



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

**PLANNING COMMISSION MEETING AGENDA
DECEMBER 21, 2021
5:00 PM**

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. December 7, 2021

REPORTS FROM STAFF:

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. PLANS & POLICIES COMMITTEE
2. DEVELOPMENT REVIEW COMMITTEE
 1. LSDP: Brian Properties – The Bend on Promenade
 2. LSDP: Promenade Commons – 55+ Phase 2

CONSENT AGENDA:

OLD BUSINESS:

PUBLIC HEARING:

1. RZN: Agostini
A request to rezone $\pm$ 0.35 acres at 409 N 6th Street from the R-DP (Residential Duplex and patio home) zoning district to the NBT (Neighborhood Transition Unit) zoning district.
 - STAFF: Amber Long
 - REPRESENTED BY: Michael J. Agostini



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2. RZN: DRD Blessings, LLC

A request to rezone $\pm$ 48 acres at 510 N. 6th Street from the R-DP (Residential Duplex and Patio Home) zoning district to the NBT (Neighborhood Transition Unit) zoning district.

- STAFF: Nicholas Little

- REPRESENTED BY: Will Kellstrom

NEW BUSINESS:

1. LSDP: Brian Properties – The Bend on Promenade

A request to allow the construction of eight apartment buildings (160 total units), an office building, and a club house on $\pm$ 7.78 acres located at 4401 W Cedar Brooke Lane.

- STAFF: Amber Long

- REPRESENTED BY: Molly Robb

2. LSDP: Promenade Commons – 55+ Phase 2

A request to allow the construction of a 4-story, 12,285-SF building and paved parking on $\pm$ 1.29 acres located at 4100 W Oak Street.

- STAFF: Nicholas Little

- REPRESENTED BY: Molly Robb

ADJOURN:



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

ROGERS PLANNING COMMISSION MINUTES

The **Rogers Planning Commission** met for a public meeting at Rogers City Hall at 301 W. Chestnut St. on December 7, 2021 at 5:00 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

Commissioners Mandel Samuels, Rachel Crawford, John Schmelzle, Jorge Andrade, Derek Burnett, Kevin Jensen, Mark Myers, and Steven Lane were present. Commissioner Eriks Zvers was absent.

ACTION ON MINUTES

Motion by Jensen, Second by Crawford, to approve the November 16, 2021, Planning Commission meeting minutes as presented.

Voice Vote: Unanimous - Yes. **Motion carried.**

Approved.

REPORTS FROM STAFF

Community Development Director John McCurdy reported on a few meeting procedure changes upon after discussion with the chairman and city legal staff. The changes included:

- elimination of the consent agenda,
- no need for roll call votes for any item unless clarity is needed,
- announcement of plans to abstain from vote early in meeting prior to discussion of any item.

REPORTS FROM BOARDS AND COMMITTEES

PLANS & POLICIES COMMITTEE —

1. RZN/DCP: Shadowbrooke Phase 5

This item was recommended to be approved as presented.

DEVELOPMENT REVIEW COMMITTEE —

1. LSDP: Dixie Lot 11 Warehouse/Office

This item was recommended for approval as presented.

2. LSDP: Conex Office Building

This item was recommended for approval with approval of a fee-in-lieu of detention in the amount of \$871.12, and the following variances:

- from Sec. 14-285(1), to allow a Large-Scale Development on a lot that is less than 1 acre.
- from Sec. 14-285(2), to allow a structure to be built within the 75-foot Overlay Setback that abuts Interstate 49.

- from Sec. 14-285(3) and (4), to allow a structure to be built inside of the 25-foot deep landscape bufferyard that abuts the I-49 Overlay corridor, as well as the allowance of the structure to be built inside of the 10-foot rear Overlay bufferyard.
- from Sec. 14-709(d(2)), to allow the proposed structure to encroach the building setbacks that are designated in the C-2 zoning district.

3. LSDP: Belue Muse Townhomes

This item was recommended for approval as presented.

OLD BUSINESS

1. RZN/DCP: Shadowbrooke Phase 5

A request to rezone ± 7.54 acres South of the intersection of S. Everest Ave. and W. Everest Ave. from the C-2;PUD (Highway Commercial; Planned Unit Development), RMF-9A;PUD (Residential MultiFamily, 9 Units/Acre; Planned Unit Development), and R-O; PUD (Residential Office; Planned Unit Development) zoning districts to the RMF-12 (Residential Multi-Family; 12 units/acre) zoning district with the acceptance of a Density Concept Plan.

Samuels introduced the item and noted its recommendation for approval to the full Commission. Jensen noted the applicant had addressed everything the Commission had requested.

Motion by Jensen, Second by Schmelzle, to recommend the rezone and DCP to the City Council for approval, subject to the one road alignment discussed that should be coordinated with staff.

Voice Vote: YES –Unanimous. **Motion carried.**

RECOMMENDED for approval by City Council

PUBLIC HEARINGS

1. RZN/DCP: The Grove

A request to rezone ± 24.78 acres SE of the intersection of W. Broadway Place and S. Dixieland Road from the RMF-9.5B (Residential Multi-Family) zoning district to the RMF-9.5B (Residential Multi-Family) zoning district with the acceptance of a Density Concept Plan.

Samuels introduced the item and requested a staff report.

Planner Amber Long provided a staff report, noting the project had a previous DCP but they've requested a change in building type. Due to a public notice error, it's back as public hearing. Community Development Director John McCurdy noted the staff's ability to approve minor changes to a DCP, but this was enough of a change it needed Commission approval.

Applicant Adam Osweiler said the change effects only two strucutres.

Samuels opened the public hearing for comments.

There were no comments. The public hearing was declared closed.

Jensen said this is the same item discussed previously with little change.

Motion by Jensen, Second by Crawford, to accept the DCP and recommend the rezone to City Council for approval as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

RECOMMENDED for City Council Approval.

2. **CUP: Kum & Go #2421**

A request to for a Conditional Use Permit to allow the use “Convenience Store with Gas Sales” at the NW corner of W. New Hope Rd. and S. 1st St. in the C-3 (Neighborhood Commercial) zoning district.

Samuels introduced the item and requested a staff report.

Long provided a staff report explaining the planned use and noting its compatibility with the neighborhood. Staff recommended approval.

Mike Clotfelter, applicant, said he didn’t have anything to add to the staff report.

Samuels opened the public hearing for comments.

There were no comments. The public hearing was declared closed.

Motion by Schmelzle, Second by Crawford, to approve as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

APPROVED

NEW BUSINESS

1. **LSDP: Dixie Lot 11 Warehouse/Office**

A request to allow the construction of one 15,000 sq. ft. warehouse/office building with paved parking on ± 1.05 acres located at 1701 W Industrial Dr.

Samuels introduced the item and noted that it came out of the Development Review committee with a recommendation to be approved as presented.

Samuels asked if there were any further comments.

There were no comments.

Motion by Crawford, Second by Jensen, to approve as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

Approved.

1. **LSDP: Conex Office Building**

A request to allow the construction of a 640 sq. ft. office building and paved parking on ± 0.22 acres located at 3300 S 27th St.

Samuels introduced the item and noted that it came out of the Development Review committee with a recommendation to be approved as presented.

Samuels asked if there were any further comments.

There were no comments.

Motion by Crawford, Second by Myers, to approve as presented.

Voice Vote: YES – Unanimous. **Motion carried.**

Approved.

3. **LSDP: Belue Muse Townhomes**

A request to allow the construction of one 3,708-SF building, three 448-SF buildings and paved parking on ± 0.59 acres located Northwest of the intersection of N 8th St. and W Persimmon St.

Samuels introduced the item and noted that it came out of the Development Review committee with a recommendation to be approved as presented.

Samuels asked if there were any further comments.

There were no comments.

Jensen stated he would abstain from the vote on this item.

Motion by Crawford, Second Myers, to approve as presented.

Voice Vote: YES – 7 (one abstention). **Motion carried.**

Approved.

CHAIRMAN COMMENT

Samuels noted the need to elect new officers for the 2022 term and that the Commission should come up with its own slate of officers rather than looking to the staff for officer recommendations. He asked members to send him or Planning Services Manager Kyle Belt any recommendations prior to the next meeting.

ADJOURN

There being no further business, Samuels adjourned the meeting at 5:16 p.m.

ATTEST:

APPROVED:

John Schmelzle, Secretary

Mandel Samuels, Chairman



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
DECEMBER 21, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – AGOSTINI

STAFF: AMBER LONG, PLANNER II

REQUEST DETAILS

ADDRESS/PARCEL:	409 N. 6th St. / 02-06757-000
TOTAL AREA TO BE REZONED:	± 0.35 acres
CURRENT ZONING:	R-DP (Residential Duplex and Patio Homes)
PROPOSED ZONING:	NBT (Neighborhood Transition)
APPLICANT/REPRESENTATIVE:	Michael J. Agostini
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	Agostini Joint Revocable Trust
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. NBT is an allowed zoning district within the Regional Center Growth Designation. Per the Downtown Regional Zoning Plan, the subject property is intended for NBT zoning.

Community Development recommends **approval** of this request.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Regional Center.
- b) Growth Designation Character:
Mixed-use urban cores that function as regional activity hubs for commerce, arts and entertainment, living, recreation, and retail. Intensity supported well-connected, high-capacity, pedestrian-oriented street network. Goals include high-quality design and efficient use of land (CGM Page 1).
- c) Base Density:
N/A.
- d) Max Density:
N/A.
- e) Allowed Zoning Districts:
COR, SOM, IA, NBT, U-COR, U-COM, U-ENT, U-NBT.

2. ZONING:

- a) NBT (Neighborhood Transition)
The purpose and intent of the NBT zoning district is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown,” (Sec. 14-715(1.1)(a)(iv)).
- b) General Findings:
The subject property, which currently has no current use, is zoned R-DP in the Regional Center Growth Designation. The parcel is less than a quarter-mile east of Access Corridor and Neighborhood Growth Designations. Surrounding zoning within the Regional Center includes R-O, NBT, RMF-12B, and C-2. Nearby zoning within the Access Corridor and Neighborhood Growth Designations include R-DP, RMF-20B, R-O, and O. Per the Downtown Regional Zoning Plan, the subject property is intended for NBT. Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

3. RECOMMENDATIONS:

- a) **Approve** request.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED:*
Move to recommend City Council approval as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to recommend City Council approval subject to [conditions or contingencies].
3. *IF DENYING:*
Move to deny the request.
4. *IF TABLING:*
Move to table the request.

TABS

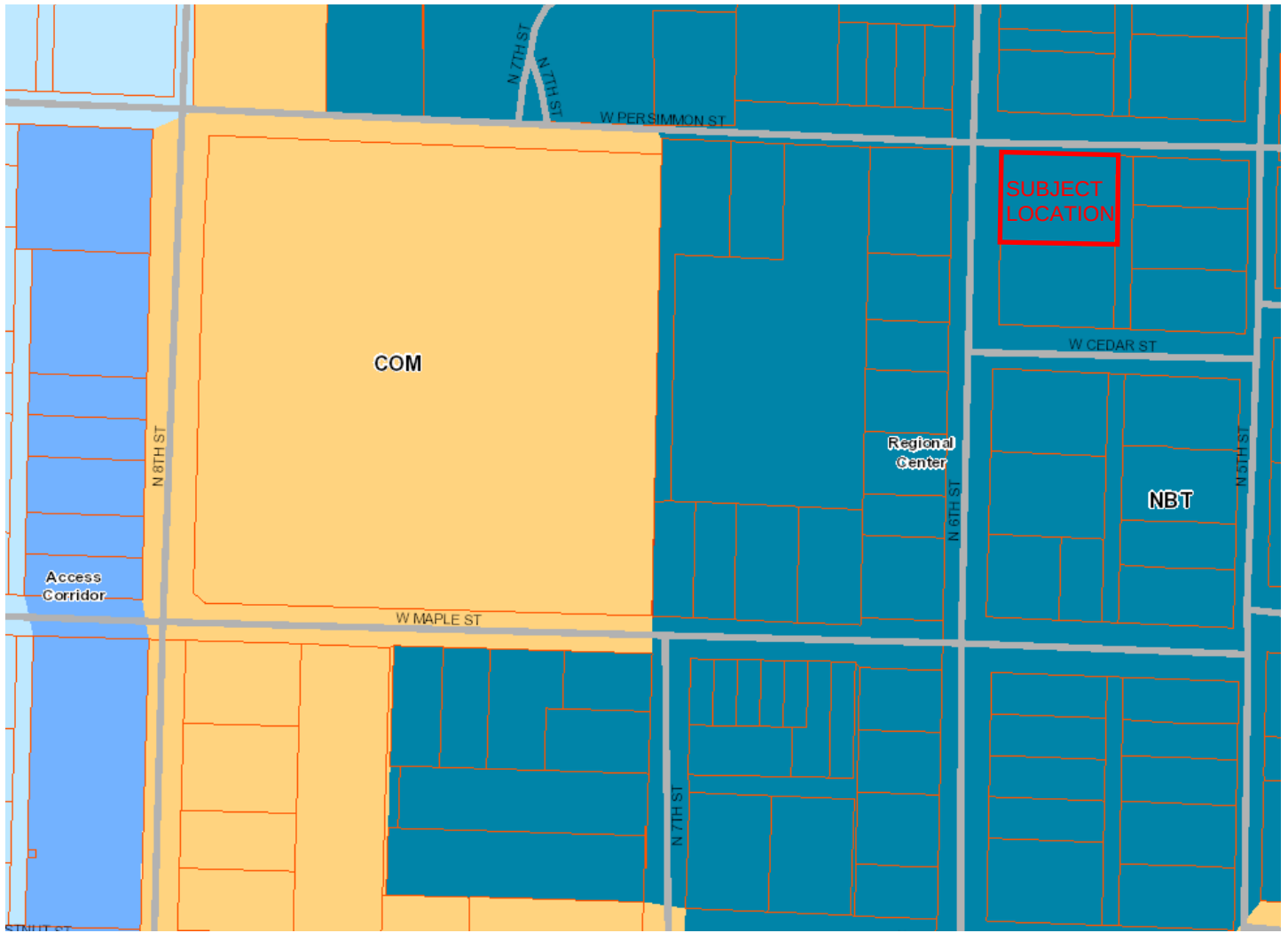
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

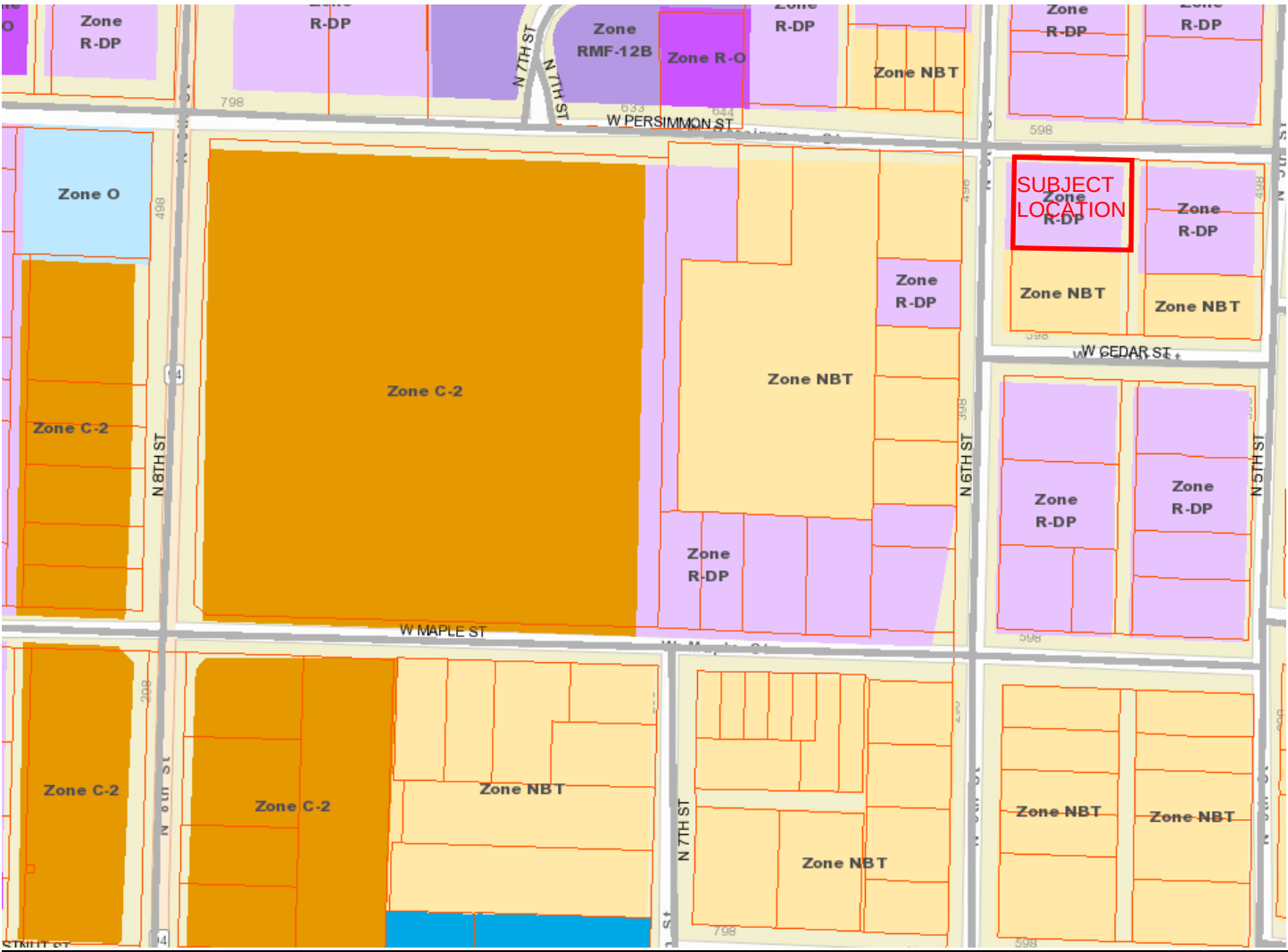
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP





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

OFFICE USE ONLY

Permit Fee: \$200.00 (\$200)
Zoning: R-DP to NBT
Permit Number: _____
CityView Application: PL202101354
Date: 11/24/2021

REZONE APPLICATION

APPLICANT: MICHAEL J. AGOSTINI (TRUSTEE)
ADDRESS: 28 VEGAS DR. ROGERS AR 72756 SUITE #: _____
GENERAL LOCATION OF PROPERTY: 409 N. 6TH ST. ROGERS AR 72756
PHONE #: 479.640.6638 EMAIL: agomj@cox.net
PROPERTY OWNER: AGOSTINI JOINT REVOCABLE TRUST PHONE #: 479.640.6638
PRESENT USE: VACANT LOT ZONING: R-DP
PROPOSED USE: SINGLE OR MULTI FAMILY ZONING: NBT

Michael J. Agostini
Applicant Signature

11-24-2021
Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____
PLANNING COMMISSION ACTION: _____ DATE: _____
CITY COUNCIL ACTION: _____ DATE: _____
ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, MICHAEL J. AGOSTINI (TRUSTEE), petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

LOT 2,3 BLOCK 1 OAK VIEW ADD - ROGERS

PARCEL # 02-06757-000

LAYMAN'S DESCRIPTION:

409 N. 6TH Street, Rogers, AR 72756

PRESENT ZONING: R-DP

ZONING REQUEST: NBT

Respectfully Submitted,

By:

Michael J. Agostini

(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 24th day of November, 2021.

[Signature]

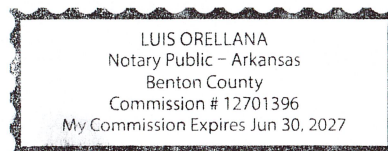
Notary Signature

Luis Orellana

Notary Name Printed

6.30.2027

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 29 day of NOVEMBER, 20 21.

Michael J Agostini
Signed

MICHAEL J AGOSTINI
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 29th day of November, 20 21.



Melinda Torix
Notary Signature

Melinda Torix
Notary Name Printed

5/14/2031
Commission Expires

WARRANTY DEED

L201822544

BENTON CO. AR FEE \$20.00

PRESENTED & E-RECORDED

05/03/2018 11:48:09 AM

BRENDA DESHIELDS
Circuit Clerk & Recorder

KNOW ALL MEN BY THESE PRESENTS:

THAT **Michael J. Agostini and Tracey K. Agostini, husband and wife**, herein called Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantees, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto **Michael J. Agostini and Tracey K. Agostini, Trustees of The Michael J. Agostini and Tracey K. Agostini Joint Revocable Trust** dated May 3, 2018, hereinafter called Grantees, and unto their successors and assigns forever, the following lands lying in Benton County, Arkansas, to-wit:

Lots 2 and 3, Block 1, Oakview Addition, to the City of Rogers, Benton County, Arkansas. Subject to existing easements, mineral reservations and/or conveyances, and restrictions of record, if any.

Lot 58 of Revised Runnymede Subdivision, a subdivision located in Part of the N 1/2 of the NW 1/4 of Section 8, Township 19 North, Range 28 West of the Fifth Principal Meridian, Benton County, Arkansas, as shown in Plat Record "O" at Page 225.

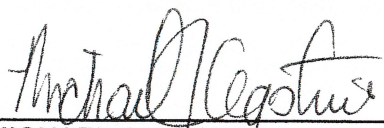
Lot 57 of Revised Runnymede Subdivision, a subdivision located in Part of the N 1/2 of the NW 1/4 of Section 8, Township 19 North, Range 28 West of the Fifth Principal Meridian, Benton County, Arkansas, as shown in Plat Record "O" at Page 225.

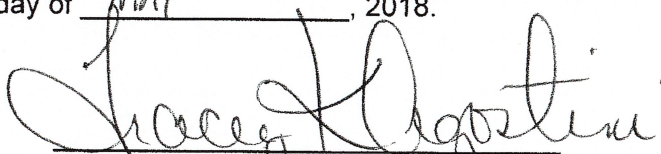
To have and to hold the same unto the said Grantees, and unto their successors and assigns forever, with all appurtenances thereunto belonging.

And Grantors hereby covenant with said Grantees that they will forever warrant and defend the title to said lands against all claims whatever.

And I, Tracey K. Agostini, wife of the said Michael J. Agostini, and I, Michael J. Agostini, husband of the said Tracey K. Agostini, for said consideration, do hereby release and relinquish unto the said Grantees all our respective rights of dower, curtesy, and homestead in and to the said lands.

WITNESS our hands and seals this 3 day of MAY, 2018.


MICHAEL J. AGOSTINI


TRACEY K. AGOSTINI

Prepared By: Watkins, Boyer, Gray & Curry, PLLC
Attorneys At Law
1106 West Poplar Street
Rogers, AR 72756
479-636-2168

NO REVENUE-TRANSFER TO TRUST

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.


GRANTEE/AGENT

RETURN TO AND MAIL TAX STATEMENT TO: The Michael J. Agostini and Tracey K. Agostini Joint Revocable Trust, 28 Vegas Drive, Rogers, AR 72756



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

MEETING DATE
DECEMBER 21, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – DRD BLESSINGS

STAFF: NICHOLAS LITTLE, PLANNER II

REQUEST DETAILS

ADDRESS/PARCEL:	510 N 6 th Street / 02-04600-000
TOTAL AREA TO BE REZONED:	± 0.48 acres
CURRENT ZONING:	R-DP (Residential Duplex and Patio Homes)
PROPOSED ZONING:	NBT (Neighborhood Transition)
APPLICANT/REPRESENTATIVE:	DRD Blessings, LLC
PROJECT OWNER/DEVELOPER:	DRD Blessings, LLC
PROPERTY OWNER:	DRD Blessings, LLC
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. NBT is an allowed zoning district within the Regional Center Growth Designation, and the subject property is intended for NBT zoning per the Downtown Regional Center Zoning Plan.

Community Development recommends **approval** of this request.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Regional Center.
- b) Growth Designation Character:
Mixed-use urban cores that function as regional activity hubs for commerce, arts and entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity, pedestrian-oriented street network. Goals include high-quality design and efficient use of land (CGM Page 1).
- c) Base Density:
N/A.
- d) Max Density:
N/A.
- e) Allowed Zoning Districts:
COR, COM, IA, NBT, U-COR, U-COM, U-ENT, U-NBT.

2. ZONING:

- a) NBT (Neighborhood Transition)
The purpose and intent of the NBT zoning district is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown,” (Sec. 14-715(1.1)(a)(iv)).
- b) General Findings:
The subject property, which currently has a residential use, is zoned R-DP in the Regional Center Growth Designation. The property is mostly surrounded by R-DP zoning, with undeveloped NBT zoned parcels directly to the south. Per the Downtown Regional Zoning Plan the subject property is intended for NBT. Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

3. RECOMMENDATIONS:

- a) **Approve** request.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

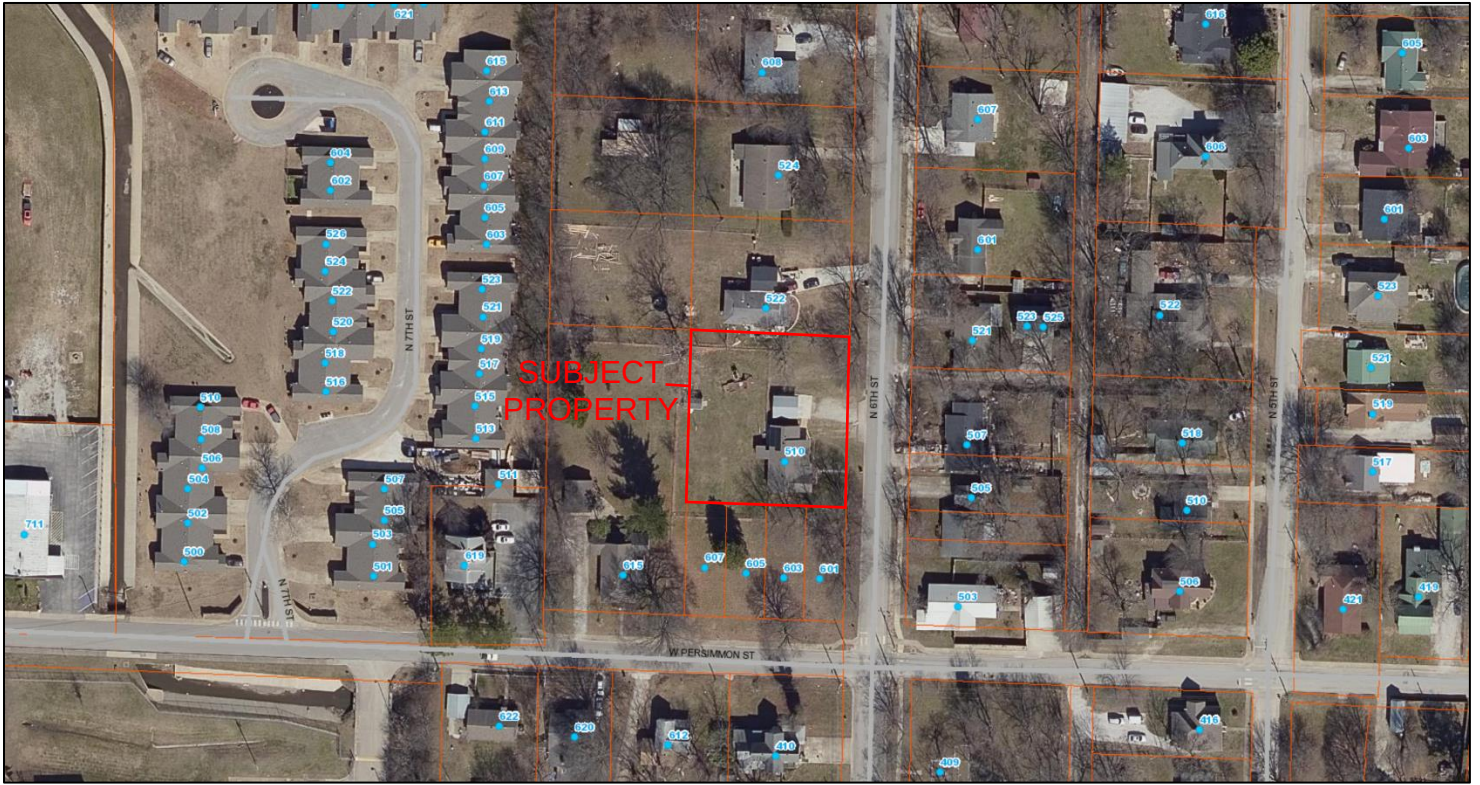
1. *IF APPROVING AS PRESENTED:*
Move to recommend City Council approval as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to recommend City Council approval subject to [conditions or contingencies].
3. *IF DENYING:*
Move to deny the request.
4. *IF TABLING:*
Move to table the request.

TABS

1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

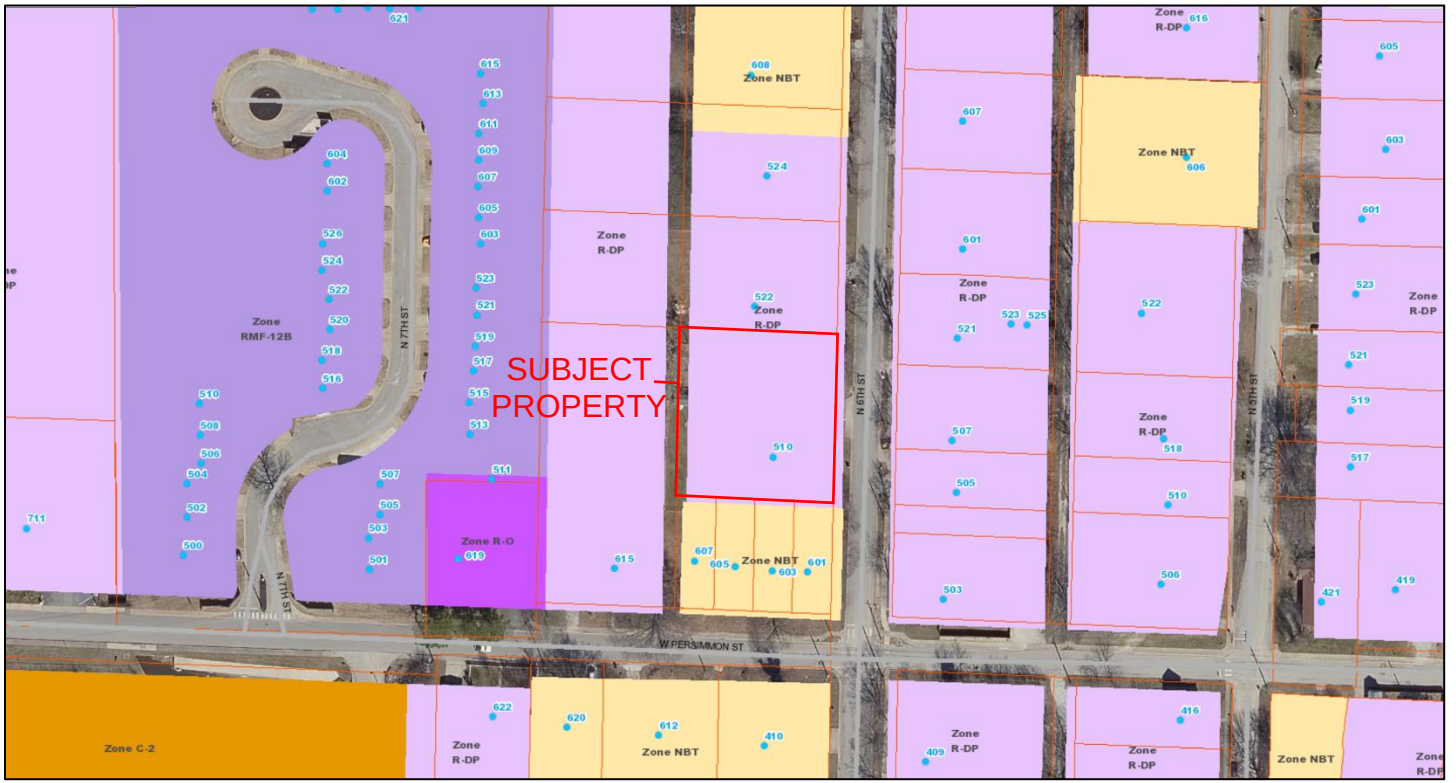
AERIAL VICINITY MAP

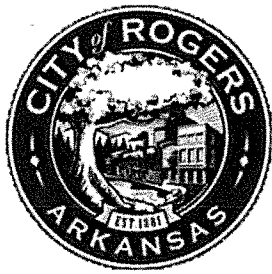


CGM VICINITY MAP



ZONING VICINITY MAP





DEPT. OF PLANNING
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

OFFICE USE ONLY

Permit Fee: _____ (\$200)

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: DRD Blessings, LLC

ADDRESS: 510 N. 6th st SUITE #: _____

GENERAL LOCATION OF PROPERTY: Downtown Rogers

PHONE #: C/O 479-636-2168 EMAIL: C/O wkellstrom@watkinslawoffice.com

PROPERTY OWNER: DRD Blessings, LLC PHONE #: C/O 479-636-2168

PRESENT USE: Single family residential ZONING: R-DR

PROPOSED USE: Single family residential ZONING: NBT

R. C. C. C. C.
Applicant Signature

11-23-2021
Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: _____ PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION:

Lots 15, 18 & 19 Hardin's Addition and the Easterly 10 feet of a 20 foot wide vacated alley located along the West boundary of said lots 15, 18 & 19, to the City of Rogers, Arkansas, as shown on plat of record in plat book A and page 44, plat records of Benton County, Arkansas.

LAYMAN'S DESCRIPTION: 510 N. 6th St., Rogers, Arkansas 72756

PRESENT ZONING: R-DP, Residential Duplex and Patio Home

ZONING REQUEST: NBT, Neighborhood Transition

Respectfully Submitted,

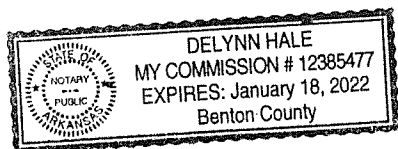
DRD Blessings, LLC

By: *R. Cope Gracy*
Cope Gracy, Manager

STATE OF ARKANSAS)
)
COUNTY OF BENTON)

Subscribed and sworn before me this 23rd day of November, 2021.

DeLynn Hale
Notary Signature



DeLynn Hale
Notary Name Printed

01-18-2022
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 29th day of November, 2021.

Signed

W. Kellstrom

Will A. Kellstrom

STATE OF ARKANSAS

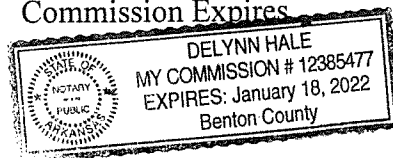
COUNTY OF BENTON

Subscribed and sworn before me this the 29th day of November, 2021.

DeLynn Hale
Notary Signature

DeLynn Hale
Notary Name Printed

01-18-2022
Commission Expires



LEGAL DESCRIPTION

Lots 15, 18 & 19 Hardins Addition and the Easterly 10 feet of a 20 foot wide vacated alley located along the West boundary of said lots 15, 18 & 19, to the City of Rogers, Arkansas, as shown on plat of record in plat book A and page 44, plat records of Benton County, Arkansas.



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

**MEETING DATE
DECEMBER 21, 2021**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
LARGE-SCALE DEVELOPMENT PLANS – BRYAN PROPERTIES THE BEND ON PROMENADE**

STAFF: AMBER LONG, PLANNER II
KRISTIFER PAXTON, DEVELOPMENT COMPLIANCE MANAGER

REQUEST DETAILS

PROJECT NAME:	The Bend on Promenade
ADDRESS/LOCATION:	4401 W. Cedar Brooke Ln. / 02-22377-000
PROPOSED USE:	Multifamily Residential
CURRENT ZONING:	RMF-21B
CGM GROWTH DESIGNATION:	Commerce Corridor
APPLICANT/REPRESENTATIVE:	Anderson Engineering, Inc.
PROJECT OWNER/DEVELOPER:	Brad Gebhard, Bryan Properties
PROPERTY OWNER:	Promenade Housing Partners, LLC.
NATURE OF REQUEST:	Approval of Large-Scale Development Plans
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

SUMMARY

This request is to allow the construction of eight apartment buildings (160 total units), an office building, and a club house on ± 7.78 acres. The proposed development plans meet all City requirements (except for requested waivers/variances) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b).

Community Development recommends **approval** of this request subject to the following actions:

1. **APPROVE** waiver from the Drainage Criteria Manual Chapter 4, Section 3.3.2 regarding the matching pipe crowns.
2. **APPROVE** waiver from Typical Street Section for a Minor Street in Sec. 14-46.
3. Approve **VARIANCE** from Sec. 14-703(f)(1)(a), from the requirement to provide an additional 2' of setback on each side of a structure for each additional foot of building height over 35'.

Note: This project was previously approved by Planning Commission on April 7, 2020. The project approval expired in April 2021.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant's proposal meets the Access Management standards.

2. STORMWATER MANAGEMENT:

The project utilizes a regional detention pond to account for peak discharge mitigation. The applicant requests a **WAIVER** from requirement in the Drainage Criteria Manual: Chapter 4 – Section 3.3.2 regarding matching pipe crowns. Pipe crowns are proposed to match where there are changes in pipe sizes except for in one location, allegedly due to existing elevations on-site and at the outlet.

3. WATER QUALITY:

Water quality will be mitigated through ADS Flexstorm inlet filter bags. The ADS Flexstorm inlet filter bags have a TSS and TPH removal rate of 99% and 97%, respectively. The applicant provides an Operations & Maintenance Plan with the signature requirements.

4. FLOODPLAIN MANAGEMENT:

No portion of the project is located within a Special Flood Hazard Area (SFHA). The project is located in Zone "X" (unshaded).

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

Pavement condition along S Promenade Blvd is in good condition. The applicant proposes improvements along the east side of S 45th Street which is in substandard condition. Since the applicant is proposing an extension to the existing street instead of a full improvement, the applicant will be required to either show a core sample with 6" aggregate base and 3" of asphalt, or will be required to extend the improvement to the centerline of S 45th Street.

b) Connectivity Standards:

Connectivity Standards have been met in the proposal.

c) Streetscape:

i) Right-of-Way:

1) The applicant is requesting a **WAIVER** from the Typical Street Section for a Minor Street in Sec. 14-46. The applicant states that to provide the east/west connection that will be W Cedar Brooke Lane and accommodate the parking and internal connections, the typical street section must be modified.

1) S Promenade Blvd is a Major Arterial. The applicant proposes to dedicate an additional 7.5 feet of right-of-way to meet dedication requirements.

2) S 45th Street is a Minor Street. The applicant shows appropriate right-of-way along this street.

ii) Sidewalks & Sidepaths:

1) The applicant proposes a 10-ft sidepath along S Promenade Blvd

2) The applicant proposes a 5-ft sidewalk along S 45th St.

d) Trails:

No trail construction or right-of-way dedication is required other than sidepaths and sidewalks along the streets as proposed.

e) Streetlights:

Streetlights shown on the plans meet requirements

f) Street Trees:

Proposed street trees meet the requirements of code.

6. RECOMMENDATIONS:

a) **APPROVE** waiver from the Drainage Criteria Manual Chapter 4, Section 3.3.2 regarding the matching pipe crowns.

b) **APPROVE** waiver from Typical Street Section for a Minor Street in Sec. 14-46.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i) "Multifamily Residential" is defined as "buildings that have three (3) or more dwelling units that share common walls, floors, ceilings, or open space on a site," (Sec. 14-695(b)(1)(i)).

b) Zoning Compliance:

The proposed project is in compliance with R-MF zoning regulations.

c) CGM Compliance:

The proposed project aligns with the purpose, character, and goals of the Commerce Corridor Growth Designation.

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-703 and Article III with the exception of any requested waivers and/or variances.

a) Building Disposition:

- i) The applicant requests a **VARIANCE** from Sec. 14-703(f)(1)(a), from the requirement to provide an additional 2' of setback on each side of a structure for each additional foot of building height over 35'.

b) Building Design:

All building design requirements (per the DCP) have been met.

c) Parking & Loading:

All vehicle and bicycle parking requirements have been met.

d) Screening & Transitions:

All screening requirements have been met.

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

- a) Approve **VARIANCE** from Sec. 14-703(f)(1)(a), from the requirement to provide an additional 2' of setback on each side of a structure for each additional foot of building height over 35'. The proposed apartment buildings are 44' tall, necessitating a 48' front, rear, and exterior side setback and a 28' interior side setback off of W. Cedar Brooke Lane. The applicant cites the construction of W. Cedar Brooke Lane and the preservation of interior site trees as the hardship to warrant this request. This setback variance request was considered and approved by Planning Commission on April 7, 2020. As stated in the previous staff report, staff does not believe that approval of this request would present significant future compatibility concerns for adjacent properties.

OTHER REVIEWS

The proposed development plans have been reviewed by the City of Rogers Risk Reduction Division and Rogers Water Utilities (see Tab 2 for RWU conditional approval letter). All projects are made available for review by franchise utilities, Benton County 911 Administration, and other affected agencies per Sec. 14-227.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

1. *IF APPROVING:*
Move to approve the request as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to approve the request subject to [conditions, contingencies, waivers/variances].
3. *IF DENYING:*
Move to deny the request.
4. *IF TABLING:*
Move to table the request.

TABS

1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

TAB 1

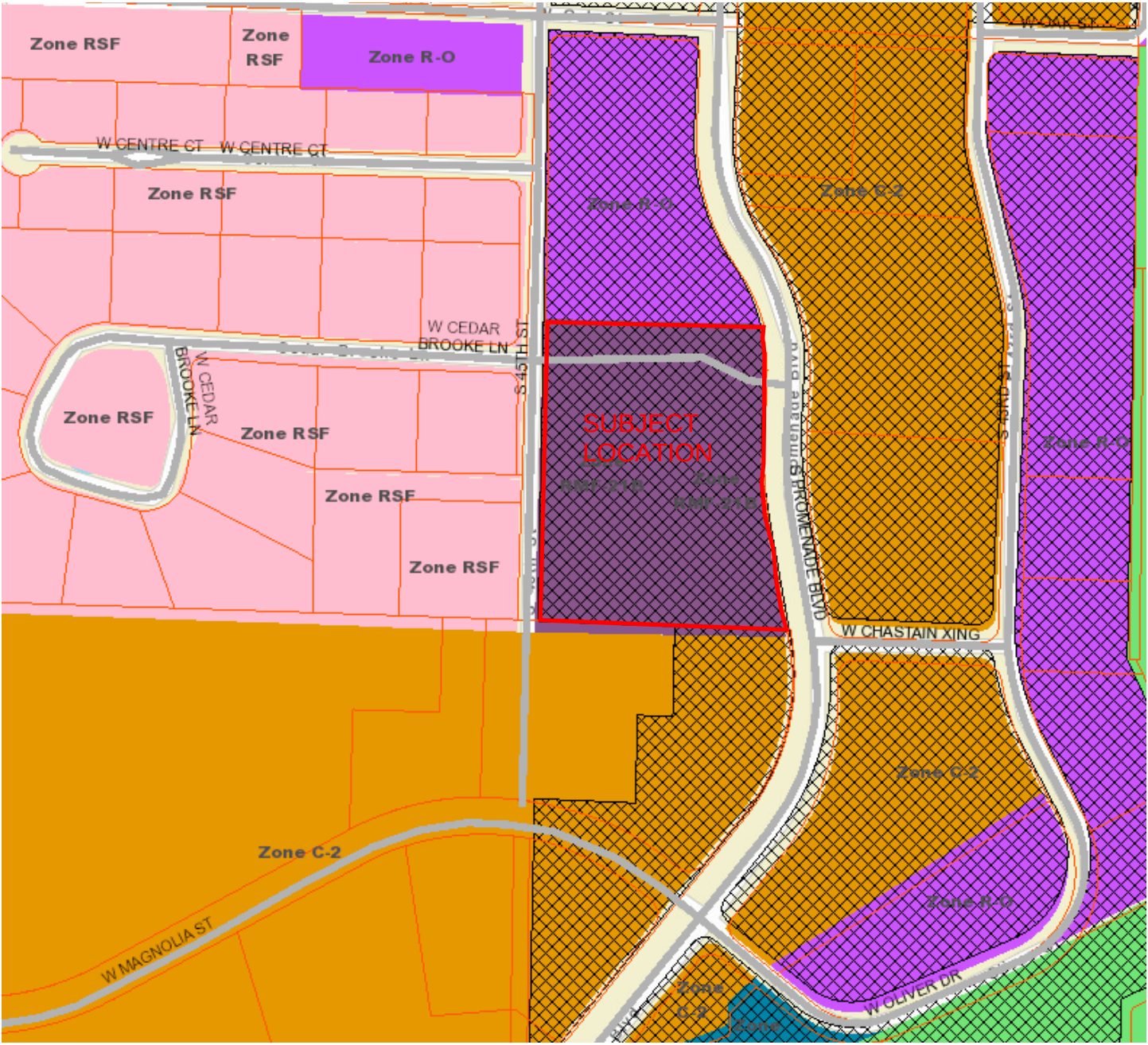
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP





November 18, 2021

Ms. Molly Robb, PE
Anderson Engineering
5311 W. Village Pkwy.
Rogers, AR 72758

Re: Conditional Approval of Civil Plans
Bryan Properties - The Bend on Promenade

Dear Ms. Robb:

We have reviewed the plans that were received for the referenced project and are approving them with the following conditions:

1. There is a monument sign near the northeast entrance to the project site along West Cedar Brooke Lane that will need to be moved outside the utility easement.
2. If a jack & bore will be required for the 45th Street sewer main crossing instead of an open cut, it should be designed at a 1% grade minimum. The bore will also need to be shown and labeled on the plan and profile with the station and casing invert elevation at each end of all "jack & bore" casings on the profile.
3. Show the water supply line and sewer drain line with sizes noted for the swimming pool on the Utility Plan.
4. There are still light poles that are shown too close to water facilities. One will conflict with the irrigation meter and RPZA near the proposed office building. The other will conflict with the fire hydrant located near the south side of the southeast entrance to the project site.
5. If there will be fencing around the perimeter of the property it will need to be shown on the plans along with construction details to verify no conflict will exist with the utility line maintenance.
6. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.
 - B. One copy of the revised plans for review.
 - C. Written approval from the Arkansas Department of Health.

- D. Fire suppression plans approved by the Utility.
- E. Architectural and plumbing plans submitted for commercial customers.
- F. A signed copy of the enclosed Special Contract for Facilities Extensions. Please note and bring to the attention of your client that access fees and impact fees are defined in the contract and must be delivered to the Utility before water service will be established.
- G. A copy of the executed contract between the developer or general contractor and the utility contractor.
- H. Performance and payment bonds executed by the utility contractor.
- I. Two full-sized copies and one half-sized copy of the approved plans submitted at the pre-construction meeting.

Approval of this project is void if construction is not started within one year of the date affixed hereto.

Sincerely,

Stephen T. Ponder, PE

SP: DG



December 6, 2021

projectno:20SP10133
filename: Bryan Properties-The Bend on Promenade-Waiver & Variance Request Letter.doc

Community Development
Planning Division
City of Rogers
301 W. Chestnut
Rogers, AR 72756
(479) 621-1189

RE: Waiver & Variance Request Letter
Bryan Properties – The Bend on Promenade

To Whom it May Concern,

Per coordination with City Staff, we are hereby requesting waivers from the following requirements:

- Sec. 14-46 – Complete Streets
 - We are requesting a waiver for the east/west Minor Street to deviate from the Typical Section. In order for us to provide the necessary east/west public street and still develop the property, the typical street section must be modified to accommodate the parking and internal connections for the proposed development.
- Drainage Criteria Manual: Chapter 4 – Section 3.3.2- Match Pipe Crowns
 - Pipe crowns have been matched at changes in pipe sizes in all but one location. Due to the existing elevations on-site and at the outlet, we can't match crowns for Pipe 2H.

Per coordination with City Staff, we are hereby requesting a variance from the following requirement:

- Sec. 14-703(f)(1)(a) – for the requirement to provide 2' additional setback on each side for each 1' additional building height.
 - Due to building heights the required setbacks for the property are as follows: 48' for front, exterior side, & rear setbacks and 28' for interior side setbacks.
 - Due to the extension of W. Cedar Brooke Ln through the north side of the property line, the proposed buildings 1, 2, 8, 9, 10, & 11 and Structure 6 (Trash Enclosure) do not meet the required front setbacks.

AndersonEngineeringInc.com

5311 W. Village Parkway, Rogers, Arkansas 72758 • Phone: 479.286.8181 • E-mail: info@andersonengineeringinc.com

CIVIL ENGINEERING • SURVEYING • STRUCTURAL • GIS • MUNICIPAL • GEOTECHNICAL/DRILLING • MATERIALS TESTING

- Buildings 1, 10, & 11 also do not meet the rear setback. Due to the location of the extension of W. Cedar Brooke Ln., there is not enough room to meet either front or rear setback requirements.
- Buildings 4 & 5 and Structure 6 also do not meet the side setback requirements. In order to provide tree preservation throughout the middle of the property, adequate parking, and emergency vehicle access throughout the property, Buildings 4 & 5 and Structure 6 do not meet the side setback requirements.
- This variance was previously presented and accepted since the east and west sides are in compliance and the properties to the north and south are zoned to allow similar building height or taller.

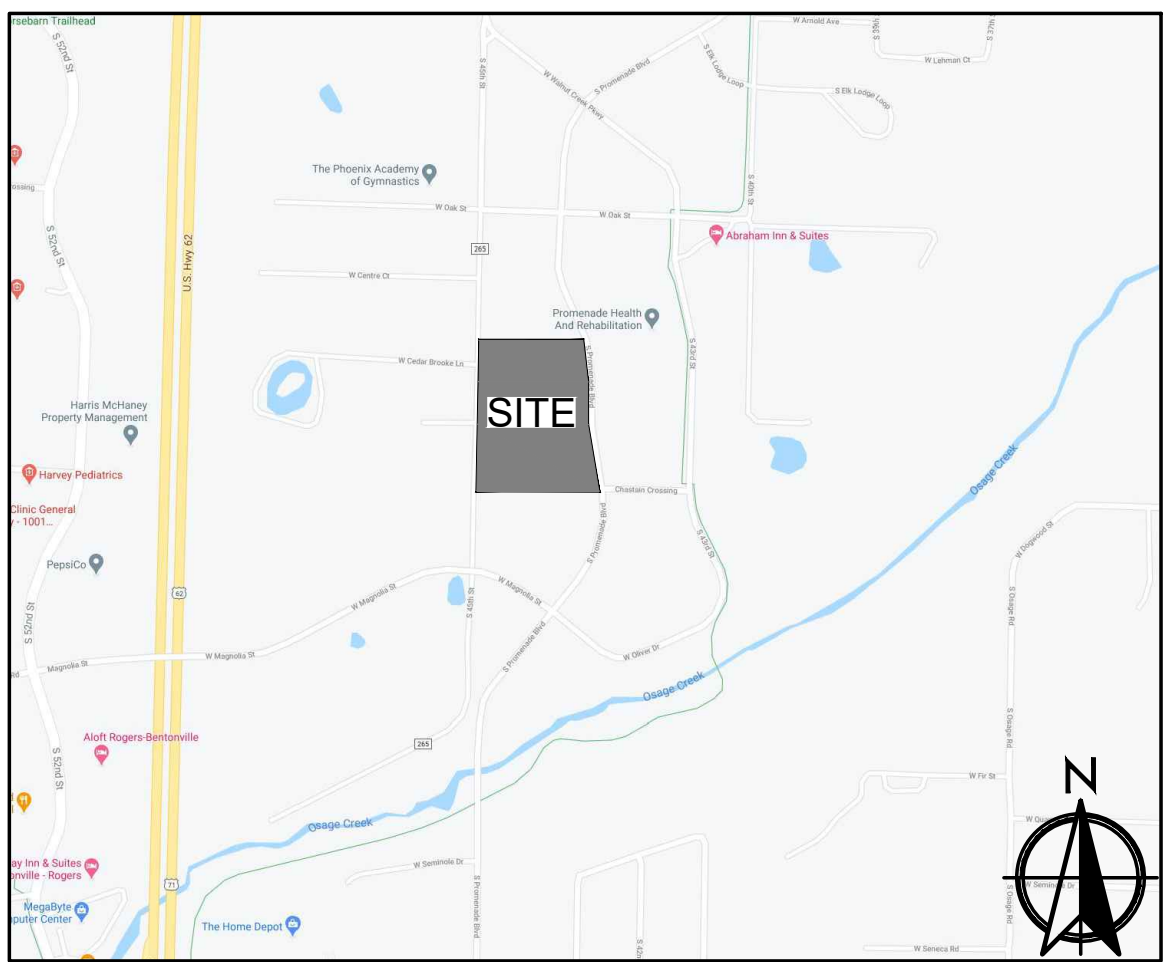
Please let us know if you have any questions.

Sincerely,



Molly Robb, P.E.
Rogers Office Manager
Anderson Engineering, Inc.

BRYAN PROPERTIES
THE BEND ON PROMENADE
4401 W. CEDAR BROOKE LN.
ROGERS, AR
BENTON COUNTY
LARGE SCALE DEVELOPMENT



VICINITY MAP
NO SCALE

CONTACTS

OWNER
BRAD GEBHARD
BRYAN PROPERTIES
2659 E. NORMANDY, SUITE 104
SPRINGFIELD, MO 65804
417.860.9651
BRAD@BRYAN-PROPERTIES.NET

SURVEYOR
MORRISON SHIPLEY
2407 SE COTTONWOOD STREET
BENTONVILLE, AR 72712
479.273.2209
KEITH SIKES

CIVIL ENGINEERING
ANDERSON ENGINEERING, INC.
5311 W. VILLAGE PARKWAY
ROGERS, AR 72758
479.286.8181
MOLLY ROBB, PE
MROBB@ANDERSONENGINEERINGINC.COM

ARCHITECTS & MEP
BURNS ARCHITECTURE
1908 E. SUNSHINE, SUITE A
SPRINGFIELD, MO 65804
417.887.1999
LARRY BURNS

FIRE
ROGERS FIRE DEPARTMENT
201 N. 1ST ST.
ROGERS, AR 72756
479.621.1179
TOM JENKINS

SITE PLAN & BUILDING PERMIT REVIEW
CITY OF ROGERS
301 W. CHESTNUT ST.
ROGERS, AR 72756
479.621.1186
JOHN MCCURDY

HEALTH DEPARTMENT
ARKANSAS DEPARTMENT OF HEALTH
1200 W. WALNUT ST. SUITE 2200
ROGERS, AR 72756
479.795.2750
JAMES BAILEY

CITY STREET
CITY OF ROGERS STREET DEPARTMENT
3101 W. OAK STREET
ROGERS, AR 72758
479.621.1140
FRANKIE GUYLL

SANITARY SEWER & WATER
ROGERS WATER UTILITIES
601 SOUTH 2ND STREET
P.O. BOX 338
ROGERS, AR 72757
479.621.1142

NATURAL GAS
BLACK HILLS ENERGY
1301 FEDERAL HWY, P.O. BOX 2129
LOWELL, AR 72745
479.333.7005
JOSH KNIGHT

ELECTRIC
CARROLL ELECTRIC
707 SE WALTON BLVD.
P.O. BOX 329
BENTONVILLE, AR 72712
479.273.2421
DEREK THURMAN

TELEPHONE
COX COMMUNICATIONS
4901 S. 48TH ST.
SPRINGDALE, AR 72762
479.717.3796
KIP SMITH

TELEPHONE
AT&T
627 WHITE ROAD
SPRINGDALE, AR 72766
479.442.1977
SCOTT SEAMAN

STORM SEWER
CITY OF ROGERS
301 W. CHESTNUT ST.
ROGERS, AR 72756
479.621.1186
DYLAN COBB

SIGNAGE
CITY OF ROGERS
301 W. CHESTNUT ST.
ROGERS, AR 72756
479.621.1186
JOHN MCCURDY

LEGAL DESCRIPTION

LOTS 2 AND 3, THE FARMS COMMERCIAL SUBDIVISION, ROGERS,
BENTON COUNTY, ARKANSAS, AS SHOWN ON FINAL PLAT RECORD 2008
AT PAGES 58, 59, AND 60.

FLOOD NOTE

THIS SITE IS LOCATED IN FLOOD ZONE "X" AS SHOWN IN THE
FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD
INSURANCE RATE MAP 05007C0260K DATED JUNE 5, 2012.

BENCHMARK

TEMPORARY BENCHMARK: EXISTING 5/8" REBAR IN NORTHWEST
CORNER OF LOT 2
ELEVATION: 1287.24

BASIS OF BEARING

GRID NORTH, ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE
(0301), NAD 83, BASED ON RT KINEMATIC GNSS OBSERVATIONS AND AN
OPUS PROCESSED SOLUTION, HAVING PUBLISHED VALUES OF: LATITUDE
36°19'42.122"N, LONGITUDE 94°10'35.379"W, CONVERGENCE ANGLE OF
-0°15'59" AND A COMBINED SCALE FACTOR OF 0.99996211, GROUND TO GRID.

BASIS OF ELEVATION

NAVD 88

BUILDING SETBACKS

ZONING	SETBACKS		
RMF-21B	FRONT	REQUIRED 48'	PROVIDED 48'
			SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE.
	INTERIOR SIDE	REQUIRED 28'	PROVIDED 28'
			SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE.
	EXTERIOR SIDE	REQUIRED 48'	PROVIDED 48'
			SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE.
	REAR	REQUIRED 48'	PROVIDED 48'
			SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE.

