

**MINUTES  
WASHINGTON COUNTY PLANNING BOARD  
&  
ZONING BOARD OF ADJUSTMENTS**

**Apr 03, 2014**

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

DEVELOPMENTS REVIEWED:

*ACTION TAKEN:*

**LAND DEVELOPMENT HEARINGS**

Fayetteville Planning Area  
**a: Modern Mission LSD**

**Approved**

County  
**b: Stephens Minor Subdivision**

**Approved**

County  
**c: Billingslea Farms Subdivision Final Re-plat**

**Approved**

County  
**d: Sassafras Springs Vineyard Preliminary LSD**

**Approved**

Fayetteville Planning Area  
**e: Gulley Addition Final Subdivision (*Tabled At The Request of The Applicant*)**

**Tabled**

**CONDITIONAL USE PERMIT HEARINGS**

Fayetteville Planning Area  
**f: Blue Springs RV Park CUP (revised)**

**Approved**

**1. ROLL CALL:**

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

**2. APPROVAL OF MINUTES:** *Kenley Haley made a motion to approve the minutes of March 06, 2014. Robert Daugherty seconded. All board members present were in favor of approving. Motion passed.*

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

**4. NEW BUSINESS**

## **LAND DEVELOPMENT HEARINGS**

### **Fayetteville Planning Area**

#### **a. Modern Mission LSD**

##### ***Final Large Scale Development***

Location: Section 19, Township 17 North, Range 29 West

Owner: TCB Ventures LLC, Travis Fink

Applicant: Gray Rock, LLC, Dirk Thibodaux

Location Address: 3452 E. Joyce Blvd. Fayetteville, AR 72703

10.0 acres / Proposed Land Use: Commercial Laser Tag Park

Coordinates: Longitude: 94°6'39.734"W Latitude-36°7'24.879"N

**Project #: 2013-060 Planner: Courtney McNair e-mail at [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)**

**REQUEST:** The applicant is requesting Final Large Scale Development plat approval for the approved Outdoor Laser Tag CUP (project# 2011-011) and Modern Mission CUP (project# 2013-022) to add a large building for indoor laser tag play or tactical training. This project received Preliminary LSD approval May 2013.

**CURRENT ZONING:** Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre). Conditional Use Permits 2011-011 and 2013-022 were approved for this Outdoor Laser Tag Park.

**PLANNING AREA:** This project is located within the City of Fayetteville's planning area.

**QUORUM COURT DISTRICT:** 15, Butch Pond    **FIRE SERVICE AREA:** Goshen (Fayetteville also responds)    **SCHOOL DISTRICT:** Springdale

**INFRASTRUCTURE:** Water- Fayetteville    Electric-Ozarks Electric    Natural Gas- SourceGas  
Telephone- ATT    Cable- Cox

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

The owner of this property is TCB Ventures (Travis Fink). The applicant is Gray Rock Consulting, LLC (Dirk Thibodaux). This property is just outside of the Fayetteville City Limits off Joyce Blvd, within Fayetteville's planning area, on approximately 10 acres.

The applicant is requesting Final Large Scale Development (LSD) plan approval for the approved Outdoor Laser Tag CUP (project# 2011-011) and Modern Mission CUP (project# 2013-022). The Preliminary LSD was approved in May 2013. This LSD development includes gravel parking, fire lanes, screening, and an 11,972 sq ft building with a peaked roof height of 27' 6" for use as an indoor laser tag or tactical training facility (**see attached plans A-25-29**).

The player number is to stay at 10-30 and the hours of operation are not to change (generally no play past dark) as approved with CUP 2011-011. No additional lighting or noise is to be added. All conditions placed on project CUP 2011-011 and 2013-022 must be followed. (**See approval letters for CUP conditions and Preliminary LSD on page A-8-21**).

**This project has been constructed, and final inspections were conducted on 3.26.2014 for fire safety and planning conditions.**

**There have been no major issues with this project.**

**TECHNICAL CONCERNS:**

**Water/Plumbing/Fire Issues:**

Fayetteville Water: The applicant was allowed to use the hydrant located in the Joyce Cottages development instead of installing a new one. This was allowed because it was discovered that the waterline was public and not private as previously thought. The hydrant has adequate gpm fire flow. A gate in the fencing on the applicant's property has been installed, and signage indicating the location of the hydrant was added on site. Both the Washington County Fire Marshal and Fayetteville Fire Chief approved this alteration.

The architectural plans for the building layout must show exit lights, emergency lights, and fire extinguishers per fire code. In addition, per Arkansas Fire Code Table 1016.1 for an assembly building, travel distances to exterior exits shall be no more than 200 feet in length. **Staff inspected and found exit/emergency lights and extinguishers installed correctly.**

All interior follies shall be installed as shown on the submitted interior plan for the battlefield space **(A-5)**. Occupancy load (set by architect and approved by the Fire Marshal) signs are required for all public rooms including the battlefield space.

No cooking or food preparation is allowed in the concession stand area.

**Sewer/Septic/Decentralized Sewer:**

According to the Health Department, Modern Mission septic system is approved for operations.

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

Ozarks Electric: All work has been completed, no further comments.  
SourceGas, Cox Cable, and AT&T had no comment.

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

This property takes access off WC# 553, E. Joyce Blvd. Both entrances have been paved according to Road Department comments.

**Drainage:**

The Washington County Contract Engineer has no additional concerns with the drainage on this property.

**Environmental Concerns:**

No stormwater permit is required by Washington County, at this time. Must comply with all ADEQ (Arkansas Department of Environmental Quality) rules and regulations. [www.adeq.state.ar.us](http://www.adeq.state.ar.us)

**Signage/Lighting/Screening Concerns:**

No signage is allowed in the County Road right-of-way or utility easements. No additional outdoor lighting is proposed.

The screening installed along the eastern property line (extending at a minimum from North of the building –to the Northern edge of the fire lane, and along the parking area) and the landscaping along WC #553 was inspected and found to be adequate by Planning Staff.

The applicant must take care to leave the existing tree canopy along the eastern property side and along WC# 553 intact, and maintain the newly installed vegetative screening.

**City of Fayetteville Concerns:**

The City of Fayetteville submitted no comments.

**NEIGHBOR COMMENTS:**

It is not required to notify neighbors at the Final stage of the Large Scale Development process. 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.

<b>Important Information Checklist</b>			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			✓
Planning Issues/Engineering Issues		X	
Road Issues			✓
Fire Code Issues		X	
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:**

**Staff recommends Final Large Scale Development approval of Modern Mission Large Scale Development with the following conditions:**

1. Washington County Planning requires a statement at Final LSD that parking and building access are in compliance with general ADA standards.
2. No signage can be placed in the WC ROW or any easements.
3. The applicant must take care to leave the existing tree canopy along the eastern property side and along WC# 553 intact, and maintain the newly installed vegetative screening.
4. Fayetteville must inspect any proposed plumbing. Please contact the Building Safety Department at 575-8233.
5. All entrance drives and fire lane areas must support 75,000lbs in all weather conditions (compaction statement required).
6. All interior follies shall be installed as shown on the submitted interior plan for the battlefield space.
7. ~~Occupancy load (set by architect and approved by the Fire Marshal) signs are required for all public rooms including the battlefield space.~~ COMPLETED
8. No cooking or food preparation is allowed in the concession stand area.
9. No stormwater permit is required by Washington County, at this time. Must comply with all ADEQ (Arkansas Department of Environmental Quality) rules and regulations. [www.adeq.state.ar.us](http://www.adeq.state.ar.us)

**Standard Conditions:**

1. Conditions of approval for CUP projects 2011-011 and 2013-022, and Preliminary Large Scale Development 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.
4. 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 Planning Senior Planner, Courtney McNair, presented the staff report for the board members.

No Public comments. Public Comments Closed.

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

**County**

**b. Stephens Minor Subdivision**

***Preliminary and Final Replat Approval Request***

Location: Section 30, Township 16 North, Range 31 West

Owners: Larry Stephens

Applicant: Bates & Associates / Derrick Thomas

Location Address: No address on property. Directly west of 14232 Bethel Blacktop Rd.

