

Planning Board

Darrell Watts – Chairman Rocky Clinton-Vice-Chairman Michael Lunsford-Secretary Larry Roberts-Member Kevin Boortz-Member City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Board of Zoning Adjustments Public Hearing Agenda

Date: Tuesday, May 22, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Board of Zoning Adjustments Meeting Call to Order

- 2. Roll Call
- 3. Approval of Agenda
 - a. St. Joseph's Cemetery Expansion Conditional Use Permit
 - b. Barrington Heights Replat Lot 6&7 Variance Request
 - c. Ozark Self Storage Rezoning Request
 - d. Ozark Self Storage Conditional Use Permit Request
 - e. Updates to Chapter 152.031 Maintenance Guarantees
- 4. Comments from Citizens
- 5. Meeting Adjourned

TONTITOWN

Planning Board

Darrell Watts – Chairman Rocky Clinton-Vice-Chairman Michael Lunsford-Secretary Larry Roberts-Member Kevin Boortz-Member City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Planning Board Agenda

Date: Tuesday, May 22, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Planning Board Meeting Call to Order

- 2. Roll Call
- 3. Approval of Agenda
- 4. Approval of Minutes
 - a. Approval of April 26, 2018 Public Hearing Minutes
 - b. Approval of April 26, 2018 Planning Board Minutes
- 5. Comments from Citizens
- 6. Old Business
- 7. New Business
 - a. St. Joseph's Cemetery Expansion Conditional Use Permit Request
 - b. Barrington Heights Replat Lot 6&7 Variance Request
 - c. Ozark Self Storage Rezoning Request
 - d. Ozark Self Storage Conditional Use Permit Request
 - e. Updates to Chapter 152.031 Maintenance Guarantees
 - f. Five J Farms Commercial/Industrial Subdivision
- 8. Review Items for Placement on City Council Agenda (if applicable)
 - a. Ozark Self Storage Rezoning Request
 - b. Updates to Chapter 152.031 Maintenance Guarantees
- 9. Reoccurring Items and Items for Review
 - a. Review of Approved Projects & Expirations
 - b. Review Building Activity
- 10. Comments from Staff
 - a. Updates on Landfill progress
 - b. Discussion of Subcommittee Meeting on May 15, 2018
 - i. Synopsis of meeting
 - ii. Outline for next month and set Public Input Session: Tuesday, July 10, 2018 potential date
 - c. Pre-Public Hearing Meeting to go over setup, no date set
 - d. Upcoming Planning Board Meeting, Tuesday, June 26, 2018
- 11. Comments from Board Members
- 12. Meeting Adjourned



Planning Board

Darrell Watts – Chairman Rocky Clinton-Vice-Chairman Michael Lunsford-Secretary Susan Sedberry-Member Larry Roberts-Member City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Board of Zoning Adjustments Public Hearing Minutes

Date: THURSDAY, April 26, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

- 1. Board of Zoning Adjustments Meeting Call to Order
- 2. Roll Call

All in attendance

- 3. Approval of Agenda
 - a. K2 Contracting CUP
 Susan Sedberry motioned to approve Second by Rocky Clinton Motion Passes
 - b. Updates to Chapter 155 Fees
- 4. Comments from Citizens- None
- 5. Meeting Adjourned- Susan Sedberry motioned to adjourn Second by Rocky Clinton All in Favor



Planning Board

Darrell Watts – Chairman Rocky Clinton-Vice-Chairman Michael Lunsford-Secretary Susan Sedberry-Member Larry Roberts-Member City Engineer-Terry Carpenter
City Planner-Courtney McNair
City Attorney-Harrington-Miller
Public Works Director-James Clark
Code Enforcement Officer-Brett Freeland

Planning Board Minutes

Date: THURSDAY, April 26, 2018

Time: 6:00 p.m. – Tontitown Fire Department, 141 S. Zulpo, Tontitown, Arkansas

1. Planning Board Meeting Call to Order

2. Roll Call

All in attendance

3. Approval of Agenda

Rocky Clinton motioned to approve agenda Second by Larry Roberts Motion Passes

- 4. Approval of Minutes
 - a. Approval of March 27, 2018 Public Hearing Minutes
 - Approval of March 27, 2018 Planning Board Minutes
 Susan Sedberry motioned to approve both March 27, 2018 minutes
 Second by Michael Lunsford
 Motion Passes
- 5. Comments from Citizens- None
- 6. Old Business
- 7. New Business
 - a. Westbrook Subdivision Phase 2 Final Plat

Michael Lunsford motioned to table this item until next scheduled planning meeting Second by Susan Sedberry Motion Passes

b. K2 Contracting Conditional Use Permit

Susan Sedberry motioned to approve with conditions Second by Larry Roberts Motion Passes

c. Cross Pointe Church Large Scale Development

Michael Lunsford motioned to approve the LSD with conditions Second by Larry Roberts Motion Passes Tina Ford with Bates and Associates sent two waiver requests.

- 1) Sidewalk to be installed in Phase II instead of Phase I.
- Susan Sedberry motioned to approve the sidewalk waiver request Second by Rocky Clinton Motion Passes

 2) Curb and gutter to be revisited in Phase II, after engineering review and with conditions.

Rocky Clinton motioned to approve the curb and gutter waiver request Second by Susan Sedberry Motion Passes

d. Updates to Chapter 155 Fees

Susan Sedberry motioned to approve update fees to chapter 155 Second by Larry Roberts Motion Passes Move to the next city council meeting

8. Review Items for Placement on City Council Agenda (if applicable)

a. Updates to Chapter 155 Fees

9. Reoccurring Items and Items for Review

a. Review of Approved Projects & Expirations

Reference the cities website for the detailed report

b. Review Building Activity

Reference the cities website for the detailed report

10. Comments from Staff

a. Sue is resigning. Thank you for your service to Tontitown.

In Susan Sedberry's resignation letter, she has stated that she has experienced great pleasure serving on the Planning Board for the past few years, and wishes us all the best.

b. Discuss changes to Sign Ordinance proposed by City Council.

Reference the cities audio for full discussion

c. Updates on Landfill progress, discussion of Landfill Tour

Reference the cities audio for full discussion

- d. Discussion of Subcommittee Meeting on April 10, 2018
 - i. Synopsis of meeting
 - ii. Outline for next month and set Public Input Session
- e. Upcoming Subcommittee Meeting, Tuesday, May 15, 2018 at 8:30 AM
- f. Upcoming Planning Board Meeting, Tuesday, May 22, 2018 at 6:00 PM

11. Comments from Board Members

Michael Lunsford wanted to know how the Boston Mountain Solid Waste District affected Tontitown and Waste Management. The Boston Mountain Solid Waste District makes sure everything is running accordingly and studies are being done. Waste Management is in the city limits of Tontitown and we oversee the zoning.

The Mayor presented Susan Sedberry with a Certificate of appreciation for her services on the Planning Board.

12. Meeting Adjourned- All in favor



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov

Meeting: May 22, 2018
Project: St. Joseph's Cemetery

Expansion

Planner: Courtney McNair

AGENDA ITEM

Α

CONDITIONAL USE PERMIT REQUEST

E. Fletcher Ave.

St. Joseph's Cemetery Expansion Conditional Use Request

Parcel #: 830-37765-001

SUMMARY: Request to allow the use of a cemetery in R3 zoning.

CURRENT ZONING: R-3 Residential (cemeteries allowed by Conditional Use Permit)

PROPOSED USE: cemetery

CITY WARD: 1- Gene McCartney & Henry Piazza

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water-no services required

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer-no services required

Health Department: Requires health department review and approval for new burial sites

Phone: AT&T

Natural Gas: Black Hills Energy Cable: Cox Communications School District: Springdale

Floodplain: No

PROJECT SYNOPSIS:

St. Joseph's Cemetery Expansion is requesting to expand the current cemetery location to the adjacent parcel to the south. This property is zoned R3, and cemetery uses are allowed with a Conditional Use Permit.

The parcel is 2.16 acres and is currently vacant. There are no utilities to the cemetery, and none are planned at this point. State Health Department approval is required for cemeteries.

153.121 DEVELOPMENT STANDARDS AND REVIEW GUIDELINES:

(A) All development shall be designed in such a way as to minimize any potential negative impact on the surrounding area. Special attention shall be given to buffering commercial developments from adjacent single-family areas. Design of the internal traffic circulation system, ingress and egress, off-street parking, loading and pedestrian ways shall be sensitive to such conditions as safety, convenience, separation of vehicular and pedestrian traffic, general attractiveness, and the proper relationship of different land uses. Landscaped areas shall be provided to protect water quality, and reduce erosion, heat and glare. Such areas shall be maintained in an attractive condition. Existing trees on a development site shall be retained where possible. Screening, open space, or other buffer may be required to give adequate separation between uses which are marginally compatible, and shall also be provided for the beautification and enhancement of the property.

STAFF ANALYSIS: Staff expects there to be very limited impact from the proposed use. Due to the nature of cemeteries, they tend to act as greenspace, and are minimally disruptive to normal development.

- (B) In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.
 - (1) The proposed use is within the provision of "conditional uses," as set out in these regulations.

STAFF ANALYSIS: Yes, cemeteries may be considered as a conditional use in R-3 zoning.

(2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.

STAFF ANALYSIS: All setbacks will be met with this project. Additional setbacks may be required by the Health Department.

(3) The proposed use is so designated, located, and proposed to be operated, that the public health, safety and welfare will be protected.

STAFF ANALYSIS: The existing cemetery already uses the existing drive. The traffic impact is minimal a majority of the time. This project must also receive approval from the Health Department to expand.

(4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.

STAFF ANALYSIS:

North-zoned R3

East- zoned R3

South-zoned R3

West-zoned R3

This property is surrounded by mostly residential uses. This project should be minimally impactful.

(5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of these regulations.

STAFF ANALYSIS: The cemetery expansion is proposed to be located on a parcel directly adjacent to the existing cemetery.

(6) The proposed ingress and egress, internal circulation system, location and amount of off street parking, loading and pedestrian ways are sufficiently adequate, and not inconsistent with requirements of these regulations.

STAFF ANALYSIS: This is not a major concern with this type of use.

(7) The proposed landscaping and screening of the proposed use are in accordance with provisions of these regulations.

STAFF ANALYSIS: Based on (A), the landscaping should:

- Provide protection for water quality, reduce erosion, heat and glare- staff feels that the vegetation that is remaining will
- o Retain existing trees where possible
- o Screening and buffering for uses which are marginally compatible,
- o Provide for beautification and enhancement of the property

As stated above, the nature of cemeteries is such that they are greenspace and minimally impactful.

(8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed

STAFF ANALYSIS: The applicant is not requesting any lighting, noise should be minimal, odor and offensive emissions should not be a factor.

TECHNICAL INFORMATION:

As there are no built structures, and most technical information will be addressed by the Health Department, Planning has no further concerns.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received one "in favor" comment at this time regarding this project.

STAFF RECOMMENDATION: As this project is expected to be low impact and serve the community, staff is recommending approval of the St. Joseph's Cemetery Expansion Conditional Use Permit.

CONDITIONS RECOMMENDED FOR APPROVAL:

- 1. This project must proceed through all required Health Department approvals.
- 2. This project must develop generally as is stated in the applicant's letter and presented in the plans.

RECEIVED

APR 3 0 2018









CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov Meeting: May 22, 2018
Project: Replat Barrington
Estates Lot 6 & 7 Variance
Planner: Courtney McNair

AGENDA ITEM B VARIANCE REQUEST

Arlington Way
Parcel #s 830-38584-000, 830-38583-000

SUMMARY: Request for a variance to allow this parcel to be split into two (2) pieces. Currently, the lot is approximately 1.43 acres with two (2) existing residences.

CURRENT ZONING: R1

PROPOSED USE: Single-family residential

CITY WARD: 2- Arthur Penzo & Larry Ardemagni

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown

Electric: Ozarks Electric Sewer/Septic: Septic

Cable: Cox Communications Phone: AT&T/CenturyLink Natural Gas: Black Hills Energy

Floodplain: No

School District: Springdale

PROJECT SYNOPSIS:

The applicant is requesting a variance to allow the existing residence on Lot 7, and the existing shop building on Lot 6 to encroach the side setbacks. Please see the Final Plat of Barrington Heights for all setbacks and easements.

The applicants discovered that the driveway on Lot 6 was constructed over the property line of Lot 7. In order to correct this, they had a survey completed to replat these lots in order to correct the driveway issue.

Once the survey for the replat was completed, it was apparent that the residence on Lot 7 and the shop on Lot 6 were constructed in the setbacks. Both structures were constructed in 2011. They are asking for a variance to allow these existing structures to remain within the setbacks. Each structure encroaches into the west 15-foot side setback on each lot. Please see the provided survey for reference.

If either structure is ever removed/damaged beyond repair, it must be located out of the setback if replaced.

153.262 POWERS AND DUTIES. (as relating to variance requests)

- (B) To authorize upon appeal, in specific cases, such variance from the terms of this zoning chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary hardship that would deprive the owner of any reasonable use of the land or building involved. A variance from the terms of these zoning regulations, shall not be granted by the Board of Zoning Adjustment unless and until:
- (1) The applicant demonstrates that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district; that literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these regulations; that special conditions and circumstances do not result from the actions of the applicant; and that granting the variance requested will not confer on the applicant any special privilege that is denied by the zoning regulations to other lands, structures, or buildings in the same district.

STAFF ANALYSIS: There are two existing structures that encroach the setback, both were constructed around 2011. The setbacks have existed since the subdivision was platted, prior to the construction of either structure. There is no evidence of bad faith. The locations appear to be accidental. It is unreasonable to ask that existing structures be moved at this point in order to comply with setbacks.

- (2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

 STAFF ANALYSIS: The structures do conform R1 zoning.
- (3) The Board of Zoning Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of land, building, or structure.

 STAFF ANALYSIS: The variance that staff is recommending is to allow the existing structures to remain within the required setbacks. If those structures are ever destroyed or removed, all future structures must adhere to the setbacks as shown on the Barrington Heights Subdivision Plat.
- (4) The Board of Zoning Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of these zoning regulations, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

 STAFF ANALYSIS: Both structures are existing, and no additional structures are proposed. For each structure to remain as is will not be injurious to the neighborhood or otherwise detrimental to public welfare.
- (5) In granting any variance, the Board of Zoning Adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these regulations.

STAFF ANALYSIS: As stated above, the variance that staff is recommending is to allow the existing structures to remain within the required setbacks. If those structures are ever destroyed or removed, all future structures must adhere to the setbacks as shown on the Barrington Heights Subdivision Plat. This will ensure that future construction will be in compliance with the setback regulations.

(6) Under no circumstances shall the Board of Zoning Adjustment grant a variance to allow a use not permissible under the terms of these zoning regulations in the district involved, or any use expressly, or by implication, prohibited by the terms of these regulations in said district.

STAFF ANALYSIS: Residential and accessory building uses are allowed in R1 zoning by right.

TECHNICAL INFORMATION:

STAFF ANALYSIS: As no additional structures are being proposed, the impact of this variance request will be minimal to the surrounding area, existing utilities, and streets and fire. There are a few minor checklist items to correct before the replat can be processed. The replat is an administrative process.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received many phone calls that were all resolved once the project was explained. No written comments have been submitted at this time regarding this project.

STAFF RECOMMENDATION: No additional structures are being proposed, nothing is being relocated on the site, and the requested variance is to correct a unique hardship not caused by actions of the applicant.

Therefore, staff recommends approval of the Lots 6 & 7 Barrington Heights Variance Request to allow existing structures to encroach into the side setbacks.

CONDITIONS RECOMMENDED FOR APPROVAL:

- 1. If either encroaching structure is ever destroyed, removed, or relocated, all future structures must adhere to the setbacks as shown on the Minor Subdivision Plat
- 2. This project must receive Replat approval from the City of Tontitown (administrative review).

PLAT NOTES

- NO EXISTING EROSION PROBLEMS WERE IDENTIFIED.
- THERE ARE NO KNOWN OVERFLOW PROBLEMS ON—SITE OR IN THE PROXIMITY OF THE SITE. THERE ARE KNOWN EXISTING OR ABANDONED WATER WELLS, SUMPS, CESSPOOLS, SPRINGS WATER IMPOUNDMENTS, OR UNDERGROUND STRUCTURES.
- NO WETLANDS APPEAR TO BE ON THIS SITE. 4) 5) THERE WAS NO FIRE HYDRANT FLOW INFORMATION AVAILABLE AT THE TIME OF THIS SURVEY.

REFERENCE DOCUMENTS

- WARRANTY DEED FILED IN BOOK 2013 AT PAGE 00011291. WARRANTY DEED FILED IN BOOK 2009 AT PAGE 00028820.
- BARRINGTON HEIGHTS SUBDIVISION PLAT.

ADJACENT LAND OWNERS

- 1) DUCKWORTH, KRISTOPHER & TASHA 370 ARLINGTON WAY
- SPRINGDALE, ARKANSAS 72762 PARCEL 830-38584-000
- 2) CHANDLER, JUANITA F REVOCABLE TRUST 351 BAKER AVENUE SPRINGDALE, AR 72762 PARCEL 830-38063-000
- 3) PENZO, PEGGY JO REVOCABLE TRUST LIVING 957 NORTH BARRINGTON RD SPRINGDALE, ARKANSAS 72762
- PARCEL 830-38035-000 4) BEYER, ROBERT F & SHANNON O
- 6377 WELLS CIRCLE SPRINGDALE, ARKANSAS 72762 PARCEL 830-38582-000

CERTIFICATE OF SURVEY ACCURACY

HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND ALL MONUMENTS SHOWN HERIN ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIRMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET. DATE OF EXECUTION:

SIGNED: CHRISTOPHER R MAXWELL NO.1673, ARKANSAS

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTANCES. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.

FLOOD STATEMENT

BASED ON COMMUNITY PANEL NO. 050293 0065F, WITH A REVISION DATE OF 05/16/2008, OF THE CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, PREPARED BY U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, THIS PROPERTY IS IN ZONE X.

LOT 6R DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6; THENCE S 73°37'37" W A DISTANCE OF 124.30 FEET; THENCE N 00°57'00" E A DISTANCE OF 130.32 FEET; THENCE N 04°11'57" E A DISTANCE OF 239.53 FEET; THENCE S 89°29'20" E A DISTANCE OF 146.42 FEET; THENCE S 08°00'47" W A DISTANCE OF 336.13 FEET; BACK TO THE POINT OF BEGINNING, CONTAINING 1.08 ACRES MORE OR LESS.

LOT 7R DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7; THENCE S
70'38'00" W A DISTANCE OF 124.45 FEET; THENCE N 02'25'28" E A
DISTANCE OF 244.51 FEET; THENCE N 05'49'10" E A DISTANCE OF
168.01 FEET; THENCE S 89'29'20" E A DISTANCE OF 109.73 FEET;
THENCE S 04'11'57" W A DISTANCE OF 239.53 FEET; THENCE S 00°57'00" W A DISTANCE OF 130.32 FEET; BACK TO THE POINT OF BEGINNING CONTAINING 1.01 ACRES MORE OR LESS.

1/2" **Rebar** S 89'29'20" E 109.73' Rebar S 89'29'20" E 146.42' Rebar (Record 109.73') (Record 146.28') 20' EASEMENT 25' SETBACK SETBACK 2 10 Lot 6R Lot 7R Fence Corner 30' SETBACK POB TRACT 6R N: 682162.08 E: 652716.23 . 1/2" Rebai 30' SETBACK POB TRACT 6R N: 682127.04 Arlington Way (50ft R/W) E: 652596,97

CERTIFICATE OF PLAT APPROVAL

PURSUANT OF THE CITY OF TONTITOWN SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS HAVE BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

THIS APPROVAL DOES NOT GURANTEE ANY OF THE FOLLOWING:

- 1) DELIVERY OF PUBLIC WATER OR SEWER SERVICE.
- 2) DELIVERY OF ANY OTHER UTILTIY SERVICE.
- 3) IMPROVEMENTS TO ANY AFFECTED CITY STREETS OR COUNTY ROADS. 4) APPROVAL FROM THE ARKANSAS DEPARTMENT OF HEALTH.
- 5) ACCESS TO THE PROPERTY VIA EASEMENTS OR OTHERWISE EITHER KNOWN OR

DATE OF EXECUTION:

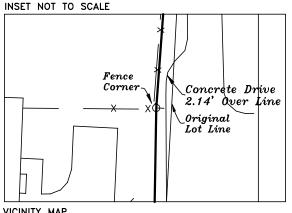
SIGNED: TONTITOWN PLANNING COMMISION CHAIRMAN SIGNED: MAYOR CITY OF TONTITOWN SIGNED:

RECORDER/TREASURER, CITY OF TONTITOWN

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, OWNERS OF REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO, HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: __ KRISTOPHER DUCKWORTH SOURCE OF TITLE: BOOK_ PAGE SIGNED: JERRY MAXWELL SOURCE OF TITLE: BOOK PAGE









9	W. Baker A	(ve
(
1		
5		
		Libe

Drawn By: CRM

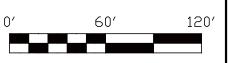
Scale 1" = 60°

Date: 4/16/18

For The Use And Benefit Of Jerry Maxwell

<u>Legend</u> Found Monument ● Power Line Set Monument Boundary Line

Building Setback — — — — Utility Easement -----Existing Fence -X





MAXWELL SURVEYING LLC

125 COVEY LANE AUSTIN, AR 72007 Phone: (501) 743-8173

email: maxwell.land.surveyor@gmail.com

BARRINGTON HEIGHTS INCIDENTAL SUBDIVISION PLAT CLIENTS NAME: JERRY MAXWELL MINOR SUBDIVISION PROPERTY LINE ADJUSTMENT

Client: Jerry Maxwell Provider: Maxwell Surveying

5-1-18

Variance Request

The variance is being requested so that the existing shop and existing residence can continue to encroach over the 15 foot building setback line. The current requested replat does not cause or amplify the current situation.



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov

Meeting: **May 22, 2018**Project: **Ozark Self Storage**Planner: Courtney McNair

AGENDA ITEM

C&D

REZONING and CONDITIONAL USE PERMIT REQUEST Ozark Self Storage Rezoning and Conditional Use Permit Request

569 N. Maestri Road **Parcel #s:** 830-37584-002 & 830-37625-001

SUMMARY: Request to rezone approximately 9.3 acres from <u>R3 and C1</u> to <u>C2</u> to allow for a Self Storage Facility. Self storage units are not allowed by right in C2, but may request approval by Conditional Use Permit (CUP). Therefore, the applicant is requesting both rezoning and CUP approval.

CURRENT ZONING: <u>R-3</u> - Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three units/net acres (i.e. after dedications are made), and <u>C1</u>- Light Commercial/Office District

PROPOSED ZONING: <u>C2</u> – General Commercial and <u>Conditional Use Permit</u>

CITY WARD: 2- Arthur Penzo & Larry Ardemagni

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water
Sewer: Tontitown Sewer
Road Access: N. Maestri Road
Electric: Ozarks Electric
Cable: Cox Communications
Phone: ATT/CenturyLink

Natural Gas: Black Hills Energy **School District:** Springdale

Floodplain: YES, Map #05143C0065F, along the west line of parcel 830-37625-001

PROJECT SYNOPSIS:

Ozark Self Storage is requesting to rezone approximately 9.3 acres from <u>R3 and C1</u> to <u>C2</u> to allow for a Self Storage Facility. Self storage units are not allowed by right in C2, but may request approval by Conditional Use Permit (CUP). Therefore, the applicant is requesting both rezoning and CUP approval.

The applicant has provided a detailed letter, concept plans, and example photos. Along with the self storage units, an apartment for the on-site manager, and office space for U-Haul and unit rentals are proposed. They are also proposing associated signage and landscaping.

REZONING

APPROVAL CRITERIA:

Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

(1) Consistency of the proposal with the comprehensive plan.

STAFF ANALYSIS: The current Future Land Use Plan shows this area as Medium Density Residential. While this request is not "medium-density", it is a use that can serve this area. The applicant is also proposing to leave the west portion of this site as R3 which will allow for a buffer between the requested use and potential residential developments.

(2) Consistency of the proposal with the purpose of these regulations.

"The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial, industrial, recreational, and environmentally sensitive areas of the city; for protection of property from blight and undue depreciation; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities."

STAFF ANALYSIS: The portion of the site that is being left as R3 is the portion with the floodplain. This will help reduce impact to that area. Additionally, this property has frontage along Maestri Road (Hwy. 112) that already has commercial uses nearby. The type of use requested will also serve the residential areas.

(3) Compatibility of the proposal with the zoning, uses and character of the surrounding area.

STAFF ANALYSIS: The requested use is a commercial use, but one of minimal impact.

North-zoned AG

East-zoned R3

South-zoned R3 and C1

West-zoned R3

On all sides, except the east, the adjacent lots are currently vacant/agricultural uses. The east side is a residential subdivision. The applicant is providing buffering for future development that may occur.

(4) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.

STAFF ANALYSIS: This property could, at some time in the future, develop R3 or C1 zoning. There are adequate utilities and N. Maestri Road is in good shape. This property could be suitable for R3 and C1 zoning if all development standards were met.

(5) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual impairment, odor, noise, light, vibration, hours of use/operation, and any restriction to the normal and customary use of the affected property. STAFF ANALYSIS: With proper buffering, a full drainage study and implementation of detention pond where necessary, down-lighting, quite hours, and having a live on-site manager, the applicant will reduce the impact to the surrounding properties. All technical information will be fully evaluated at Large-Scale development.

(6) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and

STAFF ANALYSIS: This property has been zoned for R3 and C1 uses for at least two years and has not developed yet.

(7) Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.

STAFF ANALYSIS: The impact from the requested use will be fairly minimal to community facilities.

TECHNICAL INFORMATION:

No concerns were submitted for the requested rezoning. Technical information will be fully reviewed at Large Scale Development.

Drainage:

A drainage report will be required at Large Scale Development. A detention pond will most likely be required.

Police:

No concerns were submitted for the requested rezoning.

Adjacent Jurisdiction:

This project's northeast corner touches the Springdale City Limits.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received no comments from the surrounding property owners.

STAFF RECOMMENDATION: Based on the information submitted, and knowing that a full Large Scale Development review will take place as well, staff recommends approval of the Ozark Self Storage Rezone Request to change the zoning of parcel 830-37584-002 & 830-37625-001 from **R3 and C1** zoning to **C2** zoning.

CONDITIONS RECOMMENDED FOR APPROVAL:

- 1. A Conditional Use Permit must be approved prior to moving forward with this request.
- 2. A Large Scale Development permit must be submitted and approved prior to any construction.
- 3. This property must be developed generally as stated in the applicant's letter and sketch.

CONDITIONAL USE PERMIT

153.121 DEVELOPMENT STANDARDS AND REVIEW GUIDELINES:

(A) All development shall be designed in such a way as to minimize any potential negative impact on the surrounding area. Special attention shall be given to buffering commercial developments from adjacent single-family areas. Design of the internal traffic circulation system, ingress and egress, off-street parking, loading and pedestrian ways shall be sensitive to such conditions as safety, convenience, separation of vehicular and pedestrian traffic, general attractiveness, and the proper relationship of different land uses. Landscaped areas shall be provided to protect water quality, and reduce erosion, heat and glare. Such areas shall be maintained in an attractive condition. Existing trees on a development site shall be retained where possible. Screening, open space, or other buffer may be required to give adequate separation between uses which are marginally compatible, and shall also be provided for the beautification and enhancement of the property.

STAFF ANALYSIS: The applicant is leaving the western portion of this property undeveloped at this time. This protects the existing floodplain and provides a buffer. They will be required to submit a landscaping plan at Large Scale Development to add further beautification to the proposed project.

- (B) In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.
 - (1) The proposed use is within the provision of "conditional uses," as set out in these regulations.

 STAFF ANALYSIS: Yes, mini storage units may be considered as a conditional use in C-2 zoning.
 - (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.

STAFF ANALYSIS: All setbacks, lot coverage maximums, design standards, and screening requirements will be reviewed during the Large Scale Development submittal. All standards will be required to be met.

(3) The proposed use is so designated, located, and proposed to be operated, that the public health, safety and welfare will be protected.

STAFF ANALYSIS: Sight distance will be considered when the driveway is placed, and there is an available sewer connection. The applicant's engineer must provide a Stormwater Pollution Prevention Plan prior to Construction Plan approval. Based on these factors, staff feels that this project will not have a negative impact on public health, safety and welfare.

(4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.

STAFF ANALYSIS: The requested use is a commercial use, but one of minimal impact.

North-zoned AG
East-zoned R3
South-zoned R3 and C1
West-zoned R3

On all sides, except the east, the adjacent lots are currently vacant/agricultural uses. The east side is a residential subdivision. The applicant is providing buffering for future development that may occur.

- (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of these regulations.
 - STAFF ANALYSIS: This project is well situated near the main thoroughfare, and designed with the traffic flow to be internal to the site.
- (6) The proposed ingress and egress, internal circulation system, location and amount of off street parking, loading and pedestrian ways are sufficiently adequate, and not inconsistent with requirements of these regulations.

STAFF ANALYSIS: This is not a major concern with this type of business. The amount of off street parking should be reviewed at Large Scale Development.

(7) The proposed landscaping and screening of the proposed use are in accordance with provisions of these regulations.

STAFF ANALYSIS: Based on (A), the landscaping should:

- Provide protection for water quality, reduce erosion, heat and glare- staff feels that the vegetation that is remaining will
- o Retain existing trees where possible
- o Screening and buffering for uses which are marginally compatible,
- o Provide for beautification and enhancement of the property

Based on the applicant's letter, staff is confident that the Landscape Plan which will be required at Large Scale Development will meet requirements to buffer and screen. Staff will require that the Landscape Plan does meet the Conditional Use Permit requirements as well as the Large Scale Development requirements.

(8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed

STAFF ANALYSIS: Due to the nature of this project, noise, dust, odor, etc. are not a concern. The lighting shall be "cut off" type lighting that will not contribute significantly to light pollution. The applicant must provide a lighting cut sheet and diagram to show how the light is designed to remain on the site at Large Scale Development.

TECHNICAL INFORMATION:

No concerns were submitted for the requested Conditional Use Permit. Technical information will be fully reviewed at Large Scale Development.

Drainage:

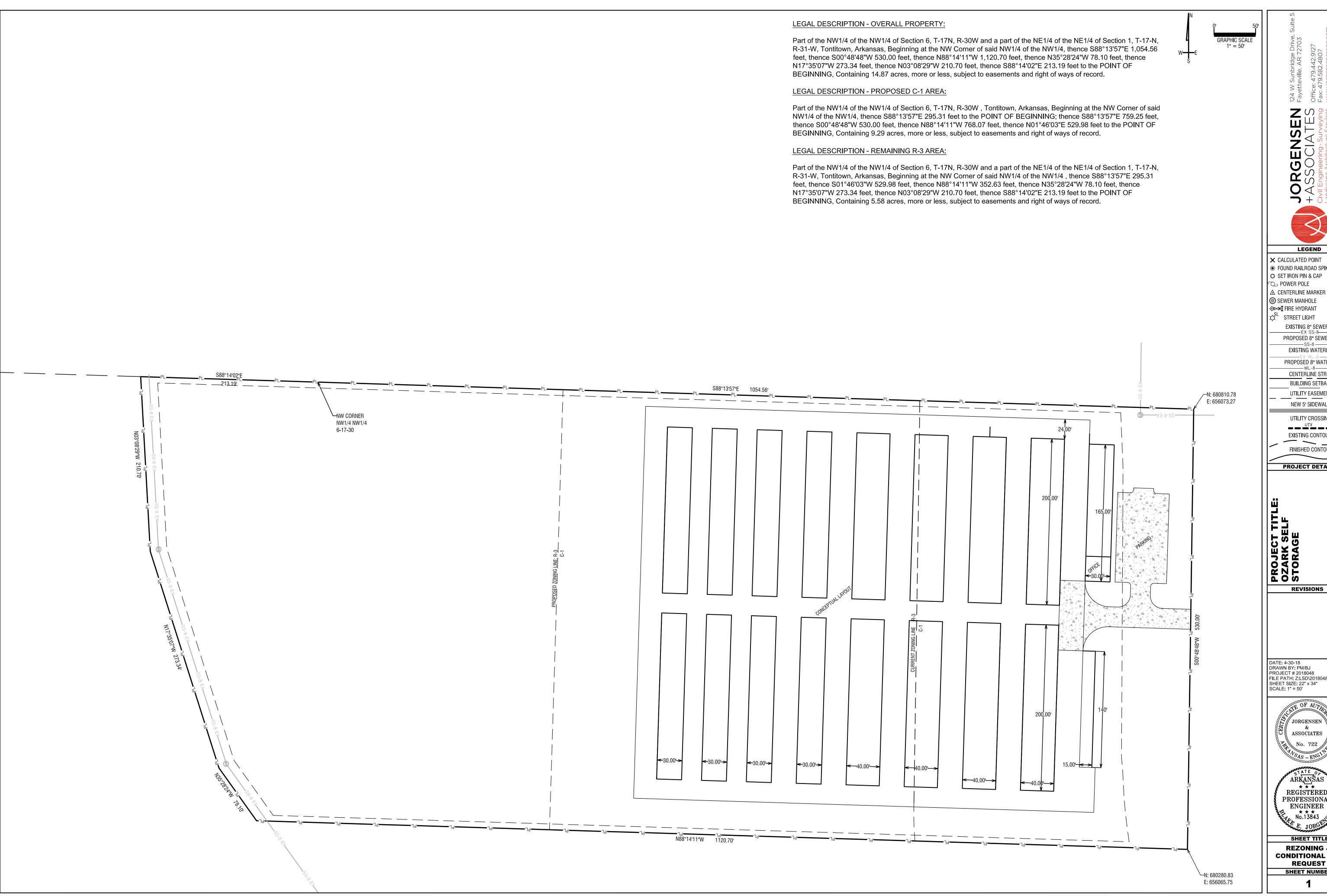
A drainage report will be required at Large Scale Development. A detention pond will most likely be required.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received no comments from the surrounding property owners.

STAFF RECOMMENDATION: Staff recommends approval of the Ozark Self Storage Conditional Use Permit Request to allow a self-storage facility in C2 zoning.

CONDITIONS RECOMMENDED FOR APPROVAL:

- 1. A Large Scale Development permit must be submitted and approved prior to any construction.
- 2. The proposed must meet the criteria for Conditional Use Permits with the Large Scale Development plans.
- 3. This property must be developed generally as stated in the applicant's letter and sketch.



