



**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-Zak Johnston  
City Attorney- Harrington -Miller

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

Date: Tuesday, May 28, 2024.

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)

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**1. Call to Order**

**2. Pledge of Allegiance**

**3. Roll Call**

All in attendance

**4. Approval of Agenda**

James Dean motioned to approve.

Second by Donnie Davis

Motion Passes Unanimously

**5. Approval of the April 23, 2024, minutes**

James Dean motioned to approve.

Second by Candy Black

Motion Passes Unanimously

**6. Comments from Citizens- NONE**

**7. Old Business- NONE**

**8. New Business – NONE**

**PUBLIC HEARING**

- 1. Conditional Use Permit** – The applicant is requesting a Conditional Use Permit from the original permit issues by City Council on 12-30-21. Property is located on 15 acres at 380 Klenc Rd. Parcel #: 830-37667-004/005/006.

**No Comments**

**Adjournment**

**BOARD OF ZONING ADJUSTMENTS**

**Adjournment**

**PLANNING COMMISSION**

1. **Conditional Use Permit** – The applicant is requesting a Conditional Use Permit from the original permit issues by City Council on 12-30-21. Property is located on 15 acres at 380 Klenc Rd. Parcel #: 830-37667-004/005/006.

Requesting changes to original CUP due to change of ownership. All proposed uses will be identified in the attached summary

This project, named "Palecero" (formerly called "The Villas at Tontitown") is a residential development that is already under construction. The current Conditional Use Permit was accepted by the City Council on December 30, 2021. At the time of the previous approval, Palecero was being purchased by Norris Construction Company who was also the acting General Contractor. On March 1st of this year, Royal Ridge Construction took over the building of this project after being hired by the new owner, Palecero at Tontitown, LLC.

Upon taking over the construction of this project, Royal Ridge Construction has discovered several site changes that are already under construction that were not approved by the City of Tontitown. The new owner also has several changes that he would like to make. Royal Ridge Construction is submitting this Conditional Use Permit Application to request these changes, which are detailed In the packet:

The project contactor requested modifications to six conditions that were intended for the previous owners.

1. Site Lighting

Josh Craine motioned to approve Conditional Use Permit for site lighting only with listed conditions.  
Second by Tom Joseph

**Motion Passes Unanimously**

2. Brick Requirements

**James Dean motioned to approve the Condition Use Permit for 30% Brick and 70% Hardy Board.  
Second by Donnie Davis**

**Motion Passes Unanimously**

**3. ADA Units**

**Josh Craine motioned to approve the Conditional Use Permit for ADA Units as written.**

**Second by James Dean**

**Motion Passes Unanimously**

**4. Entrance Gates**

**Josh Craine motioned to approve the Conditional Use Permit of removal of gates as written and lighting at the entrance as written with conditions.**

**Second by Donnie Davis**

**Motion Passes Unanimously**

**5. 55+ Active Lifestyle Community**

**Josh Craine motioned to approve Conditional Use Permit to eliminate the 55 and older how it currently reads.**

**Second by James Dean**

**Josh Cranie Voted- NO**

**Kevin Boortz Voted- YES**

**James Dean Voted- YES**

**Candy Black Voted- YES**

**Tom Joseph Voted- NO**

**Donnie Davis Voted- YES**

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

**Motion Passes**

**6. Clubhouse Revisions**

**James Dean motioned to approve with the condition that number two removal of the fire sprinkler system be approved by the Fire Chief.**

**Second by Tom Joseph**

**Motion Passes Unanimously**

- 2. Indoor Batting Building LSD** - The applicant is requesting Large-Scale Development to construct a 7737 sq ft building located on Industrial Drive. Parcel #: 830-37809-000.

The applicant is proposing the construction of an indoor baseball sport complex on a 3.13 AC tract of land located off of Industrial DR. The project will expand on a previously developed lot currently owned by Ferguson-Sunset LTD Partnership that was built sometime between 1995 and 2001. The proposal includes one 7,737 sq ft building with a small amount of grading as well as reworking a portion of the parking lot to accommodate 33 parking stalls. The project will also remove a large portion of impervious area to improve drainage conditions as well as update the landscaping in the area.

Jeff Bates with Bates & Associates and the owner was present to answer any questions.

Josh Craine motioned to approve the indoor baseball sports complex on 323 Industrial with listed conditions.

Second by James Dean

**Motion Passes Unanimously**

- 3. Indoor Batting Building Waivers** - The applicant is requesting two (2) waivers from development codes 153.212 "Perimeter Landscaping" and 152.151 Design standards for LSD "Materials"-Facades.

Request to waive the requirements in code sections 152.151 Design Standards for LSD for 75% materials on the primary facade and 153.212 (L) Perimeter Landscaping.

Waiver#1- Landscaping

Josh Craine motioned to approve Wavier request for landscaping for 323 Industrial Drive with listed conditions.

Second by Tom Joseph

**Motion Passes Unanimously**

**Waiver #2- Materials**

James Dean motioned to grant waiver request based on the owner following codes in front of the building 70/30.

Second by Tom Joseph

Tom Joseph Voted- YES

James Dean Voted- YES

**Donnie Davis Voted- YES**

**Kevin Boortz- Voted- NO**

**Josh Craine Voted- NO**

**Candy Black Voted- YES**

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

**Motion Passes**

- 4. Barrington Preliminary Plat** - The applicant is requesting a Preliminary Plat on 38.7 acres located on S Barrington Rd & E Fletcher Ave. Parcel #: 830-37664-000

The applicant is requesting Preliminary Plat approval for a 112 single-family residential subdivision, with two detention ponds and offsite improvements on 37.5 acres of land off of Barrington Road.

Chase with Halff & Associates and Aaron Thornbrew was present to answer questions.

Josh Craine motioned to approve the Preliminary Plat for 523 S. Barrington Rd. with listed conditions including the Land Development Agreement/Guarantee.

Second by James Dean

Josh Craine Voted- YES

Kevin Boortz Voted- YES

James Dean Voted- ABSTAINED

Candy Black Voted- YES

Tom Joseph Voted- YES

Donnie Davis Voted- YES

Motion Passes- Land Development Agreement/Guarantee Moves to the Next City Council

### **Adjournment**

### **PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL City Council June 18, 2024.**

- 1. Conditional Use Permit** – The applicant is requesting a Conditional Use Permit from the original permit issues by City Council on 12-30-21. Property is located on 15 acres at 380 Klenc Rd. Parcel #s: 830-37667-004/005/006.

### **Comments from Staff**

**Code changes coming to the Planning Commission and will be discussing fees being charged in lieu of putting in parks in the subdivisions.**

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

### Comments from Planning Commission

#### Josh Craine- QUOTE

**“The only man who never makes a mistake is the man who never does anything.”**

**Theodore Roosevelt**

1. Says he appreciates what Tom Joseph has done for the city but mostly his friendship.

#### Tom Joseph

1. Says it was an honor to be apart of the city of Tontitown and looking forward to new opportunities.
2. Thank you to the City Engineer Zac who is leaving but will continue to assist Tontitown moving forward.
3. Tontitown is the best city in America.
4. Loves everybody.

#### Kevin Boortz

1. Thanked everyone for attending tonight's meeting.
2. Working on chapters and updating city codes.
3. The City Council opted not to replace someone in the vacant Planning Commission seat.

**Adjournment- All in Favor**



**Public Hearing and Planning Commission  
Meeting May 28, 2024, 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\\_M2I3OGY5ZDqtNjRmZi00M2EzLTkwYmUtZmU5OTlmZjAwYzQ4%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](https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2I3OGY5ZDqtNjRmZi00M2EzLTkwYmUtZmU5OTlmZjAwYzQ4%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/UClbUv481CeNFF2JNwoOsrNQ>

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**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](mailto:permits@tontitownar.gov).**