



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **January 23, 2024**
Project: **Rezone R3 to C2**
Planner: **Mark Latham**

PUBLIC HEARING / PLANNING COMMISSION AGENDA ITEM

PH1, PC1

REZONING REQUEST

695 Sbanotto Ave.

SUMMARY: Request to rezone a one-acre lot from R-3 to C-2.

CURRENT ZONING: **R3 – Residential** single family with a minimum 9,600 SF lot size.

REQUESTED ZONING: **C-2 Commercial.**

FUTURE LAND USE CATEGORY: **RC-T, Residential Transition Commercial**

CITY WARD: 2- Daniel Montez, Larry Ardemagni

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:

The owner of this project is Russel Merrell. Mr. Merrell requests a rezone to construct a metal building on the property for the purpose of storing supplies and equipment for his business.

The property is located on the southside of Sbanotto Ave. The current zoning around the property is C2 on the east side and R3 Residential on the south, north, and westside.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for **Residential Transition Commercial Neighborhood (RC-T)**.

From the Vision Plan Document adopted by the City Council in June 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 townhomes. Some neighborhood-scale commercial uses may be included where appropriate access is available.

Six-eight units/acre.

STAFF ANALYSIS: This rezone for one acre could be considered under 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 RC-T, Residential Transition This request could be considered 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 and sewer available for connection along Sbanotto Ave. The rezone request should not impact the orderly growth and development of this area.

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

STAFF ANALYSIS: The requested use is for C2 commercial. Surrounding properties are primarily single-family residential.

North-zoned R-3, Residential

East-zoned C-2, Commercial

South-zoned C-2 Commercial and R-3- single-family residence.

West-zoned R3- Residential

(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 C2.

(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: This proposed rezoning should not detrimentally affect nearby property. Although most of this area is used for residential purposes, the requested rezone can be considered under the future land use plan.

(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 is vacant.

(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, and drainage.

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 future land use, staff recommend the Planning Commission considered the rezone from R3 to C2.

PROCESS NOTES:

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

ZONING MAP

See Attached

FUTURE LAND USE MAP:

See Attached

AREA COMPARISON CHART:

Zoning Districts	C-2
Loft living space	P
Animal care, general	P
Animal care, limited	P
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
Construction sales or service	P
Convenience store	P
Day care, limited (family home)	P
Day care, general	P
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
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

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
Agriculture, farmers' market	P

§ 153.173 SELF STORAGE UNITS.

(A) Residential (mini) self-storage units. The following are prohibited uses of self-storage facilities or areas:

(B) No individual storage unit may be used for the purposes of operating a business **except for the purpose of providing storage for a business that is located off-site.**

Neighbor Comments:

Only one comment was provided to the Planning Department verbally. No objection was provided for the rezone. (Ronald Stockton)