



CENTERTON PLANNING COMMISSION
JULY 2, 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 – 06/04/2024
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **HOP24- 20 FAITH SANDERS PHOTOGRAPHY- Photography Studios-** 1410 Golden Jubilee Rd. (Zoned R-2) *Applicant: Faith Sanders (Planner: SHartman)*
 - B. **HOP24- 21 LINDSAY ADAMS VOICEOVER ACTOR- Recording Voiceovers-** 1420 Partridge Run. (Zoned R-2) *Applicant: Lindsay Adams (Planner: SHartman)*
 - C. **HOP24- 22 BLACK CAT BOTANICALS- Making jams and bath products –** 301 McKissic Springs Rd. (Zoned R-2) *Applicant: Susan Beach (Planner: SHartman)*
 - D. **TS24-07 MYERS- Replat of Myers Subdivision-**1270 Myers Ln. (County/ Parent Tract 2A: 4.58/ Tract 2D: 5.01/ Parent Tract 1D: 2.55/ Tract 1F: 2.88/ Parent Tract 1C: 5.58 Tract 1E: 4.51) *Owner: Donald and Mauri Myers; Surveyor: Swope Engineering; Phil Swope (Planner: KKnight)*
5. **NEW BUSINESS**
 - A. **{PUBLIC HEARING} CU24-11 DAVITT ELECTRIC MOBILE FOOD TRUCK- Food Truck-** 226 N. Main St. (Zoned C-1/ 0.27 Ac) *Owner: Rick & Gail Tiner; Applicant: Joe Davitt Electric; Joe Davitt (Planner: TCulpepper-Miller)*
 - B. **DEV23-10 FLYWAY CROSSINGS AT CENTERTON – Preliminary Plans and Adjacent Street Agreement–** 447 Kimmel Rd (Zoned R3-MF/ 18.5 Ac/ 170 dwelling units/ PUD) *Applicant: Flyway Ventures, Chris Woodard; Engr: Bowman Consulting, James Ducker (Planner: KKnight)*
6. **OTHER BUSINESS**
7. **ANNOUNCEMENTS**
 - A. **Next Council Meeting: 07/09/2024 @ 6:00 PM**
 - B. **Next PC Meeting: 07/16/2024 @ 6:00 PM**
 - C. **Next Tech Review Meeting: 7/18/2024 @ 2:00 PM (Zoom)**
8. **ADJOURN**
9. **LAND USE WORK SESSION**

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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
JULY 2, 2024**

1. CALL TO ORDER

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

2. ROLL CALL

Those present and answering Roll Call were Jeff Seyfarth, Tony Davis, Ben Lewis, John Sessoms (via Zoom), Devin Murphy, Joey Ingle, and Brandon Swoboda. Others in attendance for the city were: Planner Dianne Morrison Lloyd, Planner Kayla Knight, Planner Tara Culpepper- Miller, Director of Planning Lorene Burns, City Engineer Alan Craighead, City Attorney Brian Rabal, Deputy Chief Paul Higginbotham, 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 June 4, 2024, and asked Commissions if anyone had questions or concerns.

Ben Lewis made a motion to approve the minutes from the June 4, 2024, Planning Commission Meeting, with a second from Joey Ingle. No members were opposed, and the motion was carried.

4. RATIFICATION

- A. HOP24- 20 FAITH SANDERS PHOTOGRAPHY- Photography Studios-** 1410 Golden Jubilee Rd. (Zoned R-2) *Applicant: Faith Sanders (Planner: SHartman)*
- B. HOP24- 21 LINDSAY ADAMS VOICEOVER ACTOR- Recording Voiceovers-** 1420 Partridge Run. (Zoned R-2) *Applicant: Lindsay Adams (Planner: SHartman)*
- C. HOP24- 22 BLACK CAT BOTANICALS- Making jams and bath products –** 301 McKissic Springs Rd. (Zoned R-2) *Applicant: Susan Beach (Planner: SHartman)*
- D. TS24-07 MYERS- Replat of Myers Subdivision-**1270 Myers Ln. (County/ Parent Tract 2A: 4.58/ Tract 2D: 5.01/ Parent Tract 1D: 2.55/ Tract 1F: 2.88/ Parent Tract 1C: 5.58 Tract 1E: 4.51) *Owner: Donald and Mauri Myers; Surveyor: Swope Engineering; Phil Swope (Planner: KKnight)*

