



**CENTERTON PLANNING COMMISSION**  
**JUNE 4, 2024 @ 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 – 05/21/2024
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **HOP24-10 ARKANSAS ROCK CLIMBING GUIDES LLC –Office for Rock Climbing Guide Services –** 2100 Periwinkle Pl Prairie Brook PH 2 (Zoned R3-SF) Applicant: Pedro Somarriba (*Planner: SHartman*)
  - B. **HOP24-16 THE THRIFTY PARKER – Buying & Selling Items Online -** 10699 Buckhorn Flats Road; 03-19-31-Centerton (Zoned A-1) Applicant: April Parker (*Planner: SHartman*)
  - C. **TS24-04 SHORT- Replat of Short Subdivision Lot 5-**Short Road (County/ Parent Tract: 73.45 ac/ Tract 1: 63.4 ac/ Tract 2: 10.0 ac) *Owner: Melinda Short; Surveyor: Blew & Associates, Wes Luker (Planner: KKnight)*
5. **OLD BUSINESS**
6. **NEW BUSINESS**
  - A. **{PUBLIC HEARING} CU24-08 NEWSONG CHURCH- Fireworks Tent-** 1690 Gamble Rd. (Zoned R-2/ 5.0 Ac) *Owner: Newsong Church Assembly of God; Applicant: Jen Brummett (Planner: SHartman)*
  - B. **{PUBLIC HEARING} CU24-09 JAKES FIREWORKS- Fireworks Tent-** 11673 W. AR 72 HWY. (Zoned C-2/ 5.82 Ac) *Owner: Stone Revocable Trust; Applicant: Jake's Fireworks, Courtney Rakestraw (Planner: SHartman)*
  - C. **{PUBLIC HEARING} CU24-07 LEGG- Manufactured Home-** 8405 Bates Ln. (Zoned R-1/ 1.0 Ac) *Owner: Matthew and Laura Legg; Applicant: Laura Legg (Planner: Shartman)*
  - D. **MOV24-01 LEGG- Replacing Old Manufactured Home With 2022 Model-** 8405 Bates Ln. (Zoned R-1/ 1.0 AC) *Appl/ Owner: Laura Legg (Planner: SHartman)*
7. **OTHER BUSINESS**
8. **ANNOUNCEMENTS**
  - A. **Next Tech Review Meeting: 06/20/2024 @ 2:00 PM (Zoom)**
  - B. **Next Council Meeting: 06/11/2024 @ 6:00 PM**
  - C. **Next PC Meeting: 06/18/2024 @ 6:00 PM**
  - D. **ARDOT Input Meeting for HWY 102: 06/06/2024 @ 2:30 PM for Public Officials and @4:00 PM for General Public**
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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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  
JUNE 4, 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, Craig Langford, Devin Murphy, Jerry Harris, Joey Ingle, and Brandon Swoboda (via Zoom). Others in attendance for the city were: Planner Dianne Morrison Lloyd, Planning Director Lorene Burns, City Engineer Alan Craighead, Deputy Chief Paul Higginbotham, 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 May 21, 2024, and asked Commissions if anyone had questions or concerns.

*John Sessoms made a motion to approve the minutes from the May 21, 2024, Planning Commission Meeting, with a second from Tony Davis. No members were opposed, and the motion was carried.*

**4. RATIFICATIONS OF ADMINISTRATIVE APPROVALS**

**A. HOP24-10 ARKANSAS ROCK CLIMBING GUIDES LLC –Office for Rock Climbing Guide Services – 2100 Periwinkle Pl Prairie Brook PH 2 (Zoned R3-SF)**  
Applicant: Pedro Somarriba (*Planner: SHartman*)

**B. HOP24-16 THE THRIFTY PARKER – Buying & Selling Items Online - 10699**  
Buckhorn Flats Road; 03-19-31-Centerton (Zoned A-1) Applicant: April Parker (*Planner: SHartman*)

