



## CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **March 27, 2018**  
Project: **Mathias Rezone Request**  
Planner: Courtney McNair

### AGENDA ITEM

## A

### REZONING REQUEST

West of 609 Laura Lane  
Parcel # a part of 830-37611-002

**SUMMARY:** Request to rezone a piece of land that is approximately 4.74 acres in size from **C-1 & R-3** to **I**

**CURRENT ZONING:** **C-1 & R-3** - Light Commercial and Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three units/net acres (i.e. after dedications are made).

**PROPOSED ZONING:** **I**-Industrial

**CITY WARD:** 1- Gene McCartney, Henry Piazza

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

**Water:** Tontitown Water, existing 8" line

**Electric:** Ozarks Electric

**Sewer/Septic:** Sewer

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

### PROJECT SYNOPSIS:

#### Request:

This request was tabled at the last Planning Board Meeting. Please see areas of clarification underlined in the below report.

This property is owned by Mathias Shopping Center, Inc. The applicant is requesting that this property be rezoned from C-1, light commercial and R-3, residential to I, Industrial. The overall property is approximately 11.17 acres in size with two existing warehouse buildings. The northern portion of this parcel is zoned Industrial. The portion to be rezoned is 4.74 acres.

This property has access on to Laura Lane and Agnes Road, and will include a portion of Fletcher Road.

The applicant is requesting this rezoning as they would like to add an additional warehouse type building at a future time.

**APPROVAL CRITERIA:**

*Not all of the criteria must be given equal consideration by the Planning Commission or City Council in reaching a decision. The criteria to be considered shall include but not be limited to the following:*

**(1) Consistency of the proposal with the comprehensive plan.**

*STAFF ANALYSIS:* The current Future Land Use Plan shows this area as Light Commercial/Industrial. The applicant is asking to transition the remainder of this area to Industrial.

**(2) Consistency of the proposal with the purpose of these regulations.**

**“The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial, industrial, recreational, and environmentally sensitive areas of the city; for protection of property from blight and undue depreciation; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities.”**

*STAFF ANALYSIS:* This area is primarily light industrial and commercial uses. It is adjacent to a residential subdivision on the west side, but is within the area that is connected to the industrial area. There is a clear boundary between the two uses that has been established with previous developments. It is consistent with the area.

**(3) Compatibility of the proposal with the zoning, uses and character of the surrounding area.**

*STAFF ANALYSIS:* The requested use is an Industrial use; half of the surrounding properties are also zoned for industrial. The others are residential.

- North-zoned I
- East-zoned I
- South-zoned C2/A1
- West-zoned R3

The surrounding uses include the industrial area, residential subdivision, residential, and agricultural uses. However, it lies such that is part of the industrial area.

**(4) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.**

*STAFF ANALYSIS:* Most likely this area will not be used for R3 as it is connected to the industrial area. Light Commercial would be more fitting than residential, but again, it is connected to the industrial area that is already existing.

- (5) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual impairment, odor, noise, light, vibration, hours of use/operation, and any restriction to the normal and customary use of the affected property.**

*STAFF ANALYSIS:* With proper setbacks and buffering, the addition of a light warehouse use will not detrimentally affect nearby property. A portion of the property is to be dedicated for the Fletcher Road extension which should help alleviate some traffic concerns for the area. The Fletcher Road extension does have the potential to increase traffic on Fletcher and potentially Barrington, especially until the connection is completed on the east side as well. Traffic, drainage, and all other listed concerns will be fully evaluated at the Large-Scale Development plan review.

Additionally, the placement of Fletcher Road will locate the Industrial use further from the Residential Areas to the south, as the setbacks will be from the ROW that is to be dedicated. The Fletcher Road extension is separate from this project, but shown on the plan in order to show that the buffer is increased.

- (6) Length of time the subject property has remained vacant as zoned, as well as its zoning at the time of purchase by the applicant; and**

*STAFF ANALYSIS:* This property was zoned I, R3, and C1. Staff is unsure how long it has been zoned for these uses.

- (7) Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.**

*STAFF ANALYSIS:* The impact to utilities, fire, police, and emergency services will be minimal. As a portion of this property will be granted for the Fletcher Road extension, it should have an overall positive impact in the future to help make this additional connection.

#### **TECHNICAL INFORMATION:**

##### **Utilities:**

**Water:** Tontitown Water, existing 8" line-No concerns were submitted for the requested rezoning.

**Electric:** Ozarks Electric-OECC had a few standard comments. Any relocation, damage, or extension of lines will be at cost to the developer. A 30' UE will be required for existing lines.

**Sewer/Septic:** Sewer-No concerns were submitted for the requested rezoning.

**Phone:** AT&T-No concerns were submitted for the requested rezoning.

**Natural Gas:** Black Hills Energy-No concerns were submitted for the requested rezoning.

**Cable:** Cox Communications-No concerns were submitted for the requested rezoning.

*STAFF ANALYSIS:* A full utility plan will be required at Large Scale development review.

**Streets:**

This property takes access from Laura Lane and Agnes Drive, and will connect to Fletcher Avenue. No truck traffic will be allowed on Fletcher Road until it is upgraded appropriately.

**Fire:**

There are existing 8' water lines to the north and south of this property. Prior to any type of Industrial building being placed on this property, a Large-Scale Development will be required. At that time, additional information on road layout, turn arounds, hydrant locations, and other fire concerns will be addressed.

**Drainage:**

As stated above, prior to any type of Industrial building being placed on this property, a Large-Scale Development will be required. At that time, additional information, including a drainage study will be required. Are there any drainage concerns for this proposed project at this time?

**Police:**

No concerns were submitted for the requested rezoning.

*STAFF ANALYSIS: All technical information will be fully reviewed at Large Scale Development plan review.*

**NEIGHBOR COMMENTS:** All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received one written "in favor" comment.

At the last meeting, some neighbors were present to voice concerns. Most concerns were related to traffic on Fletcher Road. This road is separate from the requested rezoning, and truck traffic will be restricted until it is upgraded appropriately.

**STAFF RECOMMENDATION:** With proper setbacks and buffering, and a full review at Large Scale Development, staff feels this rezoning will be compatible with the surrounding area.

Therefore, staff recommends approval of the Mathias Property rezoning request to change the zoning from C-1 and R-3 to I.

**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. The applicant must proceed through the Large-Scale Development plan review process prior to any construction.