



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **March 30, 2021**
Project: **215 & 233 S. Mantegani Rd**
Rezoning Request
Planner: Anthony Apple

AGENDA ITEM

3

REZONING REQUEST

1255 Piazza Road

Parcel #s 830-37778-001 and 830-37778-005

SUMMARY: Request to rezone parcels 830-37778-001 and 830-37778-005 from A to R-E. (See attached Vicinity Map, Figure 1)

CURRENT ZONING: Agriculture – 5-acre minimum lot size (See attached Current Zoning Map, Figure 2)

REQUESTED ZONING: R-E – Estate Single-Family – 2-acre minimum lot size (See attached Proposed Zoning Map, Figure 4)

FUTURE LAND USE CATEGORY: RM – Residential Medium (See attached Future Land Use Map, Figure 3)

CITY WARD: 1 – Gene McCartney, Amber Ibarra

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

Water: Tontitown Water. There is an 8-inch water main along the west side of Piazza Rd

Electric: Ozarks Electric

Sewer/Septic: Septic system.

Phone: Century Tel

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

The request is to rezone parcels 830-37778-001 and 830-37778-005 from Agriculture (A) to Estate Single-Family (R-E). These parcels are approximately 0.63 miles south of E. Fletcher Ave and approximately 650 feet west of Piazza Rd. The sum of the two parcels is approximately 10.55 acres. There is one single-family residential structure and one detached accessory structure occupying parcel 830-37778-005.

The purpose of this project is to rezone the parcels to a zoning that is compatible with the surrounding properties' zoning, and allow the parcels to be subdivided into tract sizes that are compatible with the surrounding properties' usage.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential Medium Density (RM). From the Vision Plan Document adopted by the City Council in November 2018:

RESIDENTIAL MEDIUM DENSITY (RM)

This land use category reflects the current density of single-family detached residential development that is prominent in the existing neighborhoods to the south of City Hall and the park. They are primarily residential in nature.

Residential Medium Density encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development

patterns that respond to features in the natural environment.
One to five dwelling units/acre.

STAFF ANALYSIS: The subject parcels are currently zoned Agriculture (A). The parcels to the north and east are zoned Agriculture (A). The parcels to the south and west are zoned Single-Family Residential (R-3).

Since the surrounding properties' zoning requires lot sizes ranging from 5 acres (A) to 3 lots per acre (R-3, max lot size of 9,600 square feet), the requested zoning of R-E requiring a maximum 2-acre lot size is compatible with the surrounding properties.

Per the Future Land Use Plan, the subject parcels and surrounding properties are planned to be Residential Medium Density. By definition, the purpose of this zoning is "This land use category reflects the current density of single-family detached residential development . . . Residential Medium Density encourages highly connected, compact blocks with gridded street patterns and reduced setbacks . . . This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment. One to five dwelling units/acre."

The City finds the requested zoning to be in harmony with the existing and planned future land use, and density to be less than that intended for Residential Medium Density.

APPROVAL CRITERIA: Per City code, 153.283 Amendments:

(A) Two types of amendments to these zoning regulations are recognized; one being a revision in the text provisions, and the other being a change of boundary in a zoning district (a.k.a. a map amendment or rezoning).

(G) 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 City finds the requested zoning to be in harmony with the current and future comprehensive land use plan.

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

Per 153.003 Purpose: "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: The City finds the requested zoning to be consistent with the purpose of the regulations. The rezoning request for the parcels to be rezoned to estate single-family lots is in keeping with the surrounding zoning and land uses. The requested zoning minimum lot size (minimum 2 acres) easily fits within the surrounding lot sizes. The request is compatible with the existing and future planning zoning, and an efficient and economical use of the property.

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

STAFF ANALYSIS: The requested zoning is for Estate Single-Family district (R-E). The parcels to the north and east are zoned Agriculture (A). The parcels to the south and west are zoned Single-Family Residential (R-3). The City finds the requested zoning to be compatible with the surrounding zoning.

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

STAFF ANALYSIS: The City finds the property to be suitable for the requested zoning based on the compatibility with the neighboring properties.

