

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

**Jan 08, 2015**

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

DEVELOPMENTS REVIEWED:

*ACTION TAKEN:*

**CONDITIONAL USE PERMIT HEARING**

County

**a: Cook's Rentals CUP**

**Approved**

**LAND DEVELOPMENT HEARING**

Fayetteville Planning Area

**b: Reindl Woods Subdivision**

**Tabled**

1. ROLL CALL:

*Roll call was taken. Members present include Robert Daugherty, Daryl Yerton, Chuck Browning, Cheryl West, Walter Jennings, and Kenley Haley. Randy Laney was not present. Robert Daugherty acted as chair in Randy Laney's absence.*

2. APPROVAL OF MINUTES: *Kenley Haley made a motion to approve the minutes of Nov 06, 2014 and Dec 11, 2014. Chuck Browning seconded. All board members were in favor of approving. Motion passed.*

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

4. NEW BUSINESS

**CONDITIONAL USE PERMIT HEARING**

County

**a. Cook's Rentals CUP**

***Conditional Use Permit Approval Request***

Location: Section 07, Township 15 North, Range 32 West

Owner: Jeff Cook

Applicant: Jeff Cook

Location Address: 10386 N. Jackson Hwy.

Approximately 1.57 / 2 units. Proposed Land Use: Single Family Residential

Coordinates: Latitude: 35.99502066, Longitude: -94.42766335

**Project #: 2014-294 Planner: Courtney McNair email: [CMcNair@co.washington.ar.us](mailto:CMcNair@co.washington.ar.us)**

**REQUEST:** Conditional Use Permit approval to allow a second residence to be placed on a parcel of land that is approximately 1.57 acres in size (density of 1.27 units/acre).

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

**PLANNING AREA:** This project is located solely within Washington County's jurisdiction.

**QUORUM COURT DISTRICT:** District 13, Ron Aman  
**SCHOOL DISTRICT:** Lincoln

**FIRE SERVICE AREA:** Lincoln

**INFRASTRUCTURE:** Water- Lincoln    Electric-Ozarks Electric    Natural Gas- NA    Telephone- PG  
Telco    Cable- NA

**BACKGROUND/ PROJECT SYNOPSIS:**

The owner of this property and the applicant for this project is Jeffery Cook. The property is located on the west side of the County, off N Jackson Hwy., WC #669.

**Cook's Rentals** is requesting Conditional Use Permit approval to allow a second residence be placed on a parcel that is 1.57 acres in size. There is an existing residence on site. The addition of a second residence will make the density 1.27 units per acre.

(To clarify, the mobile home shown on the site photos is the second residence that is proposed to be added. The applicant moved the structure on site in order to make repairs. He understands that he could be required to remove it if this CUP is not approved. He also understands that it cannot be occupied and no additional site work, such as installation of the septic system, may take place until a CUP is granted and ratified).

Please see the attached letter from the applicant and sketch plans for further information.

**The primary concerns with this project involved the septic system for the proposed residence and the existing residence. These concerns have been resolved.**

**TECHNICAL CONCERNS:**

**Water/Plumbing/Fire Issues:**

Lincoln water is available to service this property; however, the applicant has opted to provide a well for the proposed residence. The well is properly spaced away from both the existing and proposed septic systems.

The Lincoln Fire Department commented that the drive needs to be able to support emergency vehicles and that proper smoke detectors must be installed in the residence. Staff spoke with the Washington County Fire Marshal to get more detail on these comments.

While Arkansas State Fire Code does require drives to meet 75,000lbs compaction on driveways, due to the size/impact of this project, it is not under Washington County Fire Marshal jurisdiction, so the compaction rating will not be a condition.

According to the new AR State Fire Code, "907.2.11 Single and multiple station smoke alarms: Every new and existing dwelling, including one and two family dwelling...shall be provided with an approved, listed smoke alarm." **(see attached). This means the smoke detectors will need to be hardwire battery backup alarms.**

**Sewer/Septic/Decentralized Sewer:**

The septic system for the proposed residence has been designed and approved by the Health Department. The applicant also provided the septic permit for the existing residence.

The applicant is proposing to add a barrier (railroad ties) around the parking area so that the septic field is not compromised. No parking is allowed on any portion of the septic system (including the alternate area).

