



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **March 29, 2022**
Project: **Paramount Metals CUP**
Planner: Courtney McNair, Garver

PUBLIC HEARING AGENDA ITEM

2

PLANNING COMMISSION AGENDA ITEM

2

CONDITIONAL USE PERMIT REQUEST

761 & 829 W Henri de Tonti Blvd
Parcel # 830-37715-001, 830-37710-000 & 830-37709-001

SUMMARY: Request to rezone the existing Paramount Metals location from C-2 to L-I in order to bring the site into zoning compliance.

CURRENT ZONING: (**C-2** – General Commercial) **APPROVED BY PC to C-T – Commercial Trades and Services at the March 17, 2022 meeting. Must be ratified by City Council.**

PROPOSED USE: Primary Warehouse

FUTURE LAND USE CATEGORY: **RC-C** – Residential Commercial Core

CITY WARD: 3-Penny Baskin and Tim Burress

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

Water: Tontitown Water, existing 6" water main.

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer, existing 12" sewer main.

Phone: AT&T

Natural Gas: Source Gas

Cable: Cox Communications

PROJECT SYNOPSIS:

At the Special Planning Commission Meeting on March 17, 2022, the Planning Commission approved the request to rezone this property from C2, General Commercial to CT, Commercial Trades and Services. The rezoning must still be ratified by the City Council; however, the applicant would like to request the Conditional Use Permit to allow Primary Warehousing in CT zoning at the regular meeting of the Planning Commission on March 29, 2022. If the CUP is approved by the Planning Commission, both the rezoning and CUP can be heard on the April 5, 2022, City Council meeting.

The applicant has expressed that they may like to expand the existing warehousing building in the future. In order to expand any portion of the warehousing, the site needed to be rezoned and a CUP requested for a Primary Warehousing use. Non-conforming, grandfathered uses may not be expanded (except within very limited parameters).

The owner of this property is Weeks Enterprises, LLC. The applicant/representative is Dan Scott, for Paramount Metals.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential Commercial Core (RC-C). From the Vision Plan Document adopted by the City Council in November 2018:

RESIDENTIAL and COMMERCIAL CORE (RC-C)

Core 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: This application is requesting a Conditional Use Permit for an existing, non-conforming, warehousing use to be brought into zoning compliance, and have the opportunity to expand in the future. The business has existed in this location for many years. This request is well aligned with the Future Land Use plan.

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: This site is an existing light manufacturing and warehousing business. The applicant's current conceptual plans show a small addition to the north side of the newer warehouse building on-site. The north side is adjacent to Hwy. 412 and will not impact other adjacent property. The applicant has stated they may want to add an additional building in the future. If they bring those plans to the city, they will be reviewed as a Large-Scale Development, and shall comply with standards set by the city.

(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, primary warehousing may be considered as a conditional use in C-T 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: At this time, the concept plan shows a small addition to the north of the existing newer warehouse building. This plan will conform with setbacks and lot coverage requirements for the zone. If future expansion plans are presented, all setbacks, lot coverage maximums, design standards, and screening requirements will be required to be met as the future project moves forward to technical plans.

(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: There is a large curb cut existing on site. No additional driveways are currently proposed at this location. This request will not be more intensive than the existing use.

(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:

North- zoned C-2- Timmons Oil Company, and SF-R uses across the highway.

East- zoned C-2- Commercial tow yard.

South- zoned C-2- grandfathered SF-R use.

West- zoned C-2- Uncle Tanks Self Storage.

This property is surrounded by similar types of businesses, and some non-conforming (zoned C2) single-family residential uses to the south. The current conceptual plan will not require any additional compatibility measures due to the location and small size. If future expansion plans are presented, as the technical plans are developed, there are special standards in place to protect residential uses from marginally compatible uses. The applicant will be required to provide additional buffering when any proposed buildings are adjacent to residential uses.

(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: As stated above, this is an existing site. A majority of the site is already built out. Some additions are proposed, but they will be required to meet all lot requirements. Future plans will be required to meet all technical requirements.

(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: No additional driveways are proposed at this time.

Depending on the extent of the future expansion plans, the applicant may need to bring the site into compliance regarding pedestrian access. Pedestrian access at this location is not designed well. This will be addressed with technical comments at a future time.

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

STAFF ANALYSIS: Based on (A), the landscaping should:

Provide protection for water quality, reduce erosion, heat and glare

Retain existing trees where possible

Screening and buffering for uses which are marginally compatible,

Provide for beautification and enhancement of the property

At this time, no plans have been provided other than a small future addition to the newer warehouse. Landscaping will be applied at the technical review of future expansions.

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

STAFF ANALYSIS: Due to the nature of this project (warehousing), noise, dust, odor, etc. are not a concern. All lighting should be “cut off” type lighting that will not contribute significantly to light pollution. The applicant will be required to provide a lighting cut sheet and diagram to show how the light is designed to remain on the site.

TECHNICAL INFORMATION:

Technical information is addressed at a future stage of development request. The current request is a concept plan only.

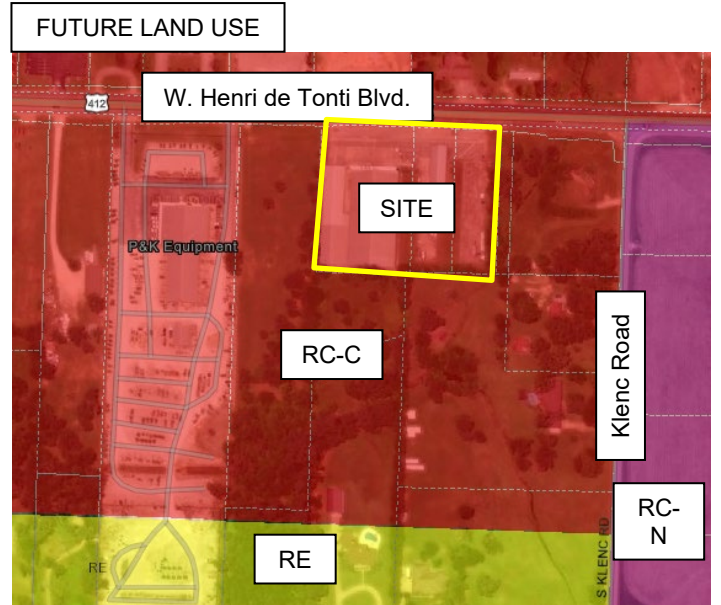
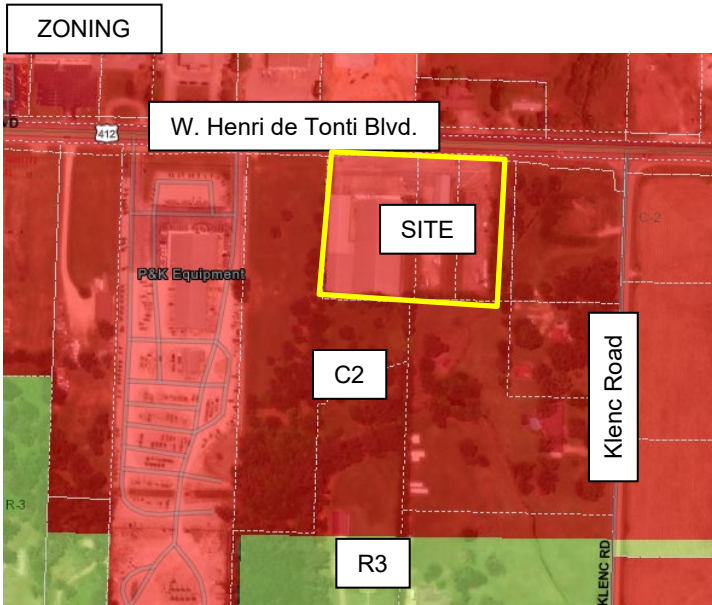
NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received no written comments at this time regarding this project. Staff will update the Planning Commission if any comments are received.

STAFF RECOMMENDATION: Based on the current proposal which shows the development to be in accordance with the adopted Future Land Use plan, the availability of services, and the nature of the surround businesses along Hwy. 412 in this area, staff recommends approval of the Paramount Metals Conditional Use Permit Request to allow Primary Warehousing within C-T zoning.

