



### Planning Commission

Rocky Clinton - Chairman  
Kevin Boortz – Vice Chairman  
Michael Lunsford - Secretary  
Josh Craine - Member  
Tom Joseph - Member  
Penny Baskin – Member

### City Staff and Consultants

City Planner - Anthony Apple  
Public Works Director - James Clark  
Code Enforcement Officer - Mark Ramsay  
Building Inspector - Roger Duncan  
City Engineer/Planning Consultant – Garver  
City Attorney - Harrington – Miller

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## ***Planning Commission/ Board of Zoning Adjustments (BOZA) Agenda Minutes***

Date: Tuesday, June 22, 2021

Time: 6:00 p.m. – In Person at **Tontitown City Hall**, 201 E. Henri de Tonti, Tontitown, AR 72770 (**limited seating due to COVID-19**), and **Online Via Zoom and YouTube** (see last page of agenda for information on how to join)

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### **1. Planning Commission Meeting Call to Order**

### **2. Roll Call**

All in attendance

### **3. Approval of Agenda**

**Michael Lunsford motioned to approve the agenda Second by Penny Baskin Motion Passes**

### **4. Approval of Minutes**

a. Approval of May 25, 2021 Board of Zoning Adjustments and Planning Commission Meeting Minutes.

Penny Baskin motioned to approve the minutes Second by Josh Craine Motion Passes

### **5. Comments from Citizens- None**

### **6. Old Business- None**

### **7. New Business**

## **PUBLIC HEARING**

1. **Conditional Use Permit application:** for Eco Vista, LLC to construct a trash container repair shop. The shop will be constructed at 1041 Arbor Acres Ave.  
**The applicant requested that this item be tabled.**
2. **Request to rezone Parcel #830-37688-000 from R-3 to R-4:** The parcel is approximately 19.66 acres, and is located approximately 1350 feet north of the intersection of US Hwy 412 and N. Mantegani Rd on the west side of N. Mantegani Rd.  
**The applicant is requesting this property be rezoned from R3 to R4.**

Dr. Wendell Weed who lives west of the development addressed his concerns regarding drainage issues and how the developer planned to handle the water flow that will run through the Weed property.

3. **Conditional Use Permit application:** SCP Distributors is requesting to construct an outdoor storage yard on a portion of Parcel #830-38668-000 at the southeast corner of the cul-de-sac on Florence Ave. The property is currently zoned C-2.
4. **Request for variance:** The owners of 804 Bausinger Rd are requesting a variance from City code 153.215 to increase the height of a planned fence from 36 inches to 48 inches. The increased height will be from the

northwest and southwest corners of their primary residence parcel, extending along the north and south property lines, to the front of their primary residence.

The fence style will be a white vinyl.

**Adjournment.**

**BOARD OF ZONING ADJUSTMENTS**

4. **Request for variance:** for the height of a new fence to be constructed at 804 Bausinger Rd.

Josh Craine motioned to approve the variance request from 36" to 48" in height  
Second by Penny Baskin                      Motion Passes

**Adjournment.**

**PLANNING COMMISSION**

1. **Conditional Use Permit application:** for Eco Vista, LLC to construct a trash container repair shop. The shop will be constructed at 1041 Arbor Acres Ave.  
**Tabled**
2. **Request to rezone Parcel #830-37688-000 from R-3 to R-4:** The parcel is approximately 19.66 acres, and is located approximately 1350 feet north of the intersection of US Hwy 412 and N. Mantegani Rd on the west side of N. Mantegani Rd.

This is a rezone request only, engineering plans must be in place before moving forward.

Mr. Richardson and Kevin Nalley were both available to answer questions and also addressed Dr. Weed's drainage concerns.

Josh Craine motioned to approve the rezone request from R3 to R4 with listed conditions  
Second by Michael Lunsford                      Motion Passes

Kevin Boortz- Abstained  
Michael Lunsford voted- No

**Move to the next city council meeting.**

3. **2210 Waste Management Drive:** Eco-Vista will be submitting a large-scale development that will include multiple site improvements.

Courtney McNair gave an overall presentation of the plans, up to this point. But more discussion is needed and recommend this be tabled since this a very impactful project for both the residents and applicant and we want to get this right.

- Dawn Hinshaw agrees with Courtney and to please take the much needed time on this project.
- Angie Russell is having numerous issues like the methane gas which is affecting her health, also the thick dust, snakes and mice that are entering her home.
- Debra Newman who raises cattle has noticed more coyotes due to the trash. She also thanked Michael Lunsford and the Commission for looking out for them.
- Dave Conrad with Waste Management complimented Tontitown's efforts and reminded everyone that this is the only facility and if they do not get this expansion the trash will need to be taken somewhere else. Mr. Conrad also welcomed all residents and anyone else to call and visit the facility.

- Mrs. Martinez asked if screening could be done to the south.

Michael Lunsford requested that Waste Management start screening, trees and landscaping for the residents, so that might help with the snakes, coyotes, mice etc.

Penny Baskin motioned to table      Second by Josh Craine      Motion Passes

5. **Conditional Use Permit application:** for SCP Distributors to have outdoor storage and parking on a portion of Parcel #830-38668-000 at the southeast corner of the cul-de-sac on Florence Ave.

Jared Jorgenson was available to answer questions.