Approximately 12.46 acres and 3 lots/ Proposed Land Use: Residential/Agricultural

Coordinates: Longitude: -94.30960645" W, Latitude: 36.03128556" N

**Project #: 2014-030 Planner: Juliet Richey e-mail at [jrichey@co.washington.ar.us](mailto:jrichey@co.washington.ar.us)**

**REQUEST:** Stephens Minor Subdivision is requesting Preliminary and Final Minor Subdivision Plat approval to create a 3 tract Minor Subdivision from one existing parcel. All lots are at least 1 acre in size: The subdivision proposes to split two additional tracts off an existing 12.46 acres. The resulting acreages would be:

- Tract A: 5.02 acres
- Tract B: 3.98 acres
- Tract C: 3.46 acres

**CURRENT ZONING:** Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The proposed project meets the current zoning requirements.

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

**QUORUM COURT DISTRICT:** District 7, Rick Cochran

**FIRE SERVICE AREA:** Prairie Grove FD- did not submit comments on this project, and Dennis Ledbetter, Washington County Fire Marshal does not review projects with four (4) lots or less.

**SCHOOL DISTRICT:** Farmington

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

**BACKGROUND/ PROJECT SYNOPSIS:**

**Stephens Minor Subdivision** is requesting Preliminary and Final Minor Subdivision Plat approval to create a 3 tract Minor Subdivision from one existing parcel. All lots are at least 1 acre in size: The subdivision proposes to split two additional tracts off an existing 12.46 acres. The resulting acreages would be:

- Tract A: 5.02 acres
- Tract B: 3.98 acres
- Tract C: 3.46 acres

None of the proposed tracts contain any existing structures.

This project is being processed as a Minor Subdivision due to the amount of past splits on the parent parcel.

Please note that the western portion of this parcel was previously split via an administrative split. It is still showing up as part of the same parcel because a new deed has not yet been filed for that parcel. The past split is not part of the proposed minor subdivision for your review.

**TECHNICAL CONCERNS:**

**Sewer/Septic**

Soil work to determine septic suitability and the ability to place a well on each lot should be evaluated and found to be sufficient prior to Final Plat.

**Electric/Phone/Gas**

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

**Ozark Electric Comments:** Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers.

**Water**

Washington Water Authority services this parcel. As per WWA, a water extension and upgrade may be necessary to service these lots. The owner should contact WWA for additional details. Wells are a permissible alternative as long as each lot can accommodate both a well and a septic system as per ADH regulations.

**Addressing**

An address must be assigned for each unaddressed lot once the house location is known.

**Environmental**

No stormwater permit will be required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

**Road**

This project accesses off Bethel Blacktop WC#62. Tract C has frontage onto this road. Tracts A and B are proposed to be accessed by a 30' access and utility easement.

An existing drive/culvert is located on lot Tract C.

**NEIGHBOR COMMENTS:**

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

One comment "in favor" of the development has been received at this time. 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		<b>x</b>	
Road Issues			<b>x</b>
Fire Code Issues			<b>x</b>
Utility Issues			<b>x</b>
Health Department Issues	<b>x</b>		
Other Important Issues			<b>x</b>
<b>General Plat Checklist</b>			
	Inadequate	Acceptable	Complete
General Information		<b>x</b>	
Existing Conditions			<b>x</b>
Proposed Improvements			<b>x</b>
Info to supplement plat			<b>x</b>

**STAFF RECOMMENDATION:**

**If the applicant submits adequate soil work showing that each lot can support a septic and well (prior to the meeting on Thursday), Staff will recommend the approval of Stephens Minor Subdivision with the following conditions:**

**Utility Conditions:**

1. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.
2. Ozark Electric Comments: Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers.

**Road Conditions:**

1. Any work done in the County road right-of-way will require a permit from the road department
2. If any driveway tile is needed, the road department will need to size. Please verify whether the existing tile on Tract C has been permitted by the Road Department.

**Environmental Conditions:**

1. No stormwater permit will be required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

**Standard Conditions:**

1. Pay neighbor notification mailing fees (\$63.04) within 30 days of project approval. Any extension must be approved by the Planning Office.
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. 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 Planning Director, Juliet Richey, presented the staff report for the board members.

No Public comments. Public Comments Closed.

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

**County**

**c. Billingslea Farms Subdivision Final Re-plat**

**Re-plat Minor Subdivision Approval Request**

Location: Section 17, Township 14 North, Range 31 West  
Owners: Charles & Alona Billingslea; Leona Billingslea Revocable Trust  
Applicant: Bill Jenkins of Jenkins Surveying  
Location Address: 15537 S. Hwy 265 West Fork, AR 72774  
Approximately 59.52 acres and 5 tracts (only 3 lots are changing)/ Proposed Land Use: Residential/Agricultural  
Coordinates: Longitude: 94° 17' 58.266" W, Latitude: 35° 53' 14.264" N  
Project #: 2014-024 Planner: Juliet Richey e-mail at [jrichey@co.washington.ar.us](mailto:jrichey@co.washington.ar.us)

**REQUEST:** Replat Billingslea Farms Subdivision is requesting Preliminary and Final Replat approval to create new boundaries for tracts 1, 2, and 4. The boundaries of existing Tract 3 and Tract 5 will remain unchanged. All lots are at least one acre in size. There are existing structures on Tracts 2 and 3.

**CURRENT ZONING:** Project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre). The proposed project meets the current zoning requirements.

**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:** Strickler VFD- did not submit comments on this project, and Dennis Ledbetter, Washington County Fire Marshal does not review projects with four (4) lots or less.

**SCHOOL DISTRICT:** West Fork

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

**BACKGROUND/ PROJECT SYNOPSIS:**

**Replat Billingslea Farms Subdivision** is requesting Preliminary and Final Replat approval to create new boundaries for tracts 1, 2, and 4. The boundaries of existing Tract 3 and Tract 5 will remain unchanged. All lots are at least one acre in size. There are existing structures on Tracts 2 and 3.

The acreages proposed are:

- Tract 1: 23.76 acres (Currently 45.22 acres)
- Tract 2: 11.73 acres (Currently 6.25 acres)
- Tract 3: 1.11 acres (unchanged)
- Tract 4: 15.99 acres (Newly proposed tract- proposed to be created from a portion of the current Tract 1)
- Tract 5: 6.93 acres (unchanged)

**TECHNICAL CONCERNS:**

**Sewer/Septic**

Due to the size of the lots ADH will not require soil work be submitted at this time.

**Electric/Phone/Gas**

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

**Ozark Electric Comments:** Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers.

**Water**

Washington Water Authority services this parcel. WWA had no additional comments.

**Addressing**

An address must be assigned for each unaddressed lot once the house location is known.

**Environmental**

No stormwater permit will be required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

**Road**

This parcel accesses off HWY 265.

**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 at this time.

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.

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

**STAFF RECOMMENDATION:**

Staff recommends the approval of Replat Billingslea Farms Subdivision with the following conditions:

**Utility Conditions:**

1. Generally, any damage or relocation of utilities will be at the expense of the owner/applicant.
2. Ozark Electric Comments: Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers.

**Road Conditions:**

1. Any work to be completed in the AHTD Right of Way requires a permit.
2. Sizes of all driveway and road tiles shall be stated on the plat.

**Environmental Conditions:**

1. No stormwater permit will be required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

**Standard Conditions:**

1. Add the following note to the plat: Lots that are over one-half acre in size will need to be addressed after the home location is known.
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. 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 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 **Billingslea Farms Subdivision Final Re-plat** subject to staff recommendations Walter Jennings seconded. Cheryl West, Chuck Browning, and Daryl Yerton were not present. Board Members Robert Daugherty, Randy Laney, Walter Jennings, and Kenley Haley were in favor of approving. Motion passed.*

**County**

**d. Sassafras Springs Vineyard Expansion Preliminary LSD**

***Preliminary Large Scale Development Approval Request***

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

Owner: Long Family Revocable Trust

Applicant: Gene and Cheryl Long

Architect: Harrison French, Alicia Wilgus / Engineer: Bates and Assoc, Geoff Bates

Location Address: 6461 E. Guy Terry Road

Approximately 15.03 acres / Proposed Land Use: Event Center and Winery Expansion

Coordinates: Longitude: -94.0675, Latitude: 36.1267

**Project #: 2014-025 Planner: Courtney McNair e-mail at [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)**

**REQUEST:** The applicant is requesting Preliminary Large Scale Development plan approval for the approved Sassafras Springs Vineyard Expansion CUP (CUP 2014-014) that includes: an additional deck to be added to the previously approved Winery (CUP 2013-120), remodel of an existing barn into an Event Center, construction of "chapel ruins" for an outdoor wedding venue, parking, and a septic system to service the proposed Event Center.

**CURRENT ZONING:** Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre). Conditional Use Permits 2013-120 and 2014-014 were approved for Sassafras Springs

Vineyard (and expansion).

**PLANNING AREA:** This project is located solely in the County.

**QUORUM COURT DISTRICT:** 15, Butch Pond    **FIRE SERVICE AREA:** Goshen (Fayetteville also responds)    **SCHOOL DISTRICT:** Fayetteville

**INFRASTRUCTURE:** **Water-** Fayetteville    **Electric-**Ozarks Electric    **Natural Gas-** SourceGas  
**Telephone-** ATT    **Cable-** Cox

**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 Preliminary Large Scale Development approval to allow the expansion of the Sassafras Springs Vineyard. The proposed expansion project includes an event center (remodeled existing barn), parking area and driveway, and associated septic system. An additional deck is proposed to be attached to the winery building. "Chapel Ruins" are proposed to be constructed as an outdoor wedding venue. The event center and winery will be connected with a paved walkway. The "Chapel Ruins" will be connected to the winery with a paved walkway. The Conditional Use Permit allowing this use expansion was approved in March 2014 (2014-014).

**Event Center "Stables at the Winery" (existing barn that is proposed to be renovated):**

Hours of operation for the event center will generally be 10:00 a.m. to 11:00 p.m. According to the applicant's CUP letter dated 2/20/2014, large events will be required to have a security person on premise for traffic control. The events will be catered. Occupancy for the Event Center will be approximately 200 patrons (the final number will be determined by an architect-this has been determined, but there is one small update and staff wants to confirm that the occupancy number will not change). The applicant has stated that all activities for the Event Center will be indoors with the exception of occasional tents if a larger event is to be held. The fire marshal will be notified prior to this type of event.

The Event Center will also house an area for wine making; the Health Department has comments regarding this type of use. The applicant indicated that the Catering Kitchen will be changed to a Wine Manufacturing kitchen and plumbed separately to meet Health Department Regulations. Updated Architectural Plans must be submitted and approved **prior to construction**. There will be a small two-acre vineyard located behind the center.

**Winery (existing building previously approved with CUP#2013-120):**

The applicant has stated that the additional deck will not increase the total number of patrons to the winery (the previously approved CUP allowed for approximately 25 patrons with occasional larger groups up to 100 patrons). The letter states that the proposed deck will allow for a private space for groups.

**Chapel Ruins (faux ruins proposed to be constructed on an existing foundation between the winery and proposed events center):**

The "Chapel Ruins" proposed for the outdoor wedding venue will have no utilities or facilities, is open air, and accessible via a paved walkway from the winery building.

**General:**

(Please see attached site plans D-33).

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 and any additional conditions for the proposed event center/wine making area. 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 correspondence and permits issued to them by the ABC Board.

If this project receives Preliminary Large Scale Development approval, it must proceed through the Final Large Scale Development (LSD) process once construction is complete.

The project should be developed as stated in the applicant's CUP letter (**D-11-13**) with additional conditions proposed by staff. All conditions approved with projects 2013-120 and 2014-014 shall apply to this project as well (**D-14-20**).

### **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. The existing hydrant has adequate gpm fire flow (1093 gpm)

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. Must all 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). **The engineer must show which drives are fire lane. This must be updated on the plans at Final LSD and approved by the Fire Marshal.**

A "warming only" kitchen is proposed. The building must meet Arkansas State Fire Code. Exit lights/emergency lights and fire extinguishers are required. **Architectural plans were submitted and approved. The occupancy (determined by the architect) must be posted for the Event Center.** The applicant must comply with any Health Safety/Fire Code recommendations made by the Architect. **Updated plans must be submitted, approved by the Washington County Fire Marshal, and all architectural plans must be stamped and signed by a licensed architect, prior to construction.**

The Fire Marshal will inspect all improvements prior to the building being occupied.

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

The event center will utilize an individual septic system. Soils work has been completed, and is under review with the Health Department. 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 long as all events are catered, the Health Department will not require a Retail Food Service Permit. The Health Department does not have any concerns with the deck expansion.

Picnic tables have been placed along the creek. Staff is waiting to hear from the Health Department if this addition could impact the septic system at the Winery Building or the Event Center. Staff will update you at the meeting.

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

The utility companies servicing this property were contacted, no comments were received. On the previously approved project, 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. Two new driveways are being proposed. The tiles for these drives must be sized by the Road Department. Any work to be completed in the County ROW requires a permit from the Road Department.

**It appears that a portion of the driveway (west) is located on the neighboring property. An easement will be required, or the driveway will need to be realigned to be entirely on the subject property.**

As previously discussed, using the square footage of the "assembly use", staff calculated that 87 parking spaces (with 4 of those handicap parking) will be required. Only 67 are shown on the plans. This must be corrected. The path from the parking to the Event Center must be ADA compliant.

Sight distance will need to be submitted for the new entrances. The drives must meet minimum County Code. **This must be submitted and approved prior to construction.**

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:**

Staff has received an updated Drainage Study, but has not received comment from the Washington County Engineer. **Staff will update you at the meeting.**

**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.

The applicant has proposed signage that will be no larger than 16 sq. ft. No additional signage is allowed to be placed. If the applicant chooses to use lighting for the sign, it must be indirectly lit.

The proposed dumpster must be fenced. This fencing (and the gate) shall be opaque material. Washington County Planning will inspect the fencing.

Staff is not recommending additional screening at this time. The barn exists and is rural in nature, the proposed parking is to be gravel, and the "Chapel Ruins" will not be visible from surrounding properties. Staff feels that these uses are not going to be out of context in a rural setting.

**Addressing Concerns:**

The 911 Address for the existing barn is 6295 E. Guy Terry Road. This address and the Winery address need to be shown on the plans.

**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).

**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. Staff will update you 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.

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

**STAFF RECOMMENDATION: Staff recommends approval of the proposed Sassafras Springs Vineyard Preliminary Large Scale Development with the following conditions:**

**Water/Plumbing/Fire Conditions:**

- 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.
- Must all follow Road Department conditions (20' paved apron required).
- A "warming only" kitchen is allowed for catering purposes.
- The "wine manufacturing" area must be on a separate septic system.
- The building must meet Arkansas State Fire Code.
- Exit lights/emergency lights and fire extinguishers are required.
- Restroom must be ADA compliant.
- The occupancy must be posted for the Event Center.
- The applicant must comply with any Health Safety/Fire Code recommendations made by the Architect.
- ~~All architectural plans must be updated and stamped and signed by a licensed architect, prior to construction.~~ **Staff will accept the previously submitted (signed) plans as no changes are being proposed.**
- The Fire Marshal will inspect all improvements prior to the building being occupied.
- ~~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). The engineer must show which drives are fire lane. This must be updated on the plans at Final LSD and approved by the Fire Marshal, prior to construction.~~ **-This has been reflected on the plans. Reviewed and adequate.**

**Septic Conditions:**

- 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. If additional Health Department permits are required, those must be obtained and submitted to Planning Staff prior to operation
5. ~~Picnic tables have been placed along the creek. Staff is waiting to hear from the Health Department if this addition could impact the septic system. Staff will update you at the meeting.~~ **Health Department has no concern.**
6. Planning Staff requires copies of all permits issued by other agencies.

