



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 Agendas

Date: Tuesday, May 26th, 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. **Roll Call**

All in attendance

4. **Approval of Agenda**

Number three waivers will be voted individually

Add to old business- Revisit the approved Expiration Renewal for Mantegani Estates- James Dean

Kevin motioned to approve the agenda

Second by James Dean

Motion Passes Unanimously

5. **Approval of the April 26th Meeting Minutes**

Michael Lunsford motioned to approve

Second by James Dean

Motion Passes Unanimously

6. **Comments from Citizens**

Kenneth Lovett said in the past he has seen some outburst, and everybody has a right to their opinions and ideas but during the council meeting Rocky brought up the traffic on Highway 412 being busy, and it was like the first time it come to your mind. Rocky has seven years' experience and Mr. Lovett appreciates that experience but in Mr. Lovett's opinion Rocky should step down as chairman.

In a letter Nina Brown said she was unable to attend tonight's meeting but wanted to give a citizen's comment regarding the flooding on S. Pianalto Rd. near the bridge. Mrs. Brown attended the last City Council Meeting and now would like to know what the Planning can do to prevent this from happening with future developments. She would like to know of any solutions that planning may have to ensure that the developments address flooding issues.

Sandy Trexler's home has been flooded numerous times and the detention ponds in the neighboring

subdivisions (Liberty Estates and NAPA) are not working as designed very little water is being held back, there are no flood gates that could be closed to hold the water. Mrs. Trexler has been in contact with James Clark, but he never has any answers for her. Mrs. Trexler has requested the names of the developer, engineer of the Liberty Estates and NAPA subdivisions projects. The city said they will provide that information.

7. Old Business-

Revisit the approved Expiration Renewal for Mantegani Estates - James Dean

James seems the approval was rushed, and he was not knowledgeable of the project and should not have voted YES. James asked if this could be undone and go through the process again and look at the development especially with the flooding issues.

Josh Craine new about the project and was delayed due to COVID.

Michael Lunsford said he follows guidelines set before us.

The city will contact the City Attorney to see if this project can be reviewed again.

8. New Business

PUBLIC HEARING

1. No agenda items.

Adjournment.- Adjourned

BOARD OF ZONING ADJUSTMENTS

1. No agenda items.

Adjournment

PLANNING COMMISSION

1. **Four Seasons Waiver Request:** The applicant is requesting a waiver from section 90.900.2 to allow deviation from trail and sidewalk requirements along Old Hwy 68.

The applicant is requesting a waiver from Chapter 90.900.2, the requirement to place a sidewalk along Old Hwy. 68. According to the applicant's letter, ARDOT is proposing future roadway expansions in this area in the near future. At that time, any sidewalk installed now would be removed.

Add condition that if there is a gap the owner must install the sidewalk to fill in the gap

Kevin Boortz motioned to approve with conditions discussed there on the extension

Second by Tom Joseph

Motion Passes Unanimously

2. **Four Seasons Large Scale Development:** Four Seasons Landscaping is requesting Preliminary Large Scale Development approval to construct two buildings on 5.88 acres located south of Old Hwy 68 and East of Musteen Rd. The two buildings are proposed to be 2,375 SF and a 3,568 SF.

Kevin Boortz motioned to approve with listed conditions

Second by Michael Lunsford

Motion Passes Unanimously

3. **Pozza Commercial Ph 1 Waiver Request:** The applicant is requesting waiver from the development regulations to allow the following for the Pozza Commercial Ph 1 Preliminary LSD:

- Waiver #1- The applicant is requesting a waiver from section 152.151 to allow deviation from the Large-Scale Development Design Standards.

Kevin Boortz motioned to approve waiver #1 for the Pozza façade that's being requested
Second by Michael Lunsford
Motion Fails Unanimously

- Waiver #2- The applicant is requesting a waiver from section 90.900.2 to allow deviation from trail and sidewalk requirements along Hwy. 412 and Pozza Lane.

Kevin Boortz motioned to approve waiver #2 for the street Pozza Lane as well as the sidewalk on Pozza Lane
Second by Josh Craine
Motion Fails Unanimously

- Waiver #3- The applicant is requesting a waiver from section 152.161, determining necessity for improvements and 90.400.4, cross sections and right-of-way widths, to allow deviation from required street improvements along Pozza Lane.

Kevin Boortz motioned to approve waiver #3 412 trail being delayed until Phase 2
Second by Tom Joseph

Kevin Boortz voted- YES
Michael Lunsford voted- YES
Josh Craine voted- YES
Tom Joseph voted- YES
James Dean voted- NO
Rocky Clinton voted- YES

Motion Passes

4. **Pozza Commercial Ph 1 Large Scale Development:** Pozza Ln Commercial Ph 1 is proposing to construct three buildings that are 11,700 SF each to be located on 12.48 acres south of hwy 412 and west of Pozza Ln. with associated parking and detention.

Kevin Boortz motioned to Table the Preliminary Large Scale Pozza Lane Phase 1 until the next Planning Meeting so more of the conditions can be addressed
Second by James Dean
Motion Passes Unanimously

5. **Victory Church Large Scale Development:** Victory Church is requesting Preliminary Large Scale Development approval to construct a 13,303 SF building with associated parking and drives located at 250 Industrial Circle East. **-Tabled to June 2022 PC Meeting**
6. **Bike & Pedestrian Master Plan Updates:** Discussion regarding the Northwest Arkansas Regional Planning Bike and Pedestrian Master Plan Update.

There are still bike path surveys that Regional Planning is collecting information. Also, LuAnn has copies of the surveys, and she would like everyone to take the survey, if you have any thoughts at all about bike paths even if you don't live in the city anywhere in Northwest Arkansas these surveys are for you.

Additional public input will be done after the meeting

The next scheduled meeting for the bike trail update is June 30, 2022, at 6:00 PM, the public is invited, and Regional Planning will be available.

PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council May 3rd, 2022

1. No Planning Commission items to Council.

Comments from Staff

1. **April 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

James Dean said Angie Russell and Kenneth Lovett went to Little Rock to speak and James's thought they did a good job and represented us real well.

Josh Craine- Quote

"When government fear the people, it is liberty. When the people fear the government, it is tyranny."
Thomas Paine

Adjournment.-Adjourned



**Public Hearing and Planning Commission
Meeting May 26th, 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: Error! Hyperlink reference not valid.

Or go to the zoom website to join: Error! Hyperlink reference not valid. 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:
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NEW TO ZOOM? Watch tutorial videos at: Error! Hyperlink reference not valid.

For assistance during the meeting, or for assistance logging into the meeting, please contact Courtney McNair, Garver Urban
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