



**CENTERTON PLANNING COMMISSION**  
**September 1, 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 – 08/18/2020
- 4. OLD BUSINESS**
  - A. **{Public Hearing} REZ20-15 Herron Property** – 960 Buckhorn Flats A-1 to R-3 SF (26 Ac) & C-3 (7 Ac)  
– Postponed from 8/4 Meeting due to not meeting notification requirements
- 5. NEW BUSINESS**
  - A. **SUB20-11 The Pines (pka Hatcher Addition) Prelim Plat & Plans** – 11505 Walters Rd. (R-3 SF / 134 Lots / 38.91 Ac)
  - B. **SUB20-12 Orchard Park Ph 5** – 11989 W. AR 72 HWY. (R-2 / 27 Lots / 7.11 Ac)
- 6. OTHER BUSINESS**
  - A. **Discussion: Upcoming Proposed Code Revisions**
    - **Title 15: Bondable Items, Landscape Ordinance**
    - **Title 16: Stormwater Manual**
- 7. ANNOUNCEMENTS**
  - A. **Next PC Meeting: 09/15/2020 @ 6:00 PM**
  - B. **Comprehensive Plan Public Hearing with City Council on October 27, 2020 at 6:00 pm**
  - C. **2020 APA Virtual Cross-Chapter Collaborative Conference on October 5-9, 2020**
- 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
SEPTEMBER 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 6:02 p.m. He introduced the Staff and 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, Amber Beale, Jerry Harris, Tiffany Morris, Craig Langford, John Sessoms and Ben Lewis. 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 8/18/2020 Planning Meeting Minutes -**

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 8/18/2020 and asked the Commissioners if they had any questions or concerns. There were none.

**Tiffany Morris made a motion to Approve the August 18, 2020 Planning Commission Meeting Minutes, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

**(4) OLD BUSINESS –**

**A. {PUBLIC HEARING} REZ20-15: Herron Property – 960 Buckhorn Flats Road A-1 to R-3 SF (26 Acres) & C-3 (7 Acres) -**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Craig Langford made a motion to Open the Public Hearing for REZ20-15: Herron Property – 960 Buckhorn Flats Road A-1 to R-3 SF (26 Acres) & C-3 (7 Acres), with a 2<sup>nd</sup> from Devin Murphy. All Commission Members voted in favor and the motion carried.**

Terri Tolbert and James Ball were on the call, from Ball Capital. Mr. Ball stated that they would like to develop a nice subdivision with 76 Single-Family lots and 3 Commercial lots. He said they are planning a Pedestrian/Bicycle Trail along the flood-way.

Senior Planner Nicole Gibbs addressed the Commission, stating that this is a Rezone Request for 26 Acres from A-1 to R-3 Single-Family and 7 Acres from A-1 to C-3 on Buckhorn Flats Road. She said the Application states that the intent is to develop the property as a residential subdivision, to coexist with residential subdivisions in the area, with Light-Commercial out-lots in the northeast corner. She said this item is for recommendation to City Council for their 9/08/2020 meeting. She said it is our policy to have applicants designate any R-3 High-Density developments as either Single-Family, Two-Family Duplex, or Multi-Family, as all three are allowed in that district. She said this request is for Single-Family. She listed the Lot Size and Setback Requirements for the R-3 District. She said the C-3 Neighborhood Commercial District is primarily for Convenience Shopping and Services for the surrounding areas and listed some examples. She listed the Setback Requirements. She said Buckhorn Flats (east-west) is designated as an Arterial on the current Master Street Plan, with 80' ROW. She said it is being proposed as a Minor Arterial on the proposed Draft Master Street Plan, with a 90' ROW. She said Buckhorn Flats (north-south) is designated as a Collector on the current Master Street Plan, with 60' ROW, and is being proposed as a Major Collector on the proposed Draft Master Street Plan, with 80' of ROW. She said the Draft Master Trails Plan also shows the Main McKissic Springs Loop along Buckhorn Flats Road (north-south). She said there is A-1 to the northeast and west, R-E to the southwest, R-2 to the south and northeast, and R-3 SF to the northwest. She said there is C-2 to the north. She said the request may be considered compatible with the surrounding zoning uses. She said the Adopted Master Land Use Plan designates this area as Mixed-Use. She defined Mixed-Use. She said the request is considered consistent with the Mixed-Use designation. She said the Draft Master Land Use Plan designates the east portion of this property as Business Park and the west portion is designated as Medium/High-Density Residential. She said the Medium/High Density would be considered consistent with the Draft Master Land Use Plan; however the Neighborhood Commercial zoning request could be considered inconsistent with the Draft Land Use Plan designation of Business Park. She defined the Business Park designation. She said the request of C-3 is less intensive than the Business Park designation and may provide a buffer for more intensive uses to the north, like the concrete plant.

