MINUTES

WASHINGTON COUNTY PLANNING BOARD

&

ZONING BOARD OF ADJUSTMENTS

January 5, 2012

5:00 p.m., Quorum Courtroom, New Courthouse

Fayetteville, Arkansas

DEVELOPMENTS REVIEWED: *ACTION TAKEN:*

LAND DEVELOPMENT HEARING

County

a. Replat of Lots 1C & 4 of J&J Estates *Approved*

CONDITIONAL USE PERMIT HEARINGS

Springdale

b. Hager's Custom Woodworks CUP *Approved*

County

c. Rocky Acres RV Park CUP *Tabled*

Springdale

d. Dollar General CUP *Approved*

LAND DEVELOPMENT HEARING

Springdale

e. Dollar General Preliminary LSD *Approved*

1. ROLL CALL:

Roll call was taken. Members present include: Kenley Haley, Chuck Browning, Walter Jennings, Daryl Yerton, Robert Daugherty and Cheryl West, absent Randy Laney.

2. APPROVAL OF MINUTES: (from the November 3, 2011, meeting) Courtney McNair mentioned the change to the minutes, the addendum of Larry Walker's resolution. Robert Daugherty made a motion to approve the minutes. Cheryl West provided the second. Motion passes.

3. APPROVAL OF THE AGENDA:

Bob Daugherty made a motion to approve the agenda. Kenley Haley seconded. Motion passes.

4. NEW BUSINESS

County Planning Area

a. Replat of Lots 1C & 4 of J&J Estates

Preliminary/Final Plat Approval Request

Location: Section 8, Township 16 North, Range 31 West

Owner/Developer: Adam Keeth
Engineer/Surveyor: Blew & Associates
Location Address: 15324 Mahan Dr., Fayetteville, AR 72704
2 acres and 2 lots / Proposed Land Use: residential
Coordinates: Longitude: 94°17'54.25"W Latitude: 36°4'52.6"N
Project #: 2011-065 Planner: Sarah Geurtz, e-mail at sgeurtz@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Approval of Replat of Tracts 1C & 4 of J & J Estates. The request is to alter the location of an existing utility and access easement and to remove the access portion of this easement.

CURRENT ZONING: Project is zoned Agricultural/Single-Family Residential 1 unit per acre. This Replat meets current zoning.

PLANNING AREA: This project is not located within a Planning Area; it is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 10, Rick Cochran.

FIRE SERVICE AREA: Wedington Fire Department**.** Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Farmington Schools

INFRASTRUCTURE: Water– Washington Water Authority **Electric-** Ozarks Electric
Natural Gas– Arkansas Western Gas **Telephone-** AT&T **Cable-** Cox Cable TV

BACKGROUND/ PROJECT SYNOPSIS:
This property is located in J & J Estates Subdivision which is adjacent to Wedington Woods Subdivision. The involved parcels access off Mahan Drive. Mahan Drive access off W. Hwy 16. Fayetteville's Planning Area is located immediately to the south (see attachments A-5 and A-6). The applicant and owner of parcel 266-00001-002 (Tract 1C) is Adam Keeth. The property owners of parcel 266-00004-000 (Tract 4) are Todd and Lynette Bobak. The surveyor is Blew & Associates.

Due to the property's current designation as a Minor Subdivision, this easement change request must process as a Replat.

This request is to shift the location of an existing utility and access easement and to remove its access portion. Tract 1C's house was unintentionally built over an existing utility and access easement (see attachments A-7 and A-8). In order to remove this easement encroachment, Adam Keeth is requesting to shift this easement 10.5 feet to the south. Doing so removes the easement from running through Mr. Keeth's house and puts the easement 10.5 feet onto Tract 4 which is owned by Todd and Lynette Bobak. Mr. Keeth is also requesting removal of the access portion of this easement so it will only be a utility easement (see attachment A-7 through A-9). Attachments A-10 and A-11 show the plat history of J & J Estates. James and Jessica Gibson, who own parcel 001-11543-000 to the east, use to own Tract 1C and Tract 4 and brought these properties through Washington County Planning Department in 2005 for a tract split (project #2005-223) (see attachment A-11). At that time they had the easement created to provide access and utility service to their parcel 001-11543-000. However, since that time, the Gibsons have put in a driveway that directly accesses W. Hwy 16 (see attachment A-6). A letter from James Gibson dated 12/06/2010 states that he gives permission for the release of this easement (see attachment A-15).

In 2010 when Mr. Keeth purchased Tract 1C, he became aware of the encroachment and contacted his neighbors concerning shifting the entire easement southward to remove the encroachment, and concerning removing the access portion of the easement. At that time, the involved neighbors signed letters stating that they supported this solution (see attachments A-12 through A-17). This Minor Subdivision Replat is being processed in order to make the requested easement changes official. The County Attorney, George Butler, is drawing up new letters for the involved parties and utility companies to sign.

TECHNICAL CONCERNS:

Sewer/Septic
Existing septic systems. No change proposed.

Electric/Phone/Gas/Cox
Ozarks Electric Cooperative Corporation had no comments on this project. However, in a letter from 2010 written in regards to the easement encroachment, they gave permission for shifting the easement to the south in order to correct the encroachment. In that letter they stated that Ozarks Electric had no facilities in the northern portion of the easement that had been encroached upon. They stated that if there were any other utility within this portion of the easement that they considered this vacate invalid (see attachment A-16).

AT&T has no objection to this easement adjustment. But relocation of or damage to any existing AT &T facilities would be at the property owner's expense.

Arkansas Western Gas has not commented regarding this project.

Cox TV states that any damage or relocation to existing facilities would be at the owner's/developer's expense.

Water
Washington Water Authority has a water valve and hydrant in the south-eastern corner of parcel 266-00001-002, and a water meter in the north-eastern corner of parcel 266-00004-000 (see attachment A-7). Washington Water Authority has had no comments on this project. However, in 2010 Washington Water Authority sent an email stating that they would allow the easement shift if the property owner obtained an additional 10 feet of utility easement to the south (see attachment A-17).

Addressing
The homes on both parcels have existing 911 addresses:
Parcel 266-00001-002 - #15324 Mahan Drive
Parcel 266-00004-000 - #15322 Mahan Drive

Environmental
No stormwater permit is required by Washington County, at this time. Must comply with all ADEQ rules and regulations. www.adeq.state.ar.us

Road
Mahan Road is not a Washington County maintained road. In 2005, Washington County Planning Department project #2005-223 involved the purchase of a private road sign which was installed at the entrance of Mahan Drive. However, the correct paperwork was never filed that made Mahan Road a Washington County Private Road. In addition, filing the correct paperwork was not made a condition of approval and the project was approved and the replat signed. Due to Mahan Drive existing as an easement and not a Private Road, there is no road frontage for either parcel; both parcels access off a 60 foot wide access and utility easement which connects with W. Hwy. 16 (see attachment A-6).

Since this project does not involve altering of lot lines, Planning Staff is not requiring the Private Road Development steps to be followed. However, a future project involving property off Mahan Drive would require Private Road Development steps to be undertaken.

NEIGHBOR COMMENTS:

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

No comments have been received on this project. Staff will update the Planning Board at the meeting of any additional submitted comments.

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

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

STAFF RECOMMENDATION:
Staff recommends Preliminary and Final Plat Minor Subdivision approval of Replat of Tracts 1C & 4 of J & J Estates with the following conditions:

Utility Conditions:

1. Corrections must be made to either dimensions on the plan drawing or to the legal descriptions on the replat in order to make the easement dimensions the same width.

2. All applicable parties must sign letters drawn up by Washington County Attorney George Butler. These letters will address the neighbors and utility companies who will be affected by this easement relocate and by the removal of the access portion of the easement.

3. All legal papers must be filed to create the new easement portion.

4. Show all utility lines on the Replat.

5. Change all instances of the word “vacate” to “relocate” on the Replat.

Environmental Conditions:

1. No stormwater permit is required by Washington County, at this time. Must comply with ADEQ rules and regulations. www.adeq.state.ar.us

Standard Conditions:

1. Pay neighbor notification mailing fees ($41.28) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 12/22/11).

2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

3. 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 general plat checklist items must be corrected.

5. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.

6. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

Sarah Geurtz stated that this project must be voted on as a variance in addition to a Minor Subdivision.
Walter Jennings asked why this has to be brought before the board as a replat?
Sarah Geurtz answered due to an encroachment of 15324 Mahan Dr. on the front twenty-five foot building setback.

