



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 28, 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

Kevin Boortz said, the following Copart will not be discussed-

Public Hearing #3 and #4, Board of Adjustments #1, and Planning Commission Meeting #5, #6, #7.

Josh Craine motioned to approve the agenda.

Second by Tom Joseph

Motion Passes Unanimously.

5. Approval of the February 13th, 2023 (for the canceled January 24th, 2023) Meeting Minutes.

Tom Joseph motioned to approve the minutes.

Second by Josh Craine

Motion Passes Unanimously

6. Comments from Citizens

Chris Hamrick is the builder for the new owners who are requesting the rezoning and wanted to ask if they could discuss a variance as well.

Brad Spurlock said there is a variance process that needs to be done before discussion is allowed, and right now the rezoning is what can be discussed.

7. Old Business- None

8. New Business - Election of Vice Chairperson for the PC

Tom Joseph nominated James Dean as Vice Chairman.

Second by Donnie Davis

Motion Passes Unanimously

PUBLIC HEARING

1. **Rezone 2398 E. Brush Creek Rd:** The applicant is requesting to rezone 2.148 acres of property from R-E Residential Single-Family with a minimum lot size of 2 acres to R-1, Residential Single-Family with a minimum lot size of 1 acre. Parcel #:830-37891-531.

Jody Marsh is the seller and was being very picky to who she wanted to sell her property to and the new owners plan to split the property so her parents can build a home and be next to family and take care of each other.

2. **Rezone E Henri de Tonti Blvd:** The applicant is requesting to rezone 0.67 acres of property from C-2, General Commercial to C-T, Commercial Trades and Services. Parcel #x:830-37574-000 and 830-37577-000.

Nicco Bersi attended tonight's meeting on behalf of the applicant and said he has done a lot of projects in Cave Springs but not in Tontitown and wanted to say he is excited to work with Tontitown and appreciates the opportunity.

3. **Variance** – Copart of Arkansas, Inc. is requesting a variance from the required 100-foot buffer for Auto

Wrecking/Salvage Yards. They are requesting this be reduced to a 25-foot buffer. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

4. **Conditional Use Permit** – Copart of Arkansas, Inc is requesting CUP approval to allow an Auto Wrecking/Salvage Yard use within I-Industrial zoning. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

Adjournment- Adjourned

BOARD OF ZONING ADJUSTMENTS

1. **Variance** – Copart of Arkansas, Inc. is requesting a variance from the required 100-foot buffer for Auto Wrecking/Salvage Yards. They are requesting this be reduced to a 25-foot buffer. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

Adjournment- Adjourned

PLANNING COMMISSION

1. **Rezone 2398 E. Brush Creek Rd:** The applicant is requesting to rezone 2.148 acres of property from R-E, Residential Single-Family with a minimum lot size of 2 acres to R-1, Residential Single-Family with a minimum lot size of 1 acre. Parcel # 830-37891-531.

No objections to this rezoning were submitted.

Flooding issues were discussed, and the owners are aware that the bottom of this property is on a flood plain and the city will not be held responsible.

Jody Marsh said that FEMA plans is to change the flood plain to the corner right piece of the property.

James Dean motioned to approve the rezoning.

Second by Donnie Davis

Motion Passes Unanimously

- 2. Rezone E Henri de Tonti Blvd:** The applicant is requesting to rezone .67 acres of property from C-2, General Commercial to C-T, Commercial Trades and Services. Parcel #s 830-37574-000 and 830-37577-000.

Dale Brinker whose business property is adjacent, asked if water drainage is being addressed, since his business is downhill from this property.

Josh Craine motioned to approve the rezone from C2 to CT

Second by Candy Black

Motion Passes Unanimously

- 3. Auto Zone Large Scale Development** – Applicant is requesting approval of a Preliminary LSD on E.Henri de Tonti Blvd and Albano Drive to construct a 6,816 SF commercial building with associated parking and drives on 0.92 acres. Parcel # 830-39933-000..

Representative Kevin Murphy was available by zoom to answer any questions.

Josh Craine motioned to approve the Large Scale Development with listed conditions.

Second by James Dean

Motion Passes Unanimously

4. **Goddard Large Scale Development** – Applicant is requesting approval of a Preliminary LSD approval to construct an 8,904 SF commercial building with associated parking, drives, and outdoor play areas. Parcel # 830-37867-000

Brad Peterson Civil Engineer with Crafton Tull was available by zoom to answer questions.

Danny Montez 714 Belmont Way Tontitown, Ar-

1. **Wanted to give his approval and thinks that a childcare center is something that is needed.**

Josh Craine motioned to approve with listed conditions and process noted.

Second by Tom Joseph

Motion Passes Unanimously

5. **Conditional Use Permit** – Copart of Arkansas, Inc. is requesting CUP approval to allow an Auto Wrecking/Salvage Yard use within I-Industrial zoning. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

6. **Waiver**– Copart of Arkansas, Inc. is requesting a waiver of curbing requirements for off-street parking, drives, and landscape areas. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

7. **Copart Large Scale Development** – The applicant is requesting approval of a Preliminary LSD development on W Henri De Tonti Blvd. Property is located on 25.1 acres at the following parcels: 830-37909-001, 830-37897-007, 830-37897-006.

Tabled until the March 2023 Planning Commission Meeting.

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

- 1. Rezone E Henri de Tonti Blvd:** The applicant is requesting to rezone .67 acres of property from C-2, General Commercial to C-T, Commercial Trade for Warehouse-office building. Two parcels are 830-37574-000 and 830-37577-000.
- 2. Rezone 2398 E. Brush Creek Rd:** The applicant is requesting to rezone 2.148 acres of property from R-E, Residential Single-Family with a minimum lot size of 2 acres to R-1, Residential Single-Family with a minimum lot size of 1 acre. Parcel #:830-37891-531

Comments from Staff

- 1. Comp. Plan Meeting should be scheduled within the next two weeks**
- 2. Preconstruction meeting for Amelia Acres will be held this Thursday**
- 3. Deer Valley that was declined on the forty plus units but was approve for thirty lots last March and will be moving forward with that.**
- 4. Tech. Review will be held on March 7th at 10:00 AM.**

1.December Building Activity Report

2.Current Planning Projects Report

Reference the city website for detailed reports

Comments from Planning Commission-

Tom Joseph

- 1. Would like to discuss at the next Board of Adjustments Meeting that we need a standard procedure that when developments come in and that we consider approving something by the way of a Bill of Assurance and or a Performance Bonds to make sure developers follow through with what they say they will do.**

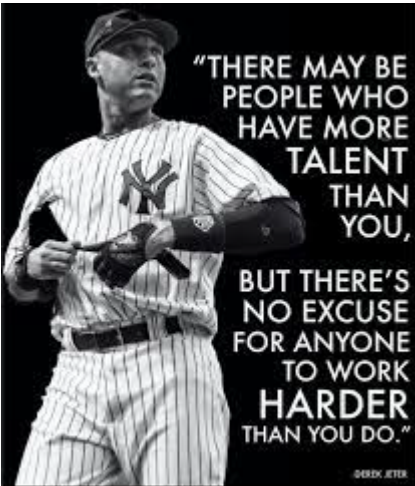
James Dean

1. Thanked the members for their confidence by voting him Vice Chairman.

Kevin Boortz

1. Thanked everyone for coming to tonight's meeting.
2. Next Planning Commission Meeting is scheduled for March 28, 2023 at 6:00 PM.

Josh Craine's 8-year-old son found tonight's Quote.



Derek Jeter

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/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.