



## CITY OF TONTITOWN PLANNING OFFICE

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

Meeting: **May 28, 2024**  
Project: **Palecero CUP**  
City Planner: **Mark Lathem**  
Planning Tech: **Brad Spurlock**

### AGENDA ITEM

## PC3

### Waiver Request

323 INDUSTRIAL DRIVE  
Parcel # 830-37809-000

**SUMMARY:** Request to waive the requirements in code sections 152.151 Design Standards for LSD for 75% materials on the primary facade and 153.212 (L) Perimeter Landscaping.

**CURRENT ZONING:** C2 – General Commercial

**FUTURE LAND USE CATEGORY:** LI- Light Industrial

**CITY WARD:** Ward 1 – Misty Piazza, Amber Ibarra

**INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):**

**Water:** Tontitown Water, Existing 6" Waterline

**Electric:** Ozarks Electric

**Sewer/Septic:** Tontitown Sewer, Existing 8" Sanitary Line

**Phone:** ATT

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

**Internet:** Ozarks GO

**School District:** Springdale

### PROJECT SYNOPSIS:

The applicant is proposing the construction of an indoor baseball sport complex on a 3.13 AC tract of land located off of Industrial DR. The project will expand on a previously developed lot currently owned by Ferguson-Sunset LTD Partnership that was built sometime between 1995 and 2001. The proposal includes one 7,737 sq ft building with a small amount of grading as well as reworking a portion of the parking lot to accommodate 33 parking stalls. The project will also remove a large portion of impervious area to improve drainage conditions as well as update the landscaping in the area.

### IMPROVEMENTS

#### 152.151 DESIGN STANDARDS FOR LARGE SCALE DEVELOPEMNTS.

(E) *Building design: commercial, institutional, triplex, quadplex and multi-family uses.*

(1) *Material. The primary material shall constitute at least 75% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone or natural stone. The remaining exterior material shall be considered building trim. TRIM is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement. No masonite, asphaltic exterior wall or roof material, aluminum or steel siding (other than approved architectural metal), non-textured concrete block (ground-faced is allowed), vinyl or other similar materials shall constitute a portion of any building except trim.*

(6) *Facades. All commercial, institutional, triplex, quadplex, and multi-family structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:*



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- (a) **The degree of visibility from all adjacent public ways;**
- (b) *Possible visibility from future buildings and public ways;*
- (c) *Internal overall appearance in relation to the site; and*
- (d) *If adjacent to, and visible from, residential uses, residential zoning categories, or other marginally compatible uses.*

**STAFF ANALYSIS:** Based on the current language of the design standard code, staff is recommending denial of this waiver due to the position and/or location to the public street. Must adhere to the current standards.

### RIGHT TO PETITION FOR A WAIVER

#### ZONING REGULATIONS

##### 153.212 LANDSCAPING, SCREENING, FENCING AND BUFFERING

(A) *Purpose. The purpose of this section is to ensure a minimum of open space and green area as an integral part of new development and to protect the health and welfare of its citizens through the regulation of landscaping of new residential, triplex, quadplex, multi-family residential, commercial, institutional and industrial developments.*

- (1) *Landscaping enhances the environmental and visual character of the community.*
- (2) *Green space requirements preserve and stabilize the area's ecological balance by establishing a healthier environment.*
- (3) *Green areas help to mitigate the negative effects of air and noise pollution by using plants as buffers, and slow and reduce storm water runoff.*
- (4) *Fencing and landscaping provides visual screening and buffering, and screens between incompatible land uses.*
- (5) *Landscaping enhances parking lots.*
- (6) *Green space requirements can establish parks and other outdoor amenities for the citizens of the city.*

**STAFF ANALYSIS:** Based on the current language of the design standard code, staff is recommending denial of this waiver. However, staff is acceptable to review of landscaping plan that would provide alternatives to help meet the current code or feel it has met it's obligations.