

MINUTES
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
Sept 08, 2016

5:00 pm, Quorum Court Room, New Court House
280 N. College Ave.
Fayetteville, Arkansas 72701

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

LAND DEVELOPMENT HEARINGS

County

a. Replat Tract 1 Urban Acres Subdivision

Approved

County

b. Cantrell Minor Subdivision

Approved

Goshen Planning Area

c. Fritchie Farms Large Scale Development

Approved

Fayetteville Planning Area

d. Salem Storage Expansion LSD

Approved

County

e. Replat Lot 33 Tony Mountain Minor Subdivision

Approved

County

f. Replat Lot 30 Tony Mountain Minor Subdivision

Approved

County

g. Replat Lots 7 & 8 Brakey Minor Subdivision

Approved

CONDITIONAL USE PERMIT HEARINGS

County

h. Ingram Residential CUP

Approved

Fayetteville Planning Area

i. DANCE by Eliese CUP

Approved

Springdale Planning Area

j. Maquiladora Manufacturera LLC, USA

Approved

County

k. White River Landing CUP

Tabled

County

l. Meadows at River Mist CUP

Tabled

(To be tabled at the applicant's request)

LAND DEVELOPMENT HEARINGS

County

m. Meadows at River Mist Subdivision
(To be tabled at the applicant’s request)

Tabled

CONDITIONAL USE PERMIT HEARINGS

Greenland Planning Area

n. Mountain Cars CUP
(To be tabled at the applicant’s request)

Tabled

1. ROLL CALL:

Roll call was taken. Members present include Robert Daugherty, Daryl Yerton, Cheryl West, Walter Jennings, and Kenley Haley. Randy Laney and Chuck Browning were not present.

2. APPROVAL OF MINUTES: *Cheryl West made a motion to approve the minutes of Aug 04, 2016. Walter Jennings seconded. All board members were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Daryl Yerton made a motion to approve the agenda. Cheryl West seconded. All board members were in favor of approving. Motion passed.*

4. NEW BUSINESS

LAND DEVELOPMENT HEARINGS

County

a. Replat Tract 1 Urban Acres Subdivision
Preliminary and Final Minor Subdivision Replat Approval Request

Location: Section 32, Township 16 North, Range 33 West

Owners: Brenden Orvllian

Surveyor: Bill or Dan Jenkins

Location Address: 11954 N Hwy 59

Approximately 2.91 acres/ 2 lots. Proposed Land Use: One Single Family Residential; one non-residential (for access only)

Coordinates: Latitude: 36.02502924, Longitude: -94.50394974

Project #: 2016-285 Planner: Juliet Richey email: JRichey@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Approval of Replat Tract 1, Urban Acres Subdivision. The request is to split an existing platted lot into two lots in order to provide access to a parcel that is not part of this subdivision, and that has no other access (001-13476-000).

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County’s jurisdiction.

QUORUM COURT DISTRICT: District 13 Joel Maxwell.

FIRE SERVICE AREA: Cincinnati Rural -no comments were received from Cincinnati Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Siloam Springs

INFRASTRUCTURE: **Water**– Lincoln Water **Electric**- Ozarks Electric **Natural Gas**– N/A **Telephone**- PGTELCO **Cable**- N/A

BACKGROUND/ PROJECT SYNOPSIS:

Replat Tract 1, Urban Acres Subdivision is requesting to split an existing platted lot into two lots in order to provide access to an adjacent parcel that is not part of this subdivision, and that has no other access (001-13476-000).

Parent Tract:

- Tract 1, Urban Acres SD
- 2.91 acres

Proposed Tract 1A

- Existing residence
- 2.83 acres

Proposed Tract 1B

- For Access Only-Not to be used for Residential purposes
- 0.08 acres

The requested proposed Tract 1B is smaller than what Washington County code allows for residential lots, but as it is NOT a residential lot; no variance is needed.

This project will NOT require a Conditional Use Permit because Proposed Tract 1B is NOT for residential purposes; it is for access only.

History:

In 2008, a survey was approved that showed an easement going across Tract 1, Urban Acres Subdivision to access 001-13476-000. A deed was filed at this time also showing the easement.

However, Tract 1, Urban Acres Subdivision was not part of that split, and the owner never granted this easement. Therefore, the easement was never legally granted. This means that parcel 001-13476-000 has no legal access.

The current owner of Tract 1, Urban Acres Subdivision does not wish to grant an easement, but has agreed to split a small portion of his lot for his neighbor.

As Tract 1 is part of an existing platted subdivision, the requested split must therefore process as a subdivision replat.

TECHNICAL CONCERNS:

Sewer/Septic

The existing home utilizes an individual septic system. According to the surveyor, the system is located near the home; therefore it should not be impacted by the small split providing access to the neighbor.

Tract 1B is non-residential and therefore no septic/soil work is needed.

Melissa Wonnacott-Center of the Arkansas Department of Health had no additional comments on this property division.

Electric/Phone/Gas

Any damage or relocation of utilities will be at the expense of the owner/applicant.

Water

Lincoln Water- no comments received.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

Any work done in the AHTD right of way requires a permit from AHTD. Any culvert that may be installed will need to be sized by AHTD.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

One neighbor called with concerns regarding the potential for some of the trees being removed on Tract 1B for the neighbor’s driveway. Staff told him that was not a concern that we could consider with this approval process. Staff suggested that he speak with the property owner.

Staff will update the Planning Board at the meeting if any additional comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Plat Minor Subdivision approval of Replat Tract 1, Urban Acres Subdivision with the following conditions:

Utility Conditions/Road Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.
2. Obtain a permit from AHTD for a new driveway entrance onto HWY 59.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Standard/Other Conditions:

1. Tract 1B is for non-residential use only.
2. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. All general plat checklist items must be corrected.
6. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
7. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Washington County Planning Director, Juliet Richey, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

*Daryl Yerton made a motion to approve the **Replat Tract 1 Urban Acres Subdivision** subject to staff recommendations. Kenley Haley seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.*

County

b. Cantrell Minor Subdivision

Preliminary and Final Minor Subdivision Approval Request

Location: Section 25, Township 14 North, Range 33 West

Owners: Richard Cantrell

Surveyor: Eddie Gore

Location Address: near 19717 Latta Road

Approximately 13.97 acres / 4 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 35.86093562, Longitude: -94.43428033

Project #: 2016-278 Planner: Courtney McNair email: CMcNair@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Approval of Cantrell Minor Subdivision. The request is to split a 13.9 acre parcel into four (4) tracts.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). As configured, all lots meet current zoning, so this project will not require a Conditional Use Permit.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 13, Joel Maxwell

FIRE SERVICE AREA: **Morrow Volunteer Fire Department** -no comments were received from the Morrow Volunteer Fire Department, and Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Lincoln

INFRASTRUCTURE: **Water**– Lincoln Water **Electric**- Ozarks Electric **Natural Gas**– N/A
Telephone- Prairie Grove Telephone **Cable**- N/A

BACKGROUND/ PROJECT SYNOPSIS:

Cantrell Minor Subdivision is requesting Preliminary and Final Minor Subdivision approval to allow 4 lots on a parcel that is approximately 13.9 acres in size.

The proposed Tracts are:

Tract 1: 1.54 acres

Tract 2: 2.74 acres

Tract 3: 3.37 acres

Tract 4: 6.29 acres, with an existing barn and shed.

This project must process as a Minor Subdivision due to a past split that was less than 5 acres in size (according to code, only one split that is less than 5 acres is allowed per parcel if it is to process as an administrative lot split).

There is a large amount of floodplain on this property (Zone A, map #05143C0475F). FTN has provided an evaluation for the Base Flood Elevations for each lot on this site. Any development within the floodplain (zone A), must be permitted by the Washington County Planning Office through a Floodplain Permit.

Planning Staff required that the surveyor include the Base Flood Elevation (BFE) determined by FTN, on the plat. In order to be in compliance with the adopted Floodplain Ordinance, the minimum Finished Floor Elevation (FFE) must be at least two (2) feet above the established BFE. Planning Staff required that this be added to the plat as well. It was added, but need to be updated to be the "Minimum FFE" for each lot.

The main concerns for this project have been floodplain and septic. These have mostly been resolved.

TECHNICAL CONCERNS:

Sewer/Septic

Planning Staff has not received written information about the soil work for this project yet, but Randall Wiggins is the contracted Designated Representative (DR) for this project. On August 31, 2016, Planning Staff received verbal confirmation from Mr. Wiggins that the soil test pits were very good for septic. **We do expect to receive a statement prior to the Planning Board Meeting.**

Mr. Wiggins is currently working on the actual septic permits.

After Washington County's approval, the subdivision will be required to go through subdivision plan review with the Arkansas State Health Department which requires preliminary and alternate septic system locations be shown with 3 bedroom houses submitted.

Electric/Phone/Gas/Cable

Ozarks Electric and Prairie Grove Telephone service this area. Generally, any damage or relocation of existing facilities will be at the owner's expense.

Ozarks Electric commented that any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

Ozarks Electric also required a thirty-foot (30') utility easement shown along the existing single phase line. This has been added to the plat.

There is no cable or gas service available at this time.

Water

Lincoln Water services this area. Planning Staff has not received written information from Lincoln Water regarding their ability to provide water taps for each lot. However, on August 31, 2016, Planning Staff spoke with staff at Lincoln Water and received verbal confirmation that water taps are available. They stated that Mr. Cantrell had submitted paperwork for these taps, and that they would be sending out approvals soon. **We do expect to receive this confirmation prior to the Planning Board Meeting.**

Addressing

There is currently no DEM address assigned to this parcel. As all proposed tracts are over a half-acre in size, the proposed tracts must be addressed after the home locations are known. This note is on the plat.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ). www.adeq.state.ar.us

Road

This project accesses off WC 10, Latta Road.

The currently adopted Floodplain map shows that Latta Road is entirely in Zone A, however, the model provided by FTN shows most of the Zone A area is primarily on the northwest side of the road (near Fly Creek).

Only on proposed Tract 4 does the model show that most of Latta Road is in Floodzone A. In order to avoid a situation in which a resident may be trapped by rising floodwaters, Planning Staff asked that the driveway be placed on the north side of this lot as there is less Floodzone A on the north corner according to FTN's model. Proposed driveway locations are not required to be shown for Tracts 1-3, but Tract 4 will need to utilize the existing driveway location in the north corner, or place a new driveway north of the existing driveway (due to the location of Floodzone A to the south).

Any work done in the County road right of way requires a permit from the road department. Any tile that may be installed will need to be sized by the road department.

The plat shows thirty feet (30) of right of way to be dedicated on both sides of Latta Road since the applicant owns the property the road runs through.

SITE VISIT:

Planning Staff has not conducted a site visit yet, but will prior to the Planning Board Meeting. If anything of concern is noted, staff will update the Board.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues		✓	
Health Department Issues		✓	
Other Important Issues		✓	
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Minor Subdivision Plat approval of Cantrell Minor Subdivision with the following conditions:

Additional Plat Corrections

1. The FFE for each lot listed on the plat needs to be the "Minimum FFE" for each lot.

Sewer/Septic

1. The soil suitability report must be submitted and adequate.
2. After Washington County's approval, the subdivision will be required to go through subdivision plan review with the Arkansas State Health Department which requires preliminary and alternate septic system locations be shown with 3 bedroom houses submitted.
3. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence(s).

Electric/Phone/Gas

1. Generally, any damage or relocation of existing facilities will be at the owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

Water

1. Confirmation from Lincoln Water is required that shows they can provide four (4) water taps for this proposal.

Addressing

1. The proposed tracts must be addressed after the home locations are known. This note is on the plat.

Environmental

1. There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ). www.adeq.state.ar.us

Roads

1. Tract 4 will need to utilize the existing driveway location in the north corner, or place a new driveway north of the existing driveway (due to the location of Floodzone A to the south).
2. There is a note on the plat that Tract 4 must use the existing driveway. This should be updated to say that they need to utilize the existing driveway, or place a new driveway north of the location of the existing driveway.
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$70.56) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/30/16).
2. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
3. **Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer.**

Washington County Senior Planner, Courtney McNair, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

*Cheryl West made a motion to approve the **Cantrell Minor Subdivision** subject to staff recommendations. Daryl Yerton seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.*

Goshen Planning Area

c. Fritchie Farms Large Scale Development

Final Large Scale Development Approval Request

Location: Section 05, Township 16 North, Range 28 West

Owner/Applicant: Matthew and Katherine Fritchie

Surveyor: Bates and Associates, Geoff Bates

Architect: AVID Architecture and Consulting, Julie Chambers

Location Address: 15810 Ball Road

Approximately 20.06 acres. Proposed Land Use: Event Center

Coordinates: Latitude 36.08379375, Longitude: -93.97822304

Project #: 2015-098 Planner: Courtney McNair e-mail at cmcnair@co.washington.ar.us

REQUEST: Final Large Scale Development approval for Fritchie Farms Event Center on a parcel that is approximately 20 acres in size.

CURRENT ZONING: Project lies within the County Zoned area (Agriculture/Single-Family Residential 1 unit per 2 acres), and CUP 2015-075 was approved on May 7, 2015 and ratified on July 9, 2015. All conditions of CUP approval apply to this project and must be met. Preliminary LSD was granted on October 1, 2015.

PLANNING AREA: This project is located within Goshen's Planning Area. The City of Goshen has not commented at this time.

QUORUM COURT DISTRICT: District 15, Butch Pond

FIRE SERVICE AREA: Goshen VFD

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: Water- Mount Olive Water
Natural Gas- N/A Telephone- AT&T

Electric- Ozarks Electric
Cable- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The owners of this property are Matthew and Katherine Fritchie. The applicant is Matt Fritchie. This property is located off of Ball Road (near the intersection of Ball Road, WC 330, and Goshen-Tuttle Road, WC 79).

The applicant is requesting Final Large Scale Development (LSD) approval to begin operation of a wedding/event center and associated site elements.

The proposed project includes a newly constructed barn (event center), parking area and driveway, and associated septic system. An outdoor wedding venue is also proposed on site. Hours of operation will be from 10:00 a.m. until 10:00 p.m. on Fridays, and 8:00 a.m. until 10:00 p.m. on Saturdays. The applicant is planning to accommodate parking of 70-85 vehicles, with an estimated occupancy of 175 people. Restrictions were added by the Quorum Court regulating outdoor music. No fireworks will be allowed. With this proposal the applicant will not provide alcohol and will not apply for any permits with Alcohol Beverage Control board, but alcohol will be allowed on a catered basis. The Final LSD plans and architectural drawings are attached.

Most of the site elements have been constructed. The drive was incorrectly aligned when it was first built. This caused the sight distance to be less than what is allowed by Washington County Code. As a result, the applicant has realigned the driveway to the originally proposed location.

The applicant requested to table at the August 4, 2016 Planning Board meeting in order to complete the driveway so that sight distance could be verified. **Sight distance has now been measured and verified.**

A Final Inspection was completed by Planning Staff and the Fire Marshal's Office. A few minor site elements remained to be completed. These must be completed prior to Staff signing the Final Plans, but nothing that will impede Final Plan Approval remains.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Concerns:

This project is served by Mount Olive Water. Water was extended to service this project from an existing 2-inch water main along Ball Road.

At the CUP stage, Planning Staff met with the Goshen Fire Chief, Nathan Wood, to discuss the project. The nearest fire hydrant is off-site and further than 500' away. In order to meet minimum requirements of the AR State Fire Code, water tanker support will be necessary to provide enough water to the site in the event of a fire. Round Mountain and Nob Hill Fire Departments will provide mutual aid with tanker support.

Due to Nob Hill Fire Department's largest tanker having a 38' turning radius, no turning radius within the designated fire lanes for this proposed project can be less than 38'. Additionally, the water tankers need a clear area to deliver water. The Fire Marshal and Goshen Fire Chief approved the drop off area and turn around proposed at Preliminary LSD. The cul de sac turnaround area was not constructed quite to plan, and the drop off area was slightly altered. The Goshen Fire Chief came out and inspected the cul de sac, and discussed a revised layout for the drop off area. Prior to Final Plan signatures, the drop off area must be corrected as shown on the newest plans. The applicant is aware of this and is working to correct it. Fire lanes along the drive and turn around area must be marked (can be marked with signage as the drive and lots are gravel). Staff will need to inspect the signs prior to signing the Final Plans.

The County Fire Marshal required that the applicant's architect set the final occupancy load for the building. The applicant's requested occupancy is approximately 175 people for this project, and the

architect's calculated fire occupant load for the building is 299 people. Therefore, the applicant's requested occupancy is in compliance with Fire Code occupancy requirements. The architect also ensured the building meets Arkansas State Fire Code, and is ADA compliant. A statement was provided from the architect stating that the project meets ADA requirements.

Stamped and signed Architectural drawings have been submitted for the building. These plans show the proposed ingress/egress paths, exit/emergency lighting, and fire extinguishers, as well as all other information needed to meet Arkansas State Fire Code and ADA compliance. The connection between the building and the handicapped parking spaces, as well as the restrooms, must be ADA compliant.

The applicant has a "warming only" kitchen. He understands that if a commercial kitchen is desired further review will be necessary.

At the Inspection completed on August 26, 2016, the following corrections were needed:

1. The applicant must submit a signed statement that all access roads/fire lanes are compacted to support 75,000 lbs in all weather conditions. **This has been submitted.**
2. Place Fire Lane-No Parking signs per plans (Staff will re-inspect).
3. Reconfigure the Fire Truck Pull Off Area. This must be compacted appropriately and marked with Fire Lane Signage (Staff will re-inspect).
4. Provide a landing for the south facing Fire Exit door (Staff will re-inspect).
5. Delineate the septic system to avoid any damage to the area (include the alternate area location). (Staff will re-inspect)
6. Mow the area along Ball Road to maintain a clear line of sight. This is an ongoing condition and a note is on the Final Plans that vegetation must be maintained in order to have a clear line of sight.

Once all additional corrections are completed, the Fire Marshal and Planning Staff will inspect all requirements for the building and driveway prior to staff signing the Final Plat and the building being occupied.

Septic System Concerns:

This project is proposing to utilize an individual septic system.

A permit was submitted to the Health Department for review. The septic system received approval from the Health Department. It has now been installed, and inspected by the Health Department.

The septic system (primary and alternate area) must be delineated (landscaping/fencing/other barrier) to prevent anyone from parking or driving in this area. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed.

The applicant has a "warming only" kitchen at this time. A retail food service permit may be required. The applicant must contact David Cowan at the Washington County Health Department to discuss prior to construction. The proposed project must be in compliance with the regulations of the Arkansas Department of Health.

Electric/Gas/Cable/Phone Concerns:

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Mt. Olive Water and AT&T did not submit any additional comments.

Ozarks Electric commented at Preliminary LSD that "Any damage or relocation of existing facilities will be at owner's expense."

No additional utility comments have been received.

Roads/Sight Visibility/Ingress-Egress/Parking Concerns:

This property accesses off Ball Road, WC #330, which is a county maintained gravel road. Ball Road is approximately 30' in width, and is in good condition.

As per AR State Fire Code, the driveway accessing the event center must be a minimum of 20' wide if it is 500' or less in length. If the length exceeds 500' then the width will need to be increased to 24' minimum. The centerline width is shown at 680 feet long and the access drive is 24 feet wide.

The engineer submitted a grading plan at Preliminary LSD to provide for adequate sight distance from the proposed driveway. As this could not be met without grading, staff required a final measured sight distance to be certified at Final LSD by the engineer.

This has been submitted and is adequate. Additionally, staff measured this distance at the latest site inspection and found that it meets the minimum distance required by County Code.

During the construction of the driveway re-alignment, the applicant's contractor hit bedrock and therefore the grade of the driveway is steep near where it connects to the County Road. If this causes an issue in the future (either with the private driveway washing out, or damage being caused to the County Road), the applicant must work with the Road Department on a plan to correct it. The Road Department wants to make sure that any changes to the driveway do not cause harm to the County Road.

Drainage Concerns:

The engineer submitted a full drainage study for this project. The County Contract Engineer, Clay Grote, had some corrections at Tech Review. The engineer resubmitted a copy with corrections. The County Engineer approved the corrections.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Sheriff's Office Concerns:

Washington County Sheriff's Office has no comments on this project.

Planning Concerns:

All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally, all security lighting must be shielded appropriately.

The applicant has indicated that signage is desired. No signage is allowed within Washington County's road right-of-way (ROW). The signage must be approximately 24 sq. ft. in size and not directly lit. A sketch of the proposed sign was submitted to Washington County Planning and approved. No additional signage is allowed to be placed, and if the applicant chooses to use lighting for the sign, it must be indirectly lit.

A dumpster is not desired at this time. If a dumpster is placed, staff must approve the placement and will require it to be screened with an opaque material, including the gate, so it won't be visible to neighbors.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project at CUP and Preliminary LSD. It is not required by code to notify for Final LSD. Staff has received no comments for Final LSD.

Staff will update you at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			✓
Planning Issues/Engineering Issues		✓	
Road Issues			✓
Fire Code Issues		✓	
Utility Issues			✓
Health Department Issues			✓
Other Important Issues		✓	
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

All Checklist items appear to be correct at this time.

STAFF RECOMMENDATION: Staff recommends approval of the proposed Fritchie Farms Final Large Scale Development with the following conditions:

Water/Plumbing/Fire Conditions:

1. No turning radius within the designated fire lanes for this proposed project can be less than 38'.
2. Fire lanes along the drive and turn around area must be marked (can be marked with signage- if the drive and lots are gravel; or marked with paint- if the drive and lots are paved). Currently the plan is for a gravel drive and turn-around.
3. Fire lane signs are indicated on the plans and must be installed prior to occupation.
4. The applicant must comply with any Health/Safety/Fire Code recommendations made by the architect.
5. The applicant is proposing a “warming only” kitchen. He understands that if a commercial kitchen is desired further review will be necessary.
 - i. The Fire Marshal and Goshen Fire Chief approved the drop off area and turn around proposed at Preliminary LSD. The cul de sac turnaround area was not constructed quite to plan, and the drop off area was slightly altered. The Goshen Fire Chief came out and inspected the cul de sac, and discussed a revised layout for the drop off area. Prior to Final Plan signatures, the drop off area must be corrected as shown on the newest plans. The applicant is aware of this and is working to correct it.
 - ii. **Once all additional corrections are completed, the Fire Marshal and Planning Staff will inspect all requirements for the building and driveway prior to staff signing the Final Plat and the building being occupied.**

At the Inspection completed on August 26, 2016, the following corrections were needed:

1. The applicant must submit a signed statement that all access roads/fire lanes are compacted to support 75,000 lbs in all weather conditions. This has been submitted.
2. Place Fire Lane-No Parking signs per plans (Staff will re-inspect).
3. Reconfigure the Fire Truck Pull Off Area. This must be compacted appropriately and marked with Fire Lane Signage (Staff will re-inspect).
4. Provide a landing for the south facing Fire Exit door (Staff will re-inspect).
5. Delineate the septic system to avoid any damage to the area (include the alternate area location). (Staff will re-inspect)
6. Mow the area along Ball Road to maintain a clear line of sight. This is an ongoing condition and a note is on the Final Plans that vegetation must be maintained in order to have a clear line of sight.

Septic System Conditions:

1. The septic system (primary and alternate area) must be delineated (landscaping/fencing/other barrier) to prevent anyone from parking or driving in this area. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed.
 - i. The applicant is requesting a “warming only” kitchen at this time. A retail food service permit may be required. The applicant must contact David Cowan at the Washington County Health Department to discuss prior to construction.
 - ii. The proposed project must be in compliance with the regulations of the Arkansas Department of Health.

Electric/Gas/Cable/Phone Conditions:

1. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. The applicant is responsible for maintaining a clear line of sight by trimming vegetation as needed. This is noted on the Final Plans.
2. The grade of the driveway is steep. If this causes an issue in the future (either with the private driveway washing out, or damage being caused to the County Road), the applicant must work with the Road Department on a plan to correct it. The Road Department wants to make sure that any changes to the driveway do not cause harm to the County Road.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Planning Conditions:

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally, all security lighting must be shielded appropriately.
2. The applicant has indicated that signage is desired. No signage is allowed within Washington County’s road right-of-way (ROW). The signage must be a approximately 24 sq. ft. in size and not directly lit. A sketch of the proposed sign was submitted to Washington County Planning and approved. No additional signage is allowed to be placed, and if the applicant chooses to use lighting for the sign, it must be indirectly lit.
3. A dumpster is not desired at this time. If a dumpster is placed, staff must approve the placement and will require it to be screened with an opaque material, including the gate, so it won’t be visible to neighbors.
4. Care should be taken to leave existing vegetation on the north and west property boundaries intact.

General Conditions:

1. **All conditions approved with CUP 2015-075 and the Preliminary LSD shall apply to this project.**
2. Only the uses proposed are allowed; no additional uses unless additional review takes place.
3. No Engineering Fees are due. (Calculated from submitted engineering invoices and less one hour of charge for each stage of development review).
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. **Once all plat corrections have been completed, submit two corrected plats for review to the Planning Office prior to obtaining signatures.**

6. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.

Washington County Senior Planner, Courtney McNair, presented the staff report for the board members.

Public comments.

Bernita Boyle, Neighbor off Tuttle Road, stated, "Tuttle road is the only access to Ball road. Since the project has been approved we had two major wrecks on Tuttle Road. One involving a Washington County police officer and a gravel truck which shut down the road for four hours. Please look your research. Please go out and look your area."

Public Comments Closed.

Daryl Yerton made a motion to approve the **Fritchie Farms Final LSD** subject to staff recommendations. Kenley Haley seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

Fayetteville Planning Area

d. Salem Storage Expansion LSD

Final Large Scale Development Approval Request

Location: Section 29, Township 17 North, Range 30 West

Owner: Salem Storage LLC

Engineer: Blew & Associates

Location Address: 3519 N Salem Rd.

Approximately 8.00 acres / 1 building with 44 storage units. Proposed Land Use: Storage Units

Coordinates: Latitude: 36.11577592, Longitude: -94.20818923

Project #: 2016-075 Planner: Courtney McNair e-mail at cmcnair@co.washington.ar.us

REQUEST: Final Large Scale Development approval for Salem Storage Expansion on a parcel that is approximately 8 acres in size.

CURRENT ZONING: Project lies within the County Zoned area (Agriculture/Single-Family Residential 1 unit per acre), and the existing storage facility is "grandfathered" in this location. This project did not require a Conditional Use Permit because there was already storage taking place in the area that the proposed addition was located. They moved the storage from outdoor to indoor storage.

This project received Preliminary Large Scale Development approval on 4/7/2016, and began construction on 4/28/2016.

PLANNING AREA: This project is located within Fayetteville's Planning Area. The City does not formally review Large Scale Developments, but had the opportunity for review and comment during Technical Review. The City of Fayetteville has not commented at this time.

QUORUM COURT DISTRICT: District 8, Daniel Balls

FIRE SERVICE AREA: Wheeler VFD

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: Water- Fayetteville Electric- Ozarks Electric

Natural Gas- Black Hills Corp. Telephone- AT&T Cable- Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The owners of this property is Salem Storage, LLC. The engineer is Blew and Associates. This property is located off N. Salem Road, WC 892 (northwest of the intersection of N. Salem Road, WC 892 and W. Salem Road, WC 894).

The applicant is requesting Final Large Scale Development (LSD) approval to begin operation the additional storage building that has been constructed.

The building is approximately 11,400 sq ft and has 44 additional storage units. It is located within the existing fenced area of the existing Salem Mini Storage Facility.

The building and additional driveway have been constructed. A final inspection was completed on August 25, 2016 by Planning Staff, the Fire Marshal, and the Wheeler Fire Chief. No additional site work was needed.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Fayetteville Water services this area. There is an existing hydrant on the site.

Wheeler Fire Department services this area and is okay with the existing gate situation at the existing entrance. They have responded there before without complication. No new / additional entrances are proposed.

Fire flow gpm has been submitted, and was found adequate. Fire extinguishers have been installed and their locations approved by the Fire Marshal. All access roads and parking area drives are compacted to support 75,000lbs in all weather conditions.

The Fire Marshal and Wheeler Fire Chief inspected the site and found everything to be adequate.

Health Department Issues:

This proposed addition will not have any type of restroom facilities, and therefore will not be connected to a septic system. The existing septic system is now clearly delineated and no parking or storage is allowed in this area.

Electric/Phone/Gas/Cable:

This project is serviced by Ozarks Electric, AT&T, SourceGas, and Cox Communications. Generally, any relocation of existing facilities will be at the developer's expense.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 892, N. Salem Road. There is an existing entrance to the existing storage unit facility that is proposed to be used for this additional building.

No new / additional entrances are proposed.

Generally, any work (i.e. clearing, grading, driveway install) to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department.

Drainage:

A Final Drainage Report was submitted. The Washington County Contracted Engineer has reviewed this report. He requested minor corrections, which have been completed. The County Contracted Engineer now finds the Final Drainage Report to be adequate.

Environmental Concerns:

At Preliminary LSD, this project was determined to be located in an urbanized/unincorporated area of Washington County. Initially it was thought that a stormwater permit would be required from Washington

County. However, after code review by the Washington County Environmental Affairs Director and Washington County Attorney, it was determined that less than one acre of property is actually being disturbed and therefore the Washington County stormwater permit is not required.

However, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this project proposal at Preliminary LSD. It is not required by code to notify for Final LSD. Staff has received no comments for Final LSD.

Staff will update you at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			✓
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions		✓	
Proposed Improvements			✓
Info to supplement plat		✓	

Checklist items remaining: (highlighted)

(7)	Original and proposed topography at ten-foot contour intervals. You are still showing "original" and "proposed".
(10)	Existing roads, streets, culverts, railroads, and other features: The <i>LSD plan</i> shall show the location, name, width, surface type, surface condition and right-of-way width of all existing or platted roads, streets or other public ways within or adjacent to the proposed improvement, including features such as existing permanent buildings, water courses, railroads, municipal corporation limits, county's state lines, planning district limits, oil and gas lines or wells, abandoned wells and dry holes. Not "WC Highway", just WC # North Salem was corrected, but West Salem was not.
(11)	Existing utilities: Ownership names and dimensions on overhead and underground power and communications lines, sewers, water mains, gas mains, and other underground structures, including water wells and septic systems within the development or immediately adjacent thereto. Show the existing utilities and list the utility companies on the plat. Water and Cable are not listed on the front page. Also, gas is now Black Hills Energy
(15)	Plat and deed restrictions: Restrictions, if any, with use and perimeters defined. Plat restrictions should be certified as to current legality by a member of the Arkansas Bar. <i>If none, add a note to the plans stating there are none. (Signature Block 6) Are there any?</i>
(30)	Signature block for Planning Board Approval. (Signature Block 8)
(34)	All remaining Signature Blocks as appropriate. (Signature Blocks 5, 6, 9, 11) (Sec. 11, appendix e)
<p>6. DECLARATIONS OF COVENANTS AND RESTRICTIONS (if applicable): OR A NOTE THAT THERE ARE NONE. Covenants and restrictions are as shown on the appropriate document signed by the owner on _____, and filed with the Circuit Clerk on _____ Date: _____ Owner: _____</p>	
<p>Please use 8a as this project is located with the Fayetteville Planning Area</p>	
<p>8. PLANNING BOARD APPROVAL: <i>(Use block 8a if in a city planning area and block 8b if not.)</i> 8a. This plat lies within the planning jurisdiction of the City of _____. The plans for ingress and egress shown on this plat were approved by the Washington County Planning Board at a meeting held on (date) _____. Planning Director: _____ Date: _____</p>	

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Salem Storage Expansion Final Large Scale Development with the following conditions:

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Generally, any work (i.e. clearing, grading, driveway install) to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department.

Environmental Conditions:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality.
www.adeq.state.ar.us

Signage/Lighting/Screening Conditions:

1. No additional signage is allowed to be placed.
2. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately.

Utility Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

Additional and Standard Conditions:

1. Only the uses proposed are allowed; no additional uses unless additional review takes place.
2. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
3. All signature blocks must be signed prior to any Washington County Office signing the Final Plans (this includes the surveyor, engineer, owner, utilities, Health Department, and any other block that is not specifically to be signed by a Washington County official).
4. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.

Washington County Senior Planner, Courtney McNair, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

Cheryl West made a motion to approve the **Salem Storage Expansion LSD** subject to staff recommendations. Walter Jennings seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

County

e. Replat Lot 33 Tony Mountain Minor Subdivision

Preliminary and Final Minor Subdivision Replat Approval Request

Location: Section 25, Township 15 North, Range 31 West

Owners: Lan Brandon

Surveyor: Blew & Associates

Location Address: 11588 Tony Mountain Road

Approximately 6.24 acres / 2 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 35.95438506, Longitude: -94.21724879

Project #: 2016-282 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Approval of Minor Subdivision Replat of Lot 33 Tony Mountain Subdivision. The request is to split a 5.82 acre parcel into two tracts.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 14, Ann Harbison.

FIRE SERVICE AREA: West Fork Rural – no comments were received from West Fork Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: West Fork

INFRASTRUCTURE: Water– Washington Water Authority **Electric-** Ozarks Electric
Natural Gas– N/A **Telephone-** Windstream Communication **Cable-** Cox

BACKGROUND/ PROJECT SYNOPSIS:

The property owner/applicant is Lan Brandon. The surveyor is David Nix of Blew and Associates. The applicant is requesting to divide a 6.24 acre parcel into two tracts. There are two structures on the property at this time.

The proposed property division could not be processed administratively due to its location within a platted subdivision. The requested lot split must therefore process as a minor subdivision replat (see Vicinity map, page E-5, and Site map, page E-6, attachments).

This proposed property division (see Plat attachment, page E-7) is as follows:

Parent Parcel: Tract 33 (parcel 496-02330-000) Tony Mountain Subdivision – 6.24 acres, two existing structures (1 home, 1 shop bldg).

- Proposed Lot 33A – 3.74 acres, one existing house, one existing shop bldg.
- Proposed Lot 33B – 2.50 acres, no existing structures

TECHNICAL CONCERNS:

Sewer/Septic

Staff withholds recommending Preliminary and Final Minor Subdivision Replat approval of Minor Subdivision Replat of Lot 33 Tony Mountain Subdivision, because we would like to get soil work prior to making recommendation. Staff will update you at the meeting.

In the interim, staff will consult with the Health Department regarding soil work requirements.

*Planning Staff has not received written information about the soil work for this project yet. However, a system check on both existing systems by a DR, confirming they are in good working order, and soil work for the new lot is required.

Ozarks Electric (General Comments)

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey at (479)263-2167 or wmahaffey@ozarksecc.com

Ozarks Electric (Additional Comments)

1. Need 30ft. Utility Easement along single phase line. (shown on current proposed plat)

Phone/Gas/Water

Any damage or relocation of existing facilities will be at the expense of the owner/applicant. No new water taps are requested at this time.

Addressing

Both existing structures have 911 addresses (11588 & 11584 Tony Mountain Rd.). No new homes/structures are proposed at this time.

If a home is desired on the new lot, it will be addressed once the location of the home is known.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

Tony Mountain Road is a Residential Drive, RD 2071. The County Road Dept will grade the road up to two times per year upon request. No new driveways are proposed.

SITE VISIT:

A site visit was conducted by planning staff on August 29, 2016. No concerns were noted.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project. No neighbor comments have been received.

Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues	X		
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements		X	
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff **withholds** recommending Preliminary and Final Minor Subdivision Replat approval of Minor Subdivision Replat of Lot 33 Tony Mountain Subdivision, **because we would like to get soil work prior to making recommendation.** Staff will update you at the meeting.

In the interim, staff will consult with the Health Department regarding soil work requirements.

Possible conditions of approval:

Utility Conditions/Road Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Standard Conditions:

1. Any new septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence(s).

2. Existing septic systems must be checked by a DR for functionality.
3. Soil work must be submitted and found adequate for the proposed lot.
4. Pay neighbor notification mailing fees (\$15.68) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 9/1/16).
5. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
6. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
7. Lots that are over one-half acre in size will need to be addressed after the home location is known.
8. All general plat checklist items must be corrected.
9. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
10. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

Daryl Yerton made a motion to approve the **Replat Lot 33 Tony Mountain Minor Subdivision** subject to staff recommendations. Kenley Haley seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

County

f. Replat Lot 30 Tony Mountain Minor Subdivision

Preliminary and Final Minor Subdivision Replat Approval Request

Location: Section 25, Township 15 North, Range 31 West

Owners: John & Marguerite Burrow

Surveyor: Blew & Associates

Location Address: 11487 Tony Mountain Road

Approximately 16.07 acres / 2 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 35.95454220, Longitude: -94.21772897

Project #: 2016-283 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Replat Approval of Minor Subdivision Replat of Lot 30 Tony Mountain Subdivision.

The request is to split a 16.07 acre parcel into two tracts.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 14, Ann Harbison.

FIRE SERVICE AREA: West Fork Rural – no comments were received from West Fork Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal, does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: West Fork

INFRASTRUCTURE: **Water**– Washington Water Authority **Electric**- Ozarks Electric
Natural Gas– N/A **Telephone**- Windstream Communication **Cable**- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The property owners are John and Marguerite Burrow, and the applicant is Ralph Burrow. The surveyor is David Nix of Blew & Associates. The applicant is requesting to divide a 16.75 acre parcel into two tracts. There are two houses on the property at this time.

This proposed property division could not be processed administratively due to its location within a platted subdivision. The requested lot split must therefore process as a minor subdivision replat (see Vicinity map, page F-4, and Site map, page F-5, attachments).

This proposed property division is as follows (see Plat attachment, page F-6):

Parent Parcel: Tract 30 (parcel # 496-02326-000) Tony Mountain Subdivision – 16.75 acres, two existing houses.

- Proposed Tract 1 – 13.31 acres, one house
- Proposed Tract 2 – 3.44 acres, one house

TECHNICAL CONCERNS:

Sewer/Septic

The two homes utilize individual septic systems. A Designated Representative of the Arkansas State Health Department carried out a soil pit analysis and determined that both systems are operating properly.

Melissa Wonnacott-Center of the Arkansas Department of Health had no additional comments.

Ozarks Electric (General Comments)

4. Any damage or relocation of existing facilities will be at owner's expense.
5. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
6. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey at (479)263-2167 or wmahaffey@ozarksecc.com

Ozarks Electric (Additional Comments)

2. Need 30ft. Utility Easement along single phase line. (shown on current proposed plat)

Phone/Gas/Water

Any damage or relocation of existing facilities will be at the expense of the owner/applicant.

Addressing

Both existing homes have 911 addresses (11487 & 11689 Tony Mountain Rd.). No new homes are proposed at this time.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

Tony Mountain Road is a Residential Drive, RD-2071. No new driveways are being proposed. The County Road Dept will grade the road up to two times per year upon request.

SITE VISIT:

A site visit was conducted by planning staff on August 29, 2016. No concerns were noted at that time.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project. No neighbor comments have been received.

Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Minor Subdivision Replat approval of Minor Subdivision Replat of Lot 30 Tony Mountain Subdivision with the following conditions:

Utility Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Standard Conditions:

1. Pay neighbor notification mailing fees (\$19.60) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 9/2/16).
2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. All general plat checklist items must be corrected.

6. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
7. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

Cheryl West made a motion to approve the **Replat Lot 30 Tony Mountain Minor Subdivision** subject to staff recommendations. Walter Jennings seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

County

g. Replat Lots 7 & 8 Brakey Minor Subdivision

Preliminary and Final Minor Subdivision Replat Approval Request

Location: Section 21, Township 17 North, Range 31 West

Owner/ Applicant: Eddy Ragle

Surveyor: Alan Reid

Location Address: 18096 Harmon Road

Approximately 4.47 / 2 lots. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.13207465, Longitude: -94.29112550

Project #: 2016-281 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Approval of Minor Subdivision Replat of Lots 7 & 8 Brakey Subdivision. The request is to combine two lots in an existing platted subdivision.

CURRENT ZONING: Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 1, Tom Lundstrum.

FIRE SERVICE AREA: Tontitown Rural – no comments were received from Tontitown Rural Fire Department, and Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: Water– Washington Water Authority **Electric-** Ozarks Electric
Natural Gas– Black Hills Corp **Telephone-** AT&T **Cable-** Cox

BACKGROUND/ PROJECT SYNOPSIS:

The original Brakey Subdivision plat, filed Sep. 5, 1997, shows this property as Lot 3; 4.47 acres (see Original Subdivision Plat attachment, page G-6). Then in 2001, Phase 2 was platted, which split the original Lot 3 in half, creating Lots 7 & 8 at 2.24 & 2.23 acres, and added another 6 lots (see Phase 2 Plat attachment, page G-7).

This current Replat request is to combine Lots 7 & 8 back to the original configuration, at 4.47 acres (see Plat attachment, page G-8).

Current lot configuration:

Brakey Subdivision (Phase 2)

- Lot 7 – 2.24 acres, no existing structures
- Lot 8 – 2.23 acres, no existing structures

Proposed Replat:

Brakey Subdivision (Phase 2)

- Lot 9 – 4.47 acres, (home under construction)

This request must therefore process as a minor subdivision replat. This Minor Subdivision Replat will combine 2 tracts, with adequate road frontage to meet subdivision requirements of 75 feet or more onto a public roadway.

TECHNICAL CONCERNS:

Sewer/Septic

Proposed Lot 9 will utilize an individual septic system. A Designated Representative of the Arkansas State Health Department carried out a soil pit analysis and determined that “the soil is suitable for any Standard Septic system.”

The septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence.

Melissa Wonnacott-Center of the Arkansas Department of Health had no additional comments on this property division’s septic.

Ozarks Electric (General Comments)

1. Any damage or relocation of existing facilities will be at owner’s expense.
2. Any power line extension that has to be built to this property will be at the owner’s expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. Please contact Ozarks Electric if you have any question.
Wes Mahaffey at (479)263-2167 or wmahaffey@ozarksecc.com

Addressing

There are currently two DEM addresses assigned to this property: 18096 & 18098 Harmon Road. One address was existing, and the applicant applied for the additional address upon submittal of this replat request. The applicant has stated one address will be used for the house (currently under construction), and the second address will be used for a shop building.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ). www.adeq.state.ar.us

Road

Any work done in the County road right of way requires a permit from the road department. Any tile that may be installed will need to be sized by the road department.

Proposed Lot 9 has 299.79’ road frontage onto Harmon Road WC31. Access to this property will be along this road frontage.

There is a 30’ dedicated right-of-way from the center-line of Harmon Road WC31.

SITE VISIT:

A site visit was conducted by planning staff on August 29, 2016. No concerns were noted.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

No neighbor comments have been received. Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			✓
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Minor Subdivision Replat approval of Minor Subdivision Replat of Lots 7 & 8 Brakey Subdivision with the following conditions:

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Standard Conditions:

1. The septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence.
2. Pay neighbor notification mailing fees (\$39.20) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 9/1/16).
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. Lots that are over one-half acre in size will need to be addressed after the home location is known.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

Robert Daugherty made a motion to approve the **Replat Lot 7 & 8 Brakey Minor Subdivision** subject to staff recommendations. Daryl Yerton seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

CONDITIONAL USE PERMIT HEARINGS

County

h. Ingram Residential CUP

Conditional Use Permit Request

Location: Section 23, Township 18 North, Range 28 West

Owner/Applicant: Justin Ingram

Location Address: 23361 N. Hickory Flat Rd.

Approximately 1.4 acres/2 residences Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.22103457, Longitude: -93.93146639

Project #: 2016-276 Planner: Courtney McNair email: CMcNair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a second residence to be placed on a parcel of land that is approximately 1.40 acres in size.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 5, Joe Patterson

FIRE SERVICE AREA: Nob Hill Rural VFD

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: Water- Madison County Water Electric-Ozarks Electric Natural Gas- N/A
Telephone- AT&T Cable- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The owner/applicant of this property is Justin Ingram. This property is located at 23361 N. Hickory Flat Road, WC# 99.

Ingram Residential CUP is requesting Conditional Use Permit approval to allow a second residence to be placed on a parcel of land that is approximately 1.40 acres in size (according to deed records) that is zoned for Agricultural and Single Family Residential 1 unit/acre. The requested density is 1 unit/0.70 acres.

There is one existing residence and associated septic system. They are requesting to place one additional residence and septic system.

Please see the applicant's letter for further information about this request.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Madison County Water services this area. There is one existing water tap for the existing residence. Staff has spoken with Madison County Rural Water, and they can provide an additional water tap in this area.

The Fire Marshal reviewed this proposal and has no concerns. No comments were received from Nob Hill VFD.

Sewer/Septic/Decentralized Sewer:

The existing residence has an associated septic system; this was inspected and found adequate. Soil work and a permit for the new system have been submitted and are adequate. An alternate area location for the existing system was also identified.

The new septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Electric/Gas/Cable/Phone:

Ozarks Electric and AT&T Telephone service this area. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Ozarks Electric stated that any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

Additionally, Ozarks Electric required a 30 foot utility easement along the existing single phase line; this is shown in the latest sketch.

There is no gas or cable service to this property.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 99, North Hickory Flat Road. The applicant is proposing to widen the driveway at the County road and on site to access the new residence, so a driveway permit will be needed.

The applicant has dedicated thirty feet (30') of right of way (ROW) along N. Hickory Flat Road. Any work to be completed in the County ROW requires a permit from the Road Department prior to beginning work.

