

**Planning Commission Special Meeting Minutes
February 24, 2025, at 6 PM**

- 1. ROLL CALL** – The meeting was called to order by Chair Robert Mann. A quorum was present.

PRESENT

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

ABSENT:

City Employees Present: Melissa McCarville, City Business Manager; Jay Moore, City Attorney; Rick Bramall, City Building Inspector; Chris Brackett, City Engineer; Bill Hellard, Fire Chief; LeAnn Tolleson, City Administrative Assistant.

- 2. Approval of Minutes:** The January 27, 2025, minutes were unanimously approved as written.

- 3. Comments from Citizens:** None

1. Public Hearings

1A. Variance – Property owned by James & Angela Lauderdale, Location –10957 N. Appleby Rd., Presented by Angela Lauderdale.

Angela Lauderdale, 10957 N. Appleby; Ms. Lauderdale, we are asking for a lot size variance, we currently own four acres on N. Appleby and our plan is to split the property and have the deed add my father for him to build next door on the property. When we purchased the property, the lot had a very odd shape and, in an effort, to make each lot look standard we chose to have line drawn. The survey will create different tracts and one being tract B to be 1.83 acre and it will also have an easement to the back of the property, and we hope that it will make it more of a standard shape to the lot.

Chairman Mann asked if the city had anything they wanted to add, City Business Manager, Melissa McCarville stated the Lauderdale's came before the planning commission a few months ago with requests for various setbacks, the commission approved the requests and that this was just another step to get to a point to utilize the property. City Attorney, Jay Moore, said the request was good.

Comments from Citizens: None

Chairman Mann called to question property owned by James & Angela Lauderdale; property located at 10957 N. Appleby Rd. presented by Angela Lauderdale upon roll call vote the variance passed unanimously.

1B. Preliminary Plat – Property owned by Rheas Mill Development, LLC, Location –Wesley Stevens Road., Presented by Crafton Tull

Caroline Gardner, representing Crafton Tull; Ms. Gardner stated these are one acre lots with thirty-one buildable with one big detention unbuildable lot. We do have a cul de sac proposed, it made more sense doing a cul de sac.

City Engineer Chris Brackett read a memo as follows.

The Preliminary Plat for the Rheas Mill 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 and the entrances shown on the plat must be reviewed and approved by the Fire Department.
2. The water improvements must be reviewed and approved by the Washington Water Authority and the Arkansas Department of Health prior to construction plan approval.
3. The approval of this preliminary plat will be contingent upon the Arkansas Department of Health giving their approval of the 31 buildable lots.
4. Payment in lieu of Park Land convenience will be required for this subdivision at \$900 per single family unit. This fee will be \$27,900 for the 31 lots.
5. The wet detention pond will be required to be fenced around the entire perimeter with a chain-link fence no less than six feet tall. A decorative iron fence can be installed with City Staff approval.
6. 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.
7. After a final review set of plans and drainage report has been approved by KMS, the applicant should submit to the City one (1) set of full-size plans and two (2) sets of half size plans, and one (1) copy of the final drainage report that have been sealed by the engineer of record for final approval and distribution.
8. This approval of this preliminary plat is effective for a period of one year and thereafter as long as work is actively progressing on the installation of the required improvements.

The following comment can be addressed in the construction plan submittal.

1. The detention pond lot will have to be dedicated as a drainage easement.
2. The sidewalk along the frontage of the detention ponds will be required to be constructed with the infrastructure of the subdivision.

Judy Horne asked about No. five of Chris Brackett's memo, if the wet detention pond will be required to have a fence around the pond and if it would be an iron fence and if there would be a streetlight where the mailbox kiosk would be located and if on the far west side of the skinny pond is that really a swale or a detention pond? Ms. Gardner answered yes, they will be putting up an iron fence around the detention pond and there will be a streetlight at the intersection where the proposed mailbox kiosk will be and yes, that will be a swale, and it will be there to catch and to not flush off into the neighbors. Ms. Horne voiced her concern that between the detention pond and swale is that going to be sufficient to slow the water down and keep from running down the hill and will it be adequate for the two-hundred-year flood? Ms. Gardner confirmed that the way it was designed will hold back the water and won't be impacting and it shows that in the drainage report, and they have it designed for the one-hundred-year flood, it is designed to drain out and it is not adding any drainage and the city only lets us design it for the one-hundred-year. City Engineer Chris Brackett said that is what is in our criteria manual to the one hundred. Judy Horne asked if that could be changed, and Chairman Mann said it would have to be changed by ordinance.

