

Planning Commission Minutes October 28, 2019

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

PRESENT

Robert Mann, Chair
Chad Ball
Judy Horne
Bobby Wilson
Jay Moore
Howard Carter
Gerry Harris

ABSENT

Toni Lindsey

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

2. **Approval of Minutes:** September 23, 2019 Minutes were approved as written. Gerry Harris abstained, having been absent from that meeting.
3. **Comments from Citizens:** No comments from the public were heard.

4. **PUBLIC HEARINGS**

A. Public Hearing on Master Street Plan:

Melissa McCarville stated that the plan will now include a proposed trail system and that it will now be regarded as the Master Transportation Plan. It was stated that it would be available to the public for viewing and their input and questions. The Plan will go before the City Council for final approval.

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

B. Variance- for lot size in A-1 zoning located at parcel 760-02352-001 on Drain Rd as presented by Jordan and Sarah Huckeba:

The Huckeba's were present to discuss the request. They explained their request for a variance. The lot size is 3 acres and they wish to expand their home but maintain the separate two acres for pasture but 1 acre for the house lot. Melissa explained that in A-1 there is a 2 acre minimum ; thus the variance request.

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

C. Rezoning- from R-1 to R-3 for property owned by Farmington Commercial, LLC - located at 12655 Orchid Rd. Presented by Bates & Associates, Inc.:

Geoff Bates was present to discuss the request for a subdivision that will be called The Grove at Engle's Mill. The proposed plan for the 150.70 acres is single family homes in varying sizes and price ranges ranging from larger manor homes adjacent to Twin Falls and the remainder to be small cottage type homes. The smaller size homes would be adjacent to homes on Countryside Drive and Briarhill Street. The developer is Mark Marquess of Riverwood Homes, 3420 Plainview Drive, Fayetteville. He stated that his master planned development would be similar to the new Sloanebrooke Subdivision on the east

side of Broyles Avenue in Fayetteville. It would include 71 cottages (1,350 – 1,700 sq. ft), 31 manor homes (1,750 – 2,300 sq. ft), and 17 estates (2,300 – 3,000 sq. ft). A pamphlet he provided to commissioners and to some citizens in the audience listed features such as lakes and ponds with fountains, greenspaces, small community parks, restrictive covenants.

The reason for the rezone request was to create smaller lot sizes for the single family cottage homes that would range from 1,350 to 1,700 square feet. (Duplexes and other multi-family housing can't be built in an R-3 zone.) Mr. Marquess said he plans to first build the smaller homes and needs the lot to be 60' – 65' wide. Thus the request for rezoning to R-3. The next phase would be 48 estate homes on the north side of Twin Falls properties. There will be connectivity to Folsom Elementary, Walmart, and the Sports Complex. After these two phases are completed, the southernmost portion of the land will be developed.

Mr. Marquess said when the new subdivision (Wagon Wheel Crossing) that will be located south of his subdivision is planned, he will plan for the streets in the next phase to line up with streets in the Wagon Wheel Crossing Subdivision, providing additional access for his subdivision.

Some commissioners expressed concern about allowing the entire 150.70 acres to be zoned R-3, even though the developer indicates he will include some larger homes within the property. It was explained that if he decided to sell the land to someone else, they could build the entire area in small zero-lot-line homes which might create too much density and traffic problems.

Chad Ball suggested that a Bill of Assurance might be considered, but with further discussion by commissioners, it was determined that a PUD might be the best course of action due to the fact they can make sure that they will do as they said they will do with the land, even if sold to someone else. The PUD would follow the land not the owner.

Judy Horne reminded that there is a small, existing family cemetery near the north edge of the proposed land and that by law it had to be protected. The cemetery will be cleaned up and wrought iron fencing will be put around the cemetery. Also, access will be provided to the cemetery.

PUBLIC COMMENT:

Jill Toering – 306 Claybrook Drive, Twin Falls: She said she was the only person in Twin Falls who was notified of the proposed rezoning and she wanted to know why no one else was notified. _____ She also asked if the rezoning request for R-3 is withdrawn and they come back with a Planned Unit Development (PUD), will all property owners be notified or just the adjacent property owners. Melissa McCarville stated that the State Law doesn't require that and it will only be the adjacent owners. It will however, be posted online for public information.

