



**CENTERTON  
PLANNING COMMISSION  
MINUTES OF VIRTUAL MEETING  
JULY 7, 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 6:03 p.m.
  
- (2) **ROLL CALL** - Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, Amber Beale, Tiffany Morris, Craig Langford and Jerry Harris. Ty Manning was absent. Others in attendance for the City were Mayor Bill Edwards, City Clerk/Recorder Todd Wright, City Attorney Brian Rabal, Planning Director Lorene Burns, City Planner Dianne Morrison Lloyd, Senior Planner Nicole Gibbs, City Planner Donna Wonsower, Fire Marshall Paul Higginbotham, Director of Public Works Rick Hudson and City Engineer John Wary.
  
- (3) **Approval of the 6/16/2020 Planning Meeting Minutes -**  
  
Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 6/16/2020 and asked the Commissioners if they had any questions or concerns. There were none.  
  
**Craig Langford made a motion to Approve the June 16, 2020 Planning Commission Meeting Minutes, with a 2<sup>nd</sup> from Amber Beale. All Commission Members voted in favor and the motion carried.**
  
- (4) **OLD BUSINESS -**

## **A. Final Comprehensive Plan -**

Chairman Jeff Seyfarth introduced the item to the Commission, appreciating all who were involved with the 2040 Comprehensive Plan, and briefly touching on the Timeline Overview, showing the many opportunities for input for both Staff and the Public.

Senior Planner Nicole Gibbs addressed the Commission, stating that the Revised Comprehensive Plan was made available for review on the website on 6/29/2020. She said Staff has continued to receive Comments and have made tweaks to the Plan here and there. She said those small changes, since the Revised Draft was posted, are listed in the Commissioner's packets. She said the one item that Staff wanted PC input on was a possible adjustment to the Minor Collector Road designation. She said we were initially conceptualizing it as a Local Road with restricted Access Management, so we kept the ROW at 60'. She said we are now looking to upgrade it to a 70' or 80' ROW. She said we asked Garver to put together some Best Practices, as far as Street Trees are concerned, due to some Comments we received. She said, in doing that, a Minor Collector could not accommodate Street Trees and Best Practices. She said the options were to either do away with Street Trees, not follow Best Practices, or increase the ROW. Gibbs presented illustrations of options at 60', 70' and 80' ROW.

Chairman Seyfarth said after some discussion and phone calls yesterday, he was open to the 70' ROW, but would like some feedback from the other Commissioners.

Jerry Harris asked for Director of Public Works Rick Hudson's thoughts. Hudson said he is the one asking for 80' ROW. He said that is the minimum size the State Highway Department always works with. He said that gives you the real estate for future widening and development. He said it is a benefit for us financially, from having to purchase future ROW after homes are built, as well as the cost of moving utilities.

Joey Ingle said 80' ROW seems safest to him.

Craig Langford asked Seyfarth why he supported the 70' ROW. Seyfarth explained his reasoning. He said future expansion was not included in those discussions. He said he was also conscious of the cost of the extra 10' of ROW to a Developer.

Allison Sims of Kutak Rock – 234 E. Milsap Road, Fayetteville, Ar. – Sims complimented the Commission on the Comprehensive Plan. She said she represented property owners Deborah and James Hodges, who have land on Rainbow Farm Road. She said the proposed plan extends Rainbow Farm Road



through their property, splitting their 50 Acres into a 40 Acre Tract and a 10 Acre Tract. She said they just want to go on record, stating that this would be undesirable for them, as it could cause a loss in property value.

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

**Jerry Harris made a motion to Recommend Approval of Resolution PC2020-01: Approving the Centerton Comprehensive Plan, and Certifying the Plan to City Council, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

**B. SUB18-10: Southwinds Phase 1 Final Plat – Womack Road & Kimmel Road (R-3 / 113 SF Lots / 40.62 Acres) TABLED FROM 06/16/2020 -**

Chairman Jeff Seyfarth introduced the item to the Commission, reminding them this was tabled from the June 16<sup>th</sup> meeting. There was discussion on protocol to bring an item back from being tabled.

**Joey Ingle made a motion to bring back SUB18-10: Southwinds Phase 1 Final Plat for Discussion, with a 2<sup>nd</sup> from Craig Langford. All Commission Members voted in favor and the motion carried.**

Senior Planner Nicole Gibbs addressed the Commission, briefly touching on the details of the subdivision, as discussed in the last PC Meeting. She said there is a proposed Common Lot “C”, which is being dedicated to the City, and the Warranty Bond amounts are listed in the PC packets, for recommendation to Council for Approval. She said the remaining items are mostly around the Record Documents. She said there are also a couple of remaining Site-Work Items. Gibbs noted that the Developer has requested a Special City Council Meeting, pending tonight’s PC recommendation. She said there are some notes included in the PC packet, regarding contingency options for the outstanding items.

