

**Planning Commission Minutes  
December 28, 2020 at 6 PM**

**1. ROLL CALL** – Meeting which was held using Zoom on-line service due to Corona Virus pandemic, was called to order by Chairman Robert Mann. A quorum was present.

**PRESENT**

Robert Mann, Chair  
Chad Ball, via zoom  
Keith Macedo, via zoom  
Gerry Harris  
Judy Horne, via zoom  
Howard Carter  
Bobby Wilson  
Jay Moore, via zoom

**ABSENT**

none

**City Employees Present:** Melissa McCarville, City Business Manager; Chris Brackett, City Engineer; Ernie Penn, Mayor

**2. Approval of Minutes:** November 23, 2020 Minutes were approved as written. December 10, 2020 Special Planning Commission minutes were approved as written.

**3. Comments from Citizens:** none

**Public Hearings:**

**4A. Variance of building setback for property located at 12186 Hwy 170 owned by Jeff Oxford as presented by Jeff Oxford:**

Jeff Oxford was present to discuss his request regarding property located across Highway 170 from Farmington High School. This will not be part of any subdivision and will not run into any houses. This is a pre-existing non-conforming lot. It is zoned RE-1 with 33 acres to the east of the property and 3 acres to the south. The rest of the property will be surrounded by 2 acre minimum lots due to the zoning. The major highway land acquisition of the south end of the property affects the amount of usable land. Thus request for variance to locate a shop building on the land.

Chad Ball noted that the site drawings provided by his engineer Jeff Bates were from 2018 and were confusing with what is there today. Jeff said this was what he'd been given and was unaware of the issues with the setbacks until after purchase. Chad also had concerns about drainage since proposed building will be close to a creek. Jeff said he will put in appropriate drainage.

Keith Macedo asked that on the applications that the specific reason for the request should be stated. It was determined that there will not be a drainage report required.

Having no further discussion, Robert Mann called the question to approve the Variance for building setback for property located at 12186 Hwy 170. Upon roll call, the Variance passed 6-1. Commissioner Chad Ball voted against the variance request. Ball said he did not feel comfortable with the request because the shop would be so close to the property line and would be on top of a drainage area.

**4B. Final Plat for Goose Creek Village Phase I property located off Double Springs owned by Red Canyon Development as presented by Jorgenson & Associates:**

Jared Inman with Jorgenson & Associates was present to discuss the request. They have done a walk through with City Officials and also visited Phyllis Young to make sure everything was fixed and addressed. They have almost completed the level spreader for the drainage on Mrs. Young's property. Chris Brackett read his memo dated 11/23/20. It read as follows:

"The Final Plat for the Goose Creek Subdivision- Phase 1 has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The required Payment in Lieu of Park Land Conveyance must be paid prior to the signatures on the Final Plat. This fee will be \$600 per single family unit or \$30,600 for 51 single family lots.
2. All public improvements including the sidewalk along Double Springs Road must be completed and a Final Inspection scheduled. All punch list items must be completed and accepted prior to final approval of the final plat.
3. All easements that are to be dedicated by a separate document must be recorded and a copy of the recorded document must be provided to the City prior to signatures on the Final Plat.
4. A one- year Maintenance Bond to the City of Farmington for all public improvements with the exception to the water and sanitary sewer improvements must be provided prior to the signatures on the Final Plat. The engineer must submit an itemized cost of these improvements for approval prior to obtaining the bond.
5. If the sidewalk construction is to be delayed until the home construction then the developer shall provide an escrow account in accordance with Ordinance No. 8.1 C, 3(A). the engineer shall provide a cost estimate for the construction of the sidewalk for approval.
6. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
7. Provide one original and 6 copies of the recorded plat to the City."

Mr. Inman had seen City Engineer's memo and agreed to the requests. Notes to the memo were that the Final Inspection has been done and the punch list is in the process of being completed. This will all be signed off after everything outlined in Chris's memo as well as any restrictions that we place on this development. The punch list is 60-70% complete. There is a concern that some street lights will need to be looked because they are leaning. The lights will have to be inspected and added to the punch list. The developer pays for the install of the lights, the electric company installs the light poles and the City pays the electric bill.

All of the concerns can be added to the punch list to be completed/fixed before final approval. Judy Horne wanted to make sure that they are more vigilant on Phase II. They were finishing up putting the sides to the level spreader on as well as the outfall. This should be done in the next few days.

**Public Comment:**

Diamond Olivas- 25 N. Double Springs: He had questions concerning the drainage and road extension. They have not come to fix his driveway or mailbox. The trash and very early morning noise are still an issue that needs to be addressed. He said that when he called the Police Department they said there was nothing they could do about the noise. He wanted assurance these concerns would be taken care of.

Diane Bryant- 11761 E. Creek Ln: It was asked if they could require the lights to be installed facing down and not facing up to prevent light pollution. Also, she mentioned that LED lights would be more economical for the City.

Having no further discussion, Robert Mann called the question to approve the Final Plat for Goose Creek Village Phase I subject to Chris Brackett's memo, checking of the leaning lights as well as the public's concerns to be added to the punch list. Upon roll call, the Final Plat was passed unanimously.

