



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

PLANNING COMMISSION AGENDA

June 22, 2020

**A meeting of the Farmington Planning Commission will be held on
Monday, June 22, 2020 at 6:00 p.m. at City Hall
354 W. Main Street, Farmington, Arkansas.**

1. Roll Call
2. Approval of the minutes - May 26, 2020
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. **Conditional Use for Sale of Fireworks:** Freedom Fireworks
Property owned by: Brand New Church
Property Location: 271 W. Main
Presented by: Andrew Patton
 - B. **Variance** – variance of building setback on Tract A
Property owned by: Farmington JK, LLC
Property Location: 297 W. Main St.
Presented by: Harrison French & Associates
 - C. **Variance** – variance of building setback on Tract C
Property owned by: Farmington JK, LLC.
Property Location: 271 W. Main St.
Presented by: Harrison French & Associates
 - D. **Large Scale Development** – Starbucks
Property owned by: Farmington JK, LLC
Property Location: corner of Angus and W. Main
Presented by: Harrison French & Associates
 - E. **Large Scale Development** – Pedal Pops
Property owned by: Mike Thompson
Property Location: 161 W. Main
Presented by: Bates & Associates
5. Interview Planning Commission applicants

Minutes

Planning Commission Minutes
May 26, 2020 at 6 PM

1. **ROLL CALL** – Meeting which was held using Zoom on-line service due to Corona Virus pandemic, was called to order by Chairman Robert Mann. A quorum was present.

PRESENT

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

ABSENT

None

City Employees Present: Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Steve Tennant, City Attorney

2. **Approval of Minutes:** April 27, 2020 Minutes were approved as written.

3. **Comments from Citizens:**

Sherry Matthews- 65 N. Hunter: She was concerned about what the plans were for the street widening, curb and gutter and that will be put in in front of her property and between her lot and the creek. She also inquired about a corner marking pin for her north corner that is 18ft back from the street on her property. Rick Bramall stated that the easement is going to be how wide the road is. For example, a 30 foot road will have 10 feet on either side.

Sherry said the yard is steep towards the front of the property and she was concerned that they may remove some large trees because they appear to be even with the stake. Rick said there will be a 5 foot of sidewalk and 6 feet of green space.

Engineer Charles Zardin could not give a specific answer to some of the questions; Bobby Wilson asked about the deep ditch in front of her house. He wanted to know if they will have to put drainage. This will be addressed with the project engineer. After further discussion, Melissa McCarville suggested the project engineer Zardin, Chris Brackett and Rick Bramall arrange a meeting with Sherry at her property. When arranged, Planning Commissioners and other interested people will be notified by e-mail.

Public Hearings:

4A. Rezone- 105 acres west side of Hunter St., northwest of Watson St. (Summerfield Subdivision) property owned by Pitts Dynasty Trust #3 as presented by Jorgensen & Associates:

Charles Zardin of Jorgensen & Associates was present via zoom to discuss the request.

Melissa stated that Pitts Dynasty Trust #3 does own the whole property but at the April Planning Commission meeting, Chad Ball had questions regarding zoning. Melissa said it was discovered that the entire acreage wasn't zoned R-1 as thought. An area to the west of the first portion of the property is A-1 zoning.

Charles Zardin said that this rezoning request won't change the Preliminary Plat plans put forth previously.

Judy Horne asked a Bill of Assurance that they will not plat the new, future section with an area that has streets in both the front and back of lots. City Attorney Steve Tennant said the answer is "no" and to address this problem we would have to amend our ordinance or create a new one.

It was decided this type of issue could be discussed at a work session; Chad Ball stressed the need for a work session.

There were no public comments.

Upon roll call, the motion was passed unanimously to approve the rezone for the 105 acres west side of Hunter St., northwest of Watson Street from A-1 to R-1.

Judy Horne had checked Application for Rezoning fees and Variance fees for cities in Northwest Arkansas. She had discovered that Farmington's are lower than any other city's fees. Chad Ball wishes to have a review of all the city fees that relate to Planning Commission purview, not just these two. It was felt that this could be considered at a later time.

5. Discussion of Appointing a New Planning Commission member:

A long discussion was held regarding how to interview applicants for the vacancy on Planning Commission. Currently, there are 8 applicants. Several different ideas for interviewing and ranking were presented. However, Steve Tennant said some of the ideas couldn't be done. Commissioners all felt they should have a primary role in choosing from the applicants. Gerry Harris noted that the current application needs to be expanded in order to gain better information about applicants.

Finally, it was decided that all applicants will be invited to the next Planning Commission meeting. Each candidate will be allowed one minute to explain their interest in serving on the Commission. Then commissioners will have 4 minutes to ask each candidate questions. Commissioners will decide the top three and this list will be forwarded to the Mayor who will make the appointment of one of the three.

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

Judy Horne - Secretary

Robert Mann - Chair

Agenda Item 4. A

CITY OF FARMINGTON

APPLICATION FOR CONDITIONAL USE FOR SALE OF FIREWORKS

Applicant's Name Andrew Patton (Freedom Fireworks) Date 5-19-2020

Address 495 N Coral Canyon Loop Apt 424 Fayetteville, AR 72704

Phone # 918-944-8291 271 W Main St Farmington, AR 72730

Zoning C-2

Description of proposed use: Sale of fireworks

The following information must be provided before you will be placed on the Farmington Planning Commission agenda.

1. Location approval by fire department. (form must be completed and signed by Farmington Fire Chief)
2. Payment of \$250.00 fee.
3. The applicant has provided proof that each adjacent property owner has been notified by return receipt mail or personal contact. If personal contact is used, a signed affidavit by the owner must be submitted. The affidavit must contain information notifying of the proposed intent and the date of the public hearing, at a minimum.
4. The applicant has provided a site plan showing adequate ingress, egress and parking. (No on street parking will be allowed.)
5. The applicant has provided proof that arrangements for waste collection services have been made.
6. The applicant has provided proof of premises liability insurance that covers the insured (Fireworks Manufacturer and/or Wholesaler), the Farmington property owner where the stand is located, the Fireworks Stand Owner and Operator; Sub-Operator, if applicable, and the City of Farmington, Arkansas for bodily injury and/or property damage arising out of the ownership, operation, use and maintenance of the insured retail premises, with a minimum coverage of \$1,000,000 for each occurrence and a minimum of \$3,000,000 in general aggregate coverage.
7. Must place signs in compliance with the City's sign ordinance.
8. If electricity is needed, an electrical permit must be obtained from City Building Inspector.
9. If site is not addressed contact Gunder Coaty at the City of Fayetteville 575-8380, he will assign an address to the site.
10. Must have a representative present at the Planning Commission Meeting (Public Hearing).

After conditional use approval the following are required:

1. Business license. (\$50.00 for new one and \$25.00 for a renewal)
2. Site inspection prior to opening must be completed by Fire Chief.

RECEIPT

DATE 5-19-20

No. 217181

RECEIVED FROM Andrew Patton \$ 250.00

Two hundred fifty & ⁷⁰/₁₀₀ DOLLARS

FOR RENT
 FOR Cont. Use - Sale of fuelwood

ACCOUNT		<input type="radio"/> CASH	FROM _____ TO _____
PAYMENT	<u>250.00</u>	<input checked="" type="radio"/> CHECK	BY <u>B. Coleman</u>
BAL. DUE	<u>0</u>	<input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	

3-11

City of Farmington, AR

05/19/2020 2:44AM 01
000000#9255 CLERK01


Development Fees \$250.00

ITEMS 10
CHECK \$250.00

LOCATION APPROVAL OF FIREWORKS STAND

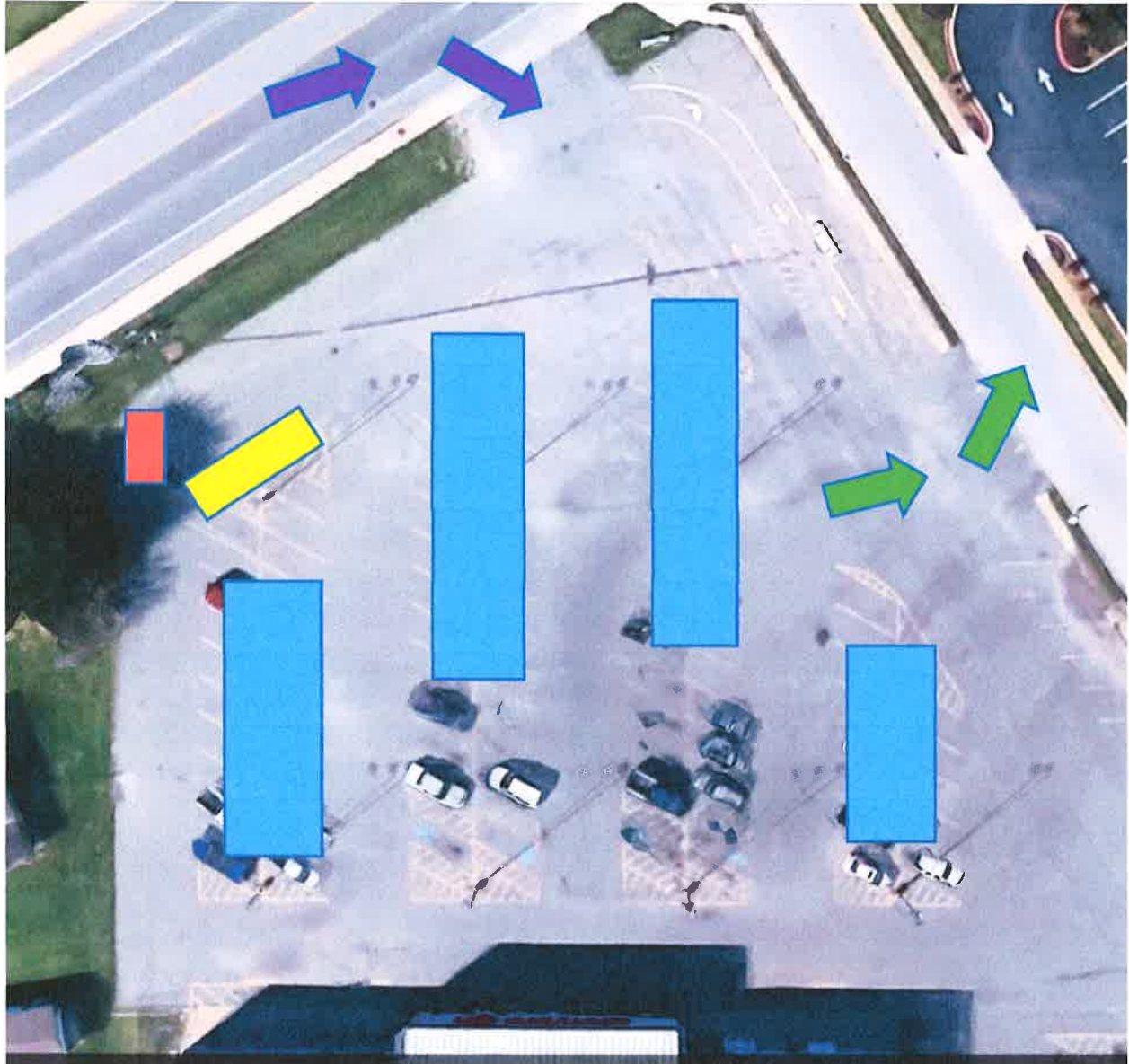
The Farmington Fire Department must approve the location of the fireworks stand in accordance with the following requirements:

- 1. The fireworks are not being stored or sold in a permanent structure in the city.
- 2. The fireworks stand is in compliance with Arkansas and federal law and the 2000 International Fire code, and approved by the Farmington Fire Department.
- 3. Fireworks stand is not located within 250 feet of a fuel dispensing facility and fireworks stand has a setback of a minimum of 50 feet from the nearest street or highway and 200 feet from school grounds.


