposition of Minutes:** Mr. Cole moved to approve the minutes. The motion was seconded by Mr. Curtis to approve the July 17, 2013 Planning Board Meeting Minutes. The motion carried 7-0.

**General Public Comment:** None

**Old Business:** None

**New Business:** None

**TECHNICAL ADVISORY COMMITTEE**

**Call to Order:** 6:04 PM

**Old Business:** None

**New Business: A.) Roberts Poultry & Small Animal Auction, LSD 13-300**  
Represented by Johnny Roberts of 21642 Pinehurst Ct, Siloam Springs

**Comments from Staff:** Staff gave a presentation on the proposed poultry and small animal auction. Staff informed the Board that the applicant was requesting the following waivers:

- Waiver from submitting a detailed or stormwater detention, plan or study due to temporary nature of the application and the limited impervious surface proposed on-site.
- Waiver from engineered drawings due to the minor and temporary nature of the proposal.

Staff stated that the applicant had provisions to fully comply with the Arkansas Livestock & Poultry Commission requirements. However, it was noted that several outstanding items needed to be addressed before Public Hearing:

- Applicant to identify the location of ADA compliant parking and portable toilets
- Applicant to provide details regarding any proposed parking buffers.
- Applicant to provide details regarding compliance with the Arkansas Livestock & Poultry Commission
- Stipulations restricting the auction daytime use only
- It is noted that if the use expands or changes in any way in future, Planning Board approval shall be required.

**Comments from Applicant:** Mr. Roberts stated that health checks will be performed on every chicken that enters his auction. He noted that a positive test would result in every bird from the farm being exterminated. He added that he planned on having his operation certified by the National Poultry Improvement Plan program.

**Questions/Comments from the Board:** Mr. Knight asked who would typically utilize the services of the proposed auction. Mr. Roberts replied that local farmers that have surplus animals would likely be his primary customers.

Mr. Knight asked if goats would be sold. Mr. Roberts replied that no hooved animals would be auctioned. He added that some small farming equipment might occasionally be sold.

Mr. Curtis asked who would be testing on the birds. Mr. Roberts replied that he did not want to hire anyone until his proposal is approved, but that he had several individuals who would be willing to perform the tests.

Mr. Curtis asked if the testing would be performed on site and when the results would be available. Mr. Roberts replied that testing would be performed on site and that the results would be immediately available.

Mr. Curtis asked if exotic animals would be sold. Mr. Roberts replied that they would and that they would be tested as well.

Mr. Curtis asked where the nearest commercial chicken operation was in relation to the proposed auction site. Mr. Roberts replied that it was more than a mile away. He added that avian flu could spread from trucks off the highway.

Mr. Tucker asked where the ADA parking places would be located. Mr. Roberts stated that they would be located next to the pavilion. Mr. Tucker asked what the surface material would be for the spaces. Ms. Singh responded that the ADA parking had to be provided on a hard surface, but that material types weren't specified by the ADA. The proposed land is flat and the grass surface is acceptable; however, signage for ADA parking shall be required to be installed.

Ms. Leyva what company would be servicing the portable toilets. Mr. Roberts replied that he would be doing all the required pumping and that he was licensed operator and the name of the company is American Portable Toilets.

Ms. Leyva asked if any vendors would be serving food on site. Mr. Roberts replied that a separate company would possibly be providing food on site. Mr. Roberts stated he would provide bottled water.

Ms. Leyva asked how cages would be sprayed down. Mr. Roberts stated that he was attempting to connect to Gentry water. He added that he would dispose the litter on his farm. Mr. Tucker remarked that the amount of waste might not be enough to be regulated but that Staff would need to conduct more research. Ms. Singh requested a document from the applicant regarding the expected quantity of waste and how it would be disposed of.

Mr. Tracy asked if the applicant would have an employee directing parking during auctions. Mr. Roberts replied that he would.

Mr. Roberts provided staff with the return receipts of the notices.

The Chair noted that the application would be considered for Public Hearing.

**B.) Joe Fisher Variance Request, LSD 13-297**

Represented by Joe Fisher of 18502 Coppermine Road, Rogers

**Comments from Staff:** Staff noted that the applicant was requesting a variance of 20 feet from the required setback from Coppermine Road for a proposed 30' x 40' garage. The key issues surrounded storm water drainage and the location of utilities. Staff noted these issues could be addressed with updated information by applicant. Staff also noted that requested variance is consistent with the existing setbacks along Coppermine Road.

