



City of Farmington  
354 W. Main Street  
P.O. Box 150  
Farmington, AR 72730  
479-267-3865  
479-267-3805 (fax)

***PLANNING COMMISSION AGENDA***  
***October 23, 2017***

**A meeting of the Farmington Planning Commission will be held on  
Monday, October 23, 2017 at 6:00 p.m. at City Hall  
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - September 25, 2017
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARING**
  - A. **Rezone Request:** Lot 17 Rainsong (Grasslands Subdivision) from R-2 to MF-2  
**Property owned by:** Southwinds Real Estate, Inc.  
**Property Location:** Lot 17 Rainsong (Grassland Subdivision)  
**Presented by:** Jason Young

## Planning Commission Minutes September 25, 2017

1. **ROLL CALL** – Meeting was called to order by Chairman Robert Mann. A quorum was present.

### **PRESENT**

Howard Carter  
Jay Moore  
Matt Hutcherson  
Toni Bahn  
Robert Mann, Chair  
Judy Horne  
Bobby Wilson

### **ABSENT**

Gerry Harris

**City Employees Present:** Melissa McCarville, City Business Manager; Rick Brammall, City Inspector; Steve Tennant, City Attorney; Chris Dougherty, Engineer/ McGoodwin, Williams, Yates

2. **Approval of Minutes:** August 28, 2017 minutes were approved as written.
3. **Comments from Citizens:** No comments by citizens.

### **PUBLIC HEARING**

#### **4A. Variance Request – Cedar Mountain Properties, LLC – Old Farmington Rd**

Geoff Bates was present and stated that the added street improvements had taken away a sizeable portion of the area upon which to build. That is why they have asked for the variance to place a tri-plex and a quad-plex (for total of 7 residential units) on the remaining land. The amount of variance almost equals one entire residential unit if allowed because they will be almost 4,000 square feet short of required land space. He noted that they are allowing for a great amount of greenspace and landscaping on all sides of the development as required.

Chairman Mann showed a printed e-mail from Vicki Norvell that had been given to each Commissioner and he asked that this be included in the official minutes of this meeting. This e-mail is attached. There was no public comment from attendees at the meeting.

City Attorney Steve Tennant questioned further the reasoning for the variance request. Geoff Bates explained that the developer believes 7 units are need for adequate cash flow. The buyer was not aware of the deduction of land area for right-of-way when purchased the property, depending upon an existing survey that Collier's had had done.

Jay Moore was concerned about such a large area of variance request and Matt Hutcherson concurred. Discussion continued for an extended period of time regarding precedent.

Then, Geoff Bates presented page 22 from the Farmington Zoning Ordinance entitled "MISCELLANEOUS PROVISIONS – RESIDENTIAL DISTRICTS (a) Minimum Dimension Requirements" (**Attached to these minutes**) which, in summary, indicates that when an existing lot is reduced because of conveyance to a federal, state, or local government for a public purpose and remaining area is at least 75% of the required minimum lot size for the district in which it is located, the remaining lot shall be deemed to comply with minimum lot size requirements.

After careful review and consideration of this section of the zoning ordinance, Chairman Mann called for question to approve the variance request of Cedar Mountain Properties, LLC for property zoned MF-2 on Old Farmington Road. Yes votes: Moore, Bahn, Horne, Wilson. No votes: Carter and Hutcherson. Motion passed by 4-2 vote.

**4B. Variance Request From Height Regulations – Farmington High School Stadium Pressbox – 12329 North Hwy 170** - presented by Geoff Bates – Bates & Associates and Jason Evans, architect – Hight Jackson & Associates

They requested to build a 70' 2-story pressbox (with elevator) in order to provide more seating in the bleachers for fans.

Melissa McCarville said that she believed it was a reasonable variance request. Steve Tennant said that a 40' height for pressbox is antiquated. It was determined that the bleachers will be 40 feet and pressbox will be 30' higher and will extend from 35' line to 35' line.

Public Comment: Norm Toering, a resident of Twin Falls who lives directly west of the proposed stadium noted that the 70' pressbox will be 30' higher than the building and believed that was unnecessary. He expressed great concern regarding the noise and light pollution that will negatively impact a large number of residents in Twin Falls.

Chairman Mann called for question to approve variance requested by Farmington Schools for increased height of stadium pressbox. Motion passed unanimously.

**4C. Sign Ordinance – Amendment regarding Billboard – LED digital screen billboards**

City Attorney Steve Tennant explained the amendment to sign ordinance that had been given to all Commissioners. The billboard size can't exceed 300 square feet; must have a light-sensing device to control brightness of display. The billboard can't glitter or shimmer in a distracting way. Each message will just change all at once and rapidly to avoid driver distraction.

Two company representatives whose office is in Ft. Smith were present and verified that they will allow City to use the board for community messaging (8 slots) and the board will also show Amber Alerts and Silver Alerts. The board is a standard size similar to others in NW Arkansas.

There was no comment from citizens.

Chairman Mann called for question to approve the amendment to the sign ordinance and to send it to City Council for their consideration at their next regularly scheduled meeting. Motion passed unanimously.

**NEW BUSINESS**

**5A. Large Scale Development – Old Farmington Rd Townhouses – Cedar Mountain Properties, LLC, property located on Old Farmington Road, south of Collier Drugstore building**

Chris Dougherty from McGoodwin, Williams and Yates Engineers read a memo from Chris Brackett, City Engineer as follows, but he noted that item #1 was not relevant since the Commission approved the variance request (4A):

- “1. This property is zoned MF-2. The zoning ordinance requires 6,000 sq. ft. of lot area per unit. This lot is currently 37,176 sq. ft., allowing six units. The plan currently shows seven units. Remove one unit for the plan. The developer is requesting a variance of the zoning ordinance to allow the extra unit.
2. A completed Grading Permit Application and fee must be submitted prior to final acceptance 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.
3. After a final review set of plans and drainage report has been accepted by MWY, the applicant should submit to MWY three (3) sets of full size plans and two (2) sets of half-size plans, and two (2) copies of the final drainage report that have been sealed by the engineer for final approval and distribution.”

Commissioners unanimously approved the Large Scale Development contingent upon items 2. and 3. shown above.

**5B. Large Scale Development – Farmington Public Schools – Athletic Complex – 12329 N. Hwy 170**  
Presented by Geoff Bates of Bates & Associates

City did not have any comments regarding development.

Memo from Chris Brackett, City Engineer was read:

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

1. There are several minor corrections that are needed for the Detention Design to be considered a “final” design. These corrections can be addressed with the construction plan submittal and review.
2. The fire hydrant and fire lane locations must be reviewed and approved by the Fire Department.
3. Submit two (2) copies of the filed easement plat before final approval of the plans. A copy of the proposed easement plat should be submitted to MWY for review prior to filing.
4. Any 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.
5. Any water improvements must be reviewed and approved by the Washington Water Authority and the Arkansas Department of Health prior to any construction activities.
6. 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.
7. After a final review set of plans and drainage report has been approved by MWY the applicant should submit to the City three (3) sets of full-size plans, two (2) sets of half-size plans, and two (2) copies of the final drainage report that have been sealed by the engineer for final approval and distribution.”

Public Comment – Norm Toering, a resident of Twin Falls Subdivision and whose home is directly west of the proposed athletic complex spoke with concerns about flooding due to increased runoff from this development. He wanted it on public record that even before this is built, in heavy rains, the land west of the school land and east of Twin Falls homes floods and he has grave concerns that it will now be made much worse.

Jill Toering, President of the Twin Falls Property Association, also expressed concerns regarding the athletic complex plans and light pollution that will ensue and she asked about lighting requirements. She wanted to be sure that the lights will be down-facing, controlled lights.

Mike Mashburn, a landowner to the west agreed with Mr. Toering about flooding in that area.

Engineer Geoff Bates said that all water should go into the ditch and then into the creek. It was clarified that a berm will be built to channel water to the detention pond. Mr. Bates said he was “100% sure” that this drainage plan would work successfully.

Chairman Mann called for question to approve the Large Scale Development for Farmington High School Athletic Complex. Motion passed unanimously.

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

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Judy Horne - Secretary

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Robert Mann - Chair

4A. Variance Request  
Shored Cedar Mountain Properties  
Old Farmington Road

**MISCELLANEOUS PROVISIONS  
RESIDENTIAL DISTRICTS**

**(a) Minimum Dimension Requirements**

(1) When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining area is at least seventy-five percent (75%) of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements.

