



## CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **June 22, 2021**  
Project: **Rezoning on Mantegani  
Road from R3 to R4**  
Planner: Courtney McNair, Garver

### AGENDA ITEM

## 2

### REZONING REQUEST

415 N. Mantegani Road  
Parcel # 830-37688-000

**SUMMARY:** Request to rezone a piece of land that is 19.85 acres in size from **R3** to **R4**  
**CURRENT ZONING:** **R3 – Residential Single-Family** with a minimum 9,600 SF lot size.  
**REQUESTED ZONING:** **R4 – Residential Single-Family** with a minimum 8,000 SF lot size.  
**FUTURE LAND USE CATEGORY:** **RC-T** Residential Commercial Transition  
**CITY WARD:** 2-Arthur Penzo and Larry Ardemagni

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

**Water:** Tontitown Water- There is an existing 8-inch water line that is along the west side of N. Mantegani Road that borders the subject property and an 8-inch water line that extends to the east along the north side of Bariola/Sbanotto.

**Electric:** Ozarks Electric

**Sewer/Septic:** Tontitown Sewer- There is sewer approx. 615 feet to the south.

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

### PROJECT SYNOPSIS:

The owner/applicant for this project is NORRHO, LLC. The property is located just north of the intersection of Mantegani Road and Sbanotto Ave. / Bariola Road, on the west side of Mantegani Road. There is an existing residence and barn structure on site. An existing driveway, providing access for a neighboring property, is located near the north property line. The remainder of the site is heavily wooded.

The applicant is requesting to change the zoning from R3 to R4.

- R3 Zoning: Single-Family Residential-allows for a density of 3 units/acre, with a minimum lot size of 9,600 SF. With 19.85 acres, the maximum number of lots allowed would be 59 total.
- R4 Zoning: Single-Family Residential-allows for a density of 4 units/acre, with a minimum lot size of 8,000 SF. With 19.85 acres, the maximum number of lots allowed would be 79 total.

### FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential Commercial Transition (RC-

T). From the Vision Plan Document adopted by the City Council in November 2018:

***RESIDENTIAL COMMERCIAL TRANSITION (RC-T)***

*Residential Transition areas plan for moderate-density residential development serving as a transition between commercial/mixed use and residential low-density land uses. Housing types are varied, single-family, duplexes, townhomes, and lower density apartment buildings. Some neighborhood-scale commercial uses may be included where appropriate access is available. Six-twelve dwelling units/acre.*

**STAFF ANALYSIS:**

This project is in agreement with the Future Land Use Plan. Using a transition of slightly higher density, single-family, residential housing to create a buffer between the existing lower density residential lots in the surrounding area, and future higher density and commercial development, is the intent of this Future Land Use category. There is only one other parcel of land between this project site, and commercial uses along W. Henri de Tonti Blvd. (W. Hwy. 412). It is approx. 1350 feet to W. Henri de Tonti Blvd. from this site.

**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 Residential Commercial Transition. This request meets the intent of the Future Land Use Map for this area.

*(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:**

There is an existing residential structure (constructed in 1962) and a utility building on this site. These structures will most likely be removed from the site. There is water available for connection, and sewer nearby.

The Master Street Plan shows that Bariola/Sbanotto will need to be extended to the west along the southern property line of this property. The applicant is requesting a waiver from this requirement.

Most of the surrounding area is large lot residential (from approx. 1.16 acres to 20 acres) and agricultural land.

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

**STAFF ANALYSIS:**

The requested use is for residential zoning; surrounding properties are zoned for R-E and R-3 Residential Uses. The actual uses of the surrounding properties vary from Single Family Residential to active agricultural uses.

North-zoned R3, single-family residential.

East-zoned R3, appears to be agricultural.

South-zoned R3, active vineyard and single-family residential.

West-zoned RE and R3, single-family residential.

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

**STAFF ANALYSIS:**

This property is suitable for single-family residential uses, however, as there are several large-lot residential properties adjacent, the developer should take special care to address those adjacencies with buffering or screening.

(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:**

This proposed rezoning should not detrimentally affect nearby property. Traffic will be on Mantegani Road, and road improvements are required along the length of the property. If this rezoning is approved, prior to the construction of any site improvements, additional review is required. Odor, light, and noise should not be a concern for this type of use.

Considering that this property is adjacent to many large-lot residential uses, it would be beneficial to provide buffering or screening for these adjacent properties.

(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:** There is one existing residence. It has not been fully utilized as R3 zoning.

(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:** This impact is expected to be minimal to utilities, streets, drainage, parks, open space, fire, police, and emergency services. There is adequate water, and the applicant is proposing to extend the sewer. Drainage will be required to be addressed, and the applicant will contribute to the Park Fund. No concerns have been raised by police or fire for this rezoning request.

**TECHNICAL INFORMATION:**

Technical information will be addressed at the Preliminary Plat.

**NEIGHBOR COMMENTS:** Neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. One property owner was mistakenly not notified by certified mail but has been in direct contact with the developer (regarding the access easement). This owner has provided a written statement that they are aware of the project.

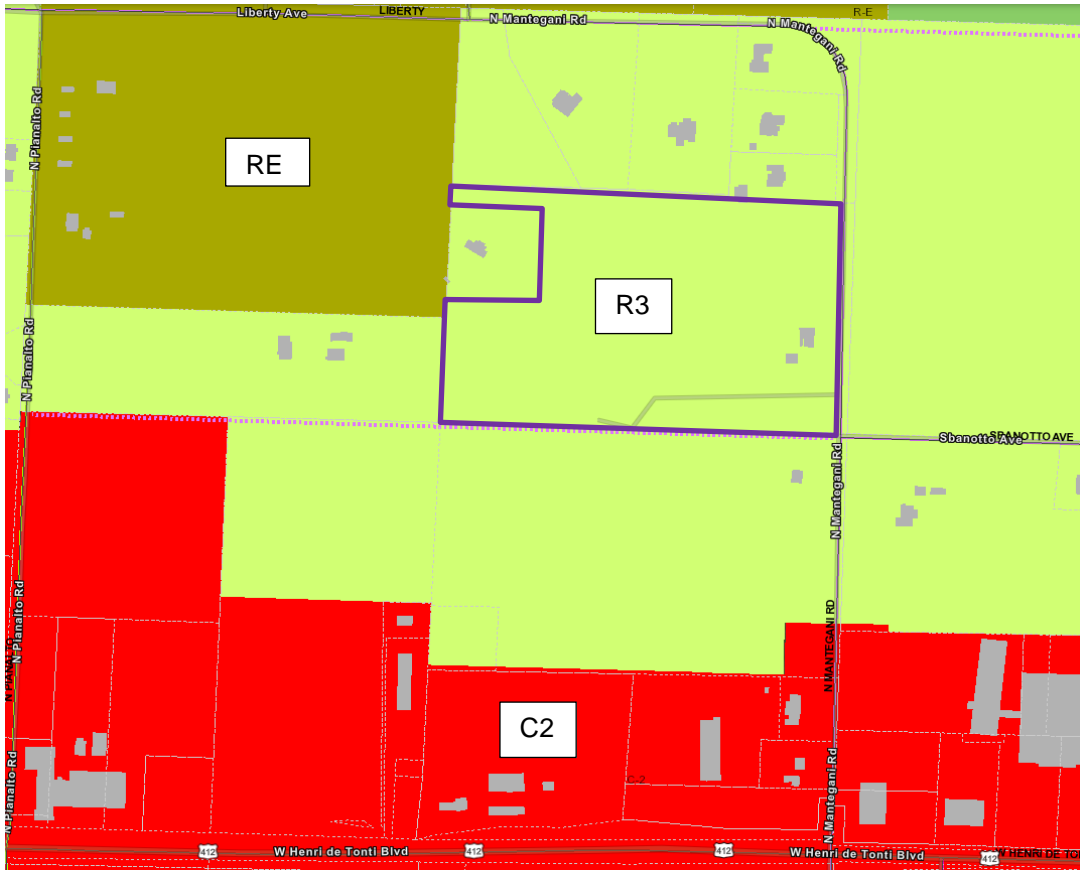
No comments have been received at the time of this report, if any are received prior to Planning Commission, they will be provided at the meeting.

**STAFF RECOMMENDATION:** Based on the Future Land Use Plan, and the availability of utilities and access, staff recommends approval of the request to rezone 19.85 acres of property at 415 Mantegani Road from R3 to R4.