Drainage:

The applicant provided a drainage statement. The County Contract Engineer reviewed this statement and had some comments. The applicant has addressed those comments, and the County Engineer has reviewed the changes and found the statement to be adequate.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

www.adeq.state.ar.us

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are single family residential and agricultural. The site contains one existing residence and is requesting one additional residence to be placed; this is a requested density of 1 unit per 0.70 acres.

The adjoining property densities range from 1 unit per 58.9 acres to 1 unit per 0.89 acres. Within the general proximity, property densities range from 1 unit per 58.9 acres to 1 unit per 0.89 acres. Most of these properties have a density of 1 unit per 5-20 acres, and several have 2 residences on one parcel of land (including two of the adjacent properties).

Staff feels that the applicant's request is compatible with the surrounding density.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

1. RESIDENTIAL

- a. To provide for development of residential areas at appropriate densities. **Staff feels that the proposed density fits the surrounding densities in the area.**
- b. Update, administer and enforce subdivision regulations; and develop, adopt, and enforce zoning and related regulations and codes;
- c. Require development to be connected to utilities and utilize zoning as a means to guide the progression of development; **Necessary utilities are available.**
- d. Protect the character and integrity, and property values, of single-family, residential areas; **Staff feels that one additional residence will be compatible with the character of the surrounding area.**
- e. Protect residential neighborhoods from inappropriate non-residential influences through the use of regulatory controls; **the requested use is residential.**
- f. Ensure land use and development patterns which provide for the most efficient and effective use of available utilities and services, including fire protection; and,
- g. Maintain an adequate county road plan and standards to guide and accommodate traffic movement; to develop differing categories of roads; and to protect rights-of-ways for planned, future roads. **The applicant dedicated 30' ROW to Washington County to help with future improvements if they are necessary on N. Hickory Flat Road**

Future Land Use Plan

There is no future land use designation for this portion of the County.

SITE VISIT:

Staff has not conducted a site visit at this time. Staff will perform a site visit prior to the Planning Board and update the Board if there are any concerns.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

Two "in favor" comments have been received.

Staff will update the Planning Board at the meeting if any additional comments are received.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Ingram Residential Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions:

1. Madison County Water services this area. There is one existing water tap for the existing residence. Another tap is available for the proposed residence.

Sewer/Septic/Decentralized Sewer Conditions:

1. The new septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residence. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ). www.adeq.state.ar.us

Utility Conditions:

1. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.
2. Ozarks Electric stated that any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. Ozarks Electric required a 30 foot utility easement along the existing single phase line; this is shown in the latest sketch.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$24.78) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/25/16).
2. Pay engineering fees within 30 days of receipt of invoice. This total will be calculated once all invoices are received. If less than one hour of review by the Contracted County Engineer, there will be no charge to the applicant.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - a. This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

Washington County Senior Planner, Courtney McNair, presented the staff report for the board members.

No Public comments.

Public Comments Closed.

*Walter Jennings made a motion to approve the **Ingram Residential CUP** subject to staff recommendations. Daryl Yerton seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.*

Fayetteville Planning Area

i. DANCE by Eliese CUP

Conditional Use Permit Request

Location: Section 11, Township 16 North, Range 31 West

Owner: Brett Crumely

Applicant: Eliese Freeman
Location Address: 1575 N Sunshine Rd
Approximately 1.56 acres Proposed Land Use: Commercial Dance Studio
Coordinates: Latitude: 36.08478208, Longitude: -94.23456792
Project #: 2016-280 Planner: Courtney McNair email: CMcNair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a dance studio use on a property that is 1.56 acres in size (the CUP request will occupy 0.48 acres).

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is located within Fayetteville planning area. The City submitted no comments.

QUORUM COURT DISTRICT: District 7, Rich Cochran

FIRE SERVICE AREA: Wedington VFD

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: Water- Fayetteville Water **Electric-**Ozarks Electric **Natural Gas-** Black Hills Energy **Telephone-** AT&T **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is Brett Crumley and the applicant for this proposal is Eliese Freeman. This project accesses off WC 877, Sunshine Road.

DANCE by Eliese is requesting Conditional Use Permit approval to allow a dance studio use on a property that is zoned for Agricultural and Single Family Residential Uses by right. There is one existing residence and associated septic system. The applicant originally applied for a 911 address for a personal shop building on their property, but has now decided to ask for a CUP to allow dance lessons within the building that is under construction.

Hours of operation are approximately 3:00p.m. to 8:00p.m., Monday through Thursday with occasional mid-morning and early afternoon private lessons. A sign is proposed to be placed on the building. The applicant is proposing screening for parking area with a fence in order to reduce impact to the neighbor directly adjacent to the south.

Please see the attached letter from the applicant.

The main issues with this project have been the septic location, sight visibility, and general location of site elements on the property. These have mostly been resolved at this time.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Fayetteville Water services this property. The owner has requested an additional water tap for the proposed building.

There are several nearby fire hydrants that are rated properly for firefighting purposes. The Fire Marshal determined that an additional hydrant is not warranted in this area.

There is one drive proposed to access the proposed building. There were initial concerns that this drive may not have adequate sight visibility, but Planning Staff and the Washington County Road Department

were able to field verify that it will meet minimum County Standards. The Fire Marshal had no additional concerns about this driveway.

The building plans have also been reviewed by the Fire Marshal. They had several comments regarding the building, and the applicant has updated the plans to show the requirements. The applicant will be required to post the occupancy of the building, have clear fire exits with exit lights, install smoke alarms and fire extinguishers as per Fire Code, and provide a statement after construction that the building and parking meet Arkansas State Fire Code and ADA requirements. Additionally, after construction, a statement is required that states all drives and parking areas are compacted to 75,000lbs in all weather conditions.

Sewer/Septic/Decentralized Sewer:

Corbitt Environmental was the Designated Representative (DR) contracted to perform soil work for this project. They evaluated the soil at this site and have designed a new septic system for the proposed building. They also inspected the existing septic system for the residence and identified a location for an alternate area for the existing system.

The new septic system will have a primary and alternate area. This is all able to fit within the CUP portion of the property.

The new septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the proposed building.

No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Electric/Gas/Cable/Phone:

Generally, any damage or relocation of existing utilities will be at the applicant's expense. Additionally, Ozarks Electric stated that any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

No additional comments were submitted by AT&T, Black Hills Energy, or Cox Communications.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 877, Sunshine Road. There is one proposed entrance drive. There was initially some concern that this drive may not have adequate sight visibility, but Planning Staff and the Washington County Road Department were able to field verify that it will exceed minimum County Standards. The Road Department has no additional concerns about the location of this drive.

The applicant is proposing fencing in between their parking area and the neighboring residence in order to reduce potential impact from their parking area. Planning Staff and the Road Department will need confirmation that once the fence is in place, it does not block any of the sight visibility around the curve. The applicant has provided a statement saying that the fence will not interfere with sight visibility.

As Sunshine Road is a paved road, the Washington County Road Department requires an apron to connect entrance drive to the County Road. The apron must be paved (asphalt or concrete) and at least 20' x 20'. This must be completed prior to operating the proposed dance studio. Any extensions must be approved by the Washington County Road Department Superintendent.

The applicant has dedicated thirty feet (30') of right of way (ROW) along Sunshine Road.

Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department.

Drainage:

The applicant provided a drainage statement. The County Contract Engineer reviewed this statement and had some comments. The applicant has addressed those comments, and the County Engineer has reviewed the changes and found the statement to be adequate.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).
www.adeq.state.ar.us

Signage/Lighting/Screening Concerns:

The applicant is proposing one sign that is 3 feet by 6 feet (3x6) to be placed on the building. They are also proposing screening with fencing along the southern property line, and by retaining existing vegetation.

All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately (see attached diagram for examples).

City of Fayetteville Concerns:

The City of Fayetteville did not provide any comments for this proposal.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are single family residential, agricultural, and light commercial. The site contains one existing residence, and is proposing a dance studio use in a proposed shop-type building. The adjacent uses are single family residential. Within approximately 500', there is a light commercial use (veterinary office) on Sunshine Road.

As the building being proposed will visually appear to be a typical shop-type building, and the use will be minimally impactful due to low traffic volume, little noise, and limited hours of operation, staff feels that the applicant's request is compatible with the surrounding uses.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

2. LIGHT COMMERCIAL

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **The requested use should be compatible with adjacent uses. The exterior will appear to be a typical shop-type building, the hours of operation are not excessive, and there is minimal traffic and noise expected.**

Future Land Use Plan

Rural Area Residential- while the proposed use is not residential, staff has concluded that it will be low impact and visually appear similar to residential shop-type buildings that are found often in the County. Additionally, this project is adjacent to the City Limits of Fayetteville, and most of the residential lots are not in line with the Rural Area Residential plan for this area. There is also an existing light commercial use

within 500 feet of this proposed project. Staff feels that this project will be compatible with the surrounding uses.

SITE VISIT:

A site visit was conducted by planning staff on August 19, 2016. Planning Staff and the Road Department measured the sight distance (which was found to be adequate), discussed the driveway location, and discussed screening for the neighbor.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project. No comments have been received at this time.

Staff will update the Planning Board at the meeting if any comments are received.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed DANCE by Eleise Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions:

1. The applicant must post the occupancy of the building.
2. There must be clear fire emergency exits with exit lights.
3. The applicant must install smoke alarms and fire extinguishers as per AR State Fire Code.
4. A statement is required after construction that the building and parking meet Arkansas State Fire Code and ADA requirements.
5. A statement is required that states all drives and parking areas are compacted to 75,000lbs in all weather conditions.
6. The Fire Marshal will inspect all improvements prior to the building being occupied.

Septic Conditions:

1. The new septic system must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the proposed building.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. The Washington County Road Department requires an apron to connect entrance drive to the County Road. The apron must be paved (asphalt or concrete) and at least 20' x 20'. This must be completed prior to operating the proposed dance studio. Any extensions must be approved by the Washington County Road Department Superintendent.
2. Planning Staff and the Road Department will need confirmation that once the fence is in place, it does not block any of the sight visibility around the curve to the south along Sunshine Road.
3. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
4. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ). www.adeq.state.ar.us

Utility Conditions:

1. Generally, any damage or relocation of existing utilities will be at the applicant's expense.
2. Additionally, Ozarks Electric stated that any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

Signage/Lighting/Screening Conditions:

1. One sign that is 3 feet by 6 feet (3x6) is proposed to be placed on the building. No additional signage is allowed to be placed without additional review.
2. If the applicant chooses to use lighting for the sign, all signage must be indirectly lit.
3. If a dumpster is placed, staff must approve the placement and will require it to be screened with an opaque material, including the gate, so it won't be visible to neighbors.
4. Care should be taken to leave existing vegetation on the south property boundary for screening.
5. All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately.
6. Fencing is proposed along the southern property line.
7. The plan must be generally adhered to as presented.

Standard Conditions:

1. A statement from the applicant, owner, architect or engineer must be submitted prior to the building being occupied that says the building, parking, access, and restrooms are in compliance with all ADA regulations.
2. Hours of operation must be generally as stated (3:00p.m. to 8:00p.m., Monday through Thursday with occasional mid-morning and early afternoon private lessons.).
3. Pay neighbor notification mailing fees (\$45.43) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/30/16).
4. Pay engineering fees within 30 days of receipt of invoice. This total will be calculated once all invoices are received. If less than one hour of review by the Contracted County Engineer, there will be no charge to the applicant.
5. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
6. This CUP must be ratified by the Quorum Court.
7. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
8. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

Washington County Senior Planner, Courtney McNair, presented the staff report for the board members.

Kenley Haley, Planning Board Member, asked, "On the hours of operation they stated 3:00pm to 8:00pm Monday through Thursday. Are there any dances recitals on Friday or Saturday?"

Eliese Freeman, Studio Owner, answered, "Most of our dance recitals are at outside venues like Walton Art Center or the Har-ber High School Performing Art Center. So rehearsals we have are during class time as normally scheduled. Dress rehearsals are at the venue."

Walter Jennings, Planning Board Member, asked, "Since this is a commercial building, under state law it would need an architect to stamp the drawing. Will the Fire Marshall review the drawing later or is it an ongoing review process?"

Dennis Ledbetter, Washington County Fire Marshall, stated, "No architect was required, but we will do final inspections".

Eliese Freeman, replied, "We do have stamped drawings. We can supply them as needed."

No Public comments.

Public Comments Closed.

Cheryl West made a motion to approve the **Dance by Eliese CUP** subject to staff recommendations. Kenley Haley seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

Springdale Planning Area

j. Maquiladora Manufacturer LLC, USA

Conditional Use Permit Request

Location: Section 28, Township 18 North, Range 29 West

Owner: Mark McGarrah

Applicant: Chris Vega

Location Address: south of 4600 E Monitor Road, WC-91

Approximately 62.34 acres. Proposed Land Use: Commercial Shop

Coordinates: Latitude: 36.20581014, Longitude: -94.07849500

Project #: 2016-252 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a Welding/ Metal Shop on a parcel of land that is 29.52 acres in size.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is located within Springdale's planning area.

QUORUM COURT DISTRICT: District 5 Joe Patterson

FIRE SERVICE AREA: Nob Hill Rural

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: Water- Springdale Water Electric- Ozarks Electric Natural Gas- N/A
Telephone- AT&T Cable- Cox

BACKGROUND/ PROJECT SYNOPSIS:

The current owners of this 62.3 acre property are Mark & Pamela McGarrah. They are currently in the process of splitting the property to sell 29.52 acres to Magdaleno Rodriguez, of Maquiladora Manufacturer, LLC, a metal fabrication business located in Mexico. Mr. Rodriguez has a family contact stateside, Mr. Facundo, but has been using the buyer's real estate agent, Chris Vega, to facilitate this CUP process and act as the applicant's agent.

This property is located in Springdale's Planning Area, off Monitor Road, WC#91 (see Vicinity map, page J-6, Site map, page J-7, and Surrounding Uses Map, page J-8, attachments).

This CUP request is to allow the use of a commercial welding/ metal working shop in Springdale's Planning Area. The proposal includes splitting a 29.52 acre parcel off of the 62.3 acre parent parcel (see proposed Split, page J-9), owned by the McGarrah's, and selling it to the Rodriguez's.

(Please see applicant's letter of explanation, page J-10, Architectural Plans, page J-11 – 17, and context diagram, page J-18).

There are no existing structures on the 29.52 acre (split) parcel.

TECHNICAL CONCERNS:

Water/Fire Issues:

Due to the height of the roof of the building (30ft), and since the applicant is requesting a painting room in the building, the Nob Hill Fire Chief, Gary Hull, has requested a fire hydrant to be installed at this location if the existing water main will adequately support one.

The Springdale Water GIS map shows a six-inch (6") water main on the north side of Monitor Road. Their Engineering division stated that in order to install a fire hydrant at this location they would require field verification of the size of the existing water main.

If it is found that the existing water main is smaller than 6", Chief Hull and Dennis Ledbetter, the Washington County Fire Marshal, agreed that tanker support from the nearest fire hydrant, 0.6 miles away (see Flow Test map, page J-19), would be adequate, and preferred, for the current proposal.

The applicant's architect has submitted plans for the site, and ADA, but must provide an updated floor plan showing the location of the painting room, and updated Life Safety plan showing the maximum travel distance to emergency exits. Both must be approved by the Fire Marshal.

Septic:

This project will utilize an individual septic system. Soil work has been submitted and found to be adequate.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project site accesses off Monitor Road. Sight Distance calculations were made by the surveyor, who provided a diagram showing the project meets sight distance to the east, and west (Please see Traffic Statement, page J-20, and Sight Distance statement & diagram, page J-21 - 222).

The entry to the site must be 26' wide, with turning radii no less than 38' to accommodate fire and rescue apparatus. It must have a paved apron extending from the edge of pavement 20' into the parking lot, in order to mitigate gravel being carried out onto Monitor Road by vehicle tires exiting the site.

The parking lot is proposed to be gravel, with six (6) parking spots, one (1) of which will be handicapped accessible. The gravel in the fire lane, to include the hammer head turn around, must be compacted to 75,000lbs in all weather conditions to accommodate fire and rescue apparatus. (See Site Plan attachment, page J-23)

Drainage:

The Drainage Statement provided by the applicant's surveyor (see Drainage Statement attachment, page J-24) has addressed all of the Contracted Engineer's original comments. The Engineer reviewed the Drainage Statement and stated he had no follow up comments.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Signage/Lighting/Screening Concerns:

The applicant has expressed the desire to have a business sign. Planning Staff has recommended the sign be no larger than 24 sq.ft., and if it is to be lit, any lighting must be indirect and not cause disturbance to drivers or neighbors.

All outdoor lighting must be shielded from neighboring properties. All security lighting must be shielded appropriately (See Lighting diagram attachment, page J-25).

If a dumpster is desired, it must be placed in an enclosure screened with an opaque material, including the gate.

City of Springdale Concerns:

Staff has received no comments from the City of Springdale. However, this CUP proposal is contingent upon approval of the 29.52 acre tract split through Springdale Planning, and Washington County Planning.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are single family residential and agricultural (See Surrounding Uses map, page J-10). The proposal includes plans for the welding/metal working shop only.

Based on the fact that the proposed commercial use is within the General Commercial zone as designated by the County Future Land Use plan, it won't generate a substantial amount of traffic, any noise leaving the site will be buffered by vegetative screening or travel a substantial distance, and that the shop building will have a metal exterior not unlike prefabricated agricultural buildings, Staff feels that the applicant's request is compatible with the surrounding uses.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

2. LIGHT COMMERCIAL

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- b. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **The development lies in a zone designated as General Commercial in the Future Land Use plan. Staff feels this proposed development will be compatible with adjacent residential and agricultural uses because it is proposing vegetative screening, a paved driveway apron, a fire hydrant (or adequate tanker support), has an approved septic permit, and meets sight distance requirements.**

Future Land Use Plan

Low Density Residential and General Commercial. (see Future Land Use map attachment, page J-26)

SITE VISIT:

A site visit was conducted by planning staff on July 15, 2016. No issues were noted at that time.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project. One comment has been received in opposition to the project, based on use, traffic, stormwater runoff, and sewer requirements (See neighbor comment, page J-27).

The applicant has addressed several of these concerns.

- Use- the project site lies within an area zoned General Commercial in the County Future Land Use plan.
- Traffic- the proposed driveway location meets sight distance. And the applicant has stated customers won't be coming to the business, they will conduct business online.

- Stormwater runoff- The drainage statement from the surveyor states “Proposed drainage from post construction doesn’t appear to significantly affect the surrounding parcels.
- Sewer- the project proposal includes an individual septic system. The soil work requirement has been met, and the DR stated that the location is suitable for a standard type individual sewage disposal system.

In addition, this neighbor’s property will be approximately ½ mile from the proposed one-acre project site.

Staff will update the Planning Board at the meeting if any additional comments are received.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Maquiladora Manufacturera LLC, USA Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions:

1. The size of the water main running along Monitor Road, in front of the site, must be field verified.
2. If the size of the water main is found to be 6” or larger, a fire hydrant must be installed as per Springdale Water specifications.
3. Updated Architect plans showing the paint room must be submitted and approved by the Fire Marshal.
4. Updated Life Safety plan showing the paint room must be submitted and approved by the Fire Marshal.
5. Fire Lane and hammer-head turnaround area must have gravel compacted to support 75,000 lbs in all weather conditions.
6. All curves in the fire lane and hammer-head turnaround area must have a 38 ft. turning radius (at a minimum).
7. The Fire Marshal shall inspect all improvements prior to the building being occupied.

Sewer/Septic/Decentralized Sewer Conditions:

1. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the building.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. The Washington County Road Department requires an apron to connect entrance drives to the County Road. The apron(s) must be paved (asphalt or concrete) and at least 20’ x 20’. This must be completed prior to operating. Any extensions must be approved by the Washington County Road Department Superintendent.
2. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
4. 30 feet of Right-of-way from centerline must be dedicated along the frontage of the 29.5 acre split.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Utility Conditions:

1. Any damage or relocation of utilities will be at the expense of the owner/applicant.

Signage/Lighting/Screening Conditions:

1. Any Signage will be limited to approximately 24 sq. ft., and cannot be placed in the County Right-of-Way.

2. Any outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately. Please refer to the lighting diagram in the staff report attachments.
3. If a dumpster is used, it must be placed in an enclosure screened with opaque material, including the gate.

Standard Conditions:

1. The plan must be constructed as presented, including screening and other site elements.
2. Pay neighbor notification mailing fees (\$45.43) within 30 days of the project hearing. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 9/2/16).
3. Pay engineering fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees have not been calculated yet).
4. The proposed 29.5 acre split must be approved by the City of Springdale and by Washington County Planning.
5. The one-acre project site must be surveyed and marked with surveyor's pins, but is not required to be split from the proposed 29.5 acre parcel.
6. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
7. Lots that are over one-half acre in size will need to be addressed after the home location is known.
8. This CUP must be ratified by the Quorum Court.
9. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
10. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

Kenley Haley, Planning Board Member, asked if there will be any signage.

Nathan Crouch, Washington County Planner, answered, "No signage. They do not plan to have customers to the facility. It will be online sales."

Daryl Yerton, Planning Board Member, asked, "Is the future land use zoning general commercial?"

Nathan Crouch, replied, "It's general commercial but we're calling it a light commercial use. That area is very close to the proposed bypass that will come later."

Public comments.

Rick Parsons, neighbor east of the project, stated, "We have just learned that this land is zoned for future general commercial. There is no commercial there at this time. We've been there a long time. It's always been agricultural. We like to keep it that way. We are concerned that once someone is able to buy property cheaper in the county and do these little one acre light manufacturing operations, there will be more of them popping up in other places. It will change the nature of the neighborhood. Our other concerns are the welding and paint booths that will have environmental issues. Another concern is the S-curve that approaches the property from the east. We're surprised that the county found the line of sight was good there. We have known of instances where it wasn't good enough. We think that the location relative to the curve is problematic. If it were approved it would need to be moved further to the west. Those are all of my concerns."

Kenley Haley, asked, "What about the traffic impact?"

Nathan Crouch, answered, "They're proposing less than 5 employees and no customers coming to the site. They mentioned the deliveries will not be large 18 wheeler trucks. It will be UPS and FedEx trucks."

Public Comments Closed.

Kenley Haley made a motion to approve the **Maquiladora Manufacturera LLC, USA** subject to staff recommendations. Walter Jennings seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Daryl Yerton Opposed. Motion passed.

County

k. White River Landing CUP

Conditional Use Permit Request

Location: Section 09, Township 15 North, Range 30 West

Owner: Terry Presley

Applicant: Terry Presley

Location Address: 5241 Shaeffer Rd

Approximately 7.24 acres Proposed Land Use: Wedding Barn/ Event Center

Coordinates: Latitude: 35.98965276, Longitude: -94.16338163

Project #: 2016-277 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a wedding/event center on a parcel of land that is 8.0 acres in size.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is located within Greenland's planning area. Staff has not received any comments from Greenland to date.

QUORUM COURT DISTRICT: District 14, Ann Harbison

FIRE SERVICE AREA: West Fork Rural

SCHOOL DISTRICT: Greenland

INFRASTRUCTURE: Water- Fayetteville Water Electric- SWEPCO Natural Gas- Black Hills
Telephone- AT&T Cable- Cox

BACKGROUND/ PROJECT SYNOPSIS:

The owner/applicant of this property is Terry Presley. The property is located east of Greenland off Shaeffer Road WC # 69 (see Vicinity map, K-6, and Site map, K-7, attachments).

This CUP request is to allow a wedding/event center on a property that is approximately 8.0 acres in size, and currently zoned for Agricultural and Single Family Residential uses. This project does not require formal approval by the City of Greenland as the applicants are not proposing a split, but the County will receive the City's comments and consider possible conditions via the CUP process.

Any alcoholic beverages will be catered by persons using the facilities, not by the owner.

Please see the applicant's detailed letter of explanation (attachment K-8).

The main issues with this project are the condition of Shaeffer Road and its ability to support the influx of vehicles traveling to and from the project site multiple times per week, and compatibility with surrounding uses.

TECHNICAL CONCERNS:

Water/Plumbing:

Fayetteville Water services the property. A water easement was established in 2005, providing access for the service line from the house to the water main (see water easement attachment, page K-9 – K-12). Corey Granderson, of Fayetteville Water, commented that “water use demand and meter sizing should be coordinated with City of Fayetteville Water Department to ensure serviceability.

Fire Issues:

The entry to the development onto Shaeffer Rd is 65ft north of the existing residential driveway, and 26ft wide. The fire lane (see Site Plan attachment, page K-13) must be 24ft wide at minimum and constructed with gravel compacted to support 75,000 lbs in all weather conditions. The fire lane loops around the portion of the property east of the existing shop building, with 51 parking spaces, and an additional 3 handicapped parking spaces at the front of the building. The fire lane must be kept clear of parked cars, etc., and all turning radii must be no less than 38ft. to accommodate the larger tankers that would respond should a fire emergency take place. If overflow parking is needed, it will be located between the fire lane entry and the residential driveway, just to the east of the pond.

The proposed floorplan includes a covered patio area on the south side of the building. No tables or chairs may be used in this space. No cooking, or grilling, may take place anywhere within 20’ of the roof line. A separate covered grilling area is proposed to the south of the southwest corner of the building, and a smoking area just to the west of that.

The nearest fire hydrant is approximately 1.5 miles to the south, in the Homestead Addition subdivision. The hydrant has a fire flow of 1,272 gpm, considered adequate by the fire marshal.

Based on the floor plan provided by the applicant (see Floor Plan attachment, page K-14), the bldg. will be 5,899 sq ft after the renovations, but only 4,792 sq ft. is enclosed. The fire marshal has classified the bldg., including the proposed improvements, an A2, which does not require a fire suppression (fire sprinkler) system, and has a maximum occupancy load of 100 people. The maximum occupancy must be posted inside the bldg. All fire exits must be marked with signs, lights, and fire extinguishers must be placed according to state fire code.

Septic:

The home utilizes an existing individual septic system. Its condition is unknown, as the DR did not check the system. The existing home will not be used as part of the proposed Commercial use. The building associated with the CUP proposes to utilize an individual septic system as well. The system has been designed, and the permit was approved by the Arkansas Department of Health on 8/31/2016. It appears adequate for the proposed use.

Electric/Gas/Cable/Phone:

Ozarks Electric provided general comments.

1. Any damage or relocation of existing facilities will be at owner’s expense.
2. Any power line extension that has to be built to this property will be at the owner’s expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey at (479)263-2167 or wmahaffey@ozarksecc.com

Black Hills Gas, Cox Communications, and AT&T provided no comments.

Roads/Sight Visibility/Ingress-Egress/Parking:

This CUP proposal site takes access off Shaeffer Road, WC-69. Planning Staff, the County Road Superintendent, Charles Ward, the County Road Assistant Superintendent, Brad Phillips, and the County Contract Engineer, Dylan Cobb, have all expressed concerns about Shaeffer Road’s ability to carry the volume of traffic the proposal calls for. Concerns have been regarding drainage, subgrade, width, ability of the road to support the increase in traffic, private utilities in ditches, relocation of utilities, lack of right-of-way, safety, sight distance, and whether the road should be widened or paved up to the project site. Based on these concerns Planning Staff is requiring the applicant to provide a full traffic study.

Adequate sight distance at the proposed driveway was initially of concern to staff. The posted speed limit on Shaeffer Rd is 25mph, which has a 280ft requirement of clear, unobstructed sight distance. The survey provided by Cagle & Associates (see Survey attachment, page K-15) shows 291ft of sight distance to the north, and in excess of 475ft to the south. Staff feels the sight distance was achieved due to the applicant clearing some vegetation from the northeast corner of the property. An ongoing condition of approval will be to keep that portion of the property clear of sight obstructing vegetation in the future, especially during commercial operation (if approved).

Drainage:

It is well known to the road department superintendent, Charles Ward, and assistant superintendent, Brad Phillips, that Shaeffer road floods in front of this property, as the road department has attempted to repair it several times. The applicant, Terry Presley, Mr. Ward, and Mr. Phillips all met on-site to discuss the drainage issue and new ways to mitigate the flooding. They all agreed upon the solution to pipe the stormwater south, down the east side of the road, then cross under the road to the residential driveway on Mr. Presley's property, ultimately piping the water to the pond.

In addition, there are other flooding and drainage issues existing on Shaeffer Rd. due to its proximity to the West Fork of the White River and the lack of Right-of-Way and drainage easements.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

ADEQ has visited the site in regard to stormwater concerns on 8-16-2-16, and sent a formal letter to the property owner on 9-1-2016.

Signage/Lighting/Screening Concerns:

The applicant has stated they wish to have a sign. Planning Staff responded that the proposed sign will have to be approved, and it must be no larger than 24 sq. ft. in size.

All outdoor lighting, including the sign, must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately (see attached lighting diagram for examples, page K-16).

City of Greenland Concerns:

No comments have been received from the City of Greenland to date.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are single family residential and agricultural. The site contains one permanent residence and one metal shop building. The adjoining property densities is 1 unit per 86 acres, the parcels within proximity to this project site range from 1 house per 3 acres to 1 house per 86 acres.

Staff feels that the applicant's request is compatible with the surrounding density. However, based on the county's land use plan, the future land use plan, and the neighbor comments staff has received, compatibility with the surrounding uses is questionable.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

2. LIGHT COMMERCIAL

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **This property and its associated structures exhibit a rural character, not unlike the surrounding properties. The A-frame home is of an endemic (native/local) style, and the metal building is constructed of the materials commonly found in typical agricultural settings in the area. According to the applicants the proposed improvements to the existing metal building will appear rustic in nature. While the structures are proposed to exhibit a rural character, the proximity of the event center and associated parking area is very close to the neighboring property line to the north (separated by a small vegetative buffer along the fenceline). The configuration of the property and the applicant's desire to utilize the existing metal building onsite do not allow for the use to have any large separation from the surrounding properties to the north and east. Planning Staff iterated to the applicant that there was a potential for the close proximity of the proposal to neighboring properties to cause an issue with compatibility, and has urged the applicant to try and mitigate the compatibility concerns.**

The applicant has reached out to neighbors, but there are neighbors in opposition to this project, including the neighbor directly to the north (Bachman/Luker, comments pg K-20 – K-22). Based on those concerns, staff has asked the applicant to propose additional site plan additions or alterations to help mitigate the impact on surrounding neighbors. Planning Staff recommended that the applicant table until these concerns could be better addressed, but the applicant did not want to table at this time, and wishes to proceed with the plan as shown.

Future Land Use Plan

The Future Land Use designation for this area is Agricultural, shown in green, and Residential (Compatible with Surrounding Densities), shown in yellow (see Future Land Use diagram attachment, page K-17). The surrounding residential densities range from 1 unit/ 2.3 acres, to 1 unit/ 79.9 acres.

There is an RV park (Cowpatty RV park and Campground) approx. 1.4 miles to the south on Wallin Mountain Rd.

SITE VISIT:

A site visit was conducted by planning staff on August 12, 2016. During the site visit, Staff noticed a substantial amount of clearing had taken place behind the existing shop building. Some of the clearing had taken place in the floodplain, and none of ADEQ's BMPs had been employed. Staff contacted the applicant to request they halt clearing and construction activities (which they complied). And Staff reported to ADEQ the clearing activities were partially taking place in a regulatory floodzone. ADEQ followed up with an inspection and discussed the regulations, requirements, and BMPs with the applicant.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

Several neighbors have responded, 3 opposed, 1 in favor, and 1 neither in favor nor opposed. (See attached neighbor comments, pages K-18 – 27)

Staff will update the Planning Board at the meeting if any additional comments are received.

STAFF RECOMMENDATION: The applicant has been very responsive in attempting to resolve multiple technical concerns that have arisen in this project, however, Planning Staff still feel that there are two outstanding issues that must be addressed further before staff can make a recommendation in regard to the proposed Conditional Use Permit for this Event Center:

- A traffic Study for this proposed use must be performed to evaluate the impact of the proposed use on Schaeffer Road (As mentioned previously in this report, staff has unanswered questions as to the safety and adequacy of Schaeffer Road to accommodate this use).
- Additional site plan and/or operations plan alterations to help increase compatibility with the area and surrounding properties

Staff feels that until we receive additional information from the applicant (or their representative) regarding the two above issues, that we are unable to ascertain whether this use can be appropriate, safe, and compatible for this area.

Staff has expressed this to the applicant, but the applicant wishes to proceed to the Planning Board with the current plan as presented.

Therefore, staff recommends that the board either table the project to allow the applicant time to present additional information or deny the project as presented.

Washington County Planner, Nathan Crouch, presented the staff report for the board members.

Kenley Haley, Planning Board Member, asked, "How close is it to the property line to the north?"

Nathan Crouch, Washington County Planner, replied, "They are proposing the expansion area to 14' and that'll leave it as 12' with the building setback being 10'. They're really close to the property line."

Kenley Haley asked, "Is there a residence right there?"

Nathan Crouch replied, "No, not at the property line. It is zoned residential and agricultural. The resident is nearby."

Kenley Haley asked, "Has the issue of outdoor music been addressed?"

Nathan Crouch replied, "It has addressed by the applicant. In their letter of explanation it stated that they will not have outdoor amplified music expect for the wedding march." Nathan pointed out the neighbors that are nearby for the Board members.

Vickie Presley Hassel, applicant for the Project, stated, "Me and my brother, Terry, are the ones asking for this Conditional Use Permit. I see there are several neighbors here that are opposed to it. I want to address any concerns that they have. The wedding barn was my idea. My daughter recently got married and in our search for a place we found that there are a limited number of places for small outdoor weddings. We do not want to spend a lot of money. I always enjoyed putting parties together. We have a lot of family. This is family oriented business. We don't want to upset any neighbors or cause any problems. We would like to have a small facility for the outdoor weddings. Hopefully generate income for the Greenland areas and the schools. It will help the area. The building has been abandoned for four years. It was in very poor condition. We've gone in and cleaned it up a lot. Several of the neighbors have gone by and commented that they appreciated the cleaning. We feel we have not done anything to harm the land. We're very much outdoor country people. We've done everything we can to improve the area. We cleared a lot of dead trees and underbrush. Going back to the river it will be a small foot path back there. It will be for photo opportunity. We just want a family get together. It's not going to be a large place. We understand the neighbors' concern. We are very willing to work with them. We will address any concern they have. I know the board has been through this before. The area is really growing. We would like to see something on the south end of town."

Terry Presley, brother of Vickie Hassel, stated, "We have lived here for over forty years. We've seen a lot of growth and changes. It's our hope that we can improve the neighborhood by having a facility for everybody to enjoy. That area is country feeling but it's very close to town. It is a perfect location for such a project. The corner of the property actually joins the airport. That is zoned I-1 by the city of Fayetteville. I think our neighbors to the north have half a mile of fence that joins the airport. I just want to add some

facts about the airport. The airport has 48,000 flight operations in 2006. In June of this year they had 2,456 flight operations. In July they had 1,756 flight operations according to Summer Fallon at the Drake field. It's not like we're out the middle of nowhere and we're trying to disrupt the country neighborhood. There's not been one time that I've been down there that I have not heard an aircraft flying by. The other day the Greenland marching band was practicing and we could clearly hear them. We are one mile from a four lane highway. There were nine official letters sent out. Three were in favor. Nathan has mentioned a traffic study. We just couldn't get it done in this short of a time frame. I didn't know that we were supposed to have it at this point. I thought it was needed at large scale development. It is scheduled and will start next week. I would like to answer your questions about the neighbors. Based on Google Earth the house to the north is in excess of 500 ft from our building. I believe that the neighbor across the street is the only one that is visible to us. They are over 400 ft from us. Our proposed outdoor area will be actually lower in elevation due to the hills and valleys. It won't be seen from the road or neighbors. We have left a very thick strip of vegetation to our north. We are willing to plant additional plants, pine trees, etc, whatever the commission thinks we need to do help serve as a buffer."

Public comments.

Jim Lukens, neighbor north of the Project, stated, "We have submitted written comments in opposition to the CUP. I want to share with you the mindset in which we are viewing this proposal. Janet and I, neither one of us grew up in Washington county. We grew up in very rural areas which gave us an appreciation of the rural lifestyle and agricultural production. Back 27 years ago when we moved to Northwest Arkansas, we wanted a place that has soil, access to water, and a rural neighborhood. Those were important to us. We are really glad that Washington County has county zoning. Where I grew up there wasn't county zoning. We understand the balancing act that the Board members have to do. Just because it's zoned doesn't mean it doesn't have conditional uses. I can imagine good commercial use for this property. I don't feel this one is appropriate. There can be commercial uses that won't bring in large groups of people to the property that would be compatible. Given the small parcel of land that doesn't allow buffers. In addition the building site is so close to our property boundary making this proposal not compatible with our use of the land and our lifestyle."

Nessa McDaniel, neighbor directly across the road, stated, "I know exactly what it feels to have celebration and parties. They said they're going to have a sound room installed but eventually the party will end up outside. Me and my husband have been there since 2005. We work six days a week. I work for the University of Arkansas. Sometimes its mandatory for me to work a Saturday. Sometimes 7am to 7pm. They want the facility to be used 7 days week. I know what it feels like to not have sleep and rest. The neighbors that used to stay there partied a lot but we became friends. A good time for them is miserable for us. Their son has issues. When he celebrated, he celebrated hard. Being directly across the street you don't rest. I have a niece that goes to the university. She lives with me and works nights. Their hours of operations are 7pm to 11pm. My niece usually reaches my house around 11:30pm and 12:00. From the pavement to the gravel there is not significant street light. If you turn your headlights off it's completely jet black. I am concern about traffic, especially with 50 vehicles coming in and out. I don't want anyone to get hurt. It's very narrow at the bend. A lot of people come around that bend very fast. They say they won't have an alcohol license but it doesn't prevent anyone from bringing their own liquor. I have a one year old that I babysit sometime after church. I want to know we be able to have peace of mind if they operate 7 days a week. I don't want her to be woken up to celebrations. They say that there will not be a negative impact on the property owners. I totally disagree. As far as the airplanes, they come and go. However, the noise from the barn will be continuous for us."

Andrea Hodges, neighbor to the south west of the property, stated, "As Nessa was discussing the bend earlier. My driveway is directly on that bend. Getting into my driveway I have to curve around and there are ditches on both side of my driveway. My main concern is the traffic going in the narrow road. The other issues are the clearing, erosion, and noise. Those are my comments."

Nancy Hartney, neighbor to the south of the property, stated, "I will not go over all the issues again; Noise pollution, erosion, light pollution, disruption to the trees. Something that has not been mentioned is the recreational use of Schaffer road. It is the place where the track team of UA and the high school comes to

jog. They sometimes come in a group or singles. It is an area that bicyclists like to use. There are some horseback riders in the area. There are also walkers. I object to this use of the property. It is not compatible with the area. One final thing, my neighbors to the north is part of a farmers' market. The farmer's market is a consistent throbbing heartbeat for our area. I would hate to see another splinter driven into that."

Bryan Hurly, Neighbor in the area, stated, "I am one of the few people that comes out here to run recreationally. It's one of the few reasons why I moved back here. It's the unique surrounding area that appealed to us. I have never encountered a place that has a rural area so close to a relatively large metropolitan. I really respect the desire to get more out to the rural area. As the previous speaker mentioned there are a lot of people that use the rural area, particularly this road. This is a popular road. I take my children out to go biking with me. These are working farms. You can go see the farmers at the farms and see them at the market. This is something that makes Fayetteville really special. It's one of the main me and my family moved back here. There's a lot of benefits to keep it with it's current zoning."

Debbie Champagne, neighbor in the area, stated, "I want to speak about the road situation. My husband and I work every day. People who are not familiar with the gravel road drive very fast down the road. We are inundated with dust that we have to walk through. The people that live there know better. They drive slowly when they see a runner, biker, or walker. The road is a gravel road. From 71 there is one half mile that is paved. From there is another one half mile of gravel road until you get to that property. The road will stay smooth until it rains. When it rains there are pot holes everywhere. The more traffic you have the bigger and deeper the potholes become. What happens then is people start veering around to avoid them. I can't tell you how many times that I have almost been hit head on by people trying to avoid the potholes. It's a very dangerous situation. I'm very concerned about the increase in traffic."

Nessa McDaniel, neighbor directly across the project, "This is on the behalf of my husband. He was concerned about the security of the venue. In the letter it doesn't mention anything about security. It was stated that the daughter will be staying there but she will be able to handle that volume. Mrs. Hassel and Mr. Presley will not be living there so they do not know how it feels. When I say I am directly across the street, I am directly across the street. We have a porch light and the rest of yard is dark. Security concern is let's say someone got drunk and ended up on our property. We have a lot of equipment and a pool. Who will be responsible for that? Thank you."

Rebecca Wood, neighbor on Shaeffer road, stated, "My main point of concern is traffic. The increased traffic, dust, narrow road, and blind curve by Mrs. Hodges is of great concern. It is truly a blind curve. I am one of the residents that moved to that particular area because of the rural neighborhood. The increased traffic during those proposed hours of operations will be when most of us are home on the weekend. I'll just reiterate the comments from those who oppose. I do not disagree with any of them. Two points of clarification. The property was not abandoned. It was banked owned due to a death in the family. The son was not able to take control of it. Until the bank released it no one has been living there. Another point is the airport. Both ends of the runway are used. It not just to the south of the properties. Primarily the only time we hear them is during game day. They're in for an hour and they fly out after the game's over. It's really not an issue. Not like when it would be when we're at the properties with the noise and 50 cars going in and out."

Terry Presley, brother of Vickie Hassel, stated, "I just want to say a couple of things. We're not putting in a Wal-Mart. We are asking for a venue that will mostly be used on Saturdays. We expect 40-50 events a year. That's probably not even one a week. Something like this is hard to predict. We just expect Saturdays and possibly Sunday afternoons. We don't know if there'll be 20 cars or 50 cars. People will be coming and going at different times. I can appreciate their concerns. We're not putting a Wal-Mart. We are just trying to put in a facility that hopefully everybody can use."

Ron Wood, neighbor off Schafer road, stated, "Hearing the report from the staff there are just too many questions and issues to go ahead. Especially when Mr. Presley refuses to even consider tabling." Mr. Wood asked if the staff received Mr. Compton's comments. "There's work that was done that shouldn't have been done. They didn't stop until the staff told them to stop. There's a lot of things that needs to be

answered before it goes forward.”

Public Comments Closed.

Cheryl West made a motion to table the **White River Landing CUP** subject to staff recommendations Kenley Haley seconded. Randy Laney and Chuck Browning were not present. Board Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

Juliet Richey, Washington County Planning Director, added “When a project is table it automatically goes on the agenda for next month. We will send out courtesy notifications to all the people who were previously notified. If you were not on the list and wished to be notified you can call or email us. Our Agendas are posted online on our website.”

Kenley Haley asked, “Will the traffic study be completed next month?”

Juliet Richey replied, “If the applicant is still working on things and wishes to table again. We will table it.”

Terry Presley responded, “It will be done next month.”

County

l. Meadows at River Mist CUP

To be tabled at the applicant’s request

Conditional Use Permit Request

Location: Section 06, Township 17 North, Range 28 West

Owners: Bank of Fayetteville

Applicant: Jamal Parker, Parker Enterprises & Memphis Synder, FH&G Properties, LLC

Engineer: Charles Presley

Location Address: Intersection of E Hwy 412 and WC 386

Approximately +/- 65.35 acres/155 lots Proposed Land Use: Residential Subdivision

Coordinates: Latitude: 36.17437745, Longitude: -94.01026113

Project #: 2016-249 Planner: Juliet Richey email: JRichey@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda. Cheryl West seconded. All board members were in favor of approving. Motion passed.

LAND DEVELOPMENT HEARINGS

County

m. Meadows at River Mist Subdivision

To be tabled at the applicant’s request

Preliminary Subdivision Approval Request

Location: Section 06, Township 17 North, Range 28 West

Owners: Bank of Fayetteville

Applicant: Jamal Parker, Parker Enterprises & Memphis Synder, FH&G Properties, LLC

Engineer: Charles Presley

Location Address: Intersection of E Hwy 412 and WC 386

Approximately +/- 65.35 acres/155 lots Proposed Land Use: Residential Subdivision

Coordinates: Latitude: 36.17437745, Longitude: -94.01026113

Project #: 2016-246 Planner: Juliet Richey email: JRichey@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda. Cheryl West seconded. All board members were in favor of approving. Motion passed.

CONDITIONAL USE PERMIT HEARINGS

Greenland Planning Area

n. Mountain Cars CUP

To be tabled at the applicant's request

Conditional Use Permit Request

Location: Section 16, Township 15 North, Range 30 West

Owner: Richard Price

Applicant: Patricia Hollingshead

Location Address: 6210 S. Hwy. 71

Approximately 0.68 acres Proposed Land Use: Commercial Car Lot

Coordinates: Latitude: 35.97195649, Longitude: -94.16559671

Project #: 2016-246 Planner: Courtney McNair email: CMcNair@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda. Cheryl West seconded. All board members were in favor of approving. Motion passed. Members Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl

5. Other Business

- Discussion of Current Development and Planning Department Activities.
- Reminder of upcoming Planning Board meetings for this year:
 - October 6
 - ~~November 3~~ **November 10** *(date changed to avoid general election early voting in the QC Room)*
 - December 2
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

Daryl Yerton moved to adjourn. Cheryl West seconded. Motion passed. All Board members were in favor of approving.

Planning Board adjourned.

Minutes submitted by: Phuong Pham

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman