

Planning Commission Minutes
February 27, 2017

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

PRESENT

Jay Moore
Howard Carter
Matt Hutcherson
Robert Mann, Chair
Gerry Harris
Judy Horne
Bobby Wilson

ABSENT

Toni Bahn

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

- 2. Approval of Minutes:** January 23, 2017 minutes were approved as written.
- 3. Comments from Citizens:** No comments.

4A. Rezoning Request: 12268 W. Hwy 62 from R-1 to C-2 by Jim & Rebecca Ayers – for Warehouse

Randy Ritchey presented request which would allow Ayers to build a basic warehouse for business expansion. All paperwork was in order and City Engineer Chris Brackett had no questions or issues with project. There were no questions from Planning Commission. Chairman Robert Mann opened floor for comments, and there were none.

Chairman Mann called for question to rezone the land at 12268 W. Hwy 62 from R-1 to C-2 for construction of a warehouse. Unanimously approved by a vote of 6-0.

5A. Preliminary Plat for Farmington Heights Subdivision located on W. Sellers Road - owned by Lots 101 LLC

Ferdinand Fourie of Civil Design Engineers, Inc. was present to discuss the subdivision plat. He explained that this subdivision had been started about ten years ago but was abandoned. This plat shows 125 lots that would be about one-fourth acre size.

The City had no comments.

City Engineer Brackett presented a memo recommending approval with certain conditions:

1. The fire hydrant locations shown on plat and the utility plans must be reviewed and approved by the Fire Department.
2. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to any further construction activities.
3. Any enforcement due to possible unlawful grading on the site must be completely resolved prior to approval of the construction plans.
4. A completed Grading Permit Application and fee must be submitted prior to final approval of the plans. A preconstruction conference will be required prior to any mass grading on the site. The

owner, their engineering consultant, and their contractor responsible for the best management practices will be required to attend this conference.

5. After a final review set of plans and drainage report has been approved by McGoodwin, Williams & Yates, the applicant should submit to the City three (3) sets of full size plans and two (2) sets of half size plans, and two (2) more copies of the final drainage report that have been sealed by the engineer for final approval and distribution.

Ferdinand Fourie agreed to the terms of the City Engineer's memo.

Citizens attending the meeting were given the opportunity to speak regarding the subdivision.

Ashley Swaffar lives just east of the proposed 125 lot subdivision and said she was speaking for eight other neighbors. Although not opposed to the subdivision, she had concern about: increased traffic on Sellers Road which she described as deteriorating and narrow; water runoff because even without more development the nearby creek is at capacity when it rains. She had photos to show water runoff after a rain this day. Also she was afraid the subdivision may decrease her property value and thinks the plan should be evaluated for environmental concerns.

She mentioned that the owners of the land are dirt mining and thought that would have a negative environmental impact on the area. Rick Bramall, City Inspector, had sent a letter to the owners, asking them to stop moving dirt.

City Attorney Steve Tennant said the City Engineer Chris Brackett coordinates a detailed process for review of large-scale developments to ensure everything meets all city, state and federal guidelines.

Karen Inman lives west of the proposed subdivision and expressed concern about subdivision fencing protection so small children would not get into the field with her cows. Mr. Fourie thought there would be fencing. Mr. Tennant suggested that she put up "No Trespassing" signs on her property.

Howard Lester lives just north of Sellers Road and is in Fayetteville. He stated that the partial drain system set up previously goes by his fence, down the fence, and drains into Goose Creek. He was concerned that nothing would be done now to correct the drainage issues. He also verified that the land owner is "hauling dirt out every day."

Mr. Fourie said he had not looked at the drainage on-site.

City Engineer Brackett said the same drainage plan done by a previous City Engineer (Rick Cowdrey) ten years ago appears to still be applicable now; also, there haven't been changes to City drainage requirements since then. This caused considerable discussion by Commissioners. They were concerned that factors on this site may have changed from ten years ago.

Jay Moore asked why there was no detention pond in the plan. City Engineer stated that in a heavy rain, the pond would eventually overflow all at once into the already full creek and this would actually make the water control situation worse than if normal runoff from the land was allowed.

Bobby Wilson asked if this current dirt mining could cause new runoff issues different from ten years ago.

Matt Hutcherson asked if all the new asphalt, concrete driveways, and coverage of soil by houses would increase groundwater rate of flow.

To another question, it was explained that Lot A will be a dedicated park, based upon the Landscape Ordinance requirement that a subdivision either provide a park or pay a fee-per-lot in lieu of a park.

City ordinance requires builder to improve their side of Sellers Road with 18' to centerline of road.

City Attorney Tennant stated that subdivision covenants where houses are more than 1800 square feet like these has to be reviewed and approved by him. He also told the concerned citizens that developers' construction is always monitored. Finally, he asked the City Engineer to talk with the developer about the fencing and send him the information so he can review it.

Having no further discussion, Chairman Mann called for question to approve Preliminary Plat for Farmington Heights Subdivision located on W. Sellers Road - owned by Lots 101 LLC. Voting "Aye": Moore, Carter. Voting "No": Hutcherson, Harris, Horne, Wilson. With 2 "Ayes" and 4 "Nos", the motion failed.

Melissa McCarville asked the project engineer Fourie to visit with her regarding some needed clarifications.
He agreed to do so.

5B. Large Scale Development – City of Farmington Public Works Building to be located in Creekside Park – Bates & Associates, Geoff Bates

City Engineer Brackett had the following conditions regarding approval:

1. Any water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to any construction activities.
2. A completed Grading Permit Application and fee must be submitted prior to final approval of the plans. A preconstruction conference will be required prior to any mass grading on the site. The owner, their engineering consultant, and their contractor responsible for the best management practices will be required to attend this conference.
3. After a final review set of plans and drainage report has been approved by McGoodwin, Williams & Yates, the applicant should submit to the City three (3) sets of full size plans and one (1) set of half size plans, and two (2) more copies of the final drainage report that have been sealed by the engineer for final approval and distribution.

The City did not have additional comments regarding this proposal that would use about 2 acres of the park land and would include a 9,000 square foot building with entire area surrounded by a 6' high chain link fence with woven slats.

The floor was opened for public comment with numerous people who live on streets surrounding this area of the park expressing great displeasure with the proposed site. In a head-count, it was determined that 28 people were present in opposition of this proposal.

Laurie Adkins, 74 Sable, felt the project idea was “harebrained.” She did not want to see park land used for anything but park activities and questioned environmental damage from oil and chemicals flowing down into the creek; she asked if it could be placed in another location such as east of Broyles. It was explained that the land east of Broyles has drainage issues; also, the City has been looking for a long time for reasonably priced land. She asked whatever happened to the park plan that was created several years ago which showed new playground areas, small orchard, and a place for music venues. In conclusion, she said the city was “shooting itself in the foot.”

Richard West, Sable Street, overlooks Creekside Park. He said it does not make economic or environmental sense to put the building in that location. He cited an American Planning Association study on value of parks.

- 1) Green space is economically valuable to a city. People want to move to cities with trails and parks.
- 2) Real property values are higher in cities with lots of greenspace. Thus cities will benefit from more tax dollars with which to further improve the city
- 3) Affluent people are attracted and retained.
- 4) Knowledge workers are particularly in favor of having access to many beautiful parks and trails.
- 5) Home buyers want to buy homes in park areas.

He was concerned about environmental pollution from the operation’s runoff; he also felt there would be unsightly piles of chat, sand, old Christmas decorations, and equipment like he saw in another area of the city. He closed by mentioning some of the things people had wanted when the park plan was done a few years ago, and he asked the Planning Commission to deny the City’s request.

Gary McCullough, corner of Rob & Broyles, said he had same concerns as previous speakers. He wondered how much of his sunroom view of the park would be blocked. He asked for a privacy screen on the north edge of park and also the west edge. He also mentioned that lots and lots of children cut through the park right there from Williams Elementary School on Broyles.

Michael Compton, 43 Spokane, was concerned about noise from the equipment and children’s safety. He thought that a small orchard was going to be planted in that area and wondered why nothing had been done to improve the park.

William Mace, 73 Rob, said he was a first-time home owner and would not have bought his house if he had known what was going to be put in the north part of the park. He works with heavy equipment and he knows it is going to be noisy.

Tracie Quade, 109 Sable, was concerned about water drainage from the facility and asphalt parking lot onto Marvel Street, which drains onto James Street where there is already a flooding issue occasionally.

Addison West, Sable Street, a young girl, presented a petition with numerous names of citizens who live in the area surrounding the park and who are opposed to the city building.

Devis Fruchtl, 74 Sable, asked about a dotted line shown in the south portion of the Park. It was explained that it was a proposed road, but that the City will not build a road there. She wondered

what had happened to the plans for the park that were done several years ago. She loves the park and is afraid this will downgrade the park and numerous homes around the park will become rentals.

With no other speakers, Chairman Mann closed Public Comment.

Mr. Floyd Shelley, Director of Public Works, answered some questions people had: The work hours are 7:30 AM – 4:30 PM. Their main functions are to keep Farmington parks' landscape clean and mowed, minor road repairs, and clear street drainage to prevent flooding. There are no water and sewer services or sanitation hauling involved. The City has 4 riding lawn mowers, 1 dump truck, 3 pickup trucks, 1 one-ton truck and small implements. There will be no gasoline tanks and no salt for ice prep; lime is used instead. Also, there will be a drain trap built in inside the building to catch any fluids that drain into it, but some of the vehicle maintenance is done by businesses elsewhere.

He explained they keep lots of equipment sitting outside causing faster depreciation, plus current storage areas at the ball park and beside the high school causes occasional blockage by parked vehicles. So in an emergency, they would not be able to get their equipment out.

Mayor Ernie Penn said they had looked for a location for 5 years. The property near Williams Elementary would cost about \$22,000 an acre, and city would have to buy all 20 acres, which City can't afford. When placement on East side of Broyles was considered, the residents were very opposed to placement there as well. Land available by the City Fire Station would cost \$350,000.

Architect James Key talked again about the fencing with slats and how the large amount of landscaping would screen the operation from public view.

Judy Horne suggested that the landscaping on the west side be moved much closer to the building to screen it and to muffle noise more effectively. This was agreed to by other Commissioners.

Chairman Mann called for question to approve the City of Farmington Large Scale Development plan, subject to the conditions listed in City Engineer Chris Brackett's memo, and with the understanding that there would be changes in the landscaping to provide better screening. Upon vote, the following Commissioners voted "Aye": Moore, Carter, Harris, Horne, and Wilson. Voting "No": Hutcherson. Motion carried 5 – 1.

6. Election of Officers

The following officers were elected: Robert Mann, Chair; Gerry Harris, Vice Chair; Judy Horne, Secretary.

7. Adjournment: Having no further business, Bobby Wilson moved to adjourn, seconded by Jay Moore; passed unanimously.



Judy Horne - Secretary



Robert Mann - Chair