Finally, she asked if the PUD they might bring for consideration would be for the entire property or just for the northern portion of the land. The answer was that the PUD would be for the first two parcels of land. They will wait to design the remainder until the other subdivision plans are set. Mr. Marquess hopes to be able to draw his final phase so that the streets will connect, allowing for additional connectivity.

Jeanette Houser – 376 Eagle Ridge Drive, Twin Falls: She had a strong concern regarding the greatly increased traffic through Twin Falls if they use the stub next to her property to create a through street into the new subdivision. She emphasized that residents of Twin Falls want the subdivision to be separate and keep the safety for the children who now are used to being able to play in the street by her home.

The stub out will have to be in place for emergency vehicle access. This will be handled in Technical Plat Review. The subdivision suggested connections would be to Angus and Grace Lane which allows traffic to utilize two traffic lights to get onto Main Street.

The commissioners debated the connectivity issue from Twin Falls into the new subdivision at length with no final consensus. There did seem to be agreement, however, that a trail that would allow children in Twin Falls to be able to walk to the new high school would be a good idea.

Ken Bishop - 490 Twin Falls: He expressed concern that this new subdivision, plus the additional proposed subdivision to the south, would cause very rapid growth that will impact the city, the infrastructure, roadways, and the schools. He wondered if the City has a short-term and long-term plan for accommodating this substantial growth.

Deborah Powell – 372 Driftwood Drive, Twin Falls: There is a current drainage ditch/culvert at the end of Twin Falls that already has a water issue with rainwater running through the backyard which then floods. She was concerned that covering more land with houses will cause increased flooding. Later, in answer to her question, the City Engineer, Chris Brackett said the developer will be required to create drainage plan that should not add to the flooding they already have now.

Toni Brown – 243 Briarhill: Her property backs up to the current pasture land where the smaller homes will be built. She was concerned that this placement will cause a decrease in their property values. She was also concerned about there being enough parking on the small R-3 lots and was afraid they would begin parking in the yards. She said there is a big problem on Briarhill with people parking on the street to the point a fire truck or ambulance could not get through in an emergency call.

She concluded with the question: “Why punish smaller home owners by putting small homes next to them while putting the larger homes next to Twin Falls?”

Mark Marquess said that even for small homes, parking area could accommodate six cars in garage and driveway.

Tiffany Rogers- 475 Browning Circle: She said she had the same concern for reduced property values because small homes so often become rentals and become run down. She was also concerned about the increased flooding that had been expressed, noting there are times when Clyde Carnes floods.

She also asked about the completion of the FEMA Flood study and requested that nothing be built until the FEMA study is completed. Rentals have been a concern too.

Regarding FEMA study, Melissa McCarville said the city should get the study results by the end of this year. Geoff Bates said that the flood plain issues will not affect this property and also said that the current pond will be quadrupled in size when the new detention pond is created.

Gary Noe - 271 Countryside Drive: He also was concerned about property values if so many small homes were built on the acreage and small homes adjacent to R-1 zone homes. His home is an R-1 zone. He felt present ~~owns~~ ^{owned} should be considered and respected.

He was also very concerned about the huge increase in traffic that will occur because even now Countryside is becoming highly traveled due to the new high school. People also speed on the street. In addition, if Angus is opened to the subdivision, there will be another bottleneck because Angus is a very narrow street and already having higher traffic.

He said that there is a stock pond in the far northeast corner of the property and said the pond often overflows and it causes flooding there that is among the worst in the city. He reminded again about the small cemetery that is located on the far north edge of the property.

Tommy Johnson – 441 Driftwood Drive: He said he was pleading with the commissioners to consider this rezoning carefully. He hoped they would have a vision for the future and what they want Farmington to look like. He said he wants a city that is well planned. This received applause from the audience. He suggested they drive around old subdivisions and think how they might look in 10 – 20 years. He urged commissioners to have a long-term plan for how the city will develop as it continues to grow.

