

**MINUTES
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
Feb 04, 2016**

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

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARINGS

County

a: Hunt Rogers Materials Office Cup

Approved

County

b: Dutch Mills Cemetery Expansion CUP (TABLED AT THE REQUEST OF THE APPLICANT)

Tabled

LAND DEVELOPMENT HEARINGS

County

c: Hunt Rogers Materials Office LSD

Approved

County

d: Elkhorn Springs Road Dirt Pit Expansion #2 LSD

Approved

County

e: Eastern Park Subdivision Preliminary Subdivision

Tabled

1. ROLL CALL:

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

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

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

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

County

a. Hunt Rogers Materials Office CUP.

Conditional Use Permit Approval Request

Location: Section 35, Township 18 North, Range 29 West

Applicant: Hunt-Rogers

Engineer: Bates and Associates

Location Address: 21202 N. Parsons Road

Approximately 194.0 acres/ 1 Lot, Proposed Land Use: Office Building

Coordinates: Latitude 36.18855379" N Longitude: -94.04426324" W

Project #: 2016-001 **Planner:** Courtney McNair, email: cmcnair@co.washington.ar.us

REQUEST: Hunt Rogers Materials Office is requesting **Conditional Use Permit** approval and **Preliminary Large Scale Development** approval to allow an office building on a property that is approximately 194.0 acres in size, and currently zoned for Agricultural and Single Family Residential Uses, with an existing CUP and LSD for Mining Activity and Material Stockpiling on this same site. The use being requested is for the expansion of the existing office space onsite (the addition of a new office building).

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

PLANNING AREA: This project is located solely in Washington County.

QUORUM COURT DISTRICT: District 5, Joe Patterson

FIRE SERVICE AREA: Nob Hill Rural

SCHOOL DISTRICT: Springdale

INFRASTRUCTURE: **Water-** Springdale **Electric-** Ozarks Electric

Natural Gas- SourceGas

Telephone- AT&T

Cable- Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is JB Hunt, LLC. The applicant is Hunt-Rogers Materials/Rogers Group. The engineer is Bates and Associates, and the Architect is Core Architects.

Hunt Rogers Materials Office is requesting **Conditional Use Permit** approval and **Preliminary Large Scale Development** approval to allow an additional office building on a property that is approximately 194.0 acres in size, and currently zoned for Agricultural and Single Family Residential Uses, with an existing CUP and LSD for Mining Activity and Material Stockpiling on this same site. The use being requested is for the expansion of the existing office space onsite (the addition of a new office building).

The office building is proposed to be 2920 sq. ft. It is proposed to have reception and dispatch space, a conference room, break area, training room, offices, storage and janitorial closets, and restrooms. The daily number of employees will be 5-8 with up to 27 for training purposes on occasion.

Please see the applicant's letters for more detail.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Springdale Water services this area. There is an existing hydrant along Parsons Road. Tanker support will be used by Nob Hill. No fire flow gpm has been submitted, but the Fire Marshal has requested that they provide the flow because Springdale will also be responding and they do not have tanker support available. **This can be a condition of approval.**

This CUP request was reviewed by the County Fire Marshal and Nob Hill VFD.

The entrance drive is existing, and there is a large area of paved asphalt at the entrance. The engineer has indicated fire lane striping will be along a part of two sides. **Please see the diagram by staff for the full area the Fire Marshal is requiring to be striped.** This will need to be indicated on the LSD plans. Fire lane striping must be visible at all times, dust must be cleared routinely.

Planning Staff has received the architectural plans for the office building. The Fire Marshal has reviewed it and found the plans to be adequate. A statement at Final LSD will be required that states the building is in compliance with AR State Fire Code and ADA regulations. A Knox Box will be required for the office building. This is shown on the plans.

The applicant is proposing a warming kitchen for the break room. This must remain a warming kitchen only, or additional review by the Fire marshal will be required.

Health Department Issues:

This project proposes to utilize an individual septic system.

A septic system was installed a few years ago and is being currently used by the small scale office. The permit allows for 75 gallons/day of water in this existing system. The applicant wishes to use this existing system for the proposed office building.

