

**MINUTES  
WASHINGTON COUNTY PLANNING BOARD  
&  
ZONING BOARD OF ADJUSTMENTS  
Dec 12, 2013**

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

DEVELOPMENTS REVIEWED:

*ACTION TAKEN:*

**LAND DEVELOPMENT HEARINGS**

Fayetteville

**a: Gulley Addition (Tabled At The Request of The Applicant)      Tabled**

Fayetteville Planning Area

**b: Oak Creek Estates      Approved**

1. ROLL CALL:

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

2. APPROVAL OF MINUTES: *Cheryl West made a motion to approve the minutes of Nov 07, 2013. Daryl Yerton seconded. All board members were in favor of approving. Motion passed.*

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

4. NEW BUSINESS

**LAND DEVELOPMENT HEARINGS**

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

**a. Gulley Addition**

***Final Subdivision Approval Request***

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

Owner/Applicant: JRJC, LLC/Jay McLelland

Location Address: no location address

4.77 acres/ 4 lots

Proposed Land Use: Single Family Residential

Approximate Coordinates: Longitude: -94.088381 Latitude: 36.105795

**Project #: 2013-106, Planner: Courtney McNair email at [cmcnair@co.washington.ar.us](mailto:cmcnair@co.washington.ar.us)**

**Fayetteville Planning Area**

**b. Oak Creek Estates**

***Preliminary Subdivision Approval Request***

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

Owner: Community First Bancshares Inc. & White River Bancshares Co.

Applicant: Riviera Heights, LLC

Location Address: Across from 2869 Oakland Zion Fayetteville, AR 72703

Approximately 16.21 acres/ Proposed Land Use: Residential Subdivision

Coordinates: Longitude: -94.098617, Latitude: 36.102272

**Project #: 2013-153 Planner: Sarah Geurtz e-mail at [sguertz@co.washington.ar.us](mailto:sguertz@co.washington.ar.us)**

**REQUEST:** The applicant is requesting Preliminary Subdivision Approval of Oak Creek Subdivision to split a 16.21 acre parcel into nine (9) residential tracts ranging in size from 1.30 acres to 1.51 acres. Each lot will contain an individual septic system.

**CURRENT ZONING:** Project lies within the County (Agricultural/Single-Family Residential 1 unit per acre). The proposed lot sizes comply with zoning.

**PLANNING AREA:** This project is located within the County and within Fayetteville's Planning Area.

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

**FIRE SERVICE AREAS:** Goshen and Fayetteville-no comments were received from either the Goshen Fire Department or from the Fayetteville Fire Department. The Washington County Fire Marshal reviewed the project and his comments have been addressed.

**SCHOOL DISTRICT:** Fayetteville

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

**BACKGROUND/ PROJECT SYNOPSIS:**

This project was originally on the agenda to be heard at the November 7<sup>th</sup>, 2013 Planning Board/Zoning Board of Adjustments meeting. However, the property owner decided to pull the project due to an error discovered by Planning Staff in a neighbor notification mailing. The project is now being heard at the upcoming December 5, 2013 Planning Board/Zoning Board of Adjustments meeting.

The property owners are Community First Bancshares Inc. and White River Bancshares Co.; Mr. Gary Head represents both companies. The Engineer is Mr. Mel Milholland of Milholland Company Engineering and Surveying. The applicant, Riviera Heights, LLC, is being represented by Mr. Milholland.

The applicant is requesting to divide a 16.21 acre parcel into nine residential tracts ranging in size from 1.30 acres to 1.51 acres (**see plats**). Each lot will contain an individual septic system. The City of Fayetteville approved this preliminary subdivision, with conditions, on October 14, 2013 (**B-22 through B-29**).

The project is located within a mile of Fayetteville's city limits, east of Oakland Zion WC# 83 and Skillern Road WC# 536 (**B-14 through B-16**). The property is wooded and Mud Creek borders the property to the northeast. A proposed road, Logan Lane, will provide road access to all nine tracts and will terminate as a temporary cul-de-sac to the southeast. Right of way will be dedicated to allow Logan Lane to be connected to Mission Boulevard/Highway 45 to the south in the future.

Stormwater will collect in Lot 10 (0.112 acre), flow beneath Logan Lane, and then flow into Lot 11 (0.83 acres), a detention pond, before entering Mud Creek to the north.

Since this project's November 7<sup>th</sup>, 2013 Planning Board meeting Staff Report was mailed, this project's plats have changed slightly to accommodate required room for septic fields. The detention pond in Lot 11 became smaller and deeper, Lots 1 and 2 now have slightly decreased acreages, and Lot 3's acreage slightly increased.

The local Arkansas Department of Health (ADH) has determined that Mud Creek is a perennial stream and, as such, requires all primary and secondary septic fields to be set back one hundred feet from Mud Creek's high water mark (see the more detailed septic information under "Technical Concerns/Septic")

below). If, after approval by Washington County, the approved plat's layout changes in order to meet ADH requirements, Staff will determine at that time whether or not the plat must come *back* through Washington County Planning for Preliminary Subdivision approval. The determination will be dependent on the extent of the changes made to the plat.

In the prior submittal there had been uncertainty about traffic sight distances at the proposed intersection of Logan Lane and Oakland Zion Roads. Milholland and Company has since submitted sight distance information that the County Contract Engineer, Clay Grote, found to be sufficient.

The main issue with this project has involved whether the soils can handle primary and alternate septic systems in addition to potential setback requirements along Mud Creek and Lot 7's drainage easement.

### **TECHNICAL CONCERNS:**

#### **Septic**

Each tract will utilize individual septic systems. Soil work has been conducted on the property and submitted to the local Arkansas Department of Health (ADH) office. ADH has determined that the submitted soil work and proposed field sizes for each lot are sufficient. However, the proposed septic fields have not been flagged on the ground for ADH to inspect. Once they are flagged, ADH will inspect and determine if the septic fields can fit on each lot along with a 3,000 sq. ft. building footprint.

The local ADH office has concluded that Mud Creek is a perennial stream in the area along Oak Creek Estates. This determination came from USGS data that shows Mud Creek as a perennial stream in this proximity. As such, a septic system setback distance of one hundred feet from Mud Creek's *high water mark* (the plat currently shows the setback as being fifty feet from the *centerline* of the creek) must be shown on the plat. For preliminary plat approval, ADH is only requiring the drainage easement bisecting Lot 7 to show a ten foot septic system setback (this is shown on the plat). See **B-20** for images of Mud Creek.

At this time, ADH is requiring that the plat graphically show a location for the following (all must be shown outside of the one hundred foot septic field setback along Mud Creek):

- a. A 3,000 square foot house footprint
- b. A primary septic field location (size to be based on the ADH-approved soil data)
- c. A alternate septic field location (size to be based on the ADH-approved soil data)

The final decision regarding whether Mud Creek is considered an intermittent or perennial stream (therefore whether one hundred or fifty foot setbacks will be required) will be left up to the Little Rock Arkansas Department of Health Divisions of Engineering and Environmental Health Protection.

The local ADH office is requiring that the plat show a 3,000 square foot house footprint in addition to primary and secondary septic field locations (size of which are to be based upon ADH-approved soil data). The plat must show that these three items can fit on each lot within the respective one hundred foot setbacks (from Mud Creek) and fifty foot setbacks (from the drainage easement). If they cannot be shown to fit, the lot lines will have to be reconfigured.

If, after approval by the Washington County Planning Board, the approved plat's layout changes in order to meet ADH requirements, Washington County Staff will determine whether or not the plat must come *back* through Washington County Planning for Preliminary Subdivision approval. This determination will be dependent on the extent of changes made to the plat.

A letter from the local ADH office stating that Oak Creek Estates has met all of ADH's requirements must be received by Planning Staff in order for construction to be approved to commence on this subdivision.

**Electric/Water/Phone/Cable/Gas**

Ozarks Electric requires conduit to cross lots. Ozarks Electric maintains only street lights installed by and purchased from Ozarks Electric. The currently shown twenty foot utility easements along the front lot lines is being required to be changed to 25 feet in width.

Fayetteville Water submitted no comments to Washington County Planning. The plat shows that an existing six inch water line will be upgraded to an eight inch water line for servicing this subdivision.

AT&T submitted no comments to Washington County Planning. Staff has contacted AT&T with a question regarding whether they have an overhead telephone line and if they want the plat note stating the telephone carrier to be Southwestern Bell changed to read as AT&T. Staff will update the Planning Board/Zoning Board of Adjustments about this matter at the December 5<sup>th</sup>, 2013 meeting.

SourceGas requires their existing two inch gas line on the west side of Oakland Zion Road (across from the subdivision) to be shown on the plat. Boring will be required under Oakland Zion Road in order to get gas to the subdivision and a two inch PE extension will have to be run through the subdivision to serve each lot.

Cox Communications requires their overhead electric line on the east side of Oakland Zion to also be labeled as an overhead cable line.

All utility companies were sent copies of the slightly altered plats submitted for the December 5<sup>th</sup>, 2013 Planning Board/Zoning Board of Adjustments meeting. No utility company contacted staff about new or updated conditions to this Preliminary Subdivision.

**Water/Fire**

There is an existing six inch water line running along the eastern side of Oakland Zion, on the subdivision side. According to the plat, it will be upgraded to an eight inch line for this subdivision.

The Washington County Fire Marshal, Dennis Ledbetter, reviewed the October 22, 2013 plat and found the fire code requirements to have been met.

**Addressing**

The proposed road shown on the plat as being called "Logan Lane" must be renamed due to this road name already being in use in Washington County. A different road name must therefore be chosen. The applicant is aware of this and a condition has been placed on the project regarding this matter. The applicant is to contact Daryl Pemberton of the Department of Emergency Management to review an alternate street name.

**Environmental**

No stormwater permit will be required by Washington County at this time. Must comply with all ADEQ rules and regulations.

This property is not located within an MS4 area.

**Road**

Improvements are required to be made on the subdivision side of Oakland Zion WC# 83. Also, 43.5 feet of right of way is to be dedicated on the subdivision side of Oakland Zion WC #83. Logan Lane will terminate in a temporary cul-de-sac and will have 60 feet of right of way dedicated along its length, to terminate at the southern property line (see plat ) for possible future connection to Mission Boulevard/Highway 45. If an extension occurs, some of the cul-de-sac right of way will revert to the lot owners who own Lots 5 and 6 upon removal of the cul-de-sac.

In the prior submittal there had been uncertainty about traffic sight distances at the proposed intersection of Logan Lane and Oakland Zion Roads. Milholland and Company has since submitted sight distance information that the County Contract Engineer, Clay Grote, found to be sufficient.

Mr. Shawn Shrum, the Washington County Road Department Assistant Road Superintendent, submitted the following statement regarding increased traffic this subdivision would be placing upon Oakland Zion Road:

*“The City of Fayetteville is requiring that improvements be made on the side of the development from property line to property line. These improvements include widening and curb from property line to property line on the sub-division side only. Washington County agrees with these improvements and is not requiring any additional improvements to OakLand Zion at this time. If there are any changes to the proposed layout or lot count, then the Road Department would reconsider the determination.”*

### **Fayetteville**

The Fayetteville Planner on this project is Andrew Garner. The City of Fayetteville approved this Preliminary Subdivision, with conditions, on October 14, 2013.

Fayetteville considers Oakland Zion and Skillern Roads to be Principle Arterials. Fayetteville’s Master Street Plan identifies Skillern Road as continuing east across Oakland Zion and connecting to Mission Boulevard/Highway 45 to the south. However, Fayetteville approved removing the designation of Skillern Road as a Principle Arterial between Oakland Zion Road and Mission Boulevard (**B-23 & B-24**), thereby removing a right of way dedication requirement for that extension along the subdivision’s southern parcel line.

A future connection point for Logan Lane is required by Fayetteville; Fayetteville requires an assessment fee of \$36,547.00 for future removal of the temporary cul-de-sac and construction of a street stub-out to the southeastern property line for future street connectivity at this point for if Logan Lane is ever extended to the south.

Fayetteville also approved allowing the proposed block length of Logan Road, which is about 1,200 feet in length (Fayetteville’s maximum allowed block length is 800 feet in length).

Since Fayetteville’s approval of this Preliminary Subdivision, the plats have changed and may still change slightly more from that approved by the City of Fayetteville. Staff spoke with Mr. Garner about this and Mr. Garner added a condition to Fayetteville’s approval that stated, “The applicant shall revise the plans as needed to address comments from Washington County Planning.”

See **B-22 through B-29** for all of Fayetteville’s conditions of preliminary subdivision approval.

### **Engineering/Drainage**

The Washington County Contract Engineer, Clay Grote, requires that if the detention pond is reconfigured, that it must be approved by himself (the Washington County Contract Engineer) and must also meet the City of Fayetteville’s Engineering requirements

### **SITE VISIT:**

A site visit was conducted by planning staff on October 25, 2013. Please see attached pictures of road access (**B- 13 and B-14**) .

### **NEIGHBOR COMMENTS:**

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

Staff has been contacted by several neighbors concerned with this project. One neighbor contacted Staff with various concerns regarding this subdivision. See the letters and Staff's responses on pages **B-20 through B-21**.

One neighbor contacted Staff and a different neighbor contacted a Planning Board member with concerns about Fayetteville's Master Street Plan and potential for Logan Lane to, in the future, be extended through their property to Mission Boulevard/Highway 45. In both instances Staff gave Fayetteville's contact information to the neighbors so they could speak directly with Fayetteville Planners. Staff also contacted Fayetteville Planning about this future road connection point and was told that the purpose of this future road connection was for if the property owners to the south decided to develop their property, that they could connect to Logan Lane at that time.

Staff will update the Planning Board at the November 7<sup>th</sup> meeting if any additional comments are received.

**CHECKLIST:**

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

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

**STAFF RECOMMENDATION:**

**Staff recommends Preliminary Plat Subdivision approval of Oak Creek Estates Preliminary Subdivision with the following conditions:**

**Planning Conditions**

1. If a subdivision sign will be placed, its location and size must be approved by County Planning Staff.
2. Remove notes on the plats referring to a water feature since the water feature has been removed from the plats.
3. Include property parcel number on the plat for the property being subdivided.
4. The City of Fayetteville's October 14, 2013 conditions of approval shall apply.

### **Utility Conditions**

#### Ozarks Electric General Conditions:

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 35% 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 MIKE PHIPPS 479-684-4696 OR [mphipp@ozarksecc.com](mailto:mphipp@ozarksecc.com)

#### Ozark Electric Additional Conditions:

1. Need 4" conduit crossing lots (1 and 2) to lots (8 and 9), lots (2 and 3) to lots (7 and 8), lots (4 and 5) to lot (6) Also, a 2" conduit is needed to the entrance island for the street light (OECC maintains only street lights installed by and purchased from OECC).
2. The 4" conduits shall be 48" deep at final grade and the 2" conduit shall be 24" deep at final grade.
3. Increase the 20' UE along the front lot lines to 25'.