(2) Minimum lot size requirements shall not be interpreted as prohibiting the construction of a single-family residential dwelling unit on a lot that was legally platted and recorded before the adoption of these regulations. For lots that are rendered nonconforming, the necessity of obtaining a variance from such created nonconformity shall not be required as a condition of issuance of a building permit, provided all setback and other requirements can be met.

(3) When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining setback is at least seventy-five percent (75%) of the required minimum setback for the district in which it is located, then that remaining setback shall be deemed to satisfy minimum setback requirements.

**(b) Maximum Lot Coverage**

(1) The maximum lot coverage (all buildings) shall not exceed forty percent (40%) in R-1, R-2, MF-1, and MF-2 zones.

(2) The maximum lot coverage for the R-O zone is sixty percent (60%) of the lot or parcel.

**(c) Height Limitations**

(1) The maximum height for all structures is thirty-five (35) feet in R-1, R-2, MF-1, and MF-2 zones. The maximum height for all structures is 20 feet in MHP zones.

(2) The maximum height for all structures is forty (40) feet in the R-O zone.

**(d) Off-street parking**

(1) Parking requirements for R-1 and R-2 zones are as follows:

2 per each single-family dwelling;

1 per each 10 seats in a church auditorium or sanctuary;

E-mail sent by Vicki Norvell to some of the Planning Commissioners: Matt Hutcherson, Toni Bahn, Dean Mann, and Judy Horne

Vicki Norvell

Sep 25

Fwd: Comments Regarding Planning Commission Agenda Items  
to me, Matt, Toni, Dean

----- Forwarded Message -----

From: Vicki Norvell <[vnorvell@pgtc.com](mailto:vnorvell@pgtc.com)>

To: [jay@justiceforarkansas.com](mailto:jay@justiceforarkansas.com)

Sent: Mon, 25 Sep 2017 16:14:32 -0400 (EDT)

Subject: Comments Regarding Planning Commission Agenda Items

The following is my statement to be read at the Planning Commission meeting of 7/25 by the appropriate Planner regarding the agenda items listed for the meeting.

#4A. Variance Request, Old Farmington Road: It does not say what they want it changed to, but I assume they want to allow more units than MF-2 will allow. My answer is **ABSOLUTELY NOT !!!** My reasons are as follows: 1. I own a single family residence at 165 Old Farmington Rd. I use as a rental. At 1400+ SF living it is not a cheap rental. These proposed cramped units will lower my property value. 2. I received no notification about this possible multi-family unit complex in the first place or I would have been all over this from the start. Yes, I know I was not one of the folks who was required to be notified, but I should have been, and that needs to be changed!!! 3. Are these going to be owner-occupied or rentals? Some of my questions may be duplicates from earlier meetings, but as mentioned above, I got in on this late. 4. Old Farmington Road cannot handle all of this extra traffic. 5. Pulling out going west from Old Farmington Road onto hwy 62/Main St. is already a nightmare. This extra traffic will only intensify the situation and make an unsafe intersection even more hazardous. 6. Where will the children play "catch" with their softballs and footballs? As a mother who once had a small child, I can tell you it will be **IN THE STREET !!!** Soccer? **IN THE STREET !!!** Bicycle riding? **IN THE STREET !!!** Basketball? No idea. One thing is for sure, parents are not going to load the kids up every day and take them to the park. Occasionally, maybe. They are also not going to let them cross the highway, at least I wouldn't even with a traffic light. 7. Increased crime rate. FBI statistics prove the closer people are forced to live together due to their inability to pay higher rent or house payment amounts and their position on the socio-economic ladder, the higher the crime rate. This is already being reflected in Farmington's crime rate. Granted, some of this increase is due to increase in population, but not at the current rate increase. 8. Do the folks proposing these units live in Farmington? I doubt it and I would like an answer to this question. Do they plan to live in one of these units and why not? In other words, are they willing to live with the end product of what they build?? Or, are they not willing to live with the end product, but expect us to? 9. If their variance is approved, everyone else will expect the same thing. I would like answers to these questions reflected in the minutes so I may see their answers. Thank You.

#4B. Why should the school be allowed to have signs any different than anyone else? If their variance is approved, everyone else will expect the same thing.

