



CENTERTON PLANNING COMMISSION
February 15, 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 – 02/01/2022

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

5. OLD BUSINESS

6. NEW BUSINESS

A. **{Public Hearing} CU21-15 A MOTHER’S TOUCH DAYCARE** -815 Maple St.- In home day care up to 8 children (Zoned R-2 / Oak Ridge Subdivision) *Applicant: Krystal Lafears*

B. **{Public Hearing} REZ22-01 Commercial Homes by Roth, LLC**-8931 Greenhouse Rd (A1 to R3-MF / 10.38 Ac) *Applicant: Commercial Homes by Roth, Randy Roth*

C. **{Public Hearing} REZ22-02.7 Hamilton Property**-13990 Hwy 102 (A1 to R3-SF and C2 / 20.08 Ac) *Applicant: Tri-Star Construction, Beth Oaks / Nick Gioedereis*

D. **SUB20-20 Kimmel Ridge Ph2-FINAL PLAT**-N side of Kimmel Rd east of Kimmel Ridge Ph1 (Zoned R3-D / 22 Duplex lots and 1 SF lot, 2 non-buildable lots and Tract B / _Ac / Lots 70-77, 79-89 & 92-94 Duplex Lots, Lot 78 SF, Lots 90, 91, & 95 Non-Buildable) *Developer: Skylight Homes, LLC, Bapuji Vakkalagadda; Engr: MSE | HALFF, John Wary*

- **Final Plat**
- **Covenants**
- **Bonds**

E. **SUB21-22 The Pines Ph2-Final Plat**-11505 Walters Rd (Zoned R3-SF / 39 SF Lots / Lots 60-98 and Tract B /Ph2 9.80 Ac and Tract B 19.17 Ac) *Developer: Schuber Mitchell; Engr: HALFF, John Wary*

- **Final Plat**
- **Bonds**

7. OTHER BUSINESS

A. **SUB21-03 Silver Leaf-Adjacent Street Agreement**-12910 Bush Rd (Zoned R3-SF / 52.98 Ac / 202 SF Lots) *Developer: VFAM Group, Bapuji Vakkalagadda; Engr: HALFF, Patrick Foy*

- **Wade Rd agreement potential change**

B. **Request for Special PC meeting-Featherston Village Ph1**-Roth Family Homes, Randy and Jeff Roth

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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.

8. ANNOUNCEMENTS

- A. Next PC Meeting: 03/01/2022 @ 6:00 PM (New Centeron Court Building 210 Municipal Dr)
- B. Next Council Meeting: 03/08/2022 @ 6:00 PM (New Centeron Court Building 210 Municipal Dr)
- C. Next Tech Review Meeting: 03/10/2022 @ 2:00 PM (Zoom)

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 15, 2022**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 6:03 p.m.

2. ROLL CALL

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Amber Beale, John Sessoms (via Zoom), Craig Langford, Jerry Harris, Ben Lewis, and Tony Davis. Others in attendance for the city were Planning Assistant/Recorder Laura Crite, City Attorney Brian Rabal, Planning Director Lorene Burns, Sr. Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, City Planner Erik Nystrom, City Engineer Alan Craighead, Director of Public Works Lance Johnson, Mayor Bill Edwards, and City Engineer John Wary.

3. APPROVAL OF MINUTES

Chairman Jeff Seyfarth asked for a motion to approve minutes from the 02/01/2022 Planning Commission Meetings. **Chairman Seyfarth** noted that there was a small correction to the 02/01/2022 minutes. (The title for City Engineer Alan Craighead needs to be added).

*Jerry Harris made a motion to approve minutes from 02/01/2022 Planning Commission Meetings, with a **Second** from **Ben Lewis**. All Commission Members voted in favor and the motion carried.*

4. RATIFICATION OF ADMINISTRATIVE APPROVALS - NONE

5. OLD BUSINESS – NONE

6. NEW BUSINESS

Chairman Jeff Seyfarth opened the New Business.

{PUBLIC HEARING} CU21-15 A MOTHER'S TOUCH CHILD CARE - 815 Maple St.)
Applicant: Krystal Lafears

Chairman Seyfarth introduced the item to the Commission.

- Applicant Krystal Lafears addressed the Commission.

- Planning to open a childcare in her home.
- Will accommodate up to 8 children
- Open from 7:00 a.m. to 6:00 p.m. Drop off 7:00 a.m. – 9:00 a.m. Pick-up 4:00 p.m. to 6:00 p.m.
- **City Planner, Donna Wonsower** addressed the Commission, Giving a brief description of the request. She read from the PC Report citing the following:
 - Located at 815 Maple St. in Oakridge Subdivision.
 - Single family home in R-2 neighborhood.
 - Proposed use In-Home Childcare. Hours of operation 7:00 a.m. to 6:00 p.m.
 - Length of time for Conditional Use Permit is up to 3 years at which time it would need to be renewed.
 - Type of use is allowed in R-2 as conditional.
 - No structural or outdoor changes planned.
 - Located in intersection of several R-2 medium density neighborhoods.
 - Home Occupation must meet the following:
 - Traffic generated must not negatively impact safety, ambiance, and characteristics of the neighborhood
 - Two access from Skinner and Cypress streets not limited to one.
 - Drop Off / Pick Up hour as previously stated
 - Parking – Driveway currently holds up to three cars. Krystal’s vehicles will be parked in the garage so that parents will have sufficient space to pull into the driveway for pickups and drop-offs.
 - Home Occupation is not primarily retail
 - Home occupation does not involve storage of hazardous materials
 - Is compliant with Home Occupation Codes
 - Have met all publication requirements
 - Special conditions that staff has requested
 - 3-year term for permit
 - No more than eight children
 - Krystal’s cars to be parked in garage to allow space for parent drop-off and pick-up
 - Any toys or special equipment to be inside a fenced yard area
 - Signage through Code Enforcement
 - Must pass a fire inspection – Have done so at this time.
 - Do not need RP3 backflow device, which is for commercial use only.

Joey Ingle asked if there were any additional employees. Donna and Krystal verified that there were no additional employees planned at this time.

Chairman Seyfarth requested a motion to Open the Public Hearing

*Amber Beale made a motion to **Open the Public Hearing for CU21-15: A Mother's Touch Childcare – 815 Maple St., Centerton with a Second from Joey Ingle. All Commission Members voted in favor and the motion carried.***

Chairman Seyfarth opened the meeting to Public Comments.

There were no responses from public after 3 calls by **Chairman Seyfarth**.

*Joey Ingle made a motion to **Close the Public Hearing for CU-21-15: A Mother's Touch Childcare -- 815 Maple St., Centerton with a Second from Tony Davis. All Commission Members voted in favor and the motion carried.***

*Jerry Lewis made a motion to **Approve CU21-15: A Mother's Touch Childcare. There was a Second from Craig Langford. All Commission Members voted in favor and the motion carried.***

{PUBLIC HEARING} REZ22-01 Commercial Homes by Roth, LLC – 8931 Greenhouse Rd (A-1 to R-3 MF/ 10.38 acres) Applicant: Commercial Homes by Roth, Randy Roth

Chairman Seyfarth introduced the project.

Randy Roth was there to represent Custom Homes by Roth, stating:

- Originally planned to build Single Family homes but realized that they failed to check the Master Street Plan and did not realize that there was a major arterial street planned to go through the property.
- Due to the location of the proposed street the only option was to move to higher end townhomes.
- Discussed Setbacks

City Planner, Donna Wonsower addressed the Commission, citing the following:

- Owner requests to rezone 10.38± acres (PID# 18-08682-000 and 18-08710-00) from A-1, Agricultural to Medium-High Density Multifamily Residential (R3-MF).
- Upon successful rezoning of the property, the applicant intends to develop the parcel as a residential townhome development.
- If PC recommends approval of the rezone, an ordinance will be taken before Council for approval on 03/08/22.
- The parcels were annexed via ORD2022-55 by Centerton City Council on 8/12/2021.

