



**CENTERTON PLANNING COMMISSION**  
**February 16, 2021 @ 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 – 02/02/2021
- 4. RATIFICATION OF ADMINISTRATIVE APPROVALS**
- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
  - A. {PUBLIC HEARING} **REZ20-27 Cap Newco 1, LLC (Stoneleigh Ph 2)** – 8.64 Ac from A1 to RTH-MF12, 485 E. Centerton Blvd
  - B. {PUBLIC HEARING} **PUD20-03 Stoneleigh Ph 2** – 485 E. Centerton Blvd. (proposed RTH-MF12 / 8.64 Ac / 49 Townhome units)
  - C. **SUB20-20 Kimmel Ridge Ph 2** – Kimmel Rd, west of Greenhouse Rd (R3-Duplex / 9.82 Ac / 22 Duplex Lots, 1 SF Lot, 4 Non-buildable Lots)
- 7. OTHER BUSINESS**
- 8. ANNOUNCEMENTS**
  - A. **Next PC Meeting: 03/02/2021 @ 6:00 PM**
  - B. **Next Tech Review Meeting: 02/25/2021 @ 2:00 PM**
  - C. **Next Council Meeting: 03/09/2021 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
FEBRUARY 16, 2021**

**(1) CALL TO ORDER** - The Zoom Virtual Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 6:27 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, Jerry Harris, Amber Beale, John Sessoms, Ben Lewis, and Craig Langford. Tony Davis was absent. Others in attendance for the City were Mayor Bill Edwards, City Attorney Brian Rabal, City Clerk/Recorder Todd Wright, Planning Director Lorene Burns, City Planner Dianne Morris 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 and Fire Marshal Paul Higginbotham were not present.

**(3) Approval of the 2/02/2021 Planning Meeting Minutes -**

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 2/02/2021 and asked the Commissioners if they had any questions or concerns. There were none.

**Joey Ingle made a motion to Approve the February 2, 2021 Planning Commission Meeting Minutes, with a 2<sup>nd</sup> from Amber Beale. All Commission Members voted in favor and the motion carried.**

**(4) RATIFICATION OF ADMINISTRATIVE APPROVALS – None**

**(5) OLD BUSINESS – None**

**(6) NEW BUSINESS -**

**A. {PUBLIC HEARING} REZ20-27: Cap Newco 1, LLC (Stoneleigh Phase 2) – 8.64 Acres from A-1 to RTH-MF12, 485 E. Centerton Blvd. –**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Craig Langford made a motion to Open the Public Hearing for REZ20-27, with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

Doug Melton of Morrison Shipley Engineers addressed the Commission, giving a brief overview of the Rezone Request for 8.64 Acres for development of Townhouse Units. He said this property is essentially land-locked, but has frontage along Centerton Blvd. He said the creek, floodway and box culvert on the north, makes conventional development nearly impossible. He said this land has sat undeveloped and unused for many years. He said his client has diligently tried to find a use for this land for several years, but it is a complicated property, made more difficult with its topography and overhead power lines. He said they approached the City about developing a Phase 2 of the Stoneleigh Apartments, and were encouraged to use a PUD to develop the site. He said his client continued to pursue this with the idea that townhouses would be an enhancement to the site and would encourage downtown living. He said the result of this is supposed to be economically desirable development within the PUD, with the regulations in the PUD to provide latitude in the development of the housing sites. He said it is found to be in accordance with the purpose and the intent of the Legislation/Ordinance, if it is found not to be hazardous, harmful, offensive, or otherwise adverse to the environment, property values or character of the neighborhood, or the health, safety and welfare of the community. He said it is further intended to encourage more rational and efficient development, with relationship to public services, and to encourage and facilitate the preservation of open lands. He said by going the route of the PUD, his client is giving up 25% of the development to Green Space, which will be an enhancement to Centerton. He said in return, they expect some latitude/relief from the underlying Zoning Regulations. He said they originally looked at requesting R-3 MF, which is similar to the apartments, but after discussions with the City, came back with this request for RTH-MF12, which will allow them to do Townhouses. He said they have been working diligently with City Staff. He said they think this is the highest and best use for this property. He said his client does not own, nor is a partner to, the Stoneleigh Apartments, but they have an agreement whereby the owners of the Apartments have the option to purchase the property subject to the approval of these use requests.

