

Benton County Planning Board

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**Planning &
Environmental Services
Planning Division**
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**COMMERCIAL/INDUSTRIAL LARGE SCALE DEVELOPMENT:
PLANNER'S REPORT****14121 S. HIGHWAY 59, SILOAM SPRINGS, AR****EXECUTIVE SUMMARY**

The applicant, Johnny Roberts, is a licensed auctioneer in the state of Arkansas, providing auctions for poultry and small animals. The applicant proposes to utilize an existing 26'x36' steel open shed/pavilion with a 15'x53' pen and associated parking for temporary auctions of poultry, small animal, and farm equipment. Auctions will be held during daylight hours only twice a month for approximately eight months out of the year from April through November. The submitted application contained a site map, site photos, and a Hazardous Chemical Compliance Form, and staff has reviewed all application materials.

As part of the proposal, the applicant is requesting the following waivers:

1. Waiver from submitting a stormwater management plan due to the minor nature of the proposal and lack of impervious surfaces.
2. Waiver from engineered drawings due to the minor nature of the proposal.

The Planning Board may consider the following stipulations to be added to their decision:

1. **Standard Conditions:** That the owner agrees to fulfill all the Standard Stipulations;
2. Applicant to provide firefighting service letter prior to the issuance of a decision letter.
3. Applicant to provide detailed information regarding the contracted poultry inspector prior to the issuance of a decision letter;
4. Applicant to plant required landscaped buffers along the north and west property lines with a fast growing species to buffer the auction area and associated parking from the residential unit on the north and west property lines;
5. The proposed auction shall be restricted to daytime use only from 7:00 a.m. to 5:00 p.m.

PROJECT INFORMATION

Applicant/Owner: Johnny Roberts
Municipal Planning Area: Siloam Springs, AR
Address of subject property: 14121 S. Highway 59
Parcel ID: 18-13886-005
Parcel Size: 2.82 acres
Current Land Use: Existing shed/pavilion and animal pens/cages; remaining land is grass.
Proposed Land Use: Temporary Use: Auctions for poultry, small animals, and farm equipment on site and associated parking for 100 vehicles. (No hooved animals will be on site.)

Attachments: The following drawings and documents are attached:

1. Location Map- 14121 S. Highway 59
2. Hazardous Chemical Compliance Form
3. Site Photos

PLANNING ANALYSIS

Description of Property and Surrounding Area

The subject property is municipally known as in 14121 S. Highway 59, Siloam Springs, AR and is located northeast of the Siloam Springs city limit.

The overall proposed project land area is 2.82 acres. The subject property currently contains a 26'x36' steel open shed/pavilion and a 15'x53' pen/cage. The parcel topography is flat with frontage along AR Highway 59. One existing 30' paved driveway provides access to the property.

The site is situated among rural residential homes, and commercial and agricultural operations. Neighboring residential property to the west borders applicant's property. Residential property is also located to the north of applicant's property, across Shady Grove Road. Rural residential and agricultural land interspersed with barns and other agricultural buildings is found to the east, across Highway 59. Property to the south consists of commercial uses. The closest residential property is approximately 170 feet to the west. The property to the west consists of residence and poultry farm. Please see Location Map attached.

According to FEMA GIS data, the property does not lie within a flood zone. Staff has determined that the property does not lie with in an MS4 2010 stormwater area.

BACKGROUND

The subject property currently contains a 26'x36' steel open shed/pavilion and a 15'x53' pen/cage. No previous large scale development approval was granted for the property.

The scope of review will include the use of the 26'x36' steel open shed/pavilion and the 15'x53' pen/cage, parking, and portable toilets. The remainder of the site will remain undeveloped. Applicant has agreed to fully comply with the Arkansas Livestock & Poultry Commission requirements, which is to test each chicken and notify the Commission of auctions 30 days prior the sell. Applicant has provisions for each chicken to be tested before all auctions to ensure health and safety. Applicant intends to become a certified member of the National Poultry Improvement Plan (NPIP).

The closest poultry farm is within three (3) miles of the proposed auction.

TECHNICAL REVIEW OF SITE PLAN

Parcel Information

The proposed project area consists of one existing parcel of 2.82 acres.

Noticing Requirements

Notice has been provided to abutting property owners regarding the proposed development, and certified mail receipts were returned to staff on August 7th two weeks prior to the public hearing meeting.

Building Setback

Required: A 50 feet setback measured from the center line of the fronting road or 25 feet from the fronting property line, whichever is greater is required.

Comment: Existing building setbacks indicate that the structure is over 190' from the center line of Highway 59. All building setbacks have been met to County Standards.

Parking Requirements

Required: Parking calculation is based on the Other Commercial Uses category which mandates one (1) space for every 200 sq. ft. and adequate loading areas.

Comment: No parking is required for auctions; however, applicant proposes 100 parking spaces on the existing grass on site. Applicant has confirmed the availability of at least four (4) ADA compliant parking spaces on a hard surface, with one (1) being van accessible, with required signage.

Applicant indicates no proposed parking delineation; however, applicant has confirmed that someone will be present during auctions to direct parking and traffic flow.