Chad Ball asked who would own lot 15, Ms. Gardner answered it would be owned by the POA.

Comments from Citizens:

Craig Hardin, 4790 W. Plymouth Rock, voiced his concerns and asked several questions. if the detention pond be aerated to help control mosquitos and stagnant water, will the property to the northwest corner, lots 5,6 & 7 drain across my property and did not see any graded lots. Mr. Hardin also asked if a barrier could be put up where the road ends at his field to keep cars ending up in his field. Will a detention pond be built before or while grading is going on to capture the runoff and will the POA take care and maintain the detention pond, I would like to see the convenance at some point to see how often it will be maintained. Last question, in one of the comments it was mentioned taking the drainage to the creek, it looks like they are still discharging to the swale and not to the creek.

Chairman Mann closed the floor for public comment.

City Engineer Chris Brackett answered Mr. Hardin's questions; Mr. Brackett stated that there would be a barrier at the end of the road, we require all stub out to have a barrier that states this road could be extended in the future but acts as a physical barrier. They're going to have to capture 99% if not 100% we are not going to allow water to miss those inlets. The pond will have to be graded out and the state requires that. They will have to extend the outfall of the pond to the creek, these are not construction plans yet but will be a requirement. We do not have a requirement to put aeration in detention ponds, but the pond is five foot deep and anything over four foot turns over and should not become mosquito infested. We will address lots 5, 6, & 7 during the construction plans, they will have to put in a cut-off ditch. Mr. Brackett also stated he would send Mr. Hardin the drainage report. They will also have to verify the volume of the pond before the city signs off on it and it will be a certification.

Keith Macedo questioned with the twenty-seven-foot road, there are still no parking signs on one side? Ms. Gardner answered Fire Chief Bill Hellard had sent her the layout where he wanted the no parking signs. City Engineer Chris Brackett stated the city only allows parking on one side of the road.

Robert Mann called question to approve the Preliminary Plat, property owned by Rheas Mill Development LLC, property located on Wesley Stevens, presented by Crafton Tull subject to memo by Chris Brackett dated February 24, 2025, upon roll call vote, the Large-Scale Development passed unanimously.

1C. Large Scale Development 7Brew – Property owned by Brew Culture, LLC, Location –7 W. Main St., Presented by CEI Engineering.

Erin Dudley with CEI Engineering stated this is a typical 7Brew, 510 sq. foot prefabricated building drive through only coffee shop.

City Engineer Chris Brackett read a memo as follows.

The Large-Scale Development for the Seven Brew - 7 West Main has been reviewed, and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The fire flow, fire hydrant and fire lane locations must be reviewed and approved by the Farmington Fire Department prior to construction plan approval.
2. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to construction plan approval.
3. Submit two (2) copies of the filed easement plat prior to construction plan approval. A

copy of the proposed easement plat shall be submitted to KMS for review and approval prior to signatures.

4. A sign permit will be required for the construction of the signage for this project.
5. 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.
6. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City one (1) set of the full-size plans and two (2) sets of the half-size plans, and one (1) copy of the final drainage report that have been sealed by the engineer of record for final approval and distribution.
7. This approval of this large-scale development is effective for a period of one year and thereafter as long as work is actively progressing on the installation of the required improvements.

Chad Ball asked about the two parcels, if one parcel would be on Main St. and the other parcel behind. Ms. Dudley said that a lot-split had been submitted. Chad Ball asked if the lot split would go all the way down to the end. Ms. Dudley answered it will be part of the proposed property line and will go all the way due to the parcel.

Vice Chair Gerry Harris was concerned that there was no access to Hwy 170. Ms. Dudley stated they have the existing access on to Main St. and putting in access on Hunter St. Gerry Harris asked how people would get around to Hwy 170. Wayne Hardin, with 7Brew said where the lot is adjacent, they do have an access agreement on the side which would allow people to take Hwy 170. Gerry Harris voiced her concern stating there would be too much traffic congestion. The only way to get into the drive to turn in is if you are heading east turn in and go around. Mr. Hardin asked if he could show Ms. Harris on the plans the access to the entrances. Gerry Harris said she feels like the area is too tight and is very concerned with how congested the traffic will be. City Attorney Jay Moore commented that as a commission they could take it into consideration.