REVISION CHART

#	TITLE	DATE	NOTES:
△	REV-1	10/1/2021	REVISED PER CITY AND RWU COMMENTS. ALL REVISIONS ARE WITHIN CLOUDED AREAS. NO OTHER REVISIONS TO THE PLANS WERE PRESENTED WITH THIS PLAN.
△	REV-2	11/12/2021	REVISED PER CITY AND RWU COMMENTS. ALL REVISIONS ARE WITHIN CLOUDED AREAS. NO OTHER REVISIONS TO THE PLANS WERE PRESENTED WITH THIS PLAN.
△	REV-3	12/6/2021	REVISED PER CITY AND RWU COMMENTS. ALL REVISIONS ARE WITHIN CLOUDED AREAS. NO OTHER REVISIONS TO THE PLANS WERE PRESENTED WITH THIS PLAN.

SHEET LIST

C0.0	COVER SHEET	C6.4	FIRE LINES E-H PLANS AND PROFILES
C0.1	GENERAL NOTES	C7.0	SEWER MAIN A PLAN AND PROFILE
1	ALTA/NSPS LAND TITLE SURVEY	C7.1	SEWER MAIN A PLAN AND PROFILE
2	ALTA/NSPS LAND TITLE SURVEY	C7.2	PRIVATE SEWER MAIN B PLAN AND PROFILE
C1.0	EROSION & SEDIMENT CONTROL PLAN	C8.0	STORM PIPE PLAN AND PROFILE - LINES A & B
C2.0	DEMOLITION PLAN	C8.1	STORM PIPE PLAN AND PROFILE - LINES C & D
C3.0	OVERALL SITE PLAN	C8.2	STORM PIPE PLAN AND PROFILE - LINES E & F
C3.1	PAVING PLAN	C8.3	STORM PIPE PLAN AND PROFILE - LINES G, H, & J
C3.2	ENLARGED SITE PLAN 1	C9.0	TREE PROTECTION PLAN
C3.3	ENLARGED SITE PLAN 2	C9.1	LANDSCAPE PLAN
C3.4	ENLARGED SITE PLAN 3	C9.2	LANDSCAPE DETAILS
C3.5	ENLARGED SITE PLAN 4	C10.0	EROSION DETAILS
C3.6	SITE PHASING PLAN	C10.1	SITE DETAILS
C4.0	OVERALL GRADING PLAN	C10.2	SITE DETAILS 2
C4.1	ENLARGED GRADING PLAN 1	C10.3	GRADING DETAILS
C4.2	ENLARGED GRADING PLAN 2	C10.4	WATER QUALITY DETAILS
C4.3	ENLARGED GRADING PLAN 3	C10.5	TRASH COMPACTION AND RECYCLE AREA DETAILS
C4.4	ENLARGED GRADING PLAN 4	C11.0	CITY DETAILS
C4.5	DETAIL GRADING PLAN	SD-1	CITY SEWER DETAILS 1
C4.6	OVERALL PIPING PLAN	WD-1	CITY WATER DETAILS 1
C4.7	ENLARGED PIPING PLAN 1	WD-2	CITY WATER DETAILS 2
C4.8	ENLARGED PIPING PLAN 2	FPC-9M	ARDOT STANDARD DETAIL FPC-9M
C4.9	ENLARGED PIPING PLAN 3	A3.1	EXTERIOR ELEVATION
C4.10	ENLARGED PIPING PLAN 4	A3.2	EXTERIOR ELEVATIONS
C4.11	RETAINING WALL PLAN & PROFILE	A3.3	EXTERIOR ELEVATIONS
C4.12	RETAINING WALL PLAN & PROFILE	CH2.1	CLUBHOUSE ELEVATIONS
C4.13	GEOTECHNICAL NOTES	CH2.2	CLUBHOUSE ELEVATIONS
C5.0	OVERALL UTILITY PLAN	O2.1	OFFICE ELEVATIONS
C5.1	ENLARGED UTILITY PLAN 1	PD1.1	CLUBHOUSE & POOL DECK PLAN
C5.2	ENLARGED UTILITY PLAN 2		
C5.3	ENLARGED UTILITY PLAN 3		
C5.4	ENLARGED UTILITY PLAN 4		
C6.0	WATER MAIN A PLAN AND PROFILE		
C6.1	WATER MAIN B PLAN AND PROFILE		
C6.2	HYDRANT LINE PLANS AND PROFILES		
C6.3	FIRE LINES A-D PLANS AND PROFILES		

UNITS PER ACRE

ZONING TYPE	UNITS	ACRES	UNITS PER ACRE
RMF-21B	160	7.78	20.57

BUILDING INFORMATION

UNIT TYPE	NUMBER OF UNITS	SQ. FT.	HEIGHT	BUILDING COVERAGE
MULTI-FAMILY	20 UNITS PER BUILDING 10 - ONE BEDROOM UNITS 10 - TWO BEDROOM UNITS	30,000 SF PER BUILDING 807 SF - 1,280 SF PER INDIVIDUAL UNIT	44 FEET 3 STORIES	23.5%
CLUBHOUSE	ONE BUILDING	2,906 SF PER BUILDING	27 FEET 1 STORIES	1.00%
OFFICE	ONE BUILDING	1,600 SF PER BUILDING	27 FEET 1 STORIES	0.51%

DEVELOPMENT STANDARDS

TOTAL SITE AREA	7.78 ACRES OR 339,003 SF
DEVELOPMENT AREA	7.78 ACRES OR 339,003 SF
UNITS PER ACRE	UNITS: 160 ACRES: 7.78 ACRES UNITS PER ACRE: 20.57
ZONING	RMF - 21B
BUILDING AREA	SEE BUILDING INFORMATION CHART (THIS SHEET)
BUILDING COVERAGE	25.0%
BUILDING SETBACKS	SEE BUILDING SETBACK CHART (THIS SHEET)
BUILDING HEIGHTS	SEE BUILDING INFORMATION CHART (THIS SHEET)
LOT COVERAGE / OPEN SPACE CALCULATIONS	OPEN SPACE = 128,066 SF OR 38%
GREENSPACE RATIO	GREENSPACE AREA = 36%

CITYVIEW PROJ. #FL202100932

CITY APPROVAL STAMP

CITY NOTES

- IF THE PROJECT COSTS EXCEED \$20,000, A STATE CONTRACTOR'S LICENSE IS REQUIRED. ROGERS CODE SEC. 14-228(6).
- EASEMENT PLAT MUST BE APPROVED AND RECORDED PRIOR TO CERTIFICATE OF OCCUPANCY.
- ALL CIVIL PLANS USED ON SITE MUST INCLUDE MOST CURRENT STAMP BY ROGERS PLANNING.

PROPERTY ZONED

RMF-21B - MULTIPLE MULTI-FAMILY BUILDINGS, A CLUBHOUSE, POOL, AND OFFICE DENSITY CONCEPT PLAN = RMF-21B WITH DENSITY CONCEPT PLAN

ACREAGE

7.78 ACRES OR 339,003 SF (TOTAL SITE)

USE

MULTI-FAMILY HOUSING, CLUBHOUSE, POOL, AND OFFICE

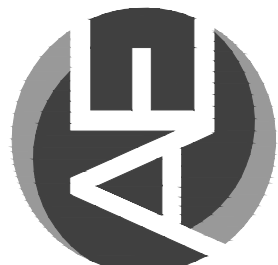


THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

GENERAL NOTES

- IT IS THE RESPONSIBILITY OF THE ENGINEER OF RECORD TO INCLUDE ALL ITEMS REQUIRED BY ORDINANCE. IF APPROVED PLANS CONFLICT WITH ORDINANCE REQUIREMENTS, THE ORDINANCE TAKES PRECEDENCE UNLESS A WAIVER OR VARIANCE HAS BEEN GRANTED.
- STOCKPILES WITH EXCESS CONSTRUCTION SITE MATERIALS, INCLUDING BUT NOT LIMITED TO EXCESS TOP SOIL STOCKPILES, MUST BE REMOVED FROM SITE PRIOR TO PROJECT COMPLETION. GRADING BEYOND THE APPROVED LIMITS IS PROHIBITED.
- CHANNELS, DETENTION PONDS, RETENTION PONDS, SEDIMENT BASINS, ETC. REQUIRE SOD TO THE 100-YEAR WATER SURFACE ELEVATION IMMEDIATELY FOLLOWING INSTALLATION, AND MUST BE INSTALLED AT THE BEGINNING OF THE PROJECT WHERE FEASIBLE.

ANDERSON
ENGINEERING
EMPLOYEE OWNED



ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
5311 W. VILLAGE PKWY • ROGERS, ARKANSAS 72758 • PHONE (479) 284-8181
ANDERSON COM# 335 • MOLLY ROBB PEF 19640



Molly Robb 12-6-2021

NO.	REVISIONS	DRAWING INFO.				
		DESCRIPTION	BY	DATE	FIELD BY:	FIELD BOOK:
1		REVISIONS	MRR	10.01.21	MRR	20SP10133
2		REVISIONS	MRR	11.12.21	JMD	
3		REVISIONS	MRR	12.06.21	8-12-21	

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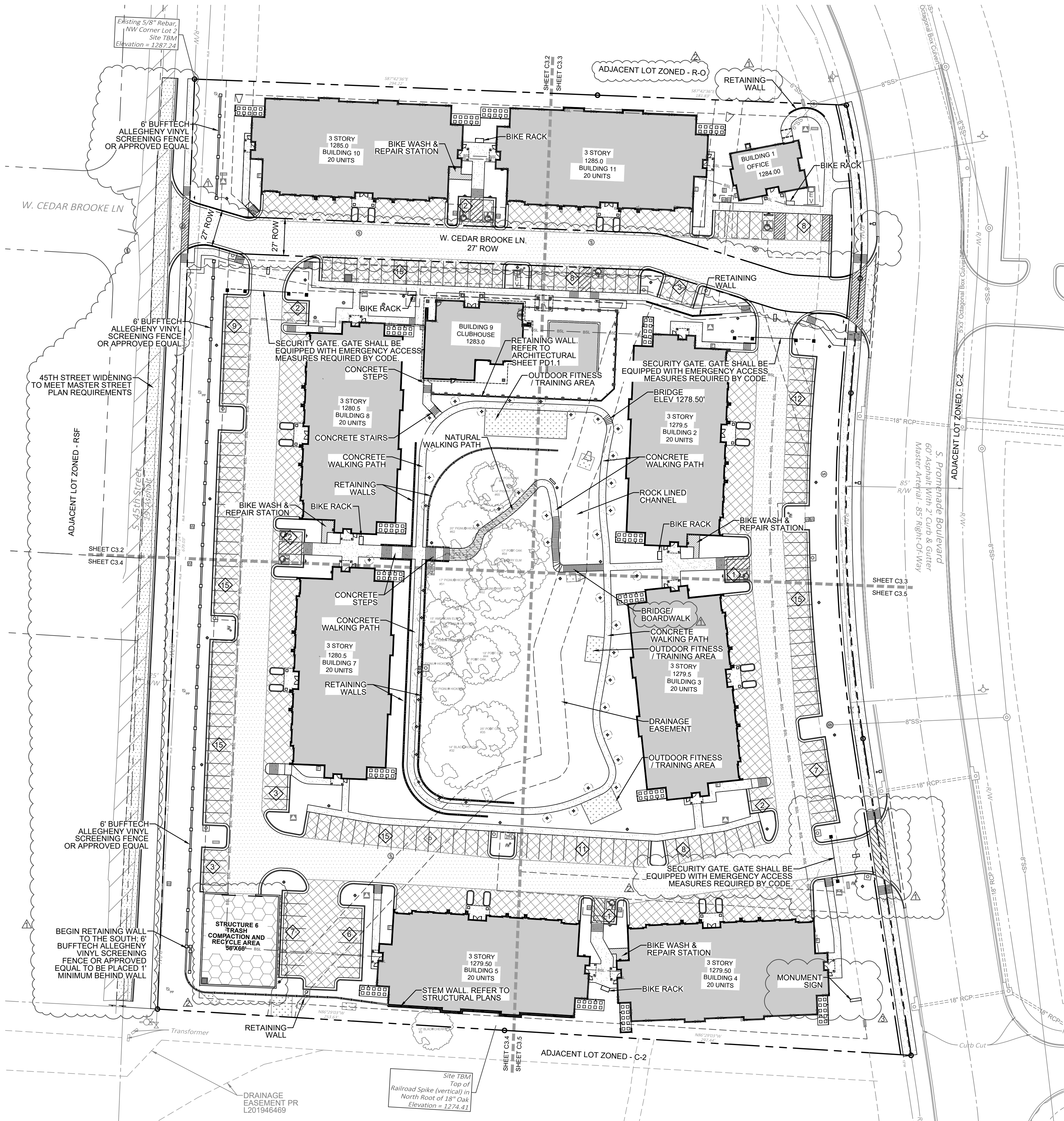
BRYAN PROPERTIES
THE BEND ON PROMENADE

COVER SHEET

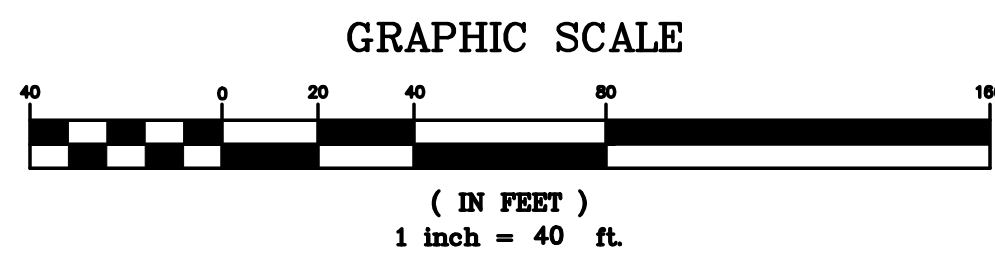
4401 W. CEDAR BROOKE LN.
ROGERS, AR

SHEET NUMBER

C0.0



1 OVERALL SITE PLAN
C3.0 SCALE: 1" = 40'



PROPOSED LEGEND

---	PROPERTY LINE
=====	CURB AND GUTTER
- - - - -	EASEMENT LINE
---	BUILDING SETBACK LINE
⊠	ELECTRIC METER
⊠	TRANSFORMER
⊠	JUNCTION BOX
⊠	POWER POLE
⊠	WATER METER
⊠	BACKFLOW PREVENTER
⊠	FIRE DEPARTMENT CONNECTION
⊠	FIRE HYDRANT
⊠	SITE LIGHTING
⊠	CITY STREET LIGHTS TO BE INSTALLED BY THE DEVELOPER
⊠	VARIOUS STORM STRUCTURES
⊠	STOP SIGN
⊠	MONUMENT SIGN

UNITS PER ACRE

ZONING TYPE	UNITS	ACRES	UNITS PER ACRE
RMF-21B	160	7.78	20.57

BUILDING SETBACKS

ZONING	FRONT	REQUIRED 48'	SETBACKS
RMF-21B	FRONT	REQUIRED 48'	PROVIDED 48' SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE
	INTERIOR SIDE	REQUIRED 28'	PROVIDED 28' SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE
	EXTERIOR SIDE	REQUIRED 48'	PROVIDED 48' SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE
	REAR	REQUIRED 48'	PROVIDED 48' SETBACKS FOR BUILDINGS 1, 2, 7, 8, 9, & 10 ARE AS DEPICTED AND APPROVED BY VARIANCE

BUILDING INFORMATION

UNIT TYPE	NUMBER OF UNITS	SQ. FT.	HEIGHT	BUILDING COVERAGE
MULTI-FAMILY	20 UNITS PER BUILDING 10 - ONE BEDROOM UNITS 10 - TWO BEDROOM UNITS	30,000 SF PER BUILDING 807 SF - 1,280 SF PER INDIVIDUAL UNIT	44 FEET 3 STORIES	23.5%
CLUBHOUSE	ONE BUILDING	2,906 SF PER BUILDING	27 FEET 1 STORIES	1.0%
OFFICE	ONE BUILDING	1,600 SF PER BUILDING	27 FEET 1 STORIES	0.5%

PARKING COUNT

RMF-21B	REQUIRED CAR:	3 SPACES FOR EVERY 2 UNITS 160 UNITS / 2 = 80 X 3 = 240 SPACES 7 ACCESSIBLE REQUIRED
	PROVIDED CAR:	72 GARAGE SPACES 170 SURFACE SPACES 242 TOTAL SPACES (2 ADDITIONAL SPACES PROVIDED FOR OFFICE AND CLUBHOUSE/POOL) 8 SURFACE ADA AND 8 GARAGE ADA = 16 TOTAL ADA SPACES
	REQUIRED BIKE:	1 RACK FOR EVERY 30 UNITS 160 UNITS / 30 = 5 RACKS
	PROVIDED BIKE:	6 RACKS

DEVELOPMENT STANDARDS

TOTAL SITE AREA	7.78 ACRES OR 339,003 SF
DEVELOPMENT AREA	7.78 ACRES OR 339,003 SF
UNITS PER ACRE	UNITS: 160 ACRES: 7.78 ACRES UNITS PER ACRE: 20.57
ZONING	RMF - 21B
BUILDING AREA	SEE BUILDING INFORMATION CHART (THIS SHEET)
BUILDING COVERAGE	25.0%
BUILDING SETBACKS	SEE BUILDING SETBACK CHART (THIS SHEET)
BUILDING HEIGHTS	SEE BUILDING INFORMATION CHART (THIS SHEET)
LOT COVERAGE / OPEN SPACE CALCULATIONS	OPEN SPACE = 128,066 SF OR 38%
GREENSPACE RATIO	GREENSPACE AREA = 36%

CITYVIEW PROJ. #PL202100932

CITY NOTE

- ALL HVAC AND OTHER EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
- ALL EXISTING STREET LIGHTS SHALL BE REPLACED WITH FUNCTIONING STREET LIGHTS BY THE DEVELOPER

CITY APPROVAL STAMP

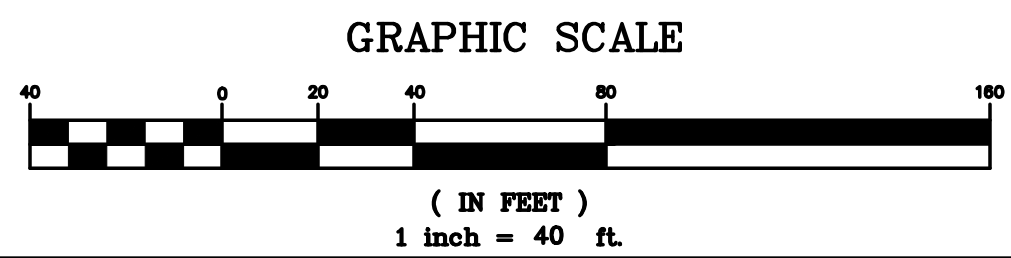
NO.	DESCRIPTION	DATE	BY	REVISIONS	FIELD BOOK:	JOB NUMBER:
1	REVISIONS	10.01.21	MRR	REVISIONS	8-12-21	20SP10133
2	REVISIONS	11.12.21	MRR	REVISIONS		
3	REVISIONS	12.06.21	MRR	REVISIONS		



PROPOSED LEGEND

- PROPERTY LINE
- STORM SEWER
- FIRE WATER LINE
- FIRE DEPARTMENT CONNECTION LINE
- WATERLINE
- SANITARY SEWER LINE
- UNDERGROUND TELEPHONE
- UNDERGROUND ELECTRIC
- GAS LINE
- ELECTRIC METER
- TRANSFORMER
- JUNCTION BOX
- POWER POLE
- WATER METER
- BACKFLOW PREVENTER
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- TAPPING SLEEVE
- 2" WATER SERVICE TAP
- WATER VALVE
- SITE LIGHTING
- CITY STREET LIGHTS
- VARIOUS STORM STRUCTURES
- FDC CONNECTION

1 OVERALL UTILITY PLAN
C5.0 SCALE: 1" = 40'



CITYVIEW PROJ. #PL202100932
CITY APPROVAL STAMP

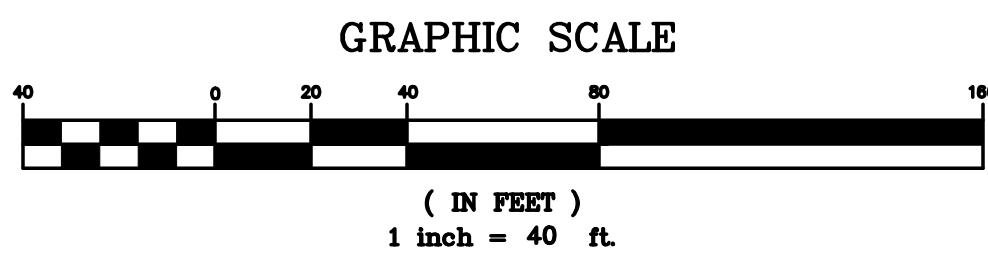
ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
5311 W. VILLAGE PKWY • ROGERS, ARKANSAS 72758 • PHONE (479) 284-8181
ANDERSON.COM 335 • MOLLY ROBB PEF 19640

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 19640
MOLLY ROBB
12-6-2021

REVISIONS		DRAWING INFO.	
NO.	DESCRIPTION	BY	DATE
1	REVISIONS	MRR	10.01.21
2	REVISIONS	MRR	11.12.21
3	REVISIONS	MRR	12.06.21
		CHECK BY:	JMD
		DATE:	8-12-21
		FIELD BOOK:	20SP10133
		JOB NUMBER:	20SP10133

BRYAN PROPERTIES
THE BEND ON PROMENADE
OVERALL UTILITY PLAN
4401 W. CEDAR BROOKE LN.
ROGERS, AR

SHEET NUMBER
C5.0



(IN FEET)
1 inch = 40 ft

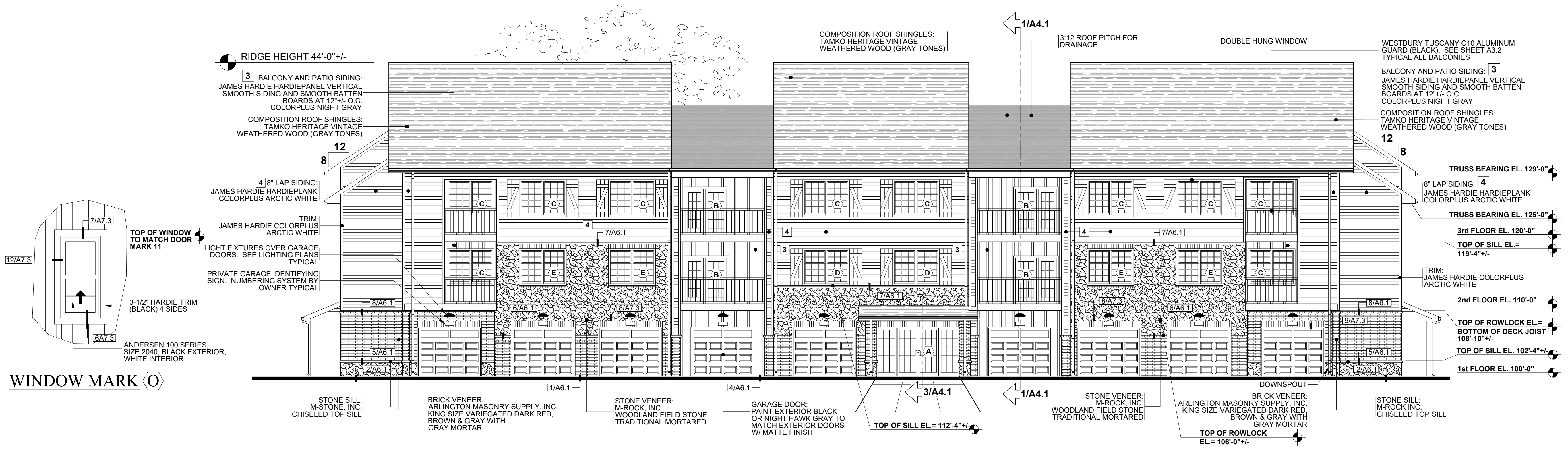
1. THE OWNER/DEVELOPER SHALL PROVIDE A THREE-YEAR REPLACEMENT GUARANTEE FOR ALL LANDSCAPE TO THE CITY OF ROGERS DEPARTMENT OF COMMUNITY DEVELOPMENT STARTING ONCE INSTALLATION IS COMPLETE.
2. PLANTINGS THAT EXCEED THE MINIMUM REQUIREMENTS MAY NOT BE REDUCED ONCE APPROVED BY PLANNING COMMISSION.

GREENSPACE AREA = 36%
IMPERVIOUS AREA = 64%

1. CONTRACTOR SHALL INSTALL IRRIGATION SLEEVING TO ALLOW FOR FUTURE IRRIGATION LINE CROSSINGS AT ALL ROAD AND DRIVES

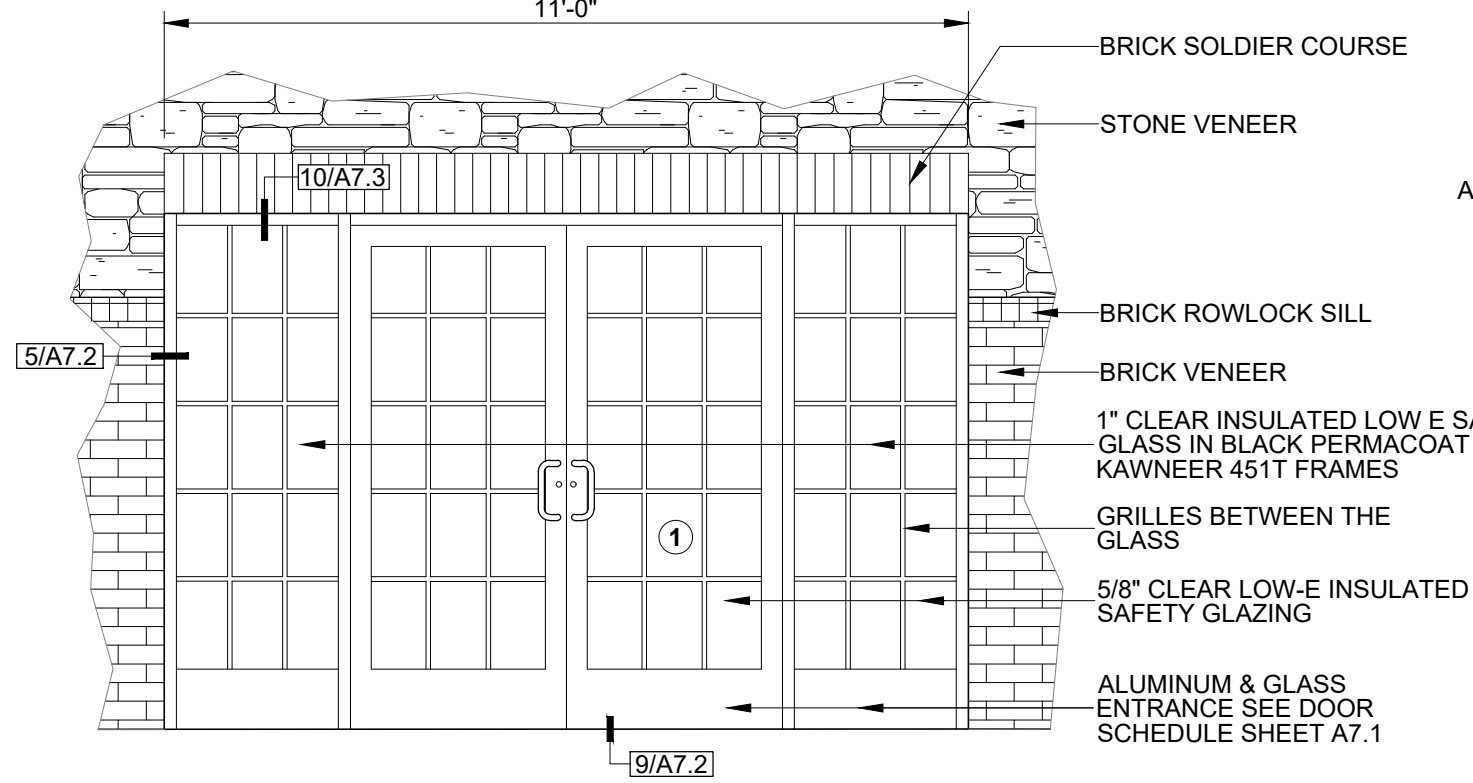
TYPE PLANTING	CODE	QTY	COMMON/BOTANICAL NAME	CONT	CAL	SIZE
EVERGREEN TREES 	PS	8 	WHITE PINE / PINUS STROBUS	B & B		8' MIN
ORNAMENTAL TREES 	CC	11	OKLAHOME REDBUD / CERCIS CANADENSIS 'OKLAHOMA'	B & B	2.5" CAL.	8' MIN.
SHADE TREES 	CO-M	6	SHAGBARK HICKORY / CARYA OVATA	B & B	2.5" CAL.	10' MIN
	GT	5	SHADEMASTER LOCUST / GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER' TM	B & B	2.5" CAL.	10' MIN
	QC	7	SCARLET OAK / QUERCUS COCINEA	B & B	2.5" CAL.	10' MIN
	QS-M	6	POST OAK / QUERCUS STELLATA	B & B	2.5" CAL.	10' MIN
STREET TREES 	CF	15	FOREST PANSY REDBUD / CERCIS CANADENSIS 'FOREST PANSY' TM	B & B	2.5" CAL.	6' MIN
	QP	7	WILLOW OAK / QUERCUS PHELLOS	B & B	2.5" CAL.	10' MIN
	QS	10 	SHUMARD RED OAK / QUERCUS SHUMARDII	B & B	2.5" CAL.	10' MIN
SHRUBS 	AX	14	GLOSSY ABELIA / ABELIA X GRANDIFLORA 'EDWARD GOUCHER'	5 GAL		
	IG	22	COMPACT INKBERRY / ILEX GLABRA 'COMPACTA'	5 GAL		
	IV	39	DWARF YAUPON / ILEX VOMITORIA 'STOKES DWARF'	5 GAL		
	SJ	52	MAGIC CARPET SPIREA / SPIRAEA JAPONICA 'MAGIC CARPET'	3 GAL		
GROUND COVERS 	SOD	111,370 SF 	BERMUDA GRASS / CYNODON DACTYLON	SOD		