Chairman Seyfarth asked for a presentation by Staff, to focus on the Rezone Request, and not the PUD, at this point in the meeting.

City Planner Donna Wonsower addressed the Commission, giving an overview of the request. She said the request is to Rezone to RTH-MF12, with the intent of developing the

property as a 2<sup>nd</sup> phase of the Stoneleigh Apartments, with about 50 Townhouse Units. She said this is currently two (2) parcels, and they are only accessible through the Stoneleigh Apartments, via the existing entries off Centerton Blvd. She said Centerton Blvd. is a Major Arterial Road and state highway, and any improvement requirements would be coordinated with ArDOT. She listed the requirements for the RTH-MF12 zoning, as well as the surrounding uses and zonings. She said approximately 350-ft of the northern portion of the property is in Floodplain, which prevents direct access to Centerton Blvd. She said a Wetlands Assessment has also been requested. She said both parcels have substantial tree canopy, and there is an existing house with several out-structures on the southern parcel. She said an existing 120-ft UE containing an overhead 160KV Electric Transmission Line, roughly bisects the two (2) parcels. She said this request may be considered compatible with surrounding Zoning but would not be considered consistent with our Adopted Land Use Plan and Comp Plan. She briefly read through the designation of this area for the New Downtown Center. She said a revised Legal Description will be needed prior to going to the City Council.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

**Public Comments - None**

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

Planning Director Lorene Burns stated that the reason that this property was included in the "New Downtown Center" Land Use, is because of issues with Access Easements. She said that the Stoneleigh Apartments did not grant an Access Easement for their existing drives, so it was assumed that access to these properties would need to come from the New Downtown Center property to the west. She said the south part of this property is on higher ground and is more accessible than the north portion, which contends with floodplain.

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

**Ben Lewis made a motion to Close the Public Hearing for REZ20-27, with a 2<sup>nd</sup> from Amber Beale. 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 - MIXED.** Joey Ingle said he did not feel this request fits the Mixed-Use planned for this New Downtown Center area of the city, and there is no easy access to this property. John Sessoms agreed, noting the difficulties with connection through this property as it relates to car and pedestrian traffic, which are emphasized in the New Downtown Area. Jeff Seyfarth said by the exact wording of the question, this would not be consistent. However, he asked whether Townhomes in this area may be considered compatible regarding the New

Downtown Plan allowing for people to live and gather. Ingle agreed, saying Townhome development is trying to fit as best as it can. He said he would support it based on the proposed use considering the limitations of the Floodplain.

- 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.** Jeff Seyfarth said he thinks Multifamily Townhomes in this area makes sense with the existing uses.
- 3) **Would all of the permitted 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 landowner not shared by the whole neighborhood- NO.** Jeff Seyfarth said due to the unique characteristics of this property, he would not consider this request to provide a benefit over the other surrounding properties. Joey Ingle said he agrees and thinks if this property were to develop separately, there would not be as much yield, and feels this is one of the better uses for this property due to its constraints. **Commission was in agreement there is not a non-shared benefit for this request.**
- 5) **If the public is opposed, why- NO.** Chairman Seyfarth said there was no public opposition.

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

Craig Langford inquired about outstanding Engineering comments. Donna Wonsower clarified that the comment pertained to revisions to the legal description for the rezone boundary.

John Sessoms asked about a recent discussion that was brought to the Commission about residential requests within the New Downtown Center and how it might relate to this request in terms of giving benefit to one landowner not shared by others. Jeff Seyfarth said that was more for discussion of what the New Downtown Center ultimately looks like. He said when we look at Downtown, it's designed for people to gather, for Retail, for Restaurants, and similar, which are all to be determined when we put a committee together for that process. He said this proposal might also gain us some access to this property, for people to walk or ride a bike to the Downtown Area. Sessoms agreed that because this is land-locked, it is the best use for the property, but wanted to make sure we were being fair to other landowners in the area who may not have the same opportunity to turn that into residential.

**John Sessoms made a motion to Approve REZ20-27: Cap Newco 1, LLC (Stoneleigh Phase 2) – 8.64 Acres from A-1 to RTH-MF12, 485 E. Centerton Blvd. with a 2<sup>nd</sup> from**

**Joey Ingle. There was a Roll Call. All Commission Members voted in favor, except for Jerry Harris, who Abstained, and the motion carried.**

**B. PUBLIC HEARING} PUD20-03: Stoneleigh Phase 2 – 485 E. Centerton Blvd.  
(Proposed RTH-MF12 / 8.64 Acres / 49 Townhomes Units) –**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Joey Ingle made a motion to Open the Public Hearing for PUD20-03, with a 2<sup>nd</sup> from Craig Langford. All Commission Members voted in favor and the motion carried.**

Doug Melton of Morrison Shipley Engineers addressed the Commission, giving a brief overview of the Concept Plan for the requested PUD for development of 49, 2-story Townhouse Units, with covered parking for two vehicles, and driveways that accommodate two vehicles, as well as some street-side parking. He said each unit will have a 15' x 15' back patio area. He said they agree to the 10' separation when they split the buildings, as required by the Fire Marshal. He said they have contemplated the access from Centerton Blvd and recognize that there have been issues for emergency access, and so have agreed to widen the entrance of Stoneleigh, to allow for Fire Apparatus to more easily access the site, as well as other vehicles. He said they propose to tie into the existing Stoneleigh Apartments' water system and gravity feed to a sewer system on the east side of the property. He said the streets will be private and there will be a cul-de-sac at the north end, which will allow for Fire Apparatus. He said they plan to meet City Codes for both Lighting and Landscaping. He said they will observe the Floodplain to the north. He said they are planning to connect to the Apartments at the middle and the south east, to allow for two (2) access points into the existing complex. He said the UE for the power line will be primarily dedicated to Green Space. He said they are allowed to build fences in that easement but cannot plant trees in that space.

City Planner Donna Wonsower addressed the Commission, giving an overview of the request. She said we have received a Concept Plan, but the project will also require Development Plan approval. She listed the PUD requirements. She said they are proposing a Multi-Family development with 49 Residential Townhome Units, as Phase 2 of the Stoneleigh Apartments. She said this concept varies some of the RTH-MF12 requirements as noted in the PC packets. She said the calculated density is consistent, and there are no accessory buildings planned at this time. She said there is a dumpster facility that is close to a Property Line and the cul-de-sac is right on the Property Line. She detailed the Green Space Requirements, stating that they meet the 25% Requirement with this Concept Plan. She said there are no slopes greater than 15% and the floodway is excluded. She said no detention of water is being proposed. She said the Common Open Space will be dedicated as a permanent easement. She said the proposed units are 2-story, 3-BR Townhouses, incorporating siding and brick that meet the PUD Architectural Requirements, but not the RTH-MF12 Zoning Code. She said the response from the applicant is that they intend to meet the code. She said the existing site has extensive tree cover. The canopy within the

Floodplain will be preserved. She said what is outside of the Floodplain is not likely to be preserved. She said we will require a Site Lighting Plan and a Landscape Plan during the LSD review. She said each Townhouse Unit is proposed with a 2-car garage and a double-width driveway, and street-side parking is proposed on the side of the street. The other side of the street are to be striped and signed for Fire Lanes. She said no off-street visitor parking is being proposed with this concept. She said 1 stall per 5 Units was recommended by staff for Visitor Parking. She said no signage is being proposed for this development. She said the items regarding Suitability and consistency with the Comp Plan are listed in the PC packets. She said we will need a Floodplain Permit and Wetlands Assessment with the LSD Application. She said this request would be considered compatible with surrounding Zoning but would not be considered consistent with our Adopted Land Use Plan or Comp Plan.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

**Public Comments - None**

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

**Joey Ingle made a motion to Close the Public Hearing for PUD20-03, with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

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

Donna Wonsower said Staff did request interior sidewalks throughout the development, or at least along the main drive and Common Areas.

Chairman Seyfarth led a discussion about the off-street parking requirement for one (1) per five (5) Units. Doug Melton says the Code requires two (2) parking spaces per Unit and they are proposing two (2) Covered and two (2) Uncovered parking spaces per Unit, exceeding the Code. He said the understanding he had based on discussion with staff, was provide on-street parking one side and stripe and sign the other common to the fire hydrants. Senior Planner, Nicole Gibbs said her understanding was that it was an either/or situation. Due to narrower streets initially being proposed, staff felt that off-street visitor parking should be accommodated. However, if they are able to provide comparable on-street parking and meet Fire requirements, that is possible as well. Melton said the streets will be 24' wide. Joey Ingle did not see an issue as long as the Fire Department signs off on it. Seyfarth asked for that to be noted.

Chairman Seyfarth led a discussion about sidewalks. Melton said the original request was for them to connect to the sidewalks in the Stoneleigh Apartments, but Stoneleigh does not have sidewalks. He said he does show a sidewalk to the Common Area. He said the topography of the eastern units are much higher than the apartments, adding to the issue.

He also said sidewalk installation would cut into the Green Space Requirement. Wonsower said sidewalks do not count against Green Space Requirements as the intent is for common, recreational use. Joey Ingle said he thinks they can get sidewalks in the front yards.

Chairman Seyfarth asked if they had any plans for a gathering space. Melton said they are going to try to do something in the UE, but are limited. He said they may do a Dog Park, or whatever SWEPCO will allow. He said it is intended to be a gathering area, and the way it is split up, it will likely be three (3) areas. Seyfarth said PC is pushing for connectivity in developments, and this property is close to the New Downtown Center. He said some kind of sidewalks or paths need to be part of the LSD presentation.

Donna Wonsower said that the Fire Marshall has also asked for a stub-out to the south. She said staff prefers that it be at the existing Stoneleigh Drive, but the apartment owners are not currently a party to this application. She said if it can't be there, it would need to be accommodated somewhere else. Doug Melton said this creates a dilemma currently, with the apartment owners not being a party at this time. He said he has explained this to them, and they have reservations about a "stub-out to nowhere", and also do not want to encourage through-traffic on the private driveways of the apartments and wear-and-tear to their private assets. Lorene Burns said we are asking for this stub-out to the south on Stoneleigh Drive to allow for the apartment to connect to a Collector Street in the future, to have another access for the residents of the apartments as well as for Emergency Access. She said the Commercial Development to the east of the apartments has already planned for a stub-out to the south, and are developing the extension of Allen Road, which will eventually connect to Kimmel Road, to the south. Seyfarth said this development is adding traffic to this area and that is why we are asking for a stub-out to the south, for future relief/access and for Emergency Access. He said this is consistent with other developments in the city, to allow for a 2<sup>nd</sup> Fire Access. Joey Ingle recommended that we leave this as a connectivity comment for now, and handle the details in the development plans. Seyfarth agreed.

Joey Ingle asked what public benefits this PUD provides, which is part of the intent described in the PUD ordinance. Doug Melton said in order to get the flexibility from the underlying Zoning District, the developer is giving up 25% of their development space, so the PUD appears to be the best option to enhance this area, especially with the existing wetlands and topography. Melton said the intent is to preserve the floodplain area. Ingle said we are not gaining 25% Green Space by going to a PUD, as we would have other requirements with standard zoning, including setback and yard space that are being included here as Open Space. He said typically we would get some enhancements from a PUD, and he is trying to wrap his head around where these enhancements are, as we go through each of these items. Melton said they are hampered by the UE and the Wetlands area, but they can look at nature pathways or some other amenity options with the development plans. Wonsower stated the Open Space is very tight with this Concept, and asked the Commission to consider whether it meets the intent of being common usable open space.

There was discussion about the overhang of the structures being 2' from the overhead power line UE.

Joey Ingle asked about possible landscape screening along the west property line. Melton said that they can address that with the development plans. The Commission asked that a condition be added for landscape screening to be applied along the west property line.

There was discussion about the Dumpster Enclosure being shown in the Setback. Ingle recommended looking at the perimeter landscape buffer requirement for the dumpster. Chairman Seyfarth asked about the option of putting it in the cul-de-sac. Melton said it was there originally, but he was asked for it to be placed in a less visible area. He said they will screen it with landscaping. The Commission asked that a condition be applied that the dumpster enclosure and any other accessory structure maintain a perimeter landscape buffer of 10-feet with landscape screening.

Joey Ingle said he did not know whether Melton would be doing the development plans, but recommended considering our future plans to the west, and to also add some gathering area features. Melton said he will share that information with the developers.

Chairman Seyfarth asked if there were any other questions or comments from the Commission or Staff. There were none. He asked for a motion regarding PUD20-03, to include comments from both Commissioners and Staff.

**Joey Ingle made a motion to Approve PUD20-03: Stoneleigh Phase 2 – 485 E. Centerton Blvd. (Proposed RTH-MF12 / 8.64 Acres / 49 Townhomes Units), with all Comments from Commissioners and Staff, with a 2<sup>nd</sup> from John Sessoms. There was a Roll Call. All Commission Members voted in favor and the motion carried.**

**C. SUB20-20: Kimmel Ridge Phase 2 – Kimmel Road, West of Greenhouse Road (R-3 Duplex / 9.82 Acres / 22 Duplex Lots, 1 SF Lot, 4 Non-Buildable Lots) –**

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Dianne Morrison Lloyd addressed the Commission, giving a brief overview of this Request. She said this is for a Phase 2 of the Kimmel Ridge Duplexes, and they are wanting to develop 22 Duplex Lots, 1 Single-Family Lot, with 4 Unbuildable Lots, due to Floodplain. She said this property is north of Kimmel Road and west of Greenhouse Road and is already zoned R-3 Duplex. She said there is an Adjacent Street Improvement Agreement for a Fee-in-Lieu-of for Kimmel Road, which has an 80' ROW. She said 30' was dedicated with Phase 1 and an additional 10' is being dedicated with Phase 2. She said this Phase connects to Phase 1 and does not connect directly to Kimmel Road. She said there are two (2) Emergency Access turn-arounds being proposed with this Phase. She said the Fee-in-Lieu has been approved by Director of Public Works Rick Hudson and the City

Engineer (Josh Henthorn on this project). She said they will connect to utilities in Phase 1. She said there are a couple of existing easements, with one being vacated with the connection to Phase 1. She said all the stormwater from Phase 1 and Phase 2 will drain to the Floodplain. She said they are not doing any development in the Floodplain. She said they have applied for a Floodplain Permit, and will need to provide a Wetlands Assessment. She said they are going to dedicating Lot 95 to the City, as a Conservation Area. She said they are providing for a private Dog Park and a POA Park and there is no detention planned for this Phase.

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 SUB20-20: Kimmel Ridge Phase 2 – Kimmel Road, West of Greenhouse Road (R-3 Duplex / 9.82 Acres / 22 Duplex Lots, 1 SF Lot, 4 Non-Buildable Lots), with all outstanding Staff Comments, with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

**(7) OTHER BUSINESS – None**

**(8) ANNOUNCEMENTS-**

- **2/25/2021– Tech Review Meeting @ 2:00 PM**
- **3/02/2021 - Planning Commission Meeting @ 6:00 PM**
- **3/09/2021 – City Council Meeting @ 6:00 PM**
- **3/16/2021 - Planning Commission Meeting @ 6:00 PM**

**(9) ADJOURN-**

**Joey Ingle made a motion to adjourn the meeting at 8:19 pm, with a 2<sup>nd</sup> from John Sessoms. All Commission members voted in favor and the motion carried.**



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**Jeff Seyfarth – Chairman  
Centerton Planning Commission**

Minutes prepared by:  
Todd Wright