



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **May 23, 2023**
Project: **Rezone RE to CT,
1145 Javello RD**
Planner: Mark Latham

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM

PH 1 / PC 1

REZONING REQUEST

1145 Javello Road
Parcel # 830-37883-100 and 830-37883-400

SUMMARY: Request to rezone a two piece of land that is 10.49 and 5.43 acres in size from **RE** to **CT**

CURRENT ZONING: **RE – Residential Estates** single family with 1-5 acres.

REQUESTED ZONING: **CT– Commercial Trades and Services**

FUTURE LAND USE CATEGORY: **RE- Residential Estates**

CITY WARD: 2- Daniel Montez, Larry Ardemagni

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

Water: Washington Water Authority

Electric: Ozarks Electric

Sewer/Septic: Septic

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

The future owner of this project is Royal Real Estate, LLC.

The property is located on the westside of Javello Road,

The applicant is requesting to change the zoning from RE, Residential Estates to CT, Commercial Trades and Services.

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 available for connection, and the area around the property is currently owned by ARDOT for the construction of HWY 612. The rezone request should not impact the orderly growth and development of this area due to proposed interchange on 612.

(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 RE-single-family residential estates

East-zoned RE-single-family residential estates

South-zoned RE- single-family residential estates

West-zoned RE-single-family residential estates

(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 CT.

(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: The current properties in the area are being removed for the interchange and 612 project. The proposed rezoning should not detrimentally affect nearby property and will be in line with the proposed future land use.

- (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 no 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 that can be connected. The change from RE to CT is not expected to have much additional impact to the infrastructure.

TECHNICAL INFORMATION:

Technical information will be addressed if this property is improved.

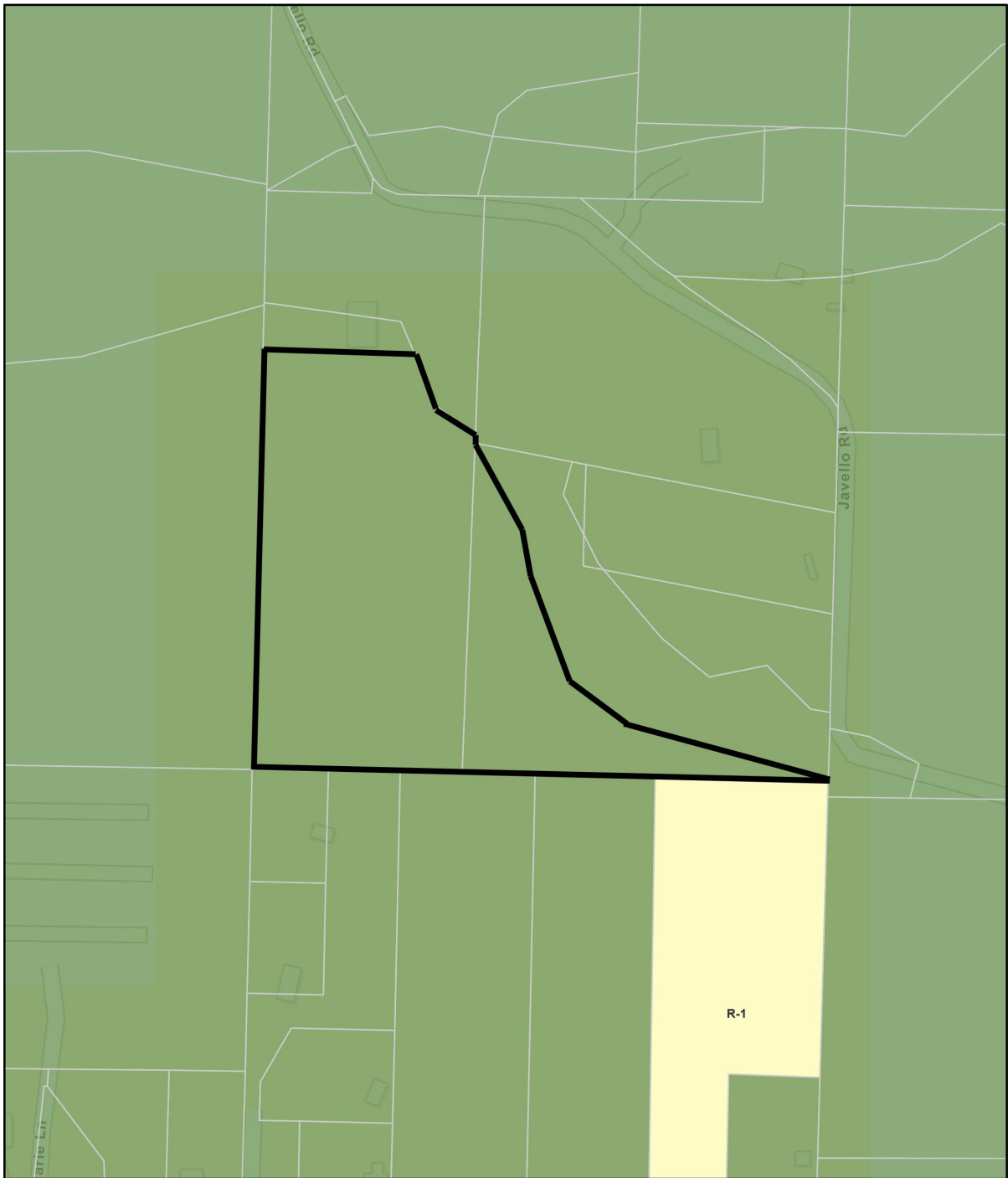
NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project.

All written comments received are attached.

STAFF RECOMMENDATION: Based on the availability of utilities, future access, and the minimal expected impact when changing from RE zoning to CT zoning, staff recommends **approval** of the request to change the zoning at 1145 Javello Road **from RE, Residential Estates to CT, Commercial Trades and Services.**

PROCESS NOTES:

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



5/10/2023, 10:59:18 AM

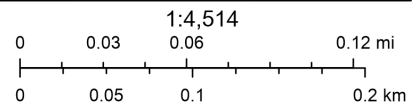
 Washington County City Limits

 Washington County Parcels

Tontitown Zoning

 R-1 Single Fam Res. 1 ac min lot size)

 R-E (Estate Single Fam Res, 2 ac min lot size)



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