



**CENTERTON
PLANNING COMMISSION
MINUTES OF MEETING
JANUARY 7, 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, Amber Beale, Tiffany Morris, Jerry Harris, Ty Manning and Craig Langford. Devin Murphy was absent. Others in attendance for the City were Mayor Bill Edwards, City Attorney Brian Rabal, Planning Director Lorene Burns, City Planner Dianne Morrison Lloyd, City Engineer John Wary and Director of Public Works Rick Hudson. City Clerk/Recorder Todd Wright, Senior Planner Nicole Gibbs, and Centerton Utilities Director Frank Holzkamper were not present.

- (3) Approval of the 12/17/19 Planning Meeting Minutes -**

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 12/17/19 and asked the Commissioners if they had any questions or concerns. There were none.

Joey Ingle made a motion to Approve the December 17, 2019 Planning Commission Meeting Minutes, with a 2nd from Tiffany Morris. All Commission Members voted in favor and the motion carried.

- (4) OLD BUSINESS- None**

(5) NEW BUSINESS-

A. {PUBLIC HEARING} PUD19-02: Featherston Village – 870 Kimmel Road, 38+/- Acres -

Chairman Jeff Seyfarth introduced the item to the Commission.

Amber Beale abstained from this item.

Tiffany Morris made a motion to Open the Public Hearing for PUD19-02: Featherston Village – 870 Kimmel Road, 38 +/- Acres, with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

Randy Roth, the Applicant, addressed the Commission, stating that they are proposing to develop a Micro Home Subdivision on this property, to bring more affordable housing to Centerton. He said this has been successful in other parts of the country and the rising land and construction costs, along with peoples changing lifestyles should support this kind of development.

Christian McGuire, with Bates & Associates, addressed the Commission, stating that they are providing a Traffic Study, as was requested by the Planning Commission. He said it came back pretty positive, with the expected traffic levels able to be handled by the proposed access points.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

Steve Fryer – 10872 Buckhorn Flats Road - Mr. Fryer addressed the Commission, stating concern with removal of trees north of his property, as well as the proposed building setback distance of 20-ft from his north property line.

Allissa Sims – Attorney with Kutak Rock LLP - Ms. Sims addressed the Commission, stating that she was representing one of the adjacent landowners. She said her client is not concerned with the proposed PUD Development of this property but is concerned with the PUD Agreement that has been submitted to date, and the enforcement of the agreement. She said the overall tone is not obligatory on the Developer, but seems to be more suggestive, with no minimum or maximum requirements in a lot of places throughout the document. She said she included some red line items in the Commission Packet. She said PUDs are designed to offer flexibility for Developers and are typically used in Mixed-Use Developments. She said it can be used in cases like this but should never be used to shortcut the Zoning Code. She said we need to make sure that this PUD Document is an obligation to the Developer, reads as if it is zoning, and needs to have enforcement provisions set forth in this document. She stated that she is concerned that there are no curbs and gutters being proposed, and

with how the stormwater runoff will be directed to the proposed Detention Pond. She said there has not been a Stormwater Drainage Plan that the public has been able to review and comment on. She said she also has concern with the fact that the streets are shown to be owned to the centerline by the property owners, meaning essentially that the property owner would be responsible for maintaining the street that is in front of their home. She said there should be a POA put in place, so that the common owners of the subdivision can be responsible for the streets, lighting, walking trails and other common elements of the subdivision. She said she would like to be able to see a Landscape Plan that the public can review and comment on, as well.

Joey Ingle made a motion to Close the Public Hearing for PUD19-02: Featherston Village – 870 Kimmel Road, 38 +/- Acres, with a 2nd from Tiffany Morris. All Commission Members voted in favor and the motion carried.

City Planner Dianne Morrison Lloyd addressed the Commission, stating that the principal use of this site will be to construct 333 Single-Family Lots, with 17 Common Lots for public use, for people living in the subdivision, as well as Walking Trails to be used by the citizens of Centerton. She said the property is 38.61 Acres, and they are looking at adding an additional 1.3 Acres, to be able to extend the Detention Pond further to the east. She said the entire site will be managed and maintained by Homes by Roth. She said they do plan on creating a POA. Lloyd said the property was approved for rezone to R-3 by the Planning Commission on 11/05/19 and by the City Council on 11/12/19. She said this proposal does meet R-3 Zoning criteria. She said the PC will need to consider the Traffic Study. She said if PC does approve the PUD this evening, it will need to be contingent upon remaining Staff Comments, as there are a few remaining, but nothing major. Lloyd said the subdivision is on Kimmel Road, a Collector Road, with a 12-ft side path for bicycle/pedestrian use. She said they are dedicating 42-ft of ROW on Kimmel Road. She said they will be making an extension at Womack Road. She said a Traffic Study has been provided. She said the residences will be 660-sf to 1000-sf Micro-Homes, with most being sold to individuals and some possibly being kept by Homes by Roth. She said a 10-ft Landscape Buffer is being proposed around the perimeter of the Development. She said the Landscape Plan is included in the packet. Lloyd said a 6-ft wooden privacy fence is being proposed for the south property line. She said the Developer is proposing 8.9 Units/Acre, with lots ranging from 2800-sf to 6500-sf. She said the larger lots will mainly be on the perimeter. She said no accessory buildings are being proposed. Lloyd detailed the landscaping around the site. She said each dwelling will have two (2) off-street uncovered parking spaces, with extra parking spaces within the Development. She said the purpose of this Development is to provide affordable housing in Centerton and maintenance will be done by Homes by Roth, during and after Development.

Lloyd said the Development will have an internal Trail System that will connect to the City's Trail System on Kimmel Road

Traffic Study- Christian McGuire addressed the Commission, stating that Peters & Associates performed the Traffic Study. A copy was provided in the Commission packets. He detailed the Traffic Study for the Commissioners, stating that there are two (2) proposed entrances onto Womack Road and one (1) proposed entrance onto Kimmel Road. He said the Study included a new subdivision going in to the north and also projected development ahead for five (5) years. McGuire said the Traffic Study currently graded out at a "B", on a scale of A to F. He said they did recommend a future 4-Way Stop at Kimmel Road and Womack Road, if conditions get too bad at peak traffic times. There was discussion.

POA- Chairman Jeff Seyfarth asked if any POA documents have been provided. McGuire said no documents have been provided. It was discussed that a POA would be funded through payments by the homeowners. McGuire said all of the maintenance for Common Areas and Internal Lots will be provided by Homes by Roth.

Curb & Gutter- Christian McGuire said he has provided information to the Planning Staff of a subdivision in Oklahoma City, where the stormwater flow was directed to detention without curb & gutter. Joey Ingle asked if the ditches will be sized for the 10-Year Flood. McGuire said he will also look at the 100-Year Flood, because he doesn't want any houses to flood. Ty Manning said he is still not comfortable not having curb & gutter. Chairman Seyfarth said they will still need to provide a Drainage Study, to show that the ditches will work. Jerry Harris asked about ditch and street erosion. McGuire said that will be included in the study for long-term. John Wary said they should have to provide information on erosion control. Director of Public Works Rick Hudson said as they go to training, they are seeing more and more development without curb & gutter, with positive effects to the environment. He explained the negative effects of curb & gutter.

Center- Street Line for Lots- McGuire said the lots do extend to the centerline of the street. He said there is essentially more of an Access Easement for the street and then a 22-ft easement from the back of the ribbon curb to the Building Setback Line, for parking. He said part of the POA's responsibility will be the Streets, the Ribbon and the Walking Trails, which are common to the subdivision. Joey Ingle asked what the reason is for extending the property line out, instead of a typical ROW being dedicated back to the POA. McGuire said it is likely for property tax reasons.

Landscape Plan- Chairman Seyfarth asked McGuire to make sure the Landscape Guidelines that Juliette Richey [Garver] had worked on for the City were being met and were acceptable.

Red-Line Comments (Allissa Sims) - There was discussion about some of the red-line comments provided by Ms. Sims. Sims expressed concern about the Public not having any input after tonight's Public Hearing. Chairman Seyfarth said there is time where the public can comment on any of the items at any of our meetings. Lorene Burns stated that the PUD process in Centerton is not a Zoning Category but an overlay of a conditional use. The project will then be submitted as a Development to the Planning Commission for approval. Staff will review the project for compliance with the requirements as directed by the Planning Commission. Burns stated that Staff would go through the red-line comments and make corrections where needed. Sims agreed.

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

Joey Ingle made a motion to Approve PUD19-02: Featherston Village – 870 Kimmel Road, 38 +/- Acres, with a 2nd from Tiffany Morris. There was a Roll Call. All Commission Members voted in favor, except for Amber Beale, who abstained, and the motion carried.

Additional Property to the East – Planning Director Lorene Burns stated that the Developer has purchased additional property to the east of this PUD site, which will be used for detention. She said typically when there is a split like this, there is a Lot Split Process, and the land is replatted. She said the request here is that since they will be presenting a Plat, could they be allowed to split it by Deed, with our permission; and then when they replat the property, it would be platted with this subdivision. She said it will have to be platted in the 1st Phase. Burns said she didn't see any issues, as we have done this with Lift-Stations before. The Commissioners agreed.

Joey Ingle made a motion to Allow the Additional Property to be Platted as Part of the Overall Subdivision, and for the Final Plat, with a 2nd from Tiffany Morris. There was a Roll Call. All Commission Members voted in favor and the motion carried.

B. TS19-17: Steele Development Property- Bliss & Keller Road, 11.43 Acres -

Chairman Jeff Seyfarth introduced the item to the Commission.

Amber Beale rejoined the Commissioners.