Chairman Jeff Seyfarth opened the meeting to Public Comments, stating that there were also e-mails in the PC packets in Dropbox.

**Public Comments:**

**Harold Castro – 1501 Quail Ridge Way** – Mr. Castro was opposed to the request, stating concern with traffic safety, due to the lack of an east-west connector. He was also concerned with the R-3 density and the effect on his property value.

**Lina Gibson – 1230 Stoneybrook Lane** – Mrs. Gibson was opposed to the request, stating concern with traffic safety, R-3 Density, school population increase and crime. She suggested looking at a lower density for the subdivision.

**Bridgette DeBoer – 1063 Buckhorn Flats Road** – Mrs. DeBoer was opposed to the request, stating concern with the Commercial aspect, traffic, R-3 Density, Utility availability and property values. She also asked about Adjacent Street Improvements being proposed, as well as the extension of Buckhorn Flats Road to Greenhouse Road.

**Andrew Drake – Stoneybrook Lane** – Mr. Drake was opposed to the request, stating concern with any Commercial Business going into the area. He also questioned plans for traffic flow and lot size for the homes.

**Robert Goding – 1311 Quail Ridge Way** – Mr. Goding asked for confirmation of Buckhorn Flats extending through to Greenhouse Road, as stated earlier in the meeting.

**Sandy Townsend – 10790 Buckhorn Flats Road** – Mrs. Townsend asked if the developer would agree to put privacy fencing between their development and her property.

**Alicia Dawson – Buckhorn Flats Road** – Mrs. Dawson expressed concern with added stormwater.

Chairman Jeff Seyfarth, Senior Planner Nicole Gibbs, and Director of Public Works Rick Hudson responded to the Public Comments.

**Tiffany Morris made a motion to Close the Public Hearing for REZ20-15: Herron Property – 960 Buckhorn Flats Road A-1 to R-3 SF (26 Acres) & C-3 (7 Acres), with a 2<sup>nd</sup> from John Sessoms. 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. **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.** Jeff Seyfarth said there is a good mix of residential neighborhoods surrounding this property and we have been discussing adding some Light Commercial Use in our neighborhoods.

Craig Langford asked about the R-E. Seyfarth said we do have some islands within the city. Joey Ingle and John Sessoms asked about traffic access. **PC was in agreement that the request is compatible with the surrounding area.**

- 3) **Would all 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 the there is not a non-shared benefit for this request.**
- 5) **If the public is opposed, why- MIXED. There were Public Comments.** Jeff Seyfarth said there were comments about traffic and property values, but no facts were presented. Seyfarth asked Rick Hudson about traffic access. Hudson said the plan presented by the developer is in the early stages, and will likely go through changes, so it is too early in the process to tell. He said he, Fire, Planning Staff and the Design Team would be involved. He said they are already showing an access to the east and two to the south. He said we are also looking nationally to have businesses in the neighborhoods. Craig Langford asked Mr. Ball if he had looked at R-2. Ball said R-3 is the least impactful to the area.

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

**Jerry Harris made a motion to recommend Approval to the City Council for REZ20-15: Herron Property – 960 Buckhorn Flats Road A-1 to R-3 SF (26 Acres) & C-3 (7 Acres), with a 2<sup>nd</sup> from John Sessoms. There was a Roll Call. All Commission Members voted in favor and the motion carried.**

#### **(5) NEW BUSINESS -**

##### **A. SUB20-11: The Pines (pka Hatcher Addition) Preliminary Plat & Plans – 11505 Walters Road (R-3 SF / 134 Lots / 38.91 Acres) -**

Chairman Jeff Seyfarth introduced the item to the Commission.

John Wary of Morrison Shipley Engineers, Inc., representing the Applicant, addressed the Commission, stating that this request is for the Preliminary Plat and Plans for a 40 Acre R-3 Single-Family subdivision along the west side of Walters Road. He said there will be 134 SF lots, a Sanitary Lift Station Lot, and a Tract for Detention. He said the lots range from 7500sf to 10,000sf. He said the plan is to develop this in 3 phases, with approx. 65 lots in Phase 1, with +/- 35 lots in Phase 2 and in Phase 3. He said the developer will be improving Walters Road along the frontage, to a modified section, matching the section which was modified to the north. He said the City, Benton County and the Developer have reached an agreement to

improve all of Walters Road from Herbaugh Road to the south end of Orchard Park. He listed two (2) waiver requests:

**Waivers:**

- a) Use of HDPE Storm Pipe instead of RCP in the ROW, not under the paved sections.**
- b) Use of Round Barrel Type MO Storm Box Structures.**

City Planner Dianne Morrison Lloyd addressed the Commission, detailing the Overview for the project. She said the Waiver Requests were supported by the City Engineer and Staff. She said there are two (2) Adjacent Street Improvement Agreements; One (1) between Schuber Mitchell Homes and the City of Centerton, where Benton County and the City of Centerton have agreed to build the subgrade for the remaining 2685' of Walters Road; and one (1) for the improvement adjacent to the subdivision on Walters Road, estimated at \$157,384.90. She gave details. She said no streetlights or sidewalks are being proposed. She said there will be two (2) entrances onto Walters Road, with three (3) additional stub-outs (one (1) to the north, south and west). She said the Fire Department asked that a complete Fire Access Easement should be completed with Phase 1. She said Sewer Access will be from the Lift Station on the southwest corner and Water will come from a Force Main on the southeast corner. She said there are Utilities on the west side of Walters Road and there is a 20' UE being proposed. She said there is a 20' Water Line Easement across the southeast corner of the property. She said there is no Flood Plain shown to be on the property. There are indications that wetlands may exist, however, Habitat Architects stated that they did not determine any wetlands to be jurisdictional. She said there is no Common Space being proposed, other than the aerated Retention Pond. She said the Drainage Analysis has been approved by the City Engineer. She said most of the Staff Comments have been addressed.

Director of Public Works Rick Hudson said the improvements needed for Walters Road was identified prior to Bentonville West High School being built, and those improvements were delayed with the change in Benton County leadership and city funding. He said we are fulfilling the original Traffic Study that was completed prior to the High School being built.

Josh Henthorne, with CEI, said he has hashed out some of the drainage issues with John Wary. He said they are taking on some of the off-site drainage, and routing it through their detention pond, off-setting some of the issue in the southeast corner. He said he is comfortable with what is being shown for drainage to the south and southwest properties.

Ben Lewis asked if sidewalks were being proposed for this development. Lloyd said there are not. Rick Hudson said they are being encouraged to not build short sections of sidewalks, but rather to hang on to that ROW and build sidewalks in larger sections.

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 the Waiver Requests as presented, for the Storm Pipe to HDPE Material, Storm Inlet Type to MO for SUB20-11: The Pines (pka Hatcher Addition) Preliminary Plat & Plans – 11505 Walters Road (R-3 SF / 134 Lots / 38.91 Acres) with a 2<sup>nd</sup> from Jerry Harris. All Commission Members voted in favor and the motion carried.**

**Jerry Harris made a motion to Approve the Adjacent Street Improvement Agreement for SUB20-11: The Pines (pka Hatcher Addition) Preliminary Plat & Plans – 11505 Walters Road (R-3 SF / 134 Lots / 38.91 Acres), with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

**John Sessoms made a motion to Approve SUB20-11: The Pines (pka Hatcher Addition) Preliminary Plat & Plans – 11505 Walters Road (R-3 SF / 134 Lots / 38.91 Acres), with any Outstanding Staff Comments, with a 2<sup>nd</sup> from Craig Langford. All Commission Members voted in favor and the motion carried.**

**B. SUB20-12: Orchard Park Phase 5 – 11989 W. AR 72 HWY (R-2 / 27Lots / 7.11 Acres)**

Chairman Jeff Seyfarth introduced the item to the Commission.

There was no representative from the Developer.

