



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **June 28, 2022**
Project: **2384 Liberty Ave.**
Planner: Courtney McNair, Garver

AGENDA ITEM

1

REZONING REQUEST

2384 Liberty Ave.
Parcel # 830-37976-400

SUMMARY: The applicant is requesting to rezone 23.63 acres of property from R-E (Residential Estates, 2-acre minimum lot size) to R-1 (Residential, 1-acre minimum lot size).

CURRENT ZONING: RE – Residential Estate single family with a minimum 2-acre lot size.

REQUESTED ZONING: R-1 – Residential single family with a minimum 1-acre lot size.

FUTURE LAND USE CATEGORY: RM-Residential Medium Density

CITY WARD: 2-Arthur Penzo, Larry Ardemagni

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

Water: Tontitown Water

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

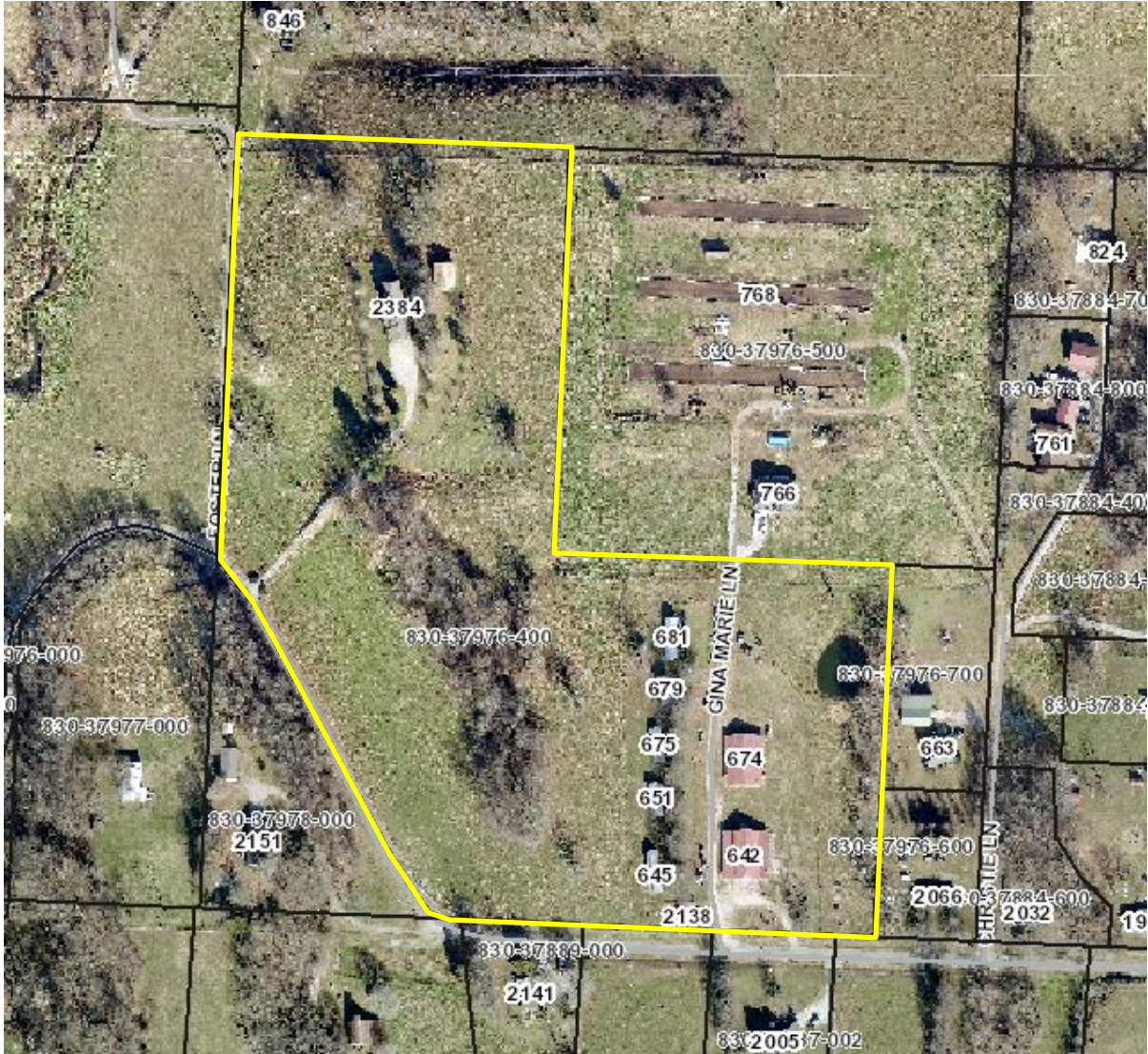
Cable: Cox Communications

PROJECT SYNOPSIS:

The owner/applicant for this project is the Robert E. Pianalto Revocable Trust. The property is located north on Liberty Ave, and east on Foster Lane. There appear to be several existing residences on this site.