Keith Macedo asked what the minimum distance is from the drive through, city Engineer Chris Brackett answered that it is on the state and not exactly sure but probably 50 feet. Ms. Dudley said because the existing drive is not modified the DOT does not have distance requirements. Keith Macedo asked what the minimum requirements will be when it is completed. Ms. Dudley said it would be what it is currently, and she would need to look at the plans.

Comments from Citizens: None

Norm Toering questioned the proposed agreement, asking what would happen if the buyer of the lot refused to grant access. Ms. Dudley explained that the current owner, 7Brew, could provide access before selling the lot. Chad Ball noted that since it's not in writing, it remains a suggestion. Toering insisted it should be documented. Mr. Hardin stated that the commission could include it as a contingency. Chairman Robert Mann asked City Attorney Jay Moore how to word putting in a condition to guarantee he shared access to the adjacent property. Mr. Hardin told the commission they can state it to have access from front of Main St. and around to back with shared access.

Keith Macedo made a motion to add a condition to vehicular path connecting the main street access to the Hunter St. access to be approved by KMS Engineering. Bobby Wilson seconded the motion, and it passed unanimously.

Chairman Robert Mann called to question to approve the Large-Scale Development 7Brew, property owned by Brew Culture, LLC, located at 7 W. Main St., presented by CEI Engineering contingent upon CB memo dated February 24, 2025, contingent upon motion made by Keith Macedo and seconded by Bobby Wilson. upon roll call vote, passed 5-2 Vice Chair Gerry Harris and Judy Horne voting no.

1D. Large Scale Development Grand Savings Bank – Property owned by Grand Savings Bank, Location –W. Cimarron Place, Presented by 4iE Engineering

Ferdi Fourie representing 4iE Engineering, this is for the Grand Savings Bank building provides access from the main road connecting to adjacent property, it is already a developed commercial site.

City Engineer Chris Brackett read a memo as follows.

The Large Scale Development for the Grand Savings Bank has been reviewed, and it is our opinion that the Planning Commission's approval should be conditional in the following comments.

1. A temporary construction easement will be required prior to construction plan approval for the work being performed on the adjacent property.
2. The dumpster location will have to be approved by the Planning Commission. The landscape ordinance requires it to be behind the structure, which is currently is shown but it also requires that it be 50' from any residential property. It is currently shown less than 12' from the residential property to the south. The configuration of the lot will not allow for both of these requirements to be met since the building is approximately 38' from the residential property.
3. The fire flow, fire hydrant and fire lane locations must be reviewed and approved by the Farmington Fire Department prior to construction plan approval.
4. The water and sewer improvements must be reviewed and approved by the City of Fayetteville Engineering Department and the Arkansas Department of Health prior to construction plan approval.
5. Submit two (2) copies of the filed easement plat prior to construction plan approval. A copy of the proposed easement plat shall be submitted to KMS for review and approval prior to signatures.
6. A sign permit will be required for the construction of the signage for this project.
7. 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.
8. After a final review set of plans and drainage report have been approved by KMS, the applicant shall submit to the City one (1) set of the full-size plans and two (2) sets of the half-size plans, and one (1) copy of the final drainage report that have been sealed by the engineer of record for final approval and distribution.
9. This approval of this large-scale development is effective for a period of one year and thereafter as long as work is actively progressing on the installation of the required improvements.

Chairman Robert Mann questioned whether item No. 2 in the memo would require a variance due to the dumpster being too close to housing. City Attorney Chris Brackett confirmed there wasn't enough space to meet both requirements. City Business Manager Melissa McCarville stated the commission could approve it with a contingency, requiring ordinance approval. Chairman Mann agreed it could pass contingent on a

variance being granted. City Attorney Jay Moore added that if they proceeded, it would be dependent on obtaining a future variance.

Chad Ball asked if the existing parcel that's on it right now and if doing a lot split to make it tract 13. Mr. Fourie said those parcels had already been created. City Engineer, Chris Brackett commented those were already a commercial subdivision.

Comments from Citizens:

Michelle Sears, 214 Pine Meadow, wanted to know for the residents of Pine Meadow they would prefer vegetation screening and ambient lighting.

Charles Davis, 206 Pine Meadow, voiced his concern about the drainage and asked if the four light posts would be up to code.

Having no further comments, Chairman Robert Mann closed the floor for public comments.

Judy Horne stated that they talked about some kind of juniper and showed on the plans showed going all the way to the back. Ms. Horne explained that junipers are slow-growing and within two years they were supposed to have something grown up to at least sixty percent of the fence and asked Mr. Fourie if they could change it to something that would grow faster. Mr. Fourie answered and said they could look at putting in cypress.

Bobby Wilson stated they commissioners would have to vote on that, you can't tell them what you want. City Attorney Jay Moore said the commission could suggest they change it.

Chad Ball asked if there would not be light pollution into backyards and if there will be a light shield. Mr. Fourie answered and said they would use fixtures that will shield lights across from adjacent properties.

Chairman Robert Mann called to question Large-Scale Development Grand Savings Bank, property owned by Grand Savings Bank, located W. Cimarron Place, presented by 4iE Engineering, Inc. contingent to Chris Brackett's memo dated February 24, 2025, and subject to variance being issued for dumpsters upon roll call vote, the Large-Scale Development passed unanimously.

1E. Final Plat – Goose Creek Ph. 5, property owned by DR Horton, located West of Goose Creek Ph. 2, presented by Jorgensen & Associates.

Jared Inmen representing Jorgensen & Associates stated he had read Chris Brackett's memo and had no issue with it.

City Engineer Chris Brackett read a memo as follows.

The Final Plat for the Goose Creek Village Subdivision Phase V has been reviewed, and it is our opinion that the Planning Commission's approval should be conditional on the following comments.

1. The required Payment In Lieu of Park Land convenience must be paid prior to the signatures on the Final Plat. This fee will be \$900 per single family unit. The fee will be \$91,800 for 102 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 except for 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 9.20.03(a.). The engineer shall provide a cost estimate for the construction of the sidewalk for approval.
 5. If the installation of the Street Lights has not been completed at the time of Final Plat signatures, then the developer shall provide the paid invoice from the electric company for these lights.
 6. Provide one original and 6 copies of the recorded plat to the city.

Chad Ball mentioned that the commission had previously discussed keeping McCloud Drive closed for a specific period to prevent commercial truck traffic. He suggested making it a requirement. Mr. Inman agreed and stated there were no issues with implementing it. City Attorney Chris Brackett noted that the Fire and Police Departments would need to be consulted before final plat approval. It was suggested that building inspections could help enforce the restriction. Mr. Inman also offered to coordinate with DR Horton to install "No Construction Traffic" signs.

Gerry Harris visited the site earlier, shared photos with the commissioners, and inquired about the temporary dirt pile. Mr. Inman confirmed it would be moved. City Engineer Chris Brackett explained that the city's required work was completed, and the ongoing work is related to a lawsuit, not under the city's oversight.

Norm Toering asked when work is done to the detention pond will it completely be cleared up before they turned over to the POA. Mr. Inman said yes, they will make sure everything is cleaned up.

Comments from Citizens:

Phyllis Young, 546 Goose Creek Rd. said she had a request for DR Horton, she said she has seen in subdivisions around the area they have put up solid barrier at a dead end road. Ms. Young asked if they could do this to keep anyone climbing over the fence and getting hurt.

Having no further comments, Chairman Robert Mann closed the floor for public comments.

Chairman Robert Mann call to question to approve the final plat for Goose Creek Ph. 5, property owned by DR Horton, property located west of Goose Creek Ph. 2, presented by Jorgenson & Associates contingent on Chris Brackett's memo dated February 24, 2025, upon roll call vote, the Final Plat passed unanimously.

Chad Ball was re-elected as Secretary by unanimous roll call vote.

Gerry Harris was re-elected as Vice Chair by unanimous roll call vote.

Robert Mann was re-elected as Chair by unanimous roll call vote.

Adjournment: Having no further business, motion was made and seconded to adjourn; it was approved unanimously, and meeting was adjourned.



Chad Ball, Secretary



Robert Mann, Chair