



**CENTERTON PLANNING COMMISSION**  
**March 19, 2024 @ 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 – 03/05/2024

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. **HOP24-33 PAWFECT CUTS MOBILE- Mobile Dog Grooming-** 1510 Ari Ave.; Timber Ridge PH 2  
(Zoned R3-SF) *Applicant: Tessa Miller (Planner: SHartman)*

- The applicant will only be using the home for storage of items such as shampoo, bows, and bandanas.

**5. OLD BUSINESS**

- A. **SUB21-19 AMBE ESTATES- Exp. 3/21/2024- Request for 6 months extension-** 8660 N. Rainbow Farm Road; Zoned R3-D; 7.89 Ac; *Applicant: Larry Grelle, Morrison-Shiple/ Halff; Engr: Morrison-Shiple Halff, Patrick Foy (Planner: ENystrom)*

- **New Adjacent Street Requirements & Agreement to add curb & gutter**
- **Drainage changes**
- **Water/Sewer updates**

**6. NEW BUSINESS**

**ORD**

- A. **{PUBLIC HEARING} REZ23-10 MODLUXE, LLC - Rezone From A-1 to R3-MF –** 578 Womack Rd; (4.85 Ac) *Owner: Modlux, LLC; Engr/ Repr: Civil Engineering, Inc., Ron Homeyer (Planner: KKnight)*
- B. **{PUBLIC HEARING} PUD23-04 MODLUXE TOWNHOMES-** Proposed Townhomes- 578 Womack Rd (Zoned A-1 / 4.85 Ac/ 54 Dwelling Units) *Owner: Modlux, LLC; Engr/Repr: Civil Engineering, Inc., Ron Homeyer (Planner: KKnight)*
- C. **SUB22-15 THE PINES 5-7- Request for 6-month extension-** 11501 Walters Rd.; Zoned R3-SF; 142 Ac; *Applicant: Schuber Mitchell Homes; Engr: Anderson Engineering (Planner: DMorrisonLloyd)*

**7. OTHER BUSINESS**

- A.

**8. ANNOUNCEMENTS**

- A. **Next Council Meeting: 04/09/2024 @ 6:00 PM**
- B. **Next PC Meeting: 04/02/2024 @ 6:00 PM**
- C. **Next Tech Review Meeting: 3/21/2024 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
MARCH 19, 2024**

**1. CALL TO ORDER**

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:00 P.M.

**2. ROLL CALL**

Those present and answering Roll Call were Jeff Seyfarth, John Sessoms, Craig Langford, Devin Murphy, Jerry Harris, Joey Ingle, and Brandon Swoboda (Via Zoom). Ben Lewis and Tony Davis were not in attendance. Others in attendance for the city were: Director of Planning Lorene Burns, Planner Dianne Morrison Lloyd, Planner Kayla Knight, Planner Erik Nystrom, City Engineer Alan Craighead, Mayor Bill Edwards, City Attorney Brian Rabal, and Planning Assistant/ Recorder Samantha Hartman.

**3. APPROVAL OF MINUTES**

**Commission Chair Jeff Seyfarth** introduced the minutes of the Planning Commission meeting from March 5, 2024, and asked Commissioners if anyone had questions or concerns.

*With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms made a motion to APPROVE THE PLANNING COMMISSION MEETING MINUTES FROM March 5, 2024. With a second from Joey Ingle. No members were opposed, and the motion was carried.*

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. HOP24-33 PAWFECT CUTS MOBILE- Mobile Dog Grooming-** 1510 Ari Ave.; Timber Ridge PH 2 (Zoned R3-SF) *Applicant: Tessa Miller (Planner: SHartman)*
- The applicant will only be using the home for storage of items such as shampoo, bows, and bandanas.

