



CENTERTON PLANNING COMMISSION

May 7, 2024 @ 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 – 04/16/2024
4. RATIFICATION OF ADMINISTRATIVE APPROVALS
 - A. HOP24-07 MAGNOLIA LAWN CARE- Administrative- 740 Tyler St.; Walnut Ridge Sub PH 2 (Zoned R2) Applicant: Jacob Detton (Planner: SHartman)
 - B. HOP24-09 FORCAL POINT BEADS- Jewelry Making- 430 Firewood Dr.; Centerpoint PH 2 (Zoned R3-SF) Applicant: Doug Newman (Planner: SHartman)
5. OLD BUSINESS
6. NEW BUSINESS
 - A. {PUBLIC HEARING} CU24-02 680 PACIFIC LC- Short Term Rental- 680 Pacific Ave (Zoned R3-SF) Applicant: Stephanie Cain (Planner: DMorrisonLloyd)
 - B. {PUBLIC HEARING} CU24-03 HALE'S FIREWORK – Firework Stand – 190 Keller Rd (Zoned C-2/4.6 ac) Owner: J HUFFAKER LLC; Applicant/Repr: Daniel Dartanian (Planner: DMorrisonLloyd)
 - C. {PUBLIC HEARING} CU24-05 ACE BATTING – Addition of Outdoor Lighting - 8700 N. Rainbow Farm Rd. (Zoned C-3/ 5.00 Ac) Owner/Repr: ACE BATTING; Ramesh Jandhyala (Planner: KKnight)
 - D. {PUBLIC HEARING} REZ24-04 TOWER PARK-Rezone from A-1 to R3- SF, R3-MF & C-2- 11609 W. Ark. Hwy 72 (31.8 Ac) Owner: Anderson Custom Homes; Engr: Sand Creek Engineering, Dan Cole (Planner: Knight)
 - E. DEV22-10 BUSH ROAD HOMES- Preliminary Plans & Adjacent Street Agreement- Bush Road and Nottingham Lane (Zoned R-3 / 1.84 Ac/ 14 Dwelling Units) Owner: Twelvestone Construction and Design; Engr/Repr: Swope Engineering, Phil Swope (Planner: KKnight)
 - Discuss slope of open space
 - 6-month extension of preliminary plan approval
 - Adjacent Street Agreement Approval
 - F. SUB23-05 PARISE SUBDIVISION- Adjacent Street Agreement & Fee In Lieu Approval- 1601 Bliss Street (Zoned R3-SF/ 12.24 Ac/ 38 Buildable Lots) Owner: Sreenivas Parise; Developer: Sreenivas Parise; Engr: Bates and Associates, Geoffrey Bates (Planner: KKnight)
7. OTHER BUSINESS
 - A.
8. ANNOUNCEMENTS
 - A. Next Council Meeting: 05/14/2024 @ 6:00 PM
 - B. Next PC Meeting: 05/21/2024 @ 6:00 PM
 - C. Next Tech Review Meeting: 5/23/2024 @ 2:00 PM (Zoom)
9. ADJOURN

ORD

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
MAY 7, 2024**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:02 P.M.

2. ROLL CALL

Those present and answering Roll Call were Jeff Seyfarth, Tony Davis, Ben Lewis, John Sessoms, Craig Langford, Devin Murphy, Jerry Harris, Joey Ingle, and Brandon Swoboda. Others in attendance for the city were: Planner Dianne Morrison Lloyd, Planner Kayla Knight, Director of Planning Lorene Burns, City Engineer Alan Craighead, City Attorney Brian Rabal, Mayor Bill Edwards, and Planning Assistant/ Recorder Samantha Hartman.

3. APPROVAL OF MINUTES

Commission Chair Jeff Seyfarth introduced the minutes of the Planning Commission meeting from April 16, 2024, and asked Commissions if anyone had questions or concerns.

Joey Ingle made a motion to approve the minutes from the April 16, 2024, Planning Commission Meeting, with a second from Devin Murphy. No members were opposed, and the motion was carried.

