



CENTERTON PLANNING COMMISSION
April 6, 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 – 03/16/21
- 4. RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **TS21-04 Smith Property PLA** – 11740 Callis Rd. (A1 / 9.84 Ac)
 - B. **HOP21-09 Moxie Beads** – Jewelry Making & Online Sales, R-3 MF; 1709 E Centerton Blvd, Watercolors Apartments
 - C. **HOP21-10 Neita Homerin Fine Art** – Painting & Selling of Fine Art, R-2; 511 Chaparral St, Lot 99 of Forest Park Subdivision
 - D. **HOP21-11 GB E-Store** – Online re-sale business of clothing and small household items, R-3; 700 Cass Rd, Lot 26 of Centerpoint Subdivision
- 5. OLD BUSINESS - NONE**
- 6. NEW BUSINESS**
 - A. {PUBLIC HEARING} **REZ21-08 Anglin Properties LLC – A1 to R3-SF** – 99.56 Ac; 7728 Vaughn Rd
 - B. **DEV21-03 Dairy Queen** – Tract D of Copper Oaks, Centerton Blvd (C2 / 1.37 Ac)
 - C. **VAC21-01 Lot 71 Tamarron, Bell Property** – Vacating a 13’ portion of an existing 25’ Rear Yard Utility & Drainage Easement; 1710 Sweetbriar Way (R2 / 0.25Ac)
- 7. OTHER BUSINESS**
- 8. ANNOUNCEMENTS**
 - A. **Next Council Meeting: 04/13/2021 @ 6:00 PM**
 - B. **Next PC Meeting: 04/20/2021 @ 6:00 PM**
 - C. **Next Tech Review Meeting: 04/29/2021 @ 2:00 PM**
- 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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 6, 2021**

(1) CALL TO ORDER –

The Zoom Virtual Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 6:00 p.m. He explained the process for access and participation for this virtual meeting.

(2) ROLL CALL –

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, Jerry Harris, Amber Beale, John Sessoms, Ben Lewis, Tony Davis, and Craig Langford. Others in attendance for the City were Mayor Bill Edwards, City Attorney Brian Rabal, City Clerk/Recorder Todd Wright, Planning Director Lorene Burns, City Planner Dianne Morrison Lloyd, Senior Planner Nicole Gibbs, City Planner Donna Wonsower, Director of Public Works Rick Hudson, Fire Marshal Paul Higginbotham, City Engineer John Wary and Centerton Utilities Director Frank Holzkamper.

(3) APPROVAL OF MINUTES -

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 3/16/2021 and asked the Commissioners if they had any questions or concerns. There were none.

John Sessoms made a motion to Approve the March 16, 2021 Planning Commission Meeting Minutes, with a 2nd from Joey Ingle. All Commission Members voted in favor and the motion carried.

(4) RATIFICATION OF ADMINISTRATIVE **APPROVALS –**

A. TS21-04: Smith Property PLA – 11740 Callis Road (A-1 / 9.84 Acres)

- B. HOP21-09: Moxie Beads** – Jewelry Making & Online Sales, R-3 MF; 1709 E. Centerton Blvd, Watercolor Apartments
- C. HOP21-10: Neita Homerin Fine Art** – Painting & Selling of Fine Art, R-2; 511 Chaparral Street, Lot 99 Forest Park Subdivision
- D. HOP21-11: GB E-Store** – Online Resale Business of Clothing and Small Household Items, R-3; 700 Cass Road, Lot 26, Centerpoint Subdivision

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

(5) OLD BUSINESS - None

(6) NEW BUSINESS -

- A. {PUBLIC HEARING} REZ21-08: Anglin Properties LLC – A-1 to & R-3 SF – 99056 Acres; 7728 Vaughn Road –**

Chairman Jeff Seyfarth introduced the item to the Commission.

John Wary, representing the applicant, addressed the Commission, giving a brief overview of the request to rezone 99.56 acres on the north side of Vaughn Road from A-1 to R-3 SF. He said the intent is to develop the property into a single-family subdivision, with lots from 60' to 75' wide. He said they understand that if approved, an Airspace Evaluation will need to be filed with the FAA. He said they have done some preliminary evaluations and have found the property to be well below the approach area of the XNA runway. He said the property is also well outside of the 65DNL Contour Line, which is the average sound level for the airport, compatible with single-family and duplex housing. He said they understand that the property falls within the Industrial Area of the Future Land Use Plan. He said there is A-1 to the west, with the north and east being the Bentonville city limits. He said there is 80 acres to the south of Vaughn Road that was zoned R-3 SF in October of last year.

City Planner Donna Wonsower addressed the Commission, giving an overview of the Rezone Request from A-1 to R-3 High-Density SF residential. She said the intent of the property owner is to sell the property for the development of a single-family subdivision. She detailed the location. She said there are proposed extensions of both Vaughn Road and Tycoon Road, which would be required with the development of a subdivision. She said there is access to Water & Sewer. She said the biggest issue is that it is in proximity of the XNA Airport, creating additional possible requirements for development. She said the property falls in Bentonville's XNA Overlay District, which would not be jurisdictional. She

detailed the Overlay District for Planning Commission consideration and the included restrictions for development, which were formed with the cooperation of XNA. She detailed some of the risks associated with development in proximity of an airport. She said there is information from XNA and their consultants in the PC packets, stating that the proposed development is not compatible with the XNA Noise Compatibility Program, and if it is developed, they requested that the City consider avigation easements, plat notifications, and sound attenuation for construction of structures. She said the Airport Safety and Noise Abatement Act precludes any subsequent property owners from receiving damages from noise intrusion. She presented an XNA Flight Path diagram, showing the proposed development being directly in the flight path for the airport. She said the property is roughly 8300 linear feet from the runway. She said this could create some height restrictions for construction. She said there is a potential runway extension planned to the west. She listed the existing adjacent land uses of Bentonville, Highfill and Centerton. She said the R-3 to the south was approved during a span of time where we were considering but had not yet adopted our Land Use Plan. The previous Land Use Plan designated this area as Agricultural. She said our currently Adopted Land Use Plan designates this area for Industrial Use and listed those Uses and requirements. She listed the surrounding Industrial Uses currently found in the area, stating that there is potential for more Industrial Use in this area in the future. She said Bentonville's Land Use Plan shows this area as mainly Agricultural Use, with some current Industrial Zoning to the south. She said Highfill does not currently have an Adopted Land Use Plan. She said regarding the Comprehensive Plan recommendations, we have a few of implementation items that prioritize completing subdivisions adjacent to existing neighborhoods and prioritize developing subdivisions where there is already infrastructure (infill). She said this property does have infrastructure but is not adjacent to an existing neighborhood. She said we also have items specific to developing an Industrial Park in this area to take advantage of proximity to XNA.

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

Jerry Harris said this request does not appear to be a well-planned use for this property, if the land is planned for Industrial Use. He added that we recently had a similar conversation on a recent request that was not approved on N. Main Street, which is planned for Commercial Use.

John Sessoms stated that appropriate Industrial space is similar to Commercial space, as once it is gone, you cannot get more.

Chairman Seyfarth said we identified several key areas in our City for Commercial and Industrial Use, as we worked through our Comprehensive Plan. He said there is certainly the potential to affect the use of other properties if this is approved.

Nicole Gibbs stated that this request has triggered some important discussions the community needs to have about development around the airport, as well as how to look at Industrial Uses. She said we have started discussions with XNA and adjacent communities in this area,

as well as with the Arkansas Economic Development Commission, who offers training for communities to help understand the variables that go into industrial site development. She said there are still a lot of question marks and a lot of important discussions that need to take place to make a well-informed decision so it is Staff's recommendation to proceed with the Public Hearing for this request, but possibly to table the item until those discussions can be held and these important issues reasonably thought through.

John Sessoms made a motion to Open the Public Hearing for REZ21-08: Anglin Properties LLC, with a 2nd from Craig Langford. All Commission Members voted in favor and the motion carried.

Chairman Jeff Seyfarth opened the meeting to Public Comments.

Public Comments:

Steve Mosher – Adjacent Property Owner (lives in London, Ar.) – Not opposed to development; expressed concern with future resident safety regarding cattle operation being adjacent to high-density residential development. He recommended that the city use the Arkansas Economic Development Commission as a resource.