City Planner Dianne Morrison Lloyd addressed the Commission, stating that this is the Final Plat for the Orchard Park Subdivision. She said it is for 27 buildable lots and meets the R-2 zoning requirements. She said this Phase is subject to the Lot-Width and Rear-Setback Variance Request approvals from 2018. She said all Adjacent Street Improvements had been completed in Phase 3, and the City released those Bonds. She said Covenants were received in June of 2019. She listed the Bonds as follows:

**Warranty Bonds:**

- **Streets (100% for 2 years): \$87,150.00**
- **Water/Sewer (50% for 1 year): \$140,404.00 (50%: \$70,202.00)**
- **Drainage (100% for 2 years): \$65,795.00**

**Performance Bonds:**

- **Remaining Improvements: \$8,352.00 (Lloyd said the cost of completing the cross-walks and hydro-seeding the ROW will need to be added to this amount)**

Lloyd said the Final Plat, Record Drawings and Drainage Report were approved by Staff on 8/24/2020. She said the Final Site Inspection was performed on 7/22/2020 and all outstanding items have been addressed



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 SUB20-12: Orchard Park Phase 5 – 11989 W. AR 72 HWY (R-2 / 27Lots / 7.11 Acres), with approved Warranty and Performance Bond Amounts (subject to change) and any Outstanding Staff Comments, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

**(6) OTHER BUSINESS-**

**A.**

**• Title 16: Stormwater Manual -**

Senior Planner Nicole Gibbs stated that we want to address some of the issues in our Drainage Manual and clean up some of the repetitive Waiver Requests we have been getting. These were some of the discussion points and changes recommended:

- Change some descriptions from “25-Year” to “50-Year” Storm**
- Change to allow for HDPE & HP Pipe**
- Open Swale / Ditch options and details**
- Maintenance responsibility for Open Ditches / Swales & Creeks**
- Downstream Conditions wordage clean-up**
- Volume of Detention - Design Methods & Responsibility**
- Detention Basin – Buffers / Maintainable Area**
- Allowable Trickle Channels**
- Recommending Bio-Swales**
- Allowing MO-Type Drop Inlets – Details**
- HGL approvals with City Engineer**
- 3:1 Slopes for Detention Ponds (there was discussion and a PC vote)**
- 5’ Maintainable Buffer for Detention Ponds (there was discussion and a PC vote)**

Planning Commission recommended holding a Public Hearing on 10/6/2020 for recommendation to City Council.

**• Title 15: Bondable Items, Landscape Ordinance, and Site Development -**

Senior Planner Nicole Gibbs stated that we previously discussed putting together a list of Bondable Items, and we have discussed working on our Landscape Code and Development Code for quite a while. She presented a Draft to the Commissioners. There was high level discussion around the following points and recommended changes:



- **Pulled out some of the General Provisions that apply both to Subdivisions and Developments**
- **Defined the Purpose of the Regulations more fully**
- **Discussed conflicts between the Comp Plan and other Code Requirements**
- **Repeal the Comp Plan Section to be used as a Reference, not an Ordinance**
- **Beefed up our definitions in the Subdivision/Development Sections**
- **Procedures in Subdivision still needs a lot of work and largely remains the same**
- **New Site Development Code (Large Scale & Small Scale)**
- **Adding Provisions for Site Layout**
- **Underground Utilities**
- **Permeability**
- **Urban Overlay District along Centerton Blvd. and down Main Street**
- **Landscape Requirements**
- **Irrigation**
- **Tree Preservation**
- **Lighting**
- **New Section for Improvements for Subdivisions & Site Developments**
- **Fee-in-Lieu (recommended Rick Hudson to review)**
- **Remove Section #2 (Electric)**
- **Remove Lift Station Alarm Deposit**
- **Administration Section still needs some work**
- **Appendix for Recommended Plant List**

Planning Staff recommended that PC review these Sections and make comments in Dropbox. Gibbs said it can come back to PC in a better Draft after those comments are reviewed. Chairman Seyfarth recommended giving PC two weeks for review and comment and bringing a new Draft for Public Hearing at the 11/03/2020 PC meeting. Gibbs and Burns agreed.

#### **(7) ANNOUNCEMENTS-**

- **9/08/2020 – City Council Meeting @ 6:00 PM**
- **9/15/2020 - Planning Commission Meeting @ 6:00 PM**
- **10/5/2020-10/09/2020 – 2020 APA Virtual Cross-Chapter Collaborative Conference @ 6:00 PM**
- **10/27/2020 – Comp Plan Public Hearing with City Council 6:00 PM (Mailing Letter included in Dropbox for PC review)**

#### **(8) ADJOURN-**

**John Sessoms made a motion to adjourn the meeting at 9:15 pm, with a 2<sup>nd</sup> from Tiffany Morris. All Commission members voted in favor and the motion carried.**



---

**Jeff Seyfarth – Chairman  
Centerton Planning Commission**

Minutes prepared by:  
Todd Wright