



**SALINE COUNTY PLANNING BOARD  
MINUTES MAY 16, 2017**

**Meeting Called to Order at the SALINE COUNTY COURTHOUSE, COURTROOM #1  
AT 5:30 P.M.**

**ROLL CALL:**

Layne Penfield, Chairman  
Sherry Spann  
Randy Ives  
Kevin Barham  
Justin McCauley

**NON-VOTING:**

- Audrey Villegas, HR Specialist
- Clay Ford-Attorney
- Renee Richards-Addressing Coordinator
- John Wofford-Engineer

**PRESENTATION OF MINUTES:** April 13, 2017; Motion to approve by Justin, second by Sherry and approved by all

**NEW BUSINESS**

• **The Vineyard, Benton ETJ**

**-Jonathan Hope**

City of Benton sent a letter to the Planning Board requesting this item be tabled tonight due to the City of Benton wanting to review the latest plat that was submitted to the county for approval. The City wanted to see cross connectivity of this development and another development just to the south of the development. The developer, Gary Kennedy, spoke with the City of Benton after receiving the letter and told them he was ok with putting the cross connectivity in the plat. Jonathan has brought in a new plat for the Board to approve with the cross connectivity on the plat. Mr. Hope stated that at the City Planning Commission Meeting they presented it with cross connectivity, but Mr. Chapman does not wish to have cross connectivity due to his being a private development with gates. Mr. Kennedy is willing to give cross connectivity in either extending the cul-de-sac to the lot line between Lots 37 & 36, giving an easement, or stubbing out the road to continue between lots 37 & 36. Aaron Rasburry stood up to speak on the behalf of The Woods development, which is the development to the south of the Vineyard, they do not wish to cross connect with this development and it would not be feasible for them to connect since they would then have to incur cost of another gate; possibly a temporary easement to appease City of Benton. Clay then explained that it is City of Benton that is wanting the cross connectivity and that is how the letter originated and that since Mr. Kennedy is agreeable with the City to cross connectivity then the Board can take up the matter as long as if a motion is started it with the contingency that there be cross connectivity. Mr. Hope stated that he was under the impression that Benton has to



propose the cross connectivity to the Planning Commission and the Planning Commission can make the decision of whether it needs to be in there or not. Aaron said they submitted their plat for The Woods the same night with an easement and then they said they did not have to do connectivity and that they could just do a cul-de-sac. Clay stated that regardless of what Benton approved, all we can go on is the letter we were sent from Benton and then later the e-mail from Tim Tennant stating that he spoke with Mr. Kennedy and that he is willing to add the cross connectivity back to the plat. They would like that to be a requirement as a contingency to final plat approval then their concerns would be satisfied. Mr. Hope asked if an easement dedicated to the public to the lot line would appease the City's requirement and Clay did not see why it would not. Aaron disagreed with that suggestion, stating there are already many roads that are like that and it creates problems for people who need to get to their property and the road is not being taken care of. Mr. Kennedy is going to take the plat back to the City of Benton, Clay suggested the option that the Board could approve the plat with an easement to the property line and if they want to change it then that is up to Benton. Aaron asked if the way the City of Benton released the subdivision to the county was not satisfactory and Judge stated he was not sure why this was even being seen by us when it was within their ETJ and the staff of both City and County had a meeting last year and Judge was under the impression that the City was supposed to be exercising all jurisdiction over ETJ developments unless it was to have county roads. The Board asked Clay what his suggestion was as far as the Board voting on this matter and he said as long as there is some requirement for connectivity if they were going to vote on approval or not whether it be extending the cul-de-sac or having an easement to the lot line or the Board could table it and send it back to Benton for their approval. City of Benton has the full right to exercise their jurisdiction in the ETJ, Mr. Hope asked the City of Benton to release the development from their subdivision ordinance; but the County cannot argue with the City if they wish to exercise jurisdiction in their ETJ. If the City decides to exercise their jurisdiction it will not come back before this Board and the only thing for the County to do will be for John to inspect the roads. Motion by Randy to table, 2<sup>nd</sup> by Sherry, approved by all

- **Heritage Heights Ph. 2 Final, Benton ETJ**

**-Aaron Rasburry**

This has been approved by City of Benton and Aaron has addressed the comments and suggestions John has sent him. Clay stated he did not believe it needed to come before the Board except for addressing roads if they are going to be maintained by the County; it is redundant for developers to come before both Boards if the City is exercising jurisdiction unless the County is taking in the roads. Clay said what should happen is when a development comes to the County Audrey will send the plat to John to make sure the roads are up to County specs and if it is within the ETJ John will send a letter to the developer to Benton and be put on their agenda for development approval. The Judge agreed and believed that would make the whole process simpler. Aaron would prefer the county look at developments regardless to get the County Engineer and Planning Board comments, just for purposes of the County being informed and mistakes being found since the Board has certain expertise that the City may not have at this time. He prefers the County's notification process because it requires developers to inform adjoining



landowners by certified mail and Benton requires a sign on the property and in the paper. Suggested that the Board look at the plats and submit comments to the City of Benton before they meet. John asked if Benton could choose not to exercise their jurisdiction and send us a formal letter stating such. Suggested there be an approved process for ETJ developments between the City and County for developers to utilize. Aaron voiced concern that even if the County does submit comments, the City Planning Commission meets before the County Planning Board therefore it has the possibility of being approved by Benton before it is even seen by the County and has time for comment. A potential problem could be if it is seen by the County and approved, has to go before the City and they would like something to be changed and then a developer puts the City and County at odds because one has approved and the other wants changes. Clay believes the Board made the right decision in tabling the plat until they satisfy the requirements for City of Benton. Discussion on changing the County Planning Board meeting date in order to meet ahead of the City Planning meeting in order to get comments from the County before approval at the City. Pointed out that if the County is looking at the road will they be looking at drainage as well and Judge said yes. Suggestion of having a checklist or list of frequently asked questions to give developers; Clay can draft something for this and send to City of Benton to look at as well for us to give to developers or a flow chart as to how to get the development approved. Motion by Justin to approve, second by Randy, approved by all.

- **Crossroads Village Preliminary Plat Extension** **-Aaron Rasburry**  
In 2014 asked for extension on Preliminary to continue with Phase 2 and that has now been completed. The roads are 50 foot ROW with curb and gutter streets, sewer lots. Judge nor John do not see a problem with letting them keep the 50 foot ROW since it is curb and gutter. Aaron is asking approval to proceed with the next 30 lots, meeting the county standards with 50 foot ROW, curb and gutter, 8 inches of gravel and 2.5 inches of asphalt. Discussion on the time frame of how long a preliminary plat can be in effect before it defaults, change time frame from 12 months to 24 months. Motion by Randy to approve extension along with current street regulations, 50 foot right of way, 8 inches of gravel, 2.5 inches of asphalt and curb and gutter.

## **OLD BUSINESS**

### **OPEN DISCUSSION**

- Discussion on putting state fire code requirement on single/two family developments. Question as to whether we would have to adopt a fire code for that to be applicable? Clay would have to do research on that.
- **Maple Creek Farms, Ph. 1 Lot 100**  
Aaron brought about the point that in River Ranch they had a similar issue to where they platted the lots that backed up to the river as Lot 1 and Lot 1(a) and then in the bill of assurance they stated that any lots with 'a' could not be built on due to being in the floodplain. Discussion on the other lot owners in the phase wanting to do the same thing to not have to require flood insurance. Section 2.2.4.(6) states a replat of any lot in the approved subdivision will be submitted to the Saline County Planning Board if the lot is



intended to be split into two or more parts or if two or more lots are combined into one lot. This would be creating another lot number in the subdivision, it needs to be surveyed and replatted.

**MEETING ADJOURNMENT**

- Justin made a motion to adjourn, second by Randy and passed by all. Adjourn 7:04 pm.