4. RATIFICATION

A. **HOP24-07 MAGNOLIA LAWNCARE- Administrative-** 740 Tyler St.; Walnut Ridge Sub PH 2 (Zoned R2) *Applicant: Jacob Detton (Planner: SHartman)*

B. **HOP24-09 FORCAL POINT BEADS- Jewelry Making-** 430 Firewood Dr.; Centerpoint PH 2 (Zoned R3-SF) *Applicant: Doug Newman (Planner: SHartman)*

John Sessoms made a motion to approve the RATIFICATIONS, with a second from Joey Ingle. No members were opposed, and the motion was carried.

5. NEW BUSINESS

A. **{PUBLIC HEARING} CU24-02 680 PACIFIC LC- Short Term Rental-** 680 Pacific Ave (Zoned R3-SF) *Applicant: Stephanie Cain (Planner: DMorrisonLloyd)*

- ◆ Property owner, Stephanie Cain was present.
 - Purchased this property for short, mid, and long- term rental.
- ◆ Planner, Dianne Morrison Lloyd gave the staff update.
 - The applicant is requesting a Conditional Use for a short-term rental.
 - Mid- and long-term rental does not need a Conditional Use

- o The property is 0.10 Ac and is Lot 137 in the Featherston Village Ph 1 subdivision, which is located on the southeast corner of Kimmel & Womack Rd.
- o The owner would like to use this property as a permanent rental property with the option for short-term rentals.
- o The home has 2 bedrooms and 2.5 bathrooms and can sleep up to 5 people.
- o R3-SF (MEDIUM-HIGH DENSITY SINGLE FAMILY)
 - This area is intended for detached single-family dwellings with a suitable lot area.
 - Minimum Lot Area: 6,000 sq ft
 - Minimum Lot Width: 60-ft
 - Minimum Setbacks: Front—25-ft; Rear—20-ft; Street Side—25-ft; Side—7-ft
- o **PUD19-02**
 - Minimum Lot Area: 2,800 sq ft
 - Minimum Lot Width: 35'
 - Minimum setbacks: Front-37-ft; Rear- 10-ft interior lots and 20-ft exterior lots; Side interior-5-ft and exterior 20-ft
- o The property can be accessed from Kimmel Rd to the north and Womack Rd to the west.
- o All streets in the Featherston Village subdivision are private streets with no sidewalks.
- o Pedestrian trails are located at the rear of the interior lots and within the common areas.
- o The home is connected to Centerton Water and sanitary sewer.
- o Two off-street parking spaces are provided with each home in the Featherston Village subdivision.
- o Guest parking is located to the west of this property on Illinois Ave.
- o No on-street parking is allowed in the subdivision.
- o The owner lives out of state and will use Pinewood Property Management to maintain the property and to screen potential renters. The same management company will arrange short-term rentals.
- o The Covenants for Featherston Village do not prohibit leasing or renting properties within the subdivision. The rental agreements shall comply with all applicable laws and zoning requirements.
- o Special Conditions for recommendations
 - Term of approval is recommended for an indefinite period of time from the date of PC approval. Approval of this use permit expires upon discontinuation of the approved use after 1-year and will require reapplication and reapproval.
 - All occupants are required to park in the provided two car driveway or in designated guest parking areas. No on-street parking shall be allowed.
 - At no time shall the total number of persons residing in a single

- residence exceed the total capacity allowable by either fire or building codes.
- All business licenses, fees, permits, and other items necessary for Airbnb and other short or medium-term rental requirements shall be met. If the City, state, or other regulatory authority shall pass a new ordinance or law regulating such rentals, the property shall also fall subject to these requirements.
- The home shall have a mounted fire extinguisher.
- Applicant is encouraged to provide ADA accommodations; owner to accept liability if non-ADA compliant.
- o Chair of the Planning Commission, Jeff Seyfarth asked what happened regarding the one Public Complaint
 - Stephanie Cain said the landscape company ran over the sewer cap and there was a plumbing backup.
 - The property management met the plumber at the property multiple times but due to Centerton Utilities turning off the water, it could not be proven that it was fixed for a while.
 - Roto Rooter fixed the problem.
- o Planning Commission, Tony Davis asked why it took so long to fix the problem.
 - Stephanie Cain said it was mainly because Centerton Utilities would not turn it on until the inspectors could get out there to prove it was fixed.
- o Tony Davis asked Stephanie Cain if she was aware of what was written in the letter and that it took over a month to fix and there was arguing going on.
 - Stephanie Cain said she believes she knows what is being referenced.
 - She initially did not know who oversaw the landscaping and whether it was the people in charge of the builders or the POA.
 - There was a lot of talk going around from others in the development and she was trying to let others know she is aware of the problems and the property management is currently getting it fixed,
- o She has been operating for a year and did not know a Conditional Use Permit was needed.

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 Joey Ingle. No members were opposed, and the public hearing was opened.

- o No Public Comments
- o One e-mail from Rachel Ford (670 Pacific Ave.) was sent to the city staff.

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

- ◆ Planning Commissioner, John Sessoms thought he remembered that a Condition for the PUD was they would not be sold to others to rent.
 - Planning Director, Lorene Burns, said their initial intent was to sell as affordable housing but it was not a Condition of the approval of the PUD.
- ◆ Planning Commissioner, Brandon Swoboda asked if there was a citation for operating without the proper permits.
 - City Lawyer, Brian Rabal said a citation is not usually given for the first warning.
- ◆ City Planner, Kayla Knight said we found out about the short- term rental because residents called in to let us know there is a lot of traffic generating from a few houses.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle made a motion to Approve CU24-02 680 PACIFIC LC- Short Term Rental with a 5- year time period and to following all of the conditions listed with a 2nd from Tony Davis. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.

B. {PUBLIC HEARING} CU24-03 HALE'S FIREWORK – Firework Stand – 190 Keller Rd (Zoned C-2/4.6 ac) Owner: J HUFFAKER LLC; Applicant/Repr: Daniel Dartanian (Planner: DMorrisonLloyd)

- ◆ Applicant Daniel Dartanian was present.
- ◆ Planner, Dianne Morrison Lloyd gave the staff update.
 - The applicant is requesting a conditional use for temporary fireworks stand for the period of 5 years (use 169 Temporary Uses) at 190 Keller Rd the NE/C of W Centerton Blvd and Keller Rd.
 - The property is zoned Highway Commercial (C-2).
 - The previous three-year Conditional Use of a fireworks stand expired in June 2023.
 - The applicant would like to continue operating the fireworks stand at this same location as it has been since 2017.
 - The property is zoned Highway Commercial (C-2) and is intended for those businesses which cater to the highway traffic, such as service stations, drive-in restaurants, motels, supermarkets, and similar businesses. Temporary uses are conditional in C-2 zoning.
 - The property is adjacent to Agricultural (A-1) to the north, west and south and low-density single-family residential (R-1) to the east and southeast.
 - The property can be accessed from W Centerton Blvd (MSP Major Arterial, 100' ROW) and Keller Rd (MSP Minor Arterial, 90' ROW).
 - Public parking will be provided on the west side of the tent past the fire lane.
 - The tent will be erected after June 1st and taken down by July 10th. The stand will operate from June 20th to July 5th, 7 days a week from 9:00 AM to 9:00 PM. The stand will be open until 12:00 AM on July 3rd and 4th.
 - The site will have two feather flags between the tent and W Centerton Blvd and one banner on three sides of the tent. A sign permit will be required prior to installation of the signage.
 - Subject to Fire Inspection(s) after stocking tent and must comply with Arkansas Fire Prevention Code requirements, Vol 1 & 2 as applicable.

- o The owner of the property shall mow the entire property to be in compliance with city code prior to erecting the tent.
 - Mowing just the area where the tent is to be erected is not acceptable.

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

- o No Public Comments

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

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve CU24-03 HALE'S FIREWORK – Firework Stand as presented with a second from John Sessoms. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.

