



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

PLANNING COMMISSION AGENDA
September 28, 2015

**A meeting of the Farmington Planning Commission will be held on
Monday, September 28, 2015 at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - August 24, 2015
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.
5. **PUBLIC HEARING**
 - A. **Variance request:** Caterpillars to Butterflies request variance from the landscape requirements for a 15 ft. buffer along the street
Property owned by: Coyle Enterprises
Property Location: NE corner of Southwinds & Cimarron Pl.
Presented by: Bates & Associates, Inc.
 - B. **Variance request:** Caterpillars to Butterflies request variance from required perimeter buffer.
Property owned by: Coyle Enterprises
Property Location: NE corner of Southwinds & Cimarron Pl.
Presented by: Bates & Associates, Inc.
 - C. **Variance request:** Caterpillars to Butterflies request variance in setback requirements from 25 ft. to 10 ft.
Property owned by: Coyle Enterprises
Property Location: NE corner of Southwinds & Cimarron Pl.
Presented by: Bates & Associates, Inc.
 - D. **Variance request:** Caterpillars to Butterflies request variance in required perimeter landscape.
Property owned by: Coyle Enterprises
Property Location: NE corner of Southwinds & Cimarron Pl.
Presented by: Bates & Associates, Inc.

Planning Commission Minutes
August 24, 2015

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

PRESENT

Sean Schader
Matt Hutcherson
Robert Mann
Gerry Harris
Judy Horne
Bobby Wilson

ABSENT

Josh Clary
Toni Bahn

City Employees Present: Melissa McCarville - City Business Manager; Rick Brammall – City Inspector; Steve Tennant - City Attorney; Chris Brackett-City Engineer

2. Approval of Minutes: Minutes of July 27, 2015 were approved as written.

3. Comments from Citizens: There were no citizens present and no comments from citizens.

4. New Business: Large Scale Development – Caterpillars to Butterflies
Property owned by: C & K Lending Co.

The property is located at the northeast corner of Southwinds Drive and Cimarron Place, adjacent to US Post Office property to the east and dental office to the north.

City Engineer Chris Brackett recommended that the Commission approve the plan, with certain conditions. He presented those conditions to the commissioners in a memo dated August 24, 2015. Bates & Associates, Inc. representative Geoff Bates was in attendance to discuss the LSD.

After discussion, the Planning Commission members voted unanimously to approve, with City Engineer Brackett’s conditions, the large scale development.

5. Adjournment: Having no further business, Gerry Harris moved to adjourn, seconded by Bobby Wilson and passed unanimously.

Judy Horne
Secretary, Planning Commission

Robert Mann
Chair, Planning Commission

City of Farmington Application for Variance



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/Board of Adjustment until all information is furnished.

Applicant: Coyle Enterprises, Inc Day Phone: _____

Address: PO Box 565 - 930 Parkins St. Fax: Prairie Grove, AR 72753

Representative: Bates & Associates Day Phone: 479-442-9350

Address: 91 Colt Square, Ste. 3 Fax: Fayetteville, AR 72703

Property Owner: _____ Day Phone: _____

Address: _____ 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 - NE Corner of Southwinds Rd. & Cimarron Pl.

Current Zoning -- C-2 Highway Commercial

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

(1) Variance from the landscape requirements for a 15' buffer along the street.

(2) Variance from required perimeter buffer

(3) Variance in setback requirements from 25' to 10'.

(4) Variance in required perimeter landscape.

Please, see the attached letter for more information.

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 7 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 19th day of AUGUST, 2015.

PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

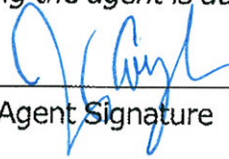
SEE ATTACHED

A public meeting to consider this request for variance at the above described property will be held on 28th day of SEPTEMBER 2015, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

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.

Applicant Signature Date _____

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 the agent is authorized to act on their behalf.)

 Date 8-24-15
Owner/Agent Signature

Legal notice for variance request:

Tract 1: Part of Block 1 of the Farmington Commercial Center Phase I, Farmington, Washington County, Arkansas, as shown on plat record "14" at page 109 more particularly described as follows: Commencing at the Northwest corner of said Block 1, thence S33°11'56"E 330.00 feet to the point of beginning, thence N56°09'00"E 195.00 feet, thence S33°11'56"E 130.02 feet, thence S56°09'00"W 169.73 feet, thence along a curve to the right 39.55 feet, said curve having a radius of 25.00 feet and a chord bearing of N78°30'05"W 35.55 feet, thence N33°11'56"W 104.73 feet to the point of beginning, containing 0.58 acre, more or less, shown as Parcel B on lot Split filed for record January 21, 2004, in plat record 2004 at page 2426.

Variance Requests:

The Caterpillars to Butterflies Daycare requests 3 variances from the Farmington Planning Commission. The first being a setback variance on the north side from 25' to 10'. Second, a variance in the required perimeter buffer along the parking lot. Third, a variance from the greenspace buffer along the street.

A public meeting to consider this request for variance at the above described property will be held on the 28th day of September, 2015 at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.



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

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

August 31, 2014

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

RE: Caterpillars to Butterflies Daycare Variance

Dear Commissioners,

The Caterpillars to Butterflies Daycare would like to request several variances from the Farmington Commission. The first being a setback variance from 25' to 10'. The adjacent uses are both commercial in nature and the adjacent property has approximately 10 additional feet between its curb and the proposed building for a total of 20' between the building and the existing curb.

The second being a variance in the required perimeter buffer along the parking lot. Again there will be a green buffer between the existing driveway and the proposed parking lot on the adjacent property.

Third, they would like to request a variance from the greenspace buffer along the street.

Fourth, Caterpillars to Butterflies would like to request a variance from the perimeter landscape requirements similar to other buildings in the area. They are similar commercial uses and are merely requesting the same treatment along the edges.

Please see the Large Scale Plans for more details.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

Bates & Associates, Inc.

Geoffrey H. Bates, P.E.

Description of Variance:

A reduction in side building setback width from 25' to 10'.

Legal Description:

Tract 1: Part of Block 1 of the Farmington Commercial Center Phase I, Farmington, Washington County, Arkansas, as shown on plat record "14" at page 109 more particularly described as follows:
Commencing at the Northwest corner of said Block 1, thence South 33°11'56" East 330.00 feet to the point of beginning, thence North 56°09'00" East 195.00 feet, thence South 33°11'56" East 130.02 feet, thence South 56°09'00" West 169.73 feet, thence along a curve to the right 39.55 feet, said curve having a radius of 25.00 feet and a chord bearing of North 78°30'05" West 35.55 feet, thence North 33°11'56" West 104.73 feet to the point of beginning, containing 0.58 acre, more or less, shown as Parcel B on lot Split filed for record January 21, 2004, in plat record 2004 at page 2426.

Subject to existing easements, mineral reservations and/or conveyances, and restriction of record, if any.

File# 2015-00020040

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That C & K LAND COMPANY, LLC, a limited liability company duly organized and existing under the laws of the State of Arkansas, hereinafter called Grantor, by its authorized Members, duly authorized by its operating agreement, for and in consideration of ten dollars (\$10.00) and other good and valuable consideration, in hand paid by COYLE ENTERPRISES, INC., the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said COYLE ENTERPRISES, INC., hereinafter called Grantee, and unto its successors and assigns forever, the following lands lying in Washington County, Arkansas, to-wit:

Tract 1: Part of Block 1 of the Farmington Commercial Center Phase I, Farmington, Washington County, Arkansas, as shown on plat record "14" at page 109, more particularly described as follows: Commencing at the Northwest corner of said Block 1, thence South 33°11'56" East 330.00 feet to the point of beginning, thence North 56°09'00" East 195.00 feet, thence South 33°11'56" East 130.02 feet, thence South 56°09'00" West 169.73 feet, thence along a curve to the right 39.54 feet, said curve having a radius of 25.00 feet and a chord bearing of North 78°30'05" West 35.55 feet, thence North 33°11'56" West 104.73 feet to the point of beginning, containing 0.58 acre, more or less, shown as Parcel B on Lot Split filed for record January 21, 2004, in plat record 2004 at page 2426.

SUBJECT to existing easements, mineral reservations and/or conveyances, and restrictions of record, if any.

TO HAVE AND TO HOLD the same unto the said Grantee, and unto its successors and assigns forever, together with all improvements thereon and all rights, privileges and appurtenances thereunto belonging.

AND, Grantor hereby covenants with the said Grantee, its successors and assigns, that it will forever warrant and defend the title to said lands against all lawful claims whatsoever.

RTE 15-32000T

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed by its authorized Members, on this 14 day of July, 2015.

C & K LAND COMPANY, LLC

By Craig J. Brown M.D.
CRAIG J. BROWN, M.D., Member

By Kellye C. McElroy
KELLYE C. McELROY, M.D., Member

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

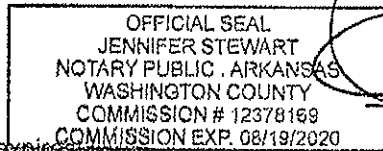
Amanda Maxwell
Grantee/Grantee's Agent

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day set out below, appeared in person before the undersigned, a Notary Public within and for said state and county, duly commissioned, qualified and acting, the within named CRAIG J. BROWN, M.D. and KELLYE C. McELROY, M.D., to me personally well known or satisfactorily proven to be such persons, who stated that they were authorized Members of C & K LAND COMPANY, LLC, a limited liability company, and that they were duly authorized in said capacity to execute the foregoing warranty deed for and in the name and behalf of said limited liability company, and further stated and acknowledged that they had so signed, executed and delivered said foregoing warranty deed for the consideration, uses and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this 14 day of July, 2015.



Jennifer Stewart
Notary Public

My commission expires _____

Prepared by:
David George
Attorney at Law
P. O. Box 447
Bentonville, AR 72712

Return to Grantee: Coyle Enterprises, Inc.
P.O. Box 565
Prairie Grove, AR
72753



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 15-32000T

Grantee: COYLE ENTERPRISES, INC.
Mailing Address: P.O. BOX 565
PRAIRIE GROVE AR 727530000

Grantor: C & K LAND COMPANY, LLC
Mailing Address: 594 MILLSAP RD
FAYETTEVILLE AR 727030000

Property Purchase Price: \$80,000.00
Tax Amount: \$264.00

County: WASHINGTON
Date Issued: 07/17/2015
Stamp ID: 2024284160

Washington County, AR
I certify this instrument was filed on
7/17/2015 4:23:18 PM
and recorded in REAL ESTATE

File# 2015-00020040
Kyle Sylvester - Circuit Clerk

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Amanda Maxwell

Grantee or Agent Name (signature): A Maxwell Date: 7/17/15

Address: Realty Title & Closing Services, LLC
3866 W. Sunset Avenue • Springdale, AR 72762

City/State/Zip: 479 582 9383