

April 11, 2006 – Tontitown Planning Commission – Minutes

7:02 PM – Called to order by Ralph Pendergraft.

Roll was called. All members were present.

Ralph Pendergraft asked if everyone had read the minutes.

Motion to accept minutes as written for meeting of 03/28/06 by Karen Inlow. Seconded by Norbert Ranalli.

Ralph Pendergraft asked for any comments.

Motion carried with unanimous ayes.

Chris Waller – Blew Bates & Associates – stated that he was representing Pienza Estates which lies outside city limits but within the planning area. He continued to explain the preliminary plat and variance requests.

Ralph Pendergraft commented that the preliminary plat needs to be looked at first.

Chris Waller clarified that the structure shown on lot #5 will be demolished.

Ralph Pendergraft asked Rick Williams for any input.

Rick Williams asked if the existing gas and power lines will be removed.

Nathan Rudolf – Construction Manager – stated that the plat was initially proposed by WBR, which is why utilities had been installed. He continued that they will be moved.

Motion made by Chuck Savage to approve preliminary plat. Seconded by Karen Inlow.

Frank Mayfield – Resident west of proposed development – commented that originally the development was proposed at 8 houses but they didn't follow procedure. He continued that the neighbors fought their effort. He added that there are a lot of good houses in the area and that if they plan to keep with that, then the neighbors will support it.

Chuck Savage asked if inside the subdivision they plan to have curb and gutter.

Chris Waller confirmed and continued then they would asphalt the road to city specs. He added that there is about 3/10 of a mile that is asphalt, but that it was rough when they drove down it.

Ralph Pendergraft stated that the county usually dictates what type of road. He then asked if there were any questions.

Karen Inlow confirmed that the only structure to be left is on lot #4.

David Bolinger asked if the structure was built there or moved.

Nathan Rudolf replied that he believed it have been moved there.

Ralph Pendergraft asked what size houses they were planning.

Nathan Rudolf responded that they are planning 1400 to 1600 square feet with ½ to ¾ brick in the \$150,000 to \$175,000 range. He explained they want to hit a needed market without being an eyesore.

Ralph Pendergraft asked if there were any questions from the audience or from Rick Williams.

Rick Williams asked if any more houses will be moved in.

Nathan Rudolf replied that there would not.

David Bolinger confirmed that lot #4 would be the only building to remain.

Motion amended by Chuck Savage to approve the preliminary plat noting that structure shown on lot #5 will be demolished. Seconded by Karen Inlow.

Motion passed unanimously.

Ralph Pendergraft stated that they would look at the variance request on lot #4 with the porch in the setback.

Chris Waller commented that it is not permanent, that it is a wooden deck.

Karen Inlow stated that she would like to see a condition applied that if the deck and/or house were removed, neither one can be rebuilt to encroach.

David Bolinger asked if anyone lives there.

Chris Waller replied yes.

Motion made by Karen Inlow to grant the variance with the stipulation that if and when the house and/or deck are removed, neither can be rebuilt to encroach the setbacks. This condition is follow on all legal documentation for future reference. Seconded by Chuck Savage.

Ralph Pendergraft asked if there was any discussion. He asked if the cul-de-sac was fifty feet.

Chris Waller replied that he believed it to be sixty feet. He confirmed that at the back it is forty-nine and at the right of way it is sixty feet radius.

Ralph Pendergraft asked for any more discussion.

Chuck Savage asked if they were planning on putting another house behind the existing one.

Chris Waller responded that that is not their intention.

Ralph Pendergraft asked if the audience had any questions or any discussion.

Motion passed unanimously.

Ralph Pendergraft stated that they would consider the variance request for curb and gutter and street improvements.

Chris Waller confirmed the request.

Ralph Pendergraft noted that such request has yet to be granted by this Commission. He continued to state that a motion was needed.

Motion made by David Bolinger to grant the variance. Seconded by Tommy Granata.

Ralph Pendergraft asked for any discussion.

Chris Waller commented that is they are required to pave their half of the road, it would not be as structurally sound. He continued that when the county grades the road, chances are they will hit the road or push rocks against it, tearing it up.

Ralph Pendergraft asked if they would be willing to pave the whole thing.

Chris Waller replied that it would be a possibility.

Norbert Ranalli added that it would be a good selling point and that maybe the county would finish out the road.

Chris Waller commented that if residents are worried about dirt, they'd still have a mile to go of dirt road.

Karen Inlow stated that the Commission is trying to keep a lack of curb and gutter from happening in the future.

Chris Waller commented that it is such a short piece.

Karen Inlow replied that it wouldn't cost as much.

Chris Waller stated that when the county does pave, it will be difficult.

David Bolinger asked if the neighbors would help.

Frank Mayfield responded that he is only one, but that he feels assured they would if the standards are applied.

Ralph Pendergraft asked Rick Williams if drainage is a problem.

Rick Williams replied that it could be.

David Bolinger asked what other options are there.

Ralph Pendergraft mentioned that the Commission had another offer to pave both sides if the development was allowed to bypass curb and gutter.

Nathan Rudolf stated that, as the road narrows, at what point will the Commission enforce considerations.

Chris Waller continued that right now drainage stays along the road, but with curb and gutter the storm sewers on the west end might have a depth issue.

Karen Inlow asked if engineering studies have been done.

Chris Waller replied that they had, but it had been a while since he looked at them.

Ralph Pendergraft asked if there were any comments from the Commission regarding his suggestion.

David Bolinger asked how much frontage is on Wildcat Creek.

Chris Waller replied less than 400 feet.

Karen Inlow commented that consistency is needed.

Chuck Savage commented that it won't be five years until that area is in the city.

Tommy Granata replied that he didn't think it would be that fast.

Some discussion followed.

Geoff Bates – Blew Bates & Associates – commented that curb and gutter won't help, it won't function, and maintenance would be a nightmare in that area.

David Bolinger asked Frank Mayfield what he would like to see.

Frank Mayfield stated that he would rather see it paved over curb and gutter.

Nathan Rudolf commented that it would be easier and cheaper to do it all at once and not in bits and pieces.

Tommy Granata asked if the Commission could vote and propose an alternative.

Karen Inlow asked if the alternative was to only look at roads and drainage and not curb and gutter.

David Bolinger suggested that the Commission require all of it and then see what the county says.

Ralph Pendergraft commented that if the request was denied then they could come back as it is not known what Mathias is willing to do.

Discussion ensued.

Motion amended by David Bolinger to forego the curb and gutter requirement, granting a variance on that requirement, but requiring the developer to pave the whole road to county standards along the property road frontage. Seconded by Tommy Granata.

Karen Inlow commented that she is bothered about curb and gutter.

Chuck Savage stated that it would not work there.

More discussion followed.

Steve Gunderson stated that a motion was needed to approve the amended motion.

Motion made by Chuck Savage to approve the amended motion. Seconded by Karen Inlow.

Motion carried with all ayes.

Rick Williams commented that drainage is a concern.

Ralph Pendergraft asked if they would have to put in a drainage ditch.

Rick Williams replied that they would still have to deal with drainage.

Another discussion followed.

Tracy Goddard commented that there was a lot of assumptions being made and asked if the answers could be found out beforehand.

Ralph Pendergraft stated that per his knowledge in conversations with Frank from the county, they won't require it.

Tommy Granata commented that it would only be a matter of time before the county does something.

Karen Inlow suggested making a recommendation to the county to require them to hard surface the road to county standards.

Ralph Pendergraft asked if there was any discussion.

Motion passed unanimously.

Motion made by Karen Inlow to recommend to county that Pienza Estates be required to improve the road by way of hard surfacing up to the nearest hard surfaced point (about 4/10 mile). Seconded by David Bolinger.

Ralph Pendergraft commented that the county has not required that in the past; only their half of the road. He asked for any comments.

Frank Mayfield stated that paving is a concern since there's a large gully that washed out the road to the west.

Ralph Pendergraft asked for any more comments.

Motion carried 5 to 2 with Tommy Granata and Jerome Fantinel opposing.

Motion made by Karen Inlow to table Tuscany's variance request. Seconded by Norbert Ranalli.

Motion passed unanimously.

Ralph Pendergraft called Southpoint to the podium.

Geoff Bates stated that they are returning because of the power poles and street issue. He added that Ozarks told him it would be ok as long as it was 60 feet.

Ralph Pendergraft commented that he had tried calling Mitchell Johnson, but he was in meetings and is supposed to call back.

Geoff Bates responded that he has been speaking with Robert Erickson.

*Motion made by Chuck Savage to table until something in writing is obtained.
Seconded by David Bolinger.*

Ralph Pendergraft asked for any discussion.

Motion carried with all ayes.

Ralph Pendergraft asked for any open discussion.

Motion to adjourn made by Tommy Granata. Seconded by Jerome Fantinel.

Meeting adjourned at 8:15 PM.