



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: July 24, 2025
Project: Rezone R-3 to C-1
Planner: Brad Spurlock

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM REZONING REQUEST

PH1, PC1

886 N. Barrington Rd.
830-38030-002

SUMMARY: The applicant is requesting a rezone located at 886 N. Barrington Rd. The rezone request is from "R-3" (Single-Family Residential) to "C-1" (Light Commercial) located on approximately 1 acre.

CURRENT ZONING: R-3 – Single-Family Residential (See attached Current Zoning Map, Figure 2)

REQUESTED ZONING: C-1-Light Commercial(See attached Proposed Zoning Map, Figure 4)

FUTURE LAND USE CATEGORY: RE (Residential Estates) See attached Future Land use Map, Figure 3

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

INFRASTRUCTURE SERVICE AREAS

Water: Tontitown Water

Electric: Ozarks Electric

Sewer/Septic: Tontitown Sewer

Phone: AT&T

Natural Gas: Black Hills Energy

Cable: Cox Communications

PROJECT SYNOPSIS:

This property is owned by Sargent Investments, LLC and is currently zoned R-3. The owner is requesting a change in zoning to C-1 as part of the company's business operations. The business will be used as a corporate office where employees can work M-F with occasional meetings with clients during business hours.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for **RE (Residential Estates)** based on the **current Comprehensive Plan adopted in 2023.**

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.

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 property's future land use is designated for low density neighborhood-oriented development. Rezoning to C-1, which allows commercial uses like retail or offices, fundamentally conflicts with this plan. Such a change could lead to disjointed commercial encroachment.

(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 purpose of Tontitown's zoning regulations include maintaining orderly growth, protecting residential stability, supporting civic design, and ensuring efficient utility provision. A shift to commercial zoning on a historically residential parcel disrupts these objectives.

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

STAFF ANALYSIS: Surrounding parcels are zoned R-3. C-1 would result in abrupt transitions with potential conflicts in noise, traffic and hours of operation violating compatibility standards.

(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 residential development. The only constraint that would be demonstrated would be the flood plain that lies just to the north of the said property. This would be one of the caveats to allow for commercial rezoning.

- (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: Potential adverse impacts include traffic, glare from signage, business hours and possible drainage or parking issues. The scope of work details business hours as part of a strategy that would make impact a minimal issue.

- (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: The property has retained R-3 zoning without redevelopment. Rezoning appears driven by commercial opportunism rather than reflecting sustained land-use or evolution.

- (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: While zoned residential, rezoning to commercial may not meet adequate sewage, stormwater or parking provisions typically designed for commercial uses.

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 has been 1 comment with objection to this rezone. Included in packet.

STAFF RECOMMENDATION: Staff recommends denying the rezoning as requested as it is currently zoned. Staff could see an option with the property lying next to the flood plain to the north and abutting next to commercial transition just to the south per the Future Land Use.

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

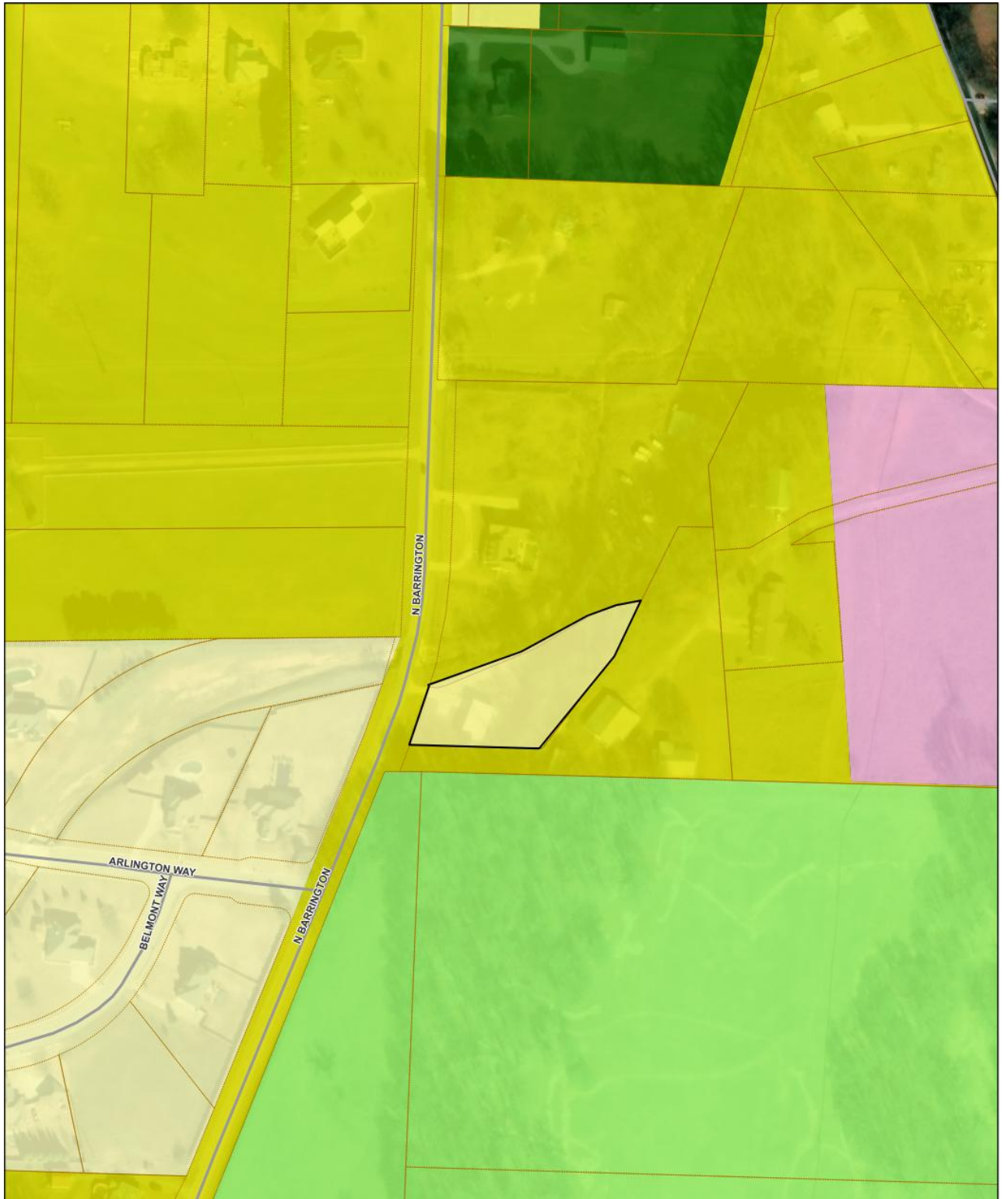


FIGURE 3: FUTURE LAND USE

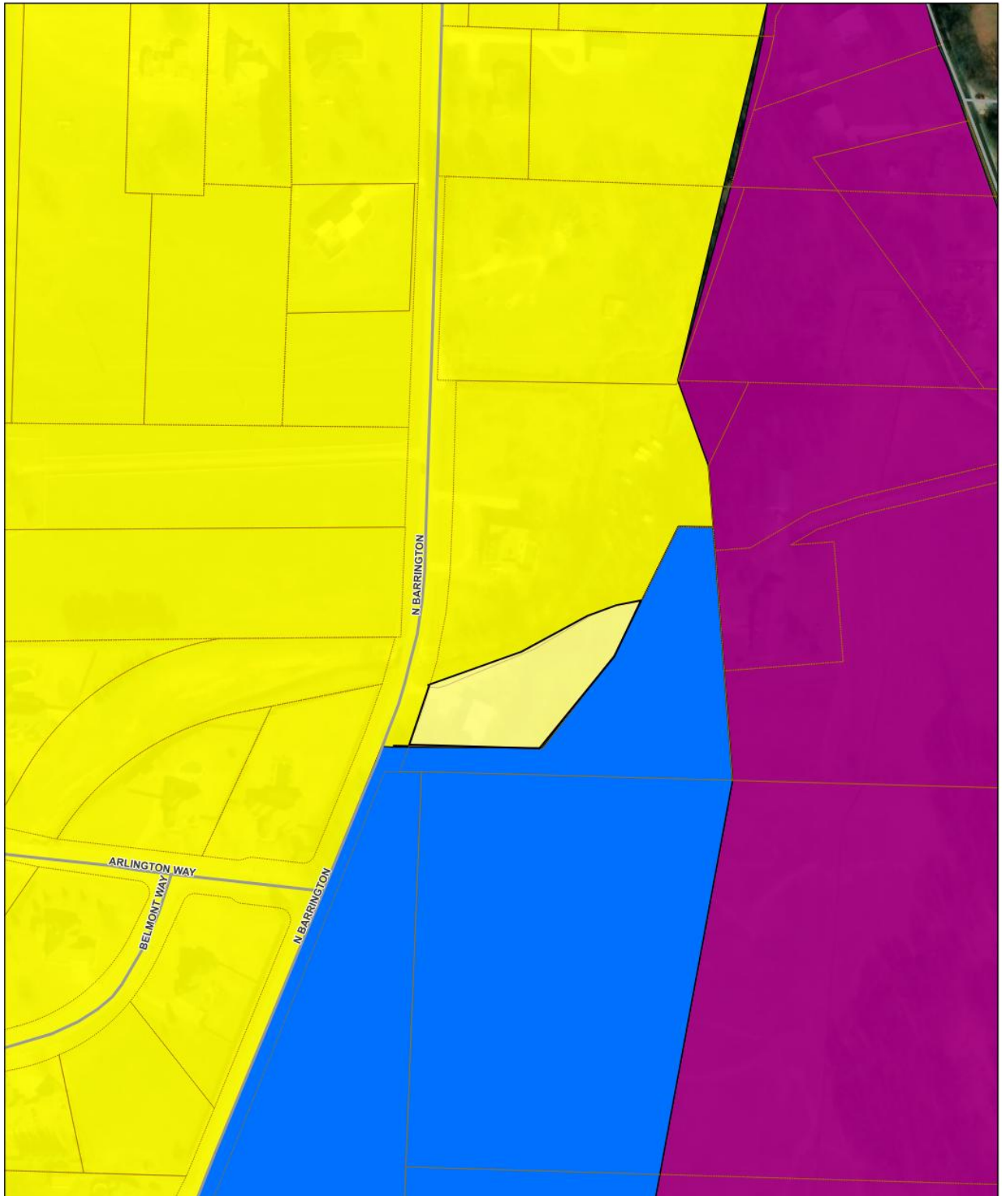
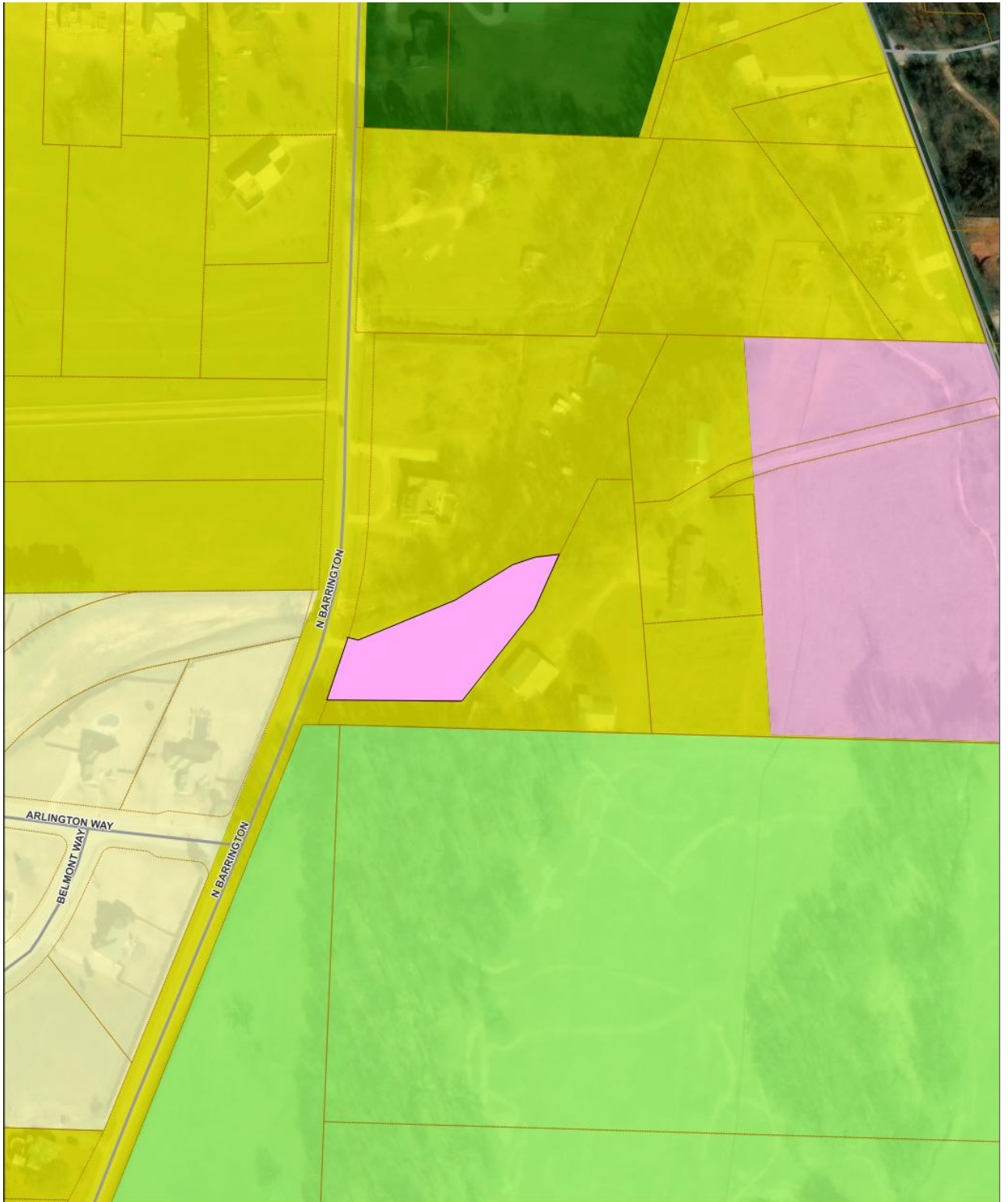


FIGURE 4: REQUESTED ZONING MAP



NEIGHBOR COMMENTS:

1 Comment with 1 objection. To be included.