



CENTERTON PLANNING COMMISSION
October 4, 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 – 09/20/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **HOP22-25 Kid’s Kab & Company-** 190 Centerpoint Dr (Zoned R2/ Township West/ Shuttle Service)
Applicant: Jamie Deemer (Planner: Kayla Craft)
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - A. **{Public Hearing} REZ22-21 Acevedo-**8307 N Rainbow Farm Rd-(5.02 Ac / Lot 3 Block 1 Robbinaire Heights Subdivision / A1 to R1) *Owner: Alma and Gonzalo Acevedo; Engr: Anderson Engineering. Kevin Michael (Planner: Erik Nystrom)*
 - B. **{Public Hearing} REZ22-22 Skylight Properties-** 301 Greenhouse Rd-(5.00 Ac / A1 to C2) *Owner: Skylight Properties, Bapuji Vakkalagadda; Engr: HALFF Associates, Joanne Johnson (Planner: Donna Wonsower)*
 - C. **{Public Hearing} REZ22-23 Muniyan (Vaughn Rd)-**E side of S Vaughn Rd, S of Annika Estates Subdivision-(54.42 Ac / A1 to R3-D and C2) *Owner: Kalai Muniyan; Engr: HALFF Associates, Joanne Johnson (Planner: Donna Wonsower)*
 - D. **{Public Hearing} REZ22-26 Coberly Rezone-**5600 Brookside Rd-(6.41 Ac / A-1 to R-1 and R-E) *Owner: Leslie Coberly (Planner: Erik Nystrom)*
 - E. **DEV22-04 Harp’s Food Stores, Inc-LSD-**1250 W Centerton Blvd- (Zoned C2 / 12 Ac) *Developer: Harp’s Food Stores Inc, Sarah Hopper; Engr: ESI, Jason Appel (Planner: Donna Wonsower)*
 - **Preliminary Plans**
 - **Adjacent Street Agreement**
 - F. **DEV22-01 Pomeroy Place Apt Expansion-LSD-**589 N Main St-(Zoned R4-MF / 0.55 Ac / 24 Dwelling units) *Owner: Cadence Holdings, LLC, Luis Velez; Engr: Blew and Associates, Jorge Du Quesne (Planner: Erik Nystrom)*
 - **Preliminary Plans**
 - **Adjacent Street Agreement**

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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.

G. SUB20-08 Fox Haven-Final Plat-S side of Bliss St 800-ft east of Keller Rd-(Zoned R3-SF and A1 / 4.8 Ac / 17 SF Lots / 1 Detention Lot) *Owner: Schuber Mitchell, Art Elivo; Engr: Anderson Engineering, Josh Collins (Planner: Erik Nystrom)*

- **Final Plat**
- **Covenants**
- **Bonds**

H. SUB22-13 Prairie Brook Ph 4-Final Plat-NE Intersection of Tycoon Rd and Bush Rd-(Zoned R3-SF / 7.04 Ac / 36 SF lots) *Owner: Schuber Mitchell Homes, Art Elivo; Engr: Anderson Engineering, Josh Collins (Planner: Dianne Morrison Lloyd)*

- **Final Plat**
- **Bonds**

7. OTHER BUSINESS

8. ANNOUNCEMENTS

- A. Next Council Meeting: 10/11/22 @ 6:00 PM**
- B. Next PC Meeting: 10/18/22 @ 6:00 PM**
- C. Next Tech Review Meeting: 10/20/22 @ 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
October 4, 2022**

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, Devin Murphy, John Sessoms, Craig Langford, Jerry Harris, Tony Davis, Brandon Swoboda, and Ben Lewis. Others in attendance for the city were: City Senior Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, City Planner Erik Nystrom, City Engineer Alan Craighead, Fire Marshal Paul Higginbotham, Centerton Utilities Director Malcom Attwood, 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 09/20/2022 Planning Commission Meeting.

John Sessoms made a motion to approve the minutes from 09/20/2022 Planning Commission Meeting, with a Second from Joey Ingle. No members were opposed, and the motion carried.

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

- A. **HOP22-25 Kid's Kab & Company-** 190 Centerpoint Dr (Zoned R2/ Township West/ Shuttle Service) *Applicant: Jamie Deemer (Planner: Kayla Craft)*

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

5. OLD BUSINESS-NONE

6. NEW BUSINESS

- A. **{Public Hearing} REZ22-21 Acevedo-8307 N Rainbow Farm Rd-(5.02 Ac / Lot 3 Block 1** Robbinaire Heights Subdivision / A1 to R1) *Owner: Alma and Gonzalo Acevedo; Engr: Anderson Engineering. Kevin Michael (Planner: Erik Nystrom)*

- A. Josh Collins was present to represent the rezone request. He made a correction to the report, stating the owner does not plan to sell the land after the rezone.
- B. Erik Nystrom gave the staff overview. The request is to rezone the land from A1 to R1. The land was previously split, and the split caused this lot to drop below the minimum lot size requirement to keep the A-1 zoning.

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.

- A. Jeff Seyfarth made three calls for the public to speak and there was no comment from the public.

Jerry Harris made a motion to close the public hearing with a Second from Ben Lewis. 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. The request is for residential, which the Comprehensive Plan calls for, but is less intensive than what is suggested by the Comprehensive Plan.
 - **Is the proposed rezoning compatible with the surrounding area and zones?**
 - a. Yes, the rezone request is for residential, and the surrounding area is residential.
 - **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 were no comments from the public.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Jerry Harris motioned to approve REZ22-21 Acevedo 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} REZ22-22 Skylight Properties- 301 Greenhouse Rd-(5.00 Ac / A1 to C2) Owner: Skylight Properties, Bapuji Vakkalagadda; Engr: HALFF Associates, Joanne Johnson (Planner: Donna Wonsower)**
 - A. Joanne Johnson was present to answer any questions.
 - B. Donna Wonsower gave the staff overview. She highlighted that the land is located by commercial and high density residential. The land is not in a floodplain but is located near it, so the development plan will most likely

require a wetland assessment and / or minor floodplain permit to double check how the development will impact the floodplain. The land is designated as commercial on the Comprehensive Plan, though the rezone is for a slightly larger area than the land use plan designates.

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.

C. Jeff Seyfarth called for public comment 3 times and there were no comments.

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

D. 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, as both the request and land use are commercial.
- **Is the proposed rezoning compatible with the surrounding area and zones?**
 - a. Yes.
- **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. The public had no comment.

E. Joey Ingle asked for more information regarding a remaining staff comment about the Greenhouse Rd improvements that would impact this development. Jeff Seyfarth and Joey Ingle both agreed the land would allow for that improvement without much issue.

With no other questions from the Commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve REZ22-22 Skylight Properties with a 2nd from Joey Ingle. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.

- C. **{Public Hearing} REZ22-23 Muniyan (Vaughn Rd)**-E side of S Vaughn Rd, S of Annika Estates Subdivision-(54.42 Ac / A1 to R3-D and C2) *Owner: Kalai Muniyan; Engr: HALFF Associates, Joanne Johnson (Planner: Donna Wonsower)*

A. Joanne Johnson was present and to answer questions.

- B. Jeff Seyfarth asked why the applicant specifically requested C2 and Joanne explained due to the proximity of Hwy 279 the client would like to put a gas station, which is allowed by-right in C2.
- C. Donna Wonsower gave a staff overview. The land is near Grimsley Junior High and is considered a rapidly developing area. Due to the rapid growth, staff considers R3-D to be compatible. The Commercial piece would be supported by the traffic and proximity to the school; however, based on the surrounding densities and the school, staff notes the C2 designation may be too intensive. The staff recommend commercial in the area at a lower intensity. The land use plan designates low-medium density, which fits the R3-D, and though the land use plan does not designate the area commercial, it does call for flexibility where it makes sense.
- D. Ben Lewis asked for clarification behind staff's hesitation for C2. Donna explained the uses allowed by-right in C2 may be too high for the area, whereas in other designations uses are allowed conditionally, which allows restrictions such as screening to be put in place.

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

- E. Jeff Seyfarth called three times for public comments and there were no comments from the public.

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

- F. Joey Ingle agreed with staff's recommendation to request a lower commercial designation and have the applicant apply for a conditional use for a service station. Jeff Seyfarth also pointed out the property is not at a major intersection. After discussion regarding uses in different commercial designations, Joanne Johnson requested the request be amended to Neighborhood Commercial (C3).
- G. 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.
 - **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 were no public comments.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve REZ22-23 Muniyan with a 2nd from Joey Ingle. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.

D. {Public Hearing} REZ22-26 Coberly Rezone-5600 Brookside Rd-(6.41 Ac / A-1 to R-1 and R-E) Owner: Leslie Coberly (Planner: Erik Nystrom)

- A. Erik Nystrom let the commission know the applicants did not meet the public notice requirements, thus staff requested the hearing be tabled until November 1, 2022.

Jerry Harris motioned to table REZ22-26 Coberly until November 1, 2022, with a 2nd from Ben Lewis. No Commission members were opposed, and the motion was passed.

E. DEV22-04 Harp's Food Stores, Inc-LSD-1250 W Centerton Blvd- (Zoned C2 / 12 Ac) Developer: Harp's Food Stores Inc, Sarah Hopper; Engr: ESI, Jason Appel (Planner: Donna Wonsower)

- **Preliminary Plans**

- **Adjacent Street Agreement**

- A. Brandon Rush and Sarah Hopper were present to give a project overview. They spoke about their joint effort with the city and ARDOT in regard to the Steepro Drive improvements planned in the future, including the proposed future roundabout. Brandon specifically pointed out a comment about the middle of the three entry ways into the development, explaining that entry will be a right-in/right out when ARDOT begins improvements but will be a typical entry way until then.
- B. Donna Wonsower gave the staff overview. She confirmed there has been a lot of work between the city, the developer, and ARDOT in regard to acceptable road improvements. The Steepro extension will eventually go all the way from the bottom of this property up through Timber Ridge Phase 2. The adjacent street agreement has been approved by staff with remaining concerns about the distance between entries. She also reiterated the middle entry will be right-in/right-out with ARDOT improvements. Street trees have been included in areas that will not be impacted by the eventual ARDOT improvements.
- C. Tony Davis asked for confirmation that ARDOT has approved the entry ways, in which Brandon Rush confirmed they have as long as the middle entry way is right-in/right-out once the round-about is constructed. Joey Ingle asked why the middle entry is necessary and why the entry way will not be right-in/right-out to begin with. Brandon Rush and Sarah Hopper explained the middle entrance is for customer convenience and believe restricting the access of that drive to begin with will be detrimental to their development. Several commission members mentioned concerns about traffic being able to safely turn left. The developers were firm on their

desire to keep the entry way as normal until the ARDOT improvements begin. Tony Davis stated he was in favor of the improvements as presented, given that it was approved by ARDOT.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Jerry Harris motioned to approve DEV22-04 Harp's Food Stores, Inc with a 2nd from Craig Langford. Because of the contention between commissioners, Recorder Kayla Craft asked for a Roll Call. In a Roll Call, Tony Davis, Craig Langford, Jerry Harris, and Devin Murphy voted in favor, while Joey Ingle, Ben Lewis, Brandon Swoboda, John Sessoms voted against. In a tie breaker, Jeff Seyfarth voted in favor. With a 5-4 vote, the motion passed.

- F. **DEV22-01 Pomeroy Place Apt Expansion-LSD-589 N Main St-(Zoned R4-MF / 0.55 Ac / 24 Dwelling units) Owner: Cadence Holdings, LLC, Luis Velez; Engr: Blew and Associates, Jorge Du Quesne (Planner: Erik Nystrom)**

- **Preliminary Plans**

- **Adjacent Street Agreement**

- A. Jorge Du Quesne was present to give a project overview. He clarified that there will be an addition of 9 dwelling units instead of the 24 listed in the report. He went over a few highlights of the expansion including additional parking and adding an outfall structure to the detention pond. He noted they have the necessary water, sewer, and fire hydrants. The section line was used for the setbacks and buildings were moved to accommodate a 10-ft trail along Main Street. The proposal has eliminated the need for variances. The existing dumpsters on site will be used and there will be no additional dumpsters. After Jeff Seyfarth asked, Jorge clarified there are 2.
- B. Erik Nystrom gave the staff overview. He clarified the lots have not been combined, and Jorge confirmed this expansion will be financed separately so they were no combined. The units will be accessed from Sadie Ln and an access easement will be used to provide access to the rest of Pomeroy Place Apartments.
- C. Joey Ingle asked if there will be public utilities, in which Erik confirmed yes there will be. Alan Craighead also elaborated there is a drainage and access easement along Sadie Ln.

With no other questions from the Commission, Jeff Seyfarth entertained a motion. Ben Lewis motioned to approve DEV22-01 Pomeroy Place Apt Expansion with a 2nd from Jerry Harris. No Commission members were opposed, and the motion passed.

- G. **SUB20-08 Fox Haven-Final Plat-S side of Bliss St 800-ft east of Keller Rd-(Zoned R3-SF and A1 / 4.8 Ac / 17 SF Lots / 1 Detention Lot) Owner: Schuber Mitchell, Art Elivo; Engr: Anderson Engineering, Josh Collins (Planner: Erik Nystrom)**

- **Final Plat**

- **Covenants**

- **Bonds**

- A. Arturo Elivo with Schuber Mitchell was present to give a project overview. He clarified the project is headed by Steele Development, but Schuber Mitchell will be purchasing some lots from them. Josh Collins was also

present.

- B. Erik Nystrom gave the staff overview. He clarified there are 17 lots. They are proposing half-street improvements for Bliss St. There are entrances into the subdivision from Bliss St. There is connection to public water and sewer. A private access easement will be vacated, and a new access easement will be dedicated with the final plat.
- C. Dianne Morrison Lloyd also confirmed covenants and bonds have been approved by staff. A new submittal was turned in 10/04/2022.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Tony Davis motioned to approve SUB20-08 Fox Haven with a 2nd from John Sessoms. No Commission members were opposed, and the motion passed.

H. **SUB22-13 Prairie Brook Ph 4-Final Plat**-NE Intersection of Tycoon Rd and Bush Rd- (Zoned R3-SF / 7.04 Ac / 36 SF lots) *Owner: Steele Development, Arturo Elivo; Engr: Anderson Engineering, Josh Collins (Planner: Dianne Morrison Lloyd)*

- **Final Plat**

- **Bonds**

- A. Arturo Elivo and John Collins were present to represent the project.
- B. Dianne Morrison Lloyd gave the staff overview. She highlighted this is the 4th phase of Prairie Brook, meaning there is one phase left. Waivers and bonds were previous approved with other phases. A performance bond for asphalt and curb and gutter was approved for \$2700 after staff did a final inspection and noted some asphalt needed to be fixed and curb/gutter replaced. The Right-of-Way was dedicated with the first phase. The pond on the property is being used as a sediment basin until phase 5.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve SUB22-13 Prairie Brook Phase 4 with a 2nd from Craig Langford. No Commission members were opposed, and the motion passed.

7. OTHER BUSINESS-- NONE

8. ANNOUNCEMENTS

- A.) **Next Council Meeting: 10/11/2022 @ 6:00 PM**
- B.) **Next PC Meeting: 10/18/2022 @ 6:00 PM**
- C.) **Next Tech Review Meeting: 10/20/2022 @ 2:00 PM (Zoom)**

9. ADJOURN

Devin Murphy made a motion to adjourn the meeting at 8:06 pm, with a 2nd from Joey Ingle. No commissioners were opposed, and the meeting was adjourned.



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

Minutes Prepared By: Kayla Craft