



**PLANNING COMMISSION  
MINUTES OF MEETING  
SEPTEMBER 21, 2021**

**(1) CALL TO ORDER –**

The Meeting of the Centerton Planning Commission was called to order by Planning Commission Chairman Jeff Seyfarth at 6:00 p.m.

**(2) ROLL CALL –**

Those Present and answering Roll Call were Jeff Seyfarth, Joey Ingle, Devin Murphy, Jerry Harris, John Sessoms, Amber Beale, and Craig Langford. Tony Davis and Ben Lewis were absent. Others in attendance for the City were Mayor Bill Edwards, City Clerk/Recorder Todd Wright, City Attorney Brian Rabal, Planning Director Lorene Burns, Senior Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, City Planner Renee Biby (via Zoom), Director of Public Works Rick Hudson, Fire Marshal Paul Higginbotham and City Engineer John Wary.

**(3) APPROVAL OF MINUTES -**

Chairman Jeff Seyfarth introduced the Minutes of the Planning Commission Meeting from 9/07/2021.

**Joey Ingle made a motion to Approve the Meeting Minutes from 9/07/2021, with a 2<sup>nd</sup> from John Sessoms. All Commission Members voted in favor and the motion carried.**

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

- A. HOP21-33 BUCCANEER TRAVEL, LLC** – 521 Halleck Coach Road, R2, Travel and Candle Sales
- B. HOP21-34 AJV Cleaning** – 441 Kate Drive, R2, Cleaning Service
- C. HOP21-35 Diversified Data Software LLC** – 216 Dawn Drive, R3, Custom Computer Programming
- D. HOP21-36 Diamond Hands Painting** – 430 Barbet Drive, R3-D, Home Repair and Painting

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

**(5) OLD BUSINESS -**

**A. SUB21:02: Edgewood Estates – Adjacent Street Agreement -**

Chairman Jeff Seyfarth introduced the item to the Commission.

Jerry Harris recused himself from this item.

Adam Scroggins with Expedient Civil Engineering addressed the Commission, giving a brief description of the changes to the Adjacent Street Agreement. He said the main change was the reduction of the proposed width of the street from 26' to 24'. He said the developer is proposing to provide the sub-grade and asphalt and they are asking for the City to be responsible for the subgrade.

Chairman Seyfarth stated that the contract still needed to be revised to include proposed city /developer responsibilities and signed. He said this is the 2<sup>nd</sup> time the developer has asked the Planning Commission to approve an incomplete agreement.

Planning Director Lorene Burns said she was late in reviewing the agreement and felt that these things needed to be spelled out in the agreement.

There was a brief discussion.

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 Approve SUB21:02: Edgewood Estates – Adjacent Street Agreement, as presented, with modifications explaining the City's**

**responsibility for the sub-grade, with a 2<sup>nd</sup> from Amber Beale. All Commission Members voted in favor and the motion carried.**

**(6) NEW BUSINESS -**

**A. SUB21:14: Willow Crossing Townhomes, Lot 2D – Preliminary Plat – NW corner of Cedar & Marigold Streets (35 Lots / 5.07 Acres / Zoned RTH-MF12) -**

Chairman Jeff Seyfarth introduced the item to the Commission.

Jerry Harris returned to the stand.

Jason Appel with ESI addressed the Commission, giving a brief description of the request to develop 35 Units similar to the Townhome development adjacent to the east of this property. He said they are proposing private streets and individual lots. He said they have several Waiver Requests and went through each one in detail.

**Waivers Requests (With Staff Comments):**

There was discussion with each detailed waiver request between the Developer, Staff, Engineer, and the Commissioners.

**A)** Five (5) foot greenspace between back of curb and sidewalk (Code 9.03.01C)  
Explanation: This development is required to provide 22-ft long driveways while the City Code 9.05.01E requires a minimum of 20-ft long driveways. The longer required driveway will become an issue with vehicles that utilize parking in the driveway rather than in the designated garage spaces. The development would like to minimize this issue by removing the greenspace required to provide a clear pedestrian travel path with the least number of obstructions as possible.

► Staff supports this waiver. **PC supported the Waiver Request.**

**B)** Separate drainage lot for stormwater detention (Stormwater Management & Drainage Manual Section 5.3) Explanation: Requesting that the proposed development be allowed to contain the detention pond associated with the proposed site in a drainage easement rather than dedicating a lot to the detention pond. Existing drainage easements on the subject property are being utilized to convey the upstream drainage across the proposed site while striving to maximize the site's buildable area. He said the proposal if for maintenance to be provided by the POA.

► Staff does not support this waiver. ► The Waiver of a platted lot for detention is not acceptable to Engineering. The absence of a platted detention lot and attendant Property

Owners Association responsibility will shift the maintenance liability for the detention pond facilities to the City of Centerton.

► The Commission was concerned with POA maintenance. **There was lengthy discussion. PC was not in support of the Waiver Request, asking the applicant to look at other options, such as underground detention. Chairman Seyfarth said if there is the possibility of detention, it would still need to be a separate lot.**

**C) Open Earth Rear Yard Drainage Swales (Stormwater Management & Drainage Manual Section 3.3.5) Explanation:** Requesting that the proposed development be allowed to utilize open drainage swales that cross lot lines perpendicularly along the rear yards to direct upstream off-site drainage through the proposed site in a controlled manner to direct runoff away from the proposed townhomes to prevent any issues of flooding while still adhering to zoning regulations. The proposed development is receiving off-site storm water discharge of 6 acres from the west and 63 acres from the north.

► Planning staff does not support this waiver. ► The Waiver is acceptable to Engineering subject to the following conditions: a) The finished floor elevations for the buildings adjacent to the northern and western swales must be noted on the final plat; and b) The plans should note the 100-year water surface elevation for the western swale. ► **PC and the Developer agreed that this request would change with a change in the detention.**

**D) Building Setback from drainage easement (Stormwater Management & Drainage Manual Section 3.3.5) Explanation:** Requesting the establishment of building setback from drainage easements that were previously platted in 2011 and 2018. These platted easements are a combination of drainage easements and building setbacks that are being proposed to be utilized as drainage easements. The Stormwater Management & Drainage manual states that building setbacks shall be established from the drainage easement. However, the distances from the proposed drainage easements currently vary with a minimum distance of zero feet on the northern buildings to a maximum distance of fifteen and a half feet on the western buildings. The proposed development is seeking approval to move forward with construction of the townhomes as shown with a reduced setback from the recorded drainage easement while still adhering to zoning regulations.

► Planning staff does not support this waiver. ► The Waiver is acceptable to Engineering provided that the Finished Floor Elevations for all buildings adjacent to the drainage swales are noted on the Final Plat and are  $\geq 2.0$ -feet above the 100-year Water Surface Elevation. ► **Not addressed by PC.**

Senior Planner Dianne Morrison Lloyd addressed the Commission, giving a brief overview. She said this property is currently zoned RTH-MF12 and they are meeting the zoning requirements with this request. She said they are proposing to request a rezone to R4-MF if the current request is denied this evening. Lloyd detailed the RTH-MF12 Zoning Requirements. She said they will be connecting to Sewer on the east side of the

property and Water on the west side of Cedar Street, with Electric coming from the south side along Marigold Street. She said there does not appear to be any Flood Plain on this property, however, there appears to be possible wetlands/drainage flowing through the property. She said a Wetland Inventory/Survey will be required. She briefly addressed the Staff Comments for the Waiver Requests. She said they are not proposing any Common Open Space but have provided a Landscape Plan. She said W&S still have some outstanding comments which will need to be resolved (Jason Appel briefly described them).

There was discussion about the proposed drainage swales. City Planner Donna Wonsower read the Drainage Manual.

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

**John Sessoms made a motion to Table SUB21:14: Willow Crossing Townhomes, Lot 2D – Preliminary Plat – NW corner of Cedar & Marigold Streets (35 Lots / 5.07 Acres / Zoned RTH-MF12), with a 2<sup>nd</sup> from Devin Murphy. All Commission Members voted in favor and the motion carried.**

#### **(7) OTHER BUSINESS –**

##### **A. {PUBLIC HEARING} Title 14 Phase 2 Amendments –**

Juliet Richie and Planning Director Lorene Burns addressed the Planning Commission, detailing the previous and current proposed changes to Title 14. The following items were briefly discussed, including revisions since Ph1:

- **Setbacks for R4-MF**
- **Buffers**
- **Building Materials**
- **Driveways**
- **Accessory Structures**
- **Zoning Table to be included in the Code**

**John Sessoms made a motion to Open the Public Hearing for Title 14 Phase 2 Amendments, with a 2<sup>nd</sup> from Craig Langford. All Commission Members voted in favor and the motion carried.**

**There were no Public Comments.**

**John Sessoms made a motion to Close the Public Hearing for Title 14 Phase 2 Amendments, with a 2<sup>nd</sup> from Joey Ingle. All Commission Members voted in favor and the motion carried.**

**John Sessoms made a motion to Approve Title 14 Phase 2 Amendments, with a 2<sup>nd</sup> from Devin Murphy. There was a roll call. All Commission Members voted in favor and the motion carried.**

**B. Discussion on Subdivision Tree Preservation and Landscape Code/Policy –**

Planning Director Lorene Burns led a brief discussion about Tree Preservation and Landscaping. She pointed out that the Municipal Code Chapter 12 includes the requirement that a developer provide a Landscape Plan. She briefly discussed Tree Preservation, touching on Tree Inventory, Street Trees, and Parking Lot Trees, etc. She said Staff does plan on working on Title 15 next, which would include the Landscape Code.

**C. Presentation on Cell Towers/Small Cell Towers –**

Planning Director Lorene Burns said she and Juliet Richie have been discussing this item and feel that we can make a small revision amendment to the Municipal Code to cover Cell Towers and Small Cell Towers.

Juliet Richie made a presentation to the Planning Commission regarding Cell Towers. She said what can and cannot be regulated is laid out by the Federal Government. She gave details about:

- **Tower-types**
- **Aesthetics**
- **Fencing**
- **Landscaping**
- **Easements**
- **Placement constraints**
- **Compatibility with existing utilities**
- **ROW**

**(8) ANNOUNCEMENTS –**

- **9/30/2021 – Tech Review Meeting @ 2:00 PM**
- **10/05/2021 - Planning Commission Meeting @ 6:00 PM**
- **10/12/2021 - City Council Meeting @ 6:00 PM**
- **10/19/2021 - Planning Commission Meeting @ 6:00 PM**

**(9) ADJOURN -**

**Devin Murphy made a motion to adjourn the meeting at 7:16 pm, with a 2<sup>nd</sup> from Joey Ingle. All Commission members voted in favor and the motion carried.**



**Jeff Seyfarth – Chairman  
Centerton Planning Commission**

Minutes prepared by:  
Todd Wright