

**Planning Commission Meeting Minutes
July 28, 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
Howard Carter
Judy Horne
Matt Hutcherson – 6:19pm
Norm Toering
Bobby Wilson

ABSENT: Chad Ball

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

2. **Approval of Minutes:** June 23, 2025, minutes were unanimously approved.

3. **Comments from Citizens:** None

1. **Unfinished Business**

1A. Large Scale Development – Property owned by Tim & Kenna Lee, Location –73 E. Main St., Presented by Bates & Associates.

Geoff Bates representing Bates & Associates stated the Planning Commission had seen this project a couple of times, and it has been moved out of the setbacks. Vice Chair, Gerry Harris, asked Mr. Bates to look at the plat she had and stated it is showing a twenty-foot setback and asked what the distance from the property line to the building is. Mr. Bates answered this was before the variance, there is a twenty-three-foot setback on one side and a sixteen-foot setback on the other.

City Engineer Chris Brackett read a memo as follows.

The Large-Scale Development for the Smoke Shop 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.

Comments from Citizens: NONE

City Business Manager Melissa McCarville stated she had received a call from Nathan Benish, (he owns the daycare next door) before the original submittal and he objected to the Large-Scale. He could not be here tonight.

Judy Horne, on the landscaping, it is not the type of landscaping we ask you to put in. In the back of the building, it is not tall enough. What you are showing to put in will grow small and not high, when separating a business from a home the requirements are to grow taller than what they have and they need to change it.

City Engineer Chris Brackett said he would forward this information to Sarah Gertz. Mr. Bates agreed to the higher screen.

Chairman Robert Mann called the question to approve the Large-Scale Development Smoke Shop, property owned by Tim & Kenna Lee, located at 73 E. Main St., presented by Bates & Associates subject to Chris Brackett's memo dated July 28, 2025, upon roll call vote the Large-Scale Development passed 5-0.

Public Hearings

2A. Rezoning - From R-1 to MF-1, Property owned by Nicholas Richardson, Location –133 Neal St., Presented by Nicholas Richardson.

Nick Richardson requested rezoning R-1 to MF-1 to put a duplex on the property. City Attorney Jay Moore stated the property is located near Mandalay where the old house burned down. Mr. Richardson came to the work session, and stated it's a big lot and proposed MF-1 or R-3. Based on some of the feedback given to him at the work session it made him lean more towards MF-1 and he can put in a duplex.

Judy Horne voiced her concern about where the fence line and property line were, where are the setbacks and asked if he was putting the duplex towards Neal Street. Mr. Richardson answered we are going to push it further down. Chairman Robert Mann stated this is about rezoning and it would have to be rebuilt with twenty-foot setback, Mr. Richardson was agreeable to keeping as much space as possible between houses.

Comments from Citizens:

Colby Townsend 141 Neal St. lives directly next door to lot and voiced his concern that they do not want a duplex next door to his house. All of Neal Street are single-family homes with no duplexes. People are remodeling homes in that area, and we are concerned if a duplex goes in that will make our property value go down.

Richard Young 132 Neal St. lives adjacent to the property and commented that the whole neighborhood is single family homes and it has a fun charm to it with old trees, and it is walkable even though there are no sidewalks. Mr. Young voiced his concern that there will be more construction, and the duplex will bring more traffic and congestion.

James Rutter 17749 Twin Maple, Fayetteville voiced his concern for his daughter and son-in-law who lives on Neal Street as well as his wife who is there every single working day taking care of our grandson. Mr. Rutter acknowledged his understanding of zoning, and stated zoning is intended to guide development and protect existing neighborhoods. His primary concern is the severe traffic issues in the area, particularly the

difficulty of turning left onto Hwy 62. He stated that adding a duplex would likely bring two to four more vehicles, worsen traffic and conflict with the original intent of the area's residential zoning designation. Mr. Rutter stated the rezoning will impede on the original purposes of the R-1 neighborhood.

Grace Young 132 Neal St. stated her family had moved into their home a year ago. The reason they chose to live there was because of the single family feel of the area. Safety is her biggest concern and they felt it was a safe area to live. Her other concerns are with the increased traffic people will not invest in their homes and there will be an increase in safety issues.

Chairman Mann closed the floor for public comment.

Chairman Robert Mann addressed the commission stating this has to do with rezoning and it must make sense to put multi-family unit into a single household neighborhood. Bobby Wilson asked why Mr. Richardson wanted to put duplexes at that location. Mr. Richardson answered, based on the work session, they felt it was the best fit as a duplex. City Business Manager Melissa McCarville stated the only other option would be R-3 which allows a smaller lot and he could do two lots with single family homes.

Norm Toering stated at the work session he was adamant about zero lot line and the reason we leaned towards duplex was that it gave you the biggest distance away from the house. I don't want to say yes to zero lot lines when something is zoned a certain way they can come in and build whatever they want as long as it meets zoning criteria.

Judy Horne commented that the R-1 zoning is ideal for that location, noting that larger residential lots are desirable and buyers would likely pay more for them. She believes a home could be successfully built and sold without changing the zoning.

Chairman Mann called the question to approve Rezoning R-1 to MF-1. Upon roll call vote the rezoning failed 6-0 with Howard Carter, Norm Toering, Matt Hutcherson, Judy Horne, Gerry Harris and Bobby Wilson voting no.

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


Gerry Harris, Vice-Chair


Robert Mann, Chair