JORGENSEN +ASSOCIATES



LEGEND ★ CALCULATED POINT

● FOUND RAILROAD SPIKE

☐ △ CENTERLINE MARKER © SEWER MANHOLE ⊙∞≠<u>₹</u> FIRE HYDRANT

EXISTING 8" SEWER LINE PROPOSED 8" SEWER LINE

EXISTING WATERLINE PROPOSED 8" WATER LINE

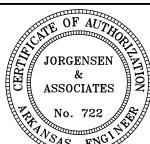
CENTERLINE STREET BUILDING SETBACK UTILITY EASEMENT

NEW 5' SIDEWALK UTILITY CROSSING UTX

EXISTING CONTOUR FINISHED CONTOUR

PROJECT DETAILS

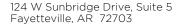
DATE: 4-30-16
DRAWN BY: PM/BJ
PROJECT # 2018048
FILE PATH: Z:LSD\2018048\GRADING
SHEET SIZE: 22" x 34"
SCALE: 1" = 50'



ARKANSAS

REGISTERED PROFESSIONAL ENGINEER
No.13843

SHEET TITLE **REZONING & CONDITIONAL USE** REQUEST SHEET NUMBER





Office: 479.442.9127 Fax: 479.582.4807 www.jorgensenassoc.com

May 1, 2018

City of Tontitown 201 East Henri De Tonti Tontitown, AR 72770

Re: Victory Church NWA, Inc. Rezoning and Conditional Use Request for Ozark Self Storage

To whom it may concern;

REZONING APPLICATION NARRATIVE:

- A) The 13-acre parcel currently owned by Victory Church NWA Inc Parcel number 830-37584-002 is currently zoned C-1 and R-3. The proposal is to rezone the C-1 and part of the R-3 to C-2 for a total of approximately 9.3 acres on the east side of the property winding up as C-2 and the remainder remaining as R-3.
- B) The rezoning is necessary for obtaining a conditional use permit for the construction of a full service self-storage facility.
- C) Relation to surrounding properties
 - 1) The property will be used for the operation of a modern self-storage facility.
 - 2) The facility hours will be 9:00 a.m. to 6:00 p.m. seven days a week with the facility manager living on site. Access to the storage unit buildings will be 24 hours a day thru the use of a keypad entry and exit system for the gate. On an average day, the facility will see 40 to 50 storage unit visits, 10 to 15 office customers, and 5 U-Haul pick-ups and drop-offs. There will be the occasional moving truck used to deliver or pick up customer belongings. Saturday will be the day with the single largest number of site visits by customers of all types. Security cameras will be in place on the buildings and on the entrance and exit areas allowing us to monitor everyone using the facility at all times. This footage will be recorded on a DVR type device should it be necessary to review.
 - 3) A lighted marque type sign will be installed per the city's codes. This will not be a digital or flashing sign nor will it be so bright as to constitute a nuisance to neighbor or drivers.
 - 4) The office/living quarters along with all front facing buildings will be metal with stone/brick work to blend in with the surrounding area. The color scheme will be tan and dark green or other similar neutral colors. There will be landscaping on the front with privacy trees planted along the sides running east and west. The storage buildings not along the front of the facility will use the same color scheme as the front of the facility for a uniform look but will not have the stone/brick work. White gravel/chat will be placed around the storage buildings and for the RV parking area. Solid surface parking will be laid for customers in between the buildings and the road. Additionally, it will extend into the storage area past the exit keypad. There will be security cameras in place on the buildings and on the entrance and exit areas of the gate. The area will be fenced with black 6-foot-tall chain link fence in areas where buildings are not part of the perimeter. We plan to install lighting on the storage buildings to enhance security for the facility. The light fixtures will be of a nature to direct light downward and to the sides on any area facing a neighboring property.

CONDITIONAL USE APPLICATION NARRATIVE

- A) The proposed use will be as the site of a full service self-storage facility.
- B) The facility hours will be 9:00 a.m. to 6:00 p.m. seven days a week. Access to the storage unit buildings will be 24 hours a day thru the use of a keypad entry and exit system for the gate. Security cameras will be in place on the buildings and on the entrance and exit areas allowing us to monitor everyone using the facility at all times. This footage will be recorded on a DVR type device should it be necessary to review.
- C) Indoor/Outdoor areas are broken out as follows.
 - 1. Office/Living Quarters -to be utilized for rental of units, sale of retail items, and U-Haul rental. Onsite Manager will reside in the living quarters portion of the building.
 - 2. Climate Controlled Buildings Climate controlled units for personal or business storage needs
 - 3. Non-Climate Controlled Buildings Non-Climate controlled units for personal or business storage needs
 - 4. Outdoor areas There will be outdoor storage for RVs on compacted gravel.
- D) All of the above structures will be constructed on the premises. Gravel will be placed around the storage buildings and the RV parking area. Solid surface parking will be laid for customers in between the buildings and the road. Additionally, it will extend into the storage area past the exit keypad. There will be security cameras in place on the buildings and on the entrance and exit areas of the gate. The area will be fenced with black 6 foot tall chain link fence in areas where buildings are not part of the perimeter.
- E) The facility will employ at least one full time and one part-time employee.
- F) On an average day, the facility will see 40 to 50 storage unit visits, 10 to 15 office customers, and 5 U-Haul pick ups and drop offs. Saturday will be the day with the single largest number of site visits by customers of all types.
- G) There is currently no parking at the site. We will install solid surface in front of the facility to accommodate at least 10 vehicles plus an area for the drop off of U-Haul trucks and trailers until they can be moved into the secured area of the facility.
- H) The owners plan to install lighting on the storage buildings to enhance security for the facility. The light fixtures will be of a nature to direct light downward and to the sides on any area facing a neighboring property. They also plan to install a lighted marque type sign. This will not be a digital or flashing sign nor will it be so bright as to constitute a nuisance to neighbor or drivers.

Included in this packet are some pictures of a recent project that the owners plan to emulate. While this proposed facility will look in nature to the provided samples, the owners are recognize that they intend to modify accordingly to meet the City of Tontitown's architectural design standards. Furthermore, they intend to implement appropriate landscaping measure to dress up the front and additional screenings along the perimeter.

Please review these applications and let us know if you all have any questions or comments.

Sincerely; Blake Jo gensen P.E.







CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov

Meeting: May 22, 2018 Project: Chapter 152.031 Planner: Courtney McNair

AGENDA ITEM

E

UPDATES TO CODE OF ORDINANCES

Chapter 152.031

SUMMARY: Ordinance Updates to Chapter 152.031

During the last code change (mid 2017), the maintenance guarantee (bond) was increased to a three-year requirement vs. the previous one-year requirement. This has caused much frustration as it is not the normal length required by most municipalities, and bond companies are hesitant to issue such bonds. While a few have been issued, staff feels that reducing the maintenance bond back to the more typical one-year will be beneficial to developers and does not add much, if any, risk to the city. Additionally, in an effort to be more in line with other local municipalities, the bond amount is recommended to be 25% of the cost of the streets, and 50% of the cost of the sewer/storm drainage systems. This is how it was before the code change and is easier for developers. Currently code requires 50% of the total cost which can be significantly more based on the streets required.

CHAPTER 152.031

CURRENT CODE SHOWING ADJUSTMENTS

CHAPTER 152: DEVELOPMENT AND SUBDIVISION REGULATIONS

凤§ 152.031 MAINTENANCE GUARANTEE.

No less than three one year's maintenance by the developer shall be assured prior to the filing of a plat. One of the following methods, dependent upon the method utilized, in § 152.031, must be followed:

- (A) Certificate of completion of improvements. If a certificate of completion of improvements is submitted prior to filing of the final plat, a maintenance bond or letter or credit must also be submitted to the city prior to the filing of the final plat. The maintenance bond, cash deposit or letter of credit must meet the following conditions:
- (1) It must be in an amount of 50% of the value of the donated assets for sewer and storm drainage systems, and 25% of the value of the donated assets for streets. The value of the donated assets shall be as estimated by the engineer-of-record and agreed upon by the City Engineer or their designee Planning Commission.
 - (2) It must be irrevocable and shall list the city as sole beneficiary.
 - (3) It must be in a form approved by the City Attorney.
 - (4) It must run for no less than three one years.
- (5) At the end of three one years, if the improvements have not been adequately maintained, as determined by the city staff after consultation with the city's engineer, the city shall be entitled to

payment upon making demand for payment under the terms of the maintenance bond, cash deposit or letter of credit. The city shall be entitled to use all of the money secured by the maintenance bond, cash deposit or letter of credit to assure the proper maintenance of the improvement.

- (6) The subdivider shall not be entitled to any excess monies until the maintenance of the improvements in the subdivision has been satisfactorily completed.
 - (B) Performance bond.
- (1) If a performance bond is posted to assure completion of the improvements, that performance bond must also include provisions that automatically convert it to a maintenance bond upon completion of the improvements or on the date the performance bond lapses, whichever comes first.
- (2) Such maintenance bond shall meet all the conditions in certificate of completion of improvements listed in division (A) above.
 - (C) Cash deposit.
- (1) If a cashier's check is provided to assure completion of the improvements, that cashier's check shall be cashed upon completion of the improvements or three one years from submittal, whichever comes first.
- (2) Upon completion of the improvements, a sum in the amount of 50% of the value of the donated assets for sewer and storm drainage systems, and 25% of the value of the donated assets for streets shall be held by the city for a period of three one years to assure proper maintenance. Any amount above this sum shall be returned to the provider of the cashier's check.
- (3) At the end of three one years, this sum shall be used to perform needed maintenance. Any amount not needed for proper maintenance, as determined by city staff, after consultation with the city's engineer, will be returned to the provider of the cashier's check.
 - (D) Irrevocable letter of credit.
- (1) If an irrevocable performance letter of credit is posted to assure completion of the improvements, that letter of credit shall include provisions that automatically convert it to an irrevocable maintenance letter of credit upon completion of the improvements or on the date the performance letter of credit lapses, whichever comes first.
- (2) Such maintenance letter of credit shall meet all conditions in certificate of completion of improvements, division (A) above.
- (3) When the city staff has received notification that one of the heretofore described mechanisms assuring completion of the improvements have been executed, the Planning Commission may certify final plat approval.

(Ord. 2013-04-417, passed 4-2-13; Am. Ord. 2013-09-440, § 152.300.09, passed 9-3-13; Am. Ord. 2017-03-621, passed 3-7-17)

STAFF RECOMMENDATION: Staff recommends approval of the changes to the Maintenance Guarantees.



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov Meeting: **May 22, 2018**Project: **Five J Farms SD**Planner: Courtney McNair

AGENDA ITEM

F

PRELIMIANRY SUBDIVISION PLAT APPROVAL REQUEST

Parcel #s: 830-37897-000, 830-37897-600, 830-37897-700

SUMMARY: Five J Farms is requesting Preliminary Subdivision approval for 30 commercial lots on 63.14 acres of land. The property is zoned C1 and C2, and all lots meet the minimum lot size of 12,000 sq. ft. They are also requesting four (4) Industrial lots on 32.85 acres. This area of the property is zoned Industrial. There is also one drainage detention lot.

CURRENT ZONING: C-1, C-2, I - Light Commercial, General Commercial, Industrial

CITY WARD: 2- Arthur Penzo, Larry Ardemagni

FLOODPLAIN: No

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water

Sewer: Septic

Road Access: Liberty Ave, W. Henri de Tonti Blvd., and Old Hwy. 68

Electric: Ozarks Electric **Cable:** Cox Communications

Phone: ATT

Natural Gas: Black Hills Energy School District: Springdale

PROJECT SYNOPSIS:

Five J Farms is requesting Preliminary Subdivision approval for 30 commercial lots on 63.14 acres of land. The property is zoned C1 and C2, and all lots meet the minimum lot size of 12,000 sq. ft. They are also requesting four (4) Industrial lots on 32.85 acres. This area of the property is zoned Industrial. There is also one drainage detention lot.

The project has proposed access points on Old Hwy. 68, Hwy. 412, and Liberty Ave.

This project was redesigned at resubmittal based on conversations and comments between staff and the applicant's engineer. Staff has not yet completed a full review. Additionally, the City Engineer will need time for re-review.

Further, the applicant originally submitted these lots as septic system lots, but is now proposing connection to sewer at such time it becomes available. Staff has not yet had time to review this submittal.

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water- According to the Water System information, there is an existing 6-inch water line along the north side of Henri de Tonti Blvd, and Old Hwy 68. There were no concerns about connection to the water system.

Electric: Ozarks Electric-

General Comments:

- 1. Any relocation of existing facilities or extension of line that has to be built specifically to feed this project will be at full cost to the developer.
- 2. All property corners and easements must be clearly marked before construction will begin.
- 3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
- 4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (Four 6 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction.) There must be minimum separation of 12 inches between conduits for electric and conduits for other utilities. This is NESC code 354. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.
- 5. Transformer must have a minimum of 30 feet clearance from any structure. Any variation of this requirement must have written approval from an Ozarks representative.
- <u>6. Developer will need to contact Ozarks Electric and provide them with electrical load information before any cost to developer can be determined.</u>
- 8. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat as well as a hard copy.
- 9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
- 10. Developer or contractor must apply for temporary construction service and permanent service before any design and cost is determined by Ozarks.
- 11. Please contact Ozarks Electric when construction begins on this project and again when construction is within three months of completion.

Call Wes Mahaffey At (479)263-2167 wmahaffey@ozarksecc.com

Additional Comments:

- 12. Highlighted in Orange is a 30ft. B.S.B. with a 20ft U.E. Needed
- 13. Highlighted in Yellow is a 25ft. B.S.B. from sidewalks with a 20ft. U.E.
- 14. Highlighted in Green are road crossing needed to supply underground
- 15. DEVELOPER HAS AN OPTION OF GOING OVERHEAD OR UNDERGROUND

Sewer- This project proposes to connect to the City of Tontitown sewer system. The design was submitted, but has not been reviewed. Any additional corrections to the plan must be completed prior to construction plan approval.

Phone: AT&T- ATT had no comments, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

Natural Gas: Black Hills Energy- No comments were received from BHE, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

Cable: Cox Communications- No comments were received from Cox, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

School District: Springdale school district was notified of this project, but submitted no comments.

Stormwater Pollution Prevention Plan (SWPPP):

The SWPPP must be reviewed prior to construction.

Police:

Tontitown Police Chief Joey McCormick stated that the only issues for the Police Department will be the entrance and exit of the lots onto Highway 412. That intersection is already a danger issue and adding commercial and industrial lots will add even more problems. There will be need to plan to really look at the best place for entrance and exits of this area.

Staff will require that a sight distance evaluation is completed for each proposed entrance on to Hwy. 412.

Fire:

According to the Water System information, there is an existing 6-inch water line along the north side of Henri de Tonti Blvd, and Old Hwy 68.

The Fire Marshal has not responded to the latest submittal layout for the fire hydrants and road widths and connections. This must be approved prior to construction.

Drainage:

The applicant submitted a drainage report for review. The latest version has not been reviewed by the City Engineer. Any additional comments must be addressed prior to Construction Plan approval.

Roads:

The Commercial Lots in this project have connections to W. Henri de Tonti Blvd and Old Hwy. 68. The Industrial Lots propose to take access from Liberty Ave.

Any additional information regarding roads that is requested by staff, the City Engineer, or the Police Chief must be submitted prior to construction.

STAFF RECOMMENDATION: There are many details that remain to be addressed at the Construction Plan phase of plan review. The engineer for the project has been willing to work with reviewing staff to provide all information requested. Staff feels that these remaining details can be addressed with Construction Plans, and therefore, Staff is recommending approval of Five J Farms Commercial/Industrial Subdivision.

CONDITIONS RECOMMENDED FOR APPROVAL:

- Any additional corrections to the plan regarding the proposed sewer system must be completed prior to construction plan approval.
- 2. The SWPPP must be reviewed prior to construction.
- 3. A sight distance evaluation is completed for each proposed entrance on to Hwy. 412.
- 4. Fire hydrant placement and road access must be approved prior to construction.

- 5. Any additional information regarding roads that is requested by staff, the City Engineer, or the Police Chief must be submitted prior to construction.
- 6. Additional coordination with the utilities to discuss necessary utility easements must take place prior to Construction Plan approval.
- 7. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
- 8. Correct any additional comments from the City Engineer prior to Construction Plan approval.
- 9. The applicant must apply for all required permits prior to construction.
- 10. Ozarks Electric-