Robert Daugherty made a motion to approve the Replat of 1C & 4 of J&J Estates. Daryl Yerton seconded. Motion passes.
All Board members were in favor of approving.

Springdale Planning Area
b. Hager's Custom Woodworks CUP
Conditional Use Permit Request
Location: Section 33, Township 18 North, Range 29 West
Owner/Developer: James & Pamela A. Hager
Location Address: 4760 Parsons Rd., Springdale, AR 72764
2.35 acres and 1 unit
Proposed Land Use: Small Business
Coordinates: Longitude-94°4'38.84"W Latitude-36°11'3.1"N
Project #: 2011-152 Planner: Sarah Geurtz, e-mail at sgeurtz@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a custom woodworking shop on a parcel of land 1 acre in size.

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

PLANNING AREA: This project is located within Springdale's Planning Area.

QUORUM COURT DISTRICT: District 13 Joe Patterson **FIRE SERVICE AREA:** Springdale & Nob Hill **SCHOOL DISTRICT:** Springdale

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

BACKGROUND/ PROJECT SYNOPSIS:

The owners of parcel 001-18634-008 are James and Pamela Hager. The applicant is James Hager. The property is located outside the City of Springdale off Parsons Road WC 91. Parsons Road WC 91 is accessed off Butterfield Coach Road/Old Wire Road WC 87 (see attachments B-17 through B-19).

This CUP request is to allow Mr. Hager to construct a 50' x 80' (4,000 sq. ft.) commercial cabinet-making shop on parcel 001-18634-008 which is currently 2.35 acres in size. Mr. Hager will be splitting 1 acre from parcel 001-18634-008 for this cabinet shop. Due to this property being located within Springdale's Planning Area, the applicant must also contact Springdale's Planning Department and follow their regulations pertaining to the applicant's intentions to split this property. This will involve a Conditional Use Permit and a Tandem Lot Split from Springdale. The applicant must then process through Washington County Planning for an administrative lot split in order to complete the property split.

Mr. Hager intends for himself and his son to offer a full service cabinet shop for construction of kitchen, bath, mantles, bookcases and other similar types of cabinets. He will also offer countertops in postform, solid surface, granite and tile. The finishing processes will involve water-based dye stains and waterborne lacquers using air assisted airless spraying equipment. The applicant says that little odor from the finishing process will be apparent outside of the building from these materials.

The shop building exterior will be constructed of red metal on a concrete slab. The drive and small customer parking area will be constructed of gravel. The office/showroom/restroom/and storage areas will be constructed with spruce studs and drywall with fiberglass bat insulation. The shop walls will be built of spruce studs covered with oriented strand board (see attachments B-19, & B-35 through B-40, & B-65).

All lumber and supplies would be stored inside the building. The items that would sit outside the shop on a regular basis would be a delivery trailer, a small utility trailer, and a trailer in which scrap wood and sawdust would be stored for transport off site for disposal. Mr. Hager says he currently runs a cabinet business in Pocahontas and has never received complaints from his neighbors about his shop operations. His hours of operations are from 7:00am until 5:00pm, Monday through Friday. Most of his shop equipment would be operated intermittently so there would not be constant machine noise. Mr. Hager's current customer traffic is less than 5 visitors per day on average. He plans on putting up a small unlighted sign near the road no larger than 4'x8'. You can view the type of work he does at www.hagerwoodworks.com.

TECHNICAL CONCERNS:

Fire Issues:

The shop building is classified as a Factory Industrial building (F-1), Class IIB in Arkansas State Fire Code. A fire hydrant with a minimum fire flow of 1500 gpm @ 20 psi is required to be installed (see attachments B-28 through B-31). The Springdale Fire Marshall, Ed Stith, is not requiring the hydrant be located on the applicant's parcel but *is* requiring a hydrant across from parcel 001-18634-008 on the south side of Parsons Road WC 91, as Ed has stated this would prevent the applicant from boring beneath Parsons Road WC 91. Tanker shuttles will not be permitted in lieu of a hydrant due to Springdale having an ISO rating of 2 and because there are existing facilities to support a hydrant (see attachment B-29). According to the Arkansas Fire Prevention Code, Volume 1, Section 508.5.1, where a portion of the building hereafter constructed is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, fire hydrants and mains shall be provided where required by the fire code official (see attachment B-31). According to Ed Stith who consulted the Springdale Water Utilities Water Supply System Atlas Map dated 12.04.2010, the closest hydrant is located approximately 1000 feet away from the applicant's property (at the 90 degree turn of Parsons Road WC 91). (see attachment B-31).

A turnaround area for fire trucks is not being required for this project. However, the eighty feet of the drive from the corner of the shop building to Parsons Road WC 91 is being required to meet fire lane requirements (see attachment B-28 & B-29); this portion of the drive must be able to support 75,000 pounds in all weather conditions, be 20 feet wide, and have no overhead obstructions to a fire truck.

Standard emergency lights, fire extinguishers, and lit exit signs are required at all exit doors.

The square footage of the shop area where sawdust would be created will be 2,430 sq. ft. see attachment B-40). Since this space is less than 2,500 square feet, a sprinkler system is not required for this space. Because of the non-flammability of the stains and lacquer the applicant will be spraying in the spray room, (see attachment B-44 through B-54), an automatic fire-extinguishing system is not required in this room either. However, MSDS sheets for all finishes being sprayed must be kept on hand in the spray booth.

One fire exit door for the work area will be allowed as long as a diagonal 36 inch wide pathway free of obstructions, that terminates at an exit door, is provided (see below example). This pathway must remain completely free of all obstructions. An alternative to this option is for the applicant to provide two fire exit doors. If two doors are provided, they must be separated by a distance apart of no less than half the length of the maximum *unobstructed* diagonal dimension of the space (see attachment B-25-29). The three roll-up doors planned for the building do not count as fire exit doors; a fire door is a door that opens in one motion. The showroom must have an exit door.

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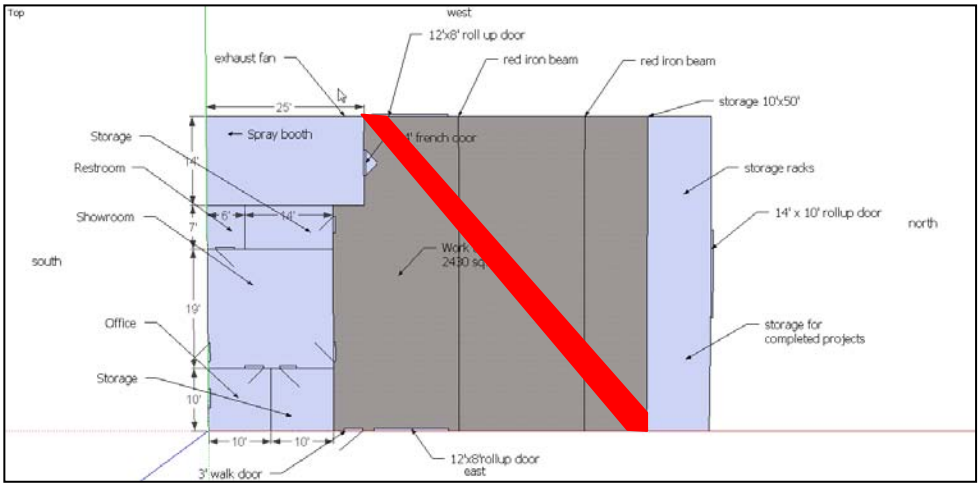


The applicant has reported that he is licensed with the State Contractors Board and will be building the shop building himself. He says the total costs for construction of the building will be $75,558.32. Since the total cumulative and fair market value to complete the building costs less than $100,000, an architect or contractor is not required to sign off on the plans (see attachment B-28 & B-29 & B-63).

**Septic:**

Reba Bailey, a Designated Representative (DR), conducted a soil pit analysis on 11.07.2011 and determined the site's soils to be suitable for a standard septic system design where the test pit was conducted. The location of this test is indicated on attachment B-42 & B-43). Melissa Wonnacott-Center of the Arkansas Health Department says that the soils in this area appear to be suitable. However, if floor drains will be installed in the spray room, the septic may need to be monitored in order to check the effluent strength for the need to reduce BOD and TSS with a remediation based on regulation requirement for commercial systems.

**Electric/Gas/Cable/Phone:**

Electric, gas, cable, and phone had either no comment or have submitted no comment on this project.
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Ozarks Electric has an overhead power line running north/south through the middle of the property. Two service lines connect to this line – one extends to parcel 001-18634-006, and the other extends to parcel 001-18635-000. The applicant is aware of the overhead power lines. He told Planning Staff that he spoke with Ozarks Electric concerning this issue and believes his proposed building location to be outside of Ozarks Electric's power line area. The applicant has been instructed to contact John Fitzgerald at Ozarks Electric and to provide him with the proposed electrical loading information before any design or cost were determined. On 12.19.2011, the applicant reported to Planning Staff that he had contacted Mr. Fitzgerald and that Mr. Fitzgerald said "…no new construction was necessary and the building could run on a 200 amp main using 15 KVA service."

AR Western Gas, and phone – these utilities are located on the north side of Parson Road WC 91 on the applicant's parcel according to the site visit Planning Staff conducted and a survey drawn up on 03.02.2011 (see attachment B-41).

Springdale Water is shown to have a water meter on the north side of Parsons Road WC 91 (see attachment B-41), but Ed Stith has indicated that Springdale Water has a water main located on the south side of Parsons Road WC 91 (see attachment B-29).

Cox Communications reports that any damage to or relocation of existing facilities will be at the owner's/developer's expense.

Roads/Sight Visibility/Ingress-Egress and Utility Easements:
This property is proposing to use a gravel drive which has been used for many years by occupants of the commercial structure to the east on parcel 001-18634-006. A survey drawn up on 03.02.2011 shows this drive to be located on the applicant's parcel (001-18634-008) (see attachment B-41). The applicant has reported to Planning Staff that he has contacted the owner of this parcel concerning this matter. In response, the business currently renting this owner's commercial shop has moved their dump trucks off this portion of the gravel drive and has put out road cones to stop his workers from using this portion of the drive. Prior to construction of the shop, Planning Staff requires a signed statement from the property owner(s) of parcel 001-18634-006 stating they recognize Mr. and Mrs. Hager as the property owners of this portion of the drive.

Washington County Road Department is requiring an apron to connect the entrance drive to Parsons Road WC 91. The apron(s) must be paved (asphalt or concrete) and at least 20' in depth. This must be completed prior to operating this business. Any time extensions must be approved by the Washington County Road Department Superintendent. All entrance drives and parking areas must support 75,000lbs in all weather conditions.

Site visibility appears to be sufficient to the west and east (see attachment B-23).

Two easements currently give access to parcels 001-18634-000 and 001-18634-007 (see attachments B-56 throuth B-61). A 35 foot wide easement is recorded in filing number 2011-7458 as simply being a *35' wide "easement"* (see attachment B-59). A *30 foot wide access easement* is recorded under filing number 2001-36913 (see attachment B-57 and B-58). Washington County Planning requires these easements to grant both ingress and egress *and* utility access. Planning Staff therefore require proper legal documents to be filed dedicating this.

Drainage:
The Washington County Contract Engineer has reviewed this project and has no comments.

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

Signage/Lighting/Screening Concerns:
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 (see attached diagram B-33 for examples).
Planning Staff has concern about the trailer that the scrap lumber and sawdust will be stored until disposal. The applicant must provide Planning Staff information about this trailer. If this trailer is not a trailer with sides to screen its contents, screening between the trailer and the residential neighbors will be required. The screening must be approved by Planning Staff and in place prior to operation of the business.

Signage cannot be place in the County Right-of-Way and must not exceed the 8 feet wide and 4 feet tall size the applicant indicated to Planning Staff. Signage cannot be internally lit. However, uplighting is permitted but must be approved by Planning Staff. Signage must be approved by Planning Staff prior to installation.

City of Springdale Concerns:
Follow the City of Springdale's requirements for acquiring a Conditional Use Permit and a lot split. The applicant is abiding by Springdale's building set-back requirement of 50' from Parsons Road WC 91's right of way. This must be completed prior to construction.

COMPATIBILITY CONCERNS:

Surrounding Uses:
The surrounding land uses are single family residential, agricultural, and residential/agriculural with one commercial land use located immediately to the east of the applicant's parcel.

Staff feels that the applicant's request is compatible with the surrounding land use.

County's Land Use Plan (written document):
According to the County's Land Use Plan:

3. GENERAL COMMERCIAL
The goal of retaining the rural aspects of the county should remain a priority. Other goals to be met in general commercial land use one:

a. Provision of accessible, convenient and attractive commercial locations, while avoiding or minimizing commercial development where inadequate or substandard infrastructure exists; **The building will be accessible and convenient off Parsons Road WC 91, should fit with the rural agricultural nature of surrounding properties, and infrastructure exists.**

b. Location of general commercial development at the intersection of major roads for convenient access, and to discourage strip commercial development; while **not located at an intersection, due to this shop's proposed location between a major road (Butterfield Coach Road/Old Wire Road WC 87 and the proposed Springdale bypass, its location adjacent to a commercial business and off Parsons Road WC 91, Planning Staff feels the location is compatible.**

c. Identification of areas within the county for future general commercial development; **This area has adequate infrastructure for future development.**

d. Encouragement of attractive, safe and sanitary commercial development with adequate fire protection, utilities, and access; **Fire Safety, septic, utilities, and access for this business and the properties north of it have been addressed.**

e. Discouraging the indiscriminate mixing of commercial development into residential and agricultural areas; **This area is trending toward future development and has a commercial business located adjacent to the proposed project.** and,

f. Provision of safe, adequate, and regulated access to commercial areas. **Access is onto a straight stretch of Parsons Road WC 91. Site visibility onto Parsons Road WC 92 appears to be good.**

In order to realize these goals, the county should take the following actions:

g. Assure traffic safety by guaranteeing sufficient off-street parking, off-street loading facilities, and well-located ingress and egress points; **Off-street parking and loading facilities are provided. The applicant's ingress and egress access point appears to be well-located and have good site visibility.**

h. Provide adequate physical screening, and open areas to serve as a buffer between the commercial uses and abutting residential areas or agricultural areas; **If the applicant's scrap wood and sawdust trailer will not be a contained trailer with sides to screen its contents, screening between the trailer and residential neighbors will be required ;** and,

i. Encourage attractiveness by designing areas to integrate with residential areas. **The exterior of the commercial structure will be clad in red metal and should fit with the rural character of the area.**

Future Land Use Plan

The Future Land Use in this area was adapted from the City of Springdale's adopted Future Land Use plan. This site is classified as "Low Residential, 1-3 Units Per Acre. While this proposed project is not commercial and not residential, staff feels it is in an area trending toward a more commercial nature due to the development along Butterfield Coach Road/Old Wire Road WC 87, the proposed Springdale bypass, and the growth of Springdale . Staff also feels this use will be compatible through the conditions placed to help mitigate the impact to the surrounding residential uses.

NEIGHBOR COMMENTS/CONCERNS:

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

No comments have been received on this project. Staff will update the Planning Board at the meeting of any additional submitted comments.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Hager's Custom Woodworks Conditional Use Permit with the following conditions:

Septic Conditions:

1. The septic system(s) must be approved, installed and inspected by the Health Department prior to business operation.

2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

3. The septic system may need to be put on monitoring if floor drains are installed in order to check effluent strength for need to reduce BOD and TSS with a remediation based on regulation requirement for commercial systems.

4. The primary and secondary septic fields must be located on the 1 acre parcel that Hager's Custom Woodworks will occupy or the applicant must proceed through the Large Scale Development process.

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

1. The Washington County Road Department requires an apron to connect entrance drives to the County Road. The apron(s) must be paved (asphalt or concrete) and at least 20' in depth. This must be completed prior to operating this business. Any time extensions must be approved by the Washington County Road Department Superintendent.

2. All entrance drives and parking areas must support 75,000lbs in all weather conditions.

3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

4. Proper easement documents must be filed to grant ingress and egress and utility access to the northern parcels 001-18634-007 and 001-18634-000 prior to construction.

5. A signed statement from the property owner(s) of parcel 001-18634-006 is required that states they recognize Mr. and Mrs. Hager as the property owners of the western portion of the drive that survey 2011 -7457 shows to be located on parcel 001-18634-008. This must be submitted to Planning Staff prior to construction.

Fire Conditions:

1. A fire hydrant with a minimum fire flow of 1500 gpm @ 20 psi must be installed prior to operation. It may be installed across from parcel 001-18634-008 on the south side of Parsons Road WC 91 where the water main is said to be located.

2. One fire exit door in the work area will be allowed as long as a diagonal 36 inch wide pathway free of obstructions, that terminates at an exit door, is provided. This pathway must remain completely free of all obstructions. An alternative to this option is for the applicant to provide two fire exit doors. If two doors are provided, they must be separated by a distance apart of no less than half the length of the maximum *unobstructed* diagonal dimension of the space.

3. The show room must also have an exit door.

4. Lighted exit signs over the customer entrance/exit door and over any other fire exits are required.

5. Standard emergency lights and fire extinguishers will be required at all exit doors.

6. MSDS sheets for all finishes being sprayed must be kept on hand in the spray booth at all times.

7. The eighty feet of the access drive, as measured from Parsons Road WC 91 to the corner of the shop building, must meet fire lane requirements. This portion must be at least 20' wide, be able to support 75,000 pounds in all weather conditions, and must have no overhead obstructions to fire trucks in order to accommodate fire trucks.

8. After road improvement/construction has been completed, a compaction statement is required that states the ability of all drives to support 75,000 pounds in all weather conditions.

Planning Conditions

1. All portions of the development must be located solely on the 1 acre parcel to be split off for the cabinet shop or this project must process as a Large Scale Development (LSD).

2. Parking and restrooms must abide by Americans with Disabilities Act (ADA) regulations. More information can be found at http://www.ada.gov. A signed statement stating that the applicant will be in compliance with ADA regulations must be submitted to Planning Staff prior to construction.

3. Comply with the City of Springdale's requirements for the required Conditional Use Permit and Lot Split. Then process through Washington County Planning Department for an administrative lot split in a planning area. This must be completed prior to construction.

Environmental Conditions:

1. No stormwater permit is required by Washington County, at this time. Must comply with all ADEQ rules and regulations. www.adeq.state.ar.us

Utility Conditions:

Cox Communications

1. Any damage to or relocation of existing facilities will be at the owner's/developer's expense.

Ozarks Electric Cooperative Corporation

2. Any relocation of existing facilities will be at owner's expense. Any extension of line that has to be built specifically to feed this property will be at full cost to the owner.

3. Please contact Mike Phipps at Ozarks Electric if you have any questions. 479-684-4696 mphipps@ozarksecc.com

4. Developer must contact John Fitzgerald at OECC and provide him with the proposed electrical loading information before any design or cost are determined for this project. Ph. 479-684-4655 or e-mail jcfitzgerald@ozarksecc.com

Signage/Lighting/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way and must not exceed the 8 feet wide and 4 feet tall size the applicant indicated to Planning Staff. Signage cannot be internally lit; uplighting is permitted but must be approved by Planning Staff. Signage must be approved by Planning Staff prior to installation.

2. Any 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. Please refer to the diagram in the staff report attachments –

3. More information must be provided to Planning Staff about the trailer that will hold scrap lumber and sawdust. If this trailer will not be a contained trailer with sides to screen its contents, screening between the trailer and residential neighbors will be required. The screening must be approved by Planning Staff and in place prior to operation of the business. No unscreened outdoor storage is allowed.

City of Springdale Conditions:

1. Any lot split or lot combination must be approved by the City of Springdale.

2. Any lot split/combination resulting in a lot that does not meet the minimum street frontage requirement will need to be granted a Conditional Use by the Springdale Planning Commission and Springdale City Council. Contact City Staff for procedure information and deadlines.

3. The site drawings show a wide driveway onto Parson's Road. It shall not exceed 40 feet wide.

4. The City would like the building to be set back a minimum of 50' from the street right-of-way. This will ensure that the street right-of-way will not be used for maneuvering of vehicles (i.e. backing into or out of the street).

Standard Conditions:

1. Pay neighbor notification mailing fees ($25.48) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 12/22/11).

2. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

3. This CUP must be ratified by the Quorum Court (January 12, 2012).

4. It is the applicant's responsibility to contact the Planning Office when inspections are needed.

5. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
    - This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

Sarah Geurtz clarified that Blew & Associates was the surveyor, but wasn't involved in this project.
Walter Jennings asked if the back storage area was a separate room or just part of the floor space designated as storage.
Sarah Geurtz explained it was part of the space, but wouldn't be counted towards the square footage of the work space due to it being used for storage and not machinery.
James Hager spoke from the audience that the space would have metal storage racks in it and would not be occupiable.
Walter Jennings asked what size building required two exit doors.
Sarah Geurtz said 2500 and that this size required two as well, but alternatives were trying to be found.
Walter Jennings asked if there would be stripping to distinguish the 36 inch clear pathway to the fire door.
Sarah Geurtz answered that the 36 inch pathway is required for applicant to have one door otherwise two doors required in this work space.
Dennis Ledbetter added that there was different options the applicant was considering pursuing: The two fire doors or a roll up door with a fire door in it. The fire doors would have to be approved by the fire marshal's office.

Cheryl West made a motion to approve the Hager's Custom Woodworks CUP. Robert Daugherty seconded. Motion passes.
All Board members were in favor of approving.

County Planning Area
c. Rocky Acres RV Park
Conditional Use Permit Request
Location: Section 24, Township 15 North, Range 31 West
Owner/Developer: Joe H. Wittkop
Location Address: 11300 S. AR Hwy 265, Prairie Grove, AR
16.84 acres and 24 spaces
Proposed Land Use: RV Park
Coordinates: Longitude-94°14'3.928"W Latitude-35°57'40.397"N
Project #: 2011-154 Planner: Courtney McNair, email at cmcnair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow an RV Park on a parcel of land that is 16.84 acres in size.

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

PLANNING AREA: This project is *not* located within a city's planning area. It is located solely within the County.

QUORUM COURT DISTRICT: District 12, Ann Harbison **FIRE SERVICE AREA:** West Fork
SCHOOL DISTRICT: Greenland

INFRASTRUCTURE: Water- Washington Water Authority **Electric-**Ozarks Electric **Natural Gas-** N/A **Telephone-** Prairie Grove Phone **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The owner/applicant for this property is Joe Wittkop and Juli Odom. The Engineer is Kim Hesse with Engineering Design Associates. This property is located off of S. Hwy. 265, south of the intersection of S. Hwy. 265 and Illinois Chapel Road (WC #20) **(see map C-34 and C-35).**

The applicant is requesting Conditional Use Permit approval for a 24 space RV Park on 16.84 acres. The applicant plans to have an office (located in the renovated shop building), showers and restrooms, a sanitary dump station and dumpster, horse trailer parking, a horse paddock (existing), and horse barn (existing). The proposed RV Park will be tailored to equestrian travelers. **(Please see applicant's letter C-14 and C-15).**

The layout proposed will leave open space in between the rows of RV's so that each space will have a view out over the row below. There is a main 20' fire access road around the exterior, with 12' pull through lanes so that the RV's will not have to back out. The applicant is proposing tentative quiet hours from 10:00pm to 7:00am. They would also like to have a 30-day length of stay that is renewable for the RV's. **(Please see updated letter C-17 and C-18).**

There is an existing residence on site that is not associated with the proposed commercial use. Also, an existing pond and creek are located on this site.

If this proposed Conditional Use Permit (CUP) is approved, this project must submit for the Large Scale Development (LSD) review with Washington County within 12 months or the CUP approval will expire.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues*:*
Washington Water Authority (WWA) will service this property. The applicant and WWA are working together to extend a 12 inch water line along S. Hwy. 265 the length of the applicants' property. At Preliminary LSD, the engineer for this project will submit: water line plans showing the easements, meter locations, a cost estimate for WWA, plumbing plans, and a document detailing the amount of water necessary for this project.

Staff spoke with WWA and they feel that there will be adequate fire flow gpm to service this site. A study will be completed at Preliminary LSD.

The Washington County Fire Marshal has several standard comments some of which will be addressed at Preliminary LSD. The fire access roads must be marked as "fire lanes" and support 75, 000lbs in all weather conditions, and must be a minimum of 20 feet wide. A statement will be required showing this compaction rating once the roads are constructed. Both public buildings (the office and shower) must be ADA compliant and a statement will be required from the engineer at LSD approval. Exit lights are required, and a 10lbs ABC fire extinguisher must be placed on the exterior of the office building. The applicant is in agreement with these conditions and most have been indicated on the plans.

The Fire Marshal also required an onsite hydrant which is indicated on the plans.

The Fire Marshal will complete an inspection prior to occupation of the site.

Sewer/Septic/Decentralized Sewer*:*
A Preliminary Soils Report was submitted and the soils appear adequate at this time. A detailed report and design will be completed at Preliminary LSD and any adjustments necessary will be made to accommodate the system. The size of this system requires review form the Arkansas Department of Health Engineering Division.

Electric/Gas/Cable/Phone:
In addition to the easements for WWA (that are not to be shared), Ozarks Electric will need a utility easement from S. Hwy. 265 to the main service point for the RV Park. The utility easement will need to be 30 feet wide for overhead lines or 20 feet wide for underground lines.

Neither PG Telco or Cox Communication submitted any comments.

Roads/Sight Visibility/Ingress-Egress/Parking*:*
The proposed project takes access off of AR State Highway 265. A driveway permit from the Arkansas Highway and Transportation Department (AHTD) must be submitted at LSD (prior to construction) to Washington County Planning. The applicant is responsible for obtaining this permit.

Staff conducted a site visit and concluded that the sight visibility is good. Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location.

Drainage*:*
The Washington County Contract Engineer reviewed the project and made preliminary comments. A full drainage study will be submitted at Preliminary LSD and the engineer will use the Drainage Report Checklist provided by the County Engineer.

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

Signage/Lighting/Screening Concerns*:*
A conceptual sign sketch was submitted **(Page C-25 and C-26)**. The applicant is proposing to have a triangular sign (two sign fronts) so that it is visible from both directions along S. Hwy. 265 and each side is proposed to be approximately 96 sq ft (with 46 sq ft of signage). It is proposed to be approximately 8 feet in height. Staff is comfortable with the proposed dimensions. If the applicant wants to increase the height or the square footage at LSD, it must be approved by Washington County Planning staff. The sign is proposed to have cut out letters and be lit from within (only the letters will be lit) with some additional up lighting as well. As long as this lighting will not interfere with passing motorists, staff is comfortable with this proposed design.

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 (see attached diagram for examples).

The applicant has indicated that evergreen cedar trees will be used as screening along the north edge of the property where there is a very close neighboring residence. This screening must be installed approximately as shown. Full details of this planting will be submitted at Preliminary LSD and must be approved by Washington County Planning staff (install height-minimum of 4 feet, type of tree, spacing of vegetation, etc…). Staff does not feel that any additional screening will be needed.

A dumpster has been proposed and the fencing and gate around it must be opaque material. A gate is required for the dumpster area.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:
The surrounding uses are mostly single family residential and agricultural with some light commercial/commercial uses. All of the properties directly adjacent are single family residential or agricultural. North, along S. Hwy. 265, there are two commercial uses near this site. **(see attached map C-36).**

Staff feels that the applicant's request will be compatible with the surrounding area because of the conditions required. The development in this area is trending towards light commercial and it is located along a state highway. The development is set back into the site.

County's Land Use Plan (written document):
According to the County's Land Use Plan,

2. LIGHT COMMERCIAL

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

a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **Staff feels that this use does not fit the general commercial category or the residential category. It is a light commercial use because of the nature of the proposed use. Conditions have been placed to mitigate the impact of this proposed use on the surrounding residential properties. Staff feels this use will be compatible with the surrounding properties.**

Future Land Use Plan
There is no future land use designation for this portion of the County.

NEIGHBOR COMMENTS/CONCERNS:
(All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.)

Planning staff received one phone call from a neighbor concerned about legal access to her property that is currently landlocked and adjacent to the proposed project. Staff recommended that she contact the applicant to see if they can work together as it is not something the County can consider at this time. She was neither in favor or opposed.

No other comments have been received at this time. Staff will update you at the meeting if any additional comments are received.

STAFF RECOMMENDATION:

Staff recommends *approval* of the proposed Rocky Acres RV Park Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions*:*

1. GPM fire flow required **(at Preliminary LSD)**

2. The fire access roads must be marked as “fire lanes”

3. Fire access roads must support 75, 000lbs in all weather conditions. A statement will be required showing this compaction rating once the roads are constructed.

4. Fire access roads must be a minimum of 20 feet wide.

5. Both public buildings (the office and shower) must be ADA compliant and a statement will be required from the engineer at LSD approval.

6. The plans for the office building must be submitted. **(at Preliminary LSD)**

7. Exit lights are required, and a 10lbs ABC fire extinguisher must be placed on the exterior of the office building.

8. The Fire Marshal also required an onsite hydrant which is indicated on the plans.

9. The Fire Marshal will complete an inspection prior to occupation of the site. The applicant is responsible for contacting Washington County when inspections are needed.

Sewer/Septic/Decentralized Sewer Conditions*:*

1. The septic system(s) must be approved, installed and inspected by the Health Department prior to occupation.

2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow perking either).

3. A detailed soils report and design will be completed at Preliminary LSD and any adjustments necessary will be made to accommodate the system.

4. The size of this system requires review form the Arkansas Department of Health Engineering Division.

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

1. All entrance drives and parking areas must support 75,000lbs in all weather conditions.

2. A driveway permit from the Arkansas Highway and Transportation Department (AHTD) must be submitted at LSD (prior to construction) to Washington County Planning. The applicant is responsible for obtaining this permit.

3. Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location. If any impairment is noted, a sight distance study will be required.

Drainage Conditions*:*

1. A full drainage study will be submitted at Preliminary LSD and the engineer will use the Drainage Report Checklist provided by the County Engineer.

Environmental Conditions*:*

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

Utility Conditions*:*

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

2. Show proposed U.E.'s & setbacks. **(at Preliminary LSD)**

3. Indicate water locations. **(at Preliminary LSD)**

4. Extend 12" to SW Property line. **(at Preliminary LSD)**

5. Prepare cost estimate for cost share of 12" extension (all C900 DL14 12" is free) **(at Preliminary LSD)**

6. All plumbing plans to be submitted to WWA before being sent to state. **(at Preliminary LSD)**

7. No conduit to share service line ditches. **(at Preliminary LSD)**

8. Ozarks Electric will need a utility easement from S. Hwy. 265 to the main service point for the RV Park. The utility easement will need to be 30 feet wide for overhead lines or 20 feet wide for underground lines.

Signage/Lighting/Screening Conditions*:*

1. Any 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. Please refer to the diagram in the staff report attachments.

2. The proposed dimensions (approximately 96 sq ft (with 46 sq ft of signage) and approximately 8 feet in height) are allowed. If the applicant wants to increase the height or the square footage at LSD, it must be approved by Washington County Planning staff.

3. The sign is proposed to have cut out letters and be lit from within (only the letters will be lit) with some additional up lighting as well. As long as this lighting will not interfere with passing motorists, staff is comfortable with this proposed design.

4. Any changes to the proposed signage must be approved by Washington County Planning staff.

5. The applicant has indicated that evergreen cedar trees will be used as screening along the north edge of the property where there is a very close neighboring residence. This screening must be installed approximately as shown.

6. Full details of this planting will be submitted at Preliminary LSD and must be approved by Washington County Planning staff (install height-minimum of 4 feet, type of tree, spacing of vegetation, etc…). Staff does not feel that any additional screening will be needed.

7. A dumpster has been proposed and the fencing and gate around it must be opaque material. A gate is required for the dumpster area.

Standard Conditions*:*

1. Correct the parcel number on the plan. There are two parcels, only one is listed.

2. Pay neighbor notification mailing fees ($47.32) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 12/29/11).

3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

4. This CUP must be ratified by the Quorum Court. (January 12, 2012)

5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.

6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

    a. This project requires additional review (Subdivision or Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.

