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

PLANNING COMMISSION MEETING AGENDA
APRIL 5, 2022
5:00 PM
CITY HALL, 301 W. CHESTNUT STREET
ONLINE VIEWING: HTTPS://US02WEB.ZOOM.US/J/84800938151

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. 3/15 PC Minutes Draft

REPORTS FROM STAFF:

REPORTS OF BOARDS AND STANDING COMMITTEES:

OLD BUSINESS:

PUBLIC HEARING:

1. CUP: Jiffy Trip A request for a Conditional Use Permit to allow a "Convenience Store with Gas" at 1310 W. Walnut Street in the C-2 (Highway Commercial) zoning district. (Previously tabled)

    - *STAFF: Justin Couch*
    - *REPRESENTED BY: Don Rose*

2. CUP: Sunshine Auto SalesA request for a Conditional Use Permit to allow "Vehicle/Equipment Sales and Rentals" at 2004 S. 8th Street in the C-2 (Highway Commercial) zoning district.

    - *STAFF: Kyle Belt*
    - *REPRESENTED BY: Paul Njoroge*

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3. CUP: Oldridge PlaceA request by Blue Ribbon Industries for Oldridge Place Warehouse to allow the use "Warehouse Office" at 6388 S. Oldridge Place in the C-2 (Highway Commercial) zoning district.

    - *STAFF: Christina Moore*
    - *REPRESENTED BY: Ali Karr*

4. Rezone: Goad Springs WarehouseA request to rezone 17.9 acres at 6507 S. Goad Springs Street from A-1 (Agricultural) to the C-2 (Highway Commercial) zoning district.

    - *STAFF: Zachery Birdsong*
    - *REPRESENTED BY: Ali Karr*

5. Rezone: Snack Gurus, LLCA request to rezone 2.44 acres at 1626 S. Dixieland Road from A-1 (Agricultural) to the C-2 (Highway Commercial) zoning district.

    - *STAFF: Christina Moore*
    - *REPRESENTED BY: Jay Young*

NEW BUSINESS:

1. LSDP: Kum & Go
   A proposed sf convenience store with gasoline pumps at 101 W. New Hope Road in the C-3 (Neighborhood Commercial) zoning district.

    - *STAFF: Amber Long*
    - *REPRESENTED BY: Michael Clotfelter*

2. LSDP Variance: Pinnacle Village Masonry WallA request to allow a variance from Sec. 14-732(4.5)(d), which requires the construction of an 8-ft. tall masonry or block wall between a development in U-NBT and an adjacent single-family detached use located East of the intersection of S Pinnacle Hills Parkway and W Blossom Way Drive.

    - *STAFF: Amber Long*
    - *REPRESENTED BY: Tony Vanderploeg*

3. Comprehensive Growth Map RevisionPossible changes to the CGM as recommended by the Plans & Policies Committee.

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- *STAFF: Amber Long, John McCurdy*

4. Staff Presentation: Drainage, Part 4 The final informational session on Rogers Floodplain Administration requirements and issues.

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 March 15, 2022 at 5:04 P.M. The meeting was called to order by Chairwoman Rachel Crawford.

ROLL CALL
Commissioners attending: Jorge Andrade, Derek Burnett, Rachel Crawford, Kevin Jensen, Steve Lane, Mark Myers, Mandel Samuels, John Schmelzle and Eriks Zvers.

ACTION ON MINUTES
Motion by Jensen, Second by Burnett to approve the March 1, 2022, Planning Commission meeting minutes as presented.
Voice Vote: Unanimous - Yes. *Motion carried.*
Approved.

REPORTS FROM STAFF
None

REPORTS FROM BOARDS AND COMMITTEES
PLANS & POLICIES COMMITTEE —
Crawford presented the Committee report, stating proposed changes to the Comprehensive Growth Map were discussed and the process for the amendments. In particular, the Committee discussed the changes to be considered at its first meeting on the issue including:

- the property near the Pinnacle Country Club,
- the Employment Center in the N. 2nd Street area and possible residential uses, and
- a comprehensive approach to the CGM amendment process, rather than by lot.

DEVELOPMENT REVIEW COMMITTEE —
Schmelzle presented the Committee report. The following two large-scale developments were recommended for approval:

- LSDP: Yates Farm
  A proposed 75-unit multifamily development on 11.21 acres at 1501 S. Rainbow Road in the C-3 (Neighborhood Commercial) zoning district.
- LSDP: 8th Street Commercial
  Two proposed 12,000-square-foot commercial buildings on 2.53 acres at 2204 and 2206 S. 8th Street in the C-4 (Open Display) zoning district and the Rogers Overlay District. The committee approval included approval of the following requests following:
  1. A variance from Sec. 14-711(h) for providing less than the required amount of off-street parking designated by C-4 zoning code.

2. A variance from Sec. 14-711(d)(2)(a) to allow the placement of the building closer to the proposed drive aisle than allowed by the C-4 zoning code.

OLD BUSINESS

1. CUP: Jiffy Trip
A request for a Conditional Use Permit to allow a "Convenience Store with Gas" in the C-2 (Highway Commercial) zoning district at 1310 W. Walnut Street.

Crawford asked if the applicant was present. Noting there was no representative, she said the item should be tabled again until the next meeting.

Motion by Jensen, Second by Myers, to table the request until the next Planning Commission meeting.
Voice Vote: YES – Unanimous. ***Motion carried.***
TABLED

PUBLIC HEARINGS:

1. Rezone: Phillip J. Cowan
A request to rezone ±0.21 acres at 510 N. 3rd Street from R-DP (Residential Duplex Patio Home) to the NBT (Neighborhood Transition) zoning district.

Crawford introduced the item and asked for a staff report. Planner Christina Moore explained the request is for the NBT zoning district, which is allowed within the Regional Center Growth Designation and NBT is the intended zone for the property per the DRDC. Staff recommended approval of the request.

Phillip Cowan represented his request and had nothing to add to the staff report.

Crawford opened the public hearing for comments. There were no comments. The public hearing was declared closed.

Motion by Jensen, Second by Schmelzle to recommend the rezone to the City Council for approval as presented.
Voice Vote: YES – unanimous ***Motion carried.***
RECOMMENDED for City Council Approval

Crawford noted a change in schedule for the City Council and that the rezone will be heard at a special March 30th meeting of the Council.

NEW BUSINESS

1. LSDP: Yates Farm
A proposed 75-unit multifamily development on 11.21 acres at 1501 S. Rainbow Road in the C-3 (Neighborhood Commercial) zoning district.

Crawford introduced the item and asked for a staff report. Planner Amber Long presented the staff report, noting the location on Rainbow Road. She said it includes 75 townhome units, and there were no variance or waiver requests. Staff recommended

Crawford noted the project was recommended for approval by the Development Review Committee.

Engineer Phil Swope, Civil First, represented the project.

Motion by Jensen, Second by Myers, to approve the LSDP as presented.
Voice Vote: YES – Unanimous. ***Motion carried.***
Approved.

2. LSDP: 8th Street Commercial
Two proposed 12,000-square-foot commercial buildings on 2.53 acres at 2204 and 2206 S. 8th Street in the C-4 (Open Display) zoning district and the Rogers Overlay District.

Crawford introduced the item and asked for a staff report. Planner Little presented the staff report noting the location in the southwest part of the city. He said the two variances requested were recommended for approval by staff and the Development Review Committee.

Candice Anderson, CEI, represented the request.

Motion by Jensen, Second by Myers, to approve the LSDP with approval of the variances as recommended.
Voice Vote: YES – Unanimous. ***Motion carried.***
Approved.

ADJOURN
There being no further business, Crawford adjourned the meeting at 5:11 p.m.

ATTEST: **APPROVED:**

Eriks Zvers, Secretary Rachel Crawford, Chairwoman

Proof of Proper Notification Attached

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

..

MEETING DATE
April 5th, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – Don Rose

STAFF: JUSTIN COUCH, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Jiffy Trip - CUP
ADDRESS/PARCEL:	1310 W Walnut St, Unit: Ste A, Rogers, AR 72756
PROPOSED USE:	Convenience Store w/ Gas Sales
CURRENT USE:	Commercial Office Space
CURRENT ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	Jiffy Trip, Don Rose
PROPERTY OWNER:	Kyle Williams
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the use "Convenience Store" which is permitted in the C-2 zoning district. The subject property is zoned correctly per the Comprehensive Growth Map, as C-2 is an allowed zoning district in the Access Corridor Growth Designation. The proposed use is compatible with adjacent property and appropriate at this Employment Center location.

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

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. PLANNING COMMISSION CONSIDERATIONS PER SEC. 14-723(a)(3):
   a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
   b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
   c) Can all other zoning requirements be met?
   d) Will ingress and egress for the proposed use create a traffic hazard?

2. GENERAL FINDINGS:
   a) The proposed use is conditional in C-2. The property is zoned correctly per the CGM, as C-2 is an allowed zoning district within the Access Corridor Growth Designation.
   b) The subject property is zoned C-2 within the Access Corridor. The property is less than one mile from the Neighborhood Center Growth Designation located to the west and south, and the Neighborhood Growth Designation located to the southwest. Surrounding uses in the Access Corridor consist primarily of outlets for grocery/convenience shopping, office spaces, and commercial retail. Uses in the Neighborhood Center and Neighborhood include medical/health-related office spaces, restaurants, essential goods and services, and lower density residential spaces.
   The proposed use, "Convenience Store," for the purpose of establishing a convenience store, aligns with the character of the Employment Center and would not set a precedent contrary to the Comprehensive Growth Map.
   c) Zoning requirements should be achievable and will be addressed during LSDP.
   d) The site appears to have adequate access. However, during the large scale development, city engineers will ensure connectivity is met and access points are limited for safety concerns and to meet the access management code.

3. COMPREHENSIVE GROWTH MAP:
   a) *Growth Designation*:
   Access Corridor
   b) *Growth Designation Character*:
   Stretches of single-use highway corridors in between other Growth Designation nodes. Goals include emphasizing access management, restricting uses with high trip generation, and encouraging compact residential development.
   c) *Allowed Zoning Districts*:
   R-MF, R-O, C-2.

4. ZONING:
   a) *C-2 (Highway Commercial)*
   The purpose and intent of the C-2 zoning district is "This district is intended for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets." (Sec. 14-709 (a)).

   b) *Use Definition*:
   "Convenience Stores with Gas Sales" is defined as "secondary use classification encompassing retail sales of food, beverage, and small convenience items typically found in establishments with long or late hours of operation that also sell gasoline," (Sec. 14-695(3)(s.)).

5. RECOMMENDATIONS:
   a) **Approve** request.

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, staff recommendations].
3. *IF DENYING*:
   Move to deny the request.
4. *IF TABLING*:
   Move to table the request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Developmen

TABS:

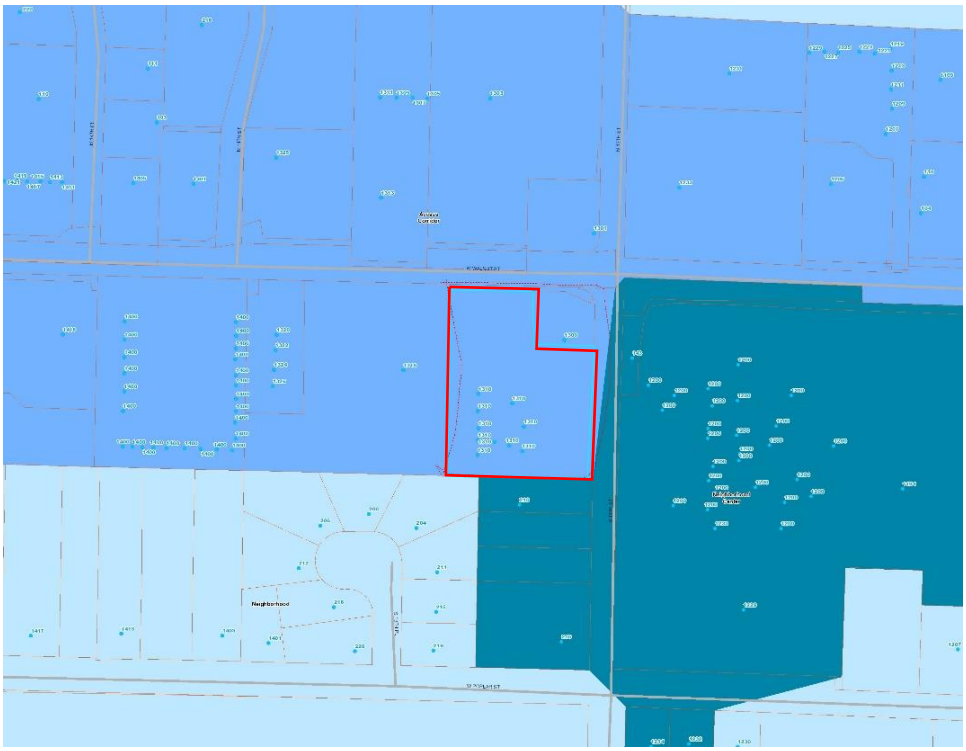
1. Vicinity maps (aerial, CGM, zoning)
2. CUP application and required supplements

TAB 1

AERIAL VICINITY MAP:

TAB 2

CGM VICINITY MAP:



TAB 3

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: _____ ($100)

Zoning: _____

Permit Number: _____

CityView Application: _____

Date: _____

CONDITIONAL USE PERMIT

APPLICANT: JIFFY TRIP, Don Rose

ADDRESS: PO BOX 1112 ENID OK 73702 SUITE #: _____

PHONE #: 580-278-9686 EMAIL: D.ROSE@JIFFYTRIP.COM

PROPERTY OWNER: KYLE WILLIAMS PHONE #: 580-278-9686

PRESENT USE: COMMERCIAL OFFICE SPACE ZONING: C3

PROPOSED CONDITIONAL USE: CONVENIENCE STORE

PARKING SPACES AVAILABLE: 27 HOURS OF OPERATION: 24

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: _____ MOST CHILDREN AT ONE TIME: _____

Don Rose 2.2.2022

Applicant Signature Date

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

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

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

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

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____

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 **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 2 day of Feb, 2022.

Signed

Don Rose

Name Printed

STATE OF ~~ARKANSAS~~ Oklahoma

COUNTY OF Garfield

Subscribed and sworn before me this the 2 day of February, 2022.

Notary Signature

Natalie J. Schuermann

Notary Name Printed

12/23/22

Commission Expires

NATALIE J. SCHUERMANN
NOTARY PUBLIC
02020768
EXP. 12/23/22
STATE OF OKLAHOMA

PROPERTY OWNER PERMISSION

I, Kyle Williams (name), hereby permit the use of Jiffy Trip Convenience Store (use)
on my property at 13 10 West Walnut (address) Rogers, Arkansas.

Dated this the 2 day of Feb, 20 22.

Signed

Kyle Williams
Name Printed

STATE OF ~~ARKANSAS~~ Oklahoma

COUNTY OF Garfield

Subscribed and sworn before me this the 2 day of February, 2022.

Notary Signature

Natalie J Schuermann
Notary Name Printed

12/23/22
Commission Expires

NATALIE J. SCHUERMANN NOTARY PUBLIC # 02020766 EXP. 12/23/22 STATE OF OKLAHOMA

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A CONDITIONAL USE PERMIT

Notice is hereby given pursuant to Section 14-723 of the Rogers City Code that **JIFFY TRIP** is applying to the Rogers Planning Commission for a Conditional Use Permit to allow property located at 1310 WEST WALNUT to be used as a CONVENIENCE STORE WITH FUEL. The property is more particularly described as follows:

LEGAL DESCRIPTION: (E**xhibit "A,B"**)

LAYMAN'S DESCRIPTION: (THE CORNER OF 1310 WEST WALNUT)

A public hearing by the Rogers Planning Commission will be held on _APRIL 5_____, 2022 (**Date assigned by Planning Staff**) at 5:00 p.m. in the City Council Chambers of the City Hall Building located at 301 W. Chestnut Street, Rogers, Arkansas.

Respectfully Submitted,

By: _____
(Applicant's Signature)

A

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NO.	DATE	REVISION	DRAWN BY	CHECKED BY

Date:	November 4, 2021
Scale:	1"=20'
Designed by:	C. Burdick
Drawn by:	C. Burdick
Checked by:	T. Williams
Project No.	021161

Sheet No. C-3

DIMENSION CONTROL PLAN

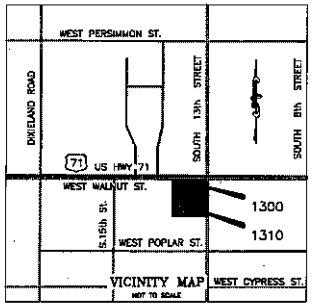
Jiffy Trip Store ???

U.S. Highway 71 & North 13th Street

Rogers , Arkansas

HAMMER WILLIAMS COMPANY
1710 West Willow Road
Enid, Oklahoma 73703
Phone 580.234.3971

ENVIROTECH
ENGINEERING & CONSULTING , INC.
25500 North 4th Street - , Enid, Oklahoma 73701
Phone (580) 234-9780, Fax (580) 237-3032
C.A. #1893 - Expiration Date: 6-30-2022
www.envirotechconsulting.com

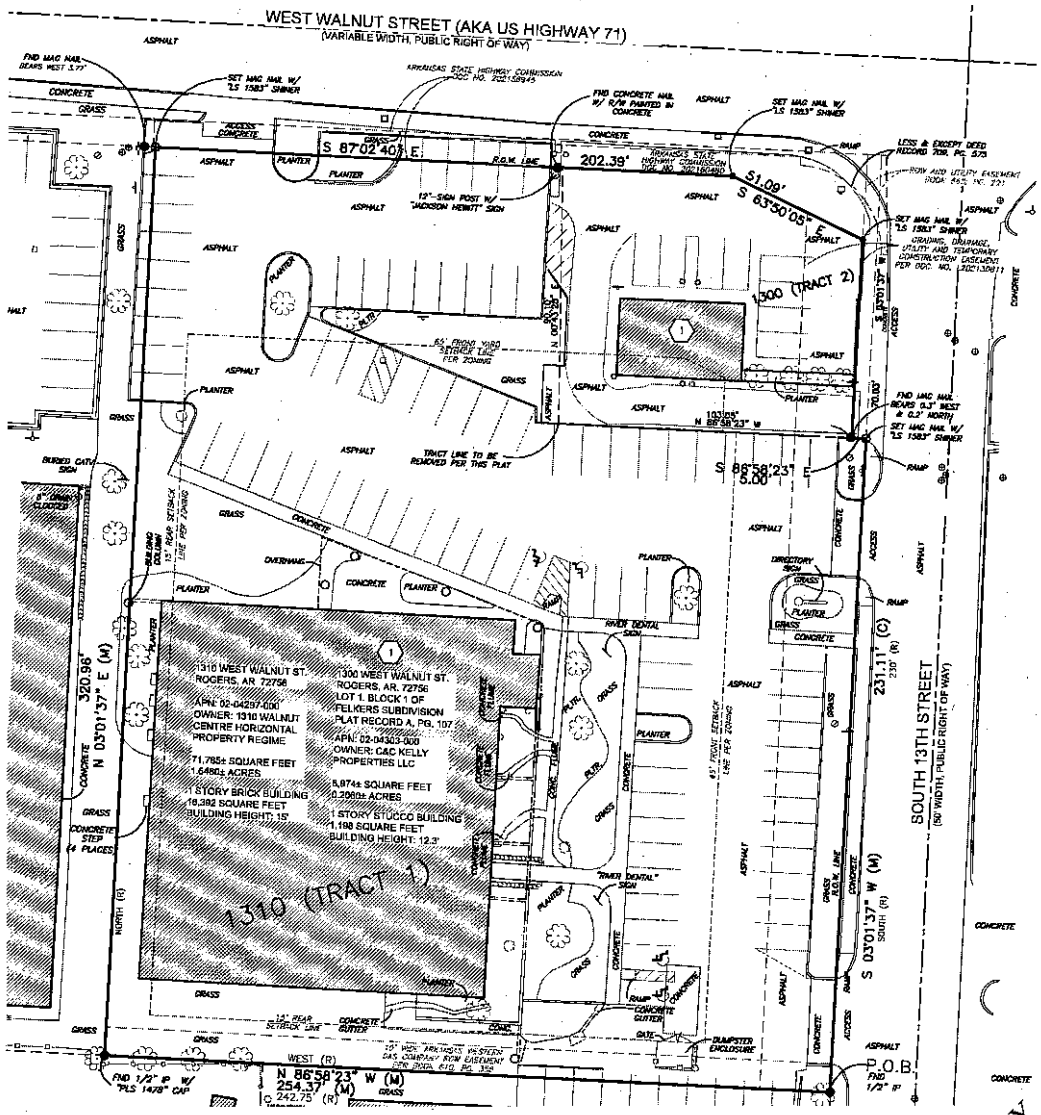


NOTES:

1) Subject Property is located within Zone "X" (areas determined to be outside 500-year floodplain) designation, as shown on the Flood Insurance Rate Map, Community No. 050013, Map No. 05007C0260K with an effective date of 06/05/2012.
2) There is a 65' front building setback line along the West R.O.W. line of South 13th Street; a 45' side building setback line along the South R.O.W. line of Highway 71B; a 15' interior side building setback; and a 15' rear building setback line.
3) There is a 10' wide Arkansas Western Gas Company R.O.W. Easement (per book 610, page 358) along South boundary line.
4) There is a 20' Grading, Drainage, Utility and Temporary Construction Easement (per Doc. No. 120213081 1) along the East boundary of Lot 1300.
5) There is a 5' wide R.O.W. and Utility Easement (per Book 665, Page 221) abutting the East boundary of Lot 1300.
6) Site is accessible via Highway 71B on the North and South 13th Street on the East.

BASIS OF BEARINGS:
The Basis of Bearing for the purposes of this Survey is Arkansas State Plane Coordinates, North Zone, shown on the South Property Line as North 86°58'23" West.

PRELIMINARY



PRELIMINARY

LEGEND

SUBJECT BOUNDARY LINE	ROAD CENTERLINE	● MONUMENT FOUND AS DESCRIBED
ADJ./PLAT LINE	WALL	○ MONUMENT SET AS DESCRIBED
EASEMENT LINE	CHAINLINK FENCE	FND - FOUND
	STOCKADE FENCE	IR - IRON REBAR
		(M) - MEASURED DIMENSION
		P.O.B. - POINT OF BEGINNING
		P.O.C. - POINT OF COMMENCEMENT
		(R) - RECORD DIMENSION
		R.O.W. - RIGHT-OF-WAY

SCALE: 1" = 30'
0' 15' 30'

OWNER'S DEDICATION:
We, the undersigned owners of the real estate shown and described herein, do hereby acknowledge that we have the legal right and authority to make the property interest grants contained on and within this document. We, the undersigned owners of the real estate shown and described herein, do hereby establish, grant, and dedicate to the City of Rogers, Arkansas the rights-of-way, easements, streets, and alleys as shown on this plat for public use, benefit, and access. The City of Rogers is further granted the rights of ingress and egress to and from said rights-of-way, easements, streets, and alleys. The City of Rogers is also granted the right and authority to maintain, service, and improve said rights-of-way, easements, streets, and alleys and the improvements contained therein. Any right or authority granted above specifically regarding maintenance, service, or improvement shall be exercised in a manner chosen at the discretion of the City of Rogers. Said rights-of-way, easements, streets, and alleys shall be for the benefit of the City of Rogers and all of its franchised utility providers. The City of Rogers and its franchised utility providers shall have the right and authority to cut, trim, or remove trees, shrubs, and other vegetation within said rights-of-way, easements, streets, and alleys. The City of Rogers and all of its franchised utility providers shall also have the right and authority to prohibit the erection of building, structures, or fences within said rights-of-way, easements, streets, and alleys.

AUTHORIZED REPRESENTATIVE OF OWNER

STATE OF ARKANSAS

COUNTY OF BENTON

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

_____ DAY OF _____ 2022.

NOTARY PUBLIC, BENTON COUNTY, ARKANSAS

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

APPROVED AND RECOMMENDED FOR ACCEPTANCE BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

OF ROGERS, ARKANSAS, THIS _____ DAY OF _____, 2022.

COMMUNITY DEVELOPMENT DIRECTOR

PRELIMINARY

B

LOT COMBINATION FOR 1300 & 1310 W. WALNUT STREET TO ROGERS, BENTON COUNTY, ARKANSAS

ARKANSAS CODING NUMBER:
500-19N-30W-0-11-210-04-1583

AREA: 1.8507± ACRES
DATE OF PREPARATION:
(TO BE DATED UPON SIGNATURE)

J.N. 30215P - DRAWN BY: JT
PAGE 1 OF 2

PREPARED FOR:

RPLS, LLC
312 NE 145th Place, Edmond, OK 73013
Phone: 855-283-2333 / Fax: 405-847-8835
Email: info@LenderSurveys.com

SURVEYOR'S CERTIFICATE:
I, Shaun Christopher Axton, a Registered Professional Land Surveyor, licensed by the State of Arkansas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Arkansas Board of Professional Land Surveying. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Rogers Development Code; and that any digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this _____ day of _____, 2022

_____
Shaun Christopher Axton
Arkansas Registered Professional Land Surveyor No. 1583

PRELIMINARY

5431 Pinnacle Pointe Dr., Ste. 105
Rogers, AR 72758

OWNERSHIP REPORT

File No. 21-4901B

For the use and benefit of: Hammer Williams Co.

The undersigned, having made a diligent search of the records of Benton County, Arkansas, through January 13, 2022 at 7:00 a.m. of the following described property:

Parcel No. 02-004297-000:
Part of the E 1/2 of Lot 1, Block 1, Felker's Subdivision to the City of Rogers, Benton County, Arkansas, beginning 50 feet East of the SW corner of said E 1/2 of Lot 1, thence North 330 feet to the South right of way line of Highway 71; thence East along said Highway right of way line 144 feet; thence South 1°15' East 100.1 feet; thence East 105 feet, more or less, to the West right of way of South 13th Street; thence South along said 13th Street right of way line 230 feet; thence West 242.75 feet to the point of beginning.

Less and except all that portion of the above described property conveyed to the Arkansas State Highway Commission in Warranty Deed filed for record in/as Document No. L202158945 of the Records of Benton County, Arkansas, being a part of Lot 1, Block 1 of Felker's Subdivision, being a part of the NE 1/4 of the SE 1/4 of Section 11, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows: Commencing at a point being used as the Northeast corner of Lot 2, Block 1, Felker's Subdivision as established by a plat recorded in Plat Book A, Page 107, said point being on the South right of way line of US Highway 71B (West Walnut Street) as established by the plat of Tract Split of Lot 1, Block 1, Felker's Subdivision recorded in Plat Book 20, Page 199; thence S 02°52'23" W along said right of way line 10.00 feet to a point; thence S 87°02'30" E along said right of way line 350.54 feet to a point on the South right of way line of US Highway 71B (West Walnut Street) as established by AHTD Job 090338 for the Point of Beginning; thence N 02°45'57" E along the South right of way line of said US Highway 71B (West Walnut Street) as established by the plat of Tract Split of Lot 1, Block 1, Felker's Subdivision recorded in Plat Book 20, Page 199, 10.00 feet to a point on the South right of way line of of US Highway 71B (West Walnut Street) as established by the plat of Felker's Subdivision recorded in Plat Book A, Page 107; thence S 87°02'30" E along said right of way line 118.68 feet to a point on the South right of way line of US Highway 71B (West Walnut Street) as established by AHTD Job 9883; thence S 00°44'25" W along said right of way line 2.00 feet to a point; thence continue S 00°44'25" W 8.01 feet to a point on the South right of way line of US Highway 71B (West Walnut Street) as established by AHTD Job 090338; thence N 87°02'44" W along said right of way line 144.47 feet to the Point of Beginning, containing 0.03 acres, more or less, as shown on plans referenced as AHTD Job No. 090338.

-AND-

Parcel No. 02-04303-000:
A part of the East Half of Lot 1, Block 1, Felker's Subdivision, Rogers, Benton County, Arkansas, more particularly described as follows: Commencing at the Southwest corner of said East Half of Lot 1, running thence South 89 degrees 50 minutes 16 seconds East 52.00 feet (record - East 50 feet); thence North 00 degrees 14 minutes 55 seconds East 331.10 feet (record - North 330 feet) to the South right-of-way line of U.S. Highway 71B; thence along said right-of-way line South 89 degrees 39 minutes 00 seconds East 145.21

DISCLAIMER
This report is being issued without any representation as to the status or validity of the title, and the Company assumes no liability by virtue of errors or omissions. Any liability of the Company shall not exceed the amount paid for the report.

feet (record - East 144 feet) to the Point of Beginning; thence South 01 degrees 57 minutes 46 seconds East 100.10 feet (record - South 01 degrees 15 minutes East 100.1 feet); thence South 89 degrees 39 minutes 37 seconds East 105.00 feet (record - East 105 feet) to the West right-of-way line of South 13th Street; thence along said West right-of-way line North 00 degrees 11 minutes 03 seconds East 100.00 feet (record - North 100 feet) to the South right-of-way line of said U.S. Highway 71B; thence along said right-of-way line North 89 degrees 39 minutes 00 seconds West 108.75 feet (record - West 108.75 feet) to the point of beginning.

Less and except that portion deeded to Arkansas State Highway Commission in Deed Record 709 at Page 575.

Find the adjoining owners within 300 feet of the of the above described property and their respective mailing addresses as set forth in Exhibit "A" attached hereto.

City Title & Closing LLC
3790 N. Bellafont Blvd., Suite 3
Fayetteville, AR 72703
479-935-4177

By:
Joshua Barnett Hite, Authorized Signatory
Agency License No. 382820
NPN Agent No. 18217917

DISCLAIMER
This report is being issued without any representation as to the status or validity of the title, and the Company assumes no liability by virtue of errors or omissions. Any liability of the Company shall not exceed the amount paid for the report.

Exhibit "A"

02-05896-001
Starr Hickman Rentals LLC
2161 Ivey Lane
Springdale, AR 72764

02-05896-000
McLeod Properties LLC
303 N 3rd St.
Rogers, AR 72756

02-00961-000
CS Company
C/O Gottlieb Corp
PO Box 1565
Fayetteville, AR 72702

02-00960-000
Almaraz SPE LLC
1303 Walnut St.
Rogers, AR 72756

02-01242-000
RPC Land Holdings LLC
C/O Ronald W. Connolly
16670 Sugar Creek Road
Garfield, AR 72732

02-01243-001
RPC Land Holdings LLC
C/O Ronald W. Connolly
16670 Sugar Creek Road
Garfield, AR 72732

02-22453-000
Jones Trust
C/O Mattthews, Campbell Rhoads, PLLC
119 S 2nd St.
Rogers, AR 72756

02-04305-000
BF Commercial Holdings LLC
10471 Ervin McGarrah Road
Lowell, AR 72745

02-04304-000
ALDI, Inc.
1316 W. Walnut St.
Rogers, AR 72756

C/O Ryan Tax Compliance Services
PO Box 460049
Dept. 501
Houston, TX 77056

02-04334-000
Payne Family Trust, Dede Payne, Trustee
1210 N. Flamingo Road
Rogers, AR 72756

02-04332-000
Greta Joyce Coulson Living Trust, Karla Coulson, Trustee
C/O Denise Ertis
8901 Iva Road
Decatur, AR 72722

02-04331-000
Elan Cruz Rangel
212 S 13th Place
Rogers, AR 72756

02-04330-000
Duane and Sandra Lemki
1 Eye Lane
Bella Vista, AR 72714

02-04329-000
Kristy Rivas and Lucina Perez
200 S 13th Place
Rogers, AR 72756

02-04328-000

02-04327-000

DISCLAIMER
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Daniel and Kristy Rivas
442 Lippert Drive
Rogers, AR 72756

02-04326-000
Julie J. Jansen
4212 Vashon Dr. NE
Lacey, WA 98516

02-04324-000
Northwest Arkansas Food Bank
1378 June Self Drive
Springdale, AR 72764

02-04322-000
Northwest Arkansas Food Bank
1378 June Self Drive
Springdale, AR 72764

Charles R. Van Bibber
211 S 13th Place
Rogers, AR 72756

02-04325-000
Maria Del Rosario Torres
1902 W. Countryside Lane
Rogers, AR 72758

02-04323-000
Northwest Arkansas Food Bank
1378 June Self Drive
Springdale, AR 72764

02-04321-000
Dunham Trust, Karen Kay, Trustee
210 S 13th St.
Rogers, AR 72758

DISCLAIMER
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U.S. Postal Service

CERTIFIED MAIL® RECEIPT
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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To
STARR HICKMAN RENTALS
Street and Apt. No., or PO Box No.
2161 IVEY LANE
City, State, ZIP+4®
SPRINGDALE, AR. 72764

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service

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7017 2620 0000 5266 3148

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To C S Company
c/o Gottlieb Corp.
Street and Apt. No., or PO Box No.
P. O. Box 1565
City, State, ZIP+4®
Fayetteville, AR. 72702

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

C S Company
%-Gottlieb Corp.
P.O. Box 1565
Fayetteville, AR. 72702

9590 9402 7102 1251 7750 00

2. Article Number (Transfer from service label)

7017 2620 0000 5266 3148

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Fred Studley

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

STARR HICKMAN RENTALS
2161 IVEY LANE
SPRINGDALE, AR. 72764

9590 9403 0222 5146 0750 70

2. Article Number (Transfer from service label)

7015 1520 0000 3100 1592

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☑ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To RPC LAND HOLDING LLC
c/o RONALD W. CONNOLLY
Street and Apt. No., or PO Box No. 16670 Sugar Creek Rd.
City, State, ZIP+4® Garfield, AR. 72732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3162

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To JONES TRUST
c/o Matthews, Campbell, Rhoads
Street and Apt. No., or PO Box No. 119 S. 2ND Street
City, State, ZIP+4® Rogers, AR. 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RPC LAND HOLDING LLC
c/o RONALD W. CONNOLLY
16670 SUGAR CREEK ROAD
GARFIELD, AR. 72732

9590 9402 7102 1251 7775 16

2. Article Number (Transfer from service label)
7017 2620 0000 5266 3155

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X R 4 C19 ☒ Agent ☐ Addressee

B. Received by (Printed Name) R. Connelly
C. Date of Delivery 5-17-22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JONES TRUST
c/o Matthews, Campbell, Rhoads
119 S. 2ND Street
Rogers, AR. 72756

9590 9402 7102 1251 7775 23

2. Article Number (Transfer from service label)
7017 2620 0000 5266 3162

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service

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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To
ALDI, INC
Street and Apt. No., or PO Box No.
1316 W. Walnut Street
City, State, ZIP+4®
Rogers, AR. 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3179

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To
RYAN TAX COMPLIANCE
Street and Apt. No., or PO Box No.
PO Box 460049 Dept. 501
City, State, ZIP+4®
Houston, TX 77056

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3193

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ALDI, INC.
1316 W. Walnut Street
Rogers, AR. 72756

9590 9402 7102 1251 7775 30

2. Article Number (Transfer from service label)

7017 2620 0000 5266 3179

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name) Rachelle Combs
C. Date of Delivery 3/17/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

RYAN TAX COMPLIANCE
P.O. BOX 460049
DEPT. 501
HOUSTON, TX. 77056

9590 9402 7102 1251 7775 47

Article Number (Transfer from service label)

7017 2620 0000 5266 3193

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☒ Agent
☐ Addressee

B. Received by (Printed Name) John Pirolli
C. Date of Delivery 3-22-22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To: Dunham Trust / Karen Kay Trustee
Street and Apt. No., or PO Box No.: 210 S 13th St
City, State, ZIP+4®: Rogers AR 72758

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3209

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To: GRETA Joyce Coulson Trust
Street and Apt. No., or PO Box No.: C/O DENISE ERTIS
City, State, ZIP+4®: 8901 IVA ROAD DECATUR, AR. 72722

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Dunham Trust
Karen Kay Trustee
210 S 13th St
Rogers AR 72758

9590 9402 7102 1251 7776 91

Article Number (Transfer from service label)
7018 0680 0000 1931 5100

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Karen Hewkins
☐ Agent
☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

GRETA JOYCE COULSON TRUST
C/O DENISE ERTIS
8901 IVA ROAD
DECATUR, AR. 72722

9590 9402 7102 1251 7775 54

Article Number (Transfer from service label)
7017 2620 0000 5266 3209

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name): Tim Ertis
C. Date of Delivery: 03/18/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To McLeod Properties LLC
Street and Apt. No., or PO Box No. 303 N 3rd St
City, State, ZIP+4® Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3230

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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To Duane & Sandra Lemki
Street and Apt. No., or PO Box No. 1 Eye Lane
City, State, ZIP+4® Bella Vista AR 72714

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5266 3214

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McLeod Properties
303 N 3rd St
Rogers AR 72756

9590 9402 7102 1251 7775 78

2. Article Number (Transfer from service label)

7017 2620 0000 5266 3230

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery 3/17/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Duane & Sandra Lemki
1 Eye Lane
Bella Vista AR 72714

9590 9402 7102 1251 7775 61

2. Article Number (Transfer from service label)

7017 2620 0000 5266 3216

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Sandra K Lemke ☐ Agent ☐ Addressee

B. Received by (Printed Name) Sandra K. Lemke C. Date of Delivery 3-23-22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To RPC Land Holdings LLC
Street and Apt. No., or PO Box No. c/o Ronald Conolly
City, State, ZIP+4® 16670 Sugar Creek Rd
Garfield AR 72732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5018

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee
$
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To BF Commercial Holdings LLC
Street and Apt. No., or PO Box No. 10471 Ervin McGarrah Rd
City, State, ZIP+4® Lowell AR 72745

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

. Article Addressed to:

RPC Land Holdings LLC
c/o Ronald Conolly
16670 Sugar Creek Rd
Garfield AR 72732

9590 9402 7102 1251 7776 15

2. Article Number (Transfer from service label)
7015 1730 0001 7852 9107

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X TR R4 C19 ☒ Agent ☐ Addressee

B. Received by (Printed Name) R. Connelly
C. Date of Delivery 3-17-22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

. Article Addressed to:

BF Commercial Holdings LLC
10471 Ervin McGarrah Rd
Lowell AR 72745

9590 9402 7102 1251 7775 92

2. Article Number (Transfer from service label)
7018 0680 0000 1931 5018

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tonya Bedford ☐ Agent ☐ Addressee

B. Received by (Printed Name) Tonya Bedford
C. Date of Delivery 3/17/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To: Payne Family Trust / Dede Payne Trustee
Street and Apt. No., or PO Box No.: 1210 N. Flamingo Rd
City, State, ZIP+4®: Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5056

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To: Daniel & Kristy Rivas
Street and Apt. No., or PO Box No.: 442 Lippert Dr
City, State, ZIP+4®: Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Payne Family Trust
Dede Payne Trustee
1210 N. Flamingo Rd
Rogers AR 72756

9590 9402 7102 1251 7776 08

Article Number (Transfer from service label)

7018 0680 0000 1931 5025

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Daniel & Kristy Rivas
442 Lippert Dr
Rogers AR 72756

9590 9402 7102 1251 7776 46

Article Number (Transfer from service label)

7018 0680 0000 1931 5056

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Mail Carrier ☒ Agent ☐ Addressee

B. Received by (Printed Name): Covid 19 | C. Date of Delivery: 03/17/2022

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
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- ☐ Signature Confirmation Restricted Delivery

tricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To: Julie Jansen
Street and Apt. No., or PO Box No.: 4212 Vashon Dr NE
City, State, ZIP+4®: Lacey WA 98516

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5087

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To: Charles R Van Bibber
Street and Apt. No., or PO Box No.: 211 S 13th PL
City, State, ZIP+4®: Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Julie Jansen
4212 Vashon Dr NE
Lacey WA 98516

9590 9402 7102 1251 7776 53

2. Article Number (Transfer from service label)

7018 0680 0000 1931 5063

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): HELEN JANSEN
C. Date of Delivery: 3-21-22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
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- ☐ Priority Mail Express®
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- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

S Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

ENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles R VanBibber
211 S. 13th Pl
Rogers AR 72756

9590 9402 7102 1251 7776 77

2. Article Number (Transfer from service label)

7018 0680 0000 1931 5087

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): CHARLES VAN BIBBER
C. Date of Delivery: 3/18/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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OFFICIAL USE

Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To NW Ark Food Bank
Street and Apt. No., or PO Box No. 1378 June Self Dr
City, State, ZIP+4® Springdale AR 72764

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5032

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To Elan Cruz Rangel
Street and Apt. No., or PO Box No. 212 S. 13th Pl
City, State, ZIP+4® Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5094

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To Maria Del Rosario Torres
Street and Apt. No., or PO Box No. 1902 W Countryside Ln
City, State, ZIP+4® Rogers AR 72758

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 1931 5049

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
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Postmark Here

Sent To Kristy Rivas + Lucina Perez
Street and Apt. No., or PO Box No. 200 S 13th Pl
City, State, ZIP+4® Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 2620 0000 5264 3223

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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$
Total Postage and Fees
$

Postmark Here

Sent To Almaraz SPE LLC
Street and Apt. No., or PO Box No. 1303 Walnut St
City, State, ZIP+4® Rogers AR 72756

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

CERTIFIED MAIL®

HAMMER WILLIAMS COMPANY
P.O. Box 1112
Enid, Oklahoma 73702

3/24

OKLAHOMA CITY OK 730
MAR 2022PM 7 L

US POSTAGE $007.33

7017 2620 0000 5266 3223

Almaraz SPE LLC
1303 Walnut St.
Rogers AR 72756

UTF

NEVER HERE!

NIXIE 722 FE 1 0003/21/22

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

UTF BC: 73702111212 *0757-00653-15-42

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

MEETING DATE
April 5, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – SUNSHINE AUTO SALES ROGERS, LLC

STAFF: KYLE BELT, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Sunshine Auto Sales Rogers, LLC
ADDRESS/PARCEL:	2002 S. 8th Street/ 02-01948-000, 02-01949-002
PROPOSED USE:	"Vehicle/Equipment Sales and Rentals"
CURRENT USE:	"Vehicle/Equipment Sales and Rentals"
CURRENT ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	Paul Njoroge
PROPERTY OWNER:	PICAZO & LEON INVESTMENTS LLC
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the use "Vehicle/Equipment Sales and Rentals," which is conditional in the C-2 zoning district. The subject property is not zoned correctly per the Comprehensive Growth Map, as C-2 is not an allowed zoning district in the Employment Center Growth Designation. Also, importantly, the entire subject location is situated in a Floodway or Flood Zone making the requested use almost unfeasible for the applicant.

Community Development recommends **DENIAL** as C-2 is not an allowed zoning district in the Employment Center Growth Designation. If approval is considered, engineering conditions regarding the floodplain will apply.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. PLANNING COMMISSION CONSIDERATIONS PER SEC. 14-723(a)(3):
   a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
      - The proposed use is conditional in C-2. The subject property is not zoned correctly per the CGM, as C-2 is not an allowed zoning district within the Employment Center Growth Designation.

   b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
      - Compatibility is irrelevant in this situation as this request is contrary to the intent of the Comprehensive Growth Map designation of Employment Center.

   c) Can all other zoning requirements be met?
      - This property is an existing non-conformity able to meet zoning disposition requirements.

   d) Will ingress and egress for the proposed use create a traffic hazard?
      - Ingress and egress will not create a traffic hazard.

2. Engineering Review:
   a) This project has been reviewed by the Floodplain Administrator, and the request is inconsistent with requirements per Chapter 22 – Floodplain Administration and the City of Rogers Flood Damage Prevention Code. While the existing lot is a nonconforming use, expansion to adjacent lots also within the Special Flood Hazard Area would not be considered a part of the nonconforming use. The Floodplain Administrator recommends **DENIAL** of the Conditional Use Permit. If approved the Floodplain Administrator notes the following code requirements for the applicant:
      - The applicant must apply and receive approval for a Floodplain Development Permit from the Floodplain Administrator.
      - The applicant may only store equipment and vehicles outside of the FEMA defined Special Flood Hazard Area, and must submit a Letter of Map Revision request to FEMA to decrease the size of the floodplain as appropriate prior to use.
      - The applicant must submit a Water Quality Plan to be reviewed and approved by the Engineering Division to meet City of Rogers Water Quality requirements.
      - No development may be completed in the mapped regulatory floodway, to include storage of equipment and/or materials, without following all local, state, and federal laws, and first obtaining a Floodplain Development Permit.

