

Planning Commission Minutes
July 24, 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
Gerry Harris
Judy Horne
Bobby Wilson

ABSENT

No Planning Commission Members were absent.

City Employees Present: Melissa McCarville, City Business Manager; Rick Brammall, City **Inspector**; Chris Brackett – Engineer/ McGoodwin, Williams, Yates

2. Approval of Minutes: June 26, 2017 minutes were approved as written.

3. Comments from Citizens: No comments by citizens.

PUBLIC HEARING

4A. Variance Request – Lot 9 – Twin Falls Addition, Phase 1; owners, Jeremy Scott & Jennifer Sharpshair. Presented by Donna Stewart.

The owners wish to split Lot 9 which currently has a house on a portion of the land to create a new building lot of .86 acre, which is less than what is currently required. Donna Stewart pointed out that some of the other original lots are less than one acre. Each lot in Twin Falls has its own septic system. For this proposal, the owners had percolation test done to see if another septic system could be installed on the proposed split lot.

Dean Houser who lives just east of proposed lot split expressed concern about drainage because water does run off that piece of land onto his property. City's Engineer Chris Brackett noted that there is a definite hole in the front of the lot where it does not drain. Other Commissioners questioned the lot level and drainage. They were concerned also about the precedent that would be set if lot split were allowed.

Chairman called for question to approve variance for Lot 9 in Twin Falls Addition, Phase 1 to be split. Motion failed after the following vote: Moore- yes, Carter-recused, Bahn-Abstain, and No votes: Hutcherson, Harris, Horne, and Wilson.

Any appeal process would go to the Washington County Circuit Court.

4B. Variance request for building setbacks. Location: 295 & 297 Kelli - Property owned by Stewart Ong. Presented by Project Engineer Larry Grelle.

Mr. Grelle had appeared at the June Planning Commission meeting but had requested to pull the request from the agenda so they could come back to the July meeting and ask for a setback variance and also rezoning request. The property in question once had been a duplex that was totaled by the gas main fire accident earlier in the year.

City representatives had no comments. No citizens were present to comment. Chairman Mann pointed out that when Highway 62 was widened by the Arkansas Highway Department that a portion of the property had been taken.

Chairman Mann called for question to approve variance of building setbacks for the Kelli Street property. Passed unanimously.

4C. Rezoning request from R-2 to C-2. Location: 295 & 297 Kelli - Property owned by Stewart Ong. Presented by Project Engineer Larry Grelle.

The City representatives had no comments. No citizen comments. Upon vote, request to rezone passed unanimously.

4D. Proposal to Amend Farmington Zoning Ordinance to Add R-3 Single-Family Residential

Melissa McCarville presented the proposed R-3 zone which would allow for Zero-Lot-Line residential construction where a single family structure is built up to, or very near the edge, of the property line. Types of construction might include garden homes, patio homes, rowhouses, and townhomes. She presented a comparison of lot sizes and setbacks.

	R-1	R-2	R-O	Proposed R-3
Single-Family	10,000 sq. ft.	7,500 ft.	7,500 ft.	5,400 sq. ft.
Min. land area per unit	10,000	7,500	7,500	5,400
Front setback	25 ft.	25 ft.	25 ft.	20 ft.
Side setback	10	10	10	0/10
Rear setback	20	20	30	20
Lot frontage	75	75	100	35

Non-permitted uses would include duplexes, triplexes, 4-plexes (and larger), churches, schools. Permitted uses would include single-family detached dwellings and essential government facilities.

After discussion, and with no comment from citizens, Chairman Mann called for question to add R-3 Single Family Residential zone classification. Motion passed unanimously.

NEW BUSINESS

5.A. Large Scale Development – Old Farmington Rd. Townhouses – behind 197 E. Main (Colliers Drug) , property owned by Collier Diversification Specialties, LLC. Was not presented.

5.B. Preliminary Plat – Hillside Estates – North Garland McKee Rd. – Property owned by Lots 101 LLC. Presented by Joe Orr of Blew & Associates.

There was lengthy discussion on this proposal.

Melissa McCarville said that the City representatives and City Engineer Chris Brackett have been working with the developer on this matter and have agreed in principle to certain requirements. As a result, the original approximately 1-acre detention pond had now been greatly enlarged to approximately 7 acres (and will be 7 feet deep) and location had been moved to hopefully better accommodate water flow. The purpose is to try and lessen the downstream drainage/flooding issue on Rosebay Street in Meadowsweet Subdivision. City also will agree to pay for some of installation because the proposed pond is much larger than any requirement for just the Hillside development and the much larger pond is intended to try and alleviate flooding in Meadowsweet Subdivision.

