



## CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **November 21, 2024**  
Project: **Alamfi Commercial  
Waiver**  
City Planner: **Brad Spurlock**

### PLANNING COMMISSION AGENDA ITEM

## PC2

### WAIVER REQUEST

**Address: Corner of S Barrington and E Fletcher Ave**

Parcel: 830-37664-000.

**SUMMARY:** GSP NWA, Inc. is requesting Wavier approval from the city's Residential Compatibility Standards. The waiver is for Development Code 153.214.

**CURRENT ZONING:** **C-2 (General Commercial)**

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

**FLOODPLAIN:** No

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

**Water:** Tontitown Water

**Electric:** Ozarks Electric

**Sewer/Septic:** Tontitown Sewer

**Phone:** AT&T

**Natural Gas:** Source Gas

**Cable:** Cox Communications

**School District:** Springdale

#### **PROJECT SYNOPSIS:**

The subject property, Amalfi Commercial, is zoned C-2 and the property to the south, owned by the City of Tontitown, is zoned R-3. By code this requiring the proposed development to comply with Section 153.214.

Halff reviewed the property owned by the City and identified that it is currently being used for city police operations and is also desired to be of commercial use on the future land use map. Since the property is not being used as residential, and since "city operations" is allowed in any use type, thus a rezone not required of the property for operations other than residential, we are requesting a waiver of Section 153.214

#### **§ 153.214 RESIDENTIAL COMPATIBILITY STANDARDS.**

*The compatibility standards of this section are intended to protect low density residential uses and neighborhoods from the adverse impacts sometimes associated with higher density residential uses and nonresidential development. The standards are intended to mitigate the effects of uses with operating and structural characteristics that are vastly different than those associated with single-family uses.*

*(A) Applicability (triggering property). Compatibility standards shall apply to all development in the N-C and C-1 zoning districts when such development is adjacent to a "triggering property," which shall include all of the following:*

*(1) Property occupied by a single-family dwelling unit that is a use permitted by-right in the zoning district in which it is located; or*

*(2) Property zoned in an A, R-E, R-1, R-2, R-3L, R-3 or R-4 district.*

*(B) Exemptions.*

*(1) Notwithstanding the above applicability provisions, compatibility standards shall not be triggered by property that is public right-of-way, roadway, or utility easement.*

*(2) The following uses and activities shall specifically be exempt from compliance with compatibility standards:*

*(a) Construction of a use permitted by-right in an A, R-E, R-1, R-2, R-3L, R-3 or R-4 district;*

*(b) Structural alteration of an existing building when such alteration does not increase the building's square footage or height, or result in an increase in noise, hours of operation, or other factors which would impact surrounding properties; and*

*(c) A change in use that does not increase the minimum number of off-street parking spaces required.*

***STAFF RECOMMEDATION:***

**Staff recommends approval of this waiver.**