



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **July 31, 2018**
Project: **Plaza Tire LSD**
Planner: Courtney McNair

PLANNING BOARD/ZONING BOARD OF ADJUSTMENTS ACTION:

These projects were approved unanimously by members present with recommended conditions listed at the end of this report. Five (5) members were present, no (0) members were absent.

AGENDA ITEM

C & D

PRELIMINARY LARGE SCALE DEVELOPMENT PLAN APPROVAL

& WAIVER REQUEST

Plaza Tire Preliminary Large-Scale Development and Waiver Request

953 E. Henri de Tonti

Parcel #s: 830-37607-000

SUMMARY: Plaza Tire LSD is requesting to construct a 6300 SF building for light vehicle and tire servicing at the SW corner of Hwy. 412 and Hwy. 112.

They will also be requesting a waiver to reduce some of the parking requirements in order to better align cross connection to the adjacent site.

CURRENT ZONING: C-2 – General Commercial-the proposed use is allowed by right in this zoning district.

CITY WARD: 1- Gene McCartney & Henry Piazza

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

Water: Tontitown Water

Sewer: Tontitown Sewer

Road Access: E. Henri de Tonti Blvd. & N. Maestri Road

Electric: Ozarks Electric

Cable: Cox Communications

Phone: ATT

Natural Gas: Black Hills Energy

School District: Springdale

Floodplain: No

PROJECT SYNOPSIS:

Plaza Tire LSD is requesting to construct a 6300 SF building for light vehicle and tire servicing at the SW corner of Hwy. 412 and Hwy. 112.

The applicant is required to have architectural detailing for the façade of the building facing both E. Henri de Tonti Blvd and S. Maestri Road. Architectural examples have been submitted and do comply with the required code. However, full architectural plans have not been submitted for review. These must be

submitted, reviewed, and approved before any construction can begin.

They will also be requesting a waiver to reduce some of the parking requirements in order to better align cross connection to the adjacent site.

TECHNICAL INFORMATION:

Utilities:

Water: Tontitown Water-According to the Water System information, there is an existing 6-inch water line along the west side of Industrial Circle that will need to be extended. Alternativley, water could connect to the existing hydrant south along S. Maestri Road. Full details will be determined at Construction Plan review.

Electric: Ozarks Electric- OECC has no additional comments.

Sewer/Septic: Sewer- this project proposes to connect to the City of Tontitown sewer system. The connection must be approved prior to construction.

Phone: AT&T- ATT had no comments.

Natural Gas: Black Hills Energy- No comments were received from BHE.

Cable: Cox Communications- No comments were received from Cox.

It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.

Stormwater Pollution Prevention Plan (SWPPP):

The applicant has provided a grading a drainage plan. A SWPPP must be completed and posted on site prior to construction.

Police:

Tontitown Police Chief Joey McCormick has no concerns.

Fire:

According to the Water System information, there is an existing 6-inch water line on the west side of Industrial Circle. This line will need to be extended to connect a fire hydrant on site. There is an existing 4-inch service line on the east side of the site, but it is not adequate for firefighting purposes. The building is NOT planned to be sprinklered.

Interior drives and turns all appear to be adequate.

Drainage:

The applicant has submitted a drainage report for review. There is no proposed detention, but this has been discussed.

The City Engineer has submitted some additional comments, but they are minor and should not impact the overall design. All remaining comments from the City Engineer must be addressed prior to Construction Plan approval.

Roads:

This project has access to W. Henri de Tonti and S. Maestri Road. Are there any concerns for site visibility at The drive on to W. Henri de Tonti is very near the intersection, and must be marked as "right turn only".

Both accesses are Arkansas State Highways. Approval for the entrance drives will be required by the Arkansas Department of Transportation (ARDOT).

The applicant is providing for cross connection west to the adjacent property.

All interior drives must meet the required compaction rating to support emergency vehicles.

WAIVER REQUEST:

The applicant is requesting a waiver from some parking requirements. Based on code, 40 spaces are required. The applicant is asking for 34 spaces to be required, so a reduction of 6 spaces. The waiver is requested so that the cross connection to the property on the west lines up in a better configuration.

Staff agrees that this request meets the below criteria:

152.026 WAIVERS.

(A) *General.*

(1) When, by the strict interpretation of these regulations, an applicant incurs undue restrictions on the physical property to be subdivided, a waiver for such requirements may be granted by the Planning Commission.

(2) Under no circumstance should a waiver be granted because of a personal hardship or for personal or emotional reasons. Waivers shall not be granted based strictly on financial hardship.

(3) A waiver is determined by the strict interpretation and enforcement of the rules and regulations upon a given piece of property to be subdivided.

(B) *Procedures.*

(1) No waiver shall be granted except upon written petition by the applicant when the application is filed. The petition shall state fully the grounds for the waiver and all the facts upon which the petition is made.

(2) In granting the waiver, the Planning Commission shall prescribe any conditions that it deems necessary to or desirable in the public interest.

(3) In considering the petition for a waiver, the Planning Commission shall take into account the nature of the proposed use of land involved, existing uses of land in the area, proximity to public utilities, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety and general welfare in the vicinity.

(4) The findings of the Planning Commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the Planning Commission meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of these regulations.

(5) No waiver shall be granted unless the Planning Commission finds all of the following:

(a) That there are special circumstances or conditions affecting the land involved such that the strict application of the provision of these regulations would deprive the applicant of the reasonable use of this land.

(b) That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

(c) That the granting of the waiver will not be detrimental to the public health, safety and welfare or injurious to other property in the area.

(d) That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations.

STAFF RECOMMENDATION FOR THE LARGE-SCALE DEVELOPMENT: There are some details that remain to be addressed at the Construction Plan phase of plan review, but nothing that should significantly impact the overall design.

Therefore, staff recommends approval of Plaza Tire Preliminary Large-Scale Development with conditions.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. Architectural plans must be submitted and approved prior to Construction Plan Approval.
2. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property. Some additional Utility Easements may be required.
3. The SWPPP must be completed and posted on site prior to construction.
4. Correct all remaining items on the "Plat Requirement Worksheet" prior to Construction Plan approval. Planning Staff will provide a copy of the remaining requirements to the engineer for the project.
5. All interior drives must meet the required compaction rating to support emergency vehicles.
6. Approval for the entrance drives will be required by the Arkansas Department of Transportation (ARDOT).
7. Correct all comments from the City Engineer prior to Construction Plan approval.
8. The applicant must apply for all required permits prior to construction.

STAFF RECOMMENDATION FOR THE WAIVER REQUEST: Staff recommends approval of Plaza Tire Waiver Request.