

Planning Commission Minutes
February 22, 2021 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

City Employees Present: Melissa McCarville, City Business Manager; Chris Brackett, City Engineer; Rick Bramall, City Inspector; Mayor, Ernie Penn; Fire Chief, Bill Hellard

2. **Approval of Minutes:** January 25, 2021 Minutes were approved as written.

3. **Comments from Citizens:** none

Public Hearings:

4A. Rezone from R-1 to R-2/MF-2 property located on the east side of Hwy 170 & north of 170/Wolfdale Intersection owned by Cox Development as presented by Jorgensen & Associates:

Blake Jorgensen was present via zoom to discuss the request. Mr. Jorgensen addressed the Planning Commissioners with his memo dated February 22, 2021. It read as follows:

“We wanted to issue a short memo that attempts to address some concerns that we have been made aware of. While we do look forward to a productive discussion tonight for these properties, we also wanted to try and head some of these matters off prior to the meeting.

We have included an exhibit with an aerial that shows these different properties and the rezoning requests associated with them, as well as some sample elevations and floor plans. Hopefully these materials can better explain our request. As it has been noted, these projects have come before the Planning Commission a few times in the past; our records are not clear enough as to why they were presented and approved, and yet the zonings do not currently match up with past approvals, but we hope to clarify that now. Both projects were approved by the City and the State, and yet, due to market conditions, the projects were put on hold. Farmington is experiencing a very strong growth and we feel that these developments will complement this growth and provide much needed housing along an established (and soon to be improved) corridor in Hwy 170.”

(At this point, the Jorgensen memo discussed the **western** project - 4B. Rezoning from R-1 to R-2/MF-2 for property owned by Cox Development on west side of Highway 170 and North of 170/Wolfdale Intersection.) This portion is included in 4B. below.)

“The current request for the **eastern** project is to officially zone the outer lots as shown on the attached exhibit, as R-2 and the interior island as MF-2. Water and Sewer has previously been approved by the City of Fayetteville and the State and we are currently unaware of any issues with adding services to these utilities. The storm drainage along Hwy 170 is anticipated to be improved by the State and we have been coordinating with them and have altered our design to accommodate this

improvement. The main difference in this layout compared to the previously approved one is that we are now dedicating the northwest corner as a detention pond. While this does reduce the number of units, we feel that this is an improvement to the previous plan and will help offset the new impervious materials. Furthermore, this revised layout will add more points of connectivity to the north, east, and south. This will aid future growth and help establish a network of walkable, and transit conscious street patterns. The last change is the request to create an interior island of MF-2 lots that will allow these lots to have duplexes on them that will be built in the same fashion as the sample elevations and have a front to both the north and south streets. If the MF-2 isn't acceptable to the Commission, we would ask for the rest of the land to be R-2 and we would simply have the interior lots have a front on only one side. If the MF-2 is acceptable, these duplexes would be professionally managed by Cox Development.

While this isn't a fully comprehensive response to all the comments we received, we hope that this attempt to address them aids the Commissions' decision tonight." (End of Jorgensen memo.)

The concept of developer being willing to change the request to MF-1 instead of MF-2 was discussed. Melissa explained that MF-1 would allow both Single Family residences and duplexes on minimum 7,500 sq. ft. lots whereas MF-2 allows only duplexes on minimum 6,000 sq. ft lots.

Judy Horne referred to a zoning map which shows the area as R-1. Melissa explained that the City did a rezoning of the whole city and that some areas were pre-existing duplexes even though it is now zoned for R-1.

Chad Ball moved to change the original developer rezoning request of R-2/MF-2 to R-2/MF1. The lot setback requirements are the same for both zones. Jay Moore seconded Chad's motion to change the request to reflect MF-1. Motion to change the request to MF-1 passed unanimously 7-0.

Public Comment:

Juan Rodriguez- 96 Wolfdale submitted a memo to Planning Commission. It read as follows:

"I am writing to you regarding the public hearing scheduled for Monday, February 22, concerning the above referenced rezoning of the property owned by Cox Development, LLC and Kent and Carla Cox, north of the Hwy 170 and Wolfdale Road intersection. This letter is to express my opposition of the proposal to rezone.

I am the owner of parcel number 760-01532-001 at 96 Wolfdale Road. I have lived here for almost 7 years. My family members spent a considerable amount of time finding a place for me to relocate from Missouri that would be close enough for them to assist me through the challenges that come with growing older but also where I could have a little space to appreciate God's creation through the scenic views and ample wildlife. I have found both at my current home here in Farmington.

During my life I have lived in both small communities and large cities. I enjoy living at my current home because of the rural feeling it offers while being within the city. Allowing this property that directly borders mine to be rezoned for multi- family housing will change the nature of this segment of the city and be in direct contrast to lot sizes and homes of my neighborhood. Other items of concern include potential water drainage issues, increased traffic flow, and loss of habitat for wildlife. There is sufficient land in other portions of Farmington where high density residential neighborhoods would be a better fit.

My hope is that you can consider and respect the opinions of the surrounding neighbors and myself when deciding what is best for our hometown of Farmington and reject the application for rezoning. Thank you."

Sheila Andrews- 52 Wolfdale read from her memo dated February 18, 2021 explaining her opposition to the rezoning. She stated this property has been in question for development since 1999. Flooding occurs in this area now so there is concern for adding more buildings. She said that Peachtree Village was flooded in the 2008 flood. She said the coverage of land by so many residences, driveways, and streets and also--the elevation of this property were problematic. She felt a Drainage Analysis should be required. She noted that the NE corner elevation is 1248' and drops to 1210' on the west side. This will cause issues for storm water for the Hwy 170 expansion. She asked: Who will be responsible for any issues that arise? City or Developer?

