



## CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **August 23, 2022**  
Project: **710 Sbanotto Rezone**  
Planner: Courtney McNair, Garver

### PUBLIC HEARING AGENDA ITEM

# 2

### PLANNING COMMISSION AGENDA ITEM

# 2

### REZONING REQUEST

710 Sbanotto Ave., 500 ft. +/- east of Ardemagni Rd.  
Parcel # 830-37645-000

**SUMMARY:** Request to rezone the subject 5.38 ac. +/- parcel from **A** to **R-3**  
**CURRENT ZONING:** **A** – Agriculture, 5.0 ac. minimum lot size  
**REQUESTED ZONING:** **R-3** - Single Family Residential, 9,600 sq ft minimum lot size  
**FUTURE LAND USE CATEGORY:** **RC-N** Residential Commercial Neighborhood  
**CITY WARD:** 2 – Arthur Penzo and 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 of this property is VGSJR, LLC, represented by Earthplan Design Alternatives, PA.

The property is located along the north side of Sbanotto Ave., approx. 500 feet east of its intersection with Ardemagni Rd., and generally north of Highway 412.

The 5.38-acre parcel is improved with an existing single family detached dwelling and accesses the public right-of-way via a private driveway extending northward to the dwelling. The property is zoned 'A' (Agricultural), whereas properties adjacent to and surrounding the site are zoned R-3 (Single Family Residential, 9,600 square foot minimum lot size).

The request is to rezone the entire parcel R-3. The parcel has approximately 340 feet of public road frontage, and if rezoned to R-3, the minimum lot width will be 80 feet.

#### 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 NEIGHBORHOOD (RC-N)**

Neighborhood Mixed Use Areas are more densely developed than the residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation allows a wide spectrum of uses and encourages density in all housing types, from single family to multifamily. A mix of residential and non-residential development (excluding industrial uses) is permitted; the ideal mix of uses will be moderate density residential, office, and commercial uses, with additional open space amenities included within the development site.

Nonresidential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

Neighborhood Mixed Use Areas encourage complete, compact and connected neighborhoods. While they encourage more dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient layout. Up to 18 multifamily dwelling units/acre.

**STAFF ANALYSIS: The requested zoning (R-3) is consistent with surrounding lands relative to the subject property and would align well with the underlying Land Use policy for the area.**

### **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 Neighborhood. 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: Rezoning this parcel to R-3 would enable to property to develop in an area served by public utilities and accessed by public roadway and other services.**

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

**STAFF ANALYSIS:** The requested use is for Single Family Residential Zoning; surrounding properties are zoned for the same land uses. The actual uses of the surrounding properties are Single Family Residential on lot measuring 0.33 acres, 1.0 acres, 1.5 acres, and 5.38 acres in area.

**North-zoned R-3** currently single-family residential

**East-zoned R-3:** currently vacant pasture

**South-zoned R-3:** currently vacant & single-family residential

**West-zoned R-3:** currently vacant pasture

(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 small enough in size that the existing 'A' (Agricultural) zoning is no longer suitable.

(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 properties. This request would bring the zoning of this property to be similar to that of the surrounding area. If granted, the applicant would need to submit plans through the City subdivision and platting process, and meet all lot area, dimension requirements. This would include required connections to public street, potable water, and provisions for sewerage treatment, as well as required public dedications along the right-of-way – Sbanotto Ave., Collector Road (Master Street Plan designation).

(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;*

**STAFF ANALYSIS:** This property is improved with its original dwelling, built in 2000. and has not been developed further.

(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 nearby that can be connected; street connections and improvements to the existing streets will be required if this property is developed.

**TECHNICAL INFORMATION:**

Technical information will be addressed if a development request is submitted.

**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 for this project but will update the Planning Commission at the meeting if any are submitted.

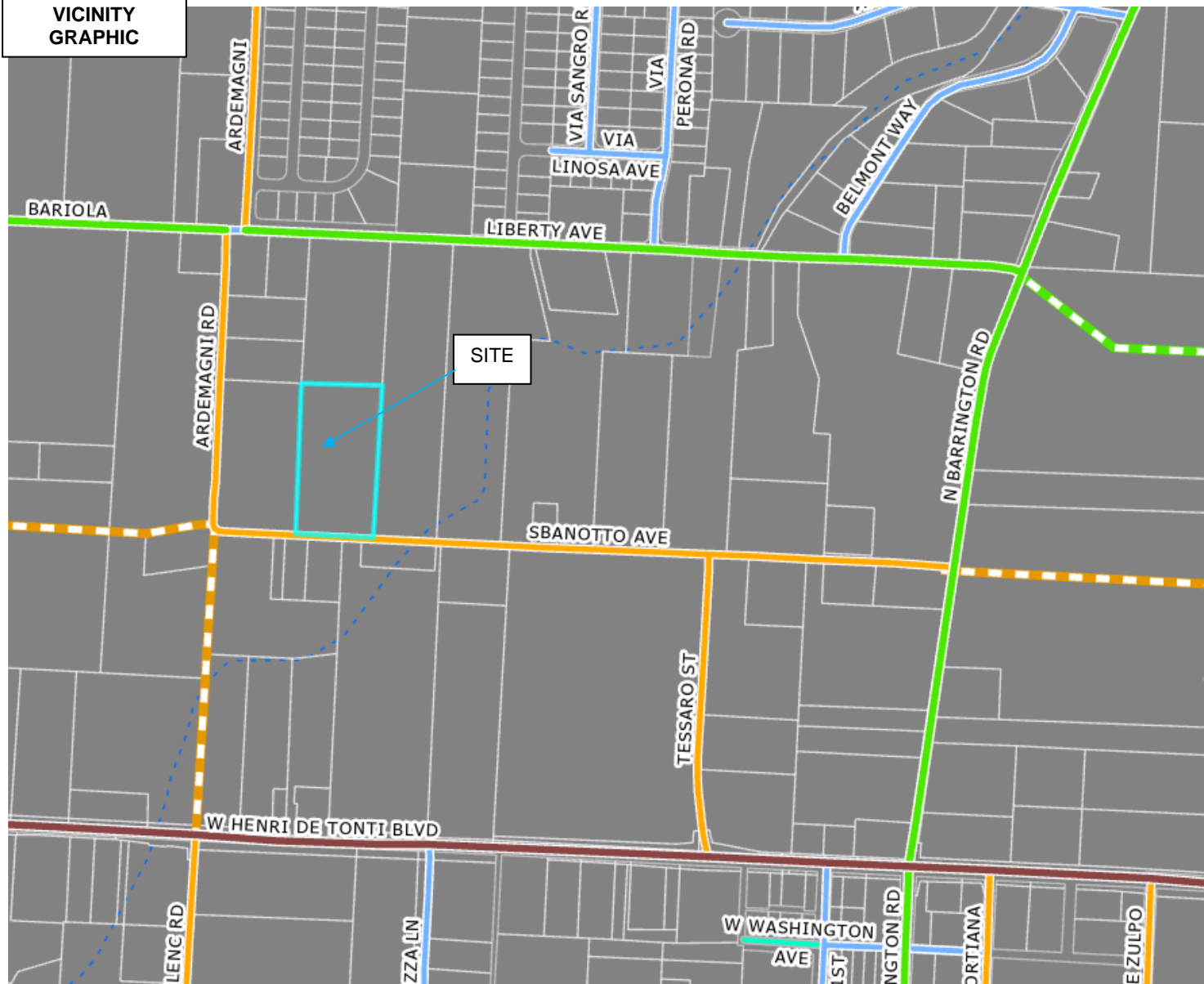
**STAFF RECOMMENDATION:** Based on the Future Land Use Plan, surrounding zoning and uses, and the availability of utilities and access, staff recommends approval of the 710 Sbanotto Rezoning Request to change the zoning from A to R-3.