#### SourceGas Conditions:

1. Show the existing 2" gas line on the west side of Oakland Zion Rd across from this proposed subdivision.
2. Boring will be required under Oakland Zion Rd to get gas to the east side, and 2" PE extension will

- have to be run through the subdivision to serve each lot.
3. If you have any further questions, please call Scott Stokes.

**Cox Cable Conditions:**

1. Also label the overhead electric line (on the east side of Oakland Zion) as the overhead cable line.

**AT&T Conditions:**

1. Any existing ATT/SWBT facilities needing relocation or any damage to existing facilities will be cared for by ATT at the owner/developer's expense. Locates need to be called for well in advance of dirt work to give time to relocate any possible existing facilities.

**Road and Engineering Conditions:**

1. All improvements to be made along Oakland Zion Road WC# 83 must be tapered back to the existing width instead of just terminating.
2. A street sections is required of the fire truck pull-offs on Logan Lane.
3. The detention pond for Lots 10 and 11 cannot be located within the ROW.
4. Call out within the drawing where the street improvements to Oakland Zion Road WC# 83 will be made.
5. The reconfigured detention pond must be approved by the Washington County Contract Engineer; it must also meet the City of Fayetteville's Engineering requirements.
6. Once preliminary approval is acquired, and before the preconstruction meeting is scheduled, bond and insurance must be received.

**Septic Conditions:**

1. If, after approval by Washington County, the approved plat's layout changes in order to meet ADH requirements, Washington County Staff will determine whether or not the plat must come *back* through Washington County Planning for Preliminary Subdivision approval. The determination will be dependent on the extent of the changes made to the plat.
2. The septic systems must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to occupation of the residences.
3. Any damage or relocation of utilities will be at the expense of the owner/applicant.
4. A letter from the local ADH office stating that Oak Creek Estates has met all of ADH's requirements must be received by Planning Staff in order for construction to be approved to commence on this subdivision.

**911 Addressing Conditions:**

1. The name of Logan Lane is already in use in Washington County and a different road name must therefore be chosen. Please contact Daryl Pemberton to review your alternate street names (444-1721)

**Environmental Conditions:**

1. No stormwater permit will be required by Washington County at this time. Must comply with all ADEQ rules and regulations.

**Standard Conditions:**

1. Pay Engineering Fees.
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 and redlined plat comments 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 Planner, Sarah Geurtz, presented the staff report for the board members with several updates to neighbor concerns and with an added AT&T condition.*

*Sarah Geurtz stated that one neighbor contacted Staff with concerns ranging from those that could not be considered since this is a Subdivision and not a Conditional Use Permit request, to concerns that Staff had already looked into and found to not be problematic such as: increased traffic on Oakland Zion, drainage/erosion, and subdivision checklist items. Staff did discover that an error had been made in the neighbor notifications and the representative for the property owners therefore decided to table this project last month over that matter. Neighbors were re-notified this month of the December 12, 2013 meeting.*

*Sarah Geurtz also stated that several people had contacted Staff and one of the Planning Board members about the future road connection to the south. Sarah stated that Fayetteville often requires these road connection points so if adjoining properties are developed in the future, those developments can connect instead of being disjointed.*

*Public comments:*

*Wally Stanimirovic, neighbor off 2920 Oakland Zion Rd, asked a question about the AT&T utilities conditions.*

*Juliet Richey, Washington County Planning Director, replied that it is a standard condition for utilities to put a disclaimer stating that if anything is moved or relocated, that the developer has to be notified and they will have to pay for it.*

*Wally Stanimirovic, neighbor off 2920 Oakland Zion Rd, asked that since AT&T does not provide DSL or Uverse in that area but there's another neighbor that lives right next to him, is there any way Washington County can ask AT&T to provide those services for the new subdivision?*

*Randy Laney, Planning Board Chair, replied "no".*

*Boyd Stiegman, neighbor off 2994 Oakland Zion Rd, stated that he had a lane that crosses Oak Creek with a box culvert and his concern is that when there is heavy rain, how much more input/through put it is going to go through when that subdivision is finished versus it being undeveloped land right now. Another thing is that lot seven has some kind of drainage easement across it, to me I just question how buildable*

that lot is, especially if you go out and walk that property. I know where that is because there are horse trails from back when Bob Gaddy built them for Linda years ago. That's a pretty steep area. Lot seven doesn't really look buildable with that easement going through the middle of it. That's my two main things. Looking forward to having the subdivision, appreciate that they're putting in some improvements along Oakland Zion Rd-curbs and sidewalks. We'll talk to the County to see if they can extend the curb a little bit longer to help with the drainage concern.

Juliet Richey replied that they are putting in a detention pond so it should capture and slow any water that is coming through that is added. The County has a contract engineer that reviews all the proposed engineering to make sure that engineering wise it doesn't look like there's going to be significant impact downstream. Mr. Milholland is the project engineer. He might be able to give you more detail on what they did. From our stand point it appears that it has been taken care of. It's engineered not to have an impact on others.

Boyd Stiegman, neighbor off 2994 Oakland Zion Rd, replied that he was comfortable with that. His other question is with lot seven and the easement right through the center of it.

Mel Milholland, Engineer from Milholland Engineering, responded that he thought Juliet covered the concern about the box culvert. I'm familiar with that because we surveyed all that area. The city of Fayetteville requires us not to impact owners with additional volumes of flow as far as per second like cubic feet per second. So we put in a detention pond to catch all the increase so that the discharge from the detention pond does not exceed what runs down that stream right now. As far as lot seven, these are large lots. We feel like there is plenty of room to build a house on it. There's a ditch there now we just put an easement on the plat to show that there is going to be a ditch down through there with a drainage easement. As far as AT&T, all utilities have to be located with Arkansas 1-call before construction starts. It is also very common for the contractor to have plenty of insurance. If they do damage one of those lines, especially a toll cable they are responsible for having it repaired by the entity that owns it.

Boyd Stiegman, neighbor off 2994 Oakland Zion Rd, asked about the traffic on Oakland Zion Rd, which is quite narrow and wondered if there were any plans to widen it.

Sarah Geurtz replied that she is not aware of any plans for widening the road but will give Mr. Stiegman the road department's number.

Robert Daugherty, Planning Board member, stated that we do need to look into that. He travels the road everyday and it is too narrow. It is really dangerous and I don't know if the increased traffic will make it worse. From Skillern to Highway 45 definitely for the amount of the traffic, you better pay attention.

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

Juliet Richey reminded the Planning Board that this is a preliminary plat. They have to get us a full set of construction plans approved by the city of Fayetteville and the County before any construction can begin. The Health Department has to do a final inspection before any construction as well. After all construction is complete there will be a final plat approval.

Boyd Stiegman, neighbor off 2994 Oakland Zion Rd, is concerned about Oakland Zion. He stated that some places do not have 16 feet anymore because of breakage off the sides.

Juliet Richey replied that Sarah will get Mr. Stiegman the information for the County Road Department. This is an issue that the Planning Department cannot handle. The County Road Department evaluated the impact of this subdivision and found no improvements required to the entire Oakland Zion to add nine residential lots. That's what we're really looking at tonight. I understand your concerns but it would be beneficial for you to call the Road Department and express your concerns.

*Boyd Stiegman, neighbor off 2994 Oakland Zion Rd, is concerned about Oakland Zion. He stated that it is a cut through from 45 to access Skillern and Bridgewater and to try to get to Joyce from the Mall area. That flow is heavy at peak times from seven to nine in the morning and four to six at night. It becomes more of a dangerous situation.*

**5. Other Business**

- Discussion of Current Development.
- Reminder of upcoming regular Planning Board meetings **January 9, 2014**, and **February 6, 2014**.
- Update on digital devices for Board
- Update on East Prairie Grove Tower CUP
- 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