

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

June 04, 2015

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

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

LAND DEVELOPMENT HEARINGS

County

**a: Replat Lot 45 Tony Mountain Subdivision
(To be tabled at the request of the applicant)**

Tabled

County

b: Replat Pt. Tract C, Robinson Mountain Estates PRD

Approved

County

**c: Replat Tract 1 Sims Minor Subdivision
(To be tabled at the request of the applicant)**

Tabled

CONDITIONAL USE PERMIT HEARING

County

d: Mount Pleasant Church Expansion CUP

Approved

LAND DEVELOPMENT HEARINGS

Fayetteville Planning Area

**e: Fritchie Farms LSD
(To be tabled at the request of the applicant)**

Tabled

Fayetteville Planning Area

f: Elkhorn Springs Road Dirt Pit Expansion #2 LSD

Approved

CONDITIONAL USE PERMIT HEARING

County

**g: Summers Missionary Baptist Church CUP Youth Center/Gymnasium
(To be tabled due to lack of resubmittal)**

Tabled

LAND DEVELOPMENT HEARINGS

County

**h: Summers Missionary Baptist Church LSD Youth Center/Gymnasium
(To be tabled due to lack of resubmittal)**

Tabled

1. ROLL CALL:

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

2. APPROVAL OF MINUTES: No minutes were approved at this meeting.

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

4. NEW BUSINESS

LAND DEVELOPMENT HEARINGS

County

a. Replat Lot 45 Tony Mountain Subdivision (To be tabled at the request of the applicant)

Preliminary and Final Replat Approval Request

Location: Section 24, Township 15 North, Range 31 West

Owners: Floyd & Muriel Anderson, c/o John Anderson

Applicant: Blew & Associates

Location Address: across from 11462 Tony Mountain Road

Approximately 7.33 acres / 2 lots / Proposed Land Use: Agricultural

Coordinates: Latitude: 35.95779845, Longitude: -94.21703672

Project #: 2015-101 Planner: Nathan Crouch email: NCrouch@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda, thus tabling this project. Kenley Haley seconded. All board members present were in favor of approving. Motion passed.

County

b. Replat Pt. Tract C, Robinson Mountain Estates PRD

Preliminary and Final Replat Approval Request

Location: Section 01, Township 15 North, Range 30 West

Owner: Scott Bull

Applicant: Blew & Associates

Location Address: 11446 Mountain Springs Drive

Approximately 33.48 / 2 lots / Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.00923701, Longitude: -94.10912168

Project #: 2015-102 Planner: Courtney McNair email: CMcNair@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Subdivision Replat Approval of Pt. Tract C, Robinson Mountain Estates Subdivision and Private Road Development (PRD). The request is to adjust the lot line of 2 lots that are part of Tract C.

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

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

QUORUM COURT DISTRICT: District 14, Ann Harbison

FIRE SERVICE AREA: Round Mountain Rural VFD- had no concerns with providing emergency service to this location. Dennis Ledbetter, Washington County Fire Marshal does not review Minor Subdivisions (4 lots or less).

SCHOOL DISTRICT: Greenland

INFRASTRUCTURE: **Water**– Mt. Olive Water Association **Electric**- Ozarks Electric
Natural Gas– Source Gas **Telephone**- AT&T **Cable**- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The property owner is Scott Bull. The surveyor/applicant is Blew and Associates. The applicant is requesting to adjust the lot line of 2 lots that are part of Tract C. The total acreage is 33.48 acres.

In 2001, a lotsplit was approved administratively by Washington County, splitting Tract C into two lots. This approval was never filed with the Circuit Clerk, but is considered granted by our office because they did receive approval. The lotline adjustment request is to adjust the 2001 approved split.

Currently, the Assessor's office shows a portion of Tract C located across Mountain Springs Drive as a separate parcel (belonging to the previous owner). This is incorrect and in the process of being corrected.

Split approved in 2001 configuration:

- Tract 1, 19.48 acres (includes house and shop building)
- Tract 2, 14.0 acres (includes portion located across Mountain Springs Drive)

Proposed adjustment:

- Tract 1, 15.01 acres (includes house and shop building)
- Tract 2, 18.47 acres (includes portion located across Mountain Springs Drive)

Both Tracts have access/frontage on Mountain Springs Drive. Mountain Springs Drive is a private road.

TECHNICAL CONCERNS:

Sewer/Septic

Soil work has been submitted for Tract 2, and is adequate. When a septic system is desired for Tract 2, the septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the (future) residence(s).

