



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **January 24, 2023**
Project: **Rezone R3 to R4,
630 S. Klenc Road**
Planner: Courtney McNair, Garver

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM

PH 2 / PC 1

REZONING REQUEST

630 S. Klenc Road
Parcel # 830-37773-010

SUMMARY: Request to rezone a piece of land that is 18.95 acres in size from **R3** to **R4**
CURRENT ZONING: **R3 – Residential** single family with a minimum 9,600 SF lot size.
REQUESTED ZONING: **R4– Residential** single family with a minimum 8,000 SF lot size.
FUTURE LAND USE CATEGORY: **RE-** Residential Estates
CITY WARD: 3- Mike Washkowiak, Tim Burress
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 project is INFAS Corp., LLC. The applicant is Tristar Contractors.

The property is located on the east side of Klenc Road, adjacent to the Tuscan Sun Subdivision. The Master Street Plan shows Fletcher Road extending across the north 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.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for **Residential Estates**.

From the Vision Plan Document adopted by the City Council in November 2018:

RESIDENTIAL LOW DENSITY/ RESIDENTIAL ESTATES (RE)

The purpose of this land use category is to provide for areas of single-family detached residential development on large estate type lots, or cluster developments in the rural area. This zone is intended to help establish and preserve rural/estate character in certain areas of the city. It can also serve as an appropriate land use in areas where the terrain may be very steep, or other geological or environmental features lend themselves to low density development types. One dwelling unit/acre minimum; lots will generally be 1-5 acres in size.

STAFF ANALYSIS: This project is not 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 Residential Estates. This request is not 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, 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 R3-single-family residence

East-zoned R3-single-family residential subdivision, Tuscan Sun

South-zoned R3- single-family residence

West-zoned R3- vacant/agricultural use

(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 R3.

(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 Klenc Road, and the extension of Fletcher Road shall be constructed at the time this property is developed. It will not fully connect to Barrington Road, but the City will have the option to provide the additional connection. 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 an existing 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 zoning to R4 zoning, staff recommends **approval** of the request to change the zoning at **630 S. Klenc Road from R3, Residential Single-Family with a minimum 9,600 SF lot to R4, Residential Single-Family with a minimum 8,000 SF lot.**

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>
<i>Category names</i>	<i>Single- Family Residential 3 units/acre</i>	<i>Single- Family Residential 4 units/acre</i>
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%

NOTICE OF INTENT TO REZONE

Parcel ID# 830-37773-010

- I/we have no objections to the rezoning.
 I/we object to the rezoning because:

*I have no objections as long
as the water runoff is
taken care of. Vivian D. Smith*

Glen A. Smith
Signature

Vivian Jane Smith
Signature

OPTIONAL: email/phone number

This form can be mailed to:
City of Tontitown Planning Department
P.O. Box 305
Tontitown, AR 72770.

This form can be hand-delivered to:
City of Tontitown Planning Department
235 E. Henri de Tonti Blvd
Tontitown, AR 72762.

Or emailed to:
planning@tontitownar.gov

NOTICE OF INTENT TO REZONE

Parcel ID# 830-37773-010

- I/we have no objections to the rezoning.
 I/we object to the rezoning because:

We are strongly opposed to this property being rezoned to R-4. Klone road already has more traffic than any street in Tontitown and that is before TRI STAR has built the sub division on the west side of Klone. Please deny this request for R-4 so Klone Rd. doesn't start looking like East Springdale. It is currently zoned R3 and it should stay that way. Please deny this request. Thank you.

Jerry Butts
Signature

Diana Bratcher
Signature

OPTIONAL: email/phone number

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