



**PLANNING COMMISSION
MINUTES OF MEETING
OCTOBER 19, 2021**

(1) CALL TO ORDER –

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

(2) ROLL CALL –

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, John Sessoms, Tony Davis, Amber Beale and Ben Lewis. Jerry Harris and Craig Langford were absent. Others in attendance for the City were Mayor Bill Edwards, City Clerk/Recorder Todd Wright, City Attorney Brian Rabal, Planning Director Lorene Burns, Senior Planner Dianne Morrison Lloyd, City Planner Donna Wonsower and Director of Public Works Rick Hudson.

(3) APPROVAL OF MINUTES -

Chairman Jeff Seyfarth asked for approval of the Minutes of the Planning Commission Meeting from 9/21/2021.

Joey Ingle made a motion to Approve the Meeting Minutes from 9/21/2021, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

(4) RATIFICATION OF ADMINISTRATIVE APPROVALS –

A. TS21-15: Cheatham Property-PLA – Property Line Adjustment: 1092 N. Main Street (R2 & A1 / 2.78 Acres / Tract 1- 1.709 Acres / Tract 2- 1.072 Acres)

- B. TS21-16: King Property Split** – SW Corner of LC Hickman Road and N. Tycoon Road (R3-SF / 128.41 Acres / Tract 3- 83 Acres / Tract 4- 45.41 Acres)
- C. TS21-17: Vaisuk Investments, LLC – Split** – SE Corner of Tycoon Road and W. Hwy 102 (I-2 / 13.74 Acres / Tract 1- 7.739 Acres / Tract 2- 6.001 Acres)
- D. TS21-18: PUGA - PLA** – W. Fish Hatchery Road (PLA to previous TS21-03; Lot 1A- 1.898 Acres; Lot 2A- 1.180 Acres)
- E. HOP21-37: Slavic Sourdough** – 400 Spicewood Trail, R3-SF, Home Bakery
- F. HOP21-38: Rabey's Accounting and Tax Service** – 122 Skinner Street, R2, Accounting and Tax Service
- G. HOP21-39: 1st Rate NWA Drivers Academy** – 920 Walker Street, R2, On-line Drivers Ed Course and Driving Lessons
- H. HOP21-40: Prolift Doors** – 600 Gala Circle, R3-SF, Garage Door Repair and Replacement
- I. HOP21-42: Spruce Grove Media** – 612 Chaparral Street, R2, Video Production and Editing

John Sessoms made a motion to Ratify the Administrative Approvals as presented, with a 2nd from Devin Murphy. All Commission Members voted in favor and the motion carried.

(5) OLD BUSINESS - None

(6) NEW BUSINESS -

A. REZ21-28: Neal Property – 9917 Kitty Road (A1 to R1 / 25.95 Acres) –

Chairman Jeff Seyfarth introduced the item to the Commission.

Nick Goerderis with Tri-Star Contractors addressed the Commission, giving a brief overview of the request to rezone 25.95 Acres on Kitty Road from A1 to R1, for development of Estate-Style homes.

City Planner Donna Wonsower addressed the Commission, giving an overview of the Rezone Request from A1 to R1, for development of 25.95 Acres for Low-Density, Single-Family Residential Homes. She said the property is adjacent to Kitty Road on the north and is currently gravel. She said any improvements would be discussed at the

development stage. She said Hwy 102 is to the south. She said there is Water available on the property. She said there is not currently Sewer Service on the property, but it is developing toward this area. She said the Adopted Land Use Plan designates this area as Medium-High Residential Use. She said proposal is for a significantly less dense utilization. She said it would be considered compatible due to the lack of infrastructure and the existing low-density development in the area. She said the surrounding zoning is County, R3, C2, and A1. She said the request would be considered compatible and consistent with the surrounding area and the Comprehensive Plan.

Amber Beale made a motion to Open the Public Hearing for REZ21-28: Neal Property – 9917 Kitty Road (A1 to R1 / 25.95 Acres), with a 2nd from Tony Davis. All Commission Members voted in favor and the motion carried.

Chairman Seyfarth opened the meeting to Public Comments.

Public Comments:

Kristy Antonacci- 13969 Noah Road – Ms. Antonacci addressed the Commission, stating that she purchased this property in the country for a reason. She expressed concern with the housing density coming in around them, the quality of Kitty Road, poor drainage, lack of infrastructure and traffic safety.

There were no other Public Comments.

Joey Ingle made a motion to Close the Public Hearing for REZ21-28: Neal Property – 9917 Kitty Road (A1 to R1 / 25.95 Acres), with a 2nd from Devin Murphy.

Chairman Seyfarth asked the Commissioners if they had any questions or comments. There were none.

Chairman Seyfarth asked the Commissions to consider the five (5) rezone criteria items

- 1) **Is the rezoning consistent with the Adopted Comprehensive Plan (including the Adopted Land Use Plan)? If not, why? – YES.** Chairman Seyfarth said this proposal is less dense than the designation of the area on the LUP. **PC was in agreement that the request is considered consistent with the Comprehensive Plan and the Adopted Land Use Plan.**
- 2) **Is the proposed rezoning compatible with the surrounding area and zones - YES.** Chairman Seyfarth said they are proposing Residential Use and there is other residential zoning in the area, **PC was in agreement that the request is compatible with the surrounding area.**

- 3) **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** Chairman Seyfarth said they are proposing Residential Use. **PC was in agreement that the request is compatible in this area.**
- 4) **Would the Rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? - No.** Chairman Seyfarth said he didn't think there would be any benefit provided in this case. **PC was in agreement that there is not a non-shared benefit for this request.**
- 5) **If the public is opposed, why? Are the objections based upon factual information relating directly to this request or opinion based? Does any factual information presented apply to this rezoning situation? YES.** Chairman Seyfarth said there was public comment in opposition, regarding infrastructure. He said any development would likely have infrastructure improvement requirements. **There were no additional comments from PC.**

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff. There were none.

John Sessoms made a motion to Approve REZ21-28: Neal Property – 9917 Kitty Road (A1 to R1 / 25.95 Acres), with a 2nd from Joey Ingle. There was a roll call. All Commission Members voted in favor and the motion carried.

B. {PUBLIC HEARING} CU21-09: Copper Oaks Airbnb – 101 Copper Oaks Drive (Lodging, Bed and Breakfast / Homestay) –

Chairman Jeff Seyfarth introduced the item to the Commission.

The applicant was not present.

City Planner Donna Wonsower addressed the Commission, stating that the request is for the Copper Oaks Cottage Homes, and they are requesting a #86 Conditional Use, which is for Airbnb's and short-term rentals. She said there was a development and PUD for this property in July 2019, for 12 single-family dwellings on 1.04 acres, and the project has been completely built out. She said the request is for weekly rentals, with some extended stays. She said the hours will be 4:00PM (check-in) to 10:00AM (check-out), and there will be no on-site employees. She said there will be a cleaning company, to clean the units between uses. She said there is nothing in the application or in the PUD requirements that would preclude this Conditional Use in the underlying zone. She said it meets the Comprehensive Plan recommendations. She said the internal drives are private and parking will be used for guests only. She said mountable fire extinguishers will be required.

Conditions:

- **Term - Indefinite**
- **Permits/Licenses - Required**
- **Number of Occupants – Must Meet Safety Requirements**
- **Parking – Driveway parking for guests only**
- **Fire Safety – Mountable Fire Extinguishers Required**
- **ADA – Requirements met where possible**

Amber Beale asked if the request was for all twelve (12) units. Wonsower said the applicant has not specified a specific number of units, but this Conditional Use would allow for all the units. John Sessoms said he understood that the intent is for the units to be used in the requested manor between the leases of the units. He said it is a good Use for transient housing.

Joey Ingle made a motion to Open the Public Hearing for CU21-09: Copper Oaks Airbnb – 101 Copper Oaks Drive (Lodging, Bed and Breakfast / Homestay), with a 2nd from Devin Murphy. All Commission Members voted in favor and the motion carried.

Chairman Seyfarth opened the meeting to Public Comments.

Public Comments: None

Joey Ingle made a motion to Close the Public Hearing for CU21-09: Copper Oaks Airbnb – 101 Copper Oaks Drive (Lodging, Bed and Breakfast / Homestay), with a 2nd from Ben Lewis. All Commission Members voted in favor and the motion carried.

The Commission was fine with the proposed Conditions.

Chairman Seyfarth asked if there were any other questions or comments from the Commission or City Staff. There were none.

Joey Ingle made a motion to Approve CU21-09: Copper Oaks Airbnb – 101 Copper Oaks Drive (Lodging, Bed and Breakfast / Homestay), with any Outstanding Staff Comments, with a 2nd from John Sessoms. There was a Roll Call. All Commission Members voted in favor and the motion carried.

C. SUB21:13: Daisy Road Duplexes – NE Corner of Daisy Road and Brookside Road (R3-D / 8.2 Acres / 20 Lots / 40 Units) – Morrison Shipley –

- **Preliminary Plat Approval**
- **Adjacent Street Agreement Approval**

Chairman Jeff Seyfarth introduced the item to the Commission.

Dirk Thibodeaux with Morrison Shipley addressed the Commission, giving a brief description of the request for development of 20 Duplex Lots, a detention pond and improvements to both Brookside Road and Daisy Road.

Senior Planner Dianne Morrison Lloyd addressed the Commission, stating that this development is at the corner of Brookside Road and Daisy Road. She said Brookside Estates is being developed to the south of this. She said Benton County Solid Waste is just to the west. She said there is additional R3-D zoning in the area, on the east side of Rainbow Farm Road. She said this property was rezoned to R3-D in May of this year. She said they are proposing 20 Duplex Lots, with access on both Brookside Road and Daisy Road. She said there is a quirky lot that the internal road dead-ends into. She said there will be a detention pond. She said there is Public Sewer access from Brookside Estates. She said Centerton Utilities has asked the developer to obtain an easement by a separate document, prior to construction plan approval, to evaluate the capacity of the Lift Station in Brookside Estates. She said the property does not show to have any Floodplain or Wetlands on it. She said the Brookside Road access lines up with the access for Brookside Estates. She said the street names still need to be reviewed and approved by the Fire Chief. She said the Adjacent Street Improvement Agreement needs to be approved by PC this evening. She said they are dedicating 40' of ROW on both Brookside Road and Daisy Road. She said Daisy Road is currently a gravel road with some pavement and they are proposing to improve the road with a 25ft asphalt street section, 2ft shoulders, 1.5ft gravel ditch and a 10ft Walking Trail on their side. She said they will also be improving their half of Brookside Road, adjacent to their property, with curb-and-gutter, sidewalk, and drainage. She said the City Engineer reviewed the Drainage Report and approved it after some modifications. She said the property owner to the east had expressed concern about some trees along her property line back in May. Lloyd said the developer has submitted a Tree Preservation Plan to protect those trees. She said the developer is also proposing some Street Trees along Brookside Road. She said Staff recommended Street Trees along Daisy Road as well. Mr. Thibodeaux was in agreement with all of the requests and comments.

There was discussion about access to Lot 13. Thibodeaux detailed the proposed driveway access, Fire Access and a barricade from the pond, PC was in agreement. Joey Ingle asked that the same Access Note be added to Lots 10 and 11

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff. There were none.

Joey Ingle made a motion to Approve SUB21:13: Daisy Road Duplexes – NE Corner of Daisy Road and Brookside Road (R3-D / 8.2 Acres / 20 Lots / 40 Units), with the Outstanding Staff Comments and the Adjacent Street Agreement, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

(7) OTHER BUSINESS – None

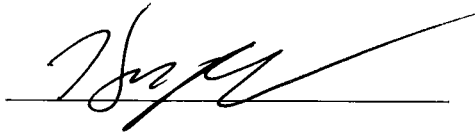
(8) PUBLIC COMMENTS – None

(9) ANNOUNCEMENTS -

- **10/28/2021 – Tech Review Meeting @ 2:00 PM**
- **11/02/2021 -- Planning Commission Meeting @ 6:00 PM**
- **11/08/2021 – City Council Meeting @ 6:00 PM (Date was changed)**
- **11/16/2021 -- Planning Commission Meeting @ 6:00 PM**

(10) ADJOURN -

John Sessoms made a motion to adjourn the meeting at 6:43 pm, with a 2nd from Tony Davis. All Commission members voted in favor and the motion carried.



**Jeff Seyfarth – Chairman
Centerton Planning Commission**

Minutes prepared by:
Todd Wright