The septic system for the house on Tract 1 has been inspected and found to be working properly.

There is a water holding tank located near the shop building.

Melissa Wonnacott-Center of the Arkansas Department of Health had no additional comments on this property division's septic.

Electric/Phone/Gas

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant. Ozarks Electric requested a 30' UE for the existing overhead power line and this is shown on the plans.

AT&T and Source Gas did not provide any comments for this project.

Water

Mt. Olive Water (MOW) Association services this area. There is an existing water line along Mountain Springs Drive. Tract 1 has an existing water tap, and Washington County Planning staff confirmed with MOW that a tap would be available for Tract 2 if they need one in the future.

Addressing

The address for Tract 1 is located in the notes section of the plat, 11446 Mountain Springs Drive. Tract 2 does not have any existing structures, and therefore, does not have an address assigned. Lots that are over one-half acre in size will need to be addressed after the home location is known.

Environmental

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

Road

Mountain Springs Drive is a Private Drive. The following note is listed on the plat as required by County Code: "Notice: this road is not constructed to the County standard. The maintenance of the road is the responsibility of the current and future property owners. The road will not be accepted for maintenance by the County until it is constructed to the County standard at the expense of the property owners."

The developer must purchase a "Private Road Disclosure Sign" and a Road Name sign (reflecting the name by DEM) from the Washington County Road Department. The cost will be \$150.00 and will include the signs, brackets for mounting, and pole (both signs will be on one pole).

There is an existing Road Name sign and a sign that states Private Drive, but this will need to be updated to reflect the current requirements.

SITE VISIT:

A site visit was conducted by planning staff. No additional concerns were noted at that time.

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 staff report, no comments have been received.

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

CHECKLIST:

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

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

CHECKLIST ITEMS:

(22) Building setback lines as fixed by the County, building lines and any setback lines established by public authority, and those stipulated in the deed restrictions and right-of-way lines. **Indicate that the encroachment is an old foundation, not a building. Note that a structure cannot be rebuilt in this location.**

Additionally, add standard County setback lines to the adjusted property line. None are currently shown along that line.

STAFF RECOMMENDATION:

Staff recommends Preliminary and Final Minor Subdivision approval of Replat Pt. Tract C, Robinson Mountain Estates Subdivision and Private Road Development with the following conditions:

Utility Conditions/Road Conditions:

1. When a septic system is desired for Tract 2, the septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the (future) residence(s).
2. Any damage or relocation of utilities will be at the expense of the owner/applicant.

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.adeq.state.ar.us

Road Conditions:

1. The developer must purchase a "Private Road Disclosure Sign" and a Road Name sign (reflecting the name by DEM) from the Washington County Road Department. The cost will be \$150.00 and will include the signs, brackets for mounting, and pole (both signs will be on one pole).
2. There is an existing Road Name sign and a sign that states Private Drive, but this will need to be updated to reflect the current requirements.

Checklist Items to be corrected:

- (22) Building setback lines as fixed by the County, building lines and any setback lines established by public authority, and those stipulated in the deed restrictions and right-of-way lines. Indicate that the encroachment is an old foundation, not a building. **Note that a structure cannot be rebuilt in this location. Additionally, add standard County setback lines to the adjusted property line. None are currently shown along that line.**

Standard Conditions:

1. Pay neighbor notification mailing fees (\$49.68) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 5/29/15).
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. Lots that are over one-half acre in size will need to be addressed after the home location is known.
5. All general plat checklist items must be corrected.
6. Once all plat corrections have been completed, submit corrected plat for review prior to obtaining signatures.
7. Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. *The Circuit Clerk is not accepting plats over 18" x 24" in size.*

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

No Public comments.

Public Comments Closed.

*Daryl Yerton made a motion to approve the **Replat Pt. Tract C, Robinson Mountain Estates PRD** subject to staff recommendations Chuck Browning seconded. Cheryl West and Walter Jennings was not*

present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, and Kenley Haley were in favor of approving. Motion passed.

County

c. Replat Tract 1 Sims Minor Subdivision (To be tabled at the request of the applicant)

Preliminary and Final Replat Approval Request

Location: Section 32, Township 16 North, Range 32 West

Owners: Melissa Sims

Applicant: Blew & Associates

Location Address: 13472 Bethel Blacktop Rd.

Approximately 32.05 acres / 4 lots / Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.02710992, Longitude: -94.29298779

Project #: 2015-100 Planner: Nathan Crouch email: Ncrouch@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda, thus tabling this project. Kenley Haley seconded. All board members present were in favor of approving. Motion passed.

CONDITIONAL USE PERMIT HEARINGS

County

d. Mount Pleasant Church Expansion CUP

Conditional Use Permit Approval Request

Location: Section 31, Township 14 North, Range 32 West

Applicant: Brett Crawford

Location Address: 19401 Skylight Mountain Road

Approximately 1.0 acres / Proposed Land Use: Church Expansion

Coordinates: Longitude: -94.42793963" W Latitude 35.85239668" N

Project #: 2014-105 Planner: Courtney McNair e-mail at cmcnair@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow the expansion of an existing church building on approximately 1.0 acres.

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

PLANNING AREA: This project is located solely within the County.

QUORUM COURT DISTRICT: District 13, Joel Maxwell

SCHOOL DISTRICT: Lincoln

FIRE SERVICE AREA: Morrow Rural VFD- Jeff Winningham, Fire Chief, submitted a statement that the Morrow FD can provide adequate fire protection for the proposed addition.

INFRASTRUCTURE: Water- Lincoln Electric-Ozarks Electric Natural Gas- N/A Telephone- Prairie Grove Telephone Cable- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is the Mount Pleasant Church, represented by Brett Crawford. The surveyor is Jenkins Surveying. The applicant wishes to add a fellowship hall (1500 sq ft) to the existing church building. The fellowship hall will be a single open room. No additional restrooms are proposed. The applicant has stated that this proposal will not increase attendance to the church. No additional signage or lighting is proposed.

A lot split is required to split one acre for the church property. This has been submitted and staff will process this administratively. The one acre site will include the existing church building, existing parking and driveways, and existing septic system. The proposed addition will also be placed within the one acre site.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

Lincoln Water services this area. The existing church is already connected to the system and no increase is expected due to this proposed addition.

The Washington County Fire Marshal reviewed this expansion and had comments regarding fire exits and accessibility. The applicant has made all requested corrections to the plans. Fire/emergency lighting is required over the new exits; the exit doors must be single-action and swing out. The applicant has provided a statement that the building will be under the monetary threshold for architectural plan requirements, and the Fire Marshal finds his plans to be adequate.

Sewer/Septic/Decentralized Sewer:

There is an existing septic system for the existing church on this location. An inspection of that system was completed, and it was found to be functioning correctly. Additionally, the soil was evaluated for the suitability of a secondary field location. The Designated Representative stated that there is adequate room for a secondary field if necessary. This location is shown on the plans.

No additional restrooms are being proposed with this expansion.

Electric/Gas/Cable/Phone:

Generally, any damage or relocation of utilities will be at the expense of the owner/applicant. Prairie Grove Telephone and Ozarks Electric had no additional comments. There is no gas or cable service to this property.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project accesses off WC 4, Skylight Mountain Road. There is an existing driveway. No new drives are proposed with this project. There is 30' of ROW from the center of Skylight Mountain Road shown on the plans.

Staff has not yet had the opportunity to conduct a site visit in order to assess sight visibility. Staff will complete this prior to the Planning Board meeting and report at that time if any issues are discovered. However, as this expansion proposed no increase in attendance/traffic, and no new drive locations, staff does not feel this will be a concern.

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

Signage/Lighting/Screening Concerns:

No additional signage, lighting, or screening is proposed with this expansion. As a general note, 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.

Staff does not feel that any additional screening requirements are warranted at this time. The proposed addition is located on the east side of the existing church which is further away from the adjoining neighbor.

COMPATIBILITY CONCERNS:

Surrounding Density/Uses:

The surrounding uses are mostly single family residential and agricultural. The site already houses a church building.

The proposed addition will be low impact on the site, traffic is not expected to increase, and generally, the church will operate in the same manner it has in the past. Staff feels that the applicant's request is compatible with the surrounding uses.

County's Land Use Plan (written document):

According to the County's Land Use Plan

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

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

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

Staff recognizes that this is not residential or agricultural; however, it is low impact. Staff feels that churches are "community facilities" and compatible with residential uses.

Future Land Use Plan

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

SITE VISIT:

Staff has not yet conducted a site visit, but will do so prior to the Planning Board Meeting. Any areas of concern will be reported at that time.

