



**CENTERTON PLANNING COMMISSION**  
**May 03, 2022 @ 6:00 PM**  
**AGENDA**

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*Public comment period after the introduction of each agenda item*

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES –**
  - A. Planning Minutes – 04/19/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **HOP22-10 Lesmann Lawncare-730 Hawthorn Way-(Zoned R2 / Tamarron / lawncare service)**  
*Owner: David Lesmann*
5. **OLD BUSINESS**
  - A. **CU22-04 Vantes Airbnb-1401 Abbey Ln-(Zoned R2 / Tamarron Subdivision / 0.26 Ac / AirBnB) Owner:**  
*Vantes Estates Capital, LLC, Vilma Caravantes (Planner: Donna Wonsower)*
  - B. **DEV21-17 Schmitt Mini-Storage- LSD-S side of Hwy 102 approx. 950' E of N Tycoon (6.00 Ac / Zoned I2) Lemons Engineering (Planner: Donna Wonsower)**
    - **Preliminary Plans**
    - **Landscaping / Lighting Plan**
    - **Adjacent Street Agreement**
6. **NEW BUSINESS**
  - A. **{Public Hearing} REZ22-08 Featherston Village West- SW/C of Kimmel and Womack Rd (A1 to R3-SF / 37.68 Ac) Owner: Kimmel Rd Ventures, Randy Roth; Engr: Bates Engineering, Geoff Bates (Planner: Dianne Morrison Lloyd)**
  - B. **SUB20-16 Diamond Estates Ph4-Final Plat- West side of Wolverine north of Ocean Dr (Zoned R2 / 55 SF Lots / Lots 155-209 / 15± Ac) Developer: Can-Ark Diamond Realty, ;Engr: Crafton Tull, Taylor Lindley (Planner: Donna Wonsower)**
    - **Final Plat**
    - **Bonds**
7. **OTHER BUSINESS**
8. **ANNOUNCEMENTS**
  - A. **Next Tech Review Meeting: 05/26/2022 @ 2:00 PM (Zoom)**
  - B. **Next PC Meeting: 05/17/2022 @ 6:00 PM**
  - C. **Next Council Meeting: 05/10/2022 @ 6:00 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
MAY 3, 2022**

**(1) CALL TO ORDER –**

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

**(2) ROLL CALL –**

Those Present and answering Roll Call were Jeff Seyfarth, Amber Beale, John Sessoms, Jerry Harris, Tony Davis, Joey Ingle, Craig Langford, Devin Murphy, and Ben Lewis. Others in attendance for the city were Mayor Bill Edwards, City Attorney Brian Rabal, Planning Director Lorene Burns, Senior Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, City Planner Erik Nystrom, Director of Public Works Lance Johnson, City Engineer Alan Craighead, and Fire Marshal Paul Higginbotham.

**(3) APPROVAL OF MINUTES –**

**Joey Ingle made a motion to Approve the Planning Commission Meeting Minutes from 4/19/2022 with a 2<sup>nd</sup> from Craig Langford All Commission Members voted in favor and the motion carried. .**

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

- A. HOP22-10 Lesmann Lawncare-730 Hawthorn Way-(Zoned R2 / Tamarron / lawncare service) Owner: David Lesmann**

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

**Tony Davis made a motion to Ratify the Administrative Approvals as presented, with a 2<sup>nd</sup> from Jerry Harris. All Commission Members voted in favor and the motion carried.**

**(5) OLD BUSINESS –**

- A.CU22-04 Vantes Airbnb-1401 Abbey Ln-(Zoned R2 / Tamarron Subdivision / 0.26 Ac / AirBnB) Owner: Vantes Estates Capital, LLC, Vilma Caravantes (Planner: Donna Wonsower)**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Jerry Harris made a motion to bring CU22-04 Vantes Airbnb back to the table with a 2<sup>nd</sup> from Amber Beale. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.**

City Planner Donna Wonsower gave the updated staff report, including the following:

- Size of the home
- Rental and owner occupation timeframe / code enforcement actions
- Tamarron Covenants
- Airbnb security measures and safety precautions
- No additional public comments received

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

Chairman Seyfarth opened the Public Hearing for any additional comments.

Todd Lovell provided a packet to the Commission members including the Tamarron covenants. He discussed the covenants in the context of an occupant-operated business versus an owner who lives elsewhere, as well as the limited nature of Airbnb background checks given the proximity of Grimsley Jr. High and high number of children in the neighborhood. He noted the provided packet included multiple listing from the previous months and that it was an active listing.

Dave Turley noted a positive relationship with the owner and a good maintenance history of the property; however, he expressed concern with Airbnb moving hotel spaces into residential neighborhoods, as well as a decreased ability of landlords to police their tenant’s behavior over hotels with employees on-site. He also expressed concern over the effect of short-term rentals on overall rental prices.

There was discussion about how long the property has been an active listing given the listing provided from November 2021. Vilma Caravantes, Vantes Estates Capital LLC, stated that while it is currently an active, it is only being utilized for long-term rentals. City Planner Donna Wonsower noted that code enforcement has not received any complaints since 2020.

The Planning Commission briefly reviewed conversation from the previous planning meeting, including the covenants and if there was an active POA. City Attorney Brian Rabal confirmed that the city cannot enforce covenants. Todd Lovell, Tamarron resident, confirmed that there is not a POA.

Chairman Jeff Seyfarth noted findings that there had been no complaints regarding other active Airbnbs in the city, and stated a similar process regarding conditional uses,

complaints and periodic reviews is followed for in-home-daycares and other similar facilities. The Planning Commission discussed the process by which a conditional use permit would be revoked.

Todd Lovell encouraged the city to be proactive and to act before a complaint is filed.

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

Joey Ingle noted that based on the code, the conflict is primarily with the POA. City attorney Brian Rabal stated that any homeowner could file suit due to a POA violation as it is a mutual contract.

**Jerry Harris made a motion to Approve CU22-04 Vantes Airbnb-1401 Abbey Ln- (Zoned R2 / Tamarron Subdivision / 0.26 Ac / AirBnB), with a 2<sup>nd</sup> from Ben Lewis. The motion carried with eight (8) “Yes” votes and one (1) “No” vote from Craig Langford.**

Tony Davis affirmed that his “Yes” vote was in support of property rights. He stated that the current ratings at the property are all five stars and that there have been no reports of negative incidents that would warrant a denial of the conditional use permit.

**B.DEV21-17 Schmitt Mini-Storage- LSD-S side of Hwy 102 approx. 950’ E of N Tycoon (6.00 Ac / Zoned I2) Lemons Engineering (Planner: Donna Wonsower)**

- **Preliminary Plans**
- **Landscaping / Lighting Plan**
- **Adjacent Street Agreement**

Chairman Jeff Seyfarth introduced the item to the Commission.

**Jerry Harris made a motion to bring DEV21-17 Schmitt Storage back to the table with a 2<sup>nd</sup> from Tony Davis. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.**

City Planner Donna Wonsower gave the staff report, including the following:

- Revised layout to provide sufficient turning radius for large vehicles
- Revised landscaping plan and parking location
- ARDOT details received. Permit to be sent to state.
- Staff approval of Adjacent Street Agreement

Tim Lemons, Lemons Engineering, stated that the revised plan allowed for increased landscaping at the entry and improved access throughout the site.



There was a brief discussion regarding the turning radii of the large vehicles and access through the site.

Tim Lemons noted that wall packs will be added on the buildings. City Planner Donna Wonsower confirmed that photometrics are not typically required for wall packs.

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

**Craig Langford made a motion to Approve DEV21-17 Schmitt Mini-Storage- LSD-S side of Hwy 102 approx. 950' E of N Tycoon (6.00 Ac / Zoned I2, with a 2<sup>nd</sup> from John Sessoms. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.**

**(6) NEW BUSINESS –**

**C. {Public Hearing} REZ22-08 Featherston Village West- SW/C of Kimmel and Womack Rd (A1 to R3-SF / 37.68 Ac) Owner: *Kimmel Rd Ventures, Randy Roth; Engr: Bates Engineering, Geoff Bates (Planner: Dianne Morrison Lloyd)***

Chairman Jeff Seyfarth introduced the item to the Commission.

Geoff Bates, Bates and Associates, affirmed that he would be available to answer questions. He stated that the rezoning request is similar to the adjacent property.

City Planner Dianne Morrison-Lloyd gave the staff report, including the following:

- Property specifications (size, location, current zoning)
- Concurrent Planned Unit Development
- Master Street Plan improvements, including ROW dedications
- McKissic Springs Loop Trail
- Access to utilities
- Wetlands assessment due to ponds on property
- Surrounding zoning A-1, R-2, R3-SF (compatible)
- Land Use Plan designated high density residential (consistent)
- Comprehensive Plan Implementation Review

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

**John Sessoms made a motion to open the public hearing with a 2<sup>nd</sup> from Amber Beale. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.**

There was no public comment.

**Joey Ingle made a motion to close the public hearing with a 2<sup>nd</sup> from John Sessoms. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.**

There was discussion regarding a jog in the Master Street Plan alignment at the intersection of Daisy. During the review of the zoning questions, it was discovered there is an existing cell tower at the intersection. Planning Director Lorene Burns noted that the cell tower has promised to relocate when the road is expanded.

Chairman Seyfarth asked the Commission to look at the following items.

- **Is the rezoning consistent with the adopted Comprehensive Plan (including the adopted Land Use Plan)? If not, why? - YES.** The Planning Commission agrees that the proposed rezoning request is consistent with the adopted Land Use Plan.
- **Is the proposed rezoning compatible with the surrounding area and zones? - YES.** The Planning Commission agrees that the proposed rezoning request is compatible due to the single-family nature of the request.
- **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** The Planning Commission agrees that the permitted uses are compatible.
- **Would the rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? NO.** The same process would be considered for other landowners in the area.
- **If the public is opposed, why? Are the objections based upon factual information relating directly to this request or opinion based? Does any factual information presented apply to this rezoning situation? NO.** There was no public comment.

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

**Ben Lewis made a motion to Approve REZ22-08 Featherston Village West- SW/C of Kimmel and Womack Rd (A1 to R3-SF / 37.68 Ac), with a 2<sup>nd</sup> from Joey Ingle. Senior Planner Dianne Morrison-Lloyd did a roll call vote. All members voted “Yes,” and the motion carried with nine (9) “Yes” votes and zero (0) “No” votes.”**

- B. SUB20-16 Diamond Estates Ph4-Final Plat-** West side of Wolverine north of Ocean Dr (Zoned R2 / 55 SF Lots / Lots 155-209 / 15± Ac) *Developer: Can-Ark Diamond Realty; Engr: Crafton Tull, Taylor Lindley (Planner: Donna Wonsower)*
- **Final Plat**
  - **Bonds**

Chairman Jeff Seyfarth introduced the item to the Commission.

City Planner Donna Wonsower gave the staff report, including the following:

- Property specifications (Size, Lot Totals, Etc.)
- Covenants- No Change from Previous Phases
- Warranty Bond Information
- Previous Variance Approval Reducing Lot Width from 80' to 70'
- ROW Dedications
- Minor site inspection items remaining
- Final Plat Approval
- Record Drainage Report Approval
- Record Drawings minor comments remaining

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

**Joey Ingle made a motion to Approve SUB20-16 Diamond Estates Ph4-Final Plat- West side of Wolverine north of Ocean Dr (Zoned R2 / 55 SF Lots / Lots 155-209 / 15± Ac) including bonds contingent on remaining staff comments, with a 2<sup>nd</sup> from John Sessoms. All members voted "Yes," and the motion carried with six (6) "Yes" votes and zero (0) "No" votes.**

**(7) OTHER BUSINESS – None**

**(8) ANNOUNCEMENTS -**

**A.Next Tech Review Meeting: 05/26/2022 @ 2:00 PM (Zoom)**

**B.Next PC Meeting: 5/17/2022 @ 6:00 PM**

**C.Next Council Meeting: 5/10/2022 @ 6:00 PM**

**D.APAC Training**

**E. APA Membership Renewals**

**(9) ADJOURN -**

**Devin Murphy made a motion to adjourn the meeting at 7:40 pm, with a 2<sup>nd</sup> from John Sessoms. All Commission members voted in favor and the motion carried.**



**Jeff Seyfarth – Chairman  
Centerton Planning Commission**

Minutes prepared by:  
Donna Wonsower  
City Planner