

**Benton County Planning Board
Public Hearing Meeting Minutes
October 17, 2007, 5:30 p.m.**

Call to Order & Roll Call: The following Benton County Planning Board members were present: Scott Borman (vice chair), Mark Gray, Caleb Henry, Bill Kneebone, Adele Lucas, and Heath Ward. Tim Sorey (chair) was absent. The following Benton County Planning Office staff members were present: Ashley Pope, Kathleen Davis, and Karen Stewart.

Announcements:

New Business:

1. Large Scale Development Expansion - **62 Automotive** - 14405 Highway 62, Garfield - Blew & Associates

Richard Sears represented the project.

Ms. Pope stated that all required items had been submitted except for final approval from the Health Department. She asked Mr. Sears if the final approval had been granted; Mr. Sears indicated that it had not, but that it would be faxed to Staff the following day.

Ms. Pope stated that the Board could require final septic approval as a condition of approval of the large scale development expansion.

Mr. Borman opened the matter for public comment; there was none.

Mr. Gray asked if there were any other outstanding items; Ms. Pope stated that the only other stipulation was to include the septic system, well, and shed on the plat, which was resubmitted to Staff.

Ms. Pope stated that there was a waiver request on this project; the applicant requested that the requirement for a drainage study be waived.

Mr. Ward made a motion to approve the expansion project and the requested drainage study waiver, subject to receipt of Health Department approval of the septic system; Mr. Kneebone seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas and Mr. Ward all voted in favor of the project. The motion was passed.

Conditions for approval:

- The applicant must submit final Health Department approval of the septic system.
2. Large Scale Development - **Sigmon Enterprises** - 12689 Highway 12 East, Rogers - W/R Consulting

Bill Platz of W/R Consulting represented the large scale development.

Ms. Pope stated that Mr. Platz had met all of the stipulations discussed at the TAC meeting. She added that Staff had received a "citizen inquiry" into the project. The concerned citizen asked that the Board prohibit outside storage and chain-link fencing and require that the applicant adequately maintain the appearance of the property due to its location on "Scenic Highway 12". Ms. Pope stated that she agreed with the outside storage limitation, but the other prohibitions would need to be decided by the Board.

Ms. Lucas asked if the applicant had removed the one storage unit in order to meet the setback; Ms. Pope confirmed that he had, and stated that the applicant had submitted the replat requested at the TAC meeting.

Mr. Borman opened the matter for public comment; there was none.

Mr. Borman stated that he believed that the Board could require that the applicant not have any outside storage, but believed that requiring the applicant to mow and weed-eat the property would be overstepping the Board's authority. Mr. Ward added that the applicant has a right to secure his property. Mr. Borman and Mr. Gray concurred; Mr. Gray stated that the Board may not have any say in what type of fencing the applicant chooses.

Ms. Pope stated that the citizen's concern was that Scenic Highway 12 be kept "looking nice;" she added that she simply wanted to get their concerns on the record.

Mr. Henry made a motion to approve the project, subject to the condition that there will be no outside storage on the property; Mr. Gray seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas and Mr. Ward all voted in favor of the project. The motion was passed.

Conditions for approval:

- There will be no outside storage at this facility.

3. Conceptual Subdivision and Mobile Home Park - **Ponderosa Ranch** - 21000 West Highway 72, Gravette – Fox-Farr, Inc.

Norma Farrer represented the conceptual project; Carolyn Fox was also present.

Miss Pope stated that the applicant is proposing a manufactured home subdivision and park on Highway 72 West. The total project area is 300 acres, but only 60 acres would be developed (in 20-acre increments.)

Ms. Farrer stated that the park would have a western theme. She felt that there were no options currently offered in Benton County for people searching for housing under \$100,000. She stated that they intend to sell the lots in the subdivision for under \$30,000; the price would include septic, water and fencing. She added that

a park is part of the overall plan. Ms. Farrer stated that they would also like to either build a community storm shelter or offer to construct individual storm shelters for a fee. She noted that each of the previous developments by the Foxes and the Farrers had been done in an aesthetically-pleasing manner.

Ms. Pope showed an aerial photo of the site with topographical information on it and explained that the area was not a part of the 100-year floodplain. She felt that drainage in the proposed project area needed to be studied due to the density of the development and since it is a natural drainage area.

Mr. Borman asked if the manufactured homes in this project would fall under the subdivision or mobile home park regulations for Benton County; Ms. Pope answered that the mobile home park part of the proposal would fall under the mobile home park regulations, but the lots that would be sold would fall under subdivision regulations.

Ms. Pope asked if Fox-Farr intended to dedicate the roads for public use; Ms. Farrer stated that they did. Ms. Pope asked if the roads would be built to County standards; Ms. Farrer stated that they would if it was feasible.

Ms. Farrer stated that that was their purpose in bringing this project before the Board as a concept - to see what the County will require and to see if they can do the project and still make a profit. She felt that they could do this manufactured home project correctly and without offending any neighbors since they own 300 acres. She reiterated the need in Benton County for homes under \$100,000.

Mr. Borman asked who would supply the water for this project; Ms. Farrer stated that there Gravette rural water has 8-inch mains in the area. Mr. Borman asked if each lot would be an individual customer of Gravette water, or if the applicant would have one meter, then re-sell the water to the residents of the proposed project. Ms. Farrer stated that each lot would have its own meter; she elaborated that the applicant would pay the water bill in the mobile home park, but each residence in the subdivision would have its own meter.

Mr. Borman asked how many mobile homes would be in the mobile home park; Ms. Farrer stated that 20 acres would be developed for this purpose, with each lot being 1/2 to 2/3 acre (depending on perc test results.) Mr. Borman stated that if the applicant will be paying the water bill (then charging the residents of the mobile home park) the applicant would be considered a consecutive public water system, so everything within the park would have to go through Department of Health reviews as a consecutive system.

Ms. Pope stated that since the applicant is developing 20 acres at a time, they might consider an alternate sewage treatment system; Ms. Farrer stated that they are looking into that.

Mr. Borman made the observation that with it eventually emptying into the Spavinaw, the applicant may have limited choices. Mr. Ward concurred, stating that considering the density of the proposed development, septic systems may not

be the best choice for sewage disposal. Mr. Borman recommended checking into a decentralized system.

Mr. Borman clarified that this would be two different developments: a subdivision and a mobile home park; Ms. Farrer agreed. Ms. Pope asked if they would be developed at the same time; Ms. Farrer stated that they would like to develop both at once. Ms. Lucas asked if they would be two separate submittals; Mr. Borman stated that they would have to be, since each project would be governed by different regulations.

Mr. Borman stated that he had no issues with the concept, but that the Board would need to see actual plans for each project. Ms. Pope stated that the applicant should consult an engineer in order to determine the cost and feasibility.

Mr. Ward asked who would provide fire service in the project area; Ms. Farrer was not sure. Mr. Borman stated that with 8-inch water mains in place, he felt that adequate fire flow could be provided to the site, but asked if the applicant had sought Gravette's opinion; Ms. Farrer stated that Ms. Fox had spoken with them and they were "fine with it."

Mr. Ward asked if there would be covenants governing the appearance and upkeep of these developments; Ms. Farrer stated that there would be. Mr. Borman stated that the applicant would probably receive some comments from the neighbors once they discovered that a mobile home park was being put in; Ms. Farrer stated that the nearest neighbor lives in a mobile home and there are several other mobile homes in the area. Also, the applicants are placing their developments in the center of their property.

Ms. Pope informed the Board that Staff had received a letter from the chairman of the Gravette Planning Commission, Mike von Ree. She said that the letter stated that the city of Gravette had no objection to the proposed lots and mobile home park, but asked that when the lots are designed that they meet the Gravette zoning requirements (such as setbacks & lot size.)

Ms. Farrer stated that with 300 acres, they would be able to make the lots any size, but then the lots might not be affordable; she added that Benton County needs housing options for people who are not wealthy.

Ms. Pope stated that if they were dedicated to the county, then the streets in the developments would need to be asphalt. She stated that she was not sure whether or not curb and gutter would be necessary, but that a drainage study might help to determine this. Ms. Farrer stated that they had looked into paving and it was much more expensive than they thought it would be; she added that if curb & gutter were required, the project might be cost-prohibitive.

Discussion concluded with the Board advising the applicant to consult an engineer to determine the cost and benefit of the project.

Other Business:

1. County Planning and Zoning Discussion

Ms. Pope handed out an outline for the public education video, and then went through what she envisioned for the video.

Public Education Video Timeline:

1. Title Frame - *"Benton County – Planning for the Future"*

Ms. Pope stated that she really wants this to be the Board's product, so neither the title frame itself nor the slogan "Planning for the Future" is set in stone.

2. Introduction - *Narrator begins introduction while present day pictures of Benton County are shown*

"Benton County, located in the Ozark hills of northwest Arkansas is a place of both urban and rural life. From high-rise buildings to country streams, the mix of land uses in Benton County is very diverse. In the unincorporated areas of Benton County, land uses range from agriculture to suburban residential and commercial uses. At the present time, Benton County does not regulate land uses or "zone" in the unincorporated areas of the County. However, due to population growth in the County in recent years and the demand of citizens to have a greater say in the developments that occur around them, county planning board members are considering zoning as a tool to manage the changing environment in Benton County."

3. History - *Local historian commenting on growth in Benton County*

Ms. Pope stated that she is going to ask the historian at the Rogers Museum to do a short interview on his observations regarding growth in Benton County from 1836 to the present.

4. History - *Pictures of historic Benton County shown as historian talks*

5. Changing Environment - *Aerial photographs showing how a square mile has changed over time*

There are aerial photographs available going back at least to the 1960's that can show some of the growth in Benton County.

6. Government's Role in Changing Environment - *Interviews with Planning Board Members*

Ms. Pope stated that she wanted to get the Board members' opinions of what government's role is in a changing environment. These interviews would address

the “meat” of the video, which would be the next three topics: Tool for Protection of Life & Property, Tool for Individuals & Businesses, and Tool for Achieving Long Range Goals

7. Tool for Protection of Life & Property
8. Tool for Individuals & Businesses
9. Tool for Achieving Long Range Goals
10. One Thing That is Constant is Change

Mr. Ward stated that the message that should be conveyed to citizens is that zoning is not a tool to take away their rights, but to offer them protection; if someone wants to use land for other than what it is zoned for, they would have to seek a variance. Mr. Borman felt that this video would help to dispel some of the myths that normally circulate regarding zoning.

The Board discussed the benefit of having the support of the Quorum Court and the benefit of public participation in the planning process.

Ms. Pope stated that the current Planning Board is well qualified to state what government’s role in planning and zoning, since they are an appointed, politically neutral Board.

Ms. Pope then showed photographs of different locations within Benton County; she observed that Benton County is a beautiful place that is worth protecting.

The Board commended Ms. Pope on the photographs and stated that she had made “a good start” on the video.

Mr. Borman stated that there were several places en route to Eureka Springs that might bear mentioning; Ms. Pope stated that she wanted to keep planning and zoning issues separate from nuisance issues.

Ms. Pope stated that when the video is complete, Staff will plan hour-long meetings in different parts of the county in order to show the video (which will be about 20 to 30 minutes long.) She added that this would ensure that all citizens receive the same information and may help to answer questions that citizens have regarding planning and zoning. She stated that the video could be burned onto CDs or DVDs for distribution; it could also be put on the Planning section of Benton County’s website.

Adjournment: The meeting was adjourned at 6:25 p.m.