



CENTERTON PLANNING COMMISSION
JANUARY 17, 2023 @ 6:00 PM
AGENDA

Public comment period after the introduction of each agenda item

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES** – Planning Minutes – 01/03/2023
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **TS22-24 MCDANIELS-** 13975 Shady Acres Rd (County/ Parent Tract: 20.07/ Tract 1: 3.14 Ac/ Tract 2: 14.52 Ac/ Tract 3: 3.02 Ac) *Applicant: Michael & Brooke McDaniels; Surveyor: Jorgensen & Associates (Planner: DMorrisonLloyd)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - A. **{PUBLIC HEARING} CU22-12 GREENHOUSE MINI STORAGE – Proposed Mini Storage-** 301 Greenhouse Rd (Zoned C-2/ 5 Ac/ Proposed Mini Storage) *Owner: Skylight Properties; Engr: HALFF-Joanne Johnson (Planner: KKnight)*
 - B. **{PUBLIC HEARING} REZ22-31 HSK HOMES- Rezone from R3-MF to R3-D-** 376 N “D” St (0.14 AC) *Appl: Swope Engineering, Audrey Burnett & Phil Swope; Owners: HSK Homes, Hari Krishna (Planner: ENystrom)*
 - C. **SUB22-18 FEATHERSTON VILLAGE PH 2- Final Plat-** Womack Rd (194 Lots/20.32 AC/ Zoned R3-SF) *Applicant: Roth Family INC, Randy Roth; Engineer: Bates & Associates, Jason Young (Planner: DMorrisonLloyd)*
7. **OTHER BUSINESS**
8. **ANNOUNCEMENTS**
 - A. **Work Session – Council/Planning Dept/Planning Commission: 01/24/2023 @ 6 PM**
 - B. **Next PC Meeting: 02/07/23 @ 6:00 PM**
 - C. **Next Council Meeting: 02/14/23 @ 6:00 PM**
 - D. **Next Tech Review Meeting: 02/23/23 @ 2:00 PM (Zoom)**
9. **ADJOURN**

NOTE: Although every effort on the part of the Planning Dept. is made to assure every Agenda is accurate and precise, periodically, for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice. Citizens are encouraged to call City Hall/Planning Dept. (479-795-2750-option 4) to verify if an item of interest remains scheduled to be heard on this date.



**PLANNING COMMISSION
MINUTES OF MEETING
January 17, 2023**

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, Joey Ingle, Devin Murphy, John Sessoms, Tony Davis, Brandon Swoboda, Craig Langford, and Ben Lewis. Jerry Harris was absent. Others in attendance for the city were: City Senior Planner Dianne Morrison Lloyd, City Planner Erik Nystrom, City Planning Director Lorene Burns, City Engineer Alan Craighead, Fire Marshal Paul Higginbotham, City Mayor Bill Edwards, City Attorney Brian Rabal and Planning Assistant/Recorder Kayla Knight.

3. APPROVAL OF MINUTES

Jeff Seyfarth asked for a motion to approve minutes from the 01/03/2023 Planning Commission Meeting.

John Sessoms made a motion to approve the minutes from 01/03/2023 Planning Commission Meeting, with a Second from Joey Ingle. No members were opposed, and the motion carried.

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

A. **TS22-19 MCDANIELS-13975** Shady Acres Rd (County/ Parent Tract: 20.07/ Tract 1: 3.14 Ac/ Tract 2: 14.52 Ac/ Tract 3: 3.02 Ac) *Applicant: Michael & Brooke McDaniels; Surveyor: Jorgensen & Associates (Planner: DMorrisonLloyd)*

A. John Sessoms recused himself for this item and sat in the audience.

There were no questions from the Planning Commission regarding the Administrative Approvals. Commission Chairman Jeff Seyfarth entertained a motion. Ben Lewis motioned to approve the Ratification of Administrative Approvals with Tony Davis as 2nd. No members were opposed, and the motion carried.

5. OLD BUSINESS

6. NEW BUSINESS

A. CU22-12 GREENHOUSE MINI STORAGE- Proposed Mini Storage- 301
Greenhouse Rd (Zoned C-2/ Proposed Mini Storage) *Owner: Skylight Properties; Engr: HALFF, Joanne Johnson (Planner: KKnight)*

- A. Joanne Johnson with HALFF was present and gave a brief overview. They requested a conditional use on the property in which they are proposing retail on the front portion and warehouse mini-storage on the back portion.
- B. Planning Assistant Kayla Knight gave the staff overview. The project has a concurrent tract-split application and large-scale development application. The land is designated as medium/high density residential and commercial on the Adopted Land Use Plan, and is abutting Watercolors Apartments and Kimmel Ridge Duplexes. The property was recently rezoned from A-1 to C-2. The property is located along Greenhouse Rd, a major arterial with improvements estimated to be completed within the next 2-3 years. There is 50-ft of ROW being dedicated along Greenhouse via the pending tract-split. It was mentioned there is a planned connection from Kimmel Ridge Duplexes to Greenhouse Rd that needs to be considered during the discussion. Staff recommended the following specific conditions along with general conditions, any additional conditions set by the Planning Commission:
 - Additional parking to be designated for the public for the mini-storage office.
 - An eight-foot barrier should be required along the rear of the property due to the type of storage proposed.
 - A site-lighting plan must be provided with the large-scale development
 - Street Trees shall be planted per Centerton approved species, street shade trees will be required at a minimum of 1 shade tree per 20 LF of street frontage.
- C. Alan Craighead expressed his concerns regarding the first proposed entrance on to Greenhouse being too close to the entrance to Watercolors and asked a condition to be set to allow only one shared access onto Greenhouse Rd.
- D. John Sessoms asked if Fire was okay with there being only one entrance off of Greenhouse Rd. Paul Higginbotham explained that per Fire code, they can only require a second entrance under very specific circumstances that this development does not meet.
- E. John Ingle asked for more information regarding the tract-split, in which Kayla Knight told them the concept plan shows proposed lot. Joey Ingle asked that the 2nd entrance be moved to be a shared access between lots. There was additional conversation regarding the Greenhouse Rd improvements and how they will impact this development, as well as floodplain concerns.
- F. Joey Ingle asked if it would make sense to ask for a fee-in-lieu for sidewalks along the development with consideration to the Greenhouse Rd improvements. Lorene Burns asked if it would make more sense to ask for a fee-in-lieu for all half-street improvement, in which Joey Ingle agreed that may make sense. It will be ironed out during the Large-Scale Development.
- G. Brandon Swoboda asked why there should only be one entrance instead of two. Alan Craighead explained that the Watercolors entrance is very close to the proposed drive. Lorene Burns also explained that the Greenhouse Rd improvements include a proposed median. There was a lengthy discussion regarding connectivity to Kimmel Ridge Duplexes, and it was ultimately

decided that the planned connection could not be required via the conditional use, but a shared access drive will be required.

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 Devin Murphy. No members were opposed, and the public hearing was opened.

A. There was no comment from the public.

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

- A. Jeff Seyfarth asked for clarification regarding the proposed hours. Joanne Johnson clarified that the proposed office hours are 9am-7pm but there will be 24-hour access to the storage units.
- B. Joey Ingle asked staff about additional tree screening requirements. Lorene Burns confirmed there were landscape screening requirements, and Joey agreed he liked that. Joey Ingle also asked about trees being required every 10 parking spaces. Kayla Knight confirmed there is a condition that address that concern, and also brought forward the request to set a condition to require parking for the public.
- C. Lorene Burns let the Commission know that Building One is proposed to be RV storage. The Commissioners and staff had a number of concerns regarding the layout of the lot.
- D. Council Member Keith Higginbotham stepped up to express his concerns about the feasibility of getting an RV in and out of the storage area.
- E. Lorene Burns requested the Commission set a maximum percent the lot could be storage vs the retail. After some discussion, it was agreed there would be a 70% storage and 30% retail split, meaning the storage area can only take up to 70% of the lot. There was further discussion regarding the layout of the lot, with very basic renderings provided. Kayla Knight stated that it is the developer's intent to cover most of the storage frontage with the retail building; however, the development will be built in two phases, with the storage being the first phase. There was discussion regarding landscaping of the front of the storage building while the retail is not built, and the commission placed the following additional conditions:
 - The storage must be behind the retail and will not take up more than 70% of the lot, excluding ROW
 - There will be landscaping of the storage from the ROW and residential adjacent areas
 - There will be only one shared access drive onto to Greenhouse Rd

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve CU22-12 Greenhouse Mini Storage with a 2nd from Ben Lewis. In a Roll Call, all commission members voted in favor and the motion carried.

B. {Public Hearing} REZ22-31 HSK HOMES- Rezone from R3-MF to R3-D- 376 N “D” St (0.14 AC) Appl: Swope Engineering, Audrey Burnett & Phil Swope; Owners: HSK Homes, Hari Krishna (Planner: ENystrom)

- A. Devin Murphy recused himself from this item.
- B. Phil Swope with Swope Engineering was present and gave a quick overview of the request. He explained the applicant is rezoning because they want the reduced setback requirements. Staff was adamant that they advised Swope and the applicant that they did not need to rezone in order to get the reduced setbacks.
- C. Erik Nystrom gave the staff overview. He explained the applicant is requesting a downgrade in zoning. The requested zoning is still in line with the Land Use plan and adjusts the setbacks to Front and Street Side 25’; Side 7’; Rear 20’. The property has access to water and sewer.
- D. Joey Ingle confirmed that the current zoning is R3-MF and staff confirmed that the applicant did not need to rezone. Dianne Morrison Lloyd explained that if the applicant is building a single-family home in the R3-MF zoning, they would be able to use the single-family setback of 7-ft side setbacks.

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

- A. Virginia Higginbotham of 458 West 1 St spoke of concerns regarding the size of the lot and the ability to fit a duplex on the lot. The planning commission explained that they cannot consider any concepts, they can only consider the use of the land. Joey Ingle explained that the developer will have to conform to the requirements set by the zoning code. Virginia asked what the setbacks would be, in which Erik Nystrom reiterated the setbacks will be 25-ft front and streetside, 7-ft interior sides, and 20-ft in the rear.
- B. Erik Nystrom informed the public that the developer has the intent to build a single-family home; however, it was reiterated that the Commission can only consider the use of the land, not what is proposed to be built on it.
- C. Joey Ingle asked if the lot meets the minimum lot requirements. Staff did not have the exact dimensions of the lot and worked to get that information.
- D. Kimberly Mills of 388 N “D” St expressed concerns regarding the size of the lot and required parking spaces. They were concerned regarding screening of the lot and adjacent lots, as well as how traffic would be impacted on “D” St. She also mentioned crime concerns, and house values.
- E. The commission was concerned that rezoning the land would make it non-conforming. Lorene Burns confirmed that only a single-family house can be built on the lot based on the area of the lot. The applicant did not apply for a R3-SF because that would not be considered consistent with the Land Use Plan. Phil Swope explained the applicant has requested R3-Duplex, so they will not amend their request.
- F. Lorene explained the downtown area was zoned as R3-MF with the intent of lots being consolidated and to allow for different housing types without spot-zoning. Joey Ingle pointed out that leaving the land R3-MF would be the most consistent with the Land Use Plan, since the lot can only allow for a single-

family home. John Sessoms agreed the rezone does not seem necessary. Staff agreed the code needs to be amended to be clearer.

- G. Paul Higginbotham explained that the 7-ft setback accounts for a 5-ft non buildable area and a 2-ft overhang.

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

- A. The planning commissioners were asked to consider the following:
- **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why?**
 - a. Yes, the request is for Medium/ High Density.
 - **Is the proposed rezoning compatible with the surrounding area and zones?**
 - a. Yes, the request is for medium density residential. There are constraints to the lot that should be considered. Joey Ingle pointed out there are adjacent properties zoned R3-D.
 - **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
 - a. Jeff Seyfarth said that, yes, the permitted used would be compatible. Joey, and Ben Lewis agreed.
 - b. Craig Langford was of the opinion that it is not compatible because a duplex cannot be built on the land.
 - **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
 - a. The rezone would not provide a benefit to this landowner that would not be considered for other similar properties in the area. Jeff Seyfarth pointed out there are a number of non-conforming lots in the downtown area that they would consider rezoning.
 - **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. The public had concerns regarding the size of the lot, home values, crime rates, and parking feasibility. It was confirmed that a duplex cannot be built on the lot.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Ben Lewis motioned to approve REZ22-31 HSK Homes with a 2nd from Craig Langford. In a Roll Call, all commission members voted in favor and the motion carried.

C. SUB22-18 FEATHERSTON VILLAGE PH 2- Final Plat- Womack Rd (194 Lots/20.32 AC/ Zoned R3-SF) *Applicant: Roth Family INC, Randy Roth; Engineer: Bates & Associates, Jason Young (Planner: DMorrisonLloyd)*

- A. Devin Murphy rejoined the commission.
B. Jeff Roth was present and explained the project went through a few issues regarding electrical design. The design is being redesigned and will be fixed within 2-3 weeks, in time for the next City Council meeting.

- C. Dianne Morrison Lloyd gave the staff overview. All improvements on Kimmel Rd were complete with Phase 1. Womack Rd improvements were completed with Phase 2. 30-ft of ROW was dedicated with Featherston West, and Geoff Bates confirmed that the additional 30-ft will be dedicated via separate document. There are no street bonds, as all streets are internal. The covenants and adjacent street agreement were approved with Phase 1. Staff has approved the storm and water/sewer bonds. The reinspection has been complete. Centerton Utilities will not approve the site without Carroll Electric's layout.
- D. Paul Higginbotham let the Commission know the electrical had to be moved due to its proximity to fire hydrants.

With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Tony Davis motioned to approve SUB22-18 Featherston Ph 2 Final Plat with a 2nd from Ben Lewis.

7. OTHER BUSINESS

8. ANNOUNCEMENTS

- A.) Work Session- Council/ Planning Dept/ Planning Commission: 01/24/2023 @ 6 PM
- B.) Next PC Meeting: 02/07/2023 @ 6:00 PM
- C.) Next Council Meeting: 02/14/2023 @ 6:00 PM
- D.) Next Tech Review Meeting: 02/23/2023 @ 2:00 PM (Zoom)
- E.) Planning Director Lorene Burns updated the Planning Commission regarding the decisions the City Council made for previous items the Planning Commission recommended to the City Council for approval.

9. ADJOURN

Devin Murphy made a motion to adjourn the meeting at 7:42 pm, with a 2nd from John Sessoms. No commissioners were opposed, and the meeting was adjourned.



**Jeff Seyfarth – Planning Chair
Centerton Planning Commission**

Minutes Prepared By: Kayla Knight