

**TONTITOWN PLANNING COMMISSION MEETING MINUTES**  
**11/27/07**

**ROLL CALL:**

David Bolinger	Present
Bill Brandt	Present
Norbert Ranalli	Present
Jerome Fantinel	Absent
Julie Bowling	Present
Joey Pianalto	Present
Tommy Granata	Absent

**APPROVAL OF AGENDA:**

Motion to approve the agenda was made by Norbert Ranalli and seconded by Bill Brandt. It passed unanimously by acclamation.

**APPROVAL OF MINUTES FOR 10/23/07 meeting:**

Motion was made by Bill Brandt and seconded by Norbert Ranalli. It passed unanimously by acclamation.

**OLD BUSINESS:**

A. Plat Timing Regulation.

J.R. Carroll, Counsel for City of Tontitown, discussed the reasoning behind the ordinance as well as the positives and negatives for the ordinances. The ordinance is designed to prevent developers from getting their large scale development or subdivision passed and then sitting on the plans for several years after the City has changed its planning regulations. It also discusses the definition of “commencement of project” as well as the fact that Shane Harrison will be in charge of monitoring the commencement of all projects.

**NEW BUSINESS:**

A. McDonalds.

There was a lengthy discussion with representatives of McDonalds regarding the items listed by EGIS in its letter to the City of Tontitown, dated November 26, 2007. The main issues for clarification were under Code Section 150.02 (F) (4) regarding the fixture and the fact that the code required sodium light bulbs. Sodium light bulbs are the lights that have more of a yellow glow and McDonalds wanted to use a metal halide bulb which has more of a white glow for more of a natural light look to it. Additionally, McDonalds has requested a variance with regard to this lighting. A motion was made by Bill Brandt to grant the variance and the motion was seconded by Julie Bowling. The motion passed unanimously by acclamation.

Another issued raised was with regard to the sign exceeding the maximum square footage set out by Code Section 153.091. There was also some discussion between the commissioners with regard to needing to place in the code a set calculation for the amount of square footage. The issue that arose

is whether the Planning Commission should consider only the square footage area that is actually on the sign or should they also consider the square footage between the arcs of the M on the McDonalds sign. In any event, the Planning Commission decided that the sign substantially met Code Section 163.091. There was also a question as to whether the overall height would not exceed 35 feet and McDonald representatives assured the Planning Commission that it would not.

The only other major issue with regard to McDonalds' large scale development is whether landscaped islands would be necessary in rows of more than ten parking spaces pursuant to Code Section 150.103 (3) and pursuant to the Code, the Planning Commission determined that the landscaping plan provided by McDonalds substantially met code, thus, McDonalds was not required to comply with 150.103(3). The motion regarding acceptance of the landscape plan by McDonalds was made by Bill Brandt and seconded by Joey Pianalto. It was approved unanimously by acclamation of the Planning Commissioners. Motion to accept the entire large scale development was made by Norbert Ranalli and was seconded by Bill Brandt. It was approved unanimously by acclamation.

B. Minimum Standards for Private Roads.

Shane Harrison raised the issue with regard to standards for private roads due to the fact that there is one family of citizens in Tontitown who would like to build a private road on a portion of their property so that they can split their property so their family members can build individual houses on that property. This property is located partially in the City and partially outside of City limits. After much discussion between the Planning Commission members regarding whether they should allow a private road with regard to this matter, it was the recommendation of the Planning Commissioners that this property owner should apply for annexation and a PUD with regard to this property.

**COMMENTS FROM THE MAYOR:**

Mayor Joe Edgmon addressed the Planning Commission with regard to Section 5 of Ordinance 2005-10-230. Section 5 states "It has been found by the City Council of the City of Tontitown, Arkansas, that this Ordinance is immediately required in order; to secure safety from fire and other dangers; to promote healthful living conditions; to prevent the unsanitary use and development of land; to facilitate the adequate provision of transportation, water, sewage and public facilities; and ensure the orderly development of the community for the general welfare of the citizens."

Mayor Edgmon went on to discuss how there needs to be open communication between the Mayor and the Planning Commission members. Mayor Edgmon discussed whether any members had any issues in which they would like to discuss with him, now or later, and replied that his door is always open. Additionally, the Mayor stated that he does not have a problem with any of the council members and does not believe that any of them are doing a poor job. Mayor Edgmon also agreed that if any problems arose between himself and a Planning Commission member he would either contact J.R. Carroll or that Planning Commission member directly as soon as that problem arose.

**ADJOURNMENT:**

Norbert Ranalli made a motion to adjourn which was seconded by Joey Pianalto.