A. {PUBLIC HEARING} CU24-05 ACE BATTING – Addition of Outdoor Lighting - 8700 N. Rainbow Farm Rd. (Zoned C-3/ 5.00 Ac) Owner/Repr: ACE Batting; Ramesh Jandhyala (Planner: KKnight)

- ◆ The owner of Ace Batting, Ramesh Jandhyala was present.
 - o Opened October of 2022
 - o In 2023, the summer days were too hot, and he wants to operate after sunset and add lights.
- ◆ Planner, Kayla Knight gave the staff update.
 - o The applicants, Ace Batting, are requesting to amend their original conditional use (CU20-07) to allow recreational outdoor lighting.
 - Their previous conditional use (CU20-07) specifically prohibited outdoor lighting.
 - o Should the conditional use be approved, a minor site improvement application will be required to allow work on site, and to ensure no light bleeds onto adjacent properties.
 - o Per the applicant's narrative, Ace Batting is not expanding the number of players they serve.
 - No structural changes will be made to the existing building.
 - They are only requesting to be allowed to add lighting to the outdoor batting cages so that the batting cages can be used after the sun has set.
 - o This property is zoned C-3 Neighborhood Commercial.
 - This zone is primarily for convenience shopping and services, such as grocery stores, barber and beauty shops, laundromats, drugstores, taverns, professional offices, and similar uses.
 - o Adjacent Properties
 - Directly to the north and east are zoned A-1 and are undeveloped.
 - To the south is the proposed Ambe Estates Duplexes, zoned R3-D
 - To the west, parcels are zoned R-E and R-1 and are being used as residential.

- Directly adjacent to those parcels is the proposed Daisy Rd Duplexes, which are zoned R3-D.
- To the southwest is Brookside Estates subdivision, which is zoned R3-SF.
- o On the site, there currently exists one indoor recreational facility, 10 outdoor batting cages, parking, and a residential home with accessory structures.
- o Ace Batting has an approved conditional use since November 03,2020, to allow an indoor/outdoor recreation facility. Because outdoor lighting was specifically prohibited with the original conditional use, an amendment for “Outdoor Recreation – Outdoor Lighting” is required. With this amendment, the general requirements of the original conditional use are reviewed to ensure compliance.
 - During the approval of the original conditional use approval, the Planning Commission specifically denied the request to have outdoor recreational lighting due to the location of the development, and the narrative that was submitted by the owner previously that stated no outdoor lighting would be installed. At the time approval, the Planning Commission stated that the condition prohibiting outdoor lighting could be reconsidered in the future.
 - Site shall have appropriate and suitable screening & landscaping (trees) around commercial and recreational uses providing a buffer for adjacent properties, with additional shrubs of appropriate number and variety of size, character, texture, and color. A landscape plan will be provided with large scale development and design will be finalized at that time.
 - The landscaping shown on the site plans were not installed on site. There is existing landscaping along the property lines.
 - All recreational and business activities shall be restricted to between the hours of 7:00 am and 10:00 pm on weekdays and 10:00 am and 10:00 pm on weekends.
 - This development provides 14 parking spaces onsite in front of the indoor recreational facility and 26 temporary spaces offsite across the street, as approved by MSI22-03.
 - Outside storage of material or equipment is not permitted unless it is screened from public view.
 - The site currently has additional turf and equipment being stored on site, and the existing asphalt is not being maintained.
 - Staff recommends requiring the site to be cleaned up and maintained, including the removal of stored materials, maintenance of asphalt parking lot, removal of truck with flat tires, cleaning up of area around the batting cages etc.
- ◆ Director of Planning, Lorene Burns asked if there is proper mowing for safely accessing facility..

- The owner of the facility Ramesh Jandhyala said a contract was made for mowing of the whole facility every Saturday.
- The parking lot across the street is rarely used.
- ◆ Director of Planning, Lorene Burns asked about the future of the business going indoors.
 - Owner of the facility Ramesh Jandhyala said the investment is not there to be able to make it indoors, but it is a future goal.

The commissioners had no 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.

- o One e-mail was sent to the city staff.
 - ❖ Rohit Chaturvedi residing at 8660 N. Rainbow Road was concerned about the following:
 - ✓ Light pollution
 - ✓ Traffic flow into the facility.
- o Rohit Chaturvedi residing at 8660 N. Rainbow Road wants to make sure residents are considered with the following:
 - ❖ added light pollution.
 - ❖ Right of Way
 - ❖ limiting hours.

The commissioners had no questions and Jeff Seyfarth entertained a motion. John Sessoms made a motion to close the public hearing with a Second from Joey Ingle. No members were opposed, and the motion was carried.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Tony Davis motioned to approve CU24-05 ACE BATTING – ADDITIONAL OUTDOOR LIGHTING second from Ben Lewis. One member was opposed, and the motion was carried.

D. {PUBLIC HEARING} REZ24-04 TOWER PARK-Rezone from A-1 to R3- SF, R3-MF & C-2- 11609 W. Ark. Hwy 72 (31.8 Ac) Owner: Anderson Custom Homes; Engr: Sand Creek Engineering, Dan Cole (Planner: Knight)

- ◆ Dan Cole from Sand Creek Engineering was present.
 - o Rezone with three predominate uses.
 - o Aligns with the city's comprehensive plan.
- ◆ Planner, Kayla Knight gave the staff update.
 - o The parcels are located along Hwy 72, directly north of the Centerton Water Tower, and are on the edge of the Centerton City Limits.
 - o Adjacent Properties:
 - The parcels are surrounded by property that is located outside the Centerton City Limits to the north, east and south.
 - To the west are The Pines Subdivision Phases 1-4.
 - o One of the parcels has an existing house on the property, including a septic system, and several accessory buildings to be removed with development of the property.

- o Requestion Rezone
 - R3-SF (MEDIUM-HIGH DENSITY SINGLE FAMILY) This area is intended for detached single-family dwellings with a suitable lot area.
 - This rezone will rezone 15.6 Ac to R3-SF.
 - R3-MF (MEDIUM-HIGH DENSITY MULTI-FAMILY RESIDENTIAL (3-4 UNIT) This area is intended for one structure on a single lot that consists of 3 to 4 attached dwelling units arranged side-by-side and/or stacked, typically with a shared entry from the street.
 - This rezone will rezone 9.13 Ac to R3-MF.
 - C-2 (HIGHWAY COMMERCIAL) This area is intended for those businesses which cater to the highway traffic, such as service stations, drive-in restaurants, motels, supermarkets, and similar businesses.
 - This rezone will rezone 7.21 ac to C-2.
- o The parcels have frontage along Hwy 72 and Walters Rd.
 - Hwy 72 is a state highway and designated as a major arterial with a planned ROW of 100-ft on the MSP.
 - The NWA Heritage Trail is planned along HWY 72 on the Master Trails Plan.
 - Walters Rd is designated a major collector with a planned ROW of 80-ft on the MSP.
 - There is a 10-ft shared use side path planned along Walters Rd on the Master Trails Plan.
 - City Engineer, Alan Craighead added that sidewalks and ADA ramps will need to be added on Walters Road.
 - Centerton Water is available along Walters Rd & Hwy 72. There are several water lines running along the south property line, connected to the Water Tower, including a 36-in water line for Two-Ton and a 12-in water line for Centerton Utilities.
- o On the Land Use Plan, this area is designated for commercial along the frontage of Hwy 72, and medium/high density residential between the commercial and Walters Rd. Per the Land Use Plan, the commercial corridor “consist primarily of uses that serve both nearby residents and those coming from other parts of the city or region. Commercial areas are typically organized in a linear fashion along corridors or at significant intersections and include retail, restaurant, service, and office uses” and the “medium/high density residential areas consist of detached and attached single-family residential homes with a density of 7-11 units per acre. Attached single-family residential can include townhomes or duplex residential properties. These areas encourage greater variety within Centerton’s housing stock and allow for more flexibility to build denser residential development in proximity to the City’s major roadways, such as Centerton Boulevard and Main Street
 - The parcels are located within Node 4 of the Growth Accommodation plan, which states “in this part of Centerton, existing single-family

subdivisions should be completed to utilize already platted land. Once these subdivisions are fully formed, additional single-family homes intermixed with well-designed duplexes and townhomes can be developed. Attached units should be constructed adjacent to commercial uses in this area as a transition to less dense, single-family detached neighborhoods.

- The parcels are located within Node 2 of the Economic Development framework map, which is described as “a node of neighborhood-serving commercial development should be established at the intersection of Highway 72 and Herbaugh Road. Additional retail uses north along Highway 72 are also appropriate upon establishment of the central node. Where lots are shallow or small, strategic parcel assembly may also be required to facilitate modern commercial development. New development should complement the scale and character of existing commercial development and surrounding residential neighborhoods.
- Based on the goals of the Land Use Plan, the rezone request for **R3-SF** (max density of 7 units per acre), **R3-MF** (max density of 8 units per acre) and **C-2** (Highway Commercial) is **consistent**. Each zoning complies with the suggested density of 7-11 unit per acre suggested by the LUP and allows for flexibility in housing types, as well as provides the commercial node called out in the comprehensive plan.

The commissioners had no questions and Jeff Seyfarth entertained a motion. John Sessoms made a motion to open the public hearing for REZ24-04 with a second from Devin Murphy. No members were opposed, and the public hearing was opened.

- One e-mail was sent to the city staff.
 - ❖ Sherrill Family at 911 Pink Lady Place
 - ✓ Concerned with the traffic.
 - ✓ Dangerous for pedestrians and bicyclists with how narrow Walters Rd. is currently.
 - ✓ They do not want Centerton to turn into an urban sprawl.
- Ryan Foster at 11848 Lakenhealth Dr.
 - ❖ Speaking on behalf of Waterford Park POA
 - ✓ Reconsider the multi-family and make it a single family.
 - ✓ Continuous traffic of Hwy. 72

The commissioners had no questions and Jeff Seyfarth entertained a motion. John Sessoms made a motion to close the public hearing for REZ24-04 with a second from Joey Ingle. No members were opposed, and the public hearing was closed.

- ◆ Tony Davis confirmed that it is aligned with the city’s land use plan.
 - Jeff Seyfarth said yes, and it is one of the most consistent rezones to land use plan he has seen.

- ◆ When Orchard Park Subdivision was starting to be developed, R-3 was single family, duplexes, and multi- family which would have allowed them to do a higher density than what the land use allowed.
- 1. **The Planning Commission is asked to consider the following of the request to rezone from A-1 to R3-SF, R3-MF and C-2:**
- 2. **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why?**
 - a. **It is consistent with the land use plan.**
- 3. **Is the proposed rezoning compatible with the surrounding area and zones?**
 - a. It is compatible with mixed zoning.
 - b. Brandon Swoboda said it is not with the multi- family.
- 4. **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
 - a. The commercial properties would be great for the growing residential areas.
- 5. **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
 - a. We would look at it the same way with all property in Centerton.

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. We may have to look at this area for the school district to make sure bussing remains for the residents.
- b. Walters Road will have to be looked at for the future road plans.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Tony Davis motioned to approve REZ24-04 TOWER PARK-REZONE FROM A-1 to R3- SF, R3-MF & C-2as presented with a second from John Sessoms. In a Roll Call, one member was opposed, and the motion was carried.

C. DEV22-10 BUSH ROAD HOMES- Preliminary Plans & Adjacent Street

Agreement- Bush Road and Nottingham Lane (Zoned R-3 / 1.84 Ac/ 14 Dwelling Units)

Owner: Twelvestone Construction and Design; Engr/Repr: Swope Engineering, Phil Swope (Planner: KKnight)

❖ **6-month extension of preliminary plan approval**

❖ **Adjacent Street Agreement Approval**

- ◆ Phil Swope from Swope Engineering was present.
 - We are back to clarify some of the conditions that were made when the project was approved about one year ago.
 - The open space on the west side was a swale with deeper slopes and will be flattened out to 15% or lower.
 - We agreed to a 10-foot trail on Bush Road through an Adjacent Street Agreement.
 - May 16th is one year from the preliminary approval, and they are

asking for a 6- month extension to start the Pre-Con.

