



**CENTERTON PLANNING COMMISSION**  
**May 17, 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 – 05/03/2022
4. **RATIFICATION OF ADMINISTRATIVE APPROVALS**
  - A. **HOP22-12 K's Home Services-721 Tripoli Rd-(Zoned R2 / Sienna / house cleaning and construction services)**
5. **OLD BUSINESS**
  - A.
6. **NEW BUSINESS**
  - A. **{Public Hearing} REZ22-10 Klamm Property-14044 LC Hickman Rd-(A1 to R1 (1.52 Ac) and RE (3.47 Ac)) Owner: Matt and Tara Klamm (Planner: Erik Nystrom)**
  - B. **{Public Hearing} REZ22-09 Keilty- 1710 Kimmel Rd-(3.85 Ac / RE to R4-MF) Owner: Kristin Keilty; Applicant: JS Fenwick Properties, LLC, Isabel Lane (Planner: Erik Nystrom)**
  - C. **{Public Hearing} REZ22-11 Stophlet-NE corner of Wagner and W Tycoon- (39.85 Ac / A1 to R3-SF) Owner: Stophlet Family Trust, Mike Stophlet; Applicant: Sunrise Residential (Planner: Donna Wonsower)**
  - D. **DEV22-03 Stoneleigh Ph2- Preliminary LSD- 485 E Centerton Blvd- (Zoned R4-MF / PUD21-08 / 78 Dwelling Units / 8.64 Ac) Developer: SAC Investor, LLC, Ken Block; Engr: MSE | HALFF, Larry Grelle (Planner: Donna Wonsower)**
    - **Preliminary Plat**
    - **Adjacent Street Agreement**
7. **OTHER BUSINESS**
  - A. **HOP19-04 Tornado Tough and HOP21-28 Mow Joe Lawncare-105 Cypress St- (Zoned R2 / Oakridge Subdivision / lawncare service and tornado shelter sales online) Owner: Frank Lee**
    - **Request to bring back to Planning Commission for discussion, complaints from adjacent property owner**

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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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

**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 17, 2022**

**(1) CALL TO ORDER –**

The Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 7:18 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, City Engineer Alan Craighead, and Fire Marshal Paul Higginbotham.

**(3) APPROVAL OF MINUTES –**

**John Sessoms made a motion to Approve the Planning Commission Meeting Minutes from 05/03/2022 with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

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

**A. HOP22-12 K's Home Services-721 Tripoli Rd-(Zoned R2 / Sienna / house cleaning and construction services)**

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

**Joey Ingle made a motion to Ratify the Administrative Approvals as presented, with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

**(5) OLD BUSINESS – None**

**(6) NEW BUSINESS –**

**A. {Public Hearing} REZ22-10 Klamm Property-14044 LC Hickman Rd-(A1 to R1 (1.52 Ac) and RE (3.47 Ac)) *Owner: Matt and Tara Klamm (Planner: Erik Nystrom)***

Chairman Jeff Seyfarth introduced the item to the Commission and noted that Craig Langford was recusing himself from this project. Craig Langford left the Planning Commission booth and sat in the audience.

Tara Klamm stated that they have previously had a tract split approved but during the process a rezoning was required. She noted that they have begun the building process.

City Planner Erik Nystrom gave the staff report, including the following:

- Property specifications (Size, Lot Totals, Etc.)
- Total area to be rezoned R-1 and R-E
- Intent to sell R-1 tract and build on R-E tract
- Access and Utility Easements
- Utility availability
- No wetlands on property
- Staff notes surrounding zoning as compatible with proposed rezoning.
- Land Use designated parcel as medium-high residential, which is not consistent; however, proposed request is of lower intensity.

**Ben Lewis made a motion to open the public hearing 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.**

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.**

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? - MIXED.** The Planning Commission agreed that while the proposed use is residential in nature, it is significantly less than the density that the Adopted Land Use Plan designates for the area.
- **Is the proposed rezoning compatible with the surrounding area and zones? - YES.** The parcels are residential in nature and are similar to the existing larger lot residential parcels in the area.

- **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - YES.** The requested rezoning is residential in nature, which aligns with the surrounding land uses.
- **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 REZ22-10 Klamm Property-14044 LC Hickman Rd-(A1 to R1 (1.52 Ac) and RE (3.47 Ac)), with a 2<sup>nd</sup> from Joey Ingle. Senior Planner Dianne Morrison-Lloyd did a roll call vote. The motion carried with eight (8) “Yes” votes and zero (0) “No” votes.” Craig Langford abstained.**

Craig Langford returned to the Planning Commission booth.

- B. {Public Hearing} REZ22-09 Keilty-** 1710 Kimmel Rd-(3.85 Ac / RE to R4-MF)  
*Owner: Kristin Keilty; Applicant: JS Fenwick Properties, LLC, Isabel Lane (Planner: Erik Nystrom)*

Chairman Jeff Seyfarth introduced the item to the Commission.

Isabel Lane, Fenwick Properties, presented a brief summary of the project and confirmed that she was available to answer questions.

City Planner Erik Nystrom, gave the staff report, including the following:

- Property specifications (Size, Lot Totals, Etc.)
- Street Frontage on Kimmel Rd (Improvements to be Determined with Subdivision)
- Trail Proximity
- Access and Utility Easements
- Utility availability
- Wetlands Assessment required prior to Development.
- Staff notes surrounding zoning as compatible with surrounding development due to proximity of nearby apartments and other high-density residential

- Land Use designated parcel as medium-high residential, which is not consistent with the proposed density; however, proposed request is in close proximity to other high-density residential (Watercolor and recent R-4 rezoning), duplexes, and commercial.

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

Janice Cline stated that she was opposed to the project and questioned the effect of the development on the flow of water down Kimmel Rd. She also questioned the building height of the apartment structures.

City Engineer Alan Craighead discussed mitigation requirements and the fact that the general design must follow currently existing flow patterns.

Planning Chairman read the zoning district requirements. City Planner Donna Wonsower clarified that the height restriction for R4-MF is 45’ or 3 stories.

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

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? - NO.** Due to the land use being designated with a maximum of approximately 7 units per acre and the proposed zoning having a maximum density of 18 units per acre, the Planning Commission agreed that the proposed rezoning was not consistent.
- **Is the proposed rezoning compatible with the surrounding area and zones? – MIXED.** The Planning Commission agreed that while the rezoning would be residential in nature, it would be of a significantly higher intensity.
- **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - NO.** The height allowance of three stories is not allowable in adjacent neighborhoods
- **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? YES.** Kimmel Rd has well-known flooding issues. There were additional questions relating to height of apartments.

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 Approve REZ22-09 Keilty- 1710 Kimmel Rd-(3.85 Ac / RE to R4-MF) , with a 2<sup>nd</sup> from Ben Lewis. The motion failed with seven (7) “No” votes by John Sessoms, Ben Lewis, Joey Ingle, Tony Davis, Jerry Harris, Devin Murphy, and Jeff Seyfarth; and two (2) “Yes” votes by Amber Beale and Craig Langford.**

- C. **{Public Hearing} REZ22-11 Stophlet**-NE corner of Wagner and W Tycoon- (39.85 Ac / A1 to R3-SF) *Owner: Stophlet Family Trust, Mike Stophlet; Applicant: Sunrise Residential (Planner: Donna Wonsower)*

Chairman Jeff Seyfarth introduced the item to the Commission.

Dan Ferguson summarized the proposed request and noted that he was available to answer any question.

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

- Property specifications
- Utility access
- Master Street Plan considerations
- Wetland assessment needed
- Surrounding Zoning considerations. Mix between higher density single family and agriculture. Staff considers compatible due to increased development but concerns due to proximity to flight path of XNA.
- History of zoning changes in the area.
- Land Use Designation Business Park is not consistent with residential.
- Comprehensive Plan items relating to Business Park Use
- Considerations of development adjacent to airports, including slides from an interjurisdictional meeting held between local municipalities and XNA regarding incompatibility of residential uses near the airport.

