

PLANNING COMMISSION MINUTES

AUGUST 25, 2014

1. ROLL CALL:

PRESENT

Bobby Wilson  
Judy Horne  
Gerry Harris  
Sean Schader  
Matt Hutcherson  
Robert Mann

ABSENT

Josh Clary  
Toni Bahn

2. APPROVAL OF THE MINUTES

The minutes for July 28, 2014 Planning Commission meeting were unanimously approved.

3. Comments from Citizens- No Comments.

4. **PUBLIC HEARINGS**

- A. Rezoning request: C & R Development-request rezoning from RE-1 to C-1.  
Property owned by: Southwinds Land Co.  
Property Location: 12514 N. Hwy 170.  
Presented by: Jerry Coyle or Phil Robinson

Chair asked for comment from the city and there were none. He then requested comment from the petitioners. Phil Robertson spoke for the petitioners; he said they are planning a mini storage facility. The building would be brick and it would be an upscale facility with low traffic. Chair asked for questions from the commission, there were none. The chair asked how many people were in attendance regarding this issue. 16 people in attendance were concerned about this issue. The floor was opened for comments from the public regarding this rezoning. The chair made a cautionary statement indicating that individuals that wanted to speak should state their name and address for the record, be brief; less than three minutes and not repeat, he asked that they comment on the rezoning and address comments to the commission.

Joe Kilpatrick - 12568 Hwy 170: lives next to property. He is against the rezoning. He said it would decrease the value of his home. Mr. Kilpatrick sent a letter to the Chair that will be kept as a part of the record.

Geoff Bates -10824 Blue Sky Rd: If they build the property up 30' it will obscure their view; this property backs up to property against it. He also said it did not match future zoning – zoning in middle of residential.

Mike Dunigan - 2923 Archie Watkins RD: he was against it.

Travis Warren - 10976 Blue Sky Rd: his property backs up to property in question; he is concerned about light pollution.

Chair asked for more comment, no one came forward. Chair called for the question to approve the rezoning for 12514 Hwy 170. The vote was unanimously against; the item was rejected. They can appeal to Farmington City Council.

**5. NEW BUSINESS**

- A.** Variance Request: 2 lots- reduce lot size to 1.47 acres instead of 2 acre minimum  
Property owned by: Janie Steele  
Property Location: 669 Rheas Mill  
Presented by: James Gibson

Mr. Gibson indicated that there were two houses on the property and they would like to have separate ownership; minimal variance. City recommended approval. No public comment. Chair called for the question to approve; all voted in favor.

- B.** Final Plat: Holland Crossing Commercial Subdivision  
Property owned by Rausch Coleman Development Group  
Property Location: Holland Drive and East Main  
Presented by: Daniel Ellis Crafton Tull

Large lots – commercial subdivision. Chris Brackett went thru conditions that needed to be addressed for approval. The pond has to have grass before any development.

No Public Comment: The Final Plat was approved with one recusal subject to memo from Chris Brackett.

- C.** Variance Request: Holland Crossing Duplexes – Side setback and lot width  
Property owned by: Rausch Coleman Development Group  
Property Location: 4735 Alberta Street  
Presented by: Daniel Ellis – Crafton Tull

Chair asked for comment from the city, comments were made concerning the management of the zero lot line buildings, since we don't currently have this type of zoning in our city. City Attorney Steve Tennant discussed specific type of ordinance for this type of zoning, he had done some research and would like to have this classification in place before this type of building be approved. He did not like the idea of the mass variance that is being requested. He then requested comment from the petitioners. Mr. Ellis stated that there would be covenants and a POA. He also stated roof maintenance for homes would be up to the property owners, it would not be a city issue. Chair asked for questions from the commission, there were none. The chair asked how many people were in attendance regarding this issue. 26 people in attendance were concerned about this issue. The floor was opened for comments from the public regarding the variance. The chair made the same cautionary statement indicating that individuals that wanted to speak should state their name and address for the record, be brief; less than three minutes and not repeat, he asked that

comments be addressed to the commission. The floor was opened for public comment:

Brandy Samuels- 218 Christy: wants to make sure someone will manage the property.

Matthew Wright-4428 West Bungalow: concerned about project “buyer beware”;

Beth Eagles - 4456 West Bungalow: Covenants only as good as POA.

Steve Tennant explained property rezoned in 2012 to multi-family has concern about the variance. We don't have ordinances to address this type of multi-family development. Bobby Wilson made a motion to table. Motion failed for lack of a second.

The Chairman called for the question regarding the variance and it was not approved; 5 voting against and one recusal.

- D. Large Scale Development/Preliminary Plat: Holland Crossing Duplexes  
Property owned by: Rausch Coleman Development Group  
Property Location: 4735 Alberta Street  
Presented by: Daniel Ellis – Crafton Tull

Chair asked for comment from the City, Chris Brackett indicated that the engineer has his comments. Commissioner Schader was concerned with landscape plan; Chris indicated that we would see a landscape plan before final plat would be approved. Judy had question about dirt pile. Daniel said all dirt will be used. They have to put 3 to 4' of dirt over gas transmission line.

The floor was opened for public comment; same caution was given as before:

Linda Peters-5065 West Cofax Loop: Homeowner in the Coves Subdivision, she and her husband Huey own 3 properties. She spoke on behalf of all neighbors against duplexes. (She read her comments and they are attached.)

Matthew Wright- 4428 West Bungalow: lives in Fayetteville; was concerned about drainage.

Brandy Samuels- 218 Christy: Why is her house flooding? Concerned about flooding.

Huey Peters, spouse of Linda Peters, owns 4 properties and he wants only single family houses. He stated duplexes will be owned by investors and not kept up.

Sally Hennis- 4554 Alberta: in Walnut Crossing, Fayetteville has fear of property values going down.

Pam Delaney- 1293 S. Holland Dr.: has a concern of homes not taken care of –junky!

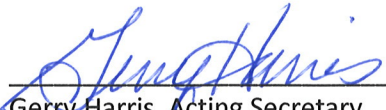
Public Comments Closed.

Daniel Ellis said drainage and zoning in compliance with Farmington ordinances Stephen Lieux from Rausch said the duplex site has overhead power lines and gas lines underground. Protective covenants and POA will be in place. Land use was discussed. Judy wants to see landscaping. Bobby asked about design

standards; when they might be approved. Steve Tennant indicated the design standard ordinance will be on the City Council agenda September 8<sup>th</sup>, 2014.

Chair called for question of preliminary plat approval per Chris' memo 8/25/14. Preliminary plat passed. Four votes in favor, one no and one recusal.

Sean made motion to adjourn and Matt seconded. Meeting adjourns.

  
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Gerry Harris, Acting Secretary  
Farmington Planning Commission

  
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Robert Mann, Chairman  
Farmington Planning Commission

Attachment to  
8-25-14 minutes

August 24, 2014

Farmington Planning Commission  
354 W Main Street  
P O Box 150  
Farmington AR 72730

Dear Planning Commission members,

My name is Linda Peters. My husband Huey and I own and reside at 5065 W Colfax Loop, in The Coves subdivision. We also own two properties in Walnut Crossing and another in The Coves.

Never in my wildest imagination did I think I would be forced to defend the integrity of my new neighborhood within 45 days of closing escrow and moving in.

We bought in The Coves, which was described as *"Fayetteville's newest premier home community, where modern day living meets historical charm."* It is indeed a charming mix of homes, and residents of all age groups and professions. The two or three primary company contacts involved in the completion of our home were very good to work with. The best part of the community, though, is the wonderful group of neighbors that we have become acquainted with the last few weeks. We all selected this neighborhood expecting a small community lifestyle a little way out from the hustle and bustle of the university, but close enough to enjoy all the amenities of Fayetteville, as I imagine many of our Walnut Crossing neighbors did.

And now we receive notice of this proposed duplex development right in the middle of all single family residential neighborhoods. This is rocking my world, and not in a good way. And clearly most other residents feel the same, residents of the communities that Rausch Coleman made a trademarked commitment of *"Improving quality of life, one home at a time"*.

Frankly, this is duplex proposal is a terrible idea. Let me count the ways:

1. We have seen duplex developments, such as the one across the street from the Southwinds SFR subdivision just a few blocks away from this City Hall, start out looking great and wind up badly in need of a good clean up and repair and a strong POA. With the exception of very high end projects, the sad reality of many multi-res developments is deteriorating neighborhood pride and responsibility that affects not only that project but the surrounding housing communities.
2. Even if each duplex is allowed to be sold as an individual unit, the likelihood of owner occupancy of the units is slim. These units are much more likely to be purchased by investors for rental purposes. Without a powerful POA, renters seldom demonstrate the pride of ownership of an owner-occupied residence.

3. With the blight of a multi-res development that lacks home ownership pride, the surrounding neighborhoods will experience a corresponding reduction in property values. The Walnut Crossing and Coves homes attract citizens whose primary residence is their greatest asset. Our nation has already gone through a horrible economic recession, from which many of us are just now recovering. We don't need another assault on our on our economic well-being.
4. Traffic congestion is a huge concern. We take our lives in our hands almost every time we try to turn from Holland onto Hwy 62. Until the state sees fit to take our concerns seriously by installing a traffic signal at that intersection, the congestion of a higher density housing development is not going to be helpful. Apparently Alberta may be extended to Ruppel Road, but that is not imminent either.
5. It is inevitable that we will experience a significant traffic increase on our local streets, posing a risk to the safety of current residents in an already busy recreation area utilized by walkers, bikers, and children.
6. This Thursday the City of Fayetteville Subdivision Committee is going to consider the Coves Phase II project that will consist of another 39 SFR's. Has Rausch Coleman not considered the likelihood that this proposed duplex development will negatively impact sales in the new phase?

I am a CPA. When I received my license I signed a code of professional ethics that I try to live by every day. I believe that ethics, morals and integrity begin with every one of us as individuals. We demonstrate our ethics, morals and integrity in our relationships with our families, friends and even strangers.

The Supreme Court has confirmed the premise that corporations are people. Fine. I personally believe that corporations should similarly be held accountable and responsible for the ethics, morals and integrity as any individual. So think of it this way: I can lie to you; but I should not, and I shall not. Rausch Coleman can renege on its commitment to its Walnut Crossing and Coves developments, but it should not. I hope it will not.

I would like to invite the corporate officers to buy and live in homes in Walnut Crossing, The Coves, or Coves Phase II. I'm sure they will want to share and experience the results of this ill-advised idea, because they *"will not settle for anything less than a satisfied customer"*. I can guarantee that they will have a multitude of highly dissatisfied customers if this development isn't re-considered. And by "multitude", I mean homeowners with total property valued at tens of millions of dollars.

So is it possible to turn a lose-lose into a win-win by considering alternatives? Here are three:

1. SFR cottages, like those on Craftsman in Walnut Crossing. Smaller, dense, but less dense than duplexes.
2. Instead of an uncontrolled duplex development, why not turn it into a premier retirement residential community? Bella Vista is quite a distance away, and I believe there is only one each in Fayetteville and Springdale now. Baby boomers make up the largest demographic group in the nation, with stable incomes and a wealth of talent and energy to contribute to the local community. There are many active people 50 years old and above who are empty nesters,

ready to relieve themselves of large family homes in favor of smaller, cozier homes with less care and maintenance responsibilities. And they will still be able to enjoy the many activities and cultural events that Northwestern Arkansas offers. If one or two of the duplex units were replaced with a community center-type building, this could be accessed and supported by the retirement development, Walnut Crossing and The Coves communities. In addition, the community center could be made available to people outside of our subdivisions on a reservation and fee basis, for wedding receptions, celebrations, meetings, lectures and classes. This could create really great press for Rausch Coleman, an all-encompassing community that serves families at all stages of their lives. And if we wanted to take this a step further, we might even consider including a tornado or storm shelter that could be utilized by residents of our communities.

3. If duplexes are absolutely the final decision, then make them high-end, almost gated-community quality, with rigorous CCR's to enhance their desirability AND the value of the existing communities.

Any one of these alternatives is a better proposal than the one currently up for consideration. We respectfully request that the Farmington Planning Commission reject the current variance request and large scale development/preliminary plat for Holland Crossing Duplexes to allow consideration of a proposal that will not devastate existing and future SFR communities. We have skin in the game. It is in all of our best interests that Rausch Coleman continue to build successful, attractive communities, but ones that will enhance the quality of life for those customers who already bought into their vision.

Attached to this cover letter is a petition signed by nearly every resident of The Coves.

Sincerely,



Linda Peters

Attachment: Petition

/lp