

MINUTES
WASHINGTON COUNTY PLANNING BOARD
April 1, 2021
5:00 pm, via Zoom

DEVELOPMENT REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARING

County

a. Orthodox Farmhouse Brewery CUP

Approved

LAND DEVELOPMENT HEARINGS

County

b. Orthodox Farmhouse Brewery Pre-LSD

Approved

County

c. MRS Jack McClure Pre-Sub

Approved

County

d. PBGH-Springdale 412 (Dollar General) Final LSD

Approved

CONDITIONAL USE PERMIT HEARING

County

e. King's Ransom RV Park CUP

Approved

LAND DEVELOPMENT HEARING

County

f. King's Ransom RV Park Pre-LSD

Approved

1. ROLL CALL: *Roll call was taken. Members present include Joel Kelsey, Loren Shackelford, Lisa Miller, Kiara Luers, Jay Percy, Philip Humbard and Neil Helm.*

2. APPROVAL OF MINUTES: *Loren Shackelford made a motion to approve the minutes of the February 25th, 2021 meeting as written. Lisa Miller seconded. All board members were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Philip Humbard made a motion to approve the agenda as written. Jay Percy seconded. All board members were in favor of approving. Motion passed.*

4. OLD BUSINESS

Goshen Planning Area

a. Orthodox Farmhouse Brewery CUP

Conditional Use Permit Request

Location: Section 20, Township 15, Range 32

Engineer: Bates & Associates

Location Address: 15656 Ball WC 330

JP District: Butch Pond, District 15

Approximately: +/- 3.53 acres / 1 parcel

Coordinates: Latitude: 36.08163292, Longitude: -93.97519867

Project #: 2021-015

Planner: Sita Nanthavong email: snanthavong@washingtontyvar.gov

APPLICANT'S REQUEST

The applicant is requesting conditional use permit and preliminary large scale development approval to allow the development and operation of a brewery in an area that is zoned for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

SITE INFORMATION

Land Owner:	Jesse & Ashlyn Gagnon	Parcel Number:	001-09950-000
Site Location:	15656 Ball Rd WC 330	Planning Area:	Goshen
Acreage:	4.50 acres +/-	QC District:	15, Butch Pond
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Fayetteville
FIRM:	05143C0275F	Fire District:	Goshen
Wetland:	No	Watershed:	None

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	AT&T
Water:	Mt. Olive		

BACKGROUND/SYNOPSIS

This project came before the Planning Board on February 25, 2021 and was tabled by the Planning Board to allow the applicant time to answer some of the questions and concerns the Board had. Should the Planning Board have additional questions or concerns beyond the below, please contact the Planning Staff so we may address them at the April 1st 2021 Planning Board meeting.

Questions from the Planning Board

Staff Comments

Will there be changes to the property?

Yes, there will be some changes to the property. The applicant is going to install a new driveway that will lead to the parking lot and allow access to the brewery building. The current existing building northeast of the applicant's residence will be utilized for the brewery. The building will be renovated. The applicant intends to landscape the grounds. Please see the attached plans for more detail. Additionally, the Site elements/changes/plans are usually discussed in more detail during the Preliminary Large Scale process.

Is the County Fire Code the same as in the City?

The Fire Code is reviewed by the Fire Marshal which represents the State. If the Washington County Fire Marshal or the State Fire Marshal requests that the applicant require a sprinkler system (for example) in order to meet existing State Fire Code, then the Applicant will have to comply to that and other requests. Washington County has not adopted the State Fire Code therefore Staff feels it is not within its legal parameters to request any such alternations or installations. Washington County does not conduct inspections of the interior of new constructions or renovations. Washington County does not issue permits of occupancy or require building permits. Any building code review or inspections should be conducted by the Fire Marshal either at the State or the County level.

What are the hours of operation?

In their updated information packet (please see the attached documents), the applicants state their hours of operation will be:

Wednesday – Thursday 4:00pm to 9:00pm
Friday – Saturday 12:00pm to 9:00pm
Sunday 1:00pm to 9:00pm

The applicant has utilized the hours from other similar venues (Saddlebock and Sassafras) as reference. Staff would like to note also that none of the hours from Saddlebock or Sassafras or even the newly permitted Local Ghost Distillery had their hours listed in the actual ratified conditions. Staff feels that with certain types of venues, it is important to have some flexibility as to what operating hours the owners/operators can utilize. The Orthodox Brewery is owner/occupied. The applicants have their family on the property and live within the existing residence. Having flexibility of hours and days of operation is important as their family grows and as their business eventually evolves. Planning Staff and the prior Planning Board members have not imposed set days/hours as conditions for past similar proposals. (The ratified conditions for Sassafras, Local Ghost, and Saddlebock are attached for the Planning Board's reference).

Does the applicant have a business plan?

Yes, they do. Planning Staff does not require a copy of the business plan as a part of any submittal or supplemental requirements. Staff feels that the business plan is between the applicants and their respective lender(s)/investor(s) and such inquiry may be invasive to the financial privacy of the applicants and their lenders/investors.

What is the vision for the business?

The applicant has stated within their vision statement that they seek to create a place where the people can gather connect or reconnect over a glass of local produced artisan craft beer.

Original Background Synopsis:

The applicants, Jesse and Ashlyn Gagnon, are requesting conditional use permit and preliminary large scale development approval to allow the development and operation of a brewery. 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 in the Goshen Planning Area. The subject parcel is located along Ball Rd WC 330. The subject parcel is approximately 4.50 acres. There is an existing house, building, and a barn. The applicants live on the property with their family. The second building will be added on-to and utilized for the brewery. The applicant proposes to install an entrance and driveway through the property to allow access to parking areas and the brewery building. The Brewery will operate only four (4) days a week; up to 30 hours. The applicants will be the primary employees and may hire an additional 1-3 employees within the first year. Please see the attached documents for more detailed information.

COMPATIBILITY

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Residential/Agricultural	Ag/SF Res 1 unit/ac
South	Residential/Agricultural	Ag/SF Res 1 unit/ac
East	Residential/Agricultural	Ag/SF Res 1 unit/ac
West	Residential/Agricultural	Ag/SF Res 1 unit/ac

Existing Condition of Property

The subject property is zoned Ag/SF Res 1 unit/ac and has an agricultural use. It is in an area that is mixed with agricultural and residential uses. The property has a residence and some storage/shed buildings on it. There is currently one driveway that leads to the residence. Ball Road WC 330 is to the south of the residence. The applicant will install a new driveway towards the western side of the property.

County's Land Use Plan

According to the County's Land Use Plan:

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

2. LIGHT COMMERCIAL

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

Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses.

The proposed Conditional Use Permit is to allow the applicant to develop and operate a brewery on a property that they also reside on. Staff feels that with the proposed conditions this project meets the goal of the County's Land Use Plan. A small brewery with a tap room should not hamper the current rural feel of the area, especially with set hours of operation.

Future Land Use / Zoning Designation

The current zoning for the project parcel is Ag/SF Res 1 unit/ac. If the project is approved, the zoning will stay the same, but with a conditional use allowance.

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet. Staff has attached comments received for the Board's review. Staff will update the Planning Board should there be further comments.

Criteria for Conditional Uses

According to Sec 11-200(a) Criteria for allowance of conditional uses:

The Board shall hear and decide requests for a conditional use and may authorize such if it finds:

<i>Criteria</i>	<i>Staff Comments</i>
1 That a written application has been filed with the Planning Office and the appropriate fee has been paid.	The applicant has submitted a written application and tendered the appropriate fee.
2 That the applicant has provided proof that each property owner as set out in section 11-204 has been notified by return receipt mail.	Notifications of public hearing was sent via certified receipt. Staff has copies of the certified receipts as proof.
3 That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted.	Adequate utilities are available or will be made available at the applicant or property owner's expense.
4 That the proposed use is compatible with the surrounding area.	A small brewery with a tap room opened to the public during set hours of the week is not inherently compatible with the current surrounding uses. Staff feels that with the limited hours and small employee base, the brewery should be very low impact to the surrounding neighbors.
5 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.	The proposed brewery is in a quiet area. The proposed development, aside from the construction phase, should not be considered detrimental to the public health, safety, morals, comfort or general welfare. There will not be heavy equipment utilized on site after the construction phase. The brewery will also be reviewed by the Arkansas Department of Health should the applicant wish to have a dining establishment. Due to the nature of the proposal, the applicant will also have to seek approval by the Arkansas Alcoholic Beverage Control division. The parking areas to the proposed establishment are set towards the back (north) end of the property. There should not be any parking along the street or Right of Way. The applicant and their family live on the property. This allows for ease of access to the brewery should maintenance of equipment or landscaping be needed.
6 That the conditional use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area.	The properties nearby are either wooded or cleared for pasture. The proposed establishment will not cause further removal of trees since the area is already cleared. There aren't residences along the shared property boundaries of the brewery. The applicant currently does not have a screening or landscaping plan/design. This is something that can easily be implemented.
7 That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone.	The conditional use request should not impede with the normal and orderly development and improvement of the surrounding area. Once the construction phase is complete, there should only be the applicants on site working at the establishment

	until the business grows and the applicant hires on additional staff. There will eventually be some visitors, but the amount of patrons should not overwhelm the area with traffic.
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SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Ozarks Electric

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. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com
5. [30ft. U.E. along all overhead Ozark Lines](#)

[From the Arkansas Department of Health](#)

1. With the proposal of food they need to revive the proposed plan to incorporate the needed gallons per seat and they will need to include an aerobic biological generator. They also are a manufacturing plant, therefore the byproducts of their production waste must be separated from their domestic waste water. This is common practice in small farm bottlers. They need to contact Dan Smith to revise their permit and discuss what is needed for an Arkansas Department of Environmental Quality permit for wastewater discharge.

[From the Washington County Sheriff’s Office](#)

1. Follow all Arkansas Alcoholic Beverage Control regulations and no amplified music.

From the Washington County Fire Marshal

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer)

From Washington County Road Department

1. There will need to be a permit for working within the road right of way during the construction of the entrance.

From Washington County Environmental Affairs

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

From Washington County 911 Addressing Dept. of Emergency Mgmt.

1. A physical 911 address may be required. Please complete the Address Application, if needed.

From the Washington County Engineer

(All comments/concerns have been addressed and found satisfactory by County Engineer)

1. LSD Site Details 03
 - a. Add note showing that grade does not exceed 2% in any direction within handicap spaces or loading area

2. Drainage Study – Project Description
 - a. 40'x60'? Where is the proposed 40x60 building? The plans show 18'x20' and 15'x6' additions to an existing building, no new structures.
 - b. There are three existing structures shown on the plans
 - c. Only 30 stalls shown on the plans
3. Drainage Study – Summary of Runoff
 - a. Peak flow calculations are also required for the 50 year storm
4. LSD Post Developed Drainage Map 02
 - a. Show proposed contours and check that proposed grading will not effect the time of concentration flow path
5. Drainage Study 25 Year
 - a. Peak flow calculations are also required for the 50 year storm
6. TC by TR55 Worksheet
 - a. Update once new time of concentration flow path has been update for post developed conditions.

From Washington County Planning

Please provide or update the following from the CUP checklist:

1. Soil analysis from a DR has not been received. Please submit this or a date of when the analysis is to be performed. *(Soil analysis has since been received)*

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP and Preliminary Large Scale Development submittal documents and feels that the proposed use can be made compatible with the following conditions: New or updated conditions are in red. These are conditions that were not presented at the last Planning Board Meeting on 02/25/2021.

Utility Conditions

Electricity – Ozarks Electric

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. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com
5. 30ft. U.E. along all overhead Ozark Lines

Phone – AT&T

1. Please contact AT&T for telephone concerns and questions.

Water – Mt. Olive

1. Please contact Mt. Olive Water for concerns and questions regarding water service.

Safety Conditions

Washington County Fire Marshal

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer)

Goshen Rural Fire Department

1. Please contact the Fire Department for fire safety concerns and questions.

Washington County Sheriff's Office

1. Follow all Arkansas Alcoholic Beverage Control regulations.
2. No amplified music.

Sewer/Septic Conditions

1. Permits from the Arkansas Department of Health must be obtained before the applicant can commence development of their project. It is the responsibility of the applicant to determine which types of permits will be needed for their project.

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

Drainage/Engineering Conditions

1. The County Engineer must review the applicant's construction plans and any updated drainage study and any comments, concerns, or revisions must be addressed by the applicant before construction/development may begin.

Signage Conditions

1. Signs shall not be directly lit.

Lighting 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.

Screening Conditions

1. All outside waste containers/areas must be screened from nearby neighbors utilizing uniform opaque screening materials.
2. The waste containment areas must also be gated.
3. Landscaping barriers such as trees, shrubs, and/or fencing will be required along the northern and southern sides of the property to shield the adjoining neighbors from the brewery operations as indicated in the applicant's privacy plan.

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions

1. The Conditional Use Permit is only to allow a brewery and taproom/eating establishment use. Any other use not specified by the CUP must come before the Planning Board for approval.

2. The Conditional Use Permit is to only allow operation of the brewery within the structure that sits closest to the applicant's residence. The barn situated within the northeast is not considered a part of this current proposal. Should the applicant wish to expand into the barn or utilize it as part of the brewery, the applicant must seek an amendment to the current CUP and approval from the Planning Board and ratification by the Quorum Court would be needed.
3. All Arkansas state regulations concerning Alcoholic Beverages and dining rooms must be met. It is up to the applicant to determine what types of permit/s is/are needed.

Standard Conditions for All Projects

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). This total will be calculated for this project once all invoices are received.
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. All CUPs must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report with updates for the Board Members.

Nathan Crouch, Planning Director, stated, "Mr. Chair, I believe the applicants are on board and would like to make a short presentation for the board as well."

Ashlyn Gagnon, Applicant for the proposed project, addressed the Board, "We are going to make this brief. We want to respect your time here. We are the owners of Orthodox Farmhouse Brewery and we wanted to take a brief moment to share with you what our vision is and why specifically we want to do a farmhouse brewery model. We want to start this business because we believe that every community needs a place to connect at a shared table. For hundreds of years, farmhouse breweries have been playing that really important role in rural communities just like Goshen. Jesse has 10 years of brewing experience. He's really going to bring a lot to the table as far as creating a variety of excellent beer to serve to our customers. That's our vision. We are a small taproom-driven brewery that's going to serve a variety of excellent beer that is the best in the region. That is our goal. That is what we want to create, but we want to do it in a way that is unpretentious and is available for everyone. One really important thing that we want to mention is that we are parents ourselves. We have a two year old son and a little girl who's due in July. Being a family oriented business is not just our passion, it is a necessity for us to be able to do this. That means that we are going to have a variety of non-alcoholic options available for children and adults alike. This farmhouse brewery model is unlike a late-night bar setting. It is an entirely different atmosphere that's appropriate for people of all ages. We imagine people coming out with their families being able to enjoy some time outdoors, games, acoustic music, and in the taproom, seasonal beer releases. Another thing that's really unique about us and our vision is just our love for the Ozarks. Specifically, the area of Goshen and around the Richland Valley. Our brewery will specifically highlight the history and agrarian roots of this Ozarks region. Jesse and I are both conservationists at heart. We want to encourage our guests to reconnect with Arkansas rural land by incorporating components from the breweries property as a part of the experience. We want that to include things like gardens, orchards

and cultivated berries. You'll see a little bit of that plan as we talk through the site plan, but that will be used in both our brewing process and as a part of the customer experience. We want to just state that for, Jesse and I personally, and for the business. It is incredibly important that we are active and contributing members of any community that we are involved in. We want to partner with local farmers to highlight family business just like ours. We want to partner with local churches and community organizations to invest in work that's strengthening the community. Finally, it is crucial for the business and for Jesse and I's values that this brewery is an excellent neighbor. We've considered that in every component of building out this business, and that includes how we laid out the property itself, and the taproom."

Jesse Gagnon, Applicant for the proposed project, addressed the Board, "I just wanted to give a little more insight into some of the visual aids you guys have which we're really glad you guys have them this time. Sita has shown you a few of these. I will make them brief as I go through them. This rendering is what our architect did. From the northeast side looking back at the building, it was taken from the lawn where we plan on having guests. That is actually a renovated version of what stands there right now with a couple of key additions. Namely, in the foreground there on the left you'll see that outdoor patio area. Then far over on the right that small covered porch that welcomes guests down from the parking area up to the north. I know you guys saw this one, but there's elevations showing it from a different angle there on the top and right. On the left you'll see the diagram of the actual floor layout on the bottom. The tasting room is that long section there behind the taproom wall. We're going to build a walk-in cooler. In the center of the building you see a couple of bathrooms with a small hallway leading out into the production floor which is only 27x40. It's a pretty small production floor, but big enough for what we are seeking to do. Basically, as the entrance comes in from the lower left hand side off of Ball Road, our house is immediately to the right on the corner. We are going to put up a barrier around our house. A visual barrier with some fencing and whatnot just to really show the contrast between our house as a residence and the rest of the property as a business. As guests drive up to the left there will be a lot of those agrarian elements that we discussed; orchards, gardens, things of that sort. Parking is there on the north side where there's that walkway that comes in from the ADA parking down through the lawn into the north side of the taproom. The most important thing to note from this site plan are those green outlines of the visual barriers we plan to create. We have some awesome neighbors to the east and to the west and preserving their privacy and their way of life is imperative to us. What we plan on doing is putting up a nice tasteful wooden fence, probably a traditional split rail fence right along the border. Then in front of that we're going to plant a mix of evergreens and some decorative deciduous trees. The idea there is that the evergreens will grow quickly and take on some form right away to provide privacy while the deciduous trees slowly come up from there and make a really good solid barrier that's not just a big hedge like some of us see. That's our plan to actually preserve their privacy and insulate the immediate neighborhood from the business itself."

Ashlyn Gagnon continued, "As a note, we love the idea of working with local conservation agencies to plant native trees and plants. That is right in accordance with our vision so we were excited to hear that. Next is the last thing we want to talk about the fact sheet. This is really for your reference. The Board has had this information if they were able to get the packet. We heard in the last meeting you needed the brass tax information on the brewery. This is where it's clearly outlined for you. If you will note that we did write proposed Hours of Operation into this. We took several businesses into account on this including other breweries in town and breweries that were within the county. For the purpose of this, we focused on those that were solely in the county Saddlebock and Sassafras. In our proposed hours of business you can see that on any night, we do not have anything proposed later than 9 pm. That is intentional, as a part of being a family oriented business. You can see music, food and employees here. No amplified music, in accordance with the Washington County Sheriff's Department. Sita mentioned our plan for food with the warming kitchen. We also need to note that to offer other food options for our guests, we had considered inviting some local food truck to come set up during peak operation hours in the future. Jesse and I will be the primary employees with a plan to add a few more employees within the coming year as business allows. We are going to be in compliance with ADEQ. We have the non-exposure certification already. You will see that listed in our permits. For those of you that got our very long packet of explanation it's because you got 60 pages of our actual permits. We wanted to prove that we had them in hand. You can

see everything else here. Our signage, lighting, and screening in accordance to what Sita had put as the conditions. The final thing that we are going to talk about is the owner, investors and production estimates.”

