



**CENTERTON PLANNING COMMISSION**  
**NOVEMBER 1, 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 – 10/18/2022

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. **TS22-19 SCH Estates -TS-10620 W AR Hwy 72 (County / 11.96 Ac/ Tract 1: 3.98 Ac / Tract 2: 3.99)**  
*Owner: SCH Estates LLC, Engr: Bates & Associates, Justin Reid (Planner: Donna Wonsower)*

- B. **TS22-18 RLP Developments-TS- 12542 Bullock Rd-(County / 18.99 Ac / Tract 1: 1.76 Ac / Tract 2: 16.57 Ac)** *Owner: RLP Developments, LLC; Engr: HALFF Associates, Dirk Thibodaux (Planner: Donna Wonsower)*

- C. **HOP22-27 Grow NWA- 3020 Edgewood Rd- (Zoned A-1/ Microgreens Farm)** *Applicant/Owner: Paul Helams (Planner: Kayla Craft)*

**5. OLD BUSINESS**

- A. **SUB21-13 Daisy Road Duplexes-NE/C of Brookside and Daisy Rd-Discussion-**Request to extend preliminary subdivision approval; *Owner/Dev: Sweet Homes of NWA; Engr: Morrison Shipley, Dirk Thibodeaux (Planner: Donna Wonsower)*

**6. NEW BUSINESS**

- A. **{Public Hearing} REZ22-18 NAVV Investments (Motley Rd)** - N side of Motley Rd between N Tycoon and S Vaughn Rd (100.24 Ac / RTH-D to R3-SF) *Applicant: NAVV Investments, Shekar Dadi (Planner: Erik Nystrom)*

- B. **{Public Hearing} REZ22-25 Opti-Chain LLC-631 Bliss St (0.97 Ac/ RTH-D to R3-MF)** *Owner: Opti-Chain LLC Representative: Kyle McGuire (Planner: Donna Wonsower)*

- C. **{Public Hearing} REZ22-26 Coberly Rezone-5600 Brookside Rd (6.41 Ac / A-1 to R-1 and R-E)** *Owner: Leslie Coberly (Planner: Dianne Morrison Lloyd)*

**7. OTHER BUSINESS**

**A. Amendments to Uses for flex-space and mobile vendors to Title 14 Zoning**

- **Review Final Changes – 11/15; Set Public Hearing – 12/6**

**B. Title 9 Streets & Sidewalks, Title 16 Drainage & Flood, and Stormwater Management & Drainage Manual-Discussion-** Proposed changes by City Engineer (*Alan Craighead*)

- **Review Final Changes – 11/15; Set Public Hearing – 12/6**

**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for unforeseen circumstances out of our control, items and/or public hearings appearing on this agenda may become withdrawn, request to be tabled/moved to the next agenda, or subject to change with little to no notice.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 Council Meeting: 11/8/22 @ 6:00 PM**
- B. Next PC Meeting: 11/15/22 @ 6:00 PM; Public Hearing Flex-Space & Mobile Vendor Use Requirements**
- C. Next Tech Review Meeting: 11/17/22 @ 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  
November 1, 2022**

**1. CALL TO ORDER**

The Meeting of the Centerton Planning Commission was called to order by Planning Chairman Jeff Seyfarth at 6:01 p.m.

**2. ROLL CALL**

Those Present and answering Roll Call were, Jeff Seyfarth, Joey Ingle, Devin Murphy, John Sessoms, Jerry Harris, Tony Davis, Brandon Swoboda, and Ben Lewis. Commissioner Craig Langford was absent. Others in attendance for the city were: City Planning Director Lorene Burns, City Planner Donna Wonsower, City Planner Erik Nystrom, City Engineer Alan Craighead, Fire Marshal Paul Higginbotham, City Mayor Bill Edwards, Council Member Amy Rochette, City Attorney Brian Rabal and Planning Assistant/ Recorder Kayla Craft.

**3. APPROVAL OF MINUTES**

**Jeff Seyfarth** asked for a motion to approve minutes from the 10/18/2022 Planning Commission Meeting.

**John Sessoms** made a motion to approve the minutes from 10/18/2022 Planning Commission Meeting, with a Second from Tony Davis. No members were opposed, and the motion carried.

**4. RATIFICATION OF ADMINISTRATIVE APPROVALS**

- A. **TS22-19 SCH Estates**-10620 W AR Hwy 72 (County / 11.96 Ac/ Tract 1: 3.98 Ac / Tract 2: 3.99) *Owner: SCH Estates LLC, Engr: Bates & Associates, Justin Reid (Planner: Donna Wonsower)*
- B. **TS22-18 RLP Development**- 12542 Bullock Rd-(County / 18.99 Ac / Tract 1: 1.76 Ac / Tract 2: 16.57 Ac) *Owner: RLP Developments, LLC; Engr: HALFF Associates, Dirk Thibodaux (Planner: Donna Wonsower)*
- C. **HOP22-27 Grow NWA**- 3020 Edgewood Rd- (Zoned A-1/ Microgreens Farm) *Applicant/Owner: Paul Helams (Planner: Kayla Craft)*

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

## 5. OLD BUSINESS

A. **SUB21-13 Daisy Road Duplexes- NE/C of Brookside and Daisy Rd-Discussion-**  
Request to extend preliminary subdivision approval; *Owner/Dev: Sweet Homes of NWA;*  
*Engr: Morrison Shipley, Dirk Thibodeaux (Planner: Donna Wonsower)*

- A. Dirk Thibodeaux was present to stand for the project. They explained there was a change of leadership and other delays that stopped the project from breaking ground within the year requirement. They are not proposing any changes but are just asking to have the timeline extended.
- B. Donna Wonsower gave the staff overview. She pointed out there were outstanding staff comments from when the project was previously approved that have not since been addressed. The city has also since hired a city engineer, Alan Craighead who had not reviewed the project prior to approval.
- C. Alan Craighead gave an overview of flooding issues with potential to negatively impact the Recycling Center. Lorene Burns let the Planning Commission know the Recycling Center is willing to grant an easement to accommodate the drainage. Relocating the outlet structure and reworking the discharge across the street was discussed as a potential solution that would not require increasing the pond size.
- D. The Planning Commission clarified that as long as the overall design of the project does not change (i.e. total lot numbers) and the project meets the code, the project would be approved tonight contingent on remaining staff comments and would not be required to return to Planning Commission. Jeff Seyfarth stated that the item could be brought back as a discussion item if needed.

**With no other questions from the commissioners, Jeff Seyfarth entertained a motion extend the SUB21-13 Daisy Rd Duplexes preliminary approval contingent on staff comments. John Sessoms motioned to approve the extension of SUB21-13 Daisy Rd Duplexes preliminary approval contingent on remaining comments from the City Engineer and Staff with a 2<sup>nd</sup> from Ben Lewis. No members were opposed, and the motion passed.**

## 6. NEW BUSINESS

A. **{Public Hearing} REZ22-18 NAVV Investments-N Side of Motley Rd between N Tycoon and S Vaughn Rd (100.24 Ac/ RTH-D to R3-SF) Applicant: NAVV Investments, Shekar Dadi (Planner: Erik Nystrom)**

- A. Shekar Dadi was present to represent the project. He explained the developer has decided they would like to build single family houses in the R3-SF zoning instead of duplexes in the RTH-D zoning.
- B. Erik Nystrom gave the staff overview. He explained the applicants are requesting a lower density. He went over the staff report, highlighting the property is along a major arterial (Motley Rd).

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

- A. Jeff Seyfarth asked for public comment three times. There were no public comments.

**Jerry Harris made a motion to close the public hearing with a Second from John Sessoms. 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. No.
  - **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. Ben Lewis motioned to approve REZ22-18 NAVV Investments 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.**

- B. **{Public Hearing} REZ22-25 Opti-Chain LLC- 631 Bliss St (0.97 Ac/ RTH-D to R3-MF) Owner: Opti-Chain LLC, Kyle McGuire (Planner: Donna Wonsower)**

- A. Kyle McGuire was present to represent the project. He explained they are looking to rezone from RTH-D to R3-MF to build fourplexes. Their goal is to bring high-quality affordable housing to the area. He highlighted the difficulty of getting sewer connected to the property and explained they have found several paths to get the sewer connected via existing easements. They have also worked with the Streets Superintendent to get T-Cuts approved through Bliss St and or Walker St.
- B. Donna Wonsower gave the staff overview. She highlighted the requested district is similar to what is already zoned for this land. The parcel is surrounded by multiple residential developments within a gap in development. While R3-MF allows up to 8 units per acre, staff does not anticipate seeing 8 units developed on this lot due to drainage and access requirements, thus staff sees this as compatible with adjacent existing development. The parcel is designated low-medium density on the Comprehensive Plan with an overall density of 3-7 units per acre, so while not consistent, the proposed rezone is close in proposed maximum density. The parcel is located on Bliss St, a major collector. The rezone request does meet the Comprehensive Land Use's goals for infill.

