

Planning Commission Minutes
December 18, 2023 at 6 PM

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

PRESENT

Robert Mann, Chair
Chad Ball
Gerry Harris
Judy Horne
Keith Macedo
Norm Toering
Bobby Wilson
Howard Carter

ABSENT

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

2. **Approval of Minutes:** The November 27, 2023, minutes were approved as written.

3. **Comments from Citizens:**

Phyllis Young - 546 Goose Creek: She said it had been brought to her attention that in the December 2020 Planning Commission minutes there were some statements from Jared Inman:

“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.”

Mrs. Young emphasized that Mr. Inman did not speak to her about her property as he stated at the December 2020 meeting. She said she did speak with him after the first flooding of her property and spoke to them once in their office. Further, she said the November 2020 minutes show that the commissioners voted to table the request until the requested drainage work was finished.

“Bobby Wilson felt this Preliminary Plat for Phase II should not be addressed until the developer has met the requirements for Phase I. He moved to table the Phase II request until the requirements for Phase I are done satisfactorily. Gerry Harris seconded the motion to table.”

Therefore Ms. Young questioned why the Commission voted for approval in December 2020 when work was not finished. She asked that the Commission rescind the action taken in December 2020 since the drainage work was not finished, is not satisfactory and continues to destroy her property.

Having no further comments, Chairman Robert Mann closed the floor for public comments.

Public Hearings

1A Large Scale Development – Brand New Church; property owned by Brand New Church; Location: 700 W Main Street; Presented by Bates & Associates

Mr. Geoff Bates was present to answer questions.

City Engineer Chris Brackett read a memo listing conditions for approval:

“The Large Scale Development for the Brand New Church has been reviewed and it is my opinion that the Planning Commission’s approval should be conditional on the following comments.

1. Parking will not be allowed in the grass areas of the site. If it becomes necessary to park in these areas regularly, then the parking lot will be required to be expanded to accommodate the additional parking.
2. The fire flow, fire hydrant and fire lane locations must be reviewed and approved by the Farmington Fire Department prior to construction plan approval.
3. 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 construction plan approval.
4. Submit two (2) copies of the filed easement plat prior to construction plan approval. A copy of the proposed easement plat shall be submitted to KMS for review and approval prior to signatures.
5. A sign permit will be required for the construction of the signage for this project.
6. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the 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 have been approved by KMS, the applicant shall submit to the City one (1) set of the full-size plans and two (3) sets of the half-size plans, and one (1) copy of the final drainage report that have been sealed by the engineer of record for final approval and distribution.
8. This approval of this large scale development is effective for a period of one year and thereafter as long as work is actively progressing on the installation of the required improvements.

Norm Toering was concerned about a lot of traffic congestion at the stoplight when one service is leaving and another is coming for a second service. He noted that the city continues to grow and traffic increases steadily.

Mr. Bates said that for parking, they will have 120 more spaces than the present location.

Public Comment:

Kyle Hunt – 12842 Ruby Road said the new development is only 30 feet from his bedroom window and he was concerned about the construction noise and asked that a privacy fence be constructed. This request was not agreed to, but he was told by Mr. Bates that in time there will be a more long-term barrier there. Mr. Bates said perhaps they could limit construction hours.

Mr. Hunt wanted to know if the building would be adequately soundproofed, being so close to his home. Also in this discussion it was noted that there will be outdoor speakers on the building.

City Attorney Jay Moore read from the Code regarding hours. This is a Commercial zone so the hours are 8 AM to 11 PM and must be kept to approximately 75 decibels. He told Mr. Hunt that if they had noise problems to contact him. The ordinance states that it is unlawful to use or operate such things as

phones or loudspeakers for the purpose of advertising and attracting the attention of the public. Chad Ball mentioned that the City does have a noise decibel reader.

Howard Carter noted that if the noise violates the noise ordinance, they can be fined \$500 for first offense and it is doubled thereafter.

Mr. Jerry Coyle who will construct the building said they will use R38 insulation on the roof and walls. Also, the sanctuary will be encompassed within wings of the building.

Bobby Wilson was concerned about care of so many trees and shrubs without an irrigation plan. It was also noted that the landscape ordinance requires any dead required vegetation be replaced within a two-year time period.

Mr. Coyle said they will take care of the irrigation because they want the church to be a beautiful place.

Keith Macedo was concerned about the proposed turnaround in the back with a 6' rise. The discussion between Fire Chief Bill Hellard, Mr. Bates and Mr. Coyle determined that they will design it to meet fire code standards of no more than a 10% curve.

More discussion followed about the drainage, curb and guttering, and the rock wall on the east side of the property which will be extended to the north.

Chairman Mann called for question to approve the Large Scale Development for The Brand New Church on 700 W Main Street, subject to City Engineer Brackett's memo listing conditions and with the additional condition to ensure the fire turnaround area is correct. Roll call vote was 6 Yes and 1 No with Norm Toering voting No. Motion for approval passed.

Adjournment: Having no further business, Judy Horne moved to adjourn, seconded by Chad Ball. Motion was approved, and meeting was adjourned.



Judy Horne, Secretary



Robert Mann, Chair