

MINUTES
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
September 7, 2017
5:00 pm, Quorum Court Room, New Court House
280 N. College Ave.
Fayetteville, Arkansas 72701

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARINGS

Fayetteville Planning Area

a: Boote Residential CUP

Approved

Springdale Planning Area

b: Butterfield Wireless Telecommunications Facility CUP

Approved

Fayetteville Planning Area

c: Old Wire Services & Recreational Facilities CUP

Tabled

County

d. Flamingo Springs CUP

(tabled at the request of the applicant)

Tabled

LAND DEVELOPMENT HEARINGS

Fayetteville Planning Area

e. Old Wire Services & Recreational Facilities Preliminary LSD

Tabled

County

f. Longview Estates Minor Subdivision

Tabled

County

g. Nall Custom Homes Minor Subdivision

Approved

County

h. Cliff Robinson Minor Subdivision & Private Road Development

Approved

County

i. Flamingo Springs Preliminary LSD

(tabled at the request of the applicant)

Tabled

County

j. Rodriguez Minor Subdivision Re-Plat

(tabled at the request of the applicant)

Tabled

1. ROLL CALL: *Roll call was taken. Members present include Daryl Yerton, Kenley Haley, Randy Laney, Philip Humbard, Joel Kelsey, and Robert Daugherty. Walter Jennings was not present.*

2. APPROVAL OF MINUTES: *Kenley Haley made a motion to approve the minutes of July 6, 2017. Philip Humbard 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. Joel Kelsey seconded. All board members were in favor of approving. Motion passed.*

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

Fayetteville Planning Area

a. Boote Residential CUP

Residential Conditional Use Permit Request

Location: Section 19, Township 17 North, Range 29 West

Owner: Kevin Boote

Applicant: Bates & Associates, Inc.

Location Address: 4675 Cooper Creek Dr. Springdale, AR 72764

Approximately +/-0.99 acres / 1 lot Proposed Land Use: Residential

Coordinates: Latitude: 36.13478910, Longitude: -94.10997715

Project #: 2017-264 Planner: Sita Nanthavong email: snanthavong@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a parcel of land that is approximately 0.99 acres in size to be split into 2 residential lots consisting of 0.49 acres and 0.46 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 in the City of Fayetteville's Planning Area.

QUORUM COURT DISTRICT: District 15, Butch Pond

FIRE SERVICE AREA: Goshen Rural

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: **Water-** Fayetteville Water
Black Hills Corp

Electric- Ozarks Electric

Natural Gas-

Telephone- AT&T

Cable- Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The owner/applicant of this property is Kevin Boote. This property is located at 4675 N. Copper Creek Dr.

Boote Residential CUP is requesting Conditional Use Permit approval to allow a parcel of land that is approximately 0.99 acres in size to be split into 2 residential lots consisting of 0.49 acres and 0.46 acres. The project location is zoned for Agricultural and Single Family Residential 1 unit per 1 acre.

There is one existing residence and associated septic system. There is an existing barn with associated septic system.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

The City of Fayetteville services this parcel. The City of Fayetteville had no comments/concerns.

The Fire Marshal reviewed this project and has no concerns. However, if the barn is to ever be used as a residence or other occupancy, life safety plans must be presented and reviewed. The new use would have to comply with the Fire safety regulations for the County and State.

There were no comments received from the Goshen Rural Fire Department.

Sewer/Septic/Decentralized Sewer:

The Arkansas Department of Health stated that future septic permits must be approved by the state.

Soil analysis was conducted and concluded that the soil in the test pit is suitable for a standard type of individual sewage disposal system.

Each building (house and barn) has its own septic system. The lateral lines for the house encroach upon the northwest side of the proposed Tract 2. The lateral lines for the barn encroach upon the property to the south. The property to the south has lateral lines that encroach onto the southwestern part of the proposed Tract 2.

Electric/Gas/Cable/Phone:

Ozarks Electric services this area. Planning Staff did not receive comments from them.

Gas service is provided by Black Hills Corp. Planning Staff did not receive comments.

Cable is provided by Cox and the phone service is provided by AT&T. Again, Planning Staff received no comments.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off East Zion Road WC 92.

Any work in the County right of way will require a permit. Please contact the Road Department

Drainage:

At the request of the County engineer, the applicant provided a drainage statement. The County Engineer found the statement to be sufficient.

Environmental Concerns:

This project is in an urbanized/unincorporated area of Washington County. Due to the size of this project, with less than one acre of area disturbed, a stormwater permit will NOT be required from Washington County. Stormwater control measures are encouraged. Additionally, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. 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 one barn.

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 the project will be compatible with 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.

Future Land Use Plan

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

SITE VISIT:

Staff conducted a site visit on 08/29/2017 and did not notice anything of concern. Site distance is adequate.

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 additional comments are received.

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

Water/Plumbing/Fire Conditions:

1. City of Fayetteville services this area. Please consult with the City of Fayetteville if further permits are requested.

Sewer/Septic/Decentralized Sewer Conditions:

1. The lateral lines for all the proposed Tract 1, Tract 2, and the house to the south all encroach upon each other. Septic easements will be required before final approval is given.

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.adeg.state.ar.us

Utility Conditions:

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

Standard Conditions:

1. Pay neighbor notification mailing fees (\$67.83) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/31/2017).
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.
 - 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 Planner, Sita Nanthavong, presented the staff report for the board members.

Kenley Haley, Planning Board Member, inquired regarding the surrounding properties septic systems.

Sita Nanthavong answered, "The ones that are north are all within the city so they are all connected to the city. The ones on the south in this latter area here, those are all on septic."

Kenley Haley remarked, "So the ones to the south obviously are larger tracts."

Joel Kelsey, Planning Board Member, asked, "Is there a reason why we wouldn't do just a lot split instead of a conditional use? How long is a conditional use in effect?"

Sita Nanthavong replied, “The property is less than an acre and the applicant is asking to further split what is less than an acre into something even smaller and the way that the county is zoned is that it has to be at least an acre, so anything smaller than that needs to go through a conditional use permit.”

Joel Kelsey continued, “So this in an indefinite conditional use?”

Sita Nanthavong answered, “Yes.”

Justin Reed, Engineer with Bates & Associates, addressed the Board, “I don’t have any further comment I think staff summed it up pretty good, just a conditional use on a lot split.”

No Public Comments.

Public Comments Closed.

*Robert Daugherty made a motion to approve the **Boote Residential CUP** subject to staff recommendations. Joel Kelsey seconded. Walter Jennings was not present. Board Members Daryl Yerton, Randy Laney, Philip Humbard, and Kenley Haley were in favor of approving. Motion passed.*

Springdale Planning Area

b. Butterfield Wireless Telecommunications Facility CUP

Conditional Use Permit Request

Location: Section 04, Township 17 North, Range 29 West

Owner: John H. Thompson Revocable Living Trust

Applicant: James Cardinal

Engineer: Blew & Associates Inc.

Location Address: Vantress Farm Rd.

Approximately +/- 8.54 acres/ 2 lots

Proposed Land Use: Wireless Communications Facility/ Tower

Coordinates: Latitude: 36.16654869, Longitude: -94.08197715

Coordinates: Latitude: 36.16685741, Longitude: - 94.08391223

Project #: 2017-268

Planner: Sita Nanthavong

email: snanthavong@co.washington.ar.us

REQUEST: Butterfield Wireless Telecommunications Facility is requesting Conditional Use Permit approval to allow a wireless communication tower facility on two properties that are currently zoned for Agricultural and Single Family Residential uses.

This property is in a zoned area where the use of Single Family Residential (maximum of 1 unit per acre) or Agricultural is allowed by right, and all other proposed uses must be reviewed as Conditional Use Permit Requests by the County Planning Board/ Zoning Board of Adjustments.

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. The City did not comment on this project.

QUORUM COURT DISTRICT: District 5, Joe Patterson

FIRE SERVICE AREA: Nob Hill Rural

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: Water- Fayetteville Hills Corp

Telephone- AT&T

Electric- Ozarks Electric

Natural Gas- Black

Cable- Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

Butterfield Wireless Telecommunications Facility is requesting Conditional Use Permit approval to construct a wireless telecommunications facility that will include a 150 foot tall telecommunications tower with accompanying ground equipment to be contained within a 50x50 foot chain link security fence. The tower will be constructed on 001-14488-001 and accessed through an easement on 001-14788-000 from Boulder WC 2052.

The proposed facility will be an unmanned location with the only reoccurring traffic being cars and light trucks one to two times a month. Due to added carriers at the site, the potential reoccurring traffic could be three to six times a month. The facility would have no impact on traffic and maintains that a Traffic Study would not be needed.

The construction of the proposed tower would not appreciably change the grade or slope of the existing terrain nor would it cause the diversion or any other appreciable change to the storm water runoff either to or from the proposed site.

The applicant states that there are two existing tower sites that are within a one mile radius of this project. The applicant states that neither of these towers are suitable to help offload the area to the SW of the proposed facilities site; one is too close and the other is overloaded. The applicant's explanation letter states that the facility will be unmanned and the only reoccurring traffic will be light trucks for equipment maintenance technicians.

If all criteria are met, this tower will only have to process as a Conditional Use Permit (CUP) and then as an Administrative Tower. Full Tower Review by the Planning Board will not be required if all Administrative Tower requirements can be met.

Staff has been out to the site and observed that it seems to be situated in a way that will not impede or minimize any aesthetic impact for nearby neighbors. There is a solar power plant south of the proposed site.

See the site plan which shows residential home proximities to the proposed tower's location.

There have been no outstanding issues with this project.

APPLICABLE FEDERAL LAW IN REGARD TO REVIEW OF CELL TOWERS:

Items we cannot consider- as per federal regulation:

Sec 704 (a)(iv) of the FCC Act of 1996 prohibits us from making decisions about the possible environmental impacts of cell towers based on radio frequency emissions, etc. This includes health-related concerns in regard to radio frequency emissions.

There is a maximum amount of radiation allowed by Federal regulation. As long as the tower does not exceed that amount, then you may not use this as a reasoning to not allow the tower.

