



City of Farmington
354 W. Main Street
P.O. Box 150
Farmington, AR 72730
479-267-3865
479-267-3805 (fax)

PLANNING COMMISSION AGENDA

March 28, 2022

**A meeting of the Farmington Planning Commission will be held on
Monday, March 28, 2022, at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes –February 28, 2022
3. Comments from Citizens – the Planning Commission will hear brief comments at this time from citizens. No action will be taken. All comments will be taken under advisement.
4. **PUBLIC HEARINGS**
 - A. **Variance – 1226 Clyde Carnes Rd.**

Property owned by: Logan Boudrey
Property Location: 1226 Clyde Carnes Rd.
Presented by: Logan Boudrey
 - B. **Variance – McDonald Subdivision**

Property owned by: McDonald Building Group
Property Location: N. Hwy 170 – Parcel #760-03023-001.
Presented by: Jorgensen & Associates
 - C. **Preliminary Plat – McDonald Subdivision**

Property owned by: McDonald Building Group
Property Location: N. Hwy 170 – Parcel #760-03023-001.
Presented by: Jorgensen & Associates
 - D. **Final Plat- Wagon Wheel Subdivision PH I**

Property owned by: Riggins Commercial Construction & Development
Property Location: 11828 Clyde Carnes Rd.
Presented by: ESI

Planning Commission Minutes February 28, 2022 at 6 PM

1. **ROLL CALL** – Meeting which was available in person and with 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
Gerry Harris, Vice Chair
Judy Horne
Keith Macedo
Jay Moore
Howard Carter
Bobby Wilson

ABSENT

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Steve Tennant, City Attorney; Fire Chief, Bill Hellard

2. **Approval of Minutes:** January 24, 2022 meeting minutes were approved as written.

3. **Comments from Citizens:** None.

4. **Public Hearings:**

4A. Large Scale Development – Old Farmington Road Townhouses; property owned by Sycamore Investments, LLC; Location: 272 E. Old Farmington Rd; Presented by Chris Bakunas, McClelland Engineers.

Chris Bakunas said this area is 4.2 acres located just south of Tractor Supply. The LSD will include a private drive, seven (7) 4-plexes, one (1) duplex facing on Old Farmington Rd, off-street parking, public water and sewer extensions, and a detention pond. The developer will maintain the property.

Judy Horne questioned the MF design in which the garage door covers almost entire front of each unit. It was determined that the requirement says no more than 50%. However, since only one duplex faces a city street (Farmington Road) and the others face the private drive, the requirement does not apply for the Large Scale Development. Some commission members did not like the appearance but had no regulations to prevent the design.

It was noted that the Multi-Family moratorium doesn't apply to this LSD because it is already zoned for MF.

Melissa McCarville recommended that the LSD be approved.

Public Comment: None.

City Engineer Chris Brackett presented his recommendations:

“The Large Scale Development for the Old Farmington Road Townhomes has been reviewed and it is my opinion that the Planning Commission’s approval should be conditional on the following comments.

1. The fire flow, fire hydrant and fire lane locations must be reviewed and approved by the Farmington Fire Department prior to construction plan approval.
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 construction plan approval.

3. Submit two (2) copies of the filed easement plat prior to construction plan approval. A copy of the proposed easement plat shall be submitted to KMS for review and approval prior to signatures.

4. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the 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 have been approved by KMS, the applicant shall submit to the City two (2) sets of the full size plans and three (3) sets of the 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.

The following comments can be addressed in the construction plan review.

- a) The Tc calculations must be included in the report.
- b) The reach length changes for the offsite drainage area from predevelopment to post. The model will have to be modified to reflect this change.
- c) The drainage area maps must have a scale and north arrow.
- d) The reach length is shown on the drainage area maps as 489' but is shown in the calculations as 608'."

Chairman Mann called for question to approve the Multi-Family Large Scale Development on Old Farmington Road subject to the City Engineer's recommendations, the southwest boundary line being adjusted, and the duplex facing Old Farmington Road to be redesigned to meet the garage door requirement of no more than 50% of the front being garage door.

Upon roll call vote, motion passed unanimously.

4B. Final Plat: Goose Creek Village Ph II; Property owned by Red Canyon Development; Location: Double Springs, west of Goose Creek Ph. I; Presented by Jorgenson & Associates

Jared Inman from Jorgenson & Associates was present to answer questions.

The area at intersection of Taverner and Goose Crossing will not be higher than a normal island and has the approval of Fire Chief Bill Hellard.

Mr. Inman was reminded to require all workers to keep the construction debris picked up so it does not blow onto adjacent property owners' land.

City Engineer Brackett presented his recommendations:

"The Final Plat for the Goose Creek Subdivision Phase II has been reviewed and it is my 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 unit. The fee will be \$34,200 for 57 single family lots.

2. All public improvements 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. 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.

4. 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.

5. 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.

6. Provide one original and 6 copies of the recorded Easement Documents for the required easements outside of this phase of the subdivision.

7. Provide one original and 6 copies of the recorded plat to the City.”

Chairman Mann called for question to approve the Final Plat for Goose Creek Village Phase II, subject to the City Engineer’s recommendations. Upon roll call vote, motion passed unanimously.

4C. Variance – First Apostolic Church; Property owned by First Apostolic Church; Location: 750 W Main St; Presented by Robert E. Phelps

Pastor Phelps explained that they wish to make the church’s layout safer from traffic on Highway 62 (Main Street) and also safer from any active shooter incident. Also, noise pollution from the highway traffic will be reduced with the new plan. The total increase to the building square footage will be 1,266 sq feet which is about 22% above the allowable percentage. That is why they request a variance.

Melissa McCarville presented her observations and recommendations:

“Current zoning for this property is R-1; however the property has been used as a church since 1986 or longer. The land use plan indicates highway commercial for this parcel. The issue at hand is whether the addition the church is planning is substantial enough to require a Large Scale Development. The petitioner has outlined several reasons why the addition is desirable and justification for their variance request.

The building official, Fire Chief, and planning staff have reviewed this request and agree with the petitioner. They are adding no additional seating and their desire is to protect their congregants. They will, of course, submit plans for review and approval prior to a building permit being issued. Building inspections will be performed as construction is continuing. Staff recommends approval for this variance.”

Keith Macedo asked about the drainage issues on that property. It was thought that this new construction may actually improve the drainage issue.

Chairman Mann called for question to approve the Variance for First Apostolic Church located at 750 W. Main Street. Upon roll call vote, motion passed unanimously. After the vote, Chairman Mann asked that it be recorded in the minutes that there was applause for the vote by church members present, which was the first time that had ever occurred.

4D. Telecommunications Tower – Review of Stealth Communication tower; Property owned by SCI Wireless; Location: SE of the corner of N. Kimberley St. & Lossing St.; presented by Greg Farris

At a previous meeting, the Planning Commission approved a monopole design for this location although SCI requested a tower with multiple antennas because monopole will only support a couple of antennas. However, in the cell tower ordinance, a Conditional Use does allow either monopole or

camouflaged tower. With a camouflaged tower SCI can go ahead and have many antennas. Therefore, they have the right to go ahead and install a stealth tree design for the 80 foot tower which will have multiple antennas.

Jay Moore asked how many available spots are on these poles. Mr. Farris said a monopole will have 1 or 2 but a stealth tower can have about 4, but usually each company only uses one of the antennas.

No action was required by the Commission; this was informational only. The Commissioners requested that the cell tower ordinance be reviewed and updated to meet new standards.

4E. Proposed Parking Area – Pedal Pops; Presented by Michael Thompson

Pedal Pops is adding a deck to the building and also will allow 5 food trucks so they need additional parking. Owner Michael Thompson asked adjacent businesses about overflow parking in their lots, but was denied, so he wishes to have parking on a small .2 acre lot on Vine Street located south of Onion Creek and next to the creek. He also would like to acquire a portion of Hill Street.

Discussion followed with Chad Ball concerned about no sidewalks on Hill Street or Vine Street; invasive street light issues for nearby residents; and spot zoning.

In general, most commissioners seemed to think that this might be worked out. One suggestion was to have a trail-like walkway on the side of Hill Street. Hill Street runs north-south and leads to the sidewalk on Main Street. Also it was noted that both Hill and Vine are very low-traffic areas.

A proposal would have to come to the Planning Commission as an official agenda item with a public hearing to allow for input from citizens who live in the area. Also, the lighting for the lot would have to be carefully designed to prevent light pollution that would bother neighbors. Also, there would have to be consideration of the city possibly vacating the Hill Street land.

Adjournment: Having no further business, the on-line/in-person Planning Commission meeting was adjourned at 7:35 PM.

Judy Horne - Secretary

Robert Mann, Chairman

City of Farmington, Arkansas Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Applicant: Legan Bardrey Day phone: 479-957-4285
 Address: 12226 Clyde Carnes Rd Fax: _____
 Representative: _____ Day phone: _____
 Address: _____ Fax: _____
 Property Owner: _____ Day phone: _____
 Address: _____ Fax: _____

Indicate where the correspondence shall be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property description: 3 acre property split 1 1/2 acre to east
 Site address: 12226 Clyde Carnes Rd
 Current zoning: _____

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

Lot split - Brother is looking to move and want him to have option to build next to me.

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 15 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 27th day of December, 2021.

PLACE LEGAL DESCRIPTION HERE AND DESCRIPTION OF THE VARIANCE HERE

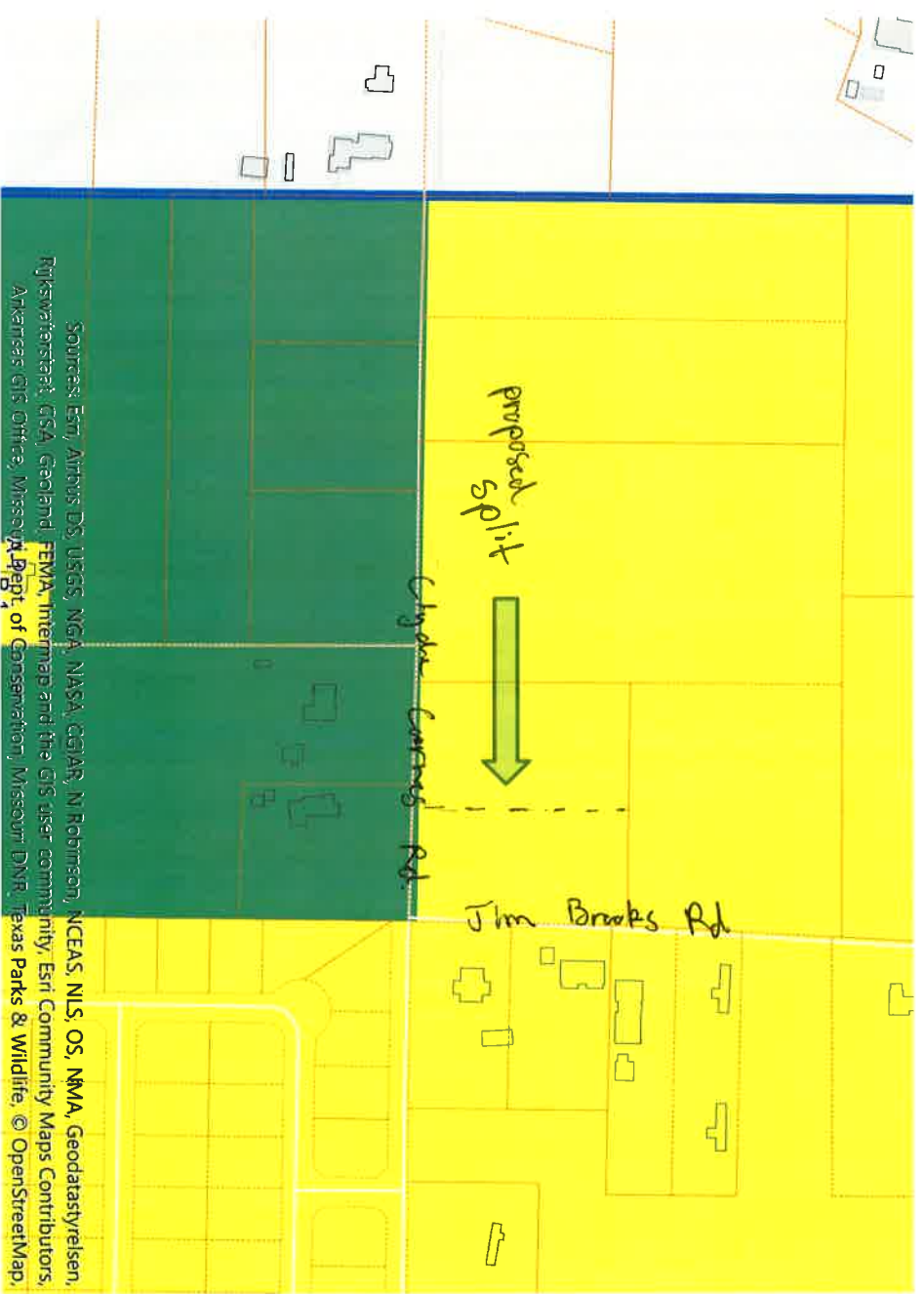
A public meeting to consider this request for variance at the above described property will be held on ____ day of _____, 20____, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Applicant/Representative: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.