Jesse Gagnon went on, “We think it might be important to note, even if it’s not required per se, that Ashlyn and I hold 100% of the equity in the business. We are the sole owners and operators. We think that might be important to note simply because people would naturally have reservations if there was a large group of investors sort of pushing us from behind to grow the business in an unhealthy direction that wasn’t sustainable for the neighborhood. We also wanted to touch on the production estimates as Sita mentioned. What you got in the packet before had to do with the revenue streams. If anyone is interested in actual barrelage. A beer barrel, within the industry means 31 US gallons. I have it listed out here. In year one we’re estimating to produce 115 beer barrels. In year two, we’re estimating 201 beer barrels, and that is because we’re beginning a limited distribution to some of the surrounding towns to some key accounts that would align with our values. Year three, we’re estimating 356, and that is because of a slight bump in distribution, as well as starting to can our product as opposed to just let it out the door in growlers and other alternative packaging. 356 is a relatively small amount compared to any of the local breweries you guys would probably be aware of. I know it sounds like a lot, but that doesn’t account for waste and other things. I think that is about it. Thank you for giving us a few minutes to follow up with you guys after last month.”

Joel Kelsey communicated, “I appreciate that presentation. That’s much clearer, much more definitive in order for us to make a good, sound decision. Ashlyn, I want to thank you for attending our workshop and learning what we are trying to do as well. I appreciate that very, very much.”

Public Comment

Mary Loftus, Neighbor and owner of Mashie Farms, addressed the Board, “I wrote a letter. I just want to read it to you all really quickly. It made sense to me and followed my train of thought. I don’t know if everyone on the Board has seen it. It was sent last week. You know sometimes the ether doesn’t get in everything. My husband and I, David Mashie, live on Tuttle Road. Our property has a clearly marked property line on Ball Road which would be the road that the brewery is on and so the letter that I wrote is; ‘Our farm is very close to the proposed brewery site. Our farm is becoming a family farm with one daughter managing a flock of sheep and another rotationally grazing our herd of Angus beef cattle and tending bees. She and her husband are completing an NRCS project with 5 water taps throughout the pasture. We have a huge garden and talk from time to time about having a farm-to-table celebration. We as a family are invested in Goshen. Land of Goshen has always been a unique community. We moved from Chicago to raise our family on a farm in 1985. Goshen has a strong sense of community. The community building is home to Goshen Riding Club, RCI, 4-H, EHC. Even now, Goshen is designated as a Tree City and the Arbor Board will be giving away 100 trees at the community recycling day in April. There is talk of a Farmer’s Market starting up in the community building this year. Orthodox Farmhouse Brewery vision enhances the Goshen community spirit. My husband and I have traveled to Wales. In those tiny hamlets, the neighborhood pub is the center of the community! The hosts of our Airbnb made it a point to gather at day’s end to catch up with neighbors (They were even training local residents in CPR when we were there!). We didn’t feel like outsiders when we had dinner there; we were part of the community. Some neighbors may think the addition of a local brewery in the area would decrease land prices. We do not. We have read where these amenities, i.e. event venue, community center, local brewery, farmers market—all add to property values. People want to have local places to go. We have seen many changes in Goshen these last 35 years. Older neighbors’ transition and newer neighbors come on board. We are definitely for Orthodox Farmhouse Brewery and will support it.’ I thank you. That’s it.”

Matt Dickhut, Neighbor half mile down the road from proposed project, addressed the Board, “Me and my partner, Brett Williams, we met them a couple of weeks ago. Jesse was walking the road picking up trash. We have litter bugs everywhere. He is a great asset to this community. I don’t know if you guys saw our letter either, but my girlfriend Brett wrote it. I’d like to read it really quickly. ‘As landowners and

community members of Goshen, and neighbors of the prospective brewery site, we would like to offer our full support of the plans for Orthodox Farmhouse Brewery. We moved to Goshen in June of 2020 from Fayetteville. It had been a longtime goal of mine to acquire a plot of land and move to Goshen. We purchased 32 acres down the road and are starting a small hobby farm on this property. The visions and stories of what life would be like if the goal became a reality. It's allowed us to connect with the dirt surrounding us in the community where everyone knows each other's names. We thought that we could not have been happier with the decision to move to Ball Road, until the day we met Jesse and Ashlyn. While driving down the road on a Saturday morning to run some errands, we came upon Jesse helping his young son picking up trash along the road-what a first impression that was! We stopped to say hello and introduce ourselves as we had been meaning to do for months. The quick roadside hello turned into two hours of making connections of mutual friends and interests and similar goals for the future of our community. When they shared their vision with us during this visit, we were immediately in support of the idea. I believe the immediacy in which we saw that benefit of the project was not in the project itself, but in the people behind it. They are extremely welcoming, kind, easy-going and truly have a deep desire to develop a space that creates the opportunity for a deeper community connection. A few weeks ago, I met with a woman who grew up in Goshen to discuss plans for a Goshen Farmers Market. She talked about the weekly dinners with the community and how she thinks back so fondly on her childhood growing up in this small town. I believe that Orthodox Farmhouse brewery will be integral in reinvigorating that sense of community. It will be a meeting place to bring together long-time locals and new neighbors, and a place where the history and dreams for the future of Goshen can be shared over a local craft beverage in a relaxed country environment. I believe that Jesse and Ashlyn will approach the entire project with intentionality, ensuring that this is a space that fits with the ideals and values of this wonderful little town we now call home.' We just want to say we are neighbors down the road, a half mile away, and we are in full support of the Orthodox Farmhouse Brewery."

Public Comment Closed

Loren Shackelford, Planning Board Member, stated, "Again, just for the record. This project is in the Goshen Planning Area. I do serve as the Chairman of the City of Goshen Planning Commission. I don't feel like there's a conflict there. Also, I wanted to echo what you said. I wanted to commend the applicant and the staff for the report that's before us today. In specific, pages 5-12 really address all the questions I had on this last time we looked at it. Thank you."

Loren Shackelford made a motion to approve the **Orthodox Farmhouse Brewery CUP** subject to staff recommendations. Philip Humbarnd seconded. All Board Members present were in favor of approving. Motion passed.

5. NEW BUSINESS

LAND DEVELOPMENT HEARINGS

Goshen Planning Area

b. Orthodox Farmhouse Brewery Pre-LSD

Preliminary Large Scale Development Request

Location: Section 20, Township 15, Range 32

Engineer: Bates & Associates

Location Address: 15656 Ball WC 330

JP District: Butch Pond, District 15

Approximately: +/- 3.53 acres / 1 parcel

Coordinates: Latitude: 36.08163292, Longitude: -93.97519867

Project #: 2021-016

Planner: Sita Nanthavong email: snanthavong@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting conditional use permit and preliminary large scale development approval to allow the development and operation of a brewery in an area that is zoned for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre.

SITE INFORMATION

Land Owner:	Jesse & Ashlyn Gagnon	Parcel Number:	001-09950-000
Site Location:	15656 Ball Rd WC 330	Planning Area:	Goshen
Acreage:	4.50 acres +/-	QC District:	15, Butch Pond
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Fayetteville
FIRM:	05143C0275F	Fire District:	Goshen
Wetland:	No	Watershed:	None

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	AT&T
Water:	Mt. Olive		

BACKGROUND/SYNOPSIS

This project came before the Planning Board on February 25, 2021 and was tabled by the Planning Board to allow the applicant time to answer some of the questions and concerns the Board had. Should the Planning Board have additional questions or concerns beyond the below, please contact the Planning Staff so we may address them at the April 1st 2021 Planning Board meeting.

Questions from the Planning Board

Staff Comments

Will there be changes to the property?

Yes, there will be some changes to the property. The applicant is going to install a new driveway that will lead to the parking lot and allow access to the brewery building. The current existing building northeast of the applicant's residence will be utilized for the brewery. The building will be renovated. The applicant intends to landscape the grounds. Please see the attached plans for more detail. Additionally, the Site elements/changes/plans are usually discussed in more detail during the Preliminary Large Scale process.

Is the County Fire Code the same as in the City?

The Fire Code is reviewed by the Fire Marshal which represents the State. If the Washington County Fire Marshal or the State Fire Marshal requests that the applicant require a sprinkler system (for example) in order to meet existing State Fire Code, then the Applicant will have to comply to that and other requests. Washington County has not adopted the State Fire Code therefore Staff feels it is not within its legal parameters to request any such alternations or installations. Washington County does not conduct inspections of the interior of new constructions or renovations. Washington County does not issue permits of occupancy or require building permits. Any building code review or inspections should be conducted by the Fire Marshal either at the State or the County level.

What are the hours of operation?

In their updated information packet (please see the attached documents), the applicants state their hours of operation will be:

Wednesday – Thursday 4:00pm to 9:00pm
Friday – Saturday 12:00pm to 9:00pm
Sunday 1:00pm to 9:00pm

The applicant has utilized the hours from other similar venues (Saddlebock and Sassafras) as reference. Staff would like to note also that none of the hours from Saddlebock or Sassafras or even the newly permitted Local Ghost Distillery had their hours listed in the actual ratified conditions. Staff feels that with certain types of venues, it is important to have some flexibility as to what operating hours the owners/operators can utilize. The Orthodox Brewery is owner/occupied. The applicants have their family on the property and live within the existing residence. Having flexibility of hours and days of operation is important as their family grows and as their business eventually evolves. Planning Staff and the prior Planning Board members have not imposed set days/hours as conditions for past similar proposals. (The ratified conditions for Sassafras, Local Ghost, and Saddlebock are attached for the Planning Board’s reference).