**PROCESS NOTES:**

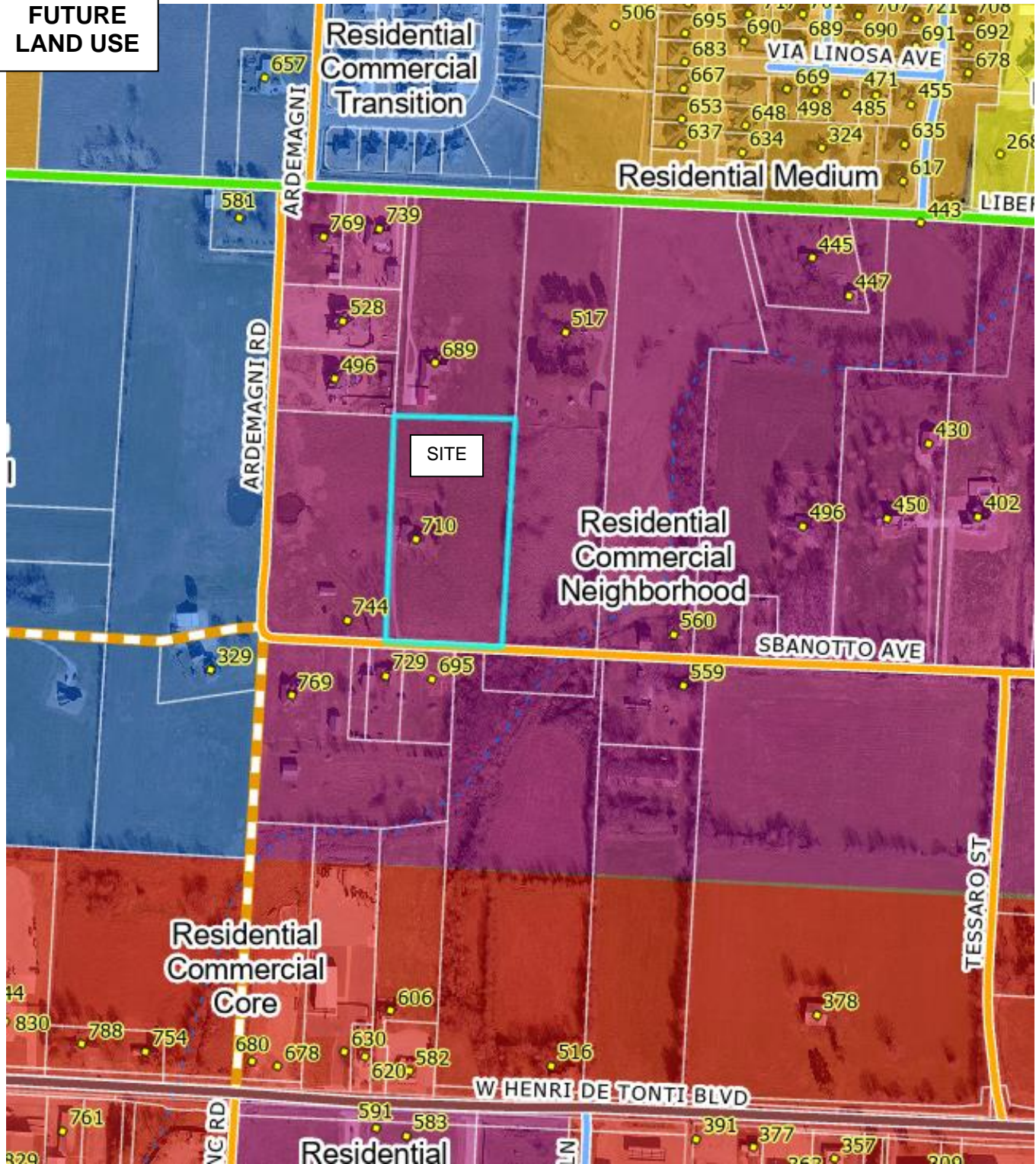
1. This project shall be in compliance with all local, state, and federal regulations.
2. This rezoning shall proceed to the City Council for approval.
3. Any further division and/or improvement of the site will require submittal and review through City subdivision and platting process.



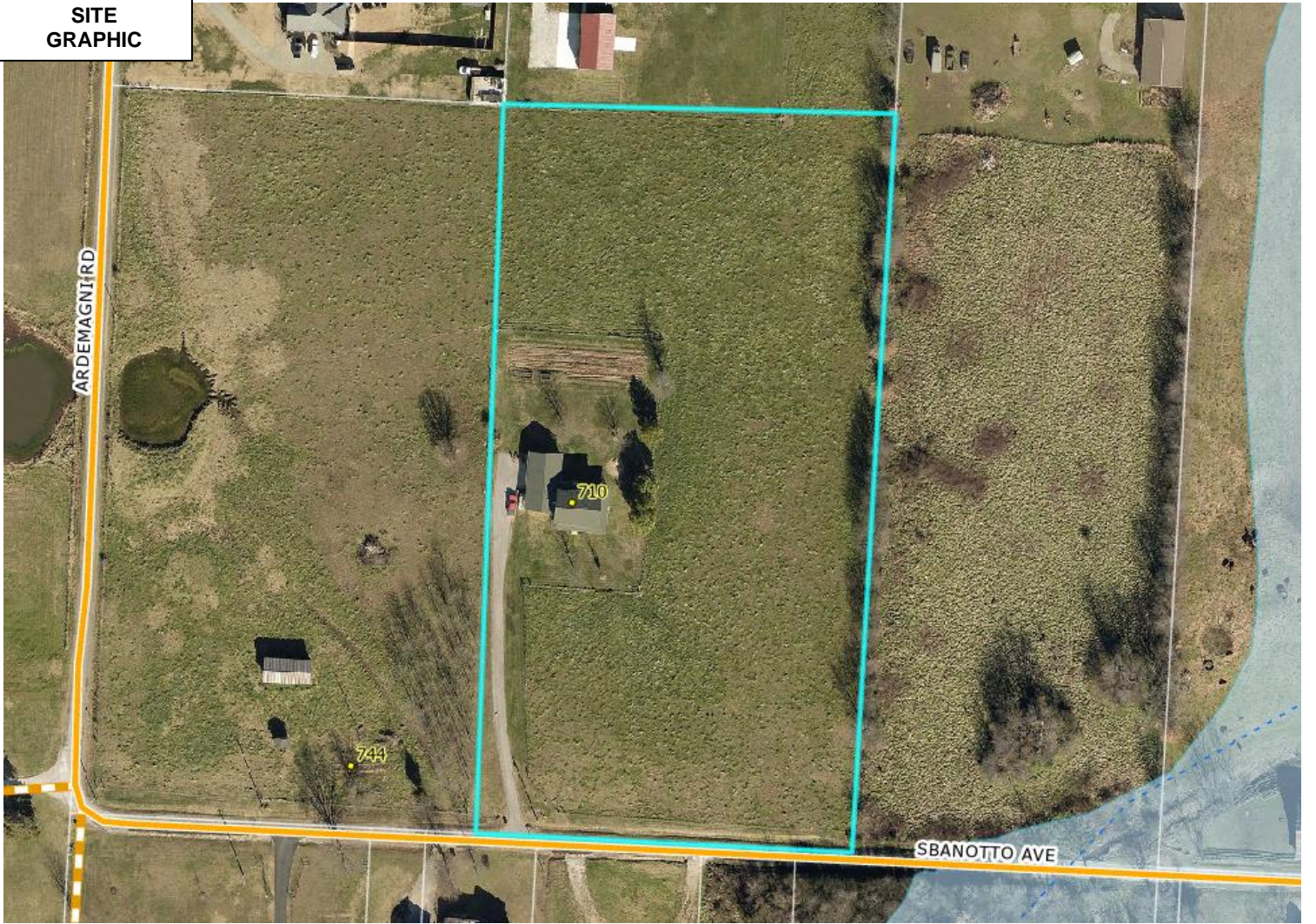
VICINITY GRAPHIC



**FUTURE  
LAND USE**



**SITE GRAPHIC**



**APPENDIX B**  
**MINIMUM DIMENSION STANDARDS**

	A	R-E	R-1	R-2	R-3L	R-3	R-4
<i>Category names</i>	<i>Agricultural</i>	<i>Residential estates</i>	<i>Single- Family 1 unit/acre</i>	<i>Single- Family Residential 2 units/acre</i>	<i>Single- Family Residential 3 units/acre</i>	<i>Single- Family Residential 3 units/acre</i>	<i>Single- Family Residential 4 units/acre</i>
Density	1 unit/5 acres	1 unit/2 acres	1 unit/acre	2 units/acre	3 units/acre	3 units/acre	4 units/acre
Minimum lot size	5 acres	2 acres	1 acre	1/2 acre	14,250 sf	9,600 sf	8,000 sf
Triplex, quadplex	NP	NP	NP	NP	NP	NP	NP
Duplex	NP	NP	NP	NP	NP	NP	Conditional, min. lot size 12,000 sf
Townhomes (single-family attached)	NP	NP	NP	NP	NP	NP	NP
Multi-Family (5 or more connected units)	NP	NP	NP	NP	NP	NP	NP
Nonresidential uses	5 acres	2 acres	1 acre	1/2 acre	14,250	9,600	10,000
Max building height	45'	35'	35'	35'	35'	35'	35'
Max number of stories	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lot width min.	240'	200'	120'	100'	100'	80'	70'
Lot depth min.	400'	200'	120'	120'	120'	120'	110'
Front setback	30'	30'	30'	30'	30'	30'	25'
Side setback	30'	30'	20'	10'	15'	7'	7'
Street side setback	30'	30'	25'	25'	25'	25'	20'
Rear setback	30'	30'	25'	25'	25'	25'	15'





**Earthplan Design Alternatives, PA**  
Civil Engineering / Landscape Architecture

July 5, 2022

Tontitown Planning Department  
Attention: Patsy Christie  
235 E Henri de Tonti Blvd  
Tontitown, AR 72762

RE: Sbanotto Ave Rezone  
Narrative letter/Explanation Letter

Ms. Jenison,

