



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

ROGERS PLANNING COMMISSION AGENDA

Date:	June 15, 2021
Location:	CITY COUNCIL CHAMBERS - 301 W. Chestnut St.
Committee Sessions:	4:00PM
Regular Session:	5:00PM

COMMITTEE SESSIONS – 4:00PM – City Hall Community Room

PLANS & POLICIES COMMITTEE

DEVELOPMENT REVIEW COMMITTEE

1. LSDP: Everett Car Dealership
2. LSDP: Ninth Street Townhomes

REGULAR SESSION – 5:00 PM

CALL TO ORDER

ROLL CALL

ACTION ON MINUTES

1. June 1, 2021

REPORTS FROM STAFF

REPORTS FROM BOARDS AND COMMITTEES

1. Plans & Policies Committee
2. Development Review Committee

CONSENT AGENDA

OLD BUSINESS

1. **RZN: Joe Hewgley Inc.**

A request to rezone 0.69 ± acres located between W. Olrich St. and S. 9th St. from the N-R (Neighborhood Residential) zoning district to the C-2 (Highway Commercial) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Jason Ingalls*

2. **CUP: Orale Inc.**

A request for a Conditional Use Permit to allow the use “Commercial Assembly, Recreation, and Entertainment” located at 1902 S. 8th St. in the C-4 (Open Display Commercial; Overlay) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Jose Sanabria*

PUBLIC HEARINGS

1. **RZN: Montero Farms, LLC**

A request to rezone 0.49 ± acres located between 618 & 620 N. 4th St. from the R-DP (Residential Duplex and Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Bill Watkins/Will Kellstrom*

2. **RZN: Porchdog Properties, LLC**

A request to rezone 2.86 ± acres located at W. Persimmon St. & N. 6th St. from the R-DP (Residential Duplex and Patio Home) zoning district to the NBT (Neighborhood Transition) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Bryan Davis*

3. **CUP: Happy Hearts and Hands**

A request for a Conditional Use Permit to allow the use “Day Care, General” located at 2703 N. 13th St. in the R-O (Residential Office) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Michelle Hill*

4. **CUP: Caliber Collision**

A request for a Conditional Use Permit to allow the uses “Vehicle/Equipment Repair and Installation & Vehicle Storage” located on 2.94 ± acres on the East side of S. Bellview Rd. and S. Side of Ajax Ave. intersection in the C-2 (Highway Commercial; Overlay) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Dirk Thibodeaux*

NEW BUSINESS

1. LSDP: Everett Car Dealership

A request to allow the construction of a 20, 246 SF building and paved parking lot on ± 6.07 acres of land located at 4510 W. Poplar Street in the C-4 (Open Display Commercial); Overlay District zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Jonathan Hope*

2. LSDP: Ninth Street Townhomes

A request to allow the construction of eleven 5-plex multifamily buildings, five 6-plex multifamily buildings, and a detention pond on ± 8.08 acres of land located at the NW corner of S 8th St. and W. Banz Rd. in the RMF-10B (Residential Multifamily) zoning district.

- *STAFF: Amber Long*
- *REPRESENTED BY: Blake Murray*

ADJOURN



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ROGERS PLANNING COMMISSION MINUTES

The **Rogers Planning Commission** met for a public meeting at Rogers City Hall at 301 W. Chestnut St. on June 1, 2021 at 5:00 P.M. The meeting was called to order by Chairman Mandel Samuels.

ROLL CALL

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

ACTION ON MINUTES

Motion by Jensen, Second by Crawford to approve the May 18, 2021, Planning Commission meeting minutes as presented.

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

Approved.

REPORTS FROM STAFF

City Planner Ethan Hunter provided details on participation instructions for those in the audience.

REPORTS FROM BOARDS AND COMMITTEES

PLANS & POLICIES COMMITTEE —

There were no items discussed.

DEVELOPMENT REVIEW COMMITTEE —

There were no items discussed.

CONSENT AGENDA

OLD BUSINESS

PUBLIC HEARINGS

1. RZN: JW Partners, LP./H&CO

A request to rezone 51.33 ± acres located at S. Bellview Rd. & S. 28th Pl. from the A-1(Agricultural) zoning district to the U-COM(Uptown Commercial Mixed Use) and the U-NBT (Uptown Neighborhood Transition) zoning districts.

Samuels introduced the item and requested a staff report.

Hunter provided a staff report with recommended actions.

Applicant representative, Bill Watkins, was available to introduce the item and explain the request.

Samuels opened the public hearing for comments.

Tom Kinzer, of 4305 Blossom Way, spoke against the request and cited drainage concerns.

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

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

Roll Call Vote: YES – Unanimous. **Motion carried.**

Recommended for City Council approval.

NEW BUSINESS

ADJOURN

There being no further business, Samuels adjourned the meeting at 5:20 p.m.

ATTEST:

APPROVED:

John Schmelzle, Secretary

Mandel Samuels, Chairman



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – JOE HEWGLEY, INC.

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	SE Corner of W. Olrich St. and S. 9th St. / 02-06873-001
TOTAL AREA TO BE REZONED:	± 0.69 acres
CURRENT ZONING:	N-R (Neighborhood Residential)
PROPOSED ZONING:	C-2 (Highway Commercial)
APPLICANT/REPRESENTATIVE:	Jason Ingalls, Expedient Civil Engineering, PLLC
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 inconsistent with the Comprehensive Growth Map. C-2 is not an allowed zoning district within the Neighborhood Growth Designation and is not intended for locations such as this. It is important to limit unplanned commercial development from encroaching into Neighborhood areas in order to ensure use compatibility and retain space for growing residential demand throughout the City.

Community Development recommends **denial** 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) 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) General Findings:
The subject property, which is currently undeveloped, is zoned Neighborhood Residential (N-R) in the Neighborhood Growth Designation. The property is bordered by N-R zoning to the north, R-MHC to the west, and C-2 zoning to the south and east. Staff finds this request to be inappropriate at this location due to its inconsistency with the Comprehensive Growth Map, as C-2 is not an allowed zoning district within the Neighborhood Growth Designation. Additionally, this location is inconsistent with the purpose and intent of C-2 zoning. Existing adjacent C-2 zoning along S. 9th Street pre-dates the current Comprehensive Growth Map and should not be considered justification for this request. It is important to limit unplanned commercial development from encroaching into Neighborhood areas in order to ensure use compatibility and retain space for growing residential demand throughout the City.

3. RECOMMENDATIONS:

- a) **Deny** 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)
Zoning: _____ to _____
Permit Number: _____
CityView Application: _____
Date: _____

REZONE APPLICATION

APPLICANT: Jason Ingalls/Expedient Civil Engineering, PLLC

ADDRESS: 9200 Suits US Drive, Bella Vista, AR 72714 SUITE #: B

GENERAL LOCATION OF PROPERTY: Approximately 165 Feet West of the West side of 9th Street, Rogers, AR

PHONE #: 479-364-0028 EMAIL: jason@ece-pllc.com

PROPERTY OWNER: Joe Hewgley, Inc. PHONE #: _____

PRESENT USE: Neighborhood Residential ZONING: NR

PROPOSED USE: Highway Commercial District ZONING: C-2

April 13, 2021

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, Joe Hewgley, Inc., petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

A part of the W 1/2 of Tract 3 of P.G. Smiths Sub-division of the N 1/2 of the SW 1/4 and the N 1/4 of the SE 1/4 of the SW 1/4 of Section 13, Township 19 North, Range 30 West, Described as follows: Beginning at a point S 00°05'05" W of the NE Corner of the said W 1/2 of Tract 3; Thence S 00°05'05" W 286 feet; Thence N 89°18'56" W 105 feet; Thence N 00°05'05" E 286 feet; Thence S 89°18'56" E 105 feet to the Point of Beginning.

LAYMAN'S DESCRIPTION:

A .69-acre tract of land located approximately 165 feet west of the west side of 9th Street in Rogers, AR

PRESENT ZONING: NR

ZONING REQUEST: C-2

Respectfully Submitted,

By: Demerise J. Hewgley
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 13th day of April, 2021.

*only Notarizing Signatures
for ms. Demerise J. Hewgley
using current Driver License
as an ID.*

Indu Kumar
Notary Signature

INDU KUMAR
Notary Name Printed

July 11th, 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 28th day of May, 20 21.

Jason Ingalls
Signed

Jason Ingalls
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 28th day of May, 20 21.



Zina Marshall
Notary Signature

Zina Marshall
Notary Name Printed

May 22, 2028
Commission Expires

Legal Description:

A part of the W 1/2 of Tract 3 of P.G. Smiths Sub-division of the N 1/2 of the SW 1/4 and the N 1/4 of the SE 1/4 of the SW 1/4 of Section 13, Township 19 North, Range 30 West, Described as follows: Beginning at a point S 00°05'05" W of the NE Corner of the said W 1/2 of Tract 3; Thence S 00°05'05" W 286 feet; Thence N 89°18'56" W 105 feet; Thence N 00°05'05" E 286 feet; Thence S 89°18'56" E 105 feet to the Point of Beginning.



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PLANNING DIVISION
301 W. CHESTNUT
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MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – ORALE, INC.

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Orale, Inc.
ADDRESS/PARCEL:	1902 S. 8 th St. / 02-01914-000
PROPOSED USE:	Commercial Assembly, Recreation and Entertainment
CURRENT USE:	N/A
CURRENT ZONING:	C-4 (Open Display Commercial)
APPLICANT/REPRESENTATIVE:	Jose Sanabria
PROPERTY OWNER:	Jian Lin
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, Recreation and Entertainment” which is conditional in the C-4 zoning district. The subject property is zoned incorrectly per the Comprehensive Growth Map, as C-3 is the only allowed zoning district in the Neighborhood Center Growth Designation. The proposed use is incompatible with existing land use characteristics and would set a precedent contrary to the CGM, as “Commercial Assembly, Recreation and Entertainment” is not permitted in C-3. Additionally, there is a history of this use being a frequent nuisance at this location.

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

STAFF REVIEW

1. PLANNING COMMISSION CONSIDERATIONS PER SEC. 14-723(a)(3):

- a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
- b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
- c) Can all other zoning requirements be met?
- d) Will ingress and egress for the proposed use create a traffic hazard?

2. GENERAL FINDINGS:

- a) The proposed use is conditional in C-4. The property is not zoned correctly per the CGM, as C-4 is not an allowed zoning district within the Neighborhood Center growth designation.
- b) The subject property is currently zoned C-4 within the Neighborhood Center. The parcel is immediately bordered by the Neighborhood Growth Designation to the west and cater-corner from the Employment Center located to the east. Surrounding uses include multifamily and mobile home residential, restaurants, retail, and essential goods and services. The subject location is zoned incorrectly per the CGM, as C-3 is the only allowed zoning district in the Neighborhood Center. The proposed use "Commercial Assembly, Recreation and Entertainment" is not an allowed use in C-3. This use does not align with the character of the Neighborhood Center or existing conditions and would set a precedent contrary to the CGM. Further, based on prior instances of this use at this location (before it was made conditional in C-4) that generated frequent noise violations and disturbance complaints, this use has been shown to be incompatible with adjacent property and could present a nuisance to the surrounding neighborhood.
- c) Aside from any special terms of approval attached to the CUP itself, the use permit/business license process does not require compliance with zoning standards other than the use schedule and use limitations.
- d) All ingress and egress requirements have been met.

3. 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.
- c) Allowed Zoning Districts:
C-3

4. ZONING:

- a) C-4 (Open Display Commercial):
The purpose and intent of the C-4 zoning district is "for business uses which provide essential commercial services and support activities and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development," (Sec. 14-711(a)).
- b) Use Definition:
"Commercial Assembly, Recreation, and Entertainment" is defined as "facilities that provide participant or spectator recreation or entertainment," (Sec. 14-695(3)(p)(1.)).

5. RECOMMENDATIONS:

- a) **Deny** 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:

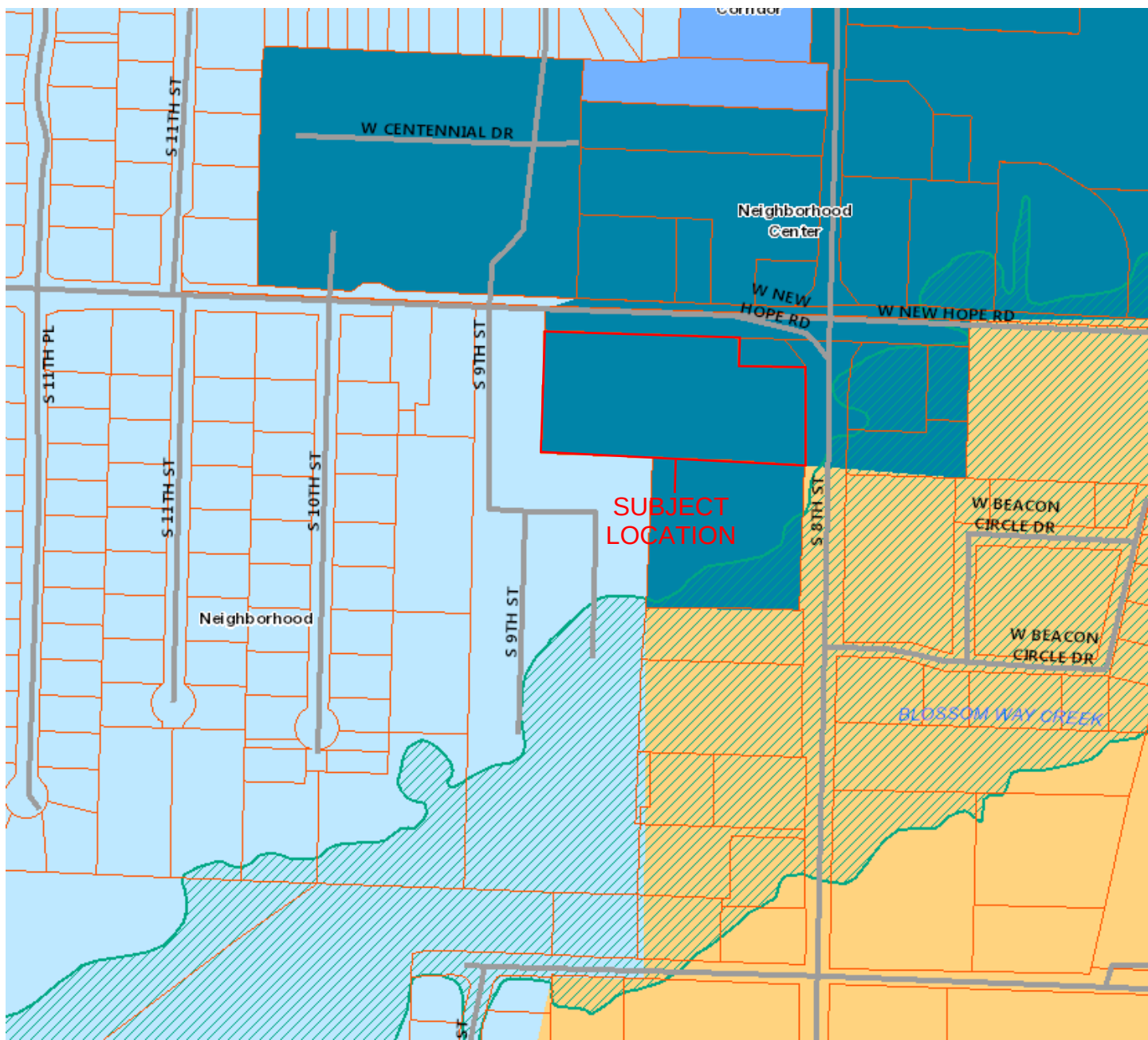
1. Vicinity maps (aerial, CGM, zoning)
2. CUP application and required supplements

TAB 1

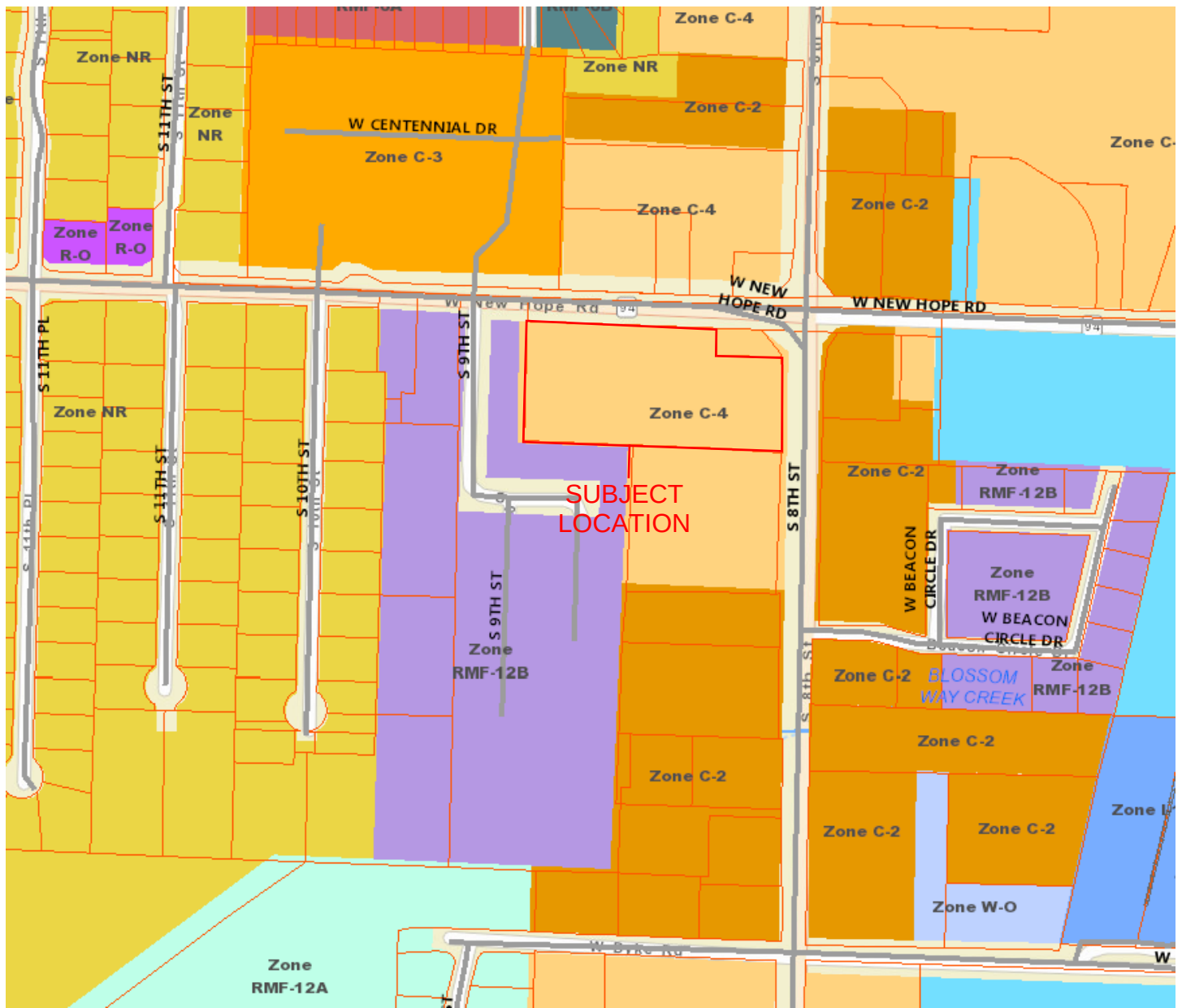
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP





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301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

OFFICE USE ONLY

Permit Fee: _____ (\$100)

Zoning: _____

Permit Number: _____

CityView Application: _____

Date: _____

CONDITIONAL USE PERMIT

APPLICANT: Jose Sanabria

ADDRESS: 1902 S. 8th St. SUITE #: 9

PHONE #: (479) 877 9130 EMAIL: josesanabria68@yahoo.com

PROPERTY OWNER: Ethan Lin PHONE #: (713) 584-8940

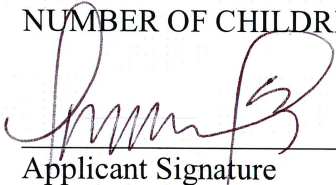
PRESENT USE: NIA ZONING: C4 (Overlay)

PROPOSED CONDITIONAL USE: Night club

PARKING SPACES AVAILABLE: _____ HOURS OF OPERATION: 9pm - 2:30am

IF APPLYING TO OPEN A DAYCARE:

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


Applicant Signature

4/24/2021
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: 4/23/2021 PUBLIC HEARING DATE: _____ CERTIFIED MAIL DATE: _____

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____

PROPERTY OWNER PERMISSION

I, Jian Lin, hereby permit the use of night club
(name) (use)
on my property at 1902 S 8th ST Rogers, Arkansas. #9
(address)

Dated this the 14 day of 4, 20 21.

[Signature]
Signed

Jian Lin
Name Printed

STATE OF ARKANSAS

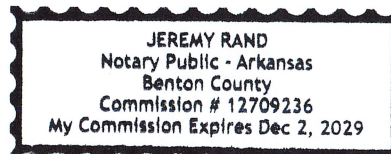
COUNTY OF Benton

Subscribed and sworn before me this the 14th day of April, 20 21.

[Signature]
Notary Signature

Jeremy Rand
Notary Name Printed

Dec 2, 2029
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 14 day of April, 20 21.

[Signature]
Signed

Jose Sanabria
Name Printed

STATE OF ARKANSAS

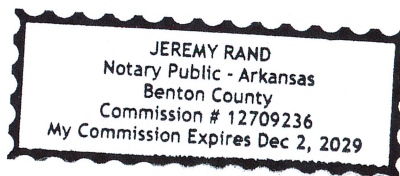
COUNTY OF Benton

Subscribed and sworn before me this the 14th day of April, 20 21.

[Signature]
Notary Signature

Jeremy Rand
Notary Name Printed

Dec 2, 2029
Commission Expires



Legal description

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 86 DEGREES 16 MINUTES 17 SECONDS EAST 660.00 FEET, SOUTH 02 DEGREES 46 MINUTES 43 SECONDS WEST 45.10 FEET FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT, SAID POINT BEING A SET IRON PIN ON THE SOUTH RIGHT OF WAY OF WEST NEW HOPE ROAD, AND RUNNING THENCE ALONG SAID RIGHT OF WAY SOUTH 85 DEGREES 53 MINUTES 04 SECONDS EAST 89.37 FEET TO A SET IRON PIN, THENCE SOUTH 86 DEGREES 14 MINUTES 40 SECONDS EAST 475.72 FEET TO A SET IRON PIN, THENCE SOUTH 36 DEGREES 46 MINUTES 42 SECONDS EAST 73.56 FEET TO A SET IRON PIN ON THE WEST RIGHT OF WAY OF HIGHWAY 71B, THENCE RUNNING ALONG SAID RIGHT OF WAY SOUTH 03 DEGREES 25 MINUTES 34 SECONDS EAST 51.40 FEET TO A SET IRON PIN, THENCE SOUTH 02 DEGREES 44 MINUTES 44 SECONDS WEST 176.95 FEET TO A SET IRON PIN, THENCE LEAVING SAID RIGHT OF WAY AND RUNNING NORTH 86 DEGREES 38 MINUTES 00 SECONDS WEST 359.82 FEET TO A FOUND IRON PIN, THENCE NORTH 87 DEGREES 03 MINUTES 06 SECONDS WEST 257.70 FEET TO A FOUND IRON PIN, THENCE NORTH 02 DEGREES 46 MINUTES 43 SECONDS EAST 290.50 FEET TO THE POINT OF BEGINNING, CONTAINING 4.02 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD, IF ANY.

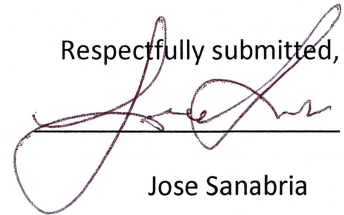
April 13th,2012

Greetings,

I am writing to request the approval for Orale Inc. located at 1902 S. 8th St. Rogers, AR. The business will be operated as a Night club, with the hours of operation Saturday from 9PM-2:30AM. With the possibility of Fridays. There should not be additional traffic generated, but there is the slightest of possibility during operating hours. There will not be a need for additional parking.

There will not be additional signage added to the building, we will remove the signage that was left behind and add ours. This will measure 8ft heights, and 11 ft long. There will not be any flammable or hazardous material that will be present. There should not be any additional noise, as the building is insulated. The building is not screened from surrounding residential areas.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Jose Sanabria', is written over a horizontal line.

Jose Sanabria

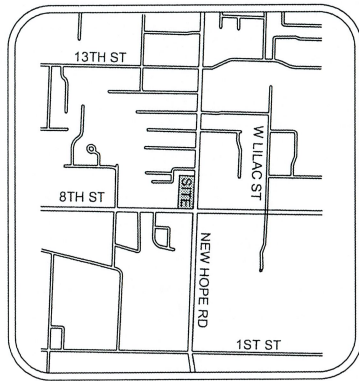
Utility Notes

- (UN1) THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR HAS NOT PROVIDED ANY UNDERGROUND PLANS OR SERVICE RECORDS AND THEREFORE CANNOT GUARANTEE THE LOCATION OF ANY SUBTERRANEAN USES.
- (UN2) BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES.

Miscellaneous Notes

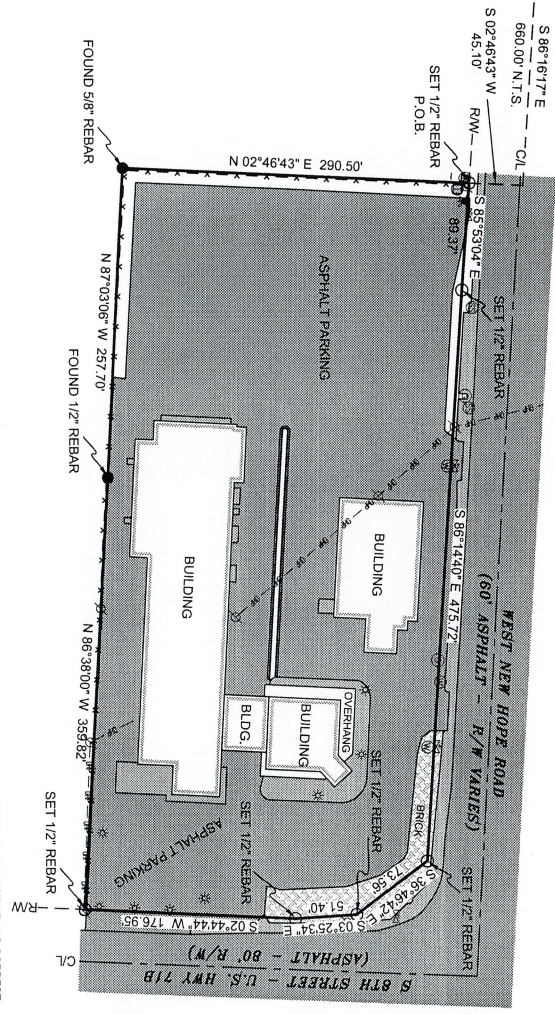
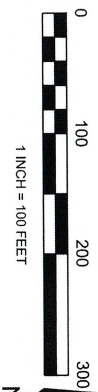
- (MN1) STATE RECORDING NUMBER: 500-19-30W-0-24-410-04-1532
- (MN2) COMPLETED FIELD WORK: JULY 24, 2013
- (MN3) BASIS OF BEARING: ARKANSAS STATE PLANE, NORTH ZONE, NAD83.
- (MN4) REFERENCE DOCUMENTS: 1. MARSHALL DEED FILED IN DEED BOOK 2010 AT PAGE 34396. 2. SURVEY PLAT FILED IN PLAT BOOK 2011 AT PAGE 48. 3. ARKANSAS STATE HIGHWAY COMMISSION RIGHT-OF-WAY PLAT JOB 1009405.
- (MN5) SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY
- (MN6) DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN AND ARE USED TO DEVOTE ANGLES ONLY. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.
- (MN7) BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 0603/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

Vicinity Map



Site plans needed

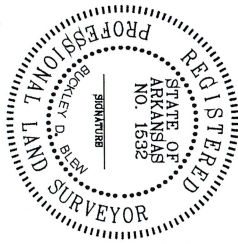
PARCEL #02-01914-000
PARCEL #02-01913-000
4.02 Acres ±



CURRENT ZONING AND BUILDING SETBACKS	
ZONED:	C-4
FRONT:	65'
SIDE INTERIOR:	15'
SIDE EXTERIOR:	45'
REAR:	15'

Legend of Symbols & Abbreviations

- BOUNDARY LINE
- CENTERLINE OF ROAD
- RIGHT-OF-WAY
- FENCE
- BUILDING SET BACK
- UTILITY EASEMENT
- OVERHEAD POWER LINE
- SET/FOUND MONUMENT (AS NOTED)
- COMPUTED POINT
- SAINTMARY SEWER
- POWER POLE
- WATER VALVE
- GAS METER
- WATER METER
- FIRE HYDRANT
- LIGHT



I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 29TH DAY OF JULY, 2013.

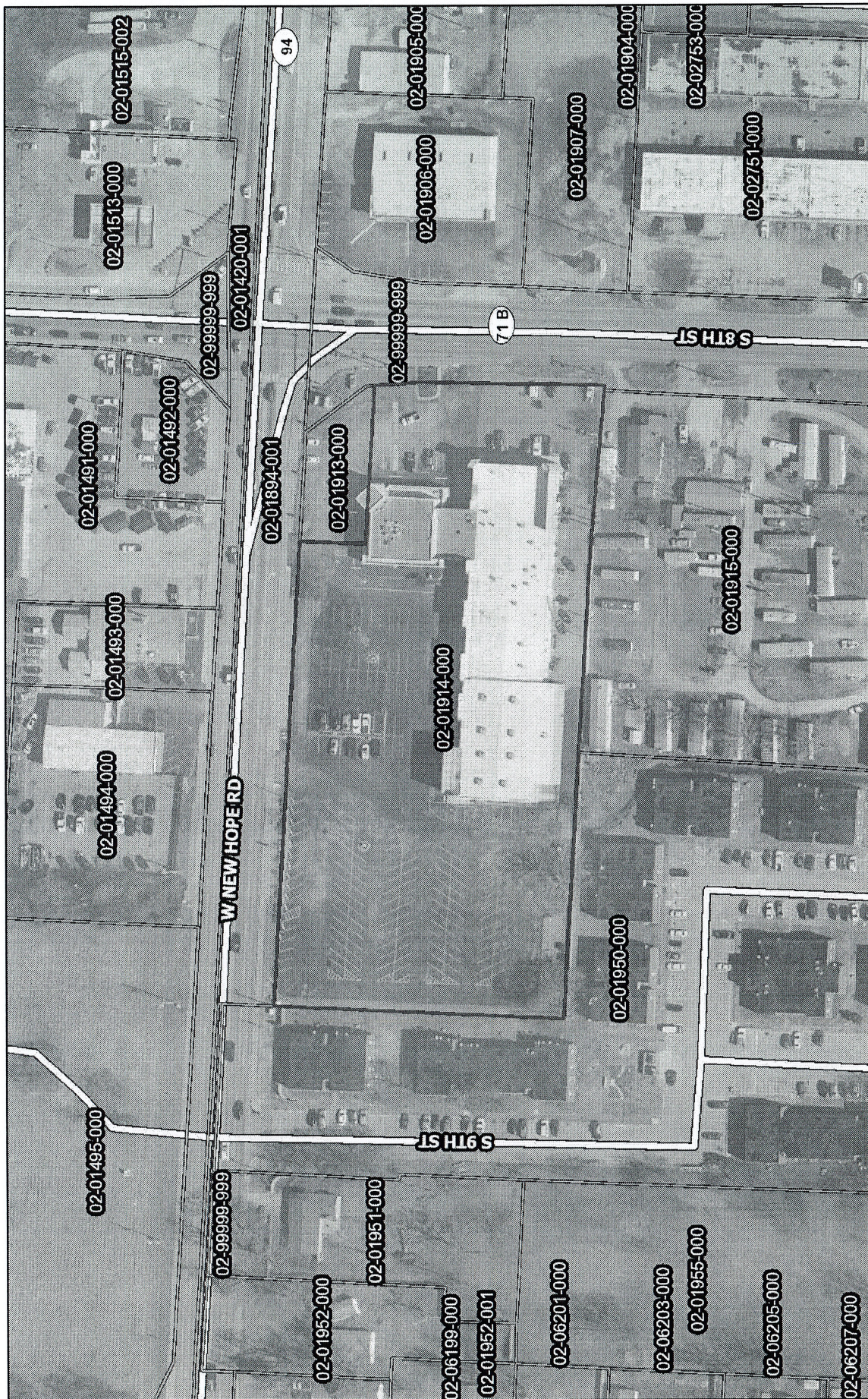
Survey Description

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S86°16'17\"/>

SOPHEAK SRUON

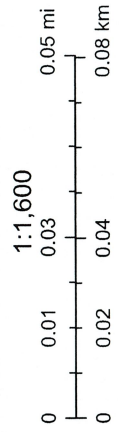
Certificate of Authorization No 1534	
DRAWN BY & DATE:	07/31/2013
C.C.	H.M.
COUNTY & STATE:	BENTON COUNTY, AR
JOIN NUMBER:	13-409
LOCATION:	SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST
FOR THE USE AND BENEFIT OF:	
SOPHEAK SRUON	

CIVIL ENGINEERS & LAND SURVEYORS
BLEW & ASSOCIATES, PA
524 W. STYCAMORE ST, SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com



March 19, 2021

- graphicsLayer0
- Parcels
 - Major Roads
 - Streets
 - Cities
 - AVOCA
 - BELLA VISTA
 - BENTONVILLE
 - BETHEL HEIGHTS
 - CAVE SPRINGS
 - CENTERTON
 - DECATUR
 - ELM SPRINGS
 - GARFIELD
 - GATEWAY
 - GENTRY





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

MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – MONTERO FARMS

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	618 & 620 N. 4 th St. / 02-01060-000
TOTAL AREA TO BE REZONED:	± 0.49 acres
CURRENT ZONING:	R-DP (Residential Duplex and Patio Home)
PROPOSED ZONING:	NBT (Neighborhood Transition)
APPLICANT/REPRESENTATIVE:	Bill Watkins, Watkins Law Office; Montero Farms, LLC
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	Montero Farms, LLC
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

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

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

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

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

2. ZONING:

- a) NBT (Neighborhood Transition):
The purpose and intent of the NBT zoning district is “to support appropriate transition between existing residential neighborhoods and open space and the more active commercial and urban residential areas. The intent is to support the character of the neighborhoods around downtown,” (Sec. 14-715(1.1)(a)(iv.)).
- b) General Findings:
The subject property, which currently has a single-family residential use, is zoned R-DP in the Regional Center Growth Designation. The property is surrounded by R-DP zoning, with some NBT zoning located east of N 4th Street and west of N 5th Street, and is less than one mile east of a Neighborhood Growth Designation. Per the Downtown Regional Center Zoning Plan, the subject property is intended for NBT zoning. Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

3. RECOMMENDATIONS:

- a) **Approve** request.

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

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

TABS

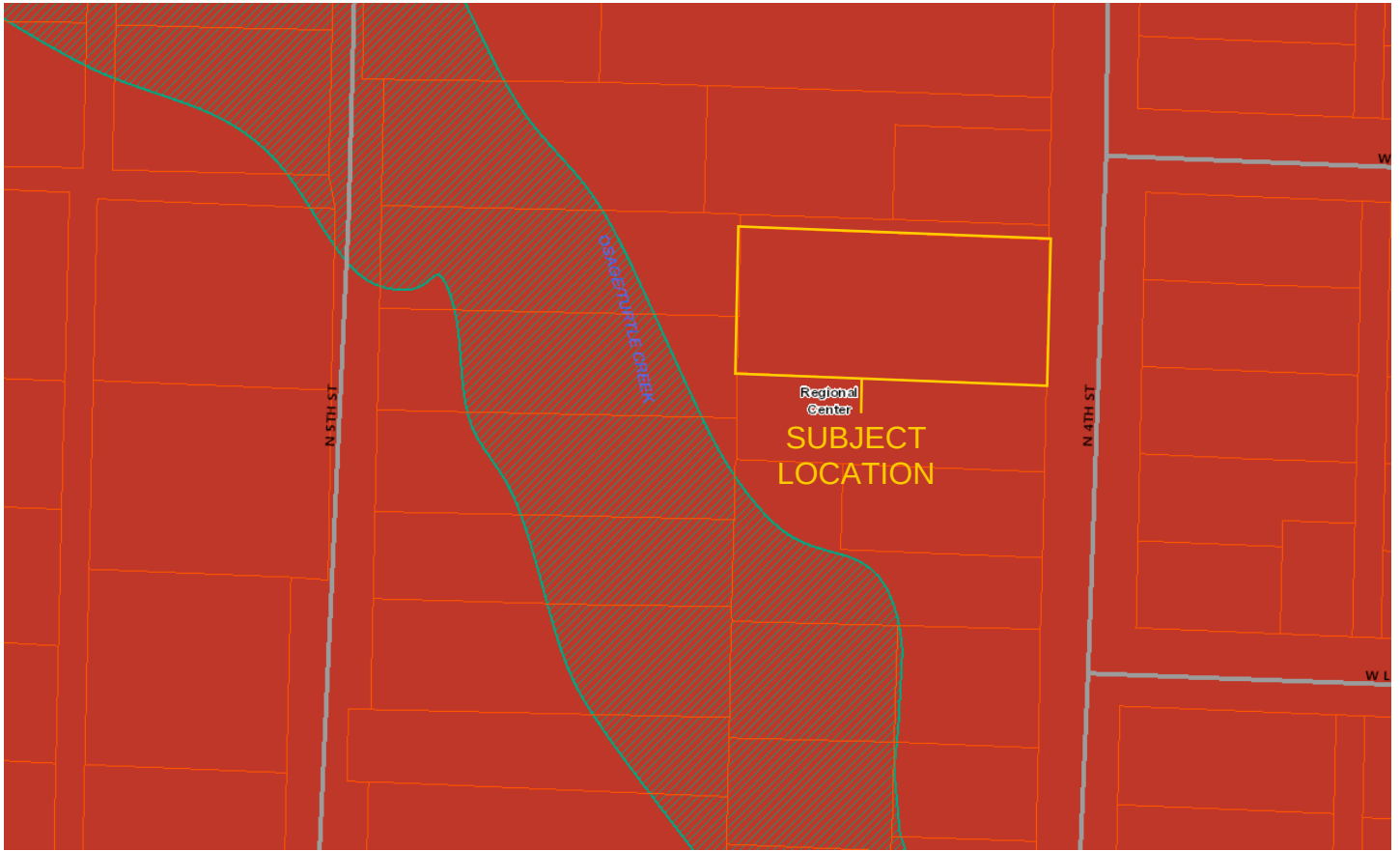
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

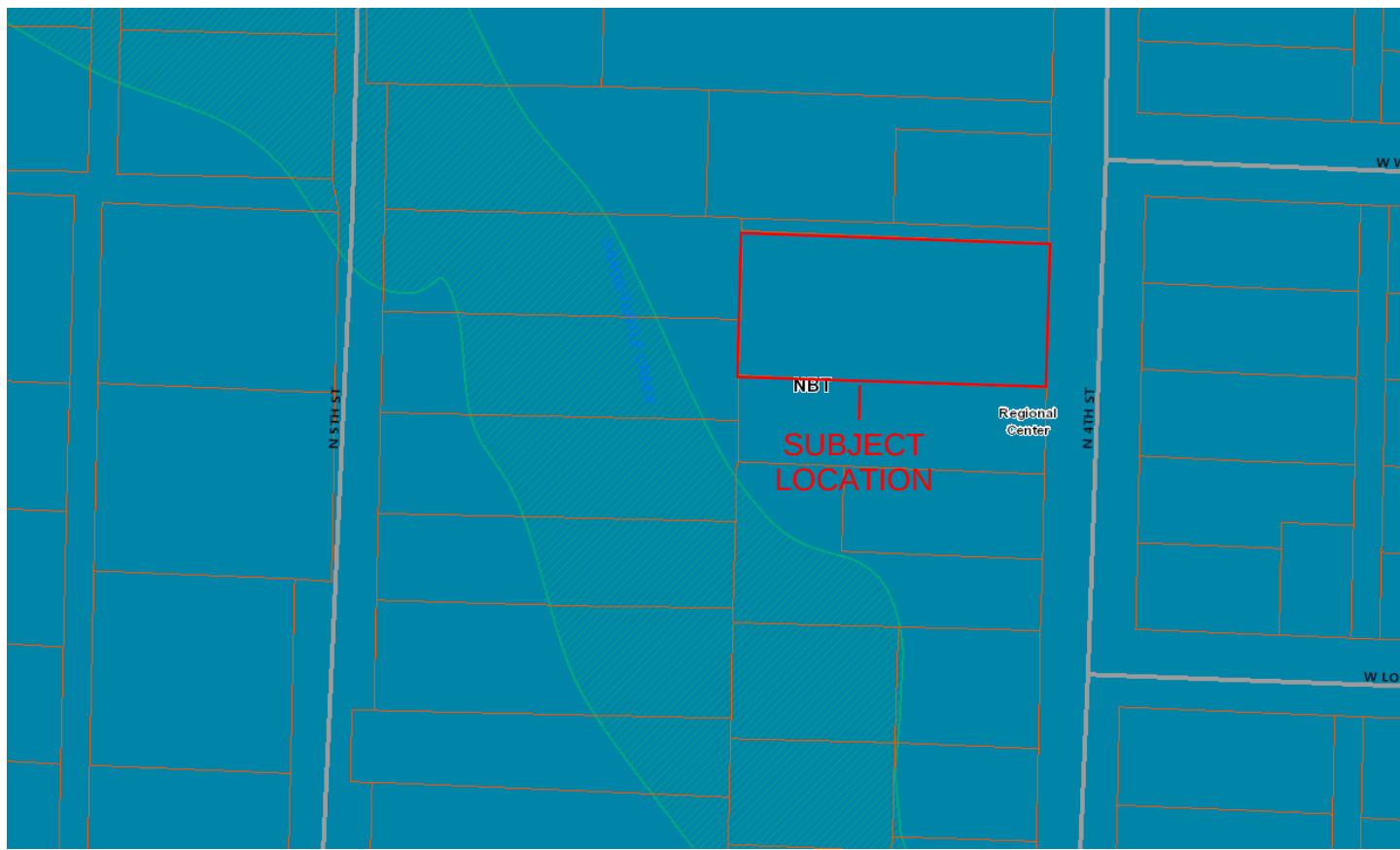
AERIAL VICINITY MAP



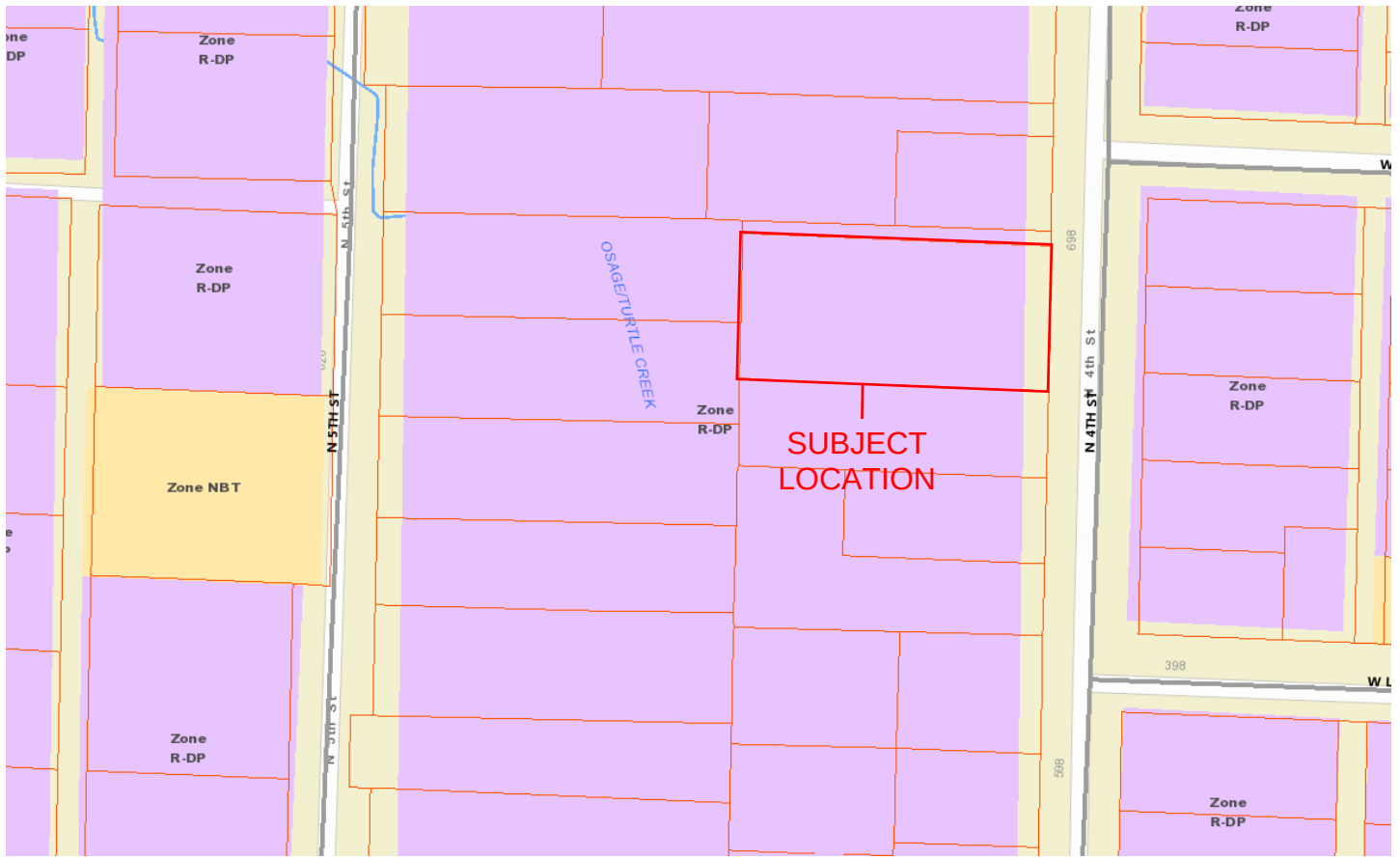
CGM VICINITY MAP

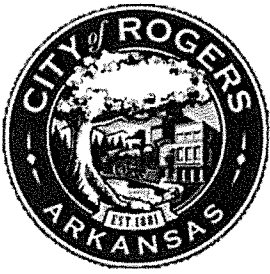


DOWNTOWN REGIONAL CENTER ZONING VICINITY MAP



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: Montero Farms, LLC

ADDRESS: 618 & 620 N. 4th Street SUITE #: _____

GENERAL LOCATION OF PROPERTY: Downtown Rogers

PHONE #: c/o 479-636-2168 EMAIL: wkellstrom@watkinslawoffice.com

PROPERTY OWNER: Montero Farms, LLC PHONE #: c/o 479-636-2168

PRESENT USE: Single Family Residential ZONING: R-DP

PROPOSED USE: Single Family Residential ZONING: NBT

5/21/21

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, Montero Farms, LLC, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

BEGIN 16 RODS EAST AND 40 RODS NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH OF RANGE 30 WEST BENTON COUNTY ARKANSAS, RUN THENCE EAST 13 RODS; THENCE SOUTH 100 FEET; THENCE WEST 13 RODS; THENCE NORTH 100 FEET TO THE PLACE OF BEGINNING. (618 N. 4TH STREET, ROGERS, AR)

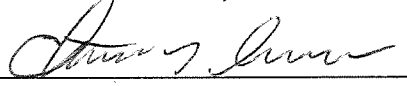
LAYMAN'S DESCRIPTION: 618 & 620 N. 4th St., Rogers, Arkansas 72756

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

ZONING REQUEST: NBT, Neighborhood Transition

Respectfully Submitted,

MONTERO FARMS, LLC

By: 
Chris Groves, Manager

STATE OF ARKANSAS)

)

COUNTY OF BENTON)

Subscribed and sworn before me this the 21st day of May, 2021.


Notary Signature

Delynn Hale
Notary Name Printed

01-18-2022
Commission Expires



CERTIFICATION

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

Dated this the 21st day of May, 2021.

Will A. Kellstrom

Signed

W. Kellstrom

Will A. Kellstrom

STATE OF ARKANSAS

COUNTY OF BENTON

Subscribed and sworn before me this the 21st day of May, 2021.

DeLynn Hale
Notary Signature

DeLynn Hale
Notary Name Printed

01-18-2022
Commission Expires





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

MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE – PORCH DOG PROPERTIES, LLC

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

ADDRESS/PARCEL:	W Persimmon and N 6 th Street / 02-01116-000, 02-01115-000, 02-06761-000, 02-06763-000, 02-06764-000, & 02-06765-000
TOTAL AREA TO BE REZONED:	± 2.86 acres
CURRENT ZONING:	R-DP (Residential Duplex and Patio Home)
PROPOSED ZONING:	NBT (Neighborhood Transition)
APPLICANT/REPRESENTATIVE:	Brian Davis
PROJECT OWNER/DEVELOPER:	N/A
PROPERTY OWNER:	Porch Dog Properties, LLC
NATURE OF REQUEST:	Approval of Rezone
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

SUMMARY

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

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

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

a) Growth Designation:

Regional Center.

b) Growth Designation Character:

Mixed-use urban cores that function as regional activity hubs for commerce, arts and entertainment, living, recreation, and retail. Intensity supported by well-connected, high-capacity, pedestrian-oriented street network. Goals include high-quality design and efficient use of land (CGM Page 1).

c) Base Density:

N/A.

d) Max Density:

N/A.

e) Allowed Zoning Districts:

COR, COM, IA, NBT, U-COR, U-COM, U-ENT, U-NBT.

2. ZONING:

a) NBT (Neighborhood Transition):

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

b) General Findings:

The subject location includes five contiguous parcels, four of which are developed with existing residences, that are currently zoned R-DP within the Regional Center Growth Designation. The subject location is bordered by R-DP zoning to the west and south, which separates it from C-2 zoning located along W Persimmon St. and N 8th St. Nearby zoning within the Downtown Regional Center includes R-O, R-DP, NBT, and C-2. Per the Downtown Regional Center Zoning Plan, the subject location is intended for NBT zoning, as it is less than one mile east of a Neighborhood Growth Designation. Staff finds this to be an appropriate request due to its consistency with the CGM and the current neighborhood characteristics.

3. RECOMMENDATIONS:

a) **Approve** request.

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

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

TABS

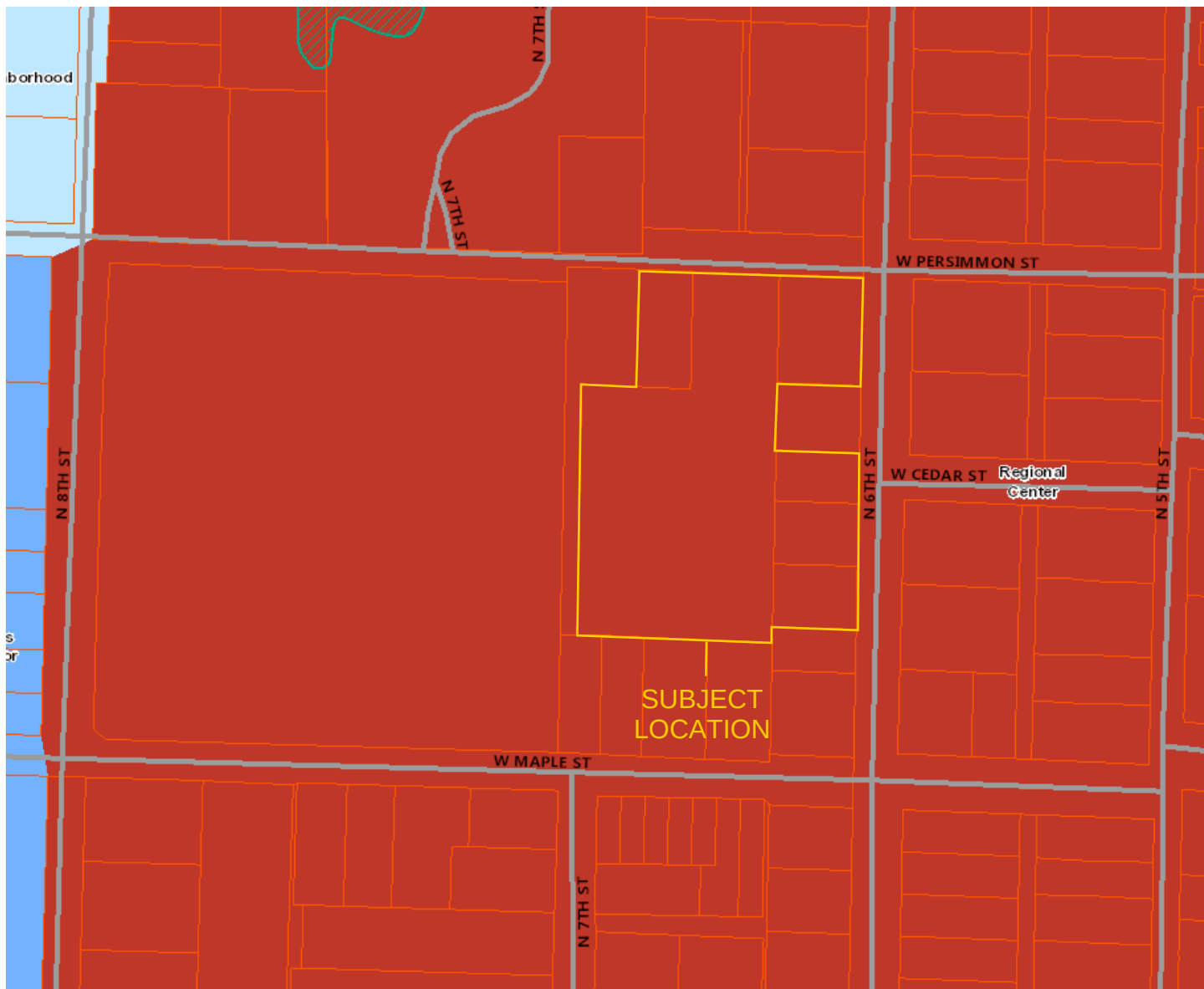
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone application with required supplements

TAB 1

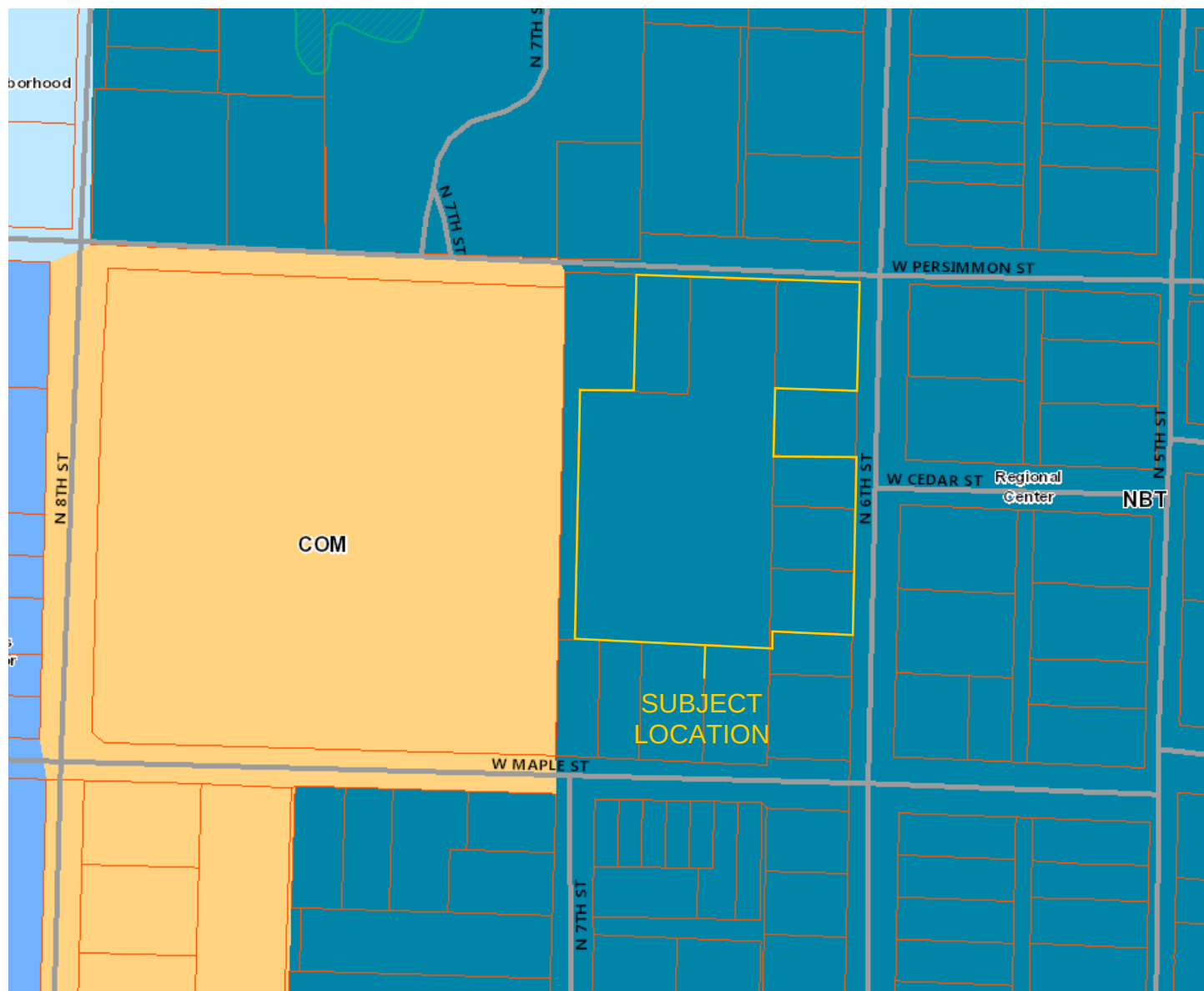
AERIAL VICINITY MAP



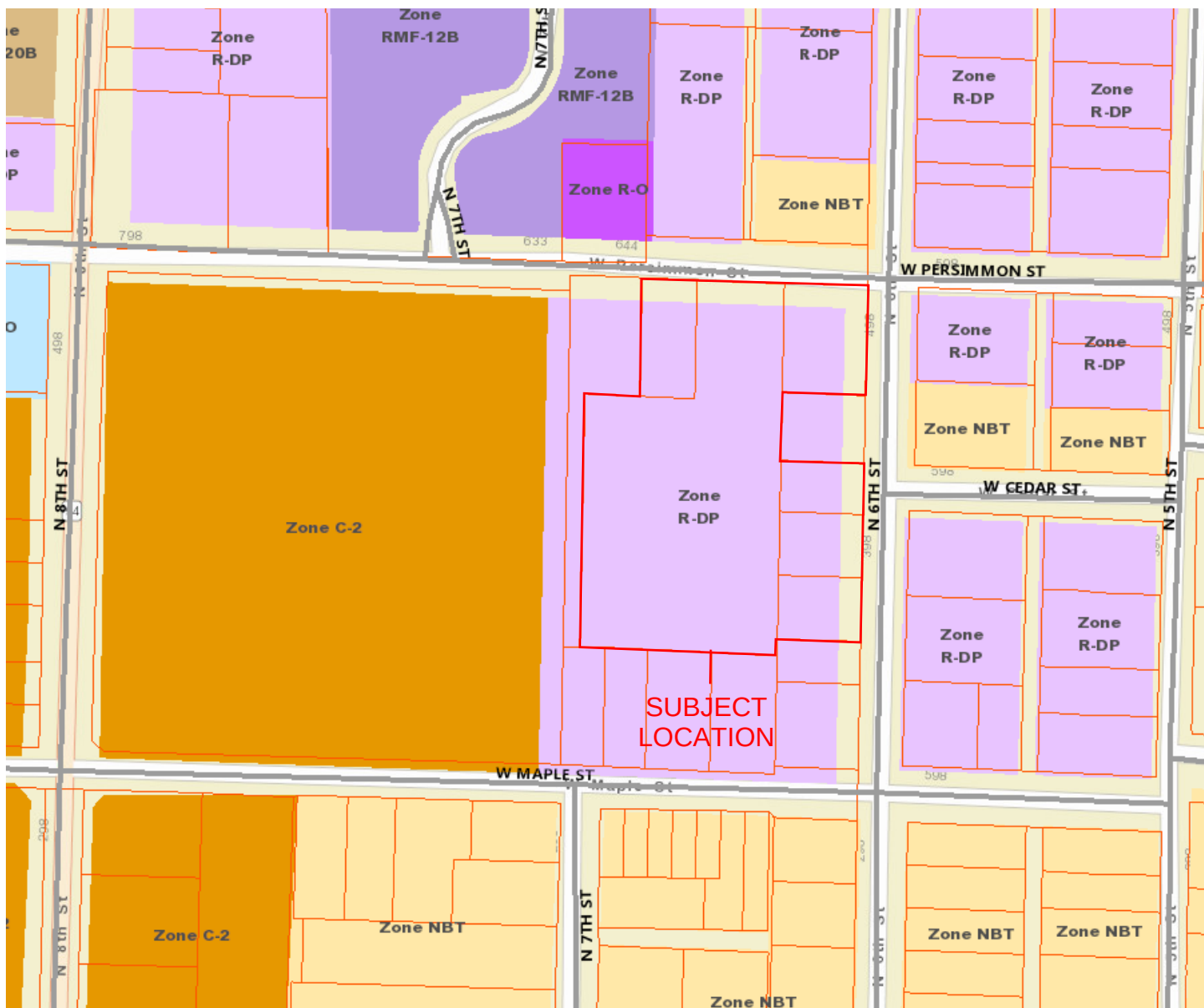
CGM VICINITY MAP

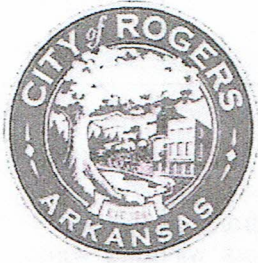


DOWNTOWN REGIONAL CENTER ZONING VICINITY MAP



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)
Zoning: _____ to _____
Permit Number: _____
CityView Application: _____
Date: _____

REZONE APPLICATION

APPLICANT: Brian Davis
ADDRESS: 2131 W Republic Rd # SUITE #: —
GENERAL LOCATION OF PROPERTY: See attached 6th & Maple downtown Rogers
PHONE #: 417 894 4310 EMAIL: badavispa@yahoo.com
PROPERTY OWNER: Lauri Miller PHONE #: 479-337-1182
Porch Dog Properties, LLC PHONE #: 479-640-7999
PRESENT USE: Rental Homes ZONING: Residential, Duplex, Patio
PROPOSED USE: Rental Homes - Patio homes / Multiunit ZONING: NBT

Brian Davis

Applicant Signature

5/20/2021

Date

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

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

PROPERTY OWNER AFFIDAVIT

The petitioner, PORCIE DOG 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

LAYMAN'S DESCRIPTION: 322 N. 6TH, 400 N. 6TH, 410 N. 6TH,
612 W. PERSIMMON, 614 W. PERSIMMON ROGERS, AR.

PRESENT ZONING: RESIDENTIAL DUPLEX

ZONING REQUEST: NEIGHBORHOOD TRANSITION

Respectfully Submitted.

By: Katharine Bell
(Property Owner Signature)

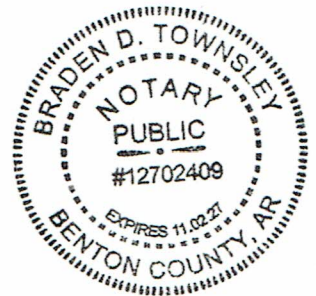
STATE OF ARKANSAS
COUNTY OF BENTON

Subscribed and sworn before me this the 11th day of May, 2021.

Brady
Notary Signature

Braden Townsley
Notary Name Printed

11.2.27
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 May, 2021.

Patricia Doss
Signed

Patricia Doss
Name Printed

STATE OF ARKANSAS

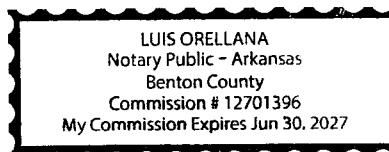
COUNTY OF Benton

Subscribed and sworn before me this the 28th day of May, 2021.

[Signature]
Notary Signature

Luis Orellana
Notary Name Printed

6-30-2027
Commission Expires



LEGAL DESCRIPTIONS OF ALL PROPERTIES INVOLVED

620 W. Persimmon Street Rogers, AR 72756

Lot 2 Block 2 PID 02-01116-000

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition

612 W. Persimmon Street & 614 W. Persimmon Street Rogers, AR 72756

A part of the SW 1/4 of the NE 1/4 of Section 12, Township 19 North, range 30 West, described as follows: Beginning at a point 540 feet North of the Northeast Corner of Lot 2, Block 2, B. A. Riggs Addition to the City of Rogers; thence West 228 feet; thence North 437 feet; thence East 228 feet; thence South 437 feet to the point of beginning.

Except a tract 130 feet East and West and 140 feet North and South out of the Northwest corner thereof.

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition

410 N. 6th Street Rogers, AR 72756

Lots 1, 2 and 3 except a strip 30 feet wide off the South side of Lot 4, all in Block 2, Oak View Addition in the City of Rogers, Benton County, Arkansas, as shown in Plat Record Book "31" at Page 9.

PID 02-01116-000

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition

400 N. 6th Street Rogers, AR 72756

Lot 5, Block 2, Oak View Addition to the City of Rogers, Benton County, Arkansas, as shown on Plat Record 31 at page 9.

PID 02-01116-000

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition

322 N. 6th Street Rogers, AR 72756

Lot 6 and 25 feet squarely off the North side of Lot 7 in Block 2, Oakview Addition to the City of Rogers, Benton County, Arkansas, as shown in Benton County, Arkansas, Deed Record 31 page 7.

PID 02-01116-000

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition

320 N. 6th Street Rogers, AR 72756

Lot 8 and 25' squarely off the south side of Lot 7 in Block 2 of Oak View Addition to the city of Rogers, Arkansas

PID 02-01116-000

PRESENT ZONING: Residential, Duplex, Patio

ZONING REQUEST: Neighborhood Transition



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

MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – HAPPY HANDS AND HEARTS

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Happy Hearts and Hands
ADDRESS/PARCEL:	2703 N. 13 th St. / 02-02116-000
PROPOSED USE:	Day Care, General
CURRENT USE:	Day Care
CURRENT ZONING:	R-O (Residential Office)
APPLICANT/REPRESENTATIVE:	Michelle Hill
PROPERTY OWNER:	Peter Levshin, Hudson Plaza, LLC
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the use “Day Care, General” which is conditional in the R-O zoning district and compatible with the surrounding development context. The subject property is zoned incorrectly per the Comprehensive Growth Map, as R-O is not an allowed zoning district in the Neighborhood Growth Designation. However, the proposed use is conditional in all allowed zoning districts within the Neighborhood Growth Designation and does not limit future redevelopment opportunity since it occupies a residential structure.

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

STAFF REVIEW

1. PLANNING COMMISSION CONSIDERATIONS PER SEC. 14-723(a)(3):

- a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
- b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
- c) Can all other zoning requirements be met?
- d) Will ingress and egress for the proposed use create a traffic hazard?

2. GENERAL FINDINGS:

- a) The proposed use is conditional in R-O. The property is zoned incorrectly per the CGM, as R-O is not an allowed zoning district within the Neighborhood Growth Designation.
- b) The subject location is the northern building on parcel 02-02116-000. A church is located immediately south of the subject location on the same parcel. The parcel is zoned R-O within the Neighborhood Growth Designation and is bordered by an Access Corridor Growth Designation, where R-O zoning is permitted, to the east and south. Surrounding uses within the Neighborhood include single-family and duplex residential. Adjacent uses within the Access Corridor include a secondhand market and a community resource center. While the subject property is zoned incorrectly per the CGM, the use "Day Care, General" is conditional in all zoning districts allowed in the Neighborhood Growth Designation. The proposed use aligns with the character of the Neighborhood Growth Designation, as it provides a "community-oriented non-residential use" to the area.
- c) Aside from any special terms of approval attached to the CUP itself, the use permit/business license process does not require compliance with zoning standards other than the use schedule and use limitations.
- d) All ingress and egress requirements have been met.

3. 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 location for low-density residential while limiting its proliferation in areas proposed for higher-intensity development (CGM Page 1).
- c) Allowed Zoning Districts:
R-SF, N-R, R-DP, R-MF.

4. ZONING:

- a) R-O (Residential Office):
The purpose and intent of the R-O zoning district is "to provide for the conversion of existing structures to office use or the construction of offices in areas where the continuation of residential activity is no longer practical or to establish a transition between residential and nonresidential uses. It is further the intent of this district to encourage mixed residential and office uses," (Sec. 14-706(a)).
- b) Use Definition:
"Day Care, General" is defined as "non-medical care and supervision of children and adults on a less than 24-hour basis not within a licensee's home," (Sec. 14-695(b)(2)(h)).

5. RECOMMENDATIONS:

- a) **Approve** request.

SUGGESTED MOTIONS

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

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. McCURDY, Director
Community Development

TABS:

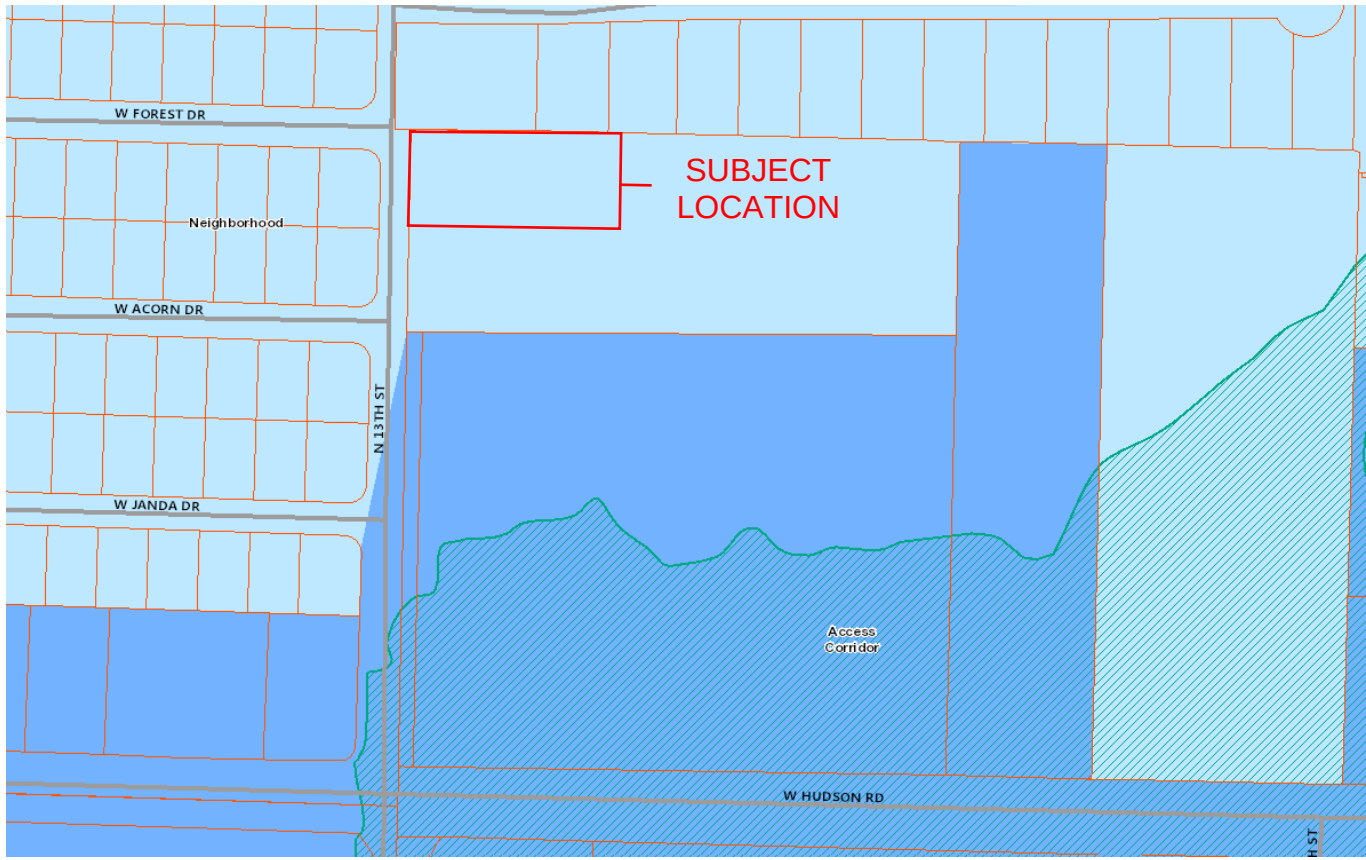
1. Vicinity maps (aerial, CGM, zoning)
2. CUP application and required supplements

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: _____ (\$100)
Zoning: _____
Permit Number: _____
CityView Application: _____
Date: _____

CONDITIONAL USE PERMIT

APPLICANT: Michelle Hill
ADDRESS: 2703 N 13th St. Rogers AR SUITE #: _____
PHONE #: 1-23-330-1044 EMAIL: the11hills@gmail.com
PROPERTY OWNER: PETER LEVSHIN PHONE #: 310-851-8066
PRESENT USE: Daycare ZONING: RD
PROPOSED CONDITIONAL USE: Daycare
PARKING SPACES AVAILABLE: 116 HOURS OF OPERATION: 7AM-6PM

IF APPLYING TO OPEN A DAYCARE:

NUMBER OF CHILDREN: 49 MOST CHILDREN AT ONE TIME: 49

Michelle Hill 5/14/21
Applicant Signature Date

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

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

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

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

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____

PROPERTY OWNER PERMISSION

I, PETER LEVSHIN, hereby permit the use of Daycare
(name) (use)
on my property at 2703 Nth 13th STREET. Rogers, Arkansas.
(address)

Dated this the 13th day of MAY, 2021:


Signed

PETER LEVSHIN
Name Printed

CALIFORNIA
STATE OF ARKANSAS

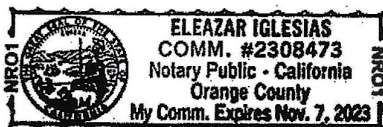
COUNTY OF ORANGE

Subscribed and sworn before me this the 13th day of MAY, 2021.


Notary Signature

ELEAZAR IGLESIAS
Notary Name Printed

11/07/2023
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 **with return receipts requested** at least 15 days prior to the upcoming public hearing.

Dated this the 26 day of May, 2021.

Michelle Hill
Signed

Michelle Hill
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 26th day of May, 2021.



Breana Rose Elder
Notary Signature

Breana Rose Elder
Notary Name Printed

7/29/2030
Commission Expires

Rogers Planning Commission,

May 17, 2021

My name is Michelle Hill.

I have found a business property which is located at 2307 N 13th St Rogers, AR 72756. It was previously a Daycare Center. I would like to reopen it as the same under a different ownership.

The hours of operation will be the typical time for Daycare Centers. 7am-6:30pm Monday – Friday.

There will be the normal traffic of parents dropping off and picking up children during these times of operation.

There is a gravel parking lot out front of the daycare which will provide parking for the parents drop off and pick up. We might need to expand the parking out front with more gravel and less yard to accommodate your requirements. I believe we need 1 space for every 10 children. Plus, 1 parking space for each employee. There is plenty of room to accommodate 16-18 spaces. We also have 3 parking spaces to the south of the building which are for our employees. Also, the church, which is located to the south of the building in question, has given us permission to allow our employees to park in the large parking lot to the east of their building. This will leave plenty of space in the front of the building for parents to pick up and drop off.

There is an existing sign in the front yard which is 68" by 28" on 2-6 ft poles. We would like to use this sign for our daycare. It will need to be painted.

There will not be any flammable or hazardous materials used on the premises.

There won't be any additional lighting resulting from this business. The noise will only come from the children in the backyard play area during recess times throughout the day.

There is one residence to the north of this facility which is screened by a wood fence. The playground for the children does not connect with this fence. Their play yard is approximately 44 feet from the wood fence.

The owners have given us permission to use their property as a daycare center.

I am anxious to start this new business and look forward to working with the City of Rogers in my new adventure.

Sincerely,

Michelle Hill
623-330-1044

2007 8770
Recorded in the Above
Deed Book & Page
03-01-2007 03:21:12 PM
Brenda DeShields-Circuit Clerk
Benton County, AR
Book/Pg: 2007/8770
Term/Cashier: CIRCLK04 / KJackson
Tran: 5242.149732.415025
Recorded: 03-01-2007 15:21:18
DFE Deed 14.00
REC Recording Fee 0.00
Total Fees: \$ 14.00

SPECIAL WARRANTY DEED BY CORPORATION

KNOW ALL BY THESE PRESENTS:

That **Tyson Chicken, Inc.**, a Delaware corporation, (hereinafter the "**Grantor**"), for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto **Hudson Plaza, LLC**, an Arkansas limited liability company (hereinafter the "**Grantee**"), the property described in Exhibit "A" attached hereto, and lying, being, and situated in the County of Benton, State of Arkansas, to-wit:

SEE ATTACHED EXHIBIT "A." FOR A COMPLETE LEGAL DESCRIPTION MADE A PART HEREOF.

TO HAVE AND TO HOLD unto the Grantee, and unto its heirs and assigns forever, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging unto the said Grantee and unto its heirs, successors or assigns, forever; subject to easements, restrictions, and covenants of record.

AND SAID GRANTOR does hereby warrant title to said Property, and will defend the same against the lawful claims of all persons claiming under Grantor, but none other, subject to the easements, encumbrances, restrictions, and other matters of record and, subject to real property taxes for the year 2007, and thereafter.

IN WITNESS WHEREOF, the Grantor has hereunto caused this Deed to be signed by its Senior Vice President this 28th day of February, 2007.

ATTEST:

TYSON CHICKEN, INC.

BY: Nathan A. Hodne
Nathan A. Hodne
Assistant Secretary

BY: David L. Van Bebber
David L. Van Bebber
Senior Vice President

BEN 02-067-07

EXHIBIT "A"

A tract of land in the SW-1/4 of the SW-1/4 of Section 36, Township 20 North, Range 30 West in Benton County, Arkansas, being more fully described as follows:

Commencing at the Southwest corner of said Section 36; thence N 00°13'07"W along the West line of Section 36, a distance of 85.00 feet; thence S 89°46'53"E, 30.00 feet to a point on the East right-of-way line of 13th Street, the Point Of Beginning; thence N 00°13'07"W along said right-of-way, 560.37 feet to a point on the South line of a tract as described in Book 664 at Page 258; thence N 89°59'59"W, 21.53 feet to the Southwest corner of said tract; thence N 00°02'51"W, 265.00 feet to the Northwest corner of said tract from which a found iron pipe bears S 89°59'59"E, 20.74 feet; thence S 89°59'59"E, 754.40 feet to a set iron pin with cap; thence S 00°03'02"E, 863.16 feet to a set iron pin with cap on the North right-of-way line of State Highway 62 as described in Book 92 at Page 27342; thence along said right-of-way N 89°46'53"W, 703.41 feet; thence N 54°14'37"W, 34.41 feet; thence N 00°13'07"W, 15.00 feet to the Point Of Beginning. Containing 14.61 acres, more or less.

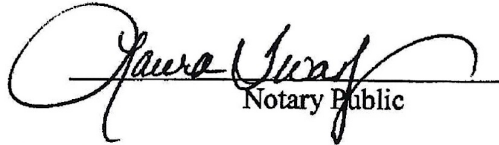
2007 8772
Recorded in the Above
Deed Book & Page
03-01-2007 03:21:12 PM
Brenda DeShields-Circuit Clerk
Benton County, AR

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF ~~WASHINGTON~~ ^{Benton} (LT)) ss.

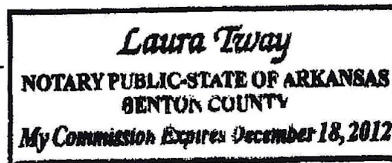
On this 28th day of February, 2007, to me personally known, appeared David L. Van Bebber, who, being by me duly sworn did say that he is a Senior Vice President of Tyson Chicken, Inc., a Delaware corporation, and Nathan A Hodne, who, being by me duly sworn did say that he is an Assistant Secretary of Tyson Chicken, Inc., and that said instrument was signed and delivered on behalf of said company, and said David L. Van Bebber and Nathan A. Hodne acknowledged said instrument to be the free act and deed of said corporation acting with full power and authority to so bind the corporation.

WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

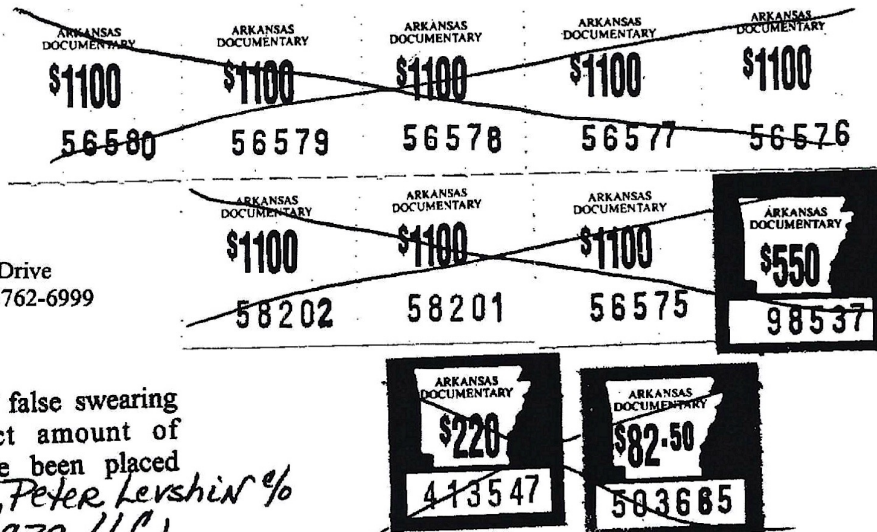

Notary Public

My Commission Expires:

12-18-12



Prepared by:
Tyson Foods, Inc.
2210 W. Oaklawn Drive
Springdale, AR, 72762-6999



I certify under penalty of false swearing that the legally correct amount of documentary stamps have been placed on this instrument.
Grantee: Hudson Plaza, LLC
Address: 310 Fernando Street, #301
Newport Beach, CA. 92661
Peter Levshin %

Benton County, AR
I certify this instrument was filed on
03-01-2007 03:21:12 PM
and recorded in Deed Book
2007 at pages 8770 - 8772
Brenda DeShields-Circuit Clerk



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

MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
CONDITIONAL USE PERMIT – CALIBER COLLISION

STAFF: AMBER LONG, PLANNER I

REQUEST DETAILS

BUSINESS/PROJECT NAME:	Caliber Collision
ADDRESS/LOCATION:	East side of S. Bellview Rd. and S. Side of Ajax Ave. intersection
PROPOSED USE:	Vehicle/Equipment Repair and Installation; Vehicle Storage
CURRENT USE:	Undeveloped
CURRENT ZONING:	C-2 (Highway Commercial; Overlay)
APPLICANT/REPRESENTATIVE:	Heather Rimmer, Cross Development; Dirk Thibodaux, Morrison Shipley
PROPERTY OWNER:	Eugene Kelley
NATURE OF REQUEST:	Approval of Conditional Use Permit
AUTHORITY:	Sec. 14-723, Rogers Code of Ordinances

SUMMARY

This request is to allow the uses “Vehicle/Equipment Repair and Installation” and “Vehicle Storage,” which are conditional in the C-2 zoning district, at the subject location. The property is zoned correctly per the Comprehensive Growth Map, as C-2 is an allowed zoning district in the Commerce Corridor Growth Designation. The surrounding area lacks a cohesive development context, making it difficult to assess current and future land use compatibility. Staff recommends careful consideration of potential long-term implications that could arise from establishing a development pattern of high-intensity vehicle-related uses in and around the Uptown Regional Center.

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

Note: This request was previously denied by Planning Commission on 4-20-21, and then appealed to City Council on 5-11-21. City Council referred the request back to Planning Commission upon being presented with information that was not initially submitted. The current application includes renderings and the use “Vehicle Storage.”

STAFF REVIEW

1. PLANNING COMMISSION CONSIDERATIONS PER SEC. 14-723(a)(3):

- a) Is the proposed use listed as conditional in the subject zoning district and is the property zoned correctly?
- b) Is the proposed use compatible with adjacent property in a way that is not contrary to the Comprehensive Growth Map?
- c) Can all other zoning requirements be met?
- d) Will ingress and egress for the proposed use create a traffic hazard?

2. GENERAL FINDINGS:

- a) The proposed uses are conditional in C-2. The property is zoned correctly per the CGM, as R-MF, U-NBT, R-O, C-2, C-4 are allowed zoning districts within the Commerce Corridor Growth Designation. This request includes "Vehicle Storage" because, while incidental to the primary Vehicle Repair use, the proposed operation involves a significant amount of temporarily stored vehicles. Unlike other vehicle-related uses, the definition of Vehicle Repair does not specifically state that accessory vehicle storage use
- b) The subject location, zoned C-2 within the Overlay District and the Commerce Corridor, is 2.94 acres of a larger 12.9 acre parcel. The parcel is divided by W Ajax Ave. The subject location is directly across the street from the Uptown Regional Center. Surrounding uses in the Commerce Corridor and Regional Center consist primarily of multi-family residential and commercial offices, restaurants, retail and basic services, and storage. The subject location is separated from the nearby R-MF developments by I-49 and existing C-2 developments to the south and east, respectively. The remaining portion of the larger parcel abuts residential single-family lots and is a buffer between the proposed use at the subject location and the single-family residential uses. The submitted exhibits include renderings of the proposed development, showing an opaque wall that screens the north, east, and south sides of the proposed building and vehicle storage areas, which would be required to construct if the request is approved.
- c) Aside from any special terms of approval attached to the CUP itself, the use permit/business license process does not require compliance with zoning standards other than the use schedule and use limitations.
- d) The site has adequate street frontage. Access management standards will be reviewed during the Large-Scale Development process.

3. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Commerce Corridor.
- b) Growth Designation Character:
Interstate-adjacent areas intended for development that maximized land use efficiency through the 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.
- c) Allowed Zoning Districts:
R-MF, U-NBT, R-O, C-2, C-4.

4. ZONING:

- a) C-2 (Highway Commercial):
The purpose and intent of the C-2 zoning district is "for commercial uses, which depend upon high visibility, generate high traffic volumes or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets," (Sec. 14-709(a)).
- b) Use Definition:
"Vehicle/Equipment Repair and Installation" is defined as "repairs of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts," (Sec. 14-695(b)(3)(II)(1)).

"Vehicle Storage" is defined as "exclusive storage of operative or inoperative vehicles," (Sec. 14-695(b)(3)(nn)(1)).

5. RECOMMENDATIONS:
 - a) **Consider** 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.



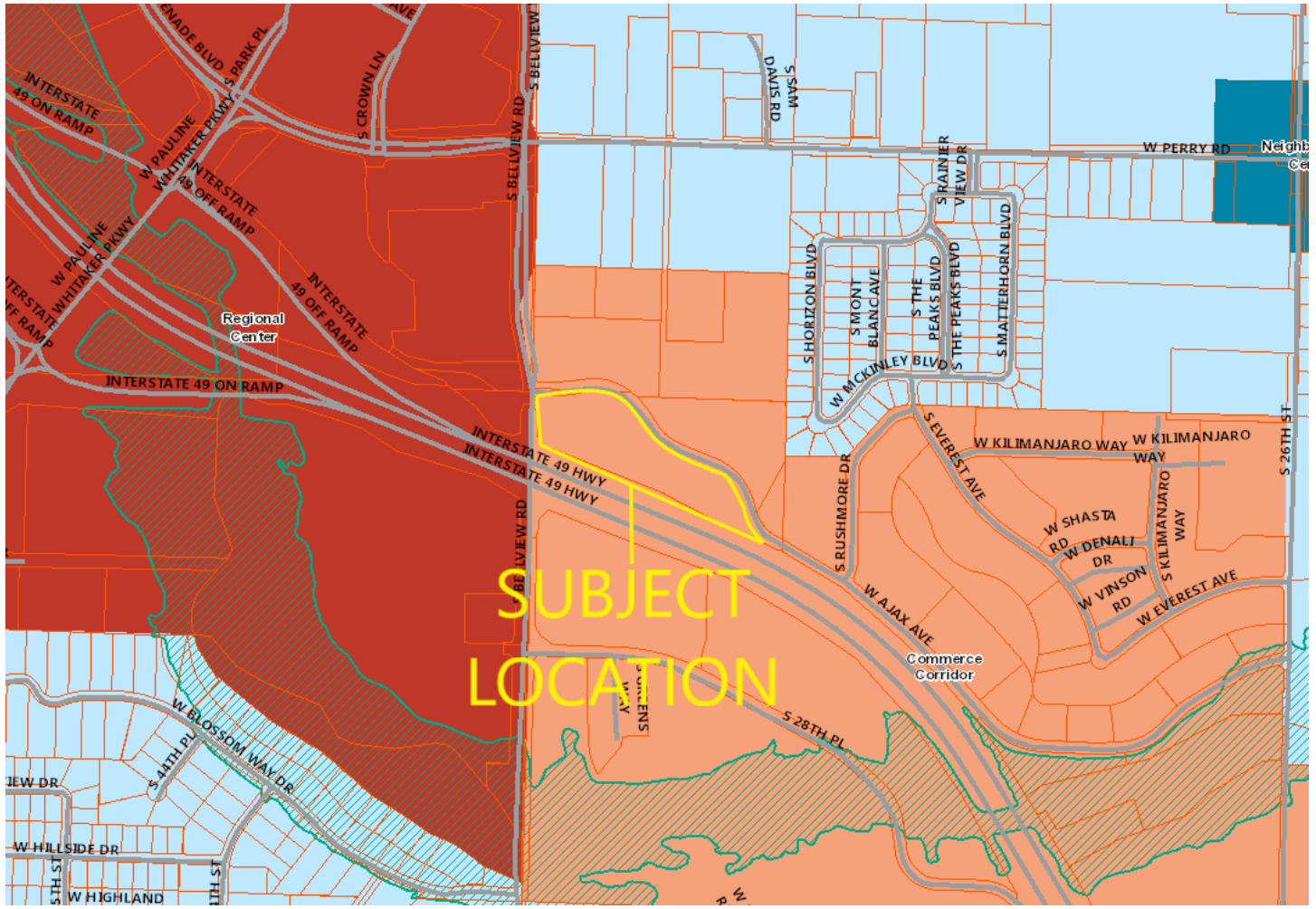
JOHN C. MCCURDY, Director
Community Development

TABS:

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

[illegible]

CGM VICINITY MAP



[illegible]



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

OFFICE USE ONLY

Permit Fee: _____ (\$100)
Zoning: _____
Permit Number: _____
CityView Application: _____
Date: _____

CONDITIONAL USE PERMIT

APPLICANT: Heather Rimmer w Cross Development

ADDRESS: 4336 Marsh Ridge Road, Carrollton, TX 75010 SUITE #: _____

PHONE #: 903-701-3232 EMAIL: heather@crossdevelopment.net

PROPERTY OWNER: Eugene Kelley PHONE #: _____

PRESENT USE: Open Field ZONING: C-2

PROPOSED CONDITIONAL USE: Auto Body Repair and Paint Shop, Vehicle Storage, Vehicle/Equipment Repair and Installation

PARKING SPACES AVAILABLE: 80 HOURS OF OPERATION: Mon-Fri 8am-6pm

IF APPLYING TO OPEN A DAYCARE:

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

Applicant Signature _____ Date 5-13-21

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

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

Attachment Checklist:

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

PLANNING STAFF PROVIDES:

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

PLANNING COMMISSION ACTION: _____

COMMENTS, CONDITIONS, LIMITS: _____

PROPERTY OWNER PERMISSION

I, Eugene Kelley TRUSTEE, hereby permit the use of Auto Body Repair and Paint Shop
(name) (use)
on my property at parcel Number 02-02087-311, South Bellview Road Rogers, Arkansas.
(address)

Dated this the 29th day of March, 2021.

Eugene Kelley Trustee
Signed

Eugene Kelley Trustee
Name Printed

STATE OF ARKANSAS

COUNTY OF Benton

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

Glenn Kelley
Notary Signature

Glenn E Kelley
Notary Name Printed



3/8/2028
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 with return receipts requested at least 15 days prior to the upcoming public hearing.

Dated this 25th day of May, 2021

M. Dirk Thibodaux
Signed

M. Dirk Thibodaux
Name printed

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this 25th day of May, 2021.



Tammie Lunsford
Notary Signature

Tammie Lunsford
Notary Name Printed

7-19-2025
Commission Expires

Parcel Number: 02-02087-311

Legal Description:

ALL OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS. LYING NORTH OF U.S. HIGHWAY #71 (HWY 540) RIGHT OF WAY. SUBJECT TO ALL EASEMENTS OF RECORD. LESS AND EXCEPT: ONE ACRE TRACT COMMENCING AT A FOUND STONE ACCEPTED AS THE NORTHEAST CORNER OF THE SAID NW 1/4 OF THE NW 1/4; THENCE SOUTH 0°37'18" EAST 275.00 FEET TO THE POINT OF BEGINNING LOCATED ON THE EAST LINE OF THE SAID NW 1/4 OF THE NW 1/4; THENCE ALONG SAID EAST LINE SOUTH 0°37'18" EAST 477.76 FEET TO THE CENTERLINE OF A ROAD; THENCE ALONG SAID ROAD NORTH 60°56'02" WEST 17.09 FEET TO THE BEGINNING OF 300.00 FEET RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF NORTH 42°06' 13" WEST 193.66 FEET; THENCE ALONG THE CENTERLINE OF SAID ROAD AN ARC LENGTH OF 197.19 FEET; THENCE ALONG SAID ROAD CENTERLINE NORTH 23°16'05" WEST 53.00 FEET; THENCE LEAVING SAID ROAD NORTH 30°05'21" EAST 320.21 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRE, MORE OR LESS, SUBJECT TO A 30 FOOT RIGHT-OF-WAY ALONG THE HEREIN DESCRIBED ROAD RIGHT-OF-WAY.

**WATKINS, BOYER,
GRAY & CURRY, PLLC**

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.
RONALD L. BOYER, P.A.
JENNIFER E. GRAY, P.A.*
ANDREW T. CURRY, P.A.
JOHN E. JENNINGS (OF COUNSEL)
* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL
bwatkins@watkinslawoffice.com

DELYNN HALE, SECRETARY
AMY BENSON, PARALEGAL
WHITNEY DUCKER, OFFICE MANAGER
LINDSEY DRAKE, LAW CLERK

May 16, 2021

Mr. Ethan Hunter
City of Rogers, Community Development
301 W. Chestnut
Rogers, AR 72756

Delivered via CityView

Re: CUP Application - Caliber Collision, South side of W. Ajax

Dear Ethan:

I represent the Caliber Collision, a subsidiary of Cross Development (the "Applicant"). The Applicant seeks to develop a collision repair center on 2.9 acres located on W. Ajax identified as the east 2.9 acres of parcel number 02-02087-311. This matter has been remanded to Planning Commission by City Council. A site plan is attached.

Accompanying this letter is my client's application for a conditional use permit to allow this property to be used for Vehicle / Equipment Repair and Installation. The subject property is properly zoned as C-2 and this use is permitted conditionally in this zone. The zoning conforms to the comprehensive growth map. The proposed use would be an attractive structure with much the same appearance as a retail establishment such as a Family Dollar or similar store. The business would barely be visible from I-49 from either direction and barely visible, if at all, from Bellview. See the elevations, perspectives, and the photo that accompany this letter.

Materials handling in this business is regulated by EPA and ADEQ. Modern paints are water based and present very little hazard. Storage of vehicles awaiting work would be limited, brief, and screened. See the accompanying drawing showing the opaque fencing around the property. While storage of vehicles in any auto repairs setting occurs as a natural ancillary use, the Applicant asks that "Vehicle Storage" and the above primary request.

City of Rogers, Community Development
May 16, 2021
page 2

While vehicle storage would not be anticipated to be more than 2 to 6 cars awaiting repairs at any given time - little or no different from any other mechanic shop - planning staff has asked that we include "Vehicle Storage" as an additional use with this application. Please consider it so.

If you have any questions or need additional information please do not hesitate to contact me.

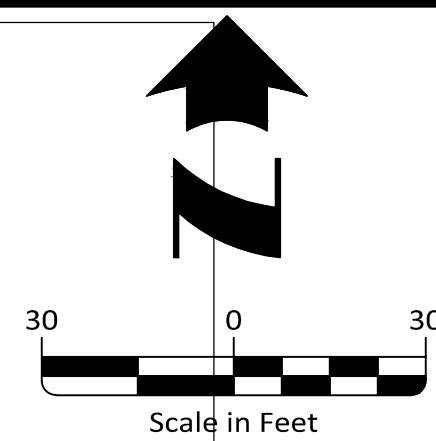
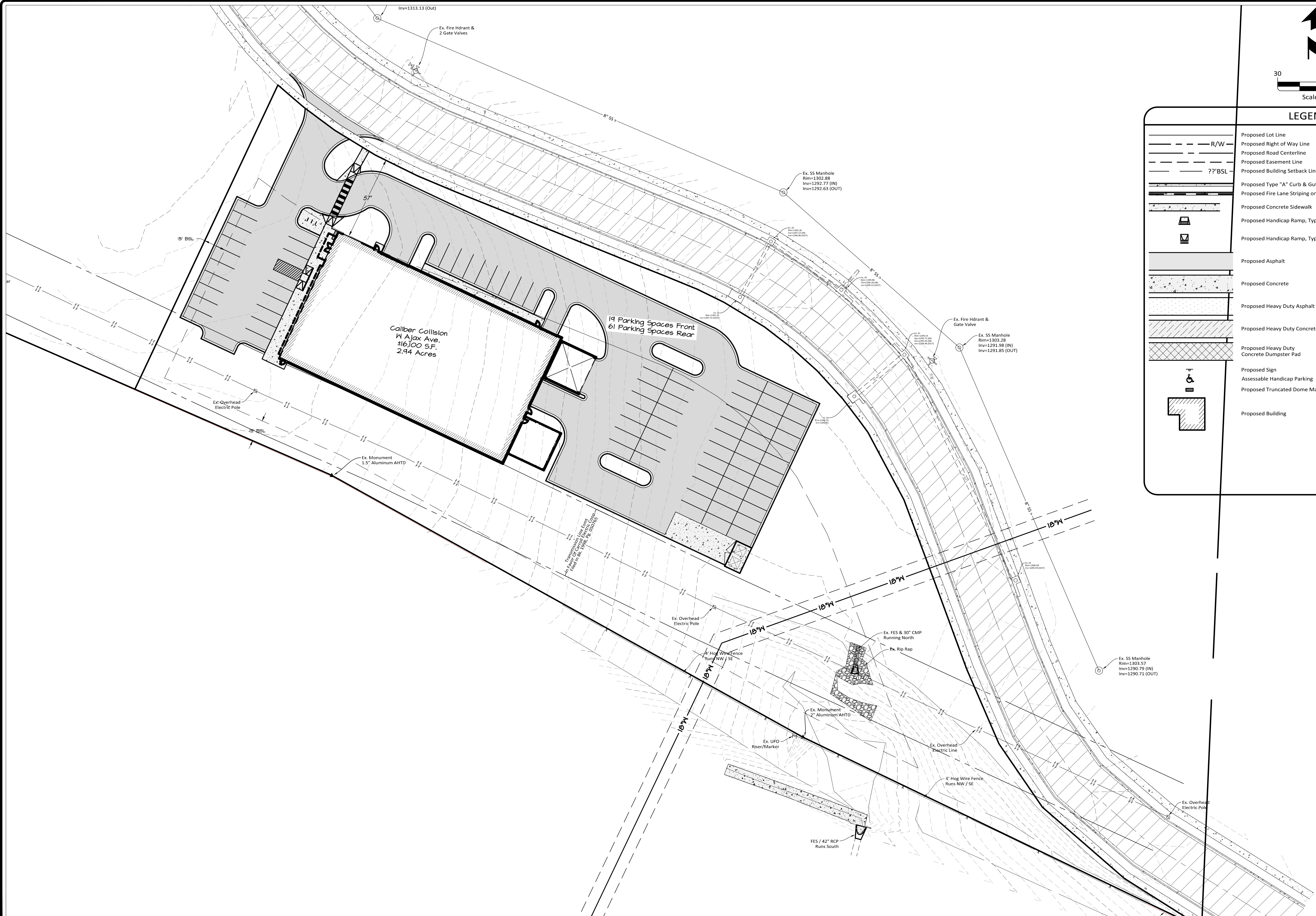
Sincerely,

WATKINS, BOYER,
GRAY & CURRY, PLLC

/S/ Bill Watkins
Bill Watkins

WPW:dh
Enclosures
pc: client via email
Mr. Dirk Thibodaux via email

Drawing Name: P:\CED-03 Rogers Caliber Collision\DRAWING\CRD-03 Plan Sheets.dwg Last Modified: Apr 06, 2021 - 10:41am Plotted on: Apr 26, 2021 - 3:34pm by dmbodaux



LEGEND

	Proposed Lot Line		Ex. Boundary Line
	Proposed Right of Way Line		Ex. Adjacent Boundary Line
	Proposed Road Centerline		Ex. Right of Way Line
	Proposed Easement Line		Ex. Road Centerline
	Proposed Building Setback Line		Ex. Easement Line
	Proposed Type "A" Curb & Gutter		Ex. Building Setback Line
	Proposed Fire Lane Striping on Curb		Ex. Asphalt
	Proposed Concrete Sidewalk		Ex. Concrete
	Proposed Handicap Ramp, Type "A"		Ex. Water Line
	Proposed Handicap Ramp, Type "B"		Ex. Sanitary Sewer Line
	Proposed Asphalt		Ex. Gas Line
	Proposed Concrete		Ex. Telephone Line
	Proposed Heavy Duty Asphalt		Ex. Overhead Telephone Line
	Proposed Heavy Duty Concrete		Ex. Fiber Optic Line
	Proposed Heavy Duty Concrete Dumpster Pad		Ex. Underground Electric Line
	Proposed Sign		Ex. Overhead Electric Line
	Assessable Handicap Parking		Ex. Storm Drain Pipe
	Proposed Truncated Dome Matt		Ex. Fence Line
	Proposed Building		Ex. Contours

CITY PROJECT #

Revision	By	Date



2407 SE COTTONWOOD STREET • BENTONVILLE, AR 72712 • 479.273.2209 • MORRISONSHIPLEY.COM

FOR
REVIEW

Drawn By: CHH	Vertical Scale: —
Approved By: MDT	Horizontal Scale: 1" = 30'
Date: 04.23.2021	Plotting Scale: 1
Project No.: CRD-03	Drawing Name: Plan Set

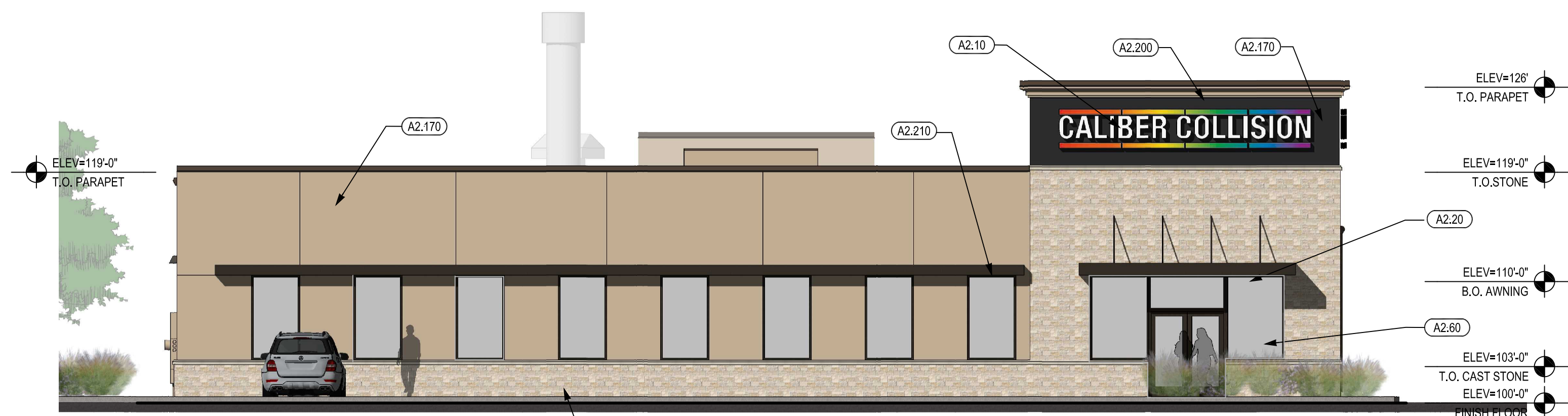
CALIBER COLLISION
Ajax Avenue

Rogers, Benton County, Arkansas

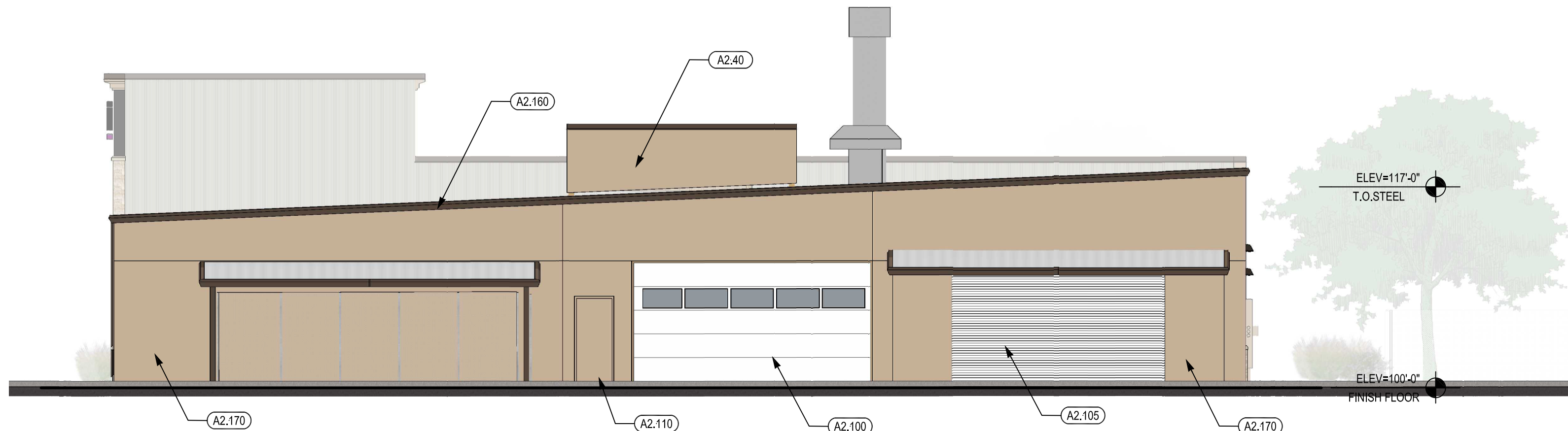
CONCEPT SITE PLAN

Issued for Review – 04.23.2021

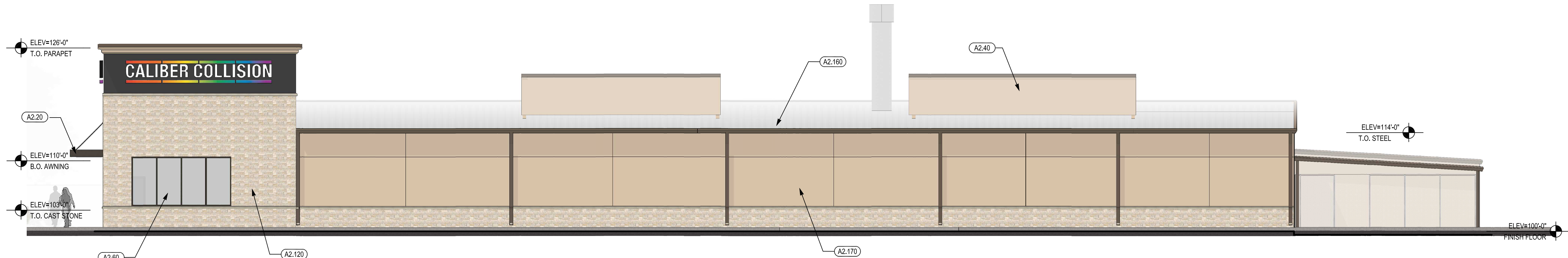
Sheet No.: 1 1 of



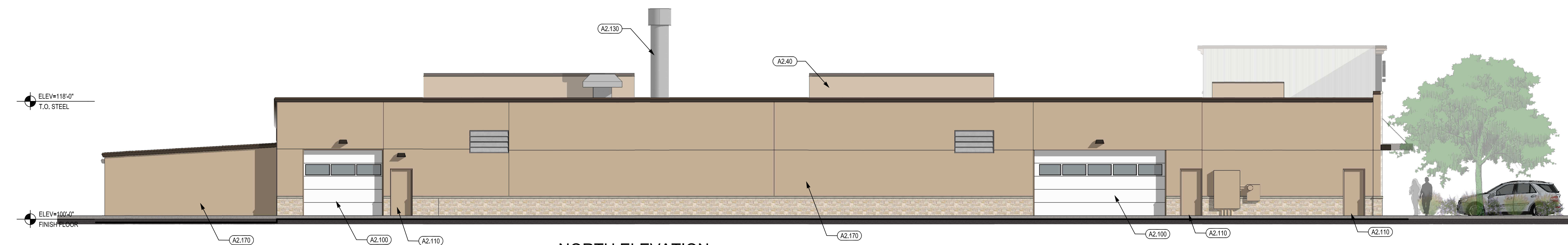
01 WEST ELEVATION (FRONT)
1/8"=1'-0"



02 EAST ELEVATION
1/8"=1'-0"



03 SOUTH ELEVATION
1/8"=1'-0"



04 NORTH ELEVATION
1/8"=1'-0"

KEY NOTES

- (A2.10) SIGNAGE (BY OTHERS)-PROVIDE 3/4" PLYWD. BACKING (SEPARATE PERMIT)
- (A2.20) PRE-MANUFACTURED MTL. AWNING W/TIE RODS BY GC (CP-1)
- (A2.30) SYNTHETIC STONE SILL / CAP (CS1)
- (A2.40) PRE-FIN R PANEL SIDING AT RTU SCREENING (MTL3)
- (A2.50) PRE-FINISHED MTL. GUTTER AND DOWNSPOUTS (MTL2)
- (A2.60) STOREFRONT / GLAZING (AL2)
- (A2.70) PAINTED STEEL (PT5)
- (A2.80) PRE-FINISHED MTL. BUILDING SIDING (MTL3)-NOT USED
- (A2.90) PRE-FINISHED MTL. BUILDING EAVE RAKE (MTL2)
- (A2.100) FACTORY FINISHED SECTIONAL OH DOOR
- (A2.105) FACTORY FINISHED COILING OH DOOR
- (A2.110) HOLLOW MTL. DOOR AND FRAME (PT3)
- (A2.120) MANUFACTURED STONE VENEER (M1)
- (A2.130) EXHAUST AND AIR INTAKE, REF. PAINT BOOTH SHEETS
- (A2.140) WALL MOUNTED LIGHT FIXTURE, REF. MEP
- (A2.150) PRE-FINISHED MTL. COPING (MTL2)
- (A2.160) PRE-FINISH METAL BUILDING STANDING SEAM ROOFING (MTL1)
- (A2.170) 3-STEP STUCCO INTEGRATED COLOR (ST1 OR ST2 PRE SCHED)
- (A2.180) CONTROL JOINT
- (A2.190) WALL LOUVER, (CLEAR ANODIZED FINISH) REF. MEP
- (A2.200) SYN STUCCO CORNICE (ST1)
- (A2.210) PRE-FAB CANTILEVERED EYEBROW CANOPY BY G.C. (CP1)
- (A2.220) PRE-FINISH METAL BUILDING 'R' PANEL ROOFING (MTL5)
- (A2.230) FENCE TBD
- (A2.240) PRE-FIN MTL SIDING AT WASH BAY SIDE WALLS (MTL3)
- (A2.250) PRE-FIN R PANEL SIDING AT PARAPET REAR (MTL4)
- (A2.260) NOT USED
- (A2.270) SIDE WALL RETURN: MATCH MATERIAL FINISHES ON ADJACENT SIDE

COLOR CHART

ST1-NOMADIC DESERT	ST2-TRICORN BLACK	M1-TEXAS CREAM/AUSTIN CREAM
CS1-OFF WHITE/BUCKSKIN	MTL1-SOLAR WHITE	MTL2-BURNISHED SLATE
MTL3-SADDLE TAN	MTL4-GALVALUME	CP1-DARK BRONZE
PT3-NOMADIC DESERT	PT5-URBANE BRONZE	

SOUTH MATERIAL USAGE

MATERIAL	AREA (SF)	% OF TOTAL WALL
STONE	545 SF	27.88%
METAL PANEL	0 SF	0.00%
STUCCO	1065 SF	54.48%
GLASS	345 SF	17.65%
PAINTED MTL. DOOR	0 SF	0.00%
TOTALS:	1955 SF	100%

NORTH MATERIAL USAGE

MATERIAL	AREA (SF)	% OF TOTAL WALL
STONE	0 SF	0.00%
METAL PANEL	0 SF	0.00%
STUCCO	1070 SF	73.04%
GLASS	32 SF	2.18%
PAINTED MTL. DOOR	363 SF	24.78%
TOTALS:	1465 SF	100%

EAST MATERIAL USAGE

MATERIAL	AREA (SF)	% OF TOTAL WALL
STONE	835 SF	32.36%
METAL PANEL	0 SF	0.00%
STUCCO	1645 SF	63.76%
GLASS	100 SF	3.88%
PAINTED MTL. DOOR	0 SF	0.00%
TOTALS:	2580 SF	100%

WEST MATERIAL USAGE

MATERIAL	AREA (SF)	% OF TOTAL WALL
STONE	460 SF	14.77%
METAL PANEL	0 SF	0.00%
STUCCO	2272 SF	72.94%
GLASS	56 SF	1.80%
PAINTED MTL. DOOR	327 SF	10.50%
TOTALS:	3115 SF	100%



LOOKING NW ON I-49



LOOKING NE ON I-49



LOOKING W ON AJAX AVE.



LOOKING SE ON AJAX AVE.

CALIBER COLLISION

ROGERS, AR | APRIL, 27, 2021



CALIBER COLLISION
OKLAHOMA CITY, OKLAHOMA
21 JAN. 2021

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

**MEETING DATE
JUNE 15, 2021**

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT
LARGE-SCALE DEVELOPMENT PLANS – EVERETT CAR DEALERSHIP**

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

REQUEST DETAILS

PROJECT NAME:	Everett Car Dealership
ADDRESS/PARCEL:	4510 W. Poplar Street / 02-00861-142
PROPOSED USE:	Vehicle/Equipment Sales and Rentals
CURRENT ZONING:	C-4 (Open Display Commercial); Overlay District
CGM GROWTH DESIGNATION:	Commerce Corridor
APPLICANT/REPRESENTATIVE:	Jonathan Hope, Hope Consulting
PROJECT OWNER/DEVELOPER:	Saline Holdings, LLC
PROPERTY OWNER:	Saline 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 20, 246 SF building and paved parking lot on ± 6.07 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). See STAFF REVIEW for additional findings.

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

1. Deny **WAIVER** from Sec. 14-256(14)(b) from the requirement to provide a narrow tree lawn or narrow tree island with one tree every 15 parking spaces or every 30 linear feet.
2. Deny **WAIVER** from Sec. 14-285(3) from the requirement to provide trees at a 20-ft spacing for the full width of the frontage along the highway within the Overlay District buffer yard.
3. Approve **VARIANCE** from Sec. 14-711(h) from the requirement to provide the required number of parking spaces for "Automotive Services" in the C-4 zoning district, with the **CONDITION** that parking within the floodplain be upgraded to a permeable paver system for increased water quality mitigation.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

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

2. STORMWATER MANAGEMENT:

The applicant proposes a new detention pond which meets the City of Rogers Stormwater Management for the project.

3. WATER QUALITY:

The applicant proposes an extended dry detention basin to meet the City of Rogers Water Quality requirements.

4. FLOODPLAIN MANAGEMENT:

A portion of this project is located in a Zone AE Special Flood Hazard Area. The project will require a Floodplain Development Permit prior to beginning construction. Storage of equipment and materials is prohibited in the Special Flood Hazard Area for areas at or below the Base Flood Elevation, which will be addressed during the Floodplain Development Permit process regarding storage of automobiles for sale.

Floodplain development that includes parking increases the chances for oil based pollutants in the waterways. Staff recommends as a requirement for the variance from Sec. 14-711(h) that the applicant upgrade the parking area to include permeable pavers to enhance the water quality within the floodplain.

5. MASTER STREET PLAN IMPROVEMENTS:

a) Street Pavement and Condition:

- i) W Poplar Street is not in substandard condition.
- ii) The applicant proposes to dedicate and build a new 50-ft right-of-way which will be an extension of Springwood Lane.

b) Connectivity Standards:

The applicant proposes a north/south connection for the future Springwood Lane to meet the City of Rogers connectivity requirements. East/west connectivity is not applicable at this location due to the site being along I-49.

c) Streetscape:

i) Right-of-Way:

- i) The right-of-way width for W Poplar Street is an existing 50-ft right-of-way as required per the Minor Street Typical Street Section.
- ii) The applicant proposes to dedicate a 50-ft north/south right-of-way for Springwood Lane which aligns with the Minor Street Typical Street Section.

ii) Sidewalks & Sidepaths:

The applicant proposes to build sidewalks along W Poplar Street and the west side of the proposed Springwood Lane extension per the Minor Street Typical Street Section requirements.

d) Trails:

The applicant does not propose any new trails and this is not a requirement.

e) Streetlights:

The applicant proposes the appropriate number of street lights.

f) Street Trees:

The applicant proposes the appropriate number of street trees.

6. RECOMMENDATIONS:

- a) Approve.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

“Vehicle/Equipment Sales and Rentals” is defined as “the sale or rental of automobiles, motorcycles, trucks, tractors, construction equipment, agricultural equipment, mobile homes, and similar equipment,” (Sec. 14-695(b)(3)(mm)(1)).

b) Zoning Compliance:

The proposed project is in compliance with C-4 zoning regulations.

c) CGM Compliance:

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

2. DEVELOPMENT STANDARDS:

The proposed development plans conform to all development standards required by Sec. 14-711 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:

i) The applicant requests a **VARIANCE** from Sec. 14-711(h) from the requirement to provide the required number of parking spaces for “Automotive Services” in the C-4 zoning district.

d) Screening & Transitions:

i) The applicant requests a **WAIVER** from Sec. 14-285(3) from the requirement to provide trees at a 20-ft spacing for the full width of the frontage along the highway within the Overlay District buffer yard.

e) Landscaping:

i) The applicant requests a **WAIVER** from Sec. 14-256(14)(b) from the requirement to provide a narrow tree lawn or narrow tree island with one tree every 15 parking spaces or every 30 linear feet.

3. RECOMMENDATIONS:

- a) Deny **WAIVER** from Sec. 14-256(14)(b) from the requirement to provide a narrow tree lawn or narrow tree island with one tree every 15 parking spaces or every 30 linear feet. The applicant requests this waiver to maximize the number of parking spaces available for the “storage” of vehicular merchandise. The applicant has not provided a site specific hardship to warrant this request. Due to the substantial impervious area, proximity to floodplain, and amount of existing mature trees being removed, staff does not recommend exception to a requirement that benefits stormwater management and other environmental considerations.
- b) Deny **WAIVER** from Sec. 14-285(3) from the requirement to provide trees at a 20-ft spacing for the full width of the frontage along the highway within the Overlay District buffer yard. The applicant requests this waiver from the landscape buffer requirements to allow the proposed dealership to be visible from the interstate so as not to impact sales, but has not provided a site specific hardship preventing this requirement from being met. Due to the substantial impervious area, proximity to floodplain, and amount of existing mature trees being removed, staff does not recommend exception to a requirement that benefits stormwater management and other environmental considerations.
- c) Approve **VARIANCE** from Sec. 14-711(h) from the requirement to provide the required number of parking spaces for “Automotive Services” in the C-4 zoning district, with the **CONDITION** that parking within the floodplain be upgraded to a permeable paver system for increased water quality mitigation. The applicant requests this variance due to the nature of the business, which the applicant states does not require 107 parking spaces, per the automotive services calculation. While the applicant has not presented a site-specific hardship to warrant the reduction in parking spaces, the applicant proposes that 64 parking spaces are adequate and staff supports any potential reduction in impervious area.

OTHER REVIEWS

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

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

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

TABS

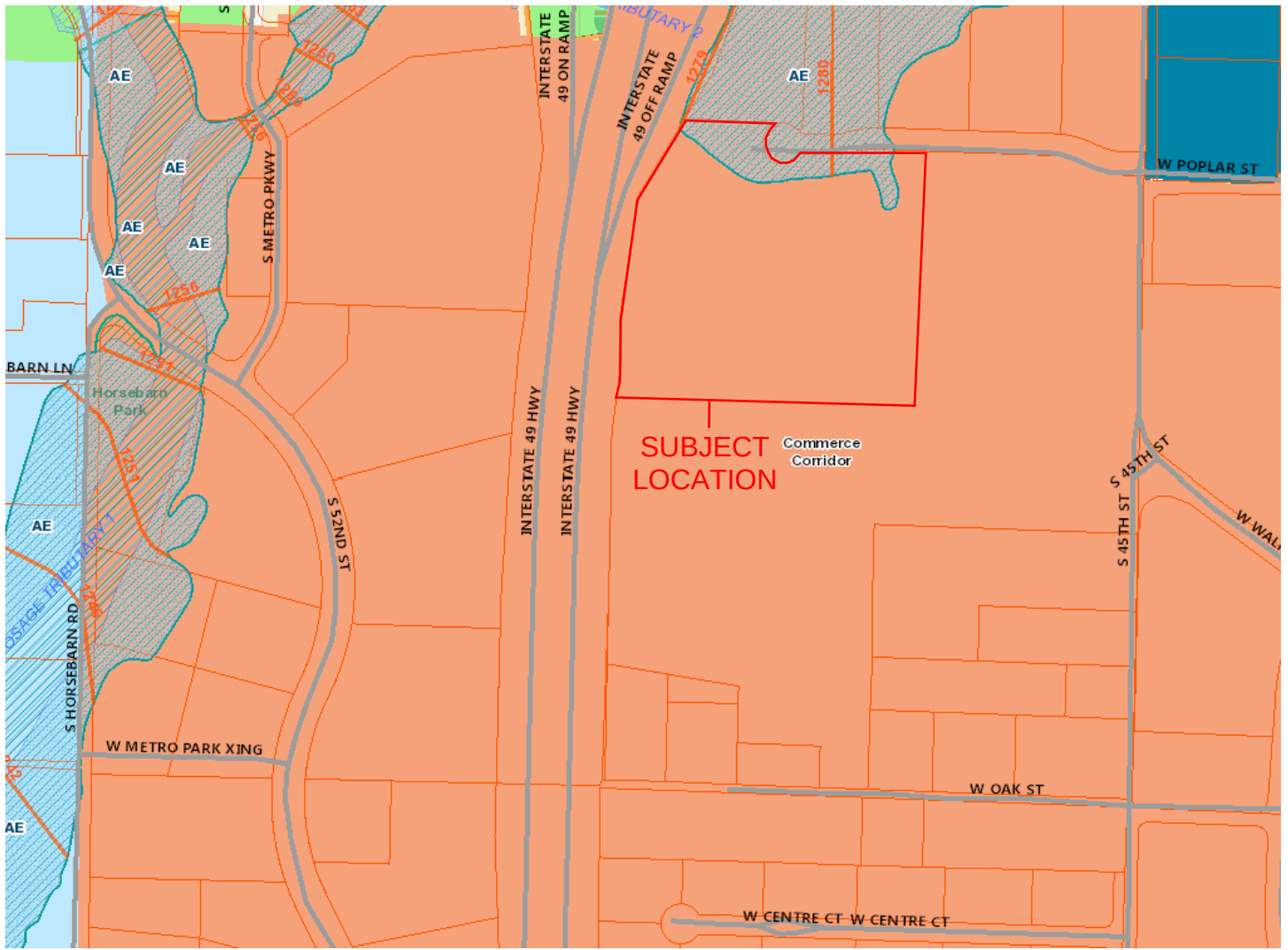
1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

TAB 1

AERIAL VICINITY MAP



CGM VICINITY MAP





June 9, 2021

Mr. William McFadden, PE
Hope Consulting
117 S. Market Street
Benton, AR 72015

Re: Conditional Approval of Civil Plans
Everett Dealership

Dear Mr. McFadden:

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

1. Address Comments 8, 9, 10, 12, 17, 24, and 25 from our previous review. Please call if you have questions. We are attaching marked-up plans for your convenience.
2. Provide complete plan and profile sheets for all proposed water and underground fire lines.
3. Depict the 7' x 4' box culvert on the sanitary sewer profile.
4. The existing fire hydrant may need to be raised and should be noted accordingly if applicable.
5. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.
 - B. One copy of the revised plans for review.
 - C. Written approval from the Arkansas Department of Health.
 - D. Fire suppression plans approved by the Utility.
 - E. Architectural and plumbing plans submitted for commercial customers.
 - F. A signed copy of the enclosed Special Contract for Facilities Extensions. Please note and bring to the attention of your client that access fees and impact fees are defined in the contract and must be delivered to the Utility before water service will be established.

- G. A copy of the executed contract between the developer or general contractor and the utility contractor.
- H. Performance and payment bonds executed by the utility contractor.
- I. Two full-sized copies and two half-sized copies of the approved plans submitted at the pre-construction meeting.

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

Sincerely,

Stephen T. Ponder, PE

SP: DG

Attachment(s): Special Contract for Facilities Extension



May 18, 2021

Amber Long
City of Rogers - Community Development
301 W Chestnut
Rogers, AR 72756

RE: Everett New Car Dealership: Waiver Request
West Poplar Street- Parcel # 02-00861-047

Dear Amber,

On behalf of Saline Holdings, LLC, Hope Consulting is presenting the Site Plan and civil drawings for this project. We are excited to be working with you and the City of Rogers on this project.

Although our initial goal was to develop this site without requesting a waiver or variance, the project is unique, and we feel a hardship based on our specific use is requiring us to request two waivers. I hope you understand the requests based on the specific use of this property and the location.

Waiver Request #1

Landscape ordinance for large development (Chapter-14, Article-III, Division-3)

“A continuous landscape strip between rows of parking. The minimum width of a tree lawn shall be ten feet (10’); the minimum area shall be 300 square feet.”

Our proposed project is a New Car Dealership. We will have two different areas for parking. The first area of parking is intended for employees and customers, which we believe is correlated to the requirements of the code. We intend to follow said requirements. The second area is planned for storage parking, which will be utilized for display of the product. If the parking spaces that are for storage are included in said requirements this will create a tremendous hardship for our client to put enough product on this site. We appreciate your time and consideration of this request.

117 SOUTH MARKET ST. BENTON, ARKANSAS 72015
WWW.HOPECONSULTING.COM
(P) 501-315-2626
(F) 501-315-0024



Waiver Request #2

Overlay District area (Section- 14-285)- “Required landscape areas along the frontage of the highways and primary corridors designated in section 14-284(b) shall be no less than 25 feet deep exclusive of the right-of-way. Within this area the developer will plant trees at 20-foot spacing for the full width of the frontage”.

We are maintaining a 25 feet deep buffer zone on our proposed plan, but we are requesting a waiver on the requirement for “trees at 20-foot spacing along the frontage.” This requirement will largely block the business area from the interstate. Due to the nature of their business, this requirement would be detrimental to their success at this site.

Waiver Request #3

As per the **Sec.14-256(14)b**, “A continuous 10’ wide landscape strip between rows of parking should be maintained in the parking spaces. Or A double bay parking area will have 18’x36’ landscape island with a maximum run of 15 parking spaces permitted without a tree island.”

Our proposed business is a new car dealership. This requirement will greatly reduce the storage capacity of product which is crucial to this business. We are requesting a waiver for the required strip of landscape between 2 rows of parking spaces. I our site plans we have met the total green space and total tree requirements (See Sheet C-8.0) according to Rogers ordinance. Moreover, we have also considered preservation tree mitigation requirements in our site plan (See Sheet C-13.0).

117 SOUTH MARKET ST. BENTON, ARKANSAS 72015
WWW.HOPECONSULTING.COM
(P) 501-315-2626
(F) 501-315-0024

HOPE

CONSULTING

ENGINEERS - SURVEYORS

Waiver Request #4

Parking requirements set forth by the "Automotive Service" classification are not closely comparable with the proposed business. This business will be selling automobiles not "Automotive Service". Storage of the product is important to the viability of this business. The owners are very experienced in this business with multiple sites. They have a clear understanding of the number of parking spaces that will be needed for customers and employees.

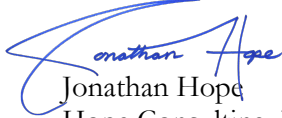
Per current requirements designated by "Automotive Service", this site requires 107 customer/employee parking spaces. This number is based on the $(\text{building area}/200) + 5$. 107 customer/employee parking spaces are not needed for this specific business.

We have provided 64 parking spaces including 3 ADA accessible parking spaces in our site plan (See Sheet C-1.0). This number of spaces accurately represent the number of spaces needed for this type of business.

We appreciate your time and consideration of this request and we look forward to your comments with regards to our plans.

Have a great day!

Sincerely,



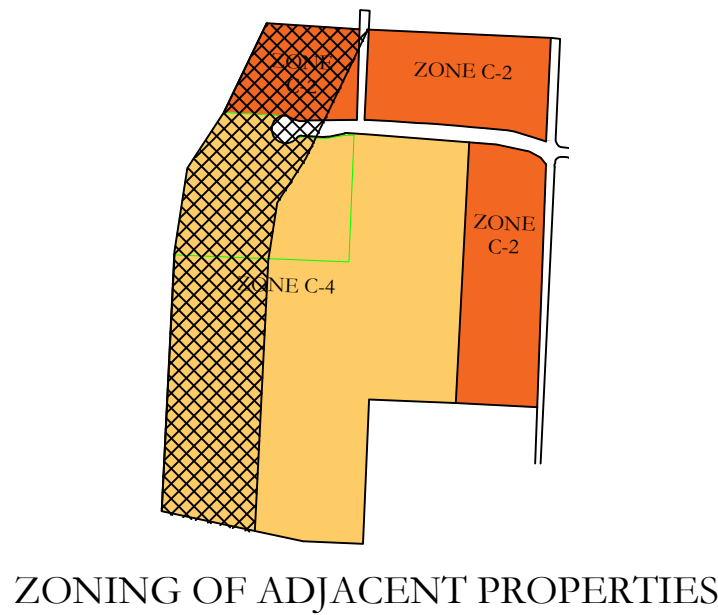
Jonathan Hope
Hope Consulting, Inc
jonathan@hopeconsulting.com

117 SOUTH MARKET ST. BENTON, ARKANSAS 72015
WWW.HOPECONSULTING.COM
(P) 501-315-2626
(F) 501-315-0024

- GENERAL NOTES**
- ALL HVAC AND OTHER EQUIPMENT MUST BE SCREENED.
 - AUTOMOBILE STORAGE (VEHICLE SALES) CANNOT BE LOCATED IN A SPECIAL FLOOD HAZARD AREA UNLESS THE PARKING IS ELEVATED ABOVE SFHA.
 - CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL PERMITS AND PAY ALL FEES AS REQUIRED BY THE CONSTRUCTION COVERED IN THESE PLANS.
 - ANY ESTIMATES OF QUANTITIES ARE FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR AND SUBCONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ALL QUANTITIES. CONTRACTOR SHALL PROVIDE ALL WORK AND MATERIALS TO COMPLETE CONSTRUCTION AS SHOWN ON PLANS.
 - CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE ANY EXISTING STREET, CURB AND GUTTER, SIDEWALK, DRIVEWAYS OR STRUCTURE UNLESS SHOWN TO BE REMOVED.
 - THE CONTOUR LINES, SPOT ELEVATIONS AND BUILDING FLOOR ELEVATIONS SHOWN ARE TO FINISH GRADE FOR TOP OF PAVEMENT, SIDEWALKS, CURBS AND FLOOR SLABS, ETC. REFER TO TYPICAL SECTIONS FOR PAVING, SLAB AND AGGREGATE BASE THICKNESS TO DEDUCT FOR GRADING LINE ELEVATIONS.
 - CONTRACTOR SHALL FINISH GRADE SLOPES AS SHOWN NO STEEPER THAN 1 FOOT VERTICAL IN 3 FEET HORIZONTAL.
 - THE CONTRACTOR IS RESPONSIBLE FOR ATTENDING TO AND CORRECTING UNSUITABLE SOIL CONDITIONS RELATED TO FLOOD ZONES, WET SOILS AND OTHER CONDITIONS. THE UNSUITABLE CONDITIONS MUST BE CORRECTED PER THE GEOTECHNICAL ENGINEER'S REPORT, WHERE REQUIRED, TO MEET PROJECT NEEDS.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE PUBLIC STREETS IN THE VICINITY OF THE JOB SITE CLEAN AND FREE OF ROCKS, SOIL/MUD AND DEBRIS DURING ALL PHASES OF CONSTRUCTION.
 - CONTRACTOR SHALL CLEAN OUT ALL EXISTING AND PROPOSED INLETS, PIPES, AND MANHOLES OF DEBRIS AND SEDIMENTATION AT THE COMPLETION OF SITE WORK. THIS WORK SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND THE CITY OF BENTON.
 - CONTRACTOR IS RESPONSIBLE FOR PROVIDING BERMS, SILT FENCES, OR OTHER MEANS TO PREVENT ERODED MATERIALS FROM REACHING THE PUBLIC RIGHT-OF-WAY AND ADJACENT PROPERTIES. IN THE EVENT THE PREVENTION MEASURES ARE NOT EFFECTIVE, THE CONTRACTOR SHALL REMOVE ANY DEBRIS SILT, OR MUD AND RESTORE THE RIGHT-OF-WAY TO ORIGINAL OR BETTER CONDITION.
 - CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DOWNSTREAM EROSION AND SILT DURING ALL PHASES OF CONSTRUCTION. EROSION CONTROL PROCEDURES SHALL BE IN PLACE PRIOR TO BEGINNING GRADING ACTIVITIES.
 - CONSTRUCTION ACCESS TO THE SITE SHALL BE LIMITED TO THE APPROVED TEMPORARY CONSTRUCTION ENTRANCE(S).
 - TEMPORARY CONSTRUCTION ENTRANCE SHALL HAVE SHOT ROCK FOR ITS SURFACE.
 - EROSION CONTROL DEVICES SHALL BE MAINTAINED DURING THE WHOLE CONSTRUCTION PERIOD BY THE CONTRACTOR.
 - CONTRACTOR SHALL PROTECT ANY STORM INLETS FROM SEDIMENT THAT TAKE STORM WATER FROM THE AREA OF CONSTRUCTION.
 - ALL DISTURBED AREAS SHALL BE STABILIZED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL PLAN.
 - APBP APPROVED BICYCLE PARKING TO BE INCLUDED IN ARCHITECTURAL PLANS
 - PROPOSED SIGNAGE TO BE INCLUDED IN ARCHITECTURAL PLANS.

SITE DATA	
TOTAL SITE AREA	6.07 ACRES
TOTAL DEVELOPMENT AREA	6.07 ACRES
GROSS BUILDING AREA	TOTAL BUILDING AREA 20246 SF
BUILDING SETBACKS	FRONT SETBACK LINE: 65' REAR SETBACK LINE: 15' SIDE SETBACK LINE (WEST): 75' SIDE SETBACK LINE (EAST): 45'
BUILDING HEIGHTS	26.5'
BUILDING COVERAGE PERCENTAGE	0.55/6.07=0.09=9.10%
OPEN SPACE PERCENTAGE	=70.498/264.528=26.65 %
IMPERVIOUS AREA PERCENTAGE	IMPERVIOUS AREA: 183,856 SF =183,856/264,528=69.50%
FLAG POLE HEIGHT	140'
BUSINESS TYPE	AUTOMOTIVE SERVICES
PARKING CALCULATION (REQUIRED)	5 SPACES PLUS 1 SPACE FOR EVERY 200 SF =30246/200= 151.23 spaces 7-9-100,225-100,225-107' min.
PARKING CALCULATION (PROVIDED)	44 PARKING SPACES WHICH IS 51.75 3 ADA PARKING SPACES INCLUDING CURB ACCESSIBLE PARKING
BIKE RACK CALCULATION	1 SPACE FOR EVERY 20 PARKING SPACE =107/20= 5.35 spaces 6 NON BIKE RACK ARE PROVIDED

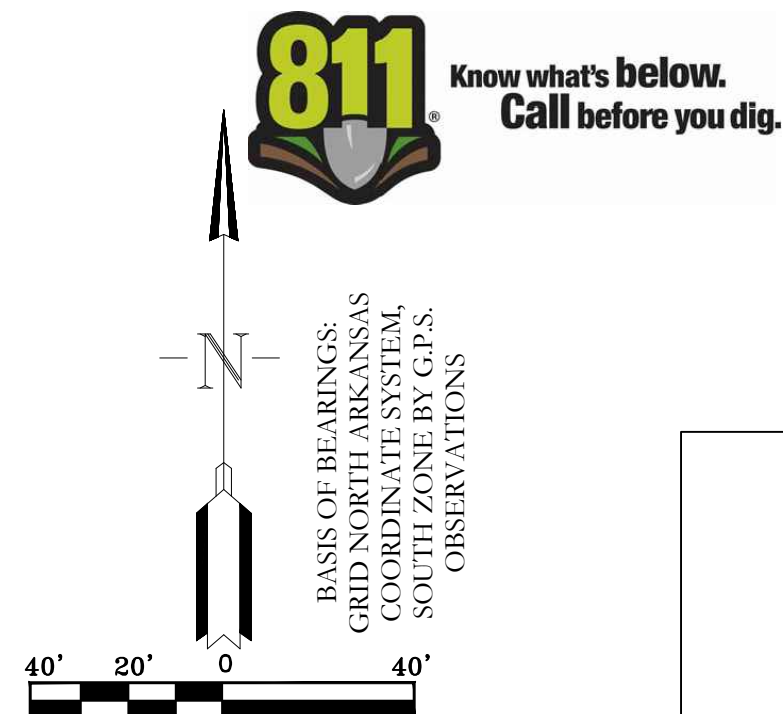
ZONING INFORMATION	
CURRENT ZONING	U-1 AND U-2 (U-1) 121'8" VERTICAL DISTANCE
MINIMUM LOT AREA (SF)	ONE ACRE
MINIMUM LOT WIDTH (FT)	N/A
FRONT YARD (NORTH) SETBACK (FT)	65'
EXTERIOR SIDE YARD SETBACK (FT)	45'
WEST SIDE YARD SETBACK (FT)	75'
REAR YARD (SOUTH) SETBACK (FT)	15'
MAXIMUM HEIGHT (FT)	85'
MAXIMUM BUILDING COVERAGE	40%
MAXIMUM IMPERVIOUS COVERAGE	80%



ZONING OF ADJACENT PROPERTIES

LEGEND			
	COMPUTED POINT		FIRE HYDRANT
	FOUND MONUMENT		WATER VALVE
	SET 1/2" REBAR		POWER POLE
	MEASURED		STORM DRAIN/MANHOLE
	PLAT/DEED		GAS METER
	WATER METER		TELEPHONE PEDESTAL
	SEWER MANHOLE		MISC FENCE LINE
	SANITARY SEWER LINE		GRASS
	OVERHEAD POWER LINE		CONCRETE
	TELEPHONE LINE		B.S.L.=BUILDING SETBACK LINE
	12" WATER LINE		P.L.S.=PERIMETER LANDSCAPE SETBACK
	8" WATER LINE		

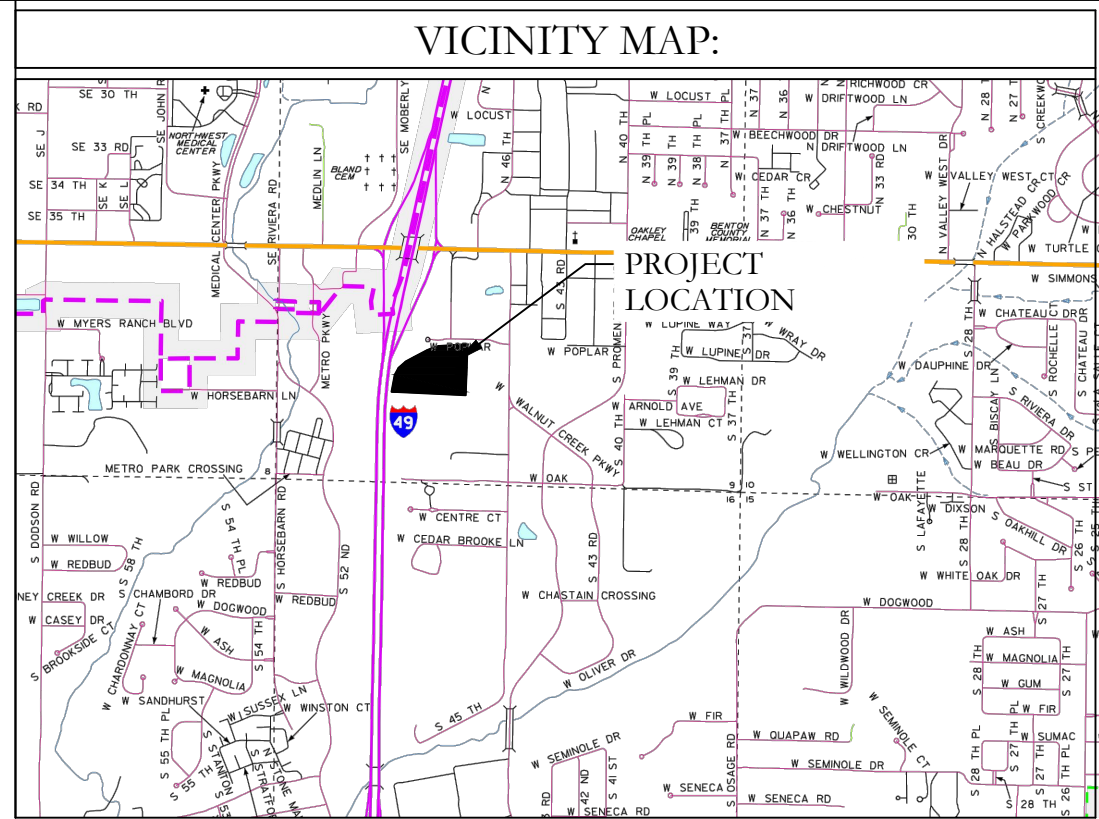
OWNER:		DEVELOPER:	
Name:	SALINE HOLDINGS, LLC	Name:	SALINE HOLDINGS, LLC
Address:	121099 INTERSTATE 30 BRYANT, AR 72022	Address:	121099 INTERSTATE 30 BRYANT, AR 72022



811 Know what's below. Call before you dig.

BASIS OF BEARINGS:
GRID NORTH ARKANSAS
COORDINATE SYSTEM,
SOUTH ZONE BY GPS
OBSERVATIONS

CITY APPROVAL STAMP



FLOODPLAIN CERTIFICATION:

By affixing my seal and signature, I Jonathan Hope, PLS No. 1762, hereby certify that this drawing correctly depicts a survey compiled under my supervision.

NOTE: This survey was based on legal descriptions and title work furnished by others and does not represent a title search.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Benton County City of Rogers area, panel # 0507C0208, dated 06/05/2012, a portion of the property described herein lies within the 100 year flood hazard boundary.

Building FFE is more than 2 ft above the base flood elevation.

Presence of flood plain on the site will require an elevation certificate.

Project includes placing fill in flood plain and will require flood plain development permit before placing fill.

CIVIL ENGINEER
HOPE CONSULTING INC
117 S. MARKET STREET
BENTON, AR 72015
CONTACT: WILLIAM W MCFADDEN
PHONE: 504-315-2626
EMAIL: will@hopeconsulting.com

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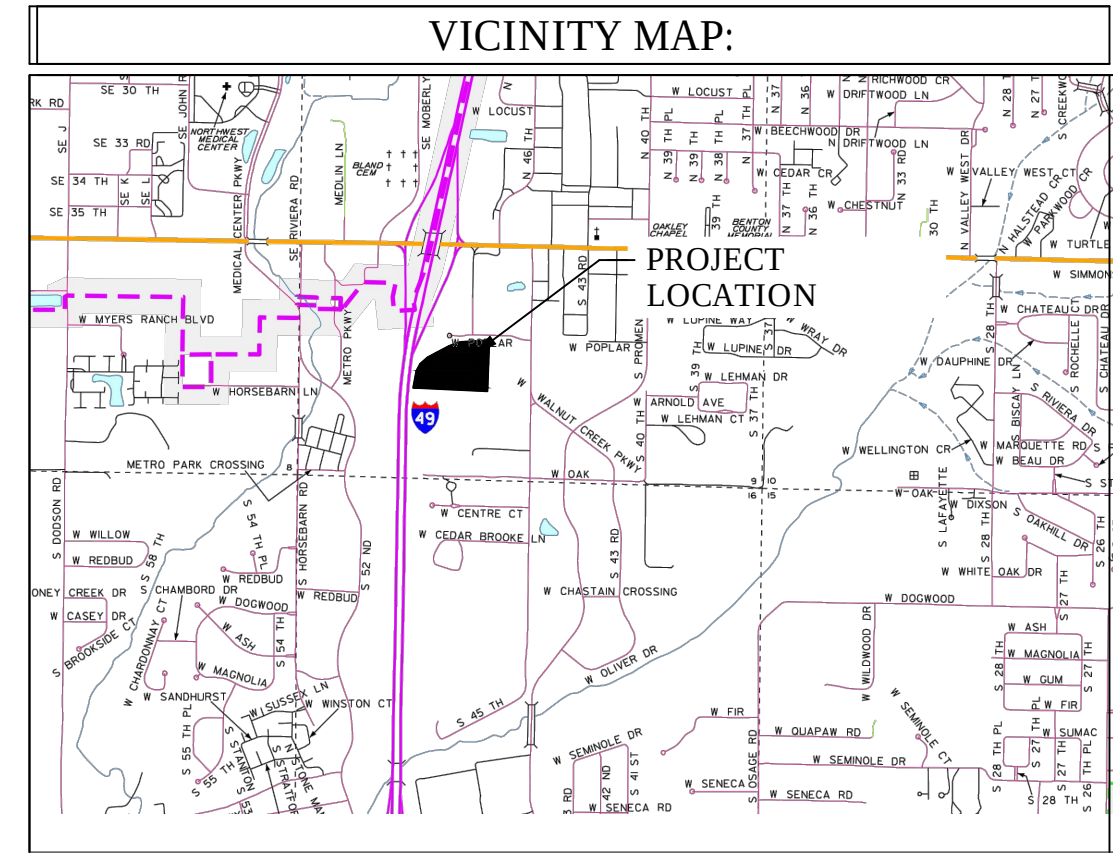
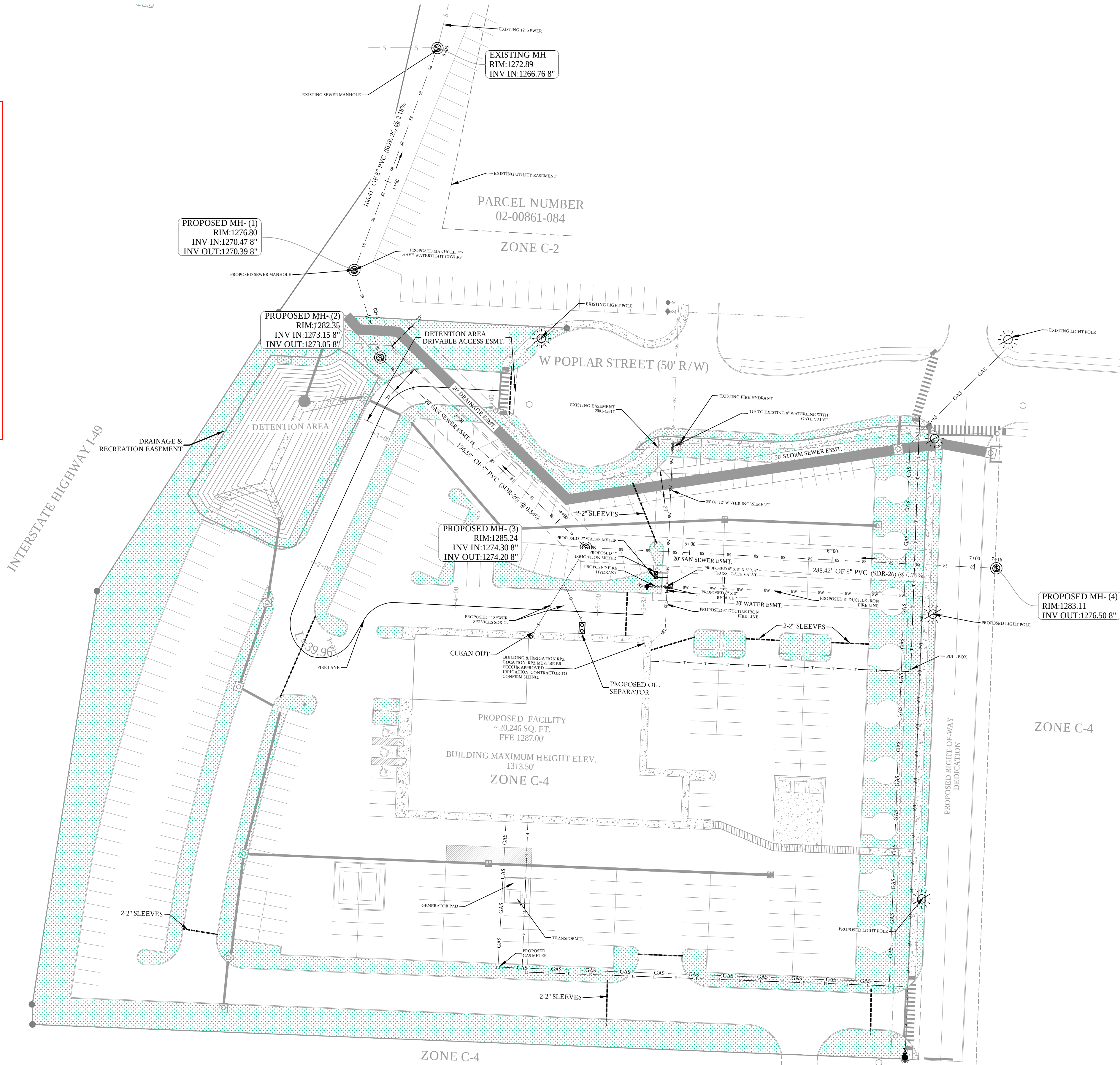
FOR USE AND BENEFIT OF:
SALINE HOLDINGS, LLC.

SITE PLAN
EVERETT NEW FACILITY
4510 W. POPLAR ST. ROGERS, ARKANSAS

DATE:	05-18-2021	C.A.D. BY:		DRAWING NUMBER:	
REVISION:		CHECKED BY:			
SHEET:	C-1.0	SCALE:			21-0005
500	19N	30W	0	09	300
			04		1766

GENERAL UTILITY NOTES:

- "ALL MATERIALS AND METHODS USED TO CONSTRUCT, MODIFY, OR TAP ANY PUBLIC WATER OR SEWER MAIN SHALL CONFORM TO RWU STANDARD SPECIFICATIONS AND STANDARD DETAILS".
- NO STRUCTURE HAVE BEEN DESIGNED OVER EXISTING OR PROPOSED UTILITY EASEMENT.
- RWU TO CONSTRUCT THE WATER METER SERVICES AT THE DEVELOPER'S EXPENSE.
- ALL GAS AND WATER TAPS SHALL HAVE A SEPARATION OF 5' MIN.
- PROVIDE 5' HORIZONTAL SEPARATION BETWEEN GAS AND WATER MAIN THRUST BLOCKS.
- IMMEDIATELY AFTER INSTALLATION OF FIRE HYDRANT, IT SHALL BE COVERED AND WRAPPED WITH A HEAVY CLOTH, WATER-RESISTANT SACK, OR BLACK POLYETHYLENE SHEETING, WELL TAPED IN PLACE AROUND THE HYDRANT, TO IDENTIFY THE HYDRANT AS BEING "NOT IN SERVICE".

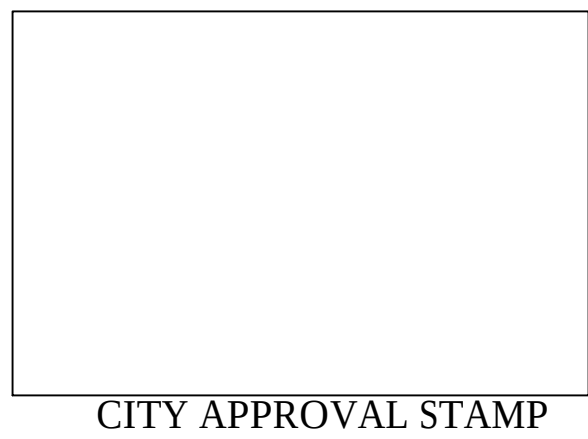
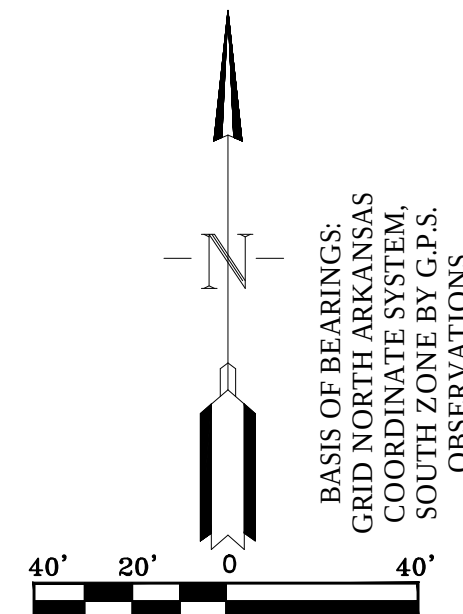
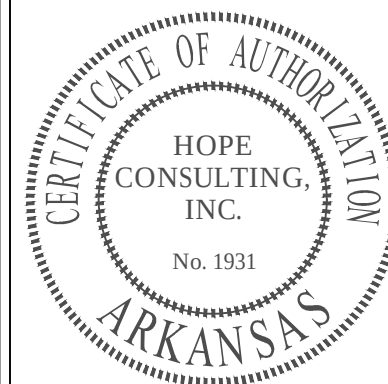


UTILITY AND CITY CONTACT INFORMATION			
ROGERS WATER UTILITIES-WATER	STEPHEN PONDER	479-936-6213	stephenponder@RWU.org
ROGERS WATER UTILITIES-SEWER	STEPHEN PONDER	479-936-6213	stephenponder@RWU.org
BLACK HILLS ENERGY-GAS	WAYNE MEEK	479-320-5108	wayne.mEEK@blackhillscorp.com
AT & T	ANTHONY WILLIAMS	479-442-3173	aw9156@att.com
STREET DEPARTMENT	FRANKIE GUYLL	479-621-1140	transportation@rogersar.gov
COMMUNITY DEPARTMENT	KRISTIFER PAXTON	479-621-1186	kpaxton@rogersar.gov

WATER & SEWER UTILITY NOTES:	
1.	ALL WATER AND SEWER INSTALLATION TO BE IN ACCORDANCE WITH ROGERS WATER UTILITIES SPECIFICATIONS.
2.	ALL MATERIALS AND METHODS USED TO CONSTRUCT, MODIFY, OR TAP ANY PUBLIC WATER OR SEWER MAIN SHALL CONFORM TO RWU STANDARD SPECIFICATIONS AND STANDARD DETAILS
3.	WATER MAINS TO BE INSTALLED AT LEAST 3.5 FEET BELOW FINISHED GRADE.
4.	PROPOSED MANHOLE MH-2 TO HAVE TRAFFIC DUTY FRAME AND COVER



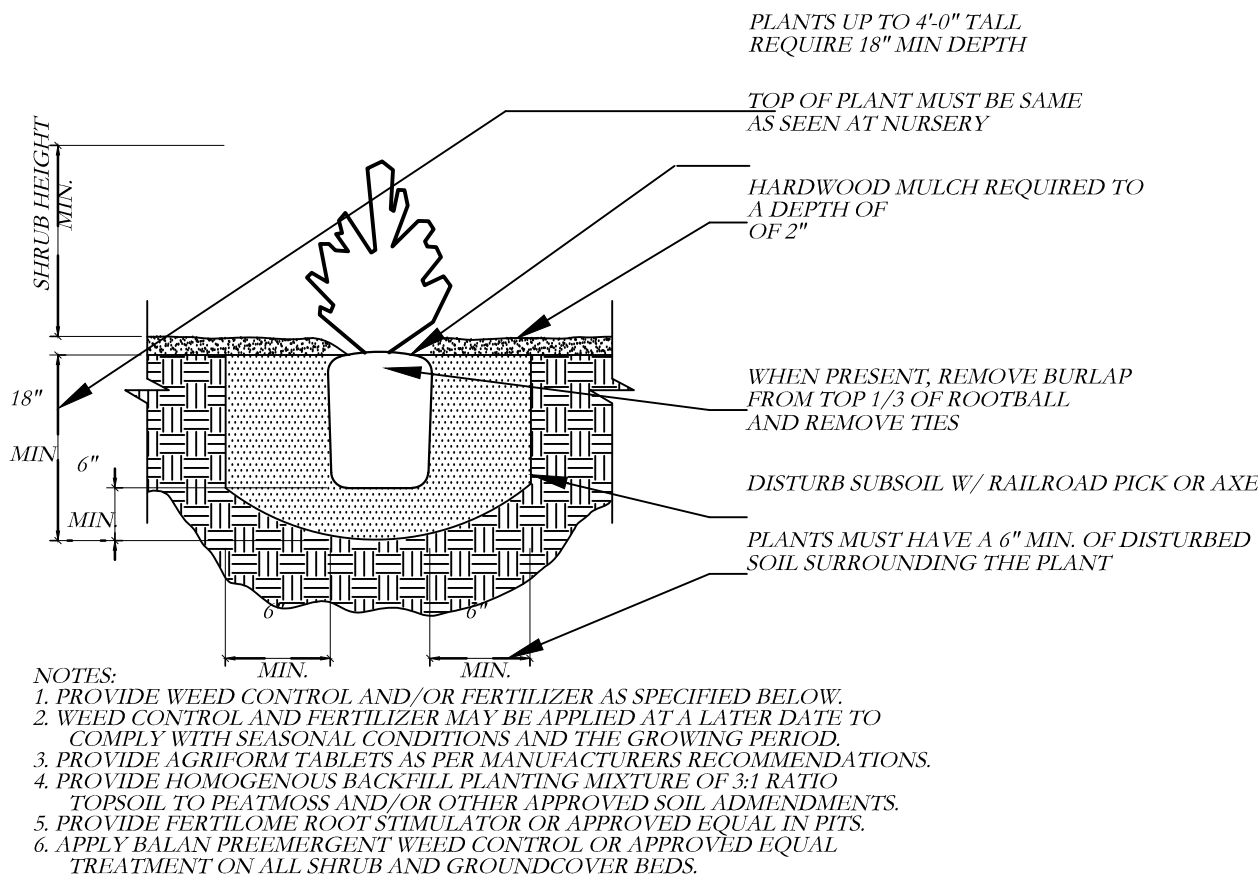
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	SET 1/2" REBAR		SEWER MANHOLE
	MEASURED		SANITARY SEWER LINE
	PLAT/DEED		OVERHEAD POWER LINE
	WATER METER		TELEPHONE LINE
			GRASS
			CONCRETE
			B.S.L.=BUILDING SETBACK LINE
			P.L.S.=PERIMETER LANDSCAPE SETBACK



HOPE CONSULTING
ENGINEERS - SURVEYORS
117 S. Market Street,
Benton, Arkansas 72015
PH. (501)315-2626
FAX (501) 315-0024
www.hopeconsulting.com

FOR USE AND BENEFIT OF: SALINE HOLDINGS, LLC.			
UTILITY PLAN EVERETT NEW FACILITY 4510 W. POPLAR ST. ROGERS, ARKANSAS			
DATE: 05-18-2021	C.A.D. BY:	DRAWING NUMBER:	
REVISED:	CHECKED BY:	21-0005	
SHEET: C-2.0	SCALE:		
500	19N	30W	0 09 300 04 1766

CALCULATION CHART:	
GREEN SPACE	TOTAL SITE AREA: 264,528 SF IMPERVIOUS AREA: 183, 856 SF GREEN SPACE: 70,786 SF (70,786 / 264,528 = 0.27)
LANDSCAPING BUFFER * IN AN OVERLAY DISTRICT	25' FRONTAGE SIDE LANDSCAPE BUFFER ADJACENT TO FRONTAGE, 15' BUFFER IN ALL THREE SIDES (REAR, FRONT, SIDE)
MITIGATION TREES	MITIGATION TREES = $\frac{25' \times 174.38 \text{ FEET}}{100} = 43.59$ TREES
LANDSCAPING (REQUIRED) * IN AN OVERLAY DISTRICT + MITIGATION TREES	MIN. ONE TREE OR SHRUB PROVIDED FOR EACH 1,000 SF OF TOTAL LAND AREA FOR DEVELOPMENT (264,528 SF / 3,000 SF = 132.26 = 133) SHRUBS = 99 MIN. 25% OF PLANT MATERIALS SHALL CONSIST OF TREES = 34 TREES TOTAL NUMBER OF TREES = 34 + 99 = 133 TREES MIN. 25% OF TREES MAY BE ORNAMENTAL = 17 TREES MIN. 10% TREES SHALL BE EVERGREEN = 9 TREES SHRUB TREES = 46 TREES



2) SHRUB PLANTING DETAIL

NTS

GENERAL NOTES:
PLATING EXCEEDING THE MINIMUM REQUIREMENTS MAY NOT BE REDUCES ONCE APPROVED BY PLANNING COMMISSION.

OWNER/DEVELOPER MUST PROVIDE 3-YEAR GUARANTEE, STARTING ONCE INSTALLATION IS COMPLETE, FOR MAINTAINING AND REPLACING LANDSCAPING BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

ORNAMENTAL TREES MUST BE AT LEAST 2" IN CALIPER

SHADE TREES MUST BE AT LEAST 2.5" IN CALIPER.

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

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

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

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

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

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

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

THE CONTRACTOR SHALL PROTECT EXISTING FEATURES ON SITE.

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

MAINTENANCE:
 SEEDED AREAS ARE TO BE WATERED ENOUGH TO MAINTAIN ADEQUATE SURFACE SOIL MOISTURE FOR PROPER SEED GERMINATION.
 WATERING SHALL CONTINUE FOR ALL GRASSED AREAS FOR NOT LESS THAN 30 DAYS FOLLOWING SEEDING OR UNTIL A HEALTHY STAND OF
 GRASS, WITH 90% OR MORE COVERAGE, IS ACHIEVED.

IMMEDIATELY RESEED, FERTILIZE, AND MULCH DAMAGED AREAS OR ANY AREA THAT FAILS TO ACHIEVE THE COVERAGE SPECIFIED ABOVE UNTIL A HEALTHY STAND OF GRASS, WITH 90% OR MORE COVERAGE, IS ACHIEVED.

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

THE LANDSCAPE CONTRACTOR SHALL FULLY MAINTAIN ALL PLANTING (INCLUDING BUT NOT LIMITED TO WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) OF PLANTING AREAS AND LAWNS FOR 90 DAYS AFTER SUBSTANTIAL COMPLETION. THE LANDSCAPE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR ONE (1) YEAR BEGINNING AT THE DATE OF SUBSTANTIAL COMPLETION.

THE LANDSCAPE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE THE END OF THE GUARANTEE PERIOD (AS PER DIRECTION OF THE OWNER).

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

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

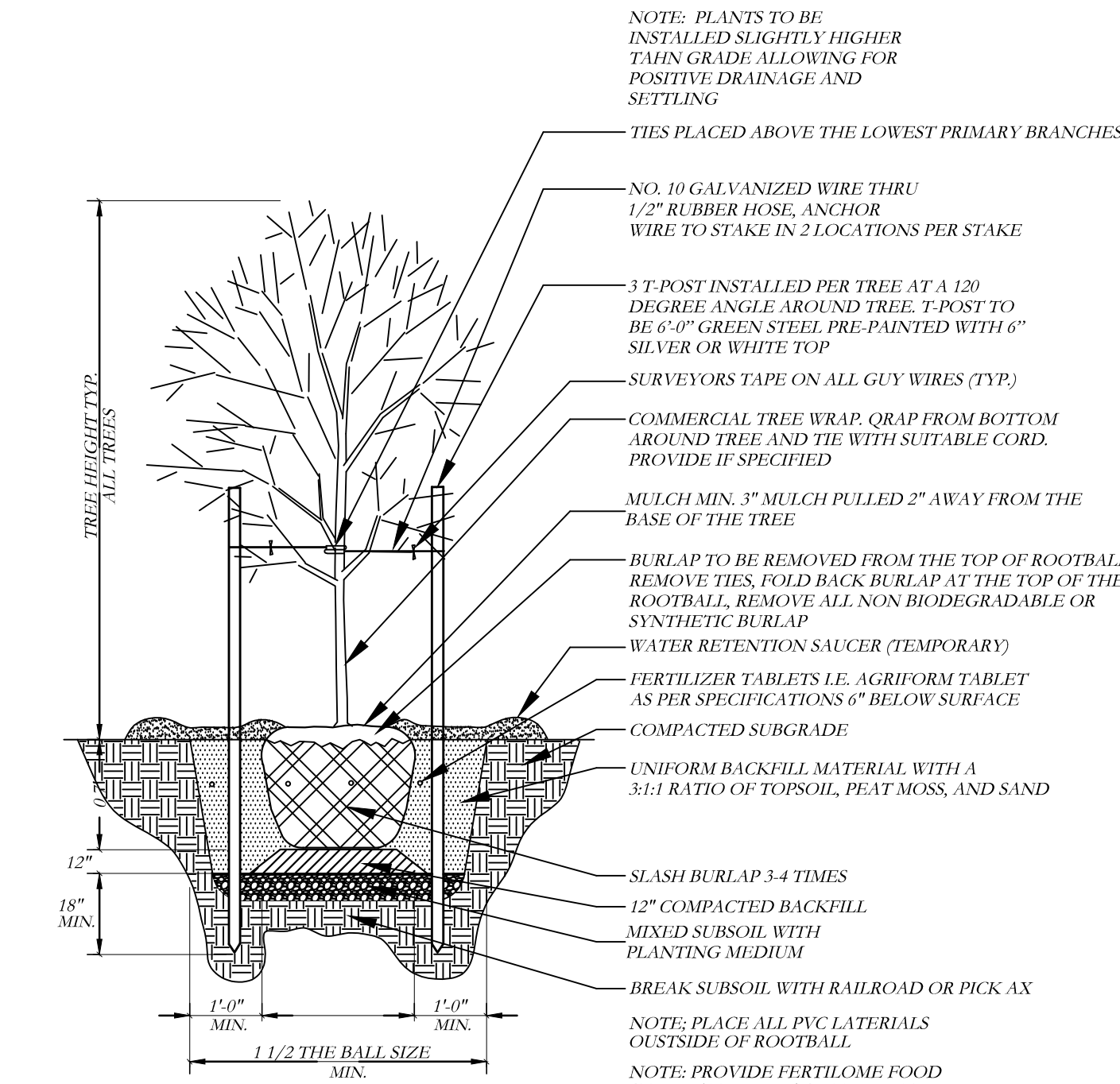
ALL TOPSOIL (4"-5" IN PLANTING BEDS) (1"-2" FOR SEED AND SOD AREAS) APPLIED TO THE SITE SHALL BE LOAMY, FRIABLE SOIL, CONTAINING A MINIMUM OF 15 PERCENT BY DRY WEIGHT ORGANIC MATTER; FREE FROM SUBSOIL, REFUSE, ROOTS, HEAVY OR STIFF CLAY, STONES LARGER THAN 25 MM (1 IN.), NOXIOUS SEEDS, STICKS, BRUSH, LITTER, AND OTHER DELETERIOUS SUBSTANCES; SUITABLE FOR THE GERMINATION OF SEEDS AND THE SUPPORT OF VEGETATIVE GROWTH. THE PH VALUE SHALL BE BETWEEN 5.5 AND 6.5.

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

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

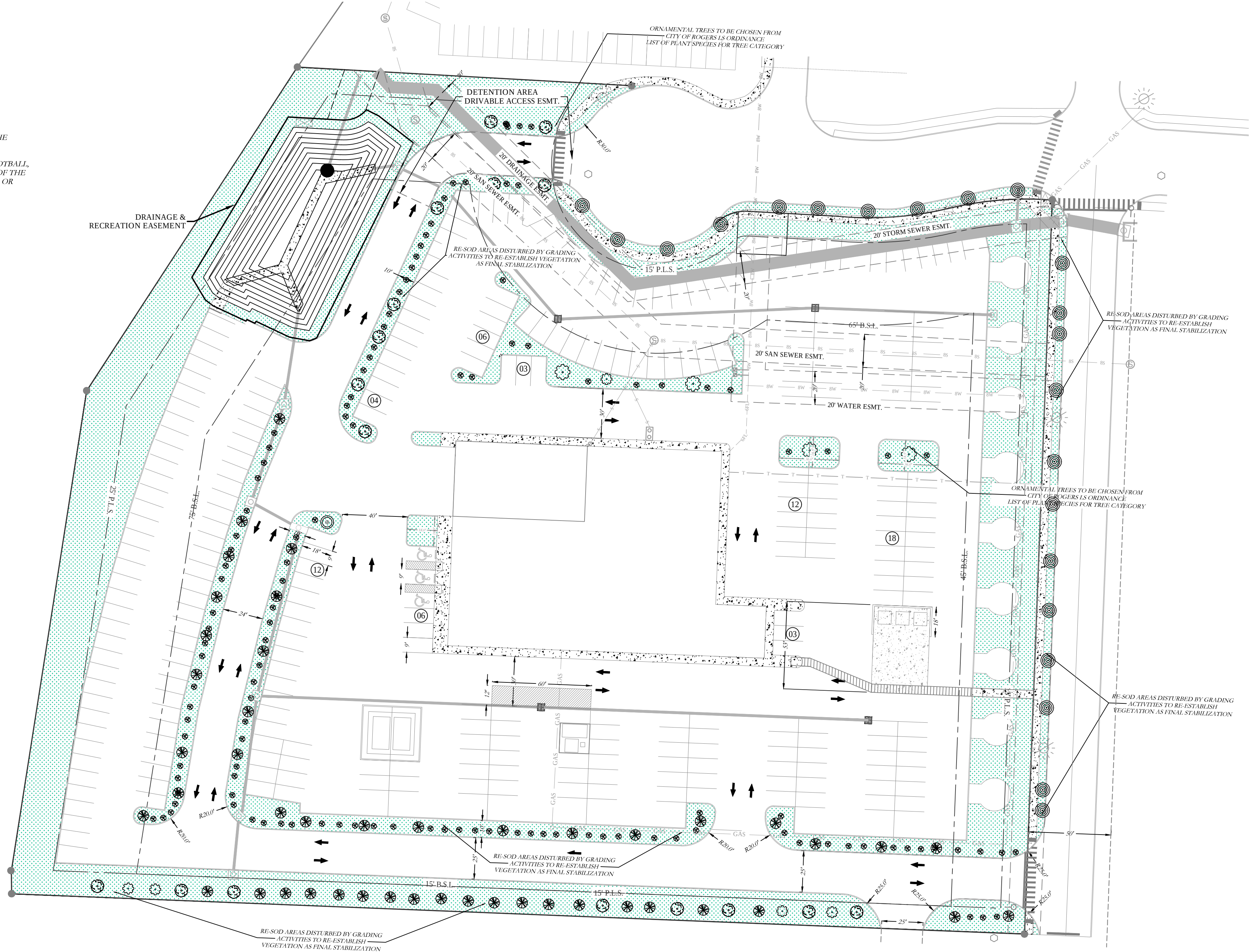
THIS SHEET IS FOR THE PURPOSE OF LANDSCAPING ONLY. ALL GRADING, UTILITIES, SITE FEATURES, ETC. ARE FOR REFERENCE ONLY. PLEASE REFER TO CIVIL PLANS FOR MORE DETAILS.

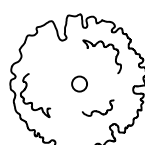
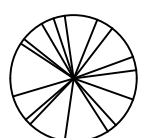
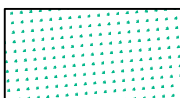
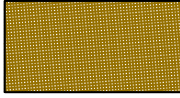
IT SHALL BE THE OWNER'S RESPONSIBILITY TO MAINTAIN ALL LANDSCAPING SO AS TO NOT INTERFERE WITH OR OBSTRUCT ANY ADA PATHS OR OTHER VEHICULAR OR PEDESTRIAN USE AREAS



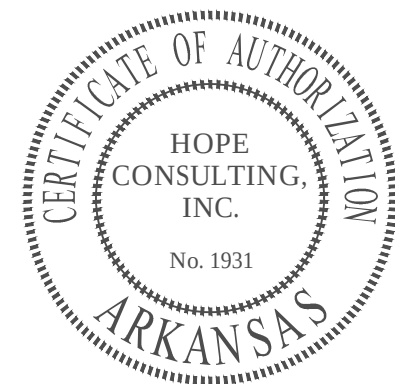
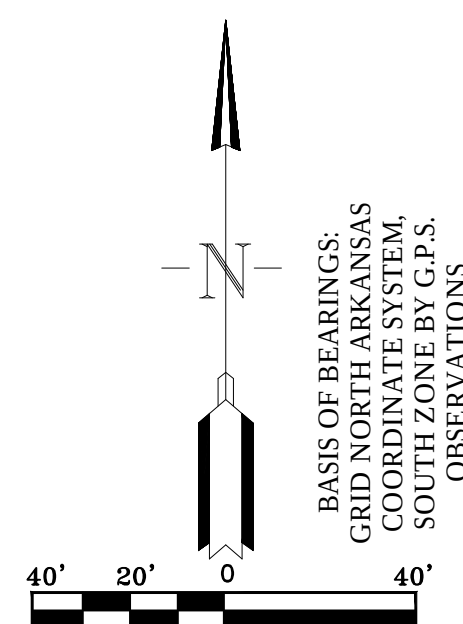
TREE PLANTING DETAIL

No SCALE



	<u>COMMON NAME:</u>	<u>BOTANICAL NAME:</u>	<u>HEIGHT AT PLANTING:</u>	<u>QTY:</u>
	SHURBS COMPACTA HOLLY, 6" G.C. - 5' G.M.	DWARF YAU/PON HOLLY	FIVE GALLON SIZE	REFER TO PLAN
	EVERGREEN TREES	TAYLOR JUNIPER	8'-0"	-
	ORNAMENTAL	NELLY STEVENS	6'-0"	-
	SHADE TREES	SLINDER SILOUETTE SWEETGUM	6'-0"	-
	STREET TREES	CRABAPPLE	6'-0"	-
	SOD (INCLUDES MULCH BEDS)	BERMUDA		
	MULCH BEDS (OPTIONAL)	PLANTER/ FLOWER BED		

TREE TYPES	TREE SPECIES	QUANTITIES	HEIGHT AT MATURITY	CALIPER
SHRUBS	DWARF YAUPON HOLLY	118	3'-3"	Wide 3'-6"
ORNAMENTAL TREE	NELLY STEVENS	17	15'	>2"
EVERGREEN TREE	TAYLOR JUNIPER	9	15'-20'	>2"
SHADE TREE	SLINDER SILOUTE SWEETGUM	46	> 6'	>2.5"
STREET TREE	CRABAPPLE	22	15'-20'	>2.5"



HOPE
CONSULTING
ENGINEERS - SURVEYORS

117 S. Market Street,
Benton, Arkansas 72015
PH. (501)315-2626
FAX (501) 315-0024
www.hopeconsulting.com

FOR USE AND BENEFIT OF:
SALINE HOLDINGS, LLC.

LANDSCAPE PLAN
VERETT NEW FACILITY
POPLAR ST. ROGERS, ARKAN

DATE:	05-18-2021	C.A.D. BY:	DRAWING NUMBER:
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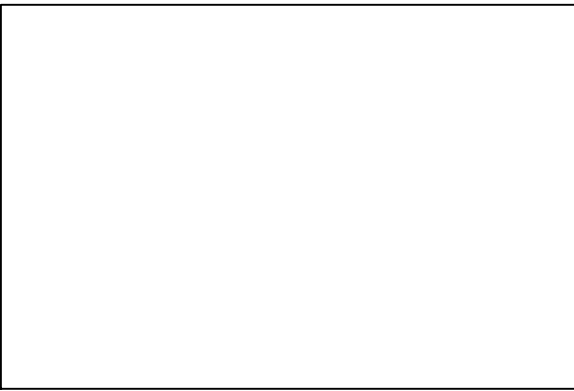
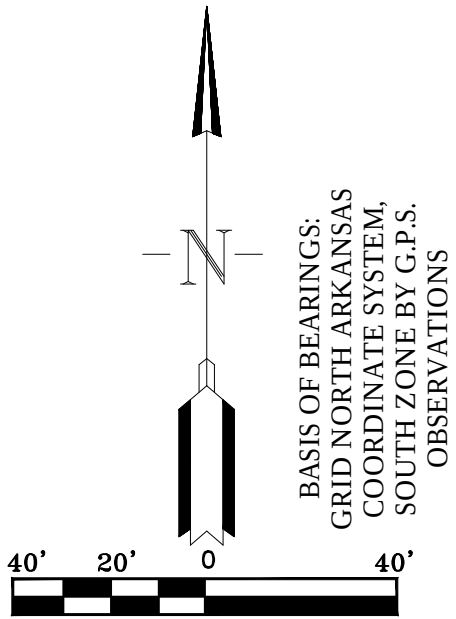
REVISED:	CHECKED BY:	21 0005
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SHEET:	C-8.0	SCALE:	21-0005
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CITY APPROVAL STAMP

CALCULATION CHART:	
MITIGATION TREES	MITIGATION TREES = 44 = 37.4 = 38 TREES MAX. 25% OF TREES MAY BE ORNAMENTAL = 9 TREES MIN. 10% TREES SHALL BE EVERGREEN = 5 TREES SHADED TREES = 24 TREES

NOTE:
PLEASE SEE THE ATTACHED TREE COUNT REPORT
FOR MITIGATION TREE CALCULATION.



CITY APPROVAL STAMP

HOPE CONSULTING ENGINEERS - SURVEYORS		117 S. Market Street, Benton, Arkansas 72015 PH. (501)315-2626 FAX (501) 315-0024 www.hopeconsulting.com	
FOR USE AND BENEFIT OF: SALINE HOLDINGS, LLC.			
MITIGATION PLAN EVERETT NEW FACILITY 4510 W. POPLAR ST. ROGERS, ARKANSAS			
DATE: 05-17-2021	C.A.D. BY:	DRAWING NUMBER:	
REVISED:	CHECKED BY:	21-0005	
SHEET: C-13.0	SCALE:		
500	19N	30W	0 09 300 04 1766



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

MEETING DATE
JUNE 15, 2021

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
LARGE-SCALE DEVELOPMENT PLANS – NINTH STREET TOWNHOMES

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

REQUEST DETAILS

PROJECT NAME:	Ninth Street Townhomes
ADDRESS/PARCEL:	NW corner of S 8 TH St. and W Banz Rd. / 02-01991-000 & 02-01987-000
PROPOSED USE:	Multifamily Residential
CURRENT ZONING:	RMF-10B (Residential Multifamily)
CGM GROWTH DESIGNATION:	Neighborhood
APPLICANT/REPRESENTATIVE:	Engineering Services, Inc.
PROJECT OWNER/DEVELOPER:	9 TH Street Townhomes, LLC
PROPERTY OWNER:	9 TH Street Townhomes, 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 eleven 5-plex multifamily buildings, five 6-plex multifamily buildings, and a detention pond on ± 8.08 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). See STAFF REVIEW for additional findings.

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

1. Approve **WAIVER** from Ch. 14-46(g)4 to allow the minimal width right-of-way to exclude the parking areas while maintaining connectivity as required.
2. Require the condition that a tract combination/property line adjustment be completed prior to the issuance of the building permit.

STAFF REVIEW

ENGINEERING REVIEW

1. ACCESS MANAGEMENT:

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

2. STORMWATER MANAGEMENT:

The applicant proposes a new detention pond for peak discharge mitigation and indicates that the proposed flows leaving the property have been reduced to below existing conditions.

3. WATER QUALITY:

The applicant meets the City of Rogers' water quality requirements using two hydrodynamic separator proprietary units. The applicant will be required to provide an Operations and Maintenance Manual for an Aqua-swirl Stormwater Treatment System and proprietary units with the final Drainage Report submission.

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:

The applicant proposes two new minor streets being an extension of W Linda Lane and an extension of S 9th Street. The applicant proposed to seal S 10th Street where connecting S 9th Street will link to the intersection of Banz Rd & S 10th Street.

b) Connectivity Standards:

The applicant meets the connectivity standards by connecting S 10th Street to 9th Street with the proposed S 9th Street right-of-way. The applicant requests a **WAIVER** from the Ch. 14-46(g)4. Minor Street Typical Street Section to allow the proposed street parking. The applicant states that the proposed development has perpendicular on-street parking on both sides of the street throughout most of the project. This on-street parking has further off-set the proposed sidewalk to where this street section does not conform to the "Minor Street" typical section. Therefore, a waiver is requested from the "Minor Street" typical section to allow the developer to build the proposed development as shown on the site plans, with on-street parking and the sidewalk and right-of-way as indicated. All sidewalk is proposed to be within a recreation easement since it will not be within the right of way.

c) Streetscape:

i) Right-of-Way:

- i) The right-of-way width for the proposed W Linda Lane is a 29-ft right-of-way. The right-of-way width is not conforming to the required right-of-way width per the Minor Street Typical Street Section, however this is covered in the waiver request as previously stated.
- ii) The right-of-way width for the proposed S 9th Street is a 29-ft right-of-way. The right-of-way width is not conforming to the required right-of-way width per the Minor Street Typical Street Section, however this is covered in the waiver request as previously stated.

ii) Sidewalks & Sidepaths:

The applicant proposes sidewalks outside of the right-of-way in recreation easements as stated within the waiver request.

d) Trails:

No trails are proposed nor required within this project.

e) Streetlights:

The applicant proposes to include streetlights in the right-of-way or within an easement which will be required in the easement platting.

f) Street Trees:

The applicant's waiver would allow the street trees to be outside of the right-of-way in the landscaped areas. These will be required in a recreation easement during the easement platting.

6. RECOMMENDATIONS:

Approve a **WAIVER** from Ch. 14-46(g)4 to allow the minimal width right-of-way to exclude the parking areas while maintaining connectivity as required.

PLANNING REVIEW

1. LAND USE:

a) Use Definition:

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

b) Zoning Compliance:

The proposed project is in compliance with RMF-10B zoning regulations.

c) CGM Compliance:

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

2. DEVELOPMENT STANDARDS:

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

a) Building Disposition:

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:

N/A

e) Landscaping:

All landscaping requirements have been met.

3. RECOMMENDATIONS:

a) Approve Large-Scale Development Plans subject to the following condition:

- i) Require a tract combination/property line adjustment be completed prior to the issuance of building permit.

OTHER REVIEWS

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

DIRECTOR'S COMMENTS

- 1. Agree with recommendations.



JOHN C. MCCURDY, Director
Community Development

SUGGESTED MOTIONS

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

TABS

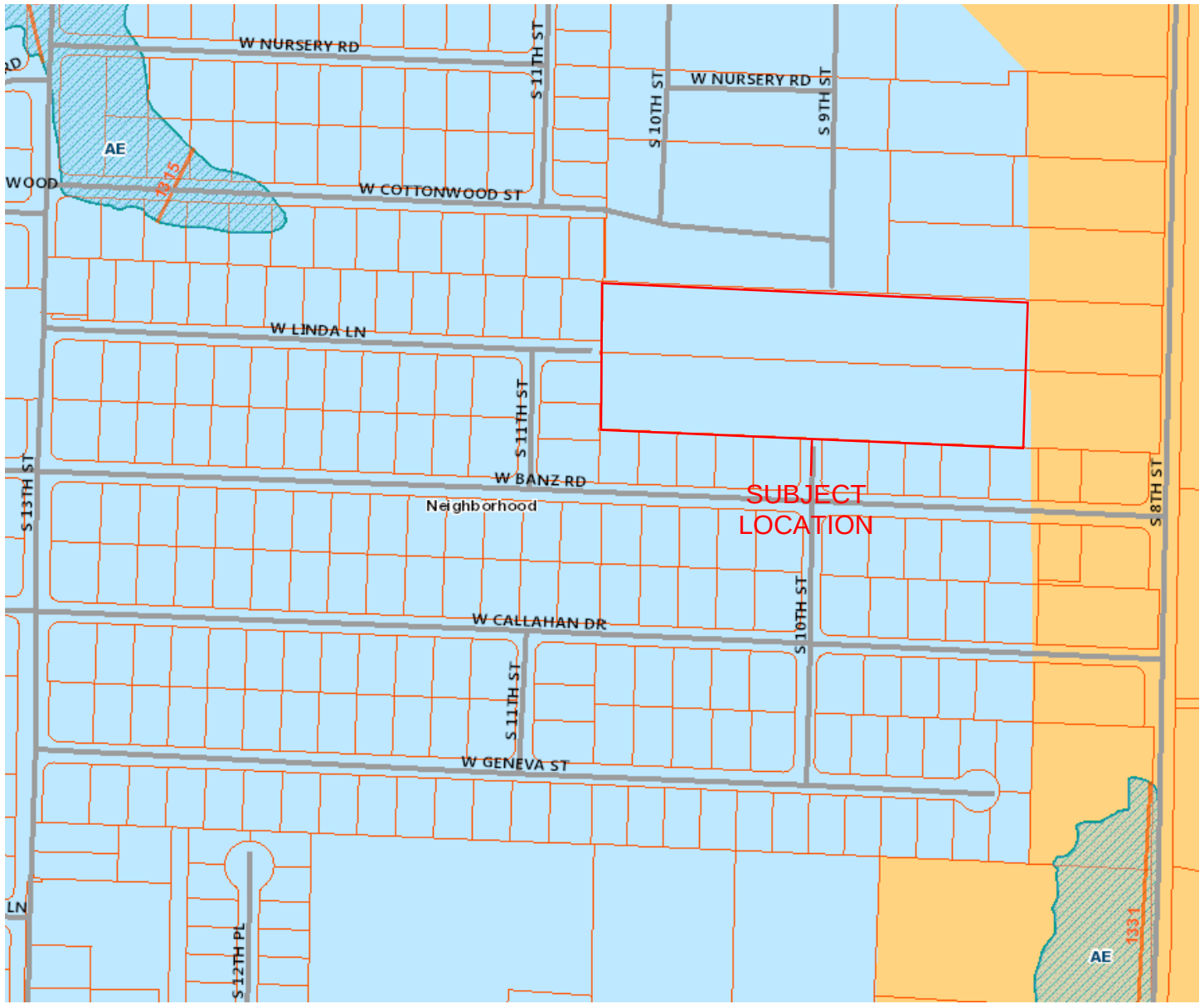
1. Vicinity maps (aerial, zoning, CGM)
2. RWU conditional approval letter
3. Waiver and/or variance request letter
4. Large-Scale Development Plans (cover, site, utility, landscape)

TAB 1

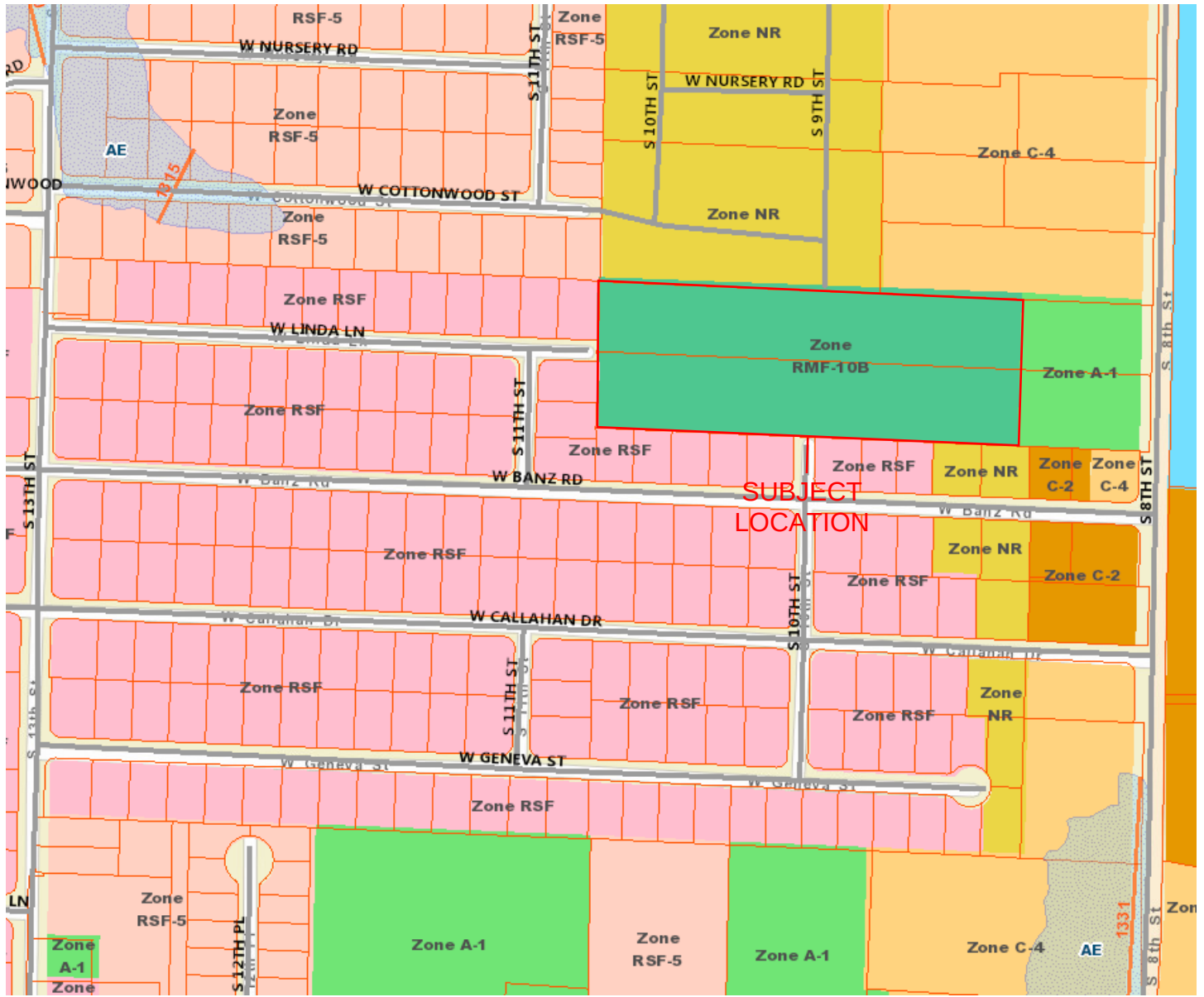
AERIAL VICINITY MAP



CGM VICINITY MAP



ZONING VICINITY MAP





May 28, 2021

Mr. Blake Murray, P.E.
Engineering Service, Inc.
P.O. Box 282
Springdale, AR 72765-0282

Re: Conditional Approval of Civil Plans
Ninth Street Townhomes

Dear Mr. Murray:

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

Overall Utility Plan

1. As per previous comment #4, Identify the building 911 addresses on the plans. We need a unique address for each meter, and we do not find a single 911 address on these plans. This appears to be the third review where we have had this comment.
2. There are a lot of notes that are causing design information to be blocked out. Move these notes to a different location by extending the leader line.
3. Turn off contours on the Utility Plan to more clearly see the utilities.
4. Provide a Symbols Legend on the plans which includes the symbol for the electric transformer.
5. Consider using small diameter trees in the islands between buildings 2 & 3, 6 & 7, 10 & 11, 14 & 15, and the island for building 16 to allow for the meters to be placed in the islands to minimize the public portion of the water service lines. (See the attached redlined Landscape Plan for suggested meter locations.)

Sanitary Sewer Plan & Profile

6. The proposed grade line is still missing between Manhole 1-2 and Manhole 1-3 on the profile.

Water Main Plan & Profile

7. There is no scale shown for the existing 12" water main on Sheet 7.
8. As per previous comment #11, show and note fire hydrant lines 1, 2, and 4 in accordance

with RWU Standard Detail WD 1/4B. There should be an 8" valve at the tapping sleeve and an 8" guard valve, 8"x 6" reducer and fire hydrant at the end of the fire hydrant line. The plan still shows an 8"x 6" reducer and 6" guard valve at the fire hydrant.

9. 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. Architectural and plumbing plans submitted for commercial customers.
 - E. 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.
 - F. A copy of the executed contract between the developer or general contractor and the utility contractor.
 - G. Performance and payment bonds executed by the utility contractor.
 - H. Two full-sized copies and two half-sized copies of the approved plans submitted at the pre-construction meeting.

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

Sincerely,

Stephen T. Ponder, PE

SP: DG

Attachment(s): Special Contract for Facilities Extension

March 23, 2021

Ms. Amber Long, Planner II
City of Rogers
301 W. Chestnut
Rogers, AR 72756

RE: Ninth Street Townhomes

Dear Ms. Long,

With the second submittal of the Ninth Street Townhomes project, we received a comment from staff that a waiver would be required with regards to the proposed development and the City's typical street section. The proposed streets through this development, would be classified as a "Minor Street", with a 50' right of way, and either 30' or 31' minimum of pavement width, as measured from the back of curb, depending on whether on-street parking, or a bike lane was utilized.

The proposed development has perpendicular on-street parking on both sides of the street, most of the project. This on-street parking has further off-set the proposed sidewalk to where this street section does not conform with the "Minor Street" typical section as previously described. Therefore, a waiver is requested from the "Minor Street" typical section to allow the developer to build the proposed development as shown on the included plans, with on-street parking and the sidewalk and right-of-way as indicated.

The required 29' width of the road (face of curb to face of curb) is still provided. The required 5' greenspace and 5' sidewalk on each side of the road are also still provided, but are separated from the road with the proposed parking. All sidewalk is proposed to be within a recreation easement since it will not be within the right of way.

Please let me know if you have any questions.

Thanks,



Blake Murray P.E., CFM
Project Engineer

CONTACT LIST
SURVEYOR/ENGINEER ENGINEERING SERVICES, INC. jappel@engineeringservices.com 1207 SOUTH OLD MISSOURI RD. SPRINGDALE, AR 72764 479-751-8733
OWNER/ DEVELOPER 9TH STREET TOWNHOMES LLC 1204 E JOYCE BLVD STE 102 FAYETTEVILLE AR 72703 C/O BMURRAY@ENGINEERINGSERVICES.COM
ADMINISTRATION 479-621-1117
BUILDING INSPECTIONS 479-621-1100
FIRE DEPARTMENT 479-621-1179
ROGERS COMMUNITY DEVELOPMENT 479-621-1186
ROGERS STREET DEPARTMENT 479-621-1140
ROGERS WATER UTILITIES (Stephen Ponder) 479-621-1156
CARROLL ELECTRIC (Derek Thurman) 479-273-2421 *2690
AEP SWPECO (Mark Beggley) 479-986-1004
BLACK HILLS ENERGY (Kenneth Peters) 479-877-0430
CATV/ COX (Larry Alexander) 479-871-8806
PHONE/ AT&T (Anthony Williams) 479-422-3173



PLANS FOR NINTH STREET TOWNHOMES

LARGE SCALE DEVELOPMENT
S 8TH STREET ROGERS, AR

#PL202100048

IN THE CITY OF
ROGERS, ARKANSAS

PROPOSED USE: MULTI- FAMILY
DEVELOPMENT

ZONING: RMF-10B (RESIDENTIAL
MULTI-FAMILY,
10 UNITS PER ACRE)
DCP (DENSITY CONCEPT PLAN)

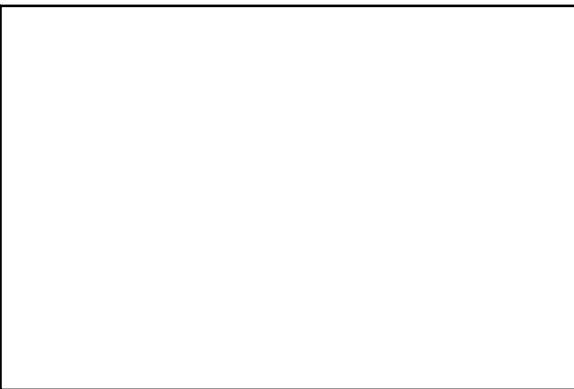
PARCEL: 02-01987-000
02-01991-000

INDEX OF SHEETS	
SHEET No.	DESCRIPTION
1	LARGE SCALE DEVELOPMENT
2	GRADING PLAN
3	STORM DRAINAGE PLAN
4	STORM DRAINAGE PROFILES
5	OVERALL UTILITY PLAN
6-9	UTILITY PLAN AND PROFILES
10	PAVING PLAN
11	POND LAYOUT
12-14	WATER AND SEWER DETAILS
15-16	TYPICAL DETAILS
17-18	BUILDING ELEVATIONS
19	STORM WATER POLLUTION PREVENTION PLAN
20	STORM WATER POLLUTION PREVENTION DETAILS
21	LANDSCAPING PLAN
22	TREE PRESERVATION PLAN

REVISION DATES:
1ST RESUBMITTAL TO CITY DATE: 02-15-2021
2ND RESUBMITTAL TO CITY DATE: 04-26-2021
3RD RESUBMITTAL TO CITY DATE: 06-01-2021

FLOOD PLAIN ZONING:

THIS DEVELOPMENT IS NOT WITHIN A FLOOD ZONE, AS SHOWN ON THE F.I.R.M. MAP
#05007C0270K, PANEL 255 OF 560, BENTON COUNTY, ARKANSAS AND INCORPORATED
AREAS. EFFECTIVE DATE: JUNE 5, 2012.



CITY APPROVAL STAMP

LEGAL DESCRIPTION:

NORTHERN TRACT (02-01991-000):

PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS
FOLLOWS; BEGINNING 30 RODS NORTH OF THE SE CORNER OF THE SAID 40 ACRES; THENCE NORTH 10 RODS,
THENCE WEST 80 RODS, THENCE SOUTH 10 RODS, THENCE EAST 80 RODS TO THE POINT OF BEGINNING.

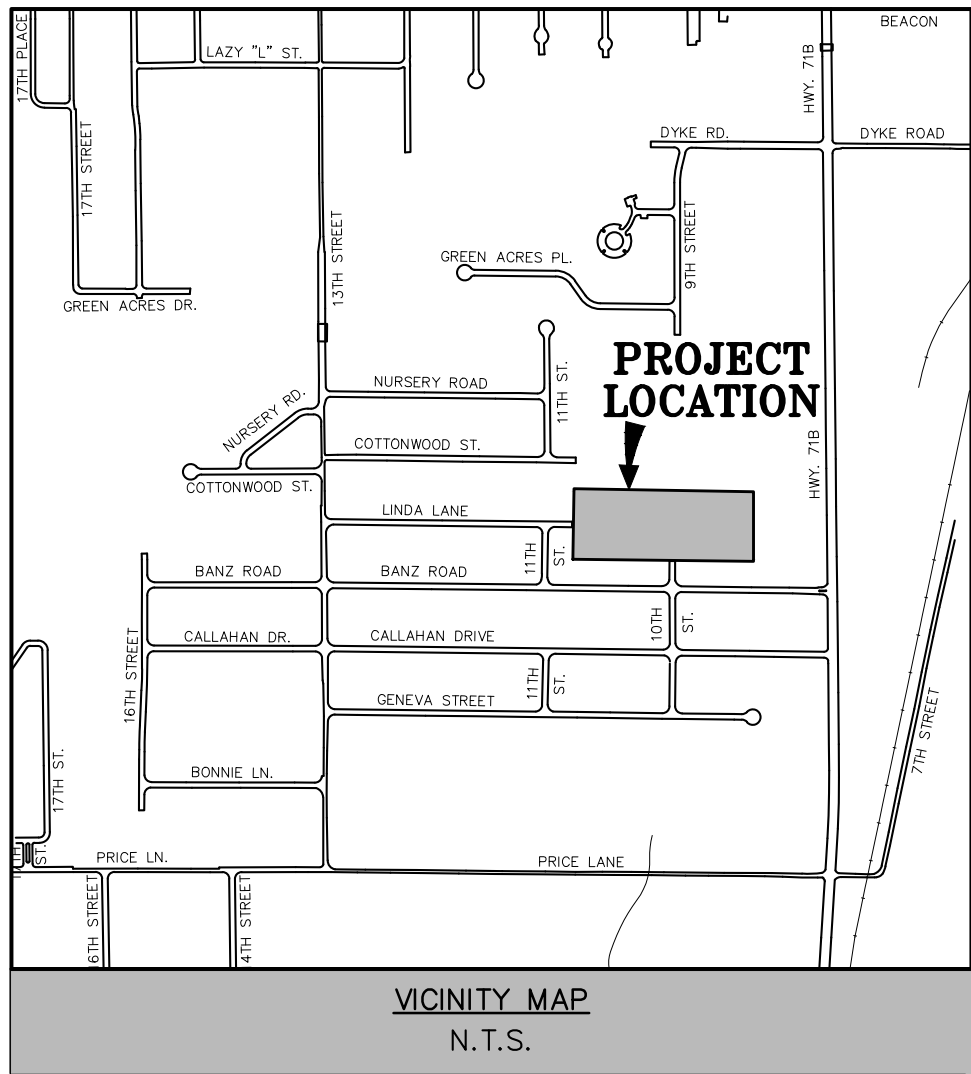
SOUTHERN TRACT (02-01987-000):

PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS
FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER; THENCE NORTH 315 FEET FOR A POINT OF
BEGINNING; THENCE NORTH 180 FEET; THENCE WEST 1320 FEET; THENCE SOUTH 180 FEET; THENCE EAST 1320
FEET TO THE POINT OF BEGINNING, CONTAINING 5.4545 ACRES, MORE OR LESS.

TOTAL RMF ZONE SITE AREA:	8.08 ACRES
TOTAL DEVELOPMENT AREA:	8.08 ACRES
DEVELOPMENT IMPERVIOUS AREA:	3.46 ACRES
GROSS BUILDING AREA:	65450 SQ.FT.
BUILDING SETBACKS:	INTERIOR SIDE = 10' EXTERIOR SIDE = 30' FRONT = 30' REAR = 30'
BUILDING HEIGHT:	±25-30 FEET
BUILDING COVERAGE PERCENTAGE:	18.6%
OPEN SPACE PERCENTAGE:	57.2%
IMPERVIOUS AREA PERCENTAGE:	42.8%
UNIT COUNT:	85 UNITS
BEDROOMS PER UNIT:	2 BEDROOMS PER UNIT
DENSITY:	85 UNITS/ 8.08 ACRES = 10.52 UNITS PER ACRE

LOCATION ADDRESSES

BUILDING #1 1001, 1003, 1005, 1007, 1009 W LINDA LANE
BUILDING #2 913, 915, 917, 919, 921 W LINDA LANE
BUILDING #3 901, 903, 905, 907, 909 W LINDA LANE
BUILDING #4 2230, 2232, 2234, 2236, 2238, 2240 S 9TH STREET
BUILDING #5 1000, 1002, 1004, 1006, 1008, 1010 W LINDA LANE
BUILDING #6 914, 916, 918, 920, 922, 924 W LINDA LANE
BUILDING #7 900, 902, 904, 906, 908, 910 W LINDA LANE
BUILDING #8 2244, 2246, 2248, 2250, 2252 S 9TH STREET
BUILDING #9 2231, 2233, 2235, 2237, 2239, 2241 S 9TH STREET
BUILDING #10 875, 877, 879, 881, 883 W LINDA LANE
BUILDING #11 863, 865, 867, 869, 871 W LINDA LANE
BUILDING #12 851, 853, 855, 857, 859 W LINDA LANE
BUILDING #13 2245, 2247, 2249, 2251, 2253 S 9TH STREET
BUILDING #14 874, 876, 878, 880, 882 W LINDA LANE
BUILDING #15 862, 864, 866, 868, 870 W LINDA LANE
BUILDING #16 850, 852, 854, 856, 858 W LINDA LANE



STANDARD NOTES:

1. 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.
2. A PERIMETER BUFFER STRIP SHALL BE TEMPORARILY MAINTAINED AROUND THE DISTURBED AREA. THE MINIMUM WIDTH FOR THE BUFFER STRIP IS 25FT WITH A MAXIMUM WIDTH OF 40FT, (WHERE POSSIBLE).
3. IT SHALL BE A VIOLATION OF CITY CODE FOR ANY PERSON, FIRM OR CORPORATION TO OCCUPY THE IMPROVEMENT MADE PURSUANT TO THE APPROVED LARGE SCALE DEVELOPMENT PLAN WITHOUT FIRST OBTAINING A CERTIFICATE OF OCCUPANCY. FAILURE TO OBTAIN A CERTIFICATE OF OCCUPANCY COULD RESULT IN A CITATION BEING ISSUED.
4. ALL DRIVEWAY APPROACHES MUST BE LESS THAN 10% IN GRADE ELEVATION UNLESS APPROVED BY THE CITY ENGINEER. ANY STREET WITH A SLOPE GREATER THAN 9% MUST BE HEAVY-DUTY CONCRETE WITH A ROUGH SURFACE.
5. ALL MECHANICAL, ELECTRICAL AND AIR CONDITIONING EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
6. ALL PARKING LOTS AND DRIVES MUST BE HARD SURFACED.
7. ALL SIGNS WILL REQUIRE SEPARATE PERMITS.
8. 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.
9. ALL WELLS AND SEPTIC SYSTEMS MUST BE LOCATED AND ABANDONED BY A STATE-LICENSED AND BONDED DRILLER IN ACCORDANCE WITH STATE REQUIREMENTS.
10. DRAINAGE IMPROVEMENTS MUST BE COMPLETED AND CERTIFIED BY THE ENGINEER OF RECORD, WITH ALL DITCHES AND BASINS SOLID-SOODED, CONCRETE-LINED, OR UNDERGROUND CONDUIT INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. EROSION CONTROL METHODS MUST BE USED DURING CONSTRUCTION.
12. IT IS THE OWNER'S RESPONSIBILITY TO COORDINATE WITH THE UTILITIES REGARDING PLANTS IN THE UTILITY EASEMENT.
13. 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.
14. THE SITE MUST COMPLY WITH ALL CITY OF ROGERS BUILDING AND FIRE CODES.
15. MAINTAIN ACCESS FOR ADJACENT BUSINESSES AT ALL TIMES.
16. SIDEWALKS MUST BE 5/8 FEET IN WIDTH AND RAMPED AT ALL CURB CUTS TO MEET ADA AND AUTO SPECIFICATIONS AND INSTALLED THE FULL WIDTH OF THE PROPERTY OR A LETTER OF CREDIT POSTED PRIOR TO ISSUANCE OF OCCUPANCY. SIDEWALKS MUST MATCH ANY EXISTING SIDEWALKS IN THE AREA, INCLUDE TRUNCATED DOMES AT THE HANDICAP RAMPS AND BE LOCATED A MIN. OF 5/8 FEET BEHIND THE CURB. TWO HANDICAP RAMPS ARE REQUIRED AT EACH STREET RADIUS FOR ANY STREET THAT IS A COLLECTOR AND ABOVE.
17. THE ENTIRE FACILITY MUST COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990.
18. THE OWNER/DEVELOPER WILL BE RESPONSIBLE FOR ANY UPSTREAM OR DOWNSTREAM FLOODING AS A DIRECT RESULT OF THIS DEVELOPMENT.
19. 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.
20. THE PROPOSED TRASH DUMPSTER MUST BE SCREENED WITH A SOLID-TYPE SCREENING CONSISTENT WITH THE ARCHITECTURAL STYLE OF THE BUILDING.
21. A PRE-CONSTRUCTION MEETING WITH THE ROGERS BUILDING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
22. ALL STREET CLOSURES FOR CONSTRUCTION WORK MUST BE SUBMITTED AND APPROVED BY THE CITY OF ROGERS PLANNING DEPARTMENT BY 5 P.M., FIVE BUSINESS DAYS PRIOR TO THE START OF WORK.
23. A RECORDED COPY OF THE EASEMENT PLAT SHALL BE FILED WITH THE PLANNING DEPARTMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. ENGINEER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE ROGERS PLANNING DEPARTMENT PRIOR TO ISSUANCE OF A GRADING PERMIT. ALL PHASE I EROSION CONTROL MUST BE INSTALLED PRIOR TO THE PRE-CONSTRUCTION MEETING AND A REDUCED SET OF CONSTRUCTION PLANS (1/4" = 1" H/W) WILL BE REQUIRED.
24. THE CITY OF ROGERS WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF ANY DETENTION POND.
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. EASEMENT PLAT MUST BE APPROVED AND RECORDED PRIOR TO CERTIFICATE OF OCCUPANCY.
27. ALL CIVIL PLANS USED ON SITE MUST INCLUDE MOST CURRENT STAMP BY ROGERS PLANNING.
28. IF 2012 331.01 APPROVED VEHICLE ACCESS FOR THE FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET 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.
29. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
30. ALL HVAC AND OTHER MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
31. ALL PROPOSED LIGHTING SHALL HAVE NO "BLEED-OFF" ON ADJACENT RESIDENTIAL PROPERTIES.
32. ALL PROPOSED SIDEWALK & CROSSWALKS SHALL BE WITHIN A PROPOSED RECREATIONAL EASEMENT.

LEGAL DESCRIPTION: EAST ZONING (C-4):

A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 24; THENCE ALONG THE EAST LINE OF SAID NE 1/4 OF THE SW 1/4, N022°17'E A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID EAST LINE N08°13'25W A DISTANCE OF 317.91 FEET TO A POINT; THENCE, N022°20'E A DISTANCE OF 353.32 FEET TO A POINT; THENCE S86°40'52"E A DISTANCE OF 318.56 FEET TO THE EAST LINE OF SAID NE 1/4 OF THE SW 1/4; THENCE ALONG SAID EAST LINE S02°29'17"W A DISTANCE OF 355.85 FEET TO THE POINT OF BEGINNING, CONTAINING 2.59 ACRES MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF S. 8TH STREET ALONG THE EAST SIDE THEREOF.

LEGAL DESCRIPTION: WEST ZONING (RMF)

A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 24; THENCE ALONG THE EAST LINE OF SAID NE 1/4 OF THE SW 1/4, N022°17'E A DISTANCE OF 315.00 FEET; THENCE LEAVING SAID EAST LINE N08°13'25W A DISTANCE OF 317.91 FEET THE POINT OF BEGINNING; THENCE, CONTINUING N08°13'25W A DISTANCE OF 1008.48 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF THE SW 1/4; THENCE ALONG SAID WEST LINE, N02°36'28"E A DISTANCE OF 345.25 FEET TO A POINT; THENCE S86°40'52"E A DISTANCE OF 1006.91 FEET TO A POINT; THENCE S022°20'W A DISTANCE OF 353.32 FEET TO THE POINT OF BEGINNING, CONTAINING 8.08 ACRES, MORE OR LESS.

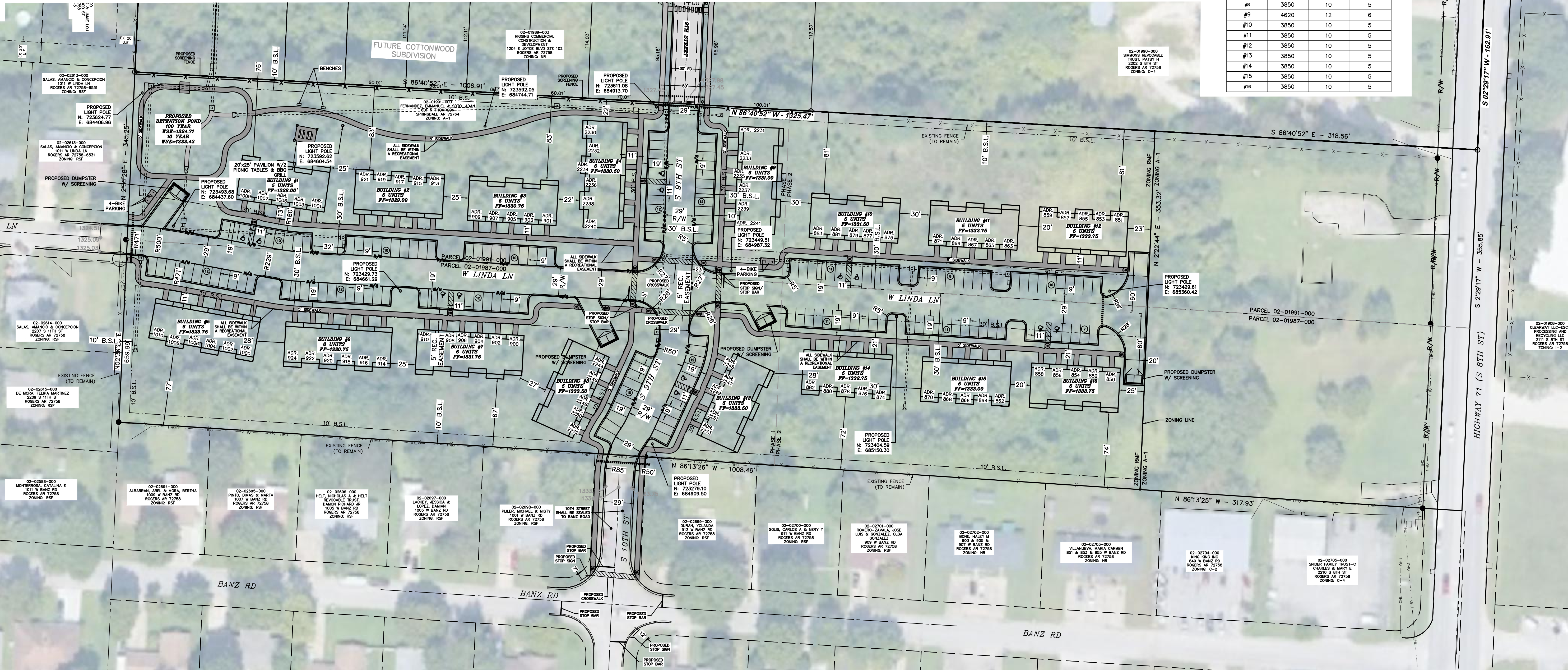
LEGAL DESCRIPTION:

NORTHERN TRACT (02-01991-000):

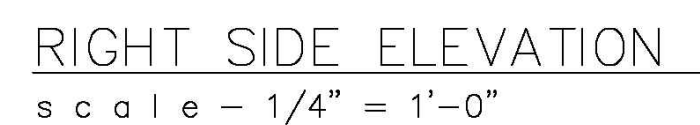
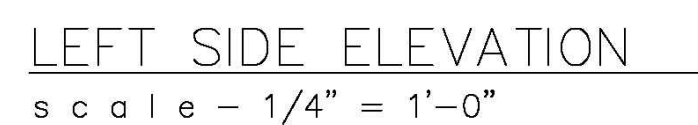
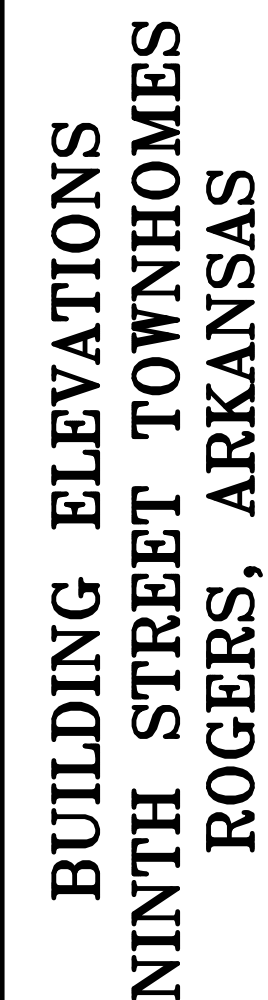
PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING 30 RODS NORTH OF THE SAID 40 ACRES, THENCE NORTH 10 RODS, THENCE WEST 80 RODS, THENCE SOUTH 10 RODS, THENCE EAST 80 RODS TO THE POINT OF BEGINNING.

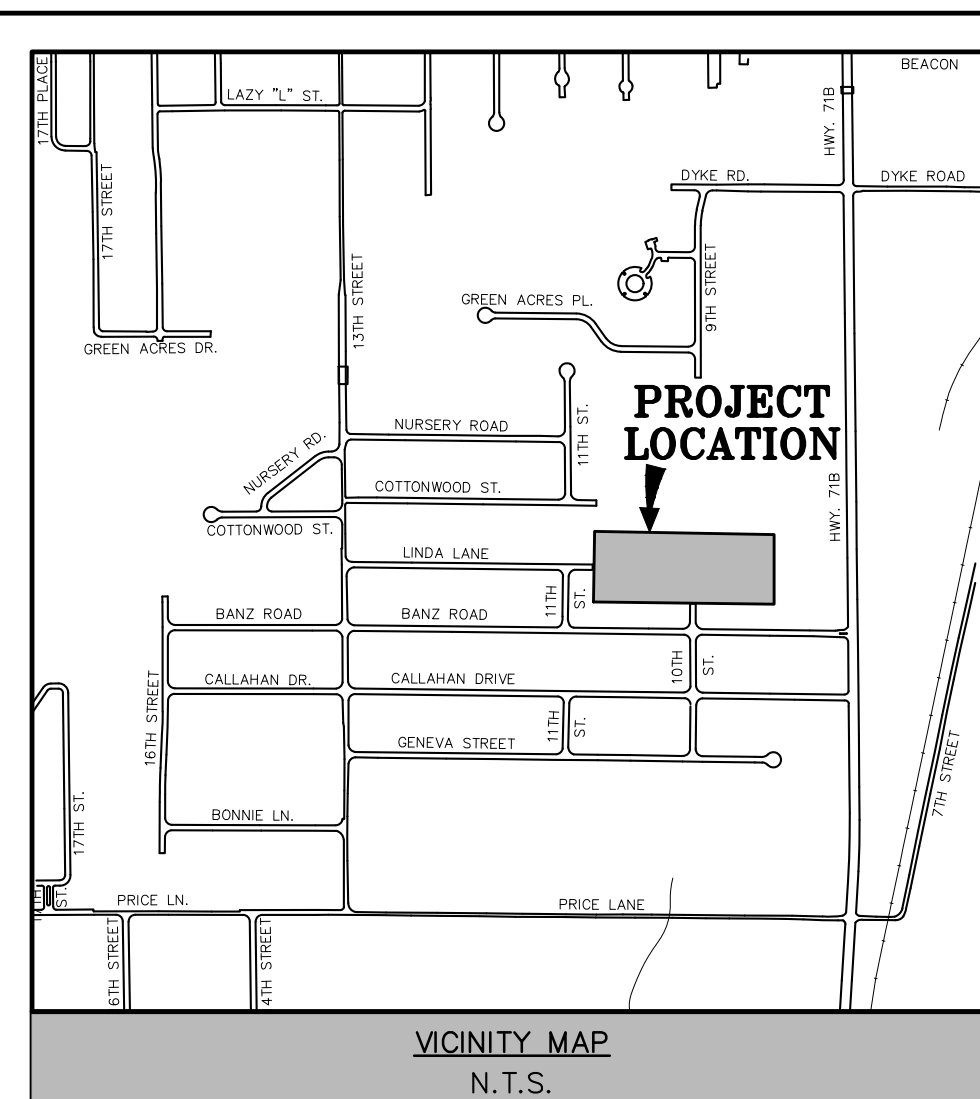
SOUTHERN TRACT (02-01987-000):

PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER; THENCE NORTH 315 FEET FOR A POINT OF BEGINNING; THENCE NORTH 180 FEET; THENCE WEST 1320 FEET; THENCE SOUTH 180 FEET; THENCE EAST 1320 FEET TO THE POINT OF BEGINNING, CONTAINING 5.4545 ACRES, MORE OR LESS.



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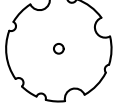
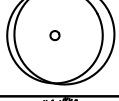
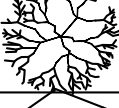
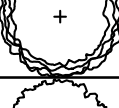


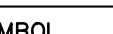
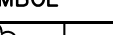
NOTES:

1. SOIL SHALL BE AMENDED AND ALL ROCKS AND FOREIGN MATERIAL SHALL BE REMOVED PRIOR TO ANY LANDSCAPE INSTALLATION
2. ALL PROPOSED PLANTING AREAS COVERED BY GRASS SHALL HAVE THE SOD COMPLETELY REMOVED BEFORE PLANTING BEGINS
3. ORGANIC MULCH AND LANDSCAPE EDGING SHALL BE PLACED AROUND ALL TREES AND WITHIN ALL LANDSCAPE BEDS AS SHOWN ON PLANS.
4. ALL PLANTING BEDS SHALL BE CONTAINED BY EDGING MATERIAL OTHER THAN VEGETATION
5. WIRE BASKETS AND BURLAP TO BE REMOVED DURING TREE PLANTING.
6. ALL PLANTING BEDS SHALL RECEIVE 3"-4" OF ORGANIC MULCH AT TIME OF INSTALLATION. MULCH SHALL NOT BE REPLACED IMMEDIATELY ADJACENT TO THE TREE TRUNKS, BUT SHALL BE PLACED AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE.
7. SHADE TREES SHALL HAVE A MIN. CALIPER OF 2.5", ORNAMENTAL TREES SHALL HAVE A MIN. CALIPER OF 2"
8. ONCE INSTALLED LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY LIVING CONDITION, AND IF PLANT MATERIAL DIES IT SHALL BE REPLACED PROMPTLY.
9. IF CONFLICTS WITH PROPOSED LIGHTS, FIRE HYDRANTS, OR OTHER SITE FEATURES EXIST, TREES OR SHRUBS SHALL BE MOVED AND SHALL NOT INTERFERE WITH PROPOSED FEATURES.
10. TREES SHALL BE STAKED AS NECESSARY TO PREVENT LEANING OR FALLING OVER.
11. TREES SHALL BE AT LEAST 10 FEET FROM ANY UTILITY MAIN OR SERVICE LINES.
12. ALL PROPOSED TREES SHALL BE A MINIMUM OF 5 FEET FROM ALL PUBLIC UTILITIES. (EX. ELECTRICAL)

NOTES:

A LETTER FROM THE OWNER/DEVELOPER IS REQUIRED THAT GARANTEES TO MAINTAIN AND/OR REPLACE THE LANDSCAPING FOR A PERIOD OF THREE (3) YEARS STARTING ONCE INSTALLATION IS COMPLETE.

TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL TREES	# PLANTING SIZE TYPE	MATURE HEIGHT
	Hightower Willow Oak	Quercus phellos	3	2.5" Cal B & B 6" H min	S 45'-55'
	Loblolly Pine	Pinus taeda	25	B & B 8" H min	E 60'-70'
	Legacy Sugar Maple	Acer saccharum	2	2.5" Cal B & B 6" H min	S 50'-60'
	Shumard Oak	Quercus shumardii	14	2.5" Cal B & B 6" H min	S 40'-60'
	Northern Red Oak	Quercus rubra	6	2.5" Cal B & B 6" H min	S 60'-75'
	Lacebark Elm	Ulmus parvifolia	14	2.5" Cal B & B 6" H min	S 45'-55'
	Eastern Redbud	Cercis canadensis	4	2" Cal B & B 6" H min	O 20'-25'
	Red Maple	Acer rubrum	5	2.5" Cal B & B 6" H min	S 45'-65'

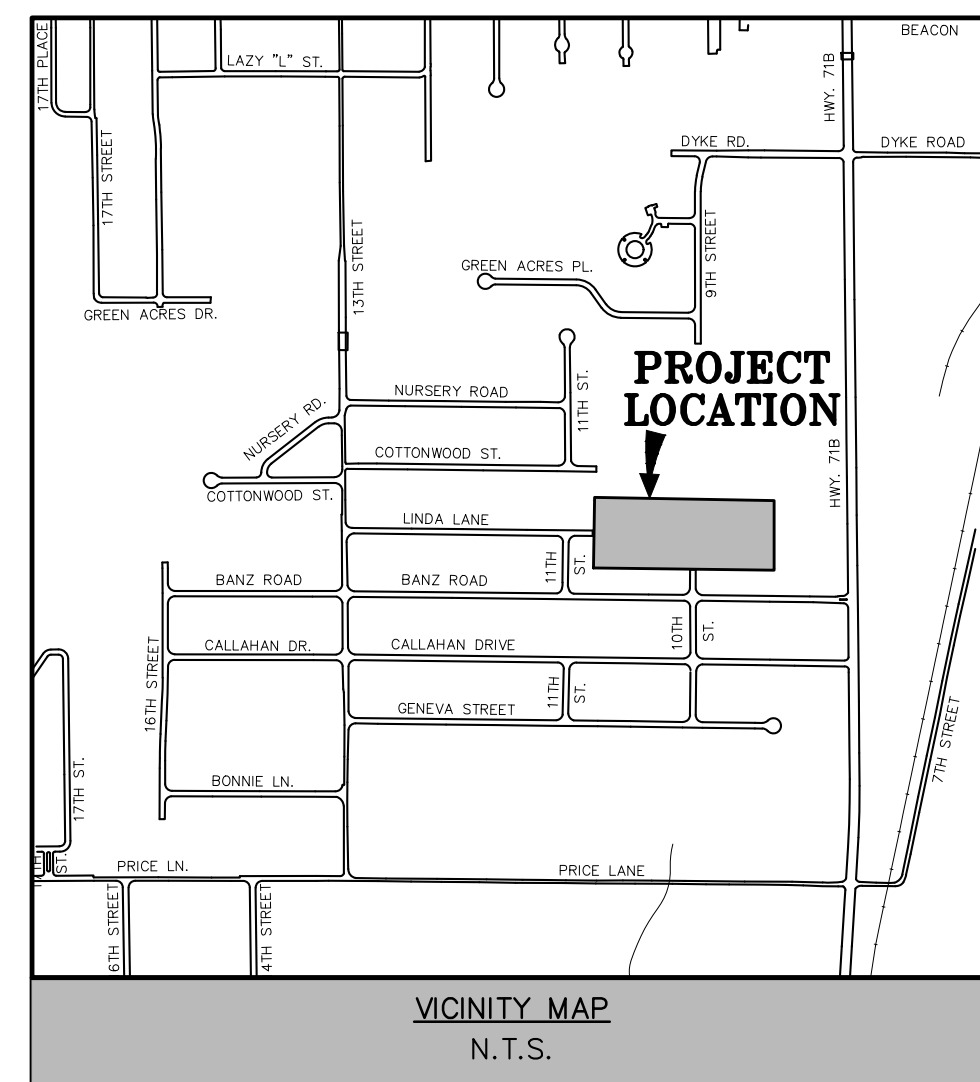
INDEX OF STREET TREES						
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	TOTAL TREES	# PLANTING SIZE	TYPE	MATURE HEIGHT
	Chinese Pistache	Pistachia chinensis	16	2.5" Cal B & B 6" H min	S	35'-45'
	Amur Maple	Acer ginnala	10	2.5" Cal B & B 6" H min	O	15'-20'

CITY APPROVAL STAMP

LANDSCAPE PLAN
NINTH STREET TOWNHOMES
ROGERS, ARKANSAS

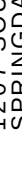
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1. SOIL SHALL BE AMENDED AND ALL ROCKS AND FOREIGN MATERIAL SHALL BE REMOVED PRIOR TO ANY LANDSCAPE INSTALLATION
2. ALL PROPOSED PLANTING AREAS COVERED BY GRASS SHALL HAVE THE SOD COMPLETELY REMOVED BEFORE PLANTING BEGINS
3. ORGANIC MULCH AND LANDSCAPE EDGING SHALL BE PLACED AROUND ALL TREES AND WITHIN ALL LANDSCAPE BEDS AS SHOWN ON PLANS.
4. ALL PLANTING BEDS SHALL BE CONTAINED BY EDGING MATERIAL OTHER THAN VEGETATION
5. WIRE BASKETS AND BURLAP TO BE REMOVED DURING TREE PLANTING.
6. ALL PLANTING BEDS SHALL RECEIVE 3"-4" OF ORGANIC MULCH AT TIME OF INSTALLATION. MULCH SHALL NOT BE PLACED IMMEDIATELY ADJACENT TO THE TREE TRUNKS, BUT SHALL BE KEPT AT LEAST 3" FROM ROOT COLLAR AT THE SOIL LINE.
7. SHADE TREES SHALL HAVE A MIN. CALIPER OF 2.5", ORNAMENTAL TREES SHALL HAVE A MIN. CALIPER OF 2".
8. ONCE INSTALLED LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY LIVING CONDITION, AND IF PLANT MATERIAL DIES IT SHALL BE REPLACED PROMPTLY
9. CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF TWO (2) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE
10. IF CONFLICTS WITH PROPOSED LIGHTS, FIRE HYDRANTS, OR OTHER SITE FEATURES EXIST, TREES OR SHRUBS SHALL BE MOVED AND SHALL NOT INTERFERE WITH PROPOSED FEATURES.
11. TREES SHALL BE STAKED AS NECESSARY TO PREVENT LEANING OR FALLING OVER.
12. TREES SHALL BE AT LEAST 10 FEET FROM ANY UTILITY MAIN LINES.
13. ALL PROPOSED TREES SHALL HAVE A MINIMUM OF 5 FEET FROM ALL PUBLIC UTILITIES.

**TREE PRESERVATION PLAN
NINTH STREET TOWNHOMES
ROGERS, ARKANSAS**



ENGINEERING SERVICES INC.
1207 SOUTH OLD MISSOURI RD.
SPRINGDALE, ARKANSAS 72764

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○ TREE PLANTING DETAIL
NOT TO SCALE

- TREE NOTES:**
- FAIR HEALTH AND QUALITY OF TREES ON SITE IS GENERALLY FAIR, WITH SOME POOR QUALITY, AND VERY FEW GOOD/HEALTHY TREES FOUND WITHIN THESE GROUPS. WOODLAND CATEGORY IS GENERALLY SECOND GROWTH TREE CANOPY WITH SIGNIFICANT TREES OF 8" CALIPER OR LARGER SCATTERED THROUGHOUT THE SITE.
- TREE REMOVAL:**
- SIGNIFICANT TREES ON SITE ARE A VARIETY OF SPECIES CONSISTING OF:
RED OAK, ELM, ASH, POPLAR, AND WILLOW.
- THE SITE ALSO CONTAINS A NUMBER OF LARGE RED CEDAR AND BRADFORDS PEAR'S. THESE ARE SHOWN ON THE PLAN FOR GRADING AND REMOVAL PURPOSES, BUT NOT COUNTED AS SIGNIFICANT PER ROGERS CODE Sec.14-796.D.2.C.2

- TREE PRESERVATION FENCING DETAIL**
NOT TO SCALE

LEGEND

..... **1650**
 ———— 132' ————
 PROPOSED CONTOURS
 (1' INTERVALS)

PROPOSED SIDEWALK
 STREET CENTERLINE
 EASEMENT
 BUILDING SETBACK LINE
 CURB & GUTTER
 EXISTING CANOPY - TO BE REMOVED
 EXISTING CANOPY - TO REMAIN
 TREE PROTECTION FENCING

GRID
 N
 E
 S
 W

GRAPHIC REPRESENTATION ONLY
 SCALE 1" = 50'

0 25' 50' 100'

CITY APPROVAL STAMP

[illegible]

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