

BENTON COUNTY PLANNING BOARD

March 2, 2011, 6:00 p.m.

The Planning Board was represented by Jim Cole, Mark Curtis, Ken Knight, Heath Ward and Chairman Lane Gurel. Staff was represented by Ronette Bachert, Donna Fallin. Judge Robert Clinard and Elizabeth Bowen were also present.

TECHNICAL ADVISORY COMMITTEE

New Business:

A. Benton County Land Use and Development Plan

1. James Gately: *9360 East Lakeshore Drive, Rogers, AR.*

Mr. Gately, a Master Plan committee member presented the Master Plan Committee Report. The report was an introduction to the Land Use and Development Plan. The introduction consisted of the history of the process, the issues addressed and the committee's recommendations. This committee was the fourth committee working to draft this document and represented a diverse cross-section of stakeholders within the county. The Plan represents a vision for Benton County through at least 2050.

2. Larry Kelly: *Bentonville, AR.*

Mr. Kelly, a Master Plan Committee member presented the Benton County Land Use and Development Plan. The committee sees this document as a foundation for planning for future growth that will ensure the retention of the agricultural nature of our county while recognizing the need for commercial and Industrial growth. This document is a very loosely crafted vision to allow the Planning Board, Legislature and General Citizenry to determine the specifics as to how the vision will be met.

Chairman Lane Gurel congratulated the committee on completing their work and commented on the diverse cross-section of stakeholders involved on the committee. They included: Jeff Hawkins-Northwest Arkansas Regional Planning, Robert Seay—Benton County Cooperative Extension, Loy Bailey-Arkansas Department of Health, Deb Lewis-Bella Vista Planning Commission, Sallyann Brown—Lake preservation and Property Right Advocate, Cheryl Murphy-University of Arkansas, Jim Gately-Association for Beaver Lake Environment, Frank walker-Northwest Arkansas Council, Jackie Crabtree—Pea Ridge and Larry Kelly-Real Estate.

Mr. Gurel asked about Section II, #7. **“Single Family and Agricultural land use be granted as a right and all other use applications be reviewed as conditional uses.”** Mr. Kelly explained this would allow the Planning Board to better control land uses for commercial and industrial development by giving the Board the authority to use or enforce compatibility. The Board will review the plan and it will be discussed at the March Public Hearing meeting.

Old Business:

A. Osage Creek Arts Pavilion – Representations were made by the developer that he had received letters from both the County Road Department and the Sheriff pertaining to the paving of a portion Logan Cave Road. The existence of these letters came into question, so the planning staff was going to check the project file.

Ronette Bachert, Sr. Planner reported that there was no letter in the file from the sheriff. There was a letter from Steve Douglas of the Road Department on 11/17/2010 stating that Benton County was planning to upgrade a portion of Logan Cave Road and had no objection to the building of the pavilion. There have been four Planning Board approvals on this project dating from 2004 to present.

Chairman Gurel asked that discussion be limited to the current project (presented in 2010).

Judge Clinard agreed that the Planning Board should consider only the current (11/ 17/10) project approval and stipulations. The Judge advised the Board that he had spoken with the developer Greg Smith and that Mr. Smith would attend the March 16th Public Hearing meeting to update the Board on his progress toward meeting the stipulations.

The judge also informed the Planning Board that the county is currently rebuilding Logan Cave Road from Gailey Hollow Road 1.4 miles east to Steward Road. The county has an irrevocable letter of credit from Mr. Smith to pay for the asphalt for that road.

Chairman Gurel stated that the concerns of the Board stem from local television news reports that more than 5,000 tickets were being sold for a July event. Additionally the board questioned how the project could be under construction without a building permit since the developer had not met all of the stipulations for project approval.

Judge Clinard stated that a building permit for the stage and bleachers had been issued and that a Certificate of Occupancy would not be issued until all of the stipulations had been met.

Mr. Gurel expressed the Board's desire to work with the Staff to be clear about when building permits can and should be issued in the future. In addition the Staff and Board will work on identifying a more specific check list for project proposals and the timing of stipulation completion as it pertains to construction timelines.

Staff will provide Mr. Smith a list of all stipulations required by the Board prior to the 3/16 meeting to enable him to address each.

Mr. Gurel was concerned about tickets being sold prior to the stipulations being met.

B. Public Comment – Mr Ward suggested the Public Comment portion of the meeting be revised. He suggested the following: There be a brief time allocated to general public comment at the beginning of the meeting. In addition, at the conclusion of each project presentation there will be an opportunity for public comment on that specific project and a Q&A session or follow-up by the developer. Three minutes will be allowed for individuals and 10 minutes to a speaker representing a group. The Board agreed to these meeting format revisions starting 3/16/2011.

Adjournment: 7:44 pm