CITY APPROVAL STAMP

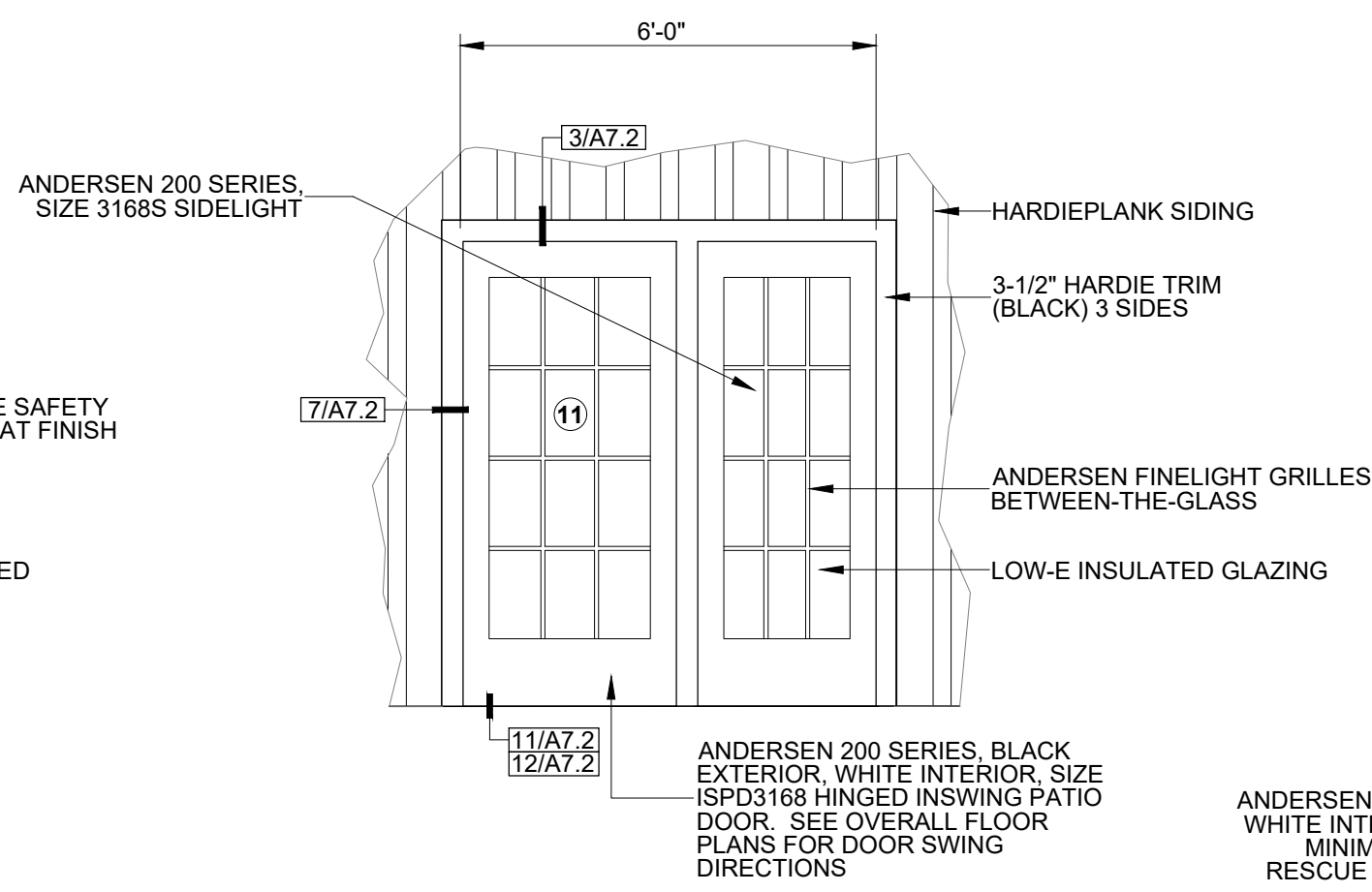


FRONT ELEVATION

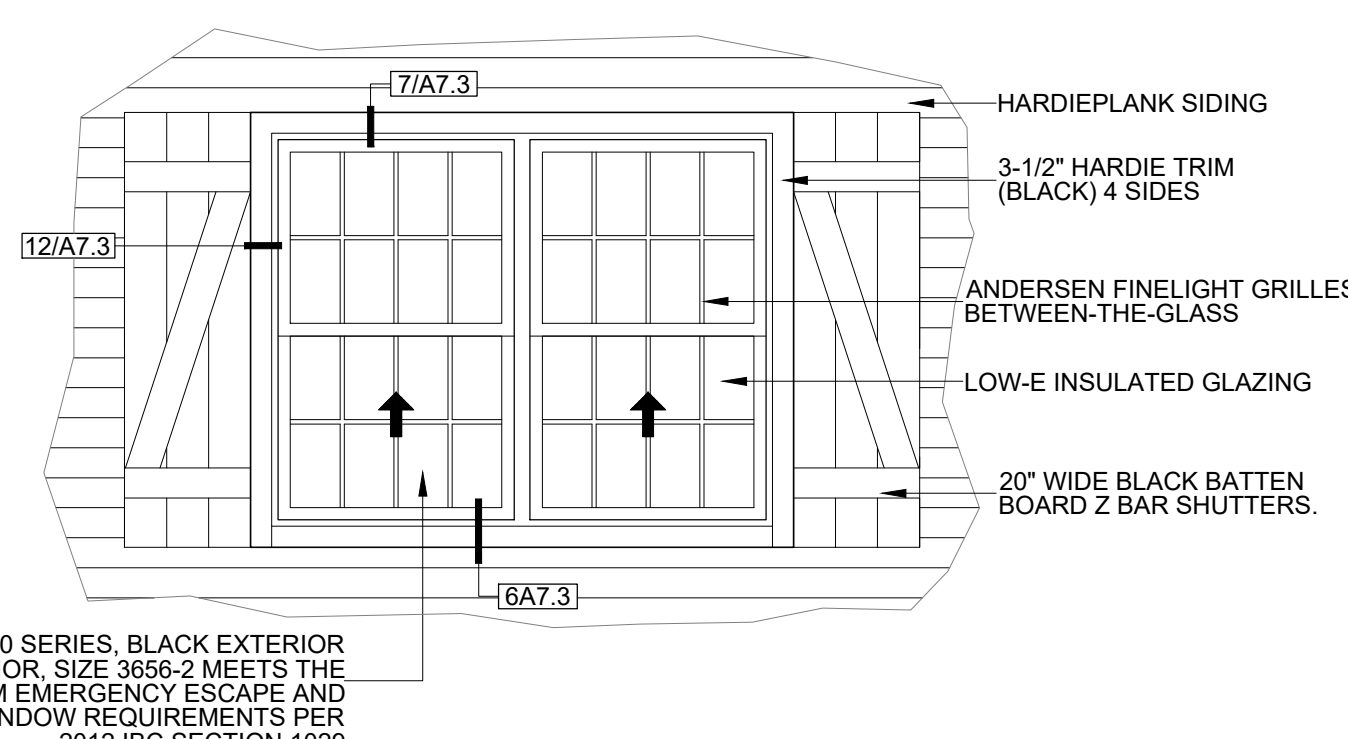
1/8" = 1'-0"



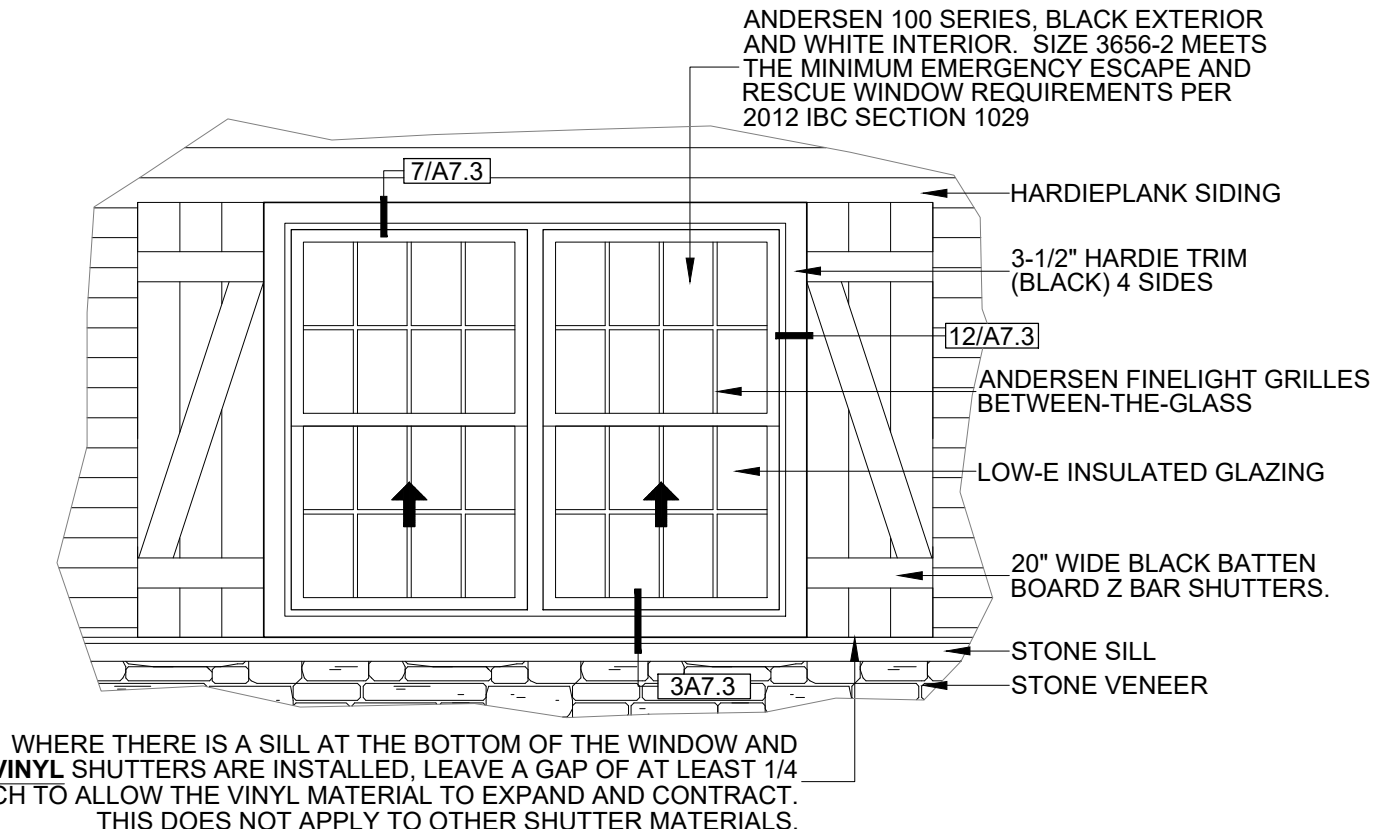
WINDOW/DOOR MARK A



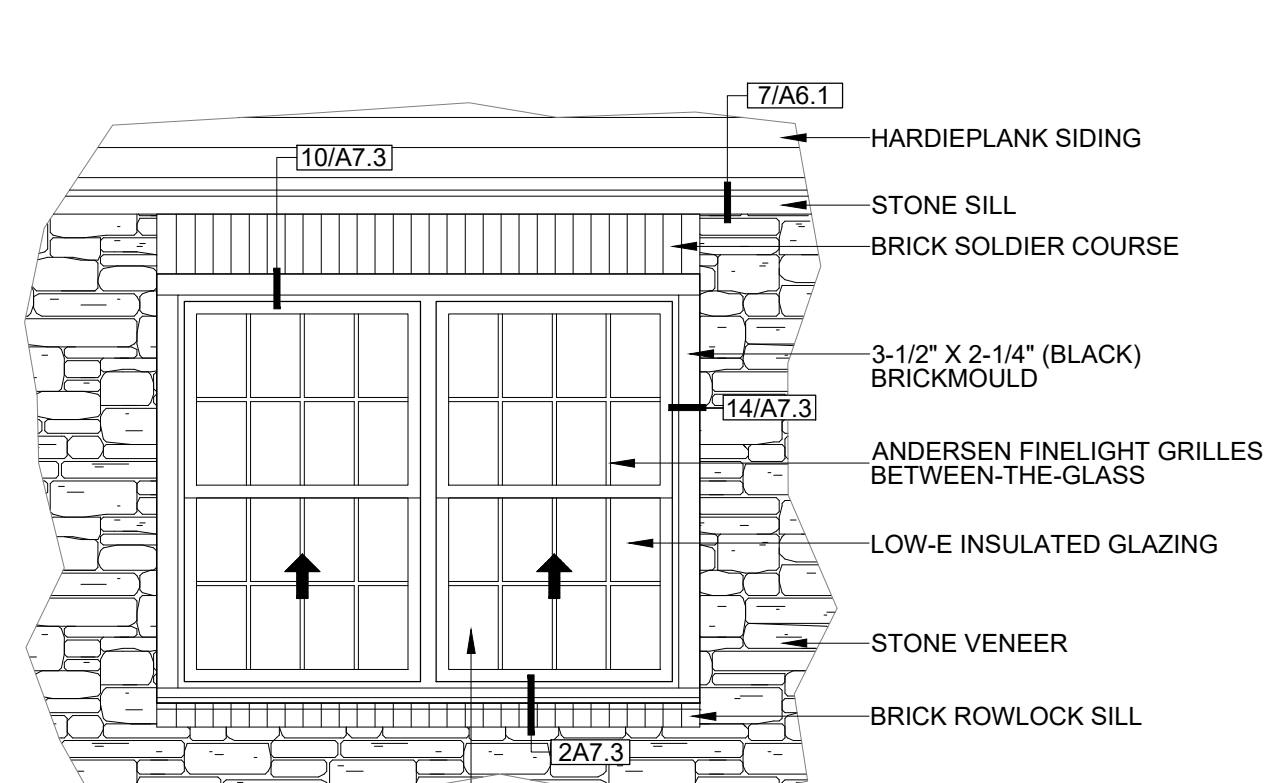
WINDOW/DOOR MARK B



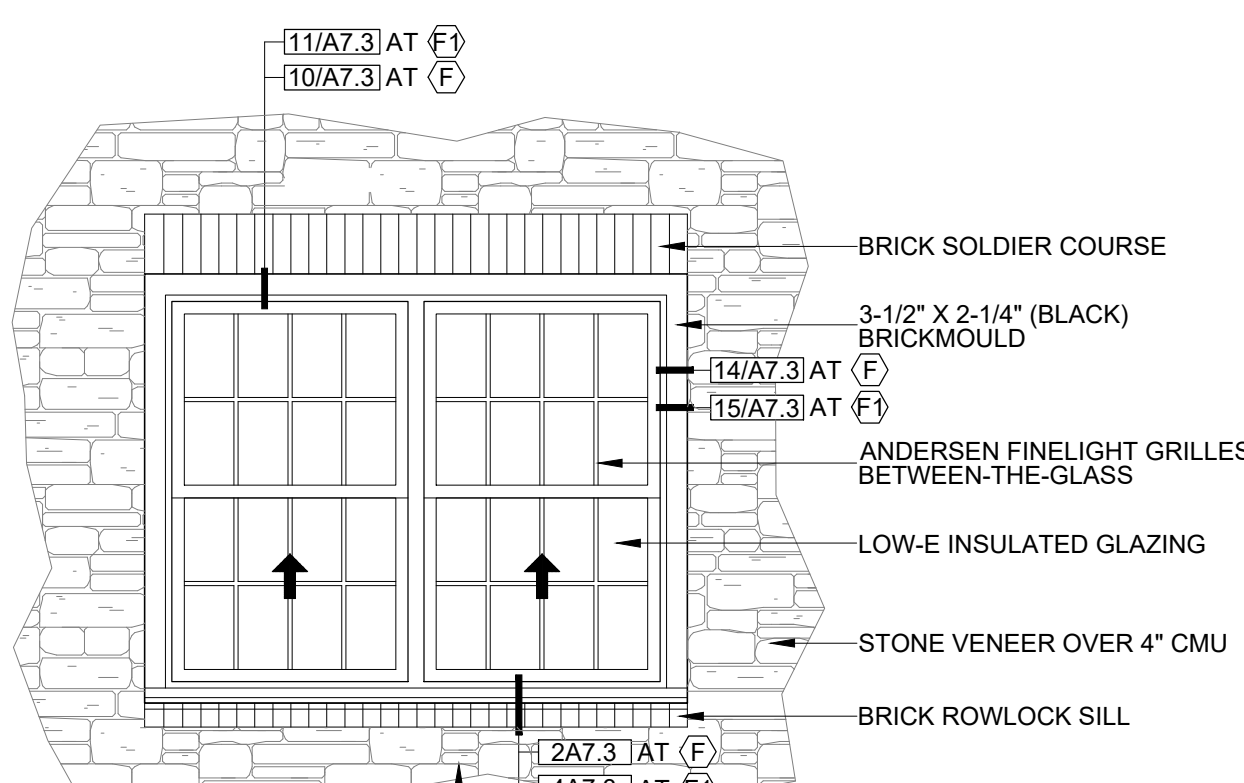
WINDOW MARK C



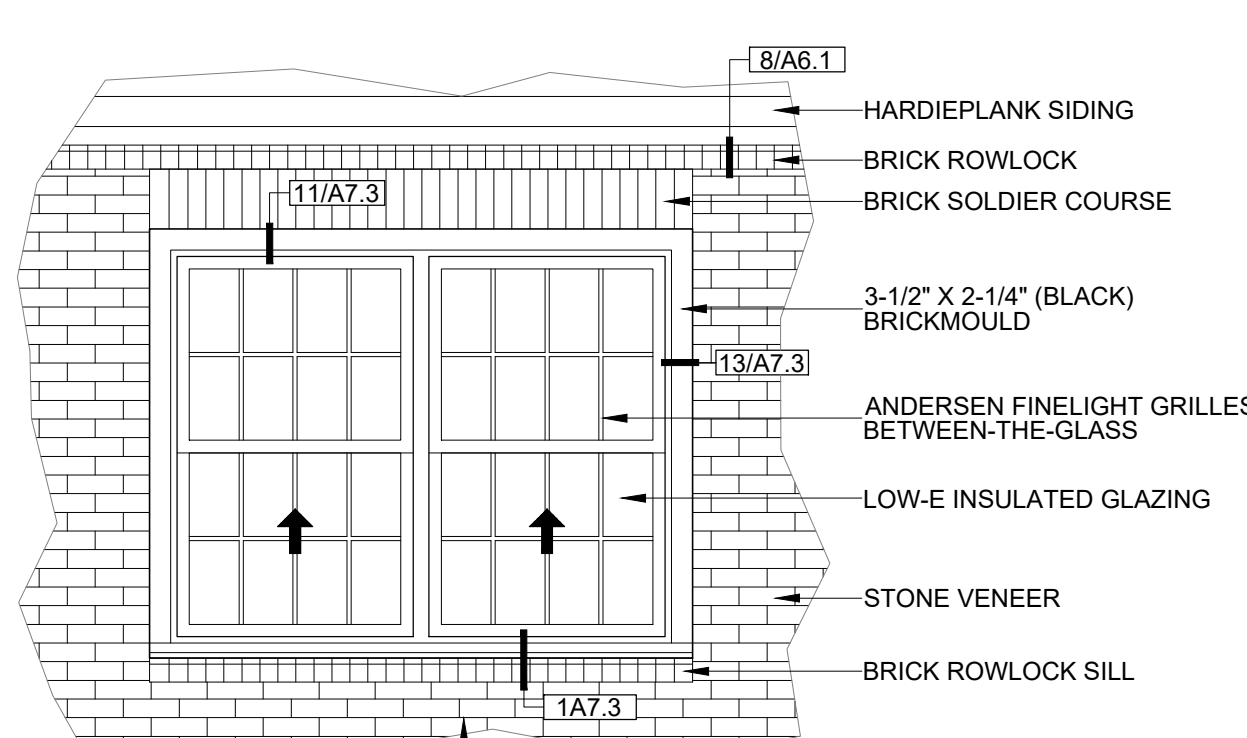
WINDOW MARK D



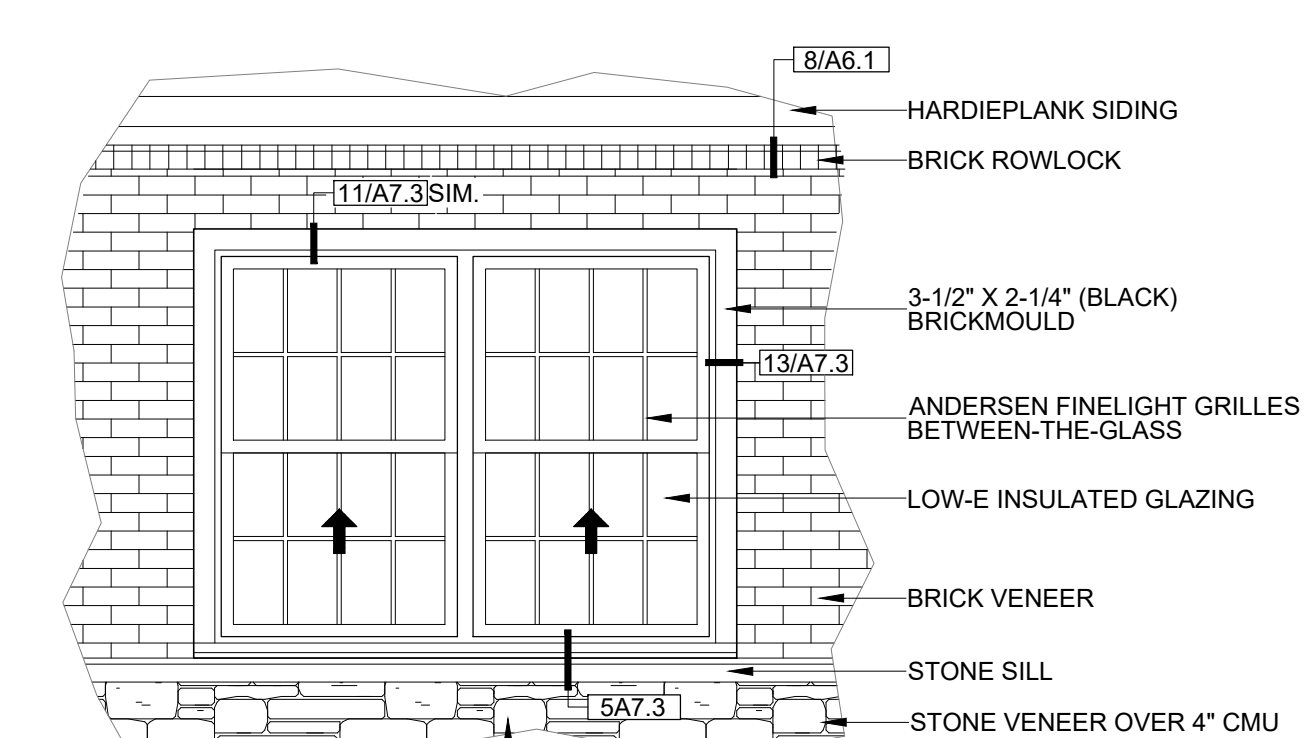
WINDOW MARK E



WINDOW MARK F & F1



WINDOW MARK G



WINDOW MARK H

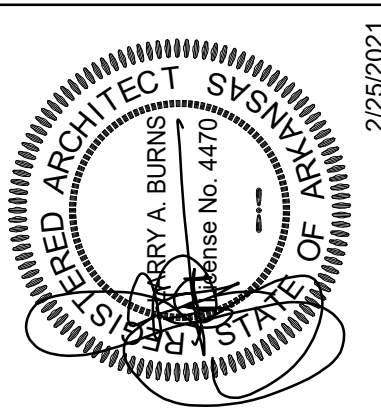


BRYAN
PROPERTIES

BURNS ARCHITECTURE COPYRIGHT © 2021

REVISIONS	BY

LARRY ALLEN BURNS - ARCHITECT
LICENSE NO. 4470

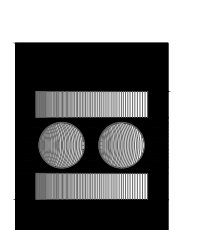


2/25/2021

MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES

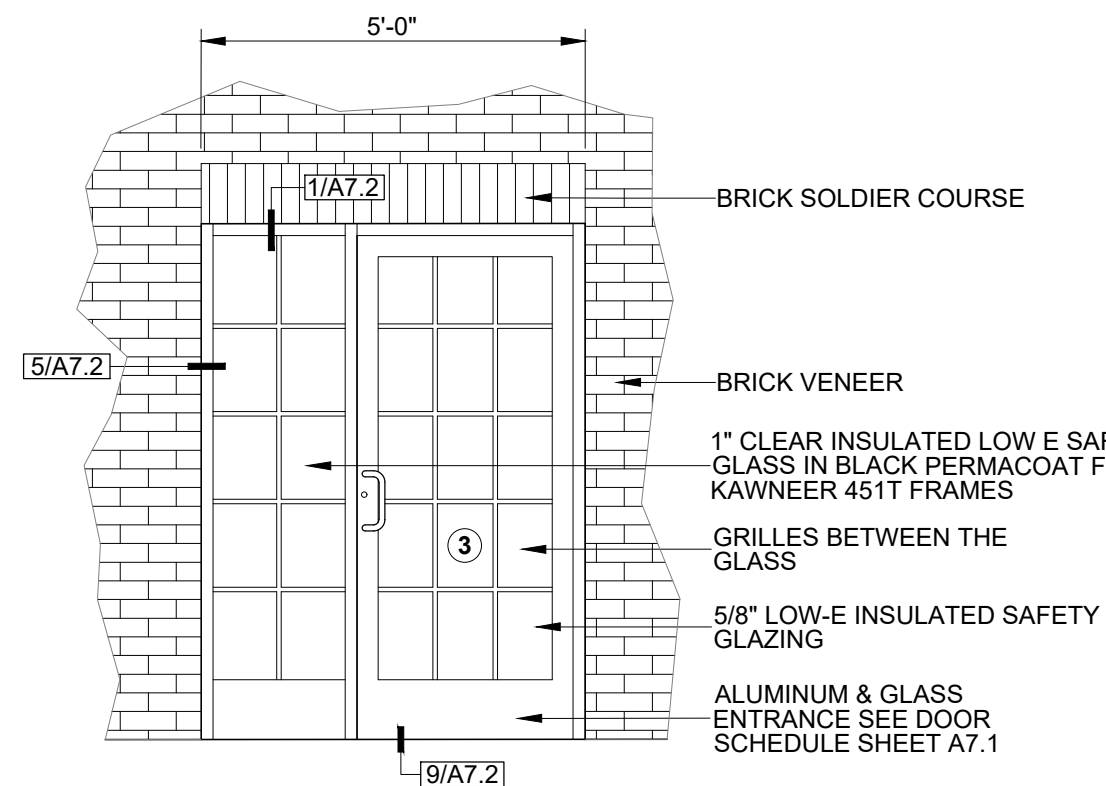
The Bend On Promenade

4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

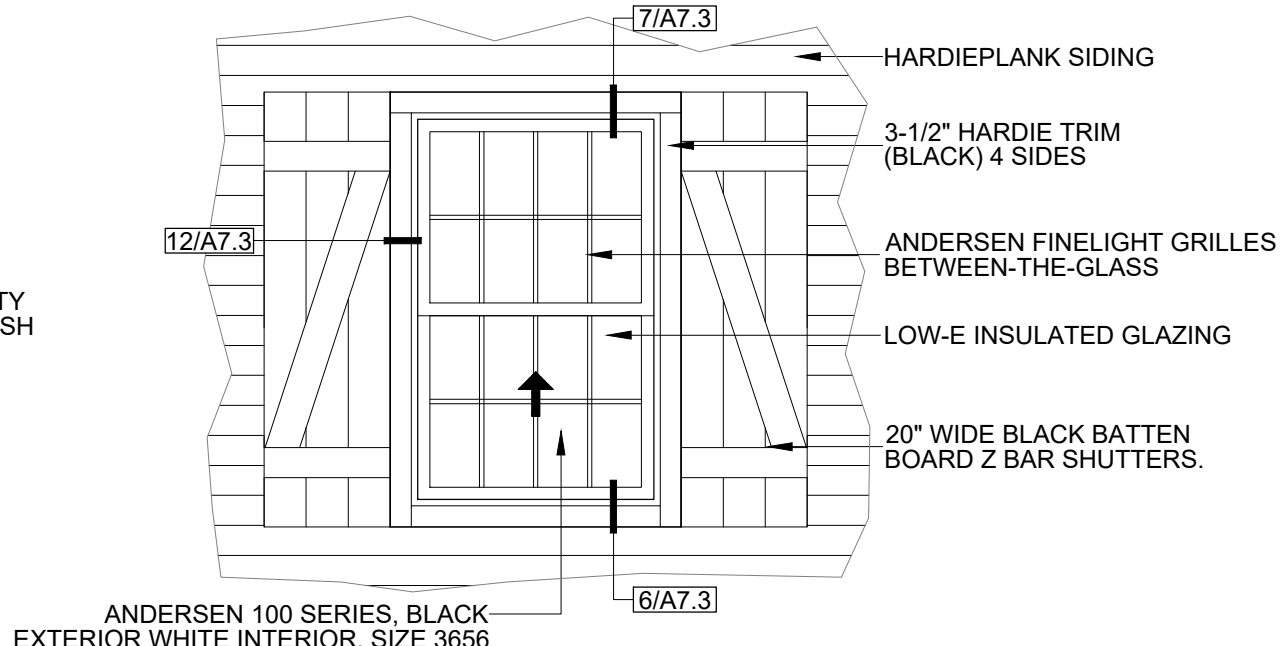
**BURNS**
architecture

1908 E. Sunshine St. Suite A
Springfield, Missouri 417-887-1999
LARRY ALLEN BURNS - ARCHITECT AR# 4470

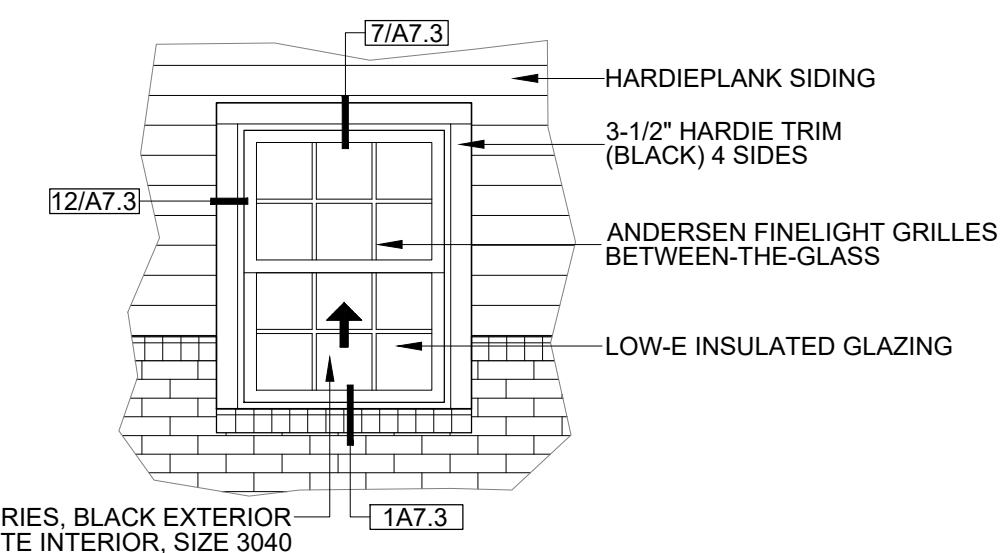
DRAWN MM
CHECKED L.A.B.
DATE FEBRUARY 25, 2021
PLOT SCALE NONE
JOB NO. 1902
SHEET EXTERIOR ELEVATION
A3.1



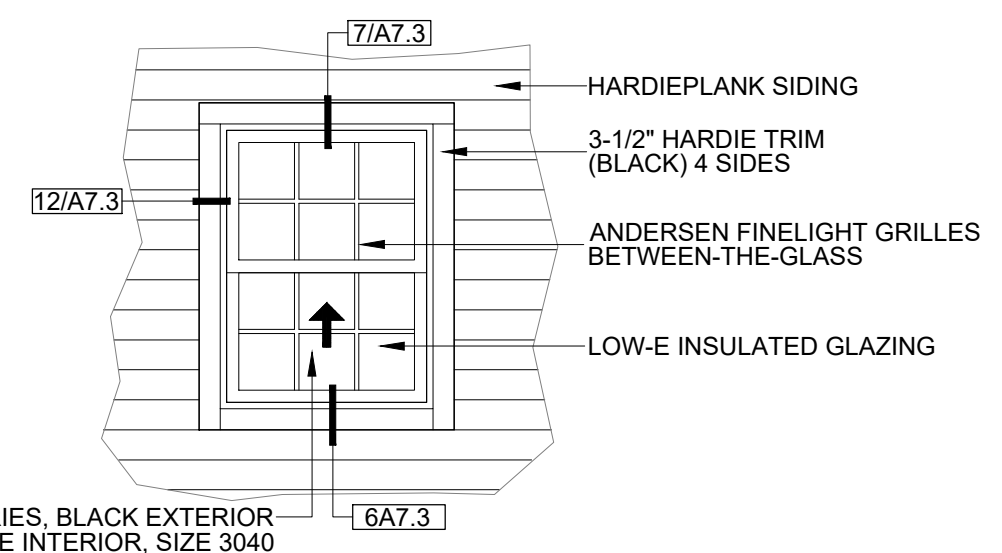
DOOR/WINDOW MARK J



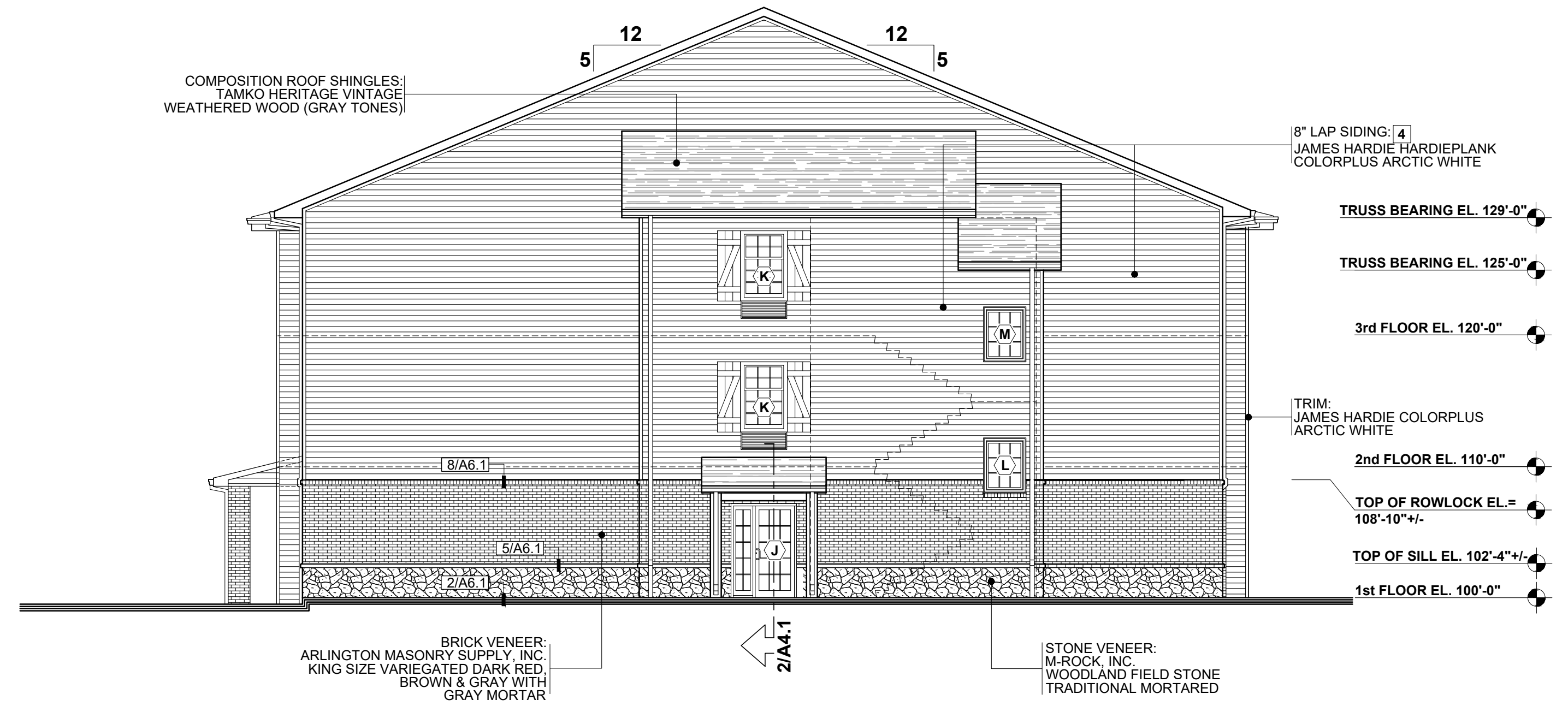
WINDOW MARK K



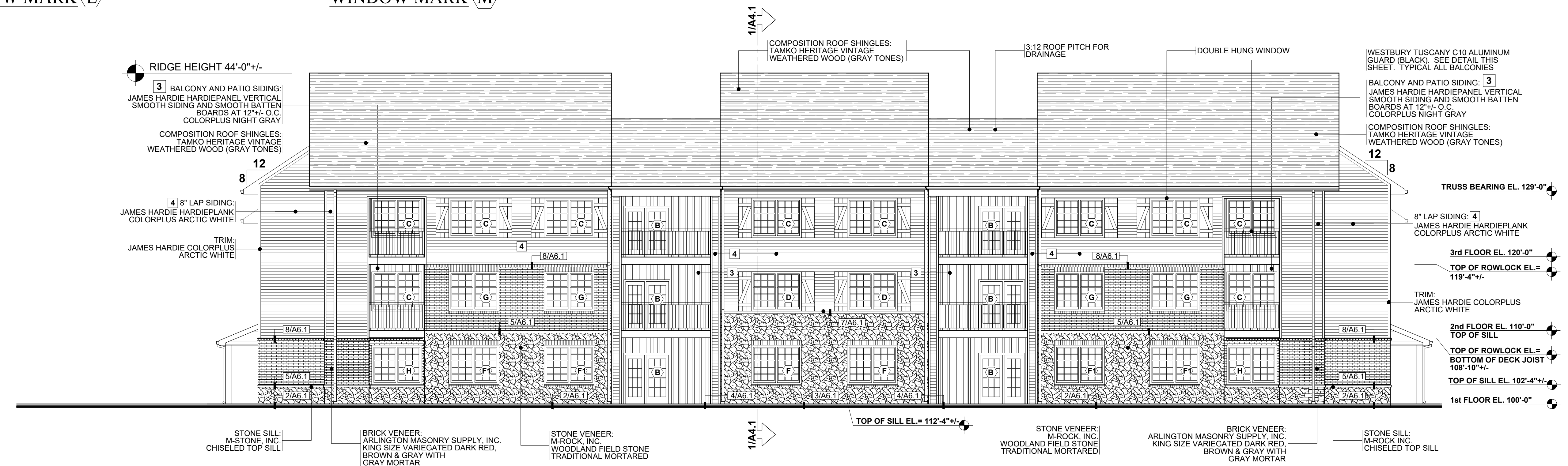
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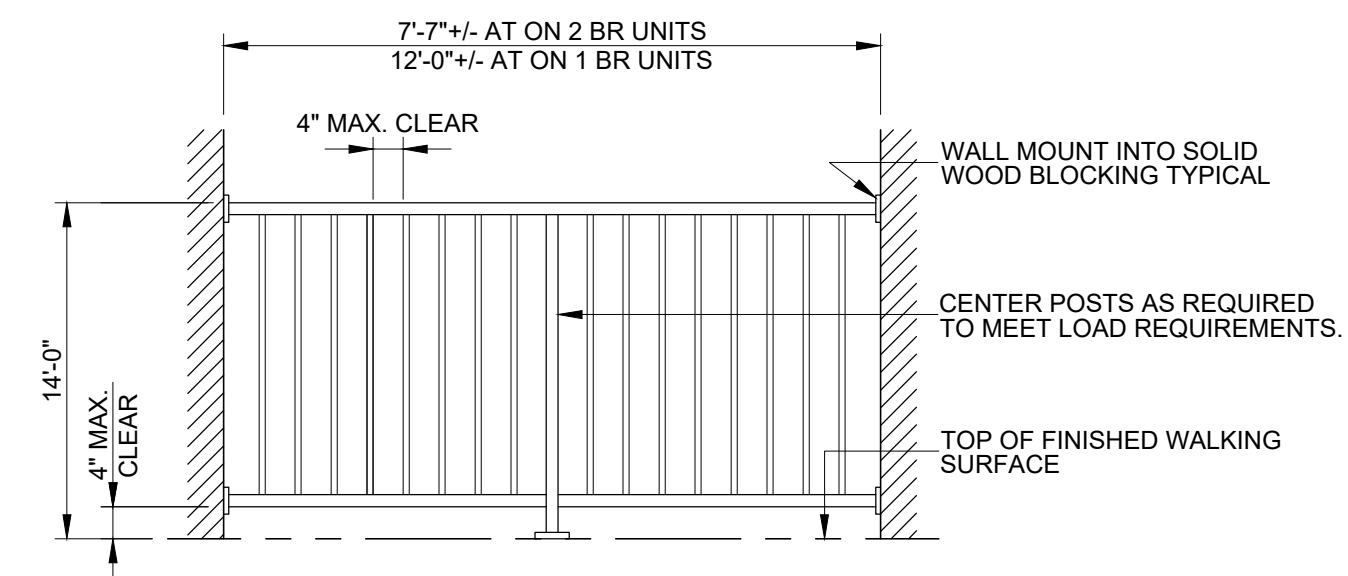
WINDOW MARK M



SIDE ELEVATION
1/8" = 1'-0"



REAR ELEVATION
1/8" = 1'-0"



1 TYPICAL BALCONY GUARD ELEVATION
1/2" = 1'-0"

GUARD RAIL LOAD REQUIREMENTS
2012 IBC SECTION 1607.8.1
● HANDRAIL AND GUARD ASSEMBLY LOAD = 50 P.L.F. APPLIED IN ANY DIRECTION AT THE TOP AND TRANSFER THIS LOAD THROUGH THE SUPPORTS TO THE STRUCTURE.
● HANDRAIL AND GUARD ASSEMBLY LOAD = 200 LBS. CONCENTRATED LOAD OF APPLIED IN ANY DIRECTION AT ANY POINT ALONG THE TOP.

REVISIONS	BY

LARRY ALLEN BURNS - ARCHITECT
LICENSE NO. 4470

2/25/2021

SEAL OF LARRY ALLEN BURNS, ARCHITECT, MISSOURI, LICENSE NO. 4470

MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES

The Bend On Promenade

4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

BURNS architecture

1908 E. Sunshine St. Suite A
Springfield, Missouri 417-887-1999

LARRY ALLEN BURNS - ARCHITECT AR# 4470

DRAWN MM
CHECKED LAB
DATE FEBRUARY 25, 2021
PLOT SCALE NONE
JOB NO. 1902
SHEET EXTERIOR ELEVATIONS
A3.2

BRYAN PROPERTIES

BURNS ARCHITECTURE COPYRIGHT © 2021

- KEYED NOTES
- 1

SEE SHEET AS0.1 FOR FOUNDATION SPECIFICATIONS.
- 2

1" TYPE SM PERIMETER INSULATION.
- 3

SEE SHEET AS0.1 FOR ANCHOR BOLT SPECIFICATIONS.
- 4

2X6 PRESSURE TREATED SILL PLATE OVER CLOSED CELL SILL SEAL.
- 5

1/2" APA PLYWOOD OR ORIENTED STRAND BOARD AS INDICATED ON STRUCTURAL PLANS OVER 2X6 STUDS AT 16" O.C.
- 6

6" R-19 BATT INSULATION.
- 7

STARTER STRIP FOR SIDING PER MANUFACTURER'S SPECIFICATIONS
- 8

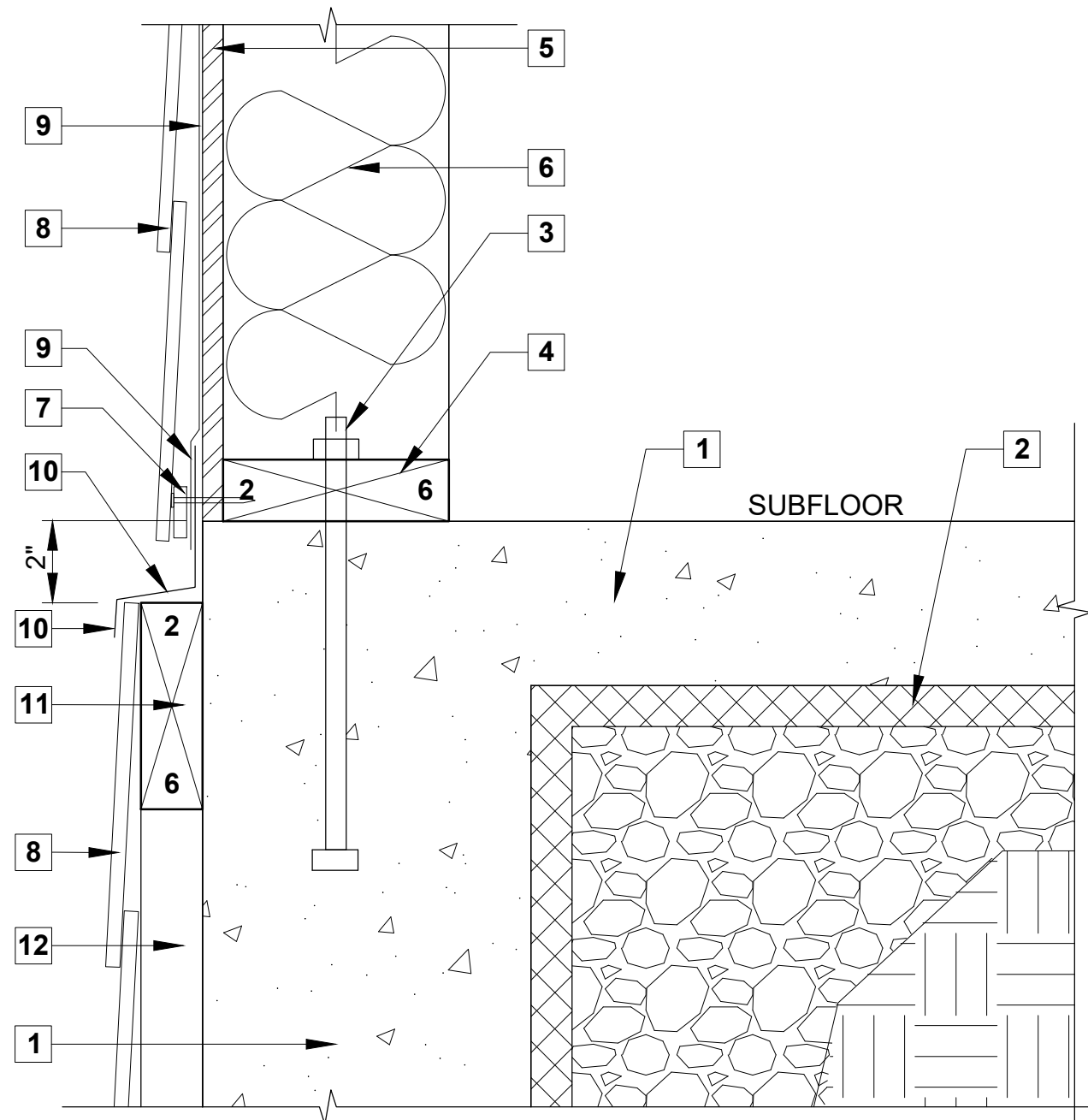
8" JAMES HARDIE HARDIEPLANK COLORPLUS LAP SIDING INSTALLED PER MANUFACTURER'S SPECIFICATIONS. SEE EXTERIOR ELEVATIONS
- 9

WATER RESISTANT BARRIER OVERLAPPING FLASHING
- 10

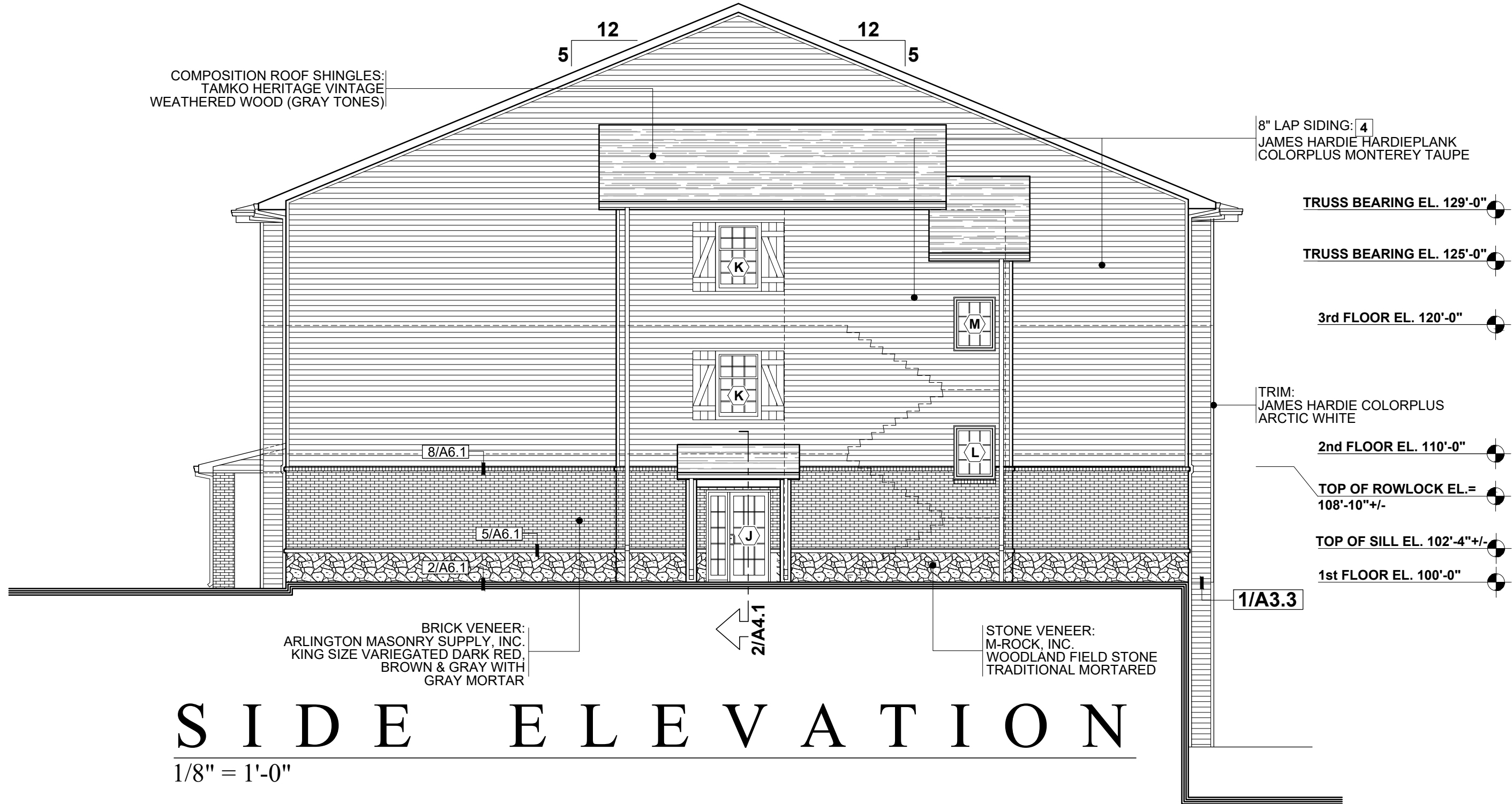
26 GA. COLOR COATED ZEE FLASHING (PITCH FOR DRAINAGE). COLOR TO MATCH SIDING
- 11

CONTINUOUS HORIZONTAL 2X6 PRESSURE TREATED NAILER ATTACHED TO FOUNDATION WALL BY APPROVED METHOD. TYPICAL TOP & BOTTOM OF SIDING WALL.
- 12

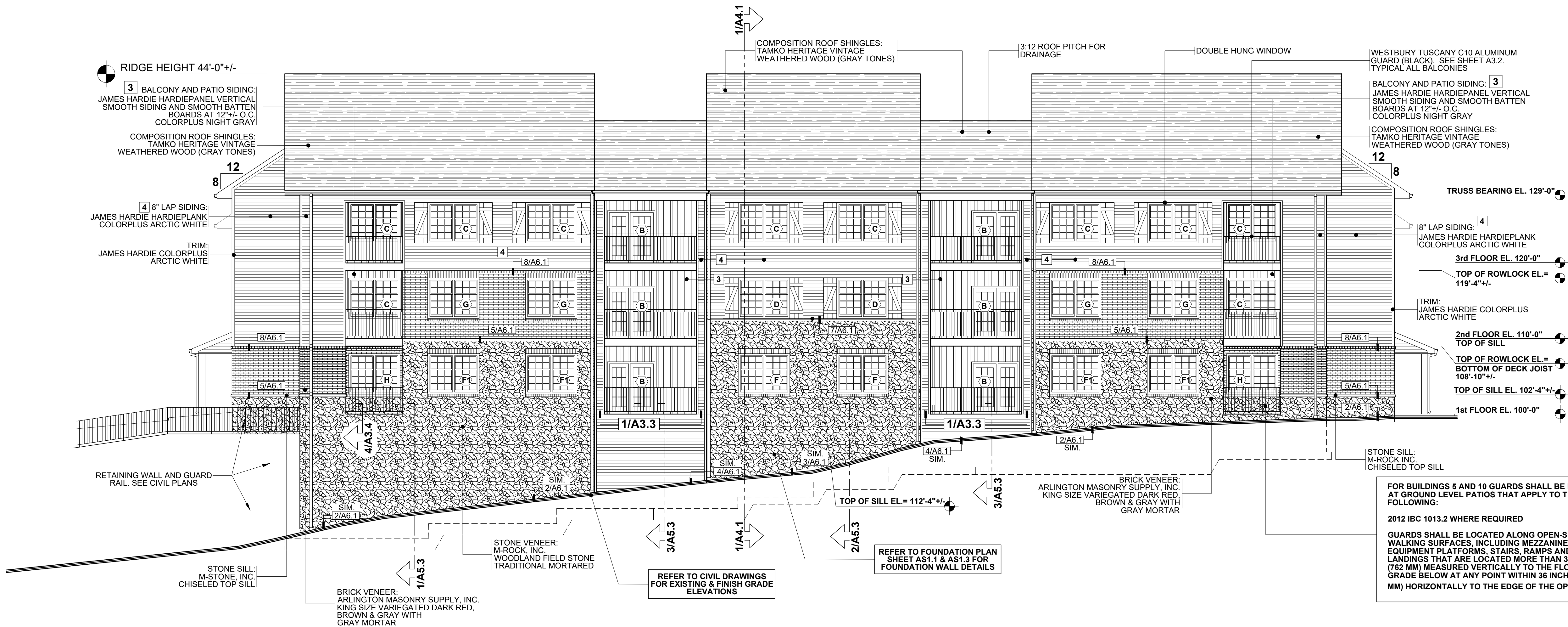
2X4 PRESSURE TREATED NAILERS AT 24" O.C. ATTACHED TO FOUNDATION WALL BY APPROVED METHOD.



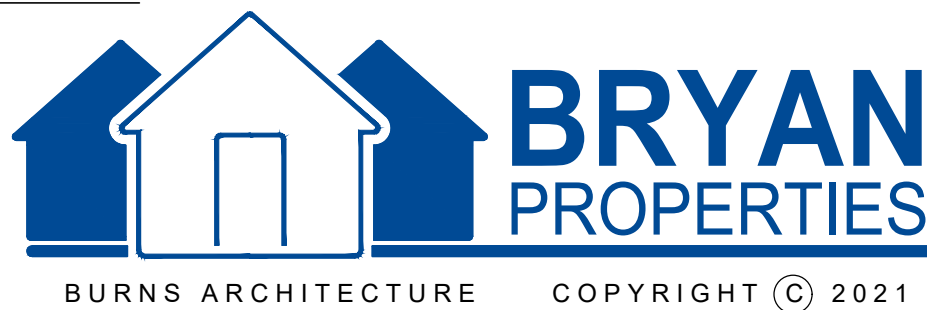
1 LAP SIDING AT FOUNDATION
3"=1'-0"



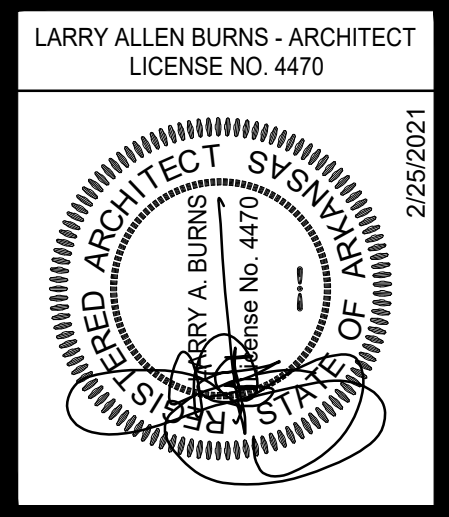
SIDE ELEVATION
1/8" = 1'-0"



BUILDING 5 SOUTH ELEVATION
1/8" = 1'-0"



REVISIONS	BY

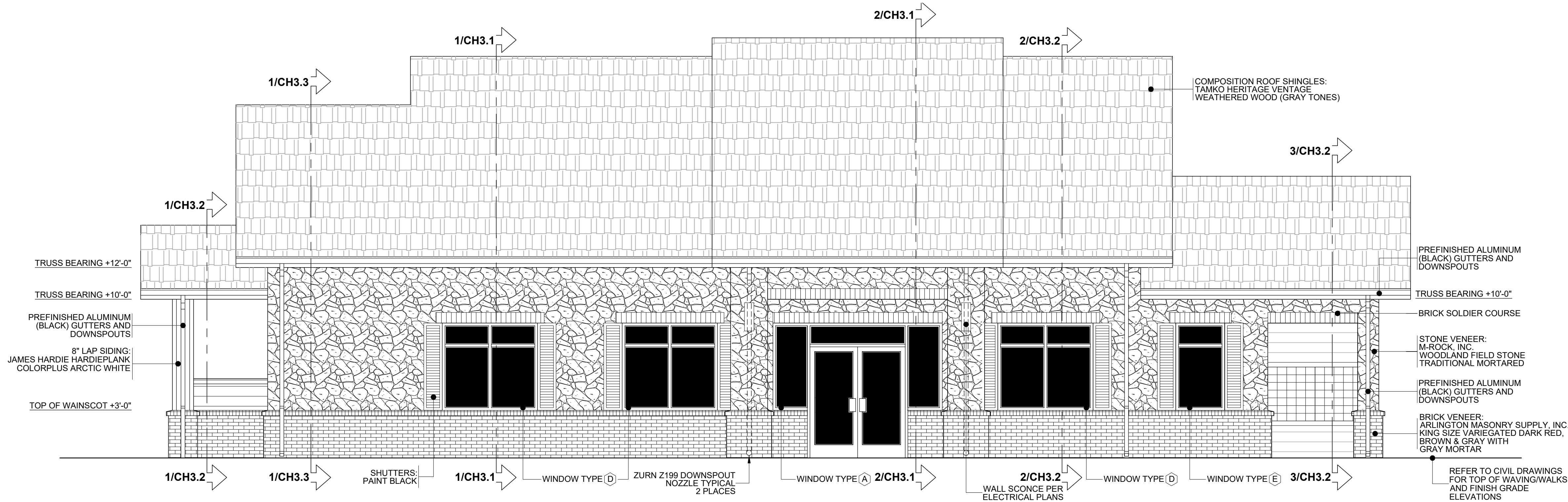


MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES
The Bend On Promenade
4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

BURNS architecture
1908 E. Sunshine St. Suite A
Springfield, Missouri 417-887-1999
LARRY ALLEN BURNS - ARCHITECT AR# 4470

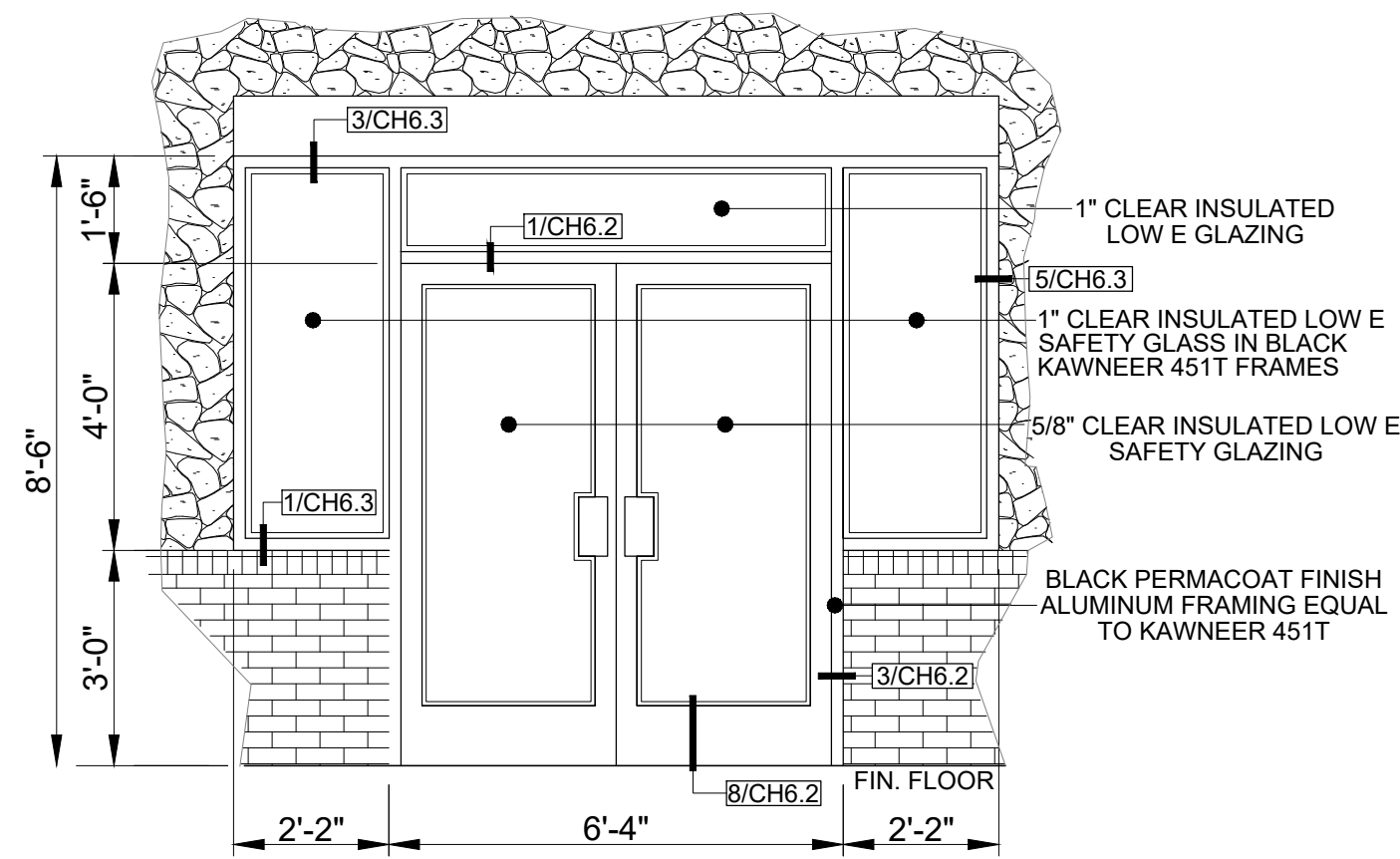
DRAWN	MM
CHECKED	LAB
DATE	FEBRUARY 25, 2021
PLOT SCALE	NONE
JOB NO.	1902
SHEET	EXTERIOR ELEVATIONS

A3.3

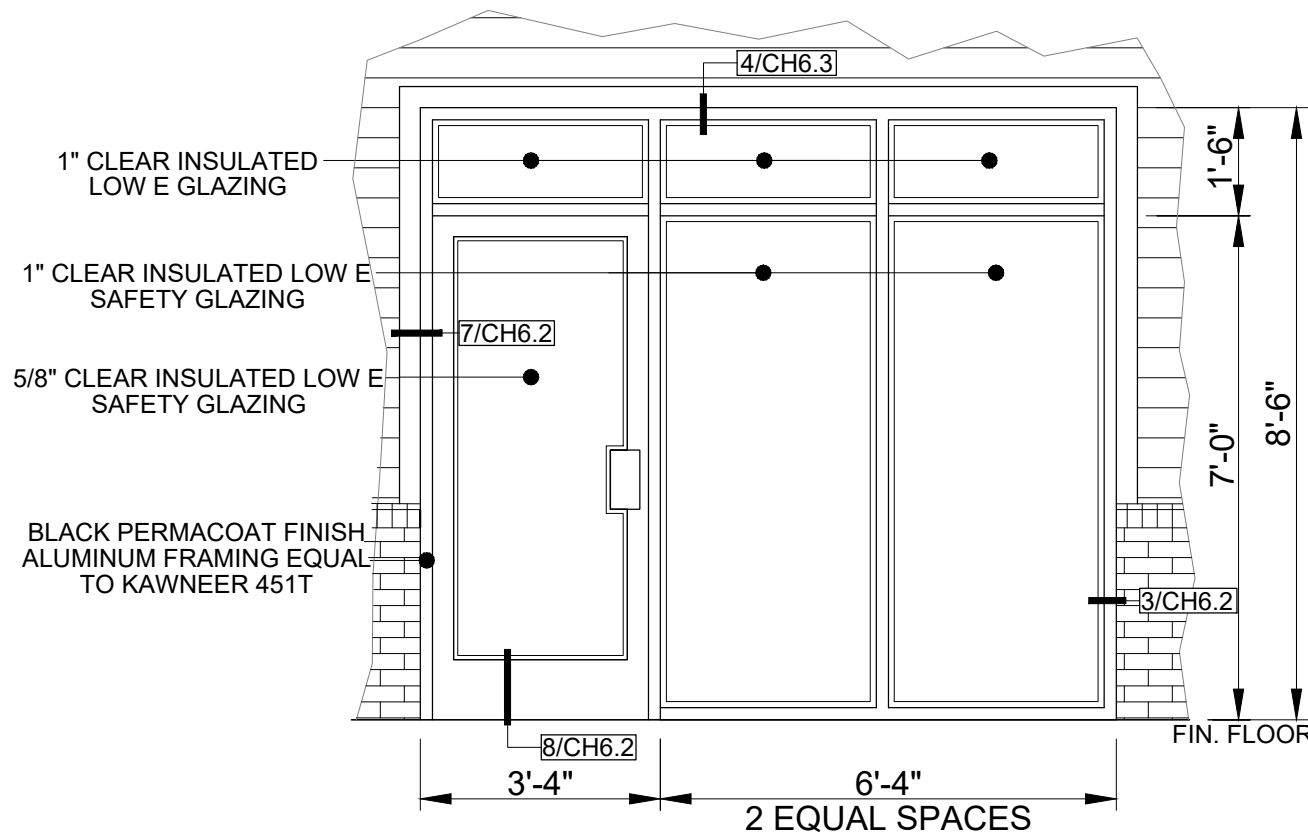


NORTH ELEVATION

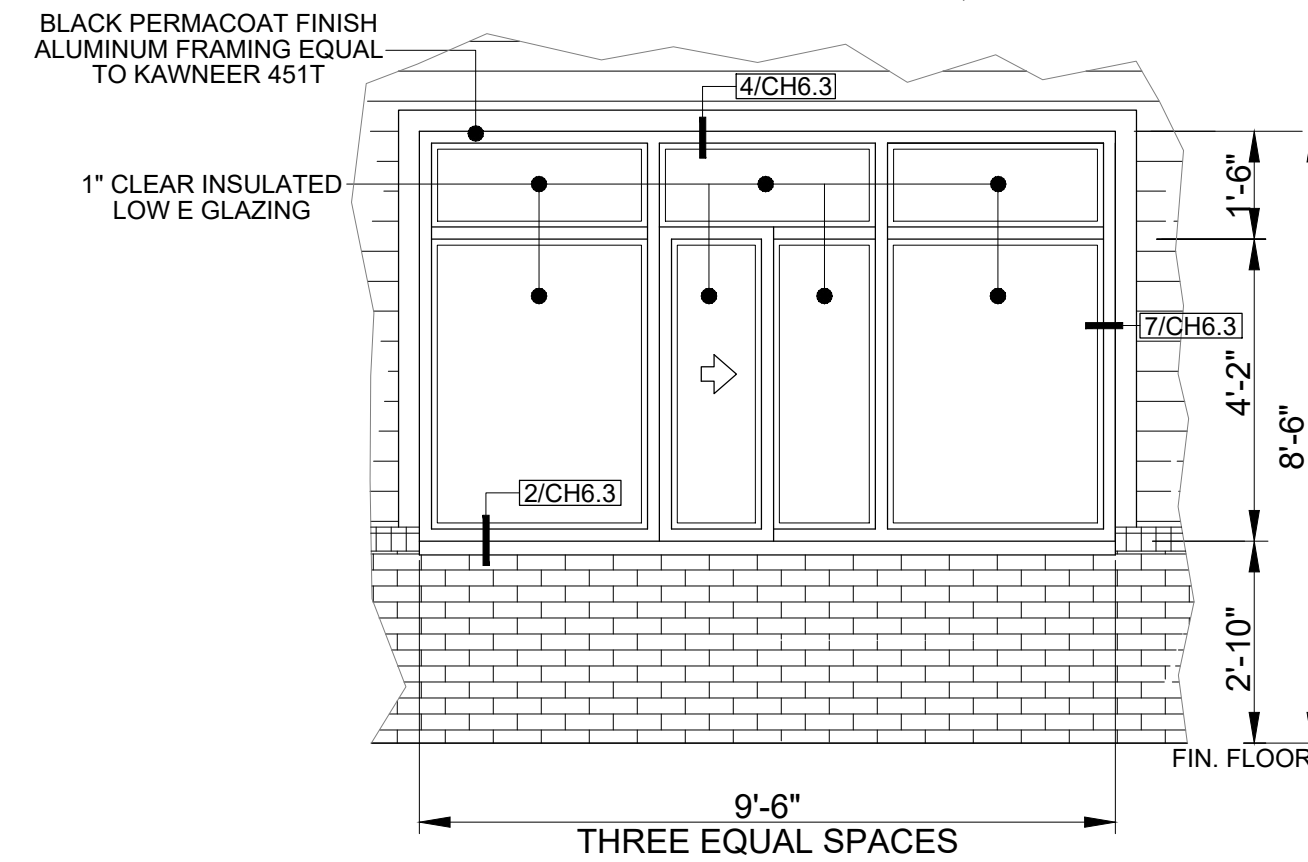
1/4" = 1'-0"



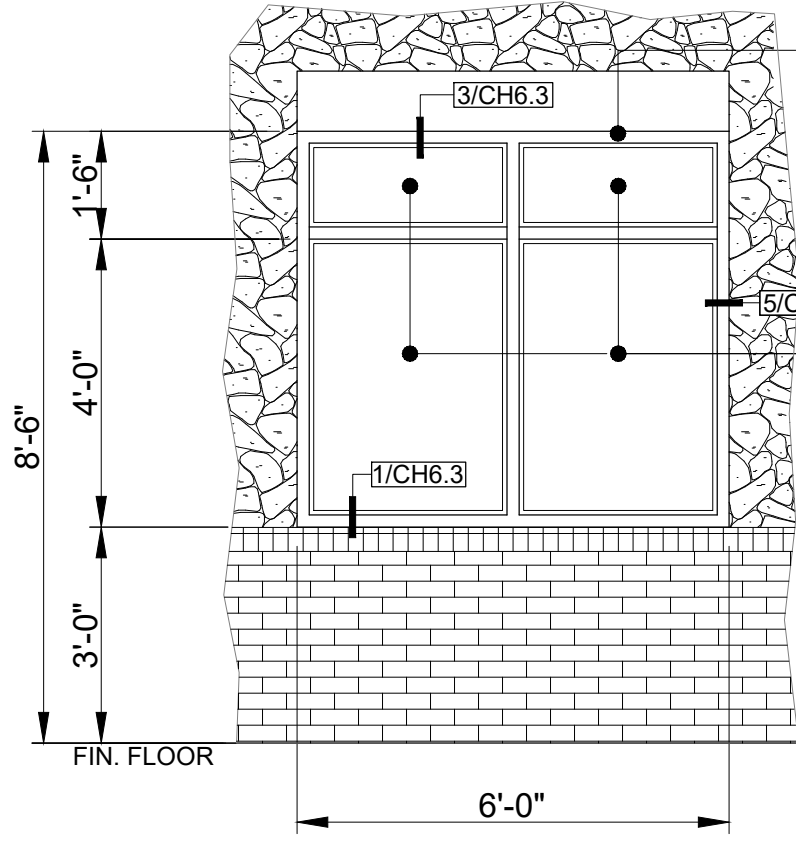
WINDOW TYPE A



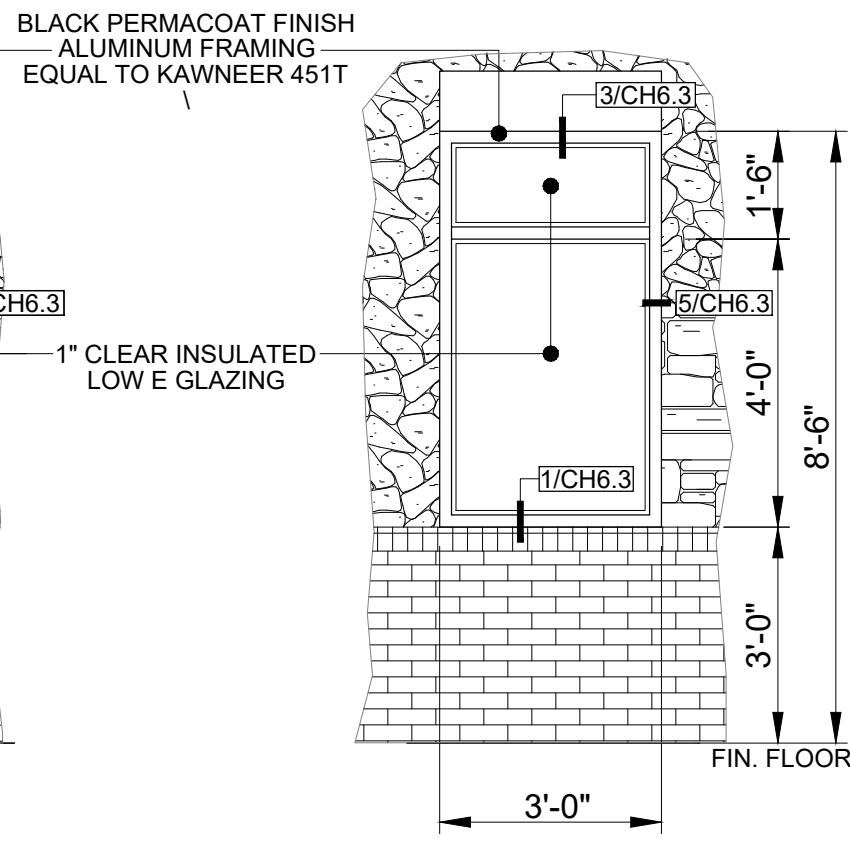
WINDOW TYPE B



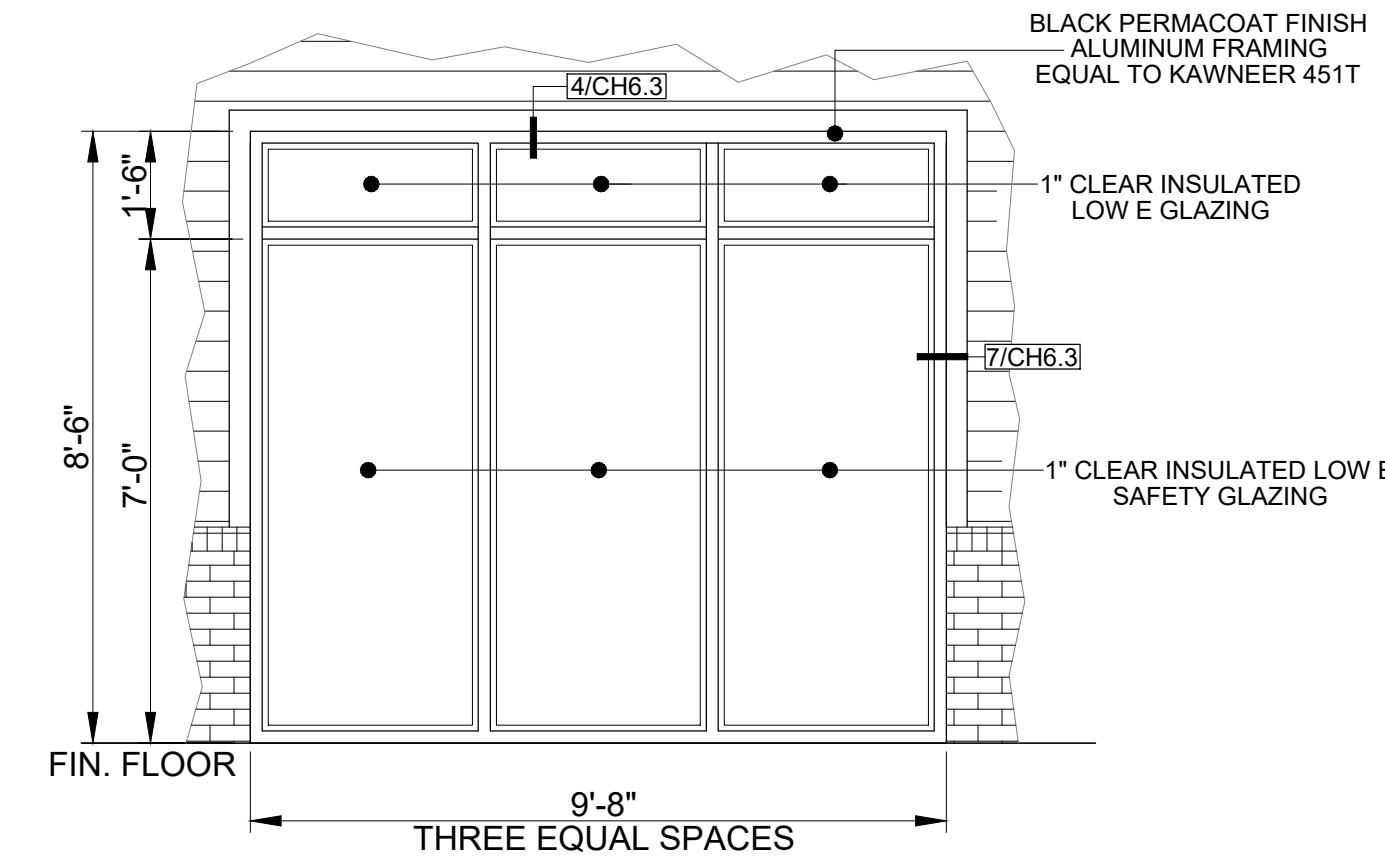
WINDOW TYPE C



WINDOW TYPE D



WINDOW TYPE E



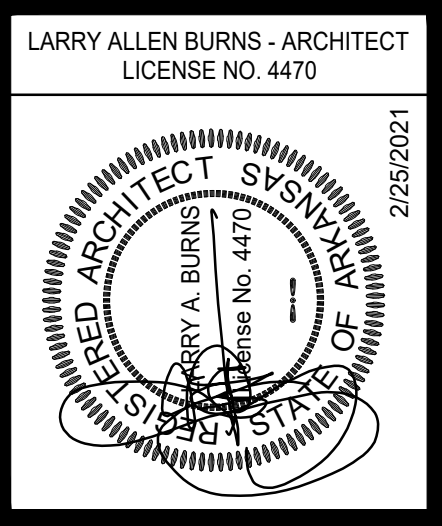
WINDOW TYPE F



EAST ELEVATION

1/4" = 1'-0"

REVISIONS	BY



MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES
The Bend On Promenade
4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

BURNS architecture
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Springfield, Missouri 417-887-1999
LARRY ALLEN BURNS - ARCHITECT AR# 4470

DRAWN MM
CHECKED L.A.B.
DATE FEBRUARY 25, 2021
PLOT SCALE NONE
JOB NO. 1902
SHEET CLUBHOUSE ELEVATIONS

CH2.1



REVISIONS	BY

LARRY ALLEN BURNS - ARCHITECT
LICENSE NO. 4470

2/25/2021

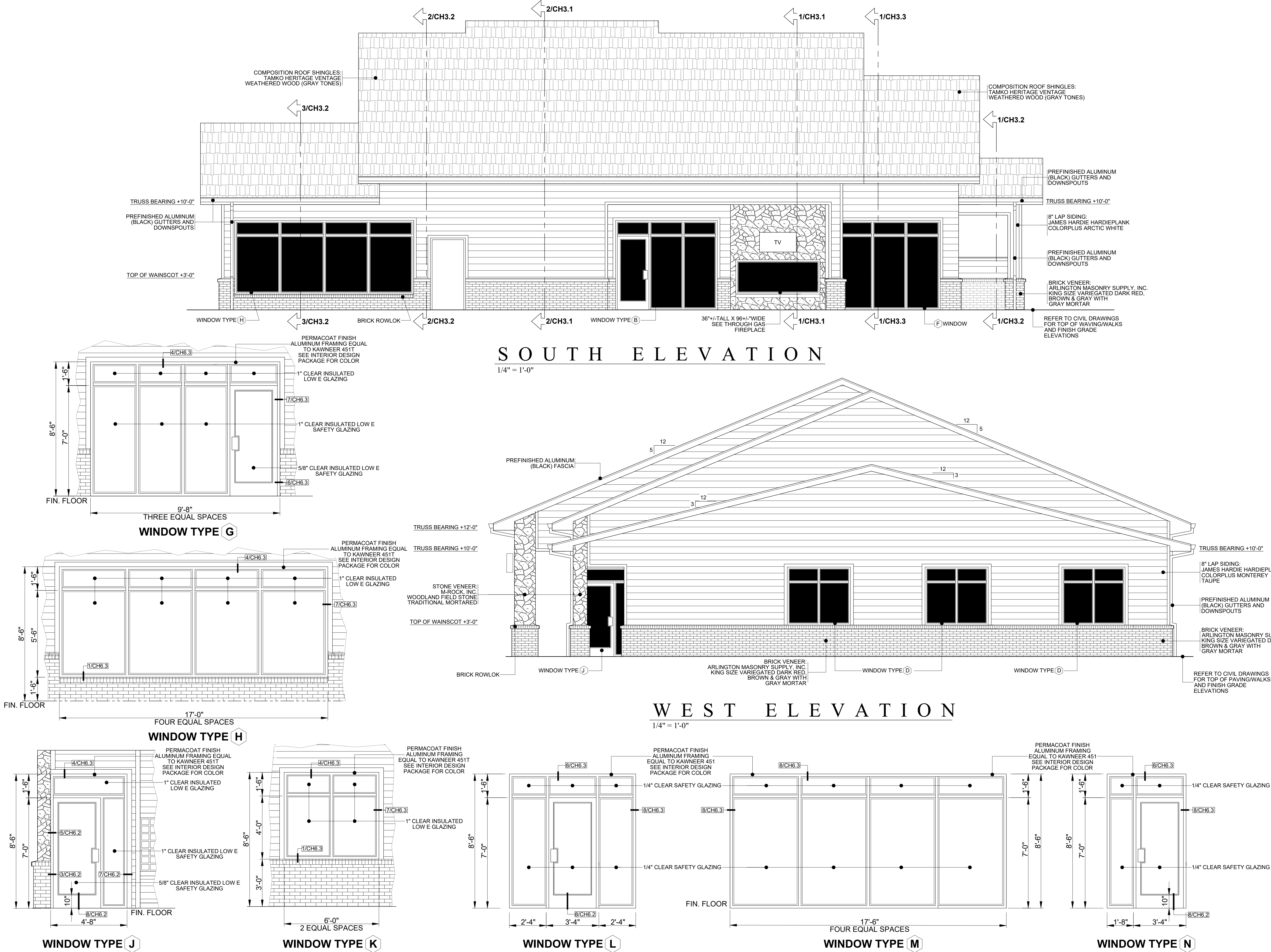
MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES

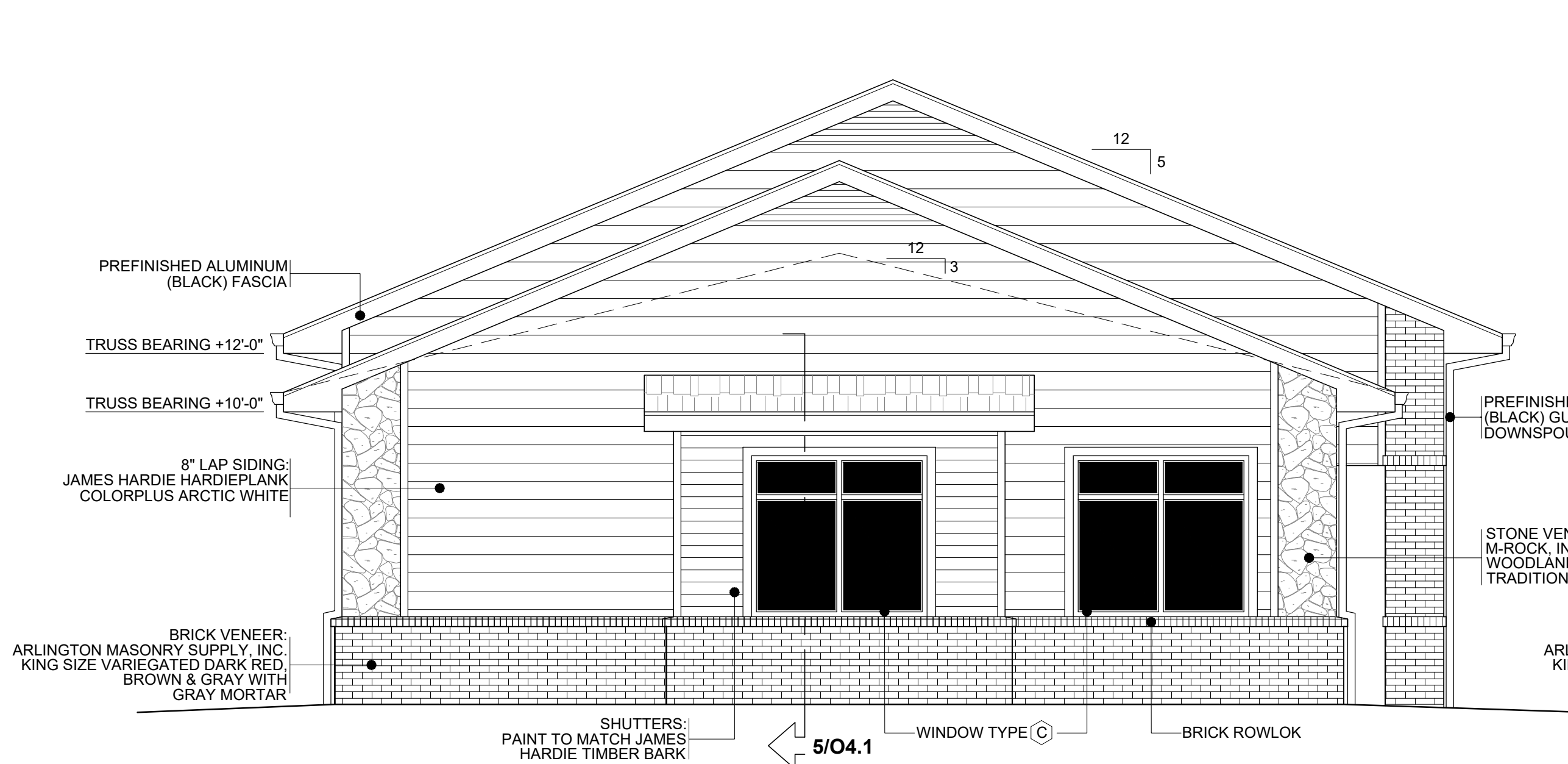
The Bend On Promenade
4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

BURNS
architecture

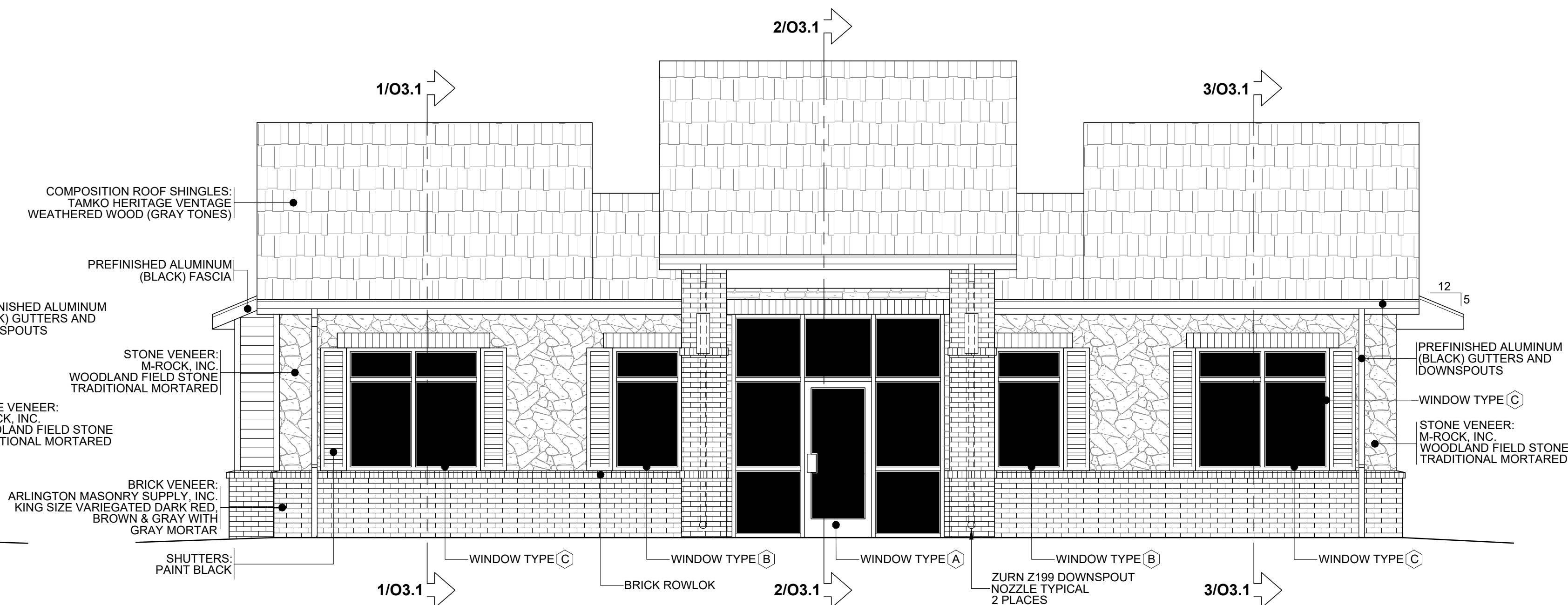
1908 E. Sunshine St. Suite A
Springfield, Missouri 417-887-1999
LARRY ALLEN BURNS - ARCHITECT AR# 4470

DRAWN	MM
CHECKED	L.A.B.
DATE	FEBRUARY 25, 2021
PLOT SCALE	NONE
JOB NO.	1902
SHEET	CLUBHOUSE ELEVATIONS
CH2.2	

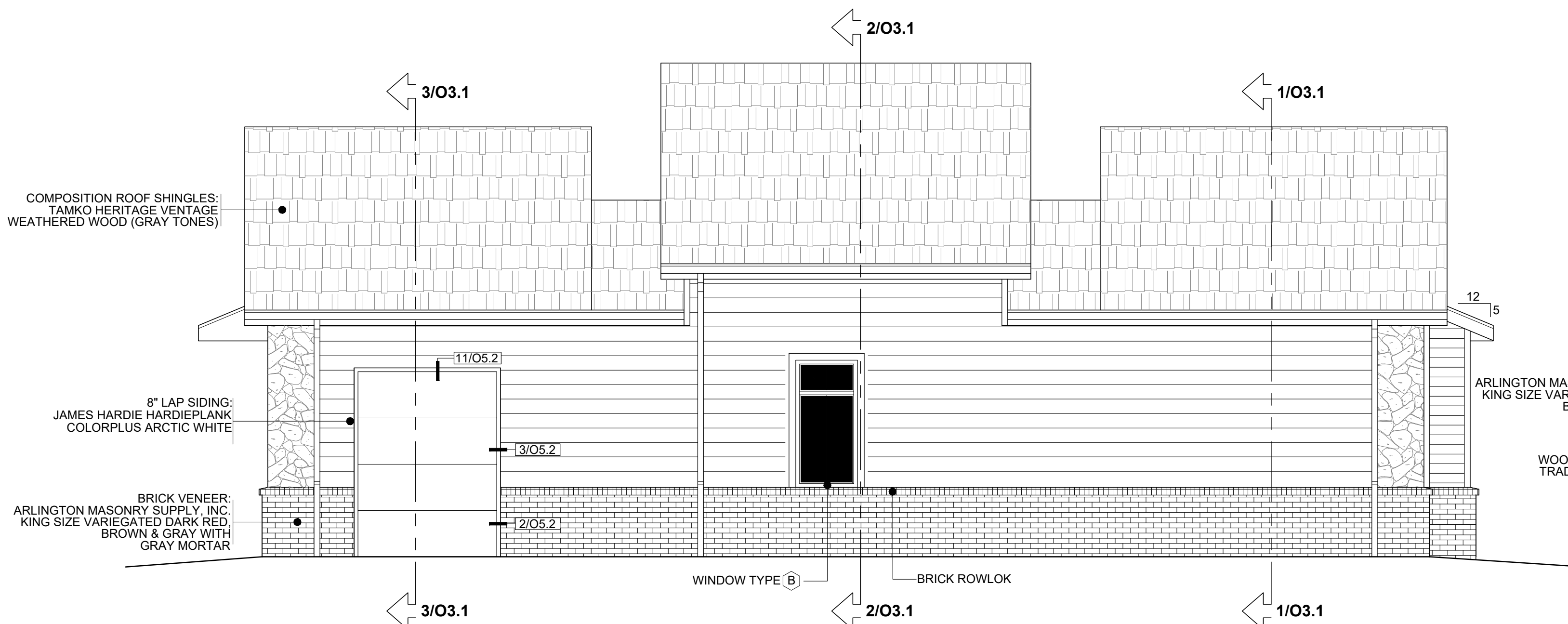




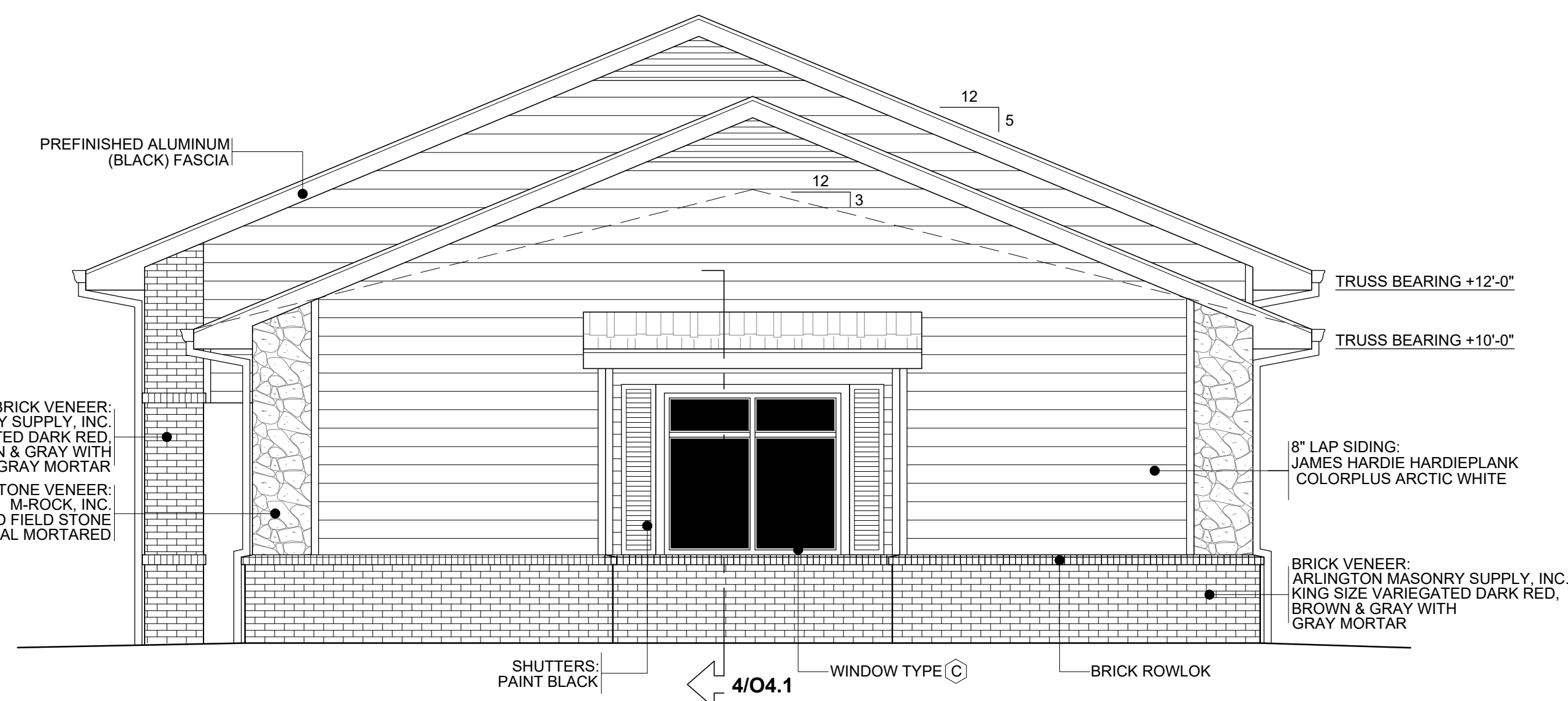
WEST ELEVATION
1/4" = 1'-0"



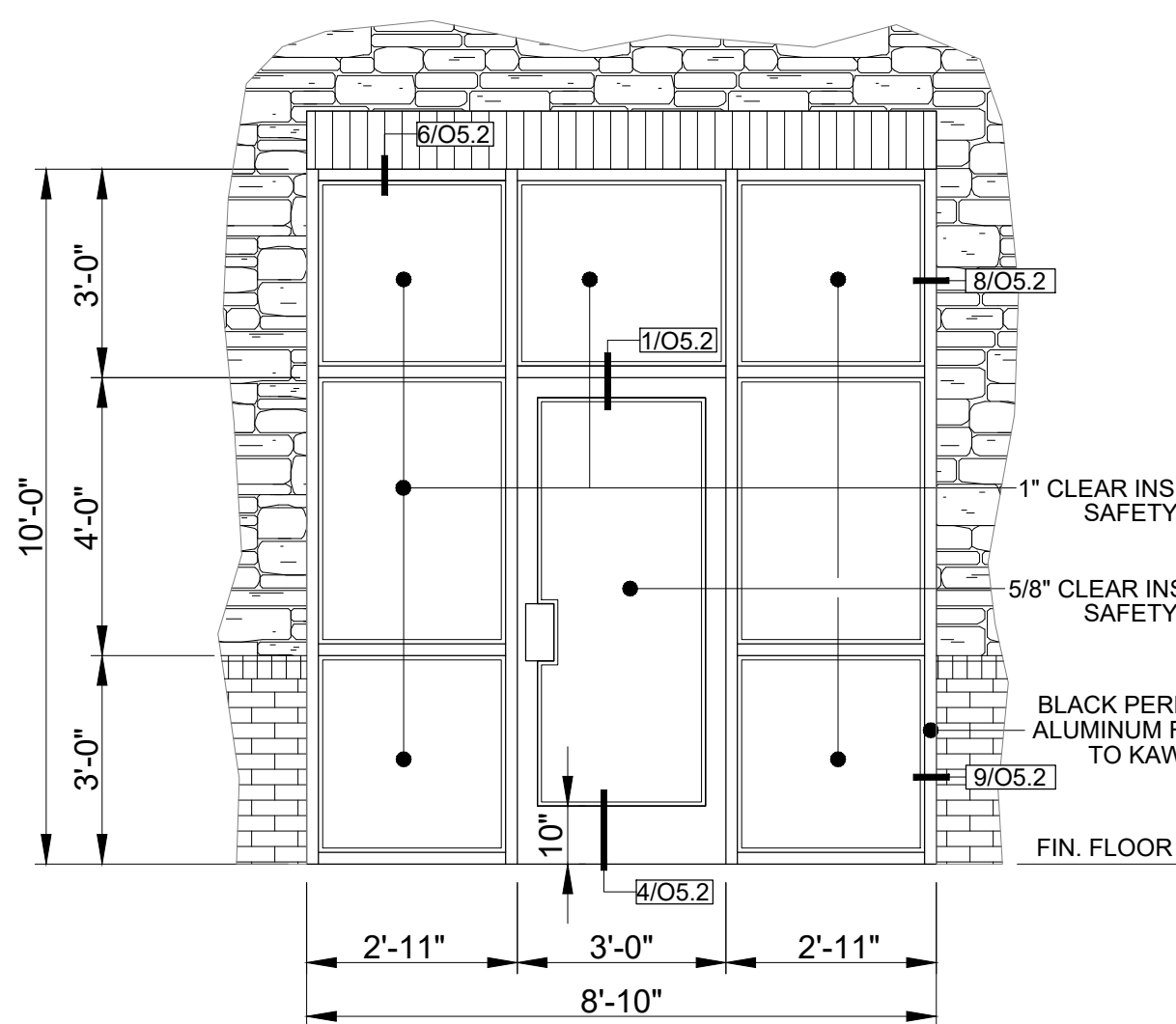
SOUTH ELEVATION
1/4" = 1'-0"



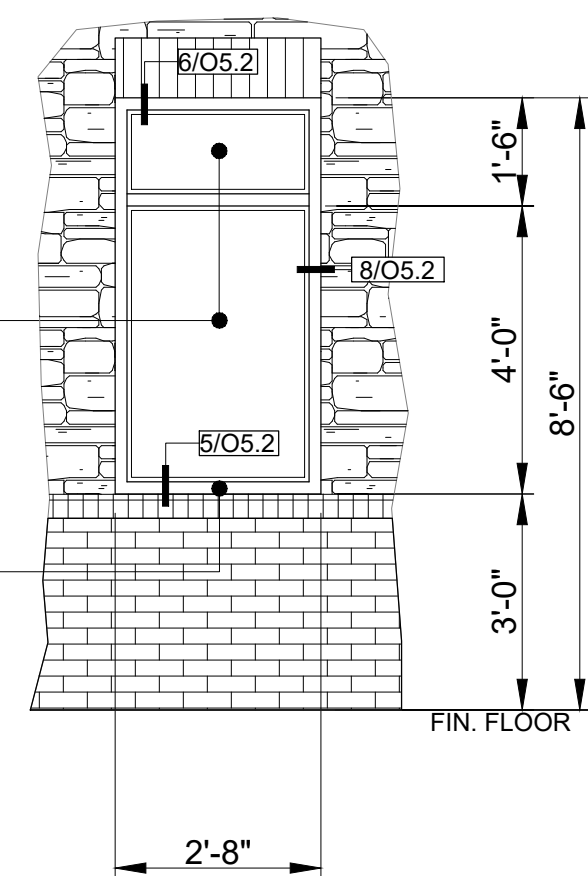
NORTH ELEVATION
1/4" = 1'-0"



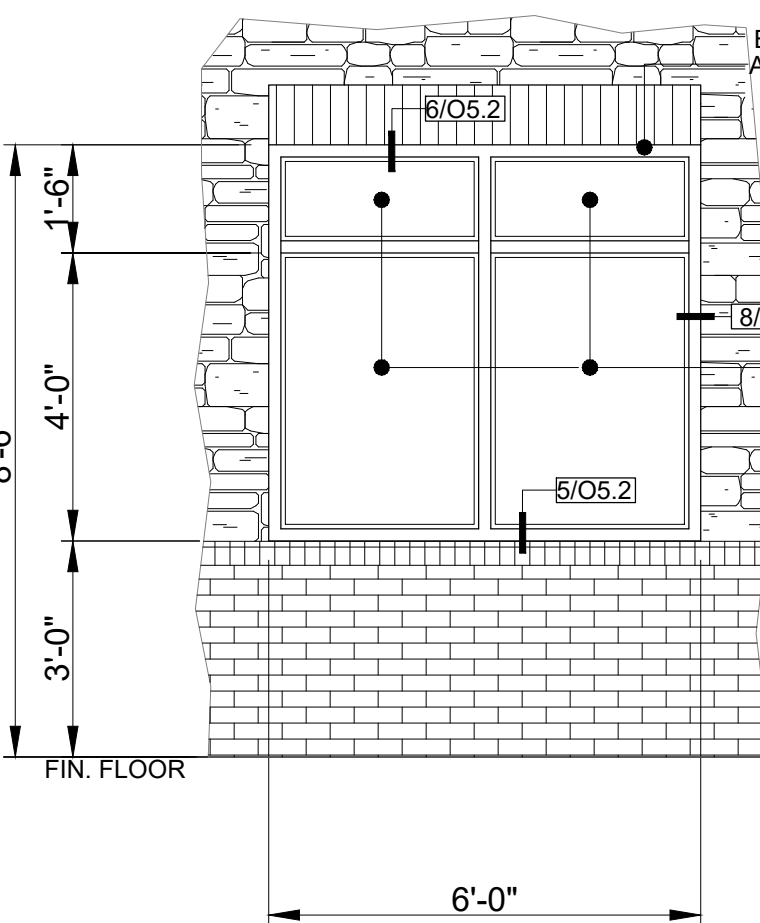
EAST ELEVATION
1/4" = 1'-0"



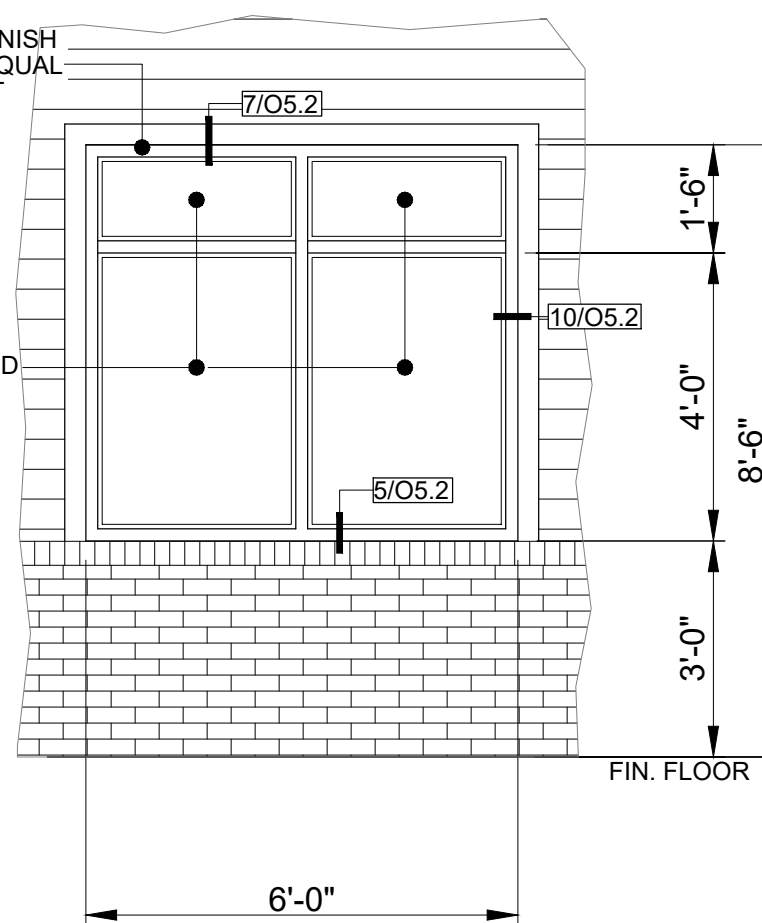
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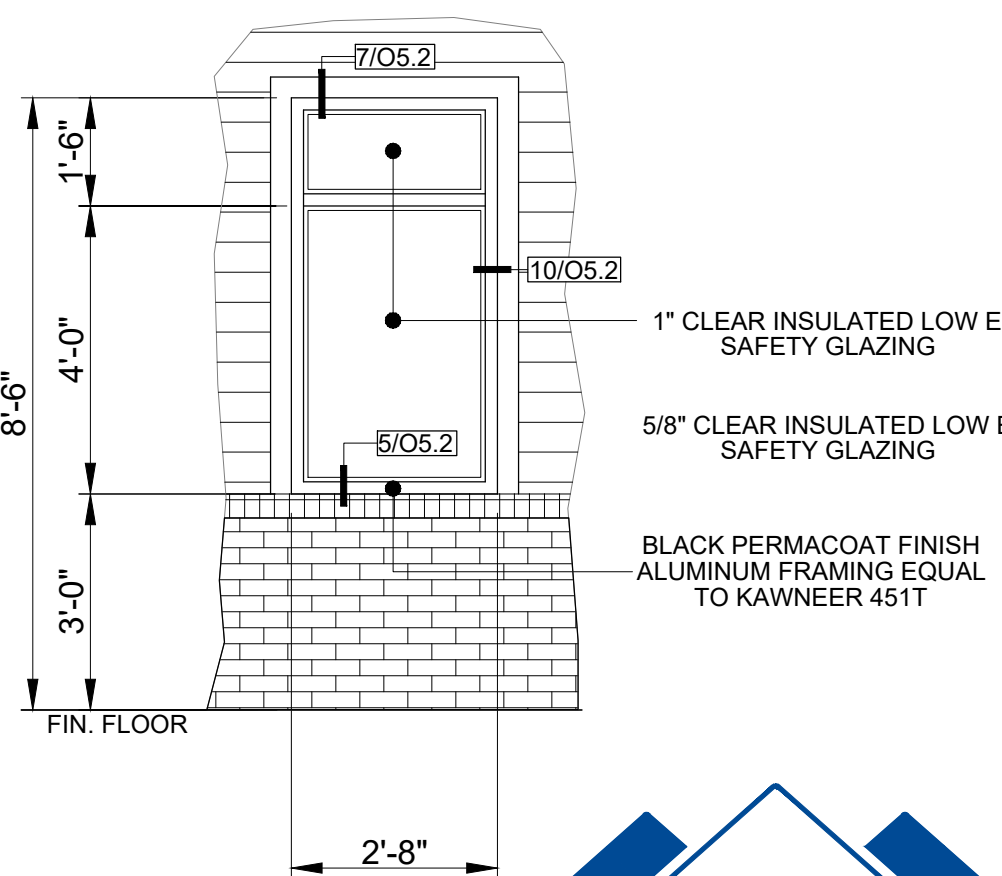
WINDOW TYPE B



WINDOW TYPE C



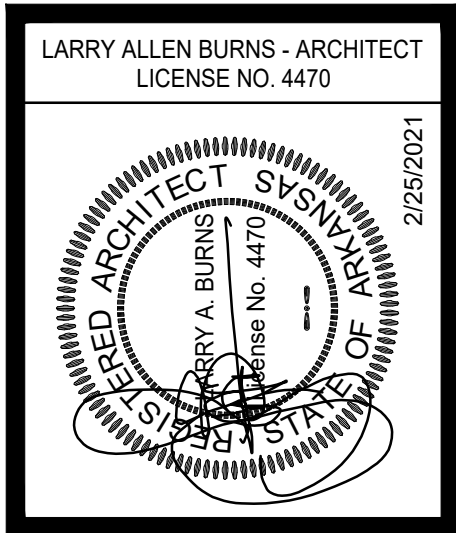
WINDOW TYPE D



WINDOW TYPE E



REVISIONS	BY



MULTI-FAMILY DEVELOPMENT
BRYAN PROPERTIES
The Bend On Promenade
4401 W. CEDAR BROOKE LN.
ROGERS, ARKANSAS

BURNS architecture
1908 E. Sunshine St. Suite A
Springfield, Missouri 417-887-1999
LARRY ALLEN BURNS - ARCHITECT AR# 4470

DRAWN MM
CHECKED L.A.B.
DATE FEBRUARY 25, 2021
PLOT SCALE NONE
JOB NO. 1902
SHEET OFFICE ELEVATIONS
O2.1



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

**MEETING DATE
DECEMBER 21, 2021**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
LARGE-SCALE DEVELOPMENT PLANS – PROMENADE COMMONS 55+ PHASE 2**

STAFF: NICHOLAS LITTLE, PLANNER II
KRISTIFIER PAXTON, DEVELOPMENT COMPLIANCE MANAGER

REQUEST DETAILS

PROJECT NAME:	Promenade Commons 55+ Phase 2
ADDRESS/LOCATION:	4100 W Oak Street / 02-22434-000
PROPOSED USE:	Multifamily Residential
CURRENT ZONING:	RMF-28B (Residential Multifamily (28 units per acre))
CGM GROWTH DESIGNATION:	Commerce Corridor
APPLICANT/REPRESENTATIVE:	Molly Robb, PE - Anderson Engineering
PROJECT OWNER/DEVELOPER:	Promenade Commons, LLC
PROPERTY OWNER:	Promenade Commons, LLC
NATURE OF REQUEST:	Approval of Large-Scale Development Plans
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

SUMMARY

This request is to allow the construction of a 4-story, 12,285-SF building and paved parking on ± 1.29 acres. The proposed development plans meet all City requirements (except for requested waivers/variances) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b).

Community Development recommends **approval** of this request subject to the following actions:

1. Approve **VARIANCE** from Sec. 14-703(f(1(a))) to waive the requirement to provide 2' additional setback for every 1' additional building height over 35'.
2. Approve **VARIANCE** from Sec. 14-703(i) to provide 3 spaces for each 2 dwelling units.
3. Approve **VARIANCE** from Sec. 14-703(g(5)) for the maximum impervious area of 70% of the total lot area.
4. APPROVE **FEE-IN-LIEU** from Sec. 14-608 requiring improvements of adjacent streets and improvements within the right-of-way.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant's proposal meets the Access Management standards.

2. STORMWATER MANAGEMENT:

The site is served by an existing off-site regional detention facility that has adequate capacity for the proposed improvements.

3. WATER QUALITY:

Water quality will be served by the existing off-site regional detention facility.

4. FLOODPLAIN MANAGEMENT:

No portion of the project is located within a Special Flood Hazard Area (SFHA). The project is located in Zone "X" (unshaded).

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

Applicant is requesting a **WAIVER** from Sec 14-608 requiring improvements of adjacent substandard condition streets. The applicant states that due to the planned city improvements to W Oak Street, S 45th Street, and S Promenade Blvd., a **FEE-IN-LIEU** will be submitted for the street trees, street lights, and sidewalks requirements in place of the improvements.

b) Connectivity Standards:

Connectivity Standards have been met in the proposal.

c) Streetscape:

i) Right-of-Way:

- 1) The right-of-way width for S 45th Street is 70' per the Master Street Plan.
- 2) The right-of-way width for W Oak Street is 70' per the Master Street Plan.
- 3) The right-of-way width for S Promenade Blvd. is at least 85' per the Master Street Plan.

ii) Sidewalks & Sidepaths:

- 1) The applicant proposes a **FEE-IN-LIEU** of improvements within the right-of-way due to the planned city improvements to W Oak Street, S 45th Street, and S Promenade Blvd.

d) Trails:

No trail construction or right-of-way dedication is required other than sidepaths and sidewalks along the streets as proposed.

e) Streetlights:

Streetlights shown on the plans meet requirements

f) Street Trees:

The applicant proposes a **FEE-IN-LIEU** of improvements within the right-of-way due to the planned city improvements to W Oak Street, S 45th Street, and S Promenade Blvd.

6. RECOMMENDATIONS:

- a) **APPROVE** fee-in-lieu from Sec. 14-608 requiring improvements of adjacent streets and improvements within the right-of-way.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i) "Multifamily Residential" is defined as "buildings that have three (3) or more dwelling units that share common walls, floors, ceilings, or open space on a site;" (Sec. 14-695(b(1(i)))).

b) Zoning Compliance:

The proposed project is in compliance with R-MF zoning regulations.

c) CGM Compliance:

The proposed project does align with the purpose, character, and goals of the Commerce Corridor Growth Designation.

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-703 and Article III with the exception of any requested waivers and/or variances.

a) Building Disposition:

A variance has been requested to address the issue of height and building setback from public right-of-way.

b) Building Design:

N/A

c) Parking & Loading:

A variance has been requested to address the lack of proposed parking

d) Screening & Transitions:

All screening requirements have been met.

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

a) Approve Large-Scale Development plans with the following actions:

1. Approve **VARIANCE** from Sec. 14-703(f(1(a))) to waive the requirement to provide 2' additional setback for every 1' additional building height over 35'. This requirement from code is unnecessary in this instance due to the development's adjacency to non-residential uses.
2. Approve **VARIANCE** from Sec. 14-703(i) to provide 3 spaces for each 2 dwelling units. Staff supports this variance due to:
 - The type of development that the parking serves being 55+ residential
 - The fact that this development is in the vicinity of the Uptown Regional Center, which has no minimum parking requirements
 - The total development (Phases 1 & 2) are only short of the requirement by 7 parking spaces
3. Approve **VARIANCE** from Sec. 14-703(g(5)) for the maximum impervious area of 70% of the total lot area. Staff supports this waiver from meeting the maximum impervious area because of the development's proximity to Interstate 49 and the City's desire to maximize land-use efficiency in the Commerce Corridor.
4. Approve **FEE-IN-LIEU** from Sec. 14-608 requiring improvements of adjacent streets and improvements within the right-of-way.

OTHER REVIEWS

The proposed development plans have been reviewed by the City of Rogers Risk Reduction Division and Rogers Water Utilities (see Tab 2 for RWU conditional approval letter). All projects are made available for review by franchise utilities, Benton County 911 Administration, and other affected agencies per Sec. 14-227.

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

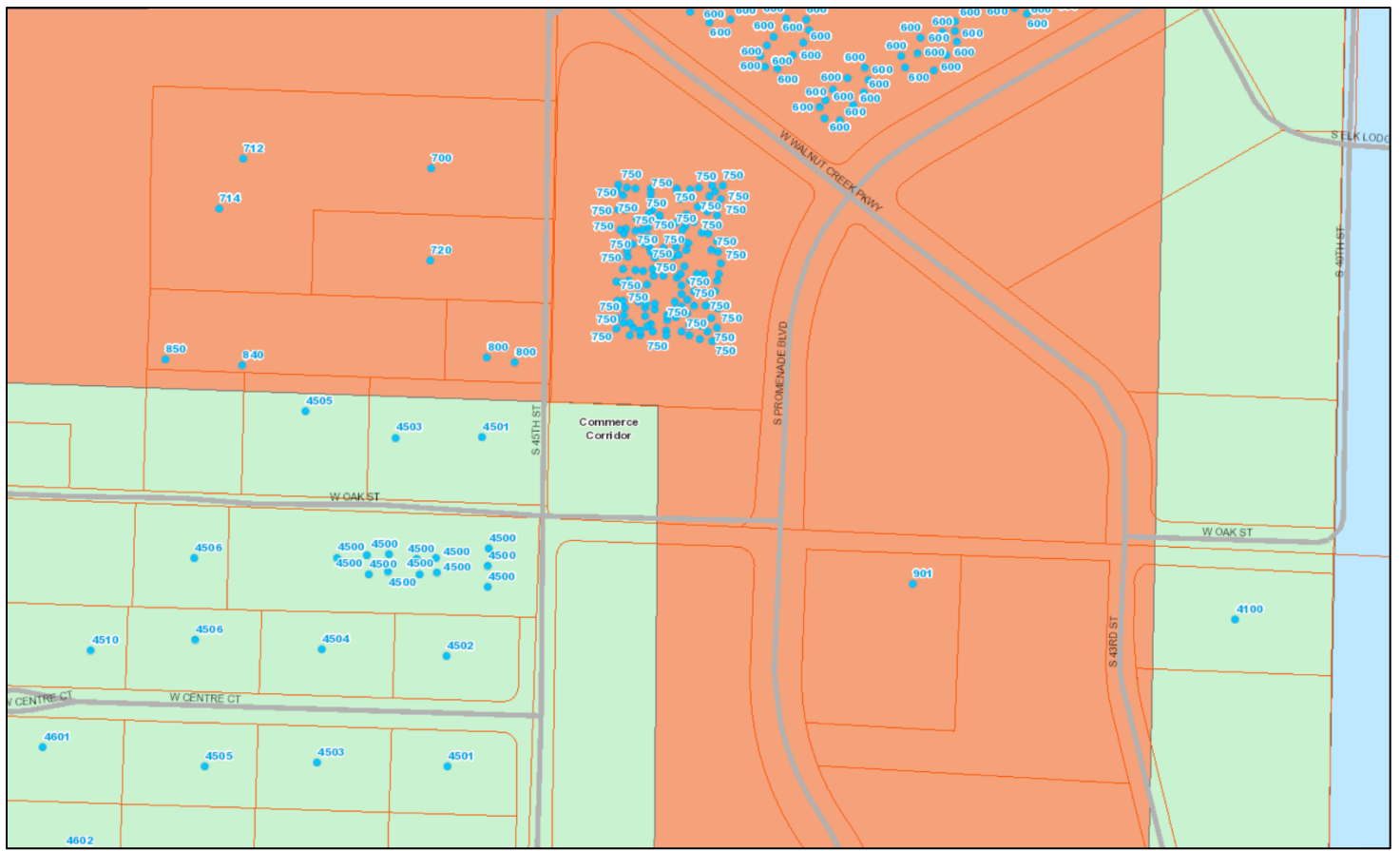
1. *IF APPROVING:*
Move to approve the request as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to approve the request subject to [conditions, contingencies, waivers/variances].
3. *IF DENYING:*
Move to deny the request.
4. *IF TABLING:*
Move to table the request.

TABS

1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

AERIAL VICINITY MAP



CGM VICINITY MAP

ZONING VICINITY MAP





September 17, 2021

Ms. Molly Robb, PE
Anderson Engineering
5311 W. Village Pkwy.
Rogers, AR 72758

Re: Conditional Approval of TAC Civil Plans
Promenade Commons 55+ Ph. 2

Dear Ms. Robb:

We have reviewed the plans that were received for the referenced project and are approving them with the following conditions:

1. Provide a profile for the proposed fire line for review.
2. Show the demarcation valve for the fire line on the Utility Plan.
3. It appears the future manhole that will connect to the service line will not be in place at the time of this site construction. Therefore, it will need to be installed as part of this construction. Match crowns of the 6" service line with the out-flowing pipe at the manhole.
4. Differentiate between the future water and sewer mains and the existing mains that will be abandoned to avoid confusion.
5. When connecting a water service to an existing main note on the plans that RWU will construct the water meter service at the developer's expense. This should be noted on the Utility Plan.
6. Provide 5' minimum horizontal separation between the fire line tapping valve and the proposed storm sewer line.
7. Large Trees (over 20' tall at maturity in City Code 14-46-paragraph G) must be located at least 10 feet from any water or sanitary sewer main. There appears to be a couple of trees located near the proposed fire line that will be in violation of this code. Even though the fire line is private the water within it is public.
8. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.

- B. One copy of the revised plans for review.
- C. Written approval from the Arkansas Department of Health.
- D. Fire suppression plans approved by the Utility if applicable.
- E. Architectural and plumbing plans submitted for commercial customers.
- F. A signed copy of the enclosed Special Contract for Facilities Extensions. Please note and bring to the attention of your client that access fees and impact fees are defined in the contract and must be delivered to the Utility before water service will be established.
- G. A copy of the executed contract between the developer or general contractor and the utility contractor.
- H. Performance and payment bonds executed by the utility contractor.
- I. Two full-sized copies and two half-sized copies of the approved plans submitted at the pre-construction meeting.

Approval of this project is void if construction is not started within one year of the date affixed hereto.

Sincerely,

Stephen T. Ponder, PE

SP: DG



October 8, 2021

projectno:21RO10006
filename: Promenade Commons 55+ Phase 2-Waiver & Variance Request Letter.doc

Community Development
Planning Division
City of Rogers
301 W. Chestnut
Rogers, AR 72756
(479) 621-1189

RE: Waiver & Variance Request Letter
Promenade Commons 55+ Phase 2

To Whom it May Concern,

Per coordination with City Staff, we are hereby requesting a variance from the following requirements:

- Sec. 14-703(f)(1)(a) – for the requirement to provide 2' additional setback on each side for each 1' additional building height.
 - Due to building heights the required setbacks for the property are as follows: 60' for ROW, front, exterior side, & rear setbacks and 40' for interior side setbacks.
 - Due to the W Oak St and S Promenade Blvd improvements and right of way acquisition on the west, south, and east sides of the property, the proposed building does not meet the required ROW setbacks on a portion of the southeast and all of the east side of the building. The building has been located so that the setbacks have been met to the maximum extent possible while still providing adequate parking.
- Sec. 14-703(i) – for the requirement to provide 3 spaces for each 2 dwelling units.
 - Due to the W Oak St and S Promenade Blvd improvements and right of way acquisition on the west, south, and east sides of the property, the proposed development does not meet the required parking requirements (249 Required, 242 Provided).
- Sec. 14-703(g)(5)- for the maximum impervious area of 70% of the total lot area.
 - Due to the W Oak St and S Promenade Blvd improvements and right of way acquisition on the west, south, and east sides of the property, the proposed site exceeds the maximum impervious area of 70% of the total lot area (71.6%).

AndersonEngineeringInc.com

5311 W. Village Parkway, Rogers, Arkansas 72758 • Phone: 479.286.8181 • E-mail: info@andersonengineeringinc.com

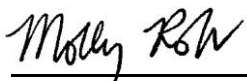
CIVIL ENGINEERING • SURVEYING • STRUCTURAL • GIS • MUNICIPAL • GEOTECHNICAL/DRILLING • MATERIALS TESTING

Per coordination with City Staff, we are hereby requesting a waiver from the following requirement:

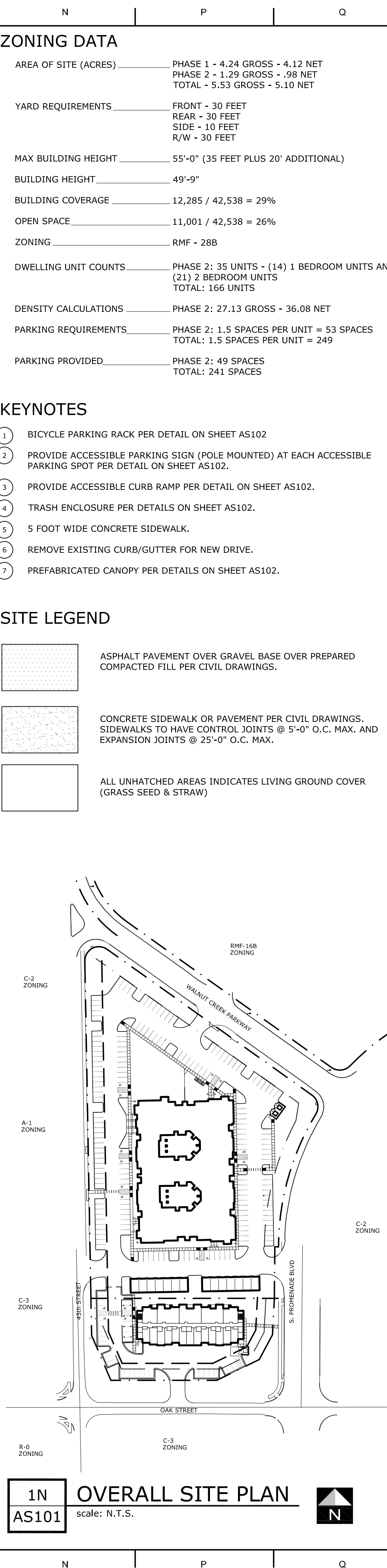
- Sec. 14-46(g) - Street improvements along each right-of-way.
 - Due to the planned City improvements to W. Oak St., S. 45th St., and S. Promenade Blvd., a waiver is being requested for the required street improvements. A fee-in-lieu will be submitted for the street trees, street lights, and sidewalks requirements per city plans within each right-of-way.

Please let us know if you have any questions.

Sincerely,



Molly Robb, P.E.
Rogers Office Manager
Anderson Engineering, Inc.



Page 60 of 62

1. WATER LINES SHALL HAVE A MIN. 10 FEET HORIZONTAL CLEARANCE AND 18 INCHES VERTICAL CLEARANCE (MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE) FROM ALL SANITARY SEWER LINES.
2. WATER LINES SHALL HAVE A MINIMUM OF 48 INCHES OF COVER, UNLESS OTHERWISE NOTED, MEASURED FROM THE TOP OF FINISHED GROUND TO THE TOP OF PIPE.
3. THERE SHALL BE A MINIMUM OF 18 INCHES CLEARANCE MEASURED FROM THE BOTTOM OF ANY STORMWATER PIPE TO THE TOP OF WATER LINES AT ALL CROSSING.
4. AT WATER AND SANITARY SEWER CROSSINGS, THE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO BOTH JOINTS WILL BE AS FAR FROM SEWER AS POSSIBLE. SPECIAL STRUCTURAL SUPPORT FOR THE WATER AND SEWER PIPES MAY BE REQUIRED.
5. THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
6. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND /OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
7. NOTICE TO CONTRACTOR: PRIOR TO INSTALLATION OF WATER LINE, THE CONTRACTOR SHALL EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND ANDERSON ENGINEERING OF ANY CONFLICTS PRIOR TO CONSTRUCTION.
8. COORDINATE ALL CONSTRUCTION WITH THE CITY OF ROGERS, ALL SANITARY SEWER AND WATER LINE CONSTRUCTION MUST COMPLY WITH THE CITY OF ROGERS, AR STANDARDS.
9. ANY CLEANOUT LOCATED WITHIN A DRIVING SURFACE MUST BE A RIGID, COMMERCIAL TYPE.

1. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

2. THE DUTY OF THE ENGINEER OR OWNER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURE IN, ON, OR NEAR THE CONSTRUCTION SITE.

WHERE NEW UTILITY SERVICES ARE ROUTED UNDER EXISTING PAVED AREAS, ALL EXISTING PAVING SHALL BE REMOVED IN THE FOLLOWING STEPS:

- 1) SAWCUTTING PAVING
- 2) REMOVAL AND TRENCHING
- 3) INSTALLATION OF UTILITY
- 4) BACKFILL AND COMPACTION
- 5) INSTALLATION OF NEW PAVING THAT MATCHES THE EXISTING SURROUNDING PAVING IN BOTH MATERIAL, AND ELEVATION.

CONTRACTOR SHALL COORDINATE, OBTAIN AND PAY FOR ALL REQUIRED PERMITS AND LICENSES TO PERFORM THIS WORK AND SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL WHILE PERFORMING SAWCUTTING OPERATIONS AS NECESSARY.

1. THE CONTRACTOR IS OBLIGATED TO INSPECT FOR EXISTING CONDITIONS/INSTALLATIONS AND AVAILABLE INFORMATION PRIOR TO SUBMITTING A BID. REFER TO SPECIFICATIONS ALSO.
2. EXISTING INSTALLATIONS (SUCH AS WATER MAINS/LINES, GAS MAINS/LINES, SEWER MAINS/LINES, TELEPHONE LINES, POWER LINES, AND UTILITY STRUCTURES IN THE VICINITY OF THE WORK TO BE DONE) ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN PREPARING THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION, AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR LOCATING ALL EXISTING INSTALLATIONS.
4. ANY DELAY, ADDITIONAL WORK, FEES OR EXTRA COST TO THE CONTRACTOR CAUSED BY OR RESULTING FROM DAMAGE TO OR MODIFICATION OF EXISTING INSTALLATIONS BY THE CONTRACTOR OR AFFECTED UTILITY COMPANY SHALL NOT CONSTITUTE A CLAIM FOR EXTRA WORK, ADDITIONAL PAYMENT OR DAMAGES.
5. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION PRIOR TO SUBMITTING HIS BID. NO EXTRAS WILL BE PAID DUE TO UNANTICIPATED EXISTING CONDITIONS/INSTALLATIONS.

BEFORE STARTING ANY BUILDING PAD GRADING AND PLUMBING WORK THE CONTRACTOR SHALL FIELD VERIFY LOCATION, MATERIAL, CONDITION, ACCESSIBILITY (INCLUDING STATE HIGHWAY OR OTHER RIGHTS-OF-WAY) AND WORKABLE FLOW LINE ELEVATION OF THE EXISTING SANITARY SEWER SERVICE LINE OR MAIN.

IF A WORKABLE FLOW LINE HAS NOT BEEN ESTABLISHED AT THE TIME OF FINAL SANITARY SEWER SERVICE CONNECTION. THEN THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EXPENSES ASSOCIATED WITH THE INSTALLATION OF A NEW GRINDER PUMP SYSTEM TO MEET OWNER AND LOCAL REQUIREMENTS.

INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR DEMOLITION OF EXISTING UTILITIES TO EXISTING STRUCTURE TO BE DEMOLISHED. EXISTING UTILITY TAPS SHALL BE USED IF FOUND TO BE IN GOOD CONDITION.

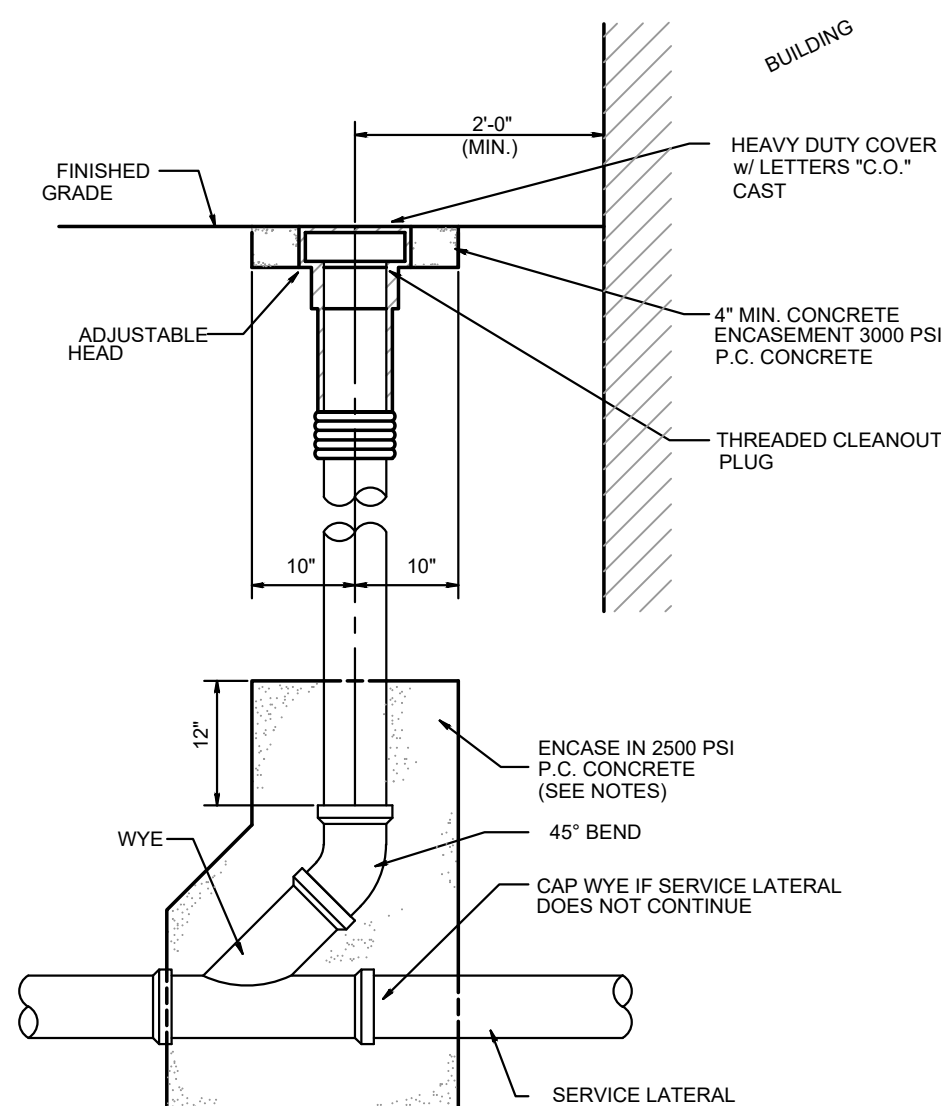
ALL MATERIALS AND METHODS SHALL CONFORM TO
ROGERS UTILITY STANDARDS

CONTRACTOR TO COORDINATE PIPE SPECIFICATIONS WITH UTILITY COMPANY

WHERE CHANGES TO EXISTING GRADE NECESSITATE
ADJUSTMENT OF EXISTING MANHOLES, REQUIRED
WORK SHALL BE PERFORMED IN ACCORDANCE WITH
RWU STANDARD DETAILS BY THE DEVELOPERS
CONTRACTOR AT DEVELOPER'S EXPENSE.

CONTRACTOR TO PERFORM DETAILED SITE INSPECTION TO LOCATE ALL EXISTING UTILITES AND VERIFY ANY POSSIBLE CONFLICTS WITH PROPOSED IMPROVEMENTS PRIOR TO BEGINNING ANY CONSTRUCTION. CONTACT ENGINEER WITH ANY CONFLICTS.

- (U1) CONNECT TO BUILDING, REFER TO PLUMBING PLAN FOR CONTINUATION
- (U2) 2" TAPPING SADDLE AND VALVE TO BE CONNECTED TO EXISTING MAIN BY RWU PER RWU STANDARD DETAILS WD-1.
- (U3) SANITARY SEWER CLEAN OUT, PER DETAIL 2/C104.
- (U4) 1.5" METER BOX TO BE INSTALLED BY RWU AT DEVELOPERS EXPENSE PER RWU STANDARD DETAILS WD-1.
- (U5) STANDARD 2.0" WATER SERVICE LATERAL, SHALL BE TYPE K COPPER PER RWU SPECIFICATION, INSTALLED BY RWU PER RWU STANDARD DETAILS WD-1.
- (U6) 6" FIRE LINE. SIZE TO BE CONFIRMED BY FIRE SUPPRESSION CONTRACTOR. SHOWN FOR REFERENCE ONLY. ALL FIRE LINES SHALL BE DUCTILE IRON 350 PSI MIN. PRESSURE CLASS PIPE. CONNECT PER RWU DETAIL WD-2/2. GATE VALVE TO ALSO BE DEMARICATION VALVE. REFER TO SHEET C105.
- (U7) STANDARD 2.5" WATER SERVICE, PER RWU STANDARD DETAILS WD-1.
- (U8) 8" X 6" M.J. TAPPING SLEEVE WITH 6" DEMARICATION VALVE AND THRUST BLOCKING WITH ADJUSTABLE VALVE BOX. MAINTAIN MINIMUM 5' HORIZONTAL SEPARATION FROM STORM SEWER LINE.
- (U9) TIE SEWER SERVICE INTO EXISTING MANHOLE PER RWU REQUIREMENTS AT INV -1266.9'.
- (U10) FDC CONNECTION AT BUILDING PER CITY OF ROGERS FIRE DEPARTMENT.



NOTE:

1. ALL LATERALS SHALL HAVE A MINIMUM OF ONE-WAY CLEAN-OUT EVERY 50' OR A TWO-WAY CLEAN-OUT EVERY 100'
2. IF THE SERVICE LATERAL IS LESS THAN 12" DEEP, THE CONCRETE ENCASEMENT IS NOT REQUIRED.



ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
55311 W. VILLAGE PKWY • ROGERS, ARKANSAS 72758 • PHONE (479) 286-8181
ANDERSON COAM 23E • MOLLY ROBB DEW 10640



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CITYVIEW PROJ. #PL202100933

CITY APPROVAL STAMP

MOLLY R. ROBB, PE
PROFESSIONAL TITLE: ENGINEER
NO. 19640

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PROJECT ADDRESS:
750 S. PROMENADE BLVD
ROGERS, AR 72756

PROJECT NO.: 21-003
DRAWN BY: KOW
REVIEWED BY: MRR
DATE: 12.02.21

C104

INTERIOR TREES		QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	TYPE
	2	COTINUS OBOVATUS / AMERICAN SMOKETREE OR APPROVED EQUAL	B & B	2.0"	>6'	ORNAMENTAL	
	6	SWEETBAY MAGNOLIA / MAGNOLIA VIRGINIANA OR APPROVED EQUAL	B & B	2.5"	>8'	EVERGREEN	
	3	NYSSA SYLVATICA / BLACK GUM OR APPROVED EQUAL	B & B	2.5"	>12'	SHADE	
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	HEIGHT			
	18	ILEX GLABRA / INKBERRY HOLLY OR APPROVED EQUAL	5 GAL				
	15	ILEX X 'NELLIE R STEVENS' / NELLIE STEVENS HOLLY OR APPROVED EQUAL	5 GAL		6' MATURE HEIGHT		

L1	TREE PLANTING
L2	SHRUB PLANTING
L3	STEEL EDGING
L4	PHASE 1 TREES
L5	CONTRACTOR TO COORDINATE RELOCATION OF PHASE 1 TREE OR REMOVE IF INSTALLED

- 
- Know what's below.
Call before you dig.**

AE

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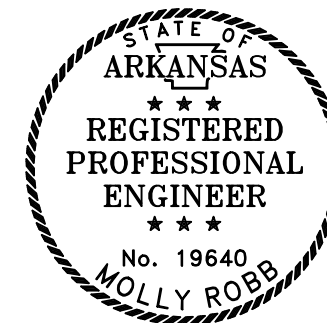
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MOLLY R. ROBB, PE
PROFESSIONAL TITLE: ENGINEER
NO. 19640



Molly Row 12-02-2021

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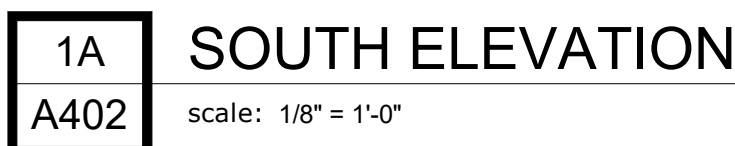
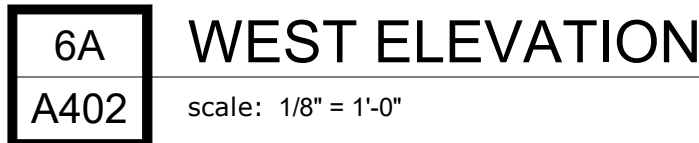
PROMENADE COMMONS 55+ - PHASE 2

PROJECT ADDRESS:
750 S. PROMENADE BLVD.
ROGERS, AR 72756

LANDSCAPING PLAN

PROJECT NO.: 21-003
DRAWN BY: KOW
REVIEWED BY: MRR
DATE: 12.02.21

C107



BRICK (COMMONS RED)
TO BE SELECTED BY ARCHITECT
S FOR MORE INFORMATION

