



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

TO: PLANNING COMMISSION

FEBRUARY 12, 2019

**CONDITIONAL USE PERMIT – NWA GROUND SERVICES  
STAFF SUMMARY REPORT**

ADDRESS:	2121 S. Bellview Road
LAND OWNER:	Great Northwest Development LLC
APPLICANT/REP:	NWA Ground Services / HFA
ZONING DISTRICT:	R-O (Residential Office)
GROWTH DESIGNATION:	Regional Center
CUP REQUEST:	Building Materials and Services
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

**BACKGROUND**

- 1) Use Definition: Per Sec. 14-695(b)(3)(j) and Sec. 14-695(b)(3)(l), respectively, "Building Materials" is defined as "...retail, wholesale, or rental of building supplies, equipment, or services...including but not limited to lumber yards, tool and equipment sale or rental, and contractor yards," and "Building Services" is defined as "...businesses that provide maintenance and repair services for structures, mechanical elements of structures, the exterior spaces of premises, or large equipment whether the maintenance is performed on- or off-site."
- 2) Zoning District Intent: Per Sec. 14-706(a), the purpose of R-O zoning is "to provide for the conversion of existing structures to office use or the construction of offices in areas where the continuation of residential activity is no longer practical or to establish a transition between residential and non-residential uses. It is further the intent of this district to encourage mixed residential and office uses."
- 3) Growth Designation Characteristics: Per CGM Page 1, Regional Centers are characterized as "high-intensity, high-density mixed-use areas that function as regional activity hubs for commerce, entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity street networks with multi-modal accommodation. Form-based development standards encourage quality design, pedestrian friendliness, and efficient use of land. Compatibility with adjacent areas achieved with transitions; medium-density residential generally appropriate transition type, with special transition standards."
- 4) Conditional Use Considerations: Per Sec. 14-723(a)(3), conditional uses may be considered by the Planning Commission subject to four factors:
  - a) Whether the use is a conditional use in the district requested and that the property under application is zoned correctly.
  - b) Whether the use would be compatible with adjacent property and would not set a precedent contrary to the City land-use plan.
  - c) Whether all other zoning requirements can be met.
  - d) Whether ingress and egress for the proposed use will create a traffic hazard.
- 5) Process History: This request was tabled at the 2/5/19 Planning Commission meeting to allow time for the applicant and staff to coordinate an acceptable presentation of proposed conditions based on Planning Commission feedback. The applicant has since met with staff and provided the proposed conditions for Planning Commission approval (Tab 4).

**STAFF REVIEW**

**ENGINEERING REVIEW:**

- 1) Street Network Capacity:
  - a) Conditional Use Considerations:
    - i) The proposed use **would not** create or compound a traffic hazard in terms of access management or trip generation.

DYLAN COBB, Planning Engineer  
City of Rogers Engineering Division

**PLANNING REVIEW:**

- 1) Land-Use Compatibility:
  - a) Comprehensive Growth Map: The proposed use **is not** consistent with the current Comprehensive Growth Map (Tab 3).
  - b) Conditional Use Considerations:
    - i) The proposed use **is** conditional in R-O. The property **is not** zoned correctly per CGM.

- ii) The proposed use **is not** compatible with adjacent property and **would** set a precedent contrary to the CGM.
- iii) The proposed use **would not** prevent any R-O zoning requirements from being met.

2) General Findings:

- a) Original Findings (1/30/19): The proposed use is not consistent with the CGM and could potentially adversely impact adjacent property. The subject property features a sliver of C-2 zoning along Bellview frontage, under which the proposed use is permitted by-right. Despite this, the majority of the property is zoned R-O and subject to conditional approval for the proposed use. The subject property is not zoned correctly per the CGM's Uptown Zoning Plan which calls for U-COM zoning. If the applicant were to rezone the property in accordance with the Uptown Zoning Plan, they would be further prohibited from the proposed use as it is not permitted within U-COM and is counter to the purpose and characteristics of the Regional Center Growth Designation. Overall, staff does not support this request due to its inconsistency with the current and future character of the surrounding area, as well as its potential negative impacts on adjacent property.
- b) Updated Findings: The applicant has mitigated the above concerns by providing self-imposed conditions regarding the design and operation of the proposed use. Tab 4 details the proposed conditions that most notably include outbuilding screening, limiting certain noxious uses permitted under the proposed use classification, and preventing future CUP conveyance to different owner. Staff **supports** this request pending any additional information provided at time of meeting.

3) Views of Others: The Planning Division has received two letters of support for this request to date (Tab 2).

4) RECOMMENDATIONS:

- a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
- b) **Consider** request based on the extent to which the proposed conditions adequately address compatibility concerns.



ETHAN HUNTER, Planner III  
City of Rogers Planning Division

SUGGESTED MOTION:

- 1) Move to **approve, deny, or table** the request by NWA Ground Services for a CUP to allow 'Building Materials and Services' at the subject location with the following conditions:
  - All conditions listed in the applicant letter and associated exhibits.

DIRECTOR'S COMMENTS:

- 1) Agree with recommendations and suggested motion.



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

Tabs:

- 1. CUP application with required supplements
- 2. Letters of support
- 3. Maps and/or photos
- 4. Proposed conditions (cover letter and exhibits)







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OFFICE USE ONLY

Permit Fee: \$100 web (\$100)  
Zoning: C-2 & R-O  
Permit Number: 19-06  
CityView Application: PL201900033  
Date: 1-17-19

**CONDITIONAL USE PERMIT**

APPLICANT: HFA for NWA Ground Services

ADDRESS: 1705 S Walton Blvd SUITE #: 3

PHONE #: (479)273-7780x355 EMAIL: kelsey.kreher@hfa-ae.com

PROPERTY OWNER: Great Northwest Development LLC PHONE #: \_\_\_\_\_

PRESENT USE: Vacant ZONING: C-2 & R-O

PROPOSED CONDITIONAL USE: Building Materials & Services

PARKING SPACES AVAILABLE: ~100 HOURS OF OPERATION: 8am-5pm

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: n/a MOST CHILDREN AT ONE TIME: n/a

Kelsey Kreher  
Applicant Signature

1-17-19  
Date

**Is the property switching from a residential to non-residential use?**

- ☐ Yes. If so, large-scale approval and/or coordination with Risk Reduction for compliance with the appropriate building codes will be required.  
☒ No

**Attachment Checklist:**

- ☒ Letter explaining request  
☒ Legal description of property  
☐ Applicant Certification  
☐ Site plan as needed  
☒ Letter of Approval from Property Owner

PLANNING STAFF PROVIDES:

DATE FILED: 1-17-19 PUBLIC HEARING DATE: 2-5-19 CERTIFIED MAIL DATE: 1-21-19

PLANNING COMMISSION ACTION: \_\_\_\_\_

COMMENTS, CONDITIONS, LIMITS: \_\_\_\_\_

**PROPERTY OWNER PERMISSION**

I, Great Northwest Development LLC, hereby permit the use of Building Materials & Services  
(name) (use)  
on my property at 2121 S Bellview Rd. Rogers, Arkansas.  
(address)

Dated this the 17 day of JANUARY, 20 19.

Kenneth P. Steina  
Signed

Kenneth P. Steina  
Name Printed

STATE OF ARKANSAS

COUNTY OF BENTON

Subscribed and sworn before me this the 17 day of JANUARY, 20 19.

CATHERINE MAY  
Notary Signature

CATHERINE MAY  
Notary Name Printed

2-15-21  
Commission Expires







1/17/2019

RE: NWA Ground Services  
Rogers, AR

Dear Planning Commission,

Harrison French & Associates requests a Conditional Use Permit on behalf of NWA Ground Services., a landscaping company to be located at 2121 S Bellview Rd. This site is currently zoned R-O and is currently undeveloped. With approval, we will propose a ~25,000 SF building and associated parking.

- Traffic will be associated with employee vehicle traffic (coming and going from work) as well the company vehicles coming and going from the site. This is not an office that will have significant client traffic at the premises.
- Standard parking will be in front of the building (asphalt parking with center lane meeting standard requirements for Rogers). In the rear of the building there will be a concrete parking area for vehicle/equipment storage with some covered parking. There will be additional parking on the rear of the lot for employee parking. To the south of the building there will be a parking lot for material storage that will be a combination of gravel and concrete. The site will have down lighting in parking areas as required by the city of Rogers and to address security concerns.
- We will propose a monument at the entrance of the building meeting the standard city signage requirements, as well as signage on the building, also in conformance with the sign code.
- There is no flammable equipment on the site other than gas/diesel for the equipment. There is fertilizer material that will be stored in a separate building that meets all the requirements for storage.
- This site will feature a wash bay for the company vehicles. There should no other noise besides vehicular/equipment movement during normal business hours.
- We plan to have ornamental iron around the property where visible to the public. There will also be evergreens planted to screen the public to any areas of the operation other than the main building. We understand the importance of screening.

We are excited for the opportunity to move our business into the city of Rogers. We anticipate having 75 employees within the next 2 years.