- C. Jeff Seyfarth asked what the current zoning would allow in terms of density. Dianne Morrison Lloyd stated the current zoning of RTH-D allows for 8 units per acre as well. Donna explained the difference between the two zonings is mostly based on the style of housing rather than the maximum density allowed.

**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 Ben Lewis. No members were opposed, and the public hearing was opened.**

- A. Staff notified the Planning Commission of two emails received from the public regarding this rezone:
- a. One email from Jessica Week highlighting concerns for privacy of the surrounding subdivisions
  - b. One email from Dennis Lin with concerns of density. Staff did mention the email did not specify which rezone the concern was for, but they could infer it was for this one based on the details provided.
- B. A number of members of the public including Mayor Bill Edwards, Council Member Amy Rochette, Brian Darling, and Patty Franklin came to speak against this rezone. Mayor Bill reminded the Planning Commission of the history of the project as it was previously denied by the Planning Commission and overturned by the City Council due to the proximity of RTH-D. Other concerns included the size of the lot versus the number of units being proposed, fire access, general vehicle access and parking.
- C. Council Member Amy Rochette had questions regarding the difference between townhomes and multiplex structures and the ownership for each.
- D. Kyle McGuire noted property values should increase and that due to the small number of vehicles being added to a collector street, impact to adjacent properties should be minimal. He also clarified that most of the zoning is the same as the existing except for how many units can be within a single structure.
- E. Fire Marshal Paul Higginbotham was present and explained that once units are stacked, they become apartments per the fire code. Staff clarified that this zoning code will not allow four units to be stacked on top of four units (i.e., an eight-unit apartment structure).

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

Prior to discussion, city planner Donna Wonsower clarified that the maximum allowable density for both the RTH-D and the R3-MF is 8 units an acre and that the main difference between the two districts is the style of building.

- A. 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. The rezoning is not consistent with the Comprehensive Plan due to density.

- **Is the proposed rezoning compatible with the surrounding area and zones?**
  - a. The proposed rezone is not compatible with the surrounding area, as the surrounding areas are single family.
- **Would all the permitted uses in the new zone be compatible in this location and surrounding areas?**
  - a. City staff and City Attorney Brian Rabal reminded the Planning Commission they cannot consider ownership during the rezone, only the use of the land. Jeff Seyfarth stated if ownership was not considered, the permitted uses could be considered compatible. There was discussion regarding lack of similar zoning in the area and whether the size of the lot was of sufficient size for the proposed use.
- **Would the rezoning provide a benefit to this landowner, but not be considered for other similar properties in this area?**
  - a. Jeff Seyfarth noted that because the applicant stated this rezone would allow for some efficiencies that would benefit them, this rezone would benefit the landowner.
- **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 present and via email were opposed to the rezone due to road/ traffic concerns, property value concerns, and privacy concerns. No facts were presented other than the excerpts provided from the Comprehensive Plan.
  - b. Joey Ingle added that R3-MF (fourplex) calls for 3,000 sq ft per unit while RTH-D calls for 4,000 sq ft per unit.

**With no other questions from the Commissioners, Jeff Seyfarth entertained a motion. John Sessoms made a motion to approve REZ22-25 Opti-Chain LLC with a 2<sup>nd</sup> from Joey Ingle. In a Roll Call, all commissioners voted unanimously against the rezone and the motion was denied.**

- C. **{Public Hearing} REZ22-26 Coberly Rezone-** 5600 Brookside Rd (6.41 Ac/ A-1 to R-1 and R-E) *Owner: Leslie Coberly (Planner: Dianne Morrison Lloyd)*
  - A. There was no one present to represent the project. Dianne Morrison-Lloyd clarified that the property has since been sold and the new owners were unable to attend and that their representative had another meeting.
  - B. Dianne Morrison Lloyd gave the staff overview. She explained the rezone was required due to the previously approved tract-split making the new tracts incompliant with the A-1 minimums. The surrounding area has several zoning designations such as A-1, R3-D , and R3-SF. City Engineer said the land does not currently have sewer. Dianne added they could access water and sewer if needed, and they are not located in a flood plain.

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

- A. Jeff Seyfarth asked for public comment three times. There were no public comments.

