



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

MEETING DATE
JULY 7 2020

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT**
REZONE WITH DCP – VALLEY WEST TOWNHOMES

STAFF: ETHAN HUNTER, CITY PLANNER
KRISTIFER PAXTON, DEVELOPMENT COMPLIANCE MANAGER

REQUEST DETAILS

PROJECT NAME:	Valley West Townhomes
ADDRESS/LOCATION:	1.09± acres east of Valley West Drive between Walnut Street and Valley West Court
CURRENT ZONING:	R-DP (Residential Duplex and Patio Home) and C-2 (Highway Commercial)
PROPOSED ZONING/DENSITY:	RMF-12A with DCP / 12 units per acre
# UNITS/GROSS SITE AREA:	13 units / 1.09± acres
BUILDING TYPE:	Townhomes
APPLICANT/REPRESENTATIVE:	Bates & Associates / Geoff Bates
PROJECT OWNER/DEVELOPER:	Chad Hayes
PROPERTY OWNER:	Defoliart and Scott
NATURE OF REQUEST:	Approval of Rezone with Density Concept Plan
AUTHORITY:	Sec. 14-727 and Sec. 14-737, Rogers Code of Ordinances

SUMMARY

Pending an amendment to designate the entire subject property as Neighborhood, this request is consistent with the Comprehensive Growth Map. While staff finds 12 units per acre to be appropriate at this location, a couple aspects of the proposed Density Concept Plan should be considered further before approving the request. The capacity of the surrounding transportation network is not of concern, but the proposed DCP will not ensure compatibility with the surrounding development context until the remaining considerations are addressed. See STAFF REVIEW for additional findings.

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

1. Approve CGM amendment to designate the entire subject property as Neighborhood.
2. Consider pedestrian connection to sidewalk along Valley West Drive.
3. Clarify discrepancies between building elevation and building footprints.

STAFF REVIEW

1. COMPREHENSIVE GROWTH MAP:

- a) Growth Designation:
Access Corridor and Neighborhood.
- b) Growth Designation Character:
 - i) Access Corridor:
Stretches of single-use highway corridors in between other Growth Designation nodes. Goals include emphasizing access management, restricting uses with high trip generation, and encouraging compact residential development. (CGM Page 1).
 - ii) Neighborhood:
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 per acre.
- d) Max Density:
12 units per acre.

2. ZONING:

- a) RMF-12A (Residential Multifamily) with DCP:
The purpose and intent of R-MF zoning district is to “provide suitable areas within the City for attached and detached residential development...[t]he district is intended for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. New single-family dwellings are not permitted to ensure that vacant land set aside for multifamily development is not preempted by less intense development...,” (Sec. 14-703(a)).

3. DENSITY CONCEPT PLAN:

- a) Compatibility with Surrounding Environment:
 - i) Site Layout:
The proposed site layout appears to be generally compliant with access management and related development regulations, but will remain subject to City code requirements during LSDP review. Importantly, the DCP provides access to the Turtle Creek trail. Staff recommends providing a pedestrian connection to the sidewalk along Valley West Drive as well. In terms of private open space, the DCP shows patios and backyards for each unit. This is important because the “common green space” areas are not intentionally designed for active use or amenity, increasing the need for residents to rely on private open space instead.
 - ii) Building Form & Placement:
The proposed development is comparable in scale to its immediate surroundings; the proposed building height matches the maximum height allowed in adjacent residential zoning districts. The buildings face a private drive rather than a public or private street.
 - iii) Architectural Design:
The provided building elevation indicates general compatibility with the surrounding development context in terms of overall style, materials, and proportion, but does not provide private open space for each unit. It is unclear, but there appears to be a discrepancy between the proposed building elevation and the building footprints. The footprints seem to differ from the elevation detail in the way the porches/entries are set back from the garages.
 - iv) Use Intensity:
The proposed density is in-line with adjacent densities and CGM Growth Designation limits. Staff finds that the overall site activity produced from this development should not negatively impact the surrounding environment.

b) Capacity of Surrounding Infrastructure:

i) Travel Demand Management:

The applicant has not addressed any travel demand considerations such as integration of non-vehicular infrastructure, opportunities for multimodal transportation, or proximity to essential goods and services.

ii) Traffic Characteristics:

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

c) Development Waivers and Zoning Variances:

i) The applicant has not requested any waivers or variances with this DCP.

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

4. GENERAL FINDINGS:

The proposed rezone is consistent with the CGM since R-MF is an allowed zoning district in both the Neighborhood and Access Corridor Growth Designations. Even though both designations allow the same density range, staff believes Neighborhood is the more appropriate option and the entire property should be brought under a single designation. The applicant has requested a CGM amendment to achieve this. 12 units/acre is the maximum allowed density in Neighborhood but is appropriate at this location as a transition from a major commercial thoroughfare toward lower-intensity residential development to the north. Staff finds that the rezone request is appropriate, but there remain two outstanding considerations to address before entertaining approval of the proposed Density Concept Plan.

5. PUBLIC INPUT RECEIVED:

Staff has not received any comments from the public regarding this request.

6. RECOMMENDATIONS:

Consider the request subject to the following actions:

- a) Approve CGM amendment to designate the entire subject property as Neighborhood.
- b) Consider pedestrian connection to sidewalk along Valley West Drive.
- c) Clarify discrepancies between building elevation and building footprints.

DIRECTOR'S COMMENTS

1. Agree with recommendations.



JOHN C. McCURDY, Director
Community Development

SUGGESTED MOTIONS

1. PLANNING COMMISSION:

a) IF APPROVING AS PRESENTED:

Move to accept DCP and recommend City Council approval as presented.

b) IF APPROVING SUBJECT TO OTHER ACTIONS:

Move to accept DCP and recommend City Council approval subject to [conditions, contingencies, waivers/variances].

c) IF DENYING:

Move to deny the request as presented.

d) IF TABLING:

Move to table [indefinite or date certain].

TABS

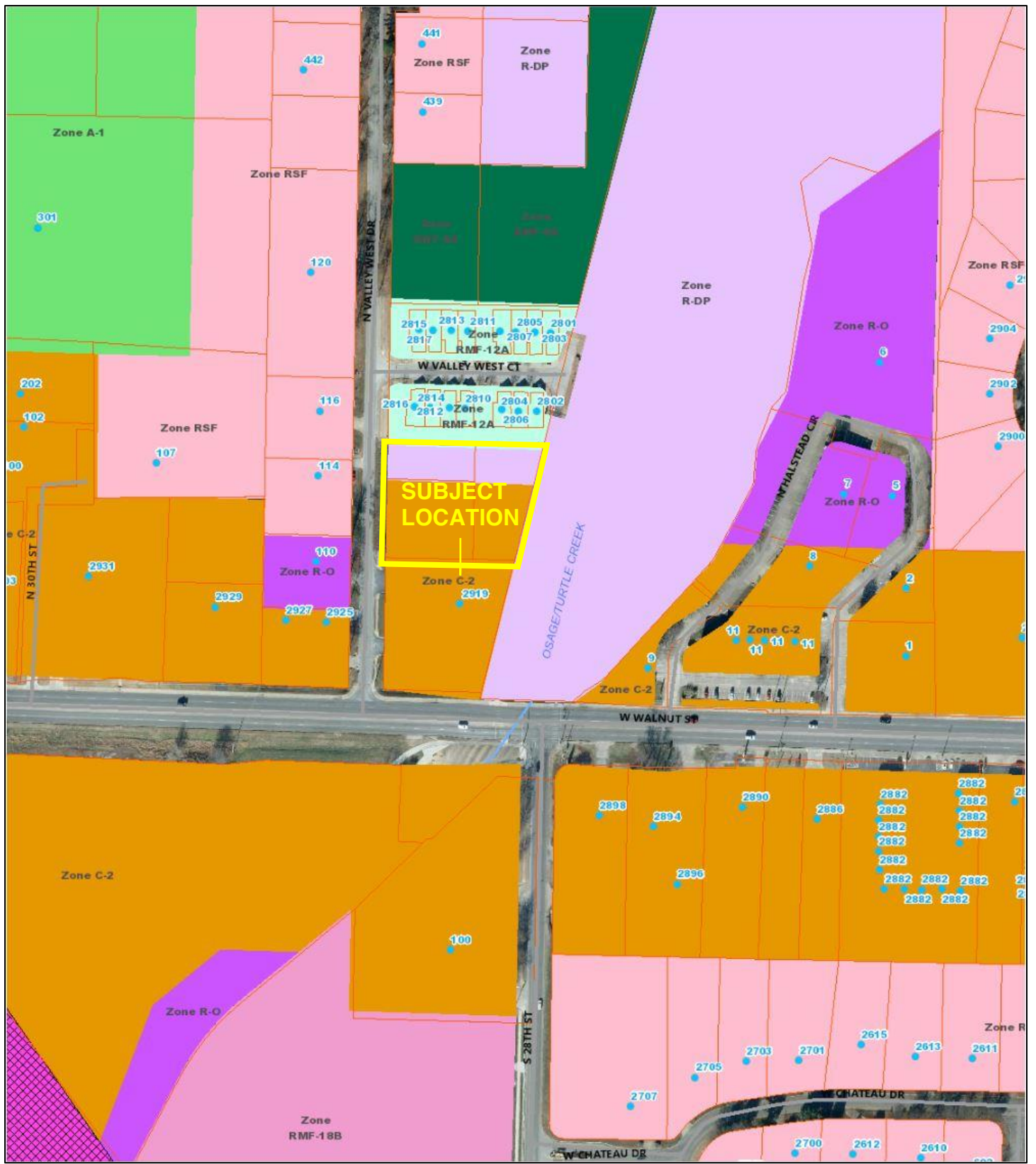
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone/DCP application with required supplements

AERIAL VICINITY MAP



[illegible]

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: Bates & Associates, Inc

ADDRESS: 7230 S. Pleasant Ridge Drive, Fayetteville AR 72704 SUITE #: _____

GENERAL LOCATION OF PROPERTY: Valley West Rd, south of Valley West Ct

PHONE #: 479-442-9350 EMAIL: geoff@batesnwa.com

PROPERTY OWNER: David, Sharon & Linda Defoliart, Kimber & Tim Scott PHONE #: _____

PRESENT USE: vacant lot ZONING: R-DP & C-2

PROPOSED USE: Townhomes ZONING: RMF-12A

5-12-20

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, David Terjak, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: See Attached. This property is the North Half of the highlighted property.

LAYMAN'S DESCRIPTION: 0.10 Acres +/- fronting N. Valley West Drive and located immediately south of Valley West Condominiums POA.

PRESENT ZONING: R-DP

ZONING REQUEST: _____

Respectfully Submitted,

By:

Kather Wingert
(Property Owner Signature)
President of POA

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 9th day of March, 2020.



Sharon Tyra
Notary Signature

Sharon Tyra
Notary Name Printed

10-08-2026
Commission Expires

PROPERTY OWNER AFFIDAVIT

The petitioner, David Terjak, 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: 0.99 Acres fronting N. Valley West Drive and located immediately North of Sherwin-Williams Paint Store on W. Walnut Street.

PRESENT ZONING: C-2 & R-DP

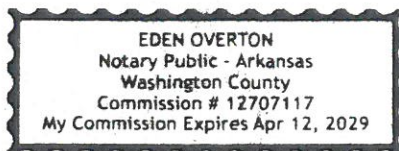
ZONING REQUEST: _____

Respectfully Submitted,

By: Kimberly Scott
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Washington

Subscribed and sworn before me this the 10 day of MARCH, 2020



Eden Overton
Notary Signature

Eden Overton
Notary Name Printed

April 12, 2029
Commission Expires

PROPERTY OWNER AFFIDAVIT

The petitioner, David Terjak, 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: 0.99 Acres fronting N. Valley West Drive and located immediately North of Sherwin-Williams Paint Store on W. Walnut Street.

PRESENT ZONING: C-2 & R-DP

ZONING REQUEST: _____

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Washington

Subscribed and sworn before me this the 6 day of March, 2020.



[Signature]
Notary Signature

Lindsey E. Lamb
Notary Name Printed

11-27-23
Commission Expires

PROPERTY OWNER AFFIDAVIT

The petitioner, David Terjak, 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: 0.99 Acres fronting N. Valley West Drive and located immediately north of Sherwin-Williams Paint Store on W. Walnut Street

PRESENT ZONING: C-2 & R-DP

ZONING REQUEST: _____

Respectfully Submitted,

By: David De Miant
(Property Owner Signature)

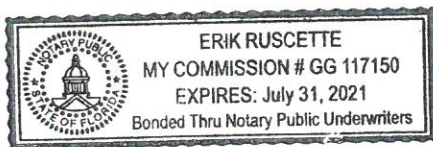
STATE OF ~~ARKANSAS~~ Florida
COUNTY OF Osceola

Subscribed and sworn before me this the 6 day of March, 2020.

[Signature]
Notary Signature

Erik Ruscette
Notary Name Printed

07/31/2021
Commission Expires



PROPERTY OWNER AFFIDAVIT

The petitioner, David Terjak, 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: 0.99 Acres fronting N. Valley West Drive and located immediately North of Sherwin-Williams Paint Store on W. Walnut Street.

PRESENT ZONING: C-2 & R-DP

ZONING REQUEST: _____

Respectfully Submitted,

By: Linda DeFoliant
(Property Owner Signature)
Linda DeFoliant

STATE OF ~~ARKANSAS~~ ALASKA
COUNTY OF FNSB

Subscribed and sworn before me this the 4th day of March, 2020.

State of Alaska
NOTARY PUBLIC
Rhonda C. Havens
My Commission Expires 8-29-21

Rhonda C Havens
Notary Signature

Rhonda C Havens
Notary Name Printed

8-29-2021
Commission Expires

PROPERTY OWNER AFFIDAVIT

The petitioner, David Terjak, 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: 0.99 Acres fronting N. Valley West Drive and located immediately north of Sherwin-Williams Paint Store on W. Walnut Street.

PRESENT ZONING: C-2 & R-DP

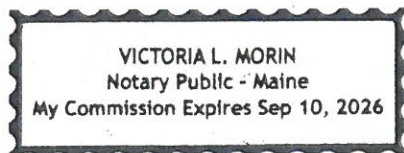
ZONING REQUEST: _____

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS STATE OF MAINE
COUNTY OF _____ COUNTY OF CUMBERLAND

Subscribed and sworn before me this the 6th day of March, 2020.



[Signature]
Notary Signature

Victoria L Morin
Notary Name Printed

September 10, 2026
Commission Expires



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

OFFICE USE ONLY

Approved Density: _____

Application Number: _____

CityView Project: _____

Date Approved: _____

DENSITY CONCEPT PLAN
To be submitted with Rezone Application

PROJECT INFORMATION:

PROJECT NAME:	Valley West
ADDRESS/LOCATION:	Valley West Road
PROPOSED ZONING:	RMF-12
PROPOSED DENSITY:	12 units per acre
GROSS SITE AREA:	0.99 acres
DWELLING UNITS:	12
BUILDING TYPE:	2 story Townhome

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Bates & Associates, Inc.	PHONE:	479-442-9350
		EMAIL:	geoff@batesnwa.com
PROJECT OWNER/DEVELOPER:	Chad Hayes	PHONE:	
		EMAIL:	chadhayes01@yahoo.com
PROPERTY OWNER:	David, Sharon & Linda Defoliart, Kimber & Tim Scott	PHONE:	
		EMAIL:	
REQUEST:			

CITY INFORMATION:

CGM GROWTH DESIGNATION:	
CGM GROWTH DESIGNATION PURPOSE/CHARACTER:	
BASE DENSITY:	
MAX DENSITY:	
CURRENT ZONING:	RDP and C-2

APPLICANT SIGNATURE: _____

SUBMITTAL DATE: 5-14-20



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

May 27, 2020

Lori Ericson
Planning Administrator
City of Rogers
301 W. Chestnut Street
Rogers, AR 72756

SUBJECT: Valley West Drive

Dear Planning Staff,

Our client, Chad Hayes of A-Belle Design Build and the property owners of Parcel #02-08471-002, Defoliart and Scott, would like to request a rezoning of said parcel within the city limits of Rogers. The property is located in Valley West Subdivision off N Valley West drive and contains a total of 1.09 acres.

The current zoning of the property is C-2 (Highway Commercial) and R-DP. The Applicant is requesting a rezoning of the property to RMF-12A (Residential Multi-Family District), for the purposes of adding 13 townhome units. This will meet the 12 units per acre requirement.

The surrounding properties are zoned a mixture of RSF, RMF-12, RDP and C-2. The adjoining property to the north is developed as multi-family residential. The addition of 13 residential units to this area will not have a significant impact on traffic in the area. This rezoning and resulting development will also take advantage of the opportunity for infill of vacant lands.

Please see the attached Vicinity Map showing adjacent zoning.

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

Sincerely,

Geoff Bates, P.E.
President of Engineering
Bates & Associates, Inc.



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

May 27, 2020

Lori Ericson
Planning Administrator
City of Rogers
301 W. Chestnut Street
Rogers, AR 72756

RE: Valley West DCP

Dear Mrs. Ericson,

The project is located on N. Valley West Drive. The project site consists of 1.09 acres and is currently an undeveloped open field. The developer is proposing two 5-plex townhomes and one 3-plex townhome for a total of 13 units.

The development will have access onto N. Valley West Drive. Valley West Drive is a minor street. Using the ITE Trip Generation Manual, the estimated 24 hour weekday volume for 13 units (ITE 220) is 95 vehicle trips per average weekday. The impact of the site-generated traffic volumes compared to the existing traffic volumes is expected to be minimal.

Along with the letter is our density concept plan for the site containing the minimum required information from the DCP application packet.

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

Sincerely,

Bates & Associates, Inc

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



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

June 16, 2020

Lori Ericson
Planning Administrator
City of Rogers
301 W. Chestnut Street
Rogers, AR 72756

RE: Valley West DCP

Dear Mrs. Ericson,

The developer would like to request to amend the CGM from Neighborhood and Access Corridor to all Neighborhood.

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

Sincerely,

Bates & Associates, Inc

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



DEVELOPMENT STANDARDS (PER RMF-12A):

BUILDING SETBACKS:	
FRONT	30ft
INTERIOR SIDE:	10ft
EXTERIOR SIDE:	30ft
REAR:	30ft
MAXIMUM BUILDING COVERAGE: 40%	
TOTAL AREA OF SITE:	47,480 SQ. FT.
TOTAL SQUARE FOOTAGE OF BUILDINGS:	12,300 SQ. FT.
BUILDING COVERAGE (MAX. 40%):	26%
MAXIMUM STRUCTURE HEIGHT: 35 FT (ADJACENT TO RES)	
PROPOSED STRUCTURE HEIGHT:	60 FT (ADJ. TO COMMERCIAL, INDUSTRIAL, OR OFFICE)

IMPERVIOUS AREA CALCULATIONS:

TOTAL AREA OF SITE	47,480 SQ. FT.
TOTAL PERVIOUS AREA (POST-DEVELOPMENT)	23,277 SQ. FT.
TOTAL IMPERVIOUS AREA (POST-DEVELOPMENT)	24,203 SQ. FT.
PERCENTAGE IMPERVIOUS AREA	49%
PERCENTAGE OPEN SPACE	61%

DENSITY CALCULATIONS:

TOTAL AREA OF SITE	.99 ACRES
TOTAL PROPOSED UNITS	12
TOTAL UNITS PER ACRE	12 UNITS/ACRE

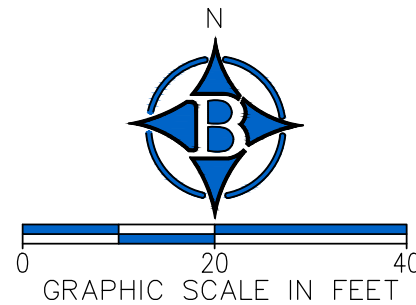
PARKING TABLE:

MULTIFAMILY DWELLING:	3 SPACES FOR EACH 2 DWELLING UNITS
NUMBER OF DWELLING UNITS:	12
SPACES REQUIRED:	18
SPACES PROVIDED (1 GARAGE AND 1 DRIVEWAY SPACE PER UNIT)	24
TOTAL BIKE RACKS REQUIRED (1 PER 30 DWELLING UNITS)	1
TOTAL BIKE RACKS PROVIDED:	1

TRASH SERVICE WILL BE PROVIDED VIA INDIVIDUAL ROLL-AWAY CARTS

SITE AND UTILITY NOTES:

- ALL OUTDOOR LIGHTING SHALL BE REVIEWED PRIOR TO BUILDING PERMIT APPROVAL FOR COMPLIANCE WITH THE OUTDOOR LIGHTING ORDINANCE.
- ALL MECHANICAL, ELECTRICAL, AND AIR CONDITIONING EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
- ALL EXISTING UTILITIES BELOW 12KV SHALL BE RELOCATED UNDERGROUND. ALL INSTALL UTILITIES SHALL BE LOCATED UNDERGROUND.
- ALL CONDUITS PLACED BY CONTRACTOR MUST HAVE 48" OF COVER AT FINAL GRADE AND MARKED WITH POST TO IDENTIFY THE END OF CONDUITS. THERE MUST BE A MINIMUM SEPARATION OF 12" BETWEEN CONDUITS FOR ELECTRIC AND CONDUITS FOR OTHER UTILITIES.
- DAMAGE TO OR RELOCATION OF EXISTING UTILITIES SHALL BE AT THE DEVELOPER'S EXPENSE.
- TREES MUST BE LOCATED 7.5' FROM PUBLIC UTILITIES.
- ALL WATER AND SEWER PLANS MUST BE APPROVED BY THE ROGERS WATER UTILITY DEPARTMENT PRIOR TO CONSTRUCTION.
- A PRE-CONSTRUCTION MEETING WITH THE ROGERS BUILDING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- DOMESTIC BACKFLOW PREVENTION DEVICES TO BE LOCATED INSIDE BUILDING. SEE RWU STANDARD DETAILS FOR INSTALLATION REQUIREMENTS.
- IRRIGATION BACKFLOW PREVENTION DEVICE SHALL BE INSTALLED IN A HEATED SPACE OR FROST-PROOF ENCLOSURE PRIOR TO ANY TEES OR BRANCHES.
- RPZA DEVICE SHALL BE WILKINS 975XL (LEAD FREE), HORIZONTAL ORIENTATION
- METER SERVICE WILL BE CONSTRUCTED BY ROGERS WATER UTILITIES AT THE OWNER'S EXPENSE.
- STANDARD HEIGHT OF THE STREET LIGHT HEAD SHALL BE 15 FEET (TYP)
- STREET LIGHTS SHALL BE PELCO POST TOP LUMINAIRE POLES WITH BRISTOL SERIES, DARK SKY LED LUMINAIRES, HOLOPHANE WASHINGTON UTILITY LED LUMINAIRE WITH FLUTED POSTS AND HAMILTON BASES, OR STAFF APPROVED EQUAL, SPACED AT A MAXIMUM OF 200 FEET AND AT INTERSECTIONS. OLES AND LUMINAIRES SHALL BE POWDER COATED BRONZE FEDERAL STANDARD COLOR 20062. DIRECT BURIAL POLES NOT ALLOWED. SEE WEBSITE FOR DETAILED SPECIFICATIONS.



ENGINEER: G. Bates
DRAWN BY: J. Young
DATE: 6/5/2020

REVISIONS	DATE
FIRST SUBMITTAL	

CITYVIEW #PL202000???

VALLEY WEST MULTI-FAMILY

LARGE SCALE DEVELOPMENT PLAN

SITE & UTILITY PLAN

ROGERS, ARKANSAS



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

PROJECT NO: 20-117

DRAWING NO:

02



FRONT ELEVATION DETAIL