



## CENTERTON PLANNING COMMISSION

April 2, 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 – 03/19/2024

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

A. **HOP24-05 NO SWEAT LAWCARE – Mowing Lawns-** 551 Kenswick Dr.; Tamarron (Zoned R-2)  
*Applicant: Brian Evans (Planner: SHartman)*

- Office & Administrative Use Only

B. **HOP24-06 NILAY LIVING- Selling Marble Décor & Kitchen Utensils-** 740 Maplewood Dr.; Clark Estate (Zoned R3-SF) *Applicant: Rahul Shukla (Planner: SHartman)*

- Online Sales and Office Use

C. **MSI24-04 BWHS–Addition of Bleachers–** 1355 Gamble Rd. (Zoned A-1/ 1.00 Ac) *Engr/Repr: Flinto Co; Ryan Knight; Owner: Bentonville School District (Planner: KKnight)*

**5. OLD BUSINESS**

A. **{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)*

**6. NEW BUSINESS**

**ORD** A. **{PUBLIC HEARING} REZ24-03 WEEKS-Rezone from A-1 to R3- SF-**12660 Bush Road (5.01 Ac) *Owner: George and Chara Weeks; Engr: Odyssey Engineering LLC, Chris Tilley (Planner: ENystrom)*

**ORD** B. **TS24-04 CRYSTAL COVE PH 1-Replat-** Keller Rd. (Zoned RTH-MF12) *Owner: Infas Corp., LLC; Engr/ Repr: Tim Lemons (Planner: DMorrisonLloyd)*

C. **DEV23-10 SPLASH CARWASH – Revised Preliminary Plans –** 250 East Centerton BLVD. (Zoned C-1/ 1.59 Ac) *Applicant: Collier International; Bradford Gains; Engr: Phillip Lewis Engineering; Mark Blakeley (Planner: ENYSTROM)*

**7. OTHER BUSINESS**

**8. ANNOUNCEMENTS**

A. **Next Council Meeting: 04/09/2024 @ 6:00 PM**

B. **Next PC Meeting: 04/16/2024 @ 6:00 PM**

C. **Next Tech Review Meeting: 4/18/2024 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
APRIL 2, 2024**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

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

**3. APPROVAL OF MINUTES**

- A. Planning Minutes – 03/19/2024
- B. Special Planning Meeting Minutes-03/26/2024

*With no questions or comments from the commission, Jeff Seyfarth entertained a motion. Ben Lewis motioned to approve the **PLANNING COMMISSION MINUTES FROM MARCH 19, 2024, AND MARCH 26, 2024, with a second from Joey Ingle. No members were opposed, and the motion carried.***

**4. RATIFICATION OF ADMINISTRATIVE APPROVAL**

- A. **HOP24-05 NO SWEAT LAWCARE – Mowing Lawns-** 551 Kenswick Dr.; Tamarron (Zoned R-2) *Applicant: Brian Evans (Planner: SHartman)*
  - ◆ Office & Administrative Use Only
- B. **HOP24-06 NILAY LIVING- Selling Marble Décor & Kitchen Utensils-** 740 Maplewood Dr.; Clark Estate (Zoned R3-SF) *Applicant: Rahul Shukla (Planner: SHartman)*
  - ◆ Online Sales and Office Use
- C. **MSI24-04 BWHS–Addition of Bleachers–** 1351 Gamble Rd. (Zoned A-1/ 1.00 Ac) *Engr/Repr: Flinto Co; Ryan Knight; Owner: Bentonville School District (Planner: KKnight)*

*With no comments or questions from the commission, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve the **RATIFICATION OF ADMINISTRATIVE APPROVALS** with a second from Tony Davis. No members were opposed, and the motion carried.*

## 5. OLD BUSINESS

### A. 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 from Civil Engineering, Inc. was present.
- ◆ Kayla Knight gave the staff report.
- ◆ They did update the articulation.
  - They changed the materials in the rear to meet code.
  - Joey Ingle asked if it met the intent because he thought an articulation was required every so many feet.
- ◆ The dwellings are 2- stories and 35- feet from Kimmel Road.
- ◆ The staff has concerns regarding lack of visitor parking because all the proposed dwelling units are 3 bedrooms, and only three parking spaces are being provided per dwelling unit.
- ◆ The streets are 25- feet back of curb which means there's no room for on-street parking.
- ◆ We have precedent to ask for visitor parking with other developments like this.
  - Featherston West, which is across the street was required to have on-street parking in certain areas.
  - The Robbins PUD, which is east of this development, is required to have on- street parking for visitors as well.
- ◆ Lorene Burns noted that the PUD code specifically says the following:
  - All facade walls should be composed of 100% architectural materials with at least 2 of the following materials:
    - Brick, Dry fit architectural concrete blocks, Glass, Pre-cast made in stone, Wood, Tile, Stucco, Fiber cement siding, Aluminum composite panels, Flush metal paneling, Brick.
  - ACP or FMP may not compose of more than 25% of the area of any one façade wall.
  - The wall(s) in view of the public may not be completely flat but shall be broken vertically in at least one direction in the vertical plane for each 100 feet of horizontal surface or minimum time whichever is more stringent. This requirement may be met by a recessed or extended entrance simulating articulated facade through use of at least 2 different architectural materials may be considered to meet this requirement on sidewalls or forefront facades after the first articulation.
- ◆ Kayla Knight asked if the awnings on the back of the buildings stick out.
- ◆ Lorene Burns said this would count as no articulation.



- ◆ Joey Ingle asked Ron Homeyer if he had any questions about parking.
  - Jeff Seyfarth said we are setting this development up for failure if no additional parking is available on the streets.
  - In the code book, it states additional visitor parking will be considered.
- ◆ Joey Ingle asked Kayla Knight if she knew the bedroom count for the surrounding PUDs.
  - Kayla Knight didn't know exact count; however, it was around 1 to 2 visitor spots available per dwelling.
- ◆ Joey Ingle said he doesn't believe every dwelling will need additional parking, but possibly every other 1 will have the additional parking problem.
- ◆ Craig Langford asked if the open space of 31.2% is what's needed or what they have?
  - Kayla Knight responded that they have what is required but no "wobble room" based on their increased density.
- ◆ Brandon Swoboda mentions that we tabled the project at the previous meeting because we had a conversation that the applicant is requesting so many changes per code and the city is trying to find a balance between the developers needs as well as the cities safety needs.
  - Nothing was brought back to the Planning Commission to meet in the middle in terms of appropriate additional parking.
- ◆ Deputy Fire Chief, Paul Higginbotham says there's nothing in code that limits one-way roads, but it is not preferred because no one follows it on residential roads and the emergency vehicles get blocked.
- ◆ Lorene Burns asks what the Planning Commission recommends for visitor parking.
  - Brandon Swoboda mentioned that per code without the PUD, they would need to meet the 8 units per acre which would be 38 units. They currently have 48 units with the PUD. The difference between the two would have met the greenspace and parking requirements.
    - Joey Ingle agrees and likes the solution of trying to find an expectation on a median parking count we can agree to.
  - Jeff Seyfarth said he doesn't want to give a number because part of having a PUD allows for flexible and creative design. He would like to see what they propose and go from there.
- ◆ Ron Homeyer said the reason a PUD is being done is because the applicant isn't doing units on their own lot and with all the needed requirements, they had to increase the density to make it work financially.
- ◆ Ron Homeyer will go back and try to widen the north and south streets to see if it can accommodate 4-5 parallel parking per side.
- ◆ Articulation requirement isn't met being there is not 1 physical articulation, which is required before the multi- material can be used.

- ◆ The Planning Department received 1 public comment at the end of the day that Kayla Knight has responded to and was given to all commissioners in a separate document.

*With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. Joey Ingle motioned to Table PUD23-04 MODLUXE TOWNHOMES with a second from Jerry Harris. No members were opposed, and the motion carried.*

## 6. NEW BUSINESS

### A. PUBLIC HEARING} REZ24-03 WEEKS-Rezone from A-1 to R3- SF-12660 Bush Road (5.01 Ac) Owner: George and Chara Weeks; Engr: Odyssey Engineering LLC, Chris Tilley (Planner: ENystrom)

- ◆ Chris Tilley from Civil Odyssey Engineering LLC was present.
  - Rezone is dependent on the sale of the house.
  - Developer is requesting single family homes, similar to Silver Leaf Subdivision
  - R3-SF meets future the Land Use Plan of 3- 7 units per acre.
    - Max Density for R3-SF is 6 units per acre max.
  - This rezone would allow for in-fill in the area.
    - Will make use of the existing infrastructure while making improvements to Bush Road at the cost of the developer.
- ◆ Planner, Erik Nystrom presented the staff report.
  - A rezone request from A-1 to R3-D (max density 7 units per acre) was denied by the Planning Commission on 11/15/2022.
    - The City Council denied their appeal on 01/10/2023.
  - The parcel is designated as low/medium density residential on the adopted land-use plan (max density 3-7 units per acre).
  - The parcel has direct street frontage along Bush Rd (Major Collector, 80' ROW).
  - The parcel has direct access to an existing 12' water main. There currently is no sewer access but the property adjacent to the east will connect to sewer once its developed.
  - No Floodplains or Floodway are located on or adjacent to the parcel.
  - The National Wetlands Inventory Mapper shows potential riverine wetlands.
    - An assessment will be required prior to development.
  - The parcel is surrounded by the following:
    - R-2- Westridge Village, 2.5 units/ac; Tamarron Subdivision, 2.9 units/ac;
    - R3-SF abutting to the east are the Bush Rd Homes with 7.4 units/ac) and Silver Leaf (R3-SF) with 2.6 units per acre.
    - There are agricultural (A-1) tracts abutting to the west, followed by
      - Staff finds the rezone to R3-SF to be compatible use with the surrounding single-family residential zoning.



- For Planning Commission's consideration, the development meets/not meets the following Implementation items in the Centerton Comprehensive Plan:
  - **Item 19:** Focus short-term investment on infill in order to avoid significant investment in capital improvements in greenfield areas. **(CONSISTENT)**
  - **Item 20:** Prioritize the completion of subdivisions rather than the development of green fields that would require new infrastructure, further stressing existing public services. **(MAY BE CONSISTENT)**
  - **Item 22:** Focus new residential development in the area of the city near the new Jr. High first to capitalize on the adjacency to the new school. **(CONSISTENT)**
  - **Item 33:** Locate new residential development directly adjacent to an existing neighborhood. **(CONSISTENT)**
  - **Item 35:** Seek to increase density in key areas to reduce the land cost per unit for a development in order to address affordability. **(MAY BE CONSISTENT)**
- ◆ Planner, Kayla Knight added that this parcel is located within Node 2 on the Land Use Plan which specifically calls for residential in the areas adjacent to the new junior high school.

**The commissioners had no questions and Jeff Seyfarth entertained a motion. Tony Davis made a motion to open the public hearing with a second from Devin Murphy. No members were opposed, and the public hearing was opened.**

- ◆ The City Staff received 2 emails concerned about the rezone.
  - **Lauren Taylor- Hamm** is concerned about the current infrastructure and not upholding added traffic. If more housing is added, low residential is preferred to keep to the small-town charm in the area of Centerton.
  - **Nadesha Richardson** wants to recommend low density to maintain safety and character of the surrounding neighborhoods. She also wants to preserve green space and promote a more sustainable urban environment. Lastly, she adds that low density housing tends to be associated with lower traffic congestion.
- ◆ The following residents were in attendance at the Planning Commission Meeting:
  - **Parker Teshima at 12712 Bush Road** believes R3-SF is too dense and would like to see it rezoned to be equivalent to the Silver Leaf Subdivision.
  - **Richard Marwedel at 1520 Aniston Road** is concerned with cramming into many units and the density of the parcel.
  - **Laurie Hamm of 1701 Amber Way** reiterated from e-mail of concern that Vaughn Road is unsafe to drive and doesn't support adding traffic.

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

- ◆ Tony Davis did let the residents know that if a development was to be built, infrastructure improvements would be required, such as sidewalks, per the code. .
- ◆ **PC is asked to consider the following of the request to rezone from A1 to R3-SF:**
  1. **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why?**
    - Jeff Seyfarth states that yes, it is consistent with a max of 6 units per acre.
    - Tony Davis asks about the overlay for an increase density near school.
    - City Engineer Alan Craighead states that the area is bussed to school because 279 is without sidewalks.
  2. **Is the proposed rezoning compatible with the surrounding area and zones?**
    - Yes, because it is surrounded by single- family residential.
  3. **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
    - Yes
  4. **Would the rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area?**
    - No, a review for each project in this area is done.
  5. **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?**
    - The public is opposed due to traffic and infrastructure.
      - Not factual with options to be bussed to school.

**With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. Joey Ingle motioned to recommend approval to the City Council *REZ24-03 WEEKS-REZONE FROM A-1 TO R3- SF AT 12660 BUSH ROAD* with a second from Ben Lewis. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.**

**B. TS24-04 CRYSTAL COVE PH 1-Replat- Keller Rd. (Zoned RTH-MF12) Owner: Infas Corp., LLC; Engr/ Repr: Tim Lemons (Planner: DMorrisonLloyd)**

- ◆ Beth Oaks from TriStar was present.
- ◆ Tim Lemons from Lemons Engineering was present via Zoom.
  - Replat to add easements for the gas company, access to utilities, and mowing in the rear of the middle lots.
- ◆ Dianne Morrison Lloyd gave the staff report.
  - For clarification, this is an amended plat and not a replat.
  - Since this is single family, families are going to need to maintain their own lawns, therefore access easement will be needed in the middle lots for utilities.
- ◆ Joey Ingle asked why the gas easements are going in the back of the houses, when they are normally installed in the front everywhere else.



- The City Engineer responded that there needs to be a minimum spacing of 36 inches between meters, doors, and windows therefore it can't fit in the front.

*With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. Craig Langford motioned to approve TS24-04 CRYSTAL COVE PH 1-Replat with a second from Joey Ingle. No members were opposed, and the motion carried.*

**C. DEV23-10 SPLASH CARWASH – Revised Preliminary Plans – 250 East Centerton BLVD. (Zoned C-1/ 1.59 Ac) Applicant: Collier International; Bradford Gains; Engr: Phillip Lewis Engineering; Mark Blakeley (Planner: ENystrom)**

- ◆ Tanner Freeman with Colliers Inc was present.
  - They are bringing back the project that was formerly approved on 11/15/2023 to reduce building footprint.
    - Reducing building and vacuums and adding greenspace.
    - Keeping all technical aspects of the previously approved plans.
- ◆ Erik Nystrom gave the staff report.
  - The preliminary plans were approved on 11/15/2022 and received an extension for one year on 11/07/2023 to 11/07/2024.
  - The developer has decreased the size of the building and number of parking spaces and vacuum stalls.
  - Access onto Fair St has been moved to the north and landscaping has been updated with 2 more trees in the greenspaces to the west along Fair St.
  - An R3-MF residence is located north of the property, a C-2 strip mall is located east, and a C-2 Bank is located west across Fair St.
  - A conditional use permit was approved by the Planning Commission on 10/18/2022 for the use of a carwash in C-1 Zone.
  - Remaining comments are primarily related to updating contact information for various departments, minor site plan correction, and comments by Utilities regarding the sewer connection.
  - The Adjacent Street Agreement has not been approved. The current draft of the agreement calls for the following:
    - A new sidewalk parallel to existing Fair Street to be built in accordance with City of Centerton detail standards.
    - New curb & gutter at edge of existing pavement (east side) of Fair Street – to be built in accordance with City of Centerton detail standards.
    - Construct new 18-inch storm drain with (2) new inlets along the east side of Fair Street – to be built in accordance with City of Centerton detail standards. New 10-foot (+/-) concrete apron on new access drive on the east side of Fair Street into the Splash site. The apron will be built to City of Centerton detail standards.
    - The Owner shall repair/replace any damage to existing Fair Street pavement and any other damage in right-of-way due to the construction of the above delineated amenities.”



➤ **Staff recommend approval of the adjacent street agreement.**

- The proposed site will consist of concrete pads, asphalt drives, new building, and landscaped green space that will be graded towards the detention pond located towards the southwest of the site. Development of the site will utilize a curb and gutter system to convey the storm water to respective catch basins, which will discharge to the detention basin.
- A total of 21 trees and 217 Shrubs are placed throughout the property, mainly along the Back of Curb and Curb Islands. Street Trees have been requested by the Planning Commission during the Conditional Use Hearing; however, the placement of utilities and R/W constraints limit the planting of street trees.
  - Added 2 trees since previously approved.
- A minor Floodplain Development was issued by the Floodplain Manager on December 8, 2022, and has since expired.
  - The applicant will need to reapply for a new floodplain development permit using the updated site plan and elevation information.
- A 6' tall privacy fence is proposed along the north side of the property to provide screening for the adjacent residential property line.
- There are a total of three employee parking spots including one handicap spot, and a vacuum bay designated as an overflow employee parking spot.
  - The applicant states there will be a max of two employees working on site at a time.
  - According to the project engineer, the office space is 300 sf. The parking requirements require 1 space per 200 sf of commercial.
- Centerton Utilities Director has made a comment on the sewer connection to the main line. The angle of the connection was too sharp to accommodate the flow of sewage to the main line.
  - The sewer connection is being revised according to the Centerton Utility Director's comments.
- Brandon Swoboda is concerned with congestion when leaving with the tunnel exit, especially with a left-hand turn lane.
  - Tanner Freeman said that they have used this design on multiple of their projects and there hasn't been an issue.
- Brandon Swoboda asked why they are pushing so hard to keep the left-hand turn lane.
  - Philip Lewis from Philip Lewis Engineering, Inc said it was more opportunity to receive business.
- Lorene Burns asked if it was possible to use an easement to use Verizon's entrance? There is an existing city Right of Way alley if the applicants want to pursue the left-hand turn lane.
  - Joey Ingle said Verizon's entrance might may be a little too narrow and may need to be widened.

- Previous approved plans have a left in and left out on West Centerton Blvd.
- Brandon Swoboda said he loves everything about the plans except for the left-hand turn. How much does the owner want the left-hand turn?
  - Tanner said the owner is attentive to his businesses and will fix something if needed.
- Tanner said if the approval is based on the left- hand turn, they are willing to remove the left turn lane out to get this project approved.

*With no other questions from the commissions, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve DEV22-07 SPLASH CARWASH, with the outstanding staff comments and with the revision discussed tonight, including reducing the drive to a right in and right out on 102 as well as the contingent upon the Adjacent Street Agreement and the Flood Plain Permit- with a second from Brandon Swoboda. No members were opposed, and the motion carried.*

## 7. OTHER

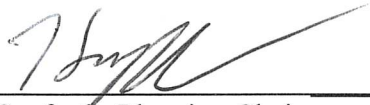
- Joey Ingle asked why townhomes can't be done on R3-MF?
  - Kayla Knight said it's very specific and it's designated for one building per lot but they can have up to four units attached on the one lot.
  - Lorene Burns said our setbacks are derived from the lot lines.
  - Joey Ingle thinks it's weird that ownership dictates the PUD.
  - It doesn't make a difference from the Fire Department because four plex have to be sprinkled.

## 8. ANNOUNCEMENTS

- A. Next Council Meeting: 04/09/2024 @ 6:00 PM
- B. Next PC Meeting: 04/16/2024 @ 6:00 PM
- C. Next Tech Review Meeting: 4/18/2024 @ 2:00 PM (Zoom)

## 9. ADJOURN-

**Jerry Harris made a motion to adjourn the meeting at 7:35 PM, with a 2<sup>nd</sup> from Devin Murphy. No commissioners were opposed, and the meeting was adjourned.**



Jeff Seyfarth- Planning Chair  
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman