

**MINUTES
SPECIAL MEETING
August 11, 2021**

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

DEVELOPMENT REVIEWED:

ACTION TAKEN:

County

a. Rock Town Layover RV Park CUP

Denied

CONDITIONAL USE PERMIT HEARING

Tontitown Planning Area

b. ER Mobile Services CUP

Denied

LAND DEVELOPMENT HEARINGS

County

c. Replat Lots 1-14 Summers Original

Tabled

County

d. Friendship Church Minor Subdivision

Approved

County

e. Friendship Church Minor Subdivision #2

Approved

County

f. Bethel Blacktop Minor Subdivision

Approved

Fayetteville Planning Area

g. Whispering Meadows Final Subdivision

Approved

Goshen Planning Area

h. Replat at Village Estates Subdivision

Approved

County

i. JSF Investments Minor Subdivision

Approved

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

2. APPROVAL OF MINUTES: *Loren Shackelford made a motion to approve the minutes of July 22, 2021 as written. Lisa Miller seconded. All board members present were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Loren Shackelford made a motion to approve the agenda as presented. Philip Humbar seconded. All board members present were in favor of approving. Motion passed.*

4. OLD BUSINESS

County

a. Rock Town Layover RV Park CUP

Conditional Use Permit Request

Location: Section 36, Township 18, Range 29

Applicants: Rick & Troyce England

Location Address: 16029 Bug Scuffle Road WC 216

JP District: Jim Wilson, District 14

Approximately: +/- 39.75 acres / 1 parcel

Coordinates: Latitude: 35.76343620, Longitude: -94.35298771

Project #: 2021-092

Planner: Nathan Crouch email: ncrouch@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting conditional use permit approval to operate a 6-space RV Park on a parcel that is zoned for agricultural/single family residential uses with a maximum of one (1) unit per acre.

SITE INFORMATION

Land Owner:	Ricky & Troyce England	Parcel Number:	001-01969-000
Site Location:	16029 Crawley Road, WC-250	Planning Area:	None
Acreage:	39 acres +/-	QC District:	14, Jim Wilson
Current Zoning:	Ag/SFR-1 unit/acre	School District:	West Fork
FIRM:	05143C0500F	Fire District:	Strickler Rural - 104

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	PG Telco
Water:	Washington Water Authority		

BACKGROUND/SYNOPSIS

The applicants are requesting conditional use permit approval for the land use of a 6-space RV park. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The project parcel is not in a planning area. The proposal is located on the south side of Crawley Road, WC-250. The proposed RV Park is only 6 spaces and will not encompass an area larger than 1 acre. The RV spaces will be situated towards the northern property boundary approximately 120' from Crawley Road WC-250. Each RV space will be 80' long by 25' wide and will include an electrical hookup. The applicants outlined in their submittal that water and sewer hookups for the RVs will not be included in this development. The driveway and RV spaces will be graveled; there are no plans for paving of any kind for this development. The applicants also stated in their letter of intent that there will be a 45-day limit for any customers. The applicants have mentioned that some of their expected clientele will be UTV/ATV/Side-by-Side users. The use of these off-road vehicles is popular in this area of the county and the nearby national forest. This project has already been presented to the Planning Board once and was met with opposition from the surrounding community. The Planning Board tabled the project at the May 6, 2021 Planning Board meeting until the next meeting. Days later, the applicant decided to table the project once again until the July 22, 2021 meeting. The only change to the project the applicants have made is the addition of "septic caddies". These caddies are portable tanks, ranging in size, which an RV can dump their black water into to make room in their on-board black tank. The caddy can then be transported to a dump station to be dumped. The applicants have stated that they will include four-35 gallon septic caddies that can be utilized by the customers. This is their alternative solution to in-ground wastewater management.

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Agricultural/Vacant	Ag/SF Res 1 unit/ac
South	Agricultural/Vacant	Ag/SF Res 1 unit/ac
East	Residential/Agricultural/RV Park	Ag/SF Res 1 unit/ac- No CUP
West	Agricultural/Vacant	Ag/SF Res 1 unit/ac

Existing Condition of Property

The subject property is zoned Ag/SF-Res 1 unit/acre. It is in an area that is heavy with agricultural uses. The property currently houses one RV, used as a permanent residence, located about 275' from the northern property boundary. Current aerial imagery and a site visit to the property show that the land has been partially cleared and is free of debris.

County's Land Use Plan

According to the County's Land Use Plan:

SECTION III. PHYSICAL DEVELOPMENT

A. 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:

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

Staff feels that this project can be made more compatible with the surrounding community with certain conditions such as enforced quiet hours, fencing and lighting conditions.

The subject area is located within a part of the county that is heavy in agricultural uses. All of the immediate surrounding parcels are either agricultural or residential in use and tend to be larger lots. The applicant hopes to utilize less than 1 acre of the approximate 39 acres. The proposed development will be located towards the north end of the project parcel. There is one existing RV already on the property that will be located fairly close to the proposed development. The remainder of the property is currently vacant.

Future Land Use / Zoning Designation

The parcel is not in a city planning area. There is not a Future Land Use designation for the subject parcel. 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. To date, Staff has received a significant amount of comments **IN OPPOSITION** to this project. Concerns with this project include increased traffic from UTVs/ATVs, increase in potential crime, disruption of current peaceful lifestyle, potential trespassing, noise and excessive alcohol consumption, general incompatibility, potential danger for campers during hunting season, and worries of septic issues/illegal dumping of RV waste due to the lack of on-site wastewater management. Planning Staff anticipates more neighbor comments before the meeting, as well as contentious comments during the meeting on July 22nd.

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 the \$250 review 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 mail. 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 property owner's expense.
4 That the proposed use is compatible with the surrounding area.	As the proposed use is not Agricultural or Single Family Residential, it is not inherently compatible with the surrounding area due to zoning and majority of use. However, with the proposed conditions the requested use can be made more compatible.
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.	This use is not considered dangerous by nature though there will be additional vehicles and ATVs/UTVs on these roads due to the development. The applicant has not set out plans to put a fence or any sort of visual/audible buffer around the development. Planning Staff will place conditions on this development to increase the compatibility.
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	The surrounding area is mostly agricultural by use and zoning. There are several residences in the immediate area as well. Based on the comments Staff has received from neighbors, injury to use and enjoyment of surrounding

and impair property values within the surrounding area.	properties seems to be one of the main concerns with compatibility.
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 area in which this proposal is located is very rural. Staff feels that 'normal and orderly development' of this community would likely be no development whatsoever, outside of Agricultural or Single Family Residential development. However, with the proposed conditions of approval Staff feels the requested use can be made more compatible than without.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Ozarks Electric

General Comments:

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.

Additional Comments:

1. 30FT. U.E. ALONG ALL EXISTING OVERHEAD LINES

Washington County Road Department

1. After discussion about the potential for more UTVs and ATVs on Crawley Road and Bug Scuffle Road because of this development, Jeff Crowder, the County Road Superintendent, stated that the WCRD does not approve or disapprove use of these vehicles on county roads.

County Engineer

1. Initially, our engineer requested a more detailed site plan. Once the applicant resubmitted a new site plan with a better size scale, the engineer didn't have any more comments.

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP documents and submits the following conditions of approval:

Utility Conditions

Electricity – 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. 30FT. U.E. along all overhead power lines.

PG Telco

1. Please contact PG Telco for telephone concerns and questions.

Washington Water Authority

1. Please contact WWA for any water concerns or questions.

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health should the need for septic arise in the future.

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. A permit from the Washington County Road Department is required prior to any work being completed in the right-of-way.

Signage Conditions

1. All signs must be placed outside of the right of way.
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. Any dumpsters used within the development shall be shielded from view and protected from animals with privacy fencing, including on the gate.
2. The applicant shall utilize privacy fencing, vegetative or a similar opaque material, to act as a sight and sound buffer between the development and the surrounding properties.

Planning Conditions

1. The Conditional Use Permit is specifically to allow a 6 space RV Park only. The size of the RV Park shall not exceed one acre in size. Any future land uses not allowed by the current zoning must come before the Planning Board for conditional use permit approval and ratified by the Quorum Court.
2. Primitive (tent) camping has not been requested or reviewed and, if this CUP is approved for RV Park land use, is not included in the approval.
3. The applicant must address all technical review comments as the project proceeds through to completion.
4. The applicant shall strictly adhere to and enforce their outlined quiet hours of 10 pm to 6 am every day.
5. The applicant shall strictly adhere to and enforce their outlined stay limit of 10 consecutive days for any one customer.

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. This total will be calculated once all invoices are received.
2. Pay any engineering fees. This total will be calculated 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.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. 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. Planning Board Chairman Joel Kelsey made an inquiry regarding the staff report. The applicants Rick and Troyce England addressed the Board. During public comment Mark Faldon, Cassie Julich, Tara Browning, Stephanie Crawley, Randy Morrison, Teresa Genz and Troyce England provided comments. Public comment was closed. There was discussion amongst various Planning Board Members regarding the proposed project. Neil Helm made a motion to approve the **Rock Town Layover RV Park CUP** with an additional condition. Jay Percy seconded the motion allowing the correction to the staff report. A roll call vote was taken and tallied as follows:*

Joel Kelsey: No

Philip Humbar: No

Lisa Miller: No

Loren Shackelford: No

Neil Helm: Yes

Jay Percy: Yes

Motion denied.

5. NEW BUSINESS

CONDITIONAL USE PERMIT HEARING

Tontitown Planning Area

b. ER Mobile Services CUP

Conditional Use Permit Request

Location: Section 15, Township 17, Range 31
 Applicant: Elly Rivera
 Location Address: 18749 Harmon Road WC 31
 JP District: Lance Johnson, District 1
 Approximately: +/- 2.5 acres / 1 parcel
 Coordinates: Latitude: 36.14295022, Longitude: -94.27945552

Project #: 2021-195 Planner: Nathan Crouch email: ncrouch@washingtoncountvar.gov

APPLICANT’S REQUEST

The applicant is requesting conditional use permit approval to operate a mechanic shop on a parcel that is zoned for agricultural/single family residential uses with a maximum of one (1) unit per acre.

SITE INFORMATION

Land Owner:	ER Mobile Services, LLC	Parcel Number:	001-17128-002
Site Location:	18749 Harmon Rd	Planning Area:	Tontitown
Acreage:	2.5 acres +/-	QC District:	1, Lance Johnson
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Springdale
FIRM:	05143C0045F	Fire District:	Tontitown Rural

UTILITIES

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

BACKGROUND/SYNOPSIS

The applicant, Elly Rivera, is requesting conditional use permit (land use) approval to operate a mechanic shop specializing in semi-trucks and dump trucks. The applicant’s request is proposing ten (10) parking spaces, **hours of operation from 8:30 am to 6 pm, Monday-Friday, 8:30 am to 2:00 pm on Saturdays**, with two (2) employees. A pull-through workshop building already exists on the property, as well as a shared driveway approximately 500 ft long. **The applicant is proposing screening trees along the southern and western property lines, supplementing a row of existing screening trees, to help mitigate the view onto the property. Additionally, the building is insulated, so the applicant doesn’t feel noise will be an issue.** 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 inside Tontitown’s planning area. The subject property is located on the western side of Harmon Rd, near the intersection at Arbor Acres Rd, WC-52. There are no residential structures on the property at this time.

COMPATIBILITY

Surrounding Land Use and Zoning

<i>Direction from Site</i>	<i>Land Use</i>	<i>Zoning</i>
North	Commercial	Ag/SF Res 1 unit/ac
South	Agricultural	Ag/SF Res 1 unit/ac
East	Agricultural	Ag/SF Res 1 unit/ac
West	Agricultural/Residential/Vacant	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 single-family residential and agricultural uses. The property does not currently have any residences on it, though there is a 3,000 sf workshop building on the property. The existing building only has electric utility service at this time.

County’s Land Use Plan

According to the County’s Land Use Plan:

SECTION III. PHYSICAL DEVELOPMENT

B. 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:

- b. 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.

A majority of the residential properties in the area are 1-5 acres, with some much larger

vacant/agricultural properties. The subject property is 1.4 miles away from the Waste Management landfill. There is a high volume of heavy truck traffic in this area along Harmon Rd.