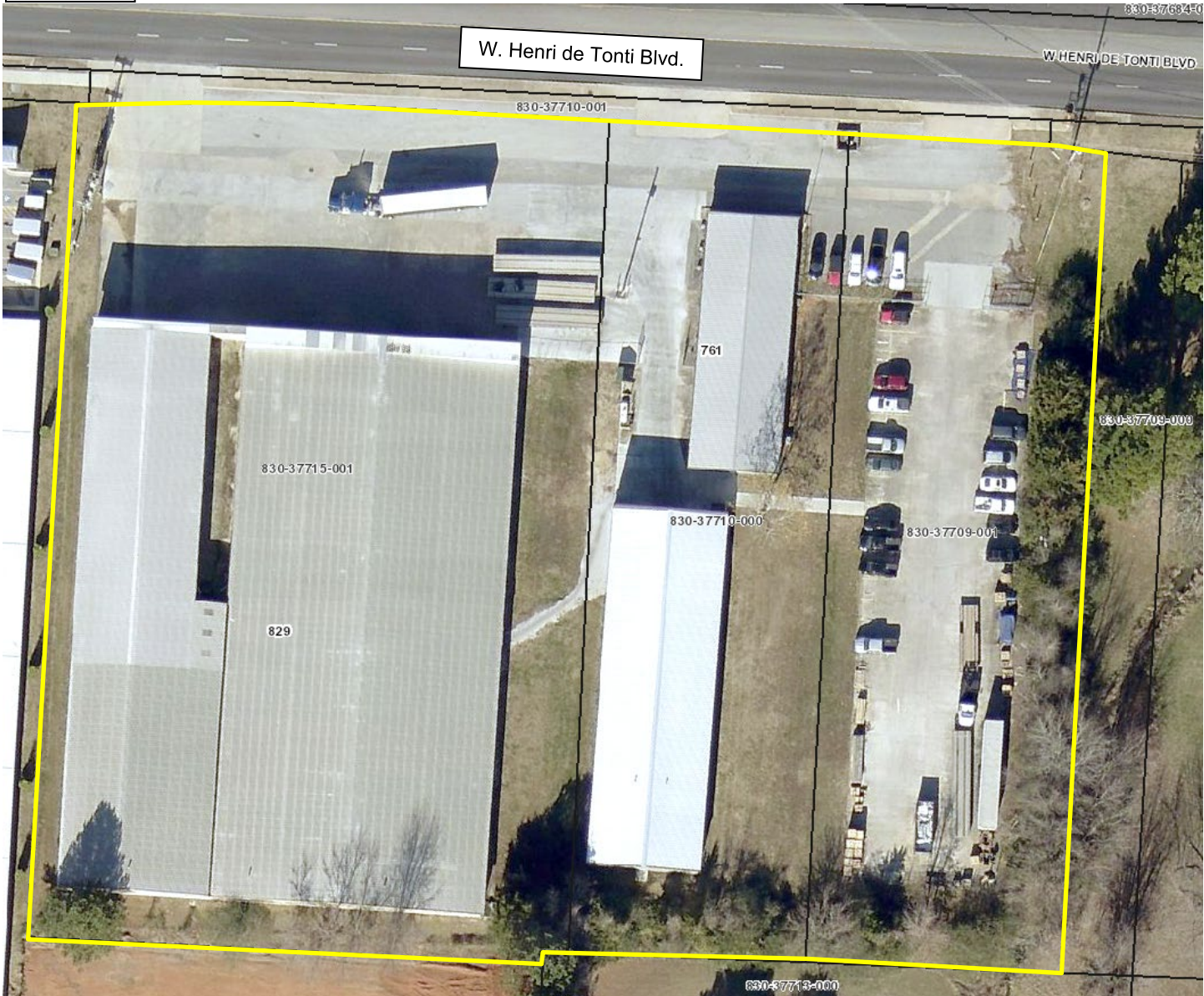
CONDITIONS RECOMMENDED FOR APPROVAL:

1. If the applicant proposes to place a new warehouse building on site, it will be required to proceed through the Large-Scale Development process and address all technical information.
2. The concept expansion will not require LSD approval as it is smaller than the triggering SF for additional requirements.

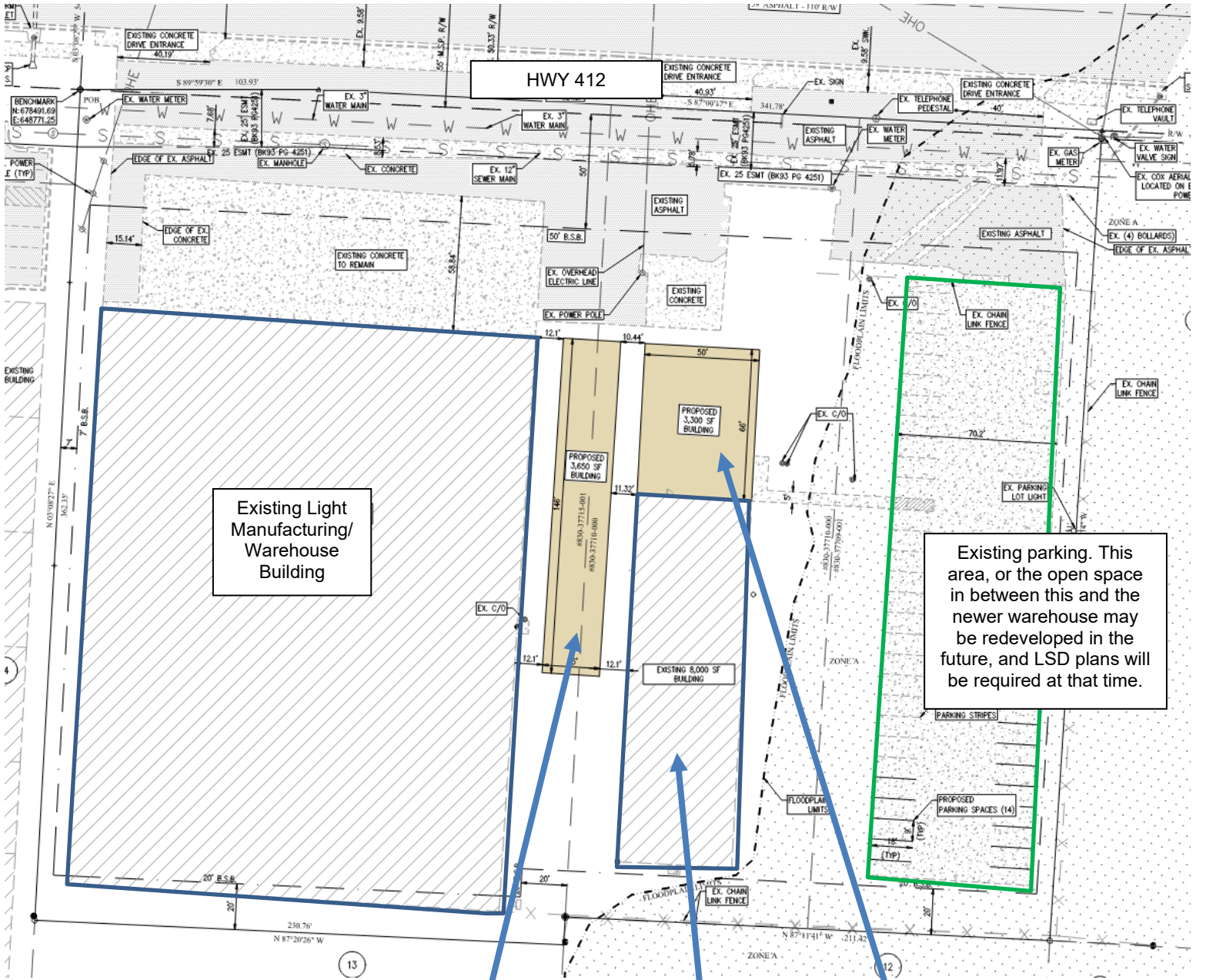
3. Compatibility, connectivity, and adequate landscaping shall be required to meet the Conditional Use Permit standards for future proposed buildings.



SITE



CONCEPT PLAN



Existing Light Manufacturing/Warehouse Building

Existing parking. This area, or the open space in between this and the newer warehouse may be redeveloped in the future, and LSD plans will be required at that time.

Approved new office to replace current office building that will be demolished.

Existing (newer) Warehouse Building

Proposed 3,300 SF addition to Warehouse Building. Will NOT require LSD review. A grading permit will be required.