Pool building material (no chemicals) is what would be stored.

Josh Craine motioned to approve with conditions and the material will not be stacked more than two foot over fence height

Second by Michael Lunsford      Motion Passes

**Move to the next city council meeting.**

6. **Proposed large-scale development:** SCP Distributors is requesting to construct an outdoor storage and parking area on a portion of Parcel #830-38668-000 at the southeast corner of the cul-de-sac on Florence Ave.

Two conditions were added:

1. Proof roll test for fire code.
2. No stacking of material 2 foot over fence height.

Josh Craine motioned to approve with listed and added conditions

Second by Michael Lunsford      Motion Passes

7. **Request a waiver:** NORRHO, LLC is requesting a waiver from City code 152.161 Determining Necessity for Improvements in order to not construct the proportionate share of the planned Sbanotto Avenue along the south property line of the planned residential subdivision.

Josh Craine motioned to approve with listed conditions      Second by Michael Lunsford      Motion Fails

Kevin Boortz- Abstained

8. **Proposed residential subdivision:** NORRHO, LLC is requesting to construct a 64-lot single-family subdivision is approximately 19.66 acres, will be composed of, and is proposed to be constructed approximately 1350 feet north of the intersection of US Hwy 412 and N. Mantegani Rd on the west side of N. Mantegani Rd.

The developer requested that this be tabled

9. **Proposed commercial large-scale subdivision:** for Mathias Shopping Centers, Inc. on the south side of E. Henri de Tonti Blvd (US412) between Albano Dr and Agnes Dr. The project site is approximately 10.3 acres, and the subdivision will consist of 10 lots.

Josh Craine motioned to approve the Preliminary Large Scale Development

Second by Penny Baskin      Motion Passes

10. **Final Plat for South Pointe Phase 3:** South Pointe Phase 3 is a 64-lot single-family subdivision located on the east side of Bausinger Rd approximately 675 feet south of the intersection of Bausinger Rd and Wildcat Creek Blvd.

Tamara Martin representing South Pointe Phase 3 was available to answer any questions.

Both the development and city engineers are satisfied and the checklist is completed.

Josh Craine motioned to approve      Second by Michael Lunsford      Motion Passes

## PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL

1. **Conditional Use Permit application:** for Eco Vista, LLC to construct a trash container repair shop. The shop will be constructed at 1041 Arbor Acres Ave.

Tabled

2. **Request to rezone Parcel #830-37688-000 from R-3 to R-4:** The parcel is approximately 19.66 acres, and is located approximately 1350 feet north of the intersection of US Hwy 412 and N. Mantegani Rd on the west side of N. Mantegani Rd.
3. **Conditional Use Permit application:** for SCP Distributors to have outdoor storage and parking on a portion of Parcel #830-38668-000 at the southeast corner of the cul-de-sac on Florence Ave.

### Comments from Staff

Reports

Current and Ongoing Projects- Reference the city website for detailed report

Tontitown Building Activity- Reference the city website for detailed report

### Comments from Commission Members

- Rocky Clinton explained to everyone that when the Planning Commission is conducting business, we are all professional and we do not become argumentative. When planners present something to this body we ask, what does the law or ordinance say then we base our decision on that. The Planning Commission puts their personal feelings aside and follows Tontitown's ordinance laws, which have been put in place by the city council. If a person feels that the law should be changed then work together and get it changed for the better but until then the Planning Commission has to follow the law as it is written.

Meeting Adjourned- Adjourned

**Adjournment.**



**Public Hearing and Planning Commission  
Meeting June 22, 2021 6:00 PM  
Virtual Meeting Participation Opportunities**

**Zoom Meeting:**

To participate *interactively* in the meeting, you may participate in the meeting via Zoom:

- **By PC, Mac, iOS (iPhone), or Android:**

Join Zoom Meeting:

**LINK:** <https://zoom.us/j/97061787642>

**Or go to the zoom website to join:** <https://www.zoom.us/join> and enter the Meeting ID: 970 6178 7642

*The link above requires you to “register” to participate in the meeting. This consists of signing in with your name, address, etc., as you would at a public meeting. Registering to attend the meeting does not require you to create a zoom account to participate.*

*Please register prior to the meeting if possible.*

**Please use your full name (first and last names) as screen name.**

- **Join by phone only:**

+1 (312) 626-6799

When prompted for Meeting ID: 970 6178 7642 #

If you do not have a Participant Number: press #

- **To comment:**

Use “Raise hand” function when comment for an item is requested

For phone, raise hand to be recognized with \*9

Phone numbers used to dial in to meeting will be masked for privacy

All participants will be muted automatically when joining the meeting

**YouTube Live:**

If you wish to watch Online without interactively participating, you can stream the meeting online via YouTube, from our YouTube Channel:

- **By PC, Mac, iOS (iPhone), or Android:** Navigate to the “Tontitown City Hall” channel:  
<https://www.youtube.com/channel/UCIbUv481CeNFF2JNwoOsrNQ>

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**NEW TO ZOOM?**

Watch tutorial videos at: <https://support.zoom.us/hc/en-us>

**For assistance during the meeting, or for assistance logging into the meeting, please contact Courtney McNair, Garver Urban Planner, at (479) 287-4610, or email at [cetmcnair@garverusa.com](mailto:cetmcnair@garverusa.com).**