



**CENTERTON PLANNING COMMISSION**  
**September 6, 2022 @ 6:00 PM**  
**AGENDA**

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*Public comment period after the introduction of each agenda item*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES –**
  - A. Planning Minutes – 08/16/2022
- 4. RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **TS22-15 Herbaugh-Tract Split**-11124 Keller Rd-(County / 11.74 Ac / Tract 1 8.99 Ac / Tract 2 2.75 Ac)  
*Owner: Douglas Herbaugh; Engr: Swope Engineering, Phil Swope (Planner: Erik Nystrom)*
  - B. **HOP22-23 Junk Junkies**- 1000 Zachary St (Zoned R3-SF/ North Forty/ Junk Removal) *Applicant: Dylan Kelley (Planner: Kayla Craft)*
  - C. **HOP22-24- Sharp Golf Co**- 905 Fieldstone Ct (Zoned R3-SF/ North Forty/ Online Sales of Golf Apparel) *Applicant: Burdette Jordan (Planner: Kayla Craft)*
- 5. OLD BUSINESS**
  - A. **DEV21-08 Christian Life Center-Adjacent Street Agreement**-W side of Gamble, just S of 1011 Gamble Rd-(Zoned R3-SF / 2.80 AC) *Applicant: Centerton Life Center of Centerton, James King; Engr: Halff, Dirk Thibodaux (Planner: Donna Wonsower)*
    - **Adjacent Street Agreement**
- 6. NEW BUSINESS**
  - A. **{Public Hearing} REZ22-19 Silver Dreams LLC**- NE /C Brookside Rd & Main St (R3-D to R3-SF / 10.05 Ac) *Applicant: Silver Dreams LLC, Shekar Dadi (Planner: Donna Wonsower)*
  - B. **{Public Hearing} REZ22-20 Commercial Homes by Roth**-8931 Greenhouse Rd-(A1 to C3 and R3-SF / 10.38 Ac / C3 0.72 Ac / R3-SF 9.66 Ac) *Applicant: Commercial Homes by Roth, Randy Roth; Engr: Bates and Associates, Inc, Geoff Bates (Planner: Dianne Morrison Lloyd)*
  - C. **{Public Hearing} PUD22-03 The Landing**-8931 Greenhouse Rd-(Proposed zoning R3-SF / 10.38 Ac / 36 SF Lots / 1 Commercial Lot) *Applicant: Commercial Homes by Roth, Randy Roth; Engr: Bates and Associates, Inc, Geoff Bates (Planner: Dianne Morrison Lloyd)*
  - D. **{Public Hearing} MOV22-02 Fair St Village**-280 Fair St-(Zoned R3-MF / 1.50 Ac / 1998 Mobile Home, Space #3) *Applicant: Centerton Village, LLC, Guy Torrelli (Planner: Dianne Morrison Lloyd)*
  - E. **DEV22-06 Walgreens Pharmacy-LSD**-NE/C of Copper Oaks and Centerton Blvd-(Zoned C2 / 1.22 Ac)  
*Developer: Bencor Properties, Ben Horton; Engr: CEI, Chris Harty (Planner: Donna Wonsower)*
    - **Preliminary Plans**

**NOTE:** Although every effort on the part of the Planning Dept. is made to assure every Agenda is accurate and precise, periodically, for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice. Citizens are encouraged to call City Hall/Planning Dept. (479-795-2750-option 4) to verify if an item of interest remains scheduled to be heard on this date.

- F. **VAC22-04 Brandow-** 720 Harvest St, Lot 6 of Bliss Orchard, Vacate 10' of 25' rear yard DE/UE for in-ground pool (Zoned R2); RES22-23 PUBLIC HEARING BEFORE CITY COUNCIL ON 9/13/2022; *Applicant: Joshua and Jamie Brandow (Planner: Donna Wonsower)*
- G. **VAC22-05 Willow Crossing-** NW/C of Marigold & Cedar St, Vacate all existing drainage, utility, and public access easements (Zoned R4-MF / 7.38 Ac); RES22-25 PUBLIC HEARING BEFORE CITY COUNCIL ON 9/13/2022; *Applicant: JS Fenwick Properties, Isabel Lane (Planner: Erik Nystrom)*

## 7. OTHER BUSINESS

- A. **SUB22-08 Richwoods-Discussion on Adjacent Street Agreement Motley Rd and future collector (Wade Ed Extension)-**N side Motley Rd W of S Vaughn Rd-(Zoned RTH-D / 60.13 Ac / 240 SF Lots) *Owner: NW Dream Builders, Srivalli Adari; Engr: Bates and Associates, Jake Chavis (Planner: Donna Wonsower)*
- B. **SUB21-07 Oakmont Subdivision** – West side of Hwy 279S, N of Windsong Subdivision - (Zoned R2 / 18.61 Ac / 139 SF Lots + 2 detention + 1 wetland) *Owner: ARC Construction, Carl Walker; Engr: Jorgensen & Associates, Cody Sims (Planner: Donna Wonsower)*
  - **Adjacent Street Agreement for Vaughn Rd (Hwy 279S)** – Propose Fee-in-lieu of \$38,519.50
  - **Landscaping Plan** – Revised for PC approval

## 8. ANNOUNCEMENTS

- A. **Next Council Meeting: 09/13/2022 @ 6:00 PM**
- B. **Next PC Meeting: 09/20/2022 @ 6:00 PM**
- C. **Next Tech Review Meeting: 09/22/2022 @ 2:00 PM (Zoom)**

## 9. ADJOURN

**NOTE:** Although every effort on the part of the Planning Dept. is made to assure every Agenda is accurate and precise, periodically, for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice. Citizens are encouraged to call City Hall/Planning Dept. (479-795-2750-option 4) to verify if an item of interest remains scheduled to be heard on this date.



**PLANNING COMMISSION  
MINUTES OF MEETING  
September 06, 2022**

**1. CALL TO ORDER**

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:00 p.m.

**2. ROLL CALL**

Those Present and answering Roll Call were, Jeff Seyfarth, Joey Ingle, Brandon Swoboda, John Sessoms, Craig Langford, Jerry Harris, Tony Davis, and Ben Lewis. Others in attendance for the city were: City Planning Director Lorene Burns, City Planner Donna Wonsower, City Planner Erik Nystrom, City Engineer Alan Craighead, Fire Marshal Paul Higginbotham, City Mayor Bill Edwards, City Attorney Brian Rabal and Planning Assistant/ Recorder Kayla Craft.

**3. APPROVAL OF MINUTES**

**Jeff Seyfarth** asked for a motion to approve minutes from the 08/02/2022 Planning Commission Meeting.

**John Sessoms made a motion to approve minutes from 08/16/2022 Planning Commission Meeting, with a Second from Craig Langford. All Commission Members voted in favor and the motion carried.**

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. TS22-15 Herbaugh-Tract Split**-11124 Keller Rd-(County / 11.74 Ac / Tract 1 8.99 Ac / Tract 2 2.75 Ac) *Owner: Douglas Harbaugh; Engr: Swope Engineering, Phil Swope (Planner: Erik Nystrom)*
- B. HOP22-23 Junk Junkies**- 1000 Zachary St (Zoned R3-SF/ North Forty/ Junk Removal) *Applicant: Dylan Kelley (Planner: Kayla Craft)*
- C. HOP22-24- Sharp Golf Co**- 905 Fieldstone Ct (Zoned R3-SF/ North Forty/ Online Sales of Golf Apparel) *Applicant: Burdette Jordan (Planner: Kayla Craft)*

**There were no questions from the Planning Commission regarding the Administrative Approvals. Commission Chairman Jeff Seyfarth entertained a motion. Tony Davis motioned to approve the Ratification of Administrative Approvals with Joey Ingle as 2nd. No one was opposed and the motion carried.**

## 5. OLD BUSINESS

- A. **DEV22-08 Christian Life Center- Adjacent Street Agreement-** W side of Gamble, just S of 1011 Gamble Rd-(Zoned R3-SF / 2.80 AC) *Applicant: Centerton Life Center of Centerton, James King; Engr: Halff, Dirk Thibodaux (Planner: Donna Wonsower)*

- A. Jeff Seyfarth gave a brief overview. Dirk Thibodaux was present to answer questions but let staff give the project overview.
- B. City Planner Donna Wonsower gave the staff overview. She noted the adjacent street agreement was discussed at the previous meeting. Afterwards, staff worked in tandem with Dirk and came to an agreement as follows: the storm sewer coming out of the detention pond will be extended to connect to the Valley Oaks subdivision to the south. There will be a 2-ft gravel shoulder along Gamble Rd with the drainage along Gamble Rd graded as a swale. There are a few street trees along Gamble; however, due to the utilities being moved the trees may be shifted. There will be no fee-in-lieu
- C. Staff recommends an approval of the street improvements, with no fee-in-lieu.
- D. The commissioners did not have any questions or comments

**John Sessoms made a motion to approve DEV22-08 Christian Life Center Adjacent Street Agreement with a 2<sup>nd</sup> from Ben Lewis. No members were opposed, and the motion carried.**

## 6. NEW BUSINESS

- A. **{Public Hearing} REZ22-19-** NE /C Brookside Rd & Main St (R3-D to R3-SF / 10.05 Ac) *Applicant: Silver Dreams LLC, Shekar Dadi (Planner: Donna Wonsower)*

- A. Shekar Dadi explained they previous rezoned this property to R3-D but have sense decided they want to develop at a lower density, R3-SF.
- B. Donna gave the staff report. She highlighted this property was previously rezoned to R3-D. All public notices have been met. The property is consistent with R3-SF, as there are subdivisions with this zoning nearby and also A1. There is a small section of floodplain on the development in the NE corner.

**Jeff Seyfarth entertained the motion to open the public hearing. Ben Lewis made a motion to open the public hearing with John Sessoms as 2<sup>nd</sup>. There were no comments from the public. Jerry Harris made a motion to close the public hearing with Ben Lewis as 2<sup>nd</sup>. No members were opposed, and the motion was approved.**

- C. The commission went through the following considerations:
  - 1. **Consistent with adopted Comprehensive Plan?**
    - a. Yes, it is consistent.
  - 2. **Compatible with Surrounding Area?**
    - a. Yes, it is compatible as it is single-family adjacent to single-family residential
  - 3. **Permitted Uses Compatible with Surrounding Area?**



- a. Yes, all the uses (single-family) are permitted in the surrounding areas.
4. **Would the rezone provide a benefit to one landowner but not be considered for other similar properties in the area?**
  - a. No, this does not offer a benefit to just one landowner.
5. **Is the Public Opposed?**
  - a. No Public Comment

**John Sessoms made a motion to approve REZ22-19 Silver Dream LLC with Craig Langford as 2<sup>nd</sup>. In a Roll Call, all Commission member voted in favor and none opposed. The motion carried.**

**B. {Public Hearing} REZ22-20 Commercial Homes by Roth-** 8931 Greenhouse Rd-(A1 to C3 and R3-SF/ 10.38 Ac/ C3 .072 Ac/ R3-SF 9.66 Ac) *Applicant: Commercial Homes by Roth, Randy Roth; Engr: Bates and Associates, Inc, Geoff Bates (Planner: Dianne Morrison Lloyd)*

- A. Geoff Bates was present and gave an overview. They would like to rezone the land to build 36 single family homes. Higher density is requested to compensate for the high amount of Right-of-Way they have to dedicate to the city, 3.65 acres (35% of property). There is also floodplain on the property that restricts building, and the property is particularly long and narrow. There is a concurrent PUD pending the rezone request.
- B. Donna Wonsower gave the staff overview. She confirmed the adopted Comprehensive Plan calls for R-2 zoning in that area. The land was recently annexed. The parcel is surrounded by Creekside Ph 2 (2.35 units / acre) and Quail Ridge Ph 1 (2.80 units / acre). The western portion of the property is within a floodplain. The subdivisions in Bentonville around the land are zoned R-2 and R-1. She pointed out that the rezone would provide an opportunity for infill development. Staff considers the rezone to be compatible with the surrounding areas but is not consistent with the Land Use Plan.
- C. Donna Wonsower confirmed a sizable portion of the property would be dedicated as Right-of-Way (30%). The property has frontage along Greenhouse Rd and the Master Street Plan designates a Minor Arterial along the entire south side of the property. Along with street improvements, the developers will also be building a trail. There is direct access to utilities, and the floodplain will not have any construction. A wetlands assessment will be required before construction. There will probably not be multiple points of entry due to the floodplain east side of the property for a substantial amount of time. The commercial piece will be located directly adjacent to the Greenhouse. Though the land use plan does not designate this land as commercial, the Comprehensive Plan does encourage infill, flexibility and walkability.
- D. ROW was discussed, including how calculations were determined. Staff confirmed the units per acre were calculated both with and without the Right of Way. It was also confirmed that the ROW dedication would include the trail.
- E. The previous rezoning was reviewed, and Jeff Seyfarth clarified that when the project was last seen in February of 2021, the project was denied. It was confirmed that the project could be reviewed as it is for a less intense request.

**Jeff Seyfarth entertained a motion to open the public hearing. John Sessoms motioned to open the public hearing with a 2<sup>nd</sup> from Joey Ingle. No members opposed and the public hearing was opened.**

- F. Multiple members from surrounding communities were present and spoke including Mike & Sara Sullivan of 1310 Elizabeth Loop, Susan & Bruce Barkley of 1330 Elizabeth Loop, Matt Mayans of 1290 Elizabeth Loop, Matthew Freeman of 1641 Quail Ridge Way, Luke Marbles of 2804 SW Cedar Ridge Rd, Brenda Moyes of 1541 Quail Ridge Way, Michael Comment of 268 Fern St, Harold Castro of 1501 Quail Ridge Way, Tom Throne of 1730 Quail Ridge Way, and Randy Eugene of 1150 Elizabeth Loop.
- G. All speakers mentioned concerns regarding compatibility. In general, they believed R3-SF to be too intensive for their area, and requested the developers adhere to the zoning of R-2.
- H. The public also brought up concerns about traffic safety and capacity of Greenhouse Rd. They cited an incident that occurred in which a truck drove through someone's back yard and almost hit a house. Several stated that their neighborhoods already have trouble getting out onto Greenhouse Rd and requested the commission deny this request and revisit after Greenhouse Rd has been improved to handle more traffic.
- I. Matthew Freeman was asked how long the Comprehensive Plan is supposed to be prevalent for. Jeff Seyfarth estimated it would need to be reevaluated every 5-10 years. Freeman urged the commission to adhere to the Comprehensive Plan, as it was only adopted in October of 2020.
- J. The public was of the opinion that proposed trails and road improvements for Greenhouse Rd do not help the existing situation, and the development should not be approved until the improvements are complete. Staff and Geoff Bates explained that road and trail improvements would be completed with this development.
- K. Jeff Roth confirmed that they do not have current plans to put the commercial in with this development, but instead are having it rezoned for the future when the roads and area can support it. He also stated the commercial traffic would not enter from Greenhouse, but instead would have entrance through a private road, which would reduce traffic on Greenhouse instead of increasing it.
- L. Multiple members of the public questioned how one entrance would suffice for the housing. Fire Marshal Paul Higginbotham stepped in to explain the code has flexibility that allows for one entrance under specific circumstances, and this project would meet code.
- M. Susan Barkley of 1330 Elizabeth Loop mentioned the idea that many neighbors in the area would like to see the land be used as a public park because there is such a diverse amount of wildlife on the property.
- N. Commissioner Devin Murphy pointed out to the public that the previous family who lived on the property being rezoned also did not want Creekside or Quail Ridge to be built, and the public now has benefited from them being built. He cited the subdivisions being built, then the public pushing back about a new housing development being built as "coming full circle."

**John Sessoms made a motion to close the public hearing with a 2<sup>nd</sup> from Devin Murphy. No members opposed and the hearing was closed.**



- A. Jeff Seyfarth summarized the public hearing portion by stating the two crucial issues the public brought up were traffic issues and compatibility.
- B. Lorene Burns pointed out that R3-SF is medium to high density and R-2 is low to medium density, and that there is a medium density overlap. She noted that the developers are looking to build single family, which is what is in the surrounding subdivisions as well.
- C. The commission was asked to consider the following:
  - a. Consistent with adopted Comprehensive Plan?**
    - i. Joey Ingle said the commercial is not consistent, but there is an argument to be had about the residential piece, even though the developers' plans do not really fall in the medium density overlap. Tony Davis agreed the commercial zoning is not consistent. Jeff Seyfarth agreed the density and zoning is not consistent with the Comprehensive Plan.
  - b. Compatible with Surrounding Area?**
    - i. Jeff Seyfarth stated the single-family zoning is compatible with the surrounding area. He agrees the commercial piece may not be compatible with this specific development. A member of the public (name not provided) asked why the commercial piece was proposed, and Lorene clarified because of the limited access to some of the lots, staff did not feel residential was appropriate adjacent to the arterial for this parcel. There was discussion about the feasibility and appropriateness of the commercial given the potential connection of the future arterial to the west, as well as access for any commercial in the future.
    - ii. The commission agreed single family zoning is compatible. Many members of the commission were unsure of the feasibility of commercial in the area proposed location.
  - c. Permitted Uses Compatible with Surrounding Area?**
    - i. Jeff Seyfarth again stated the uses for single family zoning would be compatible but was unsure if the uses for commercial would be compatible. Commission members agreed with the Chairman's assessment.
  - d. Would the rezone provide a benefit to one landowner but not be considered for other similar properties in the area?**
    - i. Jeff Seyfarth stated he did not think this was a benefit to one landowner and believed they would have the same considerations for similar proposals in the area.
  - e. Is the Public Opposed?**
    - i. The public was opposed due to traffic and compatibility concerns. Jeff Seyfarth stated most of the concerns brought up were based on opinions, apart from the recent vehicular accident. He stated there were traffic studies done, however they were not presented during this meeting.
    - ii. During the summary, Harold Castro of 1501 Quail Ridge Way interrupted Jeff Seyfarth with concerns the public had not been

heard. The chair noted the time for public comment has passed, and his summary did cover the public's concerns for compatibility. The difference in compatibility was included as part of the compatibility concerns.

- f. Geoff Bates came to podium and stated the applicant would be willing to forgo the commercial piece and rezone to only R3-SF, since most contention surrounded the commercial aspect. City Attorney Brian Rabal suggested that, due to the substantial change, the public hearing should be reopened for the public to speak their opinions about the change.
- g. Brandon Swoboda was concerned there need to be renotification of the public for this new request. Brian Rabal explained the change is permitted without renotification because the zoning request change is being downgraded to a lower intensity.

**John Sessoms motioned to reopen a public hearing in regard to the latest information presented for the commercial piece with a 2<sup>nd</sup> from Tony Davis. No members were opposed, and the public hearing was reopened.**

- D. The public (including Harold Castro, Tom Throne, Diana Allen, and Matthew Freeman) requested the commission table the item to give the public a chance to reconsider the proposal and also give the neighbors who did not make the 9/06 meeting the chance to make the next meeting to discuss the new proposal.
- E. Anabella Freeman of 1621 Quail Ridge Way addressed Lorene, referring to her statement regarding the density overlap between R-2 and R3-SF. Anabella stated that if the intent is to build single family homes in the overlapping density, the developers do not need to request a rezone for R3-SF. There was discussion regarding the overlap between the two districts and the difference lies with setbacks and requirements for Right-of-Way and frontage.
- F. Tom Throne asked what would be put in place of the commercial piece, and the commission explained more houses would likely be built if that lot is buildable. Lorene explained they would have to work out fire access. Tom Throne was concerned the traffic would still use Greenhouse Rd to leave. What items the commission can consider during a rezoning application and the differences between the R-2 and R3-SF zoning districts were further discussed.
- G. Matt Mayans stated they still did not believe the R3-SF is compatible or consistent with the surrounding areas.
- H. Jeff Seyfarth again clarified the Rezone request specifically deals with land use, and the PUD (to be considered pending the rezone) would consider the design. He then also explained that a Planned Unit Development allows a developer to mix residential and commercial use on one parcel; however, the requirements are strict.

**Ben Lewis made a motion to close the public hearing with a 2<sup>nd</sup> from Jerry Harris. No members were opposed the public hearing was closed.**

- I. With concerns about the changes to the rezone, Jeff Seyfarth offered to table both the rezone and PUD. Jeff Roth agreed to table the PUD with the rezone to



be heard again on 09/20/2022. The public asked if the next meeting would be open for the public to speak again. It was clarified that the developer would not have to resend notification to the public, as the notification requirements have already been met however it would be open to the public.

- J. Alan also clarified that the developers would need to resubmit plans that reflect the latest changes without the commercial piece.
- K. The public asked when the date of the next meeting and agenda would be made available to the public. Jeff Seyfarth explained the agendas are normally available on the city website on the Thursday before the meeting.

**John Sessoms made a motion to table REZ22-20 Commercial Homes by Roth with a 2<sup>nd</sup> from Devin Murphy. No members opposed and the motion carried.**

- C. **{Public Hearing} PUD22-03 The Landing-8931 Greenhouse Rd-**(Proposed zoning R3-SF / 10.38 Ac / 36 SF Lots / 1 Commercial Lot) *Applicant: Commercial Homes by Roth, Randy Roth; Engr: Bates and Associates, Inc, Geoff Bates (Planner: Dianne Morrison Lloyd)*

**John Sessoms motioned to table the PUD22-03 The Landing with a 2<sup>nd</sup> from Joey Ingle. No members were opposed, and the motion passed.**

- D. **{Public Hearing} MOV22-02 Fair St Village-** 280 Fair St (Zoned R3-MF/ 1.50 Ac/ 1998 Mobile Home, Space #3) *Applicant: Centerton Village, Guy Torrelli (Planner: Dianne Morrison Lloyd)*
  - A. Guy Torelli was present and gave a project overview. He explained the permit requested is to move a new mobile home in to replace an old run-down mobile home. He also provided pictures of the new home and old home. He explained he did not get the moving permit before the home was moved in. Jeff Seyfarth clarified this is the same situation as space 2. Jeff Seyfarth also asked if the torn down house currently in the area would be removed. Guy Torrelli agreed it has already been half removed and the removal would be finished sometime next week.
  - B. Erik Nystrom gave the staff overview. The mobile home was moved in in December 2021 and replaced an old home. Torrelli was notified he needed to complete a moving permit for the homes. The Planning Commission granted a retroactive permit for space 2 on July 5<sup>th</sup>, 2022, which was also moved in prior to receiving a moving permit. In the past, the Planning Commission also granted a retroactive moving permit to MOV20-02 Gonzalez without penalty, though it was their first offense.
  - C. Erik also pointed out the new home on space 3 now conforms with the building setbacks, as the previous home did not. Donna Wonsower pointed out the property is located inside a floodplain and the Planning Department has received a Floodplain Permit.
  - D. Jeff Seyfarth confirmed with staff this request is similar to the last one, except this time a floodplain permit has been acquired.

**John Sessoms made a motion to open the public hearing with a 2<sup>nd</sup> from Ben Lewis. There was no comment from the public. Joey Ingle made a motion to close the public hearing with a 2<sup>nd</sup> from Craig Langford.**

**With no other questions from the Commission, Ben Lewis made a motion to approve MOV22-02 Fair St Village #3 with Devin Murphy as 2<sup>nd</sup>. In the Roll Call, all members voted in favor and no members were opposed. The motion was passed. Jeff Seyfarth then confirmed with Guy Torrelli that he understood the process and will follow it for the next trailer. Lorene Burns spoke up and explained they are working on a process together to allow Torrelli to move trailers in while adhering to code.**

**E. DEV22-06 Walgreens-LSD- NE/C of Copper Oaks and Centerton Blvd (Zoned C2 / 1.22 Ac) Developer: Bencor Properties, Ben Horton; Engr: CEI, Chris Harty (Planner: Donna Wonsower)**

- A. Chris Harty with CEI was present to give a project overview. This prototype of Walgreens is smaller than the average Walgreens. They are adding sprinklers to the building, adding a hydrant, and adding street trees along Centerton Blvd and Elm Road.
- B. Jeff Seyfarth asked Chris to explain the delivery diagram. Chris explained the trucks will go down to Copper Oaks, turn onto Copper Oaks, turn into a driveway, go behind the building and pull off onto Centerton Blvd. There was additional discussion regarding signage, routing, and impact to the adjacent neighborhoods.
- C. Donna Wonsower gave a staff overview. There are existing improvements along Centerton Blvd and Copper Oaks Dr including ROW dedication. There will be sidewalk connections along copper oaks. There is landscaping planned, which has been increased since the Conditional use permit review. Staff has received an Adjacent Street Agreement and are recommending approval. No additional detention needed. A lighting plan has been received and meets the lighting code. Minor changes need to be made, but the staff recommend approval.
- D. Joey Ingle asked what requirements were put on the project with the conditional use and if the proposed plans meet those requirements, citing empty space at the front of the lot. Donna agreed there is empty space; however, ARDOT has Right-of-Way for Hwy 72, and are very particular about street trees along their roads. On the North side of the property there is a substantial wildflowers area, screening along the parking, shrubs in the parking island and trees outside of site triangles/ ARDOT ROW.
- E. Joey Ingle asked what the conditional use asked for in regard to landscaping. Donna said it asked for street trees and recommend parking islands but there were not specific requirements. She also confirmed they do meet the screening requirements for adjacent to residential.

**John Sessoms made a motion to approve DEV22-06 Walgreens with a 2<sup>nd</sup> from Ben Lewis. No members were opposed, and the motion carried.**

**F. VAC22-04 Brandow-720 Harvest St, Lot 6 of Bliss Orchard, Vacate 10' of 25' rear yard DE/UE for in- ground pool (Zoned R2); RES22-23 PUBLIC HEARING BEFORE CITY**



COUNCIL ON 9/13/2022; *Applicant: Joshua and Jamie Brandow (Planner: Donna Wonsower)*

- A. The applicant was not present to give a project overview.
- B. Donna Wonsower explained the Bliss Orchard subdivision was one of the last to dedicate setbacks as utility/drainage easements. They are 25 feet, and the applicant is requesting to vacate 10 feet for a pool. Staff has heard from all utilities except Swepeco. There is a Lumen line located right next to where the proposed pool is. The applicant spoke with Lumen and confirmed Lumen is willing to move the line at the applicant's expense. Staff recommends the commission to deny or reduce the amount allowed for the vacation due to the utilities and the large open area within the back yard. One adjacent property owner confirmed they have no issue with the vacation. The other adjacent property owners did not respond.
- C. Jeff Seyfarth asked if there was any reason the applicant could not move the pool to follow the setbacks. Donna stated that staff also asked, and that location of the pool is their preferred alignment.
- D. Joey Ingle asked if there were any public utilities located in the rear yard. Donna said only Century Link notified staff there was a line located in the setback. There is no storm, water, or sanitary. Joey Ingle asked if the property was adjacent to the floodplain. City Engineer Alan said the property is not. The floodplain is two streets over, but there is a drainage easement a few houses down.

**Tony Davis made a motion to approve VAC22-04 Brandow with Devin Murphy as 2<sup>nd</sup>. The motion was carried with Chairman Jeff Seyfarth making sure to note he was opposed to the motion.**

**G. VAC22-05 Willow Crossing-** NW/C of Marigold & Cedar St, Vacate all existing drainage, utility, and public access easements (Zoned R4-MF / 7.38 Ac); RES22-25  
PUBLIC HEARING BEFORE CITY COUNCIL ON 9/13/2022; *Applicant: JS Fenwick Properties, Isabel Lane (Planner: Erik Nystrom)*

- A. The applicant was not present to give an overview.
- B. Erik Nystrom gave the staff overview. The vacation asks for the vacation of all easements dedicated by the plat recorded in 2018. There was a tract split recorded in 2022 that dedicated new easements. There were two dedications for the same easements, and this vacation will vacate the older easements. As of the date of the meeting, Black Hills Energy, and Cox have no concerns with the vacation. Alan further explained there can never be a lapse in easement dedications, especially for drainage; however, this vacation would not cause a lapse, just remove unnecessary dedicated easements.

**Joey Ingle made a motion to approve VAC22-05 Willow Crossing with John Sessoms as 2<sup>nd</sup>. No members were opposed, and the motion was carried.**

## **7. OTHER BUSINESS**

**A. SUB22-08 Richwoods- Discussion on Adjacent Street Agreement Motley Rd and future collector (Wade Ed Extension)-**N side Motley Rd W of S Vaughn Rd-(Zoned RTH-D / 60.13 Ac / 240 SF Lots) *Owner: NW Dream Builders, Srivalli Adari; Engr: Bates and Associates, Jake Chavis (Planner: Donna Wonsower)*



- A. Geoff Bates was present to give an overview. They are requesting a fee-in-lieu for the north part of their street improvements, as they are not sure on the timeline of other developments around them. For the southern portion of the proposal, the applicant would like to build up to their half of the road including curb and gutter with this development then finish the other half of the road when they develop the parcel to the west. Jeff asked if the applicant owns both sides of the road, and it was confirmed they do.
- B. Alan Craighead stated that staff would like to see the client build the full street improvements to the north side of the detention pond, so the drainage grading is complete with the 3 lanes and that there is no impact to the system with future road construction.
- C. Donna Wonsower gave the staff overview. She indicated in the staff report where the proposed subdivision is in relation to the road and detention lot. She then reiterated staff would like to see full road improvements that include the length of the detention lot so there is no impact to the drainage, and construction to the north. Staff has coordinated with the landowner to the northwest, who is willing to allow a construction easement when needed to allow construction on his property. She then showed the proposed development in proximity to a project happening in Bentonville to be developed and constructed by the same owner. When Richwoods is fully constructed, it will connect with the Bentonville subdivision.
- D. There was extensive discussion regarding the street improvement options allowed by code including additional discussion regarding the will be utilization of the parcel to the west as part of the drainage system.
- E. Joey Ingle asked if there were phases. Geoff and Shekar confirmed there will be 4 phases total. Alan let them know they will have to build the full road improvements with the second phase either way. Joey Ingle asked for full section and stop at the baseline until the second phase, where they will have to build the rest. Alan stated he also would like at least full improvements for the detention pond section.
- F. Staff, the commission, and the applicant agreed that full construction of the collector would be required to the intersection north of the detention pond on the western parcel constructed with the first phase. IN phase two, full width shall be required to the second entrance. Following phases will need to finish improvements to the northern property line, with work to be coordinated with the adjacent property owner. All ROW shall be dedicated with the plat.

**B. SUB21-07 Oakmont Subdivision** – West side of Hwy 279S, N of Windsong Subdivision - (Zoned R2 / 18.61 Ac / 139 SF Lots + 2 detention + 1 wetland) *Owner: ARC Construction, Carl Walker; Engr: Jorgensen & Associates, Cody Sims (Planner: Donna Wonsower)*

- A. Jared Inman was present to give an overview of their request. They are requesting Street agreement and fee-in-lieu approved. The only major change to the agreement is the fee-in-lieu which includes asphalt widening, curb & gutter, and the extension of the sidewalk. An estimate of \$38519.50 was given for all the work. In addition to the fee-in-lieu, there will be a 10 ft trail, drainage improvement and streetlights constructed.
- B. Joey Ingle asked for more details regarding the drainage and how it could be fixed in the future. Jared explained there are no drainage issues, however there

are some culverts that will need to be expanded further west. Because ARDOT does not want certain street improvements being made at this time, the fee-in-lieu is being requested. Alan also elaborated that when someone to the North develops in the future, this money will go towards connecting the sidewalks between the two properties.

- C. Donna gave the staff review. She explained that due to ARDOT not wanting street trees in their right of way, there were also changes made to the landscaping. After home construction, trees will be planted in the internal ROW. Alan elaborated they are unable to put the trees on the opposite side of the sidewalk to due a watermain.
- D. The location and number (12) of the trees was discussed. Donna explained the trees will be placed along internal roads. To avoid the trees being damaged during house construction, the trees will be installed after the houses are built. When this project gets to a final plat, a performance bond will be required for the cost of the trees and will be returned upon full instillation of the trees.

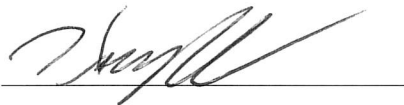
**John Sessoms made a motion to approve SUB21-07 Oakmont Subdivision Adjacent Street Agreement and Landscaping plan with a second from Devin Murphy. There were no members opposed and the motion carried.**

**8. ANNOUNCEMENTS**

- A.) Next Council Meeting: 09/13/2022 @ 6:00 PM
- B.) Next PC Meeting: 09/20/2022 @ 6:00 PM
- C.) Next Tech Review Meeting: 09/22/2022 @ 2:00 PM (Zoom)

**9. ADJOURN**

**Devin Murphy made a motion to adjourn the meeting at 8:53 pm, with a Second from John Sessoms. All Commission members voted in favor the meeting was adjourned.**



**Jeff Seyfarth – Planning Chair  
Centerton Planning Commission**

**Minutes Prepared By: Kayla Craft**