In an email from Reba Baily, Designated Representative of the Health Department, she stated, "The septic system was designed for a maximum usage of 75 gallons per day which would be 5 full-time employees usage of 15 gallons/day each. Or 2 employees full-time for a total usage of 30 gal/day and 9 employees that come and go at 5 gal/day for the additional 45 gallons of usage. The system was designed and should be adequate for up to 75 gallons usage/day".

There is some concern by the Health Department that the system is not sized adequately for this office use because of the stated use from the applicant, "The daily use of the building would be 5-8 occupants on a regular basis with the potential of up to 27 occupants in the building for an hour or two a day".

The septic system as designed is not adequate for the proposed occupant load. The Designated Representative must provide a revised permit to the Health Department for review and approval. The system must be installed per the revised plans and inspected by the Health Department prior to occupation.

Additionally, staff is not sure that the location marked on the plans is correct for the septic location. This needs to be verified and corrected.

Electric/Phone:

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

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 91, N. Parsons Road. There is an existing entrance to the existing quarry, but it appears to cross another property (not owned by the same entity). An easement was not able to be located, so the applicant is in the process of obtaining an access/utility easement. **The applicant has not been able to locate the existing access easement. They are currently trying to find the copy they believe exists.**

After additional review, Staff feels that the project can move forward with the easement being a condition of approval.

- **The existing access has been in place for several years, and**
- **This is not the only place that an access road could be located because the quarry has road frontage onto Parsons Road in other locations**

No construction can begin until the easement is found or a new easement is signed and filed.

If the easement cannot be found and a new one is not granted, the applicant will be allowed to provide Planning with an alternative proposal for access to the proposed building.

If an alternate access is needed, the applicant must apply for full review of the site through the appropriate Planning processes.

If an easement is provided, this entrance should be adequate for the addition of an office building. If any work is to be done within the County right-of-way, a permit is required.

Drainage:

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

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.adeg.state.ar.us

Additionally, Beaver Water District submitted comments:

"I am writing to ask that special attention be paid to sediment and erosion control for 2016-001 (CUP) and 2016-002 (LSD). The proposed office is approximately 1.5 miles upstream from Beaver Lake and located in our Source Water Protection Area. Beaver Water District does not oppose the development but wishes to minimize potential sources of contamination in the Beaver Lake Watershed".

The engineer for the project has stated that erosion control measures will be added to address any runoff.

Signage/Lighting/Screening Concerns:

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)

As the office building is proposed to have a residential nature (similar building materials as houses; not a metal building), and it will be within the existing quarry facility with an existing berm, staff is not recommending any additional screening for 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 no comments on this project.

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding uses are a mix of residential, agriculture, and the existing heavy industrial use on the project site.

While the proposed office building is not residential, staff feels that the applicant's request to add an office building to this existing industrial quarry site will be compatible with the surrounding uses with conditions.

The proposal will add little impact to the current quarry site. Traffic going to this office building will be limited mostly to employees with only a few expected customers per month. There is no expected additional noise associated with the addition of this office building. Additionally, as the building will be internally located within the larger quarrying site, with an existing berm, staff does not believe this building will be very visible to surrounding properties.

County's Land Use Plan (written document):

Staff feels that the additional traffic and nature of this proposed building will be the equivalent of adding a "light commercial" building to this existing industrial site.

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.

Staff feels that this project meets the goal of the County's Land Use Plan. The proposed office expansion will add very little impact to the overall industrial quarry site.

Future Land Use Plan

The Future Land Use Plan for this area shows that it is "Heavy Industrial". This portion of the County Future Land Use Plan was extrapolated from the City of Springdale's adopted Future Land Use Plan for this area.

The proposed office expansion will add very little impact to the overall industrial quarry site.

NEIGHBOR COMMENTS/CONCERNS:

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

No comments have been received at the time of this staff report. Staff will update you at the meeting if any neighbor comments are received.