Farmington Fire Chief

5/18/20
Date

Site Plan



-Shaved Ice Stand

-Freedom Fireworks

-Ingress

-Egress

-Parking

-Waste Management plan-



We have both an enclosed trailer, and a dump trailer with sides. One of these will be parked there behind the tent to collect trash, and to be hauled away to waste management.



NOTICE OF A PUBLIC HEARING BEFORE THE FARMINGTON PLANNING COMMISSION ON AN APPLICATION FOR CONDITIONAL USE

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

271 W. Main Street, Farmington, AR 72730
Location

Brand New Church
Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for CONDITIONAL USE at the above property.

The purpose of this request is to use this property for:

Fireworks Sales

A public hearing on said application will be held by the Farmington Planning commission in City Hall, 354 W. Main Street, on June 22, 2020 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 in City Hall, 354 W. Main Street, 267-3865, and to review the application and discuss the same with the staff.

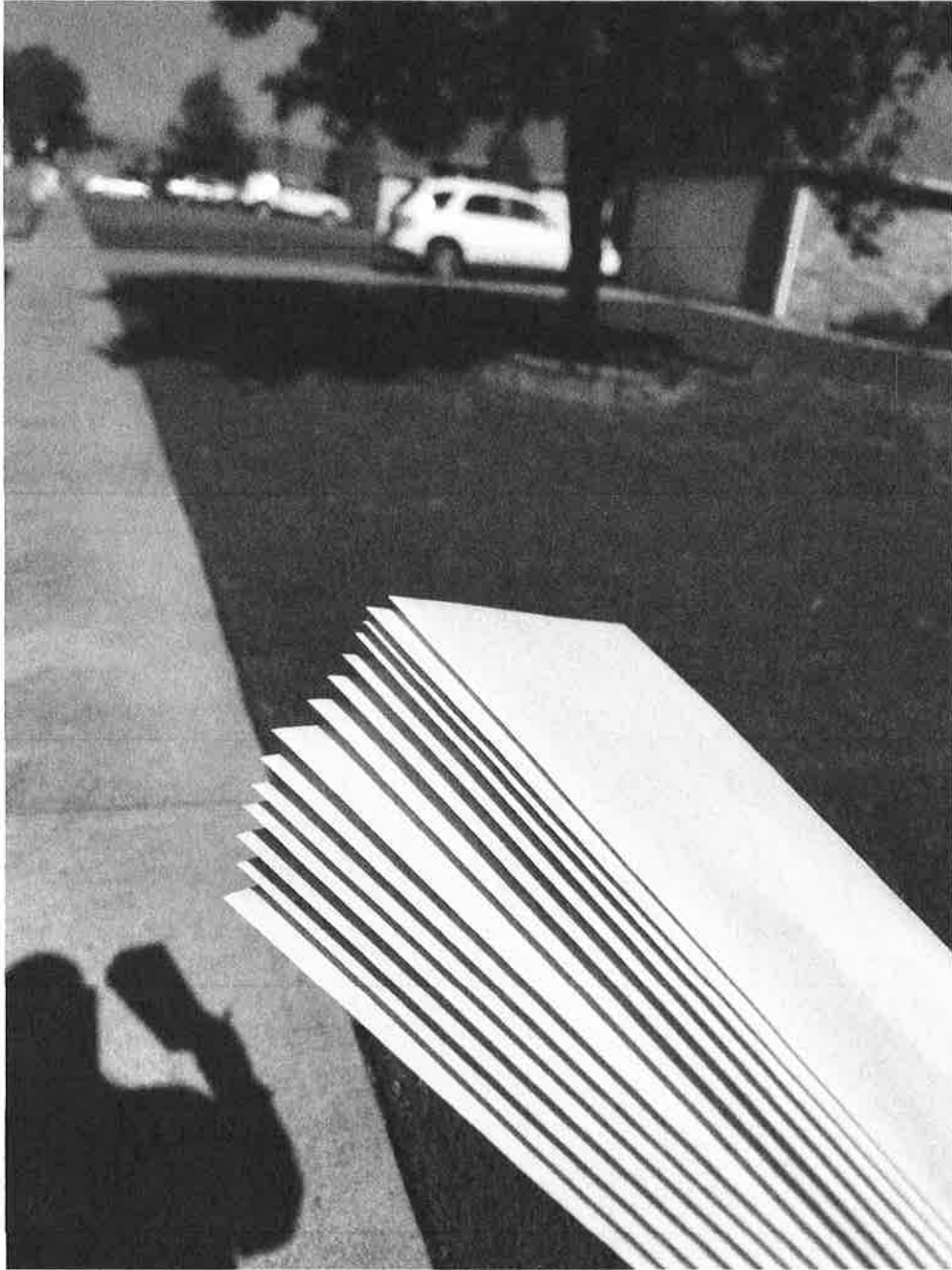
AFFIDAVIT

I hereby certify that I Andrew Patton
Print name

Acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copies of the notice, mailing receipts, return cards and any notices that were undeliverable.


Signature

5-19-2020
Date





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/19/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ryder Rosacker McCue & Huston (MGD by Hull & Compa 509 W Koenig St Grand Island NE 68802	CONTACT NAME: Kristy Wolfe	FAX (A/C, No):	
	PHONE (A/C, No, Ext): 3083822330	E-MAIL ADDRESS: kwolfe@ryderinsurance.com	
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : SCOTTSDALE INS CO		41297
	INSURER B : Kinsale Insurance Company		38920
	INSURER C : INSURER D : INSURER E : INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** 758800549 **REVISION NUMBER:**

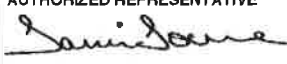
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPS3244955	2/15/2020	2/15/2021	EACH OCCURRENCE	\$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			0100062241-2	2/15/2020	2/15/2021	EACH OCCURRENCE	\$ 5,000,000
							AGGREGATE	\$ 5,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required)

Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.
 Non Owned Stand Coverage provided per attached form GLS-326s. Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.
 For premise liability - this certificate reflects coverage for the dates and location noted below. For product liability - this certificate reflects coverage for products purchased from the above Named Insured only.

Dates of Operation: June 26- July 5, 2020. Location address: 271 W. Main St. Farmington, AR 72730. Addtl Insureds: Brand New Church - landowner: City of Farmington; Andrew Patton - Proprietor

CERTIFICATE HOLDER Andrew Patton 1600 Major Stone Circle Prairie Grove AR 72753	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization:

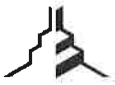
Any person or organization with whom the insured has agreed to waive rights of recovery, provided such agreement is made in writing and prior to the loss.

Additional Premium is Included

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of Section IV - Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.



ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

The insurance provided to these additional insureds is limited as follows:

- 1. That person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:
 - a. Your acts or omissions; or
 - b. The acts or omissions of those acting on your behalf.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

- 2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
 - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
- 3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
 - 4. Coverage is not provided for "bodily injury," "property damage," or "personal and advertising injury" arising out of the sole negligence of the additional insured.
 - 5. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including:

- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
 - b. Supervisory, inspection, architectural or engineering activities.
6. Any coverage provided hereunder will be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a

written contract specifically requires that this insurance be primary.

When this insurance is excess, we will have no duty under **SECTION I—COVERAGES** to defend the additional insured against any "suit" if any other insurer has a duty to defend the additional insured against that "suit." If no other insurer defends, we will undertake to do so, but we will be entitled to the additional insured's rights against all those other insurers.

AUTHORIZED REPRESENTATIVE / DATE

Agenda Item 4. B

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: HFA
1705 S. Walton Blvd.
Address: Bentonville, AR. 72712

Day phone: 479-273-7780

Fax: _____

Representative: Rick McGraw
1705 S. Walton Blvd.
Address: Bentonville, AR. 72712

Day phone: 479-273-7780 ext.283

Fax: _____

Property Owner: Farmington JK, LLC
c/o Hank Kelley & Jordan Jeter
425 W. Capitol Ave.
Address: Little Rock, AR. 72201

Fax: 501-352-7200

Day phone: 501-350-7388

Fax: 501-374-9537

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

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

Property description: see below

Site address: 297 W. Main St.

Current zoning: C-2

Tract "A"

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:

see below

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:

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 12th day of June, 2020.

PARCEL #760-01624-000:
A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET WHICH IS S87°32'20"E 148.00' AND S02°04'05"W 21.60' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE LEAVING SAID RIGHT-OF-WAY S02°04'05"W 311.41' TO AN EXISTING REBAR, THENCE S02°04'05"W 14.43', THENCE N87°55'07"W 119.67' TO THE EAST MASTER STREET PLAN RIGHT-OF-WAY OF ANGUS LANE, THENCE ALONG SAID RIGHT- OF-WAY N02°34'59"E 210.80' TO SAID RIGHT OF WAY OF WEST MAIN STREET, THENCE ALONG SAID RIGHT OF WAY N08°10'43"E 39.28' TO AN EXISTING NAIL AND N58°17'11"E 136.62' TO THE POINT OF BEGINNING, CONTAINING 0.78 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A public meeting to consider this request for variance at the above described property will be held on 22nd day of June, 2020, 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.

Farmington JK, LLC
Henry Kelley Date 6-10-2020
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.)

Farmington JK, LLC
Henry Kelley Date 6-10-2020
Owner/Agent Signature

PROPERTY DESCRIPTION: The property is located 297 W. Main St, currently zoned C-2 and is +/- 0.87 acres. The subject property currently contains an existing house and shed that will be removed as part of this project. being utilized by a church. The owners of Tract B and Tract C (see associated survey) are also the owners of Tract A.

TYPE OF VARIANCE REQUEST AND REASON FOR REQUEST.

Due to the property line adjustment associated with the Starbucks project, we are requesting a building setback variance on Tract A to allow the new proposed Starbucks building to sit within the new proposed 25' side building setback. As part of the Starbucks site design and overall project design and layout as one development, we are having to adjust the property lines between Tract A and B to accommodate the overall site design. When the eastern property line of Tract A is adjusted, this also adjust the side setback line for Tract A, respectively. In doing so, approximately 12' of the eastern portion of the proposed building on Tract A will be within the new side setback. We feel this variance request is reasonable in this scenario for a couple of reasons:

1. The future development to the east will contain a similar development in terms of usage.
2. The distance between the eastern facade of Starbucks and the western side of any new building that will go on Tract B is approximately 70 feet.
3. Due to the amount of parking required by Starbucks and amount of existing utilities located along the east side of Angus LN, we are limited on how much we can shift the site west.

RECEIPT

DATE 6-12-20

No. 217184

RECEIVED FROM Harrison Property Co. \$ 50.00

DOLLARS

FOR RENT
 FOR Variances - 2 (tract A + tract C)

ACCOUNT	
PAYMENT	<u>50.00</u>
BAL. DUE	<u>4</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY B. Blom

LEGAL DESCRIPTION

PARCEL #760-01624-000:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET WHICH IS S87°32'20"E 148.00' AND S02°04'05"W 21.60' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE LEAVING SAID RIGHT-OF-WAY S02°04'05"W 311.41' TO AN EXISTING REBAR, THENCE S02°04'05"W 14.43', THENCE N87°55'07"W 119.67' TO THE EAST MASTER STREET PLAN RIGHT-OF-WAY OF ANGUS LANE, THENCE ALONG SAID RIGHT-OF-WAY N02°34'59"E 210.80' TO SAID RIGHT OF WAY OF WEST MAIN STREET, THENCE ALONG SAID RIGHT OF WAY N08°10'43"E 39.28' TO AN EXISTING NAIL AND N58°17'11"E 136.62' TO THE POINT OF BEGINNING, CONTAINING 0.78 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Rick McGraw

From: Hank C. Kelley <hkelley@kelleycp.com>
Sent: Thursday, June 11, 2020 6:42 PM
To: Rick McGraw
Cc: Jordan Jeter; Tara Mitchell; Nick Kelley
Subject: Variances for development of Starbucks and Wendys Farmington.
Attachments: BNC Lease Amendment Executed.pdf; Re: Kick off call with Starbucks

Rick

We are the owners of the the property currently occupied by Brand New Church at 271 West Main Street in Farmington Arkansas.

Please let this email serve to grant you permission to apply on our behalf for the variances needed to properly develop the adjoining lots for Starbucks and Wendys. We are owner of all of these parcels affected and in anticipation of the need for variances and lot line adjustments the Brand New Church Tenant agreed and executed the attached lease amendment granting us permission as their tenant to allow us to provide the needed adjustments to the property they lease. Please know we have confirmed their acceptance on today's date and will be available to answer any questions for you or the City of Farmington.

Thanks

Henry Kelley, Jr.

Member

Farmington JK, LLC

Henry C. Kelley, Jr., CRE, SIOR, CPM

Chief Executive Officer

Kelley Commercial Partners

D 501.244.7503 | M 501.352.7200

425 West Capitol Avenue, Suite 300

Little Rock, AR 72201

NEW EMAIL: hkelley@kelleycp.com

NOTICE OF PUBLIC HEARING

A petition for a variance at the property as described below has been filed with the City of Farmington on the 12th day of June 2020.

Legal Description:

A PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT; BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET WHICH IS S87°31'53"E 148.00' AND S02°04'59"W 21.60' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S02°04'59"W 325.85' TO AN EXISTING REBAR, THENCE N87°55'28"W 148.00', THENCE N02°04'32"E 177.02' TO A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: S89°35'39"E 26.82', N08°10'21"E 72.47', N58°16'41"E 136.62', TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN ANGUS LANE RIGHT-OF-WAY ON THE WEST SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A public hearing to consider this variance will be held on the 22nd day of June 2020, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Brenda Coleman

From: Cathy Wiles <cwiles@nwadg.com>
Sent: Thursday, June 11, 2020 1:15 PM
To: Kelsey Kreher
Cc: Rick McGraw
Subject: RE: Two Notices of Public Hearing

Kelsey these are both set to run Sunday 6/14
Thank you
Cathy



Cathy Wiles

Classified Sales Manager | cwiles@nwadg.com

479-571-6421 | [Twitter](#) [Facebook](#)

Northwest Arkansas Democrat-Gazette www.nwadg.com
Our community. Our paper.

212 N. East Ave. Fayetteville, AR 72701

From: Kelsey Kreher [<mailto:kelsey.kreher@hfa-ae.com>]
Sent: Thursday, June 11, 2020 12:56 PM
To: Cathy Wiles
Cc: Rick McGraw
Subject: Two Notices of Public Hearing

Hi Cathy,

Could we please get these two notices of public hearing to run on Sunday?

Thank you,

Kelsey Kreher
Team Lead



t 479.273.7780 ext 355
c 816.872.7190

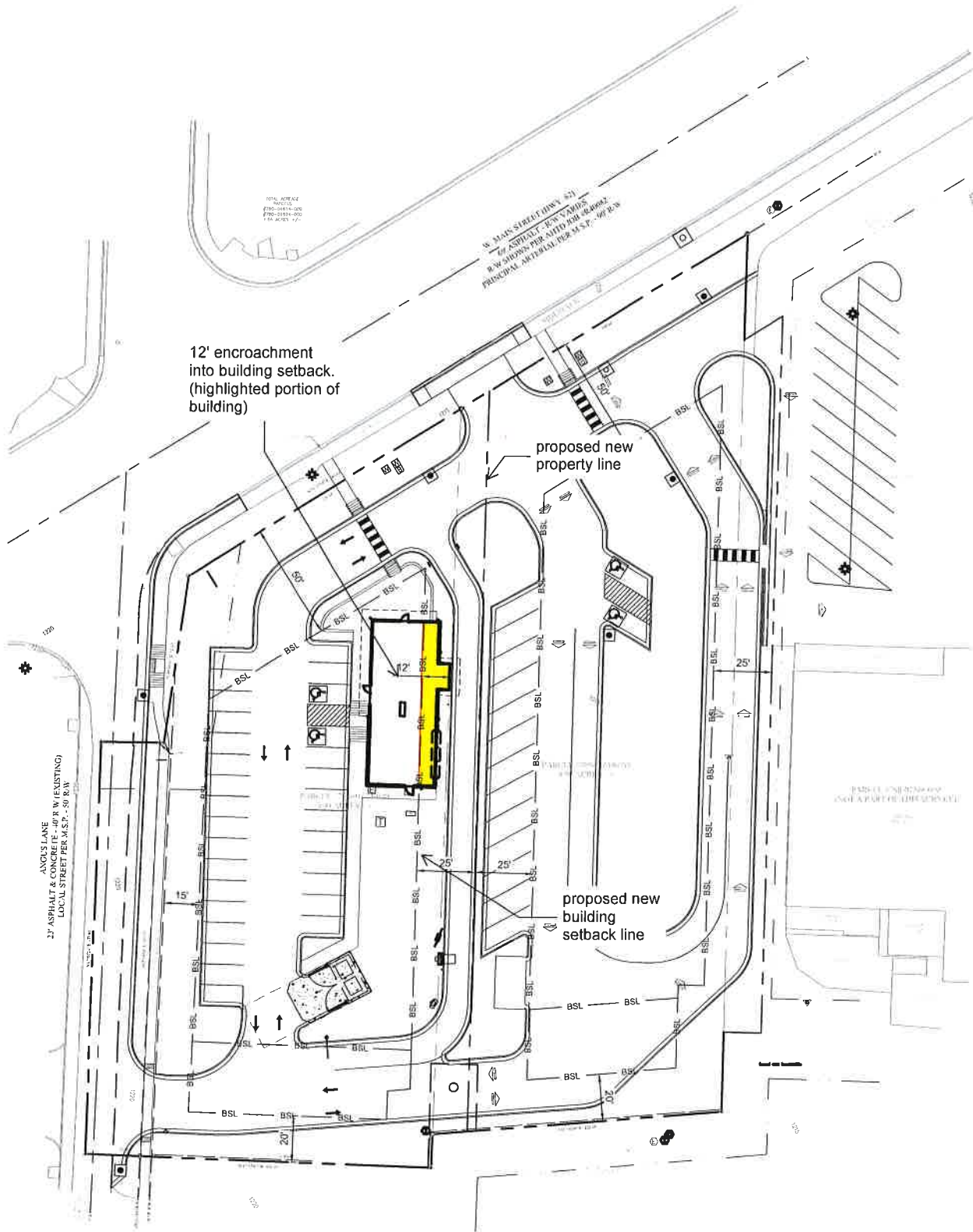
kelsey.kreher@hfa-ae.com
www.hfa-ae.com

HFA (Harrison French & Associates)
Creative Solutions, Meaningful Places
1705 S. Walton Blvd Suite 3, Bentonville, AR 72712
[Bentonville](#) | [Boston](#) | [Fort Worth](#) | [Mexico City](#)

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STARBUCKS SITE EXHIBIT



Agenda Item 4. C

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: HFA
1705 S. Walton Blvd.
Address: Bentonville, AR. 72712

Day phone: 479-273-7780

Fax: _____

Representative: Rick McGraw
1705 S. Walton Blvd.
Address: Bentonville, AR. 72712

Day phone: 479-273-7780 ext.283

Fax: _____

Property Owner: Farmington JK, LLC
c/o Hank Kelley & Jordan Jeter
425 W. Capitol Ave.
Address: Little Rock, AR. 72201

Fax: 501-352-7200

Day phone: 501-350-7388

Fax: 501-374-9537

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

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

Property description: see below

Site address: 271 W. Main St.

Current zoning: C-2

Tract "C"

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:

see below

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 :

NOTICE OF PUBLIC MEETING

A petition for a variance at the property described below has been filed with the City of Farmington on the 12th day of June, 2020.

PARCEL #760-02348-000:
A PART OF LOT 3 OF FARMINGTON COMMERCIAL CENTER PHASE 2 TO THE CITY OF FARMINGTON, ARKANSAS AND ALSO BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF SAID LOT 3 AND RUNNING THENCE N87°54'46"W 432.43' TO AN EXISTING REBAR, THENCE N01°31'28"E 343.02' TO THE SOUTH RIGHT-OF-WAY OF HIGHWAY #62, THENCE ALONG SAID RIGHT-OF-WAY N58°17'23"E 183.14', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S85°55'16"E 21.63' TO A POINT ON THE WEST RIGHT-OF-WAY OF SOUTH SARATOGA WAY, THENCE LEAVING SAID SOUTH RIGHT-OF-WAY OF HIGHWAY #62 ALONG SAID WEST RIGHT-OF-WAY OF SOUTH SARATOGA WAY S30°48'17"E 359.39', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S50°37'44"E 82.56', THENCE LEAVING SAID RIGHT-OF-WAY S01°22'56"W 92.34' TO THE POINT OF BEGINNING, CONTAINING 3.07 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A public meeting to consider this request for variance at the above described property will be held on 22nd day of June, 2020, 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.

