

ORDINANCE NO. 2025-071202

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO REZONE CERTAIN REAL PROPERTY LOCATED AT 581 S. BARRINGTON ROAD (PARCEL NO. 830-37665-000) FROM SINGLE FAMILY RESIDENTIAL (R-3) TO GENERAL COMMERCIAL (C-2) IN THE CITY OF TONTITOWN, ARKANSAS.

WHEREAS, a Public Hearing was held before the Planning Commission for the City of Tontitown, Arkansas to hear public input to the question of an application to rezone certain real property located at 581 S. Barrington Road (Parcel No. 830-37665-000) from Single Family Residential (R-3) to General Commercial (C-2) in the City of Tontitown, Arkansas; and

WHEREAS, after due notice as required by law, the Tontitown Planning Commission has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the rezoning requested should be approved and has recommended approval to the Tontitown City Council; and

WHEREAS, the Tontitown City Council has determined that the public interest and welfare is best served by approving the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tontitown, Arkansas:

Section 1. The City of Tontitown hereby changes the zone from Single Family Residential (R-3) to General Commercial (C-2) for certain real property located at 581 S. Barrington Road (Parcel No. 830-37665-000), more particularly described in the attached Exhibit "A".

Section 2. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 3. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

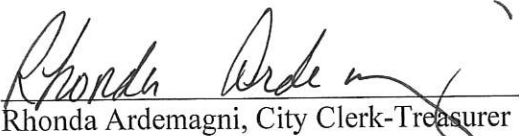
Section 4. The official zoning map of the City of Tontitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 and Section 2 hereof.

PASSED and APPROVED this 15 day of July 2025.

APPROVED:


Angela Russell, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: June 24, 2025
Project: Rezone R-3 to C-2
Planner: Brad Spurlock

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM REZONING REQUEST

PH1, PC1

581 S. Barrington Rd
830-37665-00

**This project was approved unanimously at the June 24th, 2025,
Planning Commission Meeting.**

SUMMARY: The applicant is requesting a rezone located on 581 S. Barrington Rd. The rezone request is from "R-3" (Residential) to C-2 (General Commercial) located on approximately .97 acres.
CURRENT ZONING: R-3 – Single-Family Residential (See attached Current Zoning Map, Figure 2)
REQUESTED ZONING: C-2-General Commercial (See attached Proposed Zoning Map, Figure 4)
FUTURE LAND USE CATEGORY: RC-T (Residential Commercial Transition) See attached Future Land use Map, Figure 3

CITY WARD: 3 – Alderman Mike Washkowiak and Alderman Tim Burress

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 the City of Tontitown and is currently zoned Single-Family Residential. The owner is requesting a change in zoning to General Commercial as part of a land purchase agreement the city has between itself and Northrock Builders for plans for a large-scale development of the land that would include retail.

FUTURE LAND USE PLAN:

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

RESIDENTIAL TRANSITION COMMERCIAL (RC-T)

Residential Transition areas plan for moderate-density residential development serving as a transition between commercial/mixed-use and residential low-density land uses. Housing types are varied, single-

family, duplexes, and townhomes. Some neighborhood-scale commercial uses may be included where appropriate access is available.

Six-eight 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 General Commercial is in harmony with the surrounding properties and the future planning zoning of Residential Commercial Transition. 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 R-3 and part C-2 (Residential and General Commercial)

East-zoned R-3 (Residential)

South-zoned (C-2 General Commercial)

West-zoned R-3 (Residential)

(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 as it aligns with the current large-scale development project to the north that is owned by Northrock Builders.

- (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 S. Barrington along with the proposed expansion of Fletcher 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, property does have a structure on the property and Northrock Builder does own the subdivision 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 impact on community facilities since the proposed land use will be changing with new sewer and new road infrastructure. This is a benefit to the city.

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

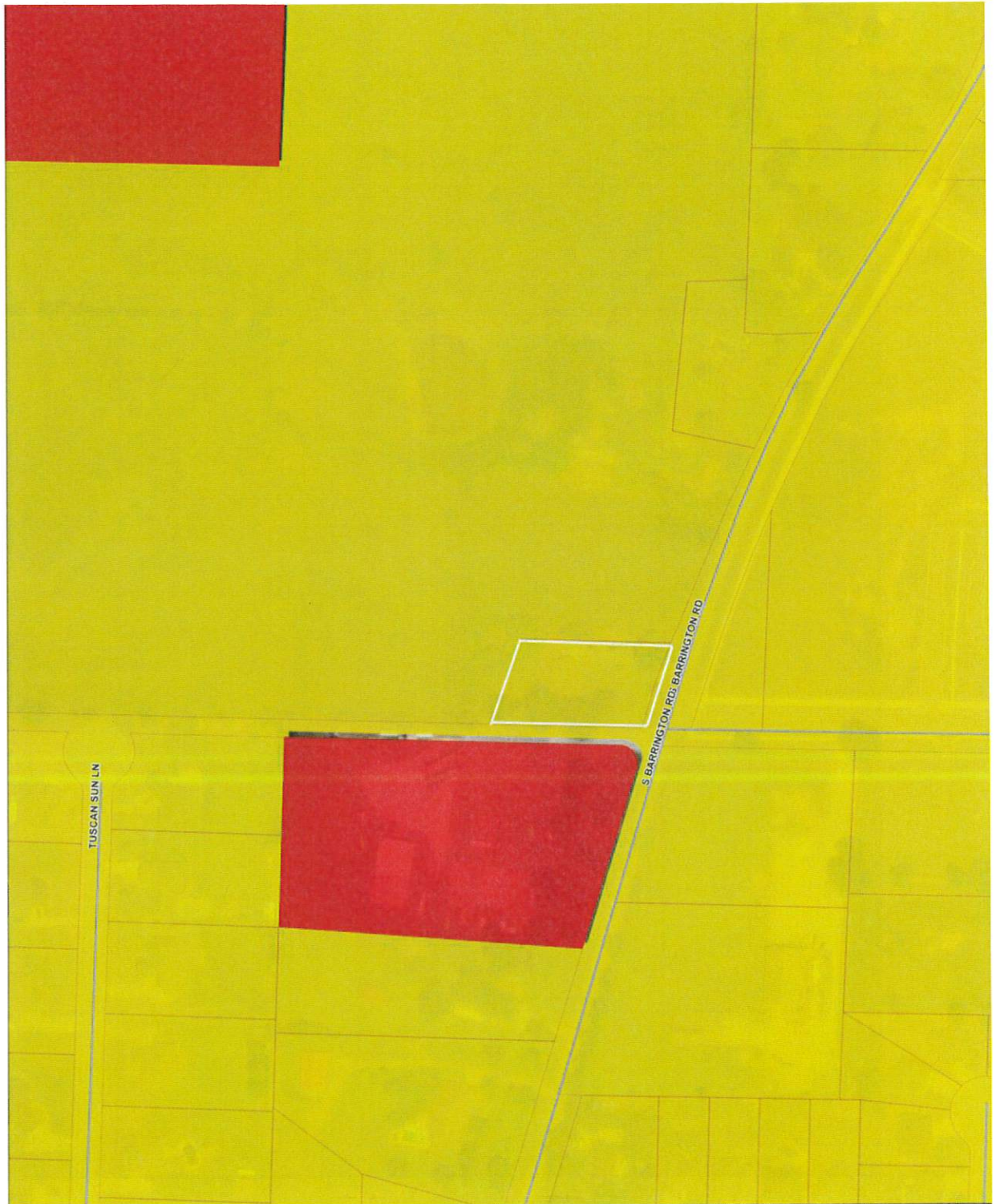


FIGURE 3: FUTURE LAND USE

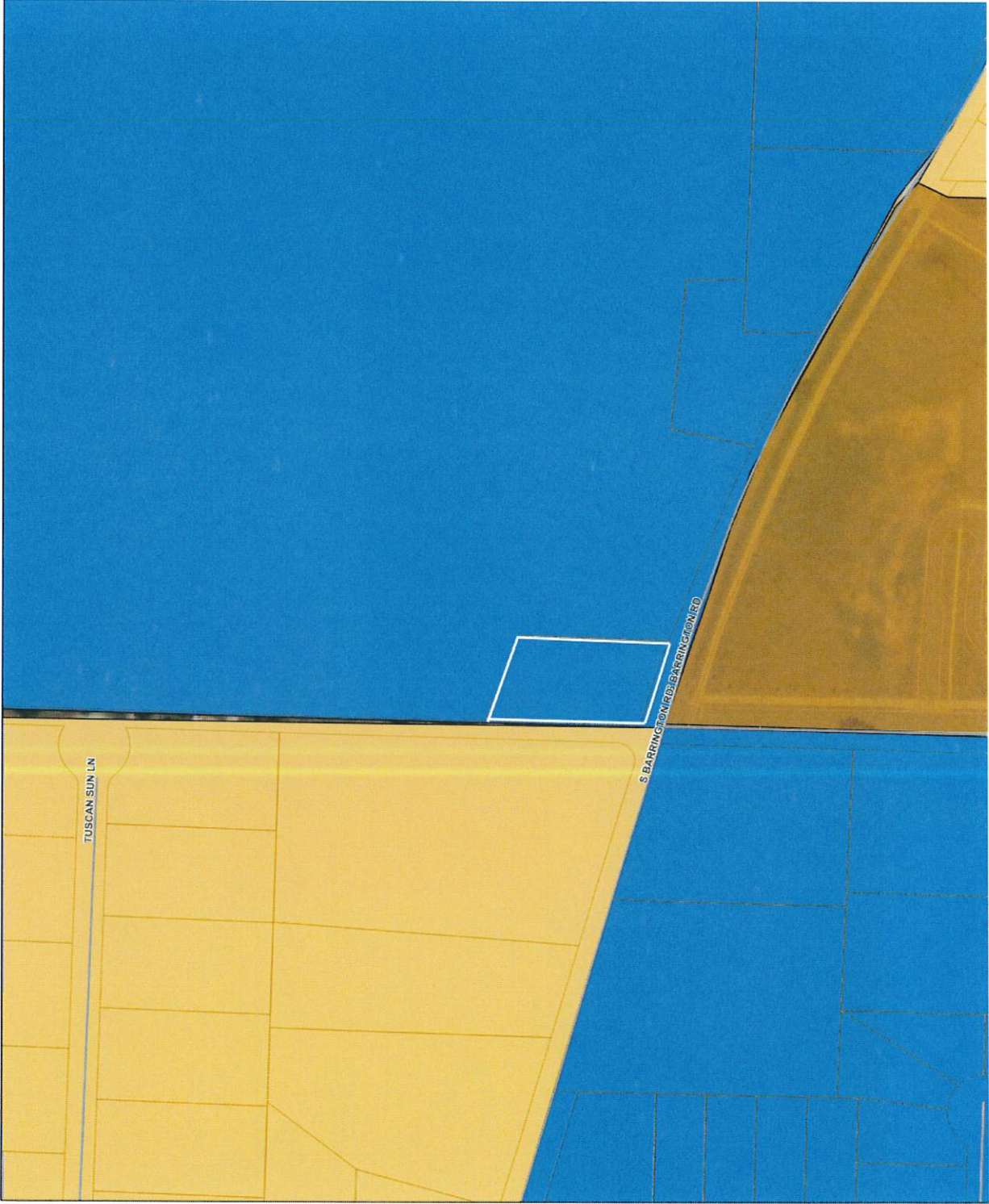
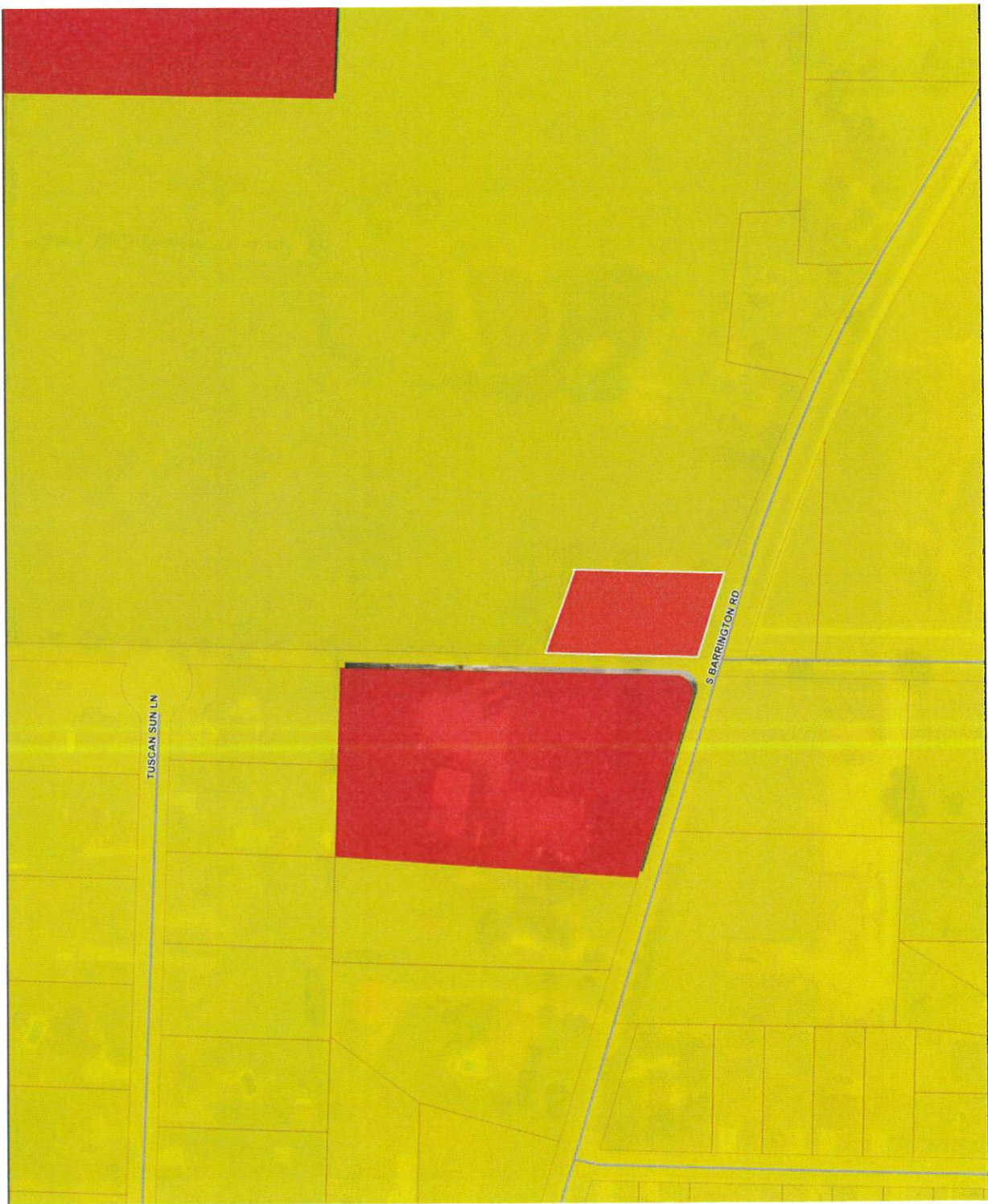


FIGURE 4: REQUESTED ZONING MAP



NEIGHBOR COMMENTS:

No comments at this time.

Legal Description:

Part of the S 1/2 of the SE 1/4 of the SW 1/4 of Section 1, Township 17 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows:
Beginning at a point in the center of Barrington Road, which is 115.00 feet West of the SE corner of said S 1/2 of the SE 1/4 of the SW 1/4 of Section 1, thence N16°00'00" E 150.00 feet along the center of said road, thence leaving said Road S 89°59'56"W 296.15 feet, thence S15°57'50"W 150.07 feet, thence East 296.04 feet to the point of beginning, containing 0.98 acre, more or less.