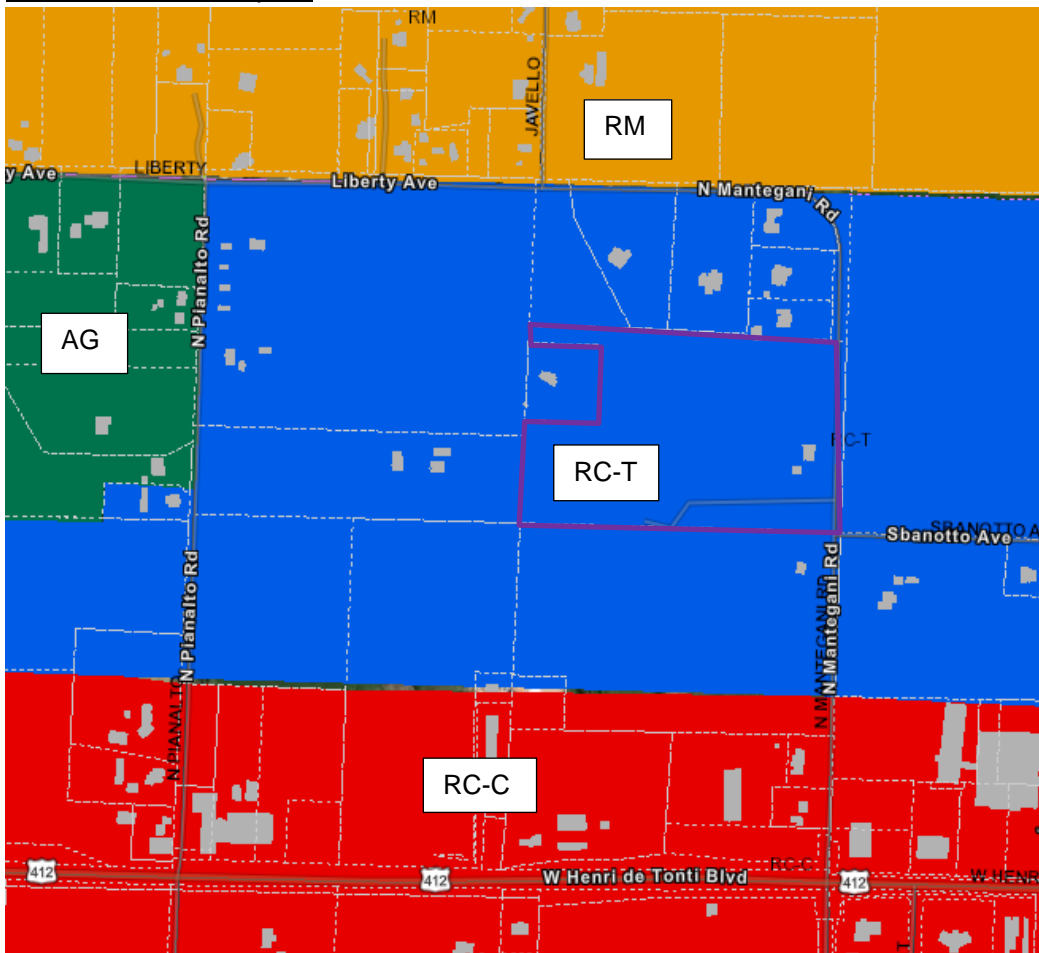
**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. This rezoning must proceed to the City Council for approval.
2. Any improvements to this site require additional review.

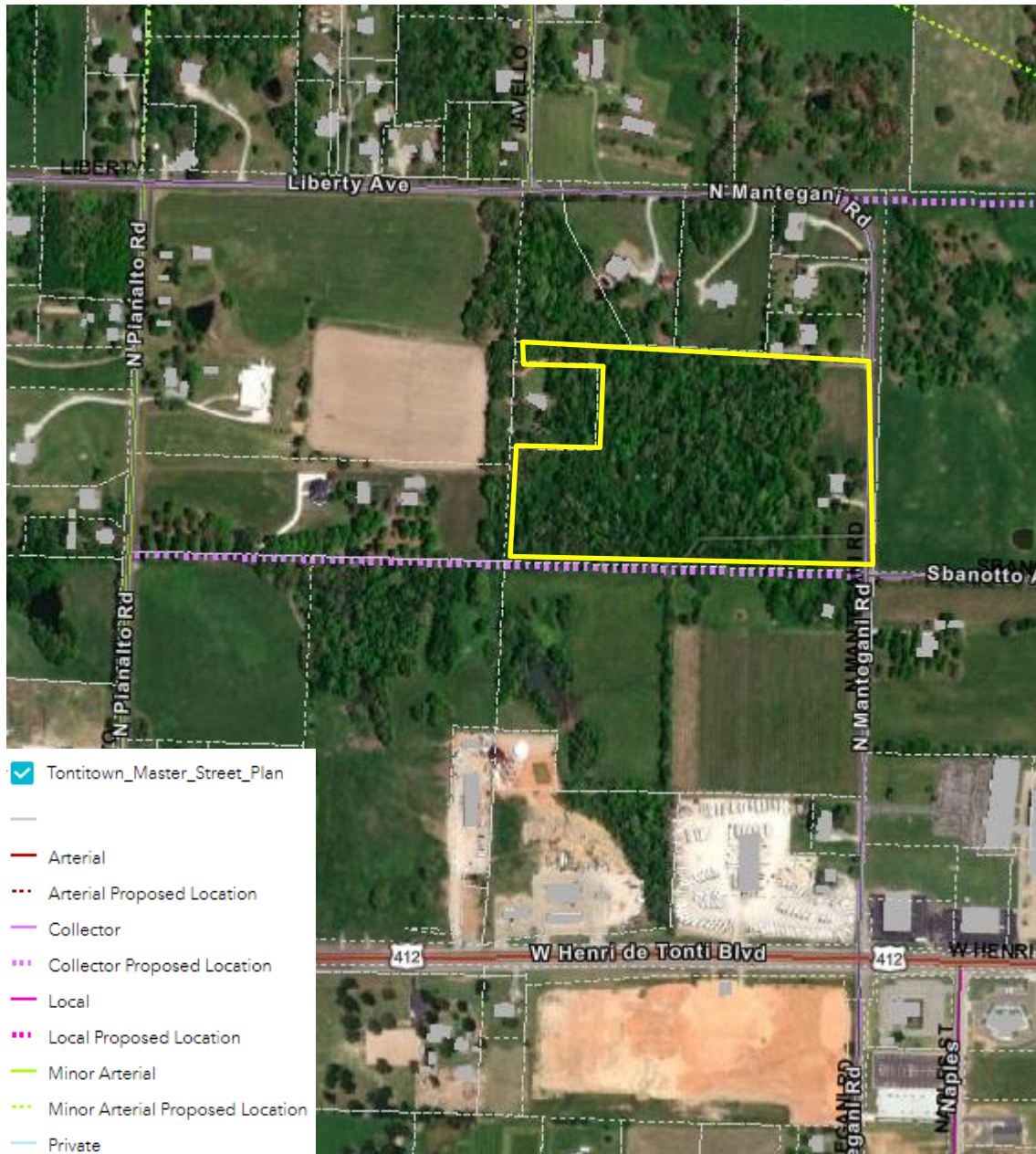
Zoning Graphic:



Future Land Use Graphic:



Aerial Graphic:







## VICINITY MAP



1"=500'

*NOTE: AREA OF PROPERTY TO BE REZONED  
IS HATCHED: FROM R-3 TO R-4*

May 28, 2021

Ms. Renee Biby  
Planning Official  
City of Tontitown  
201 East Henri De Tonti  
Tontitown, AR 72770

Re: Venetto Subdivision – Kinax Construction  
Rezone Application  
Tontitown, Arkansas

Dear Ms. Biby:

On behalf of our client, we are submitting application materials to rezone approximately 19.66 acres in the City of Tontitown located at the intersection of N Mantegani Road and Bariola Road. This letter is intended to serve as the narrative letter required by the checklist included in the rezoning application.

- A. Current Zoning Designation: R-3  
Proposed Zoning Designation: R-4
- B. Reason for Zoning Change: The property is being rezoned to align itself more adequately to the ideals that the developer has in mind. Our professional opinion is that with a R-4 zoning the development will be a better fit and thus serve the community better.
- C. Relation of Property to Surrounding Properties:
  - 1. Currently the properties to the North, East, and South are designated as R-3. The property to the West is Designated as R-E.
  - 2. The proposed zoning will not adversely affect traffic in this area.
  - 3. No additional signage is being proposed at this time.
  - 4. Rezoning will not alter the appearance of the property. Any future development will be subject to the city's land use, development, and zoning regulations which would prevent the creation of any future unsightly developments.
- D. Availability of Water and Sewer: Currently there is an 8" sanitary sewer line 615 feet to the south of the development. There is also an existing 8" PVC water line along the east side of the property.

E. Waiver of Rights and Remedies, also known as the Private Property Protection Act, is enclosed with this letter

Thank you for your consideration of this application, please contact our office with any comments or questions that you may have.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'E' followed by a long horizontal line.

**Eric Richardson, P.E.**

Encl;