STAFF RECOMMENDATION: Staff recommended *approval* of the proposed Hunt Rogers Materials Office Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions:

1. Provide the gpm fire flow for the hydrant along Parsons Road.
2. Panic hardware is required on exit doors.
3. All access roads and parking area drives must have a 38' turn radius at minimum, and fire lanes and access roads must be compacted to support 75,000lbs in all weather conditions.
4. Fire lanes along the drive and within the parking area must be marked. **Staff submitted a diagram of the required fire lane area. This must be reflected on the plans. Fire lane striping must be visible at all times, dust must be cleared routinely.**
5. The applicant is proposing a warming kitchen for the break room. This must remain a warming kitchen only, or additional review by the Fire marshal will be required.
6. Exit lights/emergency lights and fire extinguishers are required. These are shown on the plans.
7. The Fire Marshal will inspect all improvements prior to the building being occupied.
8. The connection between the building and the handicapped parking spaces, as well as the restrooms, must be ADA compliant.
9. The applicant must comply with any Health/Safety/Fire Code recommendations made by the architect.
10. The building must meet Arkansas State Fire Code.
11. The applicant's architect is to set the final occupancy load, and ensure the building meets Arkansas State Fire Code, and is compliant with ADA standards.
12. A statement at Final LSD will be required that states the buildings are in compliance with AR State Fire Code and ADA regulations.
13. A Knox Box will be required for the office building. This is shown on the plans.

Health Department Conditions:

1. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed. (No overflow parking either).
2. Project must be in compliance with the regulations of the Arkansas Department of Health.
3. **The septic system as designed is not adequate for the proposed occupant load. The Designated Representative must provide a revised permit to the Health Department for review and approval. The system must be installed per the revised plans and inspected by the Health Department prior to occupation.**

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

1. The applicant must obtain an access/utility easement for the existing entrance drive.
2. No construction can begin until the easement is found or a new easement is signed and filed.
3. If the easement cannot be found and a new one is not granted, the applicant will be allowed to provide Planning with an alternative proposal for access to the proposed building.
4. If an alternate access is needed, the applicant must apply for full review of the site through the appropriate Planning processes.
5. If any work is to be done within the County right-of-way, a permit is required.

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
2. Erosion control measures will be added to address any runoff.

Signage/Lighting/Screening Conditions:

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

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.

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.
4. Mike Phipps at (479) 684-4696 or mphipps@ozarksecc.com
5. Greg McGee at (479) 684-4634 or gmcgee@ozarksecc.com

Additional and Standard Conditions:

1. ~~Pay mailing fees of \$17.24 (an invoice was emailed to the applicant on 1/29/16). Mailing fees are due within 30 days of the project hearing date.~~ PAID
2. Pay engineering fees. This total will be calculated at the Final LSD phase for this project once all invoices are received.
3. 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.
4. Hours of operation must be generally as stated (Monday-Friday 6:30am-4pm and Saturday 6:30am-noon).
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.
 - o 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 Senior Planner, Courtney McNair, presented the staff report with updates for the board members.

No Public comments.

Public Comments Closed.

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

County

b. Dutch Mills Cemetery Expansion CUP

(To be tabled at the

request of the applicant)

Conditional Use Permit Approval Request

Location: Section 21, Township 14 North, Range 33 West

Applicant: Ken Bailey

Surveyor: Tim West, Atlas Survey

Location Address: East of 22361 Dutch Mills Road

Approximately 3.84 acres/ 1 Lot Proposed Land Use: Cemetery Expansion

Coordinates: Latitude 35.87487567" N Longitude: -94.49679131" W

Project #: 2015-301 Planner: Nathan Crouch e-mail at ncrouch@co.washington.ar.us

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

LAND DEVELOPMENT HEARINGS

County

c. Hunt Rogers Materials Office LSD

Preliminary Large Scale Development Approval Request

Location: Section 35, Township 18 North, Range 29 West

Applicant: Hunt-Rogers

Engineer: Bates and Associates

Location Address: 21202 N. Parsons Road

Approximately 194.0 acres/ 1 Lot, Proposed Land Use: Office Building

Coordinates: Latitude 36.18855379" N Longitude: -94.04426324" W

Project #: 2016-002 Planner: Courtney McNair, email: cmcnair@co.washington.ar.us

REQUEST: Hunt Rogers Materials Office is requesting **Conditional Use Permit** approval and **Preliminary Large Scale Development** approval to allow an office building on a property that is approximately 194.0 acres in size, and currently zoned for Agricultural and Single Family Residential Uses, with an existing CUP and LSD for Mining Activity and Material Stockpiling on this same site. The use being requested is for the expansion of the existing office space onsite (the addition of a new office building).