*With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to APPROVE THE RATIFICATION OF ADMINISTRATIVE APPROVALS with a second from Joey Ingle. No members were opposed, and the motion was carried.*

**5. OLD BUSINESS**

**A. SUB21-19 AMBE ESTATES- Exp. 3/21/2024- Request for 6 months extension- 8660**  
N. Rainbow Farm Road; Zoned R3-D; 7.89 Ac; *Applicant: Larry Grelle, Morrison-Shipley/ Halff; Engr: Morrison- Shipley Halff, Patrick Foy (Planner: ENystrom)*

- **New Adjacent Street Requirements & Agreement to add curb & gutter.**
- **Drainage changes**
- **Water/Sewer updates**

***Jeff Seyfarth entertained a motion. Joey Ingle motioned to bring SUB 21-19 AMBE ESTATES- Request for 6- Month Extension back to the table with a second from Craig Langford. No members were opposed, and the motion was carried.***

- ◆ Erik Nystrom gave a staff update.
  - Ambe Estates was previously granted preliminary approval extension by the Planning Commission on 03/21/2023. The preliminary approval expires on 03/21/2024.
    - Due to complications receiving their ADH permit, the developers have not had a pre-construction meeting.
  - Due to code changes over time, the plans warranted an update to the site.
    - Revisions include street, utility, and drainage appurtenances, as well as plat corrections based on comments from the Engineer, Planner, and Utilities Director.
  - Comments that were not previously addressed.
    - Adjacent Street Agreement
    - Changes to the Drainage
    - Updates to sewer
- ◆ City Engineer, Alan Craighead spoke about the concerns city departments have.
  - Centerton Utilities corridors have changed, and the water and sewer system are now put in the street.
    - The original plans have water & sewer outside of the street.
  - Alan Craighead has some minor concerns about the pond.
  - Alan Craighead would like to see the layout of the roads.
    - The main entrance road located at the north property line and needing the 90 degrees at the entrance and the ability for full sized fire truck to make that turn and then the immediate next to west again.
      - Similar to Sun Meadows Loop, which the Fire Trucks cannot make the turn into.
    - There is a 20' access road that is directly across from Brookside Road at the intersection of Brookside and Rainbow Farm. Due to its location, it can easily be assumed that this will not serve as an emergency access, but residents will use this as the primary access for ease, for which it is not designed.
  - Alan Craighead said we would need more information from the applicant about the subdivision and recommends not approving the extension, so the city can do an updated review.

- o Kayla Knight added that the project will expire and then they will have to re-apply with a new application and fee.
- ◆ Joey Ingle asked if we could help the applicant with the application fee since this is due to ADH problems with the city.
  - Lorene Burns said part of the problem is they are waiting for another development because they are waiting to hook up their sewer system to theirs.
  - Lorene Burns said that ADH has released that area.
- ◆ Chase Allison with Halff Engineering was present.
  - Ambe Estates and Daisy Road Duplex were reviewed concurrently with ADH because they both drain to the lift station in Brookside Estates.
  - We received the first round of comments from ADH earlier this week.
- ◆ Jeff Seyfarth said it looks like a significant infrastructure change.
- ◆ Brandon Swoboda asked if there are eight items from the Preliminary Plans that need to be addressed including reviewing the plans.
  - Lorene Burns said there were three different department personnel reviewing the plans previously.
- ◆ Jeff Seyfarth asked if we can put stipulations with approving an extension.
  - Isn't the same thing as re-reviewing the plans without paying the fees.
- ◆ Brandon Swoboda asked if it is still not approved in a year, can we submit verbiage saying that what the Building Code is the day they start building is something to which they must adhere.
- ◆ Lorene Burns said the reason we have expiration dates is we can update plans with any code changes that have been made.
- ◆ Kayla Knight added that starting a new submittal is good record keeping because we can now say the subdivision meets the current code.
- ◆ Craig Langford said he is struggling with the decision, but he is leaning to go with the city to do the subdivision correctly.

*With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve SUB 21-19 AMBE ESTATES- Request for 6- Month Extension with the new Adjacent Street Agreement and remaining comments addressed with a second from Joey Ingle. 7 Commissioners were opposed, and the motion was not carried.*

## 6. NEW BUSINESS

### A. {PUBLIC HEARING} REZ23-10 MODLUXE, LLC - Rezone From A-1 to R3-MF – 578 Womack Rd; (4.85 Ac) Owner: Modlux, LLC; Engr/ Repr: Civil Engineering, Inc., Ron Homeyer (Planner: KKnight)

- ◆ Ron Homeyer with CEI was present.
- ◆ Kayla Knight gave a staff report.
  - This parcel is located at the northeast corner of Kimmel and Womack Rd.
  - This parcel has an existing warehouse on the property, including 2 existing septic systems.
  - This property has a concurrent PUD that is contingent on the rezone approval.

- 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.
- This is adjacent to Kimmel Rd and Womack Rd. Both roads are designated as major collectors with a ROW of 80-ft per the master street plan. The McKissic Springs Loop is planned down Kimmel Rd, which is a 12-ft trail. Major collectors provide access to arterial roads, neighborhoods, parks, schools, and small commercial areas. They balance land access with mobility and direct traffic to the transportation grid.
- Centerton Water is available along Kimmel Rd and Womack Rd.
- Centerton Sewer is available to extend to west of this parcel, along Kimmel Rd.
- On the Land Use Plan, this area is designated for Medium/High Density Residential. Per the Land Use Plan, “medium/high density residential areas consist of detached and attached single-family residential homes with a density of 7-11 units per acre. Attached single-family residential can include townhomes or duplex residential properties.
  - Based on the goals of the Land Use Plan, the rezone request for R3-MF is **consistent**. R3-MF calls for a density up to 8 units per acre, which complies with the 7-11 unit per acre density suggested by the LUP and allows for flexibility in housing types.

**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 Joey Ingle. No Members were opposed, and the public hearing was opened.**

No public comments were made, and no public comment was received by city staff.

**Joey Ingle made a motion to close the public hearing with a Second from Devin Murphy. No members were opposed, and the motion was carried.**

- **The Planning Commission is asked to consider the following of the request to rezone from A-1 to R3-MF:**
  - **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why?**
    - Yes
  - **Is the proposed rezoning compatible with the surrounding area and zones?**
    - Yes
  - **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
    - Yes
  - **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
    - No, I do not believe it would benefit just this landowner.

- **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?**
  - No public comments were received.

**With no questions from the commissioners, Jeff Seyfarth entertained a motion. Craig Langford motioned to approve *REZ23-10 MODLUXE, LLC - Rezone From A-1 to R3-MF* with a second from Joey Ingle. No members were opposed, and the motion was carried.**

**B. {PUBLIC HEARING} PUD23-04 MODLUXE TOWNHOMES-** Proposed Townhomes- 578 Womack Rd (Zoned A-1 / 4.85 Ac/ 54 Dwelling Units) *Owner: Modlux, LLC; Engr/Repr: Civil Engineering, Inc., Ron Homeyer (Planner: KKnight)*

- ◆ Ron Homeyer with CEI was present.
  - 48-unit Multi-Family Style townhomes.
  - Reduce setbacks to have a common area in the center with amenities.
    - Pickleball Courts
    - Playground
  - 2 uncovered Parking spaces with a single car garage per unit
- ◆ Kayla Knight gave the staff update.
  - The applicant is requesting a PUD to develop a multi-family development at the northwest corner of Womack Rd and Kimmel Rd. The development will include 48 residential units within 12 four-plex buildings.
  - The property has access to Centerton Water along Kimmel Rd and Centerton Sewer is available to connect to through Blossom Hills subdivision to the west.
  - There is no FEMA designated floodplain on the parcel, and there are no wetlands indicated on the National Wetlands Inventory Mapper.
  - The property is directly adjacent to zone R-2.
  - This parcel is adjacent to Kimmel Rd and Womack Rd. Both roads are designated as major collectors with a ROW of 80-ft per the master street plan.
  - The McKissic Springs Loop is planned along Kimmel Rd, which is a 12-ft trail. Because the location of the Mckissic Spring Loop has not been fully planned, this PUD proposes to build a 6-ft sidewalk on Kimmel and a 10-ft sidewalk on Womack.
    - In the future, the city will be responsible for building the other 6-ft of the trail.
  - Internal streets are proposed to be private, with a width of 25-ft BOC. Sidewalks are not provided along interior streets because there are 5-ft sidewalks throughout the development for pedestrian circulation.
  - Municipal code 14.04.12 requires the property be in single or corporate ownership at the time of filing, or that the application is filed by all owners of the property.
    - No future additional land division shall be permitted, except upon consideration and approval by the Planning Commission.

- There is no visitor parking.
  - Jeff Seyfarth said they may have to get rid of one unit to accommodate for visitor parking.
  - Lorene Burns said there is no parking on the streets due to the width of private roads.

**The commissioners had no questions and Jeff Seyfarth entertained a motion. Craig Langford made a motion to open the public hearing with a second from John Sessoms. No Members were opposed, and the public hearing was opened.**

- Marcos Reyes from 449 Womack Road
  - Concerns traffic flow.
    - 3 lanes from Womack to eventually Main Street
  - Concerned with water flowing to my property.
    - Alan Craighead talks about the study they have to do with what currently happens.
      - They have to show it will either stay the same or go down.
      - In this case, the drainage flow is going down.
        - Most of the water will be going to the Southwest Pond and not North.
    - Is there anything I can do now to show proof of drainage issues?
      - Jeff Seyfarth said pictures are always good.
      - Everything is a public record, so if you have any concerns, you can come and ask the city staff.

**The commissioners had no questions and Jeff Seyfarth entertained a motion. Joey Ingle made the motion to close the public hearing with a second from Craig Langford. No Members were opposed, and the public hearing was opened.**

- ◆ Jeff Seyfarth told Ron the biggest issue is the amount of visitor parking.
  - Open space is created but then no spaces are created for the extra spots.
  - We have asked other PUDs to create extra visitor areas.
- ◆ Joey Ingle asked about building articulation.
  - Brick is wrapped along the bottom.
- ◆ Joey Ingle asked what the requirements area for articulation.
  - Kayla Knight said we require two materials.
  - Ron Homeyer said he will have to speak with the owner to have the masonry put anywhere there is a public view.

**With no questions from the commissioners, Jeff Seyfarth entertained a motion. Brandon Swoboda motioned to TABLE *PUD23-04 MODLUXE TOWNHOMES TO ADDRESS VISITOR PARKING AND BUILDING ARTICULATION* with a second from John Sessoms. No members were opposed, and the motion was carried.**

**C. SUB22-15 THE PINES 5-7- Request for 6-month extension- 11501 Walters Rd.;**  
 Zoned R3-SF; 142 Ac; *Applicant: Schuber Mitchell Homes; Engr: Anderson Engineering*  
*(Planner: DMorrisonLloyd)*

- ◆ Michael Berry from Schuber Mitchel was present.
- ◆ Dianne Morrison Lloyd gave the staff report.
  - The developer is requesting an extension of their preliminary approval received on 03/21/2023 due to ADH hold up regarding sewer capacity.
  - Since the Preliminary approval, all remaining comments have been addressed and the intersection of High West Rd and CP Rakes Rd has been realigned to not cause grading off their site per Planning Commission Comments.
  - The adjacent street agreement was approved at the 03/21/2023 meeting and is approved by staff contingent on the fee-in-lieu being reviewed to confirm the cost estimates.
  - The approved plans are compliant with current codes.

**With no questions from the commissioners, Jeff Seyfarth entertained a motion. Craig Langford motioned to approve *SUB22-15 THE PINES 5-7- Request for 6-month extension* with a second from Joey Ingle. No members were opposed, and the motion was carried.**

#### **7. OTHER**

- **Director of Planning, Lorene Burns asked the Planning Commission if they agreed to Administrative Approval for temporary buildings for when projects are in construction phase.**
  - The Planning Commission agreed that as long as the structure was temporary, Administrative Approval was acceptable.
  - The structure has to be shown on the plans.

#### **8. ANNOUNCEMENTS**

- **Next Council Meeting: 04/09/2024 @ 6:00 PM**
- **Next PC Meeting: 04/02/2024 @ 6:00 PM**
- **Next Tech Review Meeting: 3/21/2024 @ 2:00 PM (Zoom)**

#### **9. ADJOURN**

Devin Murphy made a motion to adjourn the meeting at 7:24 PM, with a 2<sup>nd</sup> from Tony Davis. No commissioners were opposed, and the meeting was adjourned.



Jeff Seyfarth- Planning Chair  
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman