



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **April 25, 2023**
Project: **Rezone R3 and C2 to R4 and C2 at 523 S. Barrington**
Planner: Mark Latham

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM REZONING REQUEST

523 S. Barrington Rd.
Parcel # 830-37664-000

SUMMARY: Request to rezone a piece of land that is 37.53 acres in size from a mix of C-2 and R-3 to a mix of C-2 and R-4.

CURRENT ZONING: R3 – Residential single family with a minimum 9,600 SF lot size and C-2 Commercial.

REQUESTED ZONING: R4– Residential single family with a minimum 8,000 SF lot size and C-2 Commercial.

FUTURE LAND USE CATEGORY: RC-N, Residential Commercial Neighborhood

CITY WARD: 3- Mike Washkowiak, Tim Burress

INFRASTRUCTURE SERVICE AREAS

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 project is GSP NWA, Inc.

The property is located on the west side of Barrington Road, across the street from Rollins Elementary School. Pam Trucking is adjacent to the north. Property to the west is zoned R-3 and contains residential uses. The area to the south contains the Tuscan Sun Subdivision, and a small commercial use. The Master Street Plan shows Fletcher Road extending across the south end of this property.

The applicant is requesting to change the zoning from R3, Residential single-family with a minimum lot size of 9,600 SF to R4, Residential single-family with a minimum lot size of 8,000 SF.

There is a small portion of the northwest corner of this site that is currently zoned C2, the applicant is requesting to change this to R4, however, they are requesting a portion of the site along Barrington Road to be rezoned from R3 to C2 as well.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for **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: This project is well aligned with the Future Land Use Plan for this 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 RC-N, Residential Commercial Neighborhood. This request is well aligned with the comprehensive plan 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 water and sewer available for connection along Barrington, and the extension of Fletcher Road will provide better traffic alleviation in the future. The rezone request should not impact the orderly growth and development of this area.

- (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. Surrounding properties are primarily single-family residential.

North-zoned C-2-commercial, Pam Trucking

East-zoned R-3, with a conditional PI Public/Institutional use, Rollins Elementary School, and some single family uses.

South-zoned C-2 Commercial and R-3- single-family residence, Tuscan Sun Subdivision

West-zoned C-2 Commercial and R3- single family

- (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 uses allowed in R-3 and C-2.

- (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 routed on to Barrington Road, and the extension of Fletcher Road shall be constructed at the time this property is developed. Water and sewer are available. Before any development is constructed, a full review of all plats/plans shall 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: There is one existing single-family residence on site currently.

- (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. The change from R3 to R4 is not expected to cause much additional impact to the infrastructure.

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 one "opposed" written comment, and one**

"no objections" written comment, regarding this project.

All written comments received are attached.

STAFF RECOMMENDATION: Based on the availability of utilities, future access, and the minimal expected impact when changing from R3 and C2 zoning to R4 zoning, staff recommends approval of the request to change the zoning at 523 S. Barrington Rd from **R-3, Residential Single-Family with a minimum 9,600 SF lot and C2-Commercial, to R4, Residential Single-Family with a minimum 8,000 SF lot and C2-Commercial.**

PROCESS NOTES:

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

ZONING MAP



Use Comparison Chart:

Zoning Districts	R-3	R-4
Residential uses		
Single-family detached	P	P
Duplex	NP	C
Triplex, quadplex	NP	NP
Townhome	NP	NP
Detached accessory dwelling unit (ADU)	C	C
Emergency housing unit	NP	NP
Multi-family	NP	NP
Manufactured housing unit	NP	NP
Manufactured housing, residential design	NP	NP
Manufactured housing park	NP	NP
Group residential	NP	NP
Civic and commercial uses		
Airport or airstrip	NP	NP
Animal care, general	NP	NP
Animal care, limited	NP	NP
Automated teller machine	NP	NP
Bed and breakfast	NP	NP
Cemetery	C	C
Church	C	C
College or university	NP	NP
Communication tower	C	C
Convenience store	NP	NP
Day care, limited (family home)	C	C
Day care, general	NP	NP

Zoning Districts	R-3	R-4
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
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	C	C
Agriculture, product sales	C	C
Animal, farm	P	C
Chicken, hobby	P	P

Area Comparison Chart:

	<i>R-3</i>	<i>R-4</i>
Category names	Single- Family Residential 3 units/acre	Single- Family Residential 4 units/acre
Density	3 units/acre	4 units/acre
Minimum lot size	9,600 sf	8,000 sf
Triplex, quadplex	NP	NP
Duplex	NP	Conditional, min. lot size 12,000 sf per duplex
Townhomes (single-family attached)	NP	NP
Multi-Family (5 or more connected units)	NP	NP
Nonresidential uses	9,600	10,000
Max building height	35'	35'
Max number of stories	N/A	N/A
Single Family Detached		
Lot width min.	80'	70'
Lot depth min.	120'	110'
Setbacks for 1- and 2-story structures**		
Front setback	30'	25'
Side setback	7'	7'
Street side setback	25'	20'
Rear setback	25'	15'
Setbacks for 3- and 4-story structures**		
Front setback	30'	30'
Side setback	7'	10'
Street side setback	25'	25'
Rear setback	25'	25'
Maximum impervious area (structures)	60%	60%

Neighbor Comments: