



Planning Commission

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

City Staff and Consultants

Planning Manager – Luann Jenison
Planning Techs- Maegan T. & Madelyn P.
Public Works Director- James Clark
Building Inspector- Roger Duncan
City Engineer/Planning Consultant- Garver
City Attorney- Harrington -Miller

Public Hearing/ Board of Zoning Adjustments (BOZA)/ Planning Commission Minutes

Date: Tuesday, March 29th, 2022

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

1. **Planning Commission Meeting Call to Order**
2. **Pledge of Allegiance**
3. **Code of Conduct**
4. **Roll Call**

Michael Lunsford was absent

5. **Approval of Agenda**

Tom Joseph motioned to approve both the agenda and minutes

Second by Josh Craine

Motion passes Unanimously

6. **Approval of the February 22nd Planning Commission Minutes, and the March 17th, 2022, Special Planning Commission Meeting Minutes**
7. **Comments from Citizens**

Kenneth Lovett is here about Waste Management. On January 19th they requested a permit to test some drains or something out of the landfill. So, dye was used in the drain at the landfill, and it went straight to the Little Wildcat Creek. In 2002 it was proven that they had an insufficient liner for the geology in Northwest Arkansas. The director at A.D.E.Q. at the time ruled in favor of Waste Management to continue operation and they're continuing today. Mr. Lovett will be in contact with other folks but wanted the Planning Commission to be aware of this situation.

Mr. Lovett doesn't know who does the permits or if it's a regulation, that Tontitown keeps up with, but he would like this figured out because that permit should have come through here somehow before they go testing, also A.D.E.Q. issued a permit so, there is also a lack of communication.

Stacy Davis had a few questions about the N. Barrington rezoning request:

1. Which three acers?
2. Why not rezone all the property?
3. What type of animal care facility would this be?

Maegan said she would email Stacy the information.

8. Old Business- None
9. New Business

PUBLIC HEARING

1. **1st Response Towing Conditional Use Permit Request:** The applicant is requesting a Conditional Use permit to allow 1st Response Towing to operate under the use Outdoor, Storage (yard) on the property located at 1849 W Henri de Tonti Blvd. Ste C.

Michael Lunsford arrived at this time

The applicant is requesting Conditional Use Permit approval to allow a Storage, Outdoor (Yard) use in a C-2 (General Commercial) Zoning district. The business hours of operation will be Monday-Friday 8:00am-4:00pm. However, in the applicant's letter they state, "towing services will be 24-hours." There is an existing fence on the property that the applicant plans to enclose for screening of their 24-hour impound lot. Storage, Outdoor (Yard) use is permitted in C-2 Zoning only by Conditional Use Permit approval.

2. **Paramount Conditional Use Permit Request:** The applicant is requesting a conditional use permit to allow a primary warehouse use in a C-T zoning district located at 761 W Henri de Tonti Blvd.

At the Special Planning Commission Meeting on March 17, 2022, the Planning Commission approved the request to rezone this property from C2, General Commercial to CT, Commercial Trades and Services. The rezoning must still be ratified by the City Council; however, the applicant would like to request the Conditional Use Permit to allow Primary Warehousing in CT zoning at the regular meeting of the Planning Commission on March 29, 2022. If the CUP is approved by the Planning Commission, both the rezoning and CUP can be heard on the April 5, 2022, City Council meeting.

The applicant has expressed that they may like to expand the existing warehousing building in the future. In order to expand any portion of the warehousing, the site needed to be rezoned and a CUP requested for a Primary Warehousing use. Non-conforming, grandfathered uses may not be expanded (except within very limited parameters).

The owner of this property is Weeks Enterprises, LLC. The applicant/representative is Dan Scott, for Paramount Metals.

No comments received.

3. **N Barrington Rezoning Request:** A rezoning request to rezone approximately 3.483 acres of property located at 957 N Barrington Rd. from R-3, Residential 3units/acre, to A, Agriculture to allow for a future animal care facility. **-Tabled to April PC**
4. **N Barrington Conditional Use Permit Request:** The applicant is requesting a Conditional Use permit to allow for a future animal care facility to be located at 957 N Barrington Rd. **-Tabled to April PC**
5. **N Barrington Sign Variance Request:** The applicant is requesting a variance from Chapter 153.184 of the Code of Ordinance to allow for 4'x4' sign to be placed on the existing fence located at 957 N Barrington.

-Tabled to April PC

Adjournment.

BOARD OF ZONING ADJUSTMENTS

1. **N Barrington Sign Variance Request:** The applicant is requesting a variance from Chapter 153.184 of the Code of Ordinance to allow for 4'x4' sign to be placed on the existing fence located at 957 N Barrington.

-Tabled to April PC

Adjournment

PLANNING COMMISSION

1. **1st Response Towing Conditional Use Permit Request:** The applicant is requesting a Conditional Use permit to allow 1st Response Towing to operate under the use Outdoor, Storage (yard) on the property located at 1849 W Henri de Tonti Blvd. Ste C.

**Josh Craine motioned to approve the Conditional Use Permit request with listed conditions
Second by Tom Joseph
Motion passes Unanimously**

Move to the next city council meeting.

2. **Paramount Conditional Use Permit Request:** The applicant is requesting a conditional use permit to allow a primary warehouse use in a C-T zoning district located at 761 W Henri de Tonti Blvd.

**Michael Lunsford motioned to approve the Conditional Use Permit for Paramount Metals with listed conditions
Second by Josh Craine
Motion passes Unanimously**

Move to the next city council meeting

3. **N Barrington Rezoning Request:** A rezoning request to rezone approximately 3.483 acres of property located at 957 N Barrington Rd. from R-3, Residential 3units/acre, to A, Agriculture to allow for a future animal care facility. **-Tabled to April PC**

4. **N Barrington Conditional Use Permit Request:** The applicant is requesting a Conditional Use permit to allow for a future animal care facility to be located at 957 N Barrington Rd. **-Tabled to April PC**

PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL APRIL 5th, 2022

1. **1st Response Towing Conditional Use Permit Request:** The applicant is requesting a Conditional Use permit to allow 1st Response Towing to operate under the use Outdoor, Storage (yard) on the property located at 1849 W Henri de Tonti Blvd. Ste C.

2. **Paramount Conditional Use Permit Request:** The applicant is requesting a conditional use permit to allow a primary warehouse use in a C-T zoning district located at 761 W Henri de Tonti Blvd.

Comments from Staff

1. **February 2022 Building Activity Report-** Reference the city website for detailed report.
2. **Current Planning Projects Report-** Reference the city website for detailed report.

Comments from Commission Members

The May 24th Planning Meeting date has been changed to May 26, 2022.

Tom Joseph said we are needing traffic solutions for the East and West artery.

Josh Craine quoted Ronald Reagan-



Adjournment.- Meeting adjourned



Public Hearing and Planning Commission
Meeting March 29th, 2022, 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://us06web.zoom.us/webinar/register/WN_2Xxsy8yRRHKxpAXutxZ7Yg

Or go to the zoom website to join: <https://www.zoom.us/join> and enter the Meeting ID: 839 7049 6992

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: 839 7049 6992#

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/UClbUv481CeNFF2JNwoOsrNQ>

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.