



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **June 27, 2023**
Project: **Vapor Maven Rezoning**
Planner: Kevin M. Gambrill, Garver

PUBLIC HEARING AND PLANNING COMMISSION AGENDA ITEM

PH 3, PC 2

REZONING REQUEST

516 W. Henri De Tonti Blvd.
Part of Parcel # 830-37654-000

SUMMARY: The applicant is requesting to rezone 10.53 acres to C-2: a portion of this site is already C2, there is approx. 5.2 ac. +/- requested to be changed from R-3 (Single Family Residential, 9,600 sq. ft. minimum lot size) to C-2 (General Commercial). This site is currently 11.89 acres, but will have a lot line adjustment completed before any development is completed on site, to result in the 10.53-acre site that is requested to be C-2.

CURRENT ZONING: R-3 – Single Family Residential (9,600 min. lot size)

REQUESTED ZONING: C-2 – General Commercial

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

CITY WARD: 2- Daniel Montez and 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: Source Gas

Cable: Cox Communications

PROJECT SYNOPSIS:

The applicant (owner representative) for this project is Mr. Steve Lisle, on behalf of owner, Mr. Hermin Thind / MWA Maven Properties, LLC. The property is located on the north side of Hwy. 412 (Principal Arterial) upon which it has frontage. The property's northern extent fronts along the south side of Sbanotto Avenue (Collector). This site is currently 11.89 acres, but will have a lot line adjustment completed before any development is completed on site, to result in the 10.53-acre site that is requested to be C-2.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for RC-N- Residential Commercial Neighborhood 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: The requested C-2 zoning marginally conforms to the Future Land Use Plan. It is more intense than what would typically be found in a Neighborhood Commercial area. However, the front portion of this site which is already zoned C-2, is within the RC-C FLU category, and C-2 is well aligned.

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 requested C-2 zoning marginally conforms to the Future Land Use Plan. It is more intense than what would typically be found in a Neighborhood Commercial area. However, the front portion of this site which is already zoned C-2, is within the RC-C FLU category, and C-2 is well aligned.

- (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 character of the Single-Family Residential zone along Sbanotto Ave. is rural. Expansion at this location to the north, near Sbanotto Ave., is buffered / tempered by environmental constraints imposed by the mapped FEMA floodplain. Additionally, the C-2 zoning request does not include the property that directly abuts Sbanotto Ave.

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

STAFF ANALYSIS: A reasonable buffer exists between the north side of the C-2 district and the south side of the R-3 district along the Sbanotto Avenue corridor. Increasing the land use intensity at this particular location would not appear to change the overall character of the surrounding area. The actual land uses surrounding the site are a mix of low-density,

residential estate and semi-rural to rural uses from its center to Sbanotto, with commercial / retail uses adjacent to the site from the central portion south to Hwy. 412.

North- zoned R-3

East- zoned R-3 + C-2

South- zoned C-2

West- zoned R-3 + C-2

- (4) *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 zoning request is unlikely to detrimentally affect nearby properties as all traffic will be routed to Hwy. 412, and has a natural buffer to the properties that would be most impacted by a change of use.

- (5) *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 area has remained R-3.

- (6) *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.*

STAFF ANALYSIS: The proposed rezoning should not have a major impact on services. Infrastructure exists or can be connected in order to service a more intense use.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has received one (1) comment(s) in opposition of this project and will update the Planning Commission at the meeting if any additional comments are submitted.

STAFF RECOMMENDATION: Based on the availability of infrastructure to service this use and the buffer for the residential character along Sbanotto Ave., staff recommends approval of this rezoning request from R-3, Single-Family Residential to C-2, General Commercial.

PROCESS NOTES:

1. If approved by the Planning Commission, this rezoning would proceed to the City Council for their consideration.
2. Any improvements to this site require additional review.

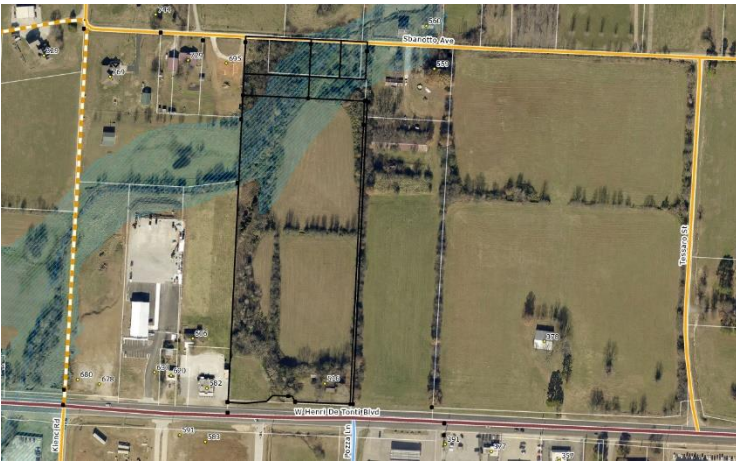
ZONING



FUTURE LAND USE



SITE LOCATION



USE COMPARISON CHART

R-3 ZONING DISTRICT	
Residential uses	
Single-family detached	P
Duplex	NP
Triplex, quadplex	NP
Townhome	NP
Detached accessory dwelling unit (ADU)	C
Emergency housing unit	NP
Multi-family	NP
Manufactured housing unit	NP
Manufactured housing, residential design	NP
Manufactured housing park	NP
Group residential	NP
Civic and commercial uses	
Airport or airstrip	NP
Animal care, general	NP
Animal care, limited	NP
Automated teller machine	NP
Bed and breakfast	NP
Cemetery	C
Church	C
College or university	NP
Communication tower	C
Convenience store	NP
Day care, limited (family home)	C
Day care, general	NP
Golf course	C
Government service	C
Hospital	NP
Library	C
Medical services	NP
Museum	C
Nursing home	NP
Parks and recreation	C
Post office	NP
Recreation/entertainment, outdoor	NP
Safety services	NP
School, elementary/middle	C
Utility, major	C
Utility, minor	P
Vocational school	NP
Manufacturing and extractive uses	
Asphalt or concrete plant	NP
Mining or quarrying	NP
Sod farm	NP
Topsoil	NP
Agriculture uses	
Agriculture, animal	C
Agriculture, crop	C
Agriculture, product sales	C
Animal, farm	P
Chicken, hobby	P

C-2 ZONING DISTRICT	
Residential uses	
Single-family detached	C
Duplex	C
Loft living space	P
Townhomes (see LOT, YARD and HEIGHT REGULATIONS for requirements)	C
Triplex, quadplex	C
Multi-family	NP
Civic and commercial uses	
Airport or airstrip	NP
Animal care, general	P
Animal care, limited	P
Auditorium or stadium	C
Automated teller machine (ATM)	P
Bank or financial institution	P
Bed and breakfast	P
Car wash	P
Cemetery	P
Church	P
College or university	P
Communication tower	C
Construction sales or service	P
Convenience store	P
Day care, limited (family home)	P
Civic and commercial uses	
Day care, general	P
Entertainment, adult	C
Funeral home	P
Golf course	P
Government service	P
Hospital	P
Hotel or motel	P
Library	P
Medical service/office	P
Museum	P
Nursing home	P
Office, limited	P
Office, general	P
Parking lot, commercial	P
Parks and recreation	P
Pawn shops	P
Post office	P
Recreation/entertainment, indoor	P
Recreation/entertainment, outdoor	P
Restaurant, fast food	P
Restaurant, general	P
Retail/service up to 5,500 sq. ft.	P

C-2 ZONING DISTRICT	
Civic and commercial uses	
Retail/service up to 10,000 sq. ft.	P
Retail/service greater than 10,000 sq. ft.	P
Safety services	P
School, elementary/middle/high	P
Service station	P
Signs	*
Storage, outdoor (yard)	C
Utility, major	C
Utility, minor	P
Vehicle and equipment sales	P
Vehicle repair, general	P
Vehicle repair, limited	P
Vocational school	P
Warehouse, residential (mini) self-storage	P
*The placements of all shall be in accordance with city code	
Industrial, manufacturing, and extractive uses	
Asphalt or concrete plant	NP
Auto wrecking or salvage yard	NP
Basic industry	NP
Freight terminal	C
Manufacturing, general	NP
Manufacturing, limited	NP
Mining or quarrying	NP
Soil borrowing	NP
Research services	C
Warehousing primary	NP
Warehousing ancillary	C
Welding or machine shop	C
Agricultural uses	
Agriculture, animal	C
Agriculture, crop	C
Agriculture, farmers' market	P
Agriculture, product sales	C
Animal, farm	NP
Chicken, hobby	NP
Exclusive uses	
Sanitary landfill	NP

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing in person or via Zoom.
2. Express your opinion in writing to The Planning Commission by checking the appropriate box at the bottom of this form and writing your opinion. You can submit your opinion via the following:

Mail to: City of Tontitown Planning Department, P.O. Box 305, Tontitown, AR 72770

Email to: planning@tontitownar.gov

Hand-deliver to: Planning Department at 235 E. Henri de Tonti Blvd (Tontitown City Hall)

For more information, you may call the Planning Department at (479) 361-2700.

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

PROPERTY ZONING SHOULD STAY AS IS. IS. IS
300' FROM 412 IS COMMERCIAL THEN RESIDENTIAL

Ronald H. [Signature]
Signature

Signature

479-422-8060
OPTIONAL: email/phone number

516 W. Henry
Letter