

October 20, 2010  
NOTICE OF REGULAR MEETING AND PUBLIC HEARING MEETING OF THE  
BENTON COUNTY PLANNING BOARD

WHEN: October 20, 2010  
TIME: 6:00 p.m. The Benton County Planning Board will meet to receive Public Comments on any of the proposed projects on the agenda.  
PLACE: Benton County Administration Building, 215 East Central Avenue  
Quorum Courtroom, 3rd Floor (Suite 324), Bentonville, AR 72712

**MINUTES FOR REGULAR PUBLIC HEARING**

1. **Call to Order**

2. **Roll Call**

Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Knight, and Mr. Ward were in attendance. Mr. Pate was absent. Ms. Bachert and Mrs. Sidwell represented the Planning Department.

3. **Disposition of the Minutes** of September 15, 2010 public hearing meeting as distributed. All members approved the minutes as distributed.

4. **Reports of Planning Board members**

There were no reports from the board members.

5. **Public Comment**

There was no public comment.

6. **New Business:**

- A. **JP District 04** – Large Scale Development – **Color Surface** – 4454 Twin Oaks Dr., Springdale

The stipulations from the TAC meeting were as follows:

- Review comments from the City of Springdale.

Mr. Dirk Thibodaux represented the project. Mr. Thibodaux stated that he had received over 40 engineering comments from the City of Springdale. He added that items #2, 4, 5, 6, 26, 33, 35, and 36 would be submitted with the plans. Mr. Thibodaux commented that there were a few things that the City of Springdale requested that he could not comply with such as data on the survey west of the property line and the drainage easement along the west property line. He added that he was not sure that it pertains to the development of the project.

Mr. Thibodaux stated that they plan to ask for waivers on curb, gutter, streetlight, sidewalks along Twin Oaks Drive and driveway access when they attend the Springdale Planning Commission meeting on November 2. Mr. Borman asked, "Aren't we the governing body with regards to this project at this very moment? Springdale can ask for some of that stuff but if we don't require it in our regulations they're not required to go through Springdale's Planning Board." Ms. Bachert stated that since they are in Springdale's planning area she suggested to the applicant; "if it

were me, I would ask for a variance from Springdale for some of these because it is my opinion that they are really unreasonable and that's why he chose to go to the planning board." Mr. Borman agreed that the applicant may want go to Springdale and ask for a variance.

Mr. Curtis stated that the planning area jurisdiction deals with subdivisions not commercial buildings. He added that Benton County planning board has the power to say what we want regarding commercial projects. Mr. Gurel asked what if Springdale denies the variance requests. Mr. Borman said that he didn't feel it has any bearing on whether the project is approved or not. Mr. Ward commented that it may be mute to even ask for a variance.

Mr. Curtis asked the applicant about the second access driveway. Mr. Thibodaux stated that the second driveway would not cause traffic congestion in the area. He added that the drive was for private access to a garage space. Mr. Thibodaux stated he would not need to back out onto the road because he can pull through the garage.

*Mr. Knight made a motion to approve the project; Mr. Ward seconded the motion. All members voted in favor of the motion and the project was approved.*

#### **7. Old Business:**

- A. **JP District 01 – Final Plat – The Estates of Lakeway Phase II – East High Meadows Rd., Rogers – Lane Gurel**

The stipulations from the TAC meeting were as follows:

- Planning Board Certification required
- Engineer's Certificate must be submitted at Public Hearing

Mr. Lane Gurel represented the project. Mr. Gurel stated that all utilities and roads had been completed.

*Mr. Knight made a motion to approve the final plat for the project; Mr. Ward seconded the motion. All members voted in favor of the motion and the project was approved.*

#### **Adjournment**

The meeting was adjourned at 6:30 p.m.