There was a brief discussion of what code mechanisms Centerton had in place to regulate development adjacent to the airport. City Planner Donna Wonsower stated that at this time, Centerton has not passed an airport overlay district and the land use plan and zoning is our primary tool to restrict development to compatible land uses. Compatibility of Business Parks, Industrial and Residential were discussed in proximity in relation to the

airport and each other.

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

Kathy Bush questioned how many homes would be constructed in the property and what type of utilities (gas, sewer, etc.) would be utilized for the proposed development. After doing calculations based on the allowable density and size of the property, staff determined that a maximum of ~230 (not including ROW or detention). Based on the size of the lots, the subdivision would likely require sewer.

Alex English, XNA, opposed the residential development as it is a noncompatible use and raises safety and noise concerns. They recommend avigation easement, plat notification, and sound attenuation if approved.

Tony Davis asked if there was interest in this area for a business park. City Planner Donna Wonsower stated that she was not aware of interest in this particular parcel, but that staff had seen other concepts for business park type uses. PC Chairman Jeff Seyfarth reminded the commissioners of the Luttrell Storage plans seen recently.

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

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? – NO.** The adopted land use plan is Business Park while the proposed rezoning is residential in nature. There was a brief discussion on whether the land use plan was serving the needs of the city with the amount of business park provided, isolation requirements, and compatibility.
- **Is the proposed rezoning compatible with the surrounding area and zones? - MIXED.** The surrounding area in Bentonville is agricultural but the surrounding area in Centerton is proposed to be Business Park which may or may not be compatible depending on buffers and other requirements.
- **Would all the permitted uses in the new zone be compatible in this location and surrounding areas? - MIXED.** The surrounding area in Bentonville is agricultural but the surrounding area in Centerton is proposed to be Business Park which may or may not be compatible depending on buffers and other requirements.



- **Would the rezoning provide a benefit to one landowner, but not be considered for other similar properties in this area? MIXED.** The proposed land use is inconsistent with the land use plan and allowing a rezoning would grant a zoning that is inconsistent with the Comprehensive Plan. There was discussion about previous rezonings in the area that are inconsistent with the land use plan.
- **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? YES.** XNA is opposed to the proposed rezoning due to factual safety and noise concerns.

Chairman Seyfarth asked if there were any other questions or comments from the Commission or City Staff. City Planner Donna Wonsower reiterated concerns about setting precedent for eliminating the business park north of Tycoon.

**Tony Davis made a motion to Approve REZ22-11 Stophlet-NE corner of Wagner and W Tycoon- (39.85 Ac / A1 to R3-SF), with a 2<sup>nd</sup> from Ben Lewis. The motion carried with six (6) “Yes” votes by Tony Davis, John Sessoms, Craig Langford, Amber Beale, Devin Murphy, and Joey Ingle; and three (3) “No” votes by Ben Lewis, Jerry Harris, and Jeff Seyfarth.**

- D. DEV22-03 Stoneleigh Ph2- Preliminary LSD- 485 E Centerton Blvd- (Zoned R4-MF / PUD21-08 / 78 Dwelling Units / 8.64 Ac) Developer: SAC Investor, LLC, Ken Block; Engr: MSE | HALFF, Larry Grelle (Planner: Donna Wonsower)**
- **Preliminary Plat**
  - **Adjacent Street Agreement**

Chairman Jeff Seyfarth introduced the item to the Commission.

Larry Grelle, Morrison-Shipley Halff, briefly described the project including floodplain, access, and other site features. Tony Davis questioned the location of the mid-block crosswalks, and there a brief deliberation regarding shifting the location and adding pavement marking / signage for improved pedestrian safety.

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

- Property specifications
- PUD requirements
- Utility access
- Wetland 404 Permit and Floodplain Permit needed
- Dog Park Plans
- Landscape Plans
- Parking
- Site Access
- Street lights

City Engineer, Alan Craighead, noted that he will need to see structural information on the retaining walls before construction.

Chairman Seyfarth asked if there were any other questions or comments from the Commission or City Staff. He noted that they would like to see additional information on crosswalk markings and signage.

**Jerry Harris made a motion to Approve DEV22-03 Stoneleigh Ph2- Preliminary LSD- 485 E Centerton Blvd- (Zoned R4-MF / PUD21-08 / 78 Dwelling Units / 8.64 Ac), with a 2<sup>nd</sup> from Ben Lewis. All Commission Members voted in favor and the motion carried.**

**(7) OTHER BUSINESS –**

**A. HOP 19-04 Tornado Tough and HOP21-28 Mow Joe Lawncare-105 Cypress St- (Zoned R2 / Oakridge Subdivision / lawncare service and tornado shelter sales online)**

*Owner: Frank Lee*

- **Request to bring back to Planning Commission for discussion, complaints from adjacent property owner**

Chairman Jeff Seyfarth introduced the item to the Commission.

Senior Planner Dianne Morrison Lloyd stated that this item is a request to bring these HOPs back before the Planning Commission at the next meeting after receiving complaints from neighbors. She noted that both Home Occupation Permits are for the same address and that one is for the father, and one is the son. The complaint is summarized as follows:

- Parking vehicles, fifth wheel trailer, medium-size trucks, medium size track hoe, and equipment in front lawn
- Noted inclusion of photos

Senior Planner Dianne Morrison Lloyd stated that once staff has confirmed that the Commission is willing to hear the item, we will contact all involved parties.

Commissioner Joey Ingle asked what items of the home occupation permits were being violated. Senior Planner Dianne Morrison Lloyd summarized as follows:

- Home occupation does not occupy more than 25% of the gross habitable ground floor area of the principle dwelling unit.
- Home occupation permits does not alter the external appearance of the principal dwelling unit.
  - Gravel drive added to concrete driveway.
- Home occupation does not create noise, vibration, glare, fumes, electromagnetic interferences, odors, or air pollution outside the principal dwelling unit.
  - Odors, chemicals, welding

- Home occupation does not involve any storage of hazardous materials, other than substances of a type and quantity customarily associated with a home or hobby.

Tony Davis asked about the frequency of the vehicles being parked in the front of the home. Senior Planner Dianne Morrison Lloyd confirmed that they were not parked everyday but several times per week. There was discussion regarding whether the city has code forbidding large vehicles from parking in the street.

Bill Eike (103 Cypress St) stated that the gravel driveway was installed after the homeowners were told they could by Code Enforcement. Senior Planner Dianne Morrison Lloyd clarified that at the time of the Home Occupation permit application in 2019, there was no gravel driveway constructed.

There was conversation regarding whether a driveway was required to be constructed of concrete, and previous enforcement discussions. Bill Eike mentioned a conditional use permit, and senior Planner Dianne Morrison Lloyd noted that there is no conditional permit. She stated that conditional uses and home occupation permits are often mixed up and stated that their business license is expired.

The Planning Commission confirmed that they would like to see the HOPs at the next meeting, as well as the Code Enforcement officers.

The process for HOP and Conditional Use approvals were briefly reviewed. City attorney Brian Rabal noted that evidence of business being done would need to be gathered, as hobby work is allowed.

**(8) ANNOUNCEMENTS -**


- A. Next Tech Review Meeting: 05/26/2022 @ 2:00 PM (Zoom)**
- B. Next PC Meeting: 06/07/2022 @ 6:00 PM**
- C. Next Council Meeting: 06/14/2022 @ 6:00 PM**

Staff noted that work revising the Moe's entry is beginning.

Chairman Jeff Seyfarth announced that Amber Beales term is ending, and the Commission is seeking new candidates to fill her position.

**(9) ADJOURN -**

**Devin Murphy made a motion to adjourn the meeting at 8:44 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