

Planning Commission Minutes
October 26, 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

ABSENT

Jay Moore

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer via zoom

2. **Approval of Minutes:** September 28, 2020 Minutes were approved with the correction on pg. 3 to Keith Macedo's name.

3. **Comments from Citizens:**

Diamond Moore- 11473 Clubhouse Parkway: The question was directed towards a previous agenda item. She wanted to know if the ice cream non-profit business had completed its Use on Appeal that was decided on at last meeting. Melissa McCarville said he was completing it and is getting his business license. Diamond asked if the City could revoke the Use on Appeal and the answer is yes, if he didn't meet all requirements.

Public Hearings:

4A. Variance on number of lot splits from a parent parcel; Property located at 363 E. Ralston St. owned by Ronald Day as presented by James Geurtz:

James Geurtz was present via Zoom to discuss the request. This is for an extra split from the parent tract even though they had requested and received a lot split in 2019. With this split there would be 5 splits from the parent parcel. Melissa stated this area fits the criteria for residential use, being zoned R-1, all lots have water and sewer, and all lots are over 10,000 square feet.

Keith Macedo asked if it is common for us to do this kind of variance. Melissa stated not too many come before the Commission. She can do most of them administratively if request is for 4 parcels. If 5, it comes to the Commission. In addition, most often they are for family use. There were less than 5 last year. It was noted that when you have this type of variance, there will be things that the owner does not have to comply with.

Public Comment: none

Having no further discussion, Robert Mann called the questions to approve the variance located at 363 E. Ralston Street with request to change Benton County to Farmington as Gerry Harris had noted. Upon roll call, the motion passed unanimously.

4B. Variance on number of parking spaces for Holland Shop Building property located at 300 N. Holland owned by Rausch Coleman Homes, LLC as presented by Bates & Associates:

Jake Chavis with Bates & Associates was present via Zoom to discuss the request. The building which will house maintenance and construction equipment will be 7,500 square feet. There will also be a 400 square foot office. They will have 7 employees with company vehicles. Some of the company vehicles will be parked within the shop building. They asked to construct 10 parking spaces than the 16 the ordinance requires.

Chad Ball asked how complying with the ordinance by adding back the six additional parking spaces will cause a hardship. In addition, he felt the City's standards should be upheld. He noted that in the future Rausch Coleman might sell this property to another business and they might need more spaces. Mr. Chavis explained they wanted the variance because more spaces would encroach into the flood plain, there were other site constraints, and also fewer parking spaces would create more green space. The parking area is 40 feet from the curb and gutter.

Keith Macedo asked about city requirement about dumpsters. Mr. Chavis said they will be using regular trash service due to the fact that they will not have any construction debris. Melissa McCarville said location would be shown on large scale development. Bobby Wilson noted that the company on Highway 170 near Rainsong intersection always has lots more cars parked in the grass and dumpster is out by the street.

It was asked if there will be ADA ramps required because they are not shown on the plat. They will not have to use them.

Public Comment:

Diamond Moore: asked about item #3 on the application: who is David Frye? Is he the manager or the owner. It states that there must be an affidavit filled out for the owner stating that these people can do business in his/her stead. Geoff Bates said Fry is the owner's representative and an authorized agent for the property.

After more discussion, Geoff Bates said they will just go ahead and put in the 16 spaces as required.

Having no further discussion, Robert Mann called the question to approve the variance for 300 N. Holland. Upon roll call, all Commissioners present voted "No." Variance was not approved.

4C. Large Scale Development for Holland Shop Building located at 300 N. Holland owned by Rausch Coleman Homes, LLC as presented by Bates & Associates:

Geoff Bates and Jake Chavis were present to discuss the request. They agreed to add back the parking spaces. Chris Brackett read his memo as follows:

"The Large Scale Development Plan for the Holland shop has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. All connections to the water and sewer systems must be approved by the City of Fayetteville.
2. 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.

3. 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) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.”

Gerry Harris asked why the latest survey, the final plat of 2014 had not been used instead of this 2012 tract split. Geoff Bates said they will be getting a survey and will reference everything on the survey.

Judy Horne asked if the previously mentioned gravel area had been removed. They will pave the area in question. Jesse Fulcher with Rausch Coleman addressed the dumpster question saying no dumpster is necessary because they will be requiring only regular trash service.

Public Comment:

Diamond Moore had a comment about the application stating that they should have a letter from the owner stating that Fry is their representative.

Having no further discussion, Robert Mann called the question to approve the Large Scale Development contingent upon having the required 16 parking spaces. Upon roll call, the motion passed unanimously.

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



Judy Horne - Secretary



Robert Mann - Chair