Chairman Mann explained that these questions would be addressed later, when the Preliminary Plat is presented to the Planning Commission. The agenda item this evening is just a rezoning issue.

Keith Lipford-280 S. Hunter (northwest of proposed development): He said this area has a minimum one acre or larger lots plus large acreages of pasture land and duplexes would not fit the area. This will cause additional dangerous traffic congestion on Highway 170; and he wondered how residents would access the property? Finally, he said many people want Farmington's future growth to result in a pleasant, uncrowded environment and quality restaurants and other amenities. Having increasing numbers of duplexes will not support that vision.

Rachel Spahn- 60 Wolfdale was opposed to the rezoning, agreeing with other speakers. She noted multi-family developments often become run-down eyesores with some being just west of this area. She asked: Will there be a stoplight at the intersection to control traffic? Turning lanes? Can the schools support all these additional people? How will this affect the manpower of the Police and Fire crews? She has heard this developer doesn't have a very good reputation for keeping the properties maintained and cleaned up.

Calvin Andrews- 52 Wolfdale: He wants to stop it before it gets to the point of construction. The flooding is an issue. The other duplexes are eye sores.

Chris Bryson- 324 S. Hunter: This development doesn't fit the area which now has large lots and homes. He has flooding/drainage issues; his yard is like a sponge and holds water. His shop is practically under water with each big rain. Packing these all in one area is an eye sore. This will change the dynamic of the neighborhood.

Jerry Beard- 29 Post Oak Ln: He said that the property values will decrease. He also submitted written comments which are stated below:

"On the notice of public hearing under RZN #2 it states the change from R-1 to R-2 on the perimeter lots results in the size of each tract going from a minimum of 10,000 SF to 7,500 SF. These lots are being proposed to be built with homes in the 1,500 SF range. The central section of this land would change from R-1 to MF-2.

Oakridge Subdivision houses are generally larger houses than those proposed and on larger lots (10,000 SF+). There are no multifamily lots in Oakridge as there would be in the rezoned property. The property owners actually adjoining the property for RZN #2 are all large, nicer homes on large lots. Most lots are several acres in size giving the feel of a rural environment.

To stay consistent with this feel of a rural environment, it would probably be more accurate to rezone it RE-1. (to accommodate single- family residential development on low density, large estate type lots to provide and preserve a rural environment) To rezone from R-1 to R-2 and MF-2 would be going in the wrong direction.

The difference in size of houses and properties between RZN #2 and connecting properties would be so great that it would lower those adjoining property values. We relied on the current R-1 zoning when we bought our properties and built our homes. Why should these owners suffer so that the developer can make more money?"

Melissa McCarville explained the process developer would have to go through to get to the point of building on the land. If rezoning is approved here, it goes to the next City Council meeting (March 8 at 6 PM). Zoom information will be on the City website and Facebook page. If Council approves, they have to present the actual Large Scale Development to the Planning Commission. They will have to re-notify all adjacent property owners. The drainage, landscaping, etc. will all be reviewed at that time. The Engineer will have to approve the drainage plan. No construction could be begun until LSD is approved.

Mayor Penn noted this land is currently zoned R-1 so they can built R-1 homes which require a 10,000 square foot minimum lot size.

Having no further discussion, Robert Mann called the question to approve the rezoning request. Motion failed 5-2. Chad Ball and Jay Moore voted Yes. Developer can appeal this denial to City Council at the March 8, 6 PM Zoom meeting. Adjacent property owners will have to watch for this to appear on the Council's Agenda because developer is not required to notify them.

4B. Rezone from R-1 to R-2/MF-2 property located on the west side of Hwy 170 & North of 170/Wolfdale Intersection owned by Cox Development as presented by Jorgensen & Associates:

Blake Jorgensen was present via zoom to discuss the request.

"The following was included in a memo from Jorgensen regarding this **Western** project: The current request for the western project is to officially zone this to MF-2 and townhomes will be installed along with a private drive. Water and Sewer has previously been approved by the City of Fayetteville and the State and we are currently unaware of any issues with adding services to these utilities. The storm drainage along Hwy 170 is anticipated to be improved by the State and we have been coordinating with them and have altered our design to accommodate this improvement. The main difference in this layout compared to the previously approved one is that we are now dedicating the southwest corner for storm water management. While this does reduce the number of units, we feel that this is an improvement to the previous plan and will help offset the new impervious materials. These units will be reflective of the attached sample elevations and will be professionally managed by Cox Development."

Melissa stated that this land is just across the Highway 170 from land discussed in 4A. There are already numerous pre-existing duplexes in the area.

Chad Ball noted the Land Use Plan labels the area medium-high density and this request appears to fit with the Plan.

Public Comment:

Keith Lipford - 280 S. Hunter felt the R-1 zone should be kept for this property and he was opposed to this rezoning request that would result in higher density.

Bobby Morgan - 66 Briarmeadow was curious as to how residents would access the property. Chairman Mann said these types of things would be addressed in the development stage.

Having no further discussion, Robert Mann called the question to approve the rezone request. Upon roll call, the motion passed unanimously 7 - 0. This will be forwarded to City Council.

Keith Macedo suggested that it would be helpful to the Planning Commission if a Zoning map for each item was included that shows current zoning and all surrounding zoning, with the proposed item/parcel highlighted. Melissa agreed to include this information in the future.

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



Judy Horne - Secretary



Robert Mann - Chair