#4C. I don't have a copy of the sign ordinance. However, I was very happy with it when it was drawn up during the time I was on the Planning Commission many years ago. I would say the billboard should conform to the height and size requirements in the current ordinance. Also, it should not have any moving words, sentences, letters, etc., because they could be distracting to drivers and might cause accidents.

Response to 5 A & B to follow.

Vicki M Norvell

Note: Vicki Norvell's Response to 5A & B was not sent to my e-mail account.

Judy Horne

City of Farmington  
Application for Rezoning

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission until all information is furnished.

Applicant: Nathan Ogden Day Phone: 479-973-5109

Address: 10024 N Campbell Rd, Fayetteville, AR 72701 Fax: \_\_\_\_\_

Representative: Jason Young Day Phone: 479-442-9350

Address: 7230 S. Pleasant Ridge Dr, Fayetteville, AR Fax: \_\_\_\_\_

Property Owner: Southwinds Real Estate Inc Day Phone: 479-267-4000

Address: P.O. Box 745, Farmington, AR 72730 Fax: \_\_\_\_\_

Indicate where correspondence should be sent (circle one): Applicant   Representative  Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description

Site Address -- W Rainsong St (Lot 17, Grasslands S/D)

Current Zoning -- R-2 Proposed Zoning -- MF-2

Attach legal description and site plan (a scaled drawing of the property to be rezoned showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.)

Type of zoning requested and reason for request:

Nathan Ogden, of Pick-It Construction, is requesting this rezoning for the purpose of constructing 2 7-unit multi-family dwellings.

Responsibilities of the Applicant:

1. The applicant shall be responsible for providing the name and address of all adjacent property owners. The notice to all adjacent property owners must be sent by certified mail, return receipt requested at least ten (10) days prior to the Planning Commission meeting. Evidence in the form of a signed Affidavit (see attached), that notice has been given to all adjacent property owners by certified mail, return receipt requested, will be submitted. Notification should be sent after the City of Farmington has accepted the application and the date of the public hearing has been confirmed. The required Affidavit and supporting exhibits (mailing receipts, list of property owners of record and copy



of notice) shall be filed with the City of Farmington no later than seven (7) days prior to the meeting date. A sample notice is attached.

2. Pay a \$25.00 application fee
3. Provide a copy of the deed of the property.
4. Written authorization from the property owner if someone other than the owner will be representing the request.
5. Publish the following notice of public hearing in a newspaper serving the City (*Northwest Times, the Morning News, Arkansas Democrat-Gazette or The Farmington Post*). **THE NOTICE MUST APPEAR IN THE PAPER A MINIMUM OF 15 DAYS BEFORE THE PUBLIC HEARING DATE.**

### NOTICE OF PUBLIC HEARING

A petition to rezone the property as described below has been filed with the City of Farmington on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_.

### PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this request to rezone the above described property from \_\_\_\_\_ to \_\_\_\_\_ will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

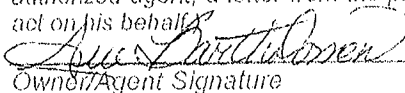
A copy of the proof of publication from the newspaper must be provided to the City 10 days before the meeting.

The City will post a sign on the property at a location visible to the public, notifying the public of the intent to rezone the property.

*Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.*

 \_\_\_\_\_ Date 9/19/17  
Applicant Signature

*Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf.)*

 \_\_\_\_\_ Date 9/19/17  
Owner/Agent Signature

# RECEIPT

DATE 9/19/17

No. 540304

RECEIVED FROM ~~XXXX~~ Bates & Associates \$ 25.00

Twenty five dollars and no/100 DOLLARS

FOR RENT REZONE W Rain song (Lot 17 Grasslands S/D)  
 FOR \_\_\_\_\_

ACCOUNT	
PAYMENT	<u>25.00</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM \_\_\_\_\_ TO \_\_\_\_\_

BY Shasta

AGENT AUTHORIZATION

I (We) SOUTHGARDS REAL ESTATE, INC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s), Nathan Ogden of Pick-It Construction, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City of Farmington considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Sue Bartholomew  
Property Owner - Signature

Sue Bartholomew  
Property Owner - Print

\_\_\_\_\_  
Property Owner - Signature

\_\_\_\_\_  
Property Owner - Print



**Bates &  
Associates, Inc.**  
Civil Engineering · Land Surveying · Landscape Architecture

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704  
PH: 479-442-9350 \* FAX: 479-521-9350

September 19, 2017

RE: West Rainsong Street Rezoning Request

To whom it may concern,

Bates & Associates, Inc. requests that the following notice be published in the Arkansas Democrat Gazette no later than Sunday, October 8. Please provide us with an affidavit of publication when the notice has run.

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NOTICE OF PUBLIC MEETING

An petition to rezone the property as describe below has been filed with the City of Farmington on the 22<sup>nd</sup> day of September, 2017.

Legal Description:

LOT 17, GRASSLANDS SUBDIVISION, PHASE 2, TO THE CITY OF FARMINGTON, ARKANSAS, AS PER THE PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

Layman's Description:

2.05 acres, located on West Rainsong Street, West of Peachtree Village Retirement Community.

A public hearing to consider this request to rezone the above described property from R-2 to MF-2 will be held on the 23rd day of October, 2017, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

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Sincerely,

Jason Young  
Project Manager  
**Bates & Associates, Inc.**





**Bates &  
Associates, Inc.**

**Civil Engineering · Land Surveying · Landscape Architecture**

7230 Pleasant Ridge Dr. / Fayetteville, AR 72704  
PH: 479-442-9350 \* FAX: 479-521-9350

September 19, 2017

**WEST RAINSONG ST (LOT 17 GRASSLANDS SUBDIVISION) REZONE  
LEGAL DESCRIPTION**

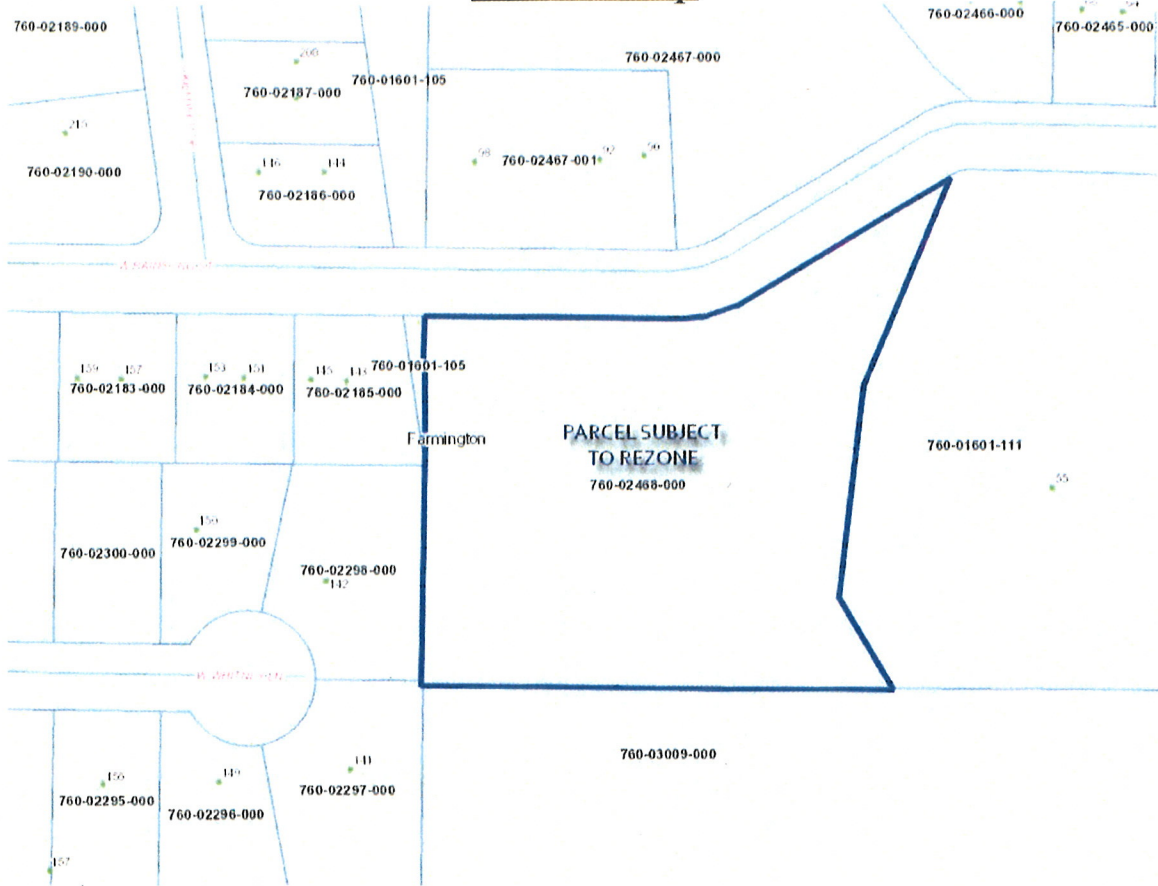
PARCEL #760-02468-000:

LOT 17, GRASSLANDS SUBDIVISION, PHASE 2, TO THE CITY OF FARMINGTON,  
ARKANSAS, AS PER THE PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF  
THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY,  
ARKANSAS.

Sincerely,

Jason Young  
Project Manager  
**Bates & Associates, Inc.**

# Parcel Map



**WARRANTY DEED**  
**(Partnership)**

FILED FOR RECORD  
'01 NOV 19 PM 2 41

WASHINGTON COUNTY  
B. STAMPS

KNOW ALL MEN BY THESE PRESENTS:

That Vista West Limited Partnership, a partnership organized under and by the laws of the State of Arkansas, hereinafter called GRANTOR, by its duly authorized partner(s), for and in consideration of the sum of One dollar and no/100 and other good and valuable consideration paid by Southwinds Real Estate, Inc., an Arkansas Corporation, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Southwinds Real Estate, Inc., an Arkansas Corporation, hereafter called GRANTEE, and unto its heirs and assigns forever, the following described property situate in the County of Washington, State of Arkansas, to-wit:

Lot 17, Grasslands Subdivision, Phase 2, to the City of Farmington, Arkansas, as per the plat of said Subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

TO HAVE AND TO HOLD The same unto the GRANTEE and unto its heirs and assigns forever, with all appurtenances thereunto belonging. And we hereby covenant with GRANTEE that we will forever warrant and defend the title to the property against all lawful claims whatever.

WITNESS our hands this 16<sup>th</sup> day of November, 2001.



Vista West Limited Partnership

*William E. Grisso*  
\_\_\_\_\_  
William E. Grisso, General Partner

**ACKNOWLEDGMENT**





**Bates &  
Associates, Inc.**

**Civil Engineering & Surveying**

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704

PH: 479-442-9350 \* FAX: 479-521-9350

August 19, 2017

City of Farmington  
354 W. Main St  
Farmington, AR 72730

RE: West Rainsong St Rezone

Dear City Staff,

Please see the attached Parcel Map and list of Adjoining Property owners for the West Rainsong Street Rezone request.

ADJACENT PROPERTY OWNERS:

1) PARCEL #760-02297-000  
CLARK, AARON D & KAYLAN E  
141 W WHITNEY LN  
FARMINGTON, AR 72730  
ZONED: R-1

2) PARCEL #760-02298-000  
BARTLETT, CHRISTY S  
142 W WHITNEY LN  
FARMINGTON, AR 72730-8632  
ZONED: R-1

3) PARCEL #760-02185-000  
KELSEY, DANIEL  
143 W RAINSONG ST  
FARMINGTON, AR 72730.  
ZONED: R-2

4) PARCEL #760-01601-105  
CLOVIS INVESTMENTS LLC  
PO BOX 756  
LINCOLN, AR 72744  
ZONED: R-2

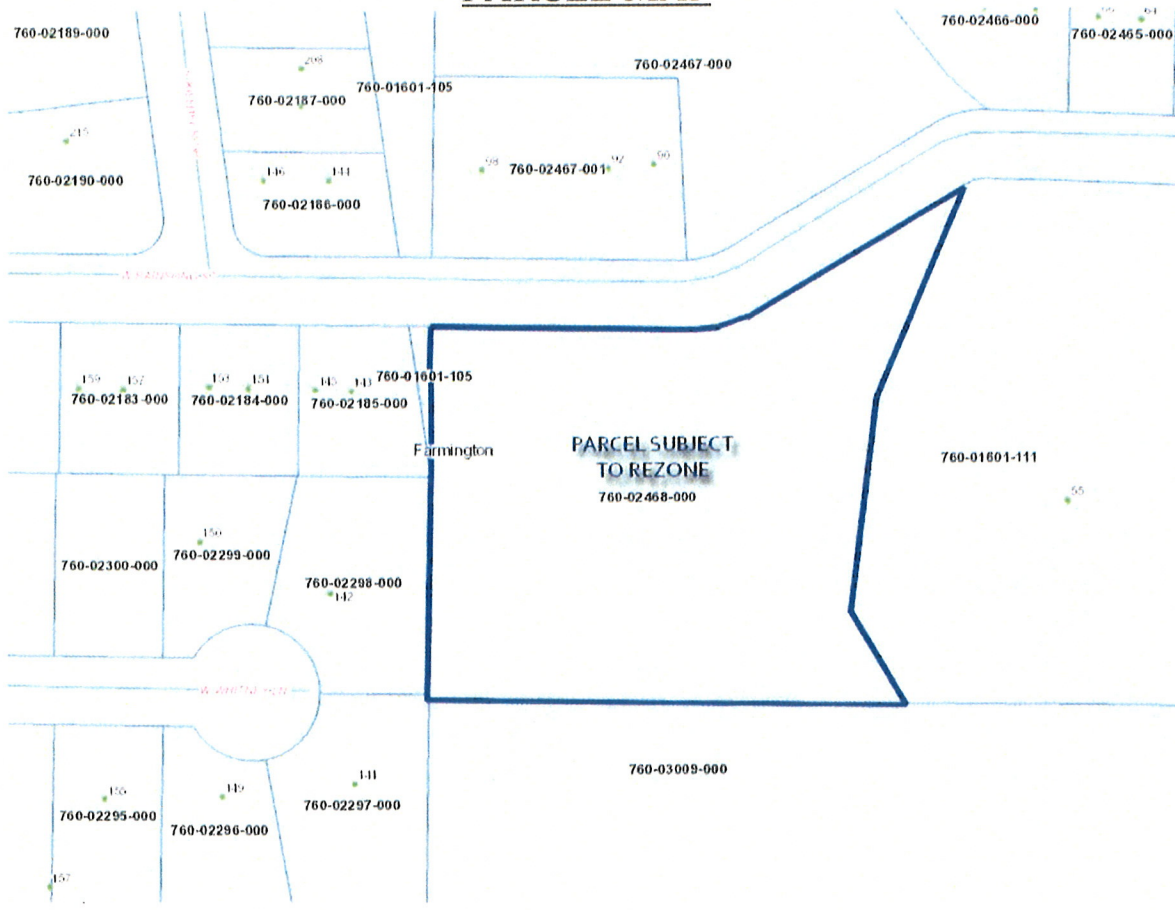
5) PARCEL #760-02467-001  
HELM LIVING TRUST  
DELBERT NEIL HELM  
PO BOX 756  
LINCOLN, AR 72744-0756  
ZONED: R-2

6) PARCEL #760-02467-000  
HELM LIVING TRUST  
DELBERT NEIL HELM  
PO BOX 756  
LINCOLN, AR 72744-0756  
ZONED: R-2

7) PARCEL #760-01601-111  
PEACHTREE VILLAGE OF FARMINGTON, LLC  
1500 FRESNO ST  
FORT SMITH, AR 72901-7023  
ZONED: MF-2

8) PARCEL 760-03009-000  
COSBY, LENA ELIZABETH;  
COSBY, WILLIAM CHARLES  
1660 WINDSOR AVE  
SPRINGDALE, AR 72764  
ZONED: R-1

# PARCEL MAP





7230 Pleasant Ridge Dr. / Fayetteville, AR 72704  
PH: 479-442-9350 \* FAX: 479-521-9350

September 19, 2017

**NOTICE OF PUBLIC HEARING BEFORE  
THE FARMINGTON PLANNING COMMISSION  
ON AN APPLICATION TO REZONE PROPERTY**

To all owners of land lying adjacent to the property at:

Washington County Parcel #760-02468-000, located on West Rainsong Street, West of Peachtree Village Retirement Community.

Owned by Southwinds Real Estate, Inc.

NOTICE IS HEREBY GIVEN THAT an application has been filed for REZONING of the above property from R-2 to MF-2

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 West Main, on October 23, 2017.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of the views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. main, 479-267-3865.

Sincerely,

Jason Young  
Project Manager  
**Bates & Associates, Inc.**

Operating Manager, Peachtree Village of Farmington  
Janet Nordlie, Operating Manager  
55 West Rainsong St, Farmington, AR 72730



October 16, 2017

Farmington Planning Commission  
Farmington City Hall  
354 West Main St, Farmington, AR 72730

SUBJECT: Rezoning of Washington County Parcel #760-02468-000 from R-2 to MF-2

Dear Farmington Planning Commission,

We received notice of application for rezoning of Washington County Parcel #760-02468-000 from R-2 to MF-2. This letter documents our opposition to this request. We request that the rezoning of the subject parcel be denied.

**INTRODUCTION:** Our opposition is based on risk for increased flooding due to already inadequate drainage in this neighborhood. Numerous residences were flooded in the recent storms during April 2017, and there have been numerous high water and flood events prior to this. The drainage creek that runs under Rainsong Street and along the side of Parcel #760-02468-000 is not large enough to handle the water that runs into this drainage system as it is. As each new townhouse or apartment building with all the paved parking areas is added, the flooding gets worse and worse – less ground for the water to soak in. Rezoning the subject parcel puts residents of our neighborhood at risk of safety and decline in general welfare due to increased risk of flooding.

**POINT 1: The Farmington Planning Commission’s purpose provides for resident safety and general welfare as well as for adequate public utilities and facilities.**

WHEREAS, Title 14, Chapter 14.04.03 states “ ... and to promote, in accordance with present and future needs, the safety, order, convenience, prosperity, and general welfare of the citizens of Farmington.”

WHEREAS, Title 14, Chapter 14.04.03 states “ ... for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities.”

**POINT 2: The existing drainage system on Rainsong Street is inadequate and puts residents at risk during flooding.**

WHEREAS, Flooding has occurred numerous times on Rainsong Street, most recently in April 2017, due to the inadequate public drainage system.

WHEREAS, the drainage system is inadequate and water rises over the top of the street. See Figure 1 of the drainage under Rainsong. Figure 1 shows force and height of the flooding with the remaining debris. The tree had washed up into the road but was moved for passage. Figure 2 is same location, but camera is pointing towards the subject property. Figure 3 shows how high the water level got over the road before receding. All pictures were taken on April 30, 2017, after the floods had receded.



*Figure 1 Drainage Creek Under Rainsong - Day After Flooding*



*Figure 2 Trees Washed up on Rainsong in Drainage Creek*



*Figure 3 Debris North of Drainage Ditch Showing Water Level*

WHEREAS, during the flooding in April 2017, there was no way to evacuate residents safely. They had to harbor in place, introducing fall risks and other safety risks from the flood water.

**POINT 3: MF-2 zoning allows for more building and parking coverage of the lot than R-2. More land coverage leaves less area for water absorption and causes more water drainage off the lot.**

WHEREAS, Title 14, Chapter 14.20.01(8) MF-2 states "The purpose of this district is to provide for high density residential development for attached living complexes."

WHEREAS, Title 14, Chapter 14.20.01 MISCELLANEOUS PROVISIONS RESIDENTIAL DISTRICTS lists various requirements regarding lot coverage and parking. With Parcel #760-02468-000 being 2.18 acres, rezoning to MF-2 could result in additional 6 duplexes with a minimum of 12 parking spaces or a church with a minimum of 30 parking spaces.

**SUMMARY:** The Farmington Planning Commission has the people of Farmington's safety and well-being at heart when they make their decisions. They must also consider if the utilities and other services are adequate before approving zoning changes. There is a history of flooding and storm water drainage backup on Rainsong Street. MF-2 zoning would increase the amount of storm water runoff and increase the risk of flooding in the future.

Without extensive upgrades to the existing storm drainage system in this area, the subject request to change the zoning from R-2 to MF-2 should be denied. Rezoning the subject parcel puts residents of our neighborhood at risk of safety and decline in general welfare due to increased risk of flooding.

Sincerely,

Operating Manager, Peachtree Village of Farmington