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

Ozarks Electric and PG Telco service this area. They had no comments. Generally, any relocation of

existing facilities will be at cost to the developer.

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

This property accesses N. Jackson Hwy., WC 669. The applicant is proposing to use the existing entrance drive to connect to N. Jackson Hwy. Staff conducted a site visit and has no concerns about sight visibility at this location.

**Drainage:**

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

**Environmental Concerns:**

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

**Signage/Lighting/Screening Concerns:**

The proposed residence meets Washington County setbacks. Residences in the surrounding area are similar in appearance. The nearest residence is approximately 365' away from the proposed residence and sits at a higher elevation. Staff does not feel that screening is necessary as the elevation would negate most of the effect.

**COMPATIBILITY CONCERNS:**

**Surrounding Density/Uses:**

Adjacent densities range from 1 unit/18.4 acres to 1 unit/34.7 acres (excluding agricultural properties with no residences).

Within approximately 1/2 mile, the surrounding densities range from 1 unit/ 2.9 acres to 1 unit/50.5 acres (excluding agricultural properties with no residences).

The applicant is requesting 1.27 units/acre.

While the densities in the surrounding area are less than the proposed, staff feels that this additional residence will not be incompatible with the surrounding area. Only one residence is being added to the property, making the total two residences.

The driveway will be shared with an existing residence. The septic system has been approved, and there is a well to serve the proposed residence. Staff feels one additional residence will have a low impact on the surrounding properties.

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

According to the County's Land Use Plan,

**SECTION III. PHYSICAL DEVELOPMENT**

**A. LAND USE CONSIDERATIONS**

**1. RESIDENTIAL**

- a. To provide for development of residential areas at appropriate densities. **While the density is higher than that of surrounding properties, staff feels it is not out of character for the area.**
- b. Update, administer and enforce subdivision regulations; and develop, adopt, and enforce zoning and related regulations and codes;

- c. Require development to be connected to utilities and utilize zoning as a means to guide the progression of development; **Utilities are available.**
- d. Protect the character and integrity, and property values, of single-family, residential areas; **Staff feels that one additional residence will be compatible with the character of the surrounding area.**
- e. Protect residential neighborhoods from inappropriate non-residential influences through the use of regulatory controls; **the proposed use is a residential use.**
- f. Ensure land use and development patterns which provide for the most efficient and effective use of available utilities and services, including fire protection; and, **utilities are available in this area; fire protection is available and adequate.**
- g. Maintain an adequate county road plan and standards to guide and accommodate traffic movement; to develop differing categories of roads; and to protect rights-of-ways for planned, future roads. **The Washington County Road Department voiced no concerns.**

**Future Land Use Plan**

There is no future land use designation in this area of Washington County.

**SITE VISIT:**

A site visit was conducted on December 22, 2014. Staff saw nothing of concern during that visit.

**NEIGHBOR COMMENTS/CONCERNS:**

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

At this time, no neighbors have contacted Staff with concerns.

Staff will update the Planning Board at the January 8<sup>th</sup> Planning Board meeting if any comments are received.

**STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Cook's Rentals Conditional Use Permit with the following conditions:**

**Planning Conditions:**

- 1. Must use existing driveway, cannot use the private drive to the north as primary access.
- 2. Must mark septic system location on the site in order to insure that no one damages the area by driving or parking on the system.

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

- 1. The proposed septic system must be installed and then inspected and approved by the Washington County Health Department prior to the occupation of the residence.

**Screening Conditions:**

- 1. A vegetative screen must be planted along a portion of the south and east property line (as shown in attached sketch).
- 2. Vegetative screen must be approximately 4' in height upon planting, and must be made up of plants that will reach 6'- 8' in height upon maturity.
- 3. 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.
- 4. Additionally, this screening must be maintained. Any vegetation that dies or is removed for any reason must be replaced in a timely manner

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

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

**Environmental Conditions:**

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality.  
[www.adeg.state.ar.us](http://www.adeg.state.ar.us)

**Utility Conditions:**

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

**Lincoln Fire Department Conditions:**

1. Since it is a rental, the residence must have working smoke detectors. **The smoke detectors will need to be hardwire battery backup alarms.**

**Standard Conditions:**

1. Pay neighbor notification mailing fees (\$15.72) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 12/29/2014).
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. Lots that are over one-half acre in size will need to be addressed after the home location is known.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
  - a. This project does not require additional Planning Board review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

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

*Public comments:*

*Kenley Haley, Planning Board member, asked about the smoke detectors and who verifies that they are installed correctly.*

*Courtney McNair stated, "Yes, the Washington County Fire Marshall will ask the Lincoln Fire Chief to do it or he'll do it. We can list it as a condition of the approval that the smoke detectors have to be inspected.*

*Kenley Haley asked, "How many feet does the structure sit from the property line?"*

*Courtney McNair answered it's approximately 17-18 ft feet. 20 ft is the standard setback. It is not a requirement of the CUP.*

*Jeff Cook, property owner, stated, "The property is as was when the other property was bought. They bought it with the trailer in place. I had all the requirements except the CUP. If the fence was pulled back*

we would be 20 ft. From the south of the property there is a beautiful view. The neighbors would have to look at my property to see my view.

Daryl Yerton, Planning Board member, asked, "Is this is a rental property?"

Jeff Cook answered, "Yes".

Aaron Reynolds, neighbor near the project, stated "I do acknowledge Mr. Cook's statement. It was there when we bought it. This is our first house. We're just concerned about the change in zoning and density. The zoning was 1 unit per property when we moved in. We assumed that trailer was there for storage or repairs. We're not trying to be difficult to Mr. Cook. We want our privacy. We moved out there to get away from people. The vegetation does help but we're still concerned about the noise.

Walter Jennings, Planning Board member, asked if the fence is on the property line.

Courtney McNair replied, "No, the Reynolds' have a survey showing the fence slightly on Mr. Cook's side. But Mr. Cook's property doesn't have a survey so it's hard to tell. It is minimal, 2 or 3 feet."

Daryl Yerton asked, "What is the density?"

Courtney McNair replied it's approximately .80 of an acre per residence.

Kenley Haley asked if the septic has been approved.

Courtney McNair replied, "Yes."

Public Comments Closed.

Chuck Browning made a motion to approve the **Cook's Rental CUP** subject to staff recommendations Walter Jennings seconded. Randy Laney was not present. Board Members Chuck Browning, Walter Jennings, Robert Daugherty, Cheryl West and Kenley Haley were in favor of approving. Daryl Yerton was against. Motion passed.

## **LAND DEVELOPMENT HEARINGS**

### **Fayetteville Planning Area**

#### **b. Reindl Woods Subdivision**

##### ***Preliminary Plat Approval Request***

Location: Section 28, Township 17 North, Range 29 West

Owner: Reindl Woods, LLC

Applicant: Reindl Woods, LLC / Blew & Associates

Location Address: N Gulley Road

Approximately 44.09 / 13 lots (8 residential, 1 detention, 4 common area). Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.11991221, Longitude: -94.08576279

**Project #: 2014-293 Planner: Courtney McNair email: [CMcNair@co.washington.ar.us](mailto:CMcNair@co.washington.ar.us)**

**REQUEST:** The applicant is requesting Preliminary Subdivision approval of Reindl Woods Subdivision to create a subdivision with 13 lots (8 residential, 1 detention, and 4 community lots) on a parcel that is approximately 44.37 acres in size.

The subject property is located within Fayetteville's Planning Area.

**CURRENT ZONING:** Project lies within Washington County's Zoned area (Agricultural/Single-Family Residential 1 unit per acre). All residential lots are at least one acre in size and this proposal is in compliance with Washington County Zoning.

**PLANNING AREA:** This project is located within the City of Fayetteville's Planning Area. The Preliminary Plat for this project was approved by the City of Fayetteville on 12/08/14.

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

**FIRE SERVICE AREA:** **Goshen & Fayetteville-** no comments were received from either Fire Department. Washington County Fire Marshal's office reviewed the plans and provided comments.

**SCHOOL DISTRICT:** Fayetteville School District

**INFRASTRUCTURE:** **Water-** Fayetteville Water **Electric-** Ozarks Electric  
**Natural Gas-** SourceGas **Telephone-** AT&T **Cable-** Cox

**BACKGROUND/ PROJECT SYNOPSIS:**

The applicant for this project is Reindl Woods, LLC. The engineer is Blew and Associates.

This Subdivision proposes to create a subdivision with 13 lots (8 residential, 1 detention, and 4 community lots) on a parcel that is approximately 44.37 acres in size. The subject property is located within Fayetteville's Planning Area.

**The property is located within Fayetteville's Planning Area, just outside of the one-mile buffer. It is located east of Fayetteville's City Limits, off Gulley Road WC# 345. This project has processed through Fayetteville Planning for Preliminary Subdivision Approval on December 8, 2014.**

**The project includes parcel 001-15483-000 and 001-15531-002. It is currently a wooded lot with no existing structures.**

The main concern for this project involved the connection to Gulley Road. It is very narrow. Staff was concerned that there may not be enough space to fit the required road right of way (ROW) and the required utility easements. The applicant located an existing off site utility easement to allow for those connections. And thus, this concern has been resolved.

There was also some concern about the sight visibility at the proposed entrance. The engineer has provided calculations stating there is adequate line of sight. Staff is waiting for the County Engineer and County Road Department to provide any additional comments about these concerns as well.

Some minor plat corrections remain to be addressed.

**TECHNICAL CONCERNS:**

**Sewer/Septic & Public Utility**

Currently, Planning Staff has not received the required soil work for this project. According to the Health Department, "The subdivision on Gulley road would not require full subdivision review with the Arkansas Department of Health, however, it would be important to make sure that a large majority of the lots had an acceptable soil loading rate, because, alternate systems cannot be used as a uniformed plan of development. What that means is that all of the lots cannot have systems with alternate technology and that some of the lots are not large enough for surface discharge. "

Soil information must be submitted so that the Health Department can examine the results to see if the soils will support this proposal. **This information must be received prior to staff recommending for Preliminary Approval.**

**Electric/Phone/Gas**

This property is serviced by Ozarks Electric, Source Gas, AT&T, and Cox Communications. Generally any damage or relocation of utilities will be at cost to the developer.

**Ozarks Electric Comments:**

Ozarks Electric submitted general comments which are listed in full in the conditions section.

Additional Comments:

1. Ozarks has an existing Three Phase junction power pole and guy wire system in the proposed subdivision entrance that will need to be moved. This pole will require extensive redesign and restructuring which will be at the owner's expense. The cost would be approximately \$9000.00 to rework the overhead lines or \$60,000.00 to retire the overhead lines and replace it with underground line.
2. We will need a 25' UE connecting to Gulley Road and along the front of all lots-**The applicant located a General Utility Easement (Book 9, Page 4-Final Plat of Oakland Meadows) to make this connection.**
3. We will need (2) 4"conduits crossing the road between Lots 1&9 to Lots 7&8, 1&2 to Lot 6 and between Lots 2&3 to Lot 5.

AT&T: No comment was received from AT&T.

Cox Cable: is requesting all setbacks be utility easements and setbacks. This is now shown on the plat.

SourceGas:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Sourcegas does not currently have facilities in place to serve the subdivision. SourceGas will decide feasibility upon final approval of subdivision.
3. Please apply for service by contacting my office.
4. Will need to provide my office with specific load requirements for the equipment being installed in proposed buildings that would utilize natural gas.

**Water & Fire**

This property is serviced by Fayetteville Water. This project is subject to the latest design criteria of the City of Fayetteville.

The Washington County Fire Marshal's office reviewed the plat. This project is proposed to have a dead end road with a cul-de-sac turn around. Dead end roads cannot exceed 1,200 feet in length according to Washington County Code. The total length proposed is approximately 1,500 feet. In order to be in compliance with Washington County Code, the applicant is proposing a divided entrance for approximately 400 feet. Therefore the dead end length will be approximately 1,100 feet long and in compliance with Washington County Code.

The 26' and 20' roads must be marked with "No Parking" on both sides. The 28' road must be marked with "No Parking" on one side. These designations must be marked on the plats.

The GPM fire flow and hydrant spacing appears adequate. All curves must have a minimum 28 foot radius. All curbs must be "modified" type curbs.

The Fire Marshal would also like to see the plan for the mailbox pull off area on the detail portion of the plat. He would like to know if the mailboxes will be a "break-away" type.

**Addressing**

At Final Plat review, a note must be added per the Subdivision Checklist that lots over one-half acre will be addressed when the home location is known.

**Environmental**

No storm water permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. This project will need a Construction Stormwater for Large Sites permit from ADEQ.

[http://www.adeq.state.ar.us/water/branch\\_permits/general\\_permits/stormwater/default.htm](http://www.adeq.state.ar.us/water/branch_permits/general_permits/stormwater/default.htm)

**Fayetteville's Preliminary Plat Approval**

This project has received City of Fayetteville Preliminary Approval by the Planning Commission on 12/08/14.

All conditions of the City of Fayetteville's approval must be completed. **(Please see attached letter and conditions section for all of the City of Fayetteville conditions).**

### **Road**

This project accesses off WC 345, N. Gulley Road. One entrance is proposed. The applicant is proposing a divided entrance and cul-de-sac turn around. They opted to use the divided entrance in order to be in compliance with the Washington County Code that states the maximum dead end length may not exceed 1,200 feet in length. They are proposing to use one of the listed alternatives as the total road length is approximately 1,500 feet in length.

*"Sec. 11-90. - Street design criteria for land development.*

*(7) Permanent cul-de-sac: Streets with permanent cul-de-sacs shall not exceed twelve hundred (1,200) feet in length, measured to the outer edge of the turnaround, from the edge of the right-of-way of the existing county road which serves as access to the land development. All turnarounds shall have radii as follows:*

*a. Hard surface pavements: Surface radius with curb and gutter at forty-five (45) feet; without curb and gutter at fifty (50) feet. Right-of-way with curb and gutter shall be fifty (50) feet; without curb and gutter, sixty (60) feet.*

*b. Gravel surface: Driving surface radius shall be at fifty (50) feet with a sixty-foot right-of-way.*

*Alternative methods that may be used to conform to the cul-de-sac lengths, include but are not limited to:*

*(a) Divided entrances:*

*(b) Emergency access only roads, with or without gating; and/or*

*(c) Bonds or other adequate surety to insure future improvement of alternative access roads.*

*Such alternative methods shall be approved by the County Judge and the County Fire Marshal and such approval shall not be unreasonably or arbitrarily withheld."*

**Plat corrections have been submitted for review. Planning Staff is waiting to hear if the Road Department finds all corrections to be adequate. Staff will update the Board at the meeting if the Road Department is satisfied with the corrections.**

No trees are to be planted on the divided street portion. No trees can be planted in the ROW on the islands.

Soil analysis will be required to determine street sections. This has not been submitted yet. According to the latest submittal by the applicant, this has been completed and they are awaiting results.

### **Drainage**

The County Contract Engineer, Clay Grote, has reviewed the drainage report for this project. He had some concerns about the effects onto the property to the northeast, with the point discharge proposed on the "East Drainage" (as referred to in the Drainage Study). The pre-developed is shown to be sheet-flowing a large area. He asked the applicant to provide a more detailed study of the downstream condition, i.e., contours, water surface elevation, and possibly a drainage easement.

**Updated drainage information has been submitted. Staff is waiting to hear if the County Engineer finds these comments to be adequately addressed with the new submittal. Staff will update the Board at the meeting.**

**NEIGHBOR COMMENTS:**

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

At the time of this report, staff has received no comments. **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     |            | ✓          |          |
| Road Issues                            |            | ✓          |          |
| Fire Code Issues                       |            | ✓          |          |
| Utility Issues                         |            |            | ✓        |
| Health Department Issues               | ✓          |            |          |
| Other Important Issues                 |            | ✓          |          |
|  |            |            |          |
| <b>General Plat Checklist</b>          |            |            |          |
|  | Inadequate | Acceptable | Complete |
| General Information                    |            |            | ✓        |
| Existing Conditions                    |            |            | ✓        |
| Proposed Improvements                  |            | ✓          |          |
| Info to supplement plat                |            |            | ✓        |

Checklist items to be addressed:

**(9)All plats presented to the planning board and filed for record shall note the uses of adjacent property. The determination of said use shall be the responsibility of the developer. (sec. 13-1)**

**STAFF RECOMMENDATION: (if the soil work is submitted and found adequate)**

**Staff recommends approval of Reindl Woods Subdivision Preliminary Plat with the following conditions:**

**Septic Conditions:**

1. Currently, Planning Staff has not received the required soil work for this project.
2. According to the Health Department, "The subdivision on Gulley road would not require full subdivision review with the Arkansas Department of Health, however, it would be important to make sure that a large majority of the lots had an acceptable soil loading rate, because, alternate systems cannot be used as a uniformed plan of development. What that means is that all of the lots cannot have systems with alternate technology and that some of the lots are not large enough for surface discharge. "
3. Soil information must be submitted so that the Health Department can examine the results to see if the soils will support this proposal.

**This information must be received prior to staff recommending for Preliminary Approval.**

**Utility Conditions:**

1. Generally any damage or relocation of utilities will be at cost to the developer.

**Ozarks Electric:**

General:

1. Any relocation of existing facilities or extension of line that has to be built specifically to feed the subdivision will be at full cost to the developer.
2. All lot corners must be marked with lot numbers clearly written on the stakes before construction will begin.
3. If off site easements are needed for Ozarks to provide electricity to the development, easements must be obtained by developer and provided to Ozarks before the design will begin.
4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (3 – 4 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction. Other utilities will require more conduits at road crossing.) There must be minimum separation of 12 inches between conduits for electric and conduits for other utilities. This is NESC code 354.
5. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.
6. Subdivisions will be built on Policy 45 (Ozarks is responsible for up to 50% and the Developer is responsible for the remainder of the cost of construction) There will be extra charges to the Developer when extra time or materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
7. All back lot and side lot utility easements to be 20 feet except side lot utility easements to be used for street lights to be 10 feet. All front lot utility easements to be a minimum of 25 feet.
8. Developer must provide Ozarks Electric with a Digital copy (AutoCAD 2004) of the Final plat as well as a hard copy.
9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
10. Please contact me when construction begins on subdivision and again when construction is within three months of completion. Greg McGee at (479) 684-4634 or [gmcgee@ozarksecc.com](mailto:gmcgee@ozarksecc.com)

Additional:

1. Ozarks has an existing Three Phase junction power pole and guy wire system in the proposed subdivision entrance that will need to be moved. This pole will require extensive redesign and restructuring which will be at the owner's expense. The cost would be approximately \$9000.00 to rework the overhead lines or \$60,000.00 to retire the overhead lines and replace it with underground line.
2. We will need a 25' UE connecting to Gulley Road and along the front of all lots
3. We will need (2) 4" conduits crossing the road between Lots 1&9 to Lots 7&8, 1&2 to Lot 6 and between Lots 2&3 to Lot 5.

SourceGas:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Sourcegas does not currently have facilities in place to serve the subdivision. SourceGas will decide feasibility upon final approval of subdivision.
3. Please apply for service by contacting my office.
4. Will need to provide my office with specific load requirements for the equipment being installed in proposed buildings that would utilize natural gas.

Cox Cable:

1. All setbacks must be utility easements and setbacks. This is now shown on the plat.

City of Fayetteville Water:

1. This project is subject to the latest design criteria of the City of Fayetteville.

Environmental Conditions:

1. No storm water permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. This project will need a Construction Stormwater for Large Sites permit from ADEQ.  
[http://www.adeg.state.ar.us/water/branch\\_permits/general\\_permits/stormwater/default.htm](http://www.adeg.state.ar.us/water/branch_permits/general_permits/stormwater/default.htm)

**Washington County Road Department Conditions:**

1. Provide a better detail of where the ROW stops in the island areas. Label ALL ROW more clearly. **Staff is waiting to hear if the Road Department finds this adequate.**
2. No trees are to be planted on the divided street portion.
3. No trees can be planted in the ROW on the islands.
4. Soil analysis will be required to determine street sections. **This has not been submitted yet. Must be submitted for construction review.**

**Washington County Fire Marshal Conditions:**

1. Pull curb back on to site in order to allow for proper turn radius. (minimum 28')
2. Curbs must be "Modified" type curbs.
3. The 26' and 20' roads must be marked with "No Parking" on both sides. Mark on plats.
4. The 28' road must be marked with "No Parking" on one side. Mark on plats.
5. Show plan for the mailbox pull off area on the detail portion of the plat. Are the mailboxes a "break-away" type?

**Washington County Engineer Conditions:**

1. The applicant must provide a more detailed study of the downstream condition, i.e., contours, water surface elevation, and possibly a drainage easement to the property to the northeast effected by the "East Drainage" point discharge location.

**Updated information has been submitted. Staff is waiting to hear if the County Engineer finds these comments to be adequately addressed with the new submittal. Staff will update the Board at the meeting.**

**Addressing Conditions:**

1. At Final Plat review, a note must be added per the Subdivision Checklist that lots over one-half acre will be addressed when the home location is known.

**City of Fayetteville:**

1. Planning Commission determination of appropriate street connectivity. Staff recommends in favor of a cul-de-sac design as shown, finding that the development patterns to the west and north, and steep wooded slopes to the east make future street connections unlikely. Further, requiring long street extensions to the property lines would be difficult to justify given the small number of lots being proposed.
2. Planning Commission determination of a variance of Chapter 166.05(A)(3), which requires each lot to have frontage on a public street. Lot 11 is the detention pond lot and is located at the low point of the site at the northeast corner of the property and approximately 600 feet from the street. An access and drainage easement has been provided to allow water flow to the pond. Staff recommends in favor of a variance, given the use of the property and that is can't be developed.
3. The applicant shall dedicate 38.5 feet of the ROW for the future extension of N. gulley Road and 38.5 feet of ROW for the existing section of Gulley Road along the project frontage.
4. This development is subject to final approval by Washington County.
5. The applicant shall make the following revisions to the plat:
  - a. Show ROW dedication in the amount of 38.5 feet from centerline along Gulley road.
  - b. Remove the "security gate" note from the plats.
  - c. Revise note to read "POA to own and maintain all unbuildable/common areas, Lots 9-12. **Now Lots 9-13.**
  - d. Correct the spelling of Gulley Road.
  - e. Add a note to the plat that the project is more than one mile from the Fayetteville City limits.

Standard Conditions of approval:

6. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications).
7. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements.
8. Preliminary plat approval shall be valid for one calendar year.

**City of Fayetteville Staff Engineer Comments:**

Standard Comments

1. Street and storm drainage design requirements will be per Washington County requirements. City of Fayetteville Engineering Division will only be reviewing this subdivision for public water.
2. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.

Standard Construction Comments

1. The engineer of record shall provide "Full Time" inspection for utilities. The engineer of record shall also review and approve material submittals (approved submittals shall be submitted to the City for concurrence before material is ordered).
2. Weekly inspection reports should be submitted to the City of Fayetteville's public works inspector along with all applicable reporting forms from section 6200 of the water and sewer specifications.
3. All materials and performance testing results (drainage, roadway, geotechnical, water/sewer testing, compaction, density, compressive strength, etc.) should be submitted to the City of Fayetteville's public works inspector.
4. 2012 Standard Water & Sanitary Sewer Specifications & Details apply. (Document available at [www.accessfayetteville.org/government/engineering](http://www.accessfayetteville.org/government/engineering)).
5. Prior to **Project Acceptance** (Final Plat, Certificate of Occupancy, or Temporary Certificate of Occupancy) the following items must be performed or provided to the satisfaction of the Engineering Department:
  - a. The work shown on the civil site package must be complete and the items on the final punch list completed.
  - b. Vegetation must be established in accordance with Section 169.06 of the UDC and perimeter controls removed.
  - c. One (1) set of as-built drawings of the complete project (excluding details) as a hard copy and in Tiff or PDF format;
    - i. Public infrastructure and services shall be surveyed after installation in relation to easements, property lines, and ROWs.
      1. More than 2ft deviation of design alignment shall require new easement dedication or adjustment of the utility/storm drain
    - ii. Professional surveyor shall provide stamp drawings specifically identifying the limits of as-built survey performed.
  - d. Unit price construction costs for review and approval and a single 2 year maintenance bonds in the amount of 25% of the public improvements;
  - e. Certification that the streets, sidewalk, storm sewer, water, fire line, and sewer lines, etc., were installed per approved plans and City of Fayetteville requirements;
    - i. Provide all Inspection Reports; approved submittals; Data Forms from Utility Specifications (Including Consultants sewer TV report); compaction test results, etc...
    - ii.

**Planning Conditions:**

1. Correct all remaining Subdivision Checklist Items:
  - **(9)All plats presented to the planning board and filed for record shall note the uses of adjacent property. The determination of said use shall be the responsibility of the developer. (sec. 13-1)**

**Standard Conditions:**

1. Washington County will not maintain common areas or park areas.
2. Pay neighbor notification mailing fees (\$51.09) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 12.29.14).
3. Pay Engineering Fees within 30 days of project hearing. Any extension must be approved by the Planning Office. This will be calculated once all invoices are received.
4. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. The Road Department may be reached at (479) 444-1610.
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. Once all plat corrections have been completed, submit two corrected plats for review to the Planning Office prior to construction plan review.
7. Please contact the City and County to determine the next steps for each entity in the construction process.
8. If you receive Preliminary approval- construction plans must be approved, bond and insurance (Washington County must be named on the insurance) must be received by the Washington County Road Department and approved by the County Attorney prior to a pre-con meeting being set up.
9. If the City wishes to hold a pre-con meeting as well, the County would prefer that we have a joint pre-con meeting.
10. Absolutely no construction may begin until the pre-construction meeting is completed and the plans have been accepted by Washington County.
11. Preliminary Plat approval is valid for 12 months from the date of approval by the Planning Board. Construction Plans must be approved and construction commenced prior to that time or you will be required to bring your project back through Preliminary Plat.

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

*Public comments:*

*Kenley Haley, Planning Board Member, asked, "Is Gulley Road a County Road? Also, how many cars will be on the road? It seems like there has been a lot of development on Gulley Road."*

*Courtney McNair, Senior Planner, replied, "Yes, Gulley is a County Road. An 8 lot subdivision adds 80 trips per day."*

*Chuck Browning, Planning Board member, stated, "I travel that road. It'll be okay. They're going the other way."*

Juliet Richey, Planning Director, asked the engineer if they are using stopping sight distance. They are supposed to be using intersection sight distance. The required intersection sight distance is longer, 390 ft for 35 mph.

Juliet Richey asked Courtney McNair about the speed limit.

Courtney McNair replied, "It's 35 mph."

Juliet Richey asked about the sight distance.

Courtney McNair replied, "It's 257 ft as per the document provided by Blew."

Jorge Duquesne, Engineer from Blew & Associates, stated "That's our access point. We'll have to go back and look at how we are getting that sight distance. I'm not ready to answer if we can get it up to 390 ft. We'll see if we can talk to the neighbors to get the trees and vegetation trimmed.

Juliet Richey asked, "If most of the problem is vegetation? What about the elevation change?"

Jorge Duquesne answered, "There's not a lot of elevation change. We can get back with you guys and see what we can do to increase the sight distance."

Kenley Haley asked, "What does staff recommend?"

Juliet Richey advised tabling the project since it's a safety issue.

Public Comments Closed.

Cheryl West made a motion to table the **Reindl Woods Subdivision** Walter Jennings seconded. Randy Laney was not present. Board Members Chuck Browning, Walter Jennings, Daryl Yerton, Robert Daugherty, Cheryl West and Kenley Haley were in favor of approving. Motion passed.

## 5. Other Business

- Discussion of Current Development and Planning Department Activities.
- **Reminder: have Statement of Financial Interest turned in to the County Clerk by February 2, 2015.**
- Reminder of upcoming regular Planning Board meetings **February 5, 2015 and March 5, 2015.**
- Updates on various appeal projects:
  - East Prairie Grove Tower CUP (pending in Federal Appeals Court).
  - Baldwin Cell Tower CUP (QC appeal dates: January 20, 22, and 29, 6:00 pm, QC Room)
  - Rich Red Dirt Pit CUP (QC appeal dates: February 12, 19, and 24, 6:00pm, QC Room)
- Any other Planning Department or Planning Board business.

## 6. Old Business

## 7. Adjourn

Daryl Yerton moved to adjourn. Cheryl West 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