Farmington JK, LLC
Henry Kelley Date 6-10-2020
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.)

Farmington JK, LLC
Henry Kelley Date 6-10-2020
Owner/Agent Signature

PROPERTY DESCRIPTION: The property is located 271 W. Main St, currently zoned C-2 and is +/-2.96 acres. The subject property is currently being utilized by a church. The owners of Tract A and Tract B (see associated survey) are also the owners of Tract C.

TYPE OF VARIANCE REQUEST AND REASON FOR REQUEST.

Due to the property line adjustment associated with the Starbuck's project, we are requesting a building setback variance on Tract C to allow the existing church building to sit within the new proposed 25' side building setback. As part of the Starbuck's site design and overall project design and layout as one development, we are having to adjust the property lines between Tract A and B and Tract B and C to accommodate the overall site design. When the eastern property line of Tract B is adjusted, this also adjust the side setback line for TRACT C, respectively. In doing so, approximately 15' of the western portion of the existing building on Tract C will be within the new side setback. The current landowners have communicated this with the current land tenant and they are 100% on board with this request.

RECEIPT

DATE 6-12-20

No. 217184

RECEIVED FROM

Harrison Ranch Assoc

\$ 50.00

DOLLARS

FOR RENT

FOR

Variance - 2 (tract A & tract C)

ACCOUNT	
PAYMENT	<u>50.00</u>
BAL. DUE	<u>A</u>

CASH

CHECK

MONEY ORDER

CREDIT CARD

FROM

TO

BY

B. Blom

3-11

LEGAL DESCRIPTION

PARCEL #760-02348-000:

A PART OF LOT 3 OF FARMINGTON COMMERCIAL CENTER PHASE 2 TO THE CITY OF FARMINGTON, ARKANSAS AND ALSO BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF SAID LOT 3 AND RUNNING THENCE N87°54'46"W 432.43' TO AN EXISTING REBAR, THENCE N01°31'28"E 343.02' TO THE SOUTH RIGHT-OF-WAY OF HIGHWAY #62, THENCE ALONG SAID RIGHT-OF-WAY N58°17'23"E 183.14', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S85°55'16"E 21.63' TO A POINT ON THE WEST RIGHT-OF- WAY OF SOUTH SARATOGA WAY, THENCE LEAVING SAID SOUTH RIGHT-OF- WAY OF HIGHWAY #62 ALONG SAID WEST RIGHT-OF-WAY OF SOUTH SARATOGA WAY S30°48'17"E 359.39', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S50°37'44"E 82.56', THENCE LEAVING SAID RIGHT-OF-WAY S01°22'56"W 92.34' TO THE POINT OF BEGINNING, CONTAINING 3.07 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

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PARCEL #760-02348-000:

A PART OF LOT 3 OF FARMINGTON COMMERCIAL CENTER PHASE 2 TO THE CITY OF FARMINGTON, ARKANSAS AND ALSO BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHEAST CORNER OF SAID LOT 3 AND RUNNING THENCE N87°54'46"W 432.43' TO AN EXISTING REBAR, THENCE N01°31'28"E 343.02' TO THE SOUTH RIGHT-OF-WAY OF HIGHWAY #62, THENCE ALONG SAID RIGHT-OF-WAY N58°17'23"E 183.14', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S85°55'16"E 21.63' TO A POINT ON THE WEST RIGHT-OF-WAY OF SOUTH SARATOGA WAY, THENCE LEAVING SAID SOUTH RIGHT-OF-WAY OF HIGHWAY #62 ALONG SAID WEST RIGHT-OF-WAY OF SOUTH SARATOGA WAY S30°48'17"E 359.39', THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S50°37'44"E 82.56', THENCE LEAVING SAID RIGHT-OF-WAY S01°22'56"W 92.34' TO THE POINT OF BEGINNING, CONTAINING 3.07 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A public hearing to consider this variance will be held on the 22nd day of June 2020, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Brenda Coleman

From: Cathy Wiles <cwiles@nwadg.com>
Sent: Thursday, June 11, 2020 1:15 PM
To: Kelsey Kreher
Cc: Rick McGraw
Subject: RE: Two Notices of Public Hearing

Kelsey these are both set to run Sunday 6/14
Thank you
Cathy



Cathy Wiles

Classified Sales Manager | cwiles@nwadg.com
479-571-6421 | [Twitter](#) [Facebook](#)

Northwest Arkansas Democrat-Gazette www.nwadg.com
Our community. Our paper.

212 N. East Ave. Fayetteville, AR 72701

From: Kelsey Kreher [<mailto:kelsey.kreher@hfa-ae.com>]
Sent: Thursday, June 11, 2020 12:56 PM
To: Cathy Wiles
Cc: Rick McGraw
Subject: Two Notices of Public Hearing

Hi Cathy,

Could we please get these two notices of public hearing to run on Sunday?

Thank you,

Kelsey Kreher
Team Lead



t 479.273.7780 ext 355
c 816.872.7190

kelsey.kreher@hfa-ae.com
www.hfa-ae.com

HFA (Harrison French & Associates)
Creative Solutions, Meaningful Places
1705 S. Walton Blvd Suite 3, Bentonville, AR 72712
[Bentonville](#) | [Boston](#) | [Fort Worth](#) | [Mexico City](#)

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Rick McGraw

From: Hank C. Kelley <hkelly@kelleycp.com>
Sent: Thursday, June 11, 2020 6:42 PM
To: Rick McGraw
Cc: Jordan Jeter; Tara Mitchell; Nick Kelley
Subject: Variances for development of Starbucks and Wendys Farmington.
Attachments: BNC Lease Amendment Executed.pdf; Re: Kick off call with Starbucks

Rick

We are the owners of the the property currently occupied by Brand New Church at 271 West Main Street in Farmington Arkansas.

Please let this email serve to grant you permission to apply on our behalf for the variances needed to properly develop the adjoining lots for Starbucks and Wendys. We are owner of all of these parcels affected and in anticipation of the need for variances and lot line adjustments the Brand New Church Tenant agreed and executed the attached lease amendment granting us permission as their tenant to allow us to provide the needed adjustments to the property they lease. Please know we have confirmed their acceptance on today's date and will be available to answer any questions for you or the City of Farmington.

Thanks

Henry Kelley, Jr.

Member

Farmington JK, LLC

Henry C. Kelley, Jr., CRE, SIOR, CPM

Chief Executive Officer

Kelley Commercial Partners

D 501.244.7503 | **M** 501.352.7200

425 West Capitol Avenue, Suite 300

Little Rock, AR 72201

NEW EMAIL: hkelly@kelleycp.com

Agenda Item 4. D

**City of Farmington
Application and Checklist
Large Scale Development**

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.

Applicant: HFA Day Phone: 479-273-7780
1705 S. Walton Blvd.
 Address: Bentonville, AR. 72712 Fax: _____

Representative: Rick McGraw Day Phone: 479-273-7780 ext.283
1705 S. Walton Blvd.
 Address: Bentonville, AR. 72712 Fax: _____
 Farmington JK, LLC
 Property Owner: c/o Hank Kelley & Jordan Jeter Day Phone: 501-352-7200 & 501-350-7388
425 W Capitol Ave,
 Address: Little Rock, AR 72201 Fax: 1-501-374-9537

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

Fee: A non-refundable review fee of **\$500** is required at the time the application is accepted. In the event engineering review fees and costs exceed \$500, 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 large scale development and additional engineering fees and costs are incurred, the owners and/or developers shall reimburse the City of Farmington before the large scale development 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 -- W. Main St & Angus Lane

Current Zoning -- C-2

Attach legal description

(Starbucks)

Financial Interests

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

Farmington JK, LLC, Henry C. Kelley, Jr., Jordan Jeter

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.

Rick McGraw Date 5-19-20
 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.)

Henry Kelley Date 4/15/2020
 Owner/Agent Signature Farmington SE, LLC

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.	x		
2. Payment of application fee.	x		
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.	x		
4. Fifteen (15) copies of the site plan folded to a size of no greater than 10" X 10 ½ ".	x		
5. List of adjacent property owners and copy of notification letter sent. *	x		
6. White receipts from post office and green cards from registered letters (at least 7 days prior to the meeting).			to be provided
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).			to be provided
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.	x		
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.*	x		
3. North arrow, graphic scale, acreage, date of preparation, zoning classification and proposed use.	x		
4. Complete and accurate legend.	x		
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.	x		
6. Note regarding wetlands determination, if any. Note if Army Corps of Engineers determination is in progress.	x		
7. Written legal description. (If the project is in more than one tract the legal for each individual tract must be provided.)	x		
8. P.O.B. from a permanent well-defined reference point, P.O.B. must be clearly labeled.	x		
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.	x		
13. A general vicinity map of the project at a scale of 1" = 2000'	x		
14. The location of all existing structures. Dimensions of buildings and setbacks from the building to property lines.	x		
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.	x		
16. Existing topographic information with source of the information noted. Show:	x		
a. Two foot contour for ground slope between level and ten percent.	x		
b. Four foot contour interval for ground slope exceeding 10%.	x		
17. Preliminary grading plan.	x		
Existing Utilities and Drainage Improvements (Copy of the <u>Drainage Criteria Manual</u> 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.	x		
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.	x		
Proposed Utilities			
1. Regarding all proposed storm sewer structures and drainage structures:	x		
a. Provide structure location and types.	x		
b. Provide pipe types and sizes.	x		
2. Regarding all proposed sanitary sewer systems	x		
a. Provide pipe locations, sizes and types.	x		
b. Manhole locations.	x		
3. Note the occurrence of any previous sanitary sewer overflow problems on-site or in the proximity of the site	x		
4. If a septic system is to be utilized, note that on the plat. Show the location and test data for all percolation tests.	x		
5. Regarding all proposed water systems on or near the site:	x		
a. Provide pipe locations, sizes and types.	x		
b. Note the static pressure and flow of the nearest hydrant.	x		
c. Show the location of proposed fire hydrants, meters, valves, backflow preventers and related appurtenances.	x		
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.	x		
b. Locations of all lines above and below ground.	x		
c. A note shall be placed where streets will be placed under the existing overhead facilities and the	x		

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.	x		
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.	x		
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.	x		
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.)	x		
Site Specific Information			
1. Provide a note describing any off site improvements.	x		
2. The location of known existing or abandoned water wells, sumps, cesspools, springs, water impoundments and underground structures within the project.	x		
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.)	x		
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.)	x		
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.	x		
6. For large scale residential development, indicate the use and list in a table the number of units and bedrooms.			N/A
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.)	x		
8. The location and size of existing and proposed signs, if any.	x		
9. Location and width of curb cuts and driveways. Dimension all driveways and curb cuts from side property line and surrounding intersections.	x		
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.)	x		
11. Location of buffer strips, fences or screen walls, where required (check the zoning ordinance).	x		
12. Location of existing and purposed sidewalks.	x		
13. Finished floor elevation of existing and purposed structures.	x		
14. Indicate location and type of garbage service (Large Scale	x		

Developments only.) Dimension turnaround area at dumpster location.			
15. A description of commonly held areas, if applicable.			N/A
16. Draft of covenants, conditions and restrictions, if any.			N/A
17. Draft POA agreements, if any.			N/A
18. A written description of requested variances and waivers from any city requirements.			N/A
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.			N/A
20. Preliminary drainage plan as required by the consulting engineer.	x		

**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.*

RECEIPT

DATE 5-19-20

No. **217183**

RECEIVED FROM Harrison Rent & Assoc. \$ 500.00

Five hundred & no/100 DOLLARS

FOR RENT
 FOR Large Scale - Starbucks

ACCOUNT	
PAYMENT	<u>500.00</u>
BAL. DUE	<u>✓</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____
BY D. Coleman

3-11

chf
109063

City of Farmington, AR

05/20/2020 3:59AM 01
000000#9261 CLERK01

Development Fees \$500.00

ITEMS 10
CHECK \$500.00

NOTICE OF PUBLIC HEARING

A petition for Large Scale Development for the property as described below has been filed with the City of Farmington on the 19 day of May, 2020.

PLACE LEGAL DESCRIPTION OF PROPERTY HERE

A public hearing to consider this Large Scale Development will be held on the 22 day of June, 2020, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.

Proof of publication of public hearing notice, must be published a minimum of 10 days prior to the Planning Commission meeting (proof must be provided at least 7 days prior to the meeting).

**NOTICE OF PUBLIC HEARING BEFORE
THE FARMINGTON PLANNING COMMISSION
ON AN APPLICATION FOR LARGE SCALE DEVELOPMENT**

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

271 W Main St.

Location

Farmington JK, LLC

Owned by

NOTICE IS HEREBY GIVEN THAT an application has been filed for LARGE SCALE DEVELOPMENT 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 June 22, 2020 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.

LEGAL DESCRIPTION

LOT A:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET WHICH IS S87°31'53"E 148.00' AND S02°04'59"W 21.60' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S02°04'59"W 325.85' TO AN EXISTING REBAR, THENCE N87°55'28"W 148.00', THENCE N02°04'32"E 177.02' TO A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: S89°35'39"E 26.82, N08°10'21"E 72.47', N58°16'41"E 136.62', TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OF LESS. SUBJECT TO THAT PORTION IN ANGUS LANE RIGHT-OF-WAY ON THE WEST SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHT-OF-WAY OF RECORD

LOT B:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY WEST MAIN STREET WHICH IS S87°31'53"E 148.00' AND S02°04'32"W 21.60' FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY N58°16'41"E 144.23', THENCE LEAVING SAID RIGHT-OF-WAY S01°31'48"W 377.05', THENCE S85°19'08"W 124.31', THENCE N02°04'32"E 311.43', TO THE POINT OF BEGINNING, CONTAINING 0.96 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



To: City of Farmington – Planning Department
From: Harrison French & Associates
Date: May 19, 2020
Subject: Starbucks – Farmington, AR.

Dear Planning Staff,

Harrison French & Associates are pleased to submit large scale development plans for a proposed Starbucks and out-lot located on 0.90 and 0.96 acres, respectively, at the SE corner of W. Main St. (Hwy.62) and Angus Ln in Farmington, AR. The scope of the project will consist of a Starbucks restaurant, associated parking, landscaping and utilities. The adjacent lot will be design as an outparcel and be built up to building sub-grade as part of the Starbucks project. Extension of the sanitary sewer main will likely be required in order to serve both lots. The owners of this project have a cross access agreement in place with the neighboring church to be able to access their parking lot for shared parking. A lot line adjustment will be made once the overall site plan has been finalized.

Please don't hesitate to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads 'Rick McGraw' with a stylized flourish at the end.

Rick McGraw, PLA, ASLA, CLARB
Team Lead / Landscape Architect
(479)273-7780x283
rick.mcgraw@hfa-ae.com



Lots adjacent to 271 W. Main Street / Parcel 760-02348-000:

1.

Parcel: 760-01604-000

Owner: SCHOOL DISTRICT #6

Mailing Address: 275 RHEAS MILL RD, FARMINGTON 72730-2707

2.

Parcel: 760-02346-000

Owner: BANK OF FAYETTEVILLE

Mailing Address: PO BOX 1728, FAYETTEVILLE 72702-1728

3.

Parcel: 760-02344-000

Owner: PURE PROPERTIES LLC

Mailing Address: PO BOX 236, FARMINGTON 72730

4.

Parcel: 760-02347-000

Owner: LOSSING, JOHN D & CAROL D

Mailing Address: 4654 FARM ROAD 2190, EXETER 65647

5.

Parcel: 760-02153-000

Owner: NEWMAN, WILLIE C JR & STEPHANIE

Mailing Address: 246 W PINE MEADOW DR, FARMINGTON 72730-8624

6.

Parcel: 760-02154-000

Owner: SCOTT, LATNAY E

Mailing Address: 254 W PINE MEADOW DR, FARMINGTON 72730

7.

Parcel: 760-02155-000

Owner: SIMMONS, KATHRYN K INHERITANCE

Mailing Address 262 W PINE MEADOW DR, FARMINGTON 72730

8.

Parcel: 760-02156-000

Owner: HOLLIS, SUSAN FRANCIS MARIE

Mailing Address 270 W PINE MEADOW DR, FARMINGTON 72730

9.

Parcel: 760-02157-000

Owner PLUMLEE, JEREMY J

Mailing Address: 278 W PINE MEADOW DR, FARMINGTON 72730

10.

Parcel: 760-01614-000

Owner: FARMINGTON JK LLC

Mailing Address: 14190 BETHEL BLACKTOP RD, FARMINGTON 72730

7020 0640 0000 3936 4178

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com™

EXETER, NH 05667
FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Lossing, John D. & Carol D.**
4654 Farm Road
Exeter, NH 05647

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4181

**U.S. Postal Service™
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For delivery information, visit our website at www.usps.com™

EXETER, NH 05667
FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Newman, Willie & Stephanie**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4154

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FAVETVILLE, NH 07794

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Bank of Fayetteville**
PO Box 9728
Fayetteville, NH 07702-1728

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4151

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Pure Properties LLC**
PO Box 236
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4206

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Simmons, Kathryn K. Inheritance**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4239

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Farmington JE LLC**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4215

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Holly Susan**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4222

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Purinton, Jeremy**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4147

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **School District #6**
215 Pine Mill Rd.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

7020 0640 0000 3936 4141

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FARMINGTON, NH 07730

CERTIFIED MAIL Fee \$3.55 0712 08

POSTAGE Fee \$0.55

Total Postage and Fees \$4.10

Send To: **Scott Latour**
296 W. Pine Meadow Dr.
Farmington, NH 07730

PS Form 3800, April 2015 PSN 7530-0200-9047 See Reverse for Instructions

NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1607, FAYETTEVILLE, AR. 72702 • 479-442-1700 • FAX: 479-695-1116 • 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.

Harrison French Arch
Public Hearing


Was inserted in the Regular Edition on:
June 12, 2020

Publication Charges: \$78.00


Brittany Smith

Subscribed and sworn to before me
This 12 day of June, 2020.




Catherine Staggs
Notary Public
My Commission Expires: 2/28/2025

****NOTE****

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

NOTICE OF PUBLIC HEARING
A petition for Large Scale Development for the property as described below has been filed with the City of Farmington on the 19th day of May 2020.
Legal Description:
A PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT; BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET WHICH IS S87°31'53"E 148.00' AND S02°04'59"W 21.60' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S02°04'59"W 325.85' TO AN EXISTING REBAR, THENCE N87°55'28"W 148.00', THENCE N02°04'32"E 177.02' TO A POINT ON THE SOUTH RIGHT-OF-WAY OF WEST MAIN STREET, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: S89°35'39"E 26.82', N08°10'21"E 72.47', N58°16'41"E 136.62', TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN ANGUS LANE RIGHT-OF-WAY ON THE WEST SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
A public hearing to consider this Large-Scale Development will be held on the 22nd day of June 2020, at six o'clock p.m. at Farmington City Hall, 354 West Main, Farmington, Arkansas. All interested persons are invited to attend.
75281936 June 12, 2020

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

Applicant: Farmington JK, LLC

Date: June 2, 2020

Project Name: ~~Pedal Pops Extension Phase I~~ Starbucks LSD

Engineer/Architect: Harrison French & Associates, LTD

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. Coordinate with the Farmington Fire Chief for required fire lanes and add these to the plan.
3. Has the lot line adjustment already been filed? It appears that the additional parking does not have proper access from this site. The lot line adjustment needs to be amended or an access easement will be required to provide at a minimum of 20' of access to all of the spaces.
4. Dimension from the centerline the proposed curb and right-of-way for South Angus Lane.
5. The sidewalk along Angus will have to be continuous through the proposed drive.
6. All work within the state right-of-way will have to be permitted by ArDOT.

CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT

Applicant: Farmington JK, LLC

Date: 6/2/2020

Project Name: Starbucks

Engineer/Architect: Harrison, French, & 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

If PGTelco services are desired:

1. We will need a minimum 2" conduit extending from the proposed building to the general vicinity of our service pedestal in Southeast corner of Lot A. This conduit would need to show up in the greenspace and clear of the proposed pavement.
2. We will need a #6 copper ground wire from the electrical service panel at/near our demarcation point in the building.

Received By: _____

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

Applicant: Farmington JK, LLC

Date: 6/2/2020

Project Name: Starbucks

Engineer/Architect: Harrison French & 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: Judy Horne
For Landscape Ordinance requirements jhorne923@gmail.com, 479-267-1022

Meets Landcape Ordinance requirements, including screening requirements on south side of property next to residential property.

Received By: _____

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

Applicant: Farmington JK, LLC

Date: 6-2-2020

Project Name: Starbucks

Engineer/Architect: Harrison French & 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.
3. An advertisement regarding this development should be in the paper no later than 10 days prior to the planning commission meeting. Proof of publication must be provided when it is available.
4. The revised plan must be submitted by next Tuesday, June 16th by noon. The City requires 15 copies for planning commission.
5. A revised copy and drainage plan should be delivered directly to Chris Brackett at his office.

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

Applicant: Farmington JK, LLC

Date: June 2, 2020

Project Name: ~~Pedal Pops Extension Phase I~~ Starbucks LSD

Engineer/Architect: Harrison French & Associates, LTD

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. Coordinate with the Farmington Fire Chief for required fire lanes and add these to the plan.
3. Has the lot line adjustment already been filed? It appears that the additional parking does not have proper access from this site. The lot line adjustment needs to be amended or an access easement will be required to provide at a minimum of 20' of access to all of the spaces.
4. Dimension from the centerline the proposed curb and right-of-way for South Angus Lane.
5. The sidewalk along Angus will have to be continuous through the proposed drive.
6. All work within the state right-of-way will have to be permitted by ArDOT.



June 8, 2020

Revision 1 Comment Response

**Re: Starbucks
W. Main St. & S. Angus Ln.
Farmington, AR**

Fire Department – William Hellard, Fire Chief

1. Add fire lanes as shown
 - a. Fire lanes have been added

City of Farmington – 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
 - a. Understood.
2. Coordinate with the Farmington Fire Chief for required fire lanes and add these to the plan.
 - a. Fire lanes have been added per conversation with Fire Chief on 06/03/2020.
3. Has the lot line adjustment already been filed? It appears that the additional parking does not have proper access from this site. The lot line adjustment needs to be amended or an access easement will be required to provide at a minimum of 20' of access to all of the spaces.
 - a. See attached access easement for shared parking of church property. Owners of Church property are the same owners of Lots A and B.
4. Dimension from the centerline the proposed curb and right-of-way for South Angus Lane.
 - a. Dimension has been added
5. The sidewalk along Angus will have to be continuous through the proposed drive.
 - a. Understood
6. All work within the state right-of-way will have to be permitted by ArDOT.
 - a. Understood

City of Fayetteville – Josh Boccaccio

1. A grading permit must be submitted to the City of Fayetteville Engineering Division for comprehensive construction-level review of the water and sanitary sewer system for this development.
 - a. Understood
2. City of Fayetteville 2017 Water and Sewer Specifications will apply.
 - a. Understood
3. Clarify connection to existing sewer. Is the 6” proposed to be a public main? Necessary off-site easement must be dedicated if so.
 - a. Proposed 6” is to be public main extension to provide Lot A with sewer access. A utility easement has been proposed to the existing utility easement.
4. Property line adjustment must be completed prior to connecting to City of Fayetteville public utilities.
 - a. Understood

PGTelco/Zing Broadband -Shane Bell

1. We will need a minimum 2” conduit extending from the proposed building to the general vicinity of our service pedestal in Southeast corner of Lot A. This conduit would need to show up in the greenspace and clear of the proposed pavement.
 - a. A proposed conduit has been added
2. We will need a #6 copper ground wire from the electrical service panel at/near our demarcation point in the building.
 - a. Understood

City of Farmington – Judy Horne

1. Meets landscape ordinance requirements, including screening requirements on south side of property next to residential property.
 - a. Understood

City of Farmington – Melissa McCarville

1. Engineering fees will accumulate as the development continues. We will bill the engineer or the developer monthly.
 - a. Understood
2. Adjacent property owners must be notified by certified mail; receipts should be submitted by one week prior to the Planning Commission meeting.
 - a. Understood
3. An advertisement regarding this development should be in the paper no later than 10 days prior to the planning commission meeting. Proof of publication must be provided when it is available.
 - a. Understood

4. The revised plan must be submitted by next Tuesday, June 16th by noon. The City requires 15 copies for planning commission.
 - a. Understood
5. A revised copy and drainage plan should be delivered directly to Chris Brackett at his office.
 - a. Understood

When recorded, please return to:
Flake & Kelley Commercial
425 W. Capitol Ave., Suite 300
Little Rock, Arkansas 72201
Attention: Nicholas E. Kelley, Esq.
(501) 375-3200

RECIPROCAL EASEMENT AND PARKING AGREEMENT

This Reciprocal Easement and Parking Agreement (Agreement") is made this 25th day of February 2020, by FARMINGTON JK, LLC, an Arkansas limited liability company (Grantor").

WHEREAS, Grantor is the owner of that certain tract of land located in Washington County, Arkansas, which tract is identified as Washington County Assessor Parcel No. 760-01624-000 and more particularly described on Exhibit A attached hereto ("Tract 1");

WHEREAS, Grantor is the owner of that certain tract of land located in Washington County, Arkansas, which tract is identified as Washington County Assessor Parcel No. 760-01614-000 and more particularly described on Exhibit A attached hereto ("Tract 2");

WHEREAS, Grantor is the owner of that certain tract of land located in Washington County, Arkansas, which tract is identified as Washington County Assessor Parcel No. 760-02348-000 and more particularly described on Exhibit A attached hereto ("Tract 3").

WHEREAS, Tract 1, Tract 2, and Tract 3 (collectively, the "Parcels" or the "Project") are contiguous and are shown on the site plan attached here as Exhibit B (the foregoing, as amended and approved by the Owners from time to time, the "Site Plan").

WHEREAS, Grantor has leased or will lease the Parcels, and, Grantor desires to establish a reciprocal cross access easement for the benefit of the Parcels and parking easements for the benefit of Tract 1 and Tract 2 and hereby sets forth a common plan for ingress, egress and parking over and across the Property.

NOW, THEREFORE, in consideration of the foregoing statements, the covenants and agreements hereinafter set forth and in furtherance of the Parties mutual agreement as hereinafter defined, and all other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby covenant and agree as follows:

1. Benefited Parties/Binding Effect. The rights, easements and obligations established in this Agreement shall run with the land and be for the benefit of the Tracts and shall run with the land and be binding upon the Parcels. The owners of the Parcels may delegate the right to use and maintain the easements granted herein to their respective tenants, customers, invitees, employees, agents, contractors and licensees, successors and assigns.

2. Common Access and Limited Parking Easements. Grantor hereby grants and subjects those portions of Parcels shown on Exhibit B as access drives and parking areas, for the benefit of and as an appurtenance to each Tract, a non-exclusive, perpetual easement over, upon, across and through that portion of the access areas and parking areas located on each such Tract for the purposes of pedestrian and vehicular access, ingress and egress, together with the right, but not the obligation, of maintaining and repairing that portion of the access areas and parking areas located on such Parcel. Further, Grantor hereby grants each of Tract 1 and Tract 2 a non-exclusive, perpetual easement for purposes of parking in the parking spaces located within the Tract 3 parking areas for the benefit and use of each owner and their respective tenants, customers, invitees, employees, agents, contractors and licensees, successors and assigns. Parking shall be on a first come, first served basis within the access areas and parking areas and neither Tract owner shall be entitled to reserve or restrict access to any parking space located within the area. Notwithstanding the foregoing, the parking easement granted to Tract 1 and Tract 2 above shall not be applicable to Sundays, and the owner or owners of Tract 1 and Tract 2 shall ensure that their employees, invitees, customers, agents, contractors and licensees do not park in the parking area on Tract 3 at any time on any Sunday during the calendar year.

The owner of each Tract shall keep and maintain in good order, condition and state of repair, at its sole expense, those portions of access areas and parking areas located on each respective Tract, including any driveways, curbing, paving, parking areas and lighting located therein. In the event that any party defaults in its obligation to so maintain the portions of the access areas and parking areas lying on its Tract, then a non-defaulting owner shall have the right to perform such maintenance upon ten (10) days advance written notice on behalf of the defaulting owner and the defaulting owner shall reimburse the non-defaulting owner within ten (10) days of receipt of invoice for same. All rights and obligations granted in this Section 2 shall be deemed covenants that run with the land and be binding on each Tract owner's successors and assigns.

No party shall at any time erect, construct, or cause to be erected or constructed, any fence, wall, curb or other barrier between Parcels or in any manner interfere with or restrict the full and complete use and enjoyment by any party of the easements granted herein. This Agreement does not dedicate the easements created herein to the general public. It is the intent of this Agreement to grant reciprocal easements over the access areas and parking areas without limiting the right of any Tract owner to alter, demolish, redevelop or, subject to the provisions of this Paragraph 2, improve the remainder of each Tract unless expressly stated herein to the contrary.

3. Manner of Performing Work. Whenever a party shall perform any construction, maintenance, repairs or replacements on its Tract or as otherwise permitted herein, such work shall be done expeditiously and in a good and workmanlike manner and in accordance with all applicable laws, codes, rules, statutes and regulations of governmental authorities having jurisdiction thereof. Such work shall be carried out in such manner so as to cause the least amount of disruption to any business operations being conducted on the surrounding land as is reasonably practicable.

4. Extent of Liability. Notwithstanding any other provision contained in this Agreement to the contrary, the obligations and liability of each Tract owner shall be limited solely to such party's interest in its respective Tract, as such interest is constituted from time to time. Any claim against a party hereto shall be confined to and satisfied only out of, and only to the extent of, such party's interest in its Tract, as such interest is constituted from time to time. Nothing contained in this paragraph shall limit or affect any right that any party might otherwise have to seek or to obtain injunctive relief or to specifically enforce the rights and agreements herein set forth, provided that such injunctive relief or specific performance does not involve the payment of money from a source other than such party's interest in its Tract, as such interest may be constituted from time to time.

5. Duration. The provisions of this Agreement shall run with and bind the land described herein and shall be and remain in effect perpetually to the extent permitted by law.

6. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns. The terms 'party' or 'parties' as used herein shall mean the person or persons presently or hereafter holding title to or having a fee simple interest in any portion of the Property or the Adjoining Property.

7. Miscellaneous. This Agreement shall be governed in accordance with the laws of the State of Arkansas. The paragraph headings in this Agreement are for convenience only, shall in no way define or limit the scope or content of this Agreement, and shall not be considered in any construction or interpretation of this Agreement or any part hereof. Nothing in this Agreement shall be construed to make the parties hereto partners or joint venturers. No party hereto shall be obligated to take any action to enforce the terms of this Agreement or to exercise any easement, right, power, privilege or remedy granted, created, conferred or established hereunder. This Agreement may be amended, modified or terminated only in writing, executed and acknowledged by all parties to this Agreement or their respective successors or assigns. Time is of the essence of this Agreement.

IN WITNESS WHEREOF, the owner of Tract 1, Tract 2, and Tract 3 has set its hand and seal as of this 25th day of February, 2020.

