



CENTERTON PLANNING COMMISSION
AUGUST 1, 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 –**
 - A. Planning Minutes – 07/18/2023
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
 - A. **HOP23-26 UHOST PARTIES – Storage for Supplies/ Office and Administrative Use for the Business-** 118 Skinner St (Zoned R-2/ Laynebridge Subdivision) *Applicant: Christian Schioldager (Planner: SHartman)*
 - B. **HOP23-27 JC TESTING – Office and Administrative Use for the Business-** 1661 Ella Pl (Zoned R-2/ Creekside PH 2 Subdivision) *Applicant: Jeffrey Layton (Planner: SHartman)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
 - ORD** A. **TS23-11 BERGAM – Dedicating ROW-** 974 N. Main St. (City/ Parent: 9.82/ Tract 1: 2.80/ Tract 2: 6.51) *Owner: Evan Bergam; Surveyor: CEI Engineering, Dustin Riley (Planner: KKnight)*
 - ORD** B. **TS23-10 SAC TOWNHOMES-Dedicating Easement-** 485 E. Centerton Blvd. (City/ Parent: 8.57/ Tract 1: 6.28/ Tract 2: 1.99) *Owner: SAC Townhomes; Surveyor: CEI Engineering, Dustin Riley. (Planner: DMorrisonLloyd)*
 - C. **{PUBLIC HEARING} CU23-04- LESTER SHORT-TERM RENTAL- Request for 5-Year Short Term Rental-** 300 Windsor Dr (Zoned R3-SF/ 0.18 Ac/ Kensington Subdivision) *Owner: Jon & Sally Lester (Planner: KKnight)*
 - D. **DEV23-07 CASA CASTILLO DAYCARE - Preliminary Plans-** 148 Seba Rd. (Zoned C-3/ PUD/ 19.5 Ac) *Owner: Terra Rose Properties LLC, Josh Isabell; Engr: Bates & Associates, Geoffrey Bates (Planner: KKnight)*
7. **OTHER BUSINESS**
 - A. **Discuss Relocating Casa Castillo Daycare along Seba Road (SW corner of property) –** Owner: Josh Isabell. PUD amendment, new development submittal, what adjacent road improvements would be required?
8. **ANNOUNCEMENTS**
 - A. **Next Council Meeting: 08/08/2023 @ 6:00 PM**
 - B. **APAC Course 3: Zoning and Rezoning – Wed, 8/9/23 at 6:00-9:00 pm (Webinar)**
 - C. **Next PC Meeting: 08/15/23 @ 6:00 PM**
 - D. **Next Tech Review Meeting: 08/24/23 @ 2:00 PM (Zoom)**

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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

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
AUGUST 1, 2023**

1. CALL TO ORDER

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 7:47 P.M.

2. ROLL CALL

Those present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Tony Davis, John Sessoms, Ben Lewis, Devin Murphy, Jerry Harris, and Brandon Swoboda. Others in attendance for the city were: City Planning Director Lorene Burns, City Planner 1 Erik Nystrom, City Engineer Alan Craighead, City Clerk Todd Wright, City Attorney Brian Rabal, and Planning Assistant/ Recorder Samantha Hartman.

3. APPROVAL OF MINUTES

Commission Chair Jeff Seyfarth introduced the minutes of the Planning Commission meeting from July 18, 2023, and asked Commissions if anyone had questions or concerns.

John Sessoms made a motion to approve the minutes from July 18, 2023, Planning Commission Meeting, with a second from Ben Lewis.

4. RATIFICATION OF ADMINISTRATIVE APPROVALS

- **HOP23-26 UHOST PARTIES – Storage for Supplies/ Office and Administrative Use for the Business – 118 Skinner St (Zoned R-2/ Laynebridge Subdivision) Applicant: Christian Schioldager (Planner: SHartman)**
- **HOP23-27 JC TESTING –Office and Administrative Use for the Business – 1661 Ella Pl (Zoned R-2/ Creekside PH 2 Subdivision) Applicant: Jeffrey Layton (Planner: SHartman)**

Ben Lewis made a motion to approve the ratifications of administrative approvals with a second from Devin Murphy. No members were opposed, and the motion was carried.

