



**CENTERTON PLANNING COMMISSION**  
**JANUARY 03, 2023 @ 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 – 12/06/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **MSI22-01 BWHS EAST PARKING LOT- Adding 140 Parking Spaces-** 1351 Gamble Rd (Zoned A-1/ 91.43 AC) *Applicant: Bentonville School District; Engineer: HALFF Associates, John Wary (Planner: DWonsower)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
  - A. **{PUBLIC HEARING} CU22-13 MICHAUD- Temporary RV Residency-** 13225 W Tycoon Rd (Zoned A-1/ 10 AC) *Applicant: Gary Stringer; Owner: Raymond Michaud (Planner: DMorrisonLloyd)*
  - B. **{PUBLIC HEARING} REZ22-32 Skylight Properties- From A-1 To C-2-** 301 Greenhouse Rd-(5.00 Ac) *Owner: Skylight Properties, Bapuji Vakkalagadda; Engr: HALFF Associates, Joanne Johnson (Planner: DWonsower)*
  - C. **{PUBLIC HEARING} REZ22-30 KUM & GO -From R-2 To C-3-** SW Corner of Main St & Seba (6.32 Ac) *Owner: Tony Steele; Engr: Ozark Civil Engineering; Michael Clotfelter (Planner: DWonsower)*
  - D. **{PUBLIC HEARING} CU22-11 KUM & GO -Fuel Station & Convenience Store-** SW Corner of Main St & Seba (Proposed rezone from R-2 to C-2/ 6.32 Ac) *Owner: Tony Steele; Engr: Ozark Civil Engineering; Michael Clotfelter (Planner: DWonsower)*
  - E. **{PUBLIC HEARING} PUD22-06 WOMACK- Mixed Use-** Womack Rd (Zoned C-2/ 9.158 Ac/ 300 Dwelling Units) *Owner: Moreman Revocable Trust; Applicant: Modus Studio, Chris Baribeau; Developer: KEP, Greg Kalikow (Planner: DMorrisonLloyd)*
7. **OTHER BUSINESS**
  - A. **Amendments to Drainage Manual – Alan Craighead, City Engineer**
  - B. **Statement of Financial Interest**
  - C. **Direct Deposit Discussion**
8. **ANNOUNCEMENTS**
  - A. **Next Council Meeting: 01/10/2023 @ 6:00 PM**
  - B. **Next PC Meeting: 01/17/2023 @ 6:00 PM**
  - C. **Work Session – Council/Planning Dept/Planning Commission: 01/24/2023 @ 6 PM**
  - D. **Next Tech Review Meeting: 01/26/2023 @ 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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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 03, 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, Ben Lewis, Brandon Swoboda and Jerry Harris. Commissioner Craig Langford was absent. Others in attendance for the city were: Senior City Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, City Planner Erik Nystrom, Planning Director Lorene Burns, City Engineer Alan Craighead, City Mayor Bill Edwards, Fire Marshal Paul Higginbotham, Planning Assistant/ City Recorder Kayla Knight and City Attorney Brian Rabal.

**3. APPROVAL OF MINUTES**

**Jeff Seyfarth** asked for a motion to approve minutes from the 12/06/2022 Planning Commission Meeting.

**John Sessoms** made a motion to approve the minutes from 12/06/2022 Planning Commission Meeting, with a Second from Ben Lewis. No members were opposed, and the motion carried.

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. **MSI22-01 BWHS EAST PARKING LOT- Adding 140 Parking Spaces- 1351**  
Gamble Rd (Zoned A-1/ 91.43 Ac) *Applicant: Bentonville School District; Engineer: HALFF Associates, John Wary (Planner: DWonsower)*

- Donna Wonsower let the Planning Commission know all staff comments have been addressed.

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

**5. OLD BUSINESS- NONE**

**6. NEW BUSINESS**

A. **{PUBLIC HEARING} CU22-13 MICHAUD- Temporary RV Residency- 13225 W Tycoon Rd (Zoned A-1/ 10 Ac) Applicant: Gary Stringer; Owner: Raymond Michaud (Planner: DMorrisonLloyd)**

- A. Raymond Michaud was present and gave a brief overview. He explained they are requesting temporary residency for as long as possible. The applicant, Gary Stringer, moved into the RV after his wife passed away and encountered a tough time locating an RV park that was not full or too expensive.
- B. Dianne Morrison Lloyd gave the staff overview. She clarified that no rezone will be needed. A conditional use is needed due to the request being for longer than 30 days, which is permitted by code. The resident will be providing security and grounds keeping for the Tulip Farm on the property while residing on the property, until a spot in an RV park becomes available. If approved, the applicant has agreed to contract out a port-a-potty service to dispose of waste properly. Staff recommends the conditional use be for up to a year and recommends outdoor screening of any exterior storage.

**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 John Sessoms. No members were opposed, and the public hearing was opened.**

- A. One email was received with concerns regarding sewer.

**Ben Lewis made a motion to close the public hearing with a Second from Devin Murphy. No members were opposed, and the motion carried.**

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Jerry Harris motioned to approve CU22-13 Michaud with a 2<sup>nd</sup> from John Sessoms. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.**

B. **{PUBLIC HEARING} REZ22-32 SKYLIGHT PROPERTIES- From A-1 to C-2- 301 Greenhouse Rd (5.00 Ac) Owner: Skylight Properties, Bapuji Vakkalagadda; Engr: HALFF Associates, Joanne Johnson (Planner: DWonsower)**

- A. Patrick Foy with HALFF was present and gave a brief overview. He explained the Planning Commission has already seen and approved the request for this rezone; however, there was an incorrect exhibit included with the original submittal. The incorrect submittal was sent out to the public, so staff has requested the public be informed with the corrected exhibit.
- B. Donna Wonsower explained the original exhibit was incorrect and showed a buffer between the commercial lot and existing residential. The intent behind the original rezone was to rezone the whole parcel to C-2 without a buffer between the commercial and existing residential.

Because the buffer is being removed, staff agreed a new public notification with the correct exhibit would be required.

- C. John Sessoms asked if the buffer was specifically talked about in the original discussion. Staff confirmed the buffer was specifically mentioned.

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

- A. There was no public comment.

**Tony Davis made a motion to close the public hearing with a Second from Ben Lewis. No members were opposed, and the motion carried.**

- B. 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.
  - **Is the proposed rezoning compatible with the surrounding area and zones?**
    - a. Yes.
  - **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
    - a. Yes.
  - **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.
  - **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. There was no public comment.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve REZ22-32 Amendment to Skylight Homes with a 2<sup>nd</sup> from Devin Murphy. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.**

- C. **{PUBLIC HEARING} REZ22-30 KUM & GO- From R-2 to C-3-** SW Corner of Main St & Seba (6.32 Ac) *Owner: Tony Steele; Engr: Ozark Civil Engineering, Michael Clotfelter (Planner: DWonsower)*

- A. Michael Clotfelter with Ozark Civil Engineering was present and stated they believe the request falls in line with the Land Use Plan.
- B. Donna Wonsower gave the staff overview. The property is adjacent to commercial on the west, R-2 to the south, and A-1 to the east. The parcels are part of what is designated a commercial corridor “intended to serve the northern half of Centerton” on the Land Use Plan. Main St is designated a minor arterial and Seba is designated as a major arterial. The traffic generated on both streets would support commercial. There is water and sewer available. She mentioned there were 3 emails received from the public; however, they were specifically regarding a fuel station, and not the rezoning of the land to neighborhood commercial, thus they have been included with the conditional use item to follow this one.

**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 John Sessoms. No members were opposed, and the public hearing was opened.**

- C. Jeff Seyfarth made it clear to the public this public hearing was specifically for the rezoning of the land to neighborhood commercial. Any specific concerns regarding the proposal for a gas station/ convenience store would need to be held for the following item.
- D. Several members of the public were present and spoke about their concerns about commercial coming to the corner including:
  - Cindy & Joe Zumstein (1092 Main St), Rick Kasnicka (1520 Lexington Pl), Mary Flowers (119 Hoss St), Michell Ririe (1008 Tara Knolls), Bryce Cheetham (230 Town Vu Rd), Thomas Loucks (1421 Florentine Rd), and Tim & Jeana Miller (114 Hoss) had concerns about infrastructure, traffic, and hazardous waste. They also had concerns regarding property value, and the pending project across Seba Rd, Terra Rose, who has had a concept with a gas station previously approved. It was clarified that the Terra Rose project is currently on hold, and the gas station included in their project was a concept with no concrete plans. The Planning Commission also clarified to the public that the Comprehensive plan does designate that area as neighborhood commercial and the area already has a number of commercial businesses such as the daycare and Legacy Sports Academy.

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

- E. Jeff Seyfarth asked Donna Wonsower to elaborate on the unique easement on the property. Donna explained there is a 100-ft electrical easement along the south property line that cannot be built into.

- F. 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 parcels are designated as commercial on the Land Use Plan.
  - **Is the proposed rezoning compatible with the surrounding area and zones?**
    - a. Jeff Seyfarth stated he believed it is compatible as there are several commercial businesses in the area. Joey Ingle pointed out there is no tapering between residential and commercial zoning in the area. Donna Wonsower pointed out that the 100-ft electrical easement will act as a buffer between residential and commercial. Neighborhood commercial is compatible with appropriate screening.
  - **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
    - a. Yes, the C-3 zoning is the least intensive commercial zoning intended to serve neighborhoods.
  - **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
    - a. No, it will not provide a benefit for this landowner that would not be considered for similar properties 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?**
    - a. The public has concerns regarding traffic and infrastructure. It was explained to the public that Main St is an ARDOT road so they will have to approve and execute all street improvements. The addition of this commercial may alleviate the pressure on Centerton Blvd.
- G. At John Sessoms request, staff pulled up the allowed uses in C-3 and explained how some commercial is allowed by-right while others are allowed conditionally.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve REZ22-30 Kum & Go with a 2<sup>nd</sup> from Ben Lewis. In a Roll Call, all commission members voted in favor. With a unanimous vote, the motion passed.**

- D. **{PUBLIC HEARING} CU22-11 KUM & GO- Fuel Station & Convenience Store-**  
SW Corner of Main St & Seba (Proposed rezone from R-2 to C-3/ 6.32 Ac) *Owner: Tony Steele; Engr: Ozark Civil Engineering, Michael Clotfelter (Planner: DWonsower)*

- A. Michael Clotfelter was present and gave a brief overview of the project. They are requesting a conditional use for a gas station and convenience store with 6 fuel pumps. They are requesting 2 monument signs, one for each major road. They will be making improvements for a 12-ft trail and will make a buffer for the residents around them. There is access to water and sewer. Only 1.65 ac of the previous rezone will be for the Kum & Go.
- B. Donna Wonsower gave the staff overview. She highlighted that there was a concept for a fuel station approved with the Terra Rose PUD previously, though no concrete plans were submitted. The Comprehensive Plan states that this corridor will serve the whole northern side of Centerton. Staff recommends approval with several conditions, including making sure the gas pumps are not adjacent to residential. The project will require a lot-combination or property line adjustment to combine the three parcels into one.
- C. There was clarification regarding the direction of the gas station and location of the fuel pumps. It was explained the exact layout will be ironed out in the Large Scale Development, but the intent is to move the fuel pumps away from the residential area and also move the tanks away from the pond.
- D. Alex with Kum & Go explained the design will be modeled after the newest Kum & Go in Rogers, though the proposed store will be a bit smaller at 4000 sq-ft.
- E. Joey Ingle asked Alex with Kum & Go to adjust the design standards to match the surrounding neighborhoods. Alex agreed to use similar material and stated Kum & Go will be flexible with the design of the building to ensure it adds to the neighborhood.
- F. The Planning Commission also asked that the trash enclosure be gated and screened to a higher standard due to the proximity to residential.

**The commissioners had no questions and Joey Ingle entertained a motion. John Sessoms made a motion to open the public hearing with a Second from Ben Lewis. No members were opposed, and the public hearing was opened.**

- G. Cindy & Joe Zumstein, Rick Kasnicka, Mary Flowers, Michell Ririe, Bryce Cheetham, Thomas Loucks, Pete Newhof (1171 Ellen Ray Ln), Annette Schmule (112 Hoss), and Tim & Jeana Miller had concerns about infrastructure, traffic, and hazardous waste. They mentioned concerns regarding the intensity of a 24 hr. operation and the increase of deliveries. There was also concerns regarding safety, as the high school is close by, and a number of school buses run routes in the area.
- H. The Planning Commission explained to the Public that upgrades to infrastructure happen with development. If there is no development, there is no upgrade to infrastructure. ARDOT will not provide upgrades to roads that do not have the numbers backing up the need for upgrades.

**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. Jeff Seyfarth asked if Kum & Go was amenable to reducing their hours of operation to be more compatible with the nearby residents. Kum & Go agreed to close between the hours of 11 PM and 5 AM. They did request the hours be revisited after a period of being open. There was a brief discussion about the criteria Kum & Go looked at before proposing the project, including having a Geotech completed, and an analysis of how far the closest gas station is in relation to the majority of the residential in the area.
- B. The Commission outlined the following conditions:
- A lot split / property line adjustment shall be required to create a new parcel located at the SE corner of Seba and Main containing the proposed development. The conditional use shall only apply to the new parcel.
  - Storage tanks and fuel canopy location shall not be located directly adjacent to the proposed detention or retention pond or adjacent to the residential properties to the south.
  - Business hours shall not be open between the hours of 11:00 pm and 5:00 am. Days of operation shall not be restricted.
  - All interior landscaping shall be required to comply with all portions of section 15.09.03 E. Site and Parking Lot Landscaping Standards of the Centerton Draft Landscaping Code. Landscape plan to be submitted with development plans for PC approval. Furthermore, Street shade trees shall be required at a minimum of 1 shade tree per 20 LF of street frontage along all adjacent streets. Trees may be clustered or grouped.
  - Cutoff lighting meeting the standards of the Lighting Code, with no illumination to extend past the Kum & Go property line.
  - Canopy signage shall not be allowed. One monument sign shall be allowed per street frontage along Main St and Seba Rd.
  - A traffic study shall be required prior to large-scale development approval to evaluate impact on existing infrastructure. Adjacent street improvements shall be determined based upon the recommendations of the traffic study.
  - Any architectural structures shall be composed of building materials to blend with the intent of adjacent single-family home neighborhoods including but not limited to brick, stone, etc. on the main structure and fuel canopy, with design to be approved by the Planning Commission.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve CU22-11 Kum & Go with the conditions listed above**



**with a 2<sup>nd</sup> from John Sessoms. In a Roll Call, Brandon Swoboda voted to DENY, and Tony Davis, John Sessoms, Joey Ingle, Jerry Harris, Ben Lewis, Devin Murphy, and Jeff Seyfarth voted to APPROVE. With a 7-1 vote, the motion carried.**

E. **{PUBLIC HEARING} PUD22-06 WOMACK- Mixed Use-** Womack Rd (Zoned C-2/ 9.158 Ac/ 300 Dwelling Units) *Owner: Moreman Revocable Trust; Applicant: Modus Studio, Chris Baribeau; Developer: KEP, Greg Kalikow (Planner: DMorrisonLloyd)*

- A. Chris Baribeau was present, with Greg Kalikow present via Zoom. Chris gave a brief overview, explaining the project is mixed use and a traffic study has already been conducted. The findings were presented to staff.
- B. Dianne Morrison Lloyd gave the staff overview. The proposed PUD will have 300 residential units and 15,000 sq ft of commercial space. It was decided based on the layout of the project that the current zoning of highway commercial fits the project the best so the project will not require a rezone. There will be a 3-story and a 4-story building with commercial on the bottom floors and residential on the upper floors. The developers are giving 25% green space instead of the required 15%. They are requesting 50-ft of height increase, though there is not a height limit in the C-2 zoning. They are exceeding the street-side setback at 25-ft instead of 10 and the rear setback at 50-ft instead of 25. The proposed front setback is 25-ft instead of the typical 50-ft. There will be underground detention and shared parking.

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

- H. Mayor Bill Edwards stated he was in favor of getting a light in the area to help with traffic and stated he would be willing to help talk to ARDOT regarding street improvements.
- I. Wayne Cagle (781 Dixon) asked several questions regarding the utility easement, what kind of screening will be provided for the existing residential and lighting concerns. It was explained that there will be a buffer between the new development and the existing developments, and the lighting of the new development will not be allowed to spill over the property line to ensure the surrounding residential developments are not flooded with light. They were also assured that the majority of the windows would not be facing the existing houses, and the few windows that do face that direction are more than 100-ft away.

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

**The commissioners were asked to consider the following:**

- A. **The development's land use is permitted in the presented zoning district, and/or is compatible with the City's Land Use Plan, and/or is substantially similar to adjacent property.**
  - Yes.
- B. **The development is likely to be compatible with development and land use permitted as of right by the zoning ordinance on substantially all and in the vicinity of the proposed PUD.**
  - Yes.
- C. **Provides public benefits that would not be achievable through the normal zoning regulations.**
  - Yes.
- D. **Adequate public utilities are already in place to service the property, or the developer has sufficient plans and private financial commitment in place to ensure adequate public utilities will be available to service the property.**
  - Yes.
- E. **The development will not impose substantial negative external impacts on or prevent the orderly development of adjacent property.**
  - Yes.
- F. **The development does not endanger the public health, safety, or welfare.**
  - Yes.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion. Joey Ingle motioned to approve PUD22-06 Womack Mixed Use with a 2<sup>nd</sup> from John Sessoms. In a Roll Call, all Commissioners voted in favor and the motion carried.**

**7. OTHER BUSINESS**

**A. Amendments to Drainage Manual – Alan Craighead, City Engineer**

A. Alan Craighead explained that the changes to the drainage manual were tabled at the previous City Council meeting and have been brought back to the Planning Commission. Open drainage swales were changed to a 10-ft access on one side. There was a brief discussion regarding hydraulic grading lines (10-yr storm), in which Joey Ingle asked for language to be added that allows the City Engineer to approve special cases as needed.

**B. Statement of Financial Interest**

**C. Direct Deposit Discussion**

**8. ANNOUNCEMENTS**

**A.) Next Council Meeting: 01/10/2023 @ 6:00 PM**

**B.) Next PC Meeting: 01/17/2023 @ 6:00 PM**

**C.) Work Session- Council/ Planning Dept/ Planning Commission: 01/24/2023 @ 6 PM**

**D.) Next Tech Review Meeting: 01/26/2023 @ 2:00 PM (Zoom)**

**9. ADJOURN**

**Tony Davis made a motion to adjourn the meeting at 9:50 pm, with a 2<sup>nd</sup> from Joey Ingle. No commissioners were opposed, and the meeting was adjourned.**



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

**Minutes Prepared By: Kayla Knight**