



**CENTERTON PLANNING COMMISSION**  
**March 17, 2020 @ 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 – 03/03/2020
4. **OLD BUSINESS**
  - A. **Master Street Plan/Master Trail Plan/Comprehensive Land Use Plan** – Set date for Public Hearing on 4/21/2020 before the Planning Commission.
  - B. **Comprehensive Plan**-Recommend Revised Draft, expected to be received from Houseal Lavigne on 3/24/2020, to post for Public Comment on 3/31/2020; Need to send out public notices via newspaper, website, social media, posting; Also notify of Community Open House (City Hall) and Presentation on 4/14/2020 before the City Council.
5. **NEW BUSINESS**
  - A. **{Public Hearing} REZ20-06 Carter Prop Rezone** – 9445 N. Tycoon; 4.81 Ac.; A-1 to R-1
  - B. **TS20-02 Carter Prop Tract Split** - 9445 Tycoon (Proposed R-1) 4.81 Ac to 2 tracts
  - C. **SUB17-05 Westridge Village Final Plat** - R-2/85 SF Lots/33.75 Ac; Entrances off Hwy 279S (Vaughn Rd) and Bush Road
6. **OTHER BUSINESS - Discuss plan for further meetings regarding COVID-19**
7. **ANNOUNCEMENTS**
  - A. **Next PC Meetings:** 04/07/2020 @ 6:00 PM
  - B. **4/14/2020 – Comprehensive Plan Community Open House @ 3:00-5:00 PM** at City Hall;  
**Presentation to City Council @ 7:00 PM** after regular City business
8. **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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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.



**CENTERTON  
PLANNING COMMISSION  
MINUTES OF MEETING  
MARCH 17, 2020**

- (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, Amber Beale, Jerry Harris, Tiffany Morris and Craig Langford. Ty Manning was absent. Others in attendance for the City were Mayor Bill Edwards, City Clerk/Recorder Todd Wright, City Attorney Brian Rabal, Planning Director Lorene Burns, City Planner Dianne Morrison Lloyd, Senior Planner Nicole Gibbs, City Planner Donna Wonsower, Director of Public Works Rick Hudson and City Engineer John Wary. Centerton Utilities Director Frank Holzkamper were not present.
  
- (3) Approval of the 3/03/20 Planning Meeting Minutes -**

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 3/03/20 and asked the Commissioners if they had any questions or concerns. There were none.

**Joey Ingle made a motion to Approve the March 3, 2020 Planning Commission Meeting Minutes, with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**
  
- (4) OLD BUSINESS -**

**A. Master Street Plan/Master Trails Plan/Comprehensive Land Use Plan - Set date for Public Hearing on 4/21/2020, before the Planning Commission Meeting -**

Planning Director Lorene Burns addressed the Commission, providing the current Timeline for the Comprehensive Plan, and stating that in order to provide time to post Public Notice; we need PC approval to be able to hold a Public Hearing on 4/21/2020, to stay on schedule. She said this is contingent upon the schedule remaining the same.

**Joey Ingle made a motion to hold a Public Hearing regarding the Master Street Plan/Master Trails Plan/Comprehensive Land Use Plan on 4/21/2020, prior to the Planning Commission Meeting, with a 2<sup>nd</sup> from Devin Murphy. All Commission Members voted in favor and the motion carried.**

**B. Comprehensive Plan – Recommend Revised Draft, expected to be received from Houseal Lavigne on 3/24/2020, to post for Public Comment on 3/31/2020; Need to send out Public Notices via Newspaper, Website, Social Media, Posting; Also notify of Community Open House (City Hall) and Presentation on 4/14/2020, before the City Council.**

Planning Director Lorene Burns addressed the Commission, referring to the current Comprehensive Plan Timeline Calendar, with dates that we need to have notices out to the public. There was discussion about the possibility of restrictions, postponement or cancellations, due to the COVID-19 Virus.

**Joey Ingle made a motion to hold the Community Open House Presentation for the Comprehensive Plan on 4/14/2020 before the City Council Meeting, with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

**(5) NEW BUSINESS-**

**A. {PUBLIC HEARING} REZ20-06: Carter Property Rezone – 9445 N. Tycoon Road; 4.81 Acres; A-1 to R-1 -**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Craig Langford made a motion to Open the Public Hearing for REZ20-06: Carter Property Rezone – 9445 N. Tycoon Road; 4.81 Acres; A-1 to R-1,**

**with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

Jennifer Watkins, of Sand Creek Engineering, addressed the Commission, stating that this request is to rezone a 4.81 Acre property that was zoned A-1 when it was annexed into the city. She said they currently have a single-family residence on the property, and they plan to split the property in the future so they can build a house on the second tract for their daughter. She said they are requesting an R-1 Zoning to be able to accomplish that purpose.

City Planner Donna Wonsower addressed the Commission, stating that this is a Rezone Request from A-1 to R-1, with a concurrent Tract Split Request on the Agenda for tonight. She said they are requesting a rezone due to the minimum size requirement for the property. She said PC will need to make a recommendation to the City Council. She said there will be a Waiver Request with the Tract Split. She said the property is intended to be low-density residential, with the development of a 2<sup>nd</sup> home. She said the section of Tycoon Road in the front of the property is currently a Minor Collector Road, with a future-proposed curve along the back of the property that is proposed as a Major Arterial Road on the Draft Master Street Plan. She said that area is in flux and will be determined at a later time. She said the surrounding zones are I-2, A-1, and R-3, making this property compatible with surrounding zones. She said the current Land Use Plan has this area zoned for Industrial, but it is currently being used for residential homes; with the Draft Land Use Plan showing this area as Commercial. There was brief discussion about where that designation came from. Wonsower pointed out that there was not Public Sewer available at this time, making Commercial Development unlikely at this time. She said that as far as both current and future proposed Land Use, the R-1 would not be considered consistent.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

**There were No Public Comments.**

**Joey Ingle made a motion to Close the Public Hearing for REZ20-06: Carter Property Rezone – 9445 N. Tycoon Road; 4.81 Acres; A-1 to R-1, with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

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

- 1) **Is the rezoning consistent with the comprehensive Adopted Master Land Use Plan- NO. Commission was in agreement that it is not considered consistent with land use plan.**

- 2) **Is the proposed rezoning compatible with the surrounding area and zones- YES. Commission was in agreement that it is not incompatible with the surrounding area.**
- 3) **Would all of the allowed uses in the new zone be compatible in this location- YES. Commission was in agreement that it is compatible.**
- 4) **Would the Rezoning provide a benefit to one landowner not shared by the whole neighborhood- NO. Commission was in agreement that there is not a non-shared benefit.**
- 5) **If the public is opposed, why- NO. There was no public comment.**

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff.

**Tiffany Morris made a motion to recommend Approval to the City Council for REZ20-06: Carter Property Rezone – 9445 N. Tycoon Road; 4.81 Acres; A-1 to R-1, with a 2<sup>nd</sup> from Amber Beale. There was a Roll Call. All Commission Members voted in favor and the motion carried.**

**B. TS20-02: – Carter Property Tract Split- 9445 N. Tycoon Road (Proposed R-1); 4.81 Acres to 2 Lots -**

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Donna Wonsower addressed the Commission, stating that this Tract Split is contingent upon the Rezone Request that was just heard and recommended for City Council Approval by PC. She said this Tract split requires a waiver in order to create a lot smaller than 2.5 Acres. She said the small tract is intended to be developed as a 2<sup>nd</sup> home for the daughter. She said Tycoon Road is designated as a Minor Collector Road, with future possible development as a Major Arterial Road. She said ROW was asked to be dedicated 30' from center line of the road which was later amended to be 30' from property line/section line. She said ROW was not previously dedicated with this property. She said the new lot will need to have an Access Easement and a Utility Easement, in order to not be land-locked. She said no wetlands were found to be on the property. She said the location of the existing Septic System will need to be provided. She said that Staff finds the Plat to be in conformance with Centerton Municipal Code, Contingent upon the Rezone and Staff Comments being addressed.

Jennifer Watkins, of Sand Creek Engineering, addressed the Commission, stating that they have addressed all Staff Comments, except for the Septic System. She said she received all of the Septic information about an hour ago. She said they have submitted the Waiver Request, requiring a minimum of 2.5 Acres. She said they have addressed the Ingress/Egress along the north property

line, to meet the standards. She said all of the existing structures meet the Setback Requirements for R-1. She said there is a Well on the property that provides Water.

Wonsower said she would need to review the new information and get that out to Staff for any Comments. She said we will know if the 1 Acre Lot size is sufficient, once the Septic information has been reviewed. Watkins said if they needed to make the lot a little bigger, they could.

Planning Director Lorene Burns asked if the property Owners had any objections dedicating the 30' ROW. Watkins said they already thought there was an existing 25' "Prescriptive" ROW, which was never accepted by the City. There was a discussion about a discrepancy with the Center Line vs. Section Line in the 30' ROW on the Plan, resulting in the need for them to add another 1.67ft on the north end.

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

**Joey Ingle made a motion to Approve TS20-02: Carter Property Tract Split- 9445 N. Tycoon Road (Proposed R-1); 4.81 Acres to 2 Lots, Accepting the Waiver, and Contingent upon any Outstanding Staff Comments, with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

**C. SUB17-05: Westridge Village Final Plat - 12558 Bush Road; (R-2/ 85 Lots/ 33.75 Acres) -**

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Dianne Morrison Lloyd addressed the Commission, stating that this is the Final Plat for the Westridge Village Subdivision. She said all the Neighborhood Streets are going to remain Private, and the Subdivision will be gated. She said the Main Gate will be on Hwy 279 South (Vaughn Road), and there will be a 2<sup>nd</sup> smaller Gate on Bush Road. She said they are dedicating 40' ROW on Vaughn Road, which is designated as an Arterial Road. She said they are also dedicating 30' ROW on the west end of the property for the future expansion of Keller Road. She said they have paid a Fee-in-Lieu of \$126,657.50 for future construction of Keller Road. She said Draft Covenants have been provided and will be filed with the Final Plat. She said since the Streets are going to be Private, there are no Street or Drainage Bonds. The other Bond amounts are as follows:

Bond Amounts:

- **Water & Sewer - (50% for 1 year): \$260,670.00**
- **Performance Cash Bonds- Entrance - \$2500.00**
  - Dirt work & Domed Grated Inlet and Connection to Drainage - \$1500.00**
  - Concrete Spreader at Outlet of Detention Pond (City Engineer to Review) - \$5000.00**

Lloyd stated that there are still some minor outstanding Staff Comments. She said she received comments from the Engineer today and she did finally get the Record Documents and Drainage Reports. She said Centerton Utilities did approve the Warranty Bond amount. She said we did a Final Site Inspection on 3/14/2020, and she included a list of Outstanding Items, with photos for PC. Lloyd said they will need ArDOT approval to complete the Entrance at Vaughn Road per ArDOT Requirements. McGuire said they are working with ArDOT and are waiting for their approval of constructed intersection which was not constructed to ArDOT standards. Lloyd said the Cash Bond amounts for the Outstanding Items are up for PC approval. Director of Public Works Rick Hudson was fine with the Cash Bond amounts.

Christian McGuire, of Bates & Associates, addressed the Commission, with comments about issues with non-draining areas on the site. He said that Lot Grading will fix the majority of the issues, and that there are a couple of low areas of pooling that will need to be filled in and leveled. There was discussion between City Engineer John Wary and McGuire about placing a Level Spreader at the west pond outlet to replace the existing rip rap. Wary said he would go out to the site and look at it. There was continued discussion about drainage issues on the site.

Jeff Roth, Owner of the property, addressed the Commission, stating that when they receive the Final Plat, they will go in and get all the lots Site-Ready. He said they are going to clean up some low areas and build up with red dirt, in 8" lifts. He said when they are done cleaning it out, filling in and lot grading; it will all be tapered and flowing down to that drain. He said the rainy weather has been an issue.

John Wary asked about a swale that is supposed to be on the north property line. McGuire said there were two area inlets on the north. He said one was eliminated by Change Order and a swale was used instead. He said there is a lot of water that goes down into that grass area and into the Storm Box. He said that is the one that they catch a lot of run-off with.

Rick Hudson said the biggest issues are the low spot of trees that has not been cleaned out and filled in yet, and the fronts of the lots have not been built up. He said there was also supposed to be a bowl built around the inlet in question. He

said it is not that big of a deal to get that built. Hudson said the area along the fence that is collecting water needs a Yard Drain. He said he asked them to run some calculations on a Beehive Yard Drain.

Joey Ingle asked if we have a Lot Grading Plan to verify. Hudson said they have a Lot Grading Plan, and it is shown on it as As-Built's, but they were not graded to that Plan.

Lorene Burns asked about the Storm Drain that was eliminated and a Swale was put in. McGuire said it was done by Change Order. Burns asked if the Setbacks were adjusted for the open Swale. McGuire said it goes through the non-buildable Community Playground Lot. There was discussion about a 50' Private Road Easement along the back, and if it needs to be abandoned. Burns said for GIS, it needs to state that they are Vacating the Road Easement and Dedicating Utility and Drainage Easements. McGuire agreed. There was inaudible discussion between Burns, McGuire and Roth.

Chairman Seyfarth stated that there are still a lot of questions and concerns about drainage and easements and some other things, and we may look at calling a "Timeout" on this item for a couple days, to make sure we review everything so we can feel more comfortable before we approve it. Joey Ingle reminded them that another Water Test still needs to be done. McGuire said that it does sound like there are still a lot of questions, but everything we have discussed on the Punch List has been gone over with Staff on-site or on the phone. He said they have either addressed the issues or found a way to address them. He said he felt he can work out the Level Spreader with John Wary fairly quickly. He said he has discussed the Drainage Report discrepancies with Wary over the phone.

Roth said this ultimately falls on his shoulders. He said if Wary tells him to put a Spreader in, he will put a Spreader in. He said he will be building in the subdivision and has always done whatever was asked of him by the City. He said he is taking ownership of the Streets. He said the Water Test was a freak issue. He said if something needs to be fixed, he will fix it, as he has too much riding on it. He said the weather has just killed them. He said they are not looking at building any houses out there yet. He said they are at least 45 days out from doing anything, but this approval at least gives them a chance to get a Permit issued to Carrol Electric to start looking at giving them power, and also to start working out there and looking at plans, to see how the land is going to lay out. He said they have always done things the right way and never shortcut anything. He said they won't do anything to compromise the City, the Water System or the Sewer System. He said he wants to do something that makes the City proud.



Lorene Burns said her Comments are just Plat related. John Wary said that he didn't think there was anything significant as far as the Record Drawings, Record Report or Construction Documents go. He said as far as construction goes, the only thing that gives him pause is the Drainage Inlet on the north end. He said there is a lot of water coming from the north, which is supposed to go into that pipe, that doesn't go into the pipe now. He said it just goes into the street. He said the plan is to grade the property to this inlet. He said the Level Spreader is not a big deal. Rick Hudson said he has asked McGuire to verify the Rim Elevation on that lot. He said the lot is not shaped the way the intent was. Roth said he will make it a priority. He said the equipment is already on-site.

Joey Ingle stated that this isn't the caliber of Final Plat and caliber of Site Completeness that we need on a Final Plat Request, one day prior to the City Council Meeting. Roth asked if it had to go to Council tomorrow night. Lorene Burns said there is a Special City Council Meeting tomorrow, and there is talk that there might not be a City Council Meeting next month. Ingle asked if Carroll Electric would take it with just PC approval. Burns said we'll see if Council approves it, and then we will take Ordinance and the corrected Plat and give it to Carroll Electric.

Ingle said that this is his recommendation: Wary seems to think they can get things worked out; Ingle would be comfortable approving it as a PC, but withholding it from City Council until everything is fixed. He said he felt that would help them get things started with Carroll Electric, while giving the City some assurance that everything gets finished. Roth felt that was fair and said they could have everything fixed pretty quickly. Burns asked if Carroll Electric would start without the Easement. Ingle said he did not know, but they are a month out anyway. Ingle said he is fine with all the Bondable Items; he was mainly concerned with the Drainage and the Water testing.

Mayor Edwards addressed the PC, stating that if it were recommended for approval tonight, he would have no issue taking it to the City Council for their approval, and not recording it until the outstanding items are completed. He said the next Council Meeting is not until 4/14/2020 and may not even happen. He said Roth met with Staff for a couple of hours and worked through everything.

Chairman Seyfarth asked McGuire if the direction from tonight's meeting is clear. McGuire said that it was clear, regarding the Area Inlet, the Level Spreader and the rest of the Punch List Items. Ingle said there is some clean-up on the Plat as well. Seyfarth asked when they would hear back from ArDOT. Hudson said it was sent to Roadway Design. Roth said it was not denied, at this point, and they have a back-up plan if it is.

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

**Tiffany Morris made a motion to recommend Approval to City Council, SUB17-05: Westridge Village Final Plat - 12558 Bush Road; (R-2/ 85 Lots/ 33.75 Acres), Contingent upon Completion of all Outstanding Staff Comments, and a Cash Bond Amount of \$9000.00, with a 2<sup>nd</sup> from Jerry Harris. All Commission Members voted in favor and the motion carried.**

**(6) OTHER BUSINESS-**

- **Discuss Plan for Further PC Meetings regarding COVID-19 -**

Lorene Burns stated that we are taking things day-by-day. She said we will see if we will hold any meetings or will have to cancel any of them. She said Bentonville is going to have a Virtual Meeting and will keep an eye on that. There was discussion. City Attorney Brian Rabal gave his position. Chairman Seyfarth asked that PC be kept posted.

**(7) ANNOUNCEMENTS-**

- **4/07/20- Planning Commission Meeting @ 6:00 PM**
- **4/14/20 - Comprehensive Plan Community Open House @ 3:00-5:00 PM at City Hall; Presentation to City Council @ 7:00 PM after Regular City Business**
- **4/21/20- Planning Commission Meeting @ 6:00 PM**

**(8) ADJOURN-**

**Joey Ingle made a motion to adjourn the meeting at 7:26 p.m., with a 2<sup>nd</sup> from Tiffany Morris. All Commission members voted in favor and the motion carried.**



**Jeff Seyfarth – Chairman  
Centerton Planning Commission**

Minutes prepared by:  
Todd Wright