Parking Buffer

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

Comment: There is limited tree cover on site. Commercial uses are to the south. The nearest home to the west is just over 160 ft. from the existing structure, and the nearest home to the north is just over 240 ft. from the existing structure. (It should be noted that the residential property to the west also operates Squires Farms on the same property.) A 5' wooden horse fence exists along the west property line. Landscaping buffers shall consist of a row of shrubs, a row of medium trees, and a row of tall trees. Applicant has agreed to install required landscape buffers. The Road Department noted that any landscaped parking buffers may not be planted within the road right of way. Staff is suggesting provision

of a fast growing species to buffer the auction and parking area from the residential unit on the north and west sides.

Access Driveways

Required: The design and construction shall be in accord with the standards as presented in the Benton County Road Plan.

Comment: The subject property has one existing paved driveway which connects the property to existing Highway 59. No additional driveways are proposed.

The Road Department noted that the ditch to the north may need to be blocked in order to prevent drivers from utilizing it as an alternative driveway to access Shady Grove, and that the required landscape buffering may be sufficient to block access.

Site Features-Lighting

All auctions will be held during daylight hours. No lighting is proposed on site. The Planning Board may require a stipulation restricting the auctions to daytime use only.

Site Services - Drainage/ Stormwater Management Plan

Required: Applicant is required to indicate on plan storm drainage infrastructure and 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 not located in a MS4 nor is it located in a flood zone. Applicant has applied for a waiver for a stormwater plan considering its small and minor nature of the development. The property has adequate stormwater drainage due to an existing culvert under the paved driveway, along with a ditch that runs north/south along Highway 59. The shed/pavilion is built on grass, with no additional impervious surfaces proposed as part of this application.

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 in accordance with Act 402 of 1977 as amended.

Comment: The applicant indicates that bathrooms will not be provided at the pavilion. Applicant will provide two (2) portable toilets on site, one (1) which will be ADA compliant, which are owned and maintained by applicant. Applicant has confirmed that he is licensed by America's Portable Toilets to empty the portable toilets after each auction.

Animal Waste Removal

Applicant indicates that there will be approximately 4 grams of animal waste produced from each auction. Applicant has confirmed that he will remove all animal waste on site and take it to his farm.

Comment: Staff contacted ADEQ and was advised that no waste water permit is required for this proposal.

Site Services - Water Service

Applicant has confirmed that the property is serviced by Gentry water. However, applicant indicates that no running water will be available on site. Applicant plans to have a tap installed to wash out animal pens and cages only.

Site Services - Electrical Power Supply

Applicant proposes to utilize his personal power generator as the electrical supply. The Planning Board may require a stipulation that any change in power supply would require Planning Board approval in the future.

Site Services - Firefighting Provision

Applicant has agreed to obtain a firefighting service letter to planning staff.

Benton County Fire Marshall: Marc Trollinger, Benton County Fire Marshall, submitted no comments regarding the proposed development.

Site Services - Solid Waste Disposal

Applicant has confirmed that he will remove all trash from the property after each auction.

Environmental Compliance

Applicant confirms that no hazardous chemicals will be stored or used on site.

CONSIDERATIONS FOR THE PLANNING BOARD

The proposed 26'x36' steel open shed/pavilion and the 15'x53' pen/cage for poultry and small animal auctions on-site was reviewed by planning staff. Additional information was received to satisfy outstanding items. The applicant has done their due diligence in contacting the required departments and agencies.

Applicant has applied for the following waivers:

1. Waiver from submitting a stormwater management plan due to the minor nature of the proposal and lack of impervious surfaces.
2. Waiver from engineered drawings due to the minor nature of the proposal.

The Planning Board may consider the following stipulations to be added to their decision:

1. Standard Conditions: That the owner agrees to fulfill all the Standard Stipulations;
2. Applicant to provide firefighting service letter prior to the issuance of a decision letter.
3. Applicant to provide detailed information regarding the contracted poultry inspector prior to the issuance of a decision letter;
4. Applicant to plant required landscaped buffers along the north and west property lines with a fast growing species to buffer the auction area and parking area.



BENTON COUNTY SITE PLAN APPLICATION

FORM D – HAZARDOUS CHEMICAL COMPLIANCE FORM ✓

**BENTON COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT AND
HOMELAND SECURITY**

215 E. CENTRAL AVE #7, BENTONVILLE, AR 72712
Phone: 479-271-1004
Fax: 479-271-1084

BUSINESS NAME: _____ TYPE OF BUSINESS: Small Airplane Auction
OWNER'S NAME: Johnny Roberts
PHYSICAL LOCATION/ADDRESS: 141 So. H4 59
MAILING ADDRESS: 21642 Pinehurst Ct.
CONTACT PHONE NUMBER: 479-549-4181 228-0129
CONSULTANT/ENGINEER: N/A

A LETTER WILL BE SENT TO THE BUSINESS OWNER AND THE PLANNING OFFICE.

IF THERE ARE OTHER LOCATIONS PLEASE SPECIFY: None

WILL THERE BE CHEMICALS STORED AT THIS FACILITY? YES _____ NO ✓

IF YES – LIST NAME AND QUANTITIES BELOW:

BY SIGNING BELOW, I ACKNOWLEDGE THAT ALL INFORMATION ABOVE IS TRUE AND CORRECT. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO NOTIFY THE BENTON COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT IF THIS INFORMATION CHANGES.

Johnny Roberts _____ 7/15/13
OWNER SIGNATURE DATE

BENTON COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT ONLY

LETTER COMPLETED BY _____
DEM OFFICER DATE



Site Photos