GRANTOR:

FARMINGTON JK, LLC,
an Arkansas limited liability company

By: JJ Jeter LLC, an Arkansas limited liability company, its member

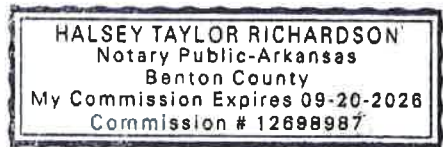
By: 
Name: Jordan Jeter
Title: Managing Member

ACKNOWLEDGEMENT

STATE OF ARKANSAS)
)ss.
COUNTY OF WASHINGTON)

On this 25th day of February, 2020, before me, the undersigned Notary Public, personally appeared **Jordan Jeter**, known to me to be the Managing Member of JJ Jeter LLC, an Arkansas limited liability company, known to me to be a Member of **FARMINGTON JK, LLC**, an Arkansas limited liability company, and the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he had executed the same on behalf of the limited liability company in such capacity for the uses, considerations and purposes therein contained and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public

[Signatures Continue on Following Page]

GRANTOR:

FARMINGTON JK, LLC,
an Arkansas limited liability company

By: Kelley Commercial Realty, LLC, an
Arkansas limited liability company, its Member

By: Henry Kelley, Jr.
Name: Henry C. Kelley, Jr.
Title: Sole and Managing Member

ACKNOWLEDGEMENT

STATE OF ARKANSAS)
 Washington)ss.
COUNTY OF ~~PULASKI~~)

On this 25th day of February, 2020, before me, the undersigned Notary Public, personally appeared **Henry C. Kelley, Jr.**, known to me to be the Sole and Managing Member of Kelley Commercial Realty, LLC, an Arkansas limited liability company, known to me to be a Member of **FARMINGTON JK, LLC**, an Arkansas limited liability company, and the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he had executed the same on behalf of the limited liability company in such capacity for the uses, considerations and purposes therein contained and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Halsey Taylor Richardson
Notary Public

EXHIBIT A

Legal Descriptions of Tracts 1, 2, and 3

Legal Description of Tract 1

Part of the E 1/2 of the NE 1/4 of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas and being more particularly described as follows: Beginning at a point where the center line of U.S. Highway No. 62 intersects the West line of said 80 acre tract, and running thence South with West line of 80 acre tract 289 feet; thence East 148 feet; thence North 397 feet, more or less, to the centerline of said Highway No. 62; thence in a Southwesterly direction with said centerline to the point of beginning.

LESS AND EXCEPT:

Part of the SE 1/4 of the NE 1/4 of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: Starting at the NW corner of the SE 1/4 of the NE 1/4 of Section 27; thence S 01°51' W along the West line thereof a distance of 113.8 feet to a point on the Southeasterly existing right of way line of U.S. Highway 62 for the point of beginning; thence N 58°09'01" E along said existing right of way line a distance of 37.2 feet to a point on the Southeasterly proposed right of way line of U.S. Highway 62; thence S 9°47' W along said proposed right of way line a distance of 60.2 feet to a point; thence N 88°10' W along said proposed right of way line a distance of 22.6 feet to a point on the West line of the SE 1/4 of the NE 1/4 of Section 27; thence N 01°51' E along said West line a distance of 39.0 feet to the point of beginning and containing 0.03 acre, more or less, which includes 0.02 acre, more or less, being used as a public road.

ALSO LESS AND EXCEPT

Part of the SE 1/4 of the NE 1/4 of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: Starting at a 1 1/2 inch square metal in concrete being used as the Center North 1/16 corner of Section 27; thence S 87°48'56" E along the North line of the South half of the NE 1/4 of Section 27 a distance of 1472.14 feet to a point on the Southerly right of way line of U.S. Highway 62 as established by AHTD Job 4705-2; thence S 58°27'52" W along said right of way line a distance of 5.75 feet for the point of beginning; thence S 01°51'45" W a distance of 18.41 feet to a point on the Southerly right of way line of U.S. Highway 62 as established by AHTD Job R40082; thence S 57°59'38" W along said right of way line a distance of 136.62 feet to a point; thence S 07°53'18" W along said right of way line a distance of 72.47 feet to a point; thence N 89°52'42" W along said right of way line a distance of 29.90 feet to a point on the West line of the SE 1/4 of the NE 1/4 of Section 27; thence N 02°09'20" E along said West line a distance of 31.21 feet to a point on the Southerly right of way line of U.S. Highway 62 as established by AHTD Job 4705-2; thence S 87°50'44" E along said right of way line a distance of 25.57 feet to a point; thence N 10°05'53" E along said right of way line a distance of 60.21 feet to a point; thence N 58°27'52" E along said right of way line a distance of 139.64 feet to the point of beginning and containing 0.08 acre or 3,482 square feet, more or less, as shown on plans prepared by the AHTD reference as Job R40082.

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

EXHIBIT A
(continued)

Legal Description of Tract 2

A part of the Northeast Quarter of the Northeast Quarter and a part of the Southeast Quarter of the Northeast Quarter of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point on the South right-of-way of West Main Street which is S 87°31'53" E 148.00 feet and S 02°04'32" W 21.60 feet from the Southwest corner of said Northeast Quarter of the Northeast Quarter and running thence along said right-of-way N 58°16'41" E 144.23 feet, thence leaving said right-of-way S 01°31'48" W 377.05 feet, thence S 85°19'08" W 124.31 feet, thence N 02°04'32" E 311.43 feet to the point of beginning, containing 0.96 acres, more or less. Subject to all easements and rights-of-way of record.

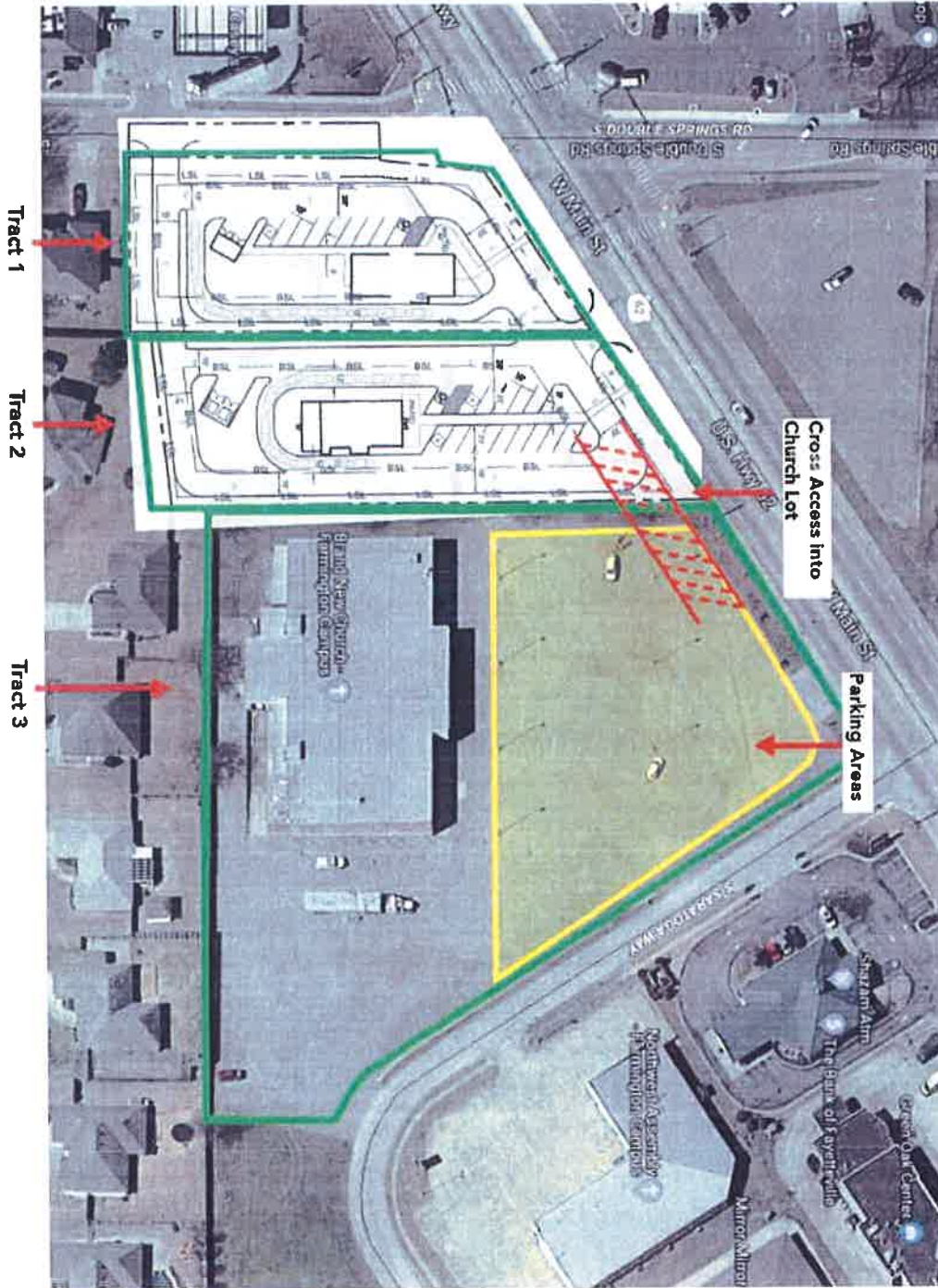
Legal Description of Tract 3

A part of Lot 3 of Farmington Commercial Center Phase 2 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, and also being a part of the Southeast Quarter of the Northeast Quarter and a part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 16 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at an existing rebar marking the Southeast corner of said Lot 3 and running thence N87°55'08"W 432.52 feet to an existing rebar, thence N01°31'48"E 343.02 feet to the South right-of-way of Highway #62, thence along said right-of-way N58°16'41"E 183.17 feet, thence continuing along said right-of-way S85°55'53"E 21.63 feet to a point on the West right-of-way of South Saratoga Way, thence leaving said South right-of-way of Highway #62 along said West right-of-way of South Saratoga Way S30°48'55"E 359.45 feet, thence continuing along said right-of-way along a curve to the left having a radius of 125.00 feet for a chord bearing and distance of S50°36'36"E 82.51 feet, thence leaving said right-of-way S01°22'31"W 92.34 feet to the point of beginning, containing 3.07 acres, more or less. Subject to all easements and rights-of-way of record.

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

EXHIBIT B

Site Plan and Access and Parking Areas



Agenda Item 4. E

**City of Farmington
Application and Checklist
Large Scale Development**

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.

Applicant: Bates and Associates Day Phone: 479-521-9350
 Address: 7230 S. pleasant Ridge Dr Fax: _____
 Representative: Jake Chavis Day Phone: 479-521-9350
 Address: 7230 S. Pleasant Ridge Dr Fax: _____
 Property Owner: Mike Thompson Day Phone: 404-290-1916
 Address: 161 W Main Street Fax: _____

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

Fee: A non-refundable review fee of **\$500** is required at the time the application is accepted. In the event engineering review fees and costs exceed \$500, 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 large scale development and additional engineering fees and costs are incurred, the owners and/or developers shall reimburse the City of Farmington before the large scale development 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 -- 161 W Main Street
 Current Zoning -- C-2
 Attach legal description

(Pedal Pops)

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.

J Chavis Date 5-19-20
 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.)

M. J. Kelly Date 5/19/20
 Owner/Agent Signature

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			
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	✓		

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.*

RECEIPT

DATE 5-19-20

No. 217182

RECEIVED FROM Bates & Assoc.

\$ 500.00

FOR RENT
 FOR

DOLLARS

Five hundred & no/100
Large Scale - Pedal Pop Extension
Ph. 1

ACCOUNT	
PAYMENT	<u>500.00</u>
BAL. DUE	<u>0</u>

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM

TO

BY

B. Coleman

3-11

Chk
16938

City of Farmington, AR

05/19/2020 5:31AM 01
000000#9256 CLERK01

Development Fees \$500.00

ITEMS 10
CHECK \$500.00



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

7230 S. Pleasant Ridge Drive / Fayetteville, AR 72704

PH: 479-442-9350 * FAX: 479-521-9350

January 20, 2020

Planning Commission
City of Farmington
354 W. Main Street
Farmington, AR 72730

RE: Pedal Pops project letter

Dear Planning Commission,

The proposed development located along W Main Street will be a parking lot expansion and update for the existing restaurant, Pedal Pops. The proposed improvements include a paved parking lot, interior sidewalk connectivity, landscaping, and utilities for food trucks.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely

Bates & Associates, Inc

Geoffrey H. Bates, P.E.
President of Engineering

Pedal Pops
ADJACENT PROPERTY OWNERS LIST

1) PARCEL #760-00891-001
LEGACY PROPERTIES LLC
34 PO BOX 605
FARMINGTON, AR 72730
ZONED: R-2

2) PARCEL #760-00892-000
BRICKMAN, PAUL
604 63RD PLACE
SEAT PLEASANT, MD 20743
ZONED: R-2

3) 3) PARCEL #760-00889-000
THE RURALS LLC
PO BOX 19311
FAYETTEVILLE, AR 72703
ZONED: R-2

4) PARCEL #760-00848-000
LEMONS, HAROLD C & ANNETTE B
PO BOX 726
FARMINGTON, AR 72730-0726
ZONED: C-2

5) PARCEL #760-00846-000
ROBBINS INVESTMENT INC
PO BOX 780
FARMINGTON, AR 72730-0780
ZONED: C-2

6) PARCEL #760-00858-000
ABUNDANT LIFE CHURCH OF GOD
PO BOX 461
FARMINGTON, AR 72730
ZONED: C-2

7) PARCEL # 760-00881-000
ACORD, SHIRLEY B; BOYD, STEVE & ANITA
116 W NORTHAVEN ST
FARMINGTON, AR 72730-3156
ZONED: C-2

8) PARCEL #760-00885-000
O'CONNER, LARRY D
40 S BOIS D' ARC ST
FARMINGTON, AR 72730-2922
ZONED: R-2

9) PARCELS #760-00849-000, 760-00847-000, 760-00859-000, & 760-00881-001
ARKANSAS STATE HIGHWAY COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203-2261
ZONED: R/W

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Postage: \$3.55

Postmark Here

06/11/2020

116 RURALS LLC
PO BOX 49311
FAYETTEVILLE, AR 72703

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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06/11/2020

816 MAN, PAUL
604 3RD PLACE
SEAT PLEASANT, MO 20743

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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06/11/2020

LEMONS, HAROLD C & ANNETTE
PO BOX 726
FARMINGTON, AR 72730-0726

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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06/11/2020

ARKANSAS STATE HIGHWAY
16 COMMISSION
PO BOX 2261
LITTLE ROCK, AR 72203-2261

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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06/11/2020

ROBBINS INVESTMENT INC
PO BOX 780
FARMINGTON, AR 72730-0780

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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For delivery information, visit our website at www.usps.com™.

Postage: \$3.55

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06/11/2020

ABUNDANT LIFE CHURCH OF GOD
PO BOX 461
FARMINGTON, AR 72730

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

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Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Postage: \$3.55

Postmark Here

06/11/2020

ACORD, SHIRLEY B; BOYD, STUMPA
116 W NORTHAVEN ST
FARMINGTON, AR 72730-3156

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Postage: \$3.55

Postmark Here

06/11/2020

SPENCER, LARRY D
40 S BOIS D'ARC ST
FARMINGTON, AR 72730-2922

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Postage: \$3.55

Postmark Here

06/11/2020

LEGACY PROPERTIES LLC
34 PO BOX 605
FARMINGTON, AR 72730

PS Form 3800, April 2015 PSN 7530-0100-9001 See Reverse for Instructions

CITY OF FARMINGTON
TECHNICAL PLAT REVIEW COMMITTEE REPORT

Applicant: Mike Thompson

Date: June 2, 2020

Project Name: Pedal Pops Extension Phase I

Engineer/Architect: Bates & Associates, 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. The submitted LSD/Subdivision Application Checklist was submitted with all of the Yes boxes checked. It is obvious that no time was taken to verify that the LSD included all of the necessary information. There are numerous items on this list that are not applicable to this project and other items that were checked yes but not included in the plans. In the future if a checklist is submitted this way, the project will not be accepted for technical plat review. Provide a completed checklist.
3. Flood Plain: A new detailed study has been performed on Goose Creek and is in the process to be accepted by FEMA. This study needs to be shown on the LSD along with the current regulatory flood plain that is already shown. You can get the latest study from the City's Flood Plain Administrator, James Geurtz with EDA at jrg@eda-pa.com. If the study shows that this property is not within the 100-year Floodplain, the Flood Plain Administrator must concur.
4. This development will require a Floodplain Development Permit.
5. Provide spot elevations on all corners of the sidewalk and parking lot to clarify how the development will drain. The proposed contours appear to show the finished grades will drain directly into the existing buildings. Also, the proposed contours tie to areas that are not being improved.
6. The new curb to close the entrance on Main Street will require that you replace the sidewalk to match the new curb height. An adjustment to the existing drainage box might also be required. Show these improvements. All work in the state right-of-way will have to be permitted by ArDOT.
7. Bois D'Arc Street, along your frontage, will have to be improved to the Farmington Master Street Plan. From the centerline it will require 13.5' to the back of the curb and 25' to the right-of-way. The parallel parking spaces will have to be outside of the 13.5' from centerline. The new right-of-way will have to be dedicated.
8. Clarify that the areas between the sidewalk are grass.

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

Applicant: Mike Thompson

Date: 6/2/2020

Project Name: Pedal Pops Extension Phase 1

Engineer/Architect: Bates & Associates, 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. A grading permit must be submitted to the City of Fayetteville Engineering Division for comprehensive construction-level review of the water and sanitary sewer system for this development.

2. City of Fayetteville 2017 Water and Sewer Specifications will apply.

3. Adequate easements for existing water and sewer mains must be dedicated with this development.

4. The proposed grease interceptor must not be located within the easement dedicated for the existing sewer main.

5. Screened dumpster enclosure must be removable if located in easement for existing sewer main.

Received By: _____

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

Applicant: Mike Thompson

Date: 6/2/2020

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Engineer/Architect: Bates & Associates, Inc.

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Representing: City of Farmington Name: Judy Horne
Landscaping Ordinance Requirements jhorne923@gmail.com 479-267-1022

This property location has poor driver visibility for drivers going east on Main Street. Therefore, it appears a variance from Landscaping Ordinance requirements may be necessary to improve visibility of the business.



Because of the small lot and resulting restrictions, there are issues with proposal:

1. The 4 proposed Murray Cypress trees will grow to 30 to 40 foot mature height and 10 foot width at base. They are intended primarily for screening purposes. (See photo to right)

2. The proposed three redbud trees in front on Main Street will grow wide and may obscure the business front and interfere with visibility.

3. Plat shows Loropetalum Purple Diamond shrubs along Bois d'Arc. At maturity its height is 5 ft.-6 ft. tall and 5 ft.-6 feet wide. Planted so close, they will make a very tall, dense hedge. If owner doesn't want a hedge, then could use fewer Loropetalum and add in a few low shrubs such as Firepower Nandina. OR, there are a few varieties of Dwarf Loropetalum that are shorter, but hard to find.

4. Numerous old trees will be removed on south edge of property next to a residence. Therefore, screening along a 6 foot privacy barrier fence, or wall, is required. This would be good place for Murray Spruce if there is room. If not room and no screening is proposed, a variance would be required. (See Article VII. Landscaped Side and Back Perimeter Buffer Requirements, B. 6 Special Side and Rear Perimeter Screening Requirements When Residential Use is Adjacent to Commercial Use.)

Received By: _____

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

Applicant: Mike Thompson

Date: 6-2-2020

Project Name: Pedal Pops Extension, Phase 1

Engineer/Architect: Bates & 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.
3. An advertisement regarding this development should be in the paper no later than 10 days prior to the planning commission meeting. Proof of publication must be provided when it is available.
4. The revised plan must be submitted by next Tuesday, June 16th by noon. The City requires 15 copies for planning commission.
5. A revised copy and drainage plan should be delivered directly to Chris Brackett at his office.

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

Applicant: Mike Thompson

Date: 6/2/2020

Project Name: Pedal Pops Extension Phase 1

Engineer/Architect: Bates & Associates, 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: Fire Department Name: Chief William Hallard
Add fire lanes as described

Received By: _____



**Bates &
Associates, Inc.**
Civil Engineering · Land Surveying · Landscape Architecture

7230 S. Pleasant Ridge Dr. / Fayetteville, AR 72704
PH: 479-442-9350 * FAX: 479-521-9350

June, 9, 2020

Chris Brackett, City of Farmington reviewing Engineer
Judy Horne, City of Farmington Planning Commissioner
Melissa McCarville, City of Farmington City Business Manager
William Hallard, City of Farmington Fire Dept.
Josh Boccaccio, City of Fayetteville Engineering

RE: Pedal Pops 1st Submittal Comments

All,

Please see Comment Responses Below.

Engineering:

1. Noted
2. A new LSD Submission application has been sent in with this 2nd submittal.
3. The new floodplain study shows that this property is NOT within the Floodplain boundary, I am waiting on James to Concur, and will Copy Chris to email chain.
4. Noted
5. Grading plan now has spot elevations on all sidewalk corners, parking lot corners, and is not showing more clearly how runoff will drain around building.
6. Burn closing will replace sidewalk, note added. Adjusting storm junction box will not be necessary now as shown on site plan. it is not being covered by curb and will act as sidewalk ramp. Note added that work in ARDOT will require permit.
7. Dedicated 25' R/W
8. All areas between sidewalks are grass.

Landscaping:

1. Murry Cypress replaces with different species and added to south for screening
2. Redbud replaced with different species
3. Replaced with different species as suggested
4. Murray spruce added along with screening fence

Fire:

1. Fire lane striping added

Fayetteville water and sewer:

1. Grading permit will be submitted along with fee and plans.
2. Noted.
3. 20' U.E. added to sewer main running through property
4. Grease interceptor moved
5. Screened dumpster is now removable with removeable fencing

Sincerely,

Bates & Associates, Inc.



A handwritten signature in black ink, appearing to read 'Jake Chavis', is written over a horizontal line. The signature is stylized and cursive.

Jake Chavis, E.I.