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

5. NEW BUSINESS

A. {PUBLIC HEARING} CU24-11 DAVITT ELECTRIC MOBILE FOOD TRUCK- Food Truck- 226 N. Main St. (Zoned C-1/ 0.27 Ac) Owner: Rick & Gail Tiner; Applicant: Joe Davitt Electric; Joe Davitt (Planner: TCulpepper-Miller)

- Applicant, Bethany Davitt was present.
 - We are looking to get a tow behind food truck for the parking lot of Davitt Electric.
 - Re-establish a Conditional Use that has lapsed.
- Planner, Tara Culpepper- Miller gave the staff update.
 - The applicant is requesting a Conditional Use for a Mobile Food Vendor Davitt Electric, 226 N Main St.
 - There is no food truck currently scheduled.
 - The applicant is requesting conditional use for future use.
 - This property previously had a conditional use in 2020 to allow for a mobile food vendor at this location that expired 07/21/2023.
 - The property is zoned Central Business District.
 - This zoning represents an area of intensive commercial use including retail stores, banks, offices, and the like.
 - Due to the permanency of the existing structures, and the nature of this district, structures, may, subject to Planning Commission approval, be built to the front and in most cases, side property lines.
 - The property is surrounded by Central Business District (C-1) zoning. To the south of the property is a vacant building and to the west of N Main St is Bemco INC. and the old City Hall is located north of the property.
 - The property can be accessed from N Main St via an existing drive/parking lot attached to Davitt Electric.
 - Shared parking with Davitt Electric in the Bemco gravel parking lot next to Old City Hall.
 - The proposed hours of operation are 8 AM to 8 PM, Sunday to Saturday.
 - There will be one to three employees working on site.
 - No signage is proposed.
 - A sign permit will be required by the Public Works Department prior to installation of the signage.
 - The entire property is within the floodway and there will be no changes to the elevation of the property and no permanent construction. The base flood elevation of 1254.82 is approximately two feet higher than the ground elevation of 1252.90. In recent years flooding has been minimal in this area. Any items not anchored will need to be removed during large rain event.

- o Proposed Conditions
 - Term of approval is to be determined by the Planning Commission.
 - The expiration date will be determined by the term of approval set by the Planning Commission.
 - There is public parking available in the gravel lot between the property and City Hall. Our current off-street parking code and the Mobile Food Vendor ordinance do not have specific requirements at this time; any parking requirements would be at PC's discretion for this additional use.
 - The hours of operation will be 8:00 AM – 8:00 PM Sunday through Saturday, however days & hours of operation may vary from tenant to tenant.
 - Operating hours are to be determined by the Planning Commission.
 - A fire inspection is required prior to receiving the Business License and occupancy.
 - Contact Paul Higginbotham to schedule an inspection.
 - There will only be one food truck in the designated location at a time and no additional accessory structures are allowed.
 - Vendor/tenant shall be responsible for maintaining the premises in good, clean, and un Hazardous conditions.
 - Applicant is encouraged to provide ADA accommodations; owner to accept liability if non-ADA compliant.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Tony Davis made a motion to open the public hearing with a second from Ben Lewis. No members were opposed, and the public hearing was opened.

- o No Public Comments
- o No e-mails were received by city staff.

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.

- ◆ Jeff Seyfarth recommended to take hours off the Conditional Use
 - o The Commissioners agreed.
- ◆ Brandon Swoboda asked if there were any problems with the previous Conditional Use
 - o Planner, Dianne Morrison Lloyd said there were no problems.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Ben Lewis made a motion to Approve CU24-11 DAVITT ELECTRIC MOBILE FOOD TRUCK FOR THREE YEARS with a 2nd from Devin Murphy. All members present voted Aye without negative and Motion was carried.

