



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: May 27, 2025
Project: Rezone I to C-T
Planner: Brad Spurlock

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM REZONING REQUEST

PH1, PC1

2785 W. Liberty Ave
830-37901-000

SUMMARY: The applicant is requesting a rezone located on 2785 W. Liberty Ave. The rezone request is from "I" (Industrial) to C-T (Commercial Trades and Services) located on approximately 4 acres.

CURRENT ZONING: I – Industrial (See attached Current Zoning Map, Figure 2)

REQUESTED ZONING: C-T-Commercial Trades and Services (See attached Proposed Zoning Map, Figure 4)

FUTURE LAND USE CATEGORY: RC-C (Residential Commercial Core). See attached Future Land use Map, Figure 3

CITY WARD: 2 – Alderman Larry Ardemagni and Alderman Daniel Montez

INFRASTRUCTURE SERVICE AREAS

Water: Tontitown Water

Electric: Ozarks Electric

Sewer/Septic: Septic

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

This property is owned by Kragermeister Properties, LLC represented by Watkins, Boyer, Gray and Curry PLLC and is currently zoned Industrial. The owner is requesting a change in zoning to Commercial Trades and Services as to plan for a large-scale development the land that would include retail.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for **RC-C (Residential Commercial Core)** based on the current Comprehensive Plan adopted in 2023.

RESIDENTIAL LOW DENSITY/RESIDENTIAL ESTATES (RC)

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.

STAFF ANALYSIS: This lot is well aligned with the Future Land Use for this area as it is planned for Commercial growth.

APPROVAL CRITERIA: Per City Code, 153.283 Amendments:

(G) 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 city finds the requested zoning in harmony with the current surrounding zoning and future comprehensive land use.

(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 City finds the requested zoning to be consistent with the purpose of the regulations. The rezoning request for the parcel to be rezoned to Commercial Trades and Services is in harmony with the surrounding properties and the future planning zoning of Residential Commercial Core. The requested zoning will aid in the orderly growth of the existing land use.

(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. The surrounding properties are primarily Agriculture with some R-1 zoning.

North-zoned I (Industrial)

East-zoned R-3 (Residential)

South-zoned R-3 (Residential) and I (Industrial)

West-zoned I (Industrial)

- (4) *Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment.*

STAFF ANALYSIS: The subject property is suitable for the requested zoning and requested use. With the rezoning of the property the use will be suitable for the project requested for this property.

- (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 City understands development along W. Liberty Ave is changing, the proposed zoning should not detrimentally impact nearby properties regarding value, traffic, drainage, visual impairment, etc., even as the current use is changing. The applicant has had talks with city staff and planning staff to discuss future development in this area.

- (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: Currently, the property does have development on the north side of said tract.

- (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: There will be limited impact to community facilities since the proposed land use will be changing.

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.

There have been no comments returned to the planning staff as of this report.

STAFF RECOMMENDATION: Staff is recommending the rezoning request.

PROCESS NOTES:

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

FIGURE 1: VICINITY MAP



FIGURE 2: ZONING MAP

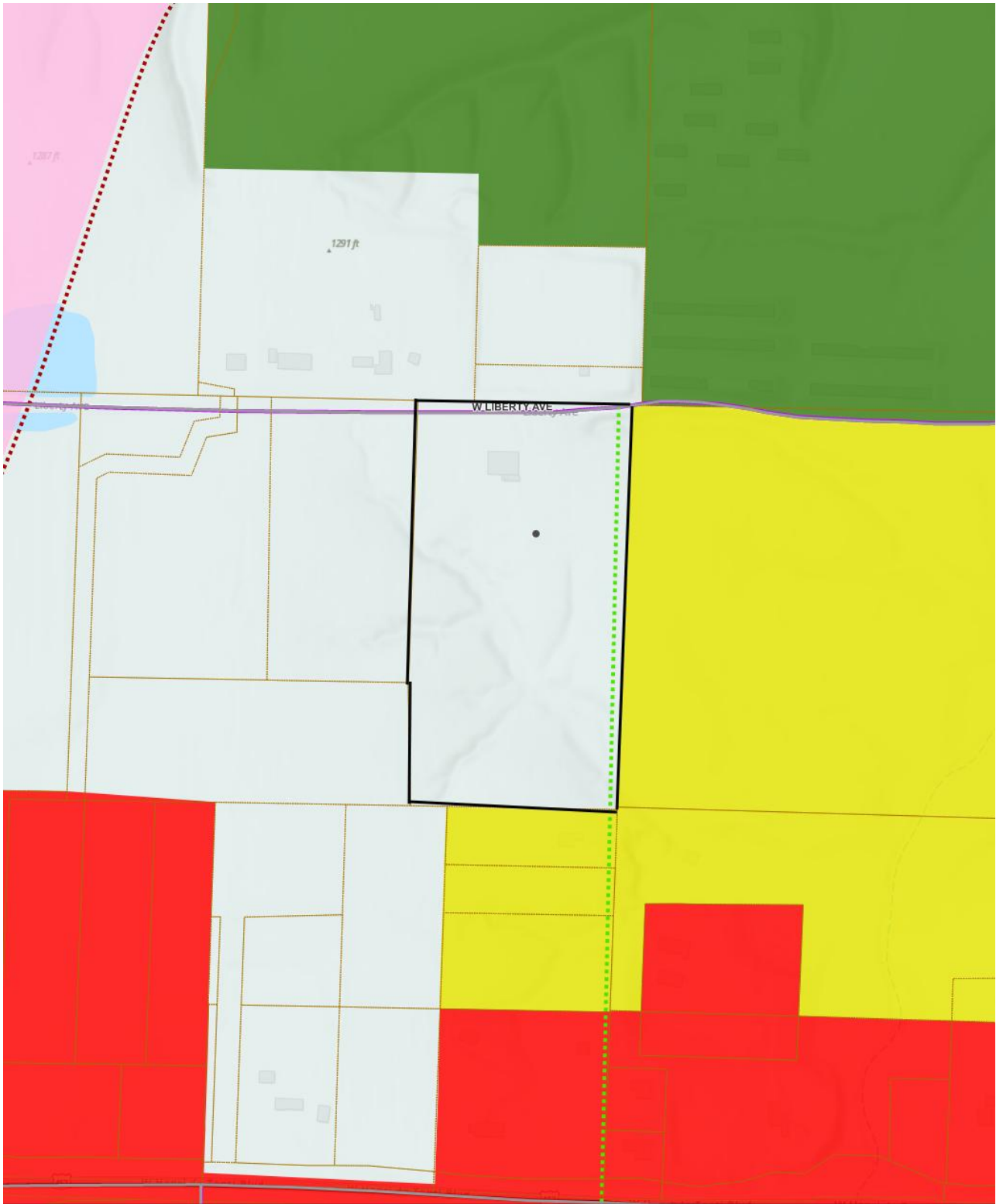


FIGURE 3: FUTURE LAND USE

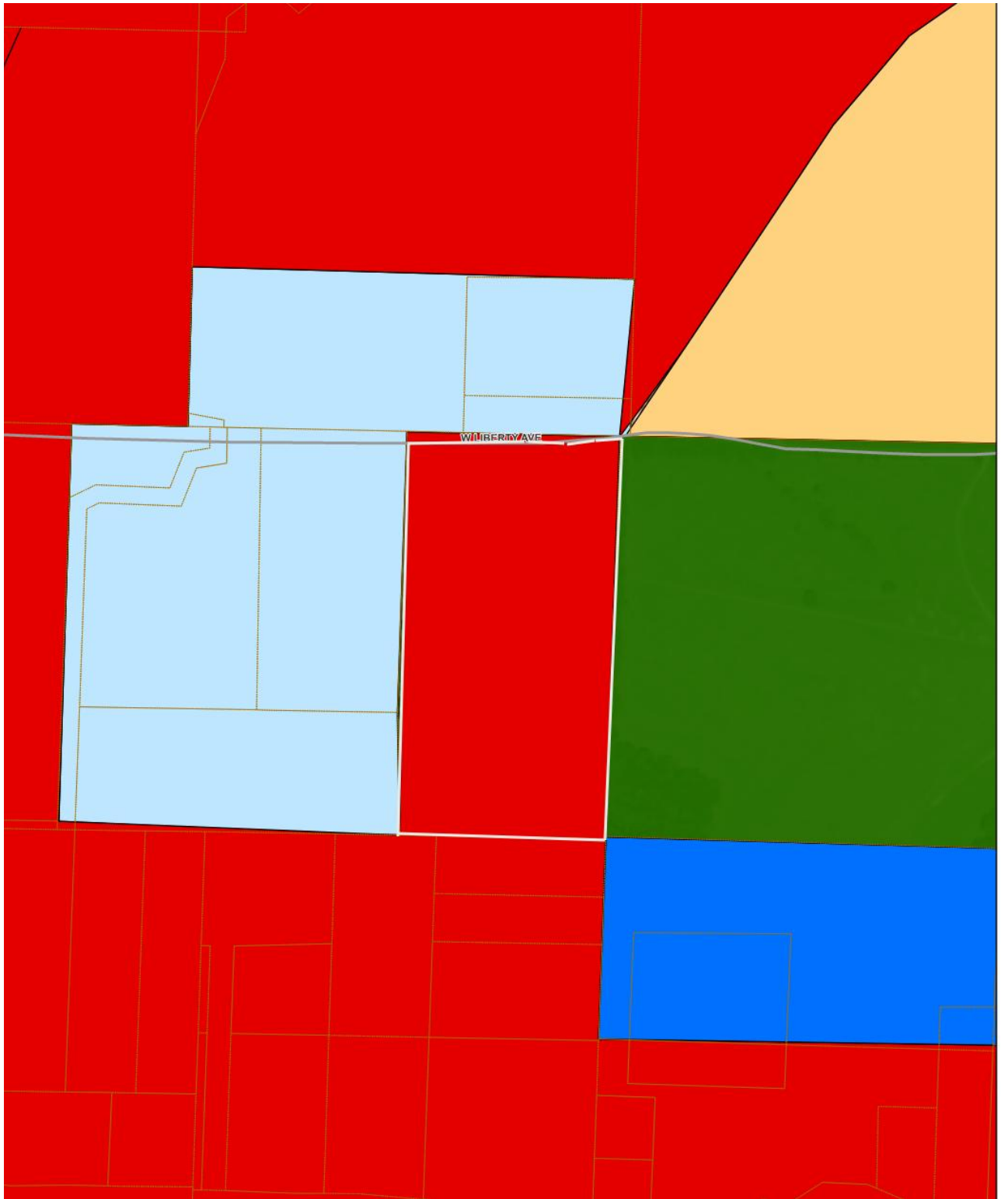
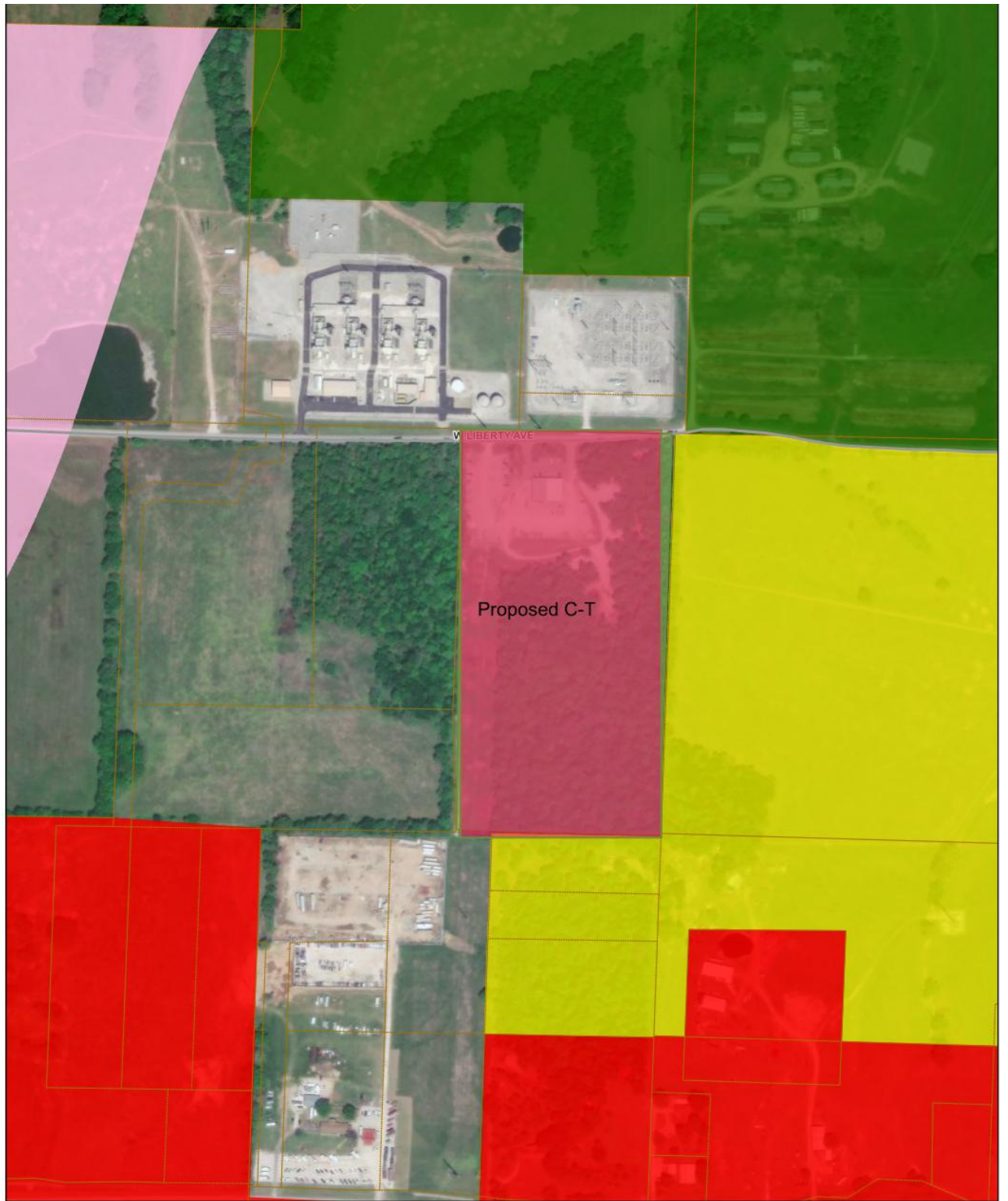


FIGURE 4: REQUESTED ZONING MAP



NEIGHBOR COMMENTS:

No comments at this time.