- ◆ Planner Knight gave the staff update.
 - The preliminary development plan consists of fourteen (14) single family homes with a maximum footprint of 920 square feet.
 - Bush Road Development's PUD was approved by the Planning Commission on 12-1-2021 for the development of 14 dwellings, and one detention pond.
 - The preliminary development plans were approved by the Planning Commission contingent on remaining staff comments on 5/16/2023; however, the adjacent street agreement was not approved.
 - The only open space that is more than 15% slope is around the pond on the east side.
 - The Adjacent Street Agreement is now clarified and signed by all parties.
 - Nottingham Road is a private Road that is already built out from when Westridge Subdivision was developed.
 - On Bush Road they are building a 10- foot trail and dedicating 10- feet of Right of Way to meet the Master Street Plan requirements.
 - Adding Street Lights and Street trees as shown on the preliminary plan.
 - A few minor items are left to be shown on the plans:
 - One streetlight on Bush Road and Nottingham Rd. that needs to be shown on the plans.
 - Minor labeling to correct on the plans.
 - Planning Commissioner, Joey Ingle asked about the 10- foot trail.
 - Kayla Knight said it goes between the Right of Way and storm sewer.
 - There is a bit of greenspace between the pond and the trail.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve DEV22-10 BUSH ROAD HOMES- PRELIMINARY PLANS AND THE ADJACENT STREET AGREEMENT AS PRESENTED WITH A 6- MONTH EXTENTION with a second from Devin Murphy. No members were opposed, and the motion was carried.

D. SUB23-05 PARISE SUBDIVISION- Adjacent Street Agreement & Fee In Lieu Approval- 1601 Bliss Street (Zoned R3-SF/ 12.24 Ac/ 38 Buildable Lots) Owner: Sreenivas Parise; Developer: Sreenivas Parise; Engr: Bates and Associates, Geoffrey Bates (Planner: KKnight)

- ◆ Addie Manzif from Bates & Associates was present.
 - Fee-In Lieu was added to connect the Morningside and Bliss Meadows Subdivision.
 - Street Lighting
 - Fencing around the pond
- ◆ Kayla Knight gave the staff update.
 - The preliminary plans for the Parise subdivision were approved contingent upon the remaining staff comments on 10/17/2023; however, the motion for approval did not include the adjacent street agreement.

- o Since the preliminary approval, the adjacent street agreement has been updated to include fee-in-lieu for curb & gutter, one drain box, and 40- feet of drainage pipe for a section of road along the north side of Bliss Street.
- o All comments have been addressed on the preliminary plans contingent on PC decision regarding detention pond fencing due to it not being a 5- foot maintainable space between the sidewalk and the pond.
 - Per the Drainage Code the Planning Commission is the final decision maker on the fence.
 - The pond is a 3 to 1 slope and the depth 8- feet.
 - Joey Ingle asked if a rail would work.
 - 42- inch wrought iron barrier
 - On the previous plans, Bliss Street had a big radius and now it has been straightened out with a 23-to-24-foot road per the major collector requirements.
- ◆ Ben Lewis asked when was the last time that the city used fee-in-lieu for curb & gutter?
 - There are a lot of gaps throughout the city.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve SUB23-05 PARISE SUBDIVISION WITH A BARRIER AROUND THE POND TO BE OPEN AND METAL, THE ADJACENT STREET AGREEMENT AND THE FEE-IN LIEU APPROVAL with a second from Devin Murphy. No members were opposed, and the motion was carried.

6. ANNOUNCEMENTS

- a. **ARDOT Public Meeting; 06/06/2024 @ 2:30- 3:30 PM for Public Officials & 4:00- 7:00 PM for the public**
- b. **Next Council Meeting: 05/21/2024 @ 6:00 PM**
- c. **Next PC Meeting: 05/21/2024 @ 6:00 PM**
- d. **Next Tech Review Meeting: 5/23/2024 @ 2:00 PM (Zoom)**
- e. **Final Draft of Title 15: 05/17/2024**

7. ADJOURN

Tony Davis made a motion to adjourn the meeting at 7:54 PM, with a 2nd from Devin Murphy. No commissioners were opposed, and the meeting was adjourned.



Jeff Seyfarth- Planning Chair
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman