



CENTERTON PLANNING COMMISSION
August 03, 2021 @ 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 – 07/20/21
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **TS21-11 Conway** – Main St & 5962 Brookside. (A1/18.27Ac / 2 lots, 10Ac, 6.7Ac)
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - A. {PUBLIC HEARING} **REZ21-24 Sweet Homes of NWA, LLC** -A1 to R3-SF; 9.42Ac; 11071 Gamble Rd.
 - B. **DEV21-10 Walmart Pharmacy Drive Thru Remodel**-1800 E. Centerton Blvd. (C2 / 7.3Ac)
 - C. **VAC21-05** Lot 28, Tamarron, Fulce Prop-Vacate 14' Rear Utility Easement; 1521 Sweetbriar Way
7. **OTHER BUSINESS**
 - ~~A. **DEV21-05 Willow Crossing Townhomes Phase 2, Lot 2D** – NW Corner Cedar St & Marigold (RTH-MF12 / 5.07Ac / 1 Lot, 36 Units) **WITHDRAWN BY APPLICANT**~~
 - ~~○ Requested waivers from Drainage Manual requirements for consideration and discussion~~
 - B. **Title 14 Ph 2**- Additional code requirements for Medium High and High Density Residential Zoning Districts (R3-SF, R3-D, R3-MF and R4-MF)
8. **ANNOUNCEMENTS**
 - A. **Next Tech Review Meeting: 08/26/2021 @ 2:00 PM**
 - B. **Next PC Meeting: 08/17/2021 @ 6:00 PM**
 - C. **Next Council Meeting: 08/10/2021 @ 6:00 PM**
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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
AUGUST 3, 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, Jerry Harris, John Sessoms, Tony Davis, Amber Beale, Ben Lewis, and Craig Langford. 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 Juliette Ritchie with Garver.

(3) APPROVAL OF MINUTES -

Chairman Jeff Seyfarth said the Minutes of the Planning Commission Meeting from 7/20/2021 were not prepared yet.

(4) RATIFICATION OF ADMINISTRATIVE APPROVALS –

- A. TS21-11: Conway** – Main Street & Brookside Road (A1 / 18.27 Acres / 2 Lots, 10 Acres and 6.7 Acres)

Donna Wonsower said there was some ROW dedicated, although it was not required with this Tract Split. She said there is also some Flood Plain on the property, and a Flood Permit would be required for any development.

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

(5) OLD BUSINESS - None

(6) NEW BUSINESS -

A. {PUBLIC HEARING} REZ21-24: Sweet Homes of NWA, LLC – A1 to R3-SF – 9.42 Acres; 11071 Gamble Road –

Chairman Jeff Seyfarth introduced the item to the Commission.

Josh Collins with Anderson Engineering addressed the Commission, giving a brief overview of the request to rezone 9.42 Acres on Gamble Road from A1 to R3-SF, for development of a subdivision.

City Planner Donna Wonsower addressed the Commission, giving an overview of the Rezone Request from A-1 to R3-SF, for development of a Single-Family subdivision. She said there are two (2) adjacent residential subdivisions. She said there will be an adjustment from the R3 Zone to the R3-SF, per our proposed residential zoning changes. She said Gamble Road is a Major Collector and Cutberth Lane is a Minor Collector, and both would have 80'ROW. She said the parcel has access to Sanitary Sewer and Water. She said the parcel is adjacent to Medium-Density Residential Single-Family to the north, west and south; and is directly adjacent to the Kinyon Sports Park. She said that is a good location for Residential Use. She said the request would be considered compatible with the surrounding area and consistent with the Land Use designation, as well as the Comprehensive Plan.

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

John Sessoms made a motion to Open the Public Hearing for REZ21-24: Sweet Homes of NWA, LLC – A1 to R3-SF, with a 2nd from Craig Langford. All Commission Members voted in favor and the motion carried.

Chairman Seyfarth opened the meeting to Public Comments.

Public Comments: None

Amber Beale made a motion to Close the Public Hearing for REZ21-24: Sweet Homes of NWA, LLC – A1 to R3-SF, with a 2nd from Jerry Harris. 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 Adopted Comprehensive Plan (including the Adopted Land Use Plan)? If not, why? – Yes.** Chairman Seyfarth said there is Single-Family Use on the Land Use Plan. **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 are residential homes, churches, schools, and a park in the area. **PC was in agreement that the request is compatible with the surrounding area.**
- 3) **Would all of the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** Chairman Seyfarth said there is Residential Use in the area. **PC was in agreement that the request is compatible in this area.**
- 4) **Would the Rezoning provide a benefit to one land owner, but not be considered for other similar properties in this area? - No.** Chairman Seyfarth said he didn't feel there was 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? NO.** Chairman Seyfarth said there were no public comments in opposition. Joey Ingle pointed out that the Land Use Plan designates this property as Low-Medium Density. **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 REZ21-24: Sweet Homes of NWA, LLC – A1 to R3-SF, with a 2nd from Tony Davis. There was a Roll Call. All Commission Members voted in favor and the motion carried.

B. DEV21:10: Walmart Pharmacy Drive Thru Remodel – 1800 E. Centerton Blvd. (C2 / 7.3 Acres) –

Chairman Jeff Seyfarth introduced the item to the Commission.

The applicant was not present.

Senior Planner Dianne Morrison Lloyd addressed the Commission, stating that the applicant is proposing a minor remodel to their Pharmacy Drive Thru; moving the Drive-Up window to the north, and adding a 2nd lane, with a pneumatic dispenser. She said they are not proposing any other changes to the site. She said all departments have signed off on the request. There was lengthy discussion about turning radius when leaving the Drive Thru, and the possibility of having to use the Employee Parking Lot to exit. Lloyd said she would make a note and discuss it with the applicant.

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

Jerry Harris made a motion to Approve DEV21:10: Walmart Pharmacy Drive Thru Remodel – 1800 E. Centerton Blvd. (C2 / 7.3 Acres), with a 2nd from Amber Beale. All Commission Members voted in favor and the motion carried.

C. VAC21:05: Lot 28, Tamarron, Fulce Property – Vacate 14' Rear Utility Easement, 1521 Sweetbriar Way –

Chairman Seyfarth introduced the item to the Commission.

Lori Fulce, the applicant, addressed the Commission, stating that they are requesting a vacation of a portion of their rear Utility Easement, to be able to install an in-ground pool. She said her neighbors have recently gone through this process.

City Planner Donna Wonsower addressed the Commission, stating that the Easement Vacation request is for 13' of the Rear Utility Easement, per a new Plat received earlier today. She said the original request was for 14'. She said all of the Building Setbacks in this subdivision were platted as Drainage and Utility Easements, and we have seen a couple of these requests come through Planning. She said we have approval from all of the Utilities, all Public Notice requirements have been met, a sign was posted, and certified mail has been sent to the neighbors. She said Carrol Electric, Cox Communications and Century Link are all locate in the rear yard, but are 5', 8' and 10' from the fence, respectively, and have been located on the property. An illustration of the pool and decking was provided. She said Building Safety said no part of the proposed pool or decking can encroach into the remaining Easement, and the applicant would be responsible for any damage, should those utilities require access. She said Staff finds this request in general conformance with our Code. She said the Plat and the Ordinance would be recorded at the same time.

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

Ben Lewis made a motion to Approve VAC21:05: Lot 28, Tamarron, Fulce Property – Vacate 13’ Rear Utility Easement, 1521 Sweetbriar Way, with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

(7) OTHER BUSINESS -

A. DEV21:05: Willow Crossing Townhomes Phase 2, Lot 2D – NW Corner of Cedar Street & Marigold Street (RTH-MF12 / 5.07 Acres / 1 Lot, 36 Units) –

Chairman Jeff Seyfarth introduced the item to the Commission, stating that the **Applicant has asked that it be removed from tonight’s agenda.**

B. Title 14 Phase 2 (Discussion) – Additional Code Requirements for Medium High and High Density Residential Zoning Districts (R3-SF, R3-D, R3-MF and R4-MF) –

Chairman Seyfarth introduced the item to the Commission.

Juliet Ritchie from Garver led the discussion, stating that she incorporated all of the comments from the Joint Work Session, considered some additional comments from the Fire Marshal and Chief Building Inspector, and revised some of the verbiage regarding Duplex, Tri-Plex, 2-family, 4-family, etc. throughout all of the documents of the Code. She said some of the verbiage was also changed to match Phase 1 of the Code. A copy of the proposed Code and revised Sections were provided for the Commission.

The following Sections or Items were presented, read through and/or discussed:

- **Design Standards for Two-Family and Multi-Family Developments (Purpose and Intent, Applicability, Review Process)**
- **Two-Family, Three-Family, and Four-Family Structures (Building Design, Site planning)**
- **Five-Family and Greater Multi-Family Residential Structures (Building Design, Site Planning, Amenities)**
- **Residential Compatibility Standards (Applicability, Exemptions, Setback Standards)**
- **Cul-de-Sac “Knuckles”**
- **Shared Driveways (add “Planning Codes”)**
- **Dumpster Enclosures**
- **Building/Site Alterations (PC landed on 0% as a trigger; Lorene wanted to add: “change of Use”, or other factors..; change to: ...code “May” apply; add: subject to the discretion of the Planning Commission...)**

The Planning Commission agreed that Title 14 Phase 2 was ready for approval by the Department Heads and to hold a Public Hearing.

John Sessoms made a motion to set a Public Hearing for Tile 14 Phase 2 for 9/07/2021, with a 2nd from Devin Murphy. All Commission Members voted in favor and the motion carried.

(8) PUBLIC COMMENTS –

Kenneth Swank questioned plans for development adjacent to his property on N. Main Street. Chairman Seyfarth stated that there was a request for a Conditional Use Permit for an Ice Dispensary, which was approved by the Planning Commission, but no plans have come back before us. Planning Director Lorene Burns told him that he is welcome to come to City Hall and view anything that has been presented, as it is public record. Mr. Swank said he was also concerned that there were plans for a portion of another property of his being condemned for installation of a sewer line. Tony Davis recommended that he speak with the Water & Sewer Commission.

There were no other Public Comments

(9) ANNOUNCEMENTS -

- 8/10/2021 – City Council Meeting @ 6:00 PM
- 8/17/2021 - Planning Commission Meeting @ 6:00 PM
- 8/26/2021 – Tech Review Meeting @ 2:00 PM
- 9/7/2021 - Planning Commission Meeting @ 6:00 PM
- 9/16/2021 – City Council Meeting @ 6:00 PM (Date was changed)
- 9/21/2021 - Planning Commission Meeting @ 6:00 PM

(10) ADJOURN -

Devin Murphy made a motion to adjourn the meeting at 7:34 pm, with a 2nd from Joey Ingle. All Commission members voted in favor and the motion carried.



**Jeff Seyfarth – Chairman
Centerton Planning Commission**

Minutes prepared by:
Todd Wright