CURRENT ZONING: Project lies within the County Zoned area (Agriculture/Single-Family Residential 1 unit per acre), and is contingent on CUP 2016-001 being approved.

PLANNING AREA: This project is located solely in Washington County.

QUORUM COURT DISTRICT: District 5, Joe Patterson
SCHOOL DISTRICT: Springdale

FIRE SERVICE AREA: Nob Hill Rural

INFRASTRUCTURE: **Water-** Springdale **Electric-** Ozarks Electric
Natural Gas- SourceGas **Telephone-** AT&T **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

As stated in the CUP request, **Hunt Rogers Materials Office** is requesting **Conditional Use Permit** approval and **Preliminary Large Scale Development** approval to allow an additional office building on a property that is approximately 194.0 acres in size, and currently zoned for Agricultural and Single Family Residential Uses, with an existing CUP and LSD for Mining Activity and Material Stockpiling on this same site. The use being requested is for the expansion of the existing office space onsite (the addition of a new office building).

The office building is proposed to be 2920 sq. ft. It is proposed to have reception and dispatch space, a conference room, break area, training room, offices, storage and janitorial closets, and restrooms. The daily number of employees will be 5-8 with up to 27 for training purposes on occasion.

Please see the applicant's letters for more detail.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Springdale Water services this area. There is an existing hydrant along Parsons Road. Tanker support will be used by Nob Hill. No fire flow gpm has been submitted, but the Fire Marshal has requested that they provide the flow because Springdale will also be responding and they do not have tanker support available. **This can be a condition of approval.**

This CUP request was reviewed by the County Fire Marshal and Nob Hill VFD.

The entrance drive is existing, and there is a large area of paved asphalt at the entrance. The engineer has indicated fire lane striping will be along a part of two sides. **Please see the diagram by staff for the full area the Fire Marshal is requiring to be striped.** This will need to be indicated on the LSD plans.

Planning Staff has received the architectural plans for the office building. The Fire Marshal has reviewed it and found the plans to be adequate. A statement at Final LSD will be required that states the building is in compliance with AR State Fire Code and ADA regulations. A Knox Box will be required for the office building. This is shown on the plans.

The applicant is proposing a warming kitchen for the break room. This must remain a warming kitchen only, or additional review by the Fire marshal will be required.

Health Department Issues:

This project proposes to utilize an individual septic system.

A septic system was installed a few years ago and is being currently used by the small scale office. The permit allows for 75 gallons/day of water in this existing system. The applicant wishes to use this existing system for the proposed office building.

In an email from Reba Baily, Designated Representative of the Health Department, she stated, "The septic system was designed for a maximum usage of 75 gallons per day which would be 5 full-time employees usage of 15 gallons/day each. Or 2 employees full-time for a total usage of 30 gal/day and 9 employees that come and go at 5 gal/day for the additional 45 gallons of usage. The system was designed

and should be adequate for up to 75 gallons usage/day”.

There is some concern by the Health Department that the system is not sized adequately for this office use because of the stated use from the applicant, “The daily use of the building would be 5-8 occupants on a regular basis with the potential of up to 27 occupants in the building for an hour or two a day”.

The septic system as designed is not adequate for the proposed occupant load. The Designated Representative must provide a revised permit to the Health Department for review and approval. The system must be installed per the revised plans and inspected by the Health Department prior to occupation.

Additionally, staff is not sure that the location marked on the plans is correct for the septic location. This needs to be verified and corrected.

Electric/Phone:

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

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 91, N. Parsons Road. There is an existing entrance to the existing quarry, but it appears to cross another property (not owned by the same entity). An easement was not able to be located, so the applicant is in the process of obtaining an access/utility easement. **The applicant has not been able to locate the existing access easement. They are currently trying to find the copy they believe exists.**

After additional review, Staff feels that the project can move forward with the easement being a condition of approval.