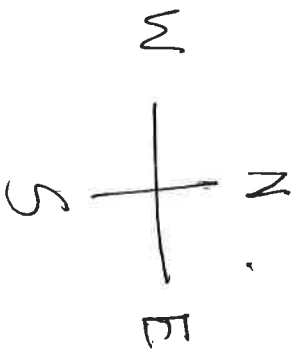
Seyon Boudrey Date *12/27/21*
Applicant Signature

Property Owner/Authorized Agent: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating the agent is authorized to act on their behalf.)

Seyon Boudrey Date *12/27/21*
Owner/Agent Signature



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMMA, Geodastreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Arkansas GIS Office, Missouri Dept. of Conservation, Missouri DNR, Texas Parks & Wildlife, © OpenStreetMap,



yellow = R1
 Green = A1

Type: REAL ESTATE
Kind: WARRANTY DEED
Recorded: 8/24/2020 9:17:20 AM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

File# 2020-00029481

After recording please return to:
Vaco Title Company
592 S. 48th St.
Springdale, AR 72762

WARRANTY DEED (LLC)

File #: 2011500-131

KNOW ALL MEN BY THESE PRESENTS:

That, **Eagle Holdings, LLC**, an Arkansas limited liability company, hereinafter called GRANTOR(S), for and in consideration of the sum of ---ONE AND 00/100--- DOLLAR---(\$1.00)---and other good and valuable consideration, in hand paid by **Logan Boudrey, an unmarried person**, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto **Logan Boudrey, an unmarried person**, hereinafter called GRANTEE(S), and unto his heirs and assigns forever, the following described lands lying in Washington County, Arkansas to-wit:

A part of the SW1/4 of the NW1/4 of Section 34, Township 16 North, Range 31 West of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point on the South line of said SW1/4 NW1/4 which is S 89°12'38" E 789.69 feet from the SW Corner of said SW1/4 NW1/4 and running thence leaving said South line N 00°30'06" E 343.91 feet to a set #4 rebar, thence S 89°12'57" E 396.74 feet, thence S 00°48'38" W 343.94 feet to the South line of said SW1/4 NW1/4, thence along said South line N 89°12'38" W 394.89 feet to the Point of Beginning, containing 3.14 acres, more or less. Subject to all record and non recorded easements, restrictions, reservations, covenants, mineral rights and rights-of-way, if any. Also known as Tract D, as shown on Tract Split filed in/as Instrument No. 2020-15470.

Subject to easements, rights-of-way, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee(s) and unto his heirs and assigns forever, with all appurtenances thereunto belonging. And the Grantor(s) hereby covenants with said Grantee(s) that it will forever warrant and defend the title to the said lands against all claims whatsoever.

Prepared under the supervision of
Brian Blackman, Attorney
2592 S. 48th St.
Springdale, AR. 72762

After recording please return to:
Waco Title Company
2592 S. 48th St.
Springdale, AR 72762

**WARRANTY DEED
(LLC)**

File #: 2011500-131

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Subject to all prior mineral reservations and oil and gas leases.**

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Prepared under the supervision of
Brian Blackman, Attorney
2592 S. 48th St.
Springdale, AR. 72762

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, solemnly swear that I am the Accounting Legal Clerk for the Northwest Arkansas Newspapers, LLC, and I do solemnly swear that the attached advertisement:

Logan Boudrey
Lot Split

was published in the following weekly paper(s):

X Washington County Enterprise Leader

Of general and bona fide circulation in Washington County, Arkansas

Date(s) of Publication: March 16, 2022

Publication Charges: \$11.50

Britt Smith
Brittany Smith

Subscribed and sworn to before me
This 16 day of Mar, 2022.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

Property owner is applying for a lot split with the city of Farmington at 12226 Clyde Carnes Rd, Farmington, AR 72730. Property is approximately 3.14 acres and the proposed split would be the 1.57 acres on the east side of the property.
75528069 March 16, 2022



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10244561-9535
DATE	12/28/2021 4:25 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	DEV. FEES FOR VARIANCE FOR CLYDE CARNES

1 × Development Fee	\$25.00
Subtotal	\$25.00

TOTAL (USD)	\$25.00
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Receipt sent via SwipeSimple, powered by CardFlight

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City of Farmington, Arkansas Application for Variance/Waiver



Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Planning Commission/Board of Adjustment until all information is furnished.

Applicant: McDonald Building Group Day phone: 479-442-9127

Address: 630 Oxford Bend, Fayetteville, AR 72703 Fax: _____

Representative: Jorgensen + Associates Day phone: 479-442-9127

Address: 124 W Sunbridge, Fayetteville, AR 72703 Fax: _____

Property Owner: McDonald Building Group Day phone: 479-442-9127

Address: 630 Oxford Bend, Fayetteville, AR 72703 Fax: _____

Indicate where the correspondence shall be sent (circle one): Applicant Representative Owner

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property description: _____

Site address: N HWY 170 - Parcel No. 760-03023-001

Current zoning: R-1

Attach legal description and site plan (a scaled drawing of the property showing accurate lot lines, surrounding zoning, adjacent owners and a north arrow is required.) Attach photos if they are helpful in describing your request.

Type of variance requested and reason for request:

Road improvements to Highway 170. This variance is requesting that road improvements of Highway 170 be suspended for McDonald Subdivision - Parcel No. 760-03023-001 as the Highway Department is planning improvements to Highway 170 through this area. We are coordinating with Garver to reflect these future improvements in our plans.

Responsibilities of the Applicant:

1. Complete application and pay a \$25.00 application fee.
2. Provide a copy of the deed for the property. If the property is rented, provide written permission from the owner that the variance is allowable.
3. Written authorization from the property owner if someone other than the owners will be representing the request.
4. Publish the following notice in a newspaper of general circulation in the City no later than 7 days prior to the meeting, A copy of the proof of publication from the newspaper must be provided to the City 3 days before the meeting:

LSD/Subdivision Application Checklist:

	Yes	No	N/A, why?
1. Completed application form which includes: name and address of person preparing application, name and address of property owner, including written, notarized documentation to verify that the applicant has permission to locate on property, zoning district, size of property, postal address and tax parcel number.	✓		
2. Payment of application fee.	✓		
3. A descriptive statement of the objective(s) for the new facility or material modification and the need for the type of facility and/or capacity requirements.	✓		
4. Fifteen (15) copies of the site plan folded to a size of no greater than 10" X 10 ½".	✓		
5. List of adjacent property owners and copy of notification letter sent. *		✓	Will be provided at a later date
6. White receipts from post office and green cards from registered letters (at least 7 days prior to the meeting).		✓	Will be provided at a later date
7. Proof of publication of public hearing notice, should be published a minimum of 10 days prior to planning commission meeting (proof must be provided at least 7 days prior to the meeting).		✓	Will be provided at a later date
The Following Shall Appear on the Site Plan:			
1. Names, addresses and telephone numbers of the record owners, applicant, surveyor, architect, engineer and person preparing the plat.	✓		
2. Names, addresses and property lines and zoning of all property owners adjacent to the exterior boundaries of the project including across streets and rights of way shall be located at the general location of their property.*	✓		
3. North arrow, graphic scale, acreage, date of preparation, zoning classification and proposed use.	✓		
4. Complete and accurate legend.	✓		
5. Title block located in the lower right hand corner indicating the name and type of project, scale, firm or individual preparing drawings, date and revision.	✓		
6. Note regarding wetlands determination, if any. Note if Army Corps of Engineers determination is in progress.	✓		
7. Written legal description. (If the project is in more than one tract the legal for each individual tract must be provided.)	✓		
8. P.O.B. from a permanent well-defined reference point, P.O.B. must be clearly labeled.	✓		
9. Clear representation of the FEMA Designated 100-year Floodplain and or Floodway and base flood elevations. Reference the FIRM panel number and effective date and the Corps of Engineers Flood Hazard Study.	✓		
10. Status of regulatory permits:			
a. NPDES Storm water Permit			
b. 404 Permit			
c. Other			
11. Provide a benchmark, clearly defined with a precision of 1/100 th of a foot. This benchmark must be tied to NAVD 88 datum; Benchmarks include but are not limited to, the following: fire hydrant, manhole rim, drainage structure	✓		

abutment, etc.			
12. Spot elevations at grade breaks along the flow line of drainage swales.	✓		
13. A general vicinity map of the project at a scale of 1" = 2000'	✓		
14. The location of all existing structures. Dimensions of buildings and setbacks from the building to property lines.	✓		
15. Street right-of-way lines clearly labeled. The drawing shall depict any future ROW needs as determined by the AHTD and/or Master Street Plan. Future ROW as well as existing ROW and center lines should be shown and dimensioned.	✓		
16. Existing topographic information with source of the information noted. Show:	✓		
a. Two foot contour for ground slope between level and ten percent.	✓		
b. Four foot contour interval for ground slope exceeding 10%.	✓		
17. Preliminary grading plan.	✓		
Existing Utilities and Drainage Improvements (Copy of the Drainage Criteria Manual can be obtained from the City of Farmington)			
1. Show all known on site and off-site existing utilities, drainage improvements and easements (dimensioned) and provide the structures, locations, types and condition and note them as "existing" on the plat.	✓		
2. Existing easements shall show the name of the easement holder, purpose of the easement, and book and page number for the easement. If an easement is blanket or indeterminate in nature, a note to this effect should be placed on the plan.	✓		
Proposed Utilities			
1. Regarding all proposed storm sewer structures and drainage structures:	✓		
a. Provide structure location and types.	✓		
b. Provide pipe types and sizes.	✓		
2. Regarding all proposed sanitary sewer systems	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Manhole locations.	✓		
3. Note the occurrence of any previous sanitary sewer overflow problems on-site or in the proximity of the site	✓		
4. If a septic system is to be utilized, note that on the plat. Show the location and test data for all percolation tests.	✓		
5. Regarding all proposed water systems on or near the site:	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Note the static pressure and flow of the nearest hydrant.	✓		
c. Show the location of proposed fire hydrants, meters, valves, backflow preventers and related appurtenances.	✓		
6. All proposed underground or surface utility lines if determined: (this category includes but is not limited to telephone, electrical, natural gas and cable.)	✓		
a. Locations of all related structures.	✓		
b. Locations of all lines above and below ground.	✓		
c. A note shall be placed where streets will be placed under the existing overhead facilities and the	✓		

approximate change in the grade for the proposed street.	✓		
7. The width, approximate locations and purposes of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress or other public purposes within and adjacent to the project.	✓		
Proposed and Existing Streets, Rights-of-way and Easements			
1. The location, widths and names (avoid using first names of people for new streets) of all existing and proposed streets, allies, paths and other rights-of-way, whether public or private within and adjacent to the project; private easements within and adjacent to the project; and the centerline curve data; and all curb return radii. Private streets shall be clearly identified and named.	✓		
2. A layout of adjoining property sufficient detail to show the affect of proposed and existing streets (including those on the master street plan), adjoining lots and off-site easements. This information can be obtained from the Master Street Plan.	✓		
3. The location of all existing and proposed street lights (at every intersection, cul-de-sac and every 300 feet, and associated easements to serve each light.)	✓		
Site Specific Information			
1. Provide a note describing any off site improvements.	✓		
2. The location of known existing or abandoned water wells, sumps, cesspools, springs, water impoundments and underground structures within the project.	✓		
3. The location of known existing or proposed ground leases or access agreements, if known. (e.g. shared parking lots, drives, areas of land that will be leased.)	✓		
4. The location of all known potentially dangerous areas, including areas subject to flooding, slope stability, settlement, excessive noise, previously filled areas and the means of mitigating the hazards (abatement wall, signage, etc.)	✓		
5. The boundaries, acreage and use of existing and proposed public area in and adjacent to the project. If land is to be offered for dedication for park and recreation purposes it shall be designated.	✓		
6. For large scale residential development, indicate the use and list in a table the number of units and bedrooms.	✓		
7. For non-residential use, indicate the gross floor area and if for multiple uses, the floor area devoted to each type of use. (Large Scale Developments only.)	✓		
8. The location and size of existing and proposed signs, if any.	✓		
9. Location and width of curb cuts and driveways. Dimension all driveways and curb cuts from side property line and surrounding intersections.	✓		
10. Location, size, surfacing, landscaping and arrangement of parking and loading areas. Indicate pattern of traffic flow; include a table showing required, provided and handicapped accessible parking spaces. (Large Scale Developments only.)	✓		
11. Location of buffer strips, fences or screen walls, where required (check the zoning ordinance).	✓		
12. Location of existing and purposed sidewalks.	✓		
13. Finished floor elevation of existing and purposed structures.	✓		
14. Indicate location and type of garbage service (Large Scale			N/A