Sincerely,

NWA Ground Services



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## 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 Street on **February 5, 2019 at 4:30 p.m.** on the application by **NWA Ground Services** for a **Conditional Use** to allow **building materials and services** at **9.64 acres located at 2121 S. Bellview Rd** in the **C-2 (Highway Commercial)** and **R-O (Residential Office)** zoning district at the following described locations:

### LEGAL DESCRIPTION:

Lot 4 Pinnacle Bellview Subdivision to the City of Rogers, Arkansas according to Book 2016, Page 852 in the Public Records of Benton County, Arkansas, more particularly described as follows:

Beginning at the Northeast Corner of Lot 4 Pinnacle Bellview Subdivision, thence South 02°32'40" West 781.91 feet to a found 5/8 in Rebar with cap "PLS 786" for the East Quarter Corner of Section Twenty-one (21), Township Nineteen (19) North, Range Thirty (30) West;  
Thence South 02°31'06" West 1271.21 feet to a found MAG Nail and Washer "REH AR 1390" on the North Right-of-Way of South Promenade Blvd.;

Thence along a curve to the right having a radius of 43.13 feet, an arc length of 47.93 feet, a chord bearing of North 25°40'57" West and a chord distance of 45.50 feet to a found 5/8 inch Rebar on the East Right-of-Way of South Bellview Road;

Thence along said East Right-of-Way of South Bellview Road the following; North 04°41'13" East 450.04 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence along a curve to the left having a radius of 650.00 feet, an arc length of 445.69 feet, a chord bearing of North 14°57'23" West and a chord distance of 437.01 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence North 34°35'59" West 204.10 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence along a curve to the right having a radius of 550.00 feet, an arc length of 317.12 feet, a chord bearing of North 18°04'54" West and a chord distance of 312.75 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence North 01°33'50" West 228.28 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence along a curve to right having a radius of 1950.00 feet, an arc length of 140.47 feet, a chord bearing of North 00°29'59" East and a chord distance of 140.44 feet to a found 5/8 inch Rebar with cap "R HAMBY AR 1390", thence North 02°33'48" East 323.09 feet;

Thence leaving said East Right-of-Way South 87°27'20" East 390.21 feet to the Point of Beginning, containing 419,828 square feet or 9.64 acres, subject to easements and Rights-of-Way of record.

### LAYMAN'S DESCRIPTION:

**9.64 acres located at 2121 S. Bellview Rd**

Dennis Ferguson, Secretary  
Planning Commission

**PUBLISH ONE TIME ONLY: January 21, 2019**  
**BILL THE CITY OF ROGERS**





Friendly folks.  
Serious seafood.

To Whom it May Concern:

I am writing in regards to the recent submittal by NWA Grounds Services for a conditional use/rezone located at 2121 S Bellview Road (Parcel #02-23037-001). I had the opportunity to meet the developer of the plan and I want it known that I support the project moving forward. It is my opinion that this project will not negatively affect the surrounding area, and if anything will enhance the existing development in the area. The local developers and owners, the added employment for the community and hopefully continued traffic will be a benefit to us all on Bellview. Bellview has been slow to develop (comparatively to the rest of the two close exits areas) and I encourage them being allowed to continue with this project.

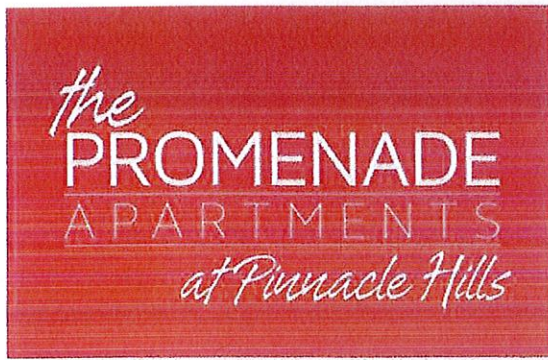
Respectively,

Brett Brundige

Franchise Owner

Fish City Grill Rogers





January 29, 2019

To Whom it May Concern:

Please accept this letter in regard to the recent submittal by NWA Grounds Services for a conditional use/rezone located at 2121 S Bellview Road (Parcel #02-23037-001).

We have reviewed the plans submitted to the City of Rogers, AR and are in support of the proposed project.

It is our opinion that this project will have a positive effect on surrounding developments and will further enhance the Promenade area. The primary businesses operating out of the new location will bring roughly 75 jobs to the area. These employees will shop, eat, and hopefully live in the Pinnacle area, which is positive and useful.

We believe the proposed project is consistent with the "highest and best use" for the area and support approval.

Respectfully,

Les R. Baledge  
HSB Rogers Apartments I, LLC  
The Promenade Apartments at Pinnacle Hills





February 11, 2019

RE: NWA Ground Services  
Bellview Rd. - Rogers, AR

Dear Planning Commission,

We are requesting a conditional use permit for Building Materials and Services with the following restrictions. The request under this conditional use shall be under Building Materials, "Building Contractors Yards" and under Building Services, "Landscape Maintenance." All other uses will not apply to this request. We hereby agree to the following conditions:

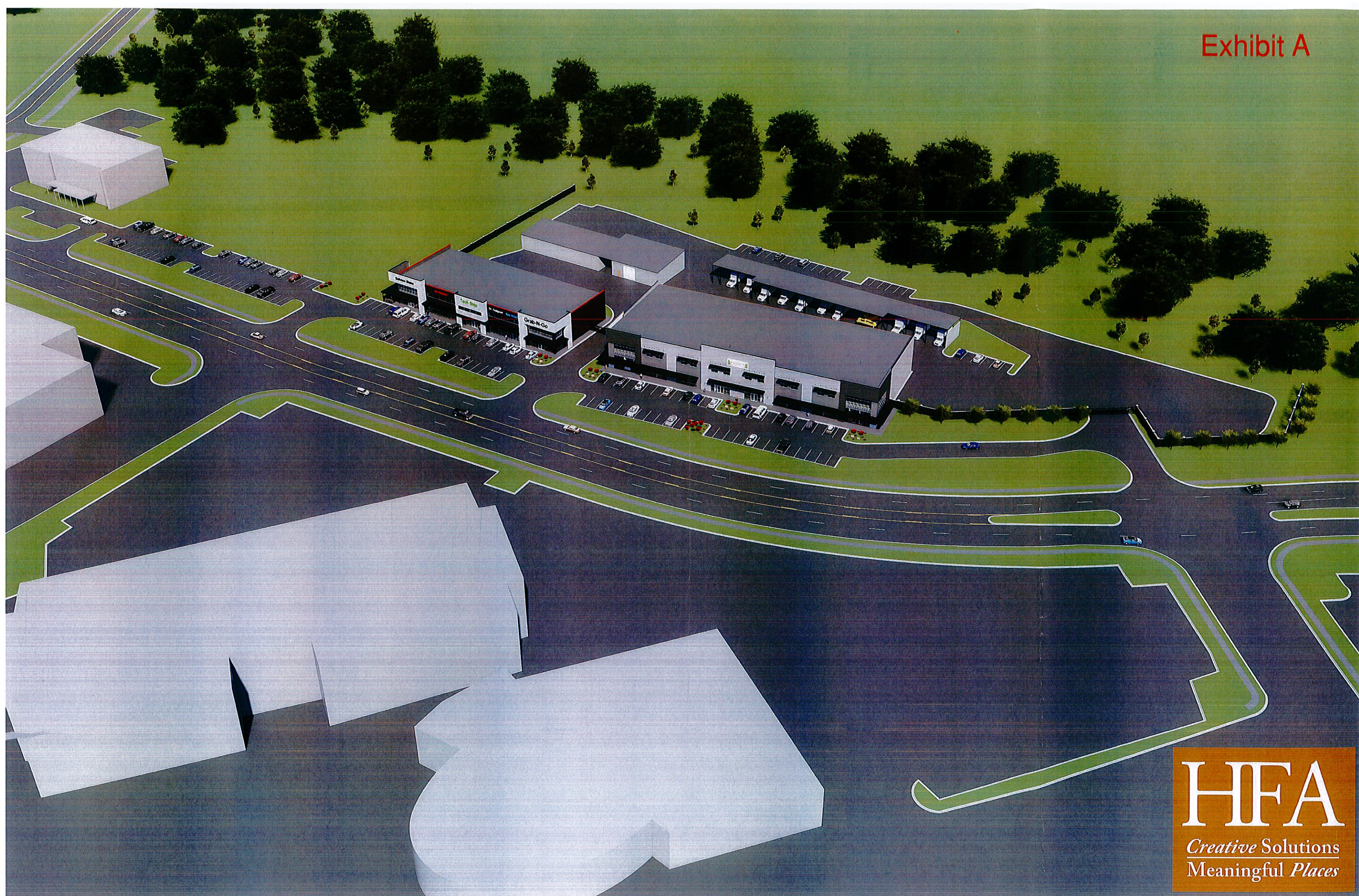
- Appearance of the building shall meet the representation as provided on the included exhibits A-D.
- The West elevation will have approximately 11,044 Square Feet of total Surface area, which will be made up of Glass 2810 SF (25%), Fiber Cement Plank 1376 SF (13%) and Concrete 6858 SF (62%).
- Developer, owner, and occupant hereby agree that the CUP is tied to their occupying the building and would not convey to a future tenant.
- All material deliveries shall be made at the rear of the building.
- The 6' masonry wall shall be constructed as part of Phase 1.
- The Phase 1 building will be based on renderings submitted with CUP, labelled Exhibits A-D.
- In the area of the Phase 2 building, a more temporary fence shall be placed. Appearance of this temporary fence shall be coordinated with the Planning Department as part of the Large Scale Development submittal.
- Exact size and location of rear buildings subject to change due to coordination with Carroll Electric. However, the rear buildings shall be shielded from public view by the front buildings to the extent practical by front buildings.
- Curb cuts to be determined as part of the Large scale development.
- Concerns in regard to dirt track out will be managed through mechanical process in the pavement and an onsite wash bay.
- All field vehicles shall be stored in the rear of the building.
- All signage to meet the city requirements.
- Connectivity with neighboring property will be coordinated in accordance with neighboring code.