- **The existing access has been in place for several years, and**
- **This is not the only place that an access road could be located because the quarry has road frontage onto Parsons Road in other locations**

No construction can begin until the easement is found or a new easement is signed and filed.

If the easement cannot be found and a new one is not granted, the applicant will be allowed to provide Planning with an alternative proposal for access to the proposed building.

If an alternate access is needed, the applicant must apply for full review of the site through the appropriate Planning processes.

If an easement is provided, this entrance should be adequate for the addition of an office building.

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

Drainage:

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

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.adeg.state.ar.us

Additionally, Beaver Water District submitted comments:

“I am writing to ask that special attention be paid to sediment and erosion control for 2016-001 (CUP) and 2016-002 (LSD). The proposed office is approximately 1.5 miles upstream from Beaver Lake and located

in our Source Water Protection Area. Beaver Water District does not oppose the development but wishes to minimize potential sources of contamination in the Beaver Lake Watershed”.

The engineer for the project has stated that erosion control measures will be added to address any runoff.

NEIGHBOR COMMENTS/CONCERNS:

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

No comments have been received at the time of this staff report. Staff will update you at the meeting if any neighbor comments are received.

CHECKLIST:

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

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		✓	

There are no remaining Checklist items to be completed. There are a few plan corrections that must be completed:

- Make sure the fire lane area clearly reflects the sketch that staff provided.
- Update the plans to reflect buildings that will be left on site and buildings to be removed.
- Verify that the septic location is accurate.

STAFF RECOMMENDATION: Staff recommended *approval* of the proposed Hunt Rogers Materials Office Preliminary Large Scale Development with the following conditions:

Water/Plumbing/Fire Conditions:

1. Provide the gpm fire flow for the hydrant along Parsons Road.
2. Panic hardware is required on exit doors.
3. All access roads and parking area drives must have a 38' turn radius at minimum, and fire lanes and access roads must be compacted to support 75,000lbs in all weather conditions.
4. Fire lanes along the drive and within the parking area must be marked. Staff submitted a diagram of the required fire lane area. This must be reflected on the plans.
5. The applicant is proposing a warming kitchen for the break room. This must remain a warming kitchen only, or additional review by the Fire marshal will be required.
6. Exit lights/emergency lights and fire extinguishers are required. These are shown on the plans.
7. The Fire Marshal will inspect all improvements prior to the building being occupied.
8. The connection between the building and the handicapped parking spaces, as well as the restrooms, must be ADA compliant.
9. The applicant must comply with any Health/Safety/Fire Code recommendations made by the architect.
10. The building must meet Arkansas State Fire Code.

11. The applicant's architect is to set the final occupancy load, and ensure the building meets Arkansas State Fire Code, and is compliant with ADA standards.
12. A statement at Final LSD will be required that states the buildings are in compliance with AR State Fire Code and ADA regulations.
13. A Knox Box will be required for the office building. This is shown on the plans.

Health Department Conditions:

1. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed. (No overflow parking either).
2. Project must be in compliance with the regulations of the Arkansas Department of Health.
3. **The septic system as designed is not adequate for the proposed occupant load. The Designated Representative must provide a revised permit to the Health Department for review and approval. The system must be installed per the revised plans and inspected by the Health Department prior to occupation.**

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

1. The applicant must obtain an access/utility easement for the existing entrance drive.
2. **No construction can begin until the easement is found or a new easement is signed and filed.**
3. **If the easement cannot be found and a new one is not granted, the applicant will be allowed to provide Planning with an alternative proposal for access to the proposed building.**
4. **If an alternate access is needed, the applicant must apply for full review of the site through the appropriate Planning processes.**
5. If any work is to be done within the County right-of-way, a permit is required.

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
2. Erosion control measures will be added to address any runoff.

Signage/Lighting/Screening Conditions:

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

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.