Ryk Dunkelberg – Meade & Hunt (Representing XNA) – Stated that XNA is concerned about the potential for this property to be rezoned for residential development stating that it poses a question of health, safety and welfare of the residents living in those structures. He said the property is either directly under or adjacent to the main runway and will be exposed to both approaches and departures of aircraft. He said XNA expects airport operations to increase. He said as operations increase the noise levels will increase. He said the 65DL Contour Line is an annual average, and although this property is currently outside of that line, that may not be the case in the future. He said that noise level would be a concern to residents and these concerns will likely be expressed to the airport and the City of Centerton. He said this could affect the livability of residents in this area. He said they are also concerned with encroachment to the airport and that one of the conditions for the airport to receive federal grants is to adhere to Grant Assurances such as doing everything within its power to prevent the encroachment of non-compatible land uses. He said XNA would like to see this property put into some other use other than residential development. He said if it is deemed acceptable to be rezoned for Residential Use, they request the City to consider the for **three (3) provisions: 1) The granting of a Avigation Easement from this property to the airport, granting the right to fly over property and make noise. 2) Notification on Plat of the property being in an Over-Flight Zone of an airport. 3) Any residential structures on the property be developed such that sound is attenuated to 30 decibels from outside noise levels to inside noise levels, to help mitigate noise levels for people trying to sleep and live inside the structures.**

Ryan Anglin – Property Owner – He stated that his family has lived in this community for over 100 years. He said he has granted easements for Centerton Water & Sewer on every property he and his family own. He said there have been two (2) sewer lines placed on this

piece of property in the last year, at no cost to the City of Centerton. He said he feels like this rezone request would be best for the future of Centerton. He stated that a precedent was set when the city rezoned the adjacent 80 Acre property to the south to R-3 in October 2020.

Dan Mitchell – Schuber Mitchell Homes – He stated that there are only five (5) questions that the PC needs to look at and neither Bentonville nor XNA play into rezoning requests. He said he was under the impression that Mr. Anglin owned this property because he had to sign the rezone request. He said he is sure that there are some private property risks here, and he is positive that the City is not willing to rezone the property, because they would have to purchase it, otherwise it would be considered a “Taking”. He said the rezone would consider other uses around it, and there is an R-3 property closer to the runway, which was already been rezoned to R-3. He said he has spoken to Staff about having Tycoon Road extend down to Vaughn Road through this property. He said a residential development could offer that opportunity sooner rather than later. He said he has spoken to the Street Department and thinks they could possibly slightly move the roadway path over onto their property, so they could get the whole job done. He said they spoke to Staff about the 20-acre piece in the southwest corner being separated from the rezone request if Mr. Anglin was agreeable to it. He said that would be west of the Tycoon Road extension. He asked that the PC decide on the rezone request tonight. He said Schuber Mitchell Homes is interested in enjoyable living conditions for people and understands the impact of the airport in the area. He said he feels that there is some compromise that can be had. He said the request is up to Mr. Anglin and is in line with an existing R-3 zoning district that was approved in October 2020 by this Commission.

Frank Holzkamper – Centerton Utilities Director – He said the W&S Commission began the process to bring sewer down into this area about five (5) years ago. He said that process requires information on what it will serve and how many homes or businesses it will serve. He said this area was not looked at for Commercial or Industrial Use at that time, and if it had been, they might not have been able to get the funding for sewer expansion. He pointed out that Springdale is an Industrial hub, but Bentonville and Centerton are primarily residential, and retail-based cities. He said he feels Industrial Use will go in east or west of the airport, close to the runway. He was concerned about the almost \$6 million spent extending sewer service to this area and not being able to recoup that cost with industrial uses.

Steve Fineberg – President of Fineberg & Associates Realty – He said he is the real estate broker for Mr. Anglin and Schuber Mitchell Homes in this transaction. He agreed with Mr. Anglin and Mr. Holzkamper’s positions. He felt this area is a geographic leap for Industrial Use. He questioned the consistency of the Comprehensive Plan. He reminded the PC that they approved an 80-acre R-3 rezone request adjacent to this property in October 2020. He said that developer bought that property in good faith and this decision could cause him financial damage. He said the argument about lack of Commercial and Industrial Land availability can also be made for Residential Land.

Ed Blaylock – Sunrise Developers – He said they are the owners of the adjacent R-3 property, and just recently closed on the property. He said they do not wish to have Industrial Use surrounding him and that he was shocked by the area being designated as Industrial. He also feels that residential land is becoming hard to come by.

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

Amber Beale made a motion to Close the Public Hearing for REZ21-08: Anglin Properties LLC, with a 2nd from Tony Davis. All Commission Members voted in favor and the motion carried.

Jerry Harris asked for clarification of the location of the adjacent R-3 property.

Chairman Seyfarth pointed it out on a map and stated that the Comprehensive Plan was opened back up for comments by the Council, around the time of that R-3 request, and had not been adopted by Council yet. He said we certainly had the idea of the Land Use for over a year.

John Sessoms said there was mention by Staff to Table this request tonight and asked if Industrial Use was discussed in the October 2020 PC meeting.

Donna Wonsower said it was in the PC report for the October 2020 meeting.

Seyfarth said Mr. Mitchell asked that a decision be made this evening.

Joey Ingle stated that Mr. Mitchell is not the applicant and clarified the process for this request, should it be denied, rather than tabled tonight.

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 - NO.** Chairman Seyfarth said this request is not necessarily consistent with the Adopted Land Use Plan. **PC was in agreement that the request is not considered consistent with the Comprehensive Plan.**

- 2) **Is the proposed rezoning compatible with the surrounding area and zones - YES.** Chairman Seyfarth said there are a lot of mixed-uses in the area, as Donna pointed out in her overview. He said there is an Armory, a Concrete Plant, and the Fairgrounds, as well as some residential use. Joey Ingle was concerned with the Outer Safety Zone of the Airport. Tony Davis asked if they are making a formal request to spit off the 20 Acres to the west. Seyfarth clarified the current request being considered is for the full 100 Acres. **PC was in agreement that the request is compatible with the surrounding area, with certain concerns within the runway zone.**

- 3) **Would all of the permitted uses in the new zone be compatible in this location - YES.** Chairman Seyfarth said R-3 uses could be considered compatible with the surrounding uses. Jerry Harris asked how this would affect the other Industrial Land Use shown on the Adopted Land Use Plan. Seyfarth said that is definitely something to keep in mind. John Sessoms said regarding setting a precedence, that the previously rezoned property was rezoned prior to the current adopted Land Use Plan. Tony Davis pointed out that Centerton Utilities has already made a financial investment in this area, and this decision could affect their ability to recover those costs. He asked about shortening the Industrial Use area and creating some kind of buffer. He said he is going back and forth on this request. **PC was in agreement that the request is compatible.**
- 4) **Would the Rezoning provide a benefit to one land owner not shared by the whole neighborhood - YES.** Chairman Seyfarth said because the Comprehensive Plan has now been adopted, this could provide a benefit to the landowner. Joey Ingle agreed, and said he is also back and forth on this request. He said these potential few hundred rooftops are at the south end of our sewer service and could be made up with development to the north. He said we did not have a leg to stand on in October 2020, because the Land Use Plan had not yet been adopted, and we are paying for it now. **PC was in agreement the there is a non-shared benefit for this request.**
- 5) **If the public is opposed, why - YES.** Chairman Seyfarth said there was both public support and opposition, with mention of safety and infrastructure with the only truly factual information being provided by XNA. John Sessoms agreed.

Chairman Seyfarth asked if there were any questions or comments.

Tony Davis asked if we could address a lot of these concerns with the Development Plan phase of this.

Chairman Seyfarth said we would include the three (3) Conditions from XNA if we were to approve the rezone request, so it would be a part of the Plat.

Nicole Gibbs said we do not currently have regulations specific to the airport, so we would need legal counsel on how to proceed. At this time, these would likely need to be requests at this time, and not regulatory requirements.

Joey Ingle said that if the request is for the entire property, he is likely a NO vote, due to the 20 acres. He said it would be easier to consider this request without the 20 acres to the southwest. John Sessoms agreed. Ingle said he will also press for the potential developer to complete the entire Tycoon Road extension which was offered up earlier in the meeting.

Rick Hudson said we would only be getting ROW on the west portion of the Vaughn Road extension. Ingle said the potential developer said he would accommodate and build the whole thing.

Mayor Bill Edwards stated that the adjacent R-3 zoning to the south was covered in detail by Nicole Gibbs in the October 2020 meeting, covering the Industrial Use and the surrounding zoning and uses by Highfill and Bentonville. He said he and Staff also discussed the potential for using the 20 acres as Green Space and/or detention.

John Wary asked Ryk Dunkelberg what is involved in the 30-decibel reduction, as far as construction is concerned. He pointed out that the applicant could appeal tonight's decision to the City Council. He said if it is denied by Council, there would be a one (1) year delay for any re-application.

Ryk Dunkelberg said modern Building Codes currently result in a 20-25 decibel sound attenuation. He said the additional requirement would be achieved through things such as double-paned windows, solid-core doors, double venting in bathrooms and kitchens, etc.

Ryan Anglin asked to amend the rezone request to the approx. 80 Acres, removing the approx. 20 acres to the west. **Joey Ingle** asked if there would need to be a Tract Split. **John Wary** said if the 80 acres were approved for the rezone, once it is replatted and subdivided, the 20 acres would be separated from the 80 acres.

Rick Hudson said the 20 acres is not buildable would most likely be detention anyway. He said there is a high flow of water that runs through it. There was discussion about possible use for the 20 acres. **Joey Ingle** said it would be up to the property owner.

Nicole Gibbs said that rezone boundaries do not necessarily need to follow parcel lines, however we would need a revised legal description for this rezone. **Brian Rabal** said that is correct. He said he is okay with a verbal request to amend the rezone request as long as it is for a lesser amount of property. **Joey Ingle** asked for clarification of the change. **Gibbs** provided a line and shaded area on the exhibit. **John Wary** said the new legal description, following along what Gibbs has identified, will be what goes to City Council for approval. He said there is area on the 80 acres for detention for development on that property.

Jeff Seyfarth asked if this is as clear as we can make it tonight, without a legal description. He said the request would be for 80 acres to be rezoned to R-3 SF, leaving a remaining 20 acres, which would remain A-1. **Joey Ingle** requested that the alignment contain the Tycoon Road extension. **PC** agreed. **Ryan Anglin** also agreed, stating that his request is to split off and rezone the east 80 acres of the property to R-3 SF.

Joey Ingle asked Staff if there is adequate time to review the legal description and make the 4/13/2021 City Council Meeting. **Nicole Gibbs** said they will need to work through the Tycoon Road alignment for the legal description. She said Tycoon Road is a Major Arterial Road with 100' ROW on their property. She said the rezone boundary will be from the western edge of that ROW. **Ingle** agreed. **Rick Hudson** said the northern portion will involve other property owners and we will need to work with them and address that.

There was discussion with Joey Ingle, John Wary and Nicole Gibbs defining the western boundary line as a north-south line from the northwest corner of the property, running straight south, until it hits Vaughn Road; based on an existing Section Line. All parties were in agreement. John Wary said he thinks that he, the Staff and Mr. Anglin all understand what we are talking about. He said he can prepare the legal description for the Ordinance to be reviewed by Staff.

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 REZ21-08: Anglin Properties LLC – A-1 to & R-3 SF – Approx. 80 Acres; 7728 Vaughn Road, contingent upon a Legal Description, Approved by Staff, Defining the east 80 Acres and Road Improvements connecting Tycoon Road North and South; as well as the Three (3) Conditions Set Forth by XNA, with a 2nd from Tony Davis. There was a Roll Call. All Commission Members voted in favor and the motion carried.

B. DEV21:03: Dairy Queen – Tract D of Copper Oaks, Centerton Blvd. (C-2 / 1.37 Acres)

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Chairman Jeff Seyfarth introduced the item to the Commission.

John Odom addressed the Commission, giving an overview of the project, including details about the Site Plan. He said the proposal is for one building, containing three (3) tenant spaces, on Centerton Blvd. east of Copper Oaks Drive. He said the primary tenant is Dairy Queen, with a small retail space to the east, with a common seating area, and an additional drive-thru restaurant facility to the north. He said there will be another patio to the north of that facility. He said the general traffic pattern is from cross access along Centerton Blvd., from Jake's Fireworks to Waffle House and eventually to this property, and ultimately to the property to the west. He said they are also proposing a cross-access easement at the rear of this property to the west. He said they will preserve those cross-access easements. He detailed the queuing lines for both drive-thru restaurants, as well as the parking. He said the dumpsters will be in the rear of the property and they are planning for landscape screening to the north and to the east. He said they have adhered to the Proposed Landscape Ordinance to go above and beyond. He said they are also proposing to construct an access to Centerton Blvd to the southwest of this property and are in discussions with the neighboring property to get that drawn up and recorded. He said that will improve that property, give customers access from another point, and not have to solely rely on the businesses to the east for access. He said they will get that access approved by ArDOT.

Chairman Seyfarth asked about access to the dumpsters. Odom said they are normally done early in the morning or in the evening and will likely access the property from the new proposed entrance, circulate the site backwards and go nose-in to the dumpster locations. He said they included a painted hash mark to allow for maneuverability.