#### **4C. Preliminary Plat for Goose Creek Village Phase II property located off Double Springs owned by Red Canyon Development as presented by Jorgenson & Associates:**

Jared Inman was present to discuss the request. Chris Brackett read his memo dated November 23, 2020. It read as follows:

"The Preliminary Plat for the Goose Creek Subdivision Phase II has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The fire hydrant locations and Traffic Circle shown on the plat must be reviewed and approved by the Fire Department.
2. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to any construction activities.
3. Payment in lieu of Park Land Conveyance will be required for this subdivision. This fee will be \$600 per single family unit (\$34,200). If Park Land Dedication is requested prior to final plat, then the dedication must be approved by the Planning Commission.
4. A completed Grading Permit Application and fee must be submitted prior to final approval of the plans. A preconstruction conference will be required prior to any mass grading on the site. The owner, their engineering consultant, and their contractor responsible for best management practices will be required to attend this conference.
5. After a final review set of plans and drainage report has been approved by Olsson, the applicant should submit to the City two (2) sets of full size plans and three (3) sets of half size plans, and two (2) more copies of the final drainage report that have been sealed by the engineer for final approval and distribution."

The Developer agreed with Chris's memo.

Gerry Harris asked about the drainage area and if it will be park land dedication or money in lieu of a park. Mr. Inman said the developer plans to pay money in lieu of a park but that Mr. Riggins might possibly create a park in the drainage area at a later date.

Chad Ball wanted to make sure that the pond banks do not have easements. There are no easements running through the drainage area. He also asked about greenery for the traffic circle. The answer is it will be stamped concrete and that would be easier for a fire truck to just drive over it instead of having to go around it. Also, he wanted to make sure that they could keep McCloud closed until the Final Plat approval to prevent construction traffic from using it as access.

Judy Horne noted that addresses need to be changed to reflect the correct directional extensions to the through roads from Phase I to Phase II. This will be addressed with 911 addressing during Final Plat.

**Public Comment:** Tommy Johnson- 441 Driftwood Drive: He requested that the plats be sent out to interested citizens or posted in higher resolution. They are almost impossible to read.

Melissa stated that City does not require a digital copy but they should be able to obtain a PDF copy from the Engineer or come in person and view the plats. Judy suggested that the contact information for the Engineer be part of the notification process.

Having no further discussion, Robert Mann called the question to approve the Preliminary Plat for Goose Creek Subdivision Phase II subject to Chris Brackett's memo. Upon roll call, the motion passed unanimously.

**4D. Final Plat for Farmington Heights Phase II property located off S. 54<sup>th</sup> Street & Woolsey Farm Rd owned by Indian Territory, LLC as presented by Civil Design Engineers, Inc.:**

Ferdie Fourie of Civil Design Engineers, Inc. was present via zoom to discuss the request. They have added four more building lots where there would have been park land dedication. The contractors will be finishing up the punch list tomorrow with most items addressed. It was mentioned they will be putting more sod in the detention pond.

Chris Brackett read his memo dated 12/28/2020. It read as follows:

"The Final Plat for the Farmington Heights Subdivision- Phase II has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The required Payment in Lieu of Park Land conveyance must be paid prior to the signatures on the Final Plat. This fee will be \$600 per single family unit or \$54,600 for 91 single lots.
2. All punch list items from the November 8<sup>th</sup> Final Inspection must be completed and accepted prior to signatures on the Final Plat.
3. Remove the drainage easement lines from Lot 91 and add a note that the entire lot is to be dedicated as a drainage easement.
4. A one- year Maintenance Bond to the city of Farmington for all public improvements with the exception to the water and sanitary sewer improvements must be provided prior to the signatures on the Final Plat. The engineer must submit an itemized cost of these improvements for approval prior to obtaining the bond.
5. If the sidewalk construction is to be delayed until the home construction then the developer shall provide an escrow account in accordance with Ordinance No. 8.1 (C), 3(A). The engineer shall provide a cost estimate for the construction of the sidewalk for approval.
6. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
7. Provide one original and 6 copies of the recorded plat to the City."

Mr. Inman agreed with Mr. Brackett's memo. He mentioned that developer wants to request a Bond instead of an escrow account for the sidewalk construction.

**Public Comment:** Quincy Ward- 382 N. Otoe: Asked where to find Lot 91 drainage information. City has a drainage report on file that he can see. He said he could also receive a digital copy via email.

Diane Bryant: She asked if the mailbox locations will similar to Phase I having them in one area? Can we do something different due to traffic congestion as people try to pick up mail? The answer is the

Post Office prefers it to be in the one area for both phases. It is their call as to how the mail boxes will be set up.

Chad Ball asked if there would be any parking restrictions on this phase. The answer is: No.

Judy Horne asked if they are going to put any fences up on the 54<sup>th</sup> Street side of the subdivision to shield homes from the traffic. This will be left up to the home owners.

Having no further discussion, Robert Mann called the question to approve the Final Plat for Farmington Heights Phase II subdivision subject to the requirements stated in the City Engineer's memo. . Upon roll call, the motion was passed unanimously.

Chad Ball requested that the City look into improving the audio for these zoom meetings.

Keith Macedo asked if there were any updates on the City's Parks Plan. Melissa McCarville said they have spoken to a consultant.

**5. Adjournment:** Having no further business, the on-line Planning Commission meeting was adjourned.



Judy Horne - Secretary



Robert Mann - Chair