



CENTERTON PLANNING COMMISSION
DECEMBER 19, 2023 @ 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 – 12/05/2023
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
- ORD A. **TS23-21 A&M PIZZA – Dedication of ROW & Easements–** 1227 W. Centerton Blvd. (Parent Tract: 1.80 Ac/ Tract 1: 1.80 Ac) *Owner: A&M Pizza Real Estate; Surveyor: OWN, Inc.; Jim Collins (Planner: KKnight)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
- ORD A. **{PUBLIC HEARING} PLANNING FEE SCHEDULE- PROPOSED CHANGES**
- B. **{PUBLIC HEARING} CU23-07 LEGACY SPORTS- Upgrading Grass Field to Turf-** 297 Seba Rd. (Zoned C-3/ 3.96 Ac) *Applicant: Legacy Sports Assets, LLC; Ryan Cochrane (Planner: KKnight)*
- C. **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)*
- D. **SUB23-08 TANZANITE ESTATES - Preliminary Plat & Plans -** Vaughn Rd. South of Holloway Rd.- (Zoned R3-D/ C-3, 54.42 Ac/ 66 Dwelling Units) *Owner: Kalai Muniyan; Engr: Halff Assoc, Inc, Joanne Johnson (Planner: ENystrom)*
 - **Preliminary Plans**
 - **Adjacent Street Agreement**
7. **OTHER BUSINESS**
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: 1/18/2024 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
DECEMBER 19, 2023**

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, Ben Lewis, Craig Langford, Devin Murphy, and Jerry Harris. Brandon Swoboda was absent. Others in attendance for the city were: Planner Dianne Morrison Lloyd, Planner Kayla Knight, Planner Erik Nystrom, Director of Planning Lorene Burns, 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 – 12/05/2023

*With no questions or comments from the commission, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve the **PLANNING COMMISSION MINUTES FROM DECEMBER 5, 2023**, with a second from Craig Langford. No members were opposed, and the motion carried.*

4. RATIFICATION OF ADMINISTRATIVE APPROVAL

A. TS23-21 A&M PIZZA- Dedication of ROW & Easements- 1227 W. Centerton Blvd.
(Parent Tract: 1.80 Ac) *Owner: A&M Pizza Real Estate; Surveyor: OWN, Inc.; Jim Collins (Planner: KKnight)*

- ◆ Planner, Kayla Knight presented the staff report.
 - Dedicating an access easement along the south side of the parcel where they paved a 26- feet drive.
 - Dedicating an access easement for the front stub out to the west so when the adjacent lot develops, there's shared access.
 - Dedicating 5- feet of ROW along Centerton Blvd where the sidewalk jogged around utilities.

*With no other 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. NEW BUSINESS

A. {PUBLIC HEARING} PLANNING FEE SCHEDULE- PROPOSED CHANGES

- ◆ Director of Planning, Lorene Burns, presented the staff report.
 - RV Occupancy Permit per Code
 - **8.12.05 Permanent dwelling** Recreational vehicles shall not be used as a permanent place of abode, or as a permanent dwelling or for indefinite periods of time. It shall be permitted for a guest to park and occupy a recreational vehicle on the premises of an occupied dwelling for a period not to exceed thirty (30) days. It shall be permitted for an evangelist or team of evangelists to park and occupy a recreational vehicle on church property for a period not to exceed thirty (30) days, so long as the parking and occupancy is related to a revival, seminar, concert, or planned church function. Persons wanting to occupy a recreational vehicle as allowed by this ordinance shall register with the City the start date and end date of occupancy which shall not exceed thirty (30) days. These time periods may be extended by a special permit issued by the city planning commission. (Ord. 2012-06, Sec. 2)
 - \$25.00 for 30 Days
 - Differentiate residence occupying it for an indefinite amount of time for Utility hook-up purposes and the Fire Department for emergency services.
 - Centerton Utility wants to make sure the sewers are being properly used and that they do not discharge black water through the sewers.
 - Emergency services want to know if someone is living in the RV if an emergency happens.
 - Rezone Fee was at \$250.00 and will go to \$300.00.
 - Signs for Public Notices
 - Many cities charge about \$10.00 per sign.
 - Each sign costs the City of Centerton about \$6.71 per sign when purchased in a large quantity.
 - \$7.00 charge per sign would be a fair charge to recover cost.
 - Clarification with the wording for the Large- Scale Development Preliminary
 - Lorene Burns asked for clarification on the pricing for non-residential development. The current fee is based on square footage, but it is not clear if the square footage is for the entire site, or just the building area.
 - Jeff Seyfarth recommended we go with the higher price for the work that is done.

- Craig Langford believes the simplest method would be the total of the improved area of the land.
- Joey Ingle asks what the city departments review on the Final.
 - Lorene Burns replies with all the As-Builts get reviewed and the site inspections.
- Lorene Burns reviews that a Large-Scale Site Final was added to the Fee Schedule
 - Joey Ingle asked for the name of the Large- Scale Preliminary and the Large- Scale Site Final to match. (Shorten or spell both out)
 - Lorene Burns said she will spell both out.
- The name of “Small Scale Development” was updated to “Minor Site Improvement” and a “Minor Site Improvement Final” was added to the Fee Schedule.
 - Lorene Burns asked if the \$400.00 Minor Site Improvement Final Fee is too high and should we be more consistent and change it to \$250.00.
 - Alan Craighead said he recommends the fee be \$250.00 because the projects aren’t large.
- Joey Ingle asks if we charge the finals when they apply for the project.
 - Lorene Burns says no, the Final Fee won’t be charged until the site is ready to be finalized.
- Lorene Burns said that the Subdivision Preliminary, we added clarification the application fee includes three Submittal Reviews.
- Re-wording was done for the Subdivision Site Final and added that it includes three submittal reviews for clarity.
- Site Reinspection Fee of \$250.00 for each type of application
 - Lorene Burns asked the commission if an additional \$250.00 for a Minor Site Improvement Re-Inspection is too much.
 - The commission states that if a fourth re-inspection is needed for a Minor Site Improvement, an additional \$250.00 should be charged.
- Joey Ingle asked if the Subdivision Site Final Fees should be based on number of lots to blend with the Preliminary Fee charges.
 - Lorene Burns said at the Site Finals, they are about the same amount of work when it comes to that point of the process.
- Tract Splits were amended to include all the miscellaneous types of plats.
- Tony Davis asked if the Grading Permit should have a cost even though it may be redundant.
 - Alan Craighead said that if we change the Grading Permit through Title 16, you will have to change it through here every time.
 - Lorene Burns adds that they could change it in their section and then it remains the same.
- Tony Davis said if he was a developer, he would have no clue what Chapter 16.1 is, so do we need to clarify.

- Joey Ingle responds that they will need to look it up because if they put a price and then it changes in the chapter, it will need to change on the Fee Schedule as well.
- The Fee Schedule is Adopted by Ordinance therefore it's in the Municipal Code. Then it's referring to Chapter 18.04.

The commissioners had no additional 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. No other public comments were received by staff.

Joey Ingle made a motion to close the Public Hearing with a second from Devin Murphy. No members were opposed, and the motion carried.

With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. Craig Langford motioned to recommend to the City Council the proposed changes to the PLANNING FEE SCHEDULE with the changes discussed with a second from John Sessoms. No members were opposed, and the motion carried.

B. {PUBLIC HEARING} CU23-07 LEGACY SPORTS- Upgrading Grass Field to Turf- 297 Seba Rd. (Zoned C-3/ 3.96 Ac) Applicant: Legacy Sports Assets, LLC; Ryan Cochrane (Planner: KKnight)

- ◆ Co- Owners of Legacy, Matt Vinson and Chris Godsey were present.
 - Chris Godsey said they were under contract with Tony Steele for one acre of property East of their facility.
 - Pittsburgh State University donated Turf and they want to turf the one acre to enhance practices for their teams.
 - The field will be fenced off with chain- link and they will have a Turtle Shell, so the balls won't go all over.
- ◆ Planner, Kayla Knight presented the staff report.
 - Per Title 14- Zoning, a "Recreational Facility- Outdoor" is Conditional in C-3 zoning and requires an approved Conditional Use.
 - Should the Conditional Use be approved, a Minor Site Improvement Application will be required to allow for site grading.
 - Lighting and parking for the main facility needs to be improved for the minor Site Improvement to ensure the site meets the requirements of the original Conditional Use.
 - Per the applicant's narrative, Legacy Sports is not expanding the number of teams they have, nor are they increasing the number of employees.
 - No structural changes will be made, and additional lighting will not be added to the field to ensure they aren't disturbing the surrounding residential neighborhoods.
 - Lighting needs to be updated for the existing site.
 - There currently is only 1 light pole at the entrance at the west side of the entrance and wall packs on the existing buildings.

- Surrounding Uses- Shown in the Comp Plan as Commercial between intersection of Seba and Main Street. To the south is R-2 that's buffered by a 100-foot overhead power line easement. To the direct east and west of the parcel is zoned C-3. To the north is the proposed Casa Castillo development which is C-3 and a PUD and to the Northwest is Forest Park.
- There are two buildings located on site.
 - Building one is located closest to Seba Rd and is approximately 9,000 Square Feet
 - Used for Private lessons.
 - Building two is south of building one and is about 11,000 Square Feet
 - Used for team practices.
- Conditional Use was approved in September of 2017 to allow for the use of the activity complex.
 - Kayla Knight went through the original Conditional Use to see if all the conditions were being met.
 - Site Lighting wasn't being met, as there is only one light provided at the entrance, and wall packs on the buildings. At night, the site is very dark. Per the Planning Director, additional lighting is needed.
 - Parking would be re-evaluated in 2-years which wasn't done.
 - 39 spots were previously approved instead of the required 70 parking spots.
 - Lorene Burns says additional parking is needed because there's been instances where there's overflow parking that flowing onto other parcels around.
 - There is a gravel area to the West of building two that is currently being used for additional storage, that the city staff would like to discuss having them pave the area for additional parking on site.
 - The current landscaping does not meet the conditional use, or development plans.
 - A change Order was previously submitted to remove the requirement to have trees along the west fence line due to a neighbor voicing concern the trees would damage their fence line and then a manmade hill was made to the west of the detention pond to buffer the site.
 - The Trash enclosure was previously approved to have three sides with a gate. Now there is a dumpster, therefore the city staff would like to see it enclosed to meet the city code.
- Matt Vinson said that the only time the parking lot overflowed to the next field in the six years was 2 ½ years ago when a Legacy Night was held with all the teams to start off the season and realized there were too many cars.
- Matt Vinson also mentioned that the only thing on the gravel area to the west of the back building is the turf that is going to be laid.

- Matt Vinson said they would be willing to extend the gravel area throughout the west side of the building.
- Chris is currently working on the dumpster to have a chain- linked fence with slates in it.
 - Jeff Seyfarth asked to have a nicer dumpster enclosure and the commission is not in favor of a chain link fence.
 - Lorene Burns asked what the walls are made of.
 - Chris wanted to do all four sides of the enclosure chain- linked fence with slates throughout.
 - Tony Davis said it is outside of our code and it would need a Variance.
- Joey Ingle asked if we got reports or complaints of overflow parking.
 - Lorene said she had seen overflow parking.
 - Matt Vinson mentioned that players often will park to the west of the back building instead of the front, so they don't have to walk to the back.
- ◆ Jeff Seyfarth addressed that some sort of lighting is needed.
 - Matt Vinson said they are agreeable to add whatever is needed in terms of lighting.
 - City Engineer, Alan Craighead said a Photometric Plan will be needed to show where the lighting is and that it's not going off- premises.
 - Planner, Kayla Knight said that will come with the Minor Site Improvement.
- ◆ Jeff Seyfarth addresses the parking spots and whether they need more versus a parking lot clean up.
 - Matt Vinson agrees with a clean- up but doesn't agree more spots are necessary.
 - John Sessoms mentioned that possible dedicated parking should be made for those that have gotten used to parking in certain areas.
 - Jeff Seyfarth asked the city staff what they had in mind in terms of park spot numbers.
 - Lorene Burns thought they could duplicate what they did on the front building and do it on the back building.
 - Matt Vinson said only one team will be practicing on the field at a time, therefore it will be a max of 10 kids. No games.
 - The Commission asked for the owners to clean up the area and put signs up to designate that it's for parking.
- ◆ The dirt mound can't be cleaned now due to being on the other side of the drainage pond and it's not on the Legacy Sports property.
- ◆ Jeff Seyfarth asked how the landscaping can be improved to meet the conditional use & development plans.
 - Matt Vinson said they are willing to do whatever is needed.
 - Jeff Seyfarth asked for some street trees along Seba Rd.
 - Matt Vinson asked where they would put them.

- City Engineer says there is a gas main on the south side of Seba that may limit the placement of street trees.
- Joey Ingle recommends using the standard landscape draft to see what required trees and have them distributed on the East side and along the front where possible.
- ◆ Additional 5-ft of ROW will need to be dedicated along Seba Rd with a replat to meet the Master Street Plan

The commissioners had no additional questions and Jeff Seyfarth entertained a motion. Joey Ingle made a motion to open the Public Hearing with a second from John Sessoms. No members were opposed, and the public hearing was opened.

No public comments. No other public comments were received by staff.

Joey Ingle made a motion to close the Public Hearing with a second from John Sessoms. No members were opposed, and the motion carried.

With no other comments or questions from the commission, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve CU23-07 LEGACY SPORTS- ADDITION OF TURF FIELD contingent on ADDING ADDITIONAL SITE LIGHTING, GRAVEL PARKING IN THE SOUTHWEST PARKING LOT, ADDITIONAL LANDSCAPING TO MEET THE DRAFT ORDINANCE, UPGRADE TRASH ENCLOSURE PER CODE, AND CLEAN UP THE SITE with a second from Craig Langford. No members were opposed, and the motion carried.

C. 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)

- ◆ Dianne Morris Lloyd let the commission know that the applicant requested to have this project tabled until the January 16, 2024, meeting because no one could attend to represent the project, and they weren't in a hurry.

With no other questions from the commissions, Jeff Seyfarth entertained a motion. Tony Davis motioned to table MSI23-07 WATERCOLOR APARTMENTS CARPORTS – Addition of Carports with a second from Ben Lewis. No members were opposed, and the motion carried.

D. SUB23-08 TANZANITE ESTATES PHASE 1- Preliminary Plat & Plans - Vaughn Rd. South of Holloway Rd.- (Zoned R3-D/ C-3, 54.42 Ac/ 66 Dwelling Units) Owner: Kalai Muniyan; Engr: Halff Assoc, Inc, Joanne Johnson (Planner: ENystrom)

- Preliminary Plans
- Adjacent Street Agreement
- ◆ Patrick Foy from Halff Associates was present.
 - The proposed subdivision is phase 1 of 3 and includes 33 duplex lots and two commercial lots. Approval for phases 2 and 3 are not included in this request.

- ◆ Planner, Erik Nystrom presented the staff report.
 - The proposed subdivision is located one quarter of a mile south of Grimsley Junior High, Oakmont Subdivision is to the West, and Annika Estates is to the Northeast.
 - Phase 1 is 5.38 Units per Acre
 - The subdivision will consist of three phases. Approval is for phase one.
 - There will be access to the subdivision from Vaughn Road through Greenbriar Drive between the two commercial lots. The commercial lots will have entrances from Greenbriar Drive and not directly from Vaughn Road.
 - The subdivision will have four stub outs for future connections.
 - The subdivision has access to Centerton water services on Vaughn Road and sewer utilities from the sewer main to the east.
 - Phase one will have one dry detention pond, located in the center of the parcel. This will only service the residential dwellings.
 - The water will drain northeast towards the detention pond, then east through a swale with rock check dams.
 - The phase one detention pond will be modified for future phases until it is no longer feasible due to the adjacent wetland area, then an additional detention pond will be built to the south.
 - Adjacent Street Agreement
 - The developer shall dedicate an additional 5- feet on Vaughn Rd and construct a 10- foot trail per the Master Street/ Trails Plan.
 - Per the Master Street Plan, a Major Collector is planned to go through Tanzanite Estates, between Phases 2 & 3. The developer agreed to dedicate 80- feet of ROW (936 Linear Feet) of the property to the city for ROW with phase 1.
 - Street Trees
 - 36 Lacebark Elm trees are proposed to be planted along Greenbriar Drive.
 - 31 Columnar English Oak are shown along Vaughn Road.
 - Patrick Foy has submitted the Landscape Plan to ARDOT for approval of the street trees along Vaughn Road.
 - They are awaiting a response from ARDOT.
 - Joey Ingle recommends if they aren't approved by ARDOT, they should be within the site.
 - Joey Ingle asked what the two lots are zoned in the front.
 - They are zoned C-2 (Highway Commercial)
- ◆ Joey Ingle said that Bentonville will make their property stub out to the north, therefore we will be missing out if we don't get a southern connection in phase 3.
- ◆ In phase 2, a connection to Annika Estates should be made.
- ◆ Joey questions the Fire Departments concern with the lack of stub outs throughout the subdivision plans.
 - Paul Higginbotham said code allows the number of lots if they are all sprinkled.

- ◆ Joey Ingle requests to soften the angles in sidewalks along 279 for the safety of pedestrians.
- ◆

With no other questions from the commissions, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve SUB23-08 TANZANITE ESTATES PRELIMINARY PLAT, PLANS AND THE ADJACENT STREET AGREEMENT CONTINGENT ON STREET TREES BEING LOCATED ON SITE IF ARDOT DOESN'T ALLOW TREES IN THE ROW AND SOFTEN THE JOG IN THE SIDEWALK OF with a second from Tony Davis. No members were opposed, and the motion carried.

6. OTHER


- A. When Planning Commission checks are ready, Samantha Hartman will e-mail all for pick-up or mail out.
- B. A possible Special Planning Commission meeting may happen before the City Council Meeting in January 2024.
- C. Chris Mooney- 1325 Main Street requested permission to address the Planning Commission:
 - ◆ He explained that he attended the City Council meeting and was directed by the City Council to ask the Planning Commission about a review of the Land Use and Master Street Plan with the population growing as quickly as it is.
 - An increase of 20,000 people in population is estimated in the next decade.
 - The Planning Commission and city staff informed Mr. Mooney that a review of the Land Use Plan and Master Street plan is planned for 2024, but no specific timeline has been created yet. Updates regarding the review of the Land Use Plan will be posted publicly so that the public has a chance to weigh in on changes.

7. 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: 12/21/2023 @ 2:00 PM (Zoom)**

8. ADJOURN-

Devin Murphy made a motion to adjourn the meeting at 7:18 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