City Planner Donna Wonsower addressed the Commission, giving a brief overview of this Request. She said she just sent out her comments on the 3rd submittal, earlier this week. She said we had some minor questions about the lighting, a question about circulation in the southwest corner, traffic pattern and signage and striping. She said the Drainage Report has been approved, and we have their Landscape Plan. She said they exceed our parking requirements. She said all of the utilities are available, and they will be accessing a new storm sewer connection from the adjacent Lot C. She said the shared-access easement drive has already been discussed. She said some architectural drawings have been provided and are in the PC packets.

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

Joey Ingle asked Odom if they planned for any screening to the north. Odom said there is an existing fence, but they are willing to provide extra landscape buffering if needed. Ingle said the Landscaping along the Hwy frontage looks great, but the perimeter landscaping is lacking. He asked if there could be better buffering to the north and to the west, along the shared drive. He also asked if they would be willing to provide 2 or 3 landscape islands in the parking area. Odom said he agrees about the buffering to the north, to screen the residences. He said he is not as concerned about the west, as any future development should come along may not need buffering. He said he would be fine with internal plantings in the parking lot, with possibly one (1) on the east and one (1) on the west.

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 DEV21:03: Dairy Queen – Tract D of Copper Oaks, Centerton Blvd. (C-2 / 1.37 Acres), with all outstanding Staff Comments, with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

C. VAC21:01: Lot 71 Tamarron, Bell Property – Vacating a 13' Portion of an Existing 25' Rear Yard Utility & Drainage Easement; 1710 Sweetbriar Way (R-2 / 0.25 Acres) –

Chairman Jeff Seyfarth introduced the item to the Commission.

Michelle Bell addressed the Commission, giving an overview of the request to vacate a 13' portion of the 25' rear yard Utility and Drainage Easement, for the construction of an in-ground pool. She said they have had all the utilities out to the property and have been told that there are no utilities in their easement, but they are in the easement in their neighbor's UE.

City Planner Donna Wonsower addressed the Commission, giving a brief overview of this Request for vacation of 13' of the 25' platted rear-yard Utility and Drainage Easement. She said Tamarron Subdivision platted building setbacks as Utility and Drainage Easement. She said City Council will hear this request on 4/13/2021. She said we have heard back from all utilities except for AT&T. She said Carroll Electric is on the adjacent property, and Cox has a line about 5' into this property, but not in the area of the pool construction. She said Century Link said any damage or relocation would be at the owner's expense, should they have a line there. She said the request is actually 2' more than would actually be required from the retaining wall, so it could potentially be reduced. She said we have had no responses from the adjacent property owners, but they were mailed out. She said if approved, there will need to be a Vacation Plat.

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 VAC21:01: Lot 71 Tamarron, Bell Property – Vacating a 13' Portion of an Existing 25' Rear Yard Utility & Drainage Easement; 1710 Sweetbriar Way (R-2 / 0.25 Acres), with a 2nd from John Sessoms. All Commission Members voted in favor and the motion carried.

(7) OTHER BUSINESS

- **Planning & Zoning Training** – Chairman Jeff Seyfarth said there is online Planning and Zoning Training, which started today, and will be every Tuesday from 3-4pm for the next 4 weeks. An on-demand link will also be provided if you are unable to attend the live training.
- **Arkansas Economic Development Commission** – Nicole Gibbs said the Arkansas Economic Development Commission (AEDC) has offered some Economic Development courses for Industrial site development to the community. She said they offer 2 courses: 1) Community Dynamics 2) Site Development. She said the courses can be tailored to our needs, and we were thinking of offering something for Planning Commission, City Council and Staff, to look at variables that go into Industrial Development. Gibbs said these would be in-person meetings. PC favored a 4-6pm time.

(8) ANNOUNCEMENTS-

- **4/13/2021 - City Council Meeting @ 6:00 PM**
- **4/20/2021 - Planning Commission Meeting @ 6:00 PM**
- **4/29/2021 - Tech Review Meeting @ 2:00 PM**
- **5/04/2021 - Planning Commission Meeting @ 6:00 PM**

(9) ADJOURN-

Joey Ingle made a motion to adjourn the meeting at 8:20 pm, with a 2nd from Devin Murphy. All Commission members voted in favor and the motion carried.



**Jeff Seyfarth – Chairman
Centeron Planning Commission**

Minutes prepared by:
Todd Wright