Developments only.) Dimension turnaround area at dumpster location.	✓		
15. A description of commonly held areas, if applicable.	✓		
16. Draft of covenants, conditions and restrictions, if any.	✓		
17. Draft POA agreements, if any.	✓		
18. A written description of requested variances and waivers from any city requirements.	✓		
19. Show required building setbacks for large scale developments. Provide a note on the plat of the current setback requirements for the subdivision. A variance is necessary from the Board of Adjustment for proposed setbacks less than those set forth in the zoning district.	✓		
20. Preliminary drainage plan as required by the consulting engineer.	✓		

**All applicants submitting preliminary plats and Large Scale Developments before the Farmington Planning Commission shall provide written notice of the time and place of the regular or special meeting to the owners of all real property adjacent to the project. The notice shall include the name and address of the applicant, location of the project, and the time and place of the scheduled meeting. Notices shall be sent by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax Collector's Office. (A sample notification and affidavit is attached.) Applicants must submit a verified affidavit attesting to the delivery of the notice to all owners of real property adjacent to the project, a copy of the notice to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to above must be submitted seven (7) days prior to the regular or special meeting of the planning commission.*

File# 2021-00020190

This Instrument prepared by:
D. Joel Kurtz
Attorney at Law
Williams Law Firm
100 W Main, Gentry, AR 72734
(479) 736-8800

WARRANTY DEED

WITH RELINQUISHMENT OF DOWER/CURTESY

KNOW ALL MEN BY THESE PRESENTS:

That **Linda Bell**, an unmarried person ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **McDonald Building Group, LLC**, an Arkansas Limited Liability Company ("Grantee"), the following described lands situated in the County of Washington, State of Arkansas:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A".

Subject to any restrictions, conditions, covenants, rights of way, and easements now of record.

To have and to hold the same unto the said Grantee and unto its successors and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with said Grantee that Grantor will forever warrant and defend the title to the said lands against all claims whatsoever.

And Grantor does hereby release and relinquish unto the said Grantee all rights of dower, curtesy, and homestead in and to said lands for and in consideration of the sum of money.

IN WITNESS WHEREOF, the name of Grantor is hereunto affixed as of this 25 day of May, 2021.


Linda Bell

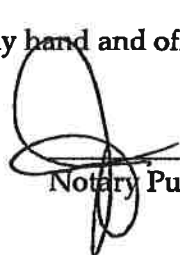
Please see the attached Real Property Transfer Tax Affidavit of Compliance for proof of tax paid and the required documentary stamps or documentary symbol.

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

On this day personally before me, a Notary Public, duly commissioned, qualified and acting, within and for this County and State, appeared the within named Linda Bell, to me personally well known (or satisfactorily proven to be such person), who stated and acknowledged that she had so signed, executed and delivered the foregoing Warranty Deed for the consideration, uses, and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 25 day of May, 2021.



Notary Public **JENNIFER STEWART**
NOTARY PUBLIC, ARKANSAS
WASHINGTON COUNTY
Commission #12378169
My Commission Expires 08/19/2030

My commission expires: _____

Mail Tax Statement to:

671 Oxford Bend Rd.
Fayetteville AR
72703

RTC 21-66037T

EXHIBIT "A"

A part of the NW 1/4 of the SE 1/4 of Section 26, Township 16 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: Commence at the SW corner of said forty; thence S 87° 40' 44" E, 365.52 feet to the East right-of-way of Arkansas Highway 170 as established in 2019 by ARDOT Job 040683 for the point of beginning and run thence along said right-of-way the following: N 6° 18' 32" W, 113.95 feet; N 0° 21' 22" W, 250.45 feet; S 86° 12' 37" W, 25.00 feet; N 3° 47' 23" W, 28.55 feet; thence S 84° 40' 46" E, leaving said right-of-way, 84.76 feet; thence S 81° 56' 19" E, 647.72 feet; thence S 1° 39' 30" W, 319.44 feet to the South line of said forty; thence N 87° 40' 18" W, along said South line, 676.11 feet to the point of beginning, containing 5.65 acres, more or less.

[Legal description provided by Realty Title & Closing Services, LLC.]



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 21-66037T

Grantee: MCDONALD BUILDING GROUP, LLC
Mailing Address: 671 OXFORD BEND RD,
FAYETTEVILLE AR 727030000

Grantor: LINDA BELL
Mailing Address: 184 COUNTRYSIDE DR
FARMINGTON AR 727300000

Property Purchase Price: \$230,000.00
Tax Amount: \$759.00
County: WASHINGTON
Date Issued: 05/27/2021
Stamp ID: 667002880

Washington County, AR
I certify this instrument was filed on
5/27/2021 2:29:18 PM
and recorded in REAL ESTATE

File# 2021-00020190
Kvle Sylvester - Circuit Clerk

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Ivonne Torres

Grantee or Agent Name (signature): [Signature] Date: 5/27/21

Address: 3711 w walnut

City/State/Zip: Rogers AR 72756

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1807 FAYETTEVILLE, AR. 72702 • 479-442-1700 • FAX: 479-695-1118 • WWW.NWADG.COM

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

Jorgensen & Associates
PH City of Farmington

Was inserted in the Regular Edition on:
March 13, 2022

Publication Charges: \$95.76

Brittany Smith
Brittany Smith

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

Subscribed and sworn to before me
This 14 day of Mar, 2022.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

Notice of Public Meeting

A petition for a variance at the property described below has been filed with the City of Farmington on the 8th day of March, 2022.

A part of the NW1/4 of the SE1/4 of Section 26, T16N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said NW1/4, SE1/4, thence S87°42'50"E 365.52 feet to the POINT OF BEGINNING, thence N06°20'38"W 113.95 feet, thence N00°23'28"W 250.45 feet, thence S86°10'31"W 25.00 feet, thence N03°49'29"W 28.55 feet, thence S84°42'52"E 84.76 feet, thence S81°58'25"E 647.71 feet, thence S01°37'24"W 319.45 feet, thence N87°42'24"W 676.11 feet to the POINT OF BEGINNING: Containing 5.65 acres more or less subject to easements and right of way of record.

This variance request is to suspend road improvement requirements to Highway 170 for McDonald Preliminary Plat located on the east side of Highway 170 - Parcel No 760-03023-001. The Highway Department is currently working on finalizing Highway 170 improvement plans in this area.

A public meeting to consider this request for variance at the above described property will be held on the 28th day of March, 2022, at 6:00 p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend. This meeting can be attended in person or through Zoom (link provided closer to meeting date on City website or Facebook page).
75528154 March 13, 2022

McDonald Subdivision Responses to City Comments

Please see below responses in red to comments made by the City of Farmington staff on March 1st, 2022.

KMS Engineering/Farmington – Christopher Brackett, P.E.

1. Note that the instruction above say that the technical plat comments must be addressed prior to the re-submission, and that a narrative for each comment must be submitted along with the revised plat.

Noted, please let this letter serve as a narrative for how each comment is being addressed.

2. Along with the hard copies required for the City, one digital copy of everything included in the submission shall be emailed to KMS at chris@kms-engr.com

Noted, digital copies will be sent to the email address provided.

3. You must include a completed checklist that is included in the Preliminary Plat Application. All information including the checklist must be addressed in your submittal.

Completed Checklist has been provided with this submission.

4. Show the improvements to Highway 170 in your plans. Label the improvements as being done under a separate contact. You can contact Jeff Webb with Garver for these plans.

Highway 170 improvements have been overlaid on our plans to show the extent of the improvements. These improvements have been annotated as work to be performed under separate contact.

5. This owner will have to pay for their half of the improvements along their frontage of Highway 170 or you will need to ask for a variance of this requirement including application and fee. Variance application & Fee has been included with this submission.

6. Show the proposed drainage discharging into your detention pond. Add the drainage to the grading sheet.

Proposed drainage discharge into the pond has been added to the plans.

7. Show how the detention pond will discharge and tie into the Highway 170 improvements and the existing conditions.

The detention pond discharges right outside the limits of the Highway 170 improvements and will tie to existing ground above the improvements as well to ensure outlet structure and discharge pipes won't be an issue.

8. A 4' concrete trickle channel will be required from any culvert entering the pond to the outlet structure.

4' concrete trickle channel has been added to the detention pond.

9. Add a note that the detention pond will be sodded to the top of the bank.

Note has been added to the detention pond.

10. Fix the proposed contours around the detention pond.

Contours around the detention pond have been revised.

11. Show the grading for the swale along the southern property line as described in the drainage report.

Grading for the swale along the southern property line will be incorporated into the plans.

12. Drainage Report:

- a. The drainage area maps are not shown in their entirety in the PDF submitted. The lack of the complete maps did not allow for a full review of the detention pond design. A digital copy of the drainage report will be emailed to ensure drainage area maps will be shown in full.
- b. The maximum sheet flow length for a developed site is 100'
Sheet flow length has been revised
- c. Add a schematic drawing of the Hydrographs used in the design.
Bentley PondPack was utilized to design the detention pond. We will work on providing the hydrographs.
- d. You are required to have one foot of freeboard at the 100-year storm for the detention pond.
1-foot of freeboard has been added to the detention pond.
- e. Lot 15 will have to have a minimum finished floor elevation that is one foot above the 100-year WSE of the detention pond.
Lot 15 minimum finished floor elevation has been added to the plans.

Washington Water Authority – Zak Johnston, P.E.

1. Water main alignment to 10' outside of ROW (Currently Shown at 2'). Please also reroute water main alignment around the Cul de Sac.
Noted, The subdivision water main will be adjusted to be 10' from the outside of the ROW.
2. This project will need to be compliant with WWA Subdivision Policy: i.e. the water main supplying the subdivision will need to be a minimum of 8". Currently shown to be connecting into a 2"
This is being worked through and will be in coordination with WWA for new water main alignment.
 - a. Please provide an offsite improvement plan to tie into the 12" water main at the NE corner of Farmington High School.
This is being looked into and will be in coordination with the City and WWA.

Farmington Fire Department – William Hellard, Fire Chief

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925mm)

D103.6.2 Roads More Than 26 Feet in Width

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925mm) and less than 32 feet wide (9754mm)

Current plans show a 27' wide road. Fire lane signage will be added to the plans on the North side of the proposed subdivision road.

D103.4 Dead Ends

Dead-ends fire apparatus access roads in excess of 150 feet (45,720mm) shall be provided with width and turnaround provisions in accordance with Table D103.4

REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

0-150' dead end length	20' road width	No Turnaround Required
151-500' dead end length	20' road width	120-foot hammerhead, 60-foot "Y" or 96-foot Diameter cul-de-sac in accordance with Figure D103.1
501-750' dead end length	26' road width	120-foot hammerhead, 60-foot "Y" or 96-foot Diameter cul-de-sac in accordance with Figure D103.1
Over 750' dead end length		Special approval required

Plans currently show a cul-de-sac at the eastern end of the subdivision. This cul-de-sac will be revised to provide the required 96-foot diameter.

City of Farmington – Melissa McCarville

1. Engineering fees will accumulate as the development continues. We will bill the engineer or the developer monthly.
Noted
2. Adjacent property owners must be notified by certified mail; receipts should be submitted by one week prior to the Planning Commission meeting. Please add a note on your letter that the meeting is available through Zoom and in person.
Noted, notifications to adjacent property owners will sent at a later date.
3. An advertisement regarding the development should be in the paper no later than 15 days prior to the planning commission meeting. Proof of publication must be provided when it is available. The Democrat Gazette only publishes legal notices on Sunday and the Washington County Enterprise Leader is published on Wednesday. Please add a note on your publication and letters that the meeting is through Zoom and in person. With this in mind, the ad must be in the Sunday, March 13th, 2022 newspaper to meet the deadline.
Noted
4. The revised plan must be submitted by next Tuesday, March 8th by noon. The City required 15 copies for planning commission. What you have provided today is perfect for the Planning Commission. Plans must be folded with all sheets included in one set.
15 hard copies of the revised plat have been provided with this submission.
5. A revised copy of the plan and drainage plan should be delivered to City Hall for Chris Brackett; he will also accept digital copies.
Noted, revised plans and drainage report will be provided to Chris Brackett

6. Planning Commission meeting will be Monday March 28, 2022 at 6:00 pm. We are doing in person meetings; we will still provide information for virtual meetings. A link for the meeting will be sent out closer to the date. Please watch our Facebook page and website for details.
 Noted
7. Notes on page C1.01 say the current zoning is A-1. It is R-1.
 Zoning notation has been revised to R-1

EDA/Farmington – Sarah Geurtz, PLA

1. Dedication and Landscaping of Neighborhood Parks (code Sec. 14.04.25):
 - a. Per 14.04.25(c), the City is requesting Fee Payment in Lieu of Land Conveyance:
“In lieu of land dedication, developer shall contribute to the Farmington City Parks and Trails Development Fund...\$600.00 for each single-family unit...”