Ferdinand Fouri, of Anderson Engineering, addressed the Commission, stating that they are proposing to divide this 11 Acre property into 3 Parcels of 1.44 Acres, 7.48 Acres and 2.47 Acres. He said they have separately submitted for Rezone, due to the smaller lot sizes no longer meeting the requirement for Agricultural Zoning,

City Planner Dianne Morrison Lloyd addressed the Commission, stating that as stated, they are proposing to divide this property into three (3) separate Tracts. She said the property is located at Bliss Street and Keller Road, and they are dedicating ROW on both. She said the property is in the Centerton city limits, and currently is zoned A-1. She said they submitted a Rezone yesterday for the two (2) smaller pieces of property (Tracts 1C and 1A).

Joey Ingle asked why we are seeing this before the Rezone. Planning Director Lorene Burns said they have submitted the Rezone Application and paid the fee. She said the Rezone process takes longer and we don't want to hold them up. Ingle asked what keeps them from filing the Plat. Burns said the City files it, and we could wait until the Rezone, but it will hold up the plat and any selling of the property. There was discussion resulting in that it was permissible to file plat prior to rezone, but in future the rezone needed approved by Council prior to recording the plat. Fouri agreed.

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 TS19-17: Steele Development Property- Bliss & Keller Road, 11.43 Acres, with a 2nd from Craig Langford. All Commission Members voted in favor and the motion carried.

C. Jimmy Thompson – Discuss possibility of R-3 Single-Family Zoning for 40 Acres on NE corner of Tycoon Road & Bush Road -

Chairman Jeff Seyfarth introduced the item to the Commission.

Jimmy Thompson addressed the Commission, asking that they consider allowing an R-3 Zoning for 40 Acres on the corner of Tycoon and Bush Roads. He said he is looking to sell this property. He said this has been in discussion for a long time. He said he recently spoke with Lorene Burns and this area is slated for Industrial Use. He said he doesn't see Industrial coming to Centerton, Ar. anytime soon.

Planning Director Lorene Burns addressed the Commission, showing the Land Use Map. She said this property is close to Residential Use and Mixed Use; and Mixed Use was where it was going to be used to tie into the heavier zoning. Burns presented the Commissioners with the Land Use Map proposed by Houseal Lavigne and said they were looking at tying Hwy 279 North to Tycoon Road and had looked at this area for Commercial Use. She said they were trying to tie that [the Commercial Park] in with the Industrial Park area. She said she thinks if we do Commercial in this area, and we do a Subdivision, it could still work. She said there was discussion about how long it would take Hwy 279 and Tycoon to develop and would it possibly move further to the west or south toward the airport. There was discussion.

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

No action was taken.

D. TS19-18: Magelky Property - 18.5 Acres, Edgewood and Huber Roads- Splitting off 10 Acres, including ROW along Edgewood Road -

Chairman Jeff Seyfarth introduced the item to the Commission.

Christy Rodriguez, the Applicant, was present for questions.

Planning Director Lorene Burns stated that this request was submitted previously and there were quite a few comments, as well as an issue with the ROW. She said the property was previously split in 2017, and then was annexed into the city the same year. She said there was ROW shown on the 2017 Plat, with a note stating that it would be dedicated to the City of Centerton, upon annexation. She said there was a question for the buyers of the ten (10) Acres, whether the ROW would come off of the legal description and convey to the city. Burns said she spoke to City Attorney Brian Rabal and they have a plan in place, and it does need to come off. She said she has spoken to Christy and she understands. Burns said there are still a few comments that will need to be addressed. She said we received comments from the engineer on Friday and received this submittal yesterday. She said it is Nicole Gibbs' project and she has not had a chance to review it. Burns said the applicant is in a hurry to close on the property, so if we can get the approval, contingent upon addressing the outstanding comments, we can get this worked out. She listed some of the outstanding comments.

Ty Manning made a motion to Approve TS19-18: Magelky Property - 18.5 Acres, Edgewood and Huber Roads- Splitting off 10 Acres, including ROW along Edgewood Road, Contingent upon Outstanding Staff Comments,

with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

(6) OTHER BUSINESS-

A. Planning Commission Work Session dates to review the Draft Comprehensive Plan – Tuesday 2/18/20 (after regular meeting) and Tuesday 2/25/20 at 6:00 PM.

(7) ANNOUNCEMENTS-

- **1/21/20- Planning Commission Meeting @ 6:00 PM**
- **2/03/20- Planning Commission Meeting @ 6:00 PM**

(8) PUBLIC COMMENT –

- **Susan Koehler- 14955 Shipe Road** – Asked about being a resource for walkability to the Benton County Fairgrounds, where she is employed. She said they are a Non-Profit, but maybe there are Grants to be applied for. Chairman Seyfarth said we are currently working on a Comprehensive Plan for all of the “nuts and bolts” of our community, and also recommended that she reach out to Director of Public Works Rick Hudson to look at our Master Trails Plan.

(9) ADJOURN-

Craig Langford made a motion to adjourn the meeting at 7:27 p.m., with a 2nd from Tiffany Morris. All Commission members voted in favor and the motion carried.

**Jeff Seyfarth – Chairman
Centerton Planning Commission**

Minutes prepared by:
Todd Wright