**Joey Ingle made a motion to close the public hearing with a Second from Devin Murphy. 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. Technically, it is not consistent with the Comprehensive Plan, but the request is for a less dense zoning.
  - **Is the proposed rezoning compatible with the surrounding area and zones?**
    - a. Yes, the request is for single family.
  - **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. No.
  - **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 were no public comments.

**With no other questions from the Commissioners, Jeff Seyfarth entertained a motion. Jerry Harris motioned to approve REZ22-26 Coberly Rezone with a 2<sup>nd</sup> from Ben Lewis. In a Roll Call, all commissioners voted in favor and the motion passed.**

## **7. OTHER BUSINESS**

### **A. Amendments to Uses for Flex- Space and Mobile Vendors to Title 14 Zoning (Public Hearing Set for 11/15/2022)**

- A. Donna Wonsower went over several changes made after the suggestions at the 10/18/2022 PC Meeting. She highlighted the fact this amendment is to the schedule of uses, not to create a new zoning district. She expanded on the process, explaining the intent behind Flex-Space is to allow for flexibility and included that intent at the beginning of the proposed use district. She also added a clause to allow the Planning Commission and Planning Staff to have final say in what can be considered in a flex-space designated area and elaborated on the appeal process. Flex-Space was removed from all residential zonings and is now only permitted in commercial and industrial zoning districts to start. It was agreed that in the future, if flex-space does well, it can be added to certain residential zonings if Planning Commission is amenable.
- B. Joey Ingle requested staff add verbiage somewhere to indicate where flex-spaces are or have been designated. The staff agreed they would look into a way to designate this, potentially on the interactive map.



- C. Donna explained the next change proposed is to change the “Mobile Food Vendors” to “Mobile Vendors” so the use will include other mobile vendors outside of food vendors.
- D. Lorene Burns clarified for the Planning Commission all flex-space uses will have to be permitted in the underlying zoning. If the use is not permitted in the underlying zoning it will not be permitted in the flex space. Staff noted language will be added to clarify this within the proposed code.
- E. Donna Wonsower explained the intent of adding Flex-Space to the schedule of uses is to create consistency and outline uses permitted with an outlined set of conditions. She also reminded the Planning Commission the public hearing will be on 11/15/2022.

**B. Title 9 Streets & Sidewalks, Title 16 Drainage & Flood, and Stormwater Management & Drainage Manual- Discussion-** Proposed changes by City Engineer (*Alan Craighead*) Review Final Changes- 11/15/2022; Set Public Hearing- 12/06/2022

- A. City Engineer Alan Craighead went over the summation of proposed changes with the Planning Commission to correct and explain any unclear or ambiguous procedures, including the following:
  - Typical road sections
  - Compaction requirements
  - Common sidewalk requirements
  - Bond amounts and timing requirements
  - Driveway requirements, including whether to show on preliminary plats, minimum separation distances, and maximum slopes
  - Drainage slope requirements, including fence requirements
  - Maintainable area width
  - Explicitly state projects are not allowed to freely discharge off-site
  - Explicitly states roads are not allowed to be used as a weir and over top in storm events
  - Pipe requirements
  - Precast concrete structures
- B. There were a number of procedures suggested to improve the city’s ability to fix damages on private property or fix the quality of the slopes of driveways. City Attorney Brian Rabal informed staff and the Planning Commission that some changes would be close to being considered a taking and were not in the city’s best interest.
- C. Alan requested the Planning Commission look over the proposed changes and come back to the 11/15/2022 PC meeting with suggestions and any final changes and had the Planning Commission set the public hearing for the proposed changes to be 12/06/2022.

**8. ANNOUNCEMENTS**

**A.) Next Council Meeting: 11/08/2022 @ 6:00 PM**

**B.) Next PC Meeting: 11/15/2022 @ 6:00 PM**

- A. Jeff Seyfarth and John Sessoms informed the Planning Commission and staff they would not be present at the 11/15/2022 meeting.

**C.) Next Tech Review Meeting: 11/17/2022 @ 2:00 PM (Zoom)**

**9. ADJOURN**

Devin Murphy made a motion to adjourn the meeting at 9:11 pm, with a 2<sup>nd</sup> from Tony Davis. No commissioners were opposed, and the meeting was adjourned.

  
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Jeff Seyfarth – Planning Chair  
Centeron Planning Commission

Jocy Ingle

Minutes Prepared By: Kayla Craft