

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

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

LAND DEVELOPMENT HEARING

County

a. Minor Subdivision Replat Lot 12 Lakeview

Approved

CONDITIONAL USE PERMIT HEARING

Fayetteville Planning Area

b. Old Wire Services & Recreational Facilities CUP

Tabled (at the request of the applicant)

LAND DEVELOPMENT HEARING

Fayetteville Planning Area

c. Old Wire Services & Recreational Facilities Preliminary LSD

Tabled (at the request of the applicant)

1. ROLL CALL: *Roll call was taken. Members present include Daryl Yerton, Kenley Haley, Philip Humbard, Walter Jennings, Joel Kelsey, and Robert Daugherty. Randy Laney was not present.*
2. APPROVAL OF MINUTES: *Daryl Yerton made a motion to approve the minutes of November 2, 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. Walter Jennings seconded. All Board Members were in favor of approving. Motion passed.*
4. NEW BUSINESS

LAND DEVELOPMENT HEARING

County

a. Minor Subdivision Replat Lot 12 Lakeview Estates

Preliminary & Final Minor Subdivision Replat Request

Location: Section 9, Township 16 North, Range 29

Owners: Larry & Diana Carson, Frank & Danita Copeland

Surveyor: Blew & Associates, Inc.

Location Address: 16669 & 16713 Summer Rain WC 306

Approximately +/- 11.25 acres/2 lots

Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.06841603, Longitude: -94.06367812

Project #: 2017-350

Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

Utilities:

Ozarks Electric

1. The powerline servicing the southern property (parcel # 293-10012-000) must be located and shown on the plat. *Complete.
2. Utility easements must be included on the plat for each lot. If the powerlines are overhead, the utility easement must be 30 ft total width. If the powerlines are underground, the utility easement must be 15 ft total width. *Complete.

No other utility comments were received.

Fire:

The Washington County Fire Marshal and the Nob Hill Rural Fire Department had no comments regarding this request.

Addressing:

The Addressing office (Department of Emergency Management) provided no comments.

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:

The existing driveway connecting the Copeland's residence to the county road extends across the corner of the neighboring property to the south. A 30 ft access/utility easement has been proposed, and is now shown on the plat.

SITE VISIT:

As of the writing of this staff report Planning Staff has not yet conducted the site visit. Staff will update the Board at the meeting if any issues are discovered during the site visit.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed replat. As of the writing of this staff report no neighbor comments have been received.

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 Replat approval of Lakeview Estates Minor

Subdivision Replat with the following conditions:

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. 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:

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. All general plat checklist items must be corrected. **-all complete**
4. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
5. Have all signature blocks signed on 8 Final Plats - 2 for filing in the Circuit Clerk's office, 4 for the County Planning office, remainder for the property owners. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Planning Conditions:

1. The 30 ft access/utility easement, proposed for the Copeland's (southern) property, must be completed.

Washington County Senior Planner, Nathan Crouch, presented the staff report for the Board Members.

Kenley Haley, Planning Board Member, clarified that with this lot line adjustment the building would then meet the Washington County property setback requirements.

No Public Comment.

Public Comment Closed.

*Daryl Yerton made a motion to approve the **Minor Subdivision Replat Lot 12 Lakeview Estates** subject to staff recommendations. Walter Jennings seconded. Randy Laney was not present. Board Members Daryl Yerton, Kenley Haley, Philip Humbar, Walter Jennings, Joel Kelsey and Robert Daugherty were in favor of approving. Motion passed.*

CONDITIONAL USE PERMIT HEARING

Fayetteville Planning Area

b. Old Wire Services & Recreational Facilities CUP

(tabled at the request of the applicant)

Conditional Use Permit Request

Location: Section 30, Township 17, Range 29

Owner: Patrick J. Tobin Revocable Living Trust

Surveyor: Bates & Associates, Inc.

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

Daryl Yerton made a motion to approve the agenda. Walter Jennings seconded. All Board Members were in favor of approving. Motion passed.

LAND DEVELOPMENT HEARINGS

Fayetteville Planning Area

c. Old Wire Services & Recreational Facilities Preliminary LSD

(tabled at the request of the applicant)

Preliminary Large Scale Development Request

Location: Section 30, Township 17, Range 29

Owner: Patrick J. Tobin Revocable Trust

Surveyor: Bates & Associates, Inc.

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

Daryl Yerton made a motion to approve the agenda. Walter Jennings seconded. All Board Members were in favor of approving. Motion passed.

5. Other Business

- By-Law Amendment for upcoming 2018 schedule

Planning Staff is proposing to adjust the existing 4-week review cycle to 5-weeks. There are a few reasons for this proposed adjustment, but let's look at the time line.

Time Line- Here are the two time lines, existing and proposed. Staff is requesting to changeover to a 5-week review cycle. In the past there have been issues with the existing schedule. By ordinance neighbor notifications go out 2 weeks prior to the planning board meeting, so that date is set by law. Remember with the dog kennel project when several neighbors came to the meeting thinking the proposal was for 75 dogs only to find out it had changed to 32? This is but one example of the conflict between resubmittal and neighbor notifications. With the existing 4-week schedule neighbor notifications go out the day before the resubmittal date, which is when Staff receives the proposal with all the requested edits completed.

Which leads me to the 2nd reason for the 5-week cycle, the time between Tech Review and Resubmittal. Currently, the applicant is only given 3 days to make edits to their proposal and resubmit it for a 2nd review. The proposed 5-week cycle will give the applicant more time, who is usually an engineer or surveyor but is sometimes a property owner who isn't accustomed to producing a high volume of work.

A CUP applicant with a proposal on less than 1 acre would not be required to provide an engineered site plan, for example. So they would be responsible for, sometimes, a large number of edits in a short period of time, in addition to a day job, family, etc. The proposed 5-week review cycle will require the resubmittal

5 working days later, but also includes the weekend for the folks who aren't paying an engineer to do the work.

In the summer months when development is typically the heaviest, when the Planning Dept gets the most permit requests, this would give Planning Staff 3 additional working days to review projects and write Staff Reports. And during the lighter months when there aren't as many submittals to review Staff will have additional time to conduct other work such as investigating violations, conducting site visits, and building and improving our department.

And lastly, if given more time to make required edits, gather required information or acquire Health Dept or ADEQ approvals, Staff believes there will be less tabling of projects and these permit requests will move through the review process more effectively and fewer projects will be coming back to the board over and over.

Washington County Senior Planner, Nathan Crouch, presented the proposal for the Board Members.

Kenley Haley inquired, "Any negatives, Nathan?"

Nathan Crouch responded, "Not in my opinion. It is a five-week review cycle and I can imagine that some people don't like the four-week review cycle because it seems too long but we don't get that feeling from our engineers and our surveying companies. It typically comes from the property owners themselves thinking that it takes too long but those property owners are typically not the ones doing the work. They are the ones paying the bill."

Daryl Yerton inquired, "What about publication of the change to the schedule? For those who would be normally expecting it to be the first Thursday of every month, with a few exceptions, now it's going to be..."

Nathan Crouch answered, "We have got all of these documents ready to roll and we have a nice website we are ready to put everything on the website and we have our frequent flyers, some of our larger engineering and surveying companies that we will be notifying tomorrow of the results of tonight's meeting and will be shipping out that calendar immediately and putting it on our website."

Daryl Yerton asked, "Has there been any feedback from people you have discussed it with as far as the engineering community?"

Nathan Crouch replied, "Nothing positive or negative. Mostly just like 'Well I'll be darned' kind of a feedback."

*Walter Jennings made a motion to amend the **Washington County Planning Board By-Laws Article IV, Section A.** by striking out "on the first Thursday of each month" and inserting "On Thursdays scheduled such to facilitate a five week review cycle." Kenly Haley seconded. Randy Laney was not present. Board Members Daryl Yerton, Kenley Haley, Philip Humbard, Walter Jennings, Joel Kelsey and Robert Daugherty were in favor of approving. Motion passed.*

6. Old Business

7. Adjourn

Daryl Yerton moved to adjourn. Walter Jennings 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: _____
Robert Daugherty, Planning Board Vice-Chairman