**C. TS24-04 SHORT- Replat of Short Subdivision Lot 5-Short Road (County/ Parent Tract: 73.45 ac/ Tract 1: 63.4 ac/ Tract 2: 10.0 ac) Owner: Melinda Short; Surveyor: Blew & Associates, Wes Luker (Planner: KKnight)**

*John Sessoms made a motion to approve the Ratifications, with a second from Devin Murphy. No members were opposed, and the motion was carried.*

**5. NEW BUSINESS**

**A. {PUBLIC HEARING} CU24-08 NEWSONG CHURCH- Fireworks Tent- 1690**  
Gamble Rd. (Zoned R-2/ 5.0 Ac) Owner: Newsong Church Assembly of God; Applicant:

*Jen and CJ Brummett (Planner: SHartman)*

- ◆ The Pastor of Newsong Church, CJ Brummett was present.
  - Fundraiser for the church.
- ◆ Assistant Planner, Samantha Hartman gave the staff update.
  - The applicant is requesting a Conditional Use for temporary fireworks stand at 1690 Gamble Rd, the location of Newsong Church.
  - The property is zoned Medium Density Single Family Residential.
  - To the south of the subject property is the Centerton Gamble Elementary School, to the east is the Kinyon Sports Complex, to the west is Ashmore Landing and Maples Estates Subdivision. North of the property is in Benton County.
  - The property can be accessed from Gamble Road via the existing church driveways.
  - Customers for the fireworks stand will park in the Newsong Church parking lot.
  - The tent will be erected upon approval of the application and will operate from June 20th to July 5th. Per the applicant's narrative, fireworks will be sold 7 days a week during daylight hours. The tent will have to be taken down by July 10th, and the site will need to be returned to its original state.
    - o These proposed hours of operation comply with Municipal code 7.16.06, which states: Permissible items of fireworks may be sold at retail to residents and non-residents within the city corporate limits from June 20 thru July 10 and from December 10 through January 5 of each year.
  - There will be 2-10 employees working at any given time during working hours.
  - If the applicant chooses to have signage, they shall make an application for and obtain any required signage permits from the City of Centerton. Any additional signage will require obtaining a sign permit from Anthony Martinez, Public Works Director, at (479) 224-6028 or [atamartinez@centertonar.us](mailto:atamartinez@centertonar.us).
  - Proposed Conditions of Approval
    - o Term of approval is recommended for three (3) years from the date of PC approval.
    - o This conditional use permit is for three (3) years and will require reapplication and reapproval prior to June 4, 2027.
    - o All parking must remain within the parking lot of Newsong Church.
    - o The applicant shall provide to the City prior to the first sales date a copy of the Fireworks License issued by the Arkansas State Police.
    - o The tent can be erected on or after June 06,2024 and may operate from June 20<sup>th</sup> to July 10<sup>th</sup>. Fireworks will be sold 7 days a week during daylight hours. The tent must be taken down by July 10th and the site must be returned to its original state.

- o Subject to Fire Inspection(s) after stocking tent and must comply with Arkansas Fire Prevention Code requirements, Vol 1 & 2 as applicable.
- o The General Conditions are listed in the packet.
- ◆ Planning Commissioner, Jeff Seyfarth thought a specific date for the tent to be erected during the following years should be specified.
  - The tent can be erected 30 days from opening of sales date.
- ◆ Planning Commissioner, John Sessoms asked if there was extra storage.
  - No, there is no secondary storage of fireworks.
- ◆ Planning Commissioner, Craig Langford asked about specific hours they were looking for.
  - They asked for the hours the city allows to sell fireworks.
- ◆ Planning Commissioner, Brandon Swoboda asked about having a 5<sup>th</sup> wheel or a camper for staying overnight.
  - The Director of Planning, Lorene Burns, said churches are allowed to have an RV on premises for 30- days.
  - CJ said it will not be needed at this time but if they decide to use it, they will follow up with the city staff.
  - Someone will be there 24 hours a day staying on premises.
    - o The Pastors twin boys may stay at the church overnight.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Craig Langford motioned to open the public hearing with a second from John Sessoms. No members were opposed, and the public hearing was opened.

