

Planning Commission Minutes September 23, 2019

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

PRESENT

Robert Mann, Chair
Chad Ball
Toni Lindsey
Judy Horne
Bobby Wilson
Jay Moore
Howard Carter

ABSENT

Gerry Harris

City Employees Present: Mayor Ernie Penn;
Melissa McCarville, City Business Manager; Steve
Tennant, City Attorney; Rick Bramall, City
Building Inspector

2. **Approval of Minutes:** August 26, 2019 Minutes were approved as written.

3. **Comments from Citizens:**

Guy Von Bergen- 11512 Giles Rd: Mr. Von Bergen raised concerns about the new development in the Valley View subdivision that he believes will increase runoff flooding. A main area of concern is Richardson Road and Giles Road. He expressed his opinion that building should cease in the area due to the flooding issues. City staff addressed his concern with the building in the flood zones including that some of the new homes being built were platted years ago and are just now being built. Also, some of the homes may be in Prairie Grove.

4. **PUBLIC HEARINGS**

A. Variance - on front, side and rear setbacks; 161 West Main Street- Michael Thompson, owner; presented by Bates & Associates, Inc.

Geoff Bates with Bates and Associates was present to discuss the request.

Steve Tennant said when Highway 62 (Main Street) was widened, Mr. Joe Bailey lobbied for land to be taken from north side of highway to protect several very old buildings located on the south side. The front setback requirement was 35 feet. The widening had a big impact on Robbins Realty and the historic Lemons house.

Melissa McCarville said the south side properties weren't affected by the 35ft front set back change. However, being the very oldest part of the city, front and side set backs off of Bois D' Arc are Preexisting/ Non-Conforming. The front setback for east side (Bois D' Arc frontage) is 50 feet but the variance is asking for 24 feet, a difference of 26 feet for front set back. The side set back for west side of property is 25 feet but variance request is for 15 feet, a difference of 10 feet for the side set back. Future reconstruction has been a big question for that area.

Melissa said City Engineer Chris Brackett recommended that the two proposed parking spaces nearest Main Street be eliminated due to sight safety issues when going onto Main Street.

Having no further discussion, and having no public comment, Robert Mann called the question to approve the Variance: Motion passed unanimously 6-0.

B. Variance- from improvements to property (12.36 acres) on Bethel Blacktop & Little Elm to minor arterial standards; and also from the installment of streetlights along Bethel Blacktop and Little Elm:

Geoff Bates with Bates and Associates and property owner Mark Silva were present to discuss the request.

Mr. Bates explained that this would be a small subdivision with 6 lots and one detention lot and so did not justify paying the additional money to bring the roads to minor arterial standards nor to install street lights as required by the Subdivision Ordinance of the City of Farmington.

Melissa read a memo from Nathan Crouch with Washington County Planning regarding Farmington's involvement with land outside the city, but within the planning jurisdiction:

“Regarding the upcoming subdivision in Farmington’s Planning Area, Washington County will review it as a Subdivision after Farmington provides their approval.

Through the course of Washington County’s review, we will reach out to Farmington for comments during the technical phase of our review. If Farmington requires additional right of way dedication, above and beyond Washington County’s 30 foot right of way requirement, to be in conformance with the City’s approved Master Street Plan, Washington County will make that a condition of approval to present to the Planning Board for their consideration. Then, if the developer disagrees and wants to argue the point with the Planning Board, they have that right, but ultimately the decision is left to the board.

Either way, the Washington County Planning Board will be made aware of the comments Farmington provides during technical review”.

It was explained that the County has the ultimate authority to overturn the Farmington Planning Commission’s decision if they do not agree with the City’s rationale.

There were no public comments regarding this Variance.

Melissa McCarville explained that the standards meant the roads would have to be widened to 48 feet with sidewalks, thus improving the narrow County road which has steep barrow ditches. Also, street lights are required to be installed.

Chad Ball asked if the Planning Commission could legislate since these are County roads and the answer is “Yes, since it is in the City’s Planning Area.” It was brought to the attention of the Commission that the area has a four-way-stop intersection. Mr. Ball expressed concern regarding safety issues on those narrow roads.

Many other Commissioners also expressed serious concerns about the ability of both Bethel Blacktop and Little Elm Roads to be able to safely carry the increasing amounts of traffic. It was noted that development is occurring at an increasingly rapid rate in that area and thus the traffic count keeps rising.

Bobby Wilson reminded that the City of Farmington does have a say in land that is in the City’s planning area. This land in question is within the planning area. In the future this land in question may be within the city limits since it is so close to the Farmington city limits now. He explained to Mr. Silva that the Commission must always be looking at the big picture and the future when making decisions, as well as adhering to the ordinance requirements.

There was unanimous agreement that the improvements and requirements need to be completed by the developer, or they need to set aside money with the City and City could do the improvements work. Recommendations for the completion of the improvements will be forwarded to the County for review.

Having no further discussion Robert Mann called the question to approve the Variance:
Vote was For: 0 and Against: 6. Motion failed unanimously.

C. Preliminary Plat: Silva Little Elm Subdivision:

Geoff Bates with Bates and Associates was present to discuss the request. Chris Doughty presented a memo from Chris Brackett. The Memo reads as follows:

“The Preliminary Plat for the Silva Little Elm Subdivision has been reviewed and it is our opinion that the Planning Commission’s approval should be conditional on the following comments.

1. The fire hydrant location shown on the plat and utility plans must be reviewed and approved by the Fire Department.
2. Bethel Blacktop Road and Little Elm are both Minor Arterial Streets (70’ ROW and 48’ Pavement) on the Farmington Master Street Plan. Right- of- way should be dedicated to 35’ from centerline even if a variance of the street improvements is approved. Include a 25’ radius at the ROW at the corner of Little Elm and Bethel Blacktop.
3. Payment in lieu of Park Land Conveyance will be required for this subdivision. This fee will be \$600 per single family unit (\$3,600).
4. A completed Grading Permit Application and fee must be submitted prior to mass grading on the site.”

Park land dedication is required by Farmington Landscaping Ordinance for subdivisions. (Payment to the City Parks Fund in lieu of conveyance of park land may be done.

Chad Ball asked Mark Silva about the maintenance of the retention pond. Mr. Silva stated that it would be placed under the care of the POA and would be included in the covenants with the subdivision. Drainage is good in that area; also the water main has been field tested and surveyed for right of way.

There was no public comment.

Chairman Mann called for question and upon roll call, the vote was “Yes” – 6 and “No” – 0 and motion passed unanimously.

D. Final Plat: Redbird Subdivision (D & B Subdivision): Item D has been tabled until next Planning Commission meeting on October 28, 2019.

5. Set Public Hearing on Master Street Plan:

The Commission voted to set a Public Hearing for the Master Street Plan (Transportation Plan) for the October 28 meeting.

6. Adjournment: Having no further business the Planning Commission meeting was adjourned.



Judy Horne - Secretary



Robert Mann - Chair