

Planning Commission Minutes
August 28, 2017

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

PRESENT

Howard Carter
Jay Moore
Toni Bahn
Robert Mann, Chair
Gerry Harris
Judy Horne
Bobby Wilson

ABSENT

Matt Hutcherson

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

2. **Approval of Minutes:** July 24, 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.

Jeremy Scott Sharpshair, owner of Lot 9, again presented his rationale for the lot split request after having been denied approval at the July 24, 2017 meeting.

- 1) Septic approval for 4 out of 5 test sites to support septic system lines.
- 2) Regarding setting precedent mentioned at the July meeting, he said Commission had approved one lot of .91 acres and in addition there are 40+ lots in the subdivision that are not one acre in size.
- 3) He does not think new home on split lot will cause more runoff on neighbor (Mr. and Mrs. Houser at 376 Eagle Ridge) to the east.

City Administrator Melissa McCarville said that conditions could be put on a variance.

City Attorney Steve Tennant noted that great concerns about drainage are always an issue, and asked Mr. Sharpshair if he would agree to such thing as an engineer's study of water flow and drainage and also having a compaction test to check about the stability of the soil since a pond had once been on this lot. Mr. Sharpshair said he would agree to such a proposal.

In Public Comment, Janette Houser, whose home is adjacent to lot in question to the east, made her appeal that the lot not be split with concerns about flooding onto her property. She also questioned how Mr. Sharpshair could bring another request back to the Planning Commission. Melissa McCarville said that he could actually bring it before the Planning Commission every month if he chose to do so. She also questioned if the .86 acre lot was a sufficient septic drain field. She said that some of the neighbors who signed the petition Mr. Sharpshair took around were given the impression that a street could be built there if a house was not put there.

After further discussion, it was determined that that stipulations could be made a part of approval of the lot split.

Chairman Robert Mann called for question to approve variance request for lot-split for Lot 9 in Twin Falls Addition, Phase 1, on Eagle Ridge, requested by Jeremy Scott and Jennifer Sharpshair, owners, contingent upon the following conditions being met before a building permit will be issued:

- 1) A Grading Permit must be obtained as per the requirements in the Farmington Grading, Erosion Control, and Stormwater Pollution Prevention Ordinance.
- 2) Builder must submit for review an engineered foundation design.

Motion passed unanimously.

4B. Variance Request From Street Improvement on Old Farmington Road Property, Cedar Mountain Properties, LLC owner, presented by Geoff Bates – Bates & Associates

City Business Manager Melissa McCarville reminded that the City does not generally waive street improvements unless it is a rare case such as waiving street improvements for the new Farmington High School since the Highway Department will be working on Highway 170 soon.

City Engineer Chris Brackett felt that a curbed street would be necessary for that location.

There were no comments from citizens.

Chairman Mann called for question to approve variance which would allow street improvements to be waived for the Old Farmington Road development located behind Colliers Drug Store. All Commissioners presented voted “No” and the variance request was denied.

4C. Rezoning request from A-1 to MF-1. Location: 30.19 acres at South 54th Street and Woolsey Farm Road (Farmington Heights Phase 2) - Property owned by Indian Territory, LLC. Presented by Ferdi Fourie, Civil Design Engineers

Engineer Ferdi Fourie explained the location of proposed development which would be adjacent to recently approved Farmington Heights residential subdivision. The proposal is for duplexes on 80 lots, which would equal 160 residential units. He was asked why not ask to rezone for houses, but developer felt this would be a good fit for this area.

Steve Tennant read from a letter from the City of Fayetteville Planning Office, sent because the proposed rezoning is adjacent to Fayetteville. They were opposed to the rezoning, saying it was not an appropriate land use to fit in with what was in surrounding area.

Citizens were invited to comment and long-time resident Ashley Swaffar of 5581 Sellers Road spoke against the rezoning. She stated that such high-density housing would lower residents’ property values and the already narrow roads would become even more crowded and dangerous. Further, she was fearful that water from this high-density development would flood neighboring properties.

Chairman Mann called for question to rezone 30.19 acres of land located at South 54th Street and Woolsey Farm Road from A-1 to MF-1. Upon vote, all Commissioners voted “No.” Rezone request failed.

NEW BUSINESS

5.A. Large Scale Development – Old Farmington Rd. Townhouses – behind 197 E. Main (Colliers Drug) , property owned by Collier Diversification Specialties, LLC.

Representatives asked to table this item and it was agreed to.

5.B. Large Scale Development: Farmington Village (Briar Rose Expansion) at 60 E. Main, property owned by Larry Bowden.

Geoff Bates explained that the proposal would include a small shopping center, patio, smoker and dining facilities.

There was lengthy discussion on this proposal and concerns were noted by City Engineer Chris Brackett. He asked for corrections and clarifications and when returned to him it still was not corrected and even at this time, Mr. Brackett had concerns and could not give his approval at this time. After more discussion it was suggested that the LSD be approved with the condition that Geoff Bates would have to work with Chris Brackett to make corrections. Gerry Harris noted that this concept had been brought to the Planning Commission many months ago and did not think one more month would be a hardship for Mr. Bates to make corrections and resubmit the Large Scale Development for Planning Commission approval.

There was no comment from citizens.

Chris Brackett’s memo with comments and conditions was presented to the Commissioners and is shown below in its entirety:

The Large Scale Development Plan for the Farmington Village has been reviewed and we cannot recommend that the Planning Commission approve the current plan based on the detention design does not meet the requirements to be considered a final design.

The Farmington Drainage Criteria Manual (DCM) states in the requirements of the Preliminary Drainage Report that the detention pond design shall be a “final” design in sufficient detail to establish a final size, depth, location and detail requirements to justify or prove the application of detention. In our opinion, the current design does not meet this requirement.

If the Planning Commission decides to approve this plan against our recommendation, this approval should be conditional on the following comments:

1. All work within the Arkansas Highway and Transportation Department (AHTD) right-of-way must be reviewed and approved by AHTD.
2. All connections to the water and sanitary sewer systems must be approved by the City of Fayetteville.

3. A Flood Plain Development Permit will be required for this project prior to construction plan approval.
4. 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.
5. 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.

The following comments were not fully addressed from the Technical Plat Review. These items can be addressed in the construction plan submittal.

No. 1 Note that the instructions above say that the 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.

No. 6 Show the 100-Year Flood Boundary from the 1996 Corp Flood Hazard Study on this plat.

No. 7 The ADA requires 1 handicap space per 25 parking spaces provided up to 100 spaces. Add one additional handicap space to meet this requirement.

No. 8 Label the greenspace and width for the new sidewalk along Highway 62.

No. 9 The extension of Valley Drive will have to be built to City Street Standards up to this property. I assume the lines shown on the plat are the existing Right-of-Way for Valley Drive; please label.

Chairman Mann called for question to approve Large Scale Development for Farmington Village (Briar Rose Expansion) located at 60 East Main contingent upon:
City Engineer's and conditions recommendations 1. through 5. and No. 1, No. 6, No. 7, No. 8, and No. 9 in memo dated August 28, 2017 be met
AND, that Chris Brackett meet with project engineer Geoff Bates to carefully work out details to Chris Brackett's satisfaction.

Voting "Yes": Howard Carter, Jay Moore, Toni Bahn, Bobby Wilson. Voting "No": Gerry Harris and Judy Horne.

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



Judy Horne - Secretary



Robert Mann - Chair