



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

PLANNING COMMISSION MEETING AGENDA

MAY 17, 2022

5:00 PM

DATE: MAY 17, 2022

LOCATION: CITY HALL, 301 W. CHESTNUT STREET

COMMITTEE SESSIONS: 4:00 PM

REGULAR SESSION: 5:00 PM

ONLINE VIEWING: [HTTPS://US02WEB.ZOOM.US/J/83971579716](https://us02web.zoom.us/j/83971579716)

COMMITTEE SESSIONS

DEVELOPMENT REVIEW COMMITTEE - 4:00 PM, COMMUNITY ROOM

- **LSDP: WHITNEY PLAZA**
- **LSDP: PLAZA AT PINNACLE HILLS NW**
- **LSDP: ROGERS 1ST STREET**
- **LSDP: TRI-STATE OPTICAL**

PLANS & POLICIES COMMITTEE - 4:30 PM, COUNCIL CHAMBERS

- **REZONE/DCP REVISION: ATRE 28TH STREET**
- **SCHEDULE OF USES UPDATE FOR URDC/DRDC**

REGULAR SESSION 5:00 PM

AGENDA

CALL TO ORDER:

ROLL CALL:

ACTION ON MINUTES:

1. **May 3, 2022**



DEPT. OF COMMUNITY
DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
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REPORTS FROM STAFF:

REPORTS OF BOARDS AND STANDING COMMITTEES:

CONSENT AGENDA:

OLD BUSINESS:

PUBLIC HEARING:

1. CUP: Blue Zoo Aquarium

A request by Blue Zoo Aquarium for a Conditional Use Permit allowing the use "Commercial Assembly, Recreation, & Entertainment" at 2203 Promenade Blvd. in the C-2 (Highway Commercial) zoning. (Tabled 5-3-22)

- *STAFF: Christina Moore*
- *REPRESENTED BY: Ryan Faust*

2. Rezone: NR Properties, LLC

A request by NR Properties, LLC to rezone 0.24 acres at 303 N. 3rd Street from R-O (Residential Office) to the NBT (Neighborhood Transition) zoning district.

- *STAFF: Christina Moore*
- *REPRESENTED BY: Tony Noblin*

3. Rezone: Brittany Tole

A request by Brittany Tole to rezone 0.26 acres at 121 N. 7th Street from COM (Commercial Mixed Use) to the NBT (Neighborhood Transition) zoning district.

- *STAFF: Zachary Birdsong*
- *REPRESENTED BY: Brittany Tole*

4. Rezone: Gabriel Garcia

A request by Gabriel Garcia to rezone 0.69 acres south of W. Olrich Street and west of S. 9th Street from N-R (Neighborhood Residential) to the R-DP (Residential Duplex Patio Home) zoning district.

- *STAFF: Kyle Belt*



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- *REPRESENTED BY: Delmy Nieto*

5. Rezone: Jamie Corona

A request by Jamie Corona to rezone 0.8 acres west of S. 21st Street and north of W. Savannah Drive from C-2 (Highway Commercial) to the U-NBT (Uptown Neighborhood Transition) zoning district.

- *STAFF: Nicholas Little*
- *REPRESENTED BY: Chris Tilley*

6. Rezone: Russ Huckaby

A request by Russ Huckaby to rezone 28.08 acres south of W. Walnut Street between W. Wray Drive and S. 28th Street from a mix of RMF-13.5A (Residential Multifamily, 13.5 units per acre, ownership) and C2-CU (Highway Commercial, Condominium Use) to the C-3 (Neighborhood Commercial) zoning district.

- *STAFF: Justin Couch*
- *REPRESENTED BY: Jeff Davis*

7. Revised RZN/DCP: ATRE 28th Street

A request by ATRE 28th Street to rezone 21.05 acres at 5308 S. 28th Place from RMF-12B (Residential Multifamily, 12 units per acre, rentals) to the RMF-12B (Residential Multifamily, 12 units per acre, rentals) zoning district with a revised Density Concept Plan.

- *STAFF: Amber Long*
- *REPRESENTED BY: Bill Watkins*

NEW BUSINESS:

1. LSDP: Whitney Plaza

An 11,400-sf commercial building proposed on 1.93 acres at 5400 S. Pinnacle Hills Parkway in the C-3 (Neighborhood Commercial) zoning district.

- *STAFF: Justin Couch*
- *REPRESENTED BY: Michael Clotfelter*

2. LSDP: Plaza at Pinnacle Hills NW

A 15,360-sf two-story commercial building proposed on 1.64 proposed at 5500 W. Northgate Road in the U-COM (Uptown Commercial Mixed Use) zoning district.

- *STAFF: Christina Moore*



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- *REPRESENTED BY: Ali Karr*

3. LSDP: Rogers 1st Street

A mixed-use development including four buildings totaling 115,882 sf proposed on 3.28 acres at 401 N. 1st Street in the I-A (Industrial Arts) zoning district.

- *STAFF: Nick Little*
- *REPRESENTED BY: Brahm Driver*

4. LSDP: Tri-State Optical

A 6,031-sf commercial building on 1.34 acres proposed at 1714 W. Walnut Street in the R-O (Residential Office) zoning district.

- *STAFF: Nicholas Little*
- *REPRESENTED BY: Geoff Bates*

5. Schedule of Use Update

A proposed change to the Schedule of Uses to allow the use "Wholesale Trade Establishment/Warehouse and Storage Services" in the URDC/DRDC zoning districts of COR (Core Mixed Use) and COM (Commercial Mixed Use).

- *STAFF: Amber Long*

ADJOURN:



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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – Blue Zoo Aquarium

STAFF: CHRISTINA MOORE, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Blue Zoo Aquarium
ADDRESS/PARCEL:	2203 Promenade Blvd / 02-21250-000
PROPOSED USE:	Commercial Assembly
CURRENT USE:	Retail
CURRENT ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	Blue Zoo Aquarium
PROPERTY OWNER:	Brookfield Properties
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the use “Commercial Assembly” which is conditional in the C-2 zoning district. The subject property is not zoned correctly per the Comprehensive Growth Map, as the property is designated for U-COM per the Uptown Regional Center Zoning Plan. Staff finds this request to be compatible with the surrounding development context and appropriate at this location.

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

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 not zoned correctly per the CGM, as the property is designated for U-COM per the Uptown Regional Center Zoning Plan.
- b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
 - The property currently is zoned C-2 in the Uptown Regional Center Zoning Plan. Existing uses within the Regional Center include retail sales, restaurants, hotels, and entertainment. The proposed use of “Commercial Assembly” would be appropriate at this location due to its compatibility with existing land use characteristics and the character of the Regional Center, per the CGM. The area also has a movie theatre and an arcade that share the same proposed use classification.
- c) Can all other zoning requirements be met?
 - All zoning requirements can be met.
- d) Will ingress and egress for the proposed use create a traffic hazard?
 - Currently the property has a plethora of parking spaces for vehicular traffic to park and the existing store front faces sidewalks on all sides to promote pedestrian access to the aquarium.

2. COMPREHENSIVE GROWTH MAP:

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

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:
“Commercial Assembly” is defined as “a secondary use classification encompassing facilities that provide participant or spectator recreation or entertainment.” (Sec. 14-695(b)(3)(p)).

4. RECOMMENDATIONS:

- a) Staff recommends **Approving** 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 Development

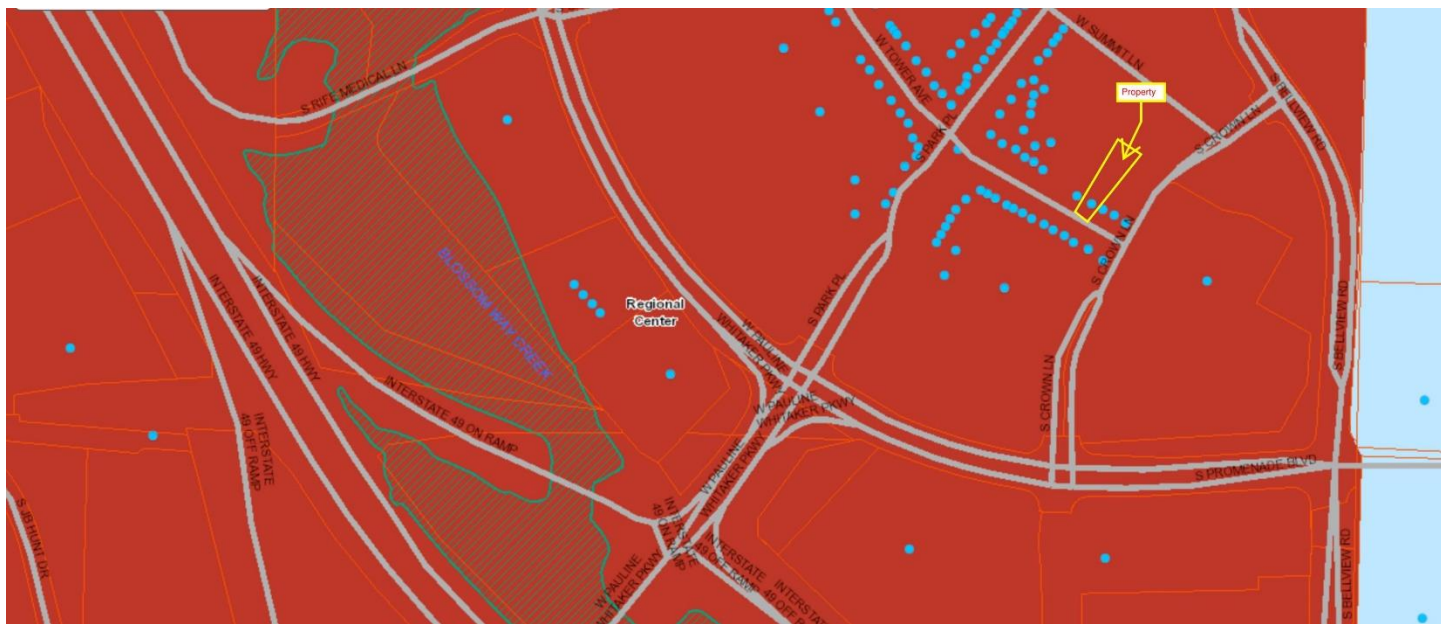
TABS:

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

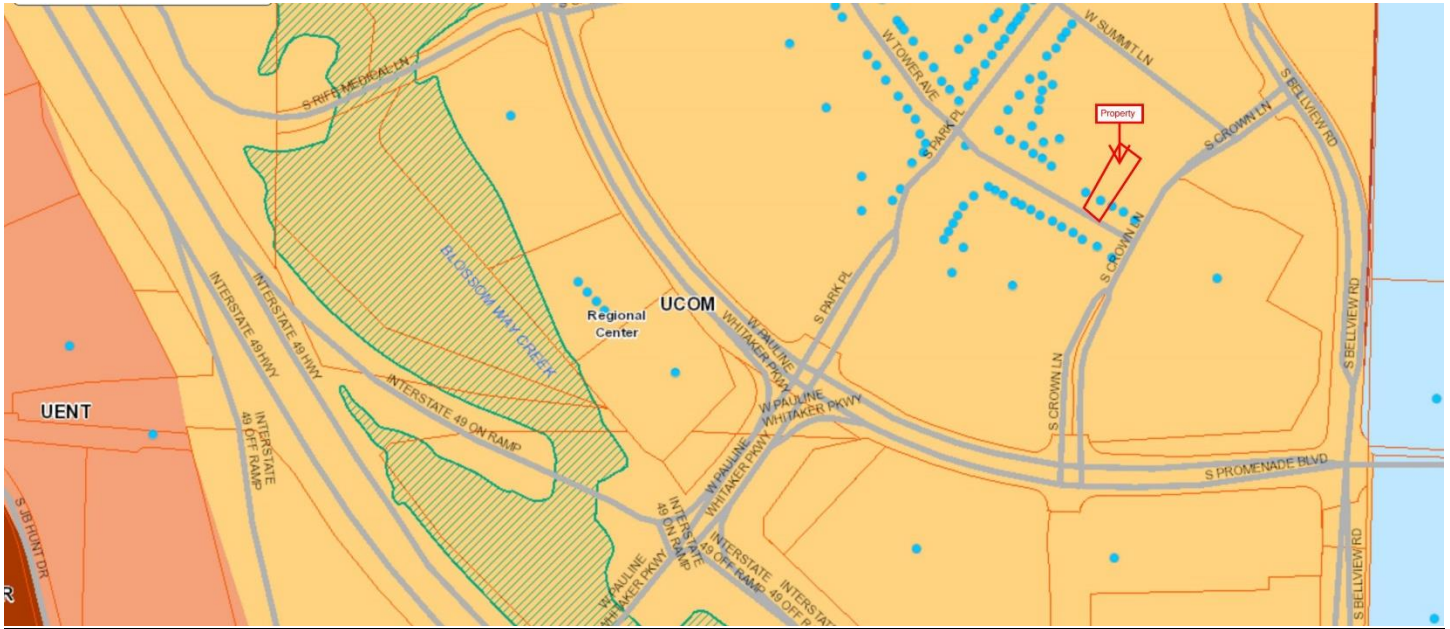
TAB 1
AERIAL VICINITY MAP



CGM VICINITY MAP



URDC VICINITY MAP





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

CH 1092

OFFICE USE ONLY

Permit Fee: \$100 (\$100)
Zoning: C2
Permit Number: 22-13
CityView Application: PL202200341
Date: 4/11/2022

CONDITIONAL USE PERMIT

APPLICANT: Ryan Faust Blue Zoo Aquarium
ADDRESS: 702 SE 5th St (2203 Promenade Blvd) SUITE #: 30
PHONE #: 479 321 0478 EMAIL: faust@bluestudio.co
PROPERTY OWNER: Brookfield Properties PHONE #: 350 312 960 4378
PRESENT USE: M-MERCANTILE (APPAREL STORE) ZONING: C-2
PROPOSED CONDITIONAL USE: A-ASSEMBLY (PETTING ZOO FOR AQUATIC ANIMALS)
PARKING SPACES AVAILABLE: 1,000 (SHARED) HOURS OF OPERATION: 9AM-9PM
IF APPLYING TO OPEN A DAYCARE:
NUMBER OF CHILDREN: N/A MOST CHILDREN AT ONE TIME: N/A

[Signature]
Applicant Signature

4/11/2022
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: 4/11/2022 PUBLIC HEARING DATE: 5/3/2022 CERTIFIED MAIL DATE: 4/18/2022
PLANNING COMMISSION ACTION: _____
COMMENTS, CONDITIONS, LIMITS: _____

April 11, 2022

City of Rogers
Planning Department

RE: Blue Zoo Aquarium CUP

To whom it may concern:

This letter is in regard to the Conditional Use Permit Application in relation to the tenant remodel of an existing M-Mercantile use (University of Arkansas apparel store) into an A-Assembly use (Fish Petting Zoo) inside of the Pinnacle Hills Mall. The current zoning designates that an Assembly use is a conditional use for this property, and with the change of use mentioned above we are submitting for the CUP to document the change of use and for approval to coincide with building permits currently in review at the City of Rogers. Normal operating times for the tenant will coincide with the overall mall operating times and parking is shared among all tenants for the development.

Changes in tenant uses at the mall is adjusting to a mixture of Assembly uses such as the Dave & Busters and other similar uses that will work alongside the current and incoming M-Mercantile uses to support a market change in the dynamic of expected experience by visitors.

Sincerely,



Ryan Faust,
Partner + Managing Principal

PROPERTY OWNER PERMISSION

I, David Faulkner, hereby permit the use of Blue Zoo Aquarium
(name) (use)
on my property at 2203 Promenade BLVD Rogers, Arkansas.
(address)

Dated this the 11th day of April, 2022.

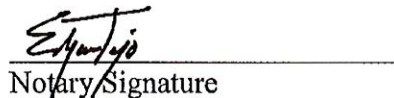

Signed

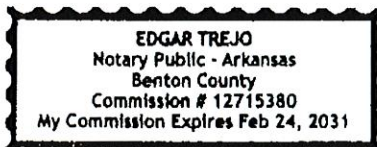
David Faulkner
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

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


Notary Signature



Edgar Trejo
Notary Name Printed

Feb 24, 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 **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 27 day of April, 20 22.

Caitlin Brooks

Signed

Caitlin Brooks

Name Printed

STATE OF Missouri
~~ARKANSAS~~

COUNTY OF Greene

Subscribed and sworn before me this the 27 day of April, 20 22.

Angela R Love

Notary Signature



Angela R Love

Notary Name Printed

4-1-24

Commission Expires



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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – NR PROPERTIES

STAFF: CHRISTINA MOORE, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	303 North 3 rd Street / 02-02407-000
TOTAL AREA TO BE REZONED:	± 0.24 acres
CURRENT ZONING:	R-O (Residential Office)
PROPOSED ZONING:	NBT (Neighborhood Transition Unit)
APPLICANT/REPRESENTATIVE:	Tony Noblin
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	NR Properties
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. NBT is an allowed zoning district within the Regional Center Growth Designation.

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

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

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

2. ZONING:

- a) NBT (Neighborhood Transition Unit):
The purpose and intent of the NBT zoning district is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown.”(Sec. 14-715 (1.1)(a)(iv)).

3. General Findings:

- a) The subject property is zoned incorrectly as R-O in the Regional Center Growth Designation.
- b) The property is bordered by R-DP (Residential duplex and patio home) zoning to the North and IA (Industrial Arts) to the East.
- c) The property is proposed to stay an office for business use.
- d) Per the Comprehensive Growth Map, the subject property is intended for NBT zoning.
- e) Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

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

TABS

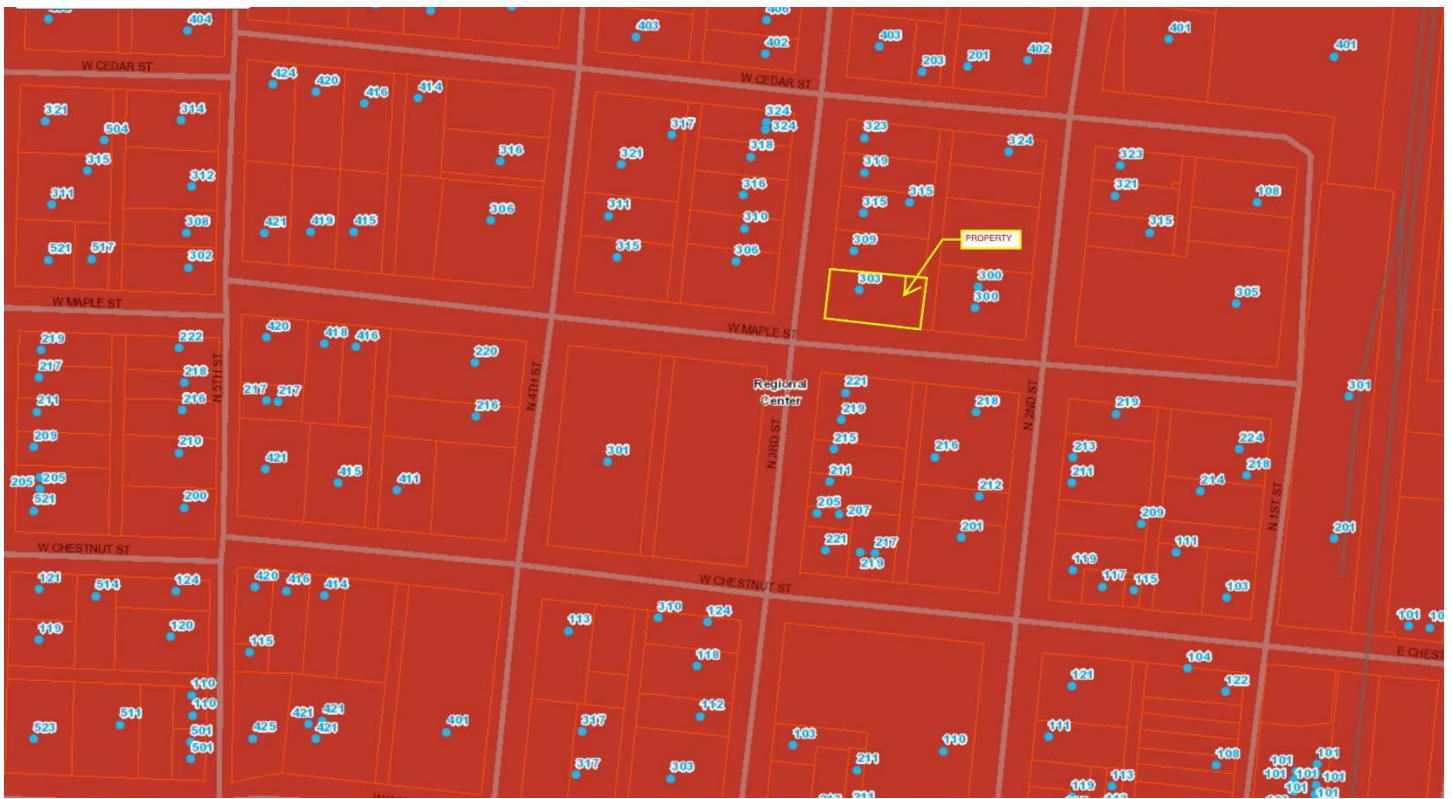
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

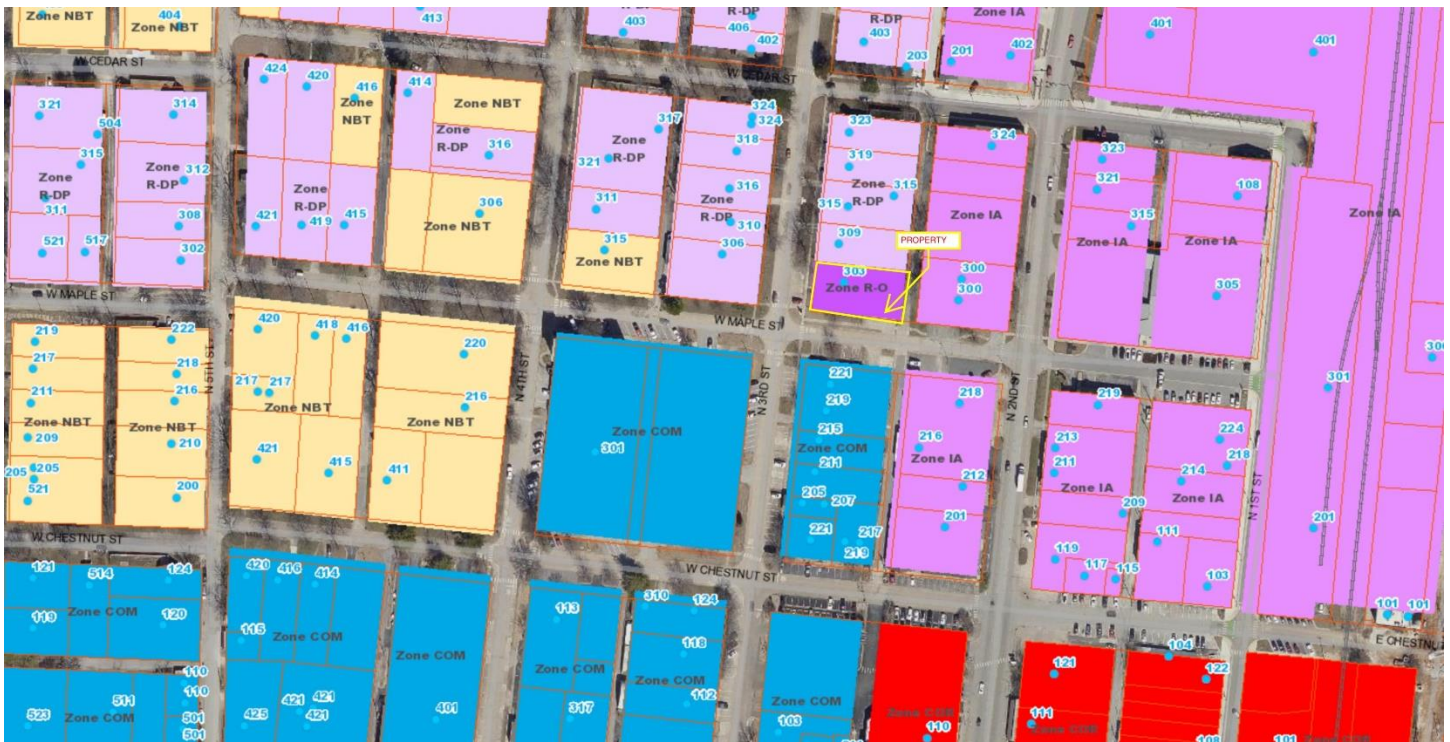
AERIAL VICINITY MAP

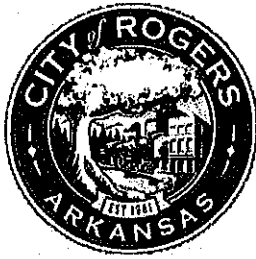


CGM VICINITY MAP



ZONING VICINITY MAP





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

CH 1210

OFFICE USE ONLY	
Permit Fee:	\$ 200.00 (\$200)
Zoning:	R-0 to NBT
Permit Number:	22-16
CityView Application:	PL202200382
Date:	4/20/22

REZONE APPLICATION

APPLICANT: NR Properties, LLC

ADDRESS: 303 N. 3rd St. Rogers, AR 72756 SUITE #: _____

GENERAL LOCATION OF PROPERTY: 303 N. 3rd St. Rogers, AR 72756

PHONE #: 479-270-1959 EMAIL: tnoblin@noblinlaw.com

PROPERTY OWNER: NR Properties, LLC PHONE #: 479-270-1959

PRESENT USE: Office/Residential ZONING: RO

PROPOSED USE: Neighborhood Transition Unit ZONING: NBT

T. Noblin Attorney 4-20-22
Applicant Signature Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 4-20-22 PUBLIC HEARING DATE: 5-17-22 CERTIFIED MAIL DATE: 5-2-22

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

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 10th day of May, 2022.

[Signature]
Signed

Andy W. Nokin
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 10th day of May, 2022.

[Signature]
Notary Signature

Delynn Hale
Notary Name Printed

01-18-2032
Commission Expires



PROPERTY OWNER AFFIDAVIT

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

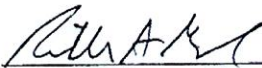
LEGAL DESCRIPTION: See attached Exhibit A

LAYMAN'S DESCRIPTION: 303 N. 3rd St., Rogers, AR 72756

PRESENT ZONING: RO

ZONING REQUEST: NBT

Respectfully Submitted,

By: 
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 19 day of April, 2022.



Notary Signature

Michelle L. Tipton

Notary Name Printed

03/04/2026

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 **May 17, 2022** at **5:00 p.m.** on the application by **NR Properties, LLC** to rezone **±0.24 acres at 303 N. 3rd St.** from the **R-O** (Residential Office) zoning district to the **NBT** (Neighborhood Transition) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

±0.24 acres at 303 N. 3rd St.

Parcel Number: 02-02407-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS



FARMERS
INSURANCE

RICK MCLEOD AGENCY
479-631-5888

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

REZONE

DESCRIPTION:	To rezone ±0.24 acres at 303 N. 3 rd St. from R-O to NBT
APPLICANT:	NR Properties
BOARD/COMMISSION:	Planning Commission
MEETING DATE/TIME:	May 17, 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



COMMUNITY DEVELOPMENT
PLANNING DIVISION
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planning@rogersar.gov



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – BRITTANY TOLE

STAFF: ZACHERY BIRDSONG, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	121 North 7 th Street / 02-02393-000
TOTAL AREA TO BE REZONED:	± 0.26 acres
CURRENT ZONING:	COM (Commercial Mixed Use)
PROPOSED ZONING:	NBT (Neighborhood Transition Unit)
APPLICANT/REPRESENTATIVE:	Brittany Tole
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	JJZ Enterprise LLC
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. NBT is an allowed zoning district within the Regional Center Growth Designation per the Downtown Zoning Plan.

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

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

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

2. ZONING:

- a) NBT (Neighborhood Transition):
The purpose and intent of the NBT zoning district is “to support transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown.”(Sec. 14-715 (1.1)(a)(iv)).

3. General Findings:

- The subject property is currently zoned COM and located in a Regional Center Growth Designation, which is inconsistent with the Comprehensive Growth Map per the Downtown Zoning Plan.
- The property is immediately surrounded by COM and NBT zoning with a mix of commercial and residential use.
- Per the Regional Center Growth designation in the Downtown Zoning Plan, NBT is an allowed zoning district.
- Staff finds this to be an appropriate request due to its consistency with the CGM and the subject location’s surrounding environment.

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

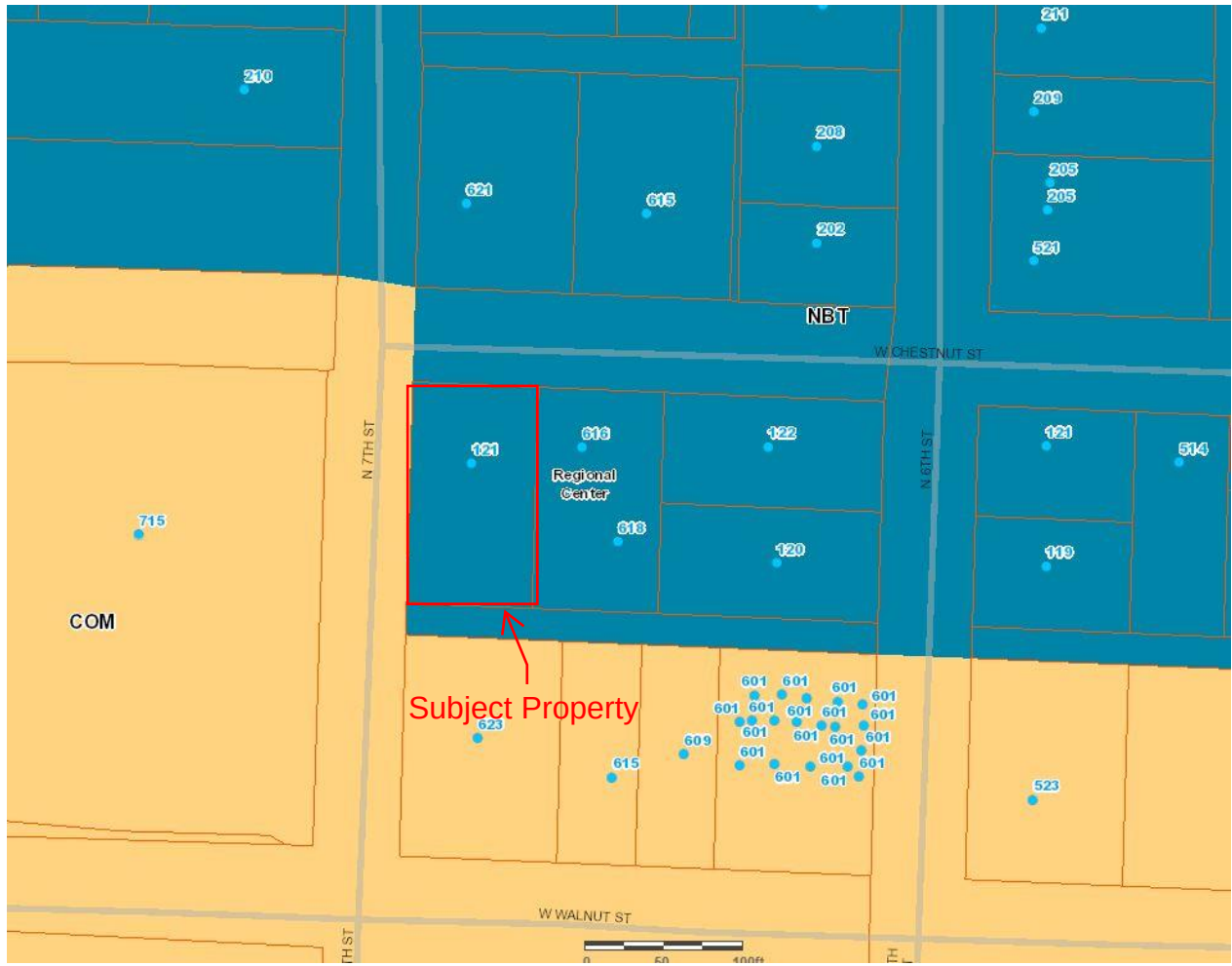
TABS

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

TAB 1

AERIAL VICINITY MAP



CGM VICINITY MAP

ZONING VICINITY MAP





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

OFFICE USE ONLY

Permit Fee: \$200 (\$200)
Zoning: COM to NBT
Permit Number: 22-17
CityView Application: PL202200383
Date: 4/20/2022

REZONE APPLICATION

APPLICANT: Brittany Tole
ADDRESS: PO Box 8 Cave Springs, AR 72718 SUITE #: —
GENERAL LOCATION OF PROPERTY: 121 N 7th St Rogers
PHONE #: 972-822-1235 EMAIL: brittanymtole@bellconsolutions.com
PROPERTY OWNER: JJZ Enterprise LLC PHONE #: 479-586-0286
PRESENT USE: Rental property and empty parking ZONING: COM
PROPOSED USE: Commercial or possible multi-family ZONING: NBT

Applicant Signature

4/19/22

Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 4/20/2022 PUBLIC HEARING DATE: 5/17/2022 CERTIFIED MAIL DATE: 5/2/2022
PLANNING COMMISSION ACTION: _____ DATE: _____
CITY COUNCIL ACTION: _____ DATE: _____
ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION: The West 80 feet of Lot 3, Block 2, B.A. Riggs Addition to the City of Rogers, Benton County, Arkansas, as Shown in Plat Record Book "A" at page 63.

LAYMAN'S DESCRIPTION: 121 N 7th St Rogers, Arkansas

PRESENT ZONING: C1

ZONING REQUEST: NBT

Respectfully Submitted.

By: [Signature]
(Property Owner Signature)

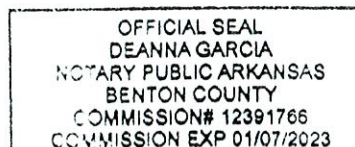
STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 19th day of April, 2022.

Deanna Garcia
Notary Signature

Deanna Garcia
Notary Name Printed

1-7-2023
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 28 day of April, 2022.


Signed

Brittany Tole

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 28 day of April, 2022.




Notary Signature

Angel Cortez
Notary Name Printed

08/04/2026
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 **May 17, 2022** at **5:00 p.m.** on the application by **Brittany Tole** to rezone **±0.26 acres at 121 N. 7th St.** from the **COM** (Commercial Mixed Use) zoning district to the **NBT** (Neighborhood Transition) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

±0.26 acres at 121 N. 7th St.

Parcel Number: 02-02393-000

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS



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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – GABRIEL GARCIA

STAFF: KYLE BELT, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	W. Olrich Street / 02-06873-001
TOTAL AREA TO BE REZONED:	± 0.69 acres
CURRENT ZONING:	N-R (Neighborhood Residential)
PROPOSED ZONING:	R-DP (Residential Duplex and Patio Home)
APPLICANT/REPRESENTATIVE:	Gabriel Garcia
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	Joe Hewgley, Inc.
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-DP is an allowed zoning district within the Neighborhood Growth Designation.

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

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-DP (Residential Duplex and Patio Home):
The purpose and intent of the R-DP zoning district is “to provide areas for the development of one- or two-family residential structures. The district may be located in developed areas or undeveloped areas of the City where an environment compatible with moderate density residential development can also be established. This zoning district replaces the former R-2, RMF 6A and 6B zoning districts.”(Sec. 14-701(a)).

3. General Findings:

- The subject property is currently zoned N-R and located in the Neighborhood Growth Designation, which is correct per the Comprehensive Growth Map.
- The property is immediately surrounded by C-2, N-R, and RMHC zoning being utilized for residential and commercial uses.
- The property is currently vacant.
- Per the Neighborhood Growth designation, R-DP is an allowed zoning district.
- Staff finds this to be an appropriate request due to its consistency with the CGM and the subject location’s surrounding context and characteristics fitting with the purpose and intent of the R-DP zoning district as well as being completely surrounded by the Neighborhood Growth Designation on all sides.

4. RECOMMENDATIONS:

- a) **Approve** request.

DIRECTOR’S COMMENTS

1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

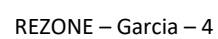
SUGGESTED MOTIONS

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

TABS

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

AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP



TAB 1

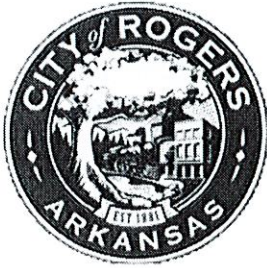
AERIAL VICINITY MAP



The map displays a residential area with various lot numbers. A red rectangle highlights a specific lot, labeled 'Subject Location' with a red arrow. The surrounding area is labeled 'Neighborhood'. The map includes street names: S 10th St, S 9th St, and W Olrich St. The area is also labeled 'Access Corridor'.

ZONING VICINITY MAP





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

OFFICE USE ONLY

Permit Fee: \$200 (S200)
Zoning: NR to R-DP
Permit Number: 22-18
CityView Application: PL202200408
Date: 4/26/22

REZONE APPLICATION

APPLICANT: Gabriel Garcia
ADDRESS: 1314 W Oak St Rogers AR 72758 SUITE #: _____
GENERAL LOCATION OF PROPERTY: W Oak St Rogers, AR Parcel 02-06873-001
PHONE #: 918-839-6692 EMAIL: Danny Avila 952@yahoo.com
PROPERTY OWNER: Joe Hewgley Inc PHONE #: 479-366-1397
PRESENT USE: Residential ZONING: NR
PROPOSED USE: multifamily - two duplexes ZONING: RDP

[Signature]
Applicant Signature

4-19-22
Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

DATE FILED: 4/26/22 PUBLIC HEARING DATE: 5/17/22 CERTIFIED MAIL DATE: 5/2/22
PLANNING COMMISSION ACTION: _____ DATE: _____
CITY COUNCIL ACTION: _____ DATE: _____
ORDINANCE NUMBER: _____ COMMENTS: _____

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 27 day of April, 2022.

Delmy Nicot

Signed

Delmy Nicot

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 27th day of April, 2022.

Karen Perez

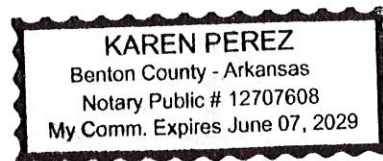
Notary Signature

Karen Perez

Notary Name Printed

June 7, 2029

Commission Expires



PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION:

LAYMAN'S DESCRIPTION:

PRESENT ZONING: ND

ZONING REQUEST: RDP

Respectfully Submitted,

By: Demetric Hewgley
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 17 day of March, 2022.

[Signature]
Notary Signature

Christopher Garcia
Notary Name Printed

May 29, 2029
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 **May 17, 2022** at **5:00 p.m.** on the application by **Gabriel Garcia** to rezone **±0.69 acres south of W. Olrich St. & west of S. 9th St.** from the **NR** (Neighborhood Residential) zoning district to the **R-DP** (Residential Duplex Patio Home) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

±0.69 acres south of W. Olrich St. & west of S. 9th St.

Parcel Number: 02-06873-001

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS



NOTICE OF PUBLIC HEARING
The Board of Public Works
will hold a public hearing on
the proposed rezoning of
the property located at
10000 100th Ave S, NE
in the City of Minneapolis, MN
on the 10th day of May, 2017
at 10:00 AM.



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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION

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

STAFF: NICHOLAS LITTLE, PLANNER II

REQUEST DETAILS

ADDRESS/PARCEL:	S 21 st Street / 02-01034-001
TOTAL AREA TO BE REZONED:	± 0.80 acres
CURRENT ZONING:	C-2 (Highway Commercial)
PROPOSED ZONING:	NBT (Neighborhood Transition)
APPLICANT/REPRESENTATIVE:	Anderson Engineering, Inc. / Chris Tilley
PROJECT OWNER/DEVELOPER:	Jaime Corona
PROPERTY OWNER:	Jaime Corona
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. NBT is an allowed zoning district within the Regional Center Growth Designation.

Community Development recommends to **table** this request. The applicant did not notify neighboring parcels at least 15 days before the date of the public hearing for this project.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

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

2. ZONING:

- a) NBT (Neighborhood Transition)
The purpose and intent of the NBT zoning district is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown,” (Sec. 14-715(1.1)(a)(iv)).
- b) General Findings:
The subject property, which is currently undeveloped, is zoned C-2 in the Regional Center Growth Designation. The proposed zoning is allowed within the Regional Center Growth Designation, and NBT is preferred for this particular parcel. The property is surrounded by RMF-12B zoning to the south and east, NBT zoning directly to the north, and C-2 zoning to the west. Surrounding developments include Walmart to the west, multifamily housing to the south and east, and professional offices to the northeast. Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

3. RECOMMENDATIONS:

- a) **Table** request.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

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

TABS

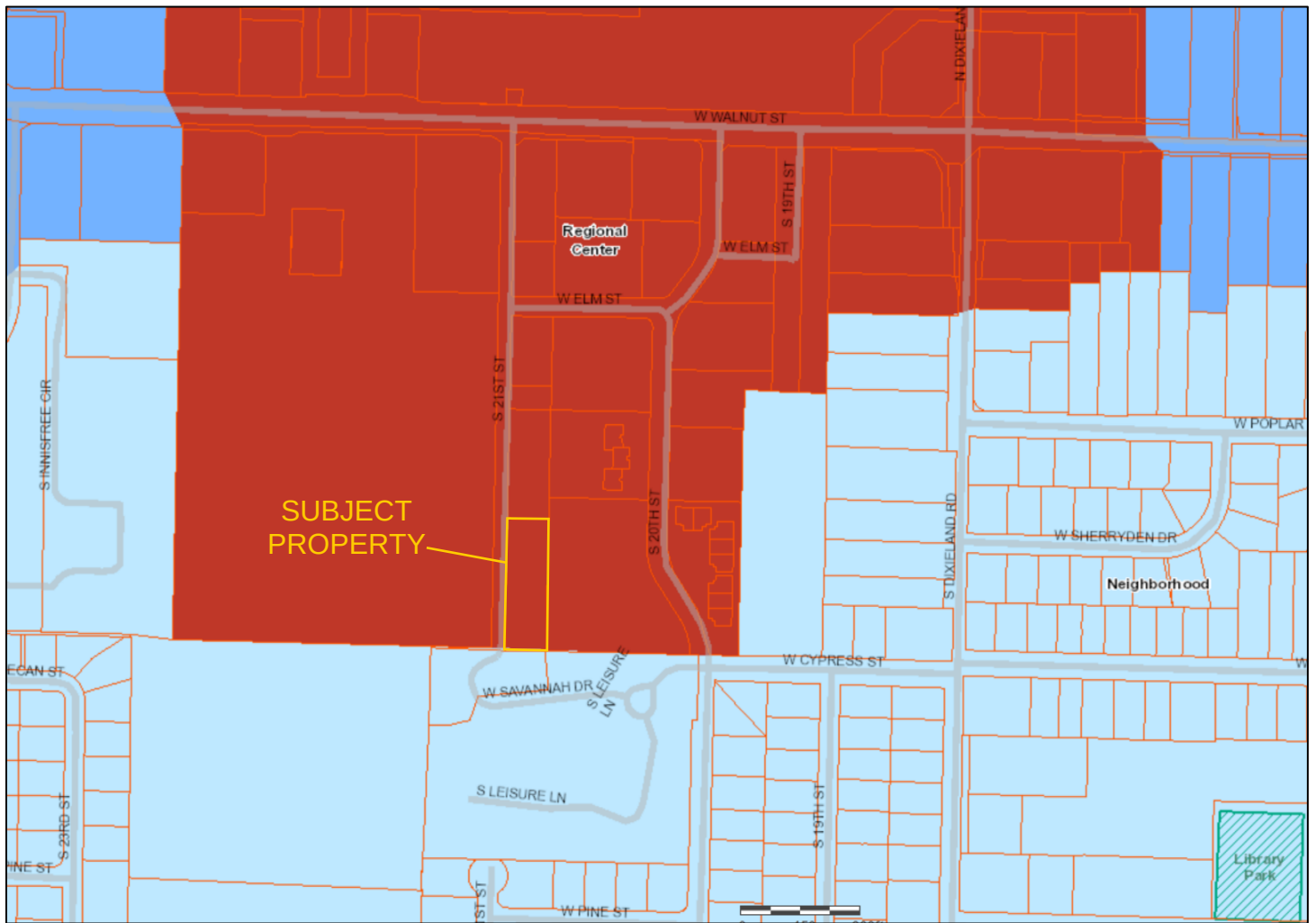
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

AERIAL VICINITY MAP



CGM VICINITY MAP





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

OFFICE USE ONLY

Permit Fee: _____ (\$200)

Zoning: _____ to _____

Permit Number: _____

CityView Application: _____

Date: _____

REZONE APPLICATION

APPLICANT: Anderson Engineering, Inc.

ADDRESS: 5311 W. Village Pkwy, Rogers, AR 72758 SUITE #: N/A

GENERAL LOCATION OF PROPERTY: Parcel No. 02-01034-001; S 21st Street, Rogers AR

PHONE #: 479-286-8181 EMAIL: ctilley@ae-inc.com

PROPERTY OWNER: Corona, Jaime Eduardo Alcala PHONE #: _____

PRESENT USE: Undeveloped Land ZONING: C-2

PROPOSED USE: Detached Townhomes ZONING: U-NBT

Molly RSH

Applicant Signature

4/25/22

Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

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

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COUNCIL ACTION: _____ DATE: _____

ORDINANCE NUMBER: _____ COMMENTS: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, Corona, Jaime Eduardo Alcala, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: S-T-R: 11-19-30-ROGERS; FULL LEGAL DESCRIPTION ATTACHED AS "EXHIBIT A"

LAYMAN'S DESCRIPTION: Parcel No. 02-01034-001; S 21st Street, Rogers, AR.

PRESENT ZONING: C-2

ZONING REQUEST: U-NBT

Respectfully Submitted,

By: JAIME ALCALA
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 25 day of April, 2022.



Chris Tilley
Notary Signature

Chris Tilley
Notary Name Printed

Oct. 1 2030
Commission Expires

BEFORE THE PLANNING COMMISSION OF THE CITY OF ROGERS, ARKANSAS

NOTICE OF PUBLIC HEARING FOR A REZONE REQUEST

Notice is hereby given pursuant to Section 14-725-730 of the Rogers City Code that **Anderson Engineering Inc.** is applying to the Rogers Planning Commission to rezone certain real property as described below at **S. 21st Street**. The property is more particularly described as follows:

LEGAL DESCRIPTION: **Attached as “Exhibit A”**

LAYMAN’S DESCRIPTION: **Parcel No. 02-01034-001; S. 21st Street**

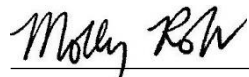
PRESENT ZONING: **C-2**

ZONING REQUEST: **U-NBT**

A public hearing by the Rogers Planning Commission will be held on May 17th 2022 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:



Molly Robb, PE

Anderson Engineering, Inc.



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 **May 17, 2022 at 5:00 p.m.** on the application by **Jamie Corona** to rezone **±0.8 acres west of S. 21st St. & north of W. Savannah Dr.** from the **C-2** (Highway Commercial) zoning district to the **U-NBT** (Uptown Neighborhood Transition) zoning district, the property being more particularly described as follows:

PROPERTY DESCRIPTION:

±0.8 acres west of S. 21st St. & north of W. Savannah Dr.

Parcel Number: 02-01034-001

Eriks Zvers, Secretary
Planning Commission

PUBLISH ONE TIME ONLY: **Sunday May 1, 2022**
BILL THE CITY OF ROGERS





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

MEETING DATE
May 17th, 2022

TO: PLANNING COMMISSION

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

STAFF: JUSTIN COUCH, PLANNER

REQUEST DETAILS

GENERAL LOCATION/PARCEL:	South of W. Walnut St., between W. Wray Dr. and S. 28 th St. (Parcel #: 02-00898-004; 02-00899-000; 02-00899-004)
TOTAL AREA TO BE REZONED:	28.08 ± acres
CURRENT ZONING:	R-MF-13.5A (Residential Multifamily), C2-CU (Highway Commercial-Condominium Unit)
PROPOSED ZONING:	C-3 (Neighborhood Commercial)
APPLICANT/REPRESENTATIVE:	Russ Huckaby
PROJECT OWNER/DEVELOPER:	Russ Huckaby
PROPERTY OWNER:	Walnut Street Holdings, LLC
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

This request is consistent with the Comprehensive Growth Map. C-3 is the only allowed zoning district within a Neighborhood Center. See STAFF REVIEW for additional findings.

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

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Neighborhood Center
- b) Growth Designation Character:
Mixed-use centers located around intersections of arterial and collector streets. Polycentric pattern serves neighborhood populations within ½ mile radius of each center and supports efficient multi-modal transportation network. Goals include creating neighborhood character, conserving opportunity for non-residential activities, and providing accessibility to civic facilities, religious assembly, basic commercial services, and recreation. (CGM Page 1).
- c) Base Density:
Determined by Density Concept Plan; required only for single-use multifamily.
- d) Max Density:
24 units/acre
- e) Allowed Zoning Districts:
C-3.

2. ZONING:

- a) C-3 (neighborhood commercial):
The ideal application of this district is the development of a compact, mixed-use, neighborhood-oriented environment that transitions into lower density residential near Neighborhood Center boundaries. This district allows uses that provide essential goods and services to surrounding neighborhoods in a way that promotes place-making and pedestrian accessibility. It is also intended to encourage medium-density residential development such as townhomes, bungalow courts, and other multi-unit or attached single-family housing types. Because the permitted non-residential uses are intended to be integral to the functions of a neighborhood, emphasis is placed on design and neighborhood compatibility, (Sec. 14-710.(a)).

3. GENERAL FINDINGS:

The subject property is currently undeveloped. Adjacent zoning designations include C2-CU to the north, C-2 to the northwest, R-O and R-MF-18B to the east, A-1 to the south, and R-MHC to the west. Staff finds this rezone request to be appropriate due to the proposed zoning's consistency with the CGM.

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]

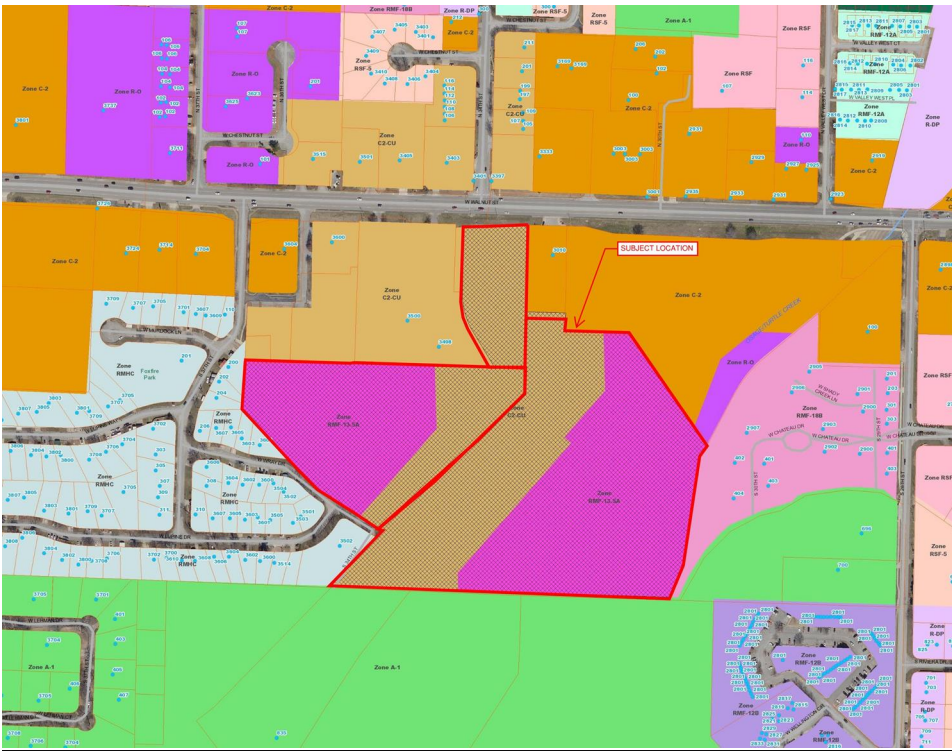
TABS

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

Vicinity Maps (Aerial):



Vicinity Map (Zoning):



Rezoning Application with required supplements:

REZONE –HUCKABY– 6



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: Russ Huckaby, CEO - Resortments Development Companies
ADDRESS: 120 Village Bend Dr., Alexander, AR 72002 SUITE #: _____
GENERAL LOCATION OF PROPERTY: South of W Walnut St, between W Wray Dr and S 28th St
PHONE #: 501-840-7029 EMAIL: russ@resortments.com
PROPERTY OWNER: Walnut Street Holdings LLC PHONE #: _____
PRESENT USE: Undeveloped ZONING: RMF-13.5A and C2-CU
PROPOSED USE: Multi-family housing ZONING: C-3

DocuSigned by:

Russ Huckaby

04-25-22

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: _____

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION:

See Exhibit A

LAYMAN'S DESCRIPTION: South of W Walnut St, between W Wray Dr and S 28th St

PRESENT ZONING: RMF-13.5A and C2-CU

ZONING REQUEST: C-3

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF WASHINGTON

Subscribed and sworn before me this the 25th day of APRIL, 2022

[Signature]
Notary Signature

PATTY LINSNER
Notary Name Printed

09-28-2022
Commission Expires



EXHIBIT A: Preliminary Legal Description

TRACT 2-3A PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NW 1/4 OF THE SW 1/4;

THENCE S 00°21'40"W 50.00 FEET ALONG THE EAST LINE THEREOF TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE S 00°21'40"W 485.00 FEET;

THENCE LEAVING SAID EAST LINE N 89°30'15"W 120.00 FEET;

THENCE N 32°01'21"W 126.36 FEET;

THENCE 135.65 FEET ALONG A CURVE TO THE RIGHT HAVING A 240.00 FOOT RADIUS AND A N 15°49'51"W 133.85 FOOT CHORD;

THENCE N 00°21'40"E 239.34 FEET TO THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 718 (WEST WALNUT STREET);

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES:

THENCE N 82°54'04"E 80.64 FEET; THENCE S 89°30'15" E 145.04 FEET TO THE POINT OF BEGINNING, CONTAINING 2.29 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD. SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY

TRACT 2-1A, PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING PART OF A SURVEY RECORDED AT PLAT RECORD 19 AT PAGE 5, AND PART OF A SURVEY RECORDED AT PLAT RECORD 6 AT PAGE 13 DESCRIBED AS FOLLOWS,

COMMENCING AT THE NE CORNER OF SAID NW 1/4 OF THE SW 1/4

THENCE SOUTH 00°21'40" WEST 535.00 FEET ALONG THE EAST LINE OF SAID NW 1/4 OF THE SW 1/4 FROM POINT OF BEGINNING

THENCE SOUTH 00°21'40" WEST, 82.99 FEET ALONG THE EAST SAID LINE; THENCE SOUTH 44°21'24" WEST 723.27 FEET;

THENCE NORTH 56°59'22" WEST 283.18 FEET;

THENCE NORTH 44°01'51" WEST 370.95 FEET; THENCE NORTH 01°25'00" EAST 187.84 FEET;

THENCE SOUTH 89°30'15" EAST 996.86 FEET TO THE POINT OF BEGINNING. AS SHOWN ON PLAT RECORD 2003-508, IN BENTON COUNTY, ARKANSAS. SUBJECT TO ANY AND ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

TRACT 2B-2 OF THE LOT SPLIT OF TRACT 2B, AS SHOWN ON A PLAT-OF-SURVEY RECORDED AS LAND DOCUMENT #2003 AT PAGE 749, BEING A PART OF TRACT 2B, WHICH IS SHOWN ON PLAT-OF-SURVEY FILED IN PLAT BOOK 23L AT PAGE 32, PLAT RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWING: A PART OF THE NE1/4 OF THE SW1/4 AND THE NW1/4 OF THE SW1/4 OF SECTION 10, T-19-N, R30- W, BENTON COUNTY, ARKANSAS,

BEGINNING AT THE SW CORNER OF SAID NE1/4, SW1/4;

THENCE ALONG THE BOUNDARY OF SAID TRACT 2B, N 89°02'25" W, 661.76 FEET;

THENCE N 41°35'58" E, 241.44 FEET;

THENCE N 44°17' 12" E, 722.86 FEET;

THENCE N 00°21 '40" E, 259.86 FEET;

THENCE S 89°19'47" E, 135.00 FEET;

THENCE S 00°21 '40" W, 63.72 FEET;

THENCE S 89°38'20" E, 221.00 FEET;

THENCE LEAVING THE BOUNDARY OF SAID TRACT 2B, S 35°47'07" E, 471.02 FEET;

THENCE S 27°09'07" W, 41.35 FEET;

THENCE S 07°56'55" W, 376.22 FEET;

THENCE S 21°19'55" W, 127.16 FEET TO THE BOUNDARY OF SAID TRACT 2B;

THENCE N 89°09'05" W, 518.92 FEET TO THE POINT OF BEGINNING. PLAT 23L-32





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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION
PLANS & POLICIES COMMITTEE

RE: **STAFF SUMMARY REPORT**
REZONE WITH DCP – ATRE 28TH STREET REVISED DCP

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

REQUEST DETAILS

PROJECT NAME:	ATRE 28 th Street
ADDRESS/LOCATION:	S. 28 th St. / 02-02087-322; 02-02087-323; 02-02087-324
CURRENT ZONING:	RMF-12B
PROPOSED ZONING/DENSITY:	RMF-12B with DCP / 12 units per acre
# UNITS/GROSS SITE AREA:	248 units / ± 21.05 acres
BUILDING TYPE:	Single-family detached; attached townhomes; multi-family apartments
APPLICANT/REPRESENTATIVE:	Ryan Gill and Kelsey Kreher, HFA; Michael Augustine, Alta Terra; Bill Watkins, Watkins Boyer Gray & Curry PLLC
PROJECT OWNER/DEVELOPER:	Michael Augustine, Alta Terra
PROPERTY OWNER:	Bryan Properties Management Company, LLC; DT Real Estate LLC
NATURE OF REQUEST:	Approval of Rezone with Density Concept Plan
AUTHORITY:	Sec. 14-727 and Sec. 14-737, Rogers Code of Ordinances

SUMMARY

The present request proposes modifications to the ATRE 28th Street Rezone with Density Concept Plan (Ord. #22-08). Staff finds this proposal to be adequate with regard to the surrounding development context and the capacity of the surrounding transportation network. The proposed R-MF zoning is consistent with the Comprehensive Growth Map, as this site is located in the Commerce Corridor Growth Designation, and the requested density remains at 12 units/acre.

Staff recommends **approval** of this request.

Engineering Note: The applicant proposed a permeable paver system with underground detention and does not appear to show an area reserved for detention which will be required for LSDP. Major modifications to an approved DCP may result in repeating the DCP approval process prior to an LSDP being submitted to the Planning Commission.

STAFF REVIEW

1. 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) Base Density:
Determined by DCP.
- d) Max Density:
Determined by DCP.

2. ZONING:

- a) RMF-12 with DCP:
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 zoning shall be designated as R-MF followed by the specific density per acre in increments of one-half units per acre. The letter “A” or “B” will follow unit density to designate rental or individual ownership with “A” being individual ownership and “B” being rental. 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. New single-family dwellings are not permitted to ensure that vacant land set aside for multifamily development is not preempted by less intense development. The zero-lot-line concept, which permits construction with no side yard setback on one side, may be used within such districts,” (Sec. 14-703(a)).

3. DENSITY CONCEPT PLAN:

- a) General Findings:
 - i) The proposed plan constitutes a revision of the DCP approved by Planning Commission on January 4, 2022. This plan differs from the previously approved DCP as follows:
 - (1) Eight more units are proposed, resulting in a total of 248 residential units on 21.05 acres. The current density designation, RMF-12B, is still appropriate for this development as the proposed density is 11.78 units per acre. Some of the units have been rearranged to provide better access to utilities.
 - (2) The detention ponds in the southwest corner of the development and in the amenity area were removed. Detention will now be provided through permeable pavers and a subsurface storage basin.
 - (3) The east-west private road at the south end of the development was reconfigured.
 - (4) Per the public input provided on January 4, the east-west right-of-way connecting W. Brooks Ridge and S. 28th Street now includes a gate between this development and the Pleasant Acres Ph. 2 subdivision to the west.
- b) Compatibility with Surrounding Environment:
 - i) Site Layout:
The proposed development includes detached single-family homes, townhomes, apartments, a club house, and shared open space. The single-family detached residences located along the west side of the site buffer the existing single-family subdivisions to the west from the proposed townhome and apartment buildings. In lieu of the previously approved detention ponds, the applicant proposes a permeable paver system; and the area reserved detention areas have been reallocated as usable greenspace. The single-family detached and attached residences each have a garage and driveway; and adequate parking has been provided for the multifamily and clubhouse buildings along the drive aisles that will be used to access these respective spaces. The site plan proposes two, new rights-of-way: an east-west connection between S. 28th Street to W. Brooks Ridge and a north-south connection from the middle of the site to the adjoining property to the south. Internal, private drives allow for circulation throughout the site. The plan shows sidewalks along the proposed public right-of-way. The Razorback Greenway trail runs along the west side of the subject site, thereby connecting site residents to the adjacent residential communities and nearby commercial establishments. This layout is adequate for the purposes of this conceptual plan; however, the applicant should expect more discussion on the stub-

out to the south, the internal sidewalk network, drainage, and access management during LSDP review.

ii) Building Form & Placement:

The concept plan includes 197 single-family dwelling units (detached homes and townhomes) and 51 apartment units. This proposal includes reduced front, rear, and interior side setbacks along some of the internal drives and rights-of-way. These reduced setbacks allow for more usable greenspace and do not impact adjacent developments. The proposed building placement and orientation otherwise complies with basic zoning requirements for developments in R-MF. Building form and disposition will be further reviewed during Large-Scale Development.

iii) Architectural Design:

The applicant has provided building elevations and a building information index that indicate proposed materials, building heights, and style.

iv) Use Intensity:

Density for any given development within the Commerce Corridor is determined by a Density Concept Plan, in relation to the surrounding development context and the capacity of the transportation network. The proposed density of 11.78 units/acre is consistent with the previously approved 12 units per acre. The proposed intensity is generally compatible with adjacent land uses and the proposed layout compatible with adjacent single-family residential developments. Traffic management will be addressed during Large-Scale Development review.

c) Capacity of Surrounding Infrastructure:

i) Travel Demand Management:

The proposed development abuts S. 28th Street (collector), which connects south to S. Pleasant Grove Road (major arterial). The development includes two new rights-of-way and a network of interior drives.

ii) Traffic Characteristics:

The applicant has not provided ITE trip generation estimates with this submittal. The proposed development should not create or compound any dangerous traffic conditions, nor is a traffic study warranted.

d) Development Waivers and Zoning Variances:

i) The site plan shows reduced front, rear, and exterior side setbacks, deviating from the required 30 ft. setbacks per Sec. 14-703(f)(2). The reductions will be considered as a part of the Density Concept Plan, as opposed to variances that need to be considered independently from this specific project.

ii) DCPs are conceptual in nature and do not undergo complete review for development compliance. Any waivers or variances requested and approved at the DCP stage may be applied to the future development, but all underlying code requirements apply during development if waivers or variances are not approved with the DCP. DCPs are enforceable by rezone ordinance and function like a special zoning district. Once in place, only minor modifications may be approved administratively without having to revise or replace the DCP by rezoning the property.

4. RECOMMENDATIONS:

a) **Approve** request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. McCURDY, Director
Community Development

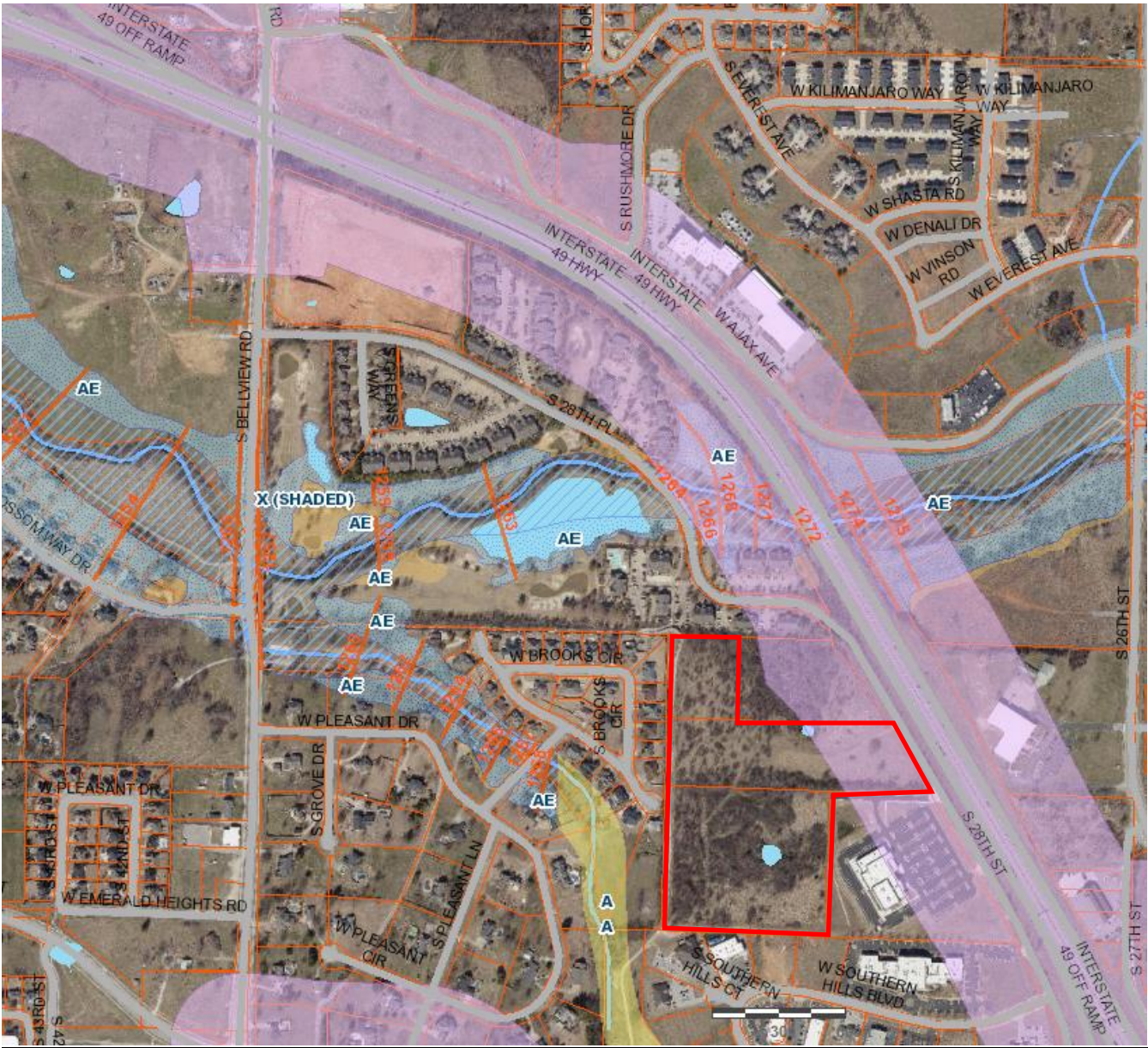
SUGGESTED MOTIONS

1. *IF APPROVING AS PRESENTED:*
Move to 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.

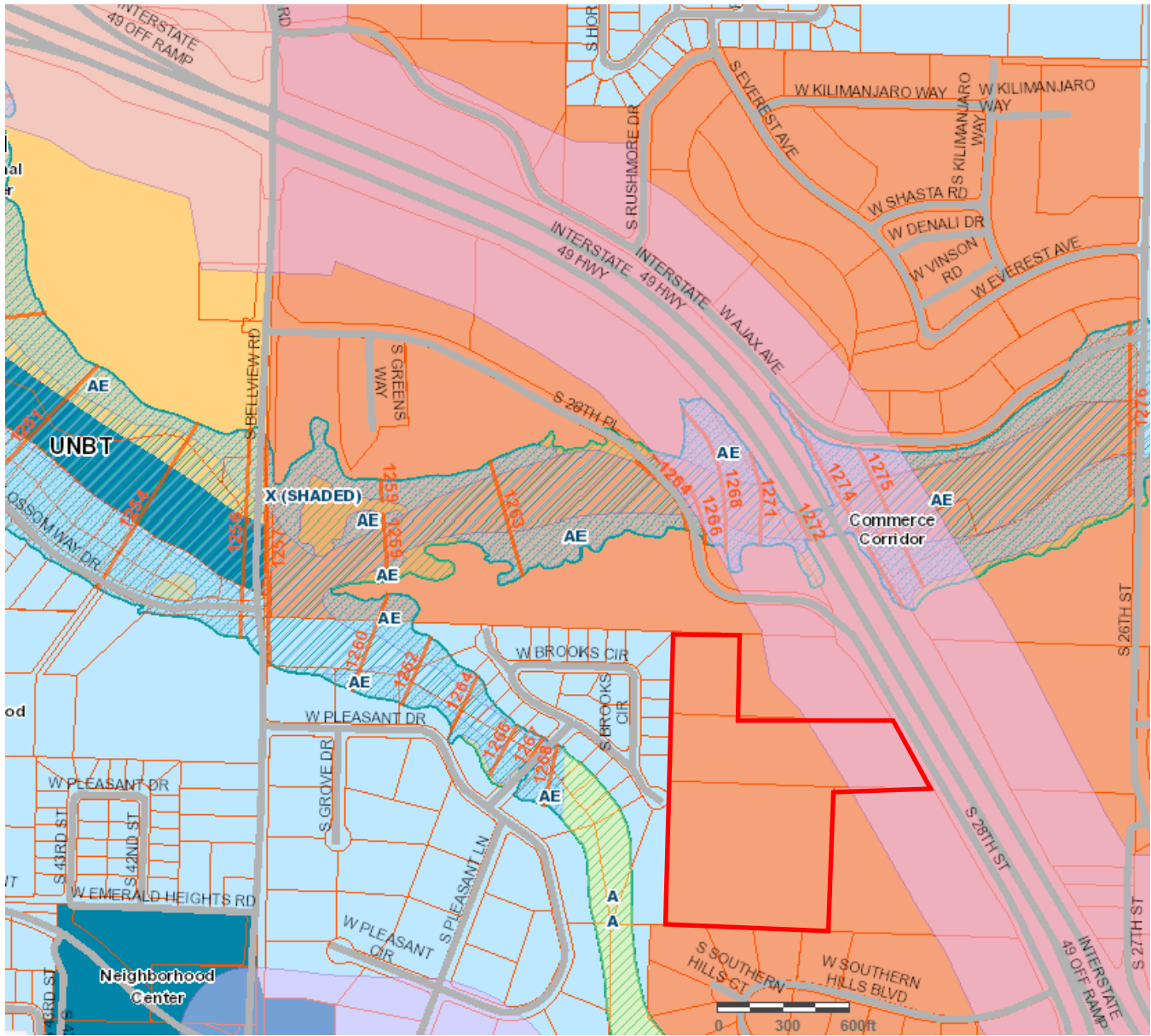
TABS

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

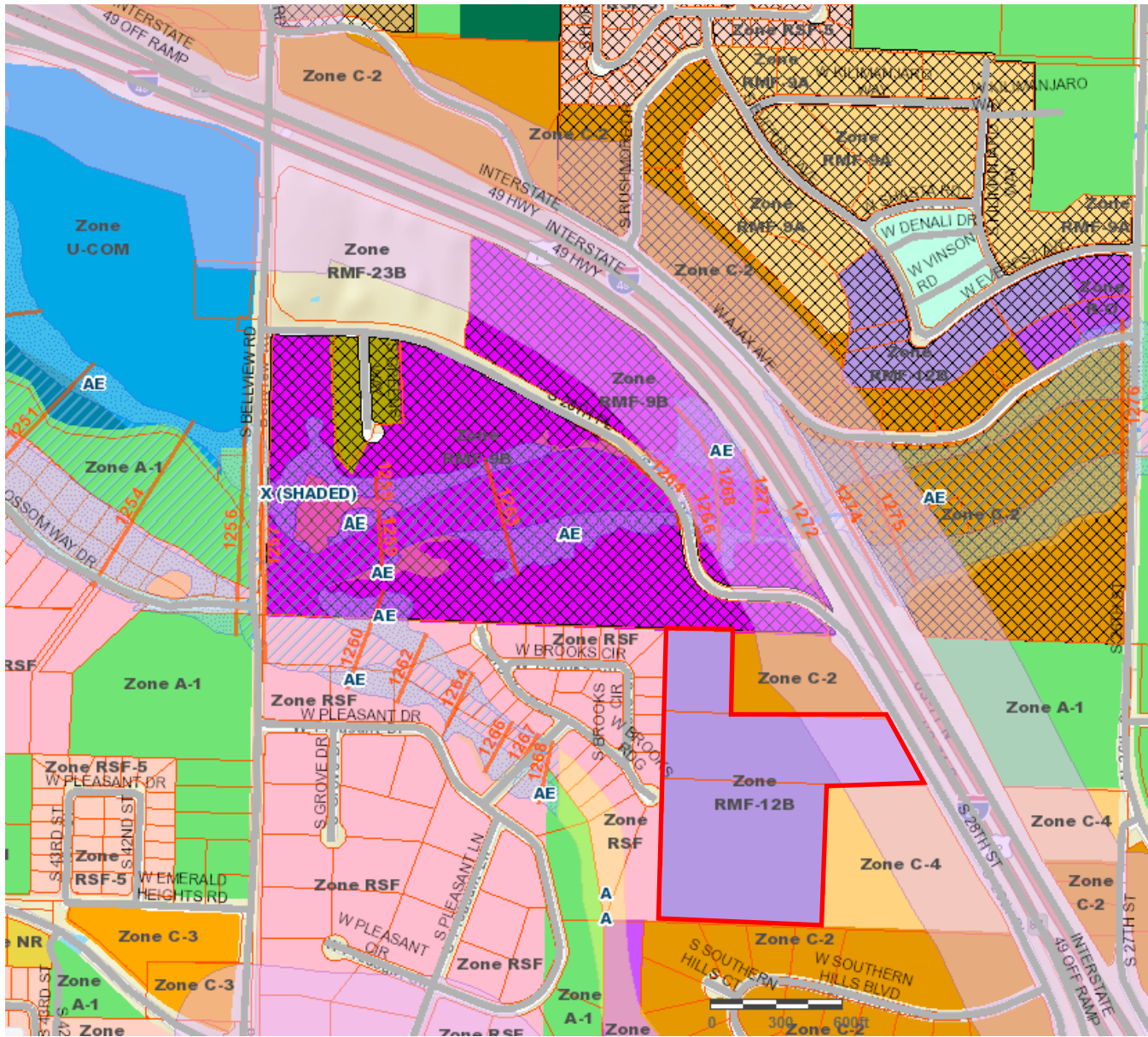
TAB 1
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP





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

OFFICE USE ONLY

Permit Fee: _____ (\$200)
Zoning: _____ to _____
Permit Number: _____
CityView Application: _____
Date: _____

REZONE APPLICATION

APPLICANT: Alta Terra Real Estate - Michael Augustine

ADDRESS: 3100 Pinebrook Road Park City, UT 84098 SUITE #: 1250-C

GENERAL LOCATION OF PROPERTY: 21.05 acres west of S. 28th Street

PHONE #: 435-214-7431 EMAIL: michael@altaterrare.com

PROPERTY OWNER: Bryan Properties Management Company PHONE #: _____
LLC & DT Real Estate LLC

PRESENT USE: Vacant ZONING: RMF-12

PROPOSED USE: Residential ZONING: RMF12-B

Michael Augustine 4.28.22
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: _____

PROPERTY OWNER AFFIDAVIT

The petitioner, Bryan Properties Management Company LLC, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: Legal description attached.

LAYMAN'S DESCRIPTION:

PRESENT ZONING: RMF 21-B

RMF-12B, approved by
PC on 1/4/22.

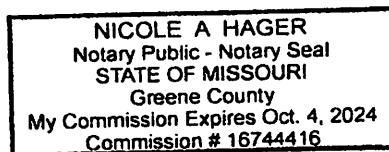
ZONING REQUEST: RMF 12-B

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF Missouri ⁽¹⁷⁴⁾
COUNTY OF Greene

Subscribed and sworn before me this the 16 day of November, 2021.



[Signature]
Notary Signature

Nicole A. Hager
Notary Name Printed

10/04/2024
Commission Expires

PROPERTY OWNER AFFIDAVIT

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

LEGAL DESCRIPTION: Legal description attached.

LAYMAN'S DESCRIPTION:

PRESENT ZONING: A-1 RMF-12B, approved by
PC on 1/4/22.

ZONING REQUEST: RMF 12-B

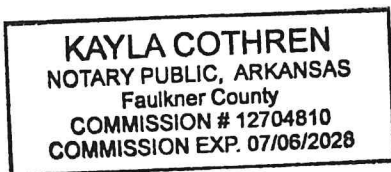
Respectfully Submitted,

By: *[Signature]*
(Property Owner Signature)

DT Real Est

STATE OF ARKANSAS
COUNTY OF Faulkner

Subscribed and sworn before me this the 16 day of Nov., 2021.



Kayla Cothren
Notary Signature

Kayla Cothren
Notary Name Printed

07/06/2028
Commission Expires

CERTIFICATION

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

Dated this the 2 day of May, 2022.

Kelsey Kreher

Kelsey Kreher

Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

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

Daniel R. Gill Benton COUNTY NOTARY PUBLIC - ARKANSAS My Commission Expires 01/23/2029 Commission No. 12707110
--

Daniel R. Gill
Notary Signature

Daniel R Gill

Notary Name Printed

1-23-2029

Commission Expires



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

OFFICE USE ONLY

Approved Density: _____

Application Number: _____

CityView Project: _____

Date Approved: _____

DENSITY CONCEPT PLAN
To be submitted with Rezone Application

PROJECT INFORMATION:

PROJECT NAME:	ATRE 28th Street
ADDRESS/LOCATION:	21.05*acres west of S. 28th Street
PROPOSED ZONING:	RMF-12
PROPOSED DENSITY:	12 units/acre
GROSS SITE AREA:	21.05 acres*
DWELLING UNITS:	
BUILDING TYPE:	Residential

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	HFA - Kelsey Kreher	PHONE:	479-273-7780x355
		EMAIL:	kelsey.kreher@hfa-ae.com
PROJECT OWNER/DEVELOPER:	Alta Terra - Michael Augustine	PHONE:	435.604.0840
		EMAIL:	michael@altaterrare.com
PROPERTY OWNER:	Bryan Properties Management Company LLC	PHONE:	
		EMAIL:	
REQUEST:	Rezone and density concept plan.		

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Commerce Corridor
CGM GROWTH DESIGNATION PURPOSE/CHARACTER:	Purpose: To provide a location for conventional commercial development and similar auto oriented activities along the I-49 corridor. Character: High-intensity, medium-density areas mostly built-out with retail and office development. Conventional development standards allow large-format buildings and site design. Compatibility with adjacent areas achieved with transitions; mixed-use and medium-density residential generally appropriate transition types.
BASE DENSITY:	Based on DCP
MAX DENSITY:	Based on DCP
CURRENT ZONING:	A-1 and RMF-21 / RMF-12 as of 1/11/22*

APPLICANT SIGNATURE: _____

Kelsey Kreher

SUBMITTAL DATE: _____

12-13-21

*Revised
4/25/22 KK



4/25/2022

Dear Planning Commission, on behalf of Alta Terra Real Estate, HFA is re-submitting the ATRE Density Concept Plan, 28th Street. This item was approved by Planning Commission on 1/4/22. The proposed changes include:

- Straightening of the alignment of the southern road
- Relocation of detention to from traditional ponds to subsurface storage below the roads within the development, which created more usable open space
- Decreased size of some townhome units
- Reworked unit placing to allow for better utility design

Additionally, with the discussion associated with this project, and the approved vote, this site will include a connection to the neighborhood to the west. Through access however will be restricted by a gate and Knox box for fire only access.

Roads will be surfaced with pervious pavers throughout the development in coordination with underground storage. Discharge will continue as before along the same drainage paths that are in use today. The SW corner discharge will utilize a level spreader to assist in the discharge flow.

The remaining portion of our narrative is from our initial submittal, with changes noted.

Thank you for your consideration, and we look forward to discussing this with you.

1/4/2022

RE: ATRE Density Concept Plan, 28th Street

Please find the Density Concept Plan for ATRE 28th Street project. Alta Terra Real Estate, along with HFA, propose a Density Concept Plan (DCP) and Rezone for 23.52 (*21.05 acres – updated 4/25*) acres located west of S 28th Street.

This site is currently zoned A-1 and RMF-21B, with an existing DCP, previously receiving unanimous approval. The previously proposed project consisted of a Multifamily project with several 3 story Multifamily buildings.

In this submittal of a new DCP we are requesting approval for a residential housing community, with reduced density and an updated zoning designation of RMF-12B. This proposal consists of a mixed density, neighborhood style development to include varying housing types; single-family, townhome, and multi-family units.

In designing this project, it was our goal to consider the surrounding uses and buffer those uses with the most appropriate building types and density. To the west of our site is the Razorback Greenway, buffered with an existing Single-Family Subdivision. We intend to activate the greenway space through our property with additional landscape features and have the majority of the west portion of the property consist of 1 story Single-Family Homes. A large portion of our remaining site consists of 2 ~~(removed 2.5 story – updated 4/25)~~ story Townhomes. We have created a large park and amenity building at the center of our site, to add additional open greenspace for our tenants to enjoy. Finally, on the east side of our site, adjacent to 28th street and closest to I-49, is a 3 story Multifamily structure consisting of 51 units.

We believe that the mixed density of this site, coupled with a variety of housing types and options will provide an excellent community that can accommodate individuals and families in any stage of life. By providing a range of units from 1-bedroom apartments to 3 bedroom ~~(removed 4 bedrooms – updated 4/25)~~ homes and townhomes, this project will be an excellent housing option for any renter in the community.

The future growth map indicates this area to be in the Commerce Corridor, calling for high to medium density. The site is adjacent to varying land uses including commercial, multi-family and single family residential. This site features direct access to the Razorback Greenway and has close access to I-49. The mix of uses and varying access points make this an ideal place for the proposed development. The future tenants will be able to utilize the existing nearby amenities, as well as the additional trail amenities planned with the construction of this project. These Razorback Greenway and the proposed amenities will serve a transition between the established uses, while also meeting the Commerce Corridor definition.

We have included our proposed site plan and architectural building elevations to illustrate the DCP and Rezoning request.

As part of the Density Concept Plan, variances affecting setbacks, dedicated right-of-way, and street standards are requested as depicted on the submitted site plan. We believe these modifications, as presented, will allow for the site to function as needed, and suit the development.

ATTACH SITE PLAN AND OTHER DCP DOCUMENTS (Sec. 14-737 Rogers City Code):

MINIMUM REQUIRED INFORMATION:

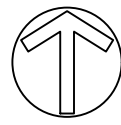
- Site area
- Building setbacks
- Building height
- Building elevation drawings
- Building materials breakdown
- Lot coverage and open space calculations
- Impervious area calculations
- Physical constraints, easements, encumbrances
- Current and proposed zoning
- Dwelling unit counts
- Gross and net density calculations

ADDITIONAL INFORMATION:

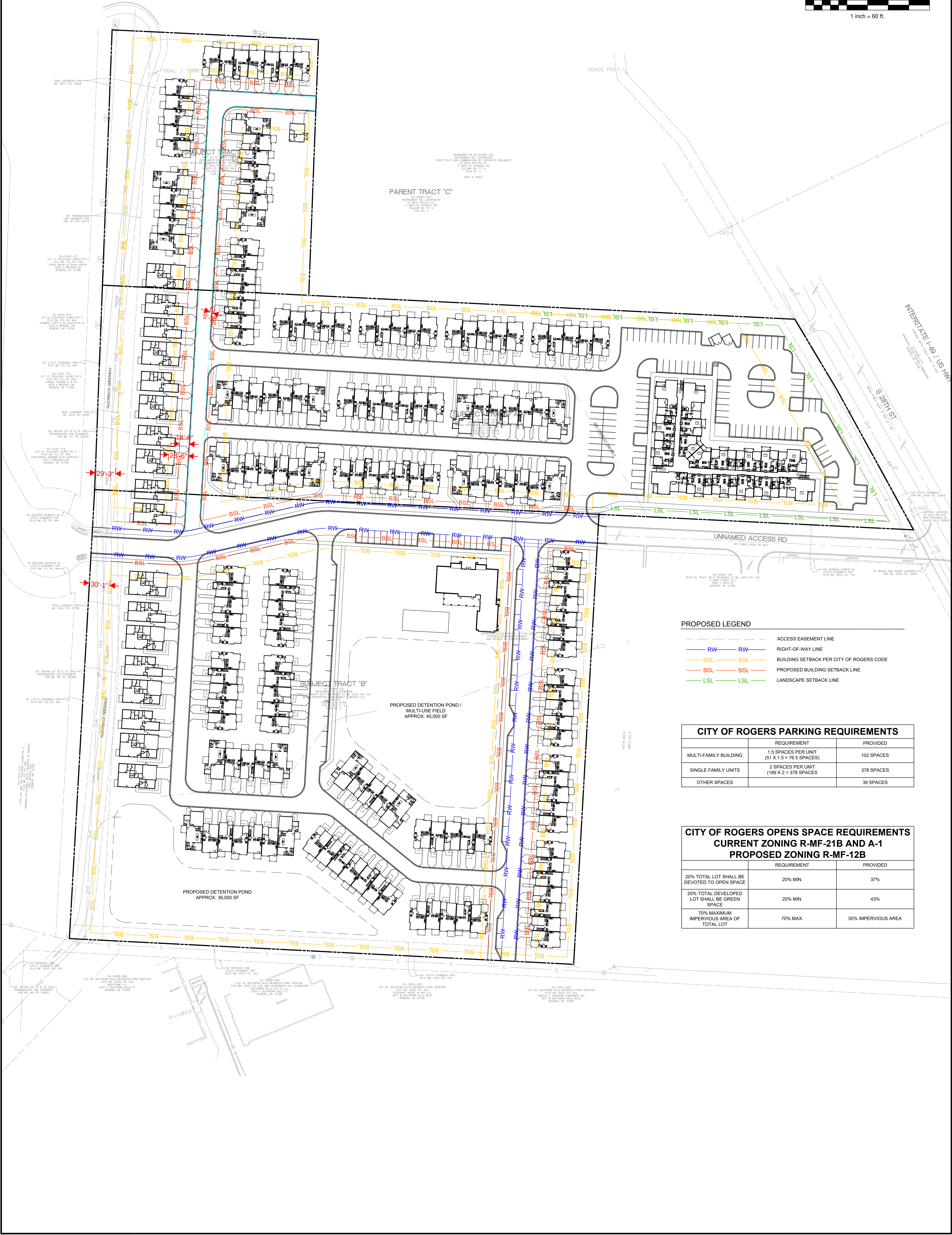
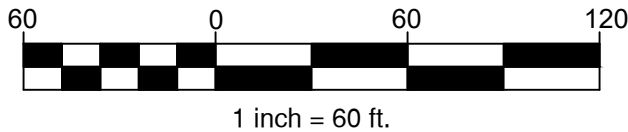
- ITE Trip Generation Manual estimates
- Sightline elevation drawings
- Written project narrative
- Travel demand factors
- Traffic and roadway characteristics
- Landscaping and screening plans

*** LABEL EACH ATTACHMENT “EXHIBIT A, B, C...” AND SUBMIT IN COMBINED PDF WITH THIS APPLICATION***

PREVIOUSLY APPROVED DCP



SCALE



PROPOSED LEGEND

- ACCESS EASEMENT LINE
- RW RW RIGHT-OF-WAY LINE
- BSL BSL BUILDING SETBACK PER CITY OF ROGERS CODE
- BSL BSL PROPOSED BUILDING SETBACK LINE
- LSL LSL LANDSCAPE SETBACK LINE

CITY OF ROGERS PARKING REQUIREMENTS		
	REQUIREMENT	PROVIDED
MULTI-FAMILY BUILDING	1.5 SPACES PER UNIT (51 X 1.5 = 76.5 SPACES)	102 SPACES
SINGLE FAMILY UNITS	2 SPACES PER UNIT (189 X 2 = 378 SPACES)	378 SPACES
OTHER SPACES		39 SPACES

CITY OF ROGERS OPENS SPACE REQUIREMENTS CURRENT ZONING R-MF-21B AND A-1 PROPOSED ZONING R-MF-12B		
	REQUIREMENT	PROVIDED
20% TOTAL LOT SHALL BE DEVOTED TO OPEN SPACE	20% MIN.	37%
20% TOTAL DEVELOPED LOT SHALL BE GREEN SPACE	20% MIN.	43%
70% MAXIMUM IMPERVIOUS AREA OF TOTAL LOT	70% MAX.	55% IMPERVIOUS AREA

SHEET:
C1.0

SITE
PLAN

DRAWN BY: WDW	CHECKED BY: DMS	DOCUMENT DATE: 12/13/2021
------------------	--------------------	------------------------------

ISSUE BLOCK		
Δ	TITLE	DATE
	DCP	12/13/2021

ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

STIPULATION FOR REUSE
THIS DRAWING WAS PREPARED FOR USE ON A SPECIFIC SITE AT:
ADD:
CONTINGENT/ANECOURLY WITH ITS ISSUE DATE ON:
DATE
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.

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





CITY OF ROGERS LANDSCAPE REQUIREMENTS	
	REQUIREMENT
ONE TREE/SHRUB PER 1000 SF OF DEVELOPED AREA OF SITE	860,787 SF DEVELOPMENT AREA / 1000 = 860.7 TREES/SHRUBS
MINIMUM 25% OF LANDSCAPING MUST BE TREES	861 X 0.25 = 215 TREES MINIMUM
NO MORE THAN 25% OF TREES MAY BE ORNAMENTAL	TO BE DETERMINED IN FINAL DESIGN
MINIMUM 10% OF TREES SHALL BE EVERGREEN	MINIMUM 22 EVERGREEN TREES
STREET TREES - TREE SPACING SHALL BE 30 LF FOR SMALL TREES, 40 LF FOR MEDIUM TREES, AND 50 LF FOR LARGE TREES	TO BE DETERMINED IN FINAL DESIGN
OVERLAY DISTRICT - STREET TREES TO BE PLANTED AT 20 LF SPACING ALONG ENTIRE FRONTAGE	351 LF / 20 = 17.5 TREES ALONG 28TH STREET

SHEET:

CONCEPTUAL LANDSCAPE PLAN

DOCUMENT DATE:	12/13/2021
CHECKED BY:	DRG
DRAWN BY:	WDW

ISSUE BLOCK		
#	TITLE	DATE
	DCP	12/13/2021

ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

STIPULATION FOR REUSE

THIS DRAWING WAS PREPARED FOR USE ON A SPECIFIC SITE AT:

ADD2

CONTEMPORANEOUSLY WITH ITS ISSUE DATE ON:

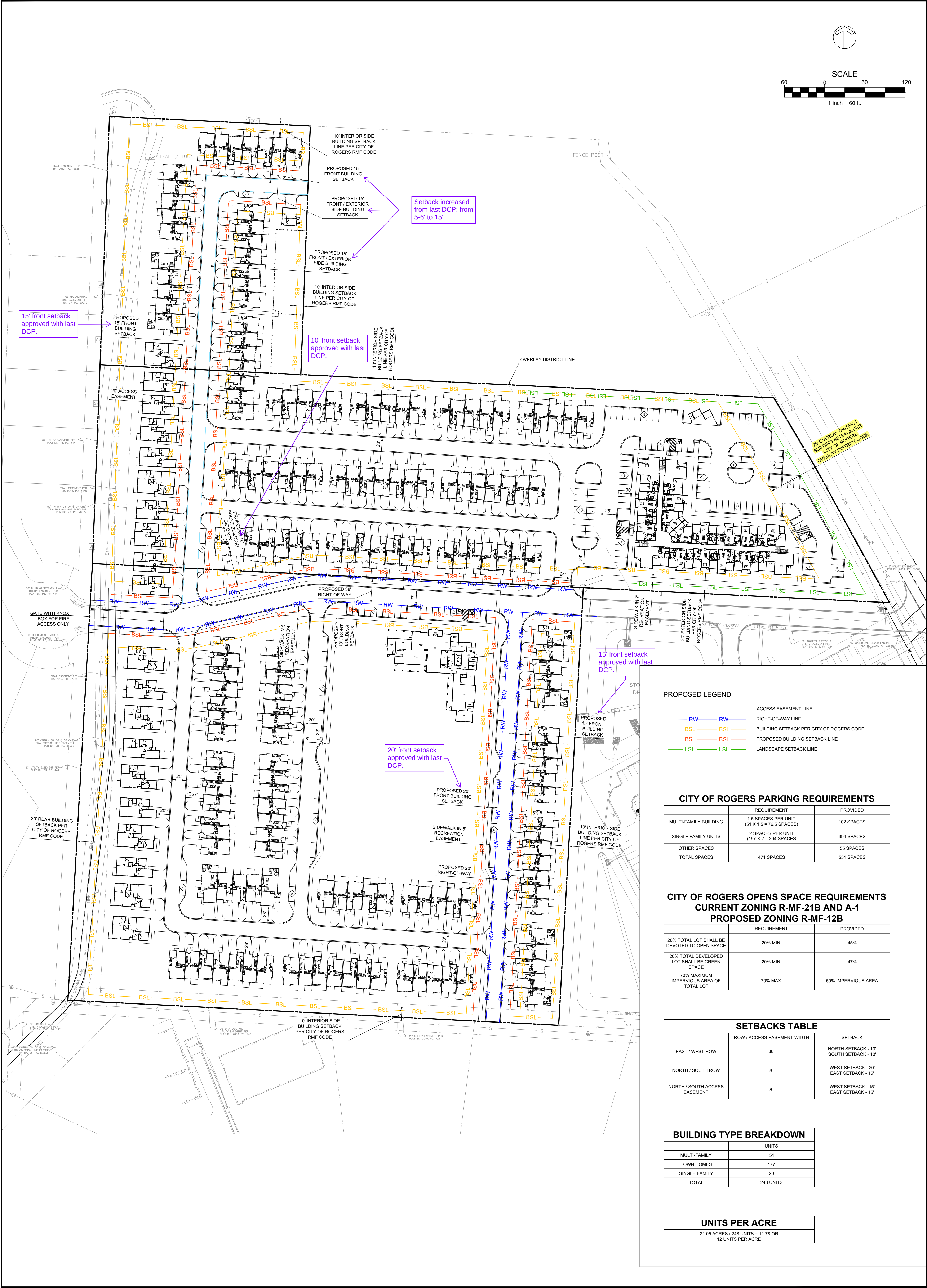
DATE

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 I.A.W.

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





SHEET
C1.0

SITE PLAN

DOCUMENT DATE: 04/25/2022
CHECKED BY: DRG
DRAWN BY: WDW

ISSUE BLOCK

△	TITLE	DATE
	DCP	04/25/2022

ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

STIPULATION FOR REUSE

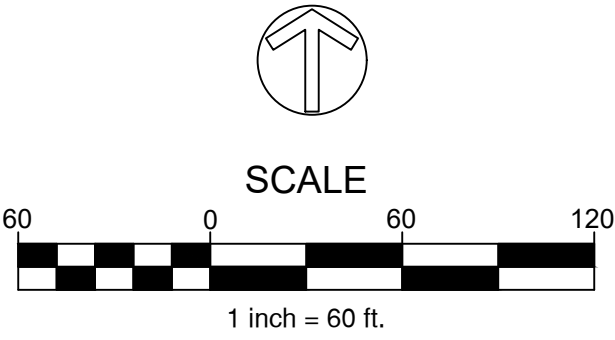
THIS DRAWING WAS PREPARED FOR USE ON A SPECIFIC SITE AT:
ROGERS, AR
CONTEMPORANEOUSLY WITH ITS ISSUE DATE ON:
04/25/2022
AND IT IS NOT SUITABLE FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THIS DRAWING FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED AND MAY BE CONTRARY TO THE LAW.

HARRISON FRENCH & ASSOCIATES, L.T.D

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

HFA

Creative Solutions
Meaningful Places



CITY OF ROGERS LANDSCAPE REQUIREMENTS	
REQUIREMENT	TO BE PROVIDED
ONE TREE/SHRUB PER 2000 SF OF DEVELOPED AREA OF SITE	860,787 SF DEVELOPMENT AREA / 2000 = 430.4 TREES/SHRUBS
MINIMUM 25% OF LANDSCAPING MUST BE TREES	431 X 0.25 = 108 TREES MINIMUM
NO MORE THAN 25% OF TREES MAY BE ORNAMENTAL	TO BE DETERMINED IN FINAL DESIGN
MINIMUM 10% OF TREES SHALL BE EVERGREEN	MINIMUM 11 EVERGREEN TREES
STREET TREES - TREE SPACING SHALL BE 30 LF FOR SMALL TREES, 40 LF FOR MEDIUM TREES, AND 50 LF FOR LARGE TREES *STREET TREES ARE IN ADDITION TO OTHER SITE LANDSCAPING REQUIREMENTS	TO BE DETERMINED IN FINAL DESIGN
OVERLAY DISTRICT - STREET TREES TO BE PLANTED AT 20 LF SPACING ALONG ENTIRE FRONTAGE	351 LF / 20 = 17.5 TREES ALONG 28TH STREET
MITIGATION TREES SHALL BE PROVIDED AT 1 NEW TREE FOR EVERY 5 SIGNIFICANT TREES REMOVED WITHIN THE DEVELOPMENT AREA	A TREE PRESERVATION PLAN WILL BE COMPLETED TO DETERMINE SIGNIFICANT TREE ON SITE. MITIGATION TREES SHALL BE PROVIDED AT MINIMUM 1 NEW TREE FRO EVERY 5 SIGNIFICANT TREES REMOVED WITHIN THE DEVELOPMENT AREA

FINAL LANDSCAPE DESIGN TO BE COMPLETED WITH LSD PACKAGE. THIS PLAN IS PROVIDED AS CONCEPT ONLY

SHEET:
C6.0

CONCEPTUAL
LANDSCAPE
PLAN

ISSUE BLOCK		
	TITLE	DATE
	DCP	04/25/2022

DOCUMENT DATE: 04/25/2022

CHECKED BY: DRG

DRAWN BY: WDW

ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

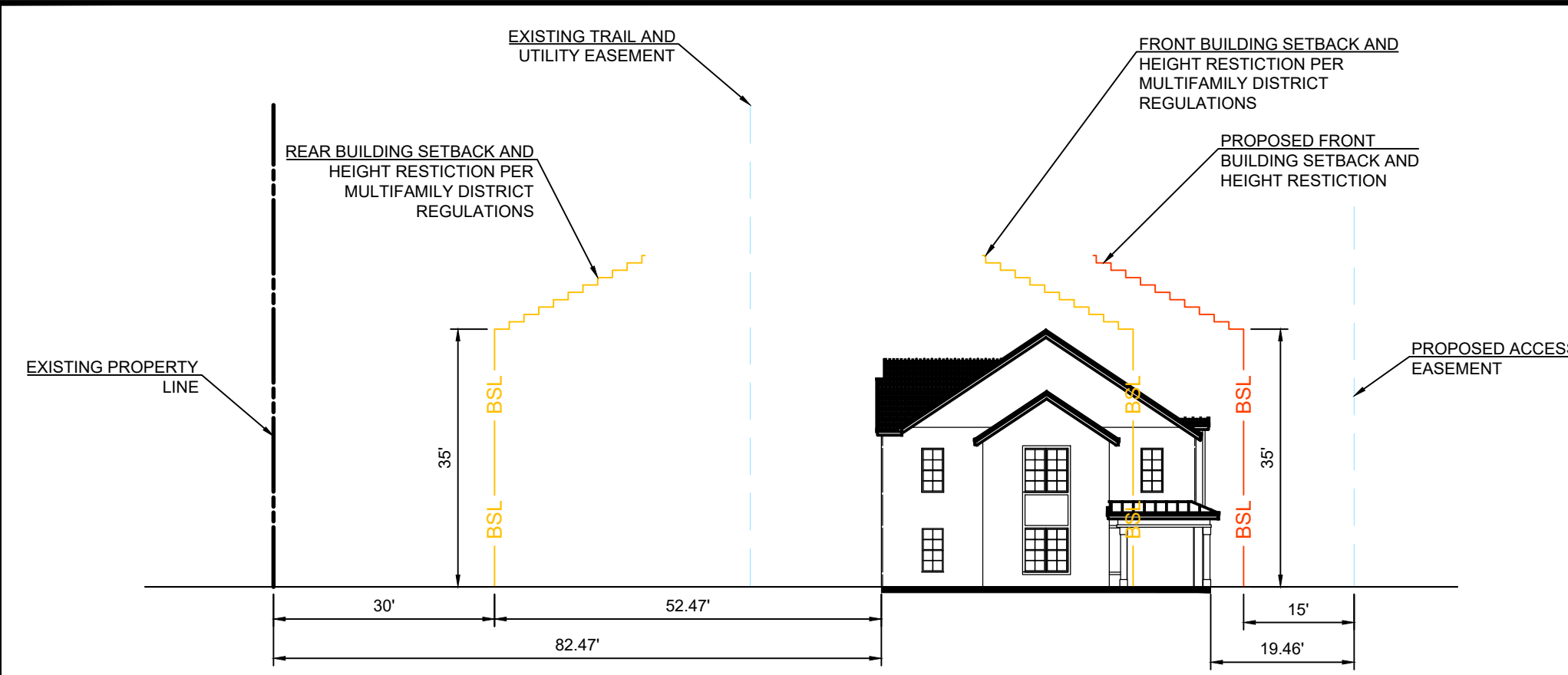
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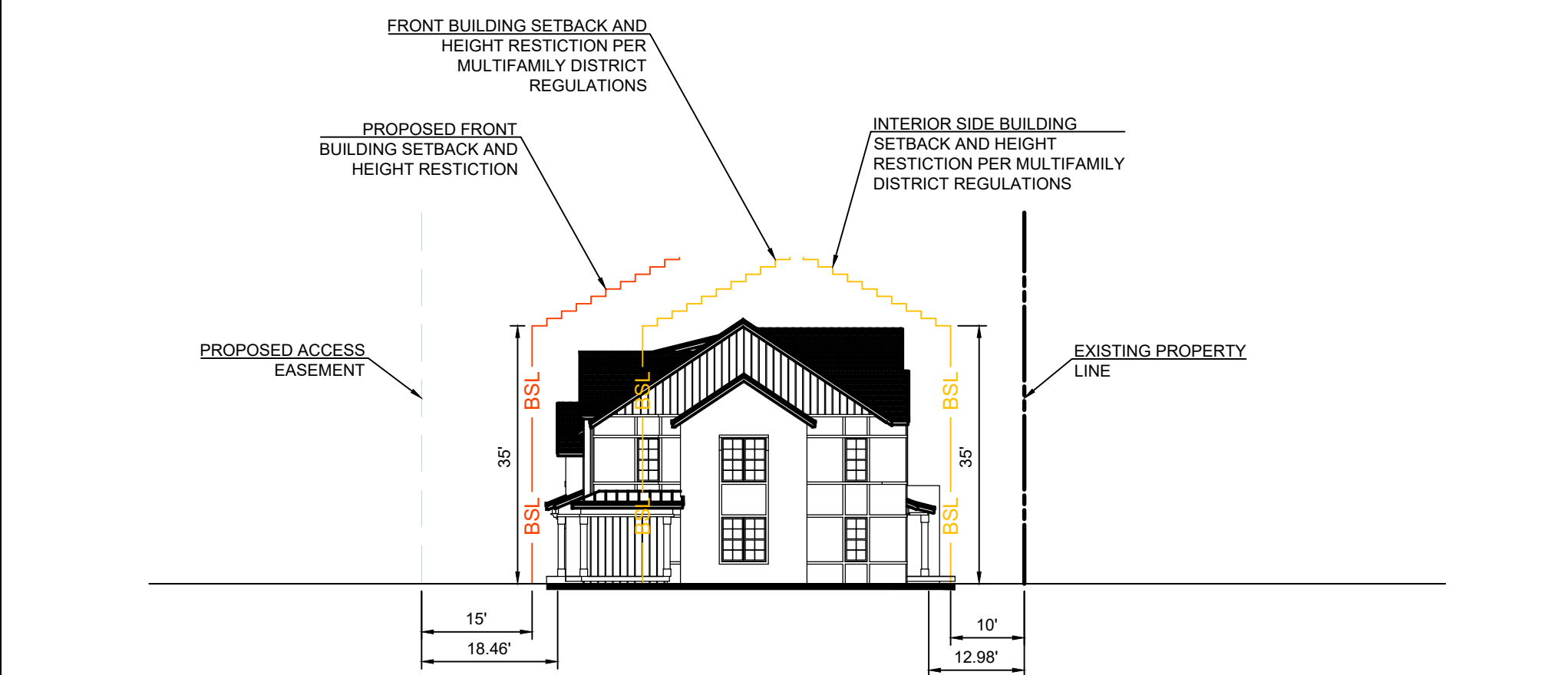
1705 S. Walton Blvd., Suite 3
Bentonville, Arkansas 72712
t 479.273.7780
f 888.520.9685
www.hfa-ac.com

HFA

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Meaningful Places



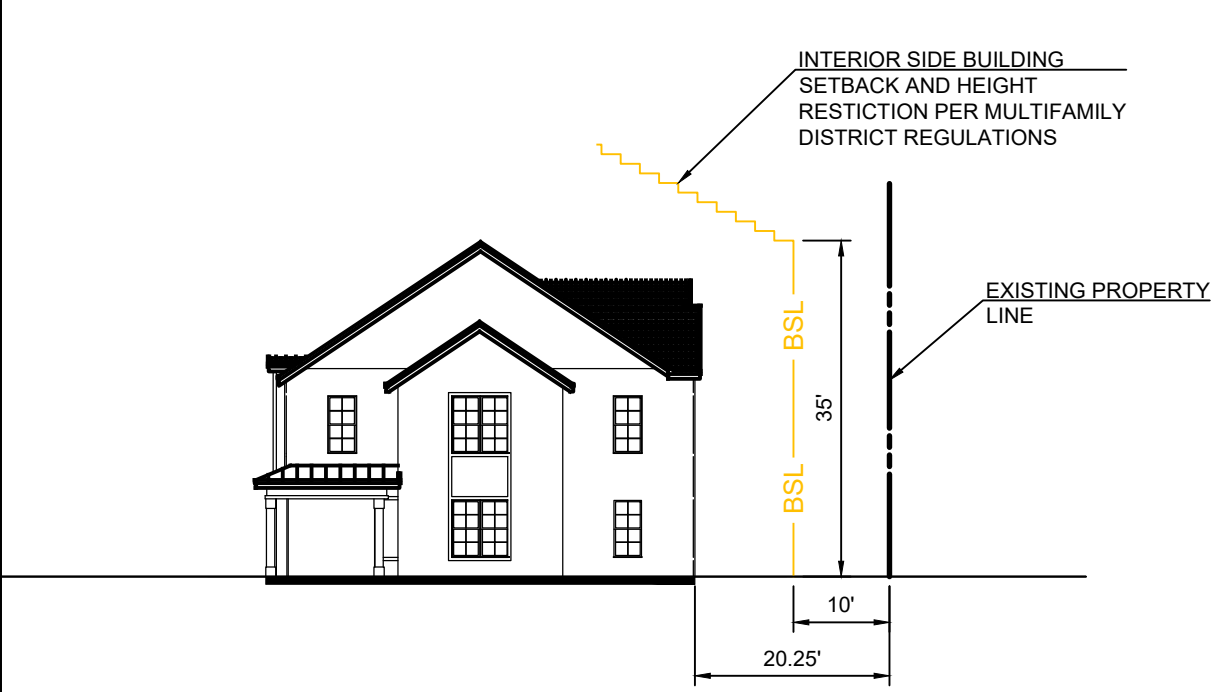
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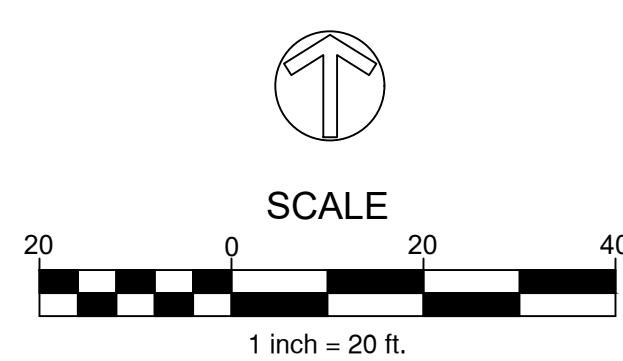
SECTION G-G



SECTION H-H

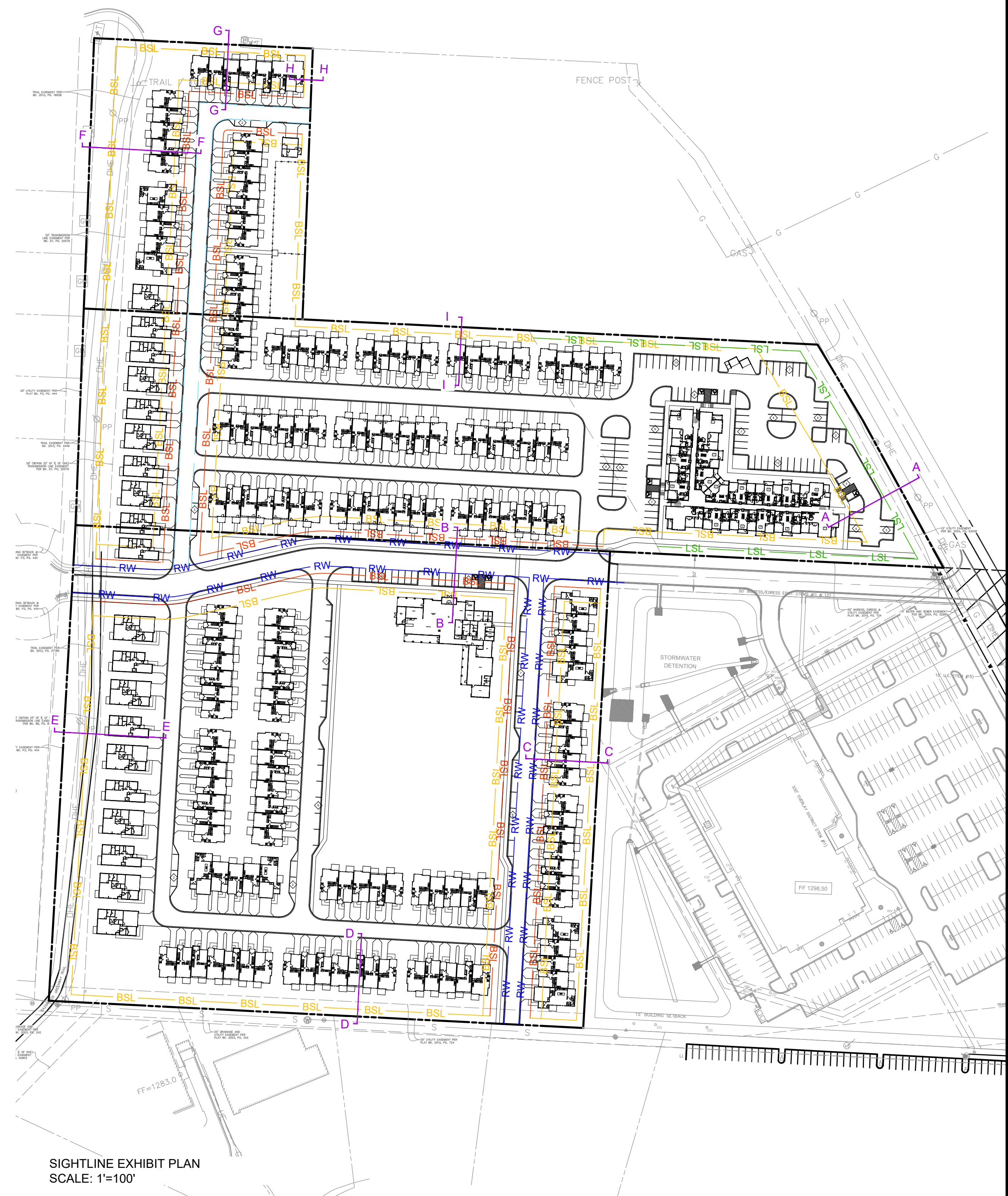


SECTION I-I



PROPOSED LEGEND

- ACCESS EASEMENT LINE
- RW RIGHT-OF-WAY LINE
- BSL BUILDING SETBACK PER CITY OF ROGERS CODE
- BSL PROPOSED BUILDING SETBACK LINE
- LSL LANDSCAPE SETBACK LINE



SHEET
C2.0

SIGHTLINE
EXHIBIT 2

ISSUE BLOCK		
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	DCP	04/25/2022

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ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

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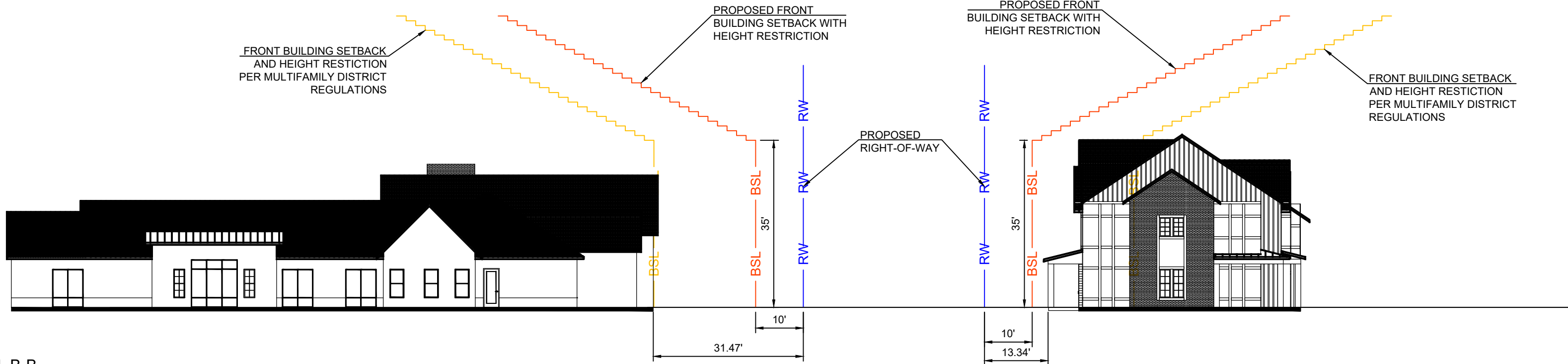
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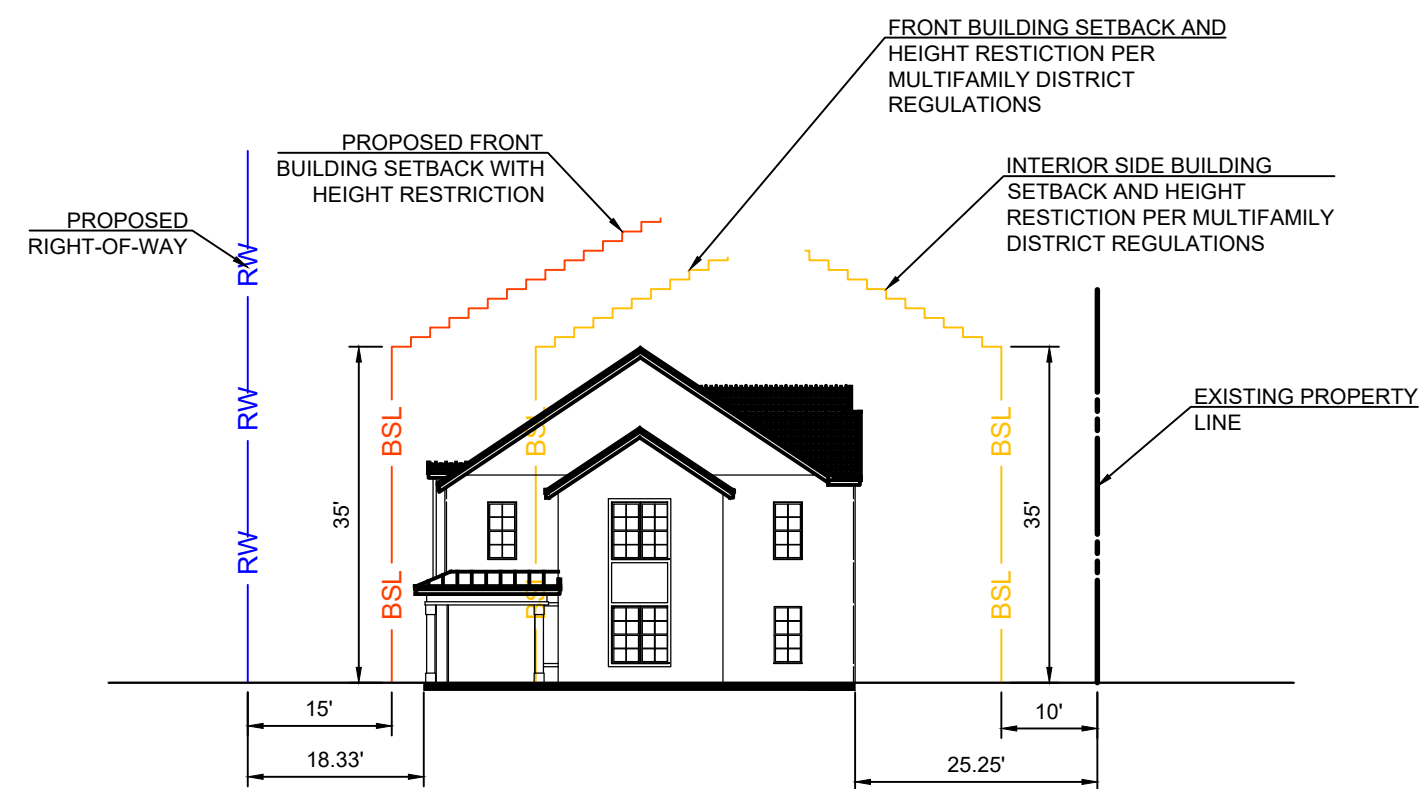
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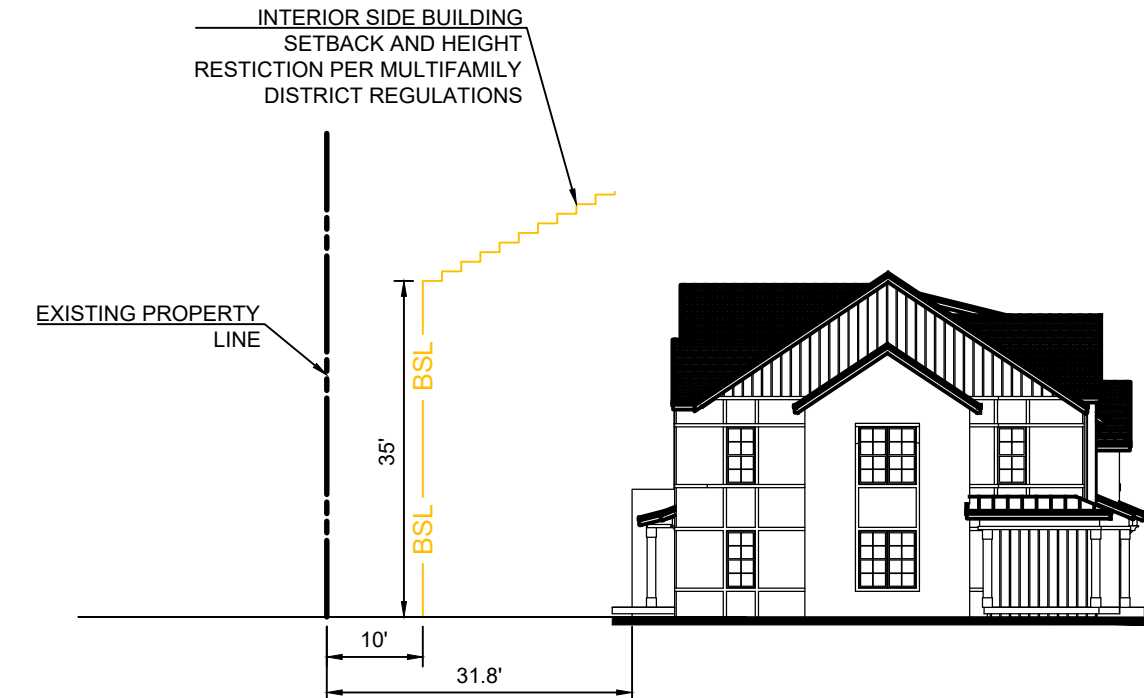
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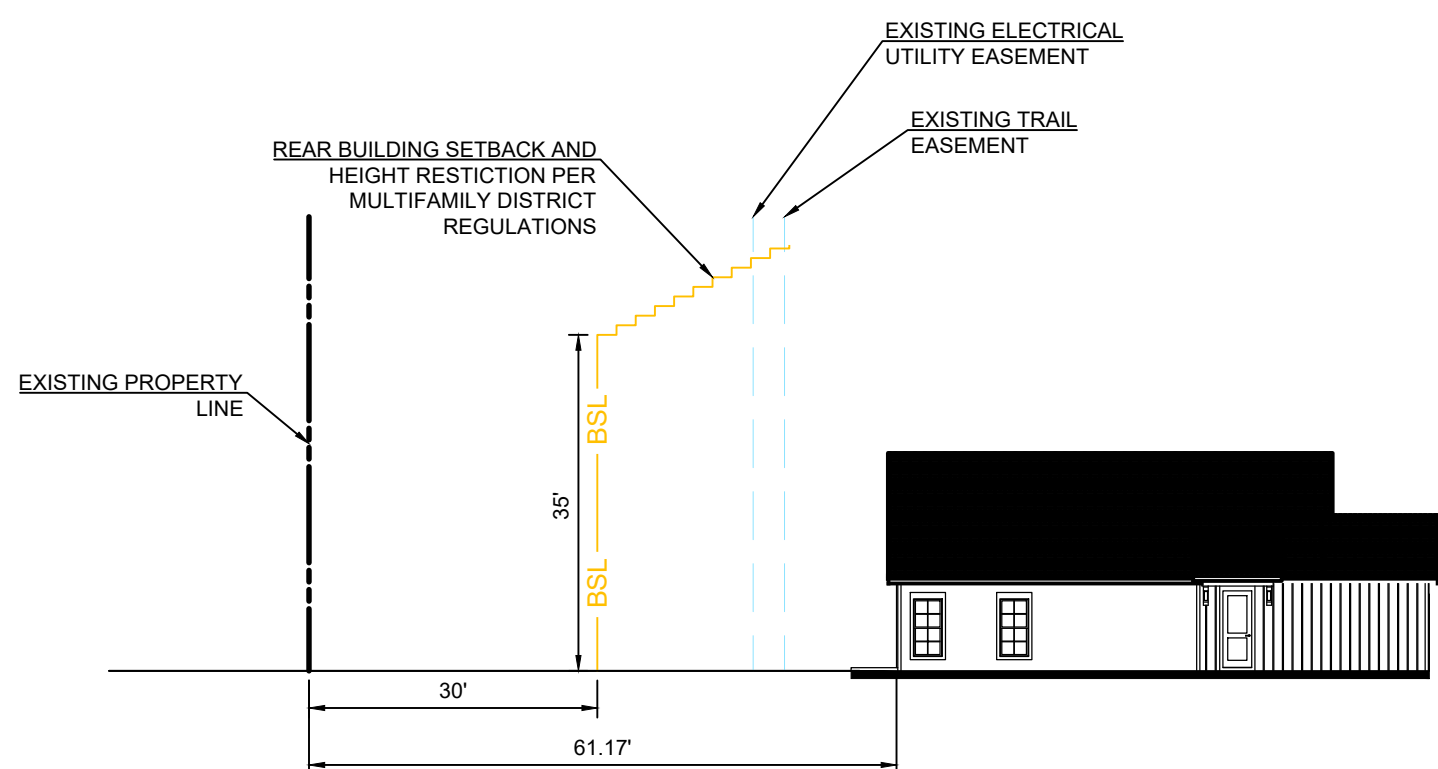
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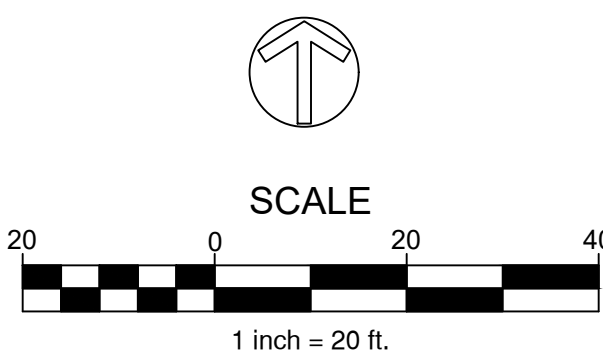
SECTION C-C



SECTION D-D

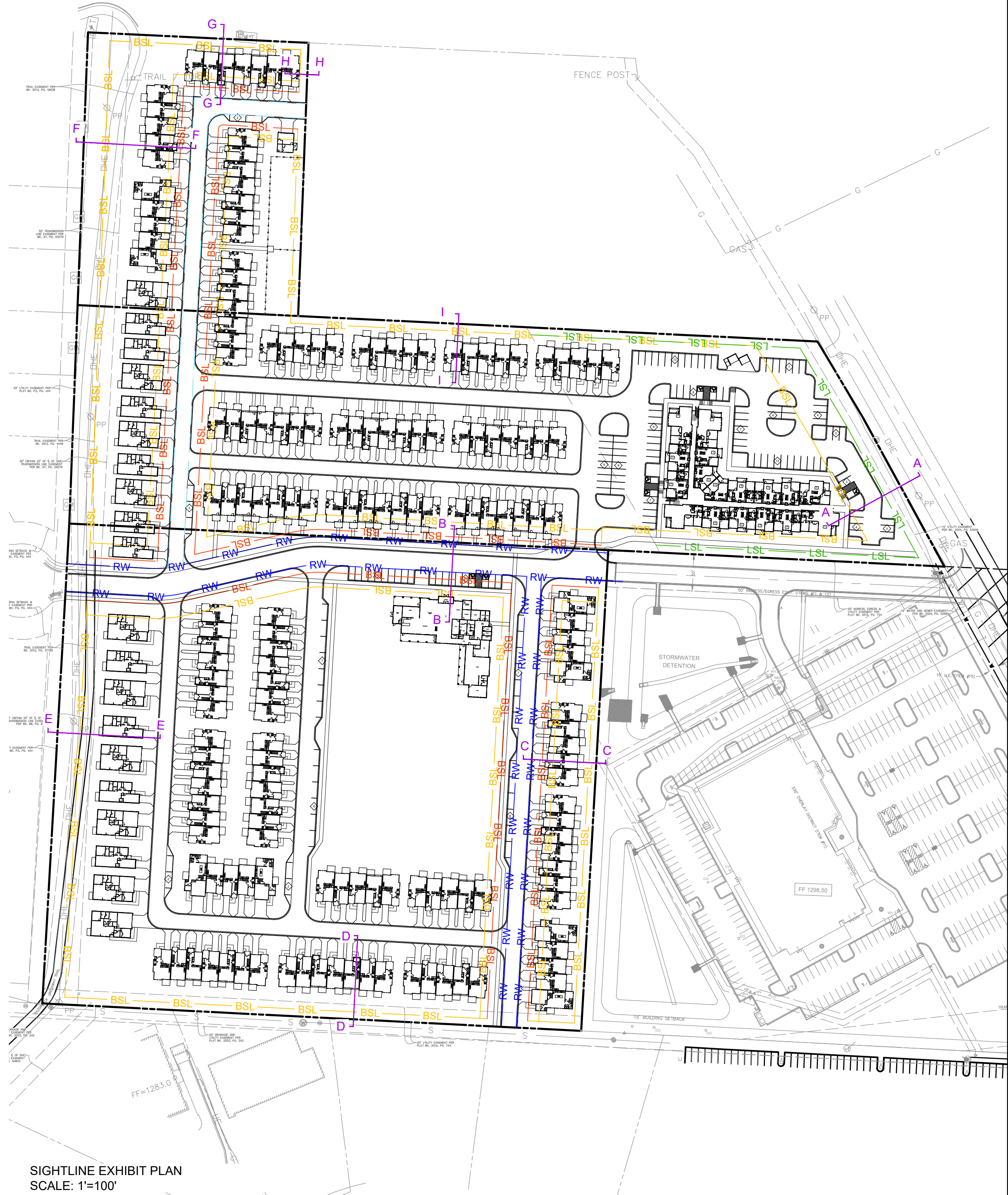


SECTION E-E



PROPOSED LEGEND

- RW — RW — ACCESS EASEMENT LINE
- BSL — BSL — RIGHT-OF-WAY LINE
- BSL — BSL — BUILDING SETBACK PER CITY OF ROGERS CODE
- BSL — BSL — PROPOSED BUILDING SETBACK LINE
- LSL — LSL — LANDSCAPE SETBACK LINE



SIGHTLINE EXHIBIT PLAN
SCALE: 1"=100'

SHEET
C2.1

SIGHTLINE
EXHIBIT 1

DRAWN BY: WDW
CHECKED BY: DRG
DOCUMENT DATE: 04/25/2022

ISSUE BLOCK		
Δ	TITLE	DATE
	DCP	04/25/2022

ATRE 28TH STREET

28TH STREET
ROGERS, AR

PROJ NUMBER: 18-21-00044

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Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

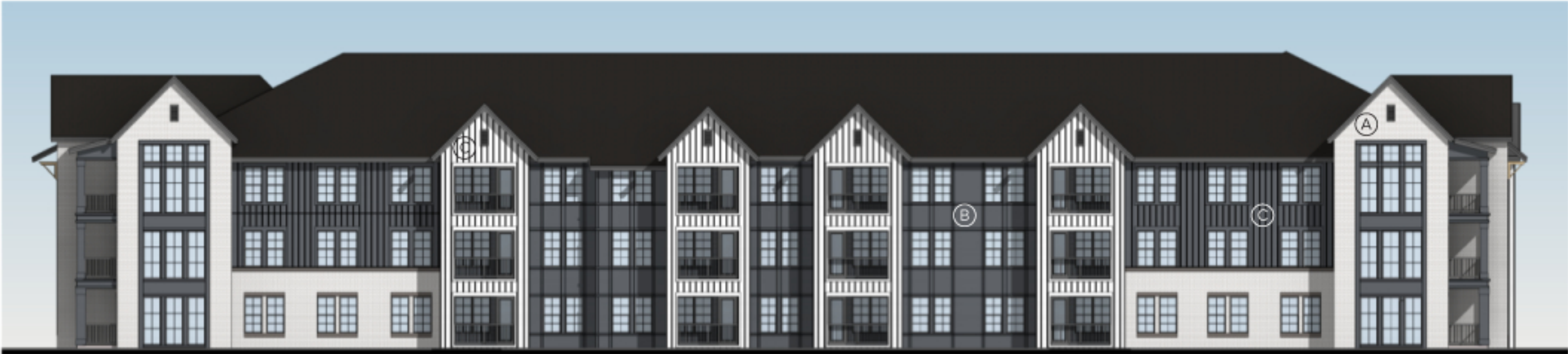
(D)

» Fiber Cement Lap Siding

Elevations

1

Bldg Type 1
Multi-family



Front Elevation



Rear Elevation

Legend



» Tricorn Black



» Ice Cube



» Surface Applied Brick



» Fiber Cement Panels



» Board & Batten Fiber Cement



» Fiber Cement Lap Siding

Elevations

2

Bldg Type 1
Multi-family



Left Elevation



Right Elevation

Legend

■

» Tricorn Black

■

» Ice Cube

Ⓐ

» Surface Applied Brick

Ⓑ

» Fiber Cement Panels

Ⓒ

» Board & Batten Fiber Cement

Ⓓ

» Fiber Cement Lap Siding



2 BUILDING 2 - RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



1 BUILDING 2 - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

Legend

» Tricorn Black

» Ice Cube

(A) » Surface Applied Brick

(B) » Fiber Cement Panels

(C) » Board & Batten Fiber Cement

(D) » Fiber Cement Lap Siding



4 BUILDING 2 - LEFT ELEVATION
SCALE: 1/8" = 1'-0"



3 BUILDING 2 - REAR ELEVATION
SCALE: 1/8" = 1'-0"

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

3

Bldg Type 3
5 Unit Townhouse - C2



Front Elevation



Rear Elevation



Left Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

Bldg Type 4

4 7 Unit Townhouse - C2



Front Elevation



Left Elevation



Rear Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

Bldg Type 5
7 Unit Townhouse - C2



Front Elevation



Left Elevation



Rear Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube



» Surface Applied Brick



» Fiber Cement Panels



» Board & Batten Fiber Cement



» Fiber Cement Lap Siding

Elevations

Bldg Type 6
5 Unit Townhouse - D2



Front Elevation



Left Elevation



Rear Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

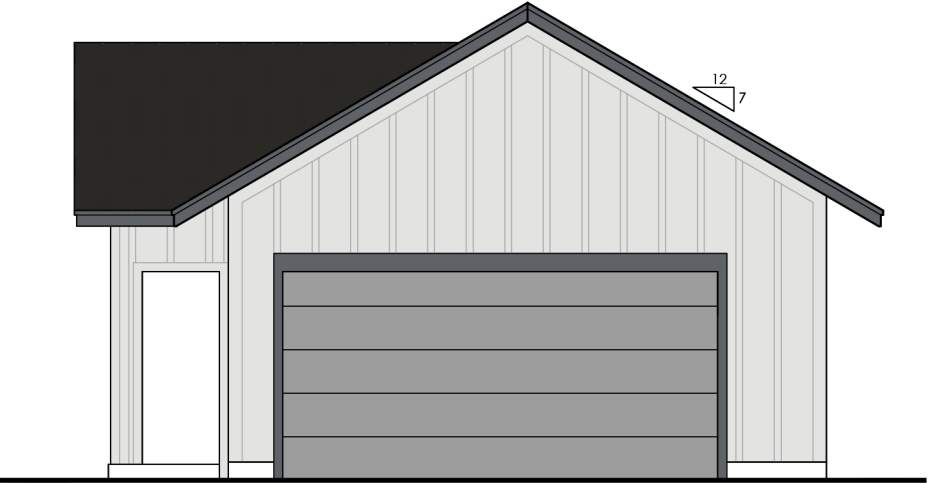
» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding



Front Elevation



Right Elevation



Rear Elevation



Left Elevation

Elevations

Bldg Type 7
Maintenance Building

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied
Brick

(B)

» Fiber Cement
Panels

(C)

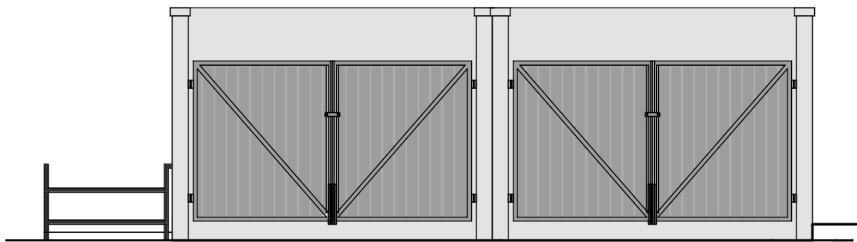
» Board & Batten
Fiber Cement

(D)

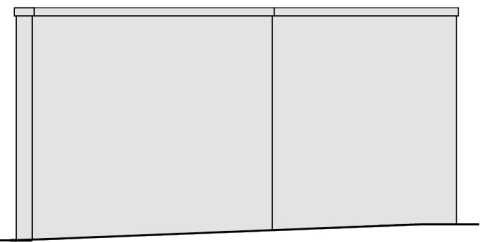
» Fiber Cement
Lap Siding

Elevations

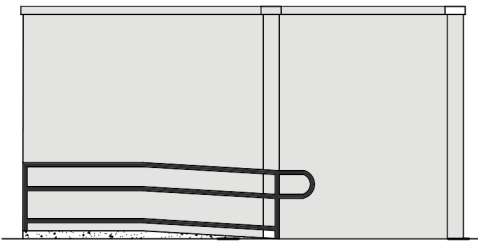
**Bldg Type 8
Trash Enclosure**



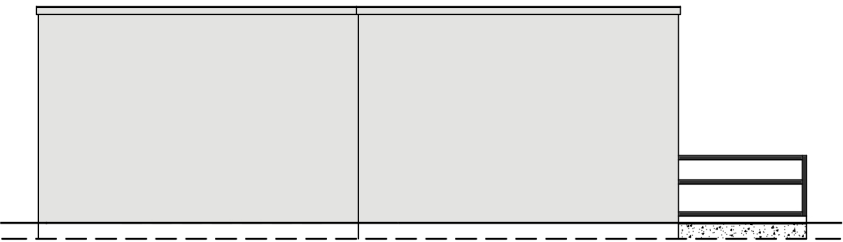
Front Elevation



Right Elevation



Rear Elevation



Left Elevation

Legend

» Tricorn Black

» Ice Cube

(A) » Surface Applied Brick

(B) » Fiber Cement Panels

(C) » Board & Batten Fiber Cement

(D) » Fiber Cement Lap Siding

Elevations

Bldg Type 9
Single Family - 2 Bedroom
Option 1

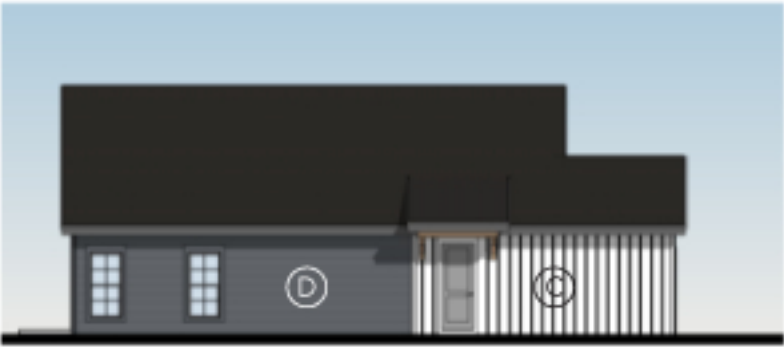
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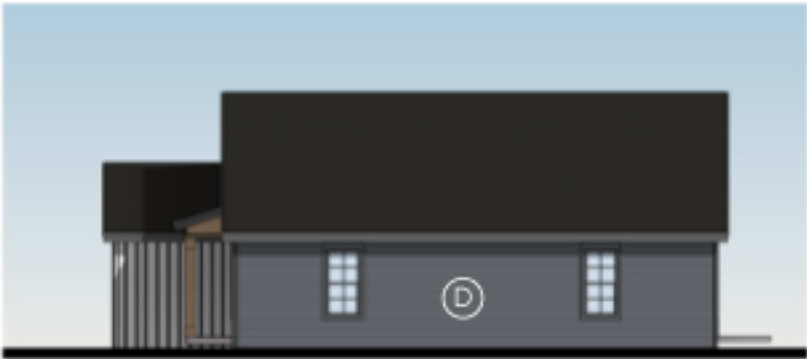
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

Legend

» Tricorn Black

» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

Bldg Type 9
Single Family - 2 Bedroom
Option 2

6



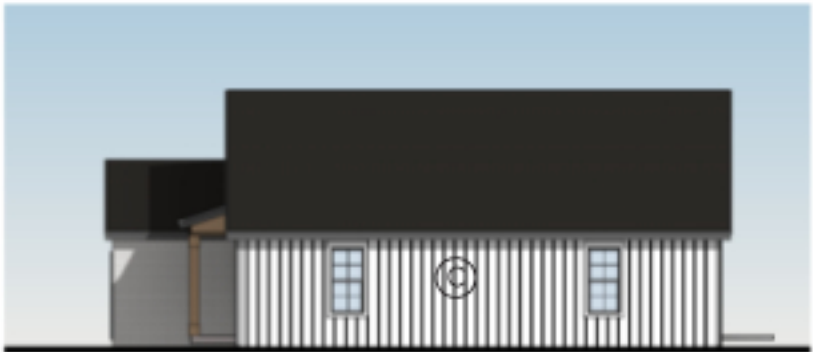
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

Bldg Type 10
Single Family - 3 Bedroom
Option 1

7



Front Elevation



Rear Elevation



Left Elevation



Right Elevation

Legend



» Tricorn Black



» Ice Cube

(A)

» Surface Applied Brick

(B)

» Fiber Cement Panels

(C)

» Board & Batten Fiber Cement

(D)

» Fiber Cement Lap Siding

Elevations

Bldg Type 10
Single Family - 3 Bedroom
Option 2

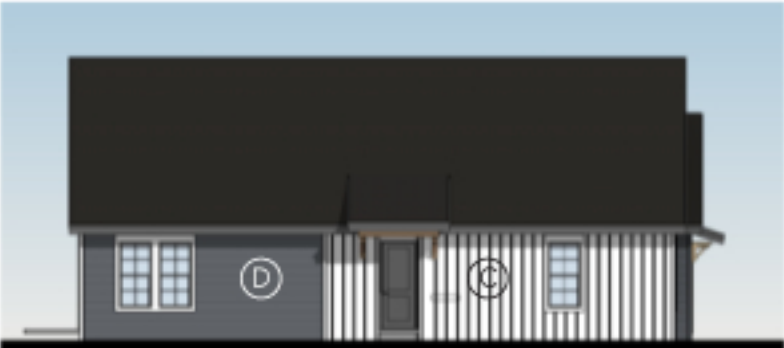
8



Front Elevation



Rear Elevation



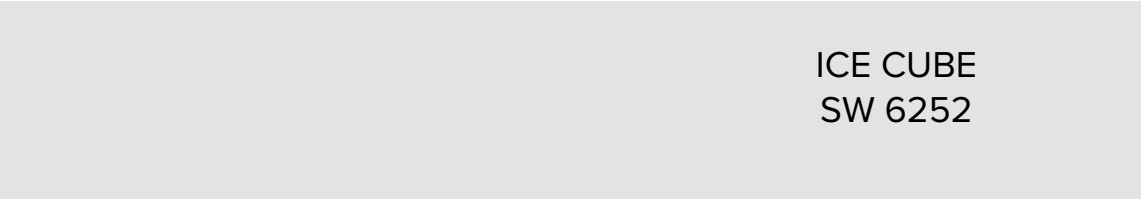
Left Elevation



Right Elevation



TRICORN BLACK
SW 6258



ICE CUBE
SW 6252



SURFACE APPLIED
BRICK



FIBER CEMENT
CLADDING

Building Type I – Apartment

Construction Type: V-A | Height to Eave: 33’-6”

Total 1 Bedroom Units: 15
Total 2 Bedroom Units: 24
Total 3 Bedroom Units: 12
Total Overall Units: 51

Material Breakdown:

Front
Brick – 32%
Board and Batten – 41%
Fiber Cement Paneling – 27%
Siding – 0%

Rear
Brick – 47%
Board and Batten – 17%
Fiber Cement Paneling – 36%
Siding – 0%

Left
Brick – 71%
Board and Batten – 0%
Fiber Cement Paneling – 29%
Siding – 0%

Right
Brick – 40%
Board and Batten – 19%
Fiber Cement Paneling – 36%
Siding – 5%

Building Type II – Club

Construction Type: V-B | Height to Eave: 11’-9”, Max 30’-0”

Front
Brick – 62%
Board and Batten – 38%
Fiber Cement Paneling – 0%
Siding – 0%

Rear
Brick – 67%
Board and Batten – 23%
Fiber Cement Paneling – 0%
Siding – 10%

Left
Brick – 38%
Board and Batten – 52%
Fiber Cement Paneling – 0%
Siding – 11%

Right
Brick – 60%
Board and Batten – 35%
Fiber Cement Paneling – 0%
Siding – 4%

Building Type III – Townhome

Height to Eave: 21’-6” | Max 30’-0”

Total 2 Bedroom Units: 1
Total 3 Bedroom Units: 3
Total 4 Bedroom Units: 1
Total Overall Units: 5

Material Breakdown:

Front
Brick – 0%
Board and Batten – 44%
Fiber Cement Paneling – 56%
Siding – 0%

Rear
Brick – 0%
Board and Batten – 35%
Fiber Cement Paneling – 65%
Siding – 0%

Left
Brick – 24%
Board and Batten – 25%
Fiber Cement Paneling – 51%
Siding – 0%

Right
Brick – 24%
Board and Batten – 25%
Fiber Cement Paneling – 51%
Siding – 0%

Building Type IV – Townhome

Height to Eave: 21’-6” | Max 30’-0”

Total 2 Bedroom Units: 2
Total 3 Bedroom Units: 3
Total 4 Bedroom Units: 2
Total Overall Units: 7

Material Breakdown:

Front
Brick – 12%
Board and Batten – 15%
Fiber Cement Paneling – 73%
Siding – 0%

Rear
Brick – 23%
Board and Batten – 27%
Fiber Cement Paneling – 50%
Siding – 0%

Left
Brick – 27%
Board and Batten – 23%
Fiber Cement Paneling – 50%
Siding – 0%

Right
Brick – 27%
Board and Batten – 23%
Fiber Cement Paneling – 50%
Siding – 0%

Building Type V – Townhome

Height to Eave: 21’-6” | Max 30’-0”

Total 2 Bedroom Units: 2
Total 3 Bedroom Units: 3
Total 4 Bedroom Units: 2
Total Overall Units: 7

Material Breakdown:

Front

Brick – 12%
Board and Batten – 15%
Fiber Cement Paneling – 73%
Siding – 0%

Rear

Brick – 23%
Board and Batten – 27%
Fiber Cement Paneling – 50%
Siding – 0%

Left

Brick – 27%
Board and Batten – 23%
Fiber Cement Paneling – 50%
Siding – 0%

Right

Brick – 27%
Board and Batten – 23%
Fiber Cement Paneling – 50%
Siding – 0%

Building Type VI – Townhome

Height to Eave: 22’-6” | Max 30’-0”

Total 2 Bedroom Units: 1
Total 3 Bedroom Units: 2
Total 4 Bedroom Units: 2
Total Overall Units: 5

Material Breakdown:

Front

Brick – 14%
Board and Batten – 58%
Fiber Cement Paneling – 28%
Siding – 0%

Rear

Brick – 10%
Board and Batten – 33%
Fiber Cement Paneling – 57%
Siding – 0%

Left

Brick – 10%
Board and Batten – 6%
Fiber Cement Paneling – 84%
Siding – 0%

Right

Brick – 10%
Board and Batten – 6%
Fiber Cement Paneling – 84%
Siding – 0%

Building Type VII – Maintenance Building

Construction Type: V-B | Height to Eave: Max 30’-0”

Material Breakdown:

Front

Board and Batten – 100%

Rear

Board and Batten – 100%

Left

Board and Batten – 100%

Right

Board and Batten – 100%

Building Type VIII Trash Enclosure

Construction Type: V-B | Height: 8’-8”, Max 30’-0”

Material Breakdown:

Front

CMU – 100%

Rear

CMU – 100%

Left

CMU – 100%

Right

CMU – 100%

Building Type IX – 2 Bed Single Family

Height to Eave: 9’-11” | Max 30’-0”

Option 1 Material Breakdown:

Front	
Brick –	0%
Board and Batten –	37%
Fiber Cement Paneling –	0%
Siding –	63%
Rear	
Brick –	0%
Board and Batten –	0%
Fiber Cement Paneling –	0%
Siding –	100%
Left	
Brick –	0%
Board and Batten –	44%
Fiber Cement Paneling –	0%
Siding –	56%
Right	
Brick –	0%
Board and Batten –	20%
Fiber Cement Paneling –	0%
Siding –	80%

Option 2 Material Breakdown:

Front	
Brick –	37%
Board and Batten –	63%
Fiber Cement Paneling –	0%
Siding –	0%
Rear	
Brick –	0%
Board and Batten –	100%
Fiber Cement Paneling –	0%
Siding –	0%
Left	
Brick –	44%
Board and Batten –	56%
Fiber Cement Paneling –	0%
Siding –	0%
Right	
Brick –	20%
Board and Batten –	80%
Fiber Cement Paneling –	0%
Siding –	0%

Building Type X – 3 Bed Single Family

Height to Eave: 10’-2” | Max 30’-0”

Option 1 Material Breakdown:

Front	
Brick –	0%
Board and Batten –	44%
Fiber Cement Paneling –	0%
Siding –	56%
Rear	
Brick –	0%
Board and Batten –	0%
Fiber Cement Paneling –	0%
Siding –	100%
Left	
Brick –	0%
Board and Batten –	59%
Fiber Cement Paneling –	0%
Siding –	41%
Right	
Brick –	0%
Board and Batten –	0%
Fiber Cement Paneling –	0%
Siding –	100%

Option 2 Material Breakdown:

Front	
Brick –	44%
Board and Batten –	56%
Fiber Cement Paneling –	0%
Siding –	0%
Rear	
Brick –	0%
Board and Batten –	100%
Fiber Cement Paneling –	0%
Siding –	0%
Left	
Brick –	59%
Board and Batten –	0%
Fiber Cement Paneling –	41%
Siding –	0%
Right	
Brick –	0%
Board and Batten –	0%
Fiber Cement Paneling –	0%
Siding –	100%



NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING
REZONE A RESIDENTIAL CONCEPT PLAN
TO A RESIDENTIAL ZONE
IN THE CITY OF CHICAGO
ON THE 15TH DAY OF MAY, 2018
AT 10:00 AM
IN THE CITY OF CHICAGO
AT THE CITY CLERK'S OFFICE
100 NORTH LAKE STREET, 10TH FLOOR
CHICAGO, ILLINOIS 60602





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

**MEETING DATE
MAY 17TH, 2022**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
LARGE-SCALE DEVELOPMENT PLANS – WHITNEY PLAZA**

STAFF: JUSTIN COUCH, PLANNER I
EVER VILLALOBOS, PROJECT ENGINEER

REQUEST DETAILS

PROJECT NAME:	Whitney Plaza
ADDRESS/LOCATION:	5400 S. Pinnacle Hills Pkwy
PROPOSED USE:	Retail Sales & Restaurant Full Service
CURRENT ZONING:	C-3 (Neighborhood Commercial)
CGM GROWTH DESIGNATION:	Neighborhood Center
APPLICANT/REPRESENTATIVE:	Michael Clotfelter
PROJECT OWNER/DEVELOPER:	Lin Brothers Investments, LLC
PROPERTY OWNER:	Lin Brothers Investment, LLC
NATURE OF REQUEST:	Approval of Large-Scale Development Plans
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

SUMMARY

This request is to allow the construction of an 11,400-SF building and paved parking lot on 1.93± acres. The proposed development plans meet all City requirements (except for requested waiver/fee-in-lieu) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b). See STAFF REVIEW for additional findings.

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

1. Approve **WAIVER** from Chapter 4, Section 3.0 – Storm Sewer System Design. The applicant is proposing Class IV RCP in areas where 2-feet of cover over the pipes is not achievable due to the flat topography in the area.
2. Approve **FEE-IN-LIEU** for the roadway improvements in association with the Pinnacle Hills Parkway. Due to the small scale of the project, staff recommends approving the fee-in-lieu of improvements.
3. Approve **WAIVER** from Section 14-46(g)(1) requiring Major Arterial Streets to have a 10-foot sidepath. The proposed 6-foot sidewalk will be consistent with other sidewalks in the area.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant's proposal meets the access management standards.

2. STORMWATER MANAGEMENT:

The applicant is proposing a dry detention pond along the north side of the site. The water conveyed to the dry detention pond will be released over a period of 45 hours. The applicant is requesting a **WAIVER** from Chapter 4, Section 3.0 – Storm Sewer System Design, requiring 2-feet of cover over pipes under drivable surfaces, matching the crowns of storm sewer pipes, exceeding the minimum pipe flow velocity of 3.0-feet/second, and allowing only 80% of a pipes flow capacity to be met. The applicant states that due to existing grades located within the ditch and along S Pinnacle Hills Parkway, storm pipe parameters could not be met and are proposing Class-IV RCP to address the cover being under 2-feet.