NEIGHBOR COMMENTS/CONCERNS:

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

Staff has received one "in favor" comment.

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

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Mt. Pleasant Church Expansion Conditional Use Permit with the following conditions:

Water/Plumbing/Fire Conditions:

1. Fire/emergency lighting is required over the new exits; the exit doors must be single-action and swing out.
2. Building must be constructed generally as presented.
3. The Fire Marshal shall inspect the addition prior to the occupation of the addition.

Sewer/Septic/Decentralized Sewer Conditions:

1. 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. Place a sign "entrance only, no exit" on the west entrance.
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.

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.adeq.state.ar.us

Utility Conditions:

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

Signage/Lighting/Screening Conditions:

1. No additional signage, lighting, or screening is proposed with this expansion.
2. As a general note, 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.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$33.12) within 30 days of project hearing. Any extension must be approved by the Planning Office (invoice was mailed to applicant on 5/29/15).
2. Pay engineering fees within 30 days of invoice date. Planning Staff will calculate once all invoices are received. If less than one hour of review, there will be no charge. Any extension must be approved by the Planning Office.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
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 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.

No Public comments.

Public Comments Closed.

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

LAND DEVELOPMENT HEARINGS

Goshen Planning Area

e. Fritchie Farms LSD (To be tabled at the request of the applicant)

Preliminary Large Scale Development Approval Request

Location: Section 05, Township 16 North, Range 28 West

Owners: Herman and Carol Salisbury

Applicant: Matthew Fritchie

Location Address: west of 15656 Ball Rd

Approximately 12.0 acres / Proposed Land Use: Wedding/Event Venue

Coordinates: Latitude: 36.08237377, Longitude: -93.97470331

Project #: 2015-075 Planner: Nathan Crouch / Courtney McNair email: ncrouch@co.washington.ar.us

CMcNair@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda, thus tabling this project. Kenley Haley seconded. All board members present were in favor of approving. Motion passed.

Fayetteville Planning Area

f. Elkhorn Springs Road Dirt Pit Expansion #2 LSD

Preliminary Large Scale Development Approval Request

Location: Section 08, Township 16 North, Range 31 West

Owners: Larry and Tawana Hillian/Les Rogers, Inc.

Applicant: Les Rogers

Location Address: Across the street from 14842 Elkhorn Springs Road

Approximately 12.66 acres, Proposed Land Use: Mining/Dirt Excavation/Pit Expansion

Coordinates: Latitude: 36.07443640, Longitude: -94.29942304

Project #: 2015-076 Planner: Juliet Richey email: JRichey@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary Large Scale Development (LSD) plan approval to allow the expansion of an existing red dirt pit.

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

In 2008, Washington County Planning Board approved a Large Scale Development permit (2007-149) to expand the mining area north onto a portion of the parcel that was submitted with this project, 001-11546-000 (owned by the Hillian family). This plan permitted a +/- 19.95 acre permit boundary with +/- 9.5 acres of disturbed area within the boundary. In 2008, this area was not yet zoned, therefore no CUP was required at that time; only compliance with the LSD process (with which Mr. Rogers complied).

CUP 2015-029 was approved by the Planning Board at the May 7, 2015, meeting and ratified by Quorum Court on May 21, 2015. The CUP will go into effect on June 9, 2015, (if no appeals are filed prior to that time).

The approval of this Preliminary LSD is contingent upon the CUP going into effect. All conditions approved with CUP 2015-029 apply to this proposed LSD.

PLANNING AREA: This project is located in the City of Fayetteville's Planning Area. The City of Fayetteville had no comment on this CUP or LSD.

QUORUM COURT DISTRICT: 7, Rich Cochran **FIRE SERVICE AREA:** Wedington Rural VFD
SCHOOL DISTRICT: Farmington

INFRASTRUCTURE: **Water-** Washington Water Authority **Electric-**Ozarks Electric
Natural Gas- NA **Telephone-** ATT **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The applicant is requesting Preliminary Large Scale Development plan approval for Elkhorn Springs Road Dirt Pit Expansion #2 to transition existing agricultural/residential property (directly adjacent to an existing pit operated by Les Rogers, Inc.) to open pit red dirt/clay/gravel extraction operations. This property is owned by Larry and Tawana Hillian and under lease to Les Rogers, Inc.

This operation proposes the improvement and extension of an existing haul road and red dirt pit operations- extraction of clay and gravel (This application does not include a request for quarrying of rock). The existing entrance to the Dirt pit on Elkhorn Springs Road is proposed to be used for this expansion. **No new entrance points onto to any roads are proposed with this submittal.** The existing entrance does not appear to have an address point, but is located on the north side of Elkhorn Springs Road (across the street from 14842 Elkhorn Springs Road, Fayetteville, AR, 72704). Please see attached map for more details.

This operation proposes the expansion of red dirt pit operations to include an additional +/-12.66 acres of permit area. Of the +/-12.66 acres of proposed permit area, only +/-4.965 acres of area proposed to be

mined (remaining area will be used for buffers, sedimentation pond, etc.).

As outlined in the letter of explanation from the engineer, there has been a dirt pit in operation in this area for the past 15 years. Originally the pit operated solely on parcel 001-11554-000 (owned by Les Rogers). At this time it appears that all mining activity (with the exception of haul roads and sedimentation ponds) has ceased on this portion of the site and it has been primarily re-vegetated and considered to be in reclaimed status by ADEQ.

In 2008, Washington County Planning Board approved a Large Scale Development permit to expand the mining area north onto a portion of the parcel that was submitted with this project, 001-11546-000 (owned by the Hillian family). This plan permitted a +/- 19.95 acre permit boundary with +/- 9.5 acres of disturbed area within the boundary. In 2008, this area was not yet zoned, therefore no CUP was required at that time; only compliance with the LSD process (with which Mr. Rogers complied).

Mr. Rogers now seeks to expand the mining area west of the 2008 permitted area for mining as proposed on the attached plan.

Please see the attached explanation letter and site plans (submitted by the applicant's engineer) for further information.

TECHNICAL CONCERNS:

Water/Plumbing/Fire Issues:

This property is serviced by Washington Water Authority and is in the Wedington Rural Fire Department Service Area. Washington Water Authority asked that utility easements be indicated along Highway 16.

As there are no structures or fuel storage proposed onsite, there are no major fire concerns regarding this development.

Sewer/Septic/Decentralized Sewer:

No soil work has been submitted. There are no structures proposed for this site.

According to the applicant's SWPPP, portable toilet facilities will be provided for employees on site.

ADH (Arkansas Department of Health) had no comment regarding this development.

Electric/Gas/Cable/Phone:

AT&T Telephone and Cox Communications did not comment on this project.

Ozarks Electric stated that generally, any damage or relocation of utilities will be at the expense of the owner/applicant.

Roads/Sight Visibility/Ingress-Egress/Parking:

This project proposes to access off Elkhorn Springs Road. No new access points are proposed. This submittal proposes the existing haul road be improved to be 40' in width for a depth of 250'.

The engineer calculated the sight distance needed according to the AASHTO Green Book specs. The distances required (and available) are listed in the letter of explanation and are shown on the plans.

As discussed at CUP 2015-029,

1. Sight visibility and safety in regard to truck traffic and Elkhorn Springs Road

The sight distance visibility and safety aspect regarding the proposed entrance point from the mining site onto the public road is always a point of concern for staff.

Planning Staff required that the applicant's engineer submit sight distance information for (40 mph) turning movements from the site onto Elkhorn Springs Road. The engineer was required to use the AASHTO Green Book standards to determine the needed distances. The engineer

performed these calculations and **the available sight distances were found to be adequate.** The sight distances are listed on the LSD plans (see pg. F-8).

- **Right turns onto Elkhorn Springs: 499.8' sight distance required; 1,405' of sight distance available**
- **Left turns onto Elkhorn Springs: 558.6' sight distance required; 1,702' of sight distance available**

Drainage:

The Washington County Contract Engineer reviewed and approved the drainage report submitted for this project.

Environmental and ADEQ Issues:

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).

The ADEQ stormwater permit must be in place/approved prior to any mining taking place.

The ADEQ mining permit must be in place/approved prior to any mining taking place.

The applicant and his engineer have been in contact with ADEQ regarding both permits. Planning Staff has also discussed both permits with ADEQ and does not anticipate that there will be any issues.

NEIGHBOR COMMENTS/CONCERNS:

On April 8, 2015, 175 neighbor notifications for both the CUP and LSD were mailed (via certified mail) to all property owners within ½ mile of the project.

To date staff has received ten written neighbor comments:

- 1 in favor
- 2 neutral/stated concerns/asking questions
- 7 opposed

Only one neighbor (Jim Binns) attended the Planning Board Meeting on May 7, 2015. Mr. Binns' concerns were not specific to the Les Rogers operation, but with the County's approach to zoning via the Conditional Use Permit process (as opposed to the more standard type of zoning used by cities).

