



## WASHINGTON COUNTY, ARKANSAS

### County Courthouse

#### MEETING OF THE WASHINGTON COUNTY QUORUM COURT COUNTY SERVICES COMMITTEE

Monday, February 4, 2019  
6:00 P.M.  
Washington County Quorum Court Room

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#### A G E N D A

1. Call to Order
2. Prayer and Pledge
3. Introduction of Committee Members – Members of the 2019-2020 County Services Committee are: Harvey Bowman, Susan Cunningham, Ann Harbison, Suki Highers, Andrea Jenkins, Willie Leming, and Butch Pond.
4. Selection of Chair/Vice Chair
5. Adoption of Agenda
6. Review the Responsibilities of the County Services Committee: The responsibilities of the County Services Committee are to review policies concerning delivery of county services to citizens. Review maintenance and expansion of the County's infrastructure to meet the needs of the County's growth.
7. AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD T & T Espresso O (7.1-7.2)
8. AN EMERGENCY ORIDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD Gingham Daisy Bakery (8.1-8.2)
9. Other Business: Any other business to be discussed by the Committee will be brought up at this time.
10. Public Comments
11. Adjournment

Item 19-I-012

**ORDINANCE NO. 2019-**

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**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD.**

**WHEREAS,** the Planning and Zoning Board granted a Conditional Use Permit on **January 10, 2019** , for the **T&T Express O**; and,

**WHEREAS,** immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and,

**WHEREAS,** ratification will not affect any appeal rights any person may have.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** That the Conditional Use Permit for the **T&T Express O** granted by the Planning and Zoning Board is hereby ratified.

**ARTICLE 2. Emergency Clause.** It is hereby determined that it is in the best interest of the applicant and the public for this ordinance to be effective immediately; therefore, an emergency is declared to exist and this ordinance shall be and is effective on the date of its passage.

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

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\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Introduced by:  
Date of Passage:  
Members Voting For:  
Members Voting Against:  
Members Abstaining:  
Members Absent:

### T&T Espresso O CUP

**The Planning Board/Zoning Board of Adjustments approved the T&T Espresso O CUP, with conditions, request on January 10, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent).**

T&T Espresso O is seeking Conditional Use Permit approval to operate a drive-through coffee house on a parcel of land (001-14409-000) that is approximately 0.88 acres in size.

The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

The project parcel is not in a Planning Area; sole jurisdiction belongs to the County.

Terry and Trish Stamps are the owners of the above referenced parcel. They have placed a 16x40 portable building on the property in hopes of using it as their coffee house.

The parcel is located in the northeastern part of the County, north of East Highway 412 and slightly west from East Sonora Road WC93. An existing driveway accesses East Highway 412. The applicant is proposing a second entrance on the east side of the property to be utilized for the T&T Espresso O traffic so as it not to impede with the Nob Hill Fire Department's operations.

The applicant is anticipating approximately 80-100 cars utilizing the drive through each day.

Being that the applicant's project will utilize less than an acre, Large Scale Development permitting will not be required.

A total of eleven (11) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. Two notifications were received in favor of the project. One notification was neutral.

This project was not contentious. There was no public discussion.

**The Planning Board/Zoning Board of Adjustments approved the T&T Espresso O CUP, with conditions, request on January 10, 2019 (6 members voted "in favor", 0 members voted "against", 1 member was absent) with the following conditions:**

**Water/Plumbing/Fire Issues:**

1. City of Springdale Water did not have comments. Should the applicant have concerns or require additional water support, they should contact the City of Springdale utilities and adhere to the City's permits and regulations.

**Washington County Fire Marshal Conditions:**

1. Need to post address on building where it will be visible to fire department.
2. Add 2 minimum or as stated by Fire Chief, Fire Lane No Parking Signs along west side of property where no one will be able to get into the driveway of the Fire Station. Contact Chief Gary Hull for placement of signs. Also place two signs at the entrance of the property.
3. Add a minimum of one fire extinguisher with a current certifying tag.
4. Have 20' wide roads minimum and a turning radius at the road of 38' minimum.
5. Make sure there is a landing at the door ways so they don't go straight out to stairs.

**Health Department Conditions:**

1. Except where a toilet room is located outside a food establishment and does not open directly into the food establishment such as a toilet room that is provided by the

management of a shopping mall, a toilet room located on the premises shall be completely enclosed and provided with a tight-fitting and self-closing door as specified in 6-202.14.

2. Except as specified in 6-202.11(B) of the Food Code, light bulbs shall be shielded, coated or otherwise shatter-resistant in areas where there is exposed food; clean equipment, utensils and linens; or unwrapped single-service and single-use articles as specified in 6-202.11.
3. If necessary to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes, mechanical ventilation of sufficient capacity shall be provided as specified in 6-304.11.
4. Standard operating procedures that ensure compliance with the requirements of Rules and Regulations are developed or are being developed as specified in 8-201.12(E).
5. Splash guards or other approved methods shall be used to protect sinks from cross-contamination as specified in 4-903.11.

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

1. Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.
2. Please contact the Arkansas Department of Transportation to adhere to their permitting requirements.

**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](http://www.adeq.state.ar.us)

**Signage/Lighting/Screening Conditions:**

1. No signage is allowed within Washington County's road right-of-way (ROW). Please contact the Arkansas Department of Health to obtain their regulations on signage in the State Highway 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 and/or ArDOT 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 if needed.

**Utility Conditions:**

*Ozarks Electric:*

1. Please contact Ozarks Electric should future electrical issues arise.

**Planning Conditions:**

1. Any further expansion or if the applicant wishes to replace the temporary building with a more permanent building must come before the Planning Office and/or the Planning Board.

**Additional and Standard Conditions:**

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office).
2. Pay engineering any fees. This total will be calculated for this project once all invoices are received.
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.

Item 19-I-013

**ORDINANCE NO. 2019-**

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD.**

**WHEREAS**, the Planning and Zoning Board granted a Conditional Use Permit on **January 10, 2019** , for the **Gingham Daisy Bakery**; and,

WHEREAS, immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person may have.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:**

**ARTICLE 1.** That the Conditional Use Permit for the **Gingham Daisy Bakery** granted by the Planning and Zoning Board is hereby ratified.

**ARTICLE 2. Emergency Clause.** It is hereby determined that it is in the best interest of the applicant and the public for this ordinance to be effective immediately; therefore, an emergency is declared to exist and this ordinance shall be and is effective on the date of its passage.

\_\_\_\_\_  
JOSEPH K. WOOD, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

- Introduced by:
- Date of Passage:
- Members Voting For:
- Members Voting Against:
- Members Abstaining:
- Members Absent:

### Gingham Daisy CUP

**The Planning Board/Zoning Board of Adjustments approved the Gingham Daisy CUP, with conditions, request on January 10, 2019 (5 members voted "in favor", 0 members voted "against", 1 member was absent).**

The owners of the property are William H. & Julia M. Agler, while the applicants are Julia Agler & Catherine Hawks. This property is located in the Fayetteville Planning Area off of North Fox Hunter Road WC-75 (see attachments).

This CUP request is to allow for the Gingham Daisy bakery to come into compliance with the Washington County regulations. The Gingham Daisy occupies approximately two-thirds of a 1,000 square foot building at the southern portion of the 5.33 acre parcel of land (see attachments). The remaining one-third of the building is used as a residence by one of the applicants. At this time, there is one other residence on the property (1772 N. Fox Hunter Rd).

The business has been operating exempt from CUP requirements due to the small size of the business.

A total of 12 (twelve) notices were mailed to surrounding property owners within 300 feet of the applicant's project parcel. There were no responses supporting or opposing this proposal.

This project was not contentious. There was no public discussion.

**The Planning Board/Zoning Board of Adjustments approved the Gingham Daisy CUP, with conditions, request on January 10, 2019 (5 members voted "in favor", 0 members voted "against", 1 member was absent). With the following conditions:**

Fire Conditions:

1. 5/8" drywall must be installed on the sleeping side of the wall.
2. A monitored alarm system must be installed.
3. 13D Fire Suppression Sprinkler System must be installed within 1 year's time.
4. A Vent Hood (Guardian 3 System) must be installed.
5. Widen the driveway to 26'.
6. Increase the width of the gate to the greatest extent that the bridge will allow.
7. Throughout the fire lane turning radii must be no less than 38'.
8. A stamped statement from a licensed engineer is required, stating the bridge, driveway, fire lane, and parking area will support 75,000lbs.
9. Fire Marshal inspection is required.

Septic:

1. Full compliance with ADH regulations is required.

Drainage:

1. Washington County Road Department will install a larger drainage culvert under Fox Hunter Road.

Environmental Concerns:

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

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).

Utility Conditions:

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

Signage/Lighting/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$49.08) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 1/4/19).
2. Pay any engineering fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. This CUP must be ratified by the Quorum Court.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
8. 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.

Planning Conditions:

1. Road Department will clear trees from the right-of-way in order to maximize sight distance.
2. Road Department will re-evaluate the speed limit on this portion of Fox Hunter Road.
3. Fire Marshal will re-inspect after 12 months' time.