

**Planning Commission Minutes**  
**March 28, 2022 at 6 PM**

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

**PRESENT**

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

**ABSENT**

**City Employees Present:** Melissa McCarville, City Business Manager; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Mayor Ernie Penn; Fire Chief, Bill Hellard

**2. Approval of Minutes:** February 28, 2022 meeting minutes were approved as written.

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

**Public Hearings:**

**4A. Variance 12226 Clyde Carnes Rd, owned and presented by Logan Boudrey:**

Logan Boudrey was present to discuss his variance request. He had a previous lot split but this request is to allow his brother 1 ½ acres which would be at the corner of Clyde Carnes and Jim Brooks Road. There are currently 6 large lots and this split would make a seventh.

**Public Comment:** None.

Melissa McCarville presented her recommendation to approve the requested lot split.

There were concerns about this not meeting undue hardship requirements of a variance. This property was granted a Variance in past to waive subdivision requirements so he did not have to do any improvements. It was also suggested that they put the driveway on the Jim Brooks side of the property. due to the increased traffic load on Clyde Carnes. This parcel originally had a Jim Brooks address.

Mr. Boudrey said he thought this request for curb cut on Jim Brooks could be done.

Chairman Robert Mann called for question to approve the Variance for 12226 Clyde Carnes and upon roll call vote motion passed ~~unanimously~~. *6-1 with Chad Ball voting No. jeh*

**4B. Variance for McDonald Subdivision, property located off N. Hwy 170, parcel #760-03023-001 owned by McDonald Building Group as presented by Jorgensen & Associates:**

Justin Jorgensen was present via zoom to discuss the request. Since there are street improvements already in place due to the Hwy 170 project, they would like their responsibility for street improvements be waived. It was noted that the lawsuit filed by West Washington Authority against the City was dismissed without prejudice so the Hwy 170 project will continue. It is possible for an appeal

to a higher Court, but they would have to provide proof of damage; a potential threat is not sufficient. This 170 Project will include 3 lanes and sidewalks. It has already been paid for by state and city so this creates an unusual circumstance for the developer.

Upon roll call, the motion to allow a variance for the McDonald Subdivision passed unanimously.

**4C. Preliminary Plat for McDonald Subdivision property; located east off N. Hwy 170; parcel #760-03023-001 owned by McDonald Building Group as presented by Jorgensen & Associates:**

Justin Jorgensen was present via zoom to discuss the request. Within the subdivision there will be street and drainage improvements as well as a detention pond. He had seen Chris Brackett's memo prior to this meeting and agrees to the conditions. Chris Brackett read his memo as follows:

"The Preliminary Plat for the McDonald Subdivision has been reviewed and it is our opinion that the Planning Commission's approval should be conditional on the following comments:

1. The fire hydrant locations shown on the 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 Washington Water Authority, the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to construction plan approval.
3. Payment in lieu of Park Land Conveyance will be required for this subdivision at \$600 per single family unit. This fee will be \$9,00 for the 15 lots.
4. A completed Grading Permit Application and fee must be submitted to the City prior to final approval of the construction plans. A preconstruction conference will be required prior to any grading on the site. The owner, their engineering consultant, and the contractor responsible for the best management practices will be required to attend this conference.
5. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City two (2) full size sets and three (3) half size sets of plans, and two (2) copies of the final drainage report that have been sealed by the engineer of record for final approval and distribution.

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

- a. The cul-de-sac must be increased to 96' diameter clear to meet the Fire Code.
- b. Verify that after increasing the diameter of the pavement, that the lot configuration in the cul-de-sac meet the Chapter 15.08- Lots in Cul-De-Sac in the Code of Ordinances.
- c. Coordinate with Garver for the adjustments needed in the Highway 170 Improvements."

The cul-de-sac is currently shown as 92 feet. However, the Fire Code will require the cul-de-sac to be 96 feet for the fire vehicles to maneuver through that space. Melissa stated that they must comply with this Code. There can be no variance.

There were no comments from the public. Having no further discussion, Robert Mann called the question to approve the Preliminary Plat subject to Chris Brackett's memo. Upon roll call, the motion was approved unanimously.

**4D. Final Plat for Wagon Wheel Subdivision Phase I; property located at 11828 Clyde Carnes Rd.; owned by Riggins Commercial Construction & Development as presented by ESI:**

Blake Murray of ESI was present to discuss the request. He said they have almost completed the sewer lift station. Also, the subdivision has decided to dedicate park land to the City instead of paying money in lieu of a dedicated park. Located south of Farmington High School, this land will provide a buffer in between the school and the subdivision development. This also will provide walkability as well as connectivity between the phases. Chris Brackett read his memo as follows:

“The Final Plat for the Wagon Wheel Crossing Subdivision Phase I has been reviewed and it is my opinion that the Planning Commission’s approval should be conditional on the following comments.

1. The Planning Commission must decide whether to accept the parkland that the developer is offering for this subdivision. The condition of approval will be based on this determination.
  - a. **If the parkland is accepted:** the developer will be required to provide a lot line adjustment and/or lot split to the boundary shown in the drawing. The deed will have to be transferred to the City of Farmington prior to signatures on the Final Plat. All improvements shown in the drawing must be constructed/installed within 6 months of the Final Plat being recorded or there will be a stop work order on all current building permit for the subdivision and no new building permits will be issued until these improvements are installed.
  - b. **If the parkland is *not* accepted:** The required Payment in Lieu of Park Land Conveyance must be paid prior to the signatures on the Final Plat. This fee will be \$600 per single family unit. The fee will be \$50,400 for 84 single family lots.
2. All public improvements must be completed, and a Final Inspection scheduled. All punch list items must be completed and accepted prior to final approval of the final plat.
3. A one- year Maintenance Bond to the City of Farmington for all public improvements with the exception to the water and sanitary sewer improvements must be provided prior to the signatures on the Final Plat. The engineer must submit an itemized cost of these improvements for approval prior to obtaining the bond.
4. If the sidewalk construction is to be delayed until the home construction, then the developer shall provide an escrow account in accordance with Ordinance Sec. 9.20.03. The engineer shall provide a cost estimate for the construction of the sidewalk for approval.
5. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
6. Provide on original and 6 copies of the recorded Easement Documents for the required easements outside of this phase of the subdivision.
7. Provide one original and 6 copies of the recorded plat to the City.”

Chris said all improvements must be completed before the park land dedication can be deeded over to the City. The City will be responsible for maintenance after the park land is deeded to the City.

The drainage easement in Phase III will be an open ditch due to watershed regulations. There will be a detention pond in the dedicated park land. Also, there will be parking spots in that park land for public use. As this was discussed, the City staff requested that there should be six parking spots with one spot dedicated as ADA parking. Mr. Murray agreed to this condition.

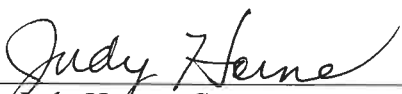
**Public comment:**

Tommy Johnson - 441 Driftwood: he wants to see if the City will put the various documents into PDF format for easier public access. It was explained that this would be difficult to do but citizens are always welcome to come to the City office and see the large-size documents.

Norm Toering- 306 Claybrook Drive He asked if this proposed park land would be able to handle all phases of this subdivision. He was concerned that initially, residents adjacent to the Wagon Wheel development weren't notified of all the phases that were going to be developed. Staff noted that the various phases had been discussed at public meetings before. Mr. Toering requested to be added to the FOIA e-mail list. It was noted that the Wagon Wheel East phase had been tabled previously due to the Hwy 170 lawsuit, but now can be brought before the Commission.

Having no further discussion, Robert Mann called the question to approve the Final Plat contingent upon acceptance of the park land dedication including the ADA compliant parking spot and subject to the conditions set forth in Chris Brackett's memo. Upon roll call, the motion passed unanimously.

**Adjournment:** Having no further business, the on-line/in-person Planning Commission meeting was adjourned at 6:30 PM.

  
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Judy Horne - Secretary

  
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Robert Mann - Chair