These comments are shown in full in the attachments (see pgs. F-23 through F-32) and Staff has also created a map to show the proximity of the commenters to this CUP (see pg F-21) and a spreadsheet showing their general concerns and whether they were in opposition or in favor of this project (see pg. F-22).

Staff will update you 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.

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

All checklist items are complete.

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

Water/Plumbing/Fire Conditions:

1. Washington Water Authority asked that utility easements be indicated along Highway 16.

Road/ Ingress-Egress Conditions:

1. Required improvements to the haul road must be completed and inspected by the Road Superintendent prior to Final LSD.

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).
2. The ADEQ stormwater and mining NOI/permit must be in place/approved prior to any mining taking place. Copies must be submitted to Planning Staff.

Utility Conditions:

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

Signage/Screening Conditions:

1. Signage cannot be placed in the County Right-of-Way.
2. All screening/berms required by the CUP must be in place and inspected by Planning Staff prior to Final LSD.

Standard Conditions:

1. All conditions approved with CUP 2015-029 shall apply to this project.
 - a. CUP 2015-029 was approved by the Planning Board at the May 7 meeting and ratified by Quorum Court on May 21. The CUP will go into effect on June 9 (if no appeals are filed prior to that time). The approval of this Preliminary LSD is contingent upon the CUP going into effect

2. Any engineering and mailing fees must be paid within 30 days of the project hearing (any extension must be granted by the Planning Office).
3. Checklist item: Please list the property owners across Elkhorn on the Preliminary LSD.
4. Must adhere to all LSD regulations as per Sections. 11-100 and 11-101.
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. It is the applicant's responsibility to contact the Planning Office when inspections are needed. Please give staff at least 48 hours notice prior to the inspection.
7. **Have all signature blocks signed on 11 Final Plats - 2 for filing in the Circuit Clerk's office, 7 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.**

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

No Public comments.

Public Comments Closed.

Daryl Yerton made a motion to approve the **Elkhorn Springs Road Dirt Expansion #2 CUP** subject to staff recommendations Robert Daugherty seconded. Cheryl West and Walter Jennings was not present. Board Members Randy Laney, Daryl Yerton, Robert Daugherty, Chuck Browning, and Kenley Haley were in favor of approving. Motion passed.

CONDITIONAL USE PERMIT HEARING

County

g. Summers Missionary Baptist Church CUP Youth Center/Gymnasium (To be tabled at the request of the applicant)

Conditional Use Permit Approval Request

Location: Section 16, Township 15 North, Range 33 West

Owner: Summers Missionary Baptist Church c/o Roland Bailey

Applicant: Dax Morton

Location Address: 22055 US HWY 62 West

Approximately 13 acres. Proposed Land Use: Church multi-use building/gymnasium/youth center

Coordinates: Latitude: 35.97703229, Longitude: -94.48436066

Project #: 2015-045 Planner: Juliet Richey email: JRichey@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda, thus tabling this project. Kenley Haley seconded. All board members present were in favor of approving. Motion passed.

LAND DEVELOPMENT HEARING

County

h. Summers Missionary Baptist Church LSD Youth Center/Gymnasium (To be tabled at the request of the applicant)

Preliminary Large Scale Development Approval Request

Location: Section 16, Township 15 North, Range 33 West

Owner: Summers Missionary Baptist Church c/o Roland Bailey

Applicant: Dax Morton

Location Address: 22055 US HWY 62 West

Approximately 13 acres. Proposed Land Use: Church multi-use building/gymnasium/youth center

Coordinates: Latitude: 35.97703229, Longitude: -94.48436066

Project #: 2015-046 Planner: Juliet Richey email: JRichey@co.washington.ar.us

Daryl Yerton made a motion to approve the agenda, thus tabling this project. Kenley Haley seconded. All board members present were in favor of approving. Motion passed.

5. Other Business

- Discussion of Current Development and Planning Department Activities.
- Reminder of upcoming regular Planning Board meetings **June 25, 2015 and July 30, 2015.**
- Updates on appeal projects:
 - East Prairie Grove Tower CUP (opinion received from Federal Appeals Court).
- Any other Planning Department or Planning Board business.

6. Old Business

7. Adjourn

*Daryl Yerton 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