--- Supporting text ---

Pursuant to Section 22-69. – Duties and responsibilities of the floodplain administrator. It is the responsibility of the Floodplain Administrator to administer and implement appropriate sections of Chapter 22 and the federal requirements pertaining to 44 CFR (Emergency Management and Assistance- National Flood Insurance Program regulations). City of Rogers Code requirements include evaluating proposed projects for reasonable safety from flooding and evaluating proposed projects for conformance with no adverse impact principles. After a review of this Conditional Use Permit, the Floodplain Administrator has determined that storage of equipment within the floodplain may cause an adverse impact, defined as "any negative or harmful effect" per City of Rogers Chapter 22 – Floods, Division 2 – Flood Damage Prevention Code, Sec. 22-47 – Definitions. Additionally, Chapter 22 defines many-to-one equipment. Many-to-one equipment means items such as new, used, or salvaged automobiles, trailers, boats, ATVs, or other such equipment in which many items are stored in a location in where only one or a few people would be responsible for the relocation of multiple such items at any given time, which can result in higher risks and adverse impacts. Vehicle/Equipment Sales & Rentals is inconsistent with allowed uses in or adjacent to Special Flood Hazard Areas. Automobiles and other equipment may be displaced into the floodplain during a flood event causing significant harm within the floodplain, and additionally may cause environmental issues by introducing materials such as gas, diesel, and other such substances if inundated. Privately owned recreational vehicles or privately owned vehicles typically have a 1 to 1 ratio of owner to RV or automobile which allows quick removal of privately owned recreational vehicles or automobiles within a floodplain during a flood event. However, automobile sales typically have a 1 to many ratio, in that 1 person is responsible for removing many vehicles during a flood event, which is not a practical nor safe plan of action. Therefore, the Floodplain Administrator, upon evaluating this Conditional Use Permit, has determined that there is not an expectation of reasonable safety from flooding, and that there is reasonable expectation of adverse impact during a flood event. Per federal guidelines listed in 44 CFR 60.(a)(3), it is a requirement within the City of Rogers to review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. It is the opinion of the

Floodplain Administrator that by authorizing Vehicle/Equipment Sales & Rentals within a Special Flood Hazard Area, that unsafe conditions would potentially be created.

Pursuant to Sec. 22-70 – Establishment of development permit. The Floodplain Administrator has determined that to ensure conformance with the provisions of this code, that the applicant of the Conditional Use Permit would require a Floodplain Development Permit prior to operations.

- Pursuant to Sec. 21-71(c) The decision of the floodplain administrator to approve or deny issuance of a floodplain development permit is subject to appeal to the designated appeal board. Within the city, the designated appeal board is the Board of Adjustments.

3. COMPREHENSIVE GROWTH MAP:
   a) *Growth Designation*:
   Employment Center.

   b) *Growth Designation Character*:
   Single-use areas in proximity to major arterials and rail intended for industrial and commercial uses with substantial site activity. Physical separation and landscape screening necessary for compatibility with adjacent areas. Goals include responsibly organizing uses with like impacts and maintaining capacity for industry and service (CGM Page 1).

   c) *Allowed Zoning Districts*:
   C-4, W-O, I-1, I-2.

4. ZONING:
   a) *C-2 (Highway Commercial)*:
   The purpose and intent of the C-2 zoning district is "for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets," (Sec. 14-709(a)).

   b) *Use Definition*:
   "Vehicle/Equipment Sales and Rentals" is defined as "exclusive storage of operative or inoperative vehicles; Vehicle Storage includes without limitation the tertiary use classifications of: i. Storage of parking tow-aways; ii. Impound yards; and iii. Storage lots for automobiles, trucks, buses, and recreational vehicles," (Sec. 14-695(b)(3)(mm)).

5. RECOMMENDATIONS:
   a) **DENY** request.
   b) If approved, staff recommends that the following conditions be met:
      i) Development shall be screened and buffered from the adjacent residences to the east.
      ii) That no development may be completed in the mapped regulatory floodway, to include storage of equipment and/or materials, without following all local, state, and federal laws, and first obtaining a Floodplain Development Permit.
      iii) The applicant must apply and receive approval for a Floodplain Development Permit from the Floodplain Administrator.
      iv) The applicant may only store equipment and vehicles outside of the FEMA defined Special Flood Hazard Area, and must submit a Letter of Map Revision request to FEMA to decrease the size of the floodplain as appropriate prior to use.
      v) The applicant must submit a Water Quality Plan to be reviewed and approved by the Engineering Division to meet City of Rogers Water Quality requirements.

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, staff recommendations].
3. *IF DENYING*:
   Move to deny the request.
4. *IF TABLING*:
   Move to table the request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

TABS:

1. Vicinity maps (aerial, aerial with flood zones and floodway, CGM, zoning)
2. CUP application and required supplements

TAB 1:

Aerial Vicinity

Aerial Vicinity With Floodplain

CGM Vicinity

Zoning Vicinity

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: $100.00 ($100)
Zoning: C-2
Permit Number:
CityView Application: PL202240220
Date: 3/14/2022

CONDITIONAL USE PERMIT

APPLICANT: SUNSHINE AUTO SALES ROGERS LLC

ADDRESS: 2002 S 8th STREET ROGERS 72758 SUITE #:

PHONE #: 4793669309 EMAIL: Pnjorog21@gmail.com

PROPERTY OWNER: EDGAR LEON PHONE #: 4797153375

PRESENT USE: Building ZONING: C-2 (CUP # 19-29)

PROPOSED CONDITIONAL USE: USED CAR DEALERSHIP

PARKING SPACES AVAILABLE: 10 HOURS OF OPERATION: 8:00 Am – 5:00 PM MON–SAT

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: N/A MOST CHILDREN AT ONE TIME: N/A

Applicant Signature 02/01/2022 Date

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

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

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 3/14/2022 PUBLIC HEARING DATE: 4/5/2022 CERTIFIED MAIL DATE: 3/21/2022

PLANNING COMMISSION ACTION:

COMMENTS, CONDITIONS, LIMITS:

REF: Change of Address for Sunshine Auto Sales LLC

I hereby apply for a new Conditional Use Permit due to change of address from 2004 S. 8th Street Rogers 72758 to 2002 S. 8th Street Rogers 72758. The property owner (Landlord) owns both properties.

Note that there is no change of building structure and we intend to rent an office plus 10 parking spaces.

Regards,

Paul Njoroge

Sunshine Auto Sales Rogers LLC

Tel. 4793669309

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 **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 18th day of March, 2022.

Signed

PAUL NJOROGE

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 18th day of March, 2022.

Colleen Johnson

Notary Signature

Colleen Johnson

Notary Name Printed

COLLEEN JOHNSON NOTARY PUBLIC # 12693504 Expires 02.07.2030 BENTON COUNTY ARKANSAS

2/7/2030

Commission Expires

PROPERTY OWNER PERMISSION

I, Edgar Leon (name), hereby permit the use of building (use)
on my property at 2002 S 8th St (address) Rogers, Arkansas.

Dated this the 11 day of February, 2022

Edgar Leon
Signed

Edgar Leon
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 11 day of February, 2022.

Notary Signature

ALEXANDRIA BARRERA
Notary Public - Arkansas
Benton County
Commission # 12712951
My Commission Expires Jan 18, 2031

Alexandria Barrera
Notary Name Printed

Jan 18, 2031
Commission Expires

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **April 5, 2022** on the application by **Sunshine Auto Sales, LLC** for a **Conditional Use Permit** to allow the use **"Vehicle/Equipment Sales and Rentals"** at **2002 S. 8th St.** in the **C-2** (Highway Commercial; Overlay**)** zoning district at the following described location:

PROPERTY DESCRIPTION:
2002 S. 8th St.
Parcel Number: 02-01948-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday March 20, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT

DESCRIPTION:	To allow the use "Vehicle/Equipment Sales & Rentals" at 2002 S. 8th St. in the C-2 zoning district.
APPLICANT:	Sunshine Auto Sales, LLC
BOARD/COMMISSION:	Planning Commission
MEETING DATE/TIME:	April 5, 2022 at 5:00 PM
MEETING LOCATION:	Rogers City Council Chambers 301 W. Chestnut St.
PUBLIC COMMENTS:	planningcommission@rogersar.gov

www.rogersar.gov/1181/Public-Hearing-Signs

CITY ROGERS ARKANSAS

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

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

MEETING DATE
APRIL 5, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – OLDRIDGE PLACE

STAFF: CHRISTINA MOORE, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Blue Ribbon Industries
ADDRESS/PARCEL:	6388 S Oldridge Place / 02-14400-070
PROPOSED USE:	Warehouse Office
CURRENT USE:	Commercial
CURRENT ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	Blue Ribbon Industries
PROPERTY OWNER:	BBK Properties, LLC
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the use "Warehouse Office," which is conditional in the C-2 zoning district. The subject property is zoned correctly per the Comprehensive Growth Map, as C-2 is an allowed zoning district in the Commerce Corridor Growth Designation. Staff finds this request to be compatible with the surrounding development context and appropriate at this Commerce Corridor location.

Community Development recommends **Approval** of this request. Approval of this CUP would not constitute approval of the applicant's provided site plan and would not relieve the applicant from complying with all applicable development code regulations during the Large-Scale Development process.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. CONSIDERATIONS PER SEC. 14-723(a)(3) and FINDINGS:
   a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
      - The proposed use is conditional in C-2. The property is zoned correctly per the CGM, as C-2 is an allowed zoning district within the Commerce Corridor Growth Designation.

   b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
      - The property is in the Commerce Corridor Growth Designation and immediately north of a Neighborhood Growth Designation, much of which is undeveloped. The proposed use of "Warehouse Office" is compatible with surrounding uses.

   c) Can all other zoning requirements be met?
      - A proposed site plan does not appear to meet City of Rogers zoning requirements in regard to setbacks and open space.

   d) Will ingress and egress for the proposed use create a traffic hazard?
      - Currently the property has one road for ingress and egress by way of S. Oldridge Place. The property is located at the end of a dead end road. There are plans of future extension of S Goad Springs Street a major arterial and W Garrett Road a Collector street classification that would allow access to the businesses located at this property.

2. COMPREHENSIVE GROWTH MAP:
   a) *Growth Designation*:
      Commerce Corridor.

   b) *Growth Designation Character*:
      Interstate-adjacent areas intended for development that maximizes land use efficiency through vertical form, shared or hidden parking, horizontal or vertical mixed-use, and judicious use of open space. Development should provide walkability and access to multi-modal transportation network. Goals include encouraging compact urban-style design, while discouraging suburban forms such as apartment complexes. (CGM Page 1).

   c) *Allowed Zoning Districts*:
      R-MF, U-NBT, R-O, C-2, C-4.

3. ZONING:
   a) *C-2 (Highway Commercial)*:
      The purpose and intent of the C-2 zoning district is "for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets," (Sec. 14-709(a)).

   b) *Use Definition*:
      "Warehouse Office" is defined as "a secondary use classification encompassing office uses for companies and non-governmental organizations that require limited on-site storage and company vehicle parking. This use may include: Indoor material and equipment storage; and On-site parking of commercial vehicles. (Sec. 14-695(b)(3)(uu)).

4. RECOMMENDATIONS:
   a) **Approval** of the request with the condition that the Large Scale Development Plan meet zoning requirements.

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, staff recommendations].
3. *IF DENYING*:

Move to deny the request.

4. *IF TABLING*:
   Move to table the request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

TABS:

1. Vicinity maps (aerial, CGM, zoning)
2. CUP application and required supplements

TAB 1

AERIAL VICINITY MAP

CGM VICINITY MAP

ZONING VICINITY MAP

Zone RSF
Zone RSF
Zone RSF
Zone A-1
Zone A-1
Property
Zone RSF-5
Zone RSF-5
Zone RSF-5
Zone RSF-5
Zone C-2
W GARRETT RD
Zone RSF-5
Zone RSF-5
Zone A-1
Zone A-1
Zone A-1
MILLS LN
W OAKWOOD AVE

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: $100 ($100)
Zoning: C-2
Permit Number: 22-08
CityView Application: PL202200252
Date: 3/14/2022

CONDITIONAL USE PERMIT

APPLICANT: Blue Ribbon Industries Oldridge Place Warehouse Office

ADDRESS: 2225 S Bellview Rd, Rogers, AR SUITE #:

PHONE #: EMAIL: ablass@br.industries

PROPERTY OWNER: BBK Properties, LLC PHONE #:

PRESENT USE: Commercial ZONING: C-2

PROPOSED CONDITIONAL USE: Warehouse Office

PARKING SPACES AVAILABLE: HOURS OF OPERATION: 7-5

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: MOST CHILDREN AT ONE TIME:

Alex C. Blass

Applicant Signature Date

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

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

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 3/14/2022 PUBLIC HEARING DATE: 4/5/2022 CERTIFIED MAIL DATE: 3/21/2022

PLANNING COMMISSION ACTION:

COMMENTS, CONDITIONS, LIMITS:

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

March 14th, 2022

City of Rogers
Department of Community Development
301 W. Chestnut Street
Rogers, AR 72756

RE: 6388 S Oldridge Place Conditional Use Permit
CTA #22102300

Staff,

On behalf of our clients we would like to request a Conditional Use Permit to allow warehouse offices at 6388 S Oldridge Place (Parcel 02-14400-070). The property is currently zoned C-2. The attached application has all of the documents requested, including a site plan showing the proposed site development.

The proposed facility will consist of two 40,500 square foot buildings, one 94,500 square foot building, 170 parking stalls, and 96 loading docks. The offices will have building lights as well as lights throughout the parking lot. There will be direct access to the sidewalk along the edges of the property. The proposed site design also shows 2 points of ingress/egress via the future extensions of W. Garrett Road and Goad Springs Road. Similar developments are found just south along I-49 in Lowell. Warehouse offices are high intensity commercial developments that support the purpose of the Commerce Corridor adjacent to the interstate.

There are no plans for proposed signage on this property. Owner/developer will work with city staff when planning any proposed signage. There will be no flammable or hazardous materials present on site.

Please let us know if you have any questions or need any additional information.

Sincerely,

Ali Karr

Ali Karr, E.I.
Project Manager

PROPERTY OWNER PERMISSION

I, BBK Properties, LLC, hereby permit the use of Warehouse Office
(name) (use)
on my property at 6388 S Oldridge Pl, Rogers, AR Rogers, Arkansas.
(address)

Dated this the 9th day of March, 2022.

Aaron S Burkes
Signed

Aaron S. Burkes
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 9 day of March, 2022.

LISA WATKINS
MY COMMISSION # 12691444
EXPIRES: September 5, 2025
Benton County

Notary Signature

Lisa Watkins
Notary Name Printed

9/5/2025
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 **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 21 day of March, 2022.

Ali Karr

Signed

Ali Karr

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 21 day of March, 2022.

Patricia Ann Henry

Notary Signature

STATE OF ARKANSAS NOTARY PUBLIC
PATRICIA ANN HENRY
MY COMMISSION # 12711413
EXPIRES: July 21, 2030
Benton County

Patricia Ann Henry

Notary Name Printed

7/21/30

Commission Expires

PROJECT INFORMATION

ZONING:	C-2
BUILDING SETBACK:	FRONT: 65' INTERIOR SIDE: 15' EXTERIOR SIDE: 45' REAR: 15'
SITE AREA:	711,856 SQ.FT. (16.34 ACRES)
IMPERVIOUS AREA:	623,454 SQ.FT. (14.31 ACRES)
GREENSPACE:	88,402 SQ.FT. (2.03 ACRES)
BUILDING USAGE:	WAREHOUSE
BUILDING SIZE:	94,500 SQ.FT., 40,500 SQ.FT., 40,500 SQ.FT.
PROVIDED PARKING:	170 STANDARD PARKING STALLS 96 TRUCK PARKING STALLS

LEGEND (CONSTRUCT)

LINEWORK

CURB

BUILDING SET BACK

RIGHT OF WAY

PROPERTY LINE

THIS PLAN IS FOR CONCEPT ONLY AND IS NOT INTENDED FOR USE AS A CONSTRUCTION DRAWING.

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
architecture | engineering | surveying
479.636.4838 t 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:
CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
40' 0 40'

OLDRIDGE PLACE

ROGERS, ARKANSAS

Key Plan

No.	Description	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO:
ISSUE DATE: mm/dd/yy
CONTACT: FIRST INITIAL, LAST NAME
CHECKED BY:

PRELIMINARY PLANS

FOR CONSTRUCTION · REVIEW SET · NOT FOR CONSTRUCTION

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

© 2022 Crafton, Tull & Associates, Inc.

CONCEPT 5

5

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **April 5, 2022** on the application by **Oldridge Place Warehouse Office** for a **Conditional Use Permit** to allow the use **"Warehouse Office"** at **6388 S. Oldridge Place** in the **C-2** (Highway Commercial**)** zoning district at the following described location:

PROPERTY DESCRIPTION:
6388 S. Oldridge Place
Parcel Number: 02-14400-070

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday March 20, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT

DESCRIPTION:	To allow the use "Warehouse Office" at 6388 S. Oldridge Pl. in the C-2 zoning district.
APPLICANT:	Oldridge Place Warehouse Office
BOARD/COMMISSION:	Planning Commission
MEETING DATE/TIME:	April 5, 2022 at 5:00 PM
MEETING LOCATION:	Rogers City Council Chambers 301 W. Chestnut St.
PUBLIC COMMENTS:	planningcommission@rogersar.gov

www.rogersar.gov/1181/Public-Hearing-Signs

CITY ROGERS ARKANSAS

COMMUNITY DEVELOPMENT
PLANNING DIVISION
(479) 621.1186
planning@rogersar.gov

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

MEETING DATE
April 5, 2022

TO: PLANNING COMMISSION
PLANS & POLICY COMMITTEE

RE: **STAFF SUMMARY REPORT**
REZONE – GOAD SPRINGS WAREHOUSE

STAFF: ZACHERY BIRDSONG, PLANNER I

REQUEST DETAILS

ADDRESS/LOCATION:	6507 North Goad Springs Street / 02-14823-000
TOTAL AREA TO BE REZONED:	± 17.9 acres
CURRENT ZONING:	A-1 (Agricultural)
PROPOSED ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	DDB Investments, LLC
PROJECT OWNER/DEVELOPER:	Crafton Tull
PROPERTY OWNER:	Bobby Joe and Lois Jean Brown Joint Revocable Trust
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is inconsistent with the Comprehensive Growth Map. C-2 is not an allowed zoning district within the Neighborhood Growth Designation. The applicant requests an amendment to the Comprehensive Growth Map to designate the subject property as Commerce Corridor to align the rezone request with the CGM. Staff believes this request is reasonable given the findings by the applicant and the purpose of the Commerce Corridor Growth Designation.

Community Development recommends the following actions for this request:

1. **Approve** the CGM amendment to designate the subject property as Commerce Corridor
2. **Approve** the rezoning request

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:
   a) *Growth Designation*:
      Neighborhood.

   b) *Growth Designation Character*:
      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 (CGM Page 1).

   c) *Base Density*:
      6 units/acre.

   d) *Max Density*:
      12 units/acre.

   e) *Allowed Zoning Districts*:
      R-SF, N-R, R-DP, R-MF.

2. ZONING:
   a) *C-2 (Highway Commercial):*
      The purpose and intent of the C-2 zoning district is described as follows "This district is intended for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets." (Sec. 14-709(a)).

   b) *General Findings*:
      1. The subject property contains a residential development and is zoned A-1 in the Neighborhood Growth Designation. The city of Lowell borders this parcel to the east as well as the south with C-2 zoned parcels. To the west there are parcels zoned A-1 and R-SF in a Neighborhood Growth Designation. Directly north of the subject property lies a C-2 zoned parcel and A-1 zoned parcels within a Commerce Corridor Growth Designation.
      2. The applicant requests that the subject property be incorporated into the Commerce Corridor directly north of the property, which would allow for the requested rezone from A-1 to C-2. The purpose of the Commerce Corridor Growth Designation is to provide high-intensity development, while respecting established residential and commercial patterns along the I-49 corridor.
      3. Extending the Commerce Corridor Growth Designation south to the subject parcel would not disrupt established residential patterns. The current use of the subject property is residential, however it is surrounded by C-2 on all sides except to the west.
      4. The applicant cited the following reasons to amend the Comprehensive Growth Map for the subject property:
         a) The CGM revision would unite the Commerce Corridor in Rogers and the Thoroughfare Commercial in Lowell
         b) The property's north, east and south boundaries are all surrounded by C-2 in both Rogers and Lowell
         c) Rezoning this parcel to C-2 creates a continuous commercial buffer between I-49 and the residential districts further west off of the interstate
         d) This parcel is positioned directly between other high intensity commercial areas and can be used to promote interstate adjacent development
      5. Given these justifications, staff finds the rezone and Comprehensive Growth Map amendment to be reasonable and recommends approval of both.
      6. The proposed use, being "Warehouse Office", submitted with this application is conditional within the C-2 zoning area. Approval of this rezone and Comprehensive Growth map amendment does not result in approval of the Warehouse Office on the subject property. A conditional use permit will need to be submitted if this rezone request and CGM amendment is approved.

3. RECOMMENDATIONS:
   a) **Approve** the CGM amendment to designate the subject property as Commerce Corridor.
   b) **Approve** the rezoning request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

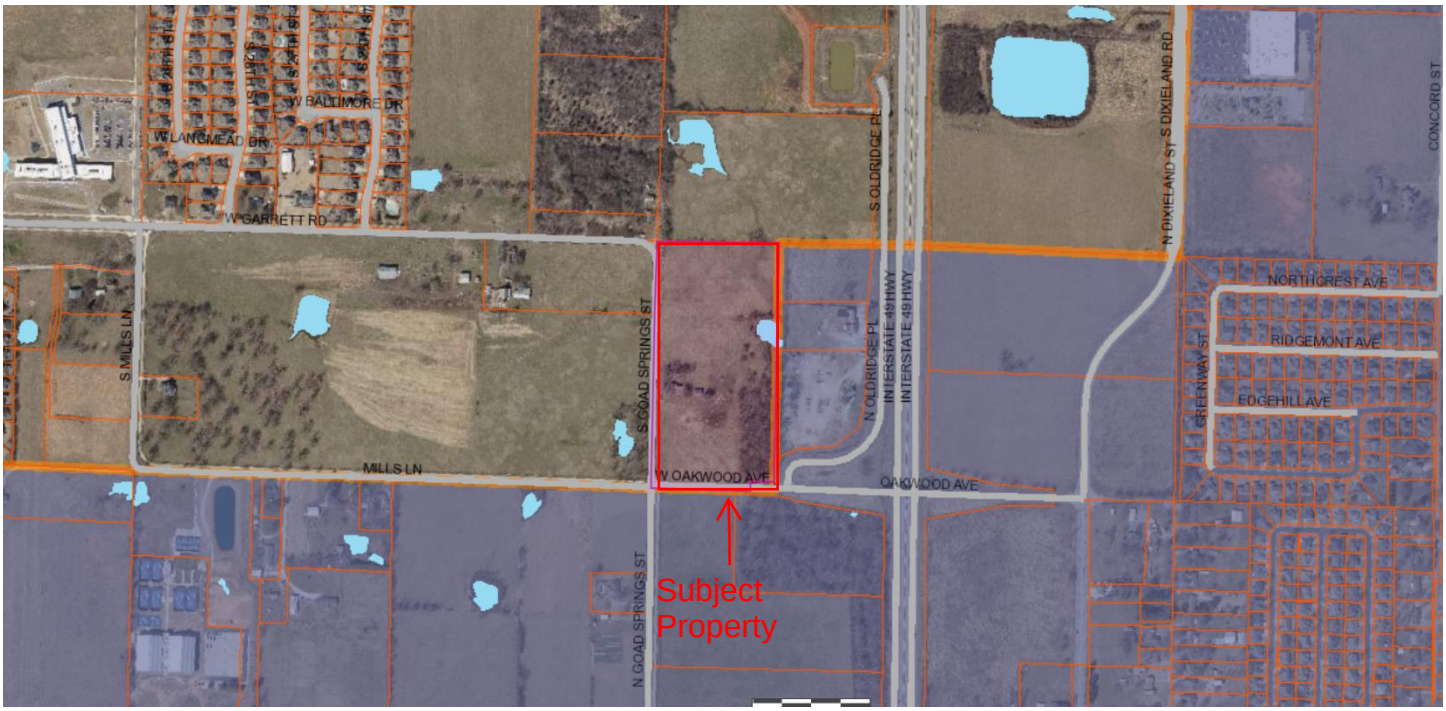
1. *IF APPROVING AS PRESENTED*:
   Move to recommend City Council approval as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to recommend City Council approval subject to [conditions or contingencies].
3. *IF DENYING*:
   Move to deny the request.
4. *IF TABLING*:
   Move to table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

TABS

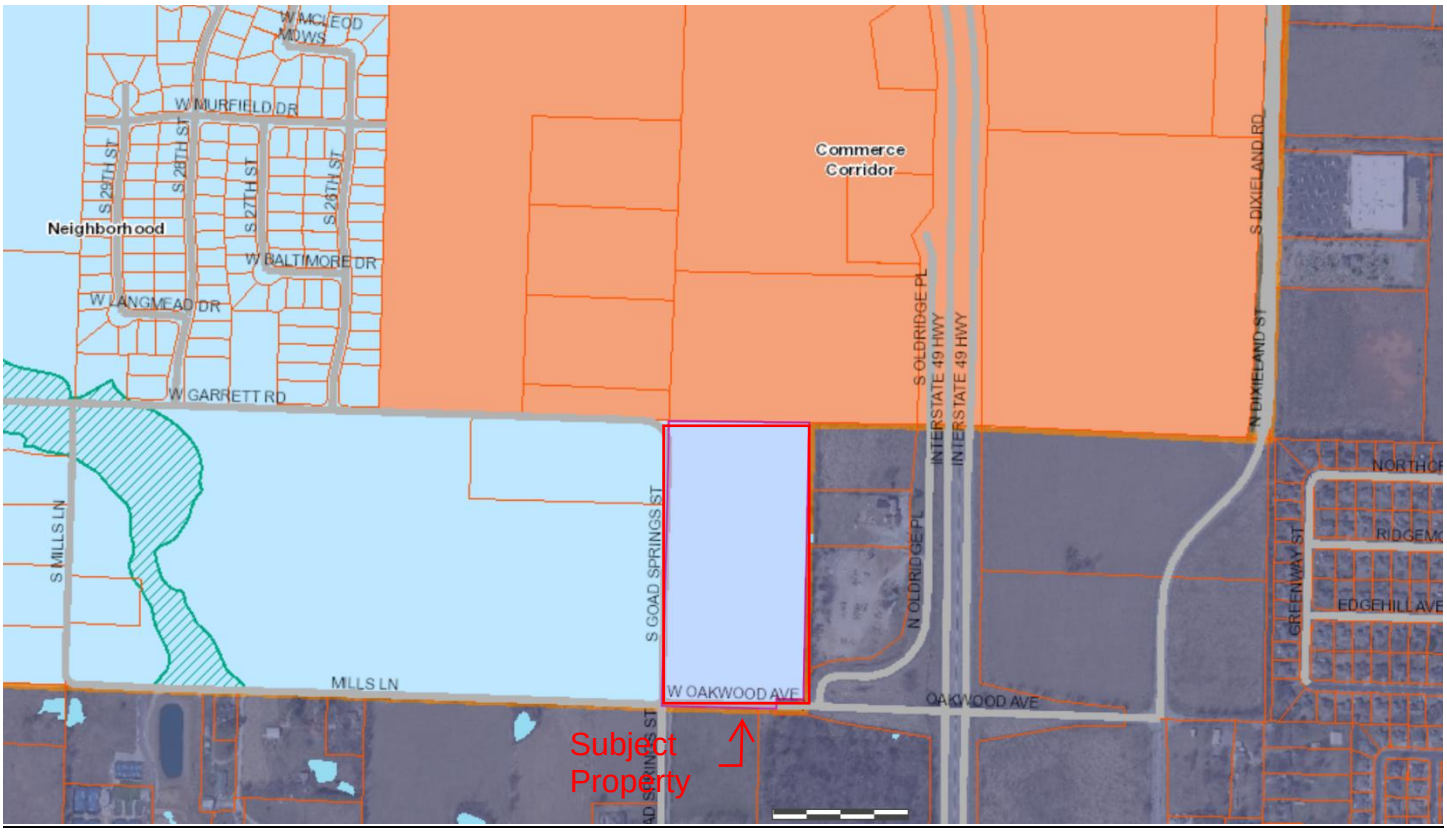
1. Vicinity maps (aerial, CGM, zoning, Lowell - zoning) and photo of public notice sign on site
2. Rezone application with required supplements

TAB 1

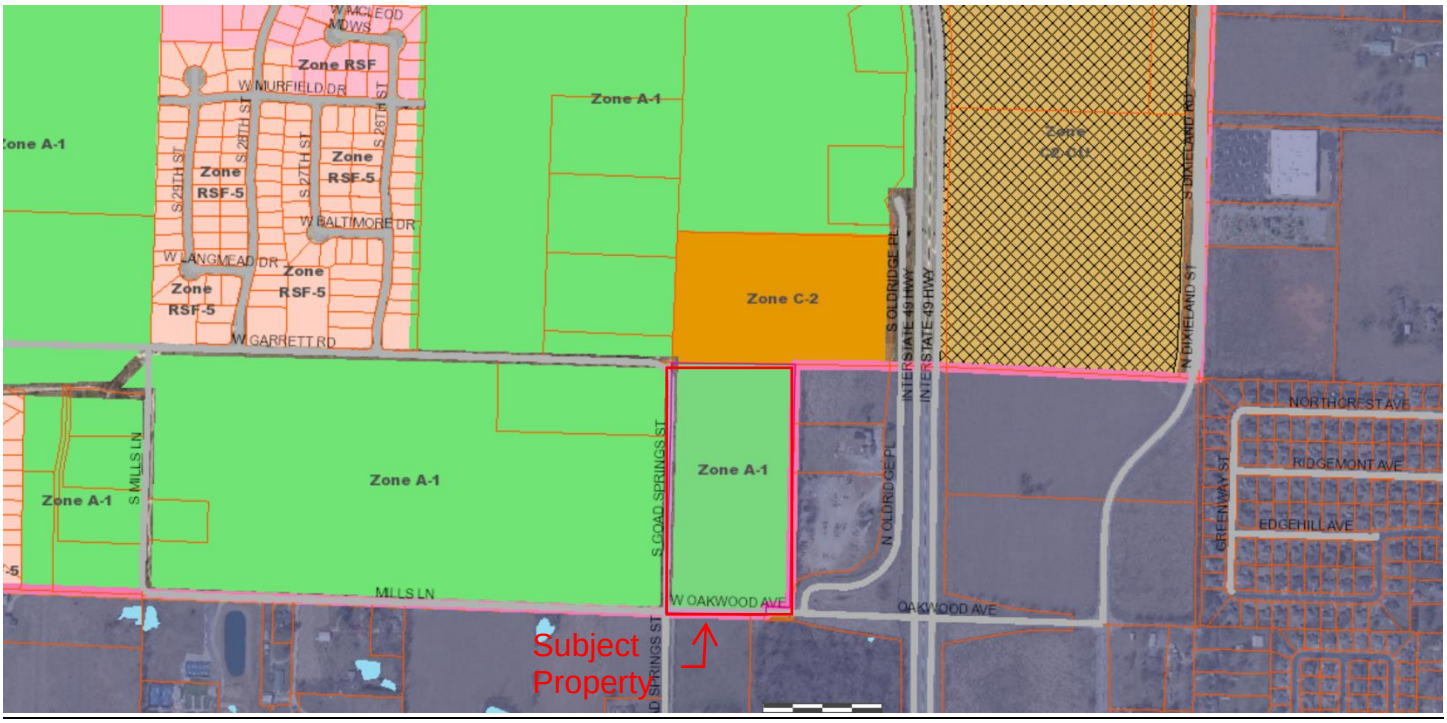
AERIAL VICINITY MAP



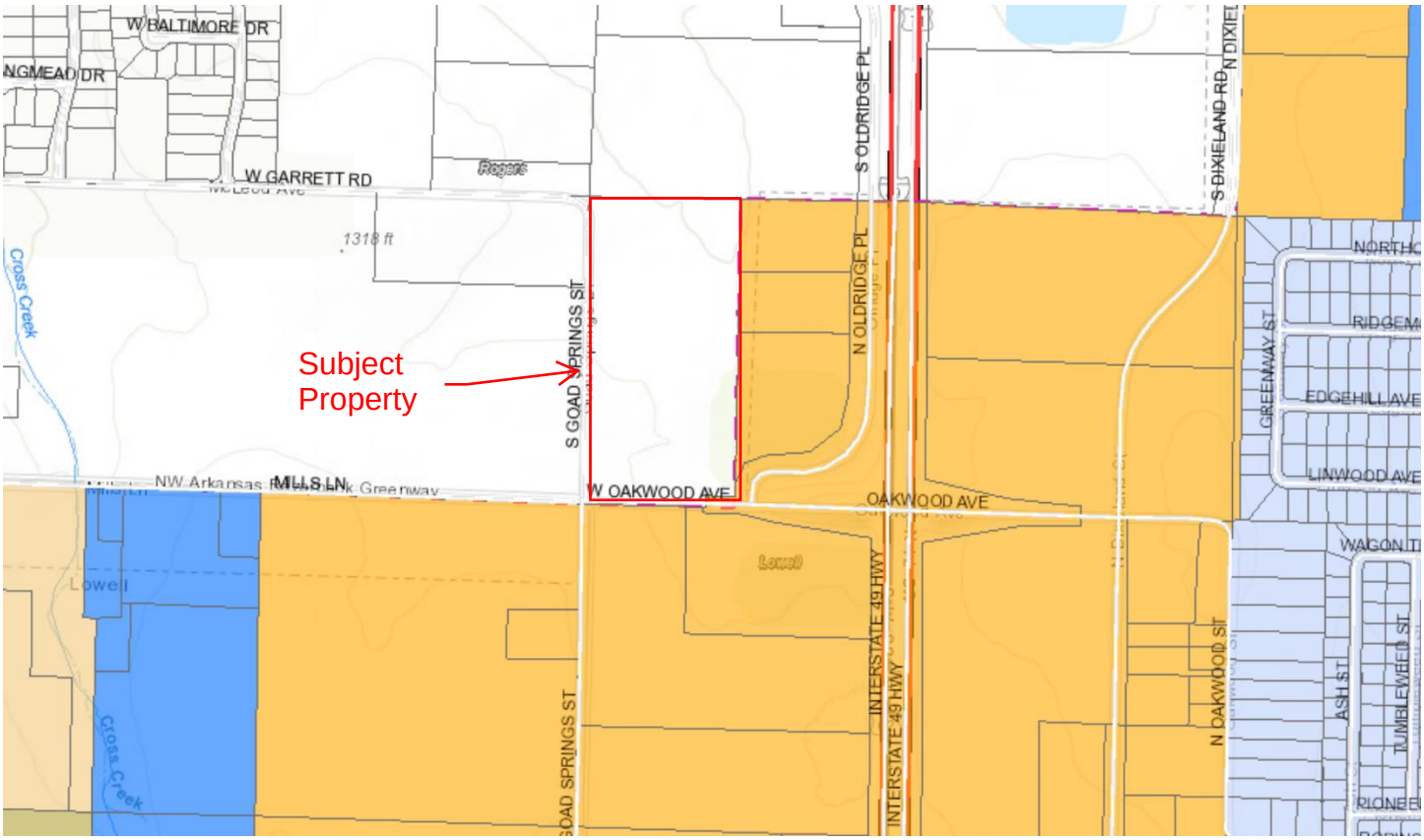
CGM VICINITY MAP



ZONING VICINITY MAP



LOWELL – 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: DDB Investments, LLC

ADDRESS: 1936 N. Shiloh Drive, Fayetteville, AR 72704 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 6507 N Goad Springs, St, Rogers, AR

PHONE #: 479-877-9956 EMAIL: brad.payne@kimbelmechanical.com

PROPERTY OWNER: Bobby Joe & Lois Jean Brown Joint Revocable Trust PHONE #: _____

PRESENT USE: Agriculture ZONING: A-1

PROPOSED USE: Warehouse Office ZONING: C-2

DDB Investments, LLC by Brad Payne 3/4/2022
Applicant Signature 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: _____

Crafton Tull

901 N 47th Street, Suite 400
Rogers, AR 72756

479.636.4838 (ph)
479.631.6224 (fax)

March 14th, 2022

City of Rogers
Department of Community Development
301 W. Chestnut Street
Rogers, AR 72756

RE: 6507 N. Goad Springs St Revision to Comprehensive Growth Map
CTA #22101700

Staff,

On behalf of our clients we would like to request a revision to the Comprehensive Growth Map for 6507 N. Goad Springs St (Parcel 02-14823-000). Currently the property is zoned A-1 and is shown within the Neighborhood Growth Designation. We are requesting it be rezoned to C-2 and the Comprehensive Growth Map be revised to Commerce Corridor. The requested C-2 zoning and Commerce Corridor designation for this parcel unites the Commerce Corridor in Rogers and the Thoroughfare Commercial in Lowell. The property's north, east, and south boundaries are all surrounded by C-2 in both Rogers and Lowell. Rezoning this parcel to C-2 creates a continuous commercial buffer between I-49 and the residential districts further west off the interstate with a Goad Springs St, a future major arterial, as the dividing line. This parcel is positioned directly between other high intensity commercial areas and can be used to promote interstate adjacent development.

Please let us know if you have any questions or need any additional information. Thank you in advance for your consideration.

Sincerely,

Ali Karr

Ali Karr, E.I.
Project Manager

PROPERTY OWNER AFFIDAVIT

The petitioner, Bobby Joe & Lois Jean Brown Joint Revocable Trust, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: See attached.

LAYMAN'S DESCRIPTION: 6507 N Goad Springs, St, Rogers, AR

PRESENT ZONING: A-1

ZONING REQUEST: C-2

Respectfully Submitted,

By: John S. Brown Trustee
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 8th day of March, 2022.

NEIMAKO JACOB
Notary Public - Arkansas
Benton County
Commission # 12715877
My Commission Expires Aug 20, 2031

Notary Signature

Neimako Jacob
Notary Name Printed

Aug 20, 2031
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 21 day of March, 2022.

Ali Karr
Signed

Ali Karr
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 21 day of March, 2022.

Patricia Ann Henry
Notary Signature

PATRICIA ANN HENRY
MY COMMISSION # 12711413
EXPIRES: July 21, 2030
Benton County

Patricia Ann Henry
Notary Name Printed

7/21/30
Commission Expires

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **April 5, 2022** at **5:00 p.m.** on the application by **Goad Springs Warehouse** to rezone **±17.9 acres at 6507 N. Goad Springs Street** from the **A-1** (Agricultural) zoning district to the **C-2** (Highway Commercial) zoning district with a revision to the Comprehensive Growth Map, the property being more particularly described as follows:

PROPERTY DESCRIPTION:
±17.9 acres at 6507 N. Goad Springs Street
Parcel Number: 02-14823-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday March 20, 2022**
BILL THE CITY OF ROGERS

PUBLIC NOTICE SIGN

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

MEETING DATE
April 5th, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – Snack Gurus, LLC

STAFF: Justin Couch, City Planner I

REQUEST DETAILS

ADDRESS/LOCATION:	1626 S. Dixieland Road, Rogers, Arkansas, 72758, (Parcel 02-01570-000)
TOTAL AREA TO BE REZONED:	2.42± acres
CURRENT ZONING:	A-1 (Agricultural District)
PROPOSED ZONING:	RMF-6B (Residential Multifamily District)
APPLICANT/REPRESENTATIVE:	Jared Dey
PROJECT OWNER/DEVELOPER:	Jared Dey
PROPERTY OWNER:	Jared Dey
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. R-MF-6 is an allowed zoning district within the Neighborhood Growth Designation.

Community Development recommends approval of this request.

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STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:
   a) *Growth Designation*:
      Neighborhood.

   b) *Growth Designation Character*:
      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 (CGM Page 1).

   c) *Base Density*:
      6 units/acre

   d) *Max Density*:
      12 units/acre

   e) *Allowed Zoning Districts*:
      R-SF, N-R, R-DP, R-MF.

2. ZONING:
   a) *R-MF 6 (Residential Multifamily District):*
      The purpose and intent of the R-MF zoning district is to "provide suitable areas within the City for attached and detached residential development. The district is intended for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. (Sec. 14-703(a)).

   b) *General Findings*:
      - The subject property is located in a Neighborhood Growth Designation area and is currently in use as a single-family residence. The subject property is surrounded by single-family homes in a mix of residential and agricultural zoning.
      - The Neighborhood Growth Designation's goals lists preserving locations for low-density residential uses. RMF-6 is considered low-density.
      - The proposed rezone at this subject location would not be out of character, as residential multi-family units already exist to the south of the subject property, and lots located across South Dixieland Road to the northeast are zoned for residential multi-family as well.
      - Rezoning this lot as proposed would serve to limit the proliferation of low-density residential spaces in areas that have been proposed as appropriate for higher-intensity development, which is within the character of the Neighborhood Growth Designation.
      - South Dixieland Road runs along the eastern boundary line of the lot and is designated as a Major Arterial Road per the Master Street Plan. It provides access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods, as required for RMF zoning.
      - Staff finds this to be an appropriate request due to the proposed zoning's consistency with the CGM and current neighborhood characteristics.

3. PUBLIC INPUT RECEIVED:
   Staff has not received any comments from the public regarding this request.

4. 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 as presented.
4. *IF TABLING*:
   Move to table the request as presented [indefinite or date certain].

TABS

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

Aerial Vicinity Map

CGM Vicinity Map

Zoning Vicinity Map

Subject Location

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: Snack Gurus, LLC

ADDRESS: 1626 S Dixieland Rd, Rogers, AR SUITE #: _____

GENERAL LOCATION OF PROPERTY: West side of S Dixieland Rd, South of W Olrich St and just north of W Mimosa St

PHONE #: (660) 553-1993 EMAIL: Jaredkdey@gmail.com

PROPERTY OWNER: Snack Gurus, LLC PHONE #: (660) 553-1993

PRESENT USE: Single Family Residence ZONING: A-1

PROPOSED USE: Townhomes ZONING: RMF-6

Applicant Signature 03/04/2022 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: _____

VICINITY MAP

LEGEND

- FOUND MONUMENT
- SET 5/8" REBAR
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- GAS METER
- POWER POLE
- GUY WIRE
- LIGHT POLE
- TELEPHONE PEDESTAL
- ELECTRIC METER
- SANITARY SEWER MANHOLE
- SIGN
- WA — WATER LINE
- GAS — GAS LINE
- OHE — OVERHEAD ELECTRIC
- UGT — UNDERGROUND TELEPHONE
- UGFO — UNDERGROUND FIBER OPTIC

CITY OF ROGERS	
ZONING INFORMATION	
BUILDING SETBACKS	
	ZONE: A-1
FRONT	40'
SIDE-(INTERIOR)	20'
SIDE-(EXTERIOR)	40'
REAR	35'
MIN. LOT AREA	1.5 ACRES
MIN LOT WIDTH	200'
MAX BLD. COVERAGE	30%
Maximum structure height:	
a. When side yards are less than 15 feet in width: 35 feet or 2½ stories above the finished grade.	
b. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.	
c. Accessory structures: 16 feet on lots less than one acre, except storage buildings which shall not exceed ten feet or 25 feet on lots one acre or greater.	

Property Description: (W.D.: L202145659)

A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT 512.60 FEET SOUTH 00 DEGREES 08 MINUTES 20 SECONDS WEST OF THE NE CORNER OF SAID NE 1/4 OF THE SW 1/4; THENCE SOUTH 00 DEGREES 08 MINUTES 20 SECONDS WEST 159.86 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 23 SECONDS WEST 660.78 FEET; THENCE NORTH 00 DEGREES 25 MINUTES 10 SECONDS EAST 159.86 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 23 SECONDS EAST 660.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF DIXIELAND ROAD AND EXISTING UTILITY EASEMENTS ALONG THE EAST SIDE THEREOF.

Surveyed Description:

Part of the Northeast Quarter of the Southwest Quarter of Section 14, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows:

Commencing at the Northeast corner of the said NE1/4 SW1/4; Thence S 03°02'54" W along the East line of said NE1/4 SW1/4, a distance of 512.60 feet to the Point of Beginning; Thence continuing S 03°02'54" W along the East line of said NE1/4 SW1/4, a distance of 161.80 feet; Thence N 87°04'26" W, a distance of 660.69 feet to a point lying on the East line of Block II of Eagle Glen Subdivision (Plat#A15-148); Thence N 03°00'13" E along the East line of said Eagle Glen Subdivision, a distance of 159.60 feet; Thence S 87°15'51" E, a distance of 660.82 feet to the Point of Beginning, containing 2.44 Acres more or less. Subject to the right of way of Dixieland Road and existing utility easements along the east side thereof.

TITLE POLICY

This survey references Advantage Title & Escrow, LLC-Fayetteville, 100107949 and Fidelity National Title Insurance Company File No. 22-16996, Commitment Date: February 09, 2022, 8:00 am.

TITLE POLICY EXCEPTIONS: (File No. 22-16996)

Building setbacks, dedications, rights of way and easements, as shown on a survey recorded in Plat Record 19 at Page 124, and any amendments thereto, plat records of Benton County, Arkansas. Does not affect subject property.

Right Of Way Easement in favor of Carroll Electric Cooperative Corporation filed for record January 17, 2019 as instrument number L201902626. Does not affect subject property.

Street Right Of Way and Utility Easement in favor of the Public filed for record March 31, 1998 as instrument number 1998-30558. Does affect subject property. Does affect subject property. As shown on survey.

Any portion of subject property lying within the rights-of-way and any rights of the public and others entitled thereto in and to use that portion of subject property comprising any part of the public right of way of Dixieland Road along the East side of subject property. Does affect subject property. As shown on survey.

NOTES:

Based on scaled map location and graphic plotting only, the subject property is in Flood Zone X, which is an area determined to be outside the 0.2% Annual Chance Floodplain, according to Flood Insurance Rate Map, City of Rogers, Benton County, Arkansas, Map Number 05007C0260K, map revised June 05, 2012.

Bearings are based on Arkansas State Plane Coordinates - North Zone, NAD83 (NSRS2011), per GPS observation.

Contour interval = 1'. Elevation basis is NAVD88, per GPS observation.

Rights of way and Easements are shown hereon as per documents provided to the surveyor. Additional Rights of way and Easements recorded or not a part of the public record, may or may not exist that affect the subject property.

The locations of utilities as shown hereon are based on aboveground structures, markings by Arkansas one-call (Ticket No. 220220-0147) and record documents. Locations of underground utilities may vary from locations shown hereon. Additional buried utilities/structures may be encountered. No excavations were made during the progress of the survey to locate buried utilities/structures.

CERTIFICATION

To: Snack Gurus, LLC; 0806 Investments, LLC; Advantage Title & Escrow, LLC Fayetteville, 100107949; and Fidelity National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS; The field work was completed on February 22, 2022.

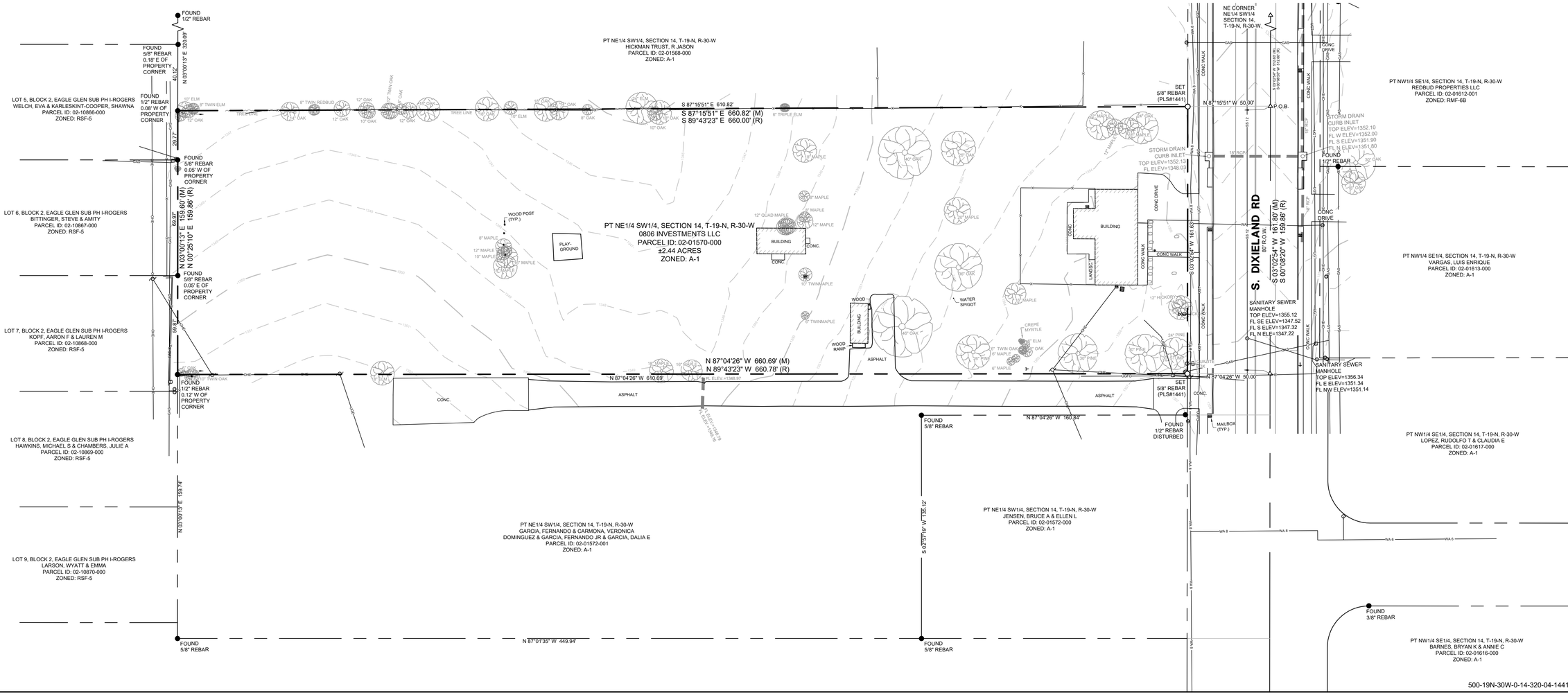
Allen Jay Young
Professional Land Surveyor
Arkansas No. 1441

3-3-22
Date

REGISTERED PROFESSIONAL LAND SURVEYOR — STATE OF ARKANSAS — NO. 1441 — SIGNATURE — ALLEN J. YOUNG — 3-3-22

CERTIFICATE OF AUTHORIZATION — DEVELOPMENT CONSULTANTS INC. — No.128 — ARKANSAS ENGINEER, INC.

20 10 0 20 40
GRAPHIC SCALE 1" = 20'



500-19N-30W-0-14-320-04-1441

G:\2022\22-119\Survey\22-119.DWG

DCI DEVELOPMENT CONSULTANTS INCORPORATED
1 EAST CENTER STREET SUITE 290 FAYETTEVILLE, AR 72701 479-442-7600

COPYRIGHT: 2022

SCALE: 1" = 30'

DATE: 03-03-2022

REVISIONS

DEVELOPMENT CONSULTANTS INCORPORATED

PROJECT TITLE: 1626 S DIXIELAND MF - SNACK GURUS
ROGERS, ARKANSAS

SHEET TITLE: ALTA/NSPS LAND TITLE SURVEY

PROJECT NO: 22-119

SHEET NO: B-1

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION:

Part of the NE/4 of the SW/4 of Section 14, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the NE corner of the said NE/4 SW/4; thence South 03°02'54" West along the East line of said NE/4 SW/4, a distance of 512.60 feet to the POINT OF BEGINNING; thence continuing South 03°02'54" West along the East line of said NE/4 SW/4 161.80 feet; thence North 87°04'26" West 660.69 feet to a point lying on the East line of Block II of Eagle Glen Subdivision; thence North 03°00'13" East along the East line of said Eagle Glen Subdivision, 159.60 feet; thence South 87°15'51" East 660.82 feet to the point of beginning, containing 2.44 acres, more or less. Subject to the right of way of Dixieland Road and existing utility easements along the East side thereof.

LAYMAN'S DESCRIPTION: 1626 S Dixieland Rd, Rogers, AR
Parcel #02-01670-000

PRESENT ZONING: A-1

ZONING REQUEST: RMF-6

Respectfully Submitted,

Snack Gurus, LLC

By: _____
(Property Owner Signature)

Printed Name: Jared Dey

Title: Owner

STATE OF ARKANSAS
COUNTY OF BENTON

Subscribed and sworn before me this the 4th day of MARCH, 2022.

ASHLEY L. TITTLE
MY COMMISSION # 12398101
EXPIRES: April 3, 2024
Washington County

_____
Notary Signature

ASHLEY L TITTLE
Notary Name Printed

APRIL 3, 2024
Commission Expires

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut Street on **April 5, 2022** at **5:00 p.m.** on the application by **Snack Gurus, LLC** to rezone **±2.44 acres at 1626 S. Dixieland Rd.** from the **A-1** (Agricultural) zoning district to the **RMF-6** (Residential Multifamily, 6 units per acre) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:
±2.42 acres at 1626 S. Dixieland Rd.
Parcel Number: 02-01570-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday March 20, 2022**
BILL THE CITY OF ROGERS

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING
REZONE
DESCRIPTION: To rezone ±2.44 acres at 1626 S. Dixieland Rd. from A-1 to RMF-6.
APPLICANT: Snack Gurus, LLC
BOARD/COMMISSION: Planning Commission
MEETING DATE/TIME: April 5, 2022 at 5:00 PM
MEETING LOCATION: Rogers City Council Chambers 301 W. Chestnut St.
PUBLIC COMMENTS: planningcommission@rogersar.gov
www.rogersar.gov/1181/Public-Hearing-Signs
PLANNING DIVISION
(479) 621-1186
planning@rogersar.gov

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

MEETING DATE
APRIL 5, 2022

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
LARGE-SCALE DEVELOPMENT PLANS – KUM & GO, 2421

STAFF: AMBER LONG, PLANNER
KRISTIFIER PAXTON, DEVELOPMENT COMPLIANCE MANAGER

REQUEST DETAILS

PROJECT NAME:	Kum & Go, 2421
ADDRESS/LOCATION:	101 W. New Hope Rd. / 02-01521-000
PROPOSED USE:	Convenience Store with Gas Sales
CURRENT ZONING:	C-3 (Neighborhood Commercial)
CGM GROWTH DESIGNATION:	Neighborhood Center
APPLICANT/REPRESENTATIVE:	Michael Clotfelter, Ozark Civil Engineering Inc.
PROJECT OWNER/DEVELOPER:	Kum & Go L. C.
PROPERTY OWNER:	Kum & Go L. C.
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 5,620-SF convenience store, a canopy with fueling stations, paved parking, and a detention pond on ±2.10 acres. The proposed development plans meet all City requirements 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 Sec. 14-260(1)(d) requiring centerline alignment of nonresidential driveways or offset by 75-feet.
2. Approve **WAIVER** from 14-46(g) requiring improvements to the right-of-way fronting the development along S 1st Street.
3. Approve **VARIANCE** from Sec. 14-710(d)(1)(b) to allow a maximum accessory structure height greater than 16'.

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:
   The applicant's proposed access off of New Hope Road meets the access management standard. The applicant is requesting a **WAIVER** from Sec. 14-260(1)(d) requiring either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than 75 feet for the access off of 1st Street. The applicant states that because the access drive is existing and previously constructed, shifting and reconstructing the access drive approximately 40' north to align with the access drive located on the opposite side of 1st street will be an overburden to their client due to overall cost increase.

2. STORMWATER MANAGEMENT:
   The applicant proposes an onsite extended dry detention facility north of the proposed location of the building and just south of the primary channel that runs east to west across this site. The applicant also proposes improvements being made to the primary channel and has demonstrated modeling calculations that meet the chapter 22 requirements for equal or improved parameters pre and post-development. The detention facility will detain storm runoff for a period over 24-hours and releases into the primary channel.

3. WATER QUALITY:
   The applicant proposes Water Quality Capture Volume (WQCV) being detained for a period over 24-hours in an extended dry 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*:
      Pavement condition along S 1st Street not in subpar condition. Pavement condition along New Hope Road is also not in subpar condition.
   b) *Connectivity Standards*:
      The applicant is proposing a 40-feet shared access easement encapsulating the proposed driveway along New Hope Road for the developable lot to the west. Connectivity to the north is not seen as required due to the primary channel north of the proposed development.
   c) *Streetscape*:
      i) *Right-of-Way*:
         1) The applicant is requesting a **WAIVER** from the Typical Street Section for a Major Arterial in Sec. 14-46 to allow for the existing 1st Street roadway improvements to remain. The applicant states that because the city had previously made improvements to 1st Street 32-feet from the back-of-curb to centerline instead of 34-feet , including curb and gutter, storm drainage structures and the city trail; they feel that a 2' curb and gutter offset would be an overburden to their client.
         2) New Hope Road is a Major Arterial Road with a varying right-of-way. Improvements made onto New Hope's right-of-way only include improvements from the front of curb to the end of the greenspace.
      ii) *Sidewalks & Sidepaths*:
         1) The applicant proposes a 10-ft sidepath along New Hope Road east of the driveway and proposes to match the 6-ft sidewalk west of the driveway.
         2) There is an already existing 10-ft sidepath along S 1st Street.
   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 request from Sec. 14-260(1)(d) requiring centerline alignment of nonresidential driveways or offset by 75-feet. Due to the primary channel north of the existing driveway, staff recommends approval.
   b) **APPROVE** waiver request from 14-46(g) requiring improvements to the right-of-way fronting the development along S 1st Street. The street has had recent improvements made and is not in subpar condition.

PLANNING REVIEW

1. LAND USE:
   a) *Use Definition*:
      i) "Convenience Store with Gas Sales" is defined as "retail sales of food, beverage, and small convenience items typically found in establishments with long or late hours of operation that also sell gasoline," (Sec. 14-695(b)(3)(s)).
   b) *Zoning Compliance*:
      The proposed project is in compliance with C-3 zoning regulations.
   c) *CGM Compliance*:
      The proposed project aligns with the purpose, character, and goals of the Neighborhood Center Growth Designation.

2. DEVELOPMENT STANDARDS:
   The proposed development plans conform to all development standards required by Sec. 14-710 and Article III with the exception of any requested waivers and/or variances.
   a) *Building Disposition*:
      i) The applicant requests a **VARIANCE** from Sec. 14-710(d)(1)(b) to allow a maximum accessory structure height greater than 16'.
   b) *Building Design*:
      N/A
   c) *Parking & Loading*:
      All vehicle and bicycle parking requirements have been met.
   d) *Screening & Transitions*:
      N/A
   e) *Landscaping*:
      All landscaping requirements have been met.
3. RECOMMENDATIONS:
   a) Approve **VARIANCE** from Sec. 14-710(d)(1)(b) to allow a maximum accessory structure height greater than 16'. The applicant requests this variance due to safety concerns and the general nature of fuel station canopies. The applicant proposes a fuel canopy with a 21'-0" total height and a 15'-6"clearance height to prevent the canopy from being hit by vehicles.

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

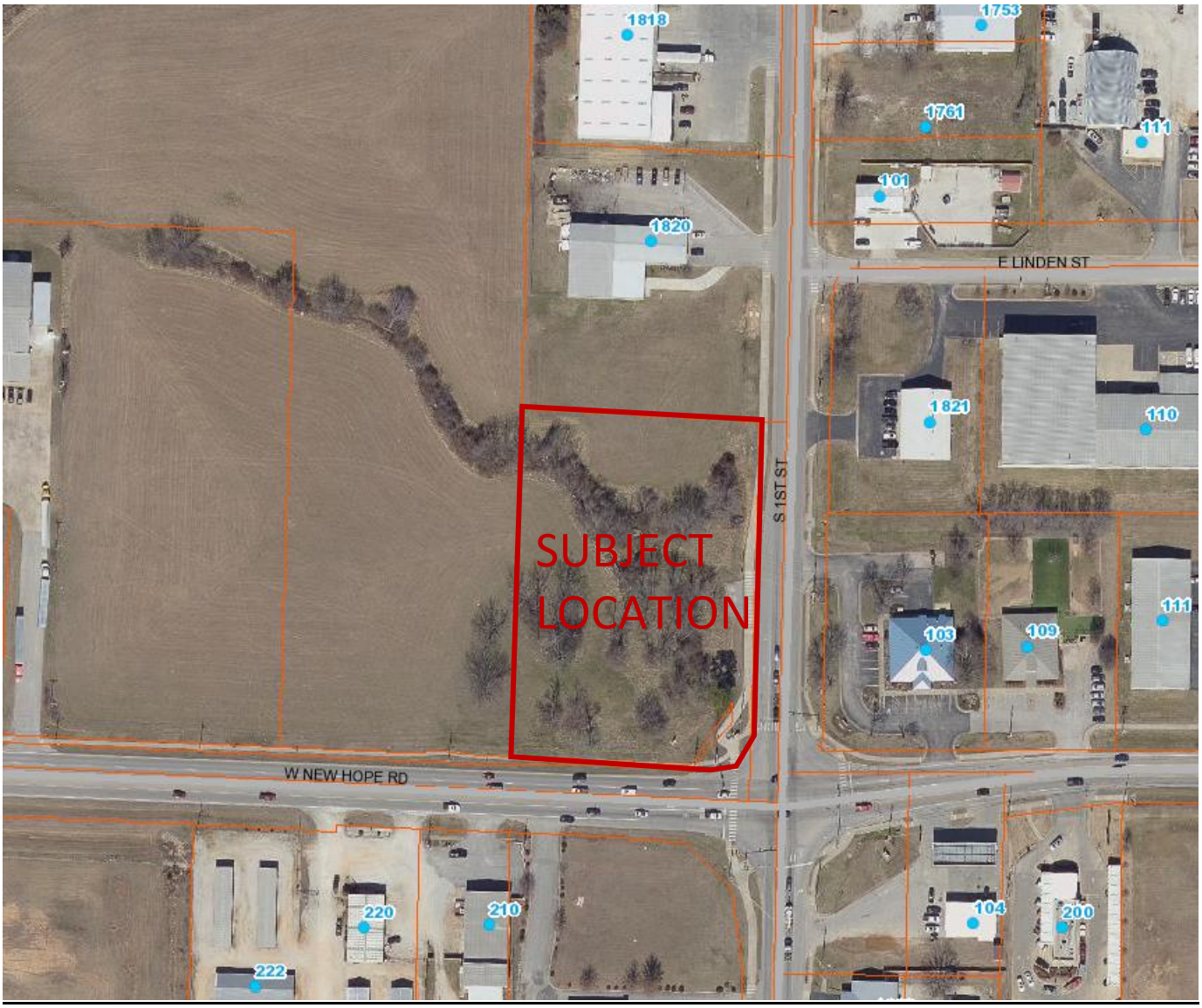
1. *IF APPROVING*:
   Move to approve the request as presented**.**
2. *IF APPROVING SUBJECT TO OTHER ACTIONS*:
   Move to approve the request subject to [conditions, contingencies, waivers/variances].
3. *IF DENYING*:
   Move to deny the request.
4. *IF TABLING*:
   Move to table the request.

TABS

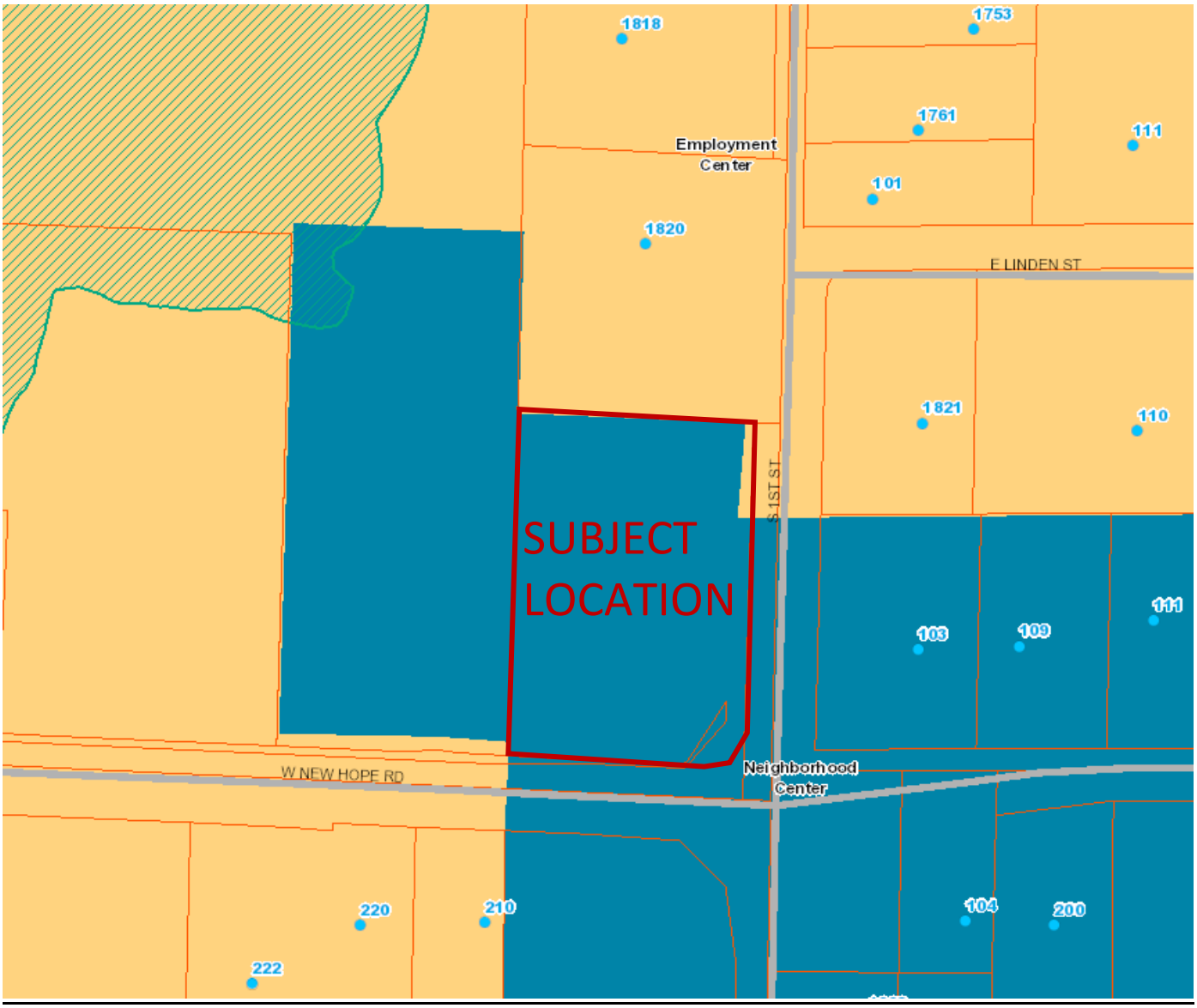
1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

TAB 1

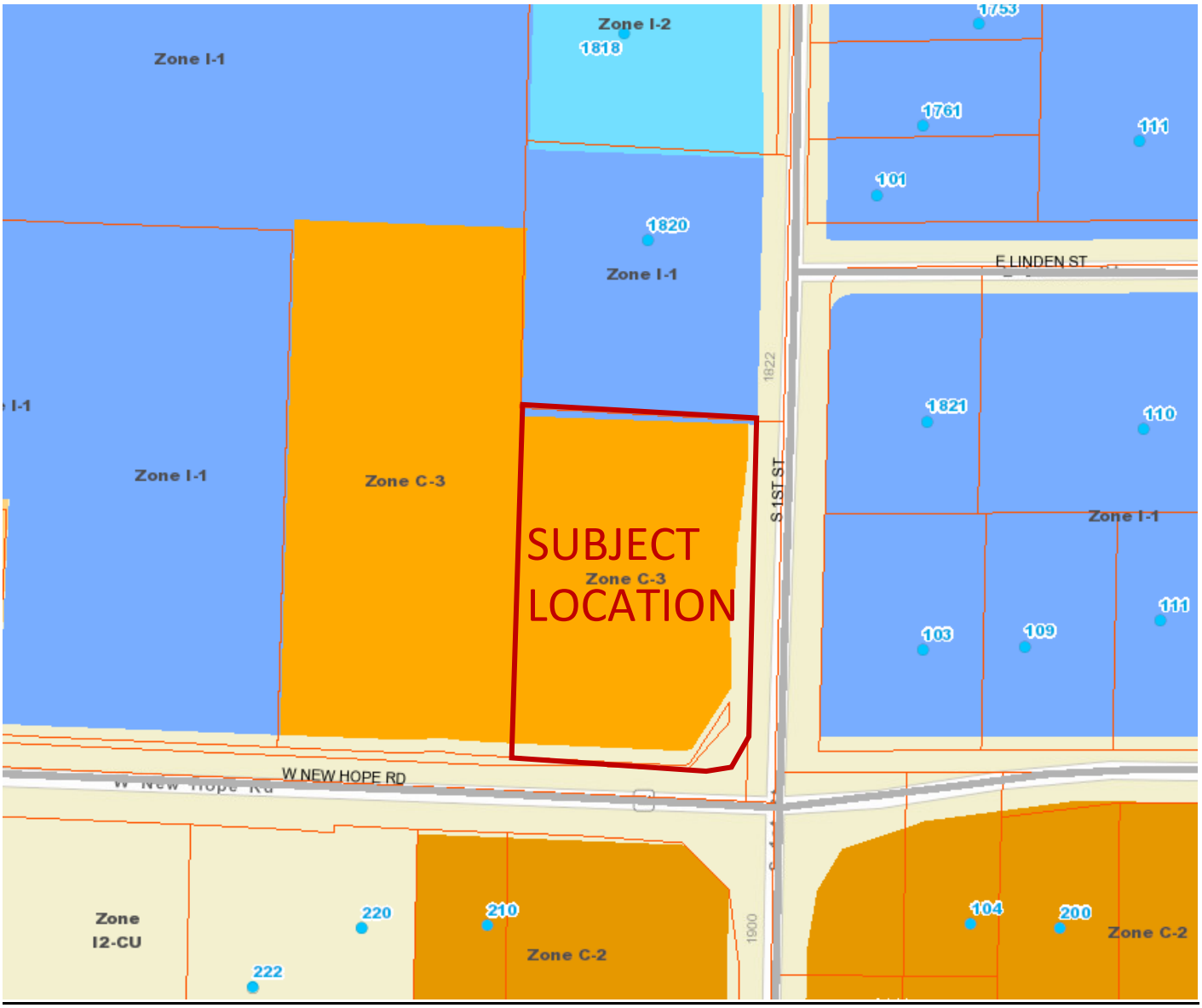
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP



March 22, 2022

Mr. Todd Butler, PE
Ozark Civil Engineering, Inc.
3214 N.W. Avignon Way, Suite 4
Bentonville, AR 72712

Re: Conditional Approval of Civil Plans
Kum & Go 2421 @ 1st & New Hope

Dear Mr. Butler:

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

1. RWU has no record of an existing stub for the proposed fire hydrant connection. You will need to install a 12" x 6" Tapping Sleeve and a 6" Valve at the connection to the existing 12" main. This fire hydrant line will need to be installed as per RWU Standard detail WD-1/4A. Show the sleeve and valve on the plans.

2. Show the location of the irrigation RPZA on the plans.

3. There is an unidentified symbol located at the south side of the east entrance that is too close to the existing 12" water main. This object should be a minimum of 5' horizontally from the existing main.

4. The proposed 4" sewer service line should match pipe crowns with the out-flowing pipe at the manhole.

5. 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 tree located at the east side of the south entrance and at the north side of the east entrance that will be too close to existing water mains and in violation of this code.

6. The drain valve on your Reduced Pressure Backflow Preventer (Sheet L1.5) is a cross connection and must be located on the discharge side of the backflow preventer. Revise the detail accordingly.

7. 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. 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.

D. Architectural and plumbing plans submitted for commercial customers.

E. A copy of the executed contract between the developer or general contractor and the utility contractor.

F. 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

Copy: B. Dobler, B. Sartain, J. Lunsford, T. Kinion, L. Ericson, A. Long, K. Belt, N. Little, Developer (w/ attachments)
P:\Kum & Go 2421 @ 1st & New Hope\Reviews\Kum&GoNewHope&1stToddButlerCA032222Letterhead.docx

Ozark Civil Engineering Inc.
3214 N.W. Avignon Way, Suite 4 ♦ Bentonville, AR 72712
479-464-8850 telephone ♦ 479-464-9040 fax

December 28, 2021
Sent Via Email

Ms. Amber Long
Planner II
City of Rogers, AR
Department of Community Development
301 W Chestnut St.
Rogers, AR 72756

Re: Kum & Go, 2421 – Rogers, Benton County, AR
Variance Request – Master Street Plan Roadway Improvements

Ms. Long,

Per the City's Code of Ordinances, Section 14-46(1)(d) – Offset; Kum & Go respectfully requests a Variance be granted to allow for the existing access drive located along 1st Street to remain.

The site is located at the northwest corner of the intersection of W. New Hope Road and 1st Street. The proposed development is located on approximately 2.102 acres. Construction will include a 5,620 square foot store, six fueling pumps, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking.

Per the City's Code of Ordinances, either the centerline of the opposing nonresidential driveways shall align or shall be offset no less than 75 feet. Since this access drive is existing and previously constructed by the City of Rogers; Kum & Go would request that the access drive separation requirements be waived.

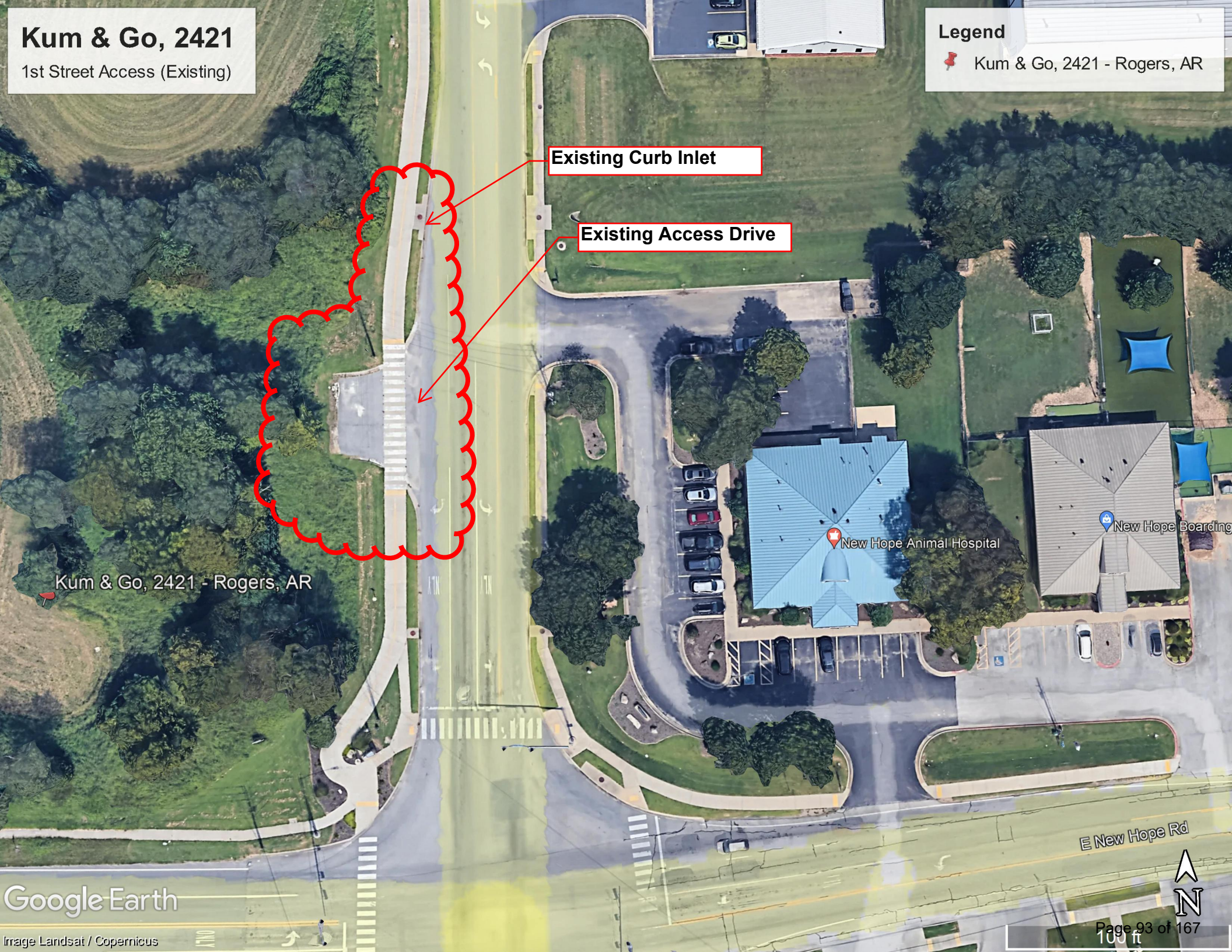
It is our opinion, shifting and reconstructing the access drive approximately 40' north to align with the access drive located on the opposite side of 1st street will be an overburden to our client. We feel that the overall cost increase for the existing access drive relocation to include the relocation of the existing overhead electric, closing the existing city trail for reconstruction and modifying an existing storm drainage structure will far outweigh the intent of the Ordinance.

We appreciate your consideration in this matter and if you should have any questions, please feel free to contact Ozark Civil Engineering, Inc. at your convenience.

Sincerely,

Ozark Civil Engineering, Inc.

Michael Clotfelter, Project Manager

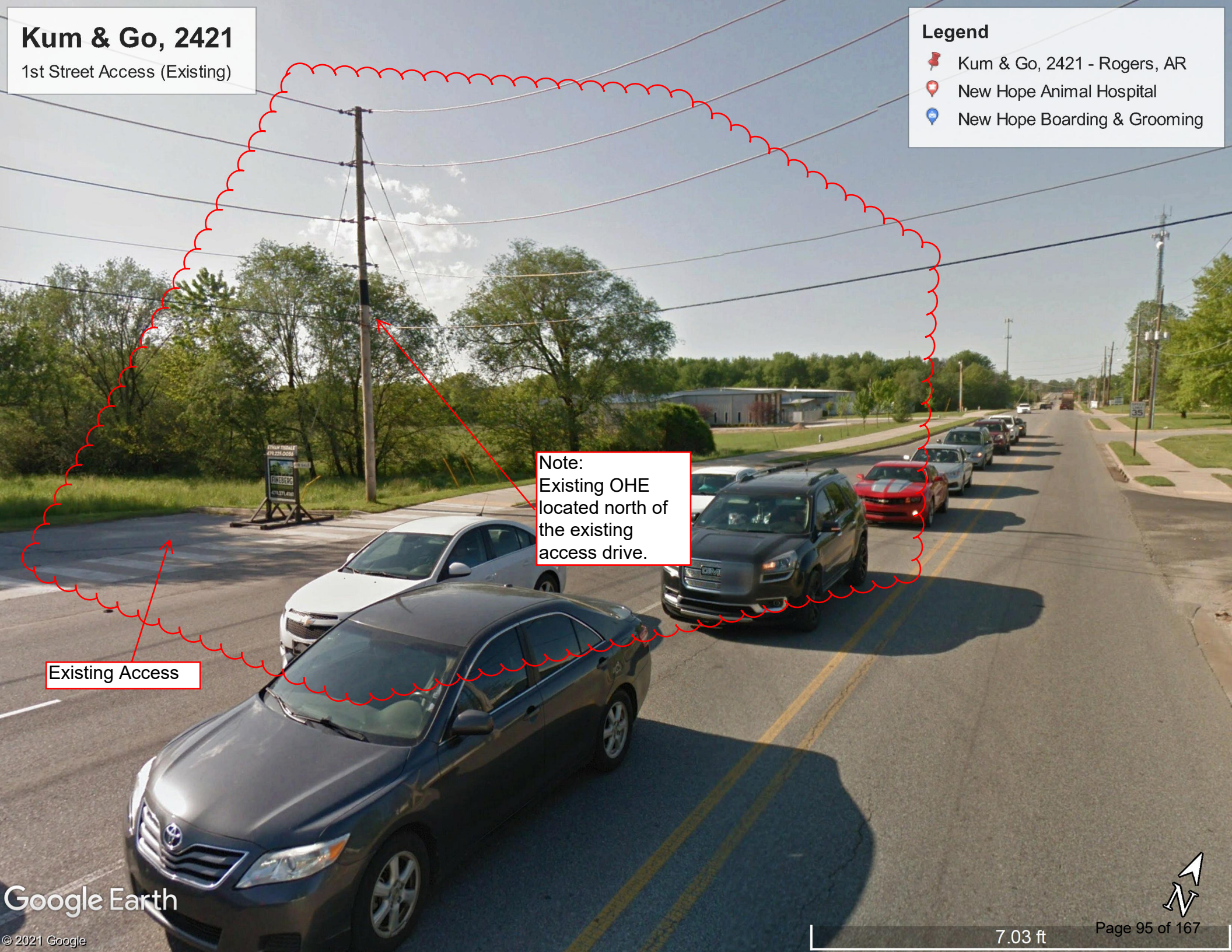

Kum & Go, 2421
1st Street Access (Existing)
Legend
Kum & Go, 2421 - Rogers, AR
Existing Curb Inlet
Existing Access Drive
Kum & Go, 2421 - Rogers, AR
New Hope Animal Hospital
New Hope Boarding
E New Hope Rd
N
Google Earth
Image Landsat / Copernicus
100 ft

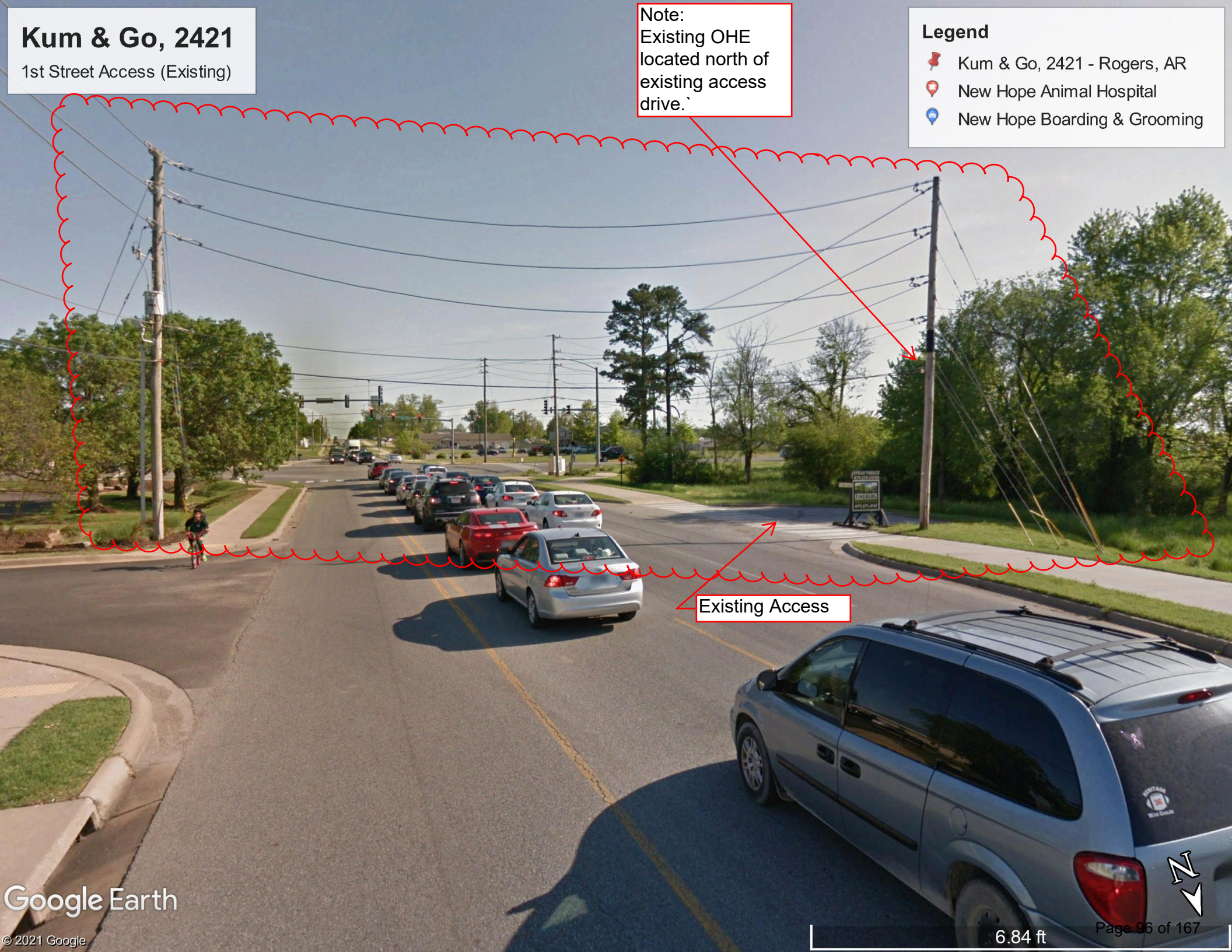
Kum & Go, 2421

1st Street Access (Existing)

Legend

Kum & Go, 2421 - Rogers, AR


Kum & Go, 2421
1st Street Access (Existing)
Legend
Kum & Go, 2421 - Rogers, AR
New Hope Animal Hospital
New Hope Boarding & Grooming
Note:
Existing OHE located north of the existing access drive.
Existing Access
Google Earth
© 2021 Google
7.03 ft


Kum & Go, 2421
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Google Earth
© 2021 Google
6.84 ft
N

Ozark Civil Engineering Inc.
3214 N.W. Avignon Way, Suite 4 ♦ Bentonville, AR 72712
479-464-8850 telephone ♦ 479-464-9040 fax

December 28, 2021
Sent Via Email

Ms. Amber Long
Planner II
City of Rogers, AR
Department of Community Development
301 W Chestnut St.
Rogers, AR 72756

Re: Kum & Go, 2421 – Rogers, Benton County, AR
Variance Request – Accessory Structure (Fuel Canopy) Maximum Height

Ms. Long,

Per the City's Code of Ordinances, Section 14-710(d)(1) – Maximum Structure Height; Kum & Go respectfully requests a Variance be granted to allow for the fuel canopy to exceed 16 feet in height.

The site is located at the northwest corner of the intersection of W. New Hope Road and 1st Street. The proposed development is located on approximately 2.102 acres. Construction will include a 5,620 square foot store, six fueling pumps, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking.

Kum & Go believes that by limiting the fuel canopy to a maximum height of 16 feet would create safety concerns. Kum & Go has constructed a couple of stores in Colorado with a lower canopy and those stores have had a number of instances with the canopy being struct.

The proposed fuel canopy at this location in Rogers would be the same height as the most recent Kum & Go projects located at the intersection of W. Hudson Rd. and N. 2nd Street and at the intersection of W. Pleasant Grove Road and Pinnacle Hills Parkway.

Kum & Go would prefer not to jeopardize the safety of their patrons by modifying the height of the canopy from that of their prototypical. Kum & Go feels that the fuel canopy prototypical heights (21'-0" total height and 15'-6" clearance height) provide an additional safety precaution and helps to ensure that the structure will be protected from the vehicular movements in and around the area of the fuel canopy.

We appreciate your consideration in this matter and if you should have any questions, please feel free to contact Ozark Civil Engineering, Inc. at your convenience.

Sincerely,

Ozark Civil Engineering, Inc.

Michael Clotfelter, Project Manager

Ozark Civil Engineering Inc.
3214 N.W. Avignon Way, Suite 4 ♦ Bentonville, AR 72712
479-464-8850 telephone ♦ 479-464-9040 fax

December 28, 2021
Sent Via Email

Ms. Amber Long
Planner II
City of Rogers, AR
Department of Community Development
301 W Chestnut St.
Rogers, AR 72756

Re: Kum & Go, 2421 – Rogers, Benton County, AR
Variance Request – Master Street Plan Roadway Improvements (Major Arterial Street)

Ms. Long,

Per the City's Code of Ordinances, Section 14-46(g) – Typical Sections; Kum & Go respectfully requests a Variance be granted to allow for the existing 1st Street roadway improvements to remain.

The site is located at the northwest corner of the intersection of W. New Hope Road and 1st Street. The proposed development is located on approximately 2.102 acres. Construction will include a 5,620 square foot store, six fueling pumps, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking.

Per the City's development requirements, the adjacent public roadway, from the centerline to the Right-of-Way line, must be constructed to meet the City's Master Street plan. Since a portion of the 1st Street roadway, immediately adjacent to the proposed Kum & Go development, had already been reconstructed by the City of Rogers; Kum & Go would request that the 1st Street roadway improvements be waived.

The existing 1st street roadway cross-section shows approximately 32' from the centerline to the back of curb. The City's current Master Street plan is 34' from the centerline to the back of curb (see attachment). Because the city had previously made improvements to 1st Street, including curb and gutter, storm drainage structures and the city trail; we feel that a 2' curb and gutter offset would be an overburden to our client and therefore does not meet the intent of the Ordinance.

We appreciate your consideration in this matter and if you should have any questions, please feel free to contact Ozark Civil Engineering, Inc. at your convenience.

Sincerely,

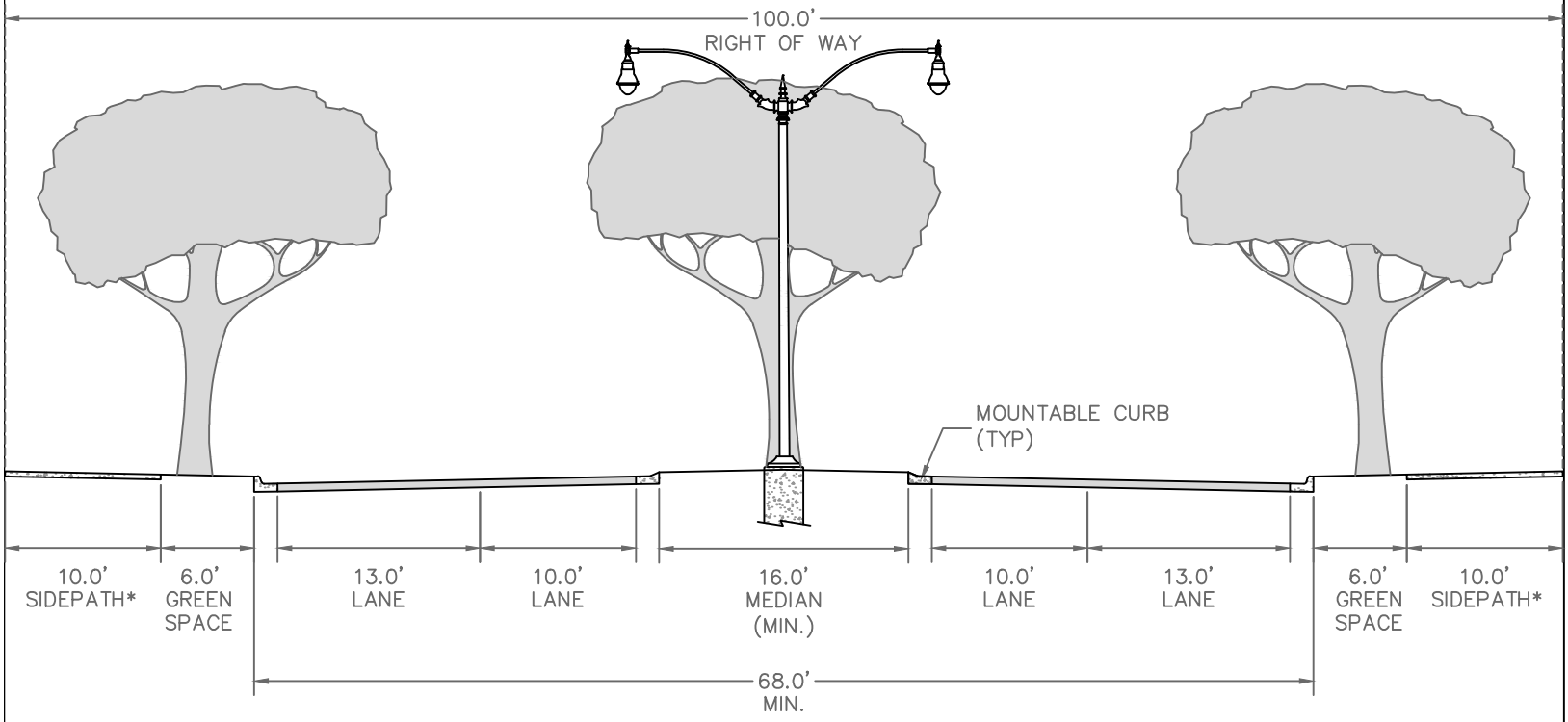
Ozark Civil Engineering, Inc.

Michael Clotfelter, Project Manager

Kum & Go, 2421

1st. Street Roadway (Existing)

MAJOR ARTERIAL STREET



* SIDEPATHS SHALL BE CONCRETE AND MATCH THE TRAIL DETAIL FOR JOINTING AND BASE EXCEPT EXPANSION JOINTS SHALL BE SPACED EVERY 100'.

1. STANDARD HEIGHT TO THE STREET LIGHT HEAD SHALL BE 30 FEET (TYP).
2. STREET LIGHTS SHALL BE PELCO MAJESTIC SERIES ROADWAY POLES WITH HARRISBURG SERIES LED LUMINAIRES, HOLOPHANE FLUTED POLE WITH COLUMBIA CLAMSHELL BASE AND MEMPHIS UTILITY TEARDROP LED 2 WITH WEST LIBERTY FITTER, OR STAFF APPROVED EQUAL. LIGHTS SHALL BE SPACED A MAXIMUM OF 200 FEET APART AND AT INTERSECTIONS. POLES AND LUMINAIRES SHALL BE POWDER COATED BRONZE FEDERAL STANDARD COLOR 20062. SEE CITY WEBSITE FOR DETAILED SPECIFICATIONS.
3. PAVING SECTION DETERMINED BY GEOTECHNICAL ENGINEER. BASE COURSE TO EXTEND 1' BEYOND CURB.
4. ALL CURB IS 1.5' WIDE.
5. THE OUTSIDE LANE EACH DIRECTION SHALL BE STRIPED WITH A SHARROW CENTERED 3' OFF THE FACE OF CURB AND SPACED EVERY 250'.
6. RAMP DRIVEWAYS UP TO MEET SIDEWALKS AND SIDEPATHS.
7. IF A MAJOR ARTERIAL IS APPROVED WITHOUT THE MEDIAN, STREET LIGHTS SHALL BE PLACED ON BOTH SIDES OF THE STREET AND CENTERED IN THE GREENSPACE.

40-45 MPH
100' ROW

CITY OF ROGERS
301 WEST CHESTNUT STREET
ROGERS, ARKANSAS 72756
(479) 621-1186

TYPICAL STREET SECTIONS

1 OF 6

NOT TO SCALE

OCTOBER 12, 2016

LARGE SCALE DEVELOPMENT PLANS
STORE # 2421
101 WEST NEW HOPE ROAD
ROGERS, AR

PROJECT TEAM:

OWNER/DEVELOPER/APPLICANT:
KUM & GO L.C.
6400 WESTOWN PARKWAY
WEST DES MOINES, IA 50266
CONTACT: DAN GARNEAU
PHONE: 515.457.6392
EMAIL: Dan.Garneau@kumandgo.com

ENGINEER:
OZARK CIVIL ENGINEERING, INC.
3214 NW AVIGNON WAY, STE 4
BENTONVILLE, AR 72712
CONTACT: TODD A. BUTLER, P.E.
PHONE: 479.464.8850
EMAIL: tbutler@ozarkcivil.com

GEOTECHNICAL ENGINEER:
BUILDING & EARTH
3165 PINE WOODS ROAD
SPRINGDALE, AR 72762
CONTACT: JOSEPH D. VISTAD
PHONE: 479.756.1555
EMAIL:

SURVEYOR:
OZARK CIVIL ENGINEERING, INC.
3214 NW AVIGNON WAY, STE 4
BENTONVILLE, AR 72712
CONTACT: RICK DAYTON
PHONE: 479.464.8850
EMAIL: rdayton@ozarkcivil.com

CITY OF ROGERS:
COMMUNITY DEVELOPMENT
301 W. CHESTNUT ST.
ROGERS, AR 72756
DIRECTOR OF COMMUNITY DEVELOPMENT
CONTACT: JOHN McCURDY
OFFICE: 479.621.1186
EMAIL: community.development@rogersar.gov

STORM SEWER:
CITY OF ROGERS
301 W. CHESTNUT ST.
ROGERS, AR 72756
CITY ENGINEER
CONTACT: LANCE JOBE
PHONE: 479.621.1186
EMAIL: ljobe@rogerar.gov

WATER AND SEWER:
ROGERS WATER UTILITIES
601 S. 2ND ST.
ROGERS, AR 72756
CONTACT: STEPHEN PONDER
PHONE: 479.621.1142
EMAIL: stephenponder@rogerar.gov

ELECTRIC:
AEP/SWEPCO
CONTACT: CHRIS ANDREOLLI
PHONE: 479.986.1015
EMAIL: 479.225.0813
EMAIL: clandreolli@aep.com

TELEPHONE:
AT&T
700 W. WALNUT ST.
ROGERS, AR 72756
CONTACT: BRYAN WILLIAMS
PHONE: 479.442.3173
MOBILE: 479.249.5194
EMAIL: aw9156@att.com

GAS:
BLACK HILLS ENERGY
CONTACT: Scott Stokes
PHONE: 479.435.0229
EMAIL: Scott.Stokes@blackhillscorp.com

HEALTH DEPARTMENT:
4815 W. MARKHAM ST. SLOT
LITTLE ROCK, AR 72205
DISTRICT 1ENGINEER
CONTACT: Adam Parker, E.I.
PHONE: 501.661.2623

ARCHITECT:
BRR ARCHITECTURE
8131 METCALF AVENUE, SUITE 300
OVERLAND PARK, KS 66204
CONTACT: SARINA SHANKS, ASSOC. AIA
PHONE: 913.262.9095
FAX: 913.262.9044
EMAIL: sarina.shanks@brrarch.com

BENCHMARKS:

BASIS OF BEARINGS:
ARKANSAS STATE PLANE COORDINATES (NORTH ZONE), NAD 83 (2011).

BENCHMARK NO. 1: SQUARE CUT, TOP OF CURB 60.89' EAST AND 45.24' NORTH OF THE NE CORNER OF TRACT 6
ELEVATION 1347.55 (NAVD 88)

BENCHMARK NO. 2: SQUARE CUT, TOP OF THE TRAFFIC CONTROL STRUCTURE
ELEVATION 1349.50 (NAVD 88)

FLOOD ZONE STATEMENT:

BY GRAPHIC SCALING ONLY THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS DETERMINED FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, MAP NO. 05007C0280K AND 05007C0290K EFFECTIVE DATE: JUNE 05, 2012.

LEGAL DESCRIPTION:

A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A 5/8" IRON REBAR CAP #1519 LOCATED S 86°31'38" E 359.22 FEET, S 14°52'55" W 709.61 FEET, S 86°42'20" E 810.94 FEET, AND S 02°52'56" W 206.87 FEET FROM THE NW CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE S 86°30'14" E 257.46 FEET TO A 5/8 INCH IRON REBAR CAP #1519 LOCATED ON THE WEST RIGHT OF WAY LINE OF SOUTH FIRST STREET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING SIX CALLS: S 02°24'13" W 38.71 FEET, S 08°06'51" W 100.50 FEET, S 04°40'08" W 84.43 FEET, S 88°26'22" W 3.00 FEET, S 00°29'15" W 77.57 FEET, AND S 34°01'06" W 82.89 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NEW HOPE ROAD; THENCE LEAVING SAID S. FIRST STREET RIGHT OF WAY AND CONTINUING ALONG NEWHOPE ROAD NORTH RIGHT OF WAY TE FOLLOWING TWO CALLS: S 85°08'32" W 12.89 FEET AND N 86°14'08" W 190.61 FEET TO A 5/8 INCH IRON REBAR CAP #1519; THENCE LEAVING SAID NORTH NEW HOPE ROAD RIGHT OF WAY AND RUNNING N 02°52'56" E 373.42 FEET TO THE POINT OF BEGINNING, CONTAINING 2.1 ACRES, MORE OR LESS. ALSO, AND SUBJECT TO AN ACCESS EASEMENT FOR TRACTS 5 AND 6 PLATTED HERE-ON, FOR INGRESS AND EGRESS, BEING A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A 5/8 INCH REBAR CAP #1519 LOCATED AT THE POINT OF BEGINNING OF TRACT 6 HERE-ON, THENCE S 02°52'56" W 373.42 FEET TO A 1/2 INCH REBAR LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE AND THE TRUE POINT OF BEGINNING; THENCE N 85°49'35" W 25.01 FEET ALONG SAID RIGHT OF WAY TO A POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING N 03°19'27" E 99.82 FEET TO A POINT; THENCE S 86°14'08" E 50.01 FEET TO A POINT; THENCE S 03°19'24" W 100 FEET TO A POINT LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE; THENCE N 86°14'08" W 25.00 FEET TO THE POINT OF BEGINNING.

CITY OF ROGERS NOTES:

1. A STATE CONTRACTOR'S LICENSE IS REQUIRED FOR PROJECTS EXCEEDING $20,000
2. AN EASEMENT PLAT IS REQUIRED FOR CERTIFICATE OF OCCUPANCY.
3. ALL CIVIL PLANS USED ON SITE MUST INCLUDE MOST CURRENT STAMP BY ROGERS PLANNING.
4. 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.
5. 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.
6. THERE IS TO BE NO LIGHT BLEED-OFF ON ADJACENT RESIDENTIAL AREAS.
7. IF A KARST FEATURE (SPRING, SINKHOLE OR OTHER DIRECT RECHARGE FEATURE ASSOCIATED WITH KARST HYDROLOGY) IS ENCOUNTERED DURING CONSTRUCTION, CONSTRUCTION IN THE VICINITY SHOULD BE HALTED AND THE AREA PROTECTED WITH REDUNDANT PERIMETER CONTROLS. AN ARKANSAS-REGISTERED PROFESSIONAL GEOLOGIST OR ENGINEER SHOULD EVALUATE TO RECOMMEND DESIGN MODIFICATIONS TO LIMIT IMPACTS AND DIRECT RECHARGE OF RUNOFF. IF A KARST FEATURE IS ENCOUNTERED, IMMEDIATELY NOTIFY THE STORMWATER MANAGER AT THE CITY OF ROGERS AT 479-621-1186".

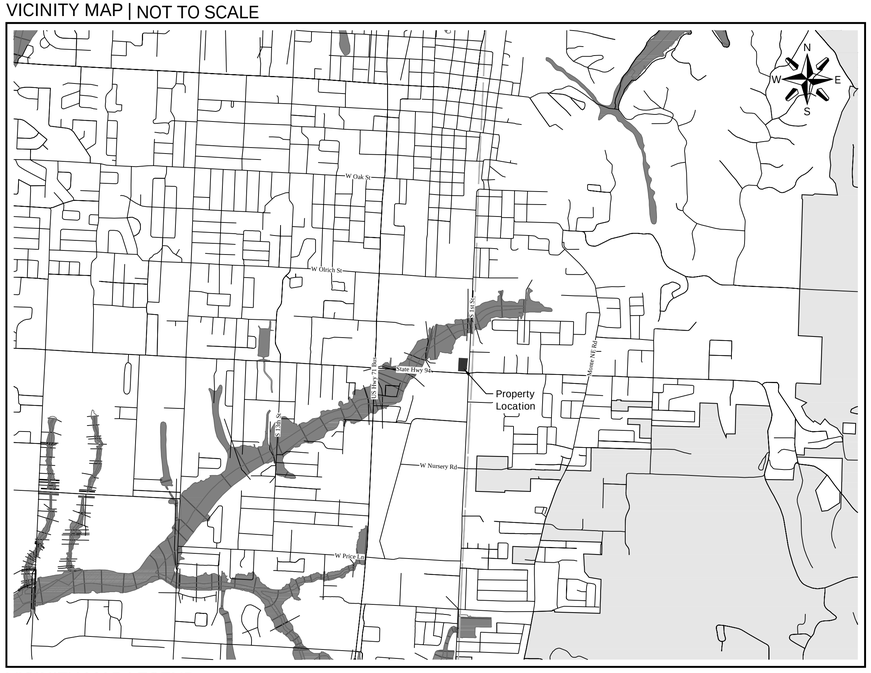
CITY APPROVAL STAMP

Know what's below. Call before you dig.
CALL 811 SEVENTY-TWO HOURS PRIOR TO DIGGING, GRADING OR EXCAVATING FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

CONFIDENTIAL DOCUMENT:
INFORMATION CONTAINED IN THIS DOCUMENT IS PROPRIETARY TO KUM & GO, L.C. AND SHALL NOT BE DISTRIBUTED.

WHERE & MEANS MORE!

VICINITY MAP | NOT TO SCALE



VICINITY MAP LEGEND:

CITY LIMITS | 100YR FLOOD ZONE | FLOODWAY

GENERAL NOTES:

1. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS AND EXISTING FIELD CONDITIONS WHEN POSSIBLE. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES BY HAND DIGGING TEST PITS AT ALL UTILITY CROSSINGS IN ADVANCE OF TRENCHING WITH ANY MECHANICAL DEVICE. CLEARANCES LESS THAN SPECIFIED ON THESE PLANS OR 18" (INCHES), WHICHEVER IS LESS, CONTRACTOR SHALL CONTACT OZARK CIVIL ENGINEERING, INC. @ 479-464.8850 PRIOR TO ANY FURTHER CONSTRUCTION.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATION OR REMOVAL OF EXISTING UNDERGROUND UTILITIES SHOWN OR NOT SHOWN AT NO ADDITIONAL COST TO THE OWNER.
3. CONTRACTOR SHALL INCLUDE IN CONTRACT THE PRICE FOR THE REMOVAL AND DISPOSAL OF ANY EXCESS TOPSOIL THAT IS DETERMINED NOT NEEDED TO ESTABLISH THE FINAL GRADES AND LANDSCAPING.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND USE OF ANY AND ALL REQUIRED OR NECESSARY SHORING, SHEETING, BRACING AND SPECIAL EXCAVATION MEASURES REQUIRED ON THIS PROJECT THAT WILL MEET OR EXCEED OSHA, FEDERAL, STATE AND LOCAL REGULATIONS DURING CONSTRUCTION. OZARK CIVIL ENGINEERING, INC. AND THE DEVELOPER AND/OR OWNER ACCEPTS NO RESPONSIBILITY FOR THE CONTRACTORS FAILURE TO COMPLY WITH THESE REGULATIONS.
5. ALL UTILITIES, INCLUDING STORM SEWER, SHOWN WITHIN PUBLIC EASEMENTS OR RIGHT OF WAYS SHALL BE CONSTRUCTED TO THE GOVERNING AGENCY'S SPECIFICATIONS. ALL OTHER UTILITIES SHALL BE CONSTRUCTED TO THE CLIENT'S SPECIFICATIONS, THE REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION, OR FOLLOW THE "10 STATE STANDARDS RECOMMENDED STANDARDS FOR WASTEWATER FACILITIES, CURRENT EDITION" WHICHEVER IS MORE STRINGENT. IF THERE IS A QUESTION AS TO WHICH SPECIFICATIONS SHOULD APPLY THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FOLLOW ALL RECOMMENDATIONS. WHERE A CONFLICT EXISTS BETWEEN THE CITY'S, COUNTY'S AND/OR HIGHWAY DEPARTMENT'S STANDARDS, THE MOST STRINGENT SHALL APPLY.
7. FURTHERMORE, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN THE EROSION CONTROL MEASURES AS SHOWN AS PART OF THESE PLANS. CONTRACTOR SHALL KEEP THESE MAINTAINED THROUGHOUT ALL PHASES OF CONSTRUCTION. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR IMPLEMENTING THE SWPPP.
8. ALL PHASES OF CONSTRUCTION SHALL MEET OR EXCEED THE OWNER'S AND/OR DEVELOPER'S SITE WORK SPECIFICATIONS.
9. REFER TO ARCHITECTURAL AND MEP PLANS FOR THE EXACT DIMENSIONS AND LOCATIONS OF ANY RAMPS, VESTIBULES, PORCHES, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS, TRUCK DOCKS OR WELLS, AND PRECISE BUILDING DIMENSIONS.
10. CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION PROCEDURES. DISPOSAL SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
11. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY ALL EXISTING FEATURES AS SHOWN ON THE SURVEY AND NOTIFY THE SURVEYOR AND THE ENGINEER OF RECORD OF ANY INACCURACIES FOUND ON THE SURVEY PRIOR TO BEGINNING CONSTRUCTION.
12. THE GENERAL CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
13. ALL WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY OR OTHERWISE NOTED ON THE THESE PLANS SHALL BE CONSTRUCTED TO THE GOVERNING AGENCY'S SPECIFICATIONS. IF ANY WORK PERFORMED IS NOT PROTOTYPICAL OR CONSTRUCTION CANNOT BE ACHIEVED, CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO OZARK CIVIL ENGINEERING, INC. FOR REVIEW AND APPROVAL.
14. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING ALL PHASES OF CONSTRUCTION OF THIS SITE. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND SHALL NOT BE LIMITED TO CONSTRUCTION WORKING HOURS.
15. 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.
16. 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.
17. 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.

WARRANTY / DISCLAIMER
THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR DESIGN FUNCTION AND USE INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR HIS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION AT THE SITE.

SHEET INDEX

REV/ADD			
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	5	SITE LAYOUT PLAN	C3.1
	6	PAVEMENT & STRIPING PLAN	C3.2
	7	ADA COMPLIANCE PLAN	C3.3
	8	CONSTRUCTION DETAILS PG.1	CD3.0
	9	CONSTRUCTION DETAILS PG.2	CD3.1
	10	PAVEMENT DETAILS PG.1	CD3.2
	11	PAVEMENT DETAILS PG.2	CD3.3
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	19	PUBLIC STORM SEWER P&P LINE "C"	C5.4
	20	CHANNEL P&P	C5.5
	21	GRADING AND DRAINAGE DETAILS PG.1	CD5.0
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	30	LANDSCAPE PLAN	L1.0
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	36	CITY OF ROGERS DETAILS	CD8.0
	37	ARDOT DETAILS	CD8.1
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	39	ROGERS WATER UTILITIES - WATER DETAILS	WD-1
	40	ROGERS WATER UTILITIES - WATER DETAILS	WD-2
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	42	CANOPY ELEVATIONS	
	43	TRASH ENCLOSURE ELEVATIONS	

DRAWINGS NOT INCLUDED IN THIS SUBMITTAL

SITE DATA

STORE TYPE		MP-LD-2017V4
CANOPY / DISPENSER ARRANGEMENT		6 SINGLE
TYPE OF USE		CONVENIENCE STORE WITH FUEL - CUP APPROVED 12/07/21
HEIGHT	BUILDING	21'-0" / 1 STORY
	TOP OF BLADE WALL	22'-6"
	CANOPY	21'-0"
GROSS FLOOR AREA		5,620 S.F.
GROSS CANOPY AREA		3,936 S.F.
TOTAL GROSS SITE AREA		±2.102 AC / 91,559 SF
TOTAL R/W DEDICATION		±0.024 AC / 1,053.385 SF
TOTAL NET SITE AREA		±2.078 AC / 90,505.615 SF
FAR (INCLUDING CANOPY)		10.56%
COVERAGES	BUILDING	5,620 SF (6.21%)
	PARKING/DRIVE/SIDEWALK	± 35,831.123 (39.59%)
	IMPERVIOUS AREAS	± 41,451.123 (45.80%)
	OPEN SPACE (LANDSCAPE)	± 49,054.492 SF (54.20%)
BICYCLE PARKING (2 RACKS)		4 SPACES
NO MINIMUM PARKING REQUIRED		
PROVIDED PARKING	STANDARD (9' x 19')	16
	STANDARD (9' x 18')	4
	ADA (8' x 19')	2
	TOTAL	22
	PARKING RATIO = 1 CARS/250 S.F.	

ZONING INFORMATION

CURRENT ZONING	C-3
MINIMUM LOT AREA (SQUARE FEET)	N/A
MINIMUM LOT WIDTH (FEET)	N/A
SITE AREA PER UNIT (SQUARE FEET)	N/A
FRONT YARD (SOUTH) SETBACK (FEET)	5' TO 30' BUILD TO ZONE
EAST SIDE YARD SETBACK (FEET)	5'
WEST SIDE YARD SETBACK (FEET)	5'
REAR YARD (NORTH) SETBACK (FEET)	10'
MAXIMUM HEIGHT	3 STORIES
MAXIMUM BUILDING COVERAGE	80%
MAXIMUM IMPERVIOUS COVERAGE	90%

PL202101332

Ozark Civil Engineering Inc.
3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9304
03-16-22

Kum & Go
6400 Westown Parkway
West Des Moines, Iowa
50266
P: 515-226-0128

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD
COVER SHEET

KG PROJECT TEAM:
RDM: Alex Sappingfield
SDM: Dan Garneau
CPM: Scott Newbury

REVISIONS

	DATE	REVISION DESCRIPTION
R4	03/16/22	CITY COMMENTS - 5TH SUBMITTAL

DATE: 03/16/2022

SHEET NUMBER: C1.0

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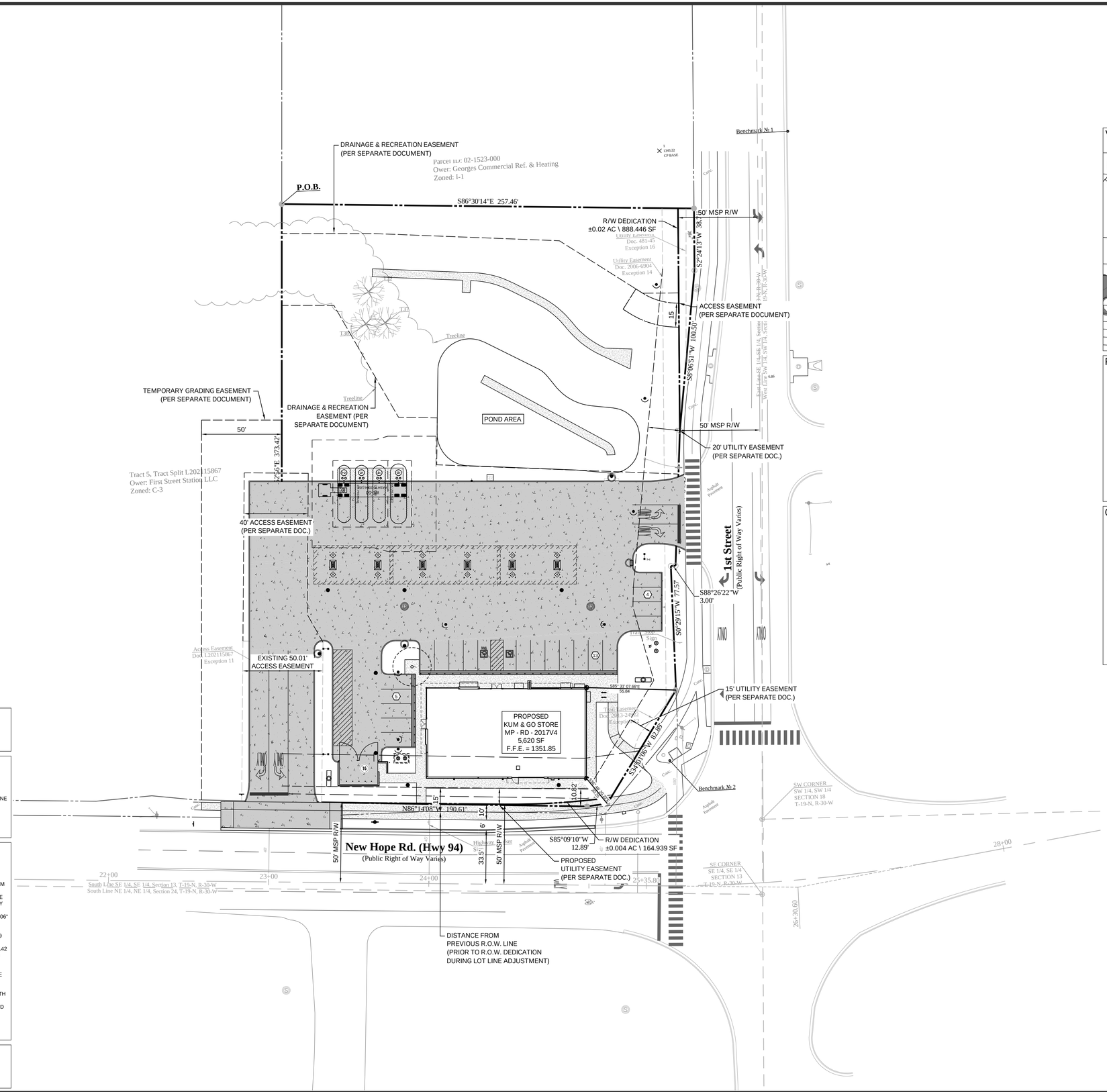
21-1373

CITY APPROVAL STAMP



FLOOD NOTE:

BY GRAPHIC SCALING ONLY THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS DETERMINED FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, MAP NO. 05007C0280K AND 05007C0290K EFFECTIVE DATE: JUNE 05. 2012.

BENCHMARKS

BASIS OF BEARINGS:
ARKANSAS STATE PLANE COORDINATES (NORTH ZONE),
NAD 83 (2011).

BENCHMARK NO. 1: SQUARE CUT, TOP OF CURB 60.89' EAST AND 45.24' NORTH OF THE NE CORNER OF TRACT 6.
ELEVATION 1347.55 (NAVD 88)

BENCHMARK NO. 2: SQUARE CUT, TOP OF THE TRAFFIC CONTROL STRUCTURE.
ELEVATION: 1349.50 (NAVD 88)

LEGAL DESCRIPTION

A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A 5/8" IRON REBAR CAP #1519 LOCATED S 86°31'38" E 359.22 FEET, S 14°52'55" W 709.61 FEET, S 86°42'20" E 810.94 FEET, AND S 02°52'56" W 206.87 FEET FROM THE NW CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE S 86°30'14" E 257.46 FEET TO A 5/8 INCH IRON REBAR CAP #1519 LOCATED ON THE WEST RIGHT OF WAY LINE OF SOUTH FIRST STREET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING SIX CALLS: S 02°24'13" W 38.71 FEET, S 08°06'51" W 100.50 FEET, S 04°40'08" W 84.43 FEET, S 88°26'22" W 3.00 FEET, S 00°29'15" W 77.57 FEET, AND S 34°01'06" W 82.89 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NEW HOPE ROAD;
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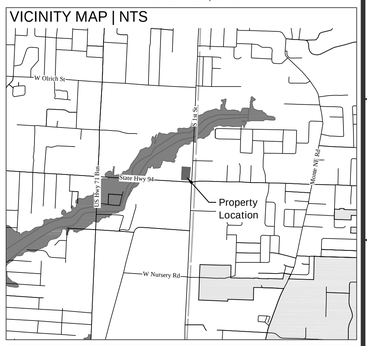
DOMESTIC WATER QUALITY UNITS

GRAINS OF HARDNESS: 81 mg/l

TOTAL DISSOLVED SOLIDS: 122 mg/l

GRAPHIC SCALE IN FEET | 1in = 30ft

VICINITY MAP | NTS



PROPOSED FEATURES | REFER TO SURVEY FOR EXISTING FEATURES

GENERAL FEATURES

- PROPERTY LINE
- SUBDIVISION / OUTPARCEL PROPERTY LINE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- EDGE OF CONCRETE
- CONCRETE CURB AND GUTTER | REFER TO PLAN FOR TYPE &/OR SIZE
- FENCING | REFER TO PLAN FOR TYPE AND SIZE
- BUILDING CONTROL POINT
- DRAINAGE STRUCTURES | REFER TO GRADING PLAN FOR TYPE
- UTILITY STRUCTURES | REFER TO UTILITY PLAN FOR TYPE
- SITE LIGHTING | REFER TO ELECTRICAL PLAN FOR TYPE, SIZE & DETAILS

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PL202101332

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3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

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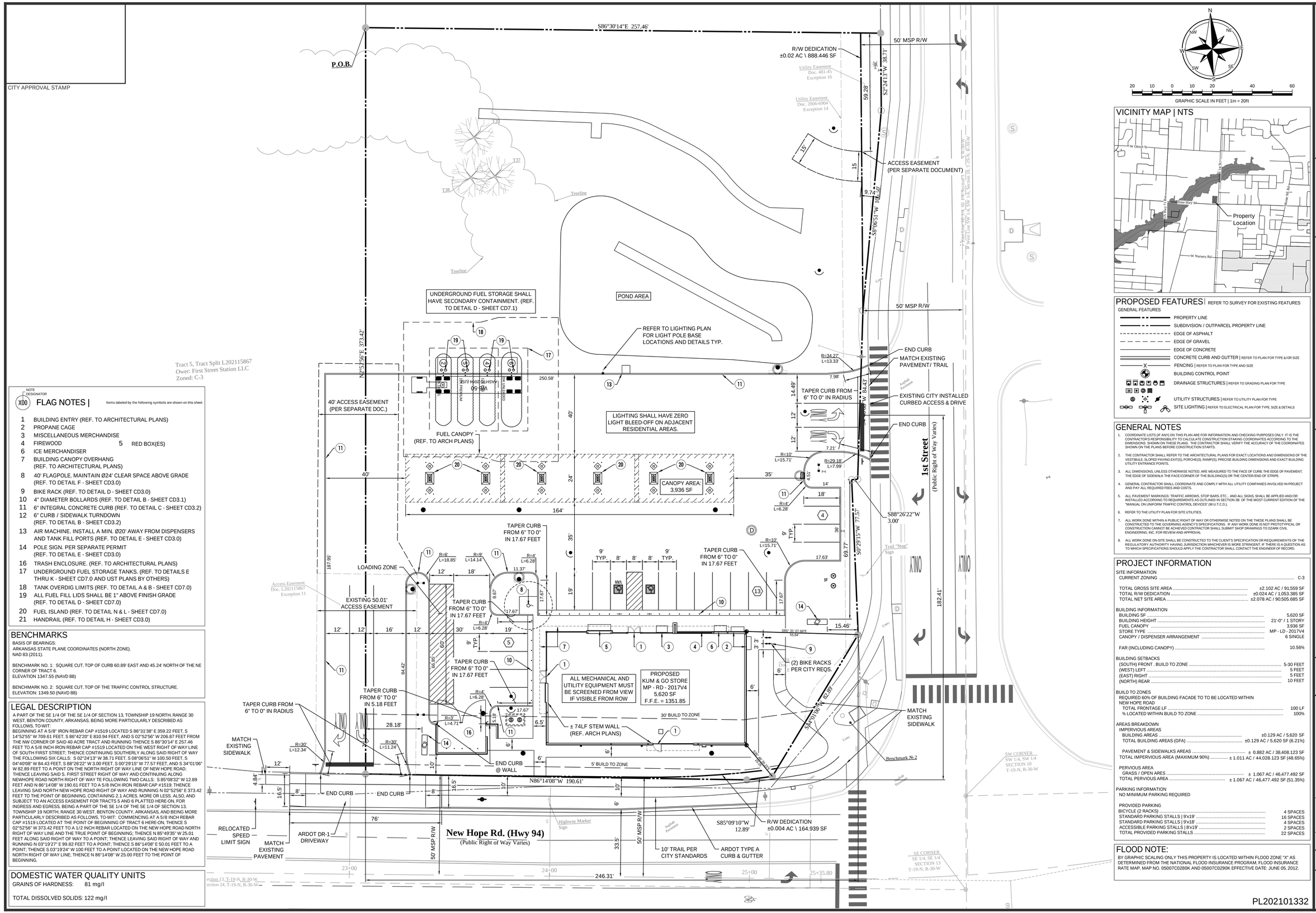

FLAG NOTES |

NOTE DESIGNATOR: X00

Items labeled by the following symbols are shown on this sheet.

1 BUILDING ENTRY (REF. TO ARCHITECTURAL PLANS)
2 PROPANE CAGE
3 MISCELLANEOUS MERCHANDISE
4 FIREWOOD
5 RED BOX(ES)
6 ICE MERCHANDISER
7 BUILDING CANOPY OVERHANG (REF. TO ARCHITECTURAL PLANS)
8 40' FLAGPOLE, MAINTAIN Ø24' CLEAR SPACE ABOVE GRADE (REF. TO DETAIL F - SHEET CD3.0)
9 BIKE RACK (REF. TO DETAIL D - SHEET CD3.0)
10 4" DIAMETER BOLLARDS (REF. TO DETAIL B - SHEET CD3.1)
11 6" INTEGRAL CONCRETE CURB (REF. TO DETAIL C - SHEET CD3.2)
12 6" CURB / SIDEWALK TURNDOWN (REF. TO DETAIL B - SHEET CD3.2)
13 AIR MACHINE. INSTALL A MIN. Ø20' AWAY FROM DISPENSERS AND TANK FILL PORTS (REF. TO DETAIL E - SHEET CD3.0)
14 POLE SIGN. PER SEPARATE PERMIT (REF. TO DETAIL E - SHEET CD3.0)
16 TRASH ENCLOSURE. (REF. TO ARCHITECTURAL PLANS)
17 UNDERGROUND FUEL STORAGE TANKS. (REF. TO DETAILS E THRU K - SHEET CD7.0 AND UST PLANS BY OTHERS)
18 TANK OVERDIG LIMITS (REF. TO DETAIL A & B - SHEET CD7.0)
19 ALL FUEL FILL LIDS SHALL BE 1" ABOVE FINISH GRADE (REF. TO DETAIL D - SHEET CD7.0)
20 FUEL ISLAND (REF. TO DETAIL N & L - SHEET CD7.0)
21 HANDRAIL (REF. TO DETAIL H - SHEET CD3.0)

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PROJECT INFORMATION

SITE INFORMATION
CURRENT ZONING C-3

TOTAL GROSS SITE AREA ..... ±2.102 AC / 91.559 SF
TOTAL R/W DEDICATION ..... ±0.024 AC / 1,053.385 SF
TOTAL NET SITE AREA ..... ±2.078 AC / 90.505.685 SF

BUILDING INFORMATION
BUILDING SF ..... 5,620 SF
BUILDING HEIGHT ..... 21'-0" / 1 STORY
FUEL CANOPY ..... 3,936 SF
STORE TYPE ..... MP - LD - 2017V4
CANOPY / DISPENSER ARRANGEMENT ..... 6 SINGLE

FAR (INCLUDING CANOPY) 10.56%

BUILDING SETBACKS
(SOUTH) FRONT, BUILD TO ZONE ..... 5-30 FEET
(WEST) LEFT ..... 5 FEET
(EAST) RIGHT ..... 5 FEET
(NORTH) REAR ..... 10 FEET

BUILD TO ZONES
REQUIRED 60% OF BUILDING FACADE TO TO BE LOCATED WITHIN NEW HOPE ROAD
TOTAL FRONTAGE LF ..... 100 LF
% LOCATED WITHIN BUILD TO ZONE 100%

AREAS BREAKDOWN
IMPERVIOUS AREAS
BUILDING AREAS ..... ±0.129 AC / 5,620 SF
TOTAL BUILDING AREAS (GFA) ..... ±0.129 AC / 5,620 SF (6.21%)

PAVEMENT & SIDEWALKS AREAS ..... ± 0.882 AC / 38.408.123 SF
TOTAL IMPERVIOUS AREA (MAXIMUM 90%) ..... ± 1.011 AC / 44,028.123 SF (48.65%)

PERVIOUS AREA
GRASS / OPEN ARES ..... ± 1.067 AC / 46,477.492 SF
TOTAL PERVIOUS AREA ..... ± 1.067 AC / 46,477.492 SF (51.35%)

PARKING INFORMATION
NO MINIMUM PARKING REQUIRED

PROVIDED PARKING
BICYCLE (2 RACKS) ..... 4 SPACES
STANDARD PARKING STALLS | 9'x19' ..... 16 SPACES
STANDARD PARKING STALLS | 9'x18' ..... 4 SPACES
ACCESSIBLE PARKING STALLS | 8'x19' ..... 2 SPACES
TOTAL PROVIDED PARKING STALLS ..... 22 SPACES

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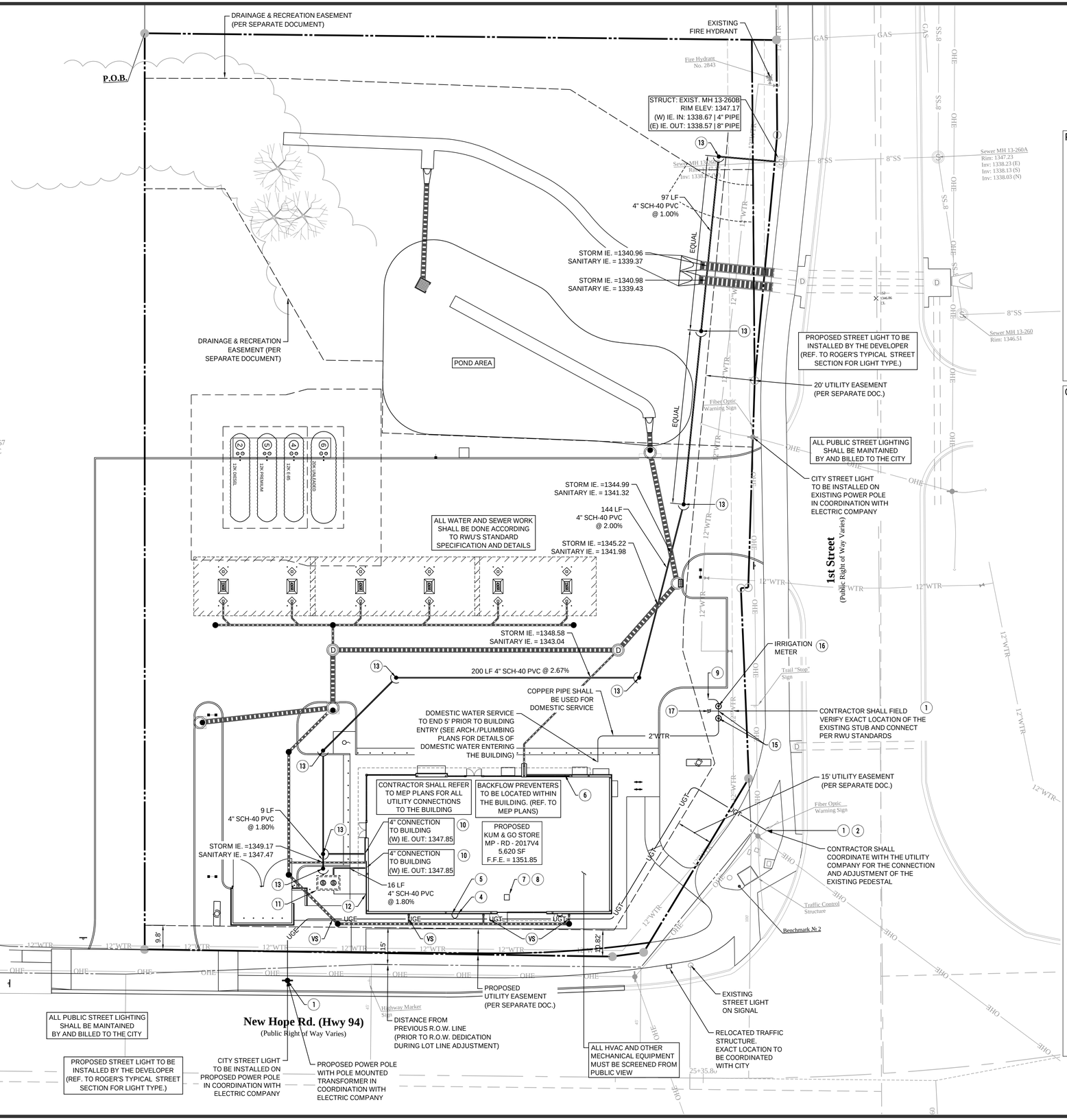

NOTE DESIGNATOR

X00 FLAG NOTES |

Items labeled by the following symbols are shown on this sheet.

- VS MAINTAIN A MINIMUM VERTICAL SEPARATION OF 24" BETWEEN WATER AND SEWER LINES AND 18" BETWEEN ALL OTHER UTILITIES
- 1 POINT OF CONNECTION. FIELD VERIFY DEPTH AND LOCATION AND CONNECT PER LOCAL CODES
- 2 PAD MOUNTED TRANSFORMER, COORDINATE WITH LOCAL UTILITY PROVIDER
- 3 4" PVC SCHEDULE 40 CONDUITS, SEE PLAN FOR QUANTITY
- 4 ELECTRIC CONNECTION TO BUILDING (REF. TO MEP PLANS FOR EXACT LOCATION)
- 5 TELEPHONE CONNECTION TO BUILDING (REF. TO MEP PLANS FOR EXACT LOCATION)
- 6 2" DOMESTIC WATER CONNECTION TO THE BUILDING. CONTRACTOR TO MAINTAIN A CONTINUOUS WATERLINE UNDER THE BUILDING SLAB. (REF. TO MEP/PLUMBING PLANS FOR EXACT LOCATION)
- 7 IRRIGATION CONTROLLER TO BE LOCATED IN SUPPORT ROOM. (REFER TO ELECTRICAL PLANS)
- 8 RAIN / FREEZE SENSOR TO BE MOUNTED ON METAL MECHANICAL SCREEN AT REAR OF BUILDING. (SEE DETAIL G - SHEET CD3.0)
- 9 1.5" IRRIGATION SERVICE OUT TO SYSTEM WITH RPZ (REF. TO DETAIL C - SHEET L1.5)
- 10 4" SEWER CONNECTION TO THE BUILDING (REF. TO MEP PLANS FOR EXACT LOCATION)
- 11 INSTALL GREASE INTERCEPTOR WITH SAMPLE PORT AND TRAFFIC RATED LIDS. PER LOCAL STANDARDS AND SPECIFICATIONS. VENT BACK TO BUILDING. (REF. TO DETAIL A SHEET CD6.0)
- 12 GREASE INTERCEPTOR VENT CONNECTION TO THE BUILDING (REF. TO MEP PLANS FOR EXACT LOCATION)
- 13 CLEAN OUT (REF. TO DETAIL C - SHEET CD6.0)
- 14 48" MANHOLE (REF. TO DETAIL SD-1/2)
- 15 2" WATER SERVICE CONNECTION & METER (REF. TO DETAIL WD-1/5)
- 16 1" WATER METER (REF. TO DETAIL WD-1/7)
- 17 FIRE HYDRANT ASSEMBLY (REF. TO DETAIL WD-1/4A & 4B)

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N NE E SE S SW W NW

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PROPOSED FEATURES | REFER TO SURVEY FOR EXISTING FEATURES

- PROPERTY LINE
- SUBDIVISION / OUTPARCEL PROPERTY LINE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- CONCRETE CURB AND GUTTER | REFER TO SITE PLAN FOR TYPE AND SIZE
- FENCING | REFER TO SITE PLAN FOR TYPE AND SIZE
- STORM SEWER | REFER TO PLAN FOR TYPE AND SIZE
- XX LF TYPE @ XX% SEWER LINES | REFER TO PLAN FOR TYPE AND SIZE
- XX" WTR WATERLINES | REFER TO PLAN FOR TYPE AND SIZE
- UGE UNDERGROUND ELECTRIC SERVICE
- OHE OVERHEAD ELECTRIC SERVICE
- UGT UNDERGROUND TELEPHONE SERVICE
- OHT OVERHEAD TELEPHONE SERVICE
- FO FIBER OPTIC CABLE SERVICE
- GAS SERVICE
- DRAINAGE STRUCTURES | REFER TO GRADING PLAN FOR TYPE
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEAN OUT
- UTILITY POLE
- FIRE HYDRANT | REFER TO PLAN FOR BOLLARD COUNT
- WATER LINE TEE, BEND, VALVE, AND PLUG
- SITE LIGHTING | REFER TO ELECTRICAL PLAN FOR TYPE, SIZE & DETAILS

GENERAL NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE CITY CONSTRUCTION DIVISION TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST 48 HOURS PRIOR TO STARTING ANY WORK ON THIS PROJECT. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS.
2. ALL PROPOSED UTILITIES SHALL HAVE A BURY DEPTH OF COVER OVER TOP OF THE PIPE AT LEAST 6' (INCHES) BELOW LEVEL OF MAXIMUM FROST PENETRATION, OR AS REQUIRED BY REGULATORY AUTHORITY HAVING JURISDICTION, WHICHEVER IS DEEPER. IF PIPE IS INSTALLED IN AN EXCAVATED "CUT" SECTION PRIOR TO COMPLETION OF GRADING OPERATIONS, PIPE SHALL BE INSTALLED SO THAT MINIMUM REQUIRED COVER WILL EXIST UPON COMPLETION OF GRADING OPERATIONS.
3. FOR PROPOSED UTILITIES INSTALLATION SHALL BE COORDINATED AND APPROVED BY THE REGULATORY AUTHORITY HAVING JURISDICTION.
4. THE EXISTING UTILITIES, OBSTRUCTIONS AND STRUCTURES SHOWN ON THE SE PLANS ARE FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CALL THE STATE ONE-CALL SYSTEM OR DESIGNATED UTILITY COMPANY PRIOR TO CONSTRUCTION AND ALL EXISTING UTILITIES, OBSTRUCTIONS AND STRUCTURES SHALL BE LOCATED AND FIELD VERIFIED AT NO ADDITIONAL COST BY THE CONTRACTOR TO THEIR SATISFACTION PRIOR TO CONSTRUCTION OF THE PROPOSED UTILITIES AND STRUCTURES. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE.
5. CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
6. IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO SPECIFICALLY MENTION WORK WHICH IS REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.
7. ALL ELECTRIC, TELEPHONE AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY'S SPECIFICATIONS AND ALL UTILITY DISCONNECTION'S SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
8. CONSTRUCTION SHALL NOT START ON ANY PUBLIC UTILITY SYSTEM UNTIL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE ENGINEER FROM THE APPROPRIATE REGULATORY AUTHORITY AND CONTRACTOR HAS BEEN NOTIFIED BY THE ENGINEER.
9. PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM OZARK CIVIL ENGINEERING, INC. AND THE DEVELOPER AND/OR OWNER OF ANY CONFLICT OR REQUIRED DEVIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION. OZARK CIVIL ENGINEERING, INC. AND ITS CLIENTS SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION.
10. UNLESS OTHERWISE SPECIFIED OR REQUIRED BY THE REGULATORY AUTHORITY HAVING JURISDICTION, WHICHEVER IS MORE STRINGENT, ALL MATERIAL USED FOR WATERLINES 6" AND LARGER SHALL BE AT A MINIMUM PVC, C900, CLASS 150, DR 18
11. ALL WATER LINE FITTINGS SHALL BE INSTALLED WITH THRUST BLOCKING PER RWU DETAIL WD-1 / 20 OR APPROVED EQUIVALENT ANCHOR. (REFER TO DETAIL SHEETS)
12. FIRE HYDRANT AND ASSEMBLY SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATORY AUTHORITY HAVING JURISDICTION OVER THE WATER SYSTEM. (REFER TO DETAIL SHEETS).
13. ALL FIRE HYDRANTS SHALL BE PROVIDED WITH AN APPROVED GATE VALVE A MAXIMUM OF 5'-0" FROM HYDRANT OR PER THE REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION.
14. ALL WATER MAINS SHALL BE HYDROSTATICALLY TESTED AND DISINFECTED BEFORE ACCEPTANCE PER THE REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION.
15. THE MINIMUM HORIZONTAL SEPARATION BETWEEN THE CLOSEST TWO POINTS OF THE WATER AND SEWER LINE IS 10' (FEET). THE MINIMUM VERTICAL SEPARATION BETWEEN THE CLOSEST TWO POINTS OF THE WATER AND SEWER LINE IS 18' (INCHES).
16. ALL WATER AND SANITARY LEADS TO BUILDING SHALL END 5' (FEET) OUTSIDE THE BUILDING LIMITS AS SHOWN ON PLAN AND SHALL BE PROVIDED WITH A TEMPORARY PLUG AT END. (UNLESS OTHERWISE SPECIFIED).
17. ALL WATER AND SEWER LINE PIPE BEDDING SHALL BE INSTALLED PER PER THE REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION. (REFER TO DETAIL SHEETS).
18. CONTRACTOR SHALL NOT TAP OR OTHERWISE PENETRATE EXISTING WATER AND SEWER MAIN LINES WITHOUT PRIOR APPROVAL FROM THE CITY'S INSPECTOR. CONTRACTOR IS RESPONSIBLE FOR AVOIDING SPILLAGE OF RAW SEWAGE. CONTRACTOR SHALL PROVIDE ALL SEWER PLUGGING AND PUMPING EQUIPMENT NECESSARY TO AVOID SPILLAGE. CONTRACTOR SHALL NOT OPERATE VALVES ON EXISTING WATER MAINS.
19. UNLESS OTHERWISE SPECIFIED OR REQUIRED BY THE REGULATORY AUTHORITY HAVING JURISDICTION, WHICHEVER IS MORE STRINGENT.
    a. ALL MATERIAL USED FOR SEWERS 8" AND LARGER SHALL BE AT A MINIMUM SDR 26 PVC
    b. ALL MATERIAL USED FOR SEWER SERVICE LINES SHALL BE SCHEDULE 40 PVC
20. FOR MANHOLES LOCATED WITHIN PAVED AREAS CONTRACTOR SHALL MATCH TOP OF PROPOSED SANITARY SEWER MANHOLE TO PROPOSED GRADES. IF A DISCREPANCY OCCURS BETWEEN PROPOSED GRADES AND PROPOSED STRUCTURE TOPS, THE GRADING SHALL GOVERN. IF THE DISCREPANCY IS MORE THAN 4 INCHES. THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD.
21. IF SANITARY SEWER MANHOLE IS LOCATED IN A GRASS AREA OR SLOPE. CONTRACTOR SHALL CONSTRUCT MANHOLE TOP TO AN ELEVATION 6 INCHES HIGHER THAN THE PROPOSED GRADES. IF THIS CANNOT BE ACHIEVED THEN CONTRACTOR SHALL USE A WATER TIGHT MANHOLE RIM AND COVER THAT MEETS OR EXCEEDS THE OWNERS/DEVELOPER'S STANDARD SITE SPECIFICATIONS.
22. ALL UTILITIES, INCLUDING STORM SEWER, SHOWN WITHIN PUBLIC EASEMENTS OR RIGHT OF WAYS SHALL BE CONSTRUCTED TO THE GOVERNING AGENCY'S SPECIFICATIONS. ALL OTHER UTILITIES SHALL BE CONSTRUCTED TO THE CLIENT'S SPECIFICATIONS. THE REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION, OR FOLLOW THE "10 STATE STANDARDS RECOMMENDED STANDARDS FOR WASTEWATER FACILITIES, CURRENT EDITION" WHICHEVER IS MORE STRINGENT. IF THERE IS A QUESTION AS TO WHICH SPECIFICATIONS SHOULD APPLY THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD.
23. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES ON ADJUSTING EXISTING UTILITY LINE AS REQUIRED BY CUT AND FILL AT NO ADDITIONAL COST TO THE OWNER.
24. CONTRACTOR SHALL NOTIFY ENGINEER OF RECORD AND ARCHITECT SHOULD ANY LIGHT POLE OR SIGN FOUNDATIONS CONFLICT WITH ANY UTILITY AND / OR STORM SEWER SYSTEM.
25. GENERAL CONTRACTOR WILL BE REPONSIBLE FOR ALL TAP AND TIE ON FEES REQUIRED, AS WELL AS COST OF UNDERGROUND SERVICE CONNECTIONS TO THE BUILDING.
26. ELECTRICAL SERVICE TO PAD MOUNTED TRANSFORMER SHALL BE RUN UNDERGROUND, FROM ROAD RIGHT-OF-WAY TO TRANSFORMER LOCATION. ASSOCIATED COST SHALL BE COVERED BY GENERAL CONTRACTOR. (UNLESS OTHERWISE SPECIFIED).
27. UTILITY CONTRACTOR SHALL FURNISH TELEPHONE CONDUIT(S) AS SHOWN ON PLAN, VERIFY LOCATION OF TIE-IN AT TELEPHONE COMPANIES SERVICE LINE. PROVIDE NYLON PULL CORD INSIDE CONDUIT.
28. ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE MEASURED TO THE CENTERLINE OF PIPE OR FITTING, FACE OF CURB, THE EDGE OF PAVEMENT, THE EDGE OF SIDEWALK THE FACE/CORNER OF THE BUILDING(S)
29. REFER TO PLUMBING SHEETS FOR EXACT LOCATION OF SEWER, DOMESTIC, AND IRRIGATION CONNECTIONS.
30. ALL TRENCHING, PIPE LAYING, AND BACK FILLING PROCEDURES SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
31. GENERAL CONTRACTOR SHALL HAVE APPROVAL OF ALL REGULATORY AGENCIES HAVING JURISDICTION OVER THE SYSTEM PRIOR TO INSTALLATION.
32. ALL WORK DONE WITHIN A PUBLIC RIGHT OF WAY OR OTHERWISE NOTED ON THE THESE PLANS SHALL BE CONSTRUCTED TO THE GOVERNING AGENCY'S SPECIFICATIONS. IF ANY WORK DONE IS NOT PROTOTYPICAL OR CONSTRUCTION CANNOT BE ACHIEVED CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO OZARK CIVIL ENGINEERING, INC. FOR REVIEW AND APPROVAL
33. ALL WORK DONE ON-SITE SHALL BE CONSTRUCTED TO THE CLIENT'S SPECIFICATION OR REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION, WHICHEVER IS MORE STRINGENT. IF THERE IS A QUESTION AS TO WHICH SPECIFICATIONS SHOULD APPLY THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD.

Ozark Civil Engineering Inc.
3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

STATE OF ARKANSAS
ARKANSAS REGISTERED PROFESSIONAL ENGINEER
No. 9504
03-16-22

Kum & Go

6400 Westown Parkway
West Des Moines, Iowa
50266
P: 515-226-0128

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD
UTILITY PLAN

KG PROJECT TEAM:
RDM: Alex Sappingfield
SDM: Dan Garneau
CPM: Scott Newbury

REVISIONS

△	DATE	REVISION DESCRIPTION
R4	03/16/22	CITY COMMENTS - 5TH SUBMITTAL

DATE: 03/16/2022

SHEET NUMBER: C6.0

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CITY APPROVAL STAMP

TREE PRESERVATION CALCULATIONS

TOTAL TREES REMOVED:44 TREES
TOTAL PRESERVATION TREES REQUIRED (1 TREE PER 5 TREES REMOVED):
9 REPLACEMENT TREES
TOTAL PRESERVATION TREES PROVIDED: 9 TREES

CITY REQUIREMENTS

TOTAL SITE AREA = 91,582 S.F. (2.10 ACRES)
GREEN SPACE REQUIRED - 20% OF TOTAL SITE = 18,316 S.F.
TOTAL GREEN SPACE PROVIDED = 50,071 S.F. = 54.67% OF SITE

TREE & SHRUB REQUIREMENTS
1 TREE/SHRUB PER 1,000 S.F. OF SITE AREA = 92 TREES/SHRUBS
25% OF PLANTINGS SHALL BE TREES = 23 TREES (MINIMUM)
TREES/SHRUBS PROVIDED = 142 TOTAL TREES & SHRUBS
44 TOTAL TREES PROVIDED
10% OF ALL TREES SHALL BE EVERGREEN:
44 TOTAL TREES SHOWN - 4 EVERGREEN TREES REQ'D
5 EVERGREEN TREES PROVIDED
25% MAX. TREES MAY BE ORNAMENTAL
44 TOTAL TREES - 11 ORNAMENTAL TREES MAX.
ORNAMENTAL TREES PROVIDED - 11 ORNAMENTAL TREES

MITIGATION TREES DENOTED ON PLAN WITH "M"

PLANT SCHEDULE

SYM.	KEY	QTY	COMMON NAME / Botanical Name	ROOT BALL	SIZE	SPACING
	UA	8	PRINCETON ELM - SHADE TREE / Ulmus americana 'Princeton'	B&B	2.5" - 8' MIN.	AS SHOWN
	TD	10	BALD CYPRESS - SHADE TREE / Taxodium distichum	B&B	2.5" - 8' MIN.	AS SHOWN
	QB	10	SWAMP WHITE OAK - SHADE TREE / Quercus bilcolor	B&B	2.5" - 8' MIN.	AS SHOWN
	CK	4	KOUSA DOGWOOD - ORNAMENTAL / Cornus kousa	CONT.	6' MIN.	AS SHOWN
	CC	7	OKLAHOMA RED BUD - ORNAMENTAL / Cercis canadensis	B&B	2" - 6' MIN.	AS SHOWN
	PE	5	SHORTLEAF PINE - EVERGREEN / Pinus echinada	B&B	2" - 6' MIN.	AS SHOWN
	LI	13	MUSKOGEE CREPE MYRTLE / Lagerstroemia indica 'Muskogee'	Cont.	7 GAL	AS SHOWN
	FX	11	FORSYTHIA / Forsythia 'x' species	Cont.	5 GAL	AS SHOWN
	AC	18	ROSE CREEK ABELIA / Abelia 'x' chinensis 'Rose Creek'	Cont.	5 GAL	AS SHOWN
	CS	11	RED TWIG DOGWOOD / Cornus sericea	Cont.	5 GAL	AS SHOWN
	CA	45	KARL FOERSTER REED GRASS / Calamagrostis acutiflora	Cont.	3 GAL	AS SHOWN

BENCHMARKS

BASIS OF BEARINGS:
ARKANSAS STATE PLANE COORDINATES (NORTH ZONE),
NAD 83 (2011).

BENCHMARK NO. 1: SQUARE CUT, TOP OF CURB 60.89' EAST AND 45.24 NORTH OF THE NE CORNER OF TRACT 6.
ELEVATION 1347.55 (NAVD 88)

BENCHMARK NO. 2: SQUARE CUT, TOP OF THE TRAFFIC CONTROL STRUCTURE.
ELEVATION: 1349.50 (NAVD 88)

LEGAL DESCRIPTION

A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A 5/8" IRON REBAR CAP #1519 LOCATED S 86°31'38" E 359.22 FEET, S 14°52'55" W 709.61 FEET, S 86°42'20" E 810.94 FEET, AND S 02°52'56" W 206.87 FEET FROM THE NW CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE S 86°30'14" E 257.46 FEET TO A 5/8 INCH IRON REBAR CAP #1519 LOCATED ON THE WEST RIGHT OF WAY LINE OF SOUTH FIRST STREET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING SIX CALLS: S 02°24'13" W 38.71 FEET, S 08°06'51" W 100.50 FEET, S 04°40'08" W 84.43 FEET, S 88°26'22" W 3.00 FEET, S 00°29'15" W 77.57 FEET, AND S 34°01'06" W 82.89 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NEW HOPE ROAD; THENCE LEAVING SAID S. FIRST STREET RIGHT OF WAY AND CONTINUING ALONG NEWHOPE ROAD NORTH RIGHT OF WAY TE FOLLOWING TWO CALLS: S 85°08'32" W 12.89 FEET AND N 86°14'08" W 190.61 FEET TO A 5/8 INCH IRON REBAR CAP #1519; THENCE LEAVING SAID NORTH NEW HOPE ROAD RIGHT OF WAY AND RUNNING N 02°52'56" E 373.42 FEET TO THE POINT OF BEGINNING, CONTAINING 2.1 ACRES, MORE OR LESS. ALSO, AND SUBJECT TO AN ACCESS EASEMENT FOR TRACTS 5 AND 6 PLATTED HERE-ON, FOR INGRESS AND EGRESS, BEING A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A 5/8 INCH REBAR CAP #1519 LOCATED AT THE POINT OF BEGINNING OF TRACT 6 HERE-ON, THENCE S 02°52'56" W 373.42 FEET TO A 1/2 INCH REBAR LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE AND THE TRUE POINT OF BEGINNING; THENCE N 85°49'35" W 25.01 FEET ALONG SAID RIGHT OF WAY TO A POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING N 03°19'27" E 99.82 FEET TO A POINT; THENCE S 86°14'08" E 50.01 FEET TO A POINT; THENCE S 03°19'24" W 100 FEET TO A POINT LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE; THENCE N 86°14'08" W 25.00 FEET TO THE POINT OF BEGINNING.

DOMESTIC WATER QUALITY UNITS

GRAINS OF HARDNESS: 81 mg/l

TOTAL DISSOLVED SOLIDS: 122 mg/l

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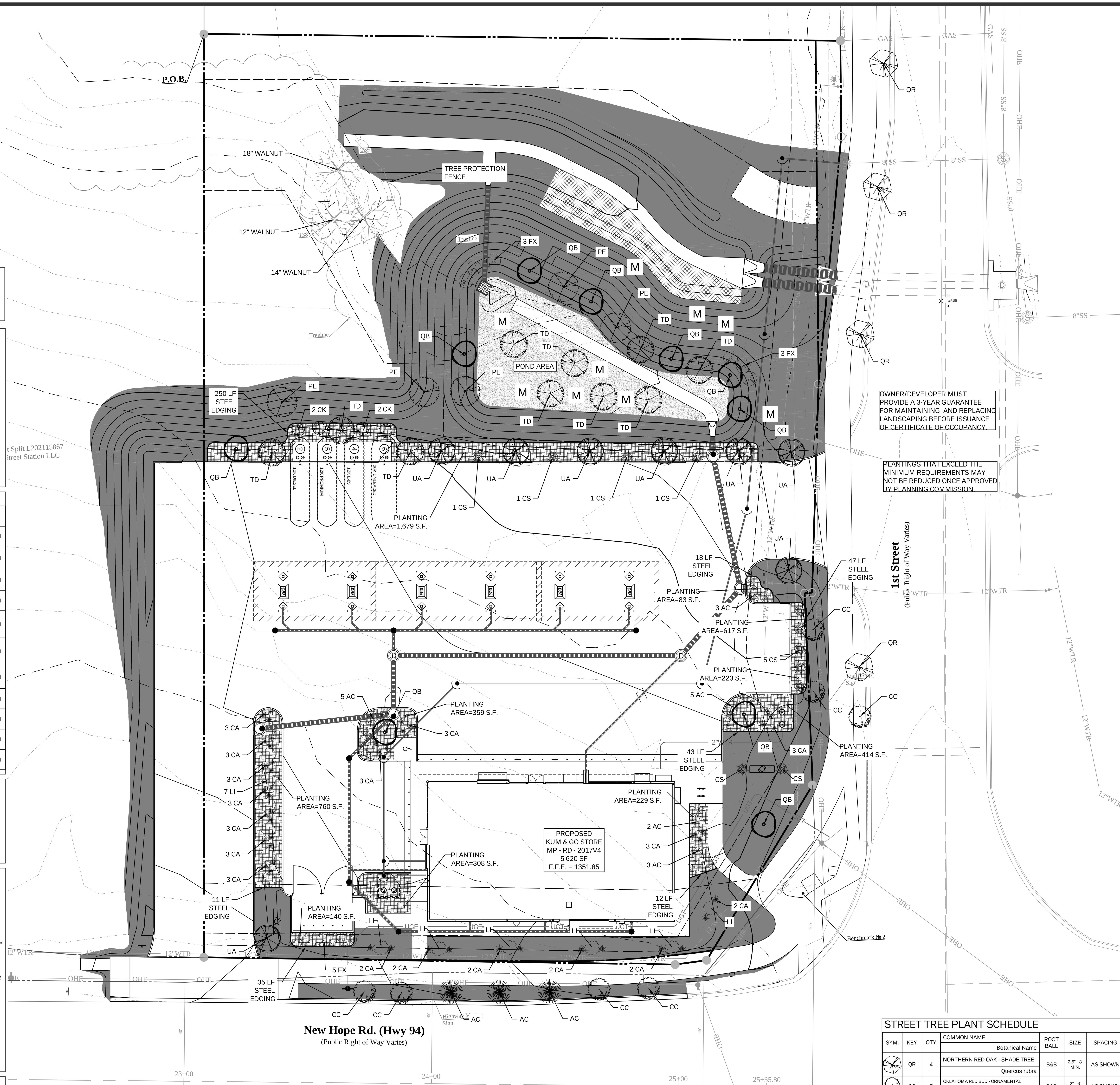

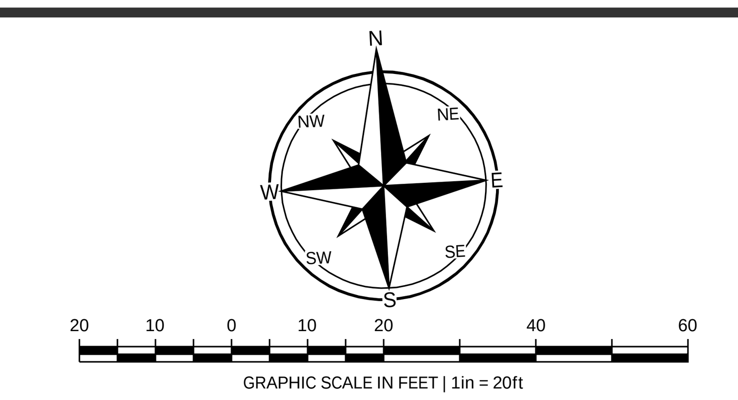

PROPOSED FEATURES

REFER TO SURVEY FOR EXISTING FEATURES

GENERAL FEATURES
- PROPERTY LINE
- SUBDIVISION / OUTPARCEL PROPERTY LINE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- CONCRETE CURB AND GUTTER | REFER TO SITE PLAN FOR TYPE AND SIZE
- FENCING | REFER TO SITE PLAN FOR TYPE AND SIZE
- STORM SEWER | REFER TO PLAN FOR TYPE AND SIZE
- XX LF TYPE @ XX% — SEWER LINES | REFER TO UTILITY PLAN FOR TYPE AND SIZE
- XX" WTR — WATERLINES | REFER TO UTILITY PLAN FOR TYPE AND SIZE
- UGE — UNDERGROUND ELECTRIC SERVICE
- OHE — OVERHEAD ELECTRIC SERVICE
- UGT — UNDERGROUND TELEPHONE SERVICE
- OHT — OVERHEAD TELEPHONE SERVICE
- FO — FIBER OPTIC CABLE SERVICE
- GAS SERVICE
- RIP RAP | REFER TO EROSION CONTROL PLANS FOR TYPE AND SIZE
- DRAINAGE STRUCTURES | REFER TO GRADING PLAN FOR TYPE
- UTILITY STRUCTURES | REFER TO UTILITY PLAN FOR TYPE
- WATER LINE TEE, BEND, VALVE, AND PLUG
- SITE LIGHTING | REFER TO ELECTRICAL PLAN FOR TYPE, SIZE & DETAILS

LANDSCAPING FEATURES
- STEEL EDGING
- LANDSCAPE BUFFER AREA
- NATIVE, DROUGHT TOLERANT, SEEDED TURF AREA.
- NATIVE, DROUGHT TOLERANT, SODDED TURF AREA PER KUM & GO SPECIFICATIONS.
- 4"-6" ROUNDED RIVER BED GRAVEL MULCH AT 8" MIN. DEPTH
- SOIL MEDIA (POND CROSS SEC. DETAILS - SHEETS CD5.4 & 5.5)

GENERAL NOTES

1. THE CONTRACTOR SHALL FOLLOW ALL LOCAL CODES THAT PERTAIN TO LANDSCAPE INSTALLATION, AND SHALL NOTIFY THE LANDSCAPE ARCHITECT (LA) OR DESIGNATED REPRESENTATIVE (DR) REGARDING ANY DISCREPANCIES BETWEEN LOCAL CODES, PLANS, AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL NOTIFY (LA) OR (DR) OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.
3. THE CONTRACTOR SHALL VERIFY DEPTHS AND LOCATIONS OF ALL EXISTING UTILITIES, STRUCTURES, UNDERGROUND UTILITIES AND SITE LIGHTING CONDUITS WITHIN THE PROJECT SITE BEFORE LANDSCAPE CONSTRUCTION BEGINS.
4. THE CONTRACTOR SHALL KEEP THE PREMISES FREE FROM RUBBISH AND ALL DEBRIS ASSOCIATED WITH THE WORK AT ALL TIMES. ALL UNUSED MATERIALS AND DEBRIS SHALL BE REMOVED FROM THE SITE.
5. THE CONTRACTOR SHALL BE REQUIRED TO PERFORM A WATER PERMEABILITY TEST TO DETERMINE SOIL QUALITY. TEST IS PERFORMED BY DIGGING A SHARP SHOOTER SPADE 18" (INCHES) INTO THE GROUND. FILL THE HOLE WITH WATER. RETURN TO THE TEST SITE AFTER 18 HOURS TO VISUALLY CONFIRM IF THE HOLE STILL RETAINS WATER. IF THE HOLE RETAINS WATER, THE SOIL IS DETERMINED TO BE TO POOR FOR PLANTING CONDITIONS. TO REMEDY POOR SOIL CONDITIONS, THE CONTRACTOR SHALL BE REQUIRED TO OVER EXCAVATE THE SOIL TO THE DEPTH OF THE ROOT BALL AND REPLACE THE SOIL WITH QUALITY PLANTING SOIL AS SPECIFIED ON THE PLANS PRIOR TO PLANTING TREES OR SHRUBS.
6. ALL LANDSCAPE MATERIALS TO BE WATERED BY CONTRACTOR UNTIL ESTABLISHED.
7. PLANT MATERIAL:
   a. SHALL BE INSTALLED BY THE CONTRACTOR PER DETAILS (REFER TO DETAIL SHEETS) AND CLIENT'S SPECIFICATION OR REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION WHICHEVER IS MORE STRINGENT.
   b. THE CONTRACTOR ACCEPTS ALL LIABILITY FOR THE INSTALLATION LANDSCAPING DEPICTED ON THESE PLANS AND SHALL BE GUARANTEED FOR A PERIOD OF 24 MONTHS AFTER SUBSTANTIAL COMPLETION LETTER IS ISSUED AND/OR ACCEPTANCE OF FINISHED JOB. ALL DEAD OR DAMAGED PLANT MATERIAL SHALL BE REPLACED ONE TIME WHEN DISCOVERED AT THE CONTRACTOR'S EXPENSE.
   c. QUALITY SHALL COMPLY TO THE HIGHEST STANDARDS IN THE NURSERY INDUSTRY. GRASS SOD AND PLANTS SHALL BE REASONABLY CLEAN AND FREE OF WEEDS, PESTS, DISEASES.
   d. SHALL NOT BE PLANTED IN FROZEN GROUND.
8. ANY EXISTING TREES DESIGNATED TO BE SAVED MUST BE PRESERVED DURING CONSTRUCTION.
9. ALL PLANTING BEDS AND TREE PLANTING PITS TO BE FILLED WITH A MIXTURE OF 30% COMPOST (COW, MUSHROOM OR COTTON BUR), 20% PEAT MOSS AND 50% TOPSOIL BY VOLUME. ALSO, MIX IN 1LB 10-20-10 SLOW RELEASE PLANT FERTILIZER PER 10 SQ FT. OR AS RECOMMENDED BY THE SOIL ANALYSIS.
10. STAKES FOR TREE SUPPORT SHALL BE STEEL "T" BAR FENCE POST, 6' LONG, PAINTED DARK GREEN WITH TOP 6" PAINTED WHITE. TREE TIE SYSTEMS SHALL BE EASILY ADJUSTABLE, STRONG IN ALL WEATHER, AND EASILY ATTACHED AND REMOVED. HOSE AND WIRE ARE NOT ACCEPTABLE FOR STAKED TREES. TREE TIE SYSTEMS SHALL BE 20" DEWITT (BLACK) TREE STRAP/SLING TSL-BX (60 PER CASE) OR APPROVED EQUAL-NO PLASTIC TIES ALLOWED. WIRE: 14 GAUGE ELECT. FENCE WIRE.
11. ALL PLANTING BEDS AS DESIGNATED ON THESE PLANS SHALL BE BORDERED BY ⅛" x 4" PAINTED BROWN STEEL EDGING AND RYERSON OR APPROVED EQUAL WITH INTEGRATED STAKES THROUGH SLOTS IN THE EDGING. (REFER TO DETAIL SHEETS FOR ACCEPTED EDGING MATERIAL).
12. MULCH ALL TREE PLANTINGS AND PLANTING BEDS WITH 4" OF EITHER SHREDDED HARDWOOD BARK MULCH OR CYPRESS MULCH. IN THE SEASONAL FLOWER BEDS USE EITHER CYPRESS OR PINE BARK MULCH; DO NOT USE HARDWOOD MULCH IN SEASONAL FLOWER BEDS.
13. ALL PLANTING AREAS SHALL RECEIVE A THREE INCH (3") TOP DRESSING OF MULCH OVER A 10 MIL WEED MAT EQUAL TO "WEEDBLOCK" FABRIC BY "EASY GARDENER"' OR DEWITT WEED BARRIER. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND (REFER TO PLANTING DETAILS).
14. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION, EXCEPT THOSE OCCUPIED BY BUILDINGS, STRUCTURES, OR PAVING SHALL BE GRADED SMOOTH AND 4" (INCHES) OF TOPSOIL APPLIED. (REFER TO THE EROSION CONTROL DETAIL SHEET(S) FOR TOPSOIL AND SEEDING SPECIFICATIONS).
15. CONTRACTOR SHALL FERTILIZE ALL PLANTS AT THE TIME OF PLANTING WITH 10-10-10 TIME RELEASE FERTILIZER.
16. LANDSCAPE CONTRACTOR SHALL OBTAIN AN ORIGINAL PRINT OF THIS PLAN TO ENSURE THAT ALL LINE WEIGHTS, LINE TYPES AND SHADED COLORS ARE COMPLETELY LEGIBLE AS ORIGINALLY PRINTED.

FLOOD NOTE:

BY GRAPHIC SCALING ONLY THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS DETERMINED FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, MAP NO. 05007C0280K AND 05007C0290K EFFECTIVE DATE: JUNE 05, 2012.

STREET TREE PLANT SCHEDULE

SYM.	KEY	QTY	COMMON NAME / Botanical Name	ROOT BALL	SIZE	SPACING
	QR	4	NORTHERN RED OAK - SHADE TREE / Quercus rubra	B&B	2.5" - 8' MIN.	AS SHOWN
	CC	7	OKLAHOMA RED BUD - ORNAMENTAL / Cercis canadensis	B&B	2" - 6' MIN.	AS SHOWN
	AC	3	SERVICEBERRY / Amelanchier canadensis	CONT.	MIN. 6' TALL	AS SHOWN

PL202101332

Ozark Civil Engineering Inc.
3214 N.W. AVIGNON WAY, SUITE 4
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479.464.8850 | OFFICE 479.464.9040 | FAX

Registered Landscape Architect, State of Arkansas — ANTHONY W. VANDERPLOEG 9108 — 03-16-2022

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6400 Westown Parkway
West Des Moines, Iowa
50266
P: 515-226-0128

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD
LANDSCAPING PLAN

KG PROJECT TEAM:
RDM: Alex Sappingfield
SDM: Dan Garneau
CPM: Scott Newbury

REVISIONS

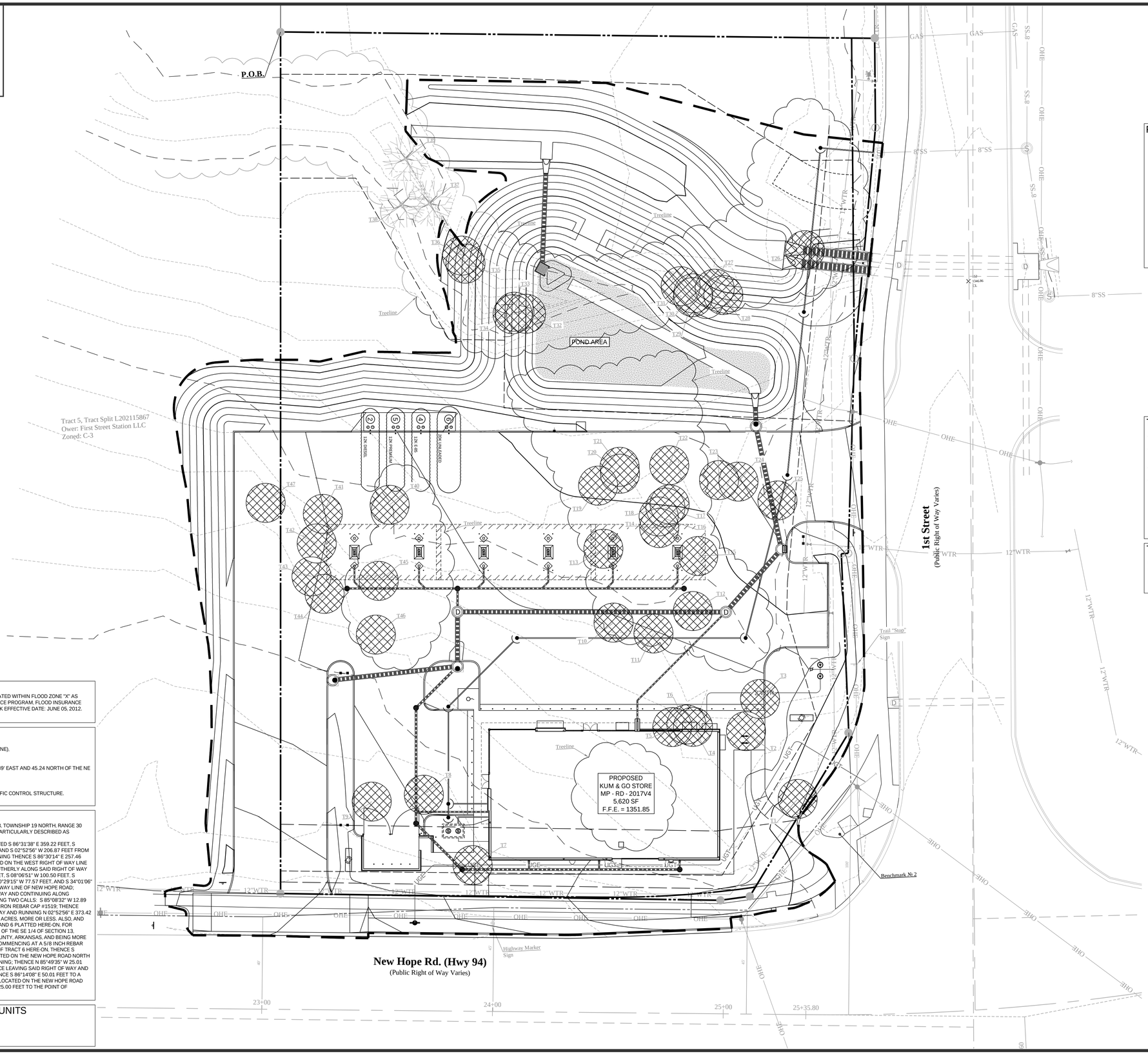
	DATE	REVISION DESCRIPTION
R4	03/16/22	CITY COMMENTS - 5TH SUBMITTAL

DATE: 03/16/2022

SHEET NUMBER: L1.0

21-1373

CITY APPROVAL STAMP



N
NW NE
W E
SW SE
S

20 10 0 10 20 40 60

GRAPHIC SCALE IN FEET | 1in = 20ft

PROPOSED FEATURES

REFER TO SURVEY FOR EXISTING FEATURES

- PROPERTY LINE
- SUBDIVISION / OUTPARCEL PROPERTY LINE
- LIMITS OF DEMOLITION / CONSTRUCTION
- LIMITS OF SAWCUT
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO BE REMOVED (OFFSITE CANOPY)
- EXISTING TREE CANOPY TO BE PRESERVED (ON SITE)
- EXISTING TREE CANOPY TO BE PRESERVED (OFF-SITE)

TREE PRESERVATION REQUIREMENTS

- IF SIGNIFICANT TREES ARE IN THE DISTURBED AREA THEY ARE TO BE REPLACED AT A RATE OF ONE TO FIVE (ONE TREE TO BE PLANTED FOR EVERY FIVE TREES REMOVED)
- IF THE DRIP LINE OF THE SIGNIFICANT TREE IS ADJACENT TO A CONSTRUCTION AREA MEASURES MUST BE MADE TO PROTECT THE TREE WITH FENCING AND OTHER PROTECTIVE MEASURES.
- IF A SIGNIFICANT TREE IS REMOVED FROM A NONCONSTRUCTION AREA IT MUST BE REPLACED AT A REPLACEMENT RATE OF FIVE-TO-ONE.
- REPLACEMENT TREES SHALL BE REPLANTED WITH TREES THAT MEET THE FOLLOWING SPECIFICATIONS:
  1.DECIDUOUS: AT LEAST TWO AND A HALF INCHES IN DIAMETER AND AT LEAST SIX FEET IN HEIGHT ABOVE NATURAL GRADE;
  2.EVERGREEN: AT LEAST EIGHT FEET IN HEIGHT ABOVE NATURAL GRADE; AND
  3.ORNAMENTAL: AT LEAST TWO INCHES IN DIAMETER AND AT LEAST SIX FEET IN HEIGHT ABOVE NATURAL GRADE.

TREE PRESERVATION CALCULATIONS

TOTAL TREES REMOVED:44 TREES
TOTAL PRESERVATION TREES REQUIRED (1 TREE PER 5 TREES REMOVED):
9 REPLACEMENT TREES
TOTAL PRESERVATION TREES PROVIDED: 9 TREES

FLOOD NOTE:

BY GRAPHIC SCALING ONLY THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS DETERMINED FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, MAP NO. 05007C0280K AND 05007C0290K EFFECTIVE DATE: JUNE 05, 2012.

BENCHMARKS

BASIS OF BEARINGS:
ARKANSAS STATE PLANE COORDINATES (NORTH ZONE),
NAD 83 (2011).

BENCHMARK NO. 1: SQUARE CUT, TOP OF CURB 60.89' EAST AND 45.24 NORTH OF THE NE CORNER OF TRACT 6.
ELEVATION 1347.55 (NAVD 88)

BENCHMARK NO. 2: SQUARE CUT, TOP OF THE TRAFFIC CONTROL STRUCTURE.
ELEVATION: 1349.50 (NAVD 88)

LEGAL DESCRIPTION

A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A 5/8" IRON REBAR CAP #1519 LOCATED S 86°31'38" E 359.22 FEET, S 14°52'55" W 709.61 FEET, S 86°42'20" E 810.94 FEET, AND S 02°52'56" W 206.87 FEET FROM THE NW CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE S 86°30'14" E 257.46 FEET TO A 5/8 INCH IRON REBAR CAP #1519 LOCATED ON THE WEST RIGHT OF WAY LINE OF SOUTH FIRST STREET; THENCE CONTINUING SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING SIX CALLS: S 02°24'13" W 38.71 FEET, S 08°06'51" W 100.50 FEET, S 04°40'08" W 84.43 FEET, S 88°26'22" W 3.00 FEET, S 00°29'15" W 77.57 FEET, AND S 34°01'06" W 82.89 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NEW HOPE ROAD; THENCE LEAVING SAID S. FIRST STREET RIGHT OF WAY AND CONTINUING ALONG NEWHOPE ROAD NORTH RIGHT OF WAY TE FOLLOWING TWO CALLS: S 85°08'32" W 12.89 FEET AND N 86°14'08" W 190.61 FEET TO A 5/8 INCH IRON REBAR CAP #1519; THENCE LEAVING SAID NORTH NEW HOPE ROAD RIGHT OF WAY AND RUNNING N 02°52'56" E 373.42 FEET TO THE POINT OF BEGINNING, CONTAINING 2.1 ACRES, MORE OR LESS. ALSO, AND SUBJECT TO AN ACCESS EASEMENT FOR TRACTS 5 AND 6 PLATTED HERE-ON, FOR INGRESS AND EGRESS, BEING A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A 5/8 INCH REBAR CAP #1519 LOCATED AT THE POINT OF BEGINNING OF TRACT 6 HERE-ON, THENCE S 02°52'56" W 373.42 FEET TO A 1/2 INCH REBAR LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE AND THE TRUE POINT OF BEGINNING; THENCE N 85°49'35" W 25.01 FEET ALONG SAID RIGHT OF WAY TO A POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING N 03°19'27" E 99.82 FEET TO A POINT; THENCE S 86°14'08" E 50.01 FEET TO A POINT; THENCE S 03°19'24" W 100 FEET TO A POINT LOCATED ON THE NEW HOPE ROAD NORTH RIGHT OF WAY LINE; THENCE N 86°14'08" W 25.00 FEET TO THE POINT OF BEGINNING.

DOMESTIC WATER QUALITY UNITS

GRAINS OF HARDNESS: 81 mg/l

TOTAL DISSOLVED SOLIDS: 122 mg/l

PL202101332

Ozark Civil Engineering Inc.
3214 N.W. AVIGNON WAY, SUITE 4
BENTONVILLE, AR 72712
479.464.8850 | OFFICE 479.464.9040 | FAX

Registered Landscape Architect
ANTHONY W. ROGERS
No. LA-RLA-PROFLOEG 91108
State of Arkansas
03-16-2022

Kum & Go
6400 Westown Parkway
West Des Moines, Iowa
50266
P: 515-226-0128

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD
TREE PRESERVATION PLAN

KG PROJECT TEAM:
RDM: Alex Sappingfield
SDM: Dan Garneau
CPM: Scott Newbury

	DATE	REVISION DESCRIPTION
R4	03/16/22	CITY COMMENTS - 5TH SUBMITTAL

REVISIONS

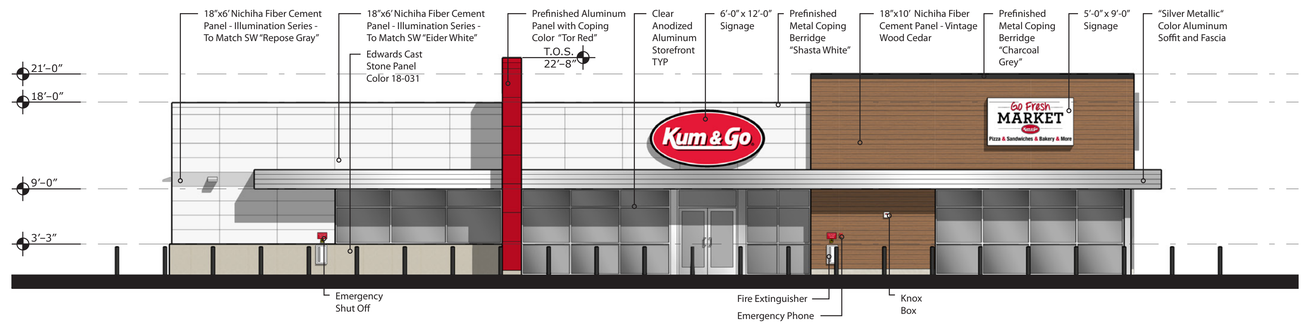
DATE: 03/16/2022

SHEET NUMBER: L1.2

c:\dropbox (ozark civil)\kum&go projects\21-1373 rogers, ar-2421\design\03_permitting\21-1373 \scp 05.dwg - Plotted on 3/17/2022 12:16:35 PM to pdf.xchange.pc3 by ZWilhite

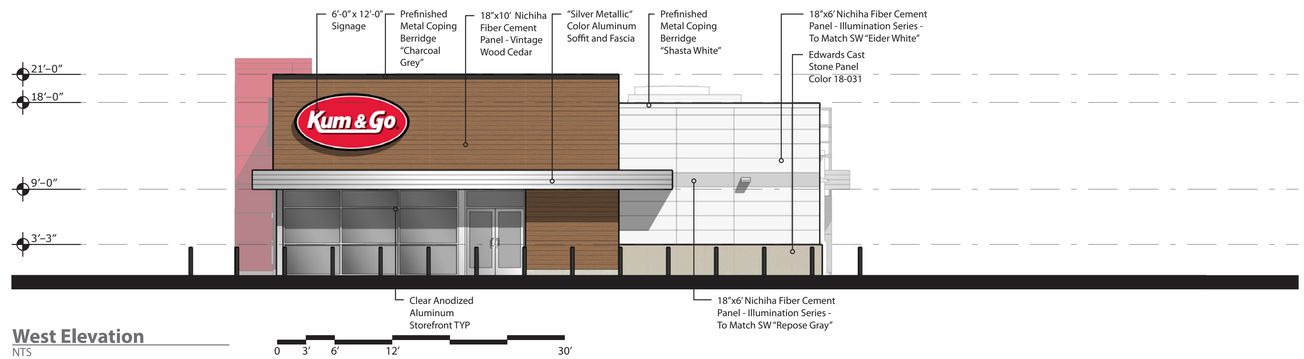
Proposed Building Signage

Location	Sign	Size	Area
North Elevation	**"Kum & Go" Sign**	6' x 12'	72 SF
	"Go Fresh Market" Sign	5' x 9'	45 SF
West Elevation	**"Kum & Go" Sign**	6' x 12'	72 SF
South Elevation	**No Signage**	---	0 SF
East Elevation	**No Signage**	---	0 SF
	Total		189 SF



North Elevation
NTS

0 3' 6' 12' 30'



West Elevation
NTS

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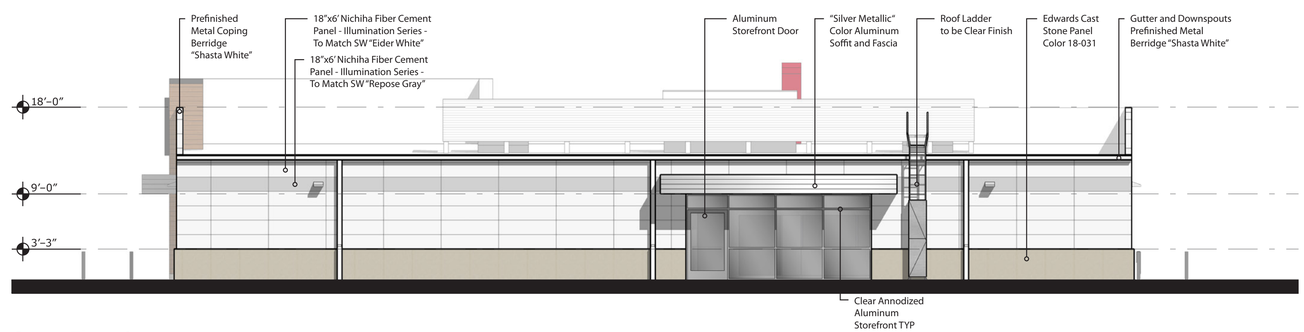
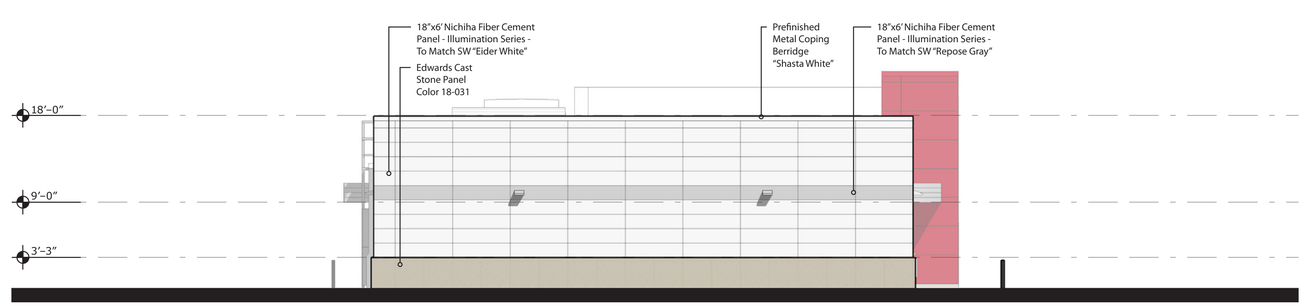


South Elevation
NTS

0 3' 6' 12' 30'



East Elevation
NTS

0 3' 6' 12' 30'

brr

ARCHITECT OF RECORD:
BRR ARCHITECTURE, INC
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204

www.brrarch.com

TEL: 913-262-9095
FAX: 913-262-9044

SEAL

Kum & Go

1459 Grand Avenue
Des Moines, Iowa
50309
P:515-457-6247

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD

EXTERIOR ELEVATIONS

KG PROJECT TEAM:
RDM:
SDM:
CPM:

REVISIONS

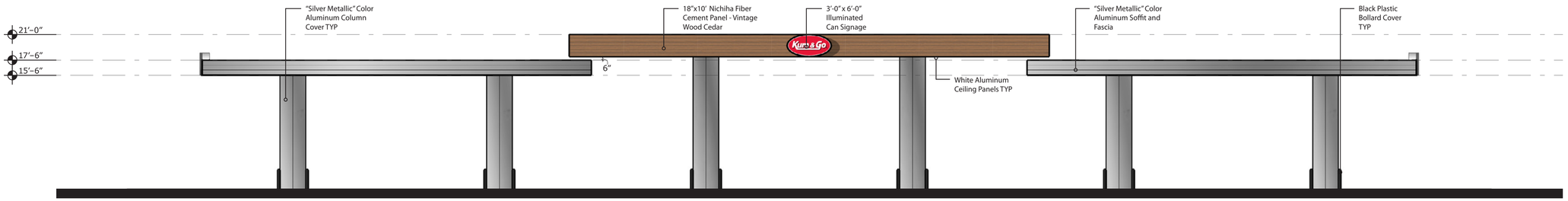
△	DATE	REVISION DESCRIPTION

DATE: 02/09/2022

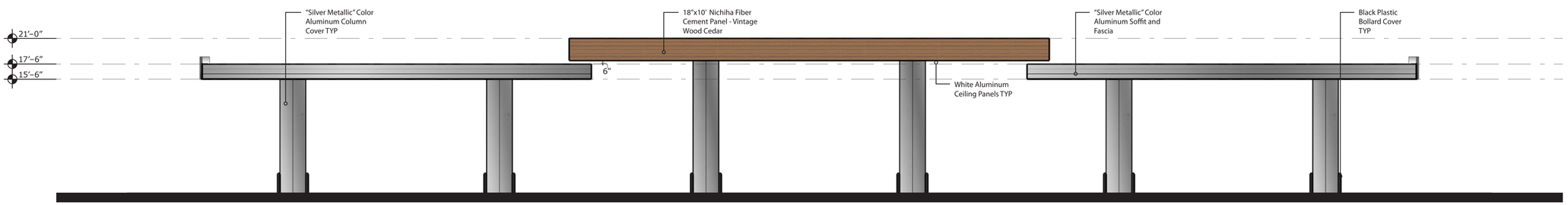
SHEET NUMBER:

Proposed Canopy Signage

Location	Sign	Size	Area
North Elevation	**"Kum & Go" Sign**	3'x 6'	18 SF
South Elevation	**No Signage**	---	0 SF
West Elevation	**"Kum & Go" Sign**	3'x 6'	18 SF
East Elevation	**"Kum & Go" Sign**	3'x 6'	18 SF
	Total		54 SF



North Elevation
NTS
0 3' 6' 12' 30'



South Elevation
NTS
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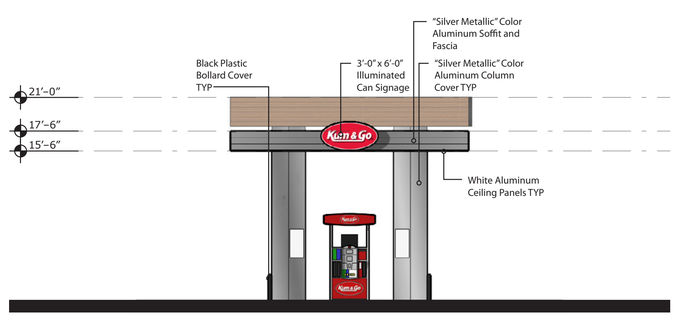
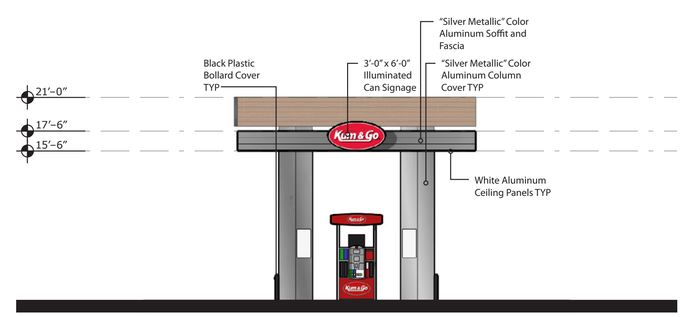


East Elevation
NTS
0 3' 6' 12' 30'



West Elevation
NTS
0 3' 6' 12' 30'

brr

ARCHITECT OF RECORD:
BRR ARCHITECTURE, INC
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204

www.brrarch.com

TEL: 913-262-9095
FAX: 913-262-9044

SEAL

1459 Grand Avenue
Des Moines, Iowa
50309
P:515-457-6247

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD

CANOPY ELEVATIONS

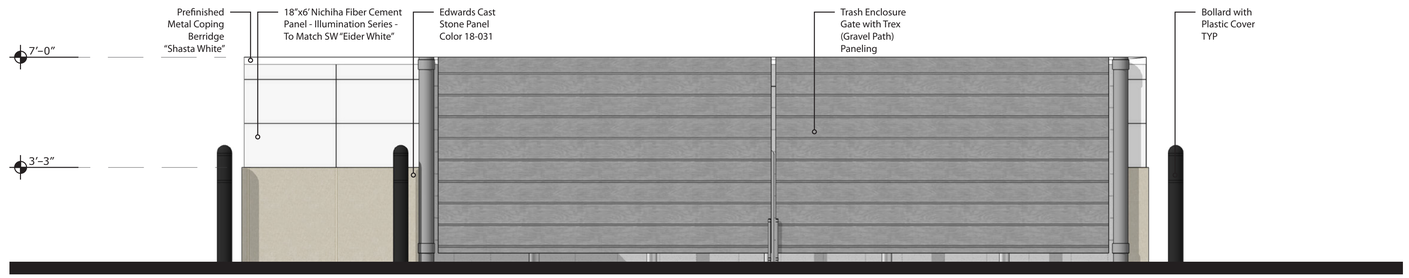
KG PROJECT TEAM:
RDM:
SDM:
CPM:

REVISIONS

△	DATE	REVISION DESCRIPTION

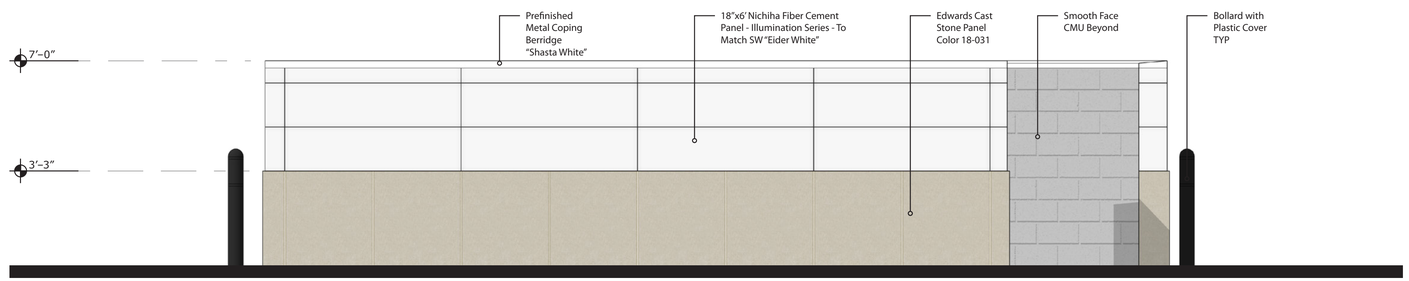
DATE: 02/09/2022

SHEET NUMBER:



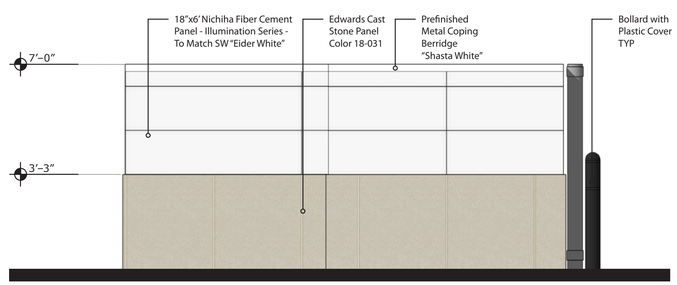
North Elevation
NTS

0 3' 6' 12'



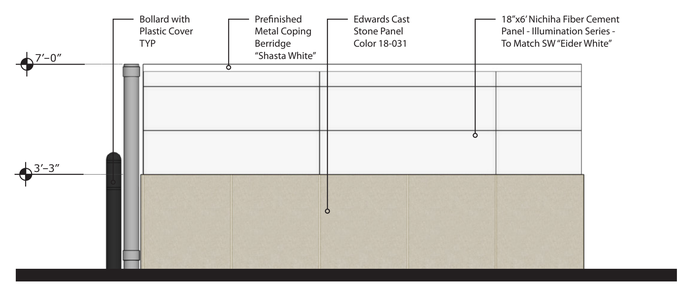
South Elevation
NTS

0 3' 6' 12'



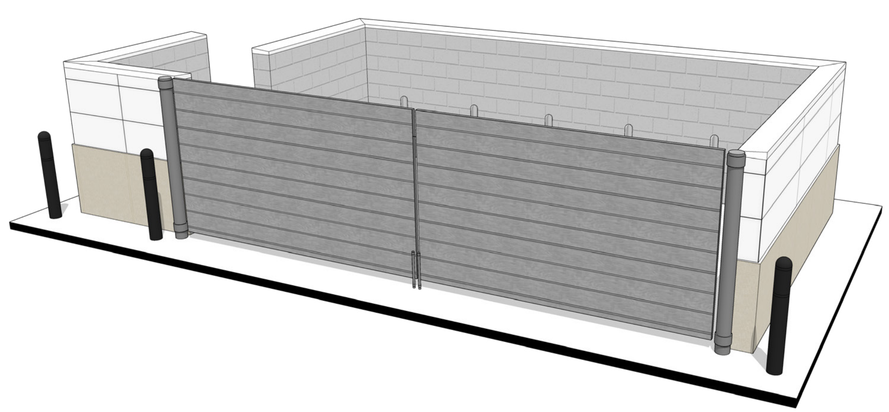
East Elevation
NTS

0 3' 6' 12'



West Elevation
NTS

0 3' 6' 12'



Perspective
NTS

brr

ARCHITECT OF RECORD:
BRR ARCHITECTURE, INC
8131 METCALF AVENUE
SUITE 300
OVERLAND PARK, KS 66204

www.brrarch.com

TEL: 913-262-9095
FAX: 913-262-9044

SEAL

Kum & Go

1459 Grand Avenue
Des Moines, Iowa
50309
P:515-457-6247

2421 - ROGERS, AR
101 WEST NEW HOPE ROAD

TRASH ENCLOSURE ELEVATIONS

KG PROJECT TEAM:
RDM:
SDM:
CPM:

REVISIONS

△	DATE	REVISION DESCRIPTION

DATE: 02/09/2022

SHEET NUMBER:

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

MEETING DATE
April 5, 2022

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
POST-PC APPROVAL SUBDIVISION VARIANCE – PINNACLE VILLAGE MASONRY WALL

STAFF: AMBER LONG, PLANNER II

REQUEST
The applicant requests a **VARIANCE** from Sec. 14-732 (4.5) (d), which requires the construction of an 8-ft. tall masonry or block wall between a development in U-NBT and an adjacent single-family detached use.

BACKGROUND SUMMARY

- November 20, 2018: Planning Commission considered a request from Prestige Worldwide Development LLC to allow ±29.97 acres to be rezoned from A-1 to U-COM and U-NBT. The applicant requested a reduction of the 300-ft. U-NBT buffer that is required between developments in the Uptown Regional Center and residential developments in lower-intensity growth designations. Residents from the adjacent subdivisions, The Manors and Highland Knolls, attended the meeting and voiced concerns about the project and the buffer reduction. Planning Commission considered the reduction in relation to the 8-ft. screening wall required per the URDC Residential Transition Standards and approved a 50-ft. buffer reduction based on the screening and buffering requirements in code.
- January 19, 2021: Planning Commission approved the Preliminary Plat for Pinnacle Village. The plan included an 8-ft. masonry wall along the northeastern, eastern, and southeastern boundaries of the subject site.
- January 4, 2022: Planning Commission considered a request from Alex Blass to 1) appeal staffs' decision to require the following information to be submitted for Planning Commission consideration: a written variance request, relevant plan exhibits, and letters from the HOA/POAs for The Manors and The Highland Knolls subdivisions and from all adjoining property owners, expressing their support of the variance; and 2) consider a **VARIANCE** from Sec. 14-732 (4.5) (d), which requires the construction of an 8-ft. tall masonry or block wall between a development in U-NBT and an adjacent single-family detached use. The applicant did not provide the required letters, and the first request was denied. Planning Commission did not consider the second request.

GENERAL FINDINGS

The applicant, represented by Anthony Vanderploeg from Blue Ribbon Industries, requests a variance from the requirement to provide an 8-ft. masonry or block wall between the Pinnacle Village subdivision and the adjacent subdivision, The Manors. The applicant has requested this variance due to the presence of a high-pressure gas main running along the east and south property lines. The applicant asks to remove the wall section along The Manors from the landscaping plan and proposes a row of evergreen trees that will provide a solid vegetative screen in three years. Adjacent residents of The Manors and the president of the POA have agreed to this change. Please see Tab 6 for more information.

Per the screening requirements, as agreed to during initial preliminary plat and as described in Sec. 14-732(4.5)(d), the applicant shows a masonry wall along the shared property boundaries with Highland Knolls subdivision. For approximately 250-ft., the wall is located east of a high-pressure gas main. It then jogs west of the gas main to avoid the existing trees along the east property line. Tree protection fencing is shown around the ten existing trees that will be preserved. Additional evergreen trees will be planted east of the masonry screening, per the requirements in Sec. 14-732(4.5)(d).

THIS REPORT MAY NOT REFLECT ALL INFORMATION, DOCUMENTS, OR OTHER MATERIALS MADE AVAILABLE TO OFFICIALS DURING DISCUSSION AND PUBLIC INPUT. STAFF RECOMMENDATIONS ARE BASED ON TECHNICAL REVIEW OF CITY CODE AND MATERIALS PROVIDED BY APPLICANT AT TIME OF SUBMITTAL. ALL REQUESTS SHOULD BE CONSIDERED WITH REGARD TO LAND USE COMPATIBILITY AND THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC.

An Arborist assessment prepared by Jeremy Williams, Board Certified Master Arborist, has been included with this request. On Monday, March 1, 2022, Mr. Williams joined Mr. Vanderploeg and associates on-site to evaluate which trees could be saved along the border between Pinnacle Village and Highland Knolls. Sixteen of the trees identified on the original, approved landscape plan were assessed for their location, health, and likelihood to survive. Five of sixteen trees have a 50-percent or greater chance of survival; two trees have been removed, though the stump is still present; and nine trees show signs of or are at risk for disease, root disturbance, overcrowding, or weather-related damage. For four of the trees, Mr. Williams recommended that root disturbance not occur within 10' to 15' feet of the tree, as disturbance will impact the trees chance of survival. It is unclear whether the proposed location of the wall adheres to this recommendation.

This assessment notes that several of the trees identified on the original survey were no longer present on-site, potentially due to a tornado in October 2019. The tree preservation and landscaping plans did not indicate or speak to the absence of these trees, as the tree survey was completed before the weather event.

The revised landscape plan shows the proposed evergreen trees to the west of the property line and existing tree line. The masonry screening is shown along the shared boundaries with Highland Knolls. The plan proposes the removal of four trees in poor condition, one of which is already dead. The tree preservation and mitigation table states that 176 existing trees were previously removed. This number may account for the aforementioned trees that may have been removed in 2019, though it is not explicitly stated. While it is unclear whether these trees would be considered "significant" per the definition in Sec. 14-796(d)(2)(c), 36 mitigation/replacement trees would be required if all 176 removed trees were significant trees within the development area. The landscape plan proposed 216 evergreen trees as "mitigation trees," but many of these evergreens are a part of the vegetative screening along The Manors. Per code, mitigation trees are provided in addition to screening or other landscaping trees.

Ryan Gill, engineer from Harrison French & Associates, prepared and stamped a drainage impact letter which states that "the proposed changes to the original drawings will not affect the approved drainage design." Please see Tab 4 for more information.

Finally, staff received letters of support and opposition from residents of The Manors and Highland Knolls subdivisions, respectively. The four adjacent residents and the president of the POA for The Manors support the planting of a vegetative buffer over the construction of a masonry wall. Ten adjacent residents of Highland Knolls request that the wall be constructed along their shared property boundaries with Pinnacle Village, as previously agreed to by the applicant and the Planning Commission.

RECOMMENDATIONS

a) Approve **VARIANCE** from Sec. 14-732(4.5)(d), which requires the construction of an 8-ft. tall masonry or block wall between a development in U-NBT and an adjacent single-family detached use. If this variance is approved, the applicant will be required to construct the wall along Highland Knolls and install a vegetative screen along The Manors, as presented here by the applicant. The location of the existing high-pressure gas main was indicated on the original Pinnacle Village plan sheets; and the proposed locations of the wall and screen trees should have accounted for the site constraints posed by the utility line and existing trees. As proposed, the previously approved landscape and screening plan was infeasible. The approved location of the wall would have disturbed or necessitated the removal of several trees along the site's east property line. Per Sec. 14-769, the City aims to preserve the maximum number of trees that are determined appropriate for preservation and to preserve natural vegetation, which enhances the quality of life within the community. The applicant has proposed a sufficient plan to both preserve as many viable trees as possible while meeting the intent of the Residential Transition Standards listed in Sec. 14-732(4.5).

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

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

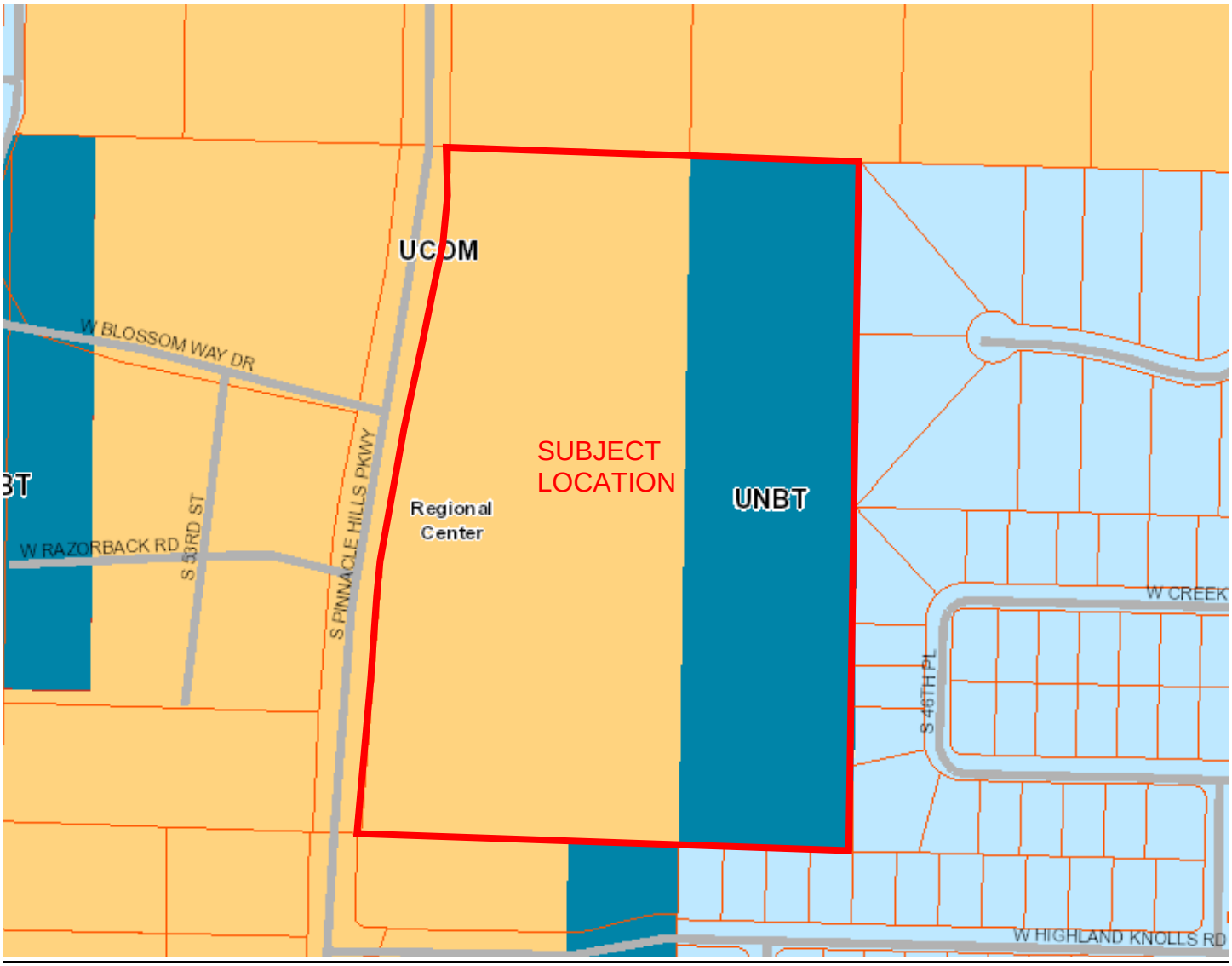
TABS

1. Vicinity maps (aerial, zoning, CGM)
2. Variance request letter
3. Arborist's letter
4. Drainage Impact Letter
5. Subdivision landscape plans (approved plans, revised landscape plan)
6. Adjacent property owner letters
7. Summary of 11/20/2018 Planning Commission variance discussion
8. Applicant's correspondence with staff

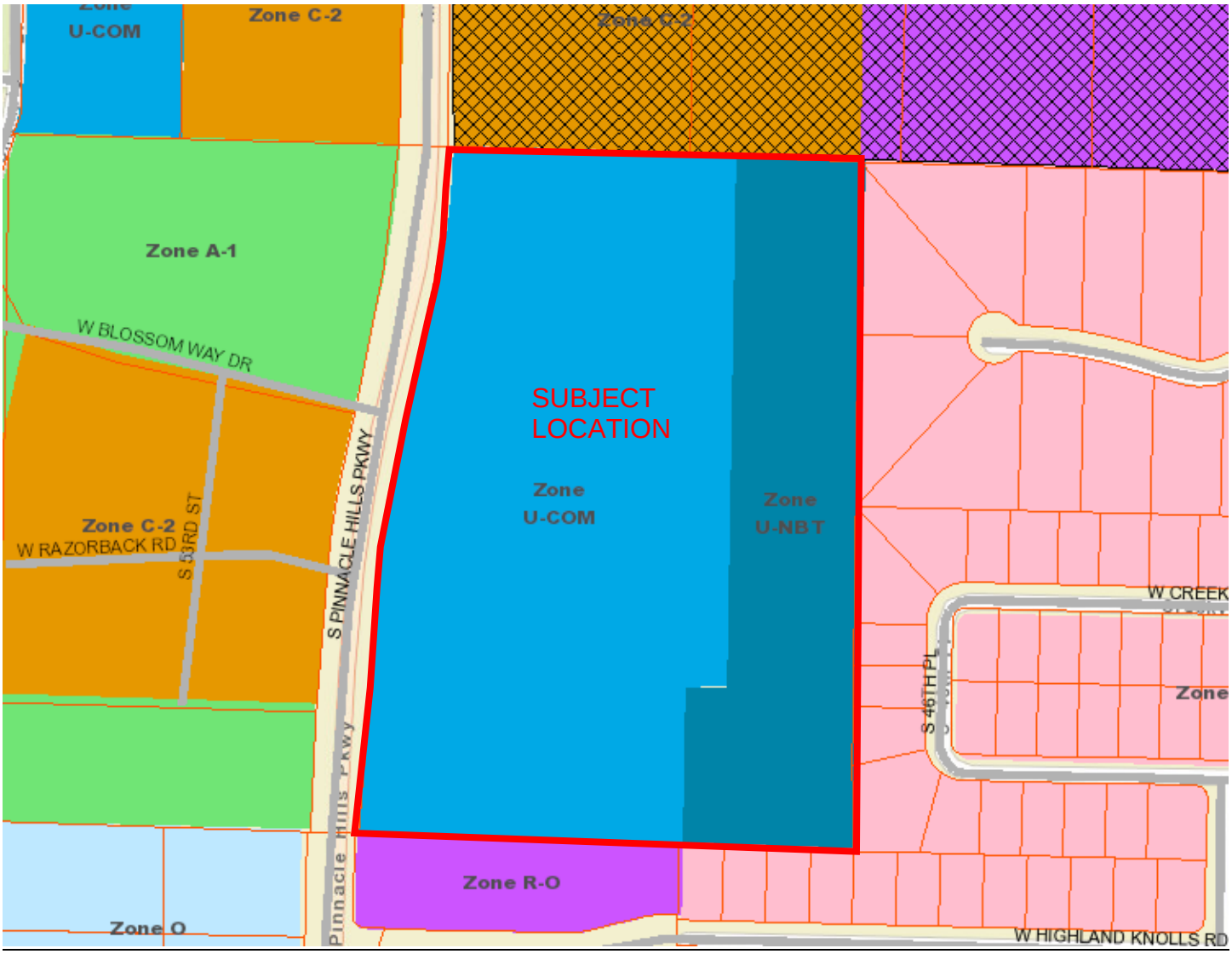
TAB 1

AERIAL VICINITY MAP

CGM VICINITY MAP



ZONING VICINITY MAP



Blue Ribbon
INDUSTRIES

March 10, 2022

Department of Community Development
Planning Division
301 W. Chestnut St
Rogers, AR 72756

RE: Pinnacle Village – Variance Request

The following variance is requested to the approved plans from January 19, 2021. The variance request asks for the removal of the proposed masonry wall along the east property line of the Pinnacle Village development, specifically along the four neighboring residential properties in The Manors subdivision. The Manors subdivision has requested the removal of the wall along the four adjacent properties, please refer to the attached letters from the neighboring properties, along with a letter from the president of The Manors POA asking for the removal of the wall.

The accompanying landscape plan shows an evergreen screen to be planted to ensure a solid vegetative screen within three years, along the back of the curb in the existing landscape buffer along the entirety of the property line adjacent to The Manors. Per city requirements, the masonry wall will begin at the property line intersections of The Manors and the neighboring subdivision to the south, Highland Knolls. A continuous line of evergreen trees will be planted along the back of curb along the entirety of the wall. The trees planted adjacent to the wall are not being used as screening, the spacing shall be 8.5' as shown on the plan. The 216 trees planted on the east property line are mitigation trees that corresponds with the Tree Preservation Plan previously submitted.

The existing trees shown to be preserved on the Pinnacle Village property, adjacent to the Highland Knolls subdivision and in an existing utility easement, will be preserved with tree protection fence during construction of the masonry wall. In the areas indicated on the plan where the existing trees will remain, 8' masonry panels built in a similar fashion to the wall, will be offset 5' to the east of the existing high pressure gas line, as indicated on the plan. A minimum of five feet distance must be maintained between the gas line and any excavation activities, per Black Hills Energy. The wall location has been shown on the accompanying plan, and the panels that will be off-set for preservation of the existing trees is indicated on the plan. The updated plan shows all existing trees currently on the Pinnacle Village property as of the time of this variance request. Attached with this variance letter is an Arborist's

assessment of the existing trees that will be preserved along the Highland Knolls property line and adjacent wall. Based on this assessment, along with the existing utility easement that is already in place, there are serious concerns regarding the three-year guarantee and the existing condition of several trees indicated on the plan and the tree assessment. Tree preservation fence will be installed, as shown on the plan, and all precautions will be taken during construction of the wall.

If you have any questions or concerns please don't hesitate to contact me.

Sincerely,

Anthony Vanderploeg, PLA, ASLA

14813 Elkhorn Springs Road
Fayetteville, AR 72704
Office: 479.841.3804
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JEREMY WILLIAMS
ISA Board Certified Master Arborist #S0-6263BT
ISA Certified Climber Specialist
Certified Treecare Safety Professional #1267

March 4, 2022

Blue Ribbon C/O Nathan Lopez

Re: Arborist assessment of larger tree along east fence line of pinnacle village.

Nathan Lopez of Blue Ribbon contacted me on February 23rd 2022 to inquire about having an arborist assessment of some trees on a project he was working on called pinnacle village on Pinnacle Hills Parkway just south of the Walmart neighborhood market. An appointment was set for Monday March 1, 2022 at 4:00pm to meet on site and look at the trees.

On March 1st I met Nathan Lopez, Doug Mineart, and Tony Vanderploeg on site. They showed me the trees in question. They are the trees along an old fence line on the east boundary of the site. Based on our conversation the primary concerns were the trees current condition, and options to mitigate damage to the trees as a wall is to be built along that side of the property.

I was shown on site and emailed a site plan. For the purposes of this report I am using pages C7.0 dated 1-13,22 and C7.1 dated 1-31,22 that show the trees numbered and the corresponding inventory. Many of the physical numbers on the trees have been weathered to the point that the numbering was beyond recognition. I used my best judgment correlating the plan numbers to the exact trees for this report. There are multiple trees that are shown on the plan that are no longer present and have not been present for some time. I did not observe any evidence of recent tree removal along this line. Based on the weathering of stumps I observed I estimate those particular trees were removed about 2 years +/- prior. This is consistent with the October 2019 tornado that hit this exact area. I was told the tree survey was a couple years old likely but I was not given an exact date on when the initial tree survey was done.

For this report I have included any trees present at the time of my site visit over 6" diameter from the south-east corner up to the beginning of the masonry wall as noted on page C7.0. I measured the trees and have provided updated information on each. There are several smaller arborvitaes forming a hedge along this line. I am not listing the arborvitaes individually but I will note that some of them are dead.

I also observed markings indicating a gas line running just west of these trees parallel to the property line and there are other utility lines running immediately east of these trees on the other side also paralleling the property line. There lines did not appear to have been placed recently but I did observe visible root damage from installation.

I will now give a quick synopsis of each tree of concern. Please note that all trees were dormant at the time of my site visit. All measurements were made with a standard diameter tape and rounded to the nearest half inch at or near 4.5ft commonly known as DBH.

#2673 Listed as 15" Deciduous

This tree is a Black Cherry (Prunus serotina) It measured 15". This tree is codominant in form and has been crowded for a good portion of its life. This tree would be a moderate to high risk of failure if surrounding trees were removed due to live crown ratio. The tree next to it is dead and no nearby trees to the south. This tree appeared to be approximately 30-40 years old. Condition would be 6 out of 10.

#2670 Listed as 25" Deciduous

This tree is an American Elm (Ulmus Americana) and measured 25.5". This tree is 95-100% dead currently due to an advanced Dutch elm disease infection. This tree is an imminent hazard and portions of the tree have failed in recent past. Condition is 0 out of 10.

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#2668 Listed as 27" Red Oak

This tree is a Black oak (Quercus velutina) and measured 30". This tree has a significant lean over the backyard to the east. The lean appears to be largely due to crowding from the elm to the south and likely other trees that are no longer present. This tree appeared to be 60-70 years old. Condition would be 6 out of 10. Issues for this tree would be likely sun scalding and possible windthrow once the elm is removed. If preserved no root disturbance should occur within 15 feet of the tree. There was been previous utility trenching closer to the tree than the 15 ft minimum.

#2665 Listed as 13" Deciduous

This tree is a Hackberry (Celtis occidentalis) and has sustained severe damage in the last 2-4 years. The only thing left of this tree is about 12ft +/- of the main stem and some sprouts. This tree appeared to be currently live and condition being 2 out of 10. However, as the new sprouts grow on decayed wood the risk will rise quickly.

#2663 Listed as 15" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 16". This tree has sustained significant storm damage as well but not to the same extent of tree 2665. Current condition would be 5 out of 10. To preserve this tree root disturbance should be no closer than 9ft. That being said a large number of hackberries contract fusarium canker after damage and this tree is at high risk for the disease. If the disease is contracted there is no cure and will eventually kill the tree or cause major structural failure.

#2661 Listed as 9" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 12". This tree is on the east side of old barb wire fence. Being in the arborvitae hedge I am not entirely sure if this tree is on the property or the neighboring homeowners. Current condition would be 4 out of 10. Largest factors to consider for preservation would be to keep root disturbance no closer than 8ft. Additionally, this tree has a significantly less than ideal live crown ration due to being severely overcrowded by 2663. If this tree were to be exposed to full wind with no neighboring trees uprooting would be likely.

#2658 Listed as 26" Oak

This tree is a Black oak (Quercus velutina) and measured 28". This tree has been severely topped in recent past, less than three years ago. It appears that the topping may have been done to increase light to the neighboring yard and/or the arborvitae hedge below. Based on the size of cuts approximately 70 percent of the canopy was removed. Topping trees, especially trees this age, typically results in decay and or disease infection. If the tree does survive, the new sprouts after topping are only attached to the outer layers of wood and will be significantly higher risk of failure than normal branches. Current condition would be 4 out of 10. If tree is to be preserved the primary concern would be to keep all root disturbance no closer than 15ft. Even with keeping that distance some roots will be damaged. Healthy tree are typically able to adapt but an already stressed tree such as this one has a significantly higher chance of dying. This tree also likely has had utility trenching inside the recommended distance in the past based on the utility locate marks present.

#2655 Listed as 9" Deciduous

This tree is a Sassafras (Sassafras albidum) and measured 9". This tree is showing severe dieback likely due sudden sun exposure. Approximately 25% of the upper canopy appeared to be dead. Current condition would be 3 out of 10. This tree is unlikely to survive regardless of any preservation methods.

#2652 Listed as 12" Deciduous

This tree is a Sassafras (Sassafras albidum) and measured 14". This tree is codominant in form and largely the same condition as 2655 with 25% +/- of the canopy dead. This tree is unlikely to survive long term regardless of preservation methods.

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#2632 Listed as 16" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 19". This tree is suffering from a very advanced Fusarium Canker infection on multiple areas of the trunk as evidenced by the sunken canker areas. With the percentage of the trunk affected by cankers this tree is unlikely to survive and is rapidly becoming a hazard. Canker areas on hackberries decay rapidly. Current condition is 3 out of 10

#2629 Listed as 40" Deciduous

This is a large hackberry (Celtis occidentalis) stump that appears to have been removed 2-3 years ago and cut to approximately 3ft tall. Fungi is present on the cut location of the stump.

#2616 Listed as 24" Oak

This is a stump from an oak that was removed and the stump partially ground approximately 2 years ago.

#2618 Listed as 12" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 12". This tree is misshapen due to competition from tree 2616 but current condition is 5 out of 10. Risk factors are sunscald on the south unprotected side and potential canker infection. If preserved no root disturbance should occur nearer than 10ft.

#2606 Listed as 15" Deciduous

This tree is a Black Oak (Quercus velutina) and measured 15.5". This tree is showing evidence of being overcrowded by trees that are no longer present. Biggest risk factors for this tree would be sunscald and resulting decay in the future and the potential of wind breakage due to over extended branches outside ideal length to diameter ratios. Pruning could reduce the wind risk. Sunscald is difficult to prevent. Current condition would be 6 out of 10. If preserved no root disturbance should occur neared than 12ft from the tree.

#2556 Listed as 10" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 13.5". This tree has had significant recent root disturbance. Current condition would be 3 out of 10. Future preservation methods should be to limit further root damage to no closer than 8ft. With existing damage the chance of survival is likely around 50-65%.

#2553 Listed as 14" Deciduous

This tree is a Hackberry (Celtis occidentalis) and measured 16.5". This tree is largely the same condition as 2556 with exiting damage. Additionally, vines are present in this tree which can eventually smother the tree and cause death. Condition is also 3 out of 10. Future preservation methods would be to limit further root damage to no closer than 10ft. With existing damage the chance of survival is likely 50-65%. Also there is a smaller hackberry of similar condition to 2556 and 2553 just to the east of them off site but west of the existing picket fence.

In conclusion:

With all of the trees listed, root damage from previous utility installation and/or disease are major factors in future survival. For this site we are dealing with already stressed trees and that will require additional care and even if all recommendations are followed may not be successful. Keeping a safe distance from the trees is the best way to promote tree survival. The generally accepted rule is the ideal is to stay 1 foot away from the tree for each inch in diameter. The minimum is generally considered to be 6" per inch of diameter. If any roots are encountered they should be cut clean with either a saw or loppers and no jagged ends should be left.

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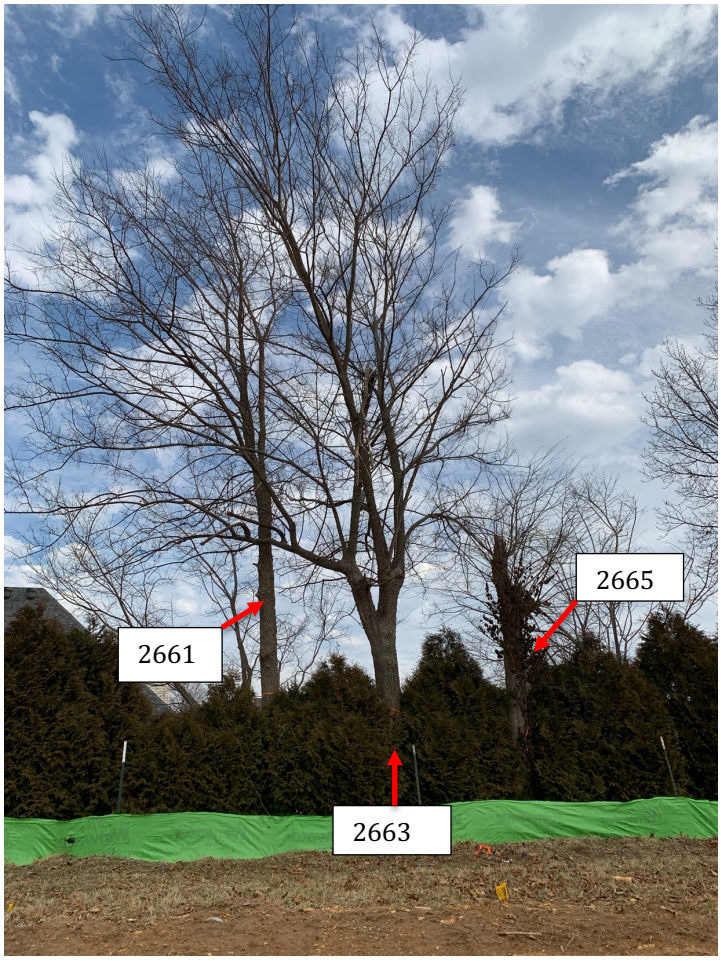
One option discussed on site was to make an offset wall section on the west side of the gas line at the location of trees decided to be preserved. This would give the rootzone needed and also provide the privacy of the wall. I feel that option was the best out of the options discussed on site to give the trees the best chance of survival given their condition.

Attached are several photos of the site that show the trees and the corresponding tree number.



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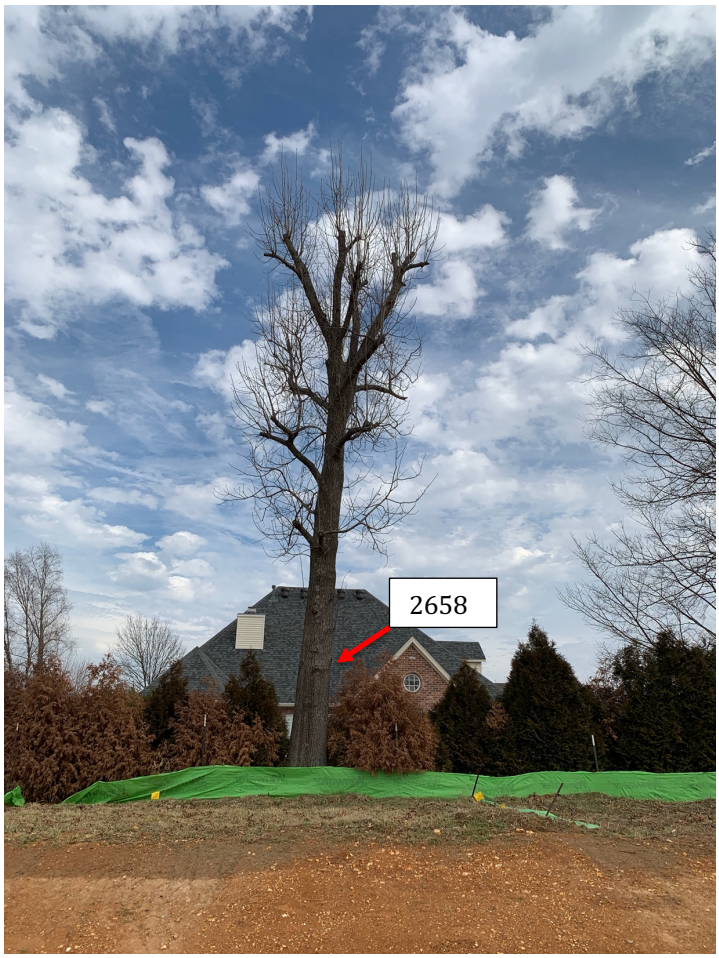

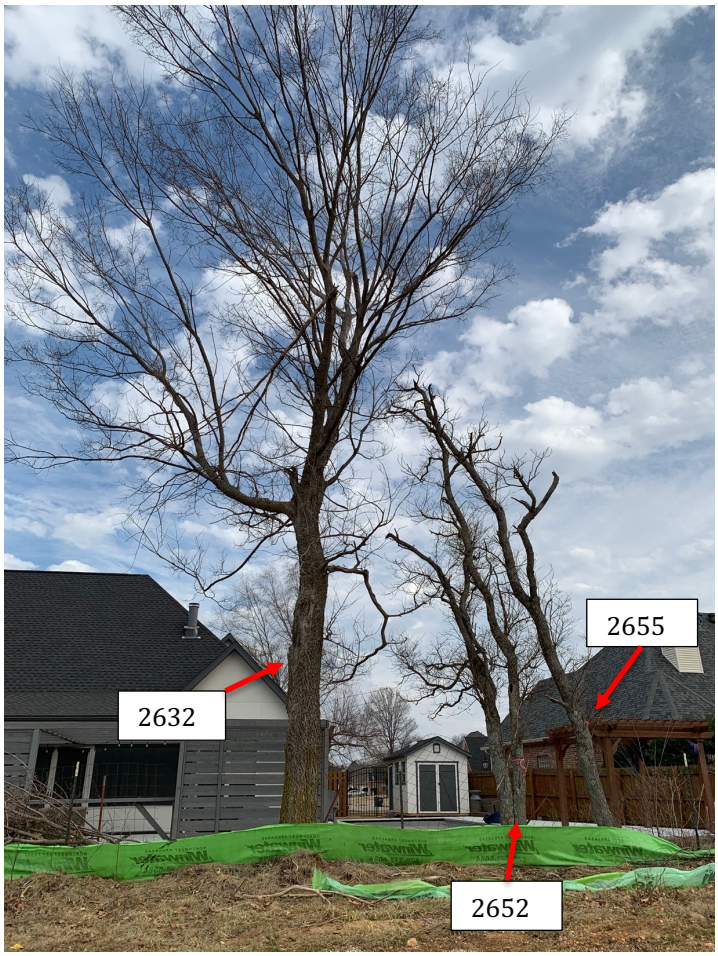

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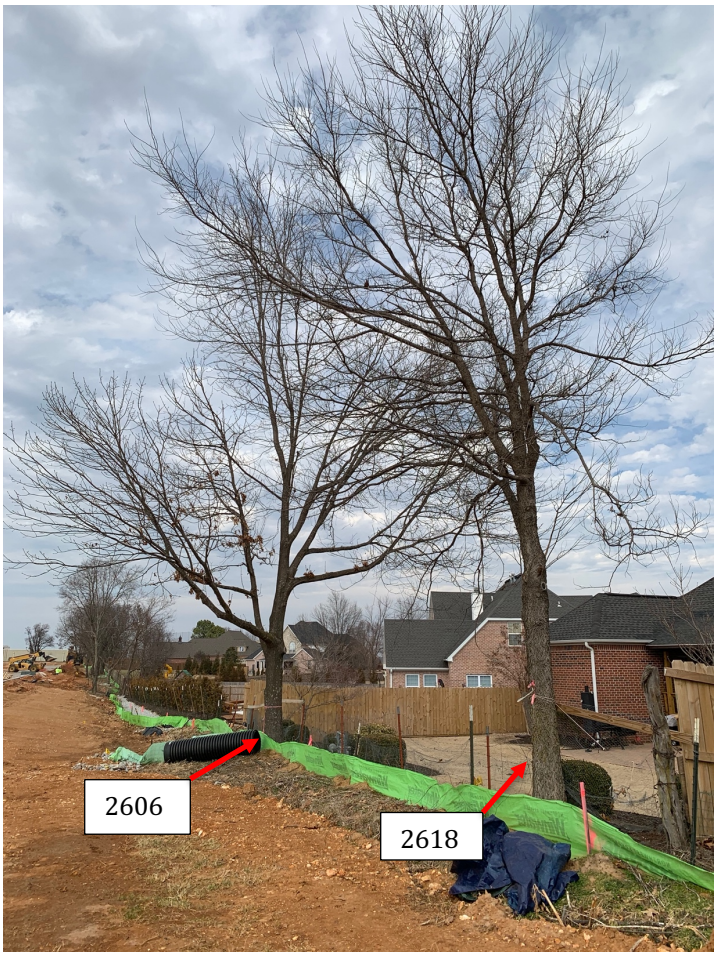


A few pertinent qualifications that qualify me as an expert to write this this report are:
ISA Certified Arborist certification, #SO-6263A (obtained in 2009)
ISA Certified Tree Worker certification, #SO-6263AT (obtained in 2010)
TCIA CTSP safety auditor and trainer certification, #1267 (obtained in 2013)
ISA Board Certified Master Arborist, #SO-6263BT (Obtained in 2016 and currently the only Master Arborist operating in Arkansas)
ISA Tree Risk Assessor Qualification, #SO-6263BT (obtained in 2017)
Full time practice as an arborist and having served as an expert witness and consultant on numerous cases since 2009.

The above report is accurate and true to the best of my knowledge with the information available to me at the time of this report. Any observations are based on conditions visible during my site visit or information provided to me by the client. Opinions or determinations are based on generally accepted industry guidelines and years of full time practice as an Arborist in Northwest Arkansas. I have no bias or interest in any particular outcome or findings from this report. Any additional consulting or expert witness services needed will be billed separately and is not included in the cost of this report.

Jeremy Williams, BCMA

HFA
Creative Solutions
Meaningful Places

MARCH 9, 2022

Dept of Community Development
Planning Division
301 W. Chestnut St
Rogers, AR 72756

RE: Drainage Letter Pinnacle Village

To Whom It May Concern:

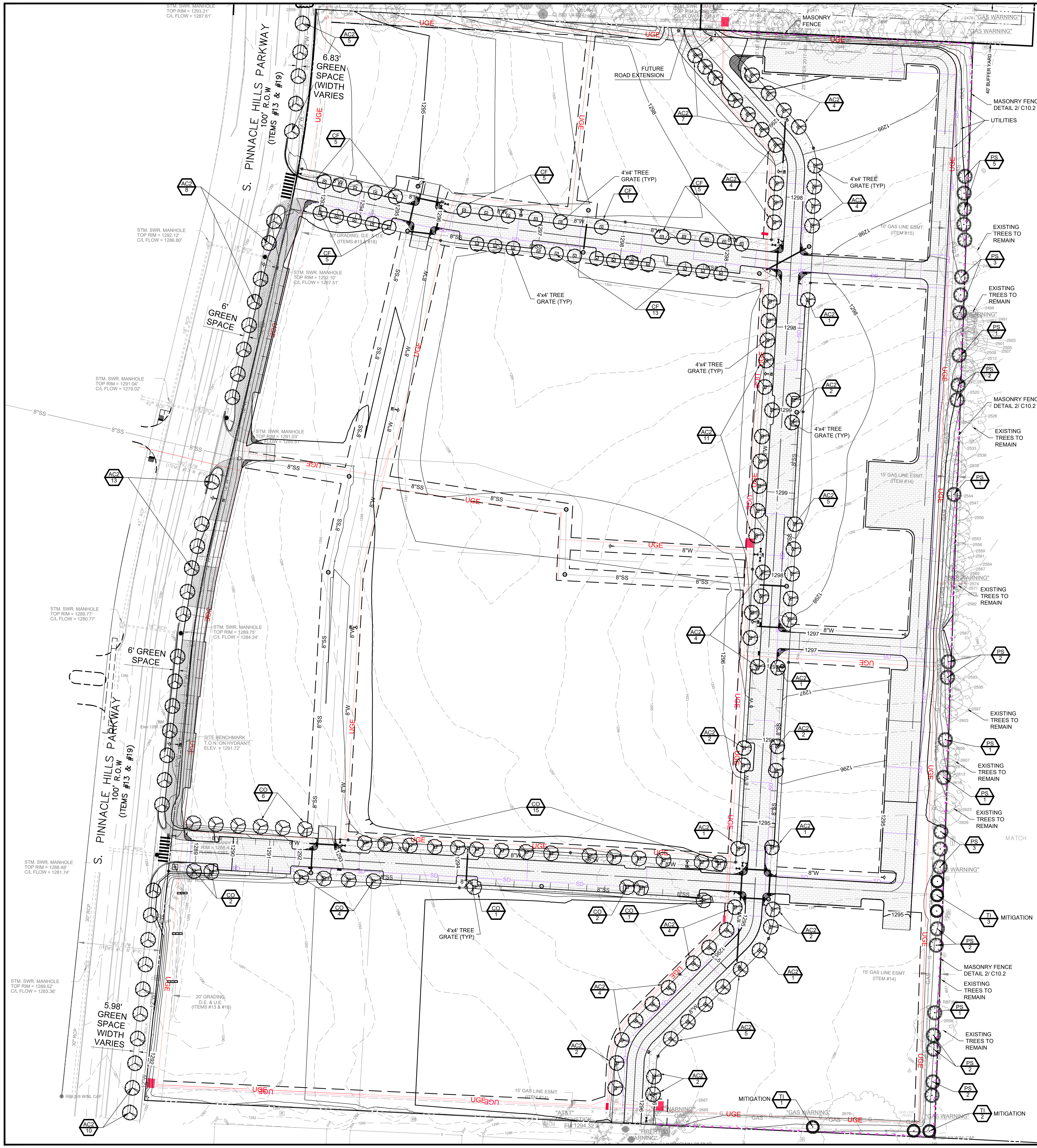
The proposed landscape changes from the original approved drawings will not affect the approved drainage design. Should you have any questions feel free to contact us at you earliest convenience.

Sincerely,

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 12539
DANIEL RYAN GILL
ryan.gill03/09/20228:09:23 AM

Ryan Gill, PE
Discipline Lead
Harrison French & Associates

TAB 5: Previously Approved



PLANT SCHEDULE

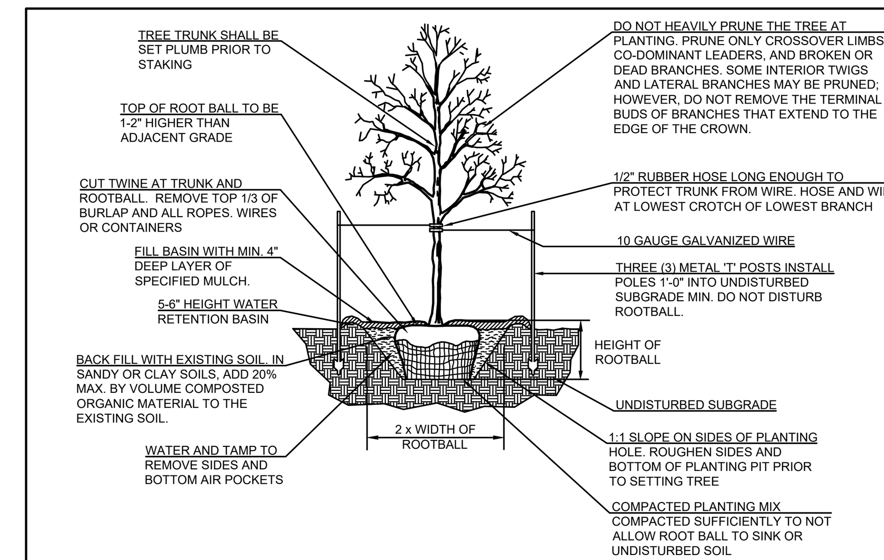
TREES	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	AC2	109	Canadian Serviceberry / Amelanchier canadensis	B & B	2"Cal	
	CF	34	Forest Pansy Redbud / Cercis canadensis `Forest Pansy`	B & B	2"Cal	
	CO	31	American Smoke Tree / Cotinus obovatus	B & B	2"Cal	
	PS	26	White Pine / Pinus strobus	B & B	2"Cal	6` min.

MITIGATION TREES	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	TI	6	Green Giant Arborvitae / Thuja x `Green Giant`	B & B	2"Cal	6` min.

N

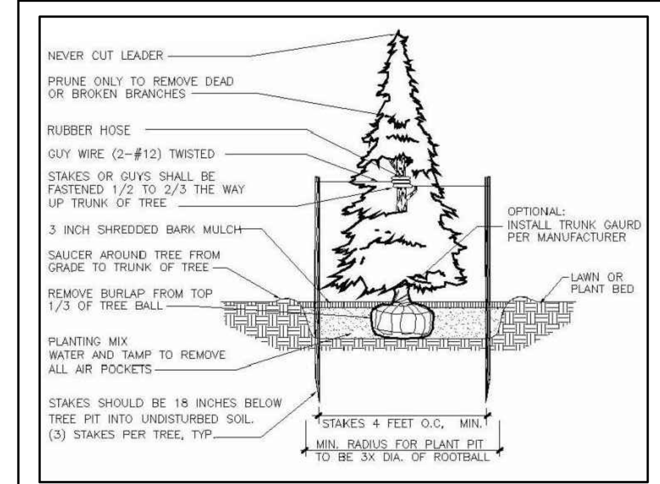
60 50 40 30 20 10 0 30 60 100

SCALE: 1 inch = 60 ft.



1. MARK THE NORTH SIDE OF THE TREE IN THE NURSERY, AND ROTATE TREE TO FACE NORTH AT THE SITE WHEN EVER POSSIBLE.
2. WRAP TREE TRUNKS ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.
3. EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. TREES WHERE THE TRUNK FLARE IS NOT VISIBLE SHALL BE REJECTED. DO NOT COVER THE TOP OF THE ROOTBALL WITH SOIL.
4. DO NOT LIFT, ADJUST OR MOVE TREE USING THE TRUNK. USE METAL BASKET FOR THESE TASKS.
5. NEWLY PLANTED TREES SHALL BE FERTILIZED WITH A TIME RELEASE FERTILIZER WITH A 20-20-20 ANALYSIS APPLIED PER MANUFACTURERS SPECIFICATION.

01 TREE PLANTING
N.T.S.



02 EVERGREEN TREE PLANTING
N.T.S.

GENERAL LANDSCAPE NOTES:

THIS PLAN IS FOR LANDSCAPE LAYOUT ONLY. ALL GRADING, UTILITIES, SITE STRUCTURES, ETC. ARE FOR REFERENCE ONLY AND SHALL BE VERIFIED WITH CIVIL PLANS AND IN THE FIELD.

ALL PLANT MATERIALS SHALL ARRIVE AT THE SITE WITH SOIL MOIST.

CONTRACTORS SHALL HAVE UNDERGROUND UTILITIES LOCATED, LEGIBLY MARKED, AND SHALL REPAIR ANY AND ALL DAMAGE WHICH MAY OCCUR AS A RESULT OF LANDSCAPE INSTALLATION. UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATED, AND SHOULD BE VERIFIED ON THE CIVIL UTILITY PLAN AND IN THE FIELD.

UNDER NO CIRCUMSTANCES WILL LANDSCAPE WORK BE APPROVED FOR PAYMENT IF PLANT SIZE AND GENERAL HEALTH ARE NOT AS REQUIRED ON PLAN.

ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS AS SPECIFIED.

ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT AND THE OWNER BEFORE, DURING AND AFTER INSTALLATION.

THE LANDSCAPE ARCHITECT MUST APPROVE ANY ALTERATIONS OR REVISIONS TO THE LANDSCAPE PLAN.

THE CONTRACTOR SHALL PROTECT EXISTING FEATURES ON SITE.

ALL DISTURBED AREAS ON AND OFF THE SITE, INCLUDING THE TEMPORARY DETENTION AREA, SHALL BE COMPLETELY HYDROSEEDED OR SODDED WITH GRASS SEED SPECIFIED ON PLANS.

SEEDING SHALL BE ACCOMPLISHED IMMEDIATELY AFTER BED PREPARATION. HYDROSEED MIXTURE SHALL CONTAIN CELLULOSE MULCH APPLIED AT A RATE OF 2,000 LBS./ACRE, WITH A MAXIMUM OF 50 LBS./100 GAL. OF WATER. IF SEEDING IS DELAYED AFTER MIXING 1/2 - 2 HOURS ADD AN ADDITIONAL 50% OF SEED MIX, IF DELAY IS LONGER THAN 2 HOURS, BEGIN WITH NEW MIXTURE.

MAINTENANCE:
SEEDED AREAS ARE TO BE WATERED ENOUGH TO MAINTAIN ADEQUATE SURFACE SOIL MOISTURE FOR PROPER SEED GERMINATION. WATERING SHALL CONTINUE FOR ALL GRASSED AREAS FOR NOT LESS THAN 30 DAYS FOLLOWING SEEDING OR UNTIL A HEALTHY STAND OF GRASS, WITH 90% OR MORE COVERAGE, IS ACHIEVED. IMMEDIATELY RESEED, FERTILIZE, AND MULCH DAMAGED AREAS OR ANY AREA THAT FAILS TO ACHIEVE THE COVERAGE SPECIFIED ABOVE UNTIL A HEALTHY STAND OF GRASS, WITH 90% OR MORE COVERAGE, IS ACHIEVED.

THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THESE PLANS, BEFORE PRICING THE WORK.

THE LANDSCAPE CONTRACTOR SHALL FULLY MAINTAIN ALL PLANTING (INCLUDING BUT NOT LIMITED TO WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) OF PLANTING AREAS AND LAWNS FOR 90 DAYS AFTER SUBSTANTIAL COMPLETION.

THE LANDSCAPE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR ONE (1) YEAR BEGINNING AT THE DATE OF SUBSTANTIAL COMPLETION. THE LANDSCAPE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE THE END OF THE GUARANTEE PERIOD (AS PER DIRECTION OF THE OWNER).

ANY PLANT MATERIAL WHICH DIES, TURNS BROWN OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.

STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1) REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR ALL NEW PLANT MATERIAL. ALL NEW PLANT MATERIAL SHALL BE PLANTED AND MAINTAINED IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN NATIONAL STANDARDS INSTITUTE REQUIREMENTS FOR TREE, SHRUB, AND OTHER WOODY PLANT MAINTENANCE (ANSI A300 PARTS 1 THROUGH 6).

ALL TOPSOIL (4"-5" IN PLANTING BEDS) (1"-2" FOR SEED AND SOD AREAS) APPLIED TO THE SITE SHALL BE LOAMY, FRIABLE SOIL, CONTAINING A MINIMUM OF 1.5 PERCENT BY DRY WEIGHT ORGANIC MATTER; FREE FROM SUBSOIL, REFUSE, ROOTS, HEAVY OR STIFF CLAY, STONES LARGER THAN 25 MM (1 IN.), NOXIOUS SEEDS, STICKS, BRUSH, LITTER, AND OTHER DELETERIOUS SUBSTANCES; SUITABLE FOR THE GERMINATION OF SEEDS AND THE SUPPORT OF VEGETATIVE GROWTH. THE PH VALUE SHALL BE BETWEEN 5.5 AND 6.5.

ALL PLANTING AREAS SHALL BE TOP DRESSED WITH SHREDDED HARDWOOD MULCH AT A MIN. 4" DEPTH ON DEWITT PRO 5 LANDSCAPE FABRIC. TOP OF MULCH SHALL BE EVEN WITH TOP OF CURBS OR EDGING. SEE CIVIL PLANS FOR ELEVATIONS. SECURE FABRIC WITH PINS OR STAPLES (2"x5"). PINS SHALL BE PLACED AT 5' O.C. AND JOINTS SHALL OVERLAP BY 12"

LANDSCAPE EDGING TO BE STEEL AND SHALL BE DARK IN COLOR.

THIS SHEET IS FOR THE PURPOSE OF LANDSCAPING ONLY. ALL GRADING, UTILITIES, SITE FEATURES, ETC. ARE FOR REFERENCE ONLY. PLEASE REFER TO CIVIL PLANS FOR MORE DETAILS.

IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO ENSURE THAT INSTALLED LANDSCAPING DOES NOT INTERFERE WITH OR OBSTRUCT ANY ADA PATHS OR OTHER VEHICULAR OR PEDESTRIAN USE AREAS. IT SHALL BE THE OWNER'S RESPONSIBILITY TO MAINTAIN ALL LANDSCAPING SO AS TO NOT INTERFERE WITH OR OBSTRUCT ANY ADA PATHS OR OTHER VEHICULAR OR PEDESTRIAN USE AREAS

USE CAUTION WITH PLANTING STREET TREES NEAR ALL UTILITIES. CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGE AND REPAIRS.

ANY DETENTION PONDS OR SLOPES OVER 3:1 SHALL BE SODDED.

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.

ALL PLANT MATERIAL TO BE FULLY IRRIGATED UNTIL ESTABLISHED.

CITY PLANTING REQUIREMENTS:		REQ.	PROV.
STREET TREES	TREE SPACING SHALL BE 30' FOR TREES LESS THAN 20' TALL, 40' FOR TREES 30-50' TALL, AND 50' FOR TREES 50' OR TALLER.	YES	YES
	ONLY TREES ON THE <20' TALL LIST MAY BE USED WITHIN 20' OF OVERHEAD UTILITIES OR WITHIN 10' OF UNDERGROUND UTILITIES.	YES	YES
	TREES SHALL NOT BE PLANTED WITHIN 20' OF A LIGHT POLE	YES	YES
	TREES SHALL BE CENTERED IN THE GREENSPACE	YES	YES**
TREE PRESERVATION	29 EXISTING TREES REMOVED. 1 TREE/ 5 REMOVED = 6 TREES TO BE PLANTED.	YES	YES**

CITY OF ROGERS STAMP
CITY of ROGERS PLANNING
02/24/2021

HFA ARCHITECTURE ENGINEERING
HARRISON FRENCH & ASSOCIATES, LTD
1705 S. Walton Blvd., Suite 3
Bentonville, Arkansas 72712
t 479.273.7780
f 888.520.9685
www.hfa-ae.com

STIPULATION FOR REUSE
THIS DRAWING WAS PREPARED FOR USE ON A SPECIFIC SITE AT: ROGERS, AR 72758 CONTEMPORANEOUSLY WITH ITS ISSUE DATE ON: 19-Jan-21 AND IT IS NOT SUITABLE FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THIS DRAWING FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED AND MAY BE CONTRARY TO THE LAW.

PINNACLE VILLAGE
S. PINNACLE HILLS PKWY.
ROGERS, AR 72758
PROJECT NUMBER: 18-17-00052

ISSUE BLOCK

#	TITLE	DATE
	OTP	04/17/2020
2	OTP/RFI-1	07/07/2020
3	OTP	10/02/2020
4	OTP	10/12/2020
5	OTP	11/30/2020
	CONSTRUCTION SET	01/19/2021

DOCUMENT DATE: 19-Jan-21
CHECKED BY: WFM
DRAWN BY: DAG

REGISTERED LANDSCAPE ARCHITECT
Worth F. McGraw IV
License Number 8967
STATE OF ARKANSAS
02/09/20211:01:16 PM

CERTIFICATE OF AUTHORIZATION
HARRISON FRENCH & ASSOCIATES, LTD.
No. 1048
ARKANSAS – ENGINEER

LANDSCAPE PLAN

SHEET: C7.0

Feb08,2021-10:09pm - User diego.garcia
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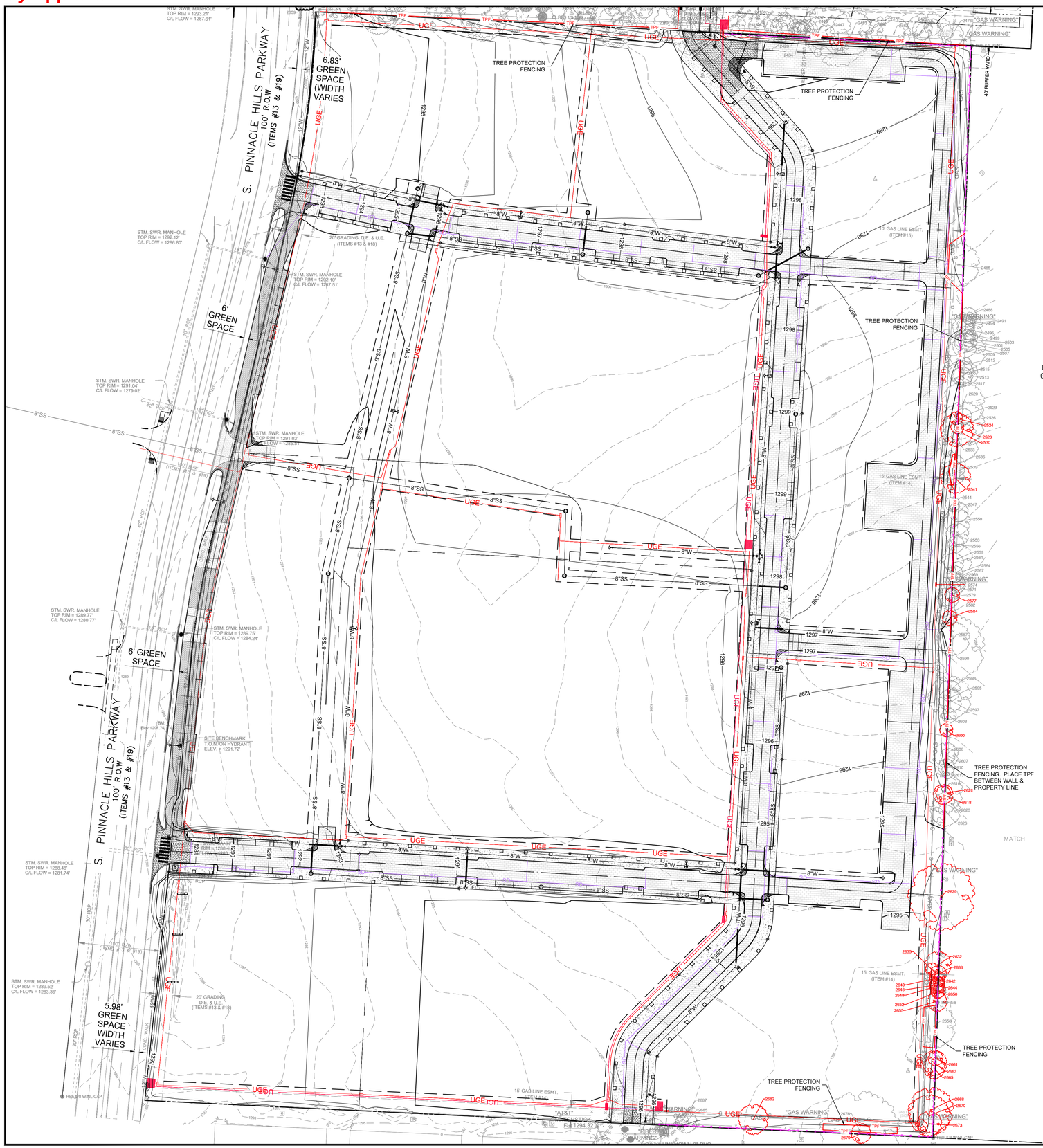
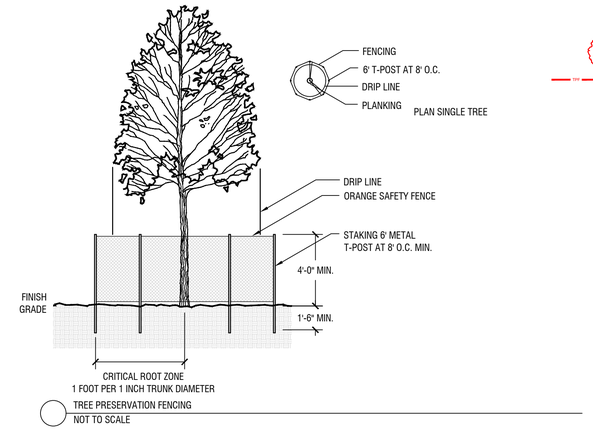
Previously Approved





TREES TO BE REMOVED

TREE PROTECTION FENCING

SCALE: 1 inch = 60 ft.

29 TREES REMOVED, SEE BELOW & IN RED ON PLANS. 6 ADDITIONAL TREES ARE PROPOSED ON THE LANDSCAPE PLAN.

POINT TABLE			POINT TABLE			POINT TABLE		
POINT #	DESCRIPTION	REMOVED	POINT #	DESCRIPTION	REMOVED	POINT #	DESCRIPTION	REMOVED
1086	4" PINE		2378	8" CEDAR		2530	20" SHUMARD OAK	YES
1087	4" PINE		2379	8" CEDAR		2533	24" CHERRY	
1088	4" PINE		2381	9" CEDAR		2536	15" CHERRY	
1089	4" PINE		2382	9" CEDAR		2539	8" DECIDUOUS	
1090	4" PINE		2383	6" CEDAR		2541	18" DECIDUOUS	YES
1091	4" PINE		2384	30" DECIDUOUS		2544	9" DECIDUOUS	
1092	4" PINE		2385	28" DECIDUOUS		2547	12" OAK	
1093	4" PINE		2387	7" CEDAR		2550	16" OAK	
1094	4" PINE		2389	8" CEDAR		2553	14" DECIDUOUS	
1095	4" PINE		2390	9" CEDAR		2556	10" DECIDUOUS	
1096	2" DECIDUOUS		2391	15" *3 DECIDUOUS		2559	18" DECIDUOUS	
1097	2" DECIDUOUS		2394	6" DECIDUOUS		2561	12" DECIDUOUS	
1098	3" OAK		2395	10" CEDAR		2564	10" DECIDUOUS	
1099	26" OAK		2396	30" DECIDUOUS		2567	10" DECIDUOUS	YES
1100	15" ELM		2397	22" DECIDUOUS		2569	10" DECIDUOUS	
1101	11" ELM		2398	19" DECIDUOUS		2571	10" DECIDUOUS	
1102	5" DECIDUOUS		2401	12" DECIDUOUS		2574	10" DECIDUOUS	YES
1103	8" *2 DECIDUOUS		2407	14" SASSAFRAS		2577	9" DECIDUOUS	YES
1104	4" DECIDUOUS		2410	15" SASSAFRAS		2579	13" DECIDUOUS	
1105	4" DECIDUOUS		2413	10" SASSAFRAS		2582	13" DECIDUOUS	
1106	6" DECIDUOUS		2416	18" SASSAFRAS		2584	9" DECIDUOUS	YES
1107	9" DECIDUOUS		2419	32" BLACK OAK		2587	20" DECIDUOUS	
1108	10" DECIDUOUS		2422	10" DECIDUOUS		2590	40" DECIDUOUS	
1109	5" DECIDUOUS		2425	9" SASSAFRAS		2593	13" OAK	
1110	12" DECIDUOUS		2428	12" SASSAFRAS		2595	28" OAK	
1111	5" DECIDUOUS		2431	12" SASSAFRAS		2597	14" DECIDUOUS	
1112	12" DECIDUOUS		2434	11" SASSAFRAS		2600	8" DECIDUOUS	YES
1113	12" DECIDUOUS		2437	12" SASSAFRAS		2603	9" DECIDUOUS	
1114	8" DECIDUOUS		2440	12" SASSAFRAS		2606	15" DECIDUOUS	
1189	2" DECIDUOUS		2444	10" HACKBERRY *2		2607	9" DECIDUOUS	
1266	2" OAK		2447	30" DECIDUOUS		2610	10" DECIDUOUS	
1366	12" ELM		2450	40" BLACKJACK OAK		2613	8" DECIDUOUS	
1687	7" BUR OAK		2453	26" SHUMARD OAK		2616	24" OAK	
1688	8" BUR OAK		2456	14" ELM		2618	12" DECIDUOUS	YES
2016	22" OAK		2459	24" BLACKJACK OAK		2620	9" DECIDUOUS	YES
2017	22" OAK		2462	20" BLACK WALNUT		2623	13" RED OAK	
2018	7" OAK		2466	30" BLACKJACK OAK		2626	18" DECIDUOUS	
2019	20" OAK		2472	18" BLACKJACK OAK		2629	40" DECIDUOUS	YES
2021	9" OAK		2476	14" MULBERRY		2632	16" DECIDUOUS	
2022	6" OAK		2479	10" HACKBERRY		2635	8" DECIDUOUS	YES
2023	15" OAK		2482	12" DECIDUOUS		2638	10" DECIDUOUS	YES
2024	28" OAK		2485	26" SOUTHERN RED OAK		2640	9" DECIDUOUS	YES
2025	24" OAK		2488	10" SASSAFRAS		2642	9" DECIDUOUS	YES
2028	8" OAK		2491	11" SASSAFRAS		2644	9" DECIDUOUS	YES
2029	17" PERSIMMON		2494	18" SASSAFRAS		2646	9" DECIDUOUS	YES
2030	22" PERSIMMON		2496	10" SASSAFRAS		2648	9" DECIDUOUS	YES
2247	8" DECIDUOUS		2499	10" SASSAFRAS		2650	9" DECIDUOUS	YES
2248	10" DECIDUOUS		2501	12" SASSAFRAS		2652	8" DECIDUOUS	YES
2359	10" DECIDUOUS		2503	12" SASSAFRAS		2655	12" DECIDUOUS	YES
2360	10" DECIDUOUS		2505	12" OSAGE ORANGE		2658	26" OAK	
2361	16" DECIDUOUS		2507	15" SHUMARD OAK		2661	9" DECIDUOUS	YES
2362	18" DECIDUOUS		2509	23" POST OAK		2663	10" DECIDUOUS	YES
2363	22" DECIDUOUS		2512	9" HACKBERRY		2665	13" DECIDUOUS	YES
2364	22" DECIDUOUS		2513	15" HACKBERRY		2668	27" RED OAK	YES
2365	9" CEDAR		2515	15" SASSAFRAS		2670	25" DECIDUOUS	YES
2366	15" CLUISTER *4		2517	12" SASSAFRAS		2673	15" DECIDUOUS	YES
2370	8" CEDAR		2520	26" BLACK CHERRY		2676	48" RED OAK	
2374	17" DECIDUOUS		2523	10" PERSIMMON		2679	12" DECIDUOUS	YES
2375	10" CEDAR		2524	8" BLACKJACK OAK		2682	18" DECIDUOUS	YES
2376	10" CEDAR		2526	26" SHUMARD OAK		2685	13" OAK	
2377	9" CEDAR		2528	8" HACKBERRY	YES	2687	8" OAK	

CITY OF ROGERS STAMP

CITY of ROGERS PLANNING 02/24/2021

HFA ARCHITECTURE ENGINEERING

HARRISON FRENCH & ASSOCIATES, LTD

1705 S. Walton Blvd., Suite 3
Bentonville, Arkansas 72712
t 479.273.7780
f 888.520.9685
www.hfa-ac.com

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PINNACLE VILLAGE

S. PINNACLE HILLS PKWY.
ROGERS, AR 72758

PROJECT NUMBER: 18-17-00052

ISSUE BLOCK

#	TITLE	DATE

DOCUMENT DATE: 01/14/2021
CHECKED BY: WFM
DRAWN BY: ELN

REGISTERED LANDSCAPE ARCHITECT
Worth F. McGraw IV
License Number 8967
STATE OF ARKANSAS
1/14/2021

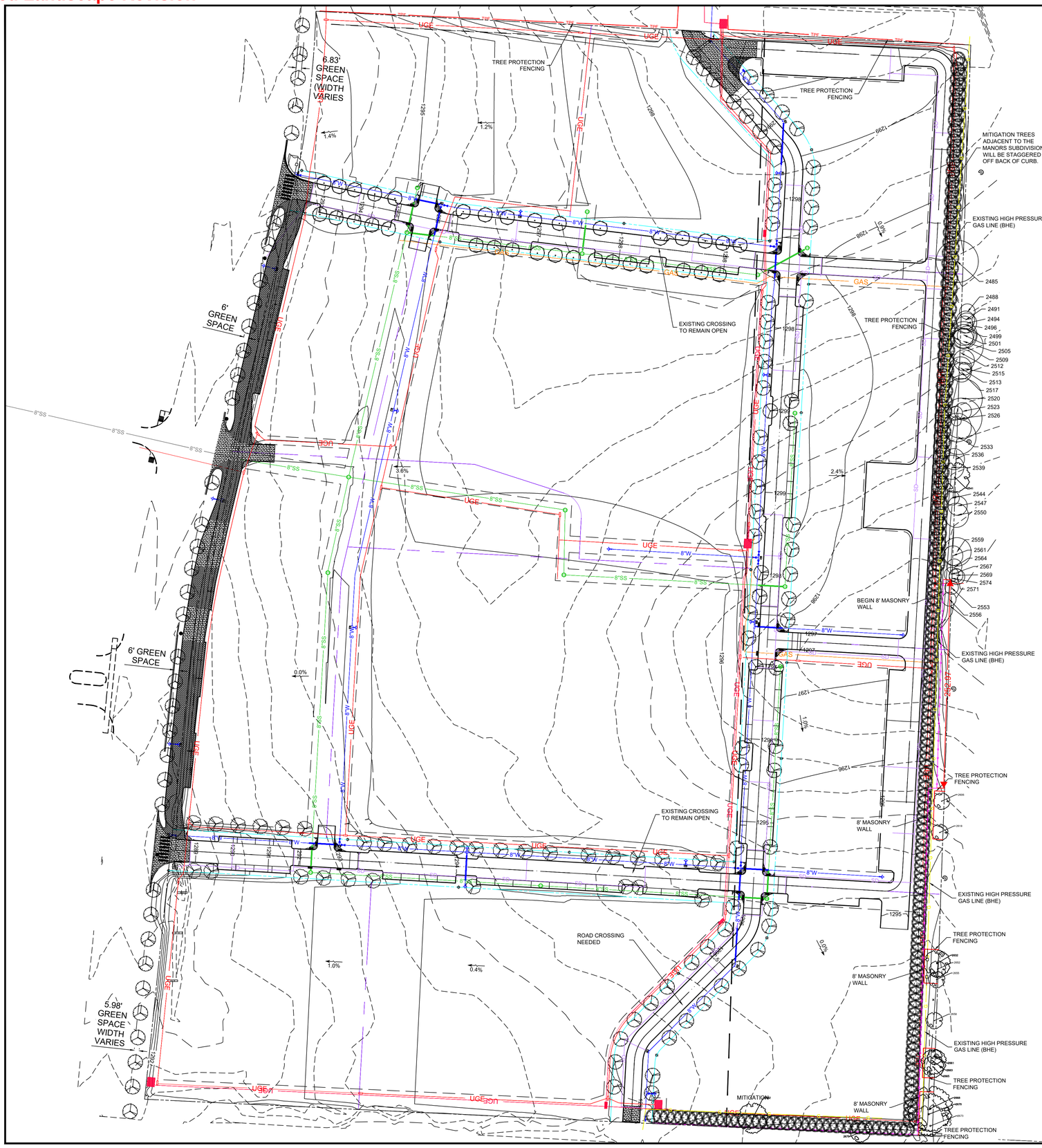
CERTIFICATE OF AUTHORIZATION
HARRISON FRENCH & ASSOCIATES, LTD.
No. 1048
ARKANSAS - ENGINEER

TREE PRESERVATION PLAN

SHEET: C7.1

Jan14,2021-1:00pm - User evan niehues
K:\18\18-17-00052 Pinnacle Commercial - Rogers, AR\Disciplines\CIVIL\Construction Documents Folder\ 18-17-00052 - LANDSCAPE.dwg

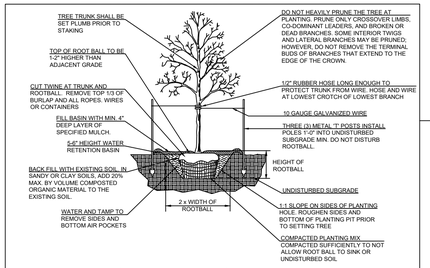
Proposed Landscape Revision



PLANT SCHEDULE

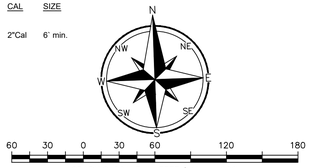
TREES	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	AC2	109	Canadian Serviceberry / Amelanchier canadensis	B & B	2"Cal	
	CF	34	Forest Pansy Redbud / Cercis canadensis `Forest Pansy`	B & B	2"Cal	
	CO	31	American Smoke Tree / Cotinus obovatus	B & B	2"Cal	

MITIGATION TREES	CODE	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	TI	216	Green Giant Arborvitae / Thuja x `Green Giant`	B & B	2"Cal	6` min.



1. MARK THE NORTH SIDE OF THE TREE IN THE NURSERY, AND ROTATE TREE TO FACE NORTH AT THE SITE WHEN EVER POSSIBLE.
2. WRAP TREE TRUNKS ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.
3. EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. TREES WHERE THE TRUNK FLARE IS NOT VISIBLE SHALL BE REJECTED. DO NOT COVER THE TOP OF THE ROOTBALL WITH SOIL.
4. DO NOT LIFT, ADJUST OR MOVE TREE USING THE TRUNK. USE METAL BASKET FOR THESE TASKS.
5. NEWLY PLANTED TREES SHALL BE FERTILIZED WITH A TIME RELEASE FERTILIZER WITH A 20-20-20 ANALYSIS APPLIED PER MANUFACTURERS SPECIFICATION.

01 TREE PLANTING
N.T.S.



TREES BORDERING THE MANORS
ALL TREES TO REMAIN

2485	28" SOUTHERN RED OAK
2488	10" SASSAFRAS
2491	11" SASSAFRAS
2494	18" SASSAFRAS
2496	10" SASSAFRAS
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2523	10" PERSIMMON
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2526	26" SHUMARD OAK
2528	8" HACKBERRY
2530	20" SHUMARD OAK
2533	24" CHERRY
2536	15" CHERRY
2539	8" DECIDUOUS
2541	18" DECIDUOUS
2544	9" DECIDUOUS
2547	12" OAK
2550	16" OAK
2553	14" DECIDUOUS
2556	10" DECIDUOUS
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2561	12" DECIDUOUS
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2579	13" DECIDUOUS
2582	13" DECIDUOUS
2584	9" DECIDUOUS

TREES BORDERING HIGHLAND KNOLLS
REFER TO CHART FOR STATUS

		TREE TO BE REMOVED
2553	14" DECIDUOUS	NO
2556	10" DECIDUOUS	NO
2606	15" DECIDUOUS	NO
2618	12" DECIDUOUS	NO
2632	16" DECIDUOUS	NO
2652	8" DECIDUOUS	NO
2655	12" DECIDUOUS	YES - POOR CONDITION
2658	28" OAK	YES - POOR CONDITION
2661	9" DECIDUOUS	NO
2663	15" DECIDUOUS	NO
2665	13" DECIDUOUS	YES - POOR CONDITION
2668	27" RED OAK	NO
2670	25" DECIDUOUS	YES - DEAD
2673	15" DECIDUOUS	NO

CITY PLANTING REQUIREMENTS:		REQ.	PROV.
STREET TREES	TREE SPACING SHALL BE 30' FOR TREES LESS THAN 20' TALL, 40' FOR TREES 30-50' TALL, AND 50' FOR TREES 50' OR TALLER.	YES	YES
	ONLY TREES ON THE <20' TALL LIST MAY BE USED WITHIN 20' OF OVERHEAD UTILITIES OR WITHIN 10' OF UNDERGROUND UTILITIES.	YES	YES
	TREES SHALL NOT BE PLANTED WITHIN 20' OF A LIGHT POLE	YES	YES
	TREES SHALL BE CENTERED IN THE GREENSPACE	YES	YES**
TREE PRESERVATION & MITIGATION	176 EXISTING TREES PREVIOUSLY REMOVED. 1 TREE/ 5 REMOVED = 36 MITIGATION TREES REQUIRED - 216 MITIGATION TREES PROPOSED	YES	YES**

CITY OF ROGERS STAMP

BLUE RIBBON INDUSTRIES
2225 S. Bellview Rd.
Rogers, Arkansas 72758
P 479-636-1717
www.br.industries

PINNACLE VILLAGE
ROGERS, ARKANSAS
WALL VARIANCE
EXHIBIT 1

PROJECT NUMBER: PROJ#

ISSUE BLOCK

#	TITLE	DATE
	EX-1	02-24-2022

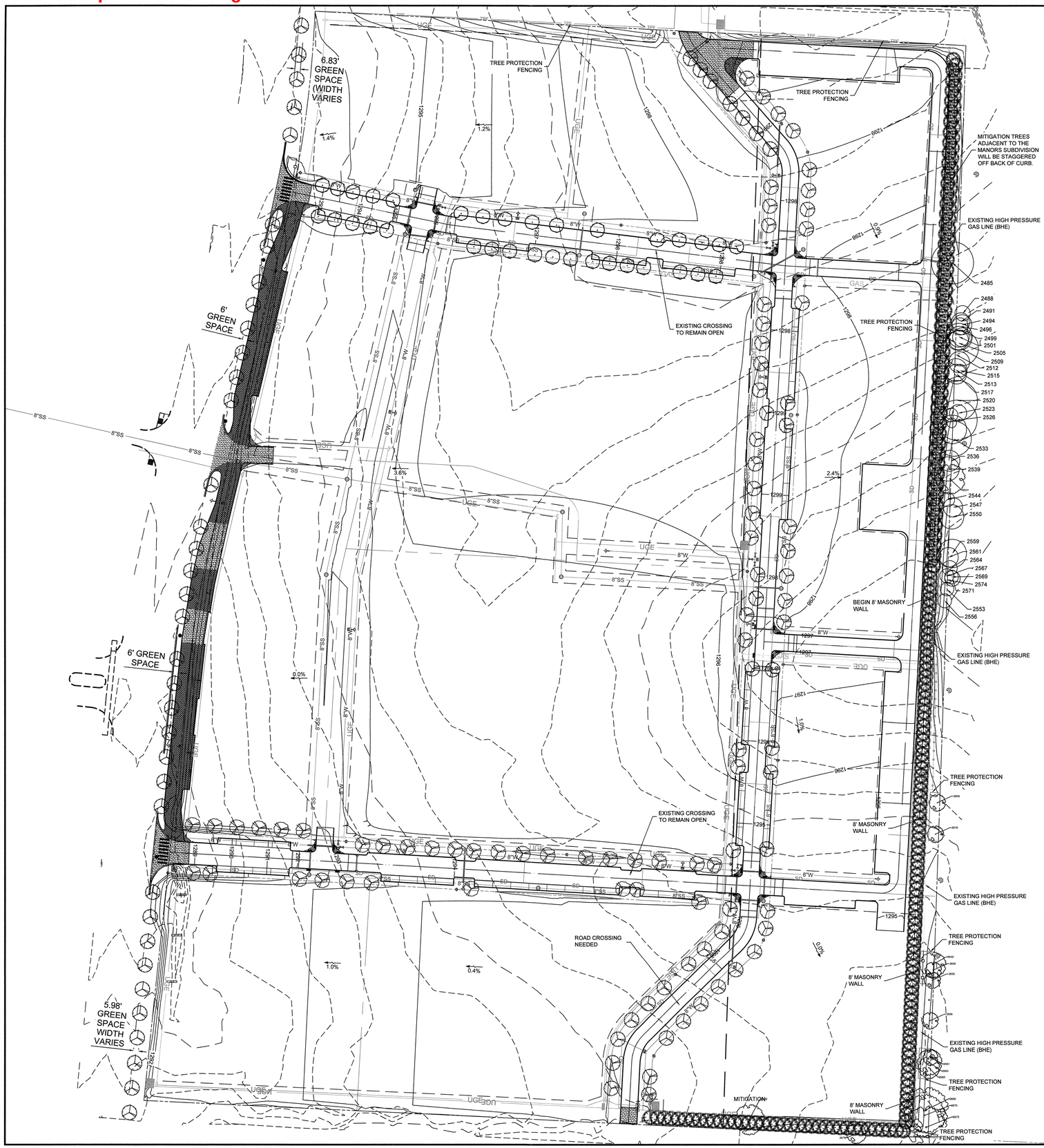
DOCUMENT DATE: 02-24-2022
CHECKED BY: AWV
DRAWN BY: AWV

Registered Landscape Architect
ANTHONY W. VANDERFLOEG
9108
State of Arkansas

LSCP VARIANCE EXHIBIT-1
03-10-2022

SHEET:
EX-1

Proposed Landscape Revision - Signed



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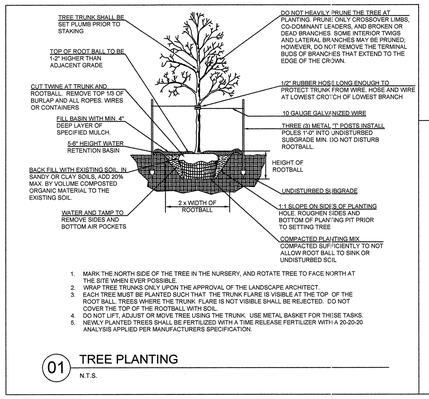

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01 TREE PLANTING

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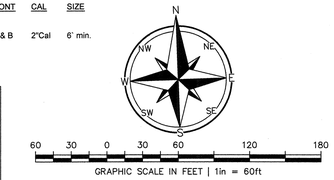

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REFER TO CHART FOR STATUS

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2556	10" DECIDUOUS	NO
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2632	16" DECIDUOUS	NO
2652	8" DECIDUOUS	NO
2655	12" DECIDUOUS	YES - POOR CONDITION
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CITY OF ROGERS STAMP

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PINNACLE VILLAGE
ROGERS, ARKANSAS
WALL VARIANCE
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Registered Landscape Architect
ANTHONY W. VANDERPLOEG
9108
State of Arkansas
04-01-22

LSCP
VARIANCE
EXHIBIT-1
03-10-2022

SHEET:
EX-1

January 17, 2022

Letter requesting Planning Commission Variance of 7ft masonry wall to be constructed to the West of four property owners in the manors Subdivision.

Dear John McCurdy and the Rogers Planning Commission,

I am writing to you on behalf of the Manors Subdivision Property Owners Association to respectfully request a variance to the current requirement of the 7-foot masonry wall to be built between the four property owners back lot line and the new Pinnacle Village development. Each of the property owners listed below has given their written request for the variance as well. We understand that there will be no wall and no berm.

Dr. Hugh & Regina Donnell 4607 Blossom Way Drive

Mr. David and Christi Lawing 4609 Blossom Way Drive

Dr. Kale & Kristen Dittmeyer 4610 Blossom Way Drive

Mr. Kelly and Meredith Haviland 4608 Blossom Way Drive

In order to construct the wall a trench for the footing would need to be dug along the back of the Manor's lots. In doing so, we feel that the root system of all the existing trees will be disrupted to the point of killing the trees making them unable to block the neighbor's site lines from their backyards to the future development and vice versa. The original excavation of the new water detention/paver stone roads has already killed several mature trees in this area and trenching even closer to the homeowners lots will absolutely kill the rest. These mature trees are the best form of site line coverage for these neighbors, and we feel to have those 50–60-foot trees die in lieu of a 7-foot masonry wall, in this instance, would be counterproductive to what we're all trying to achieve and environmentally disruptive to the area.

Instead, the original required line of green giant arborvitaes, along with other fast growing deciduous trees that Blass has agreed to plant both on his property and on the adjacent homeowners' properties will create a stronger site line barrier than the wall. The four homeowners, the Manors POA and Blass have met multiple times to create a solution that we feel fits this circumstance and it is our hope that you will grant the variance so we may proceed with this option.

Thank you for your attention in this matter and if you have any questions, our Manors POA and the four property owners can be reached by phone or email and will also be in attendance for the Planning Commission meeting and subsequent City Council meeting regarding this request.

Sincerely,

Christy Lamers

President of The Manors Property Owners Association

CC: Ryan Lemoine - VP, Ruth Dolle – Treasurer, Sherrie Conley - Secretary

Hugh and Regina Donnell
4607 Blossom Way Dr
Rogers, AR
hdonnell@cox.net

February 24, 2022

To the Planning Commission,

Our property is adjacent to the development west of the Manors. I understand that building a berm for separation is not practical. Eliminating the berm and placing a suitable barrier with trees is acceptable.

Hugh Donnell

Regina Donnell

David and Christie Lawing

4609 W Blossom Way Drive
Rogers, AR 72758
(479) 899-4679
davidlawing@cox.net

February 24, 2022

Jon McCurdy
Planning Commission Members

Dear Mr. McCurdy and Planning Commissioners,

We are reaching out to you to ask for consideration in opting out of the proposed wall being planned between our back yard and the new Pinnacle Village development. While I know that the ordinance calls for a wall that has been planned previously, those of us in the Manors have taken great effort to buffer ourselves from the new development by implementing additional landscaping, but the existing 100ft trees that would be at risk during construction of the wall are critical to our buffer. Further, by neighborhood rules, we already have 6' fences erected, so a 7' masonry wall is not going to serve much of a purpose.

We have met several times with Alex Blass, and we have developed an acceptable solution, which is to buffer our neighborhood with additional landscaping in lieu of the wall. We understand that a berm is not feasible. This solution has been deemed acceptable by Alex and his company and all Manors neighbors that are adjacent to the development. We ask that you authorize a variance to the ordinance and allow our collaborated solution to be implemented.

If you have questions, please contact us at the number above. Thank you in advance for your consideration.

Sincerely,

Christie Lawing

David and Christie Lawing
Enclosure

Charles and Meredith Haviland
4608 W. Blossom Way Drive
Rogers, AR 72758
(479) 659-4828
ckhaviland@yahoo.com

February 24, 2022

Dear Jon McCurdy & Planning Commission Members,

We would like to request and gain alignment from the Rogers Planning Commission on the following item as it relates to the construction of the Pinnacle Villages project and our home in the Manors subdivision:

- We would like to OPT out of the proposed 7ft Wall that is being planned as a solution between Pinnacle Villages and our property in the Manors Subdivision
    - The Manors houses that border this area have made substantial investment in landscaping options over the years, to provide natural buffers from the new development
        - In addition, we have met with developer Alex Blass to come up with alternative solutions to a wall for the Manors homes.
        - The Manors homeowners and Mr. Bass have agreed to this proposal of replacing the wall with landscaping alternatives.
    - Also of larger concern, is the need for a solution to the extensive flooding problems already experienced in our property as a result of the Pinnacle Villages project.
        - The 7ft Wall would exacerbate this issue and continue to cause more intense flooding and property issues to get worse.
        - By opting out of the wall, we would work with Alex Bass to develop a runoff solution for the additional water that has been flowing into the Manors when it rains, causing physical damage to houses and yards

We are asking the Rogers Planning Committee to approve us to OPT out of the proposed 7ft wall for our property.

Please feel free to reach out to me or my wife if you have any questions. Thank you for hearing our request.

Sincerely,

Charles and Meredith Haviland

Kale Dittmeyer & Kristen Campbell-Dittmeyer
4610 W. Blossom Way Drive
Rogers, AR 72758

24 February 2022

Dear City of Rogers, Arkansas Planning Commission Members:

This letter is in regards to the masonry wall that is currently proposed to be erected along the Pinnacle Village development & our property in the Manors Subdivision. For the record, as property owners of the above address, we are in support of the variance that Pinnacle Village developers have submitted to the City of Rogers, Arkansas Department of Community Development.

1) We are in favor of a landscape buffer being situated between our property & the Pinnacle Village development in lieu of the proposed masonry wall.
2) We are in favor of the proposed line of staggered trees to be planted in lieu of the masonry wall. We understand and accept that there will not be an installation of a berm.

Thank you in advance for your time & consideration of this matter.

Sincerely,

Kristen Campbell-Dittmeyer

Kristen Campbell-Dittmeyer

DocuSign Envelope ID: 8CB41B77-9E5F-45B4-BA74-37DC72E96762

November 1, 2021

Dept of Community Development
Planning Division
301 W. Chestnut St
Rogers, AR 72756

RE: Pinnacle Village Variance

Dear Dept of Community Development,

We the neighbors in the Highland Knolls Subdivision adjoining Pinnacle Village are not in favor of a variance to remove the approved masonry wall. Our homes are along the east and south border of Pinnacle Village. We respectfully request the masonry wall, approved by the city, be constructed.

Thomas or Alexandra Stark
4703 W Highland Knolls Rd

DocuSigned by:
48835447E5A44C5...
Manoj or Indu Kumar
4701 W Highland Knolls Rd

11-1-21
Terry or Nancy Sharp
4619 W Highland Knolls Rd

11-1-21
Paul or Alice Moore
4617 W Highland Knolls Rd

Will Larkin
4612 W Hillside Drive

Bryan Snyder
4606 S 46th Place

Timothy or Barbara Gorman
4904 S 46th Place

Matthew or Kimberly Watts
4902 S 46th Place

Joe or Catherine May
4900 S 46th Place

August or Kimberly Rusher
4611 W Creekview Drive

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

ROGERS PLANNING COMMISSION
11-20-2018
Discussion: Rezone for Prestige Worldwide Development/Alex Blass

AGENDA ITEM:
A request by Prestige Worldwide Development, LLC to rezone 27 acres east of Pinnacle Hills Parkway, south of Pauline Whitaker Parkway from A-1 (Agricultural) to the U-COM (Uptown Commercial Mixed Use) and U-NBT (Uptown Neighborhood Transition Unit) zoning districts.

Planning Commissioners discussed the rezone and the accompanying request to reduce the required buffer area from 300 feet to 250 feet.

John Schmelzle – To hold them to the 300 feet based on this site plan seems silly because the townhouses will provide that buffer.

Public Hearing opened:
Paul Moore, Highland Knolls, concerned about the reduction of the buffer and drainage issues.
Will Larkin, Highland Knolls, wants buffer at 300 feet
Christy Lamer, Blossom Way Drive, opposed to buffer reduction
Brian Snider, S. 46th Street, there is no existing 6-fence between property
Alex Blass, developer, will build brownstones that won't be looking into the neighbors backyards, understands how to place windows. Without the reduction they're constrained where to place structures and meet density county.

The public hearing was declared closed.

John McCurdy discussed the buffer yard with the Commission and noted that the 300-foot buffer allows residential uses within that area. The buffer also includes an 8-foot screening wall and a 30-foot rear setback for structures, he noted.

Mark Myers noted the 8-foot masonry wall is required along the entire eastern property line.

McCurdy read from City Code stating the wall is required "when adjacent to any single-family detached residential use." He said that since that's the case for this site, the 8-foot masonry wall is mandatory along the eastern strip of the NBT property. That was something that was added to the code due to input from this neighborhood during the Comprehensive Growth Map discussion and the URDC public hearings, McCurdy noted.

Commissioners discussed the location of the planned townhouses, agreeing that keeping the buffer at 300 feet would not give the project anymore greenspace. They also discussed the fact that it is a rezone without a DCP, but the site plan was provided as part of the request for a bufferyard reduction.

Mark Myers said he was uncomfortable giving up something and not have anything set in stone to prove what will be built. He added that there has to be trust at some point.
"At the end of the day this fits our Growth Comprehensive. This is what we want to see," Myers said, adding that connectivity and other issues will come out in the LSDP process.
"The zone is going to require the masonry fence no matter what, so I guess I'm willing to take a little bit of a leap of faith here for no more than 50 feet," Myers said.

Jensen said the 250 feet is "pretty close to ideal," and made a motion to recommend the rezone to NBT for approval, and approve the reduction for all but the Southeast corner of the property.
Myers seconded.
APPROVED and sent to Council for approval of the ordinance.

Long, Amber

From: McCurdy, John
Sent: Thursday, December 30, 2021 4:09 PM
To: Long, Amber
Cc: Ericson, Lori
Subject: FW: Masonry Wall at Pinnacle Village

Amber,

Please include this email chain as an exhibit in the staff report for the current variance/waiver request.

John McCurdy, CNU-A | Director
Dept. of Community Development
City of Rogers | www.rogersar.gov
301 W Chestnut St, Rogers, AR 72756
(479) 621-1186

From: Alex Blass [mailto:ablass@br.industries]
Sent: Tuesday, August 24, 2021 6:04 PM
To: Hunter, Ethan <ehunter@rogersar.gov>
Cc: McCurdy, John <jmccurdy@rogersar.gov>; Jobe, Lance <ljobe@rogersar.gov>
Subject: Re: Masonry Wall at Pinnacle Village

CAUTION: This email originated from outside of the City of Rogers and attachments were detected. Do not open attachments unless you recognize the sender and know the content is safe.
CAUTION: This email originated from outside of the City of Rogers and URL's were detected. Do not click links unless you recognize the sender and know the content is safe.

Ethan,

We will have the variance request in by Friday to meet the agenda deadline. The two POA presidents are working diligently to get the signatures but won't have all by Friday but we will well before the actual meeting Planning Commission Meeting.

Thanks,

Alex Blass

President

Blue Ribbon Industries

(o): (479) 636 1717

(m): (479) 595 6595

Sent from my iPhone. Please excuse the brevity, spelling and punctuation.

On Aug 23, 2021, at 12:48 PM, Hunter, Ethan <ehunter@rogersar.gov> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Alex,

Nothing has been waived at this time; ordinance requirements cannot be waived by staff or a POA. As it stands, the approved preliminary plat construction plans are code compliant and show the proposed masonry wall. To remove this from the plans would require the Planning Commission to approve a variance request. Since the masonry wall requirement was put into code at the request of these neighborhoods specifically, we will need something in writing from the POAs and all neighbors directly adjacent.

If you submit a written variance request, relevant plan exhibits, and supporting documentation from POAs/neighbors by end-of-week, we can potentially place this on the 9/7 Planning Commission agenda as a standalone variance request. Please don't consider that a guarantee, however, as we will review the submittal for completeness before final agenda confirmation.

Thanks,

<image001.png>

Ethan Hunter, AICP, CNU-A | City Planner
Dept. of Community Development
City of Rogers | www.rogersar.gov
301 W Chestnut St, Rogers, AR 72756
(479) 621-1186

<image002.png>

<image003.png>

<image004.png>

From: McCurdy, John
Sent: Monday, August 23, 2021 9:16 AM
To: Hunter, Ethan <ehunter@rogersar.gov>; Jobe, Lance <ljobe@rogersar.gov>
Subject: FW: Masonry Wall at Pinnacle Village

<image001.png>

John McCurdy, CNU-A | Director
Dept. of Community Development
City of Rogers | www.rogersar.gov
301 W Chestnut St, Rogers, AR 72756
(479) 621-1186

<image002.png>

<image003.png>

<image004.png>

From: Alex Blass [mailto:ablass@br.industries]
Sent: Monday, August 23, 2021 8:03 AM
To: McCurdy, John <jmccurdy@rogersar.gov>; Paxton, Kristifier <kpaxton@rogersar.gov>; Jobe, Lance <ljobe@rogersar.gov>
Cc: Tom Hladick VCC Superintendent <THladick@vccusa.com>; Justin Couch <jcouch@vccusa.com>; Doug Mineart <dmineart@br.industries>; Ryan Gill <ryan.gill@hfa-ae.com>; Diego Garcia <diego.garcia@hfa-ae.com>; Jones Clemons <JClemons@vccusa.com>; Nathan Lopez <nlopez@br.industries>; Anthony Vanderploeg <aVanderploeg@br.industries>; Jeremy Benson <jbenson@br.industries>; Cari DeLaughter <cdelaughter@br.industries>
Subject: Masonry Wall at Pinnacle Village

Good Morning John,

I hope you all had a nice weekend. I wanted to follow up on the masonry wall at Pinnacle Village. It's our understanding from a message we received from Chrissy Lamers with the Manors POA, that the requirement for the masonry wall has been waived based on the request from the Manors and Highland Knolls POA. If this is the case, can the city provide VCC/HFA some guidance on what needs to be done as next steps on our side.

Thanks!

Alex Blass

President

Blue Ribbon Industries

(o): (479) 636 1717

(m): (479) 595 6595

Sent from my iPhone. Please excuse the brevity, spelling and punctuation.

City of Rogers: Stormwater, Flooding, & Drainage 4 Part Series

Part 4: Drainage.

Drainage.
Overview of Part 4 of 4.

- Recap of “Drainage” from first meeting.
- The Drainage Criteria Manual.
- Detention/Retention Ponds, Pipes, Channels and Inlets.
- Easements and Maintenance.
- Common issues with existing older developments.
- Private vs Public Matters.

Recap of “Drainage” from first meeting.

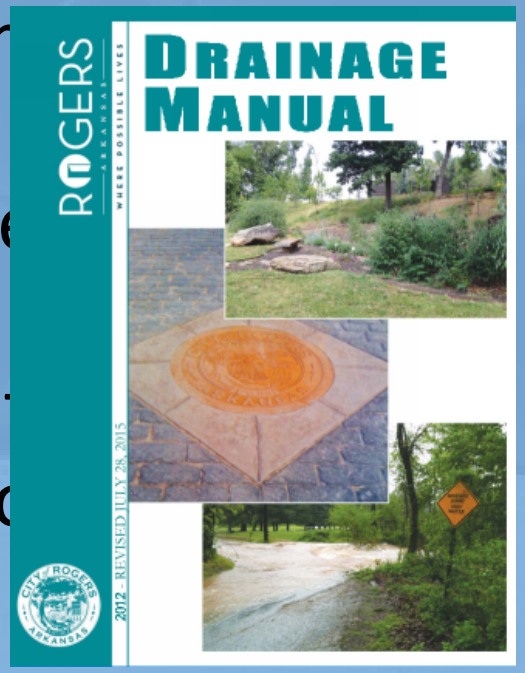
- Previously we discussed that Drainage related items include infrastructure, flowline networks, pipe sizing, detention or retention pond sizing, sheet flow, and topics dealing with the transportation and/or storage of storm water.
- We also discussed that development considerations include how to properly store, transfer, and release the stormwater in a manner in which post-development and pre-development peak discharge is equaled or improved.

Recap of “Drainage” from first meeting.

- Some of the common “Drainage” issues we mentioned in the first part of this series include blocking drainage from neighboring lots, concentrating flow from a large area to a small area without proper design, sheet flow issues from fences and vegetation, undersized systems, and oversized discharge pipes.

The Drainage Criteria Manual.

* The current Drainage Criteria Manual was adopted by the City Council in 2012, and updated in 2015, to ensure that systems are designed to meet performance and long term water quality requirements. The manual includes 10 Chapters and ensures new development meets complex requirements to minir impact of new development on the stormwater network and prope owners. Each Large Scale Development and new Subdivision is designed to meet the requirements o Drainage Criteria Manual, and goes through a vigoro review by the Engineering Division of Community Development.



Detention/Retention Ponds

- The intent of detention/retention facilities is to protect downstream channels and property from adverse impacts caused by increased peak flow rates and runoff volumes that can result if stormwater control measures are not implemented when areas are developed.
- Onsite detention/retention facilities must be designed so that peak flow rates for post-project conditions are limited to a maximum of pre-project levels for the 1-year, 2-year, 5-year, 10-year, 25-year, 50-year and 100-year events.

- The specific type of basin used falls into one of two design categories:

1) Dry detention basin – drains over 1 to 3 days, for pollutant removal and flood control, and

2) Wet retention basin – contains a permanent pool of water and is designed for pollutant removal, flood control, and often aesthetics

Detention Ponds

- Dry Detention Pond Design

- Dry Detention Ponds are normally dry basins or ponds that captures stormwater runoff and releases it over 24-72 hours typically.
- Detention ponds are typically sodded with grass and have a 5-ft wide concrete trickle channel at the bottom to assist with maintenance and reduce erosion.
- Detention ponds are designed to hold the 100-year event plus an additional 1-foot of freeboard storage capacity. In case of an emergency, overflow spillways for detention facilities must permit the passage of the runoff from the 100-year event.

Detention Ponds

- Some detention ponds have a micropool. A micropool is a wet area around the outlet of the detention pond which is a small area of ponded water adjacent to the outlet that provides a flow path for water to discharge when the trash rack becomes clogged with floating trash and debris. However, this is still considered a Dry Detention Pond, but with a micropool feature.

Retention Ponds

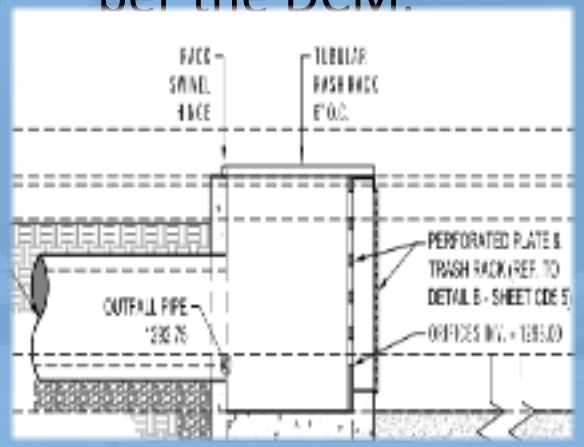
- Retention Ponds are wet ponds that have a storage capacity between the normal water level and the 100-year event water level.

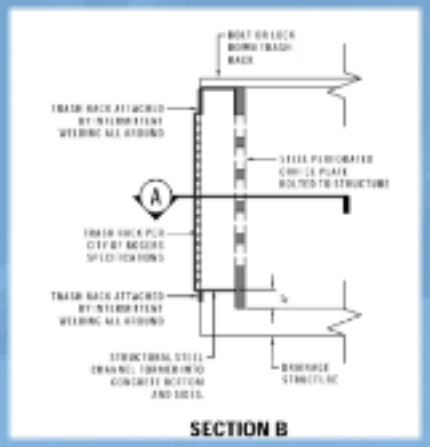
- Retention Ponds are required to have a 6-ft deep permanent pool, or normal water level, and be equipped with aerators. The depth of the permanent pool is intended to mitigate mosquito breeding and algae growth, as studies have shown. The aeration of the pond water helps maintain water quality and can be more aesthetic to certain types of developments. A 1-foot freeboard over the 100 -year water surface elevation is also required for extra storage.
- One benefit of retention ponds is that during some rain events, the levels of water are replenished to the normal water level without releasing new amounts from the development.
- Retention ponds also are required to have a 15-ft wide safety bench for access out or a see-thru fence for safe
- Retention ponds are often considered a “feature” and likely to be “activated”, meaning having recreational u added such as a walk-path, benches, and lighting.

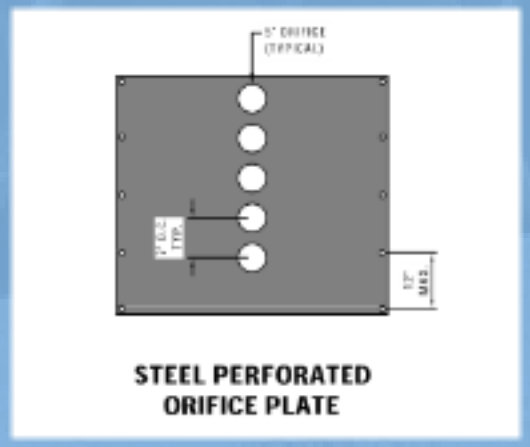
Detention/Retention Ponds

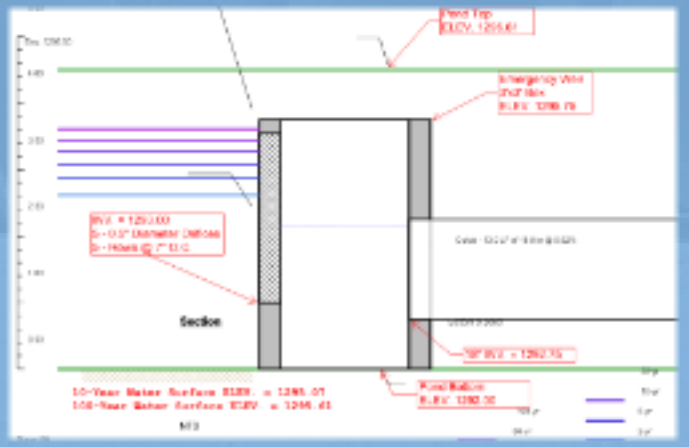
- Pond Outlet Structures

— A detention or retention pond's outflow rate is typically controlled by the pond's outlet structure. To maintain peak flow rates at pre-development levels, a multi-frequency outlet design approach is required. For example, for the water surface elevation corresponding to the volume calculated for the 10-year event, the outlet should be designed to discharge no greater than the 10-year pre-development rate. The pond's discharge flow rates and velocities are controlled by a series of orifices and weirs with a calculated hydraulic capacity. Trash racks and staff gauges are also required attachments to the outlet structure, per the DCM.









Pipes

- Pipes for new developments come down to two important considerations, the type of the pipe to use, and the size/shape of the pipe.

- In Rogers, the type of the pipe used is required to be a Reinforced Concrete Pipe in rights-of-way, drainage easements, and under drivable surfaces. This is due to the fact they are low maintenance, make permanent and secure connections, and are less susceptible to damages during installation and afterwards. For example, HDPE pipe can melt from simple burning of leaves, and CMP (metal pipe) can rust out due to high soil acid levels or be crushed. Most HDPE [illegible] s c[illegible] nd [illegible] rt to create a conduit, [illegible] it

Pipes

- Pipe failure examples

CMP

Pipes

- Pipe failure examples

CMP

Pipes

- Pipe calculations

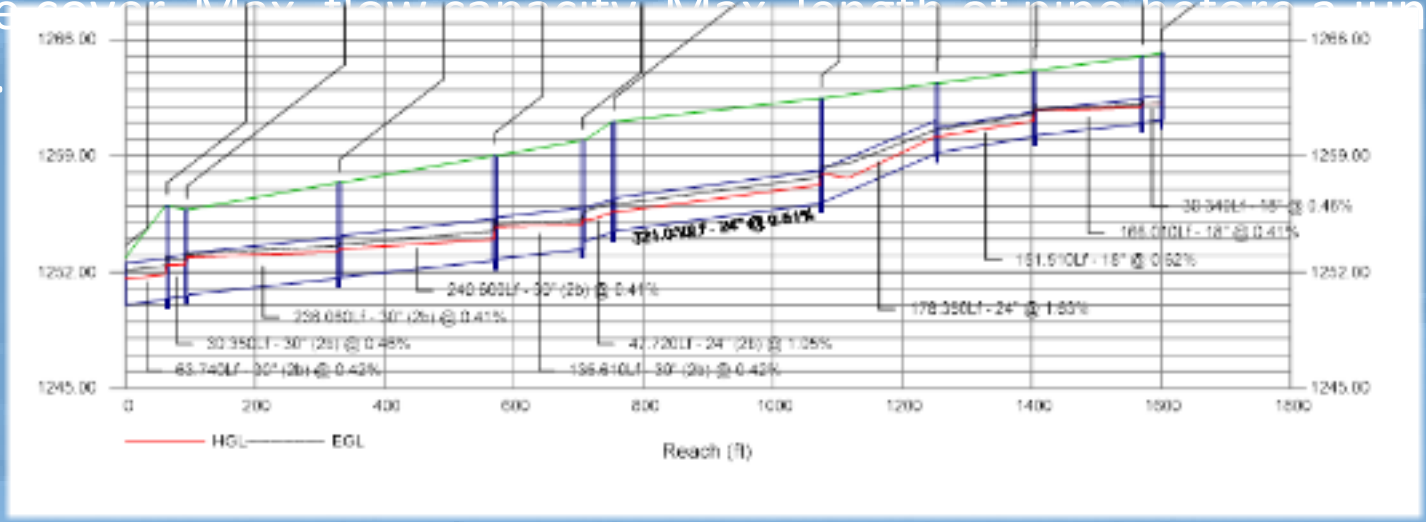
- How fast does the pipe need to drain? How big does a pipe need to be to contain the volume? How full will a pipe be between two boxes? These are provided in calculations from a Professional Engineer to verify the correct size pipe is chosen. The minimum in Rogers is an 18-inch RCP to allow for maintenance.

OTAL SUM "CA"	INLET TIME OF CONC. Tc (min)	PIPE RUN Tc (min)	DESIGN Tc (min)	* INTENSITY (in/hr)	PIPE FLOW Qt (cfs)	NUMBER OF RUNS	PIPE SIZE (in)	PIPE FRICTION COEFF. n	PIPE SLOPE (ft/ft)	** PIPE CAPACITY (cfs)	PIPE VELOCITY (ft/sec)	PIPE LENGTH (ft)	PIPE Tc (min)	INLET FLOWLINE ELEVATION (ft)
2.05	5.00	4.06	14.00	5.34	64.37	1	54	0.013	0.0049	137.65	8.66	32.99	0.06	1249.85
2.05	9.00	4.69	14.00	5.34	64.37	1	54	0.013	0.0041	125.92	7.92	72.43	0.15	1250.24
1.71	8.00	4.62	13.00	5.50	64.41	1	54	0.013	0.0041	125.92	7.92	30.03	0.06	1250.46
1.50	5.00	4.02	13.00	5.50	53.75	1	48	0.013	0.0040	90.85	7.23	260.43	0.60	1251.60
0.77	7.00	3.10	13.00	5.50	53.75	1	48	0.013	0.0045	96.36	7.67	114.34	0.25	1252.21
0.53	8.00	2.75	13.00	5.50	52.44	1	48	0.013	0.0042	93.09	7.41	132.26	0.30	1252.86
0.78	5.00	2.57	13.00	5.50	47.23	1	48	0.013	0.0045	96.36	7.67	60.83	0.13	1253.23
0.78	6.00	1.93	13.00	5.50	47.23	1	48	0.013	0.0041	91.98	7.32	279.95	0.64	1254.48
0.59	6.00	1.60	13.00	5.50	47.23	1	42	0.013	0.0042	65.20	6.78	135.39	0.33	1255.15
0.25	11.00	1.21	13.00	5.50	28.85	1	42	0.013	0.0046	68.24	7.09	167.61	0.39	1256.02
0.02	11.00	1.02	13.00	5.50	22.09	1	42	0.013	0.0041	64.42	6.70	75.93	0.19	1256.82
0.34	11.00	0.55	13.00	5.50	16.36	1	42	0.013	0.0056	75.29	7.83	219.32	0.47	1258.14
0.63	5.00	0.09	13.00	5.50	14.43	1	30	0.013	0.0060	31.77	6.47	180.45	0.46	1259.32
0.35	7.00	0.00	7.00	6.80	2.36	1	18	0.013	0.0100	10.50	5.94	30.15	0.09	1260.62

Pipes

- Pipe constraints

  - Closed storm sewers shall be designed to accommodate the 10-year storm and must be able to manage the 100-year storm runoff so that it is conveyed within the ROW or a drainage easement.
  - The storm sewers will need to adhere to the requirements outlined in the DCM including, but not limited to: Minimum pipe slope, Minimum pipe size, Min./Max. flow velocity, Minimum pipe cover, Max. flow capacity, Max. length of pipe before a junction box/clean-out point, etc.



Pipes

- Pipe shapes

- RCP comes in several shapes. Typically, it is circular, but can also be elliptical and arched or a box. The shape is usually chosen based on how close to the surface or another obstacle the design will require the pipe to be.

Circular

Arched

Elliptical

Pipes

- Box Culverts

- Major drainageways can consist of open channels or closed conduits. Closed conduits include structures such as box culverts and large pipes. Reinforced concrete box culverts are an acceptable storm sewer conduit and shall be designed according to the same requirements and criteria as RCP storm sewer.

Channels

- Open channels are strongly preferred to closed conduits.

- Major drainage must be through open channels except where "special measures are necessary".
- The use of open channels for major drainage ways can provide significant advantages, compared with closed conduits, in terms of cost, capacity, potential for recreational uses, aesthetics, environmental protection or enhancement. Environmental benefits include promoting filtration of pollutants and water infiltration of the soil.
- Disadvantages of open channels compared with closed conduits include increased space and right-of-way requirements and additional maintenance needs associated with channel instability.
- In cases where major drainageways already exist in a natural condition, they should generally be preserved except where engineered improvements, such as grade control, erosion protection, or restoration, are needed.
- Some modification of the channel is frequently required to create a more stabilized condition to withstand changes to surface runoff created by urbanization. The objective is to avoid excessive and extensive channel disturbance and the subsequent negative impacts on erosion, sediment deposition, and water quality.

Channels

- "Open Channels" include:
  - Existing Natural Channels
  - Existing or Proposed semi-improved channels
  - Existing or Proposed improved channels

Natural

Semi-improved

Improved

Easements and Maintenance.

- Who maintains what?

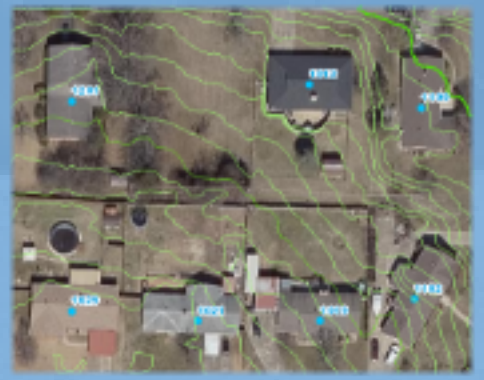
– The simple answer is that if it is on private property, typical maintenance is to the property owner.
– Detention ponds in subdivisions are typically maintained by the property owners associations. The City of Rogers does own some detention ponds which are maintained by the Street Department but no longer accepts new detention ponds as a matter of course.
– A Drainage Easement is there to allow emergency maintenance, and advanced maintenance, on an as-needed basis.
– If there are issues that need assistance from the City of Rogers, the Street Department can ONLY do work on private property if there is an easement to complete the work on. If not, it is fully a private property owner issue

Common issues with existing older developments.

*

- Sheet Flow Erosion

- This issue is typical in older subdivisions that were designed prior to 1993 to allow water to flow from lot to lot across larger areas. When originally graded, the water flows in sheets across the land. Over time, the water carries topsoil away in areas causing natural ponding in areas where soil has eroded. This is often in back yards. Many times, residents believe this is caused by development, and use images to request dev here sto



Common issues with existing older developments.

- Changes to Drainage Flow & Lack of Detention

- Many older subdivisions do not have detention. The stormwater ran off of the site and into the nearest creek or stream.
- As subdivisions age, there is an increased amount of impervious surface within the subdivision, by adding things such as sheds, concrete slabs, pool construction, expanding driveways, etc. This can change drainage patterns, increase runoff, and block drainage.

Private vs Public Matters.

- Many people have issues with their neighbors draining or blocking drainage to or from their lot.

- The state of Arkansas is one of at least 18 states which use the “Common Enemy” rule with respect to drainage law in that stormwater must flow somewhere. Flows should not be altered to negatively impact a neighboring property downstream. While it may be unlawful for someone to create new drainage or block drainage to or from another person’s lot in a manner that causes an adverse impact, these issues are civil in nature, and are civil matters between two property owners. The City of Rogers does not resolve private civil matters between property owners.

Private vs Public Matters.

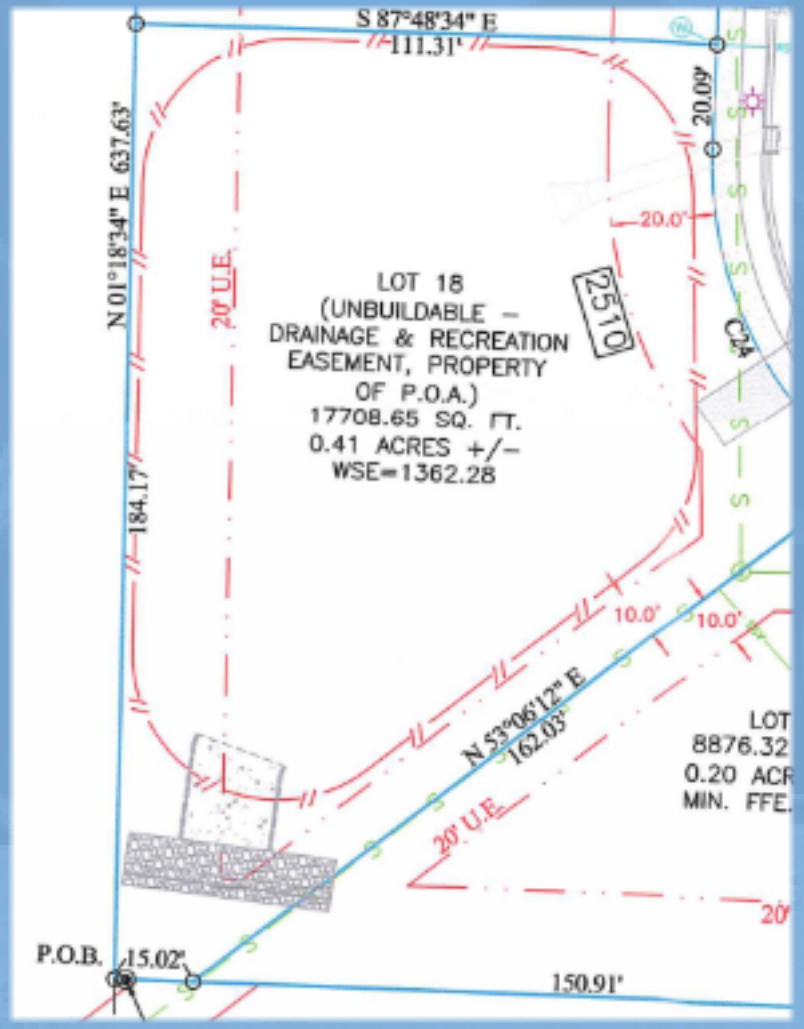
- The basic principle is that any landowner may protect themselves from water flowing onto their property from a higher elevation.

- Under this rule, the dominant landowner cannot construct drainage works which result in damage to the servient owner without first securing an easement. The servient owner is allowed to p e water onto their property. The relationship of the o

Private vs Public Matters.

- So what does the city do for drainage?

- The City of Rogers ensures that new developments meet the requirements of code, and provides advanced maintenance in Drainage Easements. Maintenance is performed by the Street Department as needed to ensure that public infrastructure performs accordingly, and in some cases may replace undersized or underperforming drainage systems. In some cases, the City may request removal of structures, fences, or other private development that has been placed within a Drainage Easement.



Q&A

We have now covered basic information regarding

Stormwater Management,
Floodplain Administration,
and Drainage.

What questions do you have that pertains to what was covered in today's training?