- This area is intended for one structure on a single lot that consists of 3 to 4 attached dwelling units arranged side-by-side and/or stacked, typically with a shared entry from the street. **Minimum Lot Area:** 10,000 sq. ft. for three (3) dwelling units and 12,000 sq. ft. for four (4) dwelling unit. **Minimum Lot Width:** 80'; **Setbacks:** 25' Front & Street Side, 10' Side, 20' from rear lot line or center of alley if one exists or from the planning right-of-way as shown on the Master Street Plan; **Height Requirement**– Maximum height shall not exceed thirty-five (35) feet, or two stories, measured as the vertical distance from the highest adjacent ground elevation to the highest point of the roofline or parapet wall. **Maximum Building Coverage:** 50%.
- The parcel has direct street frontage along Greenhouse Rd (minor arterial, 90' ROW) and a proposed extension of Buckhorn Flats (minor arterial, 90' ROW). Road improvements and ROW dedication would be determined with preliminary plat submittal.
- The parcel is bordered by the Proposed McKissic Springs Loop (12') on the south and east property lines and is intersected by a proposed 10' side path on the west property line which would connect to the Walker Park Nature Preserve to the north.
- The parcels have direct access to existing water mains along Greenhouse Rd. While there is sewer close in proximity, an off-site easement would likely be required for access.
- The western most portion of PID18-18710-000 is designated as both floodplain and floodway adjacent to the Walker Nature Preserve. While the creek does not appear to directly flow across the parcel, it flows immediately to the west and its watershed is directly affected by work on the parcel.
- The National Wetlands Inventory Mapper shows potential riverine and freshwater wetlands. An assessment will be required prior to development
- Agricultural (A-1) is located to the west, with the Walker Park Nature Preserve located to the northwest. R-2 subdivisions are located to the north (Creekside Ph1, ~4 units/acre) and south (Quail Ridge, ~4 units/ acre). A single parcel designated in Benton County is located off the northeast corner, with a Bentonville R-1 Single Family Neighborhood (~ 4 units / acre) located to the east.
- Requested Zoning to R3-MF **may be considered compatible** with surrounding zoning and existing uses. R3-MF has a maximum density of 8 units per acre, which is higher than surrounding neighborhoods; however due to the property's alignment along the proposed expansion of Buckhorn Flats and the existing Greenhouse Rd, both minor arterials, the development has the capacity to act as a buffer between the existing Creekside and the arterial.
- **ADOPTED LAND USE PLAN:** This parcel is designated as primarily "Low Density Residential" on the Comprehensive Land Use Plan. Low Density Residential is described as "consist[ing] of single-family detached residential homes with a density of 1-3 units per acre.
- Requested Zoning R3-MF is **not considered consistent** with the current LUP's designation of "Low Density Residential." R3-MF has a maximum residency density cap of 8 units per acre, which is above the recommended density stated by the land use plan. Further, the parcels are

located on “the fringe of the city” where the use specifically states the lower density should be preserved. The proposed residential zoning is consistent with a residential land use.

Ben Lewis made a motion to Open the Public Hearing for REZ22-01: Commercial Homes by Roth, LLC – (8931 Greenhouse Rd.); with a Second from Jerry Harris. All Commission Members voted in favor and the motion carried.

- Donna read an email from Mike and Sarah Sullivan, who requested that their questions regarding the exact plan for the development, the angle of the townhomes, and the fate of the existing tree lines be read to the commission
- **Jeff Parker – 10699 Buckhorn Flats**, stated that he had 98 signatures on a petition from people who opposed the rezone for various reasons.
 - No place for R-3 zoning in the middle of single-family homes.
 - Less privacy
 - What is going to happen in the future with deterioration
- **Harold Castro – 1501 Quail Ridge Way** stated:
 - Spoke with Planning Commission in the past and felt concerns were being ignored
 - Cannot have kids on the street playing safely
 - High density
 - Clean up Green House Rd before moving forward with more development
 - Seem to be pushing low-income housing south and higher income to the north
- **Randy Morgan – 1150 Elizabeth Dr. Current POA President for Quail Ridge**
 - Green House Rd has high levels of traffic accidents. It is becoming a major throughway
 - Do not want city to add to the problems with Green House Rd before they can fix existing issues
 - 147 of the residents that he represents do not want the rezone. It does not fit with the idea for the master community.
- **Bruce Barkley 1330 Elizabeth Loop**
 - Sent an email
 - Loves living in Centerton
 - Wants the city of Centerton to be developed “right” and need to stick to the Master Plan
 - Original plan was for single family homes on larger lots
- **Eric Pugh—1671 Quail Ridge Way** asked the following questions:
 - Questioned public safety and if the plans provide adequate safety access given number of people
 - What happens to the Tree line on the south side? How does that affect his property values?
- **Matt Mayers – 1290 Elizabeth Loop**
 - Is applicant allowed to ask for other types of zoning? Is R-2 an option? Chairman Seyfarth replied that they can ask for anything.
- **Gary Pizer 1531 Quail Ridge Way**

- His wish is that nothing gets built on this lot.
- Need to consider the people who currently live here and their quality of life.
- **Susan Barkley – 1330 Elizabeth Loop**
 - Lot in question is a vary narrow space. Need to leave some open space. Much of the area is clear cut. That land has some old, established trees on it that need to be preserved.
- **Holly Shields – 1120 Elizabeth Dr**
 - Her property is not directly affected by the new build however she expressed concern about proximity of rental properties to high-end homes
 - Green House Road is already dangerous. High accident rate.
 - Need to make it so semi-trucks are not allowed to drive on Greenhouse, it is too narrow and congested

Chairman Seyfarth asked if there were any additional comments, no response.

Joey Ingle made a motion to Close the Public Hearing for REZ22-01: Commercial Homes by Roth, LLC – (8931 Greenhouse Rd.) with a Second from Ben Lewis. All Commission Members voted in favor and the motion carried.

Before addressing the five questions that must be answered, **Chairman Seyfarth** summarized the concerns and added that when it comes to safety, there are reviews for public safety that need to be done and will be followed. He added that **Paul Higginbotham, Fire Marshal**, was on vacation so could not address the group at this time.

Chairman Seyfarth added that he could not answer questions about the tree line.

Randy Roth, Roth Commercial Homes, LLC spoke to the commission adding some additional statements to his opening comments:

- One of the priorities in designing this development was to give distance between the existing homes on both sides. He is allowing 70' from Creekside.
- This project is not much different from what currently surrounds the other subdivisions. There is a Mechanic Store in front of Creekside and other businesses on Green House Road.
- Apartments are on both the South and North side of Creekside.
- It is not affordable to put single family down one side of the property.

Chairman Seyfarth addressed the meeting attendees and clarified that it is Randy's right to ask for whatever he wants. The Commission is only considering the Rezone.

Amber Beale, Commissioner asked if the rezone is for town homes that could be sold.

Chairman Seyfarth responded that under R3-MF homes could not be individually purchased.

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? – NO.** This development would exceed the maximum number of homes that would be allowed.

- Joey Ingle reiterated concerns over density. All agreed
2. **Is the proposed rezoning compatible with the surrounding area and zones – NO**
 - **Chairman Seyfarth** stated that this is a residential development, so he would consider it compatible.
 - **Jerry Harris** stated that it would be the only R3 Multi Family in the area. Joey Ingle agreed.
 - All other Commissioners stated that it is not compatible.
 - Conclusion. **NO, it is not compatible.**
 3. **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - YES. Chairman Seyfarth** said it is residential. **PC agreed that the request is compatible.**
 4. **Would the Rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? - NO. Chairman Seyfarth** said he did not think there would be any benefit to this one landowner. It is something we would consider for other properties in the area. **PC agreed that there is not a non-shared benefit for this request.**
 5. **If the public is opposed, why? NO. Chairman Seyfarth** acknowledged the number of comments from the public and summarized the primary concerns over traffic, noise, safety, privacy and that this type of development is not a fit with adjoining properties (All single-family R-2).

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

Brenda Moyes, 1541 Quail Ridge, spoke up and said that many of the residents that were at this meeting attended the Bentonville Planning Commission meeting that was held to discuss the apartment complex that was built nearby. At that time the question was asked; Can Green House Rad support the traffic, the answer was “No”. She felt Bentonville ignored the public concerns.

Brenda added that with this project there will be 52 to 56 families with 1 to 2 cars per family added to the current traffic. She stated that we at least need to complete the widening of the road and addition of traffic lights before considering this type of development.

Howard Moyes, 1541 Quail Ridge, stated that there are no duplexes across from Quail Ridge currently.

Ben Lewis made a motion to Approve REZ22-01: Commercial Homes by Roth, LLC 8933 Greenhouse Rd (A-1 to R-3 MF) There was a Second from Joey Ingle. Jeff Seyfarth and John Sessoms voted “Yes” All other Commission Members voted “No”, THE MOTION WAS DENIED

PUBLIC HEARING REZ22-02.7 Hamilton Property 13990 Hwy 102 (A-1 to R3-SF and C-2)
Applicant Tri-Star Construction, Beth Oaks and Nick Goedereis

Chairman Seyfarth introduced the project.

Elizabeth Oaks, Tri-Star Construction addressed the Planning Commission stating:

- Nick Goedereis was unable to attend tonight's meeting, so she is there to represent Tri-Star Construction
- The request is for a rezone for the parcel from A-1 to R3-SF with a small portion being rezoned to C-2
- The property will be sold after the rezoning as zero lot line Medium-High Density Single Family Residential with Commercial properties along the highway frontage.

City Planner, Erik Nystrom, addressed the commission citing the following:

- The owner is requesting a rezone of approx. 20.08 acres (PID# 18-12431-000). Of the 20.08± acres, 17.5 acres from A-1, Agricultural to R3-SF Medium-High Density Single-Family Residential, and 2.58 acres from A-1 Agricultural to C-2 Highway Commercial.
- The 20.08 acres to be sold after rezoning as zero lot line Medium-High Density SF Row style home with rear entry and commercial along highway frontage.
- If the Planning Commission recommends approval of the rezone and Ordinance will be taken to the City Council on March 8, 2022, for approval.
- MEDIUM-HIGH DENSITY SINGLE-FAMILY RESIDENTIAL (R3-SF): This district is intended for single-family dwellings with a suitable lot area.
- HIGHWAY COMMERCIAL (C-2): This district is intended for businesses which cater to the highway traffic, such as service stations, drive-in restaurants, motels, supermarkets, and similar businesses.
- TRANSPORTATION: The property is located at 13990 Hwy 102, which is designated as a Major Arterial (100' ROW). The Master Street Plan designates a future Major Arterial (100' ROW) crossing the southeast corner of the property and exiting on the west side. Required improvements will be determined during the development phase.
- The property is outside and adjacent to Centerton city limits and is pending annexation.
- The property is adjacent to R3-SF, Medium-High Density Single-Family Residential and C-2 Highway Commercial to the east. The property is approximately 1.7 miles northwest of R3-D (Graystone Subdivision). Requested zoning to R#-SF & C-2 may be compatible with the adjacent zoning.
- Requested Zoning to R3-SF & C-2 may be considered compatible with the adjacent zoning. It is adjacent to the approved rezoning of R-3 SF and C-2 commercial strip along Hwy 102.
- Requested Zoning R-3 SF & C-2 **may NOT be** considered consistent with the current LUP's designation of Business Park.
 - It was determined with REZ20-24 that the R-3 SF & C-2 area provided with the rezone was **NOT** consistent with the Land Use Plan but is acceptable for compatibility with the location and surrounding area. REZ20-24 was approved by the Planning Commission on 1/5/2021.

Craig Langford made a motion to Open the Public Hearing for REZ22-02.7: Hamilton Property – (13990 Hwy 102.); with a Second from Tony Davis. All Commission Members voted in favor and the motion carried.

Kenneth Mills, 13981 Noah Rd., Gravette addressed the Commission.

- The south edge of his property is 50 yards from the north edge of the property being discussed

- Asked why not consider lower density housing?
- His concern is how will the city accommodate additional residents caused by this development in terms of traffic, infrastructure, and services?
- What is the city doing to address new homeowners? Especially along Hwy 102?

Chairman Seyfarth asked **Lance Johnson, Director Public Works**, if the expansion of Hwy 102 was still planned. Lance replied, “Yes” it will be a 5-lane road at some points. He added that the Master Street Plan has identified other roads that will help accommodate traffic in the future.

Chairman Seyfarth added that Hwy 102 is a State Rd, so timing of any expansion is out of our control.

Chairman Seyfarth asked for additional comments from the public. **No response.**

Joey Ingle made a motion to Close the Public Hearing for REZ22-02.7: Hamilton Property – (13990 Hwy 102.); with a Second from Ben Lewis. 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? – NO.** Based on the Comprehensive Plan
2. **Is the proposed rezoning compatible with the surrounding area and zones – YES.** Residential with Commercial up front. **Joey Ingle** added that this matches property to the east.
3. **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** PC members agreed.
4. **Would the Rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? - NO.** PC members agreed.
5. **If the public is opposed, why? Yes.** **Chairman Seyfarth** acknowledged the concerns voiced by Kenneth Mills regarding traffic, density, and services.

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

Tony Davis stated that we do not want to lose 2 acres of commercial property because of the direction of the projected street. Aske if we need to adjust the Master Street Plan so we don’t lose commercial space. He added that it would be good to look at other avenues during the development phase.

Jerry Harris added that we should look at the property to the east, joining Kitty Rd.

Amber Beale made a motion to Approve REZ22-02.7: Hamilton Property – (13990 Hwy 102.); with a Second by Joey Ingle. All Commission members voted in favor; the motion carried.

SUB20-20 KIMMEL RIDGE PH 2 FINAL PLAT - N side of Kimmel Rd east of Kimmel Ridge Ph1 (Zoned R3-D / 22 Duplex lots and 1 SF lot, 2 non-buildable lots and Tract B / _Ac / Lots 70-77, 79-89 & 92-94 Duplex Lots, Lot 78 SF, Lots 90, 91, & 95 Non-Buildable) *Developer: Skylight Homes, LLC, Bapuji Vakkalagadda; Engr: MSE| HALFF, John Wary*

- **Final Plat**
- **Covenants**
- **Bonds**

Chairman Seyfarth introduced the project.

John Wary, MSE|Halff addressed the Commission as the project engineer.

Senior Planner, Dianne Morrison Lloyd addressed the commission citing the following:

- Applicant has submitted preliminary plat and plans for Kimmel Ridge Phase 2, which includes a proposed 22 total Duplex Lots (Lots 70-77, 79-89, & 92-94), 1 SF Lot (1), and 4 Unbuildable Lots (Lots 90, 91, 95 and Tract B), on 9.82 Ac, being a replat of Tract 1 and Lot 17; located on the north side of Kimmel Rd, west of Greenhouse Rd; east of Kimmel Ridge Phase 1; zoned R-3 Duplex, High Density Duplex Residential.
- Adjacent Street Agreement: A fee-in lieu is proposed for improvements on Kimmel Rd.
- PC approval is needed for:
 - Preliminary Plat and Plans
 - Adjacent Street Improvement Agreement
- Staff requests that should approval be granted, it be contingent on remaining staff comments, as applicable.
- **ROW + Easement Dedications:**
 - **Kimmel Rd:** designated as Major Collector on MSP with min. 80' ROW. ROW of 30' previously dedicated with L201961691 and an additional 10' ROW is dedicated with this plat.
 - **Emergency Access Easements:** Two 30' wide by 70' long emergency access easements are proposed for emergency vehicle turn around. One access is located on the northwest corner of Lot 90 and one between Lots 79 and 80. 20' UEs proposed along internal streets per Utility Placement Guide, with 24' along the west side of Little Lona Ave to accommodate two 34" drainage pipes.
- **Adjacent Street Improvements:** A fee-in-lieu of \$33,088.30 was paid with Ph1 for Kimmel Rd improvements along the entire frontage of Ph1 and Ph2.
- **Drainage:** The subdivision does not have a detention pond due to the proximity of a Floodplain and Floodway. Ph1 and Ph2 drain to the existing Floodplain.
 - **The record drainage has received staff approval**
- **Access:** Kimmel Ridge Ph2 does not have direct access to Kimmel Rd and is accessed from Purple Finch St in Ph1 which connects to Vee St and Rineel Ave.
- **Conservation Area:** The developer is dedicating a 2.30 Conservation Lot to the City with the Final Plat of Ph2.
- **Remaining Site Work:** All site work has been completed except for minor cleanup.

- **Record Documents:** Record documents have received staff approval, with some minor name changes being required.
- Based on the information available, staff finds the plat to generally be in conformance with the Centerton Municipal Cod, contingent on remaining staff comments.
- **Access/Frontage:** Ph2 will connect to existing Ph1 with extension of Purple Finch St; one stub

Joey Ingle asked if the fire turnaround on the North is owned by lots or the POA.

John Wary answered it is owned by lots.

Dianne Morrison Lloyd added that it is paved.

Ben Harris asked if the dog park is accessible and if there is anything in it.

John Wary said that he did not really have any information about the dog park.

Dianne Morrison Lloyd said that it is fenced. There will be no parking, it is planned to be used mainly by residents.

Joey Ingle made a motion to Approve the Final Plat for SUB20-20 Kimmel Ridge Ph2; with a Second by Jerry Harris and Craig Langford. All Commission members voted in favor; the motion carried.

SUB21-22 THE PINES PH 2 FINAL PLAT - Walters Rd, Centerton. *Developer: Schuber Mitchell Homes; Engr: MSE| HALFF, John Wary*

- **Final Plat**
- **Covenants**
- **Bonds**

Chairman Seyfarth introduced the project.

John Wary addressed the Commission

- Here to request approval of the Final Plat for The Pines Ph1.
- All Record Drawings and Final Plat documents have been reviewed and corrected as needed.

Dianne Morrison Lloyd added that the remaining corrections were minor clerical corrections.

Senior Planner, Dianne Morrison Lloyd, addressed the commission citing the following:

- Applicant has submitted final plat and record drawings for The Pines Ph1, which includes fifty-nine (59) total SF lots (Lots 1-59), 1 detention lot (Tract A) on 19.09 Ac on Walters Rd north of Herbaugh Rd, zoned R-3, High Density Residential.
- Requested a special City Council Meeting tomorrow evening, 2/16/2022.
- **COVENANTS:** Covenants have not yet been accepted by legal.
- **WARRANTY BONDS** – The Streets, Drainage, Water, and Sewer bond amounts have been approved. Original Bonds are required prior to Council acceptance.
 - Streets (100% for 2 years): **\$337,331.39**
 - Drainage (100% for 2 years): **\$382,659.56**
 - Water and Sewer (50% for 1 year): **\$453,915.55 (\$226,957.77)**
- **PERFORMANCE BONDS:** Two performance bonds, one for retention basin and one for lift station have been approved. Original Bonds are required prior to Council acceptance.
- Retention Basin (grading and aerator): **\$9,000.00**

- Lift Station (access drive, pad, transformer, pad, and fence): **\$30,215.00**
- **WAIVERS:** The following waivers were approved during the preliminary plat review process:
 - Use of HDPE storm pipe instead of RCP under street.
 - Use of Round Barrel (type MO) storm box structures
 - Allow HGL to be less than 2 feet below ground for enclosed storm sewers.
- **ROW + EASEMENT DEDICATIONS:** Walters Rd is designated on MSP as a Major Collector, with 80-ft ROW (40-ft half); As the plans were submitted prior to the adoption of the current MSP, 30--ft ROW has been dedicated per the final plat along Walters Rd.
- **ADJACENT STREET AGREEMENT:**
 - **Schuber Mitchell** is proposing to construct an alternate improvement section to Walters Rd along The Pine adjacent frontage. This section will be twenty-four-foot (24') pavement width, 4" asphalt, 6" base with 2' gravel shoulders and roadside ditches. In addition, Schuber Mitchell will construct the subgrade, ditch grading and driveway culverts for similar improvements to Walters Road from The Pines to Herbaugh Rd. No sidewalks or streetlights are proposed.
 - **Cost estimate for above improvement \$157,384.90**
 - **Benton County and City of Centerton:** The City of Centerton has agreed to build the subgrade on the remaining 2,685-ft of Walters Rd which is shared between Benton County and Centerton. Benton County has agreed to pay for the asphalt only on the 2,685-ft shared portion of the road and will be laying the asphalt on the whole road for a total of 3,900-ft of new paving.
 - **Proposed road improvements have been constructed and accepted by staff.**
- **DRAINAGE:** The retention pond is located on the southwest of the development. The pond will have a normal depth of 4-ft with aeration (Normal SWE 1,347.30, bottom of pond 1343.00). The 100 yr. WSE increases the depth to 7-ft (100 yr. WSE 1350.22). The pond includes a 10-ft maintainable area and 10-ft safety shelf. Two double 30" pipes drain to the pond from the east and the north with a triple 24" pipes discharge to the southwest.
 - **The record drainage has received staff approval.**
- **FIRE ACCESS:** The lanes on both sides of the entrance island are required to be 14-ft C to C per Arkansas State Fire Code and a Fire Access Road is require through all phases of the project which can support 75,000 pounds.
 - **The access drive has been completed to connect to a farm road to the north of the property.**
- All site work has been completed except for minor cleanup.
- Rober Coffelt has received and approved compaction tests
- Record documents have received staff approval.
- All remaining plat comments have been addressed.
- Based on the information available, staff finds the plat to be generally in conformance with Centerton Municipal Code, contingent on remaining staff comments

Tony Davis made a motion to Approve the Final Plat for SUB21-22 Pines Ph2; with a Second by Ben Harris. All Commission members voted in favor; the motion carried.

7. OTHER BUSINESS

A. SUB21-03 Silver Leaf-Adjacent Street Agreement 12910 Bush Rd (Zoned R3-SF / 52.98 Ac / 202 SF Lots) Developer: VAM Group, Bopugi Vakkalagadda; Engr: HALFF, Patrick Foy

Chairman Seyfarth introduced the project.

Sr. City Planner, Dianne Morrison Lloyd, offered some background information, stating that:

- This subdivision had been approved sometime last year and started construction
- Previous PW Director said that he had a verbal agreement regarding property on the east and the granting of necessary right of way so that they would be allowed to do a full width road. That agreement has fallen through, Lance and John will provide details.
- Lance Johnson, Director Public Works and John Wary, Engineer MSE |Halff were there to provide additional information.

Public Works Director, Lance Johnson addressed the Commission citing the following:

- There was a verbal agreement made by the previous Public Works Director that allowed for a temporary permit to begin construction. Since the time that the verbal agreement was made the existing property owner sold to new owner. New owner is asking for an astronomical amount of money for the easement.
- The new owner will not give us the easement. We initially asked for 5' and he offered 2'. In addition, for every tree that was damaged during the construction phase, they want 3 trees planted
- Had to reconsider. Lance Johnson, Frank Holzkamper, John Wary and his associate, Chase, and the owner met to discuss possible solution. Frank was able to give a solution to the water and sewer. Storm drainage able to find a 15 ft easement that is in front of that person's property. Can make a small change in direction coming out of the pond and an additional box and access drain without having to purchase any additional property from the owner.
- Regarding the road. Planning Commission asked for an additional 100' to the North of Bush Road to bring out a turn lane coming south on Bush Road. Cannot do it without additional right of way from current property owner. Recommend sticking with a two-lane road to get project started.
- In Phase 2 curb and gutter will be added.
- Reduce sidewalk to 5 ft. Would bring dedication to 45 ft which is appropriate for a minor arterial. There is nothing connecting to it in Ph1 but in Ph2 when houses are built will need it.
- We know that there is a Master Trail Plan that will have a trail in that area that will eventually connect to 102. When next subdivision comes in will have to hold to getting 10' or 12' right of way.
- This was the only solution they could come up with. Ran ideas by Mayor Bill Edwards, Lorene Burns, Planning Staff, City Engineer and John Wary, MSE | Halff. Agreed this was the best-case scenario.

Joey Ingle asked West Ridge on the East Side looks like it is already platted.

Dianne Morrison Lloyd responded that yes it was already platted, and a fee-in-lieu had already been provided.

Joey Ingle asked about the 10' trail that has been planned, would that still be doable?

Alan Craighead added "Yes" with a 10' trail, 12' lane and 8' green space along the edge still works with the 30' right of way. It will be tight, but it is doable.

Joey Ingle asked, what is proposed on the west side.

Lance Johnson stated that on the West it is curb and gutter with a small amount going to the east. Possibly putting another inlet box piping it over to the west side. West side will have no curb and gutter just drainage. East side will have curb and gutter

John Wary added that the initial plans called for first 30' curb and gutter on both sides. The rest would be asphalt only.

Joey Ingle, asked when do the road sections get finished?

John Wary replied; Ph1 is first 30' Ph2 the rest of the road gets finished.

Chairman Seyfarth asked why we want to have a turn lane, was it because of traffic?

Lance Johnson clarified that there would be other access points. There was some back-and-forth discussion.

Joey Ingle confirmed that there is still the possibility of adding the turn lane if property to the east is developed.

John Wary stated that we are still talking to property owner to see if we can get utility easement. If we can get the utility easement we will stick with plan as designed. If we cannot, will do a redesign to work around. Regarding roads, we do need to do a work around because cannot get right of way.

Dianne Morrison Lloyd added that we would need to write up an amended adjacent street agreement.

*Joey Ingle made a motion to approve Wade Drive, Bush Rd intersection redesign based on lack of right of way acquisition. With a **Second** from **Jerry Harris**. All Commissioners agreed and the motion carried.*

B. FEATHERSTON VILLAGE PH1 - REQUEST FOR SPECIAL PLANNING COMMISSION MEETING - Roth Family Homes, Randy Roth Representative.

Randy Roth addressed the Commission stating that they are requesting the meeting in hopes of speeding up the process, so they can move forward and save some cost.

Commission members had discussion about availability and possible dates. It was decided that the following Thursday 2/24/22 would be the best option, with a possibility of holding the meeting via Zoom on Tuesday evening 2/22/22 at 5:00 or 5:30.

Dianne Morrison Lloyd stated that there were still several comments that needed to be addressed before they could be ready to move forward

Randy Roth gave his guarantee that they “would be ready”.

Chairman Seyfarth acknowledged the impact on the planning staff because of the Monday holiday and other work demands. He stated that he would leave it up to Planning to determine the best date.

8. ANNOUNCEMENTS

- **2/24/22 – Tech Review Meeting @ 2:00 PM**
- **3/8/22 – City Council Meeting** – will be held at the new City Hall Bldg.
- **3/1/22 – Planning Commission Meeting** – will be held at the new City Hall Bldg.

9. ADJOURN

*Craig Langford made a motion to adjourn the meeting at 8:10 pm, with a **Second** from **Tony Davis**. All Commission members voted in favor the meeting was adjourned.*



Jeff Seyfarth – Planning Chair
Centerton Planning Commission

Minutes prepared by:
Laura Crite