16 single Family units =	16 units	\$600.00/unit=	\$9,600.00 Total Fee Payment Required
--------------------------	----------	----------------	---------------------------------------

- b. Per 14.04.25(e), *“Timetable for cash dedication. Intention for cash payment shall be included in the development agreement and paid prior to the City’s signature of, and release of, the final plat”*

Fee in lieu of park land dedication has been noted, and will paid prior to final plat.

2. Will there be a subdivision sign at the entrance?
 This is unknown at this time and will discuss with developer
3. Since the zoning category of this property is R-1, and since a subdivision sign is not shown on the plans, the city’s landscape code does not apply to this development. Therefore, EDA has no comments on this project. However, if a sign and plantings are installed, EDA shall re-review the plans at that time.
 If subdivision monument sign is added to the plans, we will notify the city and EDA for a review.

**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: McDonald Building Group, LLC

Date: March 1, 2022

Project Name: McDonald Subdivision

Engineer/Architect: Jorgensen & Associates

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: KMS Engineering/Farmington

Name: Christopher Brackett, P.E.

1. Note that the instructions above say that the technical plat comments must be addressed prior to the re-submission, and that a narrative for each comment must be submitted along with the revised plat.
2. Along with the hard copies required for the City, one digital copy of everything included in the submission shall be emailed to KMS at chris@kms-engr.com.
3. You must include a completed checklist that is included in the Preliminary Plat Application. All information including the checklist must be addressed in your submittal.
4. Show the improvements to Highway 170 in your plans. Label the improvements as being done under a separate contract. You can contact Jeff Webb with Garver for these plans.
5. This owner will have to pay for their half of the improvements along their frontage of Highway 170 or you will need to ask for a variance of this requirement including application and fee.
6. Show the proposed drainage discharging into your detention pond. Add the drainage to the grading sheet.
7. Show how the detention pond will discharge and tie into the Highway 170 improvements and the existing condition.
8. A 4' concrete trickle channel will be required from any culvert entering the pond to the outlet structure.
9. Add a note that the detention pond will be sodded to the top of the bank.
10. Fix the proposed contours around the detention pond.
11. Show the grading for the swale along the south property line as described in the drainage report.

12. Drainage Report:

- a. The drainage area maps are not shown in their entirety in the PDF submitted. The lack of the complete maps did not allow for a full review of the detention pond design.
- b. The maximum sheet flow length for a developed site is 100'.
- c. Add a schematic drawing of the hydrographs used in the design.
- d. You are required to have one foot of freeboard at the 100-year storm for the detention pond.
- e. Lot 15 will have to have a minimum finished floor elevation that is one foot above the 100-year WSE of the detention pond.

Received By: _____



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10611122-6939
DATE	03/08/2022 2:43 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	CK #21485 DEV. FEES MCDONALD SUBDIVISION

1 × Development Fee	\$25.00
Subtotal	\$25.00

TOTAL (USD)	\$25.00
-------------	----------------

Receipt sent via SwipeSimple, powered by CardFlight

© CardFlight, Inc. 2022

City of Farmington
Application and Checklist
Preliminary Plat

Please fill out this form completely, supply all necessary information to support your request. Your application will not be placed on the agenda for Technical Plat Review or Planning Commission until all information is furnished.

McDonald Building Group
 Applicant: _____ Day Phone: 479-442-9127
 Address: 630 Oxford Bend, Fay Fax: AR 72703
 Representative: Jorgensen+Assoc Day Phone: 479-442-9127
 Address: 124 W Sunbridge, Fay Fax: AR 72703
 Property Owner: McDonald Building Group Day Phone: 479-442-9127
 Address: 630 Oxford Bend, Fay Fax: AR 72703

Indicate where correspondence should be sent (circle one): Applicant - Representative -- Owner

Fee: A non-refundable review fee of **\$2,000** is required at the time the application is accepted. *In the event engineering review fees and costs exceed \$2,000, the owners and/or developers shall reimburse the City of Farmington for all additional expenses incurred prior to review by the Farmington Planning Commission. In the event the Farmington Planning Commission requires modifications to the subdivision plat and additional engineering fees and costs are incurred, the owners and/or developers shall reimburse the City of Farmington before the plat is resubmitted to the Farmington Planning Commission.*

For office use only:

Fee paid \$	Date	Receipt #
-------------	------	-----------

Describe Proposed Property In Detail (Attach additional pages if necessary)

Property Description
 Site Address -- N Hwy 170
 Current Zoning -- R-1
 Attach legal description

Financial Interests

The following entities or people have a financial interest in this project:

Applicant/Representative: *I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of the application. I understand that the City of Farmington may not approve my application or may set conditions on approval.*

Damon McDonald Date 2-22-2022
 Applicant Signature

Property Owner/Authorized Agent: *I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his behalf.)*

Damon McDonald Date 2-22-2022
 Owner/Agent Signature



JORGENSEN
+ASSOCIATES
Civil Engineering · Land Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

February 22, 2022

Farmington Planning
354 W Main
P.O. Box 150
Farmington, AR. 72730

Attn: Melissa McCarville
Re: McDonald Preliminary Plat

Dear Mr. McCarville;

Please let this letter serve as a narrative to accompany the submission of McDonald Preliminary Plat located at 12650 N. Hwy 170, parcel No. 760-03023-001. The current site for the preliminary plat consists of 5.65 acres and is proposed to be platted into 16 lots averaging a little over a quarter acre per lot. The southwestern lot of the proposed preliminary plat will be dedicated as a detention lot. Along with the proposed lots a public road with a cul-de-sac will be constructed from the eastern edge of Hwy 170 and ran into the site to provide access all proposed lots. Water and Sewer service will be provided to all proposed lots with a water main extension from the existing waterline on the eastern side of Hwy. 170. Sewer service for the proposed lots will be tied to a sewer main extension that will run from Rainsong St. offsite to the eastern side of the cul-de-sac on site. Storm drainage infrastructure will be incorporated with the public road and will drain to the detention lot.

Please don't hesitate to contact me regarding any questions or concerns that you may have about this preliminary plat.

Sincerely;



Dillon B. Bentley, P.E.

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION FOR PRELIMINARY PLAT**

To All Owners of land lying adjacent to the property at:

Location

Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for PRELIMINARY PLAT of the above property .

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main St. on _____ at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the City Business Manager at City Hall, 354 W. Main, 479-267-3865.

Parcel: 760-03023-001
MCDONALD BUILDING GROUP LLC
671 OXFORD BEND RD FAYETTEVILLE, AR 72703

Parcel: 760-03023-000
GARNER FAMILY TRUST BOBBY R & PEGGY J GARNER
PO BOX 1303 FARMINGTON, AR 72730-1303

Parcel: 760-03017-000
GARNER FAMILY TRUST BOBBY R & PEGGY J GARNER
PO BOX 1303 FARMINGTON, AR 72730-1303

Parcel: 760-03024-000
DAVIS, MARTHA
12584 N HWY 170 FARMINGTON, AR 72730

Parcel: 760-03025-001
BENISH, KEITH M & MICHELLE L
11950 W ERVAN BEEKS RD FARMINGTON, AR 72730-9732

Parcel: 760-03027-000
DAVIS, MARTHA
12584 N HWY 170 FARMINGTON, AR 72730

Parcel: 760-03009-000
COSBY FAMILY REVOCABLE LIVING MARITAL TRUST
1660 WINDSOR AVE SPRINGDALE, AR 72764

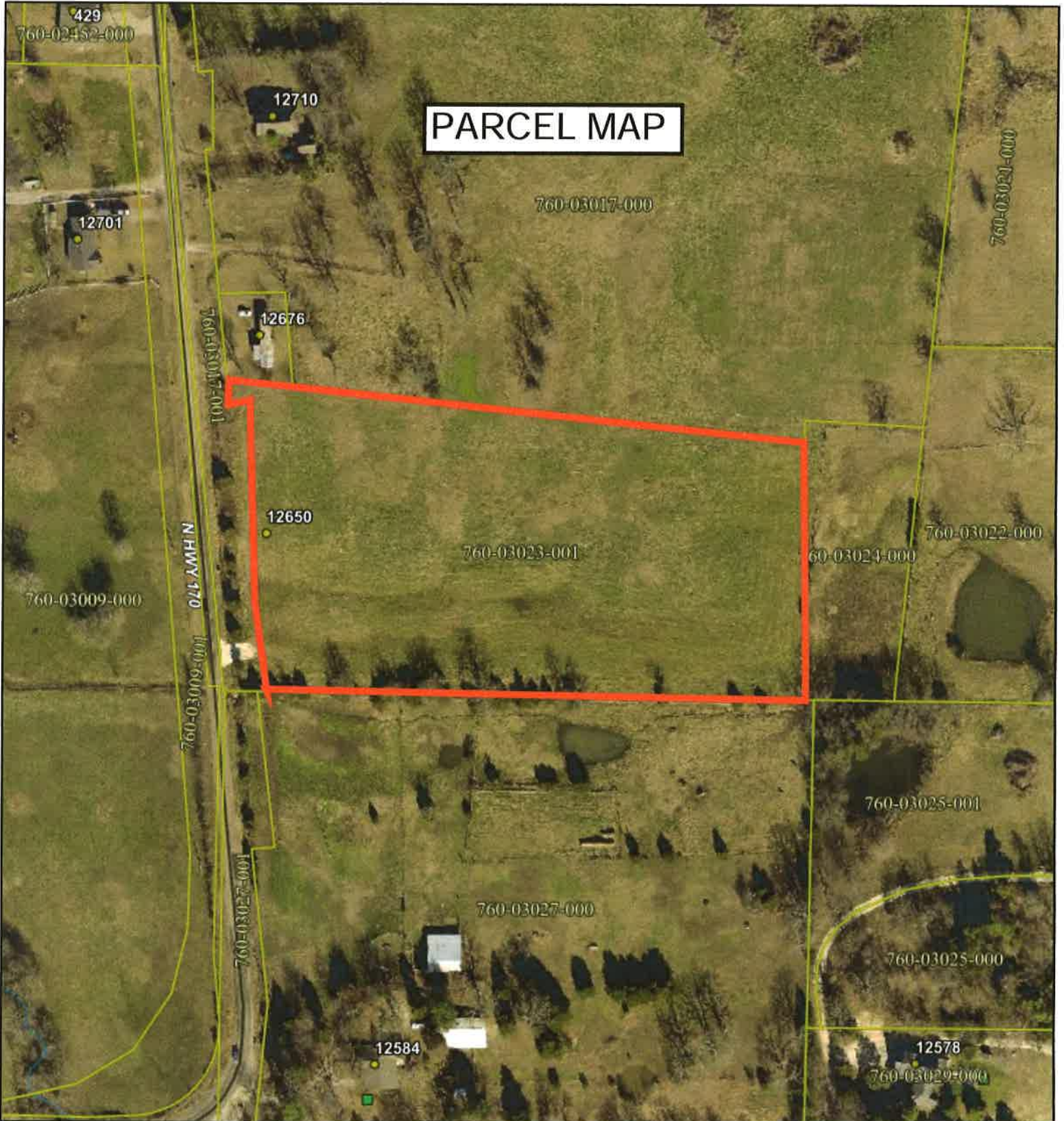
LEGAL DESCRIPTION:

A part of the NW1/4 of the SE1/4 of Section 26, T16N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said NW1/4, SE1/4, thence S87°42'50"E 365.52 feet to the POINT OF BEGINNING, thence N06°20'38"W 113.95 feet, thence N00°23'28"W 250.45 feet, thence S86°10'31"W 25.00 feet, thence N03°49'29"W 28.55 feet, thence S84°42'52"E 84.76 feet, thence S81°58'25"E 647.71 feet, thence S01°37'24"W 319.45 feet, thence N87°42'24"W 676.11 feet to the POINT OF BEGINNING: Containing 5.65 acres more or less subject to easements and right of way of record.

Washington County

Assessor's Office

Russell Hill, Assessor



Date Created: 6/17/2021
Created By: actDataScout

1 inch = 166 feet

This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or misuse of the information provided herein.

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION FOR PRELIMINARY PLAT**

To All Owners of land lying adjacent to the property at:

Location: Properties lying on the east side of HWY 170 just south of the W Rainsong St intersection on parcel 760-03023-001.

Owned by: McDonald Building Group
671 Oxford Bend Rd
Fayetteville, AR 72703

NOTICE IS HEREBY GIVEN THAT an application has been filed for PRELIMINARY PLAT of the above property.

A public hearing on said application will be held by the Farmington Planning Commission at Farmington City Hall, 354 W. Main St. on March 28th, 2022 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place; or may notify the Planning Commission of their view on this matter by letter. All persons interested in this request are invited to call the City Business Manager at City Hall, 354 W. Main, 479-267-3865.

This meeting may be held virtually. Please check the City of Farmington's website and Facebook page for details regarding the virtual meeting.

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1007, FAYETTEVILLE, AR. 72702 • 479-442-1700 • FAX: 479-695-1118 • WWW.NWADG.COM

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

Jorgensen & Associates
PH City of Farmington

Was inserted in the Regular Edition on:
March 13, 2022

Publication Charges: \$74.48

Brittany Smith
Brittany Smith

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

Subscribed and sworn to before me
This 14 day of Mar, 2022.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

Notice of Public Hearing

A petition for a Preliminary Plat for the property as described below as been filed with the City of Farmington on the 22nd day of February, 2022.

A part of the NW1/4 of the SE1/4 of Section 26, T16N, R31W in Washington County, Arkansas, and being described as follows: Commencing at the SW Corner of said NW1/4, SE1/4, thence S87°42'50"E 365.52 feet to the POINT OF BEGINNING, thence N06°20'38"W 113.95 feet, thence N00°23'28"W 250.45 feet, thence S86°10'31"W 25.00 feet, thence N03°49'29"W 28.55 feet, thence S84°42'52"E 84.76 feet, thence S81°58'25"E 647.71 feet, thence S01°37'24"W 319.45 feet, thence N87°42'24"W 676.11 feet to the POINT OF BEGINNING: Containing 5.65 acres more or less subject to easements and right of way of record.

A public hearing to consider this Preliminary Plat will be held on the 28th day of March, 2022, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend. This meeting can be attended in person or through Zoom (link provided closer to meeting date on City website or Facebook page).

75528151 March 13, 2022



CITY OF FARMINGTON

354 W Main ST, Farmington, AR 72730

TRANSACTION #	10880693-7555
DATE	02/22/2022 1:00 PM
RESULT	APPROVED
TRANSACTION METHOD	CASH
TRANSACTION TYPE	SALE
REFERENCE NUMBER	CK #21469 DEVELOPMENT FEES MCDONALD SUBDIVISION

1 × Development Fee	\$2,000.00
Subtotal	\$2,000.00

TOTAL (USD)	\$2,000.00
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Receipt sent via SwipeSimple, powered by CardFlight
© CardFlight, Inc. 2022

**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: McDonald Building Group, LLC

Date: March 1, 2022

Project Name: McDonald Subdivision

Engineer/Architect: Jorgensen & Associates

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting.** The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: KMS Engineering/Farmington

Name: Christopher Brackett, P.E.

1. Note that the instructions above say that the technical plat comments must be addressed prior to the re-submission, and that a narrative for each comment must be submitted along with the revised plat.
2. Along with the hard copies required for the City, one digital copy of everything included in the submission shall be emailed to KMS at chris@kms-engr.com.
3. You must include a completed checklist that is included in the Preliminary Plat Application. All information including the checklist must be addressed in your submittal.
4. Show the improvements to Highway 170 in your plans. Label the improvements as being done under a separate contract. You can contact Jeff Webb with Garver for these plans.
5. This owner will have to pay for their half of the improvements along their frontage of Highway 170 or you will need to ask for a variance of this requirement including application and fee.
6. Show the proposed drainage discharging into your detention pond. Add the drainage to the grading sheet.
7. Show how the detention pond will discharge and tie into the Highway 170 improvements and the existing condition.
8. A 4' concrete trickle channel will be required from any culvert entering the pond to the outlet structure.
9. Add a note that the detention pond will be sodded to the top of the bank.
10. Fix the proposed contours around the detention pond.
11. Show the grading for the swale along the south property line as described in the drainage report.

CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT

Applicant: McDonald Building Group

Date: 3/1/2022

Project Name: McDonald Subdivision (Preliminary Plat)

Engineer/Architect: Jorgensen & Associates

Following are recommendations from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: PGTelco / Zing Broadband

Name: Shane Bell

Phone: 479-841-0980

Email: sbell@pgtc.com

PGTelco has no comment for this preliminary plat. Easements are all satisfactory.

Thank you.

Received By: _____

12. Drainage Report:

- a. The drainage area maps are not shown in their entirety in the PDF submitted. The lack of the complete maps did not allow for a full review of the detention pond design.
- b. The maximum sheet flow length for a developed site is 100'.
- c. Add a schematic drawing of the hydrographs used in the design.
- d. You are required to have one foot of freeboard at the 100-year storm for the detention pond.
- e. Lot 15 will have to have a minimum finished floor elevation that is one foot above the 100-year WSE of the detention pond.

Received By: _____



Fire Department
City of Farmington, AR
372 W. Main St.
Farmington, AR 72730
479-267-3338



Date: 3/1/21

William Hellard

Fire Chief

Farmington Fire Department

372 W Main St. Farmington, AR, 72730

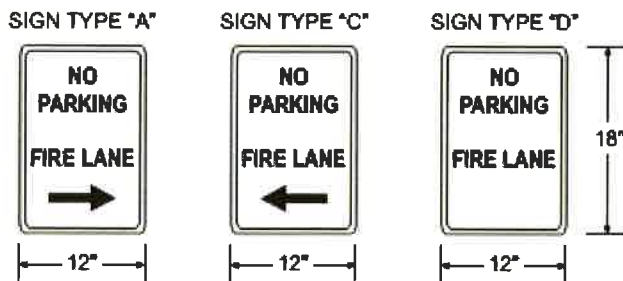
Subject: Damon McDonald

Fire Lane Signage

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).

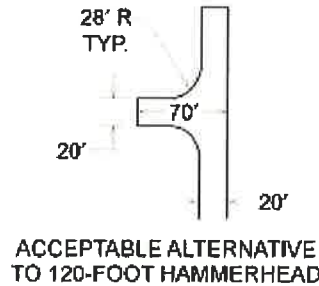
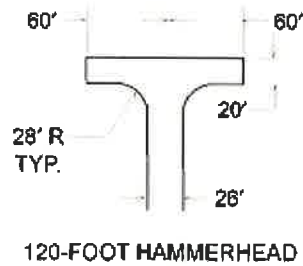
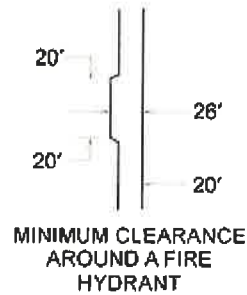
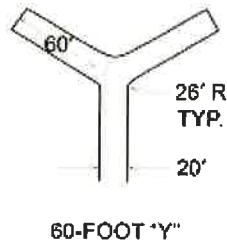
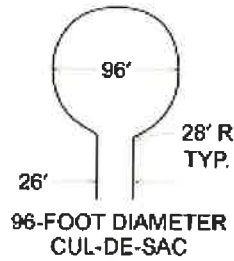
D103.6.2 Roads More Than 26 Feet in Width

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).





Fire Department
 City of Farmington, AR
 372 W. Main St.
 Farmington, AR 72730
 479-267-3338



D103.4 Dead Ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: McDonald Building Group,

Date: 3/1/2022

Project Name: McDonald Subdivision (Preliminary Plat)

Engineer/Architect: Jorgenson & Associates

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: City of Farmington Name: Melissa McCarville

1. Engineering fees will accumulate as the development continues. We will bill the engineer or the developer monthly.
2. Adjacent property owners must be notified by certified mail; receipts should be submitted by one week prior to the Planning Commission meeting. Please add a note on your letter that the meeting is available through Zoom and in person.
3. An advertisement regarding the development should be in the paper no later than 15 days prior to the planning commission meeting. Proof of publication must be provided when it is available. The Democrat Gazette only publishes legal notices on Sunday and the Washington County Enterprise Leader is published on Wednesday. Please add a note on your publication and letters that the meeting is through Zoom and in person. **With this in mind, the ad must be in Sunday, March 6, 2022 to meet the deadline.**
4. The revised plan must be submitted by next Tuesday, 8th by noon. The City requires 15 copies for planning commission. What you have provided today is perfect for the Planning Commission.. Plans must be folded with all sheets included in one set.
5. A revised copy of the plan and drainage plan should be delivered to City Hall for Chris Brackett; he will also accept digital copies.
6. Planning Commission meeting will be **Monday March 28, 2022 at 6:00 pm**. We are doing in person meetings; we will still provide information for virtual meetings. A link for the meeting will be sent out closer to the date. Please watch our Facebook page and website for details.
7. Notes on page C1.01 say the current zoning is A-1. It is R-1.



Earthplan Design Alternatives, PA
Civil Engineering / Landscape Architecture

TECH PLAT REVIEW LETTER

Project: Damon McDonald Preliminary Plat

EDA project #: 2398_F

Letter creation: March 1, 2022

Technical Review Meeting: March 1, 2022

Mrs. McCarville,

We have reviewed the preliminary plat construction plans submitted by Jorgensen + Associates for the project known as Damon McDonald Preliminary Plat received by EDA on February 28, 2022. The date in the submitted plan set's title block is February 22, 2022. The sheets in this plan set reviewed by EDA were the landscape-related sheets. Based on our review, we offer the following comments:

Generally:

1. Dedication and Landscaping of Neighborhood Parks (code Sec. 14.04.25):
 - a. Per 14.04.25 (c), the City is requesting Fee Payment in Lieu of Land Conveyance:

"In lieu of land dedication, developer shall contribute to the Farmington City Parks and Trails Development Fund...\$600.00 for each single-family unit..."

16 single family units =	16 units	\$600/unit=	\$9,600.00
			\$9,600.00 TOTAL fee payment required

- a. *Per 14.04.25 (e), "Timetable for cash dedication. Intention for cash payment shall be included in the development agreement and paid prior to the City's signature of, and release of, the final plat."*
2. Will there be a subdivision sign at the entrance?
3. Since the zoning category of this property is R-1, and since a subdivision sign is not shown on the plans, the city's landscape code does not apply to this development. Therefore, EDA has no comments on this project. However, if a sign and plantings are installed, EDA shall re-review the plans at that time.

If you have any questions, please do not hesitate to contact EDA.

Sincerely,

Sarah Geurtz, PLA



**CITY OF FARMINGTON
APPLICATION & CHECKLIST
FOR A
FINAL PLAT / REPLAT**

APPLICATION:

Please fill out this form completely, supplying all necessary information and documentation to support your request. ***Your application will not be placed on the Technical Review Committee or the Planning Commission agenda until this information is furnished.***

Date of preliminary plat approval: 10-28-2019

Date of grading permit: 9-28-2020

Date of final infrastructure inspection: _____

Engineering Fees Paid yes no

Development site address or location: Parcel ID : 760-03108-000, Along Clyde Carnes

GENERAL INFORMATION:

Primary Contact Person: Blake Murray, P.E., CFM

Business Name: Engineering Services, Inc.

Address: PO Box 282

City: Springdale State AR Zip Code 72765

Phone: 479-751-8733 Email: bmurray@engineeringservices.com

Check all that apply: Applicant Owner Other _____

Name: Kevin Riggins

Business Name: Riggins Commercial Construction & Development, Inc.

Address: 1204 E Joyce BLVD #102

City: Fayetteville State AR Zip Code 72703

Check all that apply: Applicant Owner Other _____


Name: _____

Business Name: _____

Address: _____

City: _____ State _____ Zip Code _____

APPLICANT / REPRESENTATIVE: I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief; true and correct. I understand that submittal of incomplete, incorrect or false information is grounds for invalidation of application. I understand that the City may not approve my application or may set conditions on approval.

 _____ Date: 2/21/2022

PROPERTY OWNER/AUTHORIZED AGENT: I certify under penalty of perjury that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf)

 _____ Date: 2/21/2022

LSD/Subdivision Application Checklist:

Yes No N/A, why?

	Yes	No	N/A, why?
1. Completed application form which includes: name and address of person preparing application, name and address of property owner, including written, notarized documentation to verify that the applicant has permission to locate on property, zoning district, size of property, postal address and tax parcel number.	✓		
2. Payment of application fee.	✓		
3. A descriptive statement of the objective(s) for the new facility or material modification and the need for the type of facility and/or capacity requirements.	✓		
4. Fifteen (15) copies of the site plan folded to a size of no greater than 10" X 10 ½ ".	✓		
5. List of adjacent property owners and copy of notification letter sent. *	✓		
6. White receipts from post office and green cards from registered letters (at least 7 days prior to the meeting).	✓		
7. Proof of publication of public hearing notice, should be published a minimum of 10 days prior to planning commission meeting (proof must be provided at least 7 days prior to the meeting).	✓		
The Following Shall Appear on the Site Plan:			
1. Names, addresses and telephone numbers of the record owners, applicant, surveyor, architect, engineer and person preparing the plat.	✓		
2. Names, addresses and property lines and zoning of all property owners adjacent to the exterior boundaries of the project including across streets and rights of way shall be located at the general location of their property.*	✓		
3. North arrow, graphic scale, acreage, date of preparation, zoning classification and proposed use.	✓		
4. Complete and accurate legend.	✓		
5. Title block located in the lower right hand corner indicating the name and type of project, scale, firm or individual preparing drawings, date and revision.	✓		
6. Note regarding wetlands determination, if any. Note if Army Corps of Engineers determination is in progress.	✓		
7. Written legal description. (If the project is in more than one tract the legal for each individual tract must be provided.)	✓		
8. P.O.B. from a permanent well-defined reference point, P.O.B. must be clearly labeled.	✓		
9. Clear representation of the FEMA Designated 100-year Floodplain and or Floodway and base flood elevations. Reference the FIRM panel number and effective date and the Corps of Engineers Flood Hazard Study.	✓		
10. Status of regulatory permits:			
a. NPDES Storm water Permit	✓		
b. 404 Permit			✓ 10a is in use.
c. Other			✓ 10a is in use.
11. Provide a benchmark, clearly defined with a precision of 1/100 th of a foot. This benchmark must be tied to NAVD 88 datum; Benchmarks include but are not limited to, the following: fire hydrant, manhole rim, drainage structure	✓		

abutment, etc.			
12. Spot elevations at grade breaks along the flow line of drainage swales.	✓		
13. A general vicinity map of the project at a scale of 1" = 2000'	✓		
14. The location of all existing structures. Dimensions of buildings and setbacks from the building to property lines.	✓		
15. Street right-of-way lines clearly labeled. The drawing shall depict any future ROW needs as determined by the AHTD and/or Master Street Plan. Future ROW as well as existing ROW and center lines should be shown and dimensioned.	✓		
16. Existing topographic information with source of the information noted. Show:	✓		
a. Two foot contour for ground slope between level and ten percent.	✓		
b. Four foot contour interval for ground slope exceeding 10%.	✓		
17. Preliminary grading plan.	✓		
Existing Utilities and Drainage Improvements (Copy of the Drainage Criteria Manual can be obtained from the City of Farmington)			
1. Show all known on site and off-site existing utilities, drainage improvements and easements (dimensioned) and provide the structures, locations, types and condition and note them as "existing" on the plat.	✓		
2. Existing easements shall show the name of the easement holder, purpose of the easement, and book and page number for the easement. If an easement is blanket or indeterminate in nature, a note to this effect should be placed on the plan.	✓		
Proposed Utilities			
1. Regarding all proposed storm sewer structures and drainage structures:	✓		
a. Provide structure location and types.	✓		
b. Provide pipe types and sizes.	✓		
2. Regarding all proposed sanitary sewer systems	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Manhole locations.	✓		
3. Note the occurrence of any previous sanitary sewer overflow problems on-site or in the proximity of the site			No previously known issues with sanitary sewer overflow.
4. If a septic system is to be utilized, note that on the plat. Show the location and test data for all percolation tests.			No septic proposed.
5. Regarding all proposed water systems on or near the site:	✓		
a. Provide pipe locations, sizes and types.	✓		
b. Note the static pressure and flow of the nearest hydrant.	✓		
c. Show the location of proposed fire hydrants, meters, valves, backflow preventers and related appurtenances.	✓		
6. All proposed underground or surface utility lines if determined: (this category includes but is not limited to telephone, electrical, natural gas and cable.)	✓		
a. Locations of all related structures.	✓		
b. Locations of all lines above and below ground.	✓		
c. A note shall be placed where streets will be placed under the existing overhead facilities and the	✓		

approximate change in the grade for the proposed street.			
7. The width, approximate locations and purposes of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress or other public purposes within and adjacent to the project.	✓		
Proposed and Existing Streets, Rights-of-way and Easements			
1. The location, widths and names (avoid using first names of people for new streets) of all existing and proposed streets, allies, paths and other rights-of-way, whether public or private within and adjacent to the project; private easements within and adjacent to the project; and the centerline curve data; and all curb return radii. Private streets shall be clearly identified and named.	✓		
2. A layout of adjoining property sufficient detail to show the affect of proposed and existing streets (including those on the master street plan), adjoining lots and off-site easements. This information can be obtained from the Master Street Plan.	✓		
3. The location of all existing and proposed street lights (at every intersection, cul-de-sac and every 300 feet, and associated easements to serve each light.)	✓		
Site Specific Information			
1. Provide a note describing any off site improvements.	✓		
2. The location of known existing or abandoned water wells, sumps, cesspools, springs, water impoundments and underground structures within the project.	✓		
3. The location of known existing or proposed ground leases or access agreements, if known. (e.g. shared parking lots, drives, areas of land that will be leased.)	✓		
4. The location of all known potentially dangerous areas, including areas subject to flooding, slope stability, settlement, excessive noise, previously filled areas and the means of mitigating the hazards (abatement wall, signage, etc.)	✓		
5. The boundaries, acreage and use of existing and proposed public area in and adjacent to the project. If land is to be offered for dedication for park and recreation purposes it shall be designated.	✓		
6. For large scale residential development, indicate the use and list in a table the number of units and bedrooms.	✓		
7. For non-residential use, indicate the gross floor area and if for multiple uses, the floor area devoted to each type of use. (Large Scale Developments only.)			Residential Subdivision
8. The location and size of existing and proposed signs, if any.	✓		
9. Location and width of curb cuts and driveways. Dimension all driveways and curb cuts from side property line and surrounding intersections.	✓		
10. Location, size, surfacing, landscaping and arrangement of parking and loading areas. Indicate pattern of traffic flow; include a table showing required, provided and handicapped accessible parking spaces. (Large Scale Developments only.)			Residential Subdivision
11. Location of buffer strips, fences or screen walls, where required (check the zoning ordinance).	✓		
12. Location of existing and purposed sidewalks.	✓		
13. Finished floor elevation of existing and purposed structures.	✓		
14. Indicate location and type of garbage service (Large Scale			Residential Subdivision

Developments only.) Dimension turnaround area at dumpster location.			
15. A description of commonly held areas, if applicable.	✓		
16. Draft of covenants, conditions and restrictions, if any.	✓		
17. Draft POA agreements, if any.	✓		
18. A written description of requested variances and waivers from any city requirements.	✓		
19. Show required building setbacks for large scale developments. Provide a note on the plat of the current setback requirements for the subdivision. A variance is necessary from the Board of Adjustment for proposed setbacks less than those set forth in the zoning district.	✓		
20. Preliminary drainage plan as required by the consulting engineer.	✓		

**All applicants submitting preliminary plats and Large Scale Developments before the Farmington Planning Commission shall provide written notice of the time and place of the regular or special meeting to the owners of all real property adjacent to the project. The notice shall include the name and address of the applicant, location of the project, and the time and place of the scheduled meeting. Notices shall be sent by certified mail, return receipt requested, to the last known address shown on the most recent tax records at the Washington County Tax Collector's Office. (A sample notification and affidavit is attached.) Applicants must submit a verified affidavit attesting to the delivery of the notice to all owners of real property adjacent to the project, a copy of the notice to each property owner, and copies of receipts evidencing pre-paid postage for each notice. The affidavit and supporting documents referred to above must be submitted seven (7) days prior to the regular or special meeting of the planning commission.*

**DECLARATION OF COVENANTS OF ASSURANCE
AND RESTRICTIONS OF WAGON WHEEL CROSSING
SUBDIVISION TO THE CITY OF FARMINGTON, ARKANSAS**

KNOW ALL MEN BY THE PRESENTS:

WITNESS:

WHEREAS, the undersigned is the owner of all of property referenced in Exhibit A, attached hereto and incorporated herein, which property has been subdivided into the lots of Wagon Wheel Crossing Subdivision and is reflected upon a plat of said subdivision which plat, on _____ was recorded and filed in the Plat Records of Washington County, Arkansas, in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and bears document number _____, and which plat is made a part of this Declaration, by reference, and this Declaration is likewise made a part by reference of said plat; and,

NOW, THEREFORE, the Developer declares that the real property described herein, and the soon-to-be-created lots on such property and in said Wagon Wheel Crossing Subdivision are and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth or as hereinafter changed or amended.

**ARTICLE I
PROPERTY SUBJECT TO THIS DECLARATION**

1.1. The real property which is, and shall be held, transferred, sold, conveyed and occupied subject to this Declaration, is located and situated in Washington County, Arkansas, and which subdivision is located on the following lands, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

**ARTICLE II
DEFINITIONS**

2.1. The following terms as used in this Declaration of Covenants of Assurance and Restrictions are defined as follows:

a. "Declaration" means this Declaration of Covenants of Assurance and Restrictions for Wagon Wheel Crossing Subdivision to the City of Farmington, Arkansas.

b. "Property" means Wagon Wheel Crossing Subdivision to the City of Farmington, Arkansas, as the same may be shown on the plat referenced hereinabove and recorded in Washington County, Arkansas.

c. "Lot" means any numbered Lot designated on the Plat of the property, except as may be herein excepted.

d. "Plat" means the map of the plat of the Wagon Wheel Crossing Subdivision to the City of Farmington, Arkansas, as it is recorded. A copy of the recorded Plat is attached hereto as Exhibit B.

e. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any lot subject to this Declaration, except that such term shall not mean Developer regardless of whether Developer has a fee simple interest in any lot.

f. "Developer" shall mean and refer to Riggins Commercial Construction & Development, Inc., Double Springs Development, LLC, Riggins Construction of NWA, Inc., Riggins Construction, Inc., Riggins Properties, Inc., Kevin Riggins, and Darin Riggins, or any other entity in which either Kevin Riggins or Darin Riggins have an interest, or any combination thereof as the context suggests.

g. "Subdivision" shall mean the Wagon Wheel Crossing Subdivision to the City of Farmington, Arkansas, as per plat on file in the office of the Circuit Clerk, and Ex-Officio Recorder of Washington County, Arkansas.

h. "Association" shall mean and refer to Wagon Wheel Crossing Homeowners Association, organized and existing pursuant to the laws of the State of Arkansas.

i. "Common Properties" shall mean and refer to those real properties owned by or hereafter acquired by the Association including, but not limited to, the Detention Basins, as the same are shown on the Plat. Common properties are intended to be devoted to the common use and enjoyment of owners of the properties. The Association shall maintain all Common Properties.

j. "ARC" shall mean and refer to the Architectural Review Committee as established and maintained by the Association. Initially, the ARC shall consist of Kevin Riggins and Darin Riggins, who shall serve until their resignation. Should either resign, the person to replace them shall be determined by the remaining member of the ARC. After Kevin and Darin Riggins are no longer serving on the ARC, the Association may change the number, composition and membership of the ARC by a majority vote of Lot Owners with Developer having votes as provided in Section 3.18.

ARTICLE III RESTRICTIONS ON RESIDENTIAL LOTS

3.1. Fences: Only fences constructed of wood or wrought iron may be installed. There shall be no other fences allowed. In no event shall any fence be built which would detract from the appearance or obstruct visibility of the entry signs to the Property. All privacy fences

shall be constructed so that the framing shall be toward the inside of the Owner's Lot and shall be constructed at a height of six (6) feet to maintain uniformity. Any fence, once constructed, must be maintained by the property owner who had it constructed or their successor-in-interest.

3.2. Nuisances: No noxious or offensive activities or nuisances shall be permitted on any Lot or Parcel.

3.3. Signs: No person shall erect or maintain upon any Lot, or improvement thereto, any sign or advertisement, including a "for rent" or similar sign, except a real estate sign when the property is listed for sale, provided, however, that this restriction shall not apply to Developer during development and construction of the Subdivision.

3.4. Animals: No animals shall be kept or maintained on any Lot except the usual household pets which shall be kept reasonably confined so as not to become a nuisance and all Owners shall comply with applicable laws, ordinances and regulations concerning animals.

3.5. Garbage and Refuse Disposal: No Owner shall accumulate on his or her Lot litter, refuse or garbage, except in approved receptacles. All Owners shall be required to have a mandatory trash pick-up as provided or required by the City of Farmington, Arkansas.

3.6. Limited Access: There shall be no access to any Lot on the perimeter except from designated streets or roads within the Subdivision.

3.7. Drilling and Mining: No drilling, refining, quarrying or mining operations of any kind shall be permitted on any Lot.

3.8. Communication Towers and Satellite Dishes: No communications mast, tower, or structure may be installed on any Lot, except that satellite dishes may be installed only on the rear roof of a dwelling and shall not exceed the height of the lowest roof ridge line of such dwelling.

3.9. Parking on the Streets: No vehicles may be parked overnight in the streets of the Subdivision. Owners shall provide sufficient off-street parking to accommodate the vehicles used by their families and guests. Furthermore, no semi-trailer trucks or commercial vehicles shall be allowed to park in the Subdivision, either on the streets or on the Lots, provided, however, that this restriction shall not apply to Developer during construction and development of the Subdivision. No vehicles may be parked in front yard at any time.

3.10. Structures other than Dwellings: No trailer, mobile home, tent, shack, or other unsightly building or structure, temporary or permanent, shall be erected or used on said lots. However, it is permissible to have a storage building in the rear yard of a Dwelling provided that (a) the square footage of such storage building does not exceed 250 square feet and (b) is constructed of a material of the same type, design and colors of the Dwelling which it accompanies. As an alternative, it is permissible to erect a factory manufactured resin storage building meeting the size requirements stated above. Before any such storage building can be erected or constructed, the Owner must submit plans (or in the case of a resin building, submit dimensions and image) to

the Association's ARC for its approval. The restrictions contained in this section shall not apply to the Developer during construction and development of the Subdivision.

3.11. Recreational Vehicles and Boats: Recreational and camping vehicles, trailers and boats may not be stored and parked on the Lots except behind the Dwelling and then only if enclosed in a screened wood privacy fence.

3.12. Minimum Square Footage: All Dwellings in the Subdivision shall have a minimum of thirteen hundred and fifty (1,350) square feet of heated area on the first floor, regardless of whether the dwelling is single story or two story. The minimum square footage requirements is exclusive of garages, porches, patios and decks. Irrespective of other provisions regarding amendments of these covenants, the minimum square footage requirements cannot be amended except with the express approval of the Developer.

3.13. Restriction of Type of Dwelling: There shall be no Dwellings erected on any Lot other than a detached single-family dwelling having at least a two-car enclosed garage.

3.14. Approval of Plans by ARC: All plans for improvements to be constructed on each Lot shall be first submitted for review and approval by the ARC. Approval by the ARC must be obtained in writing before construction of any improvement on any Lot begins and any variances to the improvement initially approved must be authorized in writing by the chairman of the ARC. Developer is exempt from this requirement to obtain written approval from the ARC.

3.15. Exterior of Dwellings: All exterior walls of all Dwellings erected on the Lots shall be finished with brick, stone, faux stone veneer construction, or concrete composition siding (such as Hardie® siding). Dormers or gables may be covered with any of the aforementioned materials or vinyl siding. Soffits and fascia may be covered with steel, aluminum or concrete composition materials. All roof pitches shall be a minimum of 6/12 pitch. No metal roofs shall be permitted. Roofs shall be covered with shingles using architectural composition or better.

3.16. Lot maintenance and sod: All Lots shall be maintained, mowed and kept free of noxious weeds whether they be improved or unimproved. Further, upon construction of a dwelling, the Owner shall sod the entire Lot, provided, however, that this section shall not apply to Developer during construction and development of the Subdivision. If Owner allows grass to grow such that it is more than 4 inches high, Developer or Association, shall have the right, but not the obligation, to have it mowed without giving notice to the Owner and shall charge Seventy Five Dollars (\$75.00) service charge for arranging the mowing in addition to the amount it costs Developer or Association to have it mowed.

3.17. Platted easements: All Lots are subject to easements that are shown on the Plat, including, but not limited to, easements for fences and entry signs.

3.18. Covenants to Run with the Land: All covenants and restrictions set forth in this Declaration are to run with the land and shall be binding on all parties, their successors, heirs and assigns, for a period of thirty (30) years from the date this Declaration is recorded; provided, however, that any time after the date this Declaration is recorded, the covenants and restrictions

may be amended at any time by the record owners of at least sixty percent (60%) of the votes entitled to be cast by owners of lots. The Developer shall have four (4) votes per Lot which Developer owns. All other Lot owners shall have one (1) vote per Lot. Such amendments shall be made and executed by said record owners so as to be recorded with the registrar of deeds of Washington County, Arkansas.

Provided, further, that after the expiration of the thirty (30) year period set forth above and any time within six (6) months from said expiration, a majority of the Lots, through their record owners, may express their intention, in writing, so drafted and executed as to be recorded with the registrar of deeds in Washington County, Arkansas, that they no longer care for the covenants, and the same shall then be terminated. In the event that no action is taken within the prescribed time, this Declaration shall continue for additional periods of ten years, and for any such ten year period, said covenants may be terminated in accordance with the terms for the original termination.

3.19. Sex Offender Restriction: No person who is required to register as a sex offender pursuant to the Sex Offender Registration Act of 1997, Arkansas Code Ann. §§12-12-901, et seq., as amended from time to time or any other similar federal, state or local law, regulation, or ordinance may rent, reside in, own or occupy any Lot or Dwelling in the subdivision either permanently or temporarily.

ARTICLE IV HOMEOWNERS ASSOCIATION AND COVENANT AND PLAN FOR MAINTENANCE AND OTHER ASSESSMENTS

4.1. Homeowners Association: Wagon Wheel Crossing Homeowners Association (referred to herein as "Association") has been or will be formed as an unincorporated association. All Lot Owners must be members of the Association and each shall automatically become a member of the Association upon the conveyance of a lot to him or her. The Association shall be governed by By-Laws accepted and approved by the Association.

All association memberships will pass with Lot ownership in the Subdivision. All Lots will carry one (1) vote in the Association, except that the Developer shall have four (4) votes per Lot which Developer owns.

4.2. Creation of Lien: Each Owner of any Lot of the Subdivision, by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed, contract of purchase, or other conveyance, shall be deemed to covenant and agree to pay to the Association: (1) Annual assessments or charges; (2) special assessments for capital improvements and other purposes, such assessments to be fixed, established and corrected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. In no event shall an annual or special assessment be applicable at any time to any lot owned by the Developer and the Developer shall not be obligated to pay any annual or special assessment.

4.3. Purpose of Assessments: The assessments levied pursuant hereto by the Association shall be used for the purposes of acquisition, improvement and maintenance of the Common Properties, services and facilities devoted to this purpose and related to the use and enjoyment of the common properties, insurance thereon, and repair, replacement, and modifications thereto, and for the cost of labor, equipment, materials, management and supervision thereof. In addition, assessments may also be used for expenses related to the necessary and reasonable operation of the Association, including, but not limited to, collection of assessments and related costs and enforcement of the covenants and restrictions of the Subdivision.

4.4. Basis and Maximum of Annual Assessments: The annual assessment for each lot shall be \$200.00. An Owner's first such assessment shall be prorated and paid to the Association at closing according to time of conveyance of a Lot to the Owner. The annual assessment may be increased, as hereinafter provided, by a majority vote of the votes entitled to be cast by the members of the Association for the next succeeding "assessment year" (beginning January 1) and at the end of each such period of one year for each succeeding period of one year. At no time shall the annual assessment per lot be increased more than twenty-five percent (25%) above the prior year's annual assessment. Said annual assessment shall be payable in advance on the 1st day of January each year. The Board of Directors may, after consideration of current maintenance costs and future needs of the Association, fix the actual assessment for any year at a lesser amount.

4.5. Special Assessments for Capital Improvements: In addition to the annual assessments authorized hereinabove, the Association may levy in any assessment year a special assessment, applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of a described capital improvement upon the common properties, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of 2/3 of the votes entitled to be cast by members of the Association who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be mailed to all members at the last known address of each member at least fifteen (15) days in advance and shall set forth the purpose of the meeting.

4.6. Change in Basis of Maximum of Annual Assessments: Subject to the limitations of other sections of this Article, and for the purposes therein specified, the Association may change the maximum and basis of the assessments fixed by this Article prospectively for any such period, provided that any such change shall have the assent of sixty percent (60%) of the votes entitled to be cast by members who are voting in person or by proxy, at a meeting duly called for this purpose, where a quorum is present, written notice of which shall be mailed to all members at the last known mailing address of each voting member at least fifteen (15) days in advance and shall set forth the purpose of the meeting.

4.7. Quorum for any Action Authorized Under This Article: The quorum of any action authorized by this Article, the presence at the meeting of members, or of proxies, entitled to cast fifty percent (50%) of all votes of the membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirement set forth in this Article.

4.8. Late Payment of Assessments: As hereinabove provided, each annual assessment shall be due and payable on the 1st day of January of each year. In the event of default as to any payment (annual or special), and if the default is not remedied within ninety (90) days, the Association shall have the option of taking such action as permitted by law or equity and by this Declaration and the By-laws of the Association. An additional late charge of ten percent (10%) shall be assessed on any payment which is more than ninety (90) days delinquent. Costs of collection of the assessment, including reasonable attorney's fees therefor, shall also be assessed.

The due date of any special assessment under this Article shall be fixed in the resolution of the members of the Association authorizing such assessments, with the same option on the part of the Association in the event of default.

4.9. Duties of the Board of Directors: In addition to the other duties of the Board of Directors as may be set forth herein or in the By-laws of the Association, the said Board of Directors shall fix the date of any special assessment against each lot for any special assessment period at least thirty (30) days in advance of such special assessment, written notice of the special assessment shall thereupon be sent to every member subject thereto at the last known mailing address of such member.

The Secretary of the Association, upon demand at any reasonable time, shall furnish to any member liable for said assessment a certificate in writing signed by an officer of the Association, setting forth whether said assessments have been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

4.10. Effect of Non-Payment of Assessment and the Lien Remedies of the Association: If the assessments (annual or special) are not paid on the date when due, then such assessment shall be come delinquent as provided in this Article and shall, together with such interest, late charges thereon and costs of collection thereof as herein provided, thereupon become a continuing lien on the lot which shall bind such lot in the hands of the then owner, its successors, heirs, devisees, personal representatives and assigns. If the assessment is not paid as provided herein, it shall bear interest from date of delinquency at the maximum rate of interest allowed by law, not to exceed ten percent (10%) per annum, and the Association may foreclose the lien against said lot, and there shall be added to the amount of such assessment the cost of attorney fees in connection with any court proceedings arising therefrom, together with all court costs, late charges and expenses incurred by the Association.

4.11. Subordination of the Lien or Mortgages: The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage or first deed of trust now or hereafter placed upon the lots subject to assessment; provided however, that such subordination shall apply only to the assessments which have become due and payable prior to a sale or transfer of such lot pursuant to a Decree of Foreclosure, or any other proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such lot from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

4.12. Suspension of Rights of Membership: Prior to the foreclosure of any lien upon any lot subject to this Declaration, the Board of Directors of the Association may elect to suspend all

membership rights of any member or members of the Association who are delinquent in any payment due to the Association for more than thirty (30) days, with such suspension to continue for so long as any such delinquency exists. Further, the Board of Directors may suspend membership rights for a period not to exceed thirty (30) days for the infraction of any rules or regulations by the member, family of the member or guest of the member, relating to the use of any of the common properties. Suspension of membership rights shall be effective from the date that notice of suspension is mailed to the member via U.S. Certified mail, return receipt requested, postage prepaid, to the last known address of the said member.

4.13. Cancellation and Hearing: The said Board of Directors may elect to permanently cancel the membership and all membership rights of any member who is delinquent in any payment due to the Association for more than ninety (90) days or when such member, family of the member, or guest of the member are guilty of repeated or flagrant violation(s) after a hearing conducted by said Board of Directors, which notice of such hearing mailed to such member at least thirty (30) days in advance of said hearing date, and further provided that such member may appeal any such decision of said Board of Directors to the membership of the Association by such affected member calling a special meeting of the membership of the Association by notice mailed to each member at least ten (10) days in advance of the desired special meeting date, and said notice setting forth the time, date, place and purpose of said meeting. A majority vote of the votes entitled to be cast by the members of the Association attending such special meeting shall be necessary to override the decision of the Board of Directors, and all votes shall be by secret ballot. Notice shall be mailed by the member via U.S. Certified mail, postage prepaid, return receipt requested.

4.14. Detention Ponds: The Association shall have the responsibility of maintaining the Detention Ponds situated on the Common Properties and shall use assessments as provided in this Article IV for such purpose.

4.15. Management: The Board of Directors shall have the power and right to hire and compensate such persons or firm(s) as they deem appropriate to: (i) assist in collecting assessments, (ii) to delegate other tasks; or (iii) otherwise manage the Association and perform any of its functions.