B. DEV23-10 FLYWAY CROSSINGS AT CENTERTON – Preliminary Plans and Adjacent Street Agreement– 447 Kimmel Rd (Zoned R3-MF/ 18.5 Ac/ 170 dwelling units/ PUD) Applicant: Flyway Ventures, Chris Woodard; Engr: Bowman Consulting,

James Ducker (Planner: KKnight)

- The CEO of Flyway Ventures Chris Woodard was present.
 - 171 rental units
 - Gated community with private roads
 - Various bedroom and unit types
 - Detached and Unattached garages are available.
 - Greenspace, parks, and clubhouse are on site.
- Planner, Kayla Knight gave the staff update.
 - The applicant is requesting preliminary approval of development plans to develop a multi-family development at 447 Kimmel Rd.
 - The development will include 171 dwelling units including single-family detached and attached units.
 - This property has a PUD that was approved on 11/15/2022.
 - The property is surrounded by undeveloped property zoned A-1. To the east are a number of subdivisions including Blossom Hills Subdivision, Southwind's subdivision, Featherston Village West, Featherston Village Original, and The Dunes at Prairie Valley. The northeast corner of Featherston Village West is zoned C-3.
 - The following items were conditions of the PUD and how this development meets those requirements:
 - The Municipal code 14.04.12 requires the property be in single or corporate ownership at the time of filing, or that the application is filed by all owners of the property. The property that is proposed for inclusion in the PUD is owned by Flyway Ventures.
 - There are no subdivisions of land proposed with this development.
 - A lot combination shall be required prior to final acceptance. ROW and utility easement dedication shall be completed with combination plat.
 - This requirement will be met at the end of construction with a plat to dedicate ROW, easements, and combine the two parcels.
 - Density shall be limited to no more than 179 residential units.
 - The development proposes 171 residential units, meeting the PUD requirements.
 - All architectural treatment shall adhere to city standards as required in Centerton Municipal Code, Section 14.04.12.
 - The architectural elevations were provided with the PUD. Facades facing the public ROW will have articulation, and all material requirements were met.

- No less than 25% open space shall be dedicated via permanent open space easement in compliance with the PUD ordinance requirements.
 - This development meets the PUD requirement of open space by designating 5.33 ac as open space.
- The PUD shall include clubhouse facility, pool area, dog park and pocket parks as shown in approved concept, or other amenities as approved by staff.
 - The development proposes several pocket parks, a walking trail around the retention pond, a dog park, a clubhouse, and sidewalks throughout the site, meeting the PUD requirements.
- o 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.
 - The setbacks were not reduced with the PUD.
 - The PUD allows there to be multiple buildings on one lot, instead of each building being on its own lot.
- o There are two existing buildings and a shed on site that are to be removed with this project. In addition, there is a well that will be abandoned.
- o Water and Sewer are both available along Kimmel Rd.
- o There is an existing body of water on the site. Per the wetlands study provided, the wetlands on site are not jurisdictional.
- o The Access and Adjacent Street Agreement
 - This is proposed to be a gated community. All internal streets are private and are a minimum width of 24-ft (including c/g). Where parallel parking is proposed, matches our typical 30-ft BOC local road section. There are 5-ft sidewalks provided throughout the development for pedestrian circulation. There are 24-ft wide alleys (see road D, E and F) that allow two-way traffic and meet the fire code.
 - Kimmel Rd is designated as a major collector with a planned ROW of 80-ft. This development will dedicate 40-ft of ROW from the section line/property line to meet the MSP requirements. McKissic Springs Loop is planned along Kimmel Rd. This development will build the 12-ft trail along their property frontage. A streetlight will be provided at the entrance. The developer has requested a fee-in-lieu of all other road

improvements including road widening, curb & gutter, and striping. The total fee-in-lieu proposed is \$51,607.23.

- Due to the length of frontage that this development has (221 LF), the Public Works Director and City Engineer recommended that the developer propose a fee-in-lieu. The estimate provided has been approved by both the City Engineer and Public Works Director and is recommended for approval by the Planning Commission.
- Street trees are proposed along Kimmel Rd, outside of the ROW; however, the Public Works Director has stated that because cars will have to stop further back at the entrance to avoid stopping on top of the 12-ft trail, the sight triangle requirements prohibit street trees from being planted along Kimmel Rd at this time. When Kimmel Rd is improved in that area, the Public Works Department will plant trees along the road.
- Staff has approved the adjacent street agreement and recommends it for approval by the Planning Commission contingent on one minor comment to note that the Public Works Department will plant street trees along Kimmel Rd in the future because they will not allow street trees to be planted at this time.
- o There is a retention pond proposed on this development. The pond has a bottom elevation of 1247-ft and a Normal WSE of 1251-ft, resulting in a water depth of 4-ft. The top of the pond is 1258-ft, resulting in a total depth of 11-ft. There is a 4-ft black vinyl chain link fence around the pond, as approved during the PUD.
 - The City Engineer has approved the drainage as proposed.
- o Streetlights are provided throughout the development to light the street and decorative lighting is provided along the walking path around the pond and within pocket parks.
 - The photometric plan has been approved by staff.
- o A tree preservation plan was provided; however, no trees will be preserved with this development. Per the applicant, *“Based on the Geotechnical Report, the existing soils on site are poor quality and at least 2-feet of the site will have to be removed. The elevation difference between existing and proposed varies around the site, meaning saving trees would create the potential to impair both site drainage and tree condition. The client has conducted a site visit to consider the*

preservation of the existing trees on site. Construction activities may further damage the health of trees kept on site.”

- Per the PUD agreement, trees shall be required within the pocket parks and detention lot.
- o Street trees are proposed along Kimmel Rd, outside of the ROW; however, the Public Works Director has stated that because cars will have to stop further back at the entrance to avoid stopping on top of the 12-ft trail, the sight triangle requirements prohibit street trees from being planted along Kimmel Rd at this time. When Kimmel Rd is improved in that area, the Public Works Department will plant trees along the road.
 - There are trees proposed throughout the development including along the roadways, as required by the PUD.
- o As required by the Planning Commission during PUD approval, trees are proposed along the east and south property lines. The location of the trees and tree species has been approved by the Centerton Utilities director, as the trees are in close proximity to proposed waterlines.
 - Staff have approved the provided landscaping plan and recommend for approval by the Planning Commission contingent on the street trees being removed from along Kimmel Rd.
- o 138 units have 2 covered and 2 uncovered parking spaces. 47 parallel parking spaces are provided along the streets for the clubhouse and additional visitor parking. There are 69 perpendicular parking spaces for the 1-bedroom cottages on the south side of the development and for the dog park.
 - The proposed parking meets the PUD requirements.
- o Due to the number of units proposed and the development only having one access, this development will be sprinkled.
- o This development is proposed to have 3 phases.
 - Phase 1: 65 Units
 - Phase 2: 46 units
 - Phase 3: 60 units
- o Any signage will require obtaining a sign permit from Anthony Martinez.
- Planning Commissioner, Joey Ingle asked if there will be a perimeter fence. What type if there will be a fence.
 - o Chris Woodward said there will be gates at stubs.
 - o Most likely there will be a 6-foot privacy fence.
- Tony Davis said he did not see dumpster pads.
 - o Chris Woodward said there will be individual rollouts.

- Ben Lewis asked about sprinklers.
 - Deputy Chief Paul Higginbotham said they will have an integrated inline residential only sprinkler system.
 - If a sprinkler head goes off, the fire department will not know unless someone calls.
 - Cheaper and smaller option
 - All townhomes need sprinkler systems.
- Cindy Berry resides at 981 Osage Drive.
 - She is worried about property values.
 - There are not enough stores to support growth.
 - The infrastructure doesn't support the growth.
- Chairman, Jeff Seyfarth says that Infrastructure comes with development.

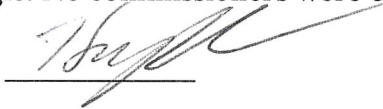
With no questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve DEV23-10 FLYWAY CROSSINGS AT CENTERTON – Preliminary Plans and Adjacent Street Agreement Contingent on Staff Comments and Adjustment to Fee-In-Lieu for Street Trees with a second from Ben Lewis. No members were opposed, and the motion was carried.

6. ANNOUNCEMENTS

- A. Next Council Meeting: 07/09/2024 @ 6:00 PM**
- B. Next PC Meeting: 07/16/2024 @ 6:00 PM**
- C. Next Tech Review Meeting: 7/18/2024 @ 2:00 PM (Zoom)**

7. ADJOURN

Devin Murphy made a motion to adjourn the meeting at 6:51 PM, with a 2nd from Joey Ingle. No commissioners were opposed, and the meeting was adjourned.



Jeff Seyfarth- Planning Chair
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman