



CENTERTON PLANNING COMMISSION
December 01, 2020 @ 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 – 11/17/2020
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - A. **{PUBLIC HEARING} REZ20-19 Kuhlman Properties** – Keller & Seba Rd. (A-1 to-R-3 SF)
 - B. **PUB20-01 Centerton Utilities Admin Building** – 517 N Main - request to delay installation of sidewalk
 - C. **SUB19-10 Wynnbrooke Subdivision Extension Request** – S. Coffelt Cemetery Rd (COUNTY / 28 SF Lots / 29.79 Ac)
 - D. **SUB19-02 Woodcrest Walk Prelim Plat & Plans** – W. Centerton Blvd (Proposed R3SF, R3MF, & C-2 / 108 SF Lots / 1 MF Lot / 7 Commercial Lots / 35.87 Ac)
 - E. **DEV20-05 Lakeview Plaza Ph 2, MOES** – 580 E Centerton Blvd (C-2 / Lot 2 / 0.65 Ac)
 - F. **VAC20-06 Penner Property** – 1501 Aniston Rd., Tamarron Subdivision, Utility & Drainage Easement for Pool
 - G. **TS20-16 Hyman/Bynum Property** - 12599 & 12561 Cutberth Ln PLA and Tract Split (A-1 / 3 Tracts Proposed / 39.15 Ac) *{RATIFICATION OF ADMINISTRATIVE APPROVAL}*
- 6. OTHER BUSINESS**
- 7. ANNOUNCEMENTS**
 - A. **Next PC Meeting: 12/15/2020 @ 6:00 PM**
 - B. **Next Council Meeting: 12/8/2020 @ 6:00 PM**
- 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
DECEMBER 1, 2020**

(1) CALL TO ORDER - The Zoom Virtual Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 6:00 p.m. He explained the process for access and participation for this virtual meeting.

(2) ROLL CALL –

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, Craig Langford, Amber Beale, John Sessoms, Ben Lewis, and Jerry Harris. 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 Nicole Gibbs, City Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, Fire Marshal Paul Higginbotham, Director of Public Works Rick Hudson and City Engineer John Wary.

(3) Approval of the 11/17/2020 Planning Meeting Minutes -

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 11/17/2020 and asked the Commissioners if they had any questions or concerns. There were none.

Joey Ingle made a motion to Approve the November 17, 2020 Planning Commission Meeting Minutes, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

(4) OLD BUSINESS – None

(5) NEW BUSINESS -

A. {PUBLIC HEARING} REZ20-19: Kuhlman Properties – Keller Road & Seba Road (A-1 to R-3 SF) –

Chairman Jeff Seyfarth introduced the item to the Commission.

John Sessoms made a motion to Open the Public Hearing for REZ20-19: Kuhlman Properties – Keller Road & Seba Road (A-1 to R-3 SF), with a 2nd from Jerry Harris. All Commission Members voted in favor and the motion carried.

Jason Ingalls with ECE addressed the Commission, stating that this property is at Seba Road & Keller Road. He said it is currently 3 parcels and is in the process of being annexed into the City of Centerton. He said the property is about 43 Acres and they are proposing R-3 SF with approx. 65'x130' lots.

City Planner Dianne Morrison Lloyd addressed the Commission, stating that this property is currently 3 parcels, and tonight's decision will be contingent upon annexation into the City, as it is currently in the County. She said the owner's immediate intention is to annex the property and then to develop it as a residential single-family subdivision. She listed the R-3 requirements for density and setbacks. She said Seba Road is designated as a Major Arterial with 100' ROW and Keller Road is designated as a Minor Arterial, with 90' ROW. She said the Master Street Plan does propose softening the 90 degree curves on Seba Road, and we will have to see how this gets worked out with the development. She listed the surrounding Zoning and Uses. She said the requested Use is considered compatible. She said the LUP shows most of this property as Medium/High Density Residential, which is considered consistent with the request to R-3 SF. The southeast corner of this property is designated for Commercial Use, which is not consistent with this request.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

Public Comments:

Nancy Page – 12900 Seba Road – Mrs. Page said her home is in the middle of this property, on the south end. She asked for clarification on the previously proposed Commercial Use. Chairman Seyfarth responded. Mrs. Page asked if all of Keller Road and Seba Road would be paved. Seyfarth said there would be Adjacent Street Improvements required in the area of the development. Lorene Burns gave details. Mrs. Page also asked about the softening of the curve on Seba Road. Lorene Burns said the engineers will work on making that transition. Joey Ingle pointed out that we are only looking at the Land Use this evening, and Mrs. Page should expect future meetings on

the development, should it pass tonight. Chairman Seyfarth agreed and detailed the Development process.

Ryan Lee – 10420 Keller Road – Mr. Lee stated that he lives directly across from the proposed development and asked about planned road and drainage improvements by the developer along Keller Road. He said the County had made multiple proposals. He also asked about plans for annexation. Chairman Seyfarth said we are only considering the Use of the land this evening, but the other questions would be addressed later, in the development phase. Lorene Burns said that any “island” properties will be petitioned when the surrounding lands are annexed. There was discussion.

Chairman Jeff Seyfarth asked if there were any other public comments. There were none.

Joey Ingle made a motion to Close the Public Hearing for REZ20-19: Kuhlman Properties – Keller Road & Seba Road (A-1 to R-3 SF), with a 2nd from Craig Langford. 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- YES.** Jeff Seyfarth said he feels this falls in line with our Adopted Master Land Use Plan. There was discussion led by Joey Ingle about the portion designated for Commercial Use. **PC was in agreement that the request is considered consistent with surrounding use.**
- 2) **Is the proposed rezoning compatible with the surrounding area and zones- YES.** PC was in agreement that the request is compatible with the surrounding area.
- 3) **Would all of the allowed uses in the new zone be compatible in this location- YES.** PC was in agreement that the request is compatible.
- 4) **Would the Rezoning provide a benefit to one land owner not shared by the whole neighborhood- NO.** Commission was in agreement that there is not a non-shared benefit for this request.
- 5) **If the public is opposed, why- NO.** There were Public Comments, but no opposition.

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

Craig Langford made a motion to recommend Approval to the City Council for REZ20-19: Kuhlman Properties – Keller Road & Seba Road (A-1 to R-3 SF), pending Annexation, with a 2nd from Jerry Harris. There was a Roll Call. All Commission Members voted in favor and the motion carried.

B. PUB20-01: Centerton Utilities Administration Building – 517 N. Main Street – Request to Delay Installation of Sidewalk –

Chairman Jeff Seyfarth introduced the item to the Commission.

Brandon Rush with Engineering Services addressed the Commission, stating that the proposed sidewalk has limited utility both to the north and south, especially with the cemetery being located directly to the south. He proposed a Fee-in-Lieu of improvements for \$8,035.00, and to install the sidewalk at a later date. Rick Hudson agreed with the proposal.

Senior Planner Nicole Gibbs addressed the Commission, stating the proposed sidewalk is shown at the back of the ROW for Main Street, which sets it back into the site. There is a privacy fence to the north and the cemetery to the south, so the sidewalk pretty much just dead-ends into itself as proposed.

There was brief discussion about time-frame, with no recommendation. It was agreed that the Fee-in-Lieu of improvements is the best option. Rick Hudson agreed and gave his reasoning.

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 PUB20-01: Centerton Utilities Administration Building – 517 N. Main Street – Request to Delay Installation of Sidewalk, as a Fee-in-Lieu of improvements for \$8,035.00, with a 2nd from Jerry Harris. There was a Roll Call. All Commission Members voted in favor and the motion carried.

C. SUB19-10: Wynnbrooke Subdivision Extension Request – S. Coffelt Cemetery Road (County / 28 SF Lots / 29.79 Acres) -

Chairman Jeff Seyfarth introduced the item to the Commission.

Jason Ingalls with ECE addressed the Commission, stating that this project is taking longer than expected and they are asking for an extension. He said the property is in the County.

City Planner Donna Wonsower addressed the Commission, gave a brief overview, and stated that it has been a while since PC has seen this project.

Joey Ingle asked if a 30-day extension would be long enough, considering the Holidays. Chairman Seyfarth recommended a 90-day extension. The Staff and Commissioners agreed.

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 SUB19-10: Wynnbrooke Subdivision Extension Request – S. Coffelt Cemetery Road (County / 28 SF Lots / 29.79 Acres), for 90 days, with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

D. SUB19-02: Woodcrest Walk Preliminary Plat & Plans – W. Centerton Blvd. (Proposed R-3 SF / R-3 MF, & C-2 / 108 SF Lots / 1 MF Lot / 7 Commercial Lots / 35.87 Acres) -

Chairman Jeff Seyfarth introduced the item to the Commission.

Randy Ritchey from PGTC addressed the Commission, giving a brief summary of the proposal. He stated that there are proposed connections to the north and west. He said they are proposing a large “wet” retention pond to the north of the Commercial Lots, as there is a huge off-site drainage area that runs through there. He described the proposed road connections and said there is a proposed development to the west that will help with connectivity to the west.

City Planner Dianne Morrison Lloyd addressed the Commission, giving an overview of the project. She said there is a Flood-Plain that runs through the retention pond and the north portion of the Commercial Lots, in the southeast corner of the property, which will require a Flood Plain Permit, LOMR and CLOMR, as well as a Wetlands Determination. An illustration was provided. She said they are proposing 99 SF Homes, 3 MF 4-Plex Units, 3 MF 3-Plex Units, 1 Multi-Tenant Commercial Building and 4 Commercial Out-Lots on Hwy 102. She detailed the access onto Hwy 102. There was discussion about the one-way access to the east, which was still under review with ArDOT. Nicole Gibbs stated that Lot 1 is not part of the subdivision and will require a separate LSD Plan. Lloyd agreed and said each of the Commercial Properties will require a separate LSD Plan, along with the Multi-Tenant Property and the 4-Plex MF Property. She said PC is looking at the subdivision as a whole, with the SF Lots to be built initially, and the Commercial Property will eventually come in as separate development plans's. There was discussion about the Access Easement for the 4 Commercial Lots on Hwy 102. There was also discussion about removing existing

driveways on Hwy 102. Joey Ingle asked that it be done on the front-end. Lloyd said we are asking for a Fee-in-Lieu-of for Sidewalks on Hwy 102, as ArDOT has plans to widen the highway within the next three (3) years. She said there will be a Walking Trail around the Detention Pond, with access to the pond from the community on Spicewood Trail. She said they are also proposing a gazebo in the pond. She said the application for this development was submitted a year ago and there were originally two Waiver Request, which are no longer required since the Revisions to the Drainage Manual were approved by Council last month.

Waiver Requests: (no longer applicable)

- 1) HDPE Storm Pipe**
- 2) Type MO Structures**

Joey Ingle asked about the Flood Plain. Planning Director Lorene Burns stated that she is recommending that they go through a CLOMR Process, so FEMA will accept their LOMR, before they start building. She said she has a completed Flood Plain Permit from them but does not have the analysis for it.

Joey Ingle asked about possibly requiring a safety rail around the pond. There was discussion about it being a “wet” pond and the effect of the 100-year Storm elevation. PC agreed to require a safety fence. The developer agreed.

City Engineer John Wary stated that he has asked the project engineer to evaluate the large drainage basin to the west, which drains through this detention pond area. He said that the Flood Plain also appears to encroach into the SF Lots (87-98) on the south, and something will need to be done there. Ritchey said their intention is to keep those lots out of the Flood Plain. He said they may need to raise the grade on those lots. Wary said the Flood Plain Permit and the CLOMR all kind of ties in here. Wary also asked the developer to look at the downstream effect at the east property line, which feeds toward the church to the east.

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 SUB19-02: Woodcrest Walk Preliminary Plat & Plans – W. Centerton Blvd. (Proposed R-3 SF / R-3 MF, & C-2 / 108 SF Lots / 1 MF Lot / 7 Commercial Lots / 35.87 Acres) with the Waiver Requests for the HDPE Pipe and the Type MO Drop Inlets, Completion of the Flood Plain Permit and CLOMR, and the Safety Rail or Fence around the Detention Pond, as well as any Outstanding Staff Comments, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

E. DEV20-05: Lakeview Plaza Phase 2, MOES – 580 E. Centerton Blvd. (C-2 / Lot 2 / 0.65 Acres) -

Chairman Jeff Seyfarth introduced the item to the Commission.

Senior Planner Nicole Gibbs addressed the Commission, stating that this is the proposed Phase 2 of Lakeview Plaza, for Lot 2, and Moe's Restaurant. She said a Tract Split has already been approved and recorded, and Phase 1 was finalized in August of this year. She said this property is zoned C-2 so this proposed Use is permitted. She said the Phasing will need to be approved, as the site-work was initially all approved to be completed at the same time. However, Moe's came into the picture toward the end of site construction, looking at re-orienting the site, so this area was held off for a new LSD and Phasing Plan. She said all Adjacent Street Improvements were completed with Phase 1. She said the only remaining item is the installation of three (3) proposed Street Lights on Allen Rd, with a Performance Bond that was approved with Phase 1 completion. She said there are no additional easements being proposed. She said they are maintaining the required setbacks, with additional setback consideration along the Access Easement for the central drive. She said Staff, the Engineer, and the Developer have tried to work through circulation issues with this unique site, including a 2-way entrance to the north and a 1-way entrance to the south. An illustration was provided, and there was discussion between PC, Staff and Rick McGraw. Gibbs said the intent is for the Main Entrance of the development to be off Allen Road. The entrance off Centerton Blvd was designed to be a right-in/right-out only configuration. She said the Centerton Blvd entrance is currently being used by citizens as the Main Entrance. Staff is recommending removal of the island at that entry. She also said the turning radius creates potential conflicts. She said we have asked the Developer to expand the radius and to better clarify the right-in/right-out and they have agreed to do that. McGraw said ArDOT is willing to work with them to revise it. Chairman Seyfarth recommended emphasizing the entrance off Allen Road somehow. Rick Hudson said the developer is going to add some pylon-reflectors to the island, to better delineate it, and to also mark the driveway on the east and west. Gibbs said they are meeting their Parking Requirements and have provided both Landscaping and Site-Lighting Plans for Planning Commission approval. She said included in the Phase 1 agreement was that they consider a light at the Centerton Blvd entrance in addition to installing the three (3) Street Lights on Allen Rd. She said we also asked them to look at the lighting on the north drive and they are proposing building-mounted lighting to address this. She said the dumpster enclosure is to match the existing Phase 1 materials, and all drainage improvements were installed with Phase 1, and a Drainage Letter has been provided and reviewed by the City Engineer.

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 DEV20-05: Lakeview Plaza Phase 2, MOES – 580 E. Centerton Blvd. (C-2 / Lot 2 / 0.65 Acres), with any outstanding

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

F. VAC20-06: Penner Property – 1501 Aniston Road, Tamarron Subdivision, Utility & Drainage Easement for Pool -

Chairman Jeff Seyfarth introduced the item to the Commission.

The applicant Krystal Penner, addressed the Commission, stating that they want to reduce the Utility and Drainage Easement in their rear yard from 25-ft to 7-ft, in order to install a 14'x30' in-ground pool. She said there will be a 12" collar that will be attached around the pool, making the measurement 16'x32', and there will be an additional 3' stand-alone concrete pad along the south, west and north side of the pool. She said the 12" collar will be 7' from the property line. She said there is only one (1) utility in the Easement, which is Century Link, and Penner is fine paying for it to be relocated. Penner said the pool design is not "final", as she is waiting for the recommendations from PC and City Council.

City Planner Dianne Morrison Lloyd addressed the Commission, stating that the request is to vacate 18' of the 25' rear yard UE & DE, for the installation of an in-ground pool. She said the City Council has scheduled a Public Hearing for this item on 12/08/2020. She said there is a State Statute regarding Vacation of Utility Easements, requiring it to go before the City Council. She said the Tamarron Subdivision was platted in August of 2005, where all setbacks were dedicated as UE & DE. Exhibits of the pool and property were provided. She said there is a separation between the fence and the property line, but no dimensions are shown. She said Century Link, Cox and Swepeco show Utilities in the UE, but it is not clear how those three (3) utilities would fit into the remaining 7' if they need to be relocated. She said she is still waiting to hear back from Swepeco and Century Link.

Joey Ingle said he has not been in favor of any of the recent UE vacation requests, for multiple reasons. He said this request is for both UE & DE and we do not have a plan of how the lot was graded when it was built. He said that could possibly place liability with the City for any future damage caused by downstream impact caused by the vacation of this UE/DE. He said this proposal also places a constraint on this lot. He recommended possibly looking at placing the pool behind the garage. He did not feel this request was in the best interest of the city.

John Sessoms also questioned whether there would be a 5'-6' or 7' Easement left. He said it looks like the 3' concrete decking would almost be on the property line.

Penner said there would be 4' between the decking and the fence. She said she was told that as long as the decking was not attached to the pool, they could enter the 7' space. She said they could modify that if needed.

Lorene Burns said her discussions with utility companies would allow for something like a small (e.g. 10'x10') concrete slab. Sessoms said this proposal looks like 35'-40' that would need to be removed in the case of a repair.

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 Deny the request for VAC20-06: Penner Property – 1501 Aniston Road, Tamarron Subdivision, Utility & Drainage Easement for Pool, with a 2nd from John Sessoms. There was a roll call. All Commission Members voted in favor and the motion carried.

G. TS20-16: Hyman/Bynum Property – 12599 & 12561 Cutberth Lane PLA and Tract Split (A-1 / 3 Tracts Proposed / 39.15 Acres) - Ratification of Administrative Approval -

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Donna Wonsower and Senior Planner Nicole Gibbs addressed the Commission, giving a brief overview of this Tract Split Request. Gibbs stated that there is an existing private Access & Utility Easement that is being relocated and she believes is being planned to be kept private. She said we are not sure if there will be any ROW dedications, and this is still being reviewed.

Lorene Burns said they have already conveyed the ROW on Wolverine Drive to C-3. Gibbs said they conveyed 30' of ROW and we are asking for them to show an additional 10' as "planned future ROW" to achieve the current standard for a Major Collector, which is 80'.

Mike Hyman addressed the Commission, stating that they have not dedicated it yet. He said they understand there is "planned future" ROW with the Master Street Plan. He said they did convey 30' of ROW to C-3, and the additional 10' can be worked out in the future.

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 TS20-16: Hyman/Bynum Property – 12599 & 12561 Cutberth Lane PLA and Tract Split (A-1 / 3 Tracts Proposed / 39.15 Acres) - Ratification of Administrative Approval, with a 2nd from Ben Lewis. All Commission Members voted in favor and the motion carried.

(6) OTHER BUSINESS- None

(7) ANNOUNCEMENTS-

- 12/08/2020 – City Council Meeting @ 6:00 PM
- 12/15/2020 - Planning Commission Meeting @ 6:00 PM
- 1/05/2021 - Planning Commission Meeting @ 6:00 PM

(8) ADJOURN-

Craig Langford made a motion to adjourn the meeting at 7:52 pm, with a 2nd from Joey Ingle. All Commission members voted in favor and the motion carried.



**Jeff Seyfarth – Chairman
Centeron Planning Commission**

Minutes prepared by:
Todd Wright