

## **Planning Commission Minutes November 23, 2020 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, via zoom  
Bobby Wilson  
Jay Moore

### **ABSENT**

none

**City Employees Present:** Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer via zoom; Bill Hellard, Fire Chief

2. **Approval of Minutes:** October 26, 2020 Minutes were approved as written.

3. **Comments from Citizens:** none

### **Public Hearings:**

#### **4A. Final Plat for Goose Creek Village Phase I located off Double Springs Road - property owned by Red Canyon Development as presented by Jorgenson & Associates:**

Jared Inman with Jorgenson & Associates was present to discuss the request. Melissa referenced Chris Brackett's memo which was read in full.

Chris Brackett's memo read as follows:

"The Final Plat for the Goose Creek Subdivision- Phase I has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The required Payment in Lieu of Park Land Conveyance must be paid prior to the signatures on the Final Plat. This fee will be \$600 per single family unity or \$30,600 for 51 single-family lots.
2. All public improvements including the sidewalk along Double Springs Road must be completed and a Final Inspection scheduled. All punch list items must be completed and accepted prior to final approval of the final plat.
3. All easements that are to be dedicated by a separate document must be recorded and a copy of the recorded document must be provided to the City prior to signatures on the Final Plat.
4. A one- year Maintenance Bond to the City of Farmington for all public improvements with the exception to the water and sanitary sewer improvements must be provided prior to the signatures on the Final Plat. The engineer must submit an itemized cost of these improvements for approval prior to obtaining the bond.
5. If the sidewalk construction is to be delayed until the home construction then the developer shall provide an escrow account in accordance with Ordinance No. 8.1 (C), 3 (A). The engineer shall provide a cost estimate for the construction of the sidewalk for approval.
6. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
7. Provide one original and 6 copies of the recorded plat to the City."

Keith Macedo noted that ADA compliant ramps were not shown at one place in the Phase II west section. The engineer said there would be ADA compliant ramps installed on the west side of the development and the plat will be changed to show this.

**Phyllis Young- 546 Goose Creek:** Her property is adjacent to Phase I. She stated that at the beginning of construction of Phase I, they dug a drainage ditch from the middle of the Phase I to her fence line. She was very concerned because of water damage this could cause. Then, large 24” pipes were installed that point directly at her property. She had a meeting with Jorgenson’s people and the developer in early summer to discuss what they were going to do to address it. They assured her that they would be putting in a level spreader (cement barrier) to disperse the water flow from the two 24” pipes. She felt they should not be able to turn the water onto her property. She was also concerned that even more water will be coming her direction when the ground in Phase I and II are covered with houses and paving.

Jared Inman said he had not seen any water damage to her property. Gerry Harris asked Mrs. Young about this and she said that water is now standing in a different place than before.

Chairman Mann said that a developer can’t turn water onto other properties and/or make their water situation worse than it was prior to development.

**Diamond Olivas – 25 N Double Springs:** The workers are starting work with their very noisy construction equipment at 5 AM, causing a noise disturbance. He said that they also are leaving trash all over the place which blows onto his 6-acre property.

Chris Brackett said that there is no more water being directed to the site than was already existing which is following the law. The level spreader is supposed to funnel it to one spot and then disburse it into a ravine that is a part of the natural water flow in that area. Also, the very large detention pond will serve both Phase I and Phase II. It is a natural valley that has been dammed and is sized to 100-year-flood standards. He did note that he had spoken in the summer to the developer about finishing their work by installing the level spreader.

Bobby Wilson said this has been an ongoing issue for 3-4 months, and he was not inclined to approve this final plat. Keith Macedo asked when construction could legally begin and the answer is 8 AM. Judy Horne was concerned that there will be additional runoff when Phase II is constructed. It was felt that this will need proof of erosion control and that the trash and noise have been addressed.

Keith Macedo moved that this matter be tabled until the level spreader is constructed and trash is cleaned up on Mr. Olivas’ property and further that construction work should not begin before 8 AM. Judy Horne seconded the motion to table which passed unanimously.

**4B. Preliminary Plat for Goose Creek Village Phase II property located off Double Springs owned by Red Canyon Development as presented by Jorgenson & Associates:**

Gerry asked if lots 82-90 were going to be sloped or flat. They will be leveled. The drainage going toward Mrs. Young’s property will be run to the large detention pond.

Chris Brackett read his memo:

“The Preliminary Plat for the Goose Creek Subdivision Phase II 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 locations and Traffic Circle shown on the plat must be reviewed and approved by the Fire Department.
2. 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 any construction activities.
3. Payment in lieu of Park Land Conveyance will be required for this subdivision. This fee will be \$600 per single family unit (\$34,200). If Park Land Dedication is requested prior to final plat, then the dedication must be approved by the Planning Commission.
4. A completed Grading Permit Application and fee must be submitted prior to final approval of the plans. A preconstruction conference will be required prior to any 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 approved by Olsson, the applicant should submit to the City two (2) sets of full size plans and three (3) sets of half size plans, and two (2) more copies of the final drainage report that have been sealed by the engineer for final approval and distribution.”

Mr. Brackett said that the developer might decide to dedicate some park land further to the west rather than paying the \$600 per buildable lot fee; if so, the park land proposal will have to be brought back to the Planning Commission for its approval.

Mr. Inman of Jorgenson's said he had received City Engineer's memo.

**Public Comment:**

Phyllis Young- 456 Goose Creek: She doesn't want any more damage to her property.

Keith Macedo asked for more clarification regarding the park land dedication issue and where the money, if paid, would be placed in the City's budget. They can decide to pay \$34,200 at the time of signatures on the Final Plat. Melissa McCarville said the money would be deposited into the General Fund and put under a specific line item for park land conveyance.

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.

Having no further discussion, Robert Mann called the question to table the Preliminary Plat for Goose Creek Village Phase II. Upon roll call, Commissioners voted unanimously to table the agenda item.

**4C. Large Scale Development for Tractor Supply side lot project property located at 215 E. Main owned by Goldstein Farmington, LLC as presented by Onyx Creative:**

This item was pulled for the reason of improper notification to adjacent property owners.

Keith Macedo said cities hoped that the Commission will commit to the December 28 meeting to address any Commission business. It appears that Commissioners can meet on that date.

6. **Adjournment:** With no further business, the on-line Planning Commission meeting was adjourned.

  
\_\_\_\_\_  
Judy Horne - Secretary

  
\_\_\_\_\_  
Robert Mann - Chair