



CENTERTON PLANNING COMMISSION
January 16, 2024 @ 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 – 12/19/2023
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **HOP23-32 MAIDCO of Bentonville, LLC- Office and Storage Use for business-** 1621 Grace Pl; Creekside PH 1 (Zoned R-2) *Applicant: Ryan Faber (Planner: SHartman)*
 - B. **HOP23-34 CENTSATIONAL AMUSEMENTS, LLC- Office and Storage Use for business-** 940 Silverthorn Dr.; Briar Rose (Zoned R3-SF) *Applicant: Michael Cohen (Planner: SHartman)*
 - C. **HOP24-01 MUSTARD SEED- Office and Designing Jewelry-** 780 Walker St.; Simmons (Zoned R3-SF) *Applicant: Sarah Penick (Planner: SHartman)*
 - D. **TS23-19 CROUSE** -1755 W. CENTERTON BLVD Rd. (Zoned A-1/ Parent Tract: 15.08 Ac/ Tract 1: 14.24 Ac/ Tract 2: .84 Ac) *Owner: Larry Crouse; Surveyor: Phil Swope (Planner: DMorrisonLloyd)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - A. **MSI23-07 WATERCOLOR APARTMENTS CARPORTS – Addition of Carports –** 1709 E. Centerton BLVD. (Zoned R4-MF/ 10.98 Ac/ Multi-family) *Engr/Repr: Swope Consulting, Phil Swope; Owner: Elevate Den Centerton Multifamily Property Owner, LLC (Planner: DMorrisonLloyd)*
 - ORD B. **SUB21-18 PARADISE PARK SUBDIVISION- Final Plat & Plans-** Cutberth Ln. and Gamble Rd. (Zoned R3-SF/ 9.64 Ac/ 40 Dwelling Homes) *Owner: Vara Kesavarapu; Engr: Odyssey Engineering, LLC; Chris Tilley (Planner: ENystrom)*
 - C. **SUB23-12 WARREN SUBDIVISION – Preliminary Plat & Plans –** 8256 Warren Rd (County/ 29.01 Ac/ 25 Single-Family Dwellings) *Owner: Paul Pinkley Construction, Paul Pinkley; Engr: Expedient Civil Engineering, Jason Ingalls (Planner: DMorrisonLloyd)*
7. **OTHER BUSINESS**
 - A. Building, PW, & CU department reports
8. **ANNOUNCEMENTS**
 - A. **Next Council Meeting: 1/09/2024 @ 6:00 PM**
 - B. **Next PC Meeting: 1/16/2024 @ 6:00 PM**
 - C. **Next Tech Review Meeting: 1/22/2024 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
JANUARY 16, 2024**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Chair Jeff Seyfarth at 6:20 P.M.

2. ROLL CALL

Those present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Tony Davis, John Sessoms, Ben Lewis, Craig Langford, Devin Murphy, Brandon Swoboda, and Jerry Harris. Others in attendance for the city were: Planner Dianne Morrison Lloyd, Planner Kayla Knight, Planner Erik Nystrom, Director of Planning Lorene Burns, City Engineer Alan Craighead, Mayor Bill Edwards, City Attorney Brian Rabal, and Planning Assistant/Recorder Samantha Hartman.

3. APPROVAL OF MINUTES

A. Planning Minutes – 12/19/2023

*With no questions or comments from the commission, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve the **PLANNING COMMISSION MINUTES FROM DECEMBER 19, 2023**, with a second from Joey Ingle. No members were opposed, and the motion carried.*

4. RATIFICATION OF ADMINISTRATIVE APPROVAL

- A. HOP23-32 MAIDCO of Bentonville, LLC- Office and Storage Use for business-** 1621 Grace Pl; Creekside PH 1 (Zoned R-2) *Applicant: Ryan Faber (Planner: SHartman)*
- B. HOP23-34 CENTSATIONAL AMUSEMENTS, LLC- Office and Storage Use for business-** 940 Silverthorn Dr.; Briar Rose (Zoned R3-SF) *Applicant: Michael Cohen (Planner: SHartman)*
- C. HOP24-01 MUSTARD SEED- Office and Designing Jewelry-** 780 Walker St.; Simmons (Zoned R3-SF) *Applicant: Sarah Penick (Planner: SHartman)*
- D. TS23-19 CROUSE -1755 W. CENTERTON BLVD Rd.** (Zoned A-1/ Parent Tract: 15.08 Ac/ Tract 1: 14.24 Ac/ Tract 2: .84 Ac) *Owner: Larry Crouse; Surveyor: Phil Swope (Planner: DMorrisonLloyd)*
 - Planner Dianne Morrison Lloyd let the Commission know there is no dedication of Right of Way
 - Joey Ingle was curious why the city staff does not enforce Right of Way

- during a replat and asked for a discussion about this subject at a later date.
- City Engineer, Alan Craighead said the property is currently only approved for single-family residential construction or agricultural use.

With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve the RATIFICATION OF ADMINISTRATIVE APPROVALS with a second from Devin Murphy. No members were opposed, and the motion carried.

5. NEW BUSINESS

- ◆ **MSI23-07 WATERCOLOR APARTMENTS CARPORTS – Addition of Carports –** 1709 E. Centerton BLVD. (Zoned R4-MF/ 10.98 Ac/ Multi-family) *Engr/Repr: Swope Consulting, Phil Swope; Owner: Elevate Den Centerton Multifamily Property Owner, LLC (Planner: DMorrisonLloyd)*
 - Phil Swope from Swope Consulting was present.
 - Phil Swope let the commission and staff know that Swope Consulting got involved with the project after it was finished.
 - The new owners of Watercolors Apartments added carports over six (6) parking spaces per each of the five (5) buildings in PH 1-3 for a total of 30 covered spaces.
 - The carports were not on the original plans of the Watercolors Apartments.
 - Planner, Dianne Morrison Lloyd, presented the staff report.
 - On January 16, 2024, Caroll Electric e-mailed the city staff letting us know the carports are over the Utility Easements.
 - The carports can not be over the easement, therefore Watercolors can either move the carports or pay to have the electric moved.—
 - Jeff Seyfarth asked Phil Swope if he would like to table the project until he speaks to the owners about their options.

With no other questions from the commissions, Jeff Seyfarth entertained a motion. Jerry Harris motioned to table MSI23-07 WATERCOLOR APARTMENTS CARPORTS- ADDITION OF CARPORTS with a second from Joey Ingle. No members were opposed, and the motion carried.

- ◆ **SUB21-18 PARADISE PARK SUBDIVISION- Final Plat & Plans-** Cutberth Ln. and Gamble Rd. (Zoned R3-SF/ 9.64 Ac/ 40 Dwelling Homes) *Owner: Vara Kesavarapu; Engr: Odyssey Engineering, LLC; Chris Tilley (Planner: ENystrom)*
 - Molly Robb from Odyssey Engineer was present via Zoom.
 - Planner, Erik Nystrom, presented the staff report.
 - The property is located on the Northwest corner of Gamble Road and Cutberth Road.
 - The existing contours on the development were re-graded to direct the flow to the detention pond in the Southeast corner of the parcel.
 - Lots 18-26 were adjusted to accommodate the full extent of the pond and a 5- foot buffer.

- There is a 10- foot sidewalk along Gamble Road in accordance with the Master Trail Plan, as well as a 10- foot sidewalk along Cutberth Lane.
- Street trees are planted 60- feet apart along Gamble Road and Cutberth Road.
 - There will be no street trees planted on the detention pond lot.
- Final Site Inspection was held on 10/13/2023 and the site was complete with minor repairs needed.
 - All inspections were complete and approved by staff on 1/8/2024, except for the curb replacement on Gamble Road, which is postponed due to cold weather.
- The Street, Drainage, Water, and Sewer bond amounts have been approved by staff and draft bonds were received. A minor correction is needed for the Drainage bond to change “street infrastructure” to “drainage infrastructure.”
 - Streets (50% for 2 Years): \$173,832.50
 - Drainage (50% for 2 Years): \$192,875.00
 - Water & Sewer (50% for 1 Year): \$223,309.00
- Adjacent Street Agreement
 - **Gamble Road**- 8- Foot road widening to a total width of 36.5 feet Back of Curb to edge of asphalt, 10- foot trail construction, curb and gutter, storm pipe per plan, streetlights, and street trees.
 - **Cutberth Lane**- 8- foot road widening to a total width of 25 feet Back of Curb to edge of asphalt, 10- foot trail construction, curb and gutter, storm pipe per plan, streetlights, and street trees. A turn lane has been constructed at Cutberth and Gamble intersection.
- Covenants have been approved by the staff and the City Attorney.
- A well abatement has been completed and documentation was received on 1/9/2024.
- Street names and addresses were approved by Fire Chief Thompson on 1/8/2024.

With no other questions from the commissions, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve SUB21-18 PARADISE PARK SUBDIVISION- FINAL PLAT & PLANS WITH THE OUTSTANDING ITEMS STILL NEEDED with a second from Craig Langford. No members were opposed, and the motion carried.

- ◆ **SUB23-12 WARREN SUBDIVISION – Preliminary Plat & Plans** – 8256 Warren Rd (County/ 29.01 Ac/ 25 Single-Family Dwellings) *Owner: Paul Pinkley Construction, Paul Pinkley; Engr: Expedient Civil Engineering, Jason Ingalls (Planner: DMorrisonLloyd)*
 - ◆ Jason Ingalls from Civil Expedient Engineering was present.
 - ◆ Planner, Dianne Morrison Lloyd presented the staff report.
 - An adjacent property owner sent an e-mail to the city staff and spoke to the City Engineer, Alan Craighead, about their concern with the development of the property.

- 25- lot single- family subdivision at 8256 Warren Road in Benton County within Centerton Planning area.
- The property is located on the east side of Warren Road and north of Goodlet Road. Wynnebrook Subdivision is located to the east on the east side of Coffelt Cemetery Road.
- The subdivision will be serviced by Highfill Water.
- No sanitary sewer service is available.
- All lots are a minimum of 1 Ac to comply with ADH requirements for septic tanks.
- Setbacks per plat:
 - Front: 35'
 - Interior Side: 15'
 - Exterior Side: 35'
 - Rear: 25'
- A wetlands assessment was submitted. There are wetland areas but not jurisdictional or regulated under USACE 404.
- The Drainage Report had been approved by city staff.
 - One dry detention pond is located on the northeast side of the proposed subdivision between Lots 8 and 9 on the north side of Street 1.
 - The detention pond will outlet to the north of the subdivision.
- The streets are private with a 50- foot access and utility easement; additional 20' UE on the front of the lots; 26.5' of pavement; streetlights shown; no curb & gutter; no sidewalk.
- An Adjacent Street Agreement has been approved by city staff.
 - No street improvements are proposed to the county roads beyond the follow Right of Way dedication for Goodlet Road and Warren Road of 1.77 Ac.
 - Warren Road- The Master Street Plan designates Warren Road as a local Street. Right of Way dedicated as measured 25-feet from the centerline.
 - Goodlet Road- The Master Street Plan designates Goodlet Road as a major Collector. 40- feet of Right of Way will be dedicated from the property line.
- The subdivision will have access from both Goodlett Road and Warren Road and a stub out is proposed between Lots 10 and 11 for future development connection to the east.
- Street trees are proposed along Goodlet Rd.
- Minor comments are outstanding pertaining to labeling and clarification.
- ◆ City Engineer, Alan Craighead explained the concerns of the adjacent property owners, Amita, and Anita Thakre.
 - The water from the Warren Subdivision site goes north through the existing farm pond through the berm and through their property, across buyers on the west side and across Coffelt Cemetery.

- The county raised part of Coffelt Cemetery and added issues water on Coffelt Cemetery Road.
- The owners' main concern is that water already gets very close to their farm and garage, and they want to make sure the drainage won't negatively impact their property further.
- Alan Craighead spoke to Jason Ingalls earlier in the day about approving the Preliminary Plans Contingent to having Jason Ingalls look it over to try and enlarge the detention pond.
 - Jason Ingall agreed to double check the detention pond and look over the drainage report.
 - Jason Ingalls explains that he likes when neighbors give a heads up on current issues so they can make sure future problems are mitigated.
- Joey Ingle asked how the detention pond was going to get bigger? Variance?
 - Jason Ingall said the lots next to the detention pond are more than a one acre minimum to add to the detention pond.
- ◆ Joey Ingle asked for full half- street improvements for Goodlet per code.
- ◆ Adjacent property owners to the north of Warren Subdivision, Amita and Anita Thakre, 14137 South Coffelt Cemetery Road spoke about their concerns of the developing property,
 - They own three parcels to the north of the subject property which includes a farm of 150 goats, their house, and a garage.
 - The owners have been trying to contact the developer about meeting with them regarding flooding problems, but no promised contact has happened with them.
 - The owner, Anita Thakre, asked the liability limit for the Engineering firm that the proposed design for the pond will not flood my property.
 - Joey Ingle said that it is based on the insurance that they carry and its part of their licensure that they protect safety and welfare.
 - Jeff Seyfarth mentions that the basic foundation starts with what flooding happens before the development. The problems cannot be worse once the development is constructed. This is decided between Jason Ingalls firm and the city engineer.
 - Jeff Seyfarth said that in theory if the pond can be sized differently because if the water can stay on the property and not be dispersed, it can help the problems.
 - Joey Ingle said the Engineer is going above and beyond what they are required to do.
 - The owner, Anita Thakre, asked if they could get all the information and design needed through the Freedom of Information Act. He would like to hire an attorney to make sure it is done correctly because it's a threat to their small farm.
 - Joey Ingle said it was their right to do get all the information they need.

- ◆ Joey Ingle asked to continue the discussion about improvements to Goodlet Road since it is on the Master Street Plan.
 - Are we accepting a Fee-In-Leu for the building of Goodlet Road in the future?
 - Lorene added that we can work with the county for paving of Goodlet to make sure future maintenance will be completed.
 - Joey Ingle suggests having a full half street improvement per code.
 - Jason Ingall asks if they can propose to pave Goodlet from where it stops to the other side of the intersection.

With no other questions from the commissions, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve SUB23-12 WARREN SUBDIVISION- PRELIMINARY PLAT & PLANS CONTINGENT ON CHANGES TO THE POND/ DRAINAGE AND ADJACENT STREET IMPROVEMENTS ON GOODLET ROAD with a second from John Sessoms. No members were opposed, and the motion carried.

6. OTHER


- ◆ Update reports for the Public Works, Building Safety and Centerton Utilities Departments.
- ◆ Meetings have been set up to look at the Land Use plan with the City Department heads and Planning Department staff.
- ◆ Garver will be updating Lorene on the Title 15 Development Regulations
- ◆ Mayor Bill invited the commission to the community meetings to hear about extending the 1% tax and building a community center.

7. ANNOUNCEMENTS

- A. Next Council Meeting: 2/13/2024 @ 6:00 PM
- B. Next PC Meeting: 2/06/2024 @ 6:00 PM
- C. Next Tech Review Meeting: 1/18/2024 @ 2:00 PM (Zoom)

8. ADJOURN-

Devin Murphy made a motion to adjourn the meeting at 7:20 PM, with a 2nd from John Sessoms. No commissioners were opposed, and the meeting was adjourned.



Jeff Seyfarth- Planning Chair
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman