



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **March 28, 2023**
Project: **Copart CUP**
Planner: Courtney McNair, Garver

PLANNING COMMISSION AGENDA ITEM

PH 1, PC 4

CONDITIONAL USE PERMIT REQUEST

W. Henri de Tonti Blvd. (W. Hwy. 412) (north of 2902 W HDT)
Parcel # 830-37909-001, 830-37897-007, 830-37897-006

SUMMARY: Request to allow a Salvage/Wrecking/Junk yard in Industrial zoning.

CURRENT ZONING: I -Industrial, this use is allowable with a Conditional Use Permit.

CITY WARD: 3- Mike Washkowiak, Tim Burress

FLOODPLAIN: No

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

Water: Tontitown Water, existing 6" waterline

Electric: Ozarks Electric

Sewer/Septic: Individual Septic System

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

School District: Springdale

PROJECT SYNOPSIS:

Copart is requesting Preliminary LSD approval to construct an Auto Wrecking/Salvage Yard for vehicle storage on 25 acres of land. They plan to have a small 10-foot by 40-foot operations trailer and a parking lot for customer/employee parking.

The developer is also requesting:

- Conditional Use Permit to allow the requested use.
- Variance to reduce the required buffer from 100 feet to 25 feet.
- Waiver from the requirement that parking areas and drives and landscaping shall be curbed.

FUTURE LAND USE PLAN:

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

"RESIDENTIAL AND COMMERCIAL CORE (RC-C):

Town Center 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.”

“LIGHT INDUSTRIAL (LI):

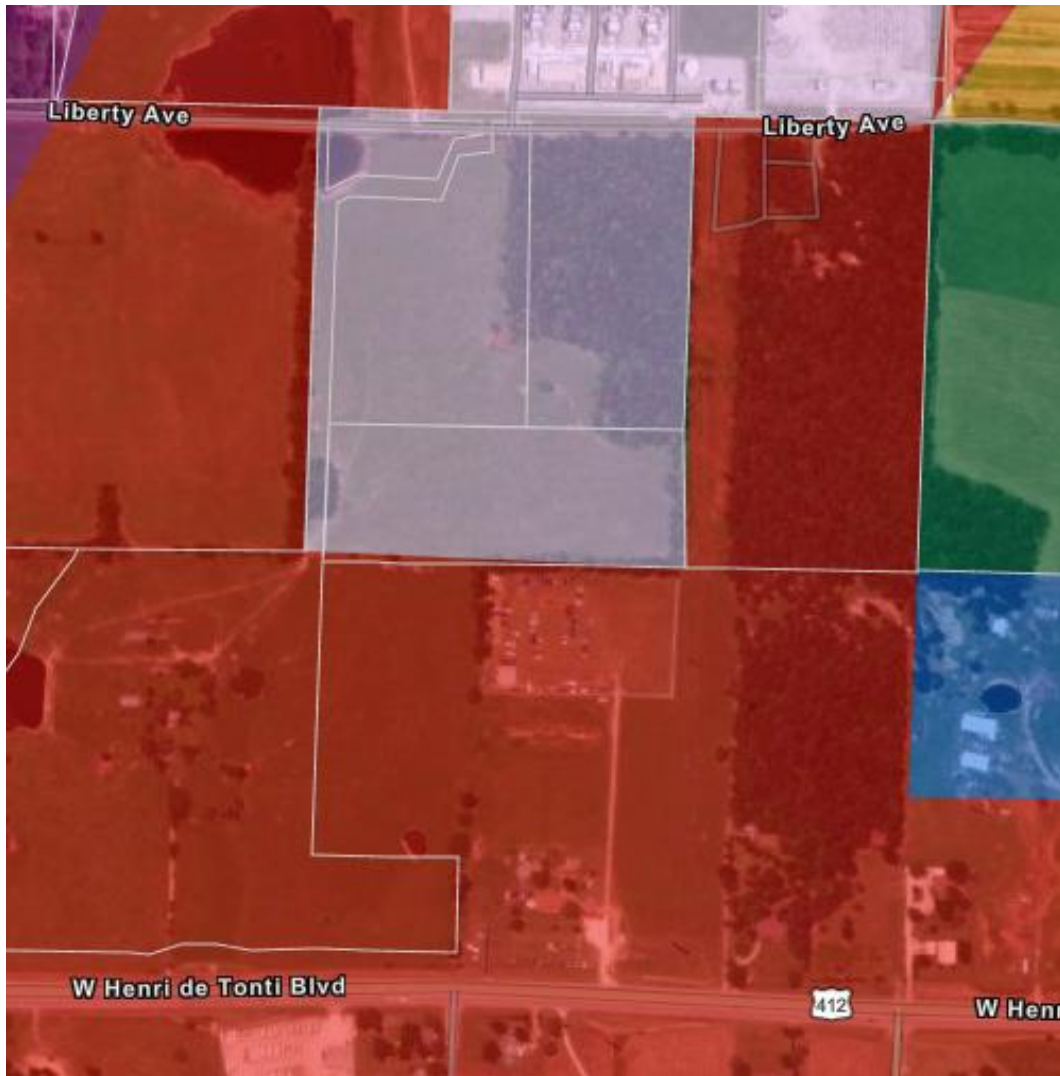
The principal purpose of the Light Industrial land use is to provide for industrial uses in locations which are suitable and appropriate, taking into consideration the land uses on adjacent or nearby properties, access to major streets, highways, air or other means of transportation, and the availability of public utilities.

