



## CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **May 25, 2021**  
Project: **The Villas at Tontitown &  
Active Lifestyle Living**  
Planner: Anthony Apple

### AGENDA ITEM

## 5

### CONDITIONAL USE PERMIT REQUEST

The development is proposed on the east side of Klenc Rd  
at the intersection of Morsani Ave and Klenc Rd.  
Parcel #s 830-37667-004, 830-37667-005, 830-37667-006

**SUMMARY:** Request to allow a duplex and quadplex residential use in zone **C-1, Light Commercial/Office District and C-2, General Commercial District**

**CURRENT ZONING:** **C-1, Light Commercial/Office District and C-2, General Commercial District**

**FUTURE LAND USE CATEGORY:** **RC-N Residential/Commercial Neighborhood**

**PROPOSED USE:** Duplex and quadplex residential

**CITY WARD:** 3 - Don Doudna, Position 1 and Tim Burress, Position 2

#### **INFRASTRUCTURE SERVICE AREAS** (not a guarantee of service availability):

**Water:** City of Tontitown. There is an existing 8-inch water main along the west side of Klenc Rd south of Morsani Ave, an existing 2-inch water line on the west side of Klenc Rd south of Morsani Ave and an existing 3-inch water line on the west side of Klenc Rd north of Morsani Ave.

**Electric:** Ozarks Electric

**Sewer/Septic:** City of Tontitown sewer. There is an existing manhole at the northwest corner of the project property.

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

#### **PROJECT SYNOPSIS:**

The project is called "The Villas at Tontitown & Active Lifestyle Living Community.

Parcel 830-37667-004 is currently owned by Gillie Mantegani, Parcel 830-37667-005 is currently owned by Barbara Jean Greenlee, and Parcel 830-37667-006 is currently owned by Tommy and Zita Greenlee. Access to the project is from Klenc Rd. See Figure 1, Vicinity Map.

Parcel 830-37667-004 is currently zoned C-1, Light Commercial/Office District. Parcels 830-37667-005 and 830-37667-006 are currently zoned C-2, General Commercial District. See Figure 2, Current Zoning Map.

The developer is Norris Development. The developer is proposing to develop a 55+ residential community through the construction of 28 buildings (duplexes and quadplexes) for a total of 94 residential units. The development will be supported with a clubhouse and activity center. The development is currently in the concept phase. See Figure 3, Conceptual Plan.

Duplex and quadplex residential structures are allowed by Conditional Use Permit in C-1 and C-2 zoning districts.

**FUTURE LAND USE PLAN:**

The Future Land Use Category shown in this area is for the Residential/Commercial Neighborhood (RC-N). From the Vision Plan Document adopted by the City Council in November 2018:

**“RESIDENTIAL COMMERCIAL NEIGHBORHOOD (RC-N)**

Neighborhood Mixed Use Areas are more densely developed than the residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation allows a wide spectrum of uses and encourages density in all housing types, from single family to multifamily.

A mix of residential and non-residential development (excluding industrial uses) is permitted; the ideal mix of uses will be moderate density residential, office, and commercial uses, with additional open space amenities included within the development site.

Nonresidential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

Neighborhood Mixed Use Areas encourage complete, compact and connected neighborhoods. While they encourage more dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient layout. Up to 18 multifamily dwelling units/acre.”

*STAFF ANALYSIS: This project is aligned with the Future Land Use plan for this area. There is no mix of uses. This development does internally create a “complete neighborhood”. It will have a club house, activity building, and walking trails. It will be connected to the commercial corridor by street and trail.*

**153.121 DEVELOPMENT STANDARDS AND REVIEW GUIDELINES:**

(A) All development shall be designed in such a way as to minimize any potential negative impact on the surrounding area. Special attention shall be given to buffering commercial developments from adjacent single-family areas. Design of the internal traffic circulation system, ingress and egress, off-street parking, loading and pedestrian ways shall be sensitive to such conditions as safety, convenience, separation of vehicular and pedestrian traffic, general attractiveness, and the proper relationship of different land uses. Landscaped areas shall be provided to protect water quality, and reduce erosion, heat and glare. Such areas shall be maintained in an attractive condition. Existing trees on a development site shall be retained where possible. Screening, open space, or other buffer may be required to give adequate separation between uses which are marginally compatible, and shall also be provided for the beautification and enhancement of the property.

*STAFF ANALYSIS: The applicant is showing primarily quadplex building with interspersed duplex buildings. The proposed development will be adjacent to duplex portion of The Reserves to the north, and R-3 zoned parcels to the east, south and west. The current concept plans show a good amount of greenspace. A full landscaping plan will be required during the technical plan review. Amenities proposed are as previously stated.*

*As this is in the concept phase, additional discussion will be had regarding internal traffic/pedestrian patterns. Sidewalks and internal connection are important.*

(B) In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.

- (1) The proposed use is within the provision of "conditional uses," as set out in these regulations.

*STAFF ANALYSIS: Yes, duplex and quadplex residential may be considered as a conditional use in C-1 and C-2 zoning.*

- (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.

*STAFF ANALYSIS: All setbacks, density maximums, design standards, and screening requirements will be required to be met prior to technical review of the plans.*

- (3) The proposed use is so designated, located, and proposed to be operated, that the public health, safety and welfare will be protected.

*STAFF ANALYSIS: The applicant is showing two entrances onto S. Klenc Rd. There are no current concerns regarding sight distance. There are not current concerns regarding distance between the proposed drives, or the distance between the northern proposed drive and the southern drive of The Reserves. There is an existing manhole at the northwest corner of the project property. There is an existing 8-inch water main along the west side of Klenc Rd south of Morsani Ave. The applicant's engineer must provide a Stormwater Pollution Prevention Plan prior to technical review.*

*Staff has no concerns that this project will have any negative impact on public health, safety and welfare.*

- (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.

*STAFF ANALYSIS:*

*The proposed development will be adjacent to the duplex portion of The Reserves to the north (zoned C-2), and R-3 zoned parcels to the east, south and west.*

*The property immediately to the north of the proposed development consists of duplexes. To the east, south and west is primarily residential with lots generally greater than 2 acres. Compliance with the buffering and screening standards as well as residential compatibility standards will be required prior to technical review.*

- (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of these regulations.

*STAFF ANALYSIS: As stated above, the applicant plans to have the duplex and quadplex buildings. The space required per duplex is 10,500 sf, and the space required per quadplex is 21,000 sf per the latest Commercial, . . . District Standards. The applicant shall ensure this requirement is met.*

- (6) The proposed ingress and egress, internal circulation system, location and amount of off-street parking, loading and pedestrian ways are sufficiently adequate, and not inconsistent with requirements of these regulations.

*STAFF ANALYSIS: Specific drive locations and the circulation shown on the concept plan will be further evaluated with technical plans.*

- (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of these

regulations.

*STAFF ANALYSIS: A landscape plan was not submitted with this concept. A landscape will be required for the technical review process.*

- (8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed

*STAFF ANALYSIS: Due to the nature of this project, noise, dust, odor, etc. are not a concern. All lighting should be "cut off" type lighting that will not contribute significantly to light pollution. The applicant will be required to provide a lighting cut sheet and diagram to show how the light is designed to remain on the site.*

**TECHNICAL INFORMATION:**

Technical information is addressed at a future stage of development request. The current request is a concept plan only.

**NEIGHBOR COMMENTS:** All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received two written comments at this time regarding this project. Neither neighbor has any concerns.

**STAFF RECOMMENDATION:** Based on the current proposal which shows the development to be in accordance with the adopted Future Land Use plan, currently zoning, surrounding properties, the availability of public services, and the availability to improve services to this property, **staff recommends approval of "The Villas at Tontitown & Active Lifestyle Living Community" Conditional Use Permit Request to allow for the construction of duplexes and quadplexes within this specific C-2 zoning.**

**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. This project must proceed through the Large-Scale Development process, and address all technical information.
2. All applicable Large-Scale Development design standards, and required screening and landscaping shall be required.
3. All setbacks, density maximums, design standards, sidewalk requirements shall be required.
4. All lighting should be "cut off" type lighting that will not contribute significantly to light pollution. The applicant will be required to provide a lighting cut sheet and diagram to show how the light is designed to remain on the site.
5. Compatibility, connectivity, and adequate landscaping shall be required to meet the Conditional Use Permit standards.
6. This project shall develop generally as is stated in the applicant's letter and presented in the concept plan including any and all technical review comments made regarding the preliminary development plans.
7. Additional screening such as vegetation, privacy fence and/or berm, along the south property line will be required due to the single-family residence immediately south of the project property.
8. Compliance with the buffering and screening standards as well as residential compatibility standards along the east and north property lines will be required prior to technical review.



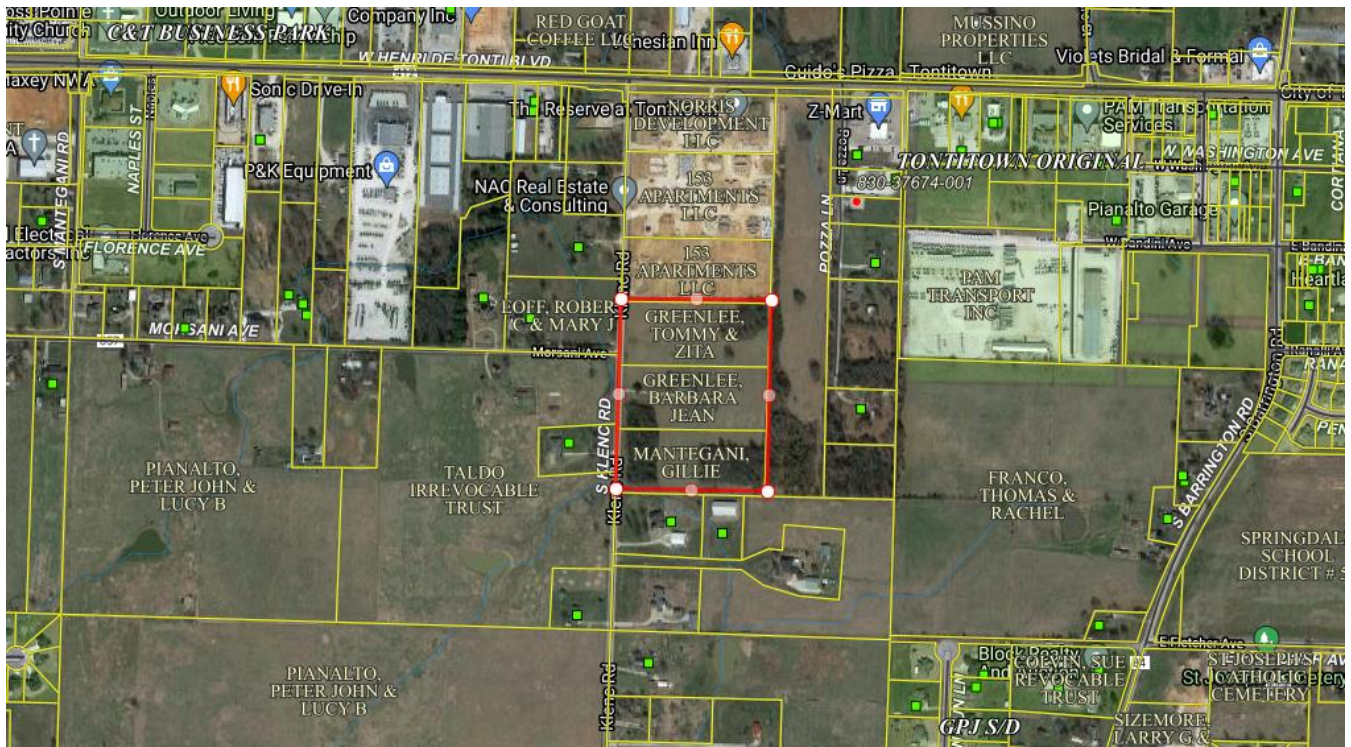


Figure 1: Vicinity Map

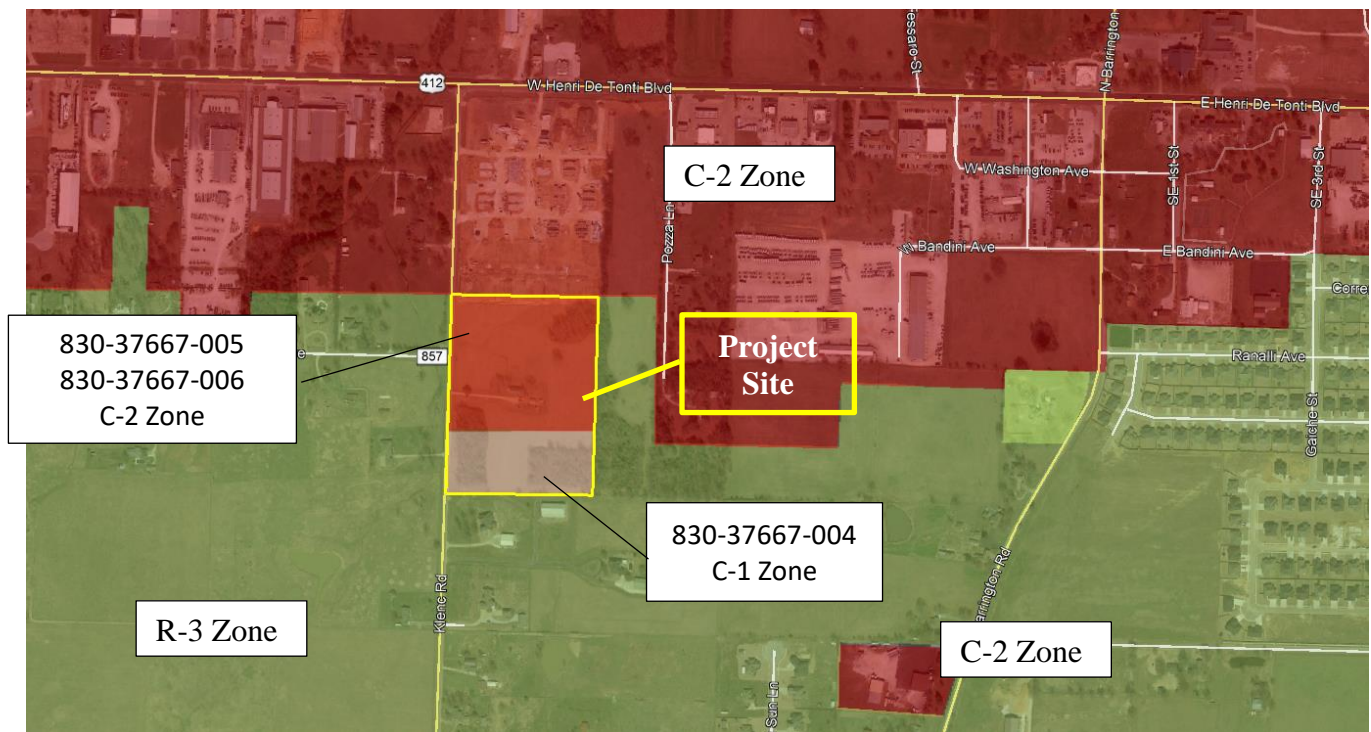


Figure 2: Current Zoning Map



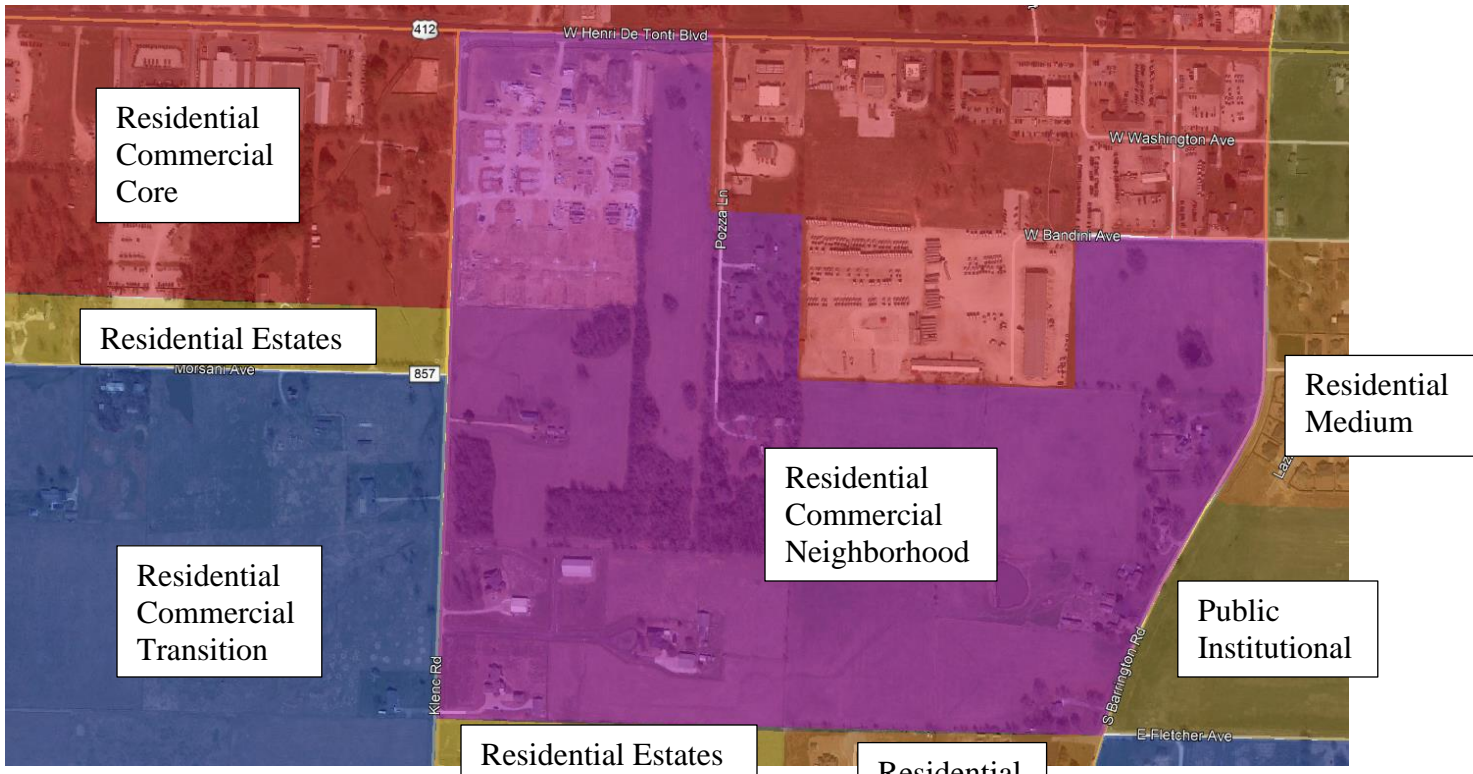


Figure 4: Future Land Use Plan Map

Residential  
Medium