

**Planning Commission Minutes**  
**June 22, 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  
Howard Carter  
Jay Moore  
Chad Ball  
Gerry Harris  
Judy Horne, via zoom  
Bobby Wilson

**ABSENT**

None

**City Employees Present:** Melissa McCarville, City Business Manager; Steve Tennant, City Attorney - via Zoom; Chris Brackett, City Engineer

2. **Approval of Minutes:** May 26, 2020 Minutes were approved as written.

3. **Comments from Citizens:** none

**Public Hearings:**

**4A. Conditional Use for Sale of Fireworks: Freedom Fireworks property owned by Brand New Church as presented by Terry Forsyth:**

Terry Forsyth was present to discuss the request. No public comment was made. Motion passed unanimously.

**4B. Variance of building setback on Tract A property located at 297 W. Main St. owned by Farmington JK, LLC as presented by Harrison French & Associates:**

Rick McGraw was present to discuss the request. The setback adjustment is to allow for more parking and to address utilities. There is a 70 foot difference between the lots. It will be the same use for both lots. No public comments were made.

Upon roll call vote, motion to approve setback variance for Tract A passed unanimously.

**4C. Variance of building setback on Tract C; property located at 271 W. Main St. owned by Farmington JK, LLC as presented by Harrison French & Associates:**

Rick McGraw was present to discuss the request. This is a follow up to Tract A. The adjustment to Tract A caused B to change and shift over into Tract C. The difference is 16 feet into the setback. Brand New Church accepts it and has signed an access agreement.

Jay Moore asked about the proposed eastern setback encroaching on the Brand New Church parking lot. Steve Tennant and Melissa McCarville had discussed this issue; when another business is put in between Starbucks and the church, the business will have to meet certain parking requirements and this small setback will allow them to meet those requirements. The Brand New Church is OK with the proposed variance. Landscaping meets or exceeds all Farmington Landscape Ordinance requirements.

Upon roll call vote, the motion to allow the setback variance passed unanimously.

**4D. Large Scale Development for Starbucks; property located at the corner of Angus and W. Main St. property owned by Farmington JK, LLC as presented by Harrison French & Associates:**

Rick McGraw was present to discuss the request. Chris Brackett read his memo as follows:

“The Large Scale Development Plan for the Starbucks has been reviewed and it is our opinion that the Planning Commission’s approval should be conditional on the following comments.

1. All work within the ArDOT right-of-way must be reviewed and accepted by ArDOT prior to the grading permit being issued.
2. All connections to the water and sewer systems must be approved by the City of Fayetteville.
3. 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 the best management practices will be required to attend this conference.
4. 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) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

Rick McGraw agreed to the terms outlined in the City Engineer’s memo. Access to the two lots was discussed. Specifically, it was determined that the traffic lane design would allow a driver to access either business. They will not be able to access the building from the back but in the front the two parking lots will be connected for travel. There will be two lanes (one being a bypass lane) on the church side. Motion to approve the Large Scale Development Plan passed unanimously.

**4E. Large Scale Development for Pedal Pops; property located at 161 W. Main St. owned by Mike Thompson as presented by Bates & Associates:**

Jake Chavis was present to discuss the request. Chris Brackett read his memo as follows:

“The Large Scale Development Plan for the Pedal Pops has been reviewed and it is our opinion that the Planning Commission’s approval should be conditional on the following comments.

1. Any future building on this site will be required to come back to the Planning Commission for approval to address the increase in imperious area.
2. All work within the ARDOT right-of-way must be reviewed and accepted by ARDOT prior to the grading permit being issued.
3. All connections to the water and sewer systems must be approved by the City of Fayetteville.
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 the 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) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

Jake Chavis agreed to accept Chris Brackett's memo.

Chris Brackett further explained that when another building is added to this small lot, Pedal Pops will have to address increased water flow drainage issues that will result.