Sincerely,

  
Ryan Gill, P.E.  
ryan.gill02/12/201910:46:40 AM



Exhibit A



**HFA**  
*Creative Solutions*  
*Meaningful Places*



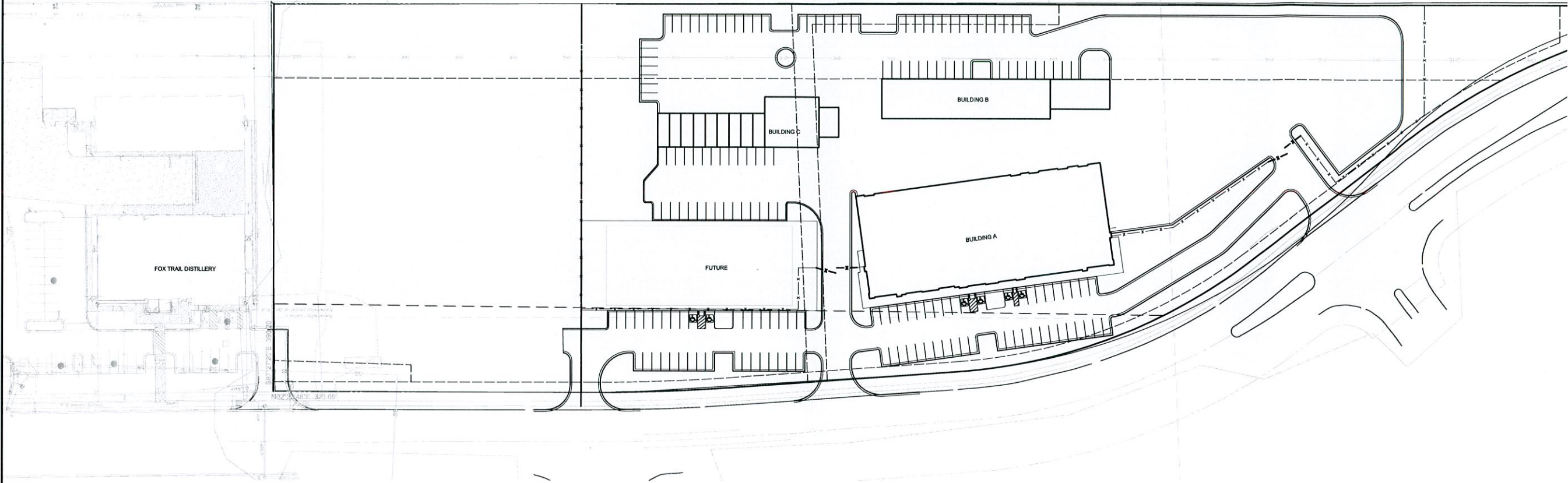








Exhibit D



BUILDING A  
TOTAL SF: 35,000  
OFFICE SF: 18,000  
WAREHOUSE SF: 17,000

HFA

ARCHITECTS  
ENGINEERS  
INTERIORS

HARRISON FRENCH

A ASSOCIATES, LTD

1705 S. Walton Blvd., Suite 3

Bentonville, Arkansas 72712

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NWA GROUND SERVICES

S. BELLVIEW ROAD  
ROGERS, AR 72758

PROJ. NUMBER: 18-18-0004

ISSUE BLOCK		
Δ	TITLE	DATE

DOCUMENT DATE: 2/6/2019  
CHECKED BY: HMA  
DRAWN BY: CAK

PRELIMINARY  
SITE  
PLAN

SHEET:  
C3.0