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.
4. Mike Phipps at (479) 684-4696 or mphipps@ozarksecc.com
5. Greg McGee at (479) 684-4634 or gmcgee@ozarksecc.com

Additional and Standard Conditions:

1. **Please note that most of these conditions are similar to the ones on CUP 2016-001, however, there are differences between the projects. Take care to read ALL conditions carefully.**
2. The project should be developed generally as stated in the applicant's CUP letter with additional

- conditions proposed by staff. It is understood that there may be slight variations.
3. Make the required corrections to the plans.
 - There are no remaining Checklist items to be completed. There are a few plan corrections that must be completed:
 - Make sure the fire lane area clearly reflects the sketch that staff provided.
 - Update the plans to reflect buildings that will be left on site and buildings to be removed.
 - Verify that the septic location is accurate.
 4. **All conditions approved with project 2016-001 shall apply to this project.**
 5. Only the uses proposed are allowed; no additional uses unless additional review takes place.
 6. ~~Pay mailing fees as indicated on CUP-2016-001 conditions list.~~ **PAID**
 7. Pay engineering fees. This total will be calculated at the Final LSD phase for this project once all invoices are received.
 8. 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.
 9. Hours of operation must be generally as stated (Monday-Friday 6:30am-4pm and Saturday 6:30am-noon).
 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. **The Preliminary Large Scale Development approval is contingent on the Conditional Use Permit (CUP) approval. This includes:**
 - **Planning Board/ Zoning Board of Adjustments (PB/ZBA) CUP approval,**
 - **CUP Ratification by the Quorum Court, and**
 - **No CUP appeal being filed within 30 days of the PB/ZBA approval.**
 12. **Prior to construction, all updated site and building plans must be submitted to the Planning Office and approved (2 copies for review).**
 13. **No construction may begin until Preliminary LSD Plans (2 copies) have been submitted with all corrections shown and approved by Planning Staff.**
 14. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
 15. Once construction is commenced, it is the applicant's responsibility to inform the Planning Office.
 16. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - Construction must commence within 12 months of this approval or Preliminary LSD approval will be void.
 17. **Final Large Scale Development approval will be required prior to occupation of this proposed office building.**

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

No Public comments.

Public Comments Closed.

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

Fayetteville Planning Area

d. Elkhorn Springs Road Dirt Pit Expansion #2 LSD

Final Large Scale Development Approval Request

Location: Section 08, Township 16 North, Range 31 West

Owners: Larry and Tawana Hillian/Les Rogers, Inc.

Applicant: Les Rogers

Location Address: Across the street from 14842 Elkhorn Springs Road

Approximately 12.66 acres, Proposed Land Use: Mining/Dirt Excavation/Pit Expansion

Coordinates: Latitude: 36.07443640, Longitude: -94.29942304

Project #: 2015-076 Planner: Juliet Richey, email: JRichey@co.washington.ar.us

REQUEST: The applicant is requesting Final Large Scale Development (LSD) plan approval to allow the expansion of an existing red dirt pit.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre) and has received Conditional Use Permit approval for mining expansion on a portion of the property (CUP 2015-029).

In 2008, Washington County Planning Board approved a Large Scale Development permit (2007-149) to expand the mining area north onto a portion of the parcel that was submitted with this project, 001-11546-000 (owned by the Hillian family). This plan permitted a +/- 19.95 acre permit boundary with +/- 9.5 acres of disturbed area within the boundary. In 2008, this area was not yet zoned, therefore no CUP was required at that time; only compliance with the LSD process (with which Mr. Rogers complied).

CUP 2015-029 was approved by the Planning Board at the May 7, 2015, meeting and ratified by Quorum Court on May 21, 2015.

The Preliminary LSD for this project was approved by the Planning Board on June 4, 2015. All conditions approved with CUP 2015-029 apply to this proposed LSD.

PLANNING AREA: This project is located in the City of Fayetteville's Planning Area. The City of Fayetteville had no comment on this CUP or LSD.

QUORUM COURT DISTRICT: 7, Rich Cochran **FIRE SERVICE AREA:** Wedington Rural VFD

SCHOOL DISTRICT: Farmington

INFRASTRUCTURE: Water- Washington Water Authority **Electric-**Ozarks Electric

Natural Gas- NA **Telephone-** ATT **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The applicant is requesting Final Large Scale Development plan approval for Elkhorn Springs Road Dirt Pit Expansion #2 to transition existing agricultural/residential property (directly adjacent to an existing pit operated by Les Rogers, Inc.) to open pit red dirt/clay/gravel extraction operations. This property is owned by Larry and Tawana Hillian and under lease to Les Rogers, Inc.