John Wary, of Morrison Shipley, addressed the Commission, stating that most of his comments regarding the Record Documents are clean-up items and missing re-submittal items. He said he did not think there was anything missing, which would cause concern that the Storm Systems and Streets were not built to Plan. He said there are a couple of Comments on the Site-Work, such as an Earthen Weir on the southeast pond that needs to be reinforced, as well as a series of Yard Drains around a property on Womack Road, which are not eliminating the ponding of water.

Joseph Duff, with Swope Engineering, addressed the Commission, stating that Scour-Stop reinforcement for the southeast pond has been ordered, and should be installed this week. He said the profiles for the Yard Drains have been added to the As-Built Plans. He said the property owner on Womack Road has provided a letter of satisfaction with the Yard Drain System.

Tal Hudson stated that the reinforcement would be installed in a timely manner, and that the Manhole tested fine today.

Joey Ingle addressed the Commission, recommending a contingency, to make sure the items are completed. Chairman Seyfarth agreed. Ingle asked if the developer would have time to complete the items prior to the City Council Meeting. Nicole Gibbs said they have requested a Special meeting for this week, potentially tomorrow evening. She stated that there is a regularly scheduled City Council Meeting next Tuesday 7/14/2020. Ingle asked John Wary if the items are only "clean-up" or if they could create Site changes. Wary said there should be no construction changes. He said the Record Documents show that there will be ponding in the yards, and they are asking that the final grading be done when the homes are built.

There was discussion about a Special Council Meeting, Performance Bonds, or waiting for the regularly scheduled City Council Meeting. Nicole Gibbs said the most time consuming issue will be the review of the Record Documents, once received. Joseph Duff said they will have the Record Documents back to the City tomorrow. Rick Hudson pointed out the fact that he has nine (9) other projects already waiting to be reviewed. Joey Ingle recommended giving the Developer until the regularly scheduled City Council Meeting to get the outstanding items completed.

Mark Marquess, of Riverwood Homes, addressed the Commission, stating that they are the developer and the builder on this project, and they will be doing the lot grading. He assured the Commissioners that it would be done to the satisfaction of the City Engineer. He said they are willing to provide a Cash Bond for assurance if required.

There was discussion about Bond amounts. Planning Director Lorene said we have typically done a \$5000.00 Bond for Record Drawings. Jeff Seyfarth recommended also bonding the Site Work. Tal Hudson said the material cost of the pond reinforcement is about \$8000. There was discussion between John Wary and Tal Hudson about the amount of reinforcement being required. Mark Marquess recommended a \$20,000.00 Cash Bond, with the work to be done in the next week. Lorene Burns asked for something as backup for the Auditor. Marquess recommended \$5000 for the Lots and \$15,000 for the Weir. Joey Ingle asked for the additional \$5000 Bond for the Record Documents. Marquess agreed with the Bond total of \$25,000.00.



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 Approve SUB18-10: Southwinds Phase 1 Final Plat – Womack Road & Kimmel Road (R-3 / 113 SF Lots / 40.62 Acres), Contingent upon Performance Bonds in the amount of \$25,000.00 and Warranty Bonds of \$686,017.65, \$498,700.90 and \$498,700.90, with any Outstanding Comments to be addressed, with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

**(5) NEW BUSINESS-**

**A. {PUBLIC HEARING} REZ20-13: Cobare Plumbing– Buckhorn Flats Road & Daisy Road (A-1 to I-1 / 1.524 Acres) -**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Tiffany Morris made a motion to Open the Public Hearing for REZ20-13: Cobare Plumbing– Buckhorn Flats Road & Daisy Road (A-1 to I-1 / 1.524 Acres), with a 2<sup>nd</sup> from Devin Murphy. All Commission Members voted in favor and the motion carried.**

Teresa Bradford, representing the applicant, addressed the Commission, stating that they are a small Plumbing Company, requesting a Rezone to be able to place an approx. 50'x90' building on the property. She said the plumbing contractors (they have 9 currently) would come in the morning, leave their personal vehicle, and take the company truck to their jobsite. She said they will come back and exchange vehicles in the evening. She said there should not be much noise, and the doors to the building are in the rear. She said their materials are delivered to the job sites, so there should not be any major deliveries to their building.

City Planner Donna Wonsower addressed the Commission, stating that this is a Rezone Request from A-1 to I-1. She said the property is currently owned by Marcus and Shelby Reid, and their intent is to sell following the Rezone. She said I-1 has several requirements, such as: 25' Setbacks, max. 30 people, max. 100 Vehicle Trips per peak hours, no discernable odor or vibration beyond the building walls, no discernable noise beyond lot lines, continuous visual buffer no less than 10' from the Lot Lines, no toxic gasses or chemicals shall be used or produced, and any business not meeting these requirements must appeal to PC for a Conditional Use Permit. She said they will need to come back later with a Development Plan. She said the surrounding properties are generally

zoned A-1, with Benton County Waste Management to the east, which is zoned as an I-2 (Heavy Industrial). She said this property is listed as Mixed-Use on the Land Use Plan, so it could be considered as compatible with the surrounding Uses and Zoning. She said Mixed-Use is defined as “areas where Residential, Commercial, Office, and Green Space Uses are grouped together to encourage pedestrian / bicycle traffic”. She said the Proposed Land Use Plan shows this area as Medium/ High-Density Residential. She said Buckhorn Flats Road is designated as an Arterial Road with 80’ ROW and Daisy Road is designated as a Local Road with a 50’ ROW. She said Daisy Road is being proposed to be upgraded to a Minor Collector Road, which would be an 80’ ROW. She said Public Water is available here. She said a Force-Main is planned along Daisy Road, from Brookside Road up to Kimmel Road, but CWSD is not planning to provide Sewer Service from that line, at this time.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

**Public Comments:**

**Tonia Birchfield - 3310 SW 14<sup>th</sup> Street, Bentonville** – Mrs. Birchfield e-mailed the Planning Department asking questions about screening, future plans, noise level, timing, and Use. Chairman Seyfarth pointed out that the majority of those questions were addressed in tonight’s meeting.

**James Birchfield - 3310 SW 14<sup>th</sup> Street, Bentonville** – Mr. Birchfield stated that they own the land that basically surrounds this property. He asked about the existing ROW on Buckhorn Road and Daisy Road. Director of Public Works Rick Hudson stated that these roads will be expanded and improved as the area is developed.

**Joey Ingle made a motion to Close the Public Hearing for REZ20-13: Cobare Plumbing– Buckhorn Flats Road & Daisy Road (A-1 to I-1 / 1.524 Acres), with a 2<sup>nd</sup> from Tiffany Morris. All Commission Members voted in favor and the motion carried.**

Craig Langford asked why the Rezone Request is for Industrial, rather than for Commercial. Donna Wonsower stated that it is what the Applicant requested. She said the adjacent property is Zoned I-2. Nicole Gibbs said the type of use being requested, “Construction Facility/Maintenance Yard”, is permitted in Light Industrial according the current Schedule of Uses, and may be considered compatible in the area, whereas a C-2, Highway Commercial Zoning would require a Conditional Use Permit, and is not considered compatible in this area.

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. Commission was in agreement that it is considered consistent with surrounding use.**
- 2) **Is the proposed rezoning compatible with the surrounding area and zones- YES. Commission was in agreement that it is compatible with the surrounding area.**
- 3) **Would all of the allowed uses in the new zone be compatible in this location- YES. Commission was in agreement that it 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.**
- 5) **If the public is opposed, why- NO. There was no public opposition.**

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

**Amber Beale made a motion to recommend Approval to the City Council for REZ20-13: Cobare Plumbing– Buckhorn Flats Road & Daisy Road (A-1 to I-1 / 1.524 Acres), with a 2<sup>nd</sup> from Joey Ingle. There was a Roll Call. All Commission Members voted in favor and the motion carried.**

**B. {PUBLIC HEARING} CU20-04: Beckendale Plaza (Parking Lot) – 401 Centerton Blvd.; Mobile Food Vendor Parking.**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Craig Langford made a motion to Open the Public Hearing for CU20-04: Beckendale Plaza (Parking Lot) – 401 Centerton Blvd.; Mobile Food Vendor Parking, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

City Planner Donna Wonsower addressed the Commission, stating that this request is for a re-application of a Conditional Use Permit. She said the previous CUP had expired after 3 years. She said this request is for 10 years, so it does not have to come up as often. She said this application is for a Conditional Use for a location for a Food Truck. She said it is not for a specific Food Truck, so the Vendor may change over time. She said there is both electricity and water available. She said wastewater is typically disposed of by the vendor. She said the Hours of Operation are subject to change. She said parking is available at Beckendale Plaza, and signage is subject to change, as the vendor is subject to change. She provided a map of the area for the Commission. She said this Conditional Use contains the same Conditions as the previous Permit, requiring assurance that the vendor conforms to required guidelines and inspections, and a detailed notice in writing to the City of a change in tenants, etc.



Applicant Rick Kemp addressed the Commission stating that all tenants will be required to go the City and apply for a Business License.

City Attorney Brian Rabal questioned the City's ability to restrict a Business License, based on the requirements of a Conditional Use Permit, such as signage and gray water. He wanted to make sure there was a mechanism in place to allow us to address items prior to the 10-year time period. Planning Director Lorene Burns described the process that is in place and said we can bring it back to the Planning Commission, should an issue arise. Rabal said that would go back to the applicant, and not the vendor. There was discussion.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

**Public Comments - None**

**Jerry Harris made a motion to Close the Public Hearing for CU20-04: Beckendale Plaza (Parking Lot) – 401 Centerton Blvd.; Mobile Food Vendor Parking, with a 2<sup>nd</sup> from Tiffany Morris. 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. There were none.

**Jerry Harris made a motion to Approve CU20-04: Beckendale Plaza (Parking Lot) – 401 Centerton Blvd.; Mobile Food Vendor Parking, with a 2<sup>nd</sup> from Tiffany Morris. There was a Roll Call. All Commission Members voted in favor and the motion carried.**

**C. MOV20-02: Gonzales – Moving Permit – Mobile Home 8500 N. Tycoon Road -**

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Donna Wonsower addressed the Commission, stating that this request is actually retroactive, as the structure has already been moved. She said the structure was relocated from Avoca on 9/30/2019, and the applicant was assured by his moving company that all necessary permits would be acquired, as part of his contract to relocate the structure. She said the City did not receive a Permit prior to the moving of the Mobile Home, so this is being done retroactively in order to receive needed building permits. She said the structure is a 32'x76' 2014 SOLS Manufactured Home and is currently located at 8500 N. Tycoon Road. She said the property is zoned A-1, but is only 3.3 Acres, so it does not meet the Minimum Lot Size for A-1. The lot meets Residential Estate



district requirements. She said Manufactured Homes are also a Permitted Use in the R-E zoning district. She said Public Water is available, but Public Sewer and Electricity are not. She said per the Building Safety Department: No Utility Inspections will be done until the Moving Process is approved. She said once approved, the Utilities Permits will be applied for, reviewed, and permitted. She said the application was received on 6/4/2020, and the inspections will be performed by the Building Safety Department, to include the foundation and exterior connections to services. She said a Bond can be required by the City Council, as determined by the Planning Commission. She said Staff is recommending that any Bond be waived, as the move has already taken place. Images of the property and the structure were provided. She said the Setback Requirements are all being met.

Chairman Seyfarth asked about any penalty listed in Section 8. City Attorney Rabal said normally an Inspector could go out and determines any damage and then he would prosecute that. Planning Director Burns said Section 8 for Moving Structures is in a different section from which we normally do our Zoning and Planning. She said she was not aware of any damage being done. She said Code Enforcement would be responsible if they chose to pursue this. Wonsower again recommended that any Bond be waived.

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

**Tiffany Morris made a motion to Approve MOV20-02: Gonzales – Moving Permit – Mobile Home 8500 N. Tycoon Road, waiving any Bond and approving the Variance from the A-1 Minimum Lot Size Requirement, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

**(6) OTHER BUSINESS –**

- Chairman Seyfarth said we have a list of applicants for the opening on the Planning Commission, and he is hoping to do interviews with the Mayor and Planning Director this week.
- E-mail was sent to the Commission from Mr. Geren at Affordable Storage asking to not have to come back before the Planning Commission. Chairman Seyfarth said he will respond to Mr. Geren in an e-mail.

**(7) ANNOUNCEMENTS -**

- **7/21/2020 - Planning Commission Meeting @ 6:00 PM (Virtual)**

- **7/14/2020 – Final Comprehensive Plan to Council for Adoption @ 6:00 PM (Target Date)**

**(8) ADJOURN -**

**Joey Ingle made a motion to adjourn the meeting at 7:35 p.m., with a 2<sup>nd</sup> from Tiffany Morris. All Commission members voted in favor and the motion carried.**



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**Jeff Seyfarth – Chairman  
Centeron Planning Commission**

Minutes prepared by:  
Todd Wright





## CENTERTON PLANNING COMMISSION

July 7, 2020 @ 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 – 06/16/2020
4. **OLD BUSINESS**
  - A. **Final Comprehensive Plan** – for recommendation to Council
  - B. **SUB18-10 Southwinds Phase 1 Final Plat** – Womack & Kimmel Rds (R-3 / 113 SF Lots / 40.62 Ac)  
{TABLED FROM 06/16/2020}
5. **NEW BUSINESS**
  - A. {PUBLIC HEARING} **RE220-13 Cobare Plumbing** – Buckhorn Flats/Daisy Rd. (A-1 to I-1/1.524 Ac)
  - B. {PUBLIC HEARING} **CU20-04 Beckendale Plaza (parking lot)** – 401 Centerton Blvd. Mobile Food Vendor Parking
  - C. **MOV20-02 Gonzalez-Moving Permit** – Mobile Home 8500 N. Tycoon Rd.
6. **OTHER BUSINESS**
7. **ANNOUNCEMENTS**
  - A. **Next PC Meeting: 07/21/2020 @ 6:00 PM**
  - B. **Upcoming Comp Plan Items:**
    - **07/14 6:00 PM** Final Plan to Council for Adoption
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.