Further, in exchange for the donated land by Tom Sims, Lots 101 LLC, the City will waive the usual street improvements of curb and gutter in front of the 3 proposed lots on Garland McKee. Also, Mr. Sims will be allowed to construct a gravel access drive up the hill for two Agricultural zoned lots.

The City has further agreed that upon completion, the detention pond will be dedicated to the City of Farmington which will take responsibility for maintaining the pond.

However, it was made clear that all of this proposal shall be contingent upon final written agreement between the parties and also must have approval by the Farmington City Council. Also, he stated that if they can't come to an agreement, the subdivision development shall not proceed. And further, no further houses can be built until the entire infrastructure (including the detention pond) is completed. Upon completion, then Mr. Sims would be allowed to submit a final plat for approval.

Jay Moore expressed his great concern for the residents who live on Rosebay which received major flooding in April. In answer to his questions, it was determined that only 3 more houses will be built facing Garland McKee. There are two agricultural lots east of the proposed homes on Garland McKee (Lots 7 and 8). Lot 7 is approximately 13 acres and Lot 8 is approximately 21 acres. If at a later date Mr. Sims wished to create a subdivision there, he would have to build the street to City standards which would be very expensive and any proposal would be required to follow the usual required steps for any subdivision.

Howard Carter noted that there have been two "100-year" floods recently and wondered about the capacity of the pond to alleviate the residential flooding in the future. Chris Brackett said that the size of this proposed detention pond makes it a "regional pond" and will catch some of the water from the creek and allow slower release of the water downstream. In the huge rains, there will still be runoff, but the hope is that it will be slowed by the pond and thus decrease the amount and force of water that flows onto Rosebay.

Judy Horne stated that further drainage work also needs to be done with perhaps larger drainage tiles and ditches at the south end of Garland McKee just south of the Rosebay Lane intersection and before the road makes a sharp turn to the east.

Public Comment:

Robert McCoy, 11155 Rosebay Lane, showed Commissioners photos of flooding on Rosebay and said when the additional houses are built on Garland McKee, that will increase both the water flow velocity and also the amount of water.

Diana Lee, 690 Garland McKee, said that when the lot splits were allowed and the 3 houses were built at the north end of Garland McKee that the Garland McKee and Highway 170 intersection now floods when it rains.

Dennis Moore, 10750 Garland McKee, was concerned about the construction of the detention pond. Chris Brackett explained that berms will be built up on the lower side of the pond.

Bryan Snyder, 10831 Foxglove Lane, was concerned about the drainage at the south end of Garland McKee, just south of entrance onto Rosebay Lane. He said that needs to be fixed prior to the detention pond and construction of more homes. He said that the property values in this neighborhood have declined since the recent flooding. Jay Moore agreed that further major work is needed at the Rosebay/ G McKee intersection.

Russell Pease, 11047 Rosebay, said he had \$42,000 damage in the April flood. He said "hogs, dogs, and logs" were floating in their street. He said that the Hillside Subdivision and the Meadowsweet subdivision were being treated as two separate items, but that the common denominator was Tom Sims. He urged that Mr. Sims should pay for the detention pond.

Robert Mann noted again that this would be a regional detention pond and reassured again that Mr. Sims can't construct homes until all infrastructure is completed, including the detention pond, and it has been tested in rainfall to see if it eases flooding problems. This proposed pond will be about 10 times larger than first proposal.

City Engineer Chris Brackett made the following recommendations to be made part of the motion:

1. Note that the instructions on the Plat Review form say that technical plat comments must be addressed prior to re-submission, and that a narrative for each comment must also be submitted along with the revised plat.
2. The improvements to North Garland McKee Road are not complete; please show sidewalk and street lights.
3. A minimum finished floor elevation must be set for all lots adjacent to as per the requirements of the Farmington Drainage Criteria Manual.
4. A determination from the U.S. Army Corps of Engineers on whether the stream is considered waters of the U.S. and if so, whether the improvements shown will be permitted. This determination will be required prior to this project moving forward to the Planning Commission.

5. Drainage Report – Due to the redesign of the detention, more discussions will be required concerning the detention design concept. It would be best if a meeting was scheduled to discuss the necessary changes to the report prior to resubmittal of this project.

Chairman Mann called for question to approve Preliminary Plat for Hillside Estate, contingent upon a final agreement between the City of Farmington and Tom Sims and upon compliance with all of the City Engineer’s recommendations listed above. All commissioners voted “Aye” and preliminary plat was approved.

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



Judy Horne - Secretary



Robert Mann - Chair