



Planning Commission

Kevin Boortz – Chairman
Tom Joseph – Secretary
Josh Craine – Member
James Dean – Member
Candy Black - Member

City Staff and Consultants

City Planner – Mark Latham
Planning Tech- 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, February 13, 2023 for January 24, 2023

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

Josh Craine motioned to approve the agenda.

Second by Tom Joseph

Motion Passes Unanimously

5. Approval of the December 27, 2022, Meeting Minutes

James Dean motioned to approve the minutes.

Second by Josh Craine

Motion Passes Unanimously

6. Comments from Citizens

Nina Brown 1851 S. Pianalto Tontitown, AR

1. Asked if the county answered the city's questions regarding the Deer Valley Subdivision LSD.
2. Asked that the Planning Commission, keep in mind of the city streets, drainage and air quality issues as the city grows.

7. Old Business

- a. **Deer Valley Subdivision LSD:** The applicant is requesting an approval of a large-scale development of a subdivision consisting of 46 building lots and 1 lot for retention lot on 76.93 acres more or less. Parcel #'s are 001-16877-000 & 001-16884-000. This project was tabled at the previous Planning Commission meeting as clarification on street improvements was requested.

The applicant is requesting Preliminary Subdivision Plat approval for a revised plan of 47 lots: 46 single-family, 1 detention, on 76.93 acres. This project was approved by the Planning Commission on June 28, 2022, for 31 lots. The project is located within the City of Tontitown's Planning Area on Fiori Street, to the north and west of the intersection at Fiori Street and Lynch Ave.

Jason Appel with Engineering Services and the Developer were present to answer any questions from the Planning Commission.

Tom Joseph motioned to approve with listed conditions.

Second by James Dean

Candy Black Voted- YES

Tom Joseph Voted- NO

James Dean Voted- NO

Donnie Davis Voted- YES

Kevin Boortz Voted- YES

Josh Craine Voted- NO

Motion is 3 Votes- YES and 3 Votes- NO

Motion is Dead

8. New Business

PUBLIC HEARING

1. **Sloan Crest Subdivision-Revised Variance Request:** Applicant is requesting a variance of Appendix B "Minimum Dimension Standards". Zoning district of R-3 requires a depth of 120 feet. Due to size/shape of the parcel on the proposed width of street right of way, three (3) lots on the south side of the proposed street have approximately 100 feet of depth.

Public Comments-

Micah Thomason 741 Tuscan Sun Lane Tontitown, AR

Mr. Thomason's concerns with this, is that when he read the city statues that our three zoning allows for 9600 sq. foot minimum lot sizes, but it specifically clarifies in that provided density shall not exceed three units per acre and is repeated in the district regulations.

Kim Carney 685 Tuscan Sun Lane Tontitown, AR

Agreed with Mr. Thomason's comments.

- 2. Rezone 630 S. Klenc:** The applicant is requesting to rezone 18.95 acres of property from R-3, Residential Single-Family with a minimum lot size of 9,600 SF to R-4, Residential Single-Family with a minimum lot size of 8,000 SF.

Public Comments-

Danny Montez 714 Belmont Way Tontitown, AR

- 1. His packet said 630 not 680 and asked for location clarification 680 or 630 S. Klenc.
(630 S. Klenc is the correct address)**

Terry Williams 615 Tuscan Sun Lane Tontitown, AR

- 1. Agrees with Mr. Thomason, and the issues with the subdivision to the south by letting them stack houses on top of houses.**
- 2. Mr. Williams lives in an area that has 1 acre lots and asked how this would affect the value of their homes and flooding issues.**
- 3. If this can't be stopped he asked if a nice fence could be built between the properties at the developers expense.**
- 4. We are a small community, and we advertise it on our website that we've got a small community feel but if we keep stacking homes on top of homes we're going to look like Bentonville or Dallas and having that country feel is the reason he moved here.**

Nina Brown 1851 S. Pianalto Rd Tontitown, AR

- 1. Doesn't see why they want to increase after they have already been approved. There is enough housing in that location.**
- 2. There's retention pond issues and more infrastructure is needed to direct this water some way shape or form.**
- 3. Developers bought this land to develop, and they know our city codes and don't understand why we allow everyone that wants a variance or something just to get these big numbers in here.**
- 4. We are a small community and want to keep it that way, and spread the growth out and have the developers help build our infrastructure.**

Kim Carney 685 Tuscan Sun Lane Tontitown, AR

- 1. Agrees with Mrs. Brown and added she moved here for the small town, because of the spacious lots and wants to keep that feeling as you drive down Barrington or any of these roads, versus having homes stacked on top of each other like Springdale, Bentonville, Rogers.**

David Compton 671 Tuscan Sun Lane Tontitown, AR

- 1. Agrees with everything that has been said but would like to mention that flooding is a huge**

concern and happens to be an Insurance Agent and has had flood claims around Tontitown and Fayetteville, and when you start adding more concrete it causes more trouble and would hate for Tontitown to be like big cities.

Gary Carney 685 Tuscan Sun Lane Tontitown, AR

1. Would rather it be R1, but we can't go backwards but opposes the request for an R4.
2. Wants to keep the country feel and not have a bunch of houses where cows once grazed.

Micah Thomason 741 Tuscan Sun Lane Tontitown, AR

1. Repeated the statues of R3.
2. Thankful that the city has a Future Land Use Map and it shows the plan to maintain this R3.
3. Property values would be affected, strains on our infrastructure, utilities and maintaining a R3 is what makes sense.

Adjournment- Adjourned

BOARD OF ZONING ADJUSTMENTS

1. **Sloan Crest Subdivision-Revised Variance Request:** Applicant is requesting a variance of Appendix B "Minimum Dimension Standards". Zoning district of R-3 requires a depth of 120 feet. Due to size/shape of the parcel on the proposed width of street right of way, three (3) lots on the south side of the proposed street have approximately 100 feet of depth.

Daniel Lazenby with Engineering Services and the Builder Mr. McDonald were present to answer questions.

James Dean motioned to approve.
Second by Tom Joseph

Josh Craine Voted- NO
Kevin Boortz Voted- YES
James Dean Voted- YES
Candy Black Voted- YES
Tom Joseph Voted- YES
Donnie Davis Voted- YES

Motion Passes

Adjournment- Adjourned

PLANNING COMMISSION

1. **Rezone 630 S. Klenc:** The applicant is requesting to rezone 18.95 acres of property from R-3, Residential Single-Family with a minimum lot size of 9,600 SF to R-4, Residential Single-Family with a minimum lot size of 8,000 SF.

1ST Motion

Josh Craine motioned to Table until February 28th.

Second by Tom Joseph

Tom Joseph Voted- YES

Donnie Davis Voted- NO

Josh Crain Voted- YES

Kevin Boortz Voted- NO

James Dean Voted- NO

Candy Black Voted- YES

Motion is 3 Votes- NO and 3 Voted- YES

Motion to Table in Dead

2nd Motion

Josh Craine motioned to approve this rezoning to R4.

Second by James Dean

Tom Joseph Voted- NO

Donnie Davis Voted- YES

Josh Crain Voted- NO

Kevin Boortz Voted- YES

James Dean Voted- YES

Candy Black Voted- NO

Motion is 3 Votes- NO and 3 Voted- YES

Motion to Table in Dead

The developer has the option to file an appeal and bring forward to the city council.

PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council February 21, 2023.

NONE

Comments from Staff

- 1. Next Planning Commission Meeting is February 28th at 6:00 PM.**
- 2. Had a good turn out at the Comp. Meeting and will go to the City Council.**

Brad Spurlock wanted to thank the staff and the citizens for the condolences and prayers for the loss of his mother that happened on the 19th and thanked Courtney McNair for stepping in and helping.

Comments for Commission

Donnie Davis

- 1. This is his first planning meeting and as he looks in the eyes of the citizens he is certainly empathetic to what they are feeling with the subdivision.**

Kevin Boortz

1. Welcomed Donnie Davis to the Commission.
2. On the next February 28th Planning Commission Meeting we will have on the agenda to appoint a new Vice Chairman, since we do not have one.
3. Thanked the citizens for attending tonight's meeting and letting your voices be heard. Sometime tough decisions are made and it's not always easy up here but we love Tontitown and we thank everyone for showing up.

Josh Craine – Jason and Betsy Wright submitted comments by email and were not in the packet. Brad Spurlock said he will look back in his emails.

Quote



" He who dares not offend cannot be honest."

— Thomas Paine

1. December Building Activity Report
2. Current Planning Projects Report

Adjournment–All in favor



Public Hearing and Planning Commission
Meeting January 24, 2023, 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_2Xxsv8yRRHKxpAXutxZ7Yg

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/UC1bUv481CeNFF2JNwoOsrNQ>

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.