In November of 2009, the FCC issued a Declaratory Ruling clarifying portions of the FCC Act. This clarification states the following:

- Local governments have 150 days to review and act upon tower siting applications. If the County fails to act in that period of time, the applicant can bring action against us in court, and we will bear the burden of explaining why the delay was reasonable.
- The County cannot deny an application solely because "one or more carriers serve a given geographic market," as in doing so, the County would be engaging in unlawful regulation that

“prohibits or has the effect of prohibiting the provision of personal wireless services.” In other words- just because one provider (i.e. AT&T, Verizon, etc) has existing good service in an area is not grounds to deny a tower from being placed in that area.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

The access drive is approached from Boulder WC 2052. The site will access via easement from 001-14788-000.

Overhead power lines were seen in the area of the proposed drive, there are trees and vegetation. These must be cleared to allow enough vertical clearance for fire apparatus along the proposed access and utility easement. This access drive must be at least twenty six feet in width and be able to support 75,000 lbs in all weather conditions. The gate that will be installed in the existing fence row must be at least 26 feet in width. The tower compound must have a 20-foot wide gate installed in it in order to accommodate emergency vehicles.

Health Department Issues:

The proposed facility will be an unmanned location. Per the applicant, soil testing will not be needed as there will not be water services, sewer services or septic equipment.

Electric/Gas/Cable/Phone:

Ozarks Electric, Black Hills Corp, AT&T, and Cox Communications submitted no comments on this project.

Roads/Ingress-Egress:

Any construction in the County right-of-way requires a permit from the Washington County Road Department.

Drainage:

The Washington County Contract Engineer has no comments on this proposed project. The applicant submitted a statement to staff stating that the proposed tower facility's construction will not appreciably change the grade or slopes of the existing terrain and would not cause the diversion or any other appreciable change to the storm water runoff either to or from the proposed site.

City of Springdale's Concerns:

The City of Springdale submitted no comments on this project.

Addressing Concerns:

The applicant must apply for a 911 address to be assigned.

Sheriff's Office Concerns:

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

COMPATIBILITY CONCERNS:

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION II. SUMMARY OF MAJOR CONSIDERATIONS

In an effort to attain the type of development desired by county leaders and citizens alike, the following matters should be considered.

1. Retain the agricultural nature and rural residential character of the county through proper development regulations; while at the same time recognizing the need for industrial land uses, principally where adequate utilities, roads, and other infrastructure exists or will exist. This will allow the industrial and commercial uses and rural residential lands that choose to locate in the county, as well as help to insure that incompatibility with agricultural, residential, and other uses is minimized.

Staff Comments: *Staff has been out to the site and observed that it is surrounded by pasture. To the direct south is a solar power field maintained by Ozarks Electric. Power lines are overhead along the County Road.*

Staff feels that the tower placement in the terrain, the type of tower (monopole), the height of the tower (150 feet), the lack of tower lighting, and staff's requirement that the tower compound be surrounded with opaque privacy fencing, all help to mitigate the tower's appearance and do not inherently impact the rural and agricultural nature of the County. With these items taken into full consideration, Staff feels that this cellular facility should be allowed at this location.

2. Commercial development, though necessary, must be weighed according to its impact on agricultural and residential areas.

Staff Comments: *Staff recognizes that a tower at this location might impact the aesthetics of some surrounding properties but the impact is expected to be minimal based on the tower location, tower height, tower type, the existing high voltage transmission lines, and the solar power field.*

3. The protection and preservation of agricultural lands through the proper use of regulatory mechanisms is critical to retain the rural nature of the County.

Staff Comments: *Staff feels they have carefully considered and addressed (to the best of their abilities and knowledge) the protections and preservation of agricultural lands using the regulatory mechanisms at their disposal (primarily the Conditional Use Permit Process).*

To address the concerns listed above, staff has given consideration to a number of factors related to this proposed use such as:

- *residential structure proximities*
- *the proposed tower type and height*
- *fire and emergency vehicle access*
- *screening of the compound area*
- *and all other items discussed in this Staff Report*

Future Land Use Plan

The future land use designation for this property is Low Density Residential (1-4 Units per Acre).

The presence of this cell tower will not preclude this property from being farmed. Also, the proposed location of this tower on property already crossed by transmission lines and with a solar power plant to the south seems to be a good use of this site. Staff feels that this project will be compatible with the surrounding uses.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300' of the exterior boundary of the parcel were notified. No neighbors have submitted comments for or against the CUP 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 Butterfield Wireless Telecommunications Facility Conditional Use Permit with the following conditions:

General Conditions:

1. The project shall generally adhere to the plans submitted.
2. Any applicable permits must be obtained through City of Springdale Planning/Engineering.

Fire and Water Conditions:

1. There must be enough vertical clearance along the access and utility easement for fire apparatus.
2. The gate to be installed along the easement shall be 26 feet in width to accommodate emergency vehicles.
3. The access drive must be 26 feet wide and be able to support 75,000 lbs in all weather conditions.
4. A 20 foot wide gate will be required on the tower compound fencing in order to accommodate emergency vehicles.

Roads/Ingress-Egress Conditions:

1. Any work done in the County road right of way requires a permit from 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. All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors.
2. All security lighting must be shielded appropriately.
3. The compound area should be screened by using privacy fencing a minimum of 6' in height.

Addressing Conditions:

1. The applicant must apply for a 911 address to be assigned.

Utility Conditions:

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

Additional and Standard Conditions:

1. Pay neighbor notification mailing fees of \$37.80 within 30 days of project approval. An invoice was emailed on 08/31/2017. Any extension must be approved by the Planning Office.
2. Pay Engineering Fees (if there are any) 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. 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.
7. This project requires additional review (Regular Communications Tower Review), and therefore, the applicant must submit for Regular Communication Tower Review within 12 months of this CUP project's ratification.

Washington County Planner, Sita Nanthavong, presented the staff report for the board members.

Daryl Yerton, Planning Board Member, asked, "That photo that you had up there earlier was that taken from the east?"

Sita Nanthavong affirmed, "Yes, we were facing east."

Daryl Yerton questioned, "So from that picture the solar panels would be on the right?"

Sita Nanthavong answered, "On the south, from right here they would be on the south of where this image is."

Daryl Yerton explained, "I just wanted to get perspective whether that was from the driveway, the house across the street or it was from the other side of the property."

Sita Nanthavong understood, "It is all to the east, and the solar fields are to the south."

Kenley Haley inquired, "How many feet is it to the closest residence?"

Sita Nanthavong informed, "It has to be more than 225 ft., I do not have it on this presentation but I can pull it from the folder."

Joel Kelsey pointed out, "It is 396 ft."

Sita Nanthavong confirmed, "Exactly."

Kenley Haley commented, "Ok, thank you."

Scott VanCamp, Neighbor adjacent to parcel, addressed the board, "I have owned that property since 2013. I have already completed a perk test to build a residence, which would be possibly within the 225 ft. radius of the tower. I have a few concerns obviously with the tower being built. It is my assumption that as of the Telecommunications Act of '96 that health concerns are not valid as far as a local jurisdiction to deny a cell phone tower however, I would like you to consider the devaluation of property as well as the decline in aesthetics. However my main concern is the radius. The corner of this house is 396 ft. the residence will be built approximately

in this area. Another concern of mine was that it is my understanding that the cell phone towers have to be built on a 300 by 300 plot of land and there seems to be adequate room to move that off of Boulder Drive further west. I know that would be more expense incurred on a road that way, but for one the FCC minimum regulations are that for every foot of height there be 1 foot of depth towards the property line and as of right now it's at the bare minimum, so just to have that peace of mind. I have also done a lot of research as far as the health of it, and I know that's not one of the things you can base it on, but there is mounting research from Israel, Japan, Germany, Australia and the United States that shows that further research is warranted to conclude whether or not the RF waves from these towers is detrimental to one's health."

Kenley Haley responded, "Do we know if that's less than 225 ft.?"

Scott VanCamp answered, "I don't know what the approximation of that graphic is, obviously the radius of the circle is what we are being told is 225 ft., and with the picture there. I can't give the exact estimation of where the residence would be built. I am currently in school and will graduate in May of 2018 and look to build after that."

Joel Kelsey inquired, "So where your perk test was done is where you plan to build the house?"

Scott VanCamp affirmed, "Yes that is correct."

Joel Kelsey suggested, "Is it possible to table a month and find out exactly what the distance is between that?"

Randy Laney, Planning Board Chairman, established, "Yes, I guess that is possible. I was going to ask Brian as the rule on distance is I think I read it as existing property. The fact that there is a house to be built technically the distance is blank land as far as the rule is concerned because it has got to be that far from existing structures. The structure doesn't exist so that is where we are caught here."

Scott VanCamp noted, "I would appreciate consideration for the devaluation of the property."

Randy Laney appropriated, "Not to discount your concerns. I am just trying to clarify it has to be 225 ft. from an existing structure, so just want to be clear on that."

James Cardinal, Representative for the applicant Fortune Wireless, addressed the board "I just wanted to answer any questions that you had. I think Sita went over everything"

Joel Kelsey inquired, "I understand it is not an existing structure, I understand it's a concern. I also understand the question about whether or not it could be moved where that could possibly take out and cover the distance between the perk if there is a house built there?"

James Cardinal replied, "It looks like even if the house was built where he says, it would be out of the radius and far enough away from his house to meet the setback code."

Joel Kelsey questioned, "I am looking at that map and I can't tell. I am just asking, I mean I can look at that right side of that red circle to that house and go yeah, but to go back and look at where that word is up there. I don't think that's 225 ft., I am just asking."

James Cardinal addressed, "Sure, it is possible and the tower isn't built yet, thousands and thousands of dollars in extra cost would come into play, new surveys, and new things like that, so it's a possibility."

Daryl Yerton averred, "Could you give us some background on why you decided to put that tower on that location."

James Cardinal explained, "It was mostly the land owner. He didn't want it that far west. He wanted to put it somewhere over in the corner of that parcel; we went as far into that corner as we could get with still meeting the setbacks."

Joel Kelsey commented, "I know it is not constructed yet but I will ask for consideration of the potential homeowner. That is all I have to say."

Scott VanCamp inquired, "This just concerns the letter that I received on page c2 there is one of the graphics that lists to future tenants inside the 50 by 50 enclosure and I was just wondering what that "future tenant" refers to, there are 3 red rectangles or squares that are outlined."

James Cardinal answered, "So this tower is being built by Eco Cite for T-Mobile. T-Mobile will be the main carrier on the tower to begin with. In the future Verizon or AT&T could collocate on the tower so they leave space inside the compound incase another carrier wants to be on the tower at a later date."