Does the applicant have a business plan?

Yes, they do. Planning Staff does not require a copy of the business plan as a part of any submittal or supplemental requirements. Staff feels that the business plan is between the applicants and their respective lender(s)/investor(s) and such inquiry may be invasive to the financial privacy of the applicants and their lenders/investors.

What is the vision for the business?

The applicant has stated within their vision statement that they seek to create a place where the people can gather connect or reconnect over a glass of local produced artisan craft beer.

Original Background Synopsis:

The applicants, Jesse and Ashlyn Gagnon, are requesting conditional use permit and preliminary large scale development approval to allow the development and operation of a brewery. 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 in the Goshen Planning Area. The subject parcel is located along Ball Rd WC 330. The subject parcel is approximately 4.50 acres. There is an existing house, building, and a barn. The applicants live on the property with their family. The second building will be added on-to and utilized for the brewery. The applicant proposes to install an entrance and driveway through the property to allow access to parking areas and the brewery building. The Brewery will operate only four (4) days a week; up to 30 hours. The applicants will be the primary employees and may hire an additional 1-3 employees within the first year. Please see the attached documents for more detailed information.

COMPATIBILITY

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Residential/Agricultural	Ag/SF Res 1 unit/ac
South	Residential/Agricultural	Ag/SF Res 1 unit/ac
East	Residential/Agricultural	Ag/SF Res 1 unit/ac
West	Residential/Agricultural	Ag/SF Res 1 unit/ac

Existing Condition of Property

The subject property is zoned Ag/SF Res 1 unit/ac and has an agricultural use. It is in an area that is mixed with agricultural and residential uses. The property has a residence and some storage/shed buildings on it. There is currently one driveway that leads to the residence. Ball Road WC 330 is to the south of the residence. The applicant will install a new driveway towards the western side of the property.

County's Land Use Plan

According to the County's Land Use Plan:

SECTION III. PHYSICAL DEVELOPMENT

B. LAND USE CONSIDERATIONS

2. LIGHT COMMERCIAL

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

Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses.

The proposed Conditional Use Permit is to allow the applicant to develop and operate a brewery on a property that they also reside on. Staff feels that with the proposed conditions this project meets the goal of the County's Land Use Plan. A small brewery with a tap room should not hamper the current rural feel of the area, especially with set hours of operation.

Future Land Use / Zoning Designation

The current zoning for the project parcel is Ag/SF Res 1 unit/ac. If the project is approved, the zoning will stay the same, but with a conditional use allowance.

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet. Staff has attached comments received for the Board's review. Staff will update the Planning Board should there be further comments.

Criteria for Conditional Uses

According to Sec 11-200(a) Criteria for allowance of conditional uses:

The Board shall hear and decide requests for a conditional use and may authorize such if it finds:

<i>Criteria</i>	<i>Staff Comments</i>
1 That a written application has been filed with the Planning Office and the appropriate fee has been paid.	The applicant has submitted a written application and tendered the appropriate fee.
2 That the applicant has provided proof that each property owner as set out in section 11-204 has been notified by return receipt mail.	Notifications of public hearing was sent via certified receipt. Staff has copies of the certified receipts as proof.
3 That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted.	Adequate utilities are available or will be made available at the applicant or property owner's expense.
4 That the proposed use is compatible with the surrounding area.	A small brewery with a tap room opened to the public during set hours of the week is not inherently compatible with the current surrounding uses. Staff feels that with the limited hours and small employee base, the brewery should be very low impact to the surrounding neighbors.
5 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.	The proposed brewery is in a quiet area. The proposed development, aside from the construction phase, should not be considered detrimental to the public health, safety, morals, comfort or general welfare. There will not be heavy equipment utilized on site after the construction phase. The brewery will also be reviewed by the Arkansas Department of Health should the applicant wish to have a dining establishment. Due to the nature of the proposal, the applicant will also have to seek approval by the Arkansas Alcoholic Beverage Control division. The parking areas to the proposed establishment are set towards the back (north) end of the property. There should not be any parking along the street or Right of Way. The applicant and their family live on the property. This allows for ease of access to the brewery should maintenance of equipment or landscaping be needed.
6 That the conditional use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area.	The properties nearby are either wooded or cleared for pasture. The proposed establishment will not cause further removal of trees since the area is already cleared. There aren't residences along the shared property boundaries of the brewery. The applicant currently does not have a screening or landscaping plan/design. This is something that can easily be implemented.
7 That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone.	The conditional use request should not impede with the normal and orderly development and improvement of the surrounding area. Once the construction phase is complete, there should only be the applicants on site working at the establishment

	until the business grows and the applicant hires on additional staff. There will eventually be some visitors, but the amount of patrons should not overwhelm the area with traffic.
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SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Ozarks Electric

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. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com
5. [30ft. U.E. along all overhead Ozark Lines](#)

[From the Arkansas Department of Health](#)

1. With the proposal of food they need to revive the propose plan to incorporate the needed gallons per seat and they will need to include an aerobic biological generator. They also are a manufacturing plant, therefore the byproducts of their production waste must be separated from their domestic waste water. This is common practice in small farm bottlers. They need to contact Dan Smith to revise their permit and discuss what is needed for an Arkansas Department of Environmental Quality permit for wastewater discharge.

[From the Washington County Sheriff’s Office](#)

1. Follow all Arkansas Alcoholic Beverage Control regulations and no amplified music.

From the Washington County Fire Marshal

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer)

From Washington County Road Department

1. There will need to be a permit for working within the road right of way during the construction of the entrance.

From Washington County Environmental Affairs

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.adeg.state.ar.us

From Washington County 911 Addressing Dept. of Emergency Mgmt.

1. A physical 911 address may be required. Please complete the Address Application, if needed.

From the Washington County Engineer

(All comments/concerns have been addressed and found satisfactory by County Engineer)

1. LSD Site Details 03
 - a. Add note showing that grade does not exceed 2% in any direction within handicap spaces or loading area

2. Drainage Study – Project Description
 - a. 40'x60'? Where is the proposed 40x60 building? The plans show 18'x20' and 15'x6' additions to an existing building, no new structures.
 - b. There are three existing structures shown on the plans
 - c. Only 30 stalls shown on the plans
3. Drainage Study – Summary of Runoff
 - a. Peak flow calculations are also required for the 50 year storm
4. LSD Post Developed Drainage Map 02
 - a. Show proposed contours and check that proposed grading will not effect the time of concentration flow path
5. Drainage Study 25 Year
 - a. Peak flow calculations are also required for the 50 year storm
6. TC by TR55 Worksheet
 - a. Update once new time of concentration flow path has been update for post developed conditions.

From Washington County Planning

Please provide or update the following from the CUP checklist:

1. Soil analysis from a DR has not been received. Please submit this or a date of when the analysis is to be performed. *(Soil analysis has since been received)*

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP and Preliminary Large Scale Development submittal documents and feels that the proposed use can be made compatible with the following conditions: New or updated conditions are in red. These are conditions that were not presented at the last Planning Board Meeting on 02/25/2021.

Utility Conditions

Electricity – Ozarks Electric

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. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com
5. 30ft. U.E. along all overhead Ozark Lines

Phone – AT&T

1. Please contact AT&T for telephone concerns and questions.

Water – Mt. Olive

1. Please contact Mt. Olive Water for concerns and questions regarding water service.

Safety Conditions

Washington County Fire Marshal

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer)

Goshen Rural Fire Department

1. Please contact the Fire Department for fire safety concerns and questions.

Washington County Sheriff's Office

1. Follow all Arkansas Alcoholic Beverage Control regulations.
2. No amplified music.

Sewer/Septic Conditions

1. Permits from the Arkansas Department of Health must be obtained before the applicant can commence development of their project. It is the responsibility of the applicant to determine which types of permits will be needed for their project.

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

Drainage/Engineering Conditions

1. The County Engineer must review the applicant's construction plans and any updated drainage study and any comments, concerns, or revisions must be addressed by the applicant before construction/development may begin.

Signage Conditions

1. Signs shall not be directly lit.

Lighting 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.

Screening Conditions

1. All outside waste containers/areas must be screened from nearby neighbors utilizing uniform opaque screening materials.
2. The waste containment areas must also be gated.
3. Landscaping barriers such as trees, shrubs, and/or fencing will be required along the northern and southern sides of the property to shield the adjoining neighbors from the brewery operations as indicated in the applicant's privacy plan.

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Conditions

1. The Conditional Use Permit is only to allow a brewery and taproom/eating establishment use. Any other use not specified by the CUP must come before the Planning Board for approval.

2. The Conditional Use Permit is to only allow operation of the brewery within the structure that sits closest to the applicant's residence. The barn situated within the northeast is not considered a part of this current proposal. Should the applicant wish to expand into the barn or utilize it as part of the brewery, the applicant must seek an amendment to the current CUP and approval from the Planning Board and ratification by the Quorum Court would be needed.
3. All Arkansas state regulations concerning Alcoholic Beverages and dining rooms must be met. It is up to the applicant to determine what types of permit/s is/are needed.

Standard Conditions for All Projects

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). This total will be calculated for this project once all invoices are received.
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. All CUPs must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report with updates for the Board Members.

No Public Comment

Public Comment Closed

*Philip Humbard made a motion to approve the **Orthodox Farmhouse Brewery Pre-LSD** subject to staff recommendations. Jay Pearcy seconded. All Board Members present were in favor of approving. Motion passed.*

Farmington Planning Area

c. MRS Jack McClure Pre-Sub

Preliminary Land Development Request

Location: Section 32, Township 16, Range 31

Applicant: Blew & Associates

Location Address: 12293 Little Elm WC 19

JP District: Sam Duncan, District 7

Approximately: +/- 16.53 acres / 7 lots

Coordinates: Latitude: 36.02645346, Longitude: - 94.28612187

Project #: 2021-055

Planner: Sita Nanthavong email: snanthavong@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting preliminary subdivision approval to allow the development of a seven (7) lot subdivision.

SITE INFORMATION

Land Owner:	Trademark Custom Homes, LLC; 102 Holdings, LLC; Aspen Construction, LLC	Parcel Number:	001-12416-002, 001-12416-004, 001-12416-003
Site Location:	12291 Little Elm Rd WC 19	Planning Area:	Farmington
Acreage:	16.53 acres +/- per	QC District:	7, Sam Duncan
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Farmington
FIRM:	05143C0195F	Fire District:	Prairie Grove
Wetland:	None	Watershed:	None

UTILITIES

Electricity:	Ozarks Electric	Gas:	None
Cable:	Cox Communications	Phone:	PG Telco
Water:	Washington Water Authority		

BACKGROUND/SYNOPSIS

The applicant is requesting preliminary subdivision approval to develop three parcels into a seven (7) lot subdivision. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The project parcels are in the Farmington Planning Area. The subject parcels are located along Little Elm WC 19 and Jack McClure WC 625. Being that the proposed lots are one (1) acre or larger and each lot is designated for residential use, a conditional use permit will not be required.

Subject Parcel & Acreage

001-12416-002 – 4.53 acres +/-
 001-12416-003 – 6.00 acres +/-
 001-12416-004 – 6.00 acres +/-

Proposed Lots & Acreage

Lot 1 – 3.00 acres +/- Lot 5 – 1.00 acres +/-
 Lot 2 – 3.00 acres +/- Lot 6 – 1.00 acres +/-
 Lot 3 – 3.00 acres +/- Lot 7 – 2.52 acres +/-
 Lot 4 – 3.00 acres +/-

Subject parcel 001-12416-002 has an existing residence on it. The northern 2.52 acres +/- will become proposed Lot 7. The applicant is not proposing any private drives. Proposed Lots 1 through 4 will have frontage on Jack McClure WC 625. Proposed Lots 5 through 7 will utilize Little Elm WC 19. The County’s standard for residential lots requires a minimum of 75 feet of street frontage. The Lots have frontage that range from 109 feet to 274 feet. Please see the attached documents for more detailed information.

COMPATIBILITY

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Residential/Agricultural	Ag/SF Res 1 unit/ac
South	Residential/Agricultural	Ag/SF Res 1 unit/ac
East	Residential/Agricultural	Ag/SF Res 1 unit/ac
West	Residential/Agricultural	Ag/SF Res 1 unit/ac

Existing Condition of Property

The subject properties are zoned Ag/SF Res 1 unit/ac and have an agricultural use. They are in an area that is mixed with agricultural and residential uses. This project is comprised of three different parcels.

001-12416-003 is vacant

001-12416-004 has a pond and a building on it per 2020 aerial imagery

001-12416-002 has an existing residence on it per 2020 aerial imagery

To the south of 001-12416-002 is the Little Elm Church. North of all three parcels is an existing subdivision known as Little Elm Subdivision.

Future Land Use / Zoning Designation

The current zoning for the project parcel is Ag/SF Res 1 unit/ac. If the project is approved, the zoning will stay the same.

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet. One comment was received and wondered about the drainage on the lots. It was assured that the County Engineer would review all drainage before final approval of the subdivision. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

Reviewer	Comments
Ozarks Electric	Please refer to the comments that were submitted to the City of Farmington
Washington Water Authority	<p>The property will be served from a newly installed 8" water main along Jack McClure Road and Little Elm Road.</p> <ol style="list-style-type: none"> 1. Fire Hydrants to be paid for by the developer. Contact the WWA Office for pricing details. Water service will not be established until FHs are paid in full. 2. Lots 4 and 5, the existing 20' U/E overlaps the proposed Side B.S.B. Please have the B.S.B. match the U/E in these locations. 3. Lots 5, 6, and 7; please make the Front B.S.B. double as a U/E, similar to Lots 1, 2, 3, and 4. <p>To establish water service, please submit a Request for Water Service (found at washingtonwater.org) for each newly created parcel and submit to the WWA Office.</p>
WC Fire Marshal	The architect/engineer will need to base the project off of the Arkansas Fire Prevention Code for the entire project. I can meet with a representative to sign acknowledgement form.
City of Farmington	The City has provided its Technical Plat Review Committee Report. Please see the attached PDF.
County Engineer - Drainage	<p>Please refer to the attached PDF</p> <p>Page C2</p> <ol style="list-style-type: none"> 1. Will the pond be filled in? 2. What pipe sizes will be required for this ditch? 3. What pipe sizes will be required for this ditch? <p>Post Vs Pre</p> <ol style="list-style-type: none"> 1. Due to the minimal roadside ditch on Jack McClure road and the number of properties the runoff will flow through prior to entering tributaries of the Illinois River, detention will be required to limit the runoff to pre-development levels. <p>Pre-Development Drainage Areas</p>

	<p>1. Show TOC lines for area 1 and 2 on pre and post drainage area maps.</p> <p>Post-Development Drainage Areas</p> <p>1. Show TOC lines for area 1 and 2 on pre and post drainage area maps.</p> <p>TR55 Tc Worksheet</p> <p>1. This value seems high for the shape of the drainage area.</p>
WC Environmental Affairs	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
WC 911 Addressing Dept. of Emergency Mgmt.	A physical 911 address may be required. Please complete the Address Application, if needed.
Planning Staff	Please provide or update the following from the Subdivision submittal checklist: Item 7: Please submit the GPM fire flow. Item 8: Please submit a copy of the soil work performed by a DR.

RECOMMENDATION & CONDITIONS

Staff has reviewed the submittal documents and recommends approval with the following conditions:

Utility Conditions

1. Any damage or relocation of existing facilities will be at the owner's or developer's expense.
2. All offsite easements that are needed for utility service to the property/properties must be obtained by the developer and easement documentation may be required by the utility company.
3. All onsite easements must be shown on the plat and recorded with the County.
4. It is the owner/developer's responsibility to contact each utility provider to determine what permits and/or easements will be required.

Fire/Safety Conditions

1. The project will need to be constructed by the Arkansas Fire Prevention Code. Code research and adherence will be the responsibility of the owner, or their designee (Architect/Engineer).

Sewer/Septic Conditions

1. The proposed subdivision will need review by the Arkansas Department of Health engineering department.
2. It is the owner/developer's responsibility to contact the Arkansas Department of Health to determine what permits and designs are required prior to construction.

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

Drainage/Engineering Conditions

1. All concerns from the Washington County Engineer must be addressed before final approval of the preliminary subdivision may be given.
2. The Washington County Engineer must review and approve construction plans before the applicant may start to break ground for development.

Road Conditions

1. A permit from the Washington County Road Department will be required prior to any work being completed in the right-of-way.
2. Any tile that may be needed must be sized by the Road Department.

Addressing Conditions

1. A physical 911 address may be required. Please complete the Address Application, if needed.

Planning Department Conditions

1. This project is within the City of Farmington's Planning Area. Approval for the subdivision must be obtained from the City before the applicant can begin to break ground for development. The City must approve the development before the applicant may submit to the County for its approval.

Standard Conditions for All Projects

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). This total will be calculated for this project once all invoices are received.
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. All CUPs must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report for the Board Members.

No Public Comment

Public Comment Closed

*Loren Shackelford made a motion to approve the **MRS Jack McClure Pre-Sub** subject to staff recommendations. Jay Percy seconded. All Board Members present were in favor of approving. Motion passed.*

County

d. PBGH-Springdale HWY 412 (Dollar General) Final LSD

Final Land Development Request

Location: Section 35, Township 18, Range 28

Engineer: Blew & Associates

Location Address: W Hickory Flats Rd WC 97 & AR HWY 412

JP District: Patrick Deakins, District 5

Approximately: +/- 159.82 acres / 1 parcel

Coordinates: Latitude: 36.18219963, Longitude: -93.96611022

Project #: 2021-079

Planner: Sita Nanthavong email: snanthavong@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting final large scale development approval of the final as-built site plans.

SITE INFORMATION

Land Owner:	PB General Holdings LLC	Parcel Number:	001-18303-002
Site Location:	21086 W Hickory Flat Rd WC 97	Planning Area:	None
Acreage:	2.24 acres +/-	QC District:	5, Patrick Deakins
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Springdale
FIRM:	05143C0125F	Fire District:	Nob Hill
Wetland:	None	Watershed:	Beaver

UTILITIES

Electricity:	Ozarks Electric	Gas:	None
Cable:	None	Phone:	AT&T
Water	Madison County Water		

BACKGROUND/SYNOPSIS

The applicant is requesting Final Large Scale Development approval of the site construction, access road, and stormwater drainage structures according to the plans approved at the Preliminary Large Scale Development stage of review. The applicant received CUP approval by the Planning Board at the July 25, 2020 Planning Board. The CUP was ratified by the Quorum Court on August 20, 2020. The applicant received Preliminary Large Scale Development approval at the July 25, 2020 Planning Board. The Road Department permits were applied for and approved to allow the store to connect to the County Road. The County Engineer has reviewed the final plans and had no further comments or concerns.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

There are no outstanding issues or concerns.

RECOMMENDATION & CONDITIONS

Staff has reviewed the submittal documents and recommends approval with the following conditions that were approved during the CUP and Preliminary Large Scale Development reviews:

Utilities:

Ozarks Electric

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. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or

wmahaffey@ozarksecc.com

5. 30Ft. U.E. along all Ozark electric overhead line.

AT&T

1. Please contact AT&T for future needs if phone service is desired.

Madison County Water

1. Please contact Madison County Water for water service.

Fire Safety:

Fire Marshal

1. Though the Fire Marshal did not submit conditions, the applicant should seek to confer with the Fire Marshal to ensure that all lots are able to be serviced adequately in the event of a fire or other emergency.

Nob Hill Rural Fire Department

1. A three (3) hour fire rated wall between the stockroom and sales floor must be installed.
2. A fire alarm system for early warning must be installed.
3. Please contact the Nob Hill Rural Fire Department for inspections.

Health Department Issues:

1. All septic design and permits must be approved by the Arkansas Department of Health before installation of said septic system.

Road Issues:

The Washington County Road Department had the following concerns/comments:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County right of way at any time.

Drainage:

1. All requests and concerns by the County Engineer must be addressed and found satisfactory.

Environmental Concerns:

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.adeg.state.ar.us

Signage:

1. No signage is allowed within Washington County's road right-of-way (ROW).

Lighting:

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

Screening:

1. The applicant must utilize an opaque screening method for all dumpster areas.

Sheriff's Office Concerns:

1. Please contact the Washington County Sheriff's Office for any safety concerns.

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). This total will be calculated for this project once all invoices are received.
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. **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. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report for the Board Members.

No Public Comment

Public Comment Closed

*Kiara Luers made a motion to approve the **PBGH-Springdale HWY 412 (Dollar General) Final LSD** subject to staff recommendations. Lisa Miller seconded. All Board Members present were in favor of approving. Motion passed.*

CONDITIONAL USE PERMIT HEARING

County

e. King's Ransom RV Park CUP

Conditional Use Permit Request

Location: Section 06, Township 17, Range 28

Engineer: Engineering Services Inc.

Location Address: Off of Nob Hill Loop WC 389

JP District: Patrick Deakins, District 5

Approximately: +/- 103.59 acres / 3 parcels

Coordinates: Latitude: 36.17662637, Longitude: -94.00011193

Project #: 2021-057

Planner: Nick Little email: nlittle@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting conditional use permit approval to allow RV Park land use across three parcels of land that total approximately 104 acres.

SITE INFORMATION

Land Owner: Sapphire Ridge, LLC

Parcel Number: 001-13688-001, 001-13701-002, 001-13701-003

Site Location: 20696 Blue Springs Village Road
WC386, Springdale, AR 72764

Planning Area: None

Acreage: 104 acres +/-

QC District: 5, Patrick Deakins

Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Springdale
FIRM:	05143C0095G	Fire District:	119 – Nob Hill Rural
Wetland:	No	Watershed:	Beaver Water District

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	AT&T
Water	Springdale Water		

BACKGROUND/SYNOPSIS

The applicant, Clennton White, is requesting conditional use permit approval to construct and operate a 111-space RV Park. The current zoning for the project parcel is Ag/SF Res 1 unit/ac. If the project is approved, the zoning will stay the same, but with a conditional use allowance. The project parcel is not in a planning area. The proposal is located just north of E Hwy 412. The main entrance to the proposed RV Park is located on the western side of Nob Hill Loop WC 389. There is one single family residence located on the southern end of parcel 001-13701-002 that accesses off of Blue Springs Village Road WC 386. The applicant would like to operate an RV Park across three parcels that are approximately 104 acres in size. The total footprint of the 111-space RV Park will be significantly less than 104 acres, however. The disturbed area of the completed 111-space RV Park is unknown at this time due to the preliminary nature of the Phases 2 & 3. The RV Park will be situated in the eastern and northeastern portions of the total property’s area. The estimated disturbed area of the entire project has not been calculated due to the project’s phased plan. Planning Staff has only received information for Phase 1, which will have roughly 5 acres of total disturbed area. Phase 1 of King’s Ransom will be presented as a Preliminary Large Scale Development project contingent upon the approval of this CUP project. Phases 2 & 3 will have to be brought to the Planning Board independently as Preliminary Large Scale Development projects regardless of the Board’s decision on Phase 1. At the time of this staff report, there are no plans to build any kind of buildings within the development. According to the applicant’s letter of intent, each of the RV spaces will have private water and septic hookups. Each phase of development will have its own septic system that services all of the RV spaces within that phase. Anticipated septic field locations have been submitted to Planning Staff. Each RV space in Phase 1 will be an ‘oversized’ concrete pad that is 30’ wide and 55’ long, with an additional smaller secondary vehicle parking spot next to it. The proposed road that gives access to all the RV spaces in Phase 1 will be gravel and will feature a large turnaround on its west end.

COMPATIBILITY

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Agricultural/Vacant	Ag/SF Res 1 unit/ac
South	Agricultural/Residential/Vacant	Ag/SF Res 1 unit/ac
East	Agricultural/Residential/Vacant	Ag/SF Res 1 unit/ac
West	Residential	Ag/SF Res 1 unit/ac

Existing Condition of Property

The subject property is zoned Ag/SF Res 1 unit/ac and has an agricultural use. It is in an area that is heavy with agricultural and residential uses, with some commercial uses to the west. Parcel 001-13701-002, the northwestern parent parcel, contains a single family home at its southern end. Current aerial imagery and a site visit show that the parent parcels are relatively cleared and clean.

County's Land Use Plan

According to the County's Land Use Plan:

SECTION III. PHYSICAL DEVELOPMENT

C. LAND USE CONSIDERATIONS

1. LIGHT COMMERCIAL

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

- a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses.

The subject area is located within a part of the county that is heavy in agricultural and residential uses. In the vicinity of the parent parcels, there are several light commercial uses in place, including another RV park directly to the southwest. To the immediate west, there is a somewhat large platted subdivision, Blue Springs Village. The rest of the surrounding properties are either considered agricultural-vacant or residential by use. The applicant's plans show that the entirety of the proposed RV Park, after construction, will be located in the northeastern corner of the parent parcels, away from the neighboring RV Park. Phase 1 of this development will take place in the southeastern corner of parcel 001-13688-001, just north of mostly vacant residential lot. In the applicant's letter of intent, there is mention of the proximity of the proposed RV Park to the southern neighbor. The southern neighbor's view of the proposed RV Park to the north will be partially obscured due to trees along the shared property boundary.

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet. To date, Staff has not received comments voicing opposition or favor of the project. Planning Staff will update the Board should any further comments be received.

Criteria for Conditional Uses

According to Sec 11-200(a) Criteria for allowance of conditional uses:

The Board shall hear and decide requests for a conditional use and may authorize such if it finds:

<i>Criteria</i>	<i>Staff Comments</i>
1 That a written application has been filed with the Planning Office and the appropriate fee has been paid.	The applicant has submitted a written application, as well as the appropriate review fee for the Conditional Use Permit and the Preliminary Large Scale Development Permit.
2 That the applicant has provided proof that each property owner as set out in section 11-204 has been notified by return receipt mail.	Notifications of public hearing was sent via certified receipt. Staff has copies of the certified receipts as proof.
3 That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted.	Adequate utilities are available or will be made available at the applicant or property owner's expense.

<p>4 That the proposed use is compatible with the surrounding area.</p>	<p>The proposed use is not inherently compatible with the surrounding area due to zoning and majority of use. However, there is a 66-space RV Park directly southwest of this proposed project, thus the use is already present in the vicinity.</p>
<p>5 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.</p>	<p>The proposed use is an RV Park. This use is not considered dangerous by nature though there may be an uptick in the amount of Recreational Vehicles present in the area. The project sits very close to E Hwy 412, which is a relatively high-speed and high-traffic road to begin with. The addition of more RVs turning on and off of this highway could pose some danger and probably will increase traffic some at the intersection of Hwy 412 and Nob Hill Loop WC389. Generally speaking, this development should not be a detriment to public health, safety or general welfare in the area.</p>
<p>6 That the conditional use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area.</p>	<p>The surrounding area is mostly agricultural and residential by use and zoning. With consideration to where the majority of the final development would be located, the neighboring properties to the north and east are seemingly vacant according to satellite imagery. The nearest neighbor, to the south, would be the most affected due to the proximity of proposed Phase 1 to their single-family home.</p>
<p>7 That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone.</p>	<p>The proposed use will potentially bring in additional traffic to the area, but should not impede normal development and improvement of the surrounding area. The areas surrounding E Hwy 412 are significantly more developed with commercial uses and residential subdivisions than the rest of unincorporated Washington County. The addition of this RV Park would not be abnormal development for this part of the County.</p>

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the RV Park will be at full cost to the developer.
2. All lot corners must be marked with stakes clearly identifying the lot number and all utility easement widths and road crossing requirements will be defined on the plat before Ozarks will begin construction.
3. All off site easements that are needed for Ozarks to extend electrical service to the RV Park property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. All conduits placed for the road crossings will be installed by the developer and must be 4 inch schedule 40 conduits at 48 inch in depth at final grade and marked with a post to identify the end of conduits. Conduits must extend past the edge of any obstructions so that they are accessible during construction. The number of conduits at the crossing will be determined by each utility provider that will be using the conduits at the road crossing. (Bare minimum of 5 Pipes)

5. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat. All conduits for road crossings and specific widths of U.E., Lot size, St. Light location and address to Lot must be shown on final plat before Ozarks Electric will sign the final plat.
6. Developer is responsible for a percentage of the total cost of construction which is determined at the time the engineering design for electrical service) There will be extra charges to the Developer when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
7. 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.
8. Developer must notify Staking Tech. if they are interested in Ozarks Street Lights or if they will be installing their own. If interested in Ozarks Street Light a picture will be provided if asked. Will need St. Light location on final plat. If developer decide to go with their own contact Cooperative representative below.
9. Please contact Ozarks Electric when construction begins on RV Park and again when construction is within three months of completion.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
10. Need to know the placement of transformers and how big of a service on each one.
11. 30ft. U.E. requested along overhead line that runs parallel to Nob Hill Loop WC 389 on the west side of the road.

From Springdale Water

1. The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.
2. Field locate and verify the location of existing water and sanitary sewer facilities located on proposed Lots. Indicate the location of these facilities on the drawing and provide adequate easements, on-site and off-site, acceptable to the Springdale Water Utilities. Easements shall be established such that a minimum 10-foot space shall be provided between the utility and any permanent structure and easements shall be provided such that a minimum of 10-foot is between the utility and easement line. Please provide book and page numbers for any existing water and sewer easements
3. Please be advised that the proposed water meter is currently shown in the middle of the paved roadway. This does not meet Springdale Water Utilities guidelines and shall be revised.
4. Please be advised that private water meter service lines or sanitary sewer service lines cannot cross adjacent properties in order to access services or be located and running parallel within a public utility easement.
5. Please be advised that an approved septic application from the Arkansas Department of Health shall be submitted to Springdale Water Utilities.
6. Please be advised that sewer and water lines require 10-foot horizontal separation. The separation between the proposed sewer and the end of proposed waterline 1 is currently at 8.5 feet.
7. Water system capacity in this area is very limited whereby maximum meter sizing for new installations in this area has been limited to individual 5/8-inch meter sets per tract for new construction. A study is currently underway by the utility to determine availability of water services. Before any additional connections to the water system are allowed, the developer/engineer will be required to submit a detailed water system analysis for this proposed development showing the adequacy of the existing water system to support this type of development.
8. Please be advised that water line improvements will be required to accommodate the requested services shown on the plans.

9. Please be advised that an existing abandoned 12-inch water main traverses property of this proposed development. The abandoned water main is likely needed to accommodate this proposed project and will require connection at the existing Nob Hill Standpipe as well as inspection, correction of deficiencies, testing, and satisfactory bacteriological sampling among other items necessary for acceptance by the Springdale Water Utilities. We are requesting coordination of acceptance of this water main and establishment and granting of the necessary easements. Once you have provided the necessary hydraulic analysis to support this development, we are requesting a coordination meeting with the owner to discuss the outcome of the analysis and necessary improvements.
10. Please Submit detailed plans to Springdale Water Utilities for review and approval prior to submitting to the Arkansas Department of Health.

From the County Engineer

Comments from the County Engineer include concerns about the driveway needing to be paved, contour mistakes, grading at the cul-de-sac, silt fencing, limits of disturbance being shown on the plat, installation of the proper BMP for runoff water leaving the site by the entrance to Phase 1, recalculation of the CN value based on the grassed and impervious areas, and the requirement of a detention pond for Phase 1. To date, Planning Staff has received no follow-up comments from the county engineer regarding the resubmitted drainage report and site plans.

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP submittal documents and feel the proposed RV Park can be made compatible with county ordinances with the following conditions:

Fire Safety Conditions

Fire Marshal

1. Though the Fire Marshal did not submit conditions, the applicant should seek to confer with the Fire Marshal to ensure that the project is able to be serviced adequately in the event of a fire or other emergency.

Sewer/Septic Conditions

1. Individual septic systems are proposed for each phase of the development. In the event of any change to that plan, further review from Planning Staff and the Arkansas Health Department shall be required.

Drainage Conditions

1. Should the applicant deviate from their grading, graveling and paving plans, further review will be needed per the County Engineer.

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

Road Conditions

1. Please contact the Washington County Road Department before any work is done within the county road right-of-way.

Signage Conditions

1. All signs must be out of the right of ways.
2. Signs may not exceed 24 square feet in size.

3. Signs shall not be directly lit.

Lighting 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.

Screening Conditions

1. All outdoor storage areas and dumpsters, to include the gate, shall be screened with opaque material of a uniform type.
2. Any vegetation along the southern boundary of Phase 1 must remain or if removed, must be replaced with vegetation for screening/privacy purposes.

Planning Conditions

1. The applicant must address all technical review comments as the project proceeds through to completion.
2. If this CUP is approved by the Planning Board, the applicant will have to receive an approved Large Scale Development permit for each individual phase of development before construction to be compliant.

Standard Conditions for All Projects

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). This total will be calculated for this project once all invoices are received.
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. All CUPs must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Planner, Nick Little, presented the staff report with updates for the Board Members.

Daniel Lazenby, Project Manager for the proposed project, addressed the Board, "We have made some pretty big changes to this since the time you guys looked at this the first time around. We're coming to you with a CUP which we're discussing now clearly. Then we also have LSD on the agenda for phase 1. We would be coming back later with LSD's for phase 2 and 3 once phase 1 is complete and the applicant is ready to move forward with the additional phases. I'd be happy to answer any questions you guys may have beyond what Nick presented."

Kiara Lures, Planning Board Member, inquired, "The CUP is for all three phases, not just phase 1?"

Nick Little replied, "Correct. The Large-Scale will be for phase 1. Phases 2 and 3 will come later."

No Public Comment

Public Comment Closed

Jay Percy made a motion to approve the **King's Ransom RV Park CUP** subject to staff recommendations. Loren Shackelford seconded. All Board Members present were in favor of approving. Motion passed.

LAND DEVELOPMENT HEARING

County

f. King's Ransom RV Park Pre-LSD

Preliminary Land Development Request

Location: Section 06, Township 17, Range 28

Engineer: Engineering Services Inc.

Location Address: Off of Nob Hill Loop WC 389

JP District: Patrick Deakins, District 5

Approximately: +/- 103.59 acres / 3 parcels

Coordinates: Latitude: 36.17662637, Longitude: -94.00011193

Project #: 2021-058

Planner: Nick Little email: nlittle@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting Preliminary Large Scale Development permitting in order to develop Phase 1 of King's Ransom RV Park. Phase 1 will have a total disturbed area of roughly 5 acres, triggering its need for Large Scale Development Permitting.

SITE INFORMATION

Land Owner:	Sapphire Ridge, LLC	Parcel Number:	001-13701-002
Site Location:	20696 Blue Springs Villiage Road WC386, Springdale, AR 72764	Planning Area:	None
Acreage:	60 acres +/-; 5 acres disturbed in Phase 1	QC District:	5, Patrick Deakins
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Springdale
FIRM:	05143C0095G	Fire District:	119 – Nob Hill Rural
Wetland:	No	Watershed:	Beaver Water District

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	AT&T
Water	Springdale Water		

BACKGROUND/SYNOPSIS

The applicant, Clennton White, is requesting preliminary large scale development approval to develop Phase 1 of King's Ransom RV Park. Phase 1 will include 18 oversized RV spaces, each with an additional standard parking space for a secondary vehicle, utility hook-ups and greenspace between each RV parking spot. The project parcel is not in a planning area. The total disturbed area of Phase 1 of development according to the applicants is about 5 acres. The area in which the main part of the development is situated on is somewhat flat, but gradually slopes west. The current zoning for the project parcel is Ag/SF Res 1 unit/ac. A Conditional Use Permit for the full development was requested by the applicants at the same time as the Pre-LSD was. The approval of this Pre-LSD project is contingent upon the approval of the CUP for this same project. Each new phase of development will have to be permitted in order to be in compliance with Washington County's Code of Ordinances. The proposal is located just north of E Hwy 412. The main entrance to the proposed RV Park is located on the western side of Nob Hill Loop WC 389. Proposed Phase 1 is situated at the southeastern corner of parcel 001-13688-001. The proposed road that gives access to all the RV spaces in Phase 1 will be gravel

and will feature a large turnaround on its west end. Each RV space in Phase 1 will be an ‘oversized’ concrete pad that is 30’ wide and 55’ long, with an additional smaller secondary vehicle parking spot next to it. The utility hookups at each RV space include a water, sewer and electricity hookup. Water is provided by Springdale Water. A water meter will be connected to an 8-inch water main that runs along the west side of Nob Hill Loop. From that meter, private water lines will be installed along the proposed gravel road, which will serve individual service lines that run to a frost-proof yard hydrant assembly that will sit at each RV space. The sewage hookup will empty into a proposed on-site septic system that will only serve Phase 1 of King’s Ransom. Electricity will be provided by Ozarks Electric and is available along Nob Hill Loop. Electrical service will come from a meter that sits near Nob Hill Loop and will be distributed through private underground electric lines surrounded by conduit that run underneath the proposed gravel road and out to each individual RV space.

Neighbor Comments and Concerns

Pursuant to Sec 11-204, Sec 11-71 (2a), and Sec 11-101b of the Washington County Code of Ordinances, notifications were sent by certified letter to all adjoining property owners within 300 feet. To date, Staff has not received comments voicing opposition or favor of the project. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the RV Park will be at full cost to the developer.
2. All lot corners must be marked with stakes clearly identifying the lot number and all utility easement widths and road crossing requirements will be defined on the plat before Ozarks will begin construction.
3. All off site easements that are needed for Ozarks to extend electrical service to the RV Park property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. All conduits placed for the road crossings will be installed by the developer and must be 4 inch schedule 40 conduits at 48 inch in depth at final grade and marked with a post to identify the end of conduits. Conduits must extend past the edge of any obstructions so that they are accessible during construction. The number of conduits at the crossing will be determined by each utility provider that will be using the conduits at the road crossing. (Bare minimum of 5 Pipes)
5. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat. All conduits for road crossings and specific widths of U.E., Lot size, St. Light location and address to Lot must be shown on final plat before Ozarks Electric will sign the final plat.
6. Developer is responsible for a percentage of the total cost of construction which is determined at the time the engineering design for electrical service) There will be extra charges to the Developer when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
7. 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.
8. Developer must notify Staking Tech. if they are interested in Ozarks Street Lights or if they will be installing their own. If interested in Ozarks Street Light a picture will be provided if asked. Will need St. Light location on final plat. If developer decide to go with their own contact Cooperative representative below.

9. Please contact Ozarks Electric when construction begins on RV Park and again when construction is within three months of completion.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
10. Need to know the placement of transformers and how big of a service on each one.
11. 30ft. U.E. requested along overhead line that runs parallel to Nob Hill Loop WC 389 on the west side of the road.

From Springdale Water

1. The owner/developer shall be responsible for the cost of any required adjustments to the existing water and sewer facilities due to site grading, paving, lot line adjustments or other matters.
2. Field locate and verify the location of existing water and sanitary sewer facilities located on proposed Lots. Indicate the location of these facilities on the drawing and provide adequate easements, on-site and off-site, acceptable to the Springdale Water Utilities. Easements shall be established such that a minimum 10-foot space shall be provided between the utility and any permanent structure and easements shall be provided such that a minimum of 10-foot is between the utility and easement line. Please provide book and page numbers for any existing water and sewer easements
3. Please be advised that the proposed water meter is currently shown in the middle of the paved roadway. This does not meet Springdale Water Utilities guidelines and shall be revised.
4. Please be advised that private water meter service lines or sanitary sewer service lines cannot cross adjacent properties in order to access services or be located and running parallel within a public utility easement.
5. Please be advised that an approved septic application from the Arkansas Department of Health shall be submitted to Springdale Water Utilities.
6. Please be advised that sewer and water lines require 10-foot horizontal separation. The separation between the proposed sewer and the end of proposed waterline 1 is currently at 8.5 feet.
7. Water system capacity in this area is very limited whereby maximum meter sizing for new installations in this area has been limited to individual 5/8-inch meter sets per tract for new construction. A study is currently underway by the utility to determine availability of water services. Before any additional connections to the water system are allowed, the developer/engineer will be required to submit a detailed water system analysis for this proposed development showing the adequacy of the existing water system to support this type of development.
8. Please be advised that water line improvements will be required to accommodate the requested services shown on the plans.
9. Please be advised that an existing abandoned 12-inch water main traverses property of this proposed development. The abandoned water main is likely needed to accommodate this proposed project and will require connection at the existing Nob Hill Standpipe as well as inspection, correction of deficiencies, testing, and satisfactory bacteriological sampling among other items necessary for acceptance by the Springdale Water Utilities. We are requesting coordination of acceptance of this water main and establishment and granting of the necessary easements. Once you have provided the necessary hydraulic analysis to support this development, we are requesting a coordination meeting with the owner to discuss the outcome of the analysis and necessary improvements.
10. Please Submit detailed plans to Springdale Water Utilities for review and approval prior to submitting to the Arkansas Department of Health.

From the County Engineer

Initial comments from the County Engineer include concerns about the driveway needing to be paved, contour mistakes, grading at the cul-de-sac, silt fencing, limits of disturbance being shown on the plat, installation of the proper BMP for runoff water leaving the site by the entrance to Phase 1, recalculation of the CN value based on the grassed and impervious areas, and the requirement of a detention pond for Phase 1. A second round of comments was received on March 25th and included more concerns with contour mistakes and some revisionary aspects that should be added for more detail or taken out/explained. Other concerns with the resubmitted drainage plan and site plans include providing drain times for the pond for all storms, adding inlet protection, providing temporary ditch checks, the size and stability of the outlet structure for the detention pond and whether or not the review of geotechnical and structural engineers is needed, adding fencing and freeboard to the proposed detention pond, adding an overflow weir in case of clogging on the outlet structure, and grading to the north of Phase 1.

RECOMMENDATION & CONDITIONS

Staff has reviewed the Pre-LSD submittal documents and recommends approval of the proposed plans for Phase 1 of this development with the following conditions:

Fire Safety Conditions

Fire Marshal

1. Though the Fire Marshal did not submit conditions, the applicant should seek to confer with the Fire Marshal to ensure that the project is able to be serviced adequately in the event of a fire or other emergency.

Sewer/Septic Conditions

1. Individual septic systems are proposed for each phase of the development. In the event of any change to that plan, further review from Planning Staff and the Arkansas Health Department shall be required.

Drainage Conditions

1. Should the applicant deviate from their grading, graveling and paving plans, further review will be needed per the County Engineer.
2. All of the County Contracted Engineer's comments and concerns must be addressed adequately before Final Approval.

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

Road Conditions

1. Please contact the Washington County Road Department before any work is done within the county road right-of-way.

Signage Conditions

1. All signs must be out of the right of ways.
2. Signs may not exceed 24 square feet in size.
3. Signs shall not be directly lit.

Lighting 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.

Screening Conditions

1. All outdoor storage areas and dumpsters, to include the gate, shall be screened with opaque material of a uniform type.
2. Any vegetation along the southern boundary of Phase 1 must remain or if removed, must be replaced with vegetation for screening/privacy purposes.

Planning Conditions

1. The applicant must address all technical review comments as the project proceeds through to completion.
2. If this CUP is approved by the Planning Board, the applicant will have to receive an approved Large Scale Development permit for each individual phase of development before construction to be compliant.
3. Safety fencing shall be placed around the proposed detention pond for Phase 1.

Standard Conditions for All Projects

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). This total will be calculated for this project once all invoices are received.
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. All CUPs must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. Per Washington County ordinance Sec 11-75 (7): All plats for land developments approved by the Washington County Planning Board shall be contingent upon receipt by the Developer of any Federal, State, or local or approvals, if any, whether known or unknown to the Board or the Developer.
7. All conditions shall be adhered to and completed in the appropriate time period set out by the ordinance.

Washington County Planner, Nick Little, presented the staff report with updates for the Board Members.

Nathan Crouch asked, "Nick, can you discuss briefly on why those conditions were updated today?"

Nick Little answered, "I spoke with the applicants today and we briefly talked about the conditions of approval from the staff report. Basically, there were some issues with the Springdale Water saying that they may need to get a 12 inch water main installed. I was streamlining the conditions to where it was just one condition as opposed to being a full list of Springdale Water conditions that had to be met."

Nathan Crouch continued, "Would you say that the compliance with the Springdale Water utility would be between the water utility and the applicant, and that it would be up to the water utility to sign off on the site plan before we do, is that right?"

Nick Little affirmed, "Yes."

Nathan Crouch stated, "Thank you."

Blake Murray, ESI engineering services for the proposed project, addressed the Board, "Again, Daniel Lazenby is here as well. If there is anything related to the CUP or the septic testing, he might be able to address those a little bit better than me since he handled that on the front end of the project. I don't have a lot to add. I think Nick did a good job explaining all that. I am happy to talk through any of the site design constraints that any of you all may have. As well as the cul-de-sac at the end, or what we are proposing for paving or septic. I am here if ya'll have any questions."

Loren Shackelford inquired, "I think Kiara asked the same question on the CUP. I'll ask the same question on the LSD, as the new guy. Although we are looking at phase 1, 2 and 3, we are actually only making action on phase 1 tonight, correct? When phase 2 comes back there will be another opportunity to review, have public input, conditions of approval and things of that sort?"

Nick Little replied, "Yes sir."

Daniel Lazenby specified, "I just wanted to clarify one thing on the utility comments with the conditions of approval. One of the items that Springdale Water brought up was a 12 inch water main. It was constructed years ago as part of the subdivision. At full build out, that may be necessary to support phase 3 of the project. We don't think it is going to be required to do at phase 1, and probably not phase 2. We're proposing to coordinate that with Springdale Water, but I just wanted to clarify that we're not proposing to construct the 12 inch water main, which I think is over a thousand feet long and 12 inch diameter, for phase one. We're just proposing to put a water meter on the street. The only reason I mention it is because it was a condition of approval from the utility company. We'll definitely coordinate with Springdale Water to get water for phase 1, but not the 12 inch water main at this time."

No Public Comment

Public Comment Closed

Kiara Luers made a motion to approve the **King's Ransom RV Park Pre-LSD** subject to staff recommendations. Jay Percy seconded. All Board Members present were in favor of approving. Motion passed.

6. OTHER BUSINESS

- Discussion of Current Development and Planning Department activities
- Reminder of upcoming regular Planning Board Meetings:
 - May 6th, 2021
 - June 10th, 2021

7. Adjourn

Joel Kelsey moved to adjourn. Philip Humbar 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: _____
Philip Humbar, Planning Board Vice-Chairman