Future Land Use / Zoning Designation

The parcel is in the Tontitown city planning area, and has a future land use designation of Low Density Residential (1-4 units/acre). 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, neighbor notifications were sent by certified letter to all adjoining property owners within 300 feet. **To date, Staff has received numerous comments expressing opposition to the project, and a petition has been submitted to Planning staff with 76 signatures opposed to this CUP request.** 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 and the appropriate fee has been paid.
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.	Planning staff sent neighbor notifications of the public hearing via certified mail on July 8, 2021.
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. The water utility has stated they will not provide water service to the business until state law is met with regards to providing restrooms to employees.
4 That the proposed use is compatible with the surrounding area.	Although the proposed use is not Agricultural or Residential, the character of the building fits into its context and, with conditions, shouldn't negatively impact the neighborhood.
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 use is a mechanic shop. This use is not considered dangerous by nature, though there may be an additional few vehicles on Harmon Rd.
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 surrounding area is mostly single family residential. There is industrial farming within the nearby area as well. A small mechanic shop should not impact the residential and farming type land uses already in place in the area. Staff feels that a small mechanic shop will not impair property values.
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 proposed use will potentially increase traffic onto Harmon Rd by 5-10 vehicles/day. Staff doesn't feel this increase will impede the normal and orderly development and improvement of the area.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Washington Water Authority

1. If the existing building is to be used for commercial purposes, it needs to be compliance with the Arkansas Plumbing Code, Section 403 Minimum Plumbing Facilities and include necessary bathrooms, lavatories, and drinking fountains for the employees.
2. The property will need an approved waste disposal system for disposal of the wastewater.
3. Plumbing plans must be designed by a Master Plumber registered in the State of Arkansas and be submitted to WWA for review and approval.
4. WWA will not serve water to this project until it is in compliance with state requirements.

From the County Engineer

1. Please describe the site drainage pattern. Is runoff flowing to the west?
2. Does the pond still exist? There does not appear to be a pond on the aerial image.
3. Provide a more detailed site sketch with notes labeling the various items described in the write up and dimensions showing the areas of additional parking, driveway, and any other proposed improvements to the site.

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP submittal documents and feel the proposed mechanic shop, ER Mobile Services, can be made compatible with county ordinances with the following conditions:

Washington Water Authority

1. If the existing building is to be used for commercial purposes, it needs to be compliance with the Arkansas Plumbing Code, Section 403 Minimum Plumbing Facilities and include necessary bathrooms, lavatories, and drinking fountains for the employees.
2. The property will need an approved waste disposal system for disposal of the wastewater.
3. Plumbing plans must be designed by a Master Plumber registered in the State of Arkansas and be submitted to WWA for review and approval.
4. WWA will not serve water to this project until it's in compliance.

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health should the need for septic arise in the future.

Drainage Conditions

1. County Engineer's Tech Review questions must be answered and comments must be addressed.
2. County Engineer's comments must be satisfied prior to final approval and issuance of approval letter.

Environmental Conditions

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality.
www.adeq.state.ar.us

Signage Conditions

1. All signs must be out of the right of way.
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 dumpster gate, shall be screened with opaque material of a uniform type.
2. The applicant shall utilize privacy fencing or similar opaque material to shield non-operational vehicles from view from the public road.
3. **Screening trees shall be utilized along the south, and west property lines to screen inoperable vehicles from view.**
4. **All inoperable vehicles must be screened from view from the road and from neighboring properties.**

Planning Conditions

1. The Conditional Use Permit is specifically to allow a mechanic shop only. The size of the development shall not exceed one acre in size. Any future land uses not allowed by the current zoning must come before the Planning Board for conditional use permit approval and ratified by the Quorum Court.
2. The applicant must address all technical review comments, and conditions of approval, as the project proceeds through to completion.
3. **Hours of operation should be generally as stated:**
Monday to Friday- 8:30 am to 6 pm.
Saturday- 8:30 am to 2:00 pm.
Sunday- Closed.

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. This total will be calculated for this project once all invoices are received.
2. Pay any engineering fees within 30 days of project approval. 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.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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 approvals, if any, whether known or unknown to the Board or the Developer.
8. 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. Planning Board Chairman, Joel Kelsey, made several inquiries regarding the proposed project. The applicant Eli Rivera and his representative Adrian Dominguez addressed the Board. During public comment Jake Newcomb, David Sparks, Reneé Oelschlaeger, Tommy Baker, Dennis Oelschlaeger, Nancy Hayes and Adrian Dominguez provided comments. Public comment was closed. There was discussion amongst various Board Members regarding the proposed project. Philip Humbar made a motion to deny the **ER Mobile Services CUP**. Lisa Miller seconded. A roll call vote was taken and tallied as follows:*

*Joel Kelsey: Yes
Philip Humbar: Yes
Lisa Miller: Yes
Jay Pearcy: Yes
Neil Helm: No
Loren Shackelford: No*

Motion passed.

LAND DEVELOPMENT HEARINGS

County

c. Replat Lots 1-14 Summers Original

Preliminary & Final Land Development Requests

Location: Section 16, Township 15, Range 33

Applicant: Blew & Associates

Location Address: 10467 Boston Road WC 680

JP District: Willie Leming, District 13

Approximately: +/- 3.3 acres / 14 lots

Coordinates: Latitude: 35.98031678, Longitude: -94.48716890

Project #: 2021-184

Planner: Nathan Crouch email: ncrouch@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting conditional use permit approval to operate a mechanic shop on a parcel that is zoned for agricultural/single family residential uses with a maximum of one (1) unit per acre.

SITE INFORMATION

Land Owner:	ER Mobile Services, LLC	Parcel Number:	001-17128-002
Site Location:	18749 Harmon Rd	Planning Area:	Tontitown
Acreage:	2.5 acres +/-	QC District:	1, Lance Johnson
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Springdale
FIRM:	05143C0045F	Fire District:	Tontitown Rural

UTILITIES

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

BACKGROUND/SYNOPSIS

The applicant, Elly Rivera, is requesting conditional use permit (land use) approval to operate a mechanic shop specializing in semi-trucks and dump trucks. The applicant's request is proposing ten (10) parking spaces, **hours of operation from 8:30 am to 6 pm, Monday-Friday, 8:30 am to 2:00 pm on Saturdays**, with two (2) employees. A pull-through workshop building already exists on the property, as well as a shared driveway approximately 500 ft long. **The applicant is proposing screening trees along the southern and western property lines, supplementing a row of existing screening trees, to help mitigate the view onto the property. Additionally, the building is insulated, so the applicant doesn't feel noise will be an issue.** 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 inside Tontitown's planning area. The subject property is located on the western side of Harmon Rd, near the intersection at Arbor Acres Rd, WC-52. There are no residential structures on the property at this time.

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Commercial	Ag/SF Res 1 unit/ac
South	Agricultural	Ag/SF Res 1 unit/ac
East	Agricultural	Ag/SF Res 1 unit/ac
West	Agricultural/Residential/Vacant	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 single-family residential and agricultural uses. The property does not currently have any residences on it, though there is a 3,000 sf workshop building on the property. The existing building only has electric utility service at this time.

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:

- c. 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.

A majority of the residential properties in the area are 1-5 acres, with some much larger vacant/agricultural properties.

The subject property is 1.4 miles away from the Waste Management landfill. There is a high volume of heavy truck traffic in this area along Harmon Rd.

Future Land Use / Zoning Designation

The parcel is in the Tontitown city planning area, and has a future land use designation of Low Density Residential (1-4 units/acre). 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, neighbor notifications were sent by certified letter to all adjoining property owners within 300 feet. **To date, Staff has received numerous comments expressing opposition to the project, and a petition has been submitted to Planning staff with 76 signatures opposed to this CUP request.** 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 and the appropriate fee has been paid.
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.	Planning staff sent neighbor notifications of the public hearing via certified mail on July 8, 2021.
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. The water utility has stated they will not provide water service to the business until state law is met with regards to providing restrooms to employees.
4 That the proposed use is compatible with the surrounding area.	Although the proposed use is not Agricultural or Residential, the character of the building fits into its context and, with conditions, shouldn't negatively impact the neighborhood.
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 use is a mechanic shop. This use is not considered dangerous by nature, though there may be an additional few vehicles on Harmon Rd.
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 surrounding area is mostly single family residential. There is industrial farming within the nearby area as well. A small mechanic shop should not impact the residential and farming type land uses already in place in the area. Staff feels that a small mechanic shop will not impair property values.
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 proposed use will potentially increase traffic onto Harmon Rd by 5-10 vehicles/day. Staff doesn't feel this increase will impede the normal and orderly development and improvement of the area.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

From Washington Water Authority

1. If the existing building is to be used for commercial purposes, it needs to be compliance with the Arkansas Plumbing Code, Section 403 Minimum Plumbing Facilities and include necessary bathrooms, lavatories, and drinking fountains for the employees.
2. The property will need an approved waste disposal system for disposal of the wastewater.

3. Plumbing plans must be designed by a Master Plumber registered in the State of Arkansas and be submitted to WWA for review and approval.
4. WWA will not serve water to this project until it is in compliance with state requirements.

From the County Engineer

1. Please describe the site drainage pattern. Is runoff flowing to the west?
2. Does the pond still exist? There does not appear to be a pond on the aerial image.
3. Provide a more detailed site sketch with notes labeling the various items described in the write up and dimensions showing the areas of additional parking, driveway, and any other proposed improvements to the site.

RECOMMENDATION & CONDITIONS

Staff has reviewed the CUP submittal documents and feel the proposed mechanic shop, ER Mobile Services, can be made compatible with county ordinances with the following conditions:

Washington Water Authority

1. If the existing building is to be used for commercial purposes, it needs to be compliance with the Arkansas Plumbing Code, Section 403 Minimum Plumbing Facilities and include necessary bathrooms, lavatories, and drinking fountains for the employees.
2. The property will need an approved waste disposal system for disposal of the wastewater.
3. Plumbing plans must be designed by a Master Plumber registered in the State of Arkansas and be submitted to WWA for review and approval.
4. WWA will not serve water to this project until it's in compliance.

Sewer/Septic Conditions

1. Please contact the Arkansas Department of Health should the need for septic arise in the future.

Drainage Conditions

1. County Engineer's Tech Review questions must be answered and comments must be addressed.
2. County Engineer's comments must be satisfied prior to final approval and issuance of approval letter.

Environmental Conditions

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality.
www.adeq.state.ar.us

Signage Conditions

1. All signs must be out of the right of way.
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 dumpster gate, shall be screened with opaque material of a uniform type.
2. The applicant shall utilize privacy fencing or similar opaque material to shield non-operational vehicles from view from the public road.
3. **Screening trees shall be utilized along the south, and west property lines to screen inoperable vehicles from view.**
4. **All inoperable vehicles must be screened from view from the road and from neighboring properties.**

Planning Conditions

1. The Conditional Use Permit is specifically to allow a mechanic shop only. The size of the development shall not exceed one acre in size. Any future land uses not allowed by the current zoning must come before the Planning Board for conditional use permit approval and ratified by the Quorum Court.
2. The applicant must address all technical review comments, and conditions of approval, as the project proceeds through to completion.
3. **Hours of operation should be generally as stated:**
Monday to Friday- 8:30 am to 6 pm.
Saturday- 8:30 am to 2:00 pm.
Sunday- Closed.

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. This total will be calculated for this project once all invoices are received.
2. Pay any engineering fees within 30 days of project approval. 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.
4. All CUPs must be ratified by the Quorum Court.
5. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant’s responsibility to contact the Planning Office when inspections are needed.
7. 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 approvals, if any, whether known or unknown to the Board or the Developer.
8. 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. There was discussion amongst various Board Members regarding the proposed project. No public comments were made. Lisa Miller made a motion to table the **Replat Lots 1-14 Summers Original** until the August 26, 2021 meeting to give Planning Staff time to adequately review the proposed project. Jay Percy seconded. All Board Members present were in favor of approving. Motion passed.*

County

d. Friendship Church Minor Subdivision

Preliminary & Final Land Development Requests

Location: Section 12, Township 14, Range 31
Applicant: Atlas Land Surveying
Location Address: 14756 Friendship Church Rd WC 4247
JP District: Jim Wilson, District 14
Approximately: +/- 29.34 acres / 4 lots
Coordinates: Latitude: 35.89859781, Longitude: -94.22323538
Project #: 2021-189 **Planner: Sita Nanthavong** **email: snanthavong@washingtoncountvar.gov**

APPLICANT’S REQUEST

The applicant is requesting minor subdivision approval to subdivide a 29.34 acre tract into 4 tracts of land.

SITE INFORMATION

Land Owner:	Real Assets, Inc	Parcel Number:	001-04112-000
Site Location:	14756 Friendship Church	Planning Area:	None
Acreage:	29.34 acres +/-	QC District:	14, Jim Wilson
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	West Fork
FIRM:	05143C0365F	Fire District:	West Fork Rural

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	Windstream
Water	Washington Water Authority		

BACKGROUND/SYNOPSIS

The applicant is requesting minor subdivision approval to subdivide a 29.34 acre tract into 4 parcels. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The subject parcel is not in a Planning Area. The subject parcel is located along the east side of Friendship Church Rd WC 4247.

Original Parcel	Size	Proposed Tract	Size
001-04112-000	29.34 acres +/-	Tract B	3.00 acres +/-
		Tract C	6.01 acres +/-
		Tract 3	10.16 acres +/-
		Tract D	10.17 acres +/-

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
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 parcel is currently vacant.

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. To date, Staff has not received comments in favor or in opposition of the project. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

REVIEWER	COMMENTS
Planning Staff Sita Nanthavong	Does the applicant have soil work for each lot?
Electric Ozarks Electric	<ol style="list-style-type: none"> Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision will be at full cost to the developer. 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. All off site easements that are needed for Ozarks to extend electrical service to the subdivision 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. 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) 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 Lots must be shown on final plat before Ozarks Electric will sign the final plat.

	<p>6. Subdivisions will be built using Ozarks Electric Policy 45 (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, re-sodding, etc.</p> <p>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.</p> <p>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.</p> <p>9. Please contact Ozarks Electric when construction begins on subdivision and again when construction is within three months of completion. Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com</p>
Water Washington Water	No comments at this time.
Gas No Provider	N/A
Phone	No comments received.
Cable No provider	No comments received. No cable provider.
Fire District	No comments received.
Fire Safety 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.
School District	No comments received.
Safety WC Sheriff's Dept	No comments received.
Septic/Sewer Dept. of Health	No comments received.
Planning Area	No comments received.
Drainage Garver	No comments received.
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
Roads WC Road Department	No comments.
WC 911 Addressing Dept. of Emergency Mgmt.	A physical 911 address may be required. Please complete the Address Application, if needed.

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 project will need review by the Arkansas Department of Health 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.adeg.state.ar.us

Drainage/Engineering Conditions

1. All concerns, if any, from the Washington County Engineer must be addressed before final approval of this project may be given.

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.

Signage Conditions

1. Signs shall not be directly lit.
2. Signs may not exceed 24 square feet in size.
3. Signs must not be placed within right of ways.

Planning Conditions

1. The applicant must address all technical review comments as the project proceeds through to completion.
2. Per Sec. 11-102 Vehicular access from private drive
 - a. No land development, including those subject to exemption as set out in Washington County Code 11-79, shall be approved if any anticipated structure's driveway shall be so arranged such that it is necessary for a vehicle to back out onto any County or public road.
 - b. Every owner or developer of any such land development shall certify that no driveways shall be constructed in violation of this section and such shall be noted on any plat or exemption application.
 - c. No structure or driveway, regardless as to whether it is part of a land development, shall be built, installed or erected in such a manner that it will be necessary for any vehicle to back out onto any County or public road.
 - d. This section shall not be applicable to interior roads in a land development.

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. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. 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. Various Board Members made inquiries regarding the staff report. The applicant for the proposed project Tim West with Atlas Land Surveying addressed the Board and answered additional inquiries from the Board. During public comment Erin Boyer and Larry Butler provided comments. Public comment was closed. There was an inquiry made by Board Member, Loren Shackelford. Tim West provided additional comments. Janelle Roller, member of the public provided additional public comments. Public Comments were closed once again. Loren Shackelford made a motion to approve the **Friendship Church Minor Subdivision** subject to staff recommendations. Neil Helm seconded. All Board Members present were in favor of approving. Motion passed.

County

e. Friendship Church Minor Subdivision #2

Preliminary & Final Land Development Requests

Location: Section 12, Township 14, Range 31
 Applicant: Atlas Land Surveying
 Location Address: 14524 Friendship Church Rd WC 4247
 JP District: Jim Wilson, District 14
 Approximately: +/- 11.31 acres / 3 lots
 Coordinates: Latitude: 35.90003345, Longitude: -94.22541202
 Project #: 2021-190

Planner: Sita Nanthavong email: snanthavong@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting minor subdivision approval to subdivide an 11.31 acre tract into 3 tracts of land.

SITE INFORMATION

Land Owner:	Real Assets, Inc	Parcel Number:	001-04112-001
Site Location:	14524 Friendship Church	Planning Area:	None
Acreage:	11.31 acres +/-	QC District:	14, Jim Wilson
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	West Fork
FIRM:	05143C0365F	Fire District:	West Fork Rural

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	Windstream
Water:	Washington Water Authority		

BACKGROUND/SYNOPSIS

The applicant is requesting minor subdivision approval to subdivide an 11.31 acre tract into 3 parcels. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The subject parcel is not in a Planning Area. The subject parcel is located along the east side of Friendship Church Rd WC 4247.

Original Parcel	Size	Proposed Tract	Size
001-04112-001	11.31 acres +/-	Tract 1	4.00 acres +/-
		Tract 2	4.32 acres +/-
		Tract A	3.00 acres +/-

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
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 parcel is currently vacant.

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. To date, Staff has not received comments in favor or in opposition of the project. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

REVIEWER	COMMENTS
Planning Staff Sita Nanthavong	Does the applicant have soil work for each lot?
Electric Ozarks Electric	<ol style="list-style-type: none"> 1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision 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 subdivision 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 Lots must be shown on final plat before Ozarks Electric will sign the final plat. 6. Subdivisions will be built using Ozarks Electric Policy 45 (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, re-sodding, 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

	<p>plat. If developer decide to go with their own contact Cooperative representative below.</p> <p>9. Please contact Ozarks Electric when construction begins on subdivision and again when construction is within three months of completion.</p> <p>Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com</p>
Water Washington Water	No comments at this time.
Gas No Provider	N/A
Phone	No comments received.
Cable No provider	No comments received. No cable provider.
Fire District	No comments received.
Fire Safety 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.
School District	No comments received.
Safety WC Sheriff's Dept	No comments received.
Septic/Sewer Dept. of Health	No comments received.
Planning Area	N/A
Drainage Garver	No comments received.
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
Roads WC Road Department	No comments.
WC 911 Addressing Dept. of Emergency Mgmt.	A physical 911 address may be required. Please complete the Address Application, if needed.

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 project will need review by the Arkansas Department of Health 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, if any, from the Washington County Engineer must be addressed before final approval of this project may be given.

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.

Signage Conditions

1. Signs shall not be directly lit.
2. Signs may not exceed 24 square feet in size.
3. Signs must not be placed within right of ways.

Planning Conditions

1. The applicant must address all technical review comments as the project proceeds through to completion.
2. Per Sec. 11-102 Vehicular access from private drive
 - a. No land development, including those subject to exemption as set out in Washington County Code 11-79, shall be approved if any anticipated structure's driveway shall be so arranged such that it is necessary for a vehicle to back out onto any County or public road.
 - b. Every owner or developer of any such land development shall certify that no driveways shall be constructed in violation of this section and such shall be noted on any plat or exemption application.
 - c. No structure or driveway, regardless as to whether it is part of a land development, shall be built, installed or erected in such a manner that it will be necessary for any vehicle to back out onto any County or public road.
 - d. This section shall not be applicable to interior roads in a land development.

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. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. 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.

During public comment Larry Butler provided comment. Public comment was closed. Jay Percy made a motion to approve the **Friendship Church Minor Subdivision #2** subject to staff recommendations. Loren Shackelford seconded. All Board Members present were in favor of approving. Motion passed.

County

f. Bethel Blacktop Minor Subdivision

Preliminary & Final Land Development Requests

Location: Section 36, Township 16, Range 31

Applicant: Atlas Land Surveying

Location Address: 15051 Bethel Blacktop Rd WC

JP District: Sam Duncan, District 7

Approximately: +/- 6.32 acres / 3 lots

Coordinates: Latitude: 36.02249547, Longitude: -94.32708666

Project #: 2021-191

Planner: Sita Nanthavong email: snanthavong@washingtoncountvar.gov

APPLICANT'S REQUEST

The applicant is requesting minor subdivision approval to subdivide a 6.32 acre tract into 3 tracts of land.

SITE INFORMATION

Land Owner:	Eagle Holdings, LLC	Parcel Number:	001-13112-000
Site Location:	15051 Bethel Blacktop	Planning Area:	None
Acreage:	6.32 acres +/-	QC District:	7, Sam Duncan
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Prairie Grove
FIRM:	05143C0190F	Fire District:	Prairie Grove Rural

UTILITIES

Electricity:	Ozark Electric	Gas:	None
Cable:	None	Phone:	PG Telco
Water	Washington Water Authority		

BACKGROUND/SYNOPSIS

The applicant is requesting minor subdivision approval to subdivide a 6.32 acre tract into 3 parcels. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The subject parcel is not in a Planning Area. This split cannot be handled administratively due to the fact that two or more tracts are being created at less than 5 acres. The subject parcels are located along the south side of Bethel Blacktop WC 62.

Original Parcel	Size	Proposed Tract	Size
001-13112-000	6.32 acres +/-	Tract A	1.57 acres +/-
		Tract B	2.00 acres +/-
		Tract C	2.75 acres +/-

There is an existing residence on the subject property. The residence along with all outbuildings will reside on Tract A. Tracts B and C are vacant. Tracts A and B are accessible from Bethel Blacktop WC 62. Tract C will utilize Doc Hall Rd WC 630. Should the future owners of Tract C wish to connect to Bethel Blacktop WC 62, they will have to be permitted through the Washington County Road Department.

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
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 parcel is currently vacant.

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. To date, Staff has not received comments in favor or in opposition of the project. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

REVIEWER	COMMENTS
Planning Staff Sita Nanthavong	Does the applicant have soil work for each lot?
Electric Ozarks Electric	<ol style="list-style-type: none"> 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. 4. On site easements must be shown on plat and recorded with the county. <p>Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com</p>
Water Washington Water	No comments at this time.
Gas No Provider	N/A
Phone PG Telco	No comments received.
Cable No provider	No comments received. No cable provider.
Fire District Prairie Grove Rural	No comments received.
Fire Safety 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.
School District Prairie Grove	No comments received.
Safety WC Sheriff’s Dept	No comments received.
Septic/Sewer Dept. of Health	No comments received.
Planning Area	N/A
Drainage Garver	No comments received.
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
Roads WC Road Department	No comments.

**WC 911 Addressing
Dept. of Emergency
Mgmt.**

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

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 project will need review by the Arkansas Department of Health 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.adeg.state.ar.us

Drainage/Engineering Conditions

1. All concerns, if any, from the Washington County Engineer must be addressed before final approval of this project may be given.

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.

Signage Conditions

1. Signs shall not be directly lit.
2. Signs may not exceed 24 square feet in size.
3. Signs must not be placed within right of ways.

Planning Conditions

1. The applicant must address all technical review comments as the project proceeds through to completion.
2. Per Sec. 11-102 Vehicular access from private drive
 - a. No land development, including those subject to exemption as set out in Washington County Code 11-79, shall be approved if any anticipated structure's driveway shall be so arranged such that it is necessary for a vehicle to back out onto any County or public road.
 - b. Every owner or developer of any such land development shall certify that no driveways shall be constructed in violation of this section and such shall be noted on any plat or exemption application.
 - c. No structure or driveway, regardless as to whether it is part of a land development, shall be built, installed or erected in such a manner that it will be necessary for any vehicle to back out onto any County or public road.
 - d. This section shall not be applicable to interior roads in a land development.

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. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant’s responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. 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. Various Board Members made inquiries regarding the proposed project. Tim West with Atlas Land Surveying addressed the Board. No public comment was made. Philip Humbard made a motion to approve the **Bethel Blacktop Minor Subdivision** subject to staff recommendations. Jay Pearcy seconded. All Board Members present were in favor of approving. Motion passed.*

Fayetteville Planning Area

g. Whispering Meadows Final Subdivision

Final Land Development Request

Location: Section 17, Township 16, Range 29

Applicant: Bates & Associates

Location Address: 285 S Harvey Dowell Rd WC 195

JP District: Butch Pond, District 15

Approximately: +/- 72.44 acres / 8 lots

Coordinates: Latitude: 36.05591436, Longitude: -93.08388037

Project #: 2021-185

Planner: Sita Nanthavong email: snanthavong@washingtoncountvar.gov

APPLICANT’S REQUEST

The applicant is requesting final subdivision approval to allow the development of 8 single-family residential lots 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:	JNB Group, LLC	Parcel Number:	001-10606-000, 001-10670-000
Site Location:	471 Harvey Dowell Road	Planning Area:	Fayetteville
Acreage:	72.44 acres +/- per	QC District:	15, Butch Pond
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Fayetteville
FIRM:	05143C0240F	Fire District:	Round Mountain
Wetland:	Yes, there is one pond	Watershed:	None

UTILITIES

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

BACKGROUND/SYNOPSIS

The applicant, John McGowan, with representation by Bates & Associates, Inc, is requesting final subdivision approval for a development known as Whispering Meadows Subdivision. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The subject parcels are in the Fayetteville Planning Area. The project must process through the City and receive approval before final approval from the County may be given. The subject parcels are located along the western side of S. Harvey Dowell Road. The Preliminary Review was approved by the Planning Board at the February 25, 2021 meeting with conditions. There will be a total of 8 lots within the subdivision. The original parent tracts are approximately 72.44 acres in size.

The lots will be subdivided and known as:

Lot	Size	Lot	Size
1	3.24 acres +/-	5	3.01 acres +/-
2	3.18 acres +/-	6	2.52 acres +/-
3	3.20 acres +/-	7	2.52 acres +/-
4	3.27 acres +/-	8	50.92 acres +/-

COMPATIBILITY

Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
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. There are two residences and a gravel driveway on parcel 001-10606-000. The residences and the gravel driveway will be demolished/removed. To the south of the subject properties is the river. Portions of the southern proposed lots are in the flood zone.

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. To date, Staff has not received comments in favor or in opposition of the project. Planning Staff will update the Board should any further comments be received.

SUMMARY OF AGENCY COMMENTS – TECHNICAL REVIEW

REVIEWER	COMMENTS
Planning Staff Sita Nanthavong	Please provide or update the following from the Subdivision checklist <ul style="list-style-type: none"> • Please add a signature block for the County Judge's signature.
Electric Ozarks Electric	No comments received.
Water City of Fayetteville	The City is still reviewing the water line extension for this subdivision. Once it's approved, the infrastructure must be installed and accepted prior to the City signing off on a final plat.
Gas No Provider	N/A
Phone AT&T	No comments received.
Cable No provider	No comments received. No cable provider.
Fire District Round Mountain Rural	No comments received.
Fire Safety 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.
School District Fayetteville School District	No comments received.

Safety WC Sheriff's Dept	No comments received.
Septic/Sewer Dept. of Health	No comments received.
Planning Area City of Fayetteville	No comments received.
Drainage Garver	No comments received.
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
Roads WC Road Department	No comments.
WC 911 Addressing Dept. of Emergency Mgmt.	A physical 911 address may be required. Please complete the Address Application, if needed.

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 project will need review by the Arkansas Department of Health 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, if any, from the Washington County Engineer must be addressed before final approval of this project may be given.

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.

Signage Conditions

- 1. Signs shall not be directly lit.
- 2. Signs may not exceed 24 square feet in size.
- 3. Signs must not be placed within right of ways.

Planning Conditions

- 1. The applicant must address all technical review comments as the project proceeds through to completion.
- 2. Per Sec. 11-102 Vehicular access from private drive
 - a. No land development, including those subject to exemption as set out in Washington County Code 11-79, shall be approved if any anticipated structure's driveway shall be so arranged such that it is necessary for a vehicle to back out onto any County or public road.
 - b. Every owner or developer of any such land development shall certify that no driveways shall be constructed in violation of this section and such shall be noted on any plat or exemption application.
 - c. No structure or driveway, regardless as to whether it is part of a land development, shall be built, installed or erected in such a manner that it will be necessary for any vehicle to back out onto any County or public road.
 - d. This section shall not be applicable to interior roads in a land development.

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. Final inspection approval is required prior to issuance of CUP approval letter.
- 6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
- 7. 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.
- 8. 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 was made. Jay Percy made a motion to approve the **Whispering Meadows Final Subdivision** subject to staff recommendations. Loren Shackelford seconded. All Board Members present were in favor of approving. Motion passed.*

Goshen Planning Area

h. Replat at Village Estates Subdivision

Preliminary & Final Land Development Requests

Location: Section 11, Township 17, Range 29

Applicant: Reid & Associates

Location Address: 17988 Village Estate Road WC 2125

JP District: Patrick Deakins, District 5

Approximately: +/- 18.18 acres / 3 lots

Coordinates: Latitude: 36.150992611, Longitude: -94.03303113

Project #: 2021-168

Planner: Nathan Crouch email: ncrouch@washingtoncountyar.gov

APPLICANT'S REQUEST

The applicant is requesting subdivision replat approval to adjust 45-platted, undeveloped subdivision lots into two 9.09-acre tracts.

Parcel numbers:

520-02468-000, 520-02467-000, 520-02469-000, 520-02470-000, 520-02472-000, 520-02471-000, 520-02473-000, 520-02474-000, 520-02475-000, 520-02476-000, 520-02477-000, 520-02478-000, 520-02479-000, 520-02486-000, 520-02487-000, 520-02488-000, 520-02489-000, 520-02490-000, 520-02491-000, 520-02492-000, 520-02493-000, 520-02494-000, 520-02495-000, 520-02496-000, 520-02497-000, 520-02498-000, 520-02499-000, 520-02500-000, 520-02501-000, 520-02502-000, 520-02503-000, 520-02504-000, 520-02506-000, 520-02505-000, 520-02590-000,

520-02591-000, 520-02592-000, 520-02593-000, 520-02594-000, 520-02595-000, 520-02596-000, 520-02597-000, 520-02598-000, 520-02599-000, 520-02600-000

UTILITIES

Electricity:	Ozarks Electric	Gas:	Black Hills
Cable:	Cox Communications	Phone:	AT&T
Water	Springdale Water		

BACKGROUND/SYNOPSIS

The applicant is requesting Minor Subdivision Replat approval to combine 45 platted, undeveloped subdivision lots into two new 9.09-acre tracts. The subdivision lots were platted in 1973 as part of Village Estates Subdivision. The lots being replatted are as follows: Lots 16-28 in Block 2, lots 5-25 in Block 3 and lots 19-29 in Block 5. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The project parcel is not in a planning area. The proposed replat is located on both sides of Village Estates Drive, which was never constructed. There are no residential structures on the subject parcels. Access is shown to come from a shared 50' utility and access easement that extends down from Frederickson Road WC-3554 south of Broadview Drive WC-1037. There is a platted undeveloped road shown on the plat for this project listed as Lakeview Drive. 'Lakeview Drive' extends from Bluff View Drive, WC-2502, southeast to Broadview Drive.

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

SITE INFORMATION

Land Owner:	New Life Structures, LLC	Parcel Number:	See below
Site Location:	East of 17706 Bluff View WC2502	Planning Area:	None
Acreage:	18.18 acres +/-	QC District:	5, Patrick Deakins
Current Zoning:	Ag/SFR-Res 1 unit/acre	School District:	Springdale
FIRM:	05143C0095F	Fire District:	Nob Hill Rural - 119
Wetland:	No	Watershed:	Beaver Lake

From Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision 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 subdivision 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 crossings. (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 Lots must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built using Ozarks Electric Policy 45 (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, re-sodding , 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 subdivision and again when construction is within three months of completion.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com

RECOMMENDATION & CONDITIONS

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

Utility Conditions

Electricity – Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision 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 subdivision 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 Lots must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built using Ozarks Electric Policy 45 (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, re-sodding , 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 subdivision and again when construction is within three months of completion.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com

Sewer/Septic Conditions

1. Final approval is conditional upon Planning Staff's reception of favorable perc test results for each newly created tract.

Planning Conditions

1. Final approval is conditional upon both lots having access by either a satisfactory amount of road frontage or a minimum 30' utility and access easement that connects the resulting tracts to the public road right-of-way.

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. This total will be calculated once all invoices are received.
2. Pay any engineering fees. This total will be calculated 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.

4. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
5. 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.
6. 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. Planning Board Member, Neil Helm made an inquiry regarding the proposed project. The applicant Alan Reid with Reid & Associates addressed the Board. During public comment Marty Gallagher and Richard Hutton provided comments. Alan Reid provided additional comments. Public Comment was closed. Loren Shackelford made a motion to approve the **Replat at Village Estates Subdivision** subject to staff recommendations. Jay Pearcy seconded. All Board Members present were in favor of approving. Motion passed.*

County

i. JSF Investments Minor Subdivision

Preliminary & Final Land Development Requests

Location: Section 10, Township 15, Range 32

Applicant: Jorgenson & Associates

Location Address: 16996 Ditmars WC 98

JP District: Willie Leming, District 13

Approximately: +/- 5 acres / 4 lots

Coordinates: Latitude: 35.99491734, Longitude: -94.37000269

Project #: 2021-186

Planner: Sita Nanthavong email: snanthavong@washingtontyvar.gov

APPLICANT'S REQUEST

The applicant is requesting minor subdivision approval in order to split a 5-acre parcel into four tracts. The new tracts range in size from 1.01-acres to 1.25-acres. This split cannot be handled administratively due to the fact that two or more tracts are being created at less than 5 acres.

SITE INFORMATION

Land Owner:	JSF Investments, LLC	Parcel Number:	001-08500-005
Site Location:	16996 Ditmars Road WC98	Planning Area:	None
Acreage:	5 acres +/-	QC District:	13, Willie Lemming
Current Zoning:	Agriculture/Single-Family Residential 1 unit per acre	School District:	Prairie Grove
FIRM:	05143C0330F	Fire District:	Prairie Grove Rural - 105
Wetland:	No	Watershed:	Illinois River

UTILITIES

Electricity:	Ozarks Electric	Gas:	N/A
Cable:	N/A	Phone:	PGTelco
Water	Prairie Grove Water		

BACKGROUND/SYNOPSIS

The applicant is requesting Minor Subdivision approval in order to split a 5-acre parcel into four pieces: Tract 1 is 1.02-acres, Tract 2 is 1.02-acres, Tract 3 is 1.01-acres and Tract 4 is 1.25-acres. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The project parcel is not in a planning area. The proposal is located northeast of Ditmars Road WC98. Ditmars Road fronts the parcel on the south and west sides. There is one residential structure on the property at this time. It will be removed before the other proposed residential structures are erected. The applicants have submitted satisfactory perc test results for each of the newly created tracts. The proposed septic fields are shown on the minor subdivision plat. Each of the four newly created tracts have ample road frontage onto Ditmars Road, satisfying Planning Staff's road frontage requirement for access.

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 subdivision 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 subdivision 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 Lots must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built using Ozarks Electric Policy 45 (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, re-sodding , 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 subdivision and again when construction is within three months of completion.
Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com
10. 30ft. utility easement along the properties road frontage on Ditmars Road WC98

RECOMMENDATION & CONDITIONS

Staff has reviewed the submitted documents and feel the recommend approval of the project with the following conditions:

Utility Conditions

Electricity – Ozarks Electric

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision 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 subdivision 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)
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Wes Mahaffey At (479)263-2167 or wmahaffey@ozarksecc.com

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 project will need review by the Arkansas Department of Health 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.adeg.state.ar.us

Drainage/Engineering Conditions

1. All concerns, if any, from the Washington County Engineer must be addressed before final approval of this project may be given.

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.

Signage Conditions

1. Signs shall not be directly lit.
2. Signs may not exceed 24 square feet in size.
3. Signs must not be placed within right of ways.

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. Final inspection approval is required prior to issuance of CUP approval letter.
6. It is the applicant’s responsibility to contact the Planning Office when inspections are needed.
7. 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.
8. 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 was made. Jay Percy made a motion to approve the **JSF Investments Minor Subdivision** subject to staff recommendations. Loren Shackelford 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:
 - August 26th, 2021
 - September 30th, 2021

7. Adjourn

Planning Board adjourned.

Minutes submitted by: Juliana Mendoza

Approved by the Planning Board on:

_____ Date: _____
Joel Kelsey, Planning Board Chairman

DRAFT