Daryl Yerton asked, "Is there a maximum number of tenants?"

James Cardinal answered, "I believe it is 3."

Public Comments Closed.

*Robert Daugherty made a motion to approve the **Butterfield Wireless Telecommunications Facility CUP** subject to staff recommendations. Daryl Yerton seconded. Walter Jennings was not present. Board Members Joel Kelsey, Randy Laney, Philip Humbard, and Kenley Haley were in favor of approving. Motion passed.*

Fayetteville Planning Area

c. Old Wire Services & Recreational Facilities CUP

Conditional Use Permit Request

Location: Section 30, Township 17, Range 29

Owners: Patrick J. Tobin Revocable Living Trust

Applicant: Bates & Associates, Inc.

Engineer: Geoff Bates

Location Address: Old Wire Rd. WC 87

Approximately +/- 19.4 acres / 1 lot

Proposed Land Use: Services, Office, and Recreational Facilities

Coordinates: Latitude: 36.12103716, Longitude: -94.10753190

Project #: 2017-199

Planner: Sita Nanthavong email: snanthavong@co.washington.ar.us

REQUEST: **Old Wire Service and Recreational Facilities** is requesting **Conditional Use Permit** approval to allow the building of service and recreational facilities buildings on a property that is approximately 19.42 acres in size and is currently zoned for Agricultural and Single Family Residential Uses.

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 the City of Fayetteville Planning Area.

QUORUM COURT DISTRICT: District 15, Butch Pond

FIRE SERVICE AREA: Goshen VFD

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: **Water-** Fayetteville Hills
Telephone- AT&T

Electric- Ozarks Electric

Natural Gas- Black

Cable- Cox Communications

BACKGROUND/PROJECT SYNOPSIS:

The owner of this property is the Patrick J. Tobin Revocable Trust. The applicant is Pat Tobin with representation by Bates and Associates.

Old Wire Service and Recreational Facilities is requesting **Conditional Use Permit** approval and **Preliminary Large Scale Development** approval to allow the building and leasing of service and recreational facilities buildings on a property that is approximately 19.42 acres in size and is currently zoned for Agricultural and Single Family Residential Uses.

The parcel will accommodate ten (10) single story buildings to be built in phases. The first phase will consist of the construction of buildings numbered 3 through 8. Building 3 and 4 will be approximately 5,000 square feet, buildings 5 and 6 will be approximately 3,600 square feet, and buildings 7 and 8 will be approximately 2,500 square feet. The applicant is proposing to leave the uses open to accommodate prospective tenants and their businesses; however, the uses will be limited to the type of building being constructed so it complies with city and fire regulations.

The applicant has submitted a detailed letter of explanation (please see attached).

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

This CUP request was reviewed by the City of Fayetteville and the County Fire Marshal.

Fayetteville Water services this area. Corey Granderson with Fayetteville Engineering stated that a looped connection must be provided per specifications due to there being an 8 inch dead-end water main extension proposed to support 6 meters and 3 fire hydrants. The water system design will be subject to the City's latest design criteria. Standard conditions will apply.

There is an existing hydrant (FH 02451) along North Old Wire Road WC 87 to the West of the proposed site entrance. Tanker support will be used by Goshen, Nob Hill and the City of Fayetteville.

The applicant states that the current fire flow is 1,548 gpm. The Fire Marshal states that each building must be within 250 feet of a fire hydrant per Arkansas State Fire Code. The current plans detail this.

The water line must be 8 inches.

If electrical lines are going to be overhead, they will have to be set high enough to allow adequate clearance for fire/emergency vehicles.

The entrance to the project site must have a 38 foot turning radius. Gravel must be compacted to 75, 000 pounds and certified by the project engineer. A compaction statement by the engineer is required for Final LSD.

The applicant proposes a hammerhead turn around to be used by fire/rescue vehicles. The hammerhead must be designated as a fire lane.

Fire Lane signs are required along the fire lane- not in the parking areas, but include them in the bottleneck areas.

Architectural plans of proposed buildings have not been received or reviewed by Planning Staff and/or the Fire Marshall. The plans must be reviewed by the Fire Marshall before Preliminary LSD approval is given, but can be a condition of approval.

The Fire Marshall has not yet required a Knox Box, but may upon review of the Architectural plans.

An Architect stamped life safety plan for each building must be submitted at the Construction Plan Review meeting, before construction may begin.

An Architect must set the final occupancy of each building.

All fire lanes must to be labeled. Buildings and parking must be ADA compliant. A statement at Final LSD will be required that states all buildings are in compliance with the Arkansas State Fire Code, and ADA regulations.

Health Department Issues:

This project proposes to utilize one septic system for each building.

Soil analysis has been conducted and submitted to the Health Department for buildings 3 through 8. Based upon the soil analysis and the Loading Rates for Residences and Commercial Establishments table, only a maximum of 12 occupants may be present within each building per day; this includes employees and customers. This may change once permits are submitted to the Health Department.

It is incumbent of the owner to notify the Planning Department for re-evaluation of adequacy of the septic system, according to the septic code, of any changes in occupancy that exceed the Health Department's permitted septic loading of 12 occupants per day maximum including customers.

Electric/Phone:

This project is serviced by Ozarks Electric, AT&T, Black Hills, 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 87, North Old Wire Road.

Planning Staff have performed a site visit and it appears that the site distance is adequate.

No signage or parking is allowed within Washington County's road right-of-way (ROW). Currently, none is shown on the plans.

The Road Department requires a minimum 30 foot ROW to be dedicated on the applicant's side of the road (if applicant owns both sides, both sides must be dedicated).

One entrance is proposed for the first phase. A second entrance will be added during the second phase of construction as per the fire code due to the length of the access drive.

Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.

Drainage:

A Drainage Report was submitted. The Washington County Contracted Engineer has reviewed this report and has found it to be adequate.

A Drainage Easement will be required if the property is to be split and detention pond is to go on the other tract.

Environmental Concerns:

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 Concerns:

No signage is allowed within Washington County's road right-of-way (ROW). As this is a semirural area in transition, staff recommends the signage be approximately 24 sq. ft. in size and not directly lit. A sketch of the proposed sign must be submitted to Washington County Planning for approval prior to the sign being placed. No additional signage is allowed, and if the applicant chooses to use lighting for the sign, it must be indirectly lit. There is no signage proposed with this project.

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 (see attached diagram).

Each building will have its own dumpster. The plans indicate that each dumpster will be screened including the gate and the dumpster enclosure material must match the building material.

Addressing Concerns:

The applicant must apply for a 911 address to be assigned. 911 addresses must be shown on the Final Plat at Final LSD.

Sheriff's Office Concerns:

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

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding uses are a mix of residential, agriculture, light commercial and community facilities. Within the vicinity is a storage unit complex, a laser tag facility, two plumbing shops, two existing churches, a cemetery, and residential and agricultural uses.

County's Land Use Plan (written document):

Staff does not know if the traffic and nature of this proposed project would be in use with the County's Light Commercial Land Use Plan.

According to the County's Land Use Plan,

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.

Future Land Use Plan

The Future Land Use Plan for this area shows that it is "Rural Area Residential". This portion of the County Future Land Use Plan was extrapolated from the City of Fayetteville's adopted Future Land Use Plan for this area.

The City of Fayetteville submitted no comments.

Site Visit:

A site visit was conducted by Planning Staff on 08/29/2017. Staff did notice anything of concern.

Neighbor Comments and Concerns:

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

To date, there have been a total of seven comments submitted.

- Received 07/31/2017 – Neither in favor or opposed and states that the owner does not have a reputation for clean, well maintained properties, has concerns about the structure type.
- Received 08/01/2017 – Opposed contingent upon storm water. They are worried about additional storm water run-off.
- Received 08/01/2017 – Opposed and concerned about water run-off, what type of businesses will be present, and the physical appearance of the buildings.
- Received 08/02/2017 – In favor only if the storm water run-off is redirected directly to the creek and not able to access their property. They would like opaque fencing for commercial developments and the buildings to be constructed to match the surrounding businesses.
- Received 08/08/2017 – Opposed. They do not want rental or retail so close to their residential property. They would rather the property stay residential.
- Received 08/25/2017 – Opposed. No reason given.
- Received 08/28/2017 – Opposed. No reason given. Submitted by the same person who submitted comments on 08/25/2017.

Planning Staff will update the Board of any more comments.

STAFF RECOMMENDATION: Staff recommends *approval* of the project with the following conditions:

Water/Plumbing/Fire Conditions:

1. A looped connection must be provided per specifications.
2. The water system design will be subject to the City of Fayetteville's latest design criteria.
3. Each building must be within 250 feet of a hydrant per Arkansas State Fire Code.
4. The water line needs to be 8 inches.
5. Overhead electrical lines must be high enough to allow clearance for fire/emergency vehicles.
6. Project site entrance must have a 38 foot turning radius.
7. Gravel must be compacted to 75,000 pounds in all weather conditions and certified by an engineer.
8. A hammerhead turn around must be provided for fire/emergency vehicles.
9. The hammerhead turn around must be designated as a fire lane.
10. All fire lanes must be labeled and marked in paved areas. Fire lanes must have signs in graveled areas.
11. Buildings, restrooms, and parking must be ADA compliant.
12. A statement at Final LSD will be required stating all buildings are in compliance with Arkansas State Fire Code and ADA regulations.

13. A life/safety plan must be submitted and approved by the Fire Marshal once occupancy per building is known and building plans are available.

Health Department Conditions:

1. Soil work has been completed and a copy has been submitted for this project. Using the soil analysis and the loading rate, the Department of Health as deemed that occupancy can be no more than twelve people at a time within each building.
2. Full permit design has not been submitted to the Department of Health. Once occupancy is known, permits will be sent to the Department of Health.
3. The septic system must receive full approval from the Department of Health before installation can begin.
4. No parking (including overflow parking) is allowed on any portion of septic systems including the alternate areas.
5. Physical barriers must be placed around the entire septic areas to prevent damage from vehicles or other disturbance. The barriers must be placed such that driving between them is not possible.
6. Project must be in compliance with the regulations of the Arkansas Department of Health.