This LSD proposes the improvement and extension of an existing haul road and red dirt pit operations-extraction of clay and gravel (This application does not include a request for quarrying of rock). The existing entrance to the Dirt pit on Elkhorn Springs Road is proposed to be used for this expansion. **No new entrance points onto to any roads are proposed with this submittal.** The existing entrance does not appear to have an address point, but is located on the north side of Elkhorn Springs Road (across the street from 14842 Elkhorn Springs Road, Fayetteville, AR, 72704). Please see attached map for more details.

This operation proposes the expansion of red dirt pit operations to include an additional +/-12.66 acres of permit area. Of the +/-12.66 acres of proposed permit area, only +/-4.965 acres of area proposed to be mined (remaining area will be used for buffers, sedimentation pond, etc.).

There has been a dirt pit in operation in this area for the past 15 years. Originally the pit operated solely on parcel 001-11554-000 (owned by Les Rogers). At this time it appears that all mining activity (with the exception of haul roads and sedimentation ponds) has ceased on this portion of the site and it has been primarily re-vegetated and considered to be in reclaimed status by ADEQ.

In 2008, Washington County Planning Board approved a Large Scale Development permit to expand the mining area north onto a portion of the parcel that was submitted with this project, 001-11546-000 (owned by the Hillian family). This plan permitted a +/- 19.95 acre permit boundary with +/- 9.5 acres of disturbed area within the boundary. In 2008, this area was not yet zoned, therefore no CUP was required at that time; only compliance with the LSD process (with which Mr. Rogers complied).

Mr. Rogers now seeks to expand the mining area west of the 2008 permitted area for mining as proposed on the attached plan.

At CUP, the following berm/screening conditions were put into place.

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. All security lighting must be shielded appropriately.*
2. *The applicant has stated that although a buffer only 60' in width is proposed along the western property line, they plan to further buffer the area by the addition of a 48' wide, 8' tall berm to mitigate the reduction in buffer width. Planning Staff feels that the addition of this berm will be adequate to alleviate any concerns regarding reduced recommended buffer width provided that:*
 - o *The berm is in place prior to red dirt mining beginning on the property*
 - o *The berm is vegetated to prevent erosion*
 - o *The berm is a minimum of 8' in height and 48' in width as proposed*
 - o *The berm is inspected by staff prior to any mining*
3. *Care should be taken to leave existing vegetation on the west and south property boundaries intact if possible.*

The berms are in the process of being constructed, but not yet fully constructed. The applicant's engineer stated that they will likely be complete prior to the meeting. Planning Staff will go inspect the site prior to the February 4th meeting and report on the status of the berms. Regardless, no mining may take place, and the Final LSD will not be signed until the berms are complete.

Please see the attached explanation letter and site plans (submitted by the applicant's engineer) for further information.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

This property is serviced by Washington Water Authority and is in the Wedington Rural Fire Department Service Area. Washington Water Authority asked that utility easements be indicated along Highway 16.

As there are no structures or fuel storage proposed onsite, there are no major fire concerns regarding this development.

Sewer/Septic/Decentralized Sewer:

No soil work has been submitted. There are no structures proposed for this site.

According to the applicant's SWPPP, portable toilet facilities will be provided for employees on site.

ADH (Arkansas Department of Health) had no comment regarding this development.

Electric/Gas/Cable/Phone:

AT&T Telephone and Cox Communications did not comment on this project.

Ozarks Electric stated that generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project proposes to access off Elkhorn Springs Road. No new access points are proposed. **The existing haul road has been improved to be 40' in width for a depth of 250' of paved surface. This haul road was inspected by the Road Superintendent and Assistant Road Superintendent and found to be adequate.**

The engineer calculated the sight distance needed according to the AASHTO Green Book specs. The distances required (and available) are listed in the letter of explanation and are shown on the plans.

