

TONTITOWN PLANNING COMMISSION MEETING MINUTES 06-22-2010

PUBLIC HEARING: Chris Harral rezoning – Meeting began 7:00 PM. Kenny Greene residence of 983 Morsani stated that he is opposed to the rezoning. It is a residential street and he would like to keep it that way. Though it will be used for storage, this might change in the future. Marguita Taldo, residence of 859 S Barrington Road, stated that that she owns property at 809 Morsani and is opposed to any commercial on this road. Delores Greene, at 983 Morsani, stated that she is opposed and doesn't want any commercial traffic. Chris Harrall stated that his property is for the growth of his business. He does not intend to use access off of Morsani. The South, East, and West property owners have given their approval. Steven Greene residence of Springdale stated that he is opposed. He believes this should be kept a residential street.

- 1. ROLL CALL 7:15 PM** – Meeting called to order by Chairman Brandt. Members present were Bill Brandt, Tommy Granata, Mick Wagner, Jerome Fantinel, Norbert Ranalli, Lou Sharp, and Joey Pianalto. Also present were JR Carroll, PC attorney, Britt Vance, USI Engineering, and Rebecca Bennett.
- 2. APPROVAL OF AGENDA** – A motion made by Fantinel to approve the agenda as written and 2nd by Wagner, motion passed unanimously.
- 3. APPROVAL OF MINUTES FOR 05-25-2010** – A motion made by Pianalto to approve the minutes as written and 2nd by Ranalli, motion passed unanimously.
- 4. OLD BUSINESS**
 - A. None**
- 5. NEW BUSINESS**
 - A. Harral Rezoning** – Alderman David Bolinger stated that the Land Use Plan shows the subject property to be best suited for commercial use. Carroll stated that the Land Use Plan is designed and adopted to indicate what is projected suitable use should be in the future. A motion made by Granata to approve the rezoning and 2nd by Ranalli. Granata stated that there is a lot of drainage at the back of this property and inquired what kind of fence would be built. Harral stated that he would like to erect a metal fence that will be completely private. Sharp inquired if equipment would be brought in off of Morsani. Harral stated that Morsani is not big enough for his trucks. Wagner stated that Morsani is a collector street, which is the second largest arterial street in the currently adopted Tontitown Master Street Plan. Wagner inquired what kind of lot surfacing would be put down. Harral stated that they would be leveling and graveling the lot.

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Wagner stated that the distance from 412 is comparable with a previous rezoning of Peachee property on Sbanotto & N. Barrington.

Bolinger inquired about the negative impact of the lost revenue if this was not rezoned.

Harral stated that they wouldn't be able to expand and would have to consider going to Rogers or Bentonville. Countryside brings about \$60,000 in Tontitown city sales annually.

Granata stated that four houses to the left of this property abut commercial.

Commissioner Pianalto, lives in one of these three houses, stated that he had no problems with building there and one of the houses has already bought and sold quickly when they came on the market.

Motion passed unanimously.

B. Inlow Lot Split – No representative for this action was present.

Wagner stated that it is customary not to discuss a project without representation. A motion made by Wagner to table the Inlow Lot Split and 2nd by Ranalli, motion passed unanimously.

C. Reliable Lot Split – Kim Hesse, representing Mrs. Pianalto, stated that lot split is being done for the expansion to the industrial site. They are combining three lots which includes adding a tract to the South that is not in the platted subdivision.

Wagner inquired if the engineer has reviewed the plans and made sure easements were.

Vance stated that he has and easements were given as requested.

A motion made by Wagner to approve the lot split as presented and 2nd by Pianalto, motion passed unanimously.

D. Reliable Large Scale Development – Kim Hesse stated that they will be expanding to a 50,000 sq ft facility for shipping and adding a drive to the South. There will be no additional parking and drainage will be provided. Wagner inquired about how close this is to the Master Street Plan's extension of Fletcher dedicated and were ample setbacks provided to comply with MSP.

Hesse state that the building is fifty three feet from the south property line.

A motion made by Wagner and 2nd by Fantinel, motion passed unanimously.

E. Pianalto Property Line Adjustment – Shirley Dixon was present to represent Arvest. Rick Pianalto stated that he has one acre with a house and barn and Arvest has about sixteen acres. Pianalto is buying acreage from Arvest to gain a fifty foot frontage to Steele Road. He has no frontage currently and this will make his property conforming to current lot split codes. Five acres will still be land locked. Acreage will be traded to Mike Taylor for property including a driveway. This will make two out of three properties conforming.

A motion made by Wagner to approve the Pianalto property line adjustment and 2nd by Fantinel, motion passed unanimously.

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6. RECURRING ITEMS

A. Discussion of conflicts or Ordinances and or code changes needed

Review Chapter 152 – Wagner stated that at a previous meeting Vance pointed out sections of the Bentonville chapter had been added since we essentially adopted Bentonville code a few months back. These sections have been added. Community Director was changed to Building Official. Wagner stated that the sections provide for clear provisions for waivers and tree preservation.

Vance stated that this prevents clear cutting a lot and provides for preserving existing trees. Tree Committee has been taken out. The flood damage section is similar to what is in place.

Wagner stated that addressing is currently covered in our Chapter 150. He proposed that this be moved into the proposed Chapter 152, since this section was referred to as the subdivision code. It also provides a provision for diagonal streets whereas our current addressing does not. A sentence was added for building numbering not visible from the street. A section regarding PUDS was left out, since this is in Chapter 153 which is our Zoning code.

A motion made by Pinalto to accept changes as presented and 2nd by Ranalli, motion passed unanimously.

Review Chapter 153 – Wagner stated that Bentonville's code allows administrative approvals; Tontitown has not allowed administrative approvals in the past and suggested we keep it that way. Instead of allowing administrative approval, developers would be required to seek guidance from the TAC Review, then TAC would make recommendations for PC to act on.

Vance suggested leaving the section regarding cell tower stealth in. A motion made by Wagner and 2nd Pinalto to cease at page 94, motion passed unanimously.

7. REVIEW ITEMS FOR PLACEMENT ON CITY COUNCIL AGENDA – Brandt stated that Harrel's rezoning will go on the city council agenda.

8. COMMENTS FROM COMMISSIONERS – Ranalli inquired about William McGarrah's house on Liberty being in WWA's water area.

Wagner stated that McGarrah currently has a TWU meter, but his new house is in WWA's area. Under the settlement agreement, WWA has forty-five days to release the customer to Tontitown.

Wagner stated that last month he asked the Planning Commission to consider becoming members of the American Planning Association for \$450.

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Brandt stated that next month the Planning Commission will look at Chapter 153 again.

9. **ADJOURN** – A motion to adjourn made by Pianalto and 2nd by Ranalli, motion passed unanimously.