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

1. Site distance is adequate.
2. One entrance is proposed for the first phase. A second entrance will be added at the second phase of construction.
3. No signage or parking is allowed within Washington County's road right-of-way (ROW), and none is shown on the submitted plans.
4. The Road Department requires a minimum 30' ROW to be dedicated on the applicant's side of the road (if applicant owns both sides, both sides must be dedicated).
5. 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 signage is allowed within Washington County's road right-of-way (ROW).
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.
3. A sketch of the proposed sign must be submitted to Washington County Planning for approval prior to the sign being placed.
4. No additional signage is allowed to be placed.
5. 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.
6. All outdoor storage and dumpster must be screened with opaque material (gates must be opaque too).

Addressing Conditions:

1. The applicant must apply for 911 addresses to be assigned. 911 addresses must be shown on the Final Plat at Final LSD.

Utility Conditions:

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

Additional and Standard Conditions:

1. Pay engineering fees. This total will be calculated at the Final LSD phase for this project once all invoices are received.
2. 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.
3. Building occupancy must be submitted to the Planning Dept at Construction Plan Review before construction may begin.
4. Hours of operation must generally be as stated (Monday-Friday 8:00am – 5:00pm and weekends as needed).
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. No work may begin for this project until it receives Conditional Use Permit approval and Preliminary Large Scale Development approval, is ratified by the Quorum Court, and all plan changes are completed and approved by Planning Staff.
8. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
9. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - This project does require additional Planning Board review (Large Scale Development). Therefore, the Preliminary Large Scale Development plans must be submitted within 12 months of this CUP project's ratification.
10. Final Large Scale Development approval will be required prior to occupation of this proposed office building.

Washington County Planner, Sita Nanthavong, presented the staff report for the board members.

Kenley Haley expressed concern regarding the proposal of this project and for allowing the construction of buildings without knowing the use.

Sita Nanthavong explained, "This part is just for conditional use, and that is to do something other than agricultural residential. He wants to build a series of ten buildings in phases so six first and then the other four later. He wants to do what a lot of places in Fayetteville do. So basically build out to accommodate your tenants. That will also set the tone of any tenants that will come after that. If one is outfitted as a donut shop then it can only be that type of shop or use from then on if it changes then we will have to revisit the process to make sure the new tenants are meeting safety codes, fire codes, and the septic is adequate to handle whatever it is that they are doing."

Kenley Haley recounted, "So right now approving this way they don't have to come back for approval of a tenant?"

Sita Nanthavong answered, "No, but they will have to come back to go through the Preliminary LSD, basically at that point we would have to know what the use is, what the building is going to look like, the fire and safety plan, and what the septic is able to accommodate."

Nathan Crouch, Senior Planner, pointed out, “If the projects are approved, before they are able to begin construction we would do a construction plan review with the applicants, our engineer, probably the health department, and whoever else wanted to come on board, probably Fayetteville because it’s in their planning area, and they would submit an architect-stamped building floor plans at that time and the architect would set the occupancy based on the use. The occupancy would inform the septic permit and if they didn't have enough lateral lines as required then they could add additional lateral lines in order to increase the capacity of the septic system.”

Kenley Haley questioned, “Have we had a previous project similar to this?”

Nathan Crouch answered, “We haven’t done it like this before, no. We are putting a lot of this on the back end because we were unable to get the applicant to nail down a specific type of use. You’d have a day care, or a beauty shop, the septic requirement is going to be much larger than that of an accounting office, for example. In trying to work with everybody, we determined that we could put some of this back on to the construction plan review phase which would come after this, and frankly if it doesn’t sit well with y’all, then we could table it and we could wait for the applicant to submit architect plans and we could go the traditional route but I don’t believe that’s what the applicant wants to do at all.”

Randy Laney noted, “My concern is in the general same area because I have been on the board long enough, I remember when we did the facility down the road, the paintball place, and I remember when we approved that plumbing store and there we were very careful to talk about screening the talk about operating hours, talking about where they can park their trucks, and not that I go by and inspect a lot and that is a busy road and I looked and I am very happy with the way it worked in to the community. So I end up in the same spot I just come at it at a different way where it’s hard to know will it be a pipe, will it be a plumber, and will it be an air conditioning guy? Who will it be? Not that there is anything wrong with any of those but you will have the opportunity to make sure the screening and compatibility issues are addressed as best as possible.”

Daryl Yerton determined, “There are other factors to be considered in that as well in that the businesses that might be a 12:00-7:00 as opposed to a 7:00-4:00 type of business and we have no idea.”

Nathan Crouch replied, “We could create new conditions right now involving that, but I see the applicant’s representative here but I’m not sure I see Mr. Tobin himself.”

Joel Kelsey inquired, “If it has normally been done one way, is there a reason why you’re asking for this?”

Nathan Crouch answered, “We had a lot of push back so we agreed to put a lot of this back onto the construction plan phase, however, it is atypical but this is the way we were asked by the applicant to present it to the planning board so that is what we are doing.”

Joel Kelsey continued, “Okay, so if we approve the CUP on this one, can any business what-so-ever move into these buildings?”

Nathan Crouch responded, “A Large Scale Development is coming up next but he has given us a short list of usage types and I feel that list will definitely be brought up several times for sure.”

Joel Kelsey inquired, “If we approve this tonight, the CUP, not knowing that is kind of like an open-end. You could go to any business you wanted to because you have that conditional use permit correct?”

Sita Nanthavong explained, “You could but we do have it in the preliminary large scale development condition that if a building changes use then they need to notify planning so that we can again make sure everything fits.”

Daryl Yerton established, “Yes, but at this point we don't know what the use would be.”

Sita Nanthavong replied, “No, neither does the applicant which is why this is a little bit atypical.”

Joel Kelsey questioned, “If we've got architectural and we got to have an LSD I am confused as to why we are asking for a CUP before all that. Why not just submit the LSD and go forth like we normally would?”

Sita Nanthavong responded, “Because the zoning is agricultural/residential and because you want to do something that is not agricultural/residential you need a conditional use permit. That is why we asking for it before the LSD.”

Joel Kelsey continued, “But wouldn't that be addressed when you submit the LSD and so forth?”

Sita Nanthavong clarified, “It has been submitted at the same time but they are separate projects.”

Kenley Haley expressed, “All I can say, and it maybe part because we haven't ever done it this way, but it makes me nervous.”

Nathan Crouch replied, “Yes ma'am, we have had the same conversation.”

Kenley Haley stated, “If you can tell me why it's better to do it this way then to do it the other way. That concern has not been satisfied yet with me.”

Nathan Crouch replied, “I believe doing it this way would put most of that decision making on our office, meaning us, the engineer, health department and everybody else. Giving them a chance to review these plans it happens to be after the fact that they would make these reviews and offer approval or denial and that is what we would go with. And we would be receiving these approval or denial recommendations after you all got to hear it, instead of before. We have

had this same conversation with the applicant ourselves and this is the way that we have been asked to present it to you.”

Joe Kelsey suggested, “Can it not be rezoned?”

Nathan Crouch answered, “The CUP addresses zoning and the Large Scale Development addresses the site elements.”

Sita Nanthavong established, “The County only has one zoning.”

Joel Kelsey continued, “So if that CUP is approved then its falling ownness on to ya’ll when it’s submitted to you with architectural and LSD and everything as to determine if that business fits that neighborhood or not, is that what you are saying?”

Nathan Crouch noted, “I am saying the neighborhood has a future zoning designation, light commercial, which is supposed to be a transition zone between residential and commercial so it is light commercial. We feel confident that we could make that decision, however we are here to ask you what your opinion is on that.”

Joel Kelsey gathered, “I am not saying I don't trust you, I am trying to get to a comfortable point, to that if we are approving an open ended CUP, how that’s going to keep him from his small list and what you may think and what you settle on.”

Sita Nanthavong informed, “Another way that we thought about approaching this is to have each building be its own CUP. Would that make the board more comfortable? But then he would have to come back 10 times before the board.”

Nathan Crouch added, “And anytime the use were to change.”

Randy Laney summarized, “Just to be clear it is not open ended. They do have a Large Scale Development plan that will be reviewed. The way the county zoning was put in place it is agricultural 1 acre and for any other use you have to get your conditional use permit. Then if that is approved then you consider their large scale development plan. That is the way it is set up. The Large Scale Development plans, though unlike most of them we’ve looked at when we get it, it does have usually specific projects. So even when we go to Item E they could suspect a strip center, which it is not because the buildings are separate, but that is the way it would be considered.”

Nathan Crouch added, “If we were to do it one CUP per building and one Large Scale per building and come back and everything is approved. He gets a tenant, the tenant flips, the use changes we would have to come through and do another CUP and another Large Scale. We are not trying to revisit each of these ten buildings every single time a tenant changes, so this is what we came up with.”

Kenley Haley inquired, “What if, Nathan, we approve the CUP and didn’t approve the LSD?”

Nathan Crouch responded, “It is over an acre so the LSD is required, but we could do the LSD on each individual building but each building doesn’t sit on a full acre. You could kind of argue it both ways.”

Tim Ware, Neighbor and Owner of Ridapest, addressed the Board, “I have some concerns about this project. One of them is that I have is that there were some pictures shown of some buildings that Mr. Tobin owns here that are well maintained, I was too far back and I couldn’t see them that well but I am assuming that most of those are relatively new facilities built within city limits where their requirements are much more stringent then what they are in the county. I have some pictures here of some properties that he owns in Fayetteville that are not quite as nice as the ones shown. We have a nice little area out there in the county to my knowledge everybody out there, businesses and homeowners we are all owner occupied. I know rental properties, in my line of work we go to an awful lot of rental properties. Tenants generally speaking don’t take good care of the property that they are in; it is just human nature for whatever reason. So I am concerned about what the appearance may become in the future, I am sure that at the onset it will be relatively nice facilities out there but I am concerned about the future. When I went through my process, I will say that I am a little perplexed at the asking you guys to bend the rules or go a different route on the approval process. When I went through my approval process you guys knew and my neighbors knew exactly what I was building exactly what I was going to be doing there. You all knew everything about my piece of property out there. I spent a considerable amount of money to make sure my neighbors were happy when I was done and nobody forced me to do that and I complied with everything. Two things: I’m concerned that you guys might change the rules in this case and I also want to commend you guys on keeping our county neat and keeping a handle on what happens in our county here. I have spoken to some of my neighbors as well and they are concerned about the types of renters that may move into the place, I don’t know what or who may move in there. I just want to say that I am opposed to this project as it stands right now it is just kind of a blank check kind of thing and is wide open at this point. Thank you all for your time.”

Mike Gall, Neighbor across the street from project, addressed the Board, “We’ve lived there pretty close to 20 years now. Basically everyone in this neighborhood lives on about 5 acres. All of the homes are done nicely and there are 2 businesses across the street, Tim’s is one of them, but they are personally owned and are very well taken care of. We do not have rental stuff out there which is a big issue in my opinion. Plus with the open end of this were just saying whatever we feel like is going to go in there is going to go in there which isn’t how it should work. The other thing is we are talking about the septic systems. We let this project go down the street, Joyce Cottages, and if anybody was to really take a look they will find that this land doesn’t hold that much. It won’t hold that kind of people. If they are going to rent it out how do we know there isn’t 25 people in there, put a restaurant in or put whatever in and we are flooded and we got sewage all over the place because Joyce cottages is a mess right down the street. I just feel like all this open endness stuff with these guys having a business we know what they are doing and they are not a retail business where there is a ton of people going in and out using their facilities and all this and they put up a nice business. I’m a business man and everyone else in the

neighborhood is; we're not against business, I'm all for it, but I am against ruining a piece of property and losing the value of my property."

John Vincent, Neighbor just Southwest of project, addressed the Board, "We just bought our home there in January and it's a ¾ of a million dollar house and I am not real fond of a strip mall being built directly across the street with the traffic, and not knowing who's going to be there, it just concerns me and I am definitely opposed to the project. And I need more information to work with. Thank you."

David Jones, Neighbor and Owner of DBJ Construction, Inc. located on the corner of Old Wire and Joyce, addressed the Board, "My only concern, I am all for it, is the drainage of that property. If that water already got flooded this past spring and right now I have an 18" pipe going underneath that pad right where they are showing that detention pond coming off that property and two 2' diameter pipe don't fit into one 18" pipe that goes underneath my property pad to my detention pond. It doesn't take a rocket scientist to figure that out. I don't understand that and my only concern is that the water runoff from that especially after it's all paved it is going to flood my property. I've been out on that property for 24 years and it flooded this spring and you pave all that property and it's all dumping into that one 18" pipe going straight into my detention pond and I can tell you right now I am no engineer, I am a plumber, but I know how water moves and we will be flooded. The water should go off that property to the south directly into the creek in my opinion. That's the one point I have to make about that. Thank you for your time."

Robert Rhoades, Lawyer with Hall & Estel in Fayetteville, representing Neighbor Jody McAllister, addressed the Board, "Mr. McAllister could not be here tonight, he has a clinic that he has in Huntsville and couldn't make it back in time. He's asked me to read some of his comments and to say a few things. Mr. McAllister lives right across the street from this proposed project and in an email he would like to be on record saying that he is opposed and will be directly impacted by Mr. Tobin's lease holdings. I will have no recourse as to what he puts in and there are no commercial rental properties in the immediate area. All current businesses are owner operated and are good stewards of the community. I am aware of some of Mr. Tobin's current lease holdings and I know they would not be appropriate for the residential agricultural area he wants to develop. He is also concerned that the project would greatly diminish the value of his property and he is also concerned from the safety standpoint about the increase in traffic that it could possibly bring. I would also like to make a few comments in regard to the criteria that the staff has brought to y'all's attention in order for y'all to make a decision, whether to allow this proposed project or not to allow it. She believes that 1-3 are fulfilled, I think that is what she said, but I would say that 3, which is adequate utilities, roads, and drainage, and other public services are available in order for y'all to vote yes on this, I would say if you are having to put septic tanks and you are having to limit the number of people that can be in the building to 12, which I am not exactly sure how you could you monitor that. Then I don't know if number 3 has truly been fulfilled. In regard to the fourth criteria, it is whether it is compatible with the surrounding area, I think we have heard from a number of people that would tell you that it is not compatible, it is not compatible from standpoint of people that have residences there, the people that do have businesses, they are owner occupied, and this would not be. In regard to the fifth

element is that this proposed use should not be detrimental or endanger the public health, safety, morals, comfort, or general welfare. Again I bring up septic tanks again, that is a concern, the traffic is a concern for public safety, and the fact that once you pass this CUP the control as to what actually goes in there diminishes and the proponent of this project, not nailing down what is going to go into all of those buildings just seems a dangerous slippery slope for y'all to step off on. The sixth item is that this proposed conditional use would be injurious to the use and the enjoyment of the other property in the surrounding area for the purposes that they already are permitted to have. It would substantially diminish their property values. You've had at least two or three people, including my client, indicate that they believe that the property value of their home or business would be substantially diminished. Last thing is that the establishment of a conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone. Currently as you all know that is an agricultural residential one home per acre and I was looking in the packet and realizing that it is in the Fayetteville Planning Area, I believe I am correct, that doesn't mean that Fayetteville can't tell you what to do here or what not to do here but I do believe you all would get their comments and I saw that the engineer had made comments about how to hook up the water and what have you but I did not see where a planner had looked at it. So I specifically asked Mr. Andrew Garner this morning if he had looked at it and he said he saw it come across his desk but give him a few minutes and he'll look at it. He did and he made a statement that he said that I could quote him and you're certainly welcome to call him and verify this quote. He is the director of planning and he said that he has looked at the property and he confirmed it to be in the city future planning area and he said that the staff and its city council has designated that area not commercial but rural. So I would say that again if you look at the criteria, I don't think it meets the seventh criteria either and so for those reasons, and the reasons stated by the people who spoke before me, I would ask this board to deny this conditional use permit."

Geoff Bates, Engineer of the project, addressed the Board, "Since he has seen the plans we have rerouted the drainage to the creek so nothing goes across his property at all so it will help him out significantly. What Mr. Tobin typically does is build buildings and lease them out to people. That's what he has done forever. That's how he's made his living so he is just doing the same thing in this area. There are two other commercial businesses there so we thought it fit but there is another representative here that might tell more about his business and stuff. But if you have any side questions, drainage questions, we'll be happy to answer that part."

James Keenon, Representative with Tobin Properties the applicant of the project, addressed the Board, "I would assume based on the comments we heard that any new building that went out there other than residential was controversial. If someone came out there with a plumber, for a plumbing business, I am sure this kind of sentiment came up. If they did a Rid-A-Pest, Modern Tactical, that does not fit residential but they have been good businesses for the community and they have seemed to fit in okay. The pictures that you have seen earlier are representative of what Pat's doing. I didn't get the chance to see the ones that were passed around, those may have been from 10-20 years ago, but the ones you saw are what he is doing now. He has evolved more signature projects, the businesses I just wrote down a few that are representative of what he is doing now: Penguin Ed's, four other restaurants, and event center, a popcorn retailer, Chitwood Optical, three different churches, insurance agency, three exercise gyms, Little Debbie's, Green

Valley Window, a cabinet shop, a sign shop, sources for handicapped office space, theater group, University of Arkansas, pastry shop, these are all very respectable businesses. I am happy that businesses that are out there now have the option to own their own businesses. One of the things Pat has done over the years is grown hundreds of businesses with starter sites, where they can get out of the ground, prove themselves, and then they go on to be property owners somewhere else. This fits that niche and it's my understanding that it met their criteria, they had faith that it met the septic issues and I think we've addressed the water runoff issues, and these are the kind of tenants that he will be pursuing and I think these will be good neighbors."

Public Comments Closed.

Kenley Haley inquired, "If we table this, refresh my memory, what will that mean? He'll come back with a different plan? And verses if we deny it."

Nathan Crouch answered, "If we tabled the project, I believe that we could scrap the construction plan review phase and the requirements we were putting off until then and go back to the traditional way to do it. If it seems like that would be more suitable for the board. We could do it a number of ways. We are open to suggestions from the board. To answer the question simply, if tabled now it will automatically be put on the next agenda."

Daryl Yerton expressed concern, "Mr. Chairman the thing that concerns me at this point is the uncertainty and the impact on the residences and even the other small businesses in the area, without having some idea of what type of business having had the issues with wedding venues, Rid-a-Pest when it came through and those things that we have dealt with in the recent past. I felt better about those having known what the property was going to be used as. I am torn with my view of the property owners rights and an individual's right to use the property in the way that they so see fit. I do have a great appreciation on the impact that it has on the neighbors, I would like there to be more consideration by the applicant at this point to determine if he could tie down some potential type of venues that he is going to put in those places. That is just my view at this point."

Randy Laney replied, "It also introduces the next level regarding compatibility which we know it doesn't have to be the same to be compatible. I have concern with the series of buildings versus a building on a lot. It is a next step of development good or bad in an area where we are tried to observe one acre and residential."

Kenley Haley made a motion to table. Joel Kelsey made a second to table. Chairman Randy Laney requested direction be given to staff and the proponent on what should be considered.

Sita Nanthavong briefed the board, "Just to keep in mind that the applicant did provide a short list on what might be in one of these buildings."

Kenley Haley responded, "There is just absolutely too much uncertainty for me. We don't know a traffic count we don't know the septic system. We really haven't gone down the path of

commercial rental properties before in the county. The run off that Mr. Jones mentioned that may have been settled. We don't have that in writing."

Nathan Crouch established, "The drainage study was approved by our County Engineer."

Kenley Haley continued, "Ok, to me there is just too much unknown. What the next step is I don't know. I think the traditional system that we have used in the past build a building, 1 acre lot do all the screening and signage that has worked effectively, I don't know if that is the answer in this case but I do know that has worked very well for the county. I don't know what direction to send ya'll."

Nathan Crouch suggested, "I am sure we will have a meeting with the applicant soon and maybe we can communicate with you as a whole and keep that line of communication going so that we may find common ground. That is probably the best way to go."

Jim Kimbrough, Planning Director, "It is a unique situation and we tried a lot of ways to accommodate the applicant. The only thing that we have to hang our hat on is the fact that we have known that there would be 12 occupants based on the how the septic set up is now. So we could go with the CUP and the trigger would be during the LSD that would be when there would have to be a commitment. We are also aware of the fact that tenants could change and that was kinda tricky too. We have made it to where the applicant would have to notify us on that in those instances and I am certain that could be a process. It is just that if we got down to the LSD piece and it would be more than 12 occupants then that gets harder because now we know we will have to extend that thing out. We have worked very hard to accommodate. I knew it was something that is just different."

Randy Laney acknowledged, "I want to say that commercial rental property has to be viewed in the neighborhood it is in, so I want to make sure we are not creating a record where we say we are never going to do development property in the county, there could be a proper place to do it. I am concerned and definitely tabling it is one thing we could do it but I think what we are really saying is we are disapproving it as it is presented but we are tabling it to give them another chance?"

Kenley Haley added, "Absolutely, I hate to deny something and they are starting over."

Joel Kelsey inquired, "Let me say this I am seconding that because I am trying to be nice. I wasn't on here when Mr. Ware brought his building through here, but did he go through the actual process and get his CUP but he came through here and did it the traditional way. If I need to I will withdraw my second and I will be more than happy to vote on it."

Randy Laney replied, "It is up to you two; it is your motion to second."

Kenley Haley asked, "Legally you would have to withdraw your second and I would have to withdraw my motion is that how that works?"

Joel Kelsey continued, “That is what I am saying if we are going to vote on it I would be willing to withdraw my second. I think either way it is in the same point correct?”

James Keenon, addressed the Chairman, “Jim, could you articulate how Mr. Tobin would ever pull a permit for any occupancy coming out of the threshold because it is my understanding and the state has to sign off on it. So there are multiple checks coming through to determine if the original person is somebody who is worthy, can fit the water uses and things of that nature.”

Randy Laney confirmed, “You hit the nail on the head that is our concern because it is our job to review compatibly. If you are saying put that off later and let somebody at the state do it, which is even scarier.”

James Keenon stated, “No, I am just saying he can’t even pull a permit for the person to rent it.”

Randy Laney explained, “I know, I get that but that is not for public comment, it wouldn’t be a public meeting.”

Nathan Crouch added, “It is also true that once the health department signs off on the permit they are out of it and they are not going to come back and review it and if they have a change in tenant with a tenant going to a higher use, it would be on the applicant to come to us rather than the health department to police that.”

*Kenley Haley made a motion to **Table** the Old Wire Services & Recreational Facilities CUP subject to staff recommendations. Joel Kelsey seconded. Walter Jennings was not present. Board Members Robert Daugherty, Daryl Yerton, Randy Laney, and Philip Humbar were in favor of approving.*

Geoff Bates, Engineer for project, addressed the Board, “Can I get some clarification on what we need to do? If we nailed down the use units if we said you can only have accountants or businesses or plumbers and you can’t have restaurants?”

Daryl Yerton responded, “If we had an idea what class of business was going to be in there or what style of business. Whether it is going to be office space, light retail, a massage parlor a chiropractor or whatever.”

Randy Laney, “I personally am not comfortable making a commitment. I am not sure you can give him any guidance other than that we a lot of have concerns.”

Public Comments Closed.

*Kenley Haley made a motion to **Table** the Old Wire Services & Recreational Facilities CUP subject to staff recommendations. Joel Kelsey seconded. Walter Jennings was not present. Board Members Robert Daugherty, Daryl Yerton, Randy Laney, and Philip Humbar were in favor of approving. Motion passed.*

County

d. Flamingo Springs CUP

(tabled at the request of the applicant)

Conditional Use Permit Request

Location: Section 14, Township 14 North, Range 32 West

Owners: Zach & Laura Kraus

Applicant: Glenn Carter

Location Address: 15474 Greasy Valley Rd.

Approximately +/- 19.81 acres

Proposed Land Use: Commercial RV Park

Coordinates: Latitude: 35.89072830, Longitude: -94.35861882

Project #: 2017-262

Planner: Nathan Crouch

email: ncrouch@co.washington.ar.us

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

LAND DEVELOPMENT HEARINGS

Fayetteville Planning Area

e. Old Wire Services & Recreational Facilities Preliminary LSD

(tabled)

Preliminary Large Scale Development Request

Location: Section 30, Township 17, Range 29

Owners: Patrick J. Tobin Revocable Trust

Applicant: Bates & Associates, Inc.

Engineer: Geoff Bates

Location Address: Old Wire Rd. WC 87

Approximately +/- 19.4 acres / 1 lot

Proposed Land Use: Services, Office, and Recreational Facilities

Coordinates: Latitude: 36.12103716, Longitude: -94.10753190

Project #: 2017- 235

Planner: Sita Nanthavong

email: snanthavong@co.washington.ar.us

*Kenley Haley made a motion to **Table** the **Old Wire Services & Recreational Facilities CUP** subject to staff recommendations. Joel Kelsey seconded. Walter Jennings was not present. Board Members Robert Daugherty, Daryl Yerton, Randy Laney, and Philip Humbarb were in favor of approving*

County

f. Longview Estates Minor Subdivision

Preliminary & Final Minor Subdivision Requests

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

Owner: David R. Long

Applicant: Blew & Associates, Inc.

Location Address: 18010 Harmon Rd. Fayetteville, AR 72704

Approximately +/- 4.32 acres / 3 lots

Proposed Land Use: Residential

Coordinates: Latitude: 36.13055727, Longitude: -94.29121408

Project #: 2017-260

Planner: Nathan Crouch

email: ncrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision approval to split a 4.32 acre parcel, resulting in 3 parcels at 2.32, 1.0, and 1.0 acres in size.

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: Wheeler Rural VFD – no comments were received from Wheeler Fire Department. 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 property owner and applicant is David Long. The surveyor is Blew & Associates. The applicant is requesting Minor Subdivision approval to divide a 4.32 acre residential parcel to create 3 parcels at less than 5 acres each.

This proposed property division could not be processed administratively because county ordinance dictates splits may only create 1 parcel at less than 5 acres and remain exempt from Planning Board review.

Parent Tract: 001-17203-004, 4.32 acres, with 1 existing house and garage.

Proposed Tracts:

- Tract 1: 2.32 acres; 1 existing residence and garage
- Tract 2: 1.0 acres; no existing structures
- Tract 3: 1.0 acres; no existing structures

An existing septic system inspection has been conducted and found to be functioning properly. Soil work has not been submitted yet, but is scheduled for Sep. 11th.

This request must receive subdivision review by the Arkansas Health Department's Engineering Section before it can be fully approved. Staff feels this review/approval by ADH Engineering can be a condition of approval.

Staff has no concerns regarding this Minor Subdivision proposal.

TECHNICAL CONCERNS:

Sewer/Septic:

An existing septic system inspection has been conducted and found to be functioning properly. Soil work has not been submitted yet. Once the soil work has been performed (scheduled for Sep 11th), this Minor Subdivision proposal must be reviewed/approved by the Arkansas Health Department's Engineering Section before it can be fully approved.

Electric/Gas/Cable/Phone/Water:

Washington Water Authority

1. Add 911 address to the final plat.

No other utility comments were received.

Fire:

The Washington County Fire Marshal had no comment.
The Wheeler Rural Fire Department provided no comments.

Addressing

The existing home is addressed (18010 Harmon Rd). Any additional addresses will be assigned once the home location is known.

Environmental

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

Roads/Sight Visibility/Ingress-Egress/Parking:

No comments were received by the Road Department.
Sight distance is adequate.

SITE VISIT:

A site visit was conducted prior to the time of the staff report; no concerns are anticipated.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.
At the time of this staff report no comments have been received regarding this request.
Staff will update the Board at 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 approval of Longview Estates Minor Subdivision with the following conditions:

Septic Conditions:

1. Soil work on the two proposed lots must be conducted and found to be adequate.
2. This Minor Subdivision request must receive subdivision review and approval by the Arkansas Health Department’s Engineering Section.

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

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.

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

Utility Conditions:

Ozark Electric Conditions:

General Conditions:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Developer must provide Ozarks Electric with a digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.
3. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings, and debris so that the easement is accessible with equipment. If easement is not cleared, developer may be subject to extra charges.

Standard Conditions:

7. Pay neighbor notification mailing fees (\$55.00) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/31/2017).
8. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
9. 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.
10. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
11. All general plat checklist items must be corrected.
12. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
13. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, reminder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

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

Daryl Yerton inquired regarding the access to the property and whether the two lots will be off of Bill Sellers.

Nathan Crouch answered, "Yes."

Joel Kelsey inquired, "Is he asking for the split to sell the lots?"

Nathan Crouch answered, "I believe he will be selling them for residential purpose. That being said I have only spoken to the surveyor about this not the owner."

Eddie Ragel, Neighbor lives two lots over, addressed the Board, "We have a number of concerns one of the biggest ones is the drainage situation. We have got the drainage under control right now, but that water starts on the back lot of the Longview Estate and flows across the Kriesel's land, across my land and across the Welch's land. The county put a culvert under Harmon road on the Northside of the Welch's property. When we built our driveway, we did some research and put in a culvert in our driveway we seem to be managing the flow. We are concerned that if

you put two more houses over there on that property along with the driveways that it will increase the water flow. There is not going to be as much ground available there to soak up that water. You can see from those pictures, they were taken on April 26th there was a heavier rain on April 29th that we don't have pictures. We have seen some pretty significant water flow through there. We are concerned about the fact that there aren't any covenants to prevent mobile homes or trailers or rental properties being put on these two lots. This is a very nice neighborhood we all bought here because of the space all the houses out here are very well maintained, there are families out here we have kids, we have grandkids all over. Nathan mentioned that the perk test on the back of the property failed and that they had to do the perk test on the front of the property and that means that they are going to have to push these houses back and encroach on our neighbors property line and the houses are just going to be closer to their backyard as opposed to being moderately located in the center. Also I would like to mention that at the subdivisions that Nathan cited the Arbor Acre Subdivisions and the one to the southwest, none of those are within our visual site range of our properties. Arbor Acres is up around two curves and a little more than a mile away and the one to the southwest is a good $\frac{3}{4}$ of a mile away, in my humble opinion that those are very good watermarks because you can't see them from where we live. There are concerns of an increase in traffic on the dirt road I am not sure what the rules are. I know that in the Arbor Acre Subdivision they had to go in and pave all the roads so if this is a mini subdivision is that road going to have to be paved up to the edge of the subdivision? It is going to kick up a lot more dust and just a lot more traffic on that dirt road that is going to blow across all of our properties. I believe that is all we have to say, thanks for listening.”

Bob Owen, Neighbor that lives on 18182 Harmon Road, addressed the Board, “I have owned that property for 18 years. I have water running across in front of my property and I can actually put trout in it when it rains, that is how much water I got. I would say 60 percent of it is coming off the Sellers fields and the other 40 percent is coming down my fence line from the properties behind me. I bought out there to raise a grandson. I bought it so I wouldn't have a neighbor 10 ft. away from me; I want it to stay like it is. If I wanted to live in a housing edition, I would have bought in a housing edition. I oppose it because if you let these people do this, the ones on the other side of McCartney wanted to put four houses in those two lots, I stopped it. I told them they couldn't do it because of how it is laid out. The one that bought next to me wanted to put four houses on that lot and a road in there, and I told him he couldn't do it. I just oppose it because I would like for it to stay the way it is so I can raise my grandkids. If they want to build houses there are two editions there that they can buy in and they can live there and just leave ours alone. I am just a simple person I would like to live there until I die. I had to put my house back because when I bought it every time it rained I have a river running across the front of it. The Krum's over there they got a lake in their front yard. They have a lake there every time it rains every time we have at least 2 or 3 inches of rain, we have lakes. I have taken pictures of it but nobody ever does anything about it. I was smart enough to put my house up on the hill and still raise it up 4 ft. off the ground. Thank you.”

Tim McCartney, Neighbor that lives on 13476 Bill Sellers Road, addressed the Board, “I am retired from the Sheriff's Office so I used to run those areas quite a bit even before it was a residential area. There was a natural pond in the middle of that, that's why we have all of the water issues. It wasn't man made, everything drains that way naturally. My wife and I sit in a

higher elevation slightly than all the other properties, so we don't have a problem with the drainage; it all runs over to the west of us and then south. On the issue with the septic system all of those perk holes were dug at the same time. I have a document that shows that 50 % of the perk tests failed. I believe on septic systems you have to have a primary and an alternate plan in case one fails you can back up and go to the second. With the front of the property being the only acceptable area, for the septic system it was suggested that they have approximately 400 ft. each of lateral line; with your average lateral line being a 100 ft. long and 20 ft. separation in between the two, you have got 100 ft. of your property being taken up by leach lines that is going to push your only option for building a house towards the north end of the property which will only give you 20 or 30 ft. of a backyard before you start encroaching on your neighbor. My wife and I had a home in Springdale and we were in a subdivision we had neighbors real close to us. It took us a long time to find this area but we were real happy when we did because we were told everyone had ranchette style homes and that's the way it would stay. We didn't realize that the home on the corner was not in our subdivision until this came up. We are afraid that if they are allowed to subdivide into 1 acre lots our property values is going to take a hard, hard hit. In fact we are the middle of a remodel on our home right now and we have stopped it until we find out what's going to happen today. I appreciate your time, thank you."

Don Kriesel, Neighbor adjacent to the north, addressed the Board, "Those photos that Eddy was showing earlier of the water that comes across, that was in April and that is not as bad as it's been; we have had it up to our back stoop before. I have the same concerns as everybody else has. As we start putting in driveways that are paved, as we start putting in the more impermeable surfaces that is just more water that we are going to get running off down towards our backyard and on over in Daddy's place and down into the corner where the Welch's live. With the perk test the way that they are, we have seen the soils report, with the houses being to the back near my property line. I am afraid that is just exacerbated. I moved out there because of the large lots; I have also lived in subdivisions. I like the open spaces; I do not like people on top of me. I have been there for 14 years now. I don't think that there is anything else I can add except that I am opposed to this."

Lindy Krum, Neighbor lives on 18160 Harmon Rd., addressed the Board, "I have been at my home for 7 years and I conditionally oppose this project mainly because we moved out there because we like the bigger lots, we like the home values the way they are, we like the views that we have. I have more than one spring of flooding; I have almost 5 years of pictures. I am that crazy old lady that's walking around in boots studying its flow and planting trees. I am up to about 50 trees trying to soak up the water in the area that this runs into; all around that fence line. Once I started thinking of ways to make it move faster up out of my yard it would have flooded the Welch's. It was up to their back doors and this was in the middle of August rain not March. That area is just not in a condition to be able to add in more roof lines. We are also on a table rock area; we are on top of a mountain. It doesn't seem like it, it seems all pasture. You don't have to go very far before you have a very solid rock that is the reason the perk test don't come through. When you have perk test and leach lines in a higher elevation instead of deeper harder soil, it is going to run that sewage right back to their houses anyway. If they have it in the front of that property they are not going to get it to do what you want it to do. Two weeks ago my backyard where it was, properly installed, was my septic tank and it flooded enough to pop the

lid off. With those things in mind, I am not opposed to expansions; if it was for his grandma I would probably say I would approve this thing, but not knowing what it is for and knowing he is putting two in there makes this one a hard one to support. I could support one with conditions; I can't support two there is no sense in it. If he is doing it to make a profit on it you could make the same amount in that area because we have held our home values and held what that area would bring. He would make the same off of one than he would with two in a lot less pain. I am also here to do my best with this little spot right here, who probably didn't get the note because they are a little bit too far, they can't handle anything else going in unless something changes out there. Unless there is some infrastructure help; that pocket right there, that peak can't handle anymore. You need to walk it sometime that isn't just an April flood; we took out bridges this last April you can't take that one into account. I have 7 years of April, March, May, August, September, December flood to where I am walking out to my gate to get out of my yard with water up to my knees, not ankles, knees. I have a raft in my garage that I keep ready for the kids to play in because you might as well. I have seriously put in 50 trees up at that front fence line, hopefully trying to soak up some of the flow as well as redirect it, because you are not going to tell the water where to go, but you can sometimes give it hints. Thank you."

Kenley Haley, Board Member, suggested that the County Road Department review the proposed project due to the repetitive flooding issues caused over the years on the public road in order to alleviate some of the neighbors' concerns.

Tim McCartney, Neighbor, addressed the Board, "I have spoken with the Road Department grater operators. They come down on a regular basis because we have some large pot holes in one area and that's where all the water is retained. As you go to the west towards Harmon Road it elevates, as you go towards the east, that is my house, it elevates. They haven't been able to find a way to make it drain. The only thing that they've done is cut the ditch deeper, that didn't make any sense it still stays in the same spot it is just deeper in the ground. I don't think they could cut it deep enough to run it up to Harmon Road because of the elevation, but I haven't spoken with anyone other than the grater operators on that. In the front of my property they don't even cut a ditch, they raise their blade and go past me because I am the high point. And then again the high point is at Harmon Road so it is ditched out in-between my property and Harmon Road."

Nathan Crouch added, "The Road Department got the packet as well and they provided no comment."

Eddie Ragle, Neighbor, addressed the Board, "All that water washes down from over here, right behind the Kreisel's house right by there, and then there is a culvert that goes under Harmon Road that I believe the county put in January or February of 16 that's improved the flow. These pictures that you have got was after that was done so the county has tried to address this. My understanding that it's better but it is still a problem."

Public Comments Closed.

Daryl Yerton inquired, "I am assuming here that we are looking at stipulating what the Washington County guidelines are; minimum lot size of one acre for residential use for two pieces of property, is that correct?"

Kenley Haley commented, "I am willing to make a motion. I have some concerns and it is the flooding. These pictures, if they were taken when there wasn't a heavy rain, and we have heard that there are obviously some water flow concerns with the road. I would like to make a motion we table it. Let's see if we could work with these residents to address their concerns as in the drainage. Maybe we could do that through the Road Department, I don't know. I know that they said they didn't think there was anything of concern. I don't know if any of the county engineers have been involved or not."

Nathan Crouch responded, "That's what I was going to mention is that on the minor subdivision and a lot of times just the word subdivision seems to put curb, gutter, and street lights kind of thoughts into people's heads. A minor subdivision is just when you are creating more than one lot at less than five acres, up to four lots, five lots is going to be a full blown subdivision. Minor subdivisions don't get reviewed by the county engineer or the fire marshal. However, I believe it would be up to the board if they want to suggest something to this effect."

Kenley Haley inquired, "I think in this case there is enough concern, would that be appropriate in this case to have the engineer look at this?"

Nathan Crouch replied, "I am not sure. I believe we would have to consult with our county attorney and see how that shakes out, and discuss it with the property owner and surveyor. But as it sits, the county engineer doesn't review minor subdivisions."

Daryl Yerton asked, "Nathan what about the lateral line makeup and design? When does that come into play? When I built my house on my one acre I had to submit a sewage treatment layout. I don't see that in this package."

Nathan Crouch explained, "No, we only require approved soil work. We do not require the permit or the system design. We require that it be analyzed and that it be adequate to support a three bedroom house. In this one they sized it in order to be appropriate for a four bedroom house. I'm not sure that, I have never been on site when they do perc tests, but I do know that the DRs that do the perc tests are pretty booked up lately. If they were to dig a couple pits and they don't fill up a pit with water and watch the clock, see how long it takes to drain anymore either. They get down in there and they analyze the soil and they're basically a kind of a simple form of a soil scientist for sure. They will identify the different horizons in the soil and identify the soil type and each type has inherent characteristics on how it is going to drain the soil. Now if a DR was out there, I feel that, now I don't know this to be the case I'll just say that, but I feel that if they were to find a couple test pits out there that were inadequate, it would be pretty easy, much easier to just dig two new holes right away and try to find a better location on the other end of the lot rather than just call it a day and then have to reschedule and charge for another site visit and all this for the property owner to come back out there and find better holes."

Randy Laney stated, “The Health Department, we rely upon their rules and regulations as it comes to us approved so.”

Nathan Crouch added, “Another note on that is they had just basically gone back to an older method of review in that they left it on us to determine when they would send it to the engineers down in Little Rock, the health department engineers, to review it against the subdivision guidelines. The rule was three lots less at less than three acres and it would go to Little Rock. So plenty of our minor subs would not go to Little Rock but as of this cycle, they have brought that back into effect and anything we consider a subdivision, whether it be a full blown subdivision, five lots or over, or even a minor subdivision creating two one acre lots, it is going to go to Little Rock for approval. We have not gotten the approval back from Little Rock yet, it would be a condition of approval, but each of these three minor subdivisions will be submitted to Little Rock and must be approved through Little Rock before final approval will be in place for the request.”

Joel Kelsey, Board Member, expressed his concern regarding the compatibility regarding the amount of homes that are proposed in the Longview Estates Minor Subdivision.

*Kenley Haley made a motion to **Table** the Longview Estates Minor Subdivision subject to further consideration regarding the drainage. Daryl Yerton seconded. Walter Jennings was not present. Board Members Robert Daughtery, Randy Laney, Philip Humbard, and Kenley Haley were in favor of approving. Motion passed.*

County

g. Nall Custom Homes Minor Subdivision

Preliminary & Final Minor Subdivision Requests

Location: Section 22, Township 17 North, Range 29 West

Owners: Mason Nall

Applicant: Blew & Associates, Inc.

Location Address: 580 Guy Terry Road

Approximately +/- 3.677 acres/ 3 lots

Proposed Land Use: Residential

Coordinates: Latitude: 36.12799290, Longitude: -94.06517514

Project #: 2017-267

Planner: Nathan Crouch

email: ncrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision approval to split a 3.29 acre parcel, resulting in 3 parcels at 1.1, 1.09, and 1.09 acres in size.

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 15, Butch Pond.

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

SCHOOL DISTRICT: Springdale

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

BACKGROUND/ PROJECT SYNOPSIS:

The property owner and applicant is Nall Custom Homes. The surveyor is Blew & Associates. The applicant is requesting Minor Subdivision approval to divide a 3.29 acre residential parcel to create 3 parcels at less than 5 acres each.

This proposed property division could not be processed administratively because county ordinance dictates splits may only create 1 parcel at less than 5 acres and remain exempt from Planning Board review.

Parent Tract: 001-18385-000, 3.29 acres, with 1 existing house and shed.

Proposed Tracts:

- Tract 1: 1.1 acres; no existing structures
- Tract 2: 1.09 acres; no existing structures
- Tract 3: 1.09 acres; 1 existing house and shed.

Adequate soil work has been submitted. However, the request must receive subdivision review by the Arkansas Health Department's Engineering Section before it can be fully approved. Staff feels this review/approval by ADH Engineering can be a condition of approval.

Staff has no concerns regarding this Minor Subdivision proposal.

TECHNICAL CONCERNS:

Sewer/Septic:

Soil work has been submitted and found to be adequate.

Loading rates for proposed Lots 1 & 2 are near ideal. And the existing septic system at the existing home on proposed Lot 3 was found to be functioning properly with no malfunctions.

This Minor Subdivision proposal must be reviewed/approved by the Arkansas Health Department's Engineering Section before it can be fully approved.

Electric/Gas/Cable/Phone/Water:

Ozark Electric Conditions:

General Conditions:

4. Any damage or relocation of existing facilities will be at the owner's expense.
5. Developer must provide Ozarks Electric with a digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.
6. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings, and debris so that the easement is accessible with equipment. If easement is not cleared, developer may be subject to extra charges.

Fire:

The Washington County Fire Marshal had no comment. The Goshen Fire Department provided no comments.

Addressing:

The existing home is addressed (6580 Guy Terry Rd). Any additional addresses will be assigned once the home location is known.

Environment:

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

Roads/Sight Visibility/Ingress-Egress/Parking:

No comments were received by the County Road Department.
Sight distance is adequate.

SITE VISIT:

A site visit was conducted prior to the writing of this staff report; 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.
At the time of this staff report no comments have been received regarding this request.
Staff will update the Board at 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 approval of Nall Custom Homes Minor Subdivision with the following conditions:

Septic Conditions:

- This Minor Subdivision request must receive subdivision review and approval by the Arkansas Health Department's Engineering Section

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

- 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:

2. 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.adeg.state.ar.us

Utility Conditions:

Ozark Electric Conditions:

General Conditions:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Developer must provide Ozarks Electric with a digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.
3. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings, and debris so that the easement is accessible with equipment. If easement is not cleared, developer may be subject to extra charges.

Standard Conditions:

14. Pay neighbor notification mailing fees (\$23.82) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 8/31/2017).
15. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
16. 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.
17. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
18. All general plat checklist items must be corrected.
19. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
20. 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, Nathan Crouch, presented the staff report for the board members.

No Public Comments.

Public Comments Closed.

*Daryl Yerton made a motion to approve the **Nall Custom Homes Minor Subdivision** subject to staff recommendations. Robert Daugherty seconded. Walter Jennings was not present. Board Members Joel Kelsey, Randy Laney, Philip Humbar, and Kenley Haley were in favor of approving. Motion passed.*

County

h. Cliff Robinson Minor Subdivision & Private Road Development

Preliminary & Final Minor Subdivision & Private Road Development Requests

Location: Section 13, Township 13 North, Range 33 West

Owners: Clifford W. Robinson

Applicant: Clifford W. Robinson

Location Address: 19725 Hale Mountain Rd., Canehill, AR 72717

Approximately +/- 9.15 acres/ 2 lots Proposed Land Use: Residential

Coordinates: Latitude: 35.81413848, Longitude: -94.44480032

Project #: 2016-191

Planner: Nathan Crouch

email: ncrouch@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision and Private Road Development approval to split a 9.43 acre parcel, resulting in 2 parcels at 5.42 and 4.01 acres in size.

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: **Morrow Rural VFD** – no comments were received from Morrow Rural Fire Department. Dennis Ledbetter, Washington County Fire Marshal, does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Lincoln

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

BACKGROUND/ PROJECT SYNOPSIS:

The property owner and applicant is Cliff Robinson. The surveyor is Cornerstone Land Surveying. The applicant is requesting Minor Subdivision approval to divide a 9.43 acre parcel to create 2 tracts.

This proposed property division could not be processed administratively because county ordinance dictates a limit of 4 splits from the same parent parcel. Any splits beyond the limit must receive a higher level of review (Minor Subdivision or Subdivision).

Parent Tract: 001-18385-000, 9.43 acres, with 1 existing residence.

Proposed Tracts:

- Lot 1: 5.42 acres; 1 existing residence.
- Lot 2: 4.01 acres; no existing structures.

Sight distance from the existing private drive along the southern property boundary onto Hale Mountain Rd is inadequate to the south. So this proposal is establishing a secondary access point onto the property along the north property boundary. Sight distance is adequate at the northern location.

Since Lot 1 doesn't have frontage onto the public road, this request must process as a Private Road Development, establishing the 30ft access easement along the north property boundary as a legal access point to Lot 1.

Adequate soil work has been submitted, and the existing septic system has been inspected.

Although there are a couple required additions to the plat (UE along the overhead power lines, 911 address shown, include water main/valves), Staff has no concerns regarding this Minor Subdivision proposal.

TECHNICAL CONCERNS:

Sewer/Septic:

Soil work has been submitted and found to be adequate.

The existing septic system has been inspected and found to be functioning properly.

Electric/Gas/Cable/Phone/Water:

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

Additional Comments:

1. Need 30ft Utility Easement centered along the overhead power lines on the property.

Washington Water Authority

1. Need 911 addresses shown on final plat
2. Make building setback lines utility easements as well.
3. Show existing water main & valves on property.
Show easement with water lines.
A line cuts through the north part of the property and one on the east side.
Call Arkansas One Call for locate request.
4. Owner needs to submit water service request for new lot.
5. WWA will not sign plat until owner pays past due water bill in arrears since July 2015 for account at 19725 Hale Mountain Rd.

Fire:

The Washington County Fire Marshal had no comment. The Morrow Rural Fire Department provided no comments.

Addressing

The existing home is addressed (19725 Hale Mountain Rd). Any additional addresses will be assigned once the home location is known.

Environmental

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

Roads/Sight Visibility/Ingress-Egress/Parking:

If accessing new driveway onto Hale Mountain Rd, the property owner will need the drainage culvert sized and permitted before they begin work. Or purchase the culvert through Washington County Road Department for install.

Sight distance is adequate at the access easement location along the north line of Lot 2.

SITE VISIT:

A site visit was conducted prior to the writing of the staff report; 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.

At the time of this staff report no comments have been received regarding this request.

Staff will update the Board at 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 approval of Cliff Robinson Minor Subdivision and Private Road Development with the following conditions:

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.
2. If accessing new driveway onto Hale Mountain Rd, the property owner will need the drainage culvert sized and permitted before they begin work. Or purchase the culvert through Washington County Road Department for install.

Environmental Conditions:

3. 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

Utility Conditions:

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

Additional Comments:

1. Show 30ft utility easement centered on overhead power lines.

Washington Water Authority

1. Need 911 addresses shown on final plat
2. Make building setback lines utility easements as well.
3. Show existing water main & valves on property.
Show easement with water lines.
A line cuts through the north part of the property and one on the east side.
Call Arkansas One Call for locate request.
4. Owner needs to submit water service request for new lot.
5. WWA will not sign plat until owner pays past due water bill in arrears since July 2015 for account at 19725 Hale Mountain Rd.

Standard Conditions:

1. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
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. All general plat checklist items must be corrected.
5. Once all plat corrections have been completed, submit corrected plat for review 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, Nathan Crouch, presented the staff report for the board members.

Daryl Yerton pointed out that on the agenda for Cliff Robinson Minor Subdivision & Private Road Development it states three lots rather than the correct amount of lots which is two.

*Daryl Yerton made a motion to approve the **Cliff Robinson Minor Subdivision & Private Road Development** subject to staff recommendations. Robert Daughtery seconded. Walter Jennings was not present. Board Members Joel Kelsey, Randy Laney, Philip Humbar, and Kenley Haley were in favor of approving. Motion passed.*

County

i. Flamingo Springs Preliminary LSD

(tabled at the request of the applicant)

Preliminary Large Scale Development Request

Location: Section 14, Township 14 North, Range 32 West

Owners: Zach & Laura Kraus

Applicant: Glenn Carter

Location Address: 15474 Greasy Valley Rd.

Approximately +/- 19.81 acres

Proposed Land Use: Commercial RV Park

Coordinates: Latitude: 35.89072830, Longitude: -94.35861882

Project #: 2017-263

Planner: Nathan Crouch

email: ncrouch@co.washington.ar.us

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

County

j. Rodriguez Minor Subdivision Re-Plat

(tabled at the request of the applicant)

Preliminary & Final Minor Subdivision Requests

Location: Section 24, Township 15 North, Range 31 West

Owner: Veronica Razo Rodriguez

Applicant: Bates & Associates, Inc.

Location Address: 10056 Smokey WC 2070

Approximately +/- 5.76 acres / 2 lots Proposed Land Use: Residential

Coordinates: Latitude: 35.96876420, Longitude: -94.21597824

Project #: 2017-265 Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

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

5. Other Business

- Discussion of Current Development and Planning Department Activities.
- Reminder of upcoming Planning Board meetings:
 - October 5
 - November 2
- Any other Planning Department or Planning Board business

6. Old Business

7. Adjourn

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

Planning Board adjourned.

Minutes submitted by: Juliana Mendoza

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman