



## CENTERTON PLANNING COMMISSION

April 18, 2023 @ 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 – 04/04/2023
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **HOP23-11 DAISY KAY DESIGNS- Online Sales of Shirts & Tumblers-** 1030 Monarch Dr (Zoned R3-SF/ Barrington Place Subdivision) *Applicant: Alyssa Vazquez (Planner: KKnight)*
  - B. **HOP23-12 J & M MARKETING- Digital Marketing-** 118 Birch St (Zoned R-2/ Oak Ridge Subdivision) *Applicant: Jason & Mindy Sminchak (Planner: KKnight)*
5. **OLD BUSINESS**
  - A. **{TABLED ON 04/04} {PUBLIC HEARING} REZ23-02 VICTORIA PEAK, LLC (MAIN ST MIXED USE)- Rezone From A-1 to C-3 & RTH-MF12-** 974 Main St (9.83 Ac/ 1.99 Ac Proposed C-3/ 7.84 Proposed RTH-MF12) *Applicant/ Owner: Victoria Peak, LLC, Evan Bergam; Engr/ Repr: CEI, Chad Caletka (Planner:KKnight)*
  - B. **{TABLED ON 04/04} {PUBLIC HEARING} PUD23-01 MAIN ST MIXED USE- Proposed Mixed Use-** 974 Main St (9.83 Ac/ 1.99 Ac Proposed C-3/ 7.84 Ac Proposed RTH-MF12) *Applicant/ Owner: Victoria Peak, LLC, Evan Bergam; Engr/ Repr: CEI, Chad Caletka (Planner: KKnight)*
6. **NEW BUSINESS**
7. **OTHER BUSINESS**
  - A. **PUD CODE AMENDMENT-** Code Section 14.04.12
8. **ANNOUNCEMENTS**
  - A. **Next Council Meeting: 05/09/2023 @ 6:00 PM**
  - B. **Next PC Meeting: 05/02/2023 @ 6:00 PM**
  - C. **Next Tech Review Meeting: 04/20/2023 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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 18, 2023**

**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, Joey Ingle, Jerry Harris, Tony Davis, John Sessoms, Craig Langford, Ben Lewis, Devin Murphy, and Brandon Swoboda. Others in attendance for the city were: City Senior Planner Dianne Morrison Lloyd, City Planner 1 Erik Nystrom, City Planning Director Lorene Burns, City Engineer Alan Craighead, City Fire Marshal Paul Higginbotham, City Mayor Bill Edwards, City Attorney Brian Rabal, City Recorder Todd Wright, and City Planner 1 / Recorder Kayla Knight.

**3. APPROVAL OF MINUTES**

**Jeff Seyfarth** asked for a motion to approve minutes from the 04/04/2023 Planning Commission Meeting.

**John Sessoms** made a motion to approve the minutes from 04/04/2023 Planning Commission Meeting, with a Second from Joey Ingle. No members were opposed, and the motion was carried.

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

**A. HOP23-11 DAISY KAY DESIGNS- Online Sales of Shirts & Tumblers- 1030 Monarch Dr (Zoned R3-SF/ Barrington Place Subdivision) Applicant: Alyssa Vazquez (Planner: KKnight)**

**B. HOP23-12 J & M MARKETING- Digital Marketing- 118 Birch St (Zoned R-2/ Oak Ridge Subdivision) Applicant: Jason & Mindy Sminchak (Planner: KKnight)**

**Joey Ingle** made a motion to approve the ratifications of administrative approvals with a Second from John Sessoms. No members were opposed, and the motion was carried.

**5. OLD BUSINESS- NONE**

**A. {TABLE} {PUBLIC HEARING} REZ23-02 VICTORIA PEAK, LLC (MAIN ST MIXED USE)- Rezone From A-1 to C-3 & RTH-MF12- 974 Main St (9.83 Ac/ 1.99 Ac Proposed C-3/7.84 Proposed RTH-MF12) Applicant/ Owner: Victoria Peak, LLC, Evan Bergam; Engr/ Repr: CEI, Chad Caletka (Planner: KKnight)**

**John Sessoms made a motion to bring REZ23-02 Victoria Peak back to the table with a Second from Ben Lewis. No members were opposed, and the motion was carried.**

- Joey Ingle recused himself for this item and left the podium.
- Chad Caletka with CEI was present and gave a brief overview. Based on the previous comments from the Planning Commission, the developer would like to revise their proposed zoning to have commercial along the entire frontage of Main St, and RTH-MF12 behind it. He also mentioned that based on the constraints of the property and commercial being proposed, it is physically impossible to fit 12 units per acre, as allowed by the RTH-MF12 zoning. Planning Staff agreed 12 units/acre would be physically impossible while following code and told the Planning Commission they will include math for the maximum number of units that could be fit in the next report.
- Lorene Burns and City Attorney Brian Rabal agreed that because the developer is asking to extend the commercial (which is higher density than the previous request) additional public notice will have to be sent out and the Planning Commission would not be able to vote on these items this meeting.
- City Planner Kayla Knight told the Planning Commission that other than the information already presented, nothing was different for the rezone.

**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 Ben Lewis. No members were opposed, and the public hearing was opened.**

- Chet Putnam (1016 Tarah Knolls), Steven Parker (151 Verona Way), Jason Fielding (1018 Tarah Knolls), Jared Corn (1004 Tarah Knolls), and Chad Owen (1037 Tarah Knolls) had concerns regarding the project not following the Master Land Use Plan, decreasing property value, and negatively impacting traffic.
- Blake Hill (810 Main St) and Deborah Busbea (1014 Tarah Knolls) have concerns regarding the design of the site.
- Joey Ingle (1015 Tarah Knolls) said he preferred the entire frontage of Main St to be commercial but had concerns regarding all of the open space being proposed being under an electrical easement.
- The public asked additional questions about the design of the development such as:
  - How many townhomes are being proposed?
  - What is the proposed density?
  - Is the open space being provided useable and desired?
- It was explained that the Planning Commission cannot discuss the PUD aspects while considering the rezone. Jeff Seyfarth explained to the public that the Land Use Plan is a guide, and some of the data cited in the Land Use Plan was gathered before Centerton began growing at an exponential rate. He further explained that the design proposed included thought for future connectivity.

**Jerry Harris made a motion to close the public hearing with a Second from Tony Davis. No members were opposed, and the motion was carried.**

- Tony Davis brought up concerns about the Planned Unit Development and the City Attorney reminded the Planning Commission they cannot discuss the PUD while considering the rezone.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to table REZ23-02 Victoria Peak, with a 2<sup>nd</sup> from Devin Murphy. No Commissioner was opposed, and the item was tabled.**

**B. {Table} {Public Hearing} PUD23-01 MAIN ST MIXED USE- Proposed Mixed Use- 974 Main St (9.83 Ac/ 1.99 Ac Proposed C-3/ 7.84 Ac Proposed RTH-MF12) Applicant/ Owner: Victoria Peak, LLC, Evan Bergam; Engr/ Repr: CEI, Chad Caletka (Planner: KKnight)**

- Chad Caletka with CEI was present and gave an overview. He highlighted a few design changes including: 39 townhomes instead of 48, though the density stayed at approximately 6 units/acre. There is 15% open space, with Lot 2 being a proposed dog park that will be dedicated to the city, if the city approves.
- Jeff Seyfarth asked if there was a 10-ft landscape buffer along existing residential. Chad explained there will be a 6-ft privacy fence with a landscaping buffer.
- Brandon Swoboda summarized previous concerns about connectivity and Jeff Seyfarth explained the Land Use Plan, with the intent to keep connectivity between existing residential and future residential, as well as all future commercial having shared access. Brandon Swoboda said he prefers having a mix of residential and commercial along the frontage.
- Chad said they will be removing the commercial from the PUD, since they are being asked to give 25% greenspace.
- City Planner Kayla Knight brought up staff concerns regarding the proposed local streets and asked the City Engineer to expand upon the logistics. Alan Craighead went through a summation of comments, highlighting that the proposed local road to the south cannot be lined up with Skinner because of the existing building on site that the developer plans to use. Because of the distance between entrances, there is a concern with left turn conflicts, but due to site constraints, there is no perfect solution.

**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 Tony Davis. No members were opposed, and the public hearing was opened.**

- Jason Fielding (1018 Tarah Knolls) has concerns regarding the water easement proposed to connect to Tarah Knolls.
- Steven Parker (151 Verona Way) had concerns regarding increased traffic, and the smell of the dog park. Chad Own (1030 Tarah Knolls) also had concerns regarding the location of the dog park, and whether it would be truly accessible to the public. Tony Davis explained there would be required signage, and publishing to make the public aware, but he was concerned that the proposed open space was not sufficient.
- Chet Putnam (1016 Tarah Knolls) had concerns regarding the fire turn around. Paul Higginbotham confirmed that what is proposed is sufficient, and the development will be sprinkled.
- Joey Ingle (1015 Tarah Knolls) asked the Planning Commission to require a stub out to the north to allow for connectivity between existing and future residential. Chad Caletka clarified that the proposed roads will be public. Joey Ingle also requested additional screening and landscaping.
- Cindi Zumstein (1092 Main St) asked that the Planning Commission to consider the fact that the dog park is under an electrical easement.

**John Sessoms made a motion to close the public hearing with a Second from Craig Langford. No members were opposed, and the motion was carried.**

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to table PUD23-01 Main St Mixed Use with a 2<sup>nd</sup> from Ben Lewis. No Commissioners were opposed, and the item was tabled.**

**6. NEW BUSINESS**

**7. OTHER BUSINESS**

**A. PUD CODE AMENDMENT- Open Space Discussion- Code Section 14.04.12**

- Joey Ingle returned to the podium.
- Lorene Burns gave a summary of the intent of a PUD and asked the Planning Commission for their thoughts. Tony Davis said he believes a PUD allows flexibility in design but should include a give and take aspect between the developer and city.
- There was a discussion regarding making the PUD or Mixed Use a zoning district instead of a Conditional Use overlay and the struggle other cities have had with that method of handling PUDs and Mixed Use.
- Jerry Harris brought up form-based code and how that may be beneficial in this scenario.
- It was suggested the city hold a work session, after a draft code is completed, with the city Council to look at changes in the code, and how the city should proceed as a whole for these more unique developments.
- Tony Davis brought up the need for affordable workforce housing.
- There was a discussion regarding what should count towards open space, specifically if easements should count 1-1, though no answer was clear.

B. Lorene Burns gave an update on laws that passed/ failed.

**8. ANNOUNCEMENTS**

**A.) Next PC Meeting: 05/02/2023 @ 6:00 PM**

**B.) Next Council Meeting: 05/09/2023 @ 6:00 PM**

**C.) Next Tech Review Meeting: 05/25/2023 @ 2:00 PM (Zoom)**

**9. ADJOURN**

**Devin Murphy made a motion to adjourn the meeting at 8:41 pm, with a 2<sup>nd</sup> from Craig Langford. No commissioners were opposed, and the meeting was adjourned.**



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

**Minutes Prepared By: Kayla Knight**