Courtney McNair noted additional conditions neighbors would like.
Kenley Haley expressed concern that the septic would only support sixteen. Should we reduce the proposal to this number or even less?
Kim Hesse addressed that lighting would be bollard lighting wherever it could be used. There were some areas where pole lighting would be required. She continued that the client mentioned that people in the RV's might want to be able to see the stars and didn't want any more light than that he had to have as required for fire safety.
Kenley Haley asked about septic spills from the RVer's disposing of their septic matter.
Kim Hesse answered that there would be no tank, but that the refuse would go straight into the septic field and this would eliminate the smell issue that was a problem with the tank form of septic at RV parks.
Kim Hesse added that the plan was very preliminary and the boxes on the plat representing RVs were sized for the largest size buses.
Kim Hesse noted the plan worked with the topography of the land and the tree cover, especially with the largest trees to try and preserve as much natural habitat as possible.
Kim Hesse further stated that the existing pong would be used for detention on-site.
Daryl Yerton opened discussion up to the public.
Della McKee from the audience was concerned because there was no fence between their properties and there is no water line or easement to the property that she is landlocked.
George Butler addressed that the easement issue could not be dealt with in this project. There is a legal process.
Della McKee said the no fence meant that children could wander onto her property. It was a safety concern of hers.
Della McKee further added that the bridge got washed out last year, will it be able to handle the added runoff? There is already flooding in her field across the highway from this property. She was concerned about an increase.
Della McKee also said that if the property is ever sold how trash violations would be handled.
Teresa Mounce was concerned with horse traffic on the highway.
George Butler responded that it is the new owner's responsibility.
Juliet Richey explained that it must be a condition of approval if they want to ensure a new owner's compliance.
Chuck Browning mentioned that there needs to be continuous fencing that is substantial enough to blend with the area and keep people off of neighboring properties.
Chuck Browning added that the thirty day renewal is a requirement in which he doesn't agree.
Kenley Haley wanted to know the hours of operation, what is the distance to the nearest residence, and what was the fire response time from West Fork and Prairie Grove.
Dennis Ledbetter answered about ten to twenty minutes response time approximately.
Courtney McNair answered forty feet to the nearest residence approximately.
It was agreed by the board that the boundary fencing must be addressed. The fencing should be a minimum of five feet in height, at least five or six strands of barbed wire, and maintained in good working order so that it serves the purpose of keeping RV patrons and horses off of neighboring properties. There must be signage. The fencing and the drawing showing vegetation must be approved by staff. There would be a condition to keep the property nice and not trashy. Property must have proper upkeep and no permanent outdoor storage.
Kim Hesse felt that drainage and septic would have to be addressed with a further topography study.
Joe Wittkop stated he must have enough spaces to make it financially viable for him and the length of stay can be changed to not be renewable. He had that as a way of being able to remove people from his RV Park in case he wanted to vacate them.
Joe Wittkop decided best to table the project. He didn't realize how many neighbors he had and that there would be so much dissent amongst his neighbors and that he didn't want to upset them. He could run cattle on the land instead

Kenley Haley made a motion to approve the Rocky Acres RV Park CUP. Daryl Yerton seconded. Motion passes.
All Board members were in favor of approving.

Springdale Planning Area

d. Dollar General CUP

Conditional Use Permit Request

Location: Section 2, Township 17 North, Range 29 West
Owner/Developer: Carlton & Donna Anderson
Engineer/Surveyor: Coover Consultants
Location Address: 17204 E. Hwy 412, Springdale, AR 72764
3.75 acres and 1 unit / Proposed Land Use: commercial
Coordinates: Longitude: 94°2' 48.53"W Latitude: 36 9'56.251"N
Project #2011-153 Planner: Courtney McNair, e-mail at cmcnair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a commercial use (Dollar General) on a parcel that is 1.256 acres in size.

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

PLANNING AREA: This project is located within Springdale's Planning Area.

QUORUM COURT DISTRICT: District 13, Joe Patterson **FIRE SERVICE AREA:** Nob Hill, Springdale **SCHOOL DISTRICT:** Springdale

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

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is Donna S. Anderson Revocable Trust. The applicant is Dollar General and the engineer is Gary Coover of Coover Consultants. This property is located in the Sonora community off E. Hwy. 412. **(see attachments D-42 and D-43).**

Dollar General is requesting Conditional Use Permit (and Preliminary LSD) approval for a commercial retail store on 1.256 acres. The store is proposed to be 9,100 square feet (7,310 sq ft of sales floor) and have 20,137 sq ft of paving and parking areas with a 3-lane access driveway.

The parcel is currently 3.92 acres and will need to be split through the City of Springdale and Washington County Planning prior to construction. The portion of this parcel that will have no road frontage as a result of this split will need an access easement and must proceed through Springdale for a conditional use permit to allow a tandem lot.

According to the applicant's updated letter, there are approximately 2-4 employees per shift with 2 shifts per day. The hours of operation are approximately from 8:00am to 10:00pm.
(Please see letter and updated letter D-16 and D-19).

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues*:*
Springdale Water Utilities services this property. They are requiring that the applicant field locate and verify the location of existing water and sewer facilities. The applicant must indicate the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

The developer shall be responsible for the cost of any required adjustments to the existing water facilities due to site grading or paving. Please be advised that if additional water meter services are needed they will be installed by the Springdale Water Utilities at the owner/developer's expense. Springdale Water

Utilities will require that the owner/developer use the existing water meter services if possible on this project.

Plans submitted by the applicant indicate the removal of cover from the excising 12-inch water line in the southwest corner of the property. No more than 6-inches of existing soil can be removed.

Springdale Water Utilities will not provide approval, inspection, or operations of the proposed on-site sewage collection system.

The Washington County Fire Marshal, Springdale Fire Marshal and Nob Hill Fire Marshal all commented on this project. The Springdale Fire Marshal stated that the AR State Fire Code requires a minimum gpm fire flow of 2000gpm and 2 fire hydrants within 225 feet of the building for this type of use. The gpm fire flow from a 2010 test was submitted and showed that there was only 1220gpm. A new fire flow test is required as there is more load on the system now because of two new schools being placed on the same water line. There is also only one hydrant located within 225 feet of this proposed project (there is another approximately 350 feet away).

The Washington County Fire Marshal will allow the use of the existing hydrants along with tanker support from the Nob Hill Fire Department. No onsite hydrant will be required.

The building will not be required to have a sprinkler system (use and size do not indicate a sprinkler system is necessary), but a knox box is required.

In addition, the heavy duty asphalt shown must support 75, 000 lbs in all weather conditions. A compaction statement will be required after it is constructed.

Exit lights, panic hardware on exit doors and fire extinguishers are required.

The Fire Marshal will complete an inspection prior to occupation of the site.

Sewer/Septic/Decentralized Sewer*:*
A permit application has been submitted to the Health Department. Melissa Wonnacott stated that she is waiting on the resubmittal and needs further information about the daily water usage. The engineer has indicated that the water consumption and septic design is going to be submitted separately by WR Consulting. Washington County Planning will require a copy of this prior to construction.

The septic/plumbing system should be designed so that it can be connected to the public sewer system when available. Contact Springdale Water Utilities for information.

Electric/Gas/Cable/Phone*:*
In addition to Springdale Water Utility comments, Ozarks Electric stated that the applicant needs to show the 30 foot Utility Easement (UE) for the existing 3phs on power line running along south property line. And, based on the max kw load for the dollar general store on East Robinson Ave in Springdale built in the spring of 2011 OECC System Engineer, John Fitzgerald has decided that OECC will provide a class 320 meter (400 amp) and 50 kva oh transformer at no cost to the developer, if developer chooses to go with OECC 600 amp k-base meter additional charges will be at the cost to the developer.

Arkansas Western Gas, Cox Communications and AT&T Telephone did not submit comments.

Roads/Sight Visibility/Ingress-Egress/Parking*:*
The proposed project takes access off of AR State Highway 412. A driveway permit from the Arkansas Highway and Transportation Department (AHTD) must be submitted at LSD (prior to construction) to Washington County Planning. The applicant is responsible for obtaining this permit.

Staff conducted a site visit and concluded that the sight visibility is good. Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location.

Drainage:
The Washington County Contract Engineer reviewed this project and submitted comments. The Drainage Report was corrected and the County Engineer is satisfied with the revisions.

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

Signage/Lighting/Screening Concerns:
The applicant is proposing a pole sign that is a total of 20 feet tall and 16 feet wide. The sign face is proposed to be 6 feet tall and 16 feet wide. It is proposed to be lit from within and will be turned off at night when the store is closed. They have also proposed a sign on the building that will be lit from within. Staff conducted a site visit to a Dollar General store with the same type of signs proposed. Even though they are lit from within, the sign is not overly bright and the total square footage is not inappropriate for this location. With the maximum height of 20 feet, staff feels this sign will not be overly incompatible and will allow it.

Springdale Water Utilities also commented that the sign must have a minimum of 10' horizontal separation between existing and proposed utilities. The foundation for the sign shall not be located within 10' of any public water or sewer line and cannot be located within an 8' radial distance from any overhead electric lines.

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. The proposed wall lighting diagram submitted by the applicant should meet this requirement **(see attached D-35 and D-36)**

The City of Springdale is requesting a screening fence and trees along any lot line that is adjacent to a residential use. It is Dollar General's policy to have a privacy fence adjacent to any residential properties. Washington County Planning staff will allow just the screening fence and will not require additional trees along the fence as staff feels the fence will provide adequate screening.

The City of Springdale would also like frontage landscaping at the rate of 1 tree and 7 shrubs per 25 feet of road frontage. Washington County Planning Staff agrees with this requirement but has asked the applicant to arrange the trees in a clumping type pattern so that they have a more natural look.

City of Springdale Concerns*:*
Due to the proximity to the City and the likelihood of this project being annexed into the City of Springdale in the foreseeable future the City requested that several items be addressed. All of those items have been mentioned above.

Specifically, any lot split or lot combination must be approved by the City of Springdale (and then administratively through Washington County). Any lot split/combination resulting in a lot that does not meet the minimum street frontage requirement will need to be granted a Conditional Use by the Springdale Planning Commission and Springdale City Council. Contact City Staff for procedure information and deadlines.

This lotsplit must be completed with both municipalities prior to construction.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses*:*
The surrounding uses are mostly single family residential and agricultural, with several assembly/public uses and commercial uses nearby. This site is located across Hwy. 412 from the new Sonora Elementary and Middle Schools. Directly adjacent to the East is Nob Hill Fire Station #2 and just to the East of that across Sonora Road is a church. A little further to the East is a gas station. **(See map D-44).**

Staff feels that the applicant's request is compatible with the surrounding uses and feels that this area is trending towards this type of development. Several conditions have been placed to mitigate impact to the surrounding residential properties.

County's Land Use Plan (written document):
According to the County's Land Use Plan,

3. GENERAL COMMERCIAL

j. Provision of accessible, convenient and attractive commercial locations, while avoiding or minimizing commercial development where inadequate or substandard infrastructure exists; **This proposed project is located off of a major highway, there is water and fire protection available.**

k. Location of general commercial development at the intersection of major roads for convenient access, and to discourage strip commercial development; **This is not located at an intersection, but it does have good sight visibility and staff feels this area will continue to grow with this type of development.**

l. Encouragement of attractive, safe and sanitary commercial development with adequate fire protection, utilities, and access; **This site has adequate infrastructure.**

m. Discouraging the indiscriminate mixing of commercial development into residential and agricultural areas; and, **This proposed project is located in an area that is trending towards increased commercial development.**

n. Provision of safe, adequate, and regulated access to commercial areas. **Access control is provided with the three lane entry.**

In order to realize these goals, the county should take the following actions:

o. Assure traffic safety by guaranteeing sufficient off-street parking, off-street loading facilities, and well-located ingress and egress points; **Off street parking is provided. The entrance has good sight visibility.**

p. Provide adequate physical screening, and open areas to serve as a buffer between the commercial uses and abutting residential areas or agricultural areas; and, **A privacy fence will be placed in between this proposed project and all surrounding residential uses.**

q. Encourage attractiveness by designing areas to integrate with residential areas. **Staff has asked that the applicant attempt to use the require plantings in a manner that will help this project be more integrated with the surroundings.**

Future Land Use Plan
The Future Land Use in this area was adapted from the City of Springdale's adopted Future Land Use plan. This site is listed as "Residential, compatible with surrounding densities". While this proposed project is not residential, staff feels that it is in an area that will become more commercial due to the new schools being located nearby. Staff also feels that this use will be compatible through the conditions placed to help mitigate the impact to the surrounding residential uses.

NEIGHBOR COMMENTS/CONCERNS:
(All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.)

Planning has not received any comments from neighbors at this time. Staff will update you at the meeting if any are received.

STAFF RECOMMENDATION:

Staff recommends *approval* of the proposed Dollar General Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions*:*

1. Field locate and verify the location of existing water and sewer facilities.

2. Indicate the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.

3. The developer shall be responsible for the cost of any required adjustments to the existing water facilities due to site grading or paving.

4. Be advised that if additional water meter services are needed they will be installed by the Springdale Water Utilities at the owner/developer's expense.

5. Springdale Water Utilities will require that the owner/developer use the existing water meter services if possible on this project.

6. Plans submitted by the applicant indicate the removal of cover from the excising 12-inch water line in the southwest corner of the property. No more than 6-inches of existing soil can be removed.

7. Springdale Water Utilities will not provide approval, inspection, or operations of the proposed on-site sewage collection system.

8. Fire flow test is required prior to construction.

9. A knox box is required and must be shown on the plans.

10. The heavy duty asphalt shown must support 75, 000 lbs in all weather conditions. A compaction statement will be required after it is constructed.

11. Exit lights, panic hardware on exit doors and fire extinguishers are required.

12. The Fire Marshal will complete an inspection prior to occupation of the site. It is the applicant's responsibility to contact Washington County when inspections are needed.

Sewer/Septic/Decentralized Sewer Conditions*:*

1. The septic system(s) must be approved, installed and inspected by the Health Department prior to occupation.

2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

3. A permit application has been submitted, waiting on the resubmittal and needs further information about the daily water usage.

4. Washington County Planning will require a copy of the approved permit prior to construction.

5. The septic/plumbing system should be designed so that it can be connected to the public sewer system when available. Contact Springdale Water Utilities for information.

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

6. All entrance drives and parking areas must support 75,000lbs in all weather conditions.

7. A driveway permit from the Arkansas Highway and Transportation Department (AHTD) must be submitted at LSD (prior to construction) to Washington County Planning. The applicant is responsible for obtaining this permit.

8. Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location. If any impairment is noted, a sight distance study will be required.

Drainage Conditions*:*

1. No additional conditions

Environmental Conditions*:*

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

Utility Conditions*:*

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

2. Ozarks Electric requires the applicant needs to show the 30 foot Utility Easement (UE) for the existing 3phs on power line running along south property line.

3. based on the max kw load for the dollar general store on East Robinson Ave in Springdale built in the spring of 2011 OECC System Engineer, John Fitzgerald has decided that OECC will provide a class 320 meter (400 amp) and 50 kva oh transformer at no cost to the developer, if developer chooses to go with OECC 600 amp k-base meter additional charges will be at the cost to the developer.

Signage/Lighting/Screening Conditions*:*

4. Any 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. Please refer to the diagram in the staff report attachments.

5. The applicant is proposing a pole sign that is a total of 20 feet tall and 16 feet wide. The sign face is proposed to be 6 feet tall and 16 feet wide. It is proposed to be lit from within and will be turned off at night when the store is closed. The poll sign will have a maximum height of 20 feet. Any changes to these dimensions must be approved by Washington County Planning Staff.

6. They have also proposed a sign on the building that will be lit from within.

7. The sign must have a minimum of 10' horizontal separation between existing and proposed utilities. The foundation for the sign shall not be located within 10' of any public water or sewer line and cannot be located within an 8' radial distance from any overhead electric lines.

8. Privacy fencing is required between this proposed project and any adjacent residential properties.

9. The City of Springdale would also like frontage landscaping at the rate of 1 tree and 7 shrubs per 25 feet of road frontage. Washington County Planning Staff agrees with this requirement but has asked the applicant to arrange the trees in a clumping type pattern so that they have a more natural look.

City of Springdale Conditions*:*

1. Any lot split or lot combination must be approved by the City of Springdale (and then administratively through Washington County). Any lot split/combination resulting in a lot that does not meet the minimum street frontage requirement will need to be granted a Conditional Use by the Springdale Planning Commission and Springdale City Council. Contact City Staff for procedure information and deadlines.

2. This split must be completed through both municipalities prior to construction.

Standard Conditions*:*

1. This CUP must generally adhere to the plans submitted on December 19, 2011.

2. Pay neighbor notification mailing fees ($29.12) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 12/29/11).

3. Pay engineering fees ($50.00) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 12/29/11).

4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

5. This CUP must be ratified by the Quorum Court (January 12, 2012).

6. It is the applicant's responsibility to contact the Planning Office when inspections are needed.

7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

    a. This project requires additional review (Subdivision or Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.

Robert Daugherty made a motion to approve the Dollar General CUP. Kenley Haley seconded. Motion passes.
All Board members were in favor of approving.

Springdale Planning Area
e. Dollar General
Preliminary LSD
Location: Section 2, Township 17 North, Range 29 West
Owner/Developer: Carlton & Donna Anderson
Engineer/Surveyor: Coover Consultants
Location Address: 17204 E. Hwy 412, Springdale, AR 72764

3.75 acres and 1 unit / Proposed Land Use: commercial
Coordinates: Longitude: 94°2' 48.53"W Latitude: 36 9'56.251"N
Project #: 2011-158 Planner: Courtney McNair, e-mail at cmcnair@co.washington.ar.us

REQUEST: Preliminary Large Scale Development Approval for Dollar General LSD. The proposed project is located on a parcel containing 1.256 acres with 1 proposed commercial unit.

CURRENT ZONING: Project does lie within the County Zoned area (Agriculture/Single-Family Residential 1 unit per acre). Conditional Use Permit to allow the use of a shop/ office structure to house a trade-type business on this site is to be heard January 5, 2012.

PLANNING AREA: This project is located in the City of Springdale's Planning Area. The City of Springdale does not formally review this type of Large Scale Development project, but have an informal review and comments.

QUORUM COURT DISTRICT: District 13, Joe Patterson

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

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is Donna S. Anderson Revocable Trust. The applicant is Dollar General and the engineer is Gary Coover of Coover Consultants. This property is located in the Sonora community off E. Hwy. 412.

Dollar General is requesting Conditional Use Permit and Preliminary LSD approval for a commercial retail store on 1.256 acres. The store is proposed to be 9,100 square feet (7,310 sq ft of sales floor) and have 20,137 sq ft of paving and parking areas with a 3-lane access driveway.

The parcel is currently 3.92 acres and will need to be split through the City of Springdale and Washington County Planning prior to construction. The portion of this parcel that will have no road frontage as a result of this split will need an access easement and must proceed through Springdale for a conditional use permit to allow a tandem lot.

According to the applicant's updated letter, there are approximately 2-4 employees per shift with 2 shifts per day. The hours of operation are approximately from 8:00am to 10:00pm.

Staff has received no comments from neighboring property owners at this time. If any are received prior to the Planning Board Meeting, they will be provided for your review at the meeting.

Minor plan corrections must be completed.

Most concerns have been covered under the Conditional Use Permit review**. All conditions of the CUP approval must be adhered to.**

All attachments are included with Item D, Dollar General CUP

CHECKLISTS:

***Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project. It is up to the Planning Board's discretion whether or not to agree with staff recommendation.**

Important Information Checklist

	Inadequate	Acceptable	Complete
Planning Issues/ Engineering Issues		✓	
Road Issues		✓	
Fire Code Issues		✓	
Utility Issues		✓	
Health Department Issues		✓	
Other Important Issues (ADEQ)		✓	

General Plan Checklist

	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions		✓	
Proposed Improvements			✓
Info to supplement plat			✓

Several items are listed as acceptable but not complete and must be completed prior to construction or operation of the proposed project.

Planning/Engineering Issues

Any lot split or lot combination must be approved by the City of Springdale (and then administratively through Washington County). Any lot split/combination resulting in a lot that does not meet the minimum street frontage requirement will need to be granted a Conditional Use by the Springdale Planning Commission and Springdale City Council. Contact City Staff for procedure information and deadlines.

This split must be completed through both municipalities prior to construction.

Correct all checklist items. Only one item has not been corrected. The LSD plans must indicate the current use of the surrounding properties (ex. residential, agricultural, commercial, church, etc…)

Road Issues

As this project is located off of a state highway, a driveway permit from the Arkansas Highway and Transportation Department is **required prior to construction.** The applicant is responsible for obtaining this permit

The driveway must support 75, 000 lbs in all weather conditions.

Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location. If any impairment is noted, a sight distance study will be **required prior to operation.**

Fire Code Issues

Springdale Water Utilities is requiring the applicant to field locate and verify the location of existing water and sewer facilities. They must indicate the location of these facilities on the LSD plans and provide adequate easements acceptable to the Springdale Water Utilities.

Plans submitted by the applicant indicate the removal of cover from the excising 12-inch water line in the southwest corner of the property. No more than 6-inches of existing soil can be removed.

An updated fire flow test is **required prior to construction**. A knox box is required and must be shown on the LSD plans

The heavy duty asphalt shown must support 75, 000 lbs in all weather conditions. A compaction statement will be **required prior to operation.**

Exit lights, panic hardware on exit doors and fire extinguishers are required.

The Fire Marshal will complete an inspection **prior to occupation of the site**. It is the applicant's responsibility to contact Washington County when inspections are needed.

Utility Issues
In addition to the water company conditions, Ozarks Electric requires the applicant needs to show the 30 foot Utility Easement (UE) for the existing 3phs on power line running along south property line on the LSD plans.

Health Department Issues
The septic system(s) must be approved, installed and inspected by the Health Department **prior to occupation.** No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

According to the Health Department, a permit application has been submitted, and they are waiting on the resubmittal and need further information about the daily water usage. Washington County Planning will require a copy of the approved permit **prior to construction**.

The septic/plumbing system should be designed so that it can be connected to the public sewer system when available. Contact Springdale Water Utilities for information.

STAFF RECOMMENDATION: Staff recommends Preliminary LSD Plan approval of the proposed Dollar General LSD with the following conditions:

1. Any lot split or lot combination must be approved by the City of Springdale (and then administratively through Washington County). Any lot split/combination resulting in a lot that does not meet the minimum street frontage requirement will need to be granted a Conditional Use by the Springdale Planning Commission and Springdale City Council. Contact City Staff for procedure information and deadlines.

2. This split must be completed through both municipalities **prior to construction.**

3. All General Plan Checklist items must be corrected on the **LSD Plans**. (All LSD Plans presented to the planning board and filed for record shall note the uses of adjacent property. The determination of said use shall be the responsibility of the developer).

4. A driveway permit from the Arkansas Highway and Transportation Department is **required prior to construction.** The applicant is responsible for obtaining this permit

5. The driveway must support 75, 000 lbs in all weather conditions.

6. Once the exact driveway location is marked, staff will conduct another site visit to make sure that the sight distance will not be diminished based on the actual driveway location. If any impairment is noted, a sight distance study will be **required prior to operation.**

7. Springdale Water Utilities is requiring the applicant to field locate and verify the location of existing water and sewer facilities. They must indicate the location of these facilities on the **LSD plans** and provide adequate easements acceptable to the Springdale Water Utilities.

8. Plans submitted by the applicant indicate the removal of cover from the excising 12-inch water line in the southwest corner of the property. No more than 6-inches of existing soil can be removed.

9. An updated fire flow test is **required prior to construction**.

10. A knox box is required and must be shown on the **LSD plans**

11. The heavy duty asphalt shown must support 75, 000 lbs in all weather conditions. A compaction statement will be **required prior to operation.**

12. Exit lights, panic hardware on exit doors and fire extinguishers are required.

13. The Fire Marshal will complete an inspection **prior to occupation of the site**. It is the applicant's responsibility to contact Washington County when inspections are needed.

14. Ozarks Electric requires the applicant needs to show the 30 foot Utility Easement (UE) for the existing 3phs on power line running along south property line on the **LSD plans.**

15. The septic system(s) must be approved, installed and inspected by the Health Department **prior to occupation.** No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

16. Washington County Planning will require a copy of the approved septic permit **prior to construction**.

17. The septic/plumbing system should be designed so that it can be connected to the public sewer system when available. Contact Springdale Water Utilities for information.

18. All conditions of the Conditional Use Permit approval must be adhered to.

19. Engineering fees and Mailing fees are listed as conditions of CUP approval.

20. Any other land divisions, commercial structures, or other types of uses not considered with this submittal must come through a separate CUP or review process with the County.

5. OLD BUSINESS

6. OTHER BUSINESS

- Discussion of Current Development.

  Juliet Richey noted that they got a copy of this in their packets.

- Reminder of upcoming regular Planning Board meeting dates.

  Juliet Richey informed the members that the February 2, 2012 is cancelled due to lack of agenda items. Next meeting will be March 1, 2012.

- Any other Planning Department or Planning Board business.

Robert Daugherty moved to adjourn. Walter Jennings seconded. Motion passes.
All Board members were in favor of approving.

Planning Board adjourned.

Minutes submitted by: Sonya Tomlinson

Approved by the Planning Board on:

_____ Date: _____

Randy Laney, Planning Board Chairman