Principal uses include light manufacturing, distribution of goods; and other uses that will not be detrimental to adjacent commercial or residential properties by reason of, but not limited to, excessive noise, dust, odor, smoke, vibrations, fumes or glare.

All assembly and/or manufacturing should be primarily confined within the building. All outdoor storage should be screened from public view by opaque fencing, screening, or landscaping, limited to rear and side of the principal building, and must be on the premises of the business. No adverse impacts such as noise, groundwater, air pollution, and vibrations may be created by the proposed use beyond the lot boundaries of the use. The district shall be located adjacent to and/or with direct access to thoroughfare roads or streets.

Examples of Light Industrial uses include the following: Bakeries for production of baked goods to be sold off-premises, commercial greenhouses, ice and cold storage plants, monument cutting and engraving, product development and testing, and public utility facilities.

Light Industrial uses may generally also fit within the RC-C category, but if integrated into those areas it should adhere to the appropriate architectural standards.



STAFF ANALYSIS: The primary Salvage Yard area will be located on the portion of this property that is designated for Light Industrial. Typically, Salvage Yards are not considered “light industrial”. The commercial aspect of this request is 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:

(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, Salvage/Wrecking/Junk Yards are allowed by CUP in industrial zones.

- (2) *The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.*

STAFF ANALYSIS: A waiver and variance have been applied for regarding the required buffering, and curbing requirements.

- (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 should be minimal impact to the public health, safety, or welfare.

- (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 I

East-zoned I/R3

South-zoned C2/I

West-zoned C2/I

This property is surrounded by property that is used for a mix of uses including an electrical substation, a utility company, an existing RV storage, residential, and vacant land.

- (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: Yes, other than the requested variance and waiver, the plan meets the intent of the regulations.

- (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: Yes, the proposed circulation system, parking, and ingress/egress meets the regulations.

- (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

The amount of greenspace and the location of the proposed trees and fencing provided should provide buffering. There is still discrepancy between which existing trees are to be retained. This will need to be clarified when the Large Scale Development plan is resubmitted. Trees shall be retained wherever possible.

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

STAFF ANALYSIS: Based on the applicant's letter, noise, dust, odor, etc. are not a concern.

All lighting should be "cut off" type lighting that will not contribute significantly to light pollution.

TECHNICAL INFORMATION:

Technical information is addressed with the Preliminary Large Scale Development Plan request.

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 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 proposed fencing and buffering, staff recommends approval of the Copart Conditional Use Permit Request to allow an Auto Wrecking/Salvage Yard within I-Industrial Zoning.

The Planning Board has the option to approve, deny, or refer the project to City Council.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. This project must proceed through the Large-Scale Development process, and address all technical information.
2. This project shall develop generally as is stated in the applicant's letter and presented in the plans.