

**MINUTES**  
**WASHINGTON COUNTY PLANNING BOARD**  
**&**  
**ZONING BOARD OF ADJUSTMENTS**  
**September 05, 2013**

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

DEVELOPMENTS REVIEWED:

*ACTION TAKEN:*

**LAND DEVELOPMENT HEARINGS**

County

**a: B&R Meat Processing Final LSD**

**Approved**

**b: Replat of Tract A of Hale Mountain Road Minor Subdivision**

**Approved**

**CONDITIONAL USE PERMIT HEARINGS**

**c: Sassafrass Springs Vineyard (SSV) CUP**

**Approved**

1. ROLL CALL:

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

2. APPROVAL OF MINUTES: *Cheryl West made a motion to approve the minutes of Aug 01, 2013. Kenley Haley seconded. All board members were in favor of approving. Motion passed.*

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

4. NEW BUSINESS

**LAND DEVELOPMENT HEARINGS**

County

**a. B&R Meat Processing Final LSD**

***Final Large Scale Development Approval Request***

Location: Section 11, Township 13 North, Range 30 West

Applicant: B&R Meat Processing (Scott and Earl Ridenoure)

Location Address: 633 N. Devils Den Road, Winslow, AR 72759

2.71 acres/ 1 unit

Proposed Land Use: Commercial Butcher Shop

Approximate Coordinates: Longitude: 94° 8 '35.8" W Latitude-35° 48' 33.69" N

**Project #: 2013-075 Planner: Juliet Richey e-mail at [jrichey@co.washington.ar.us](mailto:jrichey@co.washington.ar.us)**

**REQUEST: The applicant is requesting Final Large Scale Development Approval to allow a meat processing facility on Tract 1 (2.71 acres) of the B & R Addition Minor Subdivision.**

**CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre). Please note that this site (Tract 1) also received a Conditional Use Permit to allow the**

use of a custom butchery shop in March 2013; CUP 2013-039.

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

**QUORUM COURT DISTRICT:** District 14, Ann Harbison.

**FIRE SERVICE AREA:** Boston Mountain VFD    **SCHOOL DISTRICT:** Greenland

**INFRASTRUCTURE:** Water- Winslow Water    **Electric-** OG&E    **Natural Gas-** n/a    **Telephone-** Century Link    **Cable-** n/a

**BACKGROUND/ PROJECT SYNOPSIS:**

As was presented with the CUP, this operation will handle the slaughter and processing of beef and pork, and the processing of deer. This is a custom butchery establishment. There will be no general retail aspect to this establishment.

The applicant has constructed a single building and a drive to access the property. Please note that access from the site to HWY 74 is taken via easement through the adjacent site (Tract 2).

Customers will drop off their livestock or (field dressed) deer and return later to pick up the packaged products.

There are two holding pens to hold livestock for a maximum of 12 hours prior to slaughter. These pens are located adjacent to the north side of the building. They are shown on the attached plan, **page A8.**

All slaughtering and butchering activities will take place indoors, and there should be no noise or smells associated with such.

**The applicant is working very hard to complete the facility prior to the Planning Board Meeting. The Planning Department and Fire Marshal have a final inspection scheduled for Tuesday, September 3, 2013. All remaining items will be inspected at that time. The Planning Department does not anticipate that there will be any issues with compliance.**

The Planning Department will inspect the following on September 3, 2013:

- signage
- outdoor lighting
- landscaping
- general ADA adherence (both in and outside the building)

All conditions placed on project CUP 2013-039 and on the Preliminary LSD must be followed. See the approval letters for CUP and Preliminary LSDs on **pages A11- A16.**

**TECHNICAL CONCERNS:**

**Water/Plumbing/Fire Issues:**

This LSD request was reviewed by the County Fire Marshal.

This project is located in the Winslow water service area. According to the architect's letter, there is an existing 6" waterline at the street and Winslow Water Department reported the flow in that area to be 400 gpm at 35-45 psi. The Fire Marshal found this flow acceptable in conjunction with tanker support.

The plumbing plans for this project have been approved by the Arkansas Department of Health (ADH).

The Fire Marshal will inspect the following items on September 3, 2013:

- interior layout
- location of exit signs and fire extinguishers
- door hardware
- new drive (must meet fire code)

**Sewer/Septic/Decentralized Sewer:**

Tract 1 has completed septic designs for two systems:

- A standard septic system (***inspected by ADH this week- staff awaiting a written copy of ADH approval***).
- A special septic system which includes a grease trap (similar to the type a restaurant would have in place) and several other pieces of specialized equipment. This special system is required by ADEQ in order to process the water coming from the butchering operation (***inspection scheduled for 8/30/13, staff will update you on the results of this inspection at the meeting***).

Detailed plans and information for both systems were included in your packets at CUP. There have been no changes to this information since that time, so staff did not re-print this information. However, if you wish to look at copies of the information for these systems, staff will be happy to provide this to you.

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

No comments from utility companies.

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

The interior roads are shown on the plan/plat and have been built as per plans. These roads and radii meet the specifications needed for fire purposes.

Parking appears to be adequate for their low-traffic needs.

This project accesses off HWY 74, Devil's Den Road. The final Arkansas Highway and Transportation Department's (AHTD) approval of the driveway construction has been received and is included in your packet on **page A9**.

At Preliminary LSD the surveyor measured the sight distance visibility from the location of the drive (at its intersection with Devil's Den Road/ HWY 74). The visibility is more than sufficient at 700' of visibility in each direction.

**Drainage:**

The Washington County Contract Engineer has reviewed and approved the drainage study for this project.

**Environmental Concerns:**

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](http://www.adeq.state.ar.us)

The documentation regarding an Industrial Stormwater Permit from ADEQ has been received and is included in your packet on **page A10**.

**Signage/Lighting/Screening Concerns:**

The CUP condition stated: *If a sign is desired for this property- it may be no larger than 64 square feet and must be a monument style sign (maximum height of 8' tall). Sign placement must be approved by the County Planning Office and can in no way impede sight distance. No signs may be placed within the ROW. A similarly sized sign may be placed on the building. If lighting is desired- the sign must be indirectly lit.*

The sign is in place and will be inspected by the Planning Department on September 3, 2013.

**CHECKLIST:**

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

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

**STAFF RECOMMENDATION:**

If all inspections are found to be favorable on September 3, 2013, then Planning Staff will recommend Final Large Scale Development *approval* of B&R Meat Processing LSD with the following conditions (conditions may be added or altered depending on information received between now and the meeting):

1. All conditions of the Conditional Use Permit approval (March 2009), the Consent Decree (March 2012), and Preliminary LSD approval (August 2012) must be adhered to.
2. Must adhere to all applicable LSD standards found in sections 11-100 and 11-101.
3. Pay Preliminary LSD mailing fees of \$506.25 within 30 days.
4. In the April 2012 Traffic Study, D (1) Traffic Engineering techniques, Items a-e should be followed.
5. In addition to notifying emergency management for each blast- please notify the following:
  - a. Washington County Sheriff's dispatch: 444-5703
  - b. FireCom: 521-5800
6. Pay engineering fees. These will be calculated once all review has been completed.
7. Please add a clearly labeled 25' PUE (on the outside of the ROW) the length of your property (to be dedicated with this LSD plan).
8. Keep in mind that you are required to grade your final product to certain specifications- even if it is a lake. Keep this in mind when determining your final floor elevations and how you dig.

9. As per the July 10, 2013, letter from Licensed D.R., Rebecca Corbitt, the current system appears to be functioning adequately at this time. If, at any point in the future, there will be more than three employees at this business, or the portable toilet located onsite is removed, then an additional assessment of the system and its adequacy must be performed by a D.R. at that time. If any improvements are recommended by the D.R. or the ADH, then those must be implemented.
10. As per the Conditional Use Permit, evergreen vegetation is required on the perimeter berms. Staff has inspected the berms and found that pine trees have been planted. Some mortality is to be expected with any planting. The Planning office will inspect the vegetation this fall to see what trees survived the summer. A replacement schedule for the vegetation that has died will be scheduled for this fall/winter. After that time, the Planning Office will inspect the berm vegetation periodically. It is the responsibility of the Quarry owners to keep all evergreen vegetation in place and healthy as per the Conditional Use Permit.
11. BRDF will submit a report via email (or other method found to be acceptable by the Planning Office) to the Planning Office each month showing the number of loads transported in the past 30 days. The Consent Decree limits their loads to “200 loads per day (based on a 30 day rolling average) of rock or red dirt extracted from the Site for delivery off the Site to customers.”
12. No stormwater permit will be required by Washington County at this time. Must comply with all ADEQ rules and regulations.
13. 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.

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

*No Public Comments. Public Comments Closed.*

*Robert Daugherty made a motion to approve the **B&R Meat Processing Final LSD** subject to staff recommendations Chuck Browning seconded. Walter Jennings was not present. Board Members Randy Laney, Chuck Browning, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.*

**County**

**b. Replat of Tract A of Hale Mountain Road Minor Subdivision**

**Preliminary and Final Replat Approval Request**

Location: Section 30, Township 14 North, Range 32 West

Owner: Daugherty Lincoln Farms LLC

Applicant: Bates and Associates (Derrick Thomas)

Location Address: 16748 Hale Mountain Road, Morrow, AR 72749

Approximately 56 acres/ Proposed Land Use: Residential/Agricultural

Coordinates: Longitude: 94° 25' 48.23" W, Latitude: 35° 52' 7.17" N

Project #: 2013-119 Planner: Sarah Geurtz e-mail at [sguertz@co.washington.ar.us](mailto:sguertz@co.washington.ar.us)

**REQUEST:** The applicant is requesting Preliminary and Final Minor Subdivision Replat Approval of

**Replat of Tract A of Hale Mountain Road Minor Subdivision. The request is to create two new tracts out of the existing Hale Mountain Road Minor Subdivision.**

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

**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**-no comments have been received from the Morrow Fire Department, and Dennis Ledbetter, the Washington County Fire Marshal, does not review Minor Subdivisions (4 lots or less).

**SCHOOL DISTRICT:** Lincoln

**INFRASTRUCTURE:** **Water**– Lincoln Water   **Electric**- Ozarks Electric   **Natural Gas**– N/A  
**Telephone**- Prairie Grove Telco   **Cable**- n/a

**BACKGROUND/ PROJECT SYNOPSIS:**

The property owner is Daugherty Lincoln Farms LLC; the applicant and surveyor is Derrick Thomas of Bates & Associates. The property is located south of Lincoln, just north of Morrow, off S. Hwy 45 and Hale Mountain Road WC# 3. **(B-5 & B-6)** within an existing Minor Subdivision which was approved by the April 4, 2013 Planning Board / Zoning Board of Adjustments.

The current property division request would be a replat of the existing Hale Mountain Road Minor Subdivision. The property owner is requesting to split two tracts off the existing 56 acre parcel. Each tract would have sufficient road frontage. The resulting acreages would be:

- Tract A1: 48.08 acres
- Tract A2: 6.45 acres
- Tract A3: 1.46 acres

There are no existing homes on the property **(B-7 through B-9)**.

The Aerial 2 map **(B-7)** and the replat **(B-8)** appear slightly different because Tract B from the original Hale Mountain Road Minor Subdivision **(B-9)** has not yet been created as a separate parcel.

There is an existing well on Tract A3 which is accessed by the home on 16478 Hale Mountain Road.

At this time, Staff is waiting on soil work information to be submitted for Tracts A2 and A3. In addition to the soil work that is required of Tract A3, additional information is required in order to show whether this tract has enough room to handle a septic field while maintaining enough separation from the existing well. Staff will update the Planning Board/Zoning Board of Adjustments at the September 5th meeting as to the results of these tests.

**The main issue with this project has involved awaiting the soil work results for Tracts A2 and A3.**

**TECHNICAL CONCERNS:**

**Sewer/Septic**

Melissa Wonnacott-Center of the Arkansas Department of Health is requiring soil work for Tracts A2 and A3. No soil work is being required for Tract A1.

Tracts A2 and A3 shall have soil work conducted. In addition, the replat shall indicate, for Tract A3, corner locations for primary and secondary septic field locations. These locations shall show that these fields can fit on this proposed tract and still allow enough room for a home and 100 feet of separation from the existing well that the house to the north accesses (16478 Hale Mountain Road). The submitted septic information must be found to be adequate by the Arkansas Department of Health.

At this time, the applicant is working on acquiring the required soil work. Staff will update the Planning Board on this matter at the September 5<sup>th</sup> Planning Board/Zoning Board of Adjustments meeting.

**Electric/Phone/Gas**

Ozarks Electric and Prairie Grove Telephone had no comments on this replat. There is no gas or cable provider.

**Water**

Chuck Wood with Lincoln water reviewed this replat and reported that he had no problem with it. Mr. Wood reported to staff that water taps were currently available, if requested, for Tracts A2 and A3.

An existing well, located on Tract A3, is utilized by the home to the immediate north (16478 Hale Mountain Road). A condition has been added to this project stating that Tract A3 must not utilize this well and that Tract A3 must utilize a different water source.

**Addressing**

Addressing of the two proposed tracts will occur in the future when home locations are known.

**Environmental**

There are no stormwater requirements from Washington County Environmental Affairs.

**Roads**

The Washington County Road Department will size any tile needed for drive entrances. A permit from the Road Department must be acquired if any work is required in the County Road Right of Way.

The Arkansas Highway Transportation Department (AHTD) had no comments, but Driveway permits for all new access points onto Highway 45 must be obtained through AHTD.

**NEIGHBOR COMMENTS:**

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

One neighbor called with questions and concerns regarding the property owner's plans for the Minor Subdivision's property. Staff directed him to the property owner who reported to Staff that everything was fine. The neighbor has not contacted Staff again.

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

**CHECKLIST:**

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

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

**STAFF RECOMMENDATION:**

**Staff recommends Preliminary and Final Replat Minor Subdivision *approval* of Replat of Tract A of Hale Mountain Road Minor Subdivision with the following conditions (if the required septic information is submitted and found to be adequate):**

**Planning Conditions:**

1. Tract A3 shall not utilize the well (located on Tract A3) used by the property owners of 16478 Hale Mountain Road; Tract A3 must utilize a different water source.

**Utility Conditions/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 residence(s).

**Environmental Conditions:**

1. There are no stormwater requirements from Washington County Environmental Affairs.

**Standard Conditions:**

1. 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.
2. Driveway permits for any new access points onto Arkansas State Hwy 45 must be obtained via the Arkansas Highway Transportation Department (AHTD).
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. Lots that are over one-half acre in size will need to be addressed after the home location is

known.

5. All general plat checklist items must be corrected.
6. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
7. **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.**

Washington County Planner, Sarah Geurtz, presented the staff report for the board members.

No Public Comments. Public Comments Closed.

Chuck Browning made a motion to approve the **Replat of Tract A of Hale Mountain Road Minor Subdivision** subject to staff recommendations Daryl Yerton seconded. Walter Jennings was not present. Robert Daugherty Abstained. Board Members Randy Laney, Chuck Browning, Daryl Yerton, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.

## **CONDITIONAL USE PERMIT HEARING**

### **Goshen**

#### **c. Sassafras Springs Vineyard (SSV) CUP**

#### **Conditional Use Permit Approval Request**

Location: Section 22, Township 17 North, Range 29 West

Owner: Long Family Revocable Trust

Applicant: Gene and Cheryl Long

Location Address: 6461 E. Guy Terry Road

Approximately 8.58 acres/ Proposed Land Use: Small Farm Winery (commercial)

Coordinates: Longitude: -94.065884, Latitude: 36.127412

Project #: 2013-120 Planner: Courtney McNair e-mail at [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)

**REQUEST:** Conditional Use Permit approval to allow a "small farm vineyard" on a parcel of land that is 8.78 acres in size.

**CURRENT ZONING:** Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per 2 acres).

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

**QUORUM COURT DISTRICT:** District 15, Butch Pond

**FIRE SERVICE AREA:** Goshen VFD

**SCHOOL DISTRICT:** Springdale

**INFRASTRUCTURE:** Water- Fayetteville  
Gas Telephone- AT&T

Electric-Ozarks Electric  
Cable- Cox Communications

Natural Gas- Source

### **BACKGROUND/ PROJECT SYNOPSIS:**

The owner of this property is The Long Family Revocable Trust. The applicants are Gene and Cheryl Long. This property is located off of Guy Terry Road (near the intersection of Guy Terry Road and Habberton Road), WC #92.

The applicant is requesting Conditional Use Permit approval to allow the use of a "small farm vineyard" in an area zoned for agricultural and residential uses.

This proposed project is located within Goshen's Planning Area. The minimum lot size Goshen will allow is two acres. In order to be exempted from the Large Scale Development process, projects of this nature must be on one acre or less. Therefore, a legal one-acre survey must be completed (but not actually split). All design elements must be located within the one acre surveyed.

The proposed project includes a wine tasting building (remodeled existing barn), parking area and driveway, and associated septic system. An additional deck has been constructed (attached to existing structure). The building will have a covered patio with an outdoor fireplace. Hours of operation will generally be from noon until 9:00 p.m. The applicant plans to have two employees on site when in operation. The occupancy will be approximately 25 customers. The applicant has stated that outdoor entertainment will not be amplified. No wine will be produced on site.

All elements related to this business must be contained within one acre for this project to be exempt from the LSD process.

**(Please see applicant's letter and site and building sketches C13-23 and C41-44).**

The State Alcohol Beverage Control (ABC) Board will regulate all conditions that deal with the consumption, import and distribution of alcohol for the proposed small farm winery. Washington County Planning will require that the applicant abide by all conditions made by the ABC Board and that the applicant will provide Planning Staff with copies of all permits issued to them by the ABC Board. The applicant has stated that they plan to operate under Title 2, Subtitle I Section 2.7 "Small Farm Winery Operations" approval. **(see excerpt C27-30).**

### **TECHNICAL CONCERNS:**

#### **Water/Plumbing/Fire Issues:**

This property is serviced by Fayetteville Water and is in the Goshen Volunteer Fire Department Fire Service Area.

There is a waterline existing to the site. Planning staff has not received information about the fire flow gpm available from the nearest hydrant, but Goshen Fire Department has stated that they can provide adequate tanker support to provide water for fire fighting for this proposed business.

Pillars have been placed at the entrance drive and the applicant is proposing to add a gate (with a combination lock). The pillars are wide enough to allow for fire access.

All access roads and parking area drives must be a minimum of 20' wide, have a 28' turn radius, and support 75,000lbs in all weather conditions. The service entrance drive does not have to be expanded but must still follow Road Department conditions (20' paved apron required). Fire lanes along the drive and within the parking area must be marked (can be signage-if the drive and lots are gravel; or paint-if the drive and lots are paved). **(see attached sketch for fire lane area. Goshen has agreed to a pull-in area for their trucks).**

A "warming only" kitchen is proposed. The building must meet Arkansas State Fire Code. Exit lights/emergency lights and fire extinguishers are required. The Fire Marshal will inspect all improvements prior to the building being occupied.

#### **Sewer/Septic/Decentralized Sewer:**

This project will utilize an individual septic system. Soils work has been completed. The soils appear adequate and the septic permit was reviewed on 08/27/13 by the Washington County Health Department (staff has verbal confirmation that the system will be approved). The system must receive approval from the Health Department. It must then be installed. The system will be inspected by the Health Department

prior to occupation of the proposed building.

The septic system (primary and alternate area) must be delineated (landscaping/fencing/blocking) to prevent anyone from parking or driving in this area. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed.

As this project will have a warming kitchen, it falls under the Retail Food Service permitting with the Health Department. This permit must be obtained prior to operation.

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

The utility companies servicing this property were contacted. Source Gas had comments informing the applicant of the high pressure gas line that runs parallel and adjacent to Guy Terry Road. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

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

This property accesses off Guy Terry, WC #92. The Road Department requires 20' (width and length) hard surface pavement at any entrances to the site as it connects to a paved County Road. (The service entrance must also have a paved apron to avoid damage to the County Road-this is shown on the sketch plan).

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

The connection from the handicapped parking to the building entrance must be ADA compliant.

**Drainage:**

The Washington County Contract Engineer has no comments on this proposed project.

**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 C36**).

The applicant has proposed two sign locations: one sign to be hung on posts and one on the existing feed silo. The hanging sign will be no larger than 3'X4'. It will be double sided and hang on two posts located out of the County Road ROW. The sign on the feed silo will be painted in black or red. The letters will be 8" high and will read SASSAFRAS SPRING VINEYARD. The silo is not located in the County Road ROW. A sketch of these proposed signs must be submitted to Washington County Planning for approval prior to the signs being placed.

No additional signage is allowed to be placed. If the applicant chooses to use lighting for the signs, all signage must be indirectly lit.

Planning staff conducted a site visit on 08/19/2013. Staff has no concerns about sight visibility from the proposed entrance. No additional screening will be required.

If a dumpster is to be used, it must be fenced. This fencing (and the gate) shall be opaque material. Washington County Planning must approve the location of the dumpster and will inspect the fencing.

**City of Goshen's Concerns:**

The City of Goshen submitted no comments on this project.

**Addressing Concerns:**

The 911 Address for the existing barn is 6461 E. Guy Terry Road.

**Sheriff's Office Concerns:**

The Washington County Sheriff's Office reviewed these plans and commented that the applicant must comply with all requirements and regulations of the State Alcohol Beverage Control Division (ABC).

**COMPATIBILITY CONCERNS:**

**Surrounding Uses:**

The surrounding uses are primarily single family residential and agricultural. There are two commercial businesses in the general proximity.

While the proposed project is not residential, staff feels that the applicant's request is compatible with the surrounding uses with conditions. It will be low impact. Visually, the site will appear "agricultural" in nature (barn exterior the same, minimal parking and drive area). Outdoor music is not to be amplified.

**County's Land Use Plan (written document):**

Staff feels that the traffic and nature of this proposed use will be "light commercial".

According to the County's Land Use Plan,

**2. LIGHT COMMERCIAL**

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

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

Staff feels that this project meets the goal of the County's Land Use Plan. The proposed winery is compatible to residential uses because it is low impact and will not disrupt the normal development of this area. Staff feels that the proposed use will not cause a negative impact on the surrounding properties as it will appear "agricultural" in nature. It will not will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare as all appropriate utilities and infrastructure will be installed. In addition, the responding emergency service (Goshen VFD) has reviewed this project and stated that they have adequate equipment to provide emergency services to this establishment.

**Future Land Use Plan**

The Future Land Use Plan for this area shows that it is "Residential Compatible to Surrounding Densities". This portion of the County Future Land Use Plan was extrapolated from the City of Goshen's adopted Future Land Use Plan for this area. The proposed use is not residential, but staff feels that it is compatible.

Due to the low impact nature of this use, and recommended conditions, this project will be compatible with the surrounding uses.

The City of Goshen had no comments.

**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 Sassafras Springs Vineyard Conditional Use Permit with the following conditions:**

**Water/Plumbing/Fire Conditions:**

1. The gate must have a combination lock (as agreed upon by Washington County/Goshen/Applicant) to allow for fire access.
2. All access roads and parking area drives must be a minimum of 20' wide, have a 28' turn radius, and support 75,000lbs in all weather conditions.
3. The service entrance drive does not have to be expanded but must still follow Road Department conditions (20' paved apron required).
4. Fire lanes along the drive and within the parking area must be marked (can be signage-if the drive and lots are gravel; or paint-if the drive and lots are paved).
5. A "warming only" kitchen is allowed.
6. The building must meet Arkansas State Fire Code.
7. Exit lights/emergency lights and fire extinguishers are required.
8. The Fire Marshal will inspect all improvements prior to the building being occupied.
9. Restroom must be ADA compliant.

**Septic Conditions:**

1. The septic system must receive approval from the Health Department. It must then be installed. The system will be inspected by the Health Department prior to occupation of the proposed building.
2. No parking is allowed on any portion of the septic system including the alternate area. The alternate area must remain undisturbed. (No overflow parking either).
3. The septic system (primary and alternate area) must be delineated (landscaping/fencing/blocking) to prevent anyone from parking or driving in this area.
4. As this project will have a warming kitchen, it falls under the Retail Food Service permitting with the Health Department. This permit must be obtained prior to operation.

**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 extensions must be approved by the Washington County Road Department Superintendent. (The service entrance must also have a paved apron to avoid damage to the County Road-this is shown on the sketch plan).

2. No signage or parking is allowed within Washington County's road right-of-way (ROW).
3. The connection from the handicapped parking to the building entrance must be ADA compliant.
4. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
5. 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.

**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.

**Signage/Lighting/Screening Conditions:**

1. All outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately. Please refer to the diagram in the staff report attachments.
2. The proposed hanging sign will be no larger than 3'X4'. It will be double sided and hang on two posts located out of the County Road ROW.
3. Signage on the feed silo will be painted in black or red. The letters will be 8" high and will read SASSAFRAS SPRINGS VINEYARD.
4. A sketch of these proposed signs must be submitted to Washington County Planning for approval prior to the signs being placed.
5. No additional signage is allowed to be placed. If the applicant chooses to use lighting for the signs, all signage must be indirectly lit.
6. If a dumpster is to be used, it must be fenced. This fencing (and the gate) shall be opaque material. Washington County Planning must approve the location of the dumpster and will inspect the fencing.
7. Signage cannot be placed in the County Right-of-Way.

**Additional and Standard Conditions:**

1. Pay engineering fees. Staff will prepare a statement once all invoices are received. If less than one hour of review, there will be no billed charges.

2. ~~Pay mailing fees of \$35.19 (an invoice was emailed to the applicant on 8/30/13).~~ PAID
3. A statement from the applicant, owner, architect or engineer must be submitted prior to the building being occupied that says the building, parking, access, and restrooms are in compliance with all ADA regulations.
4. The applicant must comply with the Alcohol Beverage Control board and submit copies of all permits issued by the ABC for this project.
5. Outdoor entertainment is not to be amplified.
6. Hours of operation must be generally as stated (noon-9:00 pm).
7. The maximum allowed occupancy is approximately 25 people.
8. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
9. This CUP must be ratified by the Quorum Court.
10. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
11. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
  - o **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.**

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

*Chuck Brown, Planning Board member, asked if this project falls within the one mile of Goshen city limits*

*Courtney McNair, replied "yes it's in their planning area. The city of Goshen city had no comments."*

*Daryl Yerton, Planning Board member, asked if the 15 parking spaces are adequate.*

*Courtney McNair, answered, "Yes, the maximum capacity is 25 people so 15 spaces are adequate."*

*No Public Comments. Public Comments Closed.*

*Robert Daugherty made a motion to approve the **Sassafras Springs Vineyard (SSV) CUP** subject to staff recommendations Daryl Yerton seconded. Walter Jennings was not present. Board Members Randy Laney, Chuck Browning, Daryl Yerton, Robert Daugherty, Cheryl West, and Kenley Haley were in favor of approving. Motion passed.*

## **5. Other Business**

- Discussion of Current Development.
- Reminder of upcoming regular Planning Board meetings **October 3 (cancelled)** and **November 7, 2013.**
- Update on digital devices for Board
- Any other Planning Department or Planning Board business.

## **6. Old Business**

## **7. Adjourn**

*Chuck Browning moved to adjourn. Robert Daugherty 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