ARTICLE V PROPERTY RIGHTS OF THE COMMON PROPERTIES

5.1. Members' Easement for Enjoyment: Subject to the provision of this article and related provisions set forth elsewhere herein, every member shall have a right of enjoyment in and to the Common Properties, subject to the rules and regulations governing such use as promulgated, from time to time, by the Association. Such right and easement shall be appurtenant to and shall pass with the conveyance of title to every lot.

5.2. Extent of Members' Rights of Enjoyment: The rights of easements of enjoyment created hereby shall be subject to the following:

- a. The right of the Association to borrow money for the purpose of acquiring, constructing, improving and maintaining the common properties and in aid thereof to

mortgage said properties or execute a deed of trust or other instrument covering said properties. In the event of default upon any such mortgage, the lender shall have a right, after taking possession of such properties, to charge service or use charges, admission and other fees as a condition to continued enjoyment by the members, and if necessary to have other relief as permitted by law; and,

b. The right of the Association to take such steps as are reasonably necessary to protect the above-described properties against foreclosure; and,

c. The right of the Association to suspend or permanently cancel the rights of any member and membership in the Association; and,

d. The right of the Association to charge reasonable service or use charges, admission and other fees for the use, service and enjoyment of the common properties; and,

e. The right of the Association to limit the number of members per lot who may be entitled to the benefit of the easement of enjoyment as to the common properties by reason of ownership of a lot; and

f. The right of individual members to have exclusive use of any of the common properties as from time to time may be granted by the Board or its designee;

g. The right of the Association to pass and enforce rules and regulations related to use, control and maintenance of the common properties and the areas situate thereon.

ARTICLE VI MISCELLANEOUS

6.1 Violations: If the parties hereto, or their heirs, successors or assigns or any other person shall violate or attempt to violate any of the covenants or restrictions herein while said covenants or restrictions are still in force, it shall be lawful for any person or persons owning any interest in any Lot or Lots in the Subdivision, as well as the Association, to prosecute any violation or attempted violation of any such covenant or restriction, either to prevent the person from doing so or to recover damages or other penalties and costs, including reasonable attorney's fees for such violation.

6.2 Notices: Any notice required to be sent to any Owner under the provisions of this Declaration shall be deemed to have been properly sent when mailed, postpaid, to the last known address of the person who appears as Owner on the records of the Association at the time of such mailing.

6.3 Additional Phases: The Developer reserves, unto itself, the right, without joinder, vote or consent of any Owner, Builder or Mortgagee, to file additional plats in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas to add additional phases which shall be subject to this Declaration and the lots thereof shall have the same rights and privileges with regard to the Association as lot owners of original subdivision, including the use

**EXHIBIT "A" TO
DECLARATION OF COVENANTS OF ASSURANCE
AND RESTRICTIONS OF THE
WAGON WHEEL CROSSING SUBDIVISION
TO THE CITY OF FARMINGTON**

LEGAL DESCRIPTION:

TRACT 1

A PART OF THE EAST HALF (E 1/2) OF SECTION THIRTY-FOUR (34), TOWNSHIP SIXTEEN (16) NORTH, RANGE THIRTY-ONE (31) WEST OF THE FIFTH PRINCIPAL MERIDIAN, FARMINGTON, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34, SAID POINT BEING A FOUND 2-1/2 INCH ALUMINUM MONUMENT, STAMPED "ARKANSAS DEPARTMENT OF COMMERCE RLS 648, 1978"; THENCE ALONG THE NORTH LINE OF SAID SECTION 34, N87°54'57"W A DISTANCE OF 341.33 FEET TO A FOUND IRON PIN WITH CAP, "BATES" ; THENCE LEAVING SAID NORTH LINE, S02°15'34"W A DISTANCE OF 636.23 FEET TO A FOUND IRON PIN WITH CAP, "PAYA"; THENCE S87°54'57"E A DISTANCE OF 342.33 FEET TO A SET IRON PIN WITH CAP, "PLS 1156" ON THE EAST LINE OF SAID SECTION 34; THENCE ALONG SAID EAST LINE, S02°10'12"W A DISTANCE OF 539.33 FEET TO THE **POINT OF BEGINNING** AND A SET IRON PIN WITH CAP, "PLS 1156"; THENCE CONTINUING ALONG SAID EAST LINE, S02°10'12"W A DISTANCE OF 1476.37 FEET TO A SET "MAG" NAIL WITH WASHER AT THE SOUTHEAST CORNER OF THE NE 1/4 OF SAID SECTION 34; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID NE 1/4, N87°47'21"W A DISTANCE OF 1322.64 FEET TO A SET IRON PIN WITH CAP, "PLS 1156" AT THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 34; THENCE LEAVING SAID SOUTH LINE AND ALONG THE WEST LINES OF SAID SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 34, N 02°09'51"E A DISTANCE OF 1473.96 FEET TO SET IRON PIN WITH CAP, "PLS 1156"; THENCE LEAVING SAID WEST LINES, S87°53'37"E A DISTANCE OF 1322.79 FEET TO THE **POINT OF BEGINNING**, CONTAINING 44.79 ACRES MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF CLYDE CARNES ROAD ALONG THE SOUTH SIDE THEREOF, AND ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

**EXHIBIT "B" TO
DECLARATION OF COVENANTS OF ASSURANCE
AND RESTRICTIONS OF THE
WAGON WHEEL CROSSING SUBDIVISION
TO THE CITY OF FARMINGTON**

**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Riggins Construction of NWA, Inc.

Date: February 1, 2022

Project Name: Wagon Wheel Crossing Subdivision Phase I (Final Plat)

Engineer/Architect: Engineering Services, Inc.

Following are **recommendations** from the Technical Plat Review Committee which **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12:00 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A **narrative** addressing each comment must be submitted along with the revised plat.

Representing: City of Farmington

Name: Christopher B. Brackett, P. E.

1. Note that the instructions above say that the technical plat comments must be addressed prior to re-submission, and that a narrative for each comment must also be submitted along with the revised plat.
2. Along with the hard copies required for the City, one digital copy of everything included in the submission shall be emailed to KMS at chris@kms-engr.com.
3. You must include a completed checklist that is included in the Final Plat Application. All information including the checklist must be addressed in your submittal
4. Add the following line to the Certificate of Ownership & Dedication.
 - The undersigned certify that the platting as filed on record cannot be changed unless vacated pursuant to applicable local or other law.
5. Add approved street addresses to the Final Plat. You will have to contact Washington County 911 coordinator for these addresses.
6. How will the easements outside of this Final Plat boundary be dedicated?
7. Payment in lieu of Park Land Conveyance will be required for this subdivision. This fee will be \$600 per single family unit (84 lots = \$50,400).
8. All punch list items from the final inspection must be completed and accepted prior to final approval of the final plat.

Received By: _____

**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Riggins Construction.

Date: 3/1/2022

Project Name: Wagon Wheel Crossing Subdivision, Phase I (Final Plat)

Engineer/Architect: Engineering Services, Inc.

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting.** The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: City of Farmington Name: Melissa McCarville

1. Engineering fees will accumulate as the development continues. We will bill the engineer or the developer monthly. At this time engineering fees are paid and up to date. Noted
2. Adjacent property owners must be notified by certified mail: receipts should be submitted by one week prior to the Planning Commission meeting. Please add a note on your letter that the meeting is available through Zoom and in person. This will be done and receipts submitted.
3. An advertisement regarding the development should be in the paper no later than 15 days prior to the planning commission meeting. Proof of publication must be provided when it is available. The Democrat Gazette only publishes legal notices on Sunday and the Washington County Enterprise Leader is published on Wednesday. Please add a note on your publication and letters that the meeting is through Zoom and in person. **With this in mind, the ad must be in Sunday, March 13, 2022 to meet the deadline.** This has been submitted.
4. The revised plan must be submitted by next Tuesday, 8th by noon. The City requires 15 copies for planning commission. The set that is provided for the planning commission does not need to include the lot line adjustment sheet. Also, the subdivision name should be consistent on all sheets. Plans must be folded with all sheets included in one set. Submittal turned in prior to deadline.
5. A revised copy of the plan and drainage plan should be delivered to City Hall for Chris Brackett; he will also accept digital copies. This has been submitted.
6. Planning Commission meeting will be **Monday March 28, 2022 at 6:00 pm**. We are doing in person meetings; we will still provide information for virtual meetings. A link for the meeting will be sent out closer to the date. Please watch our Facebook page and website for details.

Noted.



Earthplan Design Alternatives, PA

Civil Engineering Landscape Architecture

TECH PLAT REVIEW LETTER

Project: Wagon Wheel Crossing Subdivision Ph I Final Plat

EDA project #: 2399_F

Letter creation: March 1, 2022

Technical Review Meeting: March 1, 2022

Mrs. McCarville,

We have reviewed the Final Plat plans submitted by ESI for the project known as Wagon Wheel Crossing Subdivision Ph I received by EDA on February 28, 2022. The date on the submitted plan set's cover sheet is February 18, 2022. The sheets in this plan set reviewed by EDA were the landscape-related sheets. Based on our review, we offer the following comments:

Generally:

1. Please make the project name on the cover sheet and that given in the title block agree. This has been revised.
2. Dedication and Landscaping of Neighborhood Parks (code Sec. 14.04.25): Park is proposed in lieu.
 - a. Per 14.04.25 (c), the City is requesting Fee Payment in Lieu of Land Conveyance:

"In lieu of land dedication, developer shall contribute to the Farmington City Parks and Trails Development Fund...\$600.00 for each single-family unit..."

84 single family units (Lot 1 is the a detention pond & Lot 39 is a lift station so those do not count) =	\$600/unit=	\$50,400.00
		\$50,400.00 TOTAL fee payment required

- a. Per 14.04.25 (e), *"Timetable for cash dedication. Intention for cash payment shall be included in the development agreement and paid prior to the City's signature of, and release of, the final plat."*
3. Will there be a subdivision sign at the entrance? No sign is proposed.
4. Since the zoning category of this property is R-1, and since a subdivision sign is not shown on the plans, the city's landscape code does not apply to this development. Therefore, EDA has no comments on this project. However, if a sign and plantings are installed, EDA shall re-review the plans at that time. Noted and relayed to the developer.

If you have any questions, please do not hesitate to contact EDA.



Fire Department
 City of Farmington, AR
 372 W. Main St.
 Farmington, AR 72730
 479-267-3338



Date: 3/1/21

William Hellard

Fire Chief

Farmington Fire Department

372 W Main St. Farmington, AR, 72730

Subject: Wagon Wheel Phase 1

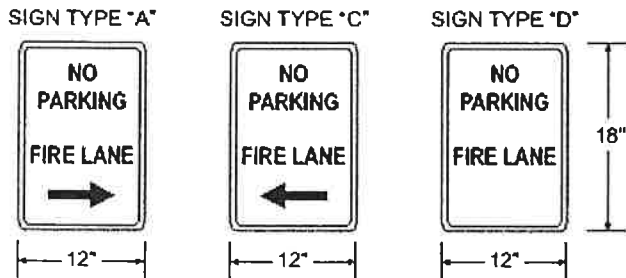
Fire Lane Signage

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).

D103.6.2 Roads More Than 26 Feet in Width

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

This signs will be ordered this week and installed as soon as possible.



**CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT**

Applicant: Riggins Construction

Date: 3/1/2022

Project Name: Wagon Wheel Subdivision Phase I (Final Plat)

Engineer/Architect: Engineering Services, Inc.

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting**. The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: City of Fayetteville Name: Josh Boccaccio

1. The grading/utility permit from the City of Fayetteville must be closed out prior to City of Fayetteville Engineering signing the final plat.

-close-out documentation This will be provided.

-lift station This will be provided.

-maintenance bonds This will be provided.

-etc

2. Provide PDF of the final plat for City of Fayetteville Engineering to review. This has been done with the resubmittal.

3. Extend utility easement for gravity sewer along Grace Lane to parcel 760-01911-900 This is will be provided in the phase 2 final plat.

4. Provide signature line for sewer easements. This is now provided.

5. Provide signature line for City of Fayetteville sewer system. This is now provided.

Please reach out to Josh Boccaccio if there are any questions.

Received By: _____

CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT

Applicant: Riggins Construction

Date: 3/1/2022

Project Name: Wagon Wheel Subdivision Phase 1 (Final Plat)

Engineer/Architect: Engineering Services, Inc.

Following are **recommendations** from the Technical Plat Review Committee that **must be addressed prior to your application being submitted to the Planning Commission at its next regular meeting.** The information must be submitted to the Planning Office before **12 noon** the following Tuesday from the date above in order for the item to be placed on the agenda for the Commission meeting. A narrative addressing each comment must be submitted along with the revised plat.

Representing: PGTelco / Zing Broadband

Name: Shane Bell

Phone: 479-841-0980

Email: sbell@pgtc.com

PGTelco has no comment for this final plat.

Thank you.

Received By: _____