



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

**MEETING DATE**  
**OCTOBER 20, 2020**

TO: PLANNING COMMISSION  
PLANS & POLICY COMMITTEE

RE: **STAFF SUMMARY REPORT**  
**REZONE WITH DCP – COTTONWOOD MULTIFAMILY LLC**

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

**REQUEST DETAILS**

PROJECT NAME:	9 <sup>th</sup> Street Townhomes
ADDRESS/LOCATION:	8.08± acres west of S. 8 <sup>th</sup> Street and north of W. Banz Road
CURRENT ZONING:	A-1
PROPOSED ZONING/DENSITY:	RMF-12B with DCP / 12 units per acre
# UNITS/GROSS SITE AREA:	100 units / 8.08± acres
BUILDING TYPE:	Townhomes
APPLICANT/REPRESENTATIVE:	ESI / Blake Murray
PROJECT OWNER/DEVELOPER:	Cottonwood Multifamily LLC
PROPERTY OWNER:	Emmanuel Fernandez and Adan Soto
NATURE OF REQUEST:	Approval of Rezone with Density Concept Plan
AUTHORITY:	Sec. 14-727 and Sec. 14-737, Rogers Code of Ordinances

**SUMMARY**

The proposed zoning of R-MF is consistent with the Comprehensive Growth Map, as this site is located in the Neighborhood Growth Designation adjacent to an Employment Center area. Such locations tend to be appropriate for R-MF in Neighborhood. However, the proposed Density Concept Plan does not support the proposed density of 12 units per acre and does not indicate development compatibility with the surrounding environment. See STAFF REVIEW for additional findings.

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

## 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:  
0-6 units per acre.
- d) Max Density:  
12 units per acre.

### 2. ZONING:

- a) RMF-12B (Residential Multifamily) with DCP:  
The purpose and intent of the R-MF zoning district is to “provide suitable areas within the City for attached and detached residential development...[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 DCP indicates covered patios and porches for each unit, as well as common open space in the form of an outdoor grilling and seating area, and an “activated” detention pond area with trail, lighting, and seating. Bike lanes are not appropriate behind the 90-degree street parking for Building #9, and the alternate typical street section option (bump-outs) will be required instead. Additionally, W. Linda Lane will be required to better align and connect with the stub-out to the west, and crosswalks will be required at driveway crossings and intersections. The proposed pedestrian connection to the east will need to be provided in a recreation easement.
  - ii) Building Form & Placement:  
The proposed development is not comparable in scale to the surrounding residential development, and the street-perpendicular building orientation does not integrate the proposed building type with the existing detached single-family homes. Building frontages critically affect how different building types can be made compatible with each other, and how they engage with the public realm and contribute to a cohesive streetscape. The applicant has indicated a front setback reduction variance along all street frontages, but has not provided any explanation or justification for the request.
  - iii) Architectural Design:  
The provided building elevations indicate general compatibility with the surrounding development context in terms of materials and proportion. The surrounding area does not feature any prevailing styles.
  - iv) Use Intensity:  
The proposed density is not 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 not 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 indicated a front setback reduction variance along all street frontages, but has not provided any explanation or justification for the request.

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. PUBLIC INPUT RECEIVED:

Staff has not received any comments regarding this request at the time of this report.

5. RECOMMENDATIONS:

a) Deny the request as presented.

**DIRECTOR'S COMMENTS**

1. Agree with recommendations.



JOHN C. McCURDY, Director  
Community Development

**SUGGESTED MOTIONS**

1. IF APPROVING AS PRESENTED:

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

2. IF APPROVING SUBJECT TO OTHER ACTIONS:

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

3. IF DENYING:

Move to deny the request as presented.

4. IF TABLING:

Move to table [indefinite or date certain].

**TABS**

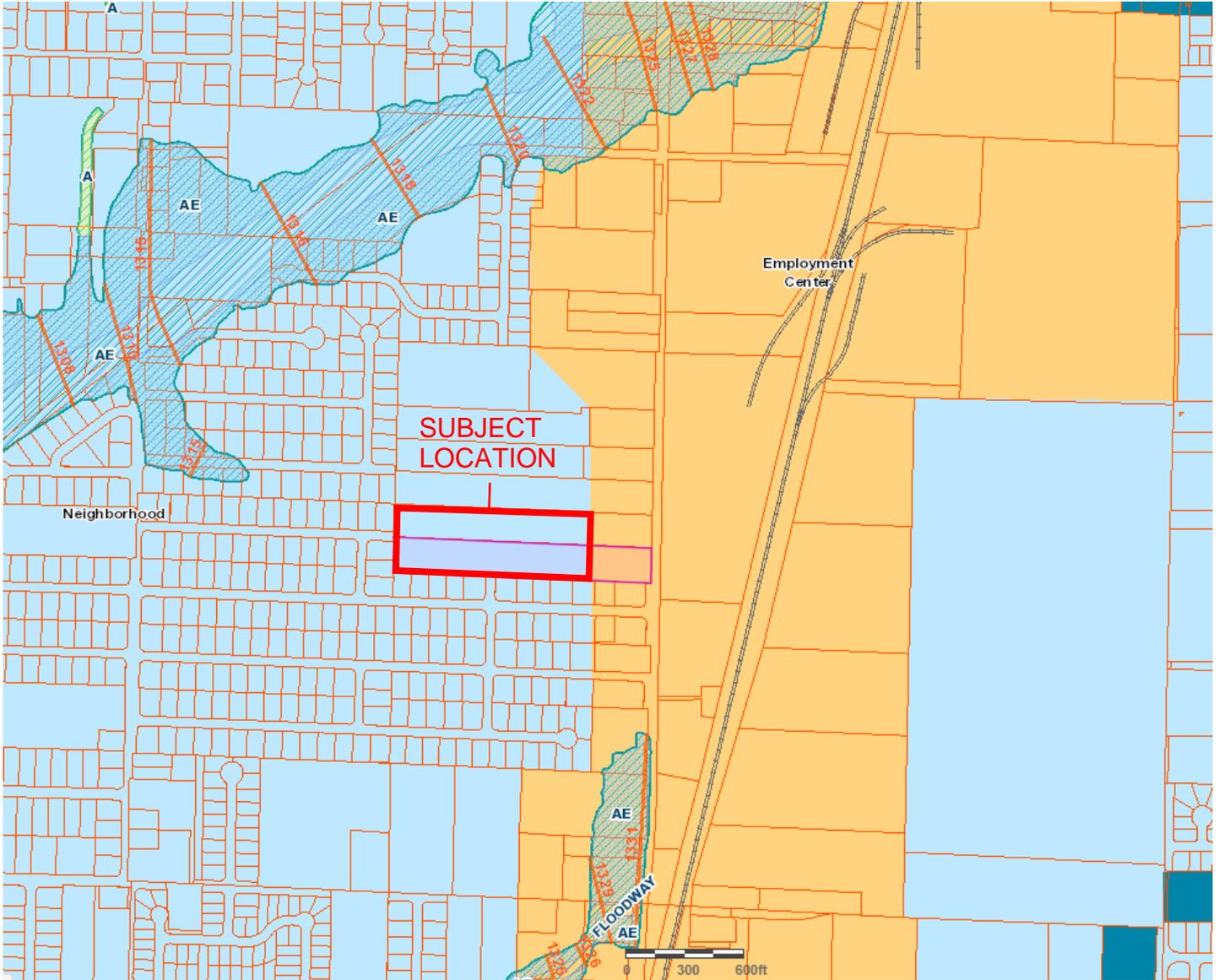
1. Vicinity maps (aerial, CGM, zoning)
2. Rezone/DCP application with required supplements

TAB 1

AERIAL VICINITY MAP



CGM VICINITY MAP







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

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

**REZONE APPLICATION**

APPLICANT: Engineering Services Inc. - Blake Murray, P.E., CFM

ADDRESS: 1207 S Old Missouri Rd., Springdale, AR 72765 SUITE #: \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: West side of Highway 71B, south of the intersection of Cottonwood and 9th Street

PHONE #: 479-318-7248 EMAIL: BMurray@engineeringservices.com

PROPERTY OWNER: Emmanuel Fernandez & Adan Soto PHONE #: C/O 479-318-7248

PRESENT USE: Pasture/undeveloped ZONING: A-1, C-2, C-4

PROPOSED USE: Multi-family Residential, Commercial Outlots along 71B ZONING: R-MF (12 units/acre) & C-4

[Signature]  
 Applicant Signature

9/16/2010  
 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, Cottonwood Multifamily 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:**

PRESENT ZONING: A-1, C-2, C-4

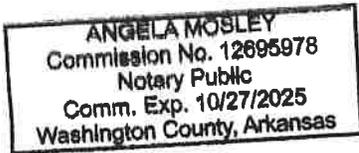
ZONING REQUEST: R-MF (12 Units/Acre) and C-4

Respectfully Submitted,

By: Emmanuel Fernandez  
(Property Owner Signature)

STATE OF ARKANSAS  
COUNTY OF Washington

Subscribed and sworn before me this the 17<sup>th</sup> day of September, 2020.



Angela Mosley  
Notary Signature

Angela Mosley  
Notary Name Printed

10/27/25  
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 17<sup>th</sup> day of September, 2020.

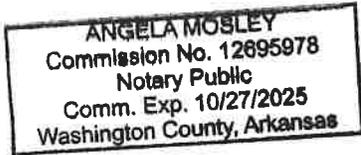
Emmanuel Fernandez  
Signed

Emmanuel Fernandez  
Name Printed

STATE OF ARKANSAS

COUNTY OF Washington

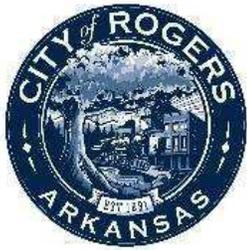
Subscribed and sworn before me this the 17<sup>th</sup> day of September, 2020.



Angela Mosley  
Notary Signature

Angela Mosley  
Notary Name Printed

10/27/25  
Commission Expires



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<u>OFFICE USE ONLY</u>	
Approved Density:	_____
Application Number:	_____
CityView Project:	_____
Date Approved:	_____

**DENSITY CONCEPT PLAN**  
*To be submitted with Rezone Application*

**PROJECT INFORMATION:**

PROJECT NAME:	9th Street Townhomes
ADDRESS/LOCATION:	Located just south of the intersection of 9th Street and Cottonwood
PROPOSED ZONING:	R-MF (12 Units/Acre) and C-4
PROPOSED DENSITY:	12 Units/Acre
GROSS SITE AREA:	10.67 Acres Total (8.08 R-MF, and 2.59 C-4)
DWELLING UNITS:	Townhomes - Refer to Attachment B
BUILDING TYPE:	Refer to Attachment B

**APPLICANT INFORMATION:**

APPLICANT/ <del>REPRESENTATIVE</del> :	Engineering Services Inc.	PHONE:	479-318-7248
		EMAIL:	BMurray@engineeringservices.com
PROJECT OWNER/ <del>DEVELOPER</del> :	Cottonwood Multifamily LLC	PHONE:	C/O Representative
		EMAIL:	C/O Representative
PROPERTY OWNER:	Emmanuel Fernandez and Adan Soto	PHONE:	C/O Representative
		EMAIL:	C/O Representative
REQUEST:	Rezone property as listed under Project Information		

**CITY INFORMATION:**

CGM GROWTH DESIGNATION:	Neighborhood and Employment Center
CGM GROWTH DESIGNATION PURPOSE/CHARACTER:	<p><b>Neighborhood:</b>          Purpose: To protect and maintain existing residential areas in between other Growth Designation nodes while encouraging low-density infill.          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.</p> <p><b>Employment Center:</b> Purpose: Maintain existing industrial activity while providing a location for activities like vehicle repair or other high environmental impacts.          Character: Single-Use areas near major arterials/rail intended for industrial/commercial uses with substantial site activity.</p>
BASE DENSITY:	6 Units/Acre
MAX DENSITY:	12 Units/Acre
CURRENT ZONING:	A-1, C-2, and C-4

APPLICANT SIGNATURE:  \_\_\_\_\_

SUBMITTAL DATE: October 1, 2020

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

**MINIMUM REQUIRED INFORMATION:**

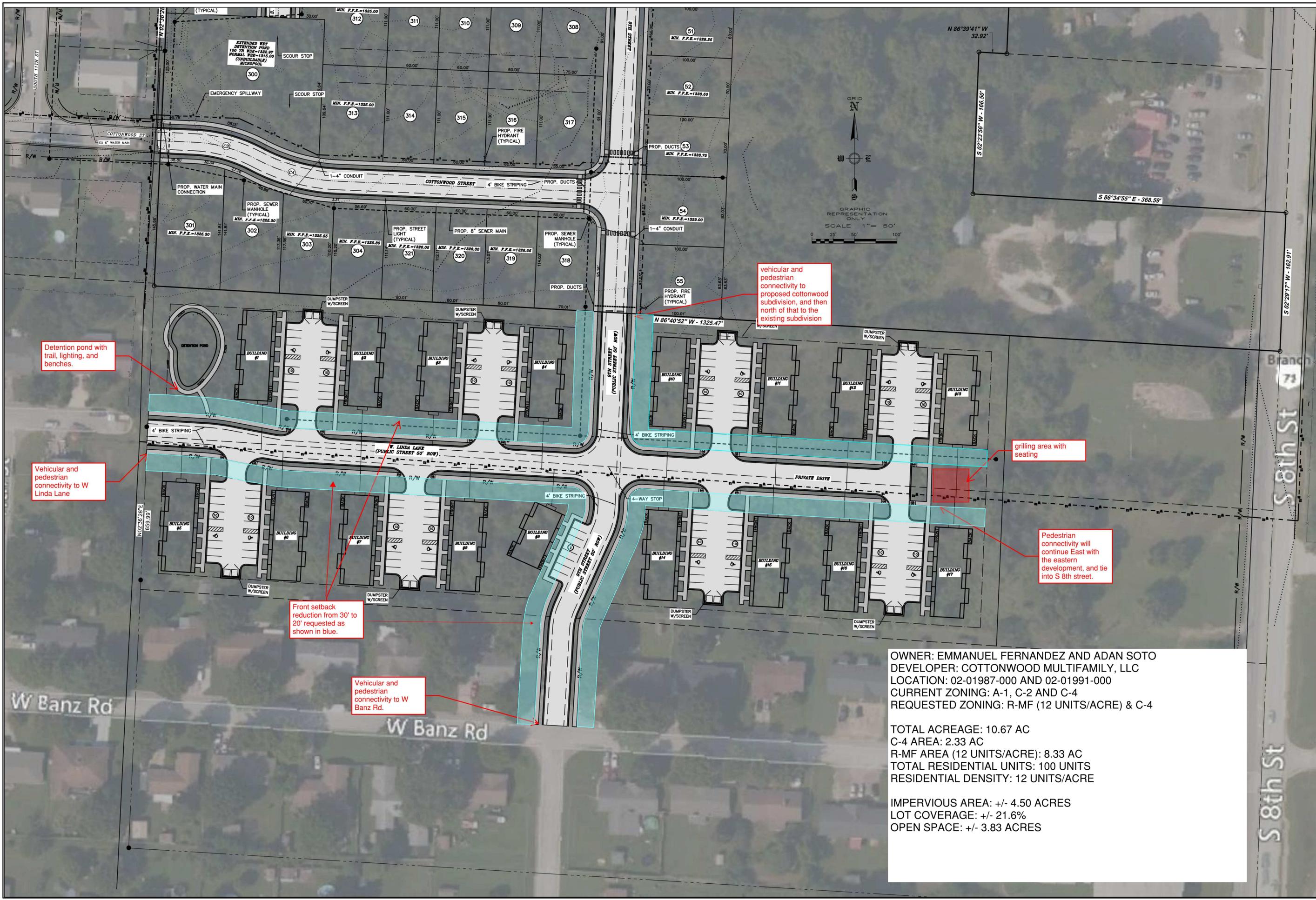
- Site area [Reference Exhibit 1](#)
- Building setbacks [Reference Exhibit 1](#)
- Building height [Reference Exhibit 2](#)
- Building elevation drawings [Reference Exhibit 2](#)
- Building materials breakdown [Reference Exhibit 2](#)
- Lot coverage and open space calculations [Reference Exhibit 1](#)
- Impervious area calculations [Reference Exhibit 1](#)
- Physical constraints, easements, encumbrances [Reference Exhibit 1](#)
- Current and proposed zoning [Reference Exhibit 1](#)
- Dwelling unit counts [Reference Exhibit 1](#)
- Gross and net density calculations [Reference Exhibit 1](#)

**ADDITIONAL INFORMATION:**

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

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

**CONCEPTUAL SITE PLAN  
9TH STREET TOWNHOMES  
ROGERS, AR**



Detention pond with trail, lighting, and benches.

Vehicular and pedestrian connectivity to W Linda Lane

Front setback reduction from 30' to 20' requested as shown in blue.

Vehicular and pedestrian connectivity to W Banz Rd.

vehicular and pedestrian connectivity to proposed cottonwood subdivision, and then north of that to the existing subdivision

grilling area with seating

Pedestrian connectivity will continue East with the eastern development, and tie into S 8th street.

OWNER: EMMANUEL FERNANDEZ AND ADAN SOTO  
 DEVELOPER: COTTONWOOD MULTIFAMILY, LLC  
 LOCATION: 02-01987-000 AND 02-01991-000  
 CURRENT ZONING: A-1, C-2 AND C-4  
 REQUESTED ZONING: R-MF (12 UNITS/ACRE) & C-4

TOTAL ACREAGE: 10.67 AC  
 C-4 AREA: 2.33 AC  
 R-MF AREA (12 UNITS/ACRE): 8.33 AC  
 TOTAL RESIDENTIAL UNITS: 100 UNITS  
 RESIDENTIAL DENSITY: 12 UNITS/ACRE

IMPERVIOUS AREA: +/- 4.50 ACRES  
 LOT COVERAGE: +/- 21.6%  
 OPEN SPACE: +/- 3.83 ACRES

REVISION	DATE	DESCRIPTION

SCALE: 1"=50'  
 DATE: Aug 27, 2020  
 ENGINEER: SAM  
 DRAFTER: TCE  
 W.O. # 20915



REVISION		
NO.	ISSUE	DATE

CONSULTANT:

**TALMOORE TOWNHOMES**  
 ORIOLE STREET, SPRINGDALE, AR

DRAWN BY: DS  
 CHECKED BY: DG

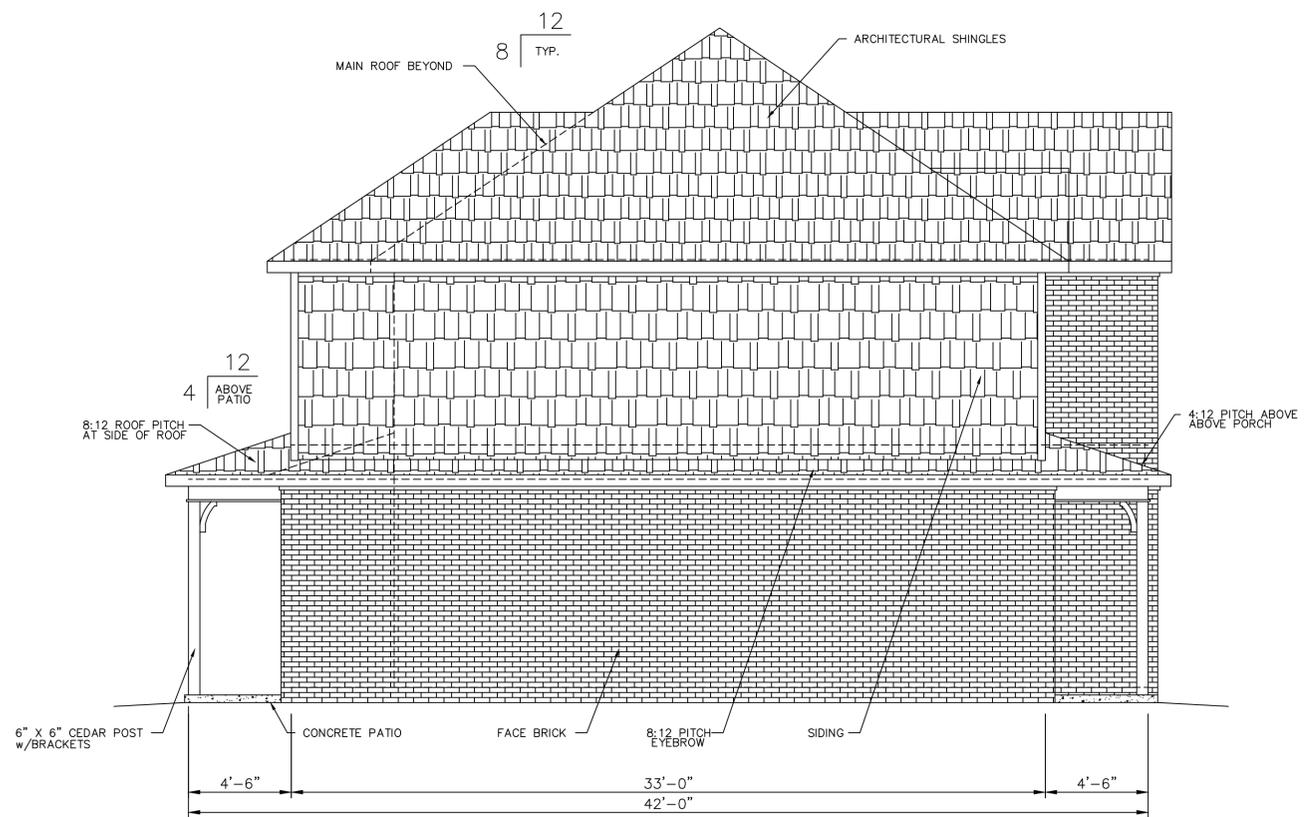
PROJECT #: 17-092

DATE: 10.18.2017

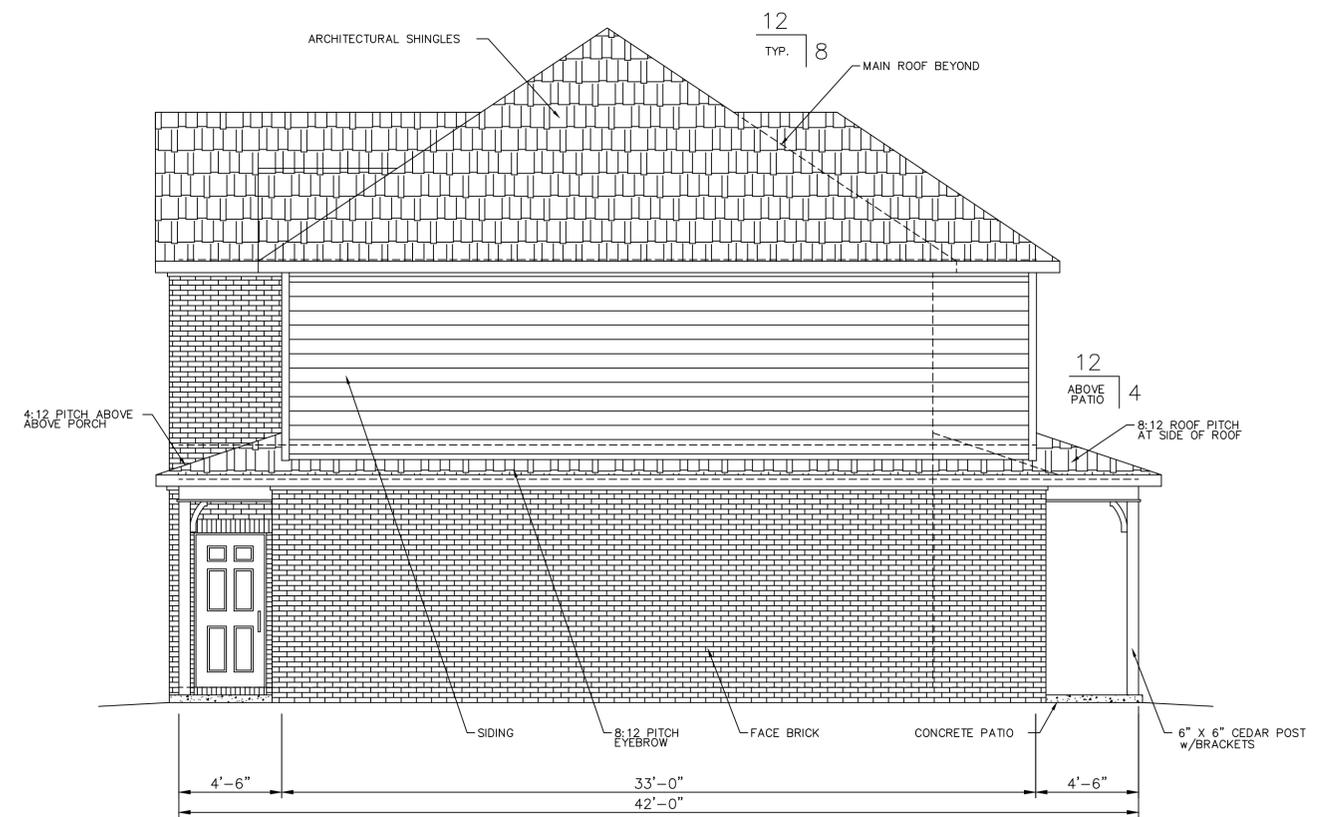
DRAWING: **A2.3**  
 BUILDING ELEVATIONS  
 5 PLEX



**REAR ELEVATION**  
 scale - 1/4" = 1'-0"



**LEFT SIDE ELEVATION**  
 scale - 1/4" = 1'-0"



**RIGHT SIDE ELEVATION**  
 scale - 1/4" = 1'-0"

DIMENSIONS BASED ON 18" FLOOR JOISTS  
 (COORD. IN FLD. WITH STRUCTURAL REQ'TS.  
 AS DETERMINED BY OTHERS.)