As discussed at CUP 2015-029,

1. Sight visibility and safety in regard to truck traffic and Elkhorn Springs Road

The sight distance visibility and safety aspect regarding the proposed entrance point from the mining site onto the public road is always a point of concern for staff.

Planning Staff required that the applicant's engineer submit sight distance information for (40 mph) turning movements from the site onto Elkhorn Springs Road. The engineer was required to use the AASHTO Green Book standards to determine the needed distances. The engineer performed these calculations and **the available sight distances were found to be adequate.** The sight distances are listed on the LSD plans (see pg. F-8).

- **Right turns onto Elkhorn Springs: 499.8' sight distance required; 1,405' of sight distance available**
- **Left turns onto Elkhorn Springs: 558.6' sight distance required; 1,702' of sight distance available**

Drainage:

At Preliminary LSD, the Washington County Contract Engineer reviewed and approved the drainage report submitted for this project.

During construction the detention/sedimentation pond was built slightly differently than was proposed at Preliminary LSD.

The applicant's engineer has surveyed the as-built pond and re-run calculations to assure its adequacy. These revisions have been given to the County Engineer to review. **The County Engineer found the slightly different sediment pond configuration to be adequate.**

Environmental and ADEQ Issues:

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).

The ADEQ stormwater permit must be in place/approved prior to any mining taking place.

The ADEQ mining permit must be in place/approved prior to any mining taking place.

The applicant and his engineer have indicated both permits are current and in place. Planning Staff discussed the mining permit with ADEQ and they confirmed that it was adequate.

NEIGHBOR COMMENTS/CONCERNS:

Neighbor notifications are not required for Final LSD. No neighbor comments have been received.

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

CHECKLIST:

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

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

All checklist items are complete.

STAFF RECOMMENDATION: If the County Engineer finds the revised drainage report to be adequate, Staff recommends *approval* of the proposed Final Large Scale Development with the following conditions:

Water/Plumbing/Fire Conditions:

1. Washington Water Authority asked that utility easements be indicated along Highway 16.

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).
2. The ADEQ stormwater and mining NOI/permit must be in place/approved prior to any mining taking place. Copies must be submitted to Planning Staff.

Utility Conditions:

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

Signage/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way.
2. All screening/berms required by the CUP must be in place and inspected by Planning Staff prior to Final LSD being signed.

Standard Conditions:

1. All conditions approved with CUP 2015-029 shall apply to this project.
2. Any engineering and mailing fees must be paid within 30 days of the project hearing (any extension must be granted by the Planning Office).
3. Checklist item: Please list the property owners across Elkhorn on the Final LSD.
4. Must adhere to all LSD regulations as per Sections. 11-100 and 11-101.

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. Have all signature blocks signed on 11 Final LSD Plans - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer.

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

No Public comments.

Public Comments Closed.

Chuck Browning made a motion to approve the **Elkhorn Springs Road Dirt Pit Expansion #2 LSD** subject to staff recommendations Walter Jennings seconded. Randy Laney was not present. Board Members Walter Jennings, Daryl Yerton, Chuck Browning, Robert Daugherty, Cheryl West and Kenley Haley were in favor of approving. Motion passed.

Fayetteville Planning Area

e. Eastern Park Subdivision Preliminary Subdivision **(Tabled)**

Preliminary Subdivision Approval Request

Location: Section 32, Township 17 North, Range 29 West

Owner: L&F Construction, LLC

Engineer: USI Consulting Engineers, Ferdinand Fourie

Location Address: 4436 E. Mission Blvd

Approximately 7.66 acres / 14 lots. Proposed Land Use: 12 Single Family Residential (1 lot for septic and 1 lot for detention)

Coordinates: Latitude: 36.097785, Longitude: -94.097156

Project #: 2015-122 Planner: Courtney McNair e-mail at cmcnair@co.washington.ar.us

Kenley Haley made a motion to approve the agenda. Daryl Yerton 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 regular Planning Board meeting **March 3, 2016, and April 7, 2016.**
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

Daryl Yerton moved to adjourn. Cheryl West seconded. Motion passed.

All Board members were in favor of approving.

Planning Board adjourned.

Minutes submitted by: Phuong Pham

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman