



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **June 22, 2021**
Project: **C&E Land LLC Conditional
Use Permit**
Planner: Anthony Apple

AGENDA ITEM

3

CONDITIONAL USE PERMIT REQUEST

Located at the eastern terminus of Florence Ave
Portion of Parcel # 830-38668-000

SUMMARY: The project site is located at eastern terminus of Florence Ave. See Figure 1, Vicinity Map. The conditional use request is to allow the construction of an outdoor storage area and laydown yard in zone **C-2, General Commercial District**. The area will be used to support the SCP Distribution business immediately to the north. See Figure 1.

CURRENT ZONING: **C-2, General Commercial District**. See Figure 2, Current Zoning Map.

FUTURE LAND USE CATEGORY: **RC-C** Residential/Commercial Core. See Figure 3, Future Land Use Map.

PROPOSED USE: Outdoor storage area and laydown yard

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

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

Water: City of Tontitown.

Electric: Ozarks Electric

Sewer/Septic: City of Tontitown sewer.

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

The project site is located at eastern terminus of Florence Ave. The project site consists of the eastern two-thirds of Parcel # 830-38668-000. See Figure 1, Vicinity Map.

Parcel 830-38668-000 is currently zoned C-2, General Commercial District. See Figure 2, Current Zoning Map.

The land owner is C&E Land LLC. The owner is proposing to construct an outdoor storage area and laydown yard that will support SCP Distributors which is the business immediately to the north of the project site. See Figure 4, Conceptual Plan. The storage and laydown yard will be constructed of gravel with a B-stone rumble area and concrete entrance ramp.

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 CORE (RC-C)

Town Center Areas contain some of the most intense and dense development patterns within the City, as well as the tallest and greatest variety of buildings.

This is a higher intensity mixed use category, allowing for larger stores and more intense traffic patterns. A mix of residential and non-residential development (excluding HEAVY industrial uses) is permitted. The residential component of this category will include higher intensity multifamily developments, and single family residential would likely be townhome or row house development models. The ideal mix of uses will be moderate to high density residential, office, and commercial uses, with additional open space amenities included within the development site.

These areas will accommodate row houses, apartments, local and regional retail, including large-scale stores, hotels, industry and entertainment uses. These areas are typified by their location **adjacent to major thoroughfares** with high visibility, usually automobile-dependent customers and large areas dedicated to parking. Although Urban Center Areas recognize the conventional big-box and strip retail centers developed along major arterials, it is expected that vacant properties will be developed into traditional mixed-use centers, allowing people to live, work and shop in the same areas.

Up to 20 multifamily dwelling units/acre.

STAFF ANALYSIS: Although the proposed use does not perfectly align with the Future Land Use Plan category RC-C, the project is a “non-residential development” that is not considered “HEAVY industrial”.

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 proposed project is north and west of two residential areas. A full landscaping plan has been provided as Figure 5. Per the landscape code, the minimum buffer required between this development and the adjacent properties is 5 feet. Buffers of 10 feet, 45 feet and about 27 feet have been provided along the west, south and east properties, respectively, which are significantly greater than required by code. A chain link fence has been provided in the design, but must be changed to wood, masonry, rock or brick per the landscape code. The shrubs and trees chosen for the development need to be changed to comply with the approved tree and shrub list in the landscape code.

Traffic to the site is not anticipated to increase from the existing traffic. A fork lift will be used to move the product to and from the site for unloading and loading, respectively.

New sidewalk will be constructed in accordance with the master street plan street cross sections.

The site will be paved with gravel which will reduce the rate of runoff to adjacent properties.

(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, the intended use may be considered as a conditional use in 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 design standards and screening requirements have been met, with the exception of revising the list of trees and shrubs to conform to code.

- (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: 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 residential properties to the south and east. Loading and unloading of product will be performed during normal working hours. There is no planned site lighting to affect the neighboring properties. The design complies with the buffering and screening standards, therefore operations and storage will be appropriately screened from the adjacent residential neighbors.

- (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: The size and shape of the project sight meets the needs of the applicant, and is not extraordinary in any sense. There are no structures or signage planned for the site.

- (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: There is one drive planned to access the site. The drive complies with City and Fire code. No parking is planned for the site.

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

STAFF ANALYSIS: A full landscaping plan has been provided as Figure 5. All design standards and screening requirements have been met, with the exception of revising the list of trees and shrubs to conform to code.

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

STAFF ANALYSIS: The purpose of the project site is to support the increased demand for the product being sold by the business immediately north of the project site. Currently, passenger, tractor/trailer and forklift traffic are common for the business. The increase of traffic to the site will include 18-wheeled tractor/trailer vehicle once to twice per week. Due to the nature of this project use and limited increase in traffic, noise, dust, odor, etc. are not a concern. No lighting is planned for 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 not received any comments at this time regarding this project.

STAFF RECOMMENDATION: Based on the project documents submitted and the intended use of the project site, Staff recommends approval of the Conditional Use Permit for the outdoor storage area and laydown yard with the following conditions:

CONDITIONS RECOMMENDED FOR APPROVAL:

1. Revise the list of trees and shrubs to conform to the landscape code.
2. Provide a wood, masonry, rock or brick fence per the landscape code.
3. Fifty percent of the trees shall be evergreen per the landscape code.
4. Provide a minimum 6-ft high barrier fence per 153.212(L)(6)(a).
5. The applicant is not allowed to stack any materials higher than 2 feet above the fence height selected.

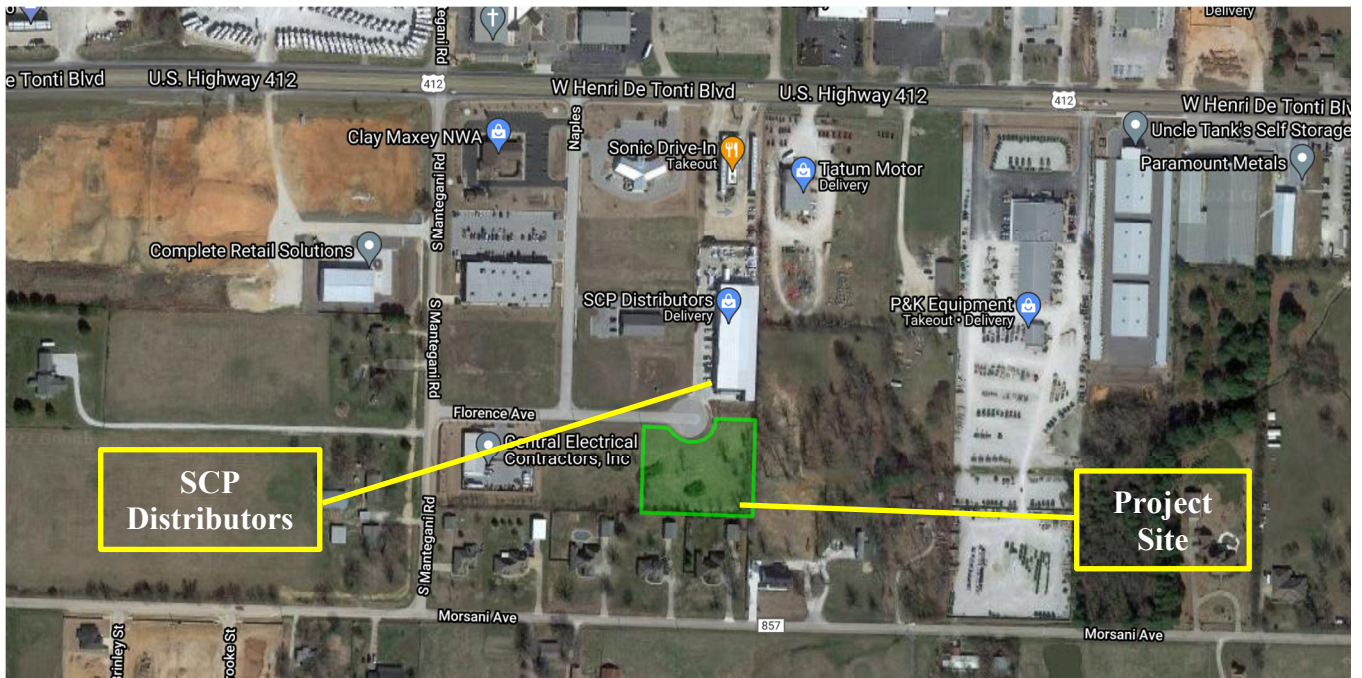


Figure 1: Vicinity Map

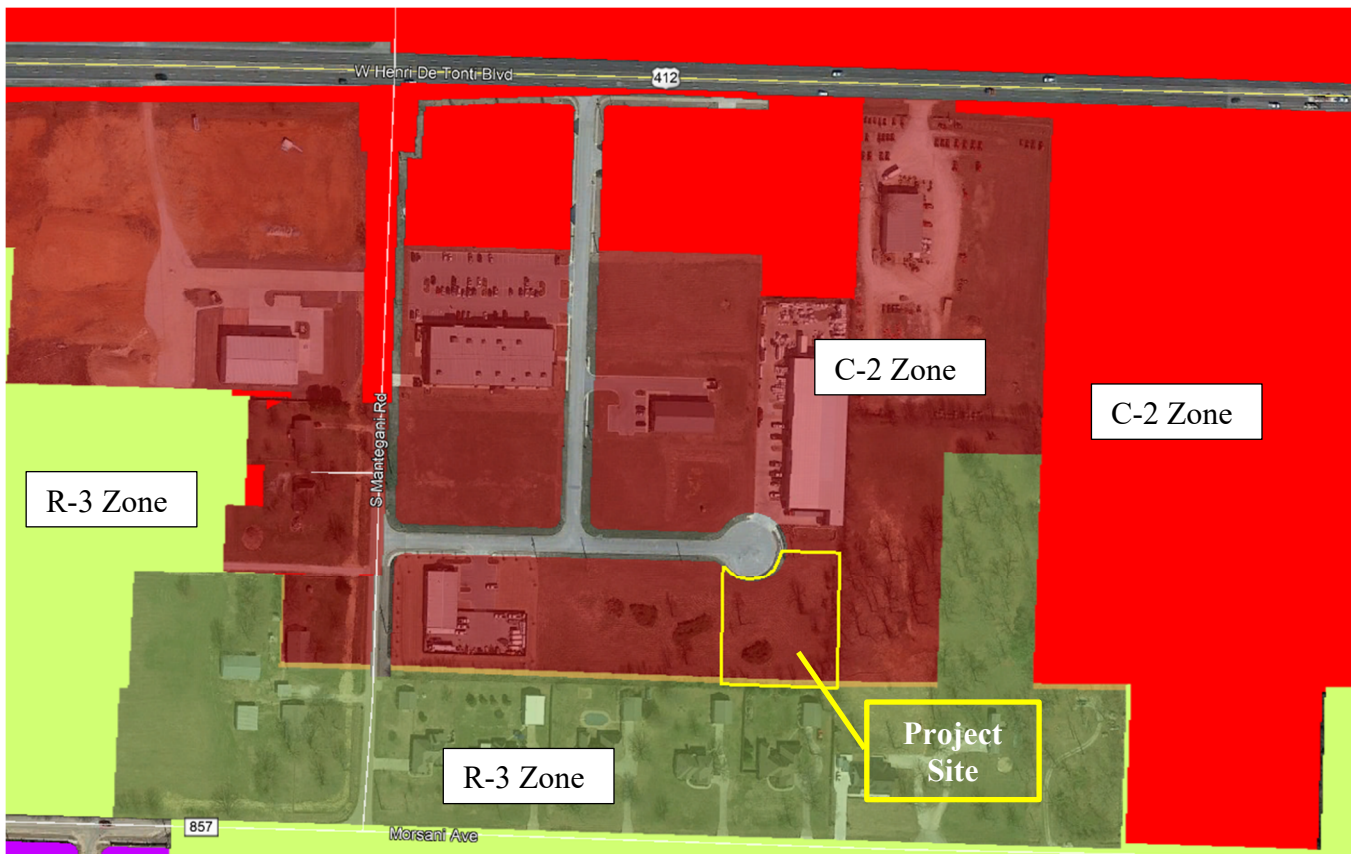


Figure 2: Current Zoning Map

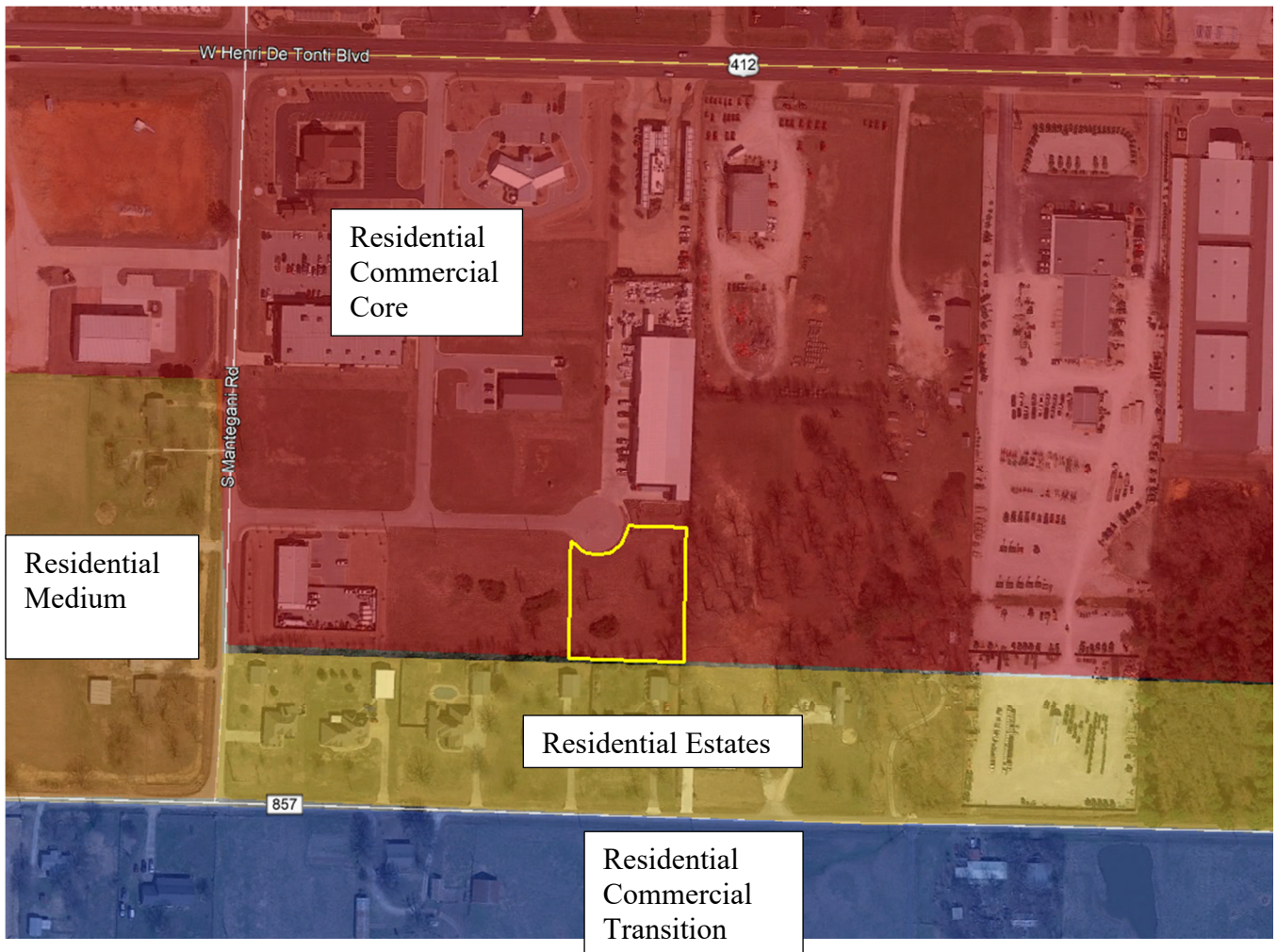


Figure 3: Future Land Use Plan Map