**Comments from Applicant:** Mr. Fisher stated the fire hydrant would be 10-11 feet from the edge of the building. He said existing drains under the retaining wall were already on site. He said there is a drainage ditch on the other side of the road that would collect runoff.

**Questions/Comments from the Board:** Mr. Curtis asked the applicant if he was located in a subdivision. Ms. Beale replied that the property was not within a subdivision.

Mr. Curtis remarked that the slope appeared to drain the water towards the area where the garage would sit.

Mr. Tucker asked if the culvert had ever overflowed onto the area where the garage will be located. The applicant replied that it never had.

Mr. Tucker asked where the water line was located. Mr. Fisher replied that the water line was located about six (6) inches behind the fire hydrant.

Mr. Tucker asked where the entrance to the garage would be. Mr. Fisher replied that the current entrance to the home would be used to access the garage and that an additional driveway opening is not proposed.

The Chair noted that the application would be considered for Public Hearing.

**C.) Arrowhead Boat Sales, LSD 13-301**

Represented by Tim Sorey of Sandcreek Engineering (1620 NW 12<sup>th</sup> St, Bentonville)

**Comments from Staff:** The applicant proposed a new 50 foot driveway and expanded paved area for additional boat staging/maintenance adjacent to the current operation. The new driveway would be further south from the intersection of South Park Road and Highway 12. The driveway as it currently exists is gravel, but was never approved for a driveway or for parking. Staff added that the applicant might be required to revert the existing driveway entrance back to boulevard.

Staff noted the applicant would be required to apply for a driveway permit and a stormwater permit as conditions prior to commencing construction on-site.

**Comments from Applicant:** Mr. Sorey stated he preferred to block the use of the old driveway with planter boxes. He stated occasionally a large house boat would have to enter the property that would require the driveway to exist as is.

Mr. Tucker stated that the planters appeared to be in the right-of-way in the site plan. Mr. Sorey responded that he would keep them out of the right-of-way.

Mr. Sorey stated that the screening fence had already been planned. He noted that it would terminate around the gas meter by the residential drive. He noted the existing trees serve as a buffer.

Mr. Sorey stated that no boat maintenance or repair would take place on the proposed paved area.

Mr. Sorey asked the Board if the parcels should be consolidated. Ms. Singh replied that they should be combined as the two parcels have been functioning as a single site.

Mr. Sorey stated that minimal grading would have to be done on site. He added that a swale would be added to prevent stormwater runoff to the adjacent residential property.

**Questions/Comments from the Board:** Mr. Curtis asked Mr. Sorey where the septic field was located. Mr. Sorey stated that it was identified on the site plan. Mr. Curtis asked if the septic system was on a separate parcel. Mr. Sorey replied that it was on the parcel adjacent to the existing building where the new paved area was proposed. Ms. Leyva commented that (at a minimum) a septic easement would be required.

Mr. Leyva asked Mr. Sorey to show the alternate septic field on the site plan. Mr. Sorey replied that he would obtain information on its location from the Health Department.

Mr. Curtis stated that in the past neighbors had complained about the lighting when the applicant began using the new parcel. Mr. Sorey asked if there had been any recent complaints. Mr. Curtis stated he was only aware of complaints from when the applicant expanded his operations to the adjacent parcel.

The Chair noted that the application would be considered for Public Hearing.

**Staff Updates:** Ms. Singh presented updates to the proposed draft regulations on the following matters:

- Chapter 3
- Chapter 4
- Chapter 5: Staff presented considerations for minimum one (1) acre parcels and reviewed options for ½ acre or less parcels. The Board also reviewed the proposal to increase exemptions for subdivision from more than (five) 5 acres to more than 25 acres.
- Chapter 6: The Board agreed to review the chapter and provide comments
- Chapter 7: Staff noted that instead of creating separate agritourism regulations that all agritourism proposals undergo either a minor or standard review based on the scale of development.

The Board decided to maintain the proposed minimum residential lot size of one (1) acre and to increase the proposed minimum commercial lot size to one (1) acre as well.

**Discussion Items:** None

The meeting adjourned at 8:48 PM.