**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.
2. The tiles for the proposed drives must be sized by the Road Department
3. No signage or parking is allowed within Washington County's road right-of-way (ROW).
4. The connection from the handicapped parking to the building entrance must be ADA compliant.
5. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
6. 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.
7. ~~Sight distance will need to be submitted for the new entrances. The drives must meet minimum County Code. This must be submitted and approved prior to construction.~~ **Submitted. Reviewed and adequate.**
8. ~~As previously discussed, using the square footage of the "assembly use", staff calculated that 87 parking spaces (with 4 of those handicap parking) will be required. Only 67 are shown on the plans. This must be corrected. This must be submitted and approved prior to construction.~~ **Submitted. Reviewed and adequate.**
9. The path from the parking to the Event Center must be ADA compliant.
10. ~~It appears that a portion of the driveway (west) is located on the neighboring property. An easement will be required, or the driveway will need to be realigned to be entirely on the subject property. This must be resolved prior to construction.~~ **The drive will be relocated to ensure it is entirely on the subject property; this is reflected on the LSD plans.**

**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. Proposed signage must be approximately 16 sq. ft. as stated in the applicant's letter.
3. No additional signage is allowed to be placed. If the applicant chooses to use lighting for the signs, all signage must be indirectly lit.
4. The proposed dumpster must be fenced. This fencing (and the gate) shall be opaque material. Washington County Planning will inspect the fencing. This is shown on the plans.
5. Signage cannot be placed in the County Right-of-Way.

**Additional and Standard Conditions:**

1. ~~Prior to construction, all updated site and building plans must be submitted to the Planning Office and approved. **Submitted. Reviewed and adequate.**~~
2. ~~All checklist items must be completed (see attached D-24-26). **Submitted. Reviewed and adequate.**~~
3. ~~All Tech Review comments must be addressed (see attached D-21-23). **Submitted. Reviewed and adequate.**~~
4. ~~Show the proposed deck addition. **Submitted. Reviewed and adequate.**~~
5. The events will be catered only.
6. Occupancy for the Event Center will be 201 patrons (the final occupant load must be posted) as set by the architect.
7. The applicant has stated that all activities for the Event Center will be indoors with the exception of occasional tents if a larger event is to be held. The Fire Marshal shall be notified prior to this type of event.
8. ~~Plans need to indicate if the sheds are to be removed. **Submitted. Reviewed and adequate.**~~
9. ~~Addresses for both buildings must be shown on the plans. **Submitted. Reviewed and adequate.**~~
10. ~~The applicant indicated that the Catering Kitchen will be changed to a Wine Manufacturing kitchen and plumbed separately to meet Health Department Regulations. Updated Architectural Plans must be submitted and approved prior to construction. **The applicant has stated that this is not going to be changed.**~~
11. The "Chapel Ruins" proposed for the outdoor wedding venue will have no utilities or facilities, is open air, and accessible via a paved walkway from the winery building.
12. 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.
13. Pay mailing fees of \$37.35 (an invoice was emailed to the applicant on 3/28/14).
14. **Final LSD:** A statement from the 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.
15. The applicant must comply with the Alcohol Beverage Control board and submit copies of all permits issued by the ABC for this project.
16. The development must be generally as stated in the applicant's letter. It is understood that there may be slight variations.
17. Amplified music is limited to indoors.
18. Hours of operation must be generally as stated (10:00 a.m. to 11:00 p.m).
19. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
20. **It is the applicant's responsibility to contact the Planning Office when inspections are needed.**
21. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance

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

*No Public comments. Public Comments Closed.*

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

**Fayetteville Planning Area (TABLED AT REQUEST OF THE APPLICANT)**

**e. Gulley Addition Final Subdivision**

***Final Subdivision Approval Request***

Location: Section 32, Township 17 North, Range 29 West

Owner/Applicant: JRJC, LLC/Jay McLelland

Location Address: no location address

4.77 acres/ 4 lots

Proposed Land Use: Single Family Residential

Approximate Coordinates: Longitude: -94.088381 Latitude: 36.105795

Project #: 2014-029, Planner: Courtney McNair email [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)

### CONDITIONAL USE PERMIT HEARING

#### County

#### **f. Blue Springs RV Park CUP (revised)**

#### *Conditional Use Permit Approval Request*

Location: Section 6, Township 17 North, Range 28 West

Owners: Capstone Builders INC

Applicant: Capstone Builders, Norm Ditch

Engineer: Crafton Tull and Asso, Jonathan Ely, P.E.

Location Address: 20608 Blue Springs Road, Springdale, AR 72764

Approximately 31.91 acres (total, 26.88 for RV Park) / Proposed Land Use: Commercial RV Park

Coordinates: Longitude: 94° 0' 9.36" W Latitude: 36° 10' 16.78" N

Project #: 2014-028 Planner: Courtney McNair e-mail at [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)

**REQUEST:** Conditional Use Permit approval to allow the use of an RV Park on approximately 31.91 acres (there is a discrepancy between the acreage recorded by the Assessor's Office and the survey-but it will not affect this application, however, the applicant has been advised to have this corrected.) Approximately 5.0 acres is to be split off for personal use by the applicant, leaving 26.88 acres for the proposed RV Park.

**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 13 Joe Patterson

**FIRE SERVICE AREA:** Nob Hill

**SCHOOL DISTRICT:** Springdale

**INFRASTRUCTURE:** Water- Springdale    Electric-Ozarks Electric    Natural Gas- N/A    Telephone- ATT    Cable- N/A

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

This project previously received Conditional Use Permit (CUP) approval (2012-113). The proposed layout and phasing has significantly changed, so the applicant is required to ask for a new CUP to proceed with this proposal.

The owner and applicant for this property is Capstone Builders, Norm Ditch. The engineer for this project is Crafton Tull and Associates, Jonathan Ely. This property is located on Blue Springs Road (WC # 70) off of Hwy. 412 East. This site was used illegally in the past as a red dirt mine by a previous owner. A majority of the site is undisturbed and wooded.

This CUP request is to allow the use of an RV Park on approximately 26.88 acres. This is proposed to be a phased development. The first phase will have approximately 53 RV spots, an office, laundry/exercise building, shower building, pool, kennel and dumpster. **(Please see applicant's F-5-11).** Phase 1A is proposed to have 10 RV Stalls or Park Homes **(the proposed Park Homes were not presented to Staff until this week and therefore need further investigation before staff can make a recommendation).** Phase 2 (proposed to be submitted within 5 years of Conditional Use Approval) will consist of an additional 66 RV stalls, an additional drive, and screening along the southern edge. Phase 1 must be completed under the standard time limits set out in Washington County Code.

A variety of stall sizes are proposed. Length of stay is proposed to be regulated to approximately 90 days, and will prohibit permanent residence. The RV Park would like to reserve the ability to allow employees of the facility to stay for longer amounts of time. Quiet hours are tentatively from 10:00 pm to 7:00 am.

There are several concerns with this project that have not been fully addressed and others that will be addressed in the Large Scale Development portion of this project if CUP approval is granted.

A lot split (to split 5 acres of the property, leaving 26.88 acres for the proposed RV Park) has been submitted to the Planning Office. Once processed, the applicant must file the survey with the Circuit Clerk.

***Additionally, more information is expected to be received from the applicant and other reviewing agencies prior to the Planning Board Meeting. Staff will update you at the meeting with any additional information or conditions.***

### **PHASING PLAN:**

#### **Phase I (to follow the standard expiration time limits)**

- This project requires additional review (Large Scale Development), and therefore, the applicant must submit for Preliminary LSD project review within 12 months of this CUP project's ratification.
- Once Preliminary LSD is approved, the applicant has one year to commence construction.
- Once construction is commenced, the applicant has 3 years to complete construction and complete Final LSD project review (Final LSD must be completed within the three year limit).

According to the plans, phase 1 includes,

- Main entrance drive
- Three of the proposed driveways (fire lanes)
- Signage
- Possible gate (this will be discussed at LSD)
- Detention Pond
- Office
- Laundry/Exercise
- Shower Building
- Dumpster with proper enclosures
- Kennel
- Septic system
- Approximately 53 RV stalls
- Screening **(Staff requires more information about the screening plan for Phase 1 prior to CUP approval)**

In addition, all Water, Fire, Septic, Utility, Road, Drainage, Environmental, Signage, Lighting, and general Planning conditions must be completed in Phase 1 unless specifically listed as a Phase 2 requirement in the following report. All Phase 2 items will be reviewed at Phase 2 LSD, and all conditions approved with this CUP and Phase 1 will also apply to Phase 2 with possible additions.

#### **Phase 1A (No timeline was proposed by the developer. This must be clarified prior to CUP approval):**

- One proposed driveways (fire lane)
- Approximately 10 RV stalls or Park Homes **(the proposed Park Homes were not reviewed at Tech Review and need further investigation before staff can make a recommendation).**

#### **Phase 2 (Preliminary LSD must be submitted within 5 years of this CUP's ratification, then it must**

**follow the standard expiration time limits)**

- Once Preliminary LSD is approved, the applicant has one year to commence construction.
- Once construction is commenced, the applicant has 3 years to complete construction and complete Final LSD project review (Final LSD must be completed within the three year limit).

According to the plans, phase 2 includes,

- Three additional driveways (fire lanes)
- Approximately 66 additional RV stalls
- Screening (**the appropriate height and width will be determined at LSD since this portion of the property is inaccessible at this time**).

All Phase 2 items will be reviewed at Phase 2 LSD, and all conditions approved with this CUP and Phase 1 will also apply to Phase 2 with possible additions.

**TECHNICAL CONCERNS:**

**Water/Plumbing/Fire Issues:**

Springdale Water Utility services this area. There is an existing 3-inch water line along Blue Springs Road. The applicant plans to upgrade this to a 6-inch line.

The Washington County Fire Marshal is requiring that a hydrant be placed at the entrance of the RV Park for firefighting; this hydrant must be shown on the plans. In order for Springdale Water to service this hydrant, they are requiring that a 6-inch water line be extended. The applicant is proposing to tap the required line for both the hydrant and water service. Springdale Water is also requiring an easement along the entire property front to accommodate future water line expansion. The applicant will work with Springdale Water to determine the best location for this new 6-inch line, but it should be approximately 5-feet outside of the County Right-of-Way.

Springdale Water has indicated that they should be able to supply water for Phase 1 of the development at the expected usage submitted by the applicant. However, they note that Springdale Water does not reserve capacity. So, additional capacity will be on a first-come, first-serve basis. **See additional comments received 3/18/2014 F-16).**

In addition, the Fire Marshal has several additional conditions for this project. The Washington County Fire Marshal will allow one entrance drive at a minimum of 26-feet wide. In addition, any proposed two-way streets must be a minimum of 26-feet wide. All one-way streets proposed must be a minimum of 20-feet wide. All turn radiuses must be a minimum of 28'feet to accommodate the Nob Hill Tanker Support Truck. This truck must be used to provide adequate fire flow to this project. All interior roads must be marked as fire lane and no parking on the streets is allowed at any time. All streets must support a minimum of 75,000lbs in all weather conditions and a compaction statement will be required once they are constructed.

All proposed buildings must meet fire code and be ADA compliant. A statement is required from the Engineer at Final Large Scale Development that the project is ADA compliant. Building layout plans must be submitted at Large Scale Development and the Fire Marshal must approve those plans. The Fire Marshal will also complete Final Inspections on the buildings once constructed and prior to occupation. It is the developer's responsibility to contact the Fire Marshal for these inspections. Buildings shown on the plan must be approximately the size proposed.

The applicant may opt for this to be a gated development. If a gate is used, all fire conditions, including but not limited to, a knox box and a siren activated gate with manual override available, must be coordinated with Washington County Fire Marshal and Nob Hill Fire Chief at LSD.

Any additional fire conditions that are discussed between the time of this report and the Planning Board Meeting will be provided at the meeting. **Staff anticipates comments regarding the proposed Park**

## Homes.

### 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 from the Arkansas Department of Health Engineering Division.

### Electric/Gas/Cable/Phone:

AT&T did not comment on this project.

Ozarks Electric commented that Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers. Detailed electrical load information will need to be provided to Ozarks and a 15' utility easement for underground power or 30' utility easement for overhead power is needed to serve this project. Please contact us to establish point of service, transformer location, and easement needed. Developer will also need to contact our system engineer (Justin Northcutt jnorthcutt@ozarksecc.com) or 479-684-4911 to determine transformer size, type of metering to be used, and cost to the developer.

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant. There is no gas or cable service to this property.

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

This property has access off of Blue Springs Road (WC # 70). Blue Springs Road is paved and therefore, any entrance to this proposed project is required to be paved a minimum of 20-feet in depth where it connects to the County Road. The Road Department requires 30'feet of Right-of-way from the centerline of Blue Springs Road to be dedicated along the entire property frontage.

Sight distance at driveway was calculated based on a 35mph speed limit. **Staff is waiting for review by the Road Department to determine if this is adequate. Staff will update you at the meeting.** Sight distance must meet minimum County standards at LSD. It is understood that the entrance drives may need to be slightly altered to accommodate proper sight distance.

Additionally, the Road Department has stated that the developer must widen both sides of County Road 70 (Blue Springs) from the edge of the Highway 412 right-of-way (approximately 150 feet north of the project property) to the southern edge of the property line. **The developer is not in agreement with this condition. Staff has instructed the developer to contact Shawn Shrum, the Assistant Road Superintendent to discuss. Staff will update you at the meeting.**

Any work to be completed in the County ROW must be permitted by the Washington County Road department prior to construction. Any driveway tile must be sized by the Road Department.

### Drainage:

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).

Beaver Water District provided comments for this project initially (on project 2012-113). **(Please see attached letter, F-14-15).** Beaver Water District would like to work with the developer during the LSD project as this project is located in their "Source Water Protection Area".

### Signage/Lighting/Screening Concerns:

As no proposed signage dimensions were submitted, staff will make recommendation that the signage be

limited to approximately 36 sq ft of signage at an approximate height of no more than 8-feet. 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 should use up lighting and not be lit from within.

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, F-41**).

The Nob Hill Fire Department has also requested that lights not be placed directly on the interior road corners so that there will be less chance one is damaged in case of a fire emergency.

**The applicant has stated that they intend to provide screening along Blue Springs Road for Phase 1. They propose a berm with vegetation. Currently, this is not shown on the plans and staff does not feel with the currently proposed design that there is adequate room allowed for the proposed screening. There is an existing berm within the County ROW, but staff will require the proposed berm to be located on the project site (not within the ROW). The plan currently shows a 15' Utility Easement outside of the County ROW. Staff feels that the project should be set back (at a minimum) an additional 10 feet and the proposed screening should be located in those 10 feet. Staff does not feel it is appropriate to propose a vegetated berm within a utility easement because it could be removed at any time by the utility company.**

**Staff also feels that a detailed screening plan (including proposed installation height of the berm and plant materials) needs to be submitted prior to CUP approval.**

**Staff recommends that the berm be a minimum of 4 feet in height and that vegetation be installed at approximately 4 feet in height upon planting, and must be made up of plants that will reach 6'-8' in height upon maturity.**

**A planting plan schematic (drawing showing types of vegetation and spacing) must be approved by the Planning Department prior to the installation of the vegetation.**

The below list contains examples of good screening varieties, however, the Planning Department will be glad to consider other species, as well.

Examples of good screening plant materials: large shrubs/ small trees

- Ilex cornuta - Chinese Holly
- Ilex latifolia - Lusterleaf Holly
- Ilex Vomitoria - Yaupon Holly
- Lonicera fragrantissima - Winter Honeysuckle
- Photinia x fraseri - Red tipped Fotinia
- Prunus laurocerasus - Cherry Laurel
- Pyracantha coccinia - Firethorn
- Syringe persica - Persian Lilac
- Viburnum rhytidophyllum - Leatherleaf Viburnum
- Cupressocyparis leylandii - Leyland Cypress
- Ilex attenuata 'Fosteri' - Fosteri Holly
- Ilex opaca - American Holly
- Ilex x 'Nellie R. Stevens' - Nelly R. Stevens Holly
- Thuja occidentalis - Eastern Arborvitae, White Cedar, American Arborvitae

The applicant has indicated an area of screening for Phase 2 of this project. Staff is in agreement with the general location for the screening. Full details must be submitted at Phase 2 LSD and the screening plan must be approved by Planning Staff. **If any additional screening area is necessary, staff reserves the right to make this a requirement of LSD.** Care shall be taken to leave much of the wooded area intact (this is also in line with the applicant's vision of creating a secluded environment for guests of this proposed RV Park).

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 single family residential and agricultural. This site has no existing structures, but has been used in the past as an illegal red dirt mine.

While an RV Park is not the same use as the surrounding area, staff does feel that with conditions and due to the “residential” nature, this project is compatible with the surrounding uses. The applicant is proposing for the RV Park to have a secluded feel and staff feels that this will help minimize the impact to neighboring properties as well.

**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 who had additional questions, but no concerns about the project.

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 Blue Springs RV Park Conditional Use Permit with the following conditions **if clarification/resolution is received on the issues detailed above:**

**Water/Plumbing/Fire Conditions:**

- 1. The Washington County Fire Marshal is requiring that a hydrant be placed at the entrance of the RV Park for firefighting; this hydrant must be shown on the plans. Nob Hill Fire Chief wants the hydrant to be placed on the north side of the proposed drive instead of the south.
- 2. In order for Springdale Water to service this hydrant, they are requiring that a 6-inch water line be extended.

3. Springdale Water is also requiring an easement along the entire property front to accommodate future water line expansion.
4. The applicant will work with Springdale Water to determine the best location for this new 6-inch line, but it should be approximately 5-feet outside of the County Right-of-Way.
5. Springdale Water has indicated that they should be able to supply water for Phase 1 of the development at the expected usage submitted by the applicant. However, they note that Springdale Water does not reserve capacity. So, additional capacity will be on a first-come, first-serve basis.
6. The Washington County Fire Marshal will allow one entrance drive at a minimum of 26-feet wide.
7. Any proposed two-way streets must be a minimum of 26-feet wide.
8. All one-way streets proposed must be a minimum of 20-feet wide.
9. All turn radiuses must be a minimum of 28-feet to accommodate the Nob Hill Tanker Support Truck. This truck must be used to provide adequate fire flow to this project.
10. All interior roads must be marked as fire lane and no parking on the streets is allowed at any time.
11. All streets must support a minimum of 75, 000lbs in all weather conditions and a compaction statement will be required once they are constructed.
12. All proposed buildings must meet fire code and be ADA compliant. A statement is required from the Engineer at Final LSD that the project is ADA compliant.
13. Building layout plans must be submitted at Large Scale Development and the Fire Marshal must approve those plans.
14. The Fire Marshal will also complete Final Inspections on the buildings once constructed and prior to occupation.
15. It is the developer's responsibility to contact the Fire Marshal for these inspections.
16. Buildings shown on the plan must be approximately the size proposed.
17. If a gate is used, all fire conditions, including but not limited to, a knox box, siren activated, manual override available, must be coordinated with Washington County Fire Marshal and Nob Hill Fire Chief at LSD.
- ~~18. Any additional fire conditions that are discussed between the time of this report and the Planning Board Meeting, will be provided at the meeting. Staff anticipates comments regarding the proposed Park Homes.~~

**Sewer/Septic/Decentralized Sewer Conditions:**

1. A detailed soils report and design will be completed at Preliminary LSD and any adjustments necessary will be made to accommodate the system.
2. The size of this system requires review from the Arkansas Department of Health Engineering Division.
3. 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. 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 Final LSD/Final Plat/operating. Any extensions must be approved by the Washington County Road Department Superintendent.
2. The Road Department requires 30'feet of Right-of-way from the centerline of Blue Springs Road to be dedicated along the entire property frontage.
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work.
4. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

5. Sight distance at driveway was calculated based on a 35mph speed limit. ~~Staff is waiting for review by the Road Department to determine if this is adequate. Staff will update you at the meeting.~~ Sight distance must meet minimum County standards at LSD. It is understood that the entrance drives may need to be slightly altered to accommodate proper sight distance. **The sight distance will need to be recalculated at 50mph.**
6. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
- ~~7. The Road Department has stated that the developer must widen both sides of County Road 70 (Blue Springs) from the edge of the Highway 412 right-of-way (approximately 150 feet to the north of the project property) to the southern edge of the property line. ~~The developer is not in agreement with this condition. Staff has instructed the developer to contact Shawn Shrum, the Assistant Road Superintendent to discuss. Staff will update you at the meeting. See next comment.~~~~
8. The Road Department has proposed a cost-share plan to the developer for the required road widening: Conditions for the cost-share proposal by road department to widen Blue Springs Road:
  1. Due to some previously scheduled improvements slated by the County Road Department for this stretch of Road, the Road Department has proposed a cost-share agreement to the developer for the required road widening. In order to take advantage of this cost-share proposal, the developer will need to agree to the Road Department's proposed timeline:
    1. The Road Department plans to resurface the road by this spring/summer-if the developer can comply with this timeline, the Road Department is willing to provide the labor if the developer provides the material.
    2. An agreement must be in place at the Preliminary Large Scale Development (LSD) phase. Preliminary LSD approval must be granted prior to construction.
  2. The developer must also agree to the Road Department's specifications for the material (see attached 4/3/14 email from Shawn Shrum to Courtney McNair):
    - Mr. Ditch (the developer) will supply the asphalt (asphalt must meet Washington County specifications) to widen Blue Springs Road from the point it narrows just off of Hwy 412 to the southernmost boundary of his property. The widening will be for both lanes of traffic.
    - Mr. Ditch (the developer) will set up an account with a Washington County approved asphalt supplier and will make arrangements to pay for the asphalt himself directly to the asphalt supplier.
    - Washington County will provide all labor and equipment to perform job.
    - Washington County will provide the trucks and will haul the asphalt.
    - Mr. Ditch (the developer) must follow Washington County's timeline for completion. At this time, Washington County has plans to overlay this road and the shoulders would have to be completed before the overlay. The overlay will most likely be scheduled for late Spring or early Summer of this year (2014).
    - The total tonnage for the shoulder widening of the specified area described above would not exceed 500 tons.
  3. If the developer cannot make the Road Department's timeline or specifications, this proposal is not valid and the developer will be responsible for the full cost of the road widening.

**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. Ozarks Electric commented that Relocation of existing OECC facilities or extension of new electrical lines to serve this project will be at full cost to the developers.
2. Detailed electrical load information will need to be provided to Ozarks and a 15' utility easement for underground power or 30' utility easement for overhead power is needed to serve this project
3. Contact OECC to establish point of service, transformer location, and easement needed.
4. Developer will also need to contact OECC system engineer (Justin Northcutt [jnorthcutt@ozarksecc.com](mailto:jnorthcutt@ozarksecc.com)) or 479-684-4911 to determine transformer size, type of metering to be used, and cost to the developer.
5. Any damage or relocation of utilities will be at the expense of the owner/applicant.
6. Field located and verify the location of existing water facilities. Indicated the location of these facilities on the drawing and provide adequate easements acceptable to the Springdale Water Utilities.
7. The owner/developer shall responsibility for the cost of any required adjustments to the existing water facilities due to site grading or paving.
8. Please be advised that if requests for meter services larger than a 5/8-inch meter setter for irrigation or larger than a 1-inch meter setter for potable water will have to be approved in writing by the Engineering Director of Springdale Water Utilities. Appropriate request forms are available at Springdale Water Utilities Engineering Department.
9. Please be advised that all proposed water services shall be installed by Springdale Water Utilities at the owner/developers expense.
10. Records indicate a 3-inch water line along the east right-of-way of Blue Springs Road. Please field locate the water line and indicate the location on the plat. Provide adequate easements acceptable to the Springdale Water Utilities.
11. Provide potable flow requirements to determine if adequate pressure and volume exists to allow connection.
12. Fire flow testing indicates marginal flow results.

**Signage/Lighting/Screening Conditions:**

1. As no proposed signage dimensions were submitted, staff recommends that the signage be limited to approximately 36 sq ft of signage at an approximate height of no more than 8-feet. 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 should use up lighting and not be lit from within.
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. Lights should not be placed directly on the corners so that there will be less chance one is damaged in case of a fire emergency.
4. The applicant is proposing a berm with vegetation along Blue Springs Road for screening for Phase 1. Currently, this is not shown on the plans and staff does not feel with the currently proposed design that there is adequate room allowed for the proposed screening. There is an existing berm within the County ROW, but staff will require the proposed berm to be located on the project site (not within the ROW). The plan currently shows a 15' Utility Easement outside of the County ROW. Staff feels that the project should be set back (at a minimum) an additional 10 feet and the proposed screening should be located in those 10 feet. Staff does not feel it is

appropriate to propose a vegetated berm within a utility easement because it could be removed at any time by the utility company.

5. A detailed screening plan (including proposed installation height of the berm and plant materials) needs to be submitted prior to CUP approval. ~~THIS HAS NOT BEEN SUBMITTED.~~ The developer has agreed to accept staff recommendations.
6. Staff recommends that the berm be approximately 4 feet in height and that vegetation be installed at approximately 4 feet in height upon planting, and must be made up of plants that will reach 6'- 8' in height upon maturity. Openings in the berm (as approved by Staff) to allow for drainage, will be considered at the applicant's request.
7. A planting plan schematic (drawing showing types of vegetation and spacing) must be approved by the Planning Department prior to the installation of the vegetation.
8. Staff is in agreement with the general location for screening on Phase 2. Full details must be submitted at Phase 2 LSD and the screening plan must be approved by Planning Staff. If any additional screening area is necessary, staff reserves the right to make this a requirement of LSD. Care shall be taken to leave much of the wooded area intact.
9. A dumpster has been proposed and the fencing and gate around it must be opaque material. A gate is required for the dumpster area.
10. Signage cannot be placed in the County Right-of-Way.

**Standard/Phasing Conditions:**

1. Length of stay is regulated to a 90 day period with the condition that the guest must vacate the park for a minimum of 14 days prior to renewing their stay.
  - Active employees may be exempted from this rule and have a longer length of stay.
  - Inactive employees are not granted the same privilege and must adhere to the 90 day length of stay with a minimum vacation of 14 days prior to renewing their stay.
2. Quiet hours are tentatively from 10:00 pm to 7:00 am.
3. Pay neighbor notification mailing fees (\$29.05) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 3/28/14).
4. Engineering fees will be calculated at Large Scale Development.
5. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
6. This CUP must be ratified by the Quorum Court (Next regular meeting scheduled: April 17, 2014).
7. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
8. **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. (Phase 1)**
  - Following is the complete Phasing schedule that staff is recommending as a condition of this approval:

***Phase I (to follow the standard expiration time limits) (written phase plan needs to be updated)***

*This project requires additional review (Large Scale Development), and therefore, the applicant must submit for Preliminary LSD project review within 12 months of this CUP project's ratification. Once Preliminary LSD is approved, the applicant has one year to commence construction. Once construction is commenced, the applicant has 3 years to complete construction and complete Final LSD project review (Final LSD must be completed within the three year limit).*

*According to the plans (written phase plan needs to be updated), phase 1 includes,*

- Main entrance drive
- Three of the proposed driveways (fire lanes)
- Signage
- Possible gate (this will be discussed at LSD)
- Detention Pond
- Office
- Laundry/Exercise
- Shower Building
- Dumpster with proper enclosures
- Kennel
- Septic system
- Approximately 53 RV stalls
- Screening (The applicant has agreed to staff's recommendations on screening).

In addition, all Water, Fire, Septic, Utility, Road, Drainage, Environmental, Signage, Lighting, and general Planning conditions must be completed in Phase 1 unless specifically listed as a Phase 2 requirement in the following report. All Phase 2 items will be reviewed at Phase 2 LSD, and all conditions approved with this CUP and Phase 1 will also apply to Phase 2 with possible additions.

**Phase 1A (Applicant proposing that the Preliminary LSD be submitted within 3 years of this CUP's ratification, then it must follow standard time limits): (written phase plan needs to be updated)**

Once Preliminary LSD is approved, the applicant has one year to commence construction.

Once construction is commenced, the applicant has 3 years to complete construction and complete Final LSD project review (Final LSD must be completed within the three year limit).

- One proposed driveways (fire lane)
- ~~Approximately 10 RV stalls or Park Homes (the proposed Park Homes were not reviewed at Tech Review and need further investigation before staff can make a recommendation).~~

**Phase 2 (Preliminary LSD must be submitted within 5 years of this CUP's ratification, then it must follow the standard expiration time limits)**

Once Preliminary LSD is approved, the applicant has one year to commence construction.

Once construction is commenced, the applicant has 3 years to complete construction and complete Final LSD project review (Final LSD must be completed within the three year limit).

**According to the plans, phase 2 includes,**

- Three additional driveways (fire lanes)
- Approximately 66 additional RV stalls
- Screening (the appropriate height and width will be determined at LSD since this portion of the property is inaccessible at this time).

All Phase 2 items will be reviewed at Phase 2 LSD, and all conditions approved with this CUP and Phase 1 will also apply to Phase 2 with possible additions.

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

Kenley Haley, Planning Board member, asked if there will be permanent RVs.

*Courtney McNair, Senior Planner, replied "No permanent RVs requested at this time."*

*Kenley Haley, wanted to clarify that when you say there is a 90 day max stay, they will be leaving with their RV. Courtney McNair affirmed this.*

*Walter Jennings, Planning Board member, asked if the road south of Blue Springs will remain paved or does it switch to dirt.*

*Courtney McNair replied "it does remain paved and it narrows down even further at the bridge that goes across the lake."*

*Randy Laney, Planning Board Chair, asked if Ms. McNair has a drawing that shows planning's proposed screening. "Or we should see that at large scale development?"*

*Courtney McNair answered correct, "What staff is asking for is a written plan which is essentially what I laid out, a written screening plan. If they agreed to that staff would be comfortable recommending approval."*

*Randy Laney, asked if we would see a drawing at large scale development.*

*Courtney McNair replied, "yes, we would see a drawing at large scale development."*

*Public comments:*

*Jonathan Ely, Civil Engineer from Crafton Tull, stated that the compromise for the road improvements is good. The developer is in agreement with the compromised proposed by the road department for providing that material. There was a range time when the work might start, it was spring or summer, but I was wondering if it was possible to push that towards the end of that rotation.*

*Randy Laney asked Mr. Shrum, Washington County Assistant Road Superintendent, if he knows when that time line might be.*

*Shawn Shrum, Assistant Road Superintendent, stated that "it'll be part of the state aid letting. They a state aid letting, one will be in May and one will be in June. We're shooting for the May one which means that job will start a month after the letting. So you're looking at probably June. Then the state gives you a time line. You don't get it done in a certain amount of time the state penalizes you. That's what we're dealing with."*

*Norm Ditch, developer, stated "basically this whole hinges on finances; it's been the biggest hold up on it. When we bought this project originally we came in and did this before we bought the land. This road condition did not come up until last week. It came out as a surprise. Until we get our finances in place, which hopefully will be right around May, we have not issues with it. You know how the banks are. I'm walking a real tight line on rather if I can be take advantage of this offer or not. If I can't take advantage of it I wouldn't be able to do the project. It would be too cost expensive. We'll hope for the best."*

*Jonathan Ely, stated in regards to the landscape screening from looking at the detail designs, "the only hold up and reservation of defining what that screening would be is because we have not done the detail design for the grading, for the utilities, easement, dedication, we have not done all that fully utility coordination with Cox Communication. That may impact how tall, where, and what type of screening that might be. It may work out that it might be taller trees instead of a berm with 12ft trees. It may be better to plant 16ft tall trees. It might be a combination of things, we are just hopeful that we can push this to the Preliminary Large Scale review. At that point we will of have done more of that coordination and we will have more of those details worked out so that we can really line that out. Courtney was right, we do want this to be a screen for outside of it not only for the County but for privacy of the RV stalls. It's a big benefit for them to not be right on the road and seeing the road from where they're camped. We do want that to be a solid screen but what that is we are hoping we can work the details out at Preliminary Large Scale."*

Randy Laney noted that it appears that staff wants this as a minimum requirement, "if we can change it, for example if it's a 4 feet tall berm and a 6 feet tree or a 2 feet tall berm and an 8 feet tree. The county is generally flexible. We never heard anybody complain that we did not demonstrate flexibility. The concern is that there might be a minimum requirement that the exact details would show in the final plan."

Courtney McNair, replied "correct we do have a minimum height and width. My main concern is that I don't think there's room currently shown the plans. I don't think they left adequate to do a proper screen, whatever that proper screen combination winds up to be. It is too close the road."

Juliet Richey, Washington County Planning Director, stated "I'm not sure as far as what utilities you're looking at, you know what you need for water because they told you what kind of easement you need. Is your electric going to run down the right of way?"

Jonathan Ely replied, "We haven't done our full coordination with them yet. So we don't know for sure."

Juliet Richey replied, "The way our zoning works you have to plan some of this at Conditional Use Permit. I think we are willing to set some minimum parameters but up to this point, you guys haven't been willing to push anything back. I think we are more than happy to discuss some different scenarios but you have to be willing to push it back off the right-of-way and a minimum of 15'ft utility easement. If you think you need more than that you should plan to give yourself some extra leeway."

Jonathan Ely replied "That was part of it. We wanted to keep it as close to the road as we can without impacting the easements but still allowing for the screening. The further we push to the south the more it will increase the earth worth costs because we are pushing it into the ravine. It's kind of a balance of finding that sweet spot of where we balance the earth worth cost, we provided enough room for the screen, easement, and it's kind of all a fluctuation that really needs to be work out in the design stage. We are not disagreeable to screening heights if there is some flexibility. For example if those stalls on that end can get a little shorter to create a little room. I think are some things like that we might be able to work out in the plans. We were afraid there weren't going to be any flexibility in that plan."

Juliet Richey said "Correct me if I'm wrong Ms. McNair but the way I understand this is set up is what we ask for was a minimum of 15 feet easement out of the ROW and keeping of the stalls of 25 feet setback from the edge of the ROW, for the stalls."

Courtney McNair answered, "Yes, and specifically we had a 10 feet wide screening area."

Juliet Richey replied, "That is the kind of minimum width that it needs to be effective. If you are going to do any kind of berm at all."

Courtney McNair replied, "Or even layered vegetation."

Juliet Richey stated that 10 feet is that not much if you needed bigger than that to accommodate more utilities that is fine. "We don't want your RV stalls to be closer than 25 feet from the ROW cause that's the normal building setback. That would be a 15 feet easement plus a 10 feet landscape area. I think we set a minimum parameter. Are you asking to compromise on our minimum parameter?"

Jonathan Ely replied, "No, I think it was more that it was some flexibility. That it was a minimum parameter, we did not understand it as a minimum parameter. We thought it was a design that this is how it had to be. It sounds like perhaps there is some flexibility. I don't see an issue."

Norm Ditch replied, "We wanted a 100% screening. I don't want anyone seeing in, they don't want to see out. What I would like to see is for them to lay it out and have the all details and then work from there back. Rather than say here's what it is going to be and lock us into that not giving us any flexibility. We know what the parameters are. We are not going to be able to do anything until we come back in here again for approval. We're going to submit everything and at that time it'll be easy to address this issue. I

*think berm keeps coming up. The reason why berm keeps coming up is because of the tree line there. I was going to use that. Courtney told me that wasn't going to be allowed so that will probably be completely cut out and we might just use bushes. We're not going to use berms and trees; we're going to use trees and bushes. I will leave to the landscape architect to specify this type of tree will block everything out. I don't know what types of tree works. We realize we have to block that out and there has to be a certain distance."*

*Juliet Richey stated she believes that berming is visually effective as far as screening. "We're going to leave our recommendation for berms but if the Planning Board wants to take it out and let you have the flexibility to do just landscaping than that's fine. We would prefer to see a combination of berming and vegetation but I think we can be flexible about height if you want to discuss a shorter berm. To be clear, when we discussed this with you; it was my understanding that you guys were not interested in pushing it back to the minimum parameters from the ROW, that's been my impression. If that is not true, I apologize for any miscommunication. However my understanding was that you wanted to the ROW as part of your screening but staff is not interested in allowing that."*

*Jonathan Elly, replied, "We understand the ROW can be cleared at anytime."*

*Randy Laney stated, "Here is the issue for us. It's going to be difficultly for us to agree to a conditional use permit that says "we'll work something out". My inclination is to take staff's recommendation. Then when you produce your plans and you convince staff and the Planning Board that you're large scale development plan is appropriate, base on whatever you decide to do. At the LSD will be the time to address. I don't think we can put that in the CUP "we'll work something out". We put in our CUP the minimum requirements for the easement and recommendation for berms. If you come back with a plan that has a little different height of berm and landscape, that something we can address then."*

*Jonathan Ely, stated "we were just talking about that berm. Because of that berm in the ROW now if we build another berm behind it trying to get it drain, you might end up getting a swell between the two. I think it's something we can work out with our grading."*

*Norm Ditch replied that he liked to leave as many of the trees that are there.*

*Courtney McNair replied "that they can stay there but they are in the ROW. We are not requiring you to remove them. We cannot use them as screening."*

*Norm Ditch replied that we want to leave as many trees as we can but we don't want to create a water problem. "We agree to do whatever we have to do."*

*Juliet Richey noted that in the past "when we have berms for screening in projects, we have allowed people to leave gaps in berms for drainage. To convey for existing drainage and that's certainly open to amending this conditions to add things like that."*

*Randy Laney, stated "the general consensus of the board would be to approve with staff recommendation or table it , so that you guys can work further on these issues."*

*Courtney McNair asked if there is any language we can to the condition to make it more flexible. The conditions states minimum but would be fine with adding that this is an approximation, that this is our minimum parameter.*

*Kenley Haley stated that approximation is pretty loose. "It might cause potential problems."*

*Randy Laney added that they do not want to be mislead. "What I don't want to happen is that we make it too flexible and you spend all the money and you get stuck."*

*Courtney McNair stated that it does says minimum in the conditions as written.*

Norm Ditch said that the minimum is okay. "We just don't want to say that it has to be a berm, it has to be this bush, and this tree. Until we get the grading plan worked out, we can know what we have and we'll accommodate that and turn it in for approval and let the staff look at it at that time."

Kenley Haley stated that we need to state the minimum but we also need to specify something with recommendation with a berm and vegetation, a combination that was mentioned earlier. "It'll still give some flexibility; it's just saying a combination of both."

Courtney McNair read Conditions 6: "Staff recommends that the berm be a minimum of 4 feet in height and that vegetation be installed at approximately 4 feet in height upon planting, and must be made up of plants that will reach 6'- 8' in height upon maturity."

Randy Laney added if you can say that the berm was approximately 4 feet in height, you'll have flexibility on your berm.

Courtney McNair, responded, "Yes, instead of minimum we can say approximately 4 feet in height."

Juliet Richey added that it would also be good if we add in leaving gaps as approved to accommodate drainage.

Courtney McNair replied, "Gaps in the berms as approved by staff to allow for drainage will be allowed upon request."

Courtney McNair read the revised conditions, "Staff recommends that the berm be approximately 4 feet in height and that vegetation be installed at approximately 4 feet in height upon planting, and must be made up of plants that will reach approximately 6-8 feet in height upon maturity. Additional conditions: Gaps in the berms as approved by staff to allow for drainage will be considered at the applicant's request."

Juliet Richey stated since they are going to have a 4 feet berm and plants that are going to reach 6-8'ft in height upon maturity, and it's going to be a total of 10-12 feet of total screening. Maybe we can do some phrasing stating that berming and vegetation in combination to reach 10-12 feet upon maturity. I do not want to set it up where the berm can dwindle down to nothing.

Randy Laney said the revised conditions are fine as stated.

Randy Laney asked Mr. Ely if that is satisfactory?

Jonathan Ely answered "yes."

Kenley Haley asked, "If we got the minimum feet addressed and the road addressed? They're in the agreements?"

Randy Laney replied, "Yes, the only thing that we are modifying is the approximation of the berm size and the combination of vegetation."

Public Comments Closed.

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

## 5. Other Business

- Discussion of Current Development.
- Reminder of upcoming regular Planning Board meetings **May 1, 2014**, and **May 29, 2014**.

- Update on East Prairie Grove Tower CUP (if any update is available)
- Discussion of new Planning Department database software.
- Discussion of possible special meeting date to discuss code updates planned for the Communication Tower Ordinance.
  - June 5 or June 6 (lunch or afternoon meeting?)
- 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