



Planning Commission

Kevin Boortz – Chairman
James Dean – Vice Chairman
Tom Joseph - Secretary
Josh – 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-Zak Johnston
City Attorney- Harrington -Miller

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

Date: Tuesday, August 22, 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

Tom Joesph was absent.

4. Approval of Agenda

James Dean motioned to approve the agenda.

Second by Candy Black

Motion Passes Unanimously

5. Approval of the July 25, 2023, minutes

Josh Craine motioned to approve the minutes.

Second by Donnie Davis

Motion Passes Unanimously

6. Comments from Citizens- NONE

7. Old Business- NONE

8. New Business

PUBLIC HEARING

1. **Rezone Request-** Taldo Rentals is requesting a rezone of 1.561 acres from C-2 (General Commercial) to C-T (Trades and Services) located at 290 S Barrington Rd. Parcel #: 830-37553-000 through 830-37557-000.

No Comments

2. **Rezone request-** Applicant is requesting a rezone of 4.338 acres from both A (Agriculture) & R-3 (Residential) to R-E (Residential Estates) at 1064 N Barrington Rd. Parcel #: 830-38014-002 & 830-38015-000

No Comments

3. **Rezone request** – Applicant is requesting a rezone of 8.47 acres from A (Agriculture) to R-2 (Residential) located at 1076 N Barrington Rd. Parcel #: 830-38014-000.

No Comments

4. **Variance Request-** Applicant is requesting a variance for setbacks. The property is located at 764 Malbec Rd. Parcel #: 830-38971-000.

No Comments

Adjournment- Adjourned

BOARD OF ZONING ADJUSTMENTS

1. **Variance Request-** Applicant is requesting a variance for setbacks. The property is located at 764 Malbec Rd. Parcel #: 830-38971-000.

The applicant is requesting a rear setback variance to construct a swimming pool. The variance requested is 6 feet, 10 inches.

The homeowner and Blue Haven Pools were present to answer questions.

Josh Craine motioned to approve the staff recommended 5 ft. rear setback from the requested 6 ft 10 inches.

Second by Donnie Davis

Motion Passes Unanimously

Adjournment

PLANNING COMMISSION

1. **Rezone Request-** Taldo Rentals is requesting a rezone of 1.561 acres from C-2 (General Commercial) to C-T (Trades and Services) located at 290 S Barrington Rd. Parcel #: 830-37553-000 through 830-37557-000.

The owner believes the rezone is a better fit for CT than a C-2. The owner desires to utilize the property as a warehouse/office for commercial operations for trades and services.

Josh Craine motioned to approve the rezone request from C2 to CT.
Second by James Dean

Motion Passes Unanimously

2. **Rezone request-** Applicant is requesting a rezone of 4.338 acres from both A (Agriculture) & R-3 (Residential) to R-E (Residential Estates) at 1064 N Barrington Rd. Parcel #: 830-38014-002 & 830-38015-000

The owners for this rezone request are Patrick and Miriam Zulpo. The property is located at 1064 North Barrington Road. The owners wish to complete a property line adjustment to complete a non-conforming piece of property under 5 acres to a designated RE.

Josh Craine motioned to approve the rezone request from Agriculture to RE and move to the next City Council Meeting.
Second by Candy Black

Motion Passes Unanimously

3. **Rezone request** – Applicant is requesting a rezone of a 1/2 acres from A (Agriculture) to R-2 (Residential) located at 1076 N Barrington Rd. Parcel #: 830-38014-000.

The owners for this rezone request are Patrick and Miriam Zulpo. The property is located at 1076 North Barrington Road. The owners wish to complete a track split to create a lot for residential property.

Josh Craine motioned to approve the rezone request and move to the next City Council Meeting.
Second by Donnie Davis

Motion Passes Unanimously

4. **Preliminary Large-Scale Development** – MH Backhoe is requesting an expansion building of 8,700 sq ft and a concrete pad of 4,800 sf at 630 W Henri de Tonti Blvd. Parcel #: 830-37353-000.

The applicant is proposing the construction of a second 8,750 sqft commercial building, on a 3.33 acre tract of land along Henri de Tonti BLVD.

James Dean motioned to approve with listed conditions.

Second by Donnie Davis

Motion Passes Unanimously

5. **Preliminary Large-Scale Development** – NHS Tontitown, LLC is requesting a mini-storage building located on 6.122 acres at Pozza Lane. Parcel #: 830-37669-000.
Applicant is requesting Preliminary LSD approval to construct a self-storage facility, along with associated site improvements and requisite utility connections.

Clint Karstetter P.E. with CK Civil Engineering was present to answer questions.

Josh Craine motioned to approve the Large-Scale- Development with listed conditions.
Second by Candy Black

Motion Passes Unanimously

6. **Waiver Request** – NHS Tontitown, LLC is requesting a waiver from Tontitown’s Drainage Manual Sec.6-other designs & considerations. Property is located at Pozza Lane. Parcel #: 830-37669-000.

The applicant is requesting one (1) Waiver from City’s Drainage Criteria Manual, Section 6-Other Designs Considerations, requiring concrete swales in dry detention basins sloped between 0.5%- 1,0%. In lieu of the concrete swale, Insta turf Shear force 10 turf will be used.

Clint Karstetter P.E. with CK Civil Engineering was present to answer questions.

Candy Black motioned to approve the waiver request.
Second by Donnie Davis

Motion Passes Unanimously

7. **Waiver Request** - Neighborhood Storage is requesting a waiver from Tontitown’s Code of Ordinances, section 153.210 regarding off-street parking. Property is located at Pozza Lane. Parcel #: 830-37669-000.

The applicant is requesting a waiver from the City of Tontitown’s Code of Ordinances, Section 153.210 regarding offstreet parking and loading. This is regarding the number of spaces required for “Warehouse, residential (mini) storage,” which requires 1 parking space for each 5 storage bays, or 1 parking space per 1,000 square feet, whichever is more significant.

Clint Karstetter P.E. with CK Civil Engineering was present to answer questions.

Josh Craine motioned to approve the Neighborhood Storage waiver request.
Second by James Dean

Motion Passes Unanimously

8. **Waiver Request** - Neighborhood Storage is requesting a waiver from Tontitown's Code of Ordinances, section 152.151 regarding material used on LSD for exterior buildings. Property is located at Pozza Lane. Parcel #: 830-37669-000.

The owner of Neighborhood Storage is requesting a waiver code section 152.151 which describes the primary material shall constitute at least 75% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone or natural stone.

Clint Karstetter, P.E. with CK Civil Engineering was present to answer questions along with Allen Wills and Ryan Melton.

James Dean motioned to approve the waiver request with the added condition that the developer use broken up building material on the south, east, and west sides rather than all metal.
Second by Josh

Motion Passes Unanimously

9. **Waiver Request** – Pam Trucking School is requesting a waiver for commercial design standards for the property located at 294 and 296 Bandini Ave. Parcel #: 830-37563-000.

Pam Transport, Inc. is requesting a waiver code section 152.151 which describes the primary material shall constitute at least 75% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone or natural stone.

Josh Craine motioned to approve the waiver request.
Second by Donnie Davis

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

5 Voted- YES
1 Vote- NO

Motion Passes

PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council Sept 19, 2023.

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2. **Rezone request**-Applicant is requesting a rezone of 4.338 acres from both A (Agriculture) & R-3 (Residential) to R-E (Residential Estates) at 1064 N Barrington Rd. Parcel #s: 830-38014-002 & 830-38015-000
3. **Rezone request** – Applicant is requesting a rezone of 8.47 acres from A (Agriculture) to R-2 (Residential) located at 1076 N Barrington Rd. Parcel #: 830-38014-000.

Comments from Staff

1. **July Building Activity Report- Reference the city website for detailed report.**
2. **Current Planning Projects Report- Reference the city website for detailed report.**

Comments from Commissioners

Candy Black

1. **Thanked everyone for coming out.**
2. **Thanked Mark Latham and Braad Spurlock for their hard work.**

James Dean

1. **Thanked everyone for coming out.**
2. **Thought the Engineers did a good job explaining why they needed the waivers.**

Kevin Boortz

1. **Thanked the commissioners for their feedback and comments when trying to make good decisions for Tontitown.**

Josh Craine Quote



Adjournment- All in Favor



**Public Hearing and Planning Commission
Meeting August 22, 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.