Please find included a Rezone submittal for our project known as Sbanotto Ave. Rezone. The property is currently zoned Agriculture (A). The subject parcel is an island of A zoning within a sea of R-3 zoning. We are requesting R-3 zoning which will eliminate the "A" zoning and make this area congruently R-3.

Since A zoning's minimum lot size is 5 acres, and since the client's desire is to divide the approximately 5.38 acres into three parcels, R-3 zoning is requested. R-3 zoning allows a denser development density. The intent is to construct single family residential homes on each lot.

James Layout Services, Inc. will be submitting concurrently a Lot Split showing the desired lot configuration of this parcel and the parcel to the immediate west. Said plans will provide the required boundary survey by Land Surveyor.

The property's current owner is VGSJR, LLC. The proposed use of this property will not put a strain on traffic congestion or on the roads in this area since only three single family residential homes are planned to be constructed. No signage is planned. Appearance should be as expected for single family residential homes. An 8" water line and overhead electric are located on the north side of Sbanotto Ave and an 8" water line and overhead electric line are located on the east side of Ardemagni Rd.

Please contact us if additional documentation is needed to process this Rezone request. We look forward to working with your staff to complete the review of this proposed rezone.

Respectfully,

A handwritten signature in blue ink, appearing to read 'James R. Geurtz'.

James R. Geurtz, PE  
jrg@eda-pa.com

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