- (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: The City finds the proposed rezoning should not detrimentally impact nearby properties with regard to value, traffic, drainage, visual impairment, etc. since the density of the two parcels is increasing by only three. Additionally, the property's current use is single-family residential. The use of the property will not change from its current use.

- (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: The house occupying both parcel 830-37778-005 has not been vacant.

- (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: There will not be a significant impact to community facilities since the proposed land use will remain the same although the density will increase by only three residential units.

TECHNICAL INFORMATION:

Technical information will be addressed if this property is improved.

NEIGHBOR COMMENTS:

All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. No comments have been received as of March 26, 2021.

STAFF FINDINGS:

The City finds the requested zoning to be in harmony with the current existing and future comprehensive land use plan. The requested zoning to be consistent with the purpose of the regulations. The property

is suitable for the existing zoning and requested zoning based on the compatibility of the neighboring properties. The proposed rezoning should not detrimentally impact nearby properties. The density will increase by only three residential units. The house occupying both parcels has not been vacant. There will not be a significant impact to community facilities since the proposed land use will remain the same although the density will increase by four residential units.

STAFF RECOMMENDATIONS:

Staff recommends the approval of the request to rezone parcels 830-37778-001 and 830-37778-005 from Agriculture – 5-acre minimum lot size to R-E – Estate Single-Family – 2-acre minimum lot size with the following conditions:

1. Any improvements, alterations or additions shall meet all Tontitown City Codes and the Arkansas Department of Health Department regulations.



Figure 1: Vicinity Map

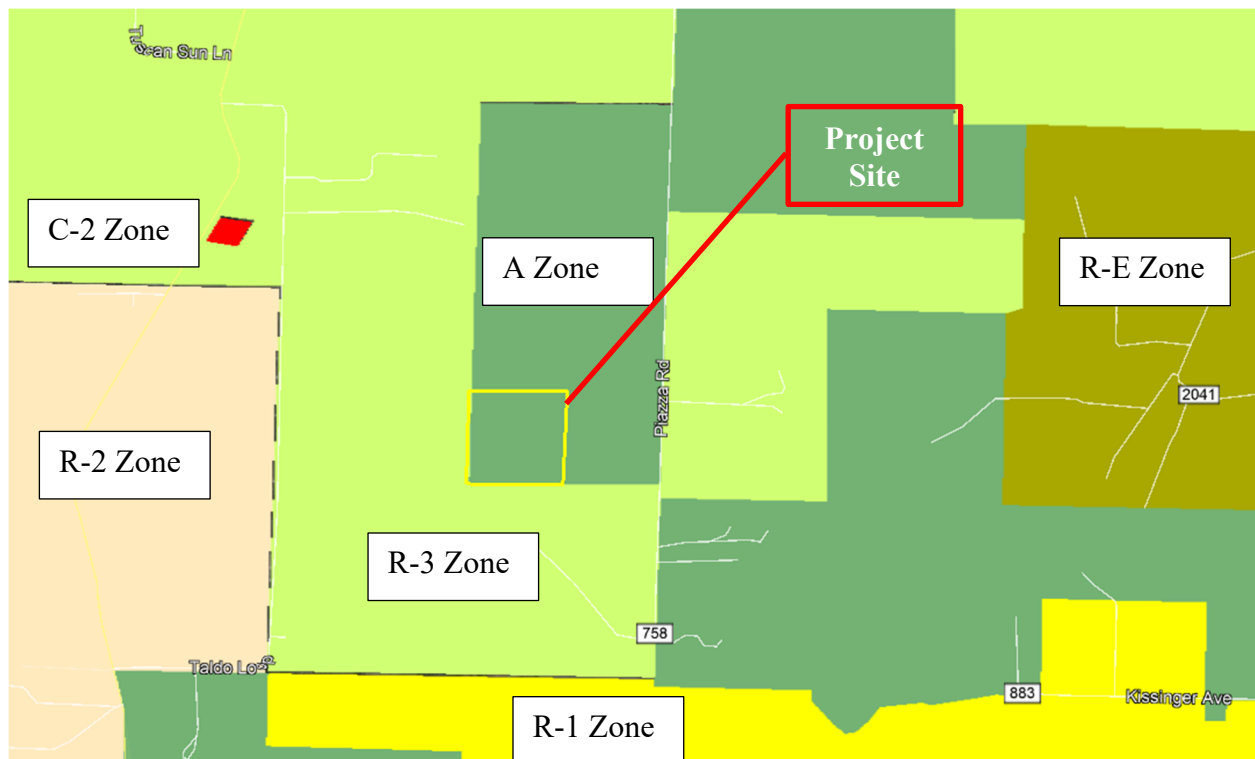


Figure 2: Current Zoning Map

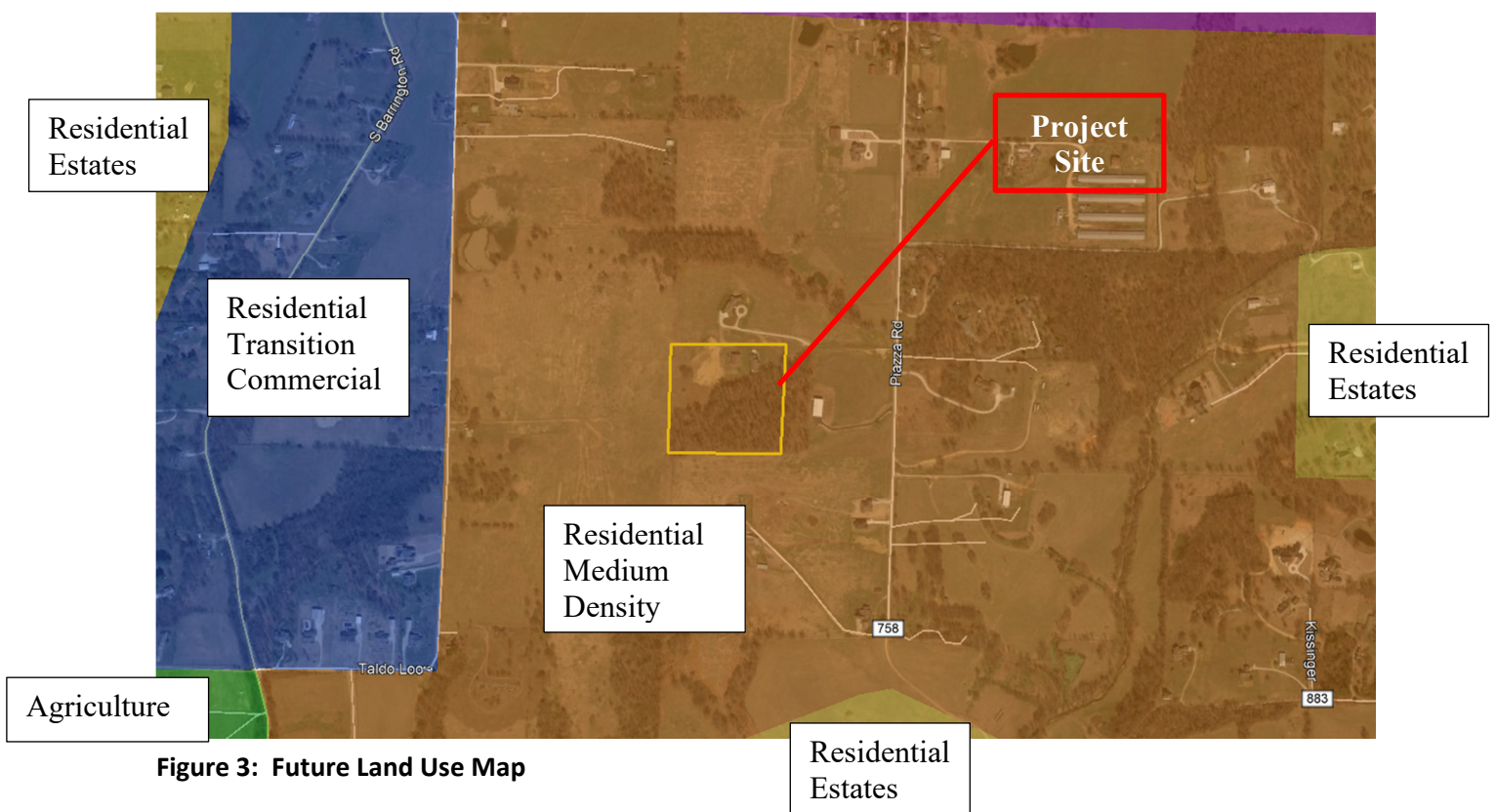


Figure 3: Future Land Use Map

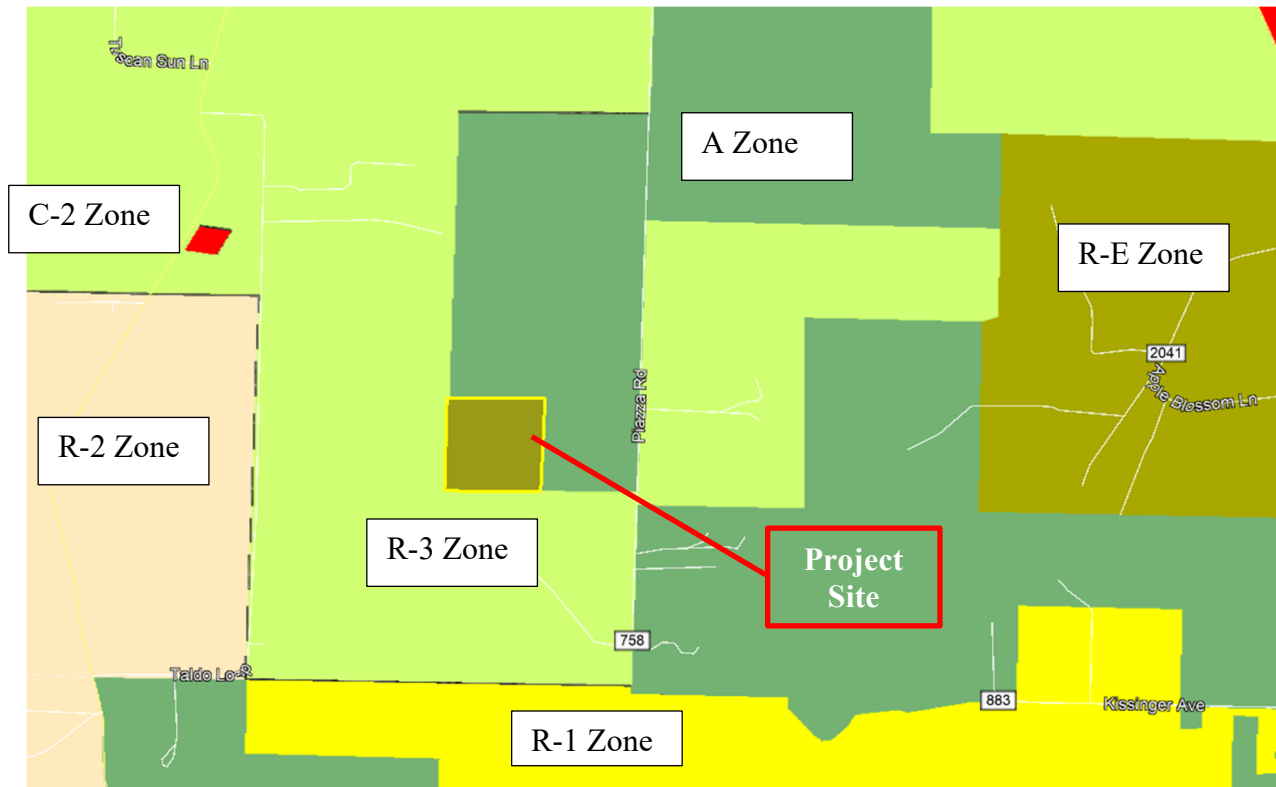


Figure 4: Requested Zoning Map