



**Planning Commission**

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

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

Date: Tuesday, June 27, 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)

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

All in attendance

4. **Approval of Agenda**

Item #4- Rezone Request-Dowell Road and Arbor Acres is tabled until July 25<sup>th</sup>.

Josh Craine motioned to approve.

Second by Donnie Davis

Motion Passes Unanimously

5. **Approval of the May 23, 2023, minutes**

Josh Crane motioned to approve.

Second by James Dean

Motion Passes Unanimously

6. **Comments from Citizens**

Nina Brown 1851 S. Pianalto Rd., Tontitown, AR

1. **Has concerns with the flames at Waste Management.**
2. **Need to work with the state regarding the flames at Waste Management.**

3. **Keep in mind the drainage issues.**
4. **Thanked all city departments and city officials.**

**Mayor Angie Russell**

1. **Misinformation has been going around regarding the process for rezoning, so the mayor read aloud the process for rezoning.**
7. **Old Business- None**
8. **New Business**

**PUBLIC HEARING**

1. **Rezone Request-Javello Road-** The applicant is requesting a rezone of 16 acres from R-E (Residential Estates) to C-T (Commercial Trades & Services) located on Javello Rd. Parcel #'s 830-37883-100 & 830-37883-400.

**Danny Montez 714 Belmont Way, Tontitown, AR**

1. **Not in favor of this rezoning request without 612 being in.**
2. **No tax revenue for the city.**

**Noah Jones explained the purpose of the rezoning request and was available for questions.**

2. **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 26-foot buffer. Parcel #: 830-3909-001, 830-37897-007, and 830-37897-006.

**Bob Sbanotto 559 Sbanotto Ave., Tontitown, AR**

1. **Copart is a high-volume company with large trucks running in and out, from dusk to dawn so be careful what you approve.**
3. **Rezone Request-516 W. Henri de Tonti Blvd.** – The applicant is requesting a rezone of 12.36 acres from C-2 (General Commercial)/R-3 (Residential) to C-2 (General Commercial). The property is located at 516 W. Henri De Tonti Blvd. Parcel #: 830-37654-000

**Bob Sbanotto 559 Sbanotto Ave., Tontitown, AR**

1. **Asked about the buffering since his home is next to this property.**
4. **Conditional Use Permit-Vapor Maven** – The applicant is requesting a conditional use permit for an ancillary warehouse located at 516 W. Henri De Tonti Blvd. Parcel #:830-37654-000

**No comments**

5. **Rezone Request-Dowell Road and Arbor Acres** – The applicant is requesting a rezone of 48.57 acres from R-2 (Residential) to R-3 (Residential). The property is located between Dowell Rd and Arbor Acres Rd. Parcel #'s: 830-39950-000, 830-38331-003, 830-38331-004, 830-38331-005, 830-38331-006.

**Tabled until July 25<sup>th</sup>.**

### **Adjournment**

## **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 26-foot buffer. Parcel #s: 830-3909-001, 830-37897-007, and 830-37897-006.
  1. **No bulk storage**
  2. **The owner should regularly monitor the property for any infestation or vermin or other pest so it's to prevent the property from becoming a nuisance to other adjacent properties. The owner will schedule pest control to address any infestations that may occur.**
  3. **The owner shall have in place reasonable security procedures and measures to prevent theft.**
  4. **Fencing around the property including the drop lot and maintained.**
  5. **Appropriate tree shrub and vegetation screening for the property and landscaping.**
  6. **Owner's normal hours for pickups and drop offs to the property.**
  7. **This property shall develop generally as stated in the applicant's letter and presented in the plans.**

**Tom Joseph motioned to amend with listed conditions and additional conditions added by Copart.**

**Second by Donnie Davis**

**Tom Joseph Voted- YES**

**Donnie Davis Voted- YES**

**Josh Craine Voted- NO**

**Kevin Boortz Voted- YES**

**James Dean Voted- NO**

**Candy Black Voted- NO**

**Vote is tied - Motion is Dead.**

### **Adjournment**

## **PLANNING COMMISSION**

1. **Rezone Request-Javello Road-** The applicant is requesting a rezone of 16 acres from R-E (Residential Estates) to C-T (Commercial Trades & Services) located on Javello Rd. Parcel #'s 830-37883-100 & 830-37883-400.

The future owner of this project is Royal Real Estate, LLC.

The property is located on the west side of Javello Road.

The applicant is requesting to change the zoning from RE, Residential Estates to CT, Commercial Trades and Services

**Tom Joseph motioned to approve.**

**Second by Josh Craine**

**Donnie Davis Voted- YES**

**Tom Joseph Voted- YES**

**Josh Craine Voted- NO**

**Cany Black Voted- YES**

**Kevin Boortz Voted- YES**

**James Dean Voted- NO**

**4 Votes- YES to 2 Votes- NO Motion Passes**

2. **Rezone Request-516 W. Henri de Tonti Blvd.** – The applicant is requesting a rezone of 12.36 acres from C-2 (General Commercial)/R-3 (Residential) to C-2 (General Commercial). The property is located at 516 W. Henri De Tonti Blvd. Parcel #: 830-37654-000

The applicant (owner representative) for this project is Mr. Steve Lisle, on behalf of owner, Mr. Hermin Thind / MWA Maven Properties, LLC. The property is located on the north side of Hwy. 412 (Principal Arterial) upon which it has frontage. The property's northern extent fronts along the south side of Sbanotto Avenue (Collector). This site is currently 11.89 acres, but will have a lot line adjustment completed before any development is completed on site, to result in the 10.53-acre site that is requested to be C-2.

James Dean motioned to approve.

Second by Josh Craine

**Motion Passes Unanimously**

3. **Conditional Use Permit-Vapor Maven** – The applicant is requesting a conditional use permit for an ancillary warehouse located at 516 W. Henri De Tonti Blvd. Parcel #:830-37654-000

The applicant (owner representative) for this project is Mr. Steve Lisle, on behalf of owner, Mr. Hermin Thind / MWA Maven Properties, LLC. The property is located on the north side of Hwy. 412 (Principal Arterial), extending northward to its frontage along the south side of Sbanotto Avenue (Collector). The owners wish to develop the site for retail and ancillary warehousing uses. To implement the project as

proposed on concept plans submitted, the applicants are seeking to rezone part of the northern half of the property from R-3 to C-2. Ancillary warehouse uses are not permitted 'by-right' in the C-2 zoning district. Therefore, concurrently, with the application for rezoning (from R-3 to C-2), the applicant is also seeking a Conditional Use Permit (CUP) in association with a concept / sketch plan for development.

**Josh Craine motioned to approve.**  
**Second by Donnie Davis**

#### **Motion Passes Unanimously**

4. **Rezone Request-Dowell Road and Arbor Acres** – The applicant is requesting a rezone of 48.57 acres from R-2 (Residential) to R-3 (Residential). The property is located between Dowell Rd and Arbor Acres Rd. Parcel #'s: 830-39950-000, 830-38331-003, 830-38331-004, 830-38331-005, 830-38331-006.

The owner/applicant for this property is Donna Baker. The property is located at the corner of Dowell and Arbor Acres Rd. The owner wishes to sell 48.57 acres and allow for single family residence.

**Tabled until July 25<sup>th</sup>.**

#### **PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council July 18, 2023.**

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2. **Rezone Request-516 W. Henri de Tonti Blvd.** – The applicant is requesting a rezone of 12.36 acres from C-2 (General Commercial)/R-3 (Residential) to C-2 (General Commercial). The property is located at 516 W. Henri De Tonti Blvd. Parcel #: 830-37654-000
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#### **Comments from Staff**

**Mark Latham**

1. **The Comprehensive Plan was approved at the last City Council Meeting.**
2. **Next Tech. Meeting is Thursday July 6<sup>th</sup> at 10:00 AM.**

**May Building Activity Report**  
**Current Planning Projects Report**

**Reference the city website for detailed reports.**

## **Comments from Planning Commission**

**James Dean**

- 1. Thanked everyone for attending tonight's meeting and for the comments.**

***Adjournment- All in Favor***



**Public Hearing and Planning Commission**  
**Meeting June 27, 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](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>

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**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](mailto:cetmcnair@garverusa.com).**