

June 13, 2006 – Tontitown Planning Commission – Minutes

7:03 PM – Called to order by Ralph Pendergraft.

Roll was called. David Bolinger was not present.

Ralph Pendergraft asked if everyone had received and read the minutes. He asked if there were any questions.

Motion to accept minutes as written for meeting of 05/23/06 by Karen Inlow. Seconded by Jerome Fantinel.

Ralph Pendergraft asked for any discussion.

Motion carried with unanimous ayes.

Ralph Pendergraft called American RV to the podium.

Roger Trotter – Shelden Engineering – gave an overview of the plan.

David Gilbert – EGIS – commented that there seems to have been some confusion throughout this project regarding its classification as either a subdivision or large scale development. He stated that it is indeed a large scale development, and advised the Commission that, as such, there would be no further required submittals for approval. Mr. Gilbert continued to cover comments from his review letter dated June 5, 2006. He also discussed the differences in a public versus private easement for the extension of Kelly Avenue.

Mick Wagner discussed governing regulations for water and sewer. He presented a letter from Attorney Mark W. Dossett which stated that the strictest regulations were to be observed whether it be municipality or state.

Roger Trotter commented that he was confused about the planning office not seeing construction drawings and that they were planning on submitting whole documentation prior to approval.

Ralph Pendergraft stated that if it is LSD, then all items need to be done before.

Roger Trotter affirmed that all items have been addressed.

Steve Gunderson interjected that they were still lacking approval from Water and Sewer and EGIS.

Karen Inlow commented that the northern boundary concerns her.

Chuck Savage stated that Mr. Potter indicated that he would back up and dedicate 30 feet no problem, but we need to find out if it needs 30 or 60 feet.

David Gilbert stated that the plat would indicate what is intended for the adjacent property.

Ralph Pendergraft commented that there are several items to address.

Roger Trotter stated that they have tried everything to address the comments.

David Gilbert replied that he had not seen anything since the last EGIS letter was issued.

Mick Wagner stated that the plans need to show a decentralized system.

There was some discussion regarding the decentralized system.

Ralph Pendergraft commented that Rick Williams, David Gilbert, and Water and Sewer need to get together.

Motion made by Karen Inlow to table. Seconded by Norbert Ranalli.

Ralph Pendergraft called for any discussion.

Motion passed unanimously.

Ralph Pendergraft asked the Kenny Smith lot split to come to the podium.

No one presented.

Rick Williams stated that this proposed split wants to separate the septic from the facility which presents legal issues.

Motion made by Chuck Savage to table. Seconded by Norbert Ranalli.

Ralph Pendergraft asked if there was any discussion.

Motion passed unanimously.

Ralph Pendergraft called Tuscany to the podium.

Philip Taldo stated that the rezoning had not yet been heard by the City Council due to the rescheduling.

Steve Gunderson commented that it may be easier to deal with the variances first as they may require changes to the preliminary plat.

Ralph Pendergraft asked David Gilbert if he had any comments regarding the variances. The response was negative. Mr. Pendergraft then asked Rick Williams if he had any comments. Again there were none.

Philip Taldo stated that first they're asking for a 10' variance on the lot width. He cited Lot 5 as an example.

Ralph Pendergraft asked if there were any questions and asked for a motion.

Motion made by Chuck Savage to grant the variance for lot width as requested. Seconded by Tommy Granata.

Ralph Pendergraft called for discussion.

Chuck Savage asked if they have taken into consideration sewer.

Philip Taldo replied that they may drag their feet eight months if that's it.

Steve Gunderson stated that in the City's own definitions §153.022, lot width is measured at the building setback.

Motion passed with all members present in favor with the exception of Jerome Fantinel who abstained.

Philip Taldo addressed the next variance which requested an allowance on the length of the cul-de-sac. He discussed the "knuckle".

Ralph Pendergraft asked for Rick William's opinion.

Rick Williams stated that, regarding the radius, it meets or exceeds code. He continued that the length depends on what the code reads.

David Gilbert commented that §152.05 contains the cul-de-sac definition and §152.41 is regarding the length.

There was a discussion as to whether it should be considered as two cul-de-sacs or just one.

Motion made by Tommy Granata to grant request variance on length of cul-de-sac. Seconded by Chuck Savage.

More discussion ensued regarding the cul-de-sac.

Motion passed with all present members voting in favor with Jerome Fantinel abstaining.

Philip Taldo stated that the last variance request is for street and storm improvements and sidewalks. He continued that they are requesting this for two reasons. The first being it is against a state highway; the second being that there are several large scale developments on the other side of the highway that don't have it.

Ralph Pendergraft asked what it would require them to do.

Philip Taldo replied that they would have to widen the street and deal with the ditch. He then stated that they would like to remove the waiver for sidewalks from the request. Mr. Taldo added that they will have maintenance in the covenants.

Motion made by Chuck Savage to grant the requested variance for street improvements and curb and gutter. Seconded by Tommy Granata.

There was some discussion regarding items 13 and 14 on the EGIS letter.

Ralph Pendergraft asked for comments from Rick Williams.

Rick Williams stated with the highway development, enlargement should start at the light and go north, matching 412 as a five lane.

David Gilbert added that the State Highway Department has to permit any work on it. He continued that if the highway changes width, then improvements will be removed.

Karen Inlow commented that the Commission knows the subdivision is going in. She asked so when do they start applying the requirements. She continued to ask how long into the future do they go with "what ifs".

David Gilbert stated that the Commission could require improvements up to the regulations for the Master Street Plan.

Ralph Pendergraft asked if there was any more discussion.

Norbert Ranalli commented that curb and gutter is important, that drainage management is needed.

Philip Taldo replied that it's not that there won't be drainage, just not curb and gutter. He continued that it might look better.

Motion failed with all members present voting against it with Jerome Fantinel abstaining.

Philip Taldo asked if the Commission was to consider the preliminary plat this evening.

Steve Gunderson recommended that it would be better to wait on City Council.

Motion made by Karen Inlow to table the preliminary plat. Seconded by Norbert Ranalli.

Motion passed with all present members voting for it with Jerome Fantinel abstaining.

Ralph Pendergraft asked for any old business. There was none, so he called for open discussion.

Chuck Savage suggested that they amend the ordinance to go to one meeting per month.

Motion made by Chuck Savage to amend ordinance, changing Planning Commission meetings to one per month.

Discussion followed.

Chuck Savage withdrew said motion.

Ralph Pendergraft commended the Commissioners for doing such a good job.

Chuck Savage asked if any one remembered the Davenshire subdivision.

Ralph Pendergraft responded that that had come through before any of their tenures.

Karen Inlow asked about tabling: how long could items be tabled and if there is a time limit.

Steve Gunderson replied that there was not anything currently in place. He continued that the Commission would need to adopt their own rules and have procedures set in place.

Mick Wagner address a summary of the “opt-outs”. He also explained a chart of the sewer progress.

Ralph Pendergraft asked if there was anything else.

Motion made by Norbert Ranalli to adjourn. Seconded by Tommy Granata.

Motion carried with all ayes. Meeting adjourned at 8:35 PM.