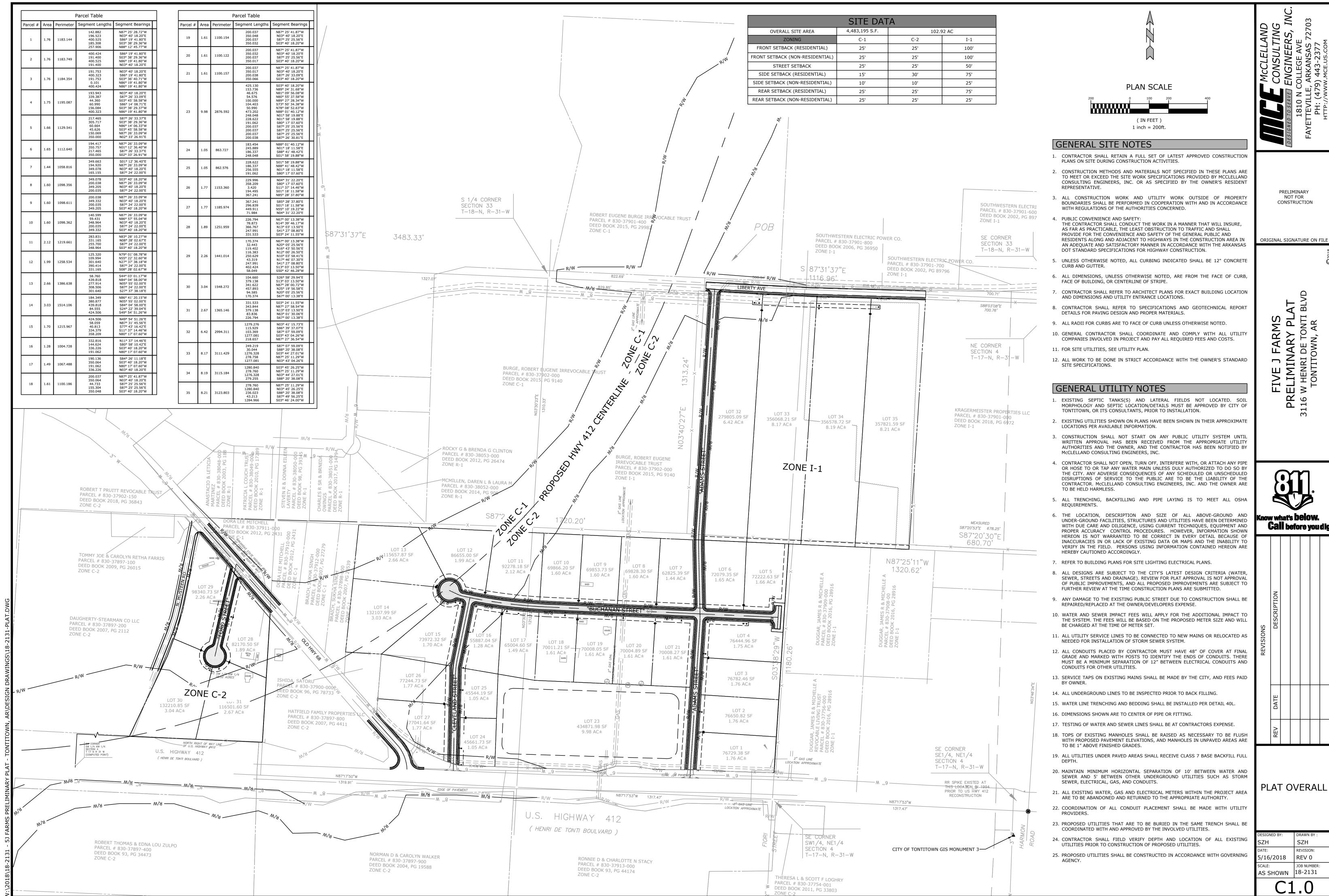
General Comments:

- 1. Any relocation of existing facilities or extension of line that has to be built specifically to feed this project will be at full cost to the developer.
- 2. All property corners and easements must be clearly marked before construction will begin.
- 3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
- 4. All conduits placed at road crossings by developer must have 48 inch of cover at final grade and marked with post to identify end of conduits. (Four 6 inch schedule 40 conduits to be used for electric only at all road crossings, conduits must extend past the edge of any obstructions so that they are accessible during construction.) There must be minimum separation of 12 inches between conduits for electric and conduits for other utilities. This is NESC code 354. All conduits for road crossings and specific widths of U.E. must be shown on final plat before Ozarks Electric will sign the final plat.
- 5. Transformer must have a minimum of 30 feet clearance from any structure. Any variation of this requirement must have written approval from an Ozarks representative.
- 6. Developer will need to contact Ozarks Electric and provide them with electrical load information before any cost to developer can be determined.
- 8. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat as well as a hard copy.
- 9. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared developer may be subject to extra charges.
- 10. Developer or contractor must apply for temporary construction service and permanent service before any design and cost is determined by Ozarks.
- 11. Please contact Ozarks Electric when construction begins on this project and again when construction is within three months of completion.

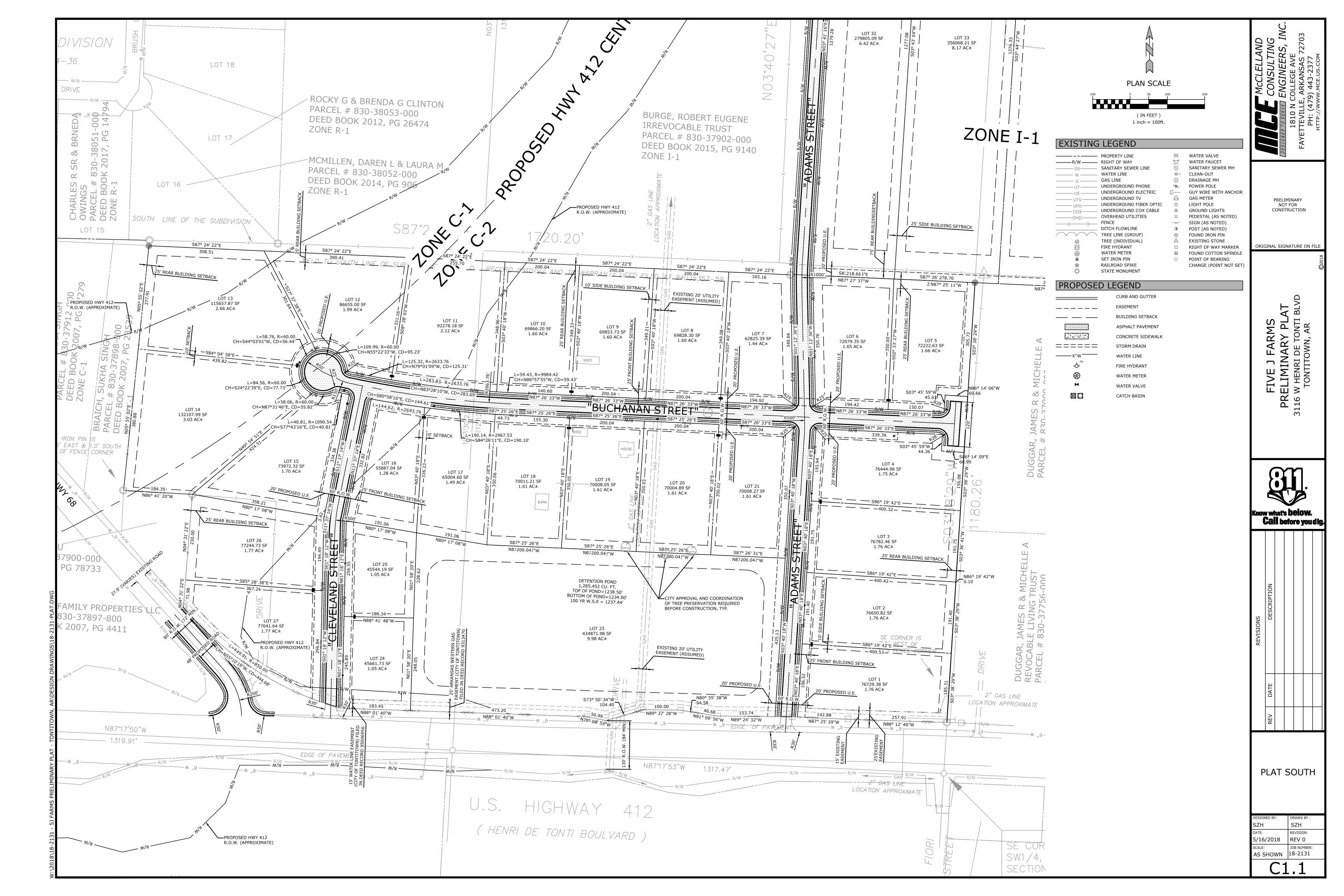
Call Wes Mahaffey At (479)263-2167 wmahaffey@ozarksecc.com

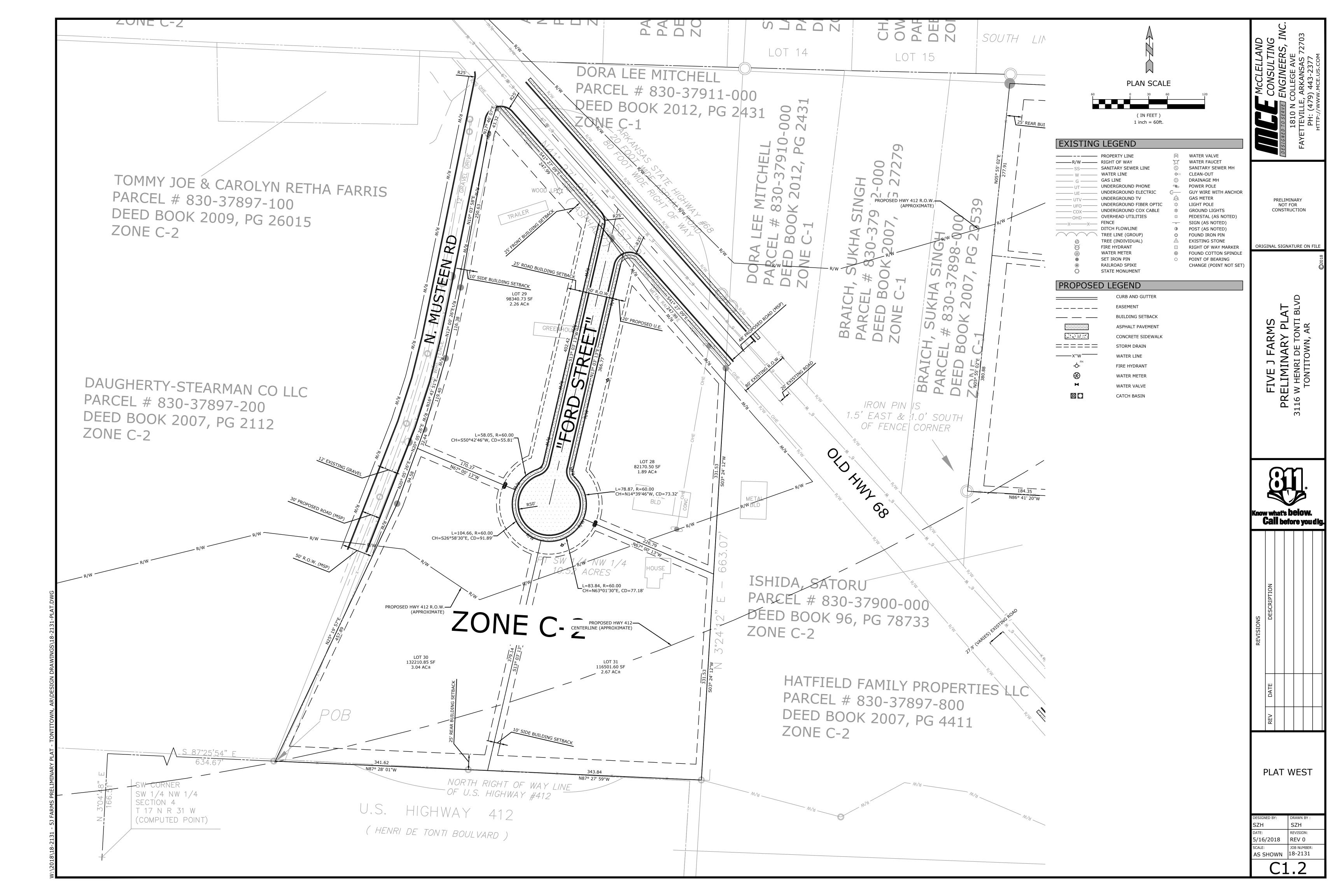
Additional Comments:

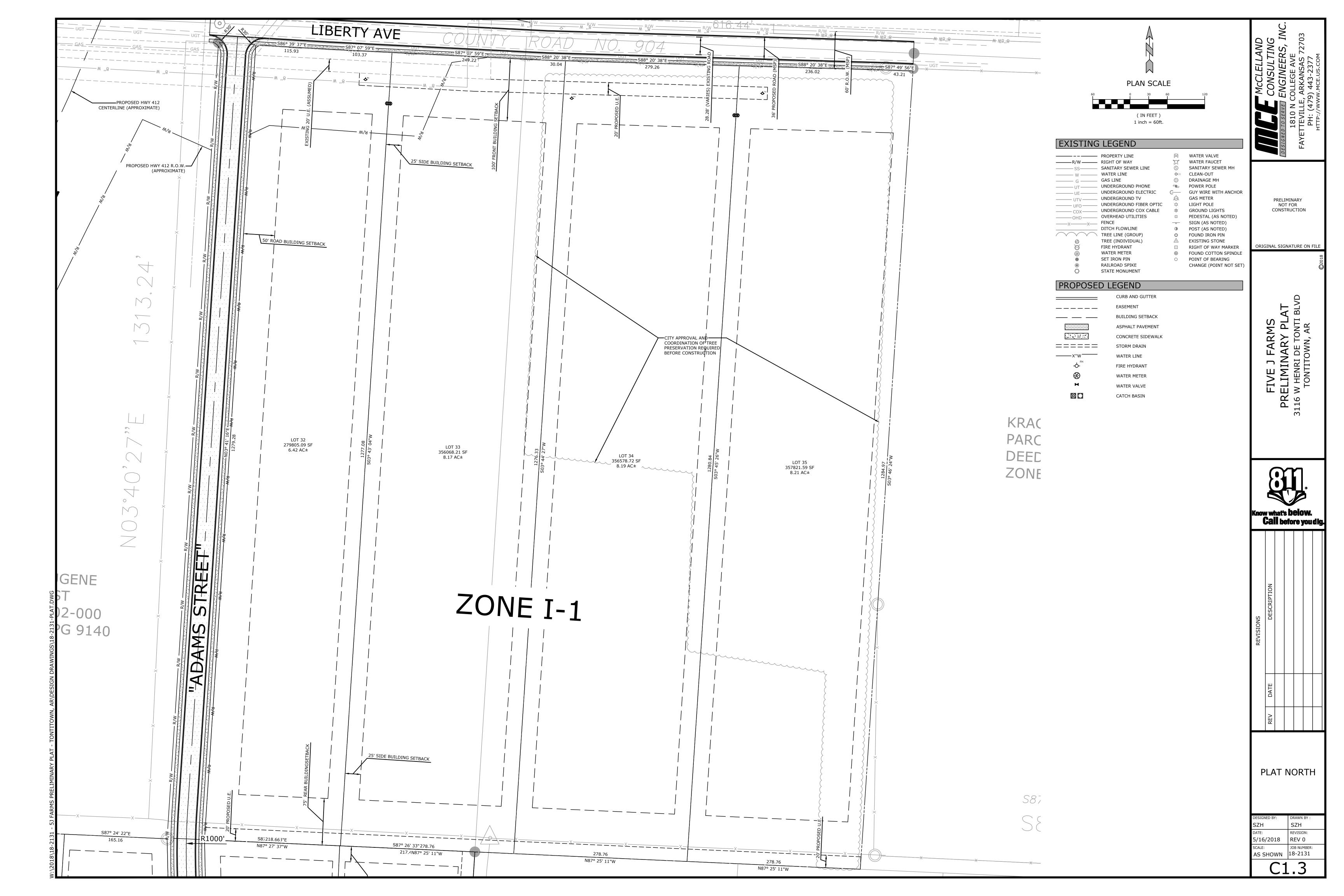
- 12. Highlighted in Orange is a 30ft. B.S.B. with a 20ft U.E. Needed
- 13. Highlighted in Yellow is a 25ft. B.S.B. from sidewalks with a 20ft. U.E.
- 14. Highlighted in Green are road crossing needed to supply underground
- 15. DEVELOPER HAS AN OPTION OF GOING OVERHEAD OR UNDERGROUND



Call before you dig.







Approved_Projects_Expirations

Project Name	Approval Date	Start/Expiration Date 152.101	Comments	
South Point Subdivision-Phase I	December 27, 2016	June 27, 2017	In Construction	
Burton Warehouse	February 28, 2017	August 28, 2017	In Construction-Temp COO expires 4/29/18, still needs to be sodded.	
South Point Subdivision-Phase II	February 28, 2017	August 28, 2017	In Construction	
Venezia Piazza-LSD	April 25, 2017	October 28, 2017	In Construction	
Westbrook Subdivision Phase 2	November 28, 2017	May 28, 2018	Approved 5/17/18	
Tontitown Self Storage LSD	December 27, 2017	June 27, 2018	In Construction	
Napa Subdivision	February 27, 2018	August 27, 2018	Preliminary grading/technical review	
Cross Pointe Church LSD	April 26, 2018	October 26, 2018	Approved 4/26/18 -finishing technical comments	
			5/22/2018 16:42	

Building Activity Report:	YTD - 2018	# Permits	YTD - 2017	Variance	% change
RESIDENTIAL VALUATION	\$ 18,059,099.02		\$ 16,664,837.91	\$1,394,261.11	8.37%
Single Family Permits		71			
COMMERCIAL VALUATION	\$ 6,339,637.25		\$ 2,986,878.80	\$3,352,758.45	112.25%
		16			
RESIDENTIAL PERMIT FEES	\$ 75,305.34		\$ 68,464.80	\$6,840.54	9.99%
COMMERCIAL PERMIT FEES	\$ 26,356.16		\$ 11,096.31	\$15,259.85	137.52%
Other Permits	\$ 11,091.00		\$ 11,019.60	\$71.40	0.65%
Total Fees Assessed	\$ 182,463.83		\$ 133,099.52	\$ 49,364.31	37.09%
For Information Only:					
Water Tap	\$ 38,050.00				
	A 40.00C.CC				
Sewer Tap	\$ 19,000.00				

As of 5/22/2018