



CENTERTON PLANNING COMMISSION
August 17, 2021 @ 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-07/20/21
 - B. Planning Minutes – 08/03/21
- 4. RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **HOP21-27 Streakbusters AR, LLC-** 541 Keswick Dr (R2 / Windowing Washing Service)
 - B. **HOP21-28 Mow Joe Lawncare-** 105 Cypress St (R2 / Lawncare)
 - C. **TS21-13 Rolando’s Food Truck Court –** 714 W. Centerton Blvd. (C2 / .94 Ac / Lot Combination)
- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
 - A. {Public Hearing} **CU21-08 Rolando’s Food Truck Court –** 714 W. Centerton Blvd. (C2 / .94Ac)
 - B. {Public Hearing} **REZ21-26 King Property- A1 to R3-SF & C-2-** 102.7 Ac; 8801 N Tycoon Rd
 - C. **SUB18-03 Willow Ridge Final Plat -** Womack Rd (R3- SF / 14.46 AC / 37 SF Lots)
 - D. **SUB21-08 Annika Estates Final Plat –** Holloway Rd. (R3 / 40Ac / 139 Lots)
 - E. **DEV21-11 Rolando’s Food Truck Court –** 714 W. Centerton Blvd. (C2 / .94Ac)
- 7. OTHER BUSINESS**
- 8. ANNOUNCEMENTS**
 - A. **Next Tech Review Meeting: 08/26/2021 @ 2:00 PM Zoom**
 - B. **Next PC Meeting: 09/07/2021 @ 6:00 PM**
 - C. **Next Council Meeting: 09/16/2021 @ 6:00 PM (DATE CHANGE)**
- 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
AUGUST 17, 2021**

(1) CALL TO ORDER –

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

(2) ROLL CALL –

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, Jerry Harris, John Sessoms, Tony Davis, Amber Beale, Ben Lewis, and Craig Langford. Others in attendance for the City were Mayor Bill Edwards, City Clerk/Recorder Todd Wright, City Attorney Brian Rabal, Planning Director Lorene Burns, Senior Planner Dianne Morrison Lloyd, City Planner Donna Wonsower and City Planner Renee Biby.

(3) APPROVAL OF MINUTES -

Chairman Jeff Seyfarth said the Minutes of the Planning Commission Meeting from 7/20/2021 and 8/03/2021.

Joey Ingle made a motion to Approve the Meeting Minutes from 7/20/2021 and 8/03/2021, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

(4) RATIFICATION OF ADMINISTRATIVE APPROVALS –

A. HOP21-27: Streakbusters AR, LLC – 541 Keswick Drive (R2 / Window Washing Services)

B. HOP21-28: Mow Joe Lawncare – 105 Cypress Street (R2 / Lawncare)

C. TS21-13: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres / Lot Combination)

John Sessoms made a motion to Ratify the Administrative Approval as presented, with a 2nd from Tony Davis. All Commission Members voted in favor and the motion carried.

(5) OLD BUSINESS - None

(6) NEW BUSINESS -

A. {PUBLIC HEARING} CU21-08: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres) –

Chairman Jeff Seyfarth introduced the item to the Commission.

Jerry Harris made a motion to Open the Public Hearing for CU21-08: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres), with a 2nd from Amber Beale. All Commission Members voted in favor and the motion carried.

Senior Planner Dianne Morrison Lloyd addressed the Commission, giving an overview of the request for a Conditional Use Permit for a Food Truck Court on W. Centerton Blvd. She said there was a Tract Split request, which was just approved. She said Mobile Food Trucks are a Conditional Use in C-2 zoning, and they currently have a CUP for one (1) Food Truck, which they have had since 2019. She said they are requesting to update this piece of property, to allow for a total of six (6) Food Trucks. She said there is a power pole existing on the site, and they will be installing a grease trap. She said they are proposing 1-3 employees per Food Truck, and they will be providing public toilets for the employees and customers. She said they will be providing approx. three (3) parking spaces per Food Truck, which would be considered sufficient for this Use. She said a large portion of this property is in a Floodplain, and they have applied for a Floodplain Permit. She said the majority of the development will be on the west side of the property, and outside of the Floodplain. She provided an illustration of the proposal, including gravel parking, a dumpster, and portable restrooms. She said they have applied for a permit with ArDOT, to widen the current driveway. She detailed the Conditions for Parking, Screening, Portable Restrooms and Outdoor Storage.

Chairman Seyfarth opened the meeting to Public Comments.

Public Comments: None

Amber Beale made a motion to Close the Public Hearing for CU21-08: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres), with a 2nd from Devin Murphy. All Commission Members voted in favor and the motion carried.

The Commission was fine with the proposed landscape screening on the property but asked for some fencing and/or screening around the portable restrooms. It was agreed that the dumpster enclosure would be made of a composite material.

Chairman Seyfarth asked if there were any other questions or comments from the Commission or City Staff. There were none.

Jerry Harris made a motion to Approve CU21-08: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres), with a 2nd from Ben Lewis. There was a Roll Call. All Commission Members voted in favor and the motion carried.

B. REZ21-26: King Property – A1 to R3-SF & C-2 – 102.7 Acres; 8801 N. Tycoon Road –

Chairman Jeff Seyfarth introduced the item to the Commission.

Will Kellstrom addressed the Commission, giving a brief overview of the request to rezone 102.7 Acres on N. Tycoon Road from A1 to R3-SF & C2.

Senior Planner Dianne Morrison Lloyd addressed the Commission, giving an overview of the Rezone Request from A-1 to R3-SF and C-2, for development of 98.6 Acres for Single-Family Residential Homes, as well as 5.9 Acres for Commercial Use on the east side of the property. She said the previous requests were completely for Residential Use, but the Land Use Plan calls for Commercial Use along Tycoon Road. She said the Commercial property being proposed is 250' deep by 450' long and would cover both corners of the proposed Huber Road extension. She said the request would be considered compatible with the surrounding area and consistent with the Land Use designation, as well as the Comprehensive Plan.

John Sessoms made a motion to Open the Public Hearing for REZ21-26: King Property – A1 to R3-SF & C-2 – 102.7 Acres; 8801 N. Tycoon Road, with a 2nd from Craig Langford. All Commission Members voted in favor and the motion carried.

Chairman Seyfarth opened the meeting to Public Comments.

Public Comments:

Jesse King – Mr. King addressed the Commission, stating that he had originally purchased this property in 1973. He gave a brief history of his experiences with the

property. He stated that the proposed Commercial Use portion of the property seemed kind of small.

Tyler Thompson of Terra Firma Holdings and Trustee of his grandfather's Trust – Mr. Thompson said he owns 20 acres of property just north of Mr. King's property. He questioned the request of the city (Planning Commission) to zone a portion of the property along Tycoon Road for Commercial Use. He said these are rural properties and he feels the city is infringing upon the rights of the property owners and developers, over this "grand plan". He said he thinks the city is over-reaching, and feels that this developer has given reasonable concessions, with this most recent proposal.

John Sessoms made a motion to Close the Public Hearing for REZ21-26: King Property – A1 to R3-SF & C-2 – 102.7 Acres; 8801 N. Tycoon Road, with a 2nd from Joey Ingle.

Chairman Seyfarth asked the Commissioners if they had any questions or comments.

Joey Ingle said this proposal is consistent with what we discussed the last time we met.

John Sessoms said this matches up with what was verbally proposed by the applicant at the last meeting.

Chairman Seyfarth asked the Commissions to consider the five (5) rezone criteria items

- 1) **Is the rezoning consistent with the Adopted Comprehensive Plan (including the Adopted Land Use Plan)? If not, why? – YES.** Chairman Seyfarth said this proposal is mostly consistent with the Land Use Plan, including the Commercial Use proposal for the future Intersection of Tycoon Road and Huber Road, offering some Commercial opportunity for the residential development in the area. Joey Ingle said the intent is there. **PC was in agreement that the request is considered consistent with the Comprehensive Plan and the Adopted Land Use Plan.**
- 2) **Is the proposed rezoning compatible with the surrounding area and zones - YES.** Chairman Seyfarth said they are proposing Residential Use and there is other residential zoning in the area, and that is the direction this area of the city is heading. **PC was in agreement that the request is compatible with the surrounding area.**
- 3) **Would all of the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** Chairman Seyfarth said they are proposing Single-Family homes, with Commercial Use at the intersection. **PC was in agreement that the request is compatible in this area.**
- 4) **Would the Rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? - NO.** Chairman Seyfarth said he didn't

think there was any benefit provided in this case. **PC was in agreement that there is not a non-shared benefit for this request.**

- 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? NO.** Chairman Seyfarth said there were no public comments in opposition. **There were no additional comments from PC.**

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff. There were none.

Joey Ingle made a motion to Approve REZ21-26: King Property – A1 to R3-SF & C2 – 102.7 Acres; 8801 N. Tycoon Road, with a 2nd from Tony Davis. There was a roll call. All Commission Members voted in favor and the motion carried.

C. SUB18-03: Willow Ridge Final Plat – Womack Road (R3-SF / 14.46 Acres / 37 SF Lots) –

Chairman Jeff Seyfarth introduced the item to the Commission.

James Geurtz with EDA addressed the Commission, giving a brief description of the request.

City Planner Donna Wonsower addressed the Commission, giving a brief overview. She said the Covenants have been approved by the City Attorney, and we have received the following Bonds: **Streets & Drainage- (100% for 2 years) \$352,741.75 and Water & Sewer- (50% for 1 year) \$290,844.00 (\$145,422.00).** She said the bonds still need to be dated for City Council approval (8/18/2021). She said the Waivers for a Trickle Channel and Pipe Material were already approved. She said the minor items from the 8/10/2021 Site Inspection have all been resolved. She said the project has been completely constructed. She said the Adjacent Street Improvement Agreement for sidewalks adjacent to Womack Road has been completed and the ROW Dedication is being dedicated per this Plat. She said there is a Partial Vacation of a ROW Easement with the Arkansas Utilities Corp along the northern property line. She said we are concerned about Lots 36 & 37 being buildable. James Geurtz said the developer has no concerns about building on those lots. Wonsower pointed out a 100' Electrical Easement on the property.

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff.

Tony Davis asked about the rear part of Lot 4. Chairman Seyfarth explained.

Joey Ingle asked about Lot 34. Geurtz said it is a Flag Lot, with access from the corner and through the Electrical Easement. Wonsower said the Lot Layout matches what was approved with the Preliminary Plat.

Joey Ingle made a motion to Approve SUB18-03: Willow Ridge Final Plat – Womack Road (R3-SF / 14.46 Acres / 37 SF Lots), with the Approved Bond Amounts and the Covenants, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

D. SUB21-08: Annika Estates Ph 1 Final Plat – Holloway Road (R3 / 23.79 Acres / 72 Lots) –

Chairman Jeff Seyfarth introduced the item to the Commission.

Patrick Foy with Morrison Shipley addressed the Commission, giving a brief description of the request. He said Phase 1 will be for 72 Single-Family Lots and 3 Tracts. He said they are dedicating ROW on the east side of the property for a future road, and ROW on Holloway Road. He said the Bonds have been dropped off, as well as the Fee-in-Lieu for Holloway Road.

City Planner Donna Wonsower addressed the Commission, stating that we are still awaiting the results of a 2nd Bacteria Test on the water line. She said Centerton Utilities Director Frank Holzkamper is fine with them moving forward. She said the Bonds have been received as follows: **Streets- (100% for 2 years) \$434,757.75, Drainage- (100% for 2 years) \$267,302.50 and Water & Sewer- (50% for 1 year) \$467,767.00 (\$233,883.50)**. She said all of the outstanding items from the 8/11/2021 Site Inspection have been corrected, with the exception of the 2nd Bacteria Test. She said the Phasing was approved with the Preliminary Plat. She said the Adjacent Street Improvement Agreement is a Fee-in-Lieu, for partial improvements, with sidewalk and drainage. She said we have received the Fee-in-Lieu amount of \$27,687.58. She said they have dedicated ROW. She said they have provided a 404 Permit for the Wetlands. She said there are only minor comments left and the Record Documents have met Staff Approval, as well as the Drainage Report.

Planning Director Lorene Burns questioned the Waiver for the Maintainable Area on the top of the Detention Pond. Wonsower said it is mostly 10', except for an area near the Wetland. She also asked for clarification of the Lot Layout. Wonsower said she had a typo in the Staff Report.

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff. There were none.

Joey Ingle made a motion to Approve SUB21-08: Annika Estates Final Plat – Holloway Road (R3 / 23.79 Acres / 72 Lots), with Approved Bond Amounts and the

Covenants, with a 2nd from Devin Murphy. All Commission Members voted in favor and the motion carried.

E. DEV21-11: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres) –

Chairman Jeff Seyfarth introduced the item to the Commission.

Molly Robb with Anderson Engineering addressed the Commission, giving a brief overview of the request for a development for six (6) Mobile Food Trucks and 18 parking spaces, and an improved driveway.

Senior Planner Dianne Morrison Lloyd addressed the Commission, stating that the applicant is proposing development for six (6) Mobile Food Trucks and 18 parking spaces. She said there are hook-ups for Water, Sewer & Electrical for each individual Food Truck Site. She said there is an existing Utility Easement on the west side, and they are proposing an additional easement on the north side of Hwy 102. She said they are dedicating an additional 25' ROW on Hwy 102, to meet the required 100' ROW. She said they have a permit from ArDOT to widen the driveway on Hwy 102. She said they are providing landscaping on the west and along Hwy 102. She said they have applied for a Flood Permit. She said they are proposing two (2) Light Poles on the site. She said they are proposing a 22' dumpster pad enclosure, constructed with composite materials. She said there is no detention required for stormwater. She said there is Flood Plain on the property, but no known wetlands. She said they are proposing two (2) public toilets and areas for seating for customers. She said all gravel areas must meet the 75,000lb. requirement for Fire Apparatus. She said all food trucks will be required to pass a Fire Inspection. She said a grease trap will be added with this development. She said the request is for a permanent Conditional Use.

Chairman Seyfarth asked if there were any questions or comments from the Commission or City Staff.

Amber Beale recommended making sure the potable toilets were secured from the Flood Plain, as well as the Food Trucks. There was a brief discussion.

Joey Ingle asked about future Stormwater flow, with a gravel lot with a Permanent Use. John Wary responded. Ingle asked if asphalt would be a better option. Chairman Seyfarth said asphalt would be a different conversation, and we would require a new Development Plan. City Clerk Todd Wright said we could revisit the Conditional Use if the gravel became a safety issue.

Chairman Seyfarth asked if there were any additional questions or comments from the Commission or City Staff. There were none.

John Sessoms made a motion to Approve DEV21:11: Rolando's Food Truck Court – 714 W. Centerton Blvd. (C2 / .94 Acres), as presented, with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

(7) OTHER BUSINESS –

Title 14 - Phase 1 was approved by City Council on 8/10/2021

(8) PUBLIC COMMENTS – None

(9) ANNOUNCEMENTS -

- **8/18/2021 – Special City Council Meeting @ 6:00 PM**
- **8/26/2021 – Tech Review Meeting @ 2:00 PM**
- **9/7/2021 - Planning Commission Meeting @ 6:00 PM**
- **9/16/2021 – City Council Meeting @ 6:00 PM (Date was changed)**
- **9/21/2021 - Planning Commission Meeting @ 6:00 PM**

(10) ADJOURN -

John Sessoms made a motion to adjourn the meeting at 6:59 pm, with a 2nd from Joey Ingle. All Commission members voted in favor and the motion carried.



**Jeff Seyfarth – Chairman
Centerton Planning Commission**

Minutes prepared by:
Todd Wright