

**MINUTES
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS
June 27, 2013**

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

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

CONDITIONAL USE PERMIT HEARINGS

County

a: Teen Challenge of NWA Expansion CUP

Approved

LAND DEVELOPMENT HEARINGS

County

b: Teen Challenge of NWA Expansion LSD

Approved

**c: Big Red Dirt Farm LLC, LSD (TABLED AT THE
REQUEST OF THE APPLICANT)**

Tabled

1. ROLL CALL:

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

2. APPROVAL OF MINUTES: *Daryl Yerton made a motion to approve the minutes of June 06, 2013. Kenley Haley seconded. All present board members were in favor of approving. Motion passed.*

3. APPROVAL OF THE AGENDA: *Daryl Yerton made a motion to approve the agenda. Walter Jennings seconded. All present board members were in favor of approving. Motion passed.*

4. NEW BUSINESS

CONDITIONAL USE PERMIT HEARINGS

County

a. Teen Challenge of NWA Expansion CUP

Conditional Use Permit Approval Request

Location: Section 25, Township 14 North, Range 33 West

Owner/Applicant: Teen Challenge Ranch of NWA/Steadfast, Inc., Randy Ritchey

Location Address: 19778 Boys Home Road, Morrow, AR 72749

26.66 acres/ 1 unit

Proposed Land Use: Institutional

Approximate Coordinates: Longitude: 94 ° 26' 12.41" W Latitude: 35° 51' 59.48" N

Project #: 2013-090 Planner: Courtney McNair email cmcnair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow the expansion of an institutional use on a parcel of land that is 26.66 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 solely within the County.

QUORUM COURT DISTRICT: District 13 Ron Aman

FIRE SERVICE AREA: Morrow VFD

SCHOOL DISTRICT: Lincoln

INFRASTRUCTURE: Water- Lincoln **Electric-**Ozarks Electric **Natural Gas-** Onsite gas well

Telephone- PGTelco **Cable-** N/A

BACKGROUND/ PROJECT SYNOPSIS:

The owner/applicant of this of this project is the Teen Challenge Ranch or NWA. This property is located near Morrow on Boys Home Road WC#431 (see attachments A-26-27).

This CUP request is to allow the Teen Challenge Ranch of NWA to construct a multi-purpose administration building (20,855 sq ft) that will house the chapel, administration, dining hall, visitor's reception, counseling and school. No additional students will be housed with this addition, but there may be a few more staff added (approximately six (6) staff members). The project will also include upgrades to the internal drives and parking, and upgrades to the water line and electric line servicing the property. The parcel is approximately 26.66 acres

This proposed CUP is located on the property adjacent to the current Teen Challenge location. The Teen Challenge Ranch of NWA currently leases property from the State of Arkansas for their existing operation. Many of these existing buildings are in need of repair or upgrade. Teen Challenge would eventually like to move all of the operations onto the adjacent property under review with this project. However, the only building being proposed at this time is the administration building. The applicants are aware that any additional buildings will be required to come through the CUP and LSD processes separately.

(Please see applicant's letter A-13-14).

The primary issues with this project are related to fire safety. Staff is also still waiting on the septic system information.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Lincoln Water has a water line that the applicant is proposing to upgrade to a 6-inch line to service the project (A-22). They then plan to place an 8-inch line on the property. The Washington County Road Department has stated that road cuts to extend this water line will not be allowed. The applicants will be required to bore under the roads if they need to cross. In addition, the waterlines for this extension may not be located with County Right of Way (ROW).

Three fire hydrants are proposed; one is being dedicated to provide support through the FDC (Fire Department Connection) as required for the sprinkler system use.

The proposed building will have a sprinkler system for fire protection.

The Washington County Fire Marshal had several comments regarding fire safety in the building. These have been addressed on the architectural plans. Final building plans must be submitted prior to construction of the building.

Most of the Fire Marshal comments from Tech Review on June 11, 2013 were addressed, only a few remain:

1. If there is a stage curtain, it must meet code for the fire spread rating. **Needs to be noted.**

2. Fire extinguisher locations need to be designated. **Installed and inspected at Final Inspection, noted on plans.**
3. Building interior must meet fire code. Architectural plans need to be updated to show this. **Note or statement on plans**
4. **Submit final building plans prior to construction of building.**

Interior drives must support 75,000lbs in all weather conditions and be a minimum of 26-feet wide with a 30-foot radius on all turns. The entrance drives are still shown at 24-feet wide. This must be corrected. In addition, the curve located near the FDC must be also be marked as a fire lane. All fire lanes must have signs indicating they are fire lanes. All fire lanes must be compacted to support 75,000lbs in all weather conditions. An Engineer statement regarding compaction is required.

The Fire Marshal is also recommending that the median at the entrance be constructed with a drivable curb.

The engineer submitted a calculated fire flow of 1042 gpm. This flow is sufficient according to the Washington County Fire Marshal.

The existing structures will still be in use once the proposed building is completed. They will be used for different purposes though. Prior to changing the use of the current structures, the Washington County Fire Marshal must be contacted and must approve the use change. It is anticipated that all new uses will be less intensive than the current uses, so no additional CUP's will be required for the existing buildings.

Sewer/Septic/Decentralized Sewer:

Staff has not received any information on the proposed septic system or soil work for this project. The general location of the system is indicated on the plans. Staff believes that soil work has been completed, but nothing has been submitted. **This information must be received by staff prior to the Planning Board meeting in order for staff to make a recommendation.**

Electric/Gas/Cable/Phone:

This project requires 3-Phase electric power. According to the applicant, Ozarks Electric is going to upgrade the electric lines from single-phase to 3-phase using the existing poles and alignment along Hale Mountain Road (WC#3). The engineer needs to show a 30-foot utility easement for the existing overhead power lines.

The applicant has stated that they plan to use an existing natural gas well on the property. PGTelco has no additional comments.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project takes access off Boys Home Road (WC#431), which connects to Hale Mountain Road (WC#3). Boys Home Road is gravel and therefore the driveway apron for this project is not required to be paved. A new culvert will be necessary since the width of the entrance drive is increasing. Any work to be completed in the County ROW must be permitted with the Road Department prior to construction.

The engineer is now showing 30-feet of ROW on the project property. There is an existing fence within this ROW which must be relocated.

Drainage:

The Washington County Contract Engineer has no comments for the Conditional Use Permit request. A full drainage study is required at Preliminary Large Scale Development.

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 for examples **Page A-17**). This has been noted on the plans.

Any outdoor storage must be screened with an opaque material. If a dumpster is used, it must be screened with an opaque material.

No new or additional signage is being proposed with this project.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are mostly single family residential and agricultural; however, there are several parcels related to the existing institutional use in the area, and there is a quarry within the general area. The site contains one existing storage building. The property adjacent houses the majority of the Teen Challenge of NWA Ranch facilities. There is an existing Mess Hall, Dorm, and Administration Building. Staff housing is located along the same road, but not directly adjacent.

While this use is not agricultural or single-family residential, staff feels that the applicant's request is compatible with the existing surrounding uses.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

2. LIGHT COMMERCIAL

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

- 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.

Future Land Use Plan

There is no future land use designation for this portion of the County.

SITE VISIT:

Staff will be completing a site visit prior to the Planning Board meeting and will update the Board of any concerns (if any) at the meeting.

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 at this time. Staff will update the Board if any comments are submitted at the meeting.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Teen_Challenge Ranch of NWA Expansion (Administration Building) Conditional Use Permit with the following conditions (all required septic information was submitted and is adequate):

Water/Plumbing/Fire Conditions:

1. The water line must be upgraded.
2. Road cuts to extend/upgrade the water line will not be allowed. The applicant's will be required to bore under the roads if they need to cross.
3. Water lines for this extension may not be located with County Right of Way (ROW).
4. Fire hydrants and a Fire Department Connect (FDC) are required, with one hydrant dedicated solely to the FDC.
5. The proposed building will have a sprinkler system for fire protection.
6. The Architectural Plans still show a Fire Wall, please remove or clarify.
7. Note on plans: If there is a stage curtain, it must meet code for the fire spread rating.
8. Building interior must meet fire code.
9. Final building plans must be submitted prior to construction of the building.
10. Interior drives must support 75,000lbs in all weather conditions and be a minimum of 26-feet wide with a 30-foot radius on all turns. The entrance drives are still shown at 24-feet wide. An engineer statement about compaction is required.
11. In addition, the curve located near the FDC must be also be marked as a fire lane. Clear fire lanes must be marked on both sides of the drive.
12. The Fire Marshal is recommending that the median at the entrance be constructed as a drivable curb.
13. Prior to changing the use of the current structures, the Washington County Fire Marshal must be contacted and must approve the use change.

Sewer/Septic/Decentralized Sewer Conditions:

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

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

1. All entrance drives and parking areas must support 75,000lbs in all weather conditions. An Engineer statement regarding compaction is required.
2. The existing fence within the dedicated 30-foot ROW must be relocated.

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.

Drainage Conditions:

1. A full drainage study is required at Preliminary Large Scale Development.

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. This project requires 3-Phase electric power.
3. The engineer needs to show a 30-foot utility easement for the existing overhead power 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. Any outdoor storage must be screened with an opaque material. If a dumpster is used, it must be screened with an opaque material.
3. No new or additional signage is being proposed with this project.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$15.64) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 06/17/2013).
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. Show building address on the plans.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - 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.

LAND DEVELOPMENT HEARINGS

County

b. Teen Challenge of NWA Expansion LSD

Preliminary Large Scale Development Approval Request

Location: Section 25, Township 14 North, Range 33 West

Owner/Applicant: Teen Challenge Ranch of NWA/Steadfast, Inc., Randy Ritchey

Location Address: 19778 Boys Home Road, Morrow, AR 72749

26.66 acres/ 1 unit

Proposed Land Use: Institutional

Approximate Coordinates: Longitude: 94 ° 26' 12.41" W Latitude: 35° 51' 59.48" N

Project #: 2013-091 Planner: Courtney McNair email cmcnair@co.washington.ar.us

REQUEST: The applicant is requesting **Preliminary Large Scale Development Approval** to construct a multi-purpose administration building (20,855 sq ft) that will house the chapel, administration, dining hall, visitor's reception, counseling and school on 26.66 acres.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre). **Please note that this site also requested a Conditional Use Permit to allow the expansion of the institutional use, to also be heard at the June 27, 2013 meeting. CUP 2013-090.**

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

QUORUM COURT DISTRICT: District 13, Ron Aman

FIRE SERVICE AREA: Morrow VFD **SCHOOL DISTRICT:** Lincoln

INFRASTRUCTURE: **Water**– Lincoln Water **Electric**- Ozarks Electric **Natural Gas**– onsite well
Telephone- PGTelco **Cable**- n/a

BACKGROUND/ PROJECT SYNOPSIS:

As was presented with the CUP, this project is requesting to construct a multi-purpose administration building. (20,855 sq ft) that will house the chapel, administration, dining hall, visitor's reception, counseling and school on the property adjacent to the current Teen Challenge location.

The project will also include upgrades to the internal drives and parking, and upgrades to the water line and electric line servicing the property. The parcel is approximately 26.66 acres.

All conditions placed on project CUP 2013-090 must be followed.

The primary concerns with the LSD portion of this project are related to drainage and septic information.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

This LSD request was reviewed by the County Fire Marshal. The water and fire issues are addressed in the CUP portion of this project.

Sewer/Septic/Decentralized Sewer:

Staff has not received any information on the proposed septic system or soil work for this project. The general location of the system is indicated on the plans. **This information must be received by staff prior to the Planning Board meeting in order for staff to make a recommendation.**

Electric/Gas/Cable/Phone:

The utility information is addressed with the CUP portion of this project.

Roads/Sight Visibility/Ingress-Egress/Parking:

Road concerns are addressed with the CUP portion of this project.

Drainage:

The Washington County Contract Engineer is currently reviewing the corrected drainage report submitted 6/20/2013. **Staff will update the Board at the meeting if this report is adequate.**

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 screening and lighting concerns are addressed in the CUP portion of this project.

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.

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

CHECKLIST:

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

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

STAFF RECOMMENDATION:

The required septic information was submitted and is adequate, and the Drainage Report submitted 6/20/13 is adequate:

Staff recommends Preliminary Large Scale Development approval of Teen Challenge Ranch of NWA Expansion (Administration Building) Preliminary LSD with the following conditions:

Planning Conditions:

1. Correct all Checklist items
2. Add the Architect information to the plans.
3. Please show or state the following: Soil analysis: The developer shall indicate the types of soil found in the plat area according to the USDA Soil Conservation Service.
4. Misspelled "Little" on parcel 001-05417-000.
5. Show the total acreage on the plans.
6. List the proposed use on the plans.
7. Proposed 30-foot utility easement along south property line must also be labeled as a building setback.

Drainage Conditions:

1. Provide a hard copy of the complete drainage report to the county.

Septic Conditions:

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

Environmental Conditions:

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

Standard Conditions:

1. Conditions of approval for CUP 2013-090 shall be followed.
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.

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

Daryl Yerton, Planning Board member, asked how many students are there currently.

Randy Richey, the owner and applicant of Teen Challenge, replied that there were 24 students and they had 3 scheduled to come in Monday. Mr. Richey also said that they were licensed for 30 students.

Walter Jennings, Planning Board member, asked if the existing water line was a 6 inch line and if the line that they are putting in is an 8 inch line.

Courtney McNair answered, "No, the existing line along Hale Mountain is much smaller. They're upgrading the water main to a 6 inch all along Hale Mountain and then doing an 8 inch line on the interior to service the sprinkler system they are proposing for the new building."

Public Comments Closed. No Public Comments.

Daryl Yerton made a motion to approve the **Teen Challenge of NWA Expansion CUP** subject to staff recommendations Chuck Browning seconded. Randy Laney and Cheryl West were not present. Board members Walter Jennings, Daryl Yerton, Robert Daugherty, Chuck Browning, and Kenley Haley were in favor of approving. Motion passed.

Chuck Browning made a motion to approve the **Teen Challenge of NWA Expansion Preliminary LSD** subject to staff recommendations. Daryl Yerton seconded. Randy Laney and Cheryl West were not present. Board members Walter Jennings, Daryl Yerton, Robert Daugherty, Chuck Browning, and Kenley Haley were in favor of approving. Motion passed.

County

c. Big Red Dirt Farm LLC, LSD (TABLED AT THE REQUEST OF THE APPLICANT)

Final Large Scale Development Request

Location: Section 09, Township 16 North, Range 31 West

Owner: Big Red Dirt Farm, LLC

Applicant: Big Red Dirt Farm, LLC

Engineer Name: Jorgensen and Associates

Location Address: 15453 Hamstring Road, Fayetteville, AR, 72704

Approximately 57.29 acres / Proposed Land Use: quarry

Coordinates: Longitude: 94° 16' 8.72" W Latitude: 36° 4' 54.77" N

Project #: 2012-065 Planner: Juliet Richey e-mail at jrichey@co.washington.ar.us

5. Other Business

- Discussion of Current Development.
- Election of Chair and Vice Chair.

Kenley Haley, Planning Board member, made a motion to elect Randy Laney as the Planning Board Chair and Robert Daugherty as the Vice Chair.

Chuck Browning seconded. Randy Laney and Cheryl West were not present. Board members Walter Jennings, Daryl Yerton, Robert Daugherty, Chuck Browning, and Kenley Haley were in favor of approving. Motion passed.

- Discussion of proposed Amendment to Planning Board By-Laws at August 1 , 20013, Meeting
ARTICLE II. MEMBERS AND TERMS

A. Membership on the Planning Board shall be as provided by state statute 14-14-705 and 14-17-203(a). The Board shall consist of seven (7) members appointed by the Judge and confirmed by the Quorum Court. Appointed members shall subscribe to the oath of office within ten (10) days from the date of appointment, and evidence of the oath of office shall be filed with the County Clerk. At least 1/3 of the members shall not hold any other elective office or appointment, except membership on a municipal or joint planning commission or a zoning board of adjustment. All of the members appointed to the Board shall be qualified electors of the County.

B. Terms of membership shall be as provided by state statutes 14-14-705 and 14-17-203(b). The term of each member shall be 4 years. ~~No Board member shall be appointed for more than two (2) consecutive terms.~~ A vacancy in the membership due to death, resignation, removal, or other cause shall be filled by an appointee of the Judge and confirmed by the Quorum Court for the

unexpired term. Any member of the Board shall be subject to removal for cause upon recommendation of the Judge and confirmation by the Quorum Court.

C. It shall be the duty of the members to regularly attend the meetings of the Planning Board, and except in the case of illness or extraordinary circumstances, the absence of any member from three (3) consecutive regular meetings and/or from six (6) regular meetings during the period of one calendar year shall constitute cause for removal by the County Judge.

- Reminder of upcoming regular Planning Board meetings **August 1** (possible discussion regarding a 4:00 pm start time for this meeting) and **September 5**, 2013.
- Discussion of the outcome of the East Prairie Grove Tower Site CUP Appeal (final hearing June 24, 2013).
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

*Daryl Yerton moved to adjourn. Chuck Browning seconded. Motion passed.
All Board members were in favor of approving.*

Planning Board adjourned.

Minutes submitted by: **Phuong Pham**

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman