

DEPT. OF COMMUNITY DEVELOPMENT

PLANNING DIVISION 301 W. CHESTNUT

PHONE: (479) 621-1186

FAX: (479) 986-6896

JULY 30, 2018

TO:

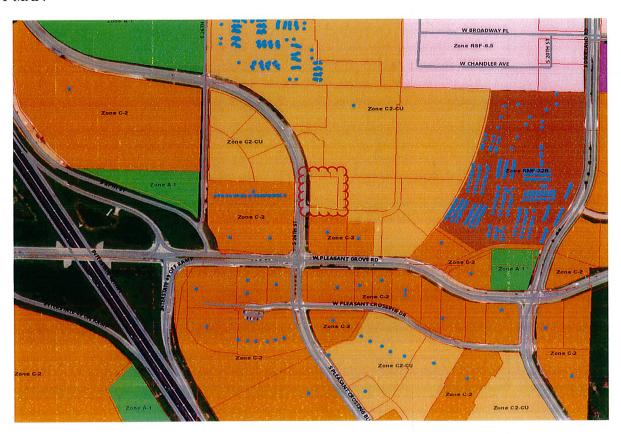
PLANNING COMMISSION

LARGE-SCALE DEVELOPMENT COMMITTEE

LSDP, BURGER KING STAFF SUMMARY REPORT

LOCATION:	4125 S 26 th Street
LAND OWNER:	L.W. Clark Inc.
DEVELOPER:	L.W. Clark Inc.
APPLICANT/ ENGINEER:	Morrison Shipley
ZONING DISTRICT:	C-2 (Highway Commercial)
PLANNED USE:	Fast food restaurant
REQUEST:	LSDP approval
AUTHORITY:	Article III of Chapter 14, Rogers Code of Ordinances
DESCRIPTION:	±2,866 sf new construction with drive-thru service
WAIVERS:	Driveway offset; 10' sidepath with 6' greenspace
FEES-IN-LIEU:	N/A

VICINITY MAP:



BACKGROUND

- The developer intends to build a new fast food restaurant with drive-thru service south of Academy Sports on 26th Street.
- The site is located within the Centre Pointe Phase 2 at Pleasant Grove commercial subdivision. All adjacent properties to the north, south, east, and west are zoned commercial.
- Status: the LSDP has gone through the technical review process, and all revisions requested by staff have been completed and approved with the exception of requested waivers.

STAFF REVIEW

ENGINEERING REVIEW:

- 1) Access Management: The applicant requests a <u>WAIVER</u> to Sec. 14-260(1)D Offset between opposing non-residential curb cuts in order to provide additional access to the site from S. 26th Street.
- 2) Stormwater and Water Quality:
 - a) <u>Stormwater Management</u>: Stormwater will be addressed by utilizing an offsite regional retention pond that has adequate capacity for the proposed improvements.
 - <u>Water Quality</u>: Water quality will be addressed through the regional retention facility and will have adequate capacity to treat the site stormwater runoff.
- B) Required Public Improvements:
 - a) Street Pavement and Condition: The site is located on S. 26th Street and is classified on the Master Street Plan as a major arterial street. S. 26th Street has been constructed as a 5-lane road with curb and gutter, and sidewalks. The roadway pavement for S. 26th Street is not in substandard condition and does not require improvements.
 - b) Streetscape:
 - i) Right-of-Way: Minimum required right-of-way has been dedicated prior to this development.
 - ii) Sidewalks: The applicant requests a WAIVER from Sec. 14-256(11) for required 10' sidepath with 6' greenspace because sidewalks already exist along S. 26th Street with variable width greenspace.
 - iii) Trails: No trail construction is required.
 - iv) <u>Streetlights</u>: Two streetlights are proposed as part of this development and will be provided by the utility company serving this area.
 - v) Street Trees: Street trees to be provided within the right-of-way.

4) RECOMMENDATIONS:

The proposed project meets all engineering review requirements for a large-scale development subject to the following recommendations and waiver requests:

- a) Approve waiver to Sec. 14-260(1)D Offset. Per Sec. 14-260(3) "...the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical."

 On the characteristics of layout of abutting properties of approximately 52' instead of the required 75'. The applicant is
 - One opposing non-residential driveway has a separation of approximately 52' instead of the required 75'. The applicant is proposing their driveway curb cut to be a right-in and right-out only to prevent left turn conflicts on S. 26th Street and is not expected to be a traffic hazard. The opposing driveway is a delivery access that is rarely used.
- b) **Approve waiver to Sec. 14-256(11) for required 10' sidepath with 6' greenspace.** Per Sec. 14-46(3)d, other available means or factors indicate an absence of need, including future need.
 - The existing sidewalk the site will connect to on S. 26th Street have been constructed 6' wide with variable width greenspace and a 10' sidepath would create an isolated section unlikely to connect to a future sidepath.

The plans indicate that a 5' sidewalk is proposed. Staff recommends that a 6' sidewalk is constructed for context of the area.

DYLAN COBB, Planning Engineer City of Rogers Engineering Division NATHAN BECKNELL, City Engineer City of Rogers Engineering Division

PLANNING REVIEW:

- 1) <u>Land Use</u>: The proposed development meets the definition of "fast food restaurant", and is allowed by right in the C-2 (Highway Commercial) zoning district. This land use is consistent with the current Comprehensive Growth Map which designates the subject location as "Commerce Corridor."
- 2) <u>Development Standards</u>: The site plan conforms to all development standards and requirements per Sec. 14-709.
 - a) Landscaping: All landscaping requirements have been met.

- b) Parking: All vehicle parking requirements have been met.
- c) Setbacks: All building setback requirements have been met.
- d) Screening: All screening requirements have been met.
- 3) Views of Others: No supporting or opposing comments have been received by the Planning Division.
- 4) RECOMMENDATIONS:
 - a) The proposed project meets all zoning requirements for a large-scale development. Approve.

ETHAN HUNTER, Planner III City of Rogers Planning Division

2. HUNTER

LORI ERICSON, Planning Administrator City of Rogers Planning Division

ADMINISTRATOR'S SUGGESTED MOTION:

Motion to approve the Large-Scale Development project, contingent upon all conditions listed in the engineer's report, and with the following actions for the requested waivers:

- Approve waiver for maximum driveway offset.
- Approve waiver for 10' sidepath with 6' greenspace and require 6' sidewalk instead of 5' as depicted on the plans.

DIRECTOR'S COMMENTS

1) Agree with recommendations and suggested motion.

JOHN C. McCURDY, Director

City of Rogers Department of Community Development

Tabs:

- 1. Large-Scale Development Plans
- 2. Waiver Letter
- 3. Infrastructure Agreement
- 4. Maps and photos



June 22, 2018

ENGINEERS • SURVEYORS

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

Re:

Burger King (PL201800251) - Waiver Letter

4125 S. 26th Street

Dear Planning Commission,

Morrison-Shipley Engineers, on behalf of L.W. Clark Inc, is requesting a waiver from the following requirement:

Sec. 14-260(D) - Offset. Either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than 75 feet. This condition shall not apply where a permanent median exists without break for these driveways.

The development is currently showing a separation of about 52' from the next south drive on the west side of S. 26th Street. The Burger King development is proposing to have a right-in and right-out access drive connecting to S. 26th street, which would eliminate the potential conflict with the west drive. A mountable island is being proposed to allow fire access. The drive is being requested so the development has two access points with one being directly on a public road.

If you have any questions or need additional information, please contact me at (479)273-2209. Thank you for your consideration.

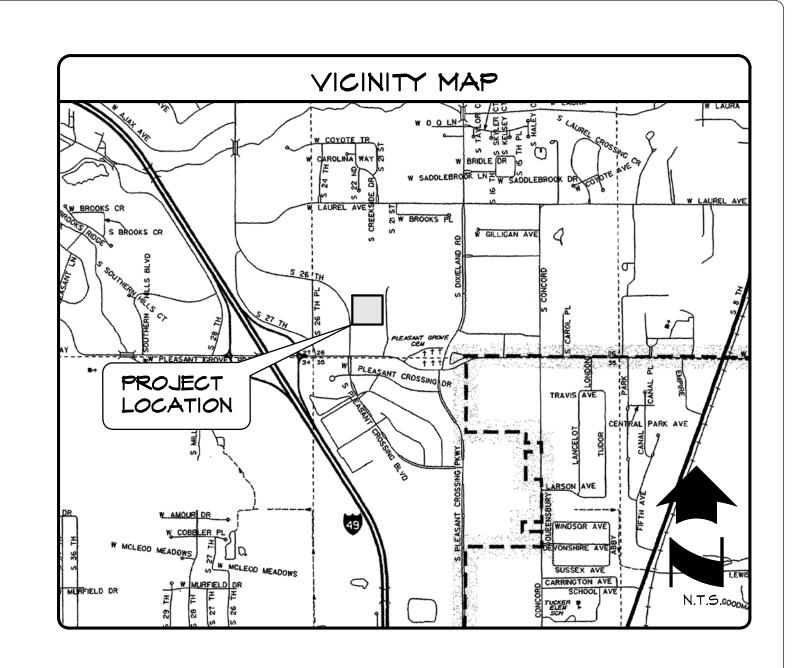
Sincerely,

Morrison-Shipley Engineers, Inc.

Patrick Foy, PE

Project Manager

for





4125 S. 26th St. Rogers, Benton County, Arkansas

Owner/Developer

Name: L.W. Clark Inc Contact: Terry Clark Address: 1509 Wesley Ave, Springdale, AR 72764 Phone: (479) 756-1179 Email: tclark2263@gmail.com

Project Engineer

Name: Morrison Shipley Engineers, Inc Contact: Patrick Foy Address: 2407 SE Cottonwood St, Bentonville, AR 72712 Phone: (479) 273-2209 Email: pfoy@morrisonshipley.com

FLOOD CERTIFICATION:

Based Upon Review Of FEMA Firm: Benton County, Arkansas And Incorporated Areas, And By Graphic Plotting Only, The Subject Property Is Determined To Be In Zone X, Or Areas Determined To Be Outside The 0.2% Annual Chance Floodplain.

Map Number: 05007C0270K

Effective Date: June 5, 2012

Total Site Area: 1.02 Acres

Maximum Impervious Area: 80%

Development Usage: Fast Food Restaurant

		OMMERCIAL DI		
	MUM SETBACK REQUIREMEN Side			
Front	Interior	Exterior	Rear	
65'	15'	45'	15'	
C-2 ZONING Maximum Bu Residentia	uilding Heigh	NS: t: 150' (65' Max	Within 300' Of	
Maximum Bı	uilding Cover	age: 60%		





2407 SE Cottonwood Street = Bentonville, AR 72712 = 479.273.2209 = morrisonshipley.com

Lot 10 of Centre Pointe Phase II at Pleasant Grove, a Subdivision to the City of Rogers, Benton County, Arkansas, as Shown in Plat of Records in Plat Book 2009 at Page 596, Plat Records of Benton County, Arkansas

Easement Plat With All Easements, ROW's, etc. to be Recorded and Filed with Community Development Prior to Certificate of Occupancy

All Civil Plans Used on Site Must Include Most Current Stamp from Rogers Planning

CITY ATLAS PAGE #446

INDEX OF SHEETS

- Drainage Profiles
- **Utility Plan**
- Waterline Plan & Profile Landscape Plan
- 10. Landscape Details 11. Drainage Details
- 12-15. Miscellaneous Details
- 16. Rogers City Details
- * Rogers Water and Sewer Details ** Photometric Plan

SITE UTILITY CONTACTS CITY OF ROGERS, AR

Natural Gas Black Hills Energy **Contact: Kenneth Peters** 1255 N. 13th Street Rogers, Arkansas 72756

Telephone: (479) 636-1759 *6021 Telephone

Contact: John Hill 627 White Road Springdale, Arkansas 72766 Telephone: (479) 442-1963 Electric AEP-SWEPCO 415 W. Stribling Drive Rogers, AR 72756 Contact: Mark Beasley

Telephone: (479) 986-1004

City Of Rogers Fire Department

201 North First Street

Cable Television

Cox Communications

4901 S. 48th Street Springdale, Arkansas

Contact: Larry Alexander

Telephone: (479) 871-7606

GOVERNING AGENCIES

City Of Rogers

301 W Chestnut Rogers, Arkansas 72756 City Of Rogers Planning & Transportation Department Telephone: (479) 621-1186 Planning: Lori Ericson

Engineering: Lance Jobe

City Of Rogers Street Dept Contact: Frankie Guyll

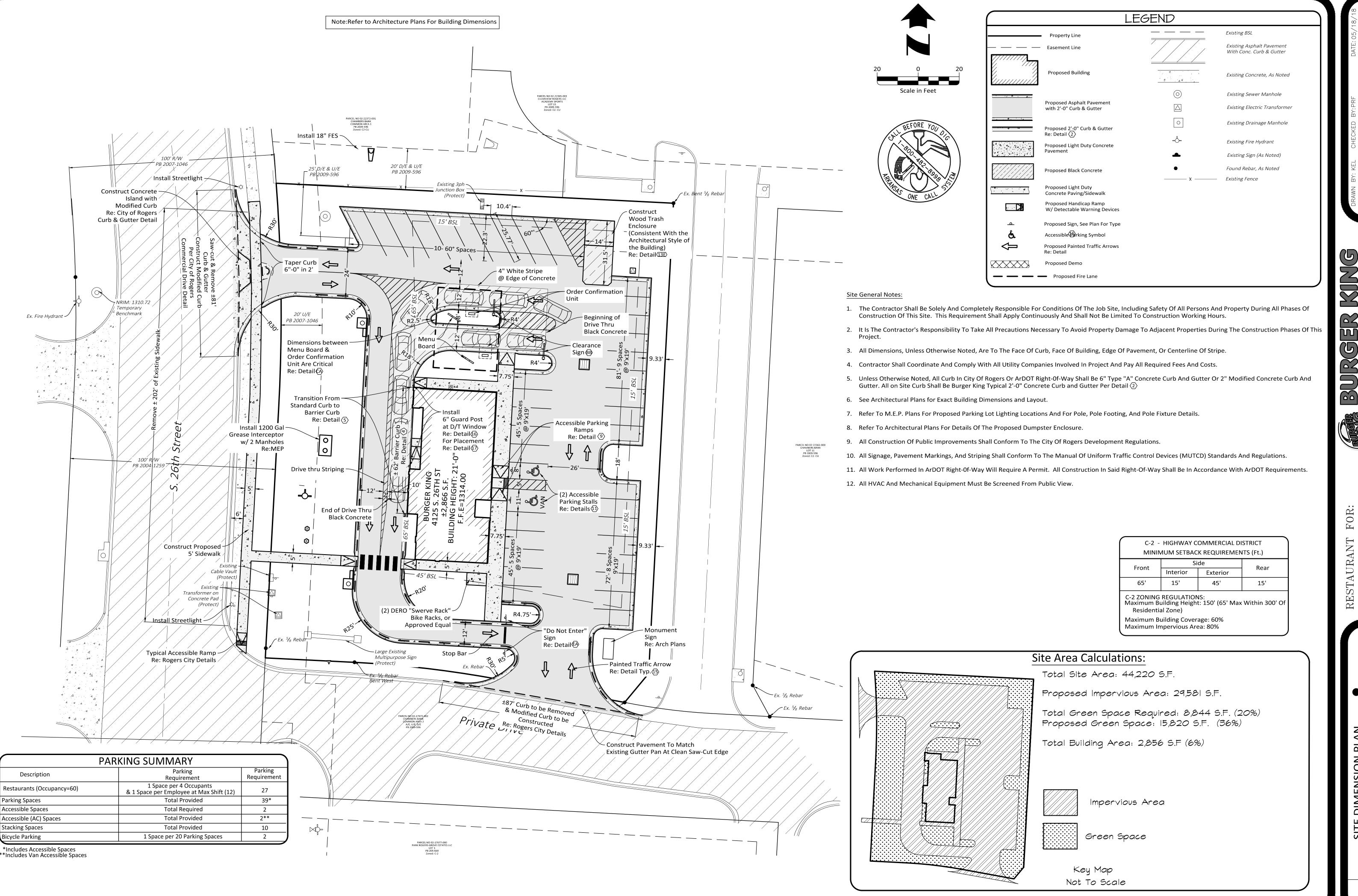
Telephone: (479) 644-5008 **Department Of Health Arkansas Department Of Health**

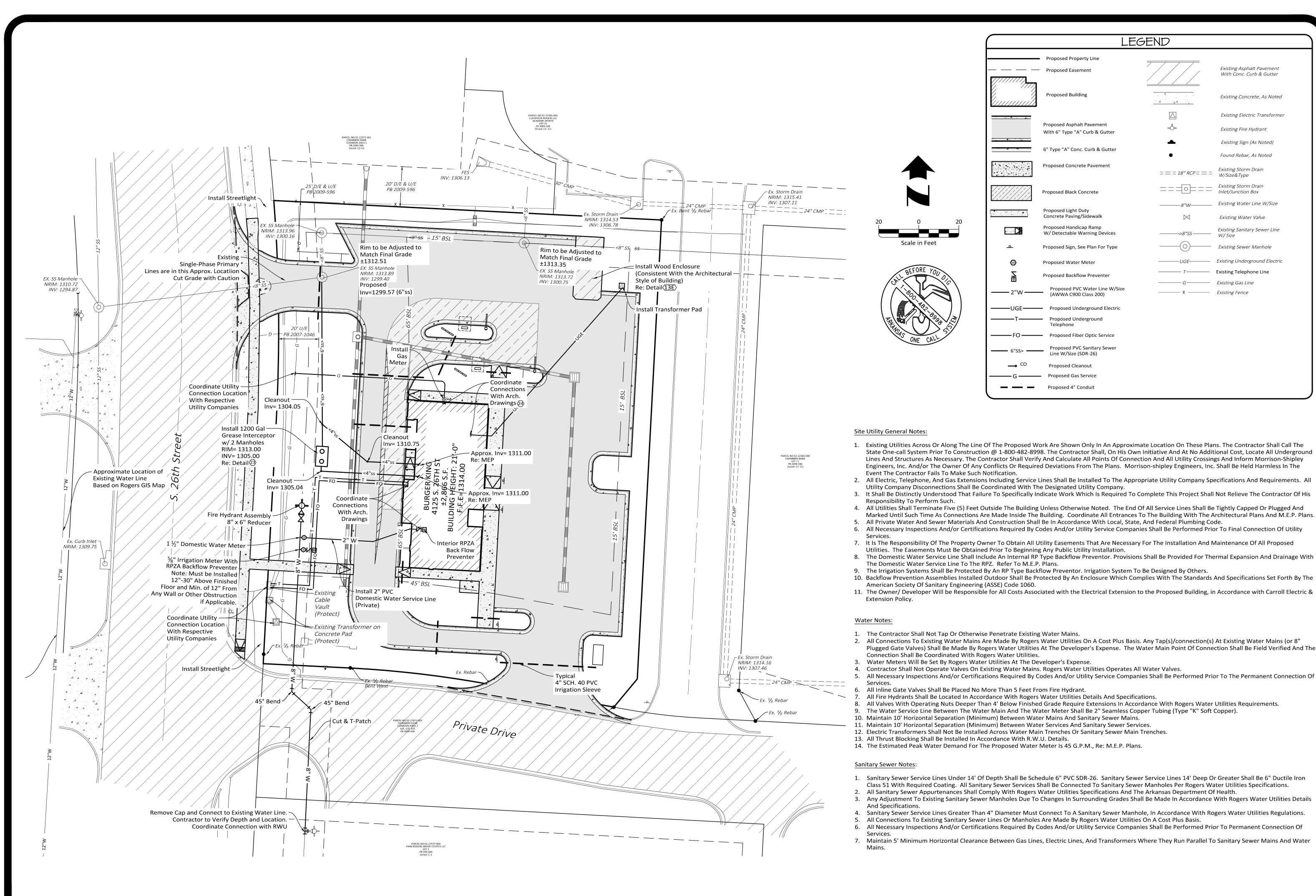
Telephone: 501-661-2623

Division Of Engineering, Slot 37 4815 W. Markham Little Rock, Arkansas 72205

Rogers, Arkansas 72756 Contact: Bill Rumsey Telephone: (479) 621-1117

Water & Sewer Rogers Water Utilities 601 S. 2nd St. Rogers, Arkansas 72757 Contact: Stephen Ponder Telephone: (479) 621-1156





DRAWN BY: KEL CHECKED BY:PRF DATE: 05/18/18

NO. DATE REVISION BY: REVISION BY: REVISION BY: RELITY COMMENTS KEL 7.23.18 REVISIONS PER CITY COMMENTS KEL REVISION.

EXCLUSIVE PROPERTY OF BURGER KING CORPORT ON NOTICE THAT A NEW SET OF PLANS MUST BIS EXPRESSLY PROHIBITED.

IS EXPRESSLY PROHIBITED.

PLY WITH ALL FEDERAL, STATE AND LOCAL LAWS FOR ANS TO ALL FEDERAL.

S") SHALL BECOME THE SO

FOR:

DRPORATION.
SE PLANS AND SPECIFICATIONS ("PLANS") SHADELIVERED TO YOU FOR USE TO CONSTRUCT A RESTAURANTS YOU MIGHT CONSTRUCT. YOUNG (R) RESTAURANT CONSTRUCTED AND THAT ENSEES OF BURGER KING CORPORATION: THEES AND THEIR ARCHITECTS AND ADVISERS AND

© 1998, BURGER KING CORPOR LL MODIFICATIONS OF THESE PL HESE PLANS ARE BEING DELIVER UBSEQUENT BURGER KING (®) RE SED FOR FACH BURGER KING (®)

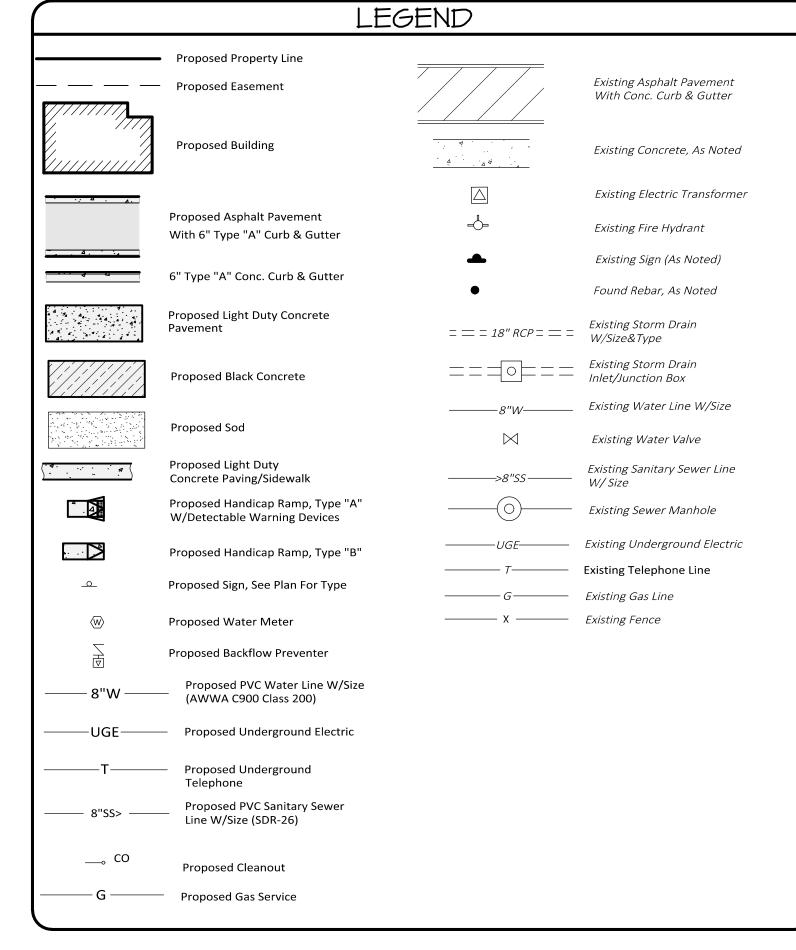
SHIPLEY
ENGINEERS - SURVEYORS
TOTAL - 478-278-2008 - morrhoominipley.com
Review: 07.23.18

7/16

FOR:

Scale in Feet





Landscape Plan General Notes:

- 1. The Contractor Shall Furnish All Labor, Materials, Tools, Equipment, And Related Items Required For The Complete Installation Of Landscape.
- 2. All Plant Material Shall Be Nursery Grown. Plant Material Sizes And Grading Shall Comply With The Latest Edition Of American Standards For Nursery Stock, Published By The American Nursery And Landscape Association.
- 3. All Plant Material Shall Be Healthy And Free From All Visible Signs Of Disease Or Pest Infestation.
- 4. Contractor Shall Ascertain Location Of All Utilities Prior To Excavation. Prior To Commencing With Any Work, Contact The State One-call.
- 5. No Changes To Approved Plant Schedule (If Any) Will Be Allowed Without The Approval Of The City Of Rogers And The Owner's Representative.
- 6. The Contractor Shall Provide A Three Year Minimum Warranty Or A Letter Of Credit Posted For All Proposed Plant Materials And Installation From The Date Of Acceptance In Accordance With City Of Rogers Regulations.
- 7. The Contractor Shall Spoil Any Excess Topsoil Located On The Site That Is Not Required To Perform Landscape Operations. If Sufficient Topsoil Is Not Present On Site, The Contractor Shall Import Topsoil To The Site In Order To Complete The Landscape Operations. The Contractor Shall Perform A Soil Test On The Existing And Imported Topsoil And Apply Lime And Fertilizer As Recommended By The Testing Agency.
- 8. All Trees Shall Be Installed, Mulched, Guyed, And Staked Per The Details. All Shrubs Shall Be Installed And Mulched Per The Details. Refer To Detail Sheets.
- 9. Hardwood Mulch, A Minimum Of 2" Depth, Shall Be Applied To All Planting Beds Shown On This
- 11. The Proposed Irrigation System Shall Be Designed By Others And Installed during Landscape
- 13. Backflow Prevention Assemblies Installed Outdoor Shall Be Protected By An Enclosure Which Complies With The Standards And Specifications Set Forth By The American Society Of Sanitary Engineering (ASSE) Code 1060.

Landscape Requirements

Overall Site Landscaping

Required: Minimum 20% Green Space 8,844 S.F. Provided: 36% Green Space 15,820 S.F. Total Site Area Disturbed: 35,490 S.F

Plant Units Required: 35 Units Plant Units Provided: 35 Units

Street Trees: 122 L.F. / 30 = 4 Street Trees

Street Trees Required: 4 Street Trees Street Trees Provided: 4 Street Trees

Interior Parking Lot Landscaping

1 Landscape Island Per 15 Parking Spaces Total Parking Spaces Proposed: 30 Spaces Total Landscape Islands Required: 2 Trees Total Landscape Islands Provided: 3 Trees

Site Sodding Note:

All Disturbed Areas To Be Sodded Shall Be Topsoiled To A Minimum Depth Of 4", Fertilized At A Rate Of 250 Pounds Per Acre, And Sodded With Bermuda Grass. If Located On Slopes 20% Or Greater, The Corners Of The Sod Must Be Pinned. The Contractor Shall Water And Maintain The Grass Until A Healthy Permanent Stand Is Established.

Key	COMMON NAME	Botanical Name	Size	Species	Spacing	Quantity
PA	DWARF FOUNTAIN GRASS	Pennisetum Alopecuroides 'Hameln'	3 Gallon	Ornamental, Grass	4' O.C.	30
JC	BLUE SARGENT JUNIPER	Juniperus Chinensis Sargentii 'Glauca'	5 Gallon	Evergreen, Shrubs	5' O.C.	9
IV	DWARF YAUPON HOLLY	Ilex vomitoria 'Nana'	5 Gallon	Evergreen, Shrubs	4' O.C.	19
IC	DWARF BURFORD HOLLY	llex cornuta 'Dwarf Burford'	5 Gallon	Evergreen, Shrubs	6' O.C.	12
AR	SHUMARD OAK	Quercus Shumardii	2-1/2" Cal. 6', B&B	Deciduous, Shade Tree	30' O.C.	3
PT	LOBLOLLY PINE	Pinus 'Taeda'	2-1/2" Cal. 8', B&B	Evergreen, Shade Tree	As Shown	2
СС	OKLAHOMA REDBUD	Cercis canadensis 'Oklahoma'	2" Cal. 6', B&B	Deciduous, Ornamental	As Shown	2
UP	LACEBARK ELM	Ulmus Paruifolia	2-1/2" Cal. 6', B&B	Deciduous, Shade Tree	As Shown	1
AG	AMUR MAPLE	Acer ginnala	2-1/2" Cal. 8', B&B	Evergreen, Shade Tree	As Shown	3
PC	CHINESE PISTACHE	Pistachia Chinesis	2-1/2" Cal. 8', B&B	Evergreen, Shade Tree	As Shown	2