- No public comments or e-mails were received.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Joey Ingle motioned to close the public hearing with a second from John Sessoms. No members were opposed, and the public hearing was closed.

*With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve CU24-08 NEWSONG CHURCH- Fireworks Tent with a second from Craig Langford. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.*

**B. PUBLIC HEARING} CU24-09 JAKES FIREWORKS- Fireworks Tent- 11673 W. AR 72 HWY. (Zoned C-2/ 5.82 Ac) Owner: Stone Revocable Trust; Applicant: Jake's Fireworks, Courtney Rakestraw (Planner: SHartman)**

- ◆ Randy Graham from Jake's Fireworks was present via Zoom.
  - He is the Coordinator for Arkansas, Kansas, Missouri, and Oklahoma.
  - First time using this location for sales.
  - There will be someone staying in the tent 24/7 for security.
  - The plans are to set up the end of this week or the beginning of next week, delivery on June 21<sup>st</sup> and opening on June 22<sup>nd</sup>.
- ◆ Planning Commissioner, John Sessoms asked Randy about secondary storage.
  - Randy said there will not be any extra storage.
  - If extra supplies are needed, products will be brought in from Siloam Springs

and brought right into the tent.

- ◆ Assistant Planner, Samantha Hartman gave the staff update.
  - The applicant is requesting a Conditional Use for temporary fireworks stand at 11673 W. AR Hwy 72.
  - The property is zoned Highway Commercial
  - The property is zoned Highway Commercial and is intended for those businesses which cater to highway traffic, such as service stations, drive-in restaurants, motels, supermarkets, and similar businesses.
  - To the south of the subject property is a car wash (A-1), to the west is Orchard Park (R-2), to the east and north is Benton County property.
  - The property can be accessed from W Highway 72 via an existing drive approximately 16-ft in width.
  - The parking area will have cones set up and orange fencing can be added if necessary.
  - The tent can be erected on or after June 06, 2024, and may operate from June 20th to July 5th. The hours of operation shall be from 9:00 AM to 10:00 PM, Monday to Thursday and 8 AM to 12 Midnight, Friday to Sunday. The tent must be taken down by July 10th and the site must be returned to its original state.
    - Permissible items of fireworks may be sold at retail to residents and non-residents within the city corporate limits from June 20 through July 10 and from December 10 through January 5 of each year.
  - There will be up to two operators on site with one operator at the location 24/7. The employee that stays overnight will either be setting up a tent or resting in their vehicle.
  - The site will have two feathered flags located by the tent.
    - A sign permit will be required by the Public Works Department prior to installation of the signage.
  - The parking area will have cones set up and orange fencing can be added if necessary.
  - Proposed Conditions of Approval
    - 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.
    - All parking must remain within the designated parking areas.
    - The applicant shall provide to the City prior to the first sales date a copy of the Fireworks License issued by the Arkansas State Police.
    - The tent can be erected on or after June 06, 2024, and may operate from June 20th to July 5h. The hours of operation shall be from 9:00 AM to 9:00 PM daily with extended hours until 12 midnight on July 3rd and 4th. The tent must be taken down by July 10th and the site must be returned to its original state.

- o Subject to Fire Inspection(s) after stocking tent and must comply with Arkansas Fire Prevention Code requirements, Vol 1 & 2 as applicable.
- ◆ Planning Commissioner, Joey Ingle expressed that the 16-foot drive is going to be tight and asked to widen it if possible.
  - City Engineer, Alan Craighead recommended widening between 22” to 24” wide since it is on Highway 72.
    - o Alan asked Randy to call either himself or Public Works when they get out to the site to look over the drive.
- ◆ Director of Planning, Lorene Burns asked Randy to move the southern parking lot to the north so it would be further away from the entrance and curve.
  - Randy said they will be putting up cones and most likely orange fence to control parking.
- ◆ Planning Commissioner, Brandon Swoboda asked about lighting.
  - Randy said there will be string lights around the tent with a generator that gives off minimal sound.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Craig Langford motioned to open the public hearing with a second from John Sessoms. No members were opposed, and the public hearing was opened.

➤ No public comments or e-mails were received.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Joey Ingle motioned to close the public hearing with a second from John Sessoms. No members were opposed, and the public hearing was closed.

***With no questions from the commissioners, Jeff Seyfarth entertained a motion. Devin Murphy motioned to approve CU24-09 JAKES FIREWORKS- Fireworks Tent with a second from Tony Davis. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.***

**C. {PUBLIC HEARING} CU24-07 LEGG- Manufactured Home- 8405 Bates Ln.**  
(Zoned R-1/ 1.0 Ac) *Owner: Matthew and Laura Legg; Applicant: Laura Legg (Planner: Shartman)*

- ◆ The Applicant and owner of the property, Matt Legg was present.
  - We own one acre plus the surrounding 7 acres surrounding the parcel.
- ◆ Assistant Planner, Samantha Hartman gave the staff update.
  - The applicant is requesting a conditional use to allow them to replace an old existing mobile home with a 2021 mobile home.
  - The previous mobile home has been on the site since at least 1994 based on aerial images available.
  - Per the Title 14-Zoning Schedule of Uses, a conditional use is required to allow manufactured homes in R-1 zoning.
  - The Planning Director approved allowing the applicant to get permits from the Building Department to lay a concrete slab for the mobile home, and move the mobile home onto the site, with the contingency that utilities will not be

hooked up to the mobile home until Planning Commission and City Council approvals have been received.

- The 2021 mobile home has not been moved onto site. The concrete pad has been poured.
- This area is intended primarily for residential neighborhoods characterized by large lots for single-family dwellings.
- This property is directly surrounded by A-1 in all directions. To the north, there is a parcel zoned R3-SF that will be developed as the Soto subdivision which was previously preliminarily approved. To the southeast, there is property zoned as R3-D, with no development currently planned.
- There was an older mobile home on site that has since been removed and will be replaced with a 2021 mobile home.
- The old mobile home did not comply with setbacks requirements. The placement of the updated mobile home will meet the setback requirements, correcting a non-compliance item.
- The mobile home will have access to water via a water line running from the well on the adjacent property, which has the same property owner. The mobile home will have a septic system, as shown on the site plan. The septic location and design have been approved by ADH.
- This parcel is located adjacent to Bates Ln Rd, which is designated as a local road with a ROW of 50-ft on the MSP. A major collector is proposed on the south side of this parcel.
- A 20-ft access easement has been provided on the adjacent property to allow for access onto Bates Ln. Because the site is residential, the fire department will not require a driveway to be installed to the manufactured home; however, it is preferred.
- The applicant has not provided moving company information and insurance. This information will be required for the moving permit approval at the City Council meeting.
- Proposed Conditions of Approval.
  - o The owner must provide the moving company's information and insurance before noon the Thursday before the City Council meeting for the moving permit approval.

The commissioners had no questions and Jeff Seyfarth entertained a motion. John Sessoms motioned to open the public hearing with a second from Craig Langford. No members were opposed, and the public hearing was opened.

- No public comments or e-mails were received.

The commissioners had no questions and Jeff Seyfarth entertained a motion. Joey Ingle motioned to close the public hearing with a second from Tony Davis. No members were opposed, and the public hearing was closed.

***With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve CU24-07 LEGG- Manufactured Home with a second from Devin***

***Murphy. In a Roll Call, all commissioner members voted in favor. With unanimous vote, the motion was passed.***

**D. MOV24-01 LEGG- Replacing Old Manufactured Home With 2021 Model- 8405 Bates Ln. (Zoned R-1/ 1.0 AC) Appl/ Owner: Laura Legg (Planner: SHartman)**

- ◆ The Applicant and owner of the property, Matt Legg was present.
- ◆ Assistant Planner, Samantha Hartman gave the staff update.
  - The property owner has submitted a moving permit to move a 2021 manufactured home from Greenwood AR to 8405 Bates Lane.
  - The property is 1 Ac and zoned R-1.
  - The old, manufactured home has been removed from the site.
  - Manufactured Homes are permitted with a Conditional Use in R-1.
  - This moving permit has a concurrent conditional use application.
  - The Planning Commission will recommend approval/denial to the City Council, who will hear this request at the June 11th City Council Meeting, contingent on PC approval of the conditional use.
  - The Planning Director approved allowing the applicant to get permits from the Building Department to lay a concrete slab for the mobile home, and move the mobile home onto the site, with the contingency that utilities will not be hooked up to the mobile home until Planning Commission and City Council approvals have been received.
  - The 2021 mobile home has not been moved onto site. The concrete pad has been poured.
  - Municipal Code Title 8.20 Moving of Buildings:
    - o It is hereby declared unlawful for any person, firm, company, or corporation to move any building or structure, except and excluding new manufactured homes, new mobile homes, and new modular homes within the city of Centerton from one lot or piece of property to another, or from one location to another on the same lot or piece of property, or outside the city limits of the city of Centerton into the city of Centerton without first securing a permit to do so from the City Council of the city of Centerton. Moreover, a building permit as described in Chapter 11.20 of the Centerton Municipal Code must also be obtained.
    - o No relocation permit required by this ordinance shall be issued by the City Council unless the applicant therefor shall first post with the city of Centerton a bond executed by the person(s) desiring to move such building or structure as principal and a surety company authorized to transact business in the State of Arkansas as surety.
    - o In granting any permit, the City Council may in its discretion require the applicant to give a separate and additional bond to the city of Centerton in an amount to be fixed by the City Council to ensure payment for any damage which the applicant may cause to any public property, streets, sidewalks, trees, or shrubs in the moving of any building or structure.
    - o Any person, firm, or corporation violating any provision of this



chapter shall upon conviction be deemed guilty of a misdemeanor and be fined in any sum not less than \$100.00 nor more than \$500.00, and each day that such violation continues shall be a separate punishable offense.

- The structures must meet the current City of Centerton Fire and Building Codes before any utilities are connected and a Certificate of Occupancy is issued. Approval of this moving permit does not indicate that the manufactured homes are approved for habitation. If deemed inhabitable, manufactured homes will need to be removed from the property within 60 days after Building Safety or Fire Department deems as uninhabitable.
- There is an older mobile home on site that will be removed and replaced with a 2021 mobile home. The current mobile home does not comply with setbacks requirements. The placement of the new mobile home will meet the setback requirements, correcting a non-compliance item.
- The mobile home will have access to water via a water line running from the well on the adjacent property, which has the same property owner. The mobile home will have a septic system, as shown on the site plan. The septic location and design have been approved by ADH.
- The applicant has not provided the moving company information and insurance.
  - o This information will be required for the moving permit approval at the City Council meeting.

*With no questions from the commissioners, Jeff Seyfarth entertained a motion. John Sessoms motioned to approve MOV24-01 LEGG- Replacing Old Manufactured Home With 2021 Model with a second from Joey Ingle. No members were opposed, and the motion was carried.*

#### 6. ANNOUNCEMENTS

- ◆ Next Tech Review Meeting: 5/23/2024 @ 2:00 PM (Zoom)
- ◆ Next Council Meeting: 06/11/2024 @ 6:00 PM
- ◆ Next PC Meeting: 06/04/2024 @ 6:00 PM
- ◆ ARDOT Meeting Public Comment Meetings at Centerton Municipal Court: 06/06/2024 @ 2:30 PM Public Officials and 4:00 PM General Public

#### 7. ADJOURN

**Devin Murphy made a motion to adjourn the meeting at 6:48 PM, with a 2<sup>nd</sup> from Tony Davis. No commissioners were opposed, and the meeting was adjourned.**



Jeff Seyfarth- Planning Chair  
Centerton Planning Commission

Minutes Prepared By: Samantha Hartman