



CENTERTON PLANNING COMMISSION
September 20, 2022 @ 6:00 PM
AGENDA

Public comment period after the introduction of each agenda item

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES –**
 - A. Planning Minutes – 09/06/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **TS22-16 Coberly- Replat-** 5600 Brookside Rd (Zoned A1 / 5.03 Ac / Tract 1 1.38 Ac / Tract 2 2.77 Ac) *Owner: Leslie Coberly; Engr: Caster & Associates, Robert Caster (Planner: Erik Nystrom)*
 - B. **TS22-20 Lin & Nguyen LLC** - E Centerton Blvd (4.86 Ac/ Tract 1: 4.00/ Tract 2: .86 Ac) *Owner: Lin & Nguyen LLC Engr: McClelland Consulting Engineers, Chris Bakunas (Planner: Donna Wonsower)*
 - C. **TS22-21 United Methodist Church-**11301 W AR HWY 72 (45.05 Ac/ Tract 1: 22.74 Ac / Tract 2: 22.30 Ac) *Owner: AR Conference of the United Methodist Church Engr: Bates and Associates, Justin Reid (Planner: Donna Wonsower)*
 - D. **SUB21-01 Morningside Estates-Amended Final Plat-**Seba and Keller Rd (amend plat for misspelled street name)
5. **OLD BUSINESS**
 - A. **{Tabled from 9/6/2022} 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)*
 - B. **{Tabled from 9/6/2022}{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)*
6. **NEW BUSINESS**
 - A. **SUB22-10 Magnolia Landing-Preliminary-** NE of Wagner Rd and Vaughn Rd-(Zoned R3-SF / 80 Ac / 268 SF lots) *Owner: Schuber Mitchell Homes, LLC, Art Elivo; Engr: HALFF, John Wary (Planner: Erik Nystrom)*
 - **Preliminary Plat**
 - **Adjacent Street Agreement**
7. **OTHER BUSINESS**
8. **ANNOUNCEMENTS**
 - A. **Next Tech Review Meeting: 09/22/2022 @ 2:00 PM (Zoom)**
 - B. **Next PC Meeting: 10/04/2022 @ 6:00 PM**

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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.

C. Next Council Meeting: 10/11/2022 @ 6:00 PM

9. ADJOURN

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**PLANNING COMMISSION
MINUTES OF MEETING
September 20, 2022**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:01 p.m.

2. ROLL CALL

Those Present and answering Roll Call were, Jeff Seyfarth, Joey Ingle, Devin Murphy, John Sessoms, Craig Langford, Jerry Harris, Tony Davis, and Ben Lewis. Others in attendance for the city were: City Planning Director Lorene Burns, City Senior Planner Dianne Morrison-Lloyd, 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 09/06/2022 Planning Commission Meeting.

Jerry Harris made a motion to approve the minutes from 09/06/2022 Planning Commission Meeting, with a Second from Joey Ingle. No members were opposed, and the motion carried.

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

- A. **TS22-16 Coberly- Replat-** 5600 Brookside Rd (Zoned A1 / 5.03 Ac / Tract 1 1.38 Ac / Tract 2 2.77 Ac) *Owner: Leslie Coberly; Engr: Caster & Associates, Robert Caster (Planner: Erik Nystrom)*
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- C. **TS22-21 United Methodist Church-**11301 W AR HWY 72 (45.05 Ac/ Tract 1: 22.74 Ac / Tract 2: 22.30 Ac) *Owner: AR Conference of the United Methodist Church Engr: Bates and Associates, Justin Reid (Planner: Donna Wonsower)*
- D. **SUB21-01 Morningside Estates-Amended Final Plat-**Seba and Keller Rd (amend plat for misspelled street name)

There were no questions from the Planning Commission regarding the Administrative Approvals. Commission Chairman Jeff Seyfarth entertain a motion. John Sessoms motioned to approve the Ratification of Administrative Approvals with Devin Murphy as 2nd. No members were opposed, and the motion carried.

5. OLD BUSINESS

- A. **{Tabled from 9/6/2022} REZ22-20 Commercial Homes by Roth-8931 Greenhouse Rd-(A1 to 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)**

John Sessoms made a motion to bring REZ22-20 back to the table with a 2nd from Tony Davis.

- A. Jeff gave short recap of the previous discussion on the 09/06/22 Planning Commission meeting. The applicant requested the items be tabled so the developers could remove the commercial piece of the rezone and PUD.
- B. Geoff Bates was present and confirmed the commercial piece was removed and added four additional residential lots. He acknowledged previously stated concerns regarding houses being too close to the main road by letting the commission know the first house has been placed 84' from the edge of the ROW.
- C. Dianne Morrison Lloyd gave the staff report, reiterating the commercial portion of the project was removed and replace with four additional residential lot, bringing the total to 41 units. The density with the additions is 3.94 units per acre. Surrounding developments measure 2.35 and 2.80 units per acre. 3.94 units per acre does fit within low medium residential on the land use map, which states the range to be 3 to 7 units per acre. There were no other substantial changes aside from additional greenspace to provide a buffer between houses and Greenhouse Rd. More specific details regarding internal streets will be discussed during the subdivision development phase.
- D. Jeff Seyfarth recapped the previous public hearing for this item on 09/06/2022. 14 residents spoke during the previous meeting, highlighting concerns regarding compatibility, the proposed trail, traffic concerns, and safety, with the applicant also speaking at the meeting. Jeff Seyfarth then opened the floor to additional comments that were not covered in the previous meeting.
- E. The following members from the public spoke: Harold Castro, Matt and Joseph Mayans, Bruce Barkley, Gary Pfizer, Matthew Freeman, Diana Allen, and Howard Moys. During the hearing, the following items were discussed:
- Traffic Concerns, including emergency vehicle and bus access
 - a. Anticipated timeline of the Greenhouse Rd improvements, and relationship of development / construction timeline to proposed improvements
 - b. Inclusion of the minor arterial
 - c. A traffic study done in 2021 was brought up, mentioning there were about 13,000 trips a day on Greenhouse Rd.
 - Consistency with the Comprehensive Plan & Master Street Plan
 - Compatibility Concerns with Surrounding Neighborhoods, particularly with higher density

- Safety & Privacy of Surrounding Neighborhoods

Geoff Bates also spoke during the public hearing, highlighting the length of the development process and the delays due to material shortages and electricity acquisition.

Staff and the Commission briefly reviewed the differences between the R2 and R3-SF zoning districts and explained the PUD process and its purpose. There was also discussion on what could and could not be considered as part of the rezoning decision.

F. The commissioners were asked to consider the following:

- **Rezone consistent with the adopted Comprehensive Plan?**

- a. Jeff Seyfarth stated the single-family and medium density details are consistent. Craig Langford asked about the wording of low - medium density, in which Dianne Morrison Lloyd clarified that medium density is classified as 3-7 units per acre in the comprehensive plan, though in the code, it is described as medium-high density. Staff is working to have the code updated to match the Comprehensive Plan. The Commission was in agreement.

- **Proposing rezoning compatible with the surrounding area?**

- a. Again, Jeff Seyfarth stated single family houses are compatible with the area, as it is surrounded by single family housing. Joey Ingle agreed with Jeff Seyfarth, and Craig Langford disagreed.

- **Permitted Uses compatible with surrounding areas?**

- a. Jeff Seyfarth reiterated his previous comment and asked for comment from the commission. Joey Ingle, and Craig Langford agreed. Tony Davis pointed out that to the west of Buckhorn Flats there are developments zoned as R3-SF, so this property is a good transitional property. He agreed with Jeff.

- **Rezone provides benefit to one landowner and would not be considered for other similar properties in the area?**

- a. Jeff Seyfarth stated he did not believe the rezone gives benefit to one landowner and believes the commission would take the same consideration for any other properties in the area.

- **If the public is opposed, why? Are they fact or opinion based?**

- a. The public has concerns regarding compatibility, traffic, density, consistency. There was a fact presented regarding 13,000 trips per day based on an ARDOT traffic study for Greenhouse Rd.

G. Tony Davis asked if R2 was compatible with the land, in which Dianne confirmed it is not feasible for this property. Tony Davis was concerned that if the commission denies the rezone request, they would be denying the landowners the ability to develop the land in any residential capacity unless the city is willing to give up an important arterial connection.

Jeff Seyfarth entertained a motion. Jerry Harris made a motion to approve REZ22-20 Commercial Homes by Roth with a 2nd from Ben Lewis. In roll call, all members voted in favor and the motion was carried.

- B. **{Tabled from 9/6/2022} {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)**

Jerry Harris made a motion to bring PUD22-03 The Landing back to the table with a 2nd from Craig Langford.

- A. Geoff Bates was present to give an overview of the request. He reiterated that the commercial lot was removed. There are 41 single family units on 10 acres. There is 27% greenspace, detention, and sewer extensions. The lots are narrower than the R3-SF zoning code.
- B. Joey Ingle asked what specific changes from the code are being proposed. Geoff explained the lots will be 35 ft wide instead of 60 and will be 135 ft deep. The area of the lot will also be smaller than the normal requirement.
- C. Jeff Seyfarth asked for details regarding architecture. Jeff Roth came up to explain the houses will be a modern style made of Hardie siding instead of vinyl. It will be a masonry product with a mix of board batt. Photos were presented showing specific design elements and color palettes.
- D. Joey asked if any landscaping had been proposed yet. Jeff explained the landscaping has not been decided yet and will be outlined in the subdivision process though there will be a buffer on the back of the property between subdivisions. They would like to preserve as many existing trees as possible
- E. Tony Davis asked about the floodplain and if there will be any easements. Geoff stated there will be an easement until the rest of the trail is built.
- F. Dianne Morrison Lloyd gave the staff report. It was clarified the homes will not be sprinkled. Paul Higginbotham stated because the project is a part of a city project, there is leniency in the code that allows developments over 30 lots to not sprinkle the homes; however sprinklers are highly recommended. There will be 10-ft between homes for fire safety. Dianne Morrison Lloyd stated that the Master Street Plan designates a new minor arterial along the south side of the property and noted the developer will be providing 90 feet of ROW with the construction of a 2-lane road and 10-ft trail. Staff also requests a left turn lane onto Greenhouse be included in the improvements. Dianne covered a comparison table between the proposed PUD and R3-SF zoning in the report as well. The houses will have rear-loading garages and utilities will be located in the rear of the property. There will be no parking along the minor arterial. There will be no accessory dwellings added in the future. 1.82 acres of greenspace will be dedicated per plat or POA, and staff requests amenities such as benches be included. A wetland assessment will be required, as well as a minor flood plain development permit. Landscaping requirements will be assessed during the subdivision development process.

- G. Tony Davis asked how connectivity would be ensured, as the map shows a gap between developments and if a fee-in-lieu could be held to ensure the road was finished. Dianne Morrison Lloyd agreed a fee-in-lieu could potentially be held. Joey Ingle questioned why it was not being finished. Geoff Bates and Lorene Burns explained a bridge will have to be built over the floodplain. Lorene Burns also explained they are providing full ROW instead of the typical half required by the code due to the existing site conditions. There was discussion about timing of construction of the gap of road and whether it would be most appropriate to have the developer construct or pay a fee-in-lieu. A final decision will be determined during large-scale-development.
- H. There was a brief discussion about detention and where drainage ponds would be located, particularly given potential Greenhouse Rd improvements.
- I. There was discussion about the future improvements of Greenhouse Rd, which is a joint effort with Bentonville and how the ROW required for that road will impact this development.

John Sessoms made a motion to open the public hearing with a 2nd from Devin Murphy. No members were opposed, and the hearing was opened.

J.A number of members from the public were present, including Harold Castro, Bruce Barkley, Matthew Freeman, Matt and Joseph Mayans, and Anabella Freeman. The discussion consisted of:

- How the Public can stay up to date with the progress of the development
- The Storm Water Pollution Prevention process (air quality, dust control, erosion prevention, etc.)
- The established noise ordinance is from 10pm to dawn, as confirmed by City Attorney Brian Rabal.
- Residents requested the developers keep the proposed tree buffer between subdivisions on the North side. A tree buffer was particularly requested where cars would be driving north / south towards the adjacent properties and potentially shining lights into adjacent yards.
- It was established a photometric plan will be required to avoid light pollution into surrounding properties.
- It was confirmed that a 10-ft area between houses is required by fire code and follows fire code. No accessory dwellings will be allowed.

John Sessoms made a motion to close the public hearing with a 2nd from Craig Langford.

K. Commissioners were asked to consider the following:

- **Development's Land Use is permitted in the presented zoning district and or is compatible with the city's land use plan and/or is substantially similar to adjacent properties?**
 - a. Yes. The proposed development is single-family and does meet the medium density requirement of 3-7 units per acre.
- **Development is likely to be compatible with develop and land use permitted as of right by the zoning ordinance on substantially all**

and in the vicinity of the proposed PUD

- a. Yes.
 - **Provides a public benefit that would not be achievable through the normal zoning regulations:**
 - a. The development provides a substantial amount of ROW, road improvements, greenspace, buffer and trails.
 - **Adequate public utilities are already in place to service the property, or the developers have sufficient plans and private financial commitment in place?**
 - a. Yes.
 - **The development will not impose substantial negative external impacts on or prevent the orderly development of adjacent properties**
 - a. Yes.
 - **The development does not endanger the public health, safety, or welfare.**
 - a. Yes. The development meets fire code.
- L. Commissioner Joey Ingle proposed the following conditions be met if the PUD is to be approved:
- 27% open space
 - Tree buffer on the north
 - Street trees where it makes sense on ROW
 - Wetland Assessment and Flood permit be acquired
 - Architecture requirements are met

Joey Ingle made a motion to approve PUD22-03 The Landing with consideration to the conditions proposed with a second from John Sessoms. In a roll call, all commission members voted in favor and the motion passed.

6. NEW BUSINESS

- A. **SUB22-10 Magnolia Landing-Preliminary**-NE of Wagner and Vaughn Rd-(Zoned R3-SF & R3-D / 80 Ac / 268 SF lots) *Owner: Schuber Mitchell Homes, LLC, Art Elivo; Engr: HALFF, John Wary (Planner: Erik Nystrom)*

- A. John Wary was present to give an overview. It is an 80-acre subdivision with 240 single family lots and 26 duplex lots. It will be 4 phases. With Phase 1, Vaughn Rd will be improved 19 ft from centerline with curb and gutter, storm drain and 10-ft trail. With Phase 2, South Tycoon Rd will be improved 24-ft

pavement section with curb, gutter, 5-ft sidewalk, and street trees. The rest of the improvements for Tycoon Rd will happen in phases 3 and 4.

- B. Erik Nystrom gave the staff report. He highlighted the subdivision has access to existing utilities. 2 detention ponds will be built in phase 1 & 3. Staff is currently waiting for an electrical layout. Phase 1 will have access from Vaughn Rd, and phases 2 and 3 will have access from the proposed S Tycoon Rd extension. Phase 4 will have access from the north on the extension of W Tycoon. He went over the classifications of Vaughn Rd, S Tycoon Rd, and W Tycoon Rd. He then introduced the conversation he had with the XNA airport, who has concerns about the location of the subdivision. The airport is opposed to the development due to its proximity to the airport and asked for a navigation easement. Staff has minor comments left on the plat.
- C. Jeff Seyfarth asked about the 100-ft utility easement and the commissioners had concerns regarding the utility easement being in the right of way. Staff and commission discussed previous meetings where they talked about the placement of poles and the curve of roads. Tony Davis pointed out there are other subdivisions with similar situations and agreed with Joey Ingle the situation was not the most ideal.
- D. Alex English was present to represent the XNA airport. She explained the subdivision is located in the airport's overlay district, bringing up some safety concerns. They request sound attenuations efforts be made, as well as a plat notification and a navigation easement be put in. She is in discussions with the developers regarding the attainability of the navigation easement.

John Sessoms motioned to approve SUB22-10 Magnolia Landing-Preliminary with a 2nd from Devin Murphy. No members were opposed, and the motion carried.

7. OTHER BUSINESS-- NONE

8. ANNOUNCEMENTS

- A.) Next Council Meeting: 10/11/2022 @ 6:00 PM
- B.) Next PC Meeting: 10/04/2022 @ 6:00 PM
- C.) Next Tech Review Meeting: 10/20/2022 @ 2:00 PM (Zoom)

9. ADJOURN

Devin Murphy made a motion to adjourn the meeting at 8:06 pm, with a 2nd from Tony Davis. All Commission members voted in favor the meeting was adjourned.



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

Minutes Prepared By: Kayla Craft