



CENTERTON PLANNING COMMISSION
October 18, 2022 @ 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 – 10/4/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **TS22-17 Centerton Enterprise**-550 W Centerton Blvd-(Zoned C2 / 4.55 Ac /Tract 1: 0.53 Ac / Tract 2: 4.02 Ac) *Owner: Centerton Enterprise, LLC; Engr: CEI Engineering Associates, Brittney Gillen (Planner: Donna Wonsower)*
5. **OLD BUSINESS**
 - A.
6. **NEW BUSINESS**
 - A. **{Public Hearing} REZ22-24 Anderson Custom Homes**-12599 Cutberth Ln (27.15 Ac / A1 to R2) *Owner: Anderson Custom Homes, Engr: Sand Creek Engineering Associate, Anthony Ferreyra (Planner: Erik Nystrom)*
 - B. **{Public Hearing} CU22-09 Splash Carwash**- 250 E Centerton Blvd (Zoned C-1/ 1.59 Ac / Carwash) *Applicant: Colliers Int.; Bradford Gains Engr: Phillip Lewis Engineers; Mark Blakeley (Planner: Erik Nystrom)*
 - C. **{Public Hearing} CU22-10 Saving Grace**-12141 W Hwy 72 (Zoned A-1/ 49 Ac / Requesting Special Event Use) *Applicant: Saving Grace; Becky Shaffer (Planner: Dianne Morrison Lloyd)*
 - D. **DEV22-11 Sherwin Williams** -E Centerton Blvd (Zoned C-2 / 4.86 Ac) *Owner: Lin & Nguyen LLC Engr: McClelland Consulting Engineers, Chris Bakunas (Planner: Donna Wonsower)*
7. **OTHER BUSINESS**
 - A. **SUB21-13 Daisy Road Duplexes-NE/C of Brookside and Daisy Rd-Discussion**-Request to extend preliminary subdivision approval *Developer: Sweet Homes, NWA; Engr: HALFF, Dirk Thibodeaux (Planner: Erik Nystrom)*
 - B. **Schedule of Uses Discussion-Flex Space, Mobile Vendors, Retail under 1,000 sq. Ft.**
8. **ANNOUNCEMENTS**
 - A. **Next Tech Review Meeting: 10/20/22 @ 2:00 PM (Zoom)**
 - B. **Next PC Meeting: 11/1/22 @ 6:00 PM**
 - C. **Next Council Meeting: 11/8/22 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
October 18, 2022**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:15 p.m.

2. ROLL CALL

Those Present and answering Roll Call were, Jeff Seyfarth, Joey Ingle, Devin Murphy, John Sessoms, Craig Langford, Jerry Harris, Tony Davis, Brandon Swoboda, and Ben Lewis. Others in attendance for the city were: City Planner Donna Wonsower, City Planner Erik Nystrom, City Engineer Alan Craighead, Fire Marshal Paul Higginbotham, City Mayor Bill Edwards, City Attorney Brian Rabal and Planning Assistant/ Recorder Kayla Craft.

3. APPROVAL OF MINUTES

Jeff Seyfarth asked for a motion to approve minutes from the 10/04/2022 Planning Commission Meeting.

John Sessoms made a motion to approve the minutes from 10/04/2022 Planning Commission Meeting, with a Second from Ben Lewis. No members were opposed, and the motion carried.

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

- A. **TS22-17 Centerton Enterprise-550 W Centerton Blvd-(Zoned C2 / 4.55 Ac /Tract 1: 0.53 Ac / Tract 2: 4.02 Ac) Owner: Centerton Enterprise, LLC; Engr: CEI Engineering Associates, Brittney Gillen (Planner: Donna Wonsower)**

- A. Staff member Donna Wonsower informed the commission this tract-split is related to the variance approved in the Board of Zoning Adjustments meeting prior to this meeting. The tract-split has minor comments remaining and will need to be updated to reflect the latest information regarding the adjustment of the property line to adhere to fire code.

There were no questions from the Planning Commission regarding the Administrative Approvals. Commission Chairman Jeff Seyfarth entertained a motion. John Sessoms motioned to approve the Ratification of Administrative Approvals with Ben Lewis as 2nd. No members were opposed, and the motion carried.

5. OLD BUSINESS-NONE

6. NEW BUSINESS

A. **{Public Hearing} REZ22-24 Anderson Custom Homes**-12599 Cutberth Ln (27.15 Ac/ A1 to R2) *Owner: Anderson Custom Homes, Engr: Sand Creek Engineering Associate, Anthony Ferreyra (Planner: Erik Nystrom)*

- A. Anthony Ferreyra with Sand Creek Engineering was present to answer any question. He highlighted the rezone is for a development that will have 69 lots.
- B. Erik Nystrom gave the staff overview. He explained the request is for the R-2 zoning. The surrounding residential areas have a density between 4.15 and 5.12 units per acre (may be compatible). The land is designated as low-medium density on the Comprehensive Land Use plan (consistent). The land has access to water and sewer and there is no floodplain. The property is located along Cutberth Ln, which is designated as a minor collector. The project will propose an extension to Wolverine Dr.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Joey Ingle made a motion to open the public hearing with a Second from John Sessoms. No members were opposed, and the public hearing was opened.

- A. Andrew Hackner asked for clarification regarding the proposed road improvements to Cutberth Ln. Erik Nystrom noted the Master Street Plan does call for an extension of Cutberth to Wolverine Dr. Planner Donna Wonsower also let the commission know staff has spoken with the applicant about Cutberth Ln and that further review would be completed during the large-scale-development application process (Correction: project will go through subdivision process) to determine what improvements could be completed along Cutberth due to extensive drainage issues along the northwest side of the property.

Ben Lewis made a motion to close the public hearing with a Second from Tony Davis. No members were opposed, and the motion carried.

- B. The planning commissioners were asked to consider the following:
 - **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why?**
 - a. Yes.
 - **Is the proposed rezoning compatible with the surrounding area and zones?**
 - a. Yes, near existing subdivisions.
 - **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
 - a. Yes.
 - **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
 - a. No.
 - **If the public is opposed, why? Are the objections based upon factual information relating directly to this request or opinion based? Does any factual information presented apply to this rezoning situation?**

- a. There was no public opposition, only a question regarding Cutberth Ln.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Ben Lewis motioned to approve REZ22-24 Anderson Custom Homes with a 2nd from John Sessoms. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.

- B. **{Public Hearing} CU22-09 Splash Carwash-** 250 E Centerton Blvd (Zoned C-1/ 1.59 Ac/ Carwash) *Applicant: Colliers Int.; Bradford Gains, Engr: Phillip Lewis Engineers; Mark Blakely (Planner: Erik Nystrom)*
 - A. Tanner Freeman and Mark Blakely were present to answer any questions.
 - B. Erik Nystrom gave the staff overview. He informed the commission that Splash Carwash currently has a large-scale development in progress for this conditional use. There are no indoor facilities for customers. A lighting plan is being acquired as part of the large-scale development. The property is on a floodplain and is going through the process of acquiring a floodplain permit.
 - C. Jeff Seyfarth asked if there were apartments behind the property. The Planning Director, Lorene Burns, confirmed there are two-story, townhouse style apartments behind the property.
 - D. Joey Ingle asked if carwashes are allowed by-right in C-2. Staff confirmed it is allowed by-right in C-2 and conditionally allowed in C-1.

The commissioners had no questions and Jeff Seyfarth entertained a motion. John Sessoms made a motion to open the public hearing with a Second from Ben Lewis. No members were opposed, and the public hearing was opened.

- E. Jeff Seyfarth called three times for public comment. There were no comments from the public.

Jerry Harris made a motion to close the public hearing with a Second from Craig Langford. No members were opposed, and the motion carried.

- F. John Sessoms asked why the property was not rezoned to C-2 to allow the carwash by right. Staff explained there are heavier uses in C-2 that would not be compatible with the area, such as gas stations.
- G. Joey Ingle asked what the hours of operations would be. Erik Nystrom stated they are set for 8 am to 9 pm.
- H. Joey Ingle asked the applicants to give more details regarding the operation standards, as well as how they planned to adhere to noise requirements. Tanner Freeman explained that hours may fluctuate based on the seasons and demand for the carwash. He stated there will be minimal noise from the business, and screening trees between the business and the apartments. Joey Ingle asked more specific questions about the landscaping. Mark Blakely also let the commission know the owners are amenable to making sure the business does not interrupt the residential areas, and to making sure there is adequate screening between residential and commercial areas. He stated there will only be a tunnel, and no detailing area on the property.

- I. There was further discussion regarding the landscaping plan, and confirmation signage will be permitted in a separate process but will match the surrounding area. Joey Ingle requested opaque screening along the northern property line with additional landscape screening, as well as shifting the radius of the drive south to provide more of a buffer from the property line. Street trees were also requested.
- J. Donna Wonsower asked the applicants to provide the renderings the applicants provided to the commission for the Planning Departments records.

With no other questions from the Commissioners, Jeff Seyfarth entertained a motion. Ben Lewis moved to approve CU22-09 Splash Carwash with a 2nd from Joey Ingle, with the addition of screening adjacent to the apartments and streets as discussed. In a Roll Call, all members voted in favor. With a unanimous vote, the motion was passed.

- C. **{Public Hearing} CU22-10 Saving Grace-12141 W Hwy 72 (Zoned A-1/ 49 Ac/ Requesting Special Event Use) Applicant: Saving Grace, Becky Shaffer (Planner: Donna Wonsower)**
 - A. Becky Shaffer was present. She explained Saving Grace would like to hold fundraising events on the property to raise needed funds. One event they have planned is called Uptown Hoedown, to be held on November 10th. The event will have live music and will end by 10 pm. The applicant is aware the event is being held on a weekday and are conscious of the noise.
 - B. Joey Ingle asked staff if the conditional use would cover only one event or several events to be held in the future. Planning Director Lorene Burns clarified the conditional use will allow Saving Grace to hold events in the future as long as they remain compliant with conditions set, including requirements set by the Fire Department for inspections.
 - C. Joey Ingle asked how the parking would work for large events. Becky Shaffer explained guests will enter on Hwy 72 and exit on Bullock Rd.
 - D. Donna Wonsower gave the staff report, providing a brief summary of the project. She explained staff recommends all parking be contained to the site. There was discussion about hours and what was covered under the noise ordinance. Any alcohol served must follow ABC guidelines. Joey asked about fire access, in which Paul Higginbotham explained there is a plan being worked out.

Jeff Seyfarth entertained a motion to open the public hearing. Joey Ingle made a motion to open the public hearing with a Second from John Sessoms. No members were opposed, and the public hearing was opened.

- A. Jeff Seyfarth called for public comment three times. There were no public comments.

Joey Ingle made a motion to close the public hearing with a Second from John Sessoms. No members were opposed, and the motion carried.

- A. The commission showed high concern in regard to noise. After some discussion, it was agreed the hours would be reduced to 9 pm on weekdays and remain at 10pm on weekends.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve CU22-10 Saving Grace with time changes as discussed with a 2nd from Ben Lewis. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.

- D. **DEV22-11 Sherwin Williams-E Centerton Blvd (Zoned C-2/ 4.86 Ac) Owner: Lin & Nguyen LLC, Engr: McClelland Consulting Engineers, Chris Bakunas (Planner: Donna Wonsower)**
- A. Chris Bakunas was present to answer any questions. He informed the commission that this building is part of a larger development (Centerton Retail). All utilities and drainage were worked out as part of the larger development.
 - B. Donna Wonsower gave the staff overview. She confirmed this project is part of the Centerton Retail development. This building was planned as part of that development so only minor changes will have to be made. There will be additional landscaping installed. A tract-split for this property was previously administratively approved to split this parcel from the rest of the development. Street improvements were completed as part of the larger development. Fire hydrants will be added.
 - C. Joey Ingle asked if the landscaping to be relocated had already been installed. Chris Bakunas explained it has not been installed yet.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve DEV22-11 Sherwin Williams with a 2nd from Ben Lewis.

7. OTHER BUSINESS

- A. **SUB21-13 Daisy Road Duplex- NE/C of Brookside and Daisy Rd- Discussion-** Request to extend preliminary approval *Developer: Sweet Homes, NWA; Engr: HALFF, Dirk Thibodeaux (Planner: Erik Nystrom)*
- A. Donna Wonsower explained the preliminary approval previously granted is about to expire and that staff received a request for an extension the day before the meeting. Loren Burn stated staff is requesting an extension on the approval until the November 1, 2022, Planning Commission meeting so staff has time to look over the project again and address some concerns they have with the road width, driveways, drainage, and utilities.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve a temporary extension of the preliminary approval for SUB21-13 Daisy Rd until November 1,2022 to give staff time to review the plan with a 2nd from Ben Lewis.

- B. **Schedule of Uses Discussion- Flex Space, Mobile Vendors, Retail under 1,000 sq. ft.**
- A. Donna Wonsower led the conversation by explaining the community has shown interest in a flex-space schedule of use with staff seeing multiple concepts and discussions over the past year, and that since there is not a use that fits this type of development in Centerton it has been very complicated in the past to try to allow this, including conditional uses that cover an exceptionally large number of possible uses. To address this, staff has drafted

proposed use requirements and schedule of use for flex-space for the Planning Commission to review.

Planner Donna Wonsower that the proposed use regulations would set commonly set conditions such as screening, parking, access management, and other items as part of the use in order to prevent the need for the Planning Commission to review each request for a flex space use development as long as all conditions are met.

There was discussion regarding what was meant by a flex-space use. City Planner Donna Wonsower mentioned Luttrell Storage that the Planning Commission had previously seen, as well as coworking spaces that are seen around the area. She noted that the key point in a flex space is that there are multiple uses with minimal impact to the surrounding properties.

- B.** The Planning Commission had a number of questions including:
- Joey Ingle requested flex-space not be permitted in R-E & A-1 zoning.
 - Tony Davis asked how the flex space schedule of use would differ from doing a PUD. Staff explained having a use specific to a flex space use would save the applicant money, it would save the applicant and staff members time, and would add consistency to the process. Will Kellstrom noted later that a PUD would be prohibitive for someone looking to do a flex-space use.
 - Planner Donna Wonsower noted the proposed flex-space use would be used in conjunction with a Large-Scale Development application. By setting conditions as part of the use, the intent is to eliminate the conditional use step in the development process.
 - Will Kellstrom of Watkins, Boyer, Gray & Curry PLLC noted that he currently has a conditional use application pending for a flex space use in Centerton. He explained that he is in favor of the proposed use. He added that flex-space can also be used to increase e-commerce and recommended adding this to the defined uses. He mentioned LoLoft in Rogers as a local company and stated that flex space developments can be configured many different ways depending on what uses they have. Will Kellstrom agreed it would make sense to not include flex-space in A-1 or R-E by right but that it might be consistent depending on what uses are proposed.
 - There was extensive discussion about the approval/ appeals process and complaint procedures.
 - Staff noted that changes would be made based on Planning Commission recommendations and that the flex space use would be brought back before the commission for a public hearing at the November 15 Planning Commission meeting.
- C.** Staff explained in regard to the Mobile Vendors, the current code only allows for “food” mobile vendors. Staff would like to expand the code to include mobile vendors who do not sell only food. The Commission was amenable to the proposed change.
- D.** Staff explained in regard to the Retail under 1,000 sq ft, staff would like allow developments to include small retail in larger developments. After extensive

discussion regarding the viability and use of the retail under 1,000 sq ft compared to the existing retain under 4,000 sf use, staff agreed to bring the item back with more detail and specific examples at a later date.

8. ANNOUNCEMENTS

A.) Next Council Meeting: 10/20/2022 @ 6:00 PM

B.) Next PC Meeting: 11/01/2022 @ 6:00 PM

C.) Next Tech Review Meeting: 11/08/2022 @ 2:00 PM (Zoom)

9. ADJOURN

Joey Ingle made a motion to adjourn the meeting at 7:41 pm, with a 2nd from Tony Davis. No commissioners were opposed, and the meeting was adjourned.



**Jeff Seyfarth – Planning Chair
Centerton Planning Commission**

Minutes Prepared By: Kayla Craft