



Planning Commission

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

City Staff and Consultants

City Planner – Brad Spurlock
Planning Tech- Madelyn Parker
Public Works Director- James Clark
Building Inspector- Roger Duncan
Engineer-Zak Johnston, CK Civil Engineering
City Attorney- Harrington -Miller

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

Date: Tuesday, May 27, 2025.

Time: 6:00 p.m. – In Person at **Tontitown City Hall**, 201 E. Henri de Tonti Blvd, Tontitown, AR 72770, and **Online Via Microsoft Teams 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

Donnie Davis motioned to approve the agenda.

Second by James Dean

Motion Passes Unanimously

5. Approval of April 22, 2025, minutes and June 5, 2025, special planning commission meeting.

James Dean motioned to approve for both minutes.

Second by Donnie Davis

Motion Passes Unanimously

6. Comments from Citizens

Kenneth Lovett 18702 Clearwater Rd., Fayetteville, AR

1. Mr. Lovett wanted the Planning Commission to be aware of the continued air problems with Waste Management. A Tontitown citizen has not been able to live in their home for almost a week because of the leachate vapors coming from a Tontitown lift station. Waste Management Eco Vista built a lift station specifically to pump their untreated leachate into the Tontitown sewer

system and that flows along Highway 412 through a Tontitown open sewer and is not treated until it reaches NACA.

7. Old Business- NONE

8. New Business

PUBLIC HEARING

1. **Rezone Request** – The applicant is requesting a rezone located on 2785 W. Liberty Ave. The rezone request is from “I” (Industrial) to “C-T” (Commercial Trades and Services) located on approximately 4 acres. Parcel #: 830-37901-000.

This property is owned by Kragermeister Properties, LLC represented by Watkins, Boyer, Gray and Curry PLLC and is currently zoned Industrial. The owner is requesting a change in zoning to Commercial Trades and Services as to plan for a large-scale development the land that would include retail.

No public Comments.

2. **Rezone Request** - The applicant is requesting a rezone located on 586 N. Barrington Rd. The rezone request is from R-3 (Residential) to “A” (Agriculture) located on 32.5 acres. Parcels: 830-37621-000 & 830-37623-000.

This property is owned by the Mhoon Family Trust and is currently R-3. The owner is requesting a change in zoning to Agriculture as to plan for a large structure that would need to conform with current zoning.

No Public Comments.

3. **Variance Request** – The applicant is requesting a variance located at 1316 Reed Valley Road. The property is zoned R-1 (Residential), located on 14.3 acres. The variance request is for height requirements.

The owner of the property, Aaron & Ashley Hagan Joint Revocable Trust, Aaron & Ashley Hagan Trustees are requesting a variance on height requirements located at said property to construct a new residence.

No Public Comments.

4. **Variance Request** – The applicant is requesting a variance located at 893 Budiuro Ave. The property is zoned R-3 (Residential), located on .22 acres. The variance request for building setbacks.

The owner of the property, Kreg Carlson, is requesting a setback variance request to install a swimming pool at the above property as comparable to other surrounding houses in the neighborhood. The current rear setback in the listed zoning classification is 25' in the rear with the current utility easement as shown on the final plat is 10'. The applicant is wishing to reduce the current rear setback by 18' (3' for deck and additional 15' for the pool construction) which is encroaching 3' into the utility easement.

No Public Comments.

Adjournment

BOARD OF ZONING ADJUSTMENTS

1. **Variance Request** – The applicant is requesting a variance located at 1316 Reed Valley Road. The property is zoned R-1 (Residential), located on 14.3 acres. The variance request is for height requirements.

Josh Craine motioned to approve the variance request at 1316 Reed Valley Rd.

Second by Donnie Davis

Motion Passes Unanimously.

2. **Variance Request** – The applicant is requesting a variance located at 893 Budiroy Ave. The property is zoned R-3 (Residential), located on .22 acres. The variance request for building setbacks.

Josh Craine motioned to approve the variance request at 893 Budiroy Ave. and leave the 3 ft. from the utility easement.

Second by James Dean

Motion Passes Unanimously.

Adjournment

PLANNING COMMISSION

1. **Rezone Request** – The applicant is requesting a rezone located on 2785 W. Liberty Ave. The rezone request is from "I" (Industrial) to "C-T" (Commercial Trades and Services) located on approximately 4 acres. Parcel #: 830-37901-000.

**Josh Craine motioned to approve the rezone request at 2785 W. Liberty Ave.
Second by Candy Black**

Motion Passes Unanimously and will move to the next Committee of the Whole Meeting

2. **Rezone Request** - The applicant is requesting a rezone located on 586 N. Barrington Rd. The rezone request is from R-3 (Residential) to "A" (Agriculture) located on 32.5 acres. Parcels: 830-37621-000 & 830-37623-000.

**Josh Craine motioned to approve the rezone request at 586 N. Barrington.
Second by Donnie Davis**

Motion Passes Unanimously and will move to the next Committee of the Whole Meeting

3. **Discussion and Review** – Proposed R3L zoning maps

The Planning Commission is to review and any changes or recommendations to the map will be updated and will be presented at the next planning meeting.

4. **Discussion and Review** – Proposed 412 (Henri de Tonti Blvd) overlay district map.

Engineer Zac Johnston was available for questions.

The Planning Commission is to review.

Adjournment

PLANNING COMMISSION ITEMS, IF APPROVED, TO COMMITTEE OF THE WHOLE (COW) MEETING June 2, 2025.

1. **Rezone Request** – The applicant is requesting a rezone located on 2785 W. Liberty Ave. The rezone request is from "I" (Industrial) to "C-T" (Commercial Trades and Services) located on approximately 4 acres. Parcel #: 830-37901-000.
2. **Rezone Request** - The applicant is requesting a rezone located on 586 N. Barrington Rd. The rezone request is from R-3 (Residential) to "A" (Agriculture) located on 32.5 acres. Parcels: 830-37621-000 & 830-37623-000.

Comments from Staff

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

Brad Spurlock

1. Arkansas legislature approved some acts that will be discussed with Justin and Imogen about going forward, it may require us to do some more updating on our codes, but we will bring that forward but there's quite a few things that's affecting planning.
2. Madelyn Parker completed an Active Transportation Meeting two weeks ago, it was very intensive, but it's to help our park, trails, things of that nature.
3. Both Madelyn and Brad should be receiving their APA certification letters or documentation this month or June to say we've completed all our classes.
4. A couple months ago we went out and did a review for the Large-Scale Development for Waste Management and we visited and reviewed the property, Maddie, Brad, Zach, and Mark all took a tour out there, we're trying to get some things sent to them as far as their Large-Scale Development from our standpoint. There's a lot of trees and stuff that must be replaced; Zach is looking at the detention ponds and Brad thinks they have some comments on that. One thing that was made mention is that Waste Management has a fire suppression system out there, that has never been utilized to Brad's knowledge, and it was commented that they need to learn how to do that. We found out either yesterday or day before that Fire Chief Krug was contacted and they're going start reviewing, so at least some progress has been made from things that haven't been done since we've been here so just kind of give you an update on it.

1. Comments from Planning Commission

Donnie Davis

1. Big Sale at Ace Hardware June 4 through 6th.

Candy Black

1. Congratulations to Brad Spurlock and Madelyn Parker.
2. Thanked everyone for being patient.

Josh Craine

1. He believes he has seen some code changes to the 153 Landfill Code, like updates that came from the citizens. And Josh plans on being more persistent.

QUOTE:

"It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you'll do things differently.

Warren Buffett

Adjournment- All in Favor



Adjournment-

Public Hearing and Planning Commission
Meeting May 27, 2025, 6:00 PM
Virtual Meeting Participation Opportunities

Microsoft Teams
Meeting:

To participate *interactively* in the meeting, you may participate in the meeting via Teams:

- **By PC, Mac, iOS (iPhone), or Android:**

Join Teams Meeting:

LINK: https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2l3OGY5ZDdtNjRmZi00M2EzLTkwYmUtZmU5OTlmZjAwYzQ4%40thread.v2/0?context=%7b%22id%22%3a%223c738e4b-334e-4562-9a58-b8c7d8548c8f%22%2c%22oid%22%3a%222993e075-860f-4394-890f-7a419347cd2d%22%7d

Or go to the Teams website to join: Meeting ID: 274 311 762 664; Passcode: uKnPav

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:**

- **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>

For assistance during the meeting, or for assistance logging into the meeting, please contact Brad Spurlock, Planning Tech, City of Tontitown. (479)361-2700 or at permits@tontitownar.gov.