

Benton County Planning Board

Public Hearing Minutes

December 16, 2009, 5:30 p.m.

1. Call to Order

2. Roll Call

The Board was represented by Scott Borman, Jim Cole, Mark Curtis, Lane Gurel, Bill Kneebone, Ken Knight and Heath Ward.

Staff was represented by Ronette Bachert, Teresa Sidwell, and Karen Stewart.

3. Disposition of the Minutes of October 21, 2009 public hearing meeting minutes as distributed. Mr. Knight made a motion to approve the minutes; the motion was seconded by Mr. Ward. All members voted in favor of the motion.

4. Reports of Planning Board members

Mr. Curtis updated the Board regarding the matrix for commercial development. He suggested the recommended fees would ease the burden for low impact development and be more financially feasible for high impact projects. He added that we currently do not have a variance fee and the Board may wish to entertain adopting a variance fee. Mr. Curtis asked the Board members to evaluate the matrix and make recommendations. Mr. Ward asked if a point system to weigh the projects would be used. Mr. Cole stated that the Board did not want the matrix to be a burden on the staff by assessing points. Mr. Curtis stated that they wanted to keep it simple and obvious. Mrs. Stewart stated that the level of impact would ultimately be up to the Board's discretion.

Mr. Gurel commented that the purpose of the checklist was to measure small, medium and high impacts to the community. Mr. Gurel stated that it will take some flexibility and would be determined on a case by case basis. Mr. Gurel added that the fees should not be a loss of revenue to the planning department. Mrs. Stewart suggested that the new fees may encourage businesses to come to the Board that may have avoided the planning process in the past. Mr. Curtis stated that the Quorum Court would make the final decision on a fee schedule. Ms. Bachert commented but the audio was inaudible. Mr. Ward suggested that research be done so that the Planning Board could paint a picture for the Quorum Court and then they could analyze the information. Mrs. Sidwell stated that she did the accounting for

the Planning Department and would be able to take the past projects that had come before the Board in the last year or two and weigh them using the matrix to see how the dollar amounts may change. Mr. Curtis stated that he was willing to assist Mrs. Sidwell with evaluating the planning fees from the last year or two. Mr. Gurel added that when we present the matrix to the Quorum Court it should be something with substance and keep the welfare of Benton County citizens as its primary concern.

Mr. Curtis stated that he had attended a meeting of the Prairie Creek Property Owners Association on Sunday and the Board of Directors on Monday regarding the Dollar General project on Stoner Lane. The Board had decided to support the residents of Stoner Lane in opposing the Dollar General because of the entrance on Stoner and the traffic that it would generate. Mr. Curtis stated that he would not be present at the meeting on the 20th of January. He added that his wife was on the Board of Directors and that he would not be present to vote on the project. He stated that there would be at least the 28 residents of Stoner Lane and spouses and representatives from the property owners association at the public meeting in January. The residents don't object to having a Dollar General, just the location and the entrance on Stoner Lane and the fact that it is on a bus route and would affect the home entrances on Stoner Lane. Mr. Ward looked at the location of the proposed project and he stated that he felt that there are legitimate concerns and he recommended that the other Board members look at it closely.

Mr. Curtis said there would be a couple of speakers to represent the group. He added that residents have talked to the State Highway Department and have learned that a curb cut on Stoner is not necessary. Mrs. Stewart stated that the 911 Administration said in an email that the project would keep their Highway 12 address. Mr. Knight commented that the home owners association might consider contacting the developer to mitigate any problems; Mr. Borman concurred. Mrs. Stewart said that she was contacted by a resident and that she had emailed the information for the developer since it is public record. Mr. Knight asked if Mr. Curtis would be the point man to contact the home owner's association and recommend that they contact the developer; Mr. Curtis stated that he would do that. Mr. Borman stated that for the record Mr. Curtis had recused himself from voting on the project.

Mr. Gurel stated that in the past when a representative spoke for a group; the representative would have more than three minutes to speak. Mr. Borman stated that he had no issue with giving a representative 5, 10 or even 15 minutes to speak. Mr. Kneebone suggested that a representative have 10 minutes to speak. Mr. Ward thought that 10 minutes would be adequate. Mr. Borman stated that the Board would not go until 3:00 or 4:00 in the morning.

5. Public Comment:

There was no public comment; public comment was closed.

6. New Business:

A. Lot Split – **Lakewood Estates** – 15800 Abbey Lane, Rogers

Mr. Carl Humphreys of 15800 Abbey Lane represented the project. Mrs. Stewart stated that Staff recommended approval.

Mr. Knight made a motion to approve the project; the motion was seconded by Mr. Cole. The Board voted unanimously in favor of the lot split.

7. Other Business:

The Board discussed changing the Planning Board start time. Mr. Ward stated that he had suggested changing the meeting start time to 6:00 pm and that if it didn't work out it could be changed back to 5:30 pm.

Mr. Ward made a motion to change the meeting start time to 6:00 pm effective in 2010; the motion was seconded by Mr. Gurel. Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Knight, and Mr. Ward voted in favor of the time change. Mr. Kneebone opposed the motion. The motion was passed.

8. Adjournment:

The meeting was adjourned at 6:00 p.m.