The applicant is requesting to rezone 23.63 acres of property from R-E (Residential Estates, 2-acre minimum lot size) to R-1 (Residential, 1-acre minimum lot size).

SITE LOCATION:



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: This project is well-aligned with the Future Land Use Plan. There is minimal change in the allowable uses between the RE and R1 zoning districts:

| Zoning Districts | RE | R-1 |
|--|-----------|------------|
| Residential uses | | |
| Single-family detached | P | P |
| Duplex | NP | NP |
| Triplex, quadplex | NP | NP |
| Townhome | NP | NP |
| Detached accessory dwelling unit (ADU) | P | P |
| Emergency housing unit | C | C |
| Multi-family | NP | NP |
| Manufactured housing unit | NP | NP |
| Manufactured housing, residential design | NP | C |
| Manufactured housing park | NP | NP |
| Group residential | NP | NP |
| Civic and commercial uses | | |
| Airport or airstrip | C | NP |
| Animal care, general | NP | NP |
| Animal care, limited | NP | NP |
| Automated teller machine | NP | NP |
| Bed and breakfast | C | C |
| Cemetery | C | C |
| Church | C | C |
| College or university | NP | NP |
| Communication tower | C | C |
| Convenience store | NP | NP |
| Day care, limited (family home) | NP | C |
| Day care, general | NP | NP |
| Golf course | C | C |
| Government service | C | C |
| Hospital | NP | NP |
| Library | C | C |
| Medical services | NP | NP |
| Museum | C | C |
| Nursing home | NP | NP |
| Parks and recreation | C | C |
| Post office | NP | NP |

| Zoning Districts | RE | R-1 |
|--|-----------|------------|
| Recreation/entertainment, outdoor | NP | NP |
| Safety services | NP | NP |
| School, elementary/middle | C | C |
| Utility, major | C | C |
| Utility, minor | P | P |
| Vocational school | NP | NP |
| Manufacturing and extractive uses | | |
| Asphalt or concrete plant | NP | NP |
| Mining or quarrying | NP | NP |
| Sod farm | NP | NP |
| Topsoil | NP | NP |
| Agriculture uses | | |
| Agriculture, animal | C | C |
| Agriculture, crop | P | P |
| Agriculture, product sales | C | C |
| Animal, farm | P | P |
| Chicken, hobby | P | P |

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 Medium Density. 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.”

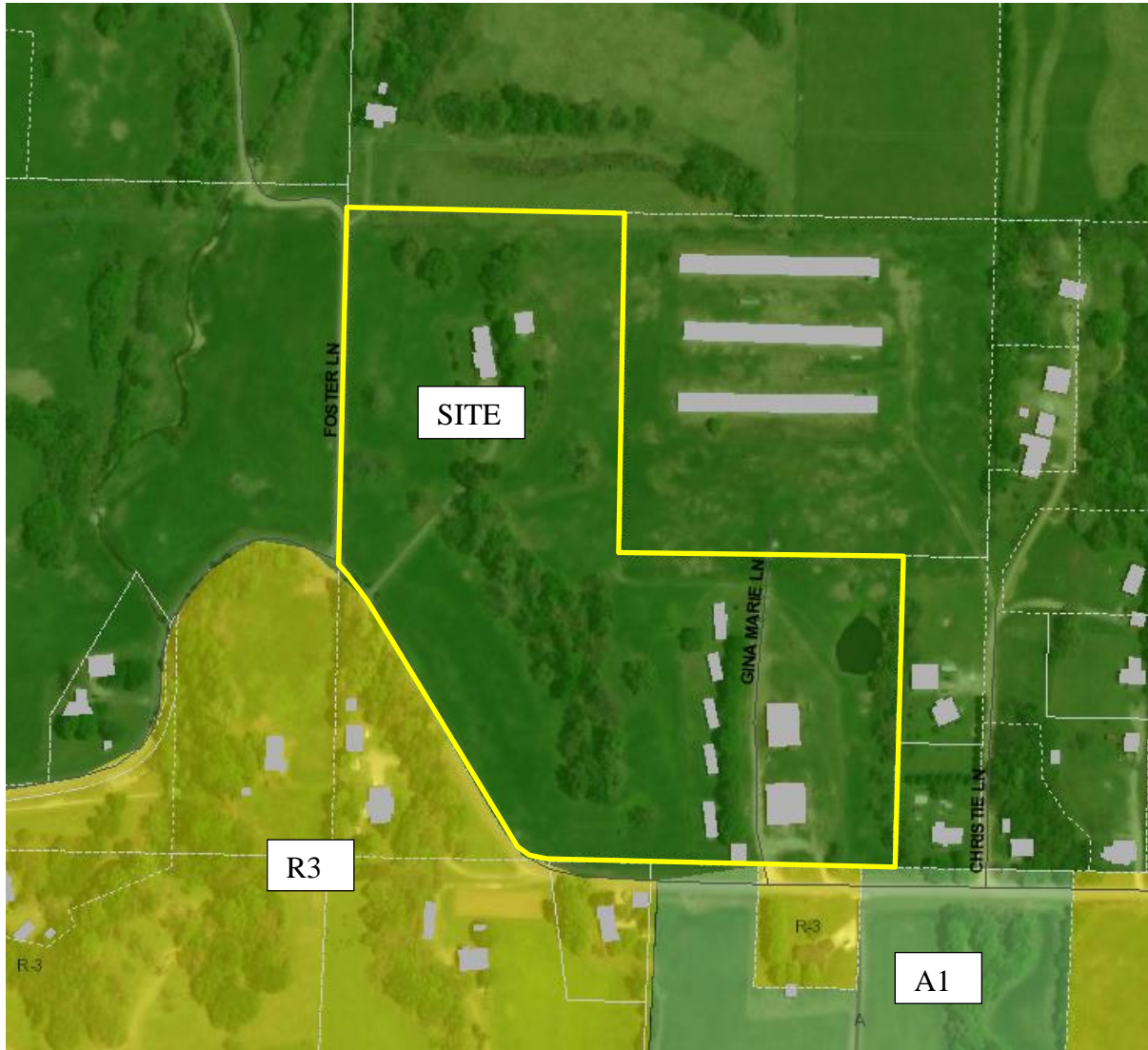
STAFF ANALYSIS: This request is consistent with the regulations for orderly growth and development and the protection of the character and stability of the residential area.

(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 Agricultural and Residential Uses. The actual uses of the surrounding properties vary from Single Family Residential to Agricultural.

North-zoned RE -use appears to be agricultural/single family residential.
East-zoned RE - use appears to be agricultural/single family residential.
South-zoned R3 - use appears to be agricultural/single family residential.
West-zoned RE - use appears to be agricultural/single family residential.

ZONING:



(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 could be suitable for a Residential Estate Lot, however the request for R1 zoning would not significantly change the character of this area.

(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.

(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 does not appear to be 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: This impact is expected to be minimal to utilities, streets, drainage, parks, open space, fire, police, and emergency services. There is adequate water and sewer that can be connected.

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. Staff has received no neighbor comments at this time. If any comments are received, they will be presented to the Planning Commission 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 change the zoning from RE to R1 at 2384 Liberty Ave.



June 7, 2022

City of Tontitown
Attn: Planning Commission
235 E. Henri de Tonti BLVD
Tontitown, AR 72762

Re: Liberty Ave Rezone

To whom it may concern,

The request made herein is for the property located at 2384 Liberty Ave, Springdale, AR 72762 (Parcel 830-37976-400). Parcel 830-37976-400 is currently zoned R-E. It is requested that the parcel be rezoned to R-1. This rezoning is part of the due diligence process for the proposed sale to Tall Real Estate Enterprises. Rezoning to R-1 will allow for the development of 1-acre residential lots.

The subject tract is surrounded by property zoned A, R-E, and R-3. Tontitown's Comprehensive Growth Map designates this parcel's future land use as Residential Medium Density (RM). The requested rezoning will not adversely affect the surrounding land use as the R-1 zoning is intended to increase density in accordance with the future land use. Rezoning to R-1 will increase maximum number of lots, based on the underlying zoning minimum lot size and parcel size, from 11 to 22. Street improvements to Liberty Ave will be provided at time of preliminary plat submittal in accordance with the Tontitown Master Street Plan. Rezoning is not believed to increase signage or adversely affect the appearance of the land.

Rezoning the property from R-E to R-1 is not believed to have any negative impacts on existing utility or drainage infrastructure. Upgrades or extensions to the utilities will be constructed to meet the demands of the development. Water will be accessed through the existing water line along Liberty Ave. Sewer is proposed to be accessed through existing 12" sewer line within parcel 830-37976-200. Sewer alignment and off-site easements will be provided at time of preliminary plat submittal.

Sincerely,

Isaiah DeVoss, E.I.
Crafton Tull