

DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

SEPTEMBER 6, 2018

TO: PLANNING COMMISSION

**REZONE, BELL CONSTRUCTION SOLUTIONS, LLC
STAFF SUMMARY REPORT**

ADDRESS:	4.86 acres on S Mt Hebron Rd, south of W Garrett Rd
LAND OWNER:	Lucas Ingui
APPLICANT/REP:	Bell Construction Solutions, LLC
CURRENT ZONING:	A-1 (Agricultural)
PROPOSED ZONING:	R-SF (Residential Single-Family)
GROWTH DESIGNATION:	Neighborhood
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

BACKGROUND

- 1) Planned Use: Residential.
- 2) Zoning District Intent: Per Sec. 14-699(a), the purpose of R-SF zoning is "for single-family detached dwellings at low residential densities... Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of proper functional relationship and arrangement of the different uses permitted..."
- 3) Growth Designation Characteristics: Per CGM Page 1, Neighborhood is characterized by "Low-intensity, low-density areas connected by collector and local streets. May feature light mix of non-residential activities such as schools, places of worship, and other low-impact community-oriented uses. Compatibility with adjacent areas achieved with transitions; medium-density residential generally appropriate transition type."

STAFF REVIEW

ENGINEERING REVIEW: N/A

PLANNING REVIEW:

- 1) Land-Use Compatibility:
 - a) Comprehensive Growth Map: The proposed rezone is consistent with the CGM (Tab 2).
 - b) General Findings: Staff finds this to be an appropriate rezone request based on consistency with the CGM and zoning district intent. The subject request would not adversely impact adjacent property and is compatible with the surrounding area's rural nature and low-capacity street network.
- 2) Views of Others: No supporting or opposing comments have been received by the Planning Division to date.
- 3) RECOMMENDATIONS:
 - a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
 - b) Recommend for City Council approval.

ELIZABETH JOHNSON, Planner II
City of Rogers Planning Division

ADMINISTRATOR'S SUGGESTED MOTION:

- 1) Move to **recommend for City Council approval, deny, or table** the request by Bell Construction Solutions, LLC to rezone approximately 4.86 acres on S Mt Hebron Rd, south of W Garrett Rd from A-1 to R-SF.

DIRECTOR'S COMMENTS:

- 1) Agree with recommendations and suggested motion.



JOHN C. McCURDY, Director
City of Rogers Department of Community Development

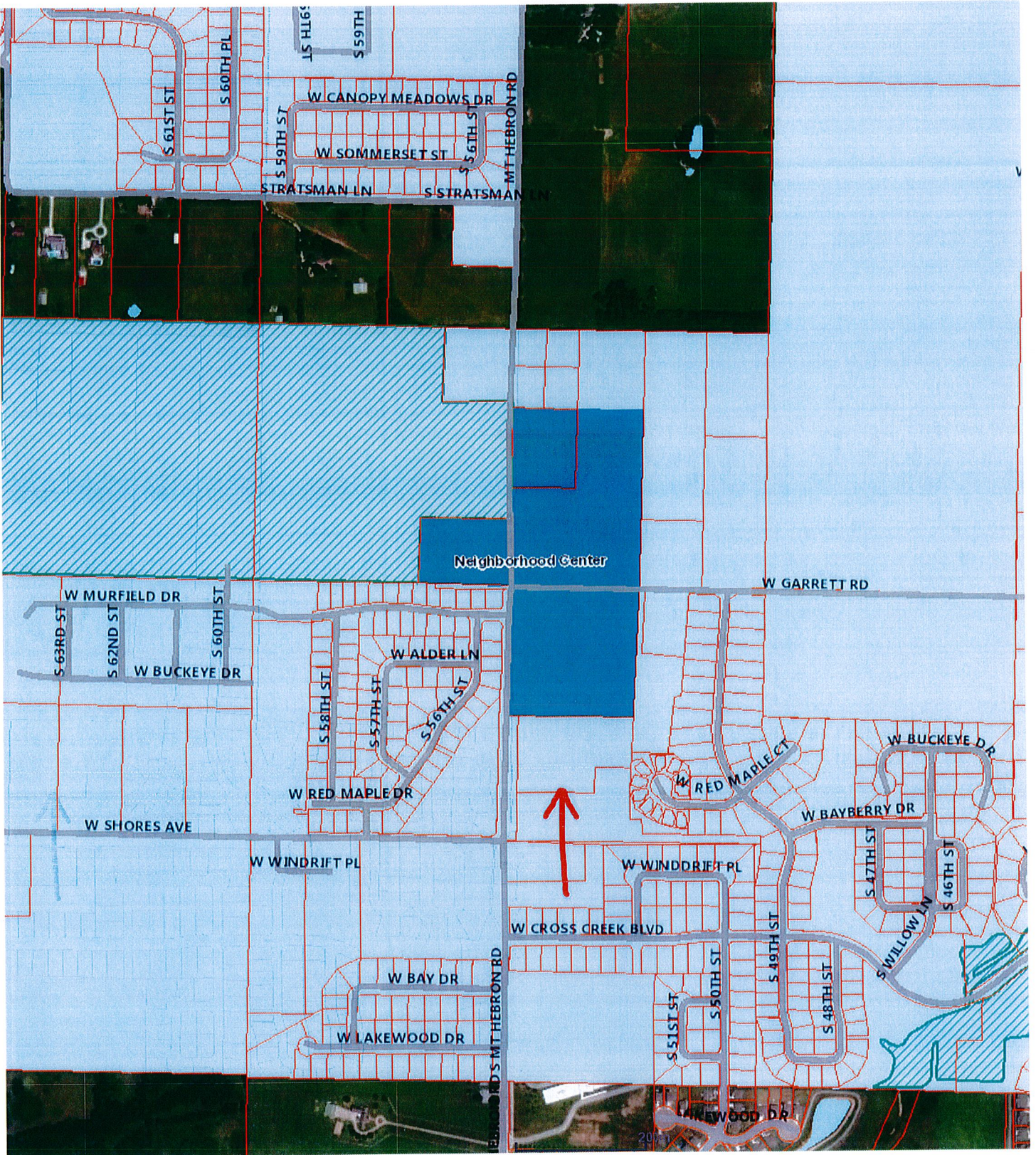
Tabs:

1. Rezone application with required supplements
2. Maps and/or photos

Staff recommendations are based on technical review of city code and may not reflect all information made available to officials during discussion and public input.



COMPREHENSIVE GROWTH MAP



Staff recommendations are based on technical review of city code and may not reflect all information made available to officials during discussion and public input.



DEPT. OF PLANNING
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
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OFFICE USE ONLY

Permit Fee: \$200 (\$200)
Zoning: A-1 to R-SF
Permit Number: 18-34
CityView Application: PL201800798
Date: 9-28-18

REZONE APPLICATION

APPLICANT: Bell Construction Solutions LLC

ADDRESS: P.O. Box 8 Cave Springs AR 72718 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 6327 S. Mt Hebron
479-366-0635

PHONE #: 479-366-0635 EMAIL: Frieda.bellconsolutions.com

PROPERTY OWNER: Lucas Ingui PHONE #: _____

PRESENT USE: Agriculture ZONING: A-1

PROPOSED USE: Residential ZONING: R-SF

[Signature] 9-27-18
Applicant Signature Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: 9-27-18 PUBLIC HEARING DATE: 10-16-18 CERTIFIED MAIL DATE: 10-1-18

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, Lucas Ingui, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: See Attached

LAYMAN'S DESCRIPTION: 6327 S mt. Hebron

PRESENT ZONING: A-1

ZONING REQUEST: R-SF

Respectfully Submitted,

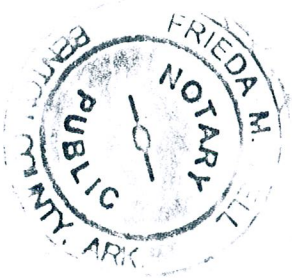
By:

(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 27 day of September, 20 18.



Frieda Maria Bell
Notary Signature

Frieda Marie Bell
Notary Name Printed

7.23.2019
Commission Expires

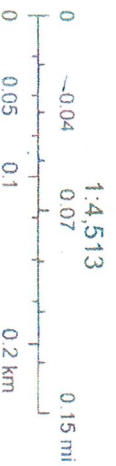
Re



August 29, 2018

ParcelPopUps

Exhibit for 300' surrounding
property owners



Escrow File No.: 17-41528R

EXHIBIT "A"

Part of the SE1/4 of the SE1/4 of Section 32, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Beginning at the SE Corner of said Section 32; thence along the South line of said Section 32, N87°24'36"W a distance of 1277.75 feet to a set 1/2" rebar capped PS 1703; thence leaving said South line N02°38'53"E a distance of 247.88 feet to a set 1/2" rebar capped PS 1703, said point being the Point of Beginning; thence continuing N02°38'53"E a distance of 395.76 feet to a set 1/2" rebar capped PS 1703; thence S87°54'42"E a distance of 594.54 feet to a set 1/2" rebar capped PS 1703; thence S04°19'00"W a distance of 266.0 feet to a set 1/2" rebar capped PS 1703; thence N87°59'14"W a distance of 187.14 feet to a set 1/2" rebar capped PS 1703; thence S04°02'34"W a distance of 129.24 feet to a set 1/2" rebar capped PS 1703; thence N87°59'14"W a distance of 396.52 feet to the Point of Beginning. According to Tract Split survey by Morrison Shipley Engineers-Surveyors dated November 14, 2014 at Project No. WAP-18.

LIST OF PROPERTY OWNERS ADJACENT TO P.N. 05-10028-000

- | | | | |
|-----------|--|-----------|--|
| 1 | 02-14174-230
GMD INVESTMENTS LLC
6253 S MOUNT HEBRON RD
ROGERS AR 72758-9427 | 09 | 02-22905-000/02-22906-000
COOPER HOMES INC
903 N 47TH ST
ROGERS AR 72756-9622 |
| 2 | 02-22604-000
IVEY'S PROPERTY OWNERS
ASSOCIATION INC
C/O LISLE RUTLEDGE PA
PO BOX 7977
SPRINGDALE AR 72766-7977 | 10 | 02-22898-000
GRESHAM, JOHN STEPHEN &
CAROL MILLER CO-TRUSTEES
4916 W RED MAPLE CT
ROGERS AR 72758 |
| 3 | 02-14872-000
LARAMORE, KENNETH E & RAMONA
L
6490 S MOUNT HEBRON RD
ROGERS AR 72758-9429 | 11 | 02-22899-000
CRUISE, DON & NANCY
2809 ROAD 111
SIDNEY NE 69162 |
| 4 | 02-14174-241
BRUNSON, KEITH & TERRI
6395 S MOUNT HEBRON RD
ROGERS AR 72758-9428 | 12 | 02-22900-000
PARA, JOSEPH E & JANE E
TRUSTEES
4920 W RED MAPLE CT
ROGERS AR 72758 |
| 5 | 02-14871-000
WATKINS, RONALD D & ANITA M CO-
TRUSTEES
6417 S MOUNT HEBRON RD
ROGERS AR 72758-9429 | 13 | 02-22906-000
MORPHIS, JOHN G & CHERRYLL L
TRUSTEES
4919 W RED MAPLE CT
ROGERS AR 72758-2200 |
| 6 | 02-14870-001
WATKINS, RONALD D & ANITA M CO-
TRUSTEES
6417 S MOUNT HEBRON RD
ROGERS AR 72758-9429 | 14 | 02-22902-000
TROLINGER, GAIL M
4917 W RED MAPLE CT
ROGERS AR 72758-2200 |
| 7 | 02-22895-000
KENDRICK, GARY
4910 W RED MAPLE CT
ROGERS AR 72758-2200
02-22896-000
WESTERMAN, CHARLES H TRUSTEE
439 OLD HWY 25
TUMBLING SHOALS AR 72581-9368 | 15 | 02-22903-000
PARK, MANHI & HAIJAH
4915 W RED MAPLE CT
ROGERS AR 72758-2200
02-22904-000
FRYE, DAVID C & SHARON K
TRUSTEES
PO BOX 8160
FAYETTEVILLE AR 72703-0003 |
| 8 | | 16 | |
| 17 | 02-14174-220
THOMAS, CLAYTON WILLMAN &
WALSH, RENEE NICOLE
5254 W GARRETT RD
ROGERS AR 72758 | 18 | 02-22887-000
GLAWS, FLETCHER A & CAITLIN K
6306 S 49TH ST
ROGERS AR 72758-6018 |

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A REZONE REQUEST

(We apologize for the 2nd notification we were unable to attend the original meeting on 09/18/2018)

Notice is hereby given to Section 14-725-730 of the Rogers City Code that **Lucas Ungui** is applying to the Rogers Planning Commission to rezone certain real property at **6327 S Mt Hebron Rd Rogers, AR**. The property is more particularly described as follows:

LEGAL DESCRIPTION: See Attached Warranty Deed

LAYMAN'S DESCRIPTION: 6327 S Mt Hebron Rd Rogers, AR

PRESENT ZONING: A-1

ZONING REQUEST: R-SF

A public hearing by the Rogers Planning Commission will be held on **10/16/2018**. At 4:30 in the City Council Chambers of the City Hall Building located at 301 W Chestnut St Rogers, AR

Respectfully Submitted

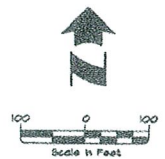
By Lucas Ungui

Escrow File No.: 17-41528R

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Scale: 2014 Feet 596
 Recorded in the Above
 PLAT Book 1 Page
 11/24/2014



LEGEND

- Property Line
- Right-of-Way Line
- Extended Line
- Existing Asphalt
- Existing Concrete
- Existing Fence
- Point Monument, As Noted
- See 10' Radius, PL# 1702
- See 10' Radius, PL# 1703
- Existing Telephone Poles
- Existing Gas Meter

Reference Documents:
 Warranty Deed Book 2004 Page 5265
 Survey by Doug Whitlock, LS 1369, Dated April, 19, 2007, Job No. WAP-18

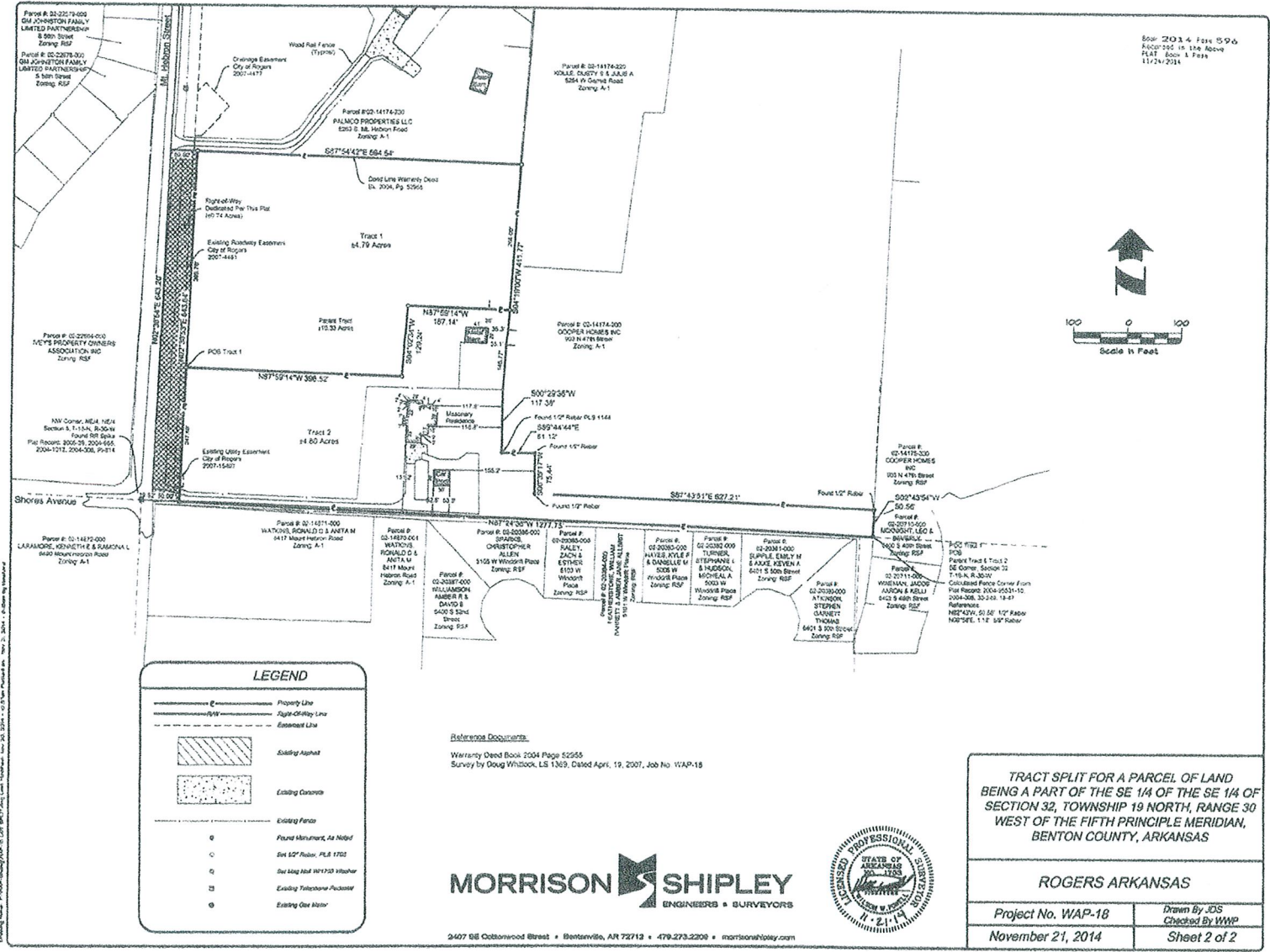
MORRISON SHIPLEY
 ENGINEERS • SURVEYORS



**TRACT SPLIT FOR A PARCEL OF LAND
 BEING A PART OF THE SE 1/4 OF THE SE 1/4 OF
 SECTION 32, TOWNSHIP 19 NORTH, RANGE 30
 WEST OF THE FIFTH PRINCIPLE MERIDIAN,
 BENTON COUNTY, ARKANSAS**

ROGERS ARKANSAS	
Project No. WAP-18	Drawn By JDS
November 21, 2014	Checked By WWP
	Sheet 2 of 2

2407 SE Cottonwood Street • Bentonville, AR 72713 • 479-273-2206 • morrisonshipley.com



CERTIFICATION

I hereby state that to the best of my knowledge all property owners within 300 feet of my property have been notified by Certified mail at least 15 days prior to the upcoming public hearing for my rezone request.

Dated this the 27th day of September, 20 18.

CE Bell
Signed

Charles Bell
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 27th day of September, 20 18.

Frieda Marie Bell
Notary Signature

Frieda Marie Bell
Notary Name Printed

7-23-2019
Commission Expires





DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut on **October 16, 2018 at 4:30 pm** on the application by **Bell Construction Solutions, LLC** to rezone **4.86 acres on S Mt Hebron Rd, S of W Garrett Rd** from the **A-1 (Agricultural)** zoning district to the **R-SF (Residential Single-Family)** zoning district. The property being more particularly described as follows:

LEGAL DESCRIPTION:

Part of the SE1/4 of the SE1/4 of Section 32, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Beginning at the SE Corner of said Section 32; thence along the South line of said Section 32, N87°24'36"W a distance of 1277.75 feet to a set 1/2" rebar capped PS 1703; thence leaving said South line N02°38'53"E a distance of 247.88 feet to a set 1/2" rebar capped PS 1703, said point being the Point of Beginning; thence continuing N02°38'53"E a distance of 395.76 feet to a set 1/2" rebar capped PS 1703; thence S87°54'42"E a distance of 594.54 feet to a set 1/2" rebar capped PS 1703; thence S04°19'00"W a distance of 266.0 feet to a set 1/2" rebar capped PS 1703; thence N87°59'14"W a distance of 187.14 feet to a set 1/2" rebar capped PS 1703; thence S04°02'34"W a distance of 129.24 feet to a set 1/2" rebar capped PS 1703; thence N87°59'14"W a distance of 396.52 feet to the Point of Beginning. According to Tract Split survey by Morrison Shipley Engineers-Surveyors dated November 14, 2014 at Project No. WAP-18.

LAYMAN'S DESCRIPTION:

4.86 acres on S Mt Hebron Rd, S of W Garrett Rd

Dennis Ferguson, Secretary
Rogers Planning Commission

PUBLISH ONE TIME ONLY: October 1, 2018

BILL THE CITY OF ROGERS

A-1

A-1

MT. HEBRON ROAD

GARRETT ROAD

W MURFIELD DR

RSF

ALDER LN.

RSF

S. 57th ST.

S. 56th ST.

RED MAPLE DR.

RSF

MT. HEBRON ROAD

A-1

Rezone
To R-SF



A-1

RSF-5

RSF-5

BAYBI

RSF-

E SHORES AVENUE

A-1

WINDDRIFT PLACE

RSF-4

52nd ST

RSF-4

S. 49th STREET

A-1

RSF-4

CROSS CREEK BLVD.

RSF-4

BAY CT

51st ST

50th STREET

RSF-5

RSF-5

S 48th STREET