



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

APRIL 10, 2019

TO: PLANNING COMMISSION

**REZONE – ELLIS  
STAFF SUMMARY REPORT**

ADDRESS:	1620 S. Anthony Drive and Lots 10, 11, 17, 18 in the NW corner of Midway Subdivision
LAND OWNER:	Larry and Connie Ellis
APPLICANT/REP:	Bell Construction Solutions / Chuck Bell
CURRENT ZONING:	R-SF (Residential Single-Family)
PROPOSED ZONING:	N-R (Neighborhood Residential)
GROWTH DESIGNATION:	Neighborhood
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

**BACKGROUND**

- 1) Planned Use: Residential.
- 2) Zoning District Intent:
  - a) N-R: Per Sec. 14-702(a), N-R zoning is intended "to encourage the continuation and revitalization of existing single-family detached housing at subdivision densities which are compatible with the comprehensive plan's goals for residential developments. Goals of the N-R district can be: Make more efficient use of existing infrastructure such as streets, and water and sewer lines, provide affordable housing opportunities within the City, minimize traffic congestion by reducing commuting distances, and relieve some of the pressure from suburban sprawl by promoting new development in more established areas."
- 3) Growth Designation Characteristics:
  - a) Neighborhood: Per CGM Page 1, Neighborhood is characterized by "single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development."
- 4) Process History: A public hearing was held for this request on 4/2/19. The item was tabled after said public hearing due to a public notice error. The applicant has since re-notified surrounding property owners and their request is subject to a second public hearing.

**STAFF REVIEW**

ENGINEERING REVIEW: N/A

PLANNING REVIEW:

- 1) Land-Use Compatibility:
  - a) Comprehensive Growth Map: The proposed rezone is consistent with the CGM as it categorizes the subject property under the Neighborhood Growth Designation, which allows for R-SF, N-R, R-DP, and R-MF zoning districts.
  - b) General Findings: Staff finds this to be an appropriate rezone request based on the applicant's intent to incorporate the subject property into Roselawn Subdivision. The subject property is in the Midway Subdivision; Roselawn is directly adjacent to the west and is zoned N-R. If the subject request is approved, it is staff's understanding that Midway Subdivision will be re-platted to remove the subject property and designate it as part of Roselawn. Staff does not anticipate incompatibility between N-R zoning standards and the existing R-SF development in Midway Subdivision. The primary differences between the two zoning districts are lot size and lot coverage. R-SF requires 8000-sf minimum lot area, does not have minimum lot width or depth, and allows up to 40% lot coverage. N-R requires 6000-sf minimum lot area, 60' minimum lot width and 100' minimum lot depth, and allows up to 30% lot coverage.
- 2) Views of Others: The Planning Division has received more than 10 comments in opposition, including those who spoke during the public hearing on 4/2/19. Those in opposition presented neighborhood petition signatures to staff and the Planning Commission.
- 3) RECOMMENDATIONS:
  - a) Consider request with regard to land-use compatibility and the health, safety, and general welfare of the public.
  - b) **Recommend rezone for City Council approval.**

ETHAN HUNTER, Planner III  
City of Rogers Planning Division

SUGGESTED MOTION:

- 1) Move to **recommend for City Council approval** or **deny/table** the request by Larry and Connie Ellis to rezone property at 1620 S. Anthony Drive and Lots 10, 11, 17, 18 in the NW corner of Midway Subdivision to the N-R zoning district.

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





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OFFICE USE ONLY

Permit Fee: \$200 (\$200)  
Zoning: R-SF to N-R  
Permit Number: 19-18  
CityView Application: PL201900197  
Date: 3-14-19

REZONE APPLICATION

APPLICANT: Larry & Connie Ellis  
Bell Construction Solutions LLC (Chuck Bell)  
ADDRESS: P.O. Box 8 Cave SUITE #: \_\_\_\_\_  
GENERAL LOCATION OF PROPERTY: 1620 S Anthony St  
PHONE #: 479-366-0640 EMAIL: Chuck.bell@bellconsolutions.com  
PROPERTY OWNER: Larry & Connie Ellis PHONE #: \_\_\_\_\_  
PRESENT USE: R-SF Residential ZONING: R-SF  
PROPOSED USE: Neighborhood Residential ZONING: N-R

CBell  
Applicant Signature

3/13/19  
Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 3-14-19 PUBLIC HEARING DATE: 4-2-19 CERTIFIED MAIL DATE: 3-18-19  
PLANNING COMMISSION ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_  
ORDINANCE NUMBER: \_\_\_\_\_ COMMENTS: \_\_\_\_\_



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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 **April 2, 2019 at 5:00 p.m.** on the application by **Bell Construction Solutions for Larry and Connie Ellis** to consider a rezone from the **R-SF (Residential Single Family)** zoning district to the **N-R (Neighborhood Residential)** zoning district at **1620 S. Anthony St.** the property being more particularly described as follows:

### **LEGAL DESCRIPTION:**

LOT 10-18 MIDWAY SUBDIVISION, ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "H" AT PAGE 113.

### **LAYMAN'S DESCRIPTION:**

1620 S. Anthony St.

Mandel Samuels, Secretary  
Planning Commission

**PUBLISH ONE TIME ONLY:**    **March 18, 2019**  
BILL THE CITY OF ROGERS

**PROPERTY OWNER AFFIDAVIT**

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

LEGAL DESCRIPTION: All of lots 10-18 in the Midway Subdivision in the City of Rogers, Benton County, AR as file at Plat Record Book H, Page 113 on 7/21/67

LAYMAN'S DESCRIPTION:  
1620 S. Anthony St, Rogers, AR

PRESENT ZONING: R1

ZONING REQUEST: NR

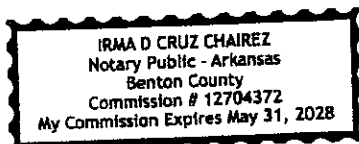
Respectfully Submitted,

By: [Signature]  
(Property Owner Signature)

STATE OF ARKANSAS  
COUNTY OF BENTON

Subscribed and sworn before me this the 12 day of March, 2019.

[Signature]  
Notary Signature



IRMA CRUZ  
Notary Name Printed

May 31, 2028  
Commission Expires

## 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 14<sup>th</sup> day of March, 20 19.

CB  
Signed

Chuck Bell  
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

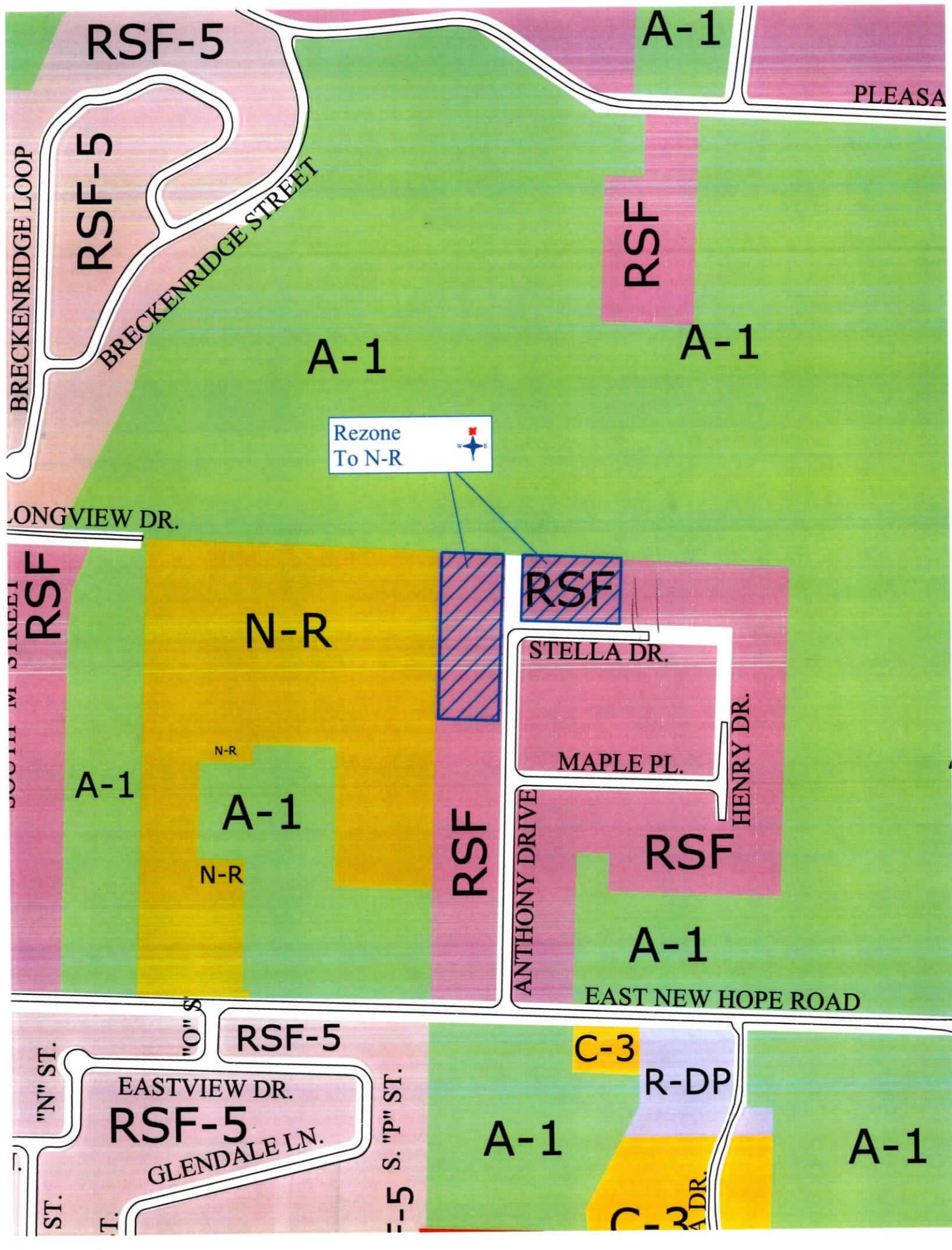
Subscribed and sworn before me this the 14<sup>th</sup> day of March, 20 19.

Frieda Marie Bell  
Notary Signature

Frieda Marie Bell  
Notary Name Printed

7-23-2019  
Commission Expires





RSF-5

A-1

PLEASA

RSF-5

BRECKENRIDGE STREET

RSF

A-1

A-1

Rezone  
To N-R



LONGVIEW DR.

RSF

N-R

RSF

STELLA DR.

MAPLE PL.

HENRY DR.

A-1

N-R

A-1

N-R

RSF

RSF

A-1

EAST NEW HOPE ROAD

RSF-5

C-3

R-DP

EASTVIEW DR.

RSF-5

GLENDALE LN.

A-1

A-1

"N" ST.

"O" ST.

"P" ST.