



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

City Planner – Mark Latham
Planning - Brad Spurlock
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, August 23, 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**

Michael Lunsford was absent and there is a vacant seat (Rocky Clinton)

4. **Approval of Agenda**

Planning Commission Meeting section add the following:

1A. **Fire Station Road Improvements Waiver request- that was tabled 6/23/22**

A. **Elect a new Planning Commission person**

James Dean motioned to approve the agenda

Second by Josh Craine

Motion Unanimously Passes

5. **Approval of the June 28th Meeting Minutes**

Josh motioned to approve

Second by James Dean

Motion Unanimously Passes

6. **Comments from Citizens**

Kenneth Lovett (18702 Clearwater Rd) Future Land Use Plan we have a lot of variances and conditions, and you look at this building and it don't meet our conditions, doesn't have the facing and we are building a new fire station and variances are being requested. The city is not held to the same

conditions as developers and builders and needs to be reviewed.

Penny Baskin (1539 S. Pianalto) September 17, 2022, starting at 8:00 AM, Bocce Tournament, Car, and Motorcycle Show. Also, the city will be collecting candy for Halloween in the Park.

7. **Old Business- None**

8. **New Business**

PUBLIC HEARING

- Bike and Pedestrian Master Plan Updates:** Proposed updates to the Northwest Arkansas Regional Planning Bike and Pedestrian Master Plan.
Courtney McNair presented the updates.
Stacy Davis had questions- Tontitown's safety along the trails, lighting, patrolling.
Courtney said that will be part of the Regional Plannings overall plans and those questions are beyond the scope of what is being asked at this time, this is just a plan there is no project associated this at this time.
- Rezoning 710 Sbanotto Ave:** The applicant is requesting to rezone property at 710 Sbanotto Ave. from "A" Agriculture to "R-3", Residential single family with a minimum of 9600 sq ft minimum lot on 5.27 acres. This site is located on parcel 830-37645-000.
The owner of this property is VGSJR, LLC, represented by Earthplan Design Alternatives, PA.

The property is located along the north side of Sbanotto Ave., approx. 500 feet east of its intersection with Ardemagni Rd., and generally north of Highway 412.

The 5.38-acre parcel is improved with an existing single family detached dwelling and accesses the public right-of-way via a private driveway extending northward to the dwelling. The property is zoned 'A' (Agricultural), whereas properties adjacent to and surrounding the site are zoned R-3 (Single Family Residential, 9,600 square foot minimum lot size.

The request is to rezone the entire parcel R-3. The parcel has approximately 340 feet of public road frontage, and if rezoned to R-3, the minimum lot width will be 80 feet

Joey Penzo, Elizabeth Penzo, Brian Barchenger, Clairese Barchenger, Larry Ardemagni, voiced their concerns regarding the drainage, traffic on the narrow road, road damage by big trucks, safety for school kids having to walk to the designated bus pickup, and clarification was needed on how many homes will or could be built if rezoning passes.
- Variance 1710 Arbor Acres Ave:** The applicant is requesting a variance at 1710 Arbor Acres Ave. to allow a proposed barn structure to be setback on the west side of the property six (6) feet instead of the required thirty (30) feet. This site is located on parcel 830-38352-100.
Tabled
- Laura Lane Variance:** The applicant is requesting a variance on Lot 25A of the Maestri Subdivision

(industrial) on 3.70 acres of land, from Chapter 153: Appendix C in the City of Tontitown Municipal Code, to allow a side and rear building setbacks to be twenty-five (25) feet instead of the required seventy-five (75) feet on both sides. This site is located on parcel 830-38114-100.

The owner/applicant for this project is Mathias Shopping Centers, Inc., represented by Mr. Mathew K. Loos, P.E. of Olsson Associates. The property is located at 609 Laura Ln., in Tontitown.

The applicant is requesting Variance approval to allow a 25 foot building to property line setback in lieu of the required 75 feet in the I-1 / Industrial zoning district.

Adjournment.- Adjourned

BOARD OF ZONING ADJUSTMENTS

1. **Variance 1710 Arbor Acres Ave:** The applicant is requesting a variance at 1710 Arbor Acres Ave. to allow a proposed barn structure to be setback on the west side of the property six (6) feet instead of the required thirty (30) feet. This site is located on parcel 830-38352-100.

Tabled

2. **Laura Lane Variance:** The applicant is requesting a variance on Lot 25A of the Maestri Subdivision (industrial) on 3.70 acres of land, from Chapter 153: Appendix C in the City of Tontitown Municipal Code, to allow a side and rear building setbacks to be twenty-five (25) feet instead of the required seventy-five (75) feet on both sides. This site is located on parcel 830-38114-100.

James Dean motioned to approve

Second by Josh Craine

Motion Passes Unanimously

Adjournment

PLANNING COMMISSION

1A. Fire Station Road Improvements Waiver request- that was tabled 6/23/22

Tom Joseph motioned to approve the waiver

Second by Josh Craine

Tom Joseph Voted- NO

James Dean Voted- YES

Kevin Boortz Voted- YES

Josh Craine Voted- NO

Motion Fails

- A. **Elect a new Planning Commission Chairman-
Table**

**Josh Craine motioned to Table to the next planning meeting
Second by Tom Joseph**

Motion Passes Unanimously

1. **Bike and Pedestrian Master Plan Updates:** Proposed updates to the Northwest Arkansas Regional Planning Bike and Pedestrian Master Plan.
**Josh Craine motioned to approve the Bike and Pedestrian updates
Second by James Dean**

Motion Passes Unanimously

2. **Rezoning 710 Sbanotto Ave:** The applicant is requesting to rezone property at 710 Sbanotto Ave. from "A" Agriculture to "R-3", Residential single family with a minimum of 9600 sq ft minimum lot on 5.27 acres. This site is located on parcel 830-37645-000.

**James Dean motioned to approve the rezoning
Second by Josh Craine**

**James Dean Voted- YES
Josh Craine Voted- NO
Kevin Boortz Voted- YES
Tom Joseph Voted- YES**

Motion Passes

3. **Laura Lane Waiver:** The applicant is requesting a waiver on Lot 25A of the Maestri Subdivision (industrial) on 3.70 acres of land, from Section 153.216 Sidewalks in the City of Tontitown Municipal Code, to remove the requirement to construct sidewalks along Laura Lane and Agnes Drive.
**Tom Joseph motioned to approve the waiver
Second by Josh Craine**

Motion Passes Unanimously

4. **Laura Lane LSD:** The applicant is requesting to construct a new 17,767 sq ft. warehouse at 609 Laura Lane on 3.70 acres. This site is located on parcel 830-38114-100.
**James Dean motioned to approve
Second by Tom Joseph**

Motion Passes Unanimously

5. **Designer Barber Shop/Salerno - Parking Lot LSD**: The applicant is asking to construct a parking lot with thirty-two (32) spaces at 175 Kevin Lane, on approximately 0.25 acres, located on parcel 830-37582-000.

Josh Craine motioned to approve with listed conditions

Second by Tom Joseph

Motion Passes Unanimously

PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council August 1st, 2022

1. **Bike and Pedestrian Master Plan Updates**: Proposed updates to the Northwest Arkansas Regional Planning Bike and Pedestrian Master Plan.
2. **Rezoning Sbanatto Ave**: The applicant is requesting to rezone property at 710 Sbanatto Ave. from "A" Agriculture to "R-3", Residential single family with a minimum of 9600 sq ft minimum lot on 5.27 acres. This site is located on parcel # 830-37645-000.

Comments from Staff

Mark Latham is looking forward to updating the future streets, storm water/sewer and financing.

1. **July 2022 Building Activity Report**
2. **Current Planning Projects Report**

Comments from Commission Members

Josh Craine Quote- "If you 're making them think, you're doing job" State rep Josh Bryant

Josh said he had a guy that worked for him for 2-1/2 years, and he was killed in a car accident Saturday night he was 24 years old and has 2 little boys. Please say a prayer for this young man's family as well as his work family.

Kevin Boortz thanked everyone for coming out night and appreciative to see this many attending and we

try to do our best and will continue do our best for Tontitown.

Adjournment

Adjourned



**Public Hearing and Planning Commission
Meeting June 28th, 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/UCIbUv481CeNFF2JNwoOsrNQ>

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.