3. WATER QUALITY:

The applicant proposes a dry detention basin with a porous landscape bottom to meet Water Quality requirements.

4. FLOODPLAIN MANAGEMENT:

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

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

Pinnacle Hills Parkway is not in compliance with the typical street section for a Major Arterial. The applicant is requesting a **FEE-IN-LIEU** of making roadway improvements in association with the Pinnacle Hills Parkway future widening.

b) Connectivity Standards:

Connectivity standards are not applicable on this site.

c) Streetscape:

i) Right-of-Way:

The right-of-way along this portion of S Pinnacle Hills Parkway varies. The applicant is proposing to dedicate 25-feet of right-of-way along the street's frontage.

ii) Sidewalks & Sidepaths:

The applicant is requesting a **WAIVER** from Section 14-46(g)(1) requiring Major Arterial Streets to have a 10-foot sidepath. The applicant proposes a 6-foot sidewalk along this portion of Pinnacle Hills Parkway to match existing sidewalks in the area.

d) Trails:

Trails are not proposed nor required within this development.

e) Streetlights:

Streetlights are proposed and should meet the requirements for a Major Arterial street.

Street Trees:

The applicant proposes the required street tree requirements.

6. RECOMMENDATIONS:

a) Approve **WAIVER** from Chapter 4, Section 3.0 – Storm Sewer System Design, requiring 2-feet of cover over pipes under drivable surfaces, matching the crowns of storm sewer pipes, exceeding the minimum pipe flow velocity of 3.0-feet/second, and allowing only 80% of a pipes flow capacity to be met. The applicant is proposing Class IV RCP in areas where 2-feet of cover over the pipes is not achievable due to the flat topography in the area. The applicant has shown a reasonable attempt at achieving these parameters for the pipes indicated by the waiver request.

b) Approve **FEE-IN-LIEU** for the roadway improvements in association with the Pinnacle Hills Parkway. Due to the small scale of the project, staff recommends approving the fee-in-lieu of improvements.

c) Approve **WAIVER** from Section 14-46(g)(1) requiring Major Arterial Streets to have a 10-foot sidepath. The proposed 6-foot sidewalk will be consistent with other sidewalks in the area.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i. "Retail Sales" is defined as "retail sale of merchandise not specifically listed under another use category," (Sec. 14-695(b)(3)(gg.)(1.)).
- ii. "Full Service Restaurant" is defined as "A bona fide restaurant establishment where the principal business is the sale of food and beverages to guests via table service for consumption on the premises. As used in this definition, a "bona fide" full service restaurant shall have suitable kitchen facilities for cooking of complete meals," (Sec. 14-695(b)(3)(ff.)).

b) Zoning Compliance:

Excluding the requested variances, 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:

All setback and height requirements have been met.

b) Building Design:

N/A

c) Parking & Loading:

All vehicle and bicycle parking requirements have been met.

d) Screening & Transitions:

All screening requirements have been met.

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

a) **Approve** Large-Scale Development Plans.

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

TABS

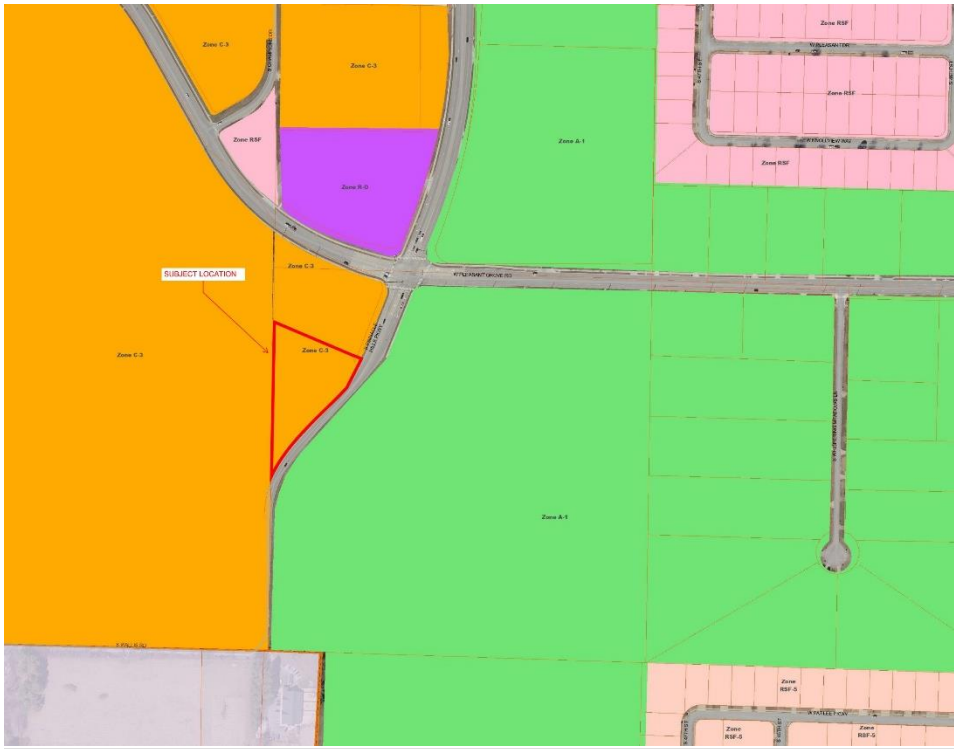
1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

TAB 1

VICINITY MAP (AERIAL)



VICINITY MAP (ZONING)



VICINITY MAP (CGM)



TAB 2

RWU CONDITIONAL APPROVAL LETTER

TAB 3

WAIVER AND/OR VARIANCE REQUEST LETTERS



February 18, 2022

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

Re: *Lin Brothers – Rogers, Benton County, AR*
Large-Scale Development Review

Ms. Long,

Per the City's Code of Ordinances, Section 14-36(g)(1) – Typical Street Section for Major Arterial Street; Lin Brothers, LLC. respectfully requests a Waiver be granted to allow for the existing 6-foot sidewalks to continue along Pinnacle Hills Parkway and parallel to the proposed development's east property line (see Exhibit-A attached).

Lin Brothers is proposing a mixed-use and will include retail stores and a restaurant. The site will be located on the west side of S. Pinnacle Hills Parkway and just south of the intersection of W. Pleasant Grove Rd. and Pinnacle Hills Parkway (see attached Vicinity Map). The site will consist of approximately 1.93 acres. The proposed improvements will consist of an 11,400 SF building, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking for the proposed development.

We would request that the city maintain consistency with regards to the existing 6-foot concrete sidewalk that is located on both sides of Pinnacle Hills Parkway and just north of this development. As such, waiving the requirement that a 10-foot sidewalk shall be located along the west side of Pinnacle Hills Parkway.

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



March 18, 2022

Mr. Justin Couch
Planner I
City of Rogers, AR
Department of Community Development
301 W. Chestnut St.
Rogers, AR 72756

**Re: Lin Brothers – Rogers, Benton County, AR
Waiver Request – Roadway Improvements (Pinnacle Hills Parkway)**

Mr. Couch,

Per the City's Code of Ordinances, Ch. 14, Article V, Section 14-608 – Requirements for Improving Substandard Streets; Lin Brothers, LLC respectfully requests a Waiver to be granted to allow for 10% of the total roadway improvements cost in association with the Pinnacle Hills Parkway future widening.

Lin Brothers is proposing a mixed-use development to include retail stores and a restaurant. The site will be located on the west side of S. Pinnacle Hills Parkway and just south of the intersection of W. Pleasant Grove Rd. and Pinnacle Hills Parkway (see attached Vicinity Map). The site will consist of approximately 1.93 acres. The proposed improvements will consist of an 11,400 SF building, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking for the proposed development.

Due to the project's smaller size (1.93 acres) and considering the overall on-site costs for which a smaller development like Lin Brothers, LLC will incur; we respectfully request that the city have some leniency towards the public roadway improvements cost. We feel that requiring Lin Brothers, LLC to pay for 100% of the cost to upgrade ½ of an existing public street would cause undue hardship due to circumstances unique to the individual property. As such, we would respectfully request that the city agree to 10% of the total cost for the roadway improvements (see cost estimate attached). Furthermore, we would request that the city allow for a Fee-In-Lieu of the costs associated with the Pinnacle Hills Parkway roadway improvements, and equal to the amount of \$27,972.26.

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



March 18, 2022

Mr. Justin Couch
Planner I
City of Rogers, AR
Department of Community Development
301 W. Chestnut St.
Rogers, AR 72756

**Re: Lin Brothers – Rogers, Benton County, AR
Waiver Request – Stormwater Drainage**

Mr. Couch,

Per the City's Drainage Manual, Ch. 4, Section 3.0 – Storm Sewer System Design, Lin Brothers, LLC respectfully requests a Waiver to be granted to allow for changes to the storm pipe design parameters.

Lin Brothers is proposing a mixed-use development to include retail stores and a restaurant. The site will be located on the west side of S. Pinnacle Hills Parkway and just south of the intersection of W. Pleasant Grove Rd. and Pinnacle Hills Parkway (see attached Vicinity Map). The site will consist of approximately 1.93 acres. The proposed improvements will consist of an 11,400 SF building, drainage, water, sanitary sewer services and site lighting to facilitate on-site parking for the proposed development.

We would request a waiver to allow for changes to the city's storm sewer system design requirements listed below.

- **Minimum 2-foot cover in traffic areas.**
- **Match crown of storm sewer pipes.**
- **Maximum design flow capacity at Design Storm Frequency (10-yr) = 80% full flow capacity.**
- **2 feet from ground surface to Hydraulic Grade Line (HGL).**
- **Minimum Flow Velocity flowing under Design Storm (10-yr) Capacity = 3.0 ft./sec.**

Due to the city's requirements for the Cave Springs Direct Recharge area, the on-site detention facility will work in conjunction with controlling water quality and peak site discharge rates. As such, additional restrictions were placed on the detention facility's outfall structure design. Those restrictions accounted for higher ponding depths within the detention facility and for the storm sewer pipes to exceed the 80% full flow capacity.

Furthermore, due to the property line configuration and the city's zoning requirement, that the proposed building must be located within a 5'-30' front build to zone, those too created more obstacles which had hindered us from meeting the design parameters without having to raise the entire site with fill.

Lastly, the proposed public storm sewer pipe that is located within S. Pinnacle Hills Parkway Right-of-Way will replace an existing roadside ditch. Due to the existing grades located within the ditch and along S. Pinnacle Hills Parkway, we could not match storm pipe crowns. Furthermore, the existing grades did not allow for a minimum of 2-foot of cover for the storm sewer pipe crossing below the proposed access drive. Therefore, we are proposing a Class-IV Reinforced Concrete Pipe (RCP) for the crossing of the access drive, and that the flowlines for the public storm sewer pipes to match.

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



Page 2 of 2

LARGE-SCALE DEVELOPMENT PLANS (cover, site, utility, landscape)

**LARGE SCALE DEVELOPMENT PLANS
WHITNEY PLAZA
5400 S. PINNACLE HILLS PKWY
ROGERS, BENTON COUNTY, ARKANSAS**

PROJECT TEAM:

OWNER/DEVELOPER/APPLICANT:
THE UNIVERSITY MICRO FILMS
 300 N. ZEEB RD.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: STEPHEN L. HARRIS
 TEL: 734/769-0000
 E-MAIL: stephen.harris@umich.edu

CITY OF ROCHES:
 1000 S. MAIN ST.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: JOHN THORNTON
 TEL: 734/769-0000
 E-MAIL: john.thornton@umich.edu

ENGINEER:
JOHN J. KOSCIUSKO INC.
 1000 S. MAIN ST.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: TERRY J. KOSCIUSKO
 TEL: 734/769-0000
 E-MAIL: terry.kosciusko@umich.edu

ARCHITECT:
JOHN J. KOSCIUSKO INC.
 1000 S. MAIN ST.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: TERRY J. KOSCIUSKO
 TEL: 734/769-0000
 E-MAIL: terry.kosciusko@umich.edu

WATER AND SEWER:
ROCHES WATER SYSTEM
 1000 S. MAIN ST.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: JOHN THORNTON
 TEL: 734/769-0000
 E-MAIL: john.thornton@umich.edu

SURVEYOR:
JOHN J. KOSCIUSKO INC.
 1000 S. MAIN ST.
 ANN ARBOR MI 48106-1500
 TEL: 734/769-0000
 FAX: 734/769-0000
 CONTACT: TERRY J. KOSCIUSKO
 TEL: 734/769-0000
 E-MAIL: terry.kosciusko@umich.edu

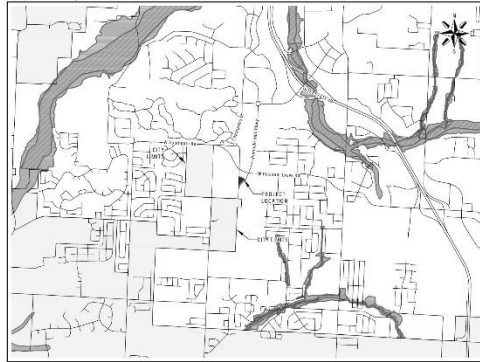
ELECTRIC:
CASH/ELECTRIC
CONTACT: DEREK THURMAN
PHONE: 479-243-2473 (TX-2090)
EMAIL: dthurman@cashelectric.com

TELEPHONE:
A-101
1-335-648-0055
FAYETTEVILLE, AR
CONTACT: STEVEN STEINBERG
PHONE: 479-442-3375
EMAIL: steve@steinc.com

GAS:
BETTER BURNER ENERGY
CONTACT: SLOTT STEELER
PHONE: 479-435-3020
EMAIL: slottsteel@betterburnerenergy.com

HEALTH DEPARTMENT:
4070 W. MEMPHIS ST. 1007
LITTLE ROCK, AR 72205
DISTRICT 1000000
CONTACT: KATHY PARSONS
PHONE: 501-661-2603

VICINITY MAP | NOT TO SCALE



VICINITY MAP LEGEND:

PROJECT INFORMATION

[illegible]

GENERAL NOTES:

- [illegible]

MEMBER P-7 DISCLOSED:
THE LISTING REQUIREMENTS FOR

THE DESIGNER REPRESENTS THAT THE DRAWINGS AND SPECIFICATIONS ARE TO BE CONSIDERED AS THE DESIGNER'S BEST AND MOST IMPROVED DESIGN FOR THE PROJECT AND THAT THE DESIGNER HAS NO OTHER DESIGN OR SPECIFICATION FOR THE PROJECT.

FLOOD ZONE STATEMENT:

BY GRAPHIC SCALE ONLY THIS PROPERTY LOCATED WITHIN FLOOD ZONE "C" AS DETERMINED FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, PANEL NO. D1027C0270K, EFFECTIVE DATE: JUNE 03, 2012.

BENCHMARKS:

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

SHEET INDEX

NEWBUDNO	SUBNO	PROJ	DESCRIPTION	QUANTITY	UNIT	TYPE
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C10	02	01	1.5" CAST IN PLACE CONCRETE FLOOR	100	SQ YD	CONCRETE
C22	01	00	POLYURETHANE			
C22	01	01	THICK FLOOR AND CEILING PLAN	100	SQ YD	CONCRETE
C24	01	00	WIRE CLOSET SHELF PLS			
C24	01	01	WIRE CLOSET SHELF PLS	100	SQ YD	CONCRETE
C24	01	02	WIRE CLOSET SHELF PLS	100	SQ YD	CONCRETE
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FIGURES NOT INCLUDED IN THIS SUBMITTA

CITY OF ROGERS NOTES

1. A STATE DEPARTMENT OFFICER IS INTERVIEWING AN INDIVIDUAL SUSPECTED OF BEING
2. AN INVESTIGATIVE TOOL USED IN CERTAIN CASES OF OBSCURITY.
3. THE ABOVE INDIVIDUAL, WHOSE NAME IS NOT KNOWN TO THE OFFICER, HAS BEEN IDENTIFIED AS
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CITY APPROVAL STAMP

PL202200160



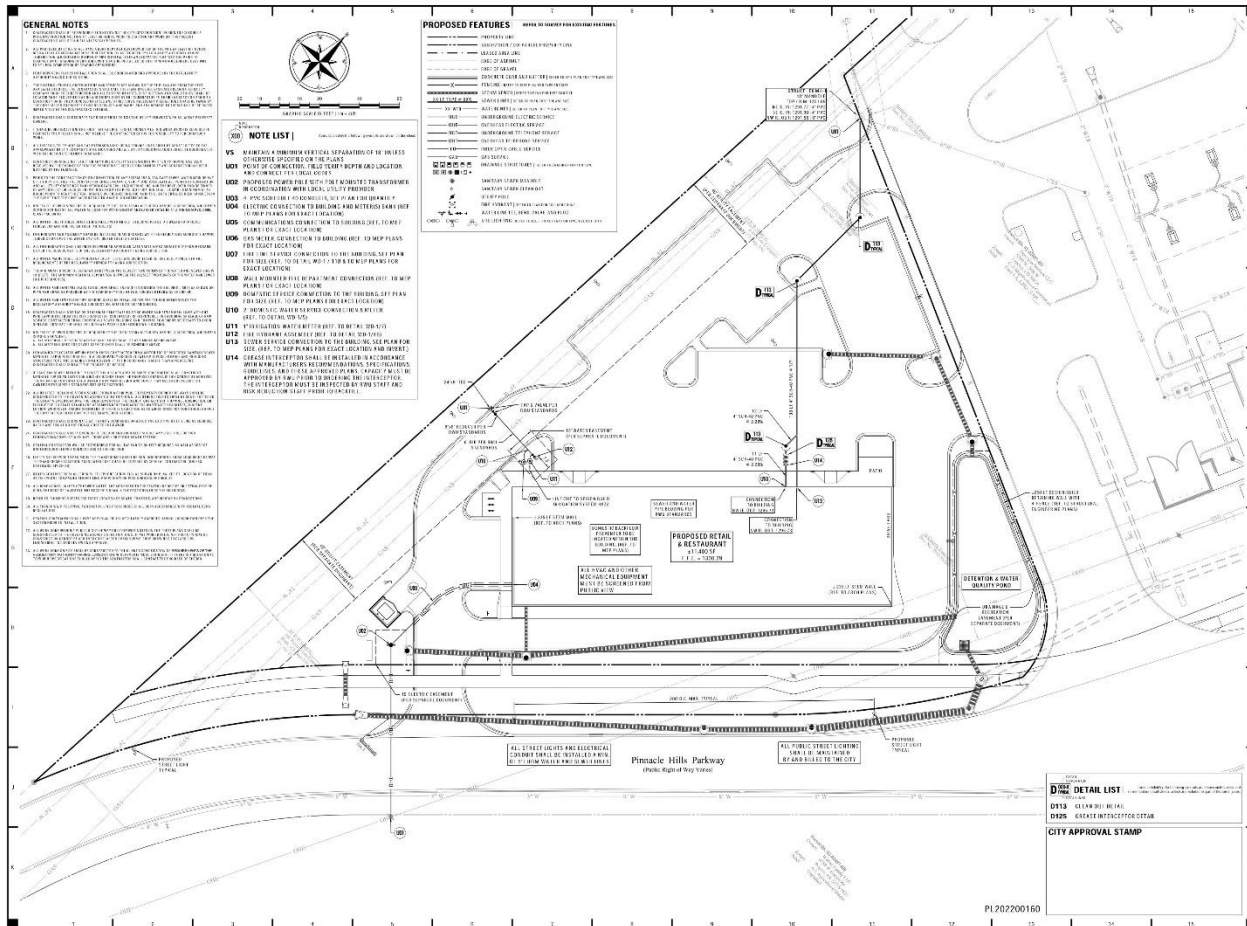
COVER SHEET

WHITNEY PLAZA

5400 S. PINNACLE HILLS PKWY
ROGERS, BENTON COUNTY, ARKANSAS

OSMA BY:	JOE
JOE#:	21-1381
ORIGINAL DATE FILED:	05/02/2022
DISPOSITION:	PLACED IN FILE
SERIAL#:	

C1.0

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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
LARGE-SCALE DEVELOPMENT PLANS – PLAZA AT PINNACLE HILLS NW

STAFF: CHRISTINA MOORE, PLANNER I
AMARIAH BERRY, DEVELOPMENT COMPLIANCE SPECIALIST

REQUEST DETAILS

PROJECT NAME:	Plaza at Pinnacle Hills NW
ADDRESS/LOCATION:	5500 W. Northgate Road / 02-01671-088
PROPOSED USE:	Retail Sales, Business and Professional Office, Full-Service Restaurant
CURRENT ZONING:	U-COM (Uptown Commercial Mixed Use)
CGM GROWTH DESIGNATION:	Regional Center
APPLICANT/REPRESENTATIVE:	Crafton Tull / Daniel Ellis
PROJECT OWNER/DEVELOPER:	Plaza at Pinnacle Hills, LLC
PROPERTY OWNER:	Plaza at Pinnacle Hills, LLC
NATURE OF REQUEST:	Approval of Large-Scale Development Plans
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

SUMMARY

This request is to allow the construction of a 15,360-SF, 2-story building and paved parking on ± 1.64 acres. The proposed development plans meet all City requirements (except for requested waivers/variances) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b).

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

1. Approve **VARIANCE** from Sec. 14-732(4.3)(ii) for not providing the required minimum 60% building frontage along W Northgate Road, designated as General Frontage by the developer (58.1% provided).
2. Approve **VARIANCE** from Sec. 14-732(4.3)(ii) for not providing the required minimum 60% building frontage along S 55th Street, designated as Pedestrian-Friendly by the developer (29.6% provided).
3. Approve **VARIANCE** from Sec. 14-732(8.2)(a)(i) for not providing a three-foot landscaped street screen between surface parking and pedestrian-priority/friendly road frontages.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant's proposal meets the City of Rogers' access management standards.

2. STORMWATER MANAGEMENT:

The project utilizes the Plaza at Pinnacle Hills regional detention pond to account for peak discharge mitigation. A drainage report has been reviewed to verify the project meets the City of Rogers' stormwater management standards.

3. WATER QUALITY:

The applicant's proposed use of regional detention satisfies water quality requirements.

4. FLOODPLAIN MANAGEMENT:

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

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

- i) South 55th Street is being constructed by the city. Sidewalk and street parking will be constructed by the developer.
- ii) Northgate Road is not in substandard condition.

b) Connectivity Standards:

Connectivity standards are not applicable for this project.

c) Streetscape:

i) Right-of-Way:

- 1) Northgate Road is a Collector Street. This street has an existing 70-feet of right of way, which meets the Typical Street Section requirements.
- 2) South 55th Street is a Future Minor Street. Applicant must dedicate 50-feet of right of way for road construction and an additional 5.5-feet to account for street parking. This would meet the Typical Street Section requirements.

ii) Sidewalks & Sidepaths:

- 1) Northgate Road has an existing 10-foot sidepath.
- 2) The applicant proposes a 9-foot sidewalk within a recreation easement along South 55th Street.

d) Trails:

No trail construction is required other than sidewalks along the streets as proposed.

e) Streetlights:

Streetlights are not required for this project.

f) Street Trees:

Proposed street trees meet the requirements of code.

6. RECOMMENDATIONS:

a) APPROVE

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i) "Business and Professional Office" is defined as "office uses for companies and non-governmental organizations," (Sec. 14-695(b)(3)(z.)(1.)).
- ii) "Retail Sales" is defined as "retail sale of merchandise not specifically listed under another use category," (Sec. 14-695(b)(3)(gg.)(1.))
- iii) "Full Service Restaurant" is defined as "A bona fide restaurant establishment where the principal business is the sale of food and beverages to guests via table service for consumption on the premises. As used in this definition, a "bona fide" full service restaurant shall have suitable kitchen facilities for cooking of complete meals," (Sec. 14-695(b)(3)(ff.))

b) Zoning Compliance:

The proposed project is in compliance with U-COM zoning, outside of the requested variances.

c) CGM Compliance:

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

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-732(4.3) and Article III with the exception of any requested waivers and/or variances.

a) Building Disposition:

The proposed building within the development does not completely meet the build-to standards set in place by U-COM zoning, but the building height is within compliance.

b) Building Design:

N/A

c) Parking & Loading:

All vehicle and bicycle parking requirements have been met.

d) Screening & Transitions:

All screening requirements have been met, with the exception of providing three-foot street screens along pedestrian-priority/friendly road frontages.

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

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

- i) Approve **VARIANCE** from Sec. 14-732(4.3)(ii) for not providing the required minimum 60% building frontage along W Northgate Road, designated as General Frontage by the developer (58.1% provided). There is one proposed building that fronts W Northgate Road, in which the building's disposition meets the intent of U-COM zoning code and acts within the character of the Uptown Regional Center. Despite the proposal not meeting the minimum 60% frontage requirement, staff supports this variance.
- ii) Approve **VARIANCE** from Sec. 14-732(4.3)(ii) for not providing the required minimum 70% building frontage along S 55th Street, designated as Pedestrian-Friendly by the developer (29.6% provided). Staff supports this variance.
- iii) Approve **VARIANCE** from Sec. 14-732(8.2)(a)(i) for not providing a three-foot landscaped street screen between surface parking and pedestrian-priority/friendly road frontages. Despite not providing the required three-foot streetscape buffer, the applicant has provided significant measures of beautification along the pedestrian-priority/friendly road frontages in the form of large sidewalk planters with shade trees and ornamental landscaping.

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

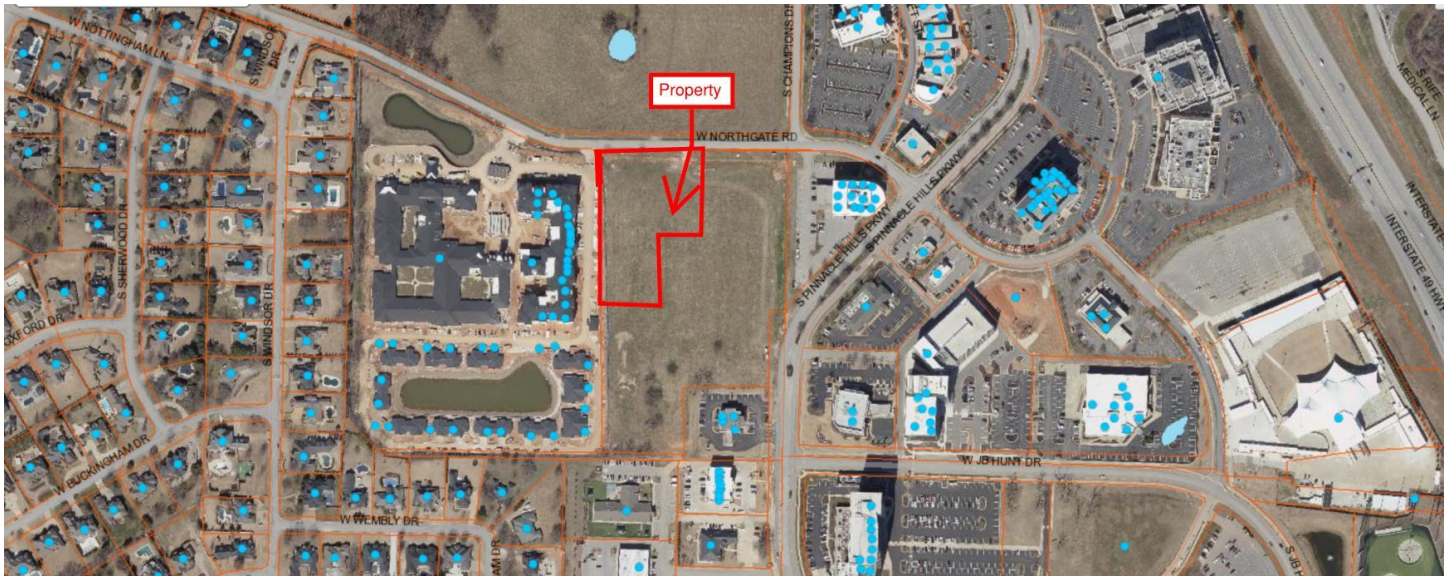
1. IF APPROVING:
Move to approve the request as presented.
2. IF APPROVING SUBJECT TO OTHER ACTIONS:
Move to approve the request subject to [conditions, contingencies, waivers/variances].
3. IF DENYING:
Move to deny the request.
4. IF TABLING:
Move to table the request.

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



This map illustrates the University of Cincinnati campus, divided into several color-coded zones: UNBT (University North Business District, blue), UCOM (University Central Office Main, yellow), UCOR (University Central Office Residential, orange), and UENT (University East North End, light orange). A red box labeled 'Property' with an arrow points to a specific location within the UCOM zone. The map also shows various streets, including W Nottingham Ln, S Windsor Dr, S Sherwood Dr, W Oxford Dr, W Buckingham Dr, W Wemyss Dr, W Northgate Rd, W Chambers Dr, W Sprague Hills Blvd, W Hunt Dr, and Interstate 75. Other labels include 'Neighborhood', 'Regional Center', and 'UCOR'.



April 19, 2022

Mr. Daniel Ellis, PE
Crafton Tull-Civil
901 North 47th Street, Suite 200
Rogers, AR 72756

Re: Conditional Approval of Civil Plans
Plaza at Pinnacle Hills - NW

Dear Mr. Ellis:

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

1. Depict the locations of the electric transformers. Locate them as far from water meters as is practical but in no case within 30 feet of water meters.
2. 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 are a couple of proposed trees near the water main and fire hydrant that will be in violation of this code.

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

Contact the RWU inspector, Tony Kinion, at (479) 936-6212 to schedule an inspection of the fire line installation. RWU staff must inspect all underground aspects of the fire line.

Sincerely,

Stephen T. Ponder, PE
SP: DG



March 25, 2022

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

RE: CTA Project #21110500 – Plaza at Pinnacle Hills – NW

Dear Planning Staff,

We would like to present to you today our Large Scale Development Application for this mixed use project within the URDC designated as U-COM zoning. We are presenting 1 buildings with this development phase that will contain a mixed use of office space, and retail sales. The project fronts on two streets: Northgate Rd (general) and S. 55th St. (general).

We would like to request a variance from Section 14-732, 4.3 Uptown Core Mixed Use (U-COM), b), II Building Frontage along Northgate Rd. Our frontage is slightly less than the required 60% measuring in at 58.1% within the Build to Zone. There is a drainage easement west of the building that takes up 64' of the frontage along Northgate for the regional retention pond that will be installed with Plaza at Pinnacle Hills NE. This restricts the building frontage.

Similarly we would like to request a variance from Section 14-732, 4.3 Uptown Core Mixed Use (U-COM), b), II Building Frontage along S. 55th St. Our frontage is less than the required 60% measuring in at 29.6% within the Build to Zone. The on-street and internal parking adjacent to S. 55th St. provides the area with sufficient parking to encourage pedestrians drive to this location to park and utilize the trails/sidewalks to eat, shop, and work.

We would like to request a variance from Section 14-732, 8.2a Screening Standards. S. 55th St is pedestrian friendly. We do not have a continuous 3' street screen between the right of way and the surface parking within the build to zone. However, we are providing larger 4'x8' sidewalk planters to be furnished with deciduous shade trees, ornamental grasses and additional plantings within available greenspaces to meet the intent of the code. These will be located in numerous places along street frontage. Also included are ornamental trees in confined spaces and adjacent to utilities. We are proposing larger sidewalks in these areas to encourage patrons to come and park in this area and be able to access the site easily.

We appreciate your consideration of these requests and look forward to working with staff on our proposed Large Scale Development.

Thank you,

Ali Karr, E.I.





CONTRACTOR SHALL COORDINATE WITH, REVISE, ADJUST, BLEND TO, AND MATCH TO ALIGNMENTS AND ELEVATIONS ALONG PINNACLE HILLS PARKWAY, SOUTH 55TH STREET, NORTHGATE ROAD, AND ADJACENT PROPERTY IMPROVEMENTS.





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

**MEETING DATE
MAY 17, 2022**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
LARGE-SCALE DEVELOPMENT PLANS – ROGERS 1st**

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

REQUEST DETAILS

PROJECT NAME:	Rogers 1 st Street LSDP
ADDRESS/LOCATION:	401 N 1 st Street / 02-00222-000, 02-00221-000
PROPOSED USE:	Multi-Family Residential, Retail Sales
CURRENT ZONING:	IA (Industrial Arts)
CGM GROWTH DESIGNATION:	Regional Center
APPLICANT/REPRESENTATIVE:	Ecological Design Group, Inc. / Brahm Driver, PE
PROJECT OWNER/DEVELOPER:	Specialized Real Estate Group
PROPERTY OWNER:	Moe & Shahia Torabi
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 4 mixed-use buildings (totaling 115,882 square feet), as well as the renovation of an existing building, and paved parking on ±3.28 acres. The proposed development plans meet all City requirements (except for requested waivers/variances) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b).

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

1. Approve **VARIANCE** from Sec. 14-715(4.4)(c)(i) for proposing a 10' floor to ceiling height, as opposed to the required 12'.
2. Approve **VARIANCE** from Sec. 14-715(4.4)(b)(i) for not meeting General Frontage build-to-zone requirements.
3. Approve **FEE-IN-LIEU** of improvements to 2nd Street and authorize the City Engineer to negotiate the costs.
4. Approve **WAIVER** from 14-581(7) prohibiting structures from easements.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant's project meets the City of Rogers Access Management Standards as presented.

2. STORMWATER MANAGEMENT:

The applicant proposes an NDS EZ Roll Gravel Paver detention system which drains to the storm system at the right-of-way along N 2nd Street. The applicant must place the full extent of the system in a drainage easement during the easement plat process prior to Certificate of Occupancy.

3. WATER QUALITY:

The applicant's paver system satisfies the water quality requirements. The applicant has requested a **WAIVER** from 14-581(7) prohibiting structures from easements. The applicant proposes parking structures over the top of their paver system for water quality.

4. FLOODPLAIN MANAGEMENT:

No portion of the project is located in or adjacent to a Special Flood Hazard Area (SFHA) or other known high risk area.

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

- i) N 2nd Street at this location is a Collector Street. Improvements shall align with City Street Plans currently under design. The applicant has requested a **FEE-IN-LIEU** of improvements to 2nd Street.
- ii) W Cedar Street is not in substandard condition.

b) Connectivity Standards:

Connectivity standards do not apply to this location due to existing rights-of-way surrounding the property within 660-feet.

c) Streetscape:

i) Right-of-Way:

- i) The right-of-way width for N 2nd Street is a Collector Street. The applicant proposes to dedicate additional right-of-way to accommodate a future sidepath.
- ii) W Cedar Street is a minor street which was recently reconstructed along this strip with new C&G and trail. The applicant will be required to repair any damages to the trail or curb and gutter caused by the construction.

ii) Sidewalks & Sidepaths:

The applicant's fee-in-lieu of improvements along 2nd Street includes a sidepath.

d) Trails:

An existing trail is located along W Cedar Street to the south.

e) Streetlights:

- i) An existing street light is at the shared use access along N 2nd Street.
- ii) An existing street light is at the driveway along W Cedar Street.

f) Street Trees:

The applicant's project includes a trail along the open greenspace along W Cedar Street. The applicant has proposed trees in available greenspace in the right-of-way.

6. RECOMMENDATIONS:

- a) Approve **FEE-IN-LIEU** of improvements to 2nd Street and authorize the City Engineer to negotiate the costs.
- b) Approve **WAIVER** from 14-581(7) prohibiting structures from easements. The applicant must provide a perpetual maintenance agreement prior to a Certificate of Occupancy.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i) "Multifamily Residential" is defined as "buildings that have three (3) or more dwelling units that share common walls, floors, ceilings, or open space on a site," (Sec. 14-695(b)(1)(i.)).
- ii) "Retail Sales" is defined as "the retail sale of merchandise not specifically listed under another use category." (Sec. 14-695(b)(3)(gg.)(1.))

b) Zoning Compliance:

The proposed project is in compliance with IA zoning regulations.

c) CGM Compliance:

The proposed project aligns with the purpose, character, and goals of the Regional Center Growth Designation.

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-715 and Article III with the exception of any requested waivers and/or variances.

a) Building Disposition:

Because of site shape, access points and existing easements, only one building is within the General Frontage build-to-zone. A variance has been requested for not meeting the requirement per code.

b) Building Design:

Certain architectural design elements have been added to this project to make it meet IA code requirements.

c) Parking & Loading:

All vehicle and bicycle parking requirements have been met.

d) Screening & Transitions:

Applicant shall provide street screen landscaping in front of surface parking along W Cedar Street before Large-Scale approval letter and stamped construction plans are issued.

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

a) **Approve** Large-Scale Development plans subject to the following actions:

- i) **Approve VARIANCE** from Sec. 14-715(4.4)(c)(i) for proposing a 10' floor to ceiling height, as opposed to the required 12'. Staff supports the argument made by the applicant, in that 10' ceilings on the first floor are sufficient for the type of retail/light commercial that is being proposed.
- ii) **Approve VARIANCE** from Sec. 14-715(4.4)(b)(i) for not meeting General Frontage build-to-zone requirements. Because of the shape of the lot on the south-side of the development and an existing sewage easement, staff supports the applicant's proposed building location outside of the build-to-zone to maintain their second access point.

OTHER REVIEWS

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

DIRECTOR'S COMMENTS

1. Agree with recommendations.

JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

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

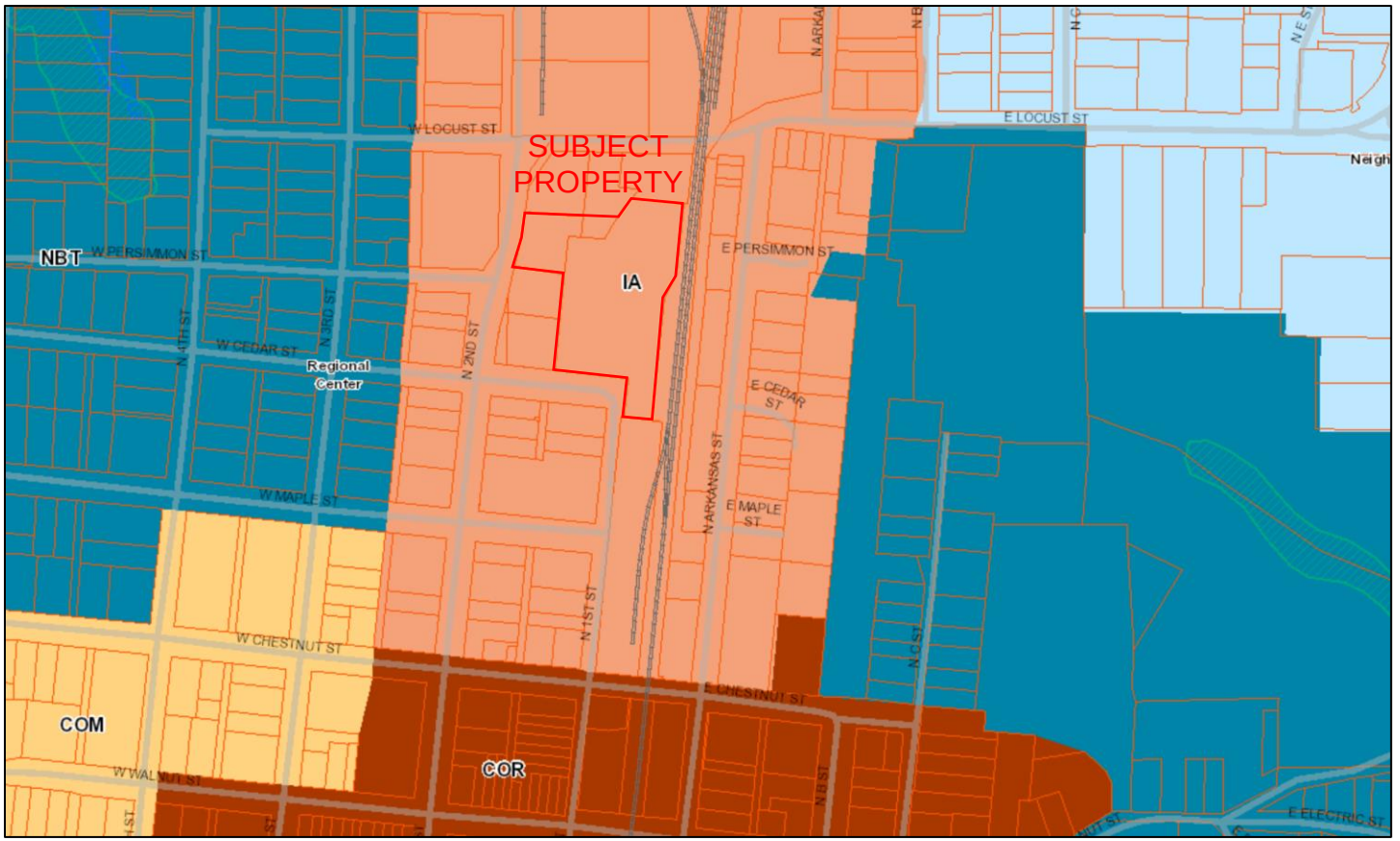
TABS

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

AERIAL VICINITY MAP



CGM VICINITY MAP W/ DOWNTOWN ZONING PLAN





May 13, 2022

Mr. Brahm Driver, PE
EDG - Civil
314 South 3rd Street
Rogers, AR 72756

Re: Conditional Approval of Civil Plans
Rogers 1st

Dear Mr. Driver:

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

1. Attach unedited RWU Standard Detail Sheets WD-1, WD-2, and SD-1 to the plans.
2. Show the location and size of any irrigation meter and RPZA. Specify that a USC-FCCCHR approved RPZA will be required and located in a heated space or frost-free enclosure prior to any tees or branches for all irrigation service lines. (Provide a detail for installation indicating manufacturer, model number--complete with all suffixes and prefixes, size, and installation orientation must be shown).
3. Depict the required offsite utility easement for the sewer main at 98 W. Locust St., and provide easement documents using RWU's standard easement form for review.
Easement documents shall be approved by RWU prior to filing.
4. With reference to the north and south hydrant water line profiles detailed on Sheet C2.12, the layouts shall conform to the layout shown on RWU Standard Detail WD-2/2.
5. Specify whether the water main crossing N. 2nd St. shall be by open cut or jack and bore, and provide additional direction to the contractor as appropriate based on the proposed installation method (see attached markups Sheet C2.11). Ensure 18" min vertical clearance is provided where the water main crosses the existing storm sewer, or provide encasement a minimum of 10' beyond the sewer main crossing.
6. Adjust all waterline profiles to eliminate vertical bends beneath storm sewer (also see attached markups).
7. Match the pipe crowns of the 8" and 15" main at the proposed tie-in manhole at 2nd St. The 8" invert elevation should be specified at approximately 1349.88.
8. Sanitary Sewer Main 2 shall be private and shall be clearly labeled as such on all applicable sheets. The utility easement shall be removed from this section of sewer.
9. Provide a detail for traffic-rated cleanout lids and provide reference to this detail in plan sheets for all cleanouts located in pavement.

10. On the Landscape Plan, ensure that all trees with a mature height greater than 20' are located at least 10' away from any water or sewer main, meter, hydrant, or fire line.
11. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.
 - B. One copy of the revised plans for review.
 - C. Written approval from the Arkansas Department of Health.
 - D. Fire suppression plans approved by the Utility if applicable.
 - E. Architectural and plumbing plans submitted for commercial customers.
 - F. Approved offsite easements filed for record if applicable.
 - G. 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.
 - H. A copy of the executed contract between the developer or general contractor and the utility contractor.
 - I. Performance and payment bonds executed by the utility contractor.
 - J. Two full-sized copies and two half-sized copies of the approved plans submitted at the pre-construction meeting.

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

Sincerely,

Brian T. Sartain, PE

BS:DG

Attachment(s): Special Contract for Facilities Extension



Ecological Design Group, Inc
216 W Birch Street
Rogers, AR 72756

Waiver Request

To: City of Rogers
From: Ecological Design Group, Inc – on behalf of Specialized Real Estate Group
Date: April 21, 2022
Re: Rogers 1st @ 401 N 1st Street, Rogers, AR – #PL202200101

On behalf of Specialized Real Estate Group, Ecological Design Group, Inc. (EDG) is submitting this Waiver Request concurrently with Large Scale Development Review.

Project Description: The Rogers 1st project will consist of 4 proposed mixed-use buildings as well as 1 existing building on site that will serve as an amenity building. Site improvements will include asphalt drives, concrete and crushed stone plazas, gravel pave and asphalt parking, and enclosed dumpsters. Underground stormwater detention ponds, storm pipe conveyances, and required utility improvements for the proposed buildings and site will also be included.

This Waiver Request items are listed below:

Parking Stall Surface:

- Comment received after review of the first LSD submittal (#PL202200101)
 - From Planning Review by Nicholas Little, Planner II, "Surfacing. All driveways and off-street parking areas shall be paved with a hard surface such as asphalt or concrete."
 - **Request and additional information:** EDG proposes the use of "NDS EZ Roll gravel Pavers" at several proposed parking stalls on site with all other parking stalls and drive aisles being comprised of asphalt or concrete. NDS EZ Roll Gravel Pavers are rigid plastic cells with a compressive strength of 53,636 lbs that are filled with angular stone. The cells and stone provide a hard surface to create a pavement structure. The gravel pave area will be completely bound by a 1' wide concrete curb which will hold the cells and stone in place. The proposed angular stone will be clean washed and contain no fines. This will prevent the buildup of dust on site.

NDS EZ Roll gravel pavers are rated for heavy duty traffic and will cause no impairment to drivers or guests to the property. Unlike traditional pavement, gravel pave decreases stormwater runoff and filters stormwater. Additionally, gravel pave is integrated into the proposed underground gravel stormwater detention for this site. This will allow water to enter the detention pond by percolating through the gravel filled cells.

Moreover, gravel pave functions as a hard surface without the traditional issues associated with a typical gravel lot such as dust-kick, loss of gravel material, and rutting. For the above reasons,

EDG requests that the use of NDS EZ Roll Gravel Pavers be allowed on this site as it will be a positive addition to the project's footprint.

More information regarding the EZ Roll Gravel Paver can be found on the NDS website, a link to the product brochure is included below along with a link to the product information page, where case studies and specifications can be found.

<https://www.ndspro.com//PDFs/Brochures/Permeable-Paver-Brochure.pdf>

<https://www.ndspro.com/ez-roll-gravel-paver-roll-gray.html#product-details>

Thank you for your consideration.

Covered Parking in Drainage Easement:

- No comment was received after review of the first LSD submittal (#PL202200101) for this, but subsequent discussions with the City of Rogers' Engineering Department posed the question of allowing for covered parking within a proposed drainage easement.
 - **Request and additional information:** EDG proposes that several proposed parking stalls are underneath a covered carport structure. In addition, these parking stalls contain an underground gravel detention pond which will be within a proposed drainage easement. Subsequently, the covered carport structure and its supports would be within the proposed drainage easement.

EDG requests that the carport structure and its supports be allowed within the drainage easement provided that the top of the foundation of the structural supports is below the bottom of the proposed underground gravel detention pond or outside of the pond's extents. Additionally, adequate height between the lowest part of the awning (cover) and the finish grade of the parking stalls will be provided for any maintenance activities. A minimum height of 8'-6" can be provided between the lowest part of the awning (cover) and the finish grade of the parking stalls but can be increased if additional headroom is required for maintenance activities.

As discussed with the Engineering Department, the maintenance plan for this site would include instruction that states that any maintenance activities related to the proposed Drainage Easement could be performed without the need to remove or interact with the covered carport structure or its supports. This instruction will be included in the Stormwater Maintenance Agreement provided as a separate document in this LSD resubmittal.

Thank you for your consideration.

General Frontage Floor to Ceiling Height:

- Applicant requests to allow for frontages along W. Cedar St. and N 2nd St. to have 10ft floor to ceiling heights on the first floor in lieu of the 12ft requirement. The buildings primary use allows for market rate apartments to live close to downtown Rogers, and the opportunity for mixed-use is very limited in this project. 10ft clear provides ample opportunity and space for boutique retail, small office, and other light commercial uses, which is appropriate for this site. Examples of past completed projects that exemplify this height are included as attachments to this waiver request.

Build-to-Zone W. Cedar St.(Sec. 14-715):

- Applicant requests to allow for larger than 30ft build-to-zone on W. Cedar St. The existing building on the site already conforms to the improvements that have been completed by the city relative to the bike trail and ROW. Additionally, there is an existing sewer easement further blocking the ability to conform to the build-to-zone. This proposal uses the existing curb cut and redevelops a pedestrian friendly entry and gateway to the courtyard between the two proposed buildings, while preserving the infrastructure already installed. Attached is this waiver letter is a diagram showing the relationships between the proposed buildings and the street frontage on W. Cedar.

These requests are made in good faith on behalf of ownership and design team. These requests are reasonable and meet the intent of the code.

If you have any further questions or concerns, please contact me at rhelvey@ecologicaldg.com or 501.516.1133.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brahm Driver".

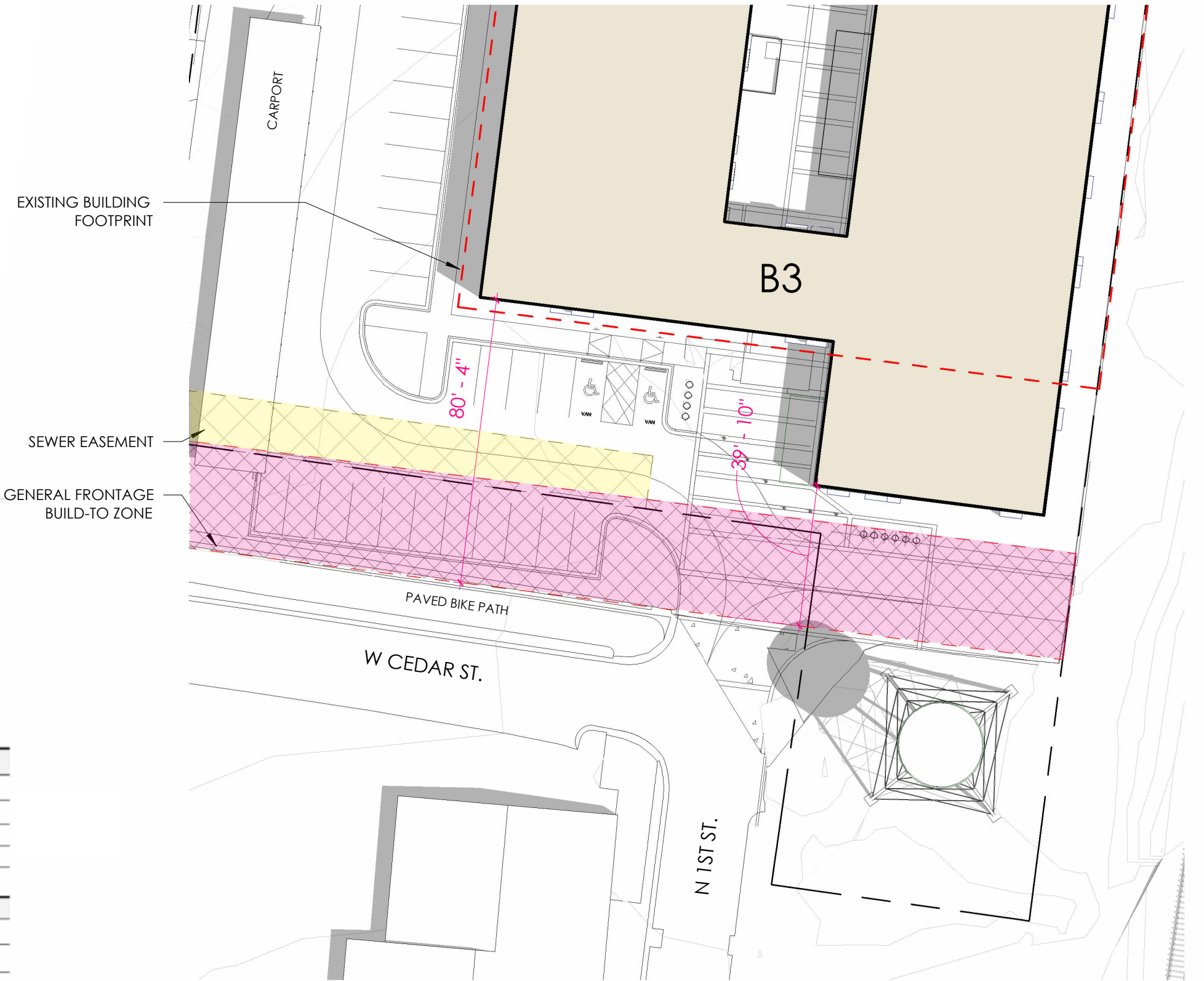
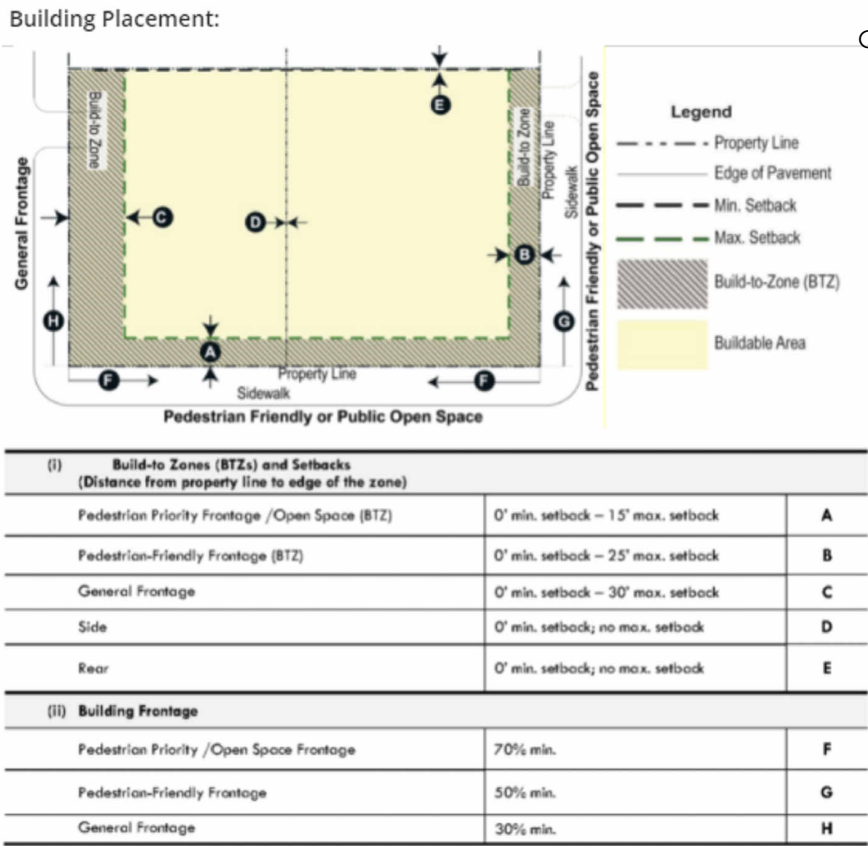
Brahm Driver, PE
Civil Engineer
Ecological Design Group, Inc.

LSD.04 - VARIANCE REQUESTS
VARIANCE REQUEST 01 - W CEDAR ST BUILD-TO ZONE (SEC 14-715)

Applicant requests to allow for larger than 30' build-to zone on W Cedar St. The existing building on the site already conforms to the improvements that have already been completed by the city for relative to the bike trail and ROW.

Additionally, there is an existing sewer easement further blocking the ability to conform to the build-to zone.

This proposal uses the existing curb cut and redevelops a pedestrian friendly entry and gateway to the courtyard between the two proposed buildings, while preserving the infrastructure already installed.



LSD.05 - VARIANCE REQUESTS
VARIANCE REQUEST 02 - GENERAL FRONTAGE FLOOR TO CEILING HEIGHT

Applicant requests to allow for frontages along W Cedar St. and N 2nd St. to have 10' floor to ceiling heights on the first floor in lieu of the 12' requirement. The building's primary use allows for market rate apartments to live close to downtown Rogers, and the opportunity for mixed-use is very limited in this project.

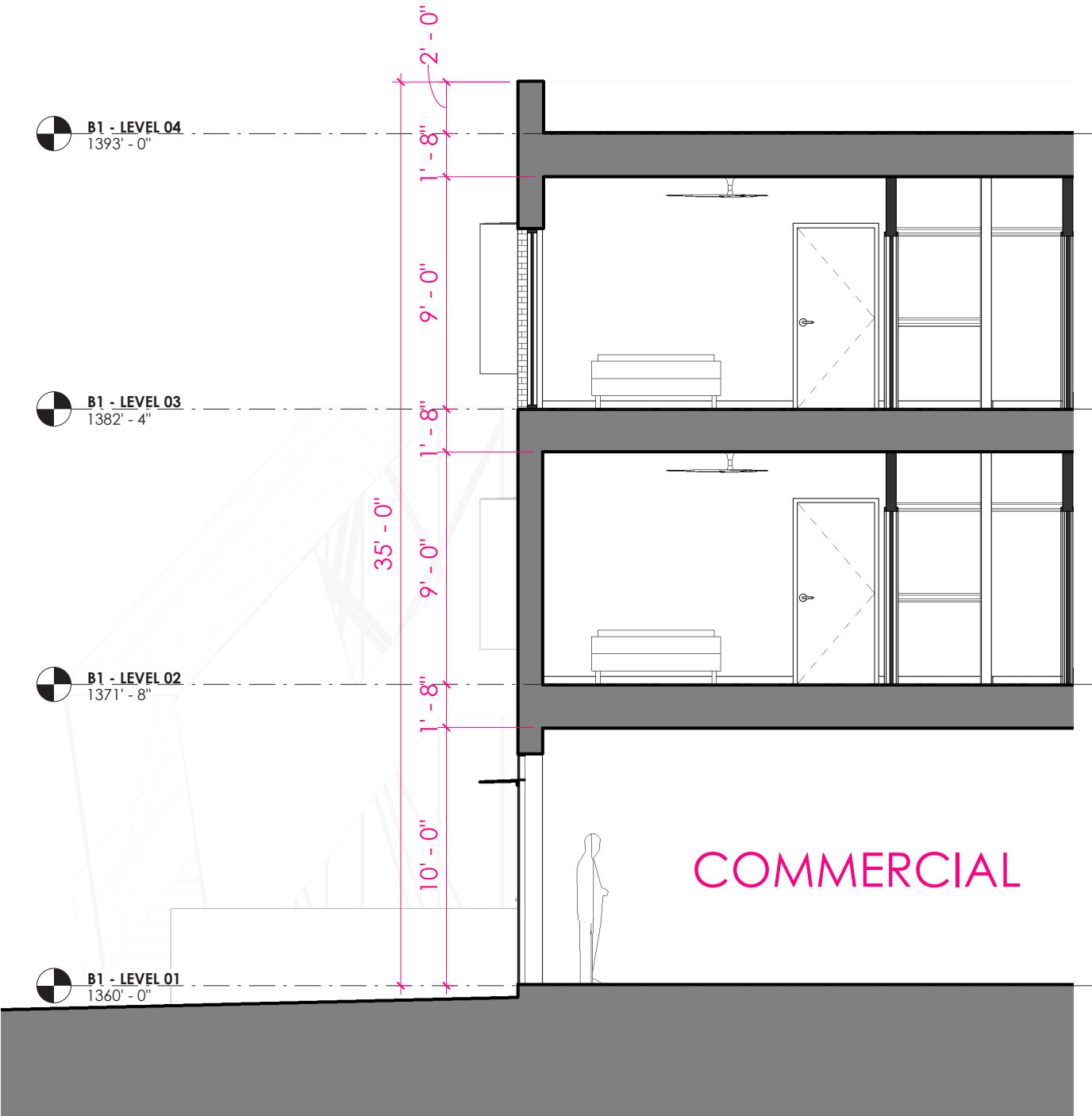
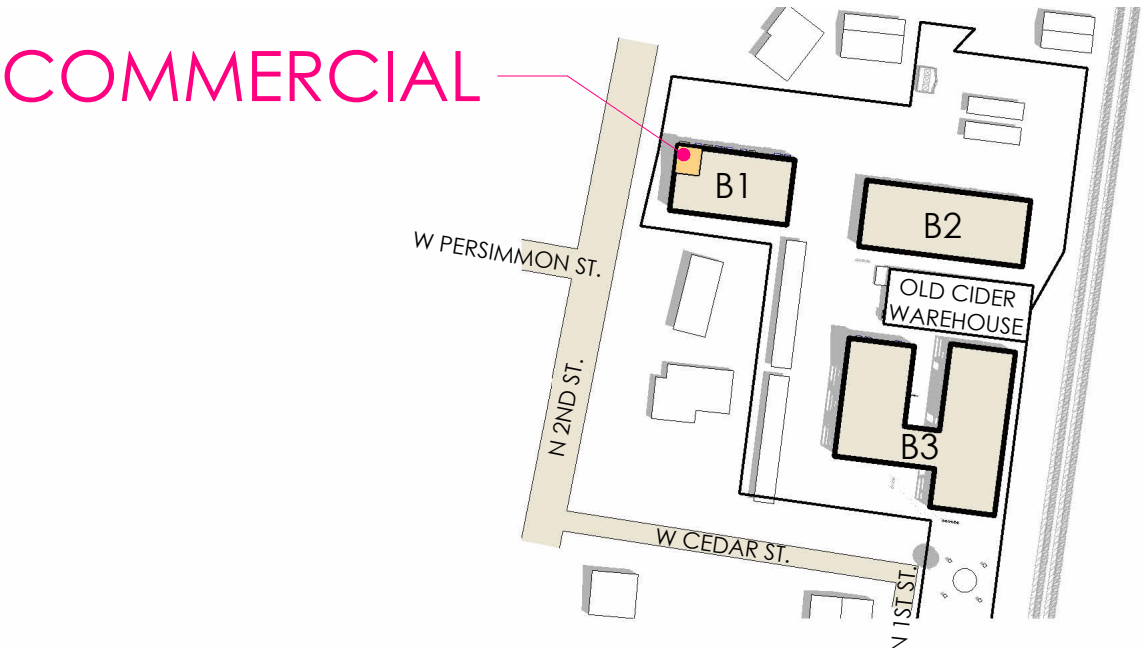
10' clear provides ample opportunity and space for boutique retail, small office and other light commercial uses, which is appropriate for this site. Below are examples of projects we have completed in the past in Fayetteville that exemplify this height.



Interior photo of 200 W Center St. Fayetteville, AR showing 10' floor to ceiling height

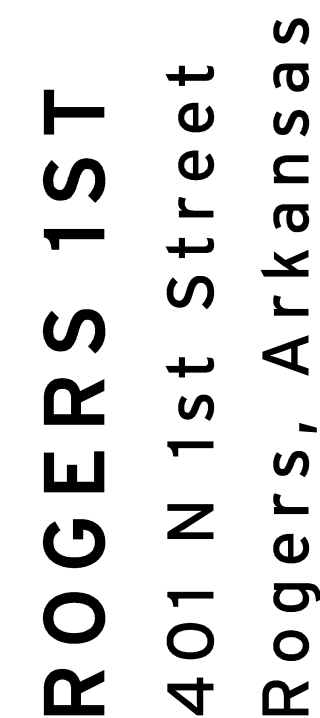


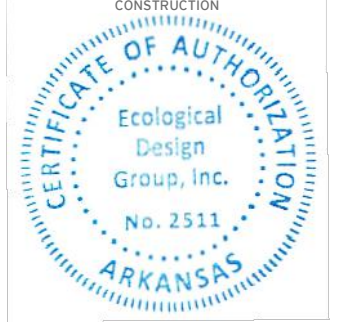
Exterior photo of 200 W Center St. Fayetteville, AR showing 10' floor to ceiling height



ROGERS 1ST STREET
401 N 1ST STREET, ROGERS, AR 72756
DOWNTOWN ROGERS DEVELOPMENT CODE (#PL202200101)

APRIL 21, 2022

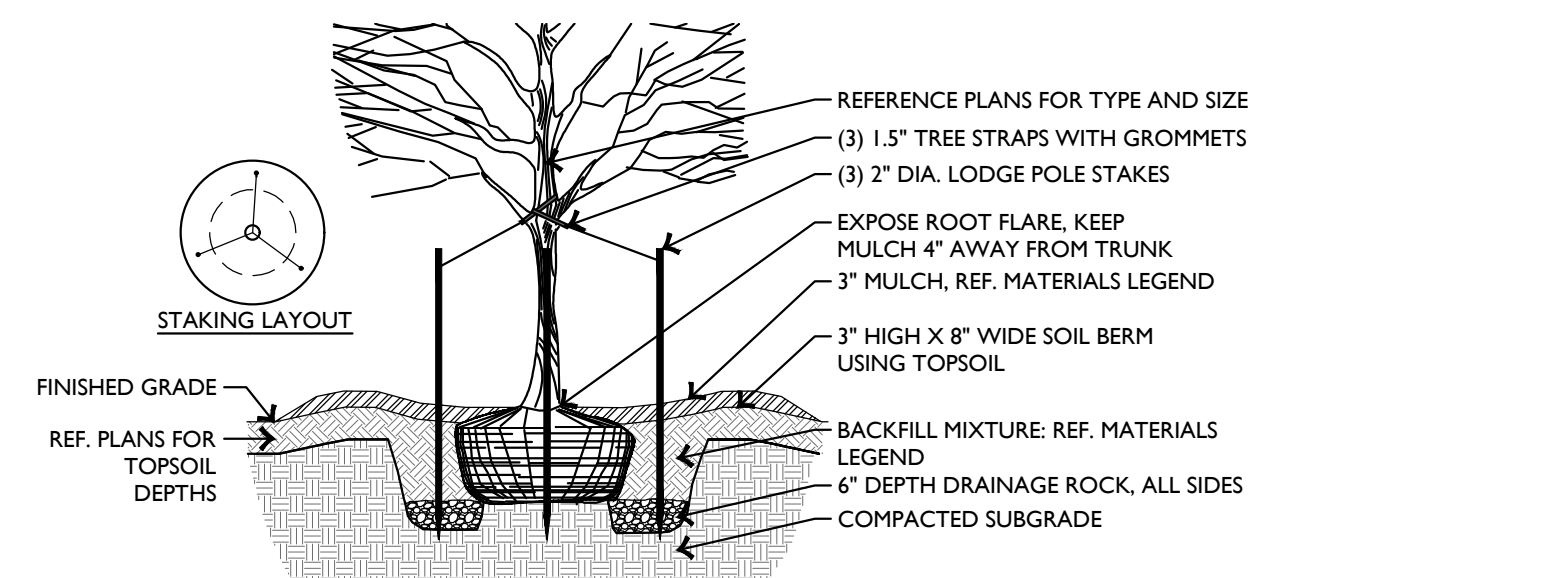
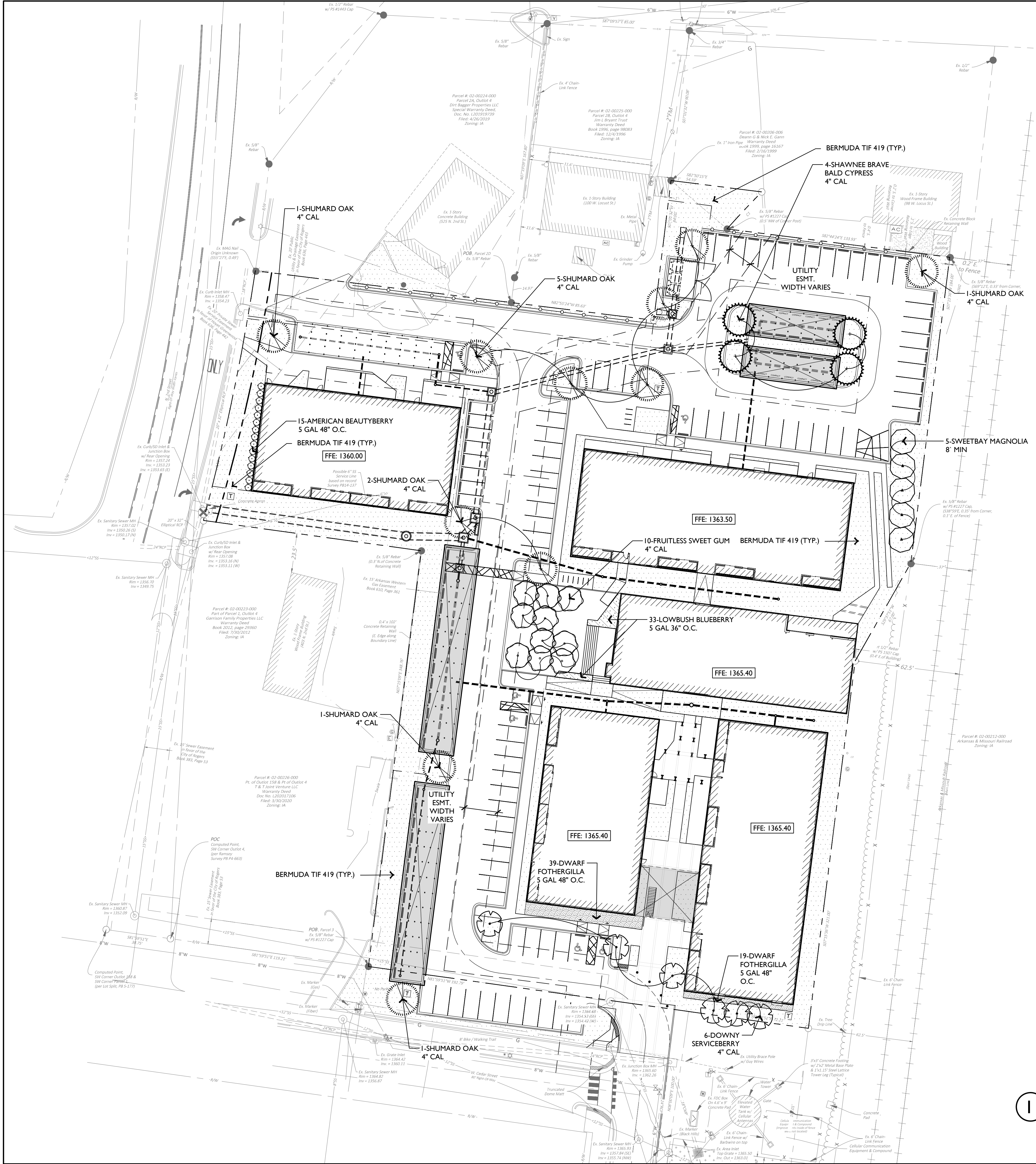




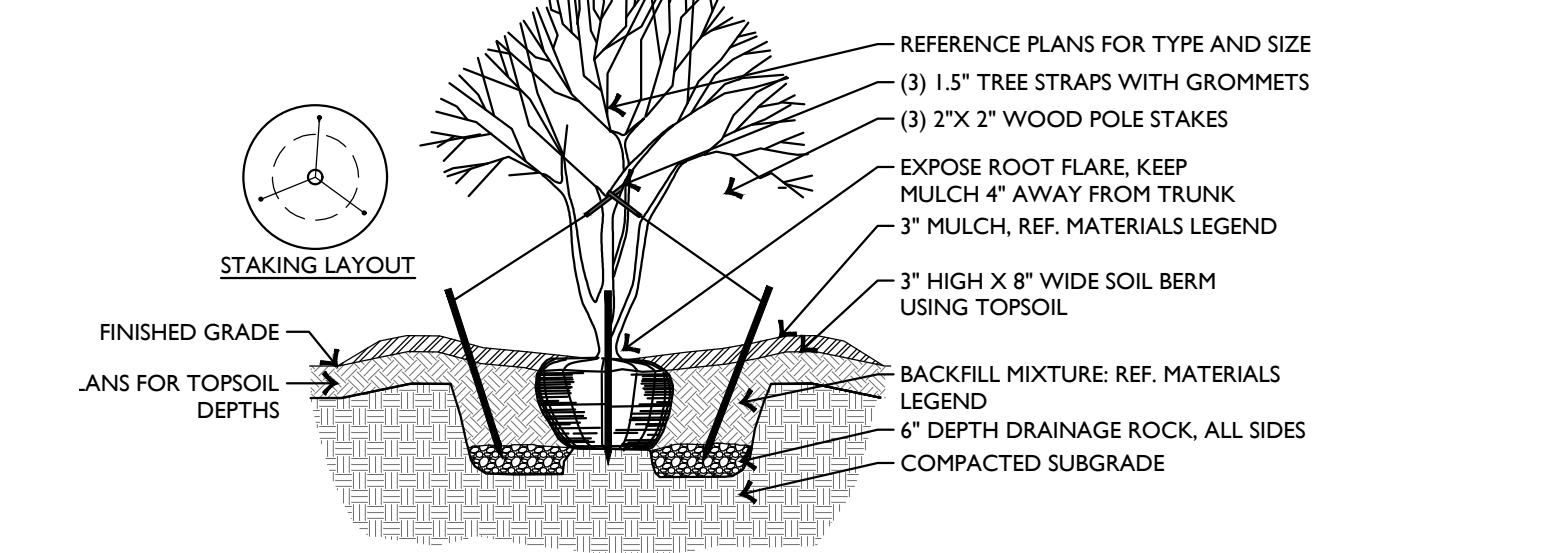
SHEET NO. 01 OF 02

18. ALL ROOF MOUNTED EQUIPMENT (EXCEPT SOLAR PANELS) SHALL BE SCREENED FROM VIEW OF A PERSON STANDING ON THE PROPERTY LINE ON THE FAR SIDE OF THE ADJOINING STREET.

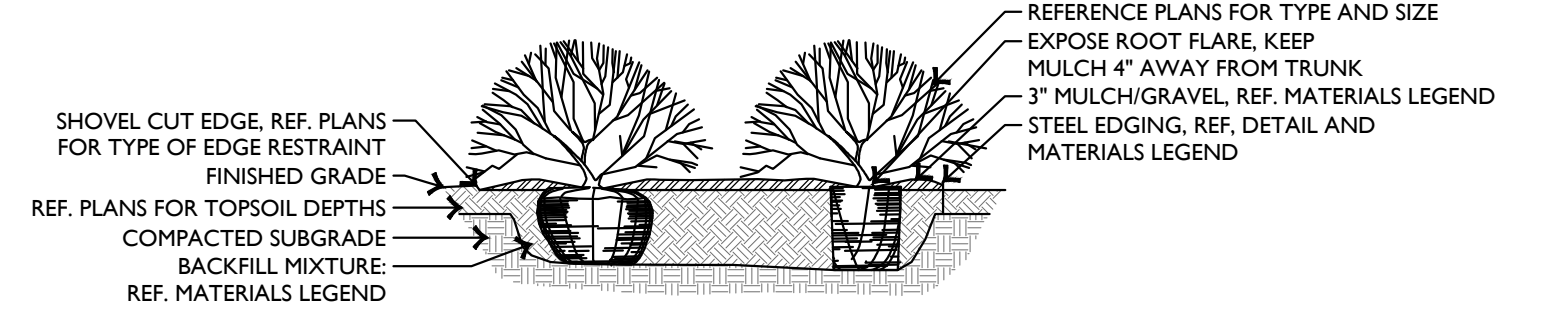
Diagram illustrating the layout of a 120' long road. The road is divided into three sections: a 30' wide travel lane on the left, a 60' wide median in the center, and a 30' wide travel lane on the right. The total length is 120'.



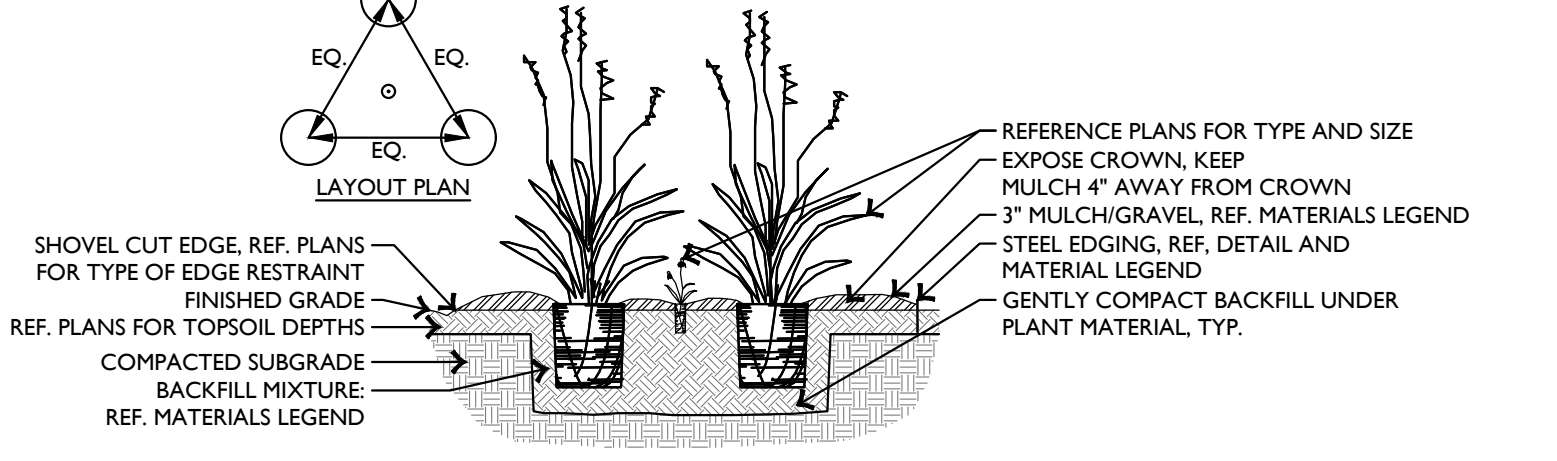
2 TREE PLANTING NOT TO SCALE



3 ORNAMENTAL TREE PLANTING NOT TO SCALE



4 SHRUB PLANTING NOT TO SCALE



5 NATIVE GRASS PLANTING NOT TO SCALE

PLANT SCHEDULE		NOTE: ALL NUMBERS TO BE VERIFIED BY LANDSCAPE CONTRACTOR				
DECIDUOUS TREES	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	10	FRUITLESS SWEET GUM	LIQUIDAMBAR STYRACIFLUA 'ROTUNDILOBA'	4" CAL	BALL & BURLAPPED	
	4	SHAWNEE BRAVE BALD CYPRESS	TAXODIUM DISTICHUM 'MICKELSON' TM	4" CAL	BALL & BURLAPPED	AS SHOWN
	11	SHUMARD OAK	QUERCUS SHUMARDII	4" CAL	BALL & BURLAPPED	AS SHOWN
EVERGREEN TREES	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	5	SWEETBAY MAGNOLIA	MAGNOLIA VIRGINIANA	8" MIN	BALL & BURLAPPED	AS SHOWN
ORNAMENTAL TREES	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	6	DOWNY SERVICEBERRY	AMELANCHIER ARBOREA	4" CAL	BALL & BURLAPPED	AS SHOWN
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	16	AMERICAN BEAUTYBERRY	CALLICARPA AMERICANA	---	5 GAL	48" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	57	DWARF FOTHERGILLA	FOTHERGILLA GARDENII	---	5 GAL	48" O.C.
	33	LOWBUSH BLUEBERRY	VACCINIUM ANGUSTIFOLIUM	---	5 GAL	36" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CALIPER	CONTAINER	SPACING
	34,095 SF	BERMUDA GRASS	CYNODON DACTYLON '419 HYBRID'	---	SOLID SEED, CERTIFIED WEED FREE	---

1 LANDSCAPE PLAN

SCALE: 1" = 30'-0"

NORTH

EDG

Ecological Design Group, Inc

www.ecologicaldgc.com

phone: 501 378 0200

LITTLE ROCK | ROGERS | WYNNE

ROGERS 1ST
401 N 1st Street
Rogers, Arkansas

EDG PROJECT NO. 21-065
DATE 2022.04.21
REVISIONS
Number Date
PHASE 50%
CONSTRUCTION DOCUMENTS
TITLE Landscape Plan
SHEET NO. L1.00



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

MEETING DATE
MAY 17, 2022

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
LARGE-SCALE DEVELOPMENT PLANS – TRI-STATE OPTICAL CENTER

STAFF: NICHOLAS LITTLE, PLANNER II
EVER VILLALOBOS, PROJECT ENGINEER

REQUEST DETAILS

PROJECT NAME:	Tri-State Optical Center
ADDRESS/LOCATION:	1714 W Walnut Street
PROPOSED USE:	Medical, Dental and Health Practitioner Office
CURRENT ZONING:	R-O (Residential Office)
CGM GROWTH DESIGNATION:	Access Corridor
APPLICANT/REPRESENTATIVE:	Bates & Associates / Geoff Bates
PROJECT OWNER/DEVELOPER:	Landis Holdings LLC / Daniel Landis
PROPERTY OWNER:	Landis Holdings LLC
NATURE OF REQUEST:	Approval of Large-Scale Development Plans
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

SUMMARY

This request is to allow the construction of a 6,031-SF building and paved parking on ± 1.34 acres. The proposed development plans meet all City requirements (except for requested waivers/variances) and have been forwarded to the Planning Commission for approval per Sec. 14-230(b).

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

1. Approve **WAIVER** from Sec. 14-260(1)(f) requiring separation of 150-feet between curb cuts. The applicant is proposing cross-access to the properties to the east and west of this site.
2. Deny **VARIANCE** from Sec. 14-706(e), for not providing one loading space.
3. Deny **WAIVER** from Sec. 14-796(d)(2a) requiring the five-to-one replacement rate for trees removed from a non-construction area. These trees were removed without a permit and are required to be mitigated.
4. Approve **FEE-IN-LIEU** for improvements in the right-of-way along W Walnut Street for \$38,347.10.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

The applicant is requesting a **WAIVER** from Sec. 14-260(1)(f) requiring a separation of 150-feet between curb cuts along W Walnut Street. After discussions with Staff, the preferred placement of the entrance to this development would be nearer to the eastern property line, making the curb cut to the east 92-feet away and the curb cut to the west 89-feet away with stub-outs for cross-access to both properties from the parking lot of this site. The curb-cut to the west of this site is non-conforming with city ordinances and will be removed in the future. TCE's will be required prior to issuance of a grading permit for work being done outside of the site.

2. STORMWATER MANAGEMENT & WATER QUALITY:

The applicant is proposing to detain stormwater runoff with an underground ADS stormtech chamber. Water will be detained and released over a period of 44 hours, addressing water quality requirements. The underground stormtech chamber will come equipped with inspection ports for regular maintenance.

3. FLOODPLAIN MANAGEMENT:

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

4. TREE PRESERVATION:

During the submittal process but prior to receiving a grading permit, the owner of this site had 39 trees removed illegally. Section 14-796(d)(2a) states that if a significant tree is removed from a non-construction area it must be replaced at a rate of five-to-one, in this case resulting in 195 trees to be replaced. If more than seven significant trees are to be removed by the owner/developer they must submit a tree protection or mitigation plan. The applicant here is requesting a **WAIVER** from Sec. 14-796(d)(2a) requiring the five-to-one replacement rate for trees removed from a non-construction area. The applicant states on the Tree Preservation Plan submitted, none of the trees that were illegally removed were going to ultimately be preserved and that due to site size constraints and preserved on-site tree canopy, they have provided 19 tree plantings in addition to the replacement trees provided as part of the Large Scale Development requirements.

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

W Walnut Street is an ArDOT highway and the plans to widen Walnut Street incorporate the portion that this site fronts. The applicant is requesting a **FEE-IN-LIEU** of improvements being made to Walnut Street that would ultimately be redone. The amount is estimated to be \$38,347.10.

b) Connectivity Standards:

Stub-outs to the eastern and western properties to this site are proposed for cross-access.

c) Streetscape:

i) Right-of-Way:

1) W Walnut Street has an existing 35-feet of right-of-way from the centerline to this property. With plans to widen Walnut Street, the applicant is dedicating 10 additional feet of right-of-way for 45-feet from the centerline.

ii) Sidewalks & Sidepaths:

The applicant is proposing a 6-foot wide sidewalk within the newly dedicated right-of-way along W Walnut Street. The sidewalk is included in the **FEE-IN-LIEU** and will be installed with the widening of Walnut.

d) Trails:

No trails are proposed nor required within this project.

e) Streetlights:

A streetlight at the driveway is proposed for this development. The streetlight is included in the **FEE-IN-LIEU** and will be installed with the widening of Walnut.

f) Street Trees:

The applicant proposes the required street tree requirements. The street trees are included in the **FEE-IN-LIEU** and will be installed with the widening of Walnut.

6. RECOMMENDATIONS:

- a) Approve **WAIVER** from Sec. 14-260(1)(f) requiring separation of 150-feet between curb cuts. The applicant is proposing cross-access to the properties to the east and west of this site which would provide access to those properties once the driveways are brought up to code.
- b) Deny **WAIVER** from Sec. 14-796(d)(2a) requiring the five-to-one replacement rate for trees removed from a non-construction area. These trees were removed without a permit and are required to be mitigated.
- a) Approve **FEE-IN-LIEU** for improvements in the right-of-way along W Walnut Street for \$38,347.10.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

- i) "Medical, Dental, and Health Practitioner Office" is defined as "office or clinic uses related to diagnosis and treatment of human patients' illnesses, injuries and physical maladies that can be performed in an office setting with no overnight care." (Sec. 14-695(b)(3)(aa.)(1.)).

b) Zoning Compliance:

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

c) CGM Compliance:

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

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-706 and Article III with the exception of any requested waivers and/or variances.

a) Building Disposition:

All setback and height requirements have been met.

b) Building Design:

N/A

c) Parking & Loading:

All vehicle and bicycle parking requirements have been met, with the exception of the lack of provision of a loading space.

d) Screening & Transitions:

All screening requirements have been met.

e) Landscaping:

The applicant is requesting a variance from mitigation requirements for not planting all of the required mitigation trees after an indiscriminate clearing violation. They have attempted to meet mitigation requirements, but cannot due to the size of the impervious area and subject property. All other landscape requirements have been met.

3. RECOMMENDATIONS:

a) **Approve** Large-Scale Development plans subject to the following actions:

- i) Deny **VARIANCE** from Sec. 14-706(e), for not providing one loading space. The applicant does not provide a site-specific hardship that would prevent them from providing a loading space. Staff does not support this variance.

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

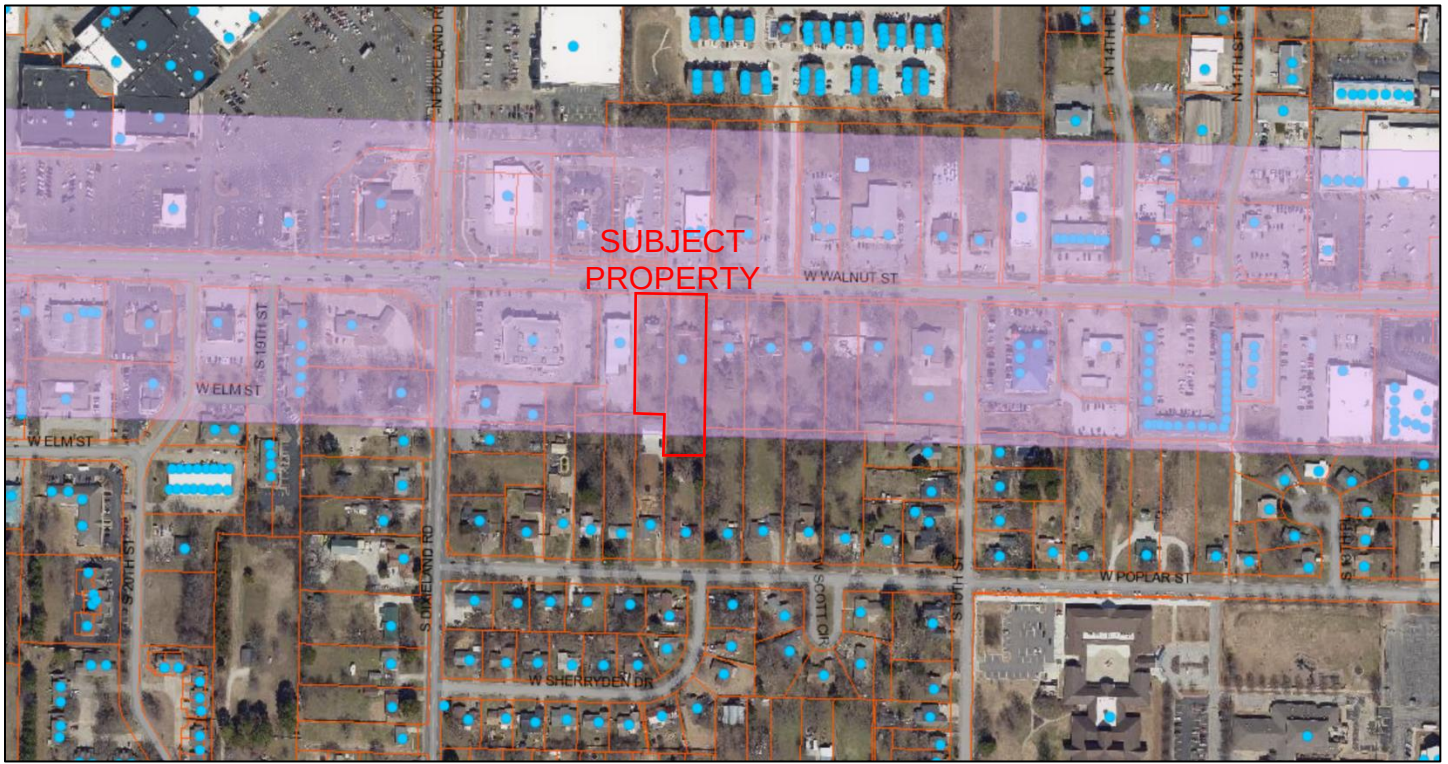
1. *IF APPROVING:*
Move to approve the request as presented.
2. *IF APPROVING SUBJECT TO OTHER ACTIONS:*
Move to approve the request subject to [conditions, contingencies, waivers/variances].
3. *IF DENYING:*
Move to deny the request.
4. *IF TABLING:*
Move to table the request.

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

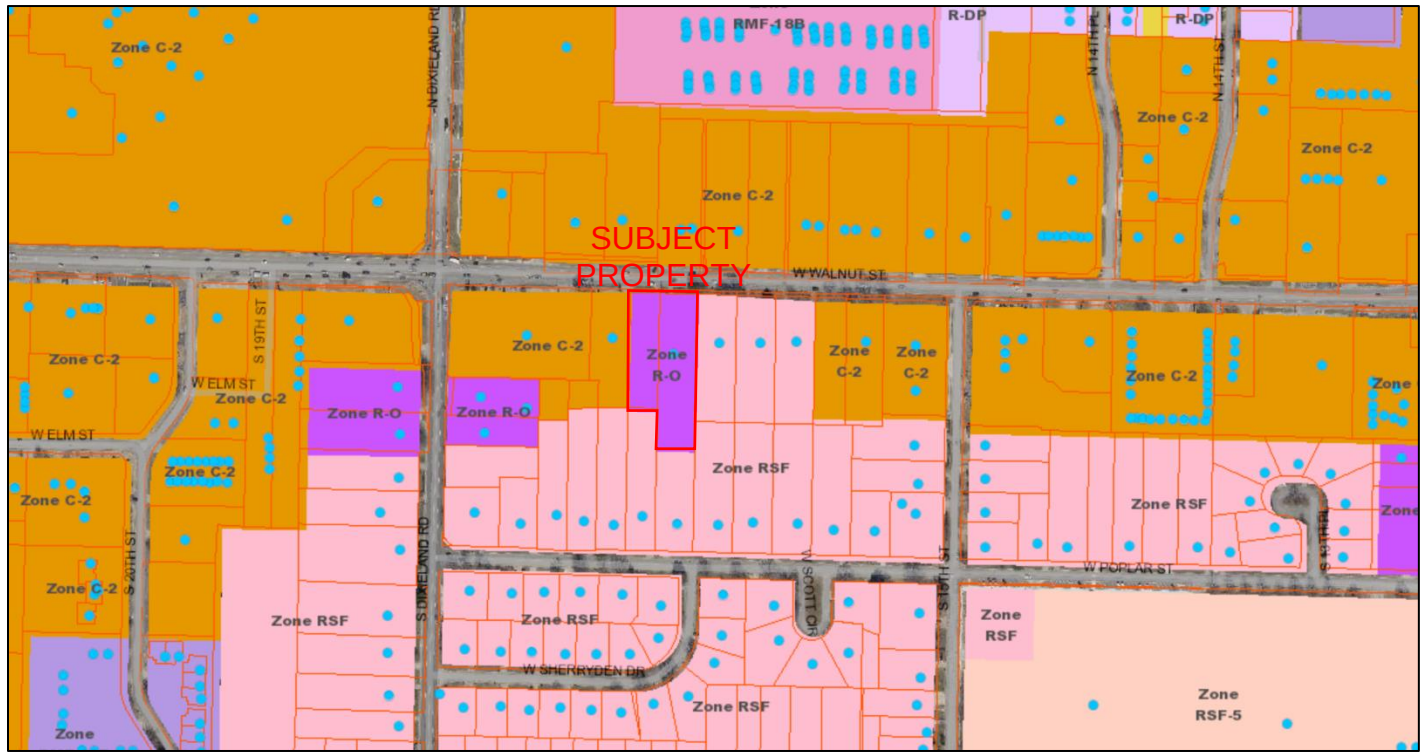
AERIAL VICINITY MAP W/ OVERLAY DISTRICT



CGM VICINITY MAP



ZONING VICINITY MAP





January 24, 2022

Mr. Geoffrey Bates, PE
Bates & Associates, Inc.
7230 S. Pleasant Ridge Drive
Fayetteville, AR 72704

RE: Conditional Approval of Civil Plans
Tri-State Optical Center

Dear Mr. Bates:

We have reviewed the Large-Scale Development Plans for Tri-State Optical Center and are approving them with the following conditions:

1. The following portions of the project, while not part of the site design, must also be approved by the Utility before water or sewer service is established:
 - a. Provide plumbing plans for review. The plumbing plans must include an approved RPZA for backflow protection.
 - b. Provide fire suppression plans if required. Approved backflow protection is required on a fire protection system.

Please forward these requirements to the appropriate design firm(s) and to your client.

2. Depict on the plans a sanitary sewer service tap (by RWU, at the developer's expense) on the existing sewer main near the northeast corner of the site. (It is reasonable to assume that this project will be constructed before the utility relocation is complete).
3. Note the rim and invert elevations for all existing and proposed sanitary sewer manholes that appear on the Utility Plan.
4. Note the dimensions and book & page information for all existing utility easements.

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

Sincerely,

Brian Sartain, PE
Utility Engineer

BS: DG



Bates & Associates, Inc.

Civil Engineering & Surveying

7230 S. Pleasant Ridge Drive/ Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

April 4, 2022

City of Rogers
Planning Commission
Planning Staff

Re: Tri-State Optical Center Access Management Waiver Request

Dear Commissioners and Planning Staff,

Our client would like to request a waiver from Rogers, Arkansas Code of Ordinances *Chapter 14, Article III, Division 3, Section 14-260(1)(f) Access Management Standards - Distance Between Curb Cuts*.

The proposed development accesses West Walnut Street / U.S. Highway 71B. At the location of the proposed curb cut, the Speed Limit is 35 Miles per Hour. Per the code section referenced above, a public street that is restricted to a Speed Limit of 35 mph must have 150' of separation between curb cuts. Two curb cuts exist on the adjoining properties to the West and the East.

At this location, because West Walnut Street is designated a state highway, Arkansas Department of Transportation requires the Developer to construct the standard DR-1 Highway entrance. Per the ARDOT detail, the distance of the entrance at the street curb is 54' in width. The distance between the existing curb cuts is 232.82'. Due to existing conditions, it would be impossible to achieve the required separation. If the proposed entrance was placed equidistant from the two adjacent curb cuts, the separation would be 89.41'.

After discussion with Planning and Engineering Staff, it was determined that the preferred placement of the entrance would be nearer to the eastern property line. The resulting distance between proposed curb cut and the existing curb cut to the East is 92.42'. The resulting distance between proposed curb cut and the existing curb cut to the West is 86.40'. The Site Plan that is included as part of this Large Scale Development Application is annotated and dimensioned to reflect this configuration.

The Developer and Applicant assert that this waiver is necessary as there is no configuration that will meet Curb Cut Separation requirements that would allow access to this property, and the existing conditions are not a result of the Applicant or Developer's actions.

Our client would also like to request a variance from Rogers, Arkansas Code of Ordinances *Chapter 14, Article VI, Division 2, Section 14-706.(1)(8) RO Residential Office – Loading Space Standards.*

Per the referenced Code section, one (1) loading space is required for a building that has 5000-25000 square feet of proposed floor area. The proposed building will have a floor area of 7750 sq. feet, requiring one (1) loading space.

Due to the proposed use of the proposed development (Eye-care Clinic), there will be no large trucks making deliveries to this site, eliminating the need for a large loading space. All delivery vehicles will be able to occupy a standard parking space, and because there are more parking stalls proposed on this site than are required, a delivery that occurs during operating hours will not impact available parking for doctors, clinicians, or patients.

Our client would also like to request a variance from Rogers, Arkansas Code of Ordinances *Chapter 14, Article VII, Division 3, Section 14-796(c)(4), regarding tree removal without a grading permit.*

Due to a misunderstanding of the grading permit approval process, the Owner removed 39 trees, all of which were shown on the Tree Preservation Plan as removed. No trees that were removed are shown on the Tree Preservations Plan as preserved. To meet the intent of the above ordinance, the owner has agreed to plant as many trees as possible on-site, allowing for proper spacing for the trees to grow to maturity. The replacement trees selected are similar in species to the removed species. Due to site size constraints and preserved on-site tree canopy, we have provided 19 tree plantings in addition to the replacement trees provided as part of the Large Scale Development requirements. The owner has significantly reduced the impermeable areas on the site, in part to allow for these tree plantings. While this proposal does not meet the exact requirement for tree replacement due to removal without an approved Grading Permit, the owner is hoping that the Commission agrees that some leniency in this case is warranted, considering that all removed trees were shown as removed on the plans as they have gone through staff review.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

Bates & Associates, Inc.

A handwritten signature in blue ink that reads "Geoffrey Bates". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Geoffrey H. Bates, P.E.
President of Engineering

TRI-STATE OPTICAL CENTER

ROGERS, ARKANSAS

Large Scale Development Plan - CityView Project #PL202101413

GENERAL NOTES TO CONTRACTOR

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO RELOCATE UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO STARTING CONSTRUCTION.
3. EXISTING GRADE CONTOURS ARE AT ONE FOOT INTERVALS.
4. PROPOSED CONTOURS ARE AT FINISH GRADE AND ARE AT ONE FOOT INTERVALS.
5. PROPOSED SPOT ELEVATIONS ARE TOP OF FINISH CURB UNLESS OTHERWISE INDICATED OR SHOWN.
6. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL N.P.D.E.S. PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
7. CONTRACTOR TO INSTALL MUD ABATEMENT ENTRANCES ANYWHERE PROPOSED STREETS ENTER EXISTING PUBLIC STREETS. ENTRANCE TO BE CONSTRUCTED A MIN. OF 50' IN LENGTH BY WIDTH OF PROPOSED STREET AND TO A DEPTH OF 8 INCHES.
8. CONTRACTOR TO INSTALL EROSION CONTROL FENCING PRIOR TO BEGINNING ANY CONSTRUCTION. FENCING SHALL BE MAINTAINED & REPAIRED AS NECESSARY BY THE CONTRACTOR DURING CONSTRUCTION.
9. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS.
10. ALL CONCRETE TO HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH OF 3500 PSI.
11. DAMAGE DURING CONSTRUCTION TO ANY EXISTING STRUCTURES TO REMAIN SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE.
12. ALL MATERIALS AND CONSTRUCTION SHALL COMPLY WITH THE CITY OF ROGERS'S REQUIREMENTS. IN THE CASE OF CONFLICTS, THE CITY'S CRITERIA SHALL GOVERN.
13. ALL SIDEWALKS AND HANDICAP RAMPS SHALL BE BUILT TO THE CURRENT STANDARDS OF THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.
14. ACCORDING TO CITY CODE, IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO OCCUPY THE IMPROVEMENTS MADE PURSUANT TO THE APPROVED LARGE-SCALE DEVELOPMENT PLAN WITHOUT FIRST OBTAINING A CERTIFICATE OF OCCUPANCY. FAILURE TO OBTAIN A CERTIFICATE OF OCCUPANCY SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$250 PER DAY THAT SAID VIOLATION EXISTS.
15. IT IS THE RESPONSIBILITY OF THE ENGINEER OF RECORD TO INCLUDE ALL ITEMS REQUIRED BY ORDINANCE. IF AN ITEM IS NOT DISCOVERED DURING STAFF REVIEWS, IT DOES NOT EXCUSE THE ITEM, AND THE REQUIREMENT WILL REMAIN UNTIL IT IS EITHER ADDRESSED OR A WAIVER IS SUBMITTED AND APPROVED. THIS EXTENDS BEYOND THE APPROVAL OF THE PLAN SET. IF PLANS CONFLICT WITH ORDINANCE REQUIREMENTS, ORDINANCE REQUIREMENTS TAKE PRECEDENCE. IF CHANGES ARE REQUIRED, THEY MUST BE REVIEWED AND APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT AT THE CITY OF ROGERS.
16. STOCKPILES WITH EXCESS CONSTRUCTION SITE MATERIALS, INCLUDING BUT NOT LIMITED TO EXCESS TOP SOILS STOCKPILES, MUST BE REMOVED FROM SITE PRIOR TO PROJECT COMPLETION. GRADING BEYOND THE APPROVED LIMITS IS PROHIBITED.
17. APPROVED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET (30 480 MM) OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE. IFC 2012 3310.1
18. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE. IFC 2012 3312.1
19. BINDER COURSE ASPHALT OR CONCRETE PAVEMENT WILL BE INSTALLED BEFORE COMBUSTIBLES ARE ALLOWED ON SITE PER RFD RISK REDUCTION.
20. CHANNELS, DETENTION PONDS, RETENTION PONDS, SEDIMENT BASINS, ETC REQUIRE 500 TO THE 100-YEAR WATER SURFACE ELEVATION IMMEDIATELY FOLLOWING INSTALLATION, AND MUST BE INSTALLED AT THE BEGINNING OF THE PROJECT WHERE FEASIBLE.

STANDARD CITY COMMENTS

1. DRAINAGE IMPROVEMENTS MUST BE COMPLETED AND CERTIFIED BY THE ENGINEER OF RECORD, BATES & ASSOCIATES, WITH ALL DITCHES AND BASINS SOLID--SODDED, CONCRETE--LINED, OR UNDERGROUND CONDUIT INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. EROSION CONTROL METHODS MUST BE USED DURING CONSTRUCTION.
2. THE DEVELOPER MUST OBTAIN AN OFF-SITE DRAINAGE EASEMENT FOR ALL AREAS OF DISCHARGE PRIOR TO THE FIRST INSPECTION BY THE ROGERS STREET DEPARTMENT.
3. THE ENTIRE FACILITY MUST COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990.
4. PROVIDE THE CITY PLANNER WITH A COPY OF THE APPROVAL FROM AHTD TO DISCHARGE STORM WATER INTO THEIR SYSTEM PRIOR TO THE FIRST INSPECTION BY THE ROGERS STREET DEPARTMENT.
5. THE CITY OF ROGERS WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF ANY DETENTION POND.
6. ENGINEER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE ROGERS PLANNING DEPARTMENT PRIOR TO ISSUANCE OF A GRADING PERMIT. ALL PHASE 1 EROSION CONTROL MUST BE INSTALLED PRIOR TO THE PRE-CONSTRUCTION MEETING AND A REDUCED SET OF CONSTRUCTION PLANS (11" X 17") WILL BE REQUIRED.
7. THE PERSON FINANCIALLY RESPONSIBLE FOR THE PROJECT MUST OBTAIN A GRADING PERMIT INCLUDING A COPY OF THE NOI, A COPY OF THE STORMWATER POLLUTION PREVENTION PLAN, AND A COPY OF THE GRADING AND EROSION CONTROL PLAN.
8. A GRADING PERMIT WILL NOT BE ISSUED UNTIL THE PLANNING COMMISSION HAS APPROVED THIS LARGE SCALE DEVELOPMENT PLAN. PERMIT REQUIREMENTS ARE AVAILABLE AT THE PLANNING OFFICE.
9. IF MORE THAN SEVEN (7) SIGNIFICANT TREES ARE TO BE REMOVED, THE DEVELOPER MUST SUBMIT A TREE PROTECTION OR REPLACEMENT PLAN. THE REPLACEMENT PLAN MUST SHOW 1 TREE FOR EVERY 5 TREES REMOVED IN THE DISTURBED AREA. TREES REMOVED FROM A NON-CONSTRUCTION AREA MUST BE REPLACED AT 5 TREES FOR EVERY 1 TREE REMOVED.
10. A PERMETER BUFFER STRIP SHALL BE TEMPORARILY MAINTAINED AROUND THE DISTURBED AREA. THE MINIMUM WIDTH FOR THE BUFFER STRIP IS 25' WITH A MAXIMUM WIDTH OF 40'.
11. PROVIDE A SOILS REPORT SIGNED AND SEALED BY A PROFESSIONAL ENGINEER TO BE INCLUDED WITH THE BUILDING PERMIT APPLICATION.
12. PROVIDE THE BUILDING OFFICIAL AND CITY PLANNER WITH COMPACTION TESTS FOR ALL PONDS AND FILL AREAS.
13. THE OWNER/DEVELOPER WILL BE RESPONSIBLE FOR ANY UPSTREAM OR DOWNSTREAM FLOODING AS A DIRECT RESULT OF THIS DEVELOPMENT.
14. LANDSCAPING MUST BE INSTALLED AND A THREE-YEAR GUARANTEE SUBMITTED ON PLANT REPLACEMENT OR A LETTER OF CREDIT POSTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. MINIMUM SIZE OF SHRUBS IS FIVE GALLONS, FOR SHADE TREES IT IS 2 1/2" B & B, AND FOR ORNAMENTAL TREES IT IS 1 1/2" B & B.
15. IT IS THE OWNER'S RESPONSIBILITY TO COORDINATE WITH THE UTILITIES REGARDING PLANTS IN THE UTILITY EASEMENT.
16. TREES ARE REQUIRED IN THE FRONT LANDSCAPE BUFFER NOT LESS THAN 20 FEET APART.
17. SIDEWALKS MUST BE 5 FEET IN WIDTH AND RAMPED AT ALL CURB CUTS TO MEET ADA AND AHTD SPECIFICATIONS AND INSTALLED THE FULL WIDTH OF THE PROPERTY OR A LETTER OF CREDIT POSTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. SIDEWALKS MUST MATCH ANY EXISTING SIDEWALKS IN THE AREA, INCLUDE TRUNCATED DOMES AT THE HANDICAP RAMPS AND BE LOCATED A MIN. OF 5 FEET BEHIND THE CURB. TWO HANDICAP RAMPS ARE REQUIRED AT EACH STREET RADIUS FOR ANY STREET THAT IS A COLLECTOR AND ABOVE.
18. ALL PARKING LOTS AND DRIVES MUST BE HARD SURFACED.
19. THE PROPOSED TRASH DUMPSTER MUST BE SCREENED WITH A SOLID-TYPE SCREENING CONSISTENT WITH THE ARCHITECTURAL STYLE OF THE BUILDING.
20. ALL WATER AND SEWER PLANS MUST BE APPROVED BY THE ROGERS WATER UTILITY DEPARTMENT PRIOR TO CONSTRUCTION. THIS IS A SEPARATE REVIEW PROCESS AND A PRE-CONSTRUCTION MEETING WILL BE REQUIRED.
21. ALL SIGNS WILL REQUIRE SEPARATE PERMITS.
22. A PRE-CONSTRUCTION MEETING WITH THE ROGERS BUILDING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
23. THE ENTIRE DEVELOPMENT MUST COMPLY WITH THE REQUIREMENTS OF THE ROGERS OVERLAY DISTRICT.
24. ALL WELLS AND SEPTIC SYSTEMS MUST BE LOCATED AND ABANDONED BY A STATE-LICENSED AND BONDED DRILLER IN ACCORDANCE WITH STATE REQUIREMENTS.
25. CONSTRUCTION DEBRIS MUST BE CLEARED FROM ALL STORMWATER STRUCTURES AND VERIFIED BY A SITE INSPECTION FROM THE PLANNING DEPARTMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
26. ALL MECHANICAL, ELECTRICAL AND AIR CONDITIONING EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
27. ACCORDING TO CITY CODE, IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO OCCUPY THE IMPROVEMENTS MADE PURSUANT TO THE APPROVED LARGE-SCALE DEVELOPMENT PLAN WITHOUT FIRST OBTAINING A CERTIFICATE OF OCCUPANCY. FAILURE TO OBTAIN A CERTIFICATE OF OCCUPANCY SHALL BE A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$250.00 PER DAY THAT SAID VIOLATION EXISTS.
28. PROVIDE THE CITY PLANNER A COMPACT DISK WITH THE AS-BUILT PLANS REFERENCING 2 GPS POINTS TIED TO THE ROGERS MONUMENT SYSTEM AND FORMATTED IN BOTH AUTOCAD 2010 .DWG AND A PDF DOCUMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.



VICINITY MAP
N.T.S. NORTH

INDEX OF DRAWINGS

- 1 COVER SHEET
- 2 EXISTING SITE. DEMOLITION. + TREE PRESERVATION PLAN
- 3 SITE + UTILITY PLAN
- 4 FUTURE STREET WIDENING + UTILITY RELOCATION PLAN
- 5 EROSION CONTROL PLAN
- 6 GRADING PLAN
- 7 TREE PRESERVATION PLAN
- 8 LANDSCAPE PLAN
- 9 PHOTOMETRIC PLAN
- 10-12 SITE DETAILS
- 13 ARDOT DR-1 STANDARD DETAIL
- 14-19 DETENTION DETAILS
- 20-22 RWU DETAILS

PARCEL NUMBERS: 02-04335-000 & 02-04336-000

PROJECT SITE ADDRESS: 1714 W WALNUT ST
ROGERS, AR 72756

ZONING CLASSIFICATION: RO / OVERLAY DISTRICT

PROPOSED USE: OPTICAL CARE CLINIC

STORIES: 1

BUILDING HEIGHT: 18' TO HIGHEST EAVE

FLOOR AREA: TOTAL AREA UNDER ROOF: 6031 SQ.F.
TOTAL AREA HEATED: 5808 SQ.F.

CONSTRUCTION TYPE: V-B

TOTAL SITE AREA: 1.40 ACRES +/-
1.36 ACRES +/- AFTER R/W DEDICATION

OWNER: LANDIS HOLDINGS LLC
PO BOX 3010
ROGERS AR 72757

DEVELOPER: DANIEL LANDIS - TRI-STATE OPTICAL
1401 W WALNUT ST
ROGERS, AR 72756
PHONE: (479) 899-2615
EMAIL: TRISTATEOPTICALCENTER@YAHOO.COM

ENGINEER/SURVEYOR: BATES & ASSOCIATES, INC.
7230 PLEASANT RIDGE DR.
FAYETTEVILLE, AR 72704
PHONE: (479) 442-9350
EMAIL: GEOFF@BATESNWA.COM

ARCHITECT: BEN CRUCE, AIA
DEMIX ARCHITECTURE
104 N EAST AVE
FAYETTEVILLE, AR 72701
PHONE: (479) 966-4871
EMAIL: BEN@DEMIXARCH.COM

IMPERVIOUS AREA CALCULATIONS (PER R/W DEDICATION):

TOTAL AREA OF SITE	59387 SQ FT
TOTAL PERVIOUS AREA (POST-DEVELOPMENT)	28527 SQ FT (48.0%)
TOTAL IMPERVIOUS AREA (POST-DEVELOPMENT)	30860 SQ FT (52.0%)

DEVELOPMENT STANDARDS (PER RO / OVERLAY DISTRICT):

BUILDING SETBACKS:	
FRONT	30ft/50ft WITH PARKING IN FRONT
FRONT (OVERLAY DISTRICT)	75ft (SHOWN)
SIDE	10ft (INTERIOR-SHOWN)
SIDE	25ft (EXTERIOR)
REAR	25ft (SHOWN)
SITE AREA (AFTER R/W DED.):	
MAXIMUM BUILDING COVERAGE:	58483 SQ. FT.
PROPOSED TOTAL GFA:	50%
PROPOSED % BUILDING COVERAGE:	6031 SQ. FT.
MINIMUM OPEN SPACE:	9.70%
OPEN SPACE PROVIDED:	30%
	28527 SQ FT (48.0%)
MAXIMUM STRUCTURE HEIGHT:	
	35 FT (ADJACENT TO RESIDENTIAL)
	60 FT (ADJ. TO COMMERCIAL, INDUSTRIAL, OR OFFICE)
PROPOSED STRUCTURE HEIGHT:	
	18' MAX.

SURVEY DESCRIPTION:

A PART OF LOTS 2 AND 3 LOCATED IN BLOCK 2 OF FELKER'S SUBDIVISION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING PIPE MARKING THE NORTHEAST CORNER OF SAID LOT 2 AND RUNNING THENCE S02°31'07"W 329.84' TO AN EXISTING REBAR, THENCE S02°23'39"W 70.16', THENCE N86°41'28"W 95.37', THENCE N02°27'45"E 98.51' TO AN EXISTING REBAR, THENCE N87°10'04"W 77.04' TO AN EXISTING PIPE, THENCE N02°48'04"E 301.46', THENCE S86°33'29"E 75.27', THENCE S87°11'14"E 95.60' TO THE POINT OF BEGINNING, CONTAINING 1.40 ACRES, MORE OR LESS, SUBJECT TO THAT PORTION IN WEST WALNUT STREET MASTER STREET PLAN RIGHT-OF-WAY ON THE NORTH SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

SURVEYOR NOTES:

1. ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, TITLE EVIDENCE, OWNERSHIP, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. ONLY THOSE EASEMENTS SHOWN ON THE RECORD PLAT OF PINNACLE HILLS PARKWAY ADDITION ARE SHOWN HEREON.
3. THE LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, RECORD DRAWINGS PROVIDED TO THE SURVEYOR. NOT ALL UNDERGROUND UTILITIES/STRUCTURES MAY BE SHOWN. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON.
4. ALL UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE. CONTRACTOR SHOULD FIELD VERIFY ALL UTILITY LINES PRIOR TO ANY EXCAVATION ON THIS SITE.

FLOOD CERTIFICATION:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS. (FIRM PANEL #05007C0260K. DATED 06/ 05/ 2012)

CONTACT INFORMATION

CITY:	CITY OF ROGERS DEPARTMENT OF COMMUNITY DEVELOPMENT LORI ERICSON PHONE: (479) 621-1186	SEWER/ WATER	ROGERS WATER UTILITIES 601 S 2ND ST P.O. BOX 338 ROGERS, AR 72756 479-621-1142
FIRE:	ROGERS FIRE DEPARTMENT. 201 N 1ST ST ROGERS, AR 72956 PHONE: (479) 621-1179	SOLID WASTE	INLAND SERVICES 3511 N. ARKANSAS ST ROGERS, AR 72756 (479) 878-1384
GAS:	SOURCE GAS 655 E. MILLSAP DRIVE FAYETTEVILLE, AR 72703 PHONE: (800) 563-0012	ELECTRIC:	CARROLL ELECTRIC 707 SE WALTON BLVD P.O. BOX 329 BENTONVILLE, AR 72712-0329 PHONE: (479) 273-2421 FAX: (479) 273-1231
CABLE:	COX COMMUNICATIONS 115 N. DIXIELAND STE. 3 ROGERS, AR 72756 PHONE: (479) 273-5644	TELEPHONE:	SOUTHWESTERN BELL 1-800-464-7928

OWNERSHIP OF DOCUMENTS

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICES, IS THE PROPERTY OF BATES & ASSOCIATES, INC., AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF BATES & ASSOCIATES, INC.

SAFETY NOTICE TO CONTRACTOR

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

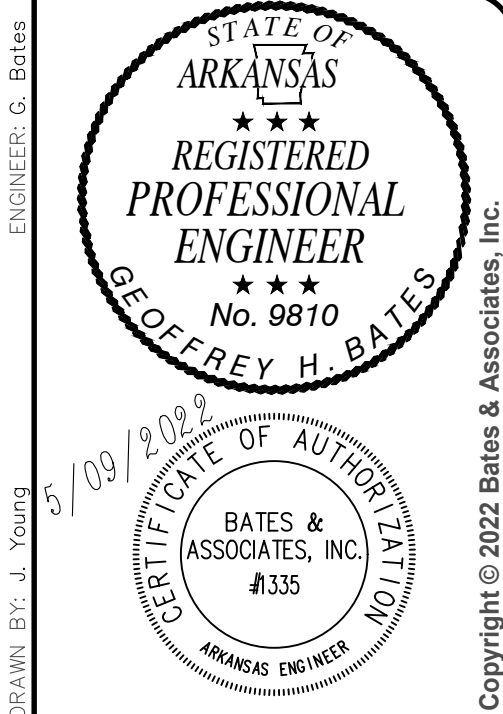
THE DUTY OF THE ENGINEER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, OR NEAR THE CONSTRUCTION SITE.



NOTE: IF THE PROJECT COSTS EXCEED \$20,000, A STATE CONTRACTOR'S LICENSE IS REQUIRED PER ROGERS CODE SEC. 14-228(6).

ENGINEER'S NOTICE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE DRAWINGS ARE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE DRAWINGS AND WE ASSUME NO RESPONSIBILITY AS TO THE ACCURACY OF THEIR DEPICTED LOCATION ON THESE DRAWINGS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN, AND ALL OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE DRAWINGS BY VERIFICATION OF THEIR LOCATION IN THE FIELD PRIOR TO THE INITIATION OF THE ACTUAL PORTION OF THEIR WORK.



DATE	REVISIONS
12/10/21	FIRST SUBMITTAL
1/10/22	REVISIONS PER 12/27/21 STAFF REVIEW
2/28/22	REVISIONS PER UNAPPROVED TREE REMOVAL
3/31/22	REVISIONS PER 3/27/22 STAFF REVIEW
4/21/22	REVISIONS PER 4/20/22 STAFF REVIEW
5/09/22	DRAINAGE EASEMENT AND ICE ADDITION

TRI-STATE OPTICAL CENTER
LARGE SCALE DEVELOPMENT PLAN
CITYVIEW #PL202101413
COVER SHEET

ROGERS, ARKANSAS



DRAWING NO

01



PROPOSED		LEGEND		DESCRIPTION
		EXISTING		
AL	AL			ACCESS EASEMENT
				ASPHALT (EDGE)
				ASPHALT (SURFACE)
				BOLLARD
				BUILDING
				BUILDING SETBACK LINE
				CABLE TV (UNDERGROUND)
				CENTERLINE
				CONCRETE (EDGE)
				CONCRETE (SURFACE)
				CONDUIT
				CONTOURS
				CURB & GUTTER
				DRAINAGE FLOW
				DUMPSITE
				UTILITY EASEMENT
				ELECTICAL (UNDERGROUND)
				ELECTRICAL (OVERHEAD)
				ELECT. TRANSFORMER
				EROSION CONTROL FENCE
				EROSION CONTROL RIP-RAP
				FENCE (EX. WIRE/PTR. SCREENING)
				FIBER OPTIC CABLE
				FIRE HYDRANT ASSEMBLY
				FLOWLINE
				FORCE MAIN
				GAS MAIN
				GAS METER/VALVE
				GRAVEL (EDGE)
				GRAVEL (SURFACE)
				IRON PIN - (RE-BAR)
				LIGHT
				POD
				POWER POLE
				PROPERTY LINE
				RETAINING WALL
				RIGHT-OF-WAY
				SANITARY SEWER MANHOLE
				SANITARY SEWER PIPE
				SANITARY SEWER SERVICE
				SECTION/TIE LINE
				SIDEWALK
				SIGN
				SPOT ELEVATION
				STABILIZED CONSTRUCTION ENT.
				STORM SEWER INLET
				STORM SEWER PIPE
				STRIP (PAINTED OR STICKY)
				TELEPHONE PIS/MANHOLE
				TELEPHONE (UNDERGROUND)
				TREE LINE CANOPY
				TREE/ TO BE REMOVED
				WATER MAIN BLOWOFF VALVE
				WATER MAIN FIRE DEPT. CONN.
				WATER MAIN PIPE
				WATER MAIN REDUCER
				WATER MAIN THRUST BLOCK
				WATER METER
				WATER METER (IRRIGATION)
				WATER VALVE

*8 SPACES ALONG WEST BOUNDARY OF DEVELOPMENT WILL BE SHARED WITH ADJACENT BUSINESS, DUE TO LOSS OF FUTURE PARKING PER STREET IMPROVEMENT PLANS ALONG W. WALNUT.

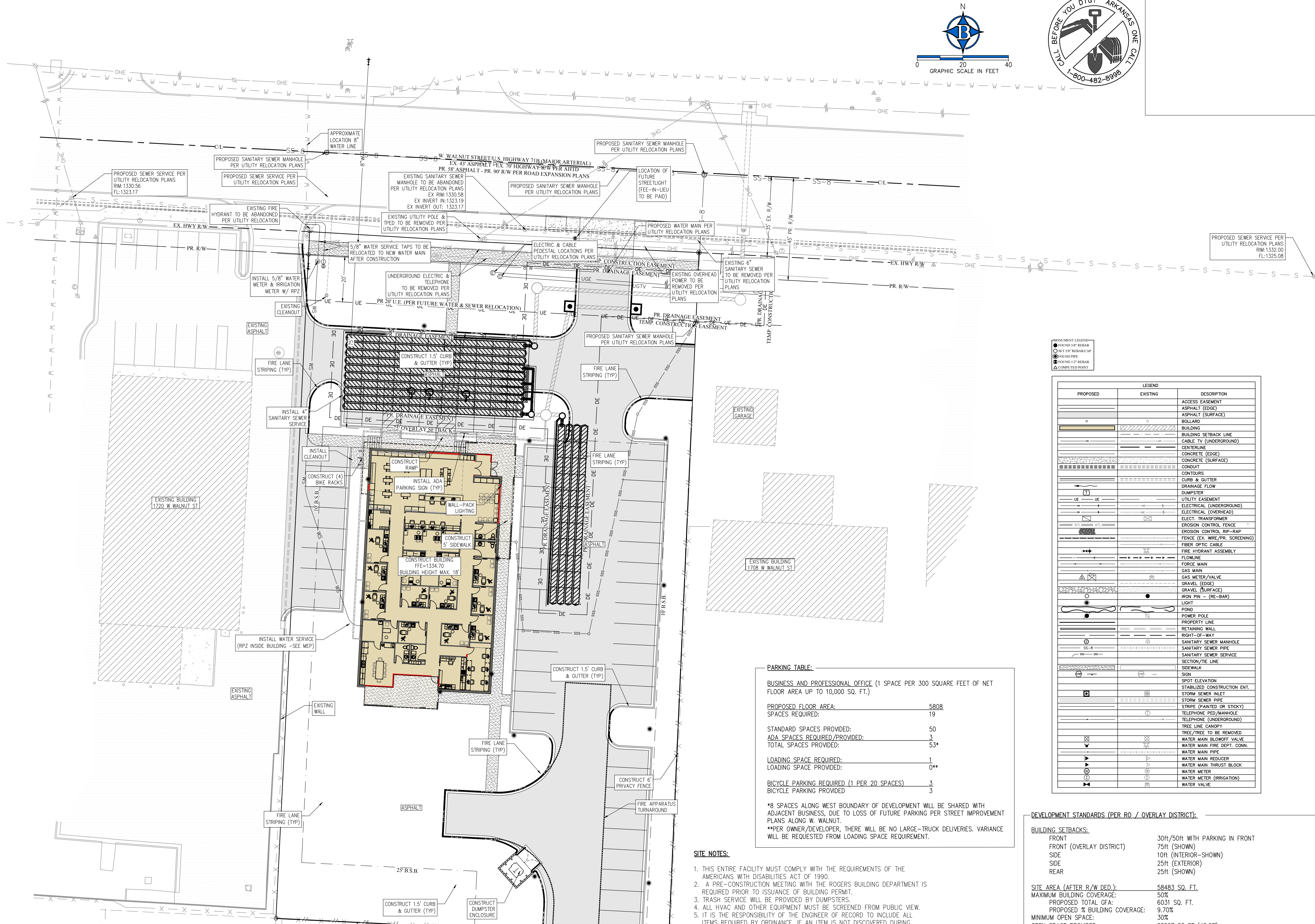
**PER OWNER/DEVELOPER, THERE WILL BE NO LARGE-TRUCK DELIVERIES. VARIANCE WILL BE REQUESTED FROM LOADING SPACE REQUIREMENT.

7230 S. Pleasant Ridge Drive • Fayetteville, Arkansas 72704 • 479.442.9350 • Fax 479.521.9350

REVISIONS	DATE
FIRST SUBMITTAL	12/10/21
REVISIONS PER 12/21/21 STAFF REVIEW	1/10/22
REVISIONS PER UNAPPROVED TREE REMOVAL	2/28/22
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REVISIONS PER 4/20/22 STAFF REVIEW	4/21/22
DRAINAGE EASEMENT AND ICE ADDITION	5/09/22

Drawing Name: 16\200\16-260\engineering\02 Site & Utility Plan.dwg
Xrefs Used: BASE, BATES-AR, 24x36, COA BBA

Time: 4:05 pm
Scale: 1"=20' (P)
Date: 10/6/2016



PARKING TABLE:

BUSINESS AND PROFESSIONAL OFFICE (1 SPACE PER 300 SQUARE FEET OF NET FLOOR AREA UP TO 10,000 SQ. FT.)

PROPOSED FLOOR AREA:	5808
SPACES REQUIRED:	19
STANDARD SPACES PROVIDED:	50
ADA SPACES REQUIRED/PROVIDED:	3
TOTAL SPACES PROVIDED:	53*

LOADING SPACE REQUIRED:
LOADING SPACE PROVIDED:

BICYCLE PARKING REQUIRED (1 PER 20 SPACES)	3
BICYCLE PARKING PROVIDED	3

*8 SPACES ALONG WEST BOUNDARY OF DEVELOPMENT WILL BE SHARED WITH ADJACENT BUSINESS, DUE TO LOSS OF FUTURE PARKING PER STREET IMPROVEMENT PLANS ALONG W. WALNUT.
*PER OWNER/DEVELOPER, THERE WILL BE NO LARGE-TRUCK DELIVERIES. VARIANCE WILL BE REQUESTED FROM LOADING SPACE REQUIREMENT.

SITE NOTES:

1. THIS ENTIRE FACILITY MUST COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990.
2. A PRE-CONSTRUCTION MEETING WITH THE ROGERS BUILDING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
3. TRASH SERVICE WILL BE PROVIDED BY DUMPSTERS.
4. ALL HVAC AND OTHER EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
5. IT IS THE RESPONSIBILITY OF THE ENGINEER OF RECORD TO INCLUDE ALL ITEMS REQUIRED BY ORDINANCE. IF AN ITEM IS NOT DISCOVERED DURING STAFF REVIEWS, IT DOES NOT EXCUSE THE ITEM, AND THE REQUIREMENT WILL REMAIN UNTIL IT IS EITHER ADDRESSED OR A WAIVER IS SUBMITTED AND APPROVED. THIS EXTENDS BEYOND THE APPROVAL OF THE PLAN SET. IF PLANS CONFLICT WITH ORDINANCE REQUIREMENTS, ORDINANCE REQUIREMENTS TAKE PRECEDENCE. IF CHANGES ARE REQUIRED, THEY MUST BE REVIEWED AND APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT AT THE CITY OF ROGERS.
6. FEE-IN-LIEU REQUESTED FOR OTHERWISE REQUIRED STREET IMPROVEMENTS.



FOUNDATION LEGEND:
FOUND 5/8" REBAR
SET 5/8" REBAR CAP
FOUND PIPE
FOUND 1/2" REBAR
COMPUTED POINT

PROPOSED	EXISTING	DESCRIPTION
		ACCESS EASEMENT
		ASPHALT (EDGE)
		ASPHALT (SURFACE)
		BOLLARD
		BUILDING
		BUILDING SETBACK LINE
		CABLE TV (UNDERGROUND)
		CENTERLINE
		CONCRETE (EDGE)
		CONCRETE (SURFACE)
		CONDUIT
		CONTOURS
		CURB & GUTTER
		DRAINAGE FLOW
		DUMPSTER
		UTILITY EASEMENT
		ELECTRICAL (UNDERGROUND)
		ELECTRICAL (OVERHEAD)
		ELECT. TRANSFORMER
		EROSION CONTROL FENCE
		EROSION CONTROL RIP-RAP
		FENCE (EX. WIRE/PR. SCREENING)
		FIBER OPTIC CABLE
		FIRE HYDRANT ASSEMBLY
		FLOWLINE
		FORCE MAIN
		GAS MAIN
		GAS METER/VALVE
		GRAVEL (EDGE)
		GRAVEL (SURFACE)
		IRON PIN - (RE-BAR)
		LIGHT
		POND
		POWER POLE
		PROPERTY LINE
		RETAINING WALL
		RIGHT-OF-WAY
		SANITARY SEWER MANHOLE
		SANITARY SEWER PIPE
		SANITARY SEWER SERVICE
		SECTION/TIE LINE
		SIDEWALK
		SIGN
		SPOT ELEVATION
		STABILIZED CONSTRUCTION ENT.
		STORM SEWER INLET
		STORM SEWER PIPE
		STRIPS (PAINTED OR STICKY)
		TELEPHONE PED/MANHOLE
		TELEPHONE (UNDERGROUND)
		TELEPHONE (OVERHEAD)
		TREE LINE CANOPY
		TREE/TREE TO BE REMOVED
		WATER MAIN BLOWOFF VALVE
		WATER MAIN FIRE DEPT. CONN.
		WATER MAIN PIPE
		WATER MAIN REDUCER
		WATER MAIN THRUST BLOCK
		WATER METER
		WATER METER (IRRIGATION)
		WATER VALVE

DEVELOPMENT STANDARDS (PER RD. / OVERLAY DISTRICT):

BUILDING SETBACKS:	
FRONT	30ft/50ft WITH PARKING IN FRONT
FRONT (OVERLAY DISTRICT)	75ft (SHOWN)
SIDE	10ft (INTERIOR-SHOWN)
SIDE	25ft (EXTERIOR)
REAR	25ft (SHOWN)
SITE AREA (AFTER R/W DED.):	58483 SQ. FT.
MAXIMUM BUILDING COVERAGE:	50%
PROPOSED TOTAL GFA:	6031 SQ. FT.
PROPOSED % BUILDING COVERAGE:	9.70%
MINIMUM OPEN SPACE:	30%
OPEN SPACE PROVIDED:	28527 SQ FT (48.0%)
MAXIMUM STRUCTURE HEIGHT:	35 FT (ADJACENT TO RESIDENTIAL)
	60 FT (ADJ. TO COMMERCIAL, INDUSTRIAL, OR OFFICE)
PROPOSED STRUCTURE HEIGHT:	18' MAX.

IMPERVIOUS AREA CALCULATIONS (PER R/W DEDICATION):

TOTAL AREA OF SITE	59387 SQ FT
TOTAL PEROVIOUS AREA (POST-DEVELOPMENT)	28527 SQ FT (48.0%)
TOTAL IMPEROVIOUS AREA (POST-DEVELOPMENT)	30860 SQ FT (52.0%)

ENGINEER: G. Bates

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 9810
GEOFFREY H. BATES

10/09/2016

CERTIFICATE OF AUTHORITY
BATES & ASSOCIATES, INC.
#335
ARKANSAS DRIVER

DRAWN BY: J. Young

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DATE	REVISIONS
12/10/21	FIRST SUBMITTAL
1/10/22	REVISIONS PER 12/21/21 STAFF REVIEW
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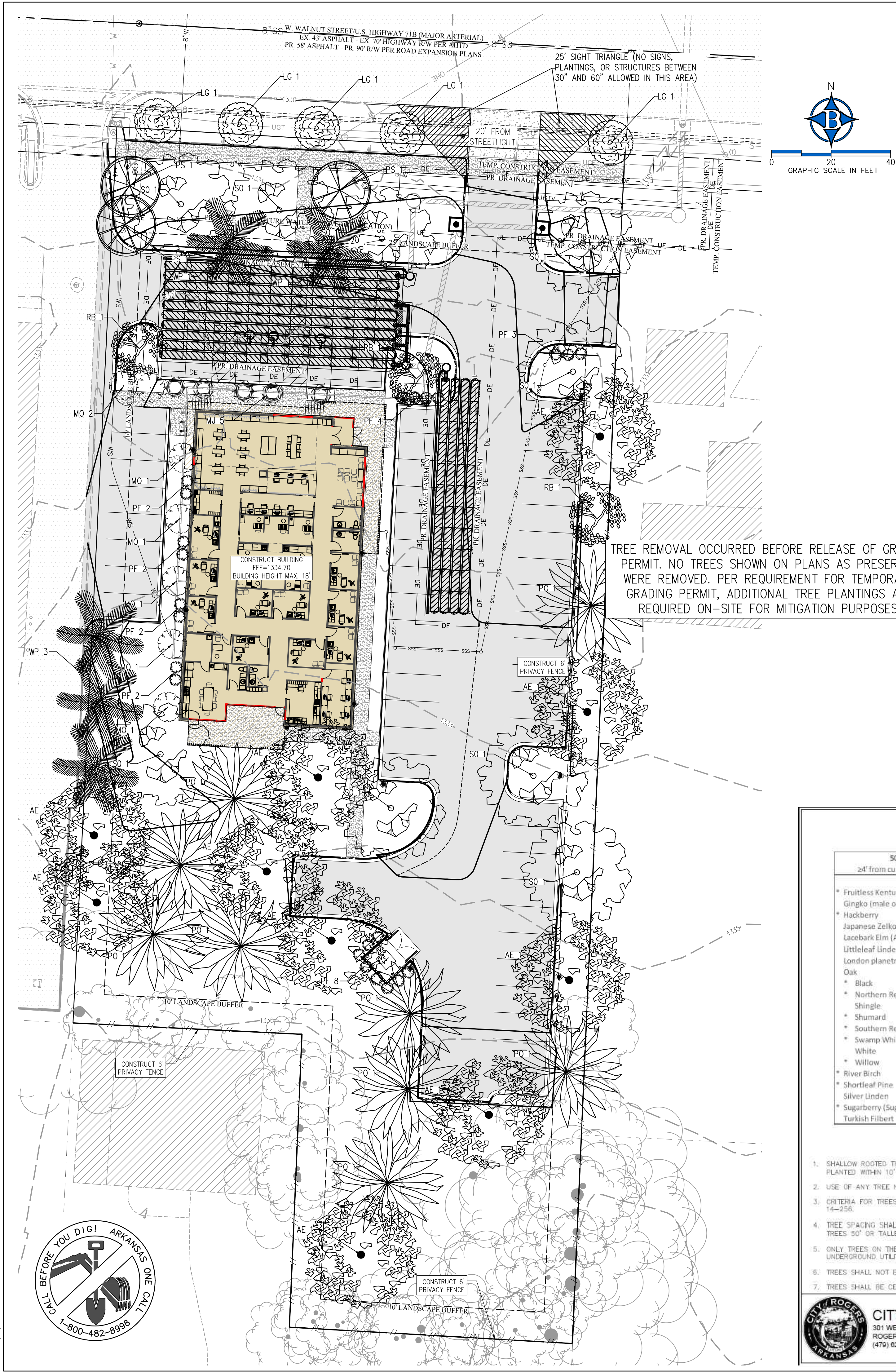
TRI-STATE OPTICAL CENTER
LARGE SCALE DEVELOPMENT PLAN
CITYVIEW #PL202101413
FUTURE UTILITY RELOCATION PLANS
ROGERS, ARKANSAS

Bates & Associates, Inc.
www.batesandassociates.com
Civil Engineering & Surveying

7230 S. Pleasant Ridge Drive • Fayetteville, Arkansas 72704 • 479.442.9350 • Fax 479.521.9350

19-357

DRAWING NO
04



LANDSCAPE NOTES:

- 1) USE OF ANY TREE NOT SHOWN ON LEGEND OR STREET TREE LIST REQUIRES APPROVAL BY CITY STAFF.
- 2) ONLY TREES ON THE <20' TALL LIST MAY BE USED WITHIN 20' OF OVERHEAD UTILITIES OR WITHIN 10' OF UNDERGROUND UTILITIES.
- 3) TREES SHALL NOT BE PLANTED WITHIN 20' OF LIGHT POLE.
- 4) A MINIMUM OF 25 PERCENT OF THE PLANT MATERIALS SHALL CONSIST OF TREES.
- 5) EACH PARKING LOT LANDSCAPE ISLAND MUST BE PLANTED WITH ONE (1) TREE.
- 6) NEW PLANTS MAY BE SELECTED FROM THE RECOMMENDED PLANTS LIST PROVIDED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT. PLANTS SHOULD BE SELECTED FOR HARDINESS IN LOCAL ZONES. PLANTS SHOULD BE ARRANGED TO FACILITATE GROWTH AND AVOID DAMAGE BY DEVELOPMENT. THE FOLLOWING TREES SHALL NOT BE USED IN A LANDSCAPE PLAN:
 1. BLACK LOCUST (ROBINIA PSEUDOACACIA);
 2. COTTONWOOD (POPULUS TRICHOCARPUS);
 3. RED CEDAR (JUNIPERUS VIRGINIANA);
 4. BRADFORD PEAR (PYRUS CALLERYANA "BRADFORD"); AND
 5. SOUTHERN LIVE OAK (QUERCUS VIRGINIANA).
- 7) DECIDUOUS ORNAMENTAL TREES MUST BE BALLED-AND-BURLAPPED, AT LEAST 2 INCH CALIPER, AND AT LEAST 6 FEET TALL. DECIDUOUS SHADE TREES MUST BE BALLED-AND-BURLAPPED, AT LEAST TWO AND ONE-HALF-INCH CALIPER BY AT LEAST SIX FEET TALL. EVERGREEN TREES MUST BE BALLED-AND-BURLAPPED AND AT LEAST 8 FEET IN HEIGHT ABOVE NATURAL GRADE.
- 8) NO MORE THAN 25 PERCENT OF THE TOTAL NUMBER OF TREES MAY BE ORNAMENTAL TREES, AND AT LEAST 10% OF THE TREES SHALL BE EVERGREEN.
- 9) SHRUBS ARE TO BE FIVE GALLON SIZE, MINIMUM.
- 10) STREET TREES ARE IN ADDITION TO OTHER LANDSCAPING REQUIREMENTS.

LANDSCAPE REQUIREMENTS (SEC. 14-256):

ON-SITE REQUIREMENTS:

- SITE AREA PER MASTER STREET PLAN R/W DEDICATION
- TOTAL REQUIRED (1 TREE PER 1,000 SQ. FT. OF SITE AREA PER SEC. 14-256.12)
 - MINIMUM 25% TREES (14-256.14.a)
- PARKING LOT LANDSCAPING (1 TREE ISLAND FOR EVERY 15 SPACES PER 14-256.14.b.1)
- OVERLAY DISTRICT BUFFER LANDSCAPING (1 TREE PER 20' OF FRONTAGE PER 14-285.3)
- ADDITIONAL ON-SITE TREES TO MEET MINIMUM LANDSCAPING REQUIREMENT

TREE REMOVAL CALCULATIONS:

- REMOVED SIGNIFICANT TREES SHALL BE REPLACED AT A RATIO OF 1 TREE FOR EVERY 5 TREES REMOVED
- NUMBER OF TREES REMOVED:
- NUMBER OF REPLACEMENT TREES REQUIRED:

TREE PRESERVATION CALCULATIONS:

- CREDIT TO THE PLANT REQUIREMENT WILL BE CONSIDERED FOR EXISTING TREES PROVIDED THEY ARE OF A DESIRABLE TYPE, ARE HEALTHY SPECIMENS, THEY CONTRIBUTE TO THE COMPATIBILITY OF THE DEVELOPMENT AND THEY ARE NOT THREATENED BY THE CONSTRUCTION OR PLACEMENT OF THE PROPOSED DEVELOPMENT. QUALIFICATION OR PLACEMENT OF THE PROPOSED PLANT MATERIAL MUST BE VERIFIED WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT.
- ALL TREES COUNTED TOWARD CREDIT ARE LOCATED ON-SITE, AT LEAST 6" IN TRUNK DIAMETER, AND AT LEAST 8' TALL.
- NUMBER OF PRESERVED SIGNIFICANT ON-SITE TREES

ON-SITE PLANTINGS REQUIRED PER REMOVAL AND PRESERVATION:

- MINIMUM REQUIRED:
 - MINIMUM 25% TREES (14-256.14.a) :
- REPLACEMENT TREES:
- ON-SITE PLANTINGS PROPOSED:

STREET TREE REQUIREMENTS (SMALL TREES PROPOSED DUE TO PROXIMITY TO UTILITIES IN GREENSPACE)*:

- TREE SPACING SHALL BE 30' FOR TREES LESS THAN 20' TALL
- TREES SHALL NOT BE PLANTED WITHIN 20' OF LIGHT POLE
- STREET TREES PROVIDED (170.92' OF STREET FRONTAGE, ONE STREETLIGHT):
- *FEE-IN-LIEU TO BE PAID FOR STREET TREES

**MITIGATION TREES PER UNAPPROVED TREE REMOVAL:

- PER DISCUSSION WITH STAFF, OWNER/DEVELOPER MUST PLANT AS MANY TREES ON-SITE AS FEASIBLE TO MITIGATE FOR TREE REMOVAL BEFORE RELEASE OF GRADING PERMIT. PLANTINGS SHALL BE SIMILAR IN SPECIES TO REMOVED TREES AND SPACED TO PROVIDE FOR GROWTH TO MATURITY

59,385 SQ. FT. (1.36 ACRES)
59 TOTAL PLANTINGS
15 TOTAL TREES / 44 TOTAL SHRUBS

4 TREES (71 PROPOSED PARKING SPACES)
9 TREES (170.92' OF FRONTAGE)
TREES

46 TREES
9 TREES

14 TREES

46 (59 LESS 14 PRESERVED TREES)
11 TREES / 35 SHRUBS
9 TREES
20 TREES / 35 SHRUBS

5 TREES

19 TREES

APPROVED STREET TREES

50' tall 24' from curb or sidewalk	30-50' tall 23' from curb or sidewalk	<20' tall 22' from curb or sidewalk
* Fruitless Kentucky Coffee Tree - Ginkgo (male only) * Hackberry - Japanese Zelkova (Green Vase) - Lacebark Elm (Allee) - Littleleaf Linden (Greenspire) - London planetree - Oak * Black * Northern Red Shingle * Shumard * Southern Red * Swamp White - White * Willow * River Birch * Shortleaf Pine - Silver Linden * Sugarberry (Sugar Hackberry) - Turkish Filbert	* American Hophornbeam - American Holly - Chinese Pistache - English Oak - Hawthorns - Kousa Dogwood - Persian Ironwood * Scarlet Oak - Thornless Honeylocust (Shademaster) * Yellowwood	* American Smoketree - Amur Maple - Crabapple - Hedge Maple - Magnolia (Little Gem) - Nellie Stevens holly - Possumhaw * Redbud - Shadlow serviceberry - Yaupon Holly

* - DENOTES A NATIVE SPECIES
() - DENOTES A RECOMMENDED VARIETY

1. SHALLOW ROOTED TREES SUCH AS MAPLE, ASH, SWEETGUM, TULIP TREE, PIN OAK AND POPLAR SHALL NOT BE PLANTED WITHIN 10' OF A CURB OR SIDEWALK.
2. USE OF ANY TREE NOT SHOWN ON THIS LIST REQUIRES APPROVAL BY CITY STAFF.
3. CRITERIA FOR TREES SHALL MATCH THOSE SHOWN IN THE LARGE SCALE DEVELOPMENT ORDINANCE SECTION 14-256.
4. TREE SPACING SHALL BE 30' FOR TREES LESS THAN 20' TALL, 40' FOR TREES 30-50' TALL AND 50' FOR TREES 50' OR TALLER OR AS REQUIRED BY ORDINANCE 18-259. TREE HEIGHTS ARE MATURE TREE HEIGHTS.
5. ONLY TREES ON THE <20' TALL LIST MAY BE USED WITHIN 20' OF OVERHEAD UTILITIES OR WITHIN 10' OF UNDERGROUND UTILITIES.
6. TREES SHALL NOT BE PLANTED WITHIN 20' OF LIGHT POLE.
7. TREES SHALL BE CENTERED IN THE GREENSPACE.



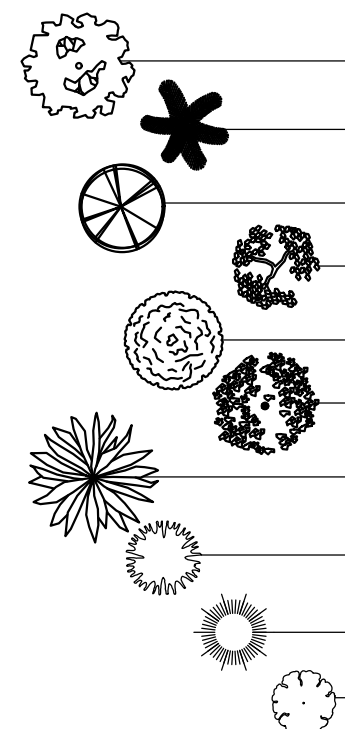
CITY OF ROGERS
301 WEST CHESTNUT STREET
ROGERS, ARKANSAS 72756
(479) 621-1195

TYPICAL STREET SECTIONS

6 OF 6

NOT TO SCALE

OCTOBER 18, 2016



PLANT LIST					
QTY	SYM	COMMON NAME/ BOTANICAL NAME	ROOT	MIN. SIZE	NOTES
9	SO	SCARLET OAK Quercus coccinea	B&B	2.5" CAL. 6' TALL	SHADE TREE (MEDIUM SPECIES)
5	WP	WHITE PINE Pinus strobus	B&B	2.5" CAL. 8' TALL	EVERGREEN TREE (LARGE SPECIES)
3	PS	PURPLE SMOKETREE Cotinus coccinea	B&B	2.5" CAL. 6' TALL	ORNAMENTAL TREE (SMALL SPECIES)
3	RB	EASTERN REDBUD Cercis canadensis	B&B	2.5" CAL. 6' TALL	ORNAMENTAL TREE (SMALL SPECIES)
5	LG	LITTLE GEM SOUTHERN MAGNOLIA Magnolia grandiflora 'Little Gem'	B&B	2.5" CAL. 8' TALL	STREET TREE (SMALL SPECIES)
10	AE	AMERICAN ELM Ulmus americana	B&B	2.5" CAL. 6' TALL	SHADE TREE MITIGATION TREE (MEDIUM SPECIES)
9	PO	PIN OAK Quercus palustris	B&B	2.5" CAL. 6' TALL	SHADE TREE MITIGATION TREE (MEDIUM SPECIES)
23	PF	PERENNIAL FOUNTAIN GRASS Pennisetum alopecuroides		5 GAL.	ORNAMENTAL GRASS
5	MJ	MINT JULEP JUNIPER Juniperus chinensis 'Mint Julep'		5 GAL.	EVERGREEN
7	MO	GOLDEN MOCK ORANGE Philadelphus coronarius 'Aureus'		5 GAL.	DECIDUOUS

* SUBSTITUTIONS MAY BE MADE FOR SPECIES, PROVIDED THAT THEY ARE APPROVED & HAVE SIMILAR CANOPY SIZE

TREE CANOPIES AND SHRUB SPREAD SHOWN ON PLAN AT FULL MATURITY

LANDSCAPING WARRANTY NOTE:

LANDSCAPING MUST BE INSTALLED OR A PERFORMANCE BOND POSTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. A THREE-YEAR GUARANTEE ON ALL PLANT MATERIALS WILL BE REQUIRED ONCE INSTALLATION IS COMPLETE.

IMPERVIOUS AREA CALCULATIONS (PER R/W DEDICATION):

TOTAL AREA OF SITE	59387 SQ FT
TOTAL PERVIOUS AREA (POST-DEVELOPMENT)	28527 SQ FT (48.0%)
TOTAL IMPERVIOUS AREA (POST-DEVELOPMENT)	30860 SQ FT (52.0%)

PLANTINGS IN EXCESS OF MINIMUM REQUIREMENTS MAY NOT BE REDUCED ONCE APPROVED BY PLANNING COMMISSION

IRRIGATION SYSTEM FOR LANDSCAPING WILL BE REQUIRED

ENGINEER: G. Bates
DRAWN BY: J. Young



DATE	REVISIONS
12/10/21	FIRST SUBMITTAL
1/10/22	REVISIONS PER 12/21/21 STAFF REVIEW
2/28/22	REVISIONS PER UNAPPROVED TREE REMOVAL
3/31/22	REVISIONS PER 3/21/22 STAFF REVIEW
4/21/22	REVISIONS PER 4/20/22 STAFF REVIEW
5/09/22	DRAINAGE EASEMENT AND TCE ADDITION

TRI-STATE OPTICAL CENTER
LARGE SCALE DEVELOPMENT PLAN
CITYVIEW #PL202101413
LANDSCAPE PLAN
ROGERS, ARKANSAS



PROJECT NO 19-357

DRAWING NO

08



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

**MEETING DATE
MAY 17, 2022**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
DRDC & URDC AMENDMENT - LOLOFT**

STAFF: AMBER LONG, PLANNER II

REQUEST

Staff requests an amendment to Sec. 14-715(3.2) and Sec. 14-732(3.2), to allow the use “Wholesale trade establishment/warehouse and storage services” as an accessory use in Commercial Mixed Use (COM) and Uptown Commercial Mixed Use (U-COM).

GENERAL FINDINGS

On May 10, 2022, representatives from Loloft® inquired about establishing a coworking space within the former Walmart Store #1 building, located at 719 W. Walnut St. According to the company’s website, Loloft® specializes in “industrial coworking,” allowing companies that rely on physical space to rent workshops, private offices, event space, and meeting rooms. Workshop renters are able to receive “inward goods,” such as packages and pallets, through UPS, USPS, FedEx, and DHL.

The subject location is zoned Commercial Mixed-Use (COM) per the Downtown Rogers Zoning Plan. Loloft® and other establishments that provide storage, work, and office space for wholesalers would need to obtain a permit to allow the uses “Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.” and “Wholesale trade establishment/warehouse and storage services.” The latter use is allowed as an accessory use in Core Mixed Use (COR), Uptown Core Mixed Use (U-COR), Industrial Arts (IA), and Uptown Entertainment (U-ENT), but it is not permitted in COM or U-COM.

COM and U-COM are defined as follows:

“The purpose of the Commercial Mixed Use Zone is to be compatible with the Core Mixed Use through flexibility of uses, continuing to allow retail, education and commercial as primary uses, but also including residential as a core use to be located within Downtown Rogers. The focus is to transition this area as a more livable location, by upgrading infrastructure for development while also making this area friendlier to residential uses.”

“The purpose of the Uptown Commercial Mixed Use zone is to be compatible with U-COR through flexibility of uses, continuing to allow retail and commercial as primary uses, but also including high-density residential as a core use to be located within Uptown Rogers. The focus is to strike a balance between conventional forms of commercial development and high-intensity urban mixed-use development.”

Permitted uses within COM and U-COM are intended to be generally compatible with the residential and commercial uses permitted in all Regional Center zoning districts, but particularly uses permitted in COR. In Downtown Rogers, COM functions as a commercial transition zone between the single-use commercial and industrial districts within the Access Corridor and Employment Center Growth Designations and the less-intense commercial and industrial uses permitted in COR and IA. COM-designated parcels are buffered from existing single-family residential uses within the Neighborhood Growth Designation by NBT zoning and/or major arterial streets. In Uptown Rogers, U-COM comprises the majority of the Regional Center and is buffered from most single-family residential uses in the Neighborhood by rights-of-way and/or U-NBT zoning. The mixed-use and pedestrian-oriented nature of the form-based, Regional Center development codes mitigate hazardous industrial uses.

The use “Wholesale trade establishment/warehouse and storage services” is compatible with the uses that are currently permitted

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.

within COM and U-COM and would not set a precedent contrary to the CGM. Additionally, allowing this use in COM will open the potential for a new form of live-work quarter developments along the corridors leading into the Regional Centers, encouraging residents to live, work, and play in our regional activity hubs.

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 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