Lonnie Grant – 474 Browning Circle: He reminded everyone to remember the real estate “boom and bust” back in 2005 and 2006; he expressed fear that this might happen again and in the city of Farmington. When one developer goes bankrupt, eventually a new developer might take over the property and could build a lower quality subdivision if property is rezoned to R-3.

John Hamilton – 306 Driftwood: He noted that the 2017 R-3 Ordinance doesn’t address the parking concern. There are no requirements for parking in R-3. Therefore, parking for these numerous small homes could be a problem.

Dennis Young - Browning Circle: He was concerned about the developer’s plan to create a PUD for only two phases. He wanted to be able to see the entire plan for all 150.70 acres.

Billy Carter - 13086 Bethel Blacktop: He explained that his daughter lives at 332 Claybrook on the cul-de-sac. He absolutely doesn’t want a through street to the new subdivision put there. He fears for the safety of his grandchildren.

Final Discussion

Gerry Harris reminded that not everyone wants to have 2-acre yards. Millenials and older people often prefer small lawns. Robert Mann reminded everyone that growth is going to occur, whether or not people want it. Also, nothing can be done to prevent people from renting homes to others.

It was suggested that people who have parking concerns should contact the Police Department which will enforce parking complaints. Several citizens indicated they had tried that, but on-street parking continues.

It was said that we were looking at the Land Use Plan for revision in the near future. Everyone was encouraged to come to meetings to give input. State laws and City ordinances are what dictate what the Planning Commission can do. The City cannot enforce covenants.

Mark Marquess indicated that he will develop a PUD for consideration and will withdraw the rezoning request.

A motion for withdrawal of the rezoning request was made and seconded. Upon roll call the motion passed 6-0 and the rezoning request by Farmington Commercial, LLC was withdrawn.

D. Rezoning- from R-1 to C-2 - 12328 Hwy 62 and 12405 Bethel Blacktop owned by Frances Hawkins; Presented by Dan Dorman:

Dan Dorman was present to discuss the request. There is an existing business on the corner now. Melissa McCarville stated that there is C-2 usage in the area; a similar rezoning was passed recently as well. There was no comment from citizens. There were no questions from commissioners.

Having no further discussion, Robert Mann called the question to approve the Rezone request: Motion passed unanimously 6-0. This will be on the City Council agenda November 12.

E. Rezone- from A-1 to R-1 Property located at 2846 S. Archie Watkins Rd; owned by Randy Osnes - Presented by Bates and Associates, Inc.:

Geoff Bates was present to discuss the request. The owner wishes to rezone to R-1 to allow for a lot split under the R-1 street frontage requirements.

Having no discussion, and having no public comment, Robert Mann called the question to approve the Rezone request: Motion passed unanimously 6-0. This will be on the agenda for November 12th meeting.

F. Variance- reduction of rear setbacks from 20' to 15' for lots 1-8, 11-15 & 23-25 in Redbird Subdivision located at 65 N. Double Springs as presented by Bates and Associates, Inc.:

Geoff Bates was present to discuss the request due to there being a new owner who wished to reduce the rear setback requirement so the homes could be larger. The City had no comments. City Council members Bobby Morgan, 66 Briar Meadow and Keith Lipford, 280 S. Hunter were present. They expressed concern because the rezone did not have a plat and the fact that the new owner had changed the current plans. The City Engineer has signed off regarding the utilities.

Public Comment: None.

Having no further discussion, Robert Mann called the question to approve the variance: Voting No: Gerry Harris, Chad Ball, Judy Horne and Robert Mann. The Aye's: Jay Moore, Howard Carter and Bobby Wilson. Motion failed by 4-3 vote.

G. Final Plat- Redbird Subdivision located at 65 N. Double Springs as presented by Bates and Associates, Inc.:

Geoff Bates was present to discuss the request. Chris Brackett memo reads as follows:

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

1. The payment in lieu of park land of \$14,400 must be paid to the City prior to the signatures on the Final Plat.
2. 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.
3. 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.
4. 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.
5. Provide one original and 6 copies of the recorded plat to the City.”

Melissa stated that the City had received the checks for Park land and landscaping.

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

H. Preliminary Plat- Wagon Wheel Crossing Subdivision, Property owned by Michael Mashburn with 75.28 acres off of Clyde Carnes Rd as presented by Engineering Services, Inc.:

Blake Murray with Engineering Services, Inc. was present to discuss the request. He said the land is currently zoned R-1. There will be 233 lots, and one detention pond. Originally they intended to pay the fee in lieu of creating a neighborhood park. However, they are now considering a 5 acre park on the final plat. Washington Water Authority is water provider. A sewer lift station is proposed for the subdivision which will go to an existing sewer system located at Farmington High School, northeast of the project area.

Chris Brackett submitted a memo and it reads as follows:

“The Preliminary Plat for the Wagon Wheel 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 locations shown on the plat and utility plans must be reviewed and approved by the Fire Department.
2. This subdivision currently complies with the revised but not approved Farmington Master Street Plan. If the approved Master Street Plan is revised that affects this property, then this approval will be void and this subdivision would have to resubmit for 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 any further construction activities.
4. Payment in lieu of Park Land Conveyance will be required for this subdivision. This fee will be \$600 per single family unit (\$31,200, Phase 1).
5. 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 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.
6. After a final review set of plans and drainage report has been approved by Olsson, the applicant should submit to the City three (2) sets of full size plans and two (3) sets of half size plans, and two (2) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

Chad Ball had concerns about the proposed park being located just south of Farmington High School.

Connectivity of the Twin Falls to the new Wagon Wheel Crossing Subdivision was discussed. There are stub-outs at Copperwood and Claybrook in Twin Falls and some commissioners favored connecting to Grace Lane (a collector street) from one or both of those streets. Other commissioners were opposed to opening these streets, believing traffic would speed through Twin Falls to the High School. For size comparison, Broyles Street is an arterial street.

PUBLIC COMMENT:

Mark Meyers - 305 Claybrook was very concerned that the new development will increase the floodwater that already comes across his back yard to the current detention pond. He said his back yard was completely flooded last week; and he simply cannot take more rainwater run-off without severe

damage to his home and property. He concluded that there had to be a better plan than crossing his yard with an easement. The Engineer said the new road will slow the sheet flow he experiences now. However, that portion will not be done in Phase 1 of this subdivision development.

Larry Angel - 329 Claybrook: He is concerned with how high the water gets, reminding everyone that Clyde Carnes closes when there is heavy rain.

Deborah Pavel - 372 Driftwood Drive: She was very concerned that their current weak water pressure will be made even worse when the new subdivision is built. The developer has no control over the water pressure and it was suggested that people should contact Washington Water Authority to request assistance with the poor water pressure issue. The State Utilities Commission would be an agency to address any concerns with Washington Water Authority.

Billy Carter – 13080 Bethel Blacktop spoke again regarding this development. He explained that his daughter bought a house at 332 Claybrook, within a cul-de-sac and his grandchildren can now play in the street. He is very worried about the safety of the children if the street is connected through to the new subdivision. One of the main reasons she bought her home in cul-de-sac was for privacy and lack of traffic. She was not told there might be a connection someday in the future.

City Engineer Brackett said the drainage will be addressed by the drainage plan that will have to be sent to him for his approval. Also, the water flow will drain to the south to a detention pond.

Chad Ball questioned having a hammerhead turn-around 21 feet from the track at the High School. They have not talked directly to the school about the development but they have been notified. The cul-de-sac will not be extended. It was stated that the Fire Department must have a turnaround in that area. Mr. Riggins said that they can put barrier landscaping around the hammerhead, if that would be better.

Regarding water flow, Mr. Riggins said that when streets are built, this will actually take water flow away from Twin Falls properties.

Having no further discussion, Robert Mann called the question to approve the Preliminary Plat: Voting Aye: Bobby Wilson, Judy Horne, Gerry Harris and Robert Mann. No: Chad Ball, Howard Carter and Jay Moore. Motion passed 4 - 3.

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



Judy Horne - Secretary



Robert Mann - Chair