In answer to a question from Chad Ball about tents that might be put on the property, it was determined that there are currently no ordinances or regulations in place for tents and the additional drainage problems they might create. Chad did not think tents on the property were a good idea. Jay Moore thought that tents would be needed. (There is a building on the property and there will be food trucks).

Judy Horne said the proposed magnolia trees for the front of the property on Main Street would create a hazardous pedestrian and traffic situation. After further discussion, commissioners agreed to allow Judy Horne to work with Mr. Chavis with some suggestions for low-growing, landscape materials.

Parking was a concern due to the very small lot and future food trucks on the lot. There are currently two spots required but they are creating 9 spots in total to accommodate parking regulations. It was suggested that the Planning Commissioners consider creating an ordinance to limit the amount of food trucks one business can have in their parking lots.

The question was called to approve the Large Scale Development with the conditions set forth in Chris Brackett's memo and the change to the landscaping plan. Motion passed unanimously.

## **5. Interview Planning Commission Applicants:**

Applicants were asked to wait in the lobby until called in for an interview. The commissioners were instructed that after all interviews each commissioner should list their top three choices and turn the list in to Melissa McCarville. She will give the information to Mayor Ernie Penn who will make the final choice. Each applicant was asked the same questions.

**Brady Ghan:** he moved here a year ago and is a document review specialist for Waco Title Company. He is a graduate of the U of A School of Law during which time he had special interest in land use and zoning. So, he believes his skill set due to his interest in zoning and real estate law would be helpful.

*1. Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*

He wants Farmington to be a more close-knit community and not just be known as a "drive-thru" community. He wants to change that and expand businesses that attract people to the city instead of driving through without stopping. He also wants to preserve the small-town feeling and wants Farmington to become a more walkable city.

*2. What do you think the job of Planning Commission is?*

It is the job of the commission to review the development plants that come to them and to make sure that new developments comply with the city ordinances and regulations and also the overall planned growth of the city.

*3. Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*

No conflicts.

*4. Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?* No

5. *Do you have any questions for us?*

Are the meetings open to discussion and are they formal?

The work sessions are not a formal meeting. Commissioners do not vote and don't discuss how they will vote on a certain item. This is to bring up ideas and address concerns that either are on the agenda or that may need attention in the future.

**Bret Ward:** Did not come to the meeting.

**Ryan Crawford:** 11375 Clubhouse Pkwy. He has lived here for 5 years. He has spent extensive time serving on committees in Rogers and Bentonville that pertain to Planning Commission and Main Street Rogers. He wants to serve his community through this position.

1. *Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*

He wants to maintain the "Feels like home" atmosphere even as the city grows and wants to maintain a good quality of life for all citizens.

2. *What do you think the job of the Planning Commission is?*

It is to understand the codes and ordinances and apply them consistently and fairly to the developments. This is a time to voice concern and make decisions.

3. *Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*

No conflicts currently due to COVID-19. His daughter has piano lessons on Monday nights but those can be rescheduled to accommodate.

4. *Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?*

He currently works for Arvest as a commercial lender. So occasionally some of their clients may come before the Planning Commission. He did check with the bank's president for the area and they don't see a conflict.

Jay Moore asked if they didn't want you to recuse from voting on an item would he still be able to do it without issues. He said he would follow a code of ethics regarding conflict of interest issues.

5. *Do you have any questions for us?* No

**Taylor Criss:** Did not attend the meeting.

**Wendy Burris:** Did not attend the meeting.

**Kevin Gardenhire:** he has lived here 22 years. His wife is the middle school principal.

1. *Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*

He would like to focus on bringing more businesses into the city by promoting growth and working to bring more job opportunities to the city.

2. *What do you think the job of Planning Commission is?*

It is the job of the Planning Commission to have oversight of the zoning, developments, etc.

3. *Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*  
No conflicts.

4. *Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?* No

5. *Do you have any questions for us?*

A. What is the Planning Commission's vision for the next 10 years?

We want to guide it through the growth. It is a case by case basis. We have to factor in how it overall affects the community. The City has to factor in traffic, drainage, and land use with long range plans.

B. Another question was: Why doesn't Farmington have a downtown or town center?

C. What is the largest challenge that the Planning Commission faces?

A commissioner answered that not having ordinances in place to address certain issues related to rapid, increased growth.

**Keith Macedo:** 10752 S. Appleby Rd. He moved here in 2016 after working for the federal government in Kansas and also working for local government for 18 years in the Fort Worth, Texas area. Currently he is municipal information technology director for the City of Fayetteville. He and his family looked at lots of cities in NW Arkansas when they moved here but that Farmington was their immediate first choice when they visited here. Now he wants to give back to the community.

1. *Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*

He wants to ensure that Farmington keeps its special small-town feel even with the fast growth of the developments within the area.

2. *What do you think the job of the Planning Commission is?*

The job of the Planning Commission is to create zoning and ordinances. They develop plans for future growth and interpret it.

3. *Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*  
No conflicts.

4. *Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?*

He has rental property on Saxony.

5. *Do you have any questions for us?*

A. He asked the Planning Commission how they decide the day to day process for meetings.

B. Also, he wanted to know about neighbors reaching out to Planning Commissioners about items on the agenda.

Commissioners utilize the work session to try and learn. They try to remember to treat everyone fairly. We have to have a reason behind every decision we make.

C. Is a unanimous vote common? It depends on the situation. We have to treat every case the same. Some developers come in prepared and some come in unprepared and that can cause concern.

**Timothy Yopp:** Resident of Farmington for 26 years and attended school in Farmington from Kindergarten through 12<sup>th</sup> grade. In the past he had worked for Farmington's Public Works department and the Library. He is now employed as a supply chain/replenishment manager for Over and Back in Bentonville.

1. *Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*  
He wanted to see Farmington keep its close-knit feeling even as the city experiences this rapid growth.

2. *What do you think the job of the Planning Commission is?*

He said commissioners must listen to citizens and consider safety and commerce and the effect it will have on the city.

3. *Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*  
No conflicts.

4. *Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?* No conflicts.

5. *Do you have any questions for us?* No questions.

**Norman Toering:** Has lived here for 8 years. He was in the hotel business but has now retired. His wife Jill is the POA president for Twin Falls subdivision. This city resembles the city where they both grew up.

1. *Farmington is growing very rapidly. What is your vision of Farmington for the next 10 years?*  
He wouldn't change the small town feel. The sewer improvements are crucial and must be addressed. He also felt that City resources need to be put to use. We need more infrastructure put in alongside businesses. He said he wants to see Farmington to grow, but in the right way and that requires guidance from the Planning Commission.

2. *What do you think the job of the Planning Commission is?*

He said it is to look at each development proposal brought before the Commission and decide what is in the best interest of the citizens and the city. He also felt that the Commission should develop a 3-year, 5-year, and a 10-year plan for the city.

3. *Planning Commission has meetings the third and fourth Monday of each month and your presence is important. Do you have any conflicts that would prevent you from regular meeting attendance?*  
No conflicts.

4. *Do you have any potential conflicts of interest that we need to know about in advance; specifically conflicts that would require you to recuse yourself from voting on an issue?* No conflicts.

5. *Do you have any questions for us?* He did not have questions but mentioned that he understood a commissioner has to put personal opinion aside in order to best serve the community.

Robert Mann called all applicants back into the meeting room. He complimented all of them saying they each had good qualifications. He said the Mayor will choose from the top three selected by the Planning Commissioners and will make the final appointment. Everyone was strongly encouraged to apply again when there is another vacancy. At this time, it will probably be at the July City Council meeting when the Council approves the new commissioner.

Chad Ball suggested that they might be interested in joining some City committees as a way to contribute to the improvement of the city because they all had obvious talents to contribute.

**6. Adjournment:** Having no further business, the Planning Commission meeting was adjourned.

  
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Judy Horne - Secretary

  
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Robert Mann - Chair