



**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  
Engineer-Zak Johnston, CK Civil Engineering  
City Attorney- Harrington -Miller

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

Date: Tuesday, June 25, 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. Planning Commission Meeting Call to Order
2. Pledge of Allegiance
3. Roll Call

Kevin Boortz was absent

4. Approval of Agenda

Josh Craine motioned to approve.

Second by Candy Black

Motion Passes Unanimously

5. Approval of the May 28, 2024, minutes

Josh Craine motioned to approve.

Second by Candy Black

Motion Passes Unanimously

6. Comments from Citizens-

Nina Brown 1851 S. Pianalto, Tontitown, AR

1. Please keep in mind Waste Management and we understand that we must work with them, but not for them.
2. We want Tontitown to be beautiful and grow and they are building a mountain of trash.
3. Enforce codes
4. Need to do something about the air quality in that area.
5. Waste Management may have more money, but we still have a voice, and we need to be heard.

6. Appreciates the city's efforts.

7. Old Business- NONE

8. New Business

## PUBLIC HEARING

1. **CUP Mathias Warehouses** – The applicant is requesting a conditional use permit for office/warehouse usage on 4.20 acres. Address is Agnes and Albano Dr. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

No Comments

2. **Variance Mathias Warehouses** – The applicant is requesting a variance from Tontitown City Code 151.151 design standards for parking cross-access to adjacent properties. Address is Agnes and Albano Dr located on 4.20 acres. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

No Comments

3. **Variance Mathias Warehouses** – The applicant is requesting a variance from Tontitown City Code 151.151 design standards for building facades. Address is Agnes and Albano Dr located on 4.20 acres. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

No Comments

## **Adjournment**

## BOARD OF ZONING ADJUSTMENTS

1. **Variance Mathias Warehouses** – The applicant is requesting a variance from Tontitown City Code 151.151 design standards for parking cross-access to adjacent properties. Address is Agnes and Albano Dr located on 4.20 acres. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

Mathias Warehouse is requesting Variance approval to eliminate the cross-access section from Agnes Dr to Albano Dr. Due to the property's poor commercial suitability, proximity to industrial use, proposed industrial use, and lack of southern egress, the cross section between the lots is not necessary or reasonable.

Connar with Crafton Tull was available to answer questions.

Josh Craine motioned to approve variance #1.

Second by Donnie Davis

Motion Passes Unanimously

- Variance Mathias Warehouses** – The applicant is requesting a variance from Tontitown City Code 151.151 design standards for building facades. Address is Agnes and Albano Dr located on 4.20 acres. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

Mathias Warehouse is requesting Variance approval to reduce landscaping for large scale development design standards located on Agnes Dr and Albano Dr. The variance is for Development Code 152.151 (E)(1),(5),& (6).

Connar with Crafton Tull and Architect Designer Tyler with CR Crawford was available to answer questions.

**Josh Craine motioned to approve variance #2.**

**Second by Donnie Davis**

**Josh Craine Voted- YES**

**James Dean Voted- NO**

**Candy Black Voted- NO**

**Donnie Davis Voted- YES**

**Voted is tied**

**Motion is Dead**

### **Adjournment**

### **PLANNING COMMISSION**

- CUP Mathias Warehouses** – The applicant is requesting a conditional use permit for office/warehouse usage on 4.20 acres. Address is Agnes and Albano Dr. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

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

Josh Craine motioned to approve the C.U.P. request.

Second by Donnie Davis

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

2. **Large-Scale Mathias Warehouses** – The applicant is requesting Large-Scale Development to construct 4-19,066 sq ft buildings on 4.2 acres located on Agnes and Albano Dr. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000

The applicant is requesting Preliminary Large Scale Development approval for (4) four warehouse facilities across (4) four separate parcels; all of which are under the Mathias Shopping Center INC ownership. The total project area is 4.20 acres and is located between Agnes DR and Albano DR.

Josh Craine motioned to approve the L.S.D with listed conditions.

Second by Candy Black

Motion Passes Unanimously

3. **Strawberry Plant Preliminary Plat** – The applicant is requesting a preliminary plat approval for a 46-lot subdivision located between Harmon Rd and Strawberry Plant Rd located on 60.09 acres. Parcel #: 001-17120-000.

The applicant is requesting Preliminary Plat approval for a 46 lot subdivision; 45 single family residential, 1 detention, on approximately 60 acres of land. The project is located within the City of Tontitown Planning Area between Harmon Road WC 31 and Strawberry Plat Road WC 873.

Donnie Davis motioned to approve The Preliminary Plat with listed conditions.

Second by Candy Black

Motion Passes Unanimously

### **Adjournment**

### **PLANNING COMMISSION ITEMS, IF APPROVED, TO COMMITTEE OF THE WHOLE (COW) MEETING July 2, 2024.**

1. **CUP Mathias Warehouses** – The applicant is requesting a conditional use permit for office/warehouse usage on 4.20 acres. Address is Agnes and Albano Dr. Parcel #: 830-39936-000, 830-39937-000, 830-39938-000 and 830-39939-000.

### **Comments from Staff**

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

### **Comment from Planning Commission.**

**James Dean**

1. Thanked everyone for attending tonight's meeting.
2. Will be glad to have Kevin back at the next meeting.
3. Have a good evening and a good week.

Josh Craine

1. As a government, certain things are written but he thinks 98% of the decision should be made by reason and logic, and just because we can enforce something doesn't mean we should, but government misses reason and logic in general but thinks Tontitown is the best and is the smallest most localized and centralized government and tries to get it right.

Quote:

We the people are the rightful masters of both Congress and the courts, not to overthrow the Constitution but to overthrow the men who pervert the Constitution.

[Abraham Lincoln](#)

Adjournment- All in Favor



**Public Hearing and Planning Commission**  
**Meeting June 25, 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).**