



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **October 17, 2022**
Project: Mhoon Rezoning
Planner: Mark Latham

PUBLIC HEARING AGENDA ITEM

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PLANNING COMMISSION AGENDA ITEM

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REZONING REQUEST

West Side of North Maestri Road (Highway 112)
Parcel's # 830-38036-000,830-37780-000,830-37969-000,830-37969-100

SUMMARY: Request to rezone four (4) parcels of land totaling 57.0 acres in size from **A-1** to **C-2**

CURRENT ZONING: **A1** – Agriculture District, very low-density single-family district.

REQUESTED ZONING: **C2-Commerical** - The purpose of this district is to provide appropriate locations for commercial and retail uses that are convenient and serve the needs of the public.

FUTURE LAND USE CATEGORY: **RC-N** Residential Commercial Neighborhood, and **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, existing 8-inch water line.

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

The purpose of this request is to rezone this property from A-1 to C-2.

The property is located on west side of north Maestri Rd. (Hwy 112), and totals approximately 57 acres. There is a significant floodplain area that bisects this site.

The surrounding properties are zoned:

North-C-1 and R-2

East- City of Springdale (residential neighborhood)

South – C-2, R-MF, and R-2

West-A-1

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential Commercial Transition (RC-N) and Residential Commercial Transition (RC-T). From the Vision Plan Document adopted by the

PH2 and **PC2** -1

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.

RESIDENTIAL TRANSITION COMMERCIAL (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 rezoning request could be consistent with the current Land Use Plan. However, a more nuanced rezoning request may be a better option. This is a large area, and while some may be appropriate to be rezoned to C-2, staff does not believe it is appropriate to rezone the entire property as such.

APPROVAL CRITERIA:

Not all 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 rezoning request could meet the current Future Land Use Plan shown as Residential Commercial Neighborhood. As noted above, staff believes portions of this site could be appropriately rezoned to C-2 (along Hwy. 112), but not the entire site.

- (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: The property requesting the rezone to C-2 will abut current residential property along all sides of the proposed area. Portions of the site could be rezoned to C-2, but it is not appropriate for the entire site at this time

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

STAFF ANALYSIS: The requested use for C-2 zoning; surrounding properties are zoned for light commercial and residential uses. The actual uses of the surrounding properties include Single-Family, Two-Family, and Multi-Family Residential

North-zoned C1- currently vacant

East-City of Springdale-currently single family residential subdivision

South-zoned C-2, R-MF and R3, Self-storage facility, two-family and multi-family residential

West-zoned A-1, with R-1 and R-2 in the general area, currently agricultural and 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 could be suitable for A-1, but based on the proximity to Hwy. 112, a transition to a medium/high density residential or a commercial use is anticipated.

(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 may detrimentally affect nearby properties if the entire site is rezoned to C2. There is existing water and sewer service available for connection. Street connections will be required.

(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 has never been developed.

(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.*

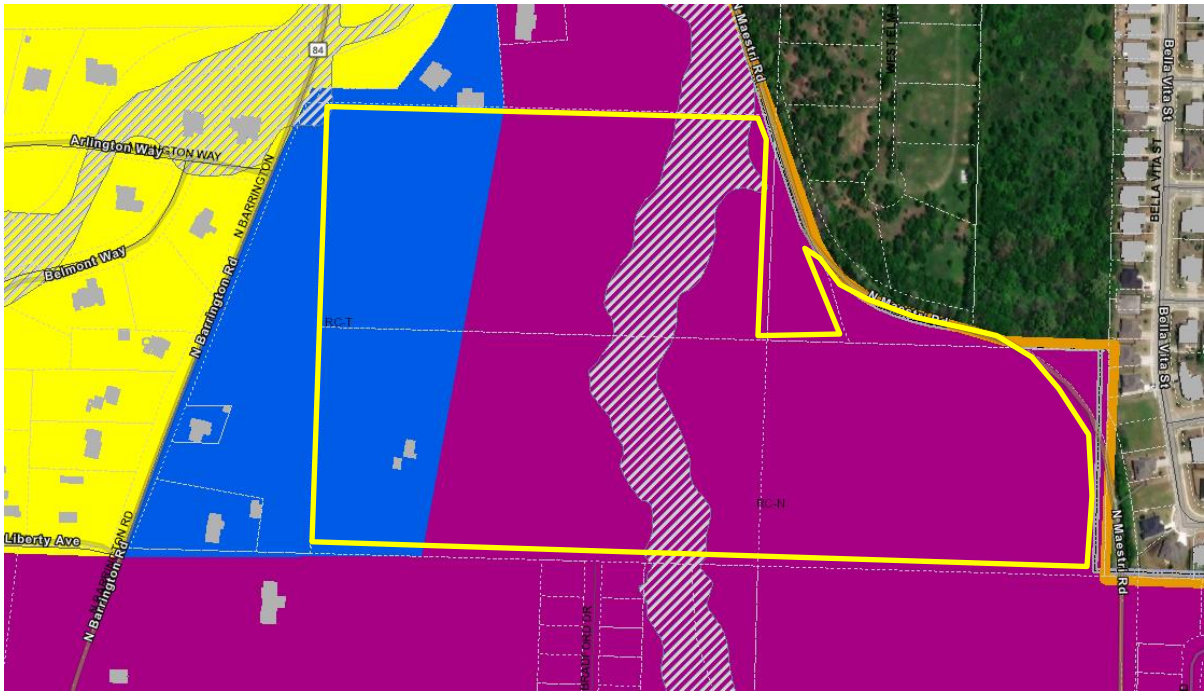
STAFF ANALYSIS: Changing from Agricultural land use to a commercial land use may have impacts on utilities, streets, drainage, parks, open space, fire, police, and emergency services. There is adequate water and sewer that can be connected; street connections and improvements to the existing streets will be required if this property is developed.

TECHNICAL INFORMATION:

Technical information will be addressed if this property is improved.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were

FUTURE LAND USE



ZONING