5. NEW BUSINESS

A. TS23-11 BERGAM – Dedicating ROW- 974 N. Main St. (City/ Parent: 9.82/ Tract 1: 2.80/ Tract 2: 6.51) *Owner: Evan Bergam; Surveyor: CEI Engineering, Dustin Riley (Planner: KKnight)*

- Front= C-1, Rear- R-2
- Dedicating 45 Feet of right- of- way along Main Street which will be sent to City Council on August 8, 2023
- Jeff Seyfarth asked if it mattered that there were 2 addresses.
 - Lorene replied with 974 is what we use to identify the properties.
- Tony Davis Asked if the 45 feet of right of way meets the Master Street Plan. (Minor Arterial)
- Dustin Rielly from CEI was present. Didn't have anything else to add.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Jerry Harris made a motion to Approve TS23-11 Bergam with a 2nd from Ben Lewis. All members present voted Aye without negative, and Motion was carried.

B. TS23-10 SAC TOWNHOMES-Dedicating Easement- 485 E. Centerton Blvd. (City/ Parent: 8.57/ Tract 1: 6.28/ Tract 2: 1.99) *Owner: SAC Townhomes; Surveyor: CEI Engineering, Dustin Riley. (Planner:DMorrisonLloyd)*

- Project was previously Stoneleigh PH 2 that expired.
- FloodPlain area on the North side
- Dedicating a variable for the Utility Easement along 102. (Variable width of 30- Feet to 47.5 Feet)
- Existing access easement that comes through the townhome development for lot one access

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Ben Lewis made a motion to Approve TS23-10 SAC Townhomes with a 2nd from Tony Davis. All members present voted Aye without negative, and Motion was carried.

C. {PUBLIC HEARING} CU23-04- LESTER SHORT- TERM RENTAL- Request for 5- Year Short Term Rental- 300 Windsor Dr (Zoned R3-SF/ 0.18 Ac/ Kensington Subdivision) *Owner: Jon & Sally Lester (Planner: KKnight)*

- Lorene Burns gave a staff update:
 - The owners live out of town and would like to rent it out when they don't use it for a vacation home.
 - They hope to live here full- time in 5 years.
- Nick Gatlin was the local representative for the owner.

- They are a 24/7 local customer service.
- He will be maintaining the property.
- There are many long-term rentals in this neighborhood.
- All Certified Mailings were counted for upon working with the local Post Office

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.

- James Connolly of 320 Windsor (2 lots down from rental property) is against the short- term rental.
 - Single Family neighborhood
 - No thru streets
 - He doesn't want a lot of foot traffic.
 - No trails around the neighborhood for renters.
 - There wasn't any maintenance until public hearing signs were put up.

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

- Nick Gavlin came back to speak about James Connolly's concerns.
 - He has been working at this business for 3 years.
 - Manages over 125 properties in the area.
 - The number of parties can be counted with less than one hand.
 - Nick Gatlin said the maintenance started once his company started managing the home.
 - If neighbors have any problems, please let him know.
- Lorene Burns mentioned:
 - Covenants do not prohibit rentals.
 - Property Managers screen the guests via VACASA.
 - Request for several different payments (Different names)
 - Staying at a remote home during off- season
 - More than 2 adults on the application
- The property owners will need to get a Fire Inspections and apply for a Business License for A&P Taxes
- Brandon Swoboda asked about the Covenants and if the HOA changes the allowance of renters, does it trump the approval.
- Brian Rabal said the city doesn't enforce Covenants. We may consider it when making the approval.

- Lorene Burns mentioned if complaints are received, it can be brought back to the Planning Commission meeting and potentially be revoked.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. Jerry Harris made a motion to Approve CU23- 04 Lester Short Term Rental with a 2nd from Joey Ingle. All members present voted Aye without negative, and Motion was carried.

C. DEV23-07 CASA CASTILLO DAYCARE- Preliminary Plans - 148 Seba Rd.
(Zoned C-3/ PUD/ 19.5 Ac) Owner: Terra Rose Properties, LLC, Josh Isabell;
Engr: Bates & Associates, Geoffrey Bates (Planner: KKnight)

- Engineer, Geoffrey Bates from Bates & Associates.
 - Previously approved but the project has since expired.
- Josh Isabell was present to speak as the Owner of the Terra Rose Properties.
- Lorene Burns gave a brief overview and proposed changes.
 - Daycare is to be moved to Northwest Corner of the property.
 - 2.83 Ac- 13,500 Sq ft daycare
 - 98 parking space
 - Isabell Blvd. will be a public street as a connector to Main Street.
 - Chatty Lane would be a private road from Isabell Blvd to the daycare.
 - Detention Pond to south of Isabel Blvd.
- Conversation about the Adj. Street Agreement
 - Lorene states the following:
 - Main Street with a Minor Arterial is going to need a right-of-way.
 - 45 feet along Main Street then Seba Road is a major arterial with a 100 foot of right- of- way, so they would be dedicating 50 feet of right-a-way on Seba Road.
 - Staff recommends future requirements be determined with future phases that are along Main Street and Seba Road.
 - Isabel Blvd is 50- 60 feet of right- of- way with a median until you get to the west and then excludes the median.
 - Everly is a 28-foot private driveway with a 24-foot asphalt including curb and gutter.
 - 5-foot sidewalks
 - The Planning Commission agreed that the Right-A-Way should be dedicated to both Main Street and Seba Road.
 - Alan Craighead suggests pushing back the R.O.W. line to account for any future turn lanes on Main St if sidewalks are required. Especially since there is a lot of Utilities on that end. Drainage hasn't been accounted for.

- Traffic Study was done before the previous plan expired. (About 2 years ago)
 - It was a 5-year study.
 - Lorene mentioned that traffic studies are done to see if there is any additional work needed on top of the usual improvements that come with development.
 - Josh Isabell said that when the PUD was approved about 2 years ago a traffic study was agreed to be done and that only adjacent road improvements would only be done if it were required.
 - The study was comprehensive and cost about 20 thousand dollars.
 - Lorene suggests looking at the Traffic Study to critique it and send over comments.
 - The city has codes that have requirements of certain adjacent road improvements.
 - The mayor told Josh Isabell that the city had to spend millions of dollars to widen Main Street and questioned what Josh Isabel would have to spend to add turning lanes and anything else needed.
 - Alan Craighead said turn lane on Main Street is going to require significant utility relocations.
 - Joey Ingle said we will need a holistic design with frontage before we can dictate all the improvements. Jeff Seyforth added that what you put there may dictate the improvements because of traffic.
 - Original thought of the PUD design was the daycare, gas station and a restaurant. With a PUD this can be changed based off future development
- Lorene pulled everyone back in and said this is for Casa Castillo Daycare and the next council meeting will be for the whole PUD.
- Alan Craighead asked if the current Adjacent Street Agreement states “Future Street Improvements will be reviewed with large scale developments”?
 - It’s typical with any large-scale development that comes in you review the street improvements that are needed at that time.
- Lorene asked the Planning Commission if they agree with the Street Agreement as proposed by staff.
 - Isabell Blvd as a public Street.
 - Everly Drive is a private street.
 - Main Street dedication of 45 feet

- Seba Road dedication of 50 feet
 - Future Improvements will be considered with each phase.
- Joey Ingle said Isabel Drive needs to be constructed in full with sidewalk street and gutter and storm and sewer. Main Street and Seba needs to be dedicated Right-of-way. Fence around pond
- Brandon Swoboda said he wasn't on the Planning Commission when it was previously voted on and can't say because it was passed previously that he would be okay with it now.
 - He wants a thorough look at it.
 - Joey Ingle said it's the city's responsibility to approve it since no codes have changed.
 - Alan Craighead said that Isabell Drive did get wider because the space between the curve and the island because it had to 15 feet due to the code.
 - Jeff Seyfarth asked if there was anyone that had comments or questions in regard to the Adjacent Street Agreement that was presented.
 - Joey Ingle asked if a sidewalk was proposed with this phase and Jeff Bates said that was in the phased improvements.
 - Jerry Harris asked if sidewalks along Main Street were required currently. Jeff Seyfarth said it's not at this time but will be required in the future.
- Lorene asked for the commission to look at the building.
 - Includes metal and painted mason.
 - 14 classrooms according to Jason Isabel
 - Required to have 15% open space but they are dedicating 25% open space.
 - The pond is a wet pond with 2 fountains, normal water depth of 5 feet and about 7.4 feet to the top of the pond so the total depth is 12.4 feet.
 - 3 to 1 slope and Lorene was concerned about a fence and if there was 1 proposed around the pond.
 - Jason Isabell said he was looking at a 4-foot black chain linked fence around the detention pond.
 - The code states that the Planning Commission could require a type.
 - Wrought Iron is the common according to Brian Rabal
 - Joey Ingle said we need to stick to what was approved previously since the code didn't change.
 - Staff needs to look into and come back with answers.
 - Josh Isabell said he wants to do the black chain linked fence while development goes on and then come back to upgrade.

- The Commission said that will be a double effort.
- Josh Isabell is more concerned about the corner of Main and Seba based on recent discussion with the staff because of the cost of future improvements and all the future utilities. Corner of Seba will be a development killer if paying to move all the utilities are a requirement.
- Joey Ingle mentioned that the property was picked because it was a corner lot, therefore there are some give and takes.
- Geoff Bates said the mayor spent 3 million dollars on moving the utilities.
- Brandon Swoboda mentioned the corner is the heart of our town.
- Joey and Jerry asked when the open space and street improvements are going to happen.
- Joey Ingle mentions that it's typical if you start this project, you're going to do all the offsite improvements in one group but there is room for discussion because of the nature of what's coming in there and not knowing how long until it will be there.
- Curb and Gutter is not being planned on Main Street according to Jeff from Bates & Associates. Just a sidewalk.
- Geoff Bates asked if it would be appropriate to do sidewalks on the south areas and then do the sidewalks on the northside once they are being developed. Joey Ingle agrees that it makes sense since there isn't much pedestrian traffic from the north.
- Alan Craighead added that the only worry would be having to take it out later to make improvements on the corner.
- When asked what Josh Isabell was exactly worried about, he replied with having to extend another lane. Geoff Bates added a right turn only lane. The commission agreed that it's a valid worry.
- Main Street is a state road. Nothing will get done to it until after the fact and that may be a bigger expense and problem.
- Jason Isabell proposed to move the daycare to the corner of Everly in front of the detention pond. The anchor of the development was going to be a fitness center. Josh Isabell is concerned after speaking to the mayor and a possible Community Center coming into the city at a different location.
 - The current plans are the 3rd try.
 - Josh Isabell spoke to the community and what they wanted. Everyone responded with an indoor pool.
 - The cost of the infrastructure for just the daycare is 2 million dollars and is uneasy to spend that much not knowing what's coming along Main St.
 - Neighborhood Commercial is the only thing that will be in the location and the cost to moving the utility lines is very cost prohibitive to any neighborhood commercial that comes.

- Josh Isabell didn't take away from previous meetings that roadside improvements would be needed with the utility changes associated to it.
- If he moved the daycare back to the corner of Seba he said the staff said a fee would be needed for expanding Seba.
- 4-foot widening would be needed to move the power lines according to Alan Craighead per MSP. This would still require the power lines to be moved.
- Josh Isabell wanted to discuss the expectations of moving the daycare along Seba. Would we be required to expand Seba?
 - Jeff Seyfarth said, "You will be expected to improve Seba putting any development on Seba".
- Josh Isabel said that the 10 acres won't be developed until Seba Road gets developed with a rebuttal from Joey Ingle saying it most likely won't be improved until the area gets developed.
- Brandon Swoboda believes there will have to be a turn lane with the expansion of the daycare to get traffic off of Seba Road.
- The Commission needs to understand the Traffic Study and the changes with the change of the designed development.
- Jeff Seyfarth would like to understand what was approved previously, the requested changes and supporting documents at the next meeting under Old Business to help make educated changes and manage the rest of the commission.
- Josh Isabell wants to get the plans with the daycare in the back approved this evening.
- Joey Ingle adds that the definitive answer would be to make the minimal improvements per code which is the 4-foot widening, curb and gutter and sidewalk. Alan Craighead added that it would be 38 feet back-to-back to make it wide enough for 3 lanes. Currently it is 2 lanes.
- Todd Wright spoke about the initial plans of the daycare and a storage facility to get quick money. Josh Isabel agreed and said it was initially going to be on the south side, but it can be moved up to the north side. Condition Use was approved previously but plans were not. It was not the typical storage but controlled indoor temperature.
- Joey Ingle said that as a contingency, he doesn't mind approving the plans and Jeff Seyfarth agreed. Jeff added there may be future improvements that will need to be discussed.
- Lorene asked if the commission wanted to look at the landscape plan.
 - There was not a landscape code during the original approval.
 - Jeff Seyfarth asked if her question was if there was anything that should have been flagged. Lorene responded with recommendations that may make.
 - Screening next to neighborhood.

- Alan Craighead discussed per code if safety fence around detention pond is required by the Planning Commission if Wrought Iron is required it will meet the top brace of 5 foot and a brace 4 inches above ground.
- 7-foot drop with a daycare right there a fence is needed. Jeff Seyfarth doesn't think the chain link fence doesn't go with the building. Geoff Bates asked if Aluminum looks like the Wrought Iron. Aluminum is half the price of wrought iron, and the look is similar. The Commission agrees.
- No light filtration off the property. A few trees may be needed.

With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms made a motion to Approve the DEV 23-07 Casa Castillo Daycare based on the revision we spoke about with a 2nd from Ben Lewis. All members present voted Aye without negative, and Motion was carried.

6. ANNOUNCEMENTS

- Next Council Meeting: 08/08/2023 @ 6:00 PM
- Next PC Meeting: 08/15/2023 @ 6:00 PM
- Next Tech Review Meeting: 08/24/23 @ 2:00 PM (Zoom)

